

# City of Newberry Commission Meeting

December 13, 2021  
7:00 p.m.

25440 West Newberry Road  
Newberry, Florida 32669

## MINUTES

### CALL TO ORDER

Mayor Marlowe called the meeting to order at 7:01 p.m.

### APPROVAL OF AGENDA

Mayor Marlowe asked for approval of the agenda.

**Motion made by Commissioner Marden to approve the agenda.**

**Seconded by Commissioner Clark.**

**Voting Yea: Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Marden, and Commissioner Mazon.**

**MOTION PASSED 5-0**

### QUORUM CHECK

Mayor

Jordan Marlowe

Commissioners

Ricky Coleman

Mark Clark

Monty Farnsworth

Tim Marden

Tony Mazon

City Attorney

Scott Walker

City Manager

Mike New

City Clerk

Judy Rice

Staff:

Director of Planning & Economic Development

Bryan Thomas

Senior Planner

Wendy Kinser-Maxwell

Planner

Alayna Jackson

### INVOCATION

Pastor Ian Campbell provided the invocation.

### PLEDGE OF ALLEGIANCE

Commissioner Clark led the pledge.

## **PRESENTATIONS**

## **PUBLIC ANNOUNCEMENTS**

Ms. Tammy Nattiel, My Time Organization, provided an announcement.

## **CONSENT AGENDA**

- 1. October 25, 2021, Impact Fee Workshop Minutes.**
- 2. October 25, 2021, Regular Meeting Minutes.**
- 3. November 8, 2021, Regular Meeting Minutes.**

Mayor Marlowe asked for approval of the consent agenda.

**Motion made by Commissioner Farnsworth to approve the agenda.**

**Seconded by Commissioner Mazon.**

**Voting Yea: Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Marden, and Commissioner Mazon.**

**MOTION PASSED 5-0**

## **PUBLIC HEARINGS AND ORDINANCES**

- 4. Construction plans for Phase 1B of the Avalon Woods Mixed Use Development**

**Resolution 2021-53/SD 21-02, an application by JBPro, Agent for M3 Newberry, LLC, Owner, for Construction Plan Approval of Phase 1B of the Avalon Woods Mixed Use Development.**

Attorney Walker read Resolution 2021-53 by title only.

Senior Planner Kinser-Maxwell presented a PowerPoint with the staff overview and report. Staff recommendation is to adopt Resolution 2021-53.

**Motion made by Commissioner Mazon to adopt Resolution 2021-53.**

**Seconded by Commissioner Marden.**

**Voting Yea: Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Marden, and Commissioner Mazon.**

**MOTION PASSED 5-0**

- 5. Construction plans for Phase 3 of the Avalon Woods Mixed Use Development**

**Resolution 2021-54/SD 21-08, an application by JBPro, Agent for M3 Newberry, LLC, Owner, for Construction Plan Approval of Phase 3 of the Avalon Woods Mixed Use Development.**

Attorney Walker read Resolution 2021-54 by title only.

Senior Planner Kinser-Maxwell presented a PowerPoint with the staff overview and report. Staff recommendation is to adopt Resolution 2021-54.

**Motion made by Commissioner Marden to adopt Resolution 2021-54.**

**Seconded by Commissioner Mazon.**

**Voting Yea: Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Marden, and Commissioner Mazon.**

**MOTION PASSED 5-0**

- 6. Changing Future Land Use Map classification from Alachua County Rural/Agriculture to City of Newberry Agriculture on previously annexed property (Parcel Numbers 01834-004-000 and 01834-005-000).**

**Legislative Public Hearing: Second Reading of Ordinance 2021-59/CPA 21-22, 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 previously voluntarily annexed to the City, identified by Alachua County Parcel Numbers 01834-004-000 and 01834-005-000.**

Attorney Walker read Ordinance 2021-59 by title only on second reading.

Planner Jackson presented a PowerPoint with the staff overview and report. Staff recommendation is to enact Ordinance 2021-59.

**Motion made by Commissioner Farnsworth to enact Ordinance 2021-59.**

**Seconded by Commissioner Clark.**

**Voting Yea: Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Marden, and Commissioner Mazon.**

**MOTION PASSED 5-0**

- 7. Changing Future Land Use Map classification from Alachua County Rural/Agriculture to City of Newberry Agriculture on previously annexed property (Parcel Number 04273-001-000).**

**Legislative Public Hearing: Second Reading of Ordinance 2021-63/CPA 21-20, 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 previously voluntarily annexed to the City, identified by Alachua County Parcel Number 04273-001-000.**

Attorney Walker read Resolution 2021-63 by title only.

