

RESOLUTION Z-25-01

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA FOR A SPECIAL USE PERMIT TO ALLOW A PRIVATE EDUCATIONAL FACILITY. THE SITE HAS A FUTURE LAND USE DESIGNATION OF LOW DENSITY RESIDENTIAL (1 TO 4 DWELLING UNITS/ACRE) AND A NON-RESIDENTIAL PLANNED DEVELOPMENT (PD) ZONING DISTRICT. THE SITE IS APPROXIMATELY 8.6 ACRES, HAS A TAX PARCEL NUMBER OF 04201-000-000 AND IS LOCATED AT 12100 NW 39TH AVE.

WHEREAS, Zoning Application Z24-000009 has been duly filed and was considered by the Alachua County Planning Commission at its regular meeting of December 18, 2024, and,

WHEREAS, Zoning Application Z24-000009 was duly filed and was considered by the Alachua County Board of County Commissioners at its regular meeting of January 14, 2025;

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

Zoning Application Z24-000009, a request by Clay Sweger of eda, inc. agent, for Iglesia Casa Del Alfarero Asambleas of Dios Alachua FL Inc., owners, for a special use permit to allow a private educational facility. The site has a future land use designation of Low Density Residential (1 to 4 dwelling units/acre) and non-residential Planned Development (PD) zoning. The site is approximately 8.6 acres, has a tax parcel number of 04201-000-000 and is at 12100 NW 39th Ave, as summarized in Exhibit A in this resolution, is hereby approved with the following conditions and bases:

Conditions

1. This special use permit (SUP) is issued for Parcel 04201-000-000 to permit a private school not to exceed 300 students between grades K-12.
2. Classrooms will be limited to the existing sanctuary/school building as well as the proposed school addition as shown on the SUP master plan
3. School hours of operation shall be from 7am to 6 pm Monday through Friday.
4. No outdoor lighting or audio amplification shall be permitted on exterior athletic fields.
5. Parking for the school shall meet all applicable requirements found in Chapter 407 of the Alachua County Unified Land Development Code (ULDC).
6. All facilities on site shall connect to existing municipal Gainesville Regional Utilities (GRU) water and sewer services.

Bases

1.Policy 5.2.1 of the Future Land Use Element states that the following criteria shall be used to determine the appropriateness of potential institutional locations requiring special use permits prior to establishing the institutional use:

- a) *Optimum service area.*

The site provides an optimum service area for student in this area of the County by providing an additional option for elementary and secondary education in the western part of the County.

b) Optimal operating size.

The proposed school will have a maximum of 300 students. This size is sufficient to meet the needs of the congregation while providing educational opportunities for grades K-12. The parcel is of sufficient size to accommodate a student body of this size with adequate space for parking and outdoor activities. Other schools in the immediate area (Countyside School (39 acres), St. Francis High School (64 acres), Meadowbrook Elementary (18 acres)) operate with larger student bodies but also larger sites when compared to the present request (8.6 acres). The limited scope of the proposed school (no to exceed 300 students) is appropriate for the size of the parcel and also the relationship to surrounding residential development.

c) Access to clientele.

Access to clientele will be from NW 39th Avenue, a county arterial roadway. This will allow easy access for all included school activities.

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.

The proposed school will be located behind the existing church building and will

not be visible from NW 39th Avenue. There are other private schools in the area as well as a large public elementary school (Meadowbrook Elementary School). Therefore, the inclusion of this facility will not introduce a use out of character with other institutional uses found along the NW 39th Avenue corridor west of I-75. It will not generate noise, odors or other impacts that would impact surrounding residential uses. No outdoor lighting for athletic fields is permitted and exterior amplification equipment will not be used. All school activities will occur during the hours outlined in the conditions of the SUP.

e) Nature of service provision.

The school is intended to serve students from Alachua County and will provide additional educational opportunities for K-12 students

f) Needs of the clientele.

The proposed private school serves a need for educational facilities in the western part of the County.

g) Availability and adequacy of public infrastructure to serve the particular use.

The site is located along a major arterial roadway (NW 39th Avenue). Level of Service (LOS) provisions of the Plan will not be adversely impacted by approval of

this school. Conditions in the SUP require connection to municipal water and sewer systems.

h) Preservation and strengthening of community and neighborhood character through design.

As shown on the special use permit master plan, the proposed location of the school is located on the site to maximize the distance from adjacent residences (particularly to the north and west of the church property). There is also a 25-foot wide buffer along the site boundary to lessen visual impacts and aid in compatibility with adjoining residential properties.

i) Consistency with the goals, objectives, and policies of the Conservation and Open Space Element.

The proposed private school is consistent with the goals, objectives and policies of the Conservation and Open Space Element (COSE). The proposed request is consistent with the protection of natural resources.

