

RESOLUTION Z-12-05

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA TO REZONE FROM 'BH' (HIGHWAY ORIENTED BUSINESS) DISTRICT TO 'HM' (HOSPITAL MEDICAL) DISTRICT ON APPROXIMATELY 1.09 ACRES WITH A LAND USE DESIGNATION OF 'INSTITUTIONAL/MEDICAL' LOCATED AT 4170 SW 13TH STREET ON TAX PARCEL NUMBER 07221-001-000

WHEREAS, Zoning Application ZOM-04-12 has been duly filed and was considered by the Alachua County Planning Commission at its regular meeting of June 20, 2012; and,

WHEREAS, pursuant to Section 163.3184(12), Florida Statutes, the Alachua County Board of County Commissioners considered this zoning item concurrently with CPA-07-12, a small scale comprehensive plan amendment, at its regular meeting of July 10, 2012;

WHEREAS, pursuant to Section 163.3184(12), Florida Statutes, this zoning change is contingent on CPA-07-12 becoming effective;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA:

Zoning Application ZOM-04-12, a request by Clay Sweger of Eng, Denman & Associates, Inc., agent for Meridian Behavioral Healthcare, owner, to rezone from 'BH' (Highway Oriented Business) district to 'HM' (Hospital Medical) district on approximately 1.09 acres located at 4170 SW 13th Street on Tax Parcel number 07221-001-000, as

summarized in Exhibit A in this resolution, is hereby approved, contingent upon CPA-07-12 becoming effective, with the following bases:

Bases

1. Policy 5.1.1 of the Future Land Use Element (Institutional Uses) states that *Potential locations for major future institutional uses are identified on the Future Land Use Maps. Institutional uses may be allowed in other land use categories designated on the Future Land Use Map, and implemented in accordance with the guidance and policies within this Section 5.0., and within the Comprehensive Plan as a whole.* The proposed use as residential treatment facility is identified in this section of the Future Land Use Element as an institutional use. The location of this facility is appropriate in that it is adjacent to available mass transit and the structure (a former hotel) is suited to the temporary housing of clients undergoing treatment at this facility. The nature of the proposed use is primarily as temporary housing for patients undergoing treatment at this facility. As such stays are more extended in nature than typically found at a motel and would generate less vehicular traffic. The clinical nature of the proposed use does not generate additional noise or odors when compared to the previous use as a motel. Staff does not find that adverse impacts from the proposed use to surrounding neighborhoods will occur if these changes are approved.

2. Policy 5.1.2 of the Future Land Use Element (Institutional Uses) identifies institutional and governmental uses in Alachua County. Specifically, **Policy 5.1.2(b)** states that community services (including health facilities) are considered institutional

uses.

3. The specific policy language for health facilities is found in **Policy 5.4.5**. This language states that *major health facilities should be accessible by mass transit*. As indicated in the level of service portion of this report, this proposed facility will be located along an existing mass transit route that provides regular headways during peak demand periods. The requests are thus consistent with this policy.

4. Policy 5.4.5.2 states that *new major health facilities, e.g., hospitals and medical complexes, shall be located in areas designated for Institutional/Medical land uses on the Future Land Use Map. This land use category shall also provide for related facilities such as pharmacies, medical suppliers, lodging, restaurants, and accessory facilities, subject to performance standards in the land development regulations*. The small scale land use request will amend the Future Land Use Map 2030 from commercial to Institutional/medical, consistent with this policy in the Future Land Use Element of the Plan. The hospital/medical zoning designation, if approved as part of this request, will implement this land use designation.

5. Policy 5.2.1 provides location criteria for institutional uses. *The following criteria shall determine the appropriateness of potential institutional locations and uses requiring special use permits shall be demonstrated prior to establishing the institutional use:*

- a. *Optimum service area.*

- b. *Optimum operating size.*
- c. *Access to clientele.*
- d. *Compatibility of the scale and intensity of the use in relationship to surrounding uses, taking into account impacts such as, noise, lighting, visual effect, traffic generation, odors.*
- e. *Nature of service provision.*
- f. *Needs of the clientele.*
- g. *Availability and adequacy of public infrastructure to serve the particular use.*
- h. *Preservation and strengthening of community and neighborhood character through design.*
- i. *Consistency with the goals, objectives, and policies of the Conservation and Open Space Element.*

The service area for this project is regional in scope. Ready access to the facility is available via either I-75/Williston Road or US 441 (SW 13th Street). The project is optimally located along regional mass transit lines to serve the patients. The facility will not change in appearance nor will the scale or intensity of the use increase. Patients

will be housed in existing rooms and the facility will be operated similarly to the hotel that occupied the structure previously. As such, it will not generate additional odors, noise, lighting, etc. beyond that generated by the hotel. Patients will use on-site staff for therapy and treatment. As an existing facility, the hotel is already connected to water, sewer and other infrastructure needed to support continuing use of this building as a residential facility. As no external changes to the building will occur, the project will continue to maintain an outward appearance as a hotel and will remain consistent with the surrounding character of the area. Lastly, the proposed facility is consistent with the policies of the COSE. It will not impact culturally or environmentally significant resources as the project will reuse an existing structure.

