

# **City of Gainesville**

*City Hall  
200 East University Avenue  
Gainesville, Florida 32601*



## **Meeting Minutes**

**Wednesday, June 2, 2010**

**10:00 AM**

**City Hall, Room 16**

## **Community Development Committee**

*Commissioner Hawkins, Chair  
Commissioner Donovan, Member  
Commissioner Wells, Member*

*Persons with disabilities who require assistance to participate in this meeting are requested to notify the Equal Opportunity Department at 334-5051 or call the TDD phone line at 334-2069 at least two business days in advance.*

## CALL TO ORDER

*10:10 A.M.*

## ROLL CALL

Present: Jack Donovan, Thomas Hawkins and Randy Wells

## ADOPTION OF THE AGENDA

*The Community Development Committee approved the May 27, 2010 agenda as circulated.*

## APPROVAL OF MINUTES

### **091040. Community Development Committee Meeting Minutes of April 5, 2010 (B)**

*The Community Development Committee approved the April 5, 2010 meeting minutes as circulated.*

**RECOMMENDATION** *The Community Development Committee approve the April 5, 2010 meeting minutes as circulated.*

091040\_CDC Mtg Minutes 4-5-10\_20100527.pdf

## DISCUSSION OF PENDING REFERRALS

### **080465. Initiative 2.4: Ensure Transparent, Efficient and Consistent Regulation of Land Development In Furtherance Of The Comprehensive Plan (B)**

*The Community Development Committee heard staff, Erik Bredfeldt, Director of Planning and Development Services give a brief introduction of the pending referral. Mr. Bredfeldt stated that during the last nine months staff has been working with a consultant, Planning Works, regarding several issues with our Comprehensive Plan and our Land Development Code: one of the issues being our Mixed Use Districts; one of them being Large Scale Retail; and finally, issues with our Activity Centers. Also, we have been looking at our Codes and Comp plan more broadly and that is basically the guideline of the presentation today. In the back up material is the draft code provisions that Mr. Lauer is going to give a presentation and is intended to be what he calls a "patch"; a short term attempt to try to bring some clarity to some of the issues mentioned above. The second back-up document is the issue of what do we need to do in the long term if the Commission wishes to move in the direction of form base or design base code. We have this item listed under one of the City Commission initiatives because this item falls under that initiative with other items we have been working on, particularly the Development Review Process. We did have a first draft report roll-out to the committee on March 1st and at that time we had Committee*

*Member comments, as well as comments from the stakeholders. Subsequent to that, the Committee felt that it was appropriate to do more re-drafting to clarifying some issues and then come back to you with this second draft report. Staff's recommendation to this Committee is to consider if we are ready to refer this second draft report to the City Commission, in turn to refer this to the Plan Board for initiation for petition.*

*The Community Development Committee heard an overview presentation of the draft code provisions by Michael Lauer, Principal, Planning Works, LLC. Mr. Lauer reiterated Mr. Bredfeldt's comments to the Committee Members that his team and City staff looked at the "quick fix" to the MU1 and MU2 districts and Big Box Retail proposed regulatory language; and then there is a second report that is on the broader scale that deals with all of the design base or form base regulations that are recommended in the Plan; and how to best integrate those in your LDC?*

*Presentation Overview. The Planning Works Team has been coordinating with City planning staff to refine draft plan and LDC amendments that accomplish the following objectives:*

- Clarify Comprehensive Plan policies addressing the mix of uses, scale and design within the Mixed Use Low and Mixed Use Medium future land use categories.*
- Apply these policies in core, transition and edge areas of the MU-1 and MU-2 zoning districts.*
- Develop appropriate standards for large-scale retail projects.*

*Amendments to the previous public review draft have been prepared pursuant to input from Community Development Committee, staff and the development community. More comprehensive amendment of the LDC is proposed to be accomplished in a longer-term project that is discussed in the Phase 1 Draft Report.*

*The Phase 1 Draft Report outlines key deficiencies with the LDC, discusses different approaches to form or design-based regulations, and recommends a strategy to update the LDC and incorporate more predictable and effective design-based regulations that are recommended by the City's Comprehensive Plan.*

*Draft Comprehensive Plan Policy Amendments.*

*Proposed Comprehensive Plan policy amendments are primarily refinements and clarification of existing plan policies addressing the mixed use low and mixed use medium future land use categories. The most significant plan amendment is to clarify the distinctions between core, transition and edge areas. The previous draft has been amended to eliminate policies about scale that were confusing to the CDC and development community.*

*Draft LDC Amendments.*

*The proposed draft code provisions to replace existing MU-1 and MU-2 district language, add language addressing large-scale retail development, supplement definitions and allow for large-scale retail development in the CCD, BA, BT, BUS and PD districts. Large-scale retail stores would no longer be allowed within a MU-2 district unless part of a mixed-use development. The existing prohibition of large-scale retail in the MU-1 district will be retained.*

