

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Meeting Agenda - Final

May 2, 2019

1:00 PM

City Hall Auditorium

City Commission

Mayor Lauren Poe (At Large)

Commissioner Helen Warren (At Large)

Commissioner Gail Johnson (At Large)

Commissioner Gigi Simmons (District 1)

Commissioner Harvey Ward (District 2)

Commissioner David Arreola (District 3)

Mayor-Commissioner Pro Tem Adrian Hayes-Santos (District 4)

If you have a disability and need an accommodation in order to participate in this meeting, please contact the Office of Equal Opportunity at (352)334-5051 at least two business days in advance. TTY (Text Telephone Telecommunication Device) users please call 711 (Florida Relay Service). For Speech to Speech (STS) relay, please call 1-877-955-5334. For STS Spanish relay, please call 1-877-955-8773. For STS French Creole relay, please call 1-877-955-8707.

1:00pm - CALL TO ORDER - Afternoon Session**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 CONSENT ITEMS - GRU, General Government, Audit & Finance Committee and General Policy Committee Items

[181000.](#)

City Commission Minutes (B)

RECOMMENDATION *The City Commission approve the minutes of April 8, April 9, April 17, April 18, April 23 (2) and April 24, 2019.*

[181000 April 8 Minutes 20190502.pdf](#)

[181000 \(A\) April 9 Minutes 20190502.pdf](#)

[181000 \(B\) April 18 Minutes 20190502.pdf](#)

[181000 \(C\) April 17 Minutes 20190502.pdf](#)

[181000\(D\) April 23 Minutes 20190502.pdf](#)

[181000 \(E\) April 23 Minutes 20190502.pdf](#)

[181000 \(F\) April 24 Minutes 20190502.pdf](#)

[180986.](#)

Swearing-In Ceremony - May 16, 2019 (NB)

RECOMMENDATION *The City Commission schedule a meeting on May 16, 2019, for the Swearing-In and election of Mayor Pro Tem.*

[180996.](#)**Non-Compliance with Attendance Requirements (B)****RECOMMENDATION**

The City Commission approve the removal of Sharon Borneman from the Gainesville Cultural Affairs Board, effective immediately.

[180996_CAB Sharon Borneman_20190502.pdf](#)

[180998.](#)**Resignation of Shankeives Carr from the Gainesville Human Rights Board (B)****RECOMMENDATION**

The City Commission accepts the resignation of Shankeives Carr, effective immediately.

[180998 Resignation Shankeives Carr 20190502.pdf](#)

[180901.](#)**2020 Election Dates (NB)****RECOMMENDATION**

The City Commission: 1) select March 17, 2020 for the City Commission Election, with early voting March 7 - 14, 2020; and April 28, 2020 for Run-Off Election (if needed) with early voting April 18 - 25, 2020 (if needed). 2) direct the City Attorney to draft and the Clerk to advertise an ordinance setting these election dates (per Sec. 9-2(b) of the City Code, this Ordinance must be adopted by July 1).

[180984.](#)**GRU Operational Updates for January, February and March of 2019 (B)**

Explanation: Staff has prepared statistical reports of GRU's operations for the months of January, February and March 2019.

Fiscal Note: None.

RECOMMENDATION

Receive reports.

[180984_Ops_Update_Feb_2019_All_Depts_20190502](#)

[180984_Ops_Update_Mar_2019_All_Depts_20190502](#)

[180984_UAB_Ops_Update_Jan_2019_All_Depts_20190502](#)

[180985.](#)**Gainesville Police Department Quarterly Tactical Briefing (NB)**

Explanation: In the past, the Gainesville Police Department would provide periodical updates to the Commission as body; however, that practice has stopped for some time. It's important that this effort continues hence the reason the GPD is requesting that this effort be reinstated through the GPC Referral Process. The GPD would commence quarterly updates or briefings in June, followed by September and so on. This would essentially be a standing referral item that is heard quarterly.

RECOMMENDATION

The City Commission approve this request to add the Gainesville Police Department's Quarterly Tactical Briefing as a referral to the General Policy Committee with the first briefing occurring in June.

