



# Alachua County – Growth Management Staff Report

## Application Z24-000007

### Application Details

#### Staff Contact

Mehdi J. Benkhatar

#### Staff Phone Number

352-374-5249 ext. 5261

#### Planning Commission Hearing Date

November 20, 2024

#### Board of County Commissioners Hearing Date

TBD

#### Requested Action

A request for a special exception allowing an outdoor recreational facility.

#### Property Owner

Wu Lingzheng

#### Property Description

Address: 9409 SW Archer Rd.

Parcel Numbers: 07089-002-000

Section/Township/Range: 31/10/19

Land Use: Rural/Agriculture (1 dwelling unit/5 acres)

Zoning: A (Agriculture)

Acreage: 21.05 +/-

#### Previous Requests

ZOS-13-04: SUP for recreational facility, approved, later rescinded

ZOT-01-21: Temporary use permit to allow an outdoor festival, approved

TU22-000021: Temporary use permit to allow an outdoor festival, approved

### **Zoning Violation History**

None.

### **Applicant/Agent**

Clay Sweger of eda, inc.

### **Project Timeline**

- Submitted: September 30, 2024
- Staff Report Distributed: November 15, 2024
- Planning Commission Hearing: November 20, 2024

### **Staff Recommendation**

Staff recommends that the Planning Commission recommend that the Board of County Commissioners **approve Z24-000007**, with the conditions and bases as listed in the staff report.

