



City of Newberry Planning & Zoning Board

Monday, June 01, 2020
6:00 PM

Planning & Economic Development Department
In the Little Red School House at 25815 SW 2nd Avenue
25440 W Newberry Road, Newberry, FL 32669
(352) 472-5440

MINUTES

CALL TO ORDER

Mayor Marlowe called the meeting to order at 6:16 PM.

QUORUM CHECK

PRESENT

Chair Jessica Baker
Vice Chair Linda Woodcock
Board Member Bill Conrad
Board Member Naim Erched
Board Member Gavin Johnson
Mayor, Non-voting, Ex Officio Jordan Marlowe

APPROVAL OF AGENDA

APPROVAL OF MINUTES

1. May 4, 2020, Planning & Zoning Board Meeting Minutes

Motion to approve the May 4, 2020 Planning & Zoning Board Meeting Minutes was made by Board Member Conrad, Seconded by Chair Baker.

Voting Yea: Chair Baker, Vice Chair Woodcock, Board Member Conrad, Board Member Johnson, Board Member Erched

NEW BUSINESS

2. Quasi-judicial Public Hearing: LDR 20-01, an application by CHW Professional Consultants, Inc., Agent, for Alachua County, Owner, to amend the Alachua County Agricultural and Equestrian Event Center Planned Development (Development Order 19-01), located at 23100 W. Newberry Road, Newberry, Florida, on property identified as Alachua County Tax Parcel #01919-003-000, consisting of 36.7 Acres, more or less. The purpose of the request is to allow existing electrical utility service lines to remain above-ground at the Alachua County Agricultural and Equestrian Event Center.

Attorney Walker read the Item Title. Mayor Marlowe asked the Board members if they had conducted ex parte communications regarding this application. Each of the Board members reported that they had no ex parte communication regarding this application.

Mayor Marlowe asked anyone thinking of speaking on this Agenda item to raise their right hand and be sworn in. Attorney Walker then swore in Bryan Thomas, AICP, Department Director, Planning and Economic Development, City of Newberry; Jeannene Mironack, Staff Assistant for the City of Newberry; Ryan Thompson, AICP, CHW Professional Consultants; and Monique Heathcock, P.E, CHW Professional Consultants.

Mayor Marlowe read the Quasi-Judicial meeting procedure summary.

Bryan Thomas, AICP, Department Director, Planning and Economic Development, presented the staff overview.

Ryan Thompson, AICP, CHW Professional Consultants, presented the Application.

Bryan Thomas, AICP, Department Director, Planning and Economic Development, presented the staff report and recommendation for approval of the Application.

Mayor Marlowe asked if staff wanted to cross-examine the applicant. There was no response. Mayor Marlowe asked if the applicant wanted to cross-examine staff. There was no response. Mayor Marlowe asked if staff or the applicant wanted to make final arguments. There was no response.

Mayor Marlowe asked if any member of the Public wanted to speak. There were none.

Mayor Marlowe asked if any Board Member had questions. Chair Baker moved to recommend approval of LDR to the City Commission. The motion was seconded by Board Member Johnson.

Mayor Marlowe asked if any member of the Public wanted to speak. There were none.

Scott Walker, City Attorney, advised that members must vote based on substantial and competent evidence.

Voting Yea: Chair Baker, Vice Chair Woodcock, Board Member Conrad, Board Member Johnson, Board Member Erched

Mayor Marlowe announced that this application will be heard by the City Commission at their June 22, 2020 meeting.

3. Quasi-Judicial Public Hearing: Resolution 2020-27/Application SDP 20-04, a request by Monique Heathcock, P.E., of CHW Professional Consultants, Inc., Agent, for Alachua County, Owner, for Site and Development Plan Approval of the Alachua County Agricultural & Equestrian Center and Alachua County IFAS Extension Office & Auditorium, including construction of a 7,400 SF office building; a 13,700 SF auditorium building; a 2,600 SF restroom building; an 8,750 SF pre-fab metal barn; an outdoor ring for equestrian activities, and associated parking, utilities, stormwater, and related improvements, on 41.73 acres within the Canterbury Planned Development Zoning District, located at 23100 W Newberry Road.

Mayor Marlowe asked the Board members if they had conducted ex parte communications regarding this application. Each of the Board members reported that they had no ex parte communication regarding this application.

