



## Legislation Text

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**File #:** 020589, **Version:** 2

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### UNIVERSITY HEIGHTS NEIGHBORHOOD - REZONING (B)

ORDINANCE NO. 0-03-36, PETITION NO. 115ZON-02PB

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain properties within the City from "OR: (20 units/acre office residential district)" and "MD: Medical services district" to "RH-2: 8-100 unit/acre residential high density district" and "MU-1: 10-30 units/acre mixed use low intensity"; in the area generally bounded on the North by West University Avenue, bounded on the South by S.W. 3rd Avenue, bounded on the East by S.W. 6th Street and bounded on the West by S.W. 10th Street, as more specifically described in the ordinance; 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

At its November 21, 2002 meeting, the City Plan Board continued this petition and asked staff to return with a revised proposal for this petition. The Board asked that the MU-1 zoning proposed along SW 2nd Avenue be removed due to concerns about excessive commercialization along SW 2nd Avenue.

Staff has revised the proposed rezonings by using the following criteria:

1. Remove proposed MU-1 zoning along SW 2nd Avenue.
2. Continue to evaluate rezonings in the study area with the assumption that additional MU-1 (mixed use) zoning and RH-2 (high-density residential) zoning is desirable in the area, and that MU-1 zoning is preferable to RH-2 zoning, since it provides more flexibility in allowable uses.
3. Do not create non-conformities on non-Shands properties. Such property owners have not requested a zoning change, and as a matter of fairness, should not be obligated to have their property made non-conforming.

Staff studied an area in the northeastern portion of the University Heights neighborhood where a concentration of Shands ownership exists. The area is 57 acres in size, or 48 acres when streets are not included. Note that not all of the study area is owned by Shands.

The bases for the selection of the area are the overall objectives of the University Heights Special Area Plan and the many policies adopted by the City in its Urban Design (UDE), Transportation Mobility (TME) and Future Land Use (FLUE) Elements of the 2001 Gainesville Comprehensive Plan. Such policies and objectives call for residential infill development in appropriate locations, mixed use, and higher densities in appropriate locations to improve transportation and housing choice, the overall health of downtown housing and retail, and quality of life. The relevant policies from the plan are found in the appendix of this report.

The Plan Board reviewed the petition and approved the petition as proposed by staff, except recommending that the 720 parcel (12921-151-000) be MU-1 Zoning and the Evans' parcels (13265-000-000 and 12892-000-000) remain OR Zoning.

Public notice was published in the Gainesville Sun on December 31, 2002. Letters were mailed to surrounding property owners on December 30, 2002. The Plan Board held a public hearing January 16, 2003.

CITY ATTORNEY MEMORANDUM

The City Commission, authorized the City Attorney's office to prepare and advertise the necessary ordinance rezoning certain lands within the City of Gainesville.