

City of Gainesville

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



Meeting Agenda

March 17, 2011

1:00 PM

City Hall Auditorium

City Commission

Mayor Craig Lowe (At Large)

Mayor-Commissioner Pro Tem Jeanna Mastrodicasa (At Large)

Commissioner Scherwin Henry (District 1)

Commissioner Lauren Poe (District 2)

Commissioner Warren Nielsen (District 3)

Commissioner Randy Wells (District 4)

Commissioner Thomas Hawkins (At Large)

Persons with disabilities who require assistance to participate in this meeting are requested to notify the Office of Equal Opportunity at 334-5051 or call the TDD phone

CALL TO ORDER

AGENDA STATEMENT

"Citizens are encouraged to participate in City of Gainesville meetings. In general, speakers will be limited to 3 (three) minutes per agenda item. Additional time may be granted by the Mayor or by the City Commission as directed. The City of Gainesville encourages civility in public discourse and requests that speakers limit their comments to specific motions and direct their comments to the Chair. Signs or Props are not permitted in the meeting room. Citizens are encouraged to provide comments in writing to the Clerk of the Commission before meetings and/or during meetings for inclusion into the public record. Citizens may also provide input to individual commissioners via office visits, phone calls, letters and e-Mail, that will become public record. In some instances, i.e., Quasi-Judicial Hearings, these particular contacts may be prohibited."

ROLL CALL

INVOCATION

CONSENT AGENDA

CITY MANAGER, CONSENT AGENDA ITEMS

100746.

Approval of the Regional Transit System (RTS) Ten-Year Transit Development Plan (TDP) Annual Update for FY2011 (B)

This item is a request for the City Commission to approve the annual update of the FY2011 Regional Transit System (RTS) Transit Development Plan (TDP).

Explanation: The Transit Development Plan (TDP) outlines service and capital improvements for transit in the community over a ten-year period. The Florida Department of Transportation (FDOT) requires that a transit system prepare an update to its TDP annually, and have it adopted by its governing board every five years, in order to maintain eligibility for FDOT state transit block grant funds. The City Commission acts as the governing board for public transit in the Gainesville urban area. The annual update to the RTS TDP was approved by FDOT on December 17, 2010.

Fiscal Note: During FY2009-FY2010, the City of Gainesville received \$1,372,606 in FDOT transit block grant funds.

RECOMMENDATION

The City Commission approve the Ten-Year TDP Annual Update for FY2011.

100746A_Letter_20110317.pdf

100746B_TDPAnnualUpdate_20110317.pdf

100762.**Walnut Creek Planned Development Time Extension (B)**

A request to have the City Attorney process an amendment to Ordinance 071066, "Walnut Creek Planned Development" to extend the timeframe for final plat or conditional plat adoption.

Explanation: City staff has been working with the applicant to finalize the plat for Phase II of the Walnut Creek Planned Development. Due to the economy the development was put on hold, and one of the timeframes in the ordinance has expired, however the timeframe for the Planned Development has not expired. Condition 18 of the ordinance provides a valid period for the Planned Development through March 19, 2012. It is staff's opinion that Section 3 of ordinance 071066 which amended a previous ordinance (020948) should have allowed the final or conditional plat adoption to be consistent with the valid period of the Planned Development ordinance. In order to correct this inconsistency staff is requesting that the City Commission direct the City attorney to correct the ordinance. It is staff's opinion, that this can be corrected by the City Commission without a full petition to the Plan Board.

Fiscal Note: None

RECOMMENDATION

Staff to the City Commission - direct the City Attorney to draft an amendment to Ordinance 071066 to correct the inconsistency allowing the final or conditional plat to be adopted by the March 19, 2012 expiration date of the Planned Development

Alternative recommendation

Staff to the City Commission - forward the issue to the City Plan Board as a petition to amend the ordinance.

100762A_Ordinance 071066_20110317.pdf

100762B_Ordinance 020948_20110317.pdf

100800.**GPD Teen Driving Enforcement Program (NB)**

MODIFICATION - This item was added to the Consent Agenda on March 16, 2011.

Explanation: The State of Florida Department of Transportation has solicited proposals from law enforcement agencies seeking to reduce traffic fatalities and injuries. The Gainesville Police Department will design and implement enforcement campaigns targeting nighttime occupant protection and convenience store alcohol checks. The agency will utilize resources to conduct high-visibility, zero-tolerance enforcement operations at locations identified as having high frequency traffic crashes and/or fatalities.

Fiscal Note: The amount of the award is \$32,800 and is restricted to overtime payment for law enforcement officers participating in the project. Benefits associated with the award will be incurred by the Gainesville Police Department.

RECOMMENDATION

The City Commission authorize the City Manager to apply for, accept, and execute the grant award subject to approval by the City Attorney as to form and legality and approve the expenditures as outlined in the approved grant award.

100801.**GPD Speed and Aggressive Driving Project (NB)**

MODIFICATION - This item was added to the Consent Agenda on March 16, 2011.

Explanation: The Gainesville Police Department seeks to reduce traffic fatalities and injuries by implementing enforcement campaigns targeting speed and aggressive driving infractions. Gainesville Police will utilize resources to conduct high-visibility, zero-tolerance enforcement operations at locations identified by the agency as having a high frequency of traffic crashes and/or fatalities. The agency will collect and retain data for the purpose of facilitating Safety Office inspections and reports. The primary focus for these operations will be to identify the violators of speed and aggressive driving laws.

Funds will be utilized to purchase and deploy four (4) laser speed measuring devices to aggressively target speed violators and Aggressive Careless Driving.

Fiscal Note: The amount of the award is \$54,010. Funds will be used to purchase the equipment described above and for personnel conducting the Speed and Aggressive Driving operations.

RECOMMENDATION

The City Commission authorize the City Manager to apply for, accept, and execute the grant award subject to approval by the City Attorney as to form and legality and approve the expenditures as outlined in the approved grant award.

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS**CITY ATTORNEY, CONSENT AGENDA ITEMS****CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS****100772.****City Commission Minutes (B)****RECOMMENDATION**

The City Commission approve the minutes of January 18, 2011, February 17, 2011, and February 28, 2011, as circulated.

100772_jan 18, 2011_20110317.pdf
100772_feb 17, 2011_20110317.pdf
100772_feb. 28,2011_20110317.pdf

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

CITY MANAGER

100791.

Springtree Studios Presentation on Film Production (NB)

Explanation: Springtree Studios will give a presentation on plans to produce a motion picture based on the life of Ruby McCollum. The movie is planned to be filmed in North Central Florida, including Gainesville.

RECOMMENDATION

The City Commission hear the presentation.

100744.

NW 16th Avenue Resurfacing and Rehabilitation Project (B)

This item is to discuss the NW 16th Avenue Resurfacing and Rehabilitation Project.

Explanation: The Alachua County Board of County Commissioners (BoCC) has requested the City Commission: 1) provide them any formal comments that the City may have regarding the design of NW 16th Avenue; and 2) consider taking over the annual maintenance responsibilities once the project is completed.

