



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

306 N.E. 6th Avenue
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CITY PLAN BOARD MINUTES

October 25, 2018 6:30 PM
 City Hall Auditorium
 200 E. University Ave

<u>Members Present</u>	<u>Members Absent</u>	<u>Staff Present</u>
Bob Ackerman (Chair)		Dean Mimms
Stephanie Sutton (Vice-Chair)		Andrew Persons
Christian Newman		
Megan Walker-Radtke		
Erin Condon		
Terry Clark		
	Dave Ferro	
	Rob Hyatt (School Board Representative)	

I. Roll Call

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

Motion By: Erin Condon	Seconded By: Terry Clark
Moved To: Approve	Upon Vote: 6-0

III. Approval of Minutes: September 27, 2018 & October 16, 2018 (Special Meeting)

Motion By: Erin Condon	Seconded By: Terry Clark
Moved To: Approve Sept 27, 2018 Minutes	Upon Vote: 6-0

BOARD MEMBERS

Chair: Bob Ackerman Vice Chair: Stephanie Sutton
 Erin Condon, Dave Ferro, Megan Waker-Radtke, Christian Newman, Terry Clark, Robert Hyatt (School Board representative)
 Staff Liaison: Andrew Persons

Motion By: Erin Condon	Seconded By: Terry Clark
Moved To: Approve Oct 16, 2018 Minutes	Upon Vote: 6-0

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

Mr. Robert Mounts spoke in regards to the Land Development Code and City of Gainesville Comprehensive Plan

VI. Old Business: NONE

VII. New Business

1. **Petition PB-18-108 LUC**

JBrown Professional Group Inc, agent for Kevin G. Phegley & Jennifer Phegley, owners. Amend the City of Gainesville Future Land Use Map from Residential Low-Density (RL): up to 15 units per acre to Mixed-Use Residential (MUR): up to 75 units per acre. These developed properties are bounded by NW 13th Terrace on the east, NW 14th Terrace on the west, NW 5th Avenue on the south, and NW 6th Avenue on the north. Related to Petition PB-18-109 ZON.

Jasons Simmons, Planner gave the staff presentation.
Jay Brown, agent for applicant gave presentation.

Motion By: Terry Clark	Seconded By: Erin Condon
Moved To: Approve Petition PB-18-108 LUC	Upon Vote: 6-0

2. **Petition PB-18-109 ZON** JBrown Professional Group Inc, agent for Kevin G. Phegley & Jennifer Phegley, owners. Rezone property from Urban 2 (U2) to Urban 5 (U5). These developed properties are bounded by NW 13th Terrace on the east, NW 14th Terrace on the west, NW 5th Avenue on the south, and NW 6th Avenue on the north. Related to Petition PB-18-108 LUC.

Jason Simmons, Planner gave the staff presentation. Bob Mounts spoke in regards to the petition.

Motion By: Terry Clark	Seconded By: Erin Condon
Moved To: Approve Petition PB-18-109 ZON	Upon Vote: 6-0

3. **Petition PB-18-118 SUP** eda engineers-surveyors-planners, inc., agent for HCA Health Services of Fla. Inc. Special Use Permit to add 3 stories to an existing 4 story hospital building in the MD zone. The existing building is located in the North Florida Regional Medical Center Complex, which is generally located on the north side of the 6000 block of W Newberry Road between NW 69th Terrace and NW 61st Terrace.
(MEGAN)

Megan Echols, Planner gave the staff presentation. Onelia Lazzari, eda engineers-surveyors-planners, inc., agent for the applicant gave a presentation. Bob Mounts and Carol Garret spoke in regards to the petition. Plan Board Vice-Chair Stephanie Sutton stated that she is recusing herself from voting on this petition, and that she submitted Form 8B (Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers).

Motion By: Erin Condon	Seconded By: Christian Newman
Moved To: Approve Petition PB-18-118 SUP	Upon Vote: 5-0 (Sutton recused)

4. **Petition PB-18-130 LUC**

The City of Gainesville. Amend the City of Gainesville Future Land Use Map from Alachua County Commercial (COM) to City of Gainesville Commercial (COM). Located at 209 NW 75th Street. Related to PB-18-131 ZON.

Erik Bredfeldt, Economic Development Initiative, Director gave the staff presentation. Plan Board Vice-Chair Stephanie Sutton stated that she is recusing herself from voting on this petition, and that she submitted Form 8B (Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers).

Motion By: Erin Condon	Seconded By: Christian Newman
Moved To: Approve Petition PB-18-130 LUC	Upon Vote: 5-0 (Sutton recused)

5. **Petition PB-18-131 ZON**

The City of Gainesville. Rezone property from Alachua County Business Retail (BR) to City of Gainesville General Business (BUS). Located at 209 NW 75th Street. Related to PB-18-130 LUC.

Erik Bredfeldt, Economic Development Initiative, Director gave the staff presentation. Plan Board Vice-Chair Stephanie Sutton stated that she is recusing herself from voting on this petition, and that she submitted Form 8B (Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers).

Motion By: Erin Condon	Seconded By: Christian Newman
Moved To: Approve Petition PB-18-131 ZON	Upon Vote: 5-0 (Sutton recused)

6. Petition PB-18-111 SUP

eda engineers-surveyors-planners, inc., agent for North Florida Regional Medical Center (NFRMC) and Radiation Therapy of Gainesville, owners. Special Use Permit with development plan review for the construction of a parking garage with more than 5 stories. Zoned: MD: Medical Services and PD: Planned Development. Located at 1021 NW 64th Terrace and 6500 W Newberry Road (SR 26).

Bedez Massey, Planner gave the staff presentation. Carol Garret spoke in regards to the petition. Plan Board Vice-Chair Stephanie Sutton stated that she is recusing herself from voting on this petition, and that she submitted Form 8B (Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers).

Motion By: Terry Clark	Seconded By: Christian Newman
Moved To: Approve Petition PB-18-111 SUP subject to the following conditions:	Upon Vote: 5-0 (Sutton recused)
<ol style="list-style-type: none"> 1. Remove Condition 1 in the staff report 2. Keep Condition 2 and Condition 3 in the staff report 3. Amend Condition 4 in the staff report to prohibit chain-link fencing; and approving the City staff conditions in Appendix C of the staff report 	

VII. Information Item: N/A

IX. Board Member Comments

X. Adjournment

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
Bob Ackerman

Date

Staff Liaison, City Plan Board
Andrew Persons, AICP

Date

DRAFT

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	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY Gainesville	COUNTY Alachua
DATE ON WHICH VOTE OCCURRED October 25, 2018	NAME OF POLITICAL SUBDIVISION: City of Gainesville
	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTEE

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 relative; or 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.
- 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.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Stephanie Sutton, hereby disclose that on October 25, 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. by 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-18-118 SUP and PB-18-111 SUP were submitted by my employer, eda.

Date Filed

10/17/18

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.

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.
- 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.

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I, Stephanie Sutton, hereby disclose that on October 25, 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., by 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.

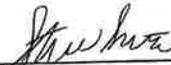
(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Petition PB-18-130 and PB-18-131 are related to a client of my employer, eda.

Date Filed

10/17/18

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.