

Legislative #

100850-A

ORDINANCE NO. 100850

An Ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan Future Land Use Map; by changing the land use category of certain properties, as more specifically described in this ordinance, from the land use categories of “Public Facilities” and “Residential Low-Density (up to 12 units per acre)” to “Education”; consisting of approximately 14.3 acres, and located in the vicinity of 2004 Northeast Waldo Road; providing directions to the City Manager and the codifier; providing a severability clause; and providing an effective date.

WHEREAS, publication of notice of a public hearing was given that the Future Land Use Map be amended by changing the land use categories of certain properties from “Public Facilities” and “Residential Low-Density (up to 12 units per acre)” to “Education”; and

WHEREAS, notice was given and publication made as required by law and a public hearing was held by the City Plan Board on March 24, 2011; and

WHEREAS, pursuant to law, an advertisement no less than two columns wide by 10 inches long was placed in a newspaper of general circulation notifying the public of this proposed ordinance and of the Public Hearing to be held in the City Commission Meeting Room, First Floor, City Hall, in the City of Gainesville at least seven (7) days after the day the first advertisement was published; and

WHEREAS, pursuant to law, after the public hearing at the transmittal stage, the City of Gainesville transmitted copies of this proposed change to the State Land Planning Agency; and

WHEREAS, a second advertisement no less than two columns wide by 10 inches long was placed in the aforesaid newspaper notifying the public of the second Public Hearing to be held at the adoption stage at least five (5) days after the day the second advertisement was published; and

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

4 **WHEREAS**, prior to adoption of this ordinance, the City Commission has considered the
5 comments, recommendations and objections, if any, of the State Land Planning Agency.

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

8 **Section 1.** The Future Land Use Map of the City of Gainesville 2000-2010 Comprehensive
9 Plan is amended by changing the land use categories of the following described properties from
10 “Public Facilities” and “Residential Low-Density (up to 12 units per acre)” to “Education”, as more
11 specifically described below:

12 See legal description attached hereto as Exhibit "A" and made a part hereof as if set
13 forth in full.

14 **Section 2.** The City Manager is authorized and directed to make the necessary changes in
15 maps and other data in the City of Gainesville 2000-2010 Comprehensive Plan, or element, or
16 portion thereof in order to comply with this ordinance.

17 **Section 3.** If any word, phrase, clause, paragraph, section or provision of this ordinance
18 or the application hereof to any person or circumstance is held invalid or unconstitutional, such
19 finding shall not affect the other provisions or applications of the ordinance which can be given
20 effect without the invalid or unconstitutional provisions or application, and to this end the
21 provisions of this ordinance are declared severable.

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

1 **Section 5.** This ordinance shall become effective immediately upon passage on second
 2 reading; however, the effective date of this plan amendment, if the amendment is not timely
 3 challenged, shall be 31 days after the state land planning agency notifies the City that the plan
 4 amendment package is complete in accordance with Chapter 163.3184, F.S. If timely challenged,
 5 this amendment shall become effective on the date the state land planning agency or the
 6 Administration Commission enters a final order determining this adopted amendment to be in
 7 compliance in accordance with Chapter 163.3184, F.S. No development orders, development
 8 permits, or land uses dependent on this amendment may be issued or commenced before this
 9 plan amendment has become effective.

10 **PASSED AND ADOPTED** this _____ day of _____, 2011.

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 CRAIG LOWE, MAYOR

14 ATTEST:

APPROVED AS TO FORM AND LEGALITY:

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 KURT M. LANNON
 CLERK OF THE COMMISSION

 MARION J. RADSON
 CITY ATTORNEY

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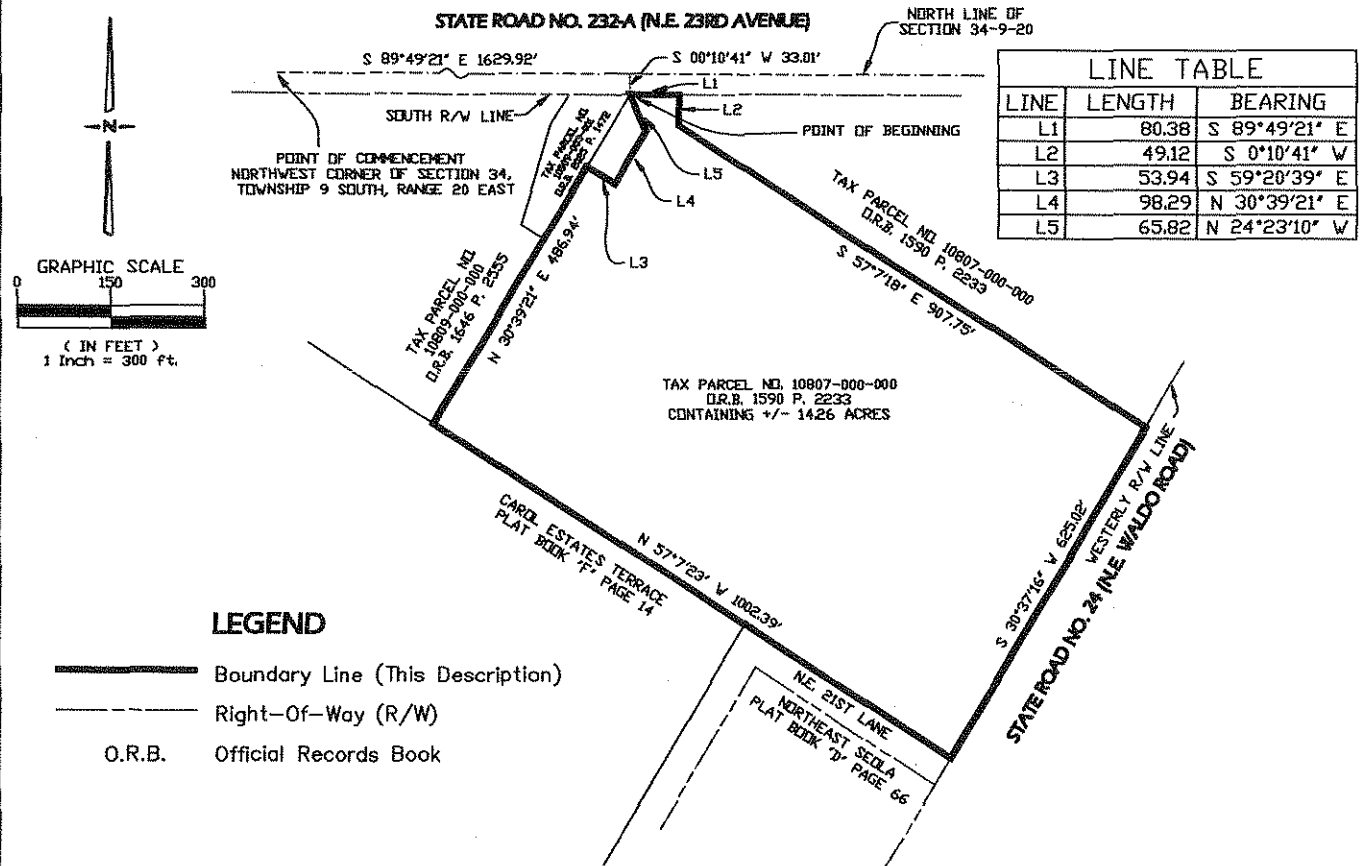
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21 This Ordinance passed on first reading on this ____ day of _____, 2011.