Senior Planner Kinser-Maxwell presented a PowerPoint with the staff overview and report. Staff recommendation is to adopt Resolution 2021-63.

**Motion made by Commissioner Farnsworth to enact Ordinance 2021-63.**

**Seconded by Commissioner Coleman.**

**Voting Yea: Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Marden, and Commissioner Mazon.**

**MOTION PASSED 5-0**

- 8. Changing Future Land Use Map classification from Alachua County Rural/Agriculture to City of Newberry Agriculture on previously annexed property (Parcel Number 02696-010-007).**

**Legislative Public Hearing Second Reading: Ordinance 2021-67/CPA 21-19, 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 previously voluntarily annexed to the City, identified by Alachua County Parcel Number 02696-010-007.**

Attorney Walker read Resolution 2021-67 by title only.

Senior Planner Kinser-Maxwell presented a PowerPoint with the staff overview and report. Staff recommendation is to adopt Resolution 2021-67.

**Motion made by Commissioner Clark to enact Ordinance 2021-67.**

**Seconded by Commissioner Farnsworth.**

**Voting Yea: Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Marden, and Commissioner Mazon.**

**MOTION PASSED 5-0**

9. **Changing Future Land Use Map classification from Alachua County Rural/Agriculture to City of Newberry Agriculture on previously annexed property (Parcel Number 01925-009-000 and 01925-009-001).**

**Legislative Public Hearing: Second Reading of Ordinance 2021-69/CPA 21-21, 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 previously voluntarily annexed to the City, identified by Alachua County Parcel Numbers 01925-009-000 and 01925-009-001.**

Attorney Walker read Ordinance 2021-69 by title only.

Senior Planner Kinser-Maxwell presented a PowerPoint with the staff overview and report. Staff recommendation is to adopt Ordinance 2021-69.

**Motion made by Commissioner Marden to adopt Resolution 2021-69.**

**Seconded by Commissioner Coleman.**

**Voting Yea: Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Marden, and Commissioner Mazon.**

**MOTION PASSED 5-0**

10. **Rezoning previously annexed property from Alachua County Rural/Agriculture to City of Newberry Agricultural (Parcel Numbers: 01834-004-000 and 01834-005-000)**

**Quasi-Judicial Public Hearing: Second Reading of Ordinance 2021-60/LDR 21-31, 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 Agriculture (A) to City of Newberry Agricultural (A) on property previously voluntarily annexed to the City and identified by Alachua County Parcel Numbers: 01834-004-000 and 01834-005-000. (This application is contingent upon approval of Application CPA 21-22.)**

Mayor Marlowe read through the Quasi-Judicial Hearing procedures and the presentation order.

Attorney Walker read Ordinance 2021-60 by title only on second reading.

Clerk Rice swore in Planner Jackson.

Mayor Marlowe asked for ex parte communication. There was none.

**Voting Nay: Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Marden, and Commissioner Mazon.**

No applicant or third-party intervenor were present.

#### **OPEN PUBLIC HEARING**

Planner Jackson presented a PowerPoint with the staff overview and report. Staff recommendation is enactment of Ordinance 2021-60.

Mayor Marlowe asked for public comment. There was none.

No cross-examination or final argument was made.

#### **CLOSE PUBLIC HEARING**

Attorney Walker reminded the Commission of the applicable law.

**Motion made by Commissioner Farnsworth to enact Ordinance 2021-60.**

**Seconded by Commissioner Clark.**

**Voting Yea: Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Marden, and Commissioner Mazon.**

**MOTION PASSED 5-0**

#### **11. Rezoning previously annexed property from Alachua County Rural/Agriculture to City of Newberry Agricultural (Parcel Number: 04273-001-000)**

**Quasi-Judicial Public Hearing: Second Reading of Ordinance 2021-64/LDR 21-29, 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 Agriculture (A) to City of Newberry Agricultural (A) on property previously voluntarily annexed to the City and identified by Alachua County Parcel Number: 04273-001-000. (This application is contingent upon approval of Application CPA 21-20.)**

No new participants entered the chambers.

Attorney Walker ready Ordinance 2021-64 by title only on second reading.

