

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Meeting Agenda - Final

January 7, 2016

1:00 PM

City Hall Auditorium

City Commission

Mayor Ed Braddy (At Large)
Commissioner Harvey Budd (At Large)
Commissioner Helen Warren (At Large)
Commissioner Charles Goston (District 1)
Commissioner Todd Chase (District 2)
Mayor-Commissioner Pro Tem Craig Carter (District 3)
Commissioner Randy Wells (District 4)

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 line at 334-2069 at least two business days in advance.

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**

Prophet George Young

ADOPTION OF THE CONSENT AGENDA (Including both General Government and Gainesville Regional Utilities items)**CITY MANAGER, CONSENT AGENDA ITEMS****GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS****CITY ATTORNEY, CONSENT AGENDA ITEMS****CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS**

[150654.](#)

Resignation of Scott Gill from the Historic Preservation Board (B)**RECOMMENDATION**

The City Commission accepts the resignation of Scott Gill, effective immediately.

[150654_ResScottGill_20160107.pdf](#)

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS**COMMITTEE REPORTS, CONSENT AGENDA ITEMS****COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS**

END OF CONSENT AGENDA

ADOPTION OF THE UTILITY REGULAR AGENDA (Read if any, each item added or modified)

UTILITY-RELATED CITIZEN COMMENT (not to exceed 30 minutes in length)

GENERAL MANAGER FOR UTILITIES

[150663.](#)

Update on GREC Arbitration (NB)RECOMMENDATION

The City Commission hear an update on GRU's decision to forego arbitration participation over Construction Cost Adjuster, along with planned discussions with GREC on possible purchase of facility.

UTILITY COMMITTEE REPORTS (PULLED FROM CONSENT)

UTILITY ADVISORY BOARD/COMMITTEE REPORTS. Reports must be placed on the agenda by Charter Officer, through staff liaison after approval by Board/Committee.

UTILITY-RELATED ITEMS FROM OUTSIDE AGENCIES. Must be submitted by a Charter Officer. Update limited to ten (10) minutes.

UTILITY-RELATED ITEMS FROM MEMBERS OF THE CITY COMMISSION**UTILITY-RELATED COMMISSION COMMENTS (if time permits)**

GENERAL GOVERNMENT items of a time-sensitive or important nature or pulled from Consent. Must be submitted or pulled by the Mayor, a City Commissioner or a Charter Officer.

[150636.](#)

City Commissioner Todd Chase - City Manager Search Process (NB)RECOMMENDATION

The City Commission discuss the City Manager Search Process and take action deemed appropriate.

Legislative History

12/17/15 City Commission Approved, as shown above

5:30 P.M.

PLEDGE OF ALLEGIANCE (5:30pm)

**PROCLAMATIONS/SPECIAL RECOGNITIONS Placed on Agenda by
Commissioner or Charter Officer**

[150650.](#)

Arbor Day - January 21, 2016 (B)

RECOMMENDATION *Planning and Development Services Department
Urban Forestry Inspector Earline Luhrman and
City Beautification Board Chair Tricia Peddicord to
accept the proclamation.*

[150650_ArborDay_20160107.pdf](#)

[150651.](#)

King Celebration 2016 - January 10-18, 2016 (B)

RECOMMENDATION *Honorable Rodney Long to accept the
proclamation.*

[150651_KingCelebration_20160107.pdf](#)

[150652.](#)

Martin Luther King, Jr. Hall of Fame Day - January 10, 2016 (B)

RECOMMENDATION *Honorable Rodney Long to accept the
proclamation.*

[150652_MLKHallofFame_20160107.pdf](#)

[150653.](#)

Gainesville Arts and Parks Foundation Day - January 7, 2016 (B)

RECOMMENDATION *Gainesville Arts and Parks Foundation President
Augi Lye, Vice President Dr. Steven Yucht and
Treasurer Albert Wright to accept the
proclamation.*

[150653_ArtsParksFoundation_20160107.pdf](#)

6:00 P.M.

