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- 4. Petition 159SUB-03 DB Albemarle Development, agent for Andrew Evans, Karen Harris, A.L Day, and Dana Day. Design plat review for 13 lots on 16.534 acres MOL. Zoned: RSF-1 (3.5 units/acre single-family residential). Located in the vicinity of Northwest 28<sup>th</sup> Street and Northwest 23<sup>rd</sup> Avenue, north side.

Ms. Polopolus indicated that she had heard the developer speak of the types of houses to be constructed, but there was no substantive discussion of any kind.

Ms. Carolyn Morgan was recognized. Ms. Morgan presented a map of the proposed subdivision and described its location and layout in detail. She reviewed staff conditions and pointed out a gated emergency access between Lots 4 and 5, retention swales along the roadway. She indicated that the proposal was approvable with conditions. She noted that the petitioner would be required to meet two TCEA Standards for Policy 1.1.6 of the Concurrency Element of the Comprehensive Plan, based upon the estimated net trip generation.

Mr. Tom Spain, President of Albemarle Development Corp., was recognized. Mr. Spain discussed the history of the property. He explained that the zoning on the property allowed 57 units, but the surrounding lots were much larger, therefore, only 12 lots would be developed. He pointed out that there were many nice Live Oak trees on the property. He indicated that no Live Oak trees would be removed in the development, however, the statement that no trees would be removed was not correct. He explained that there were some Sweet Gum trees that would come out, and 3 Live Oak trees would be removed, but only if necessary to construct a house. Mr. Spain offered to answer any questions from the board.

Mr. Higman asked what size the proposed houses would be.

Mr. Spain indicated that they would be approximately 3,000 square feet, and the total package with the land would run approximately \$550,000. He noted that five lots were already under contract. He pointed out that there were 187 homes that entered the area off of NW 16<sup>th</sup> Avenue at the Brywood, and those homes had no secondary emergency access. He explained that, with development of the new subdivision, those homes would now have a secondary emergency vehicle access, and new water lines would greatly improve the fire flow.

Mr. Shatkin noted that the plan showed a gate at the emergency access point. He asked if the residents would have access through that gate.

Mr. Spain indicated that they would not. He noted that the owner of the property where the emergency gate was located would have a remote control to access his own property, but the residents of the new subdivision would have emergency egress only.

Mr. Shatkin noted that the retention along the roadway appeared to be deep ditches.

Mr. Spain explained that it was a scale problem on the drawing. He indicated that the ditches were approximately 18 inches deep, and could be mowed as part of the front yard. He noted that the purpose of the ditches was to not have curb and gutter, which would require a large retention pond.

Mr. Shatkin asked how the concurrency agreement for the TCEA would be met.

Mr. Stuart Cullen, agent for the petitioner, was recognized. Mr. Cullen explained that there were a number of different TCEA concurrency standards that could be met upon development and recording of final plat. He indicated that the number of standards had been determined, but the specific standards themselves had not yet been identified.

Mr. Shatkin indicated that he was curious when the determination of the standards would be made.

Ms. Morgan explained that a number of things would be reviewed before the determination was made. She indicated that, if a project were small, a monetary donation would be collected and added to others to use when a need was identified. She noted it could be control devices for intersections or bus shelters. She explained that staff would assess the needs in the area, and the developer could provide that need, or the monies could be used. She indicated that the Concurrency Manager would work out the specifics as the project moved along.

Mr. Shatkin asked if the determination was made before the petition came to the board.

Ms. Morgan indicated that, at times, determination of the number of standards was made before a petition came to the board, but the number of lots or units could change during the review process. She explained that such modifications might make changes in the number of standards required.

Mr. Cullen explained that the design plat was essentially a concept plan that presented the layout of the property and how it would ideally be developed. He explained that staff reviewed the design plat to determine if it met the City Codes, without providing all the specific technical details. He indicated that the petitioner would take the board's recommendation of approval to the City Commission and request that they also approve it. He explained that, at that time, there would be detailed construction drawings, which would be reviewed and approved by City staff, GRU, the Water Management District, and DEP. Mr. Cullen discussed the stormwater retention, and noted that it was designed to collect water from the roadway. He indicated that there would be a number of different systems to treat runoff from the houses, one of which was vegetative natural buffers, which was considered best management practice by the Water Management District. Mr. Cullen pointed out that there were State requirements that the rate of stormwater runoff from the site not be increased, nor could the quality of the runoff decreased. He indicated that he wanted be sure it was specified that there would be no Live Oak trees removed from the site, and not no trees as stated in the staff report. He stated that he believed he could meet all the other conditions.

Mr. Higman noted that there was mention of active wells on the site. He asked how they would be handled.

Mr. Cullen agreed that there were 2 active wells on the site, and one would be maintained for irrigation and the other would remain active or be abandoned and plugged per the Water Management District Standards.

Mr. Spain indicated that there were actually 3 wells on the site. He explained that two would be used for irrigation and the other would be capped and sealed.

Chair Houston opened the floor to public comment.

