



## City of Gainesville Agenda Report

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**File #:** 2022-775

**Agenda Date:** December 1, 2022

**Department:** City Manager

**Title:** 2022-775 Request to waive the 12-month restriction on a rezoning application for 4.82 acres of property located at 1015 South Main Street (NB)

**Description:** This is a request by a representative of the referenced property owner for the City Commission to waive the 12-month limitation contained within Section 30-3.12 of the City's Land Development Code. The City's code prohibits applications for rezoning on the same property for 12-months from the date when the City Commission denied a previous rezoning application.

**Explanation:**

At a Special Meeting of the City Commission held on February 22, 2022, the City Commission denied ordinance 200879. The ordinance was a Quasi-Judicial rezoning request for 4.82 acres of property located at 1015 South Main Street to change the zoning from I-2 Heavy Industrial to DT Downtown zoning. Section 30-3.12 of the City's Land Development Code prohibits the City from considering new applications for rezoning requests within 12-months of a City Commission denial of rezoning request for the same property. Currently, the property owner is prohibited from submitting a new request for rezoning until after February 22, 2023, however the Commission may at its discretion, waive this time limit provided the Commission determines that such action is necessary to prevent an injustice or facilitate the proper development of the city (Sec 30-3.12.H.3).

Should the Commission decide to waive the time limit, the property owner would then be able to submit a new application for rezoning which would follow the prescribed full quasi-judicial review process including requirement for a neighborhood workshop, review by staff, the City Plan Board, and the City Commission, ultimately.

**Strategic Connection:**

N/A

**Fiscal Note:**

N/A

**Recommendation:**

The City Commission consider the request and take any action it deems appropriate.