

City of Gainesville

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



Meeting Agenda

September 17, 2007

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

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

CITY MANAGER

070213.

Amend Existing Sam's Club Planned Development - (Quasi-Judicial) (B)

Petition 4PDA-07 PB, CPH, agent for Wal-Mart Stores, Inc. Request to amend an existing Planned Development to allow for a building expansion of an additional 25,857 square feet and a gasoline fueling station at the existing Sam's Club. Located at 2801 Northwest 13th Street. (Quasi-Judicial)

Explanation: This petition is a request to amend the existing Sam's Club Planned Development to allow for a 25,857 square foot building addition and a gasoline fueling station at the Sam's Club store located at 2801 Northwest 13th Street. The existing development is located on approximately 22.02 acres and contains a single building that is a total of 116,141 square feet. The original Planned Development was adopted in 1989 and has since been amended in 1998 to expand the existing building and modify parking and traffic circulation.

This proposal to expand the existing Sam's Club building will create a new sales floor, a four-bay tire mounting area (T.M.A.) and a liquor sales area within the store. The building expansion extends to the south, into a portion of the existing parking lot. Minor additions to the west and east will provide a new vestibule on the front of the building and a small office addition to the rear of the building, respectively. The new total square footage of the Sam's Club building will be approximately 141,998 square feet.

The initial application for this Planned Development amendment included a request for the future construction of a twelve fueling position gas station. Staff recommended that the request for a fueling station be reviewed through a separate process that will include the Transportation Concurrency Exception Area (TCEA) Special Use Permit process, and the Wellfield Protection Special Use Permit process. Additionally, the future gas fueling station will have to meet all applicable requirements of the City of Gainesville Land Development

Code, such as Article VI, Requirements for Specially Regulated Uses. The applicant based on this information decided to delay their request for the gasoline fueling station. Staff in an attempt to clarify that the existing planned development allowed gas fueling stations proposed conditions 2 and 3, to outline the process of approval. The Plan Board reviewed the gasoline fueling station issue and deleted both conditions and voted to prohibit gas stations on the site.

Another issue raised by the opponents of the petition was that the Sam's property is required to comply with the central corridor overlay district, because the property has 85 feet of frontage along US 441. The 85 feet of frontage functions as the entrance driveway to the Sam's development. It has been staff's interpretation that development more than 250 feet from the regulated corridor is outside the overlay affected area. This interpretation and policy decision has facilitated the redevelopment of Verde Plaza (Old Pic-n-Save) and the Lowe's (old Kmart) along this corridor.

The City Plan Board heard the petition and recommended approval with modified conditions. The major difference between the Plan Board's recommendation and City staff is the Plan Board chose to prohibit gasoline service stations as a permitted use in this Planned Development.

Public notice was published in the Gainesville Sun on April 3, 2007. Letters were mailed to surrounding property owners on April 4, 2007. The Plan Board held a public hearing April 19, 2007.

Fiscal Note: None

RECOMMENDATION

City Plan Board to City Commission - The City Commission approve Petition 4PDA-07 PB with Plan Board modifications that gas stations be prohibited as an allowable use, restrict loading dock operating hours to 6:00 AM to 10:00 PM, construct and improve screening walls, and allow the Plan Board to review the final development plan. Plan Board vote 5-0.

Staff to Plan Board - Approve with conditions that would allow the gasoline fueling station through the development review process.

Alternative Recommendation A: The City Commission deny Petition 4PDA-07 PB.

Legislative History

8/13/07	City Commission	Withdrawn
9/10/07	City Commission	Continued (Petition) (6 - 0 - 1 Absent)

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070417.**Advertisement for General Manager for Utilities Selection Process (B)**

The City Commission review the public advertisement for the General Manager for Utilities Position.

Explanation: On August 27, 2007, the City Commission agreed to continue the selection process for the General Manager position with a target interview date set for December 2007. The Commission also agreed that the process would include public advertisement of the position in appropriate national publications. Staff was directed to work with Mycoff & Associates to develop an advertisement including the qualifications desired and a salary range for the City Commission to review and approve.

Fiscal Note: None at this time.

RECOMMENDATION

The City Commission approve the advertisement and accompanying salary range.

Alternative Recommendation A:

The City Commission discuss the advertisement and accompanying salary range and take action as appropriate.

Legislative History

9/10/07 City Commission Continued (6 - 0 - 1 Absent)

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070479.**Fire Services Special Assessment (B)**

This item is to provide the City Commission with an overview of the pros

and cons of a Fire Services Special Assessment and the process to implement one.

Explanation: Special assessments can be charged by governmental units where there is a desire to fund services using a mechanism that charges properties that gain the benefit from the service. This method of funding also reduces the reliance on ad valorem taxes to fund the specific service.

Throughout the State of Florida, governmental units that provide fire protection use Special Assessments to augment funding those services. During the budget process for FY 2008, staff met with most commissioners and a decision was made to conduct a workshop to fully discuss the feasibility of implementing a fire special assessment in the City of Gainesville.

A fire special assessment could provide some relief to the ad valorem tax rates, up to 80-90% of the Fire Rescue budget and can be funded using the special assessment process.

Fiscal Note: None at this time.

RECOMMENDATION

The City Commission: 1) hear a presentation from staff and Government Services Group, and 2) take action as deemed appropriate.

Alternative Recommendation A:

Continue to fund all of the Fire Rescue budget with ad valorem taxes.

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ADJOURNMENT