



City of Alachua

Planning & Community Development Department Staff Report

Board of Adjustment Hearing Date: Quasi-Judicial Hearing

August 26, 2019

SUBJECT:	A request for a Zoning Variance Permit from certain standards as set forth in Section 6.5, Signage, of the City of Alachua Land Development Regulations
APPLICANT/AGENT:	Clay Sweger, AICP, LEED AP, EDA Engineers – Surveyors – Planners, Inc.
PROPERTY OWNER:	The Laser Investment Group, LLC
LOCATION:	13025 NW US Highway 441, east of the intersection of NW US Highway 441 and NW 89 th Street
PARCEL ID NUMBERS:	05962-002-000; 05844-004-001; 05855-005-000
FLUM DESIGNATION:	Corporate Park
ZONING:	Corporate Park (CP)
OVERLAY:	N/A
ACREAGE:	±82.00 acres
RECOMMENDATION:	Staff recommends that the Board of Adjustment approve the Zoning Variance Permit, subject to the four (4) conditions provided in Exhibit “A” of this Staff Report.
RECOMMENDED MOTION:	<i>Based upon the competent substantial evidence presented at this hearing, the presentation before this Board, and Staff's recommendation, this Board finds the application to be consistent with the City of Alachua Comprehensive Plan and in compliance with the Land Development Regulations and approves the Zoning Variance Permit, subject to the four (4) conditions provided in Exhibit “A” and located on page 9 of the August 26, 2019, Staff Report to the Board of Adjustment.</i>

SUMMARY

This application is a request by Clay Sweger, AICP, LEED AP, of EDA Engineers – Surveyors – Planners, Inc., applicant and agent for The Laser Investment Group, LLC, property owner, for consideration of a request for a Zoning Variance Permit from certain standards as set forth in Section 6.5, Signage, of the City of Alachua Land Development Regulations (LDRs). The Zoning Variance Permit proposes variances from the following:

- ❖ Section 6.5.4(C)(2)(d) of the LDRs, related to the maximum sign area for a freestanding sign and its structure and to the maximum area of the sign face;
- ❖ Section 6.5.4(D)(1)(c) of the LDRs, related to the maximum width of a freestanding sign; and,
- ❖ Section 6.5.4(D)(3)(d) of the LDRs, relating to the minimum distance required from stormwater infrastructure.

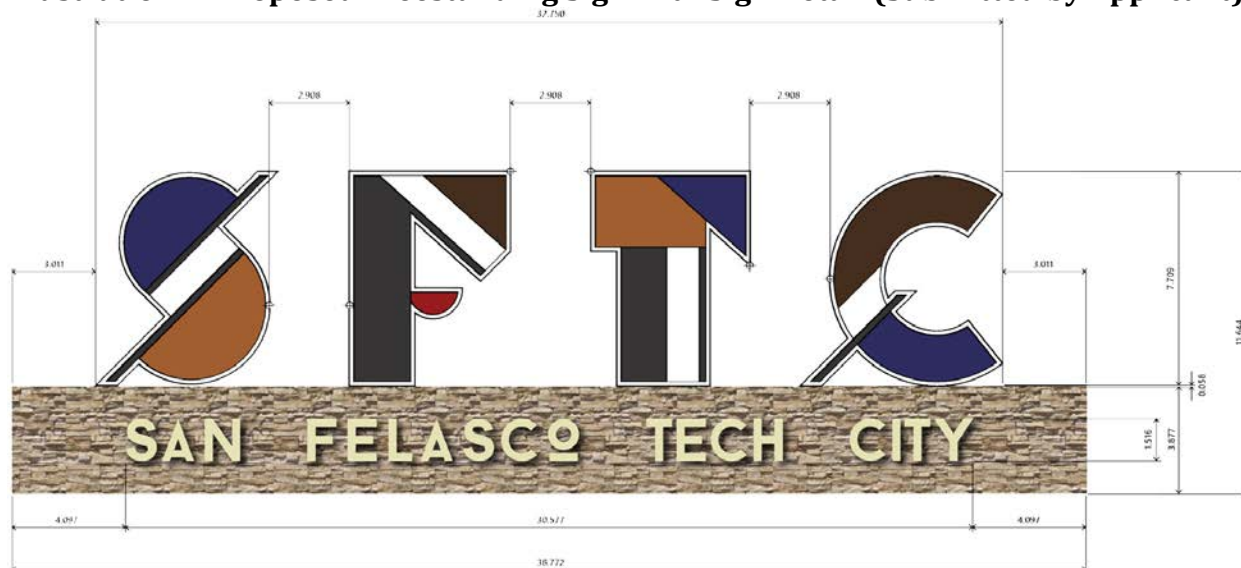
The subject property is comprised of the San Felasco Tech City (SFTC) development, and is located at 13025 NW US Highway 441, east of the intersection of NW US Highway 441 and NW 89th Street. The subject property is currently developed with two (2) ±30,100 square foot buildings (Phase 1). The development has also received approval of Phase 2, which is comprised of two (2) ±30,100 square foot buildings and an additional ±6,000 square foot office building. Phase 3 is currently under review, and is comprised of 73 dwelling units, consisting of a mixture of single-family attached uses and two-to-four family dwellings.

The applicant contends that a variance is needed from these sections of the LDRs due to the extraordinary and exceptional conditions which are present for the SFTC development. These conditions, the applicant contends, include but are not limited to: the size of the project (a ±82 acre development); the number of businesses expected to occupy the development at build out; the total building area at build out; and the length of the development's road frontage along US Highway 441(±215 feet).

The proposed variances from the requirements of Section 6.5 are as follows:

- ❖ A variance from Section 6.5.4(C)(2)(d) of the LDRs, to allow one (1) freestanding sign with an area which shall not exceed 402.79 square feet (for the sign and its structure), and with a sign area which shall not exceed 298.825 square feet. The LDRs require that, for multi-tenant buildings and developments, the maximum sign area of a freestanding sign and its structure cannot exceed 150 square feet, and the maximum area of an individual sign face cannot exceed 100 square feet.
- ❖ A variance from Section 6.5.4(D)(1)(c) of the LDRs, to allow one (1) freestanding sign which shall not exceed 38.772 feet in length. The LDRs require that, for freestanding signs in business districts, the maximum width of a freestanding sign is 16 feet.
- ❖ A variance from Section 6.5.4(D)(3)(d) of the LDRs, to allow one (1) freestanding sign to be located closer than 15 feet to existing stormwater infrastructure. The LDRs state that signs are not permitted to be within 15 feet of any stormwater infrastructure.

Illustration 1: Proposed Freestanding Sign with Sign Detail (Submitted by Applicant)



SCOPE OF WORK

This image details proposed dimensions and materials for a new monument sign to be located along US 441 South in front of San Felasco Tech City. Modifications to the signage size and location have been made per City of Alachua review comments and reflect changes outlined in the attached comment response letter. All monument sign elements to be engineered, fabricated, and installed by others. Details of the various monument sign elements have been provided below.

