



# Alachua County Development Review Committee Staff Report

**Project Number: DR22-000013**

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## Revised Final Development Plan for Premier Pre-School

**SUBJECT:** Premier Pre-School Revised Final Development Plan

**DESCRIPTION:** Construction of a 7,654 square foot child care facility building and associated infrastructure

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

**PROPERTY OWNER:** International Education Solutions, Inc.

### PROPERTY DESCRIPTION:

Location	10 SW 75 <sup>th</sup> Street, Gainesville
Parcel Numbers	06656-057-001
Land Use	Commercial
Zoning	Business and Professional Services (BP)
Acreage	Approximately 1 acre

### CHRONOLOGY:

Application Submittal	06/06/2022
Insufficiency Report Sent	06/24/2022
Application Resubmitted	09/05/2023
Insufficiency Report Sent	09/21/2023
Application Resubmitted	10/30/2023
Sufficiency Determination	11/15/2023
Revised Final Development Plan	12/07/2023
Hearing	

**STAFF RECOMMENDATION:** Recommend **approval with conditions** of the Revised Final Development Plan for Premier Preschool.

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**DESCRIPTION OF PROPOSED PLAN:**

This application proposes a Revised Final Development Plan for construction of additional child care facility classroom space on approximately one acre with associated infrastructure improvements. There is an existing pre-school on the site. The new classroom building will have a total gross floor area (GFA) of 7,654 square feet and will be two stories. Infrastructure improvements include additional parking, limited access drive isles, and a new dumpster. The property is in the Urban Cluster/Urban Services Area.

**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**

This application proposes expanding an existing child care facility on a property with Commercial Future Land Use Designation. Commercial Future Land Use Objective 3.1 states that commercial development shall include such uses as retail sales, professional services, business services, and personal services and storage.

Commercial Future Land Use Objective 3.2 Location and Compatibility states that commercial development shall be located and designed to maintain compatibility with neighboring residential uses. The parcel is surrounded on the North, West, and South by other commercial uses and is separated from residential uses to the east by SW 75<sup>th</sup> Street/Tower Rd.

**UNIFIED LAND DEVELOPMENT CODE:**

**ZONING DISTRICT AND USE REGULATIONS**

A childcare facility is allowed as a limited use in a Business and Professional (BP) zoning district and is subject to the following standards outlined in ULDC 404.31 *Adult or child care centers*:

- (1) Licensing. An adult day care center or child care facility shall be licensed in accordance with Florida Statutes.*

The application proposes to expand an existing child care facility and is licensed in accordance with Florida Statutes.

- (2) Vehicle circulation. In addition to the requirements of Chapter 402, Article II, an applicant for a child care center shall provide a vehicular circulation plan showing onsite queuing and circulation based upon the location and number of patrons that utilize the facility.*

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The application provides a vehicular circulation plan showing onsite queuing and traffic circulation based on the number of patrons that utilize the facility in compliance *Table 407.14.1 Parking Schedule* and *404.31 Adult or child care centers*.

- (3) Recreational facilities. Outdoor recreational facilities shall be located in the rear yard for child care centers within residential zoning districts.*

The property is not within a residential zoning district. Still, the outdoor play area is located in the rear yard, to the west of the existing building and proposed building.

- (4) Landscaping. In addition to the landscaping requirements of Article IV of Chapter 407, one additional shade tree per 1,000 square feet of outdoor play or activity area shall be installed.*

The 984 square foot outdoor play area is proposed to be relocated under existing tree canopy. Six additional canopy trees are provided in the new stormwater basin.

- (5) Setbacks from residential. All stationary play equipment, dumpsters, garbage cans or recycling bins, and similar equipment shall be located at least 50 feet from any abutting residential property line and 25 feet from any abutting multi-family residential property.*

There are no adjacent residential properties.

- (6) Hours of operation. Unless otherwise approved as part of a special exception, adult or child care centers within residential areas shall not operate between the hours of 7:00 p.m. and 6:00 a.m.*

The child care center is not located within a residential area.

