



# ALACHUA COUNTY DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

**Project Number: 2022060603**

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## **Final Development Plan for Oakhaven Walk Subdivision**

**SUBJECT:** Oakhaven Walk Subdivision (FKA SW 8th Avenue)

**DESCRIPTION:** 18-lot residential subdivision with associated infrastructure

**AGENT/APPLICANT:** CHW, Inc.

**PROPERTY OWNER:** Multerra, LLC

### **PROPERTY DESCRIPTION:**

Location	8115 SW 8th Avenue
Parcel Numbers	06670-000-000
Land Use	Low Density Residential
Zoning	R-1a (1 to 4 du/ac)
Acreage	5.30

### **CHRONOLOGY:**

Application Submittal	06/06/2022
Insufficiency Report Issued	06/23/2022
Application Resubmitted	08/01/2022
Sufficiency Determination	08/17/2022
Final Development Plan Hearing	09/01/2022

**STAFF RECOMMENDATION:** Recommend **approval with conditions** of the Final Development Plan for Oakhaven Walk Subdivision and **recommend approval** of the plat to the Board of County Commissioners.

**DRC RECOMMENDATION:** Recommend approval of the plat to the BoCC for Oakhaven Walk Subdivision.

## **DESCRIPTION OF PROPOSED PLAN:**

This application proposes a Final Development Plan for an 18-lot subdivision on approximately 5.30 acres with associated infrastructure improvements. The subject parcel is in the urban cluster and adjacent to existing single-family subdivisions to the east, west and south.

The Development Review Committee (DRC) approved the Preliminary Development Plan on April 7, 2022.

## **CONSISTENCY ANALYSIS:**

Following is an analysis of the consistency of the proposed plan with the applicable policies of the Comprehensive Plan and Land Development Regulations.

## **COMPREHENSIVE PLAN:**

### **FUTURE LAND USE ELEMENT**

Policy 1.3.2.1 (a) of the Future Land Use Element defines the Low Density Residential Future Land Use category as between 1 and 4 du/ac. This would allow 5 to 20 units.

The project proposed 18 lots on 5.30 acres a gross density of 3.40 dwelling units/acre (du/ac) and meets the density requirements.

Policy 1.3.7.1 allows for single family attached and detached uses. The proposed Final Development Plan consists of single-family detached residential lots and is consistent with the Future Land Use Element of the Comprehensive Plan.

## **UNIFIED LAND DEVELOPMENT CODE:**

### **ZONING DISTRICT AND USE REGULATIONS**

The proposed development carries the R-1A zoning district, which implements the Low Density Residential Future Land Use. The proposed use is consistent with Chapter 404 *Use Table* by proposing 18 single family residential lots.

## **NATURAL AND HISTORIC RESOURCES PROTECTION**

### **OPEN SPACE**

ULDC Section 407.52 - *Minimum open space requirement* requires at least 10 percent of the area of any development to be designated as Open Space and delineated on development plans and plats. ULDC Section 407.54 - *Open Space Areas* requires the following:

- (a) When land development involves a parcel that contains Conservation Management Areas, the Open Space requirement shall first be fulfilled with these areas, which shall be protected in accordance with Chapter 406, Article XVII.
- (b) After the requirements of (a), above, have been met, the Open Space shall be one piece of contiguous land, at the periphery of the development to allow for connection to adjacent Open Space, except as specified in section 407.55. Open

Space designated per this section shall have an average width of no less than 50 feet and shall be located within the development in a location that best meets the following goals:

1. Augments Conservation Management Areas or Open Space on adjoining parcels
2. Promotes connectivity to greenways, trails, public parks, and existing or potential Open Space on adjoining parcels.

There are no conservation areas on the subject property nor on adjacent properties. 13.88 percent (0.74 acres) in the southeast of the parcel is designated as Open Space. It is one contiguous piece exceeding the average width of 50 feet. However, due to the development patterns there were no opportunities to connect to previous or future open space areas.

According to ULDC Sec. 407.56 - *Open Space Uses*, Open Space shall either be left in a natural condition or provide accessible spaces such as community gardens, community fields, greens, or pocket parks. Additionally, the following code applies:

- (a) Open Space shall be primarily pervious except for limited impervious surfaces associated with bicycle/pedestrian paths and unconditioned structures that augment the Open Space such as gazebos and picnic pavilions. Impervious surfaces associated with hardscaped Civic Space are an allowable Open Space use within a TND or TOD approved per Article VII of this Chapter.
- (b) Open Space shall not include stormwater retention or detention areas constructed per Article IX of this Chapter. The integration of Low Impact Design (LID) best management practices to manage stormwater runoff shall not eliminate an otherwise qualifying Open Space within a TND or TOD approved per Article VII of this Chapter.
- (c) Open Space shall not include spoil piles or berms.

