



# City of Alachua

## Planning & Community Development Department

### Staff Report

**Planning & Zoning Board Hearing Date:**  
**Quasi-Judicial Hearing**

November 18, 2025

**Application #:** PSE22-0002

<b>SUBJECT:</b>	A request for a special exception permit to allow the placement of a minor utility (stormwater management facilities) in the Agricultural (A) zoning district that could potentially support future development on adjacent lands zoned Community Commercial (CC).
<b>APPLICANT/AGENT:</b>	Clay Sweger, AICP, LEED AP, eda consultants, inc.
<b>PROPERTY OWNER:</b>	Tara Forest, LLC
<b>LOCATION:</b>	Generally, north of US 441, east of I-75 and April Boulevard, and west of Mill Creek
<b>PARCEL ID NUMBER:</b>	03020-000-000
<b>FLUM DESIGNATION:</b>	Agriculture
<b>ZONING:</b>	A (Agricultural)
<b>OVERLAY:</b>	Gateway Overlay District
<b>ACREAGE:</b>	± 58.30
<b>PROJECT PLANNER:</b>	Bryan S. Thomas, AICP
<b>RECOMMENDATION:</b>	Staff recommends that the Planning & Zoning Board approve the Special Exception Permit to allow stormwater retention and detention facilities on portions of Tax Parcel number 03020-000-000, subject to the nine conditions provided in Exhibit "A" and located on page 22 of the November 18, 2025, Staff Report to the Planning and Zoning Board.

**RECOMMENDED  
MOTION:**

*I move that, based upon the competent substantial evidence presented at this hearing, the presentation before this Board, and Staff's recommendation, this Board finds the application to be consistent with the City of Alachua Comprehensive Plan and in compliance with the Land Development Regulations and approves Application #PSE22-0002 to allow the placement of a minor utility (stormwater management facilities) in the Agricultural (A) zoning district that could potentially support future development on adjacent lands zoned Community Commercial (CC) on a portion of Tax Parcel number 03020-000-000, subject to the nine conditions provided in Exhibit "A" and located on page 22 of the November 18, 2025, Staff Report to the Planning and Zoning Board.*

## SUMMARY

The proposed Special Exception Permit is a request by Clay Sweger, AICP, LEED AP, of eda consultants, inc., applicant and agent for Tara Forest, LLC, property owner, for consideration of a Special Exception Permit to allow the placement of a minor utility (stormwater management facilities) in the Agricultural (A) zoning district that could potentially support future development on adjacent lands zoned Community Commercial (CC) on portions of Tax Parcel number 03020-000-000. The stormwater facilities associated with this development are proposed to be placed on a portion of the subject property with an A (Agricultural) zoning designation.

Section 4.3.2 (l)(4) provides use-specific standards for minor utilities, which include stormwater ponds:

- (a) *Location.* Be located within reasonable proximity of the area to be served. Stormwater detention and retention facilities may be permitted by special exception permit on properties with less intense zoning district designations under common ownership, subject to the following requirements:
  - (i) The zoning designation of the location of the stormwater detention and retention facility allows minor utilities; and,
  - (ii) The stormwater detention and retention facility meets the compatibility requirements as set forth in Subsection 4.3.2(l)(4)(b); and,
  - (iii) The stormwater detention and retention facility provides an enhanced natural (e.g., increased topographic relief, vegetative diversity, etc.) or recreational (e.g., perimeter trail, boardwalk, interpretive kiosk, etc.) functional use.

Section 2.4.4(A) of the City's LDRs states that uses that require a special exception permit are those which are, “*...generally compatible with the other uses permitted in a zone district, but require individual review of their location, design, configuration, density, intensity, and public facility impact to determine the appropriateness of the use on any particular site in the district and their compatibility with adjacent uses.*” Once a special exception is granted, the approval shall run with the land and shall not be affected by a change in ownership, unless specifically conditioned as part of the approval.

This application is limited to consideration of the use of the subject property for placement of stormwater management facilities. Should this application be approved, such approval does not imply, vest or guarantee approval of future offsite development that may be proposed for drainage into these facilities.

The prohibited uses proposed by the applicant have been included in the recommended conditions listed in Exhibit A of this staff report and are narrowly tailored to protect nearby wetlands and natural features by eliminating uses that would allow for the accumulation of hazardous materials.

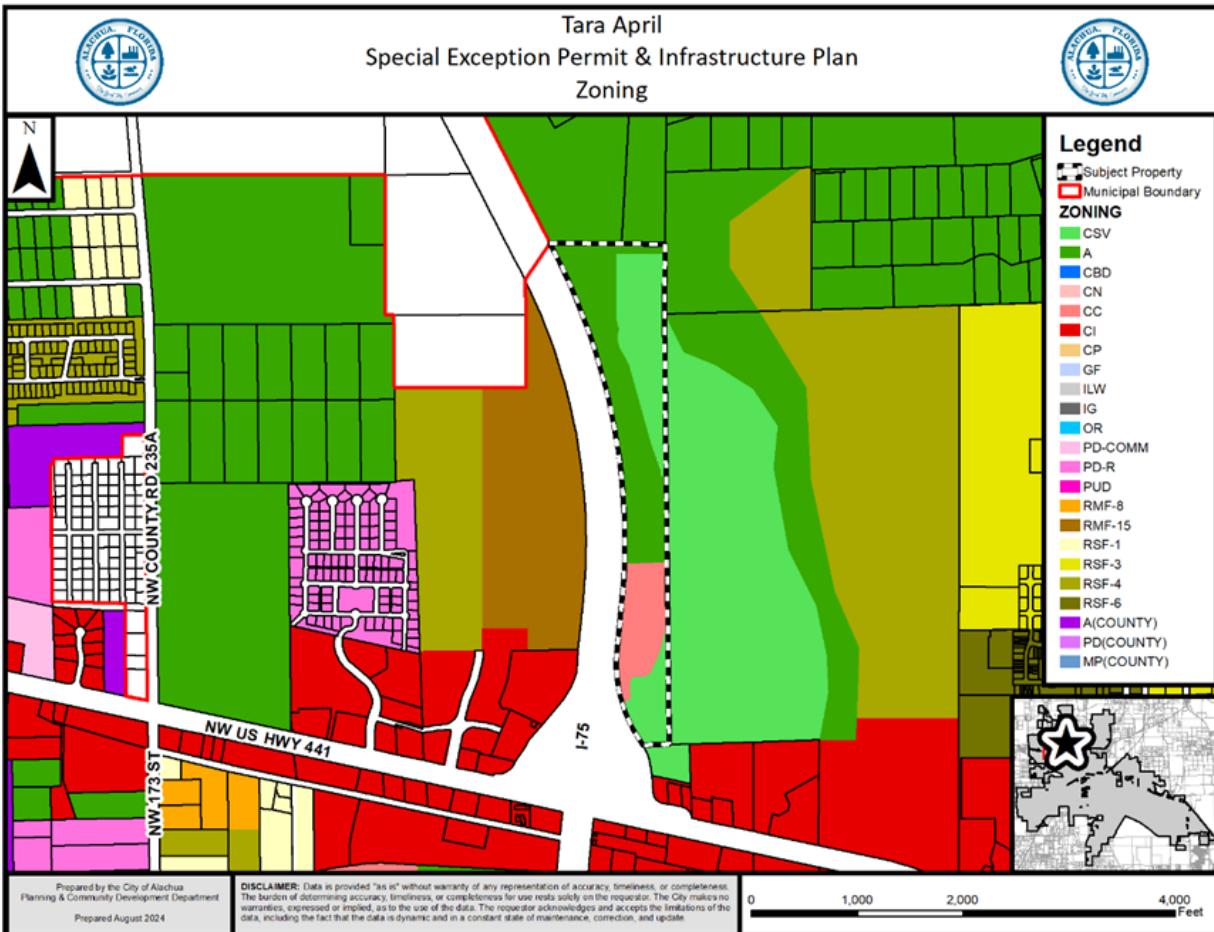


Figure 1. City of Alachua Official Zoning Atlas

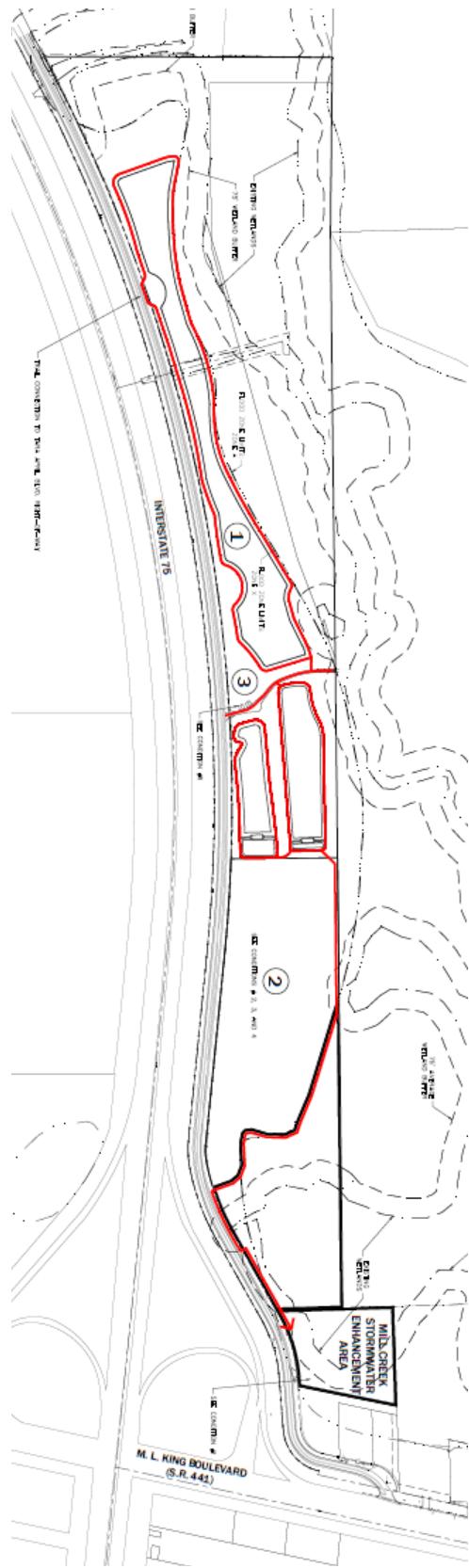


Figure 2. Tara April Special Exception Overview

## EXISTING USES

The subject property is undeveloped and is comprised of a mixture of cleared lands and naturally wooded areas.

## SURROUNDING USES

The existing uses, Future Land Use Map (FLUM) designations, and zoning districts of the surrounding area are identified in Table 1. Figure 3 provides an overview of the vicinity of the subject property. (NOTE: The information below is intended to provide a general overview of the area surrounding the subject property and to generally orient the reader. The information below is not intended to be all-inclusive, and may not identify all existing uses, FLUM designations, and/or zoning districts surrounding the subject property.)

**Table 1. Surrounding Land Uses**

Direction	Existing Use(s)	FLUM Designation(s)	Zoning District(s)
North	Campground	Agriculture	Agricultural (A)
South	Minor Utility Conservation	Conservation	Conservation (CSV)
East	Conservation	Conservation	Conservation (CSV)
West	Interstate 75	N/A	N/A



**Figure 3. Vicinity Map**

## NEIGHBORHOOD MEETING

The purpose of a Neighborhood Meeting is to educate the owners of nearby land and any other interested members of the public about the project and to receive comments regarding the project. As required by Section 2.2.4 of the LDRs, all property owners within 400 feet of the subject property were notified of the meeting and notice of the meeting was published in a newspaper of general circulation.

Neighborhood Meetings were held on April 25, 2022 and May 11, 2022 at the Alachua Branch Library. The applicant was present and available to answer questions at both meetings. Materials submitted by the applicant indicate that both meetings were not attended by any members of the public.

# COMPREHENSIVE PLAN CONSISTENCY ANALYSIS

The goals, objectives, and policies (GOPs) identified below are provided to establish a basis of the application's consistency with the Comprehensive Plan. There may be additional GOPs which the application is consistent with that are not identified within this report. An evaluation and findings of consistency with the identified GOPs is also provided below.

The property currently has the following Future Land Use Map designations: Recreation, Conservation, and Commercial. Staff finds the application consistent with the City of Alachua Comprehensive Plan and the GOPs therein.

## Future Land Use Element

### *Goal 1: Future Land Use Map 2035*

The City shall maintain a Future Land Use Map in order to effectively guide development in a sustainable manner and to ensure economic prosperity and stability while maintaining a high quality of life for all of its present and future citizens, businesses, and visitors.

### *Objective 1.3: Commercial & Mixed-Use*

The City shall establish three commercial and mixed-use land use categories: Community Commercial, Commercial, and Central Business District. These land use categories shall provide a broad range of commercial uses, including retail sales and services, personal services, offices, and tourist-oriented uses, and the potential for mixed-use developments in order to provide for the availability of goods and services, both to the citizens and visitors of Alachua and to the citizens of the North Central Florida region while diversifying the housing stock.

**Policy 1.3.b:** *Commercial:* The Commercial land use category is established to provide for general commercial uses, as well as more intense commercial and highway commercial uses. This is the land use category in which largescale, regional commercial uses may locate. The following uses are allowed within the Commercial land use category:

1. Retail sales and services;
2. Personal services;
3. Financial institutions;
4. Recreation and entertainment;
5. Tourist-related uses;
6. Visitor accommodations;
7. Commercial shopping centers;
8. Auto-oriented uses;
9. Traditional Neighborhood Planned Developments;
10. Employment Center Planned Developments;
11. Commercial recreation centers;

12. Office/business parks;
13. Limited industrial services;
14. Eating establishments;
15. Single family attached units;
16. Apartments and townhomes;
17. Duplexes and quadplexes;
18. Single-family and multi-family residential above first floor commercial uses;
19. Convention centers; and,
20. Supporting community services such as schools, houses of worship, parks, and community centers.

Development in the Commercial land use category may occur as mixed-use or non-mixed-use.

**Policy 1.3.i:** The following sub-policies shall be applicable to Tax Parcel 03020-000 000 or any subset of the parcel.

1. In order to enhance stormwater treatment conditions and to provide stormwater water quality improvements, the owner/developer of Tax Parcel 03020-000-000 will provide on-site stormwater quality treatment for the Florida Department of Transportation (FDOT) stormwater runoff as set forth below:
  - a. Consistent with or prior to any commercial development on Parcel 03020-000-000 (or subset of the parcel), the owner/developer shall provide on-site stormwater water quality treatment volume of 0.5 inches of runoff of the I-75 drainage adjacent to the parcel that is associated with FDOT culverts 2/3 & 4/5 as indicated on the FDOT Drainage Map titled "FDOT Map I-75 Alachua County - US 441 To Columbia County Line 26260-3427." The treatment shall occur on the portion of Parcel 03020-000-000 with a Recreation land use designation.
  - b. The owner/developer shall coordinate the stormwater quality improvements with the FDOT and the City of Alachua. Improvements will be in the form of a stormwater basin(s) providing volume treatment to infiltrate through the natural ground. The stormwater basin(s) shall be privately owned and maintained.
  - c. Construction of the stormwater water quality improvements may include partnership on the project with, but not limited to, FDOT, Suwannee River Water Management District, or another governmental agency.
  - d. Consistent with the Recreation future land use category on the property, the stormwater water quality treatment area shall be designed to encourage passive recreation use in the form of pervious

pathways or nature trails. This passive recreation area shall be privately owned and maintained.

**Evaluation & Findings:** The subject property has a Future Land Use Map designation of Commercial. However, in order to protect the environmental resources in proximity to the property, automotive uses, as well as other users of hazardous materials or potential generators of hazardous wastes are excluded in the recommended conditions as demonstrated in Exhibit A. In addition, the Tara April Infrastructure Plan, presented under different application, will comply with the provisions of Policy 1.3.i.1.a-d.

## Community Facilities Element

### *Goal 5: Natural Groundwater Aquifer Recharge*

#### *Objective 5.1: Protection of High Aquifer Recharge Areas and Water Bodies*

The City recognizes the importance of the protection of high aquifer recharge areas, wellfield protection areas, lakes, streams, drainage basins, wetlands and stream-to-sink features as vital to the protection of groundwater resources. The City shall, through partnerships and using the best available data, provide protection for groundwater resources.

**Policy 5.1.a:** The City shall consider the best available hydrogeological information (e.g., Suwannee River Water Management District high aquifer recharge potential maps or site-specific data), and may require the collection of site-specific hydrogeological data, such as soil borings or electric resistivity tests, when assessing the impacts of proposed land use changes and developments in areas of high aquifer recharge potential. This information should be used in the determination of land use decisions on a case-by-case basis.

**Evaluation & Findings:** The subject property is located within an area designated by the Suwannee River Water Management District (SRWMD) High Aquifer Recharge Map (HARP) as an area with a moderately high aquifer recharge potential. Therefore, this standard does not apply.

## Conservation and Open Space Element

### *Goal 1: Stewardship*

To conserve, protect, manage and restore the natural and environmental resources of the City by emphasizing stewardship and understanding that environmental issues transcend political and geographical boundaries.

#### *Objective 1.1: Conservation Designations*

The City shall provide additional protection to particularly sensitive natural resources, habitats and ecosystems by establishing conservation designations, with specific uses, buffers and management protocol.

Policy 1.1.a: The City shall establish a conservation land use category for publicly or privately owned lands on which certain identifiable features, such as flowing surface water bodies, wetlands, flood plains, wellfield protection areas, unique geologic characteristics, and listed plant and wildlife habitat that require enhanced oversight and regulatory protection. Land use regulations for designated conservation areas will consider the vulnerability of susceptible features and vary accordingly.

**Evaluation & Findings:** Areas of the subject property that contain wetlands have been zoned as Conservation and are provided with adequate buffering from the stormwater facility development.

*Objective 1.2: Native Communities and Ecosystems*

The City shall preserve and protect native communities and ecosystems, particularly those considered endangered or threatened.

Policy 1.2.a: The City shall ensure that land use designations, development practices and regulations protect native communities and ecosystems, and environmentally sensitive lands.

Policy 1.2.b: Notwithstanding any site-specific environmental assessment, the City may use the Florida Natural Area Inventory to identify native communities, ecosystems, and environmentally sensitive lands and potential locations of threatened and endangered species, communities and ecosystems.

Policy 1.2.c: The City shall facilitate the acquisition, protection and maintenance of environmentally sensitive lands through measures such as land banking, conservation easements, grants and matching funds, land donations, and local, state and federal land acquisition funds.

**Evaluation & Findings:** No native communities, ecosystems, environmentally sensitive lands, potential locations of threatened and endangered species, communities and ecosystems were identified on the Florida Natural Area Inventory.

*Objective 1.11: Open and Green Space*

The City shall work to preserve native ecosystems and the natural aesthetic beauty and charm of Alachua by ensuring the provision of open spaces and green linkages throughout the City, designed for the enjoyment of the citizenry.

Policy 1.11.a: The City shall consider offering incentives to developers to include open green spaces beyond the minimum amount required in new developments. These open spaces may be either interior or on the perimeter of the development and may be used to serve passive recreational purposes. Ideally, open spaces may be linked throughout the City, providing greenways for pedestrian and bicycle travel.

**Evaluation & Findings:** The perimeter trail system, with connectivity to public rights-of-way, the future commercial development to the south, the City of Alachua Stormwater Improvement Project, and residential developments to the east will provide additional open space and recreational facilities.

**Objective 1.12: Water Resources**

The City shall protect and conserve the quantity and quality of water resources, not only for the benefit of residents of the City, but for all in North Florida who depend on the Floridian Aquifer for drinking water, and for the benefit of all connected springs, streams, and rivers which may be impacted by the City's land use and development practices.

**Policy 1.12.a:** The City shall recognize the interconnectivity of surface and ground water systems and shall work to minimize degradation of water resources, which extend beyond the City limits.

**Evaluation & Findings:** The Tara April Infrastructure Plan will take currently untreated stormwater that drains from I-75 into the Mill Creek Basin and ultimately into Mill Creek Sink and the aquifer, thus providing additional stormwater treatment prior to reaching the aquifer.

**Recreation Element**

**Goal 1: Definition of Parks and Recreation System**

To provide a long-range plan that guides development of the City of Alachua's parks and recreation system, establishes funding protocol, and encourages citizen participation to ensure the availability of recreational opportunities for present and future residents and visitors.

**Objective 1.3: New Development Recreation Requirements**

The City shall consider providing incentives for new development in order to enhance the City's recreation lands and facilities.

**Policy 1.3.c:** The City shall consider incentives for new development to provide pedestrian and bicycle paths, connecting to a network of like paths, wherever possible. The City shall consider establishing a sidewalk/pathway fund as an alternative to the provision of onsite paths within new developments.

**Evaluation & Findings:** The special exception, if approved, would require the development of a publicly accessible trail network that will connect to trails in adjacent developments. The approval of the special exception for the development of off-site stormwater management facilities is an incentive to the applicant for the provision of the enhanced recreational feature/trail network.

# ENVIRONMENTAL CONDITIONS ANALYSIS

## Wetlands

Wetlands are areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal conditions do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

**Evaluation & Findings:** Delineated wetlands are known to exist on the subject property; however, the proposed stormwater management facilities will not impact the delineated wetlands. The wetlands have been sufficiently buffered and are proposed to remain.

## Strategic Ecosystems

Strategic Ecosystems were identified by an ecological inventory project in a report prepared for Alachua County Department of Growth Management in 1987 and updated in 1996. The purpose of the inventory was to identify, inventory, map, describe, and evaluate the most significant natural biological communities in private ownership in Alachua County.

**Evaluation & Findings:** The subject property is not located within or adjacent to a strategic ecosystem; therefore, the proposed special exception use will have no impact upon any strategic ecosystems identified within the ecological inventory report.

## Regulated Plant & Animal Species

The Florida Natural Areas Inventory (FNAI) has identified areas throughout the State of Florida which may contain good quality natural communities. This data layer is known as the Potential Natural Areas (PNA) data layer, and identifies privately owned lands that are not managed or listed for conservation purposes. These areas were delineated by FNAI scientific staff through interpretation of natural vegetation from 1988-1993 FDOT aerial photographs and from input received during Regional Ecological Workshops held for each regional planning council. These workshops were attended by experts familiar with natural areas in the region.

Potential Natural Areas were assigned ranks of Priority 1 through Priority 5 based on size, perceived quality, and type of natural community present. The areas included in Priority 5 are exceptions to the above criteria. These areas were identified through the same process of aerial photographic interpretation and regional workshops as the PNA 1 through 4 ranked sites, but do not meet the standard criteria.

**Evaluation & Findings:** No species identified as endangered, threatened, or of special concern are known to exist on the subject property. If a regulated plant or animal species is identified during development, the applicant must adhere to the applicable standards in the City of Alachua Comprehensive Plan and Land Development Regulations.

## Soil Survey

The hydrologic soil group is an indicator of potential soil limitations. The hydrologic soil group, as defined for each specific soil, refers to a group of soils which have been categorized according to their runoff-producing characteristics. These hydrologic groups are defined by the Soil Survey of Alachua County, Florida, dated August 1985. The chief consideration with respect to runoff potential is the capacity of each soil to permit infiltration (the slope and kind of plant cover are not considered, but are separate factors in predicting runoff.) There are four hydrologic groups: A, B, C, and D. "Group A" soils have a higher infiltration rate when thoroughly wet and therefore have a lower runoff potential. "Group D" soils have a lower infiltration rate and therefore a higher runoff potential.

There are nine soil types and one pits and spoils area found within the subject property, shown in Table 2.

**Table 2. Soil Types**

Soil Type	Hydrologic Group	Drainage Class	Limitations		% of Subject Property (may not total to 100% due to rounding)
			Dwellings Without Basements	Small Commercial Buildings	
Blichton Sand, 5 to 8% Slope	D	Poorly drained	Severe: wetness	Severe: wetness	20.37
Kendrick Sand, 2 to 5% Slope	A	Well drained	Slight	Slight	18.48
Lochloosa Fine Sand, 5 to 8% Slope	C	Somewhat poorly drained	Slight	Moderate: slope	14.0
Surrency Sand, 0 to 1% Slope	VP	Very Poorly drained	Severe: ponding	Severe: ponding	12.09
Arredondo Fine Sand, 5 to 8% Slope	A	Well drained	Slight	Moderate: slope	10.09
Blichton Sand, 0 to 5% Slope	D	Poorly drained	Severe: wetness	Severe: wetness	8.34
Bivans Sand, 5 to 8% Slope	D	Somewhat poorly drained	Severe: Wetness, shrink-swell	Severe: Wetness, shrink-swell	7.24
Lochloosa Fine Sand, 2 to 5% Slope	C	Somewhat poorly drained	Slight	Slight	6.02
Arredondo Fine Sand, 0 to 5% Slope	A	Well drained	Slight	Slight	1.82
Pits 0 to 4% Slope	N/A	N/A	N/A	N/A	1.53

**Evaluation & Findings:** The soil types present on the subject property do not pose any significant limitations for the proposed special exception use.

## **Flood Potential**

Panel 12001Co120D of the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Series, dated June 16, 2006 indicates that the development area is in Flood Zone X (areas determined to be outside of the 500-year floodplain).

**Evaluation & Findings:** The subject property is located in Flood Zone X (areas determined to be outside of the 500-year floodplain) and there are no issues related to flood potential.

## **Karst-Sensitive Features**

Karst sensitive areas include geologic features, such as fissures, sinkholes, underground streams, and caverns, and are generally the result of irregular limestone formations.

**Evaluation & Findings:** The subject property is located within an area designated by the Suwannee River Water Management District (SRWMD) High Aquifer Recharge Map (HARP) as an area with a moderately high aquifer recharge potential. The applicant provided no site-specific geologic or hydrogeologic field data concerning the karst nature of the subject property to the City. Further data will be required at the time an infrastructure plan is considered by the City for this parcel, should the special exception be approved.

## **Wellfield Protection Zones**

Policy 7.2.1 of the Future Land Use Element of the City's Comprehensive Plan establishes a 500-foot radius area around each city-owned potable water well.

**Evaluation & Findings:** The subject property is not located within a City of Alachua wellfield protection zone as identified on the City of Alachua Wellfield Primary Protection Zones Map of the City's Comprehensive Plan; therefore, there are no issues related to wellfield protection.

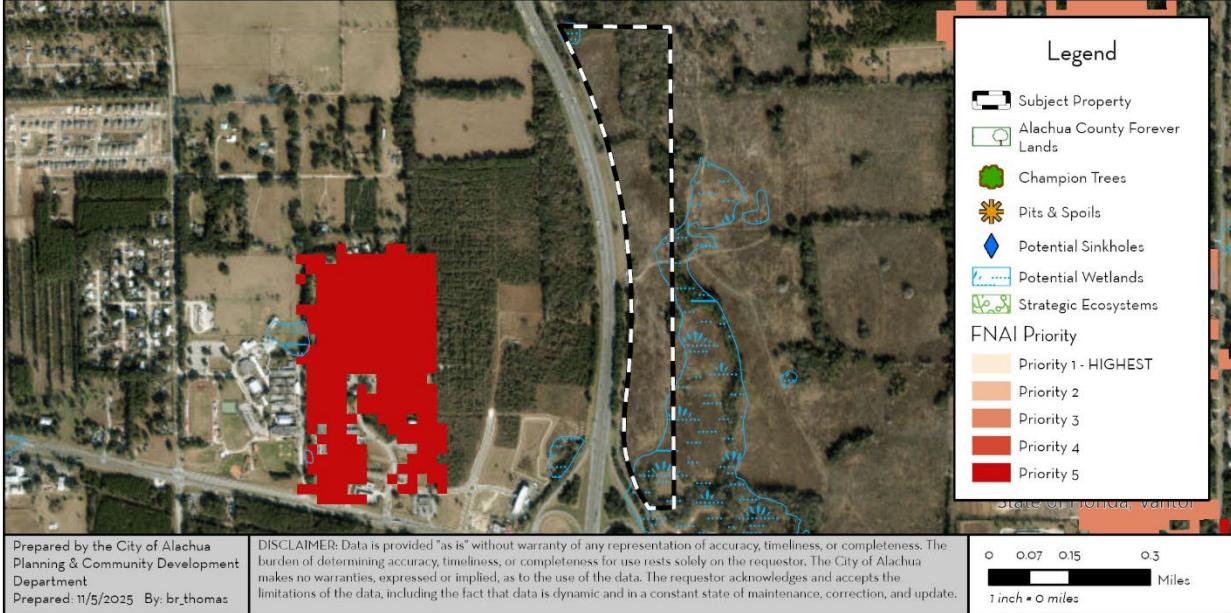
## **Historic Structures/Markers and Historic Features**

The State of Florida and the Alachua County Historic Resources Inventory identify historic structures in addition to the City's Historic Overlay District, as established by Section 3.7 of the City's Land Development Regulations.

**Evaluation & Findings:** The subject property is not within the City's Historic Overlay District and the State of Florida and Alachua County Historic Resources Inventory note no historic structure or markers on the subject property.



## Environmental Resources Map PSE22-0002 | Tara April Special Exception Permit



Prepared by the City of Alachua  
Planning & Community Development  
Department  
Prepared: 11/5/2025 By: br\_thomas

DISCLAIMER: Data is provided "as is" without warranty of any representation of accuracy, timeliness, or completeness. The burden of determining accuracy, timeliness, or completeness for use rests solely on the requestor. The City of Alachua makes no warranties, expressed or implied, as to the use of the data. The requestor acknowledges and accepts the limitations of the data, including the fact that data is dynamic and in a constant state of maintenance, correction, and update.

0 0.07 0.15 0.3  
Miles  
1 inch = 0 miles

**Figure 4. Environmental Resources Map**

# FINDINGS OF FACT: COMPLIANCE WITH LAND DEVELOPMENT REGULATIONS

## Special Exception Permit Standards

Section 2.4.4(D) of the City's Land Development Regulations (LDRs) establishes the standards with which all special exception permits must be found compliant. The application has been reviewed for compliance with the standards of Section 2.4.4(D). An evaluation of the findings of the applicant's compliance with the standards of Section 2.4.4(D) is provided below. The applicant has also provided an analysis of the application's compliance with Section 2.4.4(D) in the supporting application materials.

(D) *Special exception standards.* A special exception permit shall be approved only upon a finding the applicant demonstrates all the following standards are met:

(1) *Complies with use specific regulations.* The proposed special exception complies with all relevant standards in Section 4.3, Use specific standards, or Section 5.2.3(B), as applicable.

**Evaluation & Findings:** Section 4.3.2(I)(4) establishes use-specific standards which are applicable to minor utilities. An analysis of the application's compliance with Section 4.3. 2(I)(4) is provided in this Staff Report. The applicant has also provided an analysis of the application's compliance with Section 4.3. 2(I)(4) within the supporting application materials.

(2) *Compatibility.* The proposed special exception is appropriate for its location and compatible with the character of surrounding lands and the uses permitted in the zone district.

**Evaluation & Findings:** Compatibility is defined by the City's Comprehensive Plan as, "a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition."

The proposed minor utility (storm water facility) use is located on the east side of April Boulevard, which runs parallel to Interstate 75. It is surrounded on the north by Agricultural zoning (including a commercial campground and vacant agricultural lands) on the east by Conservation lands, on the south by the Community Commercial district that will be served by the special exception permit if approved, and on the west by the April Boulevard right-of-way. The proposed stormwater facilities, which include a series of walking trails, are relatively passive uses that are compatible with the uses existing in the surrounding area.

(3) *Design minimizes adverse impact.* The design of the proposed special exception minimizes adverse effects, including visual impacts of the proposed use on adjacent lands; furthermore, the proposed special exception avoids significant adverse impact on surrounding lands regarding service delivery, parking and loading, odors, noise, glare, and vibration, and does not create a nuisance.

**Evaluation & Findings:** The design of the site and location of the proposed minor utility will have limited to no effect on any lands surrounding the special exception area.

- (4) ***Design minimizes environmental impact.*** The proposed special exception minimizes environmental impacts and does not cause significant deterioration of light, water and air resources, wildlife habitat, stormwater management, scenic resources, and other natural resources.

**Evaluation & Findings:** The proposed special exception use, i.e., stormwater management facilities, does not pose a significant deterioration of light or air resources, water resources in terms of flood control, wildlife habitat, scenic resources, and/or other natural resources found at ground surface. Additional data will be required at the infrastructure plan stage concerning minimization of environmental impacts, if any, to the subsurface conditions of the subject property.

- (5) ***Roads and other public facilities.*** There is adequate public facility capacity available to serve the proposed special exception, and the proposed special exception use is designed to ensure safe ingress and egress onto the site and safe road conditions around the site.

**Evaluation & Findings:** No adverse effects upon existing roadway service will result from the proposed use. Temporary parking for the trail system will be provided on a graded and stabilized non-paved surface located on the Community Commercial portion of the parcel until such time as it is developed and permanent paved parking will be provided. No connections to the City's potable water or sanitary sewer systems are proposed as part of the special exception permit and infrastructure plan applications.

- (6) ***Not injure neighboring land or property values.*** The proposed special exception will not substantially injure the use of neighboring land for those uses that are permitted in the zone district, or reduce land values.

**Evaluation & Findings:** It is not anticipated that the proposed special exception would have any substantial impact which would injure the use of neighboring land for the uses permitted in the current zoning districts or reduce land values.

- (7) ***Drawings.*** A site plan (Subsection 2.4.9 of this section) or preliminary plat (Subsection 2.4.10(G)(3) of this section) has been prepared that demonstrates how the proposed special exception use complies with the other standards of this subsection.

**Evaluation & Findings:** Per Section 2.4.9(C), minor utilities as defined under Section 10.2 are exempt. A special exception master plan has been submitted and reviewed as part of this special exception permit application. The special exception master plan demonstrates that the proposed use complies with the applicable requirements of the LDRs.

- (8) ***Complies with all other relevant laws and ordinances.*** The proposed special exception use complies with all other relevant City laws and ordinances, State and Federal laws, and regulations.

