

9. Petition 99SUB-05 DB Causseaux & Ellington, PE, agent for Amy Fincher Ritch. Design plat review for 9 lots on 3.29 acres MOL. Zoned: RSF-1 (single-family residential, 3.5 du/acre). Located at 2502 Northwest 16th Avenue.

Mr. Gene Francis was recognized. Mr. Francis presented a map and layout of the proposed subdivision and surrounding properties. He noted that the property was 3.29 acres and was surrounded by larger single-family properties. He presented aerial and ground photos of the site and the surrounding area, and the existing single-family home and other structure on the site. He noted that the minimum lot size in RSF-1 zoning was 8,500 square feet. Mr. Francis explained that the single-family home on the site had been vacant for almost a year. He noted that there was an unattached garage with an apartment, which was not permitted in single-family zoning. He stated that the single-family home was open and was being vandalized. Mr. Francis indicated that one of staff's conditions was that the house be properly boarded and secured.

Mr. Andrew Roberts, representing Causseaux and Ellington, agents for the petitioner, was recognized. Mr. Roberts stated that the proposal was for a 9-lot single-family residential subdivision. He noted that the maximum density for the RSF-1 Zoning was 3.5 units per acre and the proposed subdivision would have 2.74 units per acre with a minimum lot size of 8,896 square feet and a maximum of 12,465 square feet. He explained that the street would be a cul-de-sac public right-of-way named NW 25th Street. He pointed out the proposed stormwater basins, one on the north to be full retention and those on the south to be detention systems that would drain to NW 16th Avenue. Mr. Roberts indicated that wastewater would run down the center of the proposed NW 25th Street, under NW 16th Avenue, and into the City's sewer system. He noted that there was a requirement for an 85-foot minimum lot width so the setbacks had been pushed back to accommodate that width. Mr. Roberts stated that the existing single-family house on the site was being deconstructed at the present time, and some of the material was being salvaged.

Mr. Barry Rutenberg, developer for the subdivision, was recognized. Mr. Rutenberg stated there had been an application by the current owner of the property for a demolition permit for the single-family house on the site. He noted that some of the plant material on the site would also be removed and replanted elsewhere. He explained that there was no requirement for a neighborhood meeting but he had done a mail out and met with the neighbors on the proposed subdivision. He discussed various meetings with other neighbors. He indicated that he had originally considered a cluster subdivision, but the site did not meet the environmental criteria. Mr. Rutenberg explained that the required 85-foot minimum lot width would push the proposed residences to the rear of the lot. He noted that he had agreed to provide a 6-foot fence around the perimeter of the subdivision, however, there was a mature ligustrum hedge in one area to be considered. He explained that he would endeavor to save the hedge if Public Works would allow some alterations in the stormwater basin. He indicated that accessory buildings could be restricted to 15 feet by deed covenant on lots 4, 5, and 6, to keep them further from the neighbor's property lines. Mr. Rutenberg explained that he had agreed to a brick wall along NW 16th Avenue, however, he would have to obtain permission from GRU.

Mr. Frankenberger asked why the lots in the proposed subdivision were smaller than most of the lots surrounding it.

Mr. Rutenberg explained that it involved economics. He pointed out that it was very expensive and that the bore for the utility lines was under NW 16th Avenue alone was estimated to be \$75,000.

Chair Cooper noted that the staff report stated that none of the existing trees would be removed from any of the lots. She asked if trees would be removed for the retention basin.

Mr. Rutenberg stated that trees would be removed for the retention basins since they had to be graded to specific levels. He noted that there were requirements for landscaping after the basins were constructed.

Mr. Roberts stated that the trees in the stormwater management areas would be removed, however, the trees around the edges that were at the same elevation would be saved. He noted that the trees in the right-of-way would also be removed. He indicated that the Arborist also recommended that certain trees were removed because of their condition.

Chair Cooper asked if there would be a tree buffer along NW 16th Avenue.

