

# **City of Gainesville**

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



## **Meeting Minutes**

**Monday, June 16, 2008**

**6:00 PM**

**City Commission Special Meeting**

**City Hall Auditorium**

## **City Commission**

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

## CALL TO ORDER - 6:48 PM

## ADOPTION OF THE AGENDA

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*Mayor-Commissioner Pro Tem Donovan moved and Commissioner Henry seconded to adopt the agenda, as modified.*

*(VOTE: 5-0, Commissioners Lowe & Mastrodicasa - Absent, MOTION CARRIED)*

### *MODIFICATIONS:*

*1. File #071219 - Gainesville Greens - New Recommendation - Alternative Recommendation #4, as amended.*

*2. File #070210 - Land Use Change - Hatchet Creek - Change Heading to "Ordinances 1st Reading" instead of 2nd Reading.*

*NOTE: Commissioner Lowe entered the meeting room at 6:51 PM.*

## ROLL CALL

Present: Pegeen Hanrahan, Craig Lowe, Jack Donovan, Scherwin Henry, Lauren Poe and Thomas Hawkins

Absent: Jeanna Mastrodicasa

## CITY MANAGER

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### **071219.**

### **Gainesville Greens (B)**

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*AMENDMENT: 1) Approve Alternative Recommendation #4, retaining the six month time frame; 2) authorize staff to move forward with a new RFP process that would commence at the end of the six month time frame if this project has not moved forward which would include removing item #6 from the recommendation; and 3) include authorizing staff to work with Mr. Danzansky on some modification of the benchmarks if necessary for a realistic six month extension (dates in Alternative Recommendation 4).*

### **RECOMMENDATION**

*Alternative Recommendation #4*

*1) Approve a 6-month extension to the option for City Parking Lot #10, provided the project's use remain residential condominiums, as originally proposed, and require the following conditions be met:*

2) *As a condition precedent to the exercise of the option, require the developer agree to a reporting schedule to report its progress on a monthly basis on meeting deadlines for planning, financing, and permitting;*

3) *As a condition precedent to the exercise of the option, require the developer meet the requirements of the following project critical dates:*

a. *6/11/08 - Developer submit 13 sets of site plans to Planning Department for final review.*

b. *7/31/08 - Developer submit 6 sets of finalized site plans for Planning Department to sign and stamp.*

c. *8/15/08 - Final Site Plan approval.*

d. *9/09/08 - Submit changes and PRC revisions to Building Department.*

e. *8/06/08 - Revised Development Agreement.*

f. *8/01/08 - Commitment letter of financing.*

g. *10/30/08 - Letter of unconditional commitment.*

4) *As a condition precedent to the exercise of the option, require the developer obtain binding loan approval for any financial contingency;*

5) *As a condition precedent to the option, require the execution of any necessary changes to the License Agreement for Use of Parking Garage between the developer and the City dated May 15, 2007, as well as to City's License Agreement for Use of Parking Garage and subsequent amendments thereto between the City and Kenneth R. McGurn and Linda C. McGurn;*

6) *As a condition precedent to the exercise of the option, require the developer execute an amended development agreement with the CRA, reflecting changes to the commencement and completion dates for the project.*

**A motion was made by Mayor-Commissioner Pro Tem Donovan, seconded by Commissioner Henry, that this matter be Approved as Amended. The motion carried by the following vote:**

**Votes:** Aye: Craig Lowe, Jack Donovan, Lauren Poe, Scherwin Henry, Thomas Hawkins and Pegeen Hanrahan

Absent: Jeanna Mastrodicasa

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## **ORDINANCES, 1ST READING - ROLL CALL REQUIRED**

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**070210.**

**LAND USE CHANGE - HATCHET CREEK (B)**

**Ordinance No. 0-07-97, Petition 23LUC-07PB**

**An Ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan Future Land Use Element and Future Land Use Map; by overlaying the "Planned Use District" category over certain property with the underlying land use categories of "Single-Family (up to 8 units per acre)," "Industrial," and "Recreation," as more specifically described in this ordinance, consisting of approximately 498 acres, generally located in the vicinity of Waldo Road on the East, NE 39th Avenue on the South, NE 15th Street on the West, and NE 53rd Avenue on the North; by creating and adopting Policy 4.3.5 in the Future Land Use Element of the Comprehensive Plan; providing time limitations; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.**

