

# City of Gainesville

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



## **Minutes - Final**

**February 27, 2020**

**6:30 PM**

**City Hall Auditorium, 200 East University Avenue**

## **City Plan Board**

*Erin Condon - Chair  
Stephanie Sutton - Vice Chair  
Bob Ackerman - Member  
Megan Walker-Radtke - Member  
Christian Newman - Member  
Thomas Hawkins - Member  
James Blythe - Member*

**ROLL CALL**[191030.](#)

**City Plan Board Attendance Roster: July 25, 2019 through February 27, 2020 (B)**

**Board members present: Erin Condon, James Blythe, Robert Ackerman, Megan Walker-Radtke, Thomas Hawkins.**

**Staff present: Andrew Persons, Brittany McMullen, Yvette Thomas, Juan Castillo, Jason Simmons.**

**APPROVAL OF AGENDA**

**Motion to Approve the agenda. Motion made by Megan Walker-Radtke, seconded by Thomas Hawkins. Motion passes following a 5-0 vote.**

**APPROVAL OF MINUTES**[191031.](#)**Draft Minutes of the January 23, 2020 City Plan Board Meetings (B)****RECOMMENDATION**

*Staff is requesting that the City Plan Board review the draft minutes from the January 23, 2020 meetings and vote to approve the minutes.*

*Staff to the City Plan Board - Review and approve the draft minutes.*

**Motion to approve the minutes form January 23, 2020. Motion made by Megan Walker-Radtke, seconded by Robert Ackerman. Motion passes following a 5-0 vote.**

**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: N/A**

**NEW BUSINESS:**[190980.](#)

Amend the Future Land Use Map of the City of Gainesville from Residential Medium (RM) and Residential Low (RL) to City of Gainesville Urban Mixed-Use

High Intensity (UMUH) and include the subject parcels in the Urban Village as mapped in the Future Land Use Element Map Series. Generally located northwest of the intersection of SW 43rd Street and SW 24th Avenue.

**Petition PB-19-145 LUC.** eda, Agent. Petition for land use change from City of Gainesville Residential Medium (RM) and Residential Low (RL) to City of Gainesville Urban Mixed-Use High Intensity (UMUH) and include the subject parcels in the Urban Village as mapped in the Future Land Use Element Map Series.

**RECOMMENDATION** *Approve PB-19-145 LUC based on finding of compliance with applicable review criteria.*

**This item was withdrawn by the applicant.**

[190981.](#)

Rezone property from City of Gainesville RMF-8: Multiple-Family Residential; RMF-7: Multiple-Family Residential; RMF-5: Single-Family/Multiple-Family Residential to City of Gainesville Urban Transect: U-9. Generally located northwest of the intersection of SW 43rd Street and SW 24th Avenue.

**Petition PB-19-146 ZON.** eda, Agent. Petition to rezone from City of Gainesville RMF-8: Multiple-Family Residential; RMF-7: Multiple-Family Residential; RMF-5: Single-Family/Multiple-Family Residential to City of Gainesville Urban Transect: U-9.

**RECOMMENDATION** *Approve PB-19-146 ZON based on finding of compliance with applicable review criteria.*

**This item was withdrawn by the applicant.**

[190982.](#)

**Amend Future Land Use Map from County Commercial, Office/Residential, and Residential to City Commercial, Office, and Single-Family (B)**

**Petition PB-19-00175 LUC.** City of Gainesville, (Applicant) requests to amend the City of Gainesville Future Land Use Map for eight (8) properties from County Commercial, Office/Residential, and Residential (0-2 dwelling units per acre) to City Commercial, Office, and Single-Family (0-8 dwelling units per acre). Parcels located on the south side of SW Williston Road at the intersection of SW Williston Road and SW 34th Street south of the City of Gainesville boundary and west of the City of Gainesville boundary.

**RECOMMENDATION** *Staff to City Plan Board - Staff recommends approval of Petition PB-19-00175 LUC.*

**Juan Castillo, Planner, presented the item providing a summary of the request to assign a City of Gainesville land use designation to a recently annexed property. Mr. Castillo summarized the request and concluded that staff recommended approval.**

**Several members of the public including neighboring property owners spoke**

on the item.

Dink Henderson, one of owners of the subject property, spoke to some of the concerns raised by neighbors.

Questions were raised by the public and Board regarding protections for the scenic road since the property has been annexed and the scenic road is a county designation.

Board Member Hawkins made a motion to recommend approval with an amendment that the text in Policy 4.7 of the Comprehensive Plan be amended to provide for protections of the scenic road in the same way that protections are currently provided through Alachua County.

Board Member Ackerman seconded the motion. Motion passes following a 5-0 vote.

