



# Planning & Zoning Board

Tuesday, January 03, 2023  
6:00 PM

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

## MINUTES

### CALL TO ORDER

Chair Erched called the meeting to order at 6:00 PM

### APPROVAL OF AGENDA

Chair Erched asked for approval of the agenda. He announced the Vice Chair Long was on his way to the meeting.

**Motion made by Board Member Baker to approve the agenda, Seconded by Board Member Polo.**

**Voting Yea: Chair Erched, Board Member Baker, Board Member Polo, and Board Member Thomas**

**MOTION PASSED 4-0**

### QUORUM CHECK

Mayor

Jordan Marlowe

Board Members

Naim Erched, Chair

Jessica Baker

Anne Polo

Kathi Thomas

City Attorney

Scott Walker

Staff:

Director of Planning & Economic Development

Bryan Thomas, AICP

Principal Planner

Jean-Paul Perez

Staff Assistant

Jeannene Mironack

Absent:

Board Member

Donald Long, Vice Chair

### CONSENT AGENDA

1. November 7, 2022 and December 5, 2022 Planning & Zoning Board Meeting Minutes

**Motion made by Board Member Baker to approve the Consent Agenda, Seconded by Board Member Polo.**

**Voting Yea: Chair Erched, Board Member Baker, Board Member Polo, and Board Member Thomas**

## **MOTION PASSED 4-0**

Vice Chair Long Arrived.

### **PUBLIC HEARINGS AND ORDINANCES**

#### **2. Petition for Morlynn Subdivision Preliminary Plat**

Quasi-Judicial Public Hearing: Resolution 2023-01/SD 22-12, a request by Gmuer Engineering, LLC, agent for Morlynn Properties, LLC, owner, for approval of the Morlynn Subdivision preliminary plat located at 25749 Southwest 1 Avenue (Alachua County tax parcel numbers 02282-000-000 and 02235-000-000).

Chair Erched reviewed the Quasi-Judicial Hearing process and procedures. He then read through the presentation order.

Attorney Walker read Resolution 2023-01 by title only.

Jeannene Mironack swore in Director of Planning & Economic Development Bryan Thomas, AICP; Principal Planner Jean-Paul W. Perez and Christopher A. Gmuer, P.E., President, Gmuer Engineering.

Chair Erched asked for ex parte communication. There was none.

**Voting Nay: Chair Erched, Vice-Chair Long, Board Member Baker, Board Member Polo, and Board Member Thomas.**

There was no third-party intervenor present.

Principal Planner Perez presented the staff overview and report with a PowerPoint presentation.

Chris Gmuer presented the application PowerPoint presentation and a handout, which was submitted for the application's files. Discussion ensued.

The Board questioned the applicant. Discussion ensued.

Attorney Walker advised the Board of applicable law.

**Motion made by Board Member Baker to recommend approval of Resolution 2023-01/SD 22-12 with the conditions that (1) the County Arborist is consulted regarding sidewalk placement and preserving oak trees and (2) foundation surveys are required. Seconded by Vice-Chair Long.**

Chair Erched asked for public comment on the motion. There was none.

**Voting Yea: Chair Erched, Board Member Baker, Vice-Chair Long, Board Member Polo, Board Member Thomas**

## **MOTION PASSED 5-0**

Chair Erched announced the City Commission will hold their hearing on this item on January 23, 2023.

3. Amending the Future Land Use Map classification from Alachua County Rural/Agriculture to City of Newberry Agriculture on an annexed property (Parcel Numbers 01859-001-000 and 01806-001-000).

Legislative Public Hearing: Ordinance 2023-01/CPA 23-01, an application by the City of Newberry to amend the Future Land Use Plan Map of the Comprehensive Plan by changing the future land use classification from Alachua County Rural/Agriculture to City of Newberry Agriculture on property voluntarily annexed to the City, identified by Alachua County Parcel Numbers 01859-001-000 and 01806-001-000.

Attorney Walker read Ordinance 2023-01 by title only.

Principal Planner Perez presented the staff overview and report with a PowerPoint presentation.

**Motion made by Board Member Baker to recommend approval of Ordinance 2023-01/CPA 23-01. Seconded by Board Member Polo.**

**Voting Yea: Chair Erched, Board Member Baker, Vice-Chair Long, Board Member Polo, Board Member Thomas**

#### **MOTION PASSED 5-0**

Chair Erched announced the City Commission will hold their first hearing on this item on January 23, 2023.

4. Amending the Future Land Use Map classification from Alachua County Rural/Agriculture to City of Newberry Agriculture on an annexed property (Parcel Number 01887-010-000).

Legislative Public Hearing: Ordinance 2023-03/CPA 23-02, an application by the City of Newberry to amend the Future Land Use Plan Map of the Comprehensive Plan by changing the future land use classification from Alachua County Rural/Agriculture to City of Newberry Agriculture on property voluntarily annexed to the City, identified by Alachua County Parcel Number 01887-010-000.