FOUNDATION

The foundation dimensions are specified at 38.8' Length, 3.9' Height, and 2' Depth and are proposed to be built with split face CMU or CMU with Stacked Stone Veneer. The proposed Stacked Stone Veneer has been incorporated into various architectural elements throughout the proposed project and reflect the style and texture of the residential townhomes and apartment complexes proposed in Phase 3 of the development.

CHANNEL LETTERS

The channel letters are specified at various lengths and maintain 7.7' Height, and 1'-10" Depth. The letters are proposed to be built with a variety of materials including illuminated vinyl, aluminum backer panels and internal framing system that will attach to the CMU wall below. Detailed engineering drawings, specifications, and fabrications are to be provided by others.

WALL LETTERS

The lettering on the CMU wall are painted 2" deep reverse channel letters on 2" deep stand-offs and illuminated with LED ground lighting.

Illustration 2: Signage Perspective, Looking North from US 441 (Submitted by Applicant)



Illustration 3: Calculation of Area of Sign Face and Sign Structure (Submitted by Applicant)

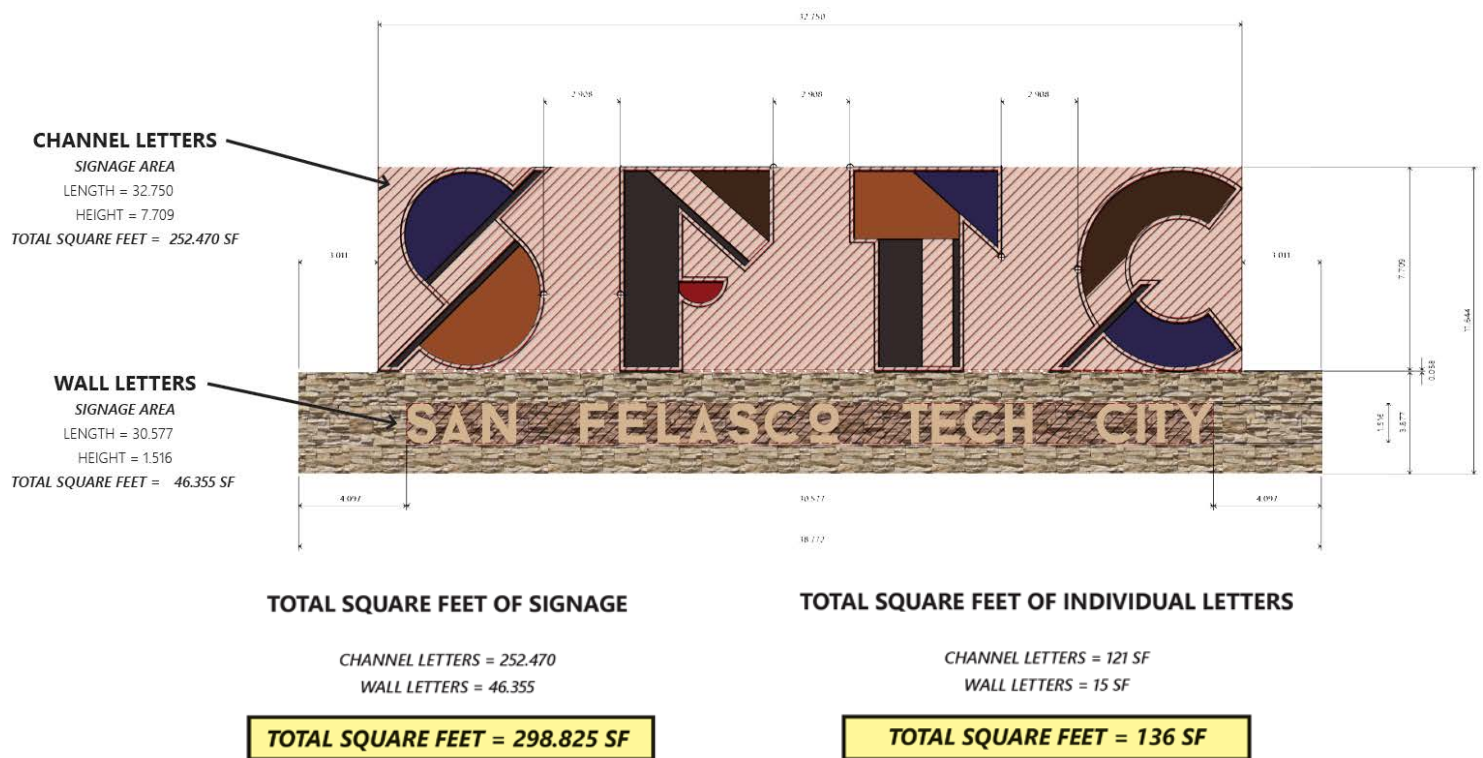


Illustration 4: Proposed Sign Location

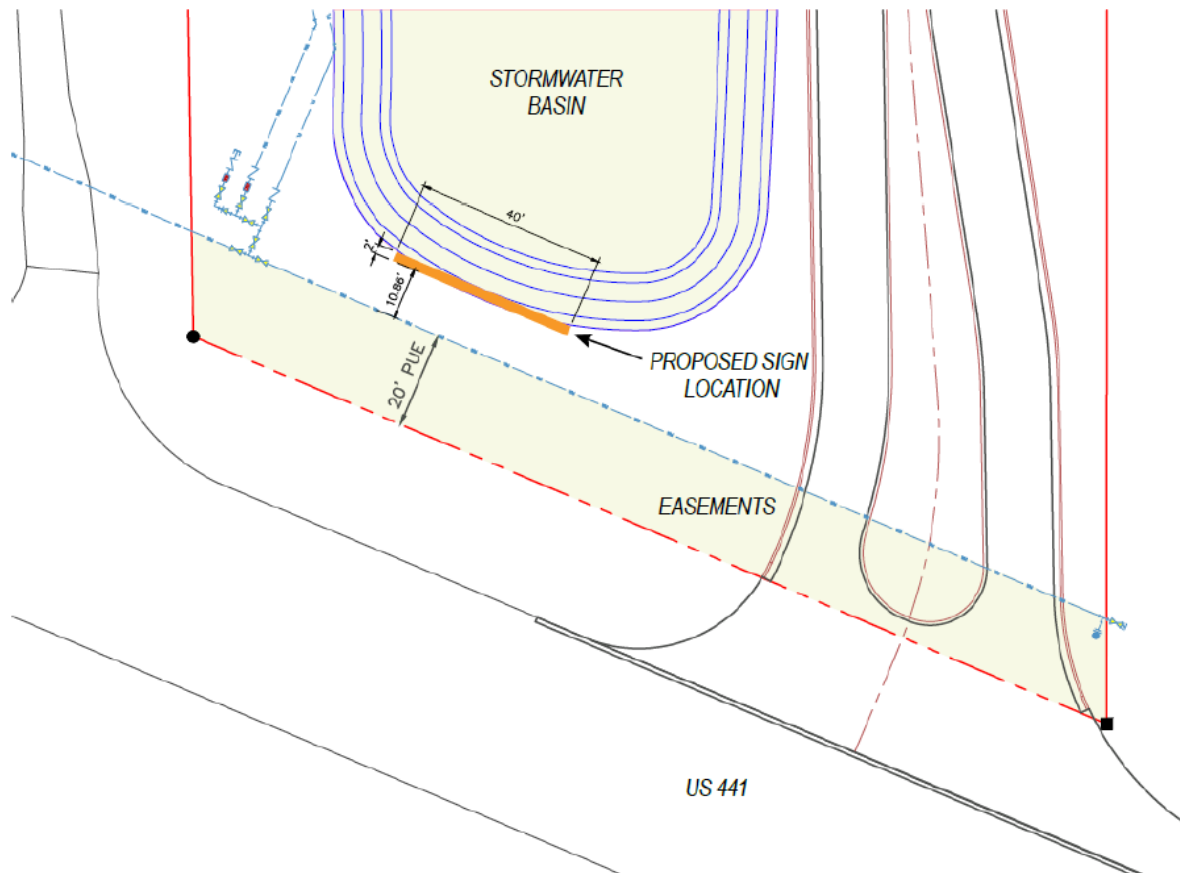
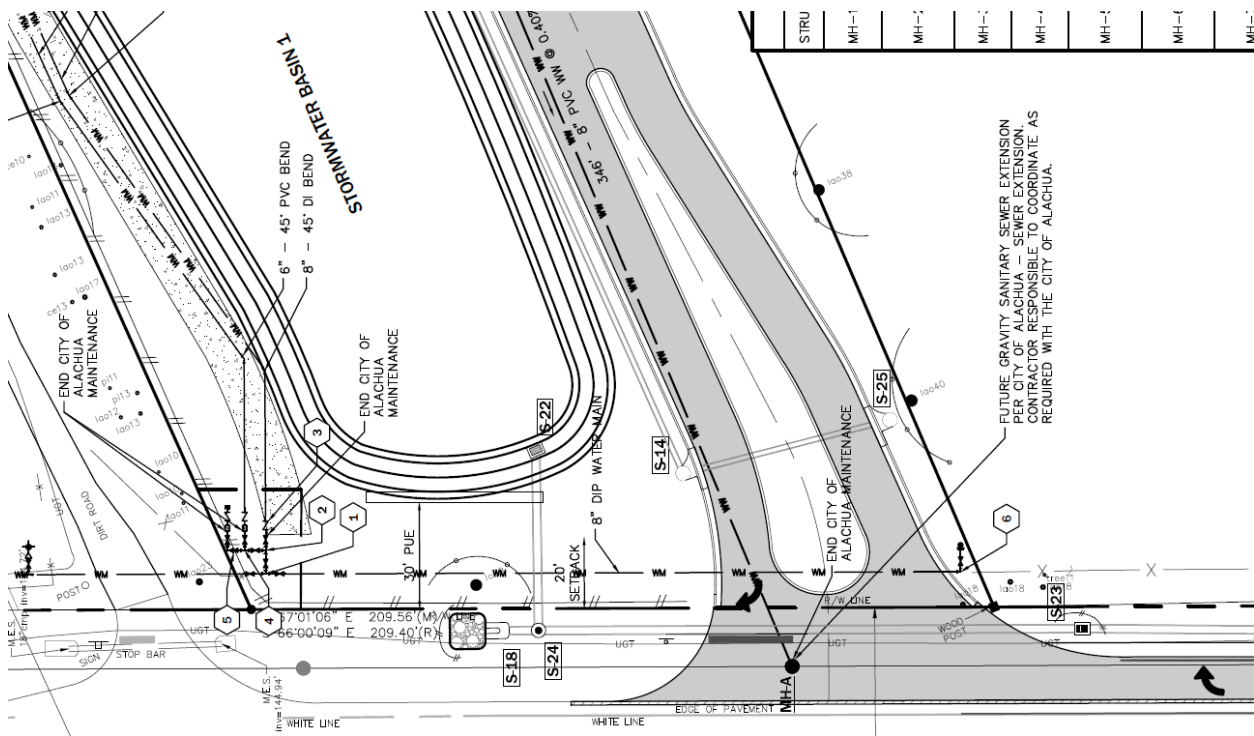


Illustration 5: Excerpt of Sheet C4.00, Utility Plan – Approved Site Plan SFTC Phase 1



FINDINGS OF FACT: COMPLIANCE WITH LAND DEVELOPMENT REGULATIONS

Section 2.4.7(C)(4) of the City's Land Development Regulations (LDRs) establishes the standards with which all zoning variance permits must be found to be compliant. The application has been reviewed for compliance with the standards of Section 2.4.7(C)(4). Staff's evaluation of the application's compliance with the applicable standards of Section 2.4.7(C)(4) is provided below.

(4) *Zoning variance permit standards.* A zoning variance permit shall be approved only upon a finding that the applicant demonstrates all of the following standards are met:

- a. *Extraordinary and exceptional conditions.* There are extraordinary and exceptional conditions (such as topographic conditions, narrowness, shallowness, or the shape of a parcel of land) pertaining to the particular piece of land for which the variance is sought that do not generally apply to other land or structures in the vicinity.

Evaluation & Findings: The applicant contends that extraordinary and exceptional conditions are present for the SFTC project due to: the size of the project (a ±82 acre development); the number of businesses expected to occupy the development at build out; the total building area at build out; and the length of the development's road frontage along US Highway 441 (±215 feet). The applicant notes in its justification report