

## CITY PLAN BOARD MINUTES

March 22, 2012 6:30 PM  
 City Hall Auditorium  
 200 E. University Ave

<u>Members Present</u>	<u>Members Absent</u>	<u>Staff Present</u>
Bob Ackerman (Chair)		Dean Mimms
Crystal Goodison (Vice-Chair)		Onelia Lazzari
Erin Condon		Andrew Persons
Peter L. Johnson		Lawrence Calderon
Danika Oliverio		D. Henrichs
Amisha Sharma		Chris Cooper
Stephanie Sims	April Griffin (School Board representative)	

### I. Roll Call

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

<b>Motion By:</b> Crystal Goodison	<b>Seconded By:</b> Pete Johnson
<b>Moved To:</b> Approve the agenda with the following changes in order: renumber New Business item numbers 3, 4 and 7 to 1, 2 and 3, and renumber item 8 to 5	<b>Upon Vote:</b> 7:0

### III. Approval of Minutes: February 23, 2012

<b>Motion By:</b> Erin Condon	<b>Seconded By:</b> Crystal Goodison
<b>Moved To:</b> Approve the minutes of the February 23, 2012 City Plan Board meeting	<b>Upon Vote:</b> 7:0

### IV. Requests to Address the Board

Chair Ackerman announced the Planning and Development Services Department's upcoming public workshops on the update of the Land Development Code. (The purpose of the LDC update is to "redefine livability through form, function and place".) The first workshop will be held on Wednesday, March 28; the second workshop will be held on Tuesday, April 17. These workshops will be held from 6:00- 8:00 PM

#### BOARD MEMBERS

Chair: Robert Ackerman      Vice Chair: Crystal Goodison  
 Danika Oliverio, Erin Condon, Amisha Sharma, Stephanie Sims, Peter L. Johnson, April Griffin (school board representative)  
 Staff Liaison: Dean Mimms

in Building A of the historic Thomas Center, which is located at 306 NE Sixth Ave.

## V. Old Business

## VI. New Business

1. **Petition PB-12-8 PDA** Ricardo Cavallino, agent for Los Volcanes. Planned Development Amendment to allow additional parking for an existing restaurant. Zoned: PD (Planned Development). Located at 4405 NW 39<sup>th</sup> Ave.  
*Planning Division staff recommends approval of Petition PB-12-8 PDA with conditions included in this report.*

### Staff Report

- Appendix A Technical Review Committee Comments
- Appendix B Required Maps submitted with PD
- Appendix C Supplemental Documents
- Appendix D References from the Land Development Code
- Appendix E Maps: Public Notice, Surrounding Land Use and Zoning

Lead Planner Lawrence Calderon made the staff presentation. Chair Ackerman said that he wondered whether the PD would have been approved had it included the proposed additional parking. Board Member Erin Condon asked if there will still be insufficient parking should the additional 30 on-site spaces be approved. Board Member Crystal Goodison asked if there have been any complaints from the neighborhood the west. Mr. Calderon said that staff has not received any, and then asked Mr. Ricardo Cavallino, agent for owner, to respond to the Plan Board.

Mr. Cavallino said that the applicant has met with the neighbors, heard their concerns, and has addressed them. In response to a question from Plan Board Member Stephanie Sims, he said that employee parking occurs on-site, and off-site, with permission of the off-site property owners. In response to Plan Board questions regarding the proposed reduction of the existing western buffer for additional parking, Mr. Cavallino said that an average buffer width of nine feet will be maintained, and that the applicant will meet with the City Arborist regarding trees in the buffer. He noted that the neighbors have expressed concern about maintenance of the masonry wall.

Ms. Monica Roberts, of the Koch Foundation, a neighboring non-residential occupant, expressed concern about cars backing into the driveway (which is the sole entrance to their parking lot). She also submitted a letter to the City Plan Board. Mr. Larry Wurn, of the medical facility located south of the Koch Foundation, said that it would have been preferable to address the additional parking with the original development approval. He said that the entrance along NW 39<sup>th</sup> Avenue near NW 43<sup>rd</sup> Street is somewhat of a bottleneck. Mr. Cavallino noted that an eastbound exit is being added.

Chair Ackerman asked that if the additional parking proves to be insufficient, what would the applicant do? Mr. Cavallino said that additional valet parking could be sought, and in response to a question from Board Member Erin Condon, Mr. Cavallino said that there are currently 48 valet parking spaces. Ms. Condon said that she considers the proposed addition of such a large number of parking spaces to be a bad precedent. Board Member Crystal Goodison said that she does not think it is a bad precedent but does think that the applicant did not anticipate how successful the new restaurant location would prove to be.

