

## JOINT CITY/COUNTY

## SPECIAL MEETING

MAY 24, 2000

The Board of County Commissioners of Leon County met in special joint session with the City of Tallahassee Commission on May 24, 2000, in the City Hall Commission Chamber with County Commissioners Sauls (Chairman), Thael, Host, Rackleff and Winchester. City Commissioners present were Maddox (Mayor), Billings, Meisburg and Bailey. Also present were County Administrator Alam, County Attorney Theile, City Manager Favors, City Attorney English, and City Treasurer-Clerk Inzer.

The meeting convened at 6:11 p.m. for the Joint City-County Commission Public Hearing.

**JOINT CITY-COUNTY COMMISSION PUBLIC HEARING**  
**TRANSMITTAL OF CYCLE 2000-2 AMENDMENTS**  
**TO THE TALLAHASSEE-LEON COUNTY 2010 COMPREHENSIVE PLAN**

Pursuant to legal advertisement, a Joint Public Hearing was conducted with the Board of County Commissioners (County Commission) and the City Commission for the Proposed Cycle 2000-2 Amendments to the Tallahassee-Leon County 2010 Comprehensive Plan.

Mayor Maddox welcomed the County Commissioners and left the meeting at 6:16 p.m. as County Chairperson Sauls assumed the Chair.

Chief of Comprehensive & Environmental Planning Valerie Hubbard reviewed the joint public hearing agenda and announced the process for speaker appearances, citing a Commission request to limit individual comments to three minutes.

Ms. Nancy Dowdy, Planner, announced the amendments for public input and Ms. Enid Ehrbar, introduced the speakers.

The following persons appeared before the Commission relative to the specified amendments:

**Amendment 00-2-M-003**

(Amending 2.48 acres, located on the south side of Blountstown Highway between Ravensview Drive and Rock Drive, from Residential Preservation [RP] to Mixed Use B and expanding the Urban Service Area [USA] with a Village Center development pattern requested)

Mr. Rick Geshwiler, representing Tallahassee Land Company, Inc., 217 John Knox Road, appeared before the Commission in support of Amendment 00-2-M-003, and described the property and surrounding land uses as outlined on a Resolution of Transmittal (*on file in the*

Office of the City Treasurer-Clerk). He pointed out the property had been zoned for commercial development from 1968 until the adoption of the Comprehensive Plan in 1990.

Mr. Dempsey Andrews, 1456 Nora Drive, appeared before the Commission and discussed his support of this amendment, noting that the south side needed something other than trash dumps. He stated that the proposed development would provide goods and services to the residents in the area.

**Amendment 00-2-M-004**

(Amending 6.08 acres, located on the south side of Blountstown Highway on both sides of Alice Wester and Frankie Lane Drives, from Urban Fringe to Mixed Use B with a Village Center development pattern requested)

Mr. Dempsey Andrews re-appeared before the Commission in support of Amendment 00-2-M-004 and, displaying photographs of the area (*on file in the Office of the City Treasurer-Clerk* as he described the history of development in the area.

Mr. George Winn, 6213 Blountstown Highway, owner of the subject property, appeared before the Commission in support of this amendment, indicating he had been unaware of his property being devalued to Urban Fringe and objecting to his property being treated unfairly based on the properties on the opposite side of Blountstown Highway retaining their zoning to allow commercial uses.

**Amendment 00-2-M-006**

(Amending 10.6 acres, located on the east side of Martin Hurst Road and the south side of Interstate 10 at the Thomasville Road interchange, from RP to Mixed use B with no development pattern requested)

Ms. Pat Wier, 1900 Centre Point #43, owner of the Burt Reynolds House on Thomasville Road, appeared before the Commission in opposition to Amendment 00-2-M-006 and discussed her concern with how the applicant intended to access the subject property. She suggested that a regional stormwater pond should be developed for everyone in that area and, requesting that the Commission look out for her best interests, she opined that there should be agreement with the neighborhood on how this property would be developed.

Mr. Pat Krause, 3628 Pine Tip Road, representing Kid's Ventures, Inc., the applicant, appeared before the Commission in support of Map Amendment -006 and advised that he and the Millstream Neighborhood representatives were discussing the potential development of an office complex that would be compatible with the neighborhood. He requested that the Commission keep this amendment active with a vote of approval until the date of amendment's adoption in September 2000 at which time, if a binding agreement had not been reached with the neighboring residents, he would withdraw this amendment application.

Mr. Fred Kreimer, 605 Live Oak Plantation Road, appeared before the Commission in opposition to Amendment M-006, acknowledging that the applicant was seeking agreement with the neighbors. He asked the Commissioners to consider the rationale for adding this 10 acres to the already dense commercial development in the area.

County Commissioner Proctor entered the meeting at 6:29 p.m.

Mr. Larry Elliott, 1250 Old Centerville Road, appeared before the Commission in support of Amendment M-006 and, indicating he was a realtor, discussed office development of this property as increasing the value of properties as opposed to devaluing the area.

Mr. Pat Rose, 5171 Widefield, appeared before the Commission in opposition to Amendment M-006 and, noting that the residents needed to be able to rely on their Comprehensive Plan, urged the Commissions to retain the current land use designation until a bona fide plan was developed and worked out with the neighbors.

Mr. Geri Eaton, 215 Delta Court, appeared before the Commission in support of Amendment M-006 and discussed the need for the proposed additional Class A office space in the area.

Ms. Margery Tully, 1319 Leewood Drive, appeared before the Commission in opposition to Amendment M-006 and stated that when Interstate 10 had been constructed across Thomasville Road there had been an agreement that there would be no commercial development south of Interstate 10 to Post Road, indicating her anger and extreme disappointment that this agreement had not been kept. She stated that there were seven (7) neighborhoods in the area that were all opposed to the commercial development of this property and were concerned that such development would set precedence for more commercial use on Thomasville Road.

Mr. Richard Moore, 502 E. Park Avenue, representing Kids Venture, Inc., developer of the subject property, appeared before the Commission in support of Amendment M-006 and stated that he had signed an agreement with Mr. Harry Middlebrooks and Mr. Pat Krause to withdraw this amendment if an agreement was not reached with the neighbors and the Millstream Homeowners Association as to how the entire corner of this property would be developed. He stated that additional time was needed to reach agreement with all property owners in the area, but the developers of the subject property were prepared to guarantee that this property would become a scenic gateway into the City and would allow transition into the residential area.

Mr. Moore continued, reiterating the promise made by Mr. Krause to withdraw the amendment if no agreement was reached with the neighbors by September 2000 and asking the Commission to approve the amendment at least until that time. He clarified that the City could be asked to sign off on the final agreement, and stated that Ms. Weir would also be invited to participate in the master plan and agreement.

Mayor Maddox returned to the meeting at 6:48 p.m. and resumed the Chair.

Discussion focused on the agreement process and the parties to be included. Mr. Moore discussed the momentum going with the neighborhoods on reaching some agreement and requested approval by the Commissioners in the interim.

Mr. Robert M. Mason, 811 Live Oak Plantation Road, appeared before the Commission in opposition to Amendment -M-006, noting that in the two years he had lived in Tallahassee

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he had been impressed with the Thomasville Road corridor. He recommended denial of this amendment until the differences with the neighbors were resolved.

Mr. Lorence Jon Bielby, 3112-B Middlebrooks Circle, representing the Piedmont and Live Oak Neighborhood Association, appeared before the Commission in opposition to Amendment MK-006 and suggested that although the neighborhood representatives were reviewing the agreement for a unified plan of development, the process was moving too fast. He urged denial of the amendment, noting that the applicant could reapply in the next cycle of amendments, and stated that if the amendment was approved for transmittal, he recommended placing conditions on the approval as outlined in a letter which he submitted for the record (*on file in the Office of the City Treasurer-Clerk*).

Ms. Meg Bates, 721 Kenilworth, appeared before the Commission in opposition to Amendment -M-006 and, noting that she was a resident of Waverly Hills, located to the south of the subject property, urged denial until all issues were resolved in writing. She also discussed her concern with the planning process, suggesting that the neighborhoods were being "held hostage" to continuing development.

Mr. Calvin Zongker, 601 Live Oak Plantation Road, appeared before the Commission in opposition to Amendment -M-006 and, noting that haste had been an underlying theme with the clear cutting of this project, stated that residents had been conditioned over the years to be suspicious. He pointed out many details were yet to be worked out and stated that he would prefer the property remain RP, but if not, he hoped some reasonable planning and interaction with the community occurred to make that gateway into the City one the community could be proud of.

Mr. Bob Teel, 3301 Martin Hurst Road, appeared before the Commission in opposition to Amendment -M-006 and, noting that he had been in real estate 22 years, and had a masters in urban and regional planning, stated that his students would find this way of making a decision laughable. He stated that nothing had changed since 1978 when the City Commission had designed the RP designation, and questioned if the Commission was going to reward Mr. Krause for what he had done to this property over the holidays. Mr. Teel stated that he had seen no agreement even though he lived directly across the street from the subject property and this development would affect his property, and he questioned why the neighborhoods should trust such an agreement to protect them.

Mr. Earl Dobert, 1503 Millstream Road, appeared before the Commission on behalf of Mr. Skip Cook, President of the Millstream Homeowners Association, and noted that his residence was closest to the proposed development. He discussed their understanding that approval of Amendment -M-006 at this time would be contingent on an agreement being signed by all involved parties stating a specific development agreement would be reached by September 19, 2000 and, if not, the application would be withdrawn prior to that date. He recommended denial of the amendment if this contingency condition was unsatisfactory.

