

**RESOLUTION DR-24-40**

*A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA TO APPROVE A PRELIMINARY DEVELOPMENT PLAN OVER THRESHOLD FOR NEWBERRY VILLAGE TRADITIONAL NEIGHBORHOOD DEVELOPMENT– 639 RESIDENTIAL UNITS AND 224,750 SF OF NON-RESIDENTIAL USES ON APPROXIMATELY 87.15 ACRES. LOCATED ON TAX PARCEL NUMBERS 06329-000-000, 06331-000-000 ALONG THE 7600 THROUGH 8500 BLOCKS OF WEST NEWBERRY ROAD*

WHEREAS, pursuant to Unified Land Development Code Section 402.44, the Alachua County Board of County Commissioners considered this Preliminary Development Plan at its regular meeting of September 24, 2024.

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

Preliminary development plan over threshold DR23-000047, a request by CHW, Inc., agents for Newberry Village TND to construct a mixed-use development containing 639 residential units and 224,750 SF of non-residential uses on approximately 87.15 acres. Located on Tax Parcel Numbers 06329-000-000, 06331-000-000 along the 7600 through 8500 blocks of West Newberry Road as shown in Exhibit A is hereby found to be consistent with the approved Alachua County Comprehensive Plan and Unified Land Development Code as outlined in the Staff Report and is hereby approved with the following conditions:

1. Trees #532 and #1509 must have additional protected areas equal to 2 feet of diameter for every 1 inch of diameter at breast height (dbh). The County may authorize construction impacts to the additional protected areas, per Sec.

406.12.5(c)(2). The impacts must not exceed 50% of the additional protected areas. The applicant must identify specific mitigation measures (e.g., mulching, irrigation, and other tree health strategies), as an element of the Final Development Plan, if impacts to the additional protected areas are proposed.

2. Tree #1459 must have an additional protected area equal to 2 feet of diameter for every 1 inch of diameter at breast height (dbh). The County may authorize construction impacts to the additional protected areas, per ULDC Section 406.12.5(c)(2). The impacts must not exceed 50% of the additional protected area. The area of the surveyed dripline that extends beyond the additional protected area is credited toward the maximum allowed impacts of the additional protected area. The applicant must identify specific mitigation measures (e.g., mulching, irrigation, and other tree health strategies), as an element of the Final Development Plan, if impacts to the additional protected area are proposed.
3. The proposed access point on Newberry Road is impacting the dripline of tree #857. Tree #857 must have an additional protected area equal to 2 feet of diameter for every 1 inch of diameter at breast height (dbh) on the remaining sides. The County may allow impacts to the north and south side of the additional protected area, per Sec. 406.12.5(c)(2) if the east side remains undisturbed at Final Development Plan.
4. The central/bypass lane within the circular roadway at the southern end of the project must be removed prior to submittal of the Final Development Plan.

5. The applicant must provide a complete Traffic Impact Analysis (TIA) with the first Final Development Plan in Phase 2, which evaluates the appropriate mitigation strategy (i.e., signal and roundabout justifications) for the intersection of NW 15th Place and Fort Clarke Boulevard. Implementation of the mitigation strategy, approved by the County, must be provided by the application before the county will permit a connection from the development to NW 15th Place.
6. The applicant must provide a continuous sidewalk, on the north side of the east/west roadway connection to Fort Clarke Boulevard, to exceed the driveways per block face limitation in ULDC Sec. 407.68(c)(2)(c) and provide up to four (4) driveways on the northern block face of TSA1 using Alternative Compliance (ULDC Sec. 407.71). The applicant must construct the east/west sidewalk concurrent with the construction of Block TSA1.
7. Any operational and safety improvements required by FDOT access permits are the responsibility of the developer.

DULY ADOPTED in regular session this 24th Day of September 2024.

