

Legislative #

140381A

ORDINANCE NO. 140381

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 **0.89 acres of property generally located within the 1900 block of the north**
6 **side of NW 53rd Avenue and within the 1700 block of the south side of NW**
7 **53rd Avenue, as more specifically described in this ordinance, from Office (O)**
8 **and Commercial (C) to Public and Institutional Facilities (PF); providing**
9 **directions to the City Manager; providing a severability clause; providing a**
10 **repealing clause; and providing an effective date.**

11
12 **WHEREAS**, notice was given as required by law that the Future Land Use Map of the
13 City of Gainesville Comprehensive Plan be amended by changing the land use category of the
14 property that is the subject of this ordinance from Office (O) and Commercial (C) to Public and
15 Institutional Facilities (PF); and

16 **WHEREAS**, the amendment to the Future Land Use Map of the City of Gainesville
17 Comprehensive Plan proposed herein involves a use of 10 acres or fewer and qualifies as a small-
18 scale development amendment as provided in Section 163.3187, Florida Statutes; and

19 **WHEREAS**, the City Plan Board, which acts as the local planning agency pursuant to
20 Section 163.3174, Florida Statutes, held a public hearing on September 25, 2014, and voted to
21 recommend that the City Commission adopt this ordinance; and

22 **WHEREAS**, at least five (5) days' notice has been given once by publication in a
23 newspaper of general circulation notifying the public of this proposed ordinance and of a public
24 hearing in the City Hall Auditorium located on the first floor of City Hall in the City of
25 Gainesville; and

26 **WHEREAS**, at least thirty (30) days' notice has been given by mail to each real property
27 owner whose land will be redesignated by enactment of this ordinance and whose address is
28 known by reference to the latest ad valorem tax records, notifying such property owners of this

1 proposed ordinance and of a public hearing in the City Hall Auditorium located on the first floor
2 of City Hall in the City of Gainesville; and

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

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

7 **Section 1.** The Future Land Use Map of the City of Gainesville Comprehensive Plan is
8 amended by changing the land use category of the following property from Office (O) and
9 Commercial (C) to Public and Institutional Facilities (PF):

10 See legal description attached as Exhibit "A" and made a part hereof as if set forth
11 in full. The location of the property is shown on Exhibit "B" for visual reference.
12 In the event of conflict or inconsistency, Exhibit "A" shall prevail over Exhibit
13 "B". For informational purposes only, the existing land use categories are shown
14 on Exhibit "C".
15

16 **Section 2.** The City Manager or designee is authorized and directed to make the
17 necessary changes to maps and other data in the City of Gainesville Comprehensive Plan in
18 order to comply with this ordinance.

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

24 **Section 4.** All ordinances or parts of ordinances in conflict herewith are to the extent of
25 such conflict hereby repealed on the effective date of this amendment to the Comprehensive
26 Plan.

1 **Section 5.** This ordinance shall become effective immediately upon adoption; however,
2 the effective date of this amendment to the City of Gainesville Comprehensive Plan, if the
3 amendment is not timely challenged, shall be 31 days after adoption. If timely challenged, this
4 amendment shall become effective on the date the state land planning agency or the
5 Administration Commission enters a final order determining the amendment to be in compliance
6 with Chapter 163, Florida Statutes. No development orders, development permits, or land uses
7 dependent on this amendment may be issued or commenced before this amendment has become
8 effective.

9 **PASSED AND ADOPTED** this ____ day of January, 2015.

10
11
12
13
14
15
16
17
18
19
20
21
22

EDWARD B. BRADDY
MAYOR

Approved as to form and legality:

KURT LANNON
CLERK OF THE COMMISSION

NICOLLE M. SHALLEY
CITY ATTORNEY

This ordinance passed on this ____ day of January, 2015.

LEGAL DESCRIPTION FOR TAX PARCEL 07882-014-001

A portion of the Southwest $\frac{1}{4}$ of Section 18, Township 9 South, Range 20 East, Alachua County, Florida; being more particularly described as follows:

Commence at the Southwest corner of Section 18, Township 9 South, Range 20 East and run South 89 degrees 27 minutes East along the south line of said Section 2614.47 feet; thence run North 1 degree 05 minutes 53 seconds East 150 feet to the north right-of-way line of a City Of Gainesville 90 foot right-of-way and the Point of Beginning; thence run North 89 degrees 27 minutes West, parallel with and 150.00 feet north of said south line (measured perpendicular) and along said right-of-way line 150.01 feet; thence run North 1 degree 05 minutes 53 seconds East 241.86 feet; thence run South 89 degrees 28 minutes 34 seconds East 150.01 feet; thence run South 1 degree 05 minutes 53 seconds West 241.93 feet to the Point of Beginning.

TOGETHER WITH the right of ingress and egress reserved by the grantor in deed to the City Of Gainesville recorded in Official Records Book 473, page 449, of the Public Records of Alachua County, Florida.

