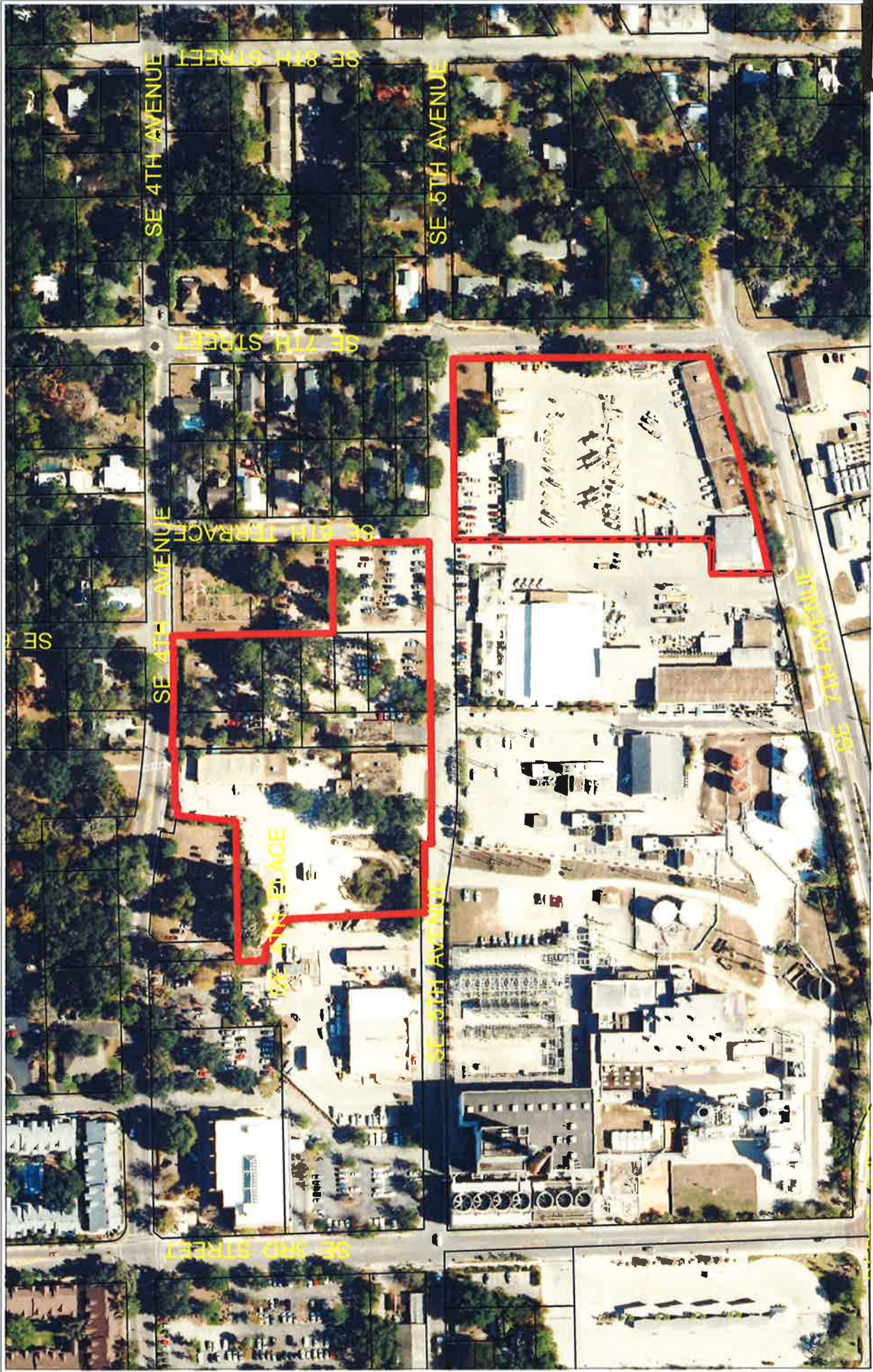


Appendix B Supplemental Documents



AERIAL PHOTOGRAPH

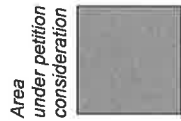
Name	Petition Request	Petition Number
Eng, Denman & Associates, Inc., agent for Gainesville Community Redevelopment Agency	Rezone from Public Services & Operations (PS) to Urban Mixed Use 2 (UMU-2) district	PB-14-54 ZON



No Scale

City of Gainesville Zoning Districts

- RSF-4 8 units/acre Single-Family Residential
- RMF-7 8-21 units/acre Multiple-Family Residential
- CCD Up to 150 units/acre Central City
- I-1 Limited Industrial
- I-2 General Industrial
- CON Conservation
- PS Public Services and Operations



Division line between two zoning districts



EXHIBIT
B-2

tabbles

140030C



No Scale

Name

Eng, Denman & Associates, Inc., agent for
Gainesville Community Redevelopment Agency

Petition Request

Rezone from Public Services & Operations
(PS) to Urban Mixed Use 2 (UMU-2) district

Petition Number

PB-14-54 ZON

EXISTING ZONING

I1
I2
PS

City of Gainesville Zoning Districts

- RSF4 8 units/acre Single-Family Residential
- RMF7 8-21 units/acre Multiple-Family Residential
- CCD Up to 150 units/acre Central City
- UMU-2 Up to 100 units/acre Urban Mixed-Use
- I1 Limited Industrial
- I2 General Industrial
- CON Conservation
- PS Public Services and Operations

Area under petition consideration



Division line between two zoning districts





EXHIBIT
B-3

140030C


	PROPOSED ZONING DISTRICT	Petition Number	Petition Request
 No Scale	PROPOSED ZONING DISTRICT PS, CCD, RMF7, UMU-2, RSF4	Petition Number PB-14-54 ZON	Petition Request Rezone parcels from Public Services & Operations (PS) to Urban Mixed Use 2 (UMU-2) district

Exhibit
140030C
B-4

Memorandum of Understanding

This Memorandum of Understanding reduces to writing the agreement between CITY OF GAINESVILLE, Gainesville Regional Utilities (GRU) and City of Gainesville, General Government (GG), with regard to a parcel of land located on SE 4th Avenue at SE 6th Terrace, known as Parcel No. 12020-17 and legally described as Lots 17, 18, 19, 20 and 21 of Eastview Subdivision.

The subject property was purchased by GRU on May 12, 1983, after approval by the City Commission for future use as parking and site expansion. On April 11, 1991, the site plan amendment for the GRU complex was amended to permit the use of approximately 2/5's of the subject parcel for a mulched parking area and the installation of a 6' chain link fence. The remaining approximately 3/5's of the property has remained undeveloped to date.

