

# **City of Gainesville**

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



## **Meeting Agenda**

**February 16, 2012**

**1:00 PM**

**City Hall Auditorium**

## **City Commission**

***Mayor Craig Lowe (At Large)***

***Mayor-Commissioner Pro Tem Thomas Hawkins (At Large)***

***Commissioner Scherwin Henry (District 1)***

***Commissioner Todd Chase (District 2)***

***Commissioner Susan Bottcher (District 3)***

***Commissioner Randy Wells (District 4)***

***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***

## 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

### 070790.

#### **Land Conservation and Acquisition Program - Jurecko Property Intergovernmental Agreement between Alachua County and City of Gainesville Termination (B)**

**This item involves the termination of the previously executed intergovernmental agreement between the City of Gainesville and Alachua County for the acquisition of the Jurecko property, parcel numbers 07901-000-000 and 07902-001-000.**

*Explanation: In April 2009, Alachua County presented an opportunity to the City of Gainesville to partner in the acquisition of 12 acres of land adjacent to the Hogtown Creek Headwaters Nature Park. The City Commission approved the parcels to the WSPP priority acquisition list on January 7, 2010. The City and County drafted an intergovernmental agreement for the acquisition, which was approved by the City Commission on June 17, 2010.*

*Since that time, the City has attempted to negotiate the purchase of the parcels with the landowner. The landowner will not sell the property without being able to view the appraisals, which is a violation for County protocol but not City protocol. In addition, the landowner wants to sell the parcels for more money than the appraisals are expected to justify. Due to this impasse in price with the landowner and differences between the City and County protocols, the City and County agree to terminate the intergovernmental agreement amicably. The City*

*retains the right to maintain the Jurecko parcels on the priority land acquisition listing for future possible acquisition if the landowner renegotiates his asking price.*

*Fiscal Note: This item does not require funding.*

**RECOMMENDATION**

*The City Commission 1) approve the termination of the intergovernmental agreement and 2) authorize the Mayor to execute the termination letter.*

**Legislative History**

|          |   |  |   |
|----------|---|--|---|
| 1/14/08  | City Commission   | Approved as Recommended (6 - 0 - 1 Absent) |   |
| 1/14/08  | City Commission   | Referred                                   | Recreation, Cultural Affairs and Public Works Committee |
| 8/14/08  | Recreation, Cultural Affairs and Public Works Committee | Discussed                                  |   |
| 9/11/08  | Recreation, Cultural Affairs and Public Works Committee | Continued                                  |   |
| 10/9/08  | Recreation, Cultural Affairs and Public Works Committee | Approved                                   |   |
| 11/20/08 | City Commission   | Approved as Amended (5 - 0 - 2 Absent)     |   |
| 6/18/09  | City Commission   | Withdrawn                                  |   |
| 1/7/10   | City Commission   | Approved as Recommended (6 - 0 - 1 Absent) |   |
| 6/17/10  | City Commission   | Approved as Recommended (5 - 0 - 2 Absent) |   |

070790a\_20080114130.pdf  
 070790b\_20080114130.pdf  
 070790\_CORRESPONDENCE\_20081120.pdf  
 070790\_MAP\_20081120.pdf  
 070790\_Interagency Agreement\_20090618.PDF  
 070790a\_Evaluation-AlachuaCo\_20100107.pdf  
 070790b\_Evaluation-COG\_20100107.PDF  
 070790c\_Priority Table\_20100107.PDF  
 070790d\_LA Summary 01\_20100107.PDF  
 070790e\_LA Summary 02\_20100107.PDF  
 070790f\_LA Summary 03natcomm\_20100107.PDF  
 070790\_agreement\_20100617.pdf  
 070790a\_agreement\_20100617.pdf  
 070790\_Jurecko Termination Letter\_20120216.pdf

**110531.**

**Best Neighborhoods (Build, Engage, Sustain & Transform), Volunteer Florida Neighborhood Grants - Amendment to Previously Approved City Commission item on December 12, 2011 (B)**

**This item requests City Commission authorization for the Gainesville Police**

**Department (GPD) to apply for and accept the Best Neighborhoods Volunteer Florida Implementation Grant in the amount of \$15,000 to provide targeted volunteer services for residents of Gainesville. There was In-kind support that was not included in the original agenda item approved by the City Commission on December 15, 2011 due to a miscommunication.**

*Explanation: The Gainesville Police Department is applying for an implementation grant made possible through Volunteer Florida, The Governor's Commission. The program encourages development of a wide range of programs that may include developing after-school mentoring programs, organizing transportation programs for seniors, or organizing area youth in providing services for their neighborhoods and the community at large. Neighboring programs have the opportunity to design services specific to the needs of the community. GPD's grant request seeks funding for the development of neighborhood gardens, after school tutoring, funding for the Girls to Young Ladies program and summer programming targeting the development of volunteerism and service for community development.*

*Fiscal Note: The application is for a nine-month period, beginning December 2011 and ending September 15, 2012. The In-kind is \$15,000 from an officer's salary and \$400 for travel training. This money is already budgeted in the general fund dollars and would be moved to the grant to follow as the match. The total award amount is \$15,000.*

**RECOMMENDATION**

*The City Commission authorize the City Manager to: execute the grant application, grant award, and any other necessary documents, pending review by the City Attorney as to form and legality.*

**Legislative History**

12/15/11 City Commission Approved as Recommended (5 - 0 - 2 Absent)

110531\_BESTContract\_20120216.pdf

**110669.**

**Human Resources Policy B-3, Non-Represented Employees (B)**

*Explanation: This revision allows Charter Officers to provide specified benefits to non-represented confidential employees that are the same or equal to benefits available to represented employees of the Communications Workers of America (CWA). A similar benefit is already in place for non-represented sworn police and certified firefighter employees.*

*Confidential employees are employees who assist in a confidential capacity; a managerial employee who formulates, determines or effectuates management policies in the field of labor relations, or regularly has access to confidential information concerning changes resulting from collective bargaining regardless of actual job title or assigned department.*

