

**Inter-Office Communication**  
**Department of Community Development**  
**Station #11 ● Extension 5022**

Date: April 13, 2001

To: Wayne Bowers, City Manager

From: Tom Saunders, Community Development Director *TDS*  
 Dean Mimms, Comprehensive Planning Chief

Subject: Additional Information Regarding Proposed Future Land Use Map Changes

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This memo provides additional information about two of the proposed land use changes discussed at the April 9, 2001 City Commission meeting.

***SW 13<sup>th</sup> Street (from Commercial to Mixed Use Medium)***

The Future Land Use Element presented to the City Commission on April 9<sup>th</sup> calls for a land use change for nine parcels adjacent to and west of Southwest 13<sup>th</sup> Street, from Commercial to Mixed-Use Medium.

While the subject parcels are currently zoned Business, the Commercial land use of the parcels also allow these zoning districts:

- Business-Automotive (BA)
- Business-Tourist (BT)
- Warehouse (W)

Although a large number of uses are allowed in these three zoning districts, a subset of these uses that are generally considered incompatible with nearby residential areas follows.

Auto Repair	Car Washes	Soup Kitchens
Lumber Stores	Pornography Businesses	Homes for the Destitute
Warehouses	Wholesale Trade	Recycling Plants
Fuel Dealers	Bars/Nightclubs (by right)	Outdoor Storage

Of these uses, none are allowed in the MU-2 zoning that Planning staff would recommend for these parcels. It should also be noted that none are allowed in the specific Business zoning district that is currently applied to the nine parcels. The major difference between the MU-2 and BUS zoning districts is that MU-2 allows a mix of residential (14-30 units/acre) and non-residential uses, and that BUS (and BA, BT and W) only allow(s) non-residential uses.



The Mixed-Use Medium land use proposed for the nine parcels on Southwest 13<sup>th</sup> Street allows these zoning districts:

- Mixed-Use Medium Intensity (MU-2)
- Corporate Park (CP)

One of the parcels proposed for this land use change is an 0.4-acre parcel at 3310 Southwest 13<sup>th</sup> Street. Its current use is a non-conforming single-family house. The property owner has expressed concerns about the proposed change. If the land use change is made, he is concerned that his property taxes may go up and that it could reduce the potential selling price of his property, and he is uncertain what impacts the changed land use would have overall.

Planning staff believes that overall, these concerns alone do not justify failing to change the land use as recommended. Property taxes would not be likely to increase due to the proposed land use change, nor is it evident that the proposed land use change would affect the potential selling price of the 0.4-acre parcel. Hotels and motels are both allowed by special use permit in the current BUS zoning as well as the proposed MU-2 zoning. Retaining the land use as it currently stands allows for retention of the BUS zoning or potential rezoning of the parcel to a zoning district (BA, BT, or W) that allows some of the uses listed above that are generally considered incompatible with nearby residential areas.

Staff has discussed this proposal at length on several occasions with the owner of the 0.4-acre parcel that is in single-family use. Because of the level of opposition, and because the currently allowed list of uses, when the specific present zoning is considered, is not as different as when land use alone is considered, staff recommends acceding to the landowner's wishes and leaving the Commercial land use in place for the 0.4-acre parcel. This parcel can be reconsidered for change to Mixed-Use Medium during the next comprehensive plan update.

***A.D.Weiss (from Planned Use District to Single Family)***

This undeveloped 716-acre property located between Northwest 43<sup>rd</sup> Street and US 441 was annexed from Alachua County in 1992 as part of a large-scale annexation enacted by Ordinance No. 3768. The Ordinance in part provided that the Alachua County zoning regulations would remain in effect until the area would be rezoned by the City. When annexed, the property carried the Alachua County land use designations (see attached map dated June 1993) of Residential Low (1-4 units per acre) and Conservation. The Conservation-designated areas were only general locations that would have been subject to more specific field locating as required by the County's Comprehensive Plan and Land Development Regulations. Surveys had not been made of these areas at that time.



The City Commission in 1994 adopted Ordinance No. 4001, which amended the comprehensive plan by changing the future land use category of the 716-acre subject property from Alachua County RL (Residential Low, 1-4 units per acre) to City of Gainesville PUD (Planned Use District). The City Commission at that time also adopted Ordinance No. 4001, which established the Gainesville North Activity Center (Policies 2.3.8 - 2.3.10 of the current adopted Future Land Use Element). The Commission's denial last fall of the requested amendment to extend the date by which PD (Planned Development) zoning must be adopted nullified the PUD overlay district, leaving the property with underlying Single-Family land use.

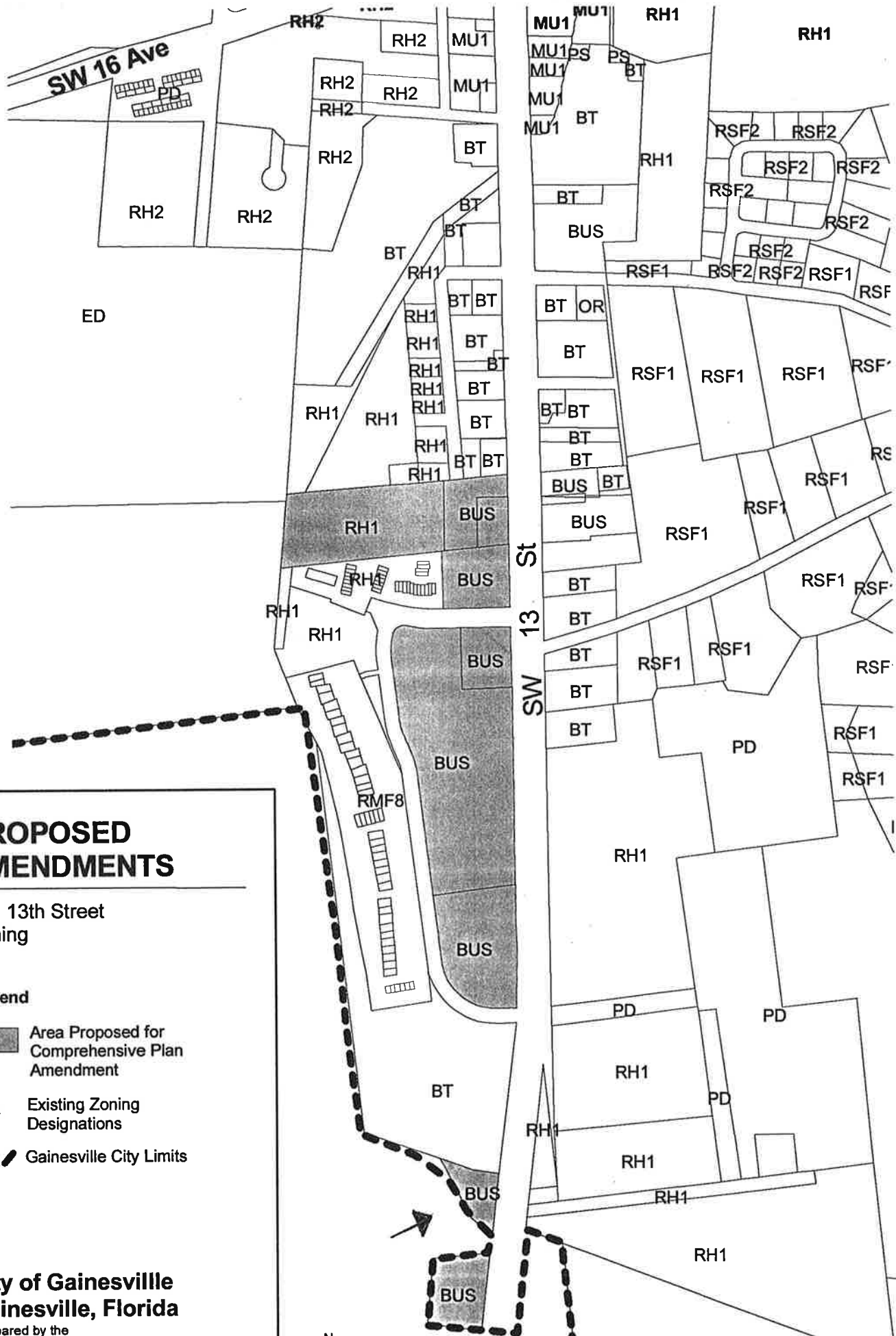
The property at the time of annexation carried the County zoning designation of Agricultural (A-1) District, allowing one dwelling unit per 5 acres. The subject property has not been rezoned by the City, so it remains in the A-1 zoning category (see attached map).

#### Attachments

cc: Ralph Hilliard, Planning Manager

TDS/DM






# PROPOSED AMENDMENTS

SW 13th Street Zoning

## Legend

 Area Proposed for Comprehensive Plan Amendment

xx Existing Zoning Designations

 Gainesville City Limits

**City of Gainesville  
Gainesville, Florida**

Prepared by the  
Department of Community Development  
March 2001



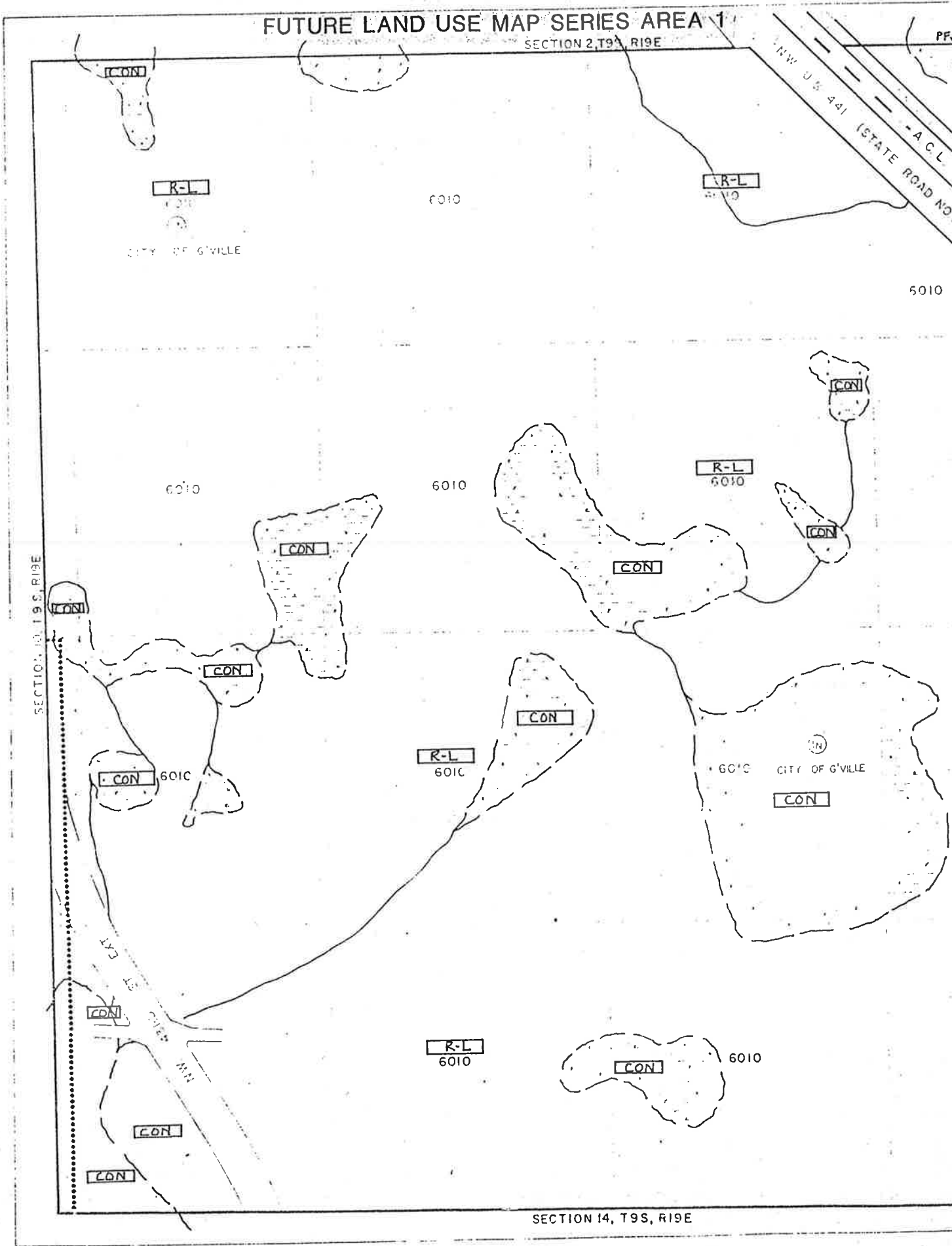
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# FUTURE LAND USE MAP SERIES AREA 1

SECTION 2, T9S, R19E



SECTION 10, T9S, R19E

SECTION 14, T9S, R19E





# MEMORANDUM

Office of the City Attorney

Legistar No. 001149

Phone: 334-5011/Fax 334-2229  
Box 46

**TO:** Mayor and City Commission

**DATE:** August 27, 2001  
FIRST READING

**FROM:** City Attorney

**SUBJECT:** Ordinance No. 0-01-20; Petition No. 163LUC-00PB

An ordinance amending the City of Gainesville 1991-2001 Comprehensive Plan; by changing the land use categories of certain properties within the City as follows: (1) from "Residential High Density (8-100 units per acre)" to "Mixed-Use Medium Intensity" (14-30 units per acre) in an area generally located at 2306 SW 13<sup>th</sup> Street; (2) from "Residential Low Density (up to 12 units per acre)" to "Recreation" in an area generally located on the east side of NW 3<sup>rd</sup> Street between NW 4<sup>th</sup> Place and NW 6<sup>th</sup> Avenue; (3) from "Residential Medium Density (8-30 units per acre)", "Residential Low Density (up to 12 units per acre)", and "Single Family (up to 8 units per acre)" to "Single Family (up to 8 units per acre)", "Commercial", "Residential Medium Density (8-30 units per acre)", "Residential Low Density (up to 12 units per acre)" and "Conservation" in an area generally located west of NW 13<sup>th</sup> Street/US 441, east of NW 19<sup>th</sup> Street, north of NW 45<sup>th</sup> Avenue, and south of NW 53<sup>rd</sup> Avenue; (4) from "Planned Use District" to "Single Family (up to 8 units per acre)" in an area generally located between NW 68<sup>th</sup> Avenue on the south, the Turkey Creek Forest single-family subdivision on the north, US 441 on the east, and NW 43<sup>rd</sup> Street on the west; (5) from Alachua County "Commercial" to City of Gainesville "Commercial" in an area generally located at the 7100 block of West University Avenue on the north side; (6) from Alachua County "Commercial" to City of Gainesville "Mixed-Use Low Intensity (10-30 units per acre)" in an area generally located at the northeast corner of the intersection of SW 34<sup>th</sup> Street and Archer Road (SR 24); and (7) from Alachua County "Residential Low Density (1-4 units per acre)" to City of Gainesville "Single Family (up to 8 units per acre)" in an area generally located at the 2100 block of Williston Road on the north side; these changes are coincident with the Future Land Use Element amendment to be made part of the City of Gainesville 2000-2010 Comprehensive Plan; providing a severability clause; providing a repealing clause; and providing an effective date.

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Recommendation: The City Commission (1) approve Petition 163LUC-00 PB, and (2) adopt the proposed ordinance.

## STAFF REPORT

The proposed update of the Future Land Use Map was the subject of City Plan Board hearings on November 16, 2001, December 19, 2000 and January 18, 2001. The City Commission

reviewed the proposed update at workshops on January 16, 2001 and February 6, 2001, and at public hearings on March 5, 2001, April 9, 2001 and April 23, 2001. On April 23, 2001, the City Commission directed staff to strike the SW 13<sup>th</sup> Street map changes with the exception of the Lake Shore Towers, and to have the ordinance re-advertised for another public hearing. The proposed map changes consist of the following:

1. SW 13<sup>th</sup> Street (from RH to MUM)

This parcel is on SW 13<sup>th</sup> Street (see Exhibit A) and totals 5.5 acres in size. The parcel currently contains a multi-story apartment building and offices.

The City proposes to change the land use of the parcel from Residential-High (RH) to MUM (14-30 units per acre) in order to allow development of multi-family residential and mixed uses that promote transportation choice. MUM land use allows MU-2 zoning (14-30 units per acre). MU-2, which is a zoning district that implements Mixed Use Medium Intensity (MUM) land use, allows residential apartments as well as various commercial uses that are compact, walkable, and serve multiple neighborhoods.

Adjacent parcels within city limits are designated RH to the north, south and east. The adjacent parcel to the west is designated Education (E), and is a vacant property owned by the University of Florida.