that the frontage along US Highway 441 is less than 10% of the length of the rear property line of the subject property. Additionally, the applicant contends that the parcel configuration and scale of development is a unique and unusual circumstance that justify additional signage to represent the project along the US 441 corridor, and that additional freestanding signage would otherwise be permitted along the US 441 frontage if the parcel did not narrow along the frontage as it does.

Staff finds that the road frontage and size of the overall project represent extraordinary and exceptional conditions (i.e., narrowness and the shape of the land) which do not generally apply to other land or structures in the vicinity.

- b. *Not result of action by applicant.* The special circumstances are not the result of the actions of the applicant.

Evaluation & Findings: The applicant contends that the following conditions represent special circumstances which are not a result of the actions of the applicant: the amount of the development's road frontage along US Highway 441; the configuration of the property, which existed prior to the current property owner's purchase of the property; and the location of stormwater basin, as permitted by the Site Plan and as required due to topography.

While the applicant states in its justification report that the stormwater basins "... are designed for the low point on the site [and must] be located where it is permitted on the plans...", Staff finds that it may have been possible for the applicant to have approached the design of and location of the stormwater basin and potential locations for a freestanding sign for the SFTC project more holistically. However, the stormwater basin is privately maintained, and is the responsibility of the property owner. Any potential issues which could result from locating the proposed sign immediately adjacent to the stormwater basin (such as canting of the sign or erosion around the base of the sign) would be the responsibility of the property owner to address.

The sign complies with the minimum separation requirements from all public utilities (water and wastewater facilities) as set forth in Section 6.5.4(D)(3)(d) (ten (10) feet from water or electric system infrastructure and 15 feet from wastewater infrastructure). See Illustrations 4 and 5 above, which depict the location of a 20 foot Public Utilities Easement and the location of public utilities as shown on the approved Site Plan for Phase 1 of San Felasco Tech City, respectively.

Since the stormwater basin is not publicly maintained, the proposed location of the sign would not result in any responsibility of the City to address any potential issues which may arise from the location of the sign immediately adjacent to the stormwater basin.

