

Alachua County Local Planning Agency/ Planning Commission Meeting Minutes: November 20, 2019

The Alachua County Planning Commission held a public hearing on November 20, 2019 at 6:00 p.m. The meeting was held in the Jack Durrance Auditorium, Room 209 of the Alachua County Administration Building in Gainesville, Florida.

COMMISSIONERS PRESENT:

Tim Rockwell, Chair
(Kali) Richard Blount
Keith Hazouri
Robert Hyatt
James Ingle
Ishmael Rentz
Jason Teisinger
Kristen Young

STAFF PRESENT:

Missy Daniels, Director, Growth Management Department
Jeff Hays, Principal Planner, Development Services, Growth Management
Mehdi Benkhatar, Planner, Development Services, Growth Management
Chris Dawson, Acting Transportation Manager, Growth Management
Lalit Lalwani, Civil Engineer III, Public Works
Corbin Hanson, Assistant County Attorney, County Attorney
Patricia McAllister, Staff Assistant, Growth Management

Meeting Called to Order:

Meeting called to order by Chair Rockwell at 6:00 p.m.

1. APPROVAL OF AGENDA:

Motion was made by *Commissioner Ingle* to approve the agenda moving the Declaration of Parties after the Legislative item.

Motion was **seconded** by *Commissioner Hazouri*.

Vote: The **amended agenda** was approved with a vote of 8-0.

2. APPROVAL OF THE MINUTES:

Minutes of October 16, 2019

Motion was made by *Commissioner Teisinger* to approve the minutes of October 16, 2019

Motion was seconded by *Commissioner Hazouri*.

Action: The **minutes** of the October 16, 2019 Planning Commission meeting were **approved** as submitted with a vote of (8-0)

3. **LEGISLATIVE ITEM: CPA-05-19 (Large-Scale Comprehensive Plan Amendment)**

A request by Jay Brown of JBrown Professional Group, Inc., agent, for Fourteenth Street Church of Christ, Inc., owners, for a large scale map amendment to Alachua County Comprehensive Plan 2011-2030 to change the Future Land Use designation from Institutional to Medium High Density Residential (greater than 8 to 14 units/acre) on approximately 25.64 acres on parcel number 06326-001-000 located at 1404 Fort Clarke Boulevard. This request is associated with ZOM-12-19

Staff Presentation:

Mehdi Benkhatar presented this application. Staff recommended approval of this application with the bases as noted in the staff report.

Discussion:

Staff, the applicant and Planning Commissioners discussed developing this property as a TND which would be required, density--the number of residential units proposed for this property, traffic concerns including the required two accesses, school capacity, crime and safety, buffers and stormwater for this site.

Applicant's Presentation:

Jay Brown made a presentation and was available for questions. *Mr. Brown* explained this project is a joint venture with the property owners along with the Fickling Company and the Novare Group and that both of these companies are experienced developers of multi-family residential and mixed-use developments with recent projects in Savannah, Georgia and Tallahassee, Florida.

Ali Brighton with Kimley-Horn made a brief presentation regarding transportation/traffic impacts and was available for questions.

Public Comment:

Chair Rockwell stated he is giving Mr. Tillbrook five minutes for his legislative presentation just like any other public comment speaker

1) Steve Tillbrook, representative for residents of Legacy at Fort Clarke, asserting party status-- wanted time to complete his presentation, wished to be established as a party for both the Comprehensive Plan Amendment and the Rezoning application. *Mr. Tillbrook* asked that this application be denied. *Mr. Tillbrook* feels this application is incompatible and not appropriate for this location.

2) Joe Swails had concerns about what *could* be built on this property if maximum density.

3) Adam Grayson, President of Eagle Point Homeowners Association, was concerned with traffic, density, school capacity and stormwater and drainage issues.

4) Jim Sain, Eagle Point resident, is concerned with traffic, better transportation, school capacity and stormwater.

5) Robert Craig, was a school principal—concerned with school capacity, density is too high in this proposal and stormwater issues.

6) Cynthia Harris was concerned with the increase in density with this proposal and traffic increase and stormwater and drainage issues and property value.

7) Georgia Kelly located adjacent to proposed apartment complex and concerned with 4 story building being located that close to her property and request denial of this application and build something with less density.

8) Laura Wycoff was concerned with school capacity, traffic issues and proposed transportation improvements that may not be in place for ten years.

9) Patrice Boyes clarified that comprehensive plan amendments must be based on best available data and analysis, when evaluating school capacity --county staff and applicant are bound to use state formula. A traffic study will be done for this project when submitted for Development Review.

Staff Response:

Corbin Hanson explained to Mr. Tillbrook that he could not be established as a party for the legislative Comprehensive Plan application but he could be established as a party for the rezoning application. *Jeff Hays* mentioned there are transportation improvements listed in the Comprehensive plan and they are being worked on now. *Mr. Hays* mentioned that residential proposal for this property is appropriate as there is residential in the area and the mixed-use component is allowed by right.

