

090643A

**Minutes
Special City Plan Board Zoning Meeting**

**City Hall Auditorium
200 East University Avenue**

**October 28, 2009
Thursday 6:30 P.M.**

Members Present

Bob Ackerman
Bob Cohen (Chair)
Chris Dawson
Laurel Nesbit
Adrian Taylor (arrived 6:23 pm)
Jack Walls
Randy Wells (V-Chair) (arrived 6:23 pm)

Members Absent

Eileen Roy (SBAC)

Staff Present

Dean Mimms
Ralph Hilliard
Erik Bredfeldt
Nicolle Shalley
Eric D. Kelly
(consultant)

I. ROLL CALL

II. APPROVAL OF AGENDA

Motion By: Randy Wells	Seconded By: Adrian Taylor
Moved To: Approve.	Upon Vote: 7 - 0.

III. APPROVAL OF MINUTES - N/A

IV. REQUEST TO ADDRESS THE BOARD - None

V. OLD BUSINESS - None

VI. NEW BUSINESS

- Petition PB-09-124 TCH. City of Gainesville. Amend the Land Development Code by revising the definitions, criteria and standards for regulating sexually oriented businesses, distinguishing between retail and entertainment type uses, allowing retail uses in the BT (Tourist-oriented business district), BUS (General business district) and I-2 (General industrial district), and allowing entertainment type uses in the BT (Tourist-oriented business district) and I-2 (General industrial district).**

Chair Cohen introduced Nicolle Shalley, Senior Assistant City Attorney, who was present to serve as legal adviser to the City Plan Board. Planning Manager Ralph Hilliard stated his credentials for the record, and made the staff presentation on the petition. The City's planning and legal consultant for this petition, Eric Damian Kelly, PhD, FAICP, participated by speaker phone during the hearing.

Public comments were made by the following residents; Jane Burman-Holton, George Demopoulos, and Kelsey Leonard.

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Motion By: Chris Dawson	Seconded By: Bob Ackerman
Moved To: Approve Petition PB-09-124 TCH with the findings identified in the staff report and with the following additional items: <ol style="list-style-type: none">1. That staff create a finding that indicates that the proposed changes are consistent with the City's comprehensive plan.2. That staff ensure that additional sign regulations contained within the proposed changes are the minimum necessary to identify differences from the existing sign code.3. That staff work to ensure that the analysis of potentially available sites accounts for City-owned property, Alachua County land use and zoning, and restrictions due to Special Area Plans.4. That staff identify an alternative [to measurement to property line] measurement standard for businesses located in multi-tenant developments.5. That staff continue to examine specific regulations for the window display of retail goods.6. That staff evaluate potential buffering requirements from health services/nursing homes.7. That staff evaluate the potential for additional regulations on Gateway Streets as identified in the Land Development Code.8. That approval is based on the fact that the City has a substantial interest in regulating negative impacts on blight, declining property values, traffic, which have been established by the reports that are listed in the staff report. Those reports establish the negative secondary impacts of adult entertainment, including crime.	Upon Vote: 7 – 0.

These minutes are not a verbatim account of this meeting. A DVD recording of this meeting is on file with the Planning and Development Services Department of the City of Gainesville.

VII. DEVELOPMENT REVIEW BOARD REFERRALS – None.

VIII. INFORMATION ITEMS: EAR Major Issues

Chair Cohen reminded the Board that the Joint Meeting of the City Plan Board and the County Planning Commission has been scheduled for November 12th at 6:00 PM. (Note, subsequent to the October 28th City Plan Board meeting, the joint meeting was postponed due to professional circumstances beyond the control of the Board member who requested the meeting. The joint meeting of these two local planning agencies is anticipated to be re-scheduled for a date in January of 2010.)

IX. BOARD COMMENTS

Chris Dawson complimented staff on a well-presented, well-defined and well-presented petition. Chair Cohen concurred, and thanked Planning Manager Ralph Hilliard for making this difficult topic understandable.

X. ADJOURNMENT – The meeting was adjourned at 8:49 PM.

Chair, City Plan Board

Date

Staff Liaison, City Plan Board

Date

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