*Specific provisions in the draft LDC amendments include:*

1. *Mapped activity centers and their designation by character (core, transition or edge). Staff is in the process of refining a draft map.*
2. *Approval process changes to encourage core area investment and use of urban design standards. Ministerial approval can be granted by staff for developments with fewer than 100 dwellings or 50,000 square feet or less of non-residential space in core and transition area activity centers. Edge area developments with fewer than 15 dwelling units or 25,000 square feet of non-residential floor area also can receive ministerial approval. Authorized deviations from standards and application of edge area standards in transition areas would require DRB or Plan Board approval.*
3. *Distinct site and building design standards for core and edge area activity centers in the MU-1 and MU-2 zoning districts, which include:*
  - a. *Establish build-to lines along streets in core and transition areas that are adequate to accommodate sidewalks and streetscaping. Edge area setbacks allow one parking aisle and a narrow landscape strip between buildings and the street.*
  - b. *Transitional design standards between residential and non-residential uses.*
  - c. *Streetscaping standards for all areas.*
  - d. *Use of garden walls to screen loading, mechanical and dumpster areas.*
  - e. *A parking cap that allows only 80% of required parking unless structured parking is used.*
  - f. *Pedestrian connectivity standards.*
  - g. *Connectivity standards that establish maximum block perimeters of 1,600 in core area and 2,000 feet in edge areas. The previous draft has been modified to increase connectivity standards. However, the LDC allows private drives meeting specific standards for curbs, gutters and sidewalks to be used when measuring block perimeters. This change enables the City to require that all stores front on a street or private drive.*
  - h. *Maximum ground floor areas per project (100,000 square feet) and per business (50,000) square feet in MU-1 districts.*
  - i. *MU-1 height standards that require a minimum of 25 feet and a maximum of 4 stories in core and transition areas, and set a maximum of 3 stories in edge areas. MU-2 height standards require a minimum of two stories or 30 feet for corner buildings and 25 feet for interior structures. Maximum building height in MU-2 districts is 5 stories, subject to neighborhood setback requirements. Heights of up to 8 stories may be allowed by special use permit in core areas for both the MU-1 and MU-2 districts.*
  - j. *Building design standards that address entries, building materials, glazing (windows), articulation for long walls, rooflines and parking structure design.*
4. *Mixed use standards. Mixed uses are encouraged, but not required at the project level in the MU-1 district. In the MU-2 district, a mix of uses or a master plan providing for a mix of residential and non-residential uses are required for any project encompassing 150,000 square feet or more of floor area. Credit for residential development at 6 dwelling units per acre within walking distance (1,200 feet) is still allowed.*
5. *Standards for large-scale, stand-alone retail projects in the BA, BUS BT or PD zoning districts. These standards include most of the site and building design standards described above, plus requirements for community spaces (e.g., courtyards, landscaped areas and civic uses), maximum separations for entries (250 feet), outdoor storage, trash collection and loading area standards, transit facility requirements, market study requirements and a series of options to minimize the*

potential from blight that results from abandoned big box stores. This was a primary issue of concern for the CDC and the public speakers at the meeting. Applicant options include any combination of the following that are approved by the City Commission:

- a. Bonding for re-occupancy or demolition of the building that is not reoccupied by at least 60 percent for any continuous period of more than two years.
  - b. Bonding for maintenance and security of vacant properties.
  - c. Contribution to a district or fund that is dedicated to the redevelopment or revitalization of the area in which the project is located.
  - d. Reuse agreement providing for the right of first refusal for a public use at a mutually agreeable lease rate.
  - e. Prohibition of lease limitations that would block the re-occupancy of the building by any viable use allowed within the applicable zoning district.
  - f. Other strategies accepted by the City Commission.
6. Procedures and criteria for modification of the activity center map showing core, transition and edge areas.

Chair Hawkins submitted comments to the Committee in written analysis form of his issues with the proposed Mixed-Use Standards report. The suggestions and revision recommendations for the Committee's consideration are as follows:

Chair Hawkins summarized discussion results of the Mixed Use Standards report as followed:

1) Proposed Policy Urban Design Element (UDE) 1.1.7

This is a cross reference issue and Mr. Lauer addressed this one regarding FLUE Policies 1.3.11, 1.4.8 and proposed master planning process policies not existing.

2) Proposed Policy UDE 1.1.8

This is a cross reference issue and Mr. Lauer also addressed this one regarding the FLUE 1.4.8 policy not existing.

3) Proposed Policy UDE 1.1.8

The language must be more specific for activity centers in the designation between core area and edge area. And the second sentence is not even necessary to be there.

4) Proposed Policy UDE 1.4.1

This is a minor policy change in the current proposed draft but in actuality mirrors the Comp plan policy.

