



Legislation Details (With Text)

**File #:** 130431.      **Version:** 2      **Name:**  
**Type:** Ordinance      **Status:** Passed  
**File created:** 3/17/2014      **In control:** City Commission  
**On agenda:** 4/3/2014      **Final action:** 4/3/2014  
**Title:** REZONING - TAX PARCEL NO. 07877-001-004 GENERALLY LOCATED AT 820 NW 53rd AVENUE (B)

Ordinance No. 130431; Petition No. PB-13-92 ZON  
 An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 9.78 acres of tax parcel no. 07877-001-004 generally located at 820 NW 53rd Avenue, as more specifically described in this ordinance, from Planned Development District (PD) to General Industrial District (I-2); 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. 130431B\_Staff report\_20140403.pdf, 2. 130431C\_Exh A-1 Comp Plan G0Ps\_20140403.pdf, 3. 130431D\_Exh B-1 LDC\_20140403.pdf, 4. 130431E\_Exh C-1 -C-3 Supplemental Doc\_20140404.pdf, 5. 130431F\_Exh D-1 Application & Neighborhood workshop\_20140403.pdf, 6. 130431G\_CPB minutes\_20140403.pdf, 7. 130431H\_staff ppt\_20140403.pdf, 8. 130431A\_draft ordinance\_20140403.pdf, 9. 130431\_ordinance\_20140403.pdf

Date	Ver.	Action By	Action	Result
4/3/2014	2	City Commission	Approved (Petition) and Adopted on Adoption Reading	Pass

**REZONING - TAX PARCEL NO. 07877-001-004 GENERALLY LOCATED AT 820 NW 53rd AVENUE (B)**

Ordinance No. 130431; Petition No. PB-13-92 ZON  
 An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 9.78 acres of tax parcel no. 07877-001-004 generally located at 820 NW 53rd Avenue, as more specifically described in this ordinance, from Planned Development District (PD) to General Industrial District (I-2); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

The City Commission: (1) approve Petition No. PB-13-82 ZON and (2) adopt the proposed ordinance.

PLANNING AND DEVELOPMENT SERVICES DEPARTMENT REPORT

This petition/ordinance will rezone an approximately 9.78-acre portion of tax parcel No. 07877-001-004 located in the vicinity of 820 NW 53rd Avenue from Planned Development District (PD) to General Industrial District (I-2). The remainder portion of tax parcel 07877-001-004 has Industrial land use and I-2 zoning. The entire parcel is currently vacant. The property is not located within any special area plan overlay districts; however the property does lie within the Wellfield district. The current PD zoning was put in place by the City, as purchaser under a real estate contract, to allow for the types of uses associated with the GRACE Marketplace

OneStop Homeless Assistance Center. Because of protracted litigation and eventual settlement agreement, the City has terminated the contract to purchase this property. The contract contemplates the City will file an application to rezone the property back to the I-2 zoning district. The property is located on the north side of NW 53rd Avenue. Access to the property is from a private easement that is paved from NW 53rd Avenue up to a cement plant, which is located on property to the south of the subject parcel. From that point the access is unpaved into the subject property. All of the property on the east, west and south of the subject parcel is zoned I-2, with Industrial land use. The property to the north is zoned AGR, with Agricultural land use.

#### Key Issues

- \* The proposed rezoning is consistent with the Comprehensive Plan.
- \* The current PD zoning designation is being replaced by I-2, the previous zoning designation on the property. The I-2 zoning is consistent with the surrounding zoning in the area except to the north, which is zoned for Agriculture but is currently vacant.
- \* The current PD zoning was tailored to a very specific City project, the One-Stop Homeless Assessment Center. As a result of the City no longer purchasing the property for the One-Stop use, the PD provisions are no longer applicable and would serve to restrict potential future industrial development on the overall parcel.

After public notice was published in the Gainesville Sun on October 8, 2013, the City Plan Board held a public hearing on October 24, 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.