



MEMORANDUM

Office of the City Attorney

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TO: Mayor and City Commission
FROM: Marion J. Radson, City Attorney

Legistar No. 980874
DATE: June 28, 1999
SECOND READING

SUBJECT: Ordinance No. 0-99-28, Petition No. 225ZON-98PB
An ordinance of the City of Gainesville, Florida, rezoning certain lands within the City consisting of approximately 44.6 acres (M.O.L.) and amending the Zoning Map Atlas from "AGR: Agriculture district" to "I-2: General industrial district"; located in the 7600 block east of U.S. 441 and west of SR 121; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Recommendation: The City Commission adopt the proposed ordinance.

STAFF REPORT

This is a request to change the zoning on 44.6 acres (MOL) of vacant land from AGR (agriculture) to I-2 (general industrial district). The subject property is located on the west side in the 7600 block of State Road 121, also known as Northwest 22nd Street. To the north of the site is timberland with AGR zoning and land use. West of the property are railroad tracks and right-of-way, U.S. Highway 441, and vacant land that currently has County zoning (A-1, an agricultural district) while City zoning is pending. South of the subject property is an industrial area, and single-family residential property is to the east.


This change is requested by the applicants in order to allow development of a transportation terminal for the distribution of construction aggregates by rail. Construction aggregates include materials such as sand, river gravel, and limestone to be used in concrete, asphalt, roofing, underground utilities and other products. This use is not allowed in the AGR district. Although there is vacant industrial land available in the city, most of it is located in developed industrial parks and the lots are not large enough nor do they have rail access that the petitioners require for their intended use.

The Plan Board reviewed the petition and expressed concerns about access to the site from SR-121 and noise.

Planning Division staff recommended that the Plan Board approve Petition 225ZON-98 PB, except for the eastern 400 feet of the property. Prior to the City Commission meeting on the Land Use Petition 224LUC-98 PB, the applicant submitted a letter to the City dated February 11, 1999, and agreed to the Plan Board condition to exclude the east 400 feet of the property from the request.

Public notice was published in the Gainesville Sun on December 1, 1998. Letters were mailed to surrounding property owners on December 2, 1998. Planning staff recommended that the Plan Board approve the petition except for the eastern 400 feet of property. The Plan Board held a public hearing December 17, 1998. The Plan Board recommended that the City Commission approve the petition, except for the eastern 400 feet. Plan Board vote 3-1

Prepared by:



Marion J. Radson
City Attorney

Passed on first reading by a vote of 5-0,.