

ORDINANCE NO. 130691

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

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

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

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

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

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

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

7 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**
8 **CITY OF GAINESVILLE, FLORIDA:**

9 **Section 1.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the
10 following property from the Alachua County zoning districts of Industrial Services and
11 Manufacturing (MS) and Planned Development (PD) to the City of Gainesville Business
12 Industrial (BI) zoning district:

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

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

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

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

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

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5 **PASSED AND ADOPTED** this 20th day of November, 2014.

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EDWARD B. BRADDY
MAYOR

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Attest:

Approved as to form and legality:

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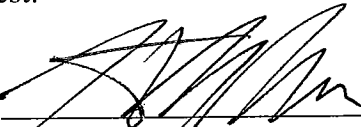
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By: 
KURT LANNON
CLERK OF THE COMMISSION

By: 
NICOLLE M. SHALLEY
CITY ATTORNEY

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This ordinance passed on first reading this 21st day of August, 2014.

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This ordinance passed on second reading this 20th day of November, 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:

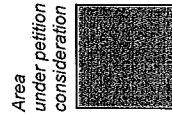
Commence at the Northeast corner of the G.I.F. Clark Grant as shown on plat recorded in Plat Book A, Page 114, of the Public Records of Alachua County, Florida; and run North 02° 01'17" East, a distance of 266.80 feet; thence North 49° 57'21" East along the Northerly line of lands described in Official 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



- - - - - Division line between two zoning districts
- City Limits

Exhibit "B" to Ordinance No. 130691



PROPOSED ZONING

	<p>Applicant</p> <p>City Plan Board</p>	<p>Petition Request</p> <p>Rezone property from Alachua County Industrial Services and Manufacturing (MS) and Planned Development (PD) districts to City of Gainesville Business Industrial district (BI)</p>	<p>Petition Number</p> <p>PB-13-125 ZON</p>
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