

**LEGISLATIVE #**

**130283A**

**ORDINANCE NO. 130283**

**An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 1.7 acres of property generally located at 2201 and 2219 NE 2<sup>nd</sup> Street, as more specifically described in this ordinance, from Planned Development District (PD) to General Office District (OF); 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 Zoning Map Atlas of the City of Gainesville, Florida, be amended by rezoning certain property from Planned Development District (PD) to General Office District (OF); and

**WHEREAS**, notice was given as required by law and a public hearing was held by the City Plan Board on August 22, 2013; and

**WHEREAS**, at least thirty (30) days' notice has been given by mail to each real property owner whose land will be redesignated by enactment of this ordinance and whose address is known by reference to the latest ad valorem tax records, notifying such property owners 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**, at least ten (10) 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; and

**WHEREAS**, the City Commission finds that the rezoning of the property described herein will be consistent with the City of Gainesville Comprehensive Plan when City of

1 Gainesville Ordinance No. 130282 becomes effective as provided therein.

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

4 **Section 1.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the  
5 following property from Planned Development District (PD) to General Office District (OF):

6 See legal description attached as Exhibit "A" and made a part hereof as if set  
7 forth in full. The location of the property is shown on Exhibit "B" for visual  
8 reference. In the event of conflict or inconsistency, Exhibit "A" shall prevail  
9 over Exhibit "B".

10 **Section 2.** The City Manager or designee is authorized and directed to make the  
11 necessary changes to the Zoning Map Atlas 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,  
20 the rezoning shall not become effective until the amendment to the City of Gainesville  
21 Comprehensive Plan adopted by Ordinance No. 130282 becomes effective as provided therein.

22  
23 **PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2013.

24  
25  
26  
27  
28 \_\_\_\_\_  
29 EDWARD B. BRADDY  
30 MAYOR

1 Attest:

Approved as to form and legality:

2  
3

4 By: \_\_\_\_\_

By: \_\_\_\_\_

5 KURT LANNON  
6 CLERK OF THE COMMISSION

NICOLLE M. SHALLEY  
CITY ATTORNEY

7  
8

9 This ordinance passed on this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

10

**LEGAL DESCRIPTION**

OFFICIAL RECORDS BOOK 1841, PAGE 1393

LOT 7 OF McCOY'S COMMERCIAL PARK, A SUBDIVISION, AS PER PLAT THEREOF RECORDED IN PLAT BOOK "H", PAGE 9 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA

AND

OFFICIAL RECORDS BOOK 1560, PAGE 2924

A TRACT OF LAND SITUATED IN LOT SIX (6), OF McCOY'S COMMERCIAL PARK, A SUBDIVISION AS RECORDED IN PLAT BOOK "H", PAGE 9, PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS: BEGIN AT THE NORTHWEST CORNER OF LOT SIX (6) OF SAID McCOY'S COMMERCIAL PARK, AND RUN SOUTH 89 DEGREES, 45 MINUTES, 28 SECONDS EAST, 193.00 FEET TO THE NORTHEAST CORNER OF SAID LOT SIX (6); THENCE RUN SOUTH .00 DEGREES, 04 MINUTES, 09 SECONDS EAST ALONG THE EAST LINE OF SAID LOT SIX (6), 165.00 FEET; THENCE RUN NORTH 77 DEGREES, 30 MINUTES, 45 SECONDS WEST, 231.24 FEET TO THE EAST RIGHT OF WAY LINE OF NORTHEAST 2<sup>ND</sup> STREET; THENCE RUN NORTHERLY ALONG SAID RIGHT OF WAY LINE WITH A CURVE CONCAVE WESTERLY, SAID CURVE HAVING A CENTRAL ANGLE OF 08 DEGREES, 38 MINUTES, 09 SECONDS, A RADIUS OF 798.94 FEET, A LENGTH OF 120.42 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 15 DEGREES, 42 MINUTES, 36 SECONDS EAST, 120.31 FEET TO THE POINT OF BEGINNING.

## City of Gainesville Zoning Districts

RSF-1	3.5 units/acre Single-Family Residential
RMF-6	8-15 units/acre Multiple-Family Residential
BUS	General Business
OF	General Office
BA	Automotive-Oriented Business
MU-2	12-30 units/acre Mixed Use Medium Intensity
PS	Public Services and Operations
PD	Planned Development



Area under petition consideration

----- Division line between two zoning districts



### PROPOSED ZONING

 No Scale	Name	Petition Request	Map(s)	Petition Number
	City Plan Board, applicant	Rezone property from Planned Development district (PD) to General office district (OF)	3752	PB-13-76 ZON