



# Alachua County – Growth Management Staff Report

## Application Z23-000008

**Staff Contact:** Mehdi Benkhatar, AICP Planner III

**Staff Phone Number:** 352-374-5249 ext. 5261

**Board of County Commissioners Hearing Date:** February 27, 2024

### Project Timeline

- Submitted: December 13, 2023
- Staff Report Distributed: February 13, 2024
- BoCC Hearing: February 27, 2024

### Requested Action

A request by Clay Sweger of eda consultants, inc., agent, Nidal Boughannam, owner, for a minor amendment to the Pine Glade Planned Development (PD). The amendment seeks to renew the PD approval timeline, allow single family attached and/or detached units and revise certain development standards.

**Property Owner:** Nidal Boughannam

**Applicant/Agent:** eda consultants, inc.

### Property Description

Address: No address (along SW 19th Ct./SW 70th Terr. to the north of SW 24<sup>th</sup> Ave.)

Parcel Numbers: 06678-010-038 and 06678-010-039

Section/Township/Range: 9/10/19

Land Use: Medium Density Residential (greater than 4, up to 8 dwelling units/acre)

Zoning: PD (Planned Development)

Acreage: +/- 5.04 acres

### Previous Requests

ZOM-64-84: Original Pine Glade PD

ZOM-05-06: PD amendment

### Zoning Violation History

None

**Staff Recommendation:** Staff recommends that the Board of County Commissioners **approve** the proposed minor amendment to the Pine Glade PD, application Z23-000008, with the conditions and bases as noted in the staff report.

## **Background and Analysis**

The applicant is requesting a minor amendment to the Pine Glade Planned Development in order to update the phasing schedule, revise the allowable unit types within the 3-acre "Parcel A" portion of the PD from multifamily to single-family attached/detached (with dimensional standards of the R-2 zoning district), reduce the minimum required number of units within Parcel A and the adjacent 2-acre "Parcel B" from a previous minimum of 38 units (total) to 10 units (total) and revise the open space requirement to the current standard of the Unified Land Development Code (ULDC).

This application concerns two undeveloped parcels totaling approximately 5 acres. The last Board of County Commissioners approval for the PD occurred in 2006 when the PD was amended to change the permitted uses on the 3-acre parcel (Parcel A) from "commercial" to "residential" and increase the number of residential units allowed within the planned development. Since that approval no development has occurred on these 5 acres.

