CITY OF GAINESVILLE PLANNING DIVISION SUMMARY OF COMMENTS

Petition Number 142SUB-00 DB Development Review Board

Review Date 2/8/01

Reviewed By Carolyn R. Morgan

Project Name/Description Walnut Creek Design Plat

I. Department Comments

1.	Planning	Approvable with conditions
2.	Public Works	Approvable with conditions
3.	Gainesville Regional Utilities	Approved with conditions
4.	Fire	Approvable with conditions
5.	Building	Approvable with conditions
6.	Arborist	Approved with conditions
7.	A.C.E.P.D.	see conditions

II. Overall Recommendation

Walnut Creek is zoned Planned Development. Ordinance 991267 allows 138 single-family detached dwelling units and requires that the lots receive design plat and final plat approval. The proposed street layout, lot size, location of stormwater basins and common area of consistent with the planned development layout plan and planned development report which was adopted in October, 2000. The roadway system will have a new intersection with Northwest 39th Avenue at Northwest 36th Terrace, and with Northwest 31st Avenue at Northwest 26th Street. The roadway system will also connect with Northwest 27th Street at the north boundary of the Hidden Pines Subdivision.

The majority of the lots are designed with rear alley garage access. The alleys will be common area. A landscaped fence is required along any boundary where the alleys in this planned development abut adjoining property, except that no new fence is required where there is an existing fence in good repair along the common property line. All streets will have sidewalks on both sides with a nature strip and on-street parking.

The planned development ordinance specifically addressed designing the lots and street layout in a manner that would allow the heritage trees in the southern portion of the property to be protected. The petitioners have worked with the arborist, public works and planning in

the field to identify the healthy trees and those that would had the best chance of survival. The development site is fully wooded. During construction plan phase the arborist will continue to work with the developer to determine trees that may be preserved along the proposed rights of way. The trees existing in the 50 foot communications easement along Northwest 39th Avenue will remain, except for those that will be removed as is necessary to complete the road system and utility connections. Additional trees will be planted around the shoulders of the stormwater basins.

There are certain design requirements that apply to the planned development which have been noted on the design plat, and are more fully explained in ordinance 991267. These address the location of garages relative to the front of structures, a requirement for front porches, the proportions of windows, building materials and roof type.

A TCEA letter of agreement for Policy 1.1.6 standards shall be met prior to final plat approval. The Hidden Pines neighborhood has been requested to return a ballot concerning the installation of sidewalk on one side of Northwest 27th Street and traffic calming device locations within that neighborhood as partial implementation of TCEA Policy 1.1.6 standards. A bus shelter has been provided on Northwest 39th Avenue to meet TCEA requirements. A certificate of final concurrency is required for final plat approval.

DEVELOPMENT PLAN & SUBDIVISION REVIEW EVALUATION CURRENT PLANNING, ROOM 158, THOMAS CENTER "B"

306 Northeast 6th Avenue 334-5023

Petiti	on No. 142SUB-00PB	Date Plan R	Rec'd: 1/31/01	Review Type: Residential
Revie	w For: Development Review	Board Review	Date: 2/8/01	Subdivision Design Plat Avolum Attacher Project Planner: Carolyn Morgan
2	APPROVABLE (as submitted)	(sub	ROVABLE ject to below)	☐ DISAPPROVED
Descr Avenu	iption/Location/Agent Residue extending south to N.W. 3	lential Subdivision I st Avenue/Kelly E	(Walnut Creek Plangineering.	anned Development)/ 2500 Block NW 39 th
	RECOM	MENDATIONS/I	REQUIREMENT	S/COMMENTS
1. 2.	make achieving the traditional these corners seems excessive from edge of curb and causing the ROW appears to be excess	neighborhood align for a Traditional Ne the rounded lot effe sive in width for the	ment of houses close ighborhood design. ect when it should be TND style.	all seem to be rounded in such a way that will e to the street difficult. The radii of some of Finally it would seem that sidewalk is too far at the corner and more squared off. Some of aved; the contour of basin does not show
2.	preservation but sheet 9 does	not show it as a tree t	to be removed.	
3.	Please indicate whether storm	water basins are inter	nded as ROW or eas	sement.
4.	The Design plat must show th provide owner name of parcel	e names of owners as 6098, 6085 and Pa	nd approximate acre rcels B and D.	eage of all adjacent unplatted lands. Please
5.	Show all heritage trees to be r	emoved in or within nown with x through	15 feet of any propo the tree symbol. He	t overlayed, to show existing tree groupings. osed right of way or utility improvement. eritage trees are defined in Section 30-258, and ode.
6.	See ADEPD comments conce	rning abandoned we	ll, underground tank	and buried debris.
7.	Alleys that abut property outs except where such 6 ft. pressu Landscape buffer is required	ire treated fence curr	ently exists in good	a 6 ft. pressure treated fence along such alley condition along the adjacent property line.
8.	A copy of the covenants shall paragraph 13 of Ordinance 99 of the common areas shall als	1267. And a copy of	of the homeowner as	lesign requirements as listed in Section 4 sociation documents provided for maintenance
9.	For the construction phase, ar	additional set of pla	ans shall be submitte	ed to the planning division for review of the

arborist conditions, such as required tree barricades, street trees to be planted and trees to be planted in stormwater management basins. The developer is responsible for maintaining the required trees in good health. If no hose bib

or irrigation system is installed, these trees will need to be watered from a tank truck in the first year.

DEVELOPMENT PLAN & SUBDIVISION REVIEW EVALUATION CURRENT PLANNING, ROOM 158, THOMAS CENTER "B" 306 Northeast 6th Avenue 334-5023

- 10. Sec. 30-259 of the Land Development Code states: "Clearing and grubbing are only permitted after a site has received development plan approval, or conditional plat approval with appropriate permits, or a building permit is issued where development plan is not required...."
- 11. The trees that are existing along Northwest 39th Avenue in the Bell South Easement shall be protects as a buffer landscaping, except that tree removal which is necessary for road and utility connections.
- 12. Prior to any development on site a gopher tortoise mitigation plan shall be approved by the Florida Fish and Wildlife Conservation Commisstion and submitted to the Community Development Director. Please place this note on the final plat.
- 13. Section 4, paragraph 5 of ordinance 991267, states that the development must receive final plat within one year of the approval of the design plat. A one-year extension from this time limit may be granted by the city commission upon application filed by the owner/petitioner prior to the expiration of the one-year period and upon good cause shown by the owner/petitioner. The two-phase development shown on the design plat will need this extension if the final plat for both phases on not completed within the one-year period.

CONCURRENCY REVIEW PLANNING DIVISION - (352) 334-5022

Sheet 1 of 2

Petition 142SUB-00DB Date Received 1/20/01 X DRBPBOther Review Date 2/6/01 Project Name Walnut Creek Subdiv. Location 2540 NW 31st Ave. & 2723 NW 39th Ave. Agent/Applicant Name Jerome Kelley Reviewed by Onelia Lazzari	Preliminary Final Amendment Special Use Planned Dev. X Design Plat Concept
ApprovableX Approvable (as submitted) (subject to below) PD Concept (Comments only) Concept (Comments only) RECOMMENDATIONS/REQUIREMENTS/COMMENTS	Insufficient Information
1. The speed table (or other approved traffic calming device) to be instructionary line between Hidden Pines and Walnut Creek on NW 27th labelled on the design plat and all related pages of the plan. The speapproved traffic calming device) must meet all the required City of Works Department design and construction requirements.	Street must be shown or eed table (or other Gainesville Public

- 2. The bus shelter is not shown on all pages of the submitted plans and is not labelled as such on all of the pages. Also, there is no sidewalk connection shown from the bus shelter to the public sidewalk on NW 39th Avenue. A minimum 5-foot, accessible connection must be shown.
- Elevations and design plans (including materials specifications) for the bus shelter (including seating detail) must be submitted with the Design Plat. The bus shelter must meet RTS and all accessibility standards and shall be architecturally consistent with the development. A copy of the RTS standards can be obtained from Onelia Lazzari. The bus shelter must including seating. The exact location of the bus shelter must be approved by RTS and the Planning Division. The construction plans for the bus shelter must be submitted to RTS and the Building Division for their approval. The bus shelter shall be constructed, inspected and approved by RTS prior to receiving a Temporary or Final Certificate of Occupancy for the first house constructed in the Walnut Creek Subdivision. All relevant easements for the construction and placement of the bus shelter must be provided to the Community Development Department.

- 4. The cross-access to the church property to the west of Walnut Creek is not consistently shown on all plan sheets. Also, please label the cross-access area and indicate the Alachua County Official Records number for this cross-access easement.
- 5. Please submit a signed copy of a Water/Wastewater Deferral of Capacity form since this is a residential subdivision. Otherwise, the development must pay GRU up front for capacity reservation fees for water and wastewater.
- This development is located in Zone B of the Transportation Concurrency Exception Area (TCEA). The development must meet all of the relevant Zone A standards (Policy 1.1.4 of the Concurrency Management Element). Based on the estimated average daily trip generation, the development must also meet 8 Policy 1.1.6 standards. When a final decision is made on all the TCEA standards, these should be included as a note on a sheet in the plan, preferably a cover sheet.
- 7. Please be advised that the City has sent survey forms to the Hidden Pines subdivision residents to determine whether sidewalk and traffic calming devices are wanted by the neighborhood. If the neighborhood agrees, the City will find these items acceptable for meeting some of the required Policy 1.1.6 TCEA standards.
- 8. A Letter of Agreement for all required Concurrency Management Element Policy 1.1.6 standards must be executed with the City of Gainesville prior to final plat approval. Staff will contact the developer for signatures needed. A copy of the standardized TCEA Letter of Agreement is available upon request.