Attorney Walker read Ordinance 2023-03 by title only.

Principal Planner Perez presented the staff overview and report with a PowerPoint presentation.

**Motion made by Board Member Baker to recommend approval of Ordinance 2023-03/CPA 23-02. Seconded by Vice-Chair Long.**

**Voting Yea: Chair Erched, Board Member Baker, Vice-Chair Long, Board Member Polo, Board Member Thomas**

#### **MOTION PASSED 5-0**

Chair Erched announced the City Commission will hold their hearing on this item on January 23, 2023.

5. Amending the Future Land Use Map classification from Alachua County Rural/Agriculture to City of Newberry Agriculture on an annexed property (Parcel Number 01928-005-000).

Legislative Public Hearing: Ordinance 2023-05/CPA 23-03, an application by the City of Newberry to amend the Future Land Use Plan Map of the Comprehensive Plan by changing the future land use classification from Alachua County Rural/Agriculture to City of Newberry Agriculture on property voluntarily annexed to the City, identified by Alachua County Parcel Number 01928-005-000.

Attorney Walker read Ordinance 2023-05 by title only.

Principal Planner Perez presented the staff overview and report with a PowerPoint presentation.

**Motion made by Board Member Baker to recommend approval of Ordinance 2023-05/CPA 23-03. Seconded by Board Member Polo.**

**Voting Yea: Chair Erched, Board Member Baker, Vice-Chair Long, Board Member Polo, Board Member Thomas**

#### **MOTION PASSED 5-0**

Chair Erched announced the City Commission will hold their first hearing on this item on January 23, 2023.

6. Amending the Future Land Use Map classification from Alachua County Rural/Agriculture to City of Newberry Agriculture on an annexed property (Parcel Numbers 01834-008-000 and 01834-012-000).

Legislative Public Hearing: Ordinance 2023-07/CPA 23-04, an application by the City of Newberry to amend the Future Land Use Plan Map of the Comprehensive Plan by changing the future land use classification from Alachua County Rural/Agriculture to City of Newberry Agriculture on property voluntarily annexed to the City, identified by Alachua County Parcel Numbers 01834-008-000 and 01834-012-000.

Attorney Walker read Ordinance 2023-07 by title only.

Principal Planner Perez presented the staff overview and report with a PowerPoint presentation.

**Motion made by Board Member Baker to recommend approval of Ordinance 2023-07/CPA 23-04. Seconded by Board Member Thomas.**

**Voting Yea: Chair Erched, Board Member Baker, Vice-Chair Long, Board Member Polo, Board Member Thomas**

**MOTION PASSED 5-0**

Chair Erched announced the City Commission will hold their first hearing on this item on January 23, 2023.

7. Rezoning previously annexed property from Alachua County Agricultural (A) to City of Newberry Agricultural (A) (Parcel Numbers 01859-001-000 and 01806-001-000).

Quasi-Judicial Public Hearing: Ordinance 2023-02/LDR 23-01, an application by the City of Newberry to amend the Official Zoning Atlas of the City of Newberry by changing the zoning from Alachua County Agricultural to City of Newberry Agricultural (A) on property annexed into the City and identified by Alachua County tax parcel numbers 01859-001-000 and 01806-001-000. (This application is contingent upon approval of Application CPA 23-01.)

Chair Erched reviewed the Quasi-Judicial Hearing process and procedures. He then read through the presentation order.

Attorney Walker read Ordinance 2023-02 by title only.

Director of Planning & Economic Development Bryan Thomas, AICP, and Principal Planner Jean-Paul W. Perez remained sworn.

Chair Erched asked for ex parte communication. There was none.

**Voting Nay: Chair Erched, Vice-Chair Long, Board Member Baker, Board Member Polo, and Board Member Thomas.**

There was no third-party intervenor present.

Principal Planner Perez presented the staff overview, report, and recommendation with a PowerPoint presentation.

Attorney Walker advised the Board of applicable law.

**Motion made by Board Member Baker to recommend approval of Ordinance 2023-02/LDR 23-01. Seconded by Vice-Chair Long.**

Chair Erched asked for public comment on the motion. There was none.

**Voting Yea: Chair Erched, Board Member Baker, Vice-Chair Long, Board Member Polo, Board Member Thomas**

**MOTION PASSED 5-0**

Chair Erched announced the City Commission will hold their first hearing on this item on January

23, 2023.

8. Rezoning previously annexed property from Alachua County Agricultural (A) to City of Newberry Agricultural (A) (Parcel Number 01887-010-000).

Quasi-Judicial Public Hearing: Ordinance 2023-04/LDR 23-02, an application by the City of Newberry to amend the Official Zoning Atlas of the City of Newberry by changing the zoning from Alachua County Agricultural to City of Newberry Agricultural (A) on property annexed into the City and identified by Alachua County tax parcel number 01887-010-000. (This application is contingent upon approval of Application CPA 23-02.)

