



Legislation Details (With Text)

**File #:** 170057. **Version:** 4 **Name:**  
**Type:** Ordinance **Status:** Adopted  
**File created:** 5/16/2017 **In control:** City Attorney  
**On agenda:** 10/19/2017 **Final action:** 11/16/2017  
**Title:** QUASI-JUDICIAL - REZONING - 1145 E UNIVERSITY AVENUE (B)

Ordinance No. 170057; Petition No. PB-17-01 ZON

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 0.25 acres of property that is generally located at 1145 E University Avenue at the intersection of SE 12th Street, as more specifically described in this ordinance, from Mixed-Use Low-Intensity (MU-1) district to Public Services and Operations (PS) district; specifying uses permitted by right; 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. 170057\_Staff Report w Exhibits A-D\_20170525, 2. 170057A\_draft ordinance\_20171019.pdf, 3. 170057B\_Staff Report w Exhibits A-D\_20171102.pdf, 4. 170057C\_Staff ppt\_20171102.pdf, 5. 170057\_finalOrdinance\_20171116.pdf

Date	Ver.	Action By	Action	Result
11/16/2017	4	City Commission	Adopted on Final Reading (Ordinance)	Pass
11/2/2017	2	City Commission	Approved (Petition) and Adopted on First Reading (Ordinance)	Pass
5/25/2017	1	City Plan Board		

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The City Commission adopt the proposed ordinance.

**STAFF REPORT**

This ordinance will amend the Zoning Map Atlas of the City of Gainesville by rezoning the subject 0.25-acre parcel from Mixed-Use Low-Intensity (MU-1) to Public Service and Operations (PS). The currently vacant property is located in the vicinity of the corner of E University and SE 12th Street abutting the existing B'nai Israel Cemetery. The rezoning will accommodate a contiguous future expansion of the cemetery. Previous

rezoning and land use changes to allow PS zoning have left this property as the only MU-1 zoned parcel within the block. All other parcels have PS zoning.

The proposed rezoning of the parcel to PS is consistent with the property's future land use designation of Mixed-Use Low-Intensity (MUL). Rezoning of the property is also necessary to make the extension of the existing cemetery consistent with the Land Development Code, since cemeteries are only permitted in the PS zoning district.

Per Section 30-3.14 of the Land Development Code, applications to rezone property (to a district other than a transect zone) should be reviewed according to the following criteria:

- A. Compatibility of permitted uses and allowed intensity and density with surrounding existing development.
- B. The character of the district and its suitability for particular uses.
- C. The proposed zoning district of the property in relation to surrounding properties and other similar properties.
- D. Conservation of the value of buildings and encouraging the most appropriate use of land throughout the city.
- E. The applicable portions of any current city plans and programs such as land use, traffic ways, recreation, schools, neighborhoods, stormwater management and housing.
- F. The needs of the city for land areas for specific purposes to serve population and economic activities.
- G. Whether there have been substantial changes in the character or development of areas in or near an area under consideration for rezoning.
- H. The goals, objectives, and policies of the Comprehensive Plan.
- I. The facts, testimony, and reports presented at public hearings.

At a public hearing on May 25, 2017, the City Plan Board voted to recommend that the City Commission adopt this proposed rezoning.

#### CITY ATTORNEY MEMORANDUM

This ordinance requires two hearings and shall become effective immediately upon adoption.