PUBLIC WORKS DEPARTMENT 334-5072 M.S. 58

Petition No. 142SUB-00DB Review For : Technical Review Committee Description, Agent & Location: Walnut Cr Kelley Eng. 2500 block APPROVED (as submitted)		Review Type: Design Plat Project Planner: Carolyn Morgan DISAPPROVED
Alachua County Environmental Revie Alachua County Environmental Revie 100 Yr. critical duration storm event m SJRWMD stormwater permit is requir Treatment volume must be recovered volume approved for Concurrency REVISIONS / RECOMMENDATIONS:	ew Not Required nust be analyzed. red.	Comments By: Rick Merzer P.E. Development Review Engineer
1. Please schedule a meeting with staff to	discuss minor traffic circulation	issues.
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FIRE PROTECTION/LIFE SAFETY REVIEW

Petition No. 142SUB-00 DB Review Date: 2/5/01 Review For: Staff Review Only Plan Reviewed: 02/02/01 Description, Agent & Location: Walnut Creek, Kelly Eng. 2700 NW 39 A	Review Type: Design Plat
	and the second s
APPROVABLE SUBJECT TO COMMENTS	PPROVED CONCEPT
Plan meets fire protection requirements of Gainesville's Land Development Code Section 30-160 as submitted. Revisions are necessary for plan to meet requirements of Gainesville's Land Development Code, Section 30-160. Revisions are necessary for compliance with related codes and ordinances and are submitted for applicant information prior to further development review.	Comments By: And Tellison Fire Inspector
REVISIONS / RECOMMENDATIONS:	
 Provide locations of fire hydrants and the size and locations of water service for fire protection systems connected to the public water system portion of any building shall be more than 500 feet, measured by we hydrant meeting the requirements of Gainesville Regional Utilities' Materials Manual, and the fire hydrant standards of Gainesville City The hammer head turn around is sufficient for our apparatus to make the sufficient for our apparatus to make the	stem shall also be designated. No ay of fire apparatus access, from a Water Standards and Approved Code, Section 10-7.
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DEVELOPMENT REVIEW EVALUATION GAINESVILLE REGIONAL UTILITIES

Feb 5, 2001

Ellen Underwood, New Development Coordinator PO Box 147117, Gainesville, FI 32614 Voice (352) 334-3400 x 1644 - Fax (352) 334-3480

9	Jerome of 138 kg	142SUB-00 DB Kelley for Luther F. Blake, Jr. and ots on 30.02 acres MOL Walnut C Located at 2540 NW 31st Avenu	Creek. Zoned: RSF-1 (3.5 units/ac	cre single-family
		Conceptual Comments X Approved as submitted	Approved w/conditions Insufficient information	to approve
	New Services	The utility locations have been w recommending final plat approva	orked out. We will add PUE's to t	he Plat before
	Water			ž
	Sanitary Sewer			
	Electric	1 × 2		
	Gas			
	Real Estate		M.	

CITY ARBORIST 334-2171 – Sta. 27

Petition: 142SUB-OO DB Review date: 3/12/01 Review For: Technical Review Committee Agent: Kelley Engineering, agent for Luther F. Blake, Jr. and Irene Blake Caudle. Design plat review for 138 lots on 30.02 acres MOL Walnut Creek2500 block of NW 39 th Ave.	Planner: C. Morgan
APPROVED APPROVED DIS (as submitted) (with conditions)	SAPPROVED
Tree Survey Required Landscape Plan Required	Comments by:
Irrigation system required X Attention to conditions (revisions/recommendations)	Meg Niederhofer City Arborist
Cover Page: Change text to include bold: 3. On individual lots, no trees can be removed from the site unticonstruction permits have been made, and tree barricade instance for Heritage trees within the legal setbacks. During the inspection, the Arborist may approve permits for the rethe building envelopes and side-lot setback areas of the homes being constructed in order to provide the contravork. Design Layout – Adjust the line between 108 and 109 to increase Heritage Live Oaks. 108 should have a 15' legal setback on the	spections performed the barricade temoval of trees from the lots adjacent to the tractor with room to
20' setback for its northern line. Drawing 5 of 12: Rename "Retention Basin Landscape Plan	
Drawing 7 of 12: Add Comment "All trees identified on this 20' of the public right-of-way or retention basins will to construction activities that might impact tree roots. have tree-barricades.	be root-pruned prior All such trees will
Please make the following changes on Drawings 7 and 8 (Master	er Stormwater and Paving

A number of trees requiring tree barricades don't have them.

Some trees shown to be saved on the tree survey that accompanied the original ordinance were later determined to be <u>not</u> the appropriate ones to protect (decaying laurel oaks), and some trees very worthy of protection were not identified (Heritage Live Oaks). Three on-site meetings attended by myself, Planning staff, the surveyor, and the developer and builders assured that the Heritage Live Oaks were located on the plans used to develop the final plat. Some of the Laurel Oaks, which for safety reasons and because it was hard enough to design around the Live Oaks, were identified for removal. These should be shown on the plans with an "X" through them.

Comment: Mr. Fletcher and the Hartley Brothers have been extremely cooperative in rearranging the design to preserve the Heritage Live Oaks on the site. Each site visit brought to light more trees that really ought to be saved, and in every instance they willingly re-designed their project to accommodate these requests. Only one Heritage Live Oak ended up in the middle of a lot. The design enables all the rest to fall between properties within legal setbacks.

SITE PLAN EVALUATION SHEET CITY ARBORIST 334-2171 – Sta. 27

Petition: 142SUB-OO DB	Review date: 1/19/01	Review: Final
Review For: Technical Review Agent: Kelley Engineering, ager Irene Blake Caudle. Design plat acres MOL Walnut Creek250	at for Luther F. Blake, Jr. and review for 138 lots on 30.02	Planner: C. Morgan
APPROVED (as submitted)	APPROVED DIS	SAPPROVED
Tree Survey Required		Comments by:
 X Landscape Plan Required Irrigation system required X Attention to conditions (rev 	visions/recommendations)	Meg Niederhofer City Arborist

Conditions for Paving/Grading/Drainage:

Add Comment: "Tree barricades to protect Heritage trees will be constructed before any clearing is undertaken. Call the Parks Division at 334-2171 to schedule the required inspection."

Also, tree barricades <u>must</u> be drawn to scale on the plan, showing an area equivalent to at least 2/3 the tree's dripline (about 25' minimum from the center of the trunk).

Also, a specification drawing is required that includes provision for the following:

- (1) Tree barricades will be built before any site work is undertaken and will remain in place until the landscaping is planted.
- (2) Tree barricades must enclose an area equal to at least 2/3 the dripline of the tree canopy. Each barricade must be at least 3' tall, with corner posts of 2" X 4" wood inserted at least one foot deep. The two rows of side slats must be 1" X 4" and be marked with plastic ribbons or mesh fencing for visibility. Or barricades may be constructed of 1-inch angle iron corner posts with brightly colored mesh construction fencing attached
- (3) Roots larger than 1" in diameter uncovered during construction must be cut cleanly and recovered with soil within 24 hours.
- (4) No construction materials or equipment will be placed inside the tree harricades.

Condition for Water and Sewer Layout: Add comment "Call the City Arborist at 334-2171 for an on-site meeting to discuss how water and sewer installation can be accomplished with minimal damage to the many Heritage trees on site"

Landscaping Plan:

(1) A landscaping plan for the drainage retention basin is required. It must include planting the equivalent of one shade tree for every 35' of basin perimeter. Appropriate species: Fraxinus americana, American Ash; Taxodium distichum, Bald Cypress; Magnolia grandiflora, Southern Magnolia; Quercus virginiana, Live Oak; and Ulmus alata, Winged Elm. Since the basins will be shallow and dry, no shrubbery is required. Allowing credit for the trees to be preserved within the retention basins on a 2:1 basis, I calculate the planting requirements for the basins (from south to north) to be as follows:

700' perimeter - 2 existing trees - Required to plant 18

1200' perimeter - 2 existing trees - Required to plant 30

900' perimeter - Required to plant 25

800' perimeter - Required to plant 23

800' perimeter - Required to plant 22

- (2) A landscape schedule is required, showing the botanical name, common name, number of each to be planted.
 - (3) Statements to include on the landscape plan:

Trees will be 8' tall, 2" in trunk caliper, and in 25 gal containers.

Bottom 10" of trunk will be sleeved with slit septic pipe or reasonable alternative to prevent weed-eater damage.

Tree holes will be twice the diameter of the container and of equal depth.

Trees will be staked as needed. Landscape contractor will return within one year to remove stakes.

All trees will meet the qualifications for Florida #1 or better according to the Division of Plant Industry Grades and Standards. Trees will be labeled as Florida Grade #1 or will be shown to be of this quality on the invoice.

All limerock will be removed from the planting areas, the compacted soil underneath loosened and replaced with clean deep fill of pH 5.5 to 6.5.

Landscaped areas will be mulched with 4" of shredded hardwood.

Landscape contractor should call the Parks Division at 334-2171 to schedule inspections before purchasing any plant materials.

All sod must be certified by the Division of Plant Industry as free of noxious weeds.

Assign responsibility for guaranteed survival of plant materials with one of the following statements:

Project owner will guarantee survival of plant materials for one year. or Landscape contractor will guarantee survival of plant materials for one year.

- (4) Either an automatic irrigation system must be specified on the plans or hose bibs must be shown within 100' of all trees to be planted.
- (5) Note that the Code requires diversity in tree planting. Not more than 20% of any one species nor more than 50% of the trees are to be from the same genus. Recommendations for street trees: Florida Maple Acer floridanum, Bluff Oak Quercus

austrina, East Palatka Holly Ilex attenuatum CV., Florida Elm Ulmus floridanum, Allee Elm Ulmus parvifolia CV. Allee, Live Oak Quercus virginiana, Southern Magnolia Magnolia grandiflora.

Conditions to be added to the General Notes on page 1.

- 1. The owner/developer agrees to establish the required shade trees as articulated in Code Section 30-261 (b). This entails, at a minimum, one shade tree for every 50' of road way, on both sides of the road way within 5' of the right-of-way or on the pubic right-of-way. Such trees will be Florida Grade #1 in 25-gallon containers.
- 2. The owner/developer agrees to advise all contractors building individual homes on the platted lots that all Heritage trees (trees larger than 20" in diameter) that are within the legal setbacks of the property are protected and may not be removed without a permit obtained from the Parks Division (334-2171).
- 3. No trees can be removed from the site until after the construction drawings have been submitted to the Building Department and applications for construction permits have been made.

Impact on the Urban Forest: Trees to be Removed = Unknown*

Heritage Trees to be Preserved = 52 Live Oaks Trees to be replanted in Retention Basins = 128 Street trees to be planted = Approximately 200

*The developer worked with the City Arborist to identify the best trees on the site. While many trees will be removed, the roads, drainage retention basins, and lot lines have been configured to save the best trees. Of the Live Oaks identified as worthy of extraordinary consideration, all but one have been saved.

BUILDING INSPECTION DEPARTMENT REVIEW

Review For: Development Review Board Plan Reviewed: 01/16/01	Review Type: <u>Design Plat</u> Project Planner: <u>Carolyn Morgan</u>
APPROVABLE DISAF SUBJECT TO COMMENTS	PPROVED CONCEPT
This site plan has been reviewed for compliance with Chapter 5 of the Standard Building Code & for accessible routes of the Florida Accessibility Code for Building Construction. Complete code compliance plan review will be performed at Building Permitting.	Comments By: Brenda, S. Strickland Brenda G. Strickland Plans Examiner
REVISIONS / RECOMMENDATIONS:	
The Building Department has no problem with the Design Plat; however, se developer/contractor should pay special attention to horizontal separation re standard Building Code for fire resistance ratings and openings in exterior versions.	quirements in Table 600 of the
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Board of County Commissioners

ALACHUA COUNTY ENVIRONMENTAL PROTECTION DEPARTMENT.

