

RESOLUTION Z-24-3

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA FOR A MINOR AMENDMENT TO THE PINE GLADE PLANNED DEVELOPMENT (PD) DISTRICT WITH A FUTURE LAND USE DESIGNATION OF MEDIUM DENSITY RESIDENTIAL (GREATER THAN 4, UP TO 8 DWELLING UNITS/ ACRE) ON APPROXIMATELY 5.04 ACRES LOCATED TO THE NORTH OF SW 24TH AVE. ALONG SW 19TH CT. AND SW 70TH TERR. ON TAX PARCEL NUMBERS 06678-010-038 AND 06678-010-039, AS SUMMARIZED IN EXHIBITS A AND B

WHEREAS, Zoning Application Z23-000008 has been duly filed and was considered by the Alachua County Board of County Commissioners at its regular meeting of February 27, 2024;

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

Zoning Application Z23-000008, a request by Clay Sweger of eda, inc., agents, for Nidal Boughannam, owner, for a minor amendment to the Pine Glade Planned Development (PD) zoning district with a future land use designation of Medium Density Residential (greater than 4, up to 8 dwelling units/acre) on approximately 5.04 acres located to the north of SW 24th Ave. along SW 19th Ct. and SW 70th Terr. on tax parcel numbers 06678-010-038 and 06678-010-039, as summarized in Exhibits A and B in this resolution, is hereby approved 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.
2. **Dimensional 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, 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/24th 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 24th Ave. and NW 75th 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, 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.

DULY ADOPTED in regular session this 27th day in February, A.D., 2024.

BOARD OF COUNTY COMMISSIONERS OF
ALACHUA COUNTY, FLORIDA

By: _____

Mary C. Alford, Chair

ATTEST:

Jesse K. Irby, II, Clerk

APPROVED AS TO FORM

(SEAL)

Alachua County Attorney

DEPARTMENT APPROVAL

AS TO CORRECTNESS

Department of Growth Management

Authorized Designee

EXHIBIT A

Legal Description of Site

LEGAL DESCRIPTION

PARCEL 1:

LEGAL DESCRIPTION: (PER O.R.B. 4987, PAGE 458)

A PARCEL OF LAND LYING IN SECTION 9, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF TOWER OAKS, UNIT NO. 1, A SUBDIVISION AS PER A PLAT THEREOF RECORDED IN PLAT BOOK "K", PAGE 86 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA AND RUN SOUTH 68 DEGREES 56 MINUTES 10 SECONDS EAST ALONG THE SOUTHERLY LINE OF SAID SUBDIVISION 320.97 FEET TO THE POINT OF CURVATURE OF A CURVE HAVING A RADIUS OF 25.00 FEET, AN INTERNAL ANGLE OF 79 DEGREES 10 MINUTES 00 SECONDS AND BEING CONCAVE NORTHWESTERLY; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE 34.54 FEET, BEING A CHORD BEARING AND DISTANCE OF NORTH 71 DEGREES 28 MINUTES 47 SECONDS EAST, 31.86 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE RUN SOUTH 58 DEGREES 06 MINUTES 10 SECONDS EAST 80.00 FEET TO THE POINT OF BEGINNING; SAID POINT LYING ON A CURVE HAVING A RADIUS OF 690.00 FEET AND BEING CONCAVE SOUTHEASTERLY; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE 24.72 FEET, BEING THROUGH A CENTRAL ANGLE OF 02 DEGREES 03 MINUTES 10 SECONDS AND BEING A CHORD BEARING AND DISTANCE OF NORTH 32 DEGREES 55 MINUTES 54 SECONDS EAST 24.72 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT OF WAY LINE OF S.W. 19TH COURT (80.00 FEET R/W), SAID POINT BEING ON A CURVE HAVING A RADIUS OF 690.00 FEET AND BEING CONCAVE SOUTHEASTERLY; THENCE RUN NORTH EASTERLY ALONG THE ARC OF SAID RIGHT OF WAY CURVE 642.25 FEET, BEING THROUGH A CENTRAL ANGLE OF 60 DEGREES 54 MINUTES 44 SECONDS EAST 625.69 FEET; THENCE RUN SOUTH 26 DEGREES 26 MINUTES 47 SECONDS WEST 540.43 FEET; THENCE RUN NORTH 63 DEGREES 33 MINUTES 13 SECONDS WEST, 356.87 FEET TO THE POINT OF BEGINNING.

