

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Meeting Agenda

October 3, 2012

1:00 PM

City Hall Auditorium

City Commission

Mayor Craig Lowe (At Large)
Mayor-Commissioner Pro-Tem Lauren Poe (At Large)
Commissioner Thomas Hawkins (At Large)
Commissioner Yvonne Hinson-Rawls (District 1)
Commissioner Todd Chase (District 2)
Commissioner Susan Bottcher (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****CONSENT AGENDA****CITY MANAGER, CONSENT AGENDA ITEMS**[120333](#)**Human Resources Policies B-1, Tuition Reimbursement; E-4, Grievances and G-4, Duty to Defend and Liability (B)**

Explanation: Human Resources Policy B-1, Tuition Reimbursement, is amended to require that all classes have advance approval by the employee's Department Head and be relevant to the employee's current position or be related to a City job to which the employee can reasonably aspire.

In addition, this amended policy adds a book allowance of \$25 for each class, per employee to mirror changes made to the CWA Labor Agreement.

Human Resources Policy E-4, Grievances, is amended to clarify when it is appropriate for Managerial, Administrative and Professional employees (MAP) to file a grievance and to also update some terminology.

Human Resources Policy G-4, Duty to Defend and Liability, updates and clarify the City's responsibility to defend or provide legal counsel for an employee in a civil action for damages or injury.

Fiscal Note: Policy B-1, book allowance, impact is currently covered in departmental budgets. There is no fiscal impact for Policies E-4 and G-4.

[120333_HR Policies B1-E4-G4_20121004.pdf](#)

[120391.](#)**Forward Promise Innovation Grants (B)**

This is a request for City Commission approval for the Reichert House Youth Academy to apply for the "Forward Promise Innovation Grants" promoting opportunities for the health and success of young men of color.

Explanation: The "Forward Promise Innovation Grants: Promoting Opportunities for the Health and Success of Young Men of Color" is a new initiative of the Robert Wood Johnson Foundation that aims to improve the health of middle school and high school aged boys and young men of color; as well as, their opportunities for success in school work and life.

Fiscal Note: If the Gainesville Police Department is successful in the application processes, it could be one of up to ten grants that will be awarded under this call for proposals. Grantees will receive awards of up to \$500,000 each for up to thirty months. No matching funds are required.

[120391_grant_20121004.pdf](#)

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS**CITY ATTORNEY, CONSENT AGENDA ITEMS**[120384](#)**ALISON ZITTEL V. CITY OF GAINESVILLE AND BRETT ROBISON, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY; EIGHTH JUDICIAL CIRCUIT, COURT CASE NO. 12-CA-3490 (B)**

Explanation: On September 20, 2012, the City was served with a Summons and Complaint filed by Alison Zittel in the Circuit Court. The Plaintiff alleges injuries suffered as a result of conduct by former Police Officer Brett Robison. She claims to have suffered damages, including pain and suffering, mental anguish and loss of capacity for the enjoyment of life. Ms. Zittel seeks money damages in excess of \$15,000.00.

[120384_Zitel_Consent_20121004.pdf](#)

[120385](#)**KIMBERLY ALSTON, AND JOEY LEE ALSTON, HER HUSBAND VS. CITY OF GAINESVILLE, FLORIDA, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA; EIGHTH JUDICIAL CIRCUIT, CASE NO. 2012-CA-2483 (B)**

Explanation: On September 20, 2012, the City was served with a Summons and Amended Complaint filed by Kimberly and Joey Lee Alston in the Circuit Court. Kimberly Alston alleges that on June 26, 2008, she tripped and fell in the vicinity of a drainage culvert at or near 3719 NE 11th Terrace. Kimberly Alston claims to have suffered bodily injury, pain and suffering, disability, physical impairment, disfigurement, mental anguish, mental impairment, a loss of capacity for the enjoyment of life, inconvenience,

expenses of hospitalization, medical, pharmaceutical, nursing and other health related costs and expenses, a loss of earnings and ability to earn money, and an aggravation of a pre-existing condition(s) or disease(s). Plaintiff Joey Lee Alston has filed a loss of consortium claim. Ms. Alston seeks money damages in excess of \$15,000.00.