BOARD OF COUNTY COMMISSIONERS OF  
ALACHUA COUNTY, FLORIDA

By: \_\_\_\_\_  
Mary C. Alford, Chair

ATTEST:

\_\_\_\_\_  
J. K. "Jess" Irby, Esq. Clerk

(SEAL)

DEPARTMENT APPROVAL  
AS TO CORRECTNESS

APPROVED AS TO FORM

\_\_\_\_\_  
Alachua County Attorney

\_\_\_\_\_  
Department of Growth Management  
Authorized Designee

## EXHIBIT A

A TRACT OF LAND SITUATED IN SECTION 32, TOWNSHIP 9 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 OF THE AFOREMENTIONED SECTION 32, TOWNSHIP 9 SOUTH, RANGE 19 EAST FOR THE POINT OF REFERENCE AND RUN S.89 DEG.22'05"W., ALONG THE NORTH LINE OF SAID SOUTHWEST 1/4 OF SECTION 32, A DISTANCE OF 265.00 FEET TO A BOUNDARY CORNER OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORD BOOK 2128, PAGE 1251 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA AND THE TRUE POINT OF BEGINNING OF THE LANDS HEREIN DESCRIBED, SAID PARCEL OF LAND BEING HEREINAFTER REFERRED TO AS THE "FLOURNOY PARCEL"; THENCE RUN S.47 DEG.06'56"E., ALONG A BOUNDARY LINE OF SAID "FLOURNOY PARCEL", A DISTANCE OF 505.16 FEET TO A POINT ON THE EAST BOUNDARY OF THAT CERTAIN FLORIDA POWER CORPORATION EASEMENT AS DESCRIBED IN OFFICIAL RECORD BOOK 106, PAGE 48, SAID EAST BOUNDARY ALSO BEING THE EAST BOUNDARY LINE OF SAID "FLOURNOY PARCEL"; THENCE RUN S.00 DEG.53'12"E., ALONG SAID FLORIDA CORPORATION BOUNDARY AND ALONG SAID EAST BOUNDARY OF THE "FLOURNOY PARCEL", A DISTANCE OF 1509.56 FEET TO THE SOUTHEAST CORNER OF SAID "FLOURNOY PARCEL"; THENCE RUN S.89 DEG.02'04"W., ALONG THE SOUTH BOUNDARY OF SAID "FLOURNOY PARCEL", A DISTANCE OF 618.61 FEET TO THE NORTHEAST CORNER OF THAT CERTAIN PARCEL KNOWN AS PARCEL NO. 100-R AS DESCRIBED IN OFFICIAL RECORD BOOK 1067, PAGE 445 OF SAID PUBLIC RECORDS; THENCE RUN S.01 DEG.00'55"E., A DISTANCE OF 270.13 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL NO. 100-R; THENCE RUN S.88 DEG.59'05"W., A DISTANCE OF 350.04 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL NO. 100-R, SAID SOUTHWEST CORNER LOCATED ON THE EAST RIGHT OF WAY LINE OF FORT CLARK BOULEVARD (100 FOOT RIGHT OF WAY); THENCE RUN S.01 DEG.00'44"E., ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 224.83 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY, SAID CURVE HAVING A RADIUS OF 35.00 FEET; THENCE RUN SOUTHEASTERLY, ALONG SAID RIGHT OF WAY LINE AND WITH SAID CURVE, THROUGH AN ARC ANGLE OF 89 DEG.58'04", AN ARC DISTANCE OF 54.96 FEET (CHORD BEARING AND DISTANCE OF S.45 DEG.59'46"E., 49.48 FEET, RESPECTIVELY) TO THE END OF SAID CURVE; THENCE RUN N.89 DEG.01'12"E., ALONG THE NORTH RIGHT OF WAY LINE OF STATE ROAD NO. 26 (100 FOOT RIGHT OF WAY) (ALSO KNOWN AS NEWBERRY ROAD), A DISTANCE OF 577.24 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHERLY, SAID CURVE HAVING A RADIUS OF 1812.95 FEET; THENCE RUN SOUTHEASTERLY, ALONG SAID RIGHT OF WAY LINE AND WITH SAID CURVE THROUGH AN ARC ANGLE OF 16 DEG.07'19", AN ARC DISTANCE OF 510.13 FEET (CHORD BEARING AND DISTANCE OF S.82 DEG.55'38"E., 508.45 FEET RESPECTIVELY) TO THE END OF SAID CURVE; THENCE RUN S.74 DEG.52'13"E., ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 276.71 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHERLY, SAID CURVE HAVING A RADIUS OF 1712.95 FEET; THENCE RUN SOUTHEASTERLY, ALONG SAID NORTH RIGHT OF WAY LINE AND WITH SAID CURVE, THROUGH AN ARC ANGLE OF 15 DEG.45'40", AN ARC DISTANCE OF 471.20 FEET (CHORD BEARING AND DISTANCE OF S.82 DEG.40'53"E., 469.72 FEET RESPECTIVELY) TO THE END OF SAID CURVE; THENCE RUN N.89 DEG.22'07"E., ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 517.50 FEET TO THE SOUTHWEST CORNER OF THAT CERTAIN PARCEL OF LAND AS