[180983.](#)

Authorization for Execution of Restrictive Covenant between the Cade Museum Foundation Inc. and the City of Gainesville (B)

Explanation: The City of Gainesville is the title holder of the land located at 811 S Main St, Gainesville, FL 32601, which is leased by the Cade Museum for Creativity and Invention, managed and operated by the Cade Museum Foundation Inc. The Museum Foundation has been approved to receive a Cultural Facilities Grant in the amount of \$199,706 from the State of Florida, Department of State, Division of Cultural Affairs. In order for the Museum Foundation to receive the Cultural Facilities Grant, the City of Gainesville needs to agree that the Foundation is allowed to run as a cultural facility and will continue to run as a cultural facility for 10 years following the execution of the grant award agreement. The foundation is currently the lessee of the land for 75 years.

The Cade Museum Foundation signed the agreement in February 2019. It has since been reviewed and approved by the legal department and it's before the Commission today for authorization for the City Manager to execute the Agreement

Fiscal Note: None

RECOMMENDATION

To the City Commission: 1) Approve the restrictive covenant agreement 2) Authorize the City Manager to sign execute the agreement once approved by the City Attorney as to form and legality.

[180983_Cade Restrictive Covenant_20190502.pdf](#)

ADOPTION OF REGULAR AGENDA

GENERAL PUBLIC COMMENT - For items not on the agenda, limited to 3 minutes per citizen and not to exceed 30 minutes total

BUSINESS DISCUSSION ITEMS - GRU and General Government items placed on the agenda by the Charter Officers or moved from Consent.

[180988.](#)

American Disabilities Act Abbreviated Accessibility Assessment Phase II (B)

Explanation: Pursuant to Equal Opportunity Policy #EO-6, The Equal Opportunity Director/ADA Coordinator began the American with Disabilities Act (ADA) Self-Evaluation Process, evaluating all programs, services and activities in July 2016. Phase I of the ADA Self-Evaluation was completed in January 2017. The American Disabilities Act Self-Evaluation Phase II was approved by the city commission in September 2017. The Phase II evaluation was designed to identify programmatic or physical barriers which prevent access to individuals with disabilities. The survey and review targeted high traffic General Government and Gainesville Regional Facilities.

Fiscal Note: Alpha Facilities Solutions, LLC was awarded a fee of \$148,862 to conduct the assessment. Fees included project set-up, mobilization, assessment data collection and assessment report, set-up and population of Capital Forecast.

RECOMMENDATION

The City Commission hear a presentation and take action as deemed appropriate.

[180988_Gainesville ADA Presentation_0502019_Final.pptx](#)

TIME CERTAIN - 2:00 PM

[180960.](#)

Check Presentation from Rotary Clubs of Gainesville Foundation to the Gainesville Arts & Parks Foundation, the Parks, Recreation and Cultural Affairs Department and Wild Spaces & Public Places for the Creation of the Rotary Generations Play Zone at Northside Park (B)

This item requests the City Commission hear a presentation at a time certain of 2:00 PM on May 2, 2019 by the Rotary Clubs of Gainesville Foundation presenting \$100,000 to the Gainesville Arts & Parks Foundation, the Parks, Recreation and Cultural Affairs Department and Wild Spaces & Public Places to create the Rotary Generations Play Zone at Northside Park.

****ESTIMATED PRESENTATION 10 MINUTES.****

Explanation: In 2015, representatives from the Rotary Clubs of Gainesville Foundation met with the City Parks, Recreation and Cultural Affairs (PRCA) to discuss a concept for park improvements at Northside Park and the Gainesville/Alachua County Senior Recreation Center that would expand

intergenerational recreation opportunities in Gainesville. After several meetings and site visits, the City was encouraged to submit a grant request to the Rotary Clubs of Gainesville Foundation to fund the expansion. During the summer of 2017, PRCA submitted a grant request through the Gainesville Arts & Parks (GAP) Foundation, for a \$100,000 grant to create the Rotary Generations Play Zone at Northside Park. The GAP Foundation is the fundraising arm of PRCA and is eligible to receive the grant funds as a 501 (c) 3 non-profit organization.

The Rotary Foundation approved the grant request, funding it over a two-year cycle of raising funds through the annual Wild Game Feast event held each March. The City was approved for a \$100,000 grant derived from donations from both the 2018 and 2019 Wild Game Feast events.

