

City of Gainesville

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



Meeting Minutes

Monday, May 12, 1997

3:00 PM

City Hall Auditorium

City Commission

*Commissioner Sande Calkins (District 2)
Mayor-Commissioner Bruce Delaney (At-Large)
Commissioner Paula M. DeLaney (At-Large)
Mayor-Commissioner Pro Tem Pegeen Hanrahan (District 3)
Commissioner Edward L. Jennings, Sr. (District 1)*

Invocation

Present: Sande Calkins, Paula M. DeLaney, Edward L. Jennings, Sr., Pegeen Hanrahan and Bruce L. Delaney

Pastor Robin Roberts, Christian Life Worlwide UPC

Consent Agenda

A motion was made by Commissioner DeLaney, seconded by Commissioner Calkins, to Pass the Consent Agenda, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried unanimously.

City Manager, Consent Agenda Items

961106 Memorandum of Understanding with Neighborhood Housing Services of America regarding Neighborhood Housing & Development Corporation.

RECOMMENDATION *The City Commission authorize the City Manager to execute the Memorandum of Understanding between the City of Gainesville and the Neighborhood Housing Services of America concerning a Loan Sales and Servicing Agreement for HOME-funded loans between the Neighborhood Housing Services of America and the Neighborhood Housing & Development Corporation, subject to approval by the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

961107 Preservation 2000 Land Acquisition Grant

RECOMMENDATION *The City Commission: 1) approve the Grant application to the State of Florida, Department of Environmental Protection, Office of Greenways and Trails Preservation 2000 Land Acquisition Grant; 2) authorize the City Manager to execute the application; and 3) authorize the City Manager to execute the grant agreement and other grant-related documents, if awarded, subject to approval by the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

961108 Appointment to North Central Florida Community Action Agency

RECOMMENDATION *The City Commission appoint Housing Manager Gwendolyn Dawson to the North Central Florida Community Action Agency as the City Commission's representative.*

This matter was Withdrawn

961109 Acceptance of Right of Way for NW 8th Ave. from Alachua County

RECOMMENDATION *The City Commission authorize the City Manager to accept the deed from Alachua County for this remaining right of way and direct the Clerk of the Commission to record the deed in the Public Records of Alachua County, Florida, subject to approval of the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

General Manager for Utilities, Consent Agenda Items

961112 Approval of purchase order to TSE International, Inc. for one (1) puller tensioner

RECOMMENDATION *The City Commission approve the issuance of a purchase order to TSE International, Inc. for one (1) puller tensioner in the amount of \$37,100.*

This Matter was Approved as Recommended on the Consent Agenda.

City Attorney, Consent Agenda Items

961117 Estrelita Davis v. City of Gainesville, Florida; Case No. 150972478 (EEOC Charge of Discrimination)

RECOMMENDATION *The City Commission authorize the City Attorney and/or Special Counsel if insurance coverage is available to represent the City in the case styled Estrelita Davis v. City of Gainesville, Florida; Case No. 150972478 (EEOC Charge of Discrimination)*

This Matter was Approved as Recommended on the Consent Agenda.

Committee Reports, Consent Agenda Items

Public Works Committee, Consent

Personnel & Organizational Structure Comm, Consent

961092

Upgrade of Finance Director.

RECOMMENDATION *The City Commission approve the staffing change to General Government Administrative Services organization and budget by upgrading the Finance Director position from pay grade 78 (\$43,502 to \$65,419) to pay grade 82 (\$50,770 to \$76,348).*

This Matter was Approved as Recommended on the Consent Agenda.

Public Safety Committee, Consent

Audit & Finance Committee, Consent

Legislative Committee, Consent

Regional Utilities Committee, Consent

Clerk of the Commission, Consent Agenda Items

961113

Citizens' Advisory Committee for Community Development

RECOMMENDATION *The City Commission accept the resignation of member Remzey L. Samaccai from the Citizens' Advisory Committee for Community Development effective immediately.*

This Matter was Approved as Recommended on the Consent Agenda.

961116

City Commission Minutes of April 21 and 28, 1997

RECOMMENDATION *The City Commission approve the minutes as circulated.*

This Matter was Approved as Recommended on the Consent Agenda.

