

Alachua County Local Planning Agency/ Planning Commission Meeting Minutes: September 16, 2020

The Alachua County Planning Commission held a *virtual* public meeting on September 16, 2020 at 6:00 p.m. The meeting was held as a **virtual ZOOM meeting**.

COMMISSIONERS PRESENT:

Tim Rockwell, Chair
Keith Hazouri
Robert Hyatt (School Board)
James Ingle
Ishmael Rentz
Kristen Young

Kali Blount absent
Jason Teisinger absent

STAFF PRESENT:

Missy Daniels, Director, Growth Management Department
Jeff Hays, Principal Planner, Development Services, Growth Management
Mehdi Benkhatar, Planner, Development Services, Growth Management
Corbin Hanson, Assistant County Attorney, County Attorney
Steve Hofstetter, Acting Director, Environmental Protection Department
Lalit Lalwani, Civil Engineer III, Public Works
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 Hazouri* to approve the agenda.
Motion was **seconded** by *Commissioner Ingle*.

Action: The **agenda** was **approved** with a vote of **6-0**.

2. EXPARTE COMMUNICATION (Corbin Hanson) None declared.

3. SWEAR IN STAFF: Clerk Swore in Staff

4. QUASI-JUDICIAL ITEM: ZOM-04-20 (Hillside Villas Rezoning Request)

A request by eda, inc., agent, for 819 Reid St., LLC, owner, to rezone from PD (Planned Development) district to R-2 (Multi-Family Residential/4-8 dwelling units per acre) district and R-2a (Multi-Family Residential/8-14 dwelling units per acre) district on approximately 13.6 acres on tax parcels 16146-000-000 and 16117-000-000 located at approximately 3009 SE Hawthorne Road.

Staff Presentation:

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

Commissioner Questions:

Commissioner Young questioned whether this is a new owner for the property and what type of development for this property.

Applicant's Presentation:

Clay Sweger was sworn in, made a brief presentation and was available for questions. *Mr. Sweger* stated that this is not a new property owner but this owner has owned this property for approximately two years and there will be a proposed application for a multi-family project on this site.

Motion was made by *Commissioner Young* to approve this application with the bases as noted in the staff report.

Motion was **seconded** by *Commissioner Hyatt*.

Action: ZOM-04-20 was **approved** with a vote of **5-0**. (*Commissioner Rockwell* recused from this application).

4. **QUASI-JUDICIAL ITEM: ZOX-02-20 (Parsons Private Motorized Vehicle Practice Facility)**

A request by Gregory W. Parsons, owner, for a special exception to allow a private motorized vehicle practice facility. The parcel number is 04094-002-000. It has a future land use designation of Rural/Agriculture (1 dwelling unit/ 5 acres) and is in the Agriculture zoning district. The site is approximately 20.55 acres and is located at 17768 NW 62nd Ave

Staff Presentation:

Mehdi Benkhatar presented this application. Staff recommends denial of this application with the bases and conditions as noted in the staff report. *Mr. Benkhatar* stated this project has already been built but the owner was unaware he needed a special use permit for this private vehicle motorized facility and this application is an attempt to bring this facility into compliance in order to operate and remain at this location.

Commissioners Questions:

Commissioner Hazouri anything like this in the past and how to retroactively approve.

Commissioner Young questioned whether there were visits by the Sheriff's department. *Ms. Young* stated the Sheriff's department has equipment that measures the decibel of noise and asked if measurements have been taken.

Applicant's Presentation:

Greg Parsons is the applicant for this project. *Mr. Parsons* made a presentation and was available for questions.

Public Comment:

Parties declared: parties were sworn in

1) *Patti Tuttle* stated she live less than 1,000 feet from *Mr. Parson's* eastern property boundary. *Ms. Tuttle* stated she is concerned with noise, visual characteristics and the quality of life as the primary use is for professional dirt bike riders that jump-launching at peak altitude.