The Rotary Generations Play Zone at Northside Park includes the following: improvements to the tennis courts; adding new pickle ball courts and racquetball courts; adding bocce ball and petanque courts; adding outdoor table games and a new outdoor terrace and tennis viewing area off the Senior Recreation Center; adding seating and a picnic pavilion; and, creating a continuous sidewalk and walking path surrounding the new features and connecting to the parking area.

In the near future, Wild Spaces & Public Places (WSPP) staff will be presenting the entire Northside Park improvements project to the City Commission for discussion and final approval. Today's presentation highlights the success of the City as the recipient of a \$100,000 grant from the Rotary Clubs of Gainesville Foundation utilizing the 501 (c) 3 non-profit Gainesville Arts & Parks Foundation who ultimately will donate the funds to the Parks, Recreation and Cultural Affairs Department and the City's Wild Spaces & Public Places program matching funds to create the Rotary Generations Play Zone at Northside Park.

Fiscal Note: There is no direct fiscal impact. The matching WSPP funds have been approved by the City Commission as part of the 2018-2020 Wild Spaces & Public Places List of Approved Projects.

RECOMMENDATION

The City Commission hear a presentation by the Rotary Clubs of Gainesville Foundation presenting \$100,000 to the Gainesville Arts & Parks Foundation, the Parks, Recreation and Cultural Affairs Department and Wild Spaces & Public Places to create the Rotary Generations Play Zone at Northside Park.

[180960 RotaryGenPlayZone 20190502](#)

[180612.](#)

City Manager Executive Search (NB)

Explanation: City Manager Anthony Lyons resigned from his employment with the City

effective January 18, 2019 at 5:00 p.m..

During the January 17, 2019 City Commission meeting, Deborah Bowie was selected as the Interim City Manager, effective January 18, 2019 at 5:01 p.m.

Per the direction of the City Commission, a discussion with Human Resources regarding the engagement of an executive search firm to initiate the search for the full-time, permanent City Manager position is necessary.

The City Commission has requested that the Human Resources Department provide an update on the City Manager search process and to discuss the criteria to be used for the City Manager search at the May 2nd City Commission meeting.

Fiscal Note: The anticipated fiscal impact for the executive search is \$30,000. This amount includes \$22,000 in search fees and \$8,000 allocated for candidate travel, meals, and other expenses. This will be funded through unallocated general fund balance.

RECOMMENDATION The City Commission requests the Human Resources Department to review search criteria and provide an update on the City Manager search process.

Legislative History

12/13/18	General Policy Committee	No Action Taken
1/3/19	City Commission	Approved, as shown above
1/17/19	City Commission	Approved, as shown above
2/7/19	City Commission	Approved, as shown above

[181001.](#)

Draft Ordinance to Re-Envision the Gainesville Community Redevelopment Agency (B)

Explanation: After discussion at several meetings (Agenda Item #170788 heard at the February 12, 2018; March 12, 2018; April 30, 2018 and May 31, 2019 Joint City/County Commission Meetings), the City Commission and County Commission each approved an Interlocal Agreement that requires the County's annual contributions to the CPUH Redevelopment Trust Fund to be calculated using the City's millage rate; and 2) expressed the parties agreement to actively engage in a collaborative process to rethink, envision and design the future of the CRA with a goal to reach consensus and develop a mutually agreeable solution. The executed Interlocal Agreement was recorded on July 18, 2018, in Official Record Book 4615, Page 591, of the Public Records of Alachua County.

After work by City and CRA staff, discussions by the City Commission and County Commission (Agenda Item #180389 heard at the October

11, 2018 General Policy Committee meeting; the November 1, 2018 City Commission meeting; the December 10, 2018 Joint City/County Commission meeting; the January 15, 2019 County Commission meeting and the February 11, 2019 Joint City/County Commission meeting), the City and County Commissions directed their respective Managers to negotiate an agreement based on a five part motion. The staff negotiated Agreement was present to and approved by the City Commission on April 4, 2019; by the County Commission on April 9, 2019 and was recorded on April 11, 2019, in Official Record Book 4675, page 2154, of the Public Records of Alachua County. Among other provisions, Section 5 of the Agreement requires the City Commission to consider adoption of an ordinance amending Chapter 2, Article V, Division 9 titled "Community Redevelopment Agency" of the City Code of Ordinances to, at a minimum, rename the existing CRA, consolidate its four existing Agency areas (Downtown, CPUH, FAPS and Eastside), establish a consolidated restricted fund, provide a public process to review and revise the four existing Agency area redevelopment plans into one consolidated plan and address all other governance, management, fiscal and administrative matters necessary to accomplish Community Redevelopment.

