



# Alachua County Development Review Committee Staff Report

Project Number: 2014062502\_F

## ***Final Development Plan and Plat Review for Lugano- Phase 1 (Southampton Traditional Neighborhood Development (TND))***

**SUBJECT:** Lugano - Phase 1

**DESCRIPTION:** 42 single-family lot subdivision located within an approved TND with associated open space and infrastructure.

**AGENT/APPLICANT:** Causseaux, Hewett and Walpole, Inc.

**PROPERTY OWNER:** Emmer Development Corp.

**PROPERTY DESCRIPTION:**

Location: 9205 SW 65<sup>th</sup> Ave.  
Parcel Numbers: 07071-033-000 and 07071-032-000  
Section/Township/Range: 30/10/19  
Land Use: Low Density Residential  
Zoning: R-1A      Acreage: 20.19

**CHRONOLOGY:**

Preliminary Development Plan Approval:	08/14/2007
Application Submittal:	08/18/2014;
Insufficiency Reports Sent:	09/05/2014; 10/28/2014; 11/20/2014
Application Resubmitted:	10/06/2014; 11/03/2014; 12/01/2014;
Final Development Plan Hearings:	12/18/2014 Continued; 01/08/2015 Dismissed 01/22/2015 Withdrawn
Application Resubmitted:	04/16/2015
Sufficiency Determination:	05/20/2015
Final Development Plan Hearing:	06/04/2015

**STAFF RECOMMENDATION:**      **Approval of the Final Development Plan with conditions and issuance of a Final CLSC; recommend the DRC recommend approval of the Plat to the BoCC**

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**DRC ACTION:**

**Approved the Final Development Plan with conditions and issuance of a Final CLSC; recommend recommended approval of the Plat to the BoCC**

## **DESCRIPTION OF PROPOSED PLAN:**

The Southampton Traditional Neighborhood Development (TND) was approved by the BOCC on August 14, 2007. A Final Development Plan for Phase 1 of Southampton TND was approved by the DRC on January 22, 2009 and has since expired. An impact fee vesting and extension under Section 407.118(c)3 and HB 7207 was approved in 2011 to extend the timeframes for the overall Preliminary TND to expire on December 31, 2015.

The proposed Phase 1 of the Lugano Traditional Neighborhood Development (formerly known as the Southampton TND) is similar to the initial Phase 1 approval with slight modifications to lot sizes, removal of alleyways, and relocation of stormwater basins. The new Final Development Plan for Lugano, Phase 1 consists of 42 single-family lots over 20.19 acres. Phase 1 is located in the northeast corner of the TND and is accessed by SW 91<sup>st</sup> St. The Southampton TND was approved under a previous ULDC that has been replaced with the current TND/TOD sections of the ULDC (Article 7) and Comprehensive Plan's Mobility Element. The Final Development Plan has been reviewed for consistency with the previously approved Preliminary Development Plan and TND Master Plan for Southampton from 2007.

On December 18, 2014 the applicant requested a continuance of the Final Development Plan and Plat in order to work with adjacent neighbors to address the concerns brought forth during the hearing. On January 8, 2015 the applicant requested dismissal of the application. On January 22, 2015 at the DRC hearing, the applicant requested to withdraw the application. The applicant has been actively engaging with the adjacent property owners to seek a resolution. On May 20, 2015 the applicant requested to be scheduled on the June 4, 2015 agenda. The application proposed is the exact same Final Development Plan and Plat submitted to DRC for approval on January 22, 2015. No changes are proposed.

## **CONSISTENCY ANALYSIS:**

Following is an analysis of the consistency of the proposed plan with the applicable policies

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of the Comprehensive Plan and Land Development Regulations.

## **COMPREHENSIVE PLAN:**

### **FUTURE LAND USE ELEMENT**

The project proposed 42 lots on 20.19 acres, which is a gross density of 2.08 dwelling units/acre (du/ac). Policy 1.3.2.1 (a) of the Future Land Use Element defines the Low Density Residential Future Land Use category as between 1 and 4 du/ac. Policy 1.3.7.1 allows for single family attached and detached uses. The proposed Final Development Plan allows for single family detached uses only. The TND Master Plan for Southampton allowed for a minimum of 523 and a maximum of 559 residential units, for a total acreage of 145.27 acres. That density was between 3.60 and 3.84 dwelling unit/acre which complies with the Future Land Use designation of Low Density Residential (1-4 dwelling units/acre).

## **UNIFIED LAND DEVELOPMENT CODE:**

### **ZONING DISTRICT AND USE REGULATIONS**

The Final Development Plan for Lugano Phase 1 is consistent with the approved TND Master Plan for Southampton. Phase 1 consists of Single-Family Interior and Single-Family Detached Perimeter uses. According to Section 403.07(c) for *Abutting Lots in Residential Districts*, "For proposed development that abuts a portion of an existing development of lots in excess of 10,000 square feet, the minimum size for abutting lots shall be 10,000 square feet with minimum lot width of 80 feet." The lots (1-9) along the northern property boundary for Lugano Phase 1 are at least 10,000 square feet, and 80 feet wide, therefore comply with this requirement. The proposed development carries the R-1A zoning district and the proposed use is consistent with Chapter 404.

## **NATURAL AND HISTORIC RESOURCES PROTECTION**

### **Conservation Areas**

The site does not contain any of the protected resources listed on Environmental Resource Assessment Checklist.