Mr. Fredrick Peterkin, owner of property adjoining the site, was recognized. Mr. Peterkin presented a number of slides showing the subject site and surrounding properties during a rainstorm. He stated that the 5 neighbors immediately to the west of the site had viewed the slides and agreed with his comments. He cited grave concerns about the topography and runoff from the proposed houses to be built in the subdivision. Mr. Peterkin indicated that he was not sure if the proposed natural buffer area would control the runoff from the new houses to be constructed. He requested that it be stipulated that all runoff be retained on the site. He suggested that there be a berm constructed along the entire western property line.

Ms. Francine Robinson was recognized. Ms. Robinson requested that it be clarified where citizens could address the petition in the future.

Chair Houston requested that Ms. Morgan respond to the question.

Ms. Morgan explained that the design plat before the board was a layout of the subdivision with the general location of lots, roads, and stormwater basins. She indicated that, while the technical review was a staff level review, all of the City's records were open and members of the public were always welcome to come to the Planning Division and examine plans. She noted that the petitioner would submit sets of construction drawings with all the detailed design features, however, there would be no public hearings on the construction phase of the plan. She explained that, at final plat, the Public Works Department and GRU will have certified the plan, and staff would have received the stormwater management permit from the Water Management District. Ms. Morgan indicated that after final plan, the plan would be presented to the City Commission for approval at a public hearing.

Mr. Higman asked if there was a public hearing before the Water Management District with regards to their permit.

Ms. Morgan stated that she had not been involved with Water Management District procedure, but it was a public process.

Mr. Higman indicated that he had been involved in the Water Management District process and there were public hearings for almost every stormwater management permit issued. He explained that, individuals that were concerned about stormwater management would have another opportunity to discuss the matter.

Ms. Morgan explained that the City had its own stormwater requirements and the petitioner was required to meet that regulation as well as the Water Management District. She agreed that there could be some discharge under the standards, but the discharge had to be at the pre-development rate.

Mr. Calderon indicated that all of the details of a design plat were not presented to the board. He explained that a large amount of technical information had been processed that was not discussed in public meeting. He noted that the technical information had been reviewed and discussed by professional staff. He agreed that anyone who wished to see that information could come to the Planning Division and staff would be happy to present it. Mr. Calderon indicated that the stormwater review was primarily a function of the Public Works Department. He noted that there were also environmental issues that were discussed with Alachua County Environmental Protection. He explained that all of that information was then presented to the City Commission for final plat review.

Ms. Mary Shanor, resident at the corner of NW 28<sup>th</sup> Street and NW 21<sup>st</sup> Avenue, was recognized. Ms. Shanor cited a concern about construction traffic when the proposed subdivision road and houses were constructed. She noted that NW 28<sup>th</sup> Street was very narrow and in poor condition.

Mr. Spain agreed that NW 28<sup>th</sup> Street was in less than desirable condition, however, the City had not budgeted funds to make repairs. He noted that he would be improving the cul-de-sac portion of the street because it would have to be cut to access the sewer lines.

Mr. Benny Susi, resident on NW 28<sup>th</sup> Street, was recognized. Mr. Susi cited concerns about drainage. He stated that the property should not be developed at the expense of an existing established neighborhood. He explained that he purchased his home because the street ended in a cul-de-sacs, and the proposed subdivision removed the cul-de-sac and created a through street. He pointed out that the cul-de-sac at the south end of the neighborhood had always had a gate blocking traffic, but the gate has been open. He suggested that the cul-de-sac at NW 28<sup>th</sup> Street be kept intact, and traffic be directed north.

Mr. Abbaschian, 2630 NW 27<sup>th</sup> Terrace, was recognized. He asked if there were going to be green buffers for the lots on the east in Fox Grove.

Mr. Spain stated that all of the trees on the lots on the east side would remain as a buffer.

Ms. Morgan, speaking to Mr. Susi's questions about the cul-de-sac, explained that NW 23<sup>rd</sup> Avenue, while undeveloped, was a through street, and NW 28<sup>th</sup> Street was not, nor had it ever been, a cul-de-sac street in terms of actual right-of-way.

Chair Houston closed the public portion of the hearing.

Mr. Shatkin requested that the developer address the issue of access on NW 28<sup>th</sup> Place as opposed to access via NW 28<sup>th</sup> Street.

Ms. Polopolus asked if the developer ever considered a through street access from both Glen Springs Road and NW 28<sup>th</sup> Street.

Mr. Cullen explained that the actual public right-of-way existed at NW 28<sup>th</sup> Street. He pointed out that NW 28<sup>th</sup> Place was an emergency access across a private parcel. He noted that NW 28<sup>th</sup> Street was constructed as a cul-de-sac at NW 23<sup>rd</sup> Avenue in the original development, however, NW 23<sup>rd</sup> Avenue was a public right-of-way.

Mr. Higman asked if Parcel "A" on NW 28<sup>th</sup> Place where the emergency access was to be located would be part of the subdivision.

Mr. Cullen indicated that Parcel "A" had to be included in the subdivision because of legal requirements on the plat, but would not be developed as part of the subdivision.

Ms. Cooper asked about the stormwater and a possibility of a berm along the west property line.

Mr. Cullen explained that, while there had been preliminary analysis, as yet, there was no stormwater design for the property. He noted that the width of the buffer, the design of the stormwater system, soil borings and other requirements, had not been completed. He indicated that, as project engineer, he would be required to account for every change of normal land surface in the project, and he would be sure that no increase in volume or decrease in quality would occur off site.

Ms. Cooper asked about the timeframe citizens should expect if they wished to view the plans before they came to the City Commission.

Mr. Cullen discussed the timeframe for submissions to the City and the Water Management District. He indicated that he expected to submit the design within a month and have it on the City Commission agenda in 2 to 3 months. He also discussed the Water Management District's time schedule for public notice, reviewing projects and granting permits.

Mr. Shatkin asked if the project was required to retain the water for 72 hours for the building area of a building or residence.

Mr. Cullen explained that the technical aspect of the stormwater was complex with many issues. He explained that, for 72 hours following a 24-hour storm event, the rate or volume of water runoff could not be increased over pre-development conditions. He noted that the requirement was part of the Hogtown Creek Basin criteria. He indicated that it couldn't be done during the storm event, but for 72 hours after the event, the rate or volume of water runoff could not be increased.

Mr. Shatkin asked how the determination was made of whether the construction of a 3,000 square foot building would increase the runoff.

Mr. Cullen explained that, any increase or change of impervious surface would increase the rate of runoff, however, certain design aspects would reduce that rate and not allow it to be discharged off site. He noted that berms and increases of vegetation in the buffers were two ways in which runoff rates might be decreased.

Mr. Shatkin noted that a basin had been designed for the road, but he questioned how retention would be provided for the west side of the property.

Mr. Cullen stated that there could be a number of ways to reduce total volume of increase in water runoff from the houses. He pointed out that the houses would not have all the roofs slanted to the west, and would have to take a more circuitous route around the house. He explained that wide enough buffers could be created and increased by design procedure, so that by the time the water transversed the buffer, it would be slowed and treated before it entered the Hogtown Creek system. Mr. Cullen indicated that the buffer would be locked into a conservation buffer where it would not be disturbed. He noted that a majority of the trees on the site would also be in a conservation buffer. He indicated that the buffers were what was envisioned at the present, however, all calculations would have to be proved by detailed engineering analysis. He explained that, if the runoff could not be dealt with through buffers, berms or retention basins might be employed.

Mr. Shatkin pointed out that the board had not received any information about any proposed landscaping. He requested that staff clarify the process of what the board was approving.

Mr. Calderon explained that the board's role was to make a determination on splitting a vacant piece of property into a number of parcels. He noted that each of the individual lots had to meet Zoning Code and stormwater requirements. He indicated that the board's function was to determine if the subdivision met the Code. He noted that many questions had been raised concerning stormwater. He indicated that, while he understood the basis for the questions, unless the board wanted information on technicalities from the City Engineer, they would have to accept staff's recommendation that the design would meet Code requirements. Mr. Calderon stated that, by Code, the petitioner could not generate more runoff with development than was already coming from the site. He explained that, unlike a commercial development, landscaping in subdivisions involved broader issues. He suggested that the board's questions seemed to be looking into more technical aspects of the subdivision.

Ms. Morgan noted that, regarding the emergency access, the City would probably require some indemnification should the fire trucks actually have to use that ingress. She stated that the design plat was the proposed layout, and if the petitioners couldn't meet the stormwater requirements with that layout, they would have to return to the board with a revised design plat. She noted that the proposed single lots averaged 1 acre which was much less dense than some subdivisions the board had reviewed. She explained that other subdivisions the board had reviewed involved 3 and 1/2 to 4 units per acre, which required stormwater basins.

Mr. Spain stated that he was concerned about the stormwater. He indicated that he wanted it to be on the record that he had instructed the engineers that he wished to exceed the minimum requirements. He noted that if the design showed flaws, he would do whatever was necessary to meet and exceed the requirements by a factor of at least 10 percent.

Ms. Cooper stated that she wished more information on calculations. She explained that, if the petitioner knew the square footage of the houses, there would be better information presented.

Ms. Morgan explained that the board was not normally presented with calculations in the subdivision phase of a development. She indicated the only calculations the City usually received at the early stage for a design plat were based upon the soil types. She noted that more information would be presented in construction drawings. She explained that a design plat was very expensive and a petitioner did not wish to spend that kind of money until they were sure of what would be allowed in terms of the number of units, size of the lots, and location of the access points. Ms. Morgan indicated that the present stage involved looking at the layout of the subdivision in light of Code requirements.

<b>Motion By:</b> Ms. Foerster	<b>Seconded By:</b> Ms. Polopolus
<b>Moved To:</b> Approve Petition 159SUB-03 DB, with staff conditions.	<b>Upon Vote:</b> Motion Carried 6-0 Yeas: Cooper, Foerster, Higman, Polopolus, Shatkin, Houston