



28 **WHEREAS**, this ordinance, which was noticed as required by law, will amend the Zoning Map  
29 Atlas by rezoning the property that is the subject of this ordinance; and

30 **WHEREAS**, the City Plan Board, which acts pursuant to the authority granted in Section 4.02 of  
31 the Charter Laws of the City of Gainesville and which acts as the Local Planning Agency  
32 pursuant to Section 163.3174, Florida Statutes, held a public hearing on July 25, 2019, and  
33 voted to recommend that the City Commission approve this rezoning; and

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

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

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

43 **WHEREAS**, the City Commission finds that the rezoning of the subject property will be  
44 consistent with the City of Gainesville Comprehensive Plan when the amendment to the  
45 Comprehensive Plan adopted by Ordinance No. 190169 becomes effective as provided therein.

46 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE,**  
47 **FLORIDA:**

48 **SECTION 1.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the  
49 following property from Alachua County Single-Family Medium Density (R-1b) district to City of  
50 Gainesville Single/Multi-Family Residential (RMF-5) district:

51 See legal description attached as **Exhibit A** and made a part hereof as if set forth  
52 in full. The location of the property is shown on **Exhibit B** for visual reference.  
53 In the event of conflict or inconsistency, **Exhibit A** shall prevail over **Exhibit B**.  
54

55 **SECTION 2.** The City Manager or designee is authorized and directed to make the necessary  
56 changes to the Zoning Map Atlas to comply with this ordinance.

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

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

64 **SECTION 5.** This ordinance will become effective immediately upon adoption; however, the  
65 rezoning will not become effective until the amendment to the City of Gainesville  
66 Comprehensive Plan adopted by Ordinance No. 190169 becomes effective as provided therein.

67 **PASSED AND ADOPTED** this 5th day of December, 2019.

68  
69   
70 \_\_\_\_\_  
71 LAUREN POE  
72 MAYOR

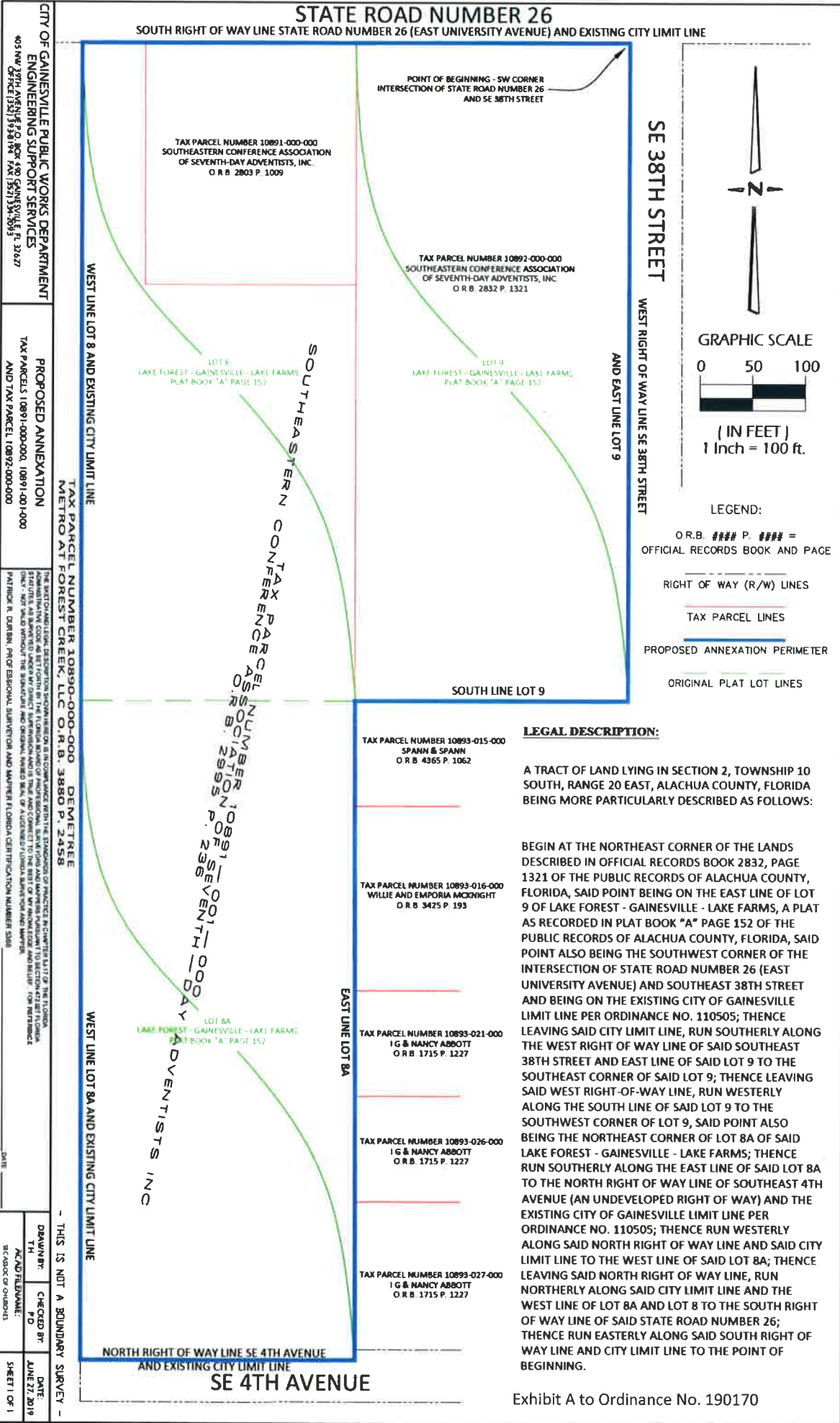
73 **Attest:** Approved as to form and legality:

74  
75   
76 \_\_\_\_\_  
77 OMICHELE D. GAINEY *Deputy Clerk*   
78 CLERK OF THE COMMISSION NICOLLE M. SHALLEY  
79 CITY ATTORNEY

80 This ordinance passed on first reading this 3rd day of October, 2019.  
81 This ordinance passed on second reading this 5th day of December, 2019.

# STATE ROAD NUMBER 26

SOUTH RIGHT OF WAY LINE STATE ROAD 26 (EAST UNIVERSITY AVENUE) AND EXISTING CITY LIMIT LINE



SE 38TH STREET

WEST RIGHT OF WAY LINE SE 38TH STREET

AND EAST LINE LOT 9

GRAPHIC SCALE  
0 50 100  
( IN FEET )  
1 Inch = 100 ft.

- LEGEND:
- O.R.B. ### P. ### = OFFICIAL RECORDS BOOK AND PAGE
  - RIGHT OF WAY (R/W) LINES
  - TAX PARCEL LINES
  - PROPOSED ANNEXATION PERIMETER
  - ORIGINAL PLAT LOT LINES

**LEGAL DESCRIPTION:**

A TRACT OF LAND LYING IN SECTION 2, TOWNSHIP 10 SOUTH, RANGE 20 EAST, ALACHUA COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2832, PAGE 1321 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, SAID POINT BEING ON THE EAST LINE OF LOT 9 OF LAKE FOREST - GAINESVILLE - LAKE FARMS, A PLAT AS RECORDED IN PLAT BOOK "A" PAGE 152 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF THE INTERSECTION OF STATE ROAD NUMBER 26 (EAST UNIVERSITY AVENUE) AND SOUTHEAST 38TH STREET AND BEING ON THE EXISTING CITY OF GAINESVILLE LIMIT LINE PER ORDINANCE NO. 110505; THENCE LEAVING SAID CITY LIMIT LINE, RUN SOUTHERLY ALONG THE WEST RIGHT OF WAY LINE OF SAID SOUTHEAST 38TH STREET AND EAST LINE OF SAID LOT 9 TO THE SOUTHEAST CORNER OF SAID LOT 9; THENCE LEAVING SAID WEST RIGHT-OF-WAY LINE, RUN WESTERLY ALONG THE SOUTH LINE OF SAID LOT 9 TO THE SOUTHWEST CORNER OF LOT 9, SAID POINT ALSO BEING THE NORTHEAST CORNER OF LOT 8A OF SAID LAKE FOREST - GAINESVILLE - LAKE FARMS; THENCE RUN SOUTHERLY ALONG THE EAST LINE OF SAID LOT 8A TO THE NORTH RIGHT OF WAY LINE OF SOUTHEAST 4TH AVENUE (AN UNDEVELOPED RIGHT OF WAY) AND THE EXISTING CITY OF GAINESVILLE LIMIT LINE PER ORDINANCE NO. 110505; THENCE RUN WESTERLY ALONG SAID NORTH RIGHT OF WAY LINE AND SAID CITY LIMIT LINE TO THE WEST LINE OF SAID LOT 8A; THENCE LEAVING SAID NORTH RIGHT OF WAY LINE, RUN NORTHERLY ALONG SAID CITY LIMIT LINE AND THE WEST LINE OF LOT 8A AND LOT 8 TO THE SOUTH RIGHT OF WAY LINE OF SAID STATE ROAD NUMBER 26; THENCE RUN EASTERLY ALONG SAID SOUTH RIGHT OF WAY LINE AND CITY LIMIT LINE TO THE POINT OF BEGINNING.

