

# **City of Gainesville**

*City Hall  
200 East University Avenue  
Gainesville, Florida 32601*



## **Meeting Agenda**

**November 30, 2009**

**6:00 PM**

**City Commission Special Meeting**

**City Hall Auditorium**

## **City Commission**

***Mayor Pegeen Hanrahan (At Large)***

***Mayor-Commissioner Pro Tem Scherwin Henry (District 1)***

***Commissioner Lauren Poe (District 2)***

***Commissioner Jack Donovan (District 3)***

***Commissioner Craig Lowe (District 4)***

***Commissioner Thomas Hawkins (At Large)***

***Commissioner Jeanna Mastrodicasa (At Large)***

***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***

## ADOPTION OF THE AGENDA

## 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

## PLAN BOARD PETITIONS

### 090537.

#### **Butler Plaza Land Use Amendment (B)**

**Petition PB-09-74 LUC. Kimley-Horn and Associates, Inc., agent for S. Clark Butler Properties, Ltd. (Butler Plaza Land Use Amendment) Amend the Future Land Use Map from Alachua County Medium High Density Residential (8-14 DU/acre), High Density Residential (14-24 DU/acre), Office/Residential, Commercial, Institutional, and Industrial to City of Gainesville Planned Use District and Commercial. Located between Southwest Archer Road and Southwest 24th Ave., and between Southwest 40th Blvd. and Southwest 34th St. Related to Petition PB-09-84 PDV.**

*Explanation: This is a request by the petitioner to change the County land use designation to a City land use designation of Planned Use District (PUD) and Commercial (C) with specific policies that apply to development of the area.*

*The proposed 'Butler Plaza' comprehensive plan amendment totals approximately 264 acres, and is located generally on the north side of Archer Road and to the west of SW 34th Street. The subject property extends all the way north to the newly constructed SW 24th Avenue and in one location reaches all the way to Interstate 75 to the west. The current developed portion (approximately 108 acres) of Butler Plaza has been developed over the last 30 years and contains over 1 million square feet of commercial retail uses which are contained in several adjacent shopping plazas and multiple outparcels located along Archer Road. This existing development in its entirety is referred to simply as Butler Plaza, and is accessed by a series of streets and private access drives that connect from Archer Road northward to Windmeadows Boulevard. The most significant change between what is allowed by County land use versus the applicants proposed use, will be changing properties designated for residential (79 acres mol) and industrial (96 acres mol) use to a commercial use. The proposed Comprehensive Plan polices will allow up to*

*1000 residential units within the development, with only 175 units required.*

*The properties within this request have recently undergone voluntary annexation from unincorporated Alachua County to the City of Gainesville per City of Gainesville Ordinance 070722 adopted April 28, 2008. After the annexation in 2008, the owners of the development commenced the State of Florida Development of Regional Impact (DRI) process through the North Central Florida Regional Planning Council. During the review of the DRI, the State adopted Senate Bill 360, which eliminated the DRI process for regional development within communities designated as a Dense Urban Land Area (DULA). Gainesville was designated a DULA and the applicant has chosen to drop out of the DRI process. Until the City amends its Comprehensive Plan the present Alachua County land use designations and zoning districts are still applicable to the property. Given the applicant expressed timeframe, the petitioner is initiating this request for a land use change to bring the land area into the City's Comprehensive Plan.*

*The Plan Board reviewed the petition over several hours and recommended approval with modified conditions. The Plan Board recommended that the entire development be designated a PUD (Planned Use District) land use, and that a minimum of 175 residential units be developed in the project. The Plan Board approved the petition with these major changes and with other minor changes.*

*Public notice was published in the Gainesville Sun on September 3, 2009. The Plan Board held a public hearing on September 21, 2009 and continued to September 29 and October 7, 2009.*

*Fiscal Note: None.*

**RECOMMENDATION**

*City Plan Board to City Commission - The City Commission approve petition PB-09-74 LUC as revised by the Plan Board. Plan Board vote 6-0. Staff to City Commission - the City Commission approve Plan Board's recommendation included in the report, with one minor change that the Comprehensive Plan policies of general applicability shall apply to the subject property unless stated otherwise.*

**Legislative History**

11/19/09      City Commission      Continued (Petition) (7 - 0)

090537A\_revised plan board adopted conditions\_20091119.pdf  
090537B\_091007 cpb action agenda\_20091119.pdf  
090537C\_090929 cpb minutes\_20091119.pdf  
090537D\_090921 cpb minutes\_20091119.pdf  
090537E\_staff report\_20091119.pdf  
090537F\_cpa map\_20091119.pdf  
090537G\_2.0 urban activity centers policy\_20091119.pdf  
090537H\_4.3.5 butler plaza policy\_20091119.pdf  
090537I\_s.w. 20th ave study area\_20091119.pdf  
090537J\_butler plaza traffic report\_20091119.pdf  
090537K\_neighborhood workshop info\_20091119.pdf  
090537L\_091007 cpb minutes draft\_20091119.pdf  
090537M\_staff ppt\_20091119.PDF  
Petitioner\_BP\_market study.pdf  
Petitioner\_BP\_comprehensive plan subarea policies 11-19-09 .pdf  
Petitioner\_BP- PD Conditions 11-19-09 .pdf  
Petitioner\_BP\_PP\_additional information.PDF  
Letter\_Deborah Butler\_November 19, 2009.pdf

