



# Planning & Zoning Board

Monday, November 06, 2023  
6:00 PM

*City Hall Meeting Room,  
25440 W Newberry Road, Newberry, FL 32669*

## MINUTES

### CALL TO ORDER

Mayor Marlowe called the meeting to order at 6:00 PM.

### APPROVAL OF AGENDA

**Motion to approve the Agenda was made by Board Member Erched,  
Seconded by Board Member Thomas.**

Mayor Marlowe asked for public comment. There was none.

**Voting Yea: Board Member Erched, Board Member Fairfield, Board  
Member Polo, Board Member Thomas**

**MOTION PASSED 4-0**

### PLEDGE OF ALLEGIANCE

Board Member Erched led the Pledge of Allegiance.

### QUORUM CHECK

Mayor/Chair  
Board Members

Jordan Marlowe  
Naim Erched  
Jordan Fairfield  
Donald Long  
Anne Polo  
Kathi Thomas  
Scott Walker

City Attorney

Staff:

Director of Planning & Economic Development  
Principal Planner  
Senior Planner  
Staff Assistant

Bryan Thomas  
Jean-Paul W. Perez  
Uma Sarmistha  
Jeannene Mironack

Board Member Long entered at 6:01 PM.



## CONSENT AGENDA

### 1. October 25, 2023 Planning & Zoning Board Special Meeting Minutes.

**Motion to approve the Consent Agenda was made by Board Member Erched, Seconded by Board Member Fairfield.**

Mayor Marlowe asked for public comment. There was none.

**Voting Yea: Board Member Erched, Board Member Fairfield, Board Member Long, Board Member Polo, Board Member Thomas.**

**MOTION PASSED 5-0**

## PUBLIC HEARINGS AND ORDINANCES

### 2. A request for a small-scale Future Land Use Map Amendment from Residential Low Density to Commercial on ±0.28 acres

Legislative Public Hearing: Ordinance 2023-~~34~~ 32/CPA 23-11, an application by I S Property Holdings, LLC to amend the Future Land Use Plan Map of the Comprehensive Plan by changing the future land use classification from Residential Low Density to Commercial on a site consisting of approximately 0.28 acres; identified by Alachua County Tax Parcel Number 002173-000-000.

Scott Walker read Ordinance 2023-32 by title only. Note that the correct Ordinance Number is 2023-32, as read.

Jean-Paul Perez provided the staff overview and recommendation with a PowerPoint. The property is the location of the historic Cold Storage facility.

Discussion ensued.

**Motion to recommend that the City Commission approve Ordinance 2023-32/CPA 23-11 was made by Board Member Fairfield, Seconded by Board Member Erched.**

Mayor Marlowe asked for public comment. Dr. Jeff Tate spoke.

**Voting Yea: Board Member Erched, Board Member Fairfield, Board Member Long, Board Member Polo, Board Member Thomas.**

**MOTION PASSED 5-0**

### 3. A request to rezone the City Hall and Cold Storage properties from Residential, Single-Family (RSF-2) and Commercial, Central Business District (C-CBD) to Public Facilities (PF) and Commercial, Central Business District (C-CBD) on a site consisting of ±1.93 acres.

Quasi-Judicial Public Hearing: Ordinance 2023-33/LDR 23-16, an application by the City of Newberry and I S Property Holdings, LLC to amend the Official Zoning Atlas of the City of Newberry by changing the zoning districts from Residential, Single-Family (RSF-2) and Commercial, Central Business District (C-CBD) to Public Facilities (PF) and Commercial, Central Business District (C-CBD) on property located at 25440 West Newberry Road and 98 Northwest 254 Street consisting of ±1.93 acres; identified by Alachua County Parcel Numbers: 02173-000-000 and 02174-000-000.

Mayor Marlowe read the quasi-judicial procedures and presentation order.



Attorney Walker read Ordinance 2023-33 by title only.

Attorney Walker swore in Jean-Paul Perez and Chris Torrence, I S Property Holdings.

Mayor Marlowe asked for ex parte communication.

**Voting Nay: Board Member Erched, Board Member Fairfield, Board Member Long, Board Member Polo, Board Member Thomas. Mayor Marlowe, non-voting, none.**

There was no third-party intervenor present.

Jean-Paul Perez provided the staff overview and recommendation with a PowerPoint. The properties are the location of the historic Cold Storage facility and City Hall.

Chris Torrence stated that he was present to answer questions.

There was no cross-examination by either party.

The Board questioned staff. Discussion ensued.

Attorney Walker advised the Board that their decision must be based upon substantial and competent evidence.

**Motion to recommend that the City Commission approve Ordinance 2023-33/LDR 23-16 was made by Board Member Erched, Seconded by Board Member Long.**

Mayor Marlowe asked for public comment. There was none.

