

RESOLUTION Z-14-09

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA TO AMEND THE OAKMONT PLANNED DEVELOPMENT TO EXTEND THE PHASING SCHEDULE UNTIL 2024, AMEND SETBACKS, AMEND HEIGHT LIMITATIONS, ALLOW MODEL HOMES AND ALLOW PUBLIC EVENTS ON APPROXIMATELY 556 ACRES LOCATED AT 11619 SW 24TH AVENUE ON TAX PARCEL NUMBER 04427-000-000

WHEREAS, Zoning Application ZOM-03-14 has been duly filed and was considered by the Alachua County Planning Commission at its regular meeting of July 16, 2014, and,

WHEREAS, the Alachua County Board of County Commissioners considered this zoning item at its regular meeting of August 12, 2014;

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

Zoning Application ZOM-03-14, a request by Craig Brashier of Causseaux, Hewett and Walpole, Inc., agent for CC Oakmont, LLC owner, to amend the Oakmont Planned Development to extend the phasing schedule until 2024, amend setbacks, amend height limitations, allow model homes and allow public events on approximately 556 acres located at 11619 SW 24th Avenue on Tax Parcel Number 04427-000-000. This parcel has a Low Density Residential Land Use Designation (1-4 dwelling units per acre) and a 'PD' (Planned Development) zoning district, as summarized in Exhibit A in this resolution, is hereby approved with the following amended conditions and bases:

Conditions

1. Preliminary and Final Development Plan approval shall be required by the Development Review Committee. The Development Plan shall be consistent with the zoning master plan reviewed and approved by the Board of County Commissioners and shall address compliance with these conditions and the requirements of Section 403.17 - Planned Development (PD) District in the Land Development Code.
2. The maximum number of residential dwelling units shall be 999.
3. The final location of internal roadways and lot configurations may be adjusted to minimize the impacts to existing flood plains located within the limits of the property.
4. The PD shall be served by publicly owned centralized water and sewer systems. Where feasible, reclaimed water from Gainesville Regional Utilities shall be used for irrigation throughout the development.
5. The applicant shall comply with all federal, state, and local laws, rules, regulations, and ordinances, now and hereafter in force, which may be applicable to the use of the site. Concurrency requirements for parks, drainage, stormwater management, solid waste, water and sewer, and mass transit shall be met as a condition of final development plan approval. Violation of any of the

terms and conditions of this permit shall be grounds for suspension or revocation by the Board of County Commissioners.

6. Ten feet of additional right-of-way (R/W) shall be dedicated along the frontage of SW 24th Avenue and SW 122nd Street. The applicant shall provide sketches and legal descriptions of this property to allow for the proper deed preparation or the R/W must be dedicated with the platting of the appropriate phase of the development.
7. The developer shall be responsible for the construction of an eight-foot wide asphaltic concrete, off-street bike path on the south side of SW 24th Avenue and the east of SW 122nd Street across the entire frontage of the property. The applicant shall also be responsible for the construction of an eight-foot wide asphaltic concrete, off-street bike bath on the south side of SW 24th Avenue from the northwest corner of the property to the existing end of the bike path at SW 100th Street. The bike path construction may be phased with the construction of the development but the bike path phasing must be such that the bike path connection is constructed along SW 24th Avenue, or SW 122nd Street to connect from the existing bike path at SW 100th Street to any vehicular access connection to SW 24th Avenue or SW 122nd Street.
8. An exclusive left-turn lane or a roundabout supported by an accepted roundabout justification report must be provided on SW 122nd Street at the primary entrance.

9. An exclusive right-turn taper, or a roundabout supported by an accepted roundabout justification report, must be provided for northbound traffic turning east into the development at the primary entrance on SW 122nd Street. The developer shall be responsible for conducting a speed study to determine if it is necessary to lower the posted speed on this section of SW 122nd Street as the Oakmont project begins to develop.
10. An exclusive left-turn lane, or a roundabout, must be provided on SW 24th Avenue at the primary entrance.
11. Both primary entrances must be designed to provide one ingress and two egress lanes (exclusive right- and left-turn lanes). Single ingress and egress lanes may be provided if shown as warranted in an accepted roundabout justification report.
12. The master plan must be revised to show a minor-access connection to SW 27th Avenue which is currently stubbed out of the west side of the Biltmore, Phase 2 development and at least two stub-out connections to the undeveloped properties south of this site.
13. The developer shall be responsible for the addition of a southbound left-turn lane at the SW 122nd Street approach to SW 24th Avenue.
14. Certificates for Level of Service Compliance be limited to ten years for the entire

buildout and limited per phase in accordance with detailed traffic studies that show growth rates on the affected roadway segments. At the end of each phase, a trip generation audit be performed to validate the traffic study's findings and assumptions.

15. The developer shall construct a five (5) acre athletic field facility that will be accessible to the public and will be located within the subject site as depicted on the zoning master plan. The developer will convey this facility to the county upon the county's request.
16. The developer shall convey by warranty deed a twenty (20) acre parcel as depicted on the zoning master plan to the School Board of Alachua County to be used only for the construction of a public elementary school
17. The developer shall notify all contractors and subcontractors involved in construction on this site that construction truck traffic shall be prohibited on SW 91st Street from SW 24th Avenue to Newberry Road.
18. The emergency ingress/egress, pedestrian/bicycle ingress/egress and vehicular egress on southwest 122nd street shall be provided prior to development of more than 250 total units within the development.
19. The primary access on southwest 122nd street shall be provided prior to

development approval of more than 500 total units within the development.

20. The emergency ingress/egress and pedestrian/bicycle ingress/egress located on southwest 24th avenue shall be provided when the adjacent residential area is developed.
21. All other external vehicular connections will be provided when the adjacent portions of the planned development are approved.
22. At the option of the Oakmont developer, roadway improvements specifically required in Conditions 10 & 11 for the primary SW 24th Avenue entrance may be substituted for an appropriately designed and justified roundabout. A roundabout justification study shall be performed and submitted to county staff at the time of development plan review and in accordance with Florida Department of Transportation (FDOT) manual on Uniform Traffic Studies (MUTS).
23. The developer shall be responsible for the acquisition of any additional right-of-way (R/W) along the frontage of SW 24th Avenue or SW 122nd Street necessary for the installation of any roundabouts. The applicant shall provide sketches and legal descriptions of this property to allow for the proper deed preparation or the R/W must be dedicated with the platting of the appropriate phase of the development.

24. Builders shall be permitted to provide model homes within the PD consistent with ULDC Section 404.26 with the following exceptions: a maximum of 10 model homes may be provided at any time within the PD and model homes may be provided within the PD until such time as all residential units have been constructed.

25. Temporary community uses and events such as: block parties, concerts, fundraisers, farmer's markets, seasonal festivals, holiday celebrations, art shows, homeowners association events or other related activities and events shall be permitted in the amenity center and amphitheatre areas of the PD. These temporary events may include private road closures. Public road closures are subject to approval by the Alachua County Public Works Department. Any residents impacted by road closures shall be notified a minimum of 2 weeks prior to the date of the event. No temporary event shall occur prior to 6 a.m. (including set up time) or later than 11:30 p.m. (including take down time). All signage for temporary events shall comply with Chapter 407, Article 3 (signs) of the Unified Land Development Code. Community events may not infringe on single family residential lots.

Bases

1. Staff notes that **Policy 1.1.5(b)** of the Future Land Use Element states that development within Urban Residential Designations per Policy 1.3.2.1 that are 300 or more units shall either be a Traditional Neighborhood Development (TND) or located within an Activity Center. The Oakmont Subdivision meets this criterion, being approved for 999 residential units. However, there is a specific policy within the implementation section of the Future Land Use Element (Policy 7.1.7) that is in conflict with this policy. Specifically, Policy 7.1.7(c) limits the overall density of the southern 480 acres of parcel 04427-000-000 to no more than 2 units per acre. This policy is in conflict with those policies for TND's that require minimum densities of 4 units an acre or greater (Policy 1.6.5.1) in certain portions of the TND. Staff finds, however, that the parcel specific policies found in 7.1.7 prevail in this case.

2. **Policy 1.2.4** of the Future Land Use Element states that *all new residential development in the urban cluster shall be economically and efficiently served by supporting community facilities and services such as streets, utilities, public educational facilities and public protection. These areas shall connect to centralized potable water supply and sanitary sewer systems in accordance with Policy 2.1 of the Potable Water and Sanitary Sewer Element.* The proposed changes to the phasing schedule will not impact Levels of Service as identified in the Comprehensive Plan. There are sufficient facilities available to serve this development in accordance with Policy 1.2.4. The Oakmont PD will be connected to centralized potable water and sanitary sewer systems. Model homes will eventually be converted to residential units and will thus be

counted as part of the 999 residential unit maximum called for in the PD.

