

# Alachua County

## Office of Planning and Development Staff Report

**Application Number:** ZOM-07-12    Staff Contact: Jerry Brewington, Sr. Planner  
352-374-5249

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**Board of County Commissioners**

**Hearing Date: August 28, 3012**

**SUBJECT:** A request for a minor amendment to the existing Town of Tioga PD defining new permitted uses

**APPLICANT/AGENT:** Brown and Cullen, Inc.

**PROPERTY OWNERS:** Tioga Town Center, LLC

**PROPERTY DESCRIPTION:** Address: 12900 Block of Newberry Road  
Parcel Numbers: 4333, 4415, 4415-1, 4333-5  
Section/Township/Range: 2/11-10-18

Land Use: Low Density Residential  
Zoning: PD (Planned Development)  
Acreage: 278.63

**PREVIOUS REQUESTS:** ZOM-22-94 – A request for a mixed-use planned development. Approved by the BoCC 9/6/94 (4-0)  
ZOM-19-05 – A request to amend the zoning master plan for the PD. Approved by the BoCC.  
ZOM-15-08 – A request for a minor PD amendment defining community uses

**ZONING VIOLATION HISTORY:** None.

**STAFF RECOMMENDATION:** Approval with conditions and bases as noted in the staff report.

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## Analysis of Request

### Background

This application is to amend a mixed-use Planned Development to allow the following language changes to the zoning master plan as proposed by the applicant:

### Urban Mixed Use

*Allowed uses: Town Hall, Neighborhood Shops, Local Government Offices, Professional Offices, Health Club, Restaurants, Bars, Single Family and Multi Family Residential Living Units and Community Uses.*



**Figure 1. – Aerial view of the Project Site and Surrounding Development**

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### Levels of Service

Adopted Level of Service (LOS) standards found in the Alachua County Comprehensive Plan will not be impacted by the proposed minor PD amendment request. No additional impacts will occur from this request and adopted LOS standards found in the Plan will not be impacted.

### Comprehensive Plan and Unified Land Development Code Consistency

The request is to amend the permitted uses allowed in the town center portion of the Town of Tioga Planned Development by adding restaurants and bars. Staff finds the proposal consistent with the Alachua County Comprehensive Plan and Unified Land Development Code as a whole and specifically with the policies listed below.

#### **OBJECTIVE 1.6 – TRADITIONAL NEIGHBORHOOD DEVELOPMENTS**

*To provide for interconnected, mixed-use development through specific site and design standards that create pedestrian and bicycle friendly communities, reduce per capita greenhouse gas emissions and vehicular trips on external roadways and provide development patterns that are transit supportive.*

**Policy 1.6.4 Village Centers.** *Traditional Neighborhood Developments shall be required to have compact, definable mixed use, pedestrian and bicycle friendly village centers that offer multiple destinations and reasons for pedestrians and bicyclist to frequent the area.*

**Policy 1.6.4.1** *The village center shall offer a mixture of uses and community gathering spaces to attract pedestrians and bicyclists and serve as the focal point of the development. The highest density, intensity and mixture of uses shall be located within the village center and emanate from the village center along a gradient suitable to the site and surrounding land uses.*

**Policy 1.6.5 Density & Mixed Uses:** *A balanced mixture of uses shall be provided to create vibrant activity throughout the day and allow individuals to live, work and play in the same community without having to rely solely on a motor vehicle for mobility, thereby reducing per capita greenhouse gas emission.*

The Town of Tioga Planned Development contains a mix of uses as required by the policies above for Traditional Neighborhood Developments. Allowing restaurants and bars to be part

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of the mix increases the attractiveness of the Village Center and offers additional destinations as by Policy 1.6.4. Restaurants and bars are typical Village Center amenities but were omitted from the language of the original approval. Staff finds the addition of these two uses to be consistent with the policies cited above.

**Chapter 402.89(a)** of the ULDC states that *an amendment to an existing planned development shall be considered minor where it will not cause an expansion to an existing use or additional impacts to surrounding properties, natural resources or public infrastructure.*

The proposed amendment is considered a minor amendment in that it will not cause an expansion of the existing Tioga Town Center nor will it cause additional or adverse impacts to surrounding properties, natural resources or public infrastructure.

**Chapter 404, Article 2 of the ULDC.** The use table of the ULDC provides permitted uses under the TND/TOD category. Restaurants and bars are both included in the list of permitted uses.

