



# MEMORANDUM

Office of the City Attorney

LEGISLATIVE ITEM NO. 000770

Phone: 334-5011/Fax 334-2229  
Box 46

**TO:** Mayor and City Commission

**DATE:** February 26, 2001

**FROM:** City Attorney

**CITY ATTORNEY  
SECOND READING**

**SUBJECT:** Ordinance No. 0-01-03, Petition No. 176ZON-00PB  
An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain lands within the City from "RSF-1: 3.5 units/acre single-family residential district" to "MD: Medical services district"; located in the vicinity of 6400 block of Northwest 9<sup>th</sup> Boulevard; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

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Recommendation: The City Commission adopt the proposed ordinance.

## STAFF REPORT


This is a request to bring the zoning into compliance with the Office land use recently adopted by the City Commission (Petition 105LUC-00PB) for the subject property. The subject property is approximately 29 acres in size and is located in the 6400 block of Northwest 9th Boulevard. The property is currently undeveloped, and can best be described as an open field with a wooded buffer and walking path along the north, east and west border. Of the 29 acres, 17 acres are now encumbered by a recorded private conservation easement along the west, north and east edges of the property. The easement is part of a private agreement between the neighborhood and the hospital. The easement provides additional buffering and a transition area between the existing single-family to the north and east and the hospital and medical office uses to the south. The width of the conservation easement varies from approximately 120 feet to 400 feet at its widest. The easement is not enforceable by the City.

The request of this petition is to change the zoning from RSF-1 to MD (Medical Services district) to facilitate the development medical office use on the site. The MD district is established to provide adequate space in appropriate locations suitable for accommodating the health and related medical needs of the community. The objectives of the district include encouraging development to locate in close proximity to the community's major transportation arteries so as to provide maximum accessibility for emergency vehicles and the general public. The subject property is located within ¼ mile of State Road 26, a major transportation artery, and is part of the North Florida Regional Medical Center complex. Staff and the Plan Board find that the purpose and objectives of the MD zoning district, as stated above, are suitable for the subject property and compatible with surrounding uses.

The Plan Board after reviewing the petition and hearing the concerns on the neighbors recommended approval of the zoning change.

Public notice was published in the Gainesville Sun on December 1, 2000. Letters were mailed to surrounding property owners on December 4, 2000. The Plan Board held a public hearing December 19, 2000. Planning Division staff recommended that the Plan Board approve the petition. The Plan Board recommended that the City Commission approve Petition 176ZON-00 PB. Plan Board vote 4-1.

Prepared and Submitted by:

  
\_\_\_\_\_  
Marion J. Radson, City Attorney

MJR/afm

Attachment

Passed on first reading by a vote of 3-0 on 2/12/01.



**D R A F T**

01/09/01

1 ordinance; and

2           **WHEREAS**, the Public Hearing was held pursuant to the published and mailed notice  
3 described at which hearing the parties in interest and all others had an opportunity to be and  
4 were, in fact, heard.

5           **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**  
6 **CITY OF GAINESVILLE, FLORIDA:**

7           **Section 1.** The following described property is rezoned and changed from the zoning  
8 category of "RSF-1: 3.5 units/acre single-family residential district" to "MD: Medical services  
9 district":

10           See Legal Description attached hereto as Exhibit "A", and made a  
11 part hereof as if set forth in full.

12           **Section 2.** The City Manager is authorized and directed to make the necessary changes in  
13 the Zoning Map to comply with this Ordinance.

14           **Section 3.** If any section, sentence, clause or phrase of this ordinance is held to be invalid  
15 or unconstitutional by any court of competent jurisdiction, then said holding shall in no way  
16 affect the validity of the remaining portions of this ordinance.

17           **Section 4.** All ordinances, or parts of ordinances, in conflict herewith are to the extent of  
18 such conflict hereby repealed.

19           **Section 5.** This ordinance shall become effective immediately upon final adoption.

20           **PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2001.

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**D R A F T**

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PAULA M. DeLANEY, MAYOR

ATTEST:

Approved as to form and legality:

\_\_\_\_\_  
KURT LANNON,  
CLERK OF THE COMMISSION

By: \_\_\_\_\_  
MARION J. RADSON, CITY ATTORNEY

This ordinance passed on first reading this \_\_\_\_ day of \_\_\_\_\_, 2001.

This ordinance passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 2001.

