

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Minutes - Final

Thursday, May 16, 2013

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

Present 7 - Mayor Lowe, Mayor-Commissioner Pro Tem Poe, Commissioner Wells, Commissioner Bottcher, Commissioner Hawkins, Commissioner Chase, and Commissioner Hinson-Rawls

AGENDA STATEMENT

ROLL CALL

INVOCATION

CONSENT AGENDA

CITY MANAGER, CONSENT AGENDA ITEMS

[121051.](#) **Upgrade Existing Transit Vehicle and Asset Management Software for Regional Transit System (RTS) (B)**

This item is a request to authorize the City Manager or his designee to execute an agreement with Fleet-Net Corporation for the Transit Vehicle and Asset Management software upgrade and associated services for the Regional Transit System (RTS).

RECOMMENDATION *The City Commission authorize the City Manager or his designee to execute an agreement with Fleet-Net Corporation for the Transit Vehicle and Asset Management software upgrade and associated services for the Regional Transit System (RTS), subject to approval by the City Attorney as to form and legality.*

This Matter was Approved as Recommended

[121052.](#) **State Infrastructure Bank (SIB) Loan Agreement between Florida Department of Transportation (FDOT) and the Regional Transit System (RTS) (B)**

This item is a request to authorize the City Manager or his designee to execute a State Infrastructure Bank (SIB) loan agreement and contract to purchase land for the Regional Transit System (RTS) Maintenance, Operations and Administration Facility.

RECOMMENDATION *The City Commission: 1) authorize the City Manager to execute a State Infrastructure Bank (SIB) Loan Agreement with the Florida Department of Transportation (FDOT), subject to approval by the City Attorney as to form and legality; and 2) authorize the City Manager to execute a*

contract for the purchase of tax parcels 15702-004-000 and 15702-006-000 (total ±3.1 acres), subject to approval by the City Attorney as to form and legality.

This Matter was Approved as Recommended

[121058.](#)

Assistance to Firefighters Grant 2012 Application for Replacement of Cardiac Monitor / Defibrillators (NB)

This item requests that the Commission authorize the City Manager to execute a grant awarded to the City of Gainesville through the 2012 Assistance to Firefighters Grant Program for the purchase of equipment to replace the department's aged cardiac monitor/defibrillator units.

RECOMMENDATION

The City Commission authorize the City Manager to: 1) execute the grant award contract and other necessary documents, pending approval by the City Attorney as to form and legality; and 2) approve the required payments process for expending the grant funds and matching funds.

This Matter was Approved as Recommended

[121059.](#)

Change Order to the Construction Contract for the NW 22nd Street Milling and Resurfacing Project (B)

This involves a request to approve a Change Order for the construction contract, NW 22nd Street Milling and Resurfacing Project, in order to provide a better final product and to compensate for unknown site conditions.

RECOMMENDATION

The City Commission: 1) authorize the City Manager to execute Change Order #4 for the NW 22nd Street Milling and Resurfacing project; and 2) modify the purchase order as necessary, not to exceed the construction cost of \$925,153.09.

This Matter was Approved as Recommended

[121067.](#)

Strategic Plan Quarterly Report - 2nd Quarter of Fiscal Year 2013 (B)

This item provides a report on the progress of the City Commission's Strategic Goals and Initiatives for the 2nd Quarter of Fiscal Year 2013.

RECOMMENDATION

The City Commission receives a quarterly report from the City Manager on the progress of the City Commission Strategic Goals and Initiatives for the 2nd Quarter of FY 2013.

This Matter was Approved as Recommended

[121002.](#)

Purchase of Laptop Computers and Warranties Utilizing FY2013-FY2014 and FY2014-FY2015 Capital Improvement Plan Funds (B)

This item requests the City Commission authorize the purchase of laptop computers for the Gainesville Police Department in the amount not to exceed of \$500,000.00 from CDW Government LLC which submitted the lowest price in its bid in a competitive bid process as outlined by Florida State Statutes.

RECOMMENDATION

The City Commission authorize the City Manager to issue a purchase order in an amount not to exceed \$500,000.00 to CDW Government LLC as the low bidder.

