

**Legislative #**

**140029A**

## ORDINANCE NO. 140029

1  
2  
3 **An ordinance amending the Future Land Use Map of the City of Gainesville**  
4 **Comprehensive Plan by changing the land use category of approximately**  
5 **12.22 acres of property known as the “Power District” that is generally**  
6 **located south of SE 4<sup>th</sup> Avenue, west of SE 7<sup>th</sup> Street, north of SE 7<sup>th</sup> Avenue,**  
7 **and east of SE 3<sup>rd</sup> Street, as more specifically described in this ordinance,**  
8 **from Public and Institutional Facilities (PF) and Mixed-Use High-Intensity**  
9 **(MUH) to Urban Mixed-Use 2 (UMU-2); providing directions to the City**  
10 **Manager; providing a severability clause; providing a repealing clause; and**  
11 **providing an effective date.**  
12

13 **WHEREAS,** notice was given as required by law that the Future Land Use Map of the  
14 City of Gainesville Comprehensive Plan be amended by changing the land use category of certain  
15 property from Public and Institutional Facilities (PF) and Mixed-Use High-Intensity (MUH) to  
16 Urban Mixed-Use 2 (UMU-2); and

17 **WHEREAS,** notice was given as required by law and the City Plan Board held public  
18 hearings on May 22, 2014, for Petition PB-14-55 LUC, and on July 24, 2014, for Petition PB-14-  
19 75 LUC; and

20 **WHEREAS,** notice was given as required by law and the City Commission held a public  
21 hearing on August 21, 2014, for Petition PB-14-55 LUC; and

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

27 **WHEREAS,** after the first public hearing, the City of Gainesville transmitted copies of  
28 this proposed amendment to the reviewing agencies and any other local government unit or state  
29 agency that requested same; and

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

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

8           **WHEREAS**, prior to adoption of this ordinance, the City Commission has considered  
9 any written comments received concerning this amendment.

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

12           **Section 1.** The Future Land Use Map of the City of Gainesville Comprehensive Plan is  
13 amended by changing the land use category of the following property from Public and  
14 Institutional Facilities (PF) and Mixed-Use High-Intensity (MUH) to Urban Mixed-Use 2 (UMU-  
15 2);

16           See legal description attached as Exhibit "A" and made a part hereof as if set forth  
17 in full. The location of the property is shown on Exhibit "B" for visual reference.  
18           In the event of conflict or inconsistency, Exhibit "A" shall prevail over Exhibit  
19 "B". For informational purposes only, the existing land use categories are shown  
20 on Exhibit "C".

21           **Section 2.** Within ten (10) working days of the transmittal (first) hearing, the City  
22  
23 Manager or designee is authorized and directed to transmit this amendment and appropriate  
24 supporting data and analyses to the reviewing agencies and to any other local government or  
25 governmental agency that has filed a written request for same with the City. Within ten (10)  
26 working days of the adoption (second) hearing, the City Manager or designee is authorized and

1 directed to transmit this amendment to the state land planning agency and any other agency or  
2 local government that provided comments to the City regarding the amendment.

3       **Section 3.** The City Manager or designee is authorized and directed to make the  
4 necessary changes to maps and other data in the City of Gainesville Comprehensive Plan in  
5 order to comply with this ordinance.

6       **Section 4.** If any word, phrase, clause, paragraph, section or provision of this ordinance  
7 or the application hereof to any person or circumstance is held invalid or unconstitutional, such  
8 finding shall not affect the other provisions or applications of this ordinance that can be given  
9 effect without the invalid or unconstitutional provision or application, and to this end the  
10 provisions of this ordinance are declared severable.

