

Tuesday, April 11, 2017 – 5:00 P.M.
John R. "Jack" Durrance Auditorium
County Administration Building
12 Southeast First Street
Gainesville, Florida

The Alachua County Board of County Commissioners met for the Regular Meeting.

PRESENT: Chair Ken Cornell, Vice-Chair Lee Pinkoson, Commissioners Mike Byerly and Robert "Hutch" Hutchinson

ALSO PRESENT: County Manager Dr. Lee Niblock, County Attorney Michele Lieberman, Assistant County Manager Gina Peebles

The meeting was televised on Cox Cable Channel 12.

Chair Cornell called the meeting to order at 5:00 P.M.

Approval of Regular and Consent Agendas

1. Approve the agenda

Fiscal Consideration: N/A

Recommended Action: A Motion to Approve the Agenda: (a) approve any amendments to the Regular and Consent Agenda; (b) adopt the Regular Agenda; and (c) approve all items on the Consent Agenda.

Commissioner Pinkoson moved to accept the agenda as presented. The motion carried 5-0.

Proclamations and Presentations

5. Approval of a Proclamation Declaring April 2017 as "Water Conservation Month" in Alachua County, FL

Fiscal Consideration: N/A

Recommended Action: Proclaim April 2017 as "Water Conservation Month" in Alachua County, FL

Commissioner Byerly read and presented the Proclamation to Stacie Greco who accepted it with gratitude.

EPD Representative Stacie Greco presented comments.

6. Approval of a proclamation declaring April 9th through April 15th, 2017 as "National Public Safety Telecommunications Week" in Alachua County, FL

Fiscal Consideration: N/A

Tuesday, April 11, 2017 – 5:00 P.M.

Recommended Action: Proclaim April 9th through April 15th, 2017 as "National Public Safety Telecommunications Week" in Alachua County, FL

Commissioner Pinkoson read and presented the Proclamation to Sheriff Sadie Darnell, Rhonda March and Lucinda Pickett who accepted it with gratitude.

Sheriff Darnell, Rhonda March, Sheriff Darnell and Chair Cornell presented comments.

Legislative Items

2. CPA-01-17: A request for a Large Scale Comprehensive Plan Amendment to the Future Land Use Map 2030 to change approximately 27 acres from Recreation to Medium Density Residential Land Use

Fiscal Consideration: N/A

Recommended Action: Staff recommends that the BoCC transmit the requested large scale land use amendment to the Department of Economic Opportunity (DEO) for their review and comment.

Growth Management Senior Planner Jerry Brewington presented the above item to the Board.

Commissioner Byerly, Growth Management Senior Transportation Manager Chris Dawson, Commissioner Pinkoson, Growth Management Senior Planner Missy Daniels, Agent for the Applicant Clay Sweger, Commissioner Pinkoson, Commissioner Hutchinson, Growth Management Director Steve Lachnicht, Commissioner Hutchinson, Commissioner Pinkoson, Commissioner Byerly, Growth Management Director Lachnicht, Commissioner Byerly, Growth Management Director Lachnicht, Commissioner Byerly, Commissioner Hutchinson, Growth Management Director Lachnicht, Commissioner Byerly, County Attorney Sylvia Torres, Commissioner Byerly, Commissioner Hutchinson, Commissioner Byerly and Chair Cornell presented comments.

Growth Management Director Lachnicht Commissioner Pinkoson, Chair Cornell, Commissioner Byerly, Commissioner Hutchinson, Chair Cornell, Commissioner Pinkoson, Growth Management Director Lachnicht, Commissioner Pinkoson and Growth Management Director Lachnicht presented comments.

Commissioner Pinkoson moved the following:

1. To transmit the requested large scale land use amendments CPA-01-17 to the Department of Economic Opportunity (DEO) for review and comment.
2. To request from the School Board during the zoning process that for this development and future developments clarification of where the students will be attending school.

Tuesday, April 11, 2017 – 5:00 P.M.

Chair Cornell, Commissioner Hutchinson and Growth Management Director Lachnicht presented comments.

Public Comment

Anna Angel, Jerry Holland, Donna Powell, Mary Lou Mansfield, Agent for the Applicant Clay Sweger, and Commissioner Byerly, Chair Cornell presented comments.

The motion carried 4-1 with Commissioner Hutchinson voting “Nay”.

3. CPA-02-17: A request for a Large Scale Comprehensive Land Use amendment from Recreation to Medium Density Residential land use

Fiscal Consideration: N/A

Recommended Action: Staff recommends that the Board transmit the proposed amendment to the Department of Economic Opportunity (DEO) in Tallahassee for review and comment.

Commissioner Pinkoson moved that the Board transmit the proposed amendment to the Department of Economic Opportunity (DEO) in Tallahassee for review and comment. The motion carried 4-1 with Commissioner Hutchinson voting “Nay”.

Commissioner Hutchinson, Commissioner Pinkoson, and Growth Management Director Lachnicht,

Commissioner Hutchinson moved to hold a joint meeting with the representatives of the City of Gainesville Planning, County Planning, School Board Planning, and any Commissioners who wish to attend so they can better understand how to unravel the mess being made with school zoning.

Commissioner Chestnut, Commissioner Hutchinson, Commissioner Byerly, Growth Management Director Lachnicht, Commissioner Byerly, Senior Transportation Manager Dawson, and Senior Planner Daniels presented comments.

The motion carried 5-0.

PUBLIC COMMENTS (the earlier of 5:30PM or at the conclusion of the agenda)

4. Public Comments

Fiscal Consideration: N/A

Recommended Action: Hear Public Comments

Chair Cornell recognized Jim Konish who presented comments to the Board.

