

# **City of Gainesville**

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



## **Meeting Minutes**

**Thursday, 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 line at 334-2069 at least two business days in advance.*

## CALL TO ORDER - 1:03 PM

## ROLL CALL

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Present: Craig Lowe, Jeanna Mastrodicasa, Scherwin Henry, Thomas Hawkins, Randy Wells, Todd Chase and Susan Bottcher

## INVOCATION

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*The City Commission observed a moment of silence.*

## CONSENT AGENDA

*MOTION: A motion was made by Commissioner Henry, seconded by Commissioner Mastrodicasa to adopt the Consent Agenda, as presented.  
(VOTE: 7-0, MOTION CARRIED).*

## 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.**

#### RECOMMENDATION

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

**This Matter was Approved as Recommended on the Consent Agenda.**

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.**

**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.*

**This Matter was Approved as Recommended on the Consent Agenda.**

110531\_BESTContract\_20120216.pdf

**110669.**

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

**RECOMMENDATION**      *The City Commission approves revision to Human Resources Policy B-3, Non-Represented Employees.*

**This Matter was Approved as Recommended on the Consent Agenda.**

110669\_Policy B-3\_20120216.pdf

**110677.**

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

**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.

**This Matter was Approved as Recommended on the Consent Agenda.**

## **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.*

**This Matter was Approved as Recommended on the Consent Agenda.**

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

## **Passed The Consent Agenda**

**A motion was made by Commissioner Henry, seconded by Commissioner Mastrodicasa, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:**

**Votes:** Aye: Craig Lowe, Randy Wells, Jeanna Mastrodicasa, Scherwin Henry, Todd Chase, Susan Bottcher and Thomas Hawkins

## **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**

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*MOTION: A motion was made by Mayor-Commissioner Pro Tem Hawkins, seconded by Commissioner Botcher to adopt the Regular Agenda, as modified.*

*(VOTE: 7-0, MOTION CARRIED)*

*MODIFICATIONS:*

- 1. File #100604 - Planned Development - Council on Aging - (New ppt. submitted from applicant).*
- 2. File #110680 - Corrective Legal Description for Voluntary Annexation - Eastside Properties - (New EXHIBIT "A" submitted up from the City Attorney and new recommendation "as revised").*
- 3. File #100327 - Rezoning - Planned Development for Legacy Fountains - (New ppt. submitted from applicant).*
- 4. File #110642 - Amend the UMU-2 Section of the Land Development Code to Include Clarifications/Updates and Add New Requirements for the Urban Village - (photo's submitted from applicant).*
- 5. File #110667 - Design Plat for ADC Development and Investment Group, LLC - (ppt, letter, and QJ form submitted and additional documents per the City Attorney - Mitigation Plan and DRB Order).*
- 6. File #110436 - Promise Neighborhood Initiative - (Revised ppt slide submitted)*
- 7. File #110674 - World Spay Day - (ppt. submitted).*

## **CHARTER OFFICER UPDATES**

## **CLERK OF THE COMMISSION**

## **CITY MANAGER**

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### **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.**

[Play Video](#)

*Project Manager John Curtis, Mills Gilbane Project Executive Joe Frisco, Harvard Jolly Lead Architect Jack Williams, Public Works Director Don Hambidge, Police Captain Lonnie Scott and Police Chief Tony Jones gave presentations.*

*FIRST MOTION: A motion was made by Commissioner Henry, seconded by*

Commissioner Wells to : 1) Approve the recommendation selecting Option 2; and 2) add \$300,000 to the contingency fund for the City Manager to spend at the time of move-in, subject to City Commission approval.  
(NO VOTE - Commissioner Chase requested to divide the question).

