

# **City of Gainesville**

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



## **Meeting Minutes**

**Wednesday, April 16, 2008**

**6:00 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 - 6:05 PM

## ROLL CALL

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

## ADOPTION OF THE AGENDA

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*Commissioner Braddy moved and Commissioner Henry seconded to adopt the agenda, as modified.*

*(VOTE: 7-0, MOTION CARRIED)*

*MODIFICATION: File #070210 - Hatchet Creek Planned Use District - (Additional back-up submitted - Power Point).*

## PLAN BOARD PETITIONS

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### 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, 400 Assisted Living Facility (ALF) beds, 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.**

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*INTRODUCTIONS: City Attorney Marion Radson gave introductions.*

*PETITIONER PRESENTATION: East Gainesville Development Corporation Developer Rob Simensky and Attorney for the Petitioner Linda Shelley, Environmental Consultant for the Petitioner Pete Wallace and Attorney for the Petitioner Ron Carpenter gave presentations.*

*STAFF PRESENTATIONS: Planning and Development Services Director Erik Bredfeldt Senior Planner Onelia Lazzari, Planning Manager Ralph Hilliard, Assistant City Attorney Nicolle Shalley, Chief of Comprehensive Planning Dean Mimms, and Public Works Environmental Specialist Mark Garland gave presentations.*

*CITIZEN COMMENT: Chair Hanrahan recognized Mark Goldstein, Walter Willard,*

*Mac McEachern, Darlene Pifalo, Juan Harrington and James Davis who spoke to the matter.*

*ORIGINAL MAIN MOTION: Commissioner Henry moved and Commissioner Bryant seconded to approve the following: 1) The PUD would include the entire 500 acres; 2) approve 1,199 (residential units) and the 300 Assisted Living Facility (ALF) beds, reserving the right for the petitioner to come back before the Commission to request an additional 300 units; 3) no residential development or ALF beds would be allowed in the 65 DNL noise contour; 4) no uses that are in conflict with the FAA would be allowed within the 200 industrial acres; 5) agree with Condition E, but ensure that the impacts to the wetlands that take place by the petitioner results in improvement to that area, and that would include the entire 500 acres; 6) for Conditions Q and S, that the Commission receive and review staff's standards as they bring those back, but also, that the petitioner work with staff to bring back the trip generation information that was requested by staff; 7) in Condition Z-5 that the language would be as recommended by staff concerning the age makeup of the population (80% age 55 and older and 20% younger families; 8) Condition G and H would also include the entire 500 acres; 9) direct staff to work the applicant to create the ordinance for transmittal; and 10) that the conditions mutually agreed upon would also be accepted.*

*Chair Hanrahan recognized Airport CEO Alan Penksa who spoke to the matter.*

*CITIZEN COMMENT: Chair Hanrahan recognized Mark Goldstein, Mac McEachern, Commissioner Rodney Long, Janet Woods, Kinnon Thomas, Peter Johnson, Aretha Walker, Charles S. Chestnut, III, Kevin Claney and Rob Brinkman who spoke to the matter.*

*AMENDMENT TO MAIN MOTION: (Revised #4): Commissioner Lowe moved and Commissioner Donovan seconded that: 1) Residential development is not permitted within that portion of the PUD currently with the land use category of "Industrial" (approximately 199 acres); 2) for any non-residential development within the portion of the land currently with the land use category of "Industrial", the only allowable uses shall be those permitted uses identified in the Industrial Zoning Ordinance or zoning category, as well as recreational facilities or lands, parks, open space, conservation, open space buffers, and mitigation areas, accept as otherwise prohibited by the Airport Runway Clear Zone, Airport Height Notification Zone, or the Airport Noise Zone; 3) in addition to what Attorney Radson read, the Airport Authority, the petitioner and City staff including the City Attorney will attempt to identify properties within the Industrial (zoning area) that could have residential use and not adversely impact airport operations.*

*(VOTE: 6-1, Braddy - No, MOTION CARRIED)*

*WAIVER OF RULES: Commissioner Bryant moved and Commissioner Henry seconded to waive the rules to extend the meeting to 11:30 PM.*

*(VOTE: 7-0, MOTION CARRIED)*

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

*(VOTE: 7-0, MOTION CARRIED)*

*DIVIDE THE QUESTION MOTION: Commissioner Donovan moved and Commissioner Mastrodicasa seconded to divide the question of the Main Motion, the question was divided without objection.*

*FIRST PART OF THE DIVIDED QUESTION: Commissioner Donovan moved and Commissioner Mastrodicasa seconded to approve the Original Main Motion - (Commissioner Henry's motion excluding the language in item #3). (VOTE: 7-0, MOTION CARRIED)*

*SECOND PART OF THE DIVIDED QUESTION: Commissioner Donovan moved and Commissioner Mastrodicasa seconded to approve the original item #3 of Commissioner Henry's motion. (VOTE: 3-4, Commissioners Braddy, Bryant and Henry - Yes; and Commissioners Mastrodicasa, Lowe, Donovan and Mayor Hanrahan - No; MOTION FAILED)*

*SECOND PART OF DIVIDED QUESTION WITH AMENDED LANGUAGE: Commissioner Donovan moved and Commissioner Lowe seconded to amend the language in #3 to read (No residential development or ALF beds would be allowed in the "Airport Noise Zone"). (VOTE: 4-3, Commissioners Braddy, Bryant and Henry - No, MOTION CARRIED)*

*FINAL ACTION INCLUDING AMENDMENTS TO ITEMS 3 & 4: Commissioner Henry moved and Commissioner Bryant seconded to approve the following: 1) The PUD would include the entire 500 acres; 2) approve 1,199 (residential units) and the 300 Assisted Living Facility (ALF) beds, reserving the right for the petitioner to come back before the Commission to request an additional 300 units; 3) no residential development or ALF beds would be allowed in the Airport Noise Zone; 4): a) residential development is not permitted within that portion of the PUD currently with the land use category of "Industrial" (approximately 199 acres); b) for any non-residential development within the portion of the land currently with the land use category of "Industrial", the only allowable uses shall be those permitted uses identified in the Industrial Zoning Ordinance or zoning category, as well as recreational facilities or lands, parks, open space, conservation, open space buffers, and mitigation areas, accept as otherwise prohibited by the Airport Runway Clear Zone, Airport Height Notification Zone, or the Airport Noise Zone; c) in addition, the Airport Authority, the petitioner and City staff including the City Attorney will attempt to identify properties within the Industrial (zoning area) that could have residential use and not adversely impact airport operations; 5) agree with Condition E, but ensure that the impacts to the wetlands that take place by the petitioner results in improvement to that area, and that would include the entire 500 acres; 6) for Conditions Q and S, that the Commission receive and review staff's standards as they bring those back, but also, that the petitioner work with staff to bring back the trip generation information that was requested by staff; 7) in Condition Z-5 that the language would be as recommended by staff concerning the age makeup of the population (80% age 55 and older and 20% younger families); 8) Condition G and H would also include the entire 500 acres; 9) direct staff to work the applicant to create the ordinance for transmittal; and 10) that the conditions mutually agreed upon would also be accepted.*

**RECOMMENDATION**

*Staff to the City Commission - approve the petition as*

*amended by staff with the recommended modifications to conditions E, H and Y.*

*Alternative recommendation A - approve the petition with the City Commission approved conditions of October 29, 2008.*

*Alternative recommendation B - approve the petition with the petitioner's proposed conditions' modifications.*

**Approved, as shown above - See Motion(s)**

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**ADJOURNMENT - 11:43 PM**

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Kurt M. Lannon, Clerk of the Commission