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**

### February 22, 2018 6:30 PM City Hall Auditorium 200 E. University Ave

Members Present	Members Absent Staff Present	
Bob Ackerman (Chair)	Rob Hyatt (School Board	Dean Mimms
	Representative)	
Stephanie Sutton (Vice-Chair)		Andrew Persons
Dave Ferro		Megan Echols
Megan Walker-Radthke		Florence Buaku
Bryan Williams		
Terry Clark		
Erin Condon		
Christian Newman		

#### I. Roll Call

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

Motion By: Erin Condon	Seconded By: Dave Ferro
Moved To: Approve	Upon Vote: 7-0

#### III. Approval of Minutes: January 25, 2018

Motion By: Erin Condon	Seconded By: Terry Clark
Moved To: Approve	Upon Vote: 7-0

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

#### ADAM TECLER - City Plan Board Plaque

Adam Techler received a plaque for the 3 years he served on the Plan Board.

#### VI. Old Business

OB1. <u>Petition PB-17-131 SUP</u> Approval of the written order CHW, Inc. (Robert Walpole, P.E.) agent for Blakewood LLC, owner. Amendment to a Special Use Permit with development plan review to construct a Gasoline and Alternative Fuel Stations with twelve (12) fueling positions, convenience store and eating place. Zoned: MU-1 (8-30 units/acre mixed-use low intensity). Located at 2373 SW Archer Road.

No members of the public spoke to this matter before the Plan Board, nor did the applicant, the applicant's agent, nor any affected parties.

Motion By: Terry Clark	Seconded By:Stephanie Sutton
Moved To: Approve the written order	Upon Vote: 7-0
for Petition PB-17-131 SUP	

#### VII. New Business

1. Petition PB-17-07 ZON

Thomas A. Daniel, agent for Julie Ann Miller, Trustee. Rezone property from BUS (General Business) to BI (Business Industrial). Located at 3520 NE Waldo Road.

Dean Mimms, AICP, gave the staff presentation. Thomas A. Daniel spoke as agent for the applicant.

Motion By: Dave Ferro	Seconded By: Megan Walker- Radke

Moved To: Approve Petition PB-17-07 ZON Upon Vote: 7-0

#### 2. <u>Petition PB-17-104 SUP</u> CHW, Inc., agent for Gate Petroleum Company. Special Use Permit with a concept plan to allow a gasoline station with 12 fueling positions. Located at 506 and 516 NW 13<sup>th</sup> Street.

Continued at request of the applicant upon adoption of the agenda

 <u>Petition PB-17-113 ZON</u>
 City of Gainesville. Rezone property from Alachua County Multiple family, medium-high density (R-2a) district to City of Gainesville RMF-5, on ± 8.3 acres. Located at 6224 SW 20<sup>th</sup> Avenue. Related to PB-17-112 LUC.

Megan Echols, Planner, gave the staff presentation. Clay Sweger, AICP, Principal / Director Planning for eda engineers-surveyors-planners, inc., spoke on behalf of the property owner. Prior to the vote, Vice-Chair Stephanie Sutton stated that she previously submitted Form 8B and is therefore recused from voting on this petition.

Motion By: Dave Ferro	Seconded By: Erin Condon
Moved To: Approve Petition PB-17-113 ZON	<b>Upon Vote:</b> 6-0 (Sutton recused)

4. <u>Petition PB-18-15 TCH</u> City Plan Board. Amend various sections of the Land Development Code to increase the minimum width of sidewalks along certain streets and revise related regulations to improve pedestrian safety and comfort.

Andrew Persons, Consultant Planner gave Planning staff's presentation.

Motion By: Erin Condon	Seconded By: Terry Clark
Moved To: Approve Petition PB-18-15 TCH	Upon Vote: 6-1 (Nay: Dave Ferro)

# 5. <u>Petition PB-17-145 CPA</u> City Plan Board. Amend the City of Gainesville Comprehensive Plan to meet statutory water supply planning requirements.

Florence Buaku, Planner, and Rick Hutton, Supervising Engineer from GRU gave a staff presentation on the Joint Alachua County/ City of Gainesville Water Supply Facilities Work Plan (2020-2028) and proposed comprehensive plan amendments associated with the work plan. Mark van Soestbergen, from Carbon Solutions, spoke during the public comment session in support of the work plan.

Motion By: Terry Clark	Seconded By: Erin Condon
Moved To: Approve Petition PB-17-145 CPA	Upon Vote: 7-0

#### **VIII. Information Items:**

#### A. Land Development Code regulations for Downtown (moved to CPB March meeting)

#### IX. Board Member Comments

#### **X.** Adjournment The meeting was adjourned at 7:59 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 Bob Ackerman	Date
<b>Staff Liaison, City Plan Board</b> Dean Mimms, AICP	Date

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

LAST NAME—FIRST NAME—MIDDLE NA Sutton, Stephanie	ME		NAME OF BOARD, OP Plan Board	COUNCIL, COMMISSI	ON, AUTHORITY, OR COMMITTEE
MAILING ADDRESS 2015 NW 12th Road			THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:		
CITY	COUNTY		✓CITY	COUNTY	OTHER LOCAL AGENCY
Gainesville	Alachua		NAME OF POLITICAL SUBDIVISION: City of Gainesville		
DATE ON WHICH VOTE OCCURRED					
December 5, 2017 and January 25, 2	018		MY POSITION IS:		

#### 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 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)		
<ul> <li>A copy of the form must be provided immediately to the other members of the agency.</li> </ul>		
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:		
<ul> <li>You must disclose orally the nature of your conflict in the measure before participating.</li> </ul>		
<ul> <li>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.</li> </ul>		
DISCLOSURE OF LOCAL OFFICER'S INTEREST		
I, Stephanie Sutton, hereby disclose that on Dec. 5, 2017 and Jan 25, 2018 20:		
(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-17-112 LUC and PB-17-113 ZON are items submitted by my employer, eda.		
Dec S, 2017 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.