### **Planning Commission Recommendation**

TBD

# Background



*Figure 1: Aerial image of site*

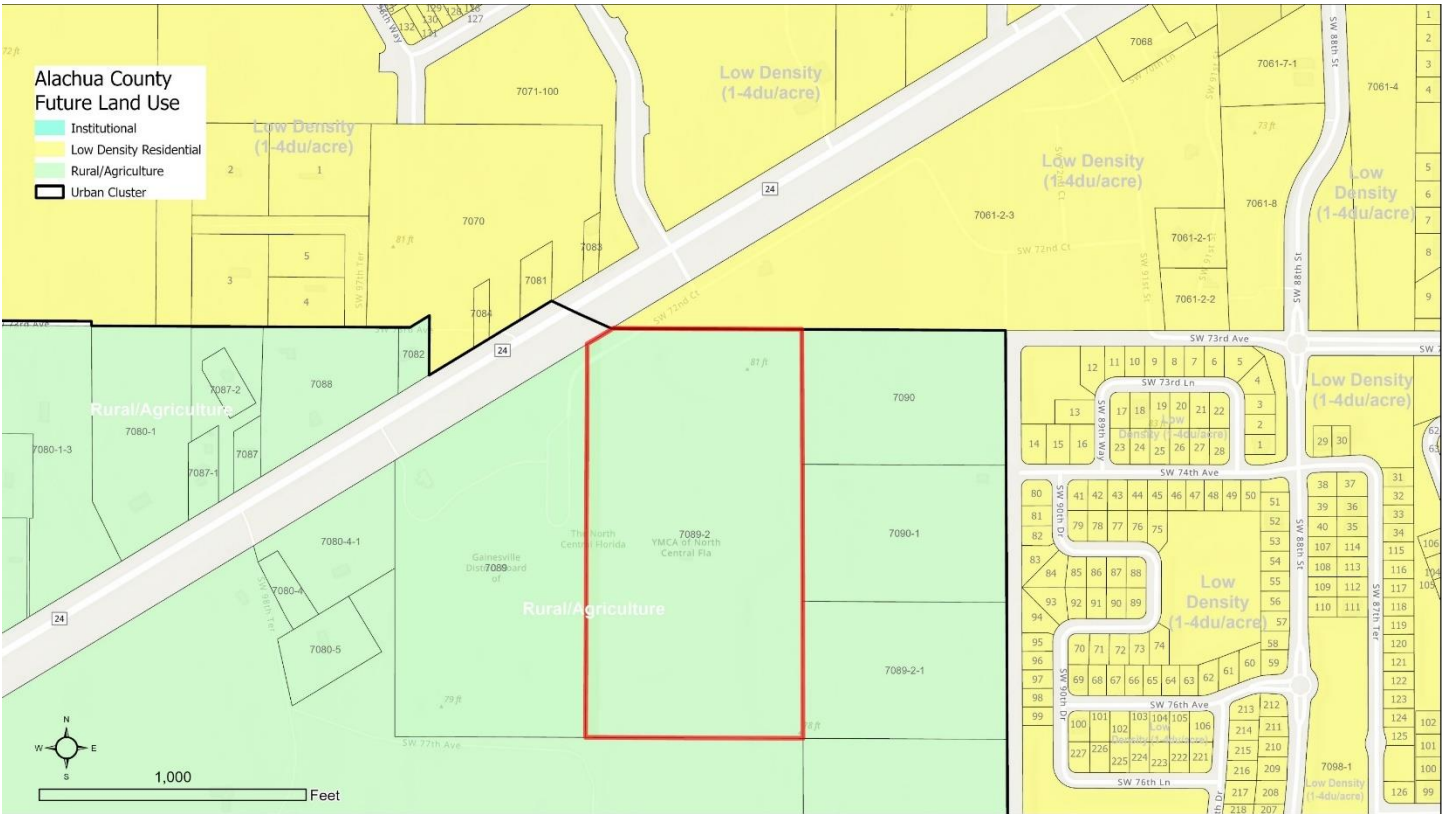


Figure 2: Future Land Use Map



Figure 3: Zoning Map

This application is a request for a special exception for an outdoor recreational facility on parcel 07089-002-000. This application, if approved, would allow a recreational facility focusing on racquet sports (pickleball, tennis, table tennis, badminton) as well as a swimming pool, clubhouse and other accessory uses.

The facility as proposed by the applicant exceeds the limited use standards found in Sec. 404.64 (Outdoor Recreation) in the Unified Land Development Code. Therefore, a special exception application is required and must be approved by the Board of County Commissioners.

### **Site description**

The site consists of one parcel totaling approximately 21.05 acres located at 9409 SW Archer Rd., in the southwestern part of Alachua County. Previously, the YMCA of North Central Florida owned this parcel along with a 12 acre parcel to the north for several years with the intent to build a 60,000 sq. ft. facility here but ultimately the facility was never built and the property was sold to a developer. The special use permit (ZOS-13-04) which would have allowed for the YMCA facility was subsequently rescinded by the developer (Multerra, LLC) when plans for a Traditional Neighborhood Development (Veve TND) were made. ZOS-13-04 was rescinded by the BoCC in 2015. The 12-acre portion of the former YMCA property was included in the TND as it lies within the Urban Cluster. This parcel (parcel 07089-002-000) lies outside of the Urban Cluster and was not included. Multerra no longer owns this property as of 2023.

To the north of the site lies the western portion of The Veve TND. Further north across SW Archer Rd. is the Lugano TND. The northern property line also coincides with the Urban Cluster line. To the east are three 6+ acre parcels zoned Agricultural and with a future land use designation of Rural/Agriculture (1 dwelling per 5 acres). These parcels are undeveloped. To the south of the site is an 85+ acre parcel zoned Agricultural and with a future land use designation of Rural/Agriculture (1 dwelling per 5 acres). To the west of the site is the Celebration United Methodist Church, zoned Agricultural and with a future land use designation of Rural/Agriculture (1 dwelling per 5 acres).

The site does not contain any wetlands or flood zones and is not located in a strategic ecosystem. This site is identified as “vulnerable” on the Floridian Aquifer High Recharge Area map. Based on discussion with the Alachua County Environmental Protection Department there may be gopher tortoises present. Prior to any development, this site is recommended to be surveyed for gopher tortoises.