Chair Ackerman said that he did not think there was any bad faith involved with the original development proposal/approval in this severely congested area, and that he is confident that the masonry wall and the landscaping will provide an adequate buffer. Board Member Amisha Sharma said that the applicant has

proposed a reasonable solution.

<b>Motion By:</b> Crystal Goodison	<b>Seconded By:</b> Danika Oliverio
<b>Moved To:</b> Approve Petition PB-12-8 PDA	<b>Upon Vote:</b> 7:0

2. **Petition PB-12-13 TCH** City Plan Board. Amend the Land Development Code to allow personal outdoor storage facilities as temporary outdoor storage within residential zoning districts.  
*Planning Division staff recommends approval of Petition PB-12-13 TCH.*

Staff Report

Appendix A Community Development Committee backup Documents

Lead Planner Lawrence Calderon gave the staff presentation. Interim Code Enforcement Manager Chris Cooper responded to questions from the Plan Board regarding temporary outdoor storage facilities associated with building permits. Several Plan Board members expressed support for flexibility regarding the proposed 30-day time limit for these facilities during times of natural disasters.

<b>Motion By:</b> Danika Oliverio	<b>Seconded By:</b> Crystal Goodison
<b>Moved To:</b> Approve Petition PB-12-13 TCH with staff conditions and with the addition of a condition regarding time extensions for natural disasters	<b>Upon Vote:</b> 7:0

3. **Petition PB-12-17 TCH** City Plan Board. Amend the Land Development Code:  
*Planning Division staff recommends approval of Petition PB-12-17 TCH.*  
(1) Section 30-64 Mixed use low intensity (MU-1) zoning district and Section 30-65 Mixed use medium intensity district (MU-2) zoning district to add an exemption to the minimum density requirements and  
(2) Section 30-46 to add additional zoning districts to the “Correspondence of Zoning Districts with Future Land Use Categories” table.

Staff Report

Appendix A Comprehensive Plan GOPs

Appendix B Application

The staff presentation was made by Andrew Persons, Senior Planner.

<b>Motion By:</b> Crystal Goodison	<b>Seconded By:</b> Pete Johnson
<b>Moved To:</b> Approve Petition PB-12-17 TCH	<b>Upon Vote:</b> 7:0

4. **Petition PB-12-20 TCH** City Plan Board. Amend the Land Development Code Section 30-270 Stormwater management for consistency with the Stormwater Management Element of the City of Gainesville Comprehensive Plan.  
*Planning Division staff recommends approval of Petition PB-12-20 TCH.*

Staff Report

- Appendix A Comprehensive Plan GOPs  
Appendix B Application

The staff presentation was made by Senior Planner Andrew Persons.

<b>Motion By:</b> Crystal Goodison	<b>Seconded By:</b> Pete Johnson
<b>Moved To:</b> Approve Petition PB-12-20 TCH	<b>Upon Vote:</b> 7:0

5. **Petition PB-12-21 TCH** City Plan Board. Amend the Land Development Code Section 30-112 Historic preservation/conservation for consistency with the Historic Preservation Element of the City of Gainesville Comprehensive Plan.  
*Planning Division staff recommends approval of Petition PB-12-21TCH.*

Staff Report

- Exhibit A Land Development Code 30-112  
Exhibit B Historic Preservation Goals, Objectives and Policies  
Exhibit C Application

The staff presentation was made by D. Henrichs, Historic Preservation Planner.

<b>Motion By:</b> Crystal Goodison	<b>Seconded By:</b> Pete Johnson
<b>Moved To:</b> Approve Petition PB-12-21 TCH	<b>Upon Vote:</b> 7:0

6. **Petition PB-11-140 CPA** City Plan Board. Amend the City of Gainesville Comprehensive Plan Capital Improvements Element to update the policies, incorporate the School Board 5-year capital improvements by reference, and update the 5-Year Schedule of Capital Improvements.

Principal Planner Onelia Lazzari, AICP, made the staff presentation. She explained that the updated 5-Year Schedule of Capital Improvements (Table 14) provided at this meeting includes the following changes:

1. under Transit, #4, under Revenue Sources, delete "& Phase 2";
2. under Transit, #7, under Cost to the City, delete the \$1,500 shown;
3. under Recreation, #15, show this item as strike-through because the project has been completed;
4. under Transportation Mobility, #39, change the cost items to \$178 for FY 2011/2012 and add Dept. of Energy under Revenue Sources;
5. under Wastewater, add back old #41 and show as strike-through; and
6. change the totals to reflect cost changes.

