

LEGISLATIVE #

110788B



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TO: City Plan Board **Item Number: 4**

FROM: Planning & Development Services Department **DATE: February 23,**
Staff **2012**

SUBJECT: Petition PB-11-156 TCH. City Plan Board. Amend the Land Development Code Appendix A, Section 8 to change the list of prohibited uses in the Special Area Plan for the Southeast Gainesville Renaissance Initiative Area.

Recommendation

Planning Division staff recommends approval of Petition PB-11-156 TCH.

Discussion

The purpose of this petition is to amend the Southeast Gainesville Renaissance Initiative Area (SEGRI) special area plan by deleting drive-throughs as a prohibited use in this overlay zoning district. During City Commission comments on November 3, 2011, Commissioner Henry expressed concern regarding the potential loss of a proposed credit union on Hawthorne Road (State Road 20) due to the SEGRI district's prohibition on drive-throughs. A consensus of City Commissioners supported the idea of expeditiously amending the SEGRI overlay district by deleting the prohibition on drive-throughs. The City Commission agreed by a vote of 7:0 to initiate a petition to the City Plan Board to begin the process as deemed most appropriate and expeditious by staff.

The prohibition on drive-through facilities was first established in the smaller (approximately 49-acres) 5-Points Special Area Plan overlay zoning district, which was repealed and replaced by the large (approximately 1,107 acres, or 1.7 square miles) SEGRI Special Area Plan overlay district upon adoption of Ordinance No. 090483 on April 7, 2011. (See Appendix A for maps of the SEGRI district and of the former 5 Points district.) Consideration of whether drive-through facilities should be prohibited in the SEGRI overlay district was not formally examined when the SEGRI district was established.

The drive-through prohibition is a potential impediment to the promotion of non-residential development within the 1.7-square-mile SEGRI overlay district, and is inconsistent with the first objective of the SEGRI Special Area Plan, which is to promote the development of both residential and non-residential development. A drive-through banking facility in this area could provide economic development opportunities and needed services for East Gainesville.

If the drive-through prohibition is removed from the SEGRI Special Area Plan, any proposed stand-alone drive-through facilities will be subject to the substantial requirements of Policies 1.4.4 and 1.4.5 of the Concurrency Management Element, which include a Special Use Permit review (see Exhibit B-1).

The proposed deletion of drive-throughs from the list of prohibited uses in the Southeast Gainesville Renaissance Initiative Area (SEGRI) is shown below as a ~~strike-through~~:

CHAPTER 30 – LAND DEVELOPMENT CODE - APPENDIX A. SPECIAL AREA PLAN. SECTION 8. SPECIAL AREA PLAN SOUTHEAST GAINESVILLE RENAISSANCE INITIATIVE AREA

(d)

General Regulations.

(9)

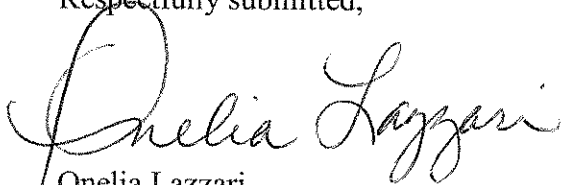
Prohibited Uses. The below listed uses are prohibited in SEGRI. No exceptions or waivers are permitted for these uses:

Auto dealers, auto service and limited auto service (IN-5511, MG-753)
Carwashes (IN-7542)
Gas service stations (IN-5541)
Parking lots as a principal use, other than structure parking
Outdoor storage as a principal use
Gasoline pumps when accessory to a food store
~~Drive-throughs~~
Rehabilitation Centers
Social service homes or halfway houses
Social services (MG-83)
Residences for destitute people
Food distribution centers for the needy
Rooming houses and boarding houses (GN-702)
Dormitories

Impact on Affordable Housing

This proposed text amendment will have no impact on affordable housing.

Respectfully submitted,



Onelia Lazzari
Principal Planner

Prepared by:



Dean Mimms, AICP
Planner

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List of Appendices

Appendix A Maps

- Exhibit A-1 SEGRI Special Area Plan
- Exhibit A-2 Former 5-Points Special Area Plan

Appendix B Comprehensive Plan GOPs

- Exhibit B-1 Concurrency Management Element, Policies 1.4.4 & 1.4.5

Appendix C Application

- Exhibit C-1 Application