[190983.](#)

**Rezone Property from County Highway Oriented Business, Residential/Professional, and Residential-Estate to City Business, Office, and Residential Single Family RSF-1 (B)**

**Petition PB-19-00176 ZON. City of Gainesville, (Applicant) request to rezone eight (8) properties from County zoning Highway Oriented Business, Residential/Professional, and Residential-Estate (1 dwelling unit per 2 acres) to City Business, Office, and Residential Single Family RSF-1 (0-3.5 dwelling units per acre). Located on the south side of SW Williston Road at the intersection of SW Williston Road and SW 34th Street south of the City of Gainesville boundary and west of the City of Gainesville boundary.**

**RECOMMENDATION**

*Staff to City Plan Board - Staff recommends approval of Petition PB-19-00176 ZON.*

Juan Castillo, Planner, presented the item. Mr. Castillo summarized the request and concluded that staff recommended approval.

The Board discussed and asked questions regarding the proposed rezoning and several members of the public spoke on the item.

Mr. Castillo and Liliana Kolluri answered questions regarding the process and the Serenola Forest Strategic Ecosystem overlay.

Board Member Ackerman made a motion to approve the request which was seconded by Board Member Hawkins. Motion passes following a 5-0 vote.

[190985.](#)

**Petition PB-19-183 SVA**

CHW. Right-of-Way Vacation for a portion of an alley located west of SW 9th Terrace and East of SW 10th Street.

Brittany McMullen, Planner, presented the item, summarizing the request and concluding that staff recommended approval of the vacation.

Gerry Dedenbach presented for the applicant.

Board members asked questions of staff and the applicant.

Members of the public spoke on the item.

Board Member Ackerman made a motion to approve the vacation contingent on the Special Use Permit being approved. The motion was subsequently withdrawn.

Board Member Ackerman made a motion to approve PB-19-183 SVA which was seconded by Board Member Blythe. Upon vote the motion failed 2-3 with Board Members Hawkins, Condon and Walker-Radtke opposed.

Board Member Hawkins made a motion to recommend denial of PB-19-183

**SVA which was seconded by Board Member Walker-Radtke. Upon vote the motion passes 3-2 with Ackerman and Blythe opposed.**

[190984.](#)

**Special Use Permit to increase Residential Density from 150 units per acre to 175 dwelling units per acre for property zoned DT (B)**

**Petition PB-19-182 SUP.** CHW, Inc. agent for property owners. Petition for Special Use Permit to increase residential density from 150 units/acre to 175 units/acre in order to construct a total of 210 multi-family dwelling units. Located south of W University Avenue, North of SW 1st Avenue, West of SW 9th Terrace, and East of SW 10th Street.

**RECOMMENDATION** *Staff to City Plan Board - Staff recommends approval of Petition PB-19-182 SUP.*

**Brittany McMullen, Planner, presented the item, summarizing the request and concluding that staff recommended approval of the special use permit.**

**Gerry Dedenbach presented for the applicant.**

**Board members asked questions of staff and the applicant. Ms. McMullen clarified that the staff report contained two suggested conditions, one of which was that the approval be contingent on the final approval of the associated right-of-way vacation by the City Commission.**

**Board Member Hawkins made a motion to deny the petition. The motion failed for lack of a second.**

**Board Member Ackerman made a motion to approve the petition with conditions as provided in the Staff Report. The motion was seconded by James Blythe. Upon vote the motion passes 3-2 with Board Members Hawkins and Condon opposed.**

[190986.](#)

**Amend Future Land Use Map from Alachua County Low Density Residential to City of Gainesville Planned Used District and Amend Conditions In the Council of Aging Planned Used District (B)**

**Petition PB-19-152 LUC.** CHW (Applicant) on behalf of Stam Ventures LLC request to amend the City of Gainesville Future Land Use Map for four (4) properties from Alachua County Low Density Residential (1-4 dwelling units per acre) to City of Gainesville Planned Used District (PUD) and amend the existing Council on Aging PUD. Located north of SW Archer Road, east of SW 50th St. and west of SW 47th St.

**RECOMMENDATION** *Staff to City Plan Board - Staff recommends approval of Petition PB-19-152 LUC.*

**Juan Castillo, Planner, presented the request, concluding that staff recommended approval.**

**Ryan Thompson, CHW, presented for the applicant.**

**Members of the public and the Board asked questions which were answered by Mr. Castillo and Patrice Boyse, representative for the applicant.**

**After some discussion Board Member Ackerman made a motion to approve which was seconded by Board Member Blythe. Board Member Hawkins proposed an amendment to the motion which was not accepted by the maker of the motion. Upon vote the motion passed 4-1 with Board Member Hawkins opposed.**

[190987.](#)

**Rezone from Alachua County R-1A: Single-family Residential, R-1C: Single-Family Residential, and Agricultural to City of Gainesville Council on Aging Planned Development (PD) (B)**

**Petition PB-19-151 ZON. CHW (Applicant) on behalf of Stam Ventures LLC request to rezone four (4) properties from Alachua County zoning R-1A: Single-Family Residential (1 -4 dwelling units per acre), R-1C Single-Family Residential (1-4 dwelling units per acre), and Agricultural (1 dwelling unit per 5 acres) to City of Gainesville Council on Aging Planned Development (PD) and amend the existing PD. Located north of SW Archer Road, east of SW 50th St. and west of SW 47th St.**

