

LEGISLATIVE #

120309A

ORDINANCE NO. 120309

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 41 acres of certain properties, as more specifically described in this ordinance, located in the vicinity of the 6600 block of State Road 121 from the zoning category of Limited industrial district (I-1) to Business industrial district (BI); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

WHEREAS, publication of notice of a public hearing was given that the Zoning Map Atlas of the City of Gainesville, Florida, be amended by rezoning certain properties, as more specifically described in this ordinance, from the zoning category of Limited industrial district (I-1) to Business industrial district (BI); and

WHEREAS, notice was given and publication made as required by law and public hearings were held by the City Plan Board on July 26, 2012, and by the City Commission on September 20, 2012; and

WHEREAS, at least ten (10) days notice has been given once by publication in a newspaper of general circulation notifying the public of this proposed ordinance and of public hearings in the City Hall Auditorium, First Floor, City Hall, in the City of Gainesville; and

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

WHEREAS, the City Commission finds that the rezoning of the property described herein is consistent with the City of Gainesville Comprehensive Plan.

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

Section 1. The Zoning Map Atlas of the City of Gainesville is amended by rezoning the

1 following described properties from the zoning category of Limited industrial district (I-1) to
2 Business industrial district (BI):

3 See legal descriptions attached as Exhibit "A" and made a part hereof as if
4 set forth in full. The location of the properties are shown on Exhibit "B" for
5 visual reference. In the event of conflict or inconsistency, Exhibit "A" shall
6 prevail over Exhibit "B."
7

8 **Section 2.** The City Manager is authorized and directed to make the necessary changes to
9 the Zoning Map to comply with this ordinance.
10

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

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

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

20 **PASSED AND ADOPTED** this _____ day of _____, 2013.
21
22

23 _____
24 CRAIG LOWE
25 MAYOR
26

27 ATTEST: APPROVED AS TO FORM AND LEGALITY:
28
29

30 By: _____
31 KURT LANNON
32 CLERK OF THE COMMISSION
33

By: _____
NICOLLE M. SHALLEY
CITY ATTORNEY

34 This ordinance passed on first reading this _____ day of _____, 2013.
35

36 This ordinance passed on second reading this _____ day of _____, 2013.

LEGAL DESCRIPTION

PARCEL NUMBER: 07878-007-000

Lot 7 of Northwest Industrial Park, Unit 1, as per plat thereof recorded in Plat Book "K", at Page 12 of the Public Records of Alachua County, Florida

LESS

The easterly 412.5 feet of Lot 7, Northwest Industrial Park, Unit 1, as per plat recorded in Plat Book K, page 12 of the Public Records of Alachua County, Florida, which parcel has dimensions of 412.50 feet on each side and approximately 601.99 feet across, comprising 5.7 acres more or less.

LEGAL DESCRIPTION

PARCEL NUMBER: 07878-007-001

The easterly 412.5 feet of Lot 7, Northwest Industrial Park, Unit 1, as per plat recorded in Plat Book K, page 12 of the Public Records of Alachua County, Florida, which parcel has dimensions of 412.50 feet on each side and approximately 601.99 feet across, comprising 5.7 acres more or less.

LEGAL DESCRIPTION

PARCEL NUMBER: 07879-068-005

Being a portion of Section 18, Township 9 South, Range 20 East, Alachua County, Florida; more particularly as follows:

Commence at the northwest corner of said Section 18; thence South 00°00'31" East, along the west line of said Section 18, for 1158.52 feet to a point on the next described line; thence South 45°30'40" East, along the Northeasterly City of Gainesville right-of-way as recorded in Official Records Book 634 at Pages 164 and 165 of the Public Records of Alachua County, Florida, for 470.22; thence North 02°46'00" East, 175.62 feet, to the Point of Beginning; thence continue North 02°46'00" East, 250.11 feet; thence North 12°49'53" East, 143.44 feet; thence South 74°13'26" East, 71.89 feet; thence South 80°17'59" East, 9.47 feet; thence North 86°16'30" East, 9.96 feet; thence North 79°52'28" East, 95.38 feet to a point lying on the arc of a curve concave southwesterly and having a radius of 25.00 feet; thence southeasterly along the arc of said curve through a central angle of 64°32'23", an arc distance of 28.16 feet to the end of said curve and the westerly right-of-way line of State Road No. 121, said arc being subtended by a chord having a bearing and distance of South 36°52'41" East, 26.70 feet; thence South 04°36'30" East, along said right-of-way line, 343.96 feet; thence South 85°23'30" West, 270.81 feet to the Point of Beginning.

Containing 89,057.35 Square Feet; 2.04 acres, more or less.

LEGAL DESCRIPTION

PARCEL NUMBER: 07879-068-004

Being a portion of Section 18, Township 9 South, Range 20 East, Alachua County, Florida, more particularly as follows:

Commence at the Northwest corner of said Section 18; thence South 00°00'31" East, along the West line of said Section 18, for 1158.52 feet to a point on the next described line; thence South 45°30'40" East, along the Northeasterly City of Gainesville right-of-way as recorded in Official Records Book 634 at Pages 164 and 165 of the Public Records of Alachua County, Florida, for 470.22 feet to the POINT OF BEGINNING; thence continue South 45°30'40" East, along the last described course, for 405.14 feet to a point on the next described curve; thence Northerly along a curve, concave Westerly, having a radius of 247.47 feet to a Point of Tangency; thence North 04°36'30" West for 579.00 feet to a Point of Curvature (the last two courses being along the Westerly right-of-way line of SR 121); thence Northwesterly along a curve, concave Southwesterly, having a radius of 25.00 feet, a central angle of 23°34'41" and an arc distance of 10.29 feet; thence South 85°23'30" West for 222.91 feet; thence South 02°46'00" West for 532.53 feet to the POINT OF BEGINNING, lying and being in Alachua County, Florida, containing 4.22 acres, more or less.

LESS THAN

Commence at the northwest corner of said Section 18; thence South 00°00'31" East, along the west line of said Section 18, for 1158.52 feet to a point on the next described line; thence South 45°30'40" East, along the Northeasterly City of Gainesville right-of-way as recorded in Official Records Book 634 at Pages 164 and 165 of the Public Records of Alachua County, Florida, for 470.22; thence North 02°46'00" East, 175.62 feet, to the Point of Beginning; thence continue North 02°46'00" East, 250.11 feet; thence North 12°49'53" East, 143.44 feet; thence South 74°13'26" East, 71.89 feet; thence South 80°17'59" East, 9.47 feet; thence North 86°16'30" East, 9.96 feet; thence North 79°52'28" East, 95.38 feet to a point lying on the arc of a curve concave southwesterly and having a radius of 25.00 feet; thence southeasterly along the arc of said curve through a central angle of 64°32'23", an arc distance of 28.16 feet to the end of said curve and the westerly right-of-way line of State Road No. 121, said arc being subtended by a chord having a bearing and distance of South 36°52'41" East, 26.70 feet; thence South 04°36'30" East, along said right-of-way line, 343.96 feet; thence South 85°23'30" West, 270.81 feet to the Point of Beginning, containing 89,057.35 Square Feet; 2.04 acres, more or less.

LEGAL DESCRIPTION

PARCEL NUMBER: 07879-000-000

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

Begin at the southwest corner of Northwest Industrial Park Unit No. 1', as per plat thereof recorded in Plat Book "K", page 12 of the Public Records of Alachua County, Florida, and run thence South $89^{\circ}56'58''$ East, along the southerly boundary of said Northwest Industrial Park Unit No. 1', a distance of 933.61 feet to the northwest corner of that certain tract of land described as per deed recorded in Official Records Book 1764, page 459 of said Public Records; thence South $00^{\circ}03'02''$ West, along the west line of said certain tract of land, 684.45 feet to the north line of that certain parcel of land which is the first of two parcels described as per deed recorded in Official Records Book 1647, page 2806 Et. Seq. of said Public Records; thence North $89^{\circ}53'53''$ West, along said north line, 45.47 feet to the westerly most corner of said certain parcel of land; thence South $45^{\circ}30'40''$ East, along the southwesterly line of said certain parcel of land, and along the southwesterly line of Lot 17 of Northwest Industrial Park Unit No. 3', as per plat thereof, recorded in Plat Book "L", page 31 of said Public Records, 1038.68 feet; thence South $44^{\circ}29'20''$ West, along the westerly boundary of said Northwest Industrial Park Unit No. 3', a distance of 80.00 feet to the northwest corner of Lot 16 of said Northwest Industrial Park Unit No. 3' and to the easterly most corner of that certain parcel of land which is the second of two parcels, described as per said deed recorded in Official Records Book 1647, page 2806 Et. Seq. of said Public Records; thence North $45^{\circ}30'40''$ West, along the northeasterly line of the second said described parcel of land, 1039.35 feet to the northerly most corner of the second said described parcel of land; thence South $37^{\circ}55'58''$ West, 624.08 feet to the westerly most corner of the second said described parcel of land and to a point on the northeasterly right-of-way line of the Atlantic Coast Line Railroad (120' Right-Of-Way); thence North $45^{\circ}30'40''$ West, along said northeasterly right-of-way line, 594.08 feet to a point on the easterly right-of-way line of State Road No. 121 as per State of Florida State Road Department Right-Of-Way Map, Section No. 26100-2501, Sheet No. 1, last revised: July 29, 1983, said point lying on the arc of a curve, concave westerly, having a radius of 234.83 feet; thence northerly along said easterly right-of-way line, and along the arc of said curve, through a central angle of $30^{\circ}21'28''$, an arc distance of 124.42 feet to the end of said curve, said arc being subtended by a chord having a bearing and distance of North $10^{\circ}34'21''$ East, 122.97 feet; thence North $04^{\circ}36'23''$ West, along said easterly right-of-way line, 232.24 feet to a point lying on the arc of a curve, concave westerly, having a radius of 1205.92 feet; thence northerly along said easterly right-of-way line and along the arc of said curve, through a central angle of $07^{\circ}23'02''$, an arc distance of 155.41 feet to the end of said curve, said arc being subtended by a chord having a bearing and distance of North $00^{\circ}54'49''$ West, 155.30 feet; thence North $04^{\circ}36'20''$ West, along said easterly right-of-way line, 311.05 feet to the Point of Beginning.