2. NW 3<sup>rd</sup> Street at 500-block in Pleasant Street neighborhood (from Residential Low to Recreation)

These parcels – 511 & 513 NW 3<sup>rd</sup> Street -- are adjacent and west of a City-owned mini-park (see Map 2). The park carries a Recreation (REC) land use designation. The subject parcels are vacant, and designated Residential Low (RL), as are the adjacent parcels to the north, west, and south. Changing the designation of the subject parcels to Recreation would allow for the expansion of the City park, and would promote redevelopment plans in the neighborhood.

3. Hartman (from Residential Medium, Residential Low, and Single Family to Single Family, Commercial, Residential Medium, Residential Low and Conservation).

This property is approximately 99 acres. The northern portion of a pond/wetland area within the northwest portion of the property has RM (Residential Medium Density, 8-30 units per acre) land use, which is now proposed for change to SF (Single Family, up to 8 units per acre) land use.

The lower density allowed by SF land use will be more conducive to clustering of residential units away from the pond/wetland area.

Several other land use changes are needed because of non-existent land use for vacated right of way, and because of several areas with conflicting land use and zoning categories. The southwest corner of the Hartman property is proposed for a change from Single Family to Conservation (CON) to match the underlying Conservation zoning. The vacated right of way with no land use is proposed to be changed in order to be consistent with the underlying Business, RMF-6, and RMF-5 zoning. The respective proposed land use changes are to Commercial, Residential Medium Density, and Residential Low Density. The proposed changes to areas of conflicting land use and zoning are from: Residential Medium (conflicts with RSF-1

zoning) to Single Family; Residential Low (conflicts with RSF-1 zoning) to Single Family; Residential Low (conflicts with RMF-6 zoning) to Residential Medium; and Single Family (conflicts with BUS zoning) to Commercial.

Adjacent parcels are designated Residential Medium, Residential Low, Single Family, and Commercial.

4. Home Depot (from Alachua County Commercial to Gainesville Commercial)

The City of Gainesville annexed a 10-acre parcel west of Oaks Mall and I-75 on April 10, 2000. Planning staff recommends that this parcel be given a Commercial (C) designation, which allows the present retail operation.

The parcel currently carries the COMM (Commercial) Alachua County land use designation, which allows various commercial land uses. Adjacent parcels are all outside of city limits and are designated COMM.

5. Regency Oaks (from Alachua County Commercial to Mixed Use Low)

The City of Gainesville annexed a 8-acre parcel on SW 34<sup>th</sup> Street on May 8, 2000. Planning staff recommends that this parcel be given a Mixed Use Low (MUL) designation, which makes the present residential operation conforming, as well as allowing retail and office operations. MU-L allows residential densities up to 30 units/acre. Regency Oaks is approximately 18 units per acre.

The parcel currently carries the COMM Alachua County land use designation, which allows various commercial land uses. Adjacent parcels are designated COMM outside of city limits and E (education) within city limits (to the north).

6. A.D. Weiss (from Planned Use District to Single Family)

Northwest Gainesville contains an undeveloped 716-acre property that was designated as the Gainesville North Activity Center in the 1991-2001 Gainesville Comprehensive Plan, and carried PUD (Planned Use District) land use. This property was part of the contemplated "Greenways of Gainesville" Development of Regional Impact. The Gainesville North Activity Center and the PUD land use were effectively eliminated by the November 2000 denial of a requested time extension for the required Planned Development zoning approval. This action resulted in reversion to the underlying Single-Family land use category.

7. Idylwild/Serenola ("Kidd Property") (adopt Special Area Plan) (from Alachua County "Residential Low Density to Single Family)

Planning staff recommends Single Family land use and that the Special Area Plan prepared and adopted by Alachua County for the recently annexed 44-acre Kidd property be adopted. Special Area Plan language is contained in petition 163CPA-00PB.

Fiscal note: None

CITY ATTORNEY MEMORANDUM

The above-referenced ordinance was approved by the Plan Board on January 18, 2001, and the Community Development Department has requested the City Attorney's Office to prepare the appropriate ordinance amending the City of Gainesville 1991-2001 Comprehensive Plan.

Florida Statutes set forth the procedure for adoption of an amendment to the Comprehensive Plan. The second hearing will be held at the adoption stage of the ordinance and must be advertised approximately seven (7) days after the day that the second advertisement is published. The Plan Amendment will not become effective until the State Department of Community Affairs issues a final order determining the adopted amendment to be in compliance in accordance with the Local Government Comprehensive Planning and Land Development Regulation Act, or until the Administration Commission (Governor and Cabinet) issues a final order determining the adopted amendment to be in compliance.

Prepared by: Patricia M. Carter  
Patricia M. Carter,  
Sr. Assistant City Attorney

Approved and  
Submitted by: Marion J. Radson  
Marion J. Radson,  
City Attorney

MJR:PMC:sw

# DRAFT

7/3/01

ORDINANCE NO. \_\_\_\_\_

0-01-20

1  
2  
3  
4  
5 **An ordinance amending the City of Gainesville 1991-2001 Comprehensive**  
6 **Plan; by changing the land use categories of certain properties within the City**  
7 **as follows: (1) from “Residential High Density (8-100 units per acre)” to**  
8 **“Mixed-Use Medium Intensity” (14-30 units per acre) in an area generally**  
9 **located at 2306 SW 13<sup>th</sup> Street; (2) from “Residential Low Density (up to 12**  
10 **units per acre)” to “Recreation” in an area generally located on the east side of**  
11 **NW 3<sup>rd</sup> Street between NW 4<sup>th</sup> Place and NW 6<sup>th</sup> Avenue; (3) from**  
12 **“Residential Medium Density (8-30 units per acre)”, “Residential Low Density**  
13 **(up to 12 units per acre)”, and “Single Family (up to 8 units per acre)” to**  
14 **“Single Family (up to 8 units per acre)”, “Commercial”, “Residential Medium**  
15 **Density (8-30 units per acre)”, “Residential Low Density (up to 12 units per**  
16 **acre)” and “Conservation” in an area generally located west of NW 13<sup>th</sup>**  
17 **Street/US 441, east of NW 19<sup>th</sup> Street, north of NW 45<sup>th</sup> Avenue, and south of**  
18 **NW 53<sup>rd</sup> Avenue; (4) from “Planned Use District” to “Single Family (up to 8**  
19 **units per acre)” in an area generally located between NW 68<sup>th</sup> Avenue on the**  
20 **south, the Turkey Creek Forest single-family subdivision on the north, US 441**  
21 **on the east, and NW 43<sup>rd</sup> Street on the west; (5) from Alachua County**  
22 **“Commercial” to City of Gainesville “Commercial” in an area generally**  
23 **located at the 7100 block of West University Avenue on the north side; (6) from**  
24 **Alachua County “Commercial” to City of Gainesville “Mixed-Use Low**  
25 **Intensity (10-30 units per acre)” in an area generally located at the northeast**  
26 **corner of the intersection of SW 34<sup>th</sup> Street and Archer Road (SR 24); and (7)**  
27 **from Alachua County “Residential Low Density (1-4 units per acre)” to City of**  
28 **Gainesville “Single Family (up to 8 units per acre)” in an area generally**  
29 **located at the 2100 block of Williston Road on the north side; these changes are**  
30 **coincident with the Future Land Use Element amendment to be made part of**  
31 **the City of Gainesville 2000-2010 Comprehensive Plan; providing a**  
32 **severability clause; providing a repealing clause; and providing an effective**  
33 **date.**

34  
35  
36 **WHEREAS,** the City Plan Board authorized the publication of notice of a Public Hearing  
37 that the land use categories of certain lands within the City be changed; and

38 **WHEREAS,** notice was given and publication made and Public Hearings were held by the  
39 City Plan Board on February 24, 2000, May 25, 2000, June 22, 2000, November 16, 2001,

# DRAFT

7/3/01

1 December 19, 2000 and January 18, 2001 and the City Commission on January 16, 2001, February  
2 6, 2001, and March 5, 2001; and

3 **WHEREAS**, pursuant to law, an advertisement no less than two columns wide by 10  
4 inches long was placed in a newspaper of general circulation notifying the public of this proposed  
5 ordinance and of the Public Hearing to be held in the City Commission Meeting Room, First Floor,  
6 City Hall, in the City of Gainesville at least seven days after the day the first advertisement was  
7 published; and

8 **WHEREAS**, pursuant to law, after the public hearing at the transmittal stage, the City of  
9 Gainesville transmitted copies of this proposed change to the State Land Planning Agency; and

10 **WHEREAS**, a second advertisement no less than two columns wide by 10 inches long was  
11 placed in the aforesaid newspaper notifying the public of the second Public Hearing to be held at  
12 the adoption stage at least five days after the day the second advertisement was published; and

13 **WHEREAS**, Public Hearings were held pursuant to the published and mailed notices  
14 described above at which hearings the parties in interest and all others had an opportunity to be and  
15 were, in fact, heard.

16 **WHEREAS**, prior to adoption of this ordinance the City Commission has considered the  
17 comments, recommendations and objections, if any, of the State Land Planning Agency.

18 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**  
19 **CITY OF GAINESVILLE, FLORIDA:**

20 **Section 1.** The land use categories of the following described properties are amended as  
21 follows: from "Residential High Density (8-100 units per acre)" to "Mixed-Use Medium Intensity



# DRAFT

7/3/01

1 (14-30 units per acre)” in an area generally located at 2306 SW 13<sup>th</sup> Street, as shown.

Property Description	Area
SW 13 <sup>th</sup> Street; Tax Parcel Nos. 15696-005-000.	see Map attached as Exhibit “A”, * and made a part hereof as if set forth in full.

2 \* In the event of conflict between the property description and the Map, the area shown on the  
3 map shall govern and prevail.

4  
5 **Section 2.** The land use categories of the following described properties are amended as  
6 follows: from “Residential Low Density (up to 12 units per acre)” to “Recreation” in an area  
7 generally located on the east side of NW 3<sup>rd</sup> Street between NW 4<sup>th</sup> Place and NW 6<sup>th</sup> Avenue;

Property Description	Area
511 and 513 NW 3 <sup>rd</sup> Street: Tax Parcel Nos. 14318-10-02 and 14318-010-003	See Map attached as Exhibit “B”, * and made a part hereof as if set forth in full.

8 \* In the event of conflict between the property description and the Map, the area shown on the  
9 map shall govern and prevail.

10  
11 **Section 3.** The land use categories of the following described properties are amended as  
12 follows: from “Residential Medium Density (8-30 units per acre)”, “Residential Low Density (up to  
13 12 units per acre)”, and “Single Family (up to 8 units per acre)” to “Single Family (up to 8 units per  
14 acre)”, “Commercial”, “Residential Medium Density (8-30 units per acre)”, “Residential Low  
15 Density (up to 12 units per acre)”, and “Conservation”, in an area generally located west of NW  
16 13<sup>th</sup> Street/US 441, east of NW 19<sup>th</sup> Street, north of NW 45<sup>th</sup> Avenue, and south of NW 53<sup>rd</sup>  
17 Avenue;

Property Description	Area
Hartman Property: Tax Parcel Nos. 07883-000-000 and 07883-001-000	See Map attached as Exhibit “C”, * and made a part hereof as if set forth in full.

18 \* In the event of conflict between the property description and the Map, the area shown on the  
19 map shall govern and prevail.

20  
21 **Section 4.** The land use categories of the following described properties are amended as

# DRAFT

7/3/01

1 follows: from "Planned Use District" to "Single Family (up to 8 units per acre)" in an area  
2 generally located between NW 68<sup>th</sup> Avenue on the south, the Turkey Creek Forest single-family  
3 subdivision on the north, US 441 on the east, and NW 43<sup>rd</sup> Street on the west;

Property Description	Area
Weiss property: Tax Parcel Nos. 06010-000-000 and 06013-003-000	See Map attached as Exhibit "D", * and made a part hereof as if set forth in full.

4 \* In the event of conflict between the property description and the Map, the area shown on the  
5 map shall govern and prevail.  
6

7 **Section 5.** The land use category of the following described property are amended as  
8 follows: from Alachua County "Commercial" to City of Gainesville "Commercial" in an area  
9 generally located at the 7100 block of West University Avenue on the north side;

Property Description	Area
Home Depot: Tax Parcel No. 06654-002-000	See Map attached as Exhibit "E", * and made a part hereof as if set forth in full.

10 \* In the event of conflict between the property description and the Map, the area shown on the  
11 map shall govern and prevail.  
12

13 **Section 6.** The land use category of the following described property is amended as  
14 follows: from Alachua County "Commercial" to City of Gainesville "Mixed-Use Low Intensity  
15 (10-30 units per acre)" in an area generally located at the northeast corner of the intersection of SW  
16 34<sup>th</sup> Street and Archer Road (SR 24);

Property Description	Area
Regency Oaks: Tax Parcel No. 06784-001-000	See Map attached as Exhibit "F", * and made a part hereof as if set forth in full.

17 \* In the event of conflict between the property description and the Map, the area shown on the  
18 map shall govern and prevail.  
19

20 **Section 7.** The land use category of the following described property is amended as  
21 follows: from Alachua County "Residential Low Density (1-4 units per acre)" to City of

DRAFT

7/3/01

1 Gainesville "Single Family (up to 8 units per acre)" in an area generally located at the 2100 block of  
2 Williston Road on the north side;

Property Description	Area
Kidd Property: Tax Parcel Nos. 07275-000-000 and 07280-000-000	See Map attached as Exhibit "G", * and made a part hereof as if set forth in full.

3 \* In the event of conflict between the property description and the Map, the area shown on the  
4 map shall govern and prevail.  
5

6 **Section 8.** The City Manager is authorized and directed to make the necessary changes in  
7 maps and other data in the City of Gainesville 1991-2001 Comprehensive Plan, or element, or  
8 portion thereof in order to comply with this ordinance.

9 **Section 9.** If any section, sentence, clause or phrase of this ordinance is held to be invalid  
10 or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect  
11 the validity of the remaining portions of this ordinance.

12 **Section 10.** All ordinances, or parts of ordinances, in conflict herewith are to the extent of  
13 such conflict hereby repealed.

14 **Section 11.** This ordinance shall become effective immediately upon passage on second  
15 reading; however, the effective date of this plan amendment shall be the date a final order is issued  
16 by the Department of Community Affairs finding the amendment to be in compliance in accordance  
17 with Chapter 163.3184, F.S.; or the date a final order is issued by the Administration Commission  
18 finding the amendment to be in compliance in accordance with Chapter 163.3184, F.S.

19 **PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2001.

20  
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22  
23

\_\_\_\_\_  
Thomas D. Bussing  
Mayor

DRAFT

7/3/01

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ATTEST:

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
Kurt Lannon,  
Clerk of the Commission

\_\_\_\_\_  
Marion J. Radson, City Attorney

This ordinance passed on first reading this \_\_\_\_ day of \_\_\_\_\_, 2001.


This ordinance passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 2001.