*Fiscal Note: There is no fiscal impact.*

**RECOMMENDATION**

*The City Commission approves revision to Human*

*Resources Policy B-3, Non-Represented Employees.*

110669\_Policy B-3\_20120216.pdf

**110677. Scheduling of Annexation Initiative Workshop (NB)**

*Explanation: This is a request for the City Commission to schedule a special workshop to discuss strategies for conducting successful annexation referendums.*

*Fiscal Note: There is no fiscal impact.*

**RECOMMENDATION**

*The City Commission approve a workshop to discuss strategies for successful annexation referendums and potential annexation areas on March 19, 2012 from 5:00 PM to 7:00PM in City Hall, Room 16.*

**GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS**

**CITY ATTORNEY, CONSENT AGENDA ITEMS**

**CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS**

**110685. City Commission Minutes (B)**

**RECOMMENDATION**

*The City Commission approve the minutes of January 30, 2012; February 2, 2012; and February 6, 2012, as circulated.*

110685\_jan 30, 2012\_minutes 20120216.pdf  
110685\_Feb. 2, 2012\_minutes\_20120216.pdf  
110685\_Feb 6, 2012\_minutes\_20120216.pdf

**EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS**

**COMMITTEE REPORTS, CONSENT AGENDA ITEMS**

**COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS**

**END OF CONSENT AGENDA**

**ADOPTION OF THE REGULAR AGENDA**

**CHARTER OFFICER UPDATES**

**CLERK OF THE COMMISSION****CITY MANAGER****110519.****Design and Construction of the Gainesville Police Department Headquarters & Physical Training Facility (B)**

**This is a request for the City Commission to approve one of the options below for the Design and Construction of the Gainesville Police Department (GPD) Headquarters & Physical Training Facility.**

*Explanation: The GPD Headquarters & Physical Training Facility project is to be a major initiative to revitalize the NW 6th Street and NW 8th Avenue corridor through the modernization of the GPD Headquarters & Physical Training Facility. The design for the Project needs to be functional, cost-effective, and utilize environmentally sustainable concepts to reduce and control operational costs while minimizing negative environmental impacts. The facilities and associated work will be designed to blend into the surrounding environmental context and meet or exceed the budgeted program parameters currently defined for GPD and the City.*

*On December 1, 2011, the City Commission approved the final ranking and authorized staff to begin negotiations with the top ranked firm, Mills-Gilbane.*

*Mills-Gilbane and the Architect Firm Harvard-Jolly will present three (3) options to the City Commission:*

*Option 1 - 721 Building (Renovation/New Construction) & 411 Building (Renovation) - Budget: \$9,781,721*

*Option 2 - 721 Building (New Construction) & 411 Building (Renovation) - Budget: \$10,901,316*

*Option 2A - 721 Building (New Construction) - Budget: \$10,547,592*

*Fiscal Note: The monies remaining from the original GPD Headquarters project budget total \$3,899,959. Another \$1,500,000 is available in the Federal Law Enforcement Contraband Forfeiture Fund. In December 2011 the City Commission allocated \$2 million of bond proceeds from the Series 2011 Revenue Note to the GPD project, resulting in total funds available for the project in the amount of \$7,399,959. At the time of the borrowing staff indicated that the unreserved fund balance over the level required in the City's current reserve policy was projected to be more than enough to fund the difference between the available funds and the estimated cost for this project. Based on the projected costs for the three Options outlined above, the required utilization of reserves to fund the project are \$2,381,762, \$3,501,357, and \$3,147,633, for Options 1, 2, and 2A, respectively.*

*At the end of FY11, the amount of General Fund unreserved fund balance over and above the level required in the City's current reserve policy was \$7,847,847. Therefore, drawing down excess reserves to fund Options 1, 2, and 2A as described above would leave the General Fund with excess reserves over and above the level required in the City's current reserve policy in the amounts of \$5,466,085, \$4,346,490, and \$4,700,214, respectively.*

*Project costs submitted by the contractor represent not to exceed cost levels, however any design changes accepted by the City throughout the process may impact the ultimate project cost.*

**RECOMMENDATION**

*The City Commission: 1) receive the presentation on the various options; 2) direct staff to pursue the Commission's preferred option; 3) approve appropriation of general fund reserves to fully fund the project as outlined in the fiscal note based on the preferred option; and 4) authorize the City Manager or his designee to execute a contract with Mills-Gilbane, subject to approval by the City Attorney's office as to form and legality.*

**Legislative History**

12/1/11 City Commission Approved as Recommended (5 - 0 - 2 Absent)

110519\_Ranking Recommendation\_20111201.pdf

110519\_Presentation\_20120216.pdf

**110676.**

**Search Firm Selection for the City Attorney Recruitment Process (B)**

*Explanation: On July 31, 2012, City Attorney Marion Radson will be retiring. In order to prepare for his departure, it is necessary to actively pursue a replacement.*

*On January 19, 2012, the City Commission authorized the Human Resources/Organizational Development (HR/OD) Department to draft and publish for bids a Request for Proposal (RFP) for a search firm to fill the soon-to-be-vacant City Attorney position.*

*The HR/OD Department received 2 bids which were evaluated on specific criteria including; qualifications and experience of the firm/provider, expertise of firm/provider personnel, methodology/responsiveness, references, costs and schedule.*

*Fiscal Note: Funding is currently available in the FY12 City Commission budget.*

**RECOMMENDATION**

*The City Commission: 1) approve the bid award to Bob Murray & Associates as the search firm for the selection of the City Attorney replacement; and 2) authorize the Human Resources/Organizational Development Department to execute the contract and all related documents with Bob Murray & Associates, subject to approval by the City Attorney as to form and*

*legality.*

110676A\_Mercer Group Proposal\_20120216.pdf

110676B\_Bob Murray & Associates Proposal\_20120216.pdf

110676C\_Evaluation Summary\_20120216.pdf

## GENERAL MANAGER FOR UTILITIES

## CITY ATTORNEY

## CITY AUDITOR

## EQUAL OPPORTUNITY DIRECTOR

## COMMITTEE REPORTS (PULLED FROM CONSENT)

## EQUAL OPPORTUNITY COMMITTEE

### 110436.

#### Promise Neighborhood Initiative (B)

*Explanation: The Gainesville children support services agencies have partnered to set priorities, plan strategically, and track/trend key indicators. With their backing, the UF Family Data Center is seeking support to develop a Children/Families Report Card, and has requested the City, County and School Board each fund 1/3 of the \$40,000.00 cost for an amount of \$13,000.00.*