Staff finds that there are special circumstances present which are not the result of the actions of the applicant.

- c. *No special privilege.* The granting of the variance will not confer any special privilege on the applicant that is denied to other lands or structures in the same zone district.

Evaluation & Findings: The applicant contends that the granting of the variance would not confer any special privilege on the applicant that is denied to other lands within the same zone district based upon the unique parcel configuration of the site and the associated constraints (i.e., road frontage and visibility). In addition, the applicant contends that there are no other Corporate Park zoned properties or developments of this scale within the City of Alachua that have the same minimal street frontage challenges.

Staff finds that the subject property's limited road frontage represents a unique circumstance for properties zoned Corporate Park.

- d. *Strict application deprives use.* Because of the conditions in Subsection 2.4.7(C)(4)(a) of this section, the application of these LDRs to the land would effectively prohibit or unreasonably restrict the utilization of the land and result in unnecessary and undue hardship.

Evaluation & Findings: The applicant contends that strict application of all elements of the sign code (specifically the provisions requested per variance) would deprive reasonable use of the land. Further, the applicant contends that because the SFTC project is a large, regional multi-tenant development, it has equivalent larger needs for signage and visibility along the US 441 corridor to ensure viability of the project.

The applicant cites the limited road frontage as the limiting extraordinary / exceptional condition which results in a restriction upon the utilization of the land. The applicant also contends that the variance request is supported as a result of the limited sign area per square foot of building area (expected at project build out), which is less than the ratio of sign area per square foot of building area which would be permitted for a smaller development which complies with the code requirements.

Staff finds that the limited road frontage and size of the overall project represent extraordinary and exceptional conditions (i.e., narrowness and the shape of the land) would effectively prohibit or unreasonably restrict the utilization of the land and result in unnecessary and undue hardship.

- e. *Minimum variance.* The granting of the variance is the minimum action that will make possible the reasonable use of the land or structure which is not contrary to the public interest, and which would carry out the spirit of these LDRs.

Evaluation & Findings: The applicant contends that the variance requests are the minimum necessary to accomplish the placement of a sign that is of the appropriate scale and design for the project. The applicant further states that the length and overall area of the proposed sign are proportional to the scale of the development on the property. The applicant's analysis supporting this statement notes that the total sign area per square foot of building area (expected at project build out) is less than would likely be provided for smaller developments which would meet code requirements.

Staff finds that the granting of the variance, subject to the conditions proposed by Staff (see Exhibit "A" to this Staff Report), is the minimum action that will make possible the reasonable use of the land or structure which is not contrary to the public interest, and which would carry out the spirit of these LDRs.

- f. *Not detrimental.* The authorization of the variance will not result in substantial detriment to adjacent land, and the character of the zone district in which the land subject to the application is located.

Evaluation & Findings: The applicant contends that the proposed sign would not result in substantial detriment to adjacent land and the character of the Corporate Park zoning district due to the quality of the design and materials of the proposed sign. Specifically, the applicant contends that the use of channel cut letters rather than back lit panels and the exclusion of a changeable copy area cause the sign to be of a higher quality and design than what is required to meet minimum code requirements.

Staff finds that the granting of the variance, subject to the conditions proposed by Staff (see Exhibit “A” to this Staff Report), will not result in substantial detriment to adjacent land, and the character of the zone district in which the land subject to the application is located.

- g. *Consistency with these LDRs.* The granting of the variance will be generally consistent with the purposes and intent of these LDRs and the public interest.

Evaluation & Findings: The applicant contends the variance requests are consistent with the purpose and overall intent of the LDRs, specifically those provisions promote quality growth, development and job creation along the US 441 corporate corridor. In addition, the applicant states that the STFC project, which is already partially developed, demonstrates and implements the type of development that is promoted in the LDRs, and that granting the variance requests will support the continued growth and success of the project.

Staff finds that the granting of the variance, subject to the conditions proposed by Staff (see Exhibit “A” to this Staff Report), will be generally consistent with the purposes and intent of these LDRs and the public interest.

EXHIBIT “A”
TO
SAN FELASCO TECH CITY
ZONING VARIANCE PERMIT
SECTION 6.5, SIGNAGE

STAFF REPORT

CONDITIONS:

1. The applicant acknowledges and agrees that all freestanding signage shall comply with all requirements of the City of Alachua Land Development Regulations (the “LDRs”), except for the variances hereby granted, which are as follows:
 - a. A variance from Section 6.5.4(C)(2)(d) of the LDRs, allowing one (1) freestanding sign with an area which shall not exceed 402.79 square feet (for the sign and its structure), and with a sign area which shall not exceed 298.825 square feet;
 - b. A variance from Section 6.5.4(D)(1)(c) of the LDRs, allowing one (1) freestanding sign which shall not exceed 38.772 feet in length; and,
 - c. A variance from Section 6.5.4(D)(3)(d) of the LDRs, allowing one (1) freestanding sign to be located closer than 15 feet to existing stormwater infrastructure.
2. The applicant acknowledges and agrees that, in accordance with Section 6.5.4(C)(2)(a) of the LDRs, there shall be only one (1) freestanding sign permitted along the US Highway 441 frontage of the subject property.
3. The applicant acknowledges and agrees that the project’s one (1) freestanding sign located adjacent to the US Highway 441 frontage shall be consistent with the exhibit contained on Page 1 of Exhibit “B” – Staff Supporting Materials – of the August 26, 2019 Staff Report to the Board of Adjustment, which depicts the proposed freestanding sign as submitted by the applicant.
4. The applicant agrees that Conditions 1 – 4 as stated above do not inordinately burden the land and shall be binding upon the property owner, including any subsequent property owners, successors, or assigns, and that the development shall comply with Conditions 1 – 4 as stated herein.

