



Alachua County Development Review Committee Staff Report

Project Number: DR23-000027

Final Development Plan and Plat for Tara Verde

SUBJECT: Tara Verde (fka Alachua Verde)
DESCRIPTION: Final Development Plan and Plat for a 177-lot residential
AGENT/APPLICANT: eda consultants, inc.
PROPERTY OWNER: Alachua Verde LLC; Tara Acquisition, LLC;

PROPERTY DESCRIPTION:

Location 13908 NW 13th Avenue
Parcel Number 04291-000-000, 04291-002-000, 04291-004-000
Land Use Low Density Residential
Zoning R-1A
Acreage 44.41

CHRONOLOGY:

Preliminary Plan Approval (BoCC) 01/24/23
Application Submittal 05/05/23
Insufficiency Reports Sent 05/26/23; 08/22/23; 10/20/23; 01/03/24
Application Resubmitted 07/31/23; 10/02/23; 12/04/23; 02/05/24
Sufficiency Determination 03/06/24
Final Development Plan Hearing 03/28/24

STAFF RECOMMENDATION: Recommend **approval with conditions** of the Final Development Plan and **recommend approval of the Plat to the BoCC for Tara Verde**

DRC RECOMMENDATION: Recommended approval with conditions of the Final Development Plan and **recommended approval of the Plats to the BoCC for Tara Verde**

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DESCRIPTION OF PROPOSED PLAN:

The proposed Final Development Plan is for a 177-lot single-family detached and attached residential subdivision with associated infrastructure. This project is located to the east of the Strawberry Fields and Tara Esmerelda subdivisions and to the west of the Arbor Greens Planned Development. Tara Greens is to the south, and Saddlebrook Farms is the north. Access will be from existing roads within Strawberry Fields and Tara Greens.

The Board of County Commissioners (BoCC) approved the Preliminary Development Plan in January 2023; the threshold of 25 lots was exceeded and required BoCC approval per Unified Land Development Code (ULDC) Section 402.44 *Thresholds for development review*.

The purpose of the Final Development Plan is for the developer to present the fully engineered final development plan to the Development Review Committee (DRC) for review. The final development plan shall be consistent with the approved preliminary development plan, other applicable provisions of this Unified Land Development Code (ULDC), and the Comprehensive Plan. The final development plan shall contain all items necessary to demonstrate compliance with this ULDC and Comprehensive Plan.