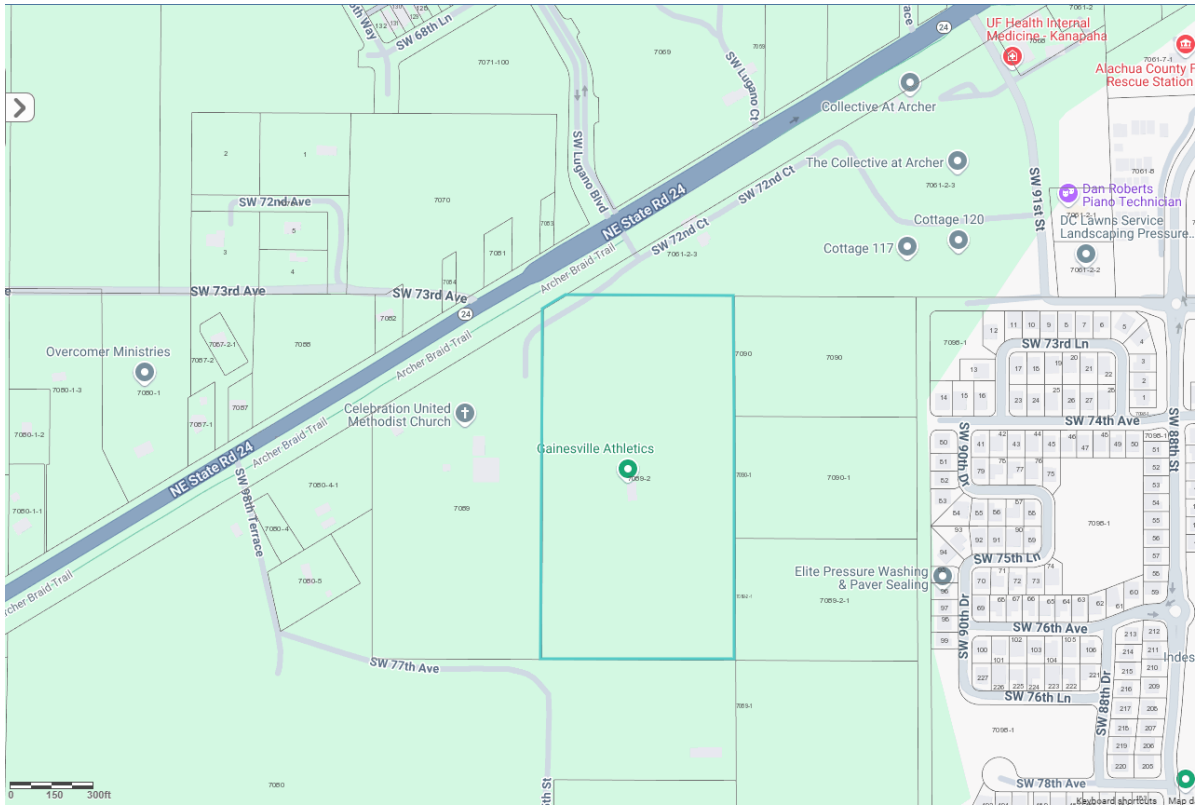


Figure 4: Wetland Map

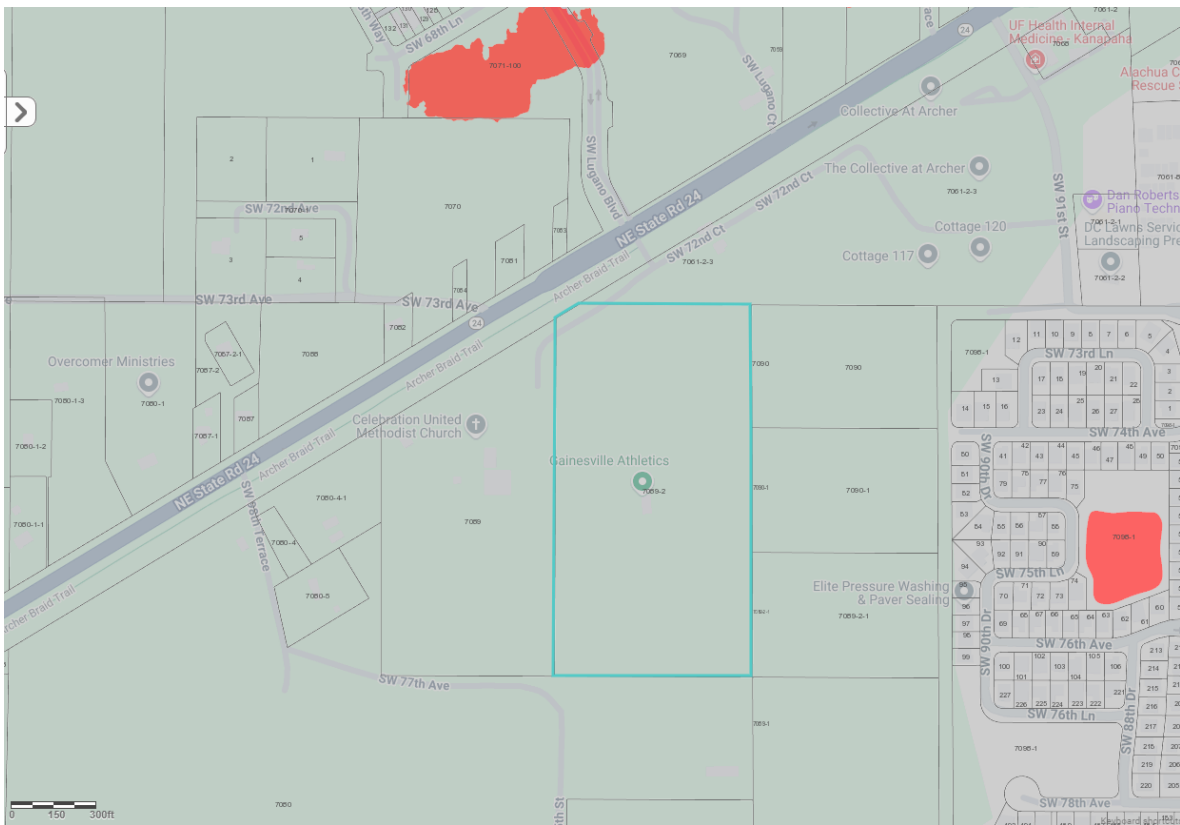


Figure 5: Flood Zone Map

## Consistency with 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

Development on the subject property will mitigate its impacts through the mobility fee program. Any necessary operational improvements will be analyzed during development plan review.

### 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:

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

The site is located outside of the Urban Cluster and will be served by a private well and septic system. The proposed special exception will not impact the water and sewer levels of service.

### ***Drainage***

**Policy 1.2.4 of the Capital Improvements Element** states that the minimum drainage LOS standard for non-residential development requires a floor elevation of one (1) foot above the 100-year/critical duration storm elevation or flood resistant construction. Development on this site would 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 rural area is as follows:

- Initial unit response within 12 minutes for 80% of all responses within 12 months.
- Development shall provide adequate water supply for fire suppression and protection, and fire service compliant fire connections.

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

### ***Solid Waste***

**Policy 1.2.4 (b) of the Capital Improvements Element** states that the minimum level of service standard for solid waste disposal used for determining the availability of disposal capacity to accommodate demand generated by existing and new development, at a minimum, shall be 0.8 tons per person per year. LOS standards for solid waste will not be exceeded by this request.

### ***Schools***

The proposed special exception does not authorize additional residential units and would not impact the level of service for public schools.

### ***Recreation***

The proposed special exception does not authorize additional residential units and would not impact the level of service for recreation.



## **Policy 7.1.2 of the Future Land Use Element**

**Policy 7.1.2 of the Future Land Use Element** states that:

*Proposed changes in the zoning map shall consider:*

- a. consistency with the goals, objectives, policies and adopted maps of the Comprehensive Plan*

**The proposed special exception, as conditioned, is consistent with the goals, objectives, policies and adopted maps of the Comprehensive Plan. The site has a future land use designation Rural/Agriculture and is in the Agriculture zoning district. Outdoor recreation is allowed in the Agriculture zoning district as a limited use. When the limited use standards are exceeded (as is the case in this application) the use may be approved by means of a special exception.**

- b. the availability and capacity of public facilities required to serve the development. When considering a rezoning, this includes availability and capacity of existing public facilities and timing of future facilities based on capital plans. Specific determinations for any exceptions to the requirement to connect to a centralized potable water and sanitary sewer system will be made at the stage of development plan review, as detailed in Policy 2.1 of the Potable Water and Sanitary Sewer Element.*