Attorney Walker read Ordinance 2023-04 by title only.

Director of Planning & Economic Development Bryan Thomas, AICP, and Principal Planner Jean-Paul W. Perez remained sworn.

Chair Erched asked for ex parte communication. There was none.

**Voting Nay: Chair Erched, Vice-Chair Long, Board Member Baker, Board Member Polo, and Board Member Thomas.**

There was no third-party intervenor present.

Principal Planner Perez presented the staff overview, report, and recommendation with a PowerPoint presentation.

Attorney Walker advised the Board of applicable law.

**Motion made by Board Member Baker to recommend approval of Ordinance 2023-04/LDR 23-02. Seconded by Vice-Chair Long.**

Chair Erched asked for public comment on the motion. There was none.

**Voting Yea: Chair Erched, Board Member Baker, Vice-Chair Long, Board Member Polo, Board Member Thomas**

#### **MOTION PASSED 5-0**

Chair Erched announced the City Commission will hold their first hearing on this item on January 23, 2023.

9. Rezoning previously annexed property from Alachua County Agricultural (A) to City of Newberry Agricultural (A) (Parcel Number 01928-005-000).

Quasi-Judicial Public Hearing: Ordinance 2023-06/LDR 23-03, an application by the City of Newberry to amend the Official Zoning Atlas of the City of Newberry by changing the zoning from Alachua County Agricultural to City of Newberry Agricultural (A) on property annexed into the City and identified by Alachua County tax parcel number 01928-005-000. (This application is contingent upon approval of Application CPA 23-03.)

Attorney Walker read Ordinance 2023-06 by title only.

Director of Planning & Economic Development Bryan Thomas, AICP, and Principal Planner Jean-Paul W. Perez remained sworn.

Chair Erched asked for ex parte communication. There was none.

**Voting Nay: Chair Erched, Vice-Chair Long, Board Member Baker, Board Member Polo, and Board Member Thomas.**

There was no third-party intervenor present.

Principal Planner Perez presented the staff overview, report, and recommendation with a PowerPoint presentation.

Attorney Walker advised the Board of applicable law.

**Motion made by Board Member Baker to recommend approval of Ordinance 2023-06/LDR 23-03. Seconded by Board Member Polo.**

Chair Erched asked for public comment on the motion. There was none.

**Voting Yea: Chair Erched, Board Member Baker, Vice-Chair Long, Board Member Polo, Board Member Thomas**

**MOTION PASSED 5-0**

Chair Erched announced the City Commission will hold their first hearing on this item on January 23, 2023.

10. Rezoning previously annexed property from Alachua County Agricultural (A) to City of Newberry Agricultural (A) (Parcel Numbers 01834-008-000 and 01834-012-000).

Quasi-Judicial Public Hearing: Ordinance 2023-08/LDR 23-04, an application by the City of Newberry to amend the Official Zoning Atlas of the City of Newberry by changing the zoning from Alachua County Agricultural to City of Newberry Agricultural (A) on property annexed into the City and identified by Alachua County tax parcel numbers 01834-008-000 and 01834-012-000. (This application is contingent upon approval of Application CPA 23-04.)

Attorney Walker read Ordinance 2023-08 by title only.

Director of Planning & Economic Development Bryan Thomas, AICP, and Principal Planner Jean-Paul W. Perez remained sworn.

Chair Erched asked for ex parte communication. There was none.

**Voting Nay: Chair Erched, Vice-Chair Long, Board Member Baker, Board Member Polo, and Board Member Thomas.**

There was no third-party intervenor present.

Principal Planner Perez presented the staff overview, report, and recommendation with a PowerPoint presentation.

Attorney Walker advised the Board of applicable law.

**Motion made by Board Member Baker to recommend approval of Ordinance 2023-06/LDR 23-03. Seconded by Board Member Polo.**

Chair Erched asked for public comment on the motion. There was none.

**Voting Yea: Chair Erched, Board Member Baker, Vice-Chair Long, Board Member Polo, Board Member Thomas**

**MOTION PASSED 5-0**

Chair Erched announced the City Commission will hold their first hearing on this item on January 23, 2023.

#### **TOPICS FROM MEMBERS FOR DISCUSSION**

Board Member Thomas said that the Christmas Parade was awesome! Chair Erched agreed, adding that the CountryWay Square Festival was also great.

Vice Chair Long wished everyone a Happy New Year.

Mayor Marlowe expressed thanks to the community for everything from the Christmas Lights to paying off utility bills for others.

Mayor Marlowe announced that the 100th anniversary of the Rosewood massacre will include a week of commemoration events beginning with a kick off event at Bo Diddley Plaza in Downtown Gainesville on January 7th from 4 - 7 PM.

#### **MEETING ADJOURNMENT**

Meeting adjourned at 7:21 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.