

ORDINANCE 19-23

AN ORDINANCE OF THE CITY OF ALACHUA, FLORIDA, RELATING TO THE LARGE SCALE AMENDMENT OF THE CITY OF ALACHUA COMPREHENSIVE PLAN FUTURE LAND USE MAP; AMENDING THE FUTURE LAND USE MAP CLASSIFICATION OF A ±82.40 ACRE PROPERTY FROM COMMERCIAL, INDUSTRIAL AND RURAL EMPLOYMENT CENTER (ALACHUA COUNTY) TO CORPORATE PARK; LOCATED IN THE 13000 BLOCK OF NW US HIGHWAY 441); TAX PARCEL NUMBERS 05962-002-000, 05855-005-000 AND A PORTION OF 05855-004-000; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, an application for a large scale comprehensive plan amendment, as described below, to the Comprehensive Plan Future Land Use Map has been filed with the City; and,

WHEREAS, a duly advertised public hearing was conducted on the proposed amendment on March 12, 2019 by the Planning and Zoning Board, sitting as the Local Planning Agency (LPA) and the LPA reviewed and considered comments received during the public hearing concerning the application and made its recommendation for approval to the City Commission; and,

WHEREAS, the City Commission considered the recommendations of the LPA at a duly advertised public hearing on April 8, 2019, provided for and received public participation, and approved the amendment for transmittal to the Florida Department of Economic Opportunity (DEO) and reviewing agencies under the Expedited State Review process; and,

WHEREAS, the City Commission considered the recommendations of the LPA, DEO, and reviewing agencies at a duly advertised public hearing on May 20, 2019, and provided for and received public participation; and,

WHEREAS, the City Commission has determined and found said application for the amendment, to be consistent with the City of Alachua Comprehensive Plan and Land Development Regulations; and,

WHEREAS, for reasons set forth in this Ordinance that is hereby adopted and incorporated as findings of fact, that the Alachua City Commission finds and declares that the enactment of this amendment is in the furtherance of the public health, safety, morals, order, comfort, convenience, appearance, prosperity, or general welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE PEOPLE OF THE CITY OF ALACHUA, FLORIDA:

Section 1. Findings of Fact and Conclusions of Law

1. The above recitals are true and correct and incorporated herein by reference.
2. The proposed Future Land Use Map amendment is consistent with the Comprehensive Plan.
3. The amendment will not cause a reduction in the adopted level of service standards for transportation, potable water, sanitary sewer, solid waste, stormwater, recreation, or public schools.

Section 2. Comprehensive Plan, Future Land Use Map Amended

The Comprehensive Plan Future Land Use Map is hereby amended from Commercial, Industrial and Rural Employment Center (County) to Corporate Park on Tax Parcel Numbers 05962-002-000, 05855-005-000 and a portion of 05855-004-000, described

by the legal descriptions and sketches found in Exhibit “A” and map found in Exhibit “B” attached hereto.

Section 3. Ordinance to be Construed Liberally

This ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed to be in the best interest of the public health, safety and welfare of the citizens and residents of Alachua, Florida.

Section 4. Repealing Clause

All ordinance or parts of ordinances in conflict herewith are, to the extent of the conflict, hereby repealed.

Section 5. Severability

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

Section 6. Effective Date

The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the City that the plan amendment package is complete in accordance with Chapter 163.3184 F.S. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administrative Commission enters a final order determining this adopted

amendment to be in compliance in accordance with Chapter 163.3184 F.S. No development orders, development permits, or land uses dependent on this amendment may be issued or commenced before this plan amendment has become effective.

PASSED on first reading the 8th day of April, 2019.

PASSED and **ADOPTED**, in regular session, with a quorum present and voting, by the City Commission, upon second and final reading this 20th day of May, 2019.



