

City of Gainesville

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



Meeting Agenda

September 25, 2007

6:00 PM

City Commission Special Meeting

City Hall Auditorium

City Commission

***Mayor Pegeen Hanrahan (At Large)
Mayor-Commissioner Pro Tem Rick Bryant (At Large)
Commissioner Jeanna Mastrodicasa (At Large)
Commissioner Scherwin Henry (District 1)
Commissioner Ed Braddy (District 2)
Commissioner Jack Donovan (District 3)
Commissioner Craig Lowe (District 4)***

Persons with disabilities who require assistance to participate in this meeting are requested to notify the Office of Equal Opportunity at 334-5051 or call the TDD phone line at 334-2069 at least two business days in advance.

ADOPTION OF THE AGENDA

AGENDA STATEMENT

"Citizens are encouraged to participate in City of Gainesville meetings. In general, speakers will be limited to 3 (three) minutes per agenda item. Additional time may be granted by the Mayor or by the City Commission as directed. The City of Gainesville encourages civility in public discourse and requests that speakers limit their comments to specific motions and direct their comments to the Chair. Signs or Props are not permitted in the meeting room. Citizens are encouraged to provide comments in writing to the Clerk of the Commission before meetings and/or during meetings for inclusion into the public record. Citizens may also provide input to individual commissioners via office visits, phone calls, letters and e-Mail, that will become public record. In some instances, i.e., Quasi-Judicial Hearings, these particular contacts may be prohibited.

ROLL CALL

070490.

Appeal of Historic Preservation Board Certificate of Appropriateness (B)

Appeal of the approval by Historic Preservation Board of Certificate of Appropriateness with the condition that no part of the buildings exceeds three stories. The proposal includes replacing the historic structures with structures ranging in height from three to four stories, and the Demolition of 1102 Southwest 6th Avenue, 1116 Southwest 6th Avenue, and the garage behind 1101 Southwest 5th Avenue. (B)

Explanation: The subject property is located within the University Heights-South Historic District, along the north side of Southwest 6th Avenue, between Southwest 10th and 12th Streets. This property is approximately two-thirds of an acre in size, and is zoned RH-2, Residential High Density (8-100 dwelling units per acre). Additionally, the site is located within the University Heights Special Area Plan area.

On July 16, 2007 the City Commission heard the applicant's appeal of the Historic Preservation Board's June 12, 2007, denial of Petition 36COA-07 HPB. That petition was a request for a Certificate of Appropriateness (COA) that includes the construction of a three- to four-story multiple-family structure containing approximately 23 units and 63 bedrooms; the demolition of contributing accessory structures; and the demolition of a non-contributing principal structure.

The primary reason cited by the Historic Preservation Board (HPB) for denying the application was the height, mass and proportions of the proposed structure. The HPB indicated that they felt that a four story high structure on the subject Property was incompatible with the surrounding area, which predominantly consists of one- and two-story buildings. Primarily for those reasons, the HPB determined that the proposal is inconsistent with the City's guidelines, and therefore, voted 8 to 0 to deny the COA.

At the July 16, 2007, City Commission hearing the City Manager offered the

applicant the opportunity to work with City staff to resolve the issues related to the Board's denial of the petition. The applicant accepted the offer and the City Commission voted to continue the appeal hearing until August 24, 2007. The applicant and staff met on July 31, followed by subsequent meetings which resulted in a plan to lower the structures along S.W. 6th Avenue to two and three stories and lower the building behind 1114 S.W. 6th Avenue to three stories because the height is visible from S.W. 12th Street.

At its August 27, 2007 meeting, the City Commission approved the recommendation of the applicant and staff to further continue the appeal until such time as the issue is sent back to a regularly scheduled Historic Preservation Board meeting for further consideration. The applicant submitted the revised plan to the Historic Preservation Board. On September 4, 2007, the Historic Preservation Board reviewed the revised plan and heard a presentation by staff that recommended approval with conditions. The Board voted 5-2 to grant a certificate of appropriateness for the revised plan with staff conditions and one additional condition that no buildings exceed three stories. On September 6, 2007, the applicant filed notice of appeal of the approval and filed an amended notice on September 12, 2007, to clearly state the grounds of the appeal "because the condition limiting the number of stories is unreasonable, arbitrary, capricious and beyond the HPB's delegated authority."

Fiscal Note: None

RECOMMENDATION

The City Commission: 1) hear the appeal of the September 4, 2007 decision of the Historic Preservation Board; and 2) affirm, amend, or reverse the historic preservation board's decision of September 4, 2007.

Historic Preservation Board to City Commission-affirm the Historic Preservation Board's decision of September 4, 2007.

Staff to Historic Preservation Board-Approve the COA with conditions as described in the staff report.

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