

City of Gainesville

Lewis Oil: Land Use Change & Rezoning

LD23-000139 LUC & LD23-000140 ZON

Department of Sustainable Development
Nathaniel Chan

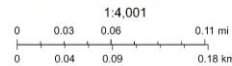


Existing Future Land Use Map



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- Parcels
- City of Gainesville Land Use
- IND: Industrial
- MOR: Mixed-Use Office/Residential
- PF: Public and Institutional Facilities
- REC: Recreation
- RL: Residential Low
- RM: Residential Medium
- SF: Single Family
- UC: Urban Core
- UMUH: Urban Mixed-Use High-Intensity



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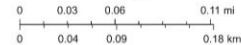
Proposed Future Land Use Map

2023-1136B



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☐ Parc

City of Gainesville Zoning

DT: Downtown

I-1: Limited Industrial

I-2: General Industrial

PS: Public Services and Operations U9: Urban 9

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NASA NC

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(1) KBN Engineering and Applied Sciences, ed.

Department of Sustainable Development

Policy 4.1.1 of the Future Land Use Element of the Comprehensive Plan

Land Use Categories on the Future Land Use Map shall be defined as follows:

Existing Future Land Use Category

Industrial (IND)

This land use category identifies those areas appropriate for manufacturing, fabricating, distribution, extraction, wholesaling, recycling, and other ancillary uses. [...] Intensity will be controlled by adopting land development regulations that establish height limits of 5 stories or less.

Requested Future Land Use Category

Urban Mixed-Use (UMU; up to 60 units per acre)

This land use category allows residential, office, retail, and serve uses either as stand-alone uses or combined in a mixed-use development format. [...]. Structures in this category shall be oriented to the street and encouraged multi-modal transportation through the development design. Developments located in this category shall be scaled to fit the character of the area. Maximum building height shall range between 4 to 5 stories [...], with provisions to add up to an additional 1 to 2 stories by a height bonus system as established in the Land Development Code.

Comparison between Limited Industrial (I-1), General Industrial (I-2) and Urban 7 (U7) Zoning – Permitted Uses

USE	I-1	I-2	U7
Alcoholic beverage establishment	P	P	P
Assisted living facility	-	-	P
Bed and breakfast establishment	-	-	P
Business services	P	P	P
Carwash	P	P	P
Civic, social, or fraternal organization	-	-	P
Day care center	-	-	P
Drive-through facility	P	P	P
Emergency shelter	P	P	P
Equipment sales, rental and leasing, heavy	P	P	-
Equipment rental and leasing, light	P	P	P
Exercise studio	-	-	P
Farmers market	-	-	P
Food distribution center for the needy	-	-	S
Food truck, not located within a food truck park	P	P	P
Food truck park (less than 6 pads)	P	P	P

P – Permitted
 - – Not permitted
 S – Special Use Permit
 A - Accessory

Green = Permitted in U7
 zoning

Red = Not permitted in U7
 zoning

White = No change

USE	I-1	I-2	U7
Food truck park (6 or more pads)	S	S	S
Funeral home or crematory	-	-	P
Gasoline or alternative fuel station	S	S	P
Go-cart raceway and rentals (indoor and outdoor)	S	S	-
Health services	-	-	P
Hotel or motel	-	-	P
Ice manufacturing/vending machines	A	A	-
Industrial	P	P	-
Job training and vocational rehabilitation services	P	-	-
Junkyard or salvage yard	S	P	-
Laboratory, medical or dental	P	P	P
Library	-	-	P
Light assembly, fabrication and processing	P	P	P
Medical marijuana dispensing facility	S	S	P
Microbrewery, microwinery, or microdistillery	P	P	P
Mini-warehouse or self-storage facility	P	P	-
Museum or art gallery	-	-	P
Office	P	P	P
Office (medical, dental, or other health-related service)	-	-	P

Comparison between Limited Industrial (I-1), General Industrial (I-2) and Urban 7 (U7) Zoning – Permitted Uses