201 SE 2nd Avenue, Suite 201 • Gainesville, Florida 3260 Tel: (352) 264-6800 • Fax (352) 264-6852

Suncom: 651-6800

Home Page: www.co.alachua.fl.us

BECEIVED

JAN 19 2001

Chris Bird

Director

Robert L. Norton Natural Resources Manager

Barbara J. Pierce Administrative Assistant

John J. Mousa Pollution Prevention Manager

January 16, 2001

PLANNING

Petition:

142**9U&SION**B

Applicant:

Waldemar F. Kissel, agent for Luther F. Blake, Jr. and

Irene Blake Caudle

Project:

Walnut Creek

Located at 2540 NW 31st Avenue and 2723 39th Avenue

RE:

January 10, 2001 plan submittal.

The following comments are based on a limited review of the environmental impacts of the proposed project. This review is confined to an evaluation of the proposed project's ability to comply with the requirements of the Alachua County Hazardous Materials Management Code (HMMC), Alachua County Unified Land Development Code, Chapter 353.

- The boundary and topographical survey indicates the presence of an 1, abandoned underground storage tank (UST) in the subject property. The applicant needs to provide documentation identifying the material stored in the UST. Once the material has been identified the UST must be properly closed. UST closure may include product removal, tank removal and associated soil and groundwater testing.
- The boundary and topographical survey indicates the presence of an 2. abandoned water well and tank. This system should be properly closed and abandoned. Depending on the results from item 1, groundwater testing may be required prior to well abandonment.
- The boundary and topographical survey indicates the presence of a hole 3. full of metal debris. This may be an indication of improper disposal of solid and hazardous waste. The applicant should provide additional information regarding the materials in the hole.

REVIEWER

Agustin Olmos

Hazardous Materials Engineer

A0/ao

Michael Drummond CC:

An Equal Opportunity Employer M.F.V.D.



ORDINANCE NO. _ 0-00-69

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Petition No. 44PDV-00PB

An Ordinance of the City of Gainesville, Florida; rezoning certain lands within the City and amending the Zoning Map Atlas from "RSF-1: 3.5 units/acre single-family residential district" to "Planned Development District"; located in the vicinity of 2500 block of Northwest 39th Avenue, south side, to be known as "Walnut Creek"; adopting a development plan report and development plan maps; providing additional conditions and restrictions; providing for penalties; providing a severability clause; and providing an immediate effective date.

WHEREAS, the City Plan Board authorized the publication of notice of a Public Hearing that certain lands within the City be rezoned from "RSF-1: 3.5 units/acre single-

family residential district" to "Planned Development District"; and

WHEREAS, notice was given and publication made as required by law of a Public Hearing which was then held by the City Plan Board on April 20, 2000; and

WHEREAS, notice was given and publication made of a Public Hearing which was then held by the City Commission on May 22, 2000; and

WHEREAS, the City Commission finds that the amendment of the Planned Development District ordinance is consistent with the City of Gainesville 1991-2001 Comprehensive Plan.

WHEREAS, at least ten (10) days notice has been given once by publication in a newspaper of general circulation prior to the adoption public hearing notifying the public of this proposed ordinance and of a Public Hearing in the City Commission Meeting Room, First Floor, City Hall, in the City of Gainesville; and

1-	WHEREAS, Public Hearings were held pursuant to the published and mailed notice
2	described at which hearings the parties in interest and all others had an opportunity to be and were
3	in fact, heard.
4	NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE
5	CITY OF GAINESVILLE, FLORIDA:
6	Section 1. The following described property is rezoned from "RSF-1: 3.5
7	units/acre single-family residential district" to "Planned Development District";
8 9 10	See Exhibit "A" attached hereto and made a part hereof as if set forth in full.
11	Section 2. The City Manager or designee is authorized and directed to make the
12	necessary change in the Zoning Map Atlas to comply with this Ordinance.
13	Section 3. The Development Plan attached to this Ordinance which consists of
14	the following:
15	1. the development plan report entitled "Walnut Creek Planned
16	Development", dated September 28, 2000, attached and identified as Exhibit "B";
17	and ·
18	2. development plan maps consisting of 8 sheets: 1) "Legal Description", dated July
19	25, 2000, revised September 28, 2000; 2) Boundary Survey and Minor Subdivision, Book
20	22 Page 33, dated June 28, 2000; 3) "Surrounding Area", revised August 22, 2000; 4)
21	"Planned Development Map" revised August 22, 2000; 5) "Pedestrian Circulation",
22	revised July 25, 2000; 6) "Traffic Circulation", revised July 25, 2000; 7) "Soils Map",
23	revised July 25, 2000; and 8) "Topographical and Tree Survey", revised August 21, 2000.

.1		identified as Exhibit "C"; are incorporated and made a part of this Ordinance as if set
2		forth in full. The terms, conditions, and limitations of the Development Plan shall
3		regulate the use and development of the land described herein zoned to the category of
4	ž	Planned Development District as provided in Chapter 30, Land Development Code of the
5		City of Gainesville (hereinafter referred to as "Land Development Code"). In the event of
6		conflict between the provisions of the development plan report (Exhibit "B") and the
7		development plan maps (Exhibit "C"), the provisions, regulations, and restrictions of the
8		development plan maps (Exhibit "C") shall govern and prevail.

- Section 4. The following additional conditions, restrictions and regulations shall apply to the development and use of the land:
- 1. A maximum of 138 single-family dwelling units shall be permitted in the Planned Development.
 - The common areas, stormwater basins, roadway configuration, alleys, lot configurations and building setbacks shall be designed to maximize the preservation of heritage trees as identified on Sheet 4 of Exhibit "C". In areas where heritage trees are located, lot lines shall be varied as necessary in order to arrange the building envelopes to avoid heritage trees. The City arborist shall inspect the lot, roadway, and stormwater basin configuration in the field prior to design plat and final plat approval. These inspections shall be to determine that the trees shown on the "Arborist Tree Evaluation & Gopher Tortoise Map", Exhibit "D" have been arranged as close to lot lines as possible in order to be outside the building envelopes, and that trees are protected by the proposed grading and paving plan. No lot shall be less than 36 feet in width.
 - 3. There shall be no exceptions to Table 600 "Fire Resistance Ratings" of the Standard Building Code, nor shall any portion of a building overhang any property line.
 - 4. A driveway connection from Parcel B to Parcel C may be constructed in accordance with the easement shown on Sheet 2 of Exhibit "C". No access to Parcel D is required from within the planned development.
 - 5. A design plat shall be adopted within one year from the adoption of approval of the planned development ordinance. A final plat or conditional plat shall be adopted within

one year of the approval of the design plat. A one year extension from this time limit may be granted by the city commission upon application filed by the owner/petitioner prior to the expiration of the one year period and upon good cause shown by the owner/petitioner. The design plat and final plat process shall implement requirements. All proposed streets shall be dedicated to the City of Gainesville as right-of-way on the subdivision plat. Bonds for public improvements shall be in accordance with § 30-186 of the Land Development Code. The owner/developer shall dedicate an easement over, across and through the alleys in the development for emergency access, maintenance of public utilities and garbage collection. (See Sheet 3 of Exhibit "C".) All public roadways shown on the PD Layout Plan, Sheet 3 of Exhibit "C" shall be fully constructed and accepted by the City within 18 months from final or conditional plat approval of any part of the proposed planned development.

- 6. Prior to any development on the site a gopher tortoise mitigation plan shall be approved by the Florida Fish and Wildlife Conservation Commission and submitted to the Community Development Director.
- 7. Prior to final plat approval the owner/developer shall enter into a development agreement or contract with the City for the provision of the standards acceptable to the Departments of Community Development and Public Works, as provided in Policy 1.1.6 of the Concurrency Management Element of the City of Gainesville Comprehensive Plan.
- A homeowner's association shall be formed by owner/developer and the association documents shall provide for the maintenance of the common areas and fences (see paragraph 14) by the property owners. The documents shall be reviewed by the City Attorney to determine whether the maintenance of the common areas is adequately provided. The common area shall consist of all areas labeled as common area on the Planned Development Map, including all alleys. (See Sheet 4 of Exhibit "C".)
- 9. There shall be three roadway connections from the Planned Development to existing public streets, as shown on Sheet 6 of Exhibit "C", more specifically described as follows:
 - a. A new intersection with Northwest 39th Avenue, approximately 420 feet from the northeast corner of the subject property;
 - b. a new intersection with Northwest 31st Boulevard, approximately 100 feet from the southeast corner of the subject property; and
 - c. a continuation of the Northwest 27th Street at the northern end of the Hidden Pines development.

- All public streets within the planned development shall be designed with travel lanes 10 feet in width and sidewalks shall be 5 feet in width with a 5 feet landscape strip on both sides of the streets. Parking lanes shall be on two sides of each 60 foot roadway (32 feet paved width plus curb and gutter) and one side of each 50 foot roadway (26 feet paved width, plus curb and gutter), as shown on Sheet 6 of Exhibit "C".
- For each two lots, if practicable, driveways serving the lots shall be at the common property line or separated by a maximum of 2 feet in order to maximize on-street parking area.
- 11 12. The transition from entry roadway to roadway with on-street parking shall be curbed in order to provide protected areas for on-street parking.
- 14 13. The planned development shall be governed by the following design requirements:
 - a. At least seventy percent of the homes shall have front porches. Front porches shall be a minimum of 8 feet in depth.
 - b. Garages, which are accessed from the front, shall set back a minimum of 20 feet to the rear of the front porch or the front facade of the house, whichever is closer to the street. All other garages shall be accessed from the alley.
 - c. Houses shall be of a traditional design, with gabled roof, or hip roof. Windows and window subdivisions (lights) shall be rectangular with vertical proportion.

 Additionally, windows may be circular, rounded top or hexagonal.
 - d. Homes will have brick, stone, wood, stucco, textured concrete, fiber cement, or cement-impregnated siding on exteriors walls.
 - 14. Additional alleys may be allowed as part of the design plat approval process. Alleys that abut property outside the planned development shall have a 6 ft. pressure treated fence along such alley except where such 6 ft. pressure treated fence currently exists on an adjacent property line. The homeowner association shall maintain in good condition said and add additional fencing, if any of the existing fences are removed or dilapidated, in order to maintain a continuous unbroken line of fence along the alley.
 - 15. Except as expressly provided herein, the use, regulations and development of the property shall be governed as if this land were zoned "RSF-1: 3.5 units/acre single-family residential district", Land Development Code.
 - Section 5. Any person who violates any of the provisions of this ordinance shall be
- deemed guilty of a municipal ordinance violation and shall be subject to fine or imprisonment as

TMOST STREET, 12 - 1 CONT.

5. 1	provided by section 1-9 of the Gainesville Code of Ordinances. Each day a violation occurs or
2	continues, regardless of whether such violation is ultimately abated or corrected, shall constitute
3	a separate offense.
4	Section 6. If any section, sentence, clause or phrase of this ordinance is held to be invalid
5	or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect
6	the validity of the remaining portions of this ordinance.
7	Section 7. All ordinances, or parts of ordinances, in conflict herewith are to the extent of
8	such conflict hereby repealed.
9	Section 8. This ordinance shall become effective immediately upon final adoption.
10	
11	PASSED AND ADOPTED this 9th day of October , 2000.
12 13 14 15	Paula M. DeLaney, Mayor
16 17 18	APPROVED AS TO FORM AND LEGALITY:
19 20 21	Clerk of the Commission Marion J. Racson, City Attorney OCT 1 1 2000
22 23	This ordinance passed on first reading this 25thday of September 2000.
24 25	This ordinance passed on second reading this 9th day of October 2000.