On March 10, 1997, the Gainesville City Commission heard a presentation on a proposed Community Gardens Project, at which time, the Parks Department was given direction to develop the program, pending a determination of public interest.

Based on interest by the surrounding neighborhood, GRU hereby agrees to allow GG to use the remaining parcel at SE 4th Avenue and SE 6th Terrace as a community garden on the following terms:

1. GRU will permit uninterrupted use of the property for a period of five (5) years beginning September 1, 1997. If at any time during that period, interest in the project diminishes and it ceases to be used as a garden, GRU has the right to revoke this permission.
2. After the initial five year term, GG may continue to use the property for the Community Gardens project provided there is continued interest in the program by the surrounding neighborhood and no other use has been identified for the property by GRU. At any time that another use is proposed, GRU will give at least six (6) months' notice of termination of this agreement to GG. At the time of termination of the garden project, any improvements made on the site will be removed by the City Parks Division and the site will be restored to as close to its original condition as possible.
3. The following encumbrances exist on the property: (1) a 10' wide x 40' long Easement to Southern Bell on the north side of the existing fence covering telecommunications equipment; and (2) a permit from the City of Gainesville to install buried cable, conduit and a manhole in the vacated right-of-way of SE 6th Street. No encroachment into the easement area will be permitted. Southern Bell should be contacted to locate its lines prior to any digging in the area. Any garden plot planted that encroaches into the easement is at risk for disruption or damage in the event maintenance, repair or replacement of the buried lines, conduit, manhole and/or telecommunications equipment is required. GRU accepts no responsibility for restoring any damaged or disrupted crops.

4. GRU has removed the asphalt from that portion of the vacated 6th Street right-of-way which extends through the subject property. GRU makes no warranties or representations as to the condition of the soil on the subject property. Any preparations necessary to tender the soil "tillable" will be the responsibility of the gardeners.

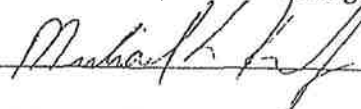
5. GG will administer the Community Gardens project and this site for GRU. GG's administrative responsibilities in this regard will include, but not be limited to, the following

- ❖ The provision of fencing, if needed, and any administrative amendments to the site plan created thereby;
- ❖ Any amendment to the zoning or land use to allow a community garden as a permitted use;
- ❖ All costs associated with extending water service to the site, including meter(s), distribution system and associated appurtenances. Application for water service would be required prior to water being provided;
- ❖ Lot clearing, if any;
- ❖ Lot maintenance, as needed;
- ❖ Notification to surrounding residents and/or GRU of meetings and/or public hearings on the property.

6. GG will also be responsible for developing and entering into agreements, if any, with the individual gardeners with respect to their responsibilities and liabilities. In the absence of agreements covering liability, it is understood and agreed that GG assumes all risks of liability on the property arising from its use as a community gardens.

7. The parties acknowledge that the property is intended to be used as a neighborhood community garden, and as such, traffic generation and parking requirements should be minimal. Since GRU does not enforce parking restrictions in the spaces along the south side of SE 5th Avenue, just east of the Operations Center, vehicles associated with the community garden may be accommodated at that location after 5:30 p.m. on weekdays or on weekends, provided that the spaces are not required for emergency response by GRU crews at those times.

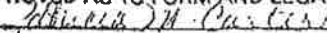
City of Gainesville, Gainesville Regional Utilities

By: 

City of Gainesville, General Government

By: 

APPROVED AS TO FORM AND LEGALITY

By: 

Patricia M. Carter, Asst. City Atty
City of Gainesville, Florida



4/21/2014

Service Requests - 4/17/14 City Commission Staff Assignment...

CITY OF
GAINESVILLE City Manager's Service Request
 every path starts with a sign
 FLORIDA

City Manager's Service Request > Service Requests > 4/17/14 City Commission Staff Assignment - Citizen Comment

Service Requests: 4/17/14 City Commission Staff Assignment - Citizen Comment

New Item | Edit Item | Delete Item | Workflows | Alert Me | Version History

Customer	City Commission Staff Assignment
Service Request	4/17/14 City Commission Staff Assignment - Citizen Comment
Description	Citizen Comment - Bob Freeman and Kali Blount spoke at citizen comment regarding their concerns over the proposed zoning and community garden size at the Power District. Please provide any evidence that the City Commission approved expansion of the community garden. Also, please provide a map of the parcels proposed for zoning and highlight on a zoning map the relationship of the Power District rezoning to the community garden. Please provide the results of your research on the community garden and the zoning map in a memorandum to the Mayor and members of the City Commission via the City Manager.
Priority	(2) Normal
Status	Initiated
Service Representative	Harris, Helen J.
Assigned To Lead	Lyons, Anthony R.
Copied To	Seawright, Stephanie R. Murry, Fredrick J. Sweigard, Kimberly A.
Due Date	5/1/2014
Comments	Harris, Helen J. (4/21/2014 9:06 AM):
Resolution Date	
Mark for Knowledge Base	No
Keywords	
Related Issues/Articles	
Resolution Time	0

Version: 2.0
Created at 4/21/2014 9:06 AM by Harris, Helen J.
Last modified at 4/21/2014 9:06 AM by Harris, Helen J.


**Gainesville Community Redevelopment Agency**

802 NW 5th Avenue, Suite 200, Gainesville, FL 32601
Station 48 • P.O. Box 490 • Gainesville, Florida 32602-0490
Phone: (352) 334-2205 | Fax: (352) 334-2132

Memorandum

Date: April 28, 2014

To: Mayor Braddy & City Commission

Via: Russ Blackburn, City Manager 

From: Anthony Lyons, CRA Director
Andrew Meeker, CRA Project Manager

Re: Power District Rezoning : McRorie Community Garden

Per the 4/17/14 City Commission Staff Assignment Service Request, the following background information and supplemental exhibits are being provided regarding citizen comments expressed about the proposed rezoning of properties adjacent to the McRorie Community Garden in the Power District. In December 2013, the CRA Board heard a presentation from CRA staff which resulted in the adoption of the Power District Redevelopment Plan (Legistar # [130570](#)). The plan represented a multi-phased planning effort that included a series of neighborhood public meetings and stakeholder engagement efforts over an eight month process. At the December 2013 CRA Board meeting there was public comment requesting an expansion of the McRorie Community Garden greenspace south to SE 5th Ave., which the Board heard, but took no action on amending the plan. Following the adoption of the plan, CRA staff has been working on the implementation strategy as outlined within the plan. One of the implementation steps identified in the redevelopment approach was to complete a land-use change and rezoning of several properties within the Power District to further facilitate the area's development potential. As is required of the Land-Use Amendment and Rezoning application, CRA staff hosted a Neighborhood Workshop at the Historic Depot Building on Tuesday, April 15, 2014 to inform residents and citizens of the CRA's proposal to change the Future Land-Use from Public Facilities to Urban Mixed Use (2) and a related rezoning from Public Services to Urban Mixed-Use District 2 (UMU-2). A map of the subject properties and the boundary of the McRorie Community Garden are illustrated on **Exhibit A**. The proposed rezoning does not include the McRorie Community Garden. The meeting was attended by 16 members of the public

and featured a presentation summarizing the existing adopted 2013 Power District Redevelopment Plan as well as the details of the proposed land use and zoning change. Staff explained that the CRA has been designated the lead agency for implementing and coordinating redevelopment of the properties. The presentation featured an overview of the adopted strategy for the area and explained that although no specific development project is currently underway, obtaining proper land-use and rezoning is one of the first steps in redeveloping the GRU properties.