Mr. Charles R. Gardner, 1300 Thomaswood Drive, representing Middlebrooks Investment Group, appeared before the Commission in support of Amendment -M-006, noting that his office was across the street from the subject property, and described the agreement for the various entities to work together in good faith to prepare a mutually acceptable master plan

for the development of the area which would address such factors as establishing land use areas for office buildings and single family residences, density of land uses, architectural control, stormwater facilities, ingress/egress, roadways and traffic, and compatibility with adjacent area. He distributed copies of the proposed agreement (*on file with the Office of the City Treasurer-Clerk*).

City Commissioner Meisburg ascertained that Ms. Wier's property was within the master plan area.

Mr. James Anderson, 1441 Millstream Road, appeared before the Commission in support of Amendment -M-006 as amended with conditions, and advised that he had attended meetings to discuss the development of a plan. He stated that he personally had no objection to proceeding with the amendment pending final approval.

Mayor Maddox ascertained from Planning staff that 3.6 units per acre were allowed under the current RP zoning while that would change to 6 units per acre under the proposed amendment. Brief discussion continued relative to the allowable density and Mayor Maddox suggested that this agreement would give the neighborhood the ability to trade out some density for the master plan. He also suggested that the agreement was preferable to a development of 60 units.

Ms. Judy A. Wilson, 1418 Millstream Road, appeared before the Commission in opposition to Amendment -M-006 and discussed her interest in ensuring that residential uses continued on Thomasville Road wrapping around to some office space. She stated her willingness to work with the involved parties, and her desire to see what the area would look like.

Mr. Troy Krause, 333 North Shore Circle, appeared before the Commission in support of Amendment -M-006, noting that he was Pat Krause's oldest son and attesting to his father's honesty.

Mr. John C. Thomas, 1430 Millstream Road, appeared before the Commission and stated that based on his quick review of the agreement, he personally believed progress was being made and a satisfactory master plan for the area could be developed. He expressed appreciation to Mayor Maddox for putting the RP-1 into a different perspective and stated that as homeowners, they were looking for some greenspace buffering.

Noting that the subject property would be required to go through the Planned Unit Development (PUD) site plan process, in which the neighborhoods would be involved, County Commissioner Thael inquired as to the "downside" of approving this amendment based on the commitment by Mr. Krause to withdraw the amendment if no positive agreement was reached by all parties prior to September 19, 2000. Mr. Thomas stated that he did not want to lose the momentum and he was satisfied with the assurances by Mr. Krause and Mr. Middlebrooks that the neighborhoods would be closely involved.

Discussion focused on the ability of local government to deny the amendment in September. Chief of Comprehensive and Environmental Planning Valerie Hubbard advised that the staff maintained its recommendation of denial while the government could take action

in September to deny the amendment. She recommended that certain conditions be applied if the amendment was transmitted for FDCA review because there were a number of issues to be addressed, including identifying the parties to the agreement. Utilizing video graphics, Ms. Hubbard depicted the subject property and clarified that the staff had not had an opportunity to analyze the agreement.

Suggesting that it might be less complicated to approve the amendment without the conditions at this point, with the understanding that the amendment could still be denied in September, City Commissioner Bailey moved to approve Amendment 00-2-M-006.

City Attorney English advised that the conditions would set the parameters the Commission expected to be met.

After brief discussion, City Commissioner Bailey amended his motion to approve Amendment 00-2-M-006 with the conditions.

City Attorney English clarified that the conditions would need to be met at least two weeks prior to the September 19<sup>th</sup> vote on the amendment, and City Commissioner Bailey further amended the motion to have the conditions met by the first meeting in September 2000.

City Commissioner Meisburg expressed discomfort at taking this approach primarily because it was not known what was to be brought back and it was unrealistic to expect everyone to sign off on an agreement. He pointed out a PUD of this magnitude could take up to two years and stated his unwillingness to support the motion.

City Commissioner Billings acknowledged he had serious questions about the process but did not want to unduly delay the process, and he opined that this was an opportunity to accomplish something essentially outside ordinary procedures. He pointed out there was nothing in the Comprehensive Plan that would compel the developer to obtain the agreement of all of the neighbors and stated that although he, too, was upset with the clear cutting of the land, he was moved by the argument that there was nothing to prevent the principals from going forward with a development plan if this amendment was denied. Referring to actions taken by prior Commissions, City Commissioner Billings stated that it was obvious that Interstate 10 should have been routed south of the City.

Discussion continued relative to the process. Mayor Maddox pointed out the City Commission would have a 2-2 vote at this time and if she was present, City Commissioner Lightsey would vote to deny the amendment.

Mr. Moore appeared before the Commission and requested that the amendment be withdrawn from consideration as there was a substantial penalty for denial. By consensus, Amendment 00-2-M-006 was withdrawn, and Mayor Maddox commended both sides for working together on this issue.

City Commissioner Bailey left the meeting at 7:54 p.m.

