

City of Gainesville

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



Meeting Agenda

April 21, 2008

6:00 PM

City Commission Special Meeting

City Hall Auditorium

City Commission

*Mayor Pegeen Hanrahan (At Large)
Mayor-Commissioner Pro Tem Rick Bryant (At Large)
Commissioner Jeanna Mastrodicasa (At Large)
Commissioner Scherwin Henry (District 1)
Commissioner Ed Braddy (District 2)
Commissioner Jack Donovan (District 3)
Commissioner Craig Lowe (District 4)*

Persons with disabilities who require assistance to participate in this meeting are requested to notify the Office of Equal Opportunity at 334-5051 or call the TDD phone

ADOPTION OF THE AGENDA

AGENDA STATEMENT

"Citizens are encouraged to participate in City of Gainesville meetings. In general, speakers will be limited to 3 (three) minutes per agenda item. Additional time may be granted by the Mayor or by the City Commission as directed. The City of Gainesville encourages civility in public discourse and requests that speakers limit their comments to specific motions and direct their comments to the Chair. Signs or Props are not permitted in the meeting room. Citizens are encouraged to provide comments in writing to the Clerk of the Commission before meetings and/or during meetings for inclusion into the public record. Citizens may also provide input to individual commissioners via office visits, phone calls, letters and e-Mail, that will become public record. In some instances, i.e., Quasi-Judicial Hearings, these particular contacts may be prohibited.

ROLL CALL

PLAN BOARD PETITIONS

071051.

One-Stop Homeless Assistance Center (B)

Petition 129PDV-07PB. Brown & Cullen, Inc., agent for City of Gainesville. Rezone property from I-2 (General Industrial district) to PD (Planned Development) to allow the One-Stop Homeless Assistance Center. Located at 3335 North Main Terrace.

Explanation: The 0.93-acre subject property is in the northwestern part of the existing industrial area that is generally located west of North Main Street, north of Northeast 23rd Avenue, and south of Northeast 39th Avenue. The industrial area has a variety of uses, including but not limited to warehousing and storage, fabrication, service organizations and social clubs, automotive repair, and building construction and supply companies. The subject property is east of the southern portion of the City's Public Works compound. Adjacent to the north is a heating and air conditioning business, to the south is a service organization (Lions Club), and adjacent to the east is an engineering/testing company, auto-detailing, and an automotive electrical parts and accessories company.

The property has Industrial land use and I-2 (General industrial district) zoning, as do the adjacent properties to the north, east and south. To the west, across North Main Terrace and beyond the nearby rail spur, the public works compound has Public Facilities land use and PS zoning (Public services and operations district). The subject property is located within the Tertiary Zone of the Murphree Wellfield District, and is in Zone A of Transportation Concurrence Exception Area (TCEA). The property is developed with two adjoining one-story buildings that total 17,500 square-feet, has a paved parking lot, and is fenced and gated.

On March 26, 2007, the City Commission selected the 3335 North Main Terrace

site for the proposed One-Stop Assistance Center for the Homeless, and approved funding for the rezoning process. The Commission also authorized staff to negotiate a lease, a lease with a purchase option or lease-purchase agreement for the selected site, contingent upon: a) confirmation of adequate funding, divided equally between the City and the Alachua County Board of Commissioners; b) rezoning of the property; and c) conducting due diligence to confirm environmental and engineering suitability of site for intended use. In addition, the Commission authorized staff to hire a consultant to initiate a petition to rezone the property, including development or execution of needed documents and conducting a neighborhood meeting pursuant to [the] rezoning process.

The applicant (Brown & Cullen, Inc., agent for the City of Gainesville) is proposing Planned Development (PD) zoning to allow use of the property for the One-Stop Homeless Assistance Center. The PD Report proposes retention of uses permitted in the I-2 zoning district and addition of a food distribution center for the needy and various social services as permitted uses within the PD. Although the current I-2 zoning allows for some of the uses proposed for the assistance center, it does not allow for all proposed uses. I-2 zoning allows Individual and Family Social Services (IN-8322) by special use permit, but does not allow either Food Distribution Centers for the Needy (Sec. 30-111) or Job Training and Vocational Rehabilitation Services (IN-8331), and these categories include key components of the proposed center. I-2 zoning also does not allow for the provision of medical services, and the proposed PD includes limited medical services with the proviso that there would not be either a full-time medical clinic or full-time medical care.

The first phase of the proposed One-Stop Center will consist of approximately 5,000 square feet of indoor space that will include a day room (safe space to congregate or await assistance), training/counseling space, restrooms and showers, laundry facilities, storage of personal items, meal service (no cooking) and dining area. Meals are to be prepared off-site and delivered to the One-Stop Center. A 750 square-foot, covered outdoor use area will also be provided. Future phases of the One-Stop Center may use part or all of the remaining 12,500 square feet of the existing building area.