City and CRA staff have prepared a draft ordinance for Commission discussion. In summary, the new text (which starts on page 19 of the draft ordinance in the backup):

- * Creates the Gainesville Community Reinvestment Area (the "GCRA") which is defined by the external boundary of the 4 existing CRA areas;
- * Provides for the management and administration of the GCRA by a new City department known as the Community Reinvestment Department;
- * Defines the terms Community Redevelopment, Slum and Blight;
- * Requires the preparation of a GCRA Work Plan, GCRA Annual Report and City and County Commission approval to expand the boundary of the GCRA;
- * Creates a GCRA advisory board;
- * Establishes a restricted fund known as the GCRA Fund and limits its expenditures; and
- * Directs the City Commission to adopt a GCRA Reinvestment Plan.

RECOMMENDATION

City Commission: (1) review and discuss the draft ordinance, and (2) decide whether to agenda the draft for further discussion at the May 16th City Commission meeting and/or at the June 3rd Joint City/County Commission meeting.

[181001_draft ordinance for discussion_20190502.pdf](#)

[180974.](#)

Reaccreditation and Adoption of Gainesville Fire Rescue Strategic Plan and Standards of Cover (B)

This item requests the City Commission recognize GFR's reaccreditation with the Commission on Fire Accreditation International and adopt the agency's Strategic Plan and Standards of Cover.

Explanation: Gainesville Fire Rescue (GFR) achieved accredited status with the Commission on Fire Accreditation International (CFAI) in March 2014 and has successfully maintained accreditation status each subsequent year. At the five-year mark, the CFAI conducts a site visit with agencies seeking reaccreditation through a peer team of fire service professionals from CFAI member agencies. In December 2018, GFR and our partners, including the City's Human Resources Department, the City's Fleet Department, Gainesville Regional Utilities, and the Alachua County Sheriff's Office Combined Communications Center to name a few, completed a week-long site visit of all GFR facilities and programs. On March 13th, 2019, Assistant City Manager Dan Hoffman, Fire Chief Jeff Lane, and Accreditation Manager District Chief David McIntire, appeared before the 11-member Commission of the CFAI at the Center for Public Safety Excellence Conference in Anaheim, CA. After a thorough review of the peer team leader's report and the documentation provided by GFR, the Commission awarded Reaccredited Status to Gainesville Fire Rescue for 2019-2024.

CFAI accreditation is based on three cornerstones: The agency's strategic plan, its standards of cover (SOC), and an extensive self-assessment for all program areas. As part of the annual accreditation process, the agency presents two of these documents, the GFR Strategic Plan and the GFR SOC, to the City Commission for adoption. During FY19, GFR Deputy Chief JoAnne Rice worked closely with members of the City's Strategic Initiatives and Human Resources department - Samantha Wolfe, Laura Graetz, and Kristine Crothers - to remodel GFR's existing strategic plan to ensure community-driven goals and objectives and alignment with the City's Strategic Initiatives. The newly developed Strategic Plan and the updated Standards of Cover are both dynamic documents that should be updated and adopted annually.

Fiscal Note: There is no fiscal note for this item.

RECOMMENDATION

The City Commission: 1) hear a presentation; 2) recognize Gainesville Fire Rescue's reaccredited status, and 3) adopt the GFR Strategic Plan and Standards of Cover.

[180974A_GFR Standards of Cover 2019_20190502](#)

[180974B_GFR Presentation_20190502](#)

[180974C_GFR CFAI Accreditation Report_20190502](#)

[180974D_GFR Strategic Plan 2020-2025_20190502.pdf](#)

[180974E_GFR SP Citizen Engagement Form_20190502](#)

[180987.](#)**The 2018-2019 University of Florida-City of Gainesville Fellowship Program (B)**

This item requests the City Commission receive an update on the successful results and impact of the UF-City Fellowship Program. **STAFF PRESENTATION 15 MINUTES**

Explanation: Strategic Initiatives has continued to lead efforts of designing systems and creating capacity to address and resolve the community's most pressing challenges as identified in the Strategic Framework. We aim to create new ways of solving lasting problems, linking volunteers to community issues, and embedding local talent throughout city operations.