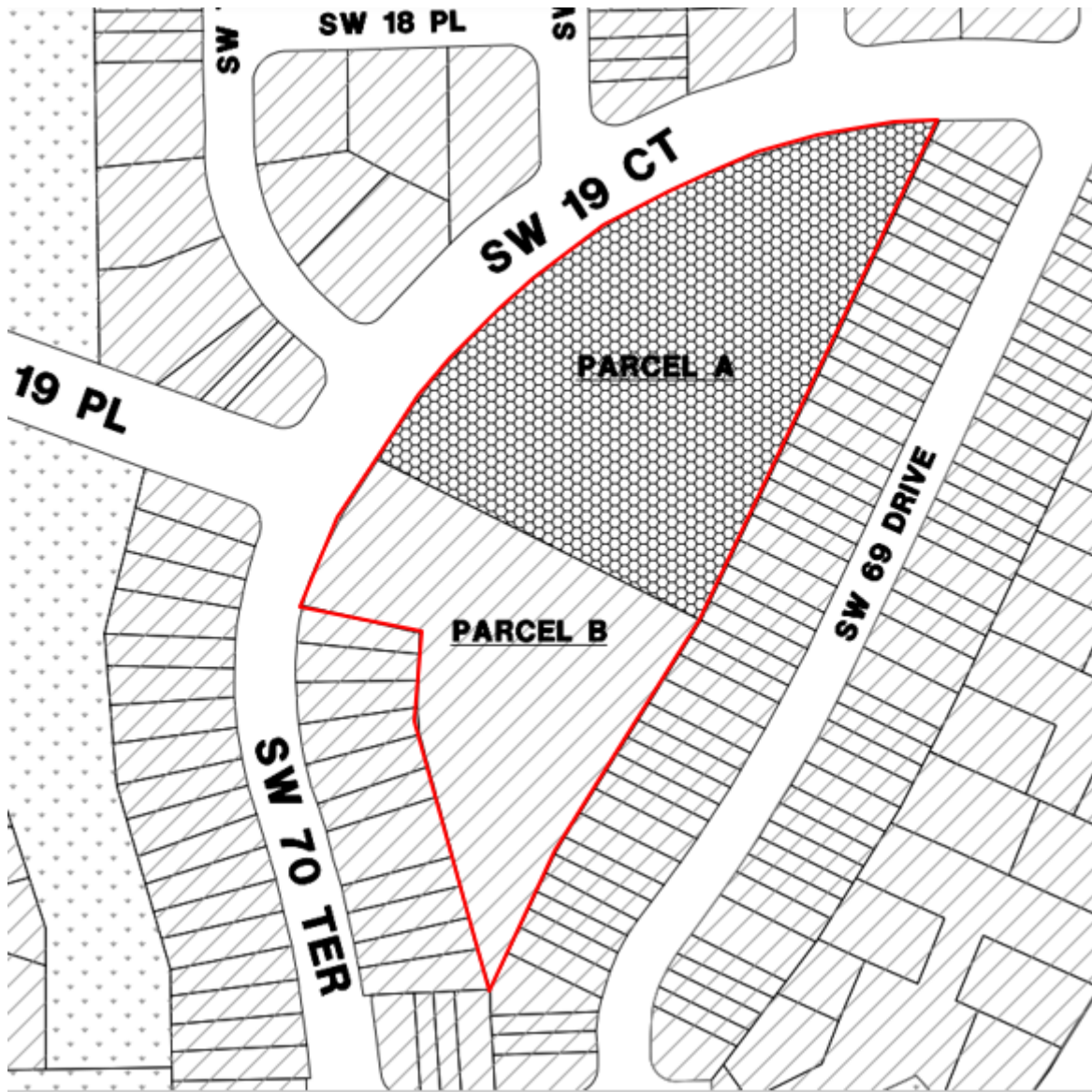
If this minor amendment is approved it will accomplish the following:

- renew the phasing schedule by requiring a final development plan approval on the site within 5 years
- allow single-family residential unit types on "Parcel A"
- reduce the minimum number of units required within "Parcel A" and "Parcel B"
- align the open space requirement (10%) with existing ULDC language.

This request does not involve an increase in the number of permitted units or an expansion of the PD boundaries. The request would have the potential to lower the total number of required units by 10 (previously 548 units in the overall PD were required; if this amendment is approved the new minimum number would be 538 units). The revised minimum number would still provide a residential density range (between 5.9 to 6.9 units/acre) consistent with that of the Medium Density Residential future land use category (greater than 4, up to 8 units/acre).

## **Description of Site and Surrounding Properties**

The overall Pine Glade Planned Development site is approximately 90 acres in size and is located to the northeast of the SW 24<sup>th</sup> Ave./Tower Rd. intersection. The focus of this application is the approximately 5 acre site within the center of the PD comprised of parcels 06678-010-038 and 06678-010-039, the last undeveloped area of the PD.



