

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

November 29, 2018 6:30 PM Roberta Lisle Kline Conference Room 200 E. University Ave

| Members Present | Members Absent | Staff Present | |
|-------------------------------|-------------------------|-------------------|--|
| | | | |
| Bob Ackerman (Chair) | | Megan Echols | |
| Stephanie Sutton (Vice-Chair) | | Bedez Massey | |
| | Christian Newman | Lawrence Calderon | |
| Megan Walker-Radthke | | | |
| | Erin Condon | | |
| Terry Clark | | | |
| Dave Ferro | | | |
| | Rob Hyatt (School Board | | |
| | Representative) | | |

I. Roll Call

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

| Motion By: Stephanie Sutton | Seconded By: Dave Ferro |
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| | |
| Moved To: Approve | Upon Vote: 5-0 |

III. Approval of Minutes: NONE

| Motion By: N/A | Seconded By: |
|-------------------|--------------|
| | |
| Moved To: Approve | Upon Vote: |

BOARD MEMBERS

Chair: Bob Ackerman Vice Chair: Stephanie Sutton

Bryan Williams, Erin Condon, Dave Ferro, Adam Tecler, Terry Clark, Robert Hyatt (School Board representative)

Staff Liaison: Dean Mimms

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

Don Niesen representative for affected residents requested to be on a future agenda in regards to suspended petition PB-17-158 ZON.

VI. Old Business

VII. New Business

1. **Petition PB-18-125 ZON**

JBrown Professional Group, Inc., agent for Streit's Inc., owner. Rezone property from General Business (BUS) to Automotive-Oriented (BA) to allow vehicular sales with outdoor display and vehicle repair. Located just north of 4920 NW 13th Street.

Bedez Massey, Planner gave the staff presentation.

-Gerry Dedenbach, CHW, agent for the applicant spoke in regards to the presentation.

-Don Shepard spoke in regards to the presentation.

| Motion By: Dave Ferro | Seconded By: Terry Clark |
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| Moved To: Approve Petition PB-18-125 ZON | Upon Vote: 5-0 |

2. <u>Petition PB-18-138 ZON</u>

eda engineers-surveyors-planners, inc., agent for PK5, LLC. Rezone property from Planned Development (PD) to Office (OF). 4500 block of NW 27th Ave.

Megan Echols, Planner gave the staff presentation.

- -Clay Sweger, agent for the applicant, gave a presentation for eda engineers-surveyors-planners, inc., in regards to the petition.
- -Loraine McKenna spoke in regards to the petition.
- -Robert Christianson spoke in regards to the petition.

Plan Board Vice-Chair Stephanie Sutton stated that she is recusing herself from voting on this

petition, and that she submitted Form 8B (Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers)

| Motion By: Dave Ferro | Seconded By: Terry Clark |
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| | |
| Moved To: Approve Petition PB-18-138 ZON | Upon Vote: 4-0 (Sutton recused) |

3. Petition PB-18-94 SUP

CHW, Inc., agent for University of Florida Foundation, Inc., owner. Request for a Special Use Permit with development plan review to construct a surface level, temporary parking lot within the U-9 zoning district. Zoned: U-9. Located at the NE corner of SW 13th Street and SW 1st.

Lawrence Calderon, Planner, gave the staff presentation.

| Motion By: Terry Clark | Seconded By: Stephanie Sutton |
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| | |
| Moved To: Approve petition PB-18-94 SUP | Upon Vote: 5-0 |

4. **Petition PB-18-126 SUP**

CHW, Inc., agent for Legacy Fountains of Gainesville LLC, owner. Special Use Permit (SUP) with development plan review to allow construction of a Gasoline and Alternative Fuel Stations with twelve (12) fueling positions, a convenience store and a carwash. Zoned: MU-1 (8-30 units/acre mixed use low intensity district). Located at the southwest corner of SW 20th Avenue and SW 52nd Street.

Lawrence Calderon, Planner, gave the staff presentation.
-Ryan Thompson of CHW, inc., agent for the applicant, spoke in regards to the petition.

| Motion By: Terry Clark | Seconded By: Megan Walker-Radtke |
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| Moved To: Continue Petition PB-18-126 | Upon Vote: 4-1 |
| SUP to the CPB Jan 24, 2019. | |

| City Plan | Board November 29 | , 2018 |
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| (Continue | ed) | |

VIII. Information Item:

A. Evaluation Appraisal Report

| le to give a presentation this time. |
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IX. Board Elections

Terry Clark recommended Bob Ackerman for the position of Chair and Megan Walker for the position Vice-Chair for the 2019 year. Remaining members approved the recommendation, 4-0.

X. Board Member Comments

XI. 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.

| Chair, City Plan Board Bob Ackerman | Date | |
|--|------|--|
| Staff Liaison, City Plan Board Megan Echols, Planner | 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 BOAR Plan Board | 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 | COUNTY | | COUNTY | OTHER LOCAL AGENCY | |
| Gainesville Alachua | | NAME OF POLIT City of Gainesville | TICAL SUBDIVISION: | | |
| DATE ON WHICH VOTE OCCURRED | | Total Control (Control Control | | | |
| November 29, 2018 | | MY POSITION IS | ELECTIVE | ✓ 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 November 29 | 20 18 | |
| (a) A measure came or will come before in inured to my special private gain or inured to the special gain or loss or inured to the special gain or loss or whom I am retained; or inured to the special gain or loss or is the parent organization or subside | my agency which (check one) | ; ; by | |
| | as submitted by my employer, eda. | | |
| | | | |
| 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.