

City of Gainesville

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



Meeting Agenda

May 05, 2011

1:00 PM

City Hall Auditorium

City Commission

Mayor Craig Lowe (At Large)

Mayor-Commissioner Pro Tem Jeanna Mastrodicasa (At Large)

Commissioner Scherwin Henry (District 1)

Commissioner Lauren Poe (District 2)

Commissioner Warren Nielsen (District 3)

Commissioner Randy Wells (District 4)

Commissioner Thomas Hawkins (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

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

Prophet George Young

CONSENT AGENDA

CITY MANAGER, CONSENT AGENDA ITEMS

100883.

Eighteenth Amendment to the Contract for Professional Consulting Services for the East Gainesville Sprout Project (B)

This is a request for the City Commission to approve the proposal and execute the amendment for final and post design services of the Depot Park Phase II stormwater pond and pump station. The work is proposed in the amount of \$146,863.

Explanation: This amendment is necessary to complete the design work by Environmental Consulting and Technology, Inc. (ECT) for the Phase II stormwater pond at the Depot Park site and a pump station to be located along Sweetwater Branch just east of the park site. The construction plans for the phase II pond and pump station are currently 75% completed. This work will provide final construction drawings and specifications necessary to bid the construction of the phase II pond and pump station. In addition, this scope will provide for some additional survey, cost estimates, permit modification, assistance in the preparation of a Special Appropriations Grant application for the project and post design services.

Fiscal Note: Funding in the amount of \$146,863 is allocated and identified from the State Revolving Fund Loan.

RECOMMENDATION

The City Commission: 1) authorize the City Manager to execute the Eighteenth Amendment to the contract

for Professional Consulting Services for the East Gainesville Sprout Project, subject to approval by the City Attorney as to form and legality; and 2) authorize the City Manager to issue a modified purchase order in the amount not to exceed \$3,471,284, which represents the total for professional services included to date.

100883A_Contract_20110505.pdf

100903.

Annexation of Parcel Numbers 10890-000-000, 10889-000-000, 10889-002-000, 10889-003-000, 16127-003-000, 16127-003-001, 16125-005-000, 16125-000-000, 16126-000-000, 16125-007-000 (B)

This is the submission of petitions for voluntary annexation for the above referenced parcel numbers, which are located in the vicinity of Hawthorne Road, E. University Avenue and SE 43rd Street.

MODIFICATION - Revised text file and revised back-up submitted 5/4/2011.

Explanation: Demetree Metro at Forest Creek LLC, property owner, has submitted a petition to the City of Gainesville for voluntary annexation of Tax Parcel 10890-000-000. The property is generally located south of East University Avenue, west of the vicinity of SE 43rd Street, north of tax parcel 10890-002-000, and east of the Gainesville City Limits. Staff has determined that the petition bears the signature of the property owner or authorized agents. Staff has reviewed the requirements of the Boundary Adjustment Act. This area meets the requirements of the Act and is appropriate for annexation.

Demetree and Demetree, Jr., property owner, has submitted a petition to the City of Gainesville for voluntary annexation of Tax Parcel 10889-000-000. The property is generally located south of East University Avenue, west of the vicinity of SE 43rd Street, north of Tax Parcels 16127-002-002 and 16127-002-001, and east of Tax Parcels 10890-000-000 and 10890-002-000. Staff has determined that the petition bears the signature of the property owner or authorized agents. Staff has reviewed the requirements of the Boundary Adjustment Act. This area meets the requirements of the Act and is appropriate for annexation.

Mary L. Demetree and William C. Demetree Jr., property owners, have submitted a petition to the City of Gainesville for voluntary annexation of Tax Parcels 10889-002-000 and 10889-003-000. The property is generally located south of East University Avenue, west of the vicinity of SE 43rd Street, north of Tax Parcel 16127-003-000 and 16125-001-001, and east of Tax Parcel 10889-000-000. Staff has determined that the petition bears the signature of the property owner or authorized agents. Staff has reviewed the requirements of the Boundary Adjustment Act. This area meets the requirements of the Act and is appropriate for annexation.

Ronald Olster, property owner and Manager of Spogain Investments, LLC., has submitted a petition to the City of Gainesville for voluntary annexation of Tax Parcel 16127-003-000. The property is generally located south of East University Avenue, west of South East 43rd Street, north of South East

Hawthorne Rd., and east of the Gainesville City Limits. Staff has determined that the petition bears the signature of the property owner or authorized agents. Staff has reviewed the requirements of the Boundary Adjustment Act. This area meets the requirements of the Act and is appropriate for annexation.

Daryl Olster, property owner and President of Champion Self Storage of Gainesville, LLC., has submitted a petition to the City of Gainesville for voluntary annexation of Tax Parcel 16127-003-001. The property is generally located south of East University Avenue, west of South East 43rd Street, north of South East Hawthorne Rd., and east of the Gainesville City Limits. Staff has determined that the petition bears the signature of the property owner or authorized agents. Staff has reviewed the requirements of the Boundary Adjustment Act. This area meets the requirements of the Act and is appropriate for annexation.

Daryl Olster, property owner and President of Louis & Scott, LLC. has submitted a petition to the City of Gainesville for voluntary annexation of Tax Parcel 16125-005-000. The property is generally located south of East University Avenue, west of South East 43rd Street, north of South East Hawthorne Rd., and east of Tax Parcel 16127-003-000. Staff has determined that the petition bears the signature of the property owner or authorized agents. Staff has reviewed the requirements of the Boundary Adjustment Act. This area meets the requirements of the Act and is appropriate for annexation.

Daryl Olster, property owner and President of Ramblewood Property Inc. has submitted a petition to the City of Gainesville for voluntary annexation of Tax Parcel 16125-000-000. The property is generally located south of East University Avenue, west of South East 43rd Street, north of South East Hawthorne Rd., and east of Tax Parcel 16125-007-000. Staff has determined that the petition bears the signature of the property owner or authorized agents. Staff has reviewed the requirements of the Boundary Adjustment Act. This area meets the requirements of the Act and is appropriate for annexation.

Daryl Olster, property owner and President of Ramblewood Property Inc. has submitted a petition to the City of Gainesville for voluntary annexation of Tax Parcel 16126-000-000. The property is generally located south of South East Hawthorne Rd., west of South East 43rd Terrace, north of Paynes Prairie Preserve State Park, and east of South East 39th Terrace. Staff has determined that the petition bears the signature of the property owner or authorized agents. Staff has reviewed the requirements of the Boundary Adjustment Act. This area meets the requirements of the Act and is appropriate for annexation.

Stanley Kazwell, property owner, has submitted a petition to the City of Gainesville for voluntary annexation of Tax Parcel 16125-007-000. The property is generally located south of Tax Parcel 16127-003-001, west of South East 43rd Street, north of Hawthorne Road, and east of Tax Parcel 16127-003-001. Staff has determined that the petition bears the signature of the property owner or authorized agents. Staff has reviewed the requirements of the Boundary Adjustment Act. This area meets the requirements of the Act and is appropriate for annexation.

Fiscal Note: The fiscal impact of this annexation will be addressed in the urban services report.

RECOMMENDATION

The City Commission: 1) receive the petitions for annexation and make findings that they contain the signature of the property owner or authorized agents; 2) direct the City Manager to analyze the area; and 3) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation of the area, if appropriate.

Alternative Recommendation: The City Commission deny acceptance of these petitions.

100903_Petitions_20110505.pdf

100903_MOD_Petitions_20110505.pdf

100912.**Request for Revisions to City Code Chapter 18 (B)**

This item involves a request for the City Commission to direct the City Attorney to prepare and the Clerk of the Commission to advertise amendments to City Code Chapter 18.

Explanation: Parks, Recreation and Cultural Affairs Department staff has reviewed the current version of Chapter 18 of the city code of ordinances. Due to the addition of parks, changes in park names, as well as to provide consistency of park rules and regulations, staff has proposed specific revisions to the existing Chapter 18 code.

Fiscal Note: There is no cost to the City to implement revisions to Chapter 18.

RECOMMENDATION

The City Commission direct the City Attorney to prepare and the Clerk of the Commission to advertise amendments to City Code Chapter 18.

100912_Ch 18 Revisions_20110505.pdf

100943.**Human Resources Policy E-1, Employment (B)**

Explanation: The Charter Officers have been working together with the Human Resources Department to revise our Human Resources Policies and Procedures. The new Policy E-1 is a result of this collaboration and replaces former Policies 2, 5 and 30.

As directed by the Audit, Finance and Legislative Committee, included in this policy is the provision for Charter Officers to make time-limited appointments. These time-limited positions would be appointed by the Charter Officer and serve at the discretion of the City.

Fiscal Note: Any fiscal impact is included in the annual budget.

RECOMMENDATION

The City Commission: 1) approve Policy E-1; 2) direct Risk Management to make changes to benefits plans, as necessary.

