

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) to Corporated Park (CP) 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 10th 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 24th day of June 2019.

CITY COMMISSION OF THE
CITY OF ALACHUA, FLORIDA

Gib Coerper, Mayor
SEAL

ATTEST:

APPROVED AS TO FORM

Adam Boukari, City Manager/Clerk

Marian B. Rush, City Attorney

EXHIBIT “A”

LEGAL DESCRIPTION:

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 158.44 feet to a found 5/8 inch rebar and cap (#3524); thence North 66 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. 26 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 70.66 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 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 degrees 51 minutes 47 seconds 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 degrees 52 minutes 05 seconds, a radius of 11424.66 feet and a chord bearing and distance of North 69 degrees 24 minutes 13 seconds West, 1368.62 feet; thence Northwesterly on the arc of said curve a distance of 1369.44 feet; thence North 66 degrees 00 minutes 17 seconds West, a distance of 58.98 feet

to the Southeast corner 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 degrees 59 minutes 25 seconds East, a distance of 664.68 feet;
- 2) thence North 66 degrees 04 minutes 35 seconds West, a distance of 265.85 feet;
- 3) thence North 24 degrees 28 minutes 46 seconds East, a distance of 680.88 feet;
- 4) thence North 65 degrees 49 minutes 12 seconds West, a distance of 500.01 feet to the POINT OF BEGINNING of the following described parcel of land;
- 5) thence North 24 degrees 11 minutes 00 seconds 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 degrees 45 minutes 42 seconds West, on said South right-of-way line, a distance of 881.26 feet;
- 7) thence South 23 degrees 50 minutes 23 seconds West, a distance of 1504.88 feet;

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

TOGETHER WITH

A 20 foot wide strip of land located in Section 20, Township 8 South, Range 19 East, Alachua County, Florida, being a portion of Parcel A as recorded in Official Records Book 3527, Page 1217 of the Public Records of Alachua County, Florida and more particularly described as follows:

COMMENCE at the Southeast corner of said Parcel A, being on the North right-of-way line of U.S. Highway 441; thence on the boundary of said Parcel A the following five (5) courses and distances:

- 1) North 66 degrees 00 minutes 17 seconds West on said right-of-way line, a distance of 1,251.02 feet;
- 2) thence North 22 degrees 09 minutes 10 seconds East, a distance of 158.74 feet;
- 3) thence North 66 degrees 13 minutes 12 seconds West, a distance of 305.43 feet;
- 4) thence North 01 degrees 33 minutes 25 seconds East, a distance of 116.27 feet to the POINT OF BEGINNING;
- 5) thence continue North 01 degrees 33 minutes 25 seconds East, a distance of 52.75 feet to a point on the Westerly line of said Parcel A;

thence North 23 degrees 50 minutes 23 seconds East on said Westerly line, a distance of 509.75 feet to a point on the Southerlymost South line of the lands described in Official Records Book 4637, Page 2216 of said public records; thence South 65 degrees 30 minutes 13 seconds East on said South line, a distance of 20.00 feet; thence South 23 degrees 50 minutes 23 seconds West on a line 20 feet East of and parallel with said Westerly line, a distance of 558.33 feet to the POINT OF BEGINNING.

EXHIBIT "B"

