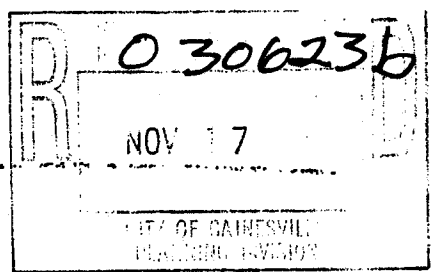


Petition 157LUC-03 PB and  
Petition 158ZON-03 PB



DESCRIPTION

A parcel of land in Section 28, Township 9 South, Range 20 East, Alachua County, Florida, being described as follows:

Commencing at the Southeast corner of said Section 29; thence bear North 00 degrees, 13 minutes, 30 seconds West along the East line of said Section 29, a distance of 33.00 feet to the North right of way line of Northeast 23rd Avenue; thence bear South 89 degrees, 46 minutes, 00 seconds West, along said North right of way line a distance of 339.25 feet to the point of curvature of a curve to the right having a radius of 25.00 feet; thence Northerly along the arc of said curve through a central angle of 89 degrees, 43 minutes, 00 seconds a distance of 39.15 feet to the point of tangency; thence run North 00 degrees, 31 minutes, 00 seconds West a distance of 589.0 feet to the point of curvature of a curve to the right having a radius of 120.00 feet; thence Northeasterly along the arc of said curve through a central angle of 45 degrees, 48 minutes, 36 seconds a distance of 95.94 feet to the point of tangency; thence bear North 45 degrees, 17 minutes, 38 seconds East a distance of 219.92 feet to the point of curvature of a curve to the right having a radius of 120.0 feet; thence Easterly along the arc of said curve through a central angle of 44 degrees, 49 minutes, 54 seconds a distance of 93.69 feet to the point of tangency; thence bear South 89 degrees, 52 minutes, 30 seconds East a distance of 254.69 feet to the point of curvature of a curve to the right having a radius of 120.0 feet; thence Southeasterly along the arc of said curve through a central angle of 25 degrees, 06 minutes, 30 seconds a distance of 52.59 feet; thence bear South 64 degrees, 46 minutes, 00 seconds East a distance of 135.79 feet to the Point of Beginning.

Thence South 25 degrees, 14 minutes, 00 seconds West along a line which is 240.00 feet West of and parallel with the Westerly right of way line of State Road 329, a distance of 170.00 feet; thence bear South 64 degrees, 46 minutes, 00 seconds East a distance of 240.0 feet to said Westerly right of way line of State Road 329; thence bear North 25 degrees, 14 minutes, 00 seconds East along said Westerly right of way line a distance of 145.00 feet to the Point of curvature of a curve to the left having a radius of 25.00 feet; thence Northwesterly along the arc of said curve through a central angle of 90 degrees, 00 minutes, 00 seconds a distance of 39.27 feet to the point of tangency; thence bear North 00 degrees, 00 minutes, 00 seconds West a distance of 215.0 feet to the Point of Beginning.

2500 BLOCK N. MAIN STREET

EXHIBIT "A"

**CITY**  
**OF**  
**GAINESVILLE**

**INTER-OFFICE COMMUNICATION**

Item No. X 5

**TO: City Plan Board**      **DATE: November 20, 2003**

**FROM: Planning Division Staff**

**SUBJECT: Petition 157LUC-03 PB, Larry H. Cheshire, agent for LEF/Gainesville, LLC. Amend the City of Gainesville Future Land Use Map from MUM (Mixed-Use Medium Intensity, 12-30 units per acre) to C (Commercial). Located in the 2500 block of North Main Street. Related to Petition 158ZON-03PB.**

**Recommendation**

Planning Division staff recommends approval of Petition 157LUC-03 PB.

**Explanation**

This petition is related to zoning petition 158ZON-03 PB. The approximately 0.82 acre vacant property is located on the west side of North Main Street on the southwest corner of North Main Street and N.E. 1<sup>st</sup> Boulevard. The property is zoned MU-2 (12-30 units/acre mixed-use medium intensity) with MUM (Mixed-Use Medium Intensity, 12-30 units per acre) land use. To the north of the site is Main Street Chevrolet, a new and used car dealership with BA (Automotive-oriented business district) zoning and C (Commercial) land use. To the south and west of the property is a community shopping center with MU-2 zoning and MUM land use. East of the property across North Main Street is Bush Gator Transmission and Ryan's Family Steak House, also with MU-2 zoning and MUM land use.

The request of this petition is to change the land use from MUM to C. This change is requested in order to allow for the development of services related to and compatible with adjacent BA zoning uses, on the subject property.

In reviewing this petition, the potential impact of the proposed land use change on adopted level of service standards must be evaluated. The property is located within Zone A of the Gainesville Transportation Concurrency Exception Area (TCEA) and is excepted from transportation concurrency for roadway level of service standards. However, any use proposed for the area would have to meet policy requirements to address transportation needs. The number of new average daily trips that will be generated by any use that may be proposed for the site has yet to be determined, but it is unlikely that the proposed land use will generate more trips than the existing MUM land use. This site is within the Gainesville Regional Transit System main bus

service area, and is served by the demand-responsive service administered by MV Transportation. Water and sanitary sewer service are also available at the site.

The property is located in an area identified as a Superfund site. Any development on the site will have to be approved by the United States Environmental Protection Agency, the Florida Department of Environmental Protection and any agency having regulatory authority over the site. All issues related to contamination, Wellfield protection and health and safety are addressed at the development review stage.

Stormwater management will be addressed at the time of development plan approval if necessary. Land use changes are not required to meet concurrency requirements, and do not vest for concurrency, which will be determined at the time of any future development plan approval.

The Wellfield District maps indicate that the subject property falls within the Tertiary Zone. New development would require a Wellfield Protection Permit or a Wellfield Protection Special Use Permit from the City Commission, unless the proposal is exempt. The property is not within the 100-year floodplain and is not located in any other adopted environmental overlay district.

The subject property is adjacent to a community shopping center and a large automobile dealership. The general character of the properties in the area is commercial, much of which is automotive oriented. There is property with commercial land use to the north and south of the subject property along North Main Street. There are no nearby residential areas or other incompatible land uses adjacent to the property to be impacted by this proposed land use change. None of the adjacent uses will be negatively impacted by this proposal. This proposal does promote urban infill.

The subject property is within the commercial corridor located north of the intersection of North Main Street and N.E. 23<sup>rd</sup> Avenue.

#### **Recent Zoning History**

Prior to the placement of MU-2 zoning on the property in 1992, this property had a City zoning designation of SC (shopping center).

The following Comprehensive Plan Goals, Objectives and Policies of the Future Land Use Element are met by this proposal:

**Goal 4:**

The land use element shall foster the unique character of the City by directing growth and redevelopment in a manner that uses neighborhood centers to provide goods and services to city residents; protects neighborhoods; distributes growth and economic activity throughout the City in keeping with the direction of this element; preserves quality open space and preserves the tree canopy of the City. The land use element shall promote statewide goals for compact development and efficient use of infrastructure.

**Objective 4.1**

The City shall establish land use designations that allow sufficient acreage for residential, commercial, mixed use, office, professional uses and industrial uses at appropriate locations to meet the needs of the projected population and which allow flexibility for the City to consider unique, innovative, and carefully construed proposals that are in keeping with the surrounding character and environmental conditions of specific sites.

**Policy 4.1.1**

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

**Commercial**

The Commercial land use category identifies those areas most appropriate for large scale highway-oriented commercial uses, and, when designed sensitively, residential uses. Land Development Regulations shall determine the appropriate scale of uses. This category is not appropriate for neighborhood centers. Intensity will be controlled by adopting height limits of 5 stories or less, requiring buildings to face the street, and modest build-to lines instead of a maximum floor area ratio.

**Objective 4.2**

The City shall establish land use designations that allow sufficient acreage for residential, commercial, mixed use, office, professional uses and industrial uses at appropriate locations to meet the needs of the projected population and which allow flexibility for the City to consider unique, innovative, and carefully construed proposals that are in keeping with the surrounding character and environmental conditions of specific sites.

**Policy 4.2.3**

Prior to a final development order during the Development Review Process, the intensity of use appropriate to any parcel shall be determined based upon the availability of public services and facilities to meet urban needs; the capacity of such facilities and services to serve the proposed land use without degrading LOS standards (as determined through LOS standards); and the compatibility of the proposed land use with that of surrounding existing land uses and environmental conditions specific to the site.

**Conclusion**

The proposed commercial land use designation for the subject property is consistent with the City's comprehensive plan. Staff recommends approval of Petition 157LUC-03.

**Applicant Information**

Larry H. Cheshire, agent for  
LEF/Gainesville, LLC

**Request**

Amend the Land Use Map to  
change designation from MUM  
to C

**Land Use Plan Classification**

MUM

**Existing Zoning**

MU-2

**Required Proposed Zoning**

BA

**Purpose of Request**

To establish land use and  
subsequent zoning to allow for  
the future development of an  
automotive oriented use

**Location**

In the 2500 block of North Main  
Street, west side

**Size**

Approximately 0.82 acres