Mr. Roberts pointed out the trees along NW 16th Avenue that would be removed as required by GRU.

Mr. Shatkin asked why the board did not have a landscape plan with the petition.

Mr. Roberts explained that the subdivision was in its preliminary stages and a landscape plan had not been finalized.

Mr. Shatkin asked if the project required a neighborhood meeting.

Mr. Roberts indicated that no neighborhood meeting was required, however, the applicant had several meetings with the neighbors.

Chair Cooper opened the floor to public comment.

Ms. Liz Horne, 1628 NW 26th Way, was recognized. Ms. Horne cited concerns about the impact of the development on her property. She asked the square footage of the proposed houses and if there would be a variety of styles.

Mr. Walter Willard was recognized and spoke to the petition.

Mr. John Stansoloney, NW 24th Street, was recognized. Mr. Stansoloney asked about the market range of the lots and homes. He suggested that the setback issue could be resolved by combining the front lots. He asked who would take care of maintenance of the stormwater ponds and if other methods of retention had been explored. He pointed out that when houses were constructed a number of significant trees would be removed.

Mr. Bob Saunders, 1705 NW 26th Way, was recognized. Mr. Saunders noted that his property abutted the proposed subdivision on the west side. He cited a concern about the removal of trees. He stated that he and his neighbors believed the subdivision would devalue their homes. He suggested that the subdivision be redesigned. He noted that the lots surrounding the proposed subdivision averaged 1 acre.

Ms. Maria Riviere, 1720 NW 26th Way, was recognized. Ms. Riviere cited her concerns about the trees and the number of lots in the subdivision. She suggested that the number of lots be reduced to 6.

These minutes are not a verbatim account of this meeting. Tape recordings from which the minutes were prepared are available from the Community Development Department of the City of Gainesville.

Mr. Albert McFenney, President of the Featherwood Neighborhood Association, was recognized. He noted that Featherwood was not far from the proposed subdivision. He suggested that the number of lots in the proposed subdivision be reduced to increase setbacks and save trees.

Ms. Jackie Levine, 1632 NW 24th Street, was recognized. Ms. Levine indicated that she lived to the east of the proposed subdivision. She cited concerns about the density of the proposed subdivision. She suggested that there be fewer lots.

Ms. Jane Madera, NW 24th Street, was recognized. Ms. Madera cited concerns about the density and number of trees to be cut. She suggested that the proposed wooden fence would not fit the character of the expensive homes in the area. She suggested a metal fence and landscaping.

Mr. Roberts explained that there would be a homeowners association that would be responsible for maintenance of the stormwater management facilities and removal of the residuals in the basins. He discussed how the system functioned and noted that it had to meet the St. John's River Water Management requirements. Regarding the suggestion that other systems be examined, he explained that another system would be an underground system which was not possible, given the water table in the area.

Chair Cooper asked about the statement that no trees would be removed. She pointed out that it appeared that many trees would be removed.

Mr. Francis indicated that the statement that no trees would be removed came from the site plan presented by the petitioner, however, trees would be removed in rights-of-way, retention areas and easements. He agreed that placement of a house would require tree removal, but except for the stated improvements, no trees would be removed until a house was constructed.

Chair Cooper pointed out that, if the board approved the petition with 9 lots it would be agreeing that trees would be removed.

Mr. Francis explained that some developers would completely clear a site and it was staff's understanding that such clearing would not be the case with the proposed subdivision. He noted that a landscape plan would be required.

Chair Cooper requested information on a cluster subdivision and why the proposed subdivision did not qualify. She noted that it was stated that there were no environmental reasons to allow a cluster subdivision.

Mr. Calderon stated that the current process for cluster subdivision was under review by the City Commission and subcommittees of the Commission. He explained that staff did not believe the environmental features of the site qualified for a cluster subdivision.

Mr. Francis explained that there were no environmental concerns about wetlands on the site. He explained that a homebuilder could remove the trees necessary to construct a house. He agreed that there had been cluster subdivisions developed for infill, however, that was not the direction the City wished to go.

