

LEGISLATIVE #

180397B

Ron DeSantis
GOVERNOR



Ken Lawson
EXECUTIVE DIRECTOR

February 22, 2019

The Honorable Lauren Poe
Mayor, City of Gainesville
Post Office Box 490, Station 19
Gainesville, Florida 32627-0490

Dear Mayor Poe:

The Department of Economic Opportunity ("Department") has reviewed the proposed comprehensive plan amendment for the City of Gainesville (Amendment No. 19-01ESR) received on January 31, 2019. The review was completed under the expedited state review process. We have no comment on the proposed amendment.

The City should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment. In addition, the City is reminded that:

- Section 163.3184(3)(b), F.S., authorizes other reviewing agencies to provide comments directly to the City. **If the City receives reviewing agency comments and they are not resolved, these comments could form the basis for a challenge to the amendment after adoption.**
- **The second public hearing**, which shall be a hearing on whether to adopt one or more comprehensive plan amendments, **must be held within 180 days** of your receipt of agency comments or the amendment shall be **deemed withdrawn** unless extended by agreement with notice to the Department and any affected party that provided comment on the amendment pursuant to Section 163.3184(3)(c)1., F.S.
- **The adopted amendment must be rendered to the Department.** Under Section 163.3184(3)(c)2. and 4., F.S., the **amendment effective date** is 31 days after the Department notifies the City that the amendment package is complete or, if challenged, until it is found to be in compliance by the Department or the Administration Commission.

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
850.245.7105 | www.FloridaJobs.org
www.twitter.com/FLDEO | www.facebook.com/FLDEO

An equal opportunity employer/program. Auxiliary aids and service are available upon request to individuals with disabilities. All voice telephone numbers on this document may be reached by persons using TTY/TTD equipment via the Florida Relay Service at 711.

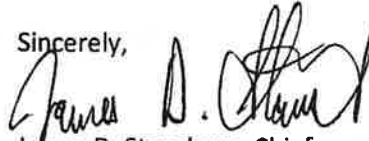
The Honorable Lauren Poe, Mayor

February 22, 2019

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If you have any questions concerning this review, please contact Sherry Spiers, Regional Planning Administrator, by telephone at (850) 717-8499 or by email at sherry.spiers2@deo.myflorida.com.

Sincerely,



James D. Stansbury, Chief
Bureau of Community Planning and Growth

JDS/ss

Enclosure(s): Procedures for Adoption

cc: Wendy Thomas, AICP, Director, Department of Doing, City of Gainesville
Andrew Persons, AICP, Planning Consultant, City of Gainesville
Scott R. Koons, Executive Director, North Central Florida Regional Planning Council

**SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS
FOR EXPEDITED STATE REVIEW**

Section 163.3184(3), Florida Statutes

NUMBER OF COPIES TO BE SUBMITTED: Please submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the State Land Planning Agency and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

SUBMITTAL LETTER: Please include the following information in the cover letter transmitting the adopted amendment:

_____ State Land Planning Agency identification number for adopted amendment package;

_____ Summary description of the adoption package, including any amendments proposed but not adopted;

_____ Identify if concurrency has been rescinded and indicate for which public facilities. (Transportation, schools, recreation and open space).

_____ Ordinance number and adoption date;

_____ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government;

_____ Name, title, address, telephone, FAX number and e-mail address of local government contact;

_____ Letter signed by the chief elected official or the person designated by the local government.

ADOPTION AMENDMENT PACKAGE: Please include the following information in the amendment package:

_____ In the case of text amendments, changes should be shown in strike-through/underline format.

_____ In the case of future land use map amendments, an adopted future land use map, **in color format**, clearly depicting the parcel, its future land use designation, and its adopted designation.

_____ A copy of any data and analyses the local government deems appropriate.

Note: If the local government is relying on previously submitted data and analysis, no additional data and analysis is required;

_____ Copy of the executed ordinance adopting the comprehensive plan amendment(s);

Suggested effective date language for the adoption ordinance for expedited review:

"The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If the amendment is timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance."

_____ List of additional changes made in the adopted amendment that the State Land Planning Agency did not previously review;

_____ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment;

_____ Statement indicating the relationship of the additional changes not previously reviewed by the State Land Planning Agency in response to the comment letter from the State Land Planning Agency.