**The site is located outside of the Urban Cluster and will not be required to be served by centralized potable water and sanitary sewer systems. The proposed special exception does not authorize any new residential units and will not have an impact on public school or recreation levels of service. The special exception will not negatively impact the traffic level of service. Any development on the subject property will mitigate its impacts through the mobility fee program.**

- c. the relationship of the proposed development to existing development in the vicinity and considerations relating to environmental justice and redevelopment opportunities.*

**Existing development in the vicinity of the site consists of Traditional Neighborhood Developments and subdivisions within the Urban Cluster and**

**mostly undeveloped larger parcels with Rural/Agriculture land use outside of the Urban Cluster. Staff has not identified any issues related to environmental justice or redevelopment opportunities that would result from the approval of this special exception.**

*d. those factors identified by law, including that as a general matter an applicant is not entitled to a particular density or intensity within the range of densities and intensities permitted by the Comprehensive Plan, given due consideration of legitimate public purposes relating to health, safety, and welfare.*

**Staff has proposed a condition limiting the maximum sq. ft. of enclosed buildings related to this recreational use in due consideration of legitimate public purposes relating to health, safety and welfare.**

## **Objective 1.4 of the Recreation Element**

**Objective 1.4 of the Recreation Element** states:

*Expand the availability of recreational opportunities for Alachua County citizens by continuing to develop existing recreation sites and acquire new sites and by continuing to encourage provision of recreation sites by the private sector.*

**The site is the location of a previously approved (but undeveloped) YMCA recreational facility. The applicant has acquired this site to develop a recreational facility to be used by Alachua County citizens.**

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

### **Sec. 402.113. – Special exception criteria for approval.**

The Board of County Commissioners shall, as part of a decision to approve an application for special exception, make a finding that an application complies with both the general criteria and the review factors listed below.