Alachua County staff will present the latest design options for your consideration. Regional Transit System (RTS) staff provided comments to county staff for their consideration. RTS prefers 12-ft travel lanes for bus operations because the bus width is 10'6" including the mirrors. However, they acknowledged that they would support a proposal of 10-ft inside lanes, 11-ft outside lanes and 3-ft bike lanes. RTS also provided turning radius

requirements to ensure that intersections were designed to accommodate the turning movements of the buses.

Florida Statutes 334.03(3) defines the "City street system" as all local roads within a municipality, and all collector roads inside that municipality, which are not in the county road system. 334.03(4) defines the "County road system" as all collector roads in the unincorporated areas of a county and all extensions of such collector roads into and through any incorporated areas, all local roads in the unincorporated areas, and all urban minor arterial roads not in the State Highway System.

N 16th Avenue from NW 43rd Street to Waldo Road is functionally classified as a minor arterial road. As such, 16th Avenue is appropriate to be included in either the County road system or the State Highway System.

While the BoCC has requested the City consider taking over the annual maintenance responsibilities, they have not defined the extent of those responsibilities. Florida Statutes 334.03(24) defines "Routine maintenance" as minor repairs and associated tasks necessary to maintain a safe and efficient transportation system. The term includes: pavement patching; shoulder repair; cleaning and repair of drainage ditches, traffic signs, and structures; mowing; bridge inspection and maintenance; pavement striping; litter cleanup; and other similar activities.

City Public Works staff has evaluated the potential annual maintenance costs associated with NW 16th Avenue from NW 55 Street to NW 13th Street. This assumes annual maintenance to include maintenance of signage and vegetation maintenance along the entire corridor - mowing on a 30 day cycle; median maintenance two to three times per year; sidewalk edging once per year; and vegetation cutback along sidewalks once per year. The annual costs would be approximately \$80,000 with cost of \$18,000 for one time capital equipment. If the County's request is to include future resurfacing/restriping and other repairs as noted in the definition of routine maintenance, then the annualized costs will be much more significant than \$80,000.

Fiscal Note: If the City Commission is interested in moving forward with accepting annual maintenance responsibilities for NW 16th Avenue the annual cost will be a minimum of \$80,000.

RECOMMENDATION

The City Commission: 1) hear a presentation from Alachua County staff regarding the NW 16th Avenue Resurfacing and Rehabilitation Project; 2) respectfully decline the request to accept maintenance responsibility; and 3) authorize the Mayor to sign a letter responding to the Alachua County Board of County Commissioners in response to their request.

100744_Letter_20110317.pdf

100744_PPT_20110317.pdf

This is a request for the City Commission to approve staff's recommended ranking of the red light camera vendors for the Red Light Traffic Safety Program.

MODIFICATION - This item was moved from the Consent Agenda on 3/16/2011.

Explanation: On April 27, 2010, the Florida Senate passed HB 325, known as Mark Wandall Traffic Safety Act, establishing statewide regulation of red light cameras. This Act was signed into law on May 13, 2010 by Governor Crist and became effective July 1, 2010. The Act expressly preempts any local regulation of traffic violations involving the use of cameras. The new legislation also establishes a mandatory \$158.00 fine for a red light camera violation with no points assessed against the driver's record. A portion of this fine in the amount of \$75.00 is allocated to municipalities for the operation of red light programs.

The City Attorney's office drafted the Ordinance to comport with state law as set forth in section 316.0083, Florida Statutes (2010), "Mark Wandall Traffic Safety Program". This ordinance was adopted with the final reading on February 17, 2011.

The City desires to implement the enforcement as set forth in the ordinance in order to promote, protect and improve the health, safety and welfare of its citizens, consistent with the authority of and limitations on the City pursuant to the state Constitution and state statutes.

Based on the anticipated approval of the proposed ordinance, City staff issued the Request for Proposal (RFP) on January 3, 2011 requesting proposals from qualified red light camera vendors for delivery and maintenance of traffic infraction detectors, and for all necessary hardware and administrative support to ensure a credible and reliable electronic camera recording system.

A Pre Bid Proposal Conference was held January 10, 2011, and the City's Purchasing Division received three (3) responsive proposals from red light camera vendors by the bid due date of January 24, 2011. An evaluation team evaluated the qualifications and proposals of the vendors, and is recommending the following ranking of the vendors:

- 1) GATSO USA*
- 2) REDFLEX TRAFFIC SYSTEMS*
- 3) SENSYS AMERICA*

The acceptance of the staff recommendation would be conditioned upon agreement that the contract remains valid only while authorized by state law, i.e., that if the Mark Wandall Traffic Safety Act is repealed, or is amended such that the terms of the contract were invalidated, that the contract and all obligations thereunder occurring after such repeal or amendment would automatically terminate upon the effective date of said repeal or amendment.

If a contract cannot be negotiated with the first vendor, then negotiation will continue down the list in the ranked order until a contract is negotiated and can be executed.

Fiscal Note: The new legislation establishes a mandatory \$158.00 fine for a red light camera violation with no points assessed against the driver's record. The Red Light Traffic Safety Program is structured to be cost neutral to the City. Any costs for installation and a portion of the administration of the Red Light Traffic Safety Program are to be paid from the City's portion of the citation.

RECOMMENDATION

The City Commission: 1) approve staff's recommended ranking of the red light camera vendors; and 2) authorize the City Manager to negotiate and execute a contract and any related documents, subject to approval from the City Attorney as to form and legality, for the delivery and maintenance of traffic infraction detectors, and for all necessary hardware and administrative support to ensure a credible and reliable electronic camera recording system.

100767_Ranking_20110317.pdf

GENERAL MANAGER FOR UTILITIES

CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

EQUAL OPPORTUNITY COMMITTEE

100340.

Equal Opportunity Committee Referral (B)

Explanation: At its September 2, 2010 meeting, the City Commission referred item 100340 Report on Low Socio-Economic Families to the Equal Opportunity Committee (EOC).

On September 21, 2010 the EOC discussed the report For Gainesville's Children prepared by J. Kate Stowell, Ph.D. The EOC recommended several changes be made to include the report be in a context where data is clear on what is being compared, and on November 2, 2010 the EOC motioned to have Dr. Stowell finalize the report and to include an executive summary.

On December 6, 2010 the EOC reviewed and accepted final changes to the report on the Socio-economic status of Gainesville's Children, authorized the EO Director to circulate the report to interested partners within the community, and referred this issue back to the City Commission.

RECOMMENDATION

The City Commission: 1) hear a presentation from EO

Director Cecil Howard and Dr. J. Kate Stowell; 2) accept the final report as presented and take action deemed appropriate; and 3) remove this item from the referral list.

Legislative History

9/2/10	City Commission	Referred (7 - 0)	Equal Opportunity Committee
12/16/10	City Commission	Approved as Recommended (6 - 0 - 1 Absent)	

100340_Exec Summary_20110317.pdf
 100340_Report_20110317.pdf
 100340_PPT_20110317.pdf

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

COMMISSION COMMENTS (if time available)

RECESS

RECONVENE

PLEDGE OF ALLEGIANCE (5:30pm)

PROCLAMATIONS/SPECIAL RECOGNITIONS

100769.

Children's Week - April 3-9, 2011 (B)

RECOMMENDATION

Early Learning Coalition of Alachua County Executive Director, Gordon Tremaine, and Community Outreach Coordinator, Sheryl Eddie, to accept the proclamation.