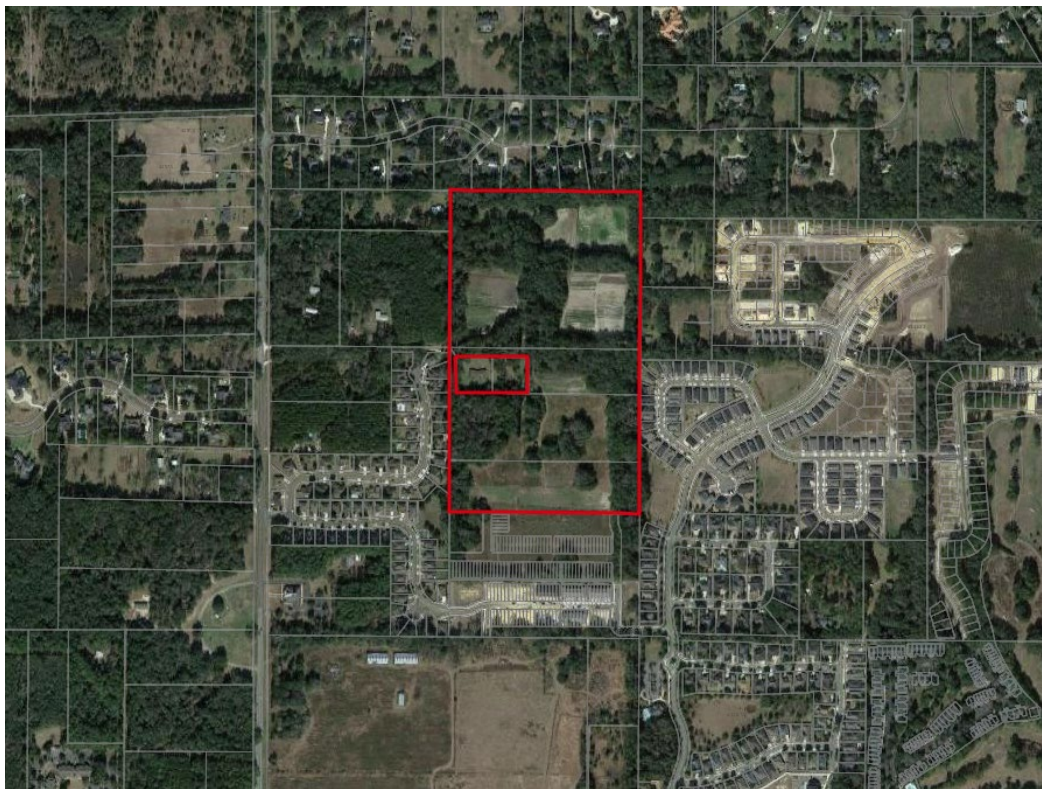


Figure 1: Aerial View of Subject Parcel

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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 subject property is designated Low Density Residential on the Future Land Use Map 2040. This category allows residential densities of 1 to 4 dwelling units per acre (du/acre).

Policy 1.3.2.1 Urban Residential Densities - *Areas designated on the Future Land Use Map for gross residential densities of one unit per acre or greater shall be considered as urban in character. There shall be four gross residential density ranges as follows:*

*(a) **Low Density:** One to four dwelling units per acre*

Policy 1.3.7.1 Low Density residential land use category shall provide for single residential detached and attached dwellings. In addition, traditional neighborhood developments (TND), transit oriented developments (TOD) and planned developments may include mixed housing types and mixed uses.

With 44.4 acres, a minimum of 44 dwelling units is required and a maximum of 177 dwelling units is allowed. The project proposes the maximum 177 units.

The proposed Final Development Plan allows for single-family detached as well as attached dwellings. The detached dwellings are planned for the northern portion of the development, and the attached dwellings are planned for the southern portion near the Tara Greens subdivision. The proposed development plan is consistent with the Future Land use Element.

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 (Sec. 403.05 *Single Family Residential Zoning Districts*). The proposed use of single-family residential is consistent with Chapter 404 *Use Regulations*.

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NATURAL AND HISTORIC RESOURCES PROTECTION

CONSERVATION AREAS

There are no conservation resources associated with this property.

OPEN SPACE

Sec. 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. Sec. 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 is designated Open Space on two adjacent sites – in the Tara Esmerelda subdivision to the northwest area of the subject property as well as in the Tara Greens subdivision to the southeast, as shown on the *Adjacent Open Space Map*.

Open Space is required to be one piece of contiguous land at the periphery of the development. In analyzing options for Open Space, staff recommended that the Open Space be in the southeastern portion of the subject property in order to provide connection to the Open Space to the south. This area has several existing trees, and will also provide a pedestrian connection to the south. This pedestrian connection continues all the way to the Jonesville Business Park TND project (Preliminary Development Plan approved October 2022), and then the pedestrian network internal to the Jonesville Business Park will lead to NW 2nd Lane.

Due to the required roadway connections, the portion of the property designated as Open Space area is a long narrow area that ranges from 107-199 feet wide in the southeast area of the site.

The Open Space Plan sheet (C125) demonstrates that 4.4 acres, or 10 percent, of the subject property is designated as Open Space.

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TREE PRESERVATION

Development plans and subdivision plats shall be designed such that a minimum of 20 percent of the tree canopy shown on the most recent aerials of the property at the time of the application is retained per Sec. 406.12 *Tree Protection Standards*. Residential developments that achieve 90 percent of the maximum allowable residential density shall preserve ten percent of the existing tree canopy. The required minimum tree canopy retained shall incorporate each regulated tree and associated native vegetation within the area of the drip line unless the County determines a larger area is more appropriate due to the unique nature of the growth habit of the tree or unique site conditions.

The proposed project achieved 90 percent of the maximum allowable density. However, the Final Development Plan demonstrates that 7.85 acres, or 29.7 percent, of existing tree canopy will be retained. Sec. 406.12(a)(3) lists characteristics of native trees that are prioritized in determining the minimum required canopy. The majority of retained trees were identified for retention based on their size, health and rating by the County Forester. There are several high-quality trees (shown in purple circles) proposed for retention with the Open Space area to the east and the common area in the western portion of the site.

Additionally, Sec. 406.12 *Tree Protection Standards* states that a tree removal permit authorizing the removal of high-quality specimen trees 60-inches diameter at breast height (dbh) or greater may only be issued upon demonstration by the applicant that the activity cannot occur in any other location on the site, or that removal is unavoidable due to site conditions and design considerations that minimize impacts to other regulated resources.

There are three trees that are 60-inches dbh or greater on the subject property. These are shown in red circles on the Tree Preservation Plan (Sheet C130). The County Forester inspected these trees carefully to determine the appropriate amounts of protection which was provided in the proposed layout of the Preliminary Development Plan. The Final Development Plan was reviewed for consistency with the approved Preliminary.

Due to the development activity proposed, and the vulnerability of trees to be protected between the homes during construction, chain link fencing will be required for protection of these trees per Sec. 406.12.5(f) - *The County may require alternative fencing materials, such as chain link fencing, on a case-by-case basis where additional protection is necessary due to intensity of development activity, vulnerability of trees or native vegetation to be protected, or similar circumstance*. There is a note on Sheet C130 that all trees over 60-inches will have the chain link fencing barricade.

Sec. 406.13 *Relocation, Replacement, Mitigation* requires either relocation, replacement, or mitigation for the alteration of regulated trees. Due to the number and

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size of the trees removed and limited space to replant trees onsite, there is a mitigation deficit. Mitigation by replacement is proposed for 2,288.5 inches. There is still a remaining deficit of 1,137.5 inches which will require a fee-in-lieu payment of \$147,875 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

URBAN CLUSTER DESIGN

Sec. 405.44 *Design Standards* requires all new development and redevelopment within the Urban Cluster to develop, at a minimum, consistent with the design standards for a TND in Chapter 407, Article 7. Single family residential development shall meet the standards for Outside Transit Supportive Area (OTSA).

Sec. 407.67 *Standards for Development Areas Outside the Transit Supportive Area* includes the requirement that development shall have a maximum block perimeter of 2,000 linear feet.

The General Development Plan (Sheet C110) shows 13 blocks. Each block is less than the maximum 2,000 linear feet permitted.

Setbacks for each lot will be reviewed with the building permit for consistency with Table 403.07.2 *Setback requirements for residential lots*.

LANDSCAPING AND BUFFERING

The surrounding development is all residential and therefore no project boundary buffers are required. However, there is an approximately 1.27 acre, 49-foot-wide gap between the northern boundary of the subject project and the Saddlebrook Farms subdivision. There is also a 15-foot-wide recorded ingress/egress easement that will not be developed along the northern property boundary and western property boundary to the NW 13th Avenue connection.

The Landscape Plan demonstrates that 32.14 percent of the site will have tree canopy coverage in 20 years, meeting the requirement of Sec. 407.41(n) that requires 30 percent canopy coverage. There is a small off street parking area; the Landscape Plan demonstrates 56.4 percent coverage which meets the requirement of 407.43.1.c.

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

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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.

STREET NETWORK STANDARDS

Sec 407.140 (a)(5) *Street Network Standards – External Connectivity*, for developments containing 25 or more residential units, there shall be a minimum of two functional access points located on different sides of the subdivision except where infeasible due to original tract dimensions, topography, or existing development patterns. For a development containing only one access, an emergency service access shall be provided and maintained in addition to the primary access [Sec. 407.140 (a)(6)].

