

LEGISLATIVE #

130691A

ORDINANCE NO. 130691

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3 **An ordinance amending the Zoning Map Atlas of the City of Gainesville,**
4 **Florida, by rezoning approximately 11.42 acres of property generally located**
5 **on the west side of the 5000 block of SW 41st Boulevard (Fred Bear Drive), as**
6 **more specifically described in this ordinance, from the Alachua County**
7 **zoning districts of Industrial Services and Manufacturing (MS) and Planned**
8 **Development (PD) to the City of Gainesville Business Industrial (BI) zoning**
9 **district; providing directions to the City Manager; providing a severability**
10 **clause; providing a repealing clause; and providing an effective date.**

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12 **WHEREAS,** notice was given as required by law that the Zoning Map Atlas of the City
13 of Gainesville, Florida, be amended by rezoning the property that is the subject of this ordinance
14 from the Alachua County zoning districts of Industrial Services and Manufacturing (MS) and
15 Planned Development (PD) to the City of Gainesville Business Industrial (BI) zoning district;
16 and

17 **WHEREAS,** on January 23, 2014, a public hearing was held by the City Plan Board,
18 which acts as the local planning agency pursuant to Section 163.3174, Florida Statutes, and
19 makes recommendations to the City Commission of the City of Gainesville; and

20 **WHEREAS,** an advertisement no less than two columns wide by ten (10) inches long
21 was placed in a newspaper of general circulation and provided the public with at least seven (7)
22 days' advance notice of this ordinance's first public hearing to be held by the City Commission
23 in the City Hall Auditorium, located on the first floor of City Hall in the City of Gainesville; and

24 **WHEREAS,** a second advertisement no less than two columns wide by ten (10) inches
25 long was placed in the aforesaid newspaper and provided the public with at least five (5) days'
26 advance notice of this ordinance's second public hearing to be held by the City Commission; and

27 **WHEREAS,** public hearings were held pursuant to the notices described above at which
28 hearings the parties in interest and all others had an opportunity to be and were, in fact, heard;
29 and

1 **WHEREAS**, the City Commission finds that the rezoning of the property described
 2 herein will be consistent with the City of Gainesville Comprehensive Plan when City of
 3 Gainesville Ordinance No. 130690 becomes effective as provided therein.

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 rezoning the
 7 following property from the Alachua County zoning districts of Industrial Services and
 8 Manufacturing (MS) and Planned Development (PD) to the City of Gainesville Business
 9 Industrial (BI) zoning district:

10 See legal description attached as Exhibit "A" and made a part hereof as if set
 11 forth in full. The location of the property is shown on Exhibit "B" for visual
 12 reference. In the event of conflict or inconsistency, Exhibit "A" shall
 13 prevail over Exhibit "B".

14 **Section 2.** The City Manager or designee is authorized and directed to make the
 15 necessary changes to the Zoning Map Atlas to comply with this ordinance.

16 **Section 3.** If any word, phrase, clause, paragraph, section or provision of this ordinance
 17 or the application hereof to any person or circumstance is held invalid or unconstitutional, such
 18 finding shall not affect the other provisions or applications of this ordinance that can be given
 19 effect without the invalid or unconstitutional provision or application, and to this end the
 20 provisions of this ordinance are declared severable.

21 **Section 4.** All ordinances or parts of ordinances in conflict herewith are to the extent of
 22 such conflict hereby repealed.

23 **Section 5.** This ordinance shall become effective immediately upon adoption; however,
 24 the rezoning shall become effective when the amendment to the City of Gainesville
 25 Comprehensive Plan adopted by Ordinance No. 130690 becomes effective as provided therein.

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 27 **PASSED AND ADOPTED** this _____ day of _____, 2014.

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EDWARD B. BRADDY
MAYOR

Attest: Approved as to form and legality:

By: _____
KURT LANNON
CLERK OF THE COMMISSION

By: _____
NICOLLE M. SHALLEY
CITY ATTORNEY

This ordinance passed on first reading this _____ day of _____, 2014.