[120385_Alston_20121004.pdf](#)

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

[120393](#)

City Commission Minutes (B)

[120393_minutes_sept 10, 2012_20121004.pdf](#)

[120365.](#)

Appointments to City Commission Advisory Boards and Committees (NB)

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE, CONSENT

PERSONNEL & ORGANIZATIONAL STRUCTURE COMM, CONSENT

PUBLIC SAFETY COMMITTEE, CONSENT

AUDIT, FINANCE AND LEGISLATIVE COMMITTEE, CONSENT

EQUAL OPPORTUNITY COMMITTEE, CONSENT

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

CITY MANAGER

[080471.](#)

Status Update on the City Commission Strategic Initiative 3.3: Analyze the availability and accessibility of child and youth programs and identify a role for City Government including addressing the harmful effects of child and youth poverty (B)

This item is an action step for the City Commission's Strategic Initiative #3.3.

Explanation: The City Commission Strategic Initiative 3.3 was identified under the Human Capital Category asking that staff "Analyze the Availability and Accessibility of Child and Youth Programs and Identify a Role for City Government, Including Addressing the Harmful Effects of Child and Youth Poverty." Chief Tony Jones, Gainesville Police Department and Michelle Park, Assistant Director of the Parks, Recreation, and Cultural Affairs Department, are co-champions for this initiative. Both departments have worked closely together for the past four years, especially during the summers, to develop and provide preventative programs for teens. One of the Strategic Initiatives' annual action steps is to present an update to the City Commission on the statistical analysis of juvenile delinquency issues in the City of Gainesville.

The State Attorney's Office has recently updated these statistics. Ms. Gretchen Casey, Director of Victim Services, will provide an informational power point presentation on "Project Payback," a statistical analysis tracking youth over the past four years, 2008 to 2011.

Fiscal Note: No funds are being requested with this item.

[080471_PPT_20100819.PDF](#)

[080471_FY10_Qtr_3_Update_20100513.pdf](#)

[080471_4th_Quarter_Updates_20091008.pdf](#)

[080471_Strategic_Initiatives_20090108.pdf](#)

[080471A_PPT_20110707.pdf](#)

[080471B_Data_20110707.pdf](#)

[080471_Presentation_20121004.pdf](#)

[120363.](#)

Readdressing of a Section of NW 34th Street to NW 34th Boulevard (B)

Explanation: On August 2, 2011, the City of Gainesville entered into an Interlocal Agreement with Alachua County for property addressing services which are administered by the Enhanced 911/Communications Office of Alachua County Fire Rescue. The Office periodically initiates address changes to address public safety and related concerns. On August 9, 2012, 80 notifications were mailed to the listed property owners for an area of NW 34th Street which provided notice of an impending change of address to correct a street designation problem.

A section of NW 34th Street currently exists in two areas of the City of Gainesville which are parallel to each other. The duplicate ranges are from 4600 to 4899 and again from 5400 to 5901. This duplication creates confusion for law enforcement, fire, and emergency medical first responders. The Computer Aided Dispatch system in the Combined Communications Center utilizes geo-coding for location determination. With two choices for any location between 4600 and 4899 and 5400 to 5901 on NW 34th Street, additional location information must be solicited from 911 wireless callers.

In an emergency, location of the incident is key and essential to receiving help. Many times, people are stricken with fear or are unfamiliar with their location and cannot provide clear and accurate information to assist law enforcement, fire, and emergency medical personnel in locating them.

The E911 Office will provide a number of services to alleviate the inconvenience of such an address change. The E911 Office will make notifications to the following offices, agencies, and service providers advising them of each address change:

- * Emerald Waste Services*
- * GRU Utilities*
- * School Board Transportation*
- * Supervisor of Elections*
- * Cox Communications*
- * TV20*
- * United States Post Office*
- * City of Gainesville Codes Enforcement*
- * Alachua County Property Appraiser's Office*
- * FedEx*
- * United Parcel Service*

The State of Florida will not charge the \$50.00 fee to change the address on a driver's license if provided with the official change of address letter from the E911 Office. Additionally, if a vehicle registration requires a change of address, the State of Florida waives the fee except for an amount of \$2.50. The Post Office will continue to deliver mail to the old address for one year following the address change. The only change is the street designation from street to boulevard so mail and package delivery should not be adversely affected. Lastly, the E911 Office will provide postage for up to twenty (20) address change notification letters for each address affected by this readdressing.