## **GENERAL DEVELOPMENT STANDARDS**

### **Setbacks and Height Restrictions**

Setbacks and height restrictions are governed by the BoCC approved TND Master Plan

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of 8/14/07. The Final Development Plan and Plat provides setbacks consistent with the approved TND Master Plan.

## **Landscaping**

Required tree plantings for pedestrian walkways, streets, and the two stormwater management facilities have been shown and are consistent with Article 4 of Chapter 407. Both stormwater basins are shown to be designated as Open Space and have the required plantings to comply with Section 407.56 of the ULDC. A 20' wide low-density buffer is required along a portion of the northern boundary of this phase as part of the approved TND Master Plan. The applicant has shown this buffer on the development plan, plat and updated TND Master Plan. The landscape plan includes adequate plantings to meet the requirements of Table 407.43.2 for Low Density Buffers.

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.

## **Open Space**

The proposed Final Development Plan and Plat for Lugano Phase 1 is consistent with Article 5 of Chapter 407 for *Open Space*. The proposed open space consists of a natural area containing trees, trails and community green space as well as two stormwater basins that have been designed to meet the requirements of Sec. 407.56 and 407.57. The total open space is 8.39 acres or 41.56% of Phase 1. The areas designated for Open Space are consistent with the approved TND Master Plan which provides for 37.88 acres or 26% of the total TND.

## **Tree Preservation**

Article 2, Chapter 406 of the ULDC requires a minimum of 20% of existing tree canopy to be retained. The applicant has proposed retaining 20.09% of existing canopy (0.85 acres out of 4.23 acres) located near the entrance and located within designated Open Space.

Mature tree canopy must cover a minimum of 30% of the site in 20 years. The applicant has demonstrated compliance with this requirement as shown on the

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landscape plan by proposing 339,004 square feet of canopy which is 34.5% coverage of the site.

## **Access Management**

The point of ingress/egress for this Phase is SW 91<sup>st</sup> St consistent with the approved TND Master Plan. A temporary secondary emergency access is being provided from the southern portion of the Phase 1 south to Archer Road.

## **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. The connection to sanitary sewer will be provided with a lift station to be constructed with Phase 1.

## **Stormwater Management**

The stormwater management facilities comply with the requirements of Article 407, Article 9 as well as Section 407.56 and 407.57 for *Stormwater Management Areas used as Open Space*.

## **Transportation**

This project was approved with requirements for connections to both Archer Road (State Road 24) and Southwest 91<sup>st</sup> Street. The current phase of development proposes a block pattern of single-family detached residential units along with construction of the connection to SW 91<sup>st</sup> Street. The applicant has provided cross-sections that are consistent with the approved Preliminary Development Plan and with the ULDC. The roadway connecting to SW 91<sup>st</sup> Street is anticipated to carry more than 1,200 Average Daily Trips (ADT) at buildout and is, therefore, designed with no lots directly accessing the roadway.

The connection to SW 91<sup>st</sup> Street will be constructed to tie in to an existing point of access across from Eloise Gardens. The access point provides for safe and efficient access to the development while still providing a safe crossing point for the Archer Braid Trail.

This project received a Preliminary Certificate of Level of Service Compliance (CLSC) for roads only consistent with the approved phasing schedule of the TND Master Plan. The Amended Preliminary CLSC was approved on August 14, 2007. The Preliminary CLSC was issued for 356 residential units and 12,667 square feet of non-residential uses. Through a series of extensions, this Preliminary CLSC for roads only has been extended with an expiration date of December 31<sup>st</sup> 2015. The Phase 1 plan before the

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DRC includes 42 lots and falls within the allowances of the Preliminary CLSC. As such, the project will mitigate its impacts through the payment of impact fees.

## **Public School Facilities**

County staff has 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 dated May 29, 2015 is based on findings that this project will require 7 elementary school student stations in the West Urban SCSA, 3 middle school student stations in the Kanapaha SCSA, and 5 high school student stations in the High Buchholz SCSA.

## **ADEQUACY OF SCHOOLS**

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.

A Final 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.

## **STATE AND FEDERAL PERMIT**

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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.

Particularly because House Bill 503 (2012) makes it harder for local governments to coordinate their permitting activities with state and federal permitting agencies, the applicant should be advised that conflict with a subsequently issued state or federal permit may cause a need to apply for any amendment to this development plan approval.

### **DEVELOPMENT PLAN EXPIRATION:**

According to Section 402.47(b), 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.

### **STAFF RECOMMENDATION:**

Staff has found the proposed **Final Development Plan** to be consistent with the Comprehensive Plan, the Unified Land Development Code, and the approved Master Plan for Southampton TND.

Staff recommends **approval with conditions** of the Final Development Plan and issuance of a Final CLSC for Lugano-Phase 1, project number **2014062502\_F**.

Staff recommends the DRC recommend **approval** of the Plat to the BoCC for Lugano-Phase 1.

### **Conditions:**

1. A separate sidewalk easement document for that portion of the sidewalk that will be located outside of the SW 65<sup>th</sup> Place Right-of-way shall be issued to the County, and recorded prior to the public utility easement being issued to any utility company. The sidewalk access easement shall have rights for maintenance purposes and safety in the clear zone.

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2. 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.
3. Any utility changes required by GRU that affect any other aspects of the final development plan may require a revised final development plan to be submitted for DRC review.