

City of Gainesville

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



Meeting Agenda

August 17, 2009

6:00 PM

City Commission Special Meeting

City Hall Auditorium

City Commission

***Mayor Pegeen Hanrahan (At Large)
Mayor-Commissioner Pro Tem Scherwin Henry (District 1)
Commissioner Lauren Poe (District 2)
Commissioner Jack Donovan (District 3)
Commissioner Craig Lowe (District 4)
Commissioner Thomas Hawkins (At Large)
Commissioner Jeanna Mastrodicasa (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

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

ADOPTION OF THE AGENDA

DEVELOPMENT REVIEW BOARD PETITIONS

090182.

Hatchet Creek Design Plat (B)

Petition PZ-09-19. Eng, Denman, and Associates, Inc., agent for East Gainesville Development Partners LLC. Design plat review for an environmental cluster subdivision. Zoned: RSF-1 (3.5 du/ac single family) and RSF-4 (8 du/ac single family). Located at 2100 NE 39th Ave, adjacent to the Ironwood Golf Course.

Explanation: The proposed 'Hatchet Creek' subdivision is located on approximately 291 acres between NE 39th Avenue and NE 53rd Avenue, west of NE 15th Street and abutting the Ironwood Golf Course property. The property has a Future Land Use designation of 'Single Family Residential' and zoning of RSF-1 and RSF-4. Surrounding properties included undeveloped industrial land to the east (I-1 zoning), the golf course (PS zoning), and several single family and multi-family developments to the west along NE 15th Street (with RSF-1, RMF-5, and PD zoning). Commercial property, zoned BUS, is located at the corner of NE 15th Street and NE 39th Avenue.

This design plat proposes construction of a 734-lot residential subdivision with street network, stormwater facilities and other infrastructure. Review by the City Commission shall be based upon the considerations in Section 30-183(i) (2), including that the subdivision is in conformity with the Comprehensive Plan and existing zoning requirements, meets protection requirements for environmental features, provides adequate access for bicycles, pedestrians, transit, and emergency vehicles, and provides a sufficient overall stormwater management plan. Particular attention shall also be given to the arrangement and location of streets and lots at the design plat review stage. The City

Commission may approve the design plat as presented if found to be in compliance, require modifications, or disapprove the design plat if it is not in compliance. Since Hatchet Creek is proposed as an environmental cluster subdivision, it must meet additional standards for that type of subdivision found within Section 30-190 of the Land Development Code.

Approximately 232 acres of the Hatchet Creek property lies within the significant ecological communities overlay district. The Land Development Code (Section 30-309) states that a set-aside of no more than ten percent may be required within the overlay area. This section of the code also states that the exact amount and location of property to be set aside shall be determined by the appropriate reviewing board on a site-specific basis. The design plat also proposes impacts to approximately 8.41 acres of wetlands. In order to impact these wetlands, the subdivision must demonstrate avoidance through minimization, and meet the public interest test and other criteria under Section 30-302(e). Any proposed impacts to the wetlands must first be approved with the design plat, and then the actual mitigation plan for these impacts would not be considered until the final plat stage.

The proposed design plat also must comply with applicable standards in Appendix F - Airport Hazard Zoning Regulations in the Land Development Code. The proposed configuration of the Hatchet Creek subdivision includes a large number of residential lots (approximately 450) in an area that is within the established Airport Noise Zone, as depicted on a map within Appendix F. Within the Airport Noise Zone, residential uses are listed as 'restricted uses' and must meet certain criteria. In order for residential uses to be permitted within any subzone of the Airport Noise Zone, the developers "shall verify to the City in writing that proposed buildings will be designed to achieve an outdoor to indoor noise level reduction (NLR) of at least 25 decibels" and the developer must demonstrate that the proposed residential development "is compatible with the Official CFR Part 150 study." Based upon staff review and the expert analysis provided by consultant Ted Baldwin, staff has concluded that the proposed design plat is incompatible with the current Part 150 study and therefore does not meet the criteria in Appendix F to allow residential uses within the Airport Noise Zones. For this reason, staff is recommending denial of the Hatchet Creek design plat.

The Development Review Board considered Petition PZ-09-19 at public hearings held on May 14, 2009 and June 11, 2009. By a vote of 6 - 0, the Development Review Board recommended denial of the petition, citing the evidence presented in the staff report and testimony, and specifically regarding the relationship between the development and the Airport Noise Zones, as well as the impacts of the development on environmental resources on the site.

Public notice for this petition was published in the Gainesville Sun on March 24, April 29 and May 27, 2009. Letters were mailed to surrounding property owners on March 23, April 28, and May 26, 2009.

Fiscal Note: None

RECOMMENDATION

Development Review Board to City Commission - The

City Commission deny Petition PZ-09-19.

Staff to City Commission - Deny Petition PZ-09-19.

Alternate Recommendations - The City Commission approve Petition PZ-09-19.

Legislative History

8/6/09 City Commission Continued (Petition) (7 - 0)

090182_city staff comments_20090806.pdf
090182A_ II city attorney 9-19-07 memo and exhibits 1-3_20090806.pdf
090182B_ II city attorney exhibits 4-5_20090806.pdf
090182C_ II city attorney exhibits 6-10_20090806.pdf
090182D_ II city attorney exhibits 11-13_20090806.pdf
090182E_ II city attorney exhibits 14-18_20090806.pdf
090182F_ II city attorney memo 5-6 -09_20090806.pdf
090182G_ III airport exhibit A_20090806.pdf
090182H_ III airport exhibit B_20090806.pdf
090182I_ III airport exhibit C_20090806.pdf
090182J_ III airport memo_20090806.pdf
090182K_ IV petitioner consistency report_20090806.pdf
090182L_ IX 5-14-09 drb minutes 20090806.pdf
090182M_ IX 6- 11-09 drb minutes_20090806.pdf
090182N_ V petitioner attorney letters 3-11-09_20090806.pdf
090182O_ V petitioner attorney letters 5- 5-09_20090806.pdf
090182P_ V petitioner attorney maps 5- 5-09_20090806.pdf
090182Q_ VI petitioner environmental response 4-6-09_20090806.pdf
090182Q_ VI petitioner environmental response 4-6-09_20090806.pdf
090182R_ VI petitioner environmental response 5-11-09_20090806.pdf
090182S_ VII design plat sheets_20090806.pdf
090182T_ VII design plat sheets_20090806.pdf
090182U_ VII application_20090806.pdf
090182V_ VIII citizen letters_20090806.pdf
090182W_ X petitioner power point._20090806.PDF
090182X_staff ppt_20090806.PDF
090192_MOD_ Design Plat App_ppt_20090806.PDF
090192_MOD_Ironwood_ppt_20090806.PDF
090192_MOD_Timeline of Relevant Actions_ppt_20090806.PDF

ADJOURNMENT