P – Permitted
 - – Not permitted
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USE	I-1	I-2	U7
Outdoor storage (principal use)	P	P	-
Parking, surface (principal use)	-	-	-
Parking, structured (principal use)	-	-	P
Passenger transit station	P	-	-
Personal services	P	P	P
Place of religious assembly	-	-	P
Professional school	P	P	P
Public administration building	P	-	P
Public park	P	P	P
Recreation, indoor	P	P	P
Recreation, outdoor	P	P	P
Recycling Center	S	P	-
Rehabilitation Center	S	P	-
Research development or testing facility	P	P	P
Residence for destitute people	-	-	-
Restaurant	P	P	P
Retail sales	S	S	P
School (elementary, middle, or high - public or private)	-	-	P
Scooter or electric golf cart sales	P	-	P

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USE	I-1	I-2	U7
Sexually-oriented cabaret	-	P	-
Sexually-oriented motion picture theatre	-	P	-
Sexually-oriented retail store	-	P	-
Simulated gambling establishment	-	-	-
Skilled nursing facility	-	-	P
Social service facility	S	S	-
Solar generation station	P	P	-
Subsistence garden	P	P	P
Urban market farm, less than 5 acres	P	P	P
Urban market farm, 5 acres or greater	S	S	S
Truck or bus terminal or maintenance facility	P	P	-
Vehicle sales or rental (no outdoor display)	P	-	P
Vehicle sales (with outdoor display)	P	P	-
Vehicle services	P	P	P
Vehicle repair	P	P	P
Veterinary services	P	P	P
Vocational or trade school	P	P	P
Warehouse or distribution facility (less than 100,000 SF)	P	P	-
Warehouse or distribution facility (100,000 SF or greater)	P	P	-
Waste management facility	P	P	-
Wholesale trade	P	P	-

Comparison between Limited Industrial (I-1), General Industrial (I-2) and Urban 7 (U7) Zoning – Permitted Uses

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Proposed Future Land Use Map



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City of Gainesville Land Use

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PF: Public and Institutional Facilities	SF: Single Family
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	UMU: Urban Mixed-Use

1:4,001

0 0.03 0.06 0.11 mi

0 0.04 0.09 0.18 km

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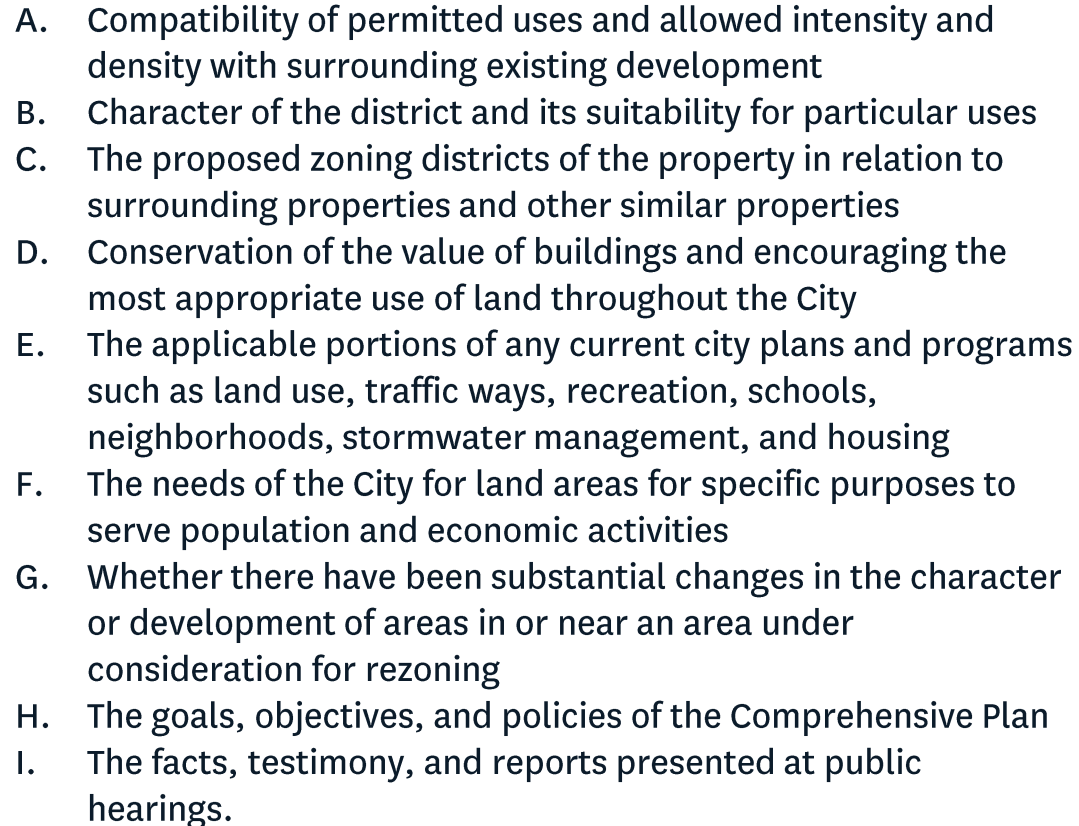
Meets FLU Change Review Criteria