This Matter was Approved as Recommended

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

CITY ATTORNEY, CONSENT AGENDA ITEMS

[121081.](#)

**MARY KATHRYN CALDWELL v. CITY OF GAINESVILLE;
PRESUIT CLAIM ARISING FROM AN ACCIDENT THAT
OCCURRED ON OR ABOUT AUGUST 25, 2011 (B)**

RECOMMENDATION

The City Commission 1) approve the terms of the negotiated settlement; and 2) authorize the City Attorney to settle the claim of Mary Kathryn Caldwell arising from an accident that occurred on or about August 25, 2011.

This Matter was Approved as Recommended

[121083.](#)

**RODRICK THOMPSON AND DEBORAH THOMPSON V. CITY OF
GAINESVILLE; ALACHUA COUNTY CIRCUIT COURT; CASE NO.:
01-2012-CA-2040 (B)**

RECOMMENDATION

The City Commission 1) approve the terms of the mediated settlement; and 2) authorize the City Attorney to settle the claim of Rodrick Thompson and Deborah Thompson v. City of Gainesville; Alachua County Circuit Court Case No.: 01-2012-CA-2040, on behalf of the City.

This Matter was Approved as Recommended

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

[121063.](#)

Appointment to City Commission Advisory Boards and Committees (NB)

RECOMMENDATION

The City Commission appoint:

James Owens, James Davies and Megan Standard to the Board of Adjustment for a term to expire 11/1/16.

Winn Keeton, Maria Giddings and Megan Standard to the City Beautification Board for a term to expire 11/1/16.

Gracy Castine and Leslie Ladendorf to the Gainesville/Alachua County Cultural Affairs Board for a term

to expire 9/30/16.

Michael Cook and Ryan Prodesky to the Gainesville Code Enforcement Board for a term to expire 8/1/16.

Justin Griffin and John Rodstrom to the Gainesville Enterprise Zone Development Agency for a term to expire 3/31/17.

Amanda Preston and Megan Standard to the Nature Centers Commission for a term to expire 11/1/14.

Christopher Cleary to the Pension Review Committee for a term to expire 7/31/18.

Delores James to the SHIP Affordable Housing Advisory Committee for a term to expire 7/1/15.

Darius Demps to the Student Community Relations Advisory Board for a term to expire 2/26/15. Daniel Sibol and Lindy Russell to the Student Community Relations Advisory Board for a term to expire 2/26/14.

Joe Durando to the Tree Advisory Board for a term to expire 1/1/16.

Joe Durando to the Tree Board of Appeals for a term to expire 1/1/16.

This Matter was Approved as Recommended

[121092.](#)

City Commission Minutes (B)

RECOMMENDATION

The City Commission approve the minutes of April 4, 10 and 23, 2013.

This Matter was Approved as Recommended

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

**ECONOMIC DEVELOPMENT/UNIVERSITY COMMUNITY COMMITTEE,
CONSENT**

[120697.](#) Sign Code Provisions Relative to Multi-Story Buildings (B)

This item seeks to initiate a Petition to the Plan Board regarding the Sign Code and specifically provisions related to the regulation of signs for multi-story buildings in and around the City’s urban core.

RECOMMENDATION *The City Commission direct staff to initiate a petition to the Plan Board to amend the Sign Code relative to urban buildings that are three (3) stories or more in height.*

This Matter was Approved as Recommended

Approval of the Consent Agenda

Pat Fitzpatrick spoke to the matter.

A motion was made by Mayor-Commissioner Pro Tem Poe, seconded by Commissioner Bottcher, to Adopt the Consent Agenda. The motion carried by the following vote:

Aye: 7 - Mayor Lowe, Mayor-Commissioner Pro Tem Poe, Commissioner Wells, Commissioner Bottcher, Commissioner Hawkins, Commissioner Chase, and Commissioner Hinson-Rawls

EQUAL OPPORTUNITY COMMITTEE, CONSENT

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

Nathan Skop spoke to the matter.