100943_HRPolicy_20110505.pdf

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

CITY ATTORNEY, CONSENT AGENDA ITEMS

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

100928.

City Election 2012 (NB)

RECOMMENDATION

The City Commission set the 2012 Election for January 31, 2012, and authorize the City Attorney to draft and Clerk of the Commission to advertise the ordinance.

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

COMMUNITY DEVELOPMENT COMMITTEE, CONSENT

100755.

Personal Storage Devices (B)

This item is a referral from the Community Development Committee (CDC) regarding proposed regulations associated with Personal Storage Devices.

Explanation: The Community Development Committee (CDC) met on March 22, 2011 and received a presentation from staff concerning Personal Storage Devices and Roll-offs. Following public input and deliberation, the Committee voted to forward a modified version of staff's recommendation to the City Commission for consideration.

The components of the proposed regulatory structure include definitions of Personal Storage Devices and Roll-Offs and then the mechanical issues of their allowance in terms of applicable zoning districts, their placement on property, the duration of placement on property and finally, notice of placement.

Fiscal Note: No fiscal Impact.

RECOMMENDATION

The City Commission: 1) direct staff to initiate a Petition to the Plan Board regarding the regulation of Personal Storage Devices; and, 2) remove this item from the CDC referral list.

Legislative History

3/3/11 City Commission Approved as Recommended (7 - 0)

100755A_City Comm Referral 3-3-11_20110322.pdf
100755B_Review of POD Unitis_20110322.pdf
100755A_Staff Review_20110505.pdf
100755B_CPB Staff Rpt_20110505.pdf

AUDIT, FINANCE AND LEGISLATIVE COMMITTEE, CONSENT

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

CITY MANAGER

100862.

Proposal Award - Selection of Contractors for the City of Gainesville Tennis Complex located at Albert Ray Massey Park (B)

This item requests the City Commission to approve the award of the Tennis Professional Services Contract to Mike Oransky Tennis, and authorize the City Manager or designee to execute a contract with Mike Oransky Tennis for Professional Tennis Services at City Facilities, including Joyce Oransky Tennis Center and Pro Shop.

MODIFICATION - Correspondence from Attorney Robert Rush added 5/4/2011.

Explanation: On October 28, 2010, the City's Purchasing Division issued a Request for Proposals for Professional Tennis Services at City Facilities, Including Joyce Oransky Tennis Center and Pro Shop (Rebid), with a closing date of November 23, 2010. On November 23, 2010, the City's Purchasing Department received two (2) proposals from tennis contractors for use of the City's tennis facilities, per the specifications set forth in the Request for Proposal (RFP) developed by the Parks, Recreation and Cultural Affairs Department (PRCA). Department staff has evaluated the qualifications, proposals of the firms, and prices and has recommended the contract be awarded to Mike Oransky Tennis. The other proposal submitted by TLCG Tennis LLC was deemed non-responsive for not meeting minimum requirements.

On January 19, 2011, the City was officially notified by Mr. Jeffrey Braswell, of Scruggs and Carmichael, P. A. that his client, Abdoulaye Touré of TLCG Tennis LLC, wished to lodge a protest of the proposal award. Section 41-582 Section 41-582 of the Purchasing Procedures requires that a timely protest include all relevant information which the alleged aggrieved party feels is pertinent. The formal, written protest was based solely on the belief that his client met the

terms of the RFP. The bid protest was received by the City and reviewed by the City Attorney's Office.

In accordance with the award protest procedure, on January 27, 2011 the Director of PRCA heard the protest, and forwarded his recommendation to City Manager Russ Blackburn. On February 8, 2011, the City Manager issued a letter to Mr. Braswell with supporting documentation denying the protest. Subsequently, on February 14, 2011, within the prescribed period, Mr. Braswell, on behalf of Mr. Touré, filed an appeal of the City Manager's decision. In this appeal Mr. Braswell is presenting additional issues and additional requested remedies which are contrary to procedure (41-581), The City Commission or designee shall review the decision of the Charter Officer, the record before the Charter Officer, and written or oral argument of the parties involved in the appeal. No new evidence shall be considered and the City Commission may only reverse or modify the decision of the Charter Officer upon a determination that his/her decision was not based on substantial competent evidence or that his/her reasoning or application of the policies, procedures and law was fundamentally flawed."

Fiscal Note: Should the City Commission elect to approve award of the Tennis Professional Services contract, revenues derived from the contract will be deposited into the General Fund, Recreation Division revenue accounts.

RECOMMENDATION

The City Commission: 1) deny TLCG Tennis LLC 's appeal; 2) approve award of the Tennis Professional Services contract to Mike Oransky Tennis; and 3) authorize the City Manager or designee to execute all contract documents with Mike Oransky for Tennis Professional Services, subject to approval by the City Attorney as to form and legality.

Alternative Recommendation

The City Commission turn down the bid award and request the City Staff go back out to bid for Professional Tennis Services at City Facilities, including Joyce Oransky Tennis Center and Pro Shop.

Legislative History

4/21/11 City Commission Continued (7 - 0)

100862A_Memo_20110421.PDF
 100862B_Letter_20110421.pdf
 100862C_Procedures_20110421.pdf
 100862D_Letter_20110421.pdf
 100862E_RFP_20110421.pdf
 100862F_RFP Add#1_20110421.pdf
 100862G_RFP Add#2_20110421.pdf
 100862H_RFP Add#3_20110421.pdf
 100862I_Letter_20110421.pdf
 100862Jrevised_presentation_20110505.pdf
 100862K_letter_20110505.pdf
 100862_MOD_Robert Rush Letter_20110505.pdf

GENERAL MANAGER FOR UTILITIES

CITY ATTORNEY**CITY AUDITOR****EQUAL OPPORTUNITY DIRECTOR****COMMITTEE REPORTS (PULLED FROM CONSENT)****AUDIT, FINANCE AND LEGISLATIVE COMMITTEE****100507.****Funding RTS Routes and Associated ADA Service Outside the City Limits (B)**

This item is a request to approve the service rate policy for transit service outside Gainesville City limits.

MODIFICATION - PPT. added May 4, 2011.

Explanation: The City of Gainesville Regional Transit System (RTS) provides transit services outside Gainesville City limits that are currently under contract with the Board of County Commissioners (BoCC).

This item was referred by the City Commission to the Audit, Finance and Legislative Committee on November 4, 2010. On November 30, 2010, a proposed policy including the criteria for the service rate was discussed. The Committee requested that RTS staff bring back to their next meeting a set of formulas which would reflect the full cost of transit service provided outside the Gainesville City limits, including consideration of an additional charge to meet future transit needs.

On January 27, 2011, a revised policy, which includes depreciation expense and an additional charge to meet future transit needs, was presented by RTS staff and discussed by the Committee. An additional item discussed but not recommended for implementation at this time was utilizing the Consumer Price Index (CPI) to reflect increased annual costs from calculation to payment of the service rate.

On February 17, 2011 this item was removed from the City Commission agenda and sent back to the Audit, Finance and Legislative Committee for further discussion.

The current proposed policy calculates an hourly service rate of \$71.37 for FY2012 for transit services outside the City limits which includes a 10% allocation towards future capital investment.

Fiscal Note: Revenue generated by the service rate will cover any operating expenses associated with the service.

RECOMMENDATION

The City Commission approve the revised service rate

policy, which generates a service rate of \$71.37 per hour for fiscal year 2012 for unincorporated portions of Alachua County not covered by other contracts.

Legislative History

11/4/10	City Commission	Referred (7 - 0)	Audit, Finance and Legislative Committee
11/30/10	Audit, Finance and Legislative Committee	Retained in Committee	
1/27/11	Audit, Finance and Legislative Committee	Recommended for Approval	
2/17/11	City Commission	Withdrawn	
4/4/11	Audit, Finance and Legislative Committee	Approved as shown above (See Motion) (2 - 0)	
4/21/11	City Commission	Withdrawn	

100507_RTS Proposed Policy_20101130.PDF

100507_Revised Formula_20110127.pdf

100507_spreadsheets_20110217.pdf

100507_Service Rate Policy_20110217.PDF

100507_FinalRecommendedServiceRates_20110404.pdf

100507_MOD_Presentation_20110505.pdf

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

100768.

Charter Officers' Annual Performance Evaluations for the Past Fiscal Year Ending September 30, 2010 (NB)

Explanation: The City Commission evaluates the Performance of the Charter Officers on an annual basis. This review covers the last fiscal year, ending September 30, 2010. Each Charter Officer has provided a report to the City Commission on the accomplishments of his areas of responsibility and other supporting documentation.

Because of the current economic climate, Human Resources did not conduct a comprehensive management pay study for this fiscal year. In the future, Charter Officer compensation will be reviewed as part of the periodic comprehensive management pay study performed by Human Resources.

Fiscal Note: There is no fiscal impact.

RECOMMENDATION

The City Commission reviews the performance of each Charter Officer and establishes appropriate performance score for FY 2010.

