

City Plan Board Minutes
January 28, 2021 6:30 PM
Virtual/Hybrid Meeting

I. Call to Order – 6:37 p.m.

II. Roll Call

<u>Members Present</u>	<u>Members Absent</u>	<u>Staff Present</u>
Stephanie Sutton		Andrew Persons
Robert (Bob) Ackerman		Brittany McMullen
Christian Newman		Nathaniel Chan
Thomas Hawkins		Juan Castillo
James Blythe		Scott Wright
Jason Hurst		
Sophia Corugedo		

III. Adoption of Agenda

Motion By: Hawkins

Seconded By: Newman

Moved To: Approve

Upon Vote: Passed 7-0

The information item listed on the agenda will be postponed to next month's meeting.

IV. Approval of Minutes: January 4, 2021

Motion By: Hawkins

Seconded By: Newman

Moved To: Approve

Upon Vote: Passed 7-0

V. **Board Elections** The Board held elections to appoint Chair and Vice-Chair.

Motion By: Hawkins

Seconded By: Newman

Moved To: Nominate Board Member Sutton as Chair.

Upon Vote: Passed 7-0

Motion By: Hawkins

Seconded By: Hurst

Moved To: Nominate Board Member Newman as Vice-Chair.

Upon Vote: Passed 7-0

VI. **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.

VII. Old Business

Petition PB-20-159 TCH (200722)

City of Gainesville. Text amendment to the Land Development Code to modify requirements of the neighborhood workshop and overall public participation process.

Motion By: Hawkins

Seconded By: Ackerman

Moved To: Approve with modifications

Upon Vote: Passed 7-0

Brittany McMullen, Planner, presented the item for staff summarizing changes that were made based on the prior discussion by the Board.

The Board requested that staff update the list of neighborhood associations that are required to be notified. Gerry Dedenbach and Brian Harrington spoke on the item.

A motion was made by Board Member Hawkins, seconded by Board Member Ackerman, to approve the petition with the following modifications:

1. Strike paragraph A.3 related to facilitating ongoing communications;
2. Modify paragraph C.A.1.b to define substantial changes to be: 20% increase in building area (already in proposed text), increase in number of floors, increase or addition of a drive-through. Upon a vote the motion passed unanimously.

VIII. New Business

Petition PB-20-01 LUC
(200723)

City of Gainesville. Amend the Future Land Use Map from Alachua County Institutional to City of Gainesville Education for a recently annexed property (Oak Hall School). Located at 1700 SW 75th Street. This petition is related to PB-20-02 ZON.

Motion By: Newman**Seconded By:** Hawkins**Moved To:** Approve**Upon Vote:** Passed 7-0

Brittany McMullen, Planner, presented the item for Staff. There were no members of the public to speak on the item. A motion was made by Board Member Newman, seconded by Board Member Hawkins, to approve the petition. Upon vote the motion passed unanimously.

Petition PB-20-02 ZON
(200724)

City of Gainesville. Rezone property from Alachua County Planned District (PD) to City of Gainesville Planned District (PD) for a recently annexed property (Oak Hall School). Located at 1700 SW 75th Street. This petition is related to PB-20-01 LUC.

Motion By: Newman**Seconded By:** Hawkins**Moved To:** Approve**Upon Vote:** Passed 7-0

Brittany McMullen, Planner, presented the item for Staff. There were no members of the public to speak on the item. A motion was made by Board Member Newman, seconded by Board Member Hawkins, to approve the petition. Upon vote the motion passed unanimously.

Petition PB-20-00115 LUC
(200725)

eda, Agent for for Rohatgi of Williston, LLC Property (owner). Amend Future Land Use Map from City of Gainesville RM: Residential Medium (8-30 units per acre) to City of Gainesville MUL: Mixed-Use Low-Intensity (8-30 units per acre). Located at 423 SE Williston Rd.

Motion By: Newman**Seconded By:** Ackerman**Moved To:** Approve**Upon Vote:** Passed 7-0

Board Chair Sutton submitted form 8b and will not be voting on this item. Nathaniel Chan presented the item for Staff. Onelia Lazzari presented for the applicant. No members of the public commented on the item. A motion was made by Board Member Newman, seconded

by Board Member Ackerman, to approve the petition. Upon vote the motion passed unanimously.

Petition PB-20-0003 ZON
(200726)

eda, Agent for Rohatgi of Williston, LLC Property (owner). Rezone property from City of Gainesville RMF-6: Residential Multi-Family (8-10 dwelling units per acre) to City of Gainesville MU-1 Mixed-Use Low-Intensity (8-30 dwelling units per acre). Located at 423 SE Williston Rd.