#### RECOMMENDATION

*The City Commission: 1) hear a presentation from the UF Family Data Center and 2) take action deemed appropriate.*

#### Legislative History

|         |                             |                         |                 |
|---------|-----------------------------|-------------------------|-----------------|
| 11/8/11 | Equal Opportunity Committee | Approved as Recommended |                 |
| 1/10/12 | Equal Opportunity Committee | Referred                | City Commission |
| 1/19/12 | City Commission             | Withdrawn               |                 |

110436\_PPT\_20120119.pdf

## 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****110674.****World Spay Day - February 28, 2012 (B)****RECOMMENDATION**

*Operation PetSnip/Operation Catnip No More Homeless Pets Executive Director Sandi Richmond to accept the proclamation.*

110674\_WorldSpayDay\_20120216.pdf

**110699.****Ed Regan Day - February 29, 2012 (B)****RECOMMENDATION**

*Ed Regan, Assistant General Manager - Strategic Planning, to accept the proclamation.*

110699\_EdReganDay\_20120216.pdf

**CITIZEN COMMENT (6:00pm) - Please sign on sign-up sheet****PUBLIC HEARINGS****RESOLUTIONS- ROLL CALL REQUIRED****110686.****REPORT OF THE BOARD OF CANVASSERS (B)**

**A resolution of the City Commission of the City of Gainesville, Florida, accepting the report of the Board of Canvassers for the City of Gainesville, Florida, election held January 31, 2012; and providing an immediate effective date**

*Explanation: On January 31, 2012, a city election for the election of the Commissioners for the At Large 1 and District 1 Seats was held.*

*The Report of the Board of Canvassers for the City of Gainesville showing that there will be a run-off election between Lauren Poe and Nathan A. Skop for the At Large 1 Seat and that Yvonne Hayes Hinson-Rawls was elected to the District 1 Seat, is adopted by this resolution of the City Commission.*

**RECOMMENDATION**

*The City Commission adopt the proposed resolution.*

110686\_Bd of Canvassers Report\_20120216.pdf

**ADOPTION READING-ROLL CALL REQUIRED****ORDINANCES, 1ST READING- ROLL CALL REQUIRED****100604.****PLANNED DEVELOPMENT - COUNCIL ON AGING (B)**

*MODIFICATION: Applicant ppt. added 2/15/2012.*

*Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT*

*This is a request to rezone approximately 28.63 acre parcel from Alachua County Residential Single Family (R-1a) and Residential Single Family (R-1c) zoning to City of Gainesville Conservation (CON) and Planned Development (PD). This rezoning will implement ordinance No. 090741, adopted October 21, 2010, which changed the land use from Alachua County Low Density Residential (1-4 DU/acre) to City of Gainesville Planned Use District (PUD) and Conservation (CON).*

*The property is located on the north side of Archer Road, between SW 47th Street and SW 50th Street approximately 2,500 feet (0.47 of a mile) west of I-75. Both SW 47th and SW 50th Streets are private roads currently serving existing developments. Southwest 47th Street is a 20 to 30 foot wide private road and SW 50th Street is an unpaved narrow road that serves adjacent residential lots and extends into the northwestern portion of the site.*

*The proposed Conservation area consists of 5.49 acres, characterized by flood channel, floodplain and large tree species of up to 72 inches in diameter. The area will be protected by a Conservation land use designation, Conservation zoning and a recorded conservation easement. This area is proposed as a buffer between the more intense PD portion and the Alachua County Hogtown Prairie Strategic Ecosystem to the west.*

*The Planned Development portion contains approximately 23.14 acres and is designed to accommodate the major activities of the project which include an Assisted Living Facility with 130 beds, a Skilled Nursing Facility with 180 beds, medical offices and general offices totaling 75,000 gross square feet of floor area. In the first phase of the development, a 60 foot wide north/south private road is proposed along the east boundary of the property to incorporate and/or replace the existing SW 47th Street. In addition, two east/west transportation corridors will be provided commencing at the access points shown on the PD Layout Plan, one at the north property boundary and the other at about the middle of the site.*

*The key issues identified in the project relate to: management of the conservation area; uses and intensities associated with the development; local and regional transportation and access concerns; establishing a grid system; connectivity and relationship of buildings to the adjacent streets.*

*Public notice was published in the Gainesville Sun on November 18, 2010. On December 6, 2010, the City Plan Board, by a vote of 7-0, approved the petition with modifications to some of the conditions to the PD. On January 20, 2011, the City Commission approved the petition by a vote of 7-0.*

*CITY ATTORNEY MEMORANDUM*

*Should this ordinance pass on first reading, second and final reading will be held on Thursday, March 1, 2012.*

**RECOMMENDATION**            *The City Commission adopt the proposed ordinance.*

**Legislative History**

1/20/11            City Commission            Approved (Petition) (6 - 0 - 1 Absent)

100604\_cpb conditions\_20110120.pdf  
 100604A\_staff report\_20110120.pdf  
 100604B\_append A\_20110120.pdf  
 100604C\_append B\_20110120.pdf  
 100604D\_append C\_20110120.pdf  
 100604E\_append D\_20110120.pdf  
 100604F\_101206 cpb minutes\_20110120.pdf  
 100604G\_staff ppt\_20110120.pdf  
 100604\_MOD\_Applicant CHW\_CCPH\_20110120.PDF  
 100604A\_draft ordinance\_20120216.pdf  
 100604\_MOD\_ppt.Applicant\_CHW\_20120216.pdf

**110613.**

**REZONINGS - VICINITY OF N.E. 23RD AVENUE AND NE 39TH AVENUE AND WALDO ROAD (S.R. 24) (B)**

**Ordinance No. 110613, Petition No. PB-11-141ZON**

**An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain properties from the zoning category of "I-1: Limited industrial district" to "BI: Business industrial district"; consisting of approximately 61.37 acres, and generally bounded on the North by N.E. 39th Avenue, bounded on the East by Waldo Road (S.R. 24), bounded on the South by N.E. 23rd Avenue, and bounded on the West by N.E. 21st Way and N.E. 15th Terrace; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

