

CITY OF GAINESVILLE
Office of the City Attorney

980728
MEMORANDUM

Box No. 46
334-5011 / Fax 334-2229

TO: Mayor and City Commission

February 22, 1999
DATE: ~~February 8, 1999~~

CITY ATTORNEY

FROM: Marion J. Radson, City Attorney


FIRST READING
SECOND READING

SUBJECT: Ordinance No. 0-99-24, Petition No. 202PSZ-98PB
An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain lands within the City from "RMF-5: 12 units/acre single-family/multiple-family residential district" to "PS: Public services and operations district"; by permitting a parking area and stormwater drainage system as accessory uses to the principal permitted use of the administration of public health programs and associated health care, medical and social services on adjacent property without the requirement of a preliminary development plan; located in the vicinity of 2145 Southeast 2nd Avenue; providing a severability clause; providing a repealing clause; and providing an effective date.

Recommendation: The City Commission adopt the proposed ordinance.

The above-referenced ordinance has been prepared pursuant to City Commission action authorizing the City Attorney's Office to prepare the appropriate ordinance rezoning certain property within the City of Gainesville.

Prepared and
Submitted by:



Marion J. Radson
City Attorney

MJR/afm

202PSZ.CVR

Passed on first reading by a vote of 5-0.

1 **WHEREAS**, the City Commission finds that the rezoning
2 of the property described herein will be consistent with the
3 City of Gainesville 1991-2001 Comprehensive Plan upon the
4 adoption of Ordinance No. 980727, City of Gainesville; and

5 **WHEREAS**, at least ten (10) days notice has been given
6 of the public hearings prior to adoption once by publication
7 in a newspaper of general circulation notifying the public
8 of this proposed ordinance and of public hearings in the
9 City Commission meeting room, First Floor, City Hall, in the
10 City of Gainesville; and

11 **WHEREAS**, public hearings were held pursuant to the
12 published notices described above at which hearings the
13 parties in interest and all others had an opportunity to be
14 and were, in fact, heard.

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

17 **Section 1.** The following described property is rezoned and
18 changed from the zoning category of "RMF-5: 12 units/acre
19 single-family/multiple-family residential district" to "PS:
20 Public services and operations district";

21 See legal description attached hereto as
22 Exhibit "A", and made a part hereof as
23 if set forth in full.
24

1 **Section 2.** The specific uses permitted on the property
2 described in Section 1 of this ordinance are the accessory
3 uses of a parking area and stormwater drainage system to the
4 principal uses of the administration of public health
5 programs and associated health care, medical and social
6 services on adjacent property.

7 **Section 3.** The City Manager is authorized and directed to
8 make the necessary changes in the Zoning Map Atlas to comply
9 with this ordinance.

10 **Section 4.** The City Commission finds that a preliminary
11 development plan is not required in connection with this
12 rezoning ordinance.

13 **Section 5.** If any section, sentence, clause or phrase of
14 this ordinance is held to be invalid or unconstitutional by
15 any court of competent jurisdiction, then said holding shall
16 in no way affect the validity of the remaining portions of
17 this ordinance.

18 **Section 6.** All ordinances, or parts of ordinances, in
19 conflict herewith are to the extent of such conflict hereby
20 repealed.

21 **Section 7.** This Ordinance shall become effective
22 immediately upon passage; however, the rezoning shall not
23 become effective until the amendment to the City of

1 Gainesville 1991-2001 Comprehensive Plan adopted by
2 Ordinance No. 980727 becomes effective as provided therein.

3 **PASSED AND ADOPTED** this _____ day of

4 _____, 1999.

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PAULA M. DeLANEY, MAYOR

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10 ATTEST:

APPROVED AS TO FORM AND
LEGALITY:

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15 KURT LANNON

MARION J. RADSON, CITY ATTORNEY

16 CLERK OF THE COMMISSION

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This ordinance passed on first reading this _____ day
of _____, 1999.

This ordinance passed on second reading this _____ day
of _____, 1999.

MJR/afm

202PSZ-98PB

PETITION NOS. 201LUC-98 PB AND 202PSZ-98 PB

LEGAL DESCRIPTION

Lot Seventy-four (74) of New Gainesville, a subdivision as per plat thereof recorded in Plat Book "A", page 66 of the Public Records of Alachua County, Florida; Less the North Fifty (50) feet thereof, which has been previously deeded to the City of Gainesville for a right of way for a sanitary sewer trunk line and street purposes.