

**ORDINANCE 19-30**

**AN ORDINANCE OF THE CITY OF ALACHUA, FLORIDA, RELATING TO THE AMENDMENT OF THE OFFICIAL ZONING ATLAS; AMENDING THE OFFICIAL ZONING ATLAS FROM COMMERCIAL INTENSIVE (CI), LIGHT AND WAREHOUSE INDUSTRIAL (ILW), AND INDUSTRIAL SERVICES AND MANUFACTURING (MP) (ALACHUA COUNTY) TO CORPORATE PARK (CP) ON AN APPROXIMATELY ±82.40 ACRE PROPERTY; LOCATED IN THE 13000 BLOCK OF NW US HIGHWAY 441 ; CONSISTING OF 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 Site-Specific Amendment to the Official Zoning Atlas (“Amendment”), as described below, has been filed with the City; and

**WHEREAS**, on May 2, 2019, the City advertised a public hearing to be held before the Planning and Zoning Board, sitting as the Local Planning Agency (“LPA”); and

**WHEREAS**, on May 14, 2019, the LPA conducted a quasi-judicial public hearing on the proposed Amendment and the LPA reviewed and considered all comments received during the public hearing concerning the proposed Amendment and made its recommendation to the City Commission; and

**WHEREAS**, on May 30, 2019, and on June 13, 2019, the City advertised public hearings to be held before the City Commission; and

**WHEREAS**, on June 10, 2019, and on June 24, 2019, the City Commission conducted quasi-judicial public hearings on the proposed Amendment and provided for and received public participation at both public hearings; and

**WHEREAS**, the City Commission has determined and found the proposed Amendment to be consistent with the City’s Comprehensive Plan and the City’s Land Development Regulations (“LDRs”); and

**WHEREAS**, for reasons set forth in this ordinance that is hereby adopted and incorporated as findings of fact, 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 CITY COMMISSION OF THE CITY OF ALACHUA, FLORIDA:**

**Section 1. Findings of Fact and Conclusions of Law**

1. The above recitals are true and correct and are incorporated herein by reference.
2. The proposed Amendment is in compliance with the City's LDRs.
3. The proposed Amendment will not cause a reduction in the adopted level of service standards for transportation, water, sewer, waste, stormwater, recreation, and public schools.

**Section 2. Official Zoning Atlas Amended**

The Official Zoning Atlas is hereby amended from Commercial Intensive (CI), Light and Warehouse Industrial (ILW), and Industrial Services and Manufacturing (MP)(Alachua County) for Tax Parcel Numbers 05962-002-000, 05855-005-000, and a portion of Tax Parcel 05855-004--000, in accordance with the legal description found in Exhibit "A" and map found in Exhibit "B" attached hereto and incorporated herein.

**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 ordinances 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**

This ordinance shall take effect immediately upon its adoption by the City Commission and the signature of the Mayor.

**PASSED** on First Reading the 10<sup>th</sup> day of June 2019.

**PASSED** and **ADOPTED**, in regular session, with a quorum present and voting, by the City Commission, upon second and final reading this 24<sup>th</sup> day of June 2019.

CITY COMMISSION OF THE  
CITY OF ALACHUA, FLORIDA

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Gib Coerper, Mayor  
**SEAL**

**ATTEST:**

**APPROVED AS TO FORM**

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Adam Boukari, City Manager/Clerk

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Marian B. Rush, City Attorney

## EXHIBIT "A"

### LEGAL DESCRIPTION:

#### Parcel Number 05962-002-000

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 66 deg. 52 min. 01 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. 00 min. 10 sec. East a distance of 159.44 feet to a found 5/8 inch rebar and cap (#3524); thence North 68 deg. 13 min. 12 sec. West a distance of 229.98 feet to a found 5/8 inch rebar and cap (#3524); thence North 91 deg. 33 min. 25 sec. East a distance of 189.02 feet to a found 4" x 4" concrete monument (PLS #940) marking the Point of Beginning; thence North 23 deg. 54 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 524.24 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 547.83 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. 05 min. 27 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 2657.73 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. 08 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 unshartricted easement over, under and across the following two parcels of real property:

#### Easement Parcel #1

Commence at the Half Mile corner on 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. 49' 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 of 2784.93 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 line an arc distance of 31.88 feet and a chord bearing and distance of South 71 deg. 08' 52" East 31.88 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 of U.S. Highway No. 441 (State Road No. 25); thence run North 66 deg. 00' 08" 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 of 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 Northline 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' 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 2784.93 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 31.88 feet and a chord bearing and distance of South 71 deg. 08' 52" East 31.88 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 an distance of South 64 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 510.51 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, 54737 feet to the P.C. of a curve concave to the southwest and having a radius of 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' 08" West along said right-of-way line 65.8 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.



AND ALSO:

**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.

## EXHIBIT "B"

