1 2	ORDINANCE NO. 140933
3 4 5 6 7 8 9	An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 0.33 acres of property generally located at 1220 NW 39 <sup>th</sup> Avenue approximately 360 feet east of NW 13 <sup>th</sup> Street, as more specifically described in this ordinance, from Office Residential District (OR) to Mixed Use Low Intensity District (MU-1); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.
11	WHEREAS, notice was given as required by law that this ordinance will amend the
12	Zoning Map Atlas of the City of Gainesville, Florida, by rezoning the subject property from
13	Office Residential District (OR) to Mixed Use Low Intensity District (MU-1); and
14	WHEREAS, on April 23, 2015, a public hearing was held by the City Plan Board, which
15	acts as the local planning agency pursuant to Section 163.3174, Florida Statutes, where it
16	recommended approval of this ordinance; and
17	WHEREAS, at least ten (10) days' notice has been given once by publication in a
18	newspaper of general circulation notifying the public of this proposed ordinance and of public
19	hearings in the City Hall Auditorium located on the first floor of City Hall in the City of
20	Gainesville; and
21	WHEREAS, the public hearings were held pursuant to the notice described above at
22	which hearings the parties in interest and all others had an opportunity to be and were, in fact,
23	heard; and
24	WHEREAS, the City Commission finds that the rezoning of the subject property will be
25	consistent with the City of Gainesville Comprehensive Plan when the amendment to the
26	Comprehensive Plan adopted by Ordinance No. 140932 becomes effective as provided therein.
27	NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE
28	CITY OF GAINESVILLE, FLORIDA:

Section 1. The Zoning Map Atlas of the City of Gainesville is amended by rezoning the

29

1	following property from Office Residential District (OR) to Mixed-Use Low-Intensity District
2	(MU-1):
3 4 5 6 7	See legal description attached as Exhibit "A" and made a part hereof as if set forth in full. The location of the property is shown on Exhibit "B" for visual reference. In the event of conflict or inconsistency, Exhibit "A" shall prevail over Exhibit "B".
8	Section 2. The City Manager or designee is authorized and directed to make the
9	necessary changes to the Zoning Map Atlas to comply with this ordinance.
10	Section 3. If any word, phrase, clause, paragraph, section or provision of this ordinance
11	or the application hereof to any person or circumstance is held invalid or unconstitutional, such
12	finding shall not affect the other provisions or applications of this ordinance that can be given
13	effect without the invalid or unconstitutional provision or application, and to this end the
14	provisions of this ordinance are declared severable.
15	Section 4. All ordinances or parts of ordinances in conflict herewith are to the extent of
16	such conflict hereby repealed.
17	Section 5. This ordinance shall become effective immediately upon adoption; however,
18	the rezoning shall become effective when the amendment to the City of Gainesville
19	Comprehensive Plan adopted by Ordinance No. 140932 becomes effective as provided therein.
20 21	PASSED AND ADOPTED this 16th day of July, 2015.
22 23	EDWARD R BRADDY
24 25	Soll O. Braddy
25 26	EDWARD B. BRADDY  MAYOR
27	
28 29	Attest: Approved as to form and legality:
30 31	By: Luc. Lah
32	By: Luc. 5-lah KURT LANKON  By: Luc. 5-lah KURT LANKON  LNICOLLE M. SHAVLEY
33	CLERK OF THE COMMISSION CITY ATTORNEY

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This ordinance passed on second reading this 16th day of July, 2015.

## EXHIBIT "A" TO ORDINANCE NO. 140933

Commence at the Southwest corner of Section 20, Township 9 South, Range 20 East, run thence East 50', thence run North 23', thence run East 380', to Point of Beginning; from said Point of Beginning, thence run North 158', thence run East 100', thence run South 158', thence run West 100' to POB.

Less that part of the right of way of Northwest 39 Avenue. Less the following described parcel: A parcel of land in Section 20, Township 9 South, Range 20 East, Alachua County, Florida, more particularly described as follows:

Commence on the West line of Section 29, Township 9 South, Range 20 East, at a point 10 feet Southerly from the Northwest Corner thereof; thence North 88°48'31" East 529.71 feet; thence North 01°07'05" West 33 feet, (crossing the Northerly line of said Section 29, into Section 20, Township 9 South, Range 20 East), to the intersection of the Northerly right of way line of State Road 222 and the Westerly right of way line of Northwest Twelfth Terrace (a 30 foot right of way) and the Point of Beginning; continue North 01°07'05" West along said Westerly right of way line of Northwest Twelfth Terrace, a distance of 35 feet; thence South 26°25'56" West 22.37 feet; thence South 88°48'31" West 90.04 feet; thence South 01°12'21" East 15 feet; thence North 88°48'31" East 100.02 feet to the Point of Beginning.