Although several of the Neighborhood Workshop meeting attendees expressed there had been previous commitments and promises by the City of Gainesville/GRU to expand the McRorie Community Garden, no such written agreements or documents have been discovered or delivered to support such an assertion. Each of the three previous master planning efforts for this area has shown various development scenarios occurring around the McRorie Community Garden and none have indicated expanding the garden south to SE 5th Ave. This includes the 1999 GRU Master Plan by Dover Kohl (**Exhibit B**), the 2008 Kelly Power Plant Master Plan (**Exhibit C**), and the 2013 Power District Redevelopment Plan (**Exhibit D**). To date, the only written agreement related to the McRorie Community Garden is a 1997 Memorandum of Understanding (MOU) which outlines the terms and limits of the garden space. The boundary of the garden specified in the MOU matches the limits of area as it stands today and is detailed in **Exhibit E**. In preparation of this Memo, CRA staff contacted representatives from GRU Land Rights Division, City Attorney's Office, and Parks, Recreation & Cultural Affairs to research if any additional documents or agreements are available regarding the expansion of the McRorie Community Garden. No additional documents or information was available or provided by these entities.

The CRA submitted the Land-Use Amendment and Rezoning application to the Planning Department on 4/21/2014. Next steps include presenting the application to the Plan Board on May 22. CRA Staff has also offered to meet with McRorie Community Garden stakeholders at their convenience to discuss the project.

Cc: Fred Murry, Assistant City Manager
Kathy Viehe, GRU General Manager

Power District Rezoning Boundary Map : EXHIBIT A

SKETCH OF LEGAL DESCRIPTIONS

IN SECTION 4, TOWNSHIP 10 SOUTH, RANGE 20 EAST CITY OF GAINESVILLE, ALACHUA COUNTY, FLORIDA. FOR: GAINESVILLE COMMUNITY REDEVELOPMENT AGENCY