Gainesville Fire Rescue and Gainesville Police participate as members of the Alachua County E911 Office Road Naming Committee which assisted with the review of the possible solutions to correct the NW 34th Street vs. Boulevard problem and the committee unanimously agreed the road segment should be renamed from Street to Boulevard. This is in keeping with City of Gainesville Municipal Code Sections 23-19 and

23-22. Section 23-19 designates streets which meander and do not run generally in a north-south or east-west direction shall be designated as roads and boulevards. Section 23-22 designates all principal streets running parallel or generally so with Main Street shall be designated as streets.

Fiscal Note: There will be costs associated with changing street signs of approximately \$1,450. The E911 Office will assist residents and business owners with postage relating to address change notifications.

[120363_Maps_20121004.pdf](#)

GENERAL MANAGER FOR UTILITIES

[120392.](#)

Consumptive Use Permit and Water Shortage Order (B)

Explanation: The citizens of Gainesville and surrounding Alachua County have demonstrated that water resources in our region are important and should be conserved and protected. GRU residential customers use approximately 70 gallons per day per person, which is one of lowest in the State of Florida. GRU reuses water for residential and golf course irrigation as well as cooling water for the South Energy Center, which reduces groundwater withdrawal. In addition, approximately 70% of the water GRU withdraws from the Floridan Aquifer is returned to the Floridan Aquifer. This water ethic creates a sustainable community that supports growth, reliable water service, and protection of the environment.

GRU currently has a Consumptive Use Permit (CUP) to withdraw 30 million gallons per day (mgd) from the Floridan Aquifer to serve a population of approximately 189,000 people, including hospitals, businesses, and the University of Florida. The current CUP will expire in 2014, therefore GRU is initiating the CUP process at this time in order to receive the permit prior to expiration.

In the next 20 years, our area is projected to grow by approximately 55,000 people. Using historic water use to project future water demand, this projected population growth requires approximately 32.7 million gallons per day (mgd). GRU is committed to reducing the per person water demand over the next 20 years in order to limit the CUP to 30 mgd through 2032. In essence, we are extending or renewing our existing CUP and water allocation to serve the population growth over the next 20 years.

The CUP process requires GRU to demonstrate that the proposed water use is reasonably beneficial, is consistent with public interest, will not interfere with other existing legal uses, and will not cause environmental harm. In order to complete the permitting process and make the above demonstrations, GRU will utilize a variety of consultants. These consultants will evaluate environmental constraints, establish and exercise groundwater and surface water models, analyze Minimum

Flows and Levels (MFLs), prepare the application and evaluate legal aspects. These activities are anticipated to occur in FY2013 and 2014 at a cost not to exceed \$750,000. These funds are currently allocated in the capital budget.

It is proposed that the City Commission direct the City Attorney to draft a Resolution for the City to opt into Alachua County's Year-Round Water Conservation Measures and Water Shortage Regulations Ordinance (Ordinance # 2012-08). This gives Alachua County Environmental Protection Department the authority to enforce Water Shortage Orders and Water Shortage Emergencies within the City. This is consistent with Alachua County Environmental Protection Department's enforcement authority on watering restrictions.

Fiscal Note: There is currently \$750,000 included in the water capital improvement budget for FY13 for this effort.

[120392_ord_20121004.pdf](#)

[120392_ppt_20121004.pdf](#)

[120392-MOD_ppt_20121004.pdf](#)

CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE

PERSONNEL & ORGANIZATION STRUCTURE COMMITTEE

PUBLIC SAFETY COMMITTEE

[120063.](#)

Request To Increase Trespass Towing Rates (B)

This item requests the City Commission consider raising the Trespass Towing Rates for the upcoming year (2013).

Explanation: In accordance with Section 14.5-30 of the Code of Ordinances of the City of Gainesville, the City Manager must receive requests to adjust trespass towing rates by September 30th of each year. The City Commission has the sole authority of establishing towing rates.

On June 1, 2012 the City Manager received an email from Ultimate Towing requesting an increase in their maximum trespass towing rates.

Current trespass towing rates are Class 1 through 2 Light Duty vehicles \$76, Class 3 through 6 Medium Duty Vehicles \$133, and Class 7 through 8 Heavy Duty Vehicles \$288.

The requested increase by Ultimate Towing is Class 1 through 2 Light Duty vehicles \$100.

The last request to increase towing rates came to the City in the fall of 2007. The request was denied by the Public Safety Committee and the City Commission because the towing companies backup did not support the request. It was recommended at that time that companies bring documentation giving the specific breakdown of how many tows they do locally and what percentage their insurance, gas and, expenses have increased in the past year.

