



City of Newberry Planning & Zoning Board

Monday, January 03, 2022
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 p.m. He noted Attorney Walker is attending the meeting via phone.

APPROVAL OF AGENDA

Chair Erched made a statement regarding the length of agendas and the possibility of creating a meeting policy for the Planning and Zoning Board. A lengthy discussion ensued.

Mr. Gerry Dedenbach, CHW, requested that item 4 and item 5 be postponed until next month's meeting.

Chair Erched asked for approval of the amended agenda. There will be an additional item to discuss Planning and Zoning meeting policy and procedures. Item 2 will be postponed at staff's request. Items 4 and 5 will be postponed at applicant's request.

Motion made by Chair Erched to approve the amended agenda.

Seconded by Member Baker.

Voting Yea: Chair Erched, Vice Chair Johnson, Member Long, Member Woodcock, and Member Baker.

MOTION PASSED 5-0

QUORUM CHECK

Mayor

Jordan Marlowe

Board Members

Naim Erched, Chair
Gavin Johnson, Vice Chair
Donald Long
Linda Woodcock
Jessica Baker

City Attorney

Scott Walker, by phone

City Manager

Mike New

Staff:

Director of Planning & Economic Development
Staff Assistant

Bryan Thomas, AICP
Jeannene Mironack

PLEDGE OF ALLEGIANCE

Vice Chair Johnson led the pledge.

ANNOUNCEMENTS

CONSENT AGENDA

1. December 6, 2021, 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 Member Long.

Voting Yea: Chair Erched, Vice Chair Johnson, Member Long, Member Woodcock, and Member Baker.

MOTION PASSED 5-0

PRESENTATIONS

~~2. Upcoming Subdivision Applications~~

This item was removed at staff's request

PUBLIC HEARINGS AND ORDINANCES

3. Special Exception for Greenfield East Pre-School Expansion (parcel 01928-004-000)

Quasi-judicial Public Hearing: Resolution 2022-01/SE 22-01, an application by Jayme Tate, Agent for GPS Newberry East LLC, Owner, for a Special Exception in the Agricultural (A) Zoning District, as provided for in section 4.4.5 and in conformance with Section 4.2.33 of the City of Newberry Land Development Regulations, to allow expansion of an existing childcare facility (Greenfield Preschool East) on approximately 1.03 acres, located at 21805 West Newberry Road (Tax Parcel 01924-002-001).

Chair Erched read the Quasi-Judicial process and procedures. Afterwards he reviewed the presentation order.

Director Thomas read Resolution 2022-01 by title only.

Staff Assistant Mironack swore in Director Thomas, and Ms. Jayme Tate, Applicant.

Chair Erched asked for ex parte communication. Chair Erched had conversation with the applicant, but it will not affect his decision-making skills.

Voting Yea: Chair Erched.

**Voting Nay: Vice Chair Johnson, Member Long,
Member Woodcock, and Member Baker.**

There was no third-party intervenor present.

OPEN PUBLIC HEARING

Director Thomas presented a PowerPoint presentation with staff overview.

Ms. Tate verbally presented.

Director Thomas presented the staff report and recommendation. Staff recommends that the Board recommends to the Board of Adjustment adoption of Resolution 2022-01 on Tuesday, January 11, 2022.

Chair Erched asked for public comment. There was none.

There was no cross examination.

Through the Chair, the Board asked questions of staff and the applicant. Discussion ensued.

No final argument was made.

CLOSE PUBLIC HEARING

Attorney Walker reminded the Board of the applicable law.

Discussion ensued regarding traffic in the area. The Board would like the applicant to reach out to FDOT to see if a traffic study is needed.

**Motion made by Member Johnson to recommend
to the Board of Adjustment adoption of Resolution
2022-01 with the added verbiage about reaching
out to FDOT regarding a traffic study.**

Seconded by Member Baker.

**Voting Yea: Chair Erched, Vice Chair Johnson,
Member Long, Member Woodcock, and Member
Baker.**

MOTION PASSED 5-0

**~~4. Request by CHW to change the Future Land Use Map classification on ±272 acres from
Agriculture to Planned Development~~**

~~Legislative Hearing: Ordinance 2021-77/CPA 21-18, an application by Causseaux, Hewett,
and Walpole, Inc. dba CHW, Agent for Glaeser Tract Investment, LLC, Owner, to amend the
Future Land Use Plan Map of the City of Newberry Comprehensive Plan by changing the
future Land Use Classification from AGRICULTURE to PLANNED DEVELOPMENT on ±272-
acres, located north of West Newberry Road/SR 26 and west of NW 202nd Street, and
identified by Alachua County Parcel Numbers 01920-000-000, 01920-001-000, 01920-002-
000, 01920-002-001, and 01920-003-000.~~

The applicant requested to postpone until the following meeting.

