

**ORDINANCE NO. 121096**

**An ordinance amending the Future Land Use Map of the City of Gainesville Comprehensive Plan by changing the land use category of approximately 3.47 acres of property generally located west of NE 18<sup>th</sup> Street, south of NE 6<sup>th</sup> Place, east of NE 17<sup>th</sup> Terrace, and north of NE 5<sup>th</sup> Avenue, as more specifically described in this ordinance, from Residential Low-Density (RL) to Residential Medium-Density (RM); 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 Future Land Use Map of the City of Gainesville Comprehensive Plan be amended by changing the land use category of certain property from Residential Low-Density (RL) to Residential Medium-Density (RM); and

**WHEREAS**, the amendment to the Future Land Use Map of the City of Gainesville Comprehensive Plan proposed herein involves a use of 10 acres or fewer and qualifies as a small-scale development amendment as provided in Section 163.3187, Florida Statutes; and

**WHEREAS**, notice was given as required by law and a public hearing was held by the City Plan Board on April 25, 2013; and

**WHEREAS**, at least five (5) days' notice has been given once by publication in a newspaper of general circulation notifying the public of this proposed ordinance and of a public hearing in the City Hall Auditorium located on the first floor of City Hall in the City of Gainesville; and

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

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

1           **Section 1.** The Future Land Use Map of the City of Gainesville Comprehensive Plan is  
2 amended by changing the land use category of the following property from Residential Low-  
3 Density (RL) to Residential Medium-Density (RM):

4                   See legal description attached hereto as Exhibit "A" and made a  
5 part hereof as if set forth in full. The location of the property is  
6 shown on Exhibit "B" for visual reference. In the event of conflict  
7 or inconsistency, Exhibit "A" shall prevail over Exhibit "B."  
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9           **Section 2.** The City Manager or designee is authorized and directed to make the  
10 necessary changes to maps and other data in the City of Gainesville Comprehensive Plan in order  
11 to comply with this ordinance.


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

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

19           **Section 5.** This ordinance shall become effective immediately upon adoption; however, the  
20 effective date of this plan amendment if not timely challenged shall be 31 days after adoption. If  
21 timely challenged, this plan amendment shall become effective on the date the state land  
22 planning agency or the Administration Commission enters a final order determining this adopted  
23 amendment to the City of Gainesville Comprehensive Plan to be in compliance with Chapter  
24 163, Florida Statutes. No development orders, development permits, or land uses dependent on  
25 this amendment may be issued or commenced before this plan amendment has become effective.

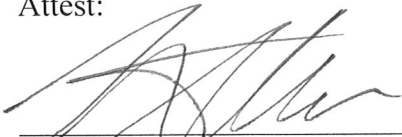
1 PASSED AND ADOPTED this 18<sup>th</sup> day of July, 2013.

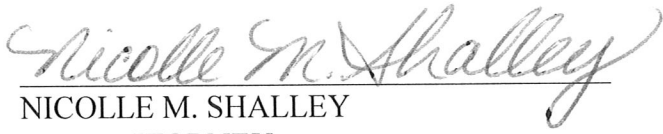
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EDWARD B. BRADDY  
MAYOR

Attest:

Approved as to form and legality:

  
KURT LANNON  
CLERK OF THE COMMISSION

  
NICOLLE M. SHALLEY  
CITY ATTORNEY

This ordinance passed this 18<sup>th</sup> day of July, 2013.

## Legal Description

### DESCRIPTION:

A PARCEL OF LAND SITUATED IN SECTION 3, TOWNSHIP 10 SOUTH, RANGE 20 EAST, ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF BLOCK E OF JERU PARK AS RECORDED IN PLAT BOOK C, PAGE 44 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, AS THE POINT OF REFERENCE, THENCE RUN NORTH 89°46'58" WEST ALONG THE SOUTH LINE OF SAID BLOCK "E", 15.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 89°46'58" WEST ALONG THE SOUTH LINE OF SAID BLOCK "E", A DISTANCE OF 235.02 FEET TO THE SOUTHEAST CORNER OF LOT 14 OF SAID BLOCK "E"; THENCE RUN NORTH 00°16'45" EAST, 94.23 FEET TO THE NORTHEAST CORNER OF SAID LOT 14; THENCE RUN NORTH 89°48'00" WEST, 24.96 FEET TO THE NORTHWEST CORNER OF SAID LOT 14, THE SAME BEING THE SOUTHEAST CORNER OF LOT 12, BLOCK E; THENCE RUN NORTH 00°16'45" EAST, 94.17 FEET TO THE NORTHEAST CORNER OF SAID LOT 12; THENCE RUN SOUTH 89°44'15" EAST ALONG THE NORTH LINE OF BLOCK E, 75.00 FEET TO THE NORTHEAST CORNER OF LOT 9 OF SAID BLOCK "E"; THENCE RUN NORTH 00° 16'00" EAST, 124.15 FEET TO THE NORTHEAST CORNER OF LOT 16, BLOCK D, OF SAID JERU PARK; THENCE RUN NORTH 89°47'37" WEST, 75.03 FEET TO THE SOUTHEAST CORNER OF LOT 12, BLOCK D; THENCE RUN NORTH 00°15'19" EAST 94.09 FEET TO THE NORTHEAST CORNER OF LOT 12, BLOCK D; THENCE SOUTH 89°51'16" EAST ALONG THE NORTH LINE OF BLOCK D, 49.96 FEET TO THE NORTHEAST CORNER OF LOT 10, AT SAID BLOCK "B"; THENCE RUN NORTH 00°22'18" EAST, 124.16 FEET TO THE NORTHEAST CORNER OF LOT 15, BLOCK A OF SAID JERU PARK; THENCE RUN NORTH 89° 46'46" WEST, 75.10 FEET TO THE WEST LINE OF BLOCK A; THENCE RUN NORTH 00°16'00" EAST ALONG SAID WEST LINE AND A NORTHERLY PROJECTION OF SAME, 109.15 FEET TO THE SOUTH LINE OF LOT 13 OF NEW GAINESVILLE AS RECORDED IN PLAT BOOK A, PAGE 66 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE RUN SOUTH 89°46'46" EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 284.97 FEET TO THE WEST RIGHT OF WAY LINE OF NORTHEAST 18TH STREET; THENCE SOUTH 0°16'24" WEST ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 639.92 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 3.47 ACRES, MORE OR LESS.

