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**WHEREAS**, publication of notice of a public hearing was given that the Future Land Use

amended by changing the land use category of certain property from the Alachua County

category of “Commercial” to City of Gainesville land use category of “Commercial”; and

**WHEREAS**, the amendment to the land use category of the City of Gainesville 2000-2010 Comprehensive Plan proposed herein directly relates to a small scale development activity as defined in Chapter 163, Florida Statutes;

**WHEREAS**, the City of Gainesville will transmit copies of the public notice and this ordinance to the State Land Planning Agency, the regional planning council, and any person or entity who has requested a copy; and

**WHEREAS**, at least ten (10) days notice has been given of a public hearing once by publication in a newspaper of general circulation notifying the public of this proposed ordinance

1 and of a Public Hearing in the City Commission meeting room, First Floor, City Hall in the City of  
2 Gainesville; and

3       **WHEREAS**, pursuant to law, notice has also been given by mail to the owner whose  
4 property will be regulated by the adoption of this Ordinance, at least thirty (30) days prior to the  
5 date set for a public hearing on this ordinance; and

6       **WHEREAS**, the public hearing was held pursuant to the published notice described above  
7 at which hearing the parties in interest and all others had an opportunity to be and were, in fact,  
8 heard.

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

11       **Section 1.** The Future Land Use Map of the City of Gainesville 2000-2010 Comprehensive  
12 Plan is amended by changing the land use category of the following described property from the  
13 Alachua County land use category of "Commercial" to the City of Gainesville land use category of  
14 "Commercial":

15               See legal description attached hereto as Exhibit "A", and made a part  
16               hereof as if set forth in full.

17  
18       **Section 2.** The City Manager is authorized and directed to make the necessary changes in  
19 maps and other data in the City of Gainesville 2000-2010 Comprehensive Plan, or element, or  
20 portion thereof in order to comply with this ordinance.

21       **Section 3.** If any word, phrase, clause, paragraph, section or provision of this ordinance  
22 or the application hereof to any person or circumstance is held invalid or unconstitutional, such

1 finding shall not affect the other provisions or applications of the ordinance which can be given  
2 effect without the invalid or unconstitutional provisions or application, and to this end the  
3 provisions of this ordinance are declared severable.

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

6       **Section 5.** This ordinance shall become effective immediately upon passage; however, the  
7 amendment to the City of Gainesville 2000-2010 Comprehensive Plan shall become effective thirty  
8 one (31) days after passage and adoption of this Ordinance unless a petition is filed with the  
9 Division of Administrative Hearings pursuant to § 163.3187(3), F.S. In this event this Ordinance  
10 shall not become effective until the state land planning agency issues a final order determining the  
11 adopted amendment to be in compliance in accordance with § 163.3187, or until the Administration

1 Commission issues a final order determining the adopted amendment to be in compliance in  
2 accordance with § 163.3187, F.S.

3 **PASSED AND ADOPTED** this 11th day of August, 2008.

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9 ATTEST:

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KURT LANNON;  
CLERK OF THE COMMISSION

  
PEGEEN HANRAHAN, MAYOR

APPROVED AS TO FORM AND LEGALITY:

  
MARION J. RADSON, CITY ATTORNEY

AUG 12 2008

This ordinance passed this 11th day of August, 2008.

MJR/jls

H:\Marion Radson\Planning\25LUC-08PB PET.DOC

## LEGAL DESCRIPTION

A TRACT OF LAND SITUATED IN SECTION 14, TOWNSHIP 10 SOUTH, RANGE 19  
EAST ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED  
AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF TAX PARCEL NUMBER 6810-1-8  
FOR THE POINT OF BEGINNING, SAID POINT BEING ON THE NORTHERLY  
RIGHT-OF-WAY LINE OF STATE ROAD 24 (ARCHER ROAD) AND THE EXISTING  
CITY OF GAINESVILLE LIMIT LINE; THENCE RUN SOUTHWESTERLY ALONG SAID  
RIGHT-OF-WAY LINE ALONG A CURVE CONCAVE NORTHWESTERLY, SAID  
CURVE HAVING A CENTRAL ANGLE OF  $01^{\circ}42'24''$ , A RADIUS OF 5170.68 FEET,  
AN ARC LENGTH OF 154.03 FEET AND A CHORD BEARING OF  $S\ 39^{\circ}16'47''\ W$ ,  
154.02 FEET; THENCE RUN  $N\ 49^{\circ}42'06''\ W$ , 260.00 FEET; THENCE RUN  $N\ 40^{\circ}17'54''\ E$ , 154.00 FEET, THENCE RUN  $S\ 49^{\circ}42'06''\ E$ , 257.26 FEET TO THE  
NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 24 AND THE POINT OF  
BEGINNING.