LEGAL DESCRIPTION

PARCEL "C"

PARCEL "C"

A TRACT OF LAND SITUATED IN SECTION 25, TOWNSHIP 9 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE AFOREMENTIONED SECTION 25, TOWNSHIP 9 SOUTH, RANGE 19 EAST FOR THE POINT OF REFERENCE AND RUN S.00°57'04"E., ALONG THE WEST LINE OF SAID NORTHEAST 1/4, A DISTANCE OF 50.15 FEET TO THE SOUTH RIGHT OF WAY LINE OF N.W. 39th AVENUE (100 FOOT RIGHT OF WAY); THENCE RUN N.89°34'14"E., ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 440.13 FEET TO A CONCRETE MONUMENT (STAMPED PRM LS #3764) AND THE TRUE POINT OF BEGINNING; THENCE CONTINUE N.89°34'14"E., ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 880.35 FEET TO A CONCRETE MONUMENT (STAMPED: PRM LS. #3784) AT THE NORTHWEST CORNER OF PALM GROVE SUBDIVISION AS PER PLAT RECORDED IN PLAT BOOK "T", PAGE 52 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE RUN S.00°56'22"E., ALONG THE WEST LINE OF SAID PALM GROVE SUBDIVISION AS PER PLAT RECORDED IN PLAT BOOK "T", PAGE 52 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE RUN S.00°56'22"E., ALONG THE WEST LINE OF SAID PALM GROVE SUBDIVISION AS PER PLAT RECORDED IN PLAT BOOK "U", PAGE 47 OF SAID PUBLIC RECORDS; THENCE RUN S.00°59'33"E., ALONG THE WEST LINE OF SAID PALM GROVE SUBDIVISION AS PER PLAT RECORDED IN PLAT BOOK "U", PAGE 47 OF SAID PUBLIC RECORDS; THENCE RUN S.00°59'33"E., ALONG THE WEST LINE OF SAID PALM GROVE PHASE 2 AND ALONG A SOUTHERLY PROJECTION THEREOF, A DISTANCE OF 1524.14 FEET TO A CONCRETE MONUMENT (STAMPED: PRM PLS #4788) ON THE NORTHWEST CORNER OF PALM GROVE PHASE 2 AND ALONG A SOUTHERLY PROJECTION THEREOF, A DISTANCE OF 1524.14 FEET TO A CONCRETE MONUMENT (STAMPED: PRM PLS #4788) ON THE NORTH RIGHT OF WAY LINE. A DISTANCE OF 246.28 FEET TO A CONCRETE MONUMENT (STAMPED: PRM LS #3784); THENCE RUN S.93'55'16"W., A DISTANCE OF 225.01 FEET TO A CONCRETE MONUMENT (STAMPED: PRM LS #3784); THENCE RUN S.93'55'16"W., A DISTANCE OF 25.01 FEET TO A CONCRETE MONUMEN L.B. #6578) AT THE NORTHEAST CORNER OF LOT 1 OF SAID HIDDEN PINES SUBDIVISION; THENCE RUN N.00'22'59"W., A DISTANCE OF 741.01 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 30.021 ACRES MORE OR LESS.



CORPORATION.

3600 NW 43rd St., Suite C-1 Gainesville, Florida 32606-8127

September 28, 2000

Walnut Creek Planned Development

Purpose and Intent

This proposed Residential Planned Development (PD) is submitted as a neo-traditional neighborhood development of single family detached homes. The development follows the guidelines set forth in the Land Development Code under Sections 30-211, 30-213, and 30-216. The development will be named Walnut Creek and is in conformance with the current comprehensive plan which proposes unique designs that are not currently available in the Gainesville area. The majority of the homes will be directly across from each other to offer a more traditional neighborhood theme. This concept will provide moderately priced homes with brick and stucco exteriors and modern elevations with approximately 70% of the homes having front porches with a minimum depth of 8 feet that will be oriented to the neighborhood tree lined streets and approximately 60% with rear alley access. Garages, which are accessed from the front, shall be set back a minimum of 20 feet to the rear of the front porch or the front façade of the house, whichever is closer to the street. All other garages shall be accessed from the alley. Trees will also be planted along sidewalks to compliment the existing heritage oaks to further enhance the appearance. There will be residences that have on street parking; however, most of the homes will access their garages from the rear to further eliminate congestion of vehicles. Common areas have been carefully positioned to further preserve tree canopies and road layouts.

A. We have addressed the efforts of tree preservation by varying the lot widths and depths by overlaying the trees on the site plan. The lot sizes and setbacks are as follows:

Lot Widths	36 Feet to 40 Feet	Above 40 Feet		
Minimum yard setback:				
Front	10 Feet	10 Feet		
Side	3.5 Feet	4 Feet		
Rear	10 Feet	10 Feet		
Minimum lot depth	100 Feet	100 Feet		

B. The subdivision plat submittal will address the regulated trees and any additional buffers and preservation.

C. A minimum lot dimension would be 36' x 100'.

Office: 352-375-4139 Fax: 352-375-4245

Concurrency

Walnut Creek development meets the Concurrency requirements of the newly adopted Transportation Concurrency Exception Area (TCEA) and will fund the eight (8) mitigation requirements as set forth in The Concurrency Management Element Goals, Objectives and Policies under policy 1.1.6 items (A through W).

Internal Compatibility

Each home will have a garage that is accessible from the front street or a rear alley way. Alleys have been designed with a 20' width of which there will be a 10' asphalt roadway and a 5' clear area on the side abutting the homesites. Alleys will have one way traffic and have accommodated the turn radius for the trash pick up vehicles. A 6-foot pressure treated fence shall buffer alleys from any adjacent residential lots that are not within the planned development. The design of alleys will maximize the preservation of trees along the boundaries of the PD. On street parking is proposed and one-way traffic in the alley ways will be necessary to allow for safety and positive flow patterns through alleys and rear access to homes. Two lane traffic will provide the main circulation from NW 39th Avenue to NW 31st Avenue by way of 60' right-of-way. There is also a connection of two-way traffic from NW 39th Avenue to the Hidden Pines Subdivision on NW 27th Street. Residents from surrounding subdivisions can enjoy bicycle and pedestrian access to common areas and improvements through the internal roadway and sidewalk system. The main entrances at NW 39th Avenue and NW 31st Avenue will be professionally planned, landscaped, and maintained so as to maintain consistency with the adjacent communities.

External Compatibility

Mass Transit services will be provided by the City of Gainesville's Regional Transit System (RTS) by means of Route 8 via NW 39th Avenue. RTS has an existing transfer station in front of the proposed Walnut Creek which will provide easy accessibility for residents to utilize mass transit services. This route has ample capacity to accommodate the new residents within this development. The developer also proposes the construction of a new bus shelter at NW 39th Avenue as part of the TCEA mitigation requirements.

Intensity of development

The proposed Walnut Creek site development recommendation of 4.6DU/Acre is consistent with the comprehensive plan and is in line with the neo-traditional concept of an in-fill project. This project will reduce the pressures of urban sprawl by providing urban in-fill development and increase urban connectivity between NW 39th Avenue and NW 31st Avenue and is compatible with the surrounding neighborhoods.

Common Area

Walnut Creek is located across NW 39th Avenue from the city's Spring Tree Park and approximately six tenths of a mile east of the city's Green Tree Park. In addition, the proposed open space and recreation areas will be available to the adjacent neighborhoods by pedestrian

sidewalks and streets within its property lines. Large heritage oak trees are abundant on the property and the developer will be utilizing its best efforts of preservation for lot coverage, streetscapes, landscape buffering and open-space recreational area canopies.

Environmental constraints

The heritage trees have been identified and overlaid on the site plan. All roadways have been carefully designed in an attempt to save trees and capitalize on their beauty. We have noted on the plans that the lot designs and right of ways will address the preservation of all tree canopies where necessary. All lots directly adjacent to the Hidden Pines subdivision will have minimum 60° width. The proposed PD has a linear retention pond separating Hidden Pines and any adjoining lots. The proposed PD will have a fence and landscape buffering wherever the alleys abut adjoining properties. Also we will maximize all existing foliage to further enhance the development. Walnut Creek is not in a Flood Zone and none exists on the site. The surface water and wetlands district are not affected by the proposed development and the development is not located near or within a nature park, greenway, wellfield or wetland district. The soil composition make up is consistent with millhopper sand, wachula sand, and arrendondo fine sands.

Arrendondo sand is found in nearly level to gently sloping upland areas with 0 to 5 percent gradients. It is well drained soil with a rapid permeability rate in the surface and subsurface layers. Moderately rapid in the upper six inches of the subsoil. The water table is at a depth of more than 72 inches.

Millhopper sand is found in gently sloping areas with a 0 to 5 percent gradient. It is moderately well drained soil with a permeability rate in the surface and subsurface layers. Moderately rapid in the upper six inches of subsoil and slow to moderately slow below this depth. The water table is at a depth of 40 to 60 inches for one to four months and at a depth of 60 to 72 inches for two to four months during the year.

Wachula sand is found nearly level. Poorly drained soil is in broad areas of the flatwoods. Slopes are nearly smooth and range from 0 to 2 percent. This soil has a water table that is at a depth of less than 10 inches for one to four months and is at a depth of 10 to 40 inches for about six months. During the driest seasons the water table recedes to a depth of more than 40 inches. Permeability is moderately rapid to rapid in the surface and subsurface layers. Moderate to moderately rapid in the upper part of the subsoil and

slow to moderately slow in the upper part. The slope on the site ranges from zero to .66% with an average off .36%.

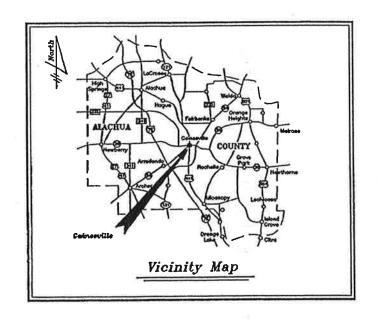
There are no lakes, creeks, wetlands, or other prominent Topographic features on the site. The storm water drainage systems are being designed to consist of a system of dry retention basins designed to meet the requirements and standards of the City of Gainesville and the St. Johns River Water Management District. The existing topography of the site consists of very gently sloping land towards the western boundary where the basins will be located and the seasonal high ground water table should not impact the design of the system. The collection of all surface water run off will be contained on the site.

