



ALACHUA COUNTY DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

Project Number: DR24-000004
Revised Final Development Plan and Plat for
Tara Vista

DESCRIPTION: Revisions to grading of an approved development plan.

APPLICANT/AGENT: eda, inc.

PROPERTY OWNER: Tara Vista, LLC

PROPERTY INFORMATION: **Address:** West of SW 69th Terrace and south of SW 46th Ave.
Parcel Numbers: 06877-000-000, 06877-030-000, 06877-004-000, 06877-001-000
Future Land Use: Medium Density and Med High Density
Zoning: R-2, R-2a (Residential Multi-Family)
Acreage: 25.93

PROJECT HISTORY: BoCC PDP Approval May 10, 2022
DRC FDP Approval July 6, 2023

CHRONOLOGY: Application Submittal: 09/03/2024
Insufficiency Reports: 10/4/2024; 12/11/2024
Application Resubmittal: 11/04/2024; 12/20/2024
Sufficiency Determination: 01/15/2025
Development Review Committee Hearing: 02/20/2025

STAFF RECOMMENDATION: Approval with conditions of the Revised Final Development Plan and recommend approval of the Plat to the BoCC

DRC ACTION: **Approved the Revised Final Development Plan and recommended the BoCC approve the Plat**

BACKGROUND AND SUMMARY OF PROPOSED PLAN:

This application proposes a Revised Final Development Plan to revise the finish floor elevations, associated utilities, and drainage improvements. The project received Final Development Plan approval from the DRC on July 6, 2023, Plat approval on August 8, 2023, and a Construction Permit was issued on January 30, 2024

There are no proposed changes to general layout or the number of units. The grading changes primarily affect the placement of retaining walls.

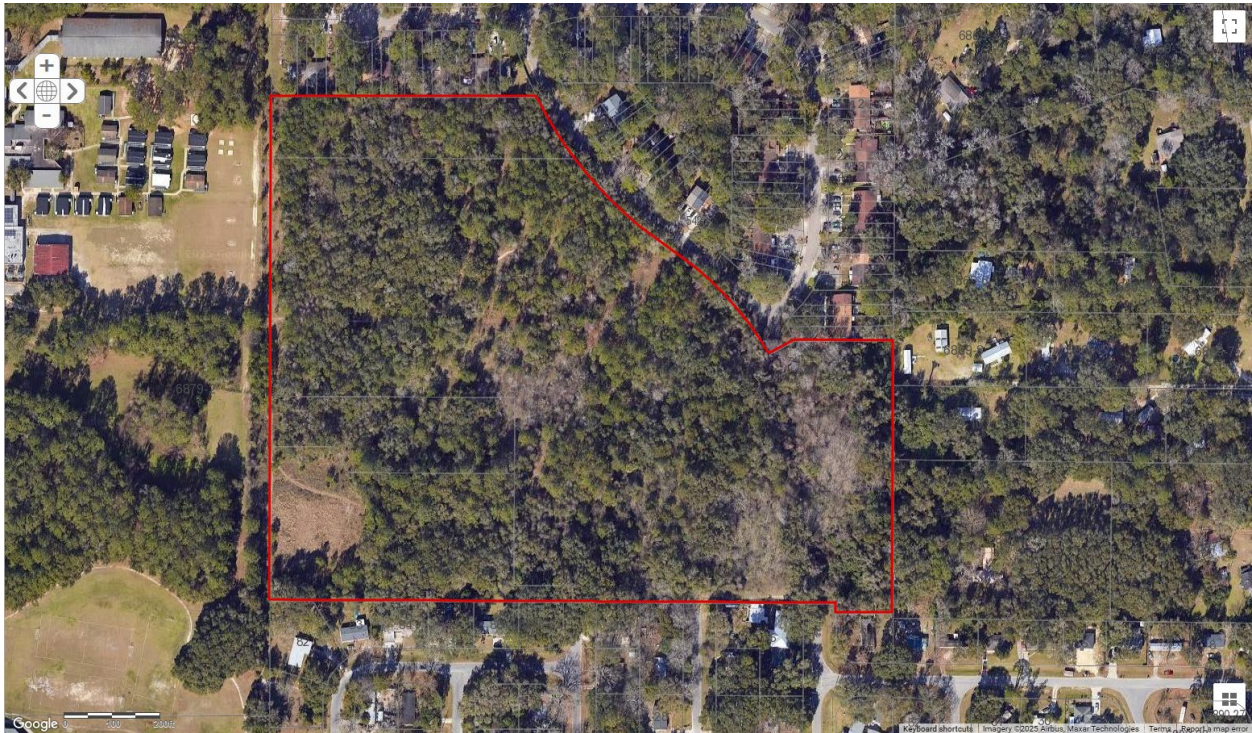


Figure 1: Aerial of subject property

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 ANALYSIS:

Future Land Use Element

No changes to the previously approved number of units is proposed. Policy 1.3.2.1 (b) and (c) of the Future Land Use Element (FLUE) defines the Medium Density Residential Future Land Use

category as greater than 4 to less than or equal to 8 dwelling units per acre and the Medium High Density Residential Future Land Use category as greater than 8 to less than or equal to 14 dwelling units per acre.