5. ~~Request by CHW to rezone ±272 acres from Agricultural (A) to Planned Development (PD)~~

~~Quasi-Judicial Hearing: Ordinance 2021-78/LDR 21-26, an application by Causseaux, Hewett, and Walpole, Inc. dba CHW, Agent for GLAESER TRACT INVESTMENT, LLC, Owner, to amend the Official Zoning Atlas of the City of Newberry Land Development Regulations by changing the zoning from Agricultural (A) to Planned Development (PD) on ±272 acres, located north of West Newberry Road/SR 26 and east of SW 202nd Street, and identified by Alachua County Parcel Numbers 01920-000-000, 01920-001-000, 01920-002-000, 01920-002-001, and 01920-003-000. (This application is contingent upon approval of Application CPA 21-18.)~~

The applicant requested to postpone until the following meeting.

6. Amendment to the Land Development Regulations to allow small-scale rural event centers by Special Exception in the Agricultural Zoning District

Legislative Public Hearing: Ordinance 2022-18/LDR 22-01, an application by the City of Newberry to amend the City of Newberry Land Development Regulations, Section 4.4., Subsection 4.4.5., to allow small-scale rural event centers as a Special Exception within the "A" Agricultural Zoning District.

Director Thomas read Ordinance 2022-18 by title only

Director Thomas presented a PowerPoint presentation for this item. Staff recommendation is to recommend to the City Commission approval of Ordinance 2022-18.

A lengthy discussion ensued regarding the definition of a special exception, and small-scale rural event centers.

Ms. Shabnam Rumpf-Monadizadeh and Ms. Deborah Walters spoke on this item.

Motion made by Member Baker to recommend to the Commission approval of Ordinance 2022-18.

Seconded by Member Long.

Voting Yea: Chair Erched, Member Long, Member Woodcock, and Member Baker.

Voting Nay: Vice Chair Johnson.

MOTION PASSED 4-1

7. Rezoning previously annexed property from Alachua County Rural/Agriculture to City of Newberry Agricultural (Parcel Number 04370-001-000.)

Quasi-Judicial Hearing: Ordinance 2021-74/LDR 21-27, 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 04370-001-000. (This application is contingent upon approval of Application CPA 21-29.)

Chair Erched reviewed the Quasi-Judicial process and procedures.

Director Thomas read Ordinance 2022-74 by title only.

Staff Assistant Mironack swore in Ms. Shabnam Rumpf-Monadizadeh. Director Thomas remained sworn.

Chair Erched asked for ex parte communication.

**Voting Nay: Chair Erched, Vice Chair Johnson,
Member Long, Member Woodcock, and Member
Baker.**

There was no third-party intervenor present.

OPEN PUBLIC HEARING

Director Thomas presented a PowerPoint presentation with staff overview, report, and recommendation. Recommendation is to recommend to the City Commission approval of Ordinance 2021-74.

Chair Erched asked for public comment. There was none.

There was no cross examination or final argument.

CLOSE PUBLIC HEARING

Attorney Walker reminded the Board of the applicable law.

**Motion made by Member Woodcock to recommend
to the City Commission approval of Ordinance 2021-
74.**

Seconded by Member Baker.

**Voting Yea: Chair Erched, Vice Chair Johnson,
Member Long, Member Woodcock, and Member
Baker.**

MOTION PASSED 5-0

Recessed at 7:42 p.m. and reconvened at 7:50 p.m.

8. **Changing Future Land Use Map classification from ALACHUA COUNTY RURAL/AGRICULTURE to CITY OF NEWBERRY AGRICULTURE on previously annexed property (Parcel Numbers 04271-003-000, 04275-000-000, 04275-001-000, 04275-004-000, 04275-005-000, 04275-006-000, 04276-001-000, 04287-000-000, and 04287-002-000); and by changing the Future Land Use classification from ALACHUA COUNTY RURAL COMMERCIAL AGRICULTURE to CITY OF NEWBERRY AGRICULTURE on property previously voluntarily annexed to the City as shown on the location map below and identified by Alachua County Parcel Number 04369-002-000.**

Legislative Public Hearing: Ordinance 2022-04/CPA 21-30, 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 04271-003-000, 04275-000-000, 04275-001-000, 04275-004-000, 04275-005-000, 04275-006-000, 04276-001-000, 04287-000-000, and 04287-002-000; and by changing the Future Land Use classification from ALACHUA COUNTY RURAL COMMERCIAL AGRICULTURE to CITY OF NEWBERRY AGRICULTURE on property previously voluntarily annexed to the City as shown on the location map below and identified by Alachua County Parcel Number 04369-002-000.

