

Alachua County

Office of Planning and Development Staff Report

Application Number: CPA-01-08

Staff contact: Missy Daniels, Senior Planner

352-374-5249

Local Planning Agency

Board of County Commissioners

Hearing Date: November 14, 2007

Transmittal Hearing Date: Jan. 22, 2008

Adoption Hearing Date: TBD

SUBJECT:

A request for a map and text amendment to the Tower Road/SW 24th Avenue Activity Center to increase the allowable Commercial Retail square footage in the activity center and to include the northwest corner of the intersection within this activity center.

APPLICANT/AGENT:

Eng, Denman and Associates, Inc.

PROPERTY OWNER:

AJL Investments, LLC

PROPERTY DESCRIPTION:

Location: NW Quadrant of Tower Rd/SW 24th Ave

Parcel Numbers: 06668-003-001

Section/Township/Range: 8-10-19

Land Use: Low Density Residential & Institutional

Zoning: 'A' (Agriculture)

Existing Use: Institutional

Acreage: 3.06

CHRONOLOGY:

Application submitted: September 10, 2007
Original Staff Report released: November 7, 2007
Planning Commission Hearing: November 14, 2007
BoCC Transmittal Hearing: January 8, 2008,
Continued until January 22, 2008

PREVIOUS REQUESTS:

None

ZONING VIOLATION HISTORY: There are currently no violations on the site.

STAFF RECOMMENDATION:

Denial with bases in staff report.

PLANNING COMMISSION RECOMMENDATION:

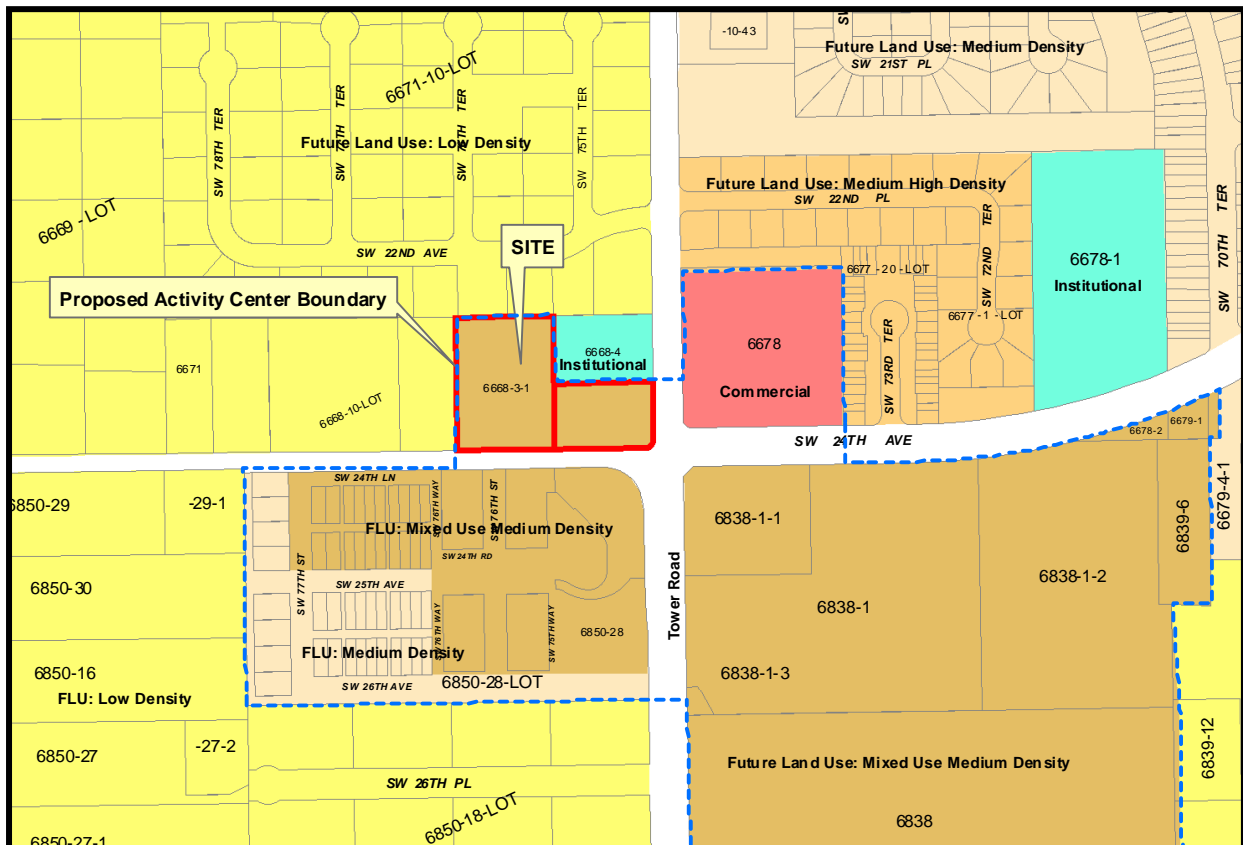
Denial with bases in staff report (6-0).

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Analysis of Request

Background

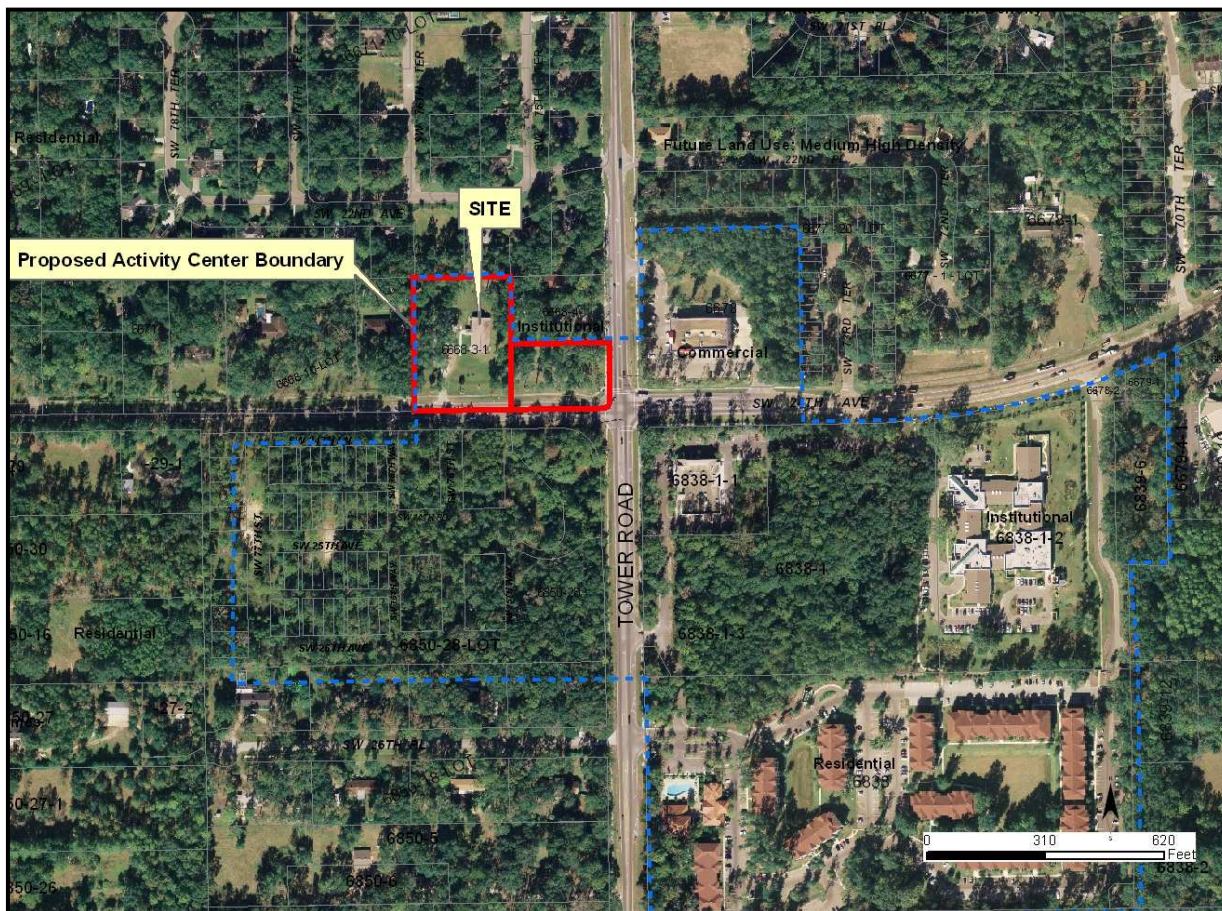
This is a request by Clay Sweger of Eng, Denman and Associates, Inc., agent for AJL Investments, LLC, owner, for a map and text amendment to the Tower Road/SW 24th Avenue Activity Center to increase the allowable Commercial Retail square footage in the activity center and to include the northwest corner of the intersection within this activity center. The proposed northwest quadrant of the activity center consists of a 3.06-acre parcel that is presently developed with a 4,000 square foot church building. Approximately 2 acres of this parcel has an 'Institutional' land use designation and the remainder of the parcel is designated 'Low Density Residential'. The applicant has proposed 'Mixed Use/ Medium Density Residential' as the new land use designation for the quadrant. This land use designation is specifically defined within the guidelines for the activity center in the Comprehensive Plan (Policy 2.5.6). Essentially, it will allow medium density residential development with office and limited retail uses.



Tower Road/24th Avenue Activity Center – Land Use Designations

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This request would allow for 10,000 square feet of non-residential development within this quadrant, including up to 6,000 square feet of retail commercial uses. The proposed amendment will also implement the urban design standards that already apply to the southwestern quadrant of this activity center. These design standards were originally included with application CPA-03-03, which was adopted on August 24, 2004 by the Board of County Commissioners and added the 15-acre southwestern quadrant to the activity center. On November 27, 2007, the Board of County Commissioners adopted CPA-02-07, which applied these same design standards to new development within the southeastern quadrant.



Aerial and Location of Subject Property

Proposed Text Amendment

The proposed Comprehensive Plan Amendment contains a text amendment to Policy 2.5.6 of the Future Land Use Element. Following is the language proposed by the applicant to amend this policy, shown in bold and in strikethrough/underline format. The text that is shown here as Policy 2.5.6 also incorporates the proposed text of CPA-02-

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07 that was adopted at the November 27th, 2007 Board of County Commissioners hearing. The applicant is proposing to add Policy 2.5.6.1.g to describe the types and amounts of uses allowed within the NW quadrant of the activity center. The other major change proposed by the applicant is to increase the gross leasable floor area for non-residential areas within the activity center from 195,000 square feet to 205,000 square feet.

POLICY 2.5.6

1. *This Activity Center Plan designates the southwest, southeast, **northwest** and northeast corner of the intersection of Tower Road and SW 24th Avenue as a Low Activity Center / Employment. The Activity Center is specified for institutional, office, commercial, and residential land uses as per subpolicies a. through ~~f-h~~. Total gross leasable floor area for non-residential uses shall not exceed ~~195,000~~**205,000** square feet of which no more than 155,000 square feet may be located within the northeast and southeast quadrant of the Tower Road and SW 24th Avenue intersection. For the protection of the Activity Center as a Low Activity Center / Employment, gross commercial square footage shall not exceed that of office/institutional uses. Non residential uses in the southwest quadrant shall not exceed 40,000 square feet, of which no more than 20,000 square feet shall be commercial (retail) uses. **Non-residential uses in the northwest quadrant shall not exceed 10,000 square feet, of which no more than 6,000 square feet shall be commercial (retail) uses.***
 - a. *Institutional uses may include only public and private educational facilities (compulsory), day care and nursery schools; cultural facilities such as libraries, museums, performing arts theaters; health care facilities (hospitals, specialized medical centers, clinics, nursing homes, retirement centers); public utilities and other infrastructure facilities; places of worship, cemeteries; community service organizations and membership lodges; government buildings and public facilities (fire protection, law enforcement, administrative offices, postal service).*
 - b. *Office uses may include only administrative and professional activities in the fields of health care, law, engineering, architecture, accounting, real estate, and other business and professional services as defined by Alachua County Zoning Regulations.*
 - c. *Residential land uses shall be utilized as transitional uses from institutional and office uses within the activity center to existing residential land uses within the Activity Center or existing or proposed residential land uses adjacent to the Activity Center. Subsequent to a PD application submitted for the entire Activity Center, a portion of the site may be developed in*

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residential uses (subject to concurrency provisions contained in the Comprehensive Plan).

- d. *In the southeast quadrant of the SW 75th Street and SW 24th Avenue supporting retail commercial uses shall be permitted only in conjunction with permitted office, institutional, or residential development. Retail commercial uses shall not exceed 52,000 square feet of gross leasable floor area. Such uses may include pharmacies and financial institutions (with or without drive throughs), sale of convenience and sundry items, gift, apparel, and souvenir shops, copying services, and restaurants. No other drive-through use shall be permitted.*

Development within the 9.36 acres located in the southeast quadrant of the SW 75th Street and SW 24th Avenue intersection shall be in accordance with the land use designations of Mixed-Use. Vertical and horizontal mixing of uses is encouraged within the areas designated as Mixed Use. Development within the quadrant shall be in the form of a planned development and shall be governed by the Common Design Standards set forth within 2.5.6.1.gh, and the following guidelines:

- 1. Garages may exist along the perimeter of a designated project site as a buffer/liner to adjacent uses.*
- 2. If parking faces SW 24th Avenue, then a minimum four (4) foot wall shall be required.*

Uses allowed within the area designated Mixed Use shall include: Residential, retail/commercial including wine and cheese shops, eating places, office, civic, schools, day care centers, and places of religious assembly. Retail sales shall not include gas stations or liquor stores. No single story retail/commercial building, where the entire building is in a single use, may exceed eight thousand (8,000) square feet.

- e. *Commercial uses shall be allowed on the 4.4-acre parcel located in the northeast quadrant of the SW 75th Street and SW 24th Avenue intersection. The parcel shall be limited to a maximum 15,000 ft² stand-alone retail drug store with prescription-only, drive-through window. The store shall be located in the southwest corner of the parcel with access points to and from the sited located along the western and southern boundaries. The Planned Development zoning district shall be required to ensue that the remaining undeveloped portion of the site will be maintained as open space and that buffering will be maximized to ensure compatibility with surrounding uses.*

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f. *Development within the 14.897 acres located in the southwest quadrant of the SW 75th Street and SW 24th Avenue intersection shall be in accordance with the land use designations of Mixed-Use and Medium Density Residential. It is intended that the entire quadrant shall be developed in accordance with fundamental urban design principles commonly referred to as 'new urbanism' providing ingredients presently missing and leaving the neighborhood incomplete. Vertical and horizontal mixing of uses is encouraged within the area designated as Mixed Use with a prescribed minimum square footage of residential use above non-residential uses. Development within the quadrant shall be in the form of a single mixed-use planned development and shall be governed by the Common Design Standards set forth within 2.5.6.1.gh and the following guidelines:*

- 1. Most residential lots shall be served by a rear alley, with garages accessed by the alley;*
- 2. Houses on corner lots should have their front entrance facing the larger street; and*
- 3. Residential development shall be limited to no more than 60 residential units within the southwest quadrant of the activity center. Land use designations for the southwest quadrant shall be Mixed Use and Medium Density Residential as indicated on the Tower Road/24th Avenue Low Activity Center map.*

Land use designations for the southwest quadrant shall be Mixed Use and Medium Density Residential as indicated on the Tower Road/24th Avenue Low Activity Center map. A minimum of ten residential units above non-residential uses are required within this land use designation. Uses allowed within the area designated Medium Residential Density shall include: apartments, townhomes and detached single family dwelling types. Uses allowed within the area designated Mixed Use shall include: Residential, retail/commercial, eating places, office, civic, schools, day care centers, and places of religious assembly. Retail sales shall not include gas stations or liquor stores. No single story retail/commercial building, where the entire building is in a single use, may exceed eight thousand (8,000) square feet.

g. Development within the 3.06 acres located in the northwest quadrant of the SW 75th Street and SW 24th Avenue intersection shall be in accordance with the land use designation of Mixed Use/Medium Density Residential. Vertical and horizontal mixing of uses is required. Development within this quadrant shall be in the form of a

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planned development and shall be governed by the applicable Common Design Standards set forth within 2.5.6.1.h, and the following guidelines:

1. **Up to 10,000 square feet of non-residential space, consisting of a mix of office and retail uses, shall be allowed. Of this total, up to 6,000 square feet may be commercial (retail) space. The non-residential portion of this quadrant may include specialty retail, neighborhood commercial uses, and professional and medical offices. Retail sales shall not include any drive-through facilities, automotive-related uses, or liquor stores.**
 2. **12 to 14 residential units shall be allowed, including apartments, townhomes, and attached and detached single family dwelling types.**
- h. Common Design Standards for the **Northwest**, Southwest and Southeast quadrants:
1. The basic increment of planning is the transit-supportive, mixed-use patterns of neighborhood, village or town.
 2. The neighborhood is of a certain size defined by an easy walking distance from its edge to its center.

...

Design Guidelines

The proposed text amendment will apply the existing design guidelines for the southwest and southeast quadrants of the activity center (as found in h above with full text in Exhibit 1) to the proposed northwest quadrant. These standards were originally proposed to only apply to the southwestern quadrant, which is currently being developed as the Tower-24 Planned Development. County staff supports the expanded application of these standards, since they encourage a pedestrian-friendly design and the quality of design and mix of uses that is appropriate within all activity centers.

Comprehensive Plan Consistency

Following is a review of the consistency of this request with specific policies of the Alachua County Comprehensive Plan.

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Levels of Service

The Alachua County Comprehensive Plan Capital Improvement Element requires that the public facilities and services needed to support development be available concurrent with the impacts of development and that issuance of a Certificate of Level of Service Compliance (CLSC) be a condition of all final development orders. 'Concurrent' shall mean that all adopted levels of service (LOS) standards shall be maintained or achieved within a reasonable timeframe. Per **Policies 1.2.4** and **1.2.5** of the Capital Improvements Element of the Alachua County Comprehensive Plan, LOS standards have been adopted for various types of public facilities.

Traffic

Development on this site would impact Tower Road and SW 24th Avenue. Following is the latest Average Annual Daily Traffic (AADT) and level of service report for the impacted roadways:

Segment A-13: Tower Road from Archer Road to SW 8th Avenue

MAX SERVICE VOL	AADT	RESERVED TRIPS	AVAILABLE CAPACITY
24,500@ D	17,125	8,917	-642

Segment A-14: Tower Road from SW 8th Avenue to Newberry Road

MAX SERVICE VOL	AADT	RESERVED TRIPS	AVAILABLE CAPACITY
30,500@ D	23,222	2,361	4,917

Segment A-20: SW 24th Avenue from SW 91st Street to Tower Road

MAX SERVICE VOL	AADT	RESERVED TRIPS	AVAILABLE CAPACITY
14,600@ D	9,738	2,868	1,974

Segment A-15: SW 20th Avenue from Tower Road to SW 62nd Boulevard

MAX SERVICE VOL	AADT	RESERVED TRIPS	AVAILABLE CAPACITY
29,800@ D	16,563	4,081	9,156

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The submitted traffic study analyzed a combination of three land uses for this site: Single Family Attached (14 units), General Office (4,000 SF), and Retail Center (6,000 SF). The trip generation data for these three land use categories are provided from the Institute of Transportation Engineers Trip Generation Manual, 7th Edition. The traffic report estimated the total trip generation from these uses at approximately 384 trips (according to the trip generation equations provided in the report: 14 single-family attached units will generate 82 trips; 4,000 SF of General Office will generate 44 trips; and 6,000 SF of Retail Center will generate 258 trips). A redevelopment credit of 62 trips is proposed by the study, which would be subtracted from the total trip generation for this request. This redevelopment credit is based on the existing use on the site (the 4,000 square foot church building) and other potential uses (8 single family detached units on the 2 acres of Low Density Residential). The traffic study then proposes that the trip generation will be further reduced to 240 net new daily trips by an internal capture rate of 5%.

As shown in the level of service tables above, there are currently 8,917 trips reserved on Segment A-13 of Tower Road, leaving a capacity **deficit of 642 trips**. The trip distribution indicates a 25% distribution of 60 trips onto this segment, which is currently over the maximum level of service capacity to accommodate additional traffic impacts.

Mass Transit

Policy 1.2.4 (F) states that a paratransit system shall be maintained in unincorporated Alachua County in order to provide 24-hour ambulatory and wheelchair service on a demand-responsive basis. MV/Paratransit is providing this service to the site.

RTS Route #75 runs down Tower Road through the activity center, and maintains headways of every half hour during peak hours of operation. This route connects the Oaks Mall transfer site on Newberry Road to Butler Plaza transfer site on Archer Road.

Water and Sewer

Centralized water and sewer is currently available at this location. Future development in the activity center will be required to provide connections (PWSS Policy 2.1).

Drainage

Policy 1.2.4 (D) states that the minimum drainage LOS standard for residential development requires a floor elevation of one (1) foot above the 100-year/critical duration storm elevation. Any development at this site will be required to meet this standard at the time of final DRC approval.

Emergency Services

Policy 1.2.5 (A) states that the LOS standard for fire services within the Urban Service

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Area is as follows:

- Initial unit response within 4 minutes for 80% of all responses within a 12 month period.
- Fire protection service level of ISO (Insurance Service Office) Class Protection 4 or better.
- 100% of development shall provide water supply from hydrants.

Solid Waste

Policy 1.2.4 (C) states that the minimum level of service standard for solid waste disposal used for determining the availability of disposal capacity to accommodate demand generated by existing and new development, at a minimum, shall be 0.73 tons per person per year. In the year 2001-2002, there was generated 3.9 pounds/day (0.71 tons/year per person) in Alachua County (Source: Alachua County Public Works Department Website). Any development at this site will be required to meet these minimum LOS standards as part of development plan approval.