Amendment 00-2-M-007

(Amending 5.43 acres, located on the north side of Mahan Drive at the northwest corner of Dempsey Mayo Road, from RP to Mixed Use A with a Village Center development pattern requested)

Mr. Rick Geshwiler, representing Tallahassee Land Company, Inc., 217 John Knox Road, appeared before the Commission in support of Amendment 00-2-M-007 and discussed the rezoning to C-2 Neighborhood Commercial based on similar zoning of property immediately across Mahan Drive from the subject property and fronting on an arterial roadway. He discussed buffering requirements from the adjacent residential property and described the amendment as meeting the criteria of the Comprehensive Plan. (A document presented by Mr. Geshwiler relating to this amendment has been placed on file in the Office of the City Treasurer-Clerk.)

Mayor Maddox left the meeting at 7:55 p.m. and returned at 7:56 p.m.

City Commissioner Bailey returned to the meeting and City Commissioner Meisburg left the meeting at 7:57 p.m.

Mr. Eugene R. Robinson, 1242 Dempsey Mayo Road, appeared before the Commission in opposition to Amendment -M-007 and urged the Commission to keep the RP land use designation on this property.

City Commissioner Meisburg returned to the meeting at 7:59 p.m.

Mr. John J. Swilley, III (address not provided), appeared before the Commission in support of Amendment -M-007 and described the property as being more suitable for commercial development as it was located west of Interstate 10 prior to the residential area on a primary transportation corridor and the State was widening that portion of the highway.

Mayor Maddox left the meeting at 8:02 p.m. and County Chairperson Sauls assumed the Chair.

Mr. Pat Rose, 5171 Widefield, appeared before the Commission in opposition to Amendment -M-007 and encouraged the Commission to evaluate the specifics of the issue and the Comprehensive Plan, and not allow this amendment to set precedence.

Amendment 00-2-M-008

(Amending 18.55 acres, located on the west side of Thomasville Road at the southwest corner of Ox Bottom Road, from RP to Mixed Use A with an OR-1 Low Density Residential Office development pattern requested)

City Commissioner Bailey left the meeting at 8:04 p.m.

County Commissioner Thaelle returned to the meeting at 8:05 p.m.

County Commissioners Rackleff and Winchester left the meeting at 8:06 p.m.

Mr. Robert Parrish, 6110 Thomasville Road, appeared before the Commission in support of Amendment 00-2-M-008 and, as the developer under contract to acquire this land, he clarified that he had no intent to have a commercial development or to do anything other than an office development on this property. He suggested that this was a good opportunity to resolve the Ox Bottom Road interconnect to Thomasville Road as he was willing to deed the property needed for that interconnect as well as the stormwater treatment, noting that he understood the Florida Department of Transportation (FDOT) might have currently available funds for the interconnect roadway and the stormwater facility that would be required for the site. Mr. Parrish discussed the history of his company at being good stewards of the land, referencing developments at Center Pointe and along Killearn Center Boulevard as examples, and stated that he would not be a party to any action that would bring down home values in the area.

County Commissioner Thael left the meeting at 8:08 p.m.

County Commissioner Winchester and City Commissioner Bailey returned to the meeting at 8:08 p.m.

Mr. Rick Geshwiler, representing Tallahassee Land Company, Inc., 217 John Knox Road, appeared before the Commission in support of Amendment -M-008 and, referring to a letter from FDOT District Director of Production Gene Martin, included in documents which he distributed to the Commissioners (*on file in the Office of the City Treasurer-Clerk*), he discussed the need for a connector road from Ox Bottom Road to Foxcroft Drive in order to improve the operational efficiency of Thomasville Road. He discussed the intent to provide an important public safety improvement to the community, blend this office residential development into the surrounding community, and give the applicant property owners a reasonable use of their property, noting that some of them had tried and not been able to sell their property at reasonable prices with the current zoning.

Mr. Tom Morgan, 2996 Fenwick Court East, representing Foxcroft Neighborhood Association and some Ox Bottom Neighborhood residents, appeared before the Commission and discussed his opposition to Amendment -M-008, with a number of Foxcroft residents and Ox Bottom/Circle J residents in the audience standing to acknowledge their presence in support of his position. He expressed concern that the rezoning of this property would set precedence for the potential rezoning of the surrounding areas to commercial, thereby degrading the residential character of the area.

County Commissioner Thael returned to the meeting at 8:13 p.m.

Mr. Richard Turner, 4919 Heathe Drive, appeared before the Commission and discussed his opposition to Amendment -M-008, pointing out everything in the immediate area consisted of homes and those homeowners ought to be able to feel secure that their property would remain RP.

Mr. Pat Rose, 5171 Widefield, appeared before the Commission and discussed his opposition to Amendment -M-008, noting that the widening of Thomasville Road to six lanes was not justification for changing the use of property from RP. He suggested that the plans for development of a property ought to be filed before making a change in zoning of the property.



County Commissioner Proctor left the meeting at 8:16 p.m.

City Commissioner Bailey noted, for the benefit of potential speakers, that the City and County Commissions had already taken preliminary positions of denying this amendment and were not likely to change their position barring some compelling reason for doing so.