McRorie Community Garden Area. No Changes Proposed

Limits of Proposed Land-Use & Rezoning Changes

Limits of Proposed Land-Use & Rezoning Changes

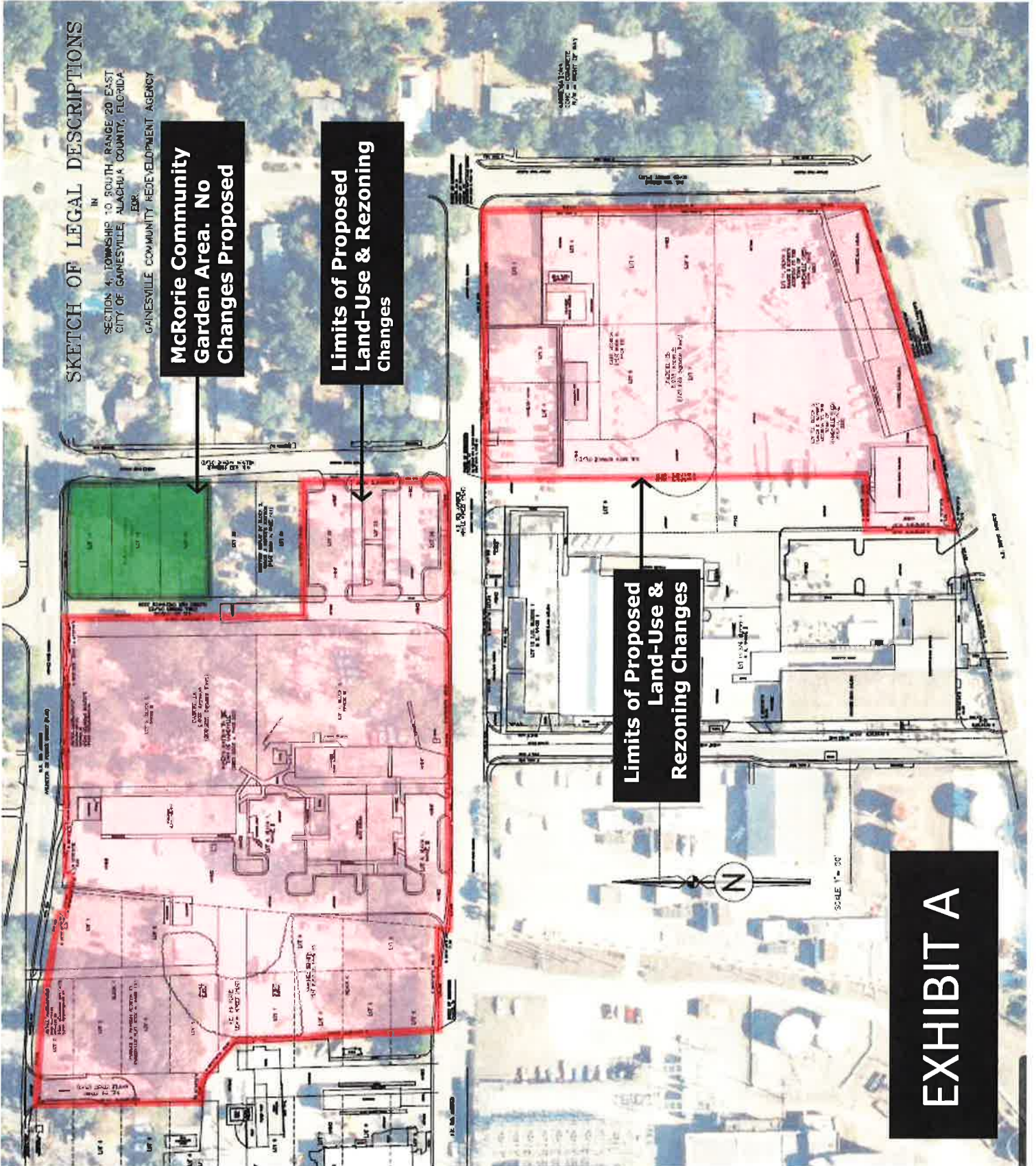


EXHIBIT A

1999 GRU Master Plan : EXHIBIT B



McRorie Community Garden

EXHIBIT B



McRorie Community
Garden

EXHIBIT B

2008 Kelly Power Plant Master Plan : EXHIBIT C



McRorie Community Garden

public blocks
private blocks

Master Plan - Public Realm

EXHIBIT C

Additional public realm recommendations include the preservation of the McRorie Community Garden, a significant asset to the neighborhood, and the future of Sweetwater Creek. As indicated by GRU representatives during the master planning process, a substantial economic investment will be required to "daylight" Sweetwater Creek. Whether the creek is daylighted or not, public access along the alignment of Sweetwater Creek allows for the non-vehicular connection to Depot Ave and its existing bike path from the Duckpond community to the north in the form of a pedestrian friendly greenway. This connection begins the process of a larger pedestrian and bicycle friendly network that links Depot Park to the west and potentially Lincoln Park to the east.

McRorie Community Garden



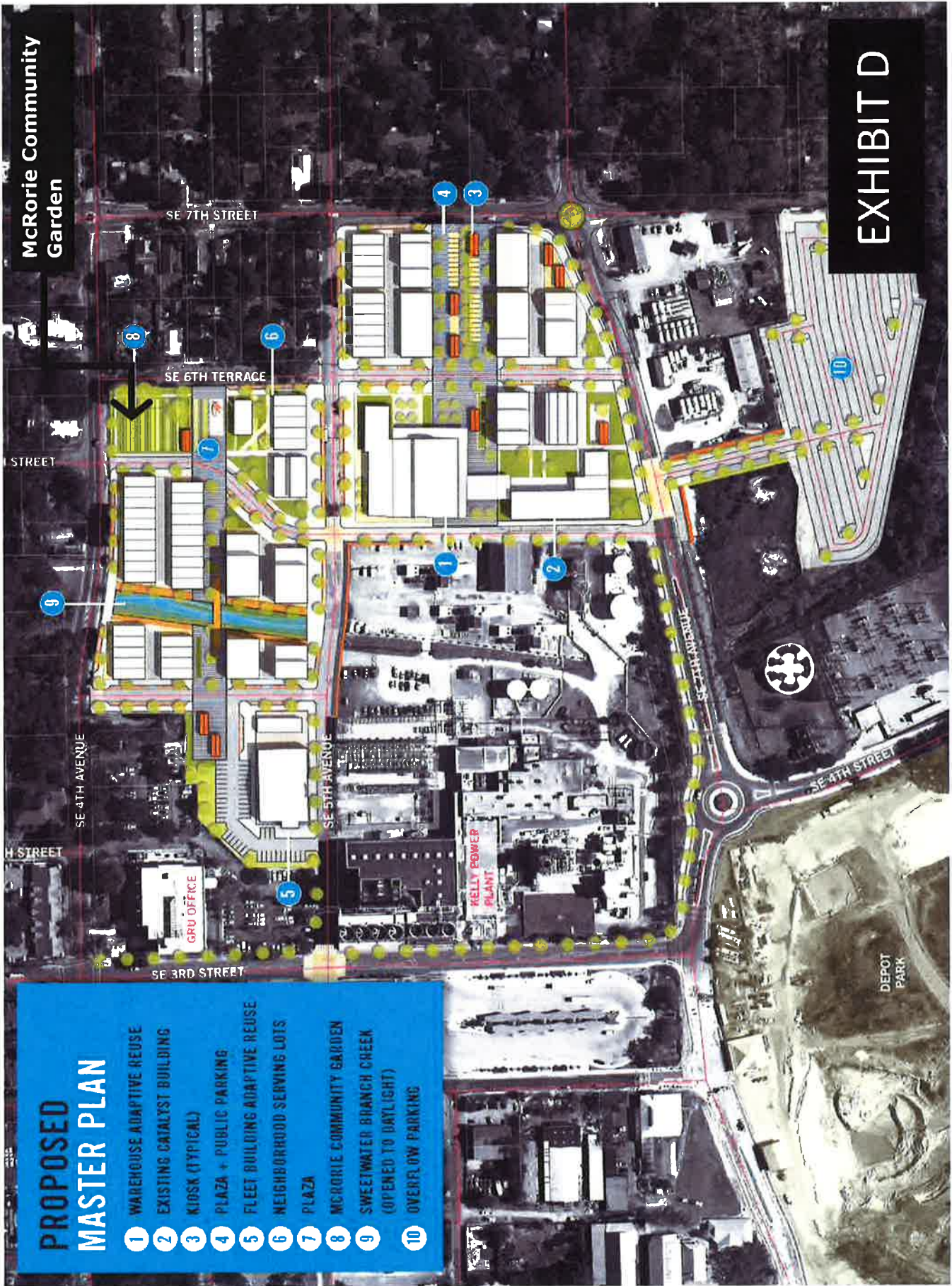
Recommendations

Through the engagement of the community in meetings and presentations as well as meeting with representatives from the City Council, City Staff, University of Florida, and the development community, a variety of potential uses were identified. The proposed block structure allows for a multitude of uses to occur. What will drive the future uses will be the market reality of the site at the time of implementation. Advantages include the site's close proximity to downtown, future Depot Park to the west and the adjacent neighborhoods. Disadvantages include a lack of residential density to support traditional retail and available vacant buildings in the downtown market as well as a perceived negative location adjacent to an operating power plant. The anticipated investment required to improve the site and provide the necessary infrastructure improvements suggests that a higher density is needed to spur private interest.

While it is likely the increased density may be needed, the redevelopment needs to be contextual sensitive to the adjacent neighborhood of one and two story single-family homes. Some uses clearly identified by the community that would not be supported included high density multi-family apartments, focusing on the student housing market. Additionally lower density residential was not supported by the development community. Proposed uses focused on attracting the "creative" class. The site, adjacent to a power plant, will need to attract users that connect with an edgier downtown location. Close proximity to downtown and University is a positive, but the constant operation of the power plant will likely inhibit substantial residential development. In addition, traditional professional office users are more likely to seek space closer to the CBD.

One use that has been extensively discussed during the planning process was that of a Bio-Tech campus. Unfortunately, during the course of the investigation, the former Shands Hospital, located on 2nd Ave and SW 10th St became available for redevelopment. The site is about half the distance from the University than the Kelly site. The clean up associated with Kelly site makes the former hospital site more attractive for immediate investment. Had the Kelly site been planned based on a particular use or building types, rather than on the developing a master plan focusing on developing the public infrastructure, and then flexible development blocks, the plan would be worthless today.