Mr. Rutenberg stated that the minimum square footage had not been set, however, he would expect that it would be 2,000 square feet or higher of conditioned living area, which was comparable with many homes in the immediate area. He explained that he had a request not to construct 2-story homes, but the larger homes would have to be 2-stories because of the lot restraints. He indicated that he doubted that any of the homes would sell for less than \$400,000. He explained that the economic value of 9 lots was marginal given the cost of construction. He noted that there was a possibility for attached single-family town homes. Mr. Rutenberg explained that the wood fencing did have different qualities. He discussed the stormwater system. He agreed that the construction of the road, stormwater basins, and home would result in significant tree removal.

Mr. Shatkin asked if it was possible for the subdivision association's covenant to require a certain number of shade trees on each lot.

Mr. Rutenberg stated that the architectural standards could address retaining or planting new trees. He explained that it could be fairly specific as to species, diversity, and size.

Mr. Shatkin explained that his concern was that there be some kind of canopy in the future.

Mr. Rutenberg requested that Mr. Shatkin be specific as to what species of shade trees he preferred.

Mr. Shatkin indicated that the City had a list of shade trees that would be adequate.

Mr. Francis requested that the board understand that the City did not control covenants on property.

Mr. Shatkin indicated that he was asking that the applicant agree to provide the shade trees.

Mr. Rutenberg stated that he could be sure that there were at least 6 existing or planted shade trees on a lot.

Mr. Francis indicated that the Arborist could provide Mr. Rutenberg a list of shade trees.

Mr. Rutenberg stated that he would consult with the Arborist. He explained that the requirements for the number of trees would come with the landscape plans, which were not yet completed. He noted that he would be the one to approve the landscape plans and would be sure that there were the requested number of planted and existing trees.

Ms. Collopy asked if Mr. Rutenberg considered 6 lots possible.

Mr. Rutenberg stated that given the expenses, 6 lots would not be economically viable. He discussed various lots and their sale prices, and noted that there were lots that were 4 times larger than the proposed lots, but were only 50 percent higher in cost.

Mr. Calderon pointed out that the zoning of the property was RSF-1, which was the highest residential zoning district in the City. He explained that the subdivision met the requirement and it was not within the board's purview to reduce the number of lots. He noted that the Land Development Code did not require buffers for single-family homes. He indicated that the board's recommendation to the City Commission had to be based upon the Code's standards.

Ms. Collopy explained that the board could not change the Code, however, it could provide a forum for discussion on recommendations that would be sent to the City Commission.

Mr. Shatkin pointed out that, even if the number of lots was reduced to make them larger, there would still be 20-foot setbacks and a house could be constructed at that setback. He stated that his concern was the proximity of the lots that were abutting NW 16th Avenue.

Chair Cooper stated that she did not believe the subdivision proposal met the requirements of the Comprehensive Plan. She indicated that she believed proposed density would affect the surrounding neighborhoods in a negative manner. She explained that she was not comfortable recommending approval to the City Commission when most of the trees would be removed.

Mr. Shatkin asked if the proposed lots met minimum lot size requirements for the zoning.

Mr. Calderon indicated that they did.

Mr. Shatkin asked if there was a minimum floor area ratio for the structures and minimum lot coverage.

Mr. Calderon stated that there was no floor area ratio for the structures, however, there were minimum and maximum lot coverage regulations. He indicated that staff reviewed the proposed subdivision based upon the requirements of the RSF-1 Zoning standards for density and lot size.

<u>Motion By:</u> Mr. Shatkin	<u>Seconded By:</u> Mr. Ingram
<u>Moved To:</u> Approve Petition 99SUB-05 DB with staff conditions and the recommendation to the City Commission that a minimum of 8 existing or planted shade trees be required per lot.	<u>Upon Vote:</u> Motion Carried 5 – 1 Yeas: Frankenberger, Shatkin, Collopy, Ingram, Higman, Nay: Cooper