



Planning & Zoning Board

Monday, April 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 noted that Board Member Baker was absent, therefore there is a possibility of a 2-2 vote split, which would be recorded as a recommendation of denial.

Mayor Marlowe and Attorney Walker were not present.

Director Thomas requested a Presentation be added to the Agenda.

**Motion made to approve the agenda with addition
of a Presentation by Board Member Thomas,
Seconded by Vice-Chair Long.**

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

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

MOTION PASSED 4-0

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Vice-Chair Long.

QUORUM CHECK

Mayor

Jordan Marlowe

Board Members

Naim Erched, Chair
Donald Long, Vice Chair
Anne Polo
Kathi Thomas

City Attorney

Scott Walker

Staff:

Director of Planning & Economic Development
Principal Planner
Staff Assistant

Bryan Thomas, AICP
Jean-Paul Perez
Jeannene Mironack

Absent:

Board Member

Jessica Baker

CONSENT AGENDA

Motion made by Vice-Chair Long, Seconded by Board Member Polo.

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

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

MOTION PASSED 4-0

1. March 6, 2023 Planning & Zoning Board Meeting Minutes

PRESENTATIONS

Director Thomas presented an overview of changes the City Commission has passed on first reading to the appointment processes and term lengths for members of the Historic Architectural Review Board and the Planning & Zoning Board. Second reading of the Ordinance is scheduled for the April 10, 2023, Commission Meeting.

PUBLIC HEARINGS AND ORDINANCES

Attorney Walker arrived at 6:09 PM.

2. A request for Site and Development Plan for a zipline park known as Zipline at Haile Quarry.

Quasi-Judicial Public Hearing: Resolution 2023-15/SDP 22-15, an application by Spain Development, LLC, Owner, for a Site and Development Plan for a zipline park known as Zipline at Haile Quarry and related site development located at 3925 Northwest County Road 235 on approximately 70 acres; identified by Alachua County tax parcel no. 01861-001-000 and a portion of 01860-000-000.

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

Jeannene Mironack swore in Principal Planner Jean-Paul Perez; Karl Spain, Spain Development, LLC; and Chris Gmuer, PE, Gmuer Engineering.

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

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

There was no third-party intervenor present.

Attorney Scott Walker read Resolution 2023-15 by title only.

Principal Planner Perez presented a PowerPoint overview of the application.

Chris Gmuer, PE, spoke briefly, then introduced Karl Spain, owner, Spain Development, LLC. Karl Spain made a PowerPoint presentation.

Principal Planner Perez presented a PowerPoint of the staff review of the application and staff's recommendation.

Chair Erched asked for public comment. There was none.

Chair Erched asked for cross-examination. There was none.

The Board questioned the applicant. Discussion ensued.

Chair Erched asked for final arguments. There were none.

Attorney Walker advised the Board.

**Motion made to recommend approval of Resolution
2023-15 by Vice-Chair Long, Seconded by Board
Member Thomas.**

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

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

MOTION PASSED 4-0

Chair Erched announced the Board of Adjustment will hold their hearing on this item on April 24, 2023.

Mayor Marlowe arrived at 6:59 PM.

3. A request for a large-scale Future Land Use Map Amendment for a from Agriculture to Planned Development for a project known as Newberry Plaza on ±128 acres

Legislative Public Hearing: Ordinance 2023-15/CPA 23-07, an application by CHW Professional Consultants on behalf of Glenn Thomas Arpin, Senior, Jennifer Gray, Johanna Yarborough, Mary Jane Schofield James, Michael Gray, and Robyn E. Bond to amend the Future Land Use Plan Map of the Comprehensive Plan from Agriculture to Planned Development for a project known as Newberry Plaza generally located at the southeast corner of State Road 26/West Newberry Road and Southwest 242 Street consisting of approximately 128 acres; identified by Alachua County Tax Parcel Number 01932-000-000.

Attorney Scott Walker read Ordinance 2023-15 by title only.

Principal Planner Perez presented a PowerPoint overview of the application.