6. Policy 5.2.2 of the Future Land Use Element states that *institutional facilities shall be designed and located for integration into the surrounding community. Land use decisions concerning location of institutional uses shall take into consideration environmental justice.* The proposal for the Meridian Residential Facility uses an existing motel facility to house patients. As such, the facility is already integrated into the surrounding community and will pose no additional impacts. With regard to environmental justice (avoiding or minimizing adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations) the proposed use will not create adverse environmental or socio-economic impacts on the surrounding community. The proposed use is a medical facility. No change or increase in traffic, pollution, crime or other adverse impacts is anticipated from the location of the residential facility at this site. The location of such a facility is

best served where its clientele can have ready access while causing the least impact to surrounding uses (including residential areas). This site is easily accessed from I-75 via Archer and Williston Roads. It will reuse existing structures and the proposed use is not anticipated to generate adverse visual impacts, noises or odors on the surrounding community. Staff finds that this facility will not result in adverse impacts on low-income or minority populations.

7. Policy 7.1.2 of the Future Land Use Element states that *proposed changes to the zoning map shall be considered in light of the availability and capacity of public facilities required to serve development, as well as the relationship of the proposed development to existing development in the vicinity.* As shown in the level of service section of this report, there are adequate public facilities to serve this development. The residences will be housed in an existing structure that formerly was a hotel. It is suited to residential use and will remain unchanged from their present configuration. As such, the relationship of this project to surrounding development will remain unchanged.

8. The proposed zoning change from BH to HM district is consistent with both the Comprehensive Plan and the ULDC. As stated in Chapter 403.19 of the Unified Land Development Code (ULDC), the Hospital/Medical (HM) district implements the Institutional/Medical land use designation, which is the subject of the small scale land use application associated with the request. The rezoning to the HM district assumes the approval of this land use amendment. The 1.09 acre parcel will meet all of the dimensional, size and setback requirements of the HM district as found in 403.19.

This Resolution shall take effect on the effective date of Comprehensive Plan Amendment CPA-07-12, which shall be 31 days after adoption, unless the amendment is challenged pursuant to Section 163.3187(5), Florida Statutes. If CPA-07-12 is challenged, the effective date shall be the date a final order is issued finding the comprehensive plan amendment in compliance with Section 163.3184, Florida Statutes.

DULY ADOPTED in regular session this 10th day in July, A.D., 2012.

BOARD OF COUNTY COMMISSIONERS OF
ALACHUA COUNTY, FLORIDA

By: _____

Paula M. DeLaney, Chair

ATTEST:

J. K. Irby, Clerk

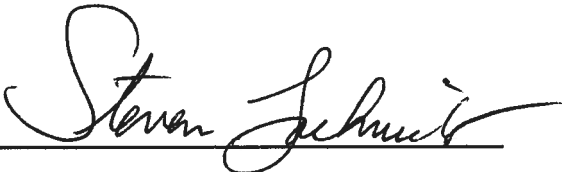
APPROVED AS TO FORM

Alachua County Attorney

(SEAL)

DEPARTMENT APPROVAL

AS TO CORRECTNESS



Department of Growth Management

Authorized Designee

ZOM-04-12
7/10/12

EXHIBIT A

Commence at the Northeast corner of Serenola Plantation as recorded in Deed Book L, Page 480, of the Public Records of Alachua County Florida, then run S 84 deg. 50 min. West 173.3 feet, thence run S 53 deg. 54 min. West 115.9 feet, thence run S 86 deg. 25 min. West 503.8 feet to the West edge of the 66 foot R/W of Old State Road No. 25, thence S 7 deg. 51 min. West along said R/W 375.9 feet, thence run N 79 deg. 33 min. West 53.1 feet to the New West R/W of State Road No. 25 and Point of Beginning; thence run N 79 deg. 33 min. West 246.9 feet; thence run N 10 deg. 27 min. East 253.2 feet to the South R/W of State Road No. 331; thence run N 86 deg. 25 min. East along said R/W 105.2 feet; thence run S 7 deg. 20 min. 30 sec. West 125 feet; thence run S 82 deg. 26 min. 54 sec. East 131.3 feet to New West R/W of State Road No. 25; thence run S 7 deg. 49 min. West along said R/W 160.62 feet to the Point of beginning. All being and lying in Lot 22 of Serenola Plantation, Township 10 South, Range 20 East, Alachua County, Florida.