### **Chapter 407, Article 7, Traditional Neighborhood Development and Transit Oriented Developments**

#### **407.62 Purpose**

##### **(a) Traditional Neighborhood Development**

*The Traditional Neighborhood Development (TND) is intended to provide flexibility in development, encourage a mix of residential housing types, and create the sense of community common in neighborhoods planned in accordance with traditional design principles and the policies of the Comprehensive Plan. Additionally, the design of TNDs **allow for mixed-use centers** integrated into new residential neighborhoods or combinations of new and existing residential neighborhoods.*

#### **407.63 Development Concepts**

##### **(b) Village Center**

*Each TND or TOD shall be designed to include a Village Center that contains the highest densities and intensities of use. The Village Center shall generally extend 1/8 mile from the Central Point and contain a mixture of uses. The Village Center should be designed to provide multiple destinations and to a scale that is comfortable for pedestrians and cyclists.*

The Town of Tioga Planned Development was approved as a mixed-use Planned Development under previous regulations. Those regulations have evolved into the Traditional Neighborhood Development policies and regulations today. The Town of Tioga, and this request, is consistent with the current policy objectives for Traditional

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Neighborhoods and with the specific code regulations for Traditional Neighborhood Developments cited. Adding the two additional uses of restaurants and bars will serve to strengthen the attractiveness of the village center of Tioga by adding to the choice of walkable destinations for residents. Adding these uses will not expand the Village Center area and will not create additional impact on surrounding uses.

### **Staff Recommendation**

Staff recommends **approval** of ZOM-07-12. No changes to the conditions associated with this PD are being proposed. However, the zoning master plan will be amended as found in the Allowed Uses language on the Zoning Master Plan shown below in bold. Deleted language is noted via ~~strike through~~ while new language is noted via underline.

### **Urban Mixed Use**

***Allowed uses: Town Hall, Neighborhood Shops, Local Government Offices, Professional Offices, Health Club, Restaurants, Bars, Single Family and Multi Family Residential Living Units and Community Uses.***

### **Conditions:**

1. Gross Residential density shall not exceed 1.92 dwelling units per acre with total dwelling units not to exceed 537. Residential dwellings, including “live-work units” shall be permitted within the Town Center and Town Villa land use category areas depicted on the Zoning Master Plan. Accessory units, when permitted in accordance with the Land Development Regulations, shall not count toward the total number of dwelling units in the PD. Future phases of the development are denoted as Phases 14-23. The total number of future phases may be adjusted up or down, provided the total number of dwelling units remains unchanged.
2. There shall be no new arterial access points connecting to Newberry Road (SR 26). All access connections to SW 8th Avenue shall comply with the access management standards of the Alachua County Land Development Regulations.
3. The Town of Tioga PD has been granted a Preliminary Certificate of Level of Service Compliance for roadways, which reserved 7,816 trips on area roadways identified in the Traffic Study. These reserved trips may be drawn down on a per-phase basis from the total number of reserved trips.
4. All internal traffic shall be controlled by stop signs.
5. A Conceptual stormwater management system shall be developed for the entire PUD concurrent with the first phase of development. It shall maintain pre-development flow rate

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and volume, accommodate a 100 year event and be designed for a karst sensitive area.

6. A minimum of 50 dwellings shall be built prior to any commercial development. A minimum of one phase shall occur each two years with a build out year of 2010. Each

residential phase shall have a minimum of 15 units and a maximum of 60 units and each non-residential phase shall include a minimum of 5,000 s.f. of gross floor area, or 2 acres of gross site area, whichever is smaller. The development of all remaining non-residential land shall be permitted upon completion of 269 dwelling units (50% of the entire PUD).

7. The Developer shall be responsible for the design and construction of the segment of SW 8th Avenue abutting the PUD concurrently with the construction of the respective phases of the PUD adjacent to SW 8th Avenue extension.

8. Required perimeter buffering shall be provided as allowed by the Comprehensive Plan and identified on the Zoning Master Plan. Additional building setbacks, exceeding those established by the Zoning Master Plan, may be provided on the phased development plans in order to maintain or establish additional buffering from adjacent development. Alternatively, exterior lot depths may be reduced along the south and southeast property lines to provide adequate area for perimeter buffering outside of individually platted lots. Existing phases of development shall maintain the buffering and/or screening required or provided at the time of development plan approval. A 25-foot wide landscaped buffer shall be maintained along the Southern Boundary of the "Community Services/Retail" "Institutional" pod adjacent to the SW 8th Avenue extension across from the Miller Farms subdivision.