A vital partner in the development of the city's Fellowship Program created in mid-2017 was the Bob Graham Center at the University of Florida. Together, we created a model for selecting a team of talent in the areas of Engagement, Digital Services, Research and Prototyping, and Visual Design and utilizing the cohort as a resource across city operations.

The second cohort began in August 2018 and supported the City Manager's Office, Strategic Initiatives Department, and Clerk of the Commission. Today, we will highlight the successful results and impact of their collaborative work and commend their contributions to the Gainesville community.

Fiscal Note: None

RECOMMENDATION *The City Commission receive a presentation.*

[180987_2019 UF Fellows Commission Presentation_20190502.pdf](#)

[181007.](#)**Disposition of Old RTS Facility(B)**

Fiscal Note: None.

RECOMMENDATION *Staff is seeking Commission direction on how to proceed with the disposition of the old RTS facility.*

[181007_Deposition of Old RTS Facility_20190502.pdf](#)

COMMISSION COMMENT**4:30 - 5:30pm DINNER BREAK**

5:30 - CALL TO ORDER - Evening Session**PLEDGE OF ALLEGIANCE****PROCLAMATIONS/SPECIAL RECOGNITIONS**[180995.](#)**Special Recognition for Renee Phifer (B)**

RECOMMENDATION *The City Commission hear the Special Recognition.*

[180995_certificate_Renee_Phifer_20190502.pdf](#)

[180992.](#)**International Internal Audit Awareness Month - May 2019 (B)**

RECOMMENDATION *Institute of Internal Auditors North Central Florida Chapter President Joe Cannella to accept the proclamation.*

[180992_International_Internal_Audit_Awareness_Month_20190502.pdf](#)

[180993.](#)**Elks National Youth Week - May 1-7, 2019 (B)**

RECOMMENDATION *Gainesville Elks Lodge #990 Past Exalted Ruler Dayna Miller to accept the proclamation.*

[180993_ElksNationalYouthWeek_20190502.pdf](#)

[180994.](#)**Mental Health Awareness Month - May 2019 (B)**

AGENDA UPDATE - REVISED PRESENTATION

RECOMMENDATION *Gainesville Police Department, Meridian Behavioral Health and other local partners to accept the proclamation.*

[180994_Mental_Health_Awareness_Month_20190502.pdf](#)

[180994_City_Commission_MHT_Presentation_REVISED_20190502.pdf](#)

GENERAL PUBLIC COMMENT - For items not on the agenda, limited to 3 minutes per citizen and not to exceed 30 minutes total

RESOLUTIONS - ROLL CALL REQUIRED

[180932.](#)**Final Plat - Villas at Buckridge (B)**

Resolution No. 180932

A resolution of the City of Gainesville, Florida, approving the final plat named "VILLAS AT BUCKRIDGE" located in the vicinity of the 4800 block of NW 27th Avenue, Gainesville, Florida, as more specifically described in this resolution; authorizing the City Manager to execute associated security agreements to secure required public improvements; accepting the dedication of the public rights-of-way, easements, and other dedicated portions as shown on the plat; providing directions to the Clerk of the Commission; and providing an immediate effective date.

Explanation: This resolution converts a "conditional final plat" to a "final plat" and thereby allows the recordation of the plat in the Public Records of Alachua County. On December 19, 2017, the City Commission adopted Resolution No. 160634, which approved the conditional final plat for "VILLAS AT BUCKRIDGE" located in the vicinity of the 4800 block of NW Avenue. This plat subdivides the land into 18 single-family residential lots, plus additional parcels for stormwater management, utilities, and common area. The subdivided lots will have only one access, from a private dead-end cul-de-sac road that extends south from NW 27th Avenue.

As a conditional final plat, Resolution No. 160634 required all subdivision improvements required per the ordinances of the City of Gainesville to be completed within two years of the effective date of that resolution. In addition, conditional final plats may not be recorded in the Public Records of Alachua County and no building permits may be issued on the property until the subdivision improvements have been completed and approved by the City and the conditional final plat has been converted to a final plat by the City Commission. Resolution No. 160634 and Section 30-3.39 of the Land Development Code allow the owner, upon completing the required subdivision improvements or the posting of security for the cost of the uncompleted improvements, to have the conditional final plat converted to final plat provided that all requirements and conditions of the Land Development Code applicable to final plat acceptance have been met. Conversion from conditional final plat to final plat by the City Commission allows the plat to be recorded in the Public Records of Alachua County and building permits to be issued.