Policy 4.1.3 of the Future Land Use Element

- A. Consistent with Land Development Code and Comprehensive Plan
- B. Compatibility with surrounding land uses
- C. Environmental impacts or constraints
- D. Support for urban infill and redevelopment
- E. Impacts on affordable housing
- F. Impacts on the transportation system
- G. Availability of facilities and services
- H. Need for additional acreage in the proposed future land use category
- I. Discouragement of urban sprawl
- J. Need for job creation, capital investment, and economic development to strengthen and diversify the City's economy
- K. Need to modify land use categories and development patterns within antiquated subdivisions (N/A)

Meets Rezoning Review Criteria

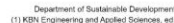
Section 30-3.14 of the Land Development Code



Meets Rezoning Review Criteria

Section 30-3.14 of the Land Development Code

1. The proposed T-Zone shall provide a logical extension of an existing zone, or an adequate transition between zones, with the potential to establish a coherent expansion of nearby transects with elements including a code compliant street system with sidewalks, pedestrian circulation, lighting systems, and utility infrastructure.
2. The area shall have had a change in growth and development pattern to warrant the rezoning to a more or less urban T-Zone.
3. The request shall be consistent with the overall City of Gainesville vision for growth and development as expressed in the City of Gainesville Comprehensive Plan.
4. The subject land has the characteristics of a T-Zone or has the potential to successfully facilitate development consistent with the intent of the T-Zone, including the creation of a more urban form through prescriptive building placement standards, enhanced window glazing, and an emphasis on the pedestrian experience.



Recommendation:

Staff: Approve

City Plan Board: Approve

City of Gainesville

Lewis Oil: Land Use Change & Rezoning

LD23-000139 LUC & LD23-000140 ZON

Department of Sustainable Development
Nathaniel Chan



Public Posted Notice



Planning Division
PO Box 490, Station 11
Gainesville, FL 32627
Ph: 352-334-5023
Email: planning@gainesvillefl.gov

Public Notice Signage Affidavit

Petition Name LD23 139 & LD23 140
Applicant (Owner or Agent) eda consultants, inc.
Tax parcel(s) 12745-001-000 & 1282-000-000

Being duly sworn, I depose and say the following:

1. That I am the owner or authorized agent representing the application of the owner and the record title holder(s) of the property described by the tax parcel(s) listed above;
2. That this property constitutes the property for which the above noted petition is being made to the City of Gainesville;
3. That this affidavit has been executed to serve as posting of the "Notice of Proposed Land Use Action" sign(s) which describes the nature of the development request, the name of the project, the anticipated hearing date, and the telephone number(s) where additional information can be obtained. In addition, the applicant has securely posted the sign(s) on the property along each street frontage, at intervals of not more than four hundred (400) feet, and set back no more than ten (10) feet from the street and visible from the street. If the property does not abut a public right-of-way, signs have been placed at the nearest public right-of-way with an indication of the location of the subject property.
4. That the applicant has posted the sign(s) at least fifteen (15) days prior to the scheduled public hearing date; or for Historic Preservation Certificate of Appropriateness applications, at least ten (10) days prior to the scheduled public hearing date.
5. That the applicant shall maintain the signs(s) as provided above until the conclusion of the development review and approval process and that the signs shall be removed within ten (10) days after the final action has been taken on the development application.
6. That I (we), the undersigned authority, hereby certify that the foregoing statements are true and correct.

Melissa Watson Applicant (signature)
Melissa Watson Applicant (print name)

STATE OF FLORIDA, COUNTY OF ALACHUA

Before me the undersigned, an officer duly commissioned by the laws of the State of Florida, on this 28th day of November, 2023, personally appeared who having been first duly sworn deposes and says that he/she fully understands the contents of the affidavit that he/she signed.