3. **Policy 1.3.2** of the Future Land Use Element provides for gross residential densities within the Urban Cluster. Policy 1.3.2.a states that the Low Density land use designation shall provide for a density of between one to four dwelling units per acre. The proposed PD will be developed at an overall density of 1.79 units per acre.

4. **Policy 1.5.2** of the Future Land Use Element states that *in addition to the facilities for which level of service standards are adopted as part of the concurrency management system of this Plan, other facilities that should be adequate to serve new urban residential development include:*

- a. *local streets;*
- b. *police, fire and emergency medical service protection;*
- c. *pedestrian and bicycle network*

There is capacity on local streets for this proposal. The proposed master plan for the Oakmont PD provides a system of local streets as well as bicycle and pedestrian networks as required by the Alachua County Unified Land Development Code (ULDC).

This request is also consistent with the Alachua County Comprehensive Plan Future Land Use Element **Policy 7.1.2**. These policies state that proposed changes in the zoning map shall be considered in light of the availability and capacity of public facilities required to serve the development and the relationship of the proposed development to

existing development in the vicinity. The location of the subject parcel falls within the Urban Cluster boundary and any development on this site will be required to connect to central water and sewer service. The site is in close proximity to recreational facilities. The request is to amend an existing phasing schedule within an approval zoning master plan. In addition, the request for model homes is consistent with Chapter 404.26 the ULDC and these units will eventually be converted to residences once buildout of the PD has occurred. No additional development beyond that previously approved by the Board is being proposed as part of this request. The proposed zoning amendment is thus consistent with Policy 7.1.2 of the Alachua County Comprehensive Plan as well as the Comprehensive plan as a whole.

DULY ADOPTED in regular session this 12th day in August, A.D., 2014.

BOARD OF COUNTY COMMISSIONERS OF
ALACHUA COUNTY, FLORIDA

By: _____

Lee Pinkoson, Chair

ATTEST:

J. K. Irby, Clerk

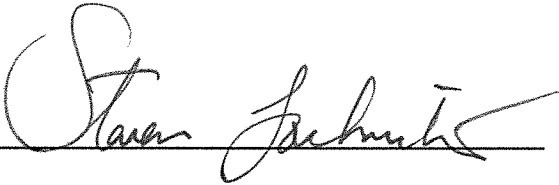
APPROVED AS TO FORM

(SEAL)

Alachua County Attorney

DEPARTMENT APPROVAL

AS TO CORRECTNESS



Department of Growth Management

Authorized Designee

EXHIBIT A

A parcel of land situated in Section 13, Township 10 South, Range 18 East, Alachua County, Florida, being more particularly described as follows:

Commence at the Northwest corner of Section 13, Township 10 South, Range 18 East; thence South 00°37'36" East along the West line of said Section, a distance of 40.01 feet; thence North 89°38'06" East departing said West line, a distance of 40.00 feet to the intersection of the southerly right of way line of S.W. 24th Avenue and the Easterly right of way of S.W. 122nd Street, said intersection being the point of beginning; thence continue North 89°38'06" East along said Southerly right of way line of S.W. 24th Avenue, a distance of 2598.49 feet to the West line of the Northeast ¼ of Section 13; thence South 00°50'15" East departing said Southerly right of way line, a distance of 1285.11 feet to the Southwest corner of the North ½ of the Northeast ¼ of said Section 13; thence North 89°45'39" East, a distance of 2642.92 feet to the Southeast corner of said North ½ of the Northeast ¼ of said Section 13; thence South 00°59'31" East along the East line of said Section 13, a distance of 3991.18 feet to the Southeast corner of said Section 13; thence North 89°52'39" West along the South line of said Section 13, a distance of 5271.23 feet to the aforementioned Easterly right of way line of S.W. 122nd Street; thence North 00°38'34" West along said Easterly right of way line, a distance of 2638.82 feet to a 4" x 4" Alachua County right of way monument; thence North 00°37'35" West continuing along said Easterly right of way line, a distance of 2598.20 feet to the point of beginning.

Less and except the lands recorded in the following 3 O.R.'S: 3921, page 50, 3921, page 54 and 3931, page 515.