The proposed Open Space contains a portion of the site tree canopy preservation area and landscaped areas and provides a hard surface pathway complying with the access requirements of Sec. 407.57 *Access to Open Space*.

### **TREE PRESERVATION**

A minimum of 20 percent of the current canopy is required to be preserved per Sec. 406.12(a)(2) *Tree protection standards*. The existing tree canopy is uniform throughout the site and staff evaluated the best canopy to be preserved. The Final Development Plan demonstrates preservation of 20.19 percent (1.07 acres) of tree canopy in the northeast and southeast portion of the site. These areas are coincident with Open Space and common areas.

Due to site constraints and the heavily wooded nature of the site mitigation is split between site plantings and a fee-in-lieu payment per ULDC 406.13(c). The applicant is required to provide 861.5 inches to be replanted, however they are unable to fully

address this on their site and has a deficit of 745.5 inches. There is a condition of approval to require the fee-in-lieu payment amount of \$96,915.00 to Alachua County prior to the issuance of a construction permit.

### **GENERAL DEVELOPMENT STANDARDS**

Comprehensive Plan Future Land Use Policy 7.1.33 requires all development within the Urban Cluster to be designed in accordance with Traditional Neighborhood Design standards under Future Land Use Element policies and sub-policies in 1.6.6, Site and Building Design, 1.6.7 Transportation Network, and 1.6.8 Parking.

The applicable requirements per Sec. 407.69 *Standards for development areas outside the transit supportive area* provide that a maximum block perimeter of 2,000 linear feet and per Table 407.68.4 *Roadway Design Standards for Transit Supportive Area and Village Center* provide the applicable street cross sections.

The approved Preliminary Development Plan was reviewed for maximum block perimeters of 2,000 linear feet and the Final Development Plan is consistent with that approval.

### **SETBACKS AND HEIGHT RESTRICTIONS**

There is a note on the plat that setbacks shall be consistent with the zoning district in Chapter 403. Table 403.07.2 regulates that the following setbacks for lots less than one acres as follows: Front or Street 10 feet, Garage Front 20 feet, Rear 10 feet, Side 5 feet and Accessory Building Rear 7.5 feet.

### **LANDSCAPING AND BUFFERING**

No project boundary buffers are required as adjacent properties are similarly single-family residential. A 10-foot-wide collector roadway landscape buffer is provided for along SW 8<sup>th</sup> Avenue and is shown on the development plan. Street trees are appropriately provided for, and the stormwater basins are appropriately landscaped.

The Landscape Plan demonstrates that 39.3 percent of the site will have canopy coverage in 20 years, exceeding the 30 percent minimum required in Sec 407.41(n) *Landscape and planting plan objectives*. The stormwater basins are appropriately landscaped per Sec. 407.43.2.

### **RESIDENTIAL SUBDIVISION ENTRY STRUCTURES**

No signage is being proposed at this time.

### **STREET NETWORK STANDARDS**

The street network is consistent the approved Preliminary Development Plan. There is one proposed internal street with access from SW 8<sup>th</sup> Avenue providing connectivity through SW 9<sup>th</sup> Lane, which is currently stubbed to Fairfield Phase II Planned Development. The street meets the standards of Table 407.141.1 *Street Design Specifications*. Additionally, a 10-feet of right-of-way will be dedicated along the northern portion of the development adjacent to SW 8<sup>th</sup> Avenue as required by Sec. 407.140 (c) *Dedication of future rights-of-way*.

The Final Development Plan also proposes a pedestrian network consistent with Sec. 407.142 (a) *Pedestrian network standards*. The network is in a connected block pattern with intersections of pedestrian facilities at least every 600 feet. The internal street network has an 8-foot-wide multi-use path on the east side and a 5-foot sidewalk on the west side of the street.

### **WATER AND WASTEWATER SERVICES**

The development is within the Urban Cluster and is therefore will connect to central water and sewer services by Policy 2.1 of the Potable Water and Sanitary Sewer Element of the Comprehensive Plan. Utilities are shown on Sheet C3.00 to be provided from SW 9<sup>th</sup> Lane for Potable Water and Wastewater services and from SW 8th Avenue for Electric services.

### **STORMWATER MANAGEMENT**

Location of the stormwater management facility is consistent with the Preliminary Development Plan along the eastern property boundary. This stormwater facility will be fenced and is consistent with Chapter 407 Article 9 *Stormwater Management* as well as Sec. 407.43.2 *Landscape Design of Stormwater Management Facilities*.