Mayor Lowe recognized FOP President Jeff McAdams who spoke to the matter,

*FIRST PART OF THE DIVIDED QUESTION: Approve the recommendation selecting Option 2.*  
(VOTE: 7-0, MOTION CARRIED)

*SECOND PART OF THE DIVIDED QUESTION: 2) Add \$300,000 to the Contingency Fund for the City Manager to spend if necessary upon move-in, subject to City Commission approval.*  
(VOTE: 5-2, Commissioners Chase and Hawkins - No; MOTION CARRIED)

**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.*

**A motion was made by Commissioner Henry, seconded by Commissioner Wells, that this matter be Approved as shown above (Divided Question). The motion carried by the following vote:**

**Votes:** Aye: Craig Lowe, Randy Wells, Jeanna Mastrodicasa, Scherwin Henry, Todd Chase, Susan Bottcher and Thomas Hawkins

110519\_Ranking Recommendation\_20111201.pdf

110519\_Presentation\_20120216.pdf

## **110676.**

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

[Play Video](#)

*Human Resources Director Sandy Barnard gave a presentation.*

**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.*

**A motion was made by Commissioner Henry, seconded by Commissioner Wells, that this matter be Approved as Recommended. The motion carried by the following vote:**

**Votes:** Aye: Craig Lowe, Randy Wells, Jeanna Mastrodicasa, Scherwin Henry, Todd Chase, Susan Bottcher and Thomas Hawkins

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

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### **110436. Promise Neighborhood Initiative (B)**

[Play Video](#)

*Dr. Hart from the UF Family Data Center and EO Director Cecil Howard gave presentations.*

*MOTION: Refer to the City Manager to find funds to develop the Children/Families Report Card during the budget process and if the funds are available this fiscal year, go ahead and move forward.*

*(VOTE: 7-0, MOTION CARRIED)*

*Chair Lowe recognized Candace King from the UF Family Data Center.*

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

**A motion was made by Commissioner Wells, seconded by Commissioner Mastrodicasa, that this matter be Approved as shown above and Referred to the City Manager, due back on August 16, 2012. The motion carried by the following vote:**

**Votes:** Aye: Craig Lowe, Randy Wells, Jeanna Mastrodicasa, Scherwin Henry, Todd Chase, Susan Bottcher and Thomas Hawkins

110436\_PPT\_20120119.pdf

**ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)****OUTSIDE AGENCIES****MEMBERS OF THE CITY COMMISSION****COMMISSION COMMENTS (if time available)**

[Play Video](#)

**Commissioner Randy Wells**

*EO and Mentoring.*

**Commissioner Jeanna Mastrodicasa**

- 1. Travel to Washington DC to meet with the Legislative Delegation.*
- 2. Travel to Tallahassee.*
- 3. League of Women Voters of Alachua County - Outstanding Young Elected Official.*

**Commissioner Scherwin Henry**

- 1. Appreciation of the Public Works Department Work done on NE 25th Street..*
- 2. Mentoring.*

**RECESS - 4:22 PM**

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**RECONVENE - 5:52 PM**

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**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.*

**Heard**



110674\_WorldSpayDay\_20120216.pdf

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

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

**Heard**

110699\_EdReganDay\_20120216.pdf

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

[Play Video](#)

