



Legislation Text

File #: 060599., **Version:** 2

COLLEGE PARK SPECIAL AREA PLAN - 1823 NW 5th AVENUE (QUASI-JUDICIAL) (B)

Ordinance No. 0-06-131, Petition No. 144ZON-06PB

An Ordinance of the City of Gainesville, Florida, amending the College Park Special Area Plan as codified in Appendix A, Section 3 of the Land Development Code, by rezoning and incorporating a specific change from Type III (House) to Type IV (Civic) on tax parcel 14931-000-000, located in the vicinity of 1823 Northwest 5th Avenue, and as more specifically described in this Ordinance; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

The City Commission adopt the proposed ordinance.

COMMUNITY DEVELOPMENT STAFF MEMORANDUM

First Lutheran Church of Gainesville is located on the south side of the 1800 block of Northwest 5th Avenue, between Northwest 17th Street and Northwest 19th Street. The church site consists of four contiguous tax parcels. Two of the tax parcels have a Type IV - Civic designation, which allows administrative or legislative government offices, schools and places of religious assembly. The two remaining tax parcels located at 1823 Northwest 5th Avenue and 1726 Northwest 3rd Place have a Type III - House designation, which allows houses.

First Lutheran Church of Gainesville is requesting approval of the above-referenced petitions so that the tax parcels located at 1823 Northwest 5th Avenue and 1726 Northwest 3rd Place can be used for religious assembly, as allowed under the College Park Special Area Plan Type IV - Civic designation. The primary buildings, including the church, are located on the two tax parcels that currently have a Type IV - Civic designation. The tax parcel located at 1726 Northwest 3rd Place is occupied by a one-story building used as the church parsonage. The tax parcel located at 1823 Northwest 5th Avenue is occupied by an apartment building that is currently being demolished. The church would like to construct a building addition for pre-school and after-school programs on this tax parcel in the future.

The underlying zoning designation on three of the tax parcels is RMF-6. This zoning designation allows private schools and places of religious assembly on sites less than 20 acres by special use permit, provided the requirements and conditions of Article VI of the City Land Development Code are met. The tax parcel located at 1726 Northwest 3rd Place is zoned RMU, which allows civic buildings by right in accordance with a special area plan (Article V).

Approval of these petitions is supported by the fact that First Lutheran Church of Gainesville is located within a predominantly residential neighborhood, which would be protected by the requirements of the College Park Special Area Plan and underlying zoning districts applied to the church site. These requirements include building setbacks, height and use restrictions, landscaping, architectural standards and other criteria that may be deemed necessary to ensure compatibility with the surrounding area. These petitions are also consistent with one of the key purposes of the College Park Special Area Plan and underlying zoning districts, which is the provision of basic needs (e.g., religious assembly and education) within close proximity of residential areas to reduce the number of vehicular trips.

Public notice was published in the Gainesville Sun on October 3, 2006. Letters were mailed to surrounding property owners on October 4, 2006. The Plan Board held a public hearing October 19, 2006. Planning Division staff

recommended that the Plan Board approve the petition. The Plan Board recommended that the City Commission approve Petition 144ZON-06 PB. Plan Board vote 7-0.