

1. Petition 7SUB-02 DB J.W. Brown, Inc., agent for Blues Creek Limited, Inc. Design plat review for 38 lots on 4.86 acres, Blues Creek, Unit 6-H. Zoned: PUD (Alachua County PUD). Located in the vicinity of Northwest 47th Way and Northwest 80th Avenue.

Discussed with Petition 8SUB-02 DB.

<u>Motion By:</u> Mr. Boyes	<u>Seconded By:</u> Mr. Higman
<u>Moved To:</u> Approve Petition 7SUB-02 DB.	<u>Upon Vote:</u> Motion Carried 6-0 Yeas: Houston, Borden, Boyes, Cooper, Polopolus, Higman

2. Petition 8SUB-02 DB J.W. Brown, Inc., agent for Blues Creek Limited, Inc. Design plat review for 44 lots on 6.19 acres, Blues Creek, Unit 6-G. Zoned: PUD (Alachua County PUD). Located in the vicinity of Northwest 51st Drive and Northwest 80th Avenue.

Ms. Carolyn Morgan was recognized. Ms. Morgan presented diagrams of the proposed subdivision and described them in detail. She noted that the units were originally proposed to be attached, but would instead be zero lot line, detached houses. She explained that, while the City had annexed the property, the zoning and land use remained Alachua County zoning and land use, therefore, the Alachua County Code was used to determine the requirements for subdivision submittal. She described the proposed subdivisions in detail, including road layout and stormwater retention facilities. Ms. Morgan reviewed Petition 8SUB-02 DB, noting the recommendation that lots 213 and 226 be removed because the driveways came to the very edge of the property line of the adjacent lots. She indicated that staff had some concern about the height of the drainage swales. She noted that the site was heavily wooded, and the Arborist had worked with the petitioner to save significant trees.

Chair Polopolus asked if the Arborist checked to be sure that all the recommended trees had been planted.

Ms. Morgan indicated that the Arborist did inspect sites. She reviewed the recommendations from other departments and indicated staff recommended approval with the recommendations, for the design plat stage only. She offered to answer any questions from the board.

Mr. Borden noted the lack of sidewalks and asked if they would be installed.

Mr. Morgan explained that the streets were private streets and reviewed under Alachua County Code so the City's sidewalk ordinance did not apply. She noted that the limited right-of-way almost precluded sidewalks.

Mr. David Owen, agent for the petitioner, was recognized. Mr. Owen indicated that the PUD did allow for zero lot lines in the subdivision and the houses would be detached with three feet from the building to the lot line so there would be six feet between houses. He discussed his work with the City Arborist to establish the tree plantings. Regarding staff recommendations, he indicated that it would be impractical to eliminate the two lots, but he would work with staff on truncating the driveways or off setting the lots.

Mr. Higman suggested that Mr. Owen had a disagreement with staff on the recommended condition to eliminate lots 213 and 226.

Mr. Owen indicated that he was not made aware of the recommendation until the day of the meeting and he had not had a chance to review the matter. He noted that the request was a recommendation and not a condition.

Mr. Higman indicated that, if he voted for the petition, it was his understanding that he was voting for the staff recommendation, which was to remove the two lots. He explained that he wished to have the matter resolved before he could consider voting on the petition.

Mr. Owen explained that the driveways encroached on the vegetative buffer area, and there were ways of moving them out without eliminating the lots.

Ms. Morgan agreed that she had little time to discuss the matter with the petitioner. She explained that she would work with the petitioner to save the lots, but she assumed that if they could have altered the layout, they would have already done so. She noted that, while she had not indicated that they should eliminate the lots, she did ask how they intended to deal with the buffer. She explained that the board could continue the petition until the following month, allow staff to work out the details in the construction phase and if they could not get the driveways out of the buffer area, the lots would be eliminated, or staff and the petitioner could try to work out the issue before the petition goes to the City Commission who will make the final decision on the matter.

Mr. Higman indicated that he understood the project needed to move forward, however, it seemed as if there was a disagreement and while there were three options, he wished the applicant to understand that he needed to deal with the issue.

Ms. Morgan explained that the board could make a recommendation to the Commission, and the petitioner would have a number of weeks to rework the subdivision and show something different. She noted that the petition would go to the Commission from the DRB and it would be presented in the manner it was submitted to the DRB.

Ms. Polopolus noted that the board could approve the petition without the two lots and the petitioner could go the Commission and present information to show modifications that would allow their reinstatement.

Ms. Morgan agreed.

Mr. Houston asked if elimination of the lots was a requirement or a recommendation.

Ms. Morgan indicated that it was an interpretative issue because there would be a fence and there was a fair amount of tree cover shown, but she believed the encroachment of a driveway turnaround that close to the fence in a neighbor's back yard could be disruptive to the neighbors.

