

D R A F T

1/16/2007

ORDINANCE NO. _____
0-07-01

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4 **An ordinance of the City of Gainesville, Florida, amending the Zoning**
5 **Map Atlas and rezoning certain property within the City, as more**
6 **specifically described in this Ordinance, from “MU-2: 12-30**
7 **units/acre mixed use medium intensity” to “BUS: General business**
8 **district”;** located in the vicinity of the 2500 block of North Main
9 **Street; providing a severability clause; providing a repealing clause;**
10 **and providing an immediate effective date.**

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13 **WHEREAS,** publication of notice of a public hearing was given that the Zoning Map
14 Atlas be amended by rezoning certain property within the City from the zoning category of “MU-
15 2: 12-30 units/acre mixed use medium intensity” to “BUS: General business 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 December 14, 2006; and

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

20 **WHEREAS,** at least ten (10) days notice has been given of the public hearing once by
21 publication in a newspaper of general circulation notifying the public of this proposed ordinance
22 and of a public hearing in the City Commission meeting room, First Floor, City Hall, in the City of
23 Gainesville; and

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

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1 **WHEREAS**, the public hearing was held pursuant to the published and mailed notice
2 described above at which hearing the parties in interest and all others had an opportunity to be
3 and 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 rezoning the
7 following described property from the zoning category of “MU-2: 12-30 units/acre mixed use
8 medium intensity” to “BUS: General business district”:

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

11 **Section 2.** The City Manager is authorized and directed to make the necessary changes in
12 the Zoning Map to comply with this Ordinance.

13 **Section 3.** If any section, sentence, clause or phrase of this ordinance is held to be invalid
14 or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect
15 the validity of the remaining portions of this ordinance.

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 **PASSED AND ADOPTED** this _____ day of _____, 2007.

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PEGEEN HANRAHAN, MAYOR

ATTEST:

Approved as to form and legality:

D R A F T

1/16/2007

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_____ By: _____
KURT LANNON, MARION J. RADSON, CITY ATTORNEY
CLERK OF THE COMMISSION

This ordinance passed this _____ day of _____, 2007.

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INSTRUMENT # 2006001
4 PGS

EXHIBIT A
To Warranty Deed

LEGAL DESCRIPTION

A PARCEL OF LAND IN SECTION 28, TOWNSHIP 9 SOUTH, RANGE 20 EAST, ALACHUA COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 29; THENCE BEAR NORTH 00 DEG. 13 MIN. 30 SEC. WEST ALONG THE EAST LINE OF SAID SECTION 29, A DISTANCE OF 33.00 FEET TO THE NORTH RIGHT OF WAY LINE OF NORTHEAST 23RD AVENUE; THENCE BEAR SOUTH 89 DEG. 46 MIN. 00 SEC. WEST ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 339.25 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 89 DEG. 43 MIN. 00 SEC., A DISTANCE OF 39.15 FEET TO THE POINT OF TANGENCY; THENCE RUN NORTH 00 DEG. 31 MIN. 00 SEC. WEST, A DISTANCE OF 589.00 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 120.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 45 DEG. 48 MIN. 36 SEC., A DISTANCE OF 95.94 FEET TO THE POINT OF TANGENCY; THENCE BEAR NORTH 45 DEG. 17 MIN. 38 SEC. EAST, A DISTANCE OF 219.92 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 120.00 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 44 DEG. 49 MIN. 54 SEC., A DISTANCE OF 93.69 FEET TO THE POINT OF TANGENCY; THENCE BEAR SOUTH 89 DEG. 52 MIN. 30 SEC. EAST, A DISTANCE OF 254.69 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 120.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 25 DEG. 06 MIN. 30 SEC., A DISTANCE OF 52.59 FEET; THENCE BEAR SOUTH 64 DEG. 46 MIN. 00 SEC. EAST, A DISTANCE OF 135.79 FEET TO THE POINT OF BEGINNING.

THENCE SOUTH 25 DEG. 14 MIN. 00 SEC. WEST ALONG A LINE WHICH IS 240.00 FEET WEST OF AND PARALLEL WITH THE WESTERLY RIGHT OF WAY LINE OF STATE ROAD 329, A DISTANCE OF 170.00 FEET; THENCE BEAR SOUTH 64 DEG. 46 MIN. 00 SEC. EAST, A DISTANCE OF 240.00 FEET TO SAID WESTERLY RIGHT OF WAY LINE OF STATE ROAD 329; THENCE BEAR NORTH 25 DEG. 14 MIN. 00 SEC. EAST ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 145.00 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 25.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90 DEG. 00 MIN. 00 SEC., A DISTANCE OF 39.27 FEET TO THE POINT OF TANGENCY; THENCE BEAR NORTH 84 DEG. 45 MIN. 00 SEC. WEST, A DISTANCE OF 215.00 FEET TO THE POINT OF BEGINNING.

RECEIVED
JAN 16 2007
PLANNING
DIVISION