COMMISSION COMMENTS (if time available)**RECESS****RECONVENE****PLEDGE OF ALLEGIANCE (5:30pm)****PROCLAMATIONS/SPECIAL RECOGNITIONS****100899.****Emergency Medical Services Week (B)**

RECOMMENDATION *GFR Special Operations Chief, Don Sessions, to receive the proclamation.*

100899_EmergencyMedicalServicesWeek_20110505.pdf

100900.**Gainesville Police Department Volunteer Appreciation Day (B)**

RECOMMENDATION *Corporal Audrey Mazzuca to receive the proclamation.*

100900_GPDVolunteerAppreciationDay_20110505.pdf

100901.**National Public Works Week (B)**

RECOMMENDATION *Teresa Scott, Public Works Director, to receive the proclamation.*

100901_NatlPublicWorksWeek_20110505.pdf

100921.**Internal Audit Awareness Month (B)**

RECOMMENDATION *Institute of Internal Auditors-North Central Florida Chapter President, Edwin Griswold and member, Brent Godshalk to receive the proclamation.*

100921_InternalAuditAwarenessMonth_20110505.pdf

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

RESOLUTIONS- ROLL CALL REQUIRED

100857.

Resolution to Enter into a Maintenance Agreement with the State of Florida Department of Transportation (B)

This item is a Resolution for approval and authorization to enter into a Maintenance Agreement with the State of Florida Department of Transportation (FDOT), allowing the City of Gainesville to provide maintenance for the proposed sidewalk along a portion of NE 19th Place. This sidewalk construction is funded by the FDOT under the "Safe Routes to School" program of FDOT.

Explanation: The FDOT is proposing to fund the construction of a sidewalk along a portion of NE 19th Place under its Safe Routes to School program. Although the construction will be within the City's Right-of-Way, since the construction funding is provided by the FDOT, a Maintenance Agreement is required to be executed prior to construction of these betterments.

Fiscal Note: Funding in the amount of \$10,000 is available in the Public Works FY2011 operating budget.

RECOMMENDATION

The City Commission adopt the Resolution.

Legislative History

4/21/11 City Commission Withdrawn

100857A_Resolution_20110505.pdf

100857B_MOA_20110505.pdf

100884.

Resolution for a Supplemental Joint Participation Agreement (SJPA) - Bus Rapid Transit (BRT) Alternatives Analysis (B)

This item is a request to adopt a Resolution authorizing the City Manager to execute a Supplemental Joint Participation Agreement between the City of Gainesville and the Florida Department of Transportation (FDOT) to receive \$125,000 in funds for a Bus Rapid Transit (BRT) Alternatives Analysis.

Explanation: On April 1, 2010, the City Commission adopted a resolution to accept funding of \$125,000 for a Bus Rapid Transit (BRT) Alternatives Analysis. On May 26, 2010, the Regional Transit System (RTS) and the Florida Department of Transportation (FDOT) entered into a Joint Participation Agreement (JPA) to accept the funding.

At that time, the City Commission directed RTS to submit a request to the Florida Department of Transportation (FDOT) to incorporate BRT design and operations into any Archer Road and Waldo Road corridor improvements and to seek local, state and federal funds to complete an Alternatives Analysis for the preferred BRT configuration in accordance with the Federal Transit

Administration's (FTA) New and Small Starts process. RTS has also followed the City Commission's directive to work with the Metropolitan Transportation Planning Organization (MTPO) to define an overall system plan for BRT, express bus with park and ride lots, fixed-route, demand-response and commuter services and to relate those improvements to the Long Range Transportation Plan (LRTP) and Transit Development Plan (TDP). The City Commission approved the TDP on March 17, 2011. RTS has also developed an overall financial plan for future mobility relating to growth management, economic development and sustainability.

RTS desires to enter into a Supplemental Joint Participation Agreement (SJPA) with FDOT to receive this additional funding of \$125,000 to further the Alternatives Analysis Study.

Fiscal Note: FDOT will provide funding in the amount of \$125,000. No local matching funds are required.

RECOMMENDATION The City Commission adopt the Resolution.

100884_Resolution_20110505.pdf

100885.

Resolution for a Joint Participation Agreement (JPA) to Conduct a Comprehensive Operational Analysis (COA) (B)

This item is a request to adopt a Resolution authorizing the City Manager to execute a Joint Participation Agreement between the City of Gainesville and the Florida Department of Transportation (FDOT) to receive funds to conduct a Comprehensive Operational Analysis (COA) to evaluate RTS operations.

Explanation: The Regional Transit System (RTS) has undergone a transformation over the past 14 years, from a small urban system with declining ridership and support, to a growing, heavily used and widely supported transit service. This growth has provided unprecedented ridership increases and placed tremendous strain on the system's funding and infrastructure. RTS' success has also created expectations among the community with regard to continued expansion of existing fixed route service, implementation of Bus Rapid Transit (BRT) express bus service, as well as a Streetcar system.

The Comprehensive Operational Analysis (COA) will provide an evaluation of RTS operations, equipment and facility requirements for three time horizons: near-term (1-3 years), short range (4-9 years) and long range (10-15 years). The COA will recommend route changes designed to improve service efficiency, apply resources where they are most needed, and modernize the route network based on current and projected conditions within the service area. The COA will also provide short and long range recommendations in terms of service expansion, equipment requirements, and facility needs based on analysis of existing and future plans such as the Transit Development Plan (TDP), RTS Premium Transit Service Report, Metropolitan Planning Organization (MTPO) 2035 Long Range Transportation Plan (LRTP), the University of Florida (UF) Campus Master Plan, and other transit related plans.

FDOT requires the governing board of each public transit system to adopt a resolution authorizing the acceptance of these funds.

Fiscal Note: The Florida Department of Transportation (FDOT) will provide funding through a Joint Participation Agreement (JPA) in the amount of \$145,000. No local funds are required to match FDOT funds.

RECOMMENDATION *The City Commission adopt the Resolution.*

100885_Resolution_20110505.pdf

100886.

Resolution for a Supplemental Joint Participation Agreement - Service Development Funds for Regional Transit Service (RTS) Route 25 - 2nd Year (B)

This item is a request to adopt a Resolution authorizing the City Manager to execute a Supplemental Joint Participation Agreement between the City of Gainesville and the Florida Department of Transportation (FDOT) to receive Service Development Funds for the continued operation of Route 25.

Explanation: FDOT allocates service development funds to transit agencies each year. The allocations are given at FDOT discretion on a competitive basis for agency projects that meet FDOT Service Development Grant (SDG) criteria.

Since its implementation in August, 2010, Route 25 has provided transit service from the Gainesville Regional Airport to the University of Florida (UF) via State Road 24 (Waldo Road). This route provides passengers with convenient transportation to the Gainesville Regional Airport during peak hours and serves as a major connector between Campus and City routes. Riders now have a choice to use public transportation when traveling to and from the UF campus, from the UF campus to Downtown, from Downtown to the airport, and from the UF campus to the airport. Route 25 also connects UF Eastside and main campus. Ridership continues to increase.

FDOT requires the governing board of each public transit system to adopt a resolution authorizing the acceptance of these funds.

Fiscal Note: This Supplemental Joint Participation Agreement requires the City of Gainesville to match funding in the amount of \$75,000 for operating costs. Matching funds are allocated in the RTS FY11-12 operating budget.

RECOMMENDATION *The City Commission adopt the Resolution.*

100886_Resolution_20110505.pdf

100887.

Resolution for a Joint Participation Agreement - Service Development Funds for Regional Transit Service (RTS) Route 28 (B)

This item is a request for a Resolution authorizing the City Manager to execute a Joint Participation Agreement between the City of Gainesville and the Florida Department of Transportation (FDOT) to receive Service

Development Funds for the operation of new Route 28.

Explanation: FDOT allocates service development funds to transit agencies each year. The allocations are given at FDOT discretion on a competitive basis for agency projects that meet FDOT Service Development Grant (SDG) criteria.

This new fixed-route, Route 28, will provide transit service between the SW 20th Avenue/SW 24th Avenue area, SW 34th Street, Westgate Shopping Center, the University of Florida (UF) Law School and the UF Hub. The UF Student Transportation Fee will provide the fifty percent (50%) local match funds to operate this route.

FDOT requires the governing board of each public transit system to adopt a resolution authorizing the acceptance of these funds.

Fiscal Note: This Joint Participation Agreement requires the City of Gainesville to match funding in the amount of \$126,500 for operating costs. Matching funds are allocated in the RTS FY11-12 operating budget.

RECOMMENDATION *The City Commission adopt the Resolution.*

100887_Resolution_20110505.pdf

100888.**Resolution for a Joint Participation Agreement - Service Development Funds for Regional Transit Service (RTS) Route 46 (B)**

This item is a request for a Resolution authorizing the City Manager to execute a Joint Participation Agreement between the City of Gainesville and the Florida Department of Transportation (FDOT) to receive Service Development Funds for the operation of new Route 46 and Trolley Conversion.