QuasiJudicial / Zoning Items

Assistant County Attorney Torres stated that while the Board welcomes comments from all persons with an interest in this proceeding, Florida law requires that the County Commission's decision in a quasi-judicial action be supported by competent substantial evidence presented to the Commission during the hearing on the application. Competent substantial evidence is such evidence, as a reasonable mind would accept as adequate to support a conclusion. There must be a factual basis in the record to support opinion testimony from both expert and non-expert witnesses. Persons presenting testimony may rely on factual information that they present, that is presented by County staff, that the applicant presented, or on factual information included in the County staff report to support their testimony.

Mrs. Torres further stated that all persons wishing to participate and speak on an issue at the public hearing would be sworn in prior to speaking during this proceeding. All persons will have the right, through the Chair, to ask questions, seek clarification of comments made and to respond to the comments or presentations of staff or other speakers; or to refute or respond to any ex-parte communication. All persons who present written materials to Commissioners for consideration must ensure that a copy of such materials is provided to the Clerk for inclusion in the Board's record of proceedings and official minutes.

Deputy Clerk Steve Donahey asked if any Commissioner had received oral or written communication regarding the items. Mr. Donahey requested that Commissioners disclose the substance of the communication and identify the person(s) making the communications(s).

Commissioner Byerly disclosed that he had an ex-parte discussion with School Board Commissioner Eileen Roy involving Item ZOX-01-17.

7. ZOX-01-17: Special Exception for a child care center at St. Joseph's Episcopal Church

Fiscal Consideration: N/A

Recommended Action: Staff recommends that the Board of County Commissioners approve Resolution Z-17-1 with the conditions and bases as listed in the staff report.

Growth Management Planner Mehdi Benkhatar presented the above item to the Board.

Commissioner Pinkoson, Commissioner Byerly, Agent for the applicant Gerry Dedenbach, Commissioner Pinkoson, Agent for the applicant Gerry Dedenbach, Commissioner Pinkoson, Agent for the applicant Gerry Dedenbach, Commissioner Hutchinson, and Commissioner Pinkoson presented comments.

Tuesday, April 11, 2017 – 5:00 P.M.

Commissioner Pinkoson moved to approve Resolution Z-17-1 with a special exception with a special use with the basis and conditions noted in the staff report with the addition of the following conditions:

9. When potable water and sewer service is available along the frontage the school and church will connect. In the interim, plumbing connections will be planned and sited for these eventual public utility connections. (The applicant is not required to install dry lines.)
10. There shall be a 100 foot buffer on the east, west, and south for locating the playgrounds. Portables are temporary in nature and will be removed after site plan completion. Appropriate fencing of 6 foot minimum height for the playground area is required.

Chair Cornell opened the Public Hearing at 7:00 p.m.

Commissioner Byerly, Thomas O'Brian, James Nicolas, Thomas O'Brian, Chair Cornell, Growth Management Senior Planner Daniels, Commissioner Pinkoson, Chair Cornell, Growth Management Senior Planner Daniels, Growth Management Director Lachnicht, Commissioner Pinkoson, and Growth Management Director Lachnicht, Commissioner Pinkoson, Growth Management Director Lachnicht, Commissioner Pinkoson, Chair Cornell, Agent with the applicant Dedenbach, Commissioner Byerly presented comments.

Chair Cornell closed the Public Hearing at 7:14 p.m.

The motion carried 3-2 with Commissioners Byerly and Hutchinson voting “Nay”.

8. ZOS-01-17: A Special Use permit for a private educational facility at St. Joseph's Episcopal Church
Fiscal Consideration: N/A
Recommended Action: Staff recommends that the Board of County Commissioners approve Resolution Z171 with the conditions and bases as listed in the staff report.

The motion for the item above adopting Zoning Resolution Z-17-1 also approved ZOS-01-17.

9. ZOX0217: A Special Exception for Entertainment and Recreation Use for Flip Factory Zone, Inc.
Fiscal Consideration: N/A
Recommended Action: Staff recommends approval of Resolution Z-17-2, a special exception for Entertainment and Recreation use on approximately 4.46 acres in the Oaks Mall Activity Center.

Tuesday, April 11, 2017 – 5:00 P.M.

Growth Management Planner Mehdi Benkhatar presented the above item to the Board.

Commissioner Byerly presented comments.

Commissioner Pinkoson moved approval of Resolution Z-17-2, a special exception for Entertainment and Recreation use on approximately 4.46 acres in the Oaks Mall Activity Center. The motion carried 5-0.

10. ZOM-01-17: A request for a major PD (Planned Development) amendment to the Grande Preserve PD to reinstate the development with a seven year phasing schedule

Fiscal Consideration: N/A

Recommended Action: Staff recommends that the Board adopt Resolution Z-17-03 approving the major amendment to the Grande Preserve PD district.

Growth Management Senior Planner Brewington presented the above item to the Board.

Commissioner Pinkoson moved to accept the Staff recommendation that the Board adopt Resolution Z-17-03 approving the major amendment to the Grande Preserve PD district

Agent for the Applicant Ryan Thompson, Commissioner Hutchinson, and Transportation Planner Chris Dawson presented comments.

The motion carried 5-0.

CLOSING COMMENTS

11. Closing comments from the public

Fiscal Consideration: N/A

Recommended Action: Hear closing comments from the public.

There was no one present who wished to address the Board.

There being no further business before the Board the meeting was adjourned at 7:24 p.m.