



Department of Doing  
Planning Division  
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## DRAFT CITY PLAN BOARD AGENDA

February 27, 2020 6:30 PM  
City Hall Auditorium  
200 E. University Ave

### I. Roll Call

<u>Members Present</u>	<u>Members Absent</u>	<u>Staff Present</u>
Erin Condon (Chair)	Christian Newman	Andrew Persons
James Blythe	Stephanie Sutton	Brittany McMullen
Robert Ackerman		Yvette Thomas
Megan Walker-Radtke		Juan Castillo
Thomas Hawkins		Jason Simmons

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

<b>Motion By:</b> Walker-Radtke	<b>Seconded By:</b> Hawkins
<b>Moved To:</b> Approve	<b>Upon Vote:</b> Passed 5-0

### III. Approval of Minutes: January 23, 2020

<b>Motion By:</b> Walker-Radtke	<b>Seconded By:</b> Ackerman
<b>Moved To:</b> Approve	<b>Upon Vote:</b> Passed 5-0

### 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** - None

#### BOARD MEMBERS

Chair: Erin Condon Vice Chair: Stephanie Sutton  
Thomas Hawkins, Robert Ackerman, Megan Walker-Radtke, Christian Newman, James Blythe  
Staff Liaison: Brittany McMullen

**VI. Old Business - None.****VII. New Business**1. **Petition PB-19-145 LUC**

eda. Amend the City of Gainesville Future Land Use Map from City of Gainesville Residential Medium (RM) and Residential Low (RL) to City of Gainesville Urban Mixed-Use High Intensity (UMUH). Generally located northwest of the intersection of SW 43<sup>rd</sup> Street and SW 24<sup>th</sup> Avenue. This petition is related to PB-19-146 ZON. (Legistar number 190980)

This item was withdrawn by the applicant.
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2. **Petition PB-19-146 ZON**

eda. Rezone property from City of Gainesville Multiple-Family Residential (RMF-8, RMF-7) and Single-Family/Multiple-Family Residential (RMF-5) to City of Gainesville Urban 9 (U-9). Generally located northwest of the intersection of SW 43<sup>rd</sup> Street and SW 24<sup>th</sup> Avenue. This petition is related to PB-19-145 LUC. Legistar Number 190981

This item was withdrawn by the applicant.
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3. **Petition PB-19-175 LUC**

City of Gainesville. Amend the City of Gainesville Future Land Use Map from Alachua County Commercial, Office/Residential, and Residential to City of Gainesville Commercial, Office, and Single-Family. Generally located on the south side of SW Williston Road at the intersection of SW Williston Road and SW 34<sup>th</sup> Street. This petition is related to PB-19-176 ZON. Legistar Number 190982

<b>Motion By:</b> Hawkins	<b>Seconded By:</b> Ackerman
<b>Moved To:</b> Approve with revisions	<b>Upon Vote:</b> Passed 5-0

Juan Castillo, Planner, presented the item providing a summary of the request to assign a City of Gainesville land use designation to a recently annexed property. Mr. Castillo summarized the request and concluded that staff recommended approval. Several members of the public including neighboring property owners spoke on the item. Dink Henderson, one of owners of the subject property, spoke to some of the concerns raised by neighbors.

Questions were raised by the public and Board regarding protections for the scenic road since the property has been annexed and the scenic road is a county designation. Board Member Hawkins made a motion to recommend approval with an amendment that the text in Policy 4.7 of the Comprehensive Plan be amended to provide for protections of the scenic road in the same way that protections are currently provided through Alachua County. Board Member Ackerman seconded the motion. Upon vote the motion passed.

4. **Petition PB-19-176 ZON**

City of Gainesville. Rezone property from Alachua County Highway Oriented Business, Residential/Professional, and Residential-Estate to City of Gainesville Business, Office, and Residential Single-Family (RSF-1). Generally located on the south side of SW Williston Road at the intersection of SW Williston Road and SW 34<sup>th</sup> Street. This petition is related to PB-19-175 LUC.  
Legistar Number 190983

<b>Motion By:</b> Ackerman	<b>Seconded By:</b> Hawkins
<b>Moved To:</b> Approve	<b>Upon Vote:</b> Passed 5-0

Juan Castillo, Planner, presented the item. Mr. Castillo summarized the request and concluded that staff recommended approval. The Board discussed and asked questions regarding the proposed rezoning and several members of the public spoke on the item. Mr. Castillo and Liliana Kolluri answered questions regarding the process and the Serenola Forest Strategic Ecosystem overlay. Board Member Ackerman made a motion to approve the request which was seconded by Board Member Hawkins. Upon vote the recommendation to approve passed unanimously.