Director Thomas read Ordinance 2022-04 by title only.

Director Thomas presented a PowerPoint presentation with staff overview, report, and recommendation. Recommendation is to recommend to the City Commission approval of Ordinance 2022-04.

Ms. Deborah Walters spoke on this item.

Motion made by Member Baker to recommend to the City Commission approval of Ordinance 2022-04.

Seconded by Member Johnson.

Voting Yea: Chair Erched, Vice Chair Johnson, Member Long, Member Woodcock, and Member Baker.

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 Numbers 04443-000-000 and 04443-001-000).**

Legislative Public Hearing: Ordinance 2022-05/CPA 21-31, 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 04443-000-000 and 04443-001-000.

Director Thomas read Ordinance 2022-05 by title only.

Director Thomas presented a PowerPoint presentation with staff overview, report, and recommendation. Recommendation is to recommend to the City Commission approval of Ordinance 2022-05.

Motion made by Member Baker to recommend to the City Commission approval of Ordinance 2022-05.

Seconded by Member Long.

**Voting Yea: Chair Erched, Vice Chair Johnson,
Member Long, Member Woodcock, and Member
Baker.**

MOTION PASSED 5-0

- 10. Changing Future Land Use Map classification from Alachua County Rural/Agriculture to City of Newberry Agriculture on previously annexed property (Parcel Numbers 02587-001-005 and 02587-001-007).**

Legislative Public Hearing: Ordinance 2022-06/CPA 21-32, 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 02587-001-005 and 02587-001-007.

Director Thomas read Ordinance 2022-06 by title only.

Director Thomas presented a PowerPoint presentation with staff overview, report, and recommendation. Recommendation is to recommend to the City Commission approval of Ordinance 2022-06.

**Motion made by Member Johnson to recommend
to the City Commission approval of Ordinance 2022-
06.**

Seconded by Member Baker.

**Voting Yea: Chair Erched, Vice Chair Johnson,
Member Long, Member Woodcock, and Member
Baker.**

MOTION PASSED 5-0

- 11. Changing Future Land Use Map classification from Alachua County Rural/Agriculture to City of Newberry Agriculture on previously annexed property (Parcel Numbers 04155-000-000, 04155-002-000, 04152-000-000, 04155-001-000, and 04155-001-001).**

Legislative Public Hearing: Ordinance 2022-07/CPA 21-33, 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 04155-000-000, 04155-002-000, 04152-000-000, 04155-001-000, and 04155-001-001.

Director Thomas read Ordinance 2022-07 by title only.

Director Thomas presented a PowerPoint presentation with staff overview, report, and recommendation. Recommendation is to recommend to the City Commission approval of Ordinance 2022-07.

Motion made by Member Baker to recommend to the City Commission approval of Ordinance 2022-07.

Seconded by Member Long.

Voting Yea: Chair Erched, Vice Chair Johnson, Member Long, Member Woodcock, and Member Baker.

MOTION PASSED 5-0

- 12. Changing Future Land Use Map classification from Alachua County Rural/Agriculture to City of Newberry Agriculture on previously annexed property (Parcel Number 04370-002-000).**

Legislative Public Hearing: Ordinance 2022-08/CPA 21-34, 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 04370-002-000 .

Director Thomas read Ordinance 2022-08 by title only.

Director Thomas presented a PowerPoint presentation with staff overview, report, and recommendation. Recommendation is to recommend to the City Commission approval of Ordinance 2022-08.

Motion made by Member Baker to recommend to the City Commission approval of Ordinance 2022-08.

Seconded by Member Long.

Voting Yea: Chair Erched, Vice Chair Johnson, Member Long, Member Woodcock, and Member Baker.