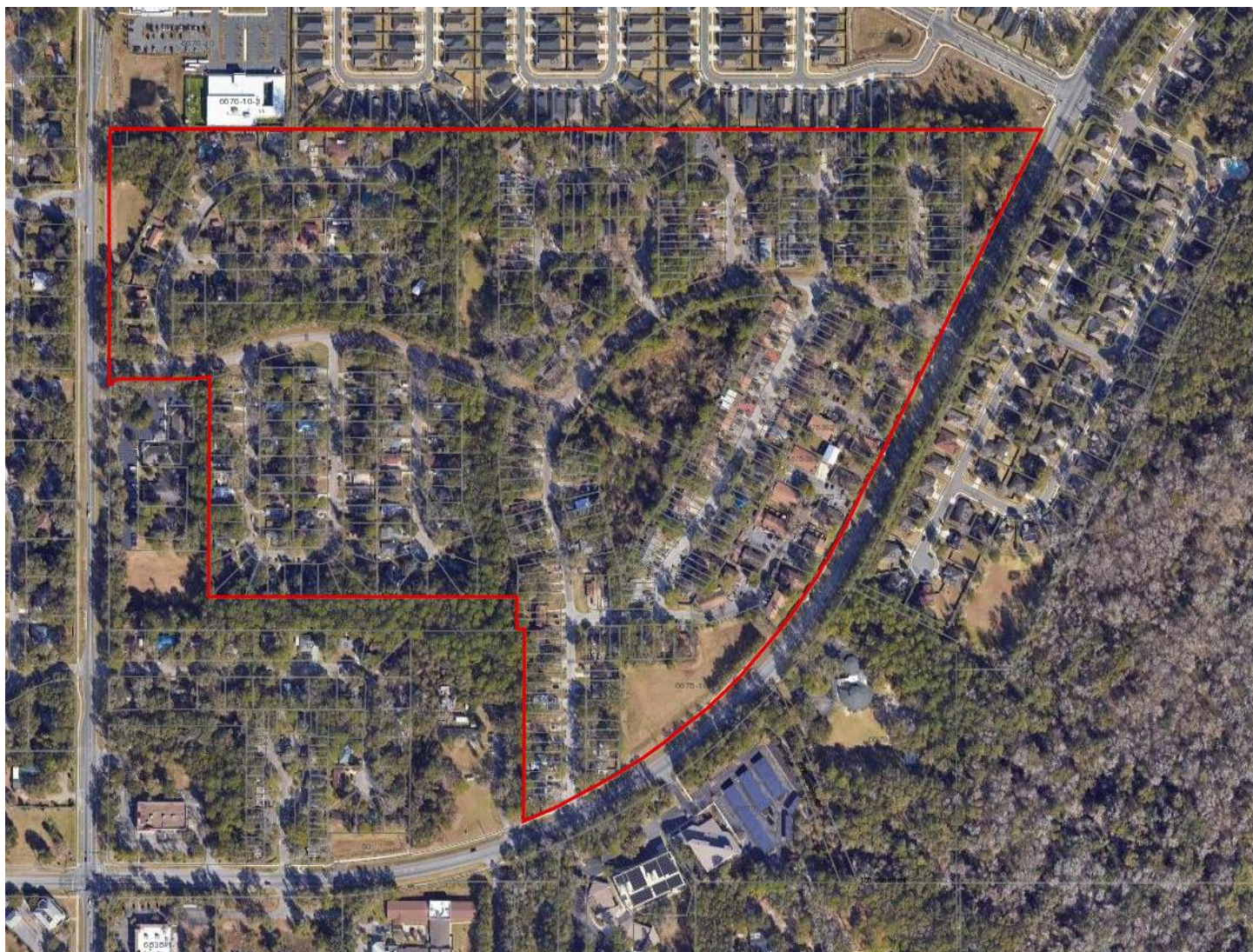
*Figure 1: Site location (Parcels A and B)*

The site has future a land use designation Medium Density Residential (greater than 4, up to 8 dwelling units/acre) and PD zoning.

