



City of Newberry Planning and Zoning Board

Tuesday, September 06, 2022
6:01 PM

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

MINUTES

CALL TO ORDER

Chair Erched called the meeting to order at 6:01 p.m.

APPROVAL OF AGENDA

Chair Erched asked for approval of the agenda. He noted that Member Woodcock was absent, therefore there is a possibility of a 2-2 vote split, which would be recorded as a recommendation of denial.

Motion made by Member Baker to approve the agenda.

Seconded by Member Long.

Chair Erched asked for Public Comment, there was none.

Voting Yea: Chair Erched, Vice-Chair Long, Member Baker, and Member Polo.

MOTION PASSED 4-0

QUORUM CHECK

Mayor
Board Members

Jordan Marlowe
Naim Erched, Chair
Donald Long, Vice-Chair
Jessica Baker
Anne Polo

City Attorney

Scott Walker

Staff:

City Manager
Director of Planning & Economic Development
Director of Parks & Recreation
Principal Planner
Staff Assistant

Mike New, P.E.
Bryan Thomas, AICP
Travis Parker, CPRP
Jean-Paul W. Perez
Jeannene Mironack

Absent:

Board Member

Linda Woodcock

CONSENT AGENDA

- 1. July 12, 2021, Special Planning & Zoning Board Meeting Minutes**
- 2. August 1, 2022, Planning & Zoning Board Meeting Minutes**

Chair Erched asked for approval of the consent agenda.

Motion made by Member Baker to approve the consent agenda.

Seconded by Vice-Chair Long.

Voting Yea: Chair Erched, Vice-Chair Long, Member Baker, and Member Polo.

MOTION PASSED 4-0

PUBLIC HEARINGS AND ORDINANCES

- 3. Request by eda consultants, inc. to change the Future Land Use Map classification on ±123.9 acres from (County) Rural/Agriculture to (City) Mining**

Quasi-Judicial Hearing: Ordinance 2022-39/CPA 22-08, an application by eda consultants, inc., Agent for Cates & Broome, LLC and Cates and Broome Partnership, Owner, to amend the Future Land Use Plan Map of the City of Newberry Comprehensive Plan by changing the Future Land Use Classification from (County) Rural/Agriculture to (City) Mining on ±123.9 acres, generally located on the east side of Northwest County Road 236, between Northwest 22 Avenue and Northwest 46 Avenue, and identified by Alachua County Parcel Numbers 01855-000-000, 01855-001-000, 01855-002-000, 01856-000-000, and 01862-000-000.

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

Jeannene Mironack swore in Director Bryan Thomas; Principal Planner Jean-Paul W. Perez; Clay Sweger, AICP, LEED AP, eda consultants, inc.; Sergio Reyes, PE, eda consultants, inc.; Paul Stokey, Cates & Broome; and Karl Spain, Owner, Zipline at Haile Quarry.

Attorney Walker read Ordinance 2022-39 by title only.

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

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

There was no third-party intervenor present.

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

Clay Sweger presented the application with a PowerPoint presentation.

Chair Erched asked for Public Comment. Karl Spain spoke.

The Board questioned staff and the applicant. Discussion ensued.

Principal Planner Perez presented the staff recommendation that the the Planning & Zoning

Board recommend the City Commission approve, approve with conditions, or deny Ordinance 2022-39/Application CPA 22-08.

Attorney Walker advised the Board of applicable law.

Motion made by Vice-Chair Long to recommend approval of Ordinance 2022-39/CPA 22-08 to the City Commission.

Seconded by Member Baker.

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

Voting Yea: Chair Erched, Vice-Chair Long, Member Baker, and Member Polo.

MOTION PASSED 4-0

Chair Erched announced the City Commission will hold their hearing on this item on September 26, 2022.

- 4. Rezoning property from (County) Agriculture to (City) Agricultural (A) on Alachua County Parcel Identification Numbers 01855-000-000, 01855-001-000, 01855-002-000, 01856-000-000, and 01862-000-000.**

Quasi-Judicial Public Hearing: Ordinance 2022-40/LDR 22-15, an application by eda consultants, inc., Agent for Cates & Broome, LLC and Cates and Broome Partnership, Owner, to amend the Official Zoning Atlas of the City of Newberry Land Development Regulations by changing the zoning from (County) Agriculture to (City) Agricultural (A) on approximately 124 acres identified by Alachua County parcel number 01855-000-000, 01855-001-000, 01855-002-000, 01856-000-000, and 01862-000-000.

No one new entered the chambers.

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

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

There was no third-party intervenor present.

Attorney Walker read Ordinance 2022-40 by title only.

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

Clay Sweger presented the application.

Chair Erched asked for Public Comment. There was none.

The Board discussed the application.

