



Department of Doing
 Planning Division
 PO Box 490, Station 11
 Gainesville, FL 32602-0490

306 N.E. 6th Avenue
 P: (352) 334-5022
 P: (352) 334-5023
 F: (352) 334-2648

CITY PLAN BOARD MINUTES

September 28, 2017 6:30 PM
 City Hall Auditorium
 200 E. University Ave

<u>Members Present</u>	<u>Members Absent</u>	<u>Staff Present</u>
Stephanie Sutton (Chair)	Rob Hyatt (School Board Representative)	Andrew Persons
Bob Ackerman (Vice-Chair)	Bryan Williams	Dean Mimms
Erin Condon		Bede Massey
Terry Clark		Forrest Eddleton
Dave Ferro		Mark Brown
Adam Tecler		

I. Roll Call

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

Motion By: Bob Ackerman	Seconded By: Erin Condon
Moved To: Approve the agenda	Upon Vote: 6-0

III. Approval of Minutes: July 27, 2017; Note: Aug 24th meeting cancelled

Motion By: Erin Condon	Seconded By: Terry Clark
Moved To: Approve the minutes	Upon Vote: 6-0

BOARD MEMBERS

Chair: Stephanie Sutton Vice Chair: Bob Ackerman
 Bryan Williams, Erin Condon, Dave Ferro, Adam Tecler, Terry Clark, Robert Hyatt (School Board representative)
 Staff Liaison: Dean Mimms

IV. Announcement: Section 30-353 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 15 days of the decision (see Sec. 30-234(h) of the Land Development Code). The procedure for an appeal is set forth in Sec. 30-352.1.

V. Request to Address the Board

VI. Old Business

VII. New Business

1. **Petition PB-16-93 SUP** Parametric Design & Development, agent for Beach 220 LLC, owner. Request for an extension of a Special Use Permit (SUP) with development plan review to allow the construction of a 5-story apartment building for the elderly. Zoned: MU-1 (8-30 units/acre mixed-use low intensity district). Located at 2420 SE Hawthorne Road.
Planning Division staff recommends an extension of time not to exceed one year from the September 22, 2017 expiration date for the reasons stated in the applicant's letter.

Bede Massey, Planning Consultant, gave the staff presentation. Dave Ferro who submitted Form 8B, recused himself from voting on this petition.

Motion By: Bob Ackerman	Seconded By: Adam Tecler
Moved To: Approve Petition PB-16-93 SUP	Upon Vote: 5-0 (Recused Dave Ferro)

2. **Petitions PB-16-191 SUP & PB-17-69** CHW, Inc. agent for The Village of Sabal Oaks, LLC. A Special Use Permit with development and master plan review to allow a 4-story, multi-family development and a future medical/office development. Zoned: OF (General office district) and RMF-7 (8—21 units/acre multiple-family residential district). Located at 2801 SW Williston Road.

Forrest Eddleton, Planning Consultant, gave the staff presentation. Mark Brown, Environment Coordinator, gave a presentation. Gerry Dedenbacher, Vice President of CHW, Inc., gave a presentation as agent for the applicant, Josh Highlander, Project Engineer gave a presentation. Don Rosemann, Rosemann, Associates, Architect, gave a presentation. Three members of the public spoke during the public comments portion of the hearing.

Motion By: Bob Ackerman	Seconded By: Adam Tecler
Moved To: Approve Petition PB-16-191 SUP and find that it meets the criteria of Section 30-233 for approval of a Special Use Permit.	Upon Vote: 6-0

Motion By: Bob Ackerman	Seconded By: Adam Tecler
Moved To: Approve Petition PB-17-69 Sabal Oaks Master Plan with the conditions listed in the Staff Report and based on the testimony presented to the Plan Board.	Upon Vote: 6--0

3. **Petition PB-17-65 PD** eda engineers-surveyors-planners, Inc., agent for Weyerhaeuser NR Company. Rezone property from Alachua County Agriculture (A) district to City of Gainesville Planned Development district (PD) to allow for single family residential, multi-family residential, mixed-use development, and conservation management areas. Located east and west of SR 121, north of NW 77th Avenue and south of 122nd Place.

Forrest Eddleton, Planning Consultant in the Department of Doing, explained that this petition is recommended for continuation at the request of the applicant.

Motion By: Bob Ackerman	Seconded By: Erin Condon
Moved To: Continue to the October 26, 2017 meeting of the City Plan Board, as requested by the applicant.	Upon Vote: 5-0 (Sutton recused)

4. **Petition PB-16-185 TCH** City Plan Board. Amend the Land Development Code regarding Medical Marijuana Dispensing Facilities by deleting and amending definitions, and by adding Medical Marijuana Dispensing Facilities as a use by right in the Urban 6 (U6) and Urban 7 (U7) transect zoning districts, Automotive-Oriented Business (BA), Tourist-Oriented Business (BT), Business Industrial (BI), Warehousing and Wholesaling (W), and Airport Facility (AF) zoning districts, and as a use allowable by Special Use Permit in the Corporate Park (CP), Limited Industrial (I-1), and General Industrial (I-2) zoning districts.

The staff presentation was made by Dean Mimms, AICP, Planning Consultant.

Motion By: Bob Ackerman	Seconded By: Erin Condon
Moved To: Approve Petition PB-16-185 TCH	Upon Vote: 4-2 (Nays, Terry Clark and Adam Tecler)

VIII. Information Item:

A. Staff Report Format

Bedez Massey, Planning Consultant, spoke about a luncheon workshop in November for the Plan Board members to discuss the staff report format.

IX. Board Member Comments

X. Adjournment The meeting was adjourned at 8:38 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.

Chair, City Plan Board
Stephanie Sutton

Date

Staff Liaison, City Plan Board
Dean Mimms, AICP

Date

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Ferro, David Rogers Lee		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE City Plan Board	
MAILING ADDRESS 2715 NW 51st Place		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY COUNTY Gainesville, Alachua County		<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED 09/28/2017		NAME OF POLITICAL SUBDIVISION: NA	
		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, David Ferro, hereby disclose that on 09/28, 20 17 :

(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 _____, 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:

I am the licensed real estate broker who has listed the adjoining property for sale. This pertains to PB-16-93 SUP.

9/28/17
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.

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: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY Gainesville	COUNTY Alachua
DATE ON WHICH VOTE OCCURRED September 28, 2017 / October 26, 2017	NAME OF POLITICAL SUBDIVISION: City of Gainesville
	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTEE

WHO MUST FILE FORM 8B

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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:

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APPOINTED OFFICERS (continued)

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DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Stephanie Sutton, hereby disclose that on ~~July 27~~ Sept. 28 / Oct. 26, 20 17 :

(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-17-65 PD is an item submitted by my employer, eda.

Oct. 10, 2017
Date Filed

Stephanie Sutton
Signature

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