Community Redevelopment Agency, Consent Items

End of Consent Agenda

Adoption of the Agenda

The Agenda was adopted with the following modifications: 1) Waive the Rules of the City Commission to: a) move File No. 961111 to 6pm portion of meeting; b) consider File No. 961110 at 8:30pm; and c) continue the quasi-judicial hearing on File Nos. 960940 and 960941

Citizen Comment (3:00 PM - 3:30 PM)

Mike Hofgren - UltraRail Development

961129 Bicycle Safety Memorial

RECOMMENDATION *The City Commission: 1) request the Arts In Public Places Trust to expand their role to include review of volunteer or other civic art projects, to make recommendations back to the City Commission, and to coordinate with staff and appropriate boards; and 2) refer all beautification projects to the City Beautification Board.*

A motion was made by Commissioner DeLaney, seconded by Mayor-Commissioner Pro Tem Hanrahan, that this matter be Assigned to the Public Works Committee, due back on November 12, 1997. The motion carried unanimously.

961130 City Plan Board Conditions and Construction Noise

RECOMMENDATION *The City Commission refer to Staff for research the issues of: 1) how Szechuan Omei planned development recommendations are made from the City Plan Board to the City Commission; and 2) construction noises at "The Choice" apartment complex prior to 7:00am.*

A motion was made by Commissioner DeLaney, seconded by Mayor-Commissioner Pro Tem Hanrahan, that this matter be Referred to the City Manager, due back on January 12, 1997. The motion carried unanimously.

Sue Blythe - We Care Program for the Homeless Coalition (NB)

Citizen Sue Blythe requested assistance to establish a We Care Program.

Commissioner Calkins requested that Citizen Sue Blythe attend the next Hungry/Homeless Ad Hoc Committee Meeting to further discuss her proposal.

Rev. Earl Young - 5th Avenue Arts Festival Opposition (NB)

Linda Crider - Bicycle/Pedestrian Friendly Awards (NB)

Citizen Linda Crider recognized Citizens receiving Bicycle/Pedestrian Friendly Awards.

City Commission Comment (If time available)

Charter Officer Updates

Clerk of the Commission

961101 Election 1998

Chairman B. Delaney recognized Citizen Sarah Poll who spoke to the matter.

RECOMMENDATION *The City Commission authorize the dates of March 17 and March 31, 1998, as the dates of the 1998 election and authorize the City Attorney to draft and the Clerk of the Commission to advertise the appropriate ordinance.*

A motion was made by Commissioner DeLaney, seconded by Commissioner Calkins, that this matter be Approved as Recommended. The motion carried unanimously.

961118 Blue Ribbon Committee

Blue Ribbon Ad Hoc Committee Chair Joe Little gave a presentation.

AMENDMENTS: 1) Add the following sentence to the ordinance: If the general employees do not receive a yearly raise of at least 1.5%, then the raise for the City Commission be suspended; 2) the ordinance become effective October, 1997.

RECOMMENDATION *The City Commission hear a report from the Blue Ribbon Ad Hoc Committee on Mayor/Commissioner Salaries and take action deemed appropriate.*

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

Votes: Aye: Sande Calkins, Edward L. Jennings, Sr., Pegeen Hanrahan and Bruce L. Delaney
Nay: Paula M. DeLaney

City Manager

960998 Pine Forest Update

RECOMMENDATION *The City Commission: 1) hear the proposal, and 2) authorize transportation for neighboring apartments to the existing summer playground programs.*

A motion was made by Commissioner Calkins, seconded by Mayor-Commissioner Pro Tem Hanrahan, that this matter be Approved as Recommended. The motion carried unanimously.

961089 Update on Code Enforcement Activities

Chairman B. Delaney recognized Citizen J.T. Frankenberger who spoke to the matter.

RECOMMENDATION *The City Commission hear a presentation regarding code enforcement, including tracking of violations and enforcement on codes enforcement software, neighborhood orientation in enforcement, civil citations system, demolitions, lot clearings, and board and seals.*

This matter was Placed on File

General Manager for Utilities**961114 Agreement with Kanapaha Botanical Gardens**

Kanapaha Botanical Gardens Executive Director Don Goodman gave a presentation.