MOTION PASSED 5-0

- 13. Rezoning previously annexed property from Alachua County Rural/Agriculture to City of Newberry Agricultural (A) and rezoning previously annexed property from Alachua County Agricultural-Rural Business (A-RB) and Alachua County Business, Retail Sales, and Services to City of Newberry Commercial, Neighborhood (CN), contingent up on approval of Application CPA 21-30.**

Quasi-Judicial Public Hearing: Ordinance 2022-11/LDR 21-38, 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 annexed into the City and identified by Alachua County tax parcel numbers 04271-003-000, 04275-000-000, 04275-001-000, 04275-004-000, 04275-005-000, 04275-006-000,

04276-001-000, 04287-000-000, and 04287-002-000; and by changing the zoning from ALACHUA COUNTY AGRICULTURAL-RURAL BUSINESS (A-RB) to CITY OF NEWBERRY COMMERCIAL, NEIGHBORHOOD (CN) on property previously voluntarily annexed to the City as shown on the location map below and identified by Alachua County Parcel Number 04275-007-000; and by changing the zoning from ALACHUA COUNTY BUSINESS, RETAIL SALES, AND SERVICES (BR) to CITY OF NEWBERRY COMMERCIAL, NEIGHBORHOOD (CN) on property previously voluntarily annexed to the City as shown on the location map below and identified by Alachua County Parcel Number 04369-002-000. (This application is contingent upon approval of Application CPA 21-30.)

No new participants entered the chambers

Director Thomas read Ordinance 2022-11 by title only.

Staff Assistant Mironack swore in Ms. Deborah Walters and Mr. Raymond Sapp. Director Thomas remained sworn.

Chair Erched asked for ex parte communication. Vice Chair Johnson involved with the purchase of 04369-002-00 as the realtor. It would not affect his judgement. Attorney Walker advised Vice Chair Johnson to abstain from voting.

Voting Yea: Vice Chair Johnson.

Voting Nay: Chair Erched, Member Long, Member Woodcock, and Member Baker.

There was no third-party intervenor present.

OPEN PUBLIC HEARING

Director Thomas presented a PowerPoint presentation with staff overview, staff report, and recommendation. Recommendation is to recommend approval to the City Commission of Ordinance 2022-11.

Mr. Raymond Sapp and Ms. Deborah Walters spoke.

There was no cross examination.

Through the Chair, the Board asked questions of staff and the applicant. Discussion ensued.

No final argument was made.

CLOSE PUBLIC HEARING

Attorney Walker reminded the Board of the applicable law.

Discussion ensued about commercial neighborhood zoning vs. special exception.

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

Seconded by Member Long.

Voting Yea: Chair Erched, Member Long, Member Woodcock, and Member Baker.

Abstained: Vice Chair Johnson.

MOTION PASSED 4-0

- 15. Rezoning previously annexed property from Alachua County Rural/Agriculture to City of Newberry Agricultural (Parcel Numbers: Numbers 02587-001-005 and 02587-001-007).**

Quasi-Judicial Public Hearing: Ordinance 2022-13/LDR 21-40, 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 annexed into the City and identified by Alachua County tax parcel numbers 02587-001-005 and 02587-001-007 (This application is contingent upon approval of Application CPA 21- 32.)

No new participants entered the chambers

Director Thomas read Ordinance 2022-13 by title only.

Director Thomas remained sworn.

Chair Erched asked for ex parte communication.

Voting Nay: Chair Erched, Vice Chair Johnson, Member Long, Member Woodcock, and Member Baker.

There was no third-party intervenor present.

OPEN PUBLIC HEARING

Director Thomas presented a PowerPoint presentation with staff overview, staff report, and recommendation. Recommendation is to recommend approval to the City Commission of Ordinance 2022-13.

There was no cross examination or final argument.

CLOSE PUBLIC HEARING

Attorney Walker reminded the Board of the applicable law.

Motion made by Member Woodcock to recommend to the City Commission approval of Ordinance 2022-13.

Seconded by Member Baker.

Voting Yea: Chair Erched, Vice Chair Johnson, Member Long, Member Woodcock, and Member Baker.

MOTION PASSED 5-0

- 14. Rezoning previously annexed property from Alachua County Rural/Agriculture to City of Newberry Agricultural (Parcel Numbers: Numbers 04443-000-000 and 04443-001-000).**

Quasi-Judicial Public Hearing: Ordinance 2022-12/LDR 21-39, 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 annexed into the City and identified by Alachua County tax parcel numbers 04443-000-000 and 04443-001-000 (This application is contingent upon approval of Application CPA 21- 31.)

