# DEVELOPMENT REVIEW COMMITTEE
# MEETING MINUTES
# September 7, 2005

DRC Members present: David McDevitt, Development Services Director
Tony Park, Public Works Director
Roxanne Manning, TLCPD Land Use Manager

Meeting was called to order by David McDevitt at 10:05am.

**Chason Woods Type "C" Site and Development Plan:**
Scott Brockmeier, Planner II, gave an overview of the proposed development. The applicant proposes to develop an approximately 700 acre tract zoned Urban Fringe (UF) as a public "cluster subdivision". Within cluster development, 25% of the site (174.6 acres +/-) may be developed, thereby allowing a gross density of up to four units per acre on the developable portion (if served by central sewer; two units per acre on septic tanks). The applicant has proposed 230 single family residential units on 24.9% of the site which comprises a total of 174.39 acres +/-. The remaining undeveloped portion of the site (524.01 acres +/-) will be preserved as undisturbed open space. The site is located at the northeast intersection of Wakulla Springs Road (SR 61, Minor Arterial) and County Line Road. The property is bound on the north by Liberty Ridge Unrecorded Subdivision, and on the east by Shaw Plantation Recorded Subdivision. Significant environmental features prevail over most of the site, mostly on the western portion. The site is located in the Woodville Karst Plain, which has been determined by the NWFWMD to have higher susceptibility to groundwater degradation than other areas of the county. The properties are proposed to be served by City of Tallahassee Water and Talquin Electric. Sanitary waste treatment is proposed through the use of on-site septic tanks.

Staff recommends approval with the following conditions:

1. The site and development plan shall be revised to mitigate potential adverse impacts to the ground water system and Floridan Aquifer.

2. The site and development plan application shall be revised to include Homeowners Association (HOA) documents/covenants and restrictions approved by the Public Works and Growth Management Departments and approved as to form by the County Attorney's Office. These proposed covenants and restrictions shall contain agreements for the continued maintenance of common areas, easements and facilities.

3. The site and development plan application shall be revised to provide a 10-foot sign easement located at each entrance dedicated to an entity (HOA) that has the financial responsibility of maintaining this easement. A note should be included on the site plan which indicates the entity responsible for ownership and maintenance of this area, as well as, any signs or other structures that may be permitted there.

4. The site and development plan application shall be revised to include an approved Environmental Impact Analysis (EIA) is required prior to receiving approval.

5. The site and development plan application shall be revised to include an approved utility concept plan from all providers of utilities proposed to serve the development, as required by Section 10-1481.3(b)(i)aa.

4. The site and development plan application shall be revised to document receipt of approval from the City of Tallahassee utility to construct roads through their existing easements (City of Tallahassee 150' Electric Transmission Line Easement, OR Bk 243 Pg 335).

5. The site and development plan application shall be revised to document approval of all proposed street names by the GEM Addressing Section.

6. The site and development plan application shall be revised so that note #12 on sheet 3 of 19 of the site and development plan states: "The remaining portion of the cluster site shall be preserved as undisturbed open space until such time as these sites are included in the Urban Service Area. Subsequent to the inclusion of this area in the Urban Service Area, review by the Leon County Board of County Commissioners may be requested to authorize development of the open space outside of any conservation easements."

7. The site and development plan application shall be revised to reconcile discrepancies between the land area set aside for conservation areas as indicated on sheets 3 and 19 of the site and development plan. Undisturbed/undeveloped (open space) areas must be equal to or greater than 75% of the entire site.

8. The site and development plan application shall be subject to approval of the exchange of Leon County right-of-way and negotiations for improvements to Sunflower Road.

Nawfal Ezzagaghi, Environmental Review Supervisor, stated that the EIA had been issued and he deferred to Tony Park of Public Works.

