



Alachua County Development Review Committee Staff Report

Project Number: 2019091601

Final Development Plan for Tara Estates Subdivision

SUBJECT: Tara Estates

DESCRIPTION: A residential subdivision with 46 single-family lots

AGENT/APPLICANT: J Brown Professional Group, Inc.

PROPERTY OWNER: Reed & Thrasher

PROPERTY DESCRIPTION:

Location	South of SW 8 th Avenue and East of SW 143 rd Street in the 137 block of SW 8 th Avenue
Parcel Numbers	04412-010-000 and 04412-011-000
Section/Township/Range	10/10S/18E
Land Use	R-1A
Zoning	Low Density (1-4du/acre)
Acreage	14.76 Acres combined

CHRONOLOGY:

Application Submittal	07/29/2019
Insufficiency Report Sent	08/19/2019
Application Resubmitted	09/16/2019
Sufficiency Determination	10/08/2019
Final Development Plan Hearing	10/17/2019
BoCC Plat Hearing	11/12/2019

STAFF RECOMMENDATION: Recommend approval with conditions of the Final Development Plan and recommend approval of the plat to the BoCC

DRC ACTION: Approved the Final Development Plan. **Recommended approval of the plat to the BoCC.**

BoCC ACTION: TBD

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DESCRIPTION OF PROPOSED PLAN

This application proposes a Final Development Plan for a residential subdivision with 46 single-family lots on approximately 14.76 Acres with associated infrastructure improvements. These properties are located in the Urban Cluster.

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

The two parcels have a low density residential future land use designation which Policy 1.3.2.1 (a) of the Future Land Use Element defines as having a density as between 1 and 4 du/ac allowing up to 59 dwelling units. The project proposes 46 lots on 14.76 acres (combined parcels), with a gross density of approximately 3.12 dwelling units/acre (du/ac) and therefore is consistent with the future land use requirements.

Policy 1.3.7.1 allows for single-family attached and detached uses within this future land use. The proposed Final Development Plan is for single-family detached uses only and therefore is consistent with the Future Land Use Element of the Comprehensive Plan.

UNIFIED LAND DEVELOPMENT CODE:

ZONING DISTRICT AND USE REGULATIONS

The proposed development site carries the R-1A zoning district which implements the Low Density Residential future land use designation. The proposed use of single-family detached residential is consistent with Chapter 404 *Use Regulations*.

GENERAL DEVELOPMENT STANDARDS

The lots setbacks are Front 10 feet, Front Garage 20 feet; Rear 10 feet; Interior Side 5 feet; Street Side 10 feet; Accessory Building Rear 7.5 feet; Accessory Building Interior Side 5 feet; Accessory Building Street Side 10 feet and are provided for on the Master Development Plan and meet the requirements of ULDC Table 403.07.02.

NATURAL AND HISTORIC RESOURCES PROTECTION:

CONSERVATION MANAGEMENT AREAS AND MANAGEMENT PLAN

The proposed development site does not have any conservation areas and is outside of flood zones and wetlands.

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LANDSCAPING AND BUFFERING

The northeastern corner borders along SW 8th Avenue and has the required 10-foot-wide collector buffer per ULDC 407.43 (d) *Required roadway buffers*. No buffer is required along the southern, western and most of the northern and eastern boundaries of the development.

The required minimum of 30 percent mature tree canopy within twenty years as required by Section 406.12(a)4 has been provided on the landscape plan. The subdivision meets the requirement by providing 31.3 percent canopy in twenty years including up to 400 sf of canopy coverage per platted lot as outlined in 406.12 (a)4. The requirement that these trees be maintained on lots is included in the Home Owner Association documents.

Per Alachua County ULDC, Article IV., Sec. 407.43.1.b. street trees are provided along both sides of streets and roads or in medians and within a minimum 8 ft. wide planting strip. This is applicable to the multi-use path that runs adjacent to the stormwater management facility. Trees are also proposed to be planted in the basin to meet both this requirement and the stormwater facility landscaping requirements.

No final certificate of occupancy shall be issued until the County has granted final approval and acceptance of the installed landscape as well as the protection of existing native vegetation. Final approval shall include as-built landscape plan certification from a registered landscape architect certifying that the landscaping is installed and functioning as intended, that prohibited and discouraged non-native vegetation listed in Table 406.16.2 has been removed, and that all of the provisions of this Chapter have been met. The land owner shall submit a Certificate of Compliance, in a form acceptable by the Director, to the County as a condition of issuance of a Certificate of Occupancy.

Landscape Irrigation Design and Maintenance Standards, Article II of Part II, Title 7, Chapter 79 of the Alachua County Code went into effect 4/1/16. All new irrigation systems installed in unincorporated Alachua County now require County approval prior to installation, which includes a review fee and site plan. All systems will then go through an inspection process. The Alachua County Irrigation Professional Portal has been created to allow irrigation professionals to submit required documents and pay fees entirely online. For those who are not online, required information may be submitted on paper in person at the EPD office at 408 West University Ave in Gainesville, 8:30-5:00 Monday through Friday. For more information about the Landscape Irrigation Efficiency Code and for a list of helpful resources, we encourage you to click [HERE](#). For more information, contact Water Resources staff at 352-264-6800 or at Irrigation@AlachuaCounty.us.