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

13       **Section 6.** This ordinance shall become effective immediately upon adoption; however,  
14 the effective date of this amendment to the City of Gainesville Comprehensive Plan, if the  
15 amendment is not timely challenged, shall be 31 days after the state land planning agency notifies  
16 the City that the plan amendment package is complete in accordance with Section 163.3184,  
17 Florida Statutes. If timely challenged, this Comprehensive Plan amendment shall become  
18 effective on the date the state land planning agency or the Administration Commission enters a  
19 final order determining the amendment to be in compliance with Chapter 163, Florida Statutes.  
20 No development orders, development permits, or land uses dependent on this Comprehensive

21

1 Plan amendment may be issued or commenced before this amendment has become effective.

2 **PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

3

4

5

6

7

8 Attest:

9

10

11

12 \_\_\_\_\_  
KURT LANNON  
13 CLERK OF THE COMMISSION

\_\_\_\_\_  
EDWARD B. BRADDY  
MAYOR

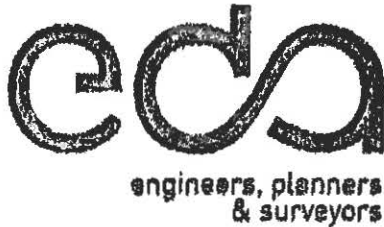
Approved as to form and legality:

14

15 This ordinance passed on (first) transmittal hearing this \_\_\_\_ day of \_\_\_\_\_, 2014.

16

17 This ordinance passed on (second) adoption hearing this \_\_\_\_ day of \_\_\_\_\_, 2014.



# Eng, Denman & Associates, Inc.

---

April 8, 2014

**Legal Description**

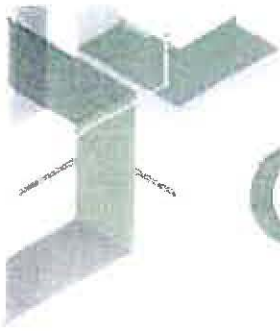
For: **Gainesville Community Redevelopment Agency**  
**Parcel 1c**

Lots 22, 23 and 24 of Eastview Replat of Block 2, Range III, Roper's Addition to the Town of Gainesville, as per plat thereof, recorded in Plat Book "A", page 131 of the Public Records of Alachua County, Florida and a portion of SE 6<sup>th</sup> Avenue right-of-way, formerly known as Dell Street, and Lots 5, 6, 7 and 8 of Block I, Range III of Roper's Addition to the Town of Gainesville, as per plat thereof, recorded in Deed Book J, page 550 of said Public Records and a portion of Block 1 of Parrish & Parrish Addition to Gainesville, as per plat thereof, recorded in Plat Book "A", page 107 of said Public Records, and a portion of Block C of Sanchez Heights, as per plat thereof, recorded in Plat Book B, page 85 of said Public Records and a portion of SE 5<sup>th</sup> Street right-of-way, formerly known as Myrtle Street, and a portion of SE 4<sup>th</sup> Place right-of-way, formerly known as Lemon Street, all lying and being in Section 4, Township 10 South, Range 20 East, Alachua County, Florida; being more particularly described as follows:

Begin at the southeast corner of Lot 24 of Eastview Replat of Block 2, Range III, Roper's Addition to the Town of Gainesville, as per plat thereof, recorded in Plat Book "A", page 131 of the Public Records of Alachua County, Florida, and run thence South 89°33'26" West, along the north right-of-way line of SE 5<sup>th</sup> Avenue, a distance of 468.41 feet to the southwest corner of Lot 8, Block 1, Range III of Roper's Addition to the Town of Gainesville, as per plat thereof, recorded in Deed Book J, page 550 of said Public Records; thence North 06°21'39" East, along the west line of said Lot 8, a distance of 11.36 feet to the southeast corner of Lot 5, Block C of Sanchez Heights, as per plat thereof, recorded in Plat Book "B", page 85 of said Public Records; thence South 89°57'32" West, along said north right-of-way line, 106.38 feet; thence North 03°17'46" West, 212.84 feet; thence North 50°27'01" West, 53.51 feet; thence North 87°43'52" West, 21.81 feet to a point on the west right-of-way line of SE 5<sup>th</sup> Street, formerly known as Myrtle Street; thence North 01°08'58" West, along said west right-of-way line, 42.50 feet to a point on the westerly extension of the south line of Lot 4 of Block 1 of Parrish & Parrish Addition to Gainesville, as per plat thereof, recorded in Plat book "A", page 107 of said Public Records, as per a boundary survey by John W. Myers & Associates, P.A., Project No. M-4437-98, dated 9-24-98; thence North 89°20'18" East, along said westerly extension and said south line and along the south line of the North ½ of Lot 6 of said Block 1 of Parrish and Parrish Addition to Gainesville, as per said boundary survey, 213.21 feet to the southeast corner of said North ½ of Lot 6; thence North 06°17'53" East, along the east line of said Lot 6, as per said boundary survey, and along the east line of Lot 1 of said Block 1 of Parrish & Parrish Addition to Gainesville, as per said boundary survey, 92.29 feet to a point on the southerly right-of-way line of SE 4<sup>th</sup> Avenue; thence South 78°48'54" East, along said southerly right-of-way line, 14.41 feet; thence North 08°52'40" East, along said southerly right-of-way line, 6.58 feet; thence North 89°18'31" East, along

said southerly right-of-way line, 122.02 feet to a point lying on the arc of a curve, concave northerly, having a radius of 1167.92 feet; thence easterly, along said southerly right-of-way line and along the arc of said curve, through a central angle of  $03^{\circ}21'13''$ , an arc distance of 68.36 feet, said arc being subtended by a chord, having a bearing and distance of South  $88^{\circ}53'27''$  East, 68.35 feet; thence North  $89^{\circ}21'38''$  East, along said southerly right-of-way line, 48.03 feet; thence North  $87^{\circ}25'06''$  East, along said southerly right-of-way line, 27.98 feet to a point on the centerline of the right-of-way of SE 6<sup>th</sup> Avenue, formerly known as Dell Street; thence South  $00^{\circ}43'42''$  East, along said centerline, 248.70 feet to a point on the westerly extension of the north line of Lot 22 of said Eastview Replat of Block 2, Range III, Roper's Addition to the Town of Gainesville; thence North  $89^{\circ}29'16''$  East along said westerly extension and said north line, 140.00 feet to the northeast corner of said Lot 22; thence South  $00^{\circ}43'41''$  East, along the west right-of-way line of SE 6<sup>th</sup> Terrace, formerly known as Wilson Avenue, 149.97 feet to the Point of Beginning.

Containing 4.215 acres (183,593 square feet), more or less.



engineers • surveyors • planners, inc.

July 9, 2014

**Legal Description**

For: **Gainesville Regional Utilities**  
Parcel 1d

A portion of Blocks 1 and 2 and all of Block 3 of Parrish & Parrish Addition to Gainesville, as per plat thereof, recorded in Plat Book "A", page 107 of the Public Records of Alachua County, Florida and a portion of Block C and all of Blocks A and B of Sanchez Heights, as per plat thereof, recorded in Plat Book "B", page 85 of said Public Records, and a portion of SE 4<sup>th</sup> Street right-of-way, formerly known as Bay Street and a portion of SE 5<sup>th</sup> Street right-of-way, formerly known as Myrtle Street and a portion of SE 4<sup>th</sup> Place right-of-way, formerly known as Lemon Street, all lying and being in Section 4, Township 10 South, Range 20 East, Alachua County, Florida; being more particularly described as follows:

Commence at the southeast corner of Lot 24 of Eastview Replat of Block 2, Range III, Roper's Addition to the Town of Gainesville, as per plat thereof, recorded in Plat Book "A", page 131 of the Public Records of Alachua County, Florida, and run thence South 89°33'26" West, along the north right-of-way line of SE 5<sup>th</sup> Avenue, a distance of 468.41 feet to the southwest corner of Lot 8, Block 1, Range III of Roper's Addition to the Town of Gainesville, as per plat thereof, recorded in Deed Book J, page 550 of said Public Records; thence North 05°21'39" East, along the west line of said Lot 8, a distance of 11.36 feet to the southeast corner of Lot 5, Block C of Sanchez Heights, as per plat thereof, recorded in Plat Book "B", page 85 of said Public Records; thence South 89°57'32" West, along said north right-of-way line, 106.38 feet to the Point of Beginning; thence North 03°17'46" West, 212.84 feet; thence North 50°27'01" West, 53.51 feet; thence North 87°43'52" West, 21.81 feet to a point on the west right-of-way line of SE 5<sup>th</sup> Street, formerly known as Myrtle Street; thence North 01°08'58" West, along said west right-of-way line, 42.50 feet to a point on the westerly extension of the south line of Lot 4 of Block 1 of Parrish & Parrish Addition to Gainesville, as per plat thereof, recorded in Plat book "A", page 107 of said Public Records, as per a boundary survey by John W. Myers & Associates, P.A., Project No. M-4437-98, dated 9-24-98; thence North 89°20'18" East, along said westerly extension and said south line and along the south line of the North ½ of Lot 6 of said Block 1 of Parrish and Parrish Addition to Gainesville, as per said boundary survey, 213.21 feet to the southeast corner of said North ½ of Lot 6; thence North 06°17'53" East, along the east line of said Lot 6, as per said boundary survey, and along the east line of Lot 1 of said Block 1 of Parrish & Parrish Addition to Gainesville, as per said boundary survey, 92.29 feet to a point on the southerly right-of-way line of SE 4<sup>th</sup> Avenue; thence North 78°48'54" West, along said southerly right-of-way line, 26.78 feet; thence North 08°52'40" East, along said southerly right-of-way line, 6.36 feet to a point



May 2, 2014

Page 2 of 2

lying on the arc of a curve concave southerly, having a radius of 1123.92 feet; thence westerly, along said southerly right-of-way line, and along the arc of said curve, through a central angle of 11°44'05", an arc distance of 230.19 feet, said arc being subtended by a chord, having a bearing and distance of North 84°10'25" West, 229.79 feet; thence North 00°02'28" West, along said southerly right-of-way line, 11.01 feet; thence South 89°57'32" West, along said southerly right-of-way line, 402.46 feet to the northwest corner of Lot 2 of Block 3 of said Parrish & Parrish Addition to Gainesville and to a point on the east right-of-way line of SE 3<sup>rd</sup> Street, formerly known as Oak Street; thence South 01°47'34" East, along the said east right-of-way line of SE 3<sup>rd</sup> Street, 430.20 feet to the southwest corner of Lot 4 of Block A of said Sanchez Heights and to a point on the said north right-of-way line of SE 5<sup>th</sup> Avenue; thence North 89°57'32" East, along the said north right-of-way line, 495.73 feet to the Point of Beginning.

Less:

That portion of S.E. 5<sup>th</sup> Street right-of-way, formerly known as Myrtle Street (30 foot right-of-way), lying north of Lot 8 of Block 2 and Lot 5 of Block 1 of Parrish & Parrish Addition to Gainesville, as per plat thereof, recorded in Plat Book "A", page 107 of the Public Records of Alachua County, Florida.

Containing 5.073 acres (220,992 square feet), more or less.

\\Server\j\Wpdocs\Legal\Gainesville CRA\7-9-14\_Parcels\10.Docx



# Eng, Denman & Associates, Inc.

---

April 2, 2014

**Legal Description**

For: **Gainesville Community Redevelopment Agency  
Parcel 2b**

Lots 1 through 8, inclusive, of Davis Addition, a subdivision as per plat thereof, recorded in Plat Book "D", page 15 of the Public Records of Alachua County, Florida, and a portion of Lot 9 of said Davis Addition and Lot 11, Block 2, Range II of Roper's Addition to the Town of Gainesville, as per plat thereof, recorded in Deed Book J, page 550 of said Public Records, and a portion of Lot 12, Block 2, Range II of said Roper's Addition to the Town of Gainesville and that portion of the right-of-way of SE 6<sup>th</sup> Terrace lying South of the south right-of-way line of SE 5<sup>th</sup> Avenue formerly known as Middle Street, all lying and being in Section 4, Township 10 South, Range 20 East, Alachua County, Florida; being more particularly described as follows:

Begin at the northeast corner of Lot 1 of Davis Addition, a subdivision as per plat thereof, recorded in Plat Book "D", page 15 of the Public Records of Alachua County, Florida, and run thence South 89°26'31" West, along the south right-of-way line of SE 5<sup>th</sup> Avenue, a distance of 280.00 feet to the northeast corner of Lot 9 of said Davis Addition; thence South 00°43'46" East, 396.95 feet; thence South 89°01'14" West, 58.00 feet; thence South 00°43'46" East, 91.57 feet to a point on the northerly right-of-way line of SE Depot Avenue; thence North 78°39'20" East, along said northerly right-of-way line, 3.30 feet to a point lying on the arc of a curve, concave northerly, having a radius of 2827.40 feet; thence northeasterly, along the arc of said curve and along said northerly right-of-way line, through a central angle of 07°02'06", an arc distance of 347.17 feet to the southeast corner of Lot 11, Block 2, Range II of Roper's Addition to the Town of Gainesville, as per plat thereof, recorded in Deed Book J, page 550 of said Public Records and to a point on the west right-of-way line of SE 7<sup>th</sup> Street, formerly known as Roper Street, said arc being subtended by a chord, having a bearing and distance of North 74°02'22" East, 346.95 feet; thence North 00°43'46" West, along said west right-of-way line, 396.18 feet to the Point of Beginning.

Containing 2.935 acres (127,828 square feet), more or less.

Witness My Hand and Seal at Gainesville, Florida, this 1<sup>st</sup> day of April, 2014.

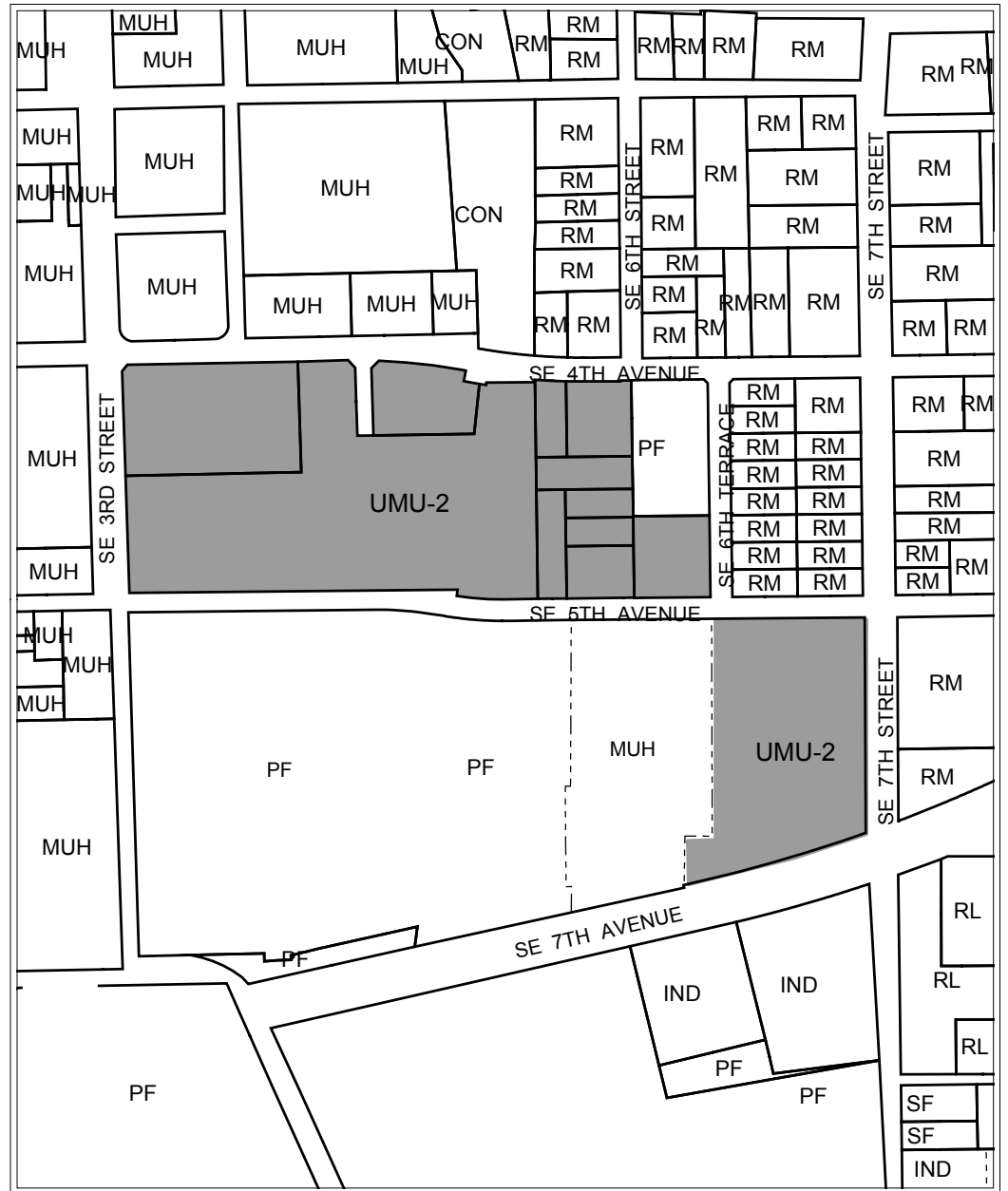
## City of Gainesville Land Use Designations