Motion By: Newman

Seconded By: Ackerman

Moved To: Approve

Upon Vote: Passed 7-0

Board Chair Sutton submitted form 8b and will not be voting on this item. Nathaniel Chan presented the item for Staff. Onelia Lazzari presented for the applicant. No members of the public commented on the item. A motion was made by Board Member Newman, seconded by Board Member Ackerman, to approve the petition. Upon vote the motion passed unanimously.

Petition PB-20-158 TCH
(200727)

City of Gainesville. Amend the Land Development Code to allow for agricultural uses within certain zoning districts.

Motion By: Hawkins

Seconded By: Corugedo

Moved To: Approve

Upon Vote: Passed 7-0

Brittany McMullen, Planner, and Karissa Raskin, Civic Collaboration Specialist, presented the item for staff. The Board asked questions of staff and had discussion on the item. Maureen Reschly called in to comment. A motion was made by Board Member Hawkins, seconded by Board Member Corugedo, to approve the petition. Upon vote the motion passed unanimously.

Petition PB-21-03 TCH
(200728)

City of Gainesville, applicant. Requests to amend the City of Gainesville Land Development Code in order to introduce exemption provisions for sidewalk requirement pertaining to single family residential properties.

Motion By: Hawkins

Seconded By: Corugedo

Moved To: Approve

Upon Vote: Passed 7-0

Juan Castillo, Planner, presented the item for staff, requesting feedback from the Board on two different options for sidewalk mitigation. Board members asked questions of staff. Scott Wright, Mobility Department, assisted with answering questions. Dean Mimms called in to comment on the item.

A motion was made by Board Member Hawkins, seconded by Board Member Corugedo, to continue the petition to a future meeting (non-date certain) pursuing the fee in lieu of option. Upon a vote the motion passed unanimously.

Petition PB-21-08 TCH
(200729)

City of Gainesville. Amend the Land Development Code to create a designation process for heritage overlay districts.

Adam Carr presented the item for staff requesting that the Board provide feedback based on discussion that has been had by the City Commission on the item.

Board members asked questions of staff and discussed. Mr. Carr and Mr. Persons, Interim Director, answered questions from the Board.

Brian Harrington, Dean Mimms and Kim Tancer called to comment during the public comment portion of the hearing. The Board requested that staff capture comments from the discussion and bring back to the Board for further review. Staff agreed to bring back for further discussion.

Petition PB-20-160 TCH
(200730)

City of Gainesville. Amend the Land Development Code to modify building frontage, building entrance, and building material requirements for properties in transect zones.

Brittany McMullen, Planner, and Andrew Persons, Interim Director of Sustainable Development, presented the item for staff. Brian Harrington, Adrian Hayes-Santos and Gerry Dedenbach called in to comment on the item. The Board held discussion and asked questions of staff. The Board requested that staff capture comments from the discussion and bring back to the Board for further review. Staff agreed to bring back for further discussion.

Petition PB-20-165 TCH
(200731)

City of Gainesville. Amend Section 30-3.4 of the Land Development Code to modify requirements for right-of-way vacations.

Motion By: Hawkins

Seconded By: Newman

Moved To: Approve with modifications

Upon Vote: 7-0

Brittany McMullen, Planner, presented the item for staff. No members of the public commented on the item. The Board asked questions of staff and held discussion on the item. A motion was made by Board Member Hawkins, seconded by Board Member Newman, to approve the petition with the following modifications: Amend paragraph 2c to be applicable to U4-U9, Amend paragraph C to ensure that payment of fair market value is consistent with City's established process for disposal of real property. Upon vote the motion passed unanimously.

Petition PB-21-07 CPA
(200732)

City of Gainesville. Amend Comprehensive Plan Transportation Element Policy 10.2.1 to remove requirements for right-of-way vacations.

Motion By: Hawkins

Seconded By: Newman

Moved To: Approve with modification

Upon Vote: 7-0

Brittany McMullen presented the item for staff. No members of the public commented on the item. A motion was made by Board Member Hawkins, seconded by Board Member Newman, to approve with one modification: instead of removing the language completely from the Comprehensive Plan the language should mirror the Land Development Code language. Upon a vote the motion passed unanimously.

IX. Information Items – None

X. Board Member Comment

XI. Adjournment – 10:45 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.

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 2201 NW 26th Terrace	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 January 28, 2021	NAME OF POLITICAL SUBDIVISION: City of Gainesville MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE

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 January 28, 2021 :

(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 consultants inc., by _____, 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:

Petitions PB-20-00115 LUC and PB-20-00003 ZON were submitted by my employer, eda.

1/25/21
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.