*Explanation: PLANNING AND DEVELOPMENT SERVICES STAFF REPORT*

*This is a request to change the zoning of several parcels of land along NE 23rd Avenue and Waldo Road from I-1(Limited Industrial District) to BI (Business Industrial District). This request was initiated by staff to encourage*

*redevelopment of underutilized parcels and to further implement Plan East Gainesville. Additionally, with the development of the University of Florida eastside campus and some inquiries regarding the potential to redevelop some parcels along the corridors, staff felt that a change in zoning was needed to support and encourage economic development in the area. This petition will change the zoning on approximately 61.37 acres.*

*The current uses in the areas consist of what would be considered light industrial service oriented uses, restaurants (Satchels and Sonny's), automotive and construction type uses as well as vacant properties. The intent of the change in zoning is to put the area in a position to take advantage of the redevelopment associated with University of Florida eastside campus and the development of the fairground business center. This area could be in a position to provide all the ancillary services that could support the potential growth in employees in the area.*

*The BI zoning will allow property owners affected by the change to keep all the uses allowed by right in the I-1 zoning while adding more business and retail services. Some uses allowed by Special Use Permit in the I-1 district would not be allowed, those include: alcoholic beverage establishments; recycling centers; wholesale trade of petroleum products; and individual and family social services. The BI zoning would not make any existing conforming businesses non-conforming, but it would make some existing businesses conforming (convenience stores). The main difference between the BI and I-1 districts is the BI allows more retail type services, for example a General or Family Dollar store would be allow in BI but not in I-1.*

*The Plan Board reviewed the petition on December 5, 2011 and recommended approval of the petition. Plan Board vote 4-0.*

**RECOMMENDATION**

*The City Commission: 1) approve Petition No. PB-11-141ZON; and 2) adopt the proposed ordinance.*

110613-A\_draft ordinance\_20120216.pdf  
 110613B\_staff report\_20120216.pdf  
 110613C\_section 30-46\_20120216.pdf  
 110613D\_existing Use map\_20120216.pdf  
 110613E\_staff ppt\_20120216.pdf

**110680.**

**CORRECTIVE LEGAL DESCRIPTION FOR VOLUNTARY ANNEXATION-EASTSIDE PROPERTIES (B)**

**Ordinance No. 110680**

**An Ordinance of the City of Gainesville, Florida, correcting scrivener's errors in the legal description of the property annexed by Ordinance No. 110505; providing directions to the codifier; providing directions to the City Manager and Clerk of the Commission; providing a repealing clause; and providing an immediate effective date.**

*MODIFICATION: EXHIBIT A added 2/15/2012.*

*Explanation: The City Commission at its meeting on January 19, 2012, adopted Ordinance No. 110505, annexing a portion of the City of Gainesville's urban reserve area. This ordinance proposes to correct certain scrivener's errors in the legal description attached as Exhibit A to Ordinance No. 110505. There is no change in the actual area that was annexed as of March 1, 2012. This ordinance only corrects a few errors in the legal description of the area. All other provisions of the ordinance would be in full force and effect.*

*This ordinance requires two public hearings. If this ordinance is passed on first reading, second and final reading will be held on March 1, 2012.*

**RECOMMENDATION**                      *The City Commission adopt the proposed ordinance, as revised.*

110680\_Draft Ordinance\_20120216.pdf

110680\_MOD\_Exhibit A\_20120216.pdf

## **ORDINANCES, 2ND READING- ROLL CALL REQUIRED**

### **100327.**

#### **LEGACY FOUNTAINS PLANNED DEVELOPMENT – SW 52ND STREET (B)**

##### **Ordinance No. 100327, Petition No. PB-09-116PDV**

**An Ordinance of the City of Gainesville, Florida; rezoning certain lands within the City, as more specifically described in this ordinance, and amending the Zoning Map Atlas from "PS: Public services and operations district" to "Planned Development District"; located in the vicinity of 1420, 1424, 1428, 1432 Southwest 52nd Street; commonly known as "Legacy Fountains, LLC" Planned Development; adopting a development plan report and development plan maps; providing conditions and restrictions; providing for enforcement; providing a severability clause; and providing an immediate effective date.**

*MODIFICATION: Applicant ppt. added 2/15/2012.*

*Explanation: PLANNING AND DEVELOPMENT SERVICES STAFF REPORT*

*This is a request to rezone 5.07 (MOL) acres of land from PS (Public service and operations district) to PD (Planned development district) to allow a neighborhood-scale, mixed-use development. The City of Gainesville adopted an associated small-scale land use amendment (Petition No. PB-09-115 LUC) that changed the previous REC (Recreation) land use category to PUD (Planned Use District) at a City Commission public hearing held on October 7, 2010. According to Policy 4.1.1 of the Future Land Use Element, PD (planned development) zoning is required to implement the PUD land use category.*

*Land surrounding the subject property is primarily zoned for multi-family residential development. One exception is City-owned property located on the north side of Southwest 20th Avenue, just east of I-75. This property is within a PS (Public services and operations district) zoning district and is used for utility*

*purposes.*

*The proposed PD allows multi-family residential dwelling units and non-residential uses on the subject property. All of the allowable uses are permitted by right. The allowable uses will be housed in buildings that are up to 3 stories in height. The buildings will be designed to accommodate a vertical and horizontal mix of the allowable uses based on traditional design standards. The buildings may also be attached or detached.*

*Key issues affecting the development of the subject property include a Progress Energy easement that extends along the full length of the north property line. Permission to use the easement is addressed in an attached letter from Progress Energy, dated March 14, 2011. Since the October 7, 2010 public hearing, the applicant is also asking the City Commission to modify this rezoning request by allowing stormwater conveyance infrastructure within the designated Upland Areas (Zone C of the PD Layout Plan Map) that are required under Policy 1.1.1 f. of the Conservation/ Open Space/Groundwater Recharge Element of the 2000-2010 Comprehensive Plan. Details of the proposed PD are provided on amended copies of the development plan maps (i.e., Existing Conditions Map; Existing Vegetation Map; and Planned Development Layout Map), and within an amended copy of the PD Report, filed in association with this petition.*