**Evaluation & Findings:** The application is found to comply with all other applicable City laws and ordinances, State and Federal laws, and regulations.

## Special Exception Permit Standards

Section 4.3.2(l)(4) of the City's Land Development Regulations (LDRs) establishes the use-specific standards with which all minor utilities must be found compliant. The application has been reviewed for compliance with the standards of Section 4.3.2(l)(4). An evaluation of the findings of the applicant's compliance with the standards of Section 4.3.2(l)(4) is provided below. The applicant has also provided an analysis of the application's compliance with Section 4.3.2(l)(4) in the supporting application materials.

- (a) ***Location.*** Be located within reasonable proximity of the area to be served. Stormwater detention and retention facilities may be permitted by special exception permit on properties with less intense zoning district designations under common ownership, subject to the following requirements:
- (i) The zoning designation of the location of the stormwater detention and retention facility allows minor utilities; and,
  - (ii) The stormwater detention and retention facility meets the compatibility requirements as set forth in Subsection 4.3.2(l)(4)(b); and,
  - (iii) The stormwater detention and retention facility provides an enhanced natural (e.g., increased topographic relief, vegetative diversity, etc.) or recreational (e.g., perimeter trail, boardwalk, interpretive kiosk, etc.) functional use.

**Evaluation & Findings:** The proposed minor utility (stormwater facilities) are located directly adjacent to the parcel(s) to be served, and are under common ownership. The Agricultural zoning district allows minor utilities by special exception permit. The stormwater detention and retention facility meets the compatibility requirements as set forth in Subsection 4.3.2(l)(4)(b). The stormwater detention and retention facility provides an enhanced recreational functional use by the development of perimeter trails that provide multiple points of access, including public right of ways, the adjacent Community Commercial development, the residential developments to the east, and the City of Alachua Mill Creek Sink Water Quality Improvement Project to the south.

- (b) ***Compatibility.*** Provide adequate setbacks, screening and buffering around the perimeter of the proposed use if it is deemed necessary to ensure land use compatibility with surrounding uses.

**Evaluation & Findings:** The proposed minor utility (stormwater facilities) will not require additional screening or buffering to ensure land use compatibility with surrounding uses.

- (c) ***Exemptions.*** The provisions of this subsection shall not be applicable when the differing zoning designations are both classified as residential districts or are both classified as business districts, as categorized in Table 3.1-1, Establishment of Base Zone Districts. Stormwater detention and retention facilities serving residential districts shall be permitted in business districts without special exception if included as part of a master stormwater permit or common development plan.

**Evaluation & Findings:** The minor utility (stormwater facilities) is to be located within the Agricultural zone district to serve the adjacent Community Commercial zone district; therefore, this exemption is not applicable.

**EXHIBIT "A"**  
**TO**  
**PSE22-0002 | TARA APRIL**  
**SPECIAL EXCEPTION PERMIT**  
**STAFF REPORT**

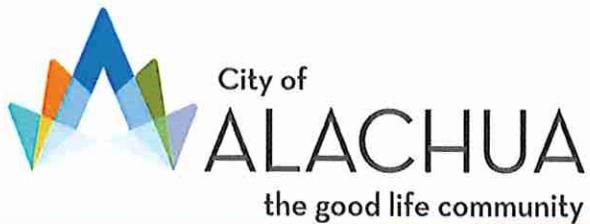
**CONDITIONS**

1. The applicant acknowledges and agrees that the applicant shall install an interpretive kiosk at the City Water Improvement Project Site (Mill Creek Stormwater Enhancement Area) with the location of the kiosk to be determined by the City of Alachua, in its sole discretion. This condition shall be the obligation of any subsequent party with interest in the property subject to this development order.
2. The applicant acknowledges and agrees that the following uses shall be prohibited on the land zoned Community Commercial and located on Tax Parcel Number 03020-000-000: gasoline sales; general industrial service (principal use); laundry, dry cleaning, and carpet cleaning (principal use); tire sales and mounting (principal use); parking lot (principal use); and park and ride facilities. This condition shall be the obligation of any subsequent party with interest in the property subject to this development order.
3. The applicant acknowledges and agrees that at least two (2) points of access from the proposed trail network to the future commercial development area (with trail signage) will be provided with the exact location determined at the time of development plan review for the commercial area. Points of access shall be approved by City staff during the review of a development plan (e.g., Site Plan or other applicable development review process). This condition shall be the obligation of any subsequent party with interest in the property subject to this development order.
4. The applicant acknowledges and agrees that future commercial development shall be required to provide internal pedestrian network (sidewalk) connections to the adjacent trail network. The internal pedestrian network shall be approved by City staff during the review of a development plan (e.g., Site Plan or other applicable development review process). This condition shall be the obligation of any subsequent party with interest in the property subject to this development order.
5. The applicant acknowledges and agrees that the construction of the trail network shown on the plans shall occur with the construction of the interconnected basin system. This condition shall be the obligation of any subsequent party with interest in the property subject to this development order.
6. The applicant acknowledges and agrees that the parking area shall be temporary and shall remain in place until permanent parking is constructed as part of the future commercial development presently located on Tax Parcel number 03020-000-000. The temporary parking shall be an unpaved, stabilized surface. This condition shall be the obligation of any subsequent party with interest in the property subject to this development order.

7. The applicant acknowledges and agrees that the applicant and owner will obtain all other applicable local, state, and federal permits before the commencement of site work. This condition shall be the obligation of any subsequent party with interest in the property subject to this development order.
8. The applicant acknowledges and agrees that to ensure the continued compliance with the City of Alachua Comprehensive Plan and Land Development Regulations, the development order authorizing this special exception permit shall be recorded in the public records of Alachua County, Florida, and shall run with the land. The applicant further acknowledges and agrees that the applicant shall be responsible for all costs associated with recording the development order in the public records of Alachua County, Florida. This condition shall be the obligation of any subsequent party with interest in the property subject to this development order.
9. The applicant acknowledges and agrees that Conditions 1 – 8 as stated above do not inordinately burden the land and shall be binding upon the property owner, including any subsequent property owners, successors, or assigns, and that the special exception permit shall comply with Conditions 1 – 9 as stated herein.

**EXHIBIT "B"  
TO  
PSE22-0002 | TARA APRIL  
SPECIAL EXCEPTION PERMIT  
STAFF REPORT**

**SUPPORTING MATERIALS  
SUBMITTED BY CITY STAFF TO THE  
PLANNING AND ZONING BOARD**



RODOLFO VALLADARES  
CITY MANAGER

PLANNING & COMMUNITY DEVELOPMENT  
DIRECTOR BRYAN S. THOMAS, AICP

November 3, 2025

*Submitted electronically to cvega@edafl.com*

Claudia Vega, PE  
Director of Engineering  
Eda consultants, inc.  
720 SW 2<sup>nd</sup> Avenue  
South Tower, Ste. 300  
Gainesville, FL 32601

Application #: PSEP22-0004

RE: Notice of Hearing to be Scheduled for Tara April Special Exception Permit

Dear Ms. Vega,

The City of Alachua has reviewed the revised applications and materials for a Special Exception Permit and Infrastructure Plan submitted on behalf of Tara Forest, LLC. The applications propose the construction of stormwater management facilities and other associated site improvements to provide stormwater quality treatment on a ±58.32 acre subject property, located on Tax Parcel Number 03020-000-000. Based upon a review of the revised applications, the City has determined that the applications can now be scheduled for public hearings.

The Special Exception Permit will require a public hearing before the Planning and Zoning Board (PZB) and is scheduled for the November 18, 2025 PZB Meeting. The Infrastructure Plan will require a public hearing before the City Commission and is *tentatively* scheduled for the December 8, 2025 City Commission Meeting (pending PZB action on the Special Exception Permit).

You must provide two *double sided, three-hole punched, color sets* of each complete application package, seven full size sets of site plans, and a digital copy of all materials in PDF format on a CD or by emailing a Cloud/FTP link to download the materials to [planning@cityofalachua.org](mailto:planning@cityofalachua.org) no later than 10 business days prior to the Planning & Zoning Board meeting at which your application is scheduled to be heard; therefore, the above referenced materials must be submitted to the City no later than *Tuesday, November 4, 2025*. Materials may be submitted earlier than this date.

Additionally, Section 2.2.9(D) of the Land Development Regulations requires the applicant to place posted notice signs on the subject property at least 14 days prior to the public hearing; therefore, posted notice signs must be placed on the property no later than *Tuesday,*

*November 4, 2025.* These signs will be ready for pickup after 12:00 PM on November 3, 2025. You will be notified again when the signs are available.

If you plan to utilize a PowerPoint presentation or would like other materials to be available for reference during the public hearing, please submit the presentation or materials no later than 12:00 PM on the last business day prior to the Planning & Zoning Board meeting; therefore, the presentation or materials must be submitted no later than 12:00 PM on *Monday, November 17, 2025*. Any presentation or materials may be submitted electronically by emailing them to [planning@cityofalachua.org](mailto:planning@cityofalachua.org).

If you have any questions regarding the information above, please contact me at (386) 418-6122 or at [br\\_thomas@cityofalachua.com](mailto:br_thomas@cityofalachua.com).

Sincerely,



Bryan S. Thomas, AICP  
Director of Planning & Community Development

CC: Rodolfo Valladares, City Manager (*by electronic mail*)  
Scott Walker, Interim City Attorney (*by electronic mail*)  
Kiersten Ballou, Asst. City Attorney (*by electronic mail*)  
Jazzlyn Shannon, Legal Assistant (*by electronic mail*)  
Bernadette Fisher, Principal Planner (*by electronic mail*)  
Carson J. Crockett, AICP, Principal Planner (*by electronic mail*)  
Brenda Flieger, Planning Assistant (*by electronic mail*)  
Project File



REPLY TO: TALLAHASSEE

November 26, 2024

**VIA ELECTRONIC MAIL AND UNITED STATES MAIL**

Jeff Childers, Esquire  
Childers Law, LLC  
2135 NW 40th Terrace, Suite B  
Gainesville, FL 32605

**Re:    *Childers' Letter Dated November 15, 2024***

Dear Mr. Childers:

I have reviewed your letter dated November 15, 2024, in which you request that the City of Alachua, Florida (“City”), schedule a hearing on December 10, 2024, for final approval of the Special Exception Permit for the Tara April Project. In support of your request, you made the following allegations:

1. Pursuant to Section 166.033, *Florida Statutes*, the City is required to schedule a hearing on December 10, 2024, for final approval of the Special Exception Permit for the Tara April Project;
2. Your client “holds enforceable vested rights” “by virtue of its substantial investments in reliance on existing approvals and assurances from the City and other regulatory bodies like the WMD”; and
3. “The County’s tardy interference, only arising after the significant investments were made in reliance on prior approvals, is in bad faith.”

Each of your allegations is addressed separately below.

**TALLAHASSEE**  
433 NORTH MAGNOLIA DRIVE  
TALLAHASSEE, FLORIDA 32308  
(850) 224-7332  
FAX: (850) 224-7662

**ORLANDO**  
1809 EDGEWATER DRIVE  
ORLANDO, FLORIDA 32804  
(407) 347-5388  
FAX: (407) 264-6132

**1. Whether Pursuant To Section 166.033, *Florida Statutes*, The City Is Required To Schedule A Hearing On December 10, 2024, For Final Approval Of The Special Exception Permit For The Tara April Project**

Section 166.033, *Florida Statutes*, states as follows, in pertinent part:

(1) Within 30 days after receiving an application for approval of a development permit or development order, a municipality must review the application for completeness and issue a letter indicating that all required information is submitted or specifying with particularity any areas that are deficient. If the application is deficient, the applicant has 30 days to address the deficiencies by submitting the required additional information. Within 120 days after the municipality has deemed the application complete, or 180 days for applications that require final action through a quasi-judicial hearing or a public hearing, the municipality must approve, approve with conditions, or deny the application for a development permit or development order. Both parties may agree to a reasonable request for an extension of time, particularly in the event of a force majeure or other extraordinary circumstance. An approval, approval with conditions, or denial of the application for a development permit or development order must include written findings supporting the municipality's decision. The timeframes contained in this subsection do not apply in an area of critical state concern, as designated in s. 380.0552 or chapter 28-36, Florida Administrative Code.

Accordingly, pursuant to Section 166.033(1), *Florida Statutes*, with respect to any application for a “development permit or development order” that requires “final action through a quasi-judicial hearing or a public hearing,” the municipality must, within 180 days, “approve, approve with conditions, or deny the application.”

While Section 166.033(1), *Florida Statutes*, sets forth this 180-day provision, it is silent, however, as to the ramifications when a municipality fails to take the required action within 180 days. As such, the statute does not set forth any procedural recourse for an applicant where a municipality fails to “approve, approve with conditions, or deny the application for a development permit or development order” within 180 days. The Florida Legislature adopted the 180-day provision in 2019, pursuant to HB 7103. *See § 8, 2019-165, Laws of Fla.* The legislative history for HB 7103 does not address this issue.

To date, there are no reported cases regarding the 180-day provision. There are a few decisions that are marginally relevant to the extent the courts addressed an applicant's recourse where a municipality failed to adhere to other requirements contained in Section 166.033, *Florida Statutes*.

In *Edgewater House Condominium Association v. City of Fort Lauderdale*, 825 Fed.Appx. 658 (11th Cir. 2007), the United States Eleventh Circuit Court of Appeals stated as follows about the procedural history of the case:

The state court denied Edgewater's Certiorari Action on the merits on May 23, 2019. With respect to Edgewater's statutory claim, *the court agreed with Edgewater that the City Commission did not comply with § 166.033(2), but it decided that the statute provided no remedy for this violation.* Instead, the court instructed Edgewater to request "an amended written notice citing to the specific basis" for the Commission's decision. The court did not explicitly discuss Edgewater's due process claim but noted that it had "carefully considered the briefs, the record, and the applicable law" in denying Edgewater's Certiorari Action on the merits.

*Id.* at 661 (emphasis supplied). The court's assessment of the trial court's order is accurate. Therein, the trial court stated as follows:

In its petition, Edgewater contends the City's Resolution No. 18-160 does not cite to specific provisions of the City's Unified Land Development Regulations ("ULDR"), Comprehensive Plan, or Downtown Master Plan, upon which the denial was based, as is required by section 166.033(2), Florida Statutes. In its Response, the City acknowledges its Resolution No. 18-160 does not cite specific provisions of its plans or codes upon which the denial was based. Section 166.033(2), Florida Statutes, requires that "[t]he notice must include a citation to the applicable portions of an ordinance, rule, statute, or other legal authority for the denial of the permit." § 166.033(2), Fla. Stat. *However, section 166.033, Florida Statutes, does not provide any procedure or remedy to address the City's undisputed failure to comply with section 166.033(2), Florida Statutes. Instead, Edgewater may request and the City may issue an amended written notice citing to the specific basis of its denial of Edgewater's site plan application.* Accordingly, having carefully considered the briefs, the record, and the applicable law, this Court

dispenses with oral argument and the Petition for Writ of Certiorari is hereby **DENIED on the merits.**

*Edgewater House Condo. Ass'n, Inc. v. City of Fort Lauderdale*, Case No. 18-022278 (Fla. 7th Cir. Ct. May 23, 2019) (“Final Order Denying Petition for Writ of Certiorari”) (emphasis supplied).

Similarly, in *Mills v. Town of Windermere*, 23 Fla. L. Weekly Supp. 678a (Fla. 9th Cir. Ct. Nov. 30, 2015) (“Final Order Denying Second Amended Petition for Writ of Certiorari”), the petitioner in a certiorari case alleged that the town deprived him of due process based upon a violation of Section 166.033, *Florida Statutes*. The petitioner based this contention on the fact that the town provided written notice of its decision, as required by Section 166.033, *Florida Statutes*, more than fourteen (14) months after the town council had voted to deny his variance request.

In rejecting this argument, the circuit court recognized that “it is rare for a court to reverse an agency’s order due to a delay in rendering a final decision,” and that “Florida courts are reluctant to do so even when statutory deadlines were violated.” (Emphasis supplied). Moreover, in light of these principles, the court explained that “Florida courts only reverse orders based on this argument when the aggrieved parties demonstrate how the delays prejudiced them.” Applying this standard, the court ruled that the petitioner had failed to demonstrate how the town’s delay had resulted in any prejudice. Moreover, the court found that the petitioner had not explained “how he was prevented from pursuing a petition for writ of mandamus forcing the Council to enter an order.”

Thus, Section 166.033, *Florida Statutes*, does not require the City to schedule a hearing on December 10, 2024, for final approval of the Special Exception Permit for the Tara April Project. *Cf. Caliente Partnership v. Johnston*, 604 So. 2d 886, 888 (Fla. 2d DCA 1992) (“the statute is silent on specific remedies and we decline to fashion one”). Moreover, it cannot be refuted that your client has caused extensive delays in the City’s ability to process your client’s application for a Special Exception Permit for the Tara April Project and, by its conduct, has waived any 180-day requirement even if applicable.