RMF-5 RMF-5 MU-1 MU-1 Р 140933 ORDINANCE NO.  $\alpha$ PAGE 1 OF "B" TO EXHIBIT

## City of Gainesville Zoning Districts

RMF-5

RMF-5

RMF-5

RMF-5

RMF-5

MU-1

NW 41 AVE

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Р

RSF-1

RMF-5

RMF-5

MU-1

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RSF-1

TS SI WN

RMF-5

RMF-5

RMF-5

RMF-5

RMF-5

RMF-5

ABT SI WN

RSF-1 3.5 units/acre Single-Family Residential
RMF-5 12 units/acre Single-Family/Multiple-Family Residential
RMF-7 8-21 units/acre Multiple-Family Residential
OR 20 units/acre Office Residential
OF General Office
MU-1 8-30 units/acre Mixed Use Low Intensity
PD Planned Development

RSF-1 RMF-5 RMF-5 Я RMF-5 NW40AVE NO. RMF-7 RMF-5 RSF-1 RMF-5 R RMF-7 RMF-6 RMF-5 유 RMF-7 RSF-1 RMF-7 RMF-7 RMF-7 RMF-7 RMF-5 MM 12 TER RMF-7 RSF-1 RMF-5 Z D N RMF-7 RMF-7 RMF-7 7-3MR MU-1 MU-1 MU-1 MU-1 MU-1 RMF-5 NW 12 DR NW 39 AVE SR 222 щ MU-1 MU-1 MU-1 MU-1 MU-1 MU-1 MU-1 144 SU TS E1 WN 민 MU-1 MU-1 ᆼ RSF-1 RSF-1 RSF-1 RSF-1

under petition consideration

Area

Division line between two zoning districts

PROPOSED ZONING
Petition Number

PB-15-21 ZON

Change Zoning from OR (20 units/acre Office Residential) district to MU-1 (8-30 units/acre Mixed-Use Low-Intensity) district

**Petition Request** 

No Scafe

John Wernery, owner

Name

RSF-1 RMF-5 RMF-5 RMF-5 8 RMF-5 RMF-5 RMF-5 RMF-5 NW 40 AVE g RMF-7 RMF-5 RSF-1 RMF-5 RMF-5 RMF-5 8 RMF-7 TS 21 WN RMF-6 RMF-5 R RSF-1 RMF-7 RMF-7 RMF-7 RMF-7 RMF-7 RMF-5 RMF-5 RMF-5 RMF-5 RMF-5 NW 12 TER RMF-7 RMF-5 OR RMF-7 RMF-7 RMF-7 RMF-7 NW 12 TER MU-1 MU-1 MU-1 MU-1 MU-1 RMF-5 RMF-5 RMF-5 RMF-5 RMF-5 AU 12 DR NW 39 AVE SR 222 3 NW 41 AVE ᆼ MU-1 144 SU TS EI WN Б MU-1 Я 9 MU-1 Ь 유 Р P RSF-1 RSF-1 RSF-1 RSF-1 RSF-1 r-asa under petition consideration 3.5 units/acre Single-Family Residential 12 units/acre Single-Family/Multiple-Family Residential 140933 Area 8-21 units/acre Multiple-Family Residential 20 units/acre Office Residential 8-30 units/acre Mixed Use Low Intensity ORDINANCE NO. Division line between two zoning districts City of Gainesville **Zoning Districts**  $\alpha$ Planned Development 2 OF General Office PAGE "B" TO EXHIBIT RSF-1 RMF-5 RMF-7 OR OF MU-1 PD

EXISTING ZONING
Petition Number

PB-15-21 ZON

Change Zoning from OR (20 units/acre Office Residential) district to MU-1 (8-30 units/acre Mixed Use Low Intensity) district

John Wernery, applicant

Name

No Scale