The proposed project provides three fully functional access points at NW 13th Avenue in the northwest corner, and at NW 139th Terrace and NW 137th Drive on the south. Each of these connections is a local road that provides connection to the collector road network through existing neighborhoods. The existing neighborhood road network is sufficient to accommodate the additional traffic from the proposed project.

NW 13th Avenue west of Strawberry Fields is a privately-maintained dirt road. As part of this development, a gate will be installed west of NW 10th Road (Strawberry Fields) will be gated to ensure safe access to and from the subdivision. Current property owners with rights to use NW 13th Avenue will be provided the means to continue access through the gate. A recommend condition of approval requires this gate to be in place prior to the certification of completion.

The street network system within the development will also provide three stubs to the east, as required by Sec. 407.140(a)(8), in order to provide cross-access should the adjacent properties develop.

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.

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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

Location of the stormwater management facilities are provided for on the Final Development Plan and are consistent with the approved Preliminary Development Plan. They are in the southern and northern portions of the development. They have been reviewed for consistency with Chapter 407 Article 9 *Stormwater Management* as well as Sec. 407.43.2 *Landscape Design of Stormwater Management Facilities*. Stormwater basins are required to resemble natural areas to the greatest extent possible (Sec. 407.91 (g) *Standards – General*). Basins are required to be landscaped with native species and be designed to be an integral part of the overall development as a physical or visual amenity.

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

SPECIAL IMPROVEMENT DISTRICTS

Per Ordinance No. 2022-16 and Section 407.83 (d) adopted on October 25, 2022 this development plan is subject to creation of a Special Improvement District (SID) for future general maintenance and capital improvements of the infrastructure dedicated to the public. A copy of the Resolution document demonstrating the establishment of the SID shall be provided by the developer prior to the Plat approval by the Board of County Commissioners.

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 either the affected School Concurrency Service Areas (SCSA) or the adjacent SCSA. This capacity determination dated August 8, 2023 is based on findings that this project will require 21 elementary school student stations in the Southwest Alachua SCSA, 11 middle school student stations in the Ft. Clarke SCSA, and 16 high school student stations in the Buchholz SCSA.

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,

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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.

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

Pursuant to Sec 402.74 *Time Limitation for Expiration of Development Plans*, an approved Preliminary Development Plan or phase of a development plan shall expire unless a complete application for final development plan approval has been accepted by the department within 12 months of the date of preliminary approval.

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.

PLAT EXPIRATION

According to Section 402.61, approval 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 BOCC approval

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of the plat. In order to avoid expiration, all plat documents outlined in Subsection 402.60(a) above must be complete and accepted by the County to obtain the signatures of County officials at least thirty (30) days prior to the two-year expiration date.

STAFF RECOMMENDATION

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

Staff recommends **approval with conditions** of the Final Development Plan and **recommends the DRC recommend approval of the Plat to the Board of County Commissioners.**

DRC RECOMMENDATION

The DRC approved with conditions the Final Development Plan and recommended **approval of the Plats to the BoCC.**

CONDITIONS

1. Prior to issuance of Construction Permit:
 - a. Pay tree mitigation fee of \$147,875 to Alachua County Parks and Conservation Lands, via the Growth Management Department, or provide revised plan demonstrating compliance with tree mitigation requirements.
 - b. Structural engineering certification is provided to Public Works for the retaining walls related to the site infrastructure.
2. Gopher Tortoise burrow(s) were located on and/or near the subject property. The property owner/applicant shall follow all Florida Fish and Wildlife Conservation Commission (FWC) guidelines and obtain any required state permits regarding Gopher Tortoise protection, prior to clearing vegetation, grading or filling the site [Chapter 406.05 & 406.28, ULDC]. Copies of FWC issued permits are required to be provided to the Alachua County Environmental Protection Department in advance of receiving authorizations for land alterations
3. Prior to issuance of Certificate of Completion – the access gate on NW 13th Avenue shall be required to be in place and equipped with Knox brand electric key access control for first responder access NFPA 1 18.2.
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. Any utility changes that affect the approved development plan will require additional approvals by Alachua County subject to the Unified Land Development Code.

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6. 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 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.