*Public notice was published in the Gainesville Sun on August 10, 2010. Letters were mailed to surrounding property owners on August 10, 2010.*

*The City Plan Board considered Petition PB-09-116 PDV at a public hearing held August 26, 2010. By a vote of 5-0, the City Plan Board approved the petition and the associated PD Layout Plan Map and PD Report subject to the conditions recommended in the staff report and Appendix E.*

*The Legacy Fountain PD has been amended on second reading to reflect a minor change in the site area from 5.069 to 5.07 for consistency with the land use document that discusses 5.07 acres mol. The legal description was changed to reflect additional right-of-way dedication to the County. This change is reflected on the PD Layout Plan map and the notes on the PD Layout Plan map.*

#### **CITY ATTORNEY MEMORANDUM**

*The City Commission, at its meeting of October 7, 2010, authorized the City Attorney to prepare and advertise the necessary ordinance rezoning certain lands within the city to planned development commonly known as "Legacy Fountains, LLC". On May 5, 2011, the City Commission held an advertised public hearing and adopted the ordinance on first reading. On July 21, 2011, the City Commission, at the request of the petitioner, continued the second reading to a date uncertain. In December, the petitioner asked the City to advertise and hold a second and final public hearing and adoption reading. The TCEA agreement was not yet signed and received, therefore the ordinance could not be adopted. As of this date, the TCEA agreement has been executed by the petitioner.*

*The Legacy Fountain PD has been amended on second reading to reflect a minor change in the site area from 5.069 to 5.07 for consistency with the land use document that discusses 5.07 acres mol. The legal description was changed to reflect additional right-of-way dedication to the County. This change is reflected on the PD Layout Plan map and the notes on the PD Layout Plan map.*

**RECOMMENDATION**

*The City Commission adopt the proposed ordinance as amended.*

**Legislative History**

|         |                 |   |
|---------|-----------------|---|
| 10/7/10 | City Commission | Approved (Petition) (7 - 0)   |
| 5/5/11  | City Commission | Adopted on First Reading, as revised (Ordinance) (5 - 1 - 1 Absent) |
| 5/19/11 | City Commission | Continued (2nd Reading) (7 - 0)                                     |
| 6/2/11  | City Commission | Continued (2nd Reading) (4 - 0 - 3 Absent)                          |
| 7/21/11 | City Commission | Continued (2nd Reading) (6 - 0 - 1 Absent)                          |

100327\_pb recommended conditions\_20101007.pdf  
 100327A\_staff report\_20101007.pdf  
 100327B\_appendix A\_20101007.pdf  
 100327C\_appendix B\_20101007.pdf  
 100327D\_appendix C\_20101007.pdf  
 100327E\_appendix D\_20101007.pdf  
 100327F\_appendix E\_20101007.pdf  
 100327G\_100826 cpb minutes draft\_20101007.pdf  
 100327H\_staff ppt\_20101007.PDF  
 100327\_MOD\_PB-09-116 PDV\_Applicant CHW\_CC 101007.PDF  
 100327\_staff ppt\_20110505.pdf  
 100327\_draft ordinance\_20110505.pdf  
 100327\_MOD\_APPLICANT\_PPT\_20110505.pdf  
 100327\_draft ordinance\_20110519.pdf  
 100327\_MOD\_memo\_20110602\_.pdf  
 100327\_MOD\_2ND\_memo\_20110602.pdf  
 100327\_draft ordinance\_20110721.pdf  
 100327\_MOD\_ppt\_applicant\_20120216.pdf

**110047.****REZONING - NORTH SIDE OF N. 53RD AVENUE IN THE VICINITY FROM THE NORTHWEST 3400 BLOCK TO THE NE 3000 BLOCK (B)****Ordinance No. 110047, Petition No. PB-11-30PSZ**

**An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain properties from undesignated right-of-way and the Alachua County zoning category of "Agricultural (A) district" to the City of Gainesville zoning category of "PS: Public services and operations district"; to allow pipelines, except natural gas; electric, gas and sanitary services, any use customarily incidental to any permitted principal use, utility lines, and water conservation areas, water reservoirs and control structures, drainage wells and water wells, as uses permitted by right; excepting the requirement of a preliminary development plan; consisting of approximately 35 acres, and located in the vicinity of the north side of North 53rd Avenue, extending from Northwest 3400 block to the Northeast 3000 block; providing directions to**

**the City Manager; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

*Explanation: COMMUNITY DEVELOPMENT STAFF MEMORANDUM*

*This petition requests a rezoning for two City-owned parcels. Parcel 1 is 75 feet wide and approximately 2 miles long, totaling 25.1 acres; it extends along the north side of North 53rd Avenue in three segments from NW 34th Street to NE 15th Street. This parcel is not currently designated with any zoning category. Approximately one-third of this parcel was annexed in 2010, and the remainder was created from right-of-way in 2008.*

*Parcel 2 (07874-001-001) is located on the north side of NE 53rd Avenue east of the Murphree Water Treatment Plant and is 150 feet wide and approximately 2,900 feet long, totaling 9.9 acres. It was annexed in 2010 and its current zoning designation is Alachua County Agricultural (A).*

*Parcel 1 is currently in use as a utility corridor for Gainesville Regional Utilities (GRU) power lines; Parcel 2 is undeveloped. No other development is anticipated. The PS: Public services and operations district is proposed for both parcels.*

*Public notice was published in the Gainesville Sun on May 9, 2011. The Plan Board held a public hearing on May 26, 2011.*

**RECOMMENDATION**

*The City Commission adopt the proposed ordinance.*

**Legislative History**

2/2/12 City Commission Approved (Petition) and Adopted on First Reading (Ordinance) (6 - 0 - 1 Absent)

110047-A\_draft ordinance\_20120202.pdf  
 110047B\_staff report\_120202.pdf  
 110047C\_applicable GOPs\_120202.pdf  
 110047D\_applicable LDC policies\_120202.pdf  
 110047E\_maps\_120202.pdf  
 110047F\_supplemental documents\_120202.pdf  
 110047G\_application amended\_120202.pdf  
 110047H\_cpb minutes\_120202.pdf  
 110047I\_staff ppt\_20120202.pdf