Principal Planner Perez presented the staff recommendation that the the Planning & Zoning Board recommend the City Commission approve, approve with conditions, or deny Ordinance Ordinance 2022-40/LDR 22-15.

Attorney Walker advised the Board of applicable law.

Motion made by Vice-Chair Long to recommend approval of Ordinance 2022-40/LDR 22-15 to the City Commission.

Seconded by Member Polo.

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

Voting Yea: Chair Erched, Vice-Chair Long, Member Baker, and Member Polo.

MOTION PASSED 4-0

Chair Erched announced the City Commission will hold their hearing on this item on September 26, 2022.

5. Public Hearing on a Site and Development Plan petition for a new drive-through café and related site development.

Quasi-Judicial Public Hearing: Resolution 2022-54/Application SDP 22-08, an application by JBrown Professional Group, Inc., Agent for Preston Property Development, LLC, Owner, for a Site Development Plan approval for approximately 950 square feet of drive-through café and related site development on ±1.26 acres (Parcel Nos. 01951-001-000 and 01951-004-000).

No one new entered the chambers.

Jeannene Mironack swore in Chris Potts PE, JBrown Professional Group, Inc.; and Eric Preston, Preston Property Development, LLC.

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

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

There was no third-party intervenor present.

Attorney Walker read Resolution 2022-54 by title only.

Principal Planner Perez presented the staff overview and report with a PowerPoint presentation including staff's recommendation that the Planning & Zoning Board recommend the Board of Adjustment approve, approve with conditions, or deny Resolution 2022-54/Application No. SDP 22-08.

Chris Potts stated that he was present to answer any questions.

Chair Erched asked for Public Comment. There was none.

Motion made by Vice-Chair Long to recommend approval of Resolution 2022-54/Application No. SDP 22-08 to the City Commission.

Seconded by Member Baker.

Chair Erched asked for public comment on the motion. Ari Russell, Chris Potts, and Eric Preston spoke.

Voting Yea: Chair Erched, Vice-Chair Long, Member Baker, and Member Polo.

MOTION PASSED 4-0

Chair Erched announced the Board of Adjustment will hold their hearing on this item on September 26, 2022.

- 6. A Public Hearing on an application for Site and Development Plan approval for an approximately 500 square foot building ancillary to the City of Newberry Fire Department.**

Quasi-Judicial Public Hearing: Resolution 2022-55/SDP 22-13, an application by the City of Newberry for Site and Development Plan approval for an approximately 500 square foot building for storage and display of the REO Fire Truck located at 310 Northwest 250 Street (City of Newberry Fire Department) (Tax Parcel Number 02041-000-000).

No one new entered the chambers.

Jeannene Mironack swore in Director Travis Parker.

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

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

There was no third-party intervenor present.

Attorney Walker read Resolution 2022-55 by title only.

Principal Planner Perez presented the staff overview and report with a PowerPoint presentation including staff's recommendation that the Planning & Zoning Board recommend the Board of Adjustment approve, approve with conditions, or deny Resolution 2022-55/SDP 22-13.

Director Parker responded to the Board's questions.

Chair Erched asked for Public Comment. There was none.

Motion made by Vice-Chair Long to recommend approval of Resolution 2022-55/Application No. SDP 22-13 to the City Commission.

Seconded by Member Baker.

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

Voting Yea: Chair Erched, Vice-Chair Long, Member Baker, and Member Polo.

MOTION PASSED 4-0

Chair Erched announced the Board of Adjustment will hold their hearing on this item on September 26, 2022.

- 7. A report of the City's Comprehensive Plan's amendment needs. The Florida Department of Economic Opportunity requires this report be completed every seven years.**

Ordinance 2022-38/CPA 22-11, Amending the Future Land Use Element, Newberry Visions Sub Element, of the City of Newberry Comprehensive Plan

Chair Erched stated that this item is Legislative, not Quasi-Judicial.

Director Thomas presented the staff overview and report with a PowerPoint presentation. Staff recommendation is to recommend that the City Commission approve Ordinance 2022-38/CPA 22-11.

Chair Erched asked for public comment. There was none.

The Board discussion the item with Director Thomas.

Attorney Walker read Ordinance 2022-38 by title only.

Motion made by Member Baker to recommend approval of Ordinance 2022-38/CPA 22-11 to the City Commission.

Seconded by Member Long.

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

Voting Yea: Chair Erched, Vice-Chair Long, Member Baker, and Member Polo.

MOTION PASSED 4-0

Chair Erched announced the City Commission will hold their first hearing on this item on September 12, 2022.

TOPICS FROM MEMBERS FOR DISCUSSION

Mayor Marlowe stated that Linda Woodcock would be resigning from the Planning & Zoning Board and the Historic Architectural Review Board. The City Commission will appoint a replacement.

MEETING ADJOURNMENT

Meeting adjourned at 7:24 p.m.