



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

May 24, 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
Dave Ferro		Bedez Massey
Megan Walker-Radtke		Megan Echols
Bryan Williams		Francine Sutton
	Terry Clark	Florence Buaku
Erin Condon		Lawrence Calderon
Christian Newman		
	Rob Hyatt (School Board Representative)	

**I. Roll Call**

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

<b>Motion By:</b> Erin Condon	<b>Seconded By:</b> Dave Ferro
<b>Moved To:</b> Continue Petitions PB-17-165 SUP and PB-18-27 SVA to the Plan Board June 28 meeting.	<b>Upon Vote:</b> 6-0

**II. Approval of Minutes:** April 26, 2018

**BOARD MEMBERS**

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

<b>Motion By:</b> Erin Condon	<b>Seconded By:</b> Stephanie Sutton
<b>Moved To:</b> Approve	<b>Upon Vote:</b> 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**

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**VI. Old Business**

OB1. **Petition PB-17-158 ZON** 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.

Don Niesen, representing clients, argued against the applicant’s request for a deferral. He stated that he did not understand the reasons for the deferral. Andrew Persons, Planner stated that the board could not recommend approval of the rezoning after having recommending denial of the land use. Bob Ackerman, Chair, stated that it does not appear that there will be any substantial prejudice in delaying the rezoning application to June.

<b>Motion By:</b> Dave Ferro	<b>Seconded By:</b> Christian Newman
<b>Moved To:</b> Continue to the Plan Board June 28 meeting.	<b>Upon Vote:</b> 6-0

**VII. New Business**

1. **Petition PB-17-165 SUP** CHW, Inc., agent for E.W. Burch, Jr., ABC Liquors, Inc.,

and BW University and 10<sup>th</sup> LLC, owners . Special Use Permit with minor development plan review to construct a Gasoline and Alternative Fuel Station with 12 fueling positions, convenience store and eating place. Zoned: Urban 7 (U-7). Located at 1007 and 1021 East University Avenue and 15 SE 10<sup>th</sup> Street.

Continued to the Plan Board June 28 meeting with adoption of the agenda

2. **Petition PB-18-37 PDA** R.E. Arnold Construction Inc. and Double H Construction Inc. Amend Walnut Creek Planned Development by removing design conditions for specific areas within the Planned Development.

Megan Echols, Planner, gave the staff presentation. Mr. Arnold, petitioner, spoke on the layout of the lots that are left to be built. Amy Ghann representing Legacy Properties asked that the rest of the lots receive the same consideration. The Plan Board agreed to give the same consideration to lot 128.

<b>Motion By: Dave Ferro</b>	<b>Seconded By: Erin Condon</b>
<b>Moved To:</b> Approve Petition PB-18-37 PDA with staff recommendation of removing condition 13b for lots 88-113 and lot 128.	<b>Upon Vote:</b> 6-0

3. **Petition PB-18-44 SVA** eda engineers-surveyors-planners, inc., agent for Kwak, Bum Joon and Ok-Chin Kim, owners. Request to vacate a portion of a 10-foot wide alley lying between 204 NE and 114 NE Waldo Road.

Florence Buaku, Planner, gave the staff presentation. Sergio Reyes of eda, inc. agent for petitioner gave a presentation on behalf of the applicant. Stephanie Sutton stated she submitted form 8B recusing herself.

<b>Motion By:</b> Erin Condon	<b>Seconded By:</b> Dave Ferro
<b>Moved To:</b> Approve Petition PB-18-44 SVA	<b>Upon Vote:</b> 5-0 (Sutton recused)

4. **Petition PB-18-45 PDA** eda engineers-surveyors-planners, inc., agent for North Florida Regional Medical Center and North Florida Regional Medical Arts Condominium Association, Inc., owners. A Planned Development (PD) amendment to the existing approved PD ordinance to allow the construction of a parking garage and other related improvements. Zoned: Planned Development (PD). Located at 6500 W Newberry Road.

Bedez Massey, Planner, gave the staff presentation. Stephanie Sutton stated she submitted form 8B recusing herself. Sergio Reyes of eda, inc. agent for petitioner gave a presentation on behalf of the applicant.

<b>Motion By:</b> Dave Ferro	<b>Seconded By:</b> Erin Condon
<b>Moved To:</b> Approve Petition PB-18-45 PDA, subject to the provisions of previously adopted ordinances remaining in full force and effect, except where amended by this petition.	<b>Upon Vote:</b> 5-0 (Sutton recused)

5. **Petition PB-18-27 SVA** eda engineers-surveyors-planners, inc., agent for SMLC, LLC. Request to vacate approximately 0.3 acres of public right-of-way in the 1300 block of SW 5th Avenue, east of SW 13th Street.

Continued to the Plan Board June 28 meeting with adoption of the agenda

**VIII. Information Item:**

**A. Update on the Subdivision Regulations and Review Process**

Lawrence Calderon, Planner gave the staff presentation on the Subdivision Review process. Francine Sutton, Planning Technician, gave the staff presentation on the Design Thinking process. Florence Buaku, Planner, gave the staff presentation on the Public Ideation process.