TAX PARCEL NUMBER 10893-015-000  
SPAHN & SPAHN  
O R B 4965 P. 1062

TAX PARCEL NUMBER 10893-016-000  
WILLIE AND EMPORIA MCKNIGHT  
O R B 3425 P. 193

TAX PARCEL NUMBER 10893-021-000  
I G & NANCY ABBOTT  
O R B 1715 P. 1227

TAX PARCEL NUMBER 10893-026-000  
I G & NANCY ABBOTT  
O R B 1715 P. 1227

TAX PARCEL NUMBER 10893-027-000  
I G & NANCY ABBOTT  
O R B 1715 P. 1227

TAX PARCEL NUMBER 10891-000-000  
SOUTHEASTERN CONFERENCE ASSOCIATION  
OF SEVENTH-DAY ADVENTISTS, INC.  
O R B 2803 P. 1009

TAX PARCEL NUMBER 10892-000-000  
SOUTHEASTERN CONFERENCE ASSOCIATION  
OF SEVENTH-DAY ADVENTISTS, INC.  
O R B 2832 P. 1321

LOT 8  
LAKE FOREST - GAINESVILLE - LAKE FARMS  
PLAT BOOK "A" PAGE 152

LOT 9  
LAKE FOREST - GAINESVILLE - LAKE FARMS  
PLAT BOOK "A" PAGE 152

LOT 8A  
LAKE FOREST - GAINESVILLE - LAKE FARMS  
PLAT BOOK "A" PAGE 152

SOUTHEASTERN CONFERENCE AS  
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SOUTHEASTERN CONFERENCE ASSOCIATION  
OF SEVENTH-DAY ADVENTISTS, INC.  
O.R.B. 2803 P. 1009

CITY OF GAINESVILLE PUBLIC WORKS DEPARTMENT  
ENGINEERING SUPPORT SERVICES  
405 NW 37TH AVENUE, P.O. BOX 490 GAINESVILLE, FL 32627  
OFFICE (352) 353-8191 FAX (352) 354-5093

