



# MEMORANDUM

Office of the City Attorney

LEGISLATIVE ITEM NO. 002675

Phone: 334-5011/Fax 334-2229  
Box 46

**TO:** Mayor and City Commission

July 22, 2002  
**DATE:** July 8, 2002

**FROM:** City Attorney

**CITY ATTORNEY**  
~~FIRST READING~~  
SECOND READING

**SUBJECT:** Ordinance No. 0-02-28, Petition No. 34PDA-02PB  
An Ordinance of the City of Gainesville, Florida; amending the Planned Development commonly known as "North Florida Regional Medical Center" located in the vicinity of 6440 Newberry Road; by amending City of Gainesville Ordinance No. 950702 by amending the square footage allowed in the three phases of the planned development; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

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Recommendation: The City Commission adopt the proposed ordinance.

The City Commission, at its meeting of June 10, 2002 authorized the city attorney's office to prepare and advertise the necessary ordinance amending the text of the planned development known as "North Florida Regional Medical Center".

Prepared and Submitted by:

  
\_\_\_\_\_  
Marion J. Radson, City Attorney

MJR/afm

Attachment

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

**D R A F T**

6/27/2002

ORDINANCE NO. \_\_\_\_\_  
0-02-28

**An Ordinance of the City of Gainesville, Florida; amending the Planned Development commonly known as “North Florida Regional Medical Center” located in the vicinity of 6440 Newberry Road; by amending City of Gainesville Ordinance No. 950702 by amending the square footage allowed in the three phases of the planned development; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

**WHEREAS**, the City Plan Board authorized the publication of notice of a Public Hearing, and the petitioner has petitioned the City to amend the planned development commonly known as “North Florida Regional Medical Center”; and

**WHEREAS**, notice was given and publication made as required by law of a Public Hearing which was then held by the City Plan Board on May 16, 2002; and

**WHEREAS**, notice was given and publication made of a Public Hearing which was then held by the City Commission on June 10, 2002; and

**WHEREAS**, the City Commission finds that the amendment of the Planned Development District ordinance is consistent with the City of Gainesville 1991-2001 Comprehensive Plan and the City of Gainesville 2000-2010 Comprehensive Plan as adopted by Resolution No. 002684.

**WHEREAS**, at least ten (10) days notice has been given once by publication in a newspaper of general circulation prior to the adoption public hearing 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 Gainesville; and

**D R A F T**

6/19/2002

1           **WHEREAS**, Public Hearings were held pursuant to the published and mailed notices  
2 described at which hearings the parties in interest and all others had an opportunity to be and were,  
3 in fact, heard.

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

6           **Section 1.** Section 1 of Ordinance No. 950702, adopted by the City Commission on  
7 October 9, 1995, that provided for conditions, restrictions and regulations, is amended by this  
8 ordinance as follows:

9           “5. Total square footage for the PUD shall be up to 160,000 to be built in three phases  
10 of 59,995, 39,987 and 60,018 square feet each. The amount of square footage constructed in each  
11 phase can be more or less than the amount specified, provided the total square footage for the PUD  
12 is not exceeded. The maximum building height shall not exceed four stories for Phases I & II and  
13 two stories for Phase III, and the maximum building coverage shall be 30%. The Phases may be  
14 developed in any sequence.”

15           **Section 2.** Except as expressly amended by this ordinance, the remaining provisions of  
16 Ordinance No. 950702 shall remain in full force and effect.

17           **Section 3.** If any section, sentence, clause or phrase of this ordinance is held to be invalid  
18 or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect  
19 the validity of the remaining portions of this ordinance.

**D R A F T**

**6/19/2002**

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

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

4           **PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_,  
5 2002.

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Thomas D. Bussing, Mayor

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11 **ATTEST:**

**APPROVED AS TO FORM AND LEGALITY:**

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\_\_\_\_\_  
Kurt Lannon,  
Clerk of the Commission

\_\_\_\_\_  
Marion J. Radson, City Attorney

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This ordinance passed on first reading this \_\_\_\_ day of \_\_\_\_\_, 2002.

This ordinance passed on second reading this \_\_\_ day of \_\_\_\_\_, 2002.