



Legislation Details (With Text)

**File #:** 121097.      **Version:** 3      **Name:**  
**Type:** Ordinance      **Status:** Adopted  
**File created:** 5/6/2013      **In control:** City Attorney  
**On agenda:** 7/18/2013      **Final action:** 8/1/2013  
**Title:** REZONING - PROPERTY GENERALLY LOCATED WEST OF NE 18TH STREET, SOUTH OF NE 6TH PLACE, EAST OF NE 17TH TERRACE, AND NORTH OF NE 5TH AVENUE (B)

Ordinance No. 121097; Petition No. PB-13-27 ZON  
 An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 3.47 acres of property generally located west of NE 18th Street, south of NE 6th Place, east of NE 17th Terrace, and north of NE 5th Avenue, as more specifically described in this ordinance, from Residential low density district (RMF-5) to Multiple-family medium density residential district (RMF-7); 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. 121097A\_draft ordinance\_20130718.pdf, 2. 121097B\_Revised Staff report\_20130718.pdf, 3. 121097C\_Maps\_20130718.pdf, 4. 121097D\_Comp Plan GOPs\_20130718.pdf, 5. 121097E\_Revised CHW Justification Report\_20130718.pdf, 6. 121097F\_Revised Petition Application\_20130718.pdf, 7. 121097G\_CPB minutes\_20130718.pdf, 8. 121097H\_staff ppt\_20130718.pdf, 9. 121097 MOD\_PRES\_12-0467\_CC1\_20130718.pdf, 10. 121097\_Ordinance\_20130801.pdf

Date	Ver.	Action By	Action	Result
8/1/2013	3	City Commission	Adopted on Final Reading (Ordinance)	Pass
7/18/2013	2	City Commission	Adopted on First Reading (Ordinance) and Approved the Recommendation	Pass

**REZONING - PROPERTY GENERALLY LOCATED WEST OF NE 18TH STREET, SOUTH OF NE 6TH PLACE, EAST OF NE 17TH TERRACE, AND NORTH OF NE 5TH AVENUE (B)**

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The City Commission adopt the proposed ordinance.

PLANNING AND DEVELOPMENT SERVICES DEPARTMENT REPORT

This petition/ordinance rezones the 3.47-acre southern portion of a 7.41-acre parcel (Tax Parcel No. 10970-000-000) from Residential low density district (RMF-5) to Multiple-family medium density residential district (RMF-7). Related Ordinance No. 121096 amends the future land use category for the 3.47-acre area from

Residential Low-Density (RL) to Residential Medium-Density (RM). The subject property consists of the southern portion of the Gardenia Gardens Apartments multi-family complex that is located on the south side of NE 8th Avenue and the west side of NE 18th Street and contains 100 U.S. Department of Housing and Urban Development (HUD) Project-Based Section 8 subsidized multi-family dwelling units.

Prior to the adoption of the 1991 City of Gainesville Comprehensive Plan, the entire 7.41-acre parcel was zoned RMF-7. Subsequent to the adoption of the 1991 City of Gainesville Comprehensive Plan, the 7.41-acre parcel received a split zoning of RMF-7 on the 3.94-acre northern portion and RMF-5 on the 3.47-acre southern portion. Planning staff could find no records regarding why this split occurred at that time. That change rendered the existing apartment buildings on the 3.47-acre southern portion non-conforming because the developed density exceeds the density limits allowable within the RMF-5 zoning district. Rezoning the 3.47-acre southern portion of the property to RMF-7 will remove the non-conformity status and create a unified zoning classification across the entire parcel that is consistent with the current developed density of the property. In addition, this change will assist in any future modifications to the property and enhance the ability of the development to obtain financing to provide affordable housing to Gainesville residents.

After public notice was published in the Gainesville Sun on April 9, 2013, the City Plan Board held a public hearing on April 25, 2013, and recommended approval of this petition by a vote of 6-0.

#### CITY ATTORNEY MEMORANDUM

This ordinance requires two readings. This rezoning shall become effective when the amendment to the City of Gainesville Comprehensive Plan adopted by Ordinance No. 121096 becomes effective as provided therein.