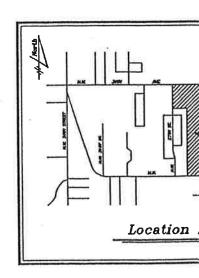
External and Internal Transportation access

Walnut Creek has three access points. The main entrances at the north boundary from NW 39th Avenue approximately 420 feet from then northeast corner of property line. The secondary access point is at the southern most boundary off NW 31st Avenue approximately 100 feet from the southeast corner of the property. The third access point is located at the northern boundary of the Hidden Pines Subdivision of NW 27th Street. Walnut Creeks layout will have approximately 138 single family detached dwelling units that will generate 1388 Average Daily Trips (ADT).

· VIII

DESIGN WALNUT CREEK GAINESVILLE





KELLEY ENGINEERING, INGJANUARY



MILLERY ENGINEERING, IN

LEGAL DESCRIPTIONS: ESCRIPTIONS:

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(ELEVATION - 156.64) 8 8 8 87 SOUTH (R) 6.70 CHANS (R) (442.20') S.00 12 42 W. (P) 21.15 CHAINS(R) (1395.90") 유 5.00'47'W. (R) 561.80'(N) H 01.00|21, M (H) 100 AN SHEET LINE Bar OH EGIZ ONK 38" OAK HTGIW ST ON 38.30. W. IL. MALT 0 PARCEL "D" 1.272 AC.± Bur out and the to se server | 40, CHK Ø√ om E 225.01'(M) E 45 OAK E (R) 24"& 20" THEN CAKS 45. OYK (2) 49. OYK (R) B 8 172.00 * * O O O 172.11 SOUT OF BEGINNERS FOR "HET PORTION S TO AZ ONK 1100 17217 (M) M. CC. 6 (DO M. 3 m 6 2 69 12 CIÓNNS(R) (1122.00 H OW H.00747'E. (R) 42" OAK HORTH (R) 6 6.70 CHAINS (R) (442.207) N.00'47'E. (R) 1724 8 H.00'33'31'E (P) STORM MARKET 171.26 LEGEND: BENCH SHAK TOP OF CONCRETE MONAMENT ELEMITOR — 172,30° 4"X4" CONCRETE HONJAIGHT SET (STAMPED: PRA LS. \$2784) STEEL ROD AND CAP FOUND (IDENTIFICATION AND SIZE AS HOTED) 18 1318.92'() CHURNS (R) (4"X4" CONCRETE MONAMENT FOUND (IDENTIFICATION AS HOTED) 1/2" BON PIPE FOUND (NO IDENTIFICATION) 0 'n POWER FOLE -P - OVERHEAD POWER LINE (1.520.00) - TOKE UME PARE HYDRANT BEARINGS OR DISTURCES AS PER DEEDS RECORDED IN THE PUBLIC RECO FIELD MEASURED DATA BEARNES OR DISTANCES AS PER RECORDED PLATS (P) POWNER REFERENCE MONUMENT PROFESSIONAL LAND SURVEYOR PORT OF COMMENCEMENT FOR "AND" PORTION OF PARENT TRACT THE S.E. CORNER OF THE N.E. 1/4 OF SECTION 25, TOWNSHIP 9 SOUTH, RINGE 19 EAST (NO MINISTER TOWN), SHOWN FOR RETERDICK) LICENSED BUSINESS LB. DISOURT LINE EDGE OF PAVEMENT ELEVATION CONTOUR ALACHUA COUNTY LAND SURVEYORS, INC. 172-SECH SURVEYING AND MAPPING - LB/8903 SWITHER BEWER WHOICH 2512 N.E. 15T BOULEVARD . SUITE 200 STORM DRAW MANDLE Gainesville, Florida - 32009 phone (362) 376-1100 HO. DATE REVISION

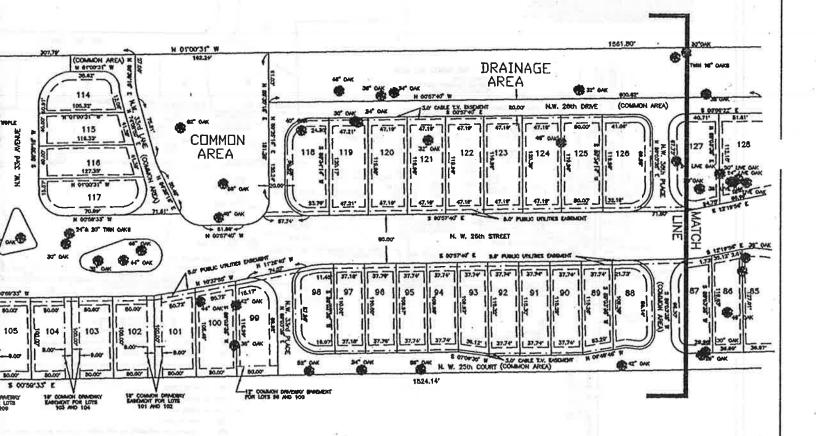
ALNUT CREEK SUBDIVISION

CITY OF GAINESVILLE

ALACHUA COUNTY, FLORIDA





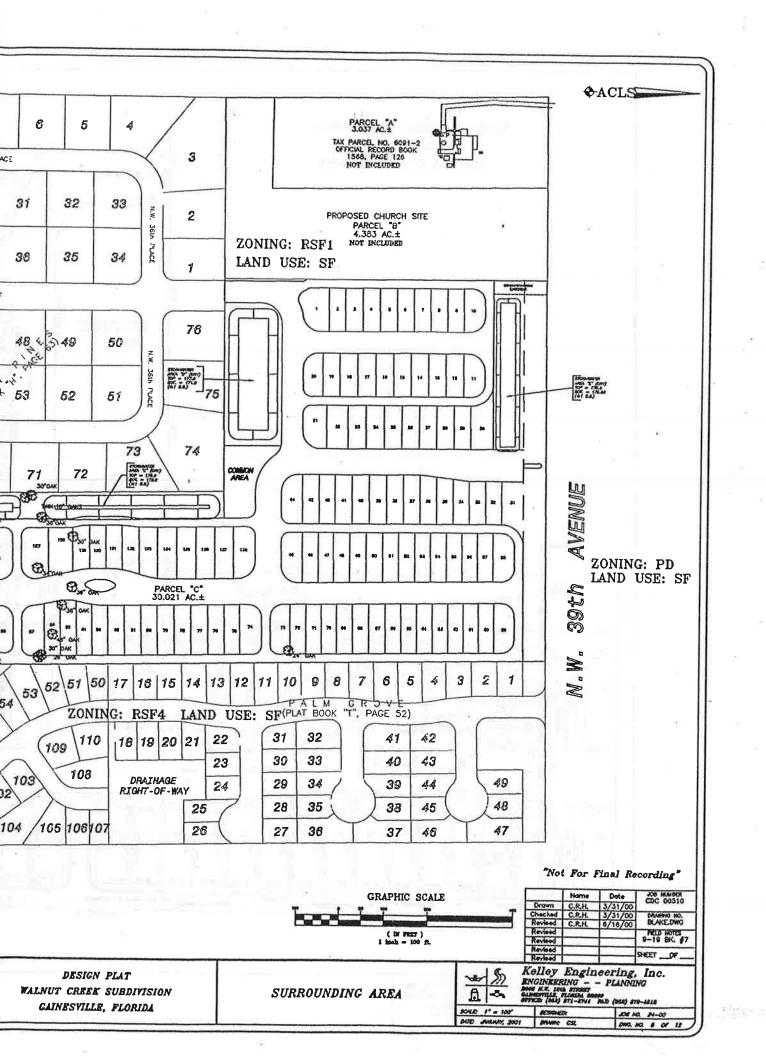


INSTE: SEE SHEET NUMBERS 7 AND II FOR PD ORDINANCE INFORMATION REGARDING SETBACK LINES

NOT FOR FINAL RECORDING
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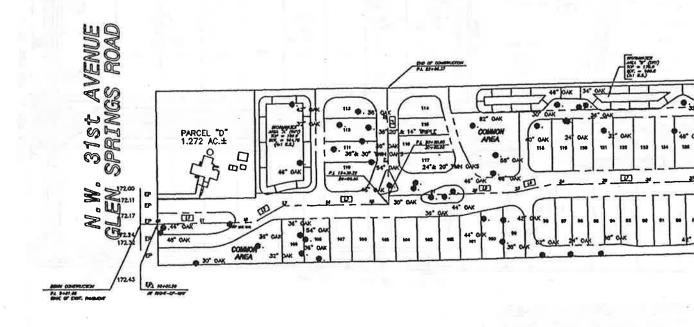
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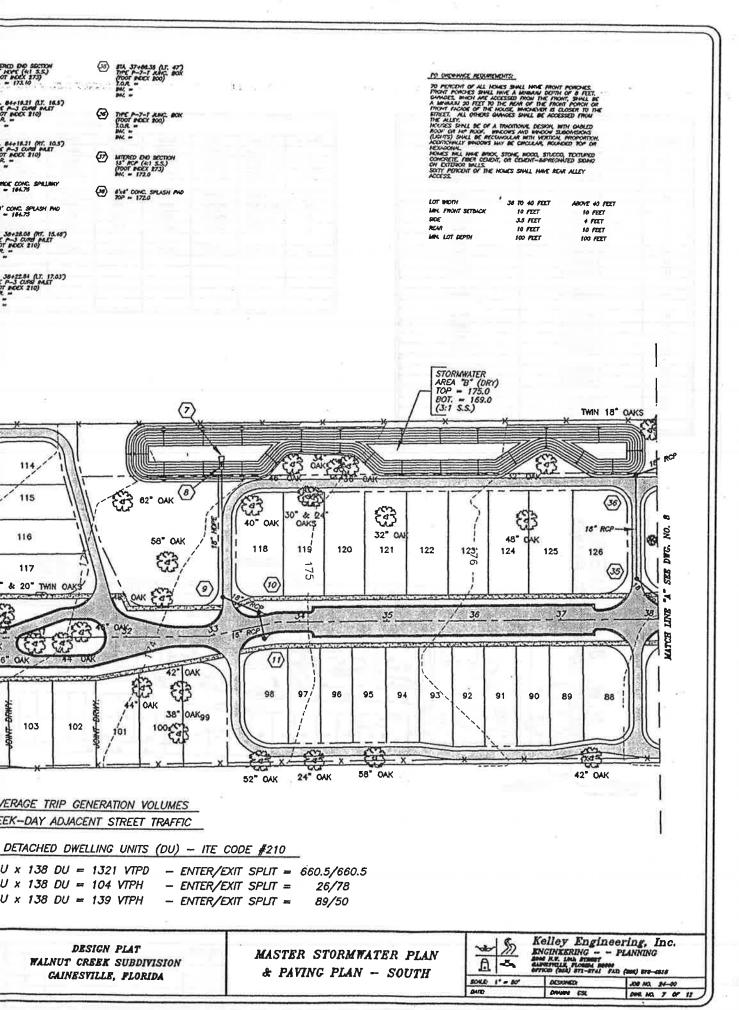