**CITIZEN COMMENT (to end at a time certain of 6:30pm or at such later time as
allows for 30 minutes of citizen comment)**

PUBLIC HEARINGS**RESOLUTIONS- ROLL CALL REQUIRED****ADOPTION READING-ROLL CALL REQUIRED****ORDINANCES, 1ST READING- ROLL CALL REQUIRED**[150302.](#)**QUASI-JUDICIAL - CORRECTING THE UNIVERSITY HEIGHTS HISTORIC DISTRICT-NORTH MAP BY DELETING AN INCORRECT DEPICTION OF A CONTRIBUTING STRUCTURE LOCATED AT 1015 NW 3RD AVENUE (B)**

Ordinance No. 150302, Petition PB-15-66 MSC

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, to correct the University Heights Historic District-North map by deleting an incorrect depiction of a contributing structure located at 1015 NW 3rd Avenue; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: **PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT**

This ordinance will correct the University Heights Historic District-North map by deleting an incorrect depiction of a contributing structure located at 1015 NW 3rd Avenue. In 2001 when this historic district was created, the map that was adopted incorrectly showed two structures on the property, one contributing and one noncontributing. Staff has determined that the property in fact contains only one noncontributing structure, and as a result initiated the process to propose this ordinance.

The City Plan Board held a public hearing on July 23, 2015, where it voted 5-0 to recommend adoption of this ordinance to correct the University Heights Historic District-North map.

CITY ATTORNEY MEMORANDUM

This ordinance will have two readings and shall become effective immediately upon adoption.

RECOMMENDATION

The City Commission: 1) approve Petition No. PB-15-66 MSC; and 2) adopt the proposed ordinance.

[150302A draft ordinance 20160107.pdf](#)
[150302B Staff report 20160107.pdf](#)
[150302C ExA-1 Adopted Map Ord 1001026 20160107.pdf](#)
[150302D ExA-2 Corrected Map to be adopted 20160107.pdf](#)
[150302E ExA-3 Application 20160107.pdf](#)
[150302F ExA-4 HPB COA for map change 20160107.pdf](#)
[150302G CPB minutes 20160107 .pdf](#)
[150302H staff ppt 20160107.pdf](#)

[150444.](#)

LAND USE CHANGE - 1600 BLOCK OF SE 8TH AVENUE (B)

Ordinance No. 150444, Petition PB-15-89 LUC

An ordinance amending the Future Land Use Map of the City of Gainesville Comprehensive Plan by changing the land use category of approximately 15 acres of property that is generally located in the 1600 block of SE 8th Avenue, as more specifically described in this ordinance, from Residential Medium-Density (RM) to Residential Low-Density (RL); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT

This ordinance will change the land use category of a 15-acre property from Residential Medium-Density (RM) to Residential Low-Density (RL) to allow a single-family housing development (with attached and detached units) on the site of the former Kennedy Homes apartment complex, which suffered a major fire in the previous decade. The site, which was purchased by the City and cleared in 2007, is located on the south side of SE 8th Avenue, approximately 400 feet to the east of SE 15th Street (near Lincoln Middle School and Williams Elementary School).

The redevelopment plan for this site was developed by the Community Redevelopment Agency (CRA) and was approved in December 2014. The proposed land use change and rezoning are needed because the redevelopment plan for 38 single-family units (attached and detached) on approximately 15 acres is below the 8-unit per acre minimum density requirement of the property's current land use and zoning categories.

Both City staff and the City Plan Board recommend approval of this amendment to the Comprehensive Plan.

CITY ATTORNEY MEMORANDUM

Section 163.3184, Florida Statutes, sets forth the procedure for amending the Comprehensive Plan. The first hearing is the transmittal

stage and must be advertised at least seven days prior to the hearing. The second hearing is the adoption stage and must be advertised at least five days prior to the hearing. Within ten working days after the first hearing, the City must transmit the amendment to the reviewing agencies and to any other local government or state agency that has filed a written request for same. These agencies have 30 days after receipt of the amendment to forward written comments to the City, which the City must then consider during the second hearing. If adopted on second reading, the City will forward the amendment within ten working days to the state land planning agency and any party that submitted written comments.

Within 30 days following the City's adoption of the amendment, any affected person may file a petition with the State Division of Administrative Hearings to request a hearing to challenge the amendment's compliance with Chapter 163, Florida Statutes. If not timely challenged, this amendment shall become effective 31 days after the state land planning agency notifies the City that the amendment package is complete. If timely challenged, this amendment shall become effective when the state land planning agency or the Administration Commission issues a final order determining that this amendment is in compliance with Chapter 163, Florida Statutes. No development orders, development permits, or land uses dependent on this amendment may be issued or commenced before this amendment has become effective.