Ms. Manning asked what type of septic system would be used. She discussed the following preferred design alternatives relating to the proposed septic system:

1. Connection to and utilization of central sanitary sewer;

2. Connection to and utilization of an advanced waster water treatment facility (package treatment facility); with the establishment of an entity responsible for regular, periodic maintenance and operation of this facility; and, which can

guarantee the financial wherewithal to commit to operation and maintenance of this system in perpetuity; or

3. Connection to and utilization of performance-based aerobic septic tank systems that remove nitrogen from sanitary effluent in conjunction with the use of drip irrigation for each system; such systems shall be approved and licensed by the State of Florida Environmental Health Department.

It was also noted that the Leon County Health Department recommends the exclusive use of performance based onsite sewage treatment systems designed to reduce nitrogen in combination with a drip irrigation drainfield. Ms. Manning suggested that of the three preferred design alternatives, that the DRC, at a minimum, recommend #3 as a condition of approval.

Mr. Park asked if there was discussion regarding a Comprehensive Plan amendment for this area. Ms. Manning answered that there was an amendment submitted to increase standards for protection of groundwater, which would make alternative treatment a requirement. This amendment has already been submitted to DCA and will hopefully pass in December, 2005.

Mr. Park stated that his Department had the following conditions to add:

1. The provided geotechnical report does not indicate that the geotechnical engineer had a clear understanding of the proposed project. He clearly states that it is his "understanding that the pond bottoms elevations differ from the existing feature bottom elevations by only one foot"; however, pond #6 is being dug to a depth of 2 feet below the karst features (k-47 and k-48) bottom elevations. The report does clearly state that prior to using k-47 as a SWMF, additional testing must be performed.

   The report does not address the removal of six feet of the overburden soil on karst k-50 in which a large portion of the feature is being completely excavated, while the remaining portion will be filled to provide a berm for access and to create a wall to hold back the stormwater. The extent of disturbance must be acknowledged and determined acceptable by the Geotechnical Engineer.

2. Specific direction at a meeting on August 18, 2005, was given to the engineer to overlay the proposed construction of ponds with the karst features for the geotech to review and certify that the borings were properly located pond boundaries. The geotechnical report states that "the locations and elevations of the bores were estimated"; therefore, we cannot determine if the bores were taken at the specific pond locations.

3. The dedicated right-of-way for the SWMFs and conveyance system must be clearly delineated on the plans. This area must include sufficient access at the base of the indicated pond berms to allow maintenance vehicles to operate.

4. Provide note that identifies the underlying ownership of land in easement or common space outside of lots.

5. The area south of pond #5 appears to be part of the dedicated facility on sheets 3 and 5, but sheet 19 shows this area as Open Space. Please clarify.

6. The typical section must include a 10 foot utility easement which can be overlapped with a pedestrian easement if this is desired, or at a minimum 10' x 10' utility easement for the location of utility pedestals and/or poles on common lot lines.

7. The abandonment of Leon County right-of-way must be addressed and will have to be approved by the Board of County Commissioners.

Mr. Park noted that the abandonment of easement can be done at the time of platting. He also noted his agreement with Ms. Manning that #3 of the design alternative in the staff report relating to the septic systems needs to be a condition.

It was clarified that there is a buffer to the north between this proposed subdivision and Liberty Ridge Subdivision. Also, it was noted that of Public Works' conditions, only the one relating to the testing of k-47 may cause a modification to the site plan, depending on the results.

Ms. Manning made a motion to recommend to the Board of County Commissioners approval of the Chason Woods Type "C" Site and Development Plan with the following conditions:

1. The site and development plan shall be revised to mitigate potential adverse impacts to the ground water system and Floridan Aquifer.

2. The site and development plan application shall be revised to include Homeowners Association (HOA) documents/covenants and restrictions approved by the Public Works and Growth Management Departments and approved as to form by the County Attorney's Office. These proposed covenants and restrictions shall contain agreements for the continued maintenance of common areas, easements and facilities.

3. The site and development plan application shall be revised to provide a 10-foot sign easement located at each entrance dedicated to an entity (HOA) that has the

financial responsibility of maintaining this easement. A note should be included on the site plan which indicates the entity responsible for ownership and maintenance of this area, as well as, any signs or other structures that may be permitted there.