2013 Power District Redevelopment Plan : EXHIBIT D

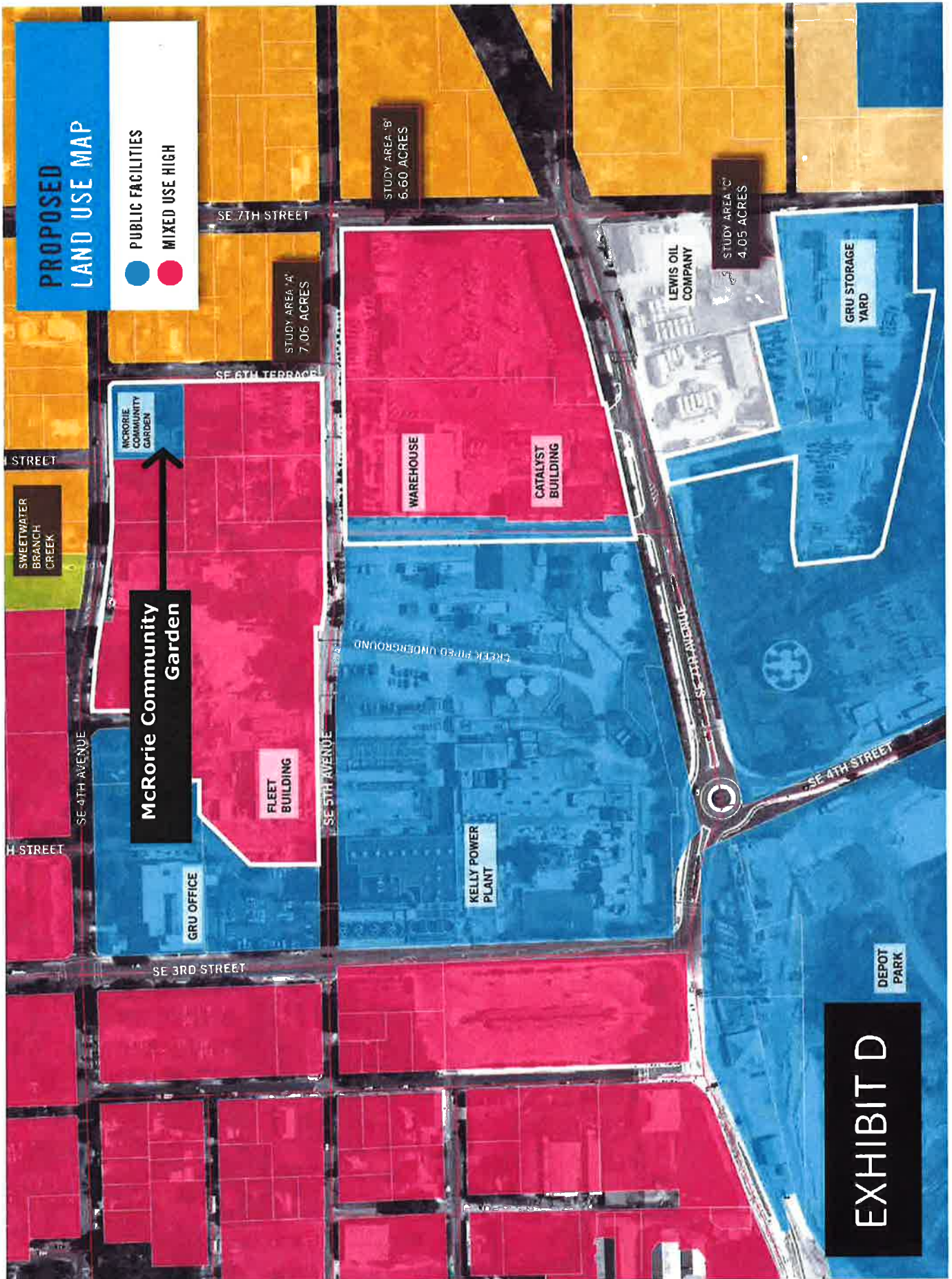


McRorie Community Garden

EXHIBIT D

PROPOSED MASTER PLAN

- 1 WAREHOUSE ADAPTIVE REUSE
- 2 EXISTING CATALYST BUILDING
- 3 KIOSK (TYPICAL)
- 4 PLAZA + PUBLIC PARKING
- 5 FLEET BUILDING ADAPTIVE REUSE
- 6 NEIGHBORHOOD SERVING LOTS
- 7 PLAZA
- 8 MCRORIE COMMUNITY GARDEN
- 9 SWEETWATER BRANCH CREEK (OPENED TO DAYLIGHT)
- 10 OVERFLOW PARKING