**Pamela Mincy**

*GREC - Biomass Plant - See following File #110742.*

**110742.**      **Citizen Comment - Pamela Mincy - (B)**

**RECOMMENDATION**      *The City Commission hear comments from Pamela Mincy and  
place back-up submitted on file.*

**Placed on File**

**Debbie Martinez**

*GREC - Bioimass Plant - See following Fiile #110743.*

**110743.**      **Citizen Comment - Debbie Martinez (B)**

**RECOMMENDATION**      *The City Commission hear comments from Debbie Martinez  
and place back-up submitted on file.*

**Placed on File**

**Clara Bea Horton**

*Stephen Foster Neighborhood - Koppers Superfund Site.*

**Maria Parsons**

*Stephen Foster Neighborhood - Koppers Superfund Site.*

**Sandra Watts Kennedy**

*Stephen Foster Neighborhood - Koppers Superfund Site.*

**Pamela Davis**

*New Executive Director of the Gainesville Housing Authority.*

**Jeremiah Tattersoll**

*ATU bargaining negotiations.*

**Diana Moreno**

*ATU bargaining negotiations.*

**Dian Deevey**

*GREC - Biomass Plant.*

**Fernando Figeroa**

*ATU bargaining negotiations.*

**Michela Martinazzi**

*ATU bargaining negotiations.*

**John Davies**

*GREC - Biomass Plant.*

**Rob Brinkman**

*GREC - Biomass Plant.*

**Ernesto Martinez**

*GREC - Biomass Plant.*

**Gabriel Hillel**

*Political Issues - City Charter - See following File #110744.*

**110744.**      **Citizen Comment - Gabriel Hillel (B)**

**RECOMMENDATION**      *The City Commission hear comments from Gabriel Hillel and place back-up submitted on file.*

**Placed on File**

**Pat Fitzpatrick**

*Hunger Issues - Children - See following File #110745.*

**110745.**      **Citizen Comment - Pat Fitzpatrick (B)**

**RECOMMENDATION**      *The City Commission hear comments from Pat Fitzpatrick and place back-up submitted on file.*

**Placed on File**

**Jo Beaty**

*GREC - Bioimass Plant.*

**Paula Stahmer**

*GREC - Bioimass Plant.*

**RESPONSE TO CITIZEN COMMENT**

*Assistant City Manager Fred Murry made comments regarding the Koppers Superfund Site issue.*

**PUBLIC HEARINGS**

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**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

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

**A motion was made by Commissioner Henry, seconded by Commissioner Mastrodicasa, that this matter be Adopted (Resolution). The motion carried by the following vote:**

**Votes:** Aye: Craig Lowe, Randy Wells, Jeanna Mastrodicasa, Scherwin Henry, Todd Chase, Susan Bottcher and Thomas Hawkins

110686\_Bd of Canvassers Report\_20120216.pdf

110686\_Resolution\_Board of Canvassers\_20120216.pdf

## **ADOPTION READING-ROLL CALL REQUIRED**

## **ORDINANCES, 1ST READING- ROLL CALL REQUIRED**

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### **100604.**

#### **PLANNED DEVELOPMENT - COUNCIL ON AGING (B)**

**An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning certain property within the City, commonly referred to as the "Council on Aging PD" and generally located in the vicinity of the 5000 block of Southwest Archer Road, as more specifically described in this Ordinance, from the Alachua County zoning district of "Single family, Low Density" (R-1a and R-1c) to the City of Gainesville zoning districts of "Conservation" (CON) and "Planned Development" (PD); adopting a development plan report and development plan maps; providing conditions and restrictions; providing for enforcement and penalties; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

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*Mayor Lowe recognized Agent for the Petitioner Gerry Dedenbach who spoke to the matter.*

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

**A motion was made by Mayor-Commissioner Pro Tem Hawkins, seconded by Commissioner Mastrodicasa, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:**

**Votes:** Aye: Craig Lowe, Randy Wells, Jeanna Mastrodicasa, Scherwin Henry, Todd Chase, Susan Bottcher and Thomas Hawkins

100604\_cpb conditions\_20110120.pdf  
 100604A\_staff report\_20110120.pdf  
 100604B\_append A\_20110120.pdf  
 100604C\_apend 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  
 100604\_ORDINANCE\_20120301.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.**

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*Planning Manager Ralph Hilliard gave a presentation.*

**RECOMMENDATION**

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

**A motion was made by Mayor-Commissioner Pro Tem Hawkins, seconded by Commissioner Henry, that this matter be Approved (Petition) and Adopted on First Reading (Ordinance). The motion carried by the following vote:**

**Votes:** Aye: Craig Lowe, Randy Wells, Jeanna Mastrodicasa, Scherwin Henry, Todd Chase, Susan Botcher and Thomas Hawkins

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  
 110613\_ORDINANCE\_20120301.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.

