



## Legislation Details (With Text)

**File #:** 121035. **Version:** 2 **Name:**  
**Type:** Ordinance **Status:** Adoption Reading  
**File created:** 4/11/2013 **In control:** City Attorney  
**On agenda:** 6/20/2013 **Final action:** 6/20/2013  
**Title:** LAND USE CHANGE - SMALL SCALE - APPROXIMATELY 1.86 ACRES OF PROPERTY  
GENERALLY LOCATED AT 2001 NW 13TH STREET (B)

Ordinance No. 121035; Petition No. PB-13-22 LUC

An ordinance of the City of Gainesville, Florida, amending the Future Land Use Map and the Future Land Use Element of the Comprehensive Plan by changing the land use category of approximately 1.86 acres of property generally located at 2001 NW 13th Street, as more specifically described in this ordinance, from Commercial (C) to Mixed-Use Low-Intensity (MUL); 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. 121035B\_Staff report\_20130620.pdf, 2. 121035C\_Comp Plan GOP"s\_20130620.pdf, 3. 121035D\_Supplemental Docs\_20130620.pdf, 4. 121035E\_Application Pkg\_20130620.pdf, 5. 121035F\_Neighbhd workshop info\_20130620.pdf, 6. 121035G\_CPB minutes\_20130620.pdf, 7. 121035H\_staff ppt\_20130620.pdf, 8. 121035A\_draft ordinance\_20130620.pdf, 9. 121035\_presentation\_20130620.pdf, 10. 121035\_Ordinance\_20130620.pdf

Date	Ver.	Action By	Action	Result
6/20/2013	2	City Commission	Adopted on Adoption Reading (Ordinance) and Approved the Recommendation	Pass

## LAND USE CHANGE - SMALL SCALE - APPROXIMATELY 1.86 ACRES OF PROPERTY GENERALLY LOCATED AT 2001 NW 13TH STREET (B)

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An ordinance of the City of Gainesville, Florida, amending the Future Land Use Map and the Future Land Use Element of the Comprehensive Plan by changing the land use category of approximately 1.86 acres of property generally located at 2001 NW 13th Street, as more specifically described in this ordinance, from Commercial (C) to Mixed-Use Low-Intensity (MUL); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

The City Commission: (1) approve Petition PB-13-22 LUC and (2) adopt the proposed ordinance.

### PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT

This requested small-scale land use change from Commercial to Mixed-use low-intensity (8-30 units per acre) pertains to a 1.86-acre property located at 2001 NW 13th Street. The property is developed and includes an automotive showroom at the front of the lot and a warehouse building at the rear that total approximately 30,456 square feet. This property was part of the former Brasington automotive dealership that closed in 2008.

The property is currently used for used car sales.

This small-scale amendment, if approved, will facilitate future redevelopment of the property by changing the land use from Commercial to Mixed-use low-intensity (8-30 units per acre), which allows for residential use and various non-residential uses. As stated in Policy 4.1.1 of the Future Land Use Element, "This category allows a mixture of residential and non-residential uses such as standard lot single-family houses, small-lot single-family houses, duplex houses, townhouses (attached housing), accessory dwelling units, group homes, multi-family housing (if compatible in scale and character with other dwellings in the proposed neighborhood), offices scaled to serve the surrounding neighborhood, retail scaled to serve the surrounding neighborhood, public and private schools, places of religious assembly and other community civic uses..."

The proposed MUL land use is consistent with the proposed MUL land use for the property to the north that is being changed from the existing Commercial land use, the existing MUL land use to the east and south, and with the predominant MUL land use along the east side of NW 13th Street between NW 23rd and NW 16th Avenues.

After public notice was published in the Gainesville Sun on March 12, 2013, the City Plan Board held a public hearing on March 28, 2013, and by a vote of 6-0, recommended approval of this petition.

This petition is related to Petition PB-13-23 ZON, which proposes rezoning from the Automotive-oriented business district (BA) to the MU-1 (8-30 units/acre mixed use low intensity) zoning district.

#### 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.