

City of Gainesville

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



Meeting Agenda

May 24, 2018

6:30 PM

City Commission Auditorium

City Plan Board

*Bob Ackerman - Chair
Stephanie Sutton - Vice Chair
Erin Condon - Member
Dave Ferro - Member
Terry Clark - Member
Megan Walker-Radtke - Member
Christian Newman - Member
Robert Hyatt - School Board Representative
Staff Liaison - Dean Mimms*

CALL TO ORDER**ROLL CALL**[180021.](#)

City Plan Board Attendance Roster: October 26, 2017 through April 26, 2018 (B)

Explanation: City Plan Board attendance roster for Board Members to review.

[180021_CPBA Attendance_2017-2018_20180524.pdf](#)

ADOPTION OF THE AGENDA**APPROVAL OF MINUTES - April 26, 2018**[180023.](#)

Draft minutes of the April 26, 2018 City Plan Board Meeting (B)

RECOMMENDATION

Staff is requesting that the City Plan Board review the draft minutes from the April 26, 2018 meeting and vote to approve the minutes.

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

[180023_CPBA 180426 Minutes draft_20180524.pdf](#)

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:**[170920.](#)

Rezone from General Office (OF) and Conservation (CON) to Mixed-Use Low-Intensity (MU-1) and Conservation (CON) (B)

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 Petition PB-17-157 LUC.

Explanation: This is a request to rezone ±7.1 acres of land from General Office (OF) and Conservation (CON) to Mixed-Use Low-Intensity (MU-1) and Conservation (CON). According to the applicant's justification report, non-residential development consisting of retail sales, service and office uses is proposed on the northern ±3.9 acres of the subject property, and stormwater management, natural area, and passive recreation are proposed on the southern ±3.2 acres of the subject property. A companion small-scale land use amendment request is filed under PB-17-157 LUC.

The subject property is the former site of the St. Michael's Episcopal Church. It is located on the southwest corner of the NW 23rd Avenue and NW 43rd Street intersection. Tax parcels that contain single-family residential structures, and that have Single-Family (SF): up to 8 units per acre land use and Single-Family (RSF-1) zoning designations, abut on the south. A tax parcel used as open space with Conservation (CON) land use and zoning designations abuts on the west. The Rutledge Community Cemetery, which has Public and Institutional Facilities (PF) land use and Public Services and Operations (PS) zoning designations, abuts the subject property on the north and west.

Fiscal Note: None.

RECOMMENDATION

Staff to City Plan Board - Staff recommends approval of Petition PB-17-158 ZON.

[170920 Staff Report w Appendix A-E 20180322.pdf](#)

[170920A Staff report w Appendices A-F 20180426 .pdf](#)

[170920B Affected Parties Submittal from Don Niesen 20180426.pdf](#)

[170920A Staff report w Appendices A-F 20180524 .pdf](#)

[170920B Affected Parties Submittal from Don Niesen 20180524.pdf](#)

[170920C PB-17-58 ZON 2018-05-16 Massey Ltr 20180524..pdf](#)

[170920D Exhibit I Combined Petitions PlanBoardDoc May24 DD 20180524.](#)

[170920E PB-17-58 ZON Exhibit J Attila Bodo Staff Report Review - Rezoning](#)

[170920F Thomas Lau StMichaels letter 180509 20180524.pdf](#)

NEW BUSINESS:

[180022.](#)

Special Use Permit and Minor Development Plan Review to Construct a Gas Station with 12 Fueling Positions and a Convenience Store with Eating Place.

Petition PB-17-165 SUP: CHW, Inc., agent for E.W. Burch, Jr., ABC Liquors, Inc., and BW University and 10th 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 10th Street.

Explanation: This is a request for a Special Use Permit (SUP) to construct a gasoline station with 12 fueling positions with an approximately 5,564 square foot convenience store with an associated eating place. The current zoning on the property is Urban 7, which allows gasoline /alternative fuel stations as a use by right. In accordance with Section 30-5.13 - Gasoline and alternative fuel stations of Article V, gasoline stations are allowed up to six fueling positions by right in transect zones. Up to 12 fueling positions may be allowed as part of a special use permit process. The Urban 7 zoning district is a transect zone, thus requiring a Special Use Permit for the proposed 12 fueling positions.

An additional requirement for this petition is the adoption of Ordinance 171039 concerning the vacation of the 8 foot wide right-of-way located in the middle of the proposed development site for the gas station / convenience store.

Fiscal Note: None.

RECOMMENDATION

Continue Petition PB-17-165 SUP to the June 28, 2018 meeting of the City Plan Board.

[180022 Staff Report continuation 20180524.pdf](#)

180018.