The owner of the subdivision has submitted a final plat that substantially conforms to the conditional final plat that was approved by the City Commission on December 19, 2017, and has submitted security agreements to secure the cost of the uncompleted subdivision improvements, and the owner thereby requests the City Commission to accept and approve the final plat in accordance with the Land Development Code and Chapter 177 of the Florida Statutes.

RECOMMENDATION

The City Commission adopt the proposed resolution.

[180932A_draft_resolution_20190502.pdf](#)

[180932C_plat_20190502.pdf](#)

PUBLIC HEARINGS**ORDINANCES, 2ND READING - ROLL CALL REQUIRED**

[180397.](#)

Land Use Change - 81.575 Acres of Property Known as the Oaks Mall (B)

Ordinance No. 180397

An ordinance of the City of Gainesville, Florida, amending the Future Land Use Map of the Comprehensive Plan by changing the land use category of approximately 81.575 acres of property known as the Oaks Mall generally located at the southwest corner of the intersection of W Newberry Road and NW 62nd Street, as more specifically described in this ordinance, from Commercial (C) to Urban Mixed-Use (UMU); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: STAFF REPORT

Update since first reading: On January 17, 2019, the City Commission approved this ordinance with amendments on first reading. City staff then transmitted this ordinance to the state reviewing agencies in accordance with the statutory expedited review process for comprehensive plan amendments. During the 30-day comment period, the City received letters from the Florida Department of Economic Opportunity, St. Johns River Water Management District, Suwannee River Water Management District, Florida Department of Environmental Protection and Florida Department of Transportation. The comments received did not identify any adverse impacts to important state resources and facilities within the scope of review of the respective state agencies, and therefore did not necessitate any changes to the ordinance.

This ordinance amends the Future Land Use Map of the Comprehensive Plan by changing the land use category of approximately 81.575 acres property known as the Oaks Mall, located at the southwest corner of the intersection of W Newberry Road and NW 62nd Street, from Commercial (C) to Urban Mixed-Use (UMU).

The purpose of the request is to provide a more appropriate future land use category at a strategic location in our urbanized area, where a

long-developed property is undergoing substantial change and is beginning to redevelop. The proposed large-scale land use amendment will encourage redevelopment of the Oaks Mall, a major shopping center and former Development of Regional Impact with approximately 907,000 sq.ft. of GLA (gross leasable area). The proposed land use change to Urban Mixed-Use (UMU) will add residential and mixed-use development potential where none exists under the current Commercial (C) land use and general business district (BUS) zoning.

This large-scale land use amendment will increase the percentage of land uses that are mixed and within walking distance of important destinations. These destinations include the Oaks Mall and proximate commercial and office development, the North Florida Regional Medical Center (hospital and many other medical facilities), and nearby UF Health medical and dental offices at Hampton Oaks to the south along NW 62nd St. The proposed UMU land use and Urban 8 (U8) zoning is supportive of increasing choices in housing, offices, retail, and workplaces.

The proposed land use amendment and related rezoning will allow for this property to become a more dynamic, major node within the City of Gainesville.

The City Plan Board held a public hearing on September 27, 2018, where it voted to recommend approval of this amendment to the Future Land Use Map of 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 adopt the proposed ordinance.*

Legislative History

1/17/19 City Commission Adopted on First Reading (Ordinance)

[180397_Staff Report_20180927.pdf](#)

[180397A_Staff Report w Appendices A - B_20190117.pdf](#)

[180397B_Staff PPT_20190117.pdf](#)

[180397A_draft ordinance_20190117](#)

[180397B_State Review Letters_20190502.pdf](#)

[180398.](#)

Quasi-Judicial - Rezoning 81.575 Acres of Property Known as the Oaks Mall (B)

Ordinance No. 180398

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 81.575 acres of property known as the Oaks Mall generally located at the southwest corner of the intersection of W Newberry Road and NW 62nd Street, as more specifically described in this ordinance, from General Business (BUS) district to Urban 8 (U8) district; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: STAFF REPORT

This ordinance amends the Zoning Map Atlas of the City of Gainesville by rezoning approximately 81.575 acres of property known as Oaks Mall, located the southwest corner of the intersection of W Newberry Road and NW 62nd Street, from General Business (BUS) district to Urban 8 (U8) district.