RECOMMENDATION *The City Commission: 1) approve Petition No. PB-15-89 LUC; and 2) adopt the proposed ordinance.*

[150444A Staff report 20151022.pdf](#)

[150444B Append A Comp Plan GOPs 20151006.pdf](#)

[150444C Append B Supplemental Docs 20151006.pdf](#)

[150444D Append C LUC and Rezoning App revised with NM materials 20151](#)

[150444A draft ordinance 20160107.pdf](#)

[150444B Staff report 20160107.pdf](#)

[150444C Append A Comprehensive Plan GOPs 20160107.pdf](#)

[150444D Append B Supplemental docs Exh B-1 Ex B-5 20160107.pdf](#)

[150444E Append C LUC and Rezoning App revised with NM materials2 2016](#)

[150444F CPB minutes 20150107 .pdf](#)

[150444G staff ppt 20160107.pdf](#)

[150445.](#)

QUASI-JUDICIAL - REZONING - 1600 BLOCK OF SE 8TH AVENUE (B)

Ordinance No. 150445, Petition No. PB-15-90 ZON

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 15 acres of property that is generally

located in the 1600 Block of SE 8th Avenue, as more specifically described in this ordinance, from Multiple-Family Medium-Density Residential District (RMF-7) to Residential Low-Density District (RMF-5); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT

This ordinance will rezone a 15-acre property from Multiple-Family Medium-Density Residential District (RMF-7) to Residential Low-Density District (RMF-5) to allow a single-family housing development (with attached and detached units) on the site of the former Kennedy Homes apartment complex, which suffered a major fire in the previous decade. The site, which was purchased by the City and cleared in 2007, is located on the south side of SE 8th Avenue, approximately 400 feet to the east of SE 15th Street (near Lincoln Middle School and Williams Elementary School).

The redevelopment plan for this site was developed by the Community Redevelopment Agency (CRA) and was approved in December 2014. The proposed land use change and rezoning are needed because the redevelopment plan for 38 single-family units (attached and detached) on approximately 15 acres is below the 8-unit per acre minimum density requirement of the property's current land use and zoning categories.

Both City staff and the City Plan Board recommend approval of this rezoning.

CITY ATTORNEY MEMORANDUM

This ordinance requires two hearings and shall become effective when the amendment to the City of Gainesville Comprehensive Plan adopted by Ordinance No. 150444 becomes effective as provided therein.

RECOMMENDATION

The City Commission: 1) approve Petition No. PB-15-90 ZON; and 2) adopt the proposed ordinance.

[150445A_staff_report_20151022.pdf](#)
[150445B_Append_A_GOPs_Exh_1_20151022.pdf](#)
[150445C_Append_B_Exh_B-1_thru_Exh_B-4_20151022.pdf](#)
[150445D_Append_C_Rezoning_Application_20151022.pdf](#)
[150445A_draft_ordinance_20160107.pdf](#)
[150445B_staff_report_20160107.pdf](#)
[150445C_Append_A_Comprehensive_Plan_GOPs_20160107.pdf](#)
[150445D_Append_B_Supplemental_Docs_Exh_B-1-Exh_B-4_20160107.pdf](#)
[150445E_Append_C_Rezoning_Application_20160107.pdf](#)
[150445F_CPB_minutes_20160107.pdf](#)
[150445G_staff_ppt_20160107.pdf](#)

[150606.](#)

**QUASI-JUDICIAL - HISTORIC PROPERTY TAX EXEMPTION -
1039 NE 3rd STREET (B)**

Ordinance No. 150606

An ordinance of the City of Gainesville, Florida, finding that property located at 1039 NE 3rd Street, Gainesville, Florida, as more specifically described in this ordinance, qualifies for an ad valorem tax exemption for historic properties; granting an exemption from ad valorem tax for certain improvements beginning January 1, 2016, and continuing for 10 years under certain conditions; authorizing the Mayor and the Clerk of the Commission to sign the Historic Preservation Property Tax Exemption Covenant between the property owner and the City; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT REPORT

Chapter 25, Article IV, of the Code of Ordinances authorizes the City Commission to grant ad valorem tax exemptions for historic properties pursuant to Florida law. In order to approve a property for such exemption, the Historic Preservation Board (HPB) and the City Commission must determine that a particular property is eligible for the property tax exemption (i.e., historical designation or contributing property) and that it has been improved consistent with the Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.