Recreation

Policy 1.2.4 (B) states that the minimum LOS standard for recreation in the unincorporated area of Alachua County is 0.5 acres of improved activity-based recreation sites and 5.0 acres of improved resource-based recreation sites per 1,000 persons. At present, the Alachua County Parks System consists of 25 parks encompassing 1306 acres (Source: Department of Public Works Website). At these required levels of service, the present county park system would accommodate a population base of over 237,000 people. The proposed text amendment will not affect the recreation level of service standard.

Schools

Although not part of the adopted LOS Standard for Alachua County, the following school capacity numbers are being provided for information purposes. These numbers show the actual 2007-08 enrollment.

School	Type	Percent Capacity	Actual Enrollment	Student Capacity	Available Stations
Chiles	Elementary	105%	799	761	-38
Kanapaha	Middle	81%	879	1079	200
Buchholz	Senior High	116%	2376	2054	-322

Source: Alachua County School Board – October 17, 2007

This location is currently zoned for student attendance to Chiles Elementary, Kanapaha Middle, and Buchholz High schools. The current enrollment for the 2007-08 school year already exceeds the permanent student capacity at the assigned elementary and high schools. If the maximum of 14 units allowed by this rezone were built on the site, then

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approximately 5 students could be expected to live in the development. This expected number of students will not cause the assigned middle school to exceed capacity.

The enrollment at the assigned elementary and high schools exceeds the permanent student capacity. However, this will not create unmet needs for the School Board of Alachua County, since the design of the core facilities is capable of accommodating some additional students. Specific school assignments for students in the development area will be determined by the Alachua County School Board in accordance with School Board Policy 5.11(2) (f), stating that “the Board may assign or reassign students to alternative schools or programs located in or out of their assigned zone, for the health, safety, or welfare of the students, other students or staff, to relieve crowded schools or avoid school crowding.” No assurances are given that the assignments will be made to the most closely located, or currently zoned, facilities. The provision of services to students in the development area may require redrawing of attendance zone lines, reassignment and busing to facilities elsewhere in the District, the use of temporary facilities, and/or the relocation of specific educational programs.

Activity Center Policies

Objective 2.1.1 describes three different levels of activity centers (low, medium, and high) and the amounts of development that may occur in each. This objective states that *“Low activity centers have cumulative development at the level of a neighborhood shopping center, or have an equivalent concentration of a mix of commercial, offices, institutional, or light industrial activities.”* Within the commercial section of the Future Land Use Element, Policy 3.7 describes the standards and general characteristics of a ‘neighborhood shopping center’. This policy states that the range of square feet for a neighborhood shopping center is 30,000 to 100,000. Policy 3.7.1 states that neighborhood shopping centers shall only locate in low, medium or high activity centers. Though not specifically stated, it stands to reason that the lower end of the square footage range would be appropriate in Low Activity Centers and the upper end in High Activity Centers. In any case, it is clear that the amount of commercial development within a low activity center should not exceed 100,000 square feet.

The language in Objective 2.1.1 also implies that a low activity center should have a total concentration of commercial, offices, institutional, or light industrial activities that is equivalent to a neighborhood shopping center. As seen above, with the added square footage of office and commercial in this proposal, the Tower Road/24th Avenue Activity Center would total 89,000 square feet of existing and allowable retail commercial space, and 109,703 square feet of office/institutional space for a total of 198,703 square feet. This amount of development exceeds what could be considered an equivalent mix of uses for a neighborhood shopping center, especially within a Low/Employment Activity

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Center. Therefore, this request is inconsistent with Objective 2.1.1. and Policy 3.7.

The Tower Road/24th Avenue Activity Center is considered by the Comprehensive Plan to be a Low Activity Center that is oriented to provide employment uses. **Policy 2.4.1** states that *“Low Activity Centers are characterized by neighborhood-oriented commercial uses or a mix of limited office, institutional or limited retail and service or light industrial activities.”* Therefore, any commercial uses allowed by this text amendment should be neighborhood-oriented in nature. The applicant is proposing Mixed Use/Medium Density Residential land use designation for this quadrant of the activity center. The applicant is providing new language that defines the commercial component of the mixed use in this quadrant as follows: *“Up to 10,000 square feet of non-residential space, consisting of a mix of office and retail uses, shall be allowed. Of this total, up to 6,000 square feet may be commercial (retail) space. The non-residential portion of this quadrant may include specialty retail, neighborhood commercial uses, and professional and medical offices. Retail sales shall not include any drive-through facilities, automotive-related uses, or liquor stores.”* (revised Policy 2.5.6.1.g.1). The proposed uses of specialty retail, neighborhood commercial uses, and professional and medical offices are neighborhood-oriented. This proposed language specifically states that drive-through facilities, automotive-related uses, and liquor stores will not be permitted. Not allowing for the development of drive-through facilities or automotive related uses within this quadrant will lessen the potential traffic impacts on the surrounding area. Since there is only 6,000 square feet of commercial permitted within this quadrant, it is apparent that no single commercial use will be larger than that size. By comparison, the southwest and southeast quadrants allow individual commercial uses to be as large as 8,000 square feet. The types of commercial uses allowed by this amendment are considered to be neighborhood-oriented, and the permitted size of those uses is appropriate for a neighborhood scale. The proposed amendment is consistent with Policy 2.4.1 regarding Low Activity Centers.