## 2. Whether Your Client “Holds Enforceable Vested Rights” “By Virtue Of Its Substantial Investments In Reliance On Existing Approvals And Assurances From The City And Other Regulatory Bodies Like The WMD”

As an initial matter, your November 15 letter fails to identify any “investments in reliance on existing approvals and assurances from the City and other regulatory bodies like the WMD.” Additionally, you fail to identify any purported “vested rights.” Moreover, as a matter of law, your client cannot have a vested right which compels the City to approve a pending application for a Special Exception Permit for Tara April. Rather, the determination of whether to approve your client’s pending application for a Special Exception Permit for Tara April will be made during a quasi-judicial hearing and will be based upon competent, substantial evidence.

Your client's vested rights' contention also ignores certain statements by the City Manager in his letter dated June 29, 2022, to Sayed Moukhtara in which the City Manager stated as follows:

It has come to the attention of City staff ("Staff") during review of development applications involving the above three referenced projects that were submitted at various times, that numerous aspects and requirements for them are inextricably intertwined or dependent on other prerequisites before they can be considered for final approval. In other words, none of the above projects stands on their own merit, but instead, they are dependent on the approval of the other applications.

As such, Staff, including Planning & Community Development and Public Services, will not be proceeding with further review of each of these projects in their current form, as it does not appear that any of them can receive ultimate final approval standing individually on their own merit. *As Staff has been reviewing the viability of the above referenced projects, the interdependency of one project on the other or on other applications has become readily apparent.* Staff does not wish to mislead any applicant regarding the success of an application.

(A copy of the City Manager's June 29 letter is attached hereto as Exhibit "A.") (emphasis supplied).<sup>1</sup> The City Manager's June 29 letter pertained to Tara Forest West, Tara April, and Tara Phoenicia.

Thus, your client does not hold "Enforceable Vested Rights" which would compel the City to approve your client's pending application for a Special Exception Permit for Tara April.

**3. Whether "The County's Tardy Interference, Only Arising After The Significant Investments Were Made In Reliance On Prior Approvals, Is In Bad Faith"**

At this juncture, the City's Planning and Zoning Board has not yet conducted a quasi-judicial hearing on your client's pending application for a Special Exception Permit for Tara April. Similarly, the City Commission has not conducted a quasi-judicial hearing on your client's pending

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<sup>1</sup> The Tara Forest West Project is dependent upon two (2) new roads to be located in the Tara Phoenicia Project over and adjacent to the Mill Creek Cavern and Cave System. The Tara April Project is dependent upon the Tara Forest West Project's residents utilizing the recreational trails to fulfill the recreational enhancement requirement. The Tara Phoenicia Project is dependent upon the Tara April Project for flood plain compensation.

Jeff Childers, Esquire  
November 26, 2024  
Page 6

application for an Infrastructure Plan. Thus, your contention that the County's concerns constitute "tardy inference" is nonsensical. It is well established in Florida law that affected parties and members of the public have the right to raise concerns with pending applications.

Moreover, the County has provided the City with evidence that your client failed to provide regarding the Mill Creek Cavern and Cave System. For example, the County has provided to the City a document which overlays your client's proposed projects over the Mill Creek Cavern and Cave System. (A copy of this document is attached hereto as Exhibit "B."). To date, your client has failed to provide evidence which demonstrates that your client's proposed projects will not adversely impact the Mill Creek Cavern and Cave System or that your client's proposed projects can be safely developed over and/or adjacent to the Mill Creek Cavern and Cave System.

Objective 1.7 of the Conservation and Open Space Element of the City's Comprehensive Plan states as follows:

*Objective 1.7: Geological Resources*

The City shall identify, protect and conserve significant geological resources and their natural functions.

"Geological resources" are defined as follows in the City's Comprehensive Plan:

Geological resources: a general reference category that includes the geologic features defined herein.

(See Administration and Implementation Element at "DEFINITIONS.").

A "Geologic feature" is defined as follows in the City's Comprehensive Plan:

Geologic feature: prominent or conspicuous characteristics of naturally occurring materials in the landscape. These features include, but are not limited to sinkholes, caves, stream bluffs, escarpments, outcroppings and springs.

(See *id.*) (emphasis supplied).

Thus, the City's Comprehensive Plan mandates that the City shall "protect and conserve" the Mill Creek Cavern and Cave System. Yet, to date, your client has failed to provide any ground penetrating radar or electromagnetic imaging to demonstrate that your client's proposed projects will not adversely impact the Mill Creek Cavern and Cave System or that your client's proposed projects can be safely developed over and/or adjacent to the Mill Creek Cavern and Cave System.

Jeff Childers, Esquire  
November 26, 2024  
Page 7

Your client has also failed to demonstrate compliance with Policy 5.1.a of the Future Land Use Element of the City's Comprehensive Plan, which states as follows:

Policy 5.1.a: *Topography*:

**The City shall protect the natural topography of the City, including steep and seepage slopes, by requiring new development to include techniques to minimize negative impacts on the natural terrain.** An emphasis will be placed on retaining the natural function of seepage slopes during development. Additionally, retention of existing native vegetation will be encouraged as one method of protecting slopes.

Based upon information provided by your client, the Tara Phoenicia Project proposes to add approximately 9,000 truckloads of cut and fill which will total approximately 130,000 cubic yards. Similarly, the Tara April Project also proposes a substantial change in the topography of the subject property. Thus, the Tara Phoenicia Project and the Tara April Project propose to substantially alter, not protect, the natural topography of the City.

The above-referenced provisions of the City's Comprehensive Plan are just a few examples of deficiencies associated with your client's pending applications.

In conclusion, all of the allegations in your November 15 letter are without merit. Please do not hesitate to contact me if you have any questions or need further information.

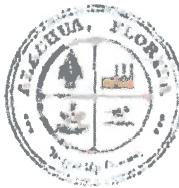
Sincerely,



David A. Theriaque

Enclosures

cc: Mike DaRoza, City Manager  
Marian Rush, City Attorney  
Kathy Winburn, City Planning and Zoning Director



## City of Alachua

**MAYOR GIB COERPUR**  
Vice Mayor Jennifer Blalock  
Commissioner Shirley Green Brown  
Commissioner Dayna Miller  
Commissioner Edward Potts

**OFFICE OF THE CITY MANAGER**  
**MIKE DAROZA**

June 29, 2022

Sayed Moukhtara  
7717 NW 20<sup>th</sup> Lane  
Gainesville, Florida 32605

**RE: TARA FOREST WEST, TARA APRIL & TARA PHENICIA**

Dear Mr. Moukhtara:

This letter is in regards to the above referenced projects.

It has come to the attention of City staff ("Staff") during the review of development applications involving the above three referenced projects that were submitted at various times, that numerous aspects and requirements for them are inextricably intertwined or dependent on other prerequisites before they can be considered for final approval. In other words, none of the above projects stands on their own merit, but instead, they are dependent on the approval of the other applications.

As such, Staff, including Planning & Community Development and Public Services, will not be proceeding with further review of each of these projects in their current form, as it does not appear that any of them can receive ultimate final approval standing individually on their own merit. As Staff has been reviewing the viability of the above referenced projects, the interdependency of one project on the other or on other applications has become readily apparent. Staff does not wish to mislead any applicant regarding the success of an application.

If you wish to discuss the above, a meeting with City staff can be arranged.

Regards,

Mike DaRoza  
City Manager

Cc: Kathy Winburn, Planning & Community Development Director  
Rodolfo Valladares, Public Services Director  
Justin Tabor, AICP, Principal Planner  
Adam Hall, AICP, Principal Planner

**EXHIBIT**

tables'

**A**

Aug. 18, 2022 - Meeting

City of Alachua

Adam Hall

Planning

Mariah B. Rush

city attorney

MIKE DAROZA

CITY MANAGER

Cathy Winburn

Planning

Justin Tabor

Planning

Applicant

Adam Boukhar

Jay Brown , JBPro

CHRIS Potts , JBPro

COLE BARNETT , SALTER FEIBER , PA

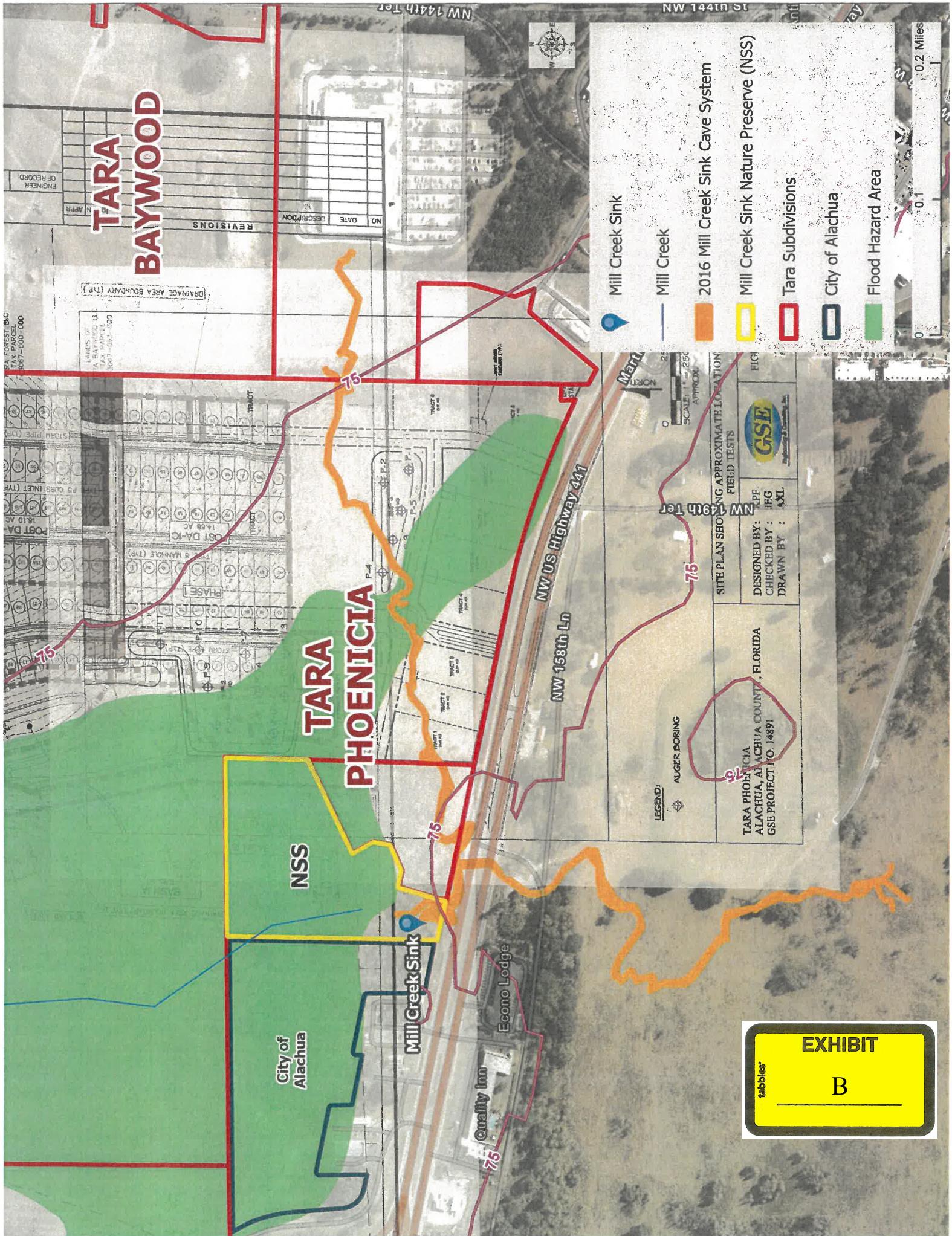
DENISE HUTSON , SALTER FEIBER , PA

SAYED MOUKHTARA

SILVIA MOUKHTARA

Clay Sweger , eda

SENDO RAYES , eda



TEL (352) 335-0400  
FAX (407) 209-3870  
WWW.SMARTBIZLAW.COM

Jeff Childers, Esq.  
[jchilders@smartbizlaw.com](mailto:jchilders@smartbizlaw.com)

Nicholas P. Whitney, Esq.  
[nwhitney@smartbizlaw.com](mailto:nwhitney@smartbizlaw.com)

Charles H. Hardage, Esq.  
[chardage@smartbizlaw.com](mailto:chardage@smartbizlaw.com)



## CHILDERS LAW, LLC

Friday, November 15, 2024

David Theriaque, Esq.  
Theriaque & Spain  
433 North Magnolia Drive  
Tallahassee, FL 32308

*Via electronic mail to dat@theriaquelaw.com and first class U.S. mail, postage prepaid*

### **RE: TARA APRIL (TIME-SENSITIVE) / TARA MASTER PROJECT**

Dear David,

I hope you are well. Pursuant to your email request of October 21, 2024, I am corresponding with you regarding the above-referenced matters in your capacity as staff counsel. This is a time-sensitive and urgent request.

Although your email stated that the City of Alachua had, at least informally, placed the Tara Projects on hold pending staff analysis of the irrelevant and unfounded issues raised by Alachua County,<sup>1</sup> I nevertheless write to request the hearing on final approval of the Special Exception Permit for the Tara April project be placed on the December 10, 2024 hearing calendar, which by our reckoning requires public notice to be issued **next week** (the week of November 18-22).

Obviously, unnecessary hearing delays have significant financial consequences.

The applicable facts and law supporting my request follow. Tara April's Special Exception Permit and Infrastructure Plan were accepted by the City and scheduled for final hearing on September 10, 2024 (Special Exception Permit) and tentatively for October 7, 2024 (Infrastructure Plan). Please see attached letter from Justin Tabor dated July 30, 2024. In other words, all conditions related to approval of the permit were complete prior to July 30, 2024.

As you know, § 166.033, Florida Statutes, requires that within "180 days for applications that require final action through a quasi-judicial hearing or a public hearing, the municipality must approve, approve with conditions, or deny the application for a development permit or

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<sup>1</sup> I would be grateful for an update on the City's progress and its current view of when activity may resume.

development order.” We believe that Tara April must be placed on the December 10, 2024 agenda for the City to comply with its statutory duty.

Thus, I respectfully request that you immediately confer with staff to ensure this critical scheduling obligation is fulfilled. If, for any reason, this cannot be accomplished, please promptly notify me.

Next, as I am sure you are aware, by virtue of its substantial investments in reliance on existing approvals and assurances from the City and other regulatory bodies like the WMD,<sup>2</sup> Tara holds enforceable vested rights. See, e.g., *Monroe County v. Ambrose*, 866 So.2d 707 (2003). The County’s tardy interference, only arising after the significant investments were made in reliance on prior approvals, is in bad faith. At the County’s emergency October hearing, various Commissioners expounded at length about “accidentally” overlooking the years-long project. The County’s *negligence* is not a good faith basis to raise untimely concerns years after the appropriate time.

Next, I would like to offer a few observations about the County’s position. I have also attached the County’s October 15, 2024 letter addressed to the Water Management District. I’m certain you will note, as I did, the tone and detail in the WMD letter varied significantly from the County’s letter of the same date addressed to the City.

The County’s WMD letter refers to the entire “I-75/US441 corridor between Alachua and High Springs,” rather than just the area around the interstate interchange, as it referenced in its letter to the City. We respectfully suggest that, if the City accedes to the County’s interference in this project, it will be emboldened to continue similar unlawful interference in future projects in the entire region.

Next, you will note that the County’s WMD letter also greatly broadens the description of its interests compared to the letter sent to the City. The WMD letter refers to the County’s concerns over karst geology generally and not just karst designated property (“karst sensitive areas”). Indeed, with sufficient depth, caves and voids can be found nearly everywhere in Florida.

Increasing the burden of environmental inspections and requiring “best practices” not provided for in applicable planning regulations will discourage development in the City. I am sure that you will also recognize the material fact that the City has not historically required these heightened, extra-regulatory development standards for other projects along the “I-75/US441 corridor between Alachua and High Springs,” or in other “karst sensitive areas.”

---

<sup>2</sup> See, e.g., Suwanee River Water Management District Permit Numbers ERP-001-242142-2, issued on January 10, 2023, and ERP-001-241954-1, issued on December 20, 2022.



The City of Alachua has consistently exercised its jurisdiction over local development projects without external interference, a practice firmly supported by Florida's statutory framework and municipal autonomy in land use matters. By adhering to the City's established regulatory processes, Alachua ensures that projects like Tara April undergo thorough local evaluation, balancing growth with community needs and existing zoning standards. Yielding to the County's recent, overreaching demands could set a poor precedent, undermining the City's capacity to make independent determinations for its future. Alachua's authority over its development process not only aligns with statutory mandates but serves the best interests of its residents by preserving local control and responsiveness in decision-making.

My client has enjoyed, and hopes to continue enjoying, a positive and productive relationship with the City. Our projects will benefit the City, its citizens, its businesses, and its environment. We appreciate the City's uncompromising adherence to the rule of law and common sense in this and future similar matters.