City Commissioner Billings inquired if each one of the properties be entitled to a cut onto Thomasville road if this amendment was approved.

Mr. Geshwiler reappeared before the Commission and, utilizing graphic aids, depicted the proposed PUD, the four properties fronting on Thomasville Road, and the commitment that had been made to have only two public street accesses onto Thomasville Road -- one at Foxcroft and one further to the south on the Wingate property. He clarified that the current RP designation without the PUD allowed four separate accesses onto Thomasville Road.

Mr. Lincoln Clay, 2998 Cranbrook Drive, in the Foxcroft Subdivision, appeared before the Commission and discussed his opposition to Amendment -M-008 based on concerns that the planned land use was inconsistent with the surrounding land uses, would constitute spot zoning, leading to further degradation of the Thomasville Road Corridor, and exacerbating existing downstream flooding problems in the Bantry Bay area. He also opined that connecting Ox Bottom with Foxcroft would not be wise transportation planning as Foxcroft was a dead end street.

Ms. Candy Barrios, 2485 Ox Bottom Road, Vice Chair of the Ox Bottom Road Area Neighborhood Association and the Circle J Neighborhood Association, appeared before the Commission in opposition to Amendment -M-008 and questioned how correct the application needed to be inasmuch as she had noticed an error in one of the documents.

County Commissioner Maloy entered the meeting at 8:21 p.m.

Ms. Barrios suggested that the continuous submission of amendments was destroying the Comprehensive Plan and urged the Commission to support the staff's recommendation to deny this amendment as it would destroy the surrounding residential neighborhoods by allowing the encroachment of commercial uses, would destroy the adopted 2020 Transportation Plan, and would begin the Thomasville Road destruction from Killearn to Bradfordville by encouraging strip commercialization.

Mr. George Harrison, 2585 Ox Bottom Road, appeared before the Commission and urged the denial of Amendment -M-008 as it would constitute spot zoning. He opined that any changes along this road would be premature until a better plan was developed for the entire Thomasville Road Corridor.

Mr. Rick Grant, 2675 Ox Bottom Road, appeared before the Commission and discussed his opposition to Amendment -M-008 based on the implied promise of the existing RP zoning, the spot zoning it would create, the already adequate access to commercial services, and the future of the Thomasville Road gateway into Tallahassee. He urged the Commissions to undertake the development of a Thomasville Road Corridor Plan. Mr. Grant stated that his

property, which adjoined the subject property, would be devalued and his quality of life adversely impacted by this amendment.

Mr. Rob Palmer, RPA Group & Tallahassee Land Company, 909 E. Park Avenue, appeared before the Commission in support of Amendment -M-008 and discussed the transportation benefits to the Office land use proposed for the subject property on Thomasville Road, indicating that the peak hour traffic was residential friendly as there was no associated evening or weekend traffic with no high deliveries of retail or service trucks that would occur with a retail commercial establishment. He discussed the traffic flow and how it would be encouraged to run in both directions rather than the peak direction only, and distributed a document outlining the transportation benefits of the proposed Forum Office Park (*on file with the Office of the City Treasurer-Clerk*).

Mr. David Wingate, 4784 Thomasville Road, one of the owners of the subject property, appeared before the Commission in support of Amendment -M-008 and discussed the difficulty of exiting his residence onto the current four lanes of Thomasville Road, indicating it would only worsen with the widening of the road to six lanes so that his property was no longer ideal for residential.

City Commissioner Bailey left the meeting at 8:35 p.m.

Mr. Brian Bachman, 2012 Ox Bottom Road, appeared before the Commission and expressed support for his neighbors in opposing Amendment -M-008.

Mr. Robert C. Thompson, 3000 Fenwick Court East, representing Foxcroft Civic Association and Foxcroft residents, appeared before the Commission and urged the Commissions to deny Amendment -M-008. He stated that the majority of the neighboring residents had not changed their position of opposing this amendment and he proposed that the land being vacant did not mean it was inappropriate for residential preservation, citing 4545 and 6311 Thomasville Road as examples of two properties that were recently improved with homes fronting on Thomasville Road.

Mr. Hubert E. Helton, 1143 Circle Drive, one of the owners of the subject properties, appeared before the Commission and discussed his support for Amendment -M-008 as he considered an office complex development as the most logical and possibly the least obnoxious choice for the development of this land. He suggested that commercial development was inevitable with the change of character in the area created by the six laning of Thomasville Road, the future growth of Tallahassee, the development of Bradfordville and other major developments along Thomasville Road. Mr. Helton also suggested that the diversion of Ox Bottom Road was needed.

Mr. Lewis Buford, 6295 Blackfox Way, the broker of record for Tallahassee Land Company, Inc., and Board member of the Ox Bottom Manor Homeowners Association, appeared before the Commission in support of Amendment -M-008, noting that there was strong support from the Ox Bottom Manor community for this project because it addressed a safety issue at the dangerous intersection with Thomasville Road.

