

ORDINANCE NO. 090344
0-09-63

An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan, Future Land Use Map; by changing the land use category on a portion of certain property, as more specifically described in this ordinance, from the City of Gainesville land use category of “Conservation” to “Office”; located in the vicinity of 2510 Northwest 6th Street; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

WHEREAS, by initiation of a petition by the property owner, publication of notice of a public hearing was given that the Future Land Use Map be amended by changing the land use category on a portion of certain property from the City of Gainesville land use category of “Conservation” to “Office”; and

WHEREAS, notice was given and publication made as required by law and a public hearing was held by the City Plan Board on July 23, 2009; 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 provided in Chapter 163, Florida Statutes; the City of Gainesville will transmit copies of the public notice and this proposed change to the State Land Planning Agency, the regional planning council, and any other person or entity who has requested a copy for their comments subsequent to the passage of this ordinance; 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 and of

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

2 and

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

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

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

10 **Section 1.** The Future Land Use Map of the City of Gainesville 2000-2010 Comprehensive
11 Plan is amended by changing the land use category of the following described property from the City of
12 Gainesville land use category of “Conservation” to “Office”:

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

15
16 **Section 2.** The City Manager is authorized and directed to make the necessary changes in
17 maps and other data in the City of Gainesville 2000-2010 Comprehensive Plan, or element, or portion
18 thereof in order to comply with this ordinance.

19 **Section 3.** If any word, phrase, clause, paragraph, section or provision of this ordinance or
20 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 the ordinance which can be given

1 effect without the invalid or unconstitutional provisions or application, and to this end the
2 provisions of this ordinance are declared severable.

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


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


13 **PASSED AND ADOPTED** this 5th day of November, 2009.

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15
16 
17 _____
18 PEGEEN HANRAHAN, MAYOR

19 ATTEST:

APPROVED AS TO FORM AND LEGALITY:

20
21
22 
23 _____
24 KURT LANNON,
25 CLERK OF THE COMMISSION

26
27 
28 _____
MARION J. RADSON, CITY ATTORNEY

NOV - 5 2009

This ordinance passed this 5th day of November, 2009.

CPA & RE-ZONE AREA

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 29, TOWNSHIP 9 SOUTH, RANGE 20 EAST AND RUN NORTH 0 DEGREES 52 MINUTES 44 SECONDS WEST ALONG THE EAST LINE OF THE SAID SOUTHWEST QUARTER (SW 1/4) 940 FEET; THENCE RUN SOUTH 89 DEGREES 17 MINUTES 16 SECONDS WEST 25.9 FEET TO THE WEST RIGHT-OF-WAY OF N.W. 6th STREET, THENCE RUN SOUTH 89 DEGREES 17 MINUTES 16 SECONDS WEST 200.0 FEET, AND THE POINT OF BEGINNING, THENCE RUN SOUTH 1 DEGREE 00 MINUTES 44 SECONDS EAST 148.0 FEET; THENCE RUN SOUTH 89 DEGREES 17 MINUTES 16 SECONDS WEST 191.4 FEET, THENCE RUN NORTH 1 DEGREE 07 MINUTES 44 SECONDS WEST 148.0 FEET, THENCE RUN NORTH 89 DEGREE 17 MINUTES 16 SECONDS EAST 194.4 FEET TO THE POINT OF BEGINNING. ALL BEING AND LYING IN THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 29, TOWNSHIP 9 SOUTH, RANGE 20 EAST, GAINESVILLE, ALACHUA COUNTY. CONTAINING 0.65 ACRES, MORE OR LESS.

APR 13 2009

EXHIBIT "A"



090344 & 090345
CIVIL ENGINEERS and LAND PLANNERS
3530 N.W. 43rd Street • Gainesville, Florida 32606
Tel. (352) 375-8999 Fax (352) 375-0833

October 9, 2009

Mr. Ralph Hillard
Planning Manager
City of Gainesville
P.O. Box 490, Station 12
Gainesville, FL 32601

Re: JATC-IBEW
Comprehensive Plan Amendment
Rezoning Application
Petition Number PZ-09-46 LUC

Dear Mr. Hillard:

Thank you for providing us a copy of the Quasi-Juridical Registration Form returned by Amy Richard for the above referenced petitions. The applicant desires to provide the requester with further information regarding the project.

Therefore, the applicant respectfully requests the October 15, 2009 City Commission hearing of these items (090344 and 090345) be continued to the next available meeting. This request is made to allow time to work with the neighbors regarding the petition.

Sincerely,

Stuart I. Cullen

Stuart I. Cullen, P.E.
Vice-President

Xc: Shawn Graves, JATC