



Legislation Text

File #: 060229., **Version:** 1

LAND USE CHANGE - UNIVERSITY HEIGHTS NEIGHBORHOOD (B)

Ordinance No. 0-06-81, Petition 91LUC-06PB

An Ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan; by changing the land use category of certain properties, as more specifically described in this ordinance from “Residential High Density (8-100 units per acre)”; to “Urban Mixed-Use 2 (UMU-2: up to 100 units per acre)”; consisting of approximately five acres, located in the vicinity of the University Heights neighborhood, generally bounded on the north by Southwest 3rd Avenue, on the west by Southwest 13th Street, on the east by SW 12th Terrace and on the south by Southwest 5th Avenue; providing a severability clause; providing a repealing clause; and providing an effective date.

The City Commission: 1) approve Petition 91LUC-06PB; and 2) adopt the proposed ordinance.

STAFF REPORT

The 13 subject properties total approximately 5 acres and are currently developed as multi-family apartments, a Mormon student center, and fraternities. (The sole parcel with Office land use and zoning has been dropped from the originally contemplated petition pertaining to 14 parcels.) One of the 13 parcels is a real estate office. The 13 parcels are located by an area bounded by Southwest 13th Street, Southwest 5th Avenue, Southwest 12th Street, and Southwest 3rd Avenue.

The proposed Urban Mixed-Use 2 (UMU-2: up to 100 units per acre) land use is compatible with the Residential-High and Urban Mixed-Use 2 land uses adjacent to the north and east, and the Education (University of Florida campus) land use adjacent to the south and west. This petition is related to Petition 92ZON-06PB, which proposes UMU-2 (Urban Mixed-Use) zoning.

The office, retail, research and high-density residential uses allowed in UMU-2 generally are considered to be compatible with high-density residential, education and office uses.

The Plan Board heard the petition and voted to recommend approval.

Public notice was published in the Gainesville Sun on July 4, 2006. Letters were mailed to surrounding property owners on July 5, 2006. The Plan Board held a public hearing July 20, 2006. Planning Division staff recommended that the Plan Board approve the petition. The Plan Board recommended that the City Commission approve Petition 91LUC-06 PB. Plan Board vote 4-0.

CITY ATTORNEY MEMORANDUM

The proposed amendment to the Comprehensive Plan is treated as a small scale development activity. After the City Commission adopts the ordinance, it will be filed with the State Land Planning Agency. The state land planning agency does not review or issue a notice of intent for small scale development amendments. Any affected person may file a petition with the State Division of Administrative Hearings to request a hearing to challenge the compliance of a small scale development amendment within 30 days following the City’s adoption of the amendment.

Small scale development amendments do not become effective until 31 days after adoption. If challenged within 30 days after adoption, small scale development amendments shall not become effective until the state land planning agency or the Administration Commission issues a final order that the adopted small scale development amendment is in compliance.