• May 10, 2000

### Legal Description

A portion of the South ½ of Section 33, Township 9 South, Range 19 East, Alachua County, Florida; being more particularly described as follows:

Commence at the southwest corner of Lot 48 of 'West Hills', a subdivision as per plat thereof recorded in Plat Book "E", page 11 of the Public Records of Alachua County, Florida and run thence North 00°14'09" East, along the west boundary of said 'West Hills', 2064.65 feet to the northwest corner of Lot 24 of said 'West Hills' and the southeast corner of that certain parcel of land as described in Official Records Book 1315, page 726 of the Public Records of Alachua County, Florida; thence North 46°16'55" West, along the south boundary of said parcel (O.R. 1315, pg. 726), a distance of 137.82 feet to the POINT OF BEGINNING; thence continue North 46°16'55" West, along said south boundary, 206.44 feet to a point on the southeasterly line of 'University Acres, Unit No. 1', a subdivision as per plat thereof recorded in Plat Book "F", page 88 of said Public Records; thence South 61°27'02" West, along the southeasterly line of Lots 33 and 32 of said subdivision (Plat Book "F", pg. 88), a distance of 223.52 feet to the southwest corner of said Lot 32; thence South 78°42'08" West, along the south boundary of Lots 31 and 30 of said subdivision (Plat Book "F", pg. 88), a distance of 235.72 feet to the southwest corner of said Lot 30 and the southeast corner of Lot 6 of 'University Acres, Unit No. 2', a subdivision as per plat thereof, recorded in Plat Book "H", page 10 of said Public Records; thence South 85°02'54" West, along the south boundary of said subdivision (Plat Book "H", pg. 10), a distance of 396.54 feet to the southwest corner of Lot 8 of said subdivision (Plat Book "H", pg. 10); thence southwesterly, northwesterly and westerly, along the south boundary of said subdivision (Plat Book "H", pg. 10) through the following 20 courses and distances:

1) South 79°29'21" West, 92.58 feet; 2) South 57°51'07" West, 151.42 feet; 3) South 46°02'06" West, 50.22 feet; 4) North 56°28'12" West, 31.39 feet; 5) North 84°12'45" West, 43.00 feet; 6) North 67°03'18" West, 123.81 feet; 7) North 71°34'51" West, 81.32 feet; 8) North 57°42'56" West, 58.32 feet; 9) North 68°13'49" West, 43.53 feet; 10) North 87°15'15" West, 22.07 feet; 11) North 51°19'59" West, 28.50 feet; 12) North 87°30'36" West, 51.96 feet; 13) North 60°40'56" West, 58.47 feet; 14) South 66°36'56" West, 19.25 feet; 15) North 74°53'36" West, 19.92 feet; 16) South 77°24'50" West, 57.27 feet; 17) South 87°38'30" West, 70.44 feet; 18) South 65°31'23" West, 46.52 feet; 19) North 62°28'30" West, 44.25 feet; 20) North 88°46'10" West, 269.34 feet to the southwest corner of Lot 25 of said subdivision (Plat Book "H", pg. 10) and to a point on the easterly line of Parcel 23 of an unrecorded survey by Perry C. McGriff Co. dated June 3, 1965; thence South 00°15'50" West, along said easterly line, 501.16 feet to the

EXHIBIT "A"

northwest corner of 'North Florida Regional Doctors Office Park', a subdivision as per plat thereof recorded in Plat Book "H", page 81 of said Public Records; thence South 86°10'10" East, along the northerly line of said subdivision (Plat Book "H", page 81), a distance of 203.15 feet; thence South 77°32'13" East, along said northerly line, 902.18 feet; thence North 62°35'31" East, along said northerly line, 369.89 feet; thence North 85°01'54" East, along said northerly line, 428.70 feet to the northeast corner of said 'North Florida Regional Doctors Office Park'; thence South 00°14'09" West, along the east line of said 'North Florida Regional Doctors Office Park', 130.79 feet; thence South 87°09'14" East, 399.81 feet to a point lying 100.00 feet westerly of the west boundary of said 'West Hills'; thence North 00°14'09" East, 100.00 feet westerly of and parallel with said west boundary (measured perpendicular), 647.73 feet to the POINT OF BEGINNING.

Containing 29.199 acres (1,271,921 square feet), more or less.

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A handwritten signature in black ink, appearing to read "Richard A. De..." with a stylized flourish at the end.