Amend Design Condition in Walnut Creek Planned Development (B)

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.

Explanation: This petition request an amendment to the Walnut Creek Planned Development (ordinance 071066) by removing design condition that requires garages which are accessed from the front of a house to be setback a minimum of 20 feet to the rear of the front porch or the front façade of the house. The removal of this condition will only apply to lots 88-113, within Fletcher Oaks/ Walnut Creek Phase II plat.

This condition was placed in the PD condition with the intent that lot layout would include alleyways or rear access to lots; the lots in the southern half of the second phase of Walnut Creek, also known as Fletcher Oaks, do not have rear access alleyways. The proposed amendment to the Planned Development will allow feasible and appropriate development within the subdivision lots.

Fiscal Note: None.

RECOMMENDATION *Staff to City Plan Board- Staff recommends approval of Petition PB-18-37 PDA.*

[180018_Staff Report w Appendices A - E_20180524.pdf](#)

[180017.](#)

Vacate a Portion of a 10-Foot Wide Alley Lying Between 204 NE and 114 NE Waldo Road (B)

Petition PB-18-44 SVA. EDA Engineering, Surveyors, and 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.

Explanation: The purpose of this request is to vacate a portion of a 10-foot wide alley that lies between 204 NE and 114 NE Waldo Road. The right-of-way to be vacated is approximately 1249 square feet and connects directly to Waldo Road. The alley is unimproved and is presently not utilized as a public right-of-way. Commercial and residential properties along the alley have merged over the alley, making it inaccessible to the public.

Vacation of this right-of-way will facilitate the redevelopment of the adjoining properties on either side of the alley, all of which are owned by the applicants. The applicant intends to redevelop these properties which are located in the Enterprise Zone as a unified commercial/ retail development.

Fiscal Note: None.

RECOMMENDATION *Staff to City Plan Board - Staff recommends approval of Petition PB-18-44 SVA.*

[180017_Staff report w Exhibits 1-3_20180524.pdf](#)

[180016.](#)

Planned Development (PD) Amendment to Existing Approved PD Ordinance to Allow the Construction of a Parking Garage and Other Related Improvements (B)

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.

Explanation: This is a request to amend the North Florida Regional Medical Center (NFRMC) Planned Development (PD). According to the applicant's Planned Development (PD) Report, the purpose of this request is to facilitate the construction of a new parking garage and update the

governing documents of the PD.

The North Florida Regional Medical Center (NFRMC) Planned Development (PD) consists of ±17 acres of land, which are located on the east side of the NFRMC campus. The PD includes the Cancer Center; the Medical Arts Building; a telecommunication tower with accessory structures; a multi-level parking garage; and a jogging path/trail. Natural resources within the PD include a surface water area used as a duck pond; a wetland; and a linear drainage feature that is currently designated an ecologically sensitive area. The PD also includes public utilities, stormwater facilities and private streets.

Fiscal Note: None.

RECOMMENDATION

Staff to City Plan Board - Staff recommends approval of 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.

[180016 Staff Report w Appendices A-C 20180524 .pdf](#)

[180020.](#)

Vacate public right-of-way in the 1300 block of SW 5th Avenue (B)

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.

Explanation: The purpose of this request is to vacate a segment of the SW 5th Avenue right-of-way on the east side of SW 13th Street. The right-of-way to be vacated is approximately 0.3 acres in size and extends 210 feet to the east of SW 13th Street and 70 feet to the south along SW 13th Street. This right-of-way area is adjacent on its north side to a former fraternity house and to a small, public pedestrian plaza on its south side. This right of way area is currently used for a single-lane, one-way street with diagonal parking on the north, and on the south as a part of the small pedestrian plaza that extends beyond it to the realigned segment of two-lane SW 5th Avenue (Inner Road) to the south.

Vacation of this segment of the SW 5th Avenue right-of-way will facilitate redevelopment of the former fraternity property into a planned mid-rise, mixed-use development. As stated in the application for this right-of-way vacation, "the developer's intent is to repurpose the vacated right-of-way area to eliminate vehicular use of the areas and preserve and expand the pedestrian plaza by connecting the proposed development with the existing CRA plaza area."

This proposed right-of-way vacation will eliminate an intersection that does not meet City and State of Florida spacing standards.

Fiscal Note: None.

RECOMMENDATION

Staff to City Plan Board - Continue Petition PB-18-27 SVA at the request of the applicant to the June 28, 2018 meeting of the City Plan Board.

[180020_Staff Report continuation_20180524.pdf](#)

INFORMATION ITEM:**A. Subdivision Review Update**

NEXT MEETING DATE: June 28, 2018

ADJOURNMENT

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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