This ordinance passed on second reading this _____ day of _____, 2014.

Legal Description

Parcel: 07240-030-000:

A tract of land lying in the Gary Grant, Township 10 South, Range 19 East, Alachua County, Florida, being more particularly described as follows:

Commence at the Northeast corner of the G.I.F. Clark Grant as shown on plat recorded in Plat Book A, Page 114, Public Records of Alachua County, Florida and thence run North 2° 01'31" East, a distance of 266.63 feet; thence run North 50° 03'47" East, a distance of 947.01 feet to a concrete monument; thence run South 10° 10'42" East, a distance of 200.00 feet to a concrete monument at the Northwest corner of lands described in Official Records Book 2111, Page 2779, Public Records of Alachua County, Florida and the Point of Beginning; thence run North 63° 25'26" East along the North line of said lands, a distance of 660.21 feet to a concrete monument on the West right of way line of S.W. 41st Boulevard; thence run North 21° 46'45" West along said right of way line, a distance of 192.54 feet to a concrete monument; thence South 63° 25'26" West, a distance of 619.85 feet to a concrete monument; thence South 10° 10'42" East, a distance of 200.00 feet to the Point of Beginning.

Parcel: 07240-001-010:

A tract of land situated in the Gary Grant, Township 10 South, Range 19 East, Alachua County, Florida, said tract of land being more particularly described as follows:

Commence at the Northwest corner of the Gary Grant, Township 10 South, Range 19 East, and run South 39° 44'41" East, 1195.21 feet; thence run North 83° 57'50" East, 3803.72 feet; thence run South 14° 41'23" West, 247.20 feet; thence run North 49° 57'21" East, 947.10 feet; thence run South 10° 10' 42" East, 200.00 feet to the Point of Beginning; then run North 63° 26'37" East, 660.25 feet to the Westerly right of way line of S.W. 41st Boulevard (100 foot right of way); thence run South 21° 43'34" East along said Westerly right of way line, 230.00 feet; thence run South 54° 03'59" West, 754.45 feet; thence run North 10° 10'42" West, 367.00 feet to the Point of Beginning.

Parcel: 07242-001-000:

A tract of land lying in the Gary Grant, Township 10 South, Range 19 East, Alachua County, Florida, described as follows:

Commence at the Northeast corner of the G.I.F. Clark Grant as shown on plat recorded in Plat Book A, Page 114, of the Public Records of Alachua County, Florida; and run North 02° 01'17" East, a distance of 266.80 feet; thence North 49° 57'21" East along the Northerly line of lands described in Official Records Book 1736, Page 2672, a distance of 449.26 feet to the Point of Beginning; thence continuing North 49° 57'21" East along said line, a distance of 498.49 feet to the Northeasterly corner of said tract; thence South 10° 10'42" East along the Easterly line of said tract, a distance of 566.90 feet; thence South 54° 02'58" West, a distance of 217.93 feet; thence North 39° 54'06" West parallel to the East line of said Clark Grant, a distance of 476.06 feet to the Point of Beginning.

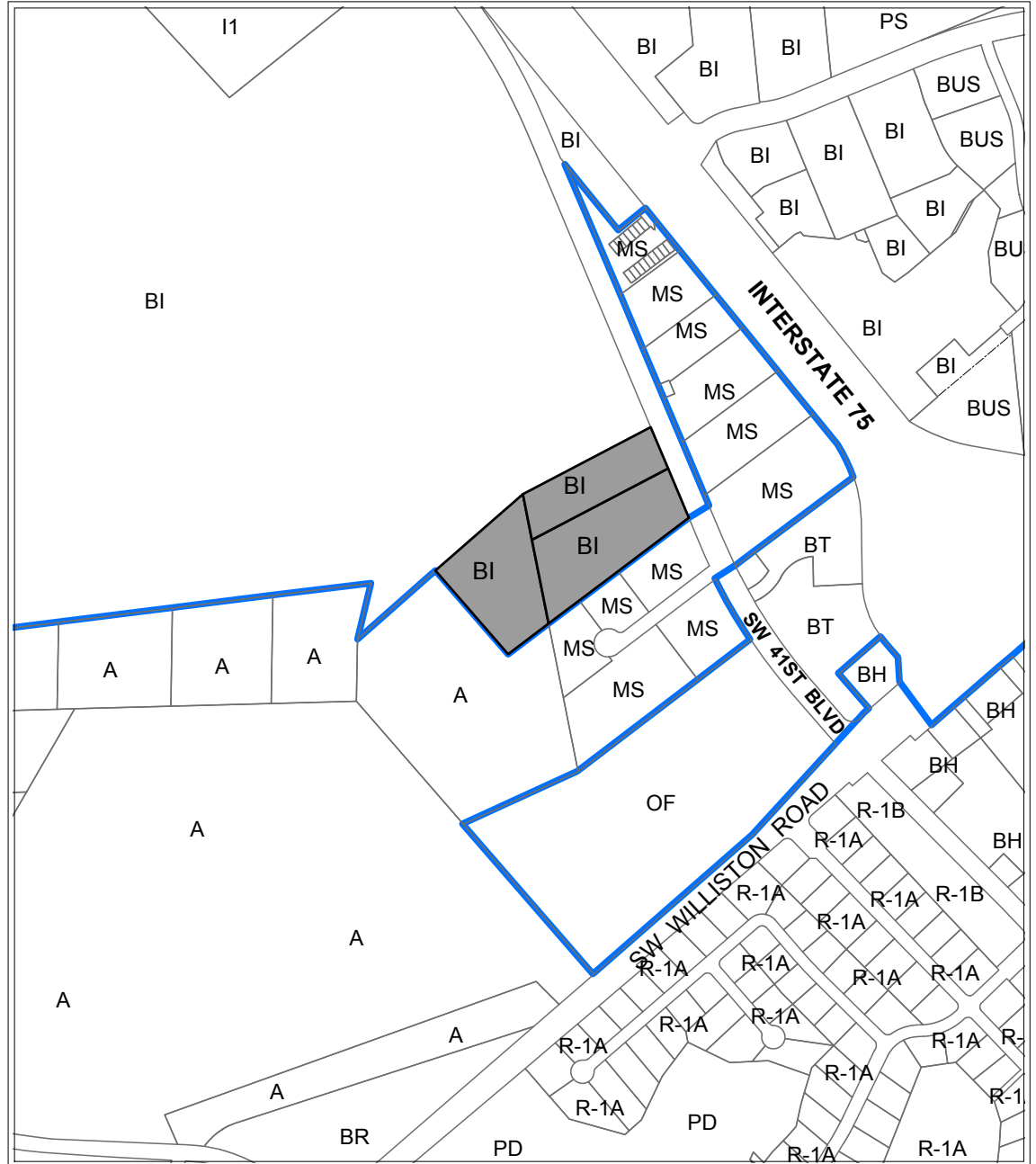
City of Gainesville Zoning Districts

- OF General Office
- BUS General Business
- BI Business Industrial
- I-1 Limited Industrial
- PS Public Services and Operations


Alachua County Zoning Districts

- A Agricultural
- R-1A Single Family Residential
- BH Highway Oriented Business
- BR Business, Retail Sales/Service
- PD Planned Development
- MS Manufacturing/Services

Exhibit "B" to Ordinance No. 130691



PROPOSED ZONING

 No Scale	Applicant	Petition Request	Petition Number
	City Plan Board	Rezone property from Alachua County Industrial Services and Manufacturing (MS) and Planned Development (PD) districts to City of Gainesville Business Industrial district (BI)	PB-13-125 ZON