**IX. Board Member Comments**

Andrew Persons, Planner spoke in regards to the Land Development Code update. He is reasonable comfortable in developing the draft based on schedule topics that were discussed at earlier Plan Board meetings. Staff will reach out to the Plan Board for a workshop in June at the Thomas Center, to present the draft in order to get feedback from both Board members and the Public. Also, possible public hearings in June or July.

**X. Adjournment**     The meeting was adjourned at 8:50 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.

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**Chair, City Plan Board**  
Bob Ackerman

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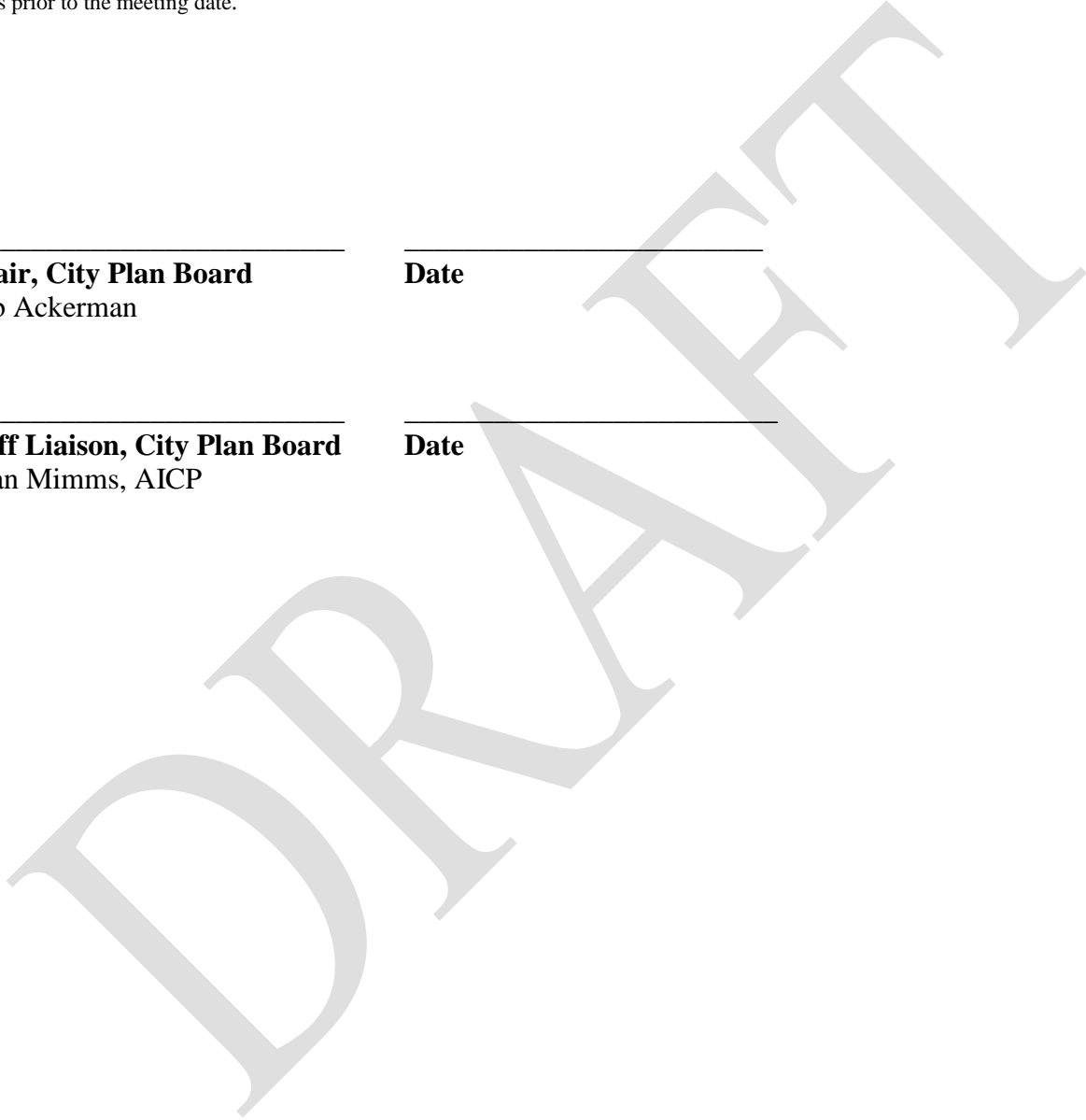
**Date**

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**Staff Liaison, City Plan Board**  
Dean Mimms, AICP

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**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	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:
CITY COUNTY Gainesville Alachua	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
DATE ON WHICH VOTE OCCURRED April 26, 2018	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 April 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., 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-17-00090 was submitted by my employer, eda.

Date Filed

April 17, 2018

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.

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CITY Gainesville	COUNTY Alachua
DATE ON WHICH VOTE OCCURRED May 24, 2018	NAME OF POLITICAL SUBDIVISION: City of Gainesville
	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE

## WHO MUST FILE FORM 8B

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Petition PB-18-44 SVA and PB-18-45 PDA were submitted by my employer, eda.

5/22/18  
Date Filed

[Signature]  
Signature

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