A motion was made by Mayor-Commissioner Pro Tem Poe, seconded by Commissioner Bottcher, that this Matter be Adopted. The motion carried by the following vote:

Aye: 7 - Mayor Lowe, Mayor-Commissioner Pro Tem Poe, Commissioner Wells, Commissioner Bottcher, Commissioner Hawkins, Commissioner Chase, and Commissioner Hinson-Rawls

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

CITY MANAGER

GENERAL MANAGER FOR UTILITIES

CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE

[110258](#)

Private Purchase of Public Land Update (B)

This item involves a referral made to the Recreation, Cultural Affairs and Public Works Committee to review the matter of private purchase of public land.

Steve Phillips, Stefanie Nagid, Ralph Hilliard and Pegeen Hanrahan made presentations.

Frank Reagan, Phil Emmer, Donald Sheppard, Charles Peck, Bob Palmer, Forest Lyle, Marilyn Tubb, Grace Horbeth, Ted McFetridge, Nancy Parkinson, Authur Stockwell, Rick Howe, Ken McGurn, Jonathan Dain, Mary Anderson, Bob Knight, John Sullivan, Paula Russo and Chris Nealogroth spoke to the matter.

Motion: 1. Direct City Attorney to draft resolution to declare surplus not to exceed 4.99 acres which include bids of at least \$200,000/acre 2. all proceeds to be used exclusively for sensitive lands 3. Negotiations to include protected species and conservation easements 4. City Manager to create a competitive process which includes items listed above 5. Remove from Referral list

RECOMMENDATION

The City Commission hear an update on the referral. If interested in considering a sale of the property 1) direct the City Manager to initiate a process to declare the property surplus and solicit bids for purchase of the property with a) no specified constraints on future use of the property or b) a conservation easement on the property; and 2) remove this item from the Recreation, Cultural Affairs and Public Works Committee referral list.

Alternate Recommendation

The City Commission hear an update on the referral. If not interested in considering a sale of the property the City Commission 1) discontinue further consideration of the

request to sell the property; and 2) remove this item from the Recreation, Cultural Affairs and Public Works Committee referral list.

A motion was made by Mayor-Commissioner Pro Tem Poe, seconded by Commissioner Hawkins, that this Matter be Approved, as shown above. The motion carried by the following vote:

Aye: 4 - Mayor-Commissioner Pro Tem Poe, Commissioner Hawkins, Commissioner Chase, and Commissioner Hinson-Rawls

Nay: 3 - Mayor Lowe, Commissioner Wells, and Commissioner Bottcher

130008.

Glen Springs/Elks Lodge/Odum Institute

RECOMMENDATION *Refer to Committee*

A motion was made by Commissioner Hawkins, seconded by Commissioner Wells, that this Matter be Referred to the Recreation, Cultural Affairs and Public Works Committee, due back on 11/16/2013. The motion carried by the following vote:

Aye: 7 - Mayor Lowe, Mayor-Commissioner Pro Tem Poe, Commissioner Wells, Commissioner Bottcher, Commissioner Hawkins, Commissioner Chase, and Commissioner Hinson-Rawls

COMMUNITY DEVELOPMENT COMMITTEE

120868.

Review of Controlled Vehicular Parking Program (B)

This is a request for the City Commission to hear a presentation regarding modifications to the City's Controlled Vehicular Parking Program.

Jacob Kain and Trish Everett made presentations.

Nathan Skop, Debbie Martinez, Donald Sheppard, John Fleming, Arnell Downs, Joe Beaty, Robert Pearce and Ernesto Martinez spoke to the matter.

Comm Hawkins moved alternate recommendation with Comm Hinson-Rawls seconding. Motion carried 4-3 with with Lowe, Wells and Chase voting no.

RECOMMENDATION

The City Commission: 1) authorize the City Manager to change parking decal pricing effective July 15, 2013 to \$20 for a one-year homestead decal or \$60 for a three-year homestead decal in any zone; \$50 for a one year, non-homestead decal in existing zones 3,4,6,7, 8, the portion of existing zone 2 east of NW 13th Street, and any additional zones as may be created from time to time; and \$100 for a one year, non-homestead decal in existing zones 1, 5, the portion of existing zone 2 west of NW 13th Street; 2) modify the zone boundaries as recommended by the Community Development Committee; and 3) fund three additional Parking Operations Attendant II positions to increase parking enforcement capabilities.

