

**RESOLUTION 22-23**

**A RESOLUTION OF THE CITY OF ALACHUA, FLORIDA; EXTENDING THE EXPIRATION DATE FOR RESOLUTION NO. R-87-5, THE DEVELOPMENT ORDER FOR THE PROGRESS PARK DEVELOPMENT OF REGIONAL IMPACT, AS AMENDED TO JULY 30, 2023, AND MAKING NO OTHER CHANGES TO IT; REPEALING ALL RESOLUTIONS IN CONFLICT; PROVIDING FOR THE CORRECTION OF SCRIVENER'S ERRORS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**RECITALS**

**WHEREAS**, on February 27, 1987, the City of Alachua (the "City") approved Resolution R-87-5 which adopted the development order for the Progress Center Development of Regional Impact ("DRI");

**WHEREAS**, pursuant to page 12, Section 5 of Resolution R-97-5 (the "Development Order"), the expiration date of the DRI was February 2, 2022, however, that expiration date is extended to August 1, 2022, pursuant to Florida Statute 252.363;

**WHEREAS**, City staff was recently contacted by the new owner of a portion of the undeveloped land included in the DRI regarding amending the terms of the DRI;

**WHEREAS**, in order to allow the new owner a reasonable amount of time to evaluate and apply for an amendment to the DRI, if it so wishes, the City is initiating this Resolution 22-23 for the sole purpose of extending the expiration date of the DRI for one year to July 30, 2023;

**WHEREAS**, there have been several amendments to Resolution R-87-5, however, none of the prior amendments altered the expiration date of the DRI;

**WHEREAS**, it is not the intent of this Resolution to make any changes to Resolution R-87-5 as it has been previously amended, other than to extend the expiration date of the DRI to July 30, 2023;

**WHEREAS**, other than the extension of the expiration of the DRI, the terms of the DRI set forth in Resolution R-87-5, as amended, shall remain in full force and effect;

**WHEREAS**, it is in the best interest of the City for there to be organized and systematic development of land located within the City such as through developments of regional impact;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF ALACHUA (THE "COMMISSION")**

**Section 1. FINDINGS AND DIRECTION**

The Commission finds and directs as follows:

1. The above recitals are true and correct and are incorporated as material portions of this Resolution 22-23 by reference.

2. The City has advertised its intent to extend the expiration of the DRI by one year and held a public hearing and allowed public comment on Resolution 22-23.
3. Section 5 of Resolution R-87-5 is hereby amended and the expiration of the Development Order for the DRI is hereby extended to July 30, 2023.
4. All other portions of Resolution R-87-5, as amended, shall remain in full force in effect.

**Section 2. SCRIVENERS ERRORS**

City staff is authorized to correct any scrivener's errors which do not impact the intent of this Resolution.

**Section 3. REPEALING CLAUSE**

All resolutions or parts of resolutions in conflict with this Resolution 22-23 are repealed to the extent of any such conflict.

**Section 4. SEVERABILITY**

It is the intent of the City Commission of the City of Alachua that if any section, sentence, clause, phrase, or provision of this Resolution 22-23 is for any reason held or declared to be unconstitutional, void, or inoperative by court or agency of competent jurisdiction, such holding of invalidity or unconstitutionality shall not affect the remaining provision of this resolution, and the remainder of this resolution after the exclusion of such part or parts shall be deemed to be valid.

**Section 5. EFFECTIVE DATE**

This Resolution shall be effective as of the date of its passage and adoption.

**DULY ADOPTED** in regular session this 25<sup>th</sup> day of July 2022.

CITY COMMISSION OF THE  
CITY OF ALACHUA, FLORIDA

**ATTEST:**

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Gib Coerper, Mayor  
**SEAL**

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Mike DaRoza, City Manager/Clerk