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*Senior Strategic Planner Lila Stewart gave a presentation.*

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

**A motion was made by Commissioner Henry, seconded by Mayor-Commissioner Pro Tem Hawkins, that this matter be Adopted on First Reading, as revised (Ordinance). The motion carried by the following vote:**

**Votes:** Aye: Craig Lowe, Randy Wells, Jeanna Mastrodicasa, Scherwin Henry, Todd Chase, Susan Bottcher and Thomas Hawkins

110680\_Draft Ordinance\_20120216.pdf

110680\_MOD\_Exhibit A\_20120216.pdf

110680\_ordinance\_20120301.pdf

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

[Play Video](#)

### **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.**

[Play Video](#)

*Agent for the Petitioner Gerry Dedenbach gave a presentation.*

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

**A motion was made by Commissioner Henry, seconded by Commissioner Mastrodicasa, that this matter be Adopted on Final Reading, as amended (Ordinance). The motion carried by the following vote:**

**Votes:** Aye: Craig Lowe, Randy Wells, Jeanna Mastrodicasa, Scherwin Henry, Todd Chase, Susan Bottcher and Thomas Hawkins

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  
100327\_ordinance\_20120216.pdf  
100327\_exhibits\_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.**

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

**A motion was made by Commissioner Henry, seconded by Commissioner Mastrodicasa, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:**

**Votes:** Aye: Craig Lowe, Randy Wells, Jeanna Mastrodicasa, Scherwin Henry, Todd Chase, Susan Bottcher and Thomas Hawkins

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  
110047\_ordinance\_20120216.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.**

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

**A motion was made by Commissioner Henry, seconded by Commissioner Bottcher, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:**

**Votes:** Aye: Craig Lowe, Randy Wells, Jeanna Mastrodicasa, Scherwin Henry, Todd Chase, Susan Bottcher and Thomas Hawkins

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  
110109\_ordinance\_20120216.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.

[Play Video](#)

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

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

**Votes:** Aye: Craig Lowe, Randy Wells, Jeanna Mastrodicasa, Scherwin Henry, Todd Chase, Susan Bottcher and Thomas Hawkins

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  
110522\_ordinance\_20120216.pdf

## PLAN BOARD PETITIONS

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### **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.**

[Play Video](#)

*Principal Planner Oneilia Lazzari gave a presentation.*

*AMENDMENT: 1) Approve the petition subject to three modifications: 1) staff consider developing a definition for the term building frontage; 2) staff consider adding dimensions for urban walkways to the Dimensions Table for the Urban Village; and 3) ensure the parking requirements of paragraph D3f, anticipate the condition where parking might be near or adjacent to an urban walkway.  
(VOTE: 7-0, MOTION CARRIED)*

*Mayor Lowe recognized Agent for the Petitioner Gerry Dedenbach who spoke to the matter.*

**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.*

**A motion was made by Mayor-Commissioner Pro Tem Hawkins, seconded by Commissioner Wells, that this matter be Approved (Petition), as amended. The motion carried by the following vote:**

**Votes:** Aye: Craig Lowe, Randy Wells, Jeanna Mastrodicasa, Scherwin Henry, Todd Chase, Susan Bottcher and Thomas Hawkins

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

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### **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.**

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*FORMAL QUASI-JUDICIAL HEARING*

*INTRODUCTION OF MATTER BY STAFF: Lead Planner Lawrence Calderon and City Attorney Marion Radson gave introductions.*

*AFFECTED PARTY DETERMINATION: The affected party was identified.*

*DISCLOSURE OF EX PARTE' COMMUNICATIONS:*

*Commissioner Chase disclosed ex parte' communications.  
Commissioner Wells disclosed ex parte' communications.*

*SWEARING IN OF THE WITNESSES: The Clerk of the Commission swore in staff and all of the witnesses.*

*PETITIONER PRESENTATION: Agents for the Petitioner (City of Gainesville)*

*Causseaux, Hewitt and Walpole Gerry Dedenbach and Shawn Webber gave presentations.*

*CROSS EXAMINATION: Attorney for the affected party Karl Sanders cross examined Agent for the Petitioner Gerry Dedenbach.*