**110109.**

**REZONING - 7200 - 7300 BLOCK OF NW 4TH BLVD (B)**

**Ordinance No. 110109, Petition No. PB-11-48ZON**

**An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain properties from the Alachua County zoning categories of “Highway oriented business services (BH) district” and “Administrative and professional (AP) district to the City of Gainesville zoning category of “BUS: General business district”; consisting of approximately 27.8 acres, and located in the vicinity of the 7200-7300 blocks of Northwest 4th Blvd.; providing directions to the City Manager; providing**



**a severability clause; providing a repealing clause; and providing an immediate effective date.**

*Explanation: COMMUNITY DEVELOPMENT STAFF MEMORANDUM*

*This proposed rezoning from Alachua County Highway oriented business services district (BH) and Administrative and Professional district (AP) to City of Gainesville General business district (BUS), pertains to an approximately 27.8-acre property that was voluntarily annexed into the City on April 15, 2010. The proposed rezoning is necessary to bring the annexed property under the City's zoning regulations. The property is located east of Tower Road (Northwest 75th Street), west of Interstate 75, north of West University Avenue, and is in the general vicinity of the 7200 - 7300 blocks of Northwest 4th Boulevard. This developed property includes the 65,000 square-foot, commercial (retail) Tower Center that was built in 1989 and that is adjacent to and west of the previously annexed Home Depot store, and a very large stormwater retention pond to the north across NW 4th Boulevard.*

*The proposed rezoning is appropriate for the property's established and continuing use as a commercial center close to the major arterial roadways of State Road 26 (Newberry Road), Northwest 75th Street (Tower Road), and Interstate 75. This rezoning entails no major transportation issues, and there are no major environmental impacts and constraints associated with it.*

*This petition is related to Petition PB-11-47 LUC, which is a request for a large-scale land use amendment from Alachua County Commercial to City of Gainesville Commercial. This proposed rezoning to General business district (BUS) is consistent with the related land use amendment and with the City's Comprehensive Plan.*

*The Plan Board discussed the petition and recommended approval with a 4-0 vote.*

*Public notice was published in the Gainesville Sun on April 12, 2011. The Plan Board held a public hearing on April 28, 2011.*

**RECOMMENDATION**            *The City Commission adopt the proposed ordinance.*

**Legislative History**

2/2/12            City Commission    Approved (Petition) and Adopted on First Reading  
(Ordinance) (6 - 0 - 1 Absent)

110109-A\_draft ordinance\_20120202.pdf  
110109B \_staff report\_20120202.pdf  
110109C\_comp plan GOPs\_20120202.pdf  
110109D\_supplemental documents\_20120202.pdf  
110109E\_application\_20120202.pdf  
110109F\_cpb minutes\_20120202.pdf  
110109G\_staff ppt\_20120202.pdf  
110109\_QuasiJudicialForm\_20120202.pdf

**110522.****ALCOHOLIC BEVERAGE ESTABLISHMENTS SPACING  
REQUIREMENTS BETWEEN a PLACE OF RELIGIOUS ASSEMBLY  
AND PUBLIC OR PRIVATE SCHOOL (B)****Ordinance No. 110522, Petition No. PB-11-123TCH**

**An ordinance of the City of Gainesville, Florida, amending Section 30-105 of the Land Development Code by repealing the spacing requirement between an established place of religious assembly or a public or private school and an alcoholic beverage establishment located in the Central City District zoning district and the Tourist-Oriented Business zoning district; providing directions to the City Manager; providing directions to the codifier; providing a severability clause; and providing an immediate effective date.**

*Explanation: STAFF REPORT*

*Recently a place of religious assembly opened a center in the downtown entertainment district on Main Street. Based on concerns from downtown business owners, staff reviewed the code issues and the impact related to a place of religious assembly locating in downtown near restaurants (eating places) and alcoholic beverage establishments.*

*The code provision of concern is Section 30-105 which states that no alcoholic beverage establishment may be located within 300 linear feet of an established place of religious assembly. To understand the impact of this provision on the downtown, the Code defines an eating place as, any use located in any structure or building or portion thereof where the use primarily involves the retail sale, which may include caterers and industrial and institutional food service establishments, of food and beverage which may include alcoholic beverages, for consumption on the premises and where at least 51 percent of the monthly gross revenues derived from such use are attributable to the sale of food and nonalcoholic beverages."*

*In discussing this issue with legal staff, one possible solution would be to eliminate the spacing requirements for all assembly type uses in the CCD. It is staff's opinion that we can justify eliminating the spacing requirements as it relates to alcoholic beverage establishments and places of religious assembly in the CCD, Gainesville's entertainment district. The justification would be that it is not unreasonable to expect that high density mixed use areas such as an entertainment area would have a diversity of uses located next to each other, and that there are also several places of religious assembly located in the downtown currently within 300 feet of alcoholic beverage establishments. The City Commission heard this issue and directed staff to initiate a petition to make the necessary changes.*

*The City Plan Board heard the petition and recommended approval 4-0. After the City Plan Board meeting, Planning staff met with the City Attorney's office to discuss any legal issues related to the petition. The City Attorney expressed some concern about the rationale for the petition and whether the CCD zoning*

*should be the only zoning district with the exception to the distance requirement. Staff researched this issue and found that the City's Land Development Code only allows alcoholic beverage establishments as a use by right in CCD and Tourist-Oriented Business (BT) zoning districts. This use is allowed by Special Use Permit (SUP) in other business and mixed use districts. Given the limited number of parcels designated BT zoning and the lack of any alcoholic beverage establishments or places of religious assembly located in BT, staff is recommending that the BT zoning be added to exception to the distance requirement for internal code consistency.*

*It is staff's opinion that due to the Land Development Code requiring a SUP in the other zoning districts, that it is okay to have a distance requirement that applies within those districts because those areas are already viewed as different and needing a different level of protection.*

**RECOMMENDATION**                      *The City Commission adopt the proposed ordinance.*

**Legislative History**

1/5/12            City Commission    Approved (Petition) as Modified (7 - 0)  
2/2/12            City Commission    Adopted on First Reading (Ordinance) (5 - 0 - 2 Absent)