Alternate Recommendation

The City Commission: 1) authorize the City Manager to change parking decal pricing effective July 15, 2013 to \$20 for a one-year homestead decal or \$60 for a three-year homestead decal in any zone; \$50 for a one year, non-homestead decal in existing zones 3,4,6,7, 8, the portion of existing zone 2 east of NW 13th Street, and any additional zones as may be created from time to time; and \$100 for a one year, non-homestead decal in existing zones 1, 5, the portion of existing zone 2 west of NW 13th Street; 2) modify the zone boundaries as recommended by the Community Development Committee; and 3) consider a budget increment for FY 14 to fund three additional temporary trained workers for a one year pilot program for expanded enforcement.

Approved, as shown above

PERSONNEL & ORGANIZATION STRUCTURE COMMITTEE

PUBLIC SAFETY COMMITTEE

AUDIT, FINANCE AND LEGISLATIVE COMMITTEE

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

COMMISSION COMMENTS (if time available)

Commissioner Hawkins moved with Commissioner Wells seconding to waive rules to hear items 120868 Parking Program and 120908 Parking Regulations after citizen comment. Motion passed 7-0.

Meeting recessed at 4:33PM.

RECESS

RECONVENE

PLEDGE OF ALLEGIANCE (5:30pm)

Gator Detachment of the Marine Corp League Bob Gache, Sr.

PROCLAMATIONS/SPECIAL RECOGNITIONS

[121087.](#) **Emergency Medical Services Week - May 19-25, 2013 (B)**

RECOMMENDATION *Gainesville Fire Rescue Fire Chief Gene Prince and Special Operations Chief Don Sessions to accept the proclamation.*

Heard

[121089.](#) **National Recreational Water Illness Prevention Week - May 19-25, 2013 (B)**

RECOMMENDATION *City of Gainesville Parks, Recreation & Cultural Affairs Department Aquatic Leader Michelle Weydert to accept the proclamation.*

Heard

[121090.](#) **National Community Action Month - May 2013 (B)**

RECOMMENDATION *Central Florida Community Action Agency (CFCAA), Inc. Chief Executive Officer Robert W. Wilford to accept the proclamation.*

Heard

[121098.](#) **Civility Month - May 2013 (B)**

RECOMMENDATION *Gainesville City Commission to accept the proclamation.*

[121088.](#) **Corporal Milton Lewis Day - May 27, 2013 (B)**

RECOMMENDATION *Commanding Officer of the Milton Lewis Young Marines Carry Hill and Gator Detachment of the Marine Corp League Bob Gache, Sr. to accept the proclamation.*

Heard

[121086.](#) **Memorial Day - May 27, 2013 (B)**

RECOMMENDATION *Gator Detachment of the Marine Corp League Bob Gache, Sr. to accept the proclamation.*

Heard

[121114.](#) **Gainesville Police Department Volunteer Appreciation Day - May 22, 2013 (B)**

RECOMMENDATION *Gainesville Police Department Crime Prevention Officer Charlene Collins to accept the proclamation.*

Heard

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

Gabe Hillel-Public Records request

Ernesto Martinez-Civility Editorial

Debbie Martinez-Civility Editorial

Elizabeth Washington-Election Lawsuit

Joe Beaty-Comm Hinson-Rawls apology

Nathan Skop-GRU Management

John Davies-City Issues

Rob Brinkman-Civility Issues

Donald Sheppard-Proclamations

Ben Morris-Democratic Issues

Pat Fitzpatrick-City Issues

PUBLIC HEARINGS

RESOLUTIONS- ROLL CALL REQUIRED

CLERK'S NOTE: The City Commission waive the Rules to hear File #121023 after File #121037

[121091.](#)

OAK PARK SUBDIVISION PLAT VACATION (B)

Resolution No. 121091

A Resolution of the City of Gainesville, Florida; approving the vacation of a portion of the Plat of Oak Park recorded in Plat Book A, Page 176, of the Public Records of Alachua County, Florida, said portion being located on the southeast corner of the intersection of NW 23rd Avenue and NW 13th Street; providing directions to the Clerk of the Commission; providing for filing of the original hereof; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed Resolution.*