*(a) The proposed use is consistent with the comprehensive plan and ULDC;*

**The proposed use is consistent with the Comprehensive Plan and ULDC. Outdoor recreation is allowed as a limited use in the Agriculture zoning district. When the standards of Sec. 404.64 are exceeded the use must be approved by means of a special exception. The applicant has applied for a special exception to meet this requirement.**

*(b)The proposed use is compatible with the existing land use pattern and future uses designated by the comprehensive plan;*

**The existing land use pattern has been marked by the presence of the Urban Cluster line to the north and east of the site. Traditional Neighborhood Developments (Lugano and Veve) are located nearby on SW Archer Rd. as well as the Willow Oak Plantation subdivision. Outside of the Urban Cluster line, adjacent to this site, are larger (5+ acre) parcels that are mostly vacant and an institutional use (church). “Outdoor activity-based recreation” is referred to in Objective 6.2 of the Future Land Use Element (Rural/Agriculture) as one of the permitted uses. The site has previously been approved for recreational uses (YMCA site) and more recently the Hoggetowne Medieval Faire.**

*(c)The proposed use shall not adversely affect the health, safety, and welfare of the public; and*

**As conditioned, the proposed use of outdoor recreation will not adversely affect the health, safety or welfare of the public. The use is related to outdoor recreation which is a permitted use within the Rural/Agriculture land use and Agricultural zoning district. Due to certain characteristics of the proposed facility, a special exception is required. Staff’s proposed conditions (including restrictions on lighting, noise, buffering and hours of operation) serve to protect the surrounding community.**

*(d)Satisfactory provisions and arrangements have been made concerning the following matters, where applicable:*

*(1)Ingress and egress to the property and proposed structures thereon with particular reference to automotive, bicycle, and pedestrian safety and convenience, traffic flow and control and access in case of fire or catastrophe;*

**The proposed outdoor recreation facility would have ingress and egress from SW Archer Rd., via an existing easement. The Archer Braid trail (which forms part of**

**the Alachua County Greenway also fronts this parcel, allowing pedestrian and bicycle access.**

*(2)Off-street parking and loading areas where required, with particular attention to item (1) above;*

**Adequate space exists for off-street parking and loading areas. As shown on the special exception master plan, parking is proposed to be within the Vehicular Use Area near the existing concession stand, to the south of the baseball/softball fields. The exact location and number of parking spaces will be determined as part of the development plan review process. Staff's proposed Condition 10 addresses the provision of off-street parking .**

*(3)The noise, glare or odor effects of the special exception on surrounding properties;*

**The proposed recreational areas are located on the southern portion of the site, farther away from existing residential areas. Additionally, Condition # requires 10-foot high walls to be installed with acoustic wrapping to provide further sound attenuation. Hours of operation are proposed from 7:00 AM to 9:00 PM, which aligns with the limited use hours for outdoor recreation in Sec. 404.64. Staff has proposed a condition requiring downward facing lighting and for all lighting except security lighting to be prohibited after 11 pm or before 7:00 AM. Staff has not found any likely effects of odor to result from the approval of this special exception.**

*(4)Refuse and service areas, with particular reference to location, screening and items (1) and (2);*

**Adequate space exists on site for refuse and services areas associated with this use. The exact location would be determined as part of the development plan review process.**

*(5)Utilities, with reference to location and availability;*

**The site is located outside of the Urban Cluster boundary line and is not required to connect to centralized water and sewer lines. The site will be served by on site well(s) and septic tank(s).**

*(6)Screening and buffering with reference to type, dimensions and character;*

**Table 407.43.1 of the ULDC indicates required boundary buffers. According to this table, Agriculture type buffers will be required along the northern and western boundaries of the site. The applicant has proposed a condition requiring a 50ft buffer along all property boundaries, retaining existing canopy, which will exceed the code requirement.**

*(7)Signs, if any, and proposed exterior lighting with reference to glare, traffic safety and compatibility with surrounding properties;*

**The applicant has not proposed any signage as part of this request. Any signage proposed in the future will need to comply with the signage requirements of Article III, Chapter 407 of the ULDC.**

