Department of Doing Planning Division PO Box 490, Station 11 Gainesville, FL 32602-0490



306 N.E. 6<sup>th</sup> Avenue P: (352) 334-5022 P: (352) 334-5023 F: (352) 334-2648

# **CITY PLAN BOARD MINUTES**

## April 26, 2018 6:30 PM City Hall Auditorium 200 E. University Ave

Members Present	Members Absent	Staff Present	
	Bob Ackerman (Chair)	Dean Mimms	
Stephanie Sutton (Vice-Chair)		Andrew Persons	
Dave Ferro		Bedez Massey	
Megan Walker-Radthke		Jason Simmons	
Bryan Williams		Sean McDermott	
Terry Clark			
Erin Condon			
Christian Newman			
Rob Hyatt (School Board			
Representative)			

### I. Roll Call

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

Motion By: Dave Ferro	Seconded By: Christian Newman
Moved To: Move Agenda items # 3 & # 4	Upon Vote: 6-0
to beginning of the Agenda.	

### III. Approval of Minutes: March 22, 2018

Motion By: Erin Condon	Seconded By: Terry Clark	
<b>Moved To:</b> Approve with correction of adding Florence Buaku, Planner as attending the meeting.	Upon Vote: 6-0	

 BOARD MEMBERS

 Chair: Bob Ackerman
 Vice Chair: Stephanie Sutton

 Bryan Williams, Erin Condon, Dave Ferro, Adam Tecler, Terry Clark, Robert Hyatt (School Board representative)
 Staff Liaison: Dean Mimms

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 Page 1 of 4

IV. Announcement: Section 30-3.3 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 30 calendar days of the decision (see Sec. 30-3.58(C.) of the Land Development Code). The procedure for an appeal is set forth in Sec. 30-3.58.

### V. Request to Address the Board

I. Old Business

### **II.** New Business

1. <u>Petition PB-17-157 LUC</u> CHW, agent for The Episcopal Church in the Diocese of Florida, Inc., owner. Amend the City of Gainesville Future Land Use Map from Office (O) and Conservation (CON) to Mixed-Use Low-Intensity (MUL): 8-30 units per acre and Conservation (CON). Located at 4315 NW 23<sup>rd</sup> Avenue. Related to Petition PB 17-158 ZON.

Swearing in of affected parties and witnesses by Forrest Eddleton, Planner, Notary Public. Bedez Massey, Planner gave the staff presentation. Steve Devenow, Attorney for the applicant, compared a 2000 & 2018 report. Gerry Dedenbach, CHW, agent for the applicant gave a presentation. Don Niesen, Attorney for affected parties, gave a presentation. Public comment was given by numerous citizens (see attached sign-in sheet).

Motion By: Terry Clark	Seconded By: Erin Condon
Moved To: Deny Petition PB-17-156 LUC	Upon Vote: 6-0

2. <u>Petition PB-17-158 ZON</u> CHW, agent for The Episcopal Church in the Diocese of Florida, Inc., owner. Rezone property from General Office (OF) and Conservation (CON) to Mixed-Use Low-Intensity (MU-1) and Conservation (CON). Located at 4315 NW 23rd Avenue. Related to PB-17-157 LUC.

Motion By: Dave Ferro	Seconded By: Terry Clark	
Moved To: Continue Petition PB-17-158	Upon Vote: 6-0	
ZON to City Plan Board May 24 <sup>th</sup> meeting.	_	
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### 3. <u>Petition PB-18-35 SVA</u>

Kami Corbett and Foley & Lardner LLP, Inc., agent for
E.W. Burch, Jr., ABC Liquors, Inc., and BW University and 10<sup>th</sup> LLC, owners. Request to vacate an 8 foot wide alley lying between lots 3 and 4, G.B. Crawford Addition, between East University Avenue and SE 1<sup>st</sup> Avenue. Located south of East University Avenue, east of SE 10th Street, north of SE 1<sup>st</sup> Avenue, and west of SE Williston Road. Related to Petition PB-17-165 SUP.

Jason Simmons, Planner, gave the staff presentation.

Motion By: Terry Clark	Seconded By: Dave Ferro
Moved To: Approve Petition PB-18-35 SVA	Upon Vote: 6-0

4. Petition PB-17-90 SUP

eda engineers-surveyors-planners, inc., agent for Zion Evangelical Lutheran Church, Inc., owner. Special Use Permit with development plan review for a place of religious assembly. Zoned: Single-Family (RSF-1). Located at 1700 NW 34th Street.

Stephanie Sutton Vice Chair recused herself from voting on this petition. Bedez Massey, Planner gave the staff presentation. Sergio Reyes of eda gave a presentation as agent for the applicant.