Policy 2.4.2 describes two types of Low Activity Centers to be designated on the Future Land Use Map – Retail and Employment. **Policy 2.4.2.b** states that *“Low Activity Centers/Employment will have office, institutional or industrial uses as their primary uses and secondary activities consisting of residential and limited retail and service uses that are supportive of the primary uses. Such supporting uses shall be phased to coincide with the primary uses they are supporting.”* Since retail is intended to be a secondary use within this type of activity center, it is important that the amount of retail provided in such an activity center should not exceed the amount of institutional and office uses. The following recently adopted language is included within Policy 2.5.6.1.a regarding the Tower Road/24th Avenue Activity Center: *“For the protection of the Activity Center as a Low Activity Center/ Employment, gross commercial square footage shall not exceed that of office/ institutional uses.”* This language was approved with the most recent text amendment approval allowing additional commercial square footage and

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uses in the southeast quadrant. The intent was to keep the activity center development consistent with Policy 2.4.2 and to ensure that the nature of this activity center as a Low Activity Center/Employment was protected.

This request for the NW quadrant of the activity center proposes more commercial retail use than office and institutional uses. Policy 2.5.6.1.a and Policy 2.4.2 apply to the activity center as a whole, however, and as shown below, this proposal will not cause the allowable commercial retail uses to exceed office/institutional uses in the Tower Road/24th Avenue Activity Center. The proposal is therefore consistent with Policy 2.5.6.1.a. However, as the retail uses keep increasing in the activity center, and as the total square footage of non-residential square footage keeps increasing (it's almost double the neighborhood square footage now) the activity center moves further away from its designation as a Low/Employment oriented activity center and thus is no longer consistent with that Comprehensive Plan land use designation.

TOWER ROAD/24th AVENUE ACTIVITY CENTER – NON-RESIDENTIAL USES

Activity Center Quadrant	Retail Uses (sq ft)	Office/Inst. Uses (sq ft)
NE	11,200 (CVS)	None
SE	14,800 (Walgreens)	53,233 (Woodlands Care Center)
	37,000 (CPA-02-07)	32,500 (Bellamy Office Center)
SW	20,000 (Tower 24 PD)	20,000 (Tower 24 PD)
NW	6,000 (CPA-01-08)	4,000 (CPA-01-08)
TOTAL	89,000	109,703

General Commercial Policies

Policy 3.2.1 states that “Commercial development shall be designed to eliminate or minimize the negative impacts on surrounding residential areas.” There are existing single-family residential areas adjacent to this proposal – several large residential lots are located to the west, and The Reserve subdivision is directly adjacent to the north. This policy does not prohibit the location of commercial uses adjacent to residential areas, but does require that the design of these uses address potential negative impacts on surrounding residential areas. Typical design features that may reduce these impacts include buffers and building setbacks. The overall layout of the development may also address this concern by locating parking areas and more intense

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uses away from residential lots. Policy 3.2.1 would be implemented through the planned development zoning process and at the development review stage, if this amendment is approved.

Policy 3.9.1 states that “*Office uses shall only be located in areas designated for commercial development, Low, Medium, or High Activity Centers, village centers, planned developments, or traditional neighborhood developments, rural employment centers, or rural clusters.*” This proposal will add the northwest corner of the intersection to the Tower Road/24th Avenue Activity Center, and therefore will allow for the development of office uses at that location.

The proposed amendment will increase the amount of retail commercial uses in the Tower Road/24th Avenue Activity Center. **Objective 3.3** of the Future Land Use Element states that “new commercial development or redevelopment shall have adequate public facilities and services at the time development occurs.” **Policy 3.3.1** states specifically that “new commercial development shall meet all of the requirements for adequate facilities based on the level of service standards adopted in this plan for roads, potable water and sanitary sewer, solid waste, and stormwater facilities.” As outlined in the Level of Service section of this report, there are sufficient public facilities available to serve this development, with the notable exception of roadway capacity. Based on the traffic counts available at this time, staff has determined that Tower Road exceeds capacity (by over 600 trips) on the road segment that would be directly impacted by this development. The 14 residential units and the 10,000 square feet of office and retail that are proposed by this amendment have the potential to create an additional 240 daily trips, 60 of which would directly impact this segment of Tower Road. There is a current deficiency in the public facilities that would be required to serve this additional development, and the applicant has not provided information to show how this deficiency will be addressed at the time of development. The greater intensity and density of development allowed by this amendment does not have adequate facilities present, and therefore this request is inconsistent with Objective 3.3 and Policy 3.3.1.

Market Study

Policy 2.1.3 requires a Comprehensive Plan Amendment for new, expansion, or redevelopment of activity centers. **Policy 2.1.3.a.1** states that “*the market study shall document the need for location and type of new Activity Centers or for expansion of existing Activity Centers, through analysis of factors including population projections within the relevant market or service areas, identified in Section 3.0 Commercial Policies, based on estimated build out of the future land uses.*” This request includes a geographic expansion of an activity center, and will also increase the amount of allowed commercial square footage, and so the applicant has provided a market study. This study is intended to show support for the additional 6,000 square feet of commercial retail use that would be allowed at this location.

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For neighborhood commercial centers, the Comprehensive Plan recommends a market area radius of 1 and ¼ miles or more. The radius used for this market study is somewhere between 2 and three miles. The study states that population figures and existing commercial square footage within the market area were analyzed to demonstrate the market need for this request. Existing demand ratios in the rest of the County and the City of Gainesville were applied to this market area in order to demonstrate a 'gap' in the commercial supply. The primary finding of the study, based on these demand ratios, is that there is need for more commercial space within this market area. The study shows a specific need for additional basic retail, shopping centers, and restaurants. The market study does recognize that not all of the retail used to determine demand would be appropriate in this area and taking into account the recently adopted request for 37,000 additional square feet in the southeast quadrant of the activity center (CPA-02-07), as well as the 20,000 square feet of developing commercial area in the Tower 24 Planned Development, the study concludes (Page 7 of the Market Study) that "after considering the 'pipeline' supply of up to 57,000 square feet of commercial development on the southwest corners of Tower Road and 24th Avenue, this methodology indicates excess demand for over 100,000 square feet of commercial space within this market area."