**Downward-facing exterior lighting has been proposed in order for the facility to be used during nighttime (9pm closing time). Staff has proposed that all lighting other than security lighting be extinguished from 11pm until 7am.**

*(8)Required yards and other greenspace;*

**The required building setbacks for the Agricultural zoning district are 40 ft. (front and rear) and 20 ft. (sides). As shown on the special exception master plan, all buildings will be at least 50 ft. from property lines due to the condition of a perimeter buffer.**

*(9)General compatibility with surrounding properties; and*

**“Compatibility” is defined in the Community Planning Act (F.S. 163.3164) as “a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition”.**

**The proposed outdoor recreation facility is located just outside of the Urban Cluster on a parcel with a future land use designation of Rural/Agriculture and Agricultural zoning. Properties surrounding the site to the east, south and west share the same land use designation and zoning. The northern property is part of a Traditional Neighborhood Development. The proposed facility and outdoor recreational area is located over 700 ft. from the nearest residential area (located in the Veve TND), helping to reduce noise impacts. Property boundary buffers have also been proposed to mitigate potential impacts from the use.**

(10) *Any special requirements set forth in this ULDC for the particular use involved.*

**Chapter 404.64 (Outdoor recreation) sets limited use standards which, if exceeded, require a special exception approval by the BoCC. The applicant's proposal exceeds the maximum (1,000) sq. ft. for permanent structures as well as the use of an audio system and lighting. Therefore, this application has been submitted in order to comply.**

## **Staff Recommendation**

Staff recommends that the Planning Commission recommend that the Board of County Commissioners **approve Z24-000007**, with the conditions and bases as listed in the staff report.

## **Conditions**

- 1) This Special Exception shall allow an outdoor recreation facility on parcel number 07089-002-000.
- 2) Hours of operation shall be Monday – Sunday, 7:00 am – 9:00 pm.
- 3) A maximum of 6,500 sq. ft. of enclosed building area shall be allowed. Up to 50% of this sq. ft. may be used for food and beverage service and the sale of items related to the on-site sporting activities. Food and beverage service and the sale of items related to the on-site sporting activities shall be ancillary and accessory in nature and limited to structure(s) within the Outdoor Recreation Area as identified on the Special Exception Master Plan.
- 4) Outdoor lighting shall comply with Chapter 407, Article XIV. No outdoor lighting (except security lighting) shall occur after 11:00 pm or before 7:00 am.
- 5) Any audio system used shall be controlled to comply with Table 1 of Sec. 110.04 in the Alachua County Code.
- 6) Proposed site improvements shall be consistent with the Special Exception Master Plan, which delineates the approximate location of all on-site uses. The minimum distance of the Outdoor Recreation Area to adjacent property lines shall be 50 feet.
- 7) Development Plan approval shall be required for proposed on-site improvements.

- 8) The existing pedestrian trail network shall be maintained as a fitness trail and will be open to the public.
- 9) A 50-foot wide natural vegetative buffer shall be maintained along all property lines and shall retain all existing canopy trees. A pedestrian trail network is also a permitted use in this area.
- 10) Between 50 to 70 paved parking spaces shall be provided on site within the Vehicular Use Area as shown on the Special Exception Master Plan. Additional overflow grass parking is also permitted as shown on the Special Exception Master Plan.
- 11) Sports courts may be covered with overhead canopies.
- 12) A minimum 10-foot tall fence with acoustic wraps (designed to achieve a minimum sound attenuation of 24 decibels) shall be installed around pickleball courts.

## Bases

1. **Objective 6.2 of the Future Land Use Element of the Comprehensive Plan** identifies outdoor recreation as an allowed use in the Rural/Agriculture future land use designation. The site has a Rural/Agriculture future land use designation.
2. The application is consistent with **Objective 1.4 of the Recreation Element of the Comprehensive Plan** which encourages the provision of recreational sites by the private sector.
3. **Sec. 404.64 of the Unified Land Development Code** provides limited use standards for outdoor recreation. When these are exceeded a special exception must be approved by the Board of County Commissioners. The applicant has submitted a special exception application in order to comply.
4. **Sec. 402.113 of the Unified Land Development Code** provides the following criteria for the approval of special exceptions:
  - (a) *The proposed use is consistent with the comprehensive plan and ULDC;*

*(b)The proposed use is compatible with the existing land use pattern and future uses designated by the comprehensive plan;*

*(c)The proposed use shall not adversely affect the health, safety, and welfare of the public; and*