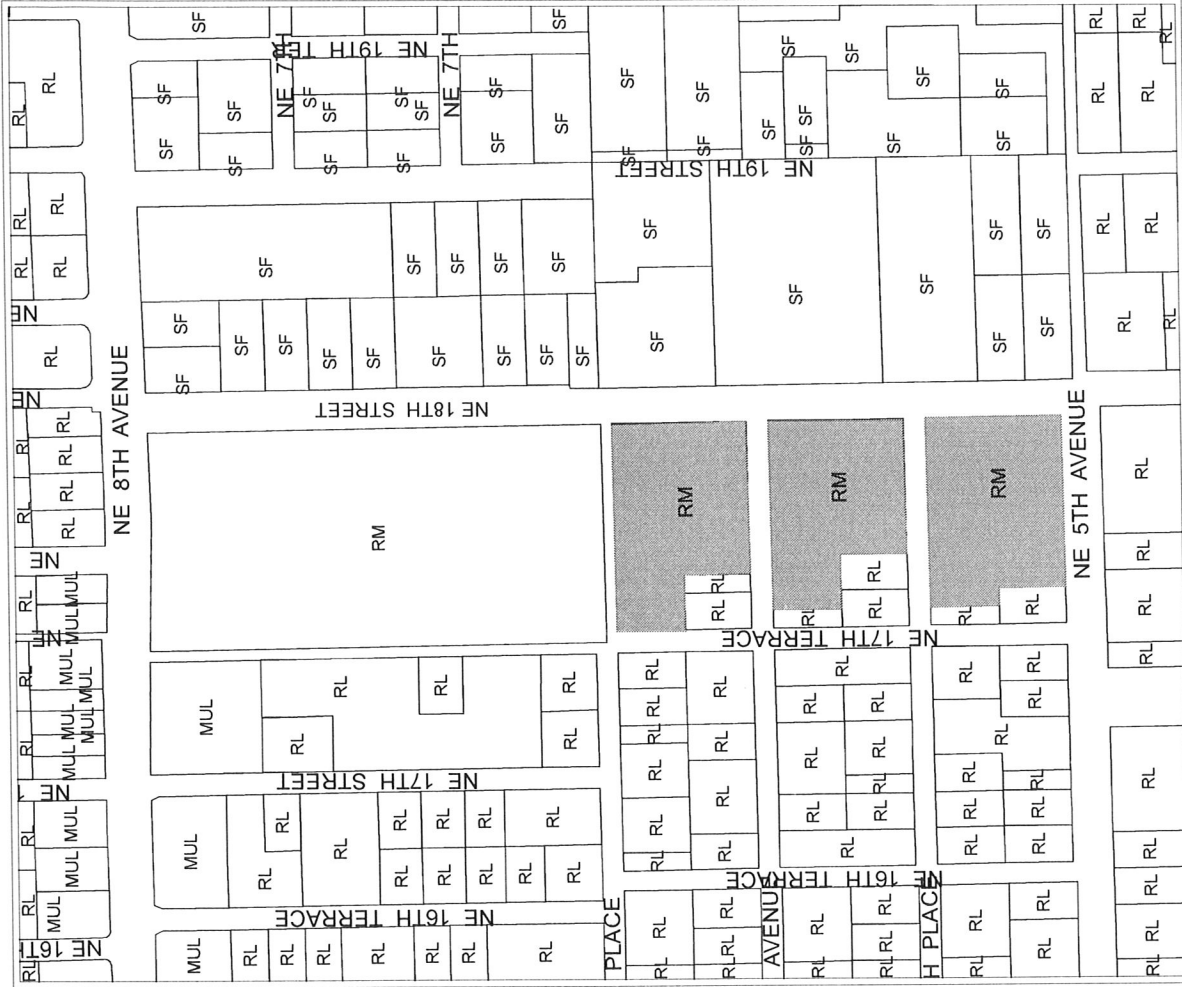
## City of Gainesville Land Use Designations

- SF Single Family (up to 8 du/acre)
- RL Residential Low Density (up to 12 du/acre)
- RM Residential Medium Density (8-30 du/acre)
- MUL Mixed Use Low Intensity (8-30 du/acre)

Exhibit "B" to Ordinance No. 121096

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Area under petition consideration

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Division line between two land use districts



## PROPOSED LAND USE

Name	Petition Request	Map(s)	Petition Number
Causseaux, Hewett & Walpole, agent for Gardenia Garden Apartments Limited Partnership	Amend the City of Gainesville Land Use map from Residential Low Density (RL) to Residential Medium Density (RM)	3954	PB-13-26 LUC