9. Landscaping shall not include plant species listed in 62C-52.011 (Florida Administrative Code), 5B-57 (F.A.C.) or Table 406.16.2 of the Unified Land Development Code (ULDC).

10. Issuance of a certificate of level of service compliance, pursuant to ordinance 92-7, shall be addressed as part of the preliminary and final development plan review process. Final development plan approval shall be conditioned on meeting concurrency requirements for roads, drainage, stormwater management, parks, solid waste, water and sewer, and mass transit. Violation of any of the terms and agreements of this planned development shall be grounds for revocation by the Board of County Commissioners.

11. The Architectural review committee shall be maintained for residential and commercial development in the planned unit development as part of the restrictive covenants of the planned unit.

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### Bases:

1. **Objective 1.6** of the Future Land Use Element states that traditional neighborhood developments shall *provide for interconnected, mixed-use development through specific site and design standards that create pedestrian and bicycle friendly communities, reduce per capita greenhouse gas emissions and vehicular trips on external roadways and provide development patterns that are transit supportive.* The Town of Tioga is an interconnected mixed-use development and is consistent with Objective 1.6.
2. **Policy 1.6.4** of the Future Land Use Element states that *Traditional Neighborhood Developments shall be required to have compact, definable mixed use, pedestrian and bicycle friendly village centers that offer multiple destinations and reasons for pedestrians and bicyclist to frequent the area. Policy 1.6.4.1 states that the village center shall offer a mixture of uses and community gathering spaces to attract pedestrians and bicyclists and serve as the focal point of the development. The highest density, intensity and mixture of uses shall be located within the village center and emanate from the village center along a gradient suitable to the site and surrounding land uses.* The village center area of the The Town of Tioga contains a mix of uses. The addition of restaurants and bars to this mix increases the attractiveness of this center offers additional multiple destinations. This amendment to the Planned Development is consistent with Policy 1.6.4. and Policy 1.6.4.1,
3. **Policy 1.6.5** of the Future Land Use Element states that *a balanced mixture of uses shall be provided to create vibrant activity throughout the day and allow individuals to live, work and play in the same community without having to rely solely on a motor vehicle for mobility, thereby reducing per capita greenhouse gas emission.* The addition of restaurants and bars to this mix of uses increases the choice of uses and helps create a vibrant area in the day and evening. Having increased choices close by for the residents of Tioga also further reduces car trips consistent with Policy 1.6.5.
4. **Chapter 402.89(a)** of the ULDC states that *an amendment to an existing planned development shall be considered minor where it will not cause an expansion to an existing use or additional impacts to surrounding properties, natural resources or public infrastructure.* The proposed amendment is considered a minor amendment in that it will not cause an expansion of the existing Tioga Town Center nor will it cause additional or adverse impacts to surrounding properties, natural resources or public infrastructure.

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5. The use table of the Unified Land Development Code (**Chapter 404, Article 2**) provides permitted uses under the TND/TOD category. Restaurants and bars are both included in the list of permitted uses and as such are consistent with the Use Table in the Unified Land Development Code.
  
6. **Chapter 407, Article 7, Section 407.62(a)** states that *the Traditional Neighborhood Development (TND) is intended to provide flexibility in development, encourage a mix of residential housing types, and create the sense of community common in neighborhoods planned in accordance with traditional design principles and the policies of the Comprehensive Plan. Additionally, the design of TNDs **allow for mixed-use centers** integrated into new residential neighborhoods or combinations of new and existing residential neighborhoods. **Section 407.63** states that *Each TND or TOD shall be designed to include a Village Center that contains the highest densities and intensities of use. The Village Center shall generally extend 1/8 mile from the Central Point and contain a mixture of uses. The Village Center should be designed to provide multiple destinations and to a scale that is comfortable for pedestrians and cyclists.* The Town of Tioga Planned Development is consistent with the current objective for Traditional Neighborhoods and with the specific code regulations for Traditional Neighborhood Developments cited in Section 407.62 and 407.63. Adding the two additional uses of restaurants and bars will serve to strengthen the attractiveness of the village center of Tioga by adding to the choice of walkable destinations for residents. Adding these uses will not expand the Village Center area and will not create additional impact on surrounding uses.*

### Staff and Agency Comments

Department of Environmental Protection: No comments

Department of Public Works: No comments

Traffic/Concurrency: No comments