### **TRANSPORTATION**

The County has adopted a Multi-modal Transportation Mitigation (MMTM) program. The project will be required to enter into an MMTM agreement with the Board of County Commissioners. There is a condition of approval limiting the issuance of the construction permit until the MMTM agreement has been approved by the Board.

### **PUBLIC SCHOOL FACILITIES**

The Alachua County School Board staff has reviewed the proposed development for student impacts for compliance with the school concurrency management program in accordance with the Inter Local Agreement and determined that adequate school facilities are available in the affected School Concurrency Service Areas (CSA). This capacity determination dated June 13, 2022 is based on findings that this project will require 3 elementary school student stations in the Southwest Alachua SCSA, 1 middle school student stations in the Kanapaha CSA, and 1 high school student stations in the Buchholz CSA.

The School Board in accordance with their Policy 5120-Assignment Within District will determine specific school assignment for students living in the development area. Student Assignment Rules states “The Superintendent may assign or reassign students on a case by case basis to schools or programs located in or out of their assigned zone, for the health, safety, or welfare of the students, other students or staff.” No assurances are given that the assignments will be made to the most closely located, or currently zoned, facilities. The provision of services to students in the development area may require redrawing of attendance zone lines, reassignment and busing to facilities elsewhere in the District, the use of temporary facilities, and/or the relocation of specific educational programs.

### **CONCURRENCY**

A Final Certificate of Levels of Service Compliance (CLSC) for all public facilities will be issued upon Final Development Plan Approval and will be valid for one year. Provided that construction has commenced within the allowable period, the project shall have reserved capacity for a period of no more than two years from commencement of construction.

### **PLAT REQUIREMENTS**

The plat document meets the minimum requirements set forth in Chapter 177 of Florida State Statutes and Chapter 402 Article 12 of the Unified Land Development Code of Alachua County.

According to Section 402.61, approved of a plat shall expire without further action of the BOCC unless the plat has been recorded within two (2) years of the date of the BOCC approval of the plat. In order to avoid expiration, all plat documents outlined in Sec. 402.60(a) must be complete and accepted by the County to obtain signatures of County officials at least 30 days prior to the two (2) year expiration date.

### **STATE AND FEDERAL PERMIT**

The issuance of a state or federal permit shall not obligate the County to grant approval of any local permit and shall not be deemed to satisfy the requirements of the ULDC. As well, the issuance of this permit does not indicate that Alachua County believes that the applicant has all federal and state permits necessary prior to commencing construction.

Because §125.022(4), F.S. makes it hard for local governments to coordinate their permitting activities with state and federal permitting agencies, the applicant is advised that conflict with a subsequently issued state or federal permit may cause a need to apply for an amendment to this development plan approval.

Upon approval of a development plan, the applicant shall obtain all required state and federal permits prior to commencement of the development. Upon issuance of a required state or federal permit, the applicant shall furnish a copy of such permit to the applicable County department.

### **DEVELOPMENT PLAN EXPIRATION**

According to Section 402.47(b), an approved final development plan shall expire unless a complete application for a construction, building or other required permit has been accepted by the appropriate reviewing department within 12 months of the date of final approval and that such development is continuing in good faith. Applications for extension of time limit may be processed pursuant to Article 6 of Chapter 402 of the ULDC.

### **STAFF RECOMMENDATION**

Staff has found the proposed Final Development Plan to be consistent with the Comprehensive Plan and requirements of the Unified Land Development Code.

Staff recommends **approval with conditions** of the Final Development Plan for Oakhaven Walk Subdivision and **recommend approval of the plat to the BoCC** for Oakhaven Walk Subdivision.

### **DRC RECOMMENDATION:**

DRC recommended that the BoCC approve the plat for the Oakhaven Walk Subdivision.

### **CONDITIONS**

1. No construction permit may be issued until an MMTM Agreement has been approved by the Board of County Commissioners.
2. Prior to issuance of Construction Permit submit a check for the tree mitigation fee in lieu of \$96,915.00 made out to Alachua County BoCC to Growth Management or provide a revised plan demonstrating compliance with tree mitigation requirements.
3. The applicant shall obtain all required state and federal permits prior to commencement of the development. Upon issuance of a required state or federal permit, the applicant shall furnish a copy of such permit to the applicable County department.
4. Any utility changes that affect the approved development plan will require additional approvals by Alachua County subject to the Unified Land Development Code.
5. Prior to the installation of a new permanent irrigation system or substantial modification to an existing system, an irrigation plan must be submitted to and approved by the Alachua County Environmental Protection Department through the online Alachua County Irrigation Professional Portal. The irrigation system shall comply with Article II of Part II, Title 7, Chapter 79 of the Alachua County Code.