Explanation: FDOT allocates service development funds to transit agencies each year. The allocations are given at FDOT discretion on a competitive basis for agency projects that meet FDOT Service Development Grant (SDG) criteria.

This new fixed-route, Route 46, will provide transit service between downtown Gainesville and the University of Florida (UF) academic core area along portions of two or three of the following corridors: University Avenue, SW 2nd Avenue and SW 4th Avenue. The UF Student Transportation Fee will provide the fifty percent (50%) local match funds to operate this route.

FDOT requires the governing board of each public transit system to adopt a resolution authorizing the acceptance of these funds.

Fiscal Note: This Joint Participation Agreement requires the City of Gainesville to match funding in the amount of \$164,000 for operating costs. Matching funds are allocated in the RTS FY11-12 operating budget.

RECOMMENDATION *The City Commission adopt the Resolution.*

100888_Resolution_20110505.pdf

ADOPTION READING**100679****LAND USE CHANGE – VICINITY OF SW 34 STREET AND SW ARCHER ROAD (B)****Ordinance No. 100859, Petition No. PB-10-135LUC-B**

An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan, Future Land Use Map; by changing the land use categories of certain properties annexed into the City, as more specifically described in this ordinance, from the Alachua County land use categories of “Commercial”, and “High Density Residential (14-24 DU/acre)”, to the City of Gainesville land use categories of “Commercial”, “Education”, and “Residential Low-Density (up to 12 units per acre)”; generally located West of SW 34th Street, North of SW Archer Rd., East of SW 42nd Street, and South of SW 14th Place, as more specifically shown and described in this ordinance; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: STAFF REPORT

This petition is a small-scale land use amendment to change Future Land Use categories from Alachua County to City of Gainesville designations. It covers approximately 7.9 acres of southwest Gainesville in the vicinity of SW 20th Avenue, SW Archer Road, and SW 34th Street.

Proposed land use categories were selected to reflect existing conditions and to be compatible with surrounding uses: the Commercial land use category for the parcels along SW 34th Street and SW Archer Road; and the Residential Low Density, and Education land use categories, as appropriate, for two small parcels in the northern portion of annexation area.

The original Southwest Annexation petitions (PZ-09-145LUC and PZ-09-146ZON) were presented to the Plan Board on December 7, 2009 and to the City Commission on January 21, 2010. The City Commission voted to continue the petitions to allow further exploration of implementation options for the Urban Village portion of the petition. Per the requirements of sec. 30-347.8 of the Land Development Code, If a petition or recommendation for a change or amendment is not acted upon finally by the city commission within six months of the date upon which the report of the city plan board is filed with the city commission, the petition shall be deemed denied without prejudice. However, no petition shall be deemed denied if the city commission has continued its consideration to a date certain, or has stayed action on the petition by enactment of a moratorium ordinance. Since no action was taken during the 6-month time limit, the original land use petition (PZ-09-145LUC) and associated rezoning petition (PZ-09-146ZON) have been deemed denied without prejudice.

Given the opportunity to reintroduce this item, Planning staff chose to address the parcels that comprise the Urban Village as a separate petition, which is now PB-10-137LUC. Petition PB-10-135LUC represents only parcels located outside

the Urban Village. The attached staff report reflects all of the Plan Board's recommended changes.

Public notice was published in the Gainesville Sun on January 11, 2011. The Plan Board held a public hearing on January 27, 2011. The petition requesting a large-scale land use amendment to the City of Gainesville 2000-2010 Comprehensive Plan Future Land Use Map, commonly referred to as the Southwest Annexation land use amendment (Petition PB-10-135LUC), was approved by the City Commission at a public hearing on March 3, 2011.

During preparation of the ordinance to adopt this land use change, it was determined by the City Attorney's office that the areas of contiguous parcels could be adopted as a large-scale amendment, but the smaller areas of non-contiguous parcels, (the subject of this ordinance), each totaling less than ten contiguous acres, should be separated into a small-scale land use amendment. The total number of parcels and overall acreage of the request remains the same; however, the Southwest Annexation will be implemented through two ordinances.

The small-scale amendment is now PB-10-135LUC-B and Ordinance 100859. This amendment consists of 12 parcels totaling 7.9 acres. These parcels are mapped in Exhibits A and B of this ordinance.

CITY ATTORNEY MEMORANDUM

The proposed amendment to the Comprehensive Plan is treated as a small scale development activity. After the City Commission adopts the ordinance, it will be filed with the State Land Planning Agency. The state land planning agency does not review or issue a notice of intent for small scale development amendments. Any affected person may file a petition with the State Division of Administrative Hearings to request a hearing to challenge the compliance of a small scale development amendment within 30 days following the City's adoption of the amendment.

Small scale development amendments do not become effective until 31 days after adoption. If challenged within 30 days after adoption, small scale development amendments shall not become effective until the state land planning agency or the Administration Commission issues a final order that the adopted small scale development amendment is in compliance.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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TRANSMITTAL HEARING

100679.

LAND USE CHANGE – VICINITY OF SW 34TH STREET AND SW ARCHER ROAD (B)

Ordinance No.100679; Petition No.PB-10-135 LUC-A

An Ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan Future Land Use Map; by changing the land use categories of certain properties annexed into the City, as more specifically described as follows: Area 1: from the Alachua County land use categories of “Low Density Residential (1-4 DU/acre)”, “Medium Density Residential (4-8 DU/acre)”, “High Density Residential (14-24 DU/acre)”, and “Institutional” to the City of Gainesville land use categories of “Conservation” and “Public Facilities”; Area 2: from the Alachua County land use category of “Low Density Residential (1-4 DU/acre)” to the City of Gainesville land use category of “Conservation” ; Area 3: from the Alachua County land use categories of “Low Density Residential (1-4 DU/acre)”, “Medium High Density Residential (8-14 DU/acre)”, and “Industrial/Manufacturing”, to the City of Gainesville land use categories of “Residential Low-Density (up to 12 units per acre)”, “Residential Medium-Density (8-30 units per acre)”, “Public Facilities” and “Business Industrial”; Area 4: from the Alachua County land use categories of “Industrial/Manufacturing”, “Office/Residential”, “Commercial” and “Tourist/Entertainment” to the City of Gainesville land use categories of “Business Industrial” and “Commercial”; located generally South of SW 7th Avenue, East of I-75, West of SW 34th Street and North of SW Archer Road, as more specifically shown and described in this ordinance; providing directions to the City Manager and the codifier; providing a severability clause; and providing an effective date.

Explanation: STAFF REPORT

This petition is a large-scale land use amendment to change Future Land Use categories from Alachua County to City of Gainesville designations. It covers approximately 277 acres of southwest Gainesville in the vicinity of SW 20th Avenue, SW Archer Road, and SW 34th Street.

The Commercial land use category was selected to reflect existing conditions and to be compatible with surrounding uses: the Conservation land use category for the northern portion of the subject area, which includes Hogtown Creek, wetlands, and the ten-year flood channel; the Business Industrial land use category for the lands adjacent to the interstate along the southern portion of SW 43rd Street; the Commercial land use category for the parcel along SW Archer Road; and the Residential Low Density, Residential Medium-Density, and Public Facilities land use categories, as appropriate, for several small parcels in the annexation area.

The original Southwest Annexation petitions (PZ-09-145LUC and PZ-09-146ZON) were presented to the Plan Board on December 7, 2009 and to the City Commission on January 21, 2010. The City Commission voted to continue the petitions to allow further exploration of implementation options for the Urban Village portion of the petition. Per the requirements of sec. 30-347.8 of the Land Development Code, If a petition or recommendation for a change or amendment is not acted upon finally by the city commission within six months of the date upon which the report of the city plan board is filed with the city commission, the petition shall be deemed denied without prejudice. However, no petition shall be deemed denied if the city commission has continued its consideration to a date certain, or has stayed action on the petition by

enactment of a moratorium ordinance. "Since no action was taken during the 6-month time limit, the original land use petition (PZ-09-145LUC) and associated rezoning petition (PZ-09-146ZON) have been deemed denied without prejudice.

Given the opportunity to reintroduce this item, Planning staff chose to address the parcels that comprise the Urban Village as a separate petition, which is now PB-10-137LUC. Petition PB-10-135LUC represents only parcels located outside the Urban Village. The attached staff report reflects all of the Plan Board's recommended changes.

Public notice was published in the Gainesville Sun on January 11, 2011. The Plan Board held a public hearing on January 27, 2011. The petition requesting a large-scale land use amendment to the City of Gainesville 2000-2010 Comprehensive Plan Future Land Use Map, commonly referred to as the Southwest Annexation land use amendment (Petition PB-10-135LUC), was approved by the City Commission at a public hearing on March 3, 2011.