Mayor Marlowe asked anyone thinking of speaking on this Agenda item to raise their right hand and be sworn in. Attorney Walker then swore in Bryan Thomas, AICP, Department Director, Planning and Economic Development, City of Newberry; Jeannene Mironack, Staff Assistant for the City of Newberry; Gina Peebles, Gina Peebles, CPRP, Assistant County Manager – Chief of Staff, Alachua County; Ramon Gavarrete, P.E., Public Works Director/County Engineer, Alachua County; Ryan Thompson, AICP, CHW Professional Consultants; and Monique Heathcock, P.E, CHW Professional Consultants.

Mayor Marlowe read the Quasi-Judicial meeting procedure summary.

Bryan Thomas, AICP, Department Director, Planning and Economic Development, presented the staff overview.

Monique Heathcock, P.E, CHW Professional Consultants, presented the Application.

Bryan Thomas, AICP, Department Director, Planning and Economic Development, presented the staff report and recommendation for approval of the Application.

Mayor Marlowe asked if any member of the Public wanted to speak. There were none.

Attorney Walker read the Item Title.

Mayor Marlowe asked if staff wanted to cross-examine the applicant. There was no response. Mayor Marlowe asked if the applicant wanted to cross-examine staff. There was no response. Mayor Marlowe asked if staff or the applicant wanted to make final arguments. There was no response.

Mayor Marlowe asked if any member of the Public wanted to speak. There were none.

Mayor Marlowe asked if any Board Member had questions. Discussion ensued. Board Member Conrad moved to recommend approval of Resolution 2020-27/Application SDP 20-04 to the Board of Adjustment. The motion was seconded by Board Member Johnson.

Mayor Marlowe asked if any member of the Public wanted to speak. There were none.

Scott Walker, City Attorney, advised that members must vote based on substantial and competent evidence.

Voting Yea: Chair Baker, Vice Chair Woodcock, Board Member Conrad, Board Member Johnson, Board Member Erched

Mayor Marlowe announced that this application will be heard by the Board of Adjustment at their July 13, 2020 meeting.

4. Quasi-Judicial Public Hearing: Resolution 2020-28/Application SDP 20-05, a request by DRMP, Inc., Agent, for ER 1417 Properties, LLC, Owner, for Site and Development Plan Approval of 7,900 sf gross floor area of new construction (Alpha-Omega Training and Compliance) with associated site development including parking and utilities, on 2.0 acres located in the Newberry Commercial Park, Lots 14 and 17.

Attorney Walker read Resolution 2020-28 by Title.

Mayor Marlowe asked the Board members if they had conducted ex parte communications regarding this application. Each of the Board members reported that they had no ex parte communication regarding this application.

Mayor Marlowe asked anyone thinking of speaking on this Agenda item to raise their right hand and be sworn in. Attorney Walker then swore Wendy V. Kinser-Maxwell, AICP, Principal Planner, Planning and Economic Development, City of Newberry; Jeannene Mironack, Staff Assistant for the City of Newberry; and Josh Highlander, P.E, CGC, RISE Construction.

Mayor Marlowe read the Quasi-Judicial meeting procedure summary.

Wendy V. Kinser-Maxwell, AICP, Principal Planner, Planning and Economic Development, presented the staff overview.

Josh Highlander, P.E, CGC, RISE Construction, presented the Application.

Wendy V. Kinser-Maxwell, AICP, Principal Planner, Planning and Economic Development, presented the staff report and recommendation for approval of the Application.

Mayor Marlowe asked if any member of the Public wanted to speak. There were none.

Mayor Marlowe asked if staff wanted to cross-examine the applicant. There was no response. Mayor Marlowe asked if the applicant wanted to cross-examine staff. There was no response. Mayor Marlowe asked if staff or the applicant wanted to make final arguments. There was no response.

Mayor Marlowe asked if any member of the Public wanted to speak. There were none.

Mayor Marlowe asked if any Board Member had questions. Discussion ensued.

Scott Walker, City Attorney, advised that members must vote based on substantial and competent evidence.

Board Member Conrad moved to recommend approval of Resolution 2020-28/Application SDP 20-05 to the Board of Adjustment. The motion was seconded by Vice Chair Woodcock.