Commissioner Teisinger left the meeting at 7:30 p.m.

Motion was made by *Commissioner Young* to approve CPA-05-19 with the bases as noted in the staff report.

Motion was **seconded** by *Commissioner Hazouri*.

Action: CPA-05-19 was approved with a vote of 5-2 (*Commissioner Blount and Commissioner Hyatt were opposed.*)

4. EXPARTE COMMUNICATION (Corbin Hanson) None declared.
Email from Mr. Tillbrook was sent to all Planning Commission that was incorporated into the record.

5. SWEARING IN (Patricia McAllister)

6. DECLARATION OF PARTIES (Corbin Hanson read statement)
Steve Tillbrook, attorney, represents homeowners of Legacy at Fort Clarke, requested to be declared as a party. Mr. tillbrook rebutted.

Motion by Commissioner Ingle (to affirm M. Tillbrook's party status).

Motion was seconded by Commissioner Hazouri.

Vote: 7-0 to declare Mr. Tillbrook as a party.

Patrica Boyes, attorney, represents applicant, was opposed to Mr. Tillbrook being declared as a party as his client is an economic competitor of the applicant.

7. QUASI-JUDICIAL ITEM: ZOM-12-19 (Rezoning)

A request by Jay Brown of JBrown Professional Group, Inc., agent, for Fourteenth Street Church of Christ, Inc., owners, to rezone from 'PD' (Planned Development) district and 'R-1A' (Residential 1 to 4 dwelling units/acre) district to 'R-2A' (Residential 8 to 14 dwelling units/acre) district on approximately 25.64 acres on parcel number 06326-001-000 located at 1404 Fort Clarke Boulevard. This request is associated with CPA-05-19.

Staff Presentation:

Mehdi Benkhatar presented this application. Staff recommends approval of this application with the bases as noted in the staff report.

Commissioner Questions: None.

Applicant's Presentation:

Jay Brown made a brief presentation, provided a copy of the presentation to the clerk for inclusion in the record and was available for questions.

Discussion with staff, planning commissioners and the applicant of traffic, how trips are counted, stormwater and access to this property

Public Comment:

- 1) *Walt Nickel* wanted to emphasize this application allows a significant increase in density for this property and the traffic increase in the area due to this application.

Public Comment: (provided by parties)

- 2) *Steven Tillbrook*, Akerman Law Firm representing Legacy at Fort Clarke, made a presentation and stated this application is not consistent with the neighboring properties, not consistent with existing density and development patterns, not supported by and is not supported by current infrastructure-impacts would be contrary to health, safety and welfare of the community. Steve Tillbrook submitted a copy of documents to include in the record 1) Mr. Tillbrook's presentation, 2) planning reports that were previously submitted to staff and the planning commissioners; 3) a traffic generation analysis and 4) analysis of standing.
- 3) *Patrica Boyes* wanted to note for the record that the experts that provided documents for Mr. Tillbrook's presentation could not be cross-examined as the experts were not present at this meeting. After a break: Ms Boyes stated there are no negative impacts to Legacy at Fort Clarke, she wished to refute the information submitted by Steven Tillbrook.

Applicant's Response:

Jay Brown stated Mr. Tillbrook is presenting worst case scenarios that are just not feasible for this site and that this site has been analyzed by staff.

Ali Brighton stated it should be noted that the one page traffic analysis does not include any actual calculations and did not account for any multi-modal trips.

Staff Response:

Jeff Hays stated the emails with the consistency and analysis for the comprehensive plan and rezoning applications

were forwarded to the planning commissioners along with the party in standing memorandum but the traffic analysis was not included and has not been seen by staff. Mr. Hays stated the zoning proposed with this application is consistent with the land use just recommended to be approved with CPA-05-19, this application has compatibility between residential zonings Policy 1.2.1.2 of the Future Land Use Element, the development pattern, environmental suitability and adequate public services including traffic have been analyzed.

Motion:

Motion was made by *Commissioner Young* to approve ZOM-12-19 with the bases as noted in the staff report.

Motion was **seconded** by *Commissioner Hazouri*.

Action: ZOM-12-19 was approved with a vote of 5-2. (*Commissioner Hyatt and Commissioner Blount were opposed.*)

8. ATTENDANCE REPORT: No attendance issues.

9. PLANNING COMMISSIONERS' COMMENTS:

- Commissioner Blount mentioned two free events by Dr. Ibram Kendi on “How to be an Anti-Racist” –one at the Alachua County Downtown Library at 12:30 pm and one at the Phillips Center at 5:30 pm on November 21, 2019.
- Jeff Hays mentioned the letter to the BOCC regarding ULDC revisions workshops that the Board stated is a good idea.

Meeting adjourned at 9:40 p.m.