Mr. Kevin Koelemij, 2225 Amelia Circle, appeared before the Commission and discussed his support for Amendment -M-008, suggesting that the proposed development would help accomplish the Comprehensive Plan goal of containing urban sprawl.

**Amendment 00-2-T-001**

(Amending the Lane Use Element by adding a new policy to provide direction for future development in the Thomasville Road corridor in order to protect its scenic visual quality and residential character)

Ms. Dowdy reviewed additional agenda materials which had been distributed relative to Amendment 00-2-T-001, including three proposed options: 1) a version of the amendment language to allow Office - Commercial zoning, 2) a version to freeze all zonings on the properties, and 3) a version reflecting actions of the May 15, 2000 Joint City-County workshop.

Brief discussion focused on the alternative versions of this text amendment.

County Commissioner Winchester ascertained that the staff was not recommending any particular one of the versions but was leaving it to the option of the Commissions.

Mayor Maddox left the meeting at 8:56 p.m.

County Commissioner Winchester inquired as to which language version provided the most flexibility to Amendment -T-001. Ms. Hubbard advised that the version which would allow the uses to be interchanged among the existing parcels currently used for office, commercial, and industrial provided the most flexibility and was probably the version that the staff would recommend. Brief discussion continued in this regard.

Mr. Pace Allen, 61 Clearwater Street, Quincy, Florida, representing his parents whose residence fronted on Thomasville Road, appeared before the Commission in opposition to Amendment -T-001, noting that they did not want their property rights diminished nor did they want anyone deciding what they could do with their property.

Mayor Maddox returned to the meeting at 8:59 p.m.

Mr. Allen described this amendment as controlling the scenic quality through a "color police", "a material police", "a plant police", and he asserted that covenants, deed restrictions and neighborhood groups working with developers were more desirable, less restrictive alternatives.

County Commissioner Proctor returned to the meeting at 9:01 p.m.

Ms. Meg Bates, 721 Kenilworth Road, appeared before the Commission and discussed her opposition to Amendment -T-001, noting that she had authored the similar issue in the prior amendments cycle in an attempt to deal proactively with a policy issue that had been left "dangling" for 20 years, starting with the stretch of Thomasville Road from Post Road to Interstate 10. Based on what she had just heard and the options that were before the Commission, she stated that could not support this amendment as the neighborhoods had not been involved and they had no knowledge of the direction being taken. She stated that design

standards and height restrictions, and the issue of community services, were real issues that needed careful consideration.

Ms. Candy Barrios, 2485 Ox Bottom Road, appeared before the Commission and urged approval of Amendment -T-001, which she described as important to the survival of Thomasville Road as a scenic gateway into Tallahassee. She opined that the amendment would not harm the residences on Thomasville Road and stated that she could not recall any of the property owners being against this amendment. Noting that special notification had been sent to the owners of property fronting on Thomasville Road, Ms. Barrios stated *for the record* that this same "special, costly, individual mailing" had not been provided to the Ox Bottom Road residents when the Ox Bottom Road Area Study had been removed from the Comprehensive Plan in 1995 through Special Planning Studies Amendment 95-1-014.

County Commissioner Host advised that the notice he had received as a property owner along Thomasville Road did not relate to two of the three text amendments that were under consideration, and he could not support this amendment. He discussed his opinion that people living elsewhere should not be able to dictate what the Thomasville Road property owners could do with their property.

On behalf of the County, County Commissioner Host moved to deny Amendment -T-001 and County Commissioner Thael seconded the motion.

County Commissioner Rackleff discussed his support for the amendment, indicating it would preserve the Thomasville Road corridor and protect the existing neighborhoods along that road.

County Commissioner Thael discussed correspondence he had received that day from Mr. Ben Girtman, President of the Waverly Hills Neighborhood Association, and read the last paragraph of the letter *into the record* as follows:

Finally, in regard to the specific proposal before you tonight, the so-called "community facilities" are a Trojan horse which will cause unwarranted, undesired, and unnecessary nonresidential intrusion into purely residential neighborhoods. The proposed new policy does not adequately address the concerns of our and many other neighborhoods, and approving this policy will not provide the protection necessary for us to protect our homes, families, and neighborhoods.

He stated that he would not support the amendment because he agreed with Mr. Girtman's analysis that it would not accomplish what the neighborhoods and Commissions had originally intended. *(A copy of the referenced correspondence from Mr. Girtman has been placed on file in the Office of the City Treasurer-Clerk.)*

County Commissioner Winchester expressed support for the general direction of protecting Thomasville Road as a corridor for a variety of land uses all the way to the Florida/Georgia state line while not necessarily prohibiting and restricting additional commercial development, residential or otherwise. He stated that he could not support this amendment and he discussed his hope that the staff would be redirected and given better

guidance on the development of a policy that would not violate property rights, that would accommodate new development and growth along that corridor, and at the same time enhance this gateway into the State of Florida and the City of Tallahassee.

