



Legislation Details (With Text)

File #: 060733 **Version:** 2 **Name:** LAND USE CHANGE - UNIVERSITY AVENUE AND 13TH STREET (UNIVERSITY CORNERS) (B)

Type: Ordinance **Status:** Adoption Reading

File created: 5/14/2007 **In control:** City Attorney

On agenda: **Final action:** 5/14/2007

Title: LAND USE CHANGE - UNIVERSITY AVENUE AND 13TH STREET (UNIVERSITY CORNERS) (B)

Ordinance No. 0-07-06, Petition No. 148LUC-06PB
 An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan, Future Land Use Map; amending Ordinance No. 040656 that imposed the land use category of "Planned Use District" on certain property known as "University Corners", as more specifically described in this ordinance; located between West University Avenue on the South, Northwest 3rd Avenue on the North, Northwest 13th Street (US 441) on the East and Northwest 14th Street on the West; providing revised conditions; providing a severability clause; providing a repealing clause; and providing an effective date.

Sponsors:

Indexes:

Code sections:

Attachments: 1. 060733_200701081300.pdf, 2. 060733a_200701081300.pdf, 3. 060733_200705141300..pdf, 4. 060733_20070514.pdf

| Date | Ver. | Action By | Action | Result |
|-----------|------|-----------------|---|--------|
| 5/14/2007 | 2 | City Commission | Adopted (Ordinance) on Adoption Reading | Pass |
| 1/8/2007 | 1 | City Commission | Approved (Petition) with Staff Conditions, as Amended | Pass |

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The City Commission adopt the proposed ordinance.

COMMUNITY DEVELOPMENT STAFF REPORT

The purpose of this petition is to amend portions of PUD ordinance 040656, approved on May 9, 2005, for the mixed-use development known as University Corners, a 1,185,000-square-foot development located on approximately 4.4 acres, located between West University Avenue and Northwest 3rd Avenue and between Northwest 13th Street (US 441) and Northwest 14th Street.

The petitioner is requesting to increase the maximum number of residential units within this development from 400

units to a maximum of 490 dwelling units, without increasing the number of stories or the total square footage. The 490-unit total includes both the standard condominiums (247) and the condo/hotel (243) units. The proposed density would increase from 90 dwelling units per acre to 112 dwelling units per acre. The petitioner intends to convert two-story townhouse units into flats and be allowed to utilize much of the previously approved second-story retail and office space as residential.

In addition to increasing the maximum number of dwelling units allowed, the petitioner is also proposing to increase the number of stories of the above-ground parking garage from eight to nine stories and increase the garage height from 85 feet to 95 feet above grade level to the top of the guard rail. The additional story and height is being requested due to the loss of parking spaces resulting from removing the original underground parking garage, which has been reduced in size. The new, structured parking system being proposed should house approximately 1,000 spaces, 300 less than previously approved, and have a maximum square footage of 350,000 square feet, approximately 100,000 square feet less than before.

During the past year, much of the land surrounding the subject property has had its residential densities increased with the recent land use plan change and rezoning of property along the University Avenue and 13th Street corridors to urban mixed use 1 (UMU-1) and urban mixed use 2 (UMU-2). The maximum density allowed on most of the properties located to the west and north of the site, now zoned UMU-1 along those corridors west of 13th Street, has increased to 75 dwelling units per acre by right or 100 dwelling units per acre with approval of a Special Use Permit. The maximum density allowed on the properties to the east, across Northwest 13th Street, now zoned UMU-2 along the corridors, has increased to 100 dwelling units per acre by right or 125 dwelling units per acre by Special Use Permit.

The Plan Board heard the petition and recommended approval by a vote of 4-3.

Public notice was published in the Gainesville Sun on October 31, 2006. Letters were mailed to surrounding property owners on November 30, 2006. The Plan Board held a public hearing November 16, 2006.

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.