A motion was made by Commissioner Hinson-Rawls, seconded by Commissioner Hawkins, that this Matter be Adopted (Resolution). The motion carried by the following vote:

Aye: 6 - Mayor Lowe, Mayor-Commissioner Pro Tem Poe, Commissioner Wells, Commissioner Bottcher, Commissioner Hawkins, and Commissioner Hinson-Rawls

Absent: 1 - Commissioner Chase

ADOPTION READING - ROLL CALL REQUIRED[120933.](#)**LAND USE CHANGE - SMALL SCALE - APPROXIMATELY 2.8 ACRES OF PROPERTY GENERALLY LOCATED AT 1303 NE 23rd AVENUE FROM RECREATION (REC) TO EDUCATION (E) (B)**

Ordinance No. 120933; Petition No. PB-13-007 LUC

An ordinance amending the Future Land Use Map of the City of Gainesville Comprehensive Plan by changing the land use category of approximately 2.8 acres of property generally located at 1303 NE 23rd Avenue, as more specifically described in this ordinance, from Recreation (REC) to Education (E); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Jason Simmons made a presentation.

RECOMMENDATION

The City Commission: (1) approve Petition PB-13-007 LUC and (2) adopt the proposed ordinance.

A motion was made by Commissioner Wells, seconded by Commissioner Hinson-Rawls, that this Matter be Approved (Petition) and Adopted on Adoption Reading. The motion carried by the following vote:

Aye: 7 - Mayor Lowe, Mayor-Commissioner Pro Tem Poe, Commissioner Wells, Commissioner Bottcher, Commissioner Hawkins, Commissioner Chase, and Commissioner Hinson-Rawls

ORDINANCES, 1ST READING- ROLL CALL REQUIRED[120934.](#)**REZONING - APPROXIMATELY 2.8 ACRES OF PROPERTY GENERALLY LOCATED AT 1303 NE 23rd AVENUE FROM PUBLIC SERVICES AND OPERATIONS DISTRICT (PS) TO EDUCATION SERVICES DISTRICT (ED) (B).**

Ordinance No.120934; Petition PB-13-008 ZON

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 2.8 acres of property generally located at 1303 NE 23rd Avenue, as more specifically described in this ordinance, from Public services and operations district (PS) to Educational services district (ED); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Jason Simmons made a presentation.

RECOMMENDATION

The City Commission (1) approve Petition No. PB-13-008 ZON and (2) adopt the proposed ordinance.

A motion was made by Commissioner Hinson-Rawls, seconded by

Commissioner Wells, that this Matter be Approved (Petition) and Adopted on First Reading (Ordinance). The motion carried by the following vote:

Aye: 7 - Mayor Lowe, Mayor-Commissioner Pro Tem Poe, Commissioner Wells, Commissioner Bottcher, Commissioner Hawkins, Commissioner Chase, and Commissioner Hinson-Rawls

[090878.](#)

TEXT CHANGE - LANDSCAPE AND TREE MANAGEMENT (B)

Ordinance No. 090878, Petition No. PB-10-7-TCH

An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances and the Land Development Code relating to landscape and tree management; by amending Sec. 30-23 Definitions; by amending Article VII. Development Review Process (Division 2. Subdivisions and Street Vacation and Division 4. Planned Development District); by amending Article VIII. Environmental Management (Division 1. Generally, Division 2. Landscape and Tree Management, Stormwater Management and Water/Wastewater Connection Policy, and Division 4. Relief and Enforcement); by amending Appendix A. Special Area Plans (for College Park, Traditional City, Central Corridors and University Heights); by amending Chapter 2. Administration (Division 12. Tree Board of Appeals and Division 13. Tree Advisory Board); providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

Ralph Hilliard and Mark Siburt made presentations.

Meg Niederhofer, John Fleming, Rob Brinkman, Donald Sheppard and Nathan Skop spoke to the matter.