EXHIBIT “B”
TO
SAN FELASCO TECH CITY
ZONING VARIANCE PERMIT
SECTION 6.5, SIGNAGE

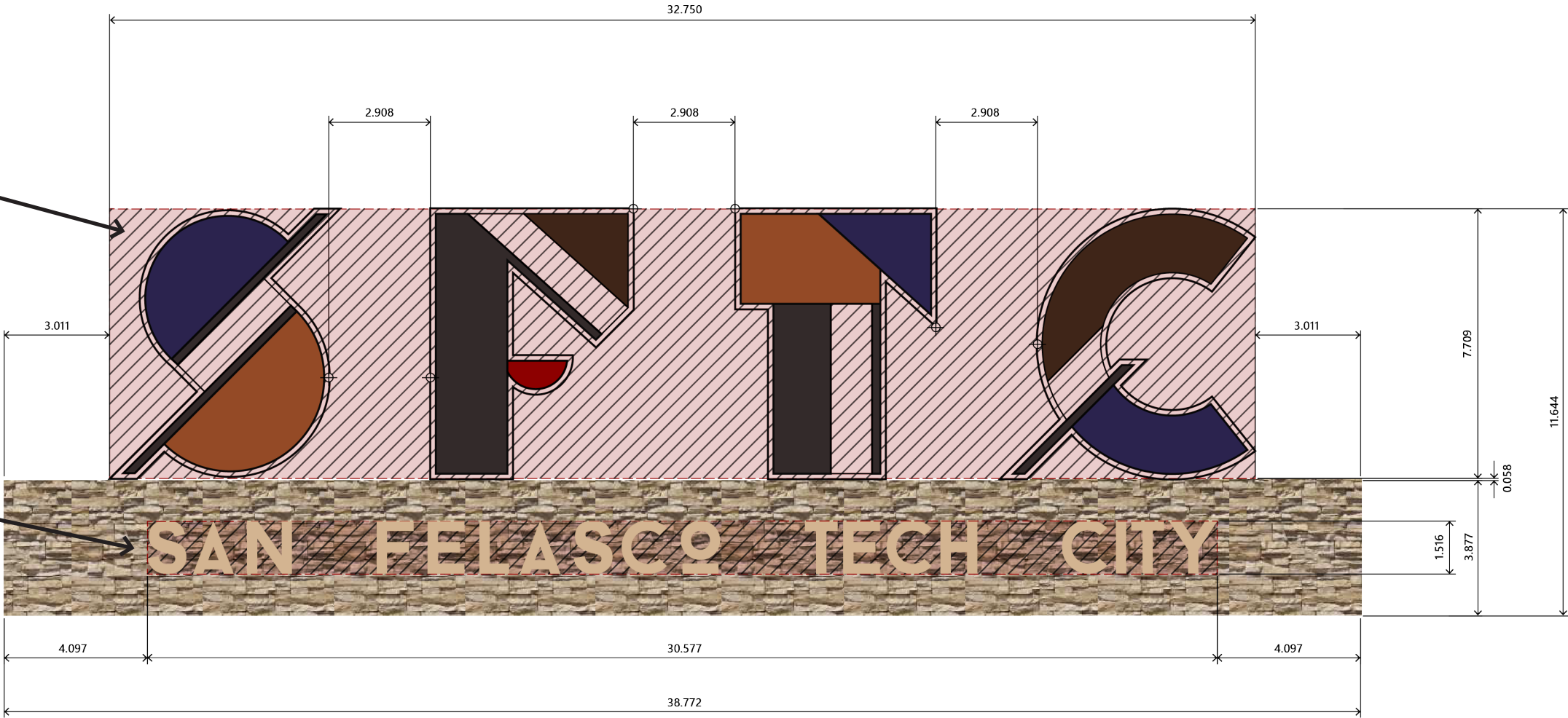
SUPPORTING APPLICATION MATERIALS
SUBMITTED BY CITY STAFF TO THE
PLANNING AND ZONING BOARD

FRONT ELEVATION

SCALE 3" = 1' @ 11X17

CHANNEL LETTERS
SIGNAGE AREA
LENGTH = 32.750
HEIGHT = 7.709
TOTAL SQUARE FEET = 252.470 SF

WALL LETTERS
SIGNAGE AREA
LENGTH = 30.577
HEIGHT = 1.516
TOTAL SQUARE FEET = 46.355 SF



TOTAL SQUARE FEET OF SIGNAGE

CHANNEL LETTERS = 252.470
WALL LETTERS = 46.355

TOTAL SQUARE FEET = 298.825 SF

TOTAL SQUARE FEET OF INDIVIDUAL LETTERS

CHANNEL LETTERS = 121 SF
WALL LETTERS = 15 SF

TOTAL SQUARE FEET = 136 SF



City of Alachua

ADAM BOUKARI
CITY MANAGER

PLANNING & COMMUNITY DEVELOPMENT
DIRECTOR KATHY WINBURN, AICP

July 25, 2019

Also sent by electronic mail to csweger@edafl.com

Mr. Clay Sweger, AICP, LEED AP
EDA Engineers – Surveyors – Planners, Inc.
2404 NW 43rd Street
Gainesville, FL 32606

RE: Board of Adjustment (BOA) Public Hearing: Zoning Variance Permit Application – San Felasco Tech City – Signage

Dear Mr. Sweger:

On July 24, 2019, the City of Alachua received your revised application and materials for a Zoning Variance Permit. The application proposes variances from certain signage regulations as set forth in Section 6.5 of the City of Alachua Land Development Regulations (LDRs). The variances pertain to a proposed freestanding sign which would be located along the US 441 frontage of San Felasco Tech City. Specifically, the application proposes variances from the following sections:

- Section 6.5.4(C)(2)(d): *For freestanding signs which are part of a multi-tenant building or development, the maximum sign area of a freestanding sign and its structure shall not exceed 150 square feet. The maximum area of an individual sign face shall not exceed 100 square feet.*

The variance request proposes to allow a freestanding sign with an area of approximately 402.79 square feet (for the sign and its structure), and a sign area of approximately 298.825 square feet.

- Section 6.5.4(D)(1) (c): *Except as otherwise provided in these LDRs, the maximum height of a freestanding sign and its structure in a business district is 16 feet; The maximum width of a freestanding sign in any district shall not exceed the maximum height allowed for such sign.*

The variance request proposes to allow a sign which would be 38.772 feet in length.

- Section 6.5.4(D)(3)(d): *No sign shall be located within ten feet of any water or electric system infrastructure or within 15 feet of any stormwater or wastewater infrastructure. No portion of any sign shall overhang within ten feet of any public infrastructure.*

The variance request proposes to allow a freestanding sign closer than 15 feet to an existing stormwater pond.

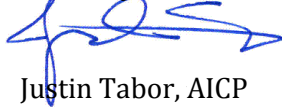
Based upon Staff's review of the revised application and materials received on July 24, 2019, Staff has determined that the application can now be scheduled for a hearing before the Board of Adjustment (BOA). The BOA hearing is scheduled for **Monday, August 26, 2019** at **5:30 PM**.

Section 2.2.9(D) of the Land Development Regulations requires the applicant to place posted notice signs on the subject property at least 14 days prior to the public hearing. Therefore, posted notice signs must be placed on the property no later than **Monday, August 12, 2019**. Staff will notify you when the signs are available for pick up at City Hall.

If you plan to utilize a PowerPoint presentation or would like other materials to be available for reference during the public hearing, please submit the presentation or materials no later than 12:00 PM on the last business day prior the BOA meeting (no later than **Thursday, August 22, 2019**). Any presentation or materials may be submitted by emailing them to planning@cityofalachua.com.

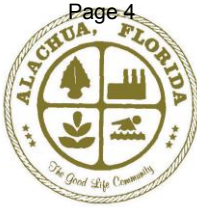
Should you have any questions, please feel free to contact me at (386) 418-6100, x 107 or via email at jtabor@cityofalachua.com.

Sincerely,



Justin Tabor, AICP
Principal Planner

c: Adam Boukari, City Manager (*by electronic mail*)
Kathy Winburn, AICP, Planning & Community Development Director (*by electronic mail*)
Adam Hall, AICP, Planner (*by electronic mail*)
Project File



City of Alachua

ADAM BOUKARI
CITY MANAGER

PLANNING & COMMUNITY DEVELOPMENT
DIRECTOR KATHY WINBURN, AICP

June 27, 2019

Also sent by electronic mail to csweger@edafl.com

Mr. Clay Sweger, AICP, LEED AP
EDA Engineers – Surveyors – Planners, Inc.
2404 NW 43rd Street
Gainesville, FL 32606

RE: Application Acceptance: Zoning Variance Permit Application – San Felasco Tech City - Signage

Dear Mr. Sweger:

On June 20, 2019, the City of Alachua received your revised application for a Zoning Variance Permit. The revised application was submitted to address the completeness review comments issued in a letter dated June 6, 2019, which were issued in response to the application materials received on May 30, 2019.