The vote of the County Commission on the motion to deny Amendment 00-2-T-001 was as follows:

AYE: County Commissioners Sauls, Thaell, Host, Maloy, Winchester and Proctor

NAY: County Commissioner Rackleff

City Commissioner Meisburg discussed his support for the amendment based on being a step in the right direction in defining the character of Thomasville Road, which should be followed by discussions of other steps such as the development of architectural standards, and because this amendment provided for the best compromise that could be hoped for between residential and commercial land uses along the section of Thomasville Road between Post Road and Live Oak Plantation Road.

City Commissioner Billings moved to adopt Amendment 00-2-T-001 and City Commissioner Meisburg seconded the motion.

For the record, City Commissioner Billings discussed his support for this attempt to protect this gateway corridor and his desire to ensure this was the beginning of the adoption of policies that would protect and enhance all of the gateway roads into the City. He explained that he supported the amendment to this policy that excluded the property from Live Oak Plantation Road to Interstate 10 because commercial had already developed in that particular area and it also abutted a freeway.

County Commissioner Rackleff left the meeting at 9:19 p.m.

City Commissioner Bailey confirmed with Director of Planning Wendy Grey that this amendment would not prevent the clear cutting of trees on private RP property. Ms. Grey clarified that the amendment would provide for land development regulations which could address buffering, landscaping issues, and the design of building issues along Thomasville Road.

County Chairperson Sauls left the meeting and County Commissioner Rackleff returned at 9:22 p.m.

City Commissioner Billings confirmed that the clear cutting could have been prevented if the policy language approved at the May 15, 2000 Joint City-County Commission Workshop had been implemented and the design standards adopted, citing the following policy language:

... Local government shall also adopt, within the land development regulations, design criteria for community facilities which will protect existing low density residential areas and promote the visual quality of the Thomasville Road gateway.

At the request of City Commissioner Bailey, Ms. Dowdy displayed an enlarged map showing the subdivisions and property frontages along the Thomasville Road corridor from Post Road to Live Oak Plantation Road that were exempt for Office uses and those that were exempt for Residential uses and noted that the densities varied. She explained that the exempted developments were already in place at the time of the adoption of the Comprehensive Plan and were presumptively vested, and pointed out there were no developments that had come in through the vesting process along this section of the corridor.

City Commissioner Bailey suggested that there were a number of properties that would be exempt from this amendment as they were vested, and Ms. Grey concurred that the regulation generally would apply up to the point of a development was vested.

Discussion focused on the effect of the amendment. Mayor Maddox quoted the following amendment language:

In furtherance of this intent, no new zoning that would expand the amount of land currently allocated for Commercial, Office and Industrial uses shall be allowed along the segment of Thomasville Road between Post Road and Live Oak Plantation Road. Those uses may be interchanged among the parcels now used as Commercial, Office or Industrial so long as the total amount of land dedicated to those uses are not increased.

Discussion continued with Mayor Maddox being opposed to the motion based on the potential of the amendment language preventing neighborhoods from shaping future developments. He opined that the zoning process was the appropriate mechanism for protecting the area.

County Chairperson Sauls returned to the meeting at 9:30 p.m.

The City Commission motion to approve Amendment -T-001 failed on a vote as follows:

AYE: City Commissioners Meisburg and Billings  
NAY: City Commissioners Maddox and Bailey  
ABSENT: City Commissioner Lightsey

City Commissioner Meisburg encouraged support for the County's position.

City Commissioner Bailey moved to support the County's position, to deny Amendment 00-2-T-001, and upon second by City Commissioner Meisburg, the vote of the City Commission was as follows:

AYE: City Commissioners Maddox, Billings, Meisburg and Bailey  
NAY: None  
ABSENT: City Commissioner Lightsey

City Commissioner Bailey and County Commissioner Thaeil left the meeting at 9:32 p.m.

Amendment 00-2-T-004

(Amending the Land Use Element by limiting the application of Goal 8 and its supporting objectives and policies to properties outside the City Limits as of December 23, 1996 - Bradfordville area clarification.)

Mr. Byron Block, 3737 Swallowtail Trace, Managing Partner and Owner of Bull Run Property, Block Land & Finance Co., Ltd., 1415 E. Piedmont Dr., Suite 3, appeared before the Joint Commission in support of Amendment 00-2-T-004 and asked for a reaffirmation of the Commission's action in 1997 when both the City and the County Commission had unanimously adopted the position that his family's Bull Run property, the Northampton PUD and a part of Summerbrook, were not intended to be covered by the Bradfordville Study Area because they were inside the City limits. He stated that an urban service development agreement for Bull Run had been in place with the City of Tallahassee since prior to the adoption of the Comprehensive Plan, and the property had gone through rigorous levels of review as it had been site specific zoned to a Target Planning Area.

Ms. Candy Barrios, 2485 Ox Bottom Road, appeared before the Commission and discussed her opposition to Amendment -T-004, indicating a Super Target and a nine-screen theater as being too much commercialization for the area.

County Commissioner Host left the meeting at 9:35 p.m.