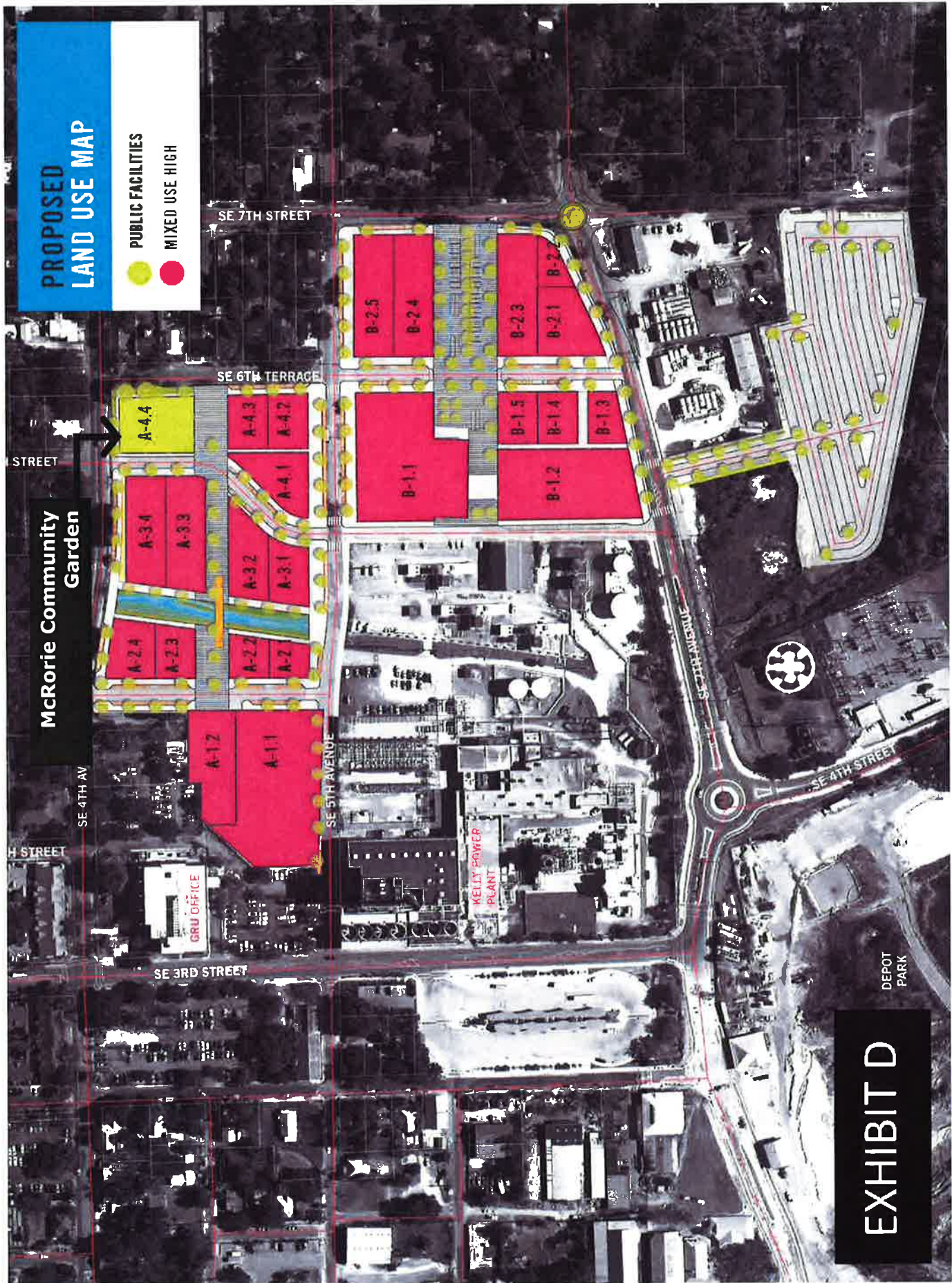
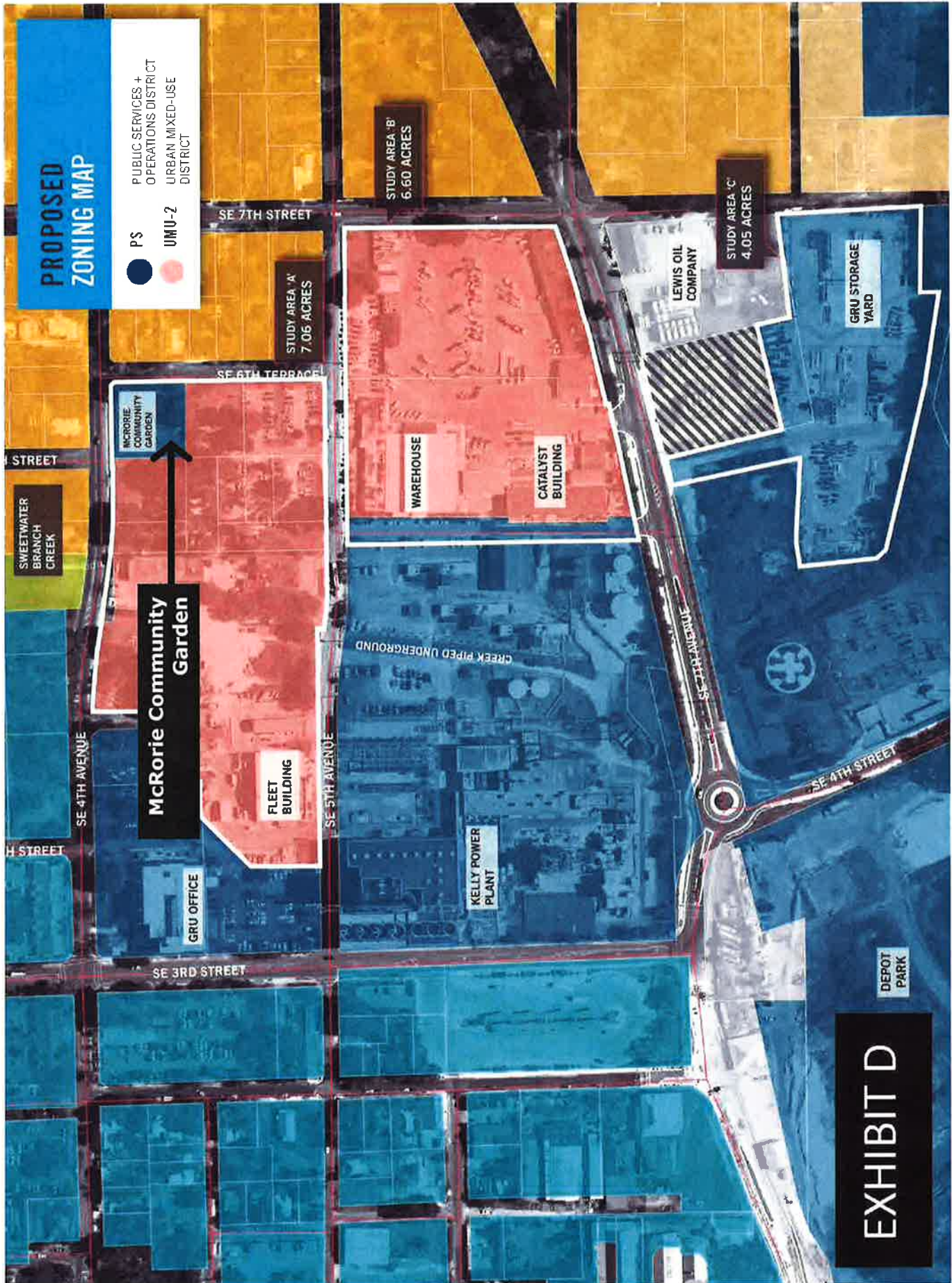


EXHIBIT D



McRorie Community Garden MOU : EXHIBIT E

Memorandum of Understanding

This Memorandum of Understanding reduces to writing the agreement between CITY OF GAINESVILLE, Gainesville Regional Utilities (GRU) and City of Gainesville, General Government (GG), with regard to a parcel of land located on SE 4th Avenue at SE 6th Terrace, known as Parcel No. 12020-17 and legally described as Lots 17, 18, 19, 20 and 21 of Eastview Subdivision.

The subject property was purchased by GRU on May 12, 1983, after approval by the City Commission for future use as parking and site expansion. On April 11, 1991, the site plan amendment for the GRU complex was amended to permit the use of approximately 2/5's of the subject parcel for a mulched parking area and the installation of a 6' chain link fence. The remaining approximately 3/5's of the property has remained undeveloped to date.

