

LEGISLATIVE #

121096A

ORDINANCE NO. 121096

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3 **An ordinance amending the Future Land Use Map of the City of Gainesville**
4 **Comprehensive Plan by changing the land use category of approximately**
5 **3.47 acres of property generally located west of NE 18th Street, south of NE**
6 **6th Place, east of NE 17th Terrace, and north of NE 5th Avenue, as more**
7 **specifically described in this ordinance, from Residential Low-Density (RL)**
8 **to Residential Medium-Density (RM); providing directions to the City**
9 **Manager; providing a severability clause; providing a repealing clause; and**
10 **providing an effective date.**

11
12 **WHEREAS,** notice was given as required by law that the Future Land Use Map of the
13 City of Gainesville Comprehensive Plan be amended by changing the land use category of certain
14 property from Residential Low-Density (RL) to Residential Medium-Density (RM); and

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

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

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

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

26 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**
27 **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."
8

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 _____ day of _____, 2013.

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EDWARD B. BRADDY
MAYOR

8 Attest:

Approved as to form and legality:

9

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11

KURT LANNON
CLERK OF THE COMMISSION

NICOLLE M. SHALLEY
CITY ATTORNEY

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15

16

17 This ordinance passed this _____ day of _____, 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

----- Division line between two land use districts

Area
under petition
consideration



PROPOSED LAND USE

	Name	Petition Request	Map(s)	Petition Number
 No Scale	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