*(d)Satisfactory provisions and arrangements have been made concerning the following matters, where applicable:*

*(1)Ingress and egress to the property and proposed structures thereon with particular reference to automotive, bicycle, and pedestrian safety and convenience, traffic flow and control and access in case of fire or catastrophe;*

*(2)Off-street parking and loading areas where required, with particular attention to item (1) above;*

*(3)The noise, glare or odor effects of the special exception on surrounding properties;*

*(4)Refuse and service areas, with particular reference to location, screening and items (1) and (2);*

*(5)Utilities, with reference to location and availability;*

*(6)Screening and buffering with reference to type, dimensions and character;*

*(7)Signs, if any, and proposed exterior lighting with reference to glare, traffic safety and compatibility with surrounding properties;*

*(8)Required yards and other greenspace;*

*(9)General compatibility with surrounding properties; and*

*(10)Any special requirements set forth in this ULDC for the particular use involved.*

Staff has evaluated the special exception application for compliance with the above listed criteria. The special exception, as conditioned, is consistent with the Comprehensive Plan and ULDC. The proposed use of outdoor recreation is recognized as an allowed use in the Comprehensive Plan and ULDC for parcels with a future land use designation of Rural/Agriculture and Agricultural zoning. The proposed use is compatible with the existing land use pattern and future uses



designated in the Comprehensive Plan. The proposed use will not adversely affect the health, safety or welfare of the public.

Satisfactory measures have been made to address ingress and egress to the site. The site will use an existing easement for ingress/egress and an area for dedicated off-street parking has been identified of the Special Exception Master Plan (within the Vehicular Use Area). Staff has proposed a condition to limit noise from any sound systems used to comply with standards as listed in Chapter 110 (Noise Control) of the Alachua County Code. The proposed use is not expected to produce any glare or odors. Refuse and service areas will be provided within a portion of the Outdoor Recreation Area as identified on the Master Plan.

The site is located outside of the Urban Cluster and will not be required to connect to centralized water and sewer lines. The site will utilize well(s) and septic tank(s) for potable water and wastewater. Staff has proposed a medium-density, 50 ft. wide buffer along the perimeter of the site, retaining existing tree canopy. The applicant has not proposed any signage as part of this special exception request. However, if any signage is proposed in the future it will need to comply with Chapter 407, Article III of the Unified Land Development Code. Staff has proposed a condition that exterior lighting comply with Chapter 407, Article XIV of the ULDC and be prohibited from 11pm-7am.

The proposed use will comply with the required setbacks for the Agricultural zoning district and the specific setbacks for this use. As conditioned, the outdoor recreation facility will be generally compatible with surrounding properties. The proposed special exception complies with the specific requirements set forth in the ULDC for outdoor recreation.

## **Staff and Agency Comments**

### **Department of Environmental Protection**

Gopher Tortoise burrow(s) were located near the property. The property owner/applicant shall follow all Florida Fish and Wildlife Conservation Commission guidelines and obtain any required state permits regarding Gopher Tortoise protection,

prior to clearing vegetation, grading or filling the site [Sec. 406.05, ULDC; Sec. 406.28, ULDC].

