

RESOLUTION Z-21-3

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA, FOR A MINOR AMENDMENT TO THE OAKMONT PLANNED DEVELOPMENT WITH A FUTURE LAND USE DESIGNATION OF LOW DENSITY RESIDENTIAL (1 TO 4 DWELLING UNITS/ACRE) ON TAX PARCEL NUMBER 04427-000-000, ON APPROXIMATELY 534 ACRES LOCATED AT 3289 SW 122ND STREET.

WHEREAS, Zoning Application ZOM-02-21, a request for a minor amendment to the Oakmont Planned Development has been duly filed and was considered by the Alachua County Board of County Commissioners at its regular meeting of June 8, 2021;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA:

Zoning Application ZOM-02-21, a request by CHW, Inc., agent for CC Oakmont, LLC, owners, for a minor amendment to the Oakmont Planned Development, located at 3289 SW 122nd Street on Tax Parcel Number 04427-000-000, as summarized in the attached exhibit, is hereby approved with the following conditions and bases:

Conditions

1. Preliminary and Final Development Plan approval shall be required by the Development Review Committee. The Development Plan shall be consistent with the zoning master plan reviewed and approved by the Board of County Commissioners and shall address compliance with these conditions and the requirements of Section 403.17 - Planned Development (PD) District in the Land Development Code.
2. The maximum number of residential dwelling units shall be 999.
3. The final location of internal roadways and lot configurations may be adjusted to minimize the impacts to existing flood plains located within the limits of the property.
4. The PD shall be served by publicly owned centralized water and sewer systems. Where feasible, reclaimed water from Gainesville Regional Utilities shall be used for irrigation throughout the development.
5. The applicant shall comply with all federal, state, and local laws, rules, regulations, and ordinances, now and hereafter in force, which may be applicable to the use of the site. Concurrency requirements for parks, drainage, stormwater management, solid waste, water and sewer, and mass transit shall be met as a condition of final development plan approval. ~~Violation of any of the terms and~~

~~conditions of this permit shall be grounds for suspension or revocation by the Board of County Commissioners.~~

6. Ten feet of additional right-of-way (R/W) shall be dedicated along the frontage of SW 24th Avenue and SW 122nd Street. The applicant shall provide sketches and legal descriptions of this property to allow for the proper deed preparation or the R/W must be dedicated with the platting of the appropriate phase of the development.
7. The developer shall be responsible for the construction of an eight-foot wide asphaltic concrete, off-street bike path on the south side of SW 24th Avenue and the east of SW 122nd Street across the entire frontage of the property. The applicant shall also be responsible for the construction of an eight-foot wide asphaltic concrete, off-street bike bath on the south side of SW 24th Avenue from the northwest corner of the property to the existing end of the bike path at SW 100th Street. The bike path construction may be phased with the construction of the development but the bike path phasing must be such that the bike path connection is constructed along SW 24th Avenue, or SW 122nd Street to connect from the existing bike path at SW 100th Street to any vehicular access connection to SW 24th Avenue or SW 122nd Street.
8. An exclusive left-turn lane or a roundabout supported by an accepted roundabout justification report must be provided on SW 122nd Street at the primary entrance.

9. An exclusive right-turn taper, or a roundabout supported by an accepted roundabout justification report, must be provided for northbound traffic turning east into the development at the primary entrance on SW 122nd Street. The developer shall be responsible for conducting a speed study to determine if it is necessary to lower the posted speed on this section of SW 122nd Street as the Oakmont project begins to develop.
10. An exclusive left-turn lane, or a roundabout, must be provided on SW 24th Avenue at the primary entrance.
11. Both primary entrances must be designed to provide one ingress and two egress lanes (exclusive right- and left-turn lanes). Single ingress and egress lanes may be provided if shown as warranted in an accepted roundabout justification report.
12. The master plan must be revised to show a minor-access connection to SW 27th Avenue which is currently stubbed out of the west side of the Biltmore, Phase 2 development and at least two stub-out connections to the undeveloped properties south of this site.
13. The developer shall be responsible for the addition of a southbound left-turn lane at the SW 122nd Street approach to SW 24th Avenue.
14. Certificates for Level of Service Compliance be limited to ten years for the

entire buildout and limited per phase in accordance with detailed traffic studies that show growth rates on the affected roadway segments. At the end of each phase, a trip generation audit be performed to validate the traffic study's findings and assumptions.