5) Comprehensive Plan Amendments Generally

This issue to use consistent terminology has been discussed with Mr. Lauer.

6) Land Development Code § 30-23

This issue of revise definition of "large scale retail" has been discussed with Mr. Lauer.

7) Land Development Code § 30-23, (Figure 30-64A, and Table 30-64A, paragraph a.)

Refine the definitions of street cross sections, current definitions are inconsistent.

This is a clean up issue.

8) Land Development Code § 30-64 (c)(4)

Provide clearer guidance for connectivity standards exemptions in accordance with block size standards. This may be a policy issue.

9) Land Development Code § 30-64 (c)(4)

Include being a public forum among the purposes of public rights-of-way. This item may need direction from the Commission of whether it needs to be included in this

*draft.*

*10) Land Development Code Figure 30-64A*

*The street width dimension/private drive cross sections were discussed with Mr. Lauer and to be reviewed.*

*11) Land Development Code Table 30-64A, paragraph a.4.b.*

*Minor policy change to omit parking within the front setback, is discussed with Mr. Lauer.*

*12) Land Development Code Table 30-64A, paragraph a.4.c.*

*Clarifying provisions allowing multiple structures to ensure that all building have modest or no front setbacks, was discussed with staff and Mr. Lauer.*

*13) Land Development Code Table 30-64B, paragraph e.*

*This item regarding the height issue was discussed with Mr. Lauer.*

*14) Land Development Code § (e)(2) a.*

*Provision refers to § 30-167. This code section does not exist and this was discussed with Mr. Lauer.*

*15) Land Development Code amendments generally*

*This is just to suggest that we have a master planning process and refers to § 30-164 which has been taken care of and should address the placement of streets and blocks on a property.*

*16) Land Development Code amendments generally*

*Talking about connectivity on a “per project” basis; only regulate “per project” when appropriate was discussed with Mr. Lauer.*

*17) Land Development Code amendments generally*

*Remove pictures that do not have regulatory significance for the Land Code.*

*18) Land Development Code amendments generally*

*Amend the Land Development Code to provide a zoning designation for each distinct set of regulations. Discussed with Mr. Lauer if it was a choice between having a new map that creates zoning designation or changing the underlying districts, Chair Hawkins favors changing the underlying zoning.*

*Due to a prior commitment, at 1:20 P.M. Commissioner Donovan excused himself from the meeting but recommended that the matrix analysis of the Proposed Mixed-Use Standards submitted by Chair Hawkins be continued until next month. At that time, Commissioner Wells agreed that the Matrix Analysis be discussed again next month.*

*Chair Hawkins pointed out that the drafting issues are already in the scope of what Mr. Lauer has done and just needs to be fixed, but the policy changes needs to be looked at for possible revision.*

*City staff that spoke to the matter are as follows:*

*Ralph Hilliard, Manager, Planning Department*

*Onelia Lazzari, Concurrency Management Planner, Planning Department*

*Lawrence Calderon, Planning Chief of Current*

*Susan Neiman, Senior Planner, Planning Department*

*Nicolle Shalley, Assistant City Attorney*

*Chair Hawkins summarized options available to the Committee to move this item forward at this time:*

*1) refer this item back to the Consultant and staff with specific direction; 2) go ahead*

*to go and send this item forward to the Commission for petition; or 3) send some sections back and some sections forward.*

*The section of Large Scale Retail, even though there was uncertainty about paragraph ( i ), we can still reach a consensus and that section can be sent to the Commission for petition easier than the whole document.*

*Commissioner Wells agrees that the Large Scale Retail is close to sending forward to the Commission..*

*Michael Lauer, Principal, Planning Works, stated that one problem with pulling out Large Scale Retail is that it refers back to the MU1 standards and they are all in sections to go in the same package.*

*Nicolle Shalley spoke to the matter and noted that during the approval process there would be changes from the Law office to reach the goal of being enforceable.*

*Mr. Lauer commented that in phase two (Phase I Draft Report), we are talking about the entire Development Code and in doing so we we're looking at special area plans to minimize the use of those from a regulatory standpoint and get rid of a lot of the overlays. And so at that time, it might be an appropriate time to split districts if we are finding that this MU2 overlay is problematic. You could keep them from a policy standpoint but make them less regulatory.*

*Chair Hawkins commented that what we are going to have to do is make sure that all the policies in this special area plan winds up in whatever code we adopt for that area. Most of our special areas are form based and would be very consistent with implementation of a form based code based in a transact in neighborhoods.*

*Commissioner Wells moved a Motion to give direction to staff and consultant.*

*MOTION: Correct or adjust the Mixed Use Standards report as follows:*

- 1. Correct any errata that we have identified or Mr. Lauer has identified, generally not specifically.*
- 2. Give greater detail on private drives; correcting definitions of sidewalks, store front zone, pedestrian zone etc., and correcting the cross section in the manner discussed.*
- 3. To provide greater specificity and clarification to our block size exemptions.*
- 4. Remove parking within front set back.*
- 5. Height allowance by right standards.*

