

D R A F T

6/22/2009

ORDINANCE NO. _____
0-09-17

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4 **An ordinance of the City of Gainesville, Florida, amending the Zoning**
5 **Map Atlas by specifying the permitted uses on certain City property**
6 **known as "Northside Park" with the zoning category of "PS: Public**
7 **Services and Operations District", as more specifically described in**
8 **this Ordinance, located in the vicinity of 5701 N.W. 34th Street;**
9 **providing a severability clause; providing a repealing clause; and**
10 **providing an immediate effective date.**
11
12

13 **WHEREAS,** publication of notice of a public hearing was given that the Zoning Map
14 Atlas be amended by specifying the uses permitted by right at the Northside Park with the existing
15 zoning category of "PS: Public Services and Operations District"; and

16 **WHEREAS,** notice was given and publication made as required by law and a public
17 hearing was held by the City Plan Board on March 26, 2009; and

18 **WHEREAS,** the City Commission finds that specifying the uses on the property described
19 herein is consistent with the City of Gainesville 2000-2010 Comprehensive Plan; and

20 **WHEREAS,** pursuant to law, an advertisement no less than two columns wide by 10 inches
21 long was placed in a newspaper of general circulation and of the public hearing to be held in the City
22 Commission Meeting Room, First Floor, City Hall, in the City of Gainesville at least seven (7) days
23 after the day the first advertisement was published; and

24 **WHEREAS,** a second advertisement no less than two columns wide by 10 inches long was
25 placed in the aforesaid newspaper notifying the public of the second public hearing to be held at the
26 adoption stage at least five (5) days after the day the second advertisement was published; and

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1 **WHEREAS**, Public Hearings were held pursuant to the published and mailed notices
2 described above at which hearings the parties in interest and all others had an opportunity to be and
3 were, in fact, heard.

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

6 **Section 1.** The Zoning Map Atlas of the City of Gainesville is amended by specifying the
7 uses permitted by right on the following described property with the zoning category of "PS: ,
8 Public Services and Operations District":

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

12 **Section 2** The uses permitted by right on the property described in Section 1 of this
13 Ordinance are:

- 14 1) Picnic area;
- 15 2) Playground;
- 16 3) Racquetball and tennis courts;
- 17 4) Disc golf;
- 18 5) Park game area (such as, but not limited to horseshoes, volleyball, shuffleboard);
- 19 6) Ball fields (such as, but not limited to soccer, baseball/softball);
- 20 7) Skateboarding;
- 21 8) Basketball courts;
- 22 9) Community center (including senior/recreation center)

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10) Nature/exercise trails;

11) Swimming pool; and

12) Accessory uses customarily and clearly incidental to any permitted principal use.

Section 3 The City Manager is authorized and directed to make the necessary changes in the Zoning Map to comply with this Ordinance.

Section 4 If any word, phrase, clause, paragraph, section or provision of this ordinance or the application hereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of the ordinance which can be given effect without the invalid or unconstitutional provisions or application, and to this end the provisions of this ordinance are declared severable.

Section 5 All ordinances, or parts of ordinances, in conflict herewith are to the extent of such conflict hereby repealed.

Section 6 This ordinance shall become effective immediately upon passage on second reading.

PASSED AND ADOPTED this _____ day of _____, 2009.

PEGEEN HANRAHAN, MAYOR

ATTEST:

APPROVED AS TO FORM AND LEGALITY:

KURT LANNON, By: _____
MARION J. RADSON, CITY ATTORNEY

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6/22/2009

1 CLERK OF THE COMMISSION

2

3 This ordinance passed on first reading this _____ day of _____, 2009.

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5 This ordinance passed on second reading this _____ day of _____, 2009.

Doc. St. Ant. 5 - 0 -
A. Curtis Powers, Clerk of Circuit Court
Alachua County, Fla.

A portion of Section 13, Township 9 South,
Range 19 East; and a portion of Section 18,
Township 9 South, Range 20 East, City of
Gainesville, Alachua County, Florida, being
more particularly described as follows:

COMMENCE at the southwest corner of said Sec-
tion 18, Township 9 South, Range 20 East, and
run thence North 01°40'40" West, along the west
boundary of said Section 18, a distance of 132
feet to the Point of Beginning; thence South
87°54'50" West, 142.74 feet to a point on the
southeasterly right-of-way line of State Road
No. 121, also being known as Northwest 34th
Street (100-foot right-of-way), said point
lying on the arc of a curve concave north-
westerly and having a radius of 1959.86 feet;
thence northeasterly along said southeasterly
right-of-way line and along the arc of said
curve through a central angle of 22°25'10", an
arc distance of 766.88 feet, said arc being
subtended by a chord having a bearing and dis-
tance of North 35°04'26" East, 762.00 feet;
thence North 87°54'50" East, 315.58 feet;
thence North 56°07'54" East, 778.96 feet to a
point on the southwesterly right-of-way line of
U. S. Highway No. 441, also being known as
State Road No. 20 and No. 25 (150-foot right-
of-way); thence South 47°49'00" East, along
said southwesterly right-of-way line, 1262.48
feet; thence South 4°11'30" East, 136.39 feet;
thence South 87°54'50" West, 2204.31 feet to
the Point of Beginning. Containing 31.502
acres, more or less.

CLERK OF CIRCUIT
COUNTY COURT
ALACHUA COUNTY, FLA.

91 JUN 26 PM 3:41

RECORDED
OFFICIAL RECORDS

RETURN TO

Annella Bentley

1075998

O.R. 1816 PG2061
BK

EXHIBIT "A"