

1 **BEFORE THE CITY COMMISSION**
2 **CITY OF GAINESVILLE, FLORIDA**

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4 **IN THE MATTER OF an application by the private property owner for a rezoning**
5 **of approximately 1.63 acres of property generally located at 1905 South Main Street**
6 **from Planned Development (PD) to Urban 6 (U6).**

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8 **LD22-000004 ZON; Ordinance No. 211225.**

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10 **ORDER**

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12 On September 15, 2022, the City Commission of the City of Gainesville held a formal
13 quasi-judicial hearing on LD22-000004 ZON; Ordinance No. 211225, in accordance with
14 the adopted Rules of the City Commission. The application was submitted by Florida Mad
15 Men, LLC, which is the private property owner of the subject property and which seeks
16 approval of a rezoning of approximately 1.63 acres of property generally located at 1905
17 South Main Street from Planned Development (PD) to Urban 6 (U6).

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19 **Decision Criteria**

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21 The City Commission's decision criteria in this matter is provided in Section 30-3.14 of
22 the City's Land Development Code:

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24 ***Section 30-3.14 – Rezoning Criteria***

25 Applications to rezone property shall be reviewed according to the following criteria:

- 26 A. Compatibility of permitted uses and allowed intensity and density with surrounding
27 existing development.
- 28 B. The character of the district and its suitability for particular uses.
- 29 C. The proposed zoning district of the property in relation to surrounding properties and
30 other similar properties.
- 31 D. Conservation of the value of buildings and encouraging the most appropriate use of
32 land throughout the city.
- 33 E. The applicable portions of any current city plans and programs such as land use,
34 traffic ways, recreation, schools, neighborhoods, stormwater management and
35 housing.
- 36 F. The needs of the city for land areas for specific purposes to serve population and
37 economic activities.
- 38 G. Whether there have been substantial changes in the character or development of areas
39 in or near an area under consideration for rezoning.
- 40 H. The goals, objectives, and policies of the Comprehensive Plan.
- 41 I. The facts, testimony, and reports presented at public hearings.
- 42 J. Applications to rezone to a transect zone shall meet the following additional criteria:

1. The proposed T-Zone shall provide a logical extension of an existing zone, or an adequate transition between zones.
2. The area shall have had a change in growth and development pattern to warrant the rezoning to a more or less urban T-Zone.
3. The request shall be consistent with the overall City of Gainesville vision for growth and development as expressed in the City of Gainesville Comprehensive Plan.
4. If not adjacent to an existing T-Zone, the rezoning site shall comprise a minimum of ten acres.

Findings of Fact

Based upon the evidence presented at the quasi-judicial hearing and included within the entire record of this proceeding, the following findings of fact are made:

- A. The subject property consists of approximately 1.63 acres of property generally located at 1905 South Main Street, as more specifically described in the record.
- B. The subject property has a land use designation of Urban Mixed-Use (UMU) per Ordinance No. 211224 adopted on September 15, 2022, and is currently zoned Planned Development (PD) district.
- C. City staff recommended approval of LD22-000004 ZON; Ordinance No. 211225.
- D. The City Plan Board, which acts pursuant to the authority granted in Section 4.02 of the Charter Laws of the City of Gainesville and which acts as the Local Planning Agency pursuant to Section 163.3174, Florida Statutes, held a public hearing on May 26, 2022, and voted to recommend that the City Commission approve the subject application for rezoning.

Order

APPROVED. Based upon the competent, substantial evidence received and included within the record and in accordance with the decision criteria included herein, the City Commission approves LD22-000004 ZON; Ordinance No. 211225.

Entered this 6th day of October, 2022.

LAUREN POE
MAYOR

86 Attest:

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OMICHELE C. GAINY

91 CITY CLERK

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Approved as to form and legality:

DANIEL M. NEE

INTERIM CITY ATTORNEY