**090538.****Butler Plaza Planned Development (PD) Rezoning (B)**

**Petition PB-09-84 PDV. Kimley-Horn and Associates, Inc., agent for S. Clark Butler Properties, Ltd. (Butler Plaza PD) Rezone property from Alachua County Automotive Oriented Business (BA), Retail Sales, and Services (BR), Highway Oriented Businesses (BH), Manufactured/Mobile Home Park (RM), Manufacturing and Services Industrial (MS), Residential Multi-Family (R-2), Residential Multi-Family (R-3), Residential Single Family (R-1C), Residential and Professional (RP) to City of Gainesville PD (Planned Development District) to allow commercial, office and residential uses. Located between Southwest Archer Road and Southwest 24th Ave., and between Southwest 40th Blvd. and Southwest 34th St. Related to Petition PB-09-74 LUC.**

*Explanation: This is a request by the petitioner to change the County zoning districts to a City zoning district of PD (Planned Development District). The Planned Development will be regulated by the adopted conditions, a PD Report, PD Layout Map, and other associated maps and graphics. This PD rezoning is associated with a Comprehensive Plan amendment (Petition PB-09-74) that proposes to change the land use designations to 'PUD' and 'Commercial' and will adopt specific policies that apply to development in this area. This Planned Development must be consistent with all aspects of that proposed amendment.*

*The proposed 'Butler Plaza' Planned Development totals approximately 264 acres, and is located generally on the north side of Archer Road and to the west of SW 34th Street. The subject property extends all the way north to the newly constructed SW 24th Avenue and in one location reaches all the way to Interstate 75 to the west. The current developed portion (approximately 108 acres) contains over 1 million square feet of commercial retail uses which are contained in several adjacent shopping plazas and multiple outparcels located along Archer Road. This existing development is accessed by a series of streets and private access drives that connect from Archer Road northward to*

*Windmeadows Boulevard.*

*The Planned Development zoning district was established specifically to allow for unique proposals which are not provided for by the standard zoning districts. The minimum requirements within Section 30-213 define the reasons that are needed to justify a rezoning to the planned development district. According to Section 30-216 of the City's Land Development Code, a proposal to rezone to the PD district shall also consider general conformance with the Comprehensive Plan, concurrency requirements, internal and external compatibility, intensity of development, usable open space, environmental constraints, transportation access and the provision for a range of transportation choices.*

*The Plan Board reviewed this petition during three special meetings and ultimately recommended approval with modified conditions. Many of the changes included with the Board's motion were suggested by staff throughout the hearing process, and several others were proposed by the petitioners. Most notably, the Plan Board recommended a revision that would allow drive-through uses in certain areas by special use permit, provided that they meet specific criteria. Another significant revision altered the location and construction timing for a proposed Regional Transit System transfer station. The Board also recommended the addition of several new conditions, the most significant of which would require the construction of a minimum of 175 residential units prior to the completion of Phase 2 of the development. The Plan Board specifically requested that staff continue to work with the petitioner on some issues, and subsequent meetings with the petitioner have been held regarding site signage and other issues. As a result, there are five existing conditions that staff has amended since the last Plan Board hearing.*

*Public notice was published in the Gainesville Sun on September 3, 2009. The City Plan Board held a public hearing on September 21, 2009 which was continued to September 29 and October 7, 2009.*

**Fiscal Note:** *None.*

**RECOMMENDATION**

*City Plan Board to City Commission - The City Commission approve petition PB-09-84 PDV, as revised by the Plan Board. The Plan Board voted approval of the petition with revisions (6-1).*

*Staff to City Commission - The City Commission approve the Plan Board's recommendation, with additional staff-recommended changes to Conditions 1, 9, 35, 36, and 38.*

**Legislative History**

11/19/09      City Commission      Continued (Petition) (7 - 0)

090538\_butler plaza PD table of contents\_20091119.pdf  
090538A\_cpb revised PD conditions\_20091119.pdf  
090538B\_additional staff changes to PD conditions\_20091119.pdf  
090538C\_090921 cpb minutes\_20091119.pdf  
090538D\_090929 cpb minutes\_20091119.pdf  
090538E\_091007 cpb action agenda\_20091119.pdf  
090538F\_staff report\_20091119.pdf  
090538G\_trc comments to cpb\_20091119.pdf  
090538H\_Letters\_citizen,city arborist,rts dir,ac plan dept,fdot\_20091119.pdf  
090538I\_neighborhood workshop info\_20091119.pdf  
090538J\_petitioner response to PD detail comments\_20091119.pdf  
090538K\_091007 cpb minutes draft\_20091119.pdf  
090538L\_staff ppt\_20091119.PDF  
Petitioner\_BP\_market study.pdf  
Petitioner\_BP\_comprehensive plan subarea policies 11-19-09 .pdf  
Petitioner\_BP- PD Conditions 11-19-09 .pdf  
Petitioner\_BP\_PP\_additional information.PDF  
Letter\_Deborah Butler\_November 19, 2009.pdf

## **ADJOURNMENT**