The application proposes variances from certain signage regulations as set forth in Section 6.5 of the City of Alachua Land Development Regulations (LDRs). Specifically, the application proposes variances from the following sections:

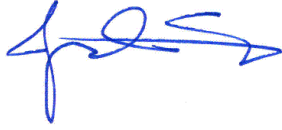
- Section 6.5.4(C)(2)(d): *For freestanding signs which are part of a multi-tenant building or development, the maximum sign area of a freestanding sign and its structure shall not exceed 150 square feet. The maximum area of an individual sign face shall not exceed 100 square feet.*
The variance request proposes to allow a freestanding sign with an area of approximately 424 square feet (for the sign and its structure), and a sign area of approximately 330 square feet.
- Section 6.5.4(D)(3)(d): *No sign shall be located within ten feet of any water or electric system infrastructure or within 15 feet of any stormwater or wastewater infrastructure. No portion of any sign shall overhang within ten feet of any public infrastructure.*
The variance request proposes to allow a freestanding sign closer than 15 feet to an existing stormwater pond.

According to Section 2.2.6 of the Land Development Regulations (LDRs), upon receipt of an application, a completeness review shall be conducted to determine that the application contains all the necessary information and materials, is in proper form and of sufficient detail, and is accompanied by the appropriate fee.

The Planning Department has reviewed the aforementioned revised application for completeness and finds that the application is complete. An in-depth review of the content of the application will be performed, and the findings of the in-depth review will be discussed at a Development Review Team (DRT) Meeting, which will be scheduled under separate cover.

If you have any questions regarding the information above, please contact me at 386-418-6100 x 107 or via e-mail at jtabor@cityofalachua.com.

Sincerely,



Justin Tabor, AICP
Principal Planner

c: Adam Boukari, City Manager *(by electronic mail)*
Kathy Winburn, AICP, Planning & Community Development Director *(by electronic mail)*
Adam Hall, AICP, Planner *(by electronic mail)*
Mitch Glaeser, The Laser Investment Group, LLC *(by electronic mail)*
Project File



June 20, 2019

Justin Tabor, AICP
Principal Planner
City of Alachua Planning & Community Development
15100 NW 142nd Terrace | PO Box 9
Alachua, Florida 32616

**Re: Response to Completeness Review of Zoning Variance Permit Application:
San Felasco Tech City - Signage**

Dear Mr. Tabor:

The applicant's responses to the completeness review comments issued on June 6, 2019 are below.

1. Variance Permit Application Attachment 1.: Statement of Variance.:

a. It appears a variance would be required from Section 6.5.4(D)(2)(b)(i), which requires signs within 200 feet of the right-of-way of US Highway 441 (except as otherwise provided therein) to have a continuous support between the ground and the bottom of the sign. The proposed sign has open areas between the letters "S", "F", "T", and "C" and the support structure).

RESPONSE: A continuous support/monument sign base is provided at the base of the sign, but the channel-cut back-lit letters are intended to have open space to reduce the overall sign-face area and provide visibility through the sign to the development. The letters are each fully supported by the base of the sign beneath them.

b. It appears a variance permit would be required from Section 6.5.7(E), which states signs more than 16 feet in height are prohibited, except as otherwise provided for in the LDRs.

RESPONSE: See revised sign design and dimensions – the proposed sign is now only 12 feet in height.

c. The statement of proposed variance from Section 6.5.4(C)(2)(d) indicates the area of the proposed sign face is 433 square feet. This calculation does not account for the area on the sign base / structure (which states "SAN FELASCO TECH CITY"). This area would be considered a sign face, and thus the area of the sign face must include this area. Staff's calculation of the total sign face area proposed is 502 square feet.

RESPONSE: The revised sign area for the letters within the base are (33 ft long x 2 ft high = 66 ft²) and the upper letters are (33 ft long x 8 ft high = 264 ft²) for a total sign area of 330 ft²

d. The statement of proposed variances discusses the proposal to allow a freestanding sign within 15 feet of an existing stormwater pond. The figure on page 3 of the justification report depicts a water main proximate to the proposed sign location. Section 6.5.4(D)(3)(d) requires minimum 10 feet separation between freestanding signs and water system infrastructure. The applicant should determine

if a variance would also required from the minimum separation requirements from water system infrastructure.

RESPONSE: A variance will not be required from the minimum separation requirements from the water system infrastructure- the sign is proposed outside of the required utility easement.

2. Variance Permit Application Attachment 2.: Analysis of compliance with Section 2.4.7(C)(4)

a. Response to Subsection 2.4.7(C)(4)(b): *Not result of action by applicant. The special circumstances are not the result of the actions of the applicant.*

The applicant's response discusses the location of the stormwater basin and public utilities as site limitations which impact potential sign locations. These site features, however, would not be special circumstances not resulting from the actions of the applicant.

RESPONSE: The site plan has already been approved for this property and the stormwater basins are designed for the low point on the site- stormwater pond has to be located where it is permitted on the plans. The water line has been located according to the city comments through permitting, and to be out of the FDOT ROW. The sign is placed more than 10' away from the water line, but is within 15' of the stormwater basin.

b. Response to Subsection 2.4.7(C)(4)(c): *No Special Privilege. The granting of the variance will not confer any special privilege on the applicant that is denied to other lands or structures in the same zone district.*

The applicant's response addresses the "unique parcel configuration of this site and associated constraints", but provides no other analysis of how the variances would not confer a special privilege to the applicant that would otherwise be denied to other lands or structures in the same zoning district. Please provide further analysis and detail which specifically addresses how the granting of the variances would not confer any special privilege to the applicant that would otherwise be denied to other lands in the same zoning district.

RESPONSE: The length and overall area of the proposed sign are proportional to the scale of the development on the property. If considered as sign area SF per building area SF, the project has 0.001 SF sign/building SF. The ratio would be much larger on a smaller development along the corridor that complies with the code requirements.

c. Response to Subsection 2.4.7(C)(4)(c): *Minimum variance. The granting of the variance is the minimum action that will make possible the reasonable use of the land or structure which is not contrary to the public interest, and which would carry out the spirit of these LDRs.*

The applicant's response does not address how the proposed variances would be the minimum necessary for: the proposed size of the sign face / the sign face and sign structure; or the length of the sign.

RESPONSE: The sign height has been reduced from the original submittal to comply with the City Code for sign height limitations. The length and overall area of the proposed sign are proportional to the scale of the development on the property. If considered as sign area SF per building area SF, the project has 0.001 SF sign/building SF. The ratio would be much larger on a smaller development along the corridor that complies with the code requirements. The design of the sign with channel cut letters

also reduces the overall sign face from a large rectangular shape and makes it more pleasing to the eye.