The process for a property owner to receive a historic preservation property tax exemption entails two steps. First, the property owner submitted Part 1 (Preconstruction Application) of the Historic Preservation Property Tax Exemption Application for the restoration/rehabilitation of a contributing residential building in the Northeast Residential Historic District. Part 1 was approved by the HPB

on May 1, 2012, with a finding that the property was eligible for the exemption and that the proposed improvements met the required standards.

Second, the applicant completed the restoration/rehabilitation work and submitted Part 2 of the property tax exemption application (Final Application for Review of Completed Work). Staff inspected the completed work and found the work meets the Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings as well as the City's Guidelines for Rehabilitating Historic Buildings. On November 3, 2015, the HPB approved Part 2 with a finding that the eligible property has been improved consistent with the required standards; the HPB recommended the City Commission approve same. The renovations eligible for the tax exemption total \$254,300.00. However, pursuant to City Code and State Statute, the actual amount of the exemption will be determined by the County Property Appraiser.

The property is located at 1039 NE 3rd Street and was built in 1951 according to the Alachua County Property Appraiser's Office. The building is a contributing structure to the Northeast Residential Historic District. The renovation involved the demolition of additions from the 1980s and 1990s and the construction of additions to the north, south, and east facade of the house. On the east elevation, the applicant built a covered porch, playroom, kitchen, screen room, carport, and a workshop with storage. The additions match the existing block siding. An existing concrete sidewalk leading to the front door on the west elevation was removed and replaced by a brick walk. A low masonry wall was placed along the perimeter of the yard next to the sidewalks along NE 3rd Street and NE 11th Avenue. The applicants installed a 5-V crimp metal roof in a silver finish over the entire roof. There was extensive interior work including the kitchen and bathrooms.

The applicants replaced the historic windows with Marvin double hung windows that are wooden on the inside and clad in fiberglass on the exterior. Corner windows, which are appropriate for a mid-century modern building and original to the bedroom, are replicated in the entertainment room and master bathroom additions.

CITY ATTORNEY MEMORANDUM

This ordinance requires two hearings and shall become effective immediately upon adoption; however, the ad valorem tax exemption shall be effective as of January 1, 2016 in accordance with Section 196.1997(10), Florida Statutes.

RECOMMENDATION

The City Commission: 1) approve Part 2 of the Historic Preservation Property Tax Exemption Application; and 2) adopt the proposed ordinance.

[150606A_draft ordinance_20160107.pdf](#)

[150607.](#)**QUASI-JUDICIAL - HISTORIC PROPERTY TAX EXEMPTION -
825 NE 3rd AVENUE (B)**

Ordinance No. 150607

An ordinance of the City of Gainesville, Florida, finding that property located at 825 NE 3rd Avenue, Gainesville, Florida, as more specifically described in this ordinance, qualifies for an ad valorem tax exemption for historic properties; granting an exemption from ad valorem tax for certain improvements beginning January 1, 2016, and continuing for 10 years under certain conditions; authorizing the Mayor and the Clerk of the Commission to sign the Historic Preservation Property Tax Exemption Covenant between the property owner and the City; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT REPORT

Chapter 25, Article IV, of the Code of Ordinances authorizes the City Commission to grant ad valorem tax exemptions for historic properties pursuant to Florida law. In order to approve a property for such exemption, the Historic Preservation Board (HPB) and the City Commission must determine that a particular property is eligible for the property tax exemption (i.e., historical designation or contributing property) and that it has been improved consistent with the Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.

The process for a property owner to receive a historic preservation property tax exemption entails two steps. First, the property owner submitted Part 1 (Preconstruction Application) of the Historic Preservation Property Tax Exemption Application for the restoration, renovation or rehabilitation of a contributing residential building in the Northeast Residential Historic District. Part 1 was approved by the HPB on October 7, 2014, with a finding that the property was eligible for the exemption and that the proposed improvements met the required standards.

