

**RESOLUTION 170998
PASSED May 3, 2018**

A resolution of the City of Gainesville, Florida, rescinding a Development of Regional Impact (DRI) Development Order for the Oaks Mall, as adopted on September 23, 1996, by City of Gainesville Resolution No. 960412.

WHEREAS, on July 1, 1975, the Board of County Commissioners of Alachua County approved the application for and issued a development order for the Oaks Mall as a Development of Regional Impact (DRI), in accordance with the DRI requirements in Section 380.06, Florida Statutes; and

WHEREAS, on December 11, 1979, the Board of County Commissioners of Alachua County adopted by Resolution No. 79-52 an amendment to the Oaks Mall DRI development order; and

WHEREAS, on September 2, 1992, the City of Gainesville annexed the Oaks Mall property pursuant to Ordinance No. 3769; and

WHEREAS, on September 23, 1996, and in accordance with the DRI post-annexation provisions specified in Section 380.06(15), Florida Statutes, the City of Gainesville adopted Resolution No. 960412 and adopted a new development order that incorporated all previous rights and obligation specified in the prior Oaks Mall development orders adopted by the Board of County Commissioners of Alachua County; and

WHEREAS, subsequent to the City of Gainesville's adoption of Resolution No. 960412, the Florida Legislature amended Section 380.06, Florida Statutes, to designate certain areas, including the entire City of Gainesville, as Dense Urban Land Areas (DULAs) that are exempt from the DRI requirements in Section 380.06, Florida Statutes; and

WHEREAS, the owner of the Oaks Mall DRI property has requested the City Commission to adopt this resolution rescinding the Oaks Mall DRI development order under Section 380.115, Florida Statutes.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA:

1. The DRI development order adopted by City of Gainesville Resolution No. 960412 is hereby rescinded, and any development of the Oaks Mall property shall be governed by the adopted regulations in the City of Gainesville Comprehensive Plan and Code of Ordinances. Notwithstanding the rescission of the Oaks Mall DRI development order, the Oaks Mall Development shall continue to allow the City of Gainesville Regional Transit System (RTS) to enter the development property for the pick-up and drop-off of RTS passengers.

2. The Developer shall record this resolution rescinding the Oaks Mall DRI development order with the Clerk of the Circuit Court for Alachua County.
3. This resolution shall become effective immediately upon.

PASSED AND ADOPTED this 3 day of May, 2018.



LAUREN POE
Mayor

Attest:



OMICHELE GAINERY
Clerk of the Commission

Approved as to form and legality:



NICOLLE M. SHALLEY
City Attorney