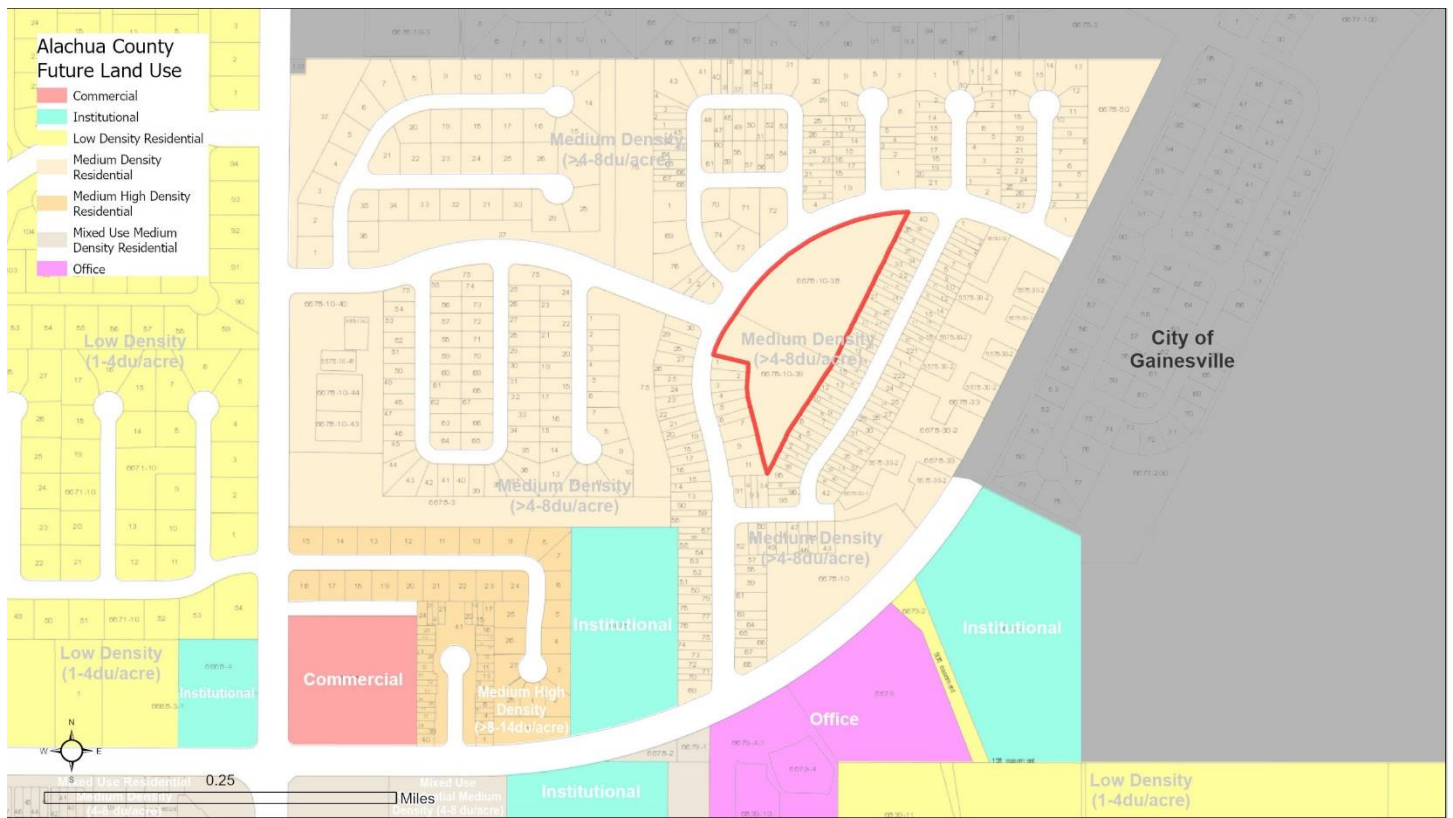
To the north of the Pine Glade PD is the Grand Oaks at Tower subdivision within the City of Gainesville with Low Density Residential (0-15 dwelling units/acre) future land use designation and RMF-5 (single-family residential) zoning and a mixed-use portion of office/retail along SW 75<sup>th</sup> Street (Tower Rd.). To the east of the Pine Glade PD is the Portofino subdivision within the City of Gainesville with Single-Family Residential (0-8 dwelling units/acre) future land use designation and RSF-1 (single-family residential) zoning.

To the south is SW 24<sup>th</sup> Ave., a minor urban arterial road with RTS transit service (Routes 52, 75 and 76). Existing uses to the south include the Gainesville Country Day school with Institutional land use and Agriculture zoning and the Infinite Energy headquarters with Office land use and PD zoning. Further to the southwest lies the boundary of the Tower/24 Activity Center.

The Pine Glade PD extends westward to Tower Rd. Across from Tower Rd. are single family subdivisions with Low Density Residential future land use designation and R-1a (single-family residential) and PD zoning.



**Figure 1: Aerial View of The Pine Glade Planned Development**



**Figure 2: Future Land Use Map**



**Figure 3: Zoning Map**

## **Comprehensive Plan Consistency**

The following is a staff analysis of the consistency of this application with the Alachua County Comprehensive Plan.

