

Legislative #
150943A

ORDINANCE NO. 150943

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2
3 **An ordinance amending the Future Land Use Map of the City of Gainesville**
4 **Comprehensive Plan by changing the land use category of approximately**
5 **13.33 acres of property that is generally located at 2801 SW Williston Road**
6 **near the southeastern corner of Williston Road and SW 29th Drive, as more**
7 **specifically described in this ordinance, from Alachua County Institutional**
8 **and Office/Residential to City of Gainesville Residential Medium-Density**
9 **(RM); providing directions to the City Manager; providing a severability**
10 **clause; providing a repealing clause; and providing an effective date.**

11
12 **WHEREAS,** notice was given as required by law that the Future Land Use Map of the
13 City of Gainesville Comprehensive Plan be amended by changing the land use category of the
14 subject property; and

15 **WHEREAS,** the City Plan Board, which acts as the local planning agency pursuant to
16 Section 163.3174, Florida Statutes, held a public hearing on April 28, 2016, and voted to
17 recommend that the City Commission approve this Future Land Use Map amendment; and

18 **WHEREAS,** an advertisement no less than two columns wide by ten (10) inches long
19 was placed in a newspaper of general circulation and provided the public with at least seven (7)
20 days' advance notice of this ordinance's first public hearing (i.e., transmittal hearing) to be held
21 by the City Commission in the City Hall Auditorium, located on the first floor of City Hall in the
22 City of Gainesville; and

23 **WHEREAS,** after the first public hearing, the City of Gainesville transmitted copies of
24 this proposed amendment to the reviewing agencies and any other local government unit or state
25 agency that requested same; and

26 **WHEREAS,** a second advertisement no less than two columns wide by ten (10) inches
27 long was placed in the aforesaid newspaper and provided the public with at least five (5) days'
28 advance notice of this ordinance's second public hearing (i.e., adoption hearing) to be held by the

1 City Commission; and

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

5 **WHEREAS**, prior to adoption of this ordinance, the City Commission has considered
6 any written comments received concerning this Future Land Use Map amendment.

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

9 **Section 1.** The Future Land Use Map of the City of Gainesville Comprehensive Plan is
10 amended by changing the land use category of the following property from Alachua County
11 Institutional and Office/Residential to City of Gainesville Residential Medium-Density (RM):

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

15
16 **Section 2.** Within ten (10) working days of the transmittal (first) hearing, the City
17 Manager or designee is authorized and directed to transmit this Future Land Use Map
18 amendment and appropriate supporting data and analyses to the reviewing agencies and to any
19 other local government or governmental agency that has filed a written request for same with the
20 City. Within ten (10) working days of the adoption (second) hearing, the City Manager or
21 designee is authorized and directed to transmit this amendment to the state land planning agency
22 and any other agency or local government that provided comments to the City regarding the
23 amendment.

1 **Section 3.** The City Manager or designee is authorized and directed to make the
2 necessary changes to maps and other data in the City of Gainesville Comprehensive Plan in
3 order to comply with this ordinance.

4 **Section 4.** If any word, phrase, clause, paragraph, section or provision of this ordinance
5 or the application hereof to any person or circumstance is held invalid or unconstitutional, such
6 finding shall not affect the other provisions or applications of this ordinance that can be given
7 effect without the invalid or unconstitutional provision or application, and to this end the
8 provisions of this ordinance are declared severable.

9 **Section 5.** All ordinances or parts of ordinances in conflict herewith are to the extent of
10 such conflict hereby repealed.

11 **Section 6.** This ordinance shall become effective immediately upon adoption; however,
12 the effective date of this amendment to the City of Gainesville Comprehensive Plan, if the
13 amendment is not timely challenged, shall be 31 days after the state land planning agency notifies
14 the City that the plan amendment package is complete in accordance with Section 163.3184,
15 Florida Statutes. If timely challenged, this Comprehensive Plan amendment shall become
16 effective on the date the state land planning agency or the Administration Commission enters a
17 final order determining the amendment to be in compliance with Chapter 163, Florida Statutes.
18 No development orders, development permits, or land uses dependent on this Comprehensive

19

1 Plan amendment may be issued or commenced before this amendment has become effective.

2 **PASSED AND ADOPTED** this _____ day of _____, 2016.

