



Planning and Zoning Board Minutes March 7, 2016

Chair Virginia Johns

City Manager Traci L. Gresham

Vice Chair Gary Thomas

Member Fred Hilton

Member Dayna Roper-Miller

Member Anthony B. Wright

Planning and Zoning Board

At 6:30 PM

to address the item(s) below.

Meeting Date: March 7, 2016

Meeting Location: James A. Lewis Commission Chambers

Notice given pursuant to Section 286.0105, Florida Statutes. In order to appeal any decision made at this meeting, you will need a verbatim record of the proceedings. It will be your responsibility to ensure such a record is made.

PLANNING AND ZONING BOARD MEETING MINUTES

CALL TO ORDER

Chair Virginia Johns called the meeting or order. All Board Members were present. Rob Hyatt, School Board Member, absent.

INVOCATION

Vice Chair Gary Thomas led the Invocation.

PLEDGE TO THE FLAG

The Board led the Pledge of Allegiance.

APPROVAL OF THE AGENDA

Member Fred Hilton motioned to accept the agenda; seconded by Member Anthony Wright. Passed by unanimous consent.

I. OLD BUSINESS

None

II. NEW BUSINESS

- A. Approval of the Minutes from February 9, 2016

Member Dayna Miller motioned to accept the minutes; seconded by Member Anthony Wright. Passed by unanimous consent.

- B. Site Plan: Legacy Park, Phase 1: A Request by James Flegert, P.E., of Causseaux, Hewitt, & Walpole, Inc., Agent, for the City of Alachua, Applicant and Property Owner, for consideration of a Site Plan for a proposed +/-39,555 square foot building on a +/- 105.68 acre subject property, consisting of a +/-29.71 acre project area. Tax Parcel No. 03870-000-000. (Quasi-Judicial Hearing.)

Planning Assistant Michelle Lightsey swore in all parties entering testimony in the hearing.

Principal Planner Justin Tabor presented the Staff Report.

James Flegert, P.E., of Causseaux, Hewitt, & Walpole, Inc. availed himself for questions.

Rich Mathis requested information on the fencing of the property.

Adam Boukari, representing the applicant, clarified that fencing was not a requirement of the City's Land Development Regulations. He indicated that Staff was aware of the fencing concerns of some of the residents of Clover Ranch Estates.

Leonard Cohen requested clarification on access from Clover Ranch Estates to Legacy Park. He stated he would like more trees or shrubbery to separate the property. He requested clarification on Alachua's vision.

Planning Assistant Michelle Lightsey swore in additional parties entering testimony in the hearing.

Ann Austin stated that fencing is important to her because of the number of robberies to her home.

Ben Boukari, speaking as a citizen, informed the Board and the citizens of the history of the vision of Alachua established through a public charrette in 2011 and the Legacy Park Master Plan approved by the City Commission.

Board Member Anthony Wright moved that based upon the competent substantial evidence presented at this hearing, the presentation before this Board, and Staff's recommendation, this Board finds the application to be consistent with the City of Alachua Comprehensive Plan and in compliance with the Land Development Regulations and approves the Site Plan, subject to the five (5) conditions provided in Exhibit "A" of the March 7, 2016, Staff Report to the Planning and Zoning Board; seconded by Member Fred Hilton. Motion Passed 5 - 0 in a roll call vote.

- C. LDR Text Amendments - Amending Subsection 4.1.2, adding banquet hall as a use type in Table 4.1-1; amending Subsection 4.1.2, adding birth center as a use type in Table 4.1-1; amending Subsection 4.1.2, adding internet café/ simulated gambling establishment as a use type in Table 4.1-

1; amending Subsection 4.1.2, adding medical and non-medical marijuana cultivation, medical and non-medical marijuana processing and medical and non-medical marijuana dispensing as use types in Table 4.1-1; amending Subsection 4.1.2, adding pawn shop as a use type in Table 4.1-1; amending Subsection 4.1.2, adding precious metal dealer as a use type in Table 4.1-1; amending Subsection 4.1.2, adding tattoo parlor/ body-piercing studio as a use type in Table 4.1-1; amending Subsection 4.1.2, amending the zoning districts in which arena, amphitheater, auditorium, or stadium is a permitted use in Table 4.1-1; amending Subsection 4.3.4 (F), relating to Use-Specific Standards for Recreation/Entertainment; amending Subsection 4.3.4 (G), relating to Use-Specific Standards for Retail Sales and Services; amending Table 4.4-1 to correct a scrivener's error; amending Subsection 4.4.2 (D)(4), adding automatic standby generator to the table of permitted accessory uses in Table 4.4-1; amending Subsection 4.4.2 (D)(4), adding country club as a permitted accessory use in Table 4.4-1; amending Subsection 4.4.2 (D)(4), adding ground or roof mounted solar energy systems to the table of permitted accessory uses in Table 4.4-1; amending Subsection 4.4.2 (E)(3), relating to the size of accessory structures; adding new Subsection 4.4.4 (J), relating to additional requirements for automatic standby generators; adding new Subsection 4.4.4 (K), relating to additional requirements for ground or roof mounted solar energy systems; amending Subsection 6.1.4 (B)(1), adding and clarifying parking standards for certain use types to Table 6.1-1; amending Article 10, providing definitions. (Legislative)

Planner Adam Hall presented the Staff Report.

Vice Chair Gary Thomas questioned if the State's involvement with medical marijuana is the reason this Board is seeing this item.

City Attorney Marian Rush updated the Board on current activity of the State in regards to medical marijuana.

Vice Chair Thomas requested clarification on the difference between medical and non-medical marijuana.

Planner Adam Hall responded that the State's definition indicates the percentage level of THC, which is the difference between medical and non-medical marijuana.

City Attorney Marian Rush informed the Board that the Land Development Regulations are living documents. She indicated that if State law affects the regulations currently proposed, the LDRs can be amended again. She also indicated that the reason additional use types are proposed is that Staff has seen those uses more frequently.

Member Dayna Miller questioned what would happen to existing businesses that may not meet the proposed regulations.

Planner Adam Hall explained that existing businesses would become non-conforming uses and the Land Development Regulations address how to handle uncompliances by defined thresholds. He indicated that typically noncompliances may continue unless they exceed a defined threshold.

Chair Virginia Johns asked staff for the section of the Land Development Regulation that clarified the non-conforming uses.

Planner Adam Hall responded that the section is Article 8 in the Land Development Regulations.

Board Member Fred Hilton moved that this Board finds that the proposed text amendments to the Land Development Regulations are consistent with the City of Alachua

Comprehensive Plan and transmits the proposed text amendments to the Land Development Regulations to the City Commission with a recommendation to approve; seconded by Vice Chair Gary Thomas. Motion Passed 5 0 in a roll call vote.

III. BOARD COMMENTS/DISCUSSION

Planning Director Kathy Winburn indicated that should any items be scheduled for the April Planning and Zoning Board Meeting, the Meeting would be moved to April 19, 2016 due to the City election.

IV. CITIZENS COMMENTS

None

ADJOURN

Member Dayna Miller motioned to adjourn; seconded by Vice Chair Gary Thomas, Passed by unanimous consent.

ATTEST:

PLANNING AND ZONING BOARD OF THE
CITY OF ALACHUA, FLORIDA

Presiding Officer

Staff Liaison

DRAFT