The purpose of the request is to provide more appropriate zoning at a strategic location in our urbanized area, where a long-developed commercial property (the Oaks Mall) is undergoing substantial change and is beginning to redevelop. The proposed rezoning will encourage redevelopment of the Oaks Mall, a major shopping center and former Development of Regional Impact with approximately 907,000 sq. ft. of GLA (gross leasable area). The proposed change to U8 zoning will strongly encourage infill development and redevelopment. This transect zoning district will add residential and mixed-use development potential where none exists under the current BUS zoning and Commercial land use.

The Oaks Mall is generally surrounded by commercial and other nonresidential development to the north, east and west, and is adjacent to the west and south to multi-family development (3-story, Hampton Oaks Apartments to the south) (3-story, Oaks Apartments to the south and west).

This proposed rezoning to U8 will allow residential density of 60 units per acre by right and up to 80 units per acre by Special Use Permit. The current BUS zoning (and Commercial land use) do not allow residential use. The proposed transect zoning and related mixed-use land use amendment is supportive of increasing choices in housing, offices, retail, and workplaces.

The proposed rezoning and related land use amendment will allow for this property to become a more dynamic, major node within the City of Gainesville. The requested rezoning is consistent with the Comprehensive Plan and meets all applicable review criteria.

The City Plan Board held a public hearing on September 27, 2018, where it voted to 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. 180397 becomes effective as provided therein.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

1/17/19 City Commission Adopted on First Reading (Ordinance)

[180398_Staff Report_20180927.pdf](#)

[180398A_Staff Report w Appendices A-B_20190117.pdf](#)

[180398B_Staff PPT_20190117.pdf](#)

[180398A_draft ordinance_20190117](#)

ORDINANCES, 1ST READING - ROLL CALL REQUIRED

[180572.](#)

Quasi-Judicial - Rezoning 1.96 acres located on the west side of NW 13th Street and north of NW 45th Street (B)

Ordinance No. 180572

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 1.96 acres of property generally located on the west side of NW 13th Street and north of NW 45th Avenue, as more specifically described in this ordinance, from General Business (BUS) to

Automotive-Oriented Business (BA); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: STAFF REPORT

This ordinance amends the Zoning Map Atlas of the City of Gainesville by rezoning from General Business (BUS) to Automotive-Oriented Business (BA) approximately 1.96 acres of property generally located on the west side of NW 13th Street and north of NW 45th Avenue. The purpose of the request to rezone from BUS to BA is to allow vehicular sales with outdoor display and vehicle repair. According to the owner's application, these uses are required to expand the abutting RideNow Powersports business onto the subject property.

The subject property is part of a City-approved minor subdivision located on the southwest corner of NW 13th Street (US 441) and NW 53rd Avenue. The boundaries of the subject property were recently redefined under the lot line adjustment provisions of the Land Development Code. Existing features on the subject property include a two-directional driveway connection to NW 13th Street (US 441); a paved vehicular use area; and some vegetation. A lumber yard/mill with General Industrial (I-2) zoning is located to the north and east; RideNow Powersports with Automotive-Oriented Business (BA) abuts on the south; and conservation land with Conservation (CON) zoning abuts on the west.

The rezoning request is consistent with the City's Comprehensive Plan and meets all applicable review criteria. The City Plan Board held a public hearing on November 29, 2018, where it voted to recommend approval of this rezoning.

CITY ATTORNEY MEMORANDUM

This ordinance requires two hearings and will become effective immediately upon adoption.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

[180572B_Staff report w Attachments A-E_20190502.pdf](#)

[180572C_Engagement Note_20190502.pdf](#)

[180572D_Staff PPT_20190502.pdf](#)

[180572A_draft ordinance_20190502.pdf](#)

GENERAL PUBLIC COMMENT - For items not on the agenda, limited to 3 minutes per citizen and not to exceed 30 minutes total

COMMISSION COMMENT

10:00pm or earlier - Adjourn - If later than 10:00pm, the Commission may waive the rules to extend the meeting or may schedule a date/time to continue the meeting