On March 10, 1997, the Gainesville City Commission heard a presentation on a proposed Community Gardens Project, at which time, the Parks Department was given direction to develop the program, pending a determination of public interest.

Based on interest by the surrounding neighborhood, GRU hereby agrees to allow GG to use the remaining parcel at SE 4th Avenue and SE 6th Terrace as a community garden on the following terms:

1. GRU will permit uninterrupted use of the property for a period of five (5) years beginning September 1, 1997. If at any time during that period, interest in the project diminishes and it ceases to be used as a garden, GRU has the right to revoke this permission.
2. After the initial five year term, GG may continue to use the property for the Community Gardens project provided there is continued interest in the program by the surrounding neighborhood and no other use has been identified for the property by GRU. At any time that another use is proposed, GRU will give at least six (6) months' notice of termination of this agreement to GG. At the time of termination of the garden project, any improvements made on the site will be removed by the City Parks Division and the site will be restored to as close to its original condition as possible.
3. The following encumbrances exist on the property : (1) a 10' wide x 40' long Easement to Southern Bell on the north side of the existing fence covering telecommunications equipment; and (2) a permit from the City of Gainesville to install buried cable, conduit and a manhole in the vacated right-of-way of SE 6th Street. No encroachment into the easement area will be permitted. Southern Bell should be contacted to locate its lines prior to any digging in the area. Any garden plot planted that encroaches into the easement is at risk for disruption or damage in the event maintenance, repair or replacement of the buried lines, conduit, manhole and/or telecommunications equipment is required. GRU accepts no responsibility for restoring any damaged or disrupted crops.

EXHIBIT E

4. GRU has removed the asphalt from that portion of the vacated 6th Street right-of-way which extends through the subject property. GRU makes no warranties or representations as to the condition of the soil on the subject property. Any preparations necessary to tender the soil "tillable" will be the responsibility of the gardeners.

5. GG will administer the Community Gardens project and this site for GRU. GG's administrative responsibilities in this regard will include, but not be limited to, the following

- ❖ The provision of fencing, if needed, and any administrative amendments to the site plan created thereby;
- ❖ Any amendment to the zoning or land use to allow a community garden as a permitted use;
- ❖ All costs associated with extending water service to the site, including meter(s), distribution system and associated appurtenances. Application for water service would be required prior to water being provided;
- ❖ Lot clearing, if any;
- ❖ Lot maintenance, as needed;
- ❖ Notification to surrounding residents and/or GRU of meetings and/or public hearings on the property.

6. GG will also be responsible for developing and entering into agreements, if any, with the individual gardeners with respect to their responsibilities and liabilities. In the absence of agreements covering liability, it is understood and agreed that GG assumes all risks of liability on the property arising from its use as a community gardens.

7. The parties acknowledge that the property is intended to be used as a neighborhood community garden, and as such, traffic generation and parking requirements should be minimal. Since GRU does not enforce parking restrictions in the spaces along the south side of SE 5th Avenue, just east of the Operations Center, vehicles associated with the community garden may be accommodated at that location after 5:30 p.m. on weekdays or on weekends, provided that the spaces are not required for emergency response by GRU crews at those times.