Planner Jackson remained sworn.

Mayor Marlowe asked for ex parte communication. There was none.

**Voting Nay: Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Marden, and Commissioner Mazon.**

No applicant or third-party intervenor were present.

#### **OPEN PUBLIC HEARING**

Planner Jackson presented a PowerPoint with the staff overview and report. Staff recommendation is enactment of Ordinance 2021-64.

Mayor Marlowe asked for public comment. There was none.

No cross-examination or final argument was made.

CLOSE PUBLIC HEARING

Attorney Walker reminded the Commission of the applicable law.

**Motion made by Commissioner Clark to enact Ordinance 2021-64.**

**Seconded by Commissioner Marden.**

**Voting Yea: Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Marden, and Commissioner Mazon.**

**MOTION PASSED 5-0**

**12. Rezoning previously annexed property from Alachua County Rural/Agriculture to City of Newberry Agricultural (Parcel Number: 02696-010-007)**

**Quasi-Judicial Public Hearing: Second Reading of Ordinance 2021-68/LDR 21-28, 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 Agriculture (A) to City of Newberry Agricultural (A) on property previously voluntarily annexed to the City and identified by Alachua County Parcel Number: 02696-010-007. (This application is contingent upon approval of Application CPA 21-19.)**

No new participants entered the chambers.

Attorney Walker ready Ordinance 2021-68 by title only on second reading.

Planner Jackson remained sworn.

Mayor Marlowe asked for ex parte communication. There was none.

**Voting Nay: Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Marden, and Commissioner Mazon.**

No applicant or third-party intervenor were present.

OPEN PUBLIC HEARING

Planner Jackson presented a PowerPoint with the staff overview and report. Staff recommendation is enactment of Ordinance 2021-68.

Mayor Marlowe asked for public comment. There was none.

No cross-examination or final argument was made.

CLOSE PUBLIC HEARING

Attorney Walker reminded the Commission of the applicable law.

**Motion made by Commissioner Marden to enact Ordinance 2021-68.**

**Seconded by Commissioner Coleman.**

**Voting Yea: Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Marden, and Commissioner Mazon.**

**MOTION PASSED 5-0**

- 13. Rezoning previously annexed property from Alachua County Rural/Agriculture to City of Newberry Agricultural (Parcel Number: 01925-009-000).**

**Quasi-Judicial Public Hearing: Second Reading of Ordinance 2021-70/LDR 21-30, 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 AGRICULTURE (A) to CITY OF NEWBERRY AGRICULTURAL (A) on property recently annexed into the City and identified by Alachua County Parcel Numbers: 01925-009-000 and 01925-009-001. (This application is contingent upon approval of Application CPA 21-21.)**

No new participants entered the chambers.

Attorney Walker ready Ordinance 2021-70 by title only on second reading.

Planner Jackson remained sworn.

Mayor Marlowe asked for ex parte communication. There was none.

**Voting Nay: Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Marden, and Commissioner Mazon.**

No applicant or third-party intervenor were present.

**OPEN PUBLIC HEARING**

Planner Jackson presented a PowerPoint with the staff overview and report. Staff recommendation is enactment of Ordinance 2021-70.

Mayor Marlowe asked for public comment. There was none.

No cross-examination or final argument was made.

**CLOSE PUBLIC HEARING**

Attorney Walker reminded the Commission of the applicable law.

**Motion made by Commissioner Marden to enact Ordinance 2021-70.**

**Seconded by Commissioner Mazon.**



**Voting Yea: Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Marden, and Commissioner Mazon.**

**MOTION PASSED 5-0**

#### **AGENDA ITEMS**

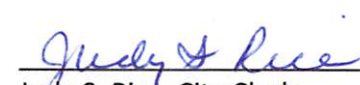
#### **COMMENTS**

Manager New, Attorney Walker, Clerk Rice, Director Thomas, Commissioner Coleman, Commissioner Farnsworth, Commissioner Marden, Commissioner Mazon, and Mayor Marlowe made comments.

**It was the consensus of the Commission to move the Regularly scheduled Monday, January 10<sup>th</sup>, 2022 Commission meeting to Tuesday, January 11<sup>th</sup>, 2022 at 6:00 p.m.**

#### **MEETING ADJOURNMENT**

Meeting adjourned at 8:06 p.m.

  
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Jordan Marlowe, Mayor  
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Judy S. Rice, City Clerk