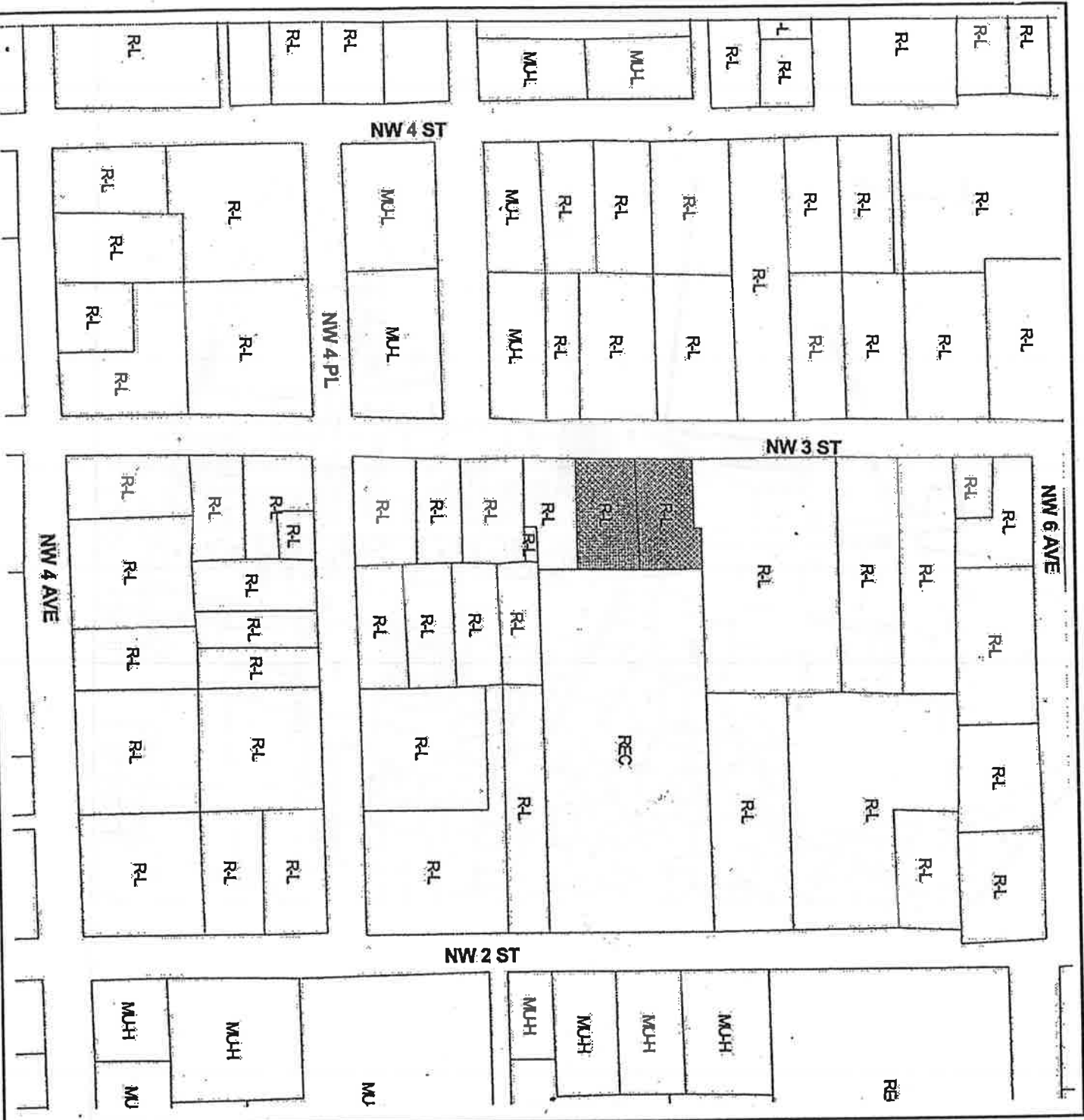
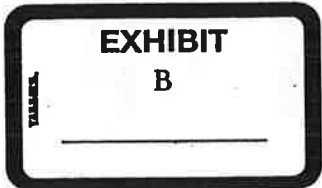
# PROPOSED AMENDMENTS

NW 3rd Street

## Legend

 Proposed as Recreation Land Use Designation

XX Existing Land Use Designations



**City of Gainesville  
Gainesville, Florida**

Prepared by the  
Department of Community Development  
November 2000






No Scale







# PROPOSED AMENDMENTS

Hartman Property

## Legend

-  Hartman Property Boundary
-  No Existing Land Use Designation (Abandoned Right-of-Way)
-  Existing Land Use Designation

## Proposed Land Use Designation

-  Single Family
-  Residential Low
-  Residential Medium
-  Commercial
-  Conservation
-  Regulated Creek



**City of Gainesville  
Gainesville, Florida**  
Prepared by the  
Department of Community Development  
January 2001



# PROPOSED AMENDMENTS

A.D. Weiss

## Legend



Proposed as  
Single Family  
Land Use Designation



Gainesville City Limits

City of Gainesville  
Gainesville, Florida

Prepared by the  
Department of Community Development  
December 2000

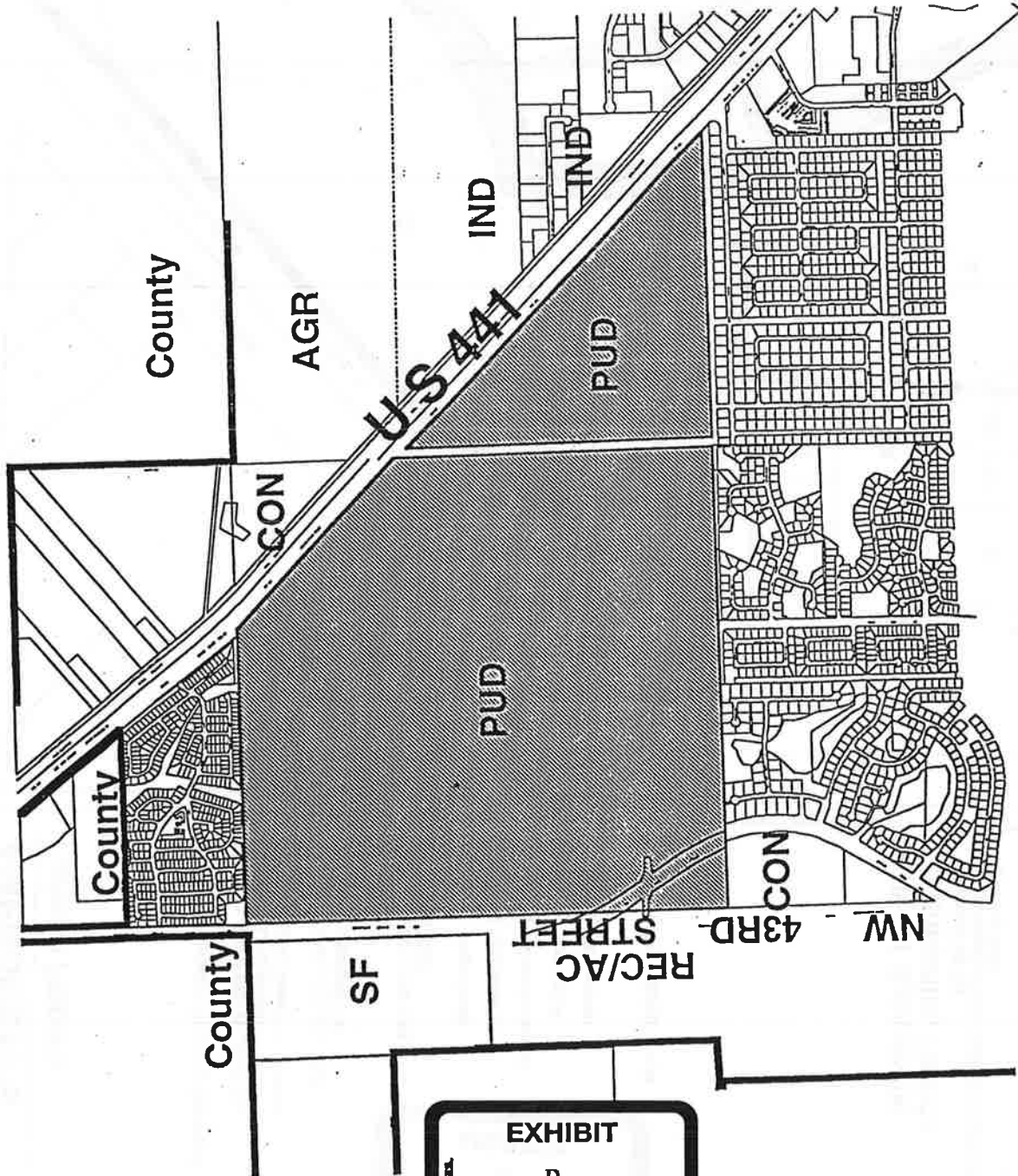


EXHIBIT  
D



# PROPOSED AMENDMENTS

Home Depot Annexation

## Legend

 Proposed as Commercial Land Use Designation

XX Existing Land Use Designations (City)

XX Existing Land Use Designations (County)

COMM	Commercial
LOW	Low
HIGH	High
MED-HI	Medium High
OFFICE	Office
OFFM	Office/Medical
TENT	Tourist/Entertainment

— Gainesville City Limits



EXHIBIT

E

**City of Gainesville  
Gainesville, Florida**


Prepared by the  
Department of Community Development  
November 2000



# PROPOSED AMENDMENTS

Regency Oaks Annexation

## Legend

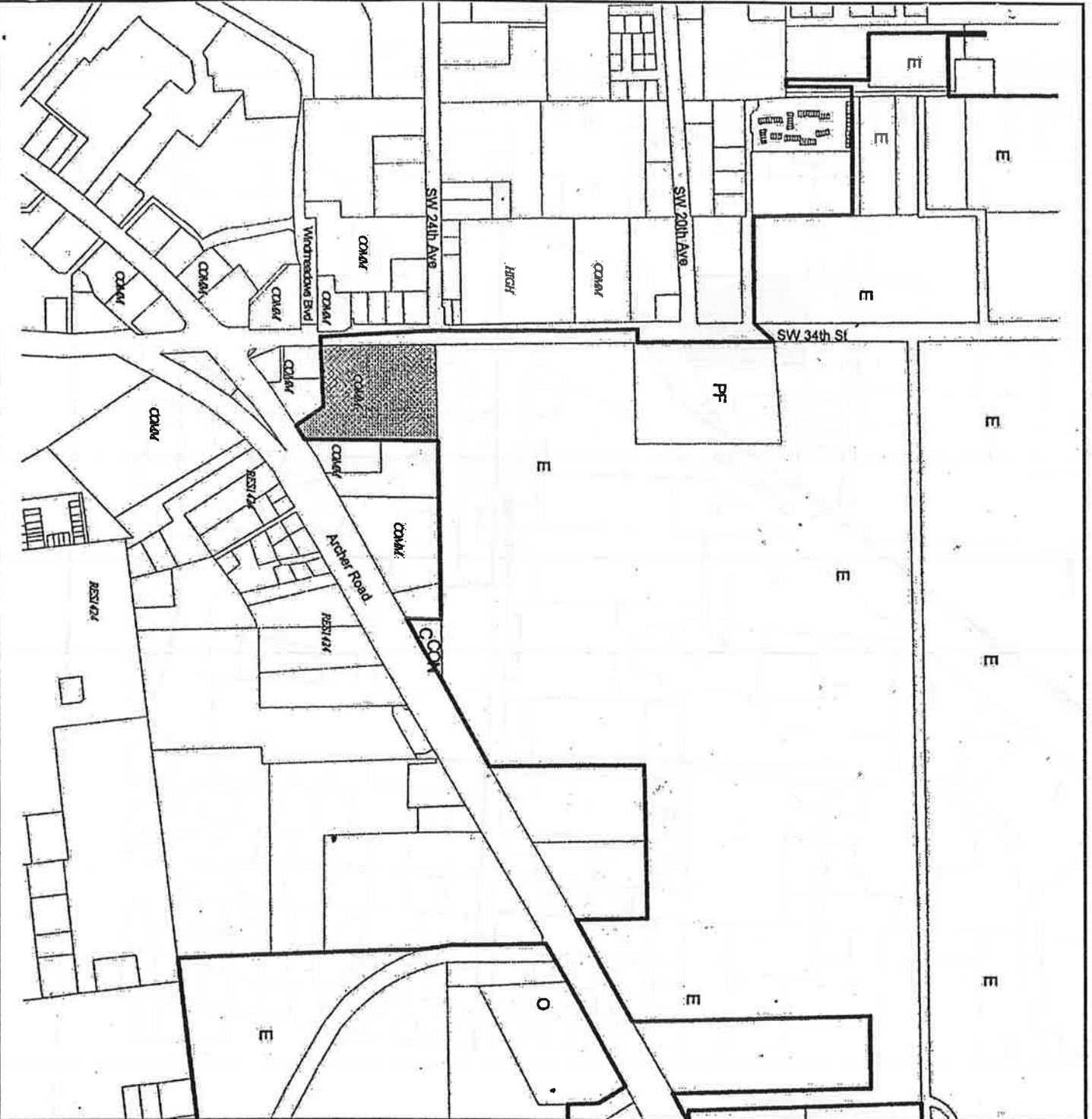
 Proposed as Mixed Use Land Use Designation

xx Existing Land Use Designations (City)

xx Existing Land Use Designations (County)

COMM Commercial  
HIGH High  
RES1424 Residential (14-24)

— Gainesville City Limits



**City of Gainesville  
Gainesville, Florida**


Prepared by the  
Department of Community Development  
November 2000



# PROPOSED AMENDMENTS

Kidd Property Annexation

## Legend

 Proposed as Single Family Land Use Designation

xx Existing Land Use Designations (City)

xx Existing Land Use Designations (County)

LAKE  
RES02 Residential (0-2)  
RES24 Residential (2-4)  
RES1424 Residential (14-24)  
COMM Commercial

 Gainesville City Limits



## City of Gainesville Gainesville, Florida

Prepared by the  
Department of Community Development  
November 2000





# City of Gainesville

Inter-Office Communication

Department of Community Development  
Phone 334-5022, FAX 334-2282, Station 11

Item No. 5

**To:** City Plan Board **Date:** January 18, 2001  
**From:** Planning Division Staff  
**Subject:** 163CPA-00PB. City Plan Board. Update the Future Land Use Element of the City of Gainesville 1991-2001 Comprehensive Plan for the proposed 2000-2010 Comprehensive Plan.

## Recommendation

Planning Division staff recommends approval of draft Future Land Use Element.

## Explanation

Attached is the current draft of the Gainesville Future Land Use Element of the updated 2000-2010 Gainesville Comprehensive Plan.

On November 16, 2000, the Plan Board heard a presentation from staff, recommended amendments to the Element, and voted to continue this petition until December. On December 19, 2000, the Plan Board voted on six of the seven proposed future land use map changes. The Board has previously reviewed earlier versions of the draft Element and provided comments to staff at 2/24/00, 5/25/00, and 6/22/00 public workshops. In addition, staff has made presentations regarding this element at community workshops at Millhopper Public Library on 5/23/00, Northeast Recreation Center on 6/1/00, Westside Park on 6/21/00, and T.B. McPherson Park on 7/12/00.

The current draft reflects recommendations from the adopted Evaluation and Appraisal Report for the Comprehensive Plan.

In the Goals, Objectives, and Policies, strike-through's and underlines indicate changes to the adopted Goals, Objectives, and Policies.

Highlights of amendments to the draft Element since the Plan Board meeting on December 19 include:

- Revised Policy 4.1.1, Office category to include "modest" build-to lines, deleting 5-20 feet specification.
- Revised Policy 4.1.1, Industrial category by deleting build-to lines provision.
- Revised Policy 4.2.1 by deleting "building materials" from regulation of building type.
- Revised Objective 4.3 by changing neighborhood (activity) centers "neighborhood (activity) and regional centers".
- Revised Urban Infill and Redevelopment Area map to include the area bordered by Depot Avenue, SW 6<sup>th</sup> Street, South Main Street and SW16<sup>th</sup> Avenue.
- Revised Hartman Property map amendment (Map 3, attached) to retain RM (Residential Medium Density, 8-30 units per acre) for the pond/wetland area in the northwest portion of the property.

**Proposed Land Use Map Change**

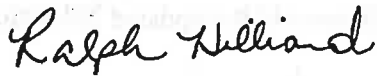
**No. 3 Hartman (from RM, RL, SF to SF, C, RM, RL and CON)**

This property is approximately 99 acres (see Map 3, attached). The southwest corner of the Hartman property is proposed for change from Single Family to Conservation (CON), to match the underlying Conservation zoning.

Several other land use changes are needed because of non-existent land use for vacated right of way, and because of several areas with conflicting land use and zoning categories. The vacated right of way with no land use is proposed to be changed in order to be consistent with the underlying Business, RMF-6, and RMF-5 zoning. The respective proposed land use changes are to Commercial, Residential Medium Density, and Residential Low Density. The proposed changes to areas of conflicting land use and zoning are from: Residential Medium (conflicts with RSF-1 zoning) to Single Family; Residential Low (conflicts with RSF-1 zoning) to Single Family; Residential Low (conflicts with RMF-6 zoning) to Residential Medium; and Single Family (conflicts with BUS zoning) to Commercial.

Adjacent parcels are designated Residential Medium, Residential Low, Single Family, and Commercial.

