

29 **WHEREAS**, the City Plan Board, which acts pursuant to the authority granted in Section 4.02 of
30 the Charter Laws of the City of Gainesville and which acts as the Local Planning Agency
31 pursuant to Section 163.3174, Florida Statutes, held a public hearing on September 27, 2018,
32 and voted to recommend that the City Commission approve this rezoning; and

33 **WHEREAS**, an advertisement no less than two columns wide by ten inches long was placed in a
34 newspaper of general circulation and provided the public with at least seven days' advance
35 notice of this ordinance's first public hearing to be held by the City Commission in the City Hall
36 Auditorium, located on the first floor of City Hall in the City of Gainesville; and

37 **WHEREAS**, a second advertisement no less than two columns wide by ten inches long was
38 placed in the aforesaid newspaper and provided the public with at least five days' advance
39 notice of this ordinance's second public hearing to be held by the City Commission; and

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

42 **WHEREAS**, the City Commission finds that the rezoning of the subject property will be
43 consistent with the City of Gainesville Comprehensive Plan when the amendment to the
44 Comprehensive Plan adopted by Ordinance No. 180397 becomes effective as provided therein.

45 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE,**

46 **FLORIDA:**

47 **SECTION 1.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the
48 following property from General Business (BUS) district to Urban 8 (U8) district:

49 See legal description attached as **Exhibit A** and made a part hereof as if set forth
50 in full. The location of the property is shown on **Exhibit B** for visual reference.
51 In the event of conflict or inconsistency, **Exhibit A** shall prevail over **Exhibit B**.

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53 **SECTION 2.** The City Manager or designee is authorized and directed to make the necessary

54 changes to the Zoning Map Atlas to comply with this ordinance.

55 **SECTION 3.** If any word, phrase, clause, paragraph, section, or provision of this ordinance or
56 the application hereof to any person or circumstance is held invalid or unconstitutional, such
57 finding will not affect the other provisions or applications of this ordinance that can be given
58 effect without the invalid or unconstitutional provision or application, and to this end the
59 provisions of this ordinance are declared severable.

60 **SECTION 4.** All ordinances or parts of ordinances in conflict herewith are to the extent of such
61 conflict hereby repealed.

62 **SECTION 5.** This ordinance will become effective immediately upon adoption; however, the
63 rezoning will not become effective until the amendment to the City of Gainesville
64 Comprehensive Plan adopted by Ordinance No. 180397 becomes effective as provided therein.

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66 **PASSED AND ADOPTED** this 2nd day of May, 2019.

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73 Attest:

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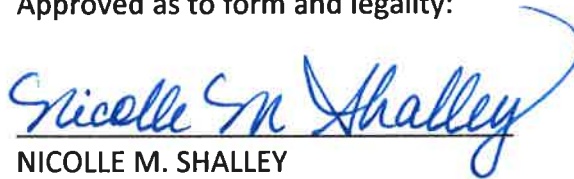
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LAUREN POE
MAYOR

Approved as to form and legality:



NICOLLE M. SHALLEY
CITY ATTORNEY


OMICHELE D. GAINNEY
CLERK OF THE COMMISSION

This ordinance passed on first reading this 17th day of January, 2019.

This ordinance passed on second reading this 2nd day of May, 2019.

Legal Description

A parcel of land situated in Section 4, Township 10 South, Range 19 East, Alachua County, Florida, said parcel of land being more particularly described as follows:

Commence at the Northeast corner of Section 4, Township 10 South, Range 19 East; thence North 89°37'02" West along the North line of said Section 4, 1050.39 feet; thence run South 00°02'06" East, 52.78 feet to a point on the Southerly right of way line of State Road No. 26; thence North 89°30'38" West, a distance of 5.00 feet to a point of the Westerly Right-of-Way line of NW 62nd Street and the **Point of Beginning**; thence the following five (5) courses along said Westerly Right-of-Way line; (1) thence South 00°02'06" East, a distance of 721.05 feet; (2) thence North 89°57'54" East, a distance of 5.00 feet; (3) thence South 00°02'06" East, a distance of 1202.83 feet; (4) thence North 89°30'38" West, a distance of 10.00 feet; (5) thence South 00°02'06" East, a distance of 702.32 feet; thence departing said Westerly Right-of-Way line, North 89°49'46" West, a distance of 267.00 feet to the Southwest corner of Parcel 3 of lands described in Official Records Book 2131, Page 2933 of the Public Records of Alachua County, Florida; thence the following nine (9) courses along the Boundary of said Parcel 3; (1) thence continue North 89°49'46" West, a distance of 652.18 feet; (2) thence North 00°06'58" West, a distance of 703.96 feet; (3) thence North 89°30'38" West, a distance of 6.64 feet; (4) thence North 00°01'40" East, a distance of 466.92 feet; (5) thence North 89°30'38" West, a distance of 462.46 feet; (6) thence North 00°01'40" East, a distance of 140.00 feet; (7) thence North 89°30'38" West, a distance of 169.97 feet; (8) thence South 00°03'25" West, a distance of 140.00 feet; (9) thence North 89°30'38" West, a distance of 30.00 feet to the East line of Parcel 5 of said lands described in Official Records Book 2131, Page 2933; thence the following seven (7) courses along the boundary of said Parcel 5; (1) thence South 00°03'26" West, a distance of 340.03 feet; (2) thence North 36°36'55" West, a distance of 384.51 feet; (3) thence North 00°14'07" East, a distance of 133.62 feet; (4) thence North 89°35'37" West, a distance of 87.76 feet; (5) thence North 36°36'55" West, a distance of 58.71 feet; (6) thence North 00°14'07" East, a distance of 238.45 feet; (7) thence South 89°30'38" East, a distance of 351.31 feet to the West line of Parcel 1 of said lands described in Official Records Book 2131, Page 2933; thence North 00°03'26" East, along said West line, a distance of 1074.98 feet to the Southerly Right-of-Way line of State Road No. 26; thence South 89°30'35" East, along said Southerly Right-of-Way line, a distance of 1591.50 feet to the **Point of Beginning**.