[Signature] Notary
Public
My Commission expires: Oct. 10, 2026

RECORDING SPACE



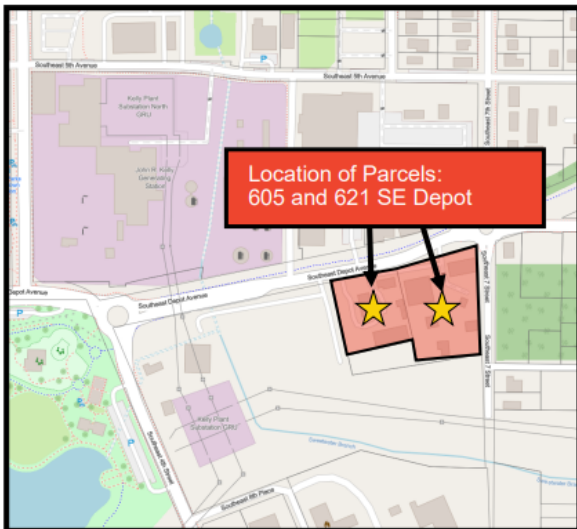
Heather A. Hartman
Comm.: # HH 320137
Expires: October 10, 2026
Notary Public - State of Florida



WHAT: 1) Petition LD23-000139 Future Land Use Change of parcels 12745-001-000 and 12082-000-000 from Industrial (IND) to Urban Mixed-Use (UMU) and **2) Petition LD23-000140** Rezoning of parcels 12745-001-000 and 12082-000-000 from Limited Industrial (I-1) and General Industrial (I-2) to Urban 7 (U7). Located at 605 and 621 SE Depot Ave.

WHEN: Thursday, December 14, 2023, 6:30 pm

WHERE: 200 East University Ave. | Gainesville, FL 32601



Application ID: LD23-000139 LUC and LD23-000140 ZON

Name: Lewis Oil Future Land Use Change and Rezoning

Lot Size: 2.57 +/- acres

Contact: Nathaniel Chan (Planner)
chann1@gainesvillefl.gov

MEETING INFORMATION

2023-1136B

Please contact the City Clerk's Office at 352-334-5015 to report issues with the technology that the City is using (not the technology members of the public are using) to provide public access (viewing, listening and/or commenting) to the meeting. If you have a disability and need an accommodation in order to participate in this meeting, please contact the Office of Equity and Inclusion at (352) 334-5051 at least two business days in advance. TTY (Text Telephone Telecommunication Device) users please call 711 (Florida Relay Service). For Speech to Speech (STS) relay, please call 1-877-955-5334. For STS Spanish to Spanish relay, please call 1-877-955-8773. For STS Spanish to English relay, please call 1-844-463-9710.

The public will have an opportunity to comment on the application.

Public access to this meeting can be accomplished as follows:

In person at the City Hall Auditorium, 200 East University Ave.

Live Meeting Coverage

- City of Gainesville Website: <https://www.gainesvillefl.gov/Government-Pages/Government/Departments/Communications-Office/Community-12TV/Live-Web-Streaming>
- Broadcast on Cox Cable Channel 12

Written Public Comment – accepted in advance of the meeting and during the meeting

- By mail to: City of Gainesville, Department of Sustainable Development: P.O. Box 490, Station 11, 32627
- By email to: cpb@gainesvillefl.gov

All written comments submitted shall be made a part of the public record. If any member of the public requires additional information about this meeting or has any questions about how to submit a public comment at the meeting, please contact:

Department of Sustainable Development
cpb@gainesvillefl.gov

ARTICLE VIII. – PROTECTION OF RESOURCES

Section 30-8.5 of LDC – Compatibility Buffers

Minimum requirements for separation of land uses of differing type and intensity.

Chart A. Land Use Buffer Types

FUTURE LAND USE DESIGNATION							
Abutting property → Subject property ↓	Single Family Res. Low	Res. Medium Res. High MU Office/Res Office	MU Low MU Medium Urban Core UMU UMU High	Commercial Business Ind.	Industrial	Education Recreation Public Facilities	Agriculture Conservation
Single-Family Residential Low	-	-	-	-	-	-	A
Res. Medium Res. High MU Office/Residential Office	A	-	-	-	-	A	A
MU Low MU Medium Urban Core UMU UMU High	B	A	-	-	-	A	B
Commercial Business Ind.	C	B	A	-	-	B	C
Industrial	C	C	C	B	-	C	C
Education Recreation Public Facilities	A	A	-	-	-	-	A
Agriculture Conservation	-	-	-	-	-	-	-

ARTICLE VIII. – PROTECTION OF RESOURCES

Section 30-8.5 of LDC – Compatibility Buffers

Minimum requirements for separation of land uses of differing type and intensity.