At the June 21, 2012 City Commission Meeting this request was referred to the Public Safety Committee for discussion.

On August 28, 2012 the PSC discussed this request and heard from the companies in Gainesville that perform Trespass (Roam) Towing on their increases in operational costs. At that meeting the vote was 2-1 to recommend the City Commission raise the Trespass Towing rate from \$76 to \$84 for Class 1 and Class 2 light vehicles.

[120063_TowingRateEmail_20120621.pdf](#)

[120063a_BrevardCoTowOrd_20120828.pdf](#)

[120063b_OsceolaCoTowRes_20120828.pdf](#)

[120063c_VolusiaCoTwoOrd_20120828.pdf](#)

[120063d_MOD_AddTowRatesBackup_20120920.pdf](#)

AUDIT, FINANCE AND LEGISLATIVE COMMITTEE

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

[120372.](#) United Nations Day - October 18, 2012 (B)

[120372_UnitedNations_20121001.pdf](#)

[120373.](#) Fire Prevention Week - October 7-13, 2012 (B)

[120373_FirePrevent_20121001.pdf](#)

[120374.](#) Character Counts Week - October 21-27, 2012 (B)

[120374_Character_20121001.pdf](#)

[120375.](#) Conflict Resolution Week - October 15-19, 2012 (B)

[120375_ConflictRes_20121001.pdf](#)

[120376.](#) Will Claye Day - October 4, 2012 (B)

[120376_WillClaye_20121001.pdf](#)

[120377.](#) Public Power Week - October 7-13, 2012 (B)

[120377_PublicPower_20121001.pdf](#)

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

PUBLIC HEARINGS

RESOLUTIONS- ROLL CALL REQUIRED

[120341.](#) Resolution for a Joint Participation Agreement - Regional Transit System (RTS) Discounted Bus Pass Program (B)

This item is a request for a Resolution authorizing the City Manager to execute a Joint Participation Agreement between the City of Gainesville and Florida Department of Transportation (FDOT) to receive funds to establish the Regional Transit System (RTS) discounted bus pass program.

Explanation: In July, 2012, the Florida Department of Transportation (FDOT) approved the Regional Transit System's (RTS) request for a service

development grant to provide daily or monthly bus passes to non-profit organizations and schools that provide support services for Gainesville residents. Eligible non-profit organizations will purchase the passes from RTS at a 50% reduced rate up to \$1,000 per year per organization. The remaining 50% of the purchase price will be provided by FDOT grant funds.

FDOT requires the governing board of each public transit system to adopt a resolution authorizing the acceptance of these funds.

Fiscal Note: Funding for this project in the amount of \$10,000 per year for FY13 and FY14 will come from the FDOT grant. Eligible non-profit organizations that purchase the passes will provide the 50% local match.

[120341A Program 20121004.pdf](#)

[120341B Application 20121004.pdf](#)

[120341C Resolution 20121004.pdf](#)

[120399](#)

Resolution concerning Proposed Amendment 4 (2012) to the Florida Constitution related to limitations on ad valorem property taxation (B)
This item is a City Commission request from its September 20, 2012 regular meeting directing the City Attorney to draft a Resolution opposing the proposed Amendment 4 (2012) to the Florida Constitution for consideration by the City Commission.

Explanation: If Amendment 4 is approved by voters, staff has estimated that the city's ad valorem tax base will be negatively impacted by \$290,000 in the first year. The Florida Association of Counties has estimated a 1.3% impact to the tax base in the first year, 2.3% in year two, 3% in year three, and approximately 4% in year four. Impacts to the City of Gainesville's tax base past the initial year are unclear.

Fiscal Note: RECOMMENDATION The City Commission adopt the proposed Resolution.

[120399A Resolution 20121004.pdf](#)

[120399B Chapter Law20111004.pdf](#)

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

[120178](#)

REZONING - RTS MAINTENANCE FACILITY (B)

Ordinance No. 120178; Petition No. PB-12-52 PSZ

An ordinance of the City of Gainesville, Florida, establishing uses permitted by right, dimensional requirements, and other development regulations as more specifically set forth in this ordinance for approximately 22.82 acres of certain real property located in the vicinity of 200 SE 16th Avenue that is zoned Public services and operations district (PS), commonly known as the RTS Maintenance Facility site; providing

for approval of a preliminary development plan; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT

This petition and ordinance establishes certain uses permitted by right, dimensional requirements, and other development regulations for approximately 22.82 acres of property known as the RTS Maintenance Facility site. The property, located in the vicinity of 200 SE 16th Avenue, is currently zoned Public services and operations district (PS) with a designated use of "Utilities." The primary reason for this petition and ordinance is to expand the allowable uses on the RTS Maintenance Facility site, and to approve a preliminary development plan for the specific use as shown on the plan.

