



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  
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## CITY PLAN BOARD MINUTES

April 27, 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)	Dave Ferro	Andrew Persons
Bob Ackerman (Vice-Chair)		Dean Mimms
Erin Condon		Ralph Hilliard
Terry Clark		Sean McDermott
Bryan Williams		
Adam Tecler		
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> Not seconded
<b>Moved To:</b> Amend the agenda by moving Old Business Item No. 1 so that it follows New Business Item No. 4	Motion failed for lack of a second

<b>Motion By:</b> Bob Ackerman	<b>Seconded By:</b> Adam Tecler
<b>Moved To:</b> Approve the agenda	<b>Upon Vote:</b> 6-0

### III. Approval of Minutes: March 23, 2017

<b>Motion By:</b> Bob Ackerman	<b>Seconded By:</b> Erin Condon
<b>Moved To:</b> Approve the minutes	<b>Upon Vote:</b> 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**

1. **Petition PB-17-13 TCH** City of Gainesville. Amend the Land Development Code (Chapter 30 of the City of Gainesville Code of Ordinances) by deleting the definition of Rehabilitation Centers and adding a definition for Sexual Offender Treatment Centers; by deleting Rehabilitation Centers as a permitted use in Code; and by adding Sexual Offender Treatment Centers as a permitted use by Special Use Permit in the following zoning districts: General Business District (BUS), Mixed-Use Medium-Intensity District (MU-2), Central City District (CCD), Business Industrial District (BI), and Medical Services District (MD).

Planning Manager Ralph Hilliard gave the staff presentation on this petition. 17 members of the public spoke during the public comments part of the hearing.

<b>Motion By:</b> Bob Ackerman	<b>Seconded By:</b> Adam Tecler
<b>Moved To:</b> Deny Petition PB-17-13 TCH	<b>Upon Vote:</b> 6-0

**VII. New Business**

1. **Petition PB-17-28 LUC** City of Gainesville. Amend the City of Gainesville Future Land Use Map from Alachua County Low Density Residential (1-4 DU/acre) to City of Gainesville Single-Family (up to 8 units per acre). The property is west of I-75 and is generally located south of SW Archer Road, west of SW 50th Terrace, north of SW 57th Avenue, and east of SW 53<sup>rd</sup> Place. Related to PB-17-30 ZON.

Plan Board Chair Stephanie Sutton, who previously submitted Form 8B, recused herself from voting on this petition. Lead Planner Dean Mimms, AICP, gave staff's combined presentation on this petition and related Petition PB-17-30 ZON. 12 members of the public spoke during the public comments part of the hearing.

<b>Motion By:</b> Terry Clark	<b>Seconded By:</b> Bob Ackerman
<b>Moved To:</b> Approve Petition PB-17-28 LUC	<b>Upon Vote:</b> 5-0 (Sutton recused)

2. **Petition PB-17-30 ZON** City of Gainesville. Rezone property from Alachua County R-1A and R-1C, Single family, low density district (1-4 du/acre), and RE-1, Single family, low density district (1 per 2 acres to 2 per acre), to City of Gainesville RSF-4: 8 units/acre single-family residential district. The property is west of I-75 and is generally located south of SW Archer Road, west of SW 50th Terrace, north of SW 57th Avenue, and east of SW 53<sup>rd</sup> Place. Related to PB-17-28 LUC.

Plan Board Chair Stephanie Sutton, who previously submitted Form 8B, recused herself from voting on this petition. Lead Planner Dean Mimms, AICP, gave staff's combined presentation on this petition and related Petition PB-17-28 LUC. 12 members of the public spoke during the public comments part of the hearing.

<b>Motion By:</b> Bob Ackerman	<b>Seconded By:</b> Erin Condon
<b>Moved To:</b> Approve Petition PB-17-30 ZON	<b>Upon Vote:</b> 5-0 (Sutton recused)

3. **Petition PB-17-29 CPA** City Plan Board. Update the 5-Year Schedule of Capital Improvements in the Capital Improvements Element of the Gainesville Comprehensive Plan.

Lead Planner Dean Mimms, AICP, gave the staff presentation. One member of the public spoke during the public comments portion of the hearing.

<b>Motion By:</b> Bob Ackerman	<b>Seconded By:</b> Erin Condon
<b>Moved To:</b> Approve Petition PB-17-29 CPA	<b>Upon Vote:</b> 6-0

4. **Petition PB-17-33 MSC** Kurt & Renee Strauss, owners. Amend the Northeast Residential Historic District map to change the status of the house from a non-contributing structure to a contributing structure and show the new accessory structure as non-contributing. Located at 1216 NE 4th Street.

Jason Simmons, Planner, gave the staff presentation. Rene Strauss, owner, made a presentation as the applicant. One member of the public spoke during the public comments portion of the hearing.

<b>Motion By:</b> Bob Ackerman	<b>Seconded By:</b> Terry Clark
<b>Moved To:</b> Approve Petition PB-17-33 MSC	<b>Upon Vote:</b> 6-0

#### **VIII. Information Item:**

##### **A. Land Development Code update**

Principal Planner Andrew Persons, AICP, provided an update on this topic.

#### **IX. Board Member Comments**

##### **X. Adjournment** The meeting was adjourned at 10:13 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 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 Gainesville		COUNTY Alachua	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
DATE ON WHICH VOTE OCCURRED April 27, 2017		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 27, 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-17-28 LUC and Petition PB-17-30 ZON and is an item related to a project being worked on by my employer, eda.

Date Filed

April 27, 2017

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.