3

4

5

6

7

LAUREN POE
MAYOR

8 Attest:

Approved as to form and legality:

9

10

11

12 _____
KURT LANNON
13 CLERK OF THE COMMISSION

NICOLLE M. SHALLEY
CITY ATTORNEY

14

15 This ordinance passed on (first) transmittal hearing this ___ day of _____, 2016.

16

17 This ordinance passed on (second) adoption hearing this ___ day of _____, 2016.

SW WILLISTON ROAD VOLUNTARY ANNEXATION

A TRACT OF LAND BEING A PORTION OF LOTS 2 AND 6 OF SERENOLA PLANTATION, AS RECORDED IN DEED BOOK "L", PAGES 480 AND 481 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA (HEREAFTER ABBREVIATED PRACF); BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE BEGIN ON THE EXISTING CITY OF GAINESVILLE LIMIT LINE AS PER CITY ORDINANCE NUMBER 001912 (0-01-57) AT A POINT MARKING THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD NO. 331 (ALSO KNOWN AS S.W. WILLISTON ROAD) AND THE WEST LINE OF S.W. 29TH DRIVE EXTENSION AS DESCRIBED IN OFFICIAL RECORDS BOOK 2499, PAGE 1000 (HEREAFTER ABBREVIATED ORB, PG), EXHIBIT "B", PRACF; THENCE CONTINUE ALONG SAID CITY LIMIT LINE THE FOLLOWING 3 COURSES: 1.) NORTH 49° 03' 23" EAST ALONG SAID SOUTHERLY RIGHT OF WAY LINE A DISTANCE OF 80.00 FEET TO THE NORTHEASTERLY CORNER OF SAID EXHIBIT "B" ALSO BEING THE NORTHWESTERLY CORNER OF EXHIBIT "C" OR SAID ORB 2499, PG 1000; 2.) NORTH 49° 03' 23" EAST ALONG SAID SOUTHERLY RIGHT OF WAY LINE A DISTANCE OF 419.94 FEET TO THE NORTHEASTERLY CORNER OF SAID EXHIBIT "C", ALSO BEING THE NORTHWESTERLY CORNER OF LANDS DESCRIBED IN ORB 3484, PG 1458, PRACF; 3.) NORTH 49° 03' 23" EAST ALONG SAID SOUTHERLY RIGHT OF WAY LINE A DISTANCE OF 250.26 FEET TO THE NORTHEASTERLY CORNER OF LANDS DESCRIBED IN ORB 3484, PG 1458, PRACF, ALSO BEING THE NORTHWESTERLY CORNER OF PARCEL I OF LANDS DESCRIBED IN ORB 803, PG 289, PRACF AND A POINT OF INTERSECTION ON THE EXISTING CITY OF GAINESVILLE LIMIT LINE AS PER CITY ORDINANCE NUMBER 030250 (0-03-67); THENCE CONTINUE ALONG SAID CITY OF GAINESVILLE LIMIT LINE THE FOLLOWING 5 COURSES: 1.) LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE AND ALONG THE EASTERLY LINE OF SAID PARCEL (ORB 3484, PG 1458), SOUTH 40° 54' 00" EAST, 871.55 FEET TO A CONCRETE MONUMENT AT THE SOUTHEASTERLY CORNER OF SAID PARCEL (ORB 3484, PG 1458) ALSO BEING THE SOUTHWESTERLY CORNER OF PARCEL I, DESCRIBED IN ORB 803, PG 289, PRACF; 2.) THENCE SOUTH 49° 05' 43" WEST, 250.26 FEET TO A CONCRETE MONUMENT FOUND AT THE SOUTHWESTERLY CORNER OF SAID PARCEL (ORB 3484, PG 1458); 3.) THENCE NORTH 40° 54' 00" WEST ALONG THE WEST BOUNDARY OF SAID PARCEL (ORB 2028, PG 254) A DISTANCE OF 144.98 FEET; 4.) THENCE SOUTH 49° 05' 14" WEST, PARALLEL WITH THE SOUTHERLY RIGHT OF WAY LINE OF SAID STATE ROAD NO. 331, A DISTANCE OF 419.94 FEET TO THE SOUTHEASTERLY CORNER OF AFOREMENTIONED LANDS DESCRIBED IN ORB 2499, PG 1000 EXHIBIT "B" (SW 29TH DRIVE EXTENSION); 5.) THENCE SOUTH 49° 05' 14" WEST, PARALLEL WITH THE SOUTHERLY RIGHT OF WAY LINE OF SAID STATE ROAD NO. 331, A DISTANCE OF 80.00 FEET TO THE SOUTHWESTERLY CORNER OF AFOREMENTIONED LANDS DESCRIBED IN ORB 2499, PG 1000 EXHIBIT "B" (SW 29TH DRIVE EXTENSION); THENCE LEAVING SAID EXISTING CITY OF GAINESVILLE LIMIT LINE PER ORDINANCE NUMBER 030250 (0-03-67) AND ALONG THE WEST LINE OF SAID EXHIBIT "B", NORTH 40° 54' 00" WEST A DISTANCE OF 725.71 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINING 13.33 ACRES MORE OR LESS.