**RECOMMENDATION**      *Staff to City Plan Board - Staff recommends approval of Petition PB-19-151 ZON.*

**Juan Castillo, Planner, summarized the request and concluded that staff recommended approval of the rezoning.**

**Ryan Thompson, CHW, presented for the applicant.**

**No members of the public spoke on the item.**

**Board Member Ackerman made a motion to approve which was seconded by Member Blythe. The motion passed unanimously.**

[190988.](#)**ADU Text Change**

City of Gainesville. Petition to amend Sec. 30-5.33. Accessory Dwellings of the City of Gainesville's Land Development Code to allow accessory dwellings within single-family residential zoning districts.

ADU Text Change. City of Gainesville. Petition to amend Sec. 30-5.33. Accessory Dwellings of the City of Gainesville's Land Development Code to allow accessory dwellings within single-family residential zoning districts.

**RECOMMENDATION**      *Approve the proposed text change to Section 30-5.33. Accessory Dwelling Units and the associated Permitted Use Tables.*

**Yvette Thomas, Planner, presented the item explaining that the proposed text change was initiated by the City Commission and City Plan Board as part of their efforts to identify Land Development Code changes discussed at a joint meeting in June of 2019. The proposed text change would allow for accessory dwelling units within single-family residential zoning districts.**

**Board members discussed the item and asked questions of staff. Several members of the public spoke on the issue.**

**Board Member Ackerman made a motion to approve the text amendment with the following modifications:**

**1. Eliminate the homestead exemption requirement; 2. Eliminate the height requirement and instead regulate the height based on restrictions of the zoning district and 3. Permit on-street parking to count towards parking requirements.**

**Board Member Walker-Radtke preferred the height limit to be based on the primary structure or 1.5 stores.**

Board Member Hawkins suggested to change the motion to state that the maximum height allowed shall be 2 stories instead of 1.5 (item D.1.c), and add "height" to the list of criteria for design and dimensional requirements in D.1.e ("The accessory dwelling unit shall be designed as a subordinate structure to the primary structure on the lot in terms of its mass, size, height and architectural character").

Board Member Ackerman accepted the amended motion and Board Member Hawkins seconded the motion.

Board Member Hawkins made a motion to amend the proposed language in C.1 to state "lot within the boundaries shown on an approved and recorded subdivision plat". Board Member Ackerman accepted the amendment to the motion.

Upon vote the motion passed unanimously.

[190989.](#)

Vacation of right-of-way of NW 4th Lane between NW 13th Street and NW 14th Street. (B)

**Petition PB-19-161 SVA.** CHW. Request to vacate the 20 foot wide right-of-way of NW 4th Lane between NW 13th Street and NW 14th Street.

**RECOMMENDATION**

*Staff to City Plan Board - Staff recommends approval of Petition PB-19-161 SVA.*

Jason Simmons, Planner, presented the item, summarizing the request and concluding that staff recommended approval of the right-of-way vacation.

Board Member Hawkins made a motion to extend the meeting to 11:00 p.m.

The motion was seconded by Ackerman and upon vote the motion passed.

Gerry Dedenbach presented for the applicant.

Members of the Board asked questions of the applicant and staff.

Board Member Ackerman made a motion to approve the petition which was seconded by Board Member Blythe. More comments were made by the Board before taking vote. The motion passed 3-2 with Hawkins and Condon opposed.

[190990.](#)

Special Use Permit to increase Residential Density from 60 units per acre to 80 dwelling units per acre for property zoned U8 (B)

**Petition PB-19-160 SUP.** CHW. Petition for Special Use Permit to increase residential density from 60 units/acre to 80 units/acre in order to construct a total of 210 multi-family units. Located on parcels between NW 5th Avenue, NW 13th Street, NW 4th Place, and NW 14th Street, and a portion of the block south of NW 4th Place.

**RECOMMENDATION**

*Staff to City Plan Board - Staff recommends approval of Petition PB-19-160 SUP.*

Jason Simmons, Planner, presented the item. Staff recommended approval with conditions.

Board Member Ackerman made a motion to extend the meeting to 11:20 p.m, seconded by Board Member Blythe; upon vote the motion passed.

Gerry Dedenbach presented for the applicant.

The Board discussed the item and asked questions of staff and the applicant.

No public comments were made.

Board Member Ackerman motioned to approve the request with the

requirement that the proposed woonerf be maintained as shown in the application which was presented. Board Member Blythe seconded the motion. Upon vote the motion passed unanimously.

**INFORMATION ITEM(S): Land Development Code Updates**

**BOARD MEMBER COMMENTS:**

**NEXT MEETING DATE: March 26, 2020**

**ADJORNMENT:**

Meeting Adjourned at 11:12 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.