RECOMMENDATION *The City Commission authorize the General Manager for Utilities or his designee to execute the agreement with Kanapaha Botanical Gardens, subject to the approval of the City Attorney as to form and legality.*

A motion was made by Commissioner DeLaney, seconded by Mayor-Commissioner Pro Tem Hanrahan, that this matter be Approved as Recommended. The motion carried unanimously.

961115 Gainesville Regional Utilities Trade Alliance Program

General Manager for Utilities Mike Kurtz authorized Conservation Analyst II Adrienne Burges to give a presentation.

Chairman B. Delaney recognized Dr. Charles Kibert who spoke to the matter.

RECOMMENDATION *The City Commission hear a brief presentation from staff regarding the Trade Alliance Program (TAP).*

This matter was Placed on File

City Attorney

City Auditor

Committee Reports (Pulled from Consent)

Public Works Committee

Personnel & Organizational Structure Committee

Public Safety Committee

Audit & Finance Committee

Legislative Committee

Regional Utilities Committee

Advisory Brds/Comm (Appointments/Waivers/Reports)

Outside Agencies

961070 United Gainesville Community Development Corporation

United Gainesville Community Development Corporation Representative Vian Guinyard gave a presentation.

RECOMMENDATION *The City Commission hear an update.*

This matter was Placed on File

Members of the City Commission

961127 Constitutional Revision Committee

RECOMMENDATION *The City Commission hold a special meeting on Municipal issues and the Commission on Local Government II.*

A motion was made by Commissioner DeLaney, seconded by Mayor-Commissioner Pro Tem Hanrahan, that this matter be Approved as Recommended. The motion carried unanimously.

961128

Committee Assignments

AMENDMENT: Replace Commissioner Jennings with Commissioner P. DeLaney on the Law Enforcement Cooperation Committee per her request and Commissioner Jennings' agreement.

RECOMMENDATION

The City Commission confirm the appointments of the Mayor-Commissioner as follows:

Standing Committees

Audit and Finance Committee

Mayor-Commissioner B. Delaney, Chair

Mayor-Commissioner Pro Tem Hanrahan, Member

Personnel and Organizational Structure Committee

Commissioner Calkins, Chair

Commissioner P. DeLaney, Member

Public Safety Committee

Commissioner Jennings, Chair

Commissioner Calkins, Member

Public Works Committee

Mayor-Commissioner Pro Tem Hanrahan, Chair

Mayor-Commissioner B. Delaney, Member

Regional Utilities Committee

Mayor-Commissioner Pro Tem Hanrahan, Chair

Commissioner Calkins, Member

Legislative Committee

Commissioner P. DeLaney, Chair

Commissioner Jennings, Member

Economic Development Committee

Commissioner Jennings, Chair

Commissioner Calkins, Member

Committee Liaisons

Gainesville/Alachua County Regional Airport Authority

Commissioner Jennings

Pension Review Committee

Commissioner P. DeLaney

Solid Waste Committee

Mayor-Commissioner B. Delaney

*Recreation Task Force
Commissioner P. DeLaney, Chair
Commissioner Calkins, Member*

*Tourist Development Council
Commissioner P. DeLaney*

*Library District Governing Board
Commissioner P. DeLaney
Mayor-Commissioner Pro Tem Hanrahan*

*Gainesville Area Chamber of Commerce
Mayor-Commissioner Pro Tem Hanrahan*

*Homeless/Hungry Ad Hoc Committee
Commissioner Calkins*

*Rental Ad Hoc Committee
Mayor-Commissioner B. Delaney
Commissioner P. DeLaney*

*Water Management Committee
Mayor-Commissioner Hanrahan*

*Law Enforcement Cooperation Committee
Commissioner Calkins
Commissioner P. DeLaney*

A motion was made by Commissioner Jennings, seconded by Commissioner Calkins, that this matter be Approved as Amended. The motion carried unanimously.