100769_ChildrensWeek_20110317.pdf

100770.

Jazz Appreciation Month - April, 2011 (B)

RECOMMENDATION

Gainesville Friends of Jazz, Inc. President, Scott Koons, to accept the proclamation.

100770_JazzAppreciation_20110317.pdf

CITIZEN COMMENT (6:00pm) - Please sign on sign-up sheet

PUBLIC HEARINGS

RESOLUTIONS- ROLL CALL REQUIRED

100544.

Earth Hour Resolution (B)

This is a request for the City Commission to adopt a resolution designating March 26, 2011 from 8:30 p.m. to 9:30 p.m. as Earth Hour.

Explanation: Representatives from the Cinema Verde Environmental Film Festival led by Trish Riley made a presentation at the January 31, 2011, Recreation, Cultural Affairs and Public Works Committee meeting. The second annual Cinema Verde Environmental Film Festival is being held March 18-27, 2011. The 2011 Cinema Verde Film Fest will present a series of films, exhibits, activities and events focused on the environment. The Committee expressed support for the efforts of those involved in the Environmental Film Festival. City staff has worked with Ms. Riley and her associates to provide guidance and assistance where possible.

Ms. Riley requested that the City Commission consider designating March 26, 2011 from 8:30 p.m. - 9:30 p.m. as Earth Hour. As communicated on the Earth Hour web site:

“Earth Hour started in 2007 in Sydney, Australia when 2.2 million individuals and more than 2,000 businesses turned their lights off for one hour to take a stand against climate change. Only a year later and Earth Hour had become a global sustainability movement with more than 50 million people across 35 countries participating. Global landmarks such as the Sydney Harbour Bridge, CN Tower in Toronto, Golden Gate Bridge in San Francisco, and Rome’s Colosseum, all stood in darkness, as symbols of hope for a cause that grows more urgent by the hour.

In March 2009, hundreds of millions of people took part in the third Earth Hour. Over 4000 cities in 88 countries officially switched off to pledge their support for the planet, making Earth Hour 2009 the world’s largest global climate change initiative.

On Saturday 27 March, Earth Hour 2010 became the biggest Earth Hour ever. A record 128 countries and territories joined the global display of climate action. Iconic buildings and landmarks from Asia Pacific to Europe and Africa to the Americas switched off. People across the world from all walks of life turned off their lights and came together in celebration and contemplation of the one thing we all have in common - our planet.

Earth Hour 2011 will take place on Saturday 26 March at 8.30PM (local time).”

Earth Hour is organized by the World Wildlife Fund (WWF). WWF’s mission is to stop the degradation of the Earth’s natural environment and build a future

where people live in harmony with nature.

The Recreation, Cultural Affairs and Public Works Committee recommends that the City Commission adopt a resolution providing this designation.

Fiscal Note: No costs beyond staff time should be required. Earth Hour is on a Saturday and most non-essential lighting in City administrative facilities is regularly turned off for the weekend. City staff will review opportunities to turn off additional lights at City facilities. Some staff time will be necessary to plan for City facilities and encourage community participation.

RECOMMENDATION *The City Commission adopt the resolution.*

Legislative History

11/18/10	City Commission	Referred (6 - 0 - 1 Absent)	Recreation, Cultural Affairs and Public Works Committee
1/31/11	Recreation, Cultural Affairs and Public Works Committee	Discussed	

100544_Cinema Verde_20101118.pdf

100544_Cinema Verde_1_20101118.pdf

100544_CinemaVerde_2_20101118.pdf

100554_Resolution_20110317.pdf

100731.

Acceptance of US Department of Transportation FAA - AIP Grant #3-12-0028-032-2011 in the amount of \$761,248 (B)

This item seeks City of Gainesville acceptance of a 2011 US Department of Transportation FAA - AIP Grant to the Gainesville Regional Airport in the amount of \$761,248 for the Taxiway A Pavement Rehabilitation - Phase I project at the Gainesville Regional Airport.

Explanation: The US Department of Transportation will make a grant offer to the Gainesville Regional Airport for the Taxiway A Pavement Rehabilitation - Phase I project at the Gainesville Regional Airport.

This Grant Offer will consist of fiscal year 2011 discretionary funds from the Airport Improvement Program (AIP) administered by the Federal Aviation Administration (FAA) and is currently \$761,248.

Because the City of Gainesville retains title to the land upon which Gainesville Regional Airport operates, the City of Gainesville, in addition to the Gainesville Alachua County Regional Airport Authority (GACRAA), must formally accept all federal grant offers. GACRAA did approve a Resolution (Resolution No. 11-007) accepting the \$761,248 grant at its regularly scheduled meeting on February 24, 2011.

The City Attorney reiterates the continuing concern regarding the fact that the Gumroot Swamp property is still listed on the FAA approved Airport Layout

Map. The City Attorney advises that this property should not be subject to FAA jurisdiction and control. The City Attorney will transmit a letter to the FAA stating the City's continuing objection for the record.

Fiscal Note: This US Department of Transportation FAA - AIP Grant is in the amount of \$761,248 with proceeds for listed improvements to be received by the Gainesville Regional Airport. There is a GACRAA and Federal Department of Transportation (FDOT) funding component representing cumulatively approximately 5% of the grant proceeds with no fiscal impact upon the City.

RECOMMENDATION

The City Commission: 1) hear a brief presentation regarding this request; 2) adopt the proposed 2011 FAA - AIP Grant Resolution; and 3) authorize the Mayor and City Attorney to execute said Grant Agreement and the City Clerk to certify said Grant Agreement.

100731A_Airport Cover Ltr_20100317.pdf

100731B_Bid Ext Notice Ltr_20110317.pdf

100731C_GACRAA Resolution 11-007_20110317.pdf

100731D_City Resolution 100731_20110317.pdf

100731E_Assurances_20110317.pdf

100731F_Bid Tabulation_20110317.pdf

100731G_Grant Application_20110317.pdf

100745.

Resolution for the Regional Transit System (RTS) FY2011 Program of Projects (POP) and FY2008-2009 Performance Measures (B)

This item is a request to adopt a Resolution authorizing the filing of an application with the Federal Transit Administration (FTA) and Florida Department of Transportation (FDOT).

Explanation: In order to remain eligible for federal and state funding, the RTS is required annually to submit a POP to the FTA and a budget application for Capital and Operating projects to the FDOT after seeking public comment. On Wednesday March 2, 2011, the budget application was published in the Gainesville Sun as required by the FTA. A public meeting will be held on Thursday, March 10, 2011.

Fiscal Note: The costs for the POP in the amount of \$21,726,315 are included in the Transportation Improvement Program (TIP) approved by the Metropolitan Transportation Planning Organization (MTPO).

RECOMMENDATION

The City Commission adopt the Resolution.

100745A_InitialApplication_20110317.pdf

100745B_Resolution_20110317.pdf

100794.

Resolution for a Joint Participation Agreement for Regional Transit System (RTS) Bus Stop Amenities (B)

This item is a request to adopt a Resolution authorizing the City Manager to execute a Joint Participation Agreement between the City of Gainesville and the Florida Department of Transportation (FDOT) to receive Service Development Funds and reallocated Commuter Assistance Funds for Regional Transit System (RTS) Bus Stop Amenities.