During preparation of the ordinance to adopt this land use change, it was determined by the City Attorney's office that the areas of contiguous parcels could be adopted as a large-scale amendment, but the smaller areas of non-contiguous parcels, each totaling less than ten contiguous acres, should be separated into a small-scale land use amendment. The total number of parcels and overall acreage of the request remains the same; however, the Southwest Annexation will be implemented through two ordinances. The small-scale land use amendment is now PB-10-135LUC-B and Ordinance No. 100859.

The large-scale amendment is now PB-10-135LUC-A and Ordinance No. 100679, which reflects the parcels mapped in Exhibits A through H of this ordinance.

CITY ATTORNEY MEMORANDUM

Florida Statutes set forth the procedure for adoption of an amendment to the Comprehensive Plan. The first hearing is held at the transmittal stage and must be advertised seven days prior to the first public hearing. The second hearing will be held at the adoption stage of the ordinance and must be advertised five days before the adoption hearing.

If adopted at the transmittal hearing, the proposed amendment to the Comprehensive Plan will be transmitted to the State Department of Community Affairs (DCA) for written comment. Any comments, recommendations or objections of the DCA will be considered by the Commission at the second public hearing.

Following second reading, the Plan amendment will not become effective until the DCA issues a final order determining the adopted amendment to be in compliance in accordance with the Local Government Comprehensive Planning and Land Development Regulation Act, or until the Administration Commission (Governor and Cabinet) issues a final order determining the adopted amendment to be in compliance.

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

3/3/11 City Commission Approved (Petition) (7 - 0)

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100679B_staff ppt_20110303.pdf

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100696.**FUTURE LAND USE ELEMENT MAP CHANGE – ADOPTING THE URBAN VILLAGE AREA MAP (B)****Ordinance/Legistar No. 100696; Petition No. PB-10-141 LUC**

An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan Future Land Use Element Map Series to add a map designating the Urban Village; imposing the Urban Village designation and its policies on the properties depicted in the Map; providing directions to the City Manager and the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT

This Ordinance amends the Future Land Use Element Map Series to add a map showing the boundaries of the Urban Village area and imposes the Urban Village designation, and its policies as may be adopted by separate ordinances and made a part of the Comprehensive Plan, on the properties depicted in the Map. The Urban Village is located in the vicinity of Southwest 20th Avenue and Southwest 24th Avenue, east of Interstate 75 and west of Southwest 34th Street.

This ordinance is related to Ordinance No. 100697 that sets special policies for development and redevelopment within the area; and Ordinance No. 100698 that designates land use categories for all parcels within the Urban Village.

After public notice was published in the Gainesville Sun on January 11, 2011, the City Plan Board held a public hearing on February 2, 2011 (continued from January 27, 2011) and, by a vote of 7-0, recommended the City Commission approve this petition. On March 3, 2011, the City Commission approved the petition by a vote of 7-0.

CITY ATTORNEY MEMORANDUM

Florida Statutes set forth the procedure for adoption of an amendment to the Comprehensive Plan. The first hearing is held at the transmittal stage and must be advertised seven days prior to the first public hearing. The second hearing will be held at the adoption stage of the ordinance and must be advertised five days before the adoption hearing.

If adopted on first reading, the proposed amendment to the Comprehensive Plan will be transmitted to the State Department of Community Affairs (DCA) for

written comment. Any comments, recommendations or objections of the DCA will be considered by the Commission at the second public hearing.

Following second reading, the Plan amendment will not become effective until the DCA issues a final order determining the adopted amendment to be in compliance in accordance with the Local

Government Comprehensive Planning and Land Development Regulation Act, or until the Administration Commission (Governor and Cabinet) issues a final order determining the adopted amendment to be in compliance.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

3/3/11 City Commission Approved (Petition) as amended by the Plan Board (7 - 0)

100696_staff report_20110303.pdf
 100696A_addendum_map_20110303.pdf
 100696B_110227_cpb min_20110303.pdf
 100696C_100697_100698_staff ppt_20110303.pdf
 100696_draft ordinance_20110505.pdf

100697.

AMENDING THE FUTURE LAND USE ELEMENT BY ADDING A POLICY FOR THE URBAN VILLAGE AREA (B)

Ordinance/Legistar No. 100697; Petition No. PB-10-142 CPA

An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan Future Land Use Element by adding a new Policy 4.3.7 to regulate the Urban Village as mapped in the Future Land Use Element Map Series; providing directions to the city manager and the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT

This ordinance amends the Future Land Use Element within the City's Comprehensive Plan to add a new policy to provide special regulations to support and implement the vision for redevelopment and infill development in the Urban Village. This ordinance is related to Ordinance No. 100696 that proposes adopting an Urban Village map into the Future Land Use Element Map Series; and Ordinance No. 100698 that designates City future land use categories on all of the properties within the Urban Village.

This new policy is being added in recognition of the long-term vision for this area and how it will develop and redevelop, especially in terms of transportation mobility. The original concept for this area, as recommended by vote of the Metropolitan Transportation Planning Organization (MTPO) in April 2008, was as a Multi-Modal Transportation District (under State law provisions). After annexation of the Urban Village area, it was included within the City's TCEA, as part of TCEA Zone M. Zone M was designated as a multi-modal zone. The proposed Urban Village policy regulations in this ordinance support that vision.

The MTPO plan envisioned a build out/redevelopment of the area by 2050. In the current economic scenario, that may be an optimistic estimate. Staff suggests that the future development scenario for the Urban Village may extend as long as 50 - 60 years.

In order to ensure that redevelopment and infill development occur consistent with a unified urban strategy that promotes multi-modal opportunities, staff recommends that the proposed policy be included in the Future Land Use Element to guide future development activity.

Public notice was published in the Gainesville Sun on January 11, 2011. The City Plan Board held a public hearing on February 2, 2011 (continued from January 27, 2011) and, by a vote of 7-0, recommended the City Commission approve the petition, with amendments. On March 3, 2011, the City Commission approved the petition, by a vote of 7-0, with amendments.

CITY ATTORNEY MEMORANDUM

Florida Statutes set forth the procedure for adoption of an amendment to the Comprehensive Plan. The first hearing is held at the transmittal stage and must be advertised seven days prior to the first public hearing. The second hearing will be held at the adoption stage of the ordinance and must be advertised five days before the adoption hearing.

If adopted on first reading, the proposed amendment to the Comprehensive Plan will be transmitted to the State Department of Community Affairs (DCA) for written comment. Any comments, recommendations or objections of the DCA will be considered by the Commission at the second public hearing.

Following second reading, the Plan amendment will not become effective until the DCA issues a final order determining the adopted amendment to be in compliance in accordance with the Local Government Comprehensive Planning and Land Development Regulation Act, or until the Administration Commission (Governor and Cabinet) issues a final order determining the adopted amendment to be in compliance.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

3/3/11 City Commission Approved (Petition) as amended by the Plan Board (7 - 0)

100697_cpb_staff recomds_20110303.pdf

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100697A_staff report_20110303.pdf

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100698.

LAND USE CHANGE – VICINITY OF SW 34TH STREET AND SW 20TH AVENUE (B)

Ordinance/Legistar No. 100698; Petition No. PB-10-137 LUC

An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan, Future Land Use Map; by changing the land use categories of certain property, as more specifically described in this ordinance, from the Alachua County land use categories of “Low Density Residential (1-4 DU/acre)”, “Medium Density Residential (4-8 DU/acre)”, “Medium High Density Residential (8-14 DU/acre)”, “High Density Residential (14-24 DU/acre)”, “Recreation”, “Commercial” and “Institutional” to the City of Gainesville land use categories of “Urban Mixed-Use 2 (UMU-2: up to 100 units per acre)”, “Conservation (CON)” and “Public Facilities (PF)”; consisting of approximately 396 acres located generally east of Interstate 75, west of Southwest 34th Street and north and south of Southwest 20th Avenue; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT

This ordinance is a large-scale land use amendment to change Future Land Use categories from Alachua County to City of Gainesville designations. It covers approximately 396 acres of southwest Gainesville in the area of SW 20th Avenue and SW 24th Avenue, west of SW 34th Street. Staff proposes the Urban Mixed-Use 2 land use category for a majority of this area in order to implement the Urban Village land use scenario approved by the Metropolitan Transportation Planning Organization (MTPO). The remaining area is proposed for the Conservation and Public Facilities land use categories, as appropriate. Proposed land use categories were selected to: reflect existing conditions, be compatible with surrounding uses, and implement the redevelopment vision for this area as Gainesville's Urban Village by increasing densities and allowing a broad mix of uses.

Related to this land use amendment, staff has prepared a new map of the Urban Village to be added to the Future Land Use Element map series (Ordinance No. 100696) and a comprehensive plan amendment (Ordinance No. 100697) that adds a new policy to the Future Land Use Element regulating development and redevelopment in the Urban Village.

After public notice was published in the Gainesville Sun on January 11, 2011, the City Plan Board held a public hearing on February 2, 2011 (continued from January 27, 2011) and, by a vote of 7-0, recommended the City Commission approve the petition. On March 3, 2011, the City Commission approved the petition by a vote of 7-0.