*STAFF PRESENTATION: Lead Planner Lawrence Calderon gave a presentation.*

*AFFECTED PARTY PRESENTATION: (against) Attorney for the Affected Party Karl Sanders cross examined Planning Manager Ralph Hilliard.*

*WAIVER OF RULES: A motion was made by Commissioner Scherwin Henry seconded by Mayor-Commissioner Pro Tem Hawkins to waive the rules to extend staff's presentation time for 2 minutes.*

*(VOTE: 7-0, MOTION CARRIED)*

*WAIVER OF RULES: A motion was made by Mayor-Commissioner Pro Tem Hawkins, seconded by Commissioner Wells to waive the rules to extend the meeting to 11:15 PM.*

*(VOTE: 7-0, MOTION CARRIED)*

*REBUTTAL: Agent for the Petitioner Causseaux, Hewitt and Walpole Shawn Webber and Lead Planner Lawrence Calderon made rebuttal comments.*

*WAIVER OF RULES : A motion was made by Mayor-Commissioner Pro Tem Hawkins, seconded by Commissioner Henry to waive the rules to extend the meeting until 11:30.*

*(VOTE: 7-0, MOTION CARRIED)*

*PUBLIC HEARING: There were no citizens who wished to speak during this time.*

*DELIBERATION AND VOTE OF THE CITY COMMISSION:*

*NOTE: There were 3 Exhibits submitted during the meeting by the Attorney for the Affected Party Karl Sanders labeled N-1, N-2, and N-3.*

**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*

**A motion was made by Mayor-Commissioner Pro Tem Hawkins, seconded by Commissioner Henry, that this matter be Approved (Petition) with Staff Conditions. The motion carried by the following vote:**

**Votes:** Aye: Craig Lowe, Randy Wells, Jeanna Mastrodicasa, Scherwin Henry, Todd Chase, Susan Bottcher and Thomas Hawkins

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  
110667\_Exhibit N-1\_Sanders\_20120216.pdf  
110667\_Exhibit N-2\_Sanders\_20120216.pdf  
110667\_Exhibit N-3\_Sanders\_20120216.pdf  
110667\_MOD\_DRAFT\_final administrative order\_20120301.pdf  
110667\_FINALORDER\_20120301.pdf

## SCHEDULED EVENING AGENDA ITEMS

## UNFINISHED BUSINESS

## COMMISSION COMMENT

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### Mayor-Commissioner Pro Tem Thomas Hawkins

*Stormwater in the Urban Village - See following File #110753.*

### 110753.

#### Stormwater District in the Urban Village (NB)

##### RECOMMENDATION

*The City Commission refer the issue of creating a Stormwater District in the Urban Village to the Recreation, Cultural Affairs and Public Works Committee.*

**A motion was made by Mayor-Commissioner Pro Tem Hawkins, seconded by Commissioner Wells, that this matter be Referred to the Recreation, Cultural Affairs and Public Works Committee, due back on August 16, 2012. The motion carried by the following vote:**

**Votes:** Aye: Craig Lowe, Randy Wells, Jeanna Mastrodicasa, Scherwin Henry, Todd Chase, Susan Bottcher and Thomas Hawkins

### **Commissioner Todd Chase**

*Fireworks on 4th of July.*

### **Commissioner Randy Wells**

1. *Low income energy improvements.*
2. *Senate Bill 106 and Senate Bill 118.*

### **Commissioner Scherwin Henry**

1. *Dedication Ceremony for the re-naming of the Blue Center (Northeast Liaison Center) to the Clarence R. Kelly Community Center and Park - February 17, 2012 @ 4:00 PM.*

2. *New flea market at the old Lowes.*

### **CITIZEN COMMENT (If time available)**

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### **Pat Fitzpatrick**

*General Comments.*

### **Rob Brinkman**

*Biomass Plant pics.*

### **ADJOURNMENT - 11:30 PM**

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Kurt M. Lannon, Clerk of the Commission