- SF      Single Family (up to 8 du/acre)
- RL      Residential Low-Density (up to 12 du/acre)
- RM      Residential Medium-Density (8-30 du/acre)
- MUH    Mixed-Use High-Intensity (up to 150 du/acre)
- UMU-2  Urban Mixed-Use 2 (UMU-2: 10 to 100 du/acre; & up to 25 additional du/acre by special use permit)
  
- IND     Industrial
- CON     Conservation
- PF      Public and Institutional Facilities

*Area under petition consideration*



----- Division line between two land use categories



### PROPOSED LAND USE

 No Scale	<b>Name</b>	<b>Petition Request</b>	<b>Petition Number</b>
	eda engineers-surveyors-planners, inc., agent for the City of Gainesville	Amend the Future Land Use map (FLUM) from Public and Institutional Facilities (PF) and Mixed use High Intensity (MUH) to Urban Mixed Use 2 (UMU-2) category	PB-14-55 LUC PB-14-75 LUC

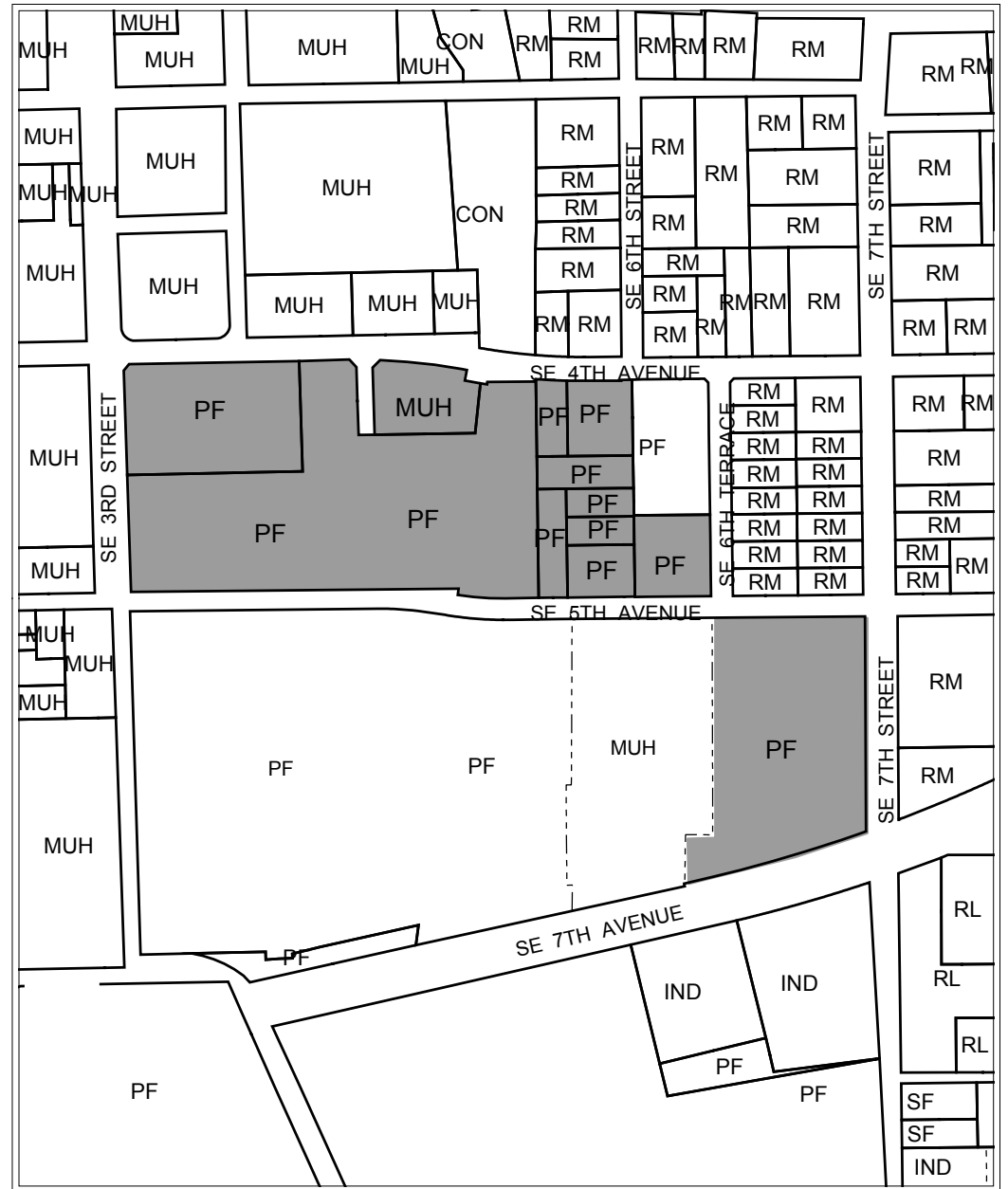
## City of Gainesville Land Use Designations

- SF      Single Family (up to 8 du/acre)
- RL      Residential Low-Density (up to 12 du/acre)
- RM      Residential Medium-Density (8-30 du/acre)
- MUH    Mixed-Use High-Intensity (up to 150 du/acre)
- UMU-2  Urban Mixed-Use 2 (UMU-2: 10 to 100 du/acre; & up to 25 additional du/acre by special use permit)
  
- IND     Industrial
- CON     Conservation
- PF      Public and Institutional Facilities

*Area under petition consideration*



----- Division line between two land use categories



### EXISTING LAND USE



No Scale

	Name	Petition Request	Petition Number
	eda engineers-surveyors-planners, inc., agent for the City of Gainesville	Amend the Future Land Use map (FLUM) from Public and Institutional Facilities (PF) and Mixed-Use High-Intensity (MUH) to Urban Mixed-Use 2 (UMU-2) category	PB-14-55 LUC PB-14-75 LUC