

ADMINISTRATION COMMISSION AGENDA

June 1, 2005

1. **Request approval of the minutes of the meeting held December 7, 2004.**
2. **Consideration of the Department of Community Affairs' Report to the Administration Commission on the University of Central Florida 2005-2015 Campus Master Plan Update (CMP-05-002).**

On November 30, 2004, the University of Central Florida (UCF) Board of Trustees amended its Campus Master Plan (Plan). Petitioners, Sierra Club, Central Florida Group, and Susan Eberle, challenged the Plan as not being in compliance with section 1013.30, F.S. Pursuant to section 1013.30(8)(a), F.S., UCF conducted mediation of the issues in dispute. The mediation was not successful in resolving the issues. Section 1013.30(8)(b), F.S., provides that if issues in dispute regarding the Plan are not resolved by the parties, the matter shall be forwarded to the Department of Community Affairs (DCA). UCF forwarded the matter to the DCA on March 8, 2005. In lieu of conducting an informal hearing authorized by section 1013.30(8)(b), F.S., the DCA gave the parties the option of submitting position papers. UCF's position paper and exhibits were received on April 12, 2005, and Petitioners' position paper and exhibits were received on April 18, 2005. The DCA also requested each party to respond to a collection of questions in order to assist in a determination of the nature and basis for each dispute. Each party responded to the DCA's request. Additionally, UCF submitted a response to the Petitioners' position paper and exhibits on April 25, 2005.

On May 6, 2005, the DCA forwarded a report to the Administration Commission identifying issues in dispute with the Plan, the nature and basis for each dispute, alternatives available to resolve the dispute, and recommendations for resolution of the dispute. Issues of dispute include:

- Whether the Sierra Club, Central Florida Group, is an "affected person."
- Whether the University was required to address a football stadium in the 2005 campus master plan amendment adopted on November 30, 2004.
- Whether UCF complied with required public participation procedures in section 1013.30(6), F.S.
- Whether the 2005 campus master plan amendment complies with the Administration Commission's Final Order No. AC-04-003.
- Whether the transportation element and data and analysis for the 2005 campus master plan amendment complies with section 1013.30, F.S.
- Whether UCF is required to collect original data with respect to stormwater management and permitting.

- Whether the 2005 campus master plan amendment fails to incorporate studies showing projected needs.
- Whether the 2005 campus master plan amendment is not in compliance due to a golf course.
- Whether the 2005 campus master plan amendment is required to have a goal of housing at least 35% of the student population on-campus.
- Whether the 2005 campus master plan amendment complies with section 1013.30, F.S., with respect to the capital improvements element.

In deciding upon a proper resolution, the Administration Commission is required to consider the nature of the issues in dispute, the compliance of the parties with section 1013.30, F.S., the extent of the conflict between the parties, the comparative hardships, and the public interest involved.

RECOMMENDATION:

The staff recommendation will be distributed separately.

BACK-UP:

UCF's 2005-2015 Campus Master Plan Update adopted on November 30, 2004.

Petitioners' Amended Petition to Challenge the 2005-2015 University of Central Florida Main Campus Master Plan and Notice of Reservation of Sanctions Pursuant to Section 57.105, Fla. Stat. (2004) dated February 1, 2005.

DCA's letter of April 8, 2005, requesting information.

UCF's position paper and exhibits received on April 12, 2005.

Petitioners' position paper and exhibits received on April 18, 2005.

Petitioners' letter responding to DCA's request received on April 22, 2005.

UCF's letter responding to DCA's request received on April 25, 2005.

UCF's response to Petitioners' position paper and exhibits received on April 25, 2005.

DCA's report to the Administration Commission received on May 6, 2005.

Draft Final Order. (To be distributed separately.)