No new participants entered the chambers

Director Thomas read Ordinance 2022-12 by title only.

Director Thomas remained sworn.

Chair Erched asked for ex parte communication.

**Voting Nay: Chair Erched, Vice Chair Johnson,
Member Long, Member Woodcock, and Member
Baker.**

There was no third-party intervenor present.

OPEN PUBLIC HEARING

Director Thomas presented a PowerPoint presentation with staff overview, staff report, and recommendation. Recommendation is to recommend approval to the City Commission of Ordinance 2022-12.

There was no cross examination or final argument.

CLOSE PUBLIC HEARING

Attorney Walker reminded the Board of the applicable law.

**Motion made by Member Johnson to recommend
to the City Commission approval of Ordinance 2022-
12.**

Seconded by Member Baker.

**Voting Yea: Chair Erched, Vice Chair Johnson,
Member Long, Member Woodcock, and Member
Baker.**

MOTION PASSED 5-0

- 16. Rezoning previously annexed property from Alachua County Rural/Agriculture to City of Newberry Agricultural (Parcel Numbers: 04155-000-000, 04155-002-000, 04152-000-000,**

04155-001-000, and 04155-001-001).

Quasi-Judicial Public Hearing: Ordinance 2022-14/LDR 21-41, 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: 04155-000-000, 04155-002-000, 04152-000-000, 04155-001-000, and 04155-001-001. (This application is contingent upon approval of Application CPA 21-33.)

No new participants entered the chambers

Director Thomas read Ordinance 2022-14 by title only.

Director Thomas remained sworn.

Chair Erched asked for ex parte communication.

**Voting Nay: Chair Erched, Vice Chair Johnson,
Member Long, Member Woodcock, and Member
Baker.**

There was no third-party intervenor present.

OPEN PUBLIC HEARING

Director Thomas presented a PowerPoint presentation with staff overview, staff report, and recommendation. Recommendation is to recommend approval to the City Commission of Ordinance 2022-14.

There was no cross examination or final argument.

CLOSE PUBLIC HEARING

Attorney Walker reminded the Board of the applicable law.

**Motion made by Member Johnson to recommend
to the City Commission approval of Ordinance 2022-
14.**

Seconded by Member Baker.

**Voting Yea: Chair Erched, Vice Chair Johnson,
Member Long, Member Woodcock, and Member
Baker.**

MOTION PASSED 5-0

- 17. Rezoning previously annexed property from Alachua County Rural/Agriculture to City of Newberry Agricultural (Parcel Numbers: 04370-002-000).**

Quasi-Judicial Public Hearing: Ordinance 2022-15/LDR 21-42, 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 annexed into the City and identified by Alachua County tax parcel number 04370-002-000 (This application is contingent upon approval of Application CPA 21- 34.)

No new participants entered the chambers

Director Thomas read Ordinance 2022-15 by title only.

Director Thomas remained sworn.

Chair Erched asked for ex parte communication.

**Voting Nay: Chair Erched, Vice Chair Johnson,
Member Long, Member Woodcock, and Member
Baker.**

There was no third-party intervenor present.

OPEN PUBLIC HEARING

Director Thomas presented a PowerPoint presentation with staff overview, staff report, and recommendation. Recommendation is to recommend approval to the City Commission of Ordinance 2022-15.

There was no cross examination or final argument.

CLOSE PUBLIC HEARING

Attorney Walker reminded the Board of the applicable law.

**Motion made by Member Long to recommend to
the City Commission approval of Ordinance 2022-
15.**

Seconded by Member Baker.

**Voting Yea: Chair Erched, Vice Chair Johnson,
Member Long, Member Woodcock, and Member
Baker.**

MOTION PASSED 5-0

AGENDA ITEMS

18. Discussion of Rules of Procedures for Planning and Zoning Meetings.

This item was added.

A lengthy discussion ensued about setting a time limit for the meetings.

**Motion made by Chair Erched to direct staff to bring
back a Resolution for Rules of Procedure for the
Planning and Zoning Meetings.**

Seconded by Member Long.

**Voting Yea: Chair Erched, Vice Chair Johnson,
Member Long, Member Woodcock, and Member
Baker.**

MOTION PASSED 5-0

TOPICS FROM MEMBERS FOR DISCUSSION

Mayor Marlowe and Member Woodcock made announcements.

MEETING ADJOURNMENT

Meeting adjourned at 9:14 p.m.

Naim Erched, Chair