Respectfully Submitted,



Ralph Hilliard,  
Planning Manager


Attachments

DM

# PROPOSED AMENDMENTS

Hartman Property






## Legend


 Hartman Property Boundary

 No Existing Land Use Designation (Abandoned Right-of-Way)

**XX** Existing Land Use Designation

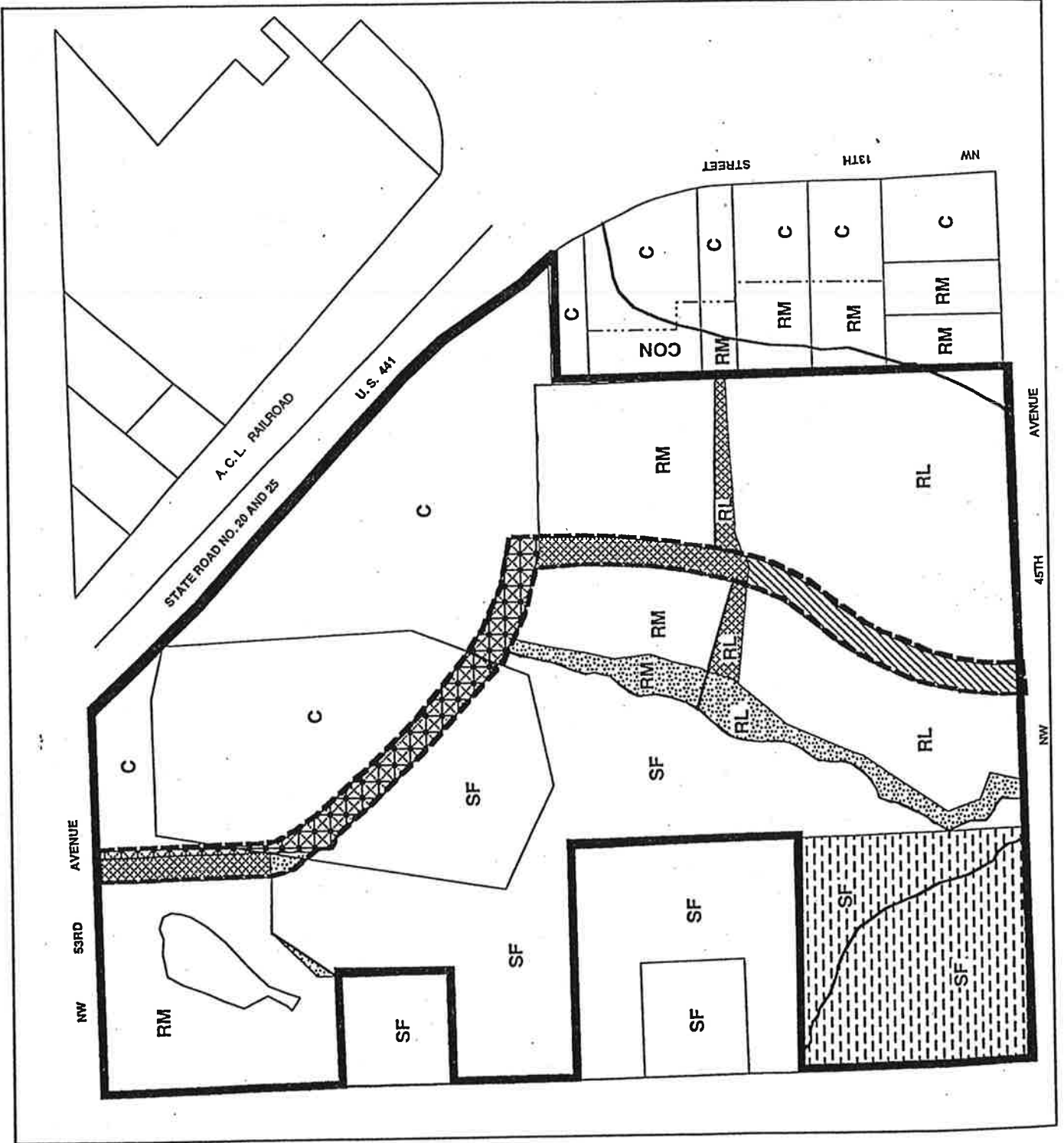
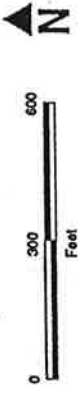
## Proposed Land Use Designation

-  Single Family
-  Residential Low
-  Residential Medium
-  Commercial
-  Conservation

 Regulated Creek

City of Gainesville  
Gainesville, Florida

Prepared by the  
Department of Community Development  
January 2001



PLANNING DEPARTMENT  
SUBDIVISIONS  
NO. 100-100



5



5. **Petition 163CPA-00 PB** City Plan Board. Update the Future Land Use Element of the City of Gainesville 1991-2001 Comprehensive Plan for the proposed 2000-2010 Comprehensive Plan.

Mr. Dean Mimms was recognized. Mr. Mimms indicated that the petition had been to the City Commission for a workshop and the Commission and staff had proposed changes in the Element. He explained that, in response to the board's concern, the urban and redevelopment infill map area had been slightly expanded. Mr. Mimms explained that the Hartman land use change map was discussed by the board at a previous meeting but not voted upon. He presented the board with proposed policy text changes made in response to the City Commission workshop. Referring to the Transportation Concurrency Exception Area (TCEA) map, he pointed out that the increase in the area was to add the Magnolia Park annexation. Mr. Mimms reviewed the changes in the proposed policies for the element since the board's last meeting.

Mr. Pearce presented text he proposed for Policy 2.1.2. He suggested that, if singular neighborhoods were focused entirely on the concentration of students, it would discourage any owner occupancy, which might include faculty and staff.

Mr. Carter pointed out that there was a contradiction between Policy 1.1.3 which called for a diversity of housing types in a neighborhood and Policy 2.1.2, which proposed to exclude students from single-family neighborhoods. He suggested that students should be dispersed generally and not just concentrated in one area.

Acting-Chair Guy agreed there was some contradiction. He suggested that it read "students, faculty and staff within a diverse housing situation in appropriate areas designated for residential development or appropriate mixed use within a half mile of... "

Mr. Pearce proposed the text of Policy 2.1.2 read , "The city's future land use plan should encourage housing opportunities for students, faculty, and staff to various and appropriate degrees within one-half mile of the University of Florida campus and the medical complex east of the campus." He explained that he wished to include the term, "to various and appropriate degrees," and exclude the proposed line "but outside of single-family neighborhoods," because he believed some of the student and other populations could be absorbed to various and appropriate degrees in all of the zoning districts.

Acting-Chair Guy suggested that the term "various and appropriate degrees" was unnecessary. He explained that, if the population was going to be accommodated within the area, all the zoning districts were inherent in that half- mile area.

There was no public comment on the petition.

<u>Motion By:</u> Mr. Pearce	<u>Seconded By:</u> Mr. Carter
<u>Moved to:</u> Approve Petition 163CPA-00 PB with staff's recommendations except changing the language in Policy 2.1.2 to read, "the city's future land use plan should encourage housing opportunities for students, faculty and staff, to various and appropriate degrees within one-half mile of the University of Florida and the medical complex east of campus." Approve the changes to the Hartman Land Use, TCEA boundary, and Urban and redevelopment Infill maps.	<u>Upon Vote:</u> Motion Carried 4 - 0 Yeas: Carter, Guy, Fried, Pearce



**City of  
Gainesville**

Inter-Office Communication

Department of Community Development  
Phone 334-5022, FAX 334-2282, Station 11

Item No. 7

To: City Plan Board

Date: December 19, 2000

From: Planning Division Staff

Subject: 163CPA-00PB. City Plan Board. Update the Future Land Use Element of the City of Gainesville 1991-2001 Comprehensive Plan for the proposed 2000-2010 Comprehensive Plan.

**Recommendation**

Planning Division staff recommends approval of draft Future Land Use Element.

**Explanation**

Attached is the current draft of the Gainesville Future Land Use Element and Data & Analysis of the updated 2000-2010 Gainesville Comprehensive Plan.

On November 16, 2000, the Plan Board heard a presentation from staff, recommended amendments to the Element, and voted to continue this petition until December. The Plan Board has previously reviewed earlier versions of the draft Element and provided comments to staff at 2/24/00, 5/25/00, and 6/22/00 public workshops. In addition, staff has made presentations regarding this element at community workshops at Millhopper Public Library on 5/23/00, Northeast Recreation Center on 6/1/00, Westside Park on 6/21/00, and T.B. McPherson Park on 7/12/00.

The current draft reflects recommendations from the adopted Evaluation and Appraisal Report for the Comprehensive Plan.

In the Goals, Objectives, and Policies, strike-through's and underlines indicate changes to the adopted Goals, Objectives, and Policies.

Highlights of amendments to the draft Element called for by the Plan Board on November 16 include:

- Revised wording for Objective 1.1 to include "proven successful."
- Revised Policy 3.1.1 regarding wetlands.
- Revised Policy 4.1.1 in the Mixed-Use Low Intensity category to state "...category *should* not be used..."
- Proposes land use changes not discussed at the November 16 Plan Board meeting include:

**1. SW 13<sup>th</sup> Street (from C to MUM)**

These 9 parcels are on SW 13<sup>th</sup> Street (see Map 1), and total 24 acres in size. Several contain a hotel or motel. MU-2, which is a zoning district that implements Mixed Use Medium Intensity (MUM) land use, allows hotels and motels by Special Use Permit. Retail and service uses allowed in the BUS zoning designation currently on these parcels are similar to those allowed in the MU-2 zoning district.

Map 1

# PROPOSED AMENDMENTS

SW 13th Street

## Legend



Proposed as Mixed Use-Medium Land Use Designation

XX

Existing Land Use Designations



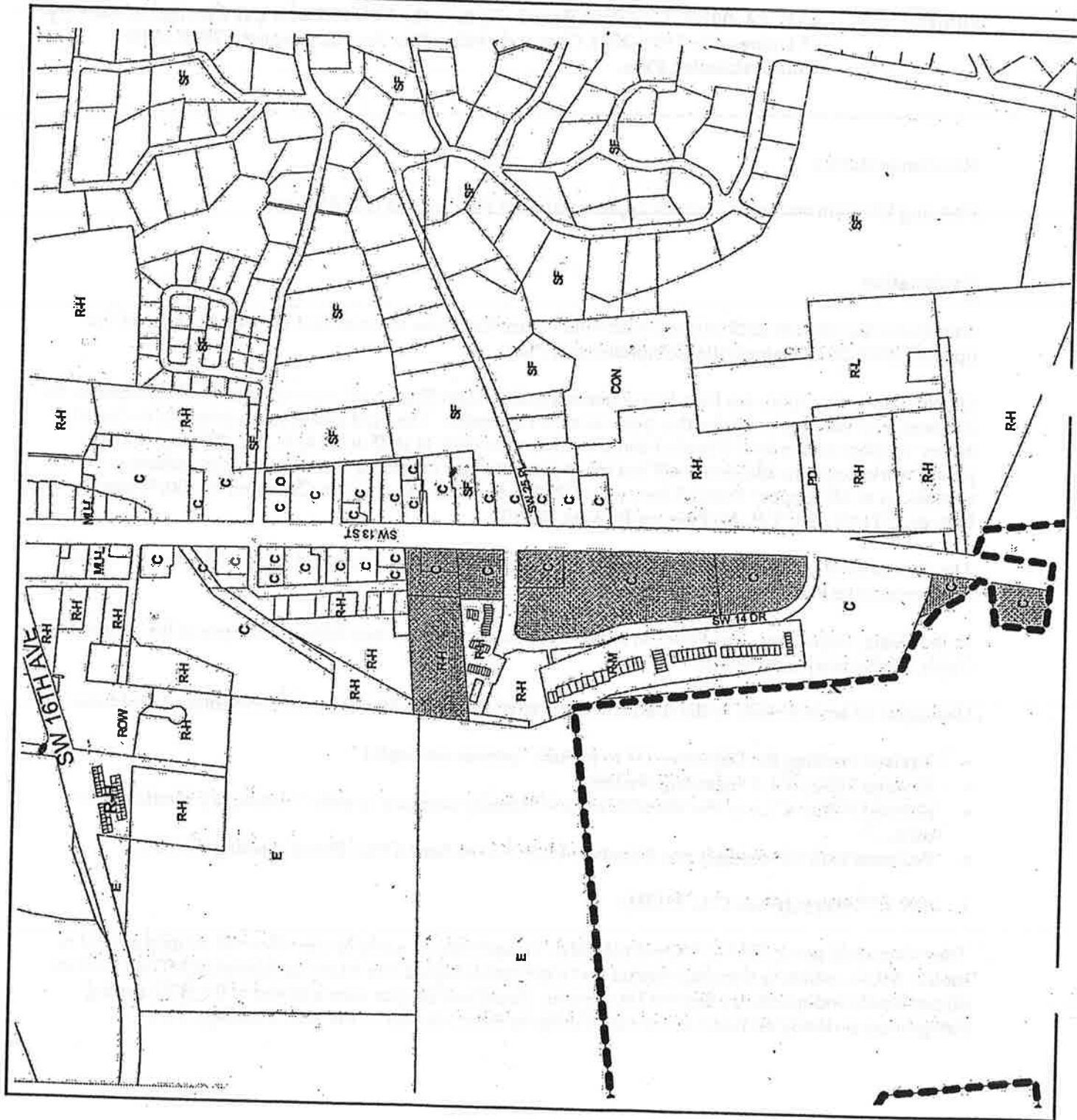
Gainesville City Limits

## City of Gainesville Gainesville, Florida

Prepared by the  
Department of Community Development  
November 2000



No Scale



The City proposes to change the land use of the parcels from Residential-High (RH) and Commercial (C) to MUM (14-30 units per acre) in order to allow development of multi-family residential and mixed uses that promote transportation choice. MUM land use allows MU-2 zoning (14-30 units per acre), which allows hotels and motels by special use permit.

All of the parcels are designated Commercial, with the exception of one parcel, which is designated Residential-High. Adjacent parcels within city limits are designated RH, C, and RM to the north, south and west. Because the MUM land use designation tends to be more compatible than Commercial to relatively sensitive land uses such as residential, it is more consistent and compatible to these adjacent designations.

## **2. NW 3<sup>rd</sup> Street at 500-block in Pleasant Street neighborhood (from RL to REC)**

These parcels – 511 & 513 NW 3<sup>rd</sup> Street -- are adjacent and west of a City-owned mini-park (see Map 2). The park carries a Recreation (REC) land use designation. The subject parcels are vacant, and designated Residential Low (RL), as are the adjacent parcels to the north, west, and south. Changing the designation of the subject parcels to Recreation would allow for the expansion of the City park, and would promote redevelopment plans in the neighborhood.

## **3. Hartman (from RM, RL, SF to SF, C, RM, RL)**

This property is approximately 99 acres (see Map 3). The northern portion of a pond/wetland area within the northwest portion of the property has RM (Residential Medium Density, 8-30 units per acre) land use, which is now proposed for change to SF (Single Family, up to 8 units per acre) land use.

The lower density allowed by SF land use will be more conducive to clustering of residential units away from the pond/wetland area.

Several other land use changes are needed because of non-existent land use for vacated right of way, and because of several areas with conflicting land use and zoning categories. The vacated right of way with no land use is proposed to be changed in order to be consistent with the underlying Business, RMF-6, and RMF-5 zoning. The respective proposed land use changes are to Commercial, Residential Medium Density, and Residential Low Density. The proposed changes to areas of conflicting land use and zoning are from: Residential Medium (conflicts with RSF-1 zoning) to Single Family; Residential Low (conflicts with RSF-1 zoning) to Single Family; Residential Low (conflicts with RMF-6 zoning) to Residential Medium; and Single Family (conflicts with BUS zoning) to Commercial.

Adjacent parcels are designated Residential Medium, Residential Low, Single Family, and Commercial.

## **4. Home Depot (from Alachua County COMM to C)**

The City of Gainesville annexed a 10-acre parcel west of Oaks Mall and I-75 on April 10, 2000 (see Map 4). Planning staff recommends that this parcel be given a Commercial (C) designation, which allows the present retail operation.

The parcel currently carries the COMM Alachua County land use designation, which allows various commercial land uses. Adjacent parcels are all outside of city limits and are designated COMM.