City of Gainesville Land Use Categories

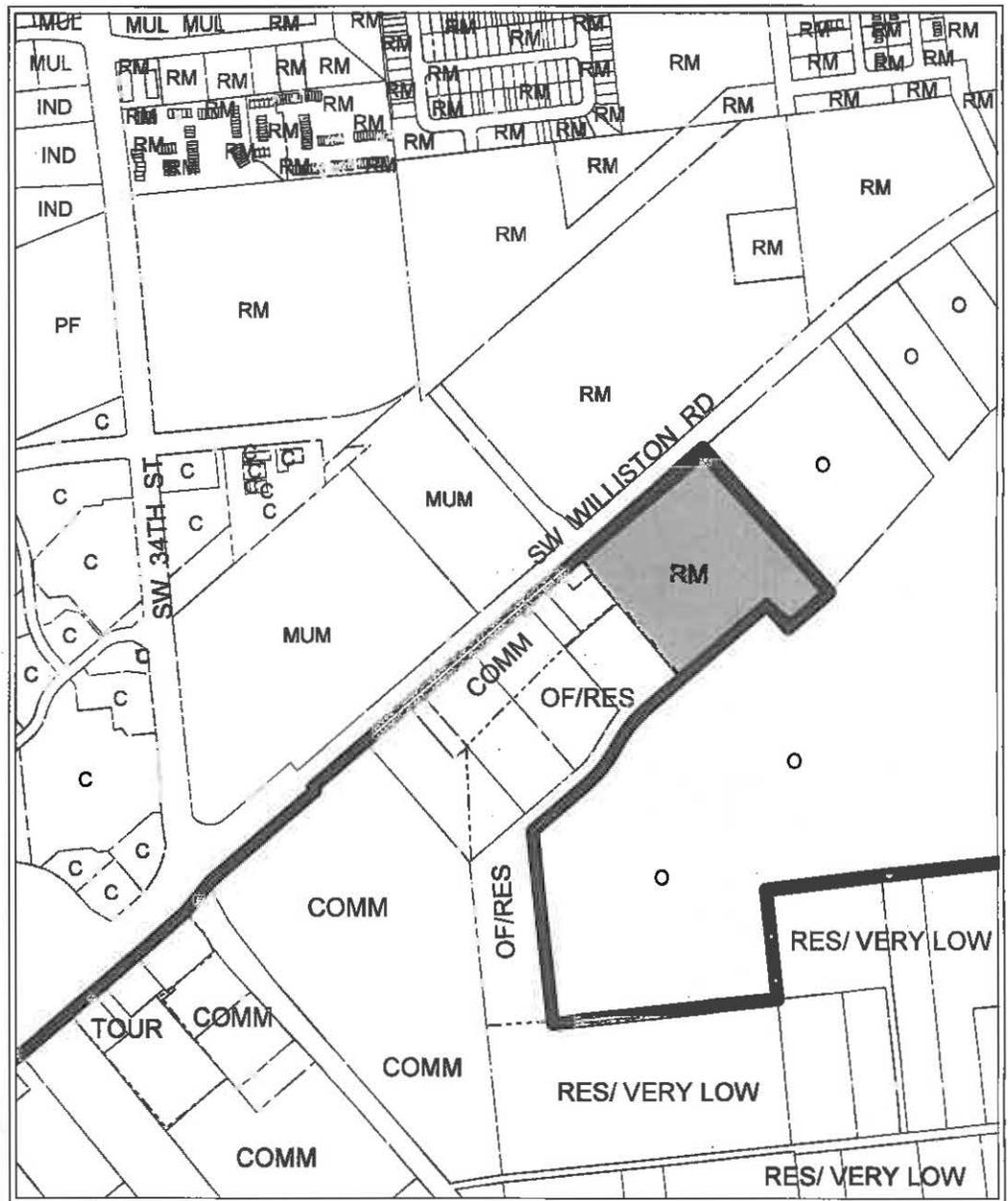
- R-M Residential Medium-Density (8-30 units per acre)
- MU-L Mixed-Use Low Intensity (8-30 units per acre)
- MU-M Mixed-Use Medium Intensity (12-30 units per acre)
- O Office
- C Commercial
- IND Industrial
- PF Public and Institutional Facilities

Alachua County Land Use Categories

- COMM Commercial
- TOUR Tourist/Entertainment
- OF/RES Office/Residential (4-8 du/acre)
- RES/VERY LOW Residential Very Low Density (0-2 du/acre)

--- Division line between two land use categories
— City Limits

Area under petition consideration



PROPOSED LAND USE

	Name	Petition Request	Petition Number
 No Scale	City of Gainesville, applicant	Amend the Future Land Use Map for property designated Alachua County Institutional and Office/Residential to City of Gainesville Residential-Medium density (8-30 units/acre)	PB-16-45 LUC