This petition and ordinance would allow government offices, RTS operations/maintenance and repair facilities, utilities, recreation/open space and conservation area, wireless communications, outdoor storage, solar generation stations, physical fitness facilities, and any use customary and incidental to any permitted use. The proposed uses of this property are consistent with the Comprehensive Plan, the Land Development Code, the site's current use, and the adjacent properties' land use and zoning.

Public notice was published in the Gainesville Sun on June 12, 2012. On June 28, 2012, the City Plan Board held a public hearing and, by a vote of 5-0, recommended approval of the petition with staff conditions.

CITY ATTORNEY MEMORANDUM

This ordinance requires two hearings. Should this ordinance pass on first reading, second and final reading will be held on October 18, 2012.

[120178A_draft ordinance_20121004.pdf](#)

[120178B_Ordinance No. 0-82-76 \(2740\)_20121004.pdf](#)

[120178C_staff report_20121004.pdf](#)

[120178D_Maps Exhibit 1-3_20121004.pdf](#)

[120178E_exhibit 4_Site plan_20121004.pdf](#)

[120178F_exhibit 5_20121004.pdf](#)

[120178G_exhibit 6_neighbhd wkshp_20121004.pdf](#)

[120178H_cpb minutes_20121004.pdf](#)

[120178I_staff ppt_20101004.pdf](#)

[120178_petition_20121004.pdf](#)

[120178_MOD PRES CC1 121004 PS RZ.ppt](#)

[120279.](#)**REZONING - URBAN VILLAGE (B)****Ordinance No. 120279; Petition No. PB-12-73 ZON**

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 313 acres of annexed properties, as more specifically described in this ordinance, located in the Urban Village (in the vicinity of SW 20th Avenue, SW 24th Avenue, SW 34th Street, and SW 43rd Street) from the Alachua County zoning categories of Business and professional (BP), Retail sales and services (BR), Planned development (PD), Single family low density (R-1a & R-1c), Multiple family medium density (R-2), Multiple family medium-high density (R-2a), Multiple family high density (R-3), and Manufactured mobile home park (RM) to the City of Gainesville zoning category of Urban mixed-use district 2 (UMU-2); 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 petition and ordinance will rezone approximately 313 acres in the Urban Village from various Alachua County zoning districts to the City of Gainesville zoning category of Urban mixed-use district 2 (UMU-2). Most of the properties under consideration were annexed into the City in June 2009, while some were annexed in 2008. The City adopted land use designations for these properties on November 3, 2011 (Ordinance 100698). On June 7, 2012 (Ordinance 110642), the City amended the text of the Urban mixed-use 2 (UMU-2) zoning district to add regulations specific to these Urban Village properties in anticipation of this rezoning.

These Urban Village properties proposed for rezoning are located in southwest Gainesville in the vicinity of SW 20th Avenue and SW 24th Avenue, west of SW 34th Street and east of Interstate 75. The primary east-west corridors are SW 20th Avenue and SW 24th Avenue (each two lanes). A private road, Windmeadows Boulevard, also serves as an east-west corridor. The north-south corridors are SW 34th Street (6 lanes), SW 38th Terrace (2 lanes), and SW 43rd Street (2 lanes).

The proposed UMU-2 zoning is compatible with the Urban Mixed Use-2 land use category designation on these properties and was chosen to promote the redevelopment vision for this area as Gainesville's Urban Village by increasing densities and allowing a broader mix of uses. Unlike the existing Alachua County zoning, the UMU-2 zoning district allows non-residential and mixed uses and provides for higher densities.