Mayor Marlowe asked if any member of the Public wanted to speak. There were none.

Voting Yea: Chair Baker, Vice Chair Woodcock, Board Member Conrad, Board Member Johnson, Board Member Erched.

Mayor Marlowe announced that this application will be heard by the Board of Adjustment at their June 22, 2020 meeting.

5. Quasi-judicial Public Hearing: LDR 20-02, an application by M3 Development, LLC, Agent, for C.L. Brice, Inc., Owner, to amend the Mixed Use Development (Development Order 05-1), located directly north and west of the Easton-Newberry Sports Complex, in Newberry, Florida, on property identified as Alachua County Tax Parcel # 01874-001-000, consisting of 66.72 Acres, more or less. The purpose of the request is to amend the front and side yard setbacks in the single-family residential development areas.

Attorney Walker read the Item Title.

Mayor Marlowe asked the Board members if they had conducted ex parte communications regarding this application. Each of the Board members reported that they had no ex parte communication regarding this application.

Mayor Marlowe asked anyone thinking of speaking on this Agenda item to raise their right hand and be sworn in. Attorney Walker then swore Bryan Thomas, AICP, Department Director, Planning and Economic Development, City of Newberry; Jeannene Mironack, Staff Assistant for the City of Newberry; and Dave McDaniel, M3 Development, LLC.

Mayor Marlowe read the Quasi-Judicial meeting procedure summary.

Bryan Thomas, AICP, Department Director, Planning and Economic Development, presented the staff overview.

Dave McDaniel, M3 Development, LLC, presented the Application.

Bryan Thomas, AICP, Department Director, Planning and Economic Development, presented the staff report and recommendation for approval of the Application.

Mayor Marlowe asked if any member of the Public wanted to speak. There were none.

Mayor Marlowe asked if staff wanted to cross-examine the applicant. There was no response.

Mayor Marlowe asked if the applicant wanted to cross-examine staff. There was no response.

Mayor Marlowe asked if any Board Member had questions. Discussion ensued.

Mayor Marlowe asked if staff or the applicant wanted to make final arguments. There was no response.

Mayor Marlowe asked if any member of the Public wanted to speak. There were none.

Scott Walker, City Attorney, advised that members must vote based on substantial and competent evidence.

Vice Chair Woodcock moved to recommend approval of LDR 20-02 to the City Commission, Seconded by Board Member Johnson.

Mayor Marlowe asked if any member of the Public wanted to speak. There were none.

Voting Year: Chair Baker, Vice Chair Woodcock, Board Member Conrad, Board Member Johnson, Board Member Erched.

Mayor Marlowe announced that this application will be heard by the City Commission at their June 22, 2020 meeting.

6. Quasi-Judicial Public Hearing: Resolution 2020-26/Application SDP 20-03, a request by CP Engineering, LLC, Agent, for Norfleet Construction Group, LLC, Owner, for Site and Development Plan Approval for 14,400 s.f. gross floor area of new construction (7,200 s.f. first floor fitness center with five residential apartments above) with associated site development including parking and utilities, located on the north side of SW 17th Place between SW 248th Drive and SW 249th Drive, within "CountryWay Town Square" in the Newberry Town Center "PD" Planned Development Zoning District.

Attorney Walker read Resolution 2020-26 by Title.

Mayor Marlowe asked the Board members if they had conducted ex parte communications regarding this application. Each of the Board members reported that they had no ex parte communication regarding this application.

Vice Chair Woodcock left the meeting.

Mayor Marlowe asked anyone thinking of speaking on this Agenda item to raise their right hand and be sworn in. Attorney Walker then swore Wendy V. Kinser-Maxwell, AICP, Principal Planner, Planning and Economic Development, City of Newberry; and Jeannene Mironack, Staff Assistant for the City of Newberry.

Wendy V. Kinser-Maxwell, AICP, Principal Planner, Planning and Economic Development, presented the staff overview, the staff report, and recommendation for approval of the Application.

Mayor Marlowe asked if any member of the Public wanted to speak. There were none.

Mayor Marlowe asked if any Board Member had questions. Discussion ensued.

Scott Walker, City Attorney, advised that members must vote based on substantial and competent evidence.