MODIFICATION - This item was added to the Regular Agenda on March 16, 2011.

Explanation: FDOT allocates service development funds to transit agencies each year. The allocations are given at FDOT discretion on a competitive basis for agency projects that meet FDOT Service Development Funds Grant (SDG) criteria. FDOT requires the governing board of each public transit system to adopt a resolution authorizing the acceptance of these funds.

Regional Transit System (RTS) desires these funds to design, construct, and install pedestrian amenities to improve bus stop accessibility on transit corridors. Amenities include sidewalks, pedestrian crossings, ADA ramps, concrete curb ramps, curb and gutters, wheelchair landing pads, waiting pads, shelter foundations, and other work to improve pedestrian access to transit. Bus stop locations will be prioritized by people with disabilities (mainly wheelchairs) usage.

Improving the pedestrian infrastructure will make the bus riding experience more comfortable and work toward improving the marketability of transit through enhancing existing ridership and reaching out to new passengers.

Fiscal Note: This Joint Participation Agreement requires the City of Gainesville to match funding in the amount of \$120,000. Matching funds are allocated in the RTS FY10-11 operating budget.

RECOMMENDATION *The City Commission adopt the Resolution.*

100794_Resolution_20110317.pdf

100795.

Resolution for a Joint Participation Agreement - Service Development Funds for Regional Transit Service (RTS) Route 38 (B)

This item is a request to adopt a Resolution authorizing the City Manager to execute a Joint Participation Agreement between the City of Gainesville and the Florida Department of Transportation (FDOT) to receive Service Development Funds for the continued operation of Route 38.

MODIFICATION - This item was added to the Regular Agenda on March 16, 2011.

Explanation: FDOT allocates service development funds to transit agencies each year. The allocations are given at FDOT discretion on a competitive basis for agency projects that meet FDOT Service Development Grant (SDG) criteria. FDOT requires the governing board of each public transit system to adopt a resolution authorizing the acceptance of these funds.

Since its introduction in August, 2010, Route 38 has alleviated overcrowded conditions on buses on Route 22 (Old Archer Road immediately south of Archer

Road) and Routes 1, 12, and 21 in the same general area. Passengers have not had to wait at the bus stop and watch several full buses pass by before capacity is finally available. Route 38 has also made transit more convenient along Archer Road and relieved traffic congestion by providing transit service from the high density housing area on Archer Road and Old Archer Road to the University of Florida (UF) via State Road 24 (Archer Road). It provides 19 roundtrips from 7:00 a.m. to 9:00 p.m. on weekdays.

Route 38 is expected to exceed original ridership estimates by the end of its first year of service in August, 2011. The service was initially scheduled to operate for 2 (two) years from August 2010 through July 2012 but may be continued beyond that time with funding from UF.

RTS and UF desire to continue Route 38 that expands service on Old Archer Road and provides more direct access to the numerous apartment complexes located on the south side of Archer Road.

Fiscal Note: This Joint Participation Agreement requires the City of Gainesville to match funding in the amount of \$131,500 for operating costs. Matching funds are allocated in the RTS FY10-11 operating budget.

RECOMMENDATION *The City Commission adopt the Resolution.*

100795A_Resolution_20110317.pdf

100795B_Proposal_20110317.pdf

ADOPTION READING-ROLL CALL REQUIRED

100681.

LAND USE CHANGE - 1308 E. UNIVERSITY AVENUE AND 13 NORTHEAST 13TH STREET (B)

Ordinance No. 100681, Petition PB-10-118LUC

An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan, Future Land Use Map; by changing the land use category of certain property, as more specifically described in this ordinance, from the land use category of “Residential Medium-Density (8-30 units per acre)” to “Mixed-Use Low-Intensity (8-30 units per acre)”; located in the vicinity of 1308 E. University Avenue and 13 Northeast 13th Street; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: STAFF REPORT

This is a small-scale land use amendment to change the future land use map from Residential-Medium (RM) to Mixed Use-Low (MUL) on the subject property, which consists of two parcels. Parcel 11525 is located at 1308 E. University Avenue, is approximately 0.41 acres in size, and has split land use designations of MUL and RM. The parcel has split zoning designations of MU-1 (8-30 units/acre mixed use low intensity district) and RMF-7 (8-21 units/acre multi-family residential district). The parcel is developed with a convenience store, internet café and parking. The building is primarily located

on the MUL portion of the parcel, but the northern section of the building extends approximately 50 feet into the RM portion of land, which creates a non-conformity. Several parking spaces are also located on the residential side of this property. The commercial uses are nonconforming uses in the RM land use category and RMF-7 zoning district, but are allowed uses by right in the proposed MUL and MU-1. Parcel 11526 is a vacant property of approximately 0.18 acres, located at 13 N.E. 13th Street. The parcel has RM land use and RMF-7 zoning. An unpaved secondary access into the developed parcel 11525 does exist, which is not permitted in accordance with section 30-56(a) of the Land Development Code. No residential zoned land except RH-2 shall be used for driveway access into land with nonresidential zoning.

The key issues associated with this petition include:

- * The proposed land use amendment is consistent with the Comprehensive Plan.
- * Section 30-67(f) prohibits access for nonresidential use from a street that has RSF-1-4 immediately across such street.
- * This petition would help to clear up a non-conforming situation. The building on the developed property is partially located on the RMF-7 zoned portion of land, as well as some of the vehicular use area.
- * The property is in the Five Points and SEGRI redevelopment areas, which promote redevelopment of the Five Points Town Center with high-quality urban design.
- * Section 30-64(c) (1) indicates that if MU-1 zoning abuts single-family, the density of the residential portion of a mixed-use development is limited to RMF-6 density within 100 feet of the property line.

There is no plan to immediately redevelop the property with the exception of a secondary entrance into parcel 11525 from N.E. 13th Street. The creation of a legal secondary access into the developed parcel will help to improve traffic circulation into and out of the parcel.

Planning Division staff recommended approval of Petition PB-10-118 LUC. The City Plan Board reviewed the petition and recommended approval, Plan Board vote 7-0.

Public notice was published in the Gainesville Sun on January 11, 2011. The Plan Board held a public hearing on January 27, 2011.

CITY ATTORNEY MEMORANDUM

The proposed amendment to the Comprehensive Plan is treated as a small scale development activity. After the City Commission adopts the ordinance, it will be filed with the State Land Planning Agency. The state land planning agency does not review or issue a notice of intent for small scale development amendments. Any affected person may file a petition with the State Division of Administrative Hearings to request a hearing to challenge the compliance of a small scale development amendment within 30 days following the City's adoption of the amendment.

Small scale development amendments do not become effective until 31 days

after adoption. If challenged within 30 days after adoption, small scale development amendments shall not become effective until the state land planning agency or the Administration Commission issues a final order that the adopted small scale development amendment is in compliance.

RECOMMENDATION

The City Commission: 1) approve Petition No. PB-10-118LUC; and 2) adopt the proposed ordinance.