- (7) Parking. Parking areas for adult or child care centers that are located within the single-family residential districts shall be located to the side or rear of the principal building. Parking areas for child care centers located within traditional neighborhood or transit oriented developments must meet all requirements of Chapter 407, Article VII, Traditional Neighborhood and Transit Oriented Developments.*

The child care center is not located within a single-family residential district.

**NATURAL AND HISTORIC RESOURCES PROTECTION**

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**CONSERVATION AREAS**

There are no conservation areas present on the site.

**CONSERVATION MANAGEMENT AREAS AND MANAGEMENT PLAN**

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

**OPEN SPACE**

Non-residential development is not required to provide Open Space, unless there are conservation resources present on site (ULDC 407.52 *Minimum open space requirement*). There are no conservation resources for the subject property, and therefore no Open Space is provided.

**TREE PRESERVATION**

The application shows that .74 acres of the 1 acre parcel is existing tree canopy and proposes to retain .38 acres or 51.8 percent of the existing tree canopy. A total of 71 inches of Heritage Tree mitigation is required.

ULDC 406.13 *Relocation, Replacement, Mitigation* requires either relocation, replacement, or mitigation for the alteration of regulated trees. Due to the number and size of the trees removed and limited space to replant trees onsite, there is a mitigation deficit. Mitigation by replacement is proposed for 40 inches.

There is still a remaining deficit of 51 inches which will require a fee-in-lieu payment of \$6,630 prior to the issuance of Construction Permit. A fee-in-lieu payment is required when relocation or mitigation by replacement onsite is not feasible and is based on the adopted fee schedule rate of \$130 per caliper inch for the mitigation.

**GENERAL DEVELOPMENT STANDARDS**

**SETBACKS AND HEIGHT RESTRICTIONS**

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. However, Sec. 405.45 *Exceptions to design standards for certain development types* states that where it can be demonstrated that development on parcels less than five (5) acres cannot strictly adhere to the urban design standards in Chapter 407, Article VII, those parcels shall develop consistent with the design standards in Section 405.05 and Section 405.07.

Section 405.05 *General design standards for activity centers* lays out broad standards aimed at creating compact development within activity centers that have definable

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edges and a mix of uses that are pedestrian friendly.

The parcel is approximately one (1) acre and is only proposing a single use, therefore it is difficult to meet a mix of uses and provide an interconnected street network. Section 405.05(c) *Parking* states that parking shall be designed in the center of blocks to the greatest extent possible. The additional parking provided in the Revised Final Development Plan meets this requirement.

The Business and Professional (BP) zoning district dimensional standards are listed in Table 403.12.1 Standards for Commercial Districts. The setbacks are 25-foot front, 10-foot rear, and 5-foot interior side. Buildings are restricted to a maximum height of 45 feet.

The building is located within the setbacks and complies with setback requirements Table 403.12.1. According to the architectural plans, the proposed building will be approximately 27 feet tall and complies with height restrictions in Table 403.12.1.

Section 407.10 *Solid waste facilities* requires dumpsters to be located within a rear or side setback. The dumpster is located within the 5-foot side setback.

### **ARCHITECTURE**

There are no specific architectural standards for this site in either the Alachua County Comprehensive Plan or the Unified Land Development Code (ULDC). However, Chapter 407.105 of the ULDC provides architectural criteria for non-residential construction as part of any new development plan.

The submitted elevations are for a two-story classroom building located on the southern edge of an existing developed school parcel. Additional parking will be added to the east (front) of the lot with the building located to the west of the parking area. The structure will contain pre-school classrooms across both floors. It has a flat (parapet) roof. The main entrance is on the east side of the building. A cantilevered canopy is located on the first-floor front façade and this partially wraps around both the north and south sides as well. A similar canopy is located on the upper floor as well.

Facing is primarily smooth stucco veneer but this is broken up by a stone veneer facing on the lower level of the building as well as by a horizontal wood faced panel by the main entrance that extends the entire height of the building. Glazing requirements as found in Chapter 407.105 have also been met with these elevations. Based on the submitted drawings, the standards found in Chapter 407.105 of the ULDC has been met.