City of Gainesville Land Use Categories

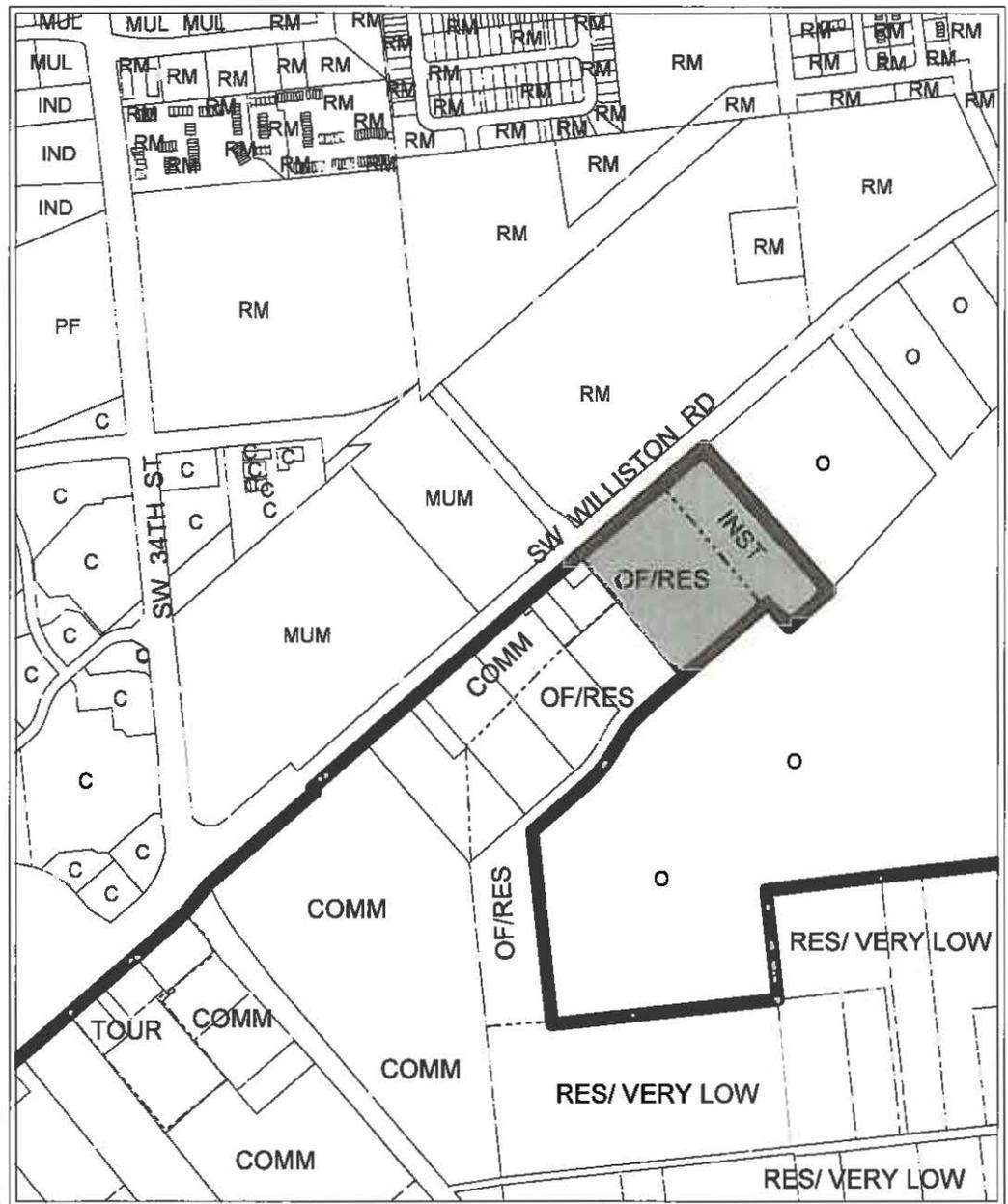
- R-M Residential Medium-Density (8-30 units per acre)
- MU-L Mixed-Use Low Intensity (8-30 units per acre)
- MU-M Mixed-Use Medium Intensity (12-30 units per acre)
- O Office
- C Commercial
- IND Industrial
- PF Public and Institutional Facilities

Alachua County Land Use Categories

- COMM Commercial
- TOUR Tourist/Entertainment
- OF/RES Office/Residential (4-8 du/acre)
- RES/VERY LOW Residential Very Low Density (0-2 du/acre)
- INST Institutional

----- Division line between two land use categories
 ——— City Limits

Area under petition consideration



EXISTING LAND USE

	Name	Petition Request	Petition Number
	City of Gainesville, applicant	Amend the Future Land Use Map for property designated Alachua County Institutional and Office/Residential to City of Gainesville Residential-Medium density (8-30 units/acre)	PB-16-45 LUC