5. **Petition PB-19-183 SVA**

CHW. Right-of-Way Vacation for a portion of an alley located west of SW 9<sup>th</sup> Terrace and East of SW 10<sup>th</sup> Street.  
Legistar Number 190985

<b>Motion By:</b> Ackerman	<b>Seconded By:</b> Blythe

<b>Moved To:</b> Approve	<b>Upon Vote:</b> Failed 2-3 (Hawkins, Condon and Walker-Radtke opposed)
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<b>Motion By:</b> Hawkins	<b>Seconded By:</b> Walker-Radtke
<b>Moved To:</b> Deny	<b>Upon Vote:</b> Passed 3-2 (Ackerman and Blythe opposed)

Brittany McMullen, Planner, presented the item, summarizing the request and concluding that staff recommended approval of the vacation.  
 Gerry Dedenbach presented for the applicant.  
 Board members asked questions of staff and the applicant.  
 Members of the public spoke on the item.  
 Board Member Ackerman made a motion to approve the vacation contingent on the Special Use Permit being approved. The motion was subsequently withdrawn.  
 Board Member Ackerman made a motion to approve PB-19-183 SVA which was seconded by Board Member Blythe. Upon vote the motion failed 2-3 with Board Members Hawkins, Condon and Walker-Radtke opposed.  
 Board Member Hawkins made a motion to recommend denial of PB-19-183 SVA which was seconded by Board Member Walker-Radtke. Upon vote the motion passed 3-2 with Ackerman and Blythe opposed.

6. **Petition PB-19-182 SUP**

CHW, Inc. Petition for Special Use Permit to increase residential density from 150 units/acre to 175 units/acre in order to construct a total of 210 multi-family units.  
 Located south of W University Avenue, North of SW 1st Avenue, West of SW 9th Terrace, and East of SW 10th Street.  
 Legistar Number 190984

<b>Motion By:</b> Hawkins	<b>Seconded By:</b> None
<b>Moved To:</b> Deny	<b>Upon Vote:</b> Failed for lack of second

<b>Motion By:</b> Ackerman	<b>Seconded By:</b> Blythe
<b>Moved To:</b> Approve with staff recommended conditions	<b>Upon Vote:</b> Passed 3-2 (Hawkins and Condon opposed)

Brittany McMullen, Planner, presented the item, summarizing the request and concluding that staff recommended approval of the special use permit.  
 Gerry Dedenbach presented for the applicant.  
 Board members asked questions of staff and the applicant. Ms. McMullen clarified that the staff report contained two suggested conditions, one of which was that the approval be

contingent on the final approval of the associated right-of-way vacation by the City Commission.

Board Member Hawkins made a motion to deny the petition. The motion failed for lack of a second.

Board Member Ackerman made a motion to approve the petition with conditions as provided in the Staff Report. The motion was seconded by James Blythe. Upon vote the motion passed 3-2 with Board Members Hawkins and Condon opposed.

7. **Petition PB-19-152 LUC**

CHW. Amend the City of Gainesville Future Land Use Map from Alachua County Low Density Residential to City of Gainesville Planned Use District (PUD) and amend conditions. Generally located north of SW Archer Road, east of SW 50<sup>th</sup> St. and west of SW 47<sup>th</sup> St. This petition is related to PB-19-151 ZON.  
Legistar Number 190986

<b>Motion By:</b> Ackerman	<b>Seconded By:</b> Blythe
<b>Moved To:</b> Approve	<b>Upon Vote:</b> Passed 4-1 (Hawkins opposed)

Juan Castillo, Planner, presented the request, concluding that staff recommended approval. Ryan Thompson, CHW, presented for the applicant.

Members of the public and the Board asked questions which were answered by Mr. Castillo and Patrice Boyse, representative for the applicant.

After some discussion Board Member Ackerman made a motion to approve which was seconded by Board Member Blythe. Board Member Hawkins proposed an amendment to the motion which was not accepted by the maker of the motion. Upon vote the motion passed 4-1 with Board Member Hawkins opposed.

8. **Petition PB-19-151 ZON**

CHW. Rezone property from Alachua County R-1A: Single-family, R-1C: Single-family Residential, and Agricultural to City of Gainesville Council on Aging Planned Development (PD) and amend PD conditions. Generally located north of SW Archer Road, east of SW 50<sup>th</sup> St. and west of SW 47<sup>th</sup> St. This petition is related to PB-19-152 LUC.  
Legistar Number 190987

<b>Motion By:</b> Ackerman	<b>Seconded By:</b> Blythe
<b>Moved To:</b> Approve	<b>Upon Vote:</b> Passed 5-0

Juan Castillo, Planner, summarized the request and concluded that staff recommended approval of the rezoning.  
 Ryan Thompson, CHW, presented for the applicant.  
 No members of the public spoke on the item.  
 Board Member Ackerman made a motion to approve which was seconded by Member Blythe. The motion passed unanimously.