Alachua County reviews density as a “gross” measure as opposed to a “net” calculation. FLUE Policy 1.3.1(d) states “gross residential density provides the developer with incentives to reduce overall site and housing costs, as well as to provide for more innovative design than is possible under conventional (net density) development.” With the combination of Urban Future Land Uses on the subject properties the total number of units allowed is a minimum of 124 and a maximum of 238.

The project proposes 223 lots on approximately 26 acres, which is a gross density of 8.6 dwelling units/acre (du/ac) for the entire development.

Policy 1.3.8.1 and 1.3.9.1 of the Future Land Use Element (FLUE) states that Medium Density and Medium High Density residential land use categories shall provide for various housing types, such as conventional, small lot single family residential detached and attached dwellings, and multi-family residential dwellings.

The proposed Revised Final Development Plan proposes single family attached uses and is consistent with the Future Land Use Element.

UNIFIED LAND DEVELOPMENT CODE:

Zoning District and Use Regulations

The proposed development carries the R-2 (4-8 dwelling units/acres) and R-2a (8-14 dwelling units/acre) zoning districts that allows a variety of housing including detached and attached single family dwellings, as well as multi-family residential dwellings. The zoning districts implement the medium and medium-high density future land use designations. The proposed single-family attached units are consistent with Chapter 404 *Use Regulations*.

Natural and Historic Resources Protection

Conservation Areas and Management Plan

There are no conservation management areas associated with this site.

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 Sec. 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.*

Open Space was previously designed on the approved Preliminary Development Plan and Final Development Plan. No change is proposed. There are no conservation areas on the subject property nor on adjacent properties. There is no designated non-conservation Open Space adjacent to the subject property. The Open Space Plan (Sheet C140) proposes **13.0 percent or 3.36 acres of non-conservation Open Space** to the west of the extension of SW 67th Terrace. The open space area is one piece of contiguous land at the periphery of the development, exceeds the minimum average width of 50 feet, is accessible from the development and consists of tree canopy preservation areas of the highest quality trees.

According to Sec. Sec. 407.56 - *Open Space Uses*:

- (a) *Open Space shall either be left in a natural condition or provide accessible spaces such as community gardens, community fields, greens or pocket parks. Additionally, the following code applies:*
- (b) *Open Space shall be primarily pervious except for limited impervious surfaces associated with bicycle/pedestrian paths and unconditioned structures that augment the Open Space such as gazebos and picnic pavilions. Impervious surfaces associated with hardscaped Civic Space are an allowable Open Space use within a TND or TOD approved per Article VII of this Chapter.*
- (c) *Open Space shall not include stormwater retention or detention areas constructed per Article IX of this Chapter. The integration of Low Impact Design (LID) best management practices to manage stormwater runoff shall not eliminate an otherwise qualifying Open Space within a TND or TOD approved per Article VII of this Chapter.*
- (d) *Open Space shall not include spoil piles or berms.*

The Open Space area contains existing trees and will have a hard surface pedestrian path linking to the street network within the subdivision with the extension of SW 67th Terrace to promote connectivity.

Tree Preservation

Tree Preservation areas were previously approved, and no changes are proposed. Sec. 406.12 (a)2 *Tree protection standards* requires that development plans be designed such that a minimum of 20 percent of the tree canopy shown on the most recent aerials of the property available at the time of the application is retained. There is also a provision that residential developments that are 90 percent of the maximum allowable residential density shall preserve 10 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 in its original location.

With the proposed 223 units the development achieves 90 percent of the allowed density and therefore 10 percent of the existing tree canopy can be preserved per Sec. 406.12(a)2. The Tree Preservation Plan (Sheet C150) **demonstrates that 13.9 percent** of the existing tree canopy will be preserved.

Additionally, Sec. 406.12 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 development activity cannot occur in any other location on the site, or that removal is unavoidable due to site conditions that minimize impacts to other regulated resources.*

There are four live oaks over 60 inches dbh in the southeastern portion of the site; all four of these trees are incorporated in the proposed design. The tree preservation area is coincident with the proposed Open Space.

The tree preservation area will have chain link fencing used for tree barricading. Sec. 406.12.5 allows the County to use 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.