Staff evaluated this rezoning application in the staff report using the criteria listed in Section 30-216 (Requirements and evaluation of PD) of the Land Development Code. As a supplement to the staff report, staff made the following findings of fact at the Plan Board hearing on February 21, 2008: "The proposed PD is unique and promoted (supported) by the Comprehensive Plan. The proposed development is unique. Although it does not fit within an existing zoning district, it is consistent with the City's Comprehensive Plan. Other options available under the existing zoning districts in the Land Development Code would not allow this use. Each of the criteria in Section 30-216 (Requirements and Evaluation of PD) have [has] been addressed."

The Plan Board discussed the petition, heard extensive public comments, and recommended that the proposed PD be approved with conditions. The Plan Board agreed with staff-recommended conditions including but not limited to

permitted uses, rules of conduct, outdoor storage, and child care services. The Plan Board did not support limiting the number of meals, prohibiting residences for destitute people as defined in Sec. 30-23 (thus allowing overnight stays), restricting the hours of operation, prohibiting on-site meal preparation, and prohibiting use of property as a food bank operation for storage or distribution of food. The Plan Board added conditions that would require full-time security, construction of a sidewalk (with lighting), and transportation for clientele.

Public Notice was published in the Gainesville Sun on December 31, 2007 and February 5, 2008. The Plan Board held public hearings on January 17, 2008 and February 21, 2008.

Fiscal Note: There will be costs to the City for sidewalks, security, and transportation if the PD is approved as recommended.

RECOMMENDATION

City Plan Board to City Commission - The City Commission approve Petition 129PDV-07 PB with conditions. Plan Board vote 4-2.

Staff to City Commission - Approve Petition 129PDV-07PB with conditions as recommended by the City Plan Board.

Alternative Recommendation - Deny Petition 129PDV-07PB.

Staff to Plan Board - Approve Petition 129PDV-07PB with conditions

Legislative History

4/3/08 City Commission Continued (Petition) (5 - 2)

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070275.**Lease for the One-Stop Homeless Assistance Center Site at 3335 North Main Terrace (B)**

This item will authorize a six month extension of the date of commencement for the lease agreement for the property at 3335 North Main Terrace, the site of the proposed one-stop homeless assistance center.

Explanation: On August 27, 2007, the City Commission approved a Lease Agreement and Option to Purchase between the City of Gainesville and Rajae and Pourzadeh, LLC for the property located at 3335 North Main Terrace, the site of the proposed one-stop homeless assistance center. The Lease Agreement provided for the payment by the City of a \$24,000 deposit, to be held in escrow, and a May 1, 2008 lease commencement date, which was intended to provide sufficient time for the City to conclude the necessary rezoning of the property. The initial term of the lease is three years, with a monthly rental payment of \$6,000, plus the monthly payment of property taxes, currently \$9,937 per year, in the amount of \$828 per month.

The rezoning process has taken longer than anticipated and will not be completed prior to the May 1, 2008 commencement date. In order to ensure sufficient time to complete the rezoning, staff recommends amending the Lease Agreement and Option to Purchase, to extend the commencement date an additional six months to November 1, 2008. The owner of the property has agreed to the extension provided the City releases the \$24,000 deposit being held in escrow and makes additional nonrefundable payments of \$6,000 per month for the six-month period commencing May 1, 2008. If the rezoning is successful and the lease commences on or before November 1, 2008, the \$24,000 deposit would be applied to the first four months of the lease period.

At this time the City has the option of cancelling the lease any time prior to May 1, 2008; however, the \$24,000 deposit would be forfeited. Under the proposed amendment, the City would have the option of cancelling the lease any time prior to November 1, 2008; however, the initial \$24,000 deposit, and any additional \$6,000 monthly payments made by the City between May 1, 2008 and November 1, 2008, would also be forfeited.

Fiscal Note: Funding for the first year of the lease, including the lease deposit, has been approved by the City Commission.

RECOMMENDATION

The City Commission approve the amendment to the Lease Agreement and Option to Purchase between the City of Gainesville and Rajae and Pourzadeh, LLC for the property located at 3335 North Main Terrace, subject to approval by the City Attorney as to form and legality.

Alternative Recommendation A: The City Commission direct City staff to cancel the lease prior to May 1, 2008 pursuant to the terms contained with the Lease Agreement and Option to Purchase.

Legislative History

8/13/07 City Commission Continued (6 - 0 - 1 Absent)
8/27/07 City Commission Approved as Recommended (5 - 2)

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