Commission Comments

Pleasant Street/Seaside Visit Update (NB)

Mayor-Commissioner Hanrahan gave the Commission an update on a visit to Seaside, Florida by the Pleasant Street Committee.

Voting Postponement Request (NB)

Mayor-Commissioner Pro Tem Hanrahan requested the City Commission hold off voting on File No. 960939 due to her absence for the remainder of the meeting.

Mayor-Commissioner Pro Tem Hanrahan left the meeting room (5:15pm)

Adjourn Until 6:00 PM

Pledge of Allegiance

Girl Scout Troop #565

Proclamations

961120 **Buckle Up America! Week - May 19-26, 1997**

RECOMMENDATION *Gainesville Police Department Captain Tony Jones to receive the proclamation.*

This matter was Placed on File

961121 **Peace Education Month - May 1997**

RECOMMENDATION *Peace Education Now Executive Director Sue Blythe, Martin Luther King Commission Board Member Jancie Vinson, and United Nations Association Treasurer Nancy Sever to receive proclamations.*

This matter was Placed on File

961122 **Law Week - May 11-17, 1997 and Law Month - May 1997**

RECOMMENDATION *Eighth Judicial Circuit Bar Association, Inc. President Sharon Sperling to receive the proclamation.*

This matter was Placed on File

961123 **Walter Camps Day - May 12, 1997**

RECOMMENDATION *Regional Transit System Bus Operator Walter Camps to received proclamation.*

This matter was Placed on File

961124 **James W. Dukes - Spotlited Employee for the Month of April 199**

RECOMMENDATION *City of Gainesville Certified Professional Firefighter James W. Dukes to receive proclamation.*

This matter was Placed on File

961125 Fifth Avenue Arts Festival Days - May 16-18, 1997

RECOMMENDATION *Cultural Arts Coalition Board Member Yvette Clark to receive proclamation.*

This matter was Placed on File

961126 Bike, Hike and Bus Week - May 12-17, 1997 and BBOPP to Work Day - May 16, 1997

RECOMMENDATION *City of Gainesville Bicycle/Pedestrian Coordinator Marcie Stenmark to receive proclamation.*

This matter was Placed on File

961111 Special Presentation on Gainesville Chess Club Programs

Citizen Robert Kaplan-Stein gave a presentation.

MOTION: Appropriate \$2,000 for the four teams and \$500 for Cindy Tsai from the City Commission Contingency Fund, contingent upon receiving a budget from the club (Motion Carried Unanimously)

RECOMMENDATION *The City Commission hear the special presentation by Gainesville Chess Club, regarding the recent victories of several of their team members in state competitions.*

A motion was made by Commissioner DeLaney, seconded by Commissioner Calkins, that this matter be Approved, as shown above. The motion carried by the following vote:

Votes: Aye: Sande Calkins, Paula M. DeLaney, Edward L. Jennings, Sr. and Bruce L. Delaney
Absent: Pegeen Hanrahan

Public Hearings

See end of minutes for File No. 961110

Ordinances - 1st Readings- ROLL CALL REQUIRED**960373 Ordinance No. 0-97-25**

An Ordinance of the City of Gainesville, Florida; Amending Section 2-247(b) of the Code of Ordinances of the City of Gainesville, Florida, By Amending the

Attendance Requirements and Procedures for the Removal of a Member from an Advisory Board; Providing a Severability Clause; Providing a Repealing Clause; and Providing an Immediate Effective Date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Sande Calkins, Paula M. DeLaney, Edward L. Jennings, Sr. and Bruce L. Delaney
Absent: Pegeen Hanrahan

960841 Ordinance No. 0-97-21, Petition No. 13LUC-97PB

An Ordinance amending the City of Gainesville 1991-2001 Comprehensive Plan; by changing the land use category of certain property from "Single Family (up to 8 units per acre)" and "Residential Medium Density (10-30 units per acre)" to "Conservation"; located in the vicinity of the 1500-1600 block of N.W. 29th Road and 3056 N.W. 14th Street; providing a severability clause; providing a repealing clause; and providing an effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Calkins, seconded by Commissioner DeLaney, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

Votes: Aye: Sande Calkins, Paula M. DeLaney, Edward L. Jennings, Sr. and Bruce L. Delaney
Absent: Pegeen Hanrahan

960842 Ordinance No. 0-97-22, Petition No. 14ZON-97PB

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain lands within the City from "RSF-1: 3.5 units/acre single-family residential district" and "RMF-6: 10-15 units/acre multiple-family residential district" to "CON: Conservation district"; located in the vicinity of the 1500-1600 block of N.W. 29th Road and 3056 N.W. 14th Street; providing a severability clause; providing a repealing clause; and providing an effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner DeLaney, seconded by Commissioner Calkins, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

Votes: Aye: Sande Calkins, Paula M. DeLaney, Edward L. Jennings, Sr. and Bruce L. Delaney
Absent: Pegeen Hanrahan

Ordinances - 2nd Readings- ROLL CALL REQUIRED

960903 Ordinance No. 0-97-23

An ordinance of the City of Gainesville, Florida, providing consent for the entire corporate limits of the City of Gainesville to be included in a non-ad valorem assessment for a municipal service benefit unit created by Alachua County for the provision of certain solid waste collection and disposal costs; providing conditions for the consent; providing that the consent is for one year; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Calkins, seconded by Commissioner Jennings, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

Votes: Aye: Sande Calkins, Paula M. DeLaney, Edward L. Jennings, Sr. and Bruce L. Delaney

Absent: Pegeen Hanrahan

Resolutions- ROLL CALL REQUIRED**Plan Board Petitions****960494 Petition 186TCH-96PB, City Plan Board. Amend the sign and landscape regulations in the Master Plan and Land Development Regulations for the College Park Neighborhood.**

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition 186TCH-96 PB, with staff and board conditions. Plan Board vote 5-0*

CITY MANAGER'S RECOMMENDATION

The City Commission continue Petition 186TCH-96 PB to the May 27th City Commission meeting.

Staff to Plan Board - Approve

A motion was made by Commissioner DeLaney, seconded by Commissioner Calkins, that this matter be Continued (Petition) for May 27, 1997. The motion carried by the following vote:

Votes: Aye: Sande Calkins, Paula M. DeLaney, Edward L. Jennings, Sr. and Bruce L. Delaney

Absent: Pegeen Hanrahan

960938 (Quasi-Judicial). Petition 31LUC-97PB, Amend the Gainesville Comprehensive Plan, 1991-2001, Future Land Use Map from O (Office) to PUD (Planned Use District) to allow a drug store with a drive-thru. Located at 3904 N.W. 13th

Street. (Related to Petition 27PDV-97 PB.)

Petitioner Attorney Ron Carpenter gave a presentation.

MOTION: Continue petition until May 14, 1997 at 5:00 pm or as soon thereafter as may be heard.

Chairman B. Delaney recognized Citizen Teborah Cohen who spoke to the matter.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition 31LUC-97 PB. Plan Board vote 4-3*

Staff to Plan Board - Deny

A motion was made by Commissioner DeLaney, seconded by Commissioner Calkins, that this matter be Continued (Petition) for May 14, 1997. The motion carried unanimously.

960939

(Quasi-Judicial). Petition 27PDV-97PB, A Planned Development with a PD Layout Plan to rezone property from OF (General Office District) to PD (Planned Development District) to allow removal of an office building and construction of a drug store with a drive-thru. Located at 3904 N.W. 13th Street. (Related to Petition 31LUC-97PB)

MOTION: Continue petition until 5/14/97 at 5:00pm or as soon thereafter as may be heard.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition 27PDV-97 PB. Plan Board vote 4-3*
Staff to Plan Board - Deny

A motion was made by Commissioner DeLaney, seconded by Commissioner Calkins, that this matter be Continued (Petition) for May 14, 1997. The motion carried by the following vote:

Votes: Aye: Sande Calkins, Paula M. DeLaney, Edward L. Jennings, Sr. and Bruce L. Delaney
Absent: Peegen Hanrahan

961036

Legislative Matter No. 961036. Petition 54PDV-97 PB. Trinity United Methodist Church of Gainesville, Inc. A planned development with development plan review to rezone property from MU-1 (Mixed Use Low Intensity), CON (Conservation), RMF-5 (Single-family/Multiple-family Residential, 12 units/acre) and RMF-6 (Multiple-family Residential, 10-15 units/acre) to PD (Planned Development) for construction of a place of religious assembly/sports complex. Located at 3902 N.W. 53rd Avenue.

RECOMMENDATION *City Plan Board Action - Strike Petition 54PDV-97 PB from agenda. The petitioner asked that this item be removed from the agenda. Plan Board vote 3-1.*

CITY MANAGER'S RECOMMENDATION

The City Commission strike Petition 54PDV-97 PB from agenda.

A motion was made by Commissioner DeLaney, seconded by Commissioner Calkins, that this matter be Striken from Agenda (Petition). The motion carried by the following vote:

Votes: Aye: Sande Calkins, Paula M. DeLaney, Edward L. Jennings, Sr. and Bruce L. Delaney
Absent: Pegeen Hanrahan

961037

Petition 59TCH-97PB, City Plan Board. Amend the City of Gainesville Land Development Code, Article IX, Division 1, Sign Regulations as related to under canopy signs; message board signs; pedestal-type signs; and sandwich signs.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition 59TCH-97 PB. Plan Board vote 6-0*

CITY MANAGER'S RECOMMENDATION

The City Commission continue Petition 59TCH-97 PB to the May 27th City Commission meeting.

Staff to Plan Board - Approve

A motion was made by Commissioner DeLaney, seconded by Commissioner Calkins, that this matter be Continued (Petition) for May 27, 1997. The motion carried by the following vote:

Votes: Aye: Sande Calkins, Paula M. DeLaney, Edward L. Jennings, Sr. and Bruce L. Delaney
Absent: Pegeen Hanrahan

See end of minutes for File Nos. 960940 and 960941

Development Review Board

Unfinished Business

Commission Comment

Minimum Density Issue (NB)

Commissioner Calkins requested a report from staff regarding the concerns of Robert Pearce relating to minimum density.

Commissioner P. DeLaney suggested that staff give a presentation at the next Special City Commission meeting on planning issues.

Hungry/Homeless Coalition (NB)

Commissioner Calkins informed the Commission that the Hungry/Homeless Coalition would present a report to the City Commission at the next regular meeting.

961131 Code Enforcement Board Meeting Time

RECOMMENDATION *The Personnel and Organizational Structure Committee recommends the Code Enforcement Board meetings remain at their current time and date.*

A motion was made by Commissioner Calkins, seconded by Commissioner DeLaney, that this matter be Assigned to the Personnel and Organizational Structure Committee, due back on November 12, 1997. The motion carried by the following vote:

Votes: Aye: Sande Calkins, Paula M. DeLaney, Edward L. Jennings, Sr. and Bruce L. Delaney
Absent: Pegeen Hanrahan

Citizen Comment

Kali Blount - Community Garden (NB)

Citizen Kali Blount gave the Commission an update on a visit to a Community Garden in Jacksonville, Florida.

5/12/97 Meeting Recessed (7:34pm) and Reconvened of 5/5/97 Meeting

Commissioner P. DeLaney moved and Commissioner Calkins seconded to recess the regular City Commission meeting of 5/12/97 meeting and reconvene the Special City Commission meeting of 5/5/97 (Motion Carried - Mayor-Commissioner Pro Tem Hanrahan absent)

Commissioner P. DeLaney moved and Commissioner Calkins seconded to recess this meeting (from 5/5/97) and continue on 5/14/97 at 6:00pm (Motion Carried - Mayor-Commissioner Pro Tem Hanrahan absent)

Plan Board Petitions

960940 (Formal Quasi-Judicial). Petition 8 LUC-97 PB, Linda Portal, agent for Clifford W. Denney. Amend the Gainesville Comprehensive Plan 1991-2001, Future Land Use Map from MU-L (Mixed Use Low Intensity, 10-30 units/acre) to PUD (Planned Use District) for self-storage. Related to Petition 29PDV-97PB. Located in the 4900 block of N.W. 39th Avenue, north side.

Chairman B. Delaney recognized Citizens Don Cromer, Edie Siemann, Ralph Coryell, Teborah Cohen, John Carlson, Jeannene Mironack, Carole Fessler, David Cromer, Sally Giles, Bruce Mast, Bill Muncell, Tom Yang, JoAnn Wilkes, Charlie Houder, Rick Wolf, and Cathy Barden who spoke to the matter.

Commissioner P. DeLaney requested the following from staff for the 5/14/97 meeting : 1) age of development of Town of Tioga and Haile Plantation and enabling legislation, when they were first approved; 2) number of housing units in both developments; 3) square footage of the commercial centers in both developments; 4) relationship of when the commercial centers are being built compared to the housing units; and 5) County ordinance that deals with unwanted and unpleasant uses in mini warehouses which is stricter than the City of Gainesville.

MOTION: Recess until 5/14/97 at 6:00pm

RECOMMENDATION *Plan Board to the City Commission - The City Commission approve the petition with conditions.*

Staff to Plan Board - Approve the petition with more restrictive conditions and a substantially smaller amount of storage.

A motion was made by Commissioner DeLaney, seconded by Commissioner Calkins, that this matter be Continued (Petition) for May 14, 1997. The motion carried by the following vote:

Votes: Aye: Sande Calkins, Paula M. DeLaney, Edward L. Jennings, Sr. and Bruce L. Delaney
Absent: Pegeen Hanrahan

960941

(Formal Quasi-Judicial). Petition 29 PDV-97 PB, Linda Portal, agent for Clifford W. Denney and Ella J. Miller. A Planned Development with a PD Layout Plan to rezone property from MU-1 (Mixed Use Low Intensity) to PD (Planned Development) to allow retail, office, self-service storage and residential. Related to Petition 8LUC-97PB. Located in the 4900 block of N.W. 39th Avenue, north side.

MOTION: Recess until 5/14/97 at 6:00pm

RECOMMENDATION *Plan Board to the City Commission - The City Commission approve the petition with conditions.*

Staff to Plan Board - Approve the petition with more restrictive conditions, including a smaller amount of self-service storage, a requirement that the storage building be configured with no outward-facing doors, and different phasing requirements.

A motion was made by Commissioner DeLaney, seconded by Commissioner Calkins, that this matter be Continued (Petition) for May 14, 1997. The motion carried by the following vote:

Votes: Aye: Sande Calkins, Paula M. DeLaney, Edward L. Jennings, Sr. and Bruce L. Delaney
Absent: Pegeen Hanrahan

Recessed 5/5/97 meeting (8:40pm) and Reconvened 5/12/97 meeting (8:40pm)

Public Hearing

961110 **Appeal of 18COA-97HPB, a decision by the Historic Preservation Board to deny a chainlink fence in the Northeast Residential Historic District.**

City Historic Planner Rick Smith gave a presentation.

Chairman B. Delaney recognized Historic Preservation Board Chair Thomas Sputo, Petitioner Dr. Lynn McRee and Citizens Jerry Barnes and Ron Reeb who spoke to the matter.

RECOMMENDATION *The Historic Preservation Board to the City Commission: deny Petition 18COA-97HPB.*

At the April 1, 1997, Historic Preservation Board (HPB) meeting, staff recommended the HPB deny the request and require the applicant to remove the fence and replace it with one composed of materials and designed in a manner acceptable to the HPB within 90 days of HPB action. Because the chain link fence had to be installed to provide security around the pool, the HPB at staff's recommendation, allowed it to remain for the duration of the 90 days in order to provide a time period for obtaining compatibility.

A motion was made by Commissioner Calkins, seconded by Commissioner DeLaney, that this matter be Approved, as Recommended (Deny Petition). The motion carried by the following vote:

Votes: Aye: Sande Calkins, Paula M. DeLaney and Bruce L. Delaney
Nay: Edward L. Jennings, Sr.
Absent: Pegeen Hanrahan

Items Pending in Committee (for information only)

Recessed 5/12/97 meeting (9:54pm) to 5/14/97 - 5:00pm

Kurt M. Lannon, Clerk of the Commission