



## Legislation Details (With Text)

**File #:** 070818. **Version:** 1 **Name:** PLANNED USE DISTRICT - FAT TUSCAN (B)  
**Type:** Ordinance **Status:** Adoption Reading  
**File created:** 7/14/2008 **In control:** City Attorney  
**On agenda:** **Final action:** 7/14/2008  
**Title:** PLANNED USE DISTRICT - FAT TUSCAN (B)

Ordinance No. 0-08-04; Petition 115LUC-07 PB

An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan, Future Land Use Map; by overlaying the "Planned Use District" category over certain property located in the vicinity of 725 Northeast 1st Street, as more specifically described in this ordinance, with the underlying reversionary future land use category of "Office"; providing a severability clause; providing a repealing clause; and providing an effective date.

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. 070818\_200801281300.pdf, 2. 070819A\_200801281300.pdf, 3. 070818\_MOD01\_200800128.pdf, 4. 070818\_MOD\_012808.pdf, 5. 070818\_200807141300.pdf, 6. 070818\_finalordinance\_20080714.pdf

Date	Ver.	Action By	Action	Result
7/14/2008	1	City Commission	Adopted (Ordinance) on Adoption Reading	Pass
1/28/2008	0	City Commission	Approved (Petition) as revised by the City Plan Board, as amended	Pass

### PLANNED USE DISTRICT - FAT TUSCAN (B)

Ordinance No. 0-08-04; Petition 115LUC-07 PB

An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan, Future Land Use Map; by overlaying the "Planned Use District" category over certain property located in the vicinity of 725 Northeast 1st Street, as more specifically described in this ordinance, with the underlying reversionary future land use category of "Office"; providing a severability clause; providing a repealing clause; and providing an effective date.

The City Commission adopt the proposed ordinance.

### PLANNING DEPARTMENT STAFF REPORT

The purpose of this PUD land use proposal is to allow a small, pedestrian oriented neighborhood café. The neighborhood café will be established within an existing two-story historic structure which is currently being used as a professional office building for an architectural firm. In addition, the building's owners are currently in the final stages of restoration of the historic building. The existing structure is located within the Northeast Residential Historic District and also within a special overlay design area known as the Traditional City Special Area Plan. The Traditional City designation has been established to improve the sense of place and community; and to strike a balance between the needs of the car and pedestrian by creating a pleasant ambiance and human scaled features.

The unique aspect of this location is its pedestrian accessibility. It can be accessed via tree lined neighborhood

streets that encourage patrons to walk and not drive to this destination. The addition of the café should contribute to the vitality of the area.

The applicant's request is for a neighborhood café to be open for breakfast and lunch six (6) days a week. The proposed development is unique and will provide an eatery within a short walking distance of the many offices, and residences, and will be across the street from a multi-family building. The scale of the eatery will be small providing a total of no more than 30 seats divided between the interior of the building and a new courtyard area to the rear of the lot. The courtyard will provide seating in a garden setting complete with a water feature and extensive landscaping.

The proposed use also requires a rezoning from OR (office residential - up to 20 du/ac) to PD (planned development). And thus, this petition is related to Petition 112PDV-07PB.

After notice in the Gainesville Sun on October 31, 2007, the Plan Board at its meeting on November 15, 2007, heard the Petition, and by a vote of 7-0, recommended the City Commission approve the petition with staff conditions as modified. The City Commission heard and approved the petition by a vote of 7-0 at its meeting on January 28, 2008.

#### CITY ATTORNEY MEMORANDUM

The proposed amendment to the Comprehensive Plan is treated as a small scale development activity. After the City Commission adopts the ordinance, it will be filed with the State Land Planning Agency. The state land planning agency does not review or issue a notice of intent for small scale development amendments. Any affected person may file a petition with the State Division of Administrative Hearings to request a hearing to challenge the compliance of a small scale development amendment within 30 days following the City's adoption of the amendment.

Small scale development amendments do not become effective until 31 days after adoption. If challenged within 30 days after adoption, small scale development amendments shall not become effective until the state land planning agency or the Administration Commission issues a final order that the adopted small scale development amendment is in compliance.