

CITY PLAN BOARD MINUTES

December 1, 2015 6:30 PM
 City Hall Auditorium
 200 E. University Ave

<u>Members Present</u>	<u>Members Absent</u>	<u>Staff Present</u>
Erin Condon (Chair)	Leannetta McNealy (School Board representative)	Dean Mimms
Bob Ackerman (Vice-Chair)		Ralph Hilliard
Dave Ferro		Bede Massey
Crystal Goodison		Paul Folkers
Stephanie Sutton		Steve Phillips
Adam Tecler		Sarah Vidal-Finn
Bryan Williams		Malcolm Kiner
		Estelle Lens
		Rick Melzer
		Phil Mann
		Duane Diehl

I. Roll Call

II. Approval of Agenda *(Note: order of business subject to change)*

Motion By: Crystal Goodison	Seconded By: Stephanie Sutton
Moved To: Approve the agenda as modified for the required election of Plan Board officers	Upon Vote: 5-0

III. Approval of Minutes: [October 22, 2015](#)

Motion By: Crystal Goodison	Seconded By: Adam Tecler
Moved To: Approve the minutes of October 22, 2015	Upon Vote: 5-0

BOARD MEMBERS

Chair: Erin Condon Vice Chair: Bob Ackerman
 Crystal Goodison, Stephanie Sutton, Dave Ferro, Adam Tecler, Leannetta McNealy (School Board representative)
 Staff Liaison: Dean Mimms

IV. Announcement: Section 30-353 of the Land Development Code establishes the Plan Board, including its membership; rules of procedure; and functions, powers and duties. The Plan Board is advisory to the City Commission on most planning petitions. Appeals of Plan Board decisions concerning Special Use Permits are to a hearing officer within 15 days of the decision (see Sec. 30-234(h) of the Land Development Code). The procedure for an appeal is set forth in Sec. 30-352.1.

V. Request to Address the Board

City Plan Board Chair Condon presented a plaque to former Plan Board Member Phillip Lake to thank him and recognize him for his excellent service on the Board.

VI. Old Business

VII. Election of Officers

Crystal Goodison moved to elect Erin Condon as Chair. The motion was approved by a 5-0 vote of the Plan Board. Crystal Good then moved to elect Bob Ackerman as Vice-Chair. This motion was approved by a 5-0 vote of the Plan Board. Both the Chair and Vice-Chair were re-elected for a respective new term of office.

VIII. New Business

1. **Petition PB-13-59 SUP** James Meehan, Jr., P.E., agent for Gainesville Chinese Christian Church, Inc. Request for a second extension of time for a Special Use Permit with minor development plan review for the construction of a multi-purpose building and other improvements at a place of religious assembly. Zoned: RSF-1 (3.5 units/acre single-family residential district). Located at 2850 NW 23rd Blvd.

Planning Division staff recommends an extension of time not to exceed one-year from the October 24, 2015 expiration date for the reasons stated in the applicant's letter.

[Staff Report](#)

Planner Bedez Massey gave the staff presentation. In response to a question from Vice-Chair Ackerman about whether a two-year (rather than the requested one-year) extension can be granted, Board, Ms. Massey answered in the affirmative.

Mr. Meng Tia, who serves on the Board of Directors of the Gainesville Christian Church, Inc., gave the applicant's presentation, and said that a two-year extension would be even better than the one-year period requested in the petition.

Motion By: Bob Ackerman	Seconded By: Crystal Goodison
Moved To: Approve an extension of time not to exceed two years from the October 24, 2015 expiration date for the reasons stated in the applicant's letter.	Upon Vote: 5-0

2. **Petition PB-15-120 SUP** F.P. Butler, agent for Make.Work, LLC, owner. Special Use Permit to allow for a light assembly and fabrication business use. Zoned: MU-1 (8-30 units/acre mixed use low intensity). Located at 722 South Main Street.

Planning Division staff recommends to continue Petition PB-15-120 SUP to the January 28, 2016 Plan Board meeting.

[Staff Report](#)

No staff presentation was necessary and none was made.

Motion By: Crystal Goodison	Seconded By: Adam Tecler
Moved To: Continue Petition PB-15-120 SUP to the January 28, 2016 Plan Board meeting	Upon Vote: 6-0

3. **Petition PB-15-121 SVA** City of Gainesville. Vacation of right-of-way to remove platted streets on a property that is currently used as a public park and stormwater basin. Located in the 500-700 block west of SW 6th Street.

Planning Division staff recommends approval of Petition PB-15-121 SVA.

[Staff Report](#)

[Appendix A](#)

[Appendix B](#)

[Appendix C](#)

Comprehensive Plan GOPs: Exhibit A-1
Supplemental Documents: Exhibit B-1 thru Exhibit B-6
Application: Exhibit C-1

Lead Planner Dean Mimms, AICP, gave the staff presentation.

Motion By: Adam Tecler	Seconded By: Bob Ackerman
Moved To: Approve Petition PB-15-121 SVA and find that the right-of-way for these platted public streets no longer serves a public purpose.	Upon Vote: 6-0

4. **Petition PB-15-122 SVA** City of Gainesville. Vacation of right-of-way to incorporate the vacated area into the Downtown Plaza. Located on the east side of SE 1st Street and the north side of SE 1st Avenue between University Avenue and SE 1st Avenue.