# PROPOSED AMENDMENTS

NW 3rd Street

## Legend



Proposed as Recreation Land Use Designation

XX

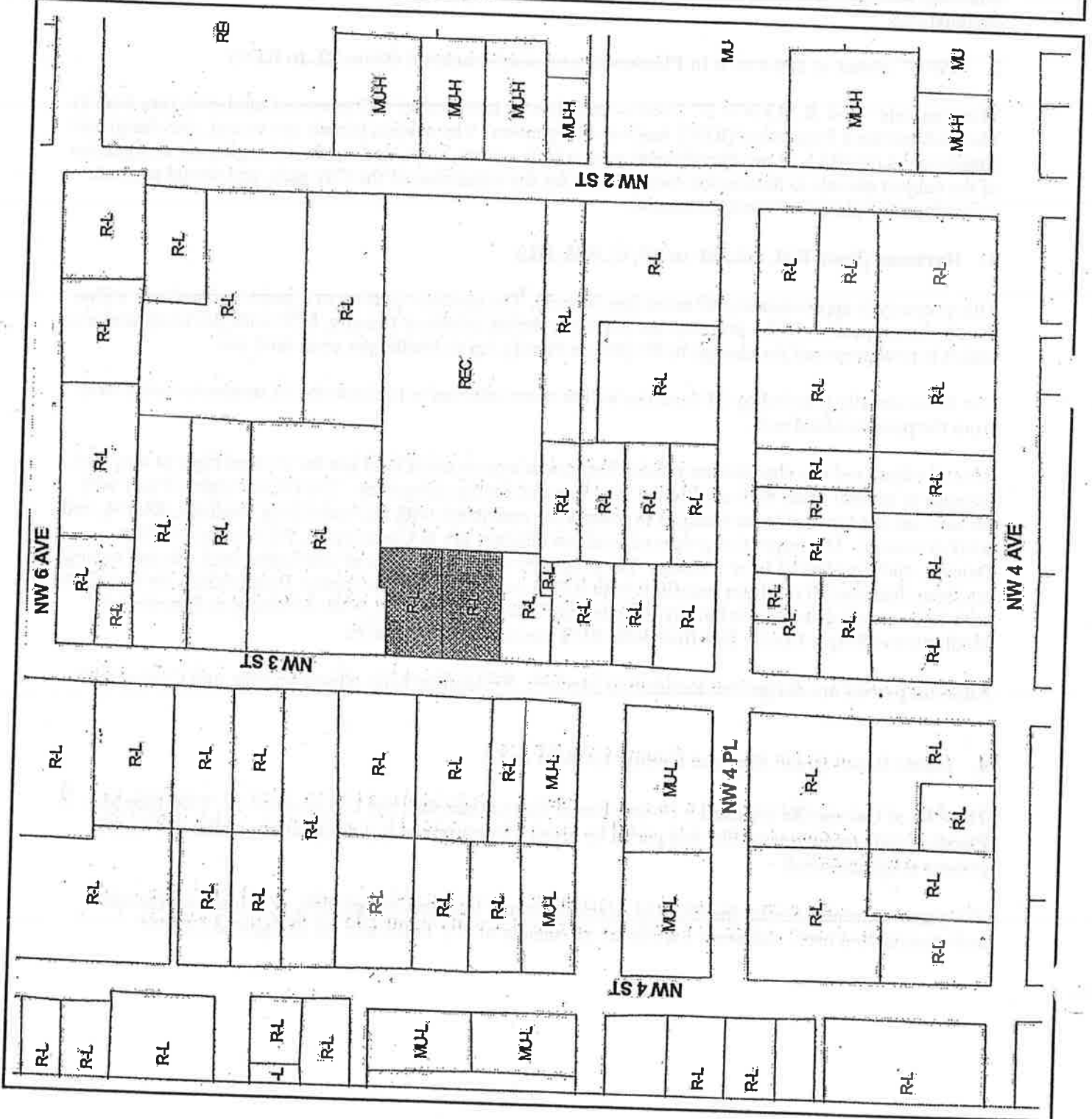
Existing Land Use Designations

**City of Gainesville**  
**Gainesville, Florida**

Prepared by the  
Department of Community Development  
November 2000



No Scale






# PROPOSED AMENDMENTS

Hartman Property LLC

## Legend

 Hartman Property Boundary

 No Existing Land Use Designation (Abandoned Right-of-Way)


**XX** Existing Land Use Designation

## Proposed Land Use Designation

 Single Family

 Residential Low

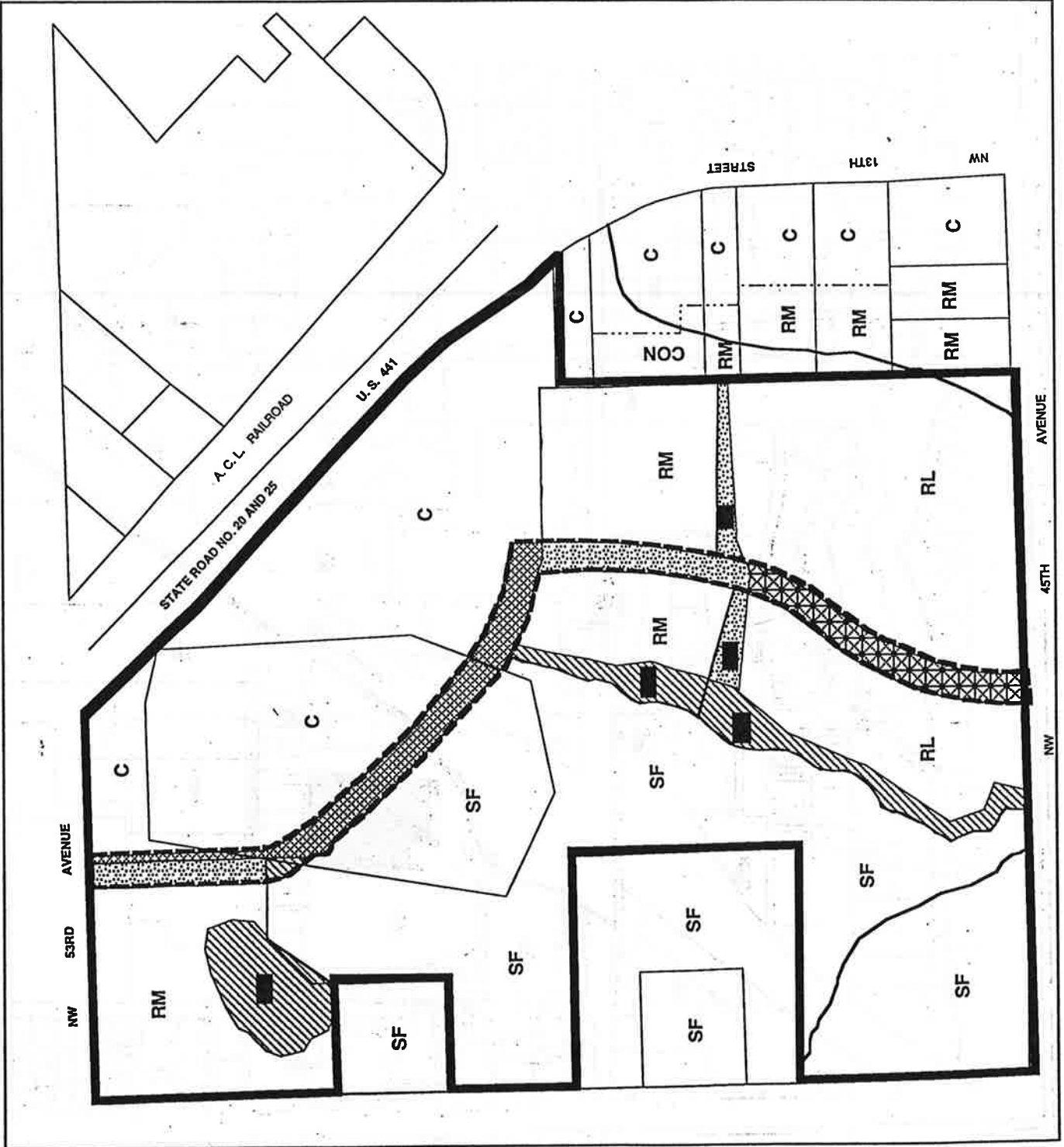
 Residential Medium

 Commercial

 Regulated Creek

City of Gainesville  
Gainesville, Florida

Prepared by the  
Department of Community Development  
November 2000



# PROPOSED AMENDMENTS

Home Depot Annexation


## Legend

 Proposed as Commercial Land Use Designation

XX Existing Land Use Designations (City)

XX Existing Land Use Designations (County)

- COMM Commercial
- LOW Low
- HIGH High
- MED-HI Medium-High
- OFFICE Office
- OFF/AM Office/Medical
- TENT Tourist/Entertainment

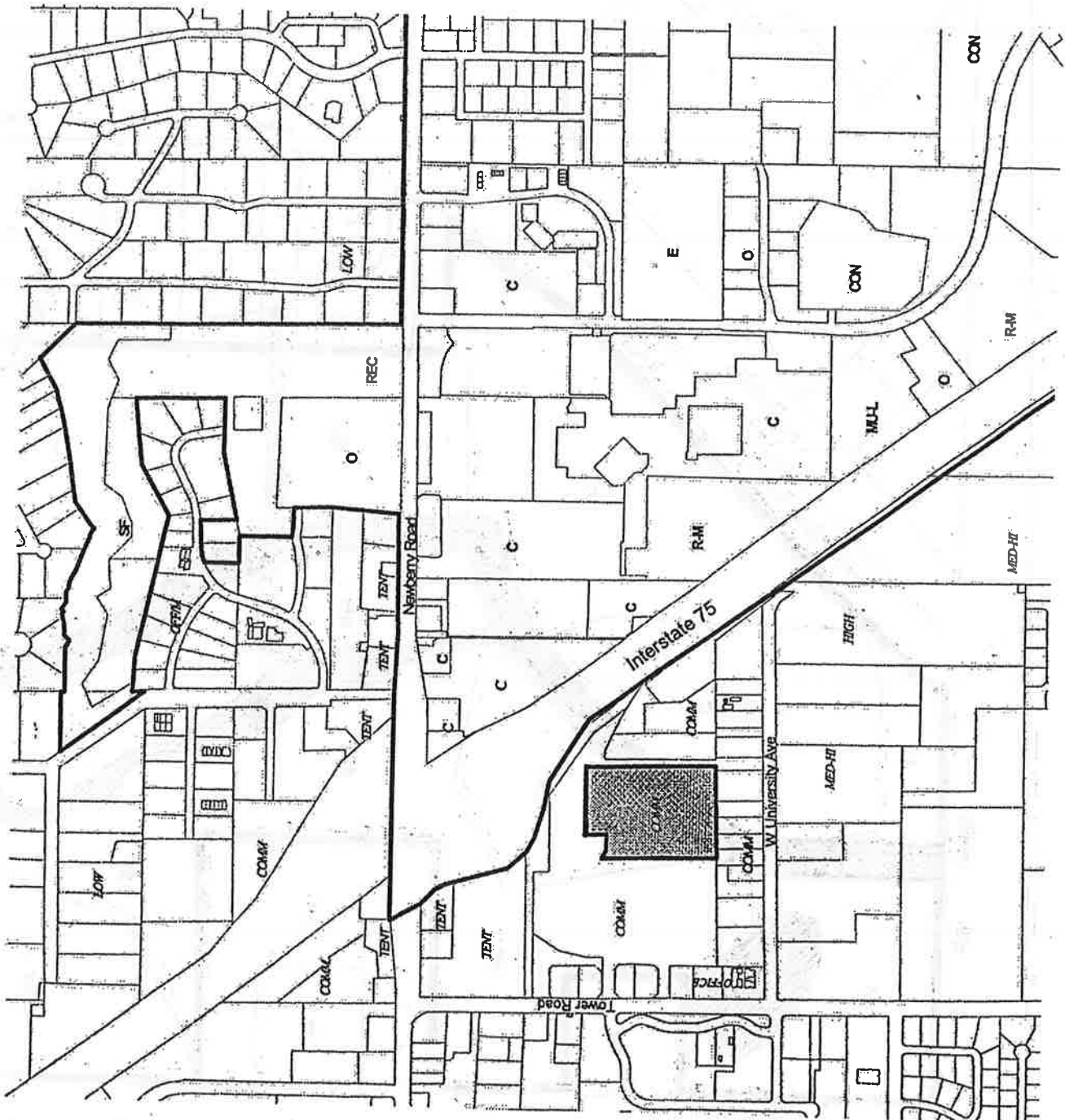
 Gainesville City Limits

# City of Gainesville Gainesville, Florida

Prepared by the  
Department of Community Development  
November 2000



No Scale





**5. Regency Oaks (from Alachua County COMM to MUL)**

The City of Gainesville annexed a 8-acre parcel on SW 34<sup>th</sup> Street on May 8, 2000 (see Map 5). Planning staff recommends that this parcel be given a Mixed Use Low (MUL) designation, which makes the present residential operation conforming, as well as allowing retail and office operations. MU-L allows residential densities up to 30 units/acre. Regency Oaks is approximately 18 units per acre.

The parcel currently carries the COMM Alachua County land use designation, which allows various commercial land uses. Adjacent parcels are designated COMM outside of city limits and E (education) within city limits (to the north).

**6. A.D. Weiss (from PUD to SF)**

Northwest Gainesville contains an undeveloped 716-acre property that was designated as the Gainesville North Activity Center in the 1991-2001 Gainesville Comprehensive Plan, and carried PUD (Planned Use District) land use (see Map 6). This property was part of the contemplated "Greenways of Gainesville" Development of Regional Impact. The Gainesville North Activity Center and the PUD land use were effectively eliminated by the November 2000 denial of a requested time extension for the required Planned Development zoning approval. This action resulted in reversion to the underlying Single-Family land use category.

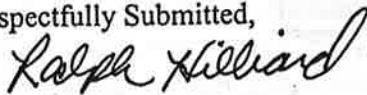
Approximately 30 percent of the property consists of regulated, designated wetlands. Sec. 30-302 of the Gainesville Land Development Code prohibits development within 35 feet of the landward extent of a regulated wetland.

Planning staff recommends that this property retain its underlying Single-Family (up to 8 units per acre) Residential land use. This land use will allow the establishment of traditional neighborhood developments (TNDs) by right. With a TND design, per capita impervious surface will be lower than it would be for conventional residential development.<sup>1</sup> The compact, mixed use character will create relatively high internal trip capture and minimize car trips to and from the property. Trips to parks, squares, schools, civic uses, retail, and jobs will commonly be by foot or bicycle, thereby reducing air emission impacts, groundwater pollution, and noise pollution. In addition, visual blight due to excessive car-oriented street, sign, and building design will be minimized. Large, shading street and parking lot trees will provide not only more pleasant walking and bicycling conditions, but will also reduce "heat island" impacts.

**7. Idlywild/Serenola ("Kidd Property") (adopt Special Area Plan)**

Planning staff recommends that the Special Area Plan prepared and adopted by Alachua County for the recently annexed 44-acre Kidd property be adopted (see Map 7).

Respectfully Submitted,



Ralph Hilliard,  
Planning Manager

Attachments


DM:DN

<sup>1</sup> A recent U.S. Department of Environmental Regulation study in Atlanta found that conventional residential development creates 0.28 acres of impervious surface per dwelling unit compared to 0.03 acres per dwelling unit in a traditionally designed development.

# PROPOSED AMENDMENTS

## Regency Oaks Annexation


### Legend

 Proposed as Mixed Use Land Use Designation

XX Existing Land Use Designations (City)

XX Existing Land Use Designations (County)

COMM Commercial  
HIGH High  
RES1424 Residential (14-24)

