



Legislation Text

File #: 130821, **Version:** 2

REZONING - PROPERTY GENERALLY LOCATED ON THE EAST SIDE OF 3500-3800 BLOCK OF SW 34TH STREET (B)

Ordinance No. 130821; Petition No. PB-13-106 ZON

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 8 acres of property generally located on the east side of SW 34th Street between SW 35th Place and SW 41st Place, as more specifically described in this ordinance, from Planned Development District (PD) to Mixed-Use Low Intensity District (MU-1); 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 petition/ordinance will rezone approximately 8 acres of undeveloped property located on the east side of SW 34th Street between SW 35th Place and SW 41st Place from Planned Development District (PD) to Mixed-Use Low Intensity District (MU-1).

PD zoning was approved for this property in 2008 by Ordinance No. 070621 for a mixed-use development of up to 122 residential units (plus 2,000 square feet of related office space), and 30,000 square feet of nonresidential uses. Subsequent to the execution of a TCEA Zone C agreement for this development, the property owner requested that the TCEA mitigation fee be returned and that the TCEA agreement be nullified. The City did so, the development order approved by adoption of the PD ordinance has expired, and the property owner is now requesting this rezoning.

This proposed rezoning will facilitate future non-residential and/or residential infill development of this undeveloped property that is less than one half-mile from Archer Road and Butler Plaza, and is surrounded by developed areas. To the north is a small retail center along SW 34th Street, and to the north and east is an apartment complex on the south side of SW 35th Place. An apartment complex and a residential treatment facility are to the south, and commercial development and an undeveloped property are to the west, across SW 34th Street. General Business District (BUS) and Multiple-Family Medium Density Residential District (RMF-8) zoning are to the north and west, and RMF-8 zoning is to the south and east. An environmentally significant area of natural upland forest (mesic hammock) that includes the Florida spiny pod (*Matelea floridana*), which is a listed plant species, is in the southeast part of the property. At the development plan stage, any proposed development will be required to meet all applicable requirements of the Land Development Code, including those of Division 4 - Regulated Natural and Archaeological Resources. The proposed rezoning to MU-1 is consistent with the City's Comprehensive Plan and will implement the existing Mixed-Use Low-Intensity (MUL) land use category.

After public notice was published in the Gainesville Sun on November 13, 2013, the City Plan Board held a public hearing on December 2, 2013, and recommended approval of this petition by a vote of 5-0.

CITY ATTORNEY MEMORANDUM

This ordinance requires two readings and shall become effective immediately upon adoption at second reading.