In light of these considerations, we urge that the Tara April project be promptly scheduled for approval at the December 10, 2024, hearing to satisfy statutory deadlines and support the City's growth trajectory. Any barriers to fulfilling this scheduling request should be communicated without delay, as timely action is essential for the project's viability and for the City's compliance with state law. Thank you for your attention to this request and for upholding the City's commitment to a fair, expedient review process that prioritizes both local autonomy and the public interest.

Thank you,



Jeff Childers





# City of Alachua

MIKE DAROZA  
CITY MANAGER

PLANNING & COMMUNITY DEVELOPMENT  
DIRECTOR KATHY WINBURN

July 30, 2024

Sent by electronic mail to [cvega@edafl.com](mailto:cvega@edafl.com)

Claudia Vega, P.E.  
EDA Consultants, Inc.  
720 SW 2<sup>nd</sup> Avenue  
South Tower, Suite 300  
Gainesville, FL 32601

RE: Public Hearings for Ben E. Keith Site Plan Application Tara April Special Exception Permit and Infrastructure Plan Applications

Dear Ms. Vega:

The City of Alachua has reviewed the revised applications and materials for a Special Exception Permit and Infrastructure Plan submitted on behalf of Tara Forest, LLC. The applications propose the construction of stormwater management facilities and other associated site improvements to provide stormwater quality treatment on a ±58.32 acre subject property, located on Tax Parcel Number 03020-000-000. Based upon a review of the revised applications, the City has determined that the applications can now be scheduled for public hearings.

The Special Exception Permit will require a public hearing before the Planning and Zoning Board (PZB) and is scheduled for the September 10, 2024 PZB Meeting. The Infrastructure Plan will require a public hearing before the City Commission and is tentatively scheduled for the October 7, 2024 City Commission Meeting (pending PZB action on the Special Exception Permit).

Prior to the PZB Meeting, you must provide two (2) *double-sided, three-hole punched, color sets* of the **complete** Special Exception Permit application package, seven (7) sets of plans, and a digital copy of all materials in PDF format on a CD or by emailing a Cloud / FTP link to download the materials to [planning@cityofalachua.com](mailto:planning@cityofalachua.com). These materials must be submitted *no less than 10 business days prior to the meeting date* (no later than **Tuesday, August 28, 2024**). Materials may be submitted earlier than this date.

In addition, Section 2.2.9(D) of the Land Development Regulations requires the applicant to place posted notice signs on the subject property at least 14 days prior to the public hearing. Therefore, posted notice signs must be placed on the property no later than **Tuesday, August 28, 2024**. Staff will contact notify you when the signs are available for pick up at City Hall.

If you plan to utilize a PowerPoint presentation or would like other materials to be available for reference during the public hearing, please submit the presentation or materials no later than 12:00 PM on the last business day prior the PZB meeting (no later than **Monday, September 9,**

2024). Any presentation or materials may be submitted by emailing them to [planning@cityofalachua.com](mailto:planning@cityofalachua.com).

Should you have any questions, please feel free to contact me at (386) 418-6100, x 1602 or via email at [jtabor@cityofalachua.com](mailto:jtabor@cityofalachua.com).

Sincerely,



Justin Tabor, AICP  
Principal Planner

c: Mike DaRoza, City Manager (*by electronic mail*)  
Rodolfo Valladares, PE, Assistant City Manager (*by electronic mail*)  
Kathy Winburn, Planning & Community Development Director (*by electronic mail*)  
Adam Hall, AICP, Principal Planner (*by electronic mail*)  
Carson Crockett, AICP Candidate, Planner (*by electronic mail*)  
Project File



# Alachua County Board of County Commissioners

Mary C. Alford, Chair  
Charles S. Chestnut, IV, Vice Chair  
Ken Cornell  
Anna Prizzia  
Marihelen Wheeler

Administration  
Michele L. Lieberman  
*County Manager*

October 15, 2024

[hugh.Thomas@srwmd.org](mailto:hugh.Thomas@srwmd.org)

Hugh Thomas, Executive Director  
Suwannee River Water Management District  
9225 CR 49  
Live Oak, FL 32060

RE: Tara Forest West and Tara Phoenicia - Projects located near Mill Creek Sink, City of Alachua

Dear Mr. Thomas,

On behalf of the Alachua County Board of County Commissioners (BoCC), I respectfully urge you to have your staff further review and incorporate additional conditions into the proposed stormwater permit/ERP for Tara Forest West and Tara Phoenicia in order to adequately safeguard the Floridan aquifer, the Mill Creek Sink and Cave systems, and the downgradient springs on the Santa Fe River.

The I-75/US441 corridor between Alachua and High Springs is experiencing significant growth and development and it is critical that such development occur in a sustainable manner, using best engineering, landscaping, and management practices, to protect this area's vulnerable Floridan aquifer, caves, and springs systems. With the proper safeguards, the proposed development projects can serve as a model for development in karst sensitive areas and would better protect our valuable water resources.

Our environmental and planning staff are available and willing to sit down with District and City of Alachua staff to work on additional recommended conditions, safeguards, stormwater and site design strategies, including LID techniques to reduce the potential for harm to the Mill Creek system, the Floridan aquifer, and our drinking water.

Thank you for giving Alachua County the opportunity to provide input to address water resource concerns associated with these projects. We look forward to working with SRWMD and City of Alachua staff to ensure that these types of developments occur in a manner that protects these unique water resources.

If you have any questions, please do not hesitate to contact, Stephen Hofstetter, our Environmental Protection Department Director at [shofstetter@alachuacounty.us](mailto:shofstetter@alachuacounty.us) or at (352) 264-6811.

Sincerely,



Mary C. Alford, Chair  
Alachua County Commission  
Chr25.002

xc: Alachua County Board of County Commissioners  
Michele Lieberman, County Manager  
Sylvia Torres, County Attorney  
Gib Coerper, City of Alachua Mayor  
Mike DaRoza, City Manager  
Katherine Weitz, City of High Springs Mayor  
Jeremy Marshall, City of High Springs City Manager

# FOLDS WALKER, LLC

ATTORNEYS AT LAW

ALLISON E. FOLDS†  
S. SCOTT WALKER‡

NORMAN BLEDSOE  
A. DEREK FOLDS  
KIERSTEN N. BALLOU  
DANIELLE C. ADAMS

CLAY MARTIN, *Of Counsel*  
SCOTT L. WHITAKER, *Senior Counsel*

527 E. UNIVERSITY AVENUE  
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TELEPHONE (352) 372-1282  
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[WWW.FOLDSWALKER.COM](http://WWW.FOLDSWALKER.COM)

† Certified Family and Circuit Civil Mediator  
‡ Certified Family Mediator

October 1, 2024

Sylvia Torres, Esq.  
County Attorney's Office  
12 SE 1<sup>st</sup> Street  
Gainesville, FL 32601

**SENT VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED**

*Re: City of Alachua – Tara Forest Final Plat*

Dear Sylvia,

I am writing on behalf of the City Commission of the High Springs, as they requested, to express their concerns regarding the site approval of the Tara Forest Final Plat in the City of Alachua. While the project is not located within the City of High Springs, as an affected third party, we believe that its development may have significant impacts on our community and the surrounding area.

The City is aware that the County has also expressed concerns regarding this project and would like to offer its support and resources as all parties navigate this issue. The City believes that collaboration between the County and affected municipalities will help to address potential challenges more effectively.

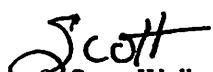
Additionally, our office sent a letter, dated August 23, 2024, to the City of Alachua declaring ourselves as a third-party intervenor at the hearing pertaining to the final site approval for the Tera Forest Final Plat. We also requested they include us on all future correspondence related to the matter and to provide our office with any procedural requirements for our participation as same. We have not received any correspondence from the City of Alachua.

In that regard, we propose setting up a time for city and county staff to discuss the matter in further detail. Please let us know if the County is amenable to this and feel free to contact our office or the City Manager, Jeremy Marshall, to arrange a suitable time for this meeting.

We look forward to your response and the opportunity to work together on this important issue.

Very Truly Yours,

FOLDS WALKER, LLC

  
S. Scott Walker, Esq.

cc: Marian Rush, Esq., City Attorney for the City of Alachua;  
Jeremy Marshall, City Manager for the City of High Springs; Mayor and City Commissioners



# City of Alachua

MIKE DAROZA  
CITY MANAGER

PLANNING & COMMUNITY DEVELOPMENT  
DIRECTOR KATHY WINBURN

July 30, 2024

Sent by electronic mail to [cvega@edafl.com](mailto:cvega@edafl.com)

Claudia Vega, P.E.  
EDA Consultants, Inc.  
720 SW 2<sup>nd</sup> Avenue  
South Tower, Suite 300  
Gainesville, FL 32601

RE: Public Hearings for Ben E. Keith Site Plan Application Tara April Special Exception Permit and Infrastructure Plan Applications

Dear Ms. Vega:

The City of Alachua has reviewed the revised applications and materials for a Special Exception Permit and Infrastructure Plan submitted on behalf of Tara Forest, LLC. The applications propose the construction of stormwater management facilities and other associated site improvements to provide stormwater quality treatment on a ±58.32 acre subject property, located on Tax Parcel Number 03020-000-000. Based upon a review of the revised applications, the City has determined that the applications can now be scheduled for public hearings.

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2024). Any presentation or materials may be submitted by emailing them to [planning@cityofalachua.com](mailto:planning@cityofalachua.com).

Should you have any questions, please feel free to contact me at (386) 418-6100, x 1602 or via email at [jtabor@cityofalachua.com](mailto:jtabor@cityofalachua.com).

Sincerely,



Justin Tabor, AICP  
Principal Planner

c: Mike DaRoza, City Manager (*by electronic mail*)  
Rodolfo Valladares, PE, Assistant City Manager (*by electronic mail*)  
Kathy Winburn, Planning & Community Development Director (*by electronic mail*)  
Adam Hall, AICP, Principal Planner (*by electronic mail*)  
Carson Crockett, AICP Candidate, Planner (*by electronic mail*)  
Project File

RE: Tara April

Sergio Reyes <[sreyes@edafl.com](mailto:sreyes@edafl.com)>

Thu 7/25/2024 11:06 AM

To:Justin Tabor <[ju\\_tabor@cityofalachua.org](mailto:ju_tabor@cityofalachua.org)>;

Cc:Clay Sweger <[csweger@edafl.com](mailto:csweger@edafl.com)>; Claudia Vega <[cvega@edafl.com](mailto:cvega@edafl.com)>;

Sounds good, thank you.

**Sergio Reyes, P.E.**

President

[SReyes@edafl.com](mailto:SReyes@edafl.com)

edafl.com



720 SW 2nd Ave  
South Tower, Suite 300  
Gainesville, Florida 32601  
(352) 373-3541

---

**From:** Justin Tabor <[ju\\_tabor@cityofalachua.org](mailto:ju_tabor@cityofalachua.org)>  
**Sent:** Thursday, July 25, 2024 10:35 AM  
**To:** Sergio Reyes <[sreyes@edafl.com](mailto:sreyes@edafl.com)>  
**Cc:** Clay Sweger <[csweger@edafl.com](mailto:csweger@edafl.com)>; Claudia Vega <[cvega@edafl.com](mailto:cvega@edafl.com)>  
**Subject:** Re: Tara April

Good question. I think we can suffice with electronic only for now. We will need the standard 7 sets of plans and two copies of all other materials 2 weeks prior to PZB. I'll send a letter separately with further details.



**JUSTIN TABOR**

*Principal Planner*

386.418.6123

[jtabor@cityofalachua.org](mailto:jtabor@cityofalachua.org)

[www.cityofalachua.org](http://www.cityofalachua.org)

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Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

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**From:** Sergio Reyes <[sreyes@edafl.com](mailto:sreyes@edafl.com)>

**Sent:** Thursday, July 25, 2024 10:13:03 AM

**To:** Justin Tabor

**Cc:** Clay Sweger; Claudia Vega

**Subject:** RE: Tara April

Justin:

Thanks for quick response. How many copies of the materials do you need? I assume that you need hard copies and electronic submittal too.

Let me know. Thanks

**Sergio Reyes, P.E.**

President

[SReyes@edafl.com](mailto:SReyes@edafl.com)

edafl.com



720 SW 2nd Ave  
South Tower, Suite 300  
Gainesville, Florida 32601  
(352) 373-3541

---

**From:** Justin Tabor <[ju\\_tabor@cityofalachua.org](mailto:ju_tabor@cityofalachua.org)>

**Sent:** Thursday, July 25, 2024 9:53 AM

**To:** Sergio Reyes <[sreyes@edafl.com](mailto:sreyes@edafl.com)>

**Cc:** Clay Sweger <[csweger@edafl.com](mailto:csweger@edafl.com)>; Claudia Vega <[cvega@edafl.com](mailto:cvega@edafl.com)>

**Subject:** Re: Tara April

Sergio,

Since it is Mr. Moukhtara's intent to utilize the new processes established by the recent privately-initiated LDR text amendments, we needed to pause the review pending the creation of the new subdivider agreements and infrastructure plan agreements to implement the text amendments. That process concluded recently, which allowed the Tara Forest West preliminary plat to proceed with public hearings.

Through the development of the new agreements we have determined that an infrastructure plan agreement should not be necessary for Tara April since all improvements will be privately maintained. That said, we should be able to get the special exception on the September PZB and the infrastructure plan (pending approval of the special exception permit) to the Commission in October.

Could you please resubmit the application so we can make sure we have all documents in final form?

Thanks.



**JUSTIN TABOR**

*Principal Planner*

386.418.6123

[jtabor@cityofalachua.org](mailto:jtabor@cityofalachua.org)

[www.cityofalachua.org](http://www.cityofalachua.org)

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**From:** Sergio Reyes <[sreyes@edafl.com](mailto:sreyes@edafl.com)>  
**Sent:** Thursday, July 25, 2024 7:35:33 AM  
**To:** Justin Tabor  
**Cc:** Clay Sweger; Claudia Vega  
**Subject:** Tara April

Good Morning Justin:

What is status of Tara April permit? We re-submit back plans and supporting documentation in February of this year and we have not received any response or request for additional information.

Mr. Moukhtara informed us that his other projects have some level of approval (preliminary plat or final plats approval) and we would like to finalize Tara April.

Please let us know.

Thanks

**Sergio Reyes, P.E.**

President

[SReyes@edafl.com](mailto:SReyes@edafl.com)  
edafl.com



720 SW 2nd Ave  
South Tower, Suite 300  
Gainesville, Florida 32601  
(352) 373-3541

June 29, 2023

Justin Tabor, AICP  
Principal Planner  
City of Alachua  
PO Box 9  
Alachua, FL 32616

**Re: Planning Assistance Team (PAT) Summary: Tara April Special Exception Application**

Dear Mr. Tabor:

The applicant's responses to the PAT review comments issued on June 26, 2023 are below.

**1. Miscellaneous Clarifications**

a. General Comment: The applicant proposes for the trail system to be constructed in three phases, however, the stormwater management facilities serving the property zoned Community Commercial will be constructed during Phase 1. Phase 2 proposes a connection to the Tara Forest West project and is thus contingent upon the approval and development of the Tara Forest West project in order for the interconnectivity between Tara Forest West and Tara April to be realized. Please provide further assurances within the conditions of the Special Exception addressing the phasing schedule and realization of Phase 2 and Phase 3 improvements.

**RESPONSE: The Special Exception Master Plan (Condition #6) has been revised to better address the trail phasing schedule.**

b. Page 4: the final paragraph of the Background states, “[a] related and fundamental part of the overall site design is to utilize the portion of the property with a Recreation and Agriculture zoning for a two-fold purpose...” Recreation is not a zoning category established by the City’s LDRs. Revise accordingly.

**RESPONSE: This paragraph has been revised to clarify the intent of this statement.**

c. Page 6: The following statement conflicts with the standards for Special Exceptions as stated in Section 2.4.4(D): “It is the applicant's understanding that the City will review each Special Exception request individually and will consider approval based on the merits of the application and that the bar should be set high to permit such proposals in order to ensure a superior result in comparison to development that is allowed ‘by right’ without a Special Exception permit. It is is (sic) the applicant's that this application, which has been improved and enhanced based on input and discussions with City staff, will provide a ‘win-win’ condition for both the applicant and the residents of the City of Alachua and a (sic) overall superior result, which is the intent of this project proposal.” Revise accordingly.

**RESPONSE: This section has been revised to address the comment above.**

d. Page 8: Clarify the following statement: "Proposed improvements that are above and beyond standard code requirements are again summarized below". Particularly: i. Trail network is being provided to fulfill the requirements of Section 4.3.2(I)(4) which requires an enhanced recreational functional use.

**RESPONSE: This statement has been revised to provide further clarification.**

ii. Implementation of FDOT stormwater treatment basins is required by Policy 1.3.h of the Comprehensive Plan Future Land Use Element prior to commercial development. The statement that granting the Special Exception Permit will 'expedite' the implementation of Policy 1.3.h is irrelevant to the application of the Special Exception Permit standards or the fulfillment of Policy 1.3.h.

**RESPONSE: This statement has been revised to provide further clarification.**

i. Clarify the following statement: "...the proposed Special Exception has been prepared to demonstrate consistency with the applicable sections of the Comprehensive Plan and Land Development Code. Specifically, the application is consistent with and will help implement Comprehensive Plan Policy 1.3.h..."