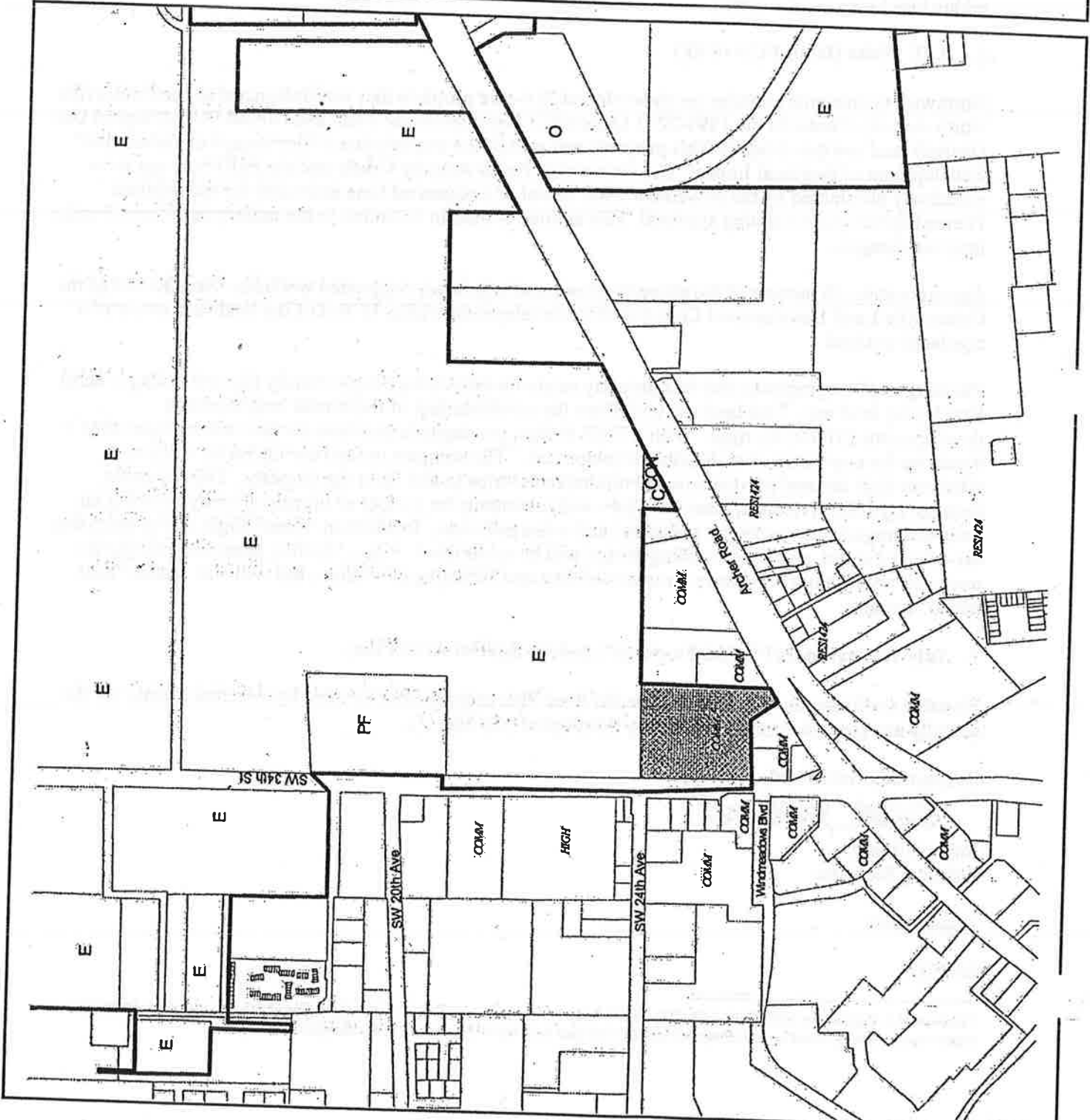
 Gainesville City Limits

### City of Gainesville Gainesville, Florida

Prepared by the  
Department of Community Development  
November 2000



No Scale



# PROPOSED AMENDMENTS

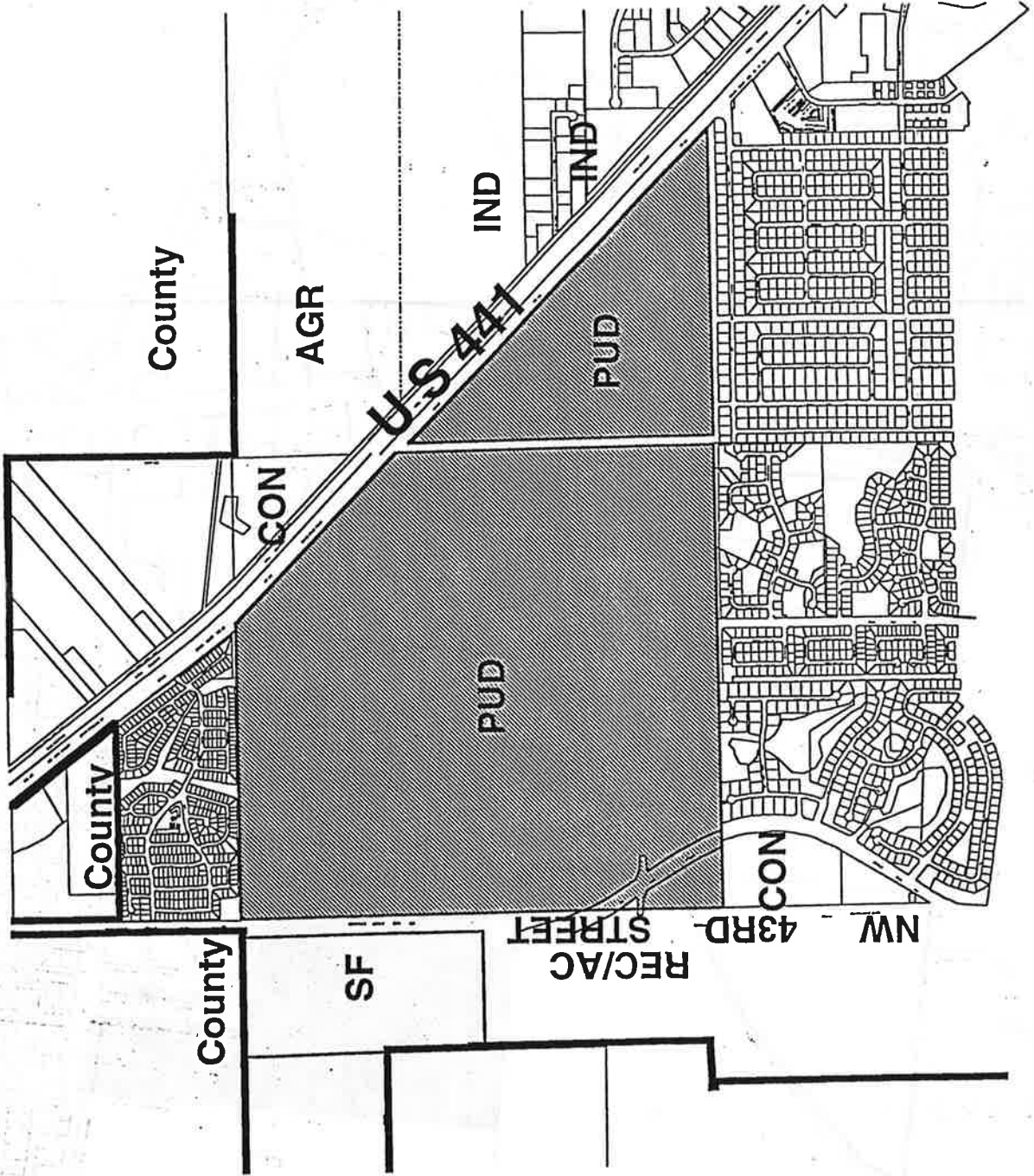
A.D. Weiss

## Legend



Proposed as Single Family Land Use Designation

Gainesville City Limits



City of Gainesville  
Gainesville, Florida

Prepared by the  
Department of Community Development  
December 2000



# PROPOSED AMENDMENTS

## Kidd Property Annexation


### Legend

 Proposed as Single Family Land Use Designation

xx Existing Land Use Designations (City)

xx Existing Land Use Designations (County)

LAKE  
RES02 Residential (0-2)  
RES24 Residential (2-4)  
RES1424 Residential (14-24)  
COMM Commercial

 Gainesville City Limits

## City of Gainesville Gainesville, Florida

Prepared by the  
Department of Community Development  
November 2000

No Scale



7. **Petition 163CPA-00 PB** City Plan Board. Update the Future Land Use Element of the City of Gainesville 1991-2001 Comprehensive Plan for the proposed 2000-2010 Comprehensive Plan.

Mr. Dean Mimms was recognized. Mr. Mimms noted that the proposed Element had been to public workshops in February, May, June, July and November. He discussed the changes in language since the November Plan Board meeting. He indicated that he wished to discuss the proposed land use map changes.

1. SW 13<sup>th</sup> Street (From Commercial - C, to Mixed Use Medium - MUM)

Mr. Mimms presented a map of the area and described it and the surrounding properties in detail. He indicated that staff proposed the change to allow for mixed use development whereas the commercial category did not. He explained that the interest was in triggering redevelopment along the corridor to integrate land use and transportation.

2. NW 3<sup>rd</sup> Street at 500-block in Pleasant Street (From Residential Low - RL, to Recreation - REC)

Mr. Mimms presented a map of the site. He explained that the change would allow for the expansion of a small neighborhood park onto two vacant parcels.

Vice-Chair Fried asked if the park contained recreation equipment.

Mr. Hilliard indicated that there was some older equipment, but the Recreation Department had received a grant to upgrade the park with new equipment and the possible establishment of a community garden.

Mr. Polshak asked if the lot directly abutting the site had a house.

Mr. Mimms indicated that it did.

3. Hartman (From Residential Medium - RM, Residential Low - RL, Single Family - SF, to Commercial - C, Residential Medium - RM, Residential Low - RL)

Mr. Mimms presented a map of the 99 acre property and described it in detail. He noted that there was an error in the map and a small area in the southwest corner was zoned Conservation. He explained that there were some inconsistencies between the existing zoning and land use on the site and the proposed changes would clarify that situation.

4. Home Depot (From Alachua County Commercial - COMM, to Commercial - C)

Mr. Mimms presented a map of the site and described it and the proposed change.

5. Regency Oaks (From Alachua County Commercial - COMM, to Mixed Use Low - MUL)



Mr. Mimms presented a map of the site. He noted that the site contained an existing multi-family residential development.

6. A.D. Weiss (From Planned Urban Development - PUD, to Single Family - SF)

Mr. Mimms presented a map of the site and described it in detail. He indicated staff recommended that the land use be Single-Family to allow the establishment of Traditional Neighborhood Developments by right. He explained that the City Commission had denied a requested extension for a Planned Development Zoning Ordinance to be adopted. He discussed the applicable regulations on the site.

7. Idlywild/Serenola ("Kidd Property") (Adopt Special Area Plan)

Mr. Mimms presented a map of the site and described it in detail. He noted that the site was part of an Alachua County Special Area Plan area. He explained that the existing County land use and zoning remained in affect when property is annexed and staff matched it to existing City zoning and land use regulation.

Vice-Chair Fried suggested that the board deal with and vote on each site separately.

1. SW 13<sup>th</sup> Street (From Commercial - C, to Mixed Use Medium - MUM)

Mr. Guy asked if there were any buildings on the properties in the area that would become non-conforming by the change.

Mr. Mimms indicated that a hotel/motel use would require a Special Use Permit, but nothing would become non-conforming.

Vice-Chair Fried opened the floor to public comment.

Mr. Jim Pierce, resident in Bivens South, was recognized. Mr. Pierce pointed out that the MUM land use carried language that allowed light industrial uses. He noted that the existing Commercial did not seem to allow those uses. He cited a concern.

Mr. Hilliard explained that the Land Development Code allowed the light industrial use by Special Use Permit which required completely enclosed structures, no outdoor storage, limited truck traffic, screened mechanical equipment and sound attenuation for adjacent residential areas. He cited other restrictions on the use.

Mr. Pierce asked if the use would allow the Gainesville Sun to expand their distribution center on their property.

Mr. Hilliard indicated that the Gainesville Sun could expand their distribution center under the existing Commercial land use. He explained that the land use change would not give the Sun more rights than they had under existing regulation.

Vice-Chair Fried pointed out that a Special Use Permit would have to come to the Plan Board for approval and restrictions could be applied.

Mr. Mike Lucas, resident of Bivens South, was recognized. Mr. Lucas asked who requested the changes and what the impact would be on drainage, transportation and the effect on property values.

Mr. Hilliard explained that there were problems on SW 13<sup>th</sup> Street and the City Commission wished to try to alleviate some of those problems by diversifying the types of uses in the area rather than have it be strictly Commercial. He indicated that if the areas were changed from strictly Commercial to Mixed Use, residential and general office uses could be developed. Mr. Hilliard explained that there were regulations in the Land Development Code to deal with drainage and transportation. He indicated that he could not speak to the issue of property values.

Mr. Lucas indicated that he was more concerned about large numbers of students than commercial development. He repeated his question about who asked for the change.

Mr. Hilliard stated that no private property owner in the area had requested the change. He explained that he had seen no proposals for development that would trigger any land use or zoning change.

Mr. Lucas pointed out a large undeveloped area and asked why that area was to be changed if no development was proposed. He explained that as long as that area was zoned Commercial, it would probably not be developed at all.

Vice-Chair Fried closed the floor to public comment.

Mr. Pearce indicated that he could support the proposed change. He agreed that it might help facilitate improvements.

Mr. Guy asked what the specific businesses on the properties were.

Mr. Mimms specified each business.

Mr. Guy asked why the proposed change stopped on the north.

Mr. Mimms explained that the Commercial land use to the north contained BT (Business/Tourist) Zoning and there were legal considerations involved. He noted that BT Zoning, which allowed adult uses, was limited in the City and could not be completely removed.

Mr. Hilliard explained that staff had to be careful in dealing with specific uses. He pointed out that adult establishments were protected under some areas of the law and could not be zoned entirely out of the City. He noted that the City Commission would be having a workshop on the Future Land Use Element on January 16, 2001 and those issues would be discussed.

<u>Motion By:</u> Mr. Pearce	<u>Seconded By:</u> Mr. Polshek
<u>Moved to:</u> Approve the proposed changes to the SW 13 <sup>th</sup> Street area land use map.	<u>Upon Vote:</u> Motion Carried 4 -1 Yeas: Carter, Fried, Pearce, Polshek Nays: Guy

**2. NW 3<sup>rd</sup> Street at 500-block in Pleasant Street (From Residential Low - RL, to Recreation - REC)**

Vice-Chair Fried opened the floor to public comment.

Mr. Michael Myrick, resident of the area, was recognized. Mr. Myrick discussed the existing park and the problems associated with unlawful activity taking place. He suggested that, if houses were built on the lots, that activity might be contained and not be allowed to spill over onto adjacent streets. He requested that the board deny the change.

The board discussed the problems stated by Mr. Myrick and suggested that they could be solved by fencing and better policing of the area.

Mr. Polshek requested that the minutes show that the Plan Board wished to send a message to the City Commission and, through them, to the Police Department that the park required a greater level of law enforcement to make it more functional.

<u>Motion By:</u> Mr. Polshek	<u>Seconded By:</u> Mr. Pearce
<u>Moved to:</u> Approve the proposed changes to the 500 Block in the Pleasant Street area land use map.	<u>Upon Vote:</u> Motion Carried 5 - 0 Yeas: Carter, Fried, Pearce, Polshek, Guy

**3. Hartman (From Residential Medium - RM, Residential Low - RL, Single Family - SF, to Commercial - C, Residential Medium - RM, Residential Low - RL)**

No discussion or vote. To be placed on agenda for 1/18/01

**4. Home Depot (From Alachua County Commercial - COMM, to Commercial - C)**

There was no public comment on the petition

<u>Motion By:</u> Mr. Polshek	<u>Seconded By:</u> Mr. Carter
<u>Moved to:</u> Approve the proposed change to the future land use map for the Home Depot Property.	<u>Upon Vote:</u> Motion Carried 5 - 0 Yeas: Carter, Fried, Pearce, Polshek, Guy

**5. Regency Oaks (From Alachua County Commercial - COMM, to Mixed Use Low - MUL)**

There was no public comment on the petition.

<u>Motion By:</u> Mr. Carter	<u>Seconded By:</u> Mr. Polshek
<u>Moved to:</u> Approve the proposed change to the future land use map for the Regency Oaks Property.	<u>Upon Vote:</u> Motion Carried 5 - 0 Yeas: Carter, Fried, Pearce, Polshek, Guy

**6. A.D. Weiss (From Planned Urban Development - PUD, to Single Family - SF)**

Acting Chair Polshek opened the floor to public comment.

*These minutes are not a verbatim account of this meeting. Tape recordings from which the minutes were prepared are available from the Community Development Department of the City of Gainesville.*



Mr. Paul Faval, abutting property owner, was recognized. Mr. Faval indicated that he represented a coalition of homeowners living around the property. He noted that the proposed land use allowed up to 8 units per acre. He pointed out that he lived in Millhopper Station where there were approximately 47 home sites on 40 acres. He cited a concern about having 8 residential units per acre and no buffer between the Millhopper Station property and any development to the north. He also cited concerns about stormwater, traffic, and school concerns. Mr. Faval asked the basis for the recommendation for 8 units per acre.

Mr. Hilliard pointed out that the proposed land use on the Weiss property was the same as that in Millhopper Station and all the single-family districts. He explained that the number of units per acre that would be allowed would be determined through zoning. He discussed how the overall density would be determined.

Mr. Faval suggested that a part of the property be designated conservation because of the wetlands involved.

Mr. Hilliard indicated that the matter was considered. He pointed out that the land development regulations dealt with stormwater, protected all the wetland areas, added a 35 foot setback and protected the flood plain areas, all of which would protect those areas. He explained that, because of these land development regulations, staff did not feel the need to place conservation over any major portion of the property. He noted that the City Commission would have a workshop on January 16<sup>th</sup> to discuss the Land Use Element.

Mr. Glen Dean, abutting property owner, was recognized. Mr. Dean agreed with the concerns about designating the entire area as single-family instead of specifying some conservation areas.

Mr. Ron Carpenter, agent for the Weiss property owners, was recognized. Mr. Carpenter indicated that he wished to place an objection of record that he did not believe the amendment to the Comprehensive Plan was legal on the basis that there has been no termination of the existing Comprehensive Plan in the sense that "it's our view that to sunset within a Comp Plan its own provisions violates the Comp Plan regulations in that you have taken no analysis of public facilities, any analysis of public need, so that you can't have a sunset provision within the Comprehensive Plan." Mr. Carpenter noted that he and the City's legal staff disagreed on the issue.

