

Community Development Committee

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

Meeting Minutes

Tuesday, November 14, 2006

5:30 PM

City Hall, Room 16

*Commissioner Scherwin Henry, Chair
Commissioner Jack Donovan, Member
Mayor-Commissioner Pro Tem Craig Lowe, Member/Alternate*

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

Present: Jack Donovan and Scherwin Henry
Absent: Craig Lowe

ADOPTION OF THE AGENDA

Approved as Recommended

APPROVAL OF MINUTES

060677. Minutes of September 18, 2006

RECOMMENDATION *The Community Development Committee approve the minutes of September 18, 2006.*

Approved as Recommended

DISCUSSION OF PENDING REFERRALS

060187 Mayor Pegeen Hanrahan - Charitable Landlords (B)

Tom Saunders, Community Development Director, stated that the Committee requested that staff report back at the next meeting to see if there is a practical approach to waive the landlord fee for charitable landlords. He stated that staff had met with the City Attorney's office and provided a report of that meeting in the Committee's packets. He explained that the proposal would be very difficult for Finance and Code Enforcement staff because of the large number of landlord license permits and difficulty in determining charitable rates and charitable intent. Mr. Saunders indicated that staff recognized the concern for landlords who made charitable rents available for their tenants; however, there appeared to be no way to determine whether they wheree being made available at less than market value.

Pastor Nelson asked if the City could charge \$5.00 for the landlord permit fee, instead of the current charge.

Chair Henry asked if a landlord license applicant could present a notarized form indicating that charitable assistance was being provided to tenants and place a time limit on how long that assistance would continue.

Commissioner Donovan suggested that it would create considerable administrative expense for staff to verify the applications to determine if they were legitimate.

Jim Garrett, Code Enforcement Manager, noted that the \$43.00 landlord permit fee is the old fee for the Enterprise Zone which has been eliminated this year, and the new fee would be \$177.00.

It was determined that, at the present time, Pastor Nelson's situation would not require him to have a landlord permit in the upcoming billing cycle.

RECOMMENDATION *Community Development Committee to the City Commission: 1) staff to make a report; 2) staff is to contact Pastor Nelson to try to work out the best situation with regard to the landlord license permit; and 3) remove this item from the referral list.*

Approved as Recommended

060243 Student Involvement in Landlord/Tenant Issues (NB)

Mr. Saunders described the origin of the referral. He stated that a student government official was not present at the meeting, so the item would be continued to December, 2006.

Marion Radson, City Attorney, stated that at the next Commission meeting, a student board will be on the agenda regarding University/City relations.

RECOMMENDATION *Community Development Committee - Staff to report back at the next meeting and invite student government officials from the University of Florida to join in the discussion.*

Continued

060285. Student Behavior Tracking (NB)

Mr. Saunders stated that the issue of tracking student behavior in housing was referred from the City Commission. He stated that Mr. Garrett, Code Enforcement Manager, and Ms. Nora Kilroy, Director of Off-Campus Life, had met to discuss the issues.

Commissioner Donovan asked how the University tracked student's behavior.

Ms. Kilroy stated that once she received information on infractions from GPD and Codes, she met with the student for an educational discussion.

Commissioner Donovan asked if there was a process to guarantee that Code Enforcement officers were notifying Ms. Kilroy of the problems and what the consequences were for students that had a violation record. Mr. Garrett stated that there was not a process to determine whether a code violation was caused by a student. He explained that GPD published a report at the end of each week and Ms. Kilroy received that report.

Ms. Kilroy explained that she was in the process of creating a database, and if there was more than one violation per address or per name, she would contact the student. She indicated that her office would generate a letter to the student involved requesting a meeting. She noted that she would continue to follow up with the neighbors and students.

Commissioner Donovan pointed out that help for neighborhoods was one of the concerns expressed to the City Commission. He noted that landlords stated that the University was placing a burden on them rather than accepting the responsibility of dealing with students.

Chair Henry indicated that a student needed to understand how the landlord was affected by tenant conduct. He explained that landlords of the community felt left out of the process and that they are being punished for conduct over which they have no control. He suggested that the City's goal was to bring all parties together so they understood the process, and what the City was trying to accomplish.

Commissioner Donovan stated that there isn't any consequence for poor behavior by University students.

Ms. Kilroy explained that the Office of the Dean of Students did not have the manpower to monitor all student behavior problems at this time, nor did they feel that it was the University's responsibility to do so.

Chair Henry suggested that there be more interaction between the City and the University to discuss the issues.

Ms. Daly, citizen, stated that ninety percent of the problems would cease if the University put consequences on students' behavior.

Ms. Chalmers, citizen, stated that John Hopkins University expelled students for repeated violations.

Ms. Kilroy stated that she would continue to express the Committee's concerns to her supervisors. She noted that the Student Conduct Code only covered certain behaviors such as drug dealing and driving under the influence.

Mr. Radson noted that some universities had amended their Student Code of Conduct to cover other offenses. He requested that the City Commission ask the President of the University of Florida to look at their Student Code of Conduct and consider amending it. He stated that there is going to be a meeting at GPD about a new Restorative Justice Mediation Program, to handle the worst cases of student rental problems in the single-family neighborhoods. He explained that it would be a formal program involving volunteer mediators who would meet with people in an attempt to resolve the problems.

Ms. Diane Hurtak, citizen, asked that the program not be limited to the university students, but include the community college students as well.

