



## Legislation Details (With Text)

**File #:** 120806. **Version:** 2 **Name:**  
**Type:** Ordinance **Status:** Adoption Reading  
**File created:** 2/4/2013 **In control:** City Commission  
**On agenda:** 5/2/2013 **Final action:** 5/2/2013  
**Title:** LAND USE CHANGE - SMALL SCALE - APPROXIMATELY 0.62 ACRES OF PROPERTY  
GENERALLY LOCATED IN THE VICINITY OF 717 & 721 SW 5TH AVENUE (B)

Ordinance No. 120806; Petition No. PB-12-165 LUC

An ordinance amending the Future Land Use Map of the City of Gainesville Comprehensive Plan by changing the land use category of approximately 0.62 acres of property generally located at 717 and 721 SW 5th Avenue, as more specifically described in this ordinance, from Residential High-Density (RH) to Urban Mixed-Use 2 (UMU-2) as to two parcels and from undesignated land use to Urban Mixed-Use 2 (UMU-2) as to a parcel of vacated right-of-way; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. 120806A\_draft ordinance\_20130502.pdf, 2. 120806B\_staff report\_20130502.pdf, 3. 120806C\_Comp Plan GOPs\_20130502.pdf, 4. 120806D\_Supplemental Docs\_20130502.pdf, 5. 120806E\_Application\_Neighborhood wkshop info\_20130502.pdf, 6. 120806F\_CPB Minutes\_20130502.pdf, 7. 120806G\_Staff ppt\_20130502.pdf, 8. 120806\_MOD\_PRES\_20130502.pdf, 9. 120806\_Ordinance\_20130502.pdf

Date	Ver.	Action By	Action	Result
5/2/2013	2	City Commission	Adopted on Adoption Reading (Ordinance) and Approved the Recommendation	Pass

## LAND USE CHANGE - SMALL SCALE - APPROXIMATELY 0.62 ACRES OF PROPERTY GENERALLY LOCATED IN THE VICINITY OF 717 & 721 SW 5TH AVENUE (B)

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The City Commission: (1) approve Petition PB-12-165 LUC and (2) adopt the proposed ordinance.

### PLANNING AND DEVELOPMENT SERVICES DEPARTMENT REPORT

This petition/ordinance is a small-scale land use amendment that changes the future land use category of approximately 0.62 acres of property from Residential High-Density (RH) to Urban Mixed-Use 2 (UMU-2) and

from undesignated land use to UMU-2. The subject property is generally located at 717 and 721 SW 5th Avenue, and until recently two of the parcels were the location of a vacant church building and parking lot. The third parcel was a right-of-way that was vacated by the City in Ordinance No. 030622 effective March 29, 2004. Related Ordinance No. 120807 will rezone the parcels to UMU-2 and add them to the University Heights area within the UMU-2 zoning district, and related Ordinance No. 120808 will remove the parcels from the University Heights Special Area Plan.

Both the existing RH land use category and the proposed UMU-2 land use category allow up to 100 dwelling units per acre for residential development. However, UMU-2 also allows a variety of non-residential uses that will increase the viability of any redevelopment efforts on these properties. The subject properties are located within 1/2 mile of the main campus, and are located within a few hundred feet of the Innovation Square area. Redevelopment of the site into multiple-family dwelling units, retail, and/or service and office/research uses allowable under the provisions of the UMU-2 land use category would be supportive of the overall redevelopment goals in the Comprehensive Plan.

After public notice was published in the Gainesville Sun on January 8, 2013, the City Plan Board held a public hearing on January 24, 2013, and by a vote of 5-0, recommended approval of this petition.

#### CITY ATTORNEY MEMORANDUM

This proposed amendment to the Comprehensive Plan involves a use of 10 acres or fewer and qualifies as a small-scale development amendment. The City Commission may adopt small-scale development amendments with a single public hearing.

Within 30 days following the City's adoption of this amendment, any affected person may file a petition with the State Division of Administrative Hearings to request a hearing to challenge the compliance of this amendment with Chapter 163, Florida Statutes. If challenged within 30 days after adoption, this amendment shall not become effective until the state land planning agency or the Administration Commission issues a final order determining that the adopted amendment is in compliance with Chapter 163, Florida Statutes. If unchallenged, this amendment shall become effective 31 days after adoption. Within 30 days following the City's adoption of this amendment, any affected person may file a petition with the State Division of Administrative Hearings to request a hearing to challenge the compliance of this amendment with Chapter 163, Florida Statutes.