

City of Gainesville

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



Meeting Minutes

Monday, January 26, 2009

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 - 6:06 PM**ROLL CALL**

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

ADOPTION OF THE AGENDA

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

(VOTE: 6-0, Commissioner Henry - Absent, MOTION CARRIED)

MODIFICATION: File #071195 - Rezoning - 5901 NE Waldo Road - (Scrivener's error in the title: "(MS)" district should be "(MP)" in the title and throughout the ordinance.)

Chair Hanrahan recognized Pat Fitzpatrick who made comments.

NOTE: Commissioner Henry entered the meeting room at 6:10 PM.

ADOPTION READING - ROLL CALL REQUIRED**071188. LAND USE CHANGE - 4600 SW 41ST BOULEVARD (B)****Ordinance No. 0-08-23, Petition 23LUC-08PB**

An Ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan; by changing the land use category of certain property, as more specifically described in this ordinance, from the Alachua County land use category of "Heavy Industrial" to the City of Gainesville land use category of "Industrial" consisting of approximately 25.85 acres, located in the vicinity of 4600 Southwest 41st Boulevard, commonly known as "Bear Archery"; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Chief of Comprehensive Planning Dean Mimms and Senior Planner Susan Bridges Niemann gave presentations.

RECOMMENDATION

The City Commission (1) receive the report of the Department of Community Affairs; and (2) adopt the proposed ordinance.

A motion was made by Commissioner Lowe, seconded by Mayor-Commissioner Pro Tem Donovan, that this matter be Approved as Recommended and Adopted (Ordinance) on Adoption Reading. The motion carried by the following vote:

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

ORDINANCES, 1ST READING - ROLL CALL REQUIRED

071192. REZONING - 4600 SW 41ST BOULEVARD (B)**Ordinance No. 0-08-24, Petition No. 28ZON-08PB**

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain property, as more specifically described in this Ordinance, from the Alachua County zoning category of "Industrial services and manufacturing (MS) district" to the City of Gainesville zoning category of "I-1: Limited industrial district"; located in the vicinity of 4600 Southwest 41st Boulevard, commonly known as "Bear Archery" and consisting of approximately 25.85 acres; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Senior Planner Susan Bridges Niemann gave a presentation.

RECOMMENDATION *The City Commission: 1) approve Petition 28ZON-08PB; and 2) adopt the proposed ordinance.*

A motion was made by Commissioner Lowe, seconded by Commissioner Mastrodicasa, that this matter be Approved (Petition) and Adopted on First Reading (Ordinance). The motion carried by the following vote:

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

0711 ADOPTION READING - ROLL CALL REQUIRED**92****071189. LAND USE CHANGE - 5724 SW 46TH PLACE (B)****Ordinance No. 0-08-27, Petition 24LUC-08PB**

An Ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan; by changing the land use category of certain property, as more specifically described in this ordinance, from the Alachua County land use category of "Medium Density Residential" to the City of Gainesville land use category of "Conservation" consisting of approximately 11.00 acres, located in the vicinity of 5724 SW 46th Place, commonly known as "Broken Arrow Bluff Park"; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Senior Planner Susan Bridges Niemann gave a presentation.

RECOMMENDATION *The City Commission (1) receive the report that the Department of Community Affairs offers no objections, recommendations, or comments; and (2) adopt the proposed ordinance.*

A motion was made by Commissioner Lowe, seconded by Mayor-Commissioner Pro Tem Donovan, that this matter be Approved as Recommended and Adopted (Ordinance) on Adoption Reading. The motion carried by the following vote:

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

ORDINANCES, 1ST READING - ROLL CALL REQUIRED

071193. REZONING - 5724 SW 46TH PLACE (B)

Ordinance No. 0-08-28, Petition No. 29ZON-08PB

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain property, as more specifically described in this Ordinance, from the Alachua County zoning category of "Planned Development (PD) district" to the City of Gainesville zoning category of "CON: Conservation District"; located in the vicinity of 5724 Southwest 46th Place, commonly known as "Broken Arrow Bluff Park" and consisting of approximately 11.00 acres; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Senior Planner Susan Bridges Niemann gave a presentation.