4. The site and development plan application shall be revised to include an approved utility concept plan from all providers of utilities proposed to serve the development, as required by Section 10-1481.3(b)(i)aa.

5. The site and development plan application shall be revised to document receipt of approval from the City of Tallahassee utility to construct roads through their existing easements (City of Tallahassee 150' Electric Transmission Line Easement, OR Bk 243 Pg 335).

6. The site and development plan application shall be revised to document approval of all proposed street names by the GEM Addressing Section.

7. The site and development plan application shall be revised so that note #12 on sheet 3 of 19 of the site and development plan states: "The remaining portion of the cluster site shall be preserved as undisturbed open space until such time as these sites are included in the Urban Service Area. Subsequent to the inclusion of this area in the Urban Service Area, review by the Leon County Board of County Commissioners may be requested to authorize development of the open space outside of any conservation easements."

8. The site and development plan application shall be revised to reconcile discrepancies between the land area set aside for conservation areas as indicated on sheets 3 and 19 of the site and development plan. Undisturbed/undeveloped (open space) areas must be equal to or greater than 75% of the entire site.

9. The site and development plan application shall be subject to approval of the exchange of Leon County right-of-way and negotiations for improvements to Sunflower Road.

10. The provided geotechnical report does not indicate that the geotechnical engineer had a clear understanding of the proposed project. He clearly states that it is his "understanding that the pond bottoms elevations differ from the existing feature bottom elevations by only one foot"; however, pond #6 is being dug to a depth of 2 feet below the karst features (k-47 and k-48) bottom elevations. The report does clearly state that prior to using k-47 as a SWMF, additional testing must be performed.

The report does not address the removal of six feet of the overburden soil on karst k-50 in which a large portion of the feature is being completely excavated, while the remaining portion will be filled to provide a berm for access and to create a wall to hold back the stormwater. The extent of disturbance must be acknowledged and determined acceptable by the Geotechnical Engineer.

11. Specific direction at a meeting on August 18, 2005, was given to the engineer to overlay the proposed construction of ponds with the karst features for the geotech to review and certify that the borings were properly located pond boundaries. The geotechnical report states that "the locations and elevations of the bores were estimated"; therefore, we cannot determine if the bores were taken at the specific pond locations.

12. The dedicated right-of-way for the SWMFs and conveyance system must be clearly delineated on the plans. This area must include sufficient access at the base of the indicated pond berms to allow maintenance vehicles to operate.

13. Provide note that identifies the underlying ownership of land in easement or common space outside of lots.

14. The area south of pond #5 appears to be part of the dedicated facility on sheets 3 and 5, but sheet 19 shows this area as Open Space. Please clarify.

15. The typical section must include a 10 foot utility easement which can be overlapped with a pedestrian easement if this is desired, or at a minimum 10' x 10' utility easement for the location of utility pedestals and/or poles on common lot lines.

16. The abandonment of Leon County right-of-way must be addressed and will have to be approved by the Board of County Commissioners.

17. Connection to and utilization of performance-based aerobic septic tank systems that remove nitrogen from sanitary effluent in conjunction with the use of drip irrigation for each system; such systems shall be approved and licensed by the State of Florida Environmental Health Department.

Mr. Park seconded the motion, all voted in favor, and motion passed. Mr. Brockmeier requested that revised plans be resubmitted for review prior to going before the Board. Mr. McDevitt stated that revised plans should be submitted by September 27th.

**Bradfordville Commercial Center (fka Fregley Property) Type "B" Site and Development Plan:**

In Ryan Culpepper's absence, Joan Schairer, Senior Planner, gave the overview of this project. The proposal is for a major modification to the previously approved 6,000 square foot commercial building to construct a two-story, 12,340 gross square foot building that will contain approximately 10,000 square feet of leasable area. The applicant also proposes to construct associated parking areas and stormwater management facilities, and to connect to Old Bradfordville Road and Thomasville Road. Electric and water service will be provided by Talquin Electric Cooperative. The City of Tallahassee Central Sewer will be utilized for the subject parcel.