Motion By: Terry Clark	Seconded By: Erin Condon
Moved To: Approve Petition PB-17-90 SUP,	<b>Upon Vote:</b> 5-0 (Stephanie Sutton recused)
subject to compliance with all applicable	
regulations and the conditions recommended	
in Appendix C.	

### VIII. Information Item: N/A

### IX. Board Member Comments

### **X.** Adjournment The meeting was adjourned at 12:47 a.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

#### City Plan Board April 26, 2018 (Continued)

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.

## FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Sutton, Stephanie		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Plan Board		
MAILING ADDRESS 2015 NW 12th Road		WHICH I SERVE IS A	UNIT OF:	
CITY	COUNTY		COUNTY	OTHER LOCAL AGENCY
Gainesville	Alachua	NAME OF POLITICAL City of Gainesville	SUBDIVISION:	
DATE ON WHICH VOTE OCCURRED				
April 26, 2018		MY POSITION IS:		

### WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

### **INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES**

A person holding elective or appointive county, municipal, or other local public office MUST ABSTAIN from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

## ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; and

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

## **APPOINTED OFFICERS:**

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

• You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)
A copy of the form must be provided immediately to the other members of the agency.
The form must be read publicly at the next meeting after the form is filed.
IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:
You must disclose orally the nature of your conflict in the measure before participating.
<ul> <li>You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.</li> </ul>
DISCLOSURE OF LOCAL OFFICER'S INTEREST
I,Stephanie Sutton, hereby disclose that onApril 26, 20 18
(a) A measure came or will come before my agency which (check one)
inured to my special private gain or loss;
inured to the special gain or loss of my business associate,
inured to the special gain or loss of my relative,
inured to the special gain or loss of eda engineers - surveyors - planners, inc.
whom I am retained; or
inured to the special gain or loss of, which
is the parent organization or subsidiary of a principal which has retained me.
(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:
Petition PB-17-00090 was submitted by my employer, eda.
realion r B-17-00090 was submitted by my employer, eda.
April 17, 2018 Date Filed Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.



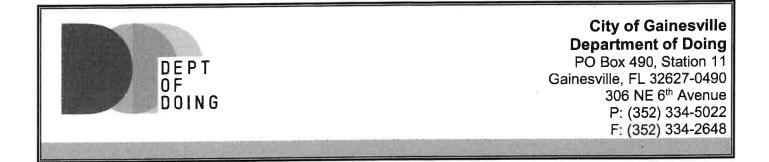
**City of Gainesville Department of Doing** PO Box 490, Station 11 Gainesville, FL 32627-0490 306 NE 6<sup>th</sup> Avenue P: (352) 334-5022 F: (352) 334-2648

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## **SPEAKER SIGN – IN FORM**

City Plan Board – April 26, 2018 Please print your name below.

NAME
Meredith Goodrich
Karan Arrington
Binda Kink
Kick Worthen
Sandra Reeves
Elizabeth Nunst
ARTY WART
Matthew O'Brien
Myra N. Den Andson



## **SPEAKER SIGN – IN FORM**

City Plan Board – April 26, 2018

Please print your name below.

NAME
lea motte
Amarsha mott
Rito Stoward
JOE Pylkg
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Bill Wahnno-
DAVID FOREST
MAIZI HIGHA
Ed Wolcott-

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**City of Gainesville** 

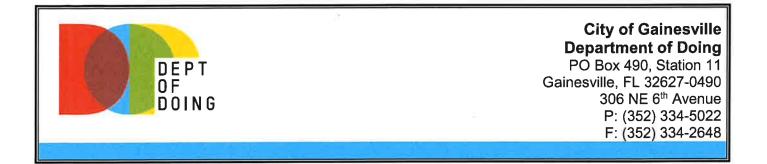
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### **SPEAKER SIGN – IN FORM**

City Plan Board - April 26, 2018

Please print your name below.

NAME
Ros Pandler
Roy Rey Ala Gigi Groger
Attile Bodo
Chris Goodrich
Rogen Aust.
Tracy Staples
Christiana Shaw
Eunice V. Johnson
Carolyn Randles



## **SPEAKER SIGN – IN FORM**

### City Plan Board - April 26, 2018

Please print your name below.

NAME
Sharon Bauer
Peter Alan
g. cary
PONALD Shepherdsa.
Sally Warnick
Rev. Allison DeFoor -
Mick Banks
Michael Rabuer
Traniele Dix



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## SPEAKER SIGN - IN FORM

City Plan Board - April 26, 2018

Please print your name below.

NAME
Many V Deren
Many V Deren Beth Brown
MARL VIN SOESTBERGE
Dean R. Cheshine
Jun Salta
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