Acting-Chair Polshek asked if Mr. Carpenter would clarify the issue of sunseting.

Mr. Carpenter indicated that it was Mr. Weiss' position that, if the Comprehensive Plan stated that the use allowed by the Comprehensive Plan ceases on a date, that since the Comprehensive Plan came into date in 1992, in order for that Comprehensive Land Use Plan provision to be there, then the Planning Agency and the Commission had to make determinations as to infrastructure, schools, and population demands. He indicated if all of those determinations were required to adopt a provision, then it could not be terminated by a specific date.

There was discussion of the Comprehensive Plan and the legality of the sunseting provisions.

Mr. Hilliard discussed the Comprehensive Plan and information received from the City Attorney's office regarding Mr. Carpenter's position. He indicated that staff had received statements from the City Attorney advising that the City had the right and authority to process the petition. He pointed out that Traditional Neighborhood Development (TND) Zoning was permitted and did allow mixed-use to occur on the site, thus, the property did not have to be entirely single-family.

Mr. Guy pointed out that TND Zoning was permitted in almost all land uses.

Acting Chair Polshek requested a motion from the board.

Dr. Fried made a motion to approve the proposed changes.

Acting Chair Polshek noted that everyone had made their position clear and the board was advisory to the City Commission on the matter.

Mr. Pearce asked if it would be advantageous to recommend that formal analysis be provided of what the land use designation should be at the present. Compared to what it was 10 years ago.

Acting Chair Polshek pointed out that the matter would involve a multi-step process and suggested that the City Commission should request that information. He noted that the matter would probably return to the board in some form.

Mr. Hilliard pointed out that staff had provided the board with its recommendation and the City Attorney had provided his opinion on the matter. He suggested that it would not change by any additional study.

<u>Motion By:</u> Dr. Fried	<u>Seconded By:</u> Mr. Pearce
<u>Moved to:</u> Approve the proposed changes to the A.D.Weiss property area land use map.	<u>Upon Vote:</u> Motion Carried 3 - 2 Yeas: Fried, Pearce, Polshek Nays: Carter, Guy

**7. Idlywild/Serenola ("Kidd Property") (Adopt Special Area Plan)**

Vice-Chair Fried opened the floor to public comment.

Mr. Jerry Bigham, resident near the site, was recognized. Mr. Bigham noted that Policy 4.9.7 of the proposed Element stated that the idea was to protect the residential areas from incompatible uses. He further noted that Policy 4.9.8 had two parts, a and b. He indicated that he could agree with part a, which restricted the area to a maximum density of 2 dwelling units per acre, but he had a concern about part b, which seemed to allow more. Mr. Bigham pointed out that the actual density in the developed area was less than 2 dwelling units per acre. He suggested that part b of the Policy seemed to allow 4 dwelling units per acre, rather than 2 dwelling units per acre.

Vice-Chair Fried asked staff if the intent was to have more than 2 dwelling units per acre.

Mr. Mimms explained that the language of Policy 4.9.8, a and b, came from the Alachua County Ordinance and addressed the differences between adjacent property and what might be proposed. He pointed out that the overall density within the Idylwild/Serenola area could not exceed a maximum of 2 dwelling units per acre.

Mr. Bigham indicated that he did not believe the increase was protective of the area.

Vice-Chair Fried agreed. He suggested that it allowed a more dense use to extend its influence and could affect the density.

Mr. Bigham pointed out that the actual density of developed properties was less than 2 dwelling units per acre, and if 4 were permitted, 4 would be constructed. He pointed out that Policy 4.9.5 mentioned threatened and endangered species and there were Bald Eagles and Sandhill Cranes in the area.

Mr. Pearce pointed out that RSF-1 Zoning District allowed 3.5 dwelling units per acre which was the lowest residential zoning district category.

Mr. Carter pointed out that all the residential areas to the east and south were zoned County RES24, which allowed 2 to 4 dwelling units per acre.

Mr. Ben Techler, representing the Kidd Family, was recognized. Mr. Techler presented the board with a drawing showing the different zoning areas around the Kidd property and a copy of the County Ordinance for the Idylwild/Serenola area. He also presented an original draft of staff's proposed language for the Element that indicated that the density of the property should be 4 dwelling units per acre. He explained that, comparing the City and the County's language showed the City's language did not match the County's. Mr. Techler indicated that staff's language stating that the overall density should not increase was in conflict with the County's language. He pointed out that there was also a conflict because Policy 4.9.8 eliminated section b with section a which allowed only 2 dwelling units per acre. He explained that the Idylwild/Serenola Ordinance was adopted in 1992 as the result of a proposed apartment complex near Paynes Prairie. He pointed out that the property surrounding the Kidd property was developed at 2 to 4 units per acre. He suggested that the zoning on the Kidd property was spot zoning since the property around it had greater allowed density. Mr. Techler indicated that he believed the owners of the property were being unfairly penalized because they did not develop at the same time as other areas around the site. He stated that he believed the property met the City's goal for infill and the owners voluntarily annexed into the City. He indicated that he believed that the City could make a fair decision on the property and allow 2 to 4 units per acre instead of limiting it to 2 units per acre. Mr. Techler stated that the original zoning by the County was done in an arbitrary and capricious manner and he believed the board could recommend the proper density. He offered to answer any questions from the board.

Mr. Hilliard pointed out that the information provided by Mr. Techler was not part of the discussion before the board. He explained that the staff document Mr. Techler presented was a working draft and not the amendment before the board. He indicated that the issue was whether the language in the proposed Comprehensive Plan Policy 4.9.8, given to the board in their packets, was consistent with what the board recommended for the property. Mr. Hilliard noted that he did not have a copy of the language to which Mr. Techler referred.

Mr. Pearce pointed out that Policy 4.9.8 (b) eliminated the language in the Alachua County Zoning Ordinance 394.35 (1) (b) regarding density.

Mr. Hilliard indicated that it did not, since it involved land development regulations. He explained that the proposed Comprehensive Plan Land Use Plan for the property said 0 to 2 units per acre, so no more than two units per acre could be developed on the property. He pointed out that the County had designated the site as a tree canopy protection area in an attempt to force the developer to cluster development.

Mr. Techler noted that his concern was the elimination of additional dwelling units.

Mr. John Stinson, resident near the area, was recognized. Mr. Stinson explained that a developer had come to neighborhood meetings and did have a contingent contract with the Kidds to develop the property. He suggested that the reason the property was voluntarily annexed into the was City to avoid the Idylwild/Serenola Special Area Plan restrictions placed on the property by Alachua County. He pointed out that there was a County Ordinance that protected the tree canopy on the site. Mr. Stinson indicated that the neighbors had been presented with plans for townhouses and were told that it might become student rentals. He explained that the language proposed by the City did not have the 50 percent open space set a side for trees if there were to be apartment complexes on the site. Mr. Stinson pointed out that, while the density allowed in the surrounding areas was higher, it was developed at less than two dwelling units per acre. He suggested that the City accept the Idylwild/Serenola Special Area as it was written by County staff and not place the neighborhood in jeopardy.

There was discussion of the differences in the County's Idylwild/Serenola regulation and those proposed by the City.

Mr. Hilliard suggested that Policy 4.9.8(b), could be removed and Policy 4.9.8(a) would cover the maximum allowed density. He explained that the Land Development Regulation would deal with other issues.

Board members agreed.

Mr. Ron Carpenter was recognized. Mr. Carpenter indicated that, while he did not represent any of the parties speaking, he did have some information on the Idylwild/Serenola Study. He discussed the requirements for preservation of 50 percent of the canopy of trees on a site in the County's land development regulations for the area. He suggested that the board adopt the proposed element with a recommendation to staff that the appropriate land development regulations that go with the special study area be developed.

Mr. Paul Rupert, resident of the area, was recognized. Mr. Rupert discussed the annexation of the property and indicated that he believed the City Commission charged City staff with finding an appropriate density for the site since the City's designation's did not go low enough to meet the County's.

Ms. Martha Carroll, resident of the area, was recognized. Ms. Carroll urged the board to keep the Special Area Study provisions and remove Policy 4.9.8(b) because it was unclear. She indicated that she believed the restriction of 2 units per acre was appropriate.

Ms. Loretta Kidd Peterman, one of the owners of the property, was recognized. Ms. Peterman indicated that she also lived in the neighborhood and would not do anything detrimental to the neighborhood. She stated that she did not believe the proposed language, with the elimination of Policy 4.9.8(b) was consistent with the County regulation.

Mr. Clyde Wassafal, President of the Idlywild/Serenola Home Owners Association was recognized. He indicated that the Home Owners Association had concerns about potential development of the property. He explained that they wished the County's Special Area regulations to remain on the property.

Mr. Pearce asked if the City's proposed language removed any regulations that were already on the property.

Mr. Hilliard indicated that it did not. He noted that, while the Policies were general, they addressed all of the major issues of the plan. He pointed out that the more detailed regulation was in the County's land development regulations and would have to be dealt with eventually.

Mr. Polshek indicated that his understanding was that, under the proposal, development was capped at 2 dwelling units per acre.

Mr. Josh Heldstrom, resident near the area, was recognized. Mr. Heldstrom pointed out that, while the designation on the property around the site was 2 to 4 units per acre, it was actually developed at less than 2 units to the acre. He explained that his own house was on a 3/4 acre lot and his neighbor had a one acre lot. He pointed out that Policy 4.9.7 proposed protection from incompatible land uses. He explained that all of the owners' meetings with the neighborhood consisted of discussion of apartments. He also recommended that Policy 4.9.8(b) be removed.

Mr. Bud Reiger, resident near the area, was recognized. Mr. Reiger indicated that he also agreed with removing Policy 4.9.8(b). He suggested that the text was confusing and could lead to as many as six units per acre. He pointed out that the designation of up to 4 units per acre came about after the neighborhood had already been developed.

Vice-Chair Fried closed the floor to public comment.

Mr. Guy indicated that he could agree to leaving Policy 4.9.8(b) in the Element. He pointed out the overall restriction of 2 dwelling units per acre.

Vice-Chair Fried indicated that he believed it was best to drop 4.9.8(b).

Mr. Polshek pointed out that, even if 4.9.8(b) was dropped, the issue would still be addressed in the land use regulations. He suggested that it might be better to leave it in for purposes of negotiation.

Mr. Pearce suggested that sentence 1 be eliminated from 4.9.8(b).

Mr. Hilliard discussed how the process would work.

Mr. Carter cited a concern that the change appeared to be down zoning the property which was contrary to the City's recent policies on increasing density. He noted that there were apartment complexes within 300 yards of the site.

Mr. Polshek pointed out that there was an existing gradient between the apartment complexes and the neighborhood.

<u>Motion By:</u> Mr. Pearce	<u>Seconded By:</u> Mr. Carter
<u>Moved to:</u> Approve the adoption of the Policies of the Idlywild/Serenola Special Area Plan.	<u>Upon Vote:</u> Motion Carried 4 - 1 Yeas: Carter, Pearce, Polshek, Guy Nays: Fried

**Petition 163CPA-00 PB**

Mr. Mimms requested that the board vote on the body of the Goals, Objectives and Policies of the Future Land Use Element.

Mr. Polshek made a motion to approve Petition 163CPA-00 PB.

Mr. Pearce indicated that he wished to reiterate his objection to the wording in Policy 2.1.2. He explained that it seemed to state that all increases in enrollment at the University of Florida should be located in a single area around the university. He stated that he believed the burden and responsibility should be shared throughout the City in all of the zoning districts to various and appropriate degrees. Mr. Pearce indicated that, as written, the policy was inequitable and injurious since it would discourage a minimal owner occupancy in the neighborhood.

Mr. Hilliard explained that the land uses were already in place in those designated areas. He pointed out that the wording in the policy had been changed from "shall" to "should strive to," in order to accommodate the increases within the areas.

Mr. Pearce pointed out that it did say the Plan should strive to place students in areas designated for "high density" residential development, which was the neighborhoods to the east and north of the campus. He suggested that the language read "in areas designated for multi-family residential development" instead of "high density." He suggested that the burden should be spread out. Mr. Pearce explained that from growth management and transportation perspectives, some appropriate infill in existing developed neighborhoods in the form of accessory dwelling units, might be acceptable. He pointed out that 90 percent of sprawl was the result of low density single-family development and all of the burden compensating for urban sprawl was being placed on very small areas. He explained that, while he did understand the detrimental impact of too many students in a neighborhood, he suggested that all areas should share the burden.

Mr. Polshek suggested that single-family sprawl and student housing were two different things. He noted that sprawl would not be solved by placing students close to the university. He suggested that it was ill-conceived to propose that the burden be spread throughout the City. He pointed out that he lived near the university.

Mr. Carter indicated that he agreed with Mr. Pearce. He suggested that the text "but outside of single-family neighborhoods" singled them out. He indicated that he believed students could be interspersed in some of the neighborhoods around the university. He pointed out that houses directly on a busy street like University Avenue were not suited to families.

Vice-Chair Fried suggested that there should be a kind of housing appropriate for students, that would not be damaging to surrounding housing areas. He pointed out areas where student housing was in close proximity to single-family residences without conflict. He indicated that he believed it was blighting for a large number of students to take over houses in single-family areas. He requested that Mr. Polshek repeat his motion.

<u>Motion By:</u> Mr. Polshek	<u>Seconded By:</u> No Second
<u>Moved to:</u> Approve Petition 163CPA-00 PB Update of the Future Land Use Element for the proposed 2000-2010 Comprehensive Plan with staff's rewording of specific objectives and policies as stated in the staff report.	Motion dies for lack of a second.

Mr. Pearce indicated that he would like to request that staff change some of the language in Policy 2.1.2.

Mr. Hilliard indicated that staff disagreed with Mr. Pearce's comments. He noted, however, if the board wished the language changed, it would be necessary to give specific instructions on the desired modifications.

Mr. Pearce indicated that he would be unable to provide specific language at the present time. He asked if the board could recommend approval of the petition with the exception of Policy 2.1.2.

Vice-Chair Fried suggested that the entire petition be continued to the next meeting.

Mr. Hilliard pointed out that the issue had not been raised at the last meeting. He suggested that the board could send a message that there was a major concern or recommend that the entire Policy 2.1.2 be removed.

Vice-Chair Fried agreed it was a possibility. He suggested that the policy read, "The City's Future Land Use Plan should strive to accommodate increases in student enrollment at the University of Florida and the relocation of students from the urban fringe in areas designated for multiple housing and appropriate mixed-use development." He indicated that he objected to the text, "within 1/2 mile of the University of Florida campus."



Mr. Hilliard pointed out that staff's concerns regarded enabling people to live closer to where they work and needed services. He explained that it would increase the problem of people driving to work or school instead of using alternative methods.

Vice-Chair Fried cited a concern about the text, "outside of single-family neighborhoods." He suggested that it was possible to integrate students into single-family neighborhoods in specific types of housing.

Mr. Hilliard explained that staff had been dealing with significant problems in single-family neighborhoods over the last four years. He noted that the problem arose from the behavior of certain individuals and Code Enforcement could not solve behavior problems. He pointed out that the reason Policy 2.1.2 specified areas designated for high-density residential development was because persons moving into those areas knew what the density would be and could expect a certain level of use. He indicated that if the board wished to change the wording from "high-density development" to "multi-family development," it would be the recommendation of the board and not that of staff.

Mr. Guy indicated that he did not believe removing the text, "outside single-family neighborhoods" would be accepted. He noted that he had a concern about Policy 2.1.4.

Mr. Ron Carpenter was recognized. Mr. Carpenter suggested that the language read "the City's Future Land Use Plan should encourage but not require a combination of increases, etc." He explained that he had a concern with the plan as drafted in the language, "and the relocation of students from the urban fringe." He indicated that the Metropolitan Transportation Authorities' extension of bus lines would not be in compliance with the Comprehensive Plan since the providing of transportation encourages outward sprawl of students and would recommend that the City not extend the bus route down 23<sup>rd</sup> Street to Williston Road because they were not within the limits defined in the Comprehensive Plan. He suggested that if students were to be relocated in accordance with the Comprehensive Plan, there should not be bus routes to allow those areas to have transportation within the city.

Mr. Guy made a motion to deny Petition 163CPA-00 PB and Mr. Carter seconded.

Mr. Polshek asked Mr. Guy's concern about Policy 2.1.4.

Mr. Guy indicated that he could not support the petition because the Urban Infill & Redevelopment Area map did not include an area bordered by Depot Avenue, 6<sup>th</sup> Street, South Main Street and South 16<sup>th</sup> Avenue.