Even with the above conclusion, it is unclear whether this market study actually supports the expansion of the Activity Center and the additional commercial square footage being requested. The market area used to derive population appears to be larger than the area used to derive competing supply. In addition, it is unclear by the text exactly what is included in competing supply calculations. Other surrounding retail is discussed and a total calculation is given but in order to be able to check the study, it would need to specifically list competing supply and the corresponding square footage for each store, restaurant or shopping center. Staff cannot determine if the study supports the request, though the request is for only a small expansion of the Activity Center with a minimum amount of acreage (3 acres) and square feet (10,000 sq. ft.).

Whether the increased amount of neighborhood commercial square feet is justified by the market study is only one aspect of the analysis. Based on the preceding analysis of Comprehensive Plan policies, especially as it relates to the Low/Employment Activity Center designation and the provision of public facilities and services, specifically the lack of adequate capacity on Tower Road, staff cannot support a recommendation of approval for this Comprehensive Plan Amendment request.

Staff Recommendation

Staff recommends **denial** of CPA-01-08 with the following bases:

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1. **Objective 3.3** of the Future Land Use Element states that “new commercial development or redevelopment shall have adequate public facilities and services at the time development occurs.” **Policy 3.3.1** states specifically that “new commercial development shall meet all of the requirements for adequate facilities based on the level of service standards adopted in this plan for roads, potable water and sanitary sewer, solid waste, and stormwater facilities.” The 14 residential units and the 10,000 square feet of office and retail that are proposed by this amendment have the potential to create additional trips on a segment of Tower Road that exceeds its level of service capacity. There is a current deficiency in the public facilities that would be required to serve this additional development, and therefore the request is inconsistent with Objective 3.3 and Policy 3.3.1.
2. **Objective 2.1.1** of the Future Land Use Element states that “*Low activity centers have cumulative development at the level of a neighborhood shopping center, or have an equivalent concentration of a mix of commercial, offices, institutional, or light industrial activities.*” Within the commercial section of the Future Land Use Element, Policy 3.7 describes the standards and general characteristics of a ‘neighborhood shopping center’. This policy indicates that the maximum allowable level of development within such a commercial area is 100,000 square feet. Therefore, it is clear that the amount of commercial development within a low activity center should not exceed 100,000 square feet. However, the language in Objective 2.1.1 also implies that a low activity center should have a total concentration of commercial, offices, institutional, or light industrial activities that is equivalent to a neighborhood shopping center. With the added square footage of office and commercial in this proposal, the Tower Road/24th Avenue Activity Center would total 89,000 square feet of existing and allowable retail commercial space, and 109,703 square feet of office/institutional space. This amount of development exceeds what could be considered an equivalent mix of uses to a neighborhood shopping center. Therefore, this request is inconsistent with Objective 2.1.1 of the Future Land Use Element.

Attachments:

Exhibit 1 – Referenced Comprehensive Plan Policies

Exhibit 2 – Staff and Agency Comments

Exhibit 3 – Application

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Exhibit 1 – Alachua County Comprehensive Plan Policies and Land Development Regulation Citations

2001-2020 COMPREHENSIVE PLAN

Future Land Use Element

Objective 2.1.1

Different levels of Activity Centers are identified and designated on the Future Land Use Map based on the primary and secondary functions, market size and area, and intensity.

1. *Activity Centers shall be identified as high, medium or low intensity:*

c. Low activity centers have cumulative development at the level of a neighborhood shopping center, or have an equivalent concentration of a mix of commercial, offices, institutional, or light industrial activities.

Policy 2.1.3

A Comprehensive Plan Amendment shall be required for new, expansion, or redevelopment of activity centers to establish level, type, and uses on the Future Land Use Map and to establish specific activity center plan policies in the Comprehensive Plan. Such Comprehensive Plan Amendments shall be considered based on:

a. *The findings of a market study or employment study, such that:*

1. *The market study shall document the need for location and type of new Activity Centers or for expansion of existing Activity Centers, through analysis of factors including population projections within the relevant market or service areas, identified in Section 3.0 Commercial Policies, based on estimated build out of the future phases.*

2. *The employment study shall ...*

Policy 2.4.1

Low Activity Centers are characterized by neighborhood-oriented commercial uses or a mix of limited office, institutional or limited retail and service or light industrial activities.

Policy 2.4.2

There may be two types of Low Activity Centers designated on the Future Land Use Map depending upon the combination of primary and secondary uses shared for the Activity Center.

a. *Low Activity Centers/Retail will have neighborhood-oriented commercial activities as their primary use and secondary activities consisting of office, institutional and*

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residential uses.