DESCRIBED IN OFFICIAL RECORD BOOK 1953, PAGE 2966 OF SAID PUBLIC RECORDS, SAID PARCEL OF LAND BEING HEREINAFTER REFERRED TO AS THE "NEWBERRY SQUARE" PARCEL; THENCE RUN N.00 DEG.38'03"W., ALONG A BOUNDARY LINE OF SAID "NEWBERRY SQUARE" PARCEL A DISTANCE OF 710.17 FEET; THENCE RUN S.89 DEG.25'01"W., ALONG A BOUNDARY LINE OF SAID "NEWBERRY SQUARE" PARCEL, A DISTANCE OF 212.00 FEET; THENCE RUN N.00 DEG.38'51"W., ALONG A BOUNDARY LINE OF SAID "NEWBERRY SQUARE" PARCEL, A DISTANCE OF 449.97 FEET; THENCE RUN N.89 DEG.29'23"E., ALONG A BOUNDARY LINE OF SAID

"NEWBERRY SQUARE" PARCEL, A DISTANCE OF 116.00 FEET; THENCE RUN N.00 DEG.34'29"W., ALONG A BOUNDARY LINE OF SAID "NEWBERRY SQUARE" PARCEL, A DISTANCE OF 322.82 FEET; THENCE RUN N.89 DEG.29'23"E., ALONG A BOUNDARY LINE OF SAID "NEWBERRY SQUARE" PARCEL, A DISTANCE OF 134.00 FEET; THENCE RUN N.00 DEG.39'52"W., ALONG A BOUNDARY LINE OF SAID "NEWBERRY SQUARE" PARCEL, A DISTANCE OF 180.01 FEET TO THE SOUTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORD BOOK 2587, PAGE 366 OF SAID PUBLIC RECORDS, SAID PARCEL OF LAND BEING HEREINAFTER REFERRED TO AS THE "SKATE STATION" PARCEL; THENCE RUN S.89 DEG.30'03"W., A DISTANCE OF 201.31 FEET TO THE SOUTHWEST CORNER OF SAID "SKATE STATION PARCEL"; THENCE RUN N.00 DEG.37'01"W., A DISTANCE OF 934.75 FEET TO THE NORTHWEST CORNER OF SAID "SKATE STATION" PARCEL, SAID NORTHWEST CORNER LOCATED ON THE NORTH LINE OF THE SOUTH 1/2 OF THE AFOREMENTIONED SECTION 32; THENCE RUN S.89 DEG.22'05"W., ALONG SAID NORTH LINE, A DISTANCE OF 1610.03 FEET TO THE TRUE POINT OF BEGINNING.

DRAFT

