



Legislation Text

File #: 040371, **Version:** 1

LAND USE CHANGE - VICINITY OF 1708 NORTHWEST 7TH STREET (B)

Ordinance No. 0-04-98, Petition 146LUC-04PB

An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan, Future Land Use Map; by changing the land use category of certain property from "Residential Low-Density (up to 12 units per acre)" to "Office"; located in the vicinity of 1708 Northwest 7th Street; providing a severability clause; providing a repealing clause; and providing an effective date.

The City Commission: 1) approve Petition 146LUC-04PB; and 2) adopt the proposed ordinance.

STAFF REPORT

This petition is related to zoning Petition 147ZON-04 PB. The subject property is 0.4 acres in size, is vacant, has an RMF-5 (residential low-density district, 12 dwelling units per acre) zoning, and an RL (residential-low density, up to 12 dwelling units per acre) land use designation.

The property is near a major street intersection that is strongly commercial in character, and has no adjacent single-family residential parcels.

Adjacent property to the west is zoned RMF-5 and Office (general office district). The land use of these two properties is RL and Office, respectively. Adjacent property to the north is RMF-5. The land use of this property is RL. Adjacent to the east is OR (20 units/acre office residential district). The land use of this property is Office. Zoning adjacent to the south is Office, and the land use of this property is Office.

This land use request is being sought to allow for the expansion of an existing accounting office on Northwest 16th Avenue and for additional parking for an architecture office on Northwest 6th Street. The proposed land use change would also provide the accounting office and the architecture office with frontage on Northwest 7th Street, but the petitioner claims that they will not establish vehicular access to Northwest 7th Street, should this land use change be approved.

The Plan Board heard the petition and recommended that it be approved.

Public notice was published in the Gainesville Sun on September 7, 2004. Letters were mailed to surrounding property owners on September 8, 2004. The Plan Board held a public hearing September 23, 2004. Planning Division staff recommended that the Plan Board approve the petition. The Plan Board recommended that the City Commission approve Petition 146LUC-04 PB. Plan Board vote 4-0.

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.