Sec. 406.13 *Relocation, Replacement, Mitigation* requires either relocation, replacement, or mitigation for the alteration of regulated trees. The Final Development Plan was approved with a mitigation payment of \$50,440, which was paid prior to the issuance of the Construction Permit. There are a few less 3-inch trees proposed to be planted with the updated Landscape Code due to utility conflicts and a deficit of \$1,170 remains. 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

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 Traditional Neighborhood Design (TND) in Chapter 407, Article 7. Single family residential development shall meet the standards for Outside Transit Supportive Area (OTSA).

Sec. 407.69 *Standards for development areas outside the transit supportive area* requires maximum block perimeters of 2,000. The General Development and Transportation Network Plan (Sheet C130) shows ten blocks with block perimeters that range from 480 linear feet to 1,438 linear feet - all less than the maximum of 2,000 linear feet allowed. The layout is also consistent with the Preliminary Development Plan. Specific lot requirements and setbacks will be reviewed with the Final Development Plan.

Setback and Height Restrictions

Setbacks for each lot must be consistent with the setbacks provided in Chapter 403 *Zoning Districts* and will be reviewed with the building permit.

Landscaping and Buffering

Sec. 407.43 *Required Buffers* provides provisions for requiring buffers based upon zoning or existing use of adjacent property. The Preliminary Development Plan was approved with a 25-foot-wide medium density buffer along the southern and eastern property boundaries as well as a 5-foot-wide buffer along the western property boundary adjacent to Wiles Elementary School. The Board of County Commissioners also required a 15-foot-wide low-density buffer along the northern boundary.

The medium density buffers require screening, which will be provided with a 6-foot-tall opaque vinyl or wood fence consistent with Sec. 407.43 (c)(6). The buffers are appropriately landscaped.

The 15-foot-wide low-density buffer is shown along the northern property boundary of Tara Vista. A fence is not a requirement for this type of buffer, but the applicant has proposed one and it is shown on the development plan.

The Landscape Plan demonstrates that 43.3 percent of the site will have canopy coverage in 20 years. This exceeds the minimum 30 percent required in Sec. 407.41(n).

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 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.

Prior to the installation of a new permanent irrigation system or substantial modification to an existing system, an irrigation plan must be submitted to and approved by the Alachua County Environmental Protection Department through the online Alachua County Irrigation Professional Portal. The irrigation system shall comply with Article II of Part II, Title 7, Chapter 79 of the Alachua County Code.

Street Network Standards

According to 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.

There are three access points proposed to serve the overall subdivision. Two connections will be from the south (Arredondo Estate subdivision): one from the existing SW 67th Terrace stub, which will continue and connect to SW 69th Terrace in the Greenleaf subdivision and another will connect to the SW 69th Street stub. The site will also be accessed from the north via SW 69th Terrace. Staff did not require an additional connection to the south at SW 68th Street due to the preservation of numerous large high quality heritage trees designated for canopy retention.

The internal street network within the subdivision will have 6-foot-wide sidewalks on both sides of the streets except where the extension of SW 69th Terrace will provide a multi-use path on the west side and a sidewalk on the east side to meet the cross-section standards of Sec. 407.141(1)a. Additionally, there is a meandering east/west pedestrian hard surface path between Block 8 and Block 9 that connects to the extension of SW 69th Terrace.

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.

Stormwater Management

The location of the stormwater managements facilities is consistent with the previously approved plans – there is a large basin in the southwest area of the site as well as a basin north of the canopy preservation/open space area with additional pre-treatment area basins along SW 67th Terrace. These facilities 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*.

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. Water and sanitary sewer will be provided by GRU from an existing easement within the project boundary. Electrical services will be provided by GRU from SW 69th Terrace.

Public School Facilities

The Alachua County School Board staff previously 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 the affected School Concurrency Service Areas (SCSA). This capacity determination is based on findings that this project will require 27 elementary school student stations in the West Urban SCSA, 13 middle school student stations in the Kanapaha SCSA, and 20 high school student stations in the High 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, 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.

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. According to Sec. 402.61 *Expiration*, 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 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.

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:

According to Section 402.47(b) *Time limitation for expiration of development plans*, an approved Final Development Plan shall expire unless a complete application for a construction, building or other required permit has been accepted by the appropriate reviewing department within 12 months of the date of final approval and that such development is continuing in good faith. Applications for extension of time limit may be processed pursuant to Article 6 or Article 10 of Chapter 402 of the ULDC.

STAFF RECOMMENDATION:

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

Staff recommends **approval with conditions** of the Revised Final Development Plan for Tara Vista

Staff recommends the DRC recommend **approval** of the Plat to the BoCC for Tara Vista

DRC ACTION AND RECOMMENDATION

Approved with conditions the Revised Final Development Plan and recommended the BoCC approved the Plat for Phase 1 and 2.

CONDITIONS:

1. Prior to the issuance of the Construction Permit:
 - a. Pay tree mitigation fee of \$1,170 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