### **PARKING STANDARDS**

The minimum number of required parking spaces is based on a ratio of 1 space per 6 persons of licensed capacity per Table 407.14.1. The licensed capacity is 144 persons, which requires 24 total spaces.

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There are 14 existing parking spaces, 5 of which will be removed for the relocation of the trash facilities and access to new parking areas, resulting in 9 remaining spaces.

The remaining spaces combined with 13 proposed spaces brings the total number of spaces to 22. Section 407.14 allows for an applicant to reduce the required number of spaces by up to ten (10) percent. The reduction of 2 spaces falls within this allowance.

Development on sites in the urban cluster and less than 5 acres in size are allowed to develop consistent with standards in Section 405.05, when it can be demonstrated that the development cannot strictly adhere to TND standards in Chapter 407, Article VII.

Section 405.05(c) states that parking shall be designed in the center of blocks to the greatest extent possible. The new parking is located in the center of the site to the greatest extent possible, given the existing building and size of the site (approximately 1 acre).

**LANDSCAPING AND BUFFERING**

The subject property is bordered by other commercial zoning districts and land uses on the north, west, and south therefore, no buffers are required. A 10-foot arterial road buffer and appropriate plantings are shown along the parcel's eastern boundary that fronts SW 75<sup>th</sup> Street/Tower Road as required by Section 407.43(d)(2).

The stormwater basin in the southwest corner of the site complies with Section 407.43.2 *Landscape design of stormwater management facilities.*

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 has been in effect since 4/1/16 with the latest revision effective 6/12/23. All new irrigation systems installed in Alachua County require County approval prior to installation, with applicable review and inspection fees. Irrigation professionals must submit required documents and pay fees through the [Alachua County Citizenserve Portal](#). For more information about the irrigation design standards and for a list of helpful resources, we encourage you to click [HERE](#), contact Water Resources staff at 352-264-6800, or email [Irrigation@AlachuaCounty.us](mailto:Irrigation@AlachuaCounty.us).

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**ACCESS MANAGEMENT**

The proposed project provides two, one-way, access points on SW 75<sup>th</sup> Street/Tower Road. The current access point is an approximately 80-foot wide driveway and the plans show a landscape island which will create the two, one-way, 12-foot wide, access points.

**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**

The stormwater management facility complies with the requirements of Article 407, Article 9.

**TRANSPORTATION**

Mitigation for development resulting from this development plan will be through payment of impact fees prior to issuance of a Certificate of Occupancy.

**MMTM LANGUAGE**

The developer will be required to enter into a Multi-Modal Transportation Mitigation (MMTM) agreement with Alachua County in order to mitigate the transportation impact of the proposed development. A condition of approval has been included in the recommendation to require this approval prior to construction permit. The project will receive a Final Certificate of Level of Service Compliance upon approval of the Final Development Plan

**CONCURRENCY**

This request does not alter the density, intensity, location, land uses, capacity, size, or other aspects that would result in additional impacts on public facilities. Per ULDC Section 407.123 (a) only an application for a final development order that affects one of these aspects would require a determination of capacity. No additional trips will be generated by this proposed use and there is no proposed increase in the number of students or any additional impact on public facilities. Therefore, a Final CLSC is not required.

**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

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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) *Time limitation for expiration of development plans*, 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 or Article 10 of Chapter 402 of the ULDC.

**STAFF RECOMMENDATION**

Staff has found the proposed Revised 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 Revised Final Development Plan for Premier Pre-School

**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, pay tree mitigation fee of \$6,630 to Alachua County Parks and Conservation Lands, via the Growth Management Department, or provide 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 addition to an existing system, an irrigation plan must be submitted to and approved by the Alachua County Environmental Protection Department through the [Alachua](#)



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[County Citizenserve Portal](#). The irrigation system shall comply with the Landscape Irrigation Design and Maintenance Standards found in Article VI of Part II, Title 7, Chapter 77 of the Alachua County Code. Temporary systems are exempt from the design standard requirements but must register through the Portal.