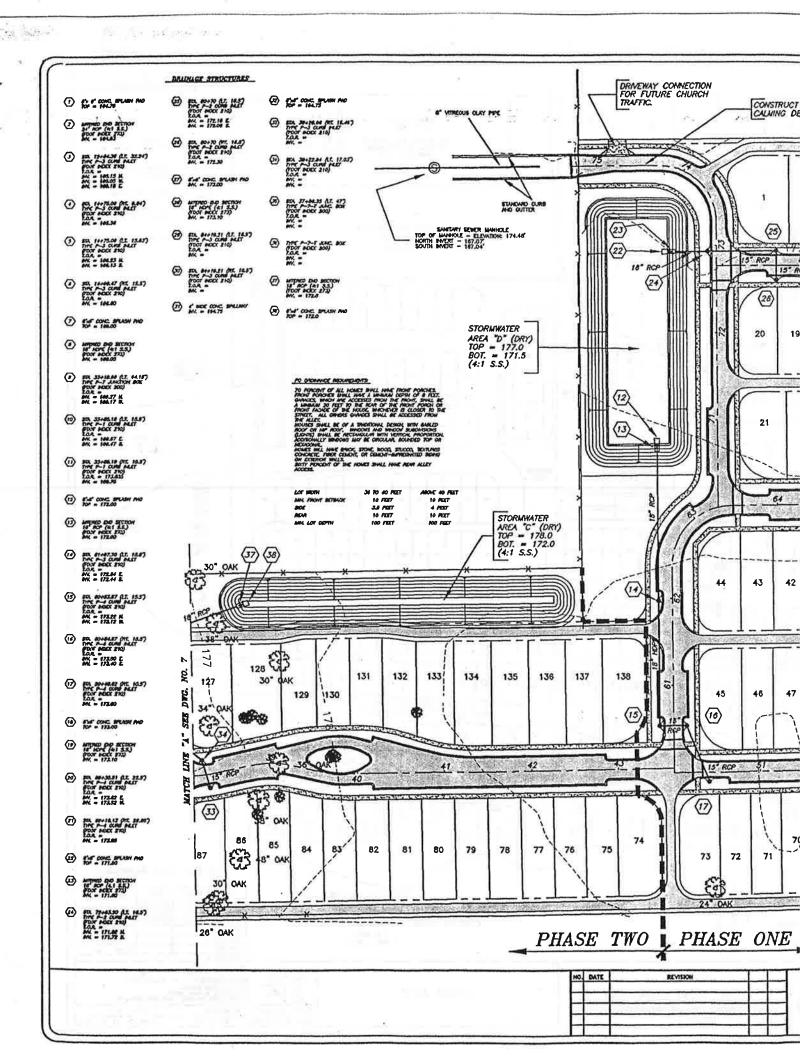
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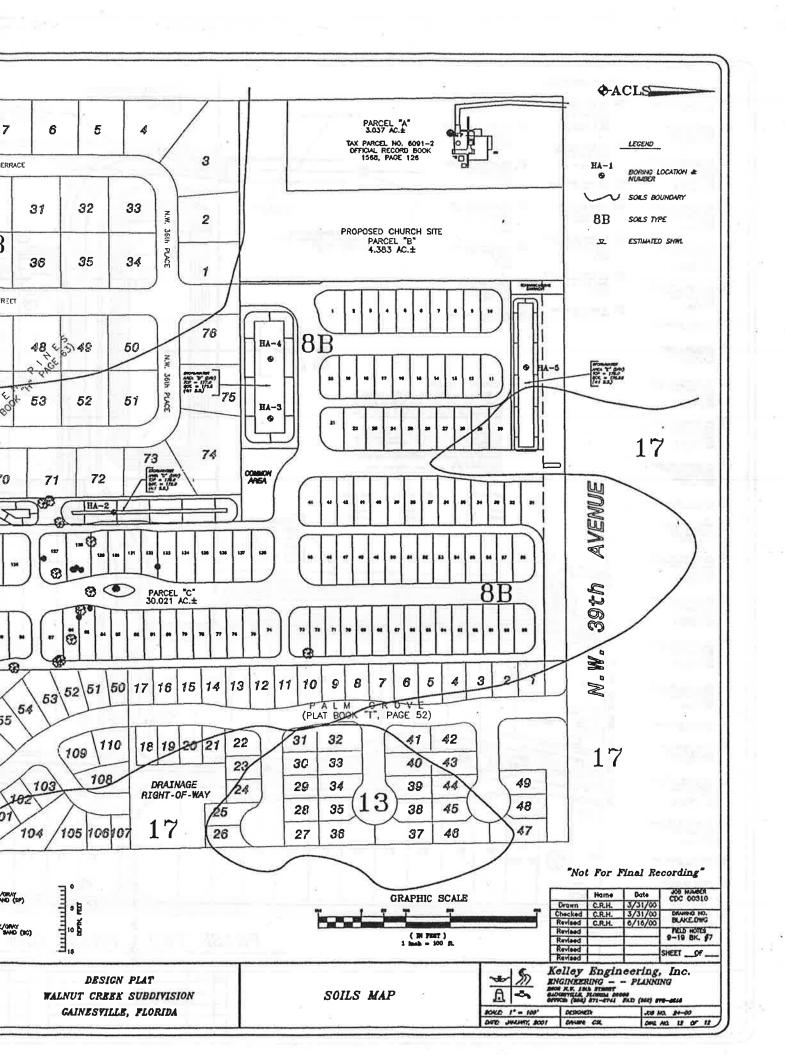
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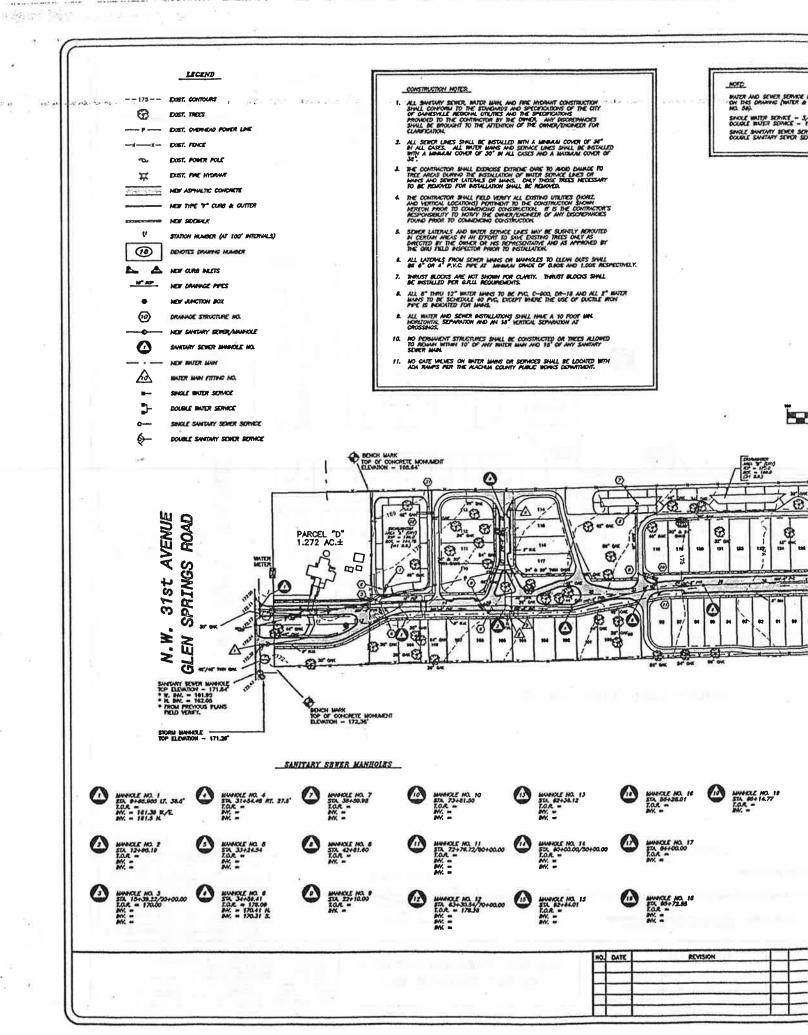


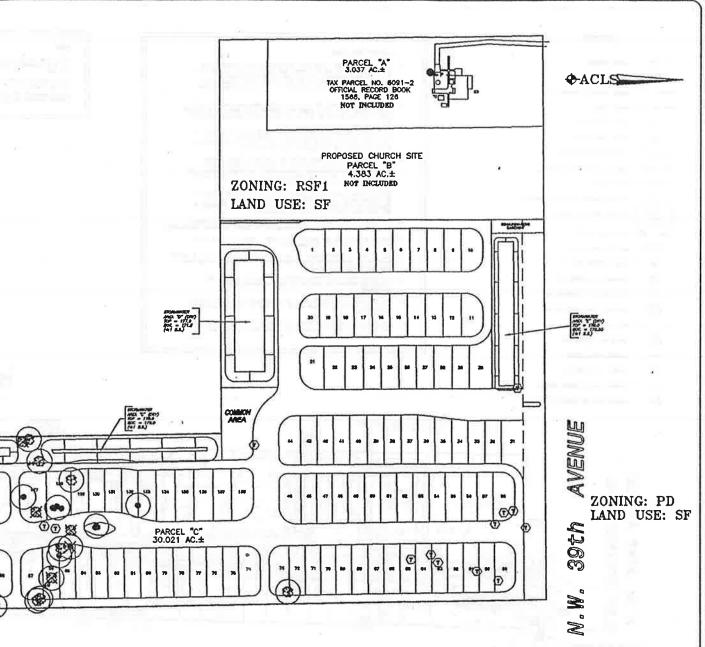
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GRAPHIC SCALE

"Not For Final Recording" EXHIBIT "D"

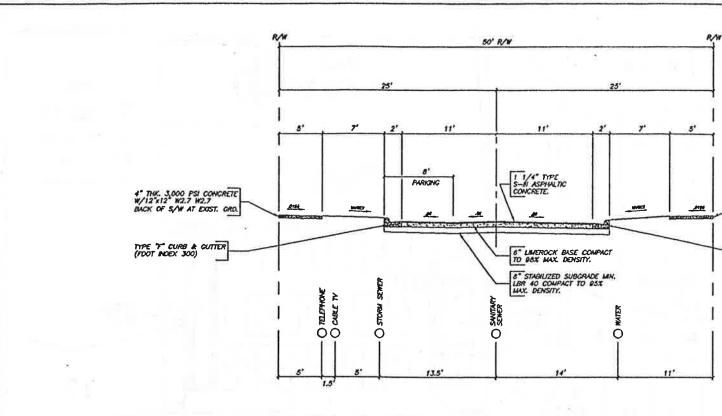
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DESIGN PLAT WALNUT CREEK SUBDIVISION GAINESVILLE, FLORIDA

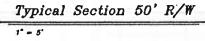
ARBORIST TREE EVALUATION & GOPHER TORTOISE MAP

