



Legislation Details (With Text)

File #: 050486 **Version:** 2 **Name:** LAND USE CHANGE - SHOPPES AT PINEWOOD (B)
Type: Ordinance **Status:** Adoption Reading
File created: 3/13/2006 **In control:** City Attorney
On agenda: **Final action:** 3/13/2006
Title: LAND USE CHANGE - SHOPPES AT PINEWOOD (B)

Ordinance No. 0-06-24, Petition 136LUC-05PB

An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan, Future Land Use Map; by overlaying the land use category of "Planned Use District" on certain property with the underlying land use category of "Conservation"; located in the 6600 block of Northwest 23rd Terrace (Southwest corner of U.S. 441 and Northwest 23rd Terrace); providing conditions; providing a severability clause; and providing an effective date.

Sponsors:

Indexes:

Code sections:

Attachments: 1. 050486_20060313.pdf

Date	Ver.	Action By	Action	Result
3/13/2006	2	City Commission	Adopted (Ordinance) on Adoption Reading	Pass
12/12/2005	1	City Commission	Approved (Petition) with staff conditions, as modified by the City Plan Board	Pass

LAND USE CHANGE - SHOPPES AT PINEWOOD (B)

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The City Commission adopt the proposed ordinance.

COMMUNITY DEVELOPMENT STAFF MEMORANDUM

The subject property is approximately 5.28 acres in size. It is presently undeveloped and covered with vegetation consisting primarily of pine trees. Northwest 23rd Terrace abuts the subject property on the north. A stormwater management facility associated with the Northwood Village Shopping Center abuts on the south. Northwest 13th Street (US 441) abuts on the east. The Hampton Court Apartments multiple-family residential development abuts on the west.

The Future Land Use Map of the City of Gainesville, 2000-2010 Comprehensive Plan, shows PUD (Planned Use District) and RM (Residential Medium Density: 8-30 units per acre) land use classifications north of the subject property across Northwest 23rd Terrace. The MU-M (Mixed Use Medium Intensity: 14-30 units per acre) land use classification is applied to property abutting on the south. East of the subject property across Northwest 13th Street

is an IND (Industrial) land use classification. The RM (Residential Medium Density: 8-30 units per acre) land use classification is applied to the property abutting on the west, as well.

The subject property is located within the Tertiary Zone of the Murphree Wellfield District. Gainesville Regional Utilities (GRU) and the Alachua County Environmental Protection Department (ACEPD) have approved the applicant's Wellfield Exemption request subject to their review and approval of associated development plans, and the condition that individual tenants must comply with the City's wellfield regulations. The subject property is not located within the City's Transportation Concurrency Exception Area (TCEA).

The proposed development involves the phased construction of commercial buildings for a variety of uses allowed in BUS (General business district), excluding adult entertainment establishments. Architectural guidelines are proposed that require buildings to be oriented towards the street. A driveway connection is proposed on Northwest 23rd Terrace and Northwest 13th Street (US 441). No driveway connection is possible between the subject property and Northwood Village Shopping Center due to an existing stormwater management facility. Off-street parking, landscaping and stormwater management facilities are also proposed.

The City Plan Board considered the above-referenced petition, at a public hearing held October 20, 2005. By a vote of 4-0, the City Plan Board approved Petition 136LUC-05PB with staff conditions and amending Condition 3 of the Planning Division staff report to state that outdoor storage will be permitted by Special Use Permit in accordance with Section 30-67 of the Land Development Code.

Public notice was published in the Gainesville Sun on October 4, 2005. Letters were mailed to surrounding property owners on October 5, 2005. The Plan Board held a public hearing October 20, 2005.

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.