



## Legislation Details (With Text)

**File #:** 150440. **Version:** 3 **Name:**  
**Type:** Ordinance **Status:** Adopted  
**File created:** 10/15/2015 **In control:** City Attorney  
**On agenda:** 3/17/2016 **Final action:** 4/7/2016  
**Title:** QUASI-JUDICIAL REZONING - BUTLER DEVELOPMENT PLANNED DEVELOPMENT (PD) (B)

Ordinance No. 150440, Petition No. PB-15-92 PDA

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning certain property known as the Butler Development that is generally located north of Archer Road, west of SW 34th Street, east of I-75, and south of SW 24th Avenue, as more specifically described in this ordinance, to Planned Development District (PD); adopting a PD report with land development regulations; 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. 150440A\_staff report\_20151022.pdf, 2. 150440B\_Butler Enterprises PD Report\_20151022.pdf, 3. 150440C\_Application\_20151022.pdf, 4. 150440D\_FDOT Letter\_20151022.pdf, 5. 150440A\_staff report\_20151203.pdf, 6. 150440B\_Butler Enterprises PD Report\_20151203.pdf, 7. 150440C\_Application\_20151203.pdf, 8. 150440D\_FDOT Letter\_20151203.pdf, 9. 150440E\_CPB minutes draft\_20151203 .pdf, 10. 150440\_draft ordinance\_20160317, 11. 150440\_Ordinance\_20160407.pdf

| Date      | Ver. | Action By       | Action                               | Result |
|-----------|------|-----------------|--------------------------------------|--------|
| 4/7/2016  | 3    | City Commission | Adopted on Final Reading (Ordinance) | Pass   |
| 3/17/2016 | 3    | City Commission | Adopted on First Reading (Ordinance) | Pass   |
| 12/3/2015 | 2    | City Commission | Approved (Petition)                  | Pass   |

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The City Commission: adopt the proposed ordinance.

### PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT

Planned Development District (PD) zoning is an entirely voluntary method for landowners or developers to submit unique proposals that are not provided for or otherwise achievable in the zoning districts established by the City of Gainesville Land Development Code. The Land Development Code provides that, with certain exceptions, an amendment to a previously approved Planned Development District (PD) may only be accomplished by a rezoning ordinance accompanied by a new proposed Planned Development District (PD).

The subject property is commonly referred to as the “Butler Development” and is generally located between SW Archer Road and SW 24th Avenue and between SW 40th Boulevard and SW 34th Street. The City Commission on January 5, 2012, adopted Ordinance No. 090538 and rezoned the Butler Development to PD. Subsequently, the City Commission on November 21, 2013, adopted Ordinance No. 121108 and amended the Butler Development PD by adding several additional outparcels along Archer Road and revising the overall layout and certain development requirements. The property owner now has requested to amend the Butler Development PD to add another outparcel along Archer Road (the current site of the Olive Garden restaurant) and to make certain revisions to the regulations related to the overall development of the Butler Development PD. For ease of City Commission review, the specific amendments requested are shown in strike-through and underline format in the document titled “Marked PD Report” that is included in the backup to this agenda item.

The City Plan Board on October 22, 2015, voted to recommend approval of this rezoning, and on December 3, 2015, the City Commission approved the associated petition (Petition No. PB-15-92 PDA).

#### CITY ATTORNEY MEMORANDUM

This ordinance requires two hearings and shall become effective when the amendments to the City of Gainesville Comprehensive Plan adopted by Ordinance Nos. 150441 and 150456 both become effective as provided therein.

None