City of Gainesville, Gainesville Regional Utilities

By: *Mark H. [Signature]*

City of Gainesville, General Government

By: *Wayne Bonner [Signature]*

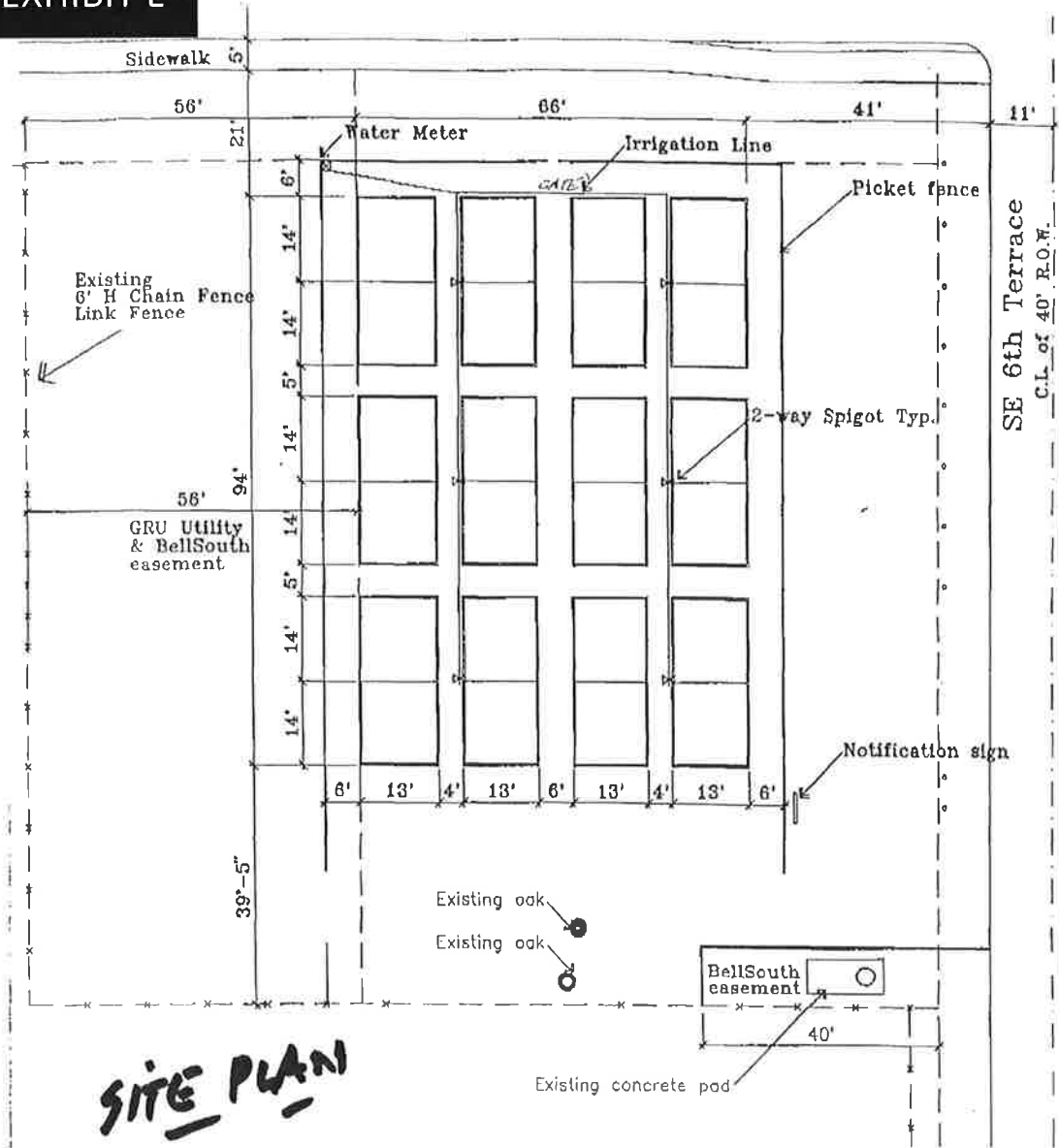
EXHIBIT E

APPROVED AS TO FORM AND LEGALITY

By: *Patricio M. Carter [Signature]*

Patricio M. Carter, Assl. City Atty
City of Gainesville, Florida

EXHIBIT E



SITE PLAN

The McRorie Community Garden



North

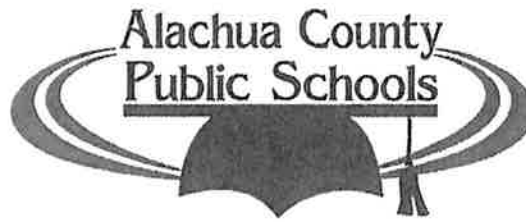
To: Patrick Byrne
 Gus Hughes & I get this together. Will be glad
 to meet with irrigation crew at site when convenient
 thank you Brad.

BOARD MEMBERS

April M. Griffin
Leannetta McNealy, Ph.D.
Carol Oyenarte
Gunnar F. Paulson, Ed.D.
Eileen F. Roy

SUPERINTENDENT OF SCHOOLS

Hershel H. Lyons, Interim Superintendent



140030C
Exhibit
B-6
6
Gainesville, Florida 32601
www.sbac.edu
(352) 955-7300
Fax (352) 955-6700
Suncom 625-7300
Suncom Fax 625-6700

We are committed to the success of every student!

May 8, 2014

Dean Mimms, AICP
Lead Planner
Planning Department
City of Gainesville
Gainesville, FL

RE: **Petition PB-14-54/55.** Review of Comprehensive Plan Amendment and Rezoning Petition including a net increase of 387 multi-family dwelling units on 7.74 acres.

Dear Mr. Mimms:

A School Capacity Review for the above referenced project has been completed. The review was conducted in accordance with the City of Gainesville Public School Facilities Element as follows:

POLICY 1.1.2: Coordinating School Capacity with Planning Decisions

The City shall coordinate land use decisions with the School Board's Long Range Facilities Plans by requesting School Board review of proposed comprehensive plan amendments and rezonings that would increase residential density. This shall be done as part of a planning assessment of the impact of a development proposal on school capacity.

POLICY 1.1.3: Geographic Basis for School Capacity Planning.

For purposes of coordinating land use decisions with school capacity planning, the SCSAs that are established for high, middle and elementary schools as part of the Interlocal Agreement for Public School Facility Planning shall be used for school capacity planning. For purposes of this planning assessment, existing or planned capacity in adjacent SCSAs shall not be considered.

POLICY 1.1.5: SBAC Report to City

The School Board shall report its findings and recommendations regarding the land use decision to the City. If the SBAC determines that capacity is insufficient to support the proposed land use decision, the SBAC shall include its recommendations to remedy the capacity deficiency including estimated cost and financial feasibility. The School Board shall forward the Report to all municipalities within the County.

POLICY 1.1.6 City to Consider SBAC Report

The City shall consider and review the School Board's comments and findings regarding the availability of school capacity in the evaluation of land use decisions.

This review does not constitute a “concurrency determination” and may not be construed to relieve the development of such review at the final subdivision or final site plan stages as by the City of Gainesville Comprehensive Plan. It is intended to provide an assessment of the relationship between the project proposed and school capacity – both existing and planned.

The Petition PB-14-54/55 consists of 387 multi family units.

Table 1: Petition PB-14-54/55– Projected Student Generation at Buildout

	Elementary	Middle	High	Total
Single Family	0			
Multiplier	0.159	0.080	0.112	0.351
Students	256	129	181	566
Multi Family	387			
Multiplier	.042	.016	.019	0.077
Students	17	7	8	32
Total Students*	17	7	8	32

Elementary Schools. The Petition PB-14-54/55 is situated in the East Gainesville Concurrency Service Area. The East Gainesville Concurrency Service Area currently provides a capacity of 2,565 seats. The current enrollment is 1,787 students representing a 69.7% utilization compared to an adopted LOS standard of 100%.

Student generation estimates for the Petition PB-14-54/55 indicate that 17 elementary seats would be required at buildout. Capacity and level of service projections indicate that this demand can be reasonably accommodated during the five year planning period and into the ten year planning period.

Middle Schools. The Petition PB-14-54/55 is situated in the Lincoln Concurrency Service Area. The Lincoln Concurrency Service Area provides a capacity of 1,053 seats. The current enrollment is 694 students representing a 65.9% utilization compared to an adopted LOS standard of 100%.

No new capacity is planned for the Lincoln Concurrency Service Area during the five, ten and twenty year planning periods.

Student generation estimates for the Petition PB-14-54/55 indicate that 7 middle seats would be required at buildout. Capacity and level of service projections indicate that this demand can be reasonably accommodated during the five, ten and twenty year planning period.

High Schools. The Petition PB-14-54/55 is situated in the Eastside Concurrency Service Area. The Eastside Concurrency Service Area currently has a capacity of 2,307 seats. The current enrollment is 1,364 students representing a 59.1% utilization compared to an adopted LOS standard of 100%.

Student generation estimates for the Petition PB-14-54/55 indicate that 8 high school seats would be required at buildout. Capacity and level of service projections indicate that this demand can be reasonably accommodated during the five, ten and twenty year planning period.

Summary Conclusion. Students generated by the Petition PB-14-54/55 Rezoning at the elementary, middle levels can be reasonably accommodated for the five, ten and twenty year planning periods. From the perspective of school capacity and the efficient utilization of that capacity, new residential development in the CSAs affected by this petition is beneficial and recommended.

This evaluation is based on best projections and upon the 2013-2014 Five Year District Facilities Plan adopted by the School Board of Alachua County. The **Petition PB-14-54/55** project is subject to concurrency review and determination at the final site plan for multi-family and the availability of school capacity at the time of such review.

If you have any questions, please contact this office.

Regards,

A handwritten signature in black ink, appearing to read 'Vicki McGrath', with a long horizontal flourish extending to the right.

Vicki McGrath

CC: Gene Boles