**RESPONSE: This statement has been revised to provide further clarification.**

ii. Clarify the following statement: "In addition to compliance with Comprehensive Plan and Land Development Code, the Special Exception, if approved by the City of Alachua, will allow for the implementation of the landowner's master plan, which will accomplish several objectives that are all supportive with and are interdependent upon each other and will provide a superior result to a standard 'by right' development limited in scope to just within the commercially-zoned property."

**RESPONSE: This statement has been revised to provide further clarification.**

d. Page 9: Clarify the following statement: "In summary, the proposed design elements indicated on the Special Exception Master Plan will provide a superior result to a standard 'by right' development limited in scope to just within the commercially zoned property. The Special Exception will provide pedestrian interconnectivity to a variety of public private uses that would otherwise not be linked, including the recently completed water quality improvement project and help showcase the City project to the public, will limit commercial uses that would be in proximity to the Mill Creek conservation area and will help expedite and make financially feasible the FDOT water quality improvements as indicated in Policy 1.3.h."

**RESPONSE: This statement has been revised to provide further clarification.**

e. Conclusion:

- i. Clarify the following statement: "...the proposed Special Exception has been prepared to demonstrate consistency with the applicable sections of the Comprehensive Plan and Land Development Code. Specifically, the application is consistent with and will help implement Comprehensive Plan Policy 1.3.h..."

**RESPONSE: This statement has been removed from this portion of the report.**

- ii. Clarify the following statement: "In addition to compliance with Comprehensive Plan and Land Development Code, the Special Exception, if approved by the City of Alachua, will allow for the implementation of the landowner's master plan, which will accomplish several objectives that are all supportive with and are interdependent upon each other and will provide a superior result to a standard 'by right' development limited in scope to just within the commercially-zoned property."

**RESPONSE: This statement has been removed from this portion of the report.**

f. Provide further information within the application regarding the existing wetland creek crossing that will be utilized, including pictures.

**RESPONSE:** eda has consulted with Verde Environmental regarding the following response that addresses this comment. The proposed creek crossing is at a very well-established stabilized road crossing that has been in place for many years. Attached photos are photos taken on June 27, 2023, that show the existing conditions at the crossing area. As can be seen, the crossing is completely dry, even after the extensive rainfall that has occurred over the previous several days. While this narrow crossing area was mapped in the environmental assessment as wetland, this area is disturbed & altered from its original condition. In comparison to the remainder of the wetland area, this crossing provides the lowest level of wetland function and minimal habitat value. The substrate has been altered through the addition of stone to stabilize the road bed, and the vegetation has been suppressed as a result of frequent truck traffic. Additionally, the crossing is situated where the wetland is at its narrowest. The proposed impact has been minimized, and the proposed activity is limited to a trail crossing and as such, is consistent with the applicable City Comprehensive Plan Policy 1.10.b and Alachua County ULDC Sec. 77.21 below:

*Policy 1.10.b: The City shall conserve wetlands by prohibiting, where the alternative of clustering all structures in the non-wetland portion of the site exists, any development or dredging and filling which would alter their natural functions. If no other alternative for development exists, the City shall allow only minimal development activity in those areas designated as wetlands within this Comprehensive Plan and that such development activity comply with the following performance standards:*

***III. Limited development activity with impacts to isolated wetlands (and/or associated buffers) that meet all of the following conditions:***

- a. Less than .25 acres in size; and,*
- b. Determined to be of poor quality by a certified environmental specialist; and,*
- c. The applicant has demonstrated that every reasonable step has been taken to minimize impact to wetland; and,*

*d. The applicant has provided for appropriate on-site or off-site mitigation for impact to wetland. Limited development activity includes, but is not limited to, park amenities such as trails or boardwalks, minimum necessary roadways and/or sidewalks for access or internal site connectivity, and underground utility line crossings.*

**Sec. 77.21. Exemptions.**

- (a) *The following activities are allowed on regulated surface waters, wetlands, and wetland buffers, subject to municipal regulations, if any, and any specified limitations, restrictions, and conditions:*
- (2) *Minor nature trails. Construction and maintenance of public or private nature trails no greater than ten feet in width, including boardwalks and foot bridges, provided that no more dredging or filling is performed than necessary to install, repair, or replace pilings.*

**2. Special Exception Notes on Special Exception Master Plan**

- a. Condition 3 is an incomplete sentence. Revise accordingly.

**RESPONSE: Condition #3 has been revised to complete the sentence.**

- b. Add the following to Note 3: Points of access shall be approved by City Staff during review of a development plan (e.g., site plan or other applicable development review process).

**RESPONSE: This language has been added to Note / Condition #3.**

- c. Add the following to Note 4: The internal pedestrian network shall be approved by City Staff during review of a development plan (e.g., site plan or other applicable development review process).

**RESPONSE: This language has been added to Note #4.**

- d. Condition 8 conflicts with provisions of the LDRs and there must be removed.

**RESPONSE: This condition has been removed from the Master Plan.**

**3. Response to Section 2.4.4(D)**

- a. In response to Section 2.4.4(D)(4):
  - i. Clarify the statement that “the approval of the Special Exception will help improve existing water quality conditions from Interstate 75.” The Special Exception Permit is not required in order for the water quality treatment standards as set forth in Policy 1.3.h of the Comprehensive Plan Future Land Use Element to be implemented.

**RESPONSE: This statement has been removed from the report.**

ii. The following statement is irrelevant to the standard and therefore should be removed: "The proposed stormwater in Agriculture zoning (per Special Exception) will allow for adquate (sic) (sic) revenue to make it financially feasible to construct the sizable on-site FDOT stormwater runoff area that (when constructed) will improve water quality of a portion of the interstate road runoff before it enters the Mill Creek system. Also, the Special Exception proposes to eliminate several commercial uses that could be potentially incompatible with the Mill Creek system, thereby providing further environmental protection beyond what is otherwise allowed in the City LDR's by right."

**RESPONSE: This statement has been removed from the report.**

b. In response to Section 2.4.4(D)(6): Response primarily addresses public facility impacts and water treatment rather than the specified standard.

**RESPONSE: This section has been revised to address the comment above.**

c. In response to Section 2.4.4(D)(7):

i. The following statements are irrelevant to the standard and should therefore be removed:

(a) "The Special Exception Master Plan will accomplish several objectives that are all supportive with and are interdependent upon each other. The proposed stormwater in Agriculture zoning (per Special Exception) will allow for adquate (sic) space for commercial development that will generate adquate (sic) revenue to make it financially feasible to construct the sizable on-site FDOT stormwater runoff area that (when constructed) will improve water quality of a portion of the interstate road runoff before it enters the Mill Creek system."

**RESPONSE: This statement has been removed from the report.**

(b) "The proposed design elements indicated on the Special Exception Master Plan will provide a superior result to a standard 'by right' development limited in scope to just within the commercially zoned property. The Special Exception will provide pedestrian interconnectivity to a variety of public private uses that would otherwise not be linked, including the recently completed water quality improvement project and help showcase the City project to the public, will limit commercial uses that would be in proximity to the Mill Creek conservation area and will help expedite and make financially feasible the FDOT water quality improvements as indicated in Policy 1.3.h."

**RESPONSE: This statement has been removed from the report.**

(c) "Also, the Special Exception proposes to eliminate several commercial uses, thereby providing further enviornmental (sic) protection beyond what is otherwise allowed in the City LDR's by right."

**RESPONSE: This statement has been removed from the report.**

**Photo submitted by applicant's agent, eda consultants, inc.,  
in June 29, 2023 response to staff comment f., issued in  
staff comments to applicant on June 23, 2023. This  
comment added for clarity by City staff.**



**Photo submitted by applicant's agent, eda consultants, inc., in June 29, 2023 response to staff comment f., issued in staff comments to applicant on June 23, 2023. This comment added for clarity by City staff.**



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in June 29, 2023 response to staff comment f., issued in  
staff comments to applicant on June 23, 2023. This  
comment added for clarity by City staff.**





# City of Alachua

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MIKE DAROZA  
CITY MANAGER

PLANNING & COMMUNITY DEVELOPMENT  
DIRECTOR KATHY WINBURN, AICP

June 26, 2023

Sent by electronic mail to [csweger@edafl.com](mailto:csweger@edafl.com)

Clay Sweger, AICP, LEED AP  
EDA Consultants, Inc.  
720 SW 2<sup>nd</sup> Avenue  
South Tower, Suite 300  
Gainesville, FL 32601

RE: Project Assistance Team (PAT) Review: Tara April Special Exception Permit Application

Dear Mr. Sweger:

On May 30, 2023, the City of Alachua received your revised application for a Special Exception Permit on behalf of Tara Forest, LLC. The application proposes to allow the placement of a minor utility (stormwater management facilities) in the Agricultural (A) zoning district that would support development located within the Community Commercial (CC) zoning district on Tax Parcel Number 03020-000-000. The revised application received on May 30, 2023 was submitted to address the completeness review comments issued to you in a letter dated May 4, 2022.

The application has been reviewed by the City's Project Assistance Team (PAT). Upon review of the application and materials, the following insufficiencies must be addressed. A meeting to review these comments can be scheduled upon request.

Please address all insufficiencies in writing and provide an indication as to how they have been addressed by **5:00 PM on Wednesday, July 12, 2023**. Materials may be submitted electronically to the project planner (no printed copies are required).

Please address the following:

1. Miscellaneous Clarifications

- a. General Comment: The applicant proposes for the trail system to be constructed in three phases, however, the stormwater management facilities serving the property zoned Community Commercial will be constructed during Phase 1. Phase 2 proposes a connection to the Tara Forest West project and is thus contingent upon the approval and development of the Tara Forest West project in order for the interconnectivity between Tara Forest West and Tara April to be realized. Please provide further assurances within the conditions of the Special Exception addressing the phasing schedule and realization of Phase 2 and Phase 3 improvements.

- b. Page 4: the final paragraph of the Background states, “[a] related and fundamental part of the overall site design is to utilize the portion of the property with a Recreation and Agriculture zoning for a two-fold purpose...” Recreation is not a zoning category established by the City’s LDRs. Revise accordingly.
- c. Page 6: The following statement conflicts with the standards for Special Exceptions as stated in Section 2.4.4(D): “It is the applicant’s understanding that the City will review each Special Exception request individually and will consider approval based on the merits of the application and that the bar should be set high to permit such proposals in order to ensure a superior result in comparison to development that is allowed ‘by right’ without a Special Exception permit. It is (sic) the applicant’s that this application, which has been improved and enhanced based on input and discussions with City staff, will provide a ‘win-win’ condition for both the applicant and the residents of the City of Alachua and a (sic) overall superior result, which is the intent of this project proposal.” Revise accordingly.
- d. Page 8: Clarify the following statement: “Proposed improvements that are above and beyond standard code requirements are again summarized below”. Particularly:
  - i. Trail network is being provided to fulfill the requirements of Section 4.3.2(l)(4) which requires an enhanced recreational functional use.
  - ii. Implementation of FDOT stormwater treatment basins is required by Policy 1.3.h of the Comprehensive Plan Future Land Use Element prior to commercial development. The statement that granting the Special Exception Permit will ‘expedite’ the implementation of Policy 1.3.h is irrelevant to the application of the Special Exception Permit standards or the fulfillment of Policy 1.3.h.
- d. Page 9: Clarify the following statement: “In summary, the proposed design elements indicated on the Special Exception Master Plan will provide a superior result to a standard ‘by right’ development limited in scope to just within the commercially zoned property. The Special Exception will provide pedestrian interconnectivity to a variety of public private uses that would otherwise not be linked, including the recently completed water quality improvement project and help showcase the City project to the public, will limit commercial uses that would be in proximity to the Mill Creek conservation area and will help expedite and make financially feasible the FDOT water quality improvements as indicated in Policy 1.3.h.”
- e. Conclusion:
  - i. Clarify the following statement: “...the proposed Special Exception has been prepared to demonstrate consistency with the applicable sections of the Comprehensive Plan and Land Development Code. Specifically, the application is consistent with and will help implement Comprehensive Plan Policy 1.3.h...”
  - ii. Clarify the following statement: “In addition to compliance with Comprehensive Plan and Land Development Code, the Special Exception, if approved by the City of Alachua, will allow for the implementation of the landowner’s master plan, which will accomplish several objectives that are all supportive with and are interdependent upon each other and will provide a superior result to a standard ‘by right’ development limited in scope to just within the commercially-zoned property.”

- f. Provide further information within the application regarding the existing wetland creek crossing that will be utilized, including pictures.
2. *Special Exception Notes on Special Exception Master Plan*
- a. Condition 3 is an incomplete sentence. Revise accordingly.
  - b. Add the following to Note 3: Points of access shall be approved by City Staff during review of a development plan (e.g., site plan or other applicable development review process).
  - c. Add the following to Note 4: The internal pedestrian network shall be approved by City Staff during review of a development plan (e.g., site plan or other applicable development review process).
  - d. Condition 8 conflicts with provisions of the LDRs and there must be removed.
3. *Response to Section 2.4.4(D)*
- a. In response to Section 2.4.4(D)(4):
    - i. Clarify the statement that “the approval of the Special Exception will help improve existing water quality conditions from Interstate 75.” The Special Exception Permit is not required in order for the water quality treatment standards as set forth in Policy 1.3.h of the Comprehensive Plan Future Land Use Element to be implemented.
    - ii. The following statement is irrelevant to the standard and therefore should be removed: “The proposed stormwater in Agriculture zoning (per Special Exception) will allow for adquate (sic) (sic) revenue to make it financially feasible to construct the sizable on-site FDOT stormwater runoff area that (when constructed) will improve water quality of a portion of the interstate road runoff before it enters the Mill Creek system. Also, the Special Exception proposes to eliminate several commercial uses that could be potentially incompatible with the Mill Creek system, thereby providing further environmental protection beyond what is otherwise allowed in the City LDR’s by right.”
  - b. In response to Section 2.4.4(D)(6): Response primarily addresses public facility impacts and water treatment rather than the specified standard.
  - c. In response to Section 2.4.4(D)(7):
    - i. The following statements are irrelevant to the standard and should therefore be removed:
      - (a) “The Special Exception Master Plan will accomplish several objectives that are all supportive with and are interdependent upon each other. The proposed stormwater in Agriculture zoning (per Special Exception) will allow for adquate (sic) space for commercial development that will generate adquate (sic) revenue to make it financially feasible to construct the sizable on-site FDOT stormwater runoff area that (when constructed) will improve water quality of a portion of the interstate road runoff before it enters the Mill Creek system.”
      - (b) “The proposed design elements indicated on the Special Exception Master Plan will provide a superior result to a standard ‘by right’ development limited in scope to just within the commercially zoned property. The Special Exception will provide pedestrian interconnectivity to a variety of public private uses that

would otherwise not be linked, including the recently completed water quality improvement project and help showcase the City project to the public, will limit commercial uses that would be in proximity to the Mill Creek conservation area and will help expedite and make financially feasible the FDOT water quality improvements as indicated in Policy 1.3.h."

- (c) "Also, the Special Exception proposes to eliminate several commercial uses, thereby providing further enviornmental (sic) protection beyond what is otherwise allowed in the City LDR's by right."

If you have any questions regarding the information above, please contact me at 386-418-6100 x 1602 or via e-mail at [jtabor@cityofalachua.com](mailto:jtabor@cityofalachua.com). We look forward to receiving your revised application.

Sincerely,



Justin Tabor, AICP  
Principal Planner

c: Mike DaRoza, City Manager (*by electronic mail*)  
Kathy Winburn, Planning & Community Development Director (*by electronic mail*)  
Adam Hall, AICP, Principal Planner (*by electronic mail*)  
Carson Crockett, Planner (*by electronic mail*)  
Sayed Moukhtara, Tara Forest, LLC (*by electronic mail*)  
Project File



## City of Alachua

MIKE DAROZA  
CITY MANAGER

PLANNING & COMMUNITY DEVELOPMENT  
DIRECTOR KATHY WINBURN, AICP

April 5, 2023

Sent by electronic mail to [csweger@edafl.com](mailto:csweger@edafl.com)

Clay Sweger, AICP, LEED AP  
EDA Consultants, Inc.  
720 SW 2<sup>nd</sup> Ave, South Tower  
Suite 300  
Gainesville, FL 32601

RE: LDR Administrator Interpretation: Land Development Regulations Text – Application of Section 4.3.2(l)(4)(a)(iii) of the LDRs for Tara April Special Exception Permit & Infrastructure Plan Applications

Dear Mr. Sweger:

On March 21, 2023 the City of Alachua Planning & Community Development Department received your application for an Interpretation of the Land Development Regulation (LDR) Administrator pursuant to Section 2.4.19 of the City's LDRs. This application requests an interpretation of the text of the LDRs by the LDR Administrator. Specifically, it requests an interpretation of the application of Section 4.3.2(l)(4)(a)(iii) of the LDRs with respect to the Tara April project.

The Tara April Infrastructure Plan, among other improvements, proposes the construction of stormwater management facilities located in the Agricultural (A) zoning district that would support future development of adjacent lands zoned Community Commercial (CC).