Board Member Johnson moved to recommend approval of Resolution 2020-26/ Application SDP 20-03 to the Board of Adjustment, replacing "fitness center" with "commercial as provided for by the Newberry Town Center PD regulations." The motion was seconded by Board Member Erched.

Mayor Marlowe asked if any member of the Public wanted to speak. There were none.

Voting Yea: Chair Baker, Board Member Conrad, Board Member Johnson, Board Member Erched.

The Board directed Staff to verify with the property owner that the amended Resolution was acceptable, and if not, the Board of Adjustment could act accordingly.

Mayor Marlowe announced that this application will be heard by the Board of Adjustment at their June 8, 2020 meeting.

7. Legislative Public Hearing: CPA 20-01, an application by the City of Newberry to amend the Future Land Use Plan Map of the Comprehensive Plan by changing the land use on the properties previously voluntarily annexed to the City and as identified by Alachua County Parcel Numbers: 02667-008-000, 02519-001-000, 02517-001-001, 02632-000-000, 04364-005-000, 04276-007-000, 04276-010-000, 04276-011-000, 04276-012-000, 04276-000-000, 04276-005-000, 04276-002-000, and 01880-000-000, from Alachua County Future Land Use of RURAL/AGRICULTURE (less than or equal to one dwelling unit per five acres) to City of Newberry Land Use classification of AGRICULTURE (less than or equal to one dwelling unit per five acres).

Attorney Walker read the Item Title.

Bryan Thomas, AICP, Department Director, Planning and Economic Development, presented the staff report and recommendation for approval of the Application.

Mayor Marlowe asked if any member of the Public wanted to speak. There were none.

Mayor Marlowe asked if any Board Member had questions. Discussion ensued.

Board Member Conrad moved to recommend approval of CPA 20-01, Seconded by Chair Baker.

Mayor Marlowe asked if any member of the Public wanted to speak. There were none.

Voting Yea: Chair Baker, Board Member Conrad, Board Member Johnson, Board Member Erched.

Mayor Marlowe announced that this application will be heard by the City Commission at their June 22, 2020 meeting.

8. Quasi-judicial Public Hearing: LDR 20-03, 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 Agriculture (A) to City of Newberry Agriculture (A) on properties recently annexed into the City as identified by Alachua County Parcel Numbers: 02667-008-000, 02519-001-000, 02517-001-001, 02632-000-000, 04364-005-000, 04276-007-000, 04276-010-000, 04276-011-000, 04276-012-000, 04276-000-000, 04276-005-000, 04276-002-000, and 01880-000-000. (This application is contingent upon approval of Application CPA 20-01.)

Attorney Walker read the Item Title.

Mayor Marlowe asked the Board members if they had conducted ex parte communications regarding this application. Each of the Board members reported that they had no ex parte communication regarding this application.

Mayor Marlowe asked anyone thinking of speaking on this Agenda item to raise their right hand and be sworn in. Attorney Walker then swore Bryan Thomas, AICP, Department Director, Planning and Economic Development, City of Newberry.

Bryan Thomas, AICP, Department Director, Planning and Economic Development, presented the staff report and recommendation for approval of the Application.

Mayor Marlowe asked if any member of the Public wanted to speak. There were none.

Mayor Marlowe asked if any Board Member had questions. There were none.

Scott Walker, City Attorney, advised that members must vote based on substantial and competent evidence.

Chair Baker moved to recommend approval of LDR 20-03 to the City Commission, contingent on the City Commission's approval of CPA 20-01. Seconded by Board Member Johnson.

Mayor Marlowe asked if any member of the Public wanted to speak. There were none.

Motion made by, Voting Yea: Chair Baker, Board Member Conrad, Board Member Johnson, Board Member Erched.

Mayor Marlowe announced that this application will be heard by the City Commission at their June 22, 2020 meeting.

TOPICS FROM MEMBERS FOR DISCUSSION

Gavin Johnson asked about requiring the applicant, or their Agent, to attend meetings. Discussion ensued.

ADJOURN

The meeting adjourned at 8:51 PM.

ATTEST:

Linda Woodcock, Vice Chair

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.

NOTIFICATION: All persons are advised that if they decide to appeal any decision made at the above referenced public hearings, they will need a record of the proceeding, and that, for such purpose, they may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. 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, no later than 72 hours prior to the proceedings. If hearing impaired, call the Florida Relay System at (800) 955-8770.