RECOMMENDATION *The City Commission: 1) approve Petition 29ZON-08PB; and 2) adopt the proposed ordinance.*

A motion was made by Mayor-Commissioner Pro Tem Donovan, seconded by Commissioner Henry, that this matter be Approved (Petition) and Adopted on First Reading (Ordinance). The motion carried by the following vote:

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

ADOPTION READING - ROLL CALL REQUIRED

071187. LAND USE CHANGE - 5901 NE WALDO ROAD (B)

Ordinance No. 0-08-18, Petition 33LUC-08PB

An Ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan; by changing the land use category of certain property, as more specifically described in this ordinance, from the Alachua County land use category of "Heavy Industrial" to the City of Gainesville land use category of "Industrial" consisting of approximately 51.5 acres, located in the vicinity of 5901 Northeast Waldo Road; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Senior Planner Susan Bridges Niemann gave a presentation.

RECOMMENDATION *The City Commission (1) receive the report of the Department*

of Community Affairs; and (2) adopt the proposed ordinance.

A motion was made by Mayor-Commissioner Pro Tem Donovan, seconded by Commissioner Lowe, that this matter be Approved as Recommended and Adopted (Ordinance) on Adoption Reading. The motion carried by the following vote:

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

ORDINANCES, 1ST READING - ROLL CALL REQUIRED

071195. REZONING - 5901 NE WALDO ROAD (B)

Ordinance No. 0-08-19, Petition No. 32ZON-08PB

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain property, as more specifically described in this Ordinance, from the Alachua County zoning category of "Industrial services and manufacturing (MS) district" to the City of Gainesville zoning category of "I-1: Limited industrial district"; located in the vicinity of 5901 Northeast Waldo Road and consisting of approximately 51.5 acres; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Senior Planner Susan Bridges Niemann gave a presentation.

REVISED: Replace "(MS)" district, with "(MP)" in the title and throughout the ordinance (scrivener's error).

RECOMMENDATION *The City Commission: 1) approve Petition 32ZON-08PB; and 2) adopt the proposed ordinance.*

A motion was made by Commissioner Lowe, seconded by Commissioner Henry, that this matter be Approved (Petition) and Adopted on First Reading (Ordinance), as revised. The motion carried by the following vote:

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

ADOPTION READING - ROLL CALL REQUIRED

070447. LAND USE CHANGE - PLUM CREEK (B)

Ordinance No. 0-07-119, Petition 28LUC-07PB

An Ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan Future Land Use Plan and Map; changing the land use categories of certain property from the Alachua County land use category of "Rural/Agriculture" and the City of Gainesville land use category of "Agriculture" to the land use categories of "Single-Family (up to 8 units per acre)", "Residential Low-Density (up to 12 units per acre)," and "Conservation", and by overlaying the "Planned

Use District" category over certain portions of the property, as more specifically described and shown in this ordinance, consisting of approximately 1778 acres; generally located north of U.S. 441 and Northwest 74th Place lying east and west of SR 121 and CR 231, and south of Northwest 121st Avenue; providing for time limitations; creating and adopting Policy 4.3.4; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Chief of Comprehensive Planning Dean Mimms, Concurrency Management Planner Onelia Lazzari and Attorney for the Petitioner David Coffey gave presentations.

Chair Hanrahan recognized Rob Brinkman and Walter Willard who spoke to the matter.

RECOMMENDATION *The City Commission: (1) receive the report of the Department of Community Affairs; and (2) adopt the proposed ordinance as amended.*

A motion was made by Commissioner Poe, seconded by Commissioner Mastrodicasa, that this matter be Approved as Recommended and Adopted (Ordinance) on Adoption Reading, as amended. The motion carried by the following vote:

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

070210.**LAND USE CHANGE - HATCHET CREEK PUD (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.

Chief of Comprehensive Planning Dean Mimms, Planning Manager Ralph Hilliard, Gainesville Airport CEO Alan Penksa, Attorney for the Petitioner Linda Shelley, and Assistant City Attorney Nicole Shalley gave presentations.

Commissioner Mastrodicasa declared that she had no conflict of interest regarding this matter.

Chair Hanrahan recognized Airport CEO Alan Penksa, Airport Authority Member Mark Goldstein, Rob Brinkman, who spoke to the matter.

MOTION: 1) Continue this ordinance to the second DCA cycle of 2009; 2) request a letter from the petitioner stating the path they will be taking by (the ordinance) being moved (continued) to the second DCA cycle; and 3) direct staff to answer questions that Commissioners may have regarding the development.

Chair Hanrahan recognized Attorney for the Petitioner Ron Carpenter who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance, as amended.*

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

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

ADJOURNMENT - 9:32 PM

Kurt M. Lannon, Clerk of the Commission