

City of Gainesville

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



Meeting Minutes

Tuesday, October 23, 2007

3:00 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.

CALL TO ORDER 3:07 PM

ADOPTION OF THE AGENDA

*Commissioner Henry moved and Commissioner Lowe seconded to adopt the agenda.
(VOTE: 6-0, Commissioner Braddy - Absent, MOTION CARRIED)*

NOTE: Commissioner Braddy entered the meeting room at 3:11 PM.

ROLL CALL

Present: Edward Braddy, Pegeen Hanrahan, Rick Bryant, Craig Lowe, Jack Donovan, Jeanna Mastrodicasa and Scherwin Henry

PLAN BOARD PETITIONS

070210. Hatchet Creek Planned Use District (B)

Petition 23LUC-07 PB. Ronald A. Carpenter, agent for East Gainesville Development Partners, LLC. Amend the City of Gainesville 2000-2010 Future Land Use Map from SF (Single-Family, up to 8 units per acre), IND (Industrial), and REC (Recreation) to PUD (Planned Use District to allow up to 1,500 dwelling units, 500-unit adult living facility, and up to 200,000 square feet of non-residential uses, including outdoor storage facilities. Located at 2100 Northeast 39th Avenue, adjacent to the Ironwood Golf Course.

AIRPORT PRESENTATION: Airport Chief Executive Officer (CEO) Alan Penksa gave a presentation.

PETITIONER CONCLUSION: Attorneys for the Petitioner Ron Carpenter and Linda Shelly, and Dave Mulholland of GMB Engineers and Planners gave presentations.

COMMISSION QUESTIONS: The City Commission listed several questions for staff and/or the petitioner to review and answer after the break (recess).

CITIZEN PRESENTATIONS: (Representing 5 or more people): Chair Hanrahan recognized the following citizens who gave presentations:

- 1. Diyonne McGraw representing the African American Accountability Alliance (4 A's).*
- 2. Rob Brinkman, Chair of the Sierra Club.*
- 3. Rodney Long, Plan East Gainesville.*
- 4. Kevin Claney, Ironwood Village Residents.*

CITIZEN COMMENT: Chair Hanrahan recognized the following citizen who spoke to the matter.

1. Bill Picourney
2. Dan Harmeling
3. Aretha Walker
4. Linda Dougan
5. Bradley Spats
6. Marvin Gude
7. Walter Willard
8. Mark Goldstein
9. Paula Stahmer
10. David Valez
11. Jeannette Hinsdale

RECESS: 6:46 PM

RECONVENE: 7:24 PM

CITIZEN COMMENT - CONTINUED:

12. Harold Saive
13. Evelyn Fox
14. James Davis
15. Jim Stringfellow
16. Mac McEachern
17. Gary Armstrong
18. Gladys Thompson
19. Ed Jennings, Sr.
20. Scott Branham
21. Tawana Hines

COMMISSION DELIBERATION: The City Commission went through their questions with staff, the petitioner and Airport representatives.

AIRPORT ANSWERS TO COMMISSION QUESTIONS:
Airport CEO Alan Penksa made comments.

STAFF ANSWERS TO COMMISSION QUESTIONS:
City Chief of Comprehensive Planning Dean Mimms and Planning Manager Ralph Hilliard, Public Works Environmental Coordinator Michael Garland, Community Planning Services Director Erik Bredfeldt, Noise Consultant for the City Ted Baldwin, Senior Planner Onelia Lazzari, Public Works Director Teresa Scott, and Planning Manager Ralph Hilliard gave presentations.

NOTE: Noise Consultant Ted Baldwin participated in the meeting via speaker phone.

PETITIONER'S ANSWERS TO COMMISSION QUESTIONS:
Environmental Consultant for the Petitioner Pete Wallace, Attorney for the Petitioner Ron Carpenter and Attorney for the Petitioner Linda Shelly gave presentations.

WAIVER OF RULES: Commissioner Henry moved and Commissioner Braddy

seconded to waive the rules to extend the meeting to 11:30 PM.

(VOTE; 7-0, MOTION CARRIED)

WAIVER OF RULES: Commissioner Henry moved and Commissioner Braddy seconded to waive the rules to extend the meeting to 11:45 PM.

(VOTE; 7-0, MOTION CARRIED)

WAIVER OF RULES: Commissioner Bryant moved and Commissioner Henry seconded to waive the rules to extend the meeting to 12:00 midnight.

(VOTE; 7-0, MOTION CARRIED)

WAIVER OF RULES: Commissioner Lowe moved and Commissioner Donovan seconded to waive the rules to extend the meeting to 12:05 AM.