OPEN SPACE

The project complies with the 20% open space requirements of Article 5, Chapter 407 of the ULDC. Consistency with ULDC 407.53 *Primary open space* and 407.54(a) *Secondary open space* areas were evaluated. Secondary open space consists of stormwater management areas and community green spaces in accordance with ULDC 407.54(a). The required 20% is 2.95 acres and the proposed open space consists of 4.11 acres

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(27.84%) which includes 1.5 acres of community green spaces and 2.61 acres of stormwater management areas. The stormwater open spaces and the community green spaces are linked by meandering pedestrian pathways (407.54 a(2)). These open space areas will be accessible and useable for the residents of the subdivision.

TREE PRESERVATION

ULDC 406.12 (a)3 *Permitting* requires that development plans and subdivision plats be designed such that a minimum of 20% of the tree canopy (.92 min acreage) shown on the most recent aerials of the property at the time of the application be retained.

The proposed Final Development Plan includes an estimated 1.1 acres (23.81%) of existing tree canopy to be preserved of the 4.62 acres of regulated tree canopy. The area of tree preservation is primarily around the eastern perimeter of the site and includes a wooded area in the north-central portion of the site.

ACCESS MANAGEMENT

The proposed project provides one main access point on SW 8th Avenue in the northeastern corner of the development and a secondary gated emergency vehicle access to private road SW 9th Lane (Common Area #1) in the southwestern corner of the site. Due to existing development patterns, there are no additional opportunities for connecting to adjacent properties or developments.

STREET NETWORK STANDARDS

The layout and design of streets within the development have been designed to meet the requirements of Article XIII Chapter 407 of the ULDC *Access Management and Street Network Standards*.

WATER AND WASTEWATER SERVICES

The development is within the Urban Cluster and is therefore required to connect to central water and sewer services by Policy 2.1 of the Potable Water and Sanitary Sewer Element of the Comprehensive Plan.

STORMWATER MANAGEMENT

There are two proposed stormwater basins both with pre-treatment basins. They are each designed to comply with the requirements of Article 407, Article 9 for complete retention with no discharge to adjacent properties.

The proposed Homeowners Association documents established maintenance requirements for the stormwater basin drainage areas located outside of the lots with 10 feet maintenance pathways with access through community green spaces.

Section 77.29 Presumed Compliance: In the sensitive karst area, 1 inch of water quality treatment volume from the project area (excludes open space and areas dedicated to stormwater management) must be proved in LID techniques, in addition to dry retention ponds used for flood control. The individual basins provided on each lot appear to be

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intended as bioretention area. The Alachua County Stormwater Manual limits the ponding depth in bioretention areas based on the assumption that flood control volume is proved downstream. Because the individual bioretention areas are also providing flood control they will have to be approved as an alternative design under Section 77.29.

Locations of stormwater management facilities are shown on the Development Plan. They will all be designed to be open space basins. They will be reviewed at Final Development Plan for consistency with Chapter 407 Article 9 *Stormwater Management* and ULDC 407.56 *Requirements for stormwater management areas used as open space*.

TRANSPORTATION

The developer has entered into a Multi-Modal Transportation Mitigation (MMTM) agreement with Alachua County in order to mitigate the transportation impact of the proposed development. The project will receive a Final Certificate of Level of Service Compliance upon approval of the Final Development Plan

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 (SCSA). This capacity determination dated August 20, 2019 is based on findings that this project will require 6 elementary school student stations in the Southwestern Alachua SCSA, 3 middle school student stations in the Kanapaha SCSA and 4 high school student stations in the Buchholz SCSA.

ADEQUACY OF SCHOOLS

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.

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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 with condition that prior to the submittal of the final plat for recording in accordance with ULDC 402.60(a), ensure that the owner's name(s) shown on a current title opinion match the name(s) shown on the plat submitted for County Official' signatures.

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 or phase of a development plan shall expire unless a construction, building or other required permit has been issued within 12 months of the date of final approval. 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 Tara Estates Subdivision.

Staff **recommends the DRC recommend approval of the Plat to the BoCC** for Tara Estates Subdivision.

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DRC RECOMMENDATION

The DRC approved with conditions the Final Development Plan.

The DRC recommended approval of the plat to the BoCC at its October 17, 2019 hearing.

CONDITIONS:

1. Prior to the submittal of the final plat for recording in accordance with ULDC 402.60(a), ensure that the owner's name(s) shown on a current title opinion match the name(s) shown on the plat submitted for County Official' signatures.
2. Any utility changes that affect the approved development plan will require additional approvals by Alachua County subject to the Unified Land Development Code. Specifically, if the electric lines cannot be allocated in the Right of Way in SW 8th Avenue and Clay Electric requires the electrical lines provided within the project area for Tara Estates approved open space, then a Revised Final Development Plan and Plat approval may be required.
3. Construction shall not begin until the applicant demonstrates that the two onsite wells have been properly plugged and abandoned. Submittal of a well completion report to the ACEPD may satisfy this requirement.
4. 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.
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.