110522A\_CPB Recommendation with Staff modification\_20120105.pdf

110522B\_staff report\_20120105.pdf

110522C\_CCD & BT Maps\_20120105.pdf

110522D\_cpb minutes\_20120105.pdf

110522\_draft ordinance\_20120202.pdf

## PLAN BOARD PETITIONS

### 110642.

**Amend the UMU-2 Section of the Land Development Code to Include Clarifications/Updates and Add New Requirements for the Urban Village (B)**

**Petition PB-11-89 TCH. City Plan Board. Amend Section 30-65.2 of the Land Development Code to add requirements for the Urban Village area into the Urban Mixed-Use District 2 (UMU-2) zoning regulations and amend the UMU-2 regulations district-wide to include other updates and clarifications.**

*MODIFICATION: Applicant photos added 2/15/2012.*

*Explanation: This petition proposes amendments to Section 30-65.2 of the Land Development Code to add new regulations for the Urban Village area in the Urban Mixed-Use District 2 (UMU-2) zoning district. The regulations are tailored specifically for the areas within the Urban Village (as designated in the Future Land Use Element map series) that have the Urban Mixed Use 2 land use category designation (and will be rezoned to the UMU-2 zoning district as the subject of a future Plan Board petition). The backup materials include a map showing the new area that will be regulated by these zoning district changes.*

*The backup material also contains the revisions to the text of the existing UMU-2 zoning regulations that staff recommends are necessary to incorporate the Urban Village area into the UMU-2 zoning district. The primary changes*

include:

1. *Minimum density regulations for properties in the Urban Village*
2. *Elimination of the Special Use Permit requirement for additional stories when only structured and on-street parking are used*
3. *Addition of minimum parking requirements in the Urban Village for residential uses*
4. *Block perimeter requirements for the Urban Village*
5. *Build to lines associated with streets in the Urban Village (taking into account swale system roadways)*
6. *Allowing drive-through facilities by Special Use Permit in certain areas within the Urban Village*
7. *Addition of prohibited uses in the Urban Village*
8. *Optional hardscaping provisions for certain street types*
9. *Addition of provisions for drop-off drive-ways or porte-cocheres for certain uses*
10. *Elimination of the Street Types figure for the Urban Village*
11. *Addition of a Primary Frontage Streets map and regulations about Primary Frontage Streets*
12. *Addition of the Urban Walkway concept with a definition and regulations.*
13. *Addition of a requirement for a Circulation Plan for new development and redevelopment in the Urban Village for sites greater than 2 acres in size*

*In addition to the changes being made to accommodate the Urban Village parcels, several changes that will apply to all UMU-2 zoned properties are recommended to clarify the regulations, correct minor errors, and incorporate changes recommended by the Plan Board during discussion of this item at their meetings.*

*These district-wide changes include:*

1. *Including minimum density regulations for consistency with the Comprehensive Plan*
2. *Changing the requirement for each unit to have a door on the street to make that applicable only to rowhouses and two-family dwellings. For other types of multi-family buildings, the requirement will be to have at least one door per building facing the street.*
3. *Changing the requirement for each unit to have a front porch on the street to make this applicable only to rowhouses and two-family dwellings*
4. *Addition of requirement that loading docks be prohibited along urban throughways*
5. *Revised Urban Throughway diagram to correctly depict the build-to line requirements*

#### *Background Information*

*On July 7, 2011 the City Commission held the final adoption reading for Ordinance 100721, which established new zoning regulations for the UMU-2 zoning district. These regulations are intended to promote redevelopment of existing residential and non-residential areas near the University of Florida. It*

*is also the intent of this zoning district to encourage multimodal mobility and allow for establishments engaged in research in the physical, engineering or life sciences to facilitate technology transfer from higher education institutions to the market place.*

*As Planning staff was reviewing options for the Urban Village area comprehensive plan amendments, this revised zoning district appeared to be an excellent fit for the area west of the University of Florida (in the vicinity of SW 20th and SW 24th Avenues west of SW 34th Street). While the area is currently dominated by multi-family residential development, there are large portions of the area that can be redeveloped with a mix of uses. Under the current real estate market conditions, allowing for a broader range of uses in this area will promote redevelopment opportunities. In addition, transit service in the Urban Village area is excellent, which assists with the intent of encouraging multimodal mobility.*

*The Urban Village land use amendments placing the UMU-2 land use category on the properties had final adoption on November 3, 2011. With the final adoption of the land use categories for properties in the Urban Village, this leaves those properties in an unzoned status, and results in them being deemed Conservation zoning by the Land Development Code provisions. In order to rezone these properties, the zoning district changes proposed in this petition must be adopted first. Therefore it is important to approve this petition for staff to move forward with rezonings on the appropriate Urban Village parcels.*

*The Plan Board discussed the petition and voted to approve the petition 4-0 at the December 5, 2011 meeting.*

*The Plan Board held discussions about this petition at their June 23, July 28, August 25, September 22 and November 1, 2011 meetings. Subsequent to the various discussion meetings, changes were made that are reflected in the December 5, 2011 petition that reflect the Plan Board comments and recommendations. At the August 25, 2011 meeting, the Plan Board also discussed whether a new zoning district should be added to accommodate the Urban Village as opposed to incorporating it in the UMU-2 zoning district. The consensus opinion was to not move forward with a new Urban Village Urban Mixed Use zoning district and, instead, bring back to the Plan Board proposed changes to the existing UMU-2 zoning district that would accommodate adding the Urban Village.*

*Public notice was published in the Gainesville Sun on November 17, 2011. The Plan Board held a public hearing on December 5, 2011.*

**Fiscal Note:** *None.*

**RECOMMENDATION**

*City Plan Board to City Commission: The City Commission approve Petition PB-11-89 TCH. Plan Board vote 4-0.*

*Staff to City Commission: Approve Petition PB-11-89 TCH.*

*Staff to the Plan Board: Approve Petition PB-11-89  
TCH.*

110642A\_staff report\_20120216.pdf  
110642B\_Map 1 Urban Village\_20120216.pdf  
110642C\_text changes to UMU-2 zoning district regs\_20120216.pdf  
110642D\_adopted ordinance 100697\_20120216.pdf  
110642E\_application\_20120216.pdf  
110642F\_CPB Minutes\_20120216.pdf  
110642G\_staff ppt\_20120216.pdf  
110642\_MOD\_Urban Village\_3D Model\_34th Scene (1).pdf