Second, the applicant completed the improvements and submitted Part 2 of the property tax exemption application (Final Application for Review of Completed Work). Staff inspected the completed work and found the work meets the Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings as well as the City's Guidelines for Rehabilitating Historic Buildings. On November 3, 2015, the HPB approved Part 2 with a finding that the eligible property has been improved consistent with the required standards; the HPB recommended the City Commission approve same. The renovations eligible for the tax exemption total \$45,844.00. However, pursuant to City Code and State Statute, the actual amount of the exemption will be determined by the County Property Appraiser.

The property is located at 825 NE 3rd Avenue. The principal building was built in 1925 according to the Alachua County Property Appraisers Office and is a contributing structure to the Northeast Historic District, while the new accessory structure will be considered a non-contributing structure to the district.

The applicant has constructed a 16 foot x 20 foot accessory structure in the southeast corner of the property. It has an exposed rafter tail roof with a 12/12 pitch with shingles that emulate the principal residential building. Novelty siding, double-hung wood windows and a fixed gable window detail are consistent with compatibility standards for an accessory building on the property. These elements are taken directly from the principal building. An overhang shed roof with exposed rafter tails and brackets is over the front door.

The accessory structure is built on a concrete block pier foundation, in compliance with the condition approved by the Historic Preservation Board. The new accessory structure is compatible with the materials, design, and architectural features of the principal building and is on the rear of the property behind the principal residence.

CITY ATTORNEY MEMORANDUM

This ordinance requires two hearings and shall become effective immediately upon adoption; however, the ad valorem tax exemption shall be effective as of January 1, 2016 in accordance with Section 196.1997(10), Florida Statutes.

RECOMMENDATION

The City Commission: 1) approve Part 2 of the Historic Preservation Property Tax Exemption Application; and 2) adopt the proposed ordinance.

[150607A_draft ordinance_20160107.pdf](#)

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

PLAN BOARD PETITIONS

[150559.](#)

Vacate the right-of-way to remove platted streets (B)

Petition PB-15-121 SVA. City of Gainesville. Vacation of right-of-way to remove platted streets on a property that is currently used as a public park and stormwater basin. Located in the 500-700 block west of SW 6th Street. **ESTIMATED STAFF PRESENTATION 5 MINUTES**

Explanation: The purpose of this request is to vacate the right-of-way to remove platted streets within a 5.5-acre, City-owned property that is used as a

City passive park (SW 5th Avenue Stormwater Park). This park contains a master stormwater basin that provides water quality treatment. The property is undeveloped except for the master stormwater basin that is surrounded by a paved pedestrian path. It is adjacent to the City's Tumblin Creek Park to the south, which has active and passive recreation components. It is adjacent to multi-family development to the northwest, and to multi-family development to the southwest across Tumblin Creek. SW 5th Avenue (2-lane local street) is to the north, and SW 6th ST (4-lane, undivided thoroughfare) is to the east.

The right-of-way to be vacated consists of segments of platted streets with a combined area of approximately 1.27 acres. These street segments are "paper streets" that were never built, and there are no prospects for them to become local streets. They were never improved or maintained as public right of way, and they do not serve a public purpose as right of way.

Public notice was published in the Gainesville Sun on November 12, 2015. The City Plan Board held a public hearing on December 1, 2015 and voted 6 to 0 to approve the petition.

Fiscal Note: None.

RECOMMENDATION

City Plan Board to City Commission - Approve Petition PB-15-121 SVA and find that the right-of-way for these platted public streets no longer serves a public purpose.

Staff to City Commission - The City Commission approve Petition PB-15-121 SVA and find that the right-of-way for these platted public streets no longer serves a public purpose.

Staff to City Plan Board - Approve Petition PB-15-121 SVA and find that the right-of-way for these platted public streets no longer serves a public purpose.

[PB-15-121 SVA staff report 20121202.pdf](#)

[PB-15-122 SVA AppA Comp Plan GOPs 20151202.pdf](#)

[PB-15-122 SVA AppB Supplemental Docs 20151202.pdf](#)

[PB-15-122 SVA AppC Application 20151202.pdf](#)

[150559A staff report 20160107.pdf](#)

[150559B AppA Comp Plan GOPs 20160107.pdf](#)

[150559C AppB Supplemental Docs 20160107.pdf](#)

[150559D AppC Application 20160107.pdf](#)

[150559E CPB minutes 20160107 .pdf](#)

[150559F staff ppt 20160107.pdf](#)

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

UNFINISHED BUSINESS

COMMISSION COMMENT

CITIZEN COMMENT (If time permits)

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