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 100681_staff report_20110317.pdf
 100681A_append A_20110317.pdf
 100681B_append B_20110317 .pdf
 100681C_append C_20110317.pdf
 100681D_append D_20110317.pdf
 100681E_CPB minutes_20110317.pdf
 100681F_100682F_staff ppt_20110317.pdf

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

100682.

REZONING – 1308 E. UNIVERSITY AVENUE AND 13 NORTHEAST 13TH STREET (B)

Ordinance No. 100682, Petition No. PB-10-119ZON

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain property, as more specifically described in this Ordinance, from the zoning category of “RMF-7: 8 - 21 units/acre multiple-family residential district” to “MU-1: 8 – 30 units/acre mixed use low intensity”; located in the vicinity of 1308 E. University Avenue and 13 Northeast 13th Street; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: COMMUNITY DEVELOPMENT STAFF MEMORANDUM

This request is to change the zoning from RMF-7 (8-21 units/acre multi-family residential district) to MU-1 (8-30 units/acre mixed use low intensity district) on the subject property, which consists of two parcels. Parcel 11525 is located at 1308 E. University Avenue, is approximately 0.41 acres in size, and has split land use designations of Mixed Use-Low (MUL) and Residential-Medium (RM), and split zoning designations of MU-1 (8-30 units/acre mixed use low intensity district) and RMF-7 (8-21 units/acre multi-family residential district). The parcel is developed with a convenience store, internet café and parking. The building is primarily located on the MU-1 portion of the parcel, but the northern section of the building extends approximately 50 feet into the RMF-7 portion of land, which creates a non-conformity. Several parking spaces are also located on the residential side of this property. The commercial uses are nonconforming uses in the RM land use/RMF-7 zoning district, but are allowed uses by right in the proposed MUL and MU-1. Parcel 11526 is a vacant property of approximately 0.18 acres, located at 13 N.E. 13th Street, with RM land use and RMF-7 zoning. Although this parcel is vacant, an unpaved secondary access into the developed parcel 11525 does exist. This is not permitted in accordance with section 30-56(a) of the Land Development Code.

The key issues with this petition include:

- * The proposed rezoning is consistent with the Comprehensive Plan.*
- * Section 30-67(f) prohibits access for nonresidential use from a street that has RSF-1-4 immediately across such street.*
- * This petition would help to clear up a non-conforming situation. The building on the developed property is partially located on the RMF-7 zoned portion of land, as well as some of the vehicular use area.*
- * The property is in the Five Points and SEGRI redevelopment areas, which promote redevelopment.*
- * Section 30-64(c) (1) indicates that if MU-1 zoning abuts single-family, the density of the residential portion of a mixed-use development is limited to RMF-6 density within 100 feet of the property line.*

There is no plan to immediately redevelop the property with the exception of a secondary entrance into parcel 11525 from N.E. 13th Street. The creation of a legal secondary access into the developed parcel will help to improve traffic circulation into and out of the parcel.

Planning Division staff recommended approval of Petition PB-10-119 ZON. The City Plan Board reviewed the petition and recommended approval, Plan Board vote 7-0.

Public notice was published in the Gainesville Sun on January 11, 2011. The Plan Board held a public hearing on January 27, 2011.

CITY ATTORNEY MEMORANDUM

The petition and ordinance are simultaneously submitted to the City Commission for approval and adoption because city staff and the plan board both recommend approval.

RECOMMENDATION *The City Commission: 1) approve Petition No. PB-10-119ZON; and 2) adopt the proposed ordinance.*

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 100682B_append B_20110317.pdf
 100682C_append C_20110317.pdf
 100682D_append D_20110317.pdf
 100682E_CPB minutes_20110317.pdf
 100681F_100682F_staff ppt_20110317.pdf

090483.

TEXT CHANGE AND REZONING - SOUTHEAST GAINESVILLE RENAISSANCE INITIATIVE (SEGRI) SPECIAL AREA PLAN (B)

Ordinance No. 090483; Petition No. PZ-09-02TCH & Petition No. PZ-09-03ZON

An ordinance of the City of Gainesville, Florida, rezoning certain property

and amending the Land Development Code in order to repeal the Five Points Special Area Plan and create and impose the Southeast Gainesville Renaissance Initiative (SEGRI) Special Area Plan; by repealing the regulations for the Five Points Special Area Plan as set forth in Appendix A, Section 8 of the Land Development Code; amending the zoning map atlas to remove the Five Points Overlay Zoning District from certain properties (as imposed by Ordinance No. 050162); by creating new regulations hereinafter known as the Special Area Plan for Southeast Gainesville Renaissance Initiative (SEGRI); by rezoning (by imposing the SEGRI Overlay Zoning District) on certain property generally located in the Five Points area and South of University Avenue and East of Main Street as more specifically described in this ordinance; providing directions to the City Manager; providing directions to the codifier; providing a severability clause; providing for operation to pending applications for development order; and providing an immediate effective date.

Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT

This ordinance consolidates Petition No. PZ-09-02TCH, a text change amendment to the Land Development Code to create Special Area Plan (SAP) regulations for the Southeast Gainesville Renaissance Initiative (SEGRI) area; and Petition No. PZ-09-03ZON, an amendment to the Zoning Map Atlas to rezoning certain property to apply the SEGRI SAP as an overlay zoning district.

Sections 1 and 3 of the ordinance implement the necessary text changes to the Land Development Code by repealing the existing regulations for the Five Points SAP and imposing new regulations for the SEGRI SAP. Sections 2 and 4 of the ordinance implement the necessary zoning changes by removing the Five Points SAP overlay zoning district from certain properties (as was imposed by Ordinance No. 050162) and by imposing the new SEGRI SAP overlay zoning on certain properties as described in the ordinance.

The new SEGRI SAP covers approximately 930 acres (which includes the Five Points area) within a defined area of southeast Gainesville. SEGRI is a planning effort that expands the implementation of Plan East Gainesville, a study adopted by the Gainesville City Commission in 2003.

Development of the SEGRI SAP began with the Five Points SAP, which was focused on the commercial core or "downtown" of east Gainesville, around the Waldo Road and East University Avenue intersection. The existing Five Points SAP was adopted in 2005 and in 2006, the City Commission approved Petition 24TCH-06 PB (Legistar No. 051020) which was to create an overlay for an expanded five points area. However, Petition 24TCH-06PB was not brought to ordinance stage, as a larger SEGRI overlay district began to be considered. The focus then shifted to the larger area including nearby neighborhoods, and this broader planning initiative resulted in additional planning considerations.

Key development areas within the SEGRI SAP area include the intersection of Waldo Road and East University Avenue; the Five Points area; Gainesville Technology Enterprise Center, a business incubator supported by the City's

Economic Development Department; Lincoln Middle School and Williams Elementary School; and the former Kennedy Homes site. SEGRI also includes several neighborhood associations, including North Lincoln Heights, Lincoln Estates, Sugarhill, Southeast Evergreen Trails, and portions of the Springhill and Duval neighborhoods.

The SEGRI SAP is an overlay zoning district. It establishes additional regulations that guide architectural form and aesthetics, parking and street design, sidewalks, and landscaping for new development and redevelopment. The SEGRI SAP regulates commercial, office, mixed-use and multi-family development, including single family attached. It does not regulate industrial educational services, agriculture, public facilities and single-family detached development.