Ms. Cooper asked when the petitioner was made aware of the concerns about the driveway.

Ms. Morgan explained that the comments went out on April 23rd. She read the text of the recommendation and noted that she stated "dimension the ends of private roads to property lines of lots 12 and 16 Blues Creek

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Unit 6-A, what buffers are to be provided so that headlights at this point did not disturb existing houses.” She noted that lots 12 and 16 of Blues Creek Unit 6-A were abutting lots 213 and 226 of Blues Creek Unit 6-G. She indicated that she did not state that they should remove the two lots, but she believed the buffer was inadequate and she left it to the petitioner to show how they were going to deal with the concerns.

Mr. Owen noted that the county required a fence or a buffer and the petitioner proposed a fence and a buffer. He suggested that the driveway could be modified.

There was discussion of the map showing the site.

Mr. Owen suggested that the driveways in question could be truncated to move them from the property line.

Ms. Morgan indicated that she spoke to the Public Works Department and they did not indicate that the driveways could be truncated.

Mr. Owen suggested that the lots could be offset and change the situation. He explained that it was eighteen feet between the property line and the adjacent property line.

Ms. Cooper asked about the width of the roads and what type of traffic calming would be used.

Mr. Owen explained that the roads were private drives and they would be 20 feet wide. He noted that the City required 22 feet for public roads, but the remainder of the subdivision was built under county regulations and those roads were also 20 feet. He indicated that the traffic calming would come in the form of speed humps.

There was discussion of how the stormwater system operated.

Mr. Higman indicated that he was still concerned about the issue of the encroachment of the driveways. He suggested that the board vote for staff’s recommendation to remove the two lots with the idea that the conflict would be resolved.

Mr. Owen indicated that he preferred that the board keep in mind that staff’s recommendation was not a mandate to remove the lots. He reiterated that the Alachua County Code required a fence or a buffer, and the petitioner proposed a fence and a buffer. He suggested that the buffer portion near the driveway could be eliminated, because it was not a requirement. He stated that there was no encroachment on neighboring properties or violation of setback lines, nor were the driveways compromising any code issues.

Mr. Higman indicated that he could not vote against staff’s professional opinions and recommendations to remove the lots. He explained that if the petition moved forward and the petitioner could resolve the conflict, the lots could be returned.

Mr. Owen suggested that it was a minor issue since no codes were being compromised. He pointed out that the only thing in question was a buffer that was not required by the Code.

Mr. Calderon indicated that staff could resolve the issue. He agreed that the buffers were not required. He requested that the board give staff the option to work with the petitioner, and if the issue could not be resolved, the recommendation to remove the lots could be forwarded to the City Commission. He noted th

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the petitioner did have to meet the turnaround requirements of the Public Works Department. Mr. Calderon stated that the issue involved a planning principle and the situation involved a PD, with broader overall impacts in the relationship of one type of unit to another. He explained that staff was looking at an intense multi-family development abutting larger lots. He explained that the way the buffers were proposed and the driveway was laid out, the buffer would be virtually eliminated. Mr. Calderon noted that Mr. Owen stated that he could meet the requirement and should have the opportunity to demonstrate that he could do so, as long as it met traffic engineering's safety requirements.

Mr. Owen agreed that it sounded as if eighteen feet from the end of a street to an adjacent property line, was not far, but the density of the area was such that the houses were only six feet apart.

Ms. Cooper pointed out that the building plan was incredibly dense, but the board did not have the ability to recommend larger buffer zones or common areas.

Chair Polopolus suggested that the homes be thought of as condominiums or attached units. She suggested that the zero lot line detached homes would be preferable to those condominiums.

Mr. Boyes suggested that the board approve the petition as presented and allow staff to make the presentation and present their argument to the City Commission.

Mr. Owen stated that he would work with staff to resolve the matter.

Chair Polopolus opened the floor to public comment.

Mr. Selmer Hershfield indicated that he lived in a house behind lot 213 and he was grateful to the board for their consideration. He noted that, while he expected development nearby, having a driveway in his backyard was not what he envisioned when he purchased his home. He explained that another member of the homeowners association had expressed concerns about the proposed swale since there had been flooding in the past.

Chair Polopolus closed the floor to public comment.

<u>Motion By:</u> Mr. Higman	<u>Seconded By:</u> Mr. Borden
<u>Moved To:</u> Approve Petition 8SUB-02 DB with staff recommendations and the understanding that the petitioner will work with staff to redesign lots 213 and 226 to provide adequate buffer, or remove the lots if such buffer cannot be provided.	<u>Upon Vote:</u> Motion Carried 6-0 Yeas: Houston, Borden, Boyes, Cooper, Polopolus, Higman