



Legislation Details (With Text)

File #: 090344. **Version:** 1 **Name:** LAND USE CHANGE - VICINITY OF 2510 NW 6TH STREET (B)
Type: Ordinance **Status:** Adopted
File created: 10/15/2009 **In control:** City Attorney
On agenda: **Final action:** 11/5/2009
Title: LAND USE CHANGE - VICINITY OF 2510 NW 6TH STREET (B)

Ordinance No. 0-09-63, Petition PZ-09-46LUC
 An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan, Future Land Use Map; by changing the land use category on a portion of certain property, as more specifically described in this ordinance, from the City of Gainesville land use category of "Conservation" to "Office"; located in the vicinity of 2510 Northwest 6th Street; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Sponsors:

Indexes:

Code sections:

Attachments: 1. 090344_staff report_20091015.pdf, 2. 090344A_maps_aerial.existing& proposed land use_20091015.pdf, 3. 090344B_cpa&zoning report_20091015.pdf, 4. 090344C_maps_cpa&zoning_20091015.pdf, 5. 090344D_petitioner appl_workshop_20091015.pdf, 6. 090344E_staff ppt_20091015.PDF, 7. 090344_draft ordinance_20091015.pdf, 8. 090344_Petitioner Letter_20091105.pdf, 9. 090344_ordinance_20091105.pdf

Date	Ver.	Action By	Action	Result
11/5/2009	1	City Commission	Approved (Petition) and Adopted on Adoption Reading	Pass
10/15/2009	1	City Commission	Continued (Ordinance Adoption Reading)	Pass

LAND USE CHANGE - VICINITY OF 2510 NW 6TH STREET (B)

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The City Commission: 1) approve Petition PZ-09-46LUC; and 2) adopt the proposed ordinance.

COMMUNITY DEVELOPMENT STAFF MEMORANDUM

The purpose of this petition is to amend the land use on property located at 2510 Northwest 6th Street, tax parcel no. 08314-000-000. The subject property is approximately 3.22 acres. Currently there is an office building on the property for the International Brotherhood of Electrical Workers (IBEW) of approximately 8,300 square feet. The property has two land use and two zoning designations. The current land use designations are Office along N.W. 6th Street where the existing office is located and Conservation for the area behind the office and the related parking.

The Office portion of the property is approximately 1.29 acres and extends from N.W. 6th Street west approximately 200 feet. The Conservation portion of the property is approximately 1.93 acres and extends approximately 301 feet further west of the Office portion of the property. The property is currently zoned OF (General office district) in the front portion along N.W. 6th Street and CON (Conservation) on the back portion of the property. The request of this petition is to change the Future Land Use designation from Conservation to Office and subsequent zoning from CON (Conservation district) to OR (20 units/acre office residential district), on an approximately 0.65 acre portion of the back of the property. This change is requested in order to allow for the establishment of the Gainesville Joint Apprenticeship Training Committee (JATC) which offers electrical apprenticeship programs. The IBEW along with the National Electrical Contractors Association sponsors the Gainesville JATC. The Gainesville JATC apprenticeship is a 5-year program in which the apprentices attend classes two nights per week for three hours per night for an eight month period.

To the north of the Office portion of the subject property is an office building with Office land use and OF zoning. North of the Conservation portion of the property are two single-family residences, a vacant single-family residence, and the Bel Air apartment complex, with Residential Low-Density (up to 12 units per acre) land use and RMF-5 (12 units/acre single-family/multiple-family residential district) zoning. West of the subject property is a single-family residence with Residential Low-Density land use and RMF-5 zoning. South of the Office portion of the subject property is a lighting goods store, with a land use designation of MUL (Mixed-Use Low-Intensity, 8-30 units per acre) and a zoning designation of MU-1 (8-30 units/acre mixed use low intensity district). Single-family residences lie to the west of the lighting store and south of the Conservation portion of the subject property. They have Single-Family (up to 8 units per acre) land use and RSF-3 (5.8 units/acre single-family residential district) zoning. East of the subject property across N.W. 6th Street are apartments on properties with Residential Low-Density land use and RMF-5 zoning and a jewelry store with MUL land use and MU-1 zoning.

The IBEW office building is on the south side of the portion of the property that fronts N.W. 6th Street. Although there is room for another building on the north side of this property, associated parking and stormwater treatment would likely have to locate on the Conservation zoned portion of the property. Parking areas and stormwater basins for uses not allowed in the Conservation district would not be allowed on the Conservation portion of the subject property. In response to this situation, the petitioners have worked with staff to suggest this petition, which proposes that a portion of the Conservation land be changed to Office land use, with OR zoning for the subsequent zoning change.

The general character of the properties in the vicinity of the Conservation portion of the subject property is residential. The existing Conservation designated land is not environmentally sensitive. The property is not in a flood plain, is not an identified wetland area, and does not have any significant environmental features. The Conservation land acts as a park or open space area within the neighborhood and a buffer between the single-family neighborhood and N.W. 6th Street. However, the Office land use and OR zoning district can also act as a buffer. Some of the provisions of the office districts are intended to:

Encourage, through the OR district, the mixture of compatible residential and office activities at suitable locations;

Permit development to locate in close proximity to residential areas, provided that such development will not be incompatible with its surroundings;

Promote, through development plan approval, the most efficient use of the land, as well as establish a harmonious relationship between such development and its environment;

Require appropriate buffering or screening around such development when it abuts any residential district boundary, to maintain its compatibility with such abutting district.

Staff believes that the basic relationship between the subject property and the single-family residential use on N.W.

25th Avenue is maintained by this proposal to keep the Conservation land adjacent to the single-family lots. The proposed approximately 132 foot depth of the Conservation area is sufficient to buffer the homes from the noise and lighting impacts of a development on the portion of the site proposed for change. As a result, it is the opinion of staff that this proposal is compatible with the surrounding land use and the proposed Office land use designation for the subject portion of the property is consistent with the City's comprehensive plan.

Planning Division staff recommended approval of Petition PZ-09-46 LUC.

The City Plan Board reviewed the petition and recommended approval, Plan Board vote 6-0.

Public notice was published in the Gainesville Sun on July 7, 2009. The Plan Board held a public hearing on July 23, 2009.

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.