



## Legislation Text

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**File #:** 140933., **Version:** 3

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### **QUASI-JUDICIAL - REZONING - 1220 NW 39TH AVENUE (B)**

Ordinance No. 140933; Petition No. PB-15-21 ZON

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 0.33 acres of property generally located at 1220 NW 39th Avenue approximately 360 feet east of NW 13th Street, as more specifically described in this ordinance, from Office Residential District (OR) to Mixed Use Low Intensity District (MU-1); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

The City Commission adopt the proposed ordinance.

#### PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

This ordinance will rezone approximately 0.33 acres of property from Office Residential District (OR) to Mixed Use Low Intensity District (MU-1). The subject property is currently developed and is generally located at 1220 NW 39th Avenue approximately 360 feet east of NW 13th Street. The property owner has requested the rezoning in order to open a retail toy store, which is not allowed under the current zoning.

The intent of the MU-1 zoning district is to allow coordinated developments designed to offer a mixture of residential, convenience-type retail, professional, and consumer service uses primarily for residents of mixed-use and adjacent residential neighborhoods. The district is intended to reduce the length and number of vehicular trips by providing for basic needs within close proximity to residential areas, by encouraging pedestrian access, and by the combining of trips. The current OR zoning allows a much narrower range of non-residential uses, and does not allow retail sales (but does allow sales offices without warehousing, showrooms or retail space).

The proposed rezoning is consistent with the City's Comprehensive Plan, supports infill and redevelopment, and supports economic development by broadening the range of permitted uses for this property located near the intersection of two, four-lane arterial roadways.

After public notice was published in the Gainesville Sun on April 7, 2015, the City Plan Board held a public hearing on April 23, 2015, and voted 6-0 to recommend approval of this ordinance.

#### CITY ATTORNEY MEMORANDUM

This ordinance requires two hearings. This ordinance shall become effective immediately upon adoption; however, the rezoning implemented by this ordinance shall become effective when the amendment to the City of Gainesville Comprehensive Plan adopted by Ordinance No. 140932 becomes effective as provided therein.