Figueroa, Norma

From: Persons, Andrew W.
Sent: Friday, March 15, 2019 3:56 PM
To: Figueroa, Norma
Subject: FW: City of Gainesville proposed comprehensive plan amendment 19-1ESR

From: Steve Fitzgibbons [mailto:SFitzgibbons@sjrwmd.com]
Sent: Wednesday, February 27, 2019 9:37 AM
To: Persons, Andrew W. <personsaw@cityofgainesville.org>; ThomasWS@cityofgainesville.org
Cc: DCPexternalagencycomments@deo.myflorida.com
Subject: City of Gainesville proposed comprehensive plan amendment 19-1ESR

Dear Mr. Persons and Ms. Thomas,

St. Johns River Water Management District (District) staff have reviewed City of Gainesville proposed comprehensive plan amendment 19-1ESR in accordance with the provisions of Chapter 163, Florida Statutes. Based on review of the submitted materials, District staff have no comments on the proposed amendment. If you have any questions or need additional information, please contact me.

Please note that all proposed and adopted comprehensive plan amendments can be submitted to the District by email at sfitzgibbons@sjrwmd.com.

Sincerely,
Steve Fitzgibbons

Steven Fitzgibbons, AICP
Intergovernmental Planner
Governmental Affairs Program
St. Johns River Water Management District
7775 Baymeadows Way, Suite 102
Jacksonville, FL 32256
Office (386) 312-2369
E-mail: sfitzgibbons@sjrwmd.com
Website: www.sjrwmd.com
Connect with us: [Newsletter](#), [Facebook](#), [Twitter](#), [Instagram](#), [YouTube](#), [Pinterest](#)



www.sjrwmd.com/epermitting

We value your opinion. Please take a few minutes to share your comments on the service you received from the District by clicking this [link](#)

Notices

• Emails to and from the St. Johns River Water Management District are archived and, unless exempt or confidential by law, are subject to being made available to the public upon request. Users should not have an expectation of confidentiality or privacy.

- Individuals lobbying the District must be registered as lobbyists (§112.3261, Florida Statutes). Details, applicability and the registration form are available at <http://www.sjrwmd.com/lobbyist/>

Figueroa, Norma

From: Minnis, Steve <Steve.Minnis@srwmd.org>
Sent: Tuesday, February 26, 2019 7:58 AM
To: Franklin, Anita; Mari Daniels, Interim Director; Scott Koon, North Central Florida RPC; DCPexternalagencycomments@deo.myflorida.com; Persons, Andrew W.; Figueroa, Norma; Glass, Ben; Geoffrey Sample
Cc: Bell, Diane
Subject: RE: City of Alachua 19-01ESR Review Memo

The Suwannee River Water Management District (District) staff review of the above-referenced proposed comprehensive plan amendment was done in accordance with Florida Statutes. District staff review of the proposed amendment determined that no comments are necessary.

Should you have any questions or would like additional information, please contact me.

Steven Minnis
Deputy Executive Director
Business and Community Services
Suwannee River Water Management District
9225 CR 49, Live Oak, FL 32060
386.362.0434 (direct)
386.362.8313 (mobile)
800.226.1066 (FL Toll Free)

Individuals lobbying the District must be registered as lobbyists (Section 112.3261, Florida Statutes).
www.mysuwanneeriver.com

All E-mail sent to and from this address may be public records. The Suwannee River Water Management District does not allow use of the District E-mail system and other equipment for non-business related purposes.

Let us know how we're doing: [Contact Us](#)



From: Franklin, Anita <Anita.Franklin@deo.myflorida.com>
Sent: Monday, February 25, 2019 4:21 PM
To: Mari Daniels, Interim Director <mdaniels@alachuacounty.us>; Kae Craig, DEP <Kae.Craig@dep.state.fl.us>; Office of Intergovernmental Programs <Plan.Review@dep.state.fl.us>; Mark Weigly, Director <MarkWeigly@fldoe.org>; Robin Jackson <Robin.Jackson@Dos.myflorida.com>; Scott A. Clem, Growth Mgmt Coordinator <growthmanagement.d2@dot.state.fl.us>; Scott Koon, North Central Florida RPC <koons@ncfrpc.org>; Minnis, Steve <Steve.Minnis@srwmd.org>
Subject: City of Alachua 19-01ESR Review Memo

City of Alachua 19-01ESR Review Memo attached

and delete this message. Please note that Florida has a broad public records law, and that all correspondence to me via email may be subject to disclosure. Under Florida law email addresses are public records.