Existing development in this area is primarily multi-family residential, with existing developed densities generally ranging between 8.5 to 38 units per acre (average = 17.3 units/acre). The UMU-2 zoning district permits 10-100 units/acre, and up to an additional 25 units/acre by special use permit. Two areas of commercial/retail use exist along SW 34th Street: one south of SW 20th Avenue and one north of Windmeadows Boulevard. An additional small commercial/retail area is

located on SW 20th Avenue, north of the intersection with SW 43rd Street. A business professional area with office/commercial uses exists on SW 34th Street immediately north of SW 20th Avenue. There are four existing Planned Developments in the area: Venture Apartments, Hickory Hills, Mill Run, and Southwest Villas. All of these Planned Developments (PDs) are proposed to be designated UMU-2 since most of the PDs are fully built-out under the provisions/regulations established in their respective PDs adopted by Alachua County, and do not meet City of Gainesville Planned Development district requirements. An existing nursing home, Signature Healthcare of Gainesville, is located within the area on SW 20th Avenue, and there is one place of religious assembly.

Public notice was published in the Gainesville Sun on July 10, 2012. On July 26, 2012, the City Plan Board held a public hearing and, by a vote of 6-0, recommended approval of the petition with the deletion of Tax Parcel 06724-000-000. Tax Parcel 06724-000-000 was deleted because it was determined that certain additional land in that parcel should be designated UMU-2 and not Conservation based on the updated Federal Emergency Management Agency (FEMA) flood maps. The Plan Board recommended that Tax Parcel 06724-000-000 be considered under a separate petition for land use and zoning to establish the correct Conservation/UMU-2 split zoning district and land use designation lines.

CITY ATTORNEY MEMORANDUM

This ordinance requires two hearings. Should this ordinance pass on first reading, second and final reading will be held on October 18, 2012.

[120279A draft ordinance 20121004.pdf](#)

[120279B staff report 20121004.pdf](#)

[120279C Maps exhibits A-1- A-5 20121004.pdf](#)

[120279D Exhibit B application 20121004.pdf](#)

[120279E cpb minutes 20121004.pdf](#)

[120279F staff ppt 20121004.pdf](#)

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

PLAN BOARD PETITIONS

[120326.](#)

One College Park PD Amendment (B)

Petition PB-12-83 PDA. C. David Coffey, Esq., agent for College Park Group, LLC. Amendment to an existing Planned Development to allow a dormitory as an additional use. Zoned: PD (Planned Development District). Located between NW 17th Street and NW 18th Street, and between NW 1st Avenue and NW 2nd Avenue.

Explanation: The 'One College Park' Planned Development is located on 1.7 acres of the block that is between NW 17th and 18th Streets and NW 1st and 2nd Avenues. The property is currently the site of a surface parking lot which serves surrounding uses, including the St. Augustine Church. The planned development covers the entire block, with the exception of the Hurley Hall property on the southeast corner. The development site was officially rezoned on May 7, 2009 from the UMU-1 and RMU districts to the PD (Planned Development) district. The purpose of the rezoning to PD was to allow for buildings up to six stories to be developed over the entire site, and also to bring the proposed principal uses, accessory uses, and required infrastructure under a single set of regulations. The allowed uses, design of the buildings, and many development standards are dictated by the PD ordinance. As approved, the development includes 55 apartment units, a 170-room hotel, 14,000 square feet of commercial, and a central parking structure that will contain 610 parking spaces. The proposed parking structure is intended to serve the development and also provides for the replacement of some of the existing surface parking.

This petition requests an amendment to the approved PD zoning in order to allow for a 'dormitory' as an allowed use within the One College Park development. The intention is to allow for the dormitory use to be interchangeable with the originally approved hotel use. No changes to the physical layout of the development or to the exterior design of the building are proposed. Minor revisions have been proposed to the PD Layout Map and PD Report in order to incorporate the dormitory as a potential component of the development. Condition 3 of the previously approved PD ordinance, which lists the allowed uses, will also need to be revised.

Staff has found this proposal to meet the minimum requirements for a rezoning to the planned development district within Section 30-213 of the Land Development Code, and to be consistent with the criteria for review of planned developments in Section 30-216.

The City Plan Board considered Petition PB-12-83 PDA at a public hearing held on August 23, 2012. By a vote of 6-0, the City Plan Board recommended approval of the petition.

Public notice for this petition was published in the Gainesville Sun on August 7, 2012. Letters were mailed to surrounding property owners on August 7, 2012.

Fiscal Note: None

[120326A_staff report_20121004.pdf](#)

[120326B_application & neighbhd workshop_20121004.pdf](#)

[120326C_revised PD report_20121004.pdf](#)

[120326D_revised PD Maps_20121004.pdf](#)

[120326E_Adopted Ord 080753_One College Park_20121004.pdf](#)

[120326F_CPB minutes_20121004.pdf](#)

[120326G_staff ppt_20121004.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)