**Department of Public Works**

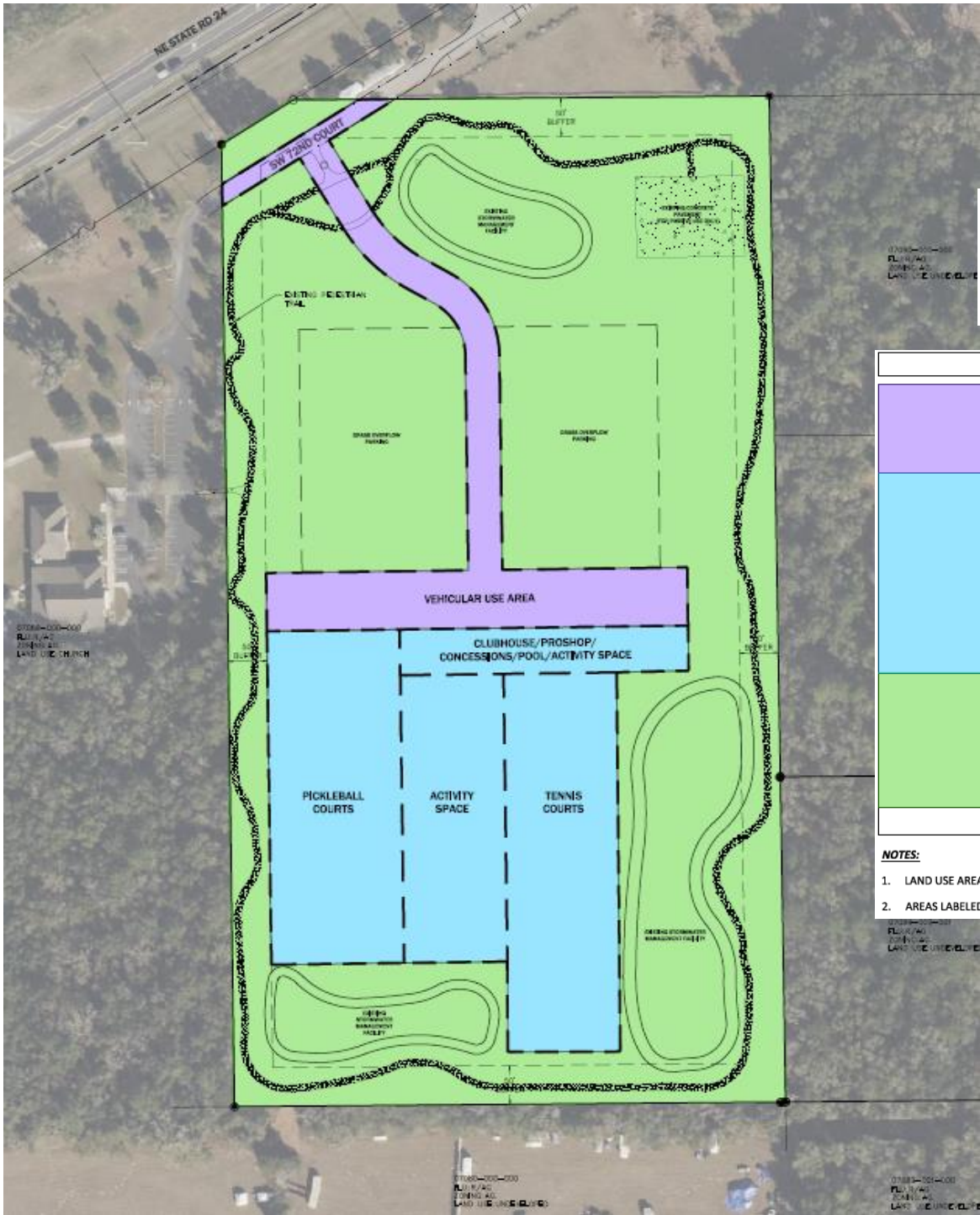
No comment.

**Transportation**

No comment.

**Fire/Rescue**

No comment.



# Proposed Special Exception Master Plan

LAND USE AREAS		
	<b>VEHICULAR USE AREA</b> <ul style="list-style-type: none"> <li>• ACCESS DRIVEWAY</li> <li>• PARKING LOT</li> <li>• STORMWATER AREAS</li> </ul>	1.7 ACRES ±
	<b>OUTDOOR RECREATION AREA</b> <ul style="list-style-type: none"> <li>• TENNIS/PICKLE BALL COURTS</li> <li>• TABLE TENNIS/BADMINTON</li> <li>• COVERED PAVILIONS</li> <li>• ACTIVITY SPACE</li> <li>• SWIMMING POOL</li> <li>• CLUB HOUSE BUILDING</li> <li>• CONCESSION/PRO SHOP BUILDING</li> <li>• RESTROOMS</li> <li>• STORMWATER AREAS</li> <li>• EQUIPMENT STORAGE BUILDING(S)</li> </ul>	5.1 ACRES ±
	<b>GREEN SPACE AREA</b> <ul style="list-style-type: none"> <li>• PASSIVE OUTDOOR RECREATION AREAS</li> <li>• PEDESTRIAN TRAILS</li> <li>• LANDSCAPED AREAS</li> <li>• STORMWATER AREAS</li> <li>• BUFFER AREAS</li> <li>• TEMPORARY GRASS OVERFLOW PARKING</li> </ul>	14.2 ACRES ±
<b>TOTAL</b>		<b>21 ACRES ±</b>

- NOTES:**
1. LAND USE AREAS ABOVE ARE APPROXIMATE AND MAY BE SLIGHTLY ADJUSTED ON DEVELOPMENT PLAN.
  2. AREAS LABELED AS "ACTIVITY SPACE" MAY INCLUDE BOTH COVERED AND UNCOVERED AREAS.