After the petition hearings, Planning staff discovered that a parcel located at 4010 SW 24th Avenue and owned by East Newport Baptist Church had been inadvertently proposed for Public Facilities land use. Planning staff had intended for this parcel to receive Urban Mixed-Use 2 land use. The petition error has been corrected in this Ordinance and notice of same was mailed to the property owner, as well as property owners within 400 feet of the East Newport Baptist Church parcel.

CITY ATTORNEY MEMORANDUM

Florida Statutes set forth the procedure for adoption of an amendment to the Comprehensive Plan. The first hearing is held at the transmittal stage and must be advertised seven days prior to the first public hearing. The second hearing will be held at the adoption stage of the ordinance and must be advertised five days before the adoption hearing.

If adopted on first reading, the proposed amendment to the Comprehensive Plan will be transmitted to the State Department of Community Affairs (DCA) for written comment. Any comments, recommendations or objections of the DCA will be considered by the Commission at the second public hearing.

Following second reading, the Plan amendment will not become effective until the DCA issues a final order determining the adopted amendment to be in compliance in accordance with the Local Government Comprehensive Planning and Land Development Regulation Act, or until the Administration Commission (Governor and Cabinet) issues a final order determining the adopted amendment to be in compliance.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

3/3/11 City Commission Approved (Petition) as amended by the Plan Board (7 - 0)

100698_staff ppt_20110303.pdf

100698A._110127 cpb minutes_20110303.pdf

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100698_staff report_20110303.pdf

100698_draft ordinance_20110505.pdf

100850.

LAND USE CHANGE – UF EASTSIDE CAMPUS (B)

Ordinance No.100850; Petition No.PB-11-18 LUC

An Ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan Future Land Use Map; by changing the land use category of certain properties, as more specifically described in this ordinance, from the land use categories of “Public Facilities” and “Residential Low-Density (up to 12 units per acre)” to “Education”; consisting of approximately 14.3 acres, and located in the vicinity of 2004 Northeast Waldo Road; providing directions to the City Manager and the codifier; providing a severability clause; and providing an effective date.

Explanation: STAFF REPORT

This proposed large-scale amendment of the Future Land Use Map from Public Facilities and Residential Low Density (up to 12 units per acre) to Education is for the University of Florida Eastside Campus. This approximately 14.3-acre property is located on the west side of Waldo Road and is south of Northeast 23rd Avenue. To the south of the Eastside Campus are a residential neighborhood and an electrical contracting business. To the north are a vacant, 2.6-acre property that was previously part of the mobile home park to its north, and Northeast 23rd Avenue. To the east and across Waldo Road is the State of

Florida's Tacachale residential facility for the developmentally disabled. To the west are a self-storage facility and business center, a small non-residential building of unknown use, and a very small, vacant parcel.

The property is within the Eastside Community Redevelopment Area, but it is not within either the Enterprise Zone or a special area plan. This property is part of the 2005-2015 Campus Master Plan and is subject to the provisions of the 2005-2015 Campus Development Agreement.

The proposed land use change from Public Facilities (PF) and Residential Low-Density (up to 12 units per acre) (RL) to Education (E) is appropriate for the property's use as the University of Florida Eastside Campus. The current PF land use is a category that does not specify institutions of higher learning as an allowable use. The current RL land use (which applies only to a vacant, 0.09-acre area at the northern tip of the property at Northeast 23rd Avenue) is a category that does not allow institutions of higher learning.

This petition is related to Petition PB-11-19 ZON, which is a request for rezoning from PS (Public services and operations district) and MH (12 units/acre mobile home residential district) to ED (Educational services district). A separate petition for a small-scale amendment of the Future Land Use Map from Residential Low-Density (up to 12 units per acre) and to Education (and a related petition for rezoning from MH (12 units/acre mobile home residential district) and to ED (Educational services district)) for the approximately 2.6-acre property to the north was heard and recommended for approval by the City Plan Board on February 24, 2011, and was heard by the City Commission on April 21, 2011.

The Plan Board discussed the petition and recommended approval with a 6-0 vote.

Public notice was published in the Gainesville Sun on March 8, 2011. The Plan Board held a public hearing on March 24, 2011.

CITY ATTORNEY MEMORANDUM

Florida Statutes set forth the procedure for adoption of an amendment to the Comprehensive Plan. The first hearing is held at the transmittal stage and must be advertised seven days prior to the first public hearing. The second hearing will be held at the adoption stage of the ordinance and must be advertised five days before the adoption hearing.

If adopted at the transmittal hearing, the proposed amendment to the Comprehensive Plan will be transmitted to the State Department of Community Affairs (DCA) for written comment. Any comments, recommendations or objections of the DCA will be considered by the Commission at the second public hearing.

Following second reading, the Plan amendment will not become effective until the DCA issues a final order determining the adopted amendment to be in compliance in accordance with the Local Government Comprehensive Planning and Land Development Regulation Act,

or until the Administration Commission (Governor and Cabinet) issues a final order determining the adopted amendment to be in compliance.

RECOMMENDATION *The City Commission: 1) approve Petition No. PB-11-18LUC and; 2) adopt the proposed ordinance.*

100850_staff report_20110505.pdf
 100850A_exhibit A_20110505.pdf
 100850B_exhibit B_Aerial UF Eastside_20110505.pdf
 100850C_exhibit C_20110505.pdf
 100850D_cpb minutes_20110505.pdf
 100850E_staff ppt_20110505.pdf
 100850_draft ordinance_20110505.pdf

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

100327.

REZONING – PLANNED DEVELOPMENT FOR LEGACY FOUNTAINS, LLC (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: PPT added 5/4/2011 @ 5:15 PM.

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

3stories 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.

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".

RECOMMENDATION The City Commission adopt the proposed ordinance.

Legislative History

10/7/10 City Commission Approved (Petition) (7 - 0)

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

Ordinance No. 100832

An Ordinance of the City of Gainesville, Florida, amending section 26-46 relating to illegal parking; adding a new subsection providing for administrative reduction of the parking violations fee for failure to properly display the permit or decal when parking a motor vehicle in parking spaces designated for permitted city or county employees or officers; providing directions to the codifier; providing for severability; providing a repealing clause; and providing an immediate effective date.

Explanation: The proposed ordinance provides for the administrative reduction of the parking violation fee for failure to display or properly display the proper permit to park in spots designated by official signs for parking for city or county employees, officers, or vehicles. When it can be shown that the vehicle or driver had the requisite permit, and either failed to display it or displayed it in the wrong location, the citation can be administratively reduced. This procedure would be similar to that utilized for persons who have been issued a handicapped sticker, license plate or hang tag, but failed to display same (see F.S. 318.18(6)), providing for administrative dismissal fee of up to \$7.50, rather than fine of up to \$250.00, when the person provides ticketing agency with proof of valid disabled parking permit or tag).

The City Commission at its April 7, 2011 meeting authorized the City Attorney to draft and the Clerk of the Commission to advertise the proposed ordinance. If approved on first reading, second and final reading will be held on Thursday, May 19, 2011.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

Legislative History

4/7/11 City Commission Approved as Recommended (6 - 0 - 1 Absent)

100832_DraftOrdinance_20110505.pdf

100840.**OPEN AND OUTDOOR BURNING AMENDMENTS (B)****Ordinance No. 100840**

An Ordinance of the City of Gainesville, Florida amending Chapter 10, Article VI, of the Gainesville Code Ordinances, relating to open and outdoor burning; amending section 10-62 by repealing the definition of campfire; amending section 10-63 and section 10-68 by adding to the description of materials where open burning is prohibited; amending section 10-70 by repealing the reference to outdoor campfires; amending section 10-74 by clarifying enforcement and penalties; amending section 2-339 and Appendix A, Schedule of Fees, Rates and Charges by eliminating references to burn barrels; providing directions to the codifier; providing for severability; providing a repealing clause; and providing an immediate effective date.

Explanation: GAINESVILLE FIRE RESCUE DEPARTMENT REPORT

The Fire Department is requesting these language and definition changes to assist us with the application and enforcement of the current ordinance. These changes are a result of staff recommendations after practical application of the ordinance during real life events in our community. The improvements will result in an enhanced tool for making our community a safer place to live and work.

CITY ATTORNEY MEMORANDUM

The City Commission at its April 7, 2011 meeting authorized the City Attorney to draft and the Clerk of the Commission to advertise the proposed ordinance. If approved on first reading, second and final reading will be held on Thursday, May 19, 2011.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

4/7/11 City Commission Approved as Recommended (6 - 0 - 1 Absent)
100840_DraftOrdinance_20110505.pdf

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

100778.