## **Levels of Service**

The Alachua County Comprehensive Plan Capital Improvement Element requires that the public facilities and services needed to support development be available concurrent with the impacts of development and that issuance of a Certificate of Level of Service Compliance (CLSC) be a condition of all final development orders. 'Concurrent' shall mean that all adopted levels of service (LOS) standards shall be maintained or achieved within a specified timeframe. Per **Policy 1.2.4 and Policy 1.2.5 of the Capital Improvements Element** of the Alachua County Comprehensive Plan, LOS standards have been adopted for various types of public facilities.

## **Traffic**

This minor PD amendment does not authorize additional residential units. The request is related to changing allowed unit types, extending the phasing schedule and revising the required open space. Any residential development on the site will require mitigation through the Mobility fee program.

## **Water and Sewer**

**Policy 1.2.4 (d) of the Capital Improvements Element** describes the minimum Level of Service standards for potable water and sewer. These are summarized in the following table:

	Peak Residential & Non Residential	Pressure	Storage Capacity
Potable Water	200 gallons/day/du	40 p.s.i.	½ peak day volume
Sanitary Sewer	106 gallons/day/du	N/A	N/A

There will be no impacts to water and sewer levels of service resulting from this request. The site will be served by municipal water and sewer service.

## **Drainage**

**Policy 1.2.4 (c) of the Capital Improvements Element** states that the minimum drainage LOS standard for residential development requires a floor elevation of one (1) foot above the 100-year/critical duration storm elevation. Any future development on this site will be required to meet this standard.

## **Emergency Services**

**Policy 1.2.5 (a) of the Capital Improvements Element** states that the LOS standard for fire services in the area inside the urban cluster is as follows:

- Initial unit response within 6 minutes for 80% of all responses within 12 months.

- The Land Development Regulations shall require that 100% of all development shall provide water supply served by hydrants.

All development will be required to meet these standards at the time of development plan approval.

### **Solid Waste**

The level of service (LOS) standard for solid waste disposal, used as the basis for determining availability of disposal capacity to accommodate the demand generated by existing and new development in Alachua County, is at a minimum, at 0.8 inbound tons per person per year at the Leveda Brown Environmental Park in 2018 and thereafter.

### **Schools**

The proposed minor amendment to the Pine Glade PD does not authorize additional residential units and will not have an impact on the school system.

### **Recreation**

The proposed minor amendment to the Pine Glade PD does not authorize additional residential units and will not have an impact on the recreational level of service.

### **Future Land Use**

**Policy 1.3.8.1 of the Future Land Use Element** states: *“Medium Density residential development shall provide for small lot single family residential detached and attached dwellings, and multi-family residential dwellings. In addition, traditional neighborhood developments (TND), transit oriented developments (TOD) may include mixed housing types and mixed uses”.*

This minor amendment allows among other things flexibility in unit type (single-family attached and/or detached). These units will be developed consistent with R-2 zoning standards.

**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 purpose of the proposed minor amendment is to extend the phasing schedule of the remaining undeveloped phases. If approved, this minor amendment will help to provide a viable design for this last remaining undeveloped portion of the Pine Glade PD, consistent with current land development code.

## **Unified Land Development Code (ULDC) Consistency**

**Sec. 402.89(a) of the Unified Land Development Code** states:

*An amendment to an existing 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. A minor amendment to an existing planned development shall not require a Planning Commission public hearing and shall only require one (1) public hearing with the BOCC.*

The application does not request an expansion of the existing use or additional impacts to surrounding properties, natural resources or public infrastructure. The request will allow for flexibility in the unit type of this last remaining undeveloped portion of the Pine Glade PD. The phasing schedule and open space requirement are proposed to be revised to meet today's standards.

**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 Pine Glade Planned Development (ZOM-05-06). This application extends the phasing schedule for the undeveloped 5 acre portion of the PD, revises the allowed residential unit type and brings the open space requirement into conformance with today's standard.

(b)*Compatibility.* The existing residential PD has been compatible with surrounding low density residential, office and institutional uses in the vicinity. This minor amendment does not change any of the uses, maximum number of units or size of the previously approved PD.

(c)*Development patterns.* Development patterns of this area are marked by subdivisions to the north, south and east of the Pine Glade PD and the Tower/24<sup>th</sup> Ave. Activity Center with commercial and office uses to the southwest. The proposed minor amendment affects the interior of the PD and allows for similar unit types to what already exists within the PD.