Chart B. Required width and plantings for buffer types

BUFFER TYPE	MIN. WIDTH	SHADE TREES (per 100 linear feet)	UNDERSTORY TREES (per 100 linear feet)	SHRUBS (per 100 linear feet)
A	9'	2	2	20
B	9'	3	2	20
C	15'	3	3	25

B. Buffer widths. The appropriate reviewing board, or the city manager or designee, may require the expansion of the minimum width of the buffer strip to ensure that trees will meet separation requirements from utility lines, buildings, or paved areas, or to allow for the inclusion of an existing high-quality shade tree in the buffer strip.

C. Driveways and sidewalks. The widths of driveways and pedestrian or bicycle facilities that cross through a required buffer shall be subtracted from the linear feet of buffer length for the purposes of calculating the number of required plantings in Chart B above.

D. Existing trees and natural vegetation in buffers. Any regulated, high quality shade trees existing within the minimum required buffer width shall be protected in accordance with [section 30-8.8](#). Credit for preserving existing trees shall be applied in accordance with this article. High quality heritage trees within buffer areas should be preserved with the area underneath the canopy dripline protected. Sidewalks and bicycle access infrastructure may be permitted within the protection zones of a high quality heritage tree but not within the root plate. Natural vegetation, if it achieves a continuous 75 percent opacity for 10 months of the year, may be substituted for the required shrubs. If a buffer that preserved existing vegetation is subsequently cleared by the property owner or when permits for tree removal are granted post-development, then the required shrubs and trees in accordance with this section shall be required.

E. Invasive nonnative vegetation in buffers. All buffers shall be maintained to remove invasive nonnative plant species and curtail natural regeneration of seedling loblolly and slash pines. The density of loblolly and slash pines in a natural buffer should be managed so the remaining pines grow no closer than 25 feet and seedling regeneration is curtailed.

F. Sound attenuation. The reviewing board, or city manager or designee, may address the need for sound attenuation of certain equipment, such as refrigeration units, motors, fans, power tools, etc., or uses such as loading, vehicle repair, outdoor recreation, etc., by requiring a study, prepared by a licensed engineer or architect, to address the potential for a noise disturbance to be transmitted to adjacent properties by the proposed use, and may require the installation of a wall, fence or berm in addition to required landscape material. The wall, fence or berm may be located within the required buffer or directly around the equipment or use which requires sound attenuation.

Environmental Report Summary

See Staff Report Appendix C for full environmental report.

- **Wetlands Assessment:**
 - National Wetlands Inventory (NWI), Alachua County wetlands data, and USDA soil data confirm no wetlands within parcel boundaries.
 - Parcel outside the 0.2% annual chance flood hazard.
- **Vegetation and Ecosystem History:**
 - Historical aerial data shows historical clearing of vegetation since at least the 1930s.
 - Development started in the 1950s, and the area has not been a natural ecosystem in recorded data.
- **Species and Habitat Assessment:**
 - Florida Natural Species Index shows no known recorded species.
 - Federal Wildlife Commission Terrestrial Resources GIS lists Potential Habitat Species Richness as zero.
 - Property not in a Strategic Ecosystem or Murphree Wellfield Protection Zone.
 - Not adjacent to a strategic ecosystem, and surrounded by development on east, west, and south sides.
- **Ecological Impact Assessment:**
 - Development adherence to best building practices.
 - Insignificant ecological impact expected due to surrounding development and lack of sensitive ecological features.
- **Environmental Contamination History: Lewis Oil Company Site:**
 - Operations include above-ground storage tanks for lube and fuel oil since 1950.
 - Environmental responsibilities managed after incidents in 1988 and 1995.
 - 1995 incident resulted in 198 gallons of new lube oil discharge with partial recovery.
 - Comprehensive site assessment by FDEP in 2016-2017 revealed incomplete remediation.
 - Complex history of environmental assessments, repeated groundwater and soil sampling.
 - New development requires DEP approval confirming successful remediation.