Containing 81.575 Acres, more or less.

Exhibit "A" to Ordinance No. 180398

**Petition
PB-18-117 ZON
Proposed Zoning Districts**

Area Under Petition Consideration

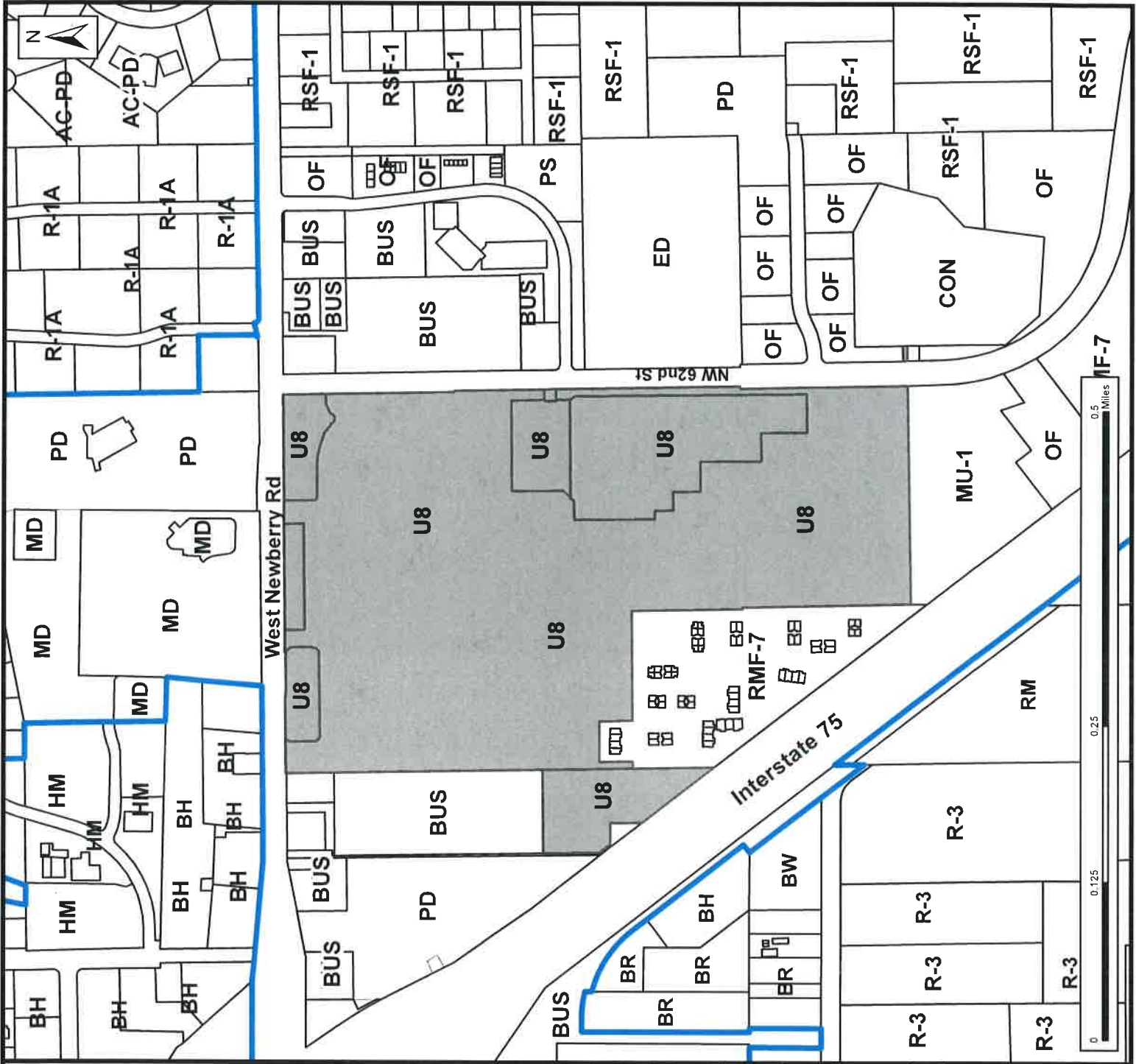
**City of Gainesville
Zoning Districts**

- BUS General Business
- CON Conservation
- ED Education
- MD Medical
- MU-1 Mixed-Use Low-Intensity
- OF Office
- PD Planned Development
- PS Public Services & Operations
- RMF-7 Multi-Family Medium Density
- RSF-1 Single-Family Residential
- U8 Urban 8

**Alachua County
Zoning Districts**

- AC-PD Alachua County Planned Development
- BH Business, Highway
- BR Business, Retail
- BW Wholesale/Warehousing
- HM Hospital/Medical
- R-1A Single-Family, Low Density
- R-3 Multiple Family, High Density
- RM Manufactured-Mobile Home

Division line between two zoning districts
City Limits



Petition PB-18-117 ZONING Existing Zoning Districts

Area Under Petition Consideration

City of Gainesville Zoning Districts

- BUS General Business
- CON Conservation
- ED Education
- MD Medical
- MU-1 Mixed-Use Low-Intensity
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