

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Greenway South PUD, rezone from A-1 (Agriculture District) to PUD (Planned Unit Development District) and PUD preliminary master plan, Charles W. Clayton, Jr., Applicant

DEPARTMENT: Planning and Development **DIVISION:** Planning

AUTHORIZED BY: Donald S. Fisher **CONTACT:** Tony Matthews **EXT.:** 7936

Agenda Date 02/22/05 Regular Consent Work Session Briefing
Public Hearing – 1:30 Public Hearing – 7:00

MOTION/RECOMMENDATION:

1. Enact an ordinance approving the proposed rezoning from A-1 (Agriculture District) to PUD (Planned Unit Development District) and PUD preliminary master plan on approximately 23 acres located at the southwest corner of SR 417 (Central Florida GreeneWay) and SR 426 (Aloma Avenue), with staff findings and attached development order, Charles W. Clayton, Jr., Applicant; or
2. Deny the proposed rezoning from A-1 (Agriculture District) to PUD (Planned Unit Development District) and PUD preliminary master plan on approximately 23 acres located at the southwest corner of SR 417 (Central Florida GreeneWay) and SR 426 (Aloma Avenue), Charles W. Clayton, Jr., Applicant; or
3. Continue this item to a date and time certain.

(District 1 – Commissioner Dallari)

(Tony Matthews, Principal Planner)

BACKGROUND:

The Applicant is requesting PUD approval for a commercial development which would allow uses within the OP (Office District), C-1 and C-2 (Retail Commercial District) zoning classifications on approximately 23 acres (see enclosed PUD preliminary master plan). This property has a future land use designation of Higher Intensity Planned Development-Transitional, which requires rezoning to PUD or PCD prior to development.

STAFF RECOMMENDATION:

Recommend approval of the proposed rