

ORDINANCE NO. _____
0-10-18

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An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas on certain property with the zoning category of “PS: Public services and operations district” within the City, as more specifically described in this ordinance, commonly known as the Alachua County Operations and Administration Facilities site located in the vicinity of 913 Southeast 5th Street; providing for uses permitted by right; providing for dimensional requirements and other development regulations; providing for the expansion of the Supervisor of Elections Operations and Storage Facility; approving a preliminary development plan; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

WHEREAS, publication of notice of a public hearing was given that the Zoning Map Atlas be amended on certain property within the City with the zoning category of “PS: Public services and operations district” to provide for certain uses permitted by right and to establish dimensional requirements and other development regulations for the Alachua County Operations and Administration Facilities site and permit the expansion of the Supervisor of Elections Operations and Storage Facility, as more specifically set forth in this Ordinance; and

WHEREAS, notice was given and publication made as required by law and a public hearing was held by the City Plan Board on April 22, 2010; and

WHEREAS, the City Commission finds that the amendment to the zoning category of the property described herein is consistent with the City of Gainesville 2000-2010 Comprehensive Plan; and

WHEREAS, at least ten (10) days notice has been given of the public hearing once by

1 publication in a newspaper of general circulation notifying the public of this proposed ordinance
2 and of a public hearing in the City Commission meeting room, First Floor, City Hall, in the City of
3 Gainesville; and

4 **WHEREAS**, pursuant to law, notice has also been given by mail to the owner whose
5 property will be regulated by the adoption of this Ordinance, at least ten days prior to the
6 adoption of this ordinance; and

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

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

12 **Section 1.** The Zoning Map Atlas of the City of Gainesville is amended on certain
13 property within the City with the zoning category of "PS: Public services and operations district"
14 to change the uses permitted by right and to establish dimensional requirements and other
15 development regulations for the Alachua County Operations and Administration Facilities site,
16 and to permit the expansion of the Supervisor of Elections Operations and Storage Facility as
17 more specifically set forth in this Ordinance, on the following described property as shown on
18 Exhibit "A":

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

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22 **Section 2.** The preliminary development plan attached to this Ordinance as Exhibit "B"

1 and made a part hereof as if set forth in full, is approved in accordance with Sec. 30-75 of the
2 Land Development Code of the City of Gainesville.

3 **Section 3.** The uses permitted by right on the property described in Section 1 of this
4 Ordinance are as follows:

- 5 1) Administration (MG-91 – Executive, Legislative and General Government, Except
6 Finance)
- 7 2) Facilities Maintenance Offices and Storage (MG-91 – Executive, Legislative and
8 General Government, Except Finance)
- 9 3) Fire Rescue Operations (IN-9224 – Public Order and Safety)
- 10 4) Records Retention (Any use customarily incidental to any permitted principal use)
- 11 5) Parking (Any use customarily incidental to any permitted principal use);
- 12 6) Professional Training (Any use customarily incidental to any permitted principal
13 use)
- 14 7) Storage (IN-4225 – General Warehousing and Storage)
- 15 8) Outdoor storage in accordance with Article VI
- 16 9) Communications tower in accordance with Article VI

17 **Section 4.** The following conditions shall apply to the use and development
18 of the property:

19 Condition 1. The subject property shall be regulated in accordance with the
20 requirements of the City Land Development Code and all other applicable regulations, except as
21 expressly provided in Exhibit C-1: Alachua County Operations and Administration Facilities

1 Public Services Zoning Report, and Exhibit C-2: Preliminary Development Plan for PS Rezoning.

2 Condition 2. Alachua County shall obtain final development plan approval in accordance
3 with the requirements of the City Land Development Code and this Ordinance;

4 Condition 3. Prior to the issuance of a final certificate of occupancy of the “new
5 building”, as shown on Sheet C-1 of Exhibit “B”, Alachua County shall convey sufficient land to
6 the City of Gainesville for no monetary consideration for right-of-way easements, along the
7 Southeast 9th Place and Southeast 7th Street right-of-ways for the construction of public sidewalks
8 that shall be constructed, in accordance with City standards, by Alachua County at a future phase
9 of development as required during development plan review;

10 Condition 4. The Communications Tower and Outdoor Storage are subject to the
11 requirements in Article VI of the City Land Development Code;

12 Condition 5. Prior to the issuance of a final certificate of occupancy of the “new
13 building” as shown on “C-1” of Exhibit “B”, the dirt driveway located on Southeast 9th Place
14 behind the Alachua County Facilities Management Downtown Maintenance Shop shall be
15 permanently closed in accordance with City standards, and Alachua County shall plant and
16 maintain a vegetative buffer as required during development plan review.