ATTEST:



Adam Boukari, City Manager/Clerk

APPROVED AS TO FORM



Marian B. Rush, City Attorney

EXHIBIT "A"

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LEGAL DESCRIPTION OF PORTION TO BE AMENDED TO CORPORATE PARK

A parcel of land located in Section 20, Township 8 South, Range 19 East, Alachua County, Florida and being more particularly described as follows:

Commence at a found Iron pin marking the Southeast corner of Section 20, Township 8 South, Range 19 East, Alachua County, Florida; thence West a distance of 1313.40 feet to a point; thence North a distance of 218.99 feet to a found 3/4" iron pin marking a point on the North right-of-way line of U. S. Highway No. 441 (200 foot right-of-way); thence along said North right-of-way line; North 72 deg. 51 min. 49 sec. West a distance of 171.11 feet to a found 5/8 inch iron pin (Florida D.O.T.) marking the point of curvature of a curve concave to the Northeast, having a delta of 06 deg. 52 min. 05 sec., a radius of 11424.66 feet and a chord bearing North 69 deg. 24 min. 13 sec. West, 1368.62 feet; thence along the arc of said curve a distance of 1369.44 feet to a found 6" x 6" concrete monument (Florida D.O.T.); thence North 65 deg. 59 min. 42 sec. West a distance of 1385.74 feet to a found 5/8 inch rebar and cap (#3524); thence departing said North right-of-way line, North 22 deg. 09 min. 10 sec. East a distance of 159.44 feet to a found 5/8 inch rebar and cap (#3524); thence North 65 deg. 13 min. 12 sec. West a distance of 229.98 feet to a found 5/8 inch rebar and cap (#3524); thence North 01 deg. 33 min. 25 sec. East a distance of 169.02 feet to a found 4" x 4" concrete monument (PLS #940) marking the Point of Beginning; thence North 23 deg. 50 min. 23 sec. East a distance of 2014.63 feet to a set 5/8 inch rebar and cap (#3524) marking a point on the South right-of-way line of Seaboard Coast Line Railroad (200 foot right-of-way); thence along said South right-of-way line of Seaboard Coast Line Railroad, North 58 deg. 44 min. 53 sec. West a distance of 624.24 feet to a found 5/8 inch rebar and cap (#3524); thence departing said South right-of-way line, South 00 deg. 37 min. 49 sec. East a distance of 70.65 feet to a found 5/8 inch rebar and cap (#3524); thence North 58 deg. 44 min. 53 sec. West a distance of 547.93 feet to a found 5/8 inch rebar and cap (#3524) marking the point of curvature of a curve concave to the Southwest, having a delta of 10 deg. 00 min. 21 sec., a radius of 2712.57 feet and a chord bearing North 63 deg. 45 min. 03 sec. West, 473.11 feet; thence along the arc of said curve a distance of 473.71 feet to a found 5/8 inch rebar and cap (#3524); thence South 00 deg. 08 min. 45 sec. West a distance of 2657.79 feet to a found 5/8 inch rebar and cap (#3524) marking a point on said North right-of-way line of U. S. Highway No. 441; thence along said North right-of-way line, South 66 deg. 00 min. 09 sec. East a distance of 209.40 feet to a found 4" x 4" concrete monument; thence departing said North right-of-way line, North 01 deg. 07 min. 22 sec. East a distance of 340.98 feet to a found 4" x 4" concrete monument; thence South 65 deg. 57 min. 03 sec. East a distance of 460.08 feet to the Point of Beginning.

Together with a perpetual, non-exclusive and unrestricted easement over, under and across the following two parcels of real property.

Easement Parcel #1

Commence at the Half Mile corner or the North line of section 19, Township 8 South, Range 19 East, and run South 499.11 feet to the southerly right-of-way line of the seaboard Coastline Railroad; thence run, South 81 deg. 45' 10" East along said southerly right-of-way line 2797.03 feet to the P.C. of a curve concave to the Southwest and having a radius at 2764.93 feet; thence run southeasterly along said southerly right-of-way line an arc distance of 498.99 feet to a concrete monument at the Northwest corner of General Electric Co. property, said point being the P.O.B.; thence continue Southeasterly along said right-of-way an arc distance of 31.68 feet and a chord bearing and distance of South 71 deg. 06' 52" East 31.68 feet; thence run South 00 deg. 08' 45" West parallel with and 30 feet from the West line of said General Electric Co. property, 2718.29 feet to the Northerly right-of-way line at U.S. Highway No. 441 (State Road No. 25); thence run North 66 deg. 00' 06" West along said right-of-way line 32.8 feet to the southwest corner of said property, being a concrete monument; thence run North 00 deg. 08' 45" East along the West line at said property 2715.11 feet to the P.O.B., being and lying in Section 30, Township 8 South, Range 19 East, Alachua county, Florida.