Planning Division staff recommends approval of Petition PB-15-122 SVA.

[Staff Report](#)

[Appendix A](#)

[Appendix B](#)

[Appendix C](#)

Comprehensive Plan GOPs: Exhibit A-1
Supplemental Documents: Exhibit B-1 & Exhibit B-2
Application: Exhibit C-1

Lead Planner Dean Mimms, AICP, gave the staff presentation. He noted that representatives from the several City departments that are involved in redevelopment of the Downtown Plaza were in attendance, as was an Assistant City Manager. In response to questions from the Plan Board, Mr. Mimms explained that vacation of the right of way area for the sidewalks and the resultant incorporation of the sidewalk area into the Community Plaza will result in the sidewalk area being subject to City park rules rather than to the different rules that pertain to the public right of way. When asked specifically by Vice-Chair Ackerman if homeless people will be precluded from sleeping in that area [during the hours when the Community Plaza will be closed], Mr. Mimms replied “I would think so”. Steve Phillips, Director of Parks, Recreation and Cultural Affairs, reiterated that the rules are different, that sleeping after hours in parks is not allowed, and that sleeping in the sidewalk area will not be allowed after Community Plaza closing hours if the right-of-way is vacated.

Chair Condon asked why this petition did not come to the Plan Board before construction started for the Community Plaza redevelopment project. Sarah Vidal-Finn, Interim Manager of the Community Redevelopment Plaza responded by explaining that the project evolved over time, and it became apparent that the boundaries of the Community Plaza would need to be expanded, which would require some right-of-way vacation. Board Member Adam Tecler asked what will happen to on-street parking spaces that are currently reserved for Steamer’s (an eating place on the Plaza). Ms. Vidal-Finn replied that the described use of those parking spaces was approved in Steamer’s lease on a temporary basis (only during the time of reconstruction of the Plaza) by the City Commission.

After the motion (below) was made and before the vote was taken, Vice-Chair Ackerman and Chair Condon noted that the impact of the proposed vacation of right-of-way on sleeping on sidewalks should have been communicated previously to the community of people that is engaged with the homeless, rather than foregoing raising it in a very public way until this public hearing. He added that there are benefits to transparency, and Chair Condon concurred.

Motion By: Crystal Goodison	Seconded By: Stephanie Sutton
Moved To: Approve Petition PB-15-122 SVA and find: 1) that the vacation of right-of-way for these sidewalks will not foreclose pedestrian or bicycle use of them and will not foreclose non-motorized access to adjacent uses or transit stops; and 2) that the vacation of right-of way is in the public interest.	Upon Vote: 4-2 (Nays: Ackerman and Condon)

IX. Information Items: N/A

X. Board Member Comments

City Plan Board Chair Condon presented a gavel and a plaque to former Plan Board Chair and Member Crystal Goodison (who graciously agreed to participate in tonight’s meeting, as allowed by City Code after expiration of a member’s term and prior to appointment of a new board member). Chair Condon and other Plan Board Members thanked her for her years of excellent public service on the Board, including the lengthy process of reviewing the Land Development Code update. Ms. Goodison then thanked her fellow Board Members for their excellent work on this very important City board, and thanked staff for their consistent professionalism, support and responsiveness.

Board Member Adam Tecler brought up an item that was before the Plan Board in October, which was a petition (PB-15-81 SUP) for a Special Use Permit (SUP) for construction of a hotel in the BUS (General business district) near I-75, at 4000 SW 40th Blvd. Mr. Tecler expressed his concern that a hotel in that area should not require an SUP.

Motion By: Adam Tecler	Seconded By: Crystal Goodison
Moved To: Have Planning staff look further into the BUS (General business) district, with the goal of eliminating the requirement for a SUP for hotels and motels, or rezoning that area near I-75 so that an SUP would not be required for a hotel or motel, and examine all feasible options that would preclude the requirement for an SUP for a hotel or motel in that area.	Upon Vote: 6-0

Note: On Dec 2, 2015, Staff Liaison Dean Mimms, AICP, e-mailed the Plan Board members this message:

Following up on the motion re: hotels in the BUS (General business) district, we reviewed the draft Land Development Code that is in the ordinance preparation stage.

In the draft LDC update (on-line at the Planning Department’s website), Hotels and motels are shown as permitted by right in the BUS zoning district.

I trust that this satisfies the motion.

XI. Adjournment The meeting was adjourned at 7:11 p.m.

For further information, please call 334-5022.

If any person decides to appeal a decision of this body with respect to any matter considered at the above-referenced meeting or hearing, he/she will need a record of the proceedings, and for such purposes it may be necessary to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Persons with disabilities who require assistance to participate in the meeting are requested to notify the Equal Opportunity Department at 334-5051 (TDD 334-2069) at least 48 hours prior to the meeting date.

Chair, City Plan Board
Erin Condon

Date

Staff Liaison, City Plan Board
Dean Mimms, AICP

Date

DRAFT