3. Variance Permit Application Attachment 7: Proof of Payment of Taxes: The subject property includes Tax Parcels 05844-004-001 and 05855-005-000. Submit proof that taxes through 2018 have been paid for Tax Parcel 05855-005-000. Tax Parcel 05844-004-001 was a part of Tax Parcel 05855-004-000 at the time of the assessment of 2018 ad valorem and non-ad valorem taxes, therefore, proof of payment of taxes for Tax Parcel 05855-004-000 must be included with the application materials.

RESPONSE: Proof that 2018 taxes have been paid is included with this resubmittal.

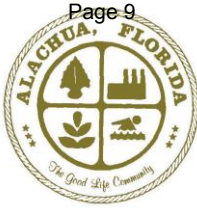
4. Miscellaneous Comments

a. The applicant should review the methodology to compute the height of a freestanding sign as set forth in Section 6.5.3(B) to verify if a variance from Section 6.5.3(D)(1)(b) would be required.

RESPONSE: See revised sign design and dimensions – the proposed sign is only 12 feet in height.

b. Materials to indicate the proposed sign complies with Section 5.6.4(D)(2)(b)(ii), which requires the support system of the sign to be composed of materials identical to or similar in appearance, color and texture to the materials used in the building to which the sign is accessory, detail of the materials used within the building to which the sign would be accessory must be included within the application materials.

RESPONSE: The stone material proposed for the sign base will be carried forward into Phase 3 buildings on the site – including proposed residential units within the property. The sign is designed to be iconic and an artistic piece, similar to the solar tree art installations throughout the development.



City of Alachua

ADAM BOUKARI
CITY MANAGER

PLANNING & COMMUNITY DEVELOPMENT
DIRECTOR KATHY WINBURN, AICP

June 6, 2019

Also sent by electronic mail to csweager@edafl.com

Mr. Clay Sweger, AICP, LEED AP
EDA Engineers – Surveyors – Planners, Inc.
2404 NW 43rd Street
Gainesville, FL 32606

RE: Completeness Review of Zoning Variance Permit Application: San Felasco Tech City - Signage

Dear Mr. Sweger:

On May 30, 2019, the City of Alachua received your application for a Zoning Variance Permit. The application proposes variances from certain signage regulations as set forth in Section 6.5 of the City of Alachua Land Development Regulations (LDRs). Specifically, the application proposes variances from the following sections:

- Section 6.5.4(C)(2)(d): *For freestanding signs which are part of a multi-tenant building or development, the maximum sign area of a freestanding sign and its structure shall not exceed 150 square feet. The maximum area of an individual sign face shall not exceed 100 square feet.*
The variance request proposes to allow a freestanding sign with an area of approximately 632 square feet (for the sign and its structure), and a sign area of approximately 502 square feet.
- Section 6.5.4(D)(1)(b) and (c): *Except as otherwise provided in these LDRs, the maximum height of a freestanding sign and its structure in a business district is 16 feet; The maximum width of a freestanding sign in any district shall not exceed the maximum height allowed for such sign.*
The variance request proposes to allow a sign which would be 16'1" in height and 39'4" in length.
- Section 6.5.4(D)(3)(d): *No sign shall be located within ten feet of any water or electric system infrastructure or within 15 feet of any stormwater or wastewater infrastructure. No portion of any sign shall overhang within ten feet of any public infrastructure.*
The variance request proposes to allow a freestanding sign closer than 15 feet to an existing stormwater pond.

According to Section 2.2.6 of the Land Development Regulations (LDRs), upon receipt of an application, a completeness review shall be conducted to determine that the application contains all the necessary information and materials, is in proper form and of sufficient detail, and is accompanied by the appropriate fee. The Planning Department has reviewed the aforementioned application for completeness and finds that the following information is needed to begin the review of the application. Please address the following deficiencies no later than **5:00 PM on Thursday, June 20, 2019.**

In accordance with Section 2.2.6(B) of the LDRs, the applicant must correct the deficiencies and resubmit the application for completeness determination. **The time frame and cycle for review shall be based upon the date the application is determined to be complete.** If the applicant fails to respond to the identified deficiencies within forty-five (45) calendar days, the application shall be considered withdrawn.

The comments below are based solely on a preliminary review of your application for completeness. An in-depth review of the content of the application will be performed, and the findings of the in-depth review will be discussed at a Development Review Team (DRT) Meeting, which will be scheduled after the application is determined to be complete.

In order to provide a complete application, you must address the following:

1. Variance Permit Application Attachment 1.: Statement of Variance.:

- a. It appears a variance would be required from Section 6.5.4(D)(2)(b)(i), which requires signs within 200 feet of the right-of-way of US Highway 441 (except as otherwise provided therein) to have a continuous support between the ground and the bottom of the sign. The proposed sign has open areas between the letters "S", "F", "T", and "C" and the support structure).
- b. It appears a variance permit would be required from Section 6.5.7(E), which states signs more than 16 feet in height are prohibited, except as otherwise provided for in the LDRs.
- c. The statement of proposed variance from Section 6.5.4(C)(2)(d) indicates the area of the proposed sign face is 433 square feet. This calculation does not account for the area on the sign base / structure (which states "SAN FELASCO TECH CITY"). This area would be considered a sign face, and thus the area of the sign face must include this area. Staff's calculation of the total sign face area proposed is 502 square feet.
- d. The statement of proposed variances discusses the proposal to allow a freestanding sign within 15 feet of an existing stormwater pond. The figure on page 3 of the justification report depicts a water main proximate to the proposed sign location. Section 6.5.4(D)(3)(d) requires minimum 10 feet separation between freestanding signs and water system infrastructure. The applicant should determine if a variance would also required from the minimum separation requirements from water system infrastructure.

2. Variance Permit Application Attachment 2.: Analysis of compliance with Section 2.4.7(C)(4)

- a. **Response to Subsection 2.4.7(C)(4)(b):** *Not result of action by applicant. The special circumstances are not the result of the actions of the applicant.*
The applicant's response discusses the location of the stormwater basin and public utilities as site limitations which impact potential sign locations. These site features, however, would not be special circumstances not resulting from the actions of the applicant.
- b. **Response to Subsection 2.4.7(C)(4)(c):** *No Special Privilege. The granting of the variance will not confer any special privilege on the applicant that is denied to other lands or structures in the same zone district.*
The applicant's response addresses the "unique parcel configuration of this site and associated constraints", but provides no other analysis of how the variances would not confer a special privilege to the applicant that would otherwise be denied to other lands or structures in the same zoning district. Please provide further analysis and detail which specifically addresses how the granting of the variances would not confer any special

privilege to the applicant that would otherwise be denied to other lands in the same zoning district.

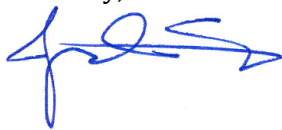
- c. **Response to Subsection 2.4.7(C)(4)(c): Minimum variance.** *The granting of the variance is the minimum action that will make possible the reasonable use of the land or structure which is not contrary to the public interest, and which would carry out the spirit of these LDRs.*

The applicant's response does not address how the proposed variances would be the minimum necessary for: the proposed size of the sign face / the sign face and sign structure; or the length of the sign.