Ryan Thompson, AICP, CHW Professional Consultants, presented the application with a PowerPoint.

The applicant was asked about the Historic Home on the property. Discussion ensued.

Principal Planner Perez stated that the Historic Home should be included in the Zoning Land Development Regulation Application, not this Comprehensive Plan Amendment.

Principal Planner Perez presented a PowerPoint of the staff review of the application and staff's recommendation.

Chair Erched asked for public comment on the motion. Paul Hornby spoke.

**Motion made to recommend approval of Ordinance
2023-15 by Vice-Chair Long, Seconded by Board
Member Thomas.**

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

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

Chair Erched announced the City Commission will hold their first hearing on this item on April 24, 2023.

4. A request to rezone a property from Agricultural (A) to Planned Development (PD) for a project known as Newberry Plaza consisting of ±128 acres.

Quasi-Judicial Public Hearing: Ordinance 2023-16/LDR 23-07, an application by CHW Professional Consultants on behalf of Glenn Thomas Arpin, Senior, Jennifer Gray, Johanna Yarborough, Mary Jane Schofield James, Michael Gray, and Robyn E. Bond to change the zoning designation from Agricultural (A) to Planned Development (PD) for a development known as Newberry Plaza generally located at the southeast State Road 26/West Newberry Road and Southwest 242 Street consisting of approximately 128 acres; identified by Alachua County Tax Parcel Numbers: 01932-000-000.

No one new had entered the room.

Jeannene Mironack swore in Principal Planner Jean-Paul Perez and Ryan Thompson, AICP CHW Professional Consultants.,

Chair Erched asked for ex parte communication. Board Member Thomas stated that she lived next door to Alachua County Tax Parcel 01932-000-000. Attorney Walker advised that there was no need for her to recuse herself from voting on this item.

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

There was no third-party intervenor present.

Attorney Scott Walker read Ordinance 2023-16 by title only.

Principal Planner Perez presented a PowerPoint overview of the application.

Ryan Thompson stated that the applicant's presentation was the same as presented in the previous item, Ordinance 2023-15/CPA 23-07.

Principal Planner Perez presented a PowerPoint of the staff review of the application and staff's recommendation.

Chair Erched asked for public comment. There was none.

Chair Erched asked for cross-examination. There was none.

Chair Erched asked for final arguments. There were none.

Chair Erched reminded the Board of Attorney Walker's prior advice.

Motion made by Vice-Chair Long to recommend approval of Ordinance 2023-16 with the condition that the developer will make the commercial properties construction-ready prior to 50% of the residences obtaining a Certificate of Occupancy, Seconded by Board Member Polo.

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

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

MOTION PASSED 4-0

Chair Erched announced the City Commission will hold their first hearing on this item on April 24, 2023.

5. Addition of a Pole Barn to store agricultural and emergency equipment at the Alachua County Agricultural and Equestrian Event Center

Quasi-Judicial Public Hearing: Resolution 2023-28/Application SDP 23-02, an application by the Florida Department of Agricultural & Consumer Services, Division of Animal Industry, Agent, for Alachua County Public Works, Owner, for Site and Development Plan Approval to allow construction of a 3,000 s.f. gross floor area Pole Barn on a portion of the Alachua County Agriculture and Equestrian Center, on parcel 01919-003-000.

Attorney Scott Walker read Resolution 2023-28 by title only.

Directed Thomas presented a PowerPoint of the application and staff recommendation.

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

Motion made to recommend approval of Resolution 2023-28 by Vice-Chair Long, Seconded by Board Member Polo.

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

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

MOTION PASSED 4-0

Chair Erched announced the Board of Adjustment will hold their hearing on this item on April 24, 2023.

TOPICS FROM MEMBERS FOR DISCUSSION

Board Member Thomas, Chair Erched, and Mayor Marlowe discussion made comments.

MEETING ADJOURNMENT

The meeting was adjourned at 8:34 PM.

Copies of any agenda attachments are available for public inspection at the Planning Department, located at 25815 SW 2nd 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.