The goal of these efforts is to ensure high-quality residential development, limit sprawl and traffic congestion, and improve neighborhood, commercial and retail opportunities in east Gainesville. The southeast Gainesville community was heavily involved in meetings and workshops to develop the SEGRI SAP.

Public notice was published in the Gainesville Sun on September 8, 2009. On September 4, 2009, the Plan Board heard the petition and by a vote of 7-0, recommended the City Commission approve the petition. On November 5, 2009, the City Commission approved the petition by a vote of 7-0, conditioned on an amendment as follows: "On-street parking is encouraged; such parking, if feasible, can be counted towards a project's total required parking spaces." Since that time, the petitions and draft ordinance have undergone extensive review by City staff and Gainesville Community Redevelopment Agency staff to ensure that the ordinance will effectively implement, and not impede, the community vision for development and redevelopment in the SEGRI area. In addition, provision has been made to allow applications for development orders pending as of the effective date of this ordinance to continue to be processed under current regulations.

CITY ATTORNEY MEMORANDUM

As described above, this ordinance:

- subsumes Petition 24TCH-06 PB (Legistar No. 051020) which was intended to create an overlay for an expanded five points area; but such expanded area is now included in this SEGRI SAP;*
- removes the Five Points SAP overlay zoning district from certain properties (as was imposed by Ordinance No. 050162);*
- repeals the existing Five Points Special Area Plan in the Land Development Code; and*
- consolidates Petition No. PZ-09-02TCH (SEGRI SAP regulations) and Petition No. PZ-09-03ZON (rezoning to impose the SEGRI overlay zoning district).*

- any pending application for development order may continue to be processed under the current regulations.

Should this ordinance pass on first reading, second and final reading will be held on April 7, 2011.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

11/5/09 City Commission Approved (Petition), as amended (7 - 0)

090483_staff report_20091105.pdf
 090483A_SEGRI aerial photo_20091105.pdf
 090483B_SEGRI land use map_20091105.pdf
 090483C_SEGRI zoning map_20091105.pdf
 090483D_SEGRI SAP proposed code_20091105.pdf
 090483E_text amendment application_20091105.pdf
 090483F_staff ppt_20091105.PDF
 090483G_cpb minutes_20091105.pdf
 090483_draft ordinance_20110317.pdf
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100602.

TEXT CHANGE TO LAND DEVELOPMENT CODE – AIRPORT FACILITY DISTRICT (B)

Ordinance No. 100602, Petition No. PB-10-107TCH

An ordinance of the City of Gainesville, Florida, amending the Land Development Code of the City of Gainesville; amending Section 30-76, (AF: Airport facility district); by adding and removing certain permitted uses; by adding conditions to certain uses, as more specifically set forth in this ordinance; by amending certain uses, and amending restrictions on certain uses in the Airport Development Area, Airfield Infrastructure Area, and the Non-development Area, as more specifically set forth in this ordinance; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: STAFF REPORT

The proposed text amendments pertain to the Airport facility district (AF), Section 30-76 of the City's Land Development Code. Development of properties within the AF district is an important component of this zoning district, of the Gainesville Regional Airport Master Plan that was updated in 2006, and of the airport's ability to operate as an independently funded facility. The Gainesville-Alachua County Regional Airport Authority in early 2010 commissioned Eng, Denman & Associates to review existing development conditions and future development potential of properties associated with the Airport.

On June 30, 2010, the Airport Authority directed Gainesville Regional Airport's Chief Executive Officer to prepare the following planning proposals:

amendment of the AF zoning district to include solar generation facilities, light industrial, and other accessory activities considered accessory to the airport as permitted uses; and, amendment of the AF district to increase the amount of "revenue support" uses, including office, retail, service, industrial, etc. The applicant subsequently discussed these text amendments for enhancing economic development opportunities at the airport with City Planning staff, and staff recommended that the applicant present them to the City Commission. The applicant made such a presentation to the City Commission on August 19, 2010 (Legislative No. 100233), and the Commission voted unanimously to authorize preparation of a petition to the Plan Board. The current petition is limited to text changes for the AF zoning district.

The text changes consist of additional uses to be permitted by right within the airport development area, establishment of development limits for each additional use, increases in allowable development for the four Revenue Support categories (Office Development; Retail Service and Wholesale Development; Limited Industrial; and Hotel), updated development data for currently allowed uses, and addition of solar generation station as a permitted use in the airfield infrastructure area and in the non-development area. The proposed additional uses (the first three of which, MG 36, 38 and 39, are manufacturing uses) to be permitted by right in the airport development area of the AF district are as follows: MG 36 - Electronic and other electrical equipment and components, except computer equipment; MG 38 - Measuring, analyzing, and controlling instruments; photographic, medical and optical goods; watches and clocks; MG 39 - Miscellaneous manufacturing industries; MG 43 - United States Postal Service; GN 554 - Gasoline service stations; Solar generation stations; Pet boarding (only within enclosed buildings); and Corporate offices.

Of these uses, all but solar generation stations and pet boarding (which is not currently specified in the land development code) are allowed by right in the I-1 (Limited industrial) zoning district. The AF district already includes the following I-1 uses: MG-47 (Transportation services), MG-48 (Communications), MG-73 (Business services), and various uses within MG-87 (Engineering, Accounting, Research, Management, and Related Services).

Public notice was published in the Gainesville Sun on November 18, 2010. The Plan Board held a public hearing on December 6, 2010.

CITY ATTORNEY MEMORANDUM

The City Commission, at its meeting of January 20, 2011, approved the Petition and authorized the City Attorney's Office to prepare the necessary ordinance amending the Land Development Code of the City of Gainesville.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

Legislative History

1/20/11 City Commission Approved (Petition) (6 - 0 - 1 Absent)

100602_staff report_20110120.pdf
100602A_exhibit A_20110120.pdf
100602B-exhibit B_20110120.pdf
100602C_exhibit C_20110120.pdf
100602D_101206 cpb minutes_20110120.pdf
100602E_staff ppt_20110120.pdf
100602_staff ppt_20110317.pdf
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TRANSMITTAL HEARING

100684.

AMEND FUTURE LAND USE ELEMENT POLICIES 4.1.1 AND 4.1.3 TEXT AND ADD ZONING DISTRICTS TO THE IMPLEMENTING ZONING DISTRICTS TABLE (B)

Ordinance/Legistar No. 100684; Petition No. PB-10-139 CPA

An ordinance amending the Future Land Use Element of the City of Gainesville 2000-2010 Comprehensive Plan; by amending the text of Policy 4.1.1 for the land use categories of Mixed-Use Low-Intensity (MUL), Mixed-Use Medium-Intensity (MUM), Urban Mixed-Use 1 (UMU-1) and Urban Mixed-Use 2 (UMU-2); by amending the text in Policy 4.1.3 to revise criteria for proposed changes to the Future Land Use Map; by adding additional zoning districts to the table titled "Future Land Use Categories and Corresponding/Implementing Zoning Districts"; stating intent to adopt the amendments as part of the City of Gainesville 2000-2010 Comprehensive Plan; providing directions to the city manager; providing a severability clause; providing a repealing clause; and providing an effective date.

MODIFICATION - Revised recommendation to continue to the April 7, 2011 City Commission meeting.

Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT

This petition and ordinance amend the Future Land Use Element (FLUE) within the City's Comprehensive Plan to clarify and update information. The policies proposed for amendment are Policy 4.1.1 and Policy 4.1.3 and the table titled "Future Land Use Categories and Corresponding/Implementing Zoning Districts."

In Policy 4.1.1, the Mixed Use Low (MUL) and Mixed Use Medium (MUM) categories are amended to add an exemption to the minimum density requirements for parcels 0.5 acres and smaller. Citywide there are several parcels with these land use category designations that are equal to or smaller than 0.5 acres. Due to size and layout constraints, these parcels have difficulty meeting the minimum density requirements when providing parking and stormwater facilities on site. This results in limited development/redevelopment opportunities for these small parcels. The proposed language is consistent with language in the Residential Medium and Residential High land use categories and zoning categories for the same residential densities. The date of November

13, 1991 is used as that is the effective date of the City's original Comprehensive Plan.

In Policy 4.1.1, the Urban Mixed-Use 1 (UMU-1) and Urban Mixed-Use 2 (UMU-2) categories are being amended to:

- a. Add minimum density requirements to ensure transit supportive residential development;
- b. Add an exemption to the minimum density requirements for parcels 0.5 acres and smaller;
- c. Add clarifying language about the types of research and development uses allowed. This broadens the language beyond the biotechnology field so that it is clear that multiple types of research are encouraged in the category and makes it consistent with language in the UMU-1 and UMU-2 zoning districts;
- d. Clarify that an essential component of the district is its multi-modal (not just pedestrian) character; and,
- e. Change and clarify the requirement concerning two-story development to make it a requirement for principal, non-single family buildings with a minimum height of 24 feet instead of two stories. This change is consistent with the proposed new UMU-2 zoning district requirements and allows some flexibility for buildings to appear two-story without the added cost of building the added interior floor. Input from consultants has indicated that the actual height as opposed to real building stories is as effective in creating the street frontage image. In addition, this clarifies that the height requirement is for principal buildings in the development and not all buildings (such as accessory storage buildings or pool clubhouses).

In Policy 4.1.3, which sets forth criteria used to evaluate proposed changes to the Future Land Use Map, Planning staff determined the policy language requires clarification and additional criteria needed to be added. In particular, criteria are being added to examine the financial feasibility of the proposal (consistent with the State law definition and requirements) and the need for the additional acreage in the proposed future land use category.

With regards to the Land Use Categories and Corresponding/Implementing Zoning Districts table, it is amended to add additional implementing zoning districts for associated land use categories. These changes are consistent with the Land Development Code and are recommended to add flexibility to the impacted land use categories.

After public notice was published in the Gainesville Sun on January 11, 2011, the City Plan Board held a public hearing on January 27, 2011 and, by a vote of 6-0, recommended the City Commission approve the petition.

CITY ATTORNEY MEMORANDUM

Florida Statutes set forth the procedure for adoption of an amendment to the Comprehensive Plan. The first hearing is held at the transmittal stage and must be advertised seven days prior to the first public hearing. The second hearing will be held at the adoption stage of the ordinance and must be advertised five days before the adoption hearing.

If adopted on first reading, the proposed amendment to the Comprehensive Plan will be transmitted to the State Department of Community Affairs (DCA) for written comment. Any comments, recommendations or objections of the DCA will be considered by the Commission at the second public hearing.

Following second reading, the Plan amendment will not become effective until the DCA issues a final order determining the adopted amendment to be in compliance in accordance with the Local Government Comprehensive Planning and Land Development Regulation Act, or until the Administration Commission (Governor and Cabinet) issues a final order determining the adopted amendment to be in compliance.

RECOMMENDATION *The City Commission continue to the April 7, 2011 City Commission Meeting.*

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100690.

COMPREHENSIVE PLAN TEXT AMENDMENT - INNOVATION ZONE MAP (B)

Ordinance No. 100690; Petition No. PB-10-138LUC&PB-10-140CPA
An Ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan Future Land Use Element; amending the Intergovernmental Coordination Element by repealing the obsolete Innovation Zone Map and adopting the new Innovation Zone Map and adding it to the Future Land Use Map Series; amending Objective 1.7 of the Intergovernmental Coordination Element to reference the Innovation Zone Map in the Future Land Use Map Series; providing directions to the City Manager and the codifier; providing a severability clause; and providing an effective date.

MODIFICATION - Revised recommendation to continue to the April 7, 2011 City Commission meeting - Revised March 16, 2011.

Explanation: STAFF REPORT

Petition No. PB-10-138LUC - This petition deletes the Innovation Zone map from the Intergovernmental Coordination Element and adds it to the Future Land Use Map Series to give the Innovation Zone a more prominent location in the Comprehensive Plan. In addition, several properties were deleted from the Innovation Zone, and several new properties were added. Some of the deletions/additions were to match property lines and/or streets to better clarify boundaries.

The areas that were added include the former Alachua County Fairgrounds site near the airport (known as the Alachua County Business Industrial Employment Center) and a portion of the Urban Village area proximate to SW 34th Street. Both of these areas have potential for new businesses that specialize in bringing innovative technologies or processes into production in various technology fields. This is consistent with both the Business Industrial land use adopted on the Alachua County site and the Urban Mixed Use-2 proposed for the Urban Village area. There were also some minor expansions in contiguous areas of the Innovation Zone where there were Urban Mixed Use or Industrial designated properties.

The properties that were deleted from the map are primarily residential, which are not expected to become non-residential during the Planning period. As a result, these properties have no potential for Innovation Zone businesses and are more appropriately excluded.

The Plan Board discussed the petition and recommended approval with a 6-0 vote.

Public notice was published in the Gainesville Sun on January 11, 2011. The Plan Board held a public hearing on January 27, 2011.

Petition No. PB-10-140CPA - This petition amends the text of Objective 1.7 in the Intergovernmental Coordination Element (ICE) to add a reference indicating that the Innovation Zone is mapped in the Future Land Use Element Map Series.

Currently, the Innovation Zone map is located at the end of the Intergovernmental Coordination Element. Related Petition PB-10-138 LUC deletes the map from the Intergovernmental Coordination Element and moves it to the Future Land Use Map Series (and adds/deletes properties from the zone) to give the map more prominence in the Comprehensive Plan. Since the map is being moved away from the Innovation Zone policies in the ICE, this recommended text addition is a convenience to readers so that they can easily find the Innovation Zone map.

The Plan Board discussed the petition and recommended approval with a 6-0 vote.

Public notice was published in the Gainesville Sun on January 11, 2011. The Plan Board held a public hearing on January 27, 2011.

CITY ATTORNEY MEMORANDUM

The abovereferenced petitions were approved by the Plan Board on January 27, 2011 and the Department of Planning and Development Services has requested the City Attorney's Office to prepare the appropriate ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan. Upon review of the petitions and in consultation with the Department, the two petitions that involve the same subject matter, are included in one ordinance for economy of time and

money.

Florida Statutes set forth the procedure for adoption of an amendment to the Comprehensive Plan. The first hearing is held at the transmittal stage and must be advertised seven days prior to the first public hearing. The second hearing will be held at the adoption stage of the ordinance and must be advertised five days before the adoption hearing.

