



Legislation Details (With Text)

File #: 150943 **Version:** 3 **Name:**
Type: Ordinance **Status:** Adopted
File created: 4/20/2016 **In control:** City Attorney
On agenda: 9/1/2016 **Final action:** 9/1/2016
Title: LAND USE CHANGE - 2801 SW WILLISTON ROAD (B)
Ordinance No. 150943; Petition No. PB-16-45 LUC

An ordinance amending the Future Land Use Map of the City of Gainesville Comprehensive Plan by changing the land use category of approximately 13.33 acres of property that is generally located at 2801 SW Williston Road near the southeastern corner of Williston Road and SW 29th Drive, as more specifically described in this ordinance, from Alachua County Institutional and Office/Residential to City of Gainesville Residential Medium-Density (RM); 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. 150943_Staff report and Appendices A thru C_20160428.pdf, 2. 150943A_draft ordinance_20160616, 3. 150943B_Staff report and Appendices A thru C_20160616, 4. 150943C_CPB minutes draft_20160616, 5. 150943D_staff ppt_20160616, 6. 150943_draft ordinance_20160901.pdf, 7. 150943_ordinance_20160906.pdf

| Date | Ver. | Action By | Action | Result |
|-----------|------|-----------------|--|--------|
| 9/1/2016 | 3 | City Commission | Adopted on Final Reading (Ordinance) and Approved the Recommendation | Pass |
| 6/16/2016 | 2 | City Commission | Approved (Petition) and Adopted on First Reading (Ordinance) | Pass |
| 4/28/2016 | 1 | City Plan Board | | |

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The City Commission: (1) receive letters from the Florida Department of Economic Opportunity, North Central Florida Regional Planning Council, St. Johns River Water Management District, Florida Department of Environmental Protection, Florida Department of Transportation, and Florida Department of Education; and (2) adopt the proposed ordinance.

PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT

Update since first reading: On June 16, 2016, the City Commission approved this ordinance on first reading. City staff then transmitted this ordinance to the state reviewing agencies in accordance with the statutory expedited review process for comprehensive plan amendments. During the 30-day comment period, the City received letters from the Florida Department of Economic Opportunity, North Central Florida Regional Planning Council, St. Johns River Water Management District, Florida Department of Transportation, and Florida Department of Education. The comments received did not identify any adverse impacts to important state resources and facilities within the scope of review of the respective state agencies, and therefore did not necessitate any changes to the ordinance.

This ordinance will change the land use category of a 13.33-acre property from Alachua County Institutional and Office/Residential to City of Gainesville Residential Medium-Density (RM). The property, which is generally located at 2801 SW Williston Road near the southeastern corner of Williston Road and SW 29th Drive, was annexed into the City effective May 5, 2016. The easternmost portion of the property is developed with a 3,100 square foot office building.

The property consists of two parcels located directly west and north of the Oak Hammock development, a university-related continuing care retirement community. The Campus Lodge multi-family development is located to the north of the property on the opposite side of SW Williston Road. The property is bordered to the west by SW 29th Drive and the Alachua Fire Extinguisher Company.

This land use amendment will facilitate future residential development of the property. The Residential Medium-Density (RM) category provides an increase in maximum potential density as compared to the current Alachua County land use categories. However, the RMF-7 zoning district that is proposed for this property would limit the density on the site to 14 units/acre by right with the option for 7 additional units/acre by using density bonus points and meeting certain development criteria outlined in the Density Bonus Points Manual.

Both City Staff and the City Plan Board recommend approval of this amendment to the Comprehensive Plan.

None.

CITY ATTORNEY MEMORANDUM

Section 163.3184, Florida Statutes, sets forth the procedure for amending the Comprehensive Plan. The first hearing is the transmittal stage and must be advertised at least seven days prior to the hearing. The second hearing is the adoption stage and must be advertised at least five days prior to the hearing. Within ten working days after the first hearing, the City must transmit the amendment to the reviewing agencies and to any other local government or state agency that has filed a written request for same. These agencies have 30 days after receipt of the amendment to forward written comments to the City, which the City must then consider during the second hearing. If adopted on second reading, the City will forward the amendment within ten working days to the state land planning agency and any party that submitted written comments.

Within 30 days following the City's adoption of the amendment, any affected person may file a petition with the State Division of Administrative Hearings to request a hearing to challenge the amendment's compliance with Chapter 163, Florida Statutes. If not timely challenged, this amendment shall become effective 31 days after the state land planning agency notifies the City that the amendment package is complete. If timely challenged, this amendment shall become effective

when the state land planning agency or the Administration Commission issues a final order determining that this amendment is in compliance with Chapter 163, Florida Statutes. No development orders, development permits, or land uses dependent on this amendment may be issued or commenced before this amendment has become effective.