## DEVELOPMENT REVIEW BOARD PETITIONS

### 110667.

#### **Design Plat for ADC Development and Investment Group, LLC (B)**

**Petition DB-11-145 SUB. Causseaux Hewett and Walpole, Inc., Agent for City of Gainesville, property owner, ADC Development and Investment Group, LLC. (Grace Market Place) Design Plat review for a three-lot subdivision. Zoned I-2 (General Industrial) and PD (Planned Development). Located at 820 NW 53rd Avenue (1850 feet northwest of NW 53rd Avenue.**

*MODIFICATION: PPT, Letter and QJ Form added 2/10/2012. NOTE: 2 More items were added per the City Attorney @ 11:55 AM (Mitigation Plan and DRB Order.*

*Explanation: The property associated with this petition is a 67.34 acre parcel, located at 820 NW 53rd Street (north side), at the end of a private road, approximately 1,850 feet from NW 53rd Avenue. The property owner wishes to subdivide the parcel into three lots to pursue future development. The subdivision for the three lots will include a 100 foot public right-of-way to NW 53rd Avenue and direct access and frontage to the resulting lots via an east/west 60-foot wide access road.*

*On May 13, 2010 the Development Review Board reviewed a similar request for a Design Plat on this property and voted 5 to 0, to forward a recommendation of approval with conditions to the City Commission. The Commission held a public hearing on June 15, 2010 and voted 7 to 0, to approve the design plat with conditions. Per Section 30-189 of the Land Development Code, an application for Final Plat must be submitted within twelve months of approval of the Design Plat by the City Commission. Since Final Plat was not submitted within the twelve month period, the Design Plat expired and became null and void. This petition is therefore a second request for Design Plat on the subject property.*

*The land use designation of the subject property and surrounding properties to the east, west and south is Industrial. The zoning designations are I-2 and PD on the subject property with I-2(General Industrial District) to the north, Agr(Agriculture) to the east and I-2/Agr to the south and west. The proposed subdivision of three lots is consistent with the Comprehensive Plan in that it advances several goals, objectives and policies of the Comprehensive Plan. The subdivision expressly implements Objective 2.2 and Policy 2.2.5 of the Housing*

*Element. The lot configuration and roadway designs are sensitive to the flood plains and wetlands within the area and consistent with the objectives and policies of the Future Land Use, Conservation and Stormwater elements of the Comprehensive Plan. Some key goals, objectives and policies are: Policies 3.1.1, 3.1.4, 4.1.1 and Objective 4.5 of the Future Land Use Element; Goal 2 Policy 1.1.1 and 2.4.10 of the Conservation/Open Space/Groundwater Recharge Element; and Policies 1.6.2, 1.6.3 and 1.6.5 of the Stormwater Management Element. Other aspects of the development such as street connectivity, bicycle and pedestrian access, transit services and urban design standards are also implemented in a manner consistent with the goals, policies and objectives of the Comprehensive Plan. The subdivision is consistent with the development standards of the I-2 and PD zoning and through the provision of adequate roadways to serve the subdivision in conformity with the City's Official Roadway designs.*

*The establishment of new developable lots with associated rights-of-way and required frontage will result in the encroachment and impact to a very small portion of adjacent wetlands on the edge of the subject parcel. The applicant has demonstrated compliance with the public interest test and the avoidance and minimization standards necessary to allow impact and mitigation of the impacted wetlands.*

*Staff has determined that the resulting lots and associated rights-of-way design meet required development standards and are consistent with subdivision standards expressed in the Land Development Code.*

*The Development Review Board convened a public hearing to review the petition on December 8, 2011 and continued the public hearing to obtain additional information and to receive guidance from the City Attorney's office pertaining to procedural matters and application of the Comprehensive Plan. The board reconvened on January 12, 2012 and deliberated on the issues related to due process, consistency and conformance with the Comprehensive Plan, wetlands and environmental impacts. The board acknowledged the project's efforts at avoidance and minimization of impacts to wetlands and recognized the need for mitigation due to wetland impacts. After deliberation the board voted to recommend approval of the design plat with staff conditions, by a vote of 4-0. Public notice was provided on November 22, 2011.*

*Fiscal Note: None.*

**RECOMMENDATION**

*Development Review Board to City Commission: -  
Approve Petition DB-11-145 SUB with staff conditions.*

*Staff to City Commission - Approve the Development  
Review Board's recommendati*

110667A\_DRB recommended conditions DRB minutes\_20120216.pdf  
110667B\_City Attorney Packet to DRB\_20120216.pdf  
110667C\_information submitted by Applicant\_20120216.pdf  
110667D\_Exhibit List\_Exhibits A-I\_20120216.pdf  
110667E\_Exhibit A\_111208 DRB Packet\_20120216.pdf  
110667F\_Exhibit B\_Affected party members and map\_20120216.pdf  
110667G\_Exhibit C\_members represented by Karl J. Sanders\_20120216.pdf  
110667H\_Exhibit D\_documents related to Petition 42ZON-06 PB\_20120216.pdf  
110667I\_Exhibit E\_documents submitted by Karl J Sanders\_20120216.pdf  
110667J\_Exhibit F\_affidavit of Nalbandian Properties\_20120216.pdf  
110667K\_Exhibit G\_Roles and Rules of DRB\_20120216.pdf  
110667L\_Exhibit H\_Karl J. Sanders Letter\_20120216.pdf  
110667M\_Exhibit I\_Sections of LDC\_20120216.pdf  
110667N\_staff ppt\_20120216.pdf  
110667\_MOD\_atty\_letter\_20120216.pdf  
110667\_MOD\_PPT\_120216\_Design Plat 8\_10.pdf  
110667\_MOD\_QJ FORM\_20120216.pdf  
110667\_MOD\_Mitigation Plan\_20120216.pdf  
110667\_MOD\_DRB Order & DRB 1-12-12 Minutes\_20120216.pdf

## **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)**