SAID REAL PROPERTY ALSO BEING DESCRIBED AS FOLLOWS:

A PARCEL OF LAND LYING IN SECTION 9, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF TOWER OAKS, UNIT NO. 1, A SUBDIVISION AS PER A PLAT THEREOF RECORDED IN PLAT BOOK "K", PAGE 86 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA AND RUN SOUTH 68 DEGREES 56 MINUTES 10 SECONDS EAST ALONG THE SOUTHERLY LINE OF SAID SUBDIVISION 320.97 FEET TO THE POINT OF CURVATURE OF A CURVE HAVING A RADIUS OF 25.00 FEET, AN INTERNAL ANGLE OF 79 DEGREES 10 MINUTES 00 SECONDS AND BEING CONCAVE NORTHWESTERLY; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE 34.54 FEET, BEING A CHORD BEARING AND DISTANCE OF NORTH 71 DEGREES 28 MINUTES 47 SECONDS EAST, 31.86 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE RUN SOUTH 58 DEGREES 06 MINUTES 10 SECONDS EAST 80.00 FEET TO THE POINT OF BEGINNING; SAID POINT LYING ON A CURVE HAVING A RADIUS OF 690.00 FEET AND BEING CONCAVE SOUTHEASTERLY; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE 24.72 FEET, BEING THROUGH A CENTRAL ANGLE OF 02 DEGREES 03 MINUTES 10 SECONDS AND BEING A CHORD BEARING AND DISTANCE OF NORTH 32 DEGREES 55 MINUTES 54 SECONDS EAST 24.72 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT OF WAY LINE OF S.W. 19TH COURT (80.00 FEET R/W), SAID POINT BEING ON A CURVE HAVING A RADIUS OF 690.00 FEET AND BEING CONCAVE SOUTHEASTERLY; THENCE RUN NORTH EASTERLY ALONG THE ARC OF SAID RIGHT OF WAY CURVE 649.90 FEET, BEING THROUGH A CENTRAL ANGLE OF 60 DEG. 54 MIN. 44 SEC. EAST 625.69 FEET; THENCE RUN SOUTH 26 DEGREES 26 MINUTES 47 SECONDS WEST 540.43 FEET; THENCE RUN NORTH 63 DEGREES 33 MINUTES 13 SECONDS WEST, 356.87 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

LEGAL DESCRIPTION: (PER O.R.B. 4435, PAGE 899)

A PARCEL OF LAND LYING IN SECTION 9, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF TOWER OAKS, UNIT NO. 1, A SUBDIVISION AS PER A PLAT THEREOF RECORDED IN PLAT BOOK "K", PAGE 86 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA AND RUN SOUTH 68 DEGREES 56 MINUTES 10 SECONDS EAST ALONG THE SOUTHERLY LINE OF SAID SUBDIVISION 320.97 FEET TO THE POINT OF CURVATURE OF A CURVE HAVING A RADIUS OF 25.00 FEET, AN INTERNAL ANGLE OF 79 DEGREES 10 MINUTES 00 SECONDS AND BEING CONCAVE NORTHWESTERLY; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE 34.54 FEET, BEING A CHORD BEARING AND DISTANCE OF NORTH 71 DEGREES 28 MINUTES 47 SECONDS EAST, 31.86 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE RUN SOUTH 58 DEG. 06 MIN. 10 SEC. EAST, 70.00 FEET TO THE POINT OF BEGINNING, OF THE HEREINAFTER DESCRIBED PARCEL; SAID POINT LYING ON THE EASTERLY RIGHT-OF-WAY OF SOUTHWEST 70TH TERRACE (A 60 FOOT RIGHT-OF-WAY); THENCE CONTINUE SOUTH 58 DEG. 06 MIN. 10 SEC. EAST 10.00 FEET; THENCE RUN SOUTH 63 DEG. 33 MIN. 13 SEC. EAST, 356.87 FEET; THENCE RUN SOUTH 33 DEG. 09 MIN. 43 SEC. WEST, 273.89 FEET; THENCE RUN SOUTH 26 DEG. 31 MIN. 48 SEC. WEST, 152.91 FEET; THENCE RUN SOUTH 88 DEG. 35 MIN. 21 SEC. WEST, 4.90 FEET; THENCE RUN NORTH 14 DEG. 33 MIN. 05 SEC. WEST, 267.30 FEET; THENCE RUN NORTH 01 DEG. 26 MIN. 06 SEC. EAST, 95.83 FEET; THENCE RUN NORTH 76 DEG. 42 MIN. 19 SEC. WEST, 114.93 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF SAID SOUTHWEST 70TH TERRACE, SAID POINT LYING ON A CURVE HAVING A RADIUS OF 348.06 FEET AND BEING CONCAVE SOUTHEASTERLY; THENCE RUN NORTHEASTERLY ALONG SAID RIGHT-OF-WAY WITH SAID CURVE, THROUGH A CENTRAL ANGLE OF 18 DEG. 36 MIN. 09 SEC., AN ARC LENGTH OF 113.01 FEET, AND A CHORD BEARING AND DISTANCE OF NORTH 22 DEG. 35 MIN. 35 SEC. EAST, 112.50 FEET TO THE POINT OF TANGENCY; THENCE CONTINUE ALONG SAID RIGHT-OF-WAY NORTH 31 DEG. 53 MIN. 50 SEC. EAST, 53.74 FEET TO THE POINT OF BEGINNING.