Mr. Jim Wolf, 1880 Ox Bottom Road, appeared before the Commission in opposition to Amendment -T-004 and discussed his neighborhood's position that this amendment was illegal because it was based on flawed data and analysis.

City Commissioner Bailey returned to the meeting at 9:37 p.m.

Mr. Wolf also asserted that an amendment ought to be agreed to by both parties in a joint Plan.

Mr. Jay Adams, 215 S. Monroe Street, Suite 400, Attorney for the Bull Run Development, appeared before the Commission in support of Amendment -T-004 and discussed amendment as clarifying that the land in the City in the Bradfordville area was governed by the City's Environmental Management Ordinance (EMO) and not the County's EMO.

CONSENT

On behalf of the City, City Commissioner Meisburg moved to approve the Consent items, amendments on which the City and County Commissions were in agreement. City Commissioner Bailey seconded the motion and the vote of the City Commission was as follows:

AYE: City Commissioners Maddox, Billings, Meisburg and Bailey  
NAY: None  
ABSENT: City Commissioner Lightsey

On behalf of the County, County Commissioner Host moved to approve the Consent items, amendments on which the City and County Commissions were in agreement. County Commissioner Winchester seconded the motion and the vote of the County Commission was as follows:

AYE: County Commissioners Sauls, Thaell, Host, Maloy, Winchester and Proctor  
NAY: County Commissioner Rackleff

**DISCUSSION ITEMS**

**Amendment 00-2-M-003**

Mayor Maddox noted *for the record* that he did not agree with the approval of Amendment 00-2-M-003 as it allowed a much higher Commercial use on the southwest side of town that intruded directly into an RP neighborhood unless that was endorsed by the neighbors. Brief discussion focused on the fact that the neighbors were in favor of the amendment.

**Amendment 00-2-M-004**

On behalf of the City, City Commissioner Bailey moved to defer to the County's position on Amendment 00-2-M-004 since the subject property was outside of the City limits. City Commissioner Meisburg seconded the motion, and the vote of the City Commission was as follows:

AYE: City Commissioners Maddox, Billings, Meisburg and Bailey  
NAY: None  
ABSENT: City Commissioner Lightsey

On behalf of the County, County Commissioner Maloy moved to confirm the County's position to approve Amendment 00-2-M-004 and upon second by County Commissioner Thaell, the vote of the County Commission was as follows:

AYE: County Commissioners Sauls, Thaell, Host, Maloy and Winchester  
NAY: County Commissioners Rackleff and Proctor

**Amendment 00-2-T-004**

City Commissioner Bailey moved to reaffirm the City's position to approve Amendment 00-2-T-004 (Bradfordville Clarification - Goal 8). City Commissioner Meisburg seconded the motion and the vote of the City Commission was as follows:

AYE: City Commissioners Maddox, Billings, Meisburg and Bailey  
NAY: None  
ABSENT: City Commissioner Lightsey

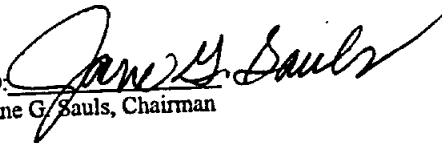


By their respective affirmative votes, the City and County tentative positions on the Proposed Cycle 2000-2 Amendments were confirmed as follows:

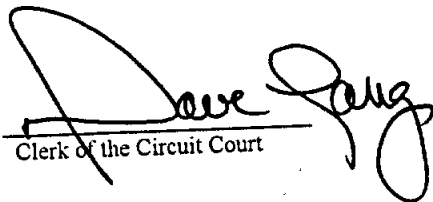
00-2-M-001	North Macomb Street	Approve
00-2-M-002	Mahan Drive near Thornton Road	Deny
00-2-M-003	Blountstown Highway between Ravensview Drive and Rock Drive	Approve
00-2-M-004	Blountstown Highway on both sides of Alice Wester & Frankie Lane Drives	Approve
00-2-M-005	North Monroe Street & McKee Road	Approve as Amended (LPA recommendation for Suburban Corridor)
00-2-M-006	I-10 / Thomasville Road interchange	Withdrawn by Applicant
00-2-M-007	Mahan Drive & Dempsey Mayo Road	Deny
00-2-M-008	Thomasville & Ox Bottom Road	Deny
00-2-T-001	Thomasville Road corridor	Deny
00-2-T-002	Expanding boundaries of Urban Central Business District and Central Business District/ Downtown Revitalization areas	Approve
00-2-T-003	Gaines Street Corridor Study area as an Urban Infill & Redevelopment Area	Approve
00-2-T-004	Bradfordville Clarification - Goal 8	City - Approve as Amended (LPA) County - Did not vote on amendment, but did reaffirm the November 24, 1997 County Commission position

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There being no further business to come before the Joint Commission, the joint public hearing was adjourned at 9:46 p.m.

APPROVED:   
Jane G. Sauls, Chairman

ATTEST:

  
Clerk of the Circuit Court