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*STAFF PRESENTATION: Planning and Development Services Director Erik Bredfeldt, Senior Planner Onelia Lazzari, Planning Manager Ralph Hilliard and Public Works Environmental Coordinator Mark Garland gave presentations.*

*PETITIONER PRESENTATION: Attorneys for the Petitioner Linda Shelley, Ron Carpenter and East Gainesville Partners Developer Rob Simensky gave presentations.*

*CITIZEN COMMENT: Chair Hanrahan recognized Rodney Long, Airport CEO Alan Penksa, Airport Authority Chair Peter Johnson, Airport Authority Members Mark Goldstein and Mac McEachern, Rob Brinkman and Paula Stahmer who spoke to the matter.*

*WAIVER OF RULES: Commissioner Henry moved and Commissioner Hawkins seconded to waive the rules to extend the meeting to 11:30 PM.  
(VOTE: 6-0, Commissioner Mastrodicasa - Absent, MOTION CARRIED)*

*WAIVER OF RULES: Commissioner Poe moved and Commissioner Hawkins seconded to waive the rules to extend the meeting to 11:40 PM.  
(VOTE: 6-0, Commissioner Mastrodicasa - Absent, MOTION CARRIED)*

*WAIVER OF RULES: Commissioner Lowe moved and Commissioner Henry seconded to waive the rules to extend the meeting to 11:50 PM.  
(VOTE: 6-0, Commissioner Mastrodicasa - Absent, MOTION CARRIED)*

*REVISIONS: The revisions were determined by going through the attached matrix (070210\_200806161300) located behind the Draft Ordinance.*

*Condition A - (Column 3 - Staff Analysis & Recommendation, as revised by the City Commission and written by the City Attorney): The residential density and allowable residential uses within the Planned Use District is a maximum of 1,500 residential*

units and 300 Assisted Living Facility (ALF) beds. The maximum number of residential units in the PD zoning ordinance shall be 1,199 residential units and 300 ALF beds; provided however, if the State Development of Regional Impact residential threshold is increased to 1,500 residential units or above, the owner may request the PD zoning ordinance, or an amendment thereto, allow up to 301 additional residential units, based upon a demonstration by the owner/developer that adequate public or private facilities are available to serve the additional units and that the site for which the units are proposed is suitable for residential development.

Condition B - OK

Condition C - OK

Condition D - (Column 3 - Staff Analysis & Recommendation).

Condition E - (Column 1 - (Draft Ordinance as recommended by staff)).

Conditions F & G - OK

Condition H - (Column 3 - Staff Analysis & Recommendation).

Conditions I through P - OK

Condition Q - (Omit the words "to minimize cut-through traffic").

Conditions R & S - OK

Condition T - (Column 3 - Staff Analysis & Recommendation, as amended by the City Commission) - (Change the first sentence in Condition T "A limited number of drive-through facilities shall be allowed on the street frontage to be determined at PD zoning" and strike the word "three" from the fifth line).

Condition U - OK

Condition V - (Column 3 - Staff Analysis & Recommendation).

Condition DD - Withdrawn.

*ADDITIONAL CITIZEN COMMENT: Chair Hanrahan recognized Rob Brinkman, Rodney Long, Paula Stahmer, Airport Authority Member Janet Woods, and Airport CEO Alan Penksa who spoke to the matter.*

**RECOMMENDATION**

The City Commission (1) hear a presentation from staff regarding the meeting of city staff, GACRAA representatives and the petitioner on May 7, 2008 concerning possible residential development within the Industrial land use area; (2) consider the six unresolved conditions described in ATTACHMENT 1; and (3) adopt the proposed ordinance on first reading as submitted, or as revised.

**A motion was made by Mayor-Commissioner Pro Tem Donovan, seconded by Commissioner Hawkins, that this matter be Adopted on First Reading, as revised (Ordinance). The motion carried by the following vote:**

**Votes:** Aye: Craig Lowe, Jack Donovan, Lauren Poe, Scherwin Henry, Thomas Hawkins and Pegeen Hanrahan

Absent: Jeanna Mastrodicasa

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## **ADJOURNMENT - 11:46 PM**

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Kurt M. Lannon, Clerk of the Commission