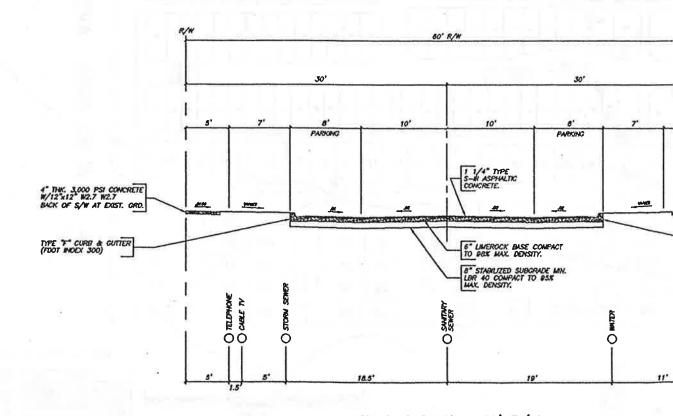
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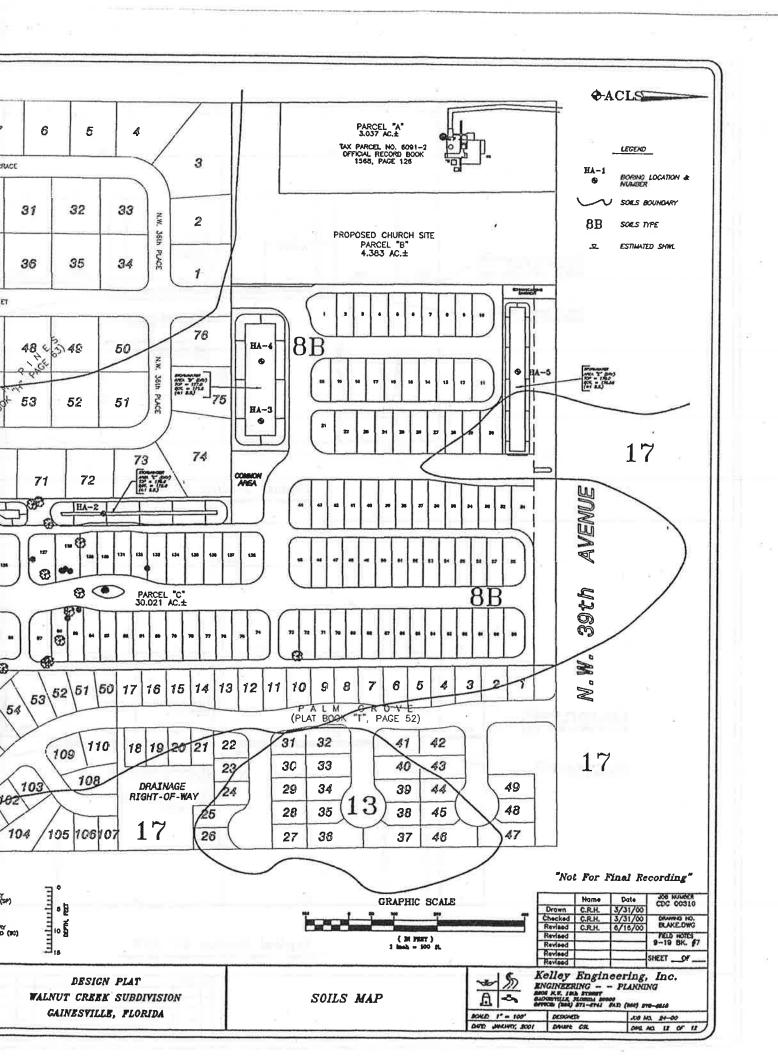
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Typical Section 60' R/W

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1. Petition 142SUB-00 DB

Kelley Engineering, Inc., agent for Luther E. Blake, Jr. and Irene Blake Caudle. Design plat review for 138 lots on 30.021 acres MOL. Walnut Creek. Zoned: PD (planned development district). Located in the 2500 block of Northwest 39th Avenue, south side.

Ms. Carolyn Morgan was recognized. Ms. Morgan indicated that the petition involved a design plat review and was subject to the zoning ordinance for the Walnut Creek Planned Development adopted on October 9, 2000. She indicated that the petition was submitted to staff in September, 2000, continued in October, 2000 and withdrawn from the agenda in November, 2000. She presented a drawing of the adopted PD layout plan for the development and pointed out some of the features of the PD ordinance. She explained that the preliminary plan for design plat would go forward to construction phase drawings with Gainesville Regional Utilities (GRU), the Public Works Department, the Alachua County Environmental Protection Department (ACEPD) and City Planning. She explained that the design plat would go to the City Commission for a hearing and approval. She indicated that the final plat would go back to the City Commission for adoption.

Mr. Jerome Kelly, agent for the petitioner, was recognized. Mr. Kelly presented a drawing of the proposed design plat and described it and the surrounding area in detail. He noted that there were many heritage oak trees on the site and he had worked with the City Arborist to preserve as many trees as possible. He discussed the paving, drainage plans, traffic access and street connections to NW 39th Avenue, NW 31st Avenue, and NW 27th Street. He offered to answer any questions from the board.

Mr. Borden asked if the proposed fencing would only be along areas where an alley abutted other properties.

Mr. Kelly explained that the fencing would be along the property line where it abutted single-family residences, unless a fence already existed in those areas. He noted that there would be no fences where there were retention areas. He explained that the retention areas would act as a buffer.

Mr. Layon, referring to a letter from the ACEPD, asked if there were any hazardous materials on the site and how they would be handled. He also asked if Mr. Kelly had spoken to the neighborhood organizations in the area.

Mr. Kelly explained that there had been no meetings with the neighborhood organizations, but a notice had been sent out requesting their preferences on sidewalks and other concurrency issues. Regarding hazardous materials, he indicated that he knew of none except that there was a used LP gas tank on the site which would be removed and properly disposed of. He pointed out that the survey referred to the tank as an underground tank, but it was actually an LP gas tank.

Mr. Layon asked if Mr. Kelly planned on conversing with the neighborhood organizations about the development.

Mr. Kelly indicated that, if there was an opportunity to do so, he would. He explained that, as the plan progressed, there might be meetings.

Mr. Boyes asked about the location of the water well that was of concern to ACEPD. He also asked about the previous use of the well.

Mr. Kelly pointed out the location on the drawing. He explained that he was unsure of the use since the well had been in place for many years. He indicated that the petitioner proposed to use the well for irrigation, if possible.

Mr. Boyes noted that the plan proposed dry retention basins and the elevations of those basins had a depth of about six feet.

Mr. Kelly indicated that the high end of one basin would be six feet, but the lower end would be four feet deep. He explained that the soil in the area was very good. He noted that borings and permeability tests had been performed.

Mr. Boyes asked when the water table was measured.

Mr. Kelly indicated that it was done last year. He pointed out that the seasonal high water table was also noted on the plans.

Mr. Boyes stated that his concern was the location of the basins adjacent to other properties. He asked what impact the basins would have on the water table beneath adjacent houses. He indicated that it seemed possible that the proposed basins would place a significant volume of water in the ground and elevate the water table in the immediate vicinity of the closest houses.

Mr. Kelly explained that the issue would require more investigation by the engineers. He suggested that there wouldn't be any impact because of the nature of the sand.

Mr. Boyes pointed out that the proposed development was very large and the basins were small.

Mr. Kelly indicated that the basins were designed for the 100-year event according to City regulations and the St. John's River Water Management District's treatment volume requirements.

Mr. Boyes asked if dry retention basins were not possible, could a wet system be used.

Mr. Kelly expressed doubts about a wet detention system. He explained that the normal pool would not be high enough to allow a wet system.

Mr. Boyes suggested that the pools could be lined.

Mr. Kelly indicated that he believed lining the pools would have greater impact on the groundwater.

Mr. Boyes disagreed. He stated that, if a pool were lined, it would not impact the groundwater.

Mr. Kelly pointed out that it would prevent the normal discharge into the groundwater.

Mr. Boyes stated that he had a concern about the impact of a rising water table on lots 66 through 76 in the adjacent Hidden Pines Subdivision. He indicated that the matter needed to be taken into consideration in the stormwater permitting process.

Chair Polopolus asked how the impact to those lots would be measured.

Mr. Boyes explained that the petitioner would have provide some type of modeling to project impact. He explained that when the water table was measured was a concern. He explained that, if it were measured during a dry time, it could rise during a normal wet season. He suggested that the basins were too close to adjacent houses and there could be an impact to that property.

Mr. Bailey asked if Mr. Kelly had contacted the Water Management District regarding permitting or other issues that had been brought to the board.

Mr. Kelly indicated that contact with the Water Management District would come later in the development process, when the construction plans were completed. He explained that the site did have good soil. He reiterated that the plans would have to satisfy the City's Public Works Department and the Water Management District.

Mr. Boyes pointed out that the plan proposed moving water to someone else's property. He suggested that, if the basins were in the middle of the property, there wouldn't be a potential impact to an adjacent development. He explained that, according to the plan, the basins were on the borderline of the water level indicated on the project. He noted that the water table occurred about six feet below the ground surface; the basins approached six feet below ground surface; and were relatively small compared to the total size of the property. He explained that, since a great deal of water would enter the basins, because of the percolation rate of the sand, the water table would rise up in close proximity to the basins.

Mr. Kelly pointed out that the six-foot depth was only on one end of one of the basins. He explained that the normal average depth was less than five feet.

Mr. Boyes noted that Mr. Kelly was indicating a water level six feet below the ground surface during a drought.

Mr. Kelly stated that he would confer with WMD, the engineers of record on the project, on the issue.

Chair Polopolus asked how the proposed wood fencing would be maintained after it was installed.

Mr. Kelly indicated that the homeowners association would be responsible for the fencing.

Mr. Bailey noted that, while Mr. Kelly had stated that there was no clay on the site, the borings did show clay at the seasonal high water table.

Mr. Kelly explained that there was no clay within two to three feet.

Mr. Bailey pointed out that, when the basin was excavated, it could possibly sit directly on the clay layer and, therefore, would not percolate.

Mr. Boyes explained that he worked a project across the street where there was a problem with the stormwater basins and clay. He noted that those basins would not percolate correctly at a development relatively near the subject site. He stated that there would be a water table problem.