Staff recommended approval with the following conditions:

1. The site and development plans hall be revised to include documentation of receipt of an approved Environmental Impact Analysis (R|EIA).

2. The site and development plan shall be revised to reconcile the discrepancy between the labeling and graphics on Sheet 6.0 of the site and development plan regarding "arterial landscaping".

3. The site and development plan shall be revised to provide additional interior landscape islands (within the parking lot).

4. The site and development plan shall be revised to convert six compact spaces into regular parking spaces.

5. The site and development plan shall be revised to include a note that states the development is limited to 10,000 square feet of gross leasable area.

6. The site and development plan shall be revised to include documentation of approval from Talquin Electric and the City of Tallahassee for the water and sewer conceptual utility plans.

7. The site and development plan shall be revised to include documentation of tax receipts from the Tax Collector's Office noting current property taxes.

8. The site and development plan shall be revised in accordance to the above findings, the Type "B" Checklist, and any other Department's comments.

9. The site and development plan shall be revised to show the typical section of screening used for refuse collection areas.

10. The site and development plan shall be revised to show the typical section of lights used.

11. The applicant shall provide the Aquifer Protection Clearance letter.

12. The applicant shall provide documentation from the City of Tallahassee regarding the easements' acquisition.

It was also noted that the following preferred design alternative should be considered by the applicant:

Revise the site and development application so that the roof incorporates the use of varied or parapet design. A flat roof is not desirable.

Mr. Ezzagaghi stated that the EIA had not been approved at this time. He also clarified that the development will be required to comply with the 1.125 inch rule regarding the stormwater facility treatment, and that this information would need to be provided prior to EIA approval.

Ms. Manning had no comments.

Mr. Park provided the following conditions of approval:

1. Plantings should be limited to subject property and not extend out into the Old Bradfordville right-of-way.

2. Utility easements will be required from adjacent property owners for the proposed sewer connection and must be shown on the plans. These easements should be granted prior to the project's approval. Without the easements, the site may not be able to be developed as proposed. Easement from Leon County will require Board action to grant.

Mr. Park asked for clarification regarding the proposed flat roof on the building. Pursuant to Court Order (Stipulated Final Judgment Case No. 92-754), the subject site property is entitled to develop in compliance with the General Commercial (C-2) district in effect prior to 1992. Therefore, the applicant is not required to meet the Bradfordville Site and Building Design Standards. Mr. McDevitt noted, however, that the applicant had met these standards in all other areas, as well as worked with the County to realign the driveway with the Target entrance and saved a patriarch tree on the site. It was suggested that the applicant reduce the number of compact car spaces and provide additional landscaping in the parking area.

Discussion followed regarding approving this project with conditions prior to receiving the EIA approval, but Mr. Ezzagaghi stated that was not recommended. Therefore, Mr. Park made a motion to continue the Bradfordville Commercial Center Type "B" Site and Development Plan with the conditions noted above to the September 21, 2005 DRC meeting to allow additional time for EIA approval. Mr. Manning seconded the motion, all voted in favor and motion passed.

**Jackson Forest Subdivision (fka Pedrick Road Subdivision) Type "B" Site and Development Plan:**

In Weldon Richardson's absence, Joan Schairer, Senior Planner, gave an overview of the proposed project. The applicant is proposing to develop an approximately 7.15 acre tract at 1307 Pedrick Road as a private, 25 lot residential subdivision. The parcel is located inside the Urban Service Area (USA) and is zoned Residential Preservation (RP). The property is bounded on the south by Sugar Mill subdivision, the east by Sedgefield subdivision, and the west by Pedrick Plantation. Water, electric and sanitary sewer will be provided by the City of Tallahassee.

