

D R A F T

9/10/2009

ORDINANCE NO. _____
0-09-61

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain property within the City, as more specifically described in this Ordinance, from "RMF-5: 12 units/acre single-family/multiple-family residential district" to "PS: Public services and operations district": to allow, as uses permitted by right, a public park and other related uses, as more specifically described in this ordinance, without the requirement of a preliminary development plan; located in the vicinity of 1500 Northwest 45th Avenue; this property is also known as tax parcel no. 07883-010-005, as more specifically described in this ordinance; providing a severability clause; providing a repealing clause; and providing an effective date.

WHEREAS, publication of notice of a public hearing was given that the Zoning Map Atlas be amended by rezoning certain property within the City from the zoning category of "RMF-5: 12 units/acre single-family/multiple family residential district" to "PS: Public services and operations district"; and

WHEREAS, notice was given and publication made as required by law and a public hearing was held by the City Plan Board on June 25, 2009; and

WHEREAS, the City Commission finds that the rezoning of the property described herein will be consistent with the City of Gainesville 2000-2010 Comprehensive Plan upon the adoption of City of Gainesville Ordinance No. 090341; and

WHEREAS, at least ten (10) days notice has been given of the public hearing once by publication in a newspaper of general circulation notifying the public of this proposed ordinance and of a public hearing in the City Commission meeting room, First Floor, City Hall, in the City of

D R A F T

9/10/2009

Gainesville; and

WHEREAS, pursuant to law, notice has also been given by mail to the owner whose property will be regulated by the adoption of this Ordinance, at least thirty days prior to the date set for a public hearing on this ordinance; and

WHEREAS, the public hearing was held pursuant to the published and mailed 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:

Section 1. The Zoning Map Atlas of the City of Gainesville is amended by rezoning the following described property from the zoning category of "RMF-5: 12 units/acre single-family/multiple family residential district" to "PS: Public services and operations district":

See Legal Description attached hereto as Exhibit "A", and made a part hereof as if set forth in full.

Section 2. The City Manager is authorized and directed to make the necessary changes in the Zoning Map to comply with this Ordinance.

Section 3. The uses permitted by right on the property described in Section 1 of this Ordinance are as follows:

- 1) Public park and recreation areas, including, but not limited to, active and passive recreation amenities, nature trails and boardwalks, picnic tables and pavillions, playgrounds, tennis courts and volleyball courts;
- 2) A public nature/interpretive center; and

D R A F T

9/10/2009

3) Accessory uses customarily and clearly incidental to any permitted principal use.

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

Section 5. If any word, phrase, clause, paragraph, section or provision of this ordinance or the application hereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of the ordinance which can be given effect without the invalid or unconstitutional provisions or application, and to this end the provisions of this ordinance are declared severable.

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

Section 7. This ordinance shall become effective immediately upon final adoption; however, the rezoning shall not become effective until the amendment to the City of Gainesville 2000-2010 Comprehensive Plan adopted by Ordinance No. 090341 becomes effective as provided therein.

PASSED AND ADOPTED this ____ day of ____, 2009.

PEGEEN HANRAHAN, MAYOR

ATTEST:

Approved as to form and legality:

KURT LANNON,
CLERK OF THE COMMISSION

By: _____
MARION J. RADSON, CITY ATTORNEY

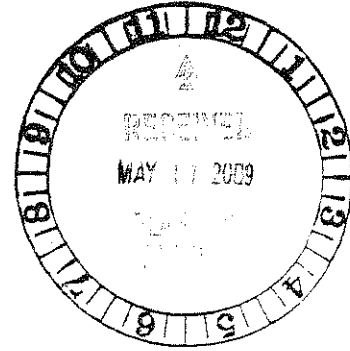
This ordinance passed this ____ day of ____, 2009.
H:\Marion Radson\Planning\PZ-09-62ZONPet.DOC



Rory P. Causseaux, P.E.
President

Kevin W. Hewett, P.L.S.
Vice President - Surveying

Robert J. Walpole, P.E.
Vice President -
Engineering & Planning



Date: April 1, 2009
For: The City of Gainesville
Job No. 09-0090

Legal Description: Hogtown Creek Headquarters

A PARCEL OF LAND BEING A PORTION OF BLOCKS 18, 19, 31, AND 32 PER THE PLAT OF PARADISE, AS RECORDED IN PLAT BOOK "A", PAGE 4, OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, ALL BEING SITUATED IN SECTION 19, TOWNSHIP 9 SOUTH, RANGE 20 EAST, ALACHUA COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A 5/8" REBAR & CAP MARKED "LB 7148" AT THE INTERSECTION OF THE EAST LINE OF SAID BLOCK 31 WITH THE NORTH RIGHT OF WAY LINE OF NORTHWEST 45TH AVENUE (A 100 FOOT RIGHT OF WAY); THENCE SOUTH 89°13'09" WEST, ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 333.71 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUE SOUTH 89°13'09" WEST, ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 561.08 FEET; THENCE DEPARTING SAID NORTH RIGHT OF WAY LINE, NORTH 00°46'51" WEST, A DISTANCE OF 683.19 FEET; THENCE NORTH 89°13'09" EAST, A DISTANCE OF 561.08 FEET; THENCE SOUTH 00°46'51" EAST, A DISTANCE OF 683.19 FEET TO THE **POINT OF BEGINNING**.

THE ABOVE DESCRIBED LAND CONTAINS 8.80 ACRES, MORE OR LESS.

6011 NW 1st Place
Gainesville, Florida 32607
Phone: (352) 331-1976
Fax: (352) 331-2476
www.chw-inc.com

EXHIBIT "A"