15. The developer shall construct a five (5) acre athletic field facility that will be accessible to the public and will be located within the subject site as depicted on the zoning master plan. The developer will convey this facility to the county upon the county's request.

16. The developer shall convey by warranty deed a twenty (20) acre parcel as depicted on the zoning master plan to the School Board of Alachua County to be used only for the construction of a public elementary school

17. The developer shall notify all contractors and subcontractors involved in construction on this site that construction truck traffic shall be prohibited on SW 91st Street from SW 24th Avenue to Newberry Road.

18. The emergency ingress/egress, pedestrian/bicycle ingress/egress and vehicular egress on southwest 122nd street shall be provided prior to development of more than 250 total units within the development.

19. The primary access on Southwest 122nd Street shall receive a certificate of

completion prior to the recording of the plat that contains the 500th unit.

20. The emergency ingress/egress and pedestrian/bicycle ingress/egress located on southwest 24th avenue shall be provided when the adjacent residential area is developed.

21. All other external vehicular connections will be provided when the adjacent portions of the planned development are approved.

22. At the option of the Oakmont developer, roadway improvements specifically required in Conditions 10 & 11 for the primary SW 24th Avenue entrance may be substituted for an appropriately designed and justified roundabout. A roundabout justification study shall be performed and submitted to county staff at the time of development plan review and in accordance with Florida Department of Transportation (FDOT) manual on Uniform Traffic Studies (MUTS).

23. The developer shall be responsible for the acquisition of any additional right-of-way (R/W) along the frontage of SW 24th Avenue or SW 122nd Street necessary for the installation of any roundabouts. The applicant shall provide sketches and legal descriptions of this property to allow for the proper deed preparation or the R/W must be dedicated with the platting of the appropriate phase of the development.

24. Builders shall be permitted to provide model homes within the PD consistent with ULDC Section 404.26 with the following exceptions: a maximum of 10 model homes may be provided at any time within the PD and model homes may be provided within the PD until such time as all residential units have been constructed.

25. Temporary community uses and events such as: block parties, concerts, fundraisers, farmer's markets, seasonal festivals, holiday celebrations, art shows, homeowners association events or other related activities and events shall be permitted in the amenity center and amphitheatre areas of the PD. These temporary events may include private road closures. Public road closures are subject to approval by the Alachua County Public Works Department. Any residents impacted by road closures shall be notified a minimum of 2 weeks prior to the date of the event. No temporary event shall occur prior to 6 a.m. (including set up time) or later than 11:30 p.m. (including take down time). All signage for temporary events shall comply with Chapter 407, Article 3 (signs) of the Unified Land Development Code. Community events may not infringe on single family residential lots.

Bases

1. **Sec. 402.77 of the Unified Land Development Code** provides criteria and standards for rezoning applications. Staff finds this application consistent with these standards as mentioned below:

(a)*Consistency.* The proposed minor amendment is consistent with the Comprehensive Plan, the Unified Land Development Code and the previously approved conditions for the Oakmont Planned Development. This application allows for a reduction in lot sizes and removes outdated code references. No changes to the number of units or expansion of uses are part of this request.

(b)*Compatibility.* The proposed residential PD zoning is compatible with surrounding zoning districts in the vicinity, namely the RE-1 (to the north), R-1aa (to the east) and Agriculture (to the south and west) districts. The density is between 1 to 2 dwelling units/acre, which falls between the density ranges of R-1aa (1 to 4 dwelling units acre) and the less dense Agriculture (1 dwelling unit/ 5 acres) that is located outside of the Urban Cluster line. This amendment reduces lot dimensions for lot areas B and C as shown on the Zoning Master Plan from 100' x 150' (B) and 80' x 130' (C) to 65' x 120' for both areas. The remaining undeveloped portion of Oakmont PD is along the south, adjacent to the Estates

of Wilds Plantation subdivision. Lots in that subdivision are similar in size to the proposed lot dimensions of this application, with some lots being larger and some being smaller.