PROPOSED ANNEXATION  
TAX PARCELS 10891-000-000, 10891-001-000  
AND TAX PARCEL 10892-000-000

TAX PARCEL NUMBER 10890-000-000  
DEMETRIE  
METRO AT FOREST GREEN, LLC O.R.B. 3880 P. 2458

THIS IS NOT A BOUNDARY SURVEY  
DRAWN BY: [ ] CHECKED BY: [ ] DATE: JUNE 27, 2019  
ACAD FILENAME: [ ]  
SHEET 1 OF 1

**Petition  
PB-19-71 ZON  
Existing Zoning**

Area under petition consideration

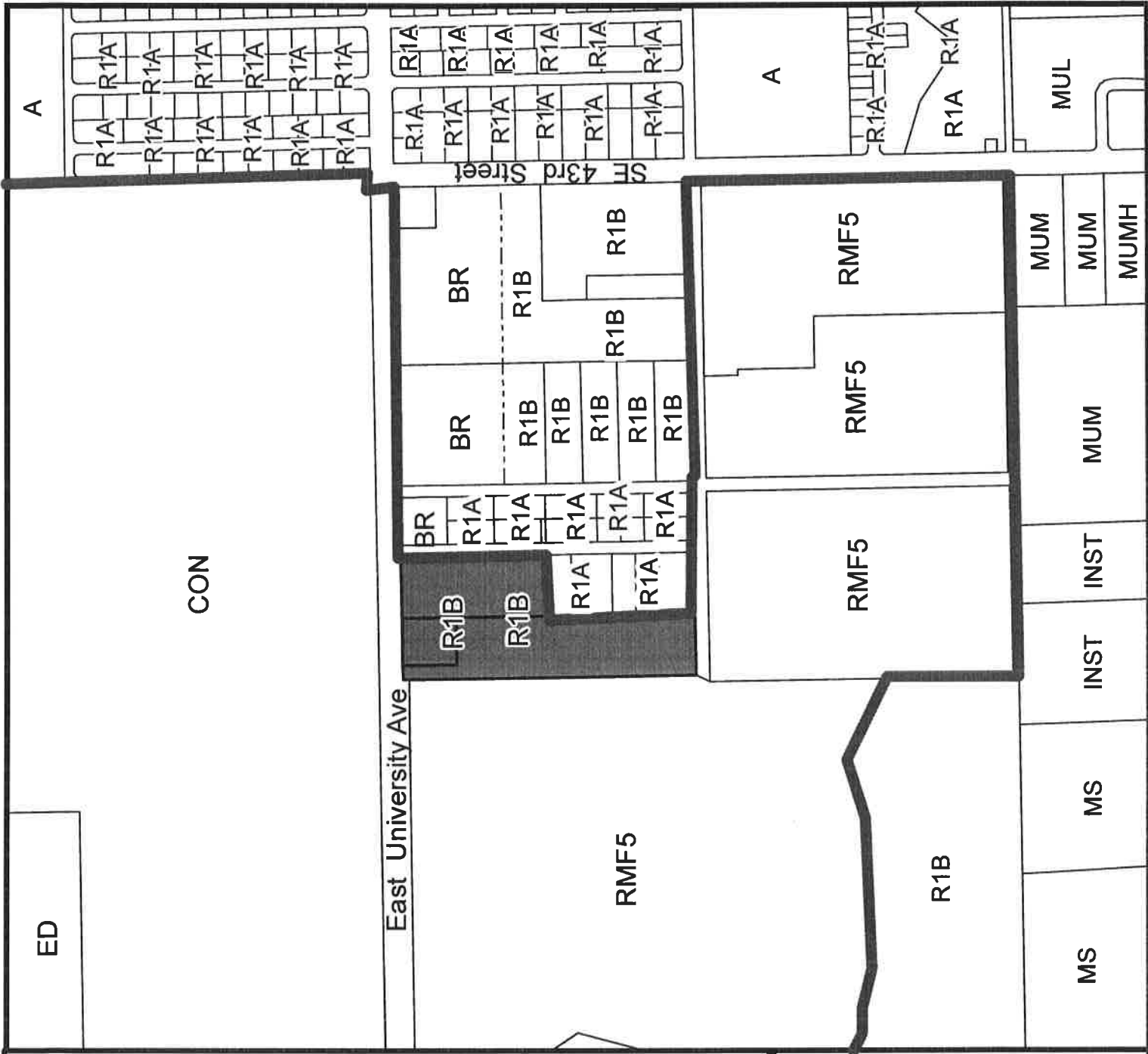
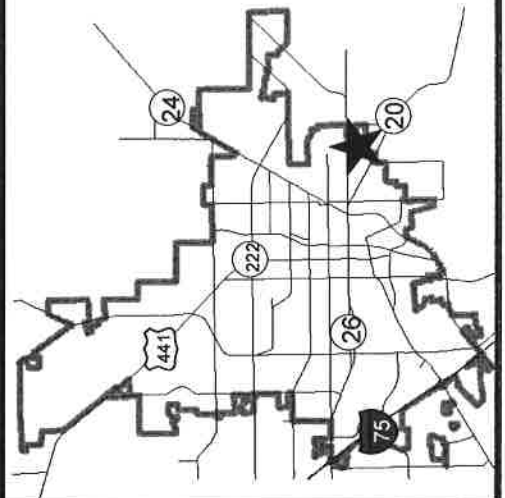
**City of Gainesville  
Land Use Categories**

- RL Residential Low-Density
- E Educational
- CON Conservation

**Alachua County  
Land Use Categories**

- R1A Residential Single Family
- R1B Residential Single Family
- BR Business, Retail Sales and Services
- MUL Mixed Use Low Density Residential
- MUM Mixed use Medium Density Residential
- A Agriculture
- MS Manufacturing & Services Industrial

--- Division line between two land use categories  
 — City Limits



**Petition  
PB-19-71 ZONING  
Proposed Zoning**

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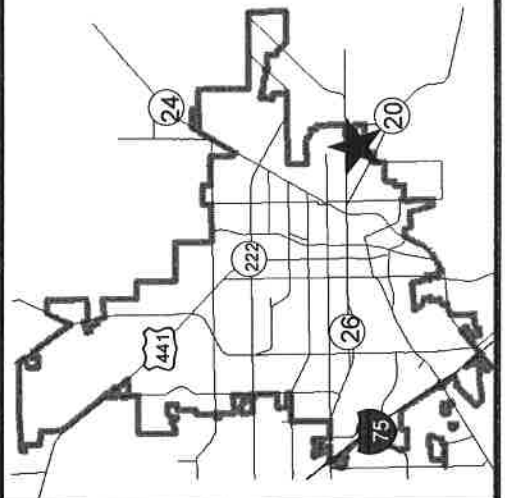
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ED

CON

East University Ave

SFT 43rd Street

RMF5

R1B

RMF5  
RMF5

BR R1A R1A R1A R1A R1A

BR R1B R1B R1B R1B R1B

BR R1B R1B

R1B

RMF5

RMF5

RMF5

MUM

MUM

MUM

MUM

MUM

MUMH

INST

INST

MS

MS

MS

MS

A

R1A R1A R1A R1A R1A R1A R1A R1A

R1A R1A R1A R1A R1A R1A R1A R1A

A

R1A R1A R1A R1A

MUL