All E-mail sent to and from this address may be public records. The Suwannee River Water Management District does not allow use of the District E-mail system and other equipment for non-business related purposes.

Figueroa, Norma

From: Persons, Andrew W.
Sent: Friday, March 15, 2019 3:57 PM
To: Figueroa, Norma
Subject: FW: Gainesville 19-1ESR Proposed

From: Thomas, Wendy C
Sent: Thursday, February 28, 2019 7:46 PM
To: Figueroa, Norma <figueroan@cityofgainesville.org>
Cc: Persons, Andrew W. <personsaw@cityofgainesville.org>
Subject: Fwd: Gainesville 19-1ESR Proposed

Norma

Would you mind contacting DEO to tell them both Ralph and I are no longer with the city. Please give them AP's contact info.

Thanks

Wendy

Sent from my iPhone

Begin forwarded message:

From: Plan_Review <Plan.Review@dep.state.fl.us>
Date: February 28, 2019 at 1:13:50 PM CST
To: "Thomas, Wendy C" <ThomasWC@cityofgainesville.org>, "hilliardrw@cityofgainesville.org" <hilliardrw@cityofgainesville.org>, "DCPexternalagencycomments@deo.myflorida.com" <DCPexternalagencycomments@deo.myflorida.com>
Cc: Plan_Review <Plan.Review@dep.state.fl.us>
Subject: Gainesville 19-1ESR Proposed

To: Wendy Thomas, Director

Re: Gainesville 19-1ESR – Expedited State Review of Proposed Comprehensive Plan Amendment

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-referenced amendment package under the provisions of Chapter 163, Florida Statutes. The Department conducted a detailed review that focused on potential adverse impacts to important state resources and facilities, specifically: air and water pollution; wetlands and other surface waters of the state; federal and state-owned lands and interest in lands, including state parks, greenways and trails, conservation easements; solid waste; and water and wastewater treatment.

Based on our review of the submitted amendment package, the Department has found no provision that, if adopted, would result in adverse impacts to important state resources subject to the Department's jurisdiction.

Please submit all future amendments by email to Plan.Review@FloridaDEP.gov. If your submittal is too large to send via email or if you need other assistance, contact Lindsay Weaver at (850) 717-9037.





Florida Department of Transportation

RON DESANTIS
GOVERNOR

2198 Edison Avenue MS 2806
Jacksonville, FL 32204-2730

KEVIN J. THIBAUT, P.E.
SECRETARY

February 28, 2019

Andrew Persons & Wendy Thomas
City of Gainesville
P.O. Box 490, Station 11
Gainesville, FL 32627

SUBJECT: *City of Gainesville Proposed Large Scale Comprehensive Plan Amendment (19-1ESR)*

Dear Mr. Persons and Ms. Thomas,

Pursuant to Section 163.3184(4), Florida Statutes, (F.S.) in its role as a reviewing agency as identified in Section 163.3184(1)(c), F.S., the Florida Department of Transportation (FDOT) reviewed proposed amendment City of Gainesville 19-1ESR.

Amendment Summary

The Future Land Use Map (FLUM) amendment proposes to re-designate approximately 81.575 acres of developed property from Commercial (C) to Urban Mixed-Use (UMU). This change is intended to encourage the redevelopment of the Oaks Mall, a former Development of Regional Impact (DRI), and to add residential and mixed-use development on the site. The site is located at the southwest corner of the intersection at West Newberry Road (SR-26) and NW 62nd Street.

Comments

FDOT has no comments.

Technical Assistance Recommendation

Based on FDOT's analysis, it is anticipated the proposed land use amendment could have an adverse impact to the segments of SR-26 between I-75 and NW 8th Ave in 2020 and between NW 76th Blvd to I-75 in 2025. FDOT recommends that the City coordinate with FDOT in order to mitigate any potential adverse impacts to this state facility.

We appreciate the opportunity to review the proposed comprehensive plan amendment and request that a copy of the adopted amendment, along with the supporting data and analysis be transmitted within ten working days after the second public hearing for FDOT review.

If you have any questions, please do not hesitate to contact me by email: scott.clem@dot.state.fl.us or call: (904) 360-5681.

Sincerely,



Scott A. Clem, AICP
FDOT D2 Growth Management Coordinator

cc: Jennifer Carver, FDOT Central Office, Office of Policy Planning
Ray Eubanks, DEO