LEGAL DESCRIPTION FOR TAX PARCEL 07883-003-000

A PORTION OF LAND IN BLOCK 3, PLAT OF PARADISE, PLAT BOOK "A", PAGE 4, LYING IN SECTION 19, TOWNSHIP 9 SOUTH, RANGE 20 EAST, ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

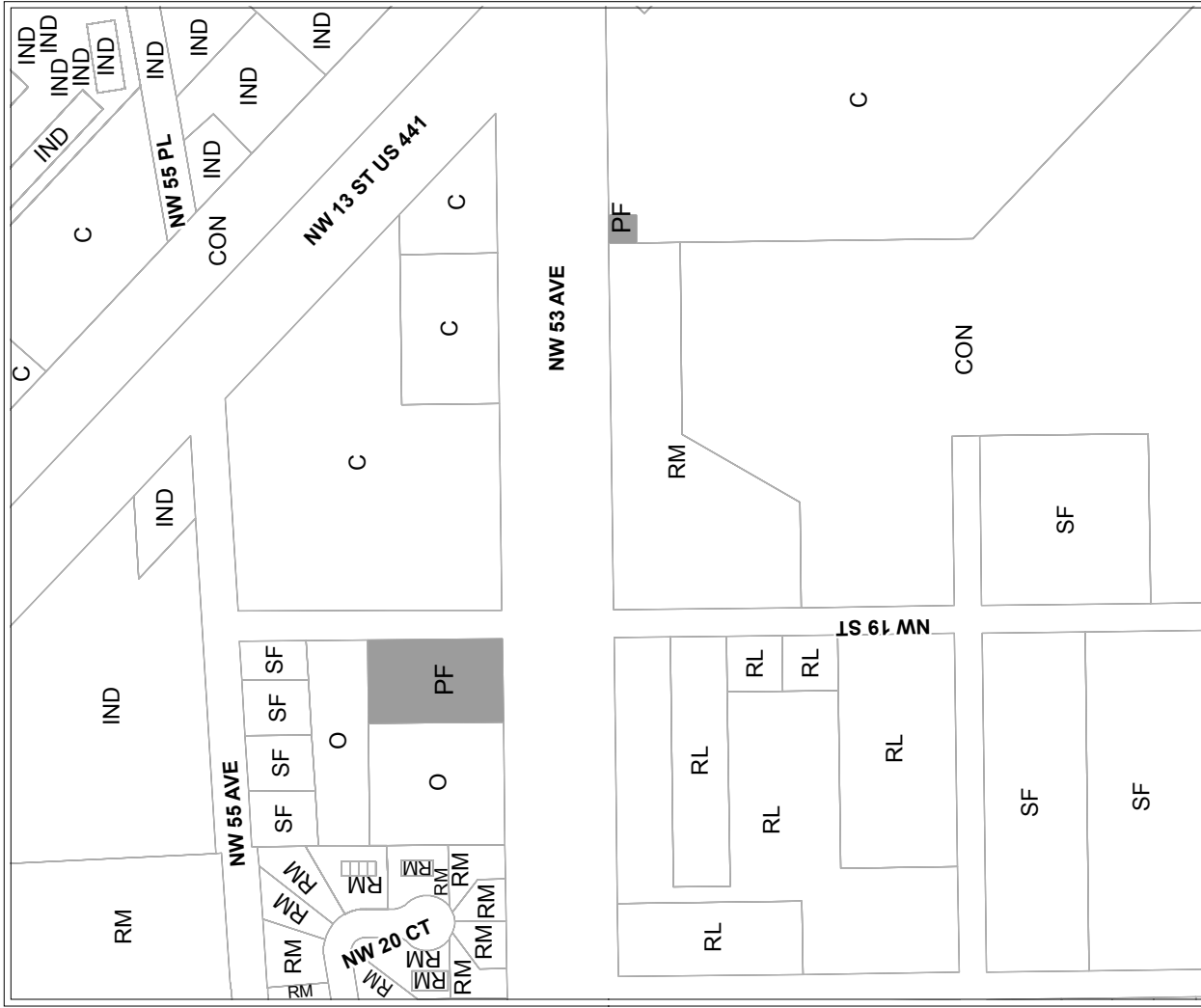
COMMENCE AT THE NORTHWEST CORNER OF BLOCK 4, PLAT OF PARADISE, PLAT BOOK "A", PAGE 4, SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY LINE OF NORTHWEST 53RD AVENUE, THENCE RUN NORTH 89° 14' 27" EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 660.17 FEET TO THE NORTHWEST CORNER OF BLOCK 3 AND THE POINT OF BEGINNING, THENCE CONTINUE NORTH 89° 14' 27" EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 50.00 FEET, THENCE DEPARTING SAID SOUTH RIGHT-OF-WAY LINE RUN SOUTH 00° 42' 33" EAST, A DISTANCE OF 50.00 FEET, THENCE RUN SOUTH 89° 14' 27" WEST, A DISTANCE OF 50.00 FEET TO A POINT ON THE WEST LINE OF BLOCK 3, PLAT OF PARADISE, PLAT BOOK "A", PAGE 4, THENCE RUN NORTH 00° 42' 33" WEST ALONG SAID WEST LINE OF SAID BLOCK 3, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 2500.00 SQUARE FEET, 0.06 ACRES MORE OR LESS.

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)
- O Office
- C Commercial
- IND Industrial
- CON Conservation
- PF Public and Institutional Facilities

Exhibit B to Ordinance No. 140381



Area under petition consideration

Division line between two land use categories

PROPOSED LAND USE

Name	Petition Request	Petition Number
City of Gainesville, applicant	Amend the City of Gainesville Future Land Use map from Office (O) and Commercial (C) to Public and Institutional Facilities (PF)	PB-14-96 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)
- O Office
- C Commercial
- IND Industrial
- CON Conservation

Exhibit C to Ordinance No. 140381

Division line between two land use categories

Area
under petition
consideration



EXISTING LAND USE

	Petition Request	Petition Number
	<p>Name</p> <p>City of Gainesville, applicant</p>	<p>Petition Request</p> <p>Amend the City of Gainesville Future Land Use map from Office (O) and Commercial (C) to Public and Institutional Facilities (PF)</p> <p>Petition Number</p> <p>PB-14-96 LUC</p>