



## Legislation Text

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**File #:** 090340., **Version:** 2

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### REZONING - 1500 NORTHWEST 45TH AVENUE (B)

Ordinance No. 0-09-59, Petition No. PZ-09-60ZON

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain property, as more specifically described in this Ordinance, from the City of Gainesville zoning categories of "BUS: General business district"; "RSF-1: 3.5 units/acre single-family residential district"; "RMF-5: 12 units/acre single-family/multiple-family residential district"; and "RMF-6: 8-15 units/acre multiple-family residential district" to "CON: Conservation district"; consisting of approximately 61.6 acres; located in the vicinity of 1500 Northwest 45th Avenue; providing a severability clause; providing a repealing clause; and providing an effective date.

The City Commission adopt the proposed ordinance.

### COMMUNITY DEVELOPMENT STAFF MEMORANDUM

This is a quasi-judicial item. The subject property is approximately 61.6 acres and includes the two tax parcels. Tax parcel 07883-010-005 is approximately 61.24 acres in size, but only 52.44 acres are part of this petition. The remaining acreage is part of two related petitions (PZ-09-61 LUC and PZ-09-62 ZON) to change land use and zoning to Recreation and PS (Public services and operations district). The vacant parcel of approximately 52.44 acres is located roughly north of N.W. 45th Avenue, east of N.W. 19th Street, south of N.W. 53rd Avenue and the Home Depot store at 5150 N.W. 13th Street, and west of the commercial parcels that front on N.W. 13th Street. Tax parcel 07883-010-004 is approximately 9.16 acres and lies southeast of the Home Depot store on N.W. 13th Street. It is currently vacant but was once part of a mobile home dealership.

The City of Gainesville purchased the subject property in 2008 with the help of the Florida Communities Trust, a division of the Department of Community Affairs (DCA). In accordance with the grant award agreement between the City and the DCA, the City has agreed to develop the property as the Hogtown Creek Headwaters Nature Park. The area will contain nature trails and boardwalks and will be managed to protect and restore the natural resources on the site, including three branches of the Hogtown Creek that flow through the subject property.

In accordance with Objective 1.1 of the Conservation Element of the City's Comprehensive Plan, this property was identified as environmentally significant and steps were taken to acquire the property. On the west and the south sides of the property, adjacent property can be characterized as low-density single-family residential use. Split-zoned properties to the east ensure residential or conservation land uses adjacent to the subject property up to the motorcycle dealership property. On the north, the Home Depot store was built under the current wetland buffer requirements, and with the knowledge that a park would likely be developed on the subject property, thus minimizing potential compatibility problems.

The proposed CON zoning is compatible with the surrounding land uses. The proposed zoning change will facilitate appropriate development of this property as a nature park (with some active recreation and educational amenities occurring on the contiguous proposed Recreation and PS zoned area of approximately 8.8 acres).

Planning Division staff recommended approval of Petition PZ-09-60 ZON.

The City Plan Board reviewed the petition and recommended approval, Plan Board vote 4-0.

Public notice was published in the Gainesville Sun on June 9, 2009. The Plan Board held a public hearing on June 25, 2009.