

City of Gainesville

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



Minutes - Final

April 22, 2021

6:30 PM

City Hall Auditorium, 200 East University Avenue

City Plan Board

*Stephanie Sutton - Chair
Bob Ackerman - Member
Christian Newman - Vice-chair
Thomas Hawkins - Member
James Blythe - Member
Sophia Corugedo - Member
Jason Hurst - Member
Tina Certain (School Board Representative)*

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CALL TO ORDER

Call to Order – 6:32 p.m.

ROLL CALL

Members Present:

Stephanie Sutton (Chair), Christian Newman (Vice-Chair), Robert (Bob) Ackerman, Thomas Hawkins, James Blythe, Jason Hurst, Sophia Corugedo

Staff Present:

Andrew Persons, Brittany McMullen, Bedez Massey, Adam Carr, Liliana Kolluri

ADOPTION OF THE AGENDA

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

APPROVAL OF MINUTES

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

[200651.](#)

Draft Minutes of the February 25, 2021 City Plan Board Meetings (B)

RECOMMENDATION

Staff is requesting that the City Plan Board review the draft minutes from the February 25, 2021 meeting and vote to approve the minutes.

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

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.

PUBLIC COMMENT: Request to Address the Board

Khalid Blount and Donald Sheppard addressed the Board.

OLD BUSINESS:

200729. Heritage Overlay District Text Change (B)

Petition PB-21-08 TCH, City of Gainesville. Amend the Land Development Code to modify the purpose, objectives, effect, criteria, and procedures for implementation of the heritage overlay district.

RECOMMENDATION *The Plan Board review the materials and provide further guidance or direction as appropriate.*

Motion By: Ackerman Seconded By: Newman
Moved To: Deny – Remove the Heritage Overlay District Section from the Land Development Code and address issues regarding community character through a different process. Upon Vote: Passed 5-2 (Hawkins, Corugedo opposed)

Adam Carr presented the item for staff and asked for feedback from the Board. Board members discussed the item and asked questions of staff.

A motion was made by Board Member Hawkins, seconded by Board Member Corugedo,

to approve the petition with the condition of striking zoning designations in paragraph D3.

Khalid Blount spoke to the item.

Upon a roll call vote the motion failed 2-5 (Ackerman, Sutton, Newman, Blythe and Hurst opposed).

A motion was made by Board Member Ackerman, seconded by Newman, that the City Plan Board recommend that the district as it is now constituted be removed and attempt to deal more affectively with issues being presented regrading community character. Upon a roll call vote the motion passed 5-2.

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.*

Motion By: Hawkins Seconded By: Newman
Moved To: Approve Upon Vote: Passed 4-2 (Sutton abstained)

Board Chair Sutton submitted for 8b and recused herself from voting on this item.

Brittany McMullen, Planner, presented the item for staff.
 A motion was made by Board Member Hawkins, seconded by Board Member Newman, to approve:
 Portion of the Property with RM land use should be UMU instead of UMUH
 Portion of the property with RL land use should be Mixed-Use Residential
 The board discussed the motion and asked questions of staff.
 Josh Williams, applicant representative, spoke to the item.
 Upon a roll call vote the motion passed 4-2 with Sutton abstained and Ackerman and Blythe opposed.

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.*

Motion By: Hawkins Seconded By: Newman
Moved To: Upon Vote: Passed 6-0 (Sutton abstained)

Board Chair Sutton submitted for 8b and recused herself from voting on this item. The board discussed and asked questions of staff.
 A motion was made by Board Member Hawkins, seconded by Board Member Newman, to recommend approval with the following modifications:
 U5 on the portions of the property with the recommended Mixed-Use Residential land use
 U8 on the portions of the property with the recommended designation of UMU land use.
 Upon a roll call vote the motion passed 6-0 with Sutton abstained.

191037.**Petition PB-19-144 LUC**

City of Gainesville. Amend the City of Gainesville Future Land Use Map from Alachua County Tourist/Entertainment to City of Gainesville Commercial (C). Generally located south of parcel number 06800-006-001, west of Interstate 75, north of SW Archer Road, and east of SW 43rd Street. This petition is related to Petition PB-19-147 ZON.

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

Bede Massey, Planner, presented the item for staff.
 A motion was made by Board Member Newman, seconded by Board Member Corugedo, to approve the petition. Upon a roll call vote the motion passed 7-0.

191038.**Petition PB-19-147 ZON**

City of Gainesville. Rezone property from Alachua County Business, Tourist, and Entertainment (BR-1) to City of Gainesville General Business (BUS). Generally located south of parcel number 06800-006-001, west of Interstate 75, north of SW Archer Road, and east of SW 43rd Street. This petition is related to Petition PB-19-144 LUC.

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

Bedez Massey, Planner, presented the item for staff. A motion was made by Board Member Newman, seconded by Board Member Ackerman, to approve the petition. Upon a roll call vote the motion passed 7-0.

[201117.](#)

Determination of status of a legally non-conforming use for a property located in the U8 Transect Zone. Located at 1516 N Main St.

Explanation:

Per Section 30-10.5 of the City's Land Development Code, certain nonconforming uses that have been established as a legal nonconforming use may continue indefinitely as long as the use is not abandoned. "Abandoned" means to cease the use for a continuous period equaling or exceeding nine months. City staff, after a review of relevant evidence, has determined that the use at this subject property has been inactive for a continuous period equaling or exceeding nine months and has therefore been abandoned. Consequently, this property may no longer be used for outdoor storage and display.

The purpose of this hearing is for the City Plan Board to make a final decision regarding whether or not the use of the property for outdoor storage and display has been abandoned and therefore is no longer permitted. Per Section 30-10.5, the property owner has the burden to present relevant evidence to establish that the use has not been abandoned. Relevant evidence can include public records, utility records, property records, verified personal records, or other general research and documentation. The intent of the owner or user shall not be relevant in determining whether the use has been abandoned. The time period of any legal proceedings related to change of ownership, including foreclosures or bankruptcies, shall not be used in any calculation of the time period for abandonment. Following the close of the public hearing, the City Plan Board shall render its decision no later than 30 calendar days after the date of the hearing.

Fiscal Note

None

Recommendation:

Staff to City Plan Board - Make a final decision regarding whether or not the use of

the property for outdoor storage and display has been abandoned and therefore is no longer permitted.

Motion By: Ackerman Seconded By: Corugedo

Moved To: Continue to next regularly scheduled meeting

Upon Vote:

Passed 7-0

Brittany McMullen presented the item for staff. Daniel Thomas and Mohammad Rajae presented for the applicant. A motion was made by Board Member Ackerman, seconded by Board Member Corugedo, to continue the request so that the applicant may present additional evidence. Upon a roll call vote the motion passed unanimously.

INFORMATION ITEM(S):

MEMBER COMMENT

NEXT MEETING DATE

ADJOURNMENT

Adjournment – 10:07