<b>Motion By:</b> Amisha Sharma	<b>Seconded By:</b> Pete Johnson
<b>Moved To:</b> Approve Petition PB-11-140 TCH with the updated 5-Year Schedule of Capital Improvements (Table 14) provided at the meeting	<b>Upon Vote:</b> 7:0

7. **Petition PB-12-25 TCH.** City Plan Board. Amend the Land Development Code Appendix A Section 3, College Park Special Area Plan to clarify the allowable uses within the Type I – Shopfront/Office/Apartment Building Type.

*Planning Division staff recommends approval of Petition PB-12-25 TCH.*

Staff Report

- Exhibit A-1 Parcels, owners and current zoning of Type I impacted properties
- Exhibit A-2 Map 1 – Impacted Type I properties
- Exhibit A-3 Map 2 – Existing zoning of impacted Type I properties
- Exhibit A-4 Map 3 – Existing College Park SAP building type of impacted properties
- Exhibit B-1 Application

The staff presentation was made by Senior Planner Andrew Persons, who pointed out that all of the owners of property that will be impacted by these proposed changes were sent notices of this public hearing. Vice-Chair Crystal Goodison said that she supports petitions such as this that make changes needed for consistency (with the Comprehensive Plan or the Land Development Code) before applicants are faced with inconsistencies at the time of development.

<b>Motion By:</b> Crystal Goodison	<b>Seconded By:</b> Pete Johnson
<b>Moved To:</b> Approve Petition PB-12-25 TCH	<b>Upon Vote:</b> 7:0

8. **Petition PB-12-26 SUP.** John Hudson, agent for Gary Anglin. Special Use Permit to allow decorative, functional and safety improvements, and a sign for a nonconforming automotive related use. Located at 730 West University Avenue.

*Planning Division staff recommends approval of Petition PB-12-26 SUP with conditions included in this report*

Staff Report

- Appendix A Technical Review Committee Comments
- Appendix B Application and Documents submitted by the applicant
- Appendix C References from the Land Development code
- Appendix D Related Goals Objectives and Policies of the Comprehensive Plan

Lead Planner Lawrence Calderon made the presentation for staff. Board Member Danika Oliverio said that she previously had not known that a different non-conforming use in the same SIC Major Group category can be considered (per Section 30-346(d)) to be a legal nonconforming use. Board Member Erin Condon

asked whether trailers would be allowed by this special use permit, to which Mr. Calderon replied that they would not be allowed, and noted that the trailers are in a Photoshop image provided by Enterprise. John Hudson, agent for the applicant, stated that there will only be car rental. He added that be no outdoor storage will allowed, and that there will be no trailers and no trucks. He explained that the previous use was a mess, and that cars were parked everywhere. Mr. Hudson said that Enterprise is a good corporate business with well-managed business locations. He added that he had met with the Planning and Development Services Department's Ralph Planning Hilliard, Lawrence Calderon, and Erik Bredfeldt before filing the petition.

Adjacent (to the south) property owner Kevin Bowers spoke of difficulties he has had with the use limitations of his property, and with the previous use/user of the property that is the subject of this Special Use Permit petition. He said that he supports this petition and that he thinks it will be a big improvement if Enterprise comes through.

<b>Motion By:</b> Crystal Goodison	<b>Seconded By:</b> Pete Johnson
<b>Moved To:</b> Approve Petition PB-12-26 SUP with the conditions stated in the staff report, including those regarding decorative, functional and safety improvements, and a free-standing sign. The Board finds that the proposed use and development meet the general criteria of Section 30-233 for issuance of a special use permit, and meet the criteria of Section 30-346 regarding issuance of a special use permit for a nonconforming use.	<b>Upon Vote:</b>

**VII. Information Items: N/A**

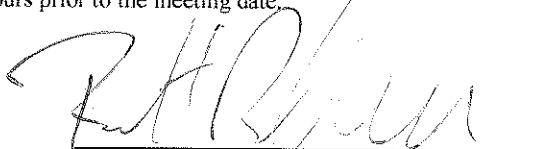
Principal Planner Onelia Lazzari, AICP, announced that a complete, updated hard copy of the Gainesville Comprehensive Plan was distributed to the Plan Board Members this evening. She added that staff will be bringing more "housekeeping" petitions (e.g., text changes to the Land Development Code for consistency with updated Comprehensive Plan policies) during the next few months.


**VIII. Board Member Comments**

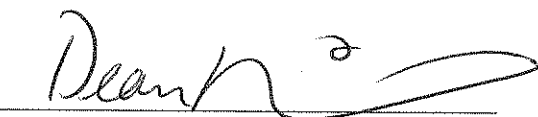
**IX. Adjournment** The meeting was adjourned at 9:04 PM.

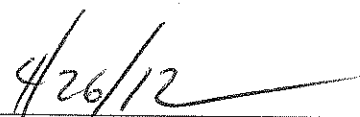
For further information, please call 334-5022.

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**  
 Dean Mimms

  
**Date**