RECOMMENDATION *Community Development Committee to the City Commission - the City Commission request the University of Florida and Santa Fe Community College to amend their Student Code of Conduct, along the lines that other universities have done, whereby students can be held accountable for their misbehavior in the community.*

Approved as Recommended

060167

City of San Francisco and the US Interagency Council on Homelessness (B)

Mr. Jim Hencin, Block Grant Manager, stated the discussion involved information from the New Cities Project, a conference held in June, 2006. He explained that there were three important points from the project. One of those points was the Homeward Bound Family Reunification Program. He indicated that staff was suggesting that the \$10,000 budgeted by the City Commission be set aside for the proposed One-Stop Homeless Assistance Center. He noted that the second point involved the Advocacy for Social Security Benefits. He indicated that staff was recommending no action on that point at this time, since it was already being handled by various local providers. Mr. Hencin explained that the third program was the Food Stamp Employment and Training Program. He indicated that staff was requesting that the City encourage Alachua-Bradford Florida Works to continue to provide projects for the homeless that include more than just job training and employment as funds became available.

RECOMMENDATION *Community Development Committee to the City Commission: 1) approve the recommendations from staff, except find out how many homeless people would be benefited by the Advocacy for Social Security Benefits; and 2) remove this item from the referral list.*

Approved as Recommended

060085

Administrative Appeals of Non-Conforming Uses (B)

Mr. Saunders stated that staff was working with the City Attorney's office to develop an appeal for decisions of the Board of Adjustment. He explained that the situation involved properties with uses that were deemed nonconforming when the zoning regulations were changed. He noted that questions arose when the Board of Adjustment permitted a nonconforming use to be re-established after it had ceased, and the neighbors wished to appeal that decision.

Mr. Harnsberger, citizen, asked how many re-establishments of a nonconforming use had been allowed by the City. He suggested that the City limit appeals to request for re-establishment of a nonconforming use to those involving single-family properties.

Mr. Ralph Hilliard, Planning Manager, stated that there were approximately 30-40 re-establishment requests per year. He stated that the City would have to change the Code to have an appeal process.

Mr. Goldstein, citizen, stated that he supported the recommendation by Mr. Harnsberger because it affected all local neighborhoods.

Mr. Radson, City Attorney, indicated that he would like to know the reasons behind the requests for re-establishment of a nonconforming use. He explained that the problems needed to be discussed because changes in the Code might have a great impact on the matter.

RECOMMENDATION *Staff to report back to the Committee with a report on the*

proposed notification and appeal process.

Approved as Recommended

060676. Over-Occupancy in Single Family Neighborhoods (B)

Mr. Saunders stated there was a typo on the agenda, and that the recommendation was for the Public Works staff to contact the Golfview Neighborhood with regards to the parking decal program.

Mr. Brian Kanely, Transportation Services Manager, stated that the Public Works Department had responded to the requests from the Golfview neighborhood. He presented an informational handout and reviewed it with the Committee. He stated that the problems of cars parked on lawns and scattered trash were code enforcement issues, and the matter of bus benches and trash containers would be resolved by RTS and FDOT.

Mr. Saunders stated that staff was to report back with regards to an appeal approach to the 30-day grace period for landlord permits.

Mr. Garrett suggested that a civil citation process be used rather than a lengthy process that required waiting to see if a person was going to comply action could be taken on violations.

RECOMMENDATION *Community Development Committee to the City Commission: 1) approve the recommendations from staff; and 2) remove this item from the referral list.*

Approved as Recommended

NEW BUSINESS

060548. University Park Neighborhood - Heritage Neighborhood Designation (B)

Mr. Saunders stated that this matter involved a request to designate University Park Neighborhood as a Heritage Neighborhood in order to receive protection similar to, but not as stringent as a historic district neighborhood.

Mr. Hilliard stated that the City has no problem with designating a heritage district for a neighborhood. He noted, however, that there would be issues of what most concerned the property owners and who would review design proposals for any changes. He stated that the designation of a Heritage Neighborhood would not reduce the number of student rentals, but would simply regulate the bulk and size of structures.

Chair Henry asked the reason for the request.

Mr. Harnsberger, citizen, stated that new construction in the neighborhoods was being optimized for rental purposes. He indicated that the neighborhood would like a

certain level of review for new construction in historic neighborhoods, but did not feel it needed to apply to additions to existing structures.

A citizen stated that the houses being constructed were geared toward rentals in the number of bedrooms and bathrooms. She suggested that, with that type of construction, they would never be single-family homes.

RECOMMENDATION *Staff to meet with the neighborhood and then report back to the Committee.*

Approved as Recommended

060470. Referral on the Number of Travel Lanes (B)

This item requests the City Commission refer the issue of the number of travel lanes allowed by the Comprehensive Plan to the Community Development Committee for further action and discussion.

RECOMMENDATION *The City Commission refer this issue to the Community Development Committee for further action and discussion.*

Continued

060666. Building Height, Number of Stories and Special Use Permits (B)

This item was brought forward during Citizen Comment regarding an action taken by the Plan Board.

RECOMMENDATION *The City Commission refer the issue of: 1) Building Height and number of stories in the Code of Ordinances; 2) Special Use Permit criteria; and 3) having a legal advisor present at Plan Board Meetings to the Community Development Committee for their review and report back to the City Commission.*

Continued

NEXT MEETING DATE

December 12, 2006 5:00 PM

ADJOURNMENT

The meeting adjourned at 7:48 PM