#### 9. **ADU Text Change**

City of Gainesville. Petition to amend Sec. 30-5.33.  
 Accessory Dwellings of the City of Gainesville's Land  
 Development Code to allow accessory dwellings within  
 single-family residential zoning districts.  
 Legistar Number 190988

<b>Motion By:</b> Ackerman	<b>Seconded By:</b> Hawkins
<b>Moved To:</b> Approve with revisions	<b>Upon Vote:</b> Passed 5-0

Yvette Thomas, Planner, presented the item explaining that the proposed text change was initiated by the City Commission and City Plan Board as part of their efforts to identify Land Development Code changes discussed at a joint meeting in June of 2019. The proposed text change would allow for accessory dwelling units within single-family residential zoning districts.

Board members discussed the item and asked questions of staff. Several members of the public spoke on the issue.

Board Member Ackerman made a motion to approve the text amendment with the following modifications:

1. Eliminate the homestead exemption requirement; 2. Eliminate the height requirement and instead regulate the height based on restrictions of the zoning district and 3. Permit on-street parking to count towards parking requirements.

Board Member Walker-Radtke preferred the height limit to be based on the primary structure or 1.5 stores.

Board Member Hawkins suggested to change the motion to state that the maximum height allowed shall be 2 stories instead of 1.5 (item D.1.c), and add "height" to the list of criteria for design and dimensional requirements in D.1.e ("The accessory dwelling unit shall be designed as a subordinate structure to the primary structure on the lot in terms of its mass, size, height and architectural character").

Board Member Ackerman accepted the amended motion and Board Member Hawkins seconded the motion.

Board Member Hawkins made a motion to amend the proposed language in C.1 to state "lot within the boundaries shown on an approved and recorded subdivision plat". Board Member Ackerman accepted the amendment to the motion.

Upon vote the motion passed unanimously.

**10. Petition PB-19-161 SVA**

CHW. Request to vacate the 20 foot wide right-of-way of NW 4<sup>th</sup> Lane between NW 13<sup>th</sup> Street and NW 14<sup>th</sup> Street. Legistar Number 190989

<b>Motion By:</b> Ackerman	<b>Seconded By:</b> Blythe
<b>Moved To:</b> Approve	<b>Upon Vote:</b> Passed 3-2 (Hawkins and Condon opposed).

Jason Simmons, Planner, presented the item, summarizing the request and concluding that staff recommended approval of the right-of-way vacation.

Board Member Hawkins made a motion to extend the meeting to 11:00 p.m. The motion was seconded by Ackerman and upon vote the motion passed.

Gerry Dedenbach presented for the applicant.

Members of the Board asked questions of the applicant and staff.

Board Member Ackerman made a motion to approve the petition which was seconded by Board Member Blythe. More comments were made by the Board before taking vote. The motion passed 3-2 with Hawkins and Condon opposed.

**11. Petition PB-19-160 SUP**

CHW. Petition for Special Use Permit to increase residential density from 60 units/acre to 80 units/acre in order to construct a total of 210 multi-family units. Located on parcels between NW 5<sup>th</sup> Avenue, NW 13<sup>th</sup> Street, NW 4<sup>th</sup> Place, and NW 14th Street, and a portion of the block south of NW 4<sup>th</sup> Place. Legistar Number 190990

<b>Motion By:</b> Ackerman	<b>Seconded By:</b> Blythe
<b>Moved To:</b> Approve with conditions	<b>Upon Vote:</b> Passed 5-0

Jason Simmons, Planner, presented the item. Staff recommended approval with conditions.

Board Member Ackerman made a motion to extend the meeting to 11:20 p.m, seconded by Board Member Blythe; upon vote the motion passed.

Gerry Dedenbach presented for the applicant.

The Board discussed the item and asked questions of staff and the applicant.

No public comments were made.

Board Member Ackerman motioned to approve the request with the requirement that the proposed woonerf be maintained as shown in the application which was presented. Board Member Blythe seconded the motion. Upon vote the motion passed unanimously.

**VIII. Information Item – Land Development Code Update**

**IX. Board Member Comments**

**X. Adjournment – 11:12 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.