A stormwater management facility is identified in Article 10 of the LDRs as a minor utility. A minor utility is defined in Article 10 of the LDRs as (emphases added): *"infrastructure services that need to be located in or near the neighborhood or use type where the service is provided. Examples of minor utilities include water and sewage pump stations, distribution electric substations, as defined in F.S. § 163.3208, stormwater retention and detention facilities, telephone exchanges, and surface transportation stops such as bus stops."*

In instances where a stormwater management facility is proposed within a zoning district that is less intense than the zoning district of the proposed use, Section 4.3.2(l)(4) of the LDRs requires the development to receive approval of a Special Exception Permit and for the stormwater management facility to meet specified criteria. Section 4.3.2(l)(4)(a) states:

- (4) *Utility, minor.* A minor utility use shall comply with the following standards:
  - (a) *Location.* Be located within reasonable proximity of the area to be served. Stormwater detention and retention facilities may be permitted by special exception permit on properties with less intense zoning district designations under common ownership, subject to the following requirements:

- (i) The zoning designation of the location of the stormwater detention and retention facility allows minor utilities; and,
  - (ii) The stormwater detention and retention facility meets the compatibility requirements as set forth in Subsection 4.3.2(l)(4)(b); and
  - (iii) The stormwater detention and retention facility provides an enhanced natural (e.g., increased topographic relief, vegetative diversity, etc.) or recreational (e.g., perimeter trail, boardwalk, interpretive kiosk, etc.) functional use.
- (b) *Compatibility.* Provide adequate setbacks, screening and buffering around the perimeter of the proposed use if it is deemed necessary to ensure land use compatibility with surrounding uses.
- (c) *Exemptions.* The provisions of this subsection shall not be applicable when the differing zoning designations are both classified as residential districts or are both classified as business districts, as categorized in Table 3.1-1, Establishment of Base Zone Districts. Stormwater detention and retention facilities serving residential districts shall be permitted in business districts without special exception if included as part of a master stormwater permit or common development plan.

Staff and the applicant have worked collectively through the review of the Tara April Special Exception Permit to ensure that the purpose and intent of Section 4.3.2(l)(4)(a)(iii) will be achieved. The applicant proposes the incorporation of recreational features that will connect the Tara April project to the Tara Forest West project via a recreational trail and boardwalk at an existing wetland crossing as well as a connection from the Tara April project to the nearby City Mill Creek Stormwater Enhancement Area located to the south. The applicant also proposes an interpretive kiosk at the City Mill Creek Stormwater Enhancement Area.

Upon reviewing the LDR Interpretation request and the conceptual site plan for Tara April, prepared by EDA Consultants, Inc., and dated 2/3/23, the LDR Administrator hereby finds that the proposed improvements as shown on the conceptual site plan submitted as an exhibit to the Special Exception Permit application (attached) will fulfill the requirement of Section 4.3.2(l)(4)(a)(iii) to provide an ‘enhanced recreational functional use’ for the project. This approval does not eliminate the requirement to comply with all other applicable provisions of the City’s LDRs, including but not limited to Sections 2.4.4(D), 2.4.4(E), 2.4.9(E)(2), and 2.4.9(F).

If you have any questions related to this interpretation, please contact the Planning & Community Development Department at 386-418-6121.

Sincerely,



Mike DaRoza  
City Manager / LDR Administrator

Attachment

c: Kathy Winburn, Planning & Community Development Director (*by electronic mail*)  
 Justin Tabor, AICP, Principal Planner (*by electronic mail*)  
 Adam Hall, AICP, Principal Planner (*by electronic mail*)  
 File



# City of Alachua

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MIKE DAROZA  
CITY MANAGER

PLANNING & COMMUNITY DEVELOPMENT  
DIRECTOR KATHY WINBURN, AICP

February 23, 2023

Sent by electronic mail to [csweger@edafl.com](mailto:csweger@edafl.com)

Clay Sweger, AICP, LEED AP  
EDA Consultants, Inc.  
720 SW 2<sup>nd</sup> Ave, South Tower  
Suite 300  
Gainesville, FL 32601

RE: Review of Tara April Special Exception Permit Application

Dear Mr. Sweger:

On November 8, 2022 City of Alachua Staff received your revised application for a Special Exception Permit on behalf of Tara Forest, LLC. The application proposes to allow the placement of a minor utility (stormwater management facilities) in the Agricultural (A) zoning district that would support development located within the Community Commercial (CC) zoning district on Tax Parcel Number 03020-000-000.

A letter was sent to you, dated September 22, 2022, advising you that an evaluation of the application's compliance with the applicable provisions of the LDRs, including but not limited to Sections 2.4.4(A), 2.4.4(D), and 4.3.2(l)(4), cannot be made without also considering an associated development plan. Additionally, the September 22, 2022 letter advised you that Section 2.4.4(D)(7) requires a Site Plan or Preliminary Plat to be prepared and to demonstrate how the proposed special exception use complies with all other standards of Section 2.4.4(D). A 'conceptual site plan' was submitted with the materials received on November 8, 2022. However, this 'conceptual site plan' does not fulfill the requirements of Section 2.4.9 nor does it fulfill the requirements of Section 2.4.4(D)(7).

In addition to compliance with Section 2.4.4(D)(7), at a meeting held on January 26, 2023 Staff expressed concerns regarding the proposal of the Special Exception Permit Application to restrict the permitted uses on the commercially zoned property but not identify the specific use which shall exist on this property. Staff further indicated to you that this approach does not demonstrate that the stormwater management facilities will provide an enhanced recreational functional use as required by Section 4.3.2(l)(4)(a)(iii). As stated during the January 26, 2023 meeting, the specific use proposed must be known in order to evaluate that an enhanced functional recreational use will be created by the proposed development plan.

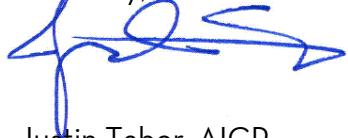
Therefore, as stated in the September 22, 2022 letter and discussed in our meeting held on January 26, 2023, the review of a Special Exception Permit application proposing stormwater management facilities in the Agricultural (A) zoning district and supporting development within

the Community Commercial (CC) zoning district cannot proceed until a Site Plan proposing a specific development is submitted to the City for review.

While a complete review of the Special Exception Permit application cannot be conducted until these matters are resolved, Staff would also like to discuss with you the proposed dedication of land to the City as part of the Special Exception Permit application. Please contact us at your convenience to set a time for this discussion.

If you have any questions, please contact me at 386-418-6100 x 1602 or via e-mail at [jtabor@cityofalachua.com](mailto:jtabor@cityofalachua.com).

Sincerely,



Justin Tabor, AICP  
Principal Planner

c: Mike DaRoza, City Manager (*by electronic mail*)  
Kathy Winburn, Planning & Community Development Director (*by electronic mail*)  
Adam Hall, AICP, Principal Planner (*by electronic mail*)  
Sayed Moukhtara, Tara Forest, LLC (*by electronic mail*)  
Project File



# SUWANNEE RIVER

## WATER MANAGEMENT DISTRICT

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December 22, 2022

Sayed Moukhtara  
Tara Forest LLC  
7717 NW 20th Lane  
Gainesville, FL 32605

SUBJECT: Permit Number ERP-001-241954-1  
Tara April

Dear Sayed Moukhtara:

Enclosed is your ERP Individual Permit issued by the Suwannee River Water Management District on December 20, 2022. This permit is a legal document and should be kept with your other important documents. Permit issuance does not relieve you from the responsibility of obtaining any necessary permits from any federal, state, or local agencies for your project.

**Noticing Your Permit:**

For noticing instructions, please refer to the noticing materials in this package regarding closing the point of entry for someone to challenge the issuance of your permit. Please note that if a timely petition for administrative hearing is filed, your permit will become nonfinal and any activities that you choose to undertake pursuant to your permit will be at your own risk.

**Compliance with Permit Conditions:**

To submit your required permit compliance information, go to the District's website at <https://permitting.sjrwmd.com/srepermitting/jsp/start.jsp>. Click to sign-in to your existing account or to create a new account. Select the "Apply/Submit" tab, select "Submit Compliance Data", enter your permit number, and select "No Specific Date" for the Compliance Due Date Range. You will then be able to view all the compliance submittal requirements for your project. Select "the compliance item that you are ready to submit and then attach the appropriate information or form. The forms to comply with your permit conditions are available at [floridaswater.com/permitting](http://floridaswater.com/permitting) under the section "Handbooks, forms, fees, final orders". Click on forms to view all permit compliance forms, then scroll to the ERP application forms section and select the applicable compliance forms. Alternatively, if you have difficulty finding forms or need copies of the appropriate forms, please contact the Resource Management Division at (386) 362-1001.

**Compliance with Other Permitting Programs:**

This permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start of any construction, alteration, operation, maintenance, removal or abandonment authorized by this permit.

The Suwannee River Water Management District did not issue a National Pollutant Discharge Elimination System (NPDES) permit for this project. If this project meets the thresholds such that a NPDES permit is required, you must apply to the Florida Department of Environmental Protection directly. More information about NPDES permits may be found online at

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<https://floridadep.gov/water/stormwater>. Failure to obtain a NPDES permit prior to construction could subject you to enforcement action by that agency.

For projects which involve wetlands or surface waters, the Suwannee River Water Management District did not issue a federal authorization for use or impacts to wetlands under federal jurisdiction, this project. Therefore, you must apply directly to the US Army Corps of Engineers (USACE). More information about USACE permitting may be found online at <https://www.saj.usace.army.mil/>. Failure to obtain USACE authorization prior to construction could subject you to federal enforcement action by that agency.

**Transferring Your Permit:**

Your permit requires you to notify the District in writing within 30 days of any change in ownership or control of the project or activity covered by the permit, or within 30 days of any change in ownership or control of the real property on which the permitted project or activity is located or occurs. You will need to provide the District with the information specified in rule 62-330.340, Florida Administrative Code (F.A.C.). Generally, this will require you to complete and submit Form 62-330.340(1), "Request to Transfer Permit".

Please note that a permittee is liable for compliance with the permit before the permit is transferred. The District, therefore, recommends that you request a permit transfer in advance in accordance with the applicable rules. You are encouraged to contact District staff for assistance with this process.

Thank you and please let us know if you have additional questions. For general questions contact us at (386) 362-1001.

Sincerely,



---

Tim Alexander  
Deputy Executive Director

Enclosures: Permit

cc: District Permit File



# SUWANNEE RIVER

## WATER MANAGEMENT DISTRICT

### ERP Individual Permit

**PERMITTEE:**

Sayed Moukhtara  
Tara Forest LLC  
7717 NW 20th Lane  
Gainesville, FL 32605

**PERMIT NUMBER:** ERP-001-241954-1**DATE ISSUED:** December 20, 2022**DATE EXPIRES:** December 20, 2027**COUNTY:** Alachua**TRS:** S4 T8S R18E**PROJECT:** Tara April

Upon completion, the approved entity to which operation and maintenance maybe transferred pursuant to rule 62-330.310 and 62-330.340 or 40B-4.1130, Florida Administrative Code (F.A.C) shall be:

Sayed Moukhtara  
Tara Forest LLC  
7717 NW 20th Lane  
Gainesville, FL 32605

Based on the information provided to the Suwannee River Water Management District (District), the above mentioned project has met the conditions of issuance as found in subsection 62-330.301, subsections 62-330.407 through 62-330.635, or subsection 40B-4.3030, F.A.C. The permit is hereby in effect for the activity description below:

This permit authorizes the construction operation, and maintenance of a stormwater management system to serve a total of 8.37 acres of future impervious surfaces and 13.51 acres of existing impervious surfaces. The project shall be constructed in a manner consistent with the application package, plans, and calculations submitted and certified by Claudia Vega, P.E. and Meagan Dickey, EDA on or before December 16, 2022.

As the permittee and/or operation and maintenance entity, it is your responsibility to ensure that adverse off-site impacts do not occur either during or after the construction. Any additional construction or alterations not authorized by this permit may result in flood control or water quality problems both on and off site and will be a violation of District rule.

You and any other substantially affected persons are entitled to request an administrative hearing or mediation. Please refer to the enclosed notice of rights.

1. All activities shall be implemented following the plans, specifications and performance criteria approved by this permit. Any deviations must be authorized in a permit modification in accordance with rule 62-330.315, F.A.C. Any deviations that are not so authorized may subject the permittee to enforcement action and revocation of the permit under chapter 373, F.S.
2. A complete copy of this permit shall be kept at the work site of the permitted activity during the construction phase, and shall be available for review at the work site upon request by the District staff. The permittee shall require the contractor to review the complete permit prior to beginning construction.
3. Activities shall be conducted in a manner that does not cause or contribute to violations of state water quality standards. Performance-based erosion and sediment control best management practices shall be installed immediately prior to, and be maintained during and after construction as needed, to prevent adverse impacts to the water resources and adjacent lands. Such practices shall be in accordance with the State of Florida Erosion and Sediment Control Designer and Reviewer Manual (Florida Department of Environmental Protection and Florida Department of Transportation June 2007), and the Florida Stormwater Erosion and Sedimentation Control Inspector's Manual (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008), which are both incorporated by reference in paragraph 62-330.050(9)(b)5., F.A.C., unless a project-specific erosion and sediment control plan is approved or other water quality control measures are required as part of the permit.
4. At least 48 hours prior to beginning the authorized activities, the permittee shall submit to the Agency a fully executed Form 62-330.350(1), "Construction Commencement Notice," (October 1, 2013), (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02505>), incorporated by reference herein, indicating the expected start and completion dates. A copy of this form may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C., and shall be submitted electronically or by mail to the Agency. However, for activities involving more than one acre of construction that also require a NPDES stormwater construction general permit, submittal of the Notice of Intent to Use Generic Permit for Stormwater Discharge from Large and Small Construction Activities, DEP Form 62-621.300(4)(b), shall also serve as notice of commencement of construction under this chapter and, in such a case, submittal of Form 62-330.350(1) is not required.
5. Unless the permit is transferred under rule 62-330.340, F.A.C., or transferred to an operating entity under rule 62-330.310, F.A.C., the permittee is liable to comply with the plans, terms and conditions of the permit for the life of the project or activity.

6. Within 30 days after completing construction of the entire project, or any independent portion of the project, the permittee shall provide the following to the Agency, as applicable:
    - a. For an individual, private single-family residential dwelling unit, duplex, triplex, or quadruplex — “Construction Completion and Inspection Certification for Activities Associated With a Private Single-Family Dwelling Unit” [Form 62-330.310(3)]; or
    - b. For all other activities — “As-Built Certification and Request for Conversion to Operational Phase” [Form 62-330.310(1)].
    - c. If available, an Agency website that fulfills this certification requirement may be used in lieu of the form.
  7. If the final operation and maintenance entity is a third party:
    - a. Prior to sales of any lot or unit served by the activity and within one year of permit issuance, or within 30 days of as-built certification, whichever comes first, the permittee shall submit, as applicable, a copy of the operation and maintenance documents (see sections 12.3 thru 12.3.3 of Volume I) as filed with the Department of State, Division of Corporations and a copy of any easement, plat, or deed restriction needed to operate or maintain the project, as recorded with the Clerk of the Court in the County in which the activity is located.
    - b. Within 30 days of submittal of the as-built certification, the permittee shall submit “Request for Transfer of Environmental Resource Permit to the Perpetual Operation Entity” [Form 62-330.310(2)] to transfer the permit to the operation and maintenance entity, along with the documentation requested in the form. If available, an Agency website that fulfills this transfer requirement may be used in lieu of the form.
  8. The permittee shall notify the District in writing of changes required by any other regulatory District that require changes to the permitted activity, and any required modification of this permit must be obtained prior to implementing the changes.
  9. This permit does not:
    - a. Convey to the permittee any property rights or privileges, or any other rights or privileges other than those specified herein or in chapter 62-330, F.A.C.;
    - b. Convey to the permittee or create in the permittee any interest in real property;
    - c. Relieve the permittee from the need to obtain and comply with any other required federal, state, and local authorization, law, rule, or ordinance; or
    - d. Authorize any entrance upon or work on property that is not owned, held in easement, or controlled by the permittee.
  10. Prior to conducting any activities on state-owned submerged lands or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund, the permittee must receive all necessary approvals and authorizations under chapters 253 and 258, F.S. Written authorization that requires formal execution by the

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Board of Trustees of the Internal Improvement Trust Fund shall not be considered received until it has been fully executed.