(d)*Suitability.* The site is suitable for a residential planned development with single and multi-family units. The Pine Glade PD is located within the Urban Cluster and has access to urban services, transit lines and utilities.

(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 as part of this request.

(f)*Access.* Access to this site occurs from points on both SW 24<sup>th</sup> Ave. and NW 75<sup>th</sup> St (Tower Rd.).

(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 an extension of the phasing schedule

for the last remaining undeveloped portion by 5 years and revises the unit type allowed. No expansion of the use, either in the number of units or area, have been proposed.

## **Staff Recommendation**

Staff recommends that the Board of County Commissioners **approve** Z23-000008 with the following conditions and bases:

## **Conditions**

The conditions of ZOM-05-06 are amended as follows:

- ~~1. **Open Space.** Shall be provided per the applicable ULDC criteria for qualifying open space. **Common Open Space.** During the development review process, the development shall demonstrate that it has achieved the required 20% open space. In order for any areas to count toward the required open space, it must meet all of the requirements within Article 5, Chapter 407 of the ULDC. If the 20% open space requirement is not demonstrated to be met within the existing portions of the planned development, then it must be provided separately within any new development proposed for this parcel.~~
- ~~2. **Buffers and Setbacks.** A 10-foot wide buffer shall be established and maintained on the eastern boundary of the property, where it abuts existing single family attached development. The buffer shall consist of at least 2 canopy trees and 3 understory trees every 100 linear feet. Where possible, existing native vegetation shall be preserved in order to satisfy this requirement.~~
- 2. 3Dimensional Standards.** Any development on 'Parcel A' and 'Parcel B' within the planned development shall meet the setbacks and building standards required for the R-2 zoning district, found in Table 403.09.1 of the ULDC.

## **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 Pine Glade Planned Development. This application extends the phasing schedule for the undeveloped 5 acre portion and allows single or multi-family residential units developed at R-2 zoning standards. The request does not increase the number of units allowed within the PD and it remains consistent with the density range of the land use designation (Medium Density Residential, greater than 4 up to 8 units/acre).

(b)*Compatibility.* The existing Pine Glade PD has existed compatibly with uses in the vicinity. This minor amendment affects an interior portion of the PD and does not change any of the existing allowable uses, maximum number of units or acreage of the previously approved PD.

(c)*Development patterns.* Development patterns of this area are marked by subdivisions to the north, south and east of the Pine Glade PD and the Tower/24<sup>th</sup> Ave. Activity Center with commercial and office uses to the southwest. The proposed minor amendment affects the interior of the PD and allows for similar unit types to what already exists within the PD.

(d)*Suitability.* The site is suitable for a residential planned development with single and multi-family units. The Pine Glade PD is located within the Urban Cluster and has access to urban services, transit lines and utilities.

(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 as part of this request.

(f)*Access.* Access to this site occurs from points on both SW 24<sup>th</sup> Ave. and NW 75<sup>th</sup> St (Tower Rd.).

(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 an extension of the phasing schedule for the last remaining undeveloped portion by 5 years and revises the unit type allowed. 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 Pine Glade PD is related to the allowable unit type, minimum number of units required, dimensional standards, open space requirement and extension of the phasing schedule for the undeveloped portion, 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 1.3.8.1 of the Future Land Use Element** states: *“Medium Density residential development shall provide for small lot single family residential detached and attached dwellings, and multi-family residential dwellings. In addition, traditional neighborhood developments (TND), transit oriented developments (TOD) may include mixed housing types and mixed uses”.*

This minor amendment allows among other things flexibility in unit type (single-family attached and/or detached). These units will be developed consistent with R-2 zoning standards.

4. **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 proposed amendment grants the developer the ability to extend the phasing on a longtime undeveloped internal portion of the PD as well as flexibility as to the unit type and dimensional standards. Approval of this minor amendment will allow the planned development to proceed

with implementation of a proper and viable design that meets current land development code requirements for access, circulation, drainage, open space and utilities.

**Staff and Agency Comments**

**Department of Public Works:** No comments

**Department of Environmental Protection:** No comments

**Transportation Planning:** No comments