- b. Low Activity Centers/Employment will have office, institutional or industrial uses as their primary uses and secondary activities consisting of residential and limited retail and service uses that are supportive of the primary uses. Such supporting uses shall be phased to coincide with the primary uses they are supporting.*

Policy 2.5.6

1. ...

g. Common Design Standards for the Southwest and Southeast quadrants:

- 1. The basic increment of planning is the transit-supportive, mixed-use patterns of neighborhood, village or town.*
- 2. The neighborhood is of a certain size defined by an easy walking distance from its edge to its center.*
- 3. A variety of housing, shops, workplaces and civic buildings may be included within the planned development.*
- 4. There shall be a variety of dwelling types taking the form of single-family detached homes, townhomes, and apartments – a housing stock that is inclusive, serving a range of income and age groups.*
- 5. Minimum setbacks and building height restrictions shall be established during the PD approval process. Where setbacks may be established, the setbacks shall allow encroachment of semi-public attachments, such as porches, bay windows, stoops, and balconies, mechanical and utility type equipment, stairwells, and awnings.*
- 6. Build-to lines shall be established along the streets and public square frontages.*
- 7. There shall be open space in the form of parks, squares or plazas in each quadrant of where appropriate throughout the activity center.*
- 8. Streets shall form a network that disperses traffic and provides a variety of itineraries. Street widths shall be the minimum necessary to safely accommodate the movement of traffic through the area while ensuring traffic moves at safe speeds that do not impair pedestrian comfort.*
- 9. An interconnected network of streets thoroughfares shall be provided which shall be relatively narrow and shaded by rows of trees to calm traffic and encourage walking and bicycling by creating a pleasant environment.*

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10. *Building frontages shall spatially delineate the thoroughfares and mask the majority of the parking.*
11. *Provision shall be made for public uses, streets, and squares that are safe, comfortable, and attractive for the pedestrian, with adjoining buildings open to the street and with parking not interfering with pedestrian, transit, automobile and truck travel modes.*
12. *Parking and loading functions shall be located and designed to respect, and reinforce, the pedestrian orientation of the neighborhood through on-street parking on narrow streets and parking placed behind or on the side of buildings. Parking lots shall be located to the side or behind buildings, so that generally only their access is visible from the street.*
13. *On-street parking is allowed on all internal streets. Off-street parking between building fronts and all internal streets is prohibited. Where parking areas may abut public streets and sidewalks on the side or at the rear of buildings, a space defining and screening edge shall be maintained along the frontage line using landscaping, screening walls or fences. All adjacent parking lots shall have internal vehicular connections or connections via an alley or lane.*
14. *Pedestrian movement throughout the area is to be provided by a combination of sidewalks and passages. Sidewalks are to be provided along internal streets in locations and widths established in the implementing PD zoning. Mid-block pedestrian and bicycle passages may be provided where appropriate.*
15. *Comfortable, multi-functional space shall be provided for transit riders waiting for buses. Bicycle storage shall be required with particular emphasis accorded the need for park and ride bicycle storage for transit riders.*

Objective 3.3

New commercial development or redevelopment shall have adequate public facilities and services at the time development occurs.

Policy 3.2.1

Commercial development shall be designed to eliminate or minimize the negative impacts on surrounding residential areas.

Policy 3.3.1

New commercial development shall meet all of the requirements for adequate facilities based on the level of service standards adopted in this plan for roads, potable water and sanitary sewer,

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solid waste, and stormwater facilities and the concurrency provisions of the Plan.

Policy 3.7

Neighborhood shopping centers are described by the following standards and general characteristics:

<i>Usual Minimum Site Area</i>	<i>4 acres</i>
<i>Gross Leasable Area (GLA)</i>	<i>30,000 to 100,000 sq. feet</i>
<i>Minimum Support Required</i>	<i>5,000-10,000 people</i>
<i>Radius of Market Area</i>	<i>1-1/4 miles or more</i>
<i>Number of Stores</i>	<i>5 to 20</i>
<i>Leading Tenant</i>	<i>Supermarket</i>
<i>Other Tenants</i>	<i>Stores providing convenience goods and personal services for the day-to-day needs of the immediate neighborhoods.</i>

Policy 3.9.1

Office uses shall only be located in areas designated for commercial development, Low, Medium, or High Activity Centers, village centers, planned developments, or traditional neighborhood developments, rural employment centers, or rural clusters.

Potable Water and Sanitary Sewer Element

Policy 2.1

All new development in the urban cluster shall be timed to occur when both centralized potable water and sanitary sewer systems are available for connection. Any new subdivision, expansion of an existing subdivision, multi-family, or any new or expansion of a non-residential use, development or redevelopment in the urban cluster, shall be required to connect to a centralized potable water and sanitary sewer system for service by FDEP permitted potable water and wastewater treatment plants. ...

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Exhibit 2 - Staff and Agency Comments

Department of Environmental Protection: Received on October 31, 2007

The property is located on the northwest corner of Tower Road and SW 24th Avenue. The property contains several buildings associated with a church. There is a 4" well with pressure tank and a septic system on the property. Both will need to be properly plugged and amended if not intended for use. There are several large trees but no natural habitat on the property. The 2004 FEMA maps show that there is a 100-year floodplain area in the center of the property but this was not shown in the most recent 2006 FEMA maps.

The subject parcel is in the perforated and unconfined area based on the County's Floridan Aquifer Confinement Map and the site contains moderately well drained soil (Bonneau find sand) based on the Soil Survey of Alachua County Florida (1985).

Public Works Department: Received on October 31, 2007

The eastern half of this property lies within the limits of the 100-year floodplain. Any development that would occur would be governed by Chapter 406, Article 7 (100-year flood plains) of the Unified Land Development Code. This criterion may make development of the site problematic at best.

Access to the site would be governed by restrictions regarding the placement of driveway connections in close proximity to the signalized intersection at SW 24th Avenue and SW 75th Street. Access to the site may require significant reconstruction of a portion of the intersection.

There is currently no available capacity on Segment A-13 of Tower Road to accommodate any additional traffic impacts.

Given these conditions, the Department recommends that this request be denied.

Alachua County Fire Rescue: Received on October 25, 2007

ACFR has no comment on this change in land use.