If adopted at the transmittal hearing, the proposed amendment to the Comprehensive Plan will be transmitted to the State Department of Community Affairs (DCA) for written comment. Any comments, recommendations or objections of the DCA will be considered by the Commission at the second public hearing.

Following second reading, the Plan amendment will not become effective until the DCA issues a final order determining the adopted amendment to be in compliance in accordance with the Local Government Comprehensive Planning and Land Development Regulation Act, or until the Administration Commission (Governor and Cabinet) issues a final order determining the adopted amendment to be in compliance.

RECOMMENDATION

The City Commission to continue to the April 7, 2011 City Commission meeting.

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 100690C_CPB minutes_pb140cpa_20110317.pdf
 100690D_staff ppt_20110317.pdf

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

100243.

STREET VACATION – INNOVATION SQUARE (B)

Ordinance No. 100243, Petition PB-10-69SVA

An ordinance of the City of Gainesville, Florida, to vacate, abandon and close a portion of the right-of-way located along Southwest 2nd Place between Southwest 10th Street and Southwest 7th Terrace, lying between lots 6, 7 and 8, as shown on the Plat of University Place, as more specifically described in this Ordinance; reserving a public utilities easement; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: COMMUNITY DEVELOPMENT STAFF REPORT

This is a request to vacate a portion of Southwest 2nd Place, east of Southwest 10th Street. The vacation of this right-of-way has a two fold purpose: 1) facilitate the redevelopment of the new Innovation Square (AGH) property; and 2) allow for a land swap of physical land area for the development of a roundabout at the intersection of Southwest 6th Street and Southwest 2nd

Avenue.

The Innovation Square is a long-term economic development project that could support 500,000 -1,000,000 square feet of mixed-use development, including technology research, retail and residential development. Additional right-of-way is needed as part of the Southwest 6th Street and Southwest 2nd Avenue traffic roundabout. Approximately 1,400 square feet is needed on the southwest corner of this intersection. The property needed is a portion of Tax Parcel 13327-000-000, owned by Shands Teaching Hospital & Clinics, Inc. (Shands). As a portion of its redevelopment (Innovation Square) adjacent to Southwest 10th Street, Shands has requested public interest in a segment of Southwest 2nd Place be vacated in exchange for the deed of the portion of its property needed for the roundabout. The portion of Southwest 2nd Place is approximately 20 feet wide by 157.2 feet deep and runs easterly from Southwest 10th Street along the south side of Lots 6, 7, and 8, and terminates at a portion of Southwest 2nd Place which was vacated in 1972 by Ordinance No. 1792.

The Plan Board's recommendation of approval of the street vacation is conditional upon the following:

A PUE, Public Utilities Easement shall be retained over the entire right-of-way being closed, vacated and abandoned.

Public notice was published in the Gainesville Sun on July 6, 2010. The Plan Board held a public hearing July 22, 2010.

CITY ATTORNEY MEMORANDUM

By adoption of this Ordinance, the City vacates whatever interest it may have in the right-of-way that is described in this Ordinance. The City makes no representation that the adoption of this Ordinance conveys any real property interest to the abutting property owners. The conveyance of the property for the roundabout at SW 6th Street and SW 2nd Avenue was made on March 5, 2010.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

9/2/10	City Commission	Approved (Petition) with Conditions (7 - 0)
3/3/11	City Commission	Adopted on First Reading (Ordinance) (6 - 0 - 1 Absent)

100243_staff report_20100902.pdf
 100243A_agenda item_maps_20100902.pdf
 100243B_100722_cpb draft minutes.pdf
 100243C_staff ppt_20100902.PDF
 100243_draft ordinance_20110303.pdf

PLAN BOARD PETITIONS

100721.

UMU-2 Text Amendment (Innovation Square) (B)

This petition proposes deletions of the existing UMU-2 zoning district and replacement with a revised UMU-2 district. In addition, this petition proposes removal of those UMU-2 zoned areas from the University Heights Special Area Plan.

MODIFICATION - Revised language in the second paragraph in the recommendation - Revised Monday, March 14, 2011.

Explanation: The intent of the proposed new zoning district is to promote and encourage economic development in commercial and mixed-use areas near the University of Florida, while directing this development to occur with a certain urban vision for the design of streets and buildings. The area affected by this text amendment includes much of the University Heights North and South neighborhoods, the area around the Shands Cancer Center, the Veterans Administration Hospital and an area south of Depot Avenue and west of SW 6th Street. Effectively, this proposal will remove these areas from the extra level of zoning regulations in an overlay district, and will place them under new regulations for the base zoning district of UMU-2. The proposed UMU-2 zoning standards will replace the existing standards in Section 30-65.2 of the Land Development Code. The University Heights Special Area Plan boundary description and map in the appendix of the Land Development Code will also be amended.

Innovation Square is the major impetus for redrafting the UMU-2 zoning district at this time. This redevelopment project is a coordinated effort of Shands, the University of Florida, and the City of Gainesville; and it is envisioned to become a super incubator for research and development companies in the physical, engineering, or life sciences. The planned area for this redevelopment includes the former site of Alachua General Hospital (AGH), the Ayers Building, and several other contiguous properties between SW 2nd Avenue and University Avenue. The Innovation Hub, which is currently under construction on the northeast corner of the AGH site, is the first component of this larger vision for redevelopment.

The City of Gainesville hired a consultant from Perkins & Will, a global leader in designing science and technology buildings, to ensure the design of new regulations that will facilitate the type of development that is planned for this area. The Community Redevelopment Agency has worked with Perkins & Will, the Planning and Development Services Department, the Public Works Department, and various stakeholders in order to draft the regulations that are proposed. The new regulations combine typical zoning standards with urban design standards for placement of buildings and parking, building articulation and design, and standards for the design of the public realm along the street. The regulations also contain illustrative maps and graphics within a 'District Framework Plan'.

The goal for these regulations is to provide a concise, straightforward, flexible framework that will facilitate high quality development, while also ensuring high quality design in the built environment. Draft regulations have already been presented to the Community Development Committee, the CRA, and to the City Commission. The City Plan Board reviewed the proposed text amendment on January 27, 2011. The Plan Board recommended approval of the

amendment, with some changes recommended by City staff and other interested parties.

Fiscal Note: None.

RECOMMENDATION

City Plan Board to City Commission - The City Commission approve petition PB-10-145, as revised by the Plan Board. The Plan Board voted approval of the petition with revisions (7-0).

Staff to City Commission - The City Commission approve petition PB-10-145, with the City Plan Board recommendation, and additional staff recommendation as shown in the revised text amendment.

Staff to City Plan Board - The City Plan Board recommend approval of petition PB-10-145 with recommended staff changes.

100721A_CPB Recommendations_20110317.pdf

100721B_Text Amendment_20110317.pdf

100721C_Staff Report_20110317.pdf

100721D_1-27-11 CPB Minutes_20110317.pdf

100721E_Staff PPT_20110317.pdf

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

UNFINISHED BUSINESS

COMMISSION COMMENT

CITIZEN COMMENT (If time available)

ADJOURNMENT (no later than 11:00PM - Mayor to schedule date and time to continue meeting)