3. **Variance Permit Application Attachment 7: Proof of Payment of Taxes:** The subject property includes Tax Parcels 05844-004-001 and 05855-005-000. Submit proof that taxes through 2018 have been paid for Tax Parcel 05855-005-000. Tax Parcel 05844-004-001 was a part of Tax Parcel 05855-004-000 at the time of the assessment of 2018 ad valorem and non-ad valorem taxes, therefore, proof of payment of taxes for Tax Parcel 05855-004-000 must be included with the application materials.
4. **Miscellaneous Comments**
- a. The applicant should review the methodology to compute the height of a freestanding sign as set forth in Section 6.5.3(B) to verify if a variance from Section 6.5.3(D)(1)(b) would be required.
- b. Materials to indicate the proposed sign complies with Section 5.6.4(D)(2)(b)(ii), which requires the support system of the sign to be composed of materials identical to or similar in appearance, color and texture to the materials used in the building to which the sign is accessory, detail of the materials used within the building to which the sign would be accessory must be included within the application materials.

If you have any questions regarding the information above, please contact me at 386-418-6100 x 107 or via e-mail at jtabor@cityofalachua.com. We look forward to receiving your revised application.

Sincerely,



Justin Tabor, AICP
Principal Planner

- c. Adam Boukari, City Manager *(by electronic mail)*
Kathy Winburn, AICP, Planning & Community Development Director *(by electronic mail)*
Adam Hall, AICP, Planner *(by electronic mail)*
Mitch Glaeser, The Laser Investment Group, LLC *(by electronic mail)*
Project File

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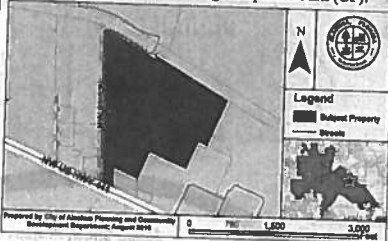
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NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF ADJUSTMENT OF THE CITY OF ALACHUA, FLORIDA

Notice is hereby given that the Board of Adjustment of the City of Alachua will hold a public hearing on August 26, 2019, at 5:30 p.m. The hearing will be held in the James A. Lewis Commission Chambers in City Hall, located at 15100 NW 142nd Terrace, Alachua, Florida, to consider the following: A request by Clay Sweger, AICP, LEED AP, of EDA Engineers - Surveyors - Planners, Inc., applicant and agent for The Laser Investment Group, LLC, property owner, for consideration of a request for a Zoning Variance Permit from certain standards as set forth in Section 6.5, Signage, of the City of Alachua Land Development Regulations. The Zoning Variance Permit proposes variances from the following: Section 6.5.4(C) (2)(d), related to the maximum sign area for a freestanding sign and its structure and to the maximum area of the sign face; Section 6.5.4(D)(1)(c), related to the maximum width of a freestanding sign; and Section 6.5.4(D)(3)(d), relating to the minimum distance required from stormwater infrastructure. The subject property is located at 13025 NW US Highway 441, east of the intersection of NW US Highway 441 and NW 89th Street. Tax Parcel Numbers 05962-002-000, 05844-004-001, and 05855-005-000; FLUM: Corporate Park; Zoning: Corporate Park (CP).



At the public hearing, all interested parties may appear and be heard with respect to the application. Copies of the application are available for public inspection at the Planning and Community Development Department, 15100 NW 142nd Terrace, Alachua, Florida, on any regular business day between the hours of 7:30 a.m. to 6:00 p.m. Written comments on the application may be sent to the following address: City of Alachua, Planning and Community Development, P.O. Box 9, Alachua, FL 32616. Notice is given pursuant to Section 286.0105, Florida Statutes, that, in order to appeal any decision made at the public hearing, you will need a record of the proceedings, and that, for such purpose, you may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based. In accordance with the Americans with Disabilities Act, any persons with a disability requiring reasonable accommodation in order to participate in this meeting should call the City Clerk at (386) 418-6100 x 101 at least 48 hours prior to the public hearing.

(Published: Alachua County Today - August 15, 2019)



PUBLIC NOTICE NOTICE OF ENACTMENT OF AN ORDINANCE OF THE CITY OF ALACHUA, FLORIDA

The City of Alachua City Commission will hold a public hearing on a proposed ordinance on August 26, 2019 at 6:00 p.m. The hearing will be held in the James A. Lewis Commission Chambers of City Hall, at 15100 NW 142nd Terrace, Alachua, Florida.

The ordinance title is as follows:

ORDINANCE 19-33

AN ORDINANCE OF THE CITY OF ALACHUA, FLORIDA; AMENDING THE FOLLOWING SECTIONS OF CHAPTER 38 OF THE CITY OF ALACHUA CODE OF ORDINANCES: SECTION 38-102(a)(1) INCREASING THE WATER MONTHLY CUSTOMER CHARGE FOR EACH METERED POINT OF CONNECTION TO THE CITY WATER SYSTEM; SECTION 38-102(a)(2) INCREASING THE MONTHLY WATER AVAILABILITY CHARGE FOR EACH METERED POINT OF CONNECTION TO THE CITY'S WATER SYSTEM; SECTION 38-102(a)(3) INCREASING THE WATER CONSUMPTION CHARGES FOR RESIDENTIAL SERVICE, NONRESIDENTIAL SERVICE, AND IRRIGATION SERVICE; SECTION 38-140(a)(1) INCREASING THE WASTEWATER MONTHLY CUSTOMER CHARGE FOR EACH METERED POINT OF CONNECTION TO THE CITY WATER SYSTEM; SECTION 38-140(a)(2) INCREASING THE WASTEWATER USAGE CHARGES FOR RESIDENTIAL SERVICE AND NONRESIDENTIAL SERVICE; SECTION 38-141(a)(1) INCREASING THE RECLAIMED WATER MONTHLY CUSTOMER CHARGE FOR EACH METERED POINT OF CONNECTION TO THE CITY RECLAIMED WATER SYSTEM; SECTION 38-141(a)(2) INCREASING THE RECLAIMED WATER USAGE CHARGE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR INCLUSION IN THE CITY CODE; AND, PROVIDING AN EFFECTIVE DATE.

At the public hearing, all interested parties may appear and be heard with respect to the proposed ordinance. Copies of the proposed ordinance and related materials are available for public inspection at the Office of the City Clerk, 15100 NW 142nd Terrace, Monday-Thursday between the hours of 7:30 a.m. to 6:00 p.m. the Thursday prior to the City Commission meeting. Written comments on the proposed ordinance may be sent to the following address: City of Alachua, Attn: Public Services Department, P.O. Box 9, Alachua, FL 32616. Notice is given pursuant to Section 286.0105, Florida Statutes, that in order to appeal any decision made at these public hearings, you will need to ensure that a verbatim record is made. In accordance with the Americans with Disabilities Act, any persons with a disability requiring reasonable accommodation in order to participate in this meeting should call the City Clerk at (386) 418-6100 x 101 at least 48 hours prior to the public hearing.

(Published: Alachua County Today - August 15, 2019)