



Legislation Text

File #: 140369., **Version:** 2

QUASI-JUDICIAL REZONING - PARCEL LOCATED ON NEWBERRY ROAD GENERALLY WEST AND SOUTH OF NW 39TH ROAD AND EAST OF NW 43RD STREET (B)

Ordinance No. 140369, Petition No. PB-14-52 ZON

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 5.0 acres of property located on Newberry Road generally south and west of NW 39th Road and east of NW 43rd Street, as more specifically described in this ordinance, from Single-Family Residential (RSF-4) district to Mixed-Use Low-Intensity (MU-1) district; 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 DEPARTMENT REPORT

This ordinance will rezone approximately 5.0 acres of undeveloped property from Single-Family Residential (RSF-4) district to Mixed-Use Low-Intensity (MU-1) district. The subject property is located on Newberry Road generally south and west of NW 39th Road and east of NW 43rd Street, on the north side of Newberry Road west of NW 39th Road and east of SW 43rd Street. The parent parcel is owned by Holy Faith Catholic Church, with the church sanctuary and ancillary buildings located north of the subject property.

Properties immediately to the west and east of the subject property are developed with office uses, including medical offices, a bank, general offices, and an insurance office. The area immediately to the south across Newberry Road is developed with medical offices. Property to the east of the subject property has General Office (OF) zoning; to the south (across Newberry Road), Planned Development (PD) zoning; to the west, Corporate Park (CP) zoning and the Triangle Special Area Plan associated with the CP zoning. Other surrounding areas have Single-Family and Office zonings.

The existing RSF-4 zoning allows single-family dwellings (up to a maximum density of 8 units per acre). The requested MU-1 zoning district will allow a mixture of residential (with a density limit of 8-30 units per acre) and non-residential uses with a building height of up to 5 stories. The requested MU-1 zoning district will allow many non-residential uses, including but not limited to convenience-type retail, food stores, gas stations, auto and home supply stores, home furnishings, apparel stores, and professional and consumer services. In addition, alcoholic beverage establishments and hotels/motels would be allowed by Special Use Permit.

City staff recommended against the adoption of this ordinance's associated petition in a report dated September 25, 2014. On September 25, 2014, a public hearing was held by the City Plan Board, which acts as the local planning agency pursuant to Section 163.3174, Florida Statutes, where it voted 3-2 to recommend against the adoption of this ordinance. On November 6, 2014, the City Commission held a public hearing regarding this ordinance's associated petition and voted to approve the petition and to authorize the City Attorney to prepare 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. 140368 becomes effective as provided therein.