Easement Parcel #1

Commence at the Half Mile corner on the North line or Section 19, Township 8 south, Range 19 East and run South 499.11 feet to the southerly right-of-way line of the Seaboard Coastline Railroad; thence run South 81 deg. 45' 18" East along said southerly right-of-way line 2797.03 feet to the P.C. of a curve concave to the Southwest and having a radius of 2764.93 feet; thence run Southeasterly along said southerly right-of-way line an arc distance of 498.99 feet to a concrete monument at the Northwest corner of General Electric Co. property; thence continue Southeasterly along said southerly right-of-way line an arc distance of 31.68 feet and a chord bearing and distance of South 71 deg. 06' 52" East 31.68 feet to the P.O.B.; thence continue southeasterly along said southerly right-of-way line an arc distance of 582.25 feet and a chord bearing and distance of South 54 deg. 45' 10" East 581.11 feet to the P.T. of said curve; thence continue along said right-of-way line South 58 deg. 43' 12" East 510.61 feet; thence run South 00 deg. 37' 54" East 70.68 feet; thence run North 58 deg. 43' 12" West parallel with and 60 feet from the Southerly right-of-way line of said railroad, 547.97 feet to the P.C. of a curve concave to the southwest and having a radius at 2704.93 feet; thence run Northwesterly along said curve an arc distance of 484.91 feet and a chord bearing and distance of North 63 deg. 51' 21" West 484.26 feet; thence run south 08 deg. 08' 45" West parallel with and 90 feet East of the West line of said G. E. property 2659.10 feet to the North right-of-way line of U.S. Highway No. 441 (State Road No. 25); thence run north 66 deg. 00' 06" West along said right-of-way line 65.6 feet; thence run North 00 deg. 08' 45" East 2718.2 feet to the P.O.B. Being and lying in Section 20, Township 8 South, Range 19 East, Alachua County, Florida.

EXHIBIT "A"

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LEGAL DESCRIPTION OF PORTION TO BE AMENDED TO CORPORATE PARK

Parcel Numbers 05855-005-000 & 05855-004-000

A portion of Parcel A as recorded in Official Records Book 3527, Page 1217 of the Public Records of Alachua County, Florida being more particularly described as follows:

Commence at the Southeast corner of Section 20, Township 8 South, Range 19 East, Alachua County, Florida; thence West a distance of 1313.40 feet; thence North a distance of 218.99 feet to a point on the North right-of-way line of U.S. Highway No. 441 (200 foot right-of-way); thence North 72° 51' 47" West on said North right-of-way line a distance of 171.11 feet to the point of curvature of a curve concave to the Northeast having a delta of 06° 52' 05", a radius of 11424.66 feet and a chord bearing and distance of North 69° 24' 13" West, 1368.62 feet; thence Northwesterly on the arc of said curve a distance of 1369.44 feet; thence North 66° 00' 17" West, a distance of 58.98 feet to the Southeast of said Parcel A; thence on the boundary of said Parcel A the following seven (7) courses and distances:

- 1) leaving said North right-of-way line, North 23° 59' 25" East, a distance of 664.68 feet;
- 2) thence North 66° 04' 35" West, a distance of 265.85 feet;
- 3) thence North 24° 28' 46" East, a distance of 680.88 feet;
- 4) thence North 65° 49' 12" West, a distance of 500.01 feet to the POINT OF BEGINNING of the following described parcel of land;
- 5) thence North 24° 11' 00" East, a distance of 870.43 feet to a point on the South right-of-way line of the Seaboard Coast Line Railroad (200' right-of-way);
- 6) thence North 58° 45' 42" West, on said South right-of-way line, a distance of 881.26 feet;
- 7) thence South 23° 50' 23" West, a distance of 1504.88 feet;

thence leaving said boundary South 65° 30' 13" East, a distance of 699.02 feet; thence North 24° 02' 31" East, a distance of 530.00 feet to a point on the Northwesterly projection of the boundary of said Parcel A; thence South 65° 49' 12" East on said Northwesterly projection, a distance of 167.86 feet to the POINT OF BEGINNING.

Said lands lying and being in the City of Alachua, Alachua County, Florida and containing an area of 26.98 acres more or less.