REZONING - UNIVERSITY OF FLORIDA EASTSIDE CAMPUS (B)

Ordinance No. 100778, Petition No. PB-11-11 ZON

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain property, as more specifically described in this Ordinance, from the zoning category of "MH: 12 units/acre mobile home residential district" to "ED: Educational services district"; located in the vicinity of 2200 Northeast Waldo Road; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: COMMUNITY DEVELOPMENT STAFF MEMORANDUM

This proposed rezoning from MH (12 units/acre mobile home residential district) to ED (Educational services district) is for an approximately 2.6-acre property located on the west side of Waldo Road and south of Northeast 23rd Avenue. This property is adjacent to the University of Florida's Eastside Campus on the south (and west), and to both a mobile home park and Northeast 23rd Avenue on the north. To the east and across Waldo Road is the State of Florida's Tacachale residential facility for the developmentally disabled. The property was previously part of the adjacent mobile home park to the north, but is now vacant and unimproved except for the remains of three very dilapidated and unoccupied wooden houses. The property is within the Eastside Community Redevelopment Area, but it is not within either the Enterprise Zone or a special area plan.

The property was purchased in 2010 for the purpose of expanding the adjacent Eastside Campus of the University of Florida, which is part of the 2005-2015 Campus Master Plan and is included in the 2005-2015 Campus Development Agreement. The application states that the addition of this parcel as an overflow

parking area to the campus...will help alleviate the current shortage of parking. As the total Eastside Campus continues to evolve and redevelop over time, alternate uses will be contemplated that complement the remainder of the site." This property will be incorporated by the University into the Campus Master Plan in a future update of the Master Plan.

The proposed change from MH to ED zoning is appropriate for the property's planned use as part of the UF Eastside Campus. The ED district was established to identify and locate public educational facilities at appropriate locations throughout the community. Universities are a use by right in the Educational services zoning district. The MH zoning currently on the 2.6-acre property can allow up to 31 residential units, but it does not allow institutions of higher learning. This petition is related to Petition PB-11-10 LUC, which is a request for a small-scale, comprehensive plan amendment from Residential Low-Density (up to 12 units per acre) to the Education land use category.

The key issues are: 1) this proposed rezoning is consistent with the related, proposed land use amendment to Education; 2) compatibility with the adjacent residential property to the north will be ensured by meeting all applicable requirements of the Land Development Code; 3) the proposed Educational facilities district zoning is consistent with the continued development of the University of Florida Eastside Campus, and with Plan East Gainesville; and, 4) the proposed rezoning from a residential to an institutional use could have a marginal negative impact on the supply of potential affordable housing in Gainesville.

The proposal is consistent with the City of Gainesville adopted comprehensive plan.

Public notice was published in the Gainesville Sun on February 8, 2011. The Plan Board held a public hearing on February 24, 2011.

CITY ATTORNEY MEMORANDUM

The petition and ordinance are simultaneously submitted to the City Commission for approval and adoption because city staff and the plan board both recommend approval.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

Legislative History

4/21/11 City Commission Approved (Petition) and Adopted on First Reading (Ordinance) (7 - 0)

100778_draft ordinance_20110421.pdf

100778_CPB Staff Report_20110421.pdf

100778A_Appndx A Comp Plan_20110421.pdf

100778B_Appndx B Land Dev Cd_20110421.pdf

100778C_Appndx C Supplmntl Docs_20110421.pdf

100778D_Appndx D Application & Wkshp Info_20110421.pdf

100777E_Staff PPT_20110421.pdf

100778G_Applicant PPT_20110421.pdf

100790.**REZONING - AIRPORT INDUSTRIAL PARK PROPERTY(B)****Ordinance 100790, Petition PB-11-14 ZON**

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain property, as more specifically described in this Ordinance, from the zoning category of "I-2: General industrial district" to "BI: Business industrial district" and "CON: Conservation district"; located in the vicinity of southeast corner of Waldo Road and Northeast 49th Avenue intersection; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: STAFF REPORT

This petition request is to rezone two parcels totaling approximately 15 acres in the Airport Industrial Park from I-2 (General industrial district) to BI (Business industrial district; for approximately 7.63 acres of the property) and CON (Conservation district; for approximately 7.35 acres of the property). The two parcels are undeveloped vacant land. Access to the parcels would be from NE 49th Avenue.

The property is located east of Waldo Road along the south side of NE 49th Avenue with the eastern boundary being NE 40th Terrace. The boundary to the south is formed by Little Hatchet Creek.

This request is a referral from the City Commission for staff to initiate a Plan Board petition for the property. The City Commission heard a presentation on August 19, 2010 (based on a June 30, 2010 vote by the Airport Authority to recommend preparation of planning proposals that include this property). The Commission voted unanimously to approve the planning concept for this property and to direct staff to initiate the petition (Legistar Number 100233). In coordination with the agent for the Gainesville-Alachua County Regional Airport Authority, this petition is now being brought forward for consideration.

The proposed Business Industrial and Conservation zoning categories represent a reduction in the total intensity of use that would be allowed on the property as compared to the existing I-2 zoning. The existing I-2 zoning allows heavy manufacturing and industrial uses. However, because this property is located in the Airport Industrial Park, there are restrictive covenants that limit uses to light industrial, light manufacturing, warehousing, and distribution uses. The area of the parcels proposed for the Conservation land use category lacks development potential due to the presence of the 10-year flood channel. There are also significant wetlands in that portion of the parcels. Due to the environmental sensitivity of large portions of the two parcels, the Conservation zoning is more appropriate than I-2 zoning.

The Business Industrial (BI) category is appropriate because it allows for a wider range of office, business and industrial uses than the I-2 zoning would. This broader range will make the property more marketable for development and provide more flexibility. In general, the BI uses are less intense than those allowed in I-2, which is an advantage because of the smaller, developable area

on this property due to the flood channel.

The Plan Board discussed the petition and recommended approval with a 7-0 vote.

Public notice was published in the Gainesville Sun on February 8, 2011. The Plan Board held a public hearing on February 24, 2011.

CITY ATTORNEY MEMORANDUM

Florida Statutes set forth the procedure for adoption of an amendment to the Comprehensive Plan. The first hearing is held at the transmittal stage and must be advertised seven days prior to the first public hearing. The second hearing will be held at the adoption stage of the ordinance and must be advertised five days before the adoption hearing.

If adopted on first reading, the proposed amendment to the Comprehensive Plan will be transmitted to the State Department of Community Affairs (DCA) for written comment. Any comments, recommendations or objections of the DCA will be considered by the Commission at the second public hearing.

Following second reading, the Plan amendment will not become effective until the DCA issues a final order determining the adopted amendment to be in compliance in accordance with the Local Government Comprehensive Planning and Land Development Regulation Act, or until the Administration Commission (Governor and Cabinet) issues a final order determining the adopted amendment to be in compliance.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

4/21/11 City Commission Approved (Petition) and Adopted on First Reading
(Ordinance) (7 - 0)

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100790_staff report_20110421.pdf
100790A_Append A_20110421.pdf
100790B_Append B_20110421.pdf
100790C_Append C_20110421.pdf
100790D_cpb minutes_20110421.pdf
100790E_staff ppt_20110421.pdf

PLAN BOARD PETITIONS

100851.

Rezone UF Eastside Campus from Public services and operations district and Mobile Home to Educational services district (B)

Petition PB-11-19 ZON. City Plan Board. Rezone property from PS (Public services and operations district) and MH (12 units/acre mobile home residential district) to ED (Educational services district). Located at 2004 Northeast Waldo Road. Related to Petition PB-11-18 LUC.

Explanation: This proposed rezoning from PS (Public services and operations district) and MH (12 units/acre mobile home residential district) to ED (Educational services

district) is for the University of Florida Eastside Campus. This approximately 14.3-acre, developed property is on the west side of Waldo Road and is south of Northeast 23rd Avenue. To the south of the UF Eastside Campus are a residential neighborhood, and an electrical contracting business. To the north is a vacant, 2.6-acre property (now owned by the university and proposed for an expansion of the Eastside Campus) that was previously part of the mobile home park to its north, and Northeast 23rd Avenue. To the east and across Waldo Road is the State of Florida's Tacachale residential facility for the developmentally disabled. To the west are a self-storage facility and business center, a small non-residential building of unknown use, and a very small, vacant parcel.

The UF Eastside Campus is within the Eastside Community Redevelopment Area, but it is not within either the Enterprise Zone or a special area plan. This property is part of the 2005-2015 Campus Master Plan and is subject to the provisions of the 2005-2015 Campus Development Agreement.

This petition is related to Petition PB-11-18 LUC, which is a request for a large-scale amendment of the Future Land Use Map from Public Facilities and Residential Low-Density (up to 12 units per acre) to Education. A separate petition for a small-scale amendment of the Future Land Use Map from Residential Low-Density (up to 12 units per acre) and to Education (and a related petition for rezoning from MH (12 units/acre mobile home residential district) and to ED (Educational services district)) for the approximately 2.6-acre property to the north was recommended for approval by the City Plan Board on February 24, 2011, and is scheduled to be heard by the City Commission on April 21, 2011.