11. The permittee shall hold and save the District harmless from any and all damages, claims, or liabilities that may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any project authorized by the permit.
12. The permittee shall notify the District in writing:
  - a. Immediately if any previously submitted information is discovered to be inaccurate; and
  - b. Within 30 days of any conveyance or division of ownership or control of the property or the system, other than conveyance via a long-term lease, and the new owner shall request transfer of the permit in accordance with rule 62-330.340, F.A.C. This does not apply to the sale of lots or units in residential or commercial subdivisions or condominiums where the stormwater management system has been completed and converted to the operation phase.
13. Upon reasonable notice to the permittee, District staff with proper identification shall have permission to enter, inspect, sample and test the project or activities to ensure conformity with the plans and specifications authorized in the permit.
14. If prehistoric or historic artifacts, such as pottery or ceramics, projectile points, stone tools, dugout canoes, metal implements, historic building materials, or any other physical remains that could be associated with Native American, early European, or American settlement are encountered at any time within the project site area, the permitted project shall cease all activities involving subsurface disturbance in the vicinity of the discovery. The permittee or other designee shall contact the Florida Department of State, Division of Historical Resources, Compliance Review Section (DHR), at (850)245-6333, as well as the appropriate permitting agency office. Project activities shall not resume without verbal or written authorization from the Division of Historical Resources. If unmarked human remains are encountered, all work shall stop immediately and the proper authorities notified in accordance with section 872.05, F.S. For project activities subject to prior consultation with the DHR and as an alternative to the above requirements, the permittee may follow procedures for unanticipated discoveries as set forth within a cultural resources assessment survey determined complete and sufficient by DHR and included as a specific permit condition herein.
15. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding unless a specific condition of this permit or a formal determination under rule 62-330.201, F.A.C., provides otherwise.
16. The permittee shall provide routine maintenance of all components of the stormwater management system to remove trapped sediments and debris. Removed materials shall be disposed of in a landfill or other uplands in a manner that does not require a permit under chapter 62-330, F.A.C., or cause violations of state water quality standards.
17. This permit is issued based on the applicant's submitted information that reasonably demonstrates that adverse water resource-related impacts will not be caused by the completed permit activity. If any adverse impacts result, the District will require the

permittee to eliminate the cause, obtain any necessary permit modification, and take any necessary corrective actions to resolve the adverse impacts.

18. A Recorded Notice of Environmental Resource Permit may be recorded in the county public records in accordance with section 62-330.090(7), F.A.C. Such notice is not an encumbrance upon the property.
19. This permit does not authorize the permittee to cause any adverse impact to or “take” of state listed species and other regulated species of fish and wildlife. Compliance with state laws regulating the take of fish and wildlife is the responsibility of the owner or applicant associated with this project. Please refer to Chapter 68A-27 of the Florida Administrative Code for definitions of “take” and a list of fish and wildlife species. If listed species are observed onsite, FWC staff are available to provide decision support information or assist in obtaining the appropriate FWC permits. Most marine endangered and threatened species are statutorily protected and a “take” permit cannot be issued. Requests for further information or review can be sent to FWCCConservationPlanningServices@MyFWC.com.
20. Operation and maintenance of the surface water management system shall be the responsibility of the permittee until such time as those responsibilities are transferred to the approved association. Prior to the association assuming operation and maintenance responsibilities, permittee shall request transfer to operation and maintenance entity.
21. Prior to a dedication or transfer of all or any part of the common properties which is directly or indirectly related to the surface water management system, the dedication or approval of the transfer must be authorized by the District through modification of any and all permits or authorizations issued by the District. Such modifications shall be made under the lawfully adopted rules of the District in effect at the time of application for modification.
22. Permittee shall submit to the District within 30 days of issuance of permit, proof that the Articles of Incorporation have been filed with the Secretary of State and that the corporation is in good standing.
23. Permittee shall submit to the District within 30 days of issuance of permit, proof that all surface water management systems are located on the common areas and that the common areas are owned or controlled by the homeowner's association.
24. Prior to the sale of any lot or parcel, the permittee must record Declarations of Covenants and Restrictions which include a restriction on the real property pursuant to section 704.06, F.S.; prohibiting all construction including clearing, dredging, or filling, except that which is specifically authorized by Environmental Resource permit, within the conservation areas delineated on the final plans and/or mitigation proposal approved by the District.
25. Prior to the Permittee seeking to transfer the operation and maintenance to a Homeowner's Association, the Permittee must demonstrate to the reasonable satisfaction of the Suwannee River Water Management District that over twenty-four (24) consecutive months have passed since the active operation of the Homeowner's Association commenced and the Permittee shall demonstrate to the Suwannee River Water Management District's satisfaction that the Homeowner's Association is an active, ongoing concern which the Permittee shall establish by submitting copies of all minutes

of meetings of members of the Association, the board of directors, copies of all operation and maintenance expenses incurred and documentation showing that all assessments that were levied have been collected and such other documentation as the Suwannee River Water Management District may reasonably deem necessary to establish that the Homeowner's Association is an active, functioning and ongoing concern.

26. The permittee shall include the finished floor elevations for the lots and the wetland delineation lines on the final subdivision plat and shall submit a copy of the final, approved plat to the District following recordation.

WITHIN 30 DAYS AFTER COMPLETION OF THE PROJECT, THE PERMITTEE SHALL NOTIFY THE DISTRICT, IN WRITING, THAT THE FACILITIES ARE COMPLETE.

**AUTHORIZED BY:** Suwannee River Water Management District

By:



Tim Alexander  
Deputy Executive Director



## City of Alachua

MIKE DAROZA  
CITY MANAGER

PLANNING & COMMUNITY DEVELOPMENT  
DIRECTOR KATHY WINBURN, AICP

September 22, 2022

*Also sent by electronic mail to [csweger@edafl.com](mailto:csweger@edafl.com)*

Clay Sweger, AICP, LEED AP  
EDA Consultants, Inc.  
720 SW 2<sup>nd</sup> Ave, South Tower  
Suite 300  
Gainesville, FL 32601

RE: Review of Tara April Special Exception Permit Application

Dear Mr. Sweger:

City of Alachua Staff has reviewed your application for a Special Exception Permit on behalf of Tara Forest, LLC. The application proposes to allow the placement of a minor utility (stormwater management facilities) in the Agricultural (A) zoning district that would support development located within the Community Commercial (CC) zoning district on Tax Parcel Number 03020-000-000.

Upon review of the application and with consideration to the requirements of the City's Land Development Regulations (LDRs), Staff finds that an evaluation of the application's compliance with the applicable provisions of the LDRs, including but not limited to Sections 2.4.4(A), 2.4.4(D), and 4.3.2(I)(4), cannot be made without also considering an associated development plan. Furthermore, Section 2.4.4(D)(7) requires a Site Plan or Preliminary Plat to be prepared and to demonstrate how the proposed special exception use complies with all other standards of Section 2.4.4(D).

Therefore, review of a Special Exception Permit application proposing stormwater management facilities in the Agricultural (A) zoning district and supporting development within the Community Commercial (CC) zoning district cannot proceed until a Site Plan proposing a specific development is submitted to the City for review.

If you have any questions, please contact me at 386-418-6100 x 1602 or via e-mail at [jtabor@cityofalachua.com](mailto:jtabor@cityofalachua.com).

Sincerely,

A blue ink signature of the name "Justin Tabor".

Justin Tabor, AICP  
Principal Planner

c: Mike DaRoza, City Manager (*by electronic mail*)  
Kathy Winburn, Planning & Community Development Director (*by electronic mail*)  
Adam Hall, AICP, Principal Planner (*by electronic mail*)  
Sayed Moukhtara, Tara Forest, LLC (*by electronic mail*)  
Project File



## City of Alachua

**MAYOR GIB COERPEN**

Vice Mayor Jennifer Blalock

Commissioner Shirley Green Brown

Commissioner Dayna Miller

Commissioner Ed Potts

**OFFICE OF THE CITY MANAGER**

**MIKE DAROZA**

September 14, 2022

Sayed Moukhtara  
7717 NW 20<sup>th</sup> Lane  
Gainesville, Florida 32605

### **RE: TARA FOREST WEST, TARA APRIL, AND TARA PHOENICIA (PROJECTS)**

Dear Mr. Moukhtara:

This letter is a follow-up to my letter dated June 29, 2022, (the “Letter”), and the meeting on August 18, 2022 (the “Meeting”), between you and your agents and City of Alachua (“City”) staff (“Staff”), regarding the above referenced Projects.

A copy of the attendance sheet from the Meeting is attached. The purpose of the Meeting, as pointed out in the Letter, was to inform you of potential issues related to the Projects that have come to Staff’s attention as individual applications have been submitted to the City as these issues may impact the viability of the Projects.

During the Meeting, Staff pointed out issues regarding the development of the Projects in relation to the environmentally-sensitive area known as Mill Sink, which is part of an underground cave system located in geographic areas potentially impacted by the Projects.

There was also discussion during the meeting that in the past, development which might have any impact to the cave system has been of great concern to the public, Alachua County and organizations involving “cave divers,” resulting in litigation.

Staff was pointing out some of the potential impacts. The meeting was not meant to be an in-depth discussion of any of the Projects. It was simply to bring to your attention impediments so as not to mislead you regarding the success of any of these applications.

No feedback was received at the meeting indicating any interest on your part to reconsider aspects of pending applications. Therefore, Staff is continuing to review the pending applications now that you have been informed of some of the initial impediments with them.

All questions regarding any of these development applications should be directed to the City of Alachua Planning & Community Development Department.

Sincerely,



Mike DaRoza  
City Manager  
City of Alachua

cc: Kathy Winburn, Planning & Community Development Director  
Rodolfo Valladares, Public Services Director  
Justin Tabor, AICP, Principal Planner  
Adam Hall, AICP, Principal Planner



## City of Alachua

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**MAYOR GIB COERPEN**

Vice Mayor Jennifer Blalock  
Commissioner Shirley Green Brown  
Commissioner Daynn Miller  
Commissioner Edward Potts

**OFFICE OF THE CITY MANAGER****MIKE DAROZA**

June 29, 2022

Sayed Moukhtara  
7717 NW 20<sup>th</sup> Lane  
Gainesville, Florida 32605

**RE: TARA FOREST WEST, TARA APRIL & TARA PHENICIA**

Dear Mr. Moukhtara:

This letter is in regards to the above referenced projects.

It has come to the attention of City staff ("Staff") during the review of development applications involving the above three referenced projects that were submitted at various times, that numerous aspects and requirements for them are inextricably intertwined or dependent on other prerequisites before they can be considered for final approval. In other words, none of the above projects stands on their own merit, but instead, they are dependent on the approval of the other applications.

As such, Staff, including Planning & Community Development and Public Services, will not be proceeding with further review of each of these projects in their current form, as it does not appear that any of them can receive ultimate final approval standing individually on their own merit. As Staff has been reviewing the viability of the above referenced projects, the interdependency of one project on the other or on other applications has become readily apparent. Staff does not wish to mislead any applicant regarding the success of an application.

If you wish to discuss the above, a meeting with City staff can be arranged.

Regards,

A handwritten signature in blue ink, appearing to read "Mike DaRoza".

Mike DaRoza  
City Manager

Cc: Kathy Winburn, Planning & Community Development Director  
Rodolfo Valladares, Public Services Director  
Justin Tabor, AICP, Principal Planner  
Adam Hall, AICP, Principal Planner

Aug. 18, 2022 - Meeting

City of Alachua

Adam Hall

Planning

Mariah B. Rush

city attorney

MIKE DAROZA

CITY MANAGER

Lathy Winburn

Planning

Justin Tabor

Planning

Applicant

Adam Boukjar

Jay Brown , JBPro

CHRIS Potts , JBPro

COLE BARNETT, SALTER FEIRER, PA

DENISE HUTSON, SALTER FEIRER, PA

SAYED MOUKHTARA

SILVIA MOUKHTARA

Clay Swegler , ede

SENCE.ORGYES , eda

# RE: Tara April Special Exception

Clay Sweger <csweger@edafl.com>

Thu 6/16/2022 11:11 AM

Tara April Infrastructure Plan

To:'Justin Tabor' <jtabor@cityofalachua.org>;

Cc:Kathy Winburn <kwinburn@cityofalachua.org>; Adam Hall <ad\_hall@cityofalachua.org>; Sergio Reyes <sreyes@edafl.com>;

Good Morning, Justin:

Understood. At this time, we'd like to request a time to sit with your team to discuss the application, issues / opportunities and an approach moving forward. We'd like to have this conversation before official City comments are released. What is your availability next week to meet? Please let us know.

Thank you very much -

**Clay Sweger, AICP, LEED AP**

Principal / Director of Planning

[csweger@edafl.com](mailto:csweger@edafl.com)  
[edafl.com](http://edafl.com)



720 SW 2nd Avenue  
South Tower, Suite 300  
Gainesville, Florida 32601  
(352) 373-3541

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**From:** Justin Tabor <jtabor@cityofalachua.org>

**Sent:** Monday, June 13, 2022 5:15 PM

**To:** Clay Sweger <csweger@edafl.com>

**Cc:** Kathy Winburn <kwinburn@cityofalachua.org>; Adam Hall <ad\_hall@cityofalachua.org>; Sergio Reyes <sreyes@edafl.com>

**Subject:** Re: Tara April Special Exception

Clay,

As you know, this application is unique and there are concerns about policy direction that must be discussed and coordinated with both the Executive Department and with legal. We have met internally to review the request and will provide a response from the PAT as soon as possible.

Sincerely,

**Justin Tabor, AICP**

Principal Planner

City of Alachua

15100 NW 142nd Terrace | PO Box 9

Alachua, Florida 32616

386.418.6100 x 1602 | fax: 386.418.6130

[jtabor@cityofalachua.com](mailto:jtabor@cityofalachua.com)

**City Hall Hours of Operation**

Monday - Thursday, 7:30 AM - 6:00 PM

Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

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**From:** "Clay Sweger" <[csweger@edafl.com](mailto:csweger@edafl.com)>

**To:** "Justin Tabor" <[jtabor@cityofalachua.org](mailto:jtabor@cityofalachua.org)>, "Adam Hall" <[ad\\_hall@cityofalachua.org](mailto:ad_hall@cityofalachua.org)>

**Cc:** "Sergio Reyes" <[sreyes@edafl.com](mailto:sreyes@edafl.com)>

**Sent:** Thursday, June 9, 2022 9:05:31 AM

**Subject:** Tara April Special Exception

Good Morning, Justin & Adam:

Our client has asked us to inquire as to the status of this project review? When you have a moment, will you please advise?

Thank you very much -

**Clay Sweger, AICP, LEED AP**

Principal / Director of Planning

[csweger@edafl.com](mailto:csweger@edafl.com)

[edafl.com](http://edafl.com)



720 SW 2nd Avenue  
South Tower, Suite 300  
Gainesville, Florida 32601  
(352) 373-3541

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# City of Alachua

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MIKE DAROZA  
CITY MANAGER

PLANNING & COMMUNITY DEVELOPMENT  
DIRECTOR KATHY WINBURN, AICP

May 4, 2022

*Also sent by electronic mail to [csweger@edafl.com](mailto:csweger@edafl.com)*

Clay Sweger, AICP, LEED AP  
EDA Consultants, Inc.  
720 SW 2<sup>nd</sup> Ave, South Tower  
Suite 300  
Gainesville, FL 32601

RE: Completeness Review: Tara April Special Exception Permit Application

Dear Mr. Sweger:

On April 28, 2022, the City of Alachua received your application for a Special Exception Permit on behalf of Tara Forest, LLC. The application proposes to allow the placement of a minor utility (stormwater management facilities) in the Agricultural (A) zoning district that would support development located within the Community Commercial (CC) zoning district on Tax Parcel Number 03020-000-000.

According to Section 2.2.6 of the Land Development Regulations (LDRs), upon receipt of an application, a completeness review shall be conducted to determine that the application contains all the necessary information and materials, is in proper form and of sufficient detail, and is accompanied by the appropriate fee. The Planning Department has reviewed the aforementioned application for completeness and finds that the application is complete, contingent upon receiving the information as noted below. Please provide materials addressing the comments below by **5:00 PM on Thursday, May 12, 2022**. With the exception of mailing labels, all materials may be submitted by email to the project planner.

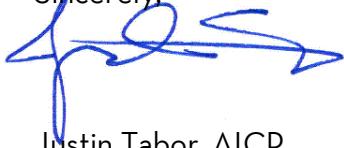
**The comments below are based solely on a preliminary review of your application for completeness.** An in-depth review of the content of the application will be performed, and the findings of the in-depth review will be sent to you under separate cover.

Please address the following:

1. **Special Exception Permit Application Attachment #2.g., Site Plan:** Section 2.4.4(D)(7) requires a site plan (Section 2.4.9) or preliminary plat (Section 2.4.10(G)(3)) to be prepared and to demonstrate how the proposed special exception use complies with the other standards of this Section 2.4.4(D). Please submit the infrastructure plan from the companion Tara April Infrastructure Plan application to fulfill this requirement, as infrastructure plans are a subset of Section 2.4.9.

If you have any questions, please contact me at 386-418-6100 x 1602 or via e-mail at [jtabor@cityofalachua.com](mailto:jtabor@cityofalachua.com).

Sincerely,

A handwritten signature in blue ink, appearing to read "JT" followed by a stylized surname.

Justin Tabor, AICP  
Principal Planner

c: Mike DaRoza, City Manager (*by electronic mail*)  
Kathy Winburn, AICP, Planning & Community Development Director (*by electronic mail*)  
Adam Hall, AICP, Principal Planner (*by electronic mail*)  
Sayed Moukhtara, Tara Forest, LLC (*by electronic mail*)  
Project File