Containing 22.173 acres (965,869 Square Feet), more or less.

LEGAL DESCRIPTION

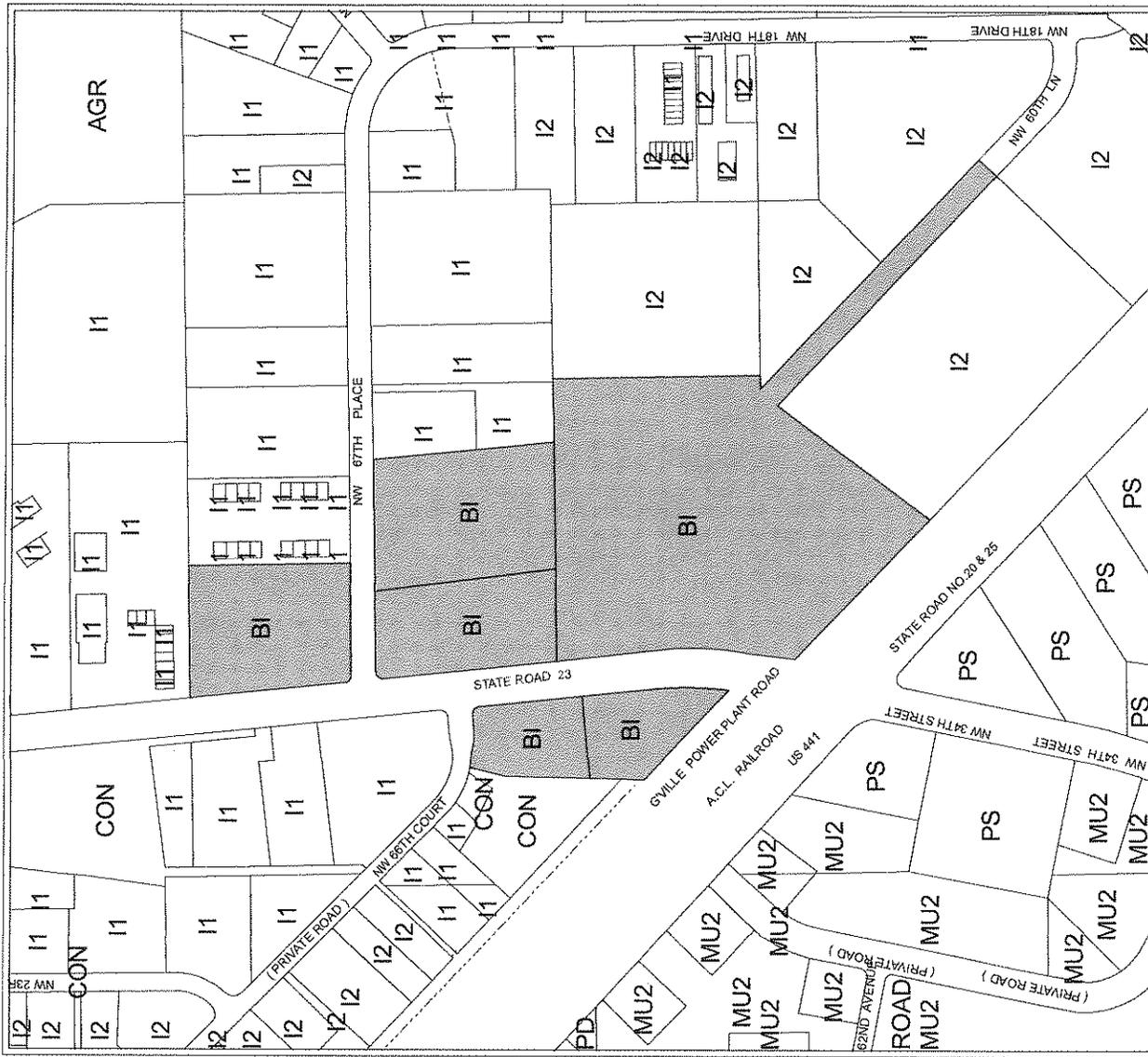
PARCEL NUMBER: 07879-001-000

Commence at the Northwest corner of Section Eighteen (18), Township Nine (9), Range Twenty (20) East, and run South $89^{\circ}56'58''$ East along the north line of said Section 18, 630.43 feet to the Point of Beginning; thence continue South $89^{\circ}56'58''$ East along said North line 437.05 feet; thence run South $00^{\circ}03'02''$ West, 525.00 feet; thence run North $89^{\circ}56'58''$ West 371.22 feet; thence run Northwesterly along a curve concave Northeasterly, said curve having a central angle of $85^{\circ}20'28''$, a radius of 25.00 feet, an arc of 37.24 feet and a chord bearing and distance of North $47^{\circ}16'44''$ West and 33.89 feet to the Easterly right-of-way line of State Road 121; thence run North $04^{\circ}36'30''$ West along said Easterly right-of-way line 503.69 feet to the Point of Beginning; as described in O.R. Book 1652, page 1736 of the Public Records of Alachua County, Florida,. LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL HERETOFORE CONVEYED AND GRANTEE HEREIN. Commence at the Northwest corner of the aforementioned Section 18, Township 9 South, Range 20 East for the Point of Reference and run South $89^{\circ}56'58''$ East, along the North line of Section 18, a distance of 630.43 feet to a concrete monument at the Northwest corner of that certain parcel of land as described in Official Records Book 1652, page 1736 of the Public Records of Alachua County, Florida, and the True Point of Beginning, said parcel of land being hereinafter referred to as the "Parent Tract", thence continue South $89^{\circ}56'58''$ East, along the north line of said Section 18 and the North line of the "Parent Tract", a distance of 229.52 feet to a steel rod and cap; thence run South $00^{\circ}02'38''$ West, a distance of 525.25 feet to a steel rod and cap on the South line of said "Parent Tract"; thence run North $89^{\circ}59'22''$ West, along said South line of the "Parent Tract" and along the North right-of-way line of N.W. 67th Place (80' right-of-way), a distance of 163.52 feet to a concrete monument at the beginning of a curve concave Northeasterly, said curve having a radius of 25.00 feet; thence run Northwesterly, along said curve and along said South line of the "Parent Tract", through an arc angle of $85^{\circ}38'55''$, an arc distance of 37.37 feet (chord bearing and distance of North $47^{\circ}20'24''$ West, 33.99 feet respectively) to a concrete monument at the end of said curve; thence run North $04^{\circ}37'17''$ West, along the West line of said "Parent Tract" and along the Easterly right-of-way line of State Road No. 121 (120' right-of-way), a distance of 504.03 feet to the True Point of Beginning.

City of Gainesville Zoning Districts

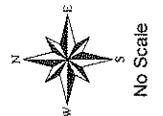
- MU-2
 - I-1
 - I-2
 - AGR
 - BI
 - CON
 - PS
- 12-30 units/acre Mixed Use Medium Intensity
 - Limited Industrial
 - General Industrial
 - Agriculture
 - Business Industrial
 - Conservation
 - Public Services and Operations

Exhibit "B" to Ordinance No. 120309



Area under petition consideration

Division line between two zoning districts
City Limits



No Scale

PROPOSED ZONING

Name	Petition Request	Map(s)	Petition Number
Eng, Denman & Associates, applicants	Rezone subject parcels from I-1 to BI	3148	PB-12-74 ZON