Second MOTION

Comm Wells moved with Comm Poe seconding to refer to staff an incentive program with options for large trees. Motion carried 7-0.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Mayor-Commissioner Pro Tem Poe, seconded by Commissioner Wells, that this Matter be Adopted on First Reading, as amended (Ordinance). The motion carried by the following vote:

Aye: 6 - Mayor Lowe, Mayor-Commissioner Pro Tem Poe, Commissioner Wells, Commissioner Bottcher, Commissioner Hawkins, and Commissioner Hinson-Rawls

Nay: 1 - Commissioner Chase

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

[120789.](#)

TEXT CHANGE - SCOOTER SALES - UMU-2 ZONING (B)

Ordinance No. 120789; Petition No. PB-12-169 TCH

An ordinance of the City of Gainesville, Florida, amending the Land Development Code related to scooter sales; by adding a new definition to Section 30-23 Definitions and by adding scooter sales to the list of permitted uses by right in Section 30-65.2 Urban mixed-use district 2 (UMU-2); providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Mayor-Commissioner Pro Tem Poe, seconded by Commissioner Wells, that this Matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

Aye: 7 - Mayor Lowe, Mayor-Commissioner Pro Tem Poe, Commissioner Wells, Commissioner Bottcher, Commissioner Hawkins, Commissioner Chase, and Commissioner Hinson-Rawls

[120807](#)

REZONING AND TEXT CHANGE - APPROXIMATELY 0.62 ACRES OF PROPERTY GENERALLY LOCATED IN THE VICINITY OF 717 & 721 SW 5TH AVENUE - TO URBAN MIXED-USE DISTRICT 2 (UMU-2) & ADDING SAID PROPERTY TO THE UNIVERSITY HEIGHTS AREA WITHIN THE UMU-2 ZONING DISTRICT (B)

Ordinance No. 120807; Petition No. PB-12-166 ZON

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 0.62 acres of property generally located at 717 and 721 SW 5th Street, as more specifically described in this ordinance, from Residential high density district (RH-1) to Urban mixed-use district 2 (UMU-2) as to two parcels and from unzoned right-of-way to Urban mixed-use 2 (UMU-2) as to one parcel; adding the approximately 0.62 acres of property to the University Heights area as designated within Section 30-65.2 - Urban mixed-use district 2 (UMU-2) of the City of Gainesville Land Development Code by adopting the following amended figures: Figure 1.0 District Boundary Map - University Heights, Figure 2.0 Street Types - University Heights, Figure 2.1 Proposed Local Streets - University Heights, and Figure 3.0 Height Limits - University Heights; providing directions to the City Manager; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Mayor-Commissioner Pro Tem Poe, seconded by Commissioner Wells, that this Matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

Aye: 6 - Mayor Lowe, Mayor-Commissioner Pro Tem Poe, Commissioner Wells, Commissioner Bottcher, Commissioner Hawkins, and Commissioner Hinson-Rawls

Absent: 1 - Commissioner Chase

[120808.](#)

REZONING AND TEXT CHANGE - AMENDING THE ZONING MAP ATLAS TO REMOVE APPROXIMATELY 0.62 ACRES OF PROPERTY GENERALLY LOCATED AT 717 AND 721 SW 5TH AVENUE FROM THE SPECIAL AREA PLAN FOR UNIVERSITY HEIGHTS AND DELETING AND REPLACING THE FIGURE TITLED "LAND USE AND BUILDING TYPE MATRIX" IN THE SPECIAL AREA PLAN TO REFLECT THE REMOVAL OF THE PROPERTY (B)

Ordinance No. 120808; Petition No. PB-12-171 TCH

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by removing the Special Area Plan for University Heights overlay zoning district from approximately 0.62 acres of property generally located at 717 and 721 SW 5th Avenue; amending Appendix A., Section 6. - Special Area Plan for University Heights in the Land Development Code by deleting and replacing the figure titled "Land Use and Building Type Matrix" to reflect the removal of the property described above; providing directions to the City Manager; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Mayor-Commissioner Pro Tem Poe, seconded by Commissioner Bottcher, that this Matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

Aye: 6 - Mayor Lowe, Mayor-Commissioner Pro Tem Poe, Commissioner Wells, Commissioner Bottcher, Commissioner Hawkins, and Commissioner Hinson-Rawls

Absent: 1 - Commissioner Chase

PLAN BOARD PETITIONS

[120908.](#)

Unpaved Off-Street Parking and Access Regulations for the College Park and University Heights Special Area Plans (B)

PB-12-19 TCH. City of Gainesville. Amend the Land Development Code Appendix A, Section 3 Special Area Plan for College Park and Section 6 Special Area Plan for University Heights to regulate existing non-hard-surfaced off-street parking and access to parking areas.

