

**LEGISLATIVE #**

**120617A**

**ORDINANCE NO. 120617**

**An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 3.88 acres of property generally located at 1961 North Main Street, as more specifically described in this ordinance, from Automotive-oriented business district (BA) to General business district (BUS); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.**

**WHEREAS**, notice was given as required by law that the Zoning Map Atlas of the City of Gainesville, Florida, be amended by rezoning certain property, as more specifically described in this ordinance, from Automotive-oriented business district (BA) to General business district (BUS); and

**WHEREAS**, notice was given as required by law and a public hearing was held by the City Plan Board on December 3, 2012; and

**WHEREAS**, at least ten (10) days notice has been given once by publication in a newspaper of general circulation notifying the public of this proposed ordinance and of public hearings in the City Hall Auditorium, First Floor, City Hall, in the City of Gainesville; and

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

**WHEREAS**, the City Commission finds that the rezoning of the property described herein is consistent with the City of Gainesville Comprehensive Plan.

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

**Section 1.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the following property from Automotive-oriented business district (BA) to General business district

1 (BUS):

2 See legal description attached as Exhibit "A" and made a part hereof as if set  
3 forth in full. The location of the property is shown on Exhibit "B" for visual  
4 reference. In the event of conflict or inconsistency, Exhibit "A" shall prevail  
5 over Exhibit "B."  
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7 **Section 2.** The City Manager is authorized and directed to make the necessary changes to  
8  
9 the Zoning Map to comply with this ordinance.

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

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

17 **Section 5.** This ordinance shall become effective immediately upon final adoption.

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19 **PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

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\_\_\_\_\_  
CRAIG LOWE  
MAYOR

ATTEST:

APPROVED AS TO FORM AND LEGALITY:

By: \_\_\_\_\_  
KURT LANNON  
CLERK OF THE COMMISSION

By: \_\_\_\_\_  
NICOLLE M. SHALLEY  
CITY ATTORNEY

This ordinance passed on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

This ordinance passed on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

## Legal Description

A tract of land situated in Lot 2 of McCOY'S COMMERCIAL PARK, a Subdivision as recorded in Plat Book "H", page 9, of the Public Records of Alachua County, Florida, said tract of land being more particularly described as follows:

Commence at the Southwest corner of said Lot 2 of McCOY'S COMMERCIAL PARK, and run North 25 deg. 40' 32" East along the East right-of-way line of North Main Street, 150.00 feet to the Point of Beginning; thence continue along the East right-of-way line of North Main Street, the following courses and distances; North 25 deg. 40' 32" East 258.70 feet; South 64 deg. 19' 28" East 15.00 feet; North 25 deg. 40' 32" East 10.00 feet; thence leave said right-of-way line and run South 64 deg. 19' 28" East 585.00 feet to the West right-of-way line of N.E. 2<sup>nd</sup> Street; thence run South 25 deg. 40' 32" West along said right-of-way line 156.89 feet; thence continue Southwesterly along said right-of-way line along a curve concave Southeasterly, said curve having a central angle of 03 deg. 44' 34", a radius of 1,944.86 feet, a length of 127.04 feet, and a chord bearing and distance of South 23 deg. 48' 15" West 127.02 feet; thence run North 68 deg. 04' 02" West 332.36 feet; thence run South 89 deg. 47' 21" East 30.46 feet; thence run North 25 deg. 40' 32" East 23.75 feet; thence run North 64 deg. 19' 28" West 300.00 feet to the Point of Beginning, said tract of land containing 3.879 acres more or less.

Parcel: 10072-002-000

Exhibit "A" to Ordinance No. 120617

# City of Gainesville Zoning Districts

- RMF-5 12 units/acre Single-Family/Multiple-Family Residential
- RMF-6 8-15 units/acre Multiple-Family Residential
- BUS General Business
- BA Automotive-Oriented Business
- W Warehousing and Wholesaling
- PD Planned Development

to Ordinance No. 120617

Exhibit "B"



*Area under petition consideration*



--- Division line between two zoning districts

## PROPOSED ZONING

|              | Name   | Petition Request                             | Map(s) | Petition Number |
|--------------|--|--|--------|-----------------|
| <br>No Scale | C David Coffey, PA agent for Bank of America | Rezone Bank of America parcel from BA to BUS | 3752   | PB-12-130 ZON   |