



## Legislation Text

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**File #:** 090389., **Version:** 1

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### CHANGE IN PERMITTED USE - POSSUM CREEK PARK (B)

Ordinance No.0-09-69, Petition No. PZ-09-53

An ordinance of the City of Gainesville, Florida, amending the "PS: Public services and operations district" for the public park commonly known as Possum Creek Park, to permit by right certain uses, recreational facilities and areas, trails and boardwalks, as more specifically provided in this ordinance, and accessory uses customarily and clearly incidental to the permitted principal uses; including the approval of a preliminary development plan; located in the vicinity of 4009 Northwest 53rd Avenue; 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

This petition will amend the PS (Public services and operations) zoning district for the property known as Possum Creek Park, in order to establish uses and adopt uniform development regulations that are consistent with the intended future operation of the park. The park is owned by the City of Gainesville and is located on the south side of NW 53rd Avenue, about 700 feet east of the intersection with NW 43rd Street. The western 19 acres of the park is currently zoned 'PS' (Public Services and Operations) and this is the area that is the subject of this petition. This portion of the park is mostly cleared and has been used for active recreational uses. The proposed amendment will allow for establishment of new uses on the property, specifically a skate park and an off-leash dog park. The proposed development for the site also will include a paved parking area, sidewalk system, mulched recreational path, and associated stormwater basin. The land use designation on the site will remain as 'Recreation', since this land use may be implemented by the PS zoning district under Section 30-46 of the Land Development Code.

Surrounding uses include the undeveloped portions of Possum Creek Park to the east, institutional uses to the north across NW 53rd Avenue, and commercial development to the west at the intersection of NW 53rd Avenue and NW 43rd Street. The adjacent commercial area includes retail development in the 'MU-1' zoning district along NW 53rd Avenue and the Hunter's Crossing Planned Development. Across 53rd Avenue, there is a Gainesville Regional Utilities operations site that has a 'PS' zoning district, and Trinity United Methodist Church which has multiple zoning districts. The southern end of the subject property abuts the rear of single-family residential neighborhood with 'RSF-2' zoning. There is a vehicular drive that runs along the western side of the subject property which was constructed as part of the adjacent commercial development. This drive is currently utilized by the park as an entrance to the existing unpaved parking area. Existing uses on the park property include picnic pavilions, a playground, a restroom facility and informal recreational fields.

The City Plan Board considered Petition PZ-09-53 at a public hearing held on July 23, 2009. By a vote of 4 - 3, the City Plan Board recommended approval of the petition, on the condition that an additional neighborhood workshop be held prior to the City Commission hearing. The petitioner held the required neighborhood workshop on August 25, 2009.

Public notice for this petition was published in the Gainesville Sun on July 7, 2009. Letters were mailed to surrounding property owners on July 7, 2009.

CITY ATTORNEY MEMORANDUM

The City Commission, at its meeting of October 1, 2009, authorized the City Attorney to draft and the Clerk of the Commission to advertise the proposed ordinance rezoning the property.