Andrew Persons made a presentation.

John Fleming and Donald Sheppard spoke to the matter.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition PB-12-19 TCH with the inclusion of pine straw as a permitted parking area coverage material for parking areas with 1-4 spaces; provide a 12-month*

compliance period from the date of final ordinance adoption; and direct the Code Enforcement Division to hold workshop(s) to explain to impacted property owners how to comply with the new regulations. Plan Board vote 6-0.

Staff to City Commission - The City Commission approve Petition PB-12-19 TCH with the inclusion of pine straw as a permitted parking area coverage material for parking areas with 1-4 spaces; provide a 12-month compliance period from the date of final ordinance adoption; and direct the Code Enforcement Division to hold workshop(s) to explain to impacted property owners how to comply with the new regulations.

Staff to the Plan Board - Approve Petition PB-12-19 TCH; with a 12-month compliance period from the date of final ordinance adoption and direct the Code Enforcement Division to hold workshop(s) to explain to impacted property owners how to comply with the new regulations.

A motion was made by Commissioner Hawkins, seconded by Commissioner Hinson-Rawls, that this Matter be Approved (Petition). The motion carried by the following vote:

Aye: 6 - Mayor Lowe, Mayor-Commissioner Pro Tem Poe, Commissioner Wells, Commissioner Bottcher, Commissioner Hawkins, and Commissioner Hinson-Rawls

Nay: 1 - Commissioner Chase

[121037.](#)

Oak Park Plat Vacation (B)

Petition CC-13-37 SUB. Eng, Denman and Associates, Inc., agent for Elizabeth P. Alsobrook. Reversion of subdivided land to acreage. Zoned: MU-1 (8-30 units/acre mixed use low intensity). Located at 2225 NW 13th Street.

Ralph Hilliard made a presentation.

RECOMMENDATION

Development Review Board to City Commission - That the City Commission approve Petition CC-13-37SUB and a related resolution to vacate a portion of the Oak Park platted subdivision.

Staff to City Commission - Approve Petition CC-13-37 SUB and adopt a resolution.

A motion was made by Mayor-Commissioner Pro Tem Poe, seconded by Commissioner Bottcher, that this Matter be Approved (Petition). The motion carried by the following vote:

Aye: 5 - Mayor Lowe, Mayor-Commissioner Pro Tem Poe, Commissioner Bottcher, Commissioner Hawkins, and Commissioner Hinson-Rawls

Absent: 2 - Commissioner Wells, and Commissioner Chase

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

[121101.](#)

City Commissioner Ceremony - Mayor Craig Lowe (NB)

Comm Poe moved and Comm Hawkins seconded to waive the rules to continue meeting to 11:15PM. Motion carried 7-0.

Comm Poe moved with Comm Hawkins seconded to waive the rules to continue meeting to 11:30PM. Motion carried 7-0.

Comm Poe moved with Comm Hawkins seconded to waive the rules to continue meeting to 11:45PM. Motion carried 7-0.

Rob Brinkman and Donald Sheppard spoke to the matter.

RECOMMENDATION

The City Commission hear comments from City Commissioners, the public and Mayor Craig Lowe.

UNFINISHED BUSINESS

COMMISSION COMMENT

Comm Chase moved with Commissioner Hinson-Rawls seconding to re-open the Community Grant program for one week after advertising and following procedure. Fred Murry spoke to the matter which passed 7-0.

CITIZEN COMMENT (If time available)

ADJOURNMENT-11:36PM

Kurt Lannon, Clerk of the Commission