



# MEMORANDUM

Office of the City Attorney

LEGISLATIVE ITEM NO. 000159

Phone: 334-5011/Fax 334-2229  
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TO: Mayor and City Commission

DATE: September 11, 2000

FROM: City Attorney

CITY ATTORNEY  
ADOPTION READING

SUBJECT: Ordinance No. 0-00-92, Petition No. 107ZON-00PB  
An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain lands within the City from "CON: Conservation district" to "PS: Public services and operations district": to allow as a use permitted by right, active recreation without the approval of a preliminary development plan; located in the vicinity of East University Avenue between the Southeast 2700 block and 3000 block; providing a severability clause; providing a repealing clause; and providing an effective date.

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Recommendation: The City Commission: 1) approve Petition No. 107ZON-00PB; and 2) adopt the proposed ordinance.

## STAFF REPORT

This application to rezone 5.8 acres from Conservation to Public Service will facilitate expansion of the City of Gainesville's Fred Cone Park. The subject property is adjacent to and east of the park. The park, located off of Southeast 27<sup>th</sup> Street, approximately 300 feet south of East University Avenue, currently has a baseball field, 4 basketball courts, a picnic area, playground, and restroom facilities. The parcels north and west of the subject property carry a PS (Public Service) zoning. The southern and eastern parcels are in unincorporated Alachua County and carry a COM (Commercial) and R2 (Multi-Family) zoning respectively.

The subject 5.8-acre property is part of a 67-acre parcel east of Fred Cone Park. Wetlands and floodplain areas delineated on the eastern portion of the 67-acre parcel dictate the boundaries for expanding the park, thus, it limits the zoning change request to the approximate 5.8 acres remaining immediately east of the park. Because of these floodplain and environmental considerations, the majority of the 67 acres would remain as Conservation.

Currently, Regional Transit System bus route 11 (and a bus stop for this route) is within one-quarter mile of the parcel. An entrance to the Fred Cone Park is available through the Gainesville Housing Authority's Lake Terrace Apartments immediately west of the park. An unpaved street (Southeast 27<sup>th</sup> Street) that runs south off of East University Avenue and parallel to the residential development also provides access to the park. East University Avenue contains a "shared street-oriented bicycle route" (a wide curb lane). Therefore, the proposed development is well served with transit, in street bike facilities and sidewalks.

The City Plan Board recommends approval of this petition.

Public notice was published in the Gainesville Sun on July 4, 2000. Letters were mailed to surrounding property owners on July 5, 2000. The Plan Board held a public hearing July 27, 2000. Planning Division staff recommended that the Plan Board approve the petition. The Plan Board recommended that the City Commission approve Petition 107ZON-00 PB. Plan Board vote 4-0.

Prepared and Submitted by:



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Marion J. Radson, City Attorney

MJR/afm

Attachment