



## Legislation Details (With Text)

**File #:** 150306. **Version:** 2 **Name:**  
**Type:** Ordinance **Status:** Adopted  
**File created:** 9/3/2015 **In control:** City Attorney  
**On agenda:** 11/5/2015 **Final action:** 11/5/2015  
**Title:** QUASI-JUDICIAL - REZONING - 5021 AND 4911 W UNIVERSITY AVENUE (B)

Ordinance No. 150306; Petition No. PB-15-74 ZON

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 2.84 acres of property generally located at 5021 and 4911 W University Avenue, as more specifically described in this ordinance, from Conservation (CON) to Single-Family Residential District (RSF-1); 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. 150306B\_Staff report\_20151105.pdf, 2. 150306C\_Append A Comp Plan GOPs\_20151105.pdf, 3. 150306D\_Append B Supplemental Docs Exh B-1 thru Exh B-5-20151105.pdf, 4. 150306E\_Append C\_Application-20151105.pdf, 5. 150306F\_CPB minutes\_20151105 .pdf, 6. 150306G\_staff ppt\_20151105.pdf, 7. 150306A\_draft ordinance\_20151105.pdf, 8. 150306\_ordinance\_20151105.pdf

Date	Ver.	Action By	Action	Result
11/5/2015	2	City Commission	Approved (Petition) and Adopted on Adoption Reading	

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The City Commission: (1) approve Petition No. PB-15-74 ZON and (2) adopt the proposed ordinance.

### PLANNING AND DEVELOPMENT SERVICES DEPARTMENT REPORT

This ordinance will amend the Zoning Map Atlas of the City of Gainesville by rezoning the subject property from Conservation (CON) to Single-Family Residential District (RSF-1). The subject property is 2.84 acres of property located at 5021 and 4911 W University Avenue, on the south side of unimproved W University Avenue and at the western edge of the Clear Lake single-family neighborhood. It is adjacent to the City's Clear Lake Nature Park to the west and to the City's Sugarfoot Prairie Conservation Area to the south. A single-family residence is located to the east of the subject property, and to the north, across unimproved W University Avenue, is a single-family residence and a townhome development (Mill Pond). The southerly one-half to two-

thirds of the property is within regulated wetlands of the Hogtown Creek basin, and therefore is substantially constrained with respect to additional development potential.

Two single-family houses are located on the subject property, one on each of the two lots that make up the 2.84-acre property. These single-family houses are currently deemed legally nonconforming uses because although they existed prior to the property's annexation into the City in 1992, they do not conform to the maximum density allowed on the current Conservation land use designation (i.e., maximum density of 1 unit per 5 acres). This ordinance (together with the related land use change ordinance) will make the single-family houses legally conforming uses.

This ordinance is consistent with the City's Comprehensive Plan and supportive of urban infill. The proposed RSF-1 zoning is consistent with the RSF-1 zoning to the east and north, and is compatible with the Conservation district zoning to the south and west, and the residential Planned Development (PD) zoning to the north.

At a public hearing on August 27, 2015, the City Plan Board recommended approval to the City Commission by a vote of 6-0.

#### CITY ATTORNEY MEMORANDUM

This ordinance requires one hearing. This ordinance shall become effective immediately upon adoption; however, the rezoning implemented by this ordinance shall become effective when the amendment to the City of Gainesville Comprehensive Plan adopted by Ordinance No. 150305 becomes effective as provided therein.