17 Condition 6. Alachua County shall bring the subject property into full compliance with
18 all of the requirements of the Land Development Code in accordance with a phasing schedule,
19 subject to approval by the City Manager or designee during final development plan approval.

20 **Section 5.** The City Manager is authorized and directed to make the necessary changes in
21 the Zoning Map to comply with this Ordinance.

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

6 **Section 7.** All ordinances, or parts of ordinances, in conflict herewith are to the extent of
 7 such conflict hereby repealed.

8 **Section 8.** This ordinance shall become effective immediately upon final adoption.

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10 **PASSED AND ADOPTED** this _____ day of _____, 2010.

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Mayor

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16 ATTEST:

Approved as to form and legality:

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By: _____

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KURT LANNON,
 CLERK OF THE COMMISSION

MARION J. RADSON, CITY ATTORNEY

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This ordinance passed on first reading this _____ day of _____, 2010.

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This ordinance passed on second reading this _____ day of _____, 2010.

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PARCEL 2 (D.B. 292, PG.1): COMMENCE AT NORTHWEST CORNER OF LOT 14, BLOCK 3, RANGE 1, OF ROPERS ADDITION, A SUBDIVISION AS PER PLAT THEREOF RECORDED IN THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, AND RUN THENCE SOUTH 38 FEET; THENCE RUN WEST 30 FEET; THENCE RUN SOUTH 362 FEET; THENCE RUN WEST 161.4 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF NORTHWEST QUARTER (NW 1/4 OF NW 1/4) OF SECTION 9, TOWNSHIP 10 SOUTH, RANGE 20 EAST, THENCE CONTINUE WEST ALONG THE SECTION LINE 619 FEET TO A RAILROAD IRON LOCATED UPON THE NORTH LINE OF SECTION 9, TOWNSHIP 10 SOUTH, RANGE 20 EAST, AND ON THE WESTERN BOUNDARY OF THE LANDS ACQUIRED BY GRANTOR FROM GAINESVILLE GAS COMPANY BY DEED DATED JANUARY 21, 1947, RECORDED IN DEED BOOK 234, PAGE 20. PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA AND BEING THE POINT OF BEGINNING OF THE LANDS HEREIN DESCRIBED; FROM SAID POINT OF BEGINNING RUN SOUTH 23 DEGREES EAST ALONG THE WESTERN BOUNDARY OF GRANTOR'S PROPERTY 934.17 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF GRANTOR'S LAND; THENCE RUN NORTH 71 DEGREES 37 MINUTES EAST ALONG THE SOUTHERLY BOUNDARY OF GRANTOR'S LAND 452.82 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF GRANTOR'S LAND THENCE RUN NORTH 1 DEGREES 53 MINUTES WEST ALONG THE EASTERN BOUNDARY OF GRANTOR'S PROPERTY 405.5 FEET; THENCE RUN NORTH 88 DEGREES 33 MINUTES WEST 174.05 FEET; THENCE RUN NORTH 76 DEGREES 27 MINUTES WEST 464.90 FEET; THENCE RUN NORTH 50 DEGREES WEST 56 FEET; THENCE RUN NORTH 34 DEGREES 46 MINUTES WEST 197 FEET TO THE POINT OF BEGINNING , ALL LYING AND BEING IN SECTION 9, TOWNSHIP 10, SOUTH, RANGE 20 EAST, ALACHUA COUNTY FLORIDA, AND CONTAINING 6.98 ACRES, MORE OR LESS, AND BEING A PORTION OF THE LAND ACQUIRED BY GRANTOR UNDER THE AFORESAID DEED DATED JANUARY 21, 1947. TOGETHER WITH A PERPETUAL EASEMENT FOR PURPOSES OF INGRESS AND EGRESS IN COMMON WITH OTHERS, IN A STRIP OF LAND 55 FEET WIDE EXTENDING SOUTHERLY ALONG THE WESTERN BOUNDARY THE LANDS ACQUIRED BY GRANTOR UNDER THE AFOREMENTIONED DEED OF JANUARY 21, 1947 FROM THE SOUTHERLY RIGHT OF WAY BOUNDARY OF GRANTOR TO THE NORTHERLY BOUNDARY OF THE PROPERTY HEREIN CONVEYED.

EXHIBIT "A"

EXHIBIT "B"

(Due to bulk and size, Exhibit "B" is not attached, but is on file in the Department of Community Development.)