2) *Jamie Hensley (Danielle Hensley)* stated he owns a plant nursery adjacent to this property and is concerned as the noise is excessive, the loads of dirt hauled onto this property to build the track would have required a permit of some kind, concerned with stormwater ponds (drainage ponds) could cause spilloff and erosion and that *Mr. Parsons* mislead neighbors by understating how big this professional track actually is.

- 3) *Marsha Hensley* lives directly across the road and is concerned the noise will interfere with her country living, the track is unsightly—looks like a mining operation and the stormwater ponds are stagnant and creating mosquitos.
- 4) *Nelda Holt* stated she has lived here over 35 years, purchased property in this area for the quiet, country life, and this project which already exists is loud, it doesn't fit the neighborhood and her hope is the Planning Commission upholds the decision to deny this application.
- 5) *John Holt* stated that when in operation, the motorcycles can clearly be heard and he endorses the Planning Commission to decide on denial of this application.

Public Comments: (not parties)

- 1) *Joshua Irwin* lives immediately south of this project, spoke in favor of this facility and stated Mr. Parsons is a good neighbor that has tried to accommodate the neighbors' concerns.
- 2) *Laura Irwin* stated she lived immediately south of this project, spoke in favor of this facility and stated that there is a commercial nursery adjacent to this project, she stated that many of the neighbors opposing this project do not live in this area and stated because this application has been brought forward-many neighbors are speaking up now when it was not an issue before this application process started.
- 3) *Danielle Hensley* stated the noise is distracting, that even though the Sheriff's department can't measure the decibels-this facility is very loud, there is no way to buffer the noise to the adjacent properties and there are 20 residences within a quarter of a mile of this facility.
- 4) *Carolyn Pays* stated this facility violates the noise ordinance, it is an unreasonable cost to neighbors and their need for peace and quiet in agriculture and rural living and is in support of staff's recommendations for denial of this application.

Staff Response:

Mehdi, only example is Gatorback and that one annexed into the City of Newberry and is no longer under the jurisdiction of Alachua County. *Mr. Benkhatar* stated the the Sheriff's department can measure the decibels but no measurement have been taken.

Discussion between staff and planning commissioners regarding the noise ordinance and which portions of the noise ordinance highlight the bases for denial, the compatibility with the neighborhood, how and if there was a way to buffer the noise, how the Sheriff's department measure sound with a decibel meter, the storm water ponds and drainage issue that would be addressed at development review-if this application is approved and moves forward, potentially moving the track more internally to Mr. Parson's property, and if there are any measures to mitigate for sound such as buffering with a high density buffer.

Missy Daniels stated that there was a question asked regarding any other similar facilities in Alachua County and she responded by stating there is one other facility in Alachua County that is considered non-conforming because it was established before the special use permit requirement was necessary with one other difference being it is surrounded by property owned by one entity (Weyerhaeuser) and there are not many residences in that area. Ms. Daniels stated that facility has 18 months to go through the same special use permit process that Mr. Parsons is going through to bring that property into compliance with regulations.

Motion was made by *Commissioner Hazouri* to approve this application with the bases as noted in the staff report.

Motion was **seconded** by *Commissioner Ingle*

Action: ZOX-02-20 was **denied** with a vote of **6-0**.

Missy Daniels mentioned that we will be polling the Planning Commissioners to determine what dates of the following would be good for special meeting for October and/or November for Special Meetings regarding the West End applications. October 28, November 2 and November 4. These Special Meeting would be conducted in addition to the regular Planning Commission meetings on October 21, 2020 and November 18, 2020.

3. ATTENDANCE REPORT: Distributed in packets. No attendance issues.
4. PLANNING COMMISSIONERS' COMMENTS

Commissioner Young questioned the ULDC update and when it was moving forward.

Missy Daniels stated the ULDC update moves the Board of County Commissioner Meeting on Tuesday, September 29, 2020 with the Final adoption meeting on October 27, 2020 or November 10, 2020.

Meeting adjourned at 9:34 p.m.

DRAFT