

# City of Gainesville

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



## **Minutes**

**September 28, 2017**

**6:30 PM**

**City Commission Auditorium**

## **City Plan Board**

*Stephanie Sutton - Chair  
Bob Ackerman - Vice Chair  
Erin Condon - Member  
Bryan Williams - Member  
Dave Ferro - Member  
Adam Tecler - Member  
Terry Clark - Member  
Robert Hyatt - School Board Representative*

**CALL TO ORDER****ROLL CALL**[170408.](#)

**City Plan Board Attendance Roster: February 23, 2017 through August 24, 2017 (B)**

Attachments: [170408\\_CPBA Attendance\\_2017\\_20170928.pdf](#)

**APPROVAL OF THE AGENDA**

Motion By: Bob Ackerman      Seconded By: Erin Condon

Moved To: Approve the agenda  
Upon Vote: 6-0

**APPROVAL OF MINUTES - JULY 27, 2017**

Motion By: Erin Condon      Seconded By: Terry Clark

Moved To: Approve the minutes  
Upon Vote: 6-0

[170407.](#)

**Draft minutes of the July 27, 2017 City Plan Board Meeting (B)**

Attachments: [170407\\_CPBA 170727 Minutes draft\\_20170928.pdf](#)

**RECOMMENDATION**

*Staff is requesting that the City Plan Board review the draft minutes from the July 27, 2017 meeting and vote to approve the minutes.*

*Staff to the City Plan Board - Review and approve the draft minutes*

**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.**

**REQUEST TO ADDRESS THE BOARD**

**OLD BUSINESS****NEW BUSINESS**[160386.](#)

**Request for an Extension of a Special Use Permit (SUP) with Development Plan Review to allow the Construction of a 5-Story Apartment Building for the Elderly (B)**

**Petition PB-16-93 SUP. City Plan Board. Parametric Design & Development, agent for Beach 220 LLC, owner. Request for an extension of a Special Use Permit (SUP) with development plan review to allow the construction of a 5-story apartment building for the elderly. Zoned: MU-1 (8-30 units/acre mixed-use low intensity district). Located at 2420 SE Hawthorne Road.**

**Attachments:** [160386\\_Staff report and Appendices A-F\\_20160922](#)  
[160386\\_Staff report w Exhibit A\\_20170928.pdf](#)

**RECOMMENDATION**

*Staff to City Plan Board - The City Plan Board approve an extension of time for the Special Use Permit (SUP) and the associated preliminary development plan not to exceed one-year from the September 22, 2017 expiration date for the reasons stated in the applicant's letter (see Exhibit A).*

**Bedez Massey, Planning Consultant, gave the staff presentation. Dave Ferro who submitted Form 8B, recused himself from voting on this petition.**

**Motion By: Bob Ackerman      Seconded By: Adam Tecler**

**Moved To: Approve Petition PB-16-93 SUP  
Upon Vote: 5-0 (Recused Dave Ferro)**

[170426.](#)

**Attachments:** [170426 Staff Report w Appendices A-D\\_20170928.pdf](#)

**RECOMMENDATION**

*Staff to City Plan Board - The City Plan Board approve petitions PB-16-191 (Special Use Permit with Development Plan) and PB-17-069 (Master Plan) subject to conditions listed in the staff report and Appendix B.*

**Forrest Eddleton, Planning Consultant, gave the staff presentation. Mark Brown, Environment Coordinator, gave a presentation. Gerry Dedenbacher, Vice President of CHW, Inc., gave a presentation as agent for the applicant, Josh Highlander, Project Engineer gave a presentation. Don Rosemann, Rosemann, Associates, Architect, gave a presentation. Three members of the public spoke during the public comments portion of the hearing.**

**Motion By: Bob Ackerman      Seconded By: Adam Tecler**

**Moved To: Approve Petition PB-16-191 SUP and find that it meets the criteria of Section 30-3.24 for approval of a Special Use Permit.**

**Upon Vote: 6-0**

**Motion By: Bob Ackerman      Seconded By: Adam Tecler**

**Moved To: Approve Petition PB-17-69 Sabal Oaks Master Plan with the conditions listed in the Staff Report and based on the testimony presented to the Plan Board.**

**Upon Vote: 6--0**

[170427.](#)

**Attachments:**      [170427 Continuance Staff Report 20170928.pdf](#)  
[170427 Staff Report w Appendices A-D 20171026.pdf](#)

**RECOMMENDATION**

*Staff to City Plan Board - The City Plan Board approve Petition PB-17-65 PD with conditions listed in the staff report and Appendix B.*

**Forrest Eddleton, Planning Consultant in the Department of Doing, explained that this petition is recommended for continuation at the request of the applicant.**

**Motion By: Bob Ackerman      Seconded By: Erin Condon**

**Moved To: Continue to the October 26, 2017 meeting of the City Plan Board, as requested by the applicant**

**Upon Vote: 5-0 (Sutton recused)**

[160685.](#)

**Amend the Land Development Code regarding Medical Marijuana Dispensing Facilities by deleting and amending definitions, and by adding Medical Marijuana Dispensing Facilities as a use by right in various zoning districts and by Special Use Permit in several other zoning districts (B)**

**Petition PB-16-185 TCH. City Plan Board. Amend the Land Development Code regarding Medical Marijuana Dispensing Facilities by deleting and amending definitions, and by adding Medical Marijuana Dispensing Facilities as a use by right in the Urban 6 (U6) and Urban 7 (U7) transect zoning districts, Automotive-Oriented Business (BA), Tourist-Oriented Business (BT), Business Industrial (BI), Warehousing and Wholesaling (W), and Airport Facility (AF) zoning districts, and as a use allowable by Special Use Permit in the Corporate Park (CP), Limited Industrial (I-1), and General Industrial (I-2) zoning districts.**

**Attachments:**    [160685\\_Staff report and Appendices A&B\\_20170126](#)  
[160685A\\_Staff report and Appendices A&B\\_20170302](#)  
[160685B\\_Letter to City\\_20170302](#)  
[160685C\\_Sumter County FL Ordinance 2017-01\\_20170302](#)  
[160685D\\_CPB minutes draft\\_20170302](#)  
[160685E\\_Staff ppt\\_20170302](#)  
[160685E\\_MOD\\_Staff ppt\\_20170302](#)  
[160685\\_Staff Report w Exhibits A-B\\_20170928.pdf](#)

**RECOMMENDATION**        *Staff to City Plan Board - Staff recommends that the Plan Board either recommend approval of Petition PB-16-185 TCH, or, alternatively, denial (which would result in a prohibition of additional Medical marijuana dispensing facilities until such time as pertinent State of Florida law or regulations may change).*

The staff presentation was made by Dean Mimms, AICP, Planning Consultant.

Motion By: Bob Ackerman    Seconded By: Erin Condon

Moved To: Approve Petition PB-16-185 TCH  
Upon Vote: 4-2 (Nays, Terry Clark and Adam Tecler)

## VIII. Information Item:

### A. Staff Report Format

Bedez Massey, Planning Consultant, spoke about a luncheon workshop in November for the Plan Board members to discuss the staff report format.

## IX. Board Member Comments

## ADJOURNMENT

The meeting was adjourned at 8:38 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**