The Plan Board discussed the petition and recommended approval with a 6-0 vote.

Public notice was published in the Gainesville Sun on March 8, 2011. The Plan Board held a public hearing on March 24, 2011.

Fiscal Note: None.

RECOMMENDATION

City Plan Board to City Commission - Approve Petition PB-11-19 ZON and find it consistent with the City's Comprehensive Plan and the land development regulations. The Plan Board voted 6-0.

Staff to City Commission - Approve Petition PB-11-19 ZON.

Staff to City Plan Board - Approve Petition PB-11-19 ZON.

100851_staff report_20110505.pdf
 100851A_Append A_20110505.pdf
 100851B_append B_20110505.pdf
 100851C_exhibit C_Aerial UF Eastside_20110505.pdf
 100851D_append D_20110505.pdf
 100851E_cpb minutes_20110505.pdf
 100851F_staff ppt_20110505.pdf

100896.**Small-scale land use amendment to PUD on N.W. 13th Street (B)**

Petition PB-11-20 PUD. Cousseaux, Hewett, & Walpole, agent for RD Management, LLC. Amend the City of Gainesville Future Land Use Map from Commercial, Mixed-Use Low-Intensity (8-30 units per acre) and Residential Low-Density (up to 12 units per acre) to PUD (Planned Use District). Located at 303 Northwest 13th Street, 1249 and 1227 Northwest 4th Avenue. Related to PB-11-8 PDV.

MODIFICATION: PPT added 5/4/2011 @ 5:15 PM.

Explanation: This petition is a request for a small-scale amendment to the future land use map from the Commercial, MU-L (Mixed-Use Low-Intensity 8-30 units per acre), and RL (Residential Low-Density up to 12 units per acre), land use categories to PUD (Planned Use District). The property includes three parcels that total approximately 1.53 acres in size. The parcel at 303 N.W. 13th Street has Commercial land use and BA (Automotive-oriented business district) zoning. The approximately 0.3-acre parcel is the site of a vacant car wash. The parcel located at 1249 N.W. 4th Avenue is an approximately 0.9-acre parcel that is home to a bookstore, an Army National Guard recruitment office, and a place of religious assembly. This property has both Commercial and MUL land use designations, with BUS (General business district) and MU-1 (8-30 units/acre mixed use low intensity) zoning. The approximately 0.3-acre parcel located at 1227 N.W. 4th Avenue with RL land use and RMF-5 (12 units/acre single-family/multiple-family residential district) zoning is within the University Heights Historic District - North. A single-family dwelling unit located on this parcel is considered a contributing structure to the historical character of the district. All three of the parcels that comprise the 1.53-acre property are located within the Traditional City Special Area Plan area, as well as the Fifth Avenue/Pleasant Street Community Redevelopment Area.

Key Issues

** The proposed PUD land use amendment and related PD zoning have conditions imposed by staff and the Plan Board to improve compatibility and harmony with adjacent properties.*

** The large-scale, highway oriented Commercial land use category is no longer appropriate for this area because it is located in the Traditional City Special Area Plan area, which is intended to provide a vibrant mix of commercial, office, retail and residential uses in close proximity for a 24-hour mix of uses with a significant number of pedestrians.*

** Current BUS and MU-1 zoning districts could allow 5 stories and up to 8 stories by special use permit next to the RL/RMF-5 residential properties; a PUD condition limits this to a 5 story, 60 foot maximum height.*

* The subject property includes a historic home that is a contributing structure to the University Heights Historic District - North.

* There is an approximately 56-inch heritage live oak tree next to the home that staff requests be saved in any redevelopment proposal.

This proposed land use amendment promotes redevelopment that could help encourage further redevelopment along the corridor.

Planning staff recommended approval of Petition PB-11-20 PUD with conditions. The City Plan Board reviewed the petition and recommended approval with staff conditions and modifications to staff conditions 1, 8, 9, and 10, Plan Board vote 6-0.

Public notice was published in the Gainesville Sun on March 8, 2011. The Plan Board held a public hearing on March 24, 2011.

Fiscal Note: None.

RECOMMENDATION

City Plan Board to City Commission - The City Commission approve Petition PB-11-20 PUD as amended by the Plan Board. Plan Board vote 6-0.

Staff to City Commission - The City Commission approve Petition PB-11-20 PUD with changes recommended by the Plan Board.

Staff to the Plan Board - Approve Petition PB-11-20 PUD.

100896_cpb conditions_20110505.pdf
 100896A_staff report_20110505.pdf
 100896B_exhibit A-1_20110505.pdf
 100896C_exhibits B-1 - B-6_20110505.pdf
 100896D_exhibit C1-C2_20110505.pdf
 100896E_citizen letter_20110505.pdf
 100896F_cpb minutes_20110505.pdf
 100896G_staff ppt_20110505.pdf
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100897.

N.W. 13th Street Mixed Use PD (B)

Petition PB-11-8 PDV. Causseaux, Hewett, and Walpole, Inc., agent for RD Management, LLC. Rezone property from BUS, BA, MU-1, and RMF-5 to PD (Planned development) to allow construction of a retail, office, and residential development. Located at 303 Northwest 13th Street, 1249 and 1227 Northwest 4th Avenue. Related to PB-11-20 PUD.

MODIFICATION: PPT added 5/4/2011 @ 5:15 PM.

Explanation: The subject property includes three parcels that total approximately 1.53 acres in size. The 0.3-acre parcel at 303 N.W. 13th Street has Commercial land use and BA (Automotive-oriented business district) zoning and is the site of a vacant car wash. The 0.9-acre parcel located at 1249 N.W. 4th Avenue is home to a

bookstore, an Army National Guard recruitment office, and a place of religious assembly. This property has both Commercial and Mixed Use Low land use designations, with BUS (General business district) and MU-1 (8-30 units/acre mixed use low intensity) zoning. The 0.3-acre parcel located at 1227 N.W. 4th Avenue has Residential Low land use and RMF-5 (12 units/acre single-family/multiple-family residential district) zoning. A single-family dwelling unit located on this parcel is considered a contributing structure to the historical character of the University Heights Historic District - North. All three of the parcels that comprise the 1.53-acre property are located within the Traditional City Special Area Plan area and the Fifth Avenue/Pleasant Street Redevelopment Area.

The purpose of the proposed rezoning (and related land use amendment) is to enable the applicant to construct a mixed-use redevelopment project that would include retail, office and multiple-family residential uses. Specifically, the planned development is proposed for 168 dwelling units (with a maximum of 230 bedrooms), up to 26,000 square feet of commercial retail, and between 5,000 and 20,000 square feet of offices. The list of allowed uses is a subset of the uses currently allowed by the UMU-2 zoning district, omitting certain uses such as rooming houses, day care facilities, limited automotive services, and drive-throughs. These uses would be located within an eight-story building on N.W. 13th Street that will transition eastward to a lower maximum height of 60 feet and then to a small surface parking area. The development will utilize a parking garage that will be accessed from entrances on NW 3rd and 4th Avenues. Solid waste collection and freight access will be contained within the garage. A proposed masonry wall will be constructed on the east end of the development that will screen the surface parking from the street and adjacent properties.

Staff has found this proposal to meet the minimum requirements for a rezoning to the planned development district within Section 30-213 of the Land Development Code, and to be consistent with the criteria for review of planned developments in Section 30-216.

The City Plan Board considered Petition PB-11-8 PDV at a public hearing held on March 24, 2011. By a vote of 7-0, the City Plan Board recommended approval of the petition, with several recommended changes to PD conditions.

Public notice for this petition was published in the Gainesville Sun on March 8, 2011. Letters were mailed to surrounding property owners on March 8, 2011.

Fiscal Note: None

RECOMMENDATION

City Plan Board to City Commission - The City Commission approve Petition PB-11-8 PDV, with changes to PD conditions.

Staff to City Commission - Approve Petition PB-11-8 PDV, with recommended changes from the City Plan Board

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- 100897A_staff report_20110505.pdf
- 100897B_append A_20110505.pdf
- 100897C_append B_20110505.pdf
- 100897D_append C_20110505.pdf
- 100897E_citizen letter_20110505.pdf
- 100897F_cpb minutes_20110505.pdf
- 100897G_staff ppt_20110505.pdf
- 100896_100897_MOD_APPLICANT_PPT_20110505.pdf

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

100930.

City Commissioner Ceremony - Warren Nielsen (NB)

RECOMMENDATION

The City Commission hear comments from City Commissioners, the public and Commissioner Warren Nielsen.

100929.

City Commissioner Ceremony - Lauren Poe (NB)

RECOMMENDATION

The City Commission hear comments from City Commissioners, the public and Commissioner Lauren Poe.

UNFINISHED BUSINESS

COMMISSION COMMENT

CITIZEN COMMENT (If time available)

ADJOURNMENT (no later than 11:00PM - Mayor to schedule date and time to continue meeting)