



## Legislation Text

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**File #:** 090487., **Version:** 1

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### REZONING - 4306 AND 4322 NW 13TH STREET (B)

Ordinance No. 0-09-76, Petition No. PB-09-120ZON

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain property within the City, as more specifically described in this Ordinance, from "BUS: General business district" to "BA: Automotive-oriented business district"; located in the vicinity of 4306 and 4322 Northwest 13th Street; 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

This is a request to rezone property located at 4306 and 4322 Northwest 13th street. Tax parcel 07925-000-000 located at 4306 N.W. 13th Street is currently zoned BUS (General business district) with Commercial land use. North of this property is tax parcel 07910-000-000 located at 4322 N.W. 13th Street, which is zoned BUS and RSF-1 (3.5 units/acre single-family residential district) and has Commercial and Single Family (up to 8 units per acre) land use. The commercial portion of this property extends approximately 400 feet west from N.W. 13th Street before the single-family designated area of the property is reached. The request of this petition is to rezone the properties from BUS to BA (Automotive-oriented business district). The land use would remain Commercial because BA is one of the implementing zoning districts of the Commercial land use.

The character of the area in the general vicinity of the subject properties is commercial. South of the subject properties is a used automobile business with an automobile salvage yard and a former new car dealership. East of the rezoning site across N.W. 13th Street is a Badcock furniture store with MU-1 (8-30 units/acre mixed use low intensity) zoning and Mixed-Use Low-Intensity (8-30 units per acre) land use. Mobile home sales lie to the north of that with BA zoning and Commercial land use. South of the furniture store are two single-family homes and a gasoline station/convenience store, with MU-1 zoning and MU-L land use. North of the subject properties is Family Pool, Spa and Billiard with associated storage and an office building to the north of that, both with BA and OF (General office district) zoning and Commercial and Office land use. West of the subject site is low-density single-family residential use, with Single-Family land use and RSF-1 zoning. Properties with BA zoning and Commercial land use lie adjacent to the subject properties on the north and the south. The BA designation on the west side of N.W. 13th Street extends north from the site of the former new car dealership in the 4200 block up to the 4800 block, which is the point where N.W. 6th Street intersects with N.W. 13th Street. The exceptions are the subject properties which are zoned BUS. The proposed automotive-oriented zoning would be compatible with the surrounding land uses. The zoning change to BA will make the subject properties consistent with the zoning for other properties on the west side of N.W. 13th Street in this corridor. Future uses on the subject properties will likely be more compatible with uses typically found in the BA zoning district.

The City Plan Board reviewed the petition and recommended approval, Plan Board vote 6-1.

Public notice was published in the Gainesville Sun on September 8, 2009. The Plan Board held a public hearing on September 24, 2009.

### CITY ATTORNEY MEMORANDUM

The City Commission, at its meeting of December 3, 2009, authorized the City Attorney to draft the proposed ordinance.