**Voting Yea: Board Member Erched, Board Member Fairfield, Board Member Long, Board Member Polo, Board Member Thomas.**

**MOTION PASSED 5-0**

**4. A request for approval of a Subdivision, Preliminary Plat, known as Magnolia Acres.**

Quasi-Judicial Public Hearing, Resolution 2023-55/ SD 23-10, a request by eda consultants, inc., Agent on behalf of RRL Newberry Holding, LLC., for a Major Subdivision, Preliminary Plat. The project is approximately 80 acres containing 15 lots, generally located South of SW 15th Avenue and east of SW 266 St., Alachua County Parcel Numbers 02545-000-000.

Mayor Marlowe verified no one new had entered the room.

Attorney Walker read Resolution 2023-55 by title only.

Attorney Walker swore in Uma Sarmistha; Clay Sweger, eda consultants; and Gina Goodyear; Rise Construction.

Mayor Marlowe asked for ex parte communication.

**Voting Nay: Board Member Erched, Board Member Fairfield, Board Member Long, Board Member Polo, Board Member Thomas. Mayor Marlowe, non-voting, none.**

Uma Sarmistha provided the staff overview and recommendation with a PowerPoint.

Clay Sweger presented a PowerPoint for the applicant.



There was no cross-examination by either party.

The Board questioned the applicant. Discussion ensued.

Attorney Walker advised the Board that their decision must be based upon substantial and competent evidence.

**Motion made by Board Member Erched, Seconded by Board Member Fairfield.**

Mayor Marlowe asked for public comment. There was none.

**Voting Yea: Board Member Erched, Board Member Fairfield, Board Member Long, Board Member Polo, Board Member Thomas.**

**MOTION PASSED 5-0**

**5. A request for preliminary plat for Phase 1 of the Tanglewood Planned Development.**

Quasi-Judicial Public Hearing, Resolution 2023-59/SD 23-08, a request by CHW Professional Consultants, agent, on behalf of Tanglewood Properties of Gainesville, LLC, owner, for preliminary plat of Phase 1 of the Tanglewood Planned Development; a portion of Alachua County Tax Parcels 01923-000-000 and 01923-008-000.

Mayor Marlowe verified no one new had entered the room.

Attorney Walker read Resolution 2023-59 by title only.

Attorney Walker swore in Walker Owen, PE, CHW; Ryan Thompson, AICP, CHW; Gary Weseman, Tanglewood Properties of Gainesville; and Paul Hornby. Jean-Paul Perez remained sworn.

Mayor Marlowe asked for ex parte communication.

**Voting Nay: Board Member Erched, Board Member Fairfield, Board Member Long, Board Member Polo, Board Member Thomas. Mayor Marlowe, non-voting, none.**

Jean-Paul Perez provided the staff overview and recommendation with a PowerPoint. He noted staff is requesting a condition to accommodate timing of construction of the Water Tower and associated facilities in compliance with the Grant funding for the Water Tower.

Walker Owen spoke for the applicant. He stated that the applicant would accept the Water Tower condition.

Paul Hornby spoke.

There was no cross-examination by either party.

The Board questioned the applicant. Walker Owen and Garty Weseman responded. Discussion ensued.

The Board directed staff to request that the School Board zone all of Tanglewood within the same school assignments. The School Board's current draft splits Tanglewood into multiple elementary school zones.

Attorney Walker advised the Board that their decision must be based upon substantial and competent evidence.



**Motion made by Board Member Long, Seconded by Board Member Fairfield.**

Mayor Marlowe asked for public comment. There was none.

**Voting Yea: Board Member Erched, Board Member Fairfield, Board Member Long, Board Member Polo, Board Member Thomas.**

**MOTION PASSED 5-0**

**TOPICS FROM MEMBERS FOR DISCUSSION**

Board Members Polo, Erched, and Mayor Marlow commented.

**MEETING ADJOURNMENT**

Meeting adjourned at 7:09 PM.

Copies of any agenda attachments are available for public inspection at the Planning Department, located at 25815 SW 2<sup>nd</sup> Avenue, Newberry, Florida, during regular business hours.

If A Person, Firm, or Corporation Desires to Take an Appeal From any Action Taken At the Above Meeting or Hearing, It May Be Necessary to Have A Verbatim Record of the Proceedings and It Is the Person, Firm, or Corporation's Duty to See that Such A Record Is Made. In accordance with the Americans with Disabilities Act, persons with disabilities needing a special accommodation for attendance at this meeting should contact MV Transportation, Inc. At (352) 375-2784, not later than 72 hours prior to the proceedings. If hearing impaired, call the Florida Relay System at (800) 955-8770.