*VOTE: Chair Hawkins - Yes. Commissioner Wells - Yes. Commissioner Donovan - Absent.*

*MOTION passed by consensus.*

*Erik Bredfeldt, Director of Planning and Development Services, interjected that the Multiple Building Provisions and Master Planning would be given review consideration as well.*

*Scott Buchannan, AMJ Company, spoke to the matter for discussion regarding:*

*comparing street trees and landscaping requirements vs. the tree ordinance just passed; concern about the MU2 district requirement for 10% forced space being in the form of residential; the market study being for information only vs. a company's sensitive information; Wal-Mart redevelopment vs. keeping redevelopment easy.*

*Chair Hawkins directed the Committee's attention to the Phase I Draft Report for discussion.*

*Mr. Lauer, Planning Works Consultant, commented that you don't have any issues with your Plan which is updated by staff, but the issues are with your Code. The Code is at the point where it needs more than "patches" and a facelift; it really needs a comprehensive revision. And as you're doing that, this is a great opportunity to work the design standards that your urban design elements, future land use elements and transportation elements talk about putting into the code. We have laid out some approaches on this; we have also laid out a lot of the tougher decisions that you are going to have to make in the report.*

*Chair Hawkins commented that as a whole, he is pleased with this document and Commissioner Wells agreed. This would be an excellent tool in two parts of our community: 1) our Green Fields; and 2) Getting rid of those special area plans that are in town neighborhoods where we already have the existing street block network. What the document doesn't answer is how we address all the suburban development that we currently have in our community.*

*Chair Hawkins suggested that the Phase I Draft Report be accepted and sent to the Commission and include an informational item that would define future work the Planning Works or another consultant would do should the Commission fund that work. Regarding funding for future work, I do not think we have funds budgeted to implement this, and perhaps to have this committee ask the Commission to prioritize any end of year funding left over at the end of FY10 for the purpose of code work. If any remaining fund balance is available for that purpose, that it be prioritized for that purpose.*

*Commissioner Wells ask for clarification as to contemplate, just the remaining funds from Planning or any fund balance? Chair Hawkins stated that remaining funds from any general fund balance and the committee can only recommend to the Commission to do that.*

*Chair Hawkins moved to MOTION the committee to accept the document and address future project funding.*

*MOTION:*

*That the Phase I Draft Report be accepted by the Community Development Committee and be sent to the Commission subject to inserting correct local facts and recommend to the Commission to prioritize any end of year general funding left over at the end of FY10 for the purpose of code work.*

*VOTE:*

*Chair Hawkins - Yes. Commissioner Wells - Yes. Commissioner Donovan - Absent. The MOTION passed.*



*Chair Hawkins deferred reviewing the referrals list with staff to the August Community Development Committee meeting.*

**RECOMMENDATION** *The Community Development Committee refer to the City Commission a recommendation for staff to initiate a petition to the Plan Board concerning activity centers' mixed use districts and large scale retail based upon the Planning Works deliverable.*

**Discussed**

080465\_CDC Backup\_20090122.pdf  
080465a\_Initv 2.4 Updated\_20090930.pdf  
080465b\_CC Minutes 9-17-09\_20090930.pdf  
080465\_PPt CDC Sp Mtg Planning Wks\_20090930.pdf  
080465A\_Memo-Staff\_20100112.pdf  
080465b\_Strategic Init 2 pt 4\_20100112.pdf  
080465C\_Memo from Consultant\_20100112.pdf  
080465\_CDC Handouts #A\_20100112.pdf  
080465\_CDC Handouts #B\_20100112.pdf  
080465a\_Staff Memo-CDC Mtg\_20100301.pdf  
080465b\_CDC Mtg Bk-Up\_20100301.pdf  
080465c\_Consultant Memo-CDC Mtg\_20100301.pdf  
080465d\_Product Rpt - CDC Mtg\_20100301.pdf  
080465e\_Map-CDC Mtg\_20100301.pdf  
080465\_C Hawkins Comments\_20100301.pdf  
080465\_Memo to CDC\_20100602.pdf  
080465A\_Mixed Use Standards Draft\_20100602.pdf  
080465B\_Phase I Draft Rpt\_20100602.pdf  
080465c\_Updated Map\_20100602.pdf  
080465d\_CDC-Consultant Memo\_20100602.pdf  
080465\_6-21-10 Planning Consultant Rpt\_20100805.pdf  
080465e\_Hand-Out from Com Hawkins\_20100602.pdf

**REFERRALS**

**NEXT MEETING DATE**

**ADJOURNMENT**

*1:37 P.M.*