(c)*Development patterns.* Development patterns of this area are marked by the presence of the Urban Cluster line that demarcates urban level densities from rural. The site is bounded by residential subdivisions to the north and east (inside the Urban Cluster). To the south and west are agriculturally zoned parcels, with the south being undeveloped and the west (across SW 122nd St. having a sports facility, a church, a recently approved (undeveloped) stormwater recharge wetland park and a subdivision (Parker Place).

(d)*Suitability.* The site is suitable for a residential planned development with 999 units. The Oakmont PD has adequate area to meet the density range prescribed in Policy 7.1.7 of the Future Land Use Element. It has been previously approved by the Board of County Commissioners and has a substantial part already developed. The Planned Development is not located within wetlands or a strategic ecosystem.

(e)*Adequate public services.* Per the Level of Service (LOS) standards found in the Plan, staff analysis has shown that LOS standards would not be compromised by this request. The site is located within the Urban Cluster and is served by central water and sewer lines. This application does not authorize any

additional residential units above the previously approved 999 units.

(f) *Access.* Access to this site occurs from multiple points, with SW 24th Ave. and SW 122nd St. serving as the primary ingress/egress. Access is also obtained through the adjacent Biltmore and Estates of Wilds Plantation subdivisions. Several conditions of this planned development regulate access.

(g) *Public health, safety, and welfare.* The planned development as conditioned will not create adverse impacts to public health, safety or welfare. This application allows for the dimensions of lots to be reduced in order to provide adequate space for stormwater basins and to meet market demands. No expansion of the use, either in the number of units or area, have been proposed.

2. **Section 402.89(a) of the Unified Land Development Code** states that an amendment to a planned development *“shall be considered minor where it will not cause an expansion to the existing use or additional impacts to surrounding properties, natural resources, or public infrastructure.”*

The proposed amendment to the Oakmont PD is related to the reduction of lot sizes for areas B and C, as shown on the Zoning Master Plan, and will not cause an expansion to the existing use or additional impacts to surrounding properties, natural resources or public infrastructure.

- 3. Policy 1.4.1.3 of the Future Land Use Element** states: *“Planned developments, subdivisions, traditional neighborhood developments and transit oriented developments designed for phasing shall embody proper access, circulation, drainage, open space and utilities for each phase to ensure viability at all stages of development”.*

The Oakmont PD is a 999 unit residential development with multiple phases.

The proposed amendment grants the developer the ability to reduce the minimum lot sizes for lots within areas B and C in order to allow for more area to design stormwater basins and to meet current residential market demand.

- 4. Policy 7.1.7 of the Future Land Use Element** specifically describes the development of parcel 04427-000-000. The proposed minor PD amendment is consistent with the requirements found in this policy, viz. that an overall development plan has been submitted for development within the (formerly) 480 acres comprising this parcel; that all development be connected to centralized sanitary sewer and potable water supply; and that the parcel be developed at an average density of not more than two (2) dwelling units/acre.

DULY ADOPTED in regular session this 8th day in June, A.D., 2021.

BOARD OF COUNTY COMMISSIONERS OF
ALACHUA COUNTY, FLORIDA

By: _____

Ken Cornell, Chair

ATTEST:

Jesse K. Irby, II, Clerk

APPROVED AS TO FORM

Alachua County Attorney

(SEAL)

DEPARTMENT APPROVAL

AS TO CORRECTNESS

Department of Growth Management

Authorized Designee

EXHIBIT A

All of Section Thirteen (13), Township Ten (10) South, Range Eighteen (18) East, less the North one-half ($N \frac{1}{2}$) of the Northeast one-quarter ($1/4$) of said section and less road right-of-way.

Figure 1: Image of Legal Description