



## Legislation Details (With Text)

**File #:** 130283. **Version:** 2 **Name:**  
**Type:** Ordinance **Status:** Passed  
**File created:** 8/29/2013 **In control:** City Commission  
**On agenda:** 12/19/2013 **Final action:** 12/19/2013  
**Title:** REZONING - PROPERTY GENERALLY LOCATED AT 2201 AND 2219 NE 2ND STREET (B)  
Ordinance No. 130283; Petition No. PB-13-76 ZON

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 1.7 acres of property generally located at 2201 and 2219 NE 2nd Street, as more specifically described in this ordinance, from Planned Development District (PD) to General Office District (OF); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. 130283B\_Staff Report\_20131219.pdf, 2. 130283C\_Appendix A\_Comprehensive Plan  
GOPs\_20131219.pdf, 3. 130283D\_Appendix B\_Supplemental Docs\_20131219.pdf, 4.  
130283E\_Appendix C\_Application Package\_20131219.pdf, 5. 130283F\_CPB  
minutes\_20131219.pdf, 6. 130283G\_staff ppt\_20131219.pdf, 7. 130283A\_draft  
ordinance\_20191219.pdf, 8. 130283\_OrdFinal\_20131219.pdf

| Date       | Ver. | Action By       | Action   | Result |
|------------|------|-----------------|--|--------|
| 12/19/2013 | 2    | City Commission | Approved (Petition) and Adopted on<br>Adoption Reading | Pass   |

### **REZONING - PROPERTY GENERALLY LOCATED AT 2201 AND 2219 NE 2ND STREET (B) Ordinance No. 130283; Petition No. PB-13-76 ZON**

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The City Commission: (1) approve Petition No. PB-13-76 ZON and (2) adopt the proposed ordinance.

### PLANNING AND DEVELOPMENT SERVICES DEPARTMENT REPORT

This petition/ordinance will rezone an approximately 1.7-acre property located at the southeast corner of NE 23rd Avenue and NE 2nd Street from Planned Development District (PD) to General Office District (OF). The property consists of a 1-acre undeveloped parcel along NE 23rd Avenue and an adjacent 0.7-acre developed parcel along NE 2nd Street that is the site of a catering business. A restaurant under different ownership preceded the catering business. The entire 1.7-acre property in 1997 was rezoned to PD (for an eating place) by Ordinance No. 960935. Construction of the development never commenced and the PD zoning was valid only for a five-year period from the date of the PD ordinance. As a result and per the PD ordinance, the City is required to initiate an action to rezone the property to an office designation.

An agent (Bruce Smith) for one of the property owners, Hattie Mae Smith, requested that the City of Gainesville initiate rezoning of this property so that the property owner may construct an office building. This rezoning will facilitate redevelopment of the property by changing the zoning from expired PD zoning, which limited the use to an eating place, to OF, which allows for office and residential uses. OF zoning will provide a buffer between residential and commercial uses and is compatible with the adjacent properties and surrounding area. A related small-scale land use amendment to remove the Planned Use District (PUD) overlay is also proposed (Petition PB-13-75 LUC/Ordinance No. 130282). This rezoning will be consistent with the City of Gainesville Comprehensive Plan when Ordinance No. 130282 becomes effective as provided therein.

After public notice was published in the Gainesville Sun on August 6, 2013, the City Plan Board held a public hearing on August 22, 2013, and recommended approval of this petition by a vote of 6-0.

#### **CITY ATTORNEY MEMORANDUM**

Because this ordinance was initiated by the City of Gainesville and changes the zoning designation for a parcel or parcels of land involving less than 10 contiguous acres, the City Commission shall hold a public hearing and may, upon the conclusion of the hearing, immediately adopt the ordinance. This ordinance shall become effective immediately upon final adoption; however, the rezoning implemented by this ordinance shall not become effective until the amendment to the City of Gainesville Comprehensive Plan adopted by Ordinance No. 130282 becomes effective as provided therein.