Ms. Morgan indicated that the petition involved a preliminary plan, a design plat. She explained that the petitioner would have to provide engineering drawings of the stormwater system at the level discussed by Mr. Boyes and apply for permits from the Water Management District. She pointed out that, if it was determined that the stormwater system would not function properly in the proposed configuration, the plat would be redesigned and returned to the board for approval. She explained that the final plat had to be similar to the design plat when it was adopted. Ms. Morgan indicated that, except for the review of minor traffic circulation problems, the Public Works Department had approved the design plat as submitted. She noted that the design plat would be required to meet the 100-year critical duration storm event and require a St. John's River Water Management District stormwater permit. She indicated that the stormwater treatment volume must be recovered in 72 hours. Ms. Morgan reviewed staff comments from other departments. She indicated that Ordinance 991267 was the governing ordinance for the PD. She explained that the ordinance allowed 138 single-family dwelling units, specified lot layout and size and location of stormwater basins. She stated that the plan was consistent with the original adopted Planned Development. Ms. Morgan indicated that planning staff had an issue with the configuration of lots 108 and 109 which contained three grand live oak trees with a very lateral spreads. She pointed out that the PD brought the common area up to a point, but the trees, even on the lot line, spread across the two lots. She stated that it was planning staff's recommendation that lots 108 and 109 become a part of the common area. She indicated that the spread of the tree limbs was so close to the ground that placing a house on the lot would not protect the trees. She noted that protection of the trees required both lots. She explained that staff did try to work the matter out with the petitioners. Ms. Morgan noted that staff was concerned about the rounded corners of some of the lots. She indicated that the site was fully wooded and staff would be looking at the preservation of more of those trees during the construction phase. She indicated that the PD ordinance did not provide for a phased plan as proposed by the petitioner, but the petitioner could request an extension from the City Commission when the plan was presented. Ms. Morgan offered to answer any questions from the board.

Mr. Layon asked if there was an underground tank on the site.

Ms. Morgan indicated that there was an existing tank on the site and the petitioner has indicated that it was an LP gas tank. She explained that the petitioner would have to remove the tank according to Alachua County requirements. She noted that it was shown on the survey as an underground tank.

Chair Polopolus explained that the board understood from Mr. Kelly's testimony that it was shown as an underground tank on the plan, but was actually an above ground tank.

Mr. Kelly stated that the tank was underground.

Mr. Boyes indicated that he had a concern about the water table impact on the adjacent Hidden Pines Subdivision. He asked how could the concern would be addressed.

Ms. Morgan explained that the concern would be addressed in the minutes conveyed to the City Commission. She noted, however, that the concern would also be examined in detail in the construction phase of the project. She pointed out that, the only thing required in the present plans was soil borings, and the actual engineering work was done in the construction phase of the project. She reiterated that, if the basins shown were not adequate and the design plat changed significantly, it would come back before the board.

Mr. Boyes indicated that his concern was that, while the stormwater could go in the basins as designed, the water table on the adjacent properties might rise up to near land surface.

Mrs. Morgan indicated that the Public Works Department and Water Management District would be reviewing the design of the stormwater system.

Mr. Kelly pointed out that he had to demonstrate to Public Works and the Water Management District that the basins would dry up within 72 hours.

Chair Polopolus asked if it was staff's recommendation that lots 108 and 109 be removed to save heritage trees on the lot.

Ms. Morgan stated that staff had worked and would continue to work with staff on the matter. She noted that, while the trees were on lot lines, they were very lateral and low to the ground. She pointed out that the drip line of the trees was the width of both of the lots. She reiterated that it was staff's recommendation that the lot lines be amended and the trees become part of the common area.

Mr. Bailey suggested that the alleys shown on the plans looked like major traffic arterials. He asked how the configuration would work.

Ms. Morgan discussed the alleyways and how turn-a-rounds would take place. She noted that there was a hammerhead turn which would allow for fire trucks.

Mr. Bailey asked if the alleys would be posted with signs to prevent general traffic movement.

Ms. Morgan explained that the alleys were private property and the petitioner could provide signs that indicated them as such. She indicated that staff could make the condition in the construction phase of the plan.

Chair Polopolus noted that Ms. Morgan stated that it would continue to be staff's recommendation that lots 108 and 109 become common area to save the heritage oaks. She asked if the recommendation was written in the staff report.

Ms. Morgan explained that the recommendation was in an earlier report, but not in the current one.

Chair Polopolus asked, if the board voted to recommended that the lots become common area, would it appear in the report.

Ms. Morgan indicated the board would have to act upon the recommendation as verbally stated by staff in the record of the present meeting.

Mr. Layon asked why staff would make a recommendation and not include it in the report.

Ms. Morgan explained that staff had worked with the petitioners on two different ways of amending the lot lines to place a house on a lot without damaging the trees. She noted that the petitioner did make lots larger, which allowed the houses to move away from the trees, but staff still recommended that the area become common area.

Mr. Borden noted that one recommendation involved an oak in one of the drainage basins. He asked, if soil were left around that tree to save it, would that space have to be recouped somewhere else.

Ms. Morgan indicated that it would if the volume was critical to drainage. She reiterated that the basins were part of a preliminary plan and the calculations were in the construction plan phase of the project.

Mr. Boyes asked if the petitioner could accept a condition on the petition that the stormwater plan may not cause a water table rise at anytime within 18 inches of land surface on adjacent properties.

Mr. Kelly pointed out that the plan had to meet City and Water Management District requirements for a 100-year critical event. He stated that those requirements should cover the board's concern.

Mr. Boyes indicated that he did not believe a water table rise on adjacent property was in those regulations.

Mr. Kelly pointed out that there was a requirement that the water not mound. He indicated that no one present could state that the water would not rise to 18 inches below the ground at the property line.

Mr. Boyes stated that he referred to adjacent properties.

Mr. Kelly stated that there was no way to address the issue at the present stage of the development but they would be addressed in the permitting phase.

Mr. Boyes explained that, by requesting that the board place the condition on the approval, would indicate that the issue would be reviewed.

Mr. Kelly indicated that he did not believe the board could tie the petitioner to conditions beyond the normal permitting process.

Mr. Boyes explained that the issue was one of nuisance. He indicated that he would like to see a recommendation on the approval of the petition that the matter was reviewed.

Mr. Kelly indicated that he could accept the recommendation. Regarding lots 108 and 109, he requested the opportunity to continue to discuss the situation with the Arborist and Ms. Morgan.

Chair Polopolus opened the floor to public comment.

Mr. Fredrick Peterkin was recognized. Mr. Peterkin requested that the PUD be delayed or some condition attached to ensure that there would be no damage to structures on lots next to the retention ponds.

Mr. Richard Murphy, resident of Hidden Pines Subdivision, was recognized. Mr. Murphy indicated that in previous rainy seasons there was some sheet flow of water into NW 27th Street.

Mr. John Dame, resident of Hidden Pines Subdivision, was recognized. Mr. Dame indicated that his home was on one of the lots adjacent to one of the proposed retention basins. He cited a concern about a rise in the water table near his home. He discussed a meeting held with the Public Works Department the previous evening. Mr. Dame read a statement regarding the concerns about an increase in traffic on Glen Springs Road. He asked if the proposed connection between the Walnut Creek Subdivision and the Hidden Pines Subdivision could be stopped.

Chair Polopolus explained that the connection was written in the ordinance and the board had no control over the matter.

Ms. Mary Williams was recognized. Ms. Williams noted that the original September 28, 2000, PUD report mentioned brick and stucco exteriors for the homes in Walnut Creek. She pointed out that the report before the board mentioned brick, stone, wood, stucco, textured concrete, fiber cement or cement approbated siding. She asked if the board was accepting the new construction elements.

Ms. Morgan explained that the other construction materials were placed in the ordinance at the time of adoption by the City Commission.

There was discussion of traditional neighborhood design.

Chair Polopolus closed the floor to public comment.

Mr. Layon indicated that he had asked if the neighborhood associations had been contacted on the development and was told that they had not. He indicated that he would be concerned if the board did not add conditions to the petition regarding the retention ponds and discussions with the neighbors around the site.

Chair Polopolus noted that the board was dealing with an existing PD ordinance.

Mr. Layon indicated that Mr. Calderon had spoken to him with regards to development that would enhance neighborhoods.

Mr. Calderon asked if Mr. Layon was speaking to the health, safety welfare of the community issue.

Mr. Layon indicated that he was speaking to that issue. He suggested that, if a development caused a problem for neighbors who had been in the area for a number of years, he did not see how it could enhance the area. He requested that it be taken into consideration.

Mr. Calderon pointed out that the present meeting was not the first meeting on the petition. He pointed out that the neighbors had been notified of those meetings.

Mr. Layon noted that the petitioner's agent had stated that the neighborhood associations had not been contacted and the neighbors in the audience had stated that they had not been notified. He requested that staff prove that the neighbors had been consulted about the development.

Ms. Morgan explained that the City's notification process required public hearings before the appropriate boards and the City Commission for different stages of development. She pointed out that the Code did not require meetings with neighborhood associations. She noted that, if the petitioner wished to schedule meetings they may, or may not. She explained that the Walnut Creek development involved a Planned Development which went before the City Plan Board then on to the City Commission. She noted that there had been two hearings before the City Commission and the ordinance was adopted in October, 2000. She indicated that the present hearing before the Development Review Board was a scheduled, noticed hearing on the design plat. Ms. Morgan pointed out that the petition would also have another noticed, public hearing before the City Commission for the design plat, and would then return to the City Commission for final plat approval. She reiterated that there were no current requirements in the City Code for any other development process meetings with neighborhoods, therefore, no conditions could be place on petitions to require those meetings. Ms. Morgan explained that the City Commission had shown some interest in requiring developers to meet with the neighbors and staff was working on amending the Code to add language that could potentially require such meetings. She indicated that the Development Review Board and the City Plan Board were citizen boards and their meetings were public meetings held for any project. She noted that concept plans were occasionally brought before the boards but they were at the option of the developer.

Mr. Layon asked how health, welfare and safety were addressed.

Ms. Morgan indicated that health, welfare and safety were addressed in the implementation of the Land Development Code. She explained that the development had to meet the Code requirements and those requirements were designed to meet the health, welfare and safety issues. She noted that stormwater management, hazardous materials, endangered species and other concerns were included in the Code requirements. She explained that the petition involved a design plat to determine if the petitioner's had met the Code requirements.

Mr. Layon indicated that he did not believe it was to the benefit of the developers or the neighborhoods to ignore persons who had lived in that area and were concerned.

Mr. Calderon explained that staff presented a report and made recommendations to the board. He indicated the Board's decision had to be based on the requirements of Code.

Chair Polopolus agreed that the process worked better when the developers made some effort to address neighborhood concerns. She suggested that persons should look to the betterment of the community as a whole. She agreed that the board could request and recommend that meetings between developers and neighbors take place, but could not require those meetings.

Mr. George Dekle was recognized. Mr. Dekle indicated that the previous developer did meet with the neighborhood at the Girl's Club in April of 2000.

Motion By: Mr. Boyes	Seconded By: Mr. Borden
Moved To: Approve Petition 142SUB-00 DB, with staff conditions and recommendations, including the recommendation that: 1) the final design plat require the stormwater plan not cause a water table rise at any time within 18 inches of land surface on adjacent properties. 2) That lots 108 and 109 be dropped to save the large oak trees in those locations.	<u>Upon Vote</u> : Motion Carried 5-0 Yeas: Bailey, Borden, Layon, Boyes, Polopolus

Mr. Calderon indicated that the plan would go to the City Commission for design plat review after construction drawings had been provided.

Ms. Morgan indicated that the plan would go to the City Commission in March and notice would be sent to persons living within 400 feet of the site.