2. Sec. 402.124. of the ULDC lists criteria for approval for special use permits:

(a) The proposed use is consistent with the comprehensive plan and ULDC;

The proposed use is consistent with the comprehensive plan and ULDC. Private schools are allowed within the PD zoning district by means of a special use permit. Institutional uses are allowed in a range of land use categories, including the Low-Density Residential land use found on this site.

(b) The proposed use is compatible with the existing land use pattern and future uses designated by the comprehensive plan;

As conditioned by staff, the proposed use is consistent with the existing land use pattern. Surrounding the site are large-lot residential parcels as well as non-residential and institutional (Meadowbrook Elementary School/St. Francis High School/Countryside Church and School) uses. Schools benefit from having close proximity to the intended population being served.

(c) The proposed use shall not adversely affect the health, safety, and welfare of the public; and

The proposed use bolsters public health, safety and welfare by providing an educational facility in proximity to residential uses, thus cutting down on potential commute times. The nature of the school as an educational facility presents no adverse effects to the public health or welfare.

(d) Satisfactory provisions and arrangements have been made concerning the following matters, where applicable:

(1) Ingress and egress to the property and proposed structures thereon with particular reference to automotive, bicycle, and pedestrian safety and convenience, traffic flow and control and access in case of fire or catastrophe;

As shown on the proposed special use permit master plan, general ingress and egress are located at one access point on NW 39th Avenue. Stacking areas for drop-offs and pickups shall be handled on-site.

(2) Off-street parking and loading areas where required, with particular attention to item (1) above;

Off street parking and loading areas for staff are as shown on the site plan submitted with this application and will be shared with those for church functions throughout the week.

(3) The noise, glare or odor effects of the special use permit on surrounding properties;

The proposed school will be located behind the existing church building and will not be visible from NW 39th Avenue. There are other private schools in the area as

well as a large public elementary school (Meadowbrook Elementary School). Therefore, the inclusion of this facility will not introduce a use out of character with other uses found along the NW 39th Avenue corridor west of I-75. It will not generate noise, odors or other impacts that would impact surrounding residential uses.

(4) Refuse and service areas, with particular reference to location, screening and items (1) and (2) above;

Refuse and service areas are located at the rear of the site to ensure safety and traffic flow and also to minimize visual intrusion on the NW 39th Avenue corridor.

(5) Utilities, with reference to location and availability;

The site is located inside the Urban Cluster and utilities are available to serve the intended use with municipal water and sewer services being utilized.

(6) Screening and buffering with reference to type, dimensions and character;

Buffering can be provided by existing vegetation with additional buffering to supplement existing at the discretion of the DRC if necessary. A 25-foot wide high density buffer will be required as shown on the site plan.

(7) Signs, if any, and proposed exterior lighting with reference to glare, traffic safety and compatibility with surrounding properties;

Any signage will be in compliance with ULDC requirements.

(8) Required yards and other greenspace;

The proposed private school is an institutional use. As institutional uses have a wide variety of possible uses, there is no single standard for buffers. However, Section 404.34 (public and private schools) does provide minimum buffer criteria that are reflected on the proposed site plan. The school is non-residential in nature and will not require open space. However, as indicated on the special use permit master plan, naturally vegetated areas as well as a large stormwater retention area have been designated to remain undeveloped.

(9) General compatibility with surrounding properties; and

Compatibility with surrounding residential uses can be achieved through existing ULDC provisions for buffering between residential properties to the north, east and west of this institutional property.

(10) Any special requirements set forth in this ULDC for the particular use involved.

The ULDC provisions for a private school are found in Section 404.34. These include provisions for buffering, hours of operation and external (athletic field) lighting. All provisions of 404.34 shall be met either through the conditions of the SUP or at the time of development plan review.

DULY ADOPTED in regular session this 14th day in January, A.D., 2025.

BOARD OF COUNTY COMMISSIONERS OF
ALACHUA COUNTY, FLORIDA

By: _____

Charles S. Chestnut, IV, Chair

ATTEST:

Jesse K. Irby, II, Clerk

APPROVED AS TO FORM

Alachua County Attorney

(SEAL)

DEPARTMENT APPROVAL

AS TO CORRECTNESS

Department of Growth Management

Authorized Designee

EXHIBIT A

Legal Description of Site

THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 24, TOWNSHIP 9 SOUTH, RANGE 18 EAST, ALACHUA COUNTY, FLORIDA; LESS AND EXCEPT: THE SOUTH FIFTY (50) FEET AND THE WEST FIFTY (50 FEET) OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 24, TOWNSHIP 9 SOUTH, RANGE 18 EAST, ALACHUA COUNTY, FLORIDA FOR RIGHTS-OF-WAY.