22 This Ordinance passed on second reading this ____ day of _____, 2011.

SKETCH AND LEGAL DESCRIPTION

IN SECTION 34, TOWNSHIP 9 SOUTH, RANGE 20 EAST ALACHUA COUNTY, FLORIDA



LEGEND

- Boundary Line (This Description)
- Right-Of-Way (R/W)
- O.R.B. Official Records Book

LEGAL DESCRIPTION: (BY THIS SURVEYOR)

A PORTION OF THE FORMER FLORIDA DEPARTMENT OF TRANSPORTATION'S LANDS LYING IN THE NORTHWEST ¼ (ONE QUARTER) OF SECTION 34, TOWNSHIP 9 SOUTH, RANGE 20 EAST, ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 34; THENCE RUN SOUTH 89° 49' 21" EAST ALONG THE NORTH LINE OF SAID SECTION 34 A DISTANCE OF 1629.92 FEET; THENCE RUN SOUTH 0° 10' 41" WEST A DISTANCE OF 33.01 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF N.E. 23RD AVENUE AND THE POINT OF BEGINNING; THENCE RUN SOUTH 89° 49' 21" EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE AND THE NORTH LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 553, PAGE 146 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA A DISTANCE OF 80.38 FEET; THENCE RUN SOUTH 0° 10' 41" WEST ALONG THE EAST LINE OF SAID LANDS A DISTANCE OF 49.12 FEET; THENCE RUN SOUTH 57° 07' 18" EAST ALONG THE NORTH LINE OF SAID LANDS A DISTANCE OF 907.75 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF WALDO ROAD, ALSO KNOWN AS STATE ROAD NO. 24; THENCE RUN SOUTH 30° 37' 16" WEST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 625.02 FEET; THENCE LEAVING SAID RIGHT-OF-WAY LINE RUN NORTH 57° 07' 23" WEST A DISTANCE OF 1002.39 FEET; THENCE RUN NORTH 30° 39' 21" EAST ALONG THE WEST LINE OF SAID LANDS A DISTANCE OF 486.94 FEET; THENCE RUN SOUTH 59° 20' 39" EAST A DISTANCE OF 53.94 FEET; THENCE RUN NORTH 30° 39' 21" EAST A DISTANCE OF 98.29 FEET; THENCE RUN NORTH 24° 23' 10" WEST A DISTANCE OF 65.82 FEET TO AN INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF N.E. 23RD AVENUE AND THE POINT OF BEGINNING, CONTAINING 14.26 ACRES, MORE OR LESS.

SURVEYOR'S NOTES:

- 1) THIS SKETCH AND LEGAL DESCRIPTION IS BASED ON THE SKETCH AND LEGAL DESCRIPTION PREPARED BY GEORGE F. YOUNG, PROJECT NO. 02530072.01 FOR THE UNIVERSITY OF FLORIDA ADMINISTRATIVE AFFAIRS DATED 7-16-02.
- 2) THE SOLE PURPOSE OF THIS SKETCH AND LEGAL DESCRIPTION IS TO COMBINE THE TWO SEPARATE PARCELS AS SHOWN ON THAT SKETCH.

- THIS IS NOT A BOUNDARY SURVEY -

CITY OF GAINESVILLE PUBLIC WORKS DEPARTMENT ENGINEERING SUPPORT SERVICES 405 NW 38TH AVENUE P.O. BOX 490 GAINESVILLE, FL 32602-0490 OFFICE (352) 393-8104 FAX (352) 334-2065	DATE: JUNE 14, 2011	THIS SKETCH AND LEGAL DESCRIPTION WAS PREPARED TO MEET THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 61-176 OF THE FLORIDA ADMINISTRATIVE CODE, PLEASANT TO SECTION 472.007, FLORIDA STATUTES AND IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL INKED SEAL OF A FLORIDA LICENSED SURVEYOR & MAPPER.
	DRAWN BY: TH	
	CHECKED BY: FD	
		PATRICK E. DURBIN, PROFESSIONAL SURVEYOR AND MAPPER, FLORIDA CERTIFICATION NUMBER 13683