

# City of Gainesville

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



## **Minutes**

**October 26, 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**[170479.](#)

**City Plan Board Attendance Roster: March 23, 2017 through September 28, 2017 (B)**

**Attachments:** [170479\\_CPBA Attendance\\_20171026.pdf](#)

**APPROVAL OF THE AGENDA**

Saul Silber asked to move Item 4. Petition PB-17-111 to be heard as Item 1.

Motion By: Adam Tecler      Seconded By: Dave Ferro

Moved To: Move Item 4 to Item 1 and then go in normal order.

Upon Vote: 6-0

**APPROVAL OF MINUTES - SEPT 28 ,2017 ( not available at this time)**

**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.**

**REQUEST TO ADDRESS THE BOARD****OLD BUSINESS**[170427.](#)

**Attachments:** [170427 Continuance Staff Report\\_20170928.pdf](#)  
[170427 Staff Report w Appendices A-D\\_20171026.pdf](#)  
[170427A\\_PB-17-065 Staff Report\\_20180118](#)  
[170427 Quasi-Judicial Hearing Forms\\_20180118.pdf](#)  
[170427\\_121 Reschedule Memo\\_20180118.pdf](#)  
[170427 Request to Participate \(Preferred Materials Inc.\)\\_2018.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.*

Vice Chair Bob Ackerman explained that Chair Stephanie Sutton recused herself on this petition. Chair Sutton then asked Sean McDermott, Assistant City Attorney to explain the formal quasi-judicial process. Disclosure of any Ex Parte communications. Swearing in of affected parties by Forrest Eddleton Planning Consultant, Notary Public. Staff presentation by Forrest Eddleton, Planning Consultant.

Motion By: Adam Tecler      Seconded By: Bryan Williams

Moved To: Extend allowed staff presentation time.

Upon Vote: 5-0 (Sutton recused)

Staff presentation by Mark Brown, Environmental Coordinator. Tim Jackson, agent for applicant gave a presentation. David Coffey, Esquire gave a presentation. Gainesville resident Kali Blount asked about affordable housing.

Motion By: Dave Ferro      Seconded By: Adam Tecler

Moved To: The City Plan Board recommends approval of PB-17-65 with the removal of Condition 1 and Condition 2 as presented in the staff report subject to the applicant seeking input from relevant agencies for the Conservation Management Plans. The City Plan Board also recommends the adoption of a separate condition presented by the applicant subject to relevant agencies having input on that condition. The separate condition presented by the applicant states, "The rezoning of the Gainesville 121 to Planned Development does not become effective until a Management Plan that addresses continued silviculture activities is adopted for the Conservation Management Areas located within the PD."

Upon Vote: 4-1 (Nay: Terry Clark; Sutton recused)

**NEW BUSINESS****[170483.](#)**

**Amend the City of Gainesville Future Land Use Map from Planned Use District (PUD) and Residential Medium-Density: 8-30 units per acre (RM) to Mixed-Use Low-Intensity: 8-30 units per acre (MUL) (B)**

**Petition PB-17-92 LUC.** CHW, Inc. agent for Legacy Fountains of Gainesville, LLC.

Amend the City of Gainesville Future Land Use Map from Planned Use District (PUD) and Residential Medium-Density: 8-30 units per acre (RM) to Mixed-Use Low-Intensity: 8-30 units per acre (MUL). Located at Southwest corner of the SW 52nd Street and SW 20th Avenue intersection.

**Attachments:**      [170483\\_Staff report w Appendices A-C\\_20171026.pdf](#)

**RECOMMENDATION**

*Staff recommends approval of Petition PB-17-92 LUC.*

Dean Mimms, AICP, Planning Consultant, gave a combined presentation on Petition PB-17-92 LUC and related Petition PB-17-93 ZON. Gainesville resident Kali Blount spoke during public comments.

Motion By: Bob Ackerman    Seconded By: Dave Ferro

Moved To: Approve Petition PB-17-92 LUC

Upon Vote: 6-0

[170484.](#)

**Rezone Property from Planned Development District (PD) and RMF-6: 8-15 units per/acre multiple-family residential district to MU1: 8-30 units/acre mixed use low intensity on +/- 18.5 acres (B)**

**Petition PB-17-93 ZON.** CHW, Inc. agent for Legacy Fountains of Gainesville, LLC.

Rezone property from Planned Development District (PD) and RMF-6: 8-15 units per/acre multiple-family residential district to MU1: 8-30 units/acre mixed use low intensity. Located at Southwest corner of the SW 52nd Street and SW 20th Avenue intersection.

**Attachments:**    [170484\\_Staff report w Appendices A-C\\_20171026.pdf](#)

**RECOMMENDATION**    *Staff recommends approval of Petition PB-17-93 ZON.*

Dean Mimms, AICP, Planning Consultant, gave a combined presentation on Petition PB-17-93 ZON and related Petition PB-17-92 LUC. Gainesville resident Kali Blount spoke during public comments.

Motion By: Bob Ackerman    Seconded By: Dave Ferro

Moved To: Approve Petition PB-17-93 ZON

Upon Vote: 6-0

[170480.](#)

**Special Use Permit review to up to 50% of a building to be used as “Personal Services” (B)**

**Petition PB-17-111 SUP:** Saul Silber Properties, LLC, owner. Requesting a Special Use Permit, without a development plan, to allow up to fifty percent (50%) of the floor area of an existing development to be used for Personal Services. Zoned: U-4 (Urban 4 Transect District). Located at 901 NW 8th Avenue.

**Attachments:**    [170480\\_Staff Report w attachments A-D\\_20171026.pdf](#)

**RECOMMENDATION**    *Staff recommends approval of Petition PB-17-111 SUP with conditions.*

Lawrence Calderon, Planning Consultant gave staff presentation. Gainesville residents Mark Goldstein and Kali Blount spoke during Public Comments.

Motion By: Terry Clark    Seconded By: Bryan Williams

Moved To: Approve Petition PB-17-111 SUP subject to the staff conditions.  
Upon Vote: 6-0

**BOARD ELECTIONS**

Motion By: Stephanie Sutton      Seconded By: Terry Clark

Moved To: Nominate Bob Ackerman as Chair

Upon Vote: 6-0

Motion By: Bob Ackerman      Seconded By: Terry Clark

Moved To: Nominate Stephanie Sutton as Vice Chair

Upon Vote: 6-0

**INFORMATION ITEM:**

Dean Mimms, AICP, Planning Consultant, discussed the November 30th City Plan Board luncheon.

Andrew Persons, AICP, Planning Consultant, talked about the posted sign notification and mail notification process. Under the City Commission direction to include tenants in the mailing selection process. Redesigning of the notification letters, and board agendas to make them easier to read.

**BOARD MEMBER COMMENTS**

Stephanie Sutton, Chair wanted to know what role the Plan Board will have regarding the revisions to the Land Development Code.

Terry Clark wanted to know about the Special Use permit application.

Stephanie Sutton, Chair has concerns about the sidewalk widths in certain areas.

Wendy Thomas, Director of DOD, offered to give to the Plan Board via staff a preliminary list of topics that were brought up during the City Commission adoption of the Land Development Code.

**ADJOURNMENT**

The meeting was adjourned at 9:31 p.m.