Mr. Hilliard indicated that there was no data to support the inclusion of that area in the Urban Infill & Redevelopment Area map. He suggested that the board continue the petition and allow staff to deal with the issues raised. He reiterated his concern that board members had stated their concerns at the previous meeting.

Mr. Pearce indicated that he had spoken to staff on his concerns.

Mr. Guy indicated that he would withdraw his motion to deny the petition.



Mr. Carter agreed to withdraw his second.

Mr. Polshek asked that the board provide staff with specific language for modifications to the text.

Mr. Hilliard indicated that staff had made its recommendation and he believed Mr. Pearce would be providing a different proposal.

Mr. Carter indicated that he wished to reiterate his objections to Policy 2.1.2 in specifically excluding students from single-family neighborhoods. He suggested that staff was probably receiving direction from the City Commission on the matter. He explained that there was a neighborhood ad hoc committee attended by neighborhood activists trying to completely eliminate rentals from single-family neighborhoods.

Mr. Hilliard explained that the petition would go on to the City Commission for a workshop on January 16, 2001. He explained the petition would be presented without a recommendation from the board and then would come back to the Plan Board 18<sup>th</sup>.

<u>Motion By:</u> Mr. Pearce	<u>Seconded By:</u> Mr. Carter
<u>Moved to:</u> Continue Petition 163CPA-00 PB to the January 19, 2001 meeting.	<u>Upon Vote:</u> Motion Carried 5 - 0 Yeas: Carter, Fried, Pearce, Polshek, Guy

Mr. Polshek suggested that the term "relocate," as stated in Policy 2.1.2, was very proactive in a document that should be more general. He noted that, if it could be reworded, some of the concern might be alleviated.

Mr. Pearce agreed.

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry should be supported by a valid receipt or invoice. This ensures transparency and allows for easy auditing of the accounts.

The second part of the document provides a detailed breakdown of the company's revenue for the quarter. It lists the various products sold and the corresponding sales figures. This information is crucial for understanding the company's performance and identifying areas for growth.

The third part of the document outlines the company's expenses for the same period. It details the costs associated with production, marketing, and administrative functions. By comparing these expenses to the revenue, the company can determine its profit margin and assess its overall financial health.

Category	Item	Quantity	Unit Price	Total Value
Revenue	Product A	100	\$10.00	\$1,000.00
	Product B	200	\$5.00	\$1,000.00
Expenses	Production	-	-	\$500.00
	Marketing	-	-	\$200.00
	Administrative	-	-	\$300.00

The final part of the document summarizes the company's financial position at the end of the quarter. It shows that the company has achieved a profit of \$300,000, which is a significant improvement over the previous quarter. This success is attributed to the company's focus on quality products and efficient operations.

The document concludes with a statement of intent to continue the company's growth strategy in the coming quarter. It highlights the company's commitment to innovation and customer satisfaction, which are key factors in its long-term success.



# City of Gainesville

## Master Report

City Hall  
200 East University Avenue  
Gainesville, Florida 32601

**File Number: 001149**

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**File Number:** 001149

**File Type:** Ordinance

**Status:** Passed

**Version:** 2

**Reference:**

**Controlling Body:** City Attorney

**File Name:** COMPREHENSIVE PLAN AMENDMENT - FUTURE LAND  
USE MAP CHANGES (B)

**Introduced:** 8/27/01

**Requester:**

**Cost:**

**Final Action:** 8/27/01

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# City of Gainesville

City Hall  
200 East University Avenue  
Gainesville, Florida 32601

## Master Report

File Number: 001149

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**Notes:**

**Title:** COMPREHENSIVE PLAN AMENDMENT - FUTURE LAND USE MAP CHANGES (B) Ordinance No. 0-01-20; Petition No. 163LUC-00PB An ordinance amending the City of Gainesville 1991-2001 Comprehensive Plan; by changing the land use categories of certain properties within the City as follows: (1) from "Residential High Density (8-100 units per acre)" to "Mixed-Use Medium Intensity (14-30 units per acre) in an area generally located at 2306 SW 13th Street; (2) from "Residential Low Density (up to 12 units per acre)" to "Recreation" in an area generally located on the east side of NW 3rd Street between NW 4th Place and NW 6th Avenue; (3) from "Residential Medium Density (8-30 units per acre)", "Residential Low Density (up to 12 units per acre)", and "Single Family (up to 8 units per acre)" to "Single Family (up to 8 units per acre)", "Commercial", "Residential Medium Density (8-30 units per acre)", "Residential Low Density (up to 12 units per acre)" and "Conservation" in an area generally located west of NW 13th Street/US 441, east of NW 19th Street, north of NW 45th Avenue, and south of NW 53rd Avenue; (4) from "Planned Use District" to "Single Family (up to 8 units per acre)" in an area generally located between NW 68th Avenue on the south, the Turkey Creek Forest single-family subdivision on the north, US 441 on the east, and NW 43rd Street on the west; (5) from Alachua County "Commercial" to City of Gainesville "Commercial" in an area generally located at the 7100 block of West University Avenue on the north side; (6) from Alachua County "Commercial" to City of Gainesville "Mixed-Use Low Intensity (10-30 units per acre)" in an area generally located at the northeast corner of the intersection of SW 34th Street and Archer Road (SR 24); and (7) from Alachua County "Residential Low Density (1-4 units per acre)" to City of Gainesville "Single Family (up to 8 units per acre)" in an area generally located at the 2100 block of Williston Road on the north side; these changes are coincident with the Future Land Use Element amendment to be made part of the City of Gainesville 2000-2010 Comprehensive Plan; providing a severability clause; providing a repealing clause; and providing an effective date.

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**Indexes:****Sponsors:****Attachments:**

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**History of Legislative File**





# City of Gainesville

City Hall  
200 East University Avenue  
Gainesville, Florida 32601

## Master Report

File Number: 001149

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Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
City Commission	4/9/01	Tabled		4/23/01		Pass

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**Action Note:** City of Gainesville Community Development Director Tom Saunders and Chief of Comprehensive Planning Dean Mimms gave presentations.

Chair Pro Tem John R. Barrow recognized Citizens Mark Goldstein, Marilyn Walker, Greenspace Preservation Association Representative Paula Stahmer, Geneva Malcolm, Diane Deevey, Michael Lucas, Armando Corbelle, Carol Higman, Dave Rawls, Jane Burman-Holtom, Sam Harvey, Robert Hyatt, Jo Beaty, Sutter's Landing Homeowner's Association Representative Peter Rebmann, Francine Robinson, John Stinson, James Higman, Ben Tecler, Ingrid Wasserfal, Susan Wright, Carol Willis, and Juddy Carter who spoke to the matter.

MOTION: The City Commission tabled this item to the next regular City Commission Meeting, April 23, 2001 City Commission meeting at 6:00 PM or as soon thereafter as may be heard.

City Commission      4/23/01      Withdrawn

**Action Note:** MOTION ONE: Commissioner Warren Nielsen moved and Mayor-Commissioner Pro Tem John R. Barrow seconded to take this item from the table.  
(VOTE: 5-0)

City of Gainesville Community Development Director Tom Saunders gave a presentation.

Chair Paula M. DeLaney recognized Citizens Jane Burman-Holtom, Michael Lucas, Alachua County Commissioner Penny Wheat, Kirkwood Homeowner's Association Representative James Higman, Diane Deevey, and Bill Finley who spoke to the matter.

ORIGINAL MOTION: This motion was originally made at the April 9, 2001 City Commission Meeting - (Withdrawn).

MOTION TWO: Commissioner Pegeen Hanrahan moved and Commissioner Chuck Chestnut seconded to direct staff to amend the ordinance to reflect the amended language for the 13th Street areas and to strike Section, except for the language related to Lake Shore Towers.  
(Withdrawn)

MOTION THREE: Commissioner Pegeen Hanrahan moved and Commissioner Chuck Chestnut seconded to give staff direction that the new policy 4.1.5 be incorporated into the text changes for the future land use element and to ahead and notify DCA that is our intent when it comes back to us for second reading.  
(VOTE: 5-0)

MOTION: FOUR: Commissioner Pegeen Hanrahan moved to direct staff to strike the SW 13th Street map changes with the exception of Lake Shore Towers and have the ordinance be readvertised for another public hearing.  
(VOTE: 5-0)







# City of Gainesville

## Master Report

City Hall  
200 East University Avenue  
Gainesville, Florida 32601

**File Number: 001149**

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City Commission	8/27/01	Approved (Petition) and Adopted on First Reading (Ordinance)	Pass
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**Action Note:** City of Gainesville Planning Manager Ralph Hilliard gave a presentation.

Chair Bussing recognized Citizens Paula Stahmer and Sutters Landing Homeowners Association Representative Peter Rebmann who spoke to the matter.

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# City of Gainesville Text File Report

City Hall  
200 East University Avenue  
Gainesville, Florida 32601

**Introduced:** 8/27/01

**File Number:** 001149

**Version:** 2

**Status:** Passed

..title

COMPREHENSIVE PLAN AMENDMENT - FUTURE LAND USE MAP CHANGES (B)

An ordinance amending the City of Gainesville 1991-2001 Comprehensive Plan; by changing the land use categories of certain properties within the City as follows: (1) from "Residential High Density (8-100 units per acre)" to "Mixed-Use Medium Intensity" (14-30 units per acre) in an area generally located at 2306 SW 13th Street; (2) from "Residential Low Density (up to 12 units per acre)" to "Recreation" in an area generally located on the east side of NW 3rd Street between NW 4th Place and NW 6th Avenue; (3) from "Residential Medium Density (8-30 units per acre)", "Residential Low Density (up to 12 units per acre)", and "Single Family (up to 8 units per acre)" to "Single Family (up to 8 units per acre)", "Commercial", "Residential Medium Density (8-30 units per acre)", "Residential Low Density (up to 12 units per acre)" and "Conservation" in an area generally located west of NW 13th Street/US 441, east of NW 19th Street, north of NW 45th Avenue, and south of NW 53rd Avenue; (4) from "Planned Use District" to "Single Family (up to 8 units per acre)" in an area generally located between NW 68th Avenue on the south, the Turkey Creek Forest single-family subdivision on the north, US 441 on the east, and NW 43rd Street on the west; (5) from Alachua County "Commercial" to City of Gainesville "Commercial" in an area generally located at the 7100 block of West University Avenue on the north side; (6) from Alachua County "Commercial" to City of Gainesville "Mixed-Use Low Intensity (10-30 units per acre)" in an area generally located at the northeast corner of the intersection of SW 34th Street and Archer Road (SR 24); and (7) from Alachua County "Residential Low Density (1-4 units per acre)" to City of Gainesville "Single Family (up to 8 units per acre)" in an area generally located at the 2100 block of Williston Road on the north side; these changes are coincident with the Future Land Use Element amendment to be made part of the City of Gainesville 2000-2010 Comprehensive Plan; providing a severability clause; providing a repealing clause; and providing an effective date.

..recommendation

The City Commission (1) approve Petition 163LUC-00 PB, and (2) adopt the proposed ordinance.

..explanation

STAFF REPORT

The proposed update of the Future Land Use Map was the subject of City Plan Board hearings on November 16, 2001, December 19, 2000 and January 18, 2001. The City Commission reviewed the proposed update at workshops on January 16, 2001 and February 6, 2001, and at public hearings on March 5, 2001, April 9, 2001 and April 23, 2001. On April 23, 2001, the City Commission directed staff to strike the SW 13th Street map changes with the exception of the Lake Shore Towers, and to have the ordinance re-advertised for another public hearing. The proposed map changes consist of the following:

1. SW 13th Street (from RH to MUM)

This parcel is on SW 13th Street (see Exhibit A), and totals 5.5 acres in size. The parcel currently contains a multi-story apartment building and offices.

The City proposes to change the land use of the parcel from Residential-High (RH) to MUM (14-30 units per acre) in order to allow development of multi-family residential and mixed uses that promote transportation choice. MUM land use allows MU-2 zoning (14-30 units per acre). MU-2, which is a zoning district that implements Mixed Use Medium Intensity (MUM) land use, allows residential apartments as well as various commercial uses that are compact, walkable, and serve multiple neighborhoods.





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Adjacent parcels within city limits are designated RH to the north, south and east. The adjacent parcel to the west is designated Education (E), and is a vacant property owned by the University of Florida.

### 2. NW 3rd Street at 500-block in Pleasant Street neighborhood (from Residential Low to Recreation)

These parcels - 511 & 513 NW 3rd Street -- are adjacent and west of a City-owned mini-park (see Map 2). The park carries a Recreation (REC) land use designation. The subject parcels are vacant, and designated Residential Low (RL), as are the adjacent parcels to the north, west, and south. Changing the designation of the subject parcels to Recreation would allow for the expansion of the City park, and would promote redevelopment plans in the neighborhood.

### 3. Hartman (from Residential Medium, Residential Low, and Single Family to Single Family, Commercial, Residential Medium, Residential Low and Conservation)

This property is approximately 99 acres. The northern portion of a pond/wetland area within the northwest portion of the property has RM (Residential Medium Density, 8-30 units per acre) land use, which is now proposed for change to SF (Single Family, up to 8 units per acre) land use.

The lower density allowed by SF land use will be more conducive to clustering of residential units away from the pond/wetland area.

Several other land use changes are needed because of non-existent land use for vacated right of way, and because of several areas with conflicting land use and zoning categories. The southwest corner of the Hartman property is proposed for a change from Single Family to Conservation (CON), to match the underlying Conservation zoning. The vacated right of way with no land use is proposed to be changed in order to be consistent with the underlying Business, RMF-6, and RMF-5 zoning. The respective proposed land use changes are to Commercial, Residential Medium Density, and Residential Low Density. The proposed changes to areas of conflicting land use and zoning are from: Residential Medium (conflicts with RSF-1 zoning) to Single Family; Residential Low (conflicts with RSF-1 zoning) to Single Family; Residential Low (conflicts with RMF-6 zoning) to Residential Medium; and Single Family (conflicts with BUS zoning) to Commercial.

Adjacent parcels are designated Residential Medium, Residential Low, Single Family, and Commercial.

### 4. Home Depot (from Alachua County Commercial to Gainesville Commercial)

The City of Gainesville annexed a 10-acre parcel west of Oaks Mall and I-75 on April 10, 2000. Planning staff recommends that this parcel be given a Commercial (C) designation, which allows the present retail operation.

The parcel currently carries the COMM (Commercial) Alachua County land use designation, which allows various commercial land uses. Adjacent parcels are all outside of city limits and are designated COMM.

### 5. Regency Oaks (from Alachua County Commercial to Mixed Use Low)

The City of Gainesville annexed a 8-acre parcel on SW 34th Street on May 8, 2000. Planning staff recommends that this parcel be given a Mixed Use Low (MUL) designation, which makes the present residential operation conforming, as well as allowing retail and office operations. MU-L allows residential densities up to 30 units/acre. Regency Oaks is approximately 18 units per acre.

The parcel currently carries the COMM Alachua County land use designation, which allows various commercial land uses. Adjacent parcels are designated COMM outside of city limits and E (education) within city limits (to the





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north).

### 6. A.D. Weiss (from Planned Use District to Single Family)

Northwest Gainesville contains an undeveloped 716-acre property that was designated as the Gainesville North Activity Center in the 1991-2001 Gainesville Comprehensive Plan, and carried PUD (Planned Use District) land use. This property was part of the contemplated "Greenways of Gainesville" Development of Regional Impact. The Gainesville North Activity Center and the PUD land use were effectively eliminated by the November 2000 denial of a requested time extension for the required Planned Development zoning approval. This action resulted in reversion to the underlying Single-Family land use category.

### 7. Idylwild/Serenola ("Kidd Property") (adopt Special Area Plan) (from Alachua County "Residential Low Density to Single Family)

Planning staff recommends Single Family land use and that the Special Area Plan prepared and adopted by Alachua County for the recently annexed 44-acre Kidd property be adopted. Special Area Plan language is contained in petition 163CPA-00PB.

..fiscal note  
None

### CITY ATTORNEY MEMORANDUM

The above-referenced ordinance was approved by the Plan Board on January 18, 2001, and the Community Development Department has requested the City Attorney's Office to prepare the appropriate ordinance amending the City of Gainesville 1991-2001 Comprehensive Plan.

Florida Statutes set forth the procedure for adoption of an amendment to the Comprehensive Plan. The second hearing will be held at the adoption stage of the ordinance and must be advertised approximately seven (7) days after the day that the second advertisement is published. The Plan Amendment will not become effective until the State Department of Community Affairs issues a final order determining the adopted amendment to be in compliance in accordance with the Local Government Comprehensive Planning and Land Development Regulation Act, or until the Administration Commission (Governor and Cabinet) issues a final order determining the adopted amendment to be in compliance.