(VOTE; 7-0, MOTION CARRIED)

MOTION: Commissioner Donovan moved and Commissioner Lowe seconded to:

- 1) Accept the Plan Board's recommendation with it's conditions eliminating Condition Q;*
- 2) accept Condition S, as amended: (After the phrase "a maximum of 2 access points shall be allowed along NE 53rd Avenue" that we include this language: "unless additional access points are approved by Alachua County and the City of Gainesville, in accordance with the Alachua County Access Management Regulations");*
- 3) accept Condition X, as amended: Petitioner requested that the last sentence be eliminated - "The developer shall be responsible for the costs of any new traffic signals that are warranted and the costs shall not be counted toward any required proportionate fair share contribution for transportation concurrency"; staff recommended keeping the language adding the phrase after the word "warranted": "as a result of the development's site related impacts";*
- 4) retain Condition Y, but ask staff re-examine it (fiber optic cable);*
- 5) request more analysis on whether to include the Assisted Living Facility (impact and what size);*
- 6) indicate that we want to get the noise study back most likely before first reading of the ordinance, in order to finalize Conditions A2 and A3 (see A2 & A3 below; and*
- 7) have staff pursue with the petitioner the maximum restoration of the natural system's hydrology.*

(NO VOTE - MOTION LEFT ON THE TABLE)

PETITIONER SUBMITTED AT MEETING - REPLACE CONDITION A-2

There shall be no increase in residential units above the number currently zoned for residential on the portion of the PUD presently designated Residential on the FLUM. No residential units shall be permitted within the 65-75 DNL on the portion of the PUD presently designated Industrial. The noise contours shall be determined in accordance with Appendix F, Article II, Section C.

PETITIONER SUBMITTED AT MEETING - REPLACE CONDITION A-3

That for any non-residential development within the Airport Noise Zone, the provisions of Appendix F, Article II, Section C. of Chapter 30, Gainesville Code of Ordinance shall apply. In addition, such uses shall be compatible or made compatible (in accordance with Table 1 of Appendix A to 14 C.F.R. Part 150) with the Airport Noise Subzone within which the use is located.

*WAIVER OF RULES: Commissioner Lowe moved and Commissioner Mastrodicasa seconded to waive the rules to extend the meeting to 12:10 PM.
(VOTE; 7-0, MOTION CARRIED)*

RECESS: 12:11 AM

RECONVENE: 12:23 AM

*WAIVER OF RULES: Commissioner Henry moved and Commissioner Bryant seconded to waive the rules to extend the meeting to 12:30 AM.
(VOTE; 7-0, MOTION CARRIED)*

Attorney for the Petitioner Mark Schneider, Airport CEO Alan Penksa and Attorney for the Petitioner Ron Carpenter made comments.

*WAIVER OF RULES: Commissioner Henry moved and Commissioner Donovan seconded to waive the rules to extend the meeting to 12:40 AM.
(VOTE; 7-0, MOTION CARRIED)*

*CONTINUATION MOTION: Commissioner Braddy moved and Commissioner Henry seconded to continue this item to 3:00 PM, Monday, October 29, 2007; and call a special meeting.
(VOTE: 7-0, MOTION CARRIED)*

Chair Hanrahan recognized Mac McEachern who spoke to the matter.

RECOMMENDATION

City Plan Board to City Commission - The City Commission deny Petition 23 LUC-07 PB with respect to changing the existing Industrial land use category to Planned Use District, and approve Petition 23LUC-07 PB with respect to changing the existing Single Family and Recreation land use categories to Planned Use District, subject to conditions as revised by the Plan Board. Plan Board vote 6-1.

Staff to City Commission - The City Commission deny Petition 23 LUC-07 PB with respect to changing the existing Industrial land use category to Planned Use District, and approve Petition 23LUC-07 PB with respect to changing the existing Single Family and Recreation land use categories to Planned Use District, subject to conditions.

Alternative Recommendation -Deny Petition 28LUC-07PB.

Staff to Plan Board - Deny Petition 23 LUC-07 PB with respect to changing the existing Industrial land use category to Planned Use District, and approve Petition 23LUC-07 PB with respect to changing the existing Single Family and Recreation land use categories to Planned Use District, subject to conditions.

A motion was made by Commissioner Braddy, seconded by Commissioner Henry, that this matter be Continued (Petition) for October 29, 2007. The motion carried by the following vote:

Votes: Aye: Jack Donovan, Jeanna Mastrodicasa, Scherwin Henry, Craig Lowe, Edward Braddy, Rick Bryant and Pegeen Hanrahan

ADJOURNMENT - 12:36 AM

Kurt M. Lannon, Clerk of the Commission