

Chair Pearce suggested that, if any dwelling units were permitted on NW 8<sup>th</sup> Avenue, they would have to meet all the Codes, and there would only be 10 units. He indicated that he did not believe there would be a problem with access. He pointed out that the northern part of the site had an existing office land use.

Mr. Dedenbach reiterated that the residential component on the north side of the creek could be removed.

Chair Pearce noted the setbacks from a creek and asked how the determination was made that development between 35 and 150 feet was not injurious to the creek.

Mr. Calderon indicated that the Public Works Department and the Alachua County Department of Environmental Protection, in consultation with the Water Management District, made the determination. He explained that the land use set policy, and then the regulation could be written.

Chair Pearce opened the floor to public comment on the land use portion of the development.

Mr. Sam Harris was recognized. Mr. Harris indicated that he lived on the west side of NW 13<sup>th</sup> Street. He stated that he supported the type of the development and he commended staff and the developers on the recommendations. He indicated that he agreed with staff's comments on the creek and environmental issues. Regarding development on NW 8<sup>th</sup> Avenue, he noted that stormwater retention was also development. He cited a concern about a deep pond with a fence.

Ms. Paula Bachause was recognized. Ms. Bachause indicated that she supported the project.

Mr. Harris noted that there was no mention in either report of plans for traffic calming in the University Park neighborhood west across NW 13<sup>th</sup> Street. He noted that the traffic calming was a key component of the previous development proposals. He stated that he would like to see those provisions reinstated in the present plan. He explained that the previous development proposals required that the developer pay for traffic circles and speed humps in the neighborhood.

Mr. Calderon explained that the traffic calming was a development plan review issue, and could be addressed at that time.

Chair Pearce closed the floor to public comment.

Mr. Polshek requested information about the possible stormwater structure on the north side of the creek.

Mr. Rory Causseaux, engineer for the project, was recognized. Mr. Causseaux explained that a stormwater facility on the north side of the creek would primarily treat stormwater from 12.5 acres of land further to the north across NW 8<sup>th</sup> Avenue, which was not within the project boundaries, as well as treat stormwater from the project itself. He noted that the entire property would be fenced with an aesthetically pleasing fence as described in the reports. He indicated that the stormwater basin would be located on the northern portion of the property north of Rattlesnake Branch. Mr. Causseaux explained that, if the stormwater basin were fully developed, it would preclude residential development on that portion of the site. He described the possible layout and landscaping for the basin. He stated that the proposal would have both a public and private benefit. He described how the system would work for both sides of the creek.

Mr. Polshek noted that there were stormwater basins that had been criticized for their placement along a street. He noted that some better ponds would show only vegetation and not standing water.

Mr. Causseaux explained that, while he had not worked out the details, the basin could be a dry or wet basin. He noted that it would not be a straight rectangular basin and would be landscaped.

Mr. Andrews made a motion to approve Petition 9LUC-04 PB with staff conditions and the modifications to Conditions 2 and 9, as requested by the petitioner.

Mr. Cole seconded the motion.

Mr. Polshek indicated that he could not support the motion without the prohibition of housing units on the north side of Rattlesnake Branch. He explained that the stormwater management structure, as discussed by Mr. Causseaux, was acceptable.

Mr. Gold agreed with the suggestion not to have housing units along NW 8<sup>th</sup> Avenue.

<u>Motion By:</u> Mr. Andrews	<u>Seconded By:</u> Mr. Cole
<u>Moved to:</u> Approve Petition 9LUC-04 PB with staff conditions and the modifications to Conditions 2 and 9, as requested by the petitioner.	<u>Upon Vote:</u> Motion Failed 3 – 3 Ayes: Andrews, Cole, Pearce Nays: Polshek, Gold, Reiskind

After discussion, the board agreed to reconsider the petition.

<u>Motion By:</u> Mr. Gold	<u>Seconded By:</u> Mr. Poshek
<u>Moved to:</u> Reconsider Petition 9LUC-04 PB.	<u>Upon Vote:</u> Motion Carried 6 – 0 Ayes: Andrews, Cole, Pearce, Polshek, Gold, Reiskind

<u>Motion By:</u> Mr. Gold	<u>Seconded By:</u> Mr. Polshek
<u>Moved to:</u> Approve Petition 9LUC-04 PB with staff conditions and the modifications to Conditions 2 and 9, as requested by the petitioner(see attached), and the condition that no residential units be constructed north of Rattlesnake Branch.	<u>Upon Vote:</u> Motion Carried 6 – 0 Ayes: Andrews, Cole, Pearce, Polshek, Gold, Reiskind