Staff recommends approval of with the following conditions:

1. The proposed subdivision shall connect the street system to Oak Edge Road to the south, and shall provide an improved stub-out to the north for future interconnection.

2. The applicant must place a note on the plan indicating that tree mitigation plans will be provided at the time of Environmental Permitting.

3. Please provide on the site and development plan the latest stormwater management facility modification.

4. Please provide to Weldon Richardson, Planner II, a copy of the proposed Homeowner's Agreement, Covenant and Restrictions regarding the maintenance of private easements. This document must be approved as to form by the County Attorney prior to approval of the proposed development.

Mr. Ezzagaghi noted that even though the EIA had been approved, he recommended that the site and development plans be revised to reflect the latest stormwater management facility modification. He also asked that the applicant place a note on the site and development plans indicating that tree mitigation plans will be provided at the time of Environmental Permitting.

Ms. Manning asked that a condition be included to require a vehicular and pedestrian connection to Oak Edge Road be provided, and that the Planning Department would support lot setback or other deviations to make this interconnection possible.

Mr. Park asked that the following conditions for approval be added:

1. Provide a note that identifies the underlying ownership of land in easement or common space outside of lots.

2. The typical section must include a 10 foot utility easement and should include utility placement per the Utility Placement Guidelines.

3. All sidewalks must be built to ADA standards.

4. The developer will be responsible for cost of County installed signs and/or pavement markings.

Discussed the applicant's proposal of a private versus public subdivision. It was determined this was due to the lack of adequate access to the stormwater management facility (SWMF) that is required by the County. Mr. McDevitt recommended a preferred design alternative to convert the proposed subdivision from a private to a public subdivision by modifying the site and development plan to ensure adequate SWMF maintenance access and by completing the required vehicular interconnection to the south.

Mr. Park made a motion to approve the Jackson Forest Subdivision Type "B" Site and Development Plan with the following conditions:

1. The proposed subdivision shall connect the street system to Oak Edge Road to the south, and shall provide a stubout to the north for future interconnection.

2. The applicant must place a note on the plan indicating that tree mitigation plans will be provided at the time of Environmental Permitting.

3. Please provide on the site and development plan the latest stormwater management facility modification.

4. Please provide to Weldon Richardson, Planner II, a copy of the proposed Homeowner's Agreement, Covenant and Restrictions regarding the maintenance of private easements. This document must be approved as to form by the County Attorney prior to approval of the proposed development.

5. Provide a note that identifies the underlying ownership of land in easement or common space outside of lots.

6. The typical section must include a 10 foot utility easement and should include utility placement per the Utility Placement Guidelines.

7. All sidewalks must be built to ADA standards.

8. The developer will be responsible for cost of County installed signs and/or pavement markings.

9. The applicant shall consider the preferred design alternative to develop the subdivision as a public subdivision.

Ms. Manning seconded the motion, all voted in favor and motion passed.

**Lake Belmont Estates Type "B" Site and Development Plan:**
Scott Brockmeier, Planner II, gave an overview of the proposed project. The applicant proposes to develop four (4) three (3) acre lots from a 14.09 acre parcel that is zoned Urban Fringe (UF) with a Residential Preservation (RP) overlay. The site is located outside the USA in the existing, recorded Dublin Down, Unit I subdivision. The site contains areas of wetlands, waterbodies, and significant slopes which are clearly defined as "environmentally sensitive areas". The applicant has proposed measures to mitigate the adverse affects of the development on these areas through the creation of on-site conservation/preservation areas. The remaining area is for a proposed private road, stormwater facilities, and landscape buffers. The site is located in proximity to the northwest corner of Bradfordville Road (Major Collector) and Centerville Road (Minor Arterial). Access is proposed from Bradfordville Road. The property is bounded on the north, south, and west by Dublin Downs Phase I recorded subdivision. Connection to City water utilities is proposed, and sewage treatment will be provided by individual, private septic tanks.

Staff recommends approval with the following conditions:

1. There is a berm/swale on the north portion of the site that is encroaching the proposed conservation easement #1. No development or alterations may occur within the limits of a conservation easement. Please revise the site and development plan.

2. Indicate on the site and development plan the entity responsible for ownership/maintenance of the landscape buffers.

3. The revised convenants and restrictions have been submitted to the County Attorney. An agreement for the continued maintenance of the roads, SWMFs, drainage easements, and common areas must be in place. The revised documents have been forwarded to the County Attorney's Office for review.

4. The street name proposed (Lake Belmont Court) must be approved by the Leon County Addressing Unit prior to final approval.

Ms. Manning had no additional comments.

Mr. Park added the following conditions of approval:

1. All SWMFs and conveyance systems must be located inside dedicated drainage easements, which are clearly delineated, to the HOA, with sufficient access for maintenance and shown on all sheets.

2. The bridal trail along the frontage should be placed in an easement and shown as such on all sheets. Currently, it is shown in the plans as a Bridal Access, not an easement with buffers overlapping the easement.

3. Show driveway on the adjacent lot relative to the project site.

Grady Underwood, Environmental Review Specialist, reiterated the above condition about the SWMF encroachment into the buffer zone. He requested an adjustment to the site plan so there is no encroachment. He added the following issues that must be addressed during Environmental Permitting:

1. All required revisions concerning filter system and discharge pipes for the stormwater facilities must be addressed.

2. Conservation easement documents must be provided.

3. The proposed Covenants and Restrictions document must be revised. The applicant must provide a section concerning preservation of the areas on the plan delineated and labeled as Conservation Easements.

Letters received in opposition to the development were reviewed and discussed. Mr. Brockmeier stated that it was the determination of the County Attorney that the County does not enforce nor address private convenants and restrictions unless County owned properties are themselves subject to those covenants and restrictions. Therefore, regardless of whether or not there are private actions ongoing to mediate, negotiate, or litigate, as long as the project and the completed application meets all of the requirements set forth in the Leon County Code of Laws, the Growth and Environmental Management Department, on behalf of the County, must issue all necessary permits and approvals as requested by the applicant.

It was also determined that the minimum lot size in the subject development is consistent with the UF zoning district, and was larger than the smallest lot in Dublin Downs recorded subdivision. The Zoning Code states lot size must be consistent with the underlying zoning code. The proposed development complies with this regulation.

It was also noted that the County Attorney stated that the Bradfordville Study Area Stormwater Management Standards are not applicable to this development.
Ms. Manning stated that while she understands the citizens' concerns, she is bound to abide by the Code and therefore is proposing approval of the project.

Mr. Park made a motion to approve the Lake Belmont Estates Type "B" Site and Development Plan with the following conditions:

1. There is a berm/swale on the north portion of the site that is encroaching the proposed conservation easement #1. No development or alterations may occur within the limits of a conservation easement. Please revise the site and development plan.

2. Indicate on the site and development plan the entity responsible for ownership/maintenance of the landscape buffers.

3. The revised convenants and restrictions have been submitted to the County Attorney. An agreement for the continued maintenance of the roads, SWMFs, drainage easements, and common areas must be in place. The revised documents have been forwarded to the County Attorney's Office for review.

4. The street name proposed (Lake Belmont Court) must be approved by the Leon County Addressing Unit prior to final approval.

5. All SWMFs and conveyance systems must be located inside dedicated drainage easements, which are clearly delineated, to the HOA, with sufficient access for maintenance and shown on all sheets.

6. The bridal trail along the frontage should be placed in an easement and shown as such on all sheets. Currently, it is shown in the plans as a Bridal Access, not an easement with buffers overlapping the easement.

7. Show driveway on the adjacent lot relative to the project site.

Ms. Manning seconded, all voted in favor and motion passed. It was noted for the record that this project was not subject to Board of County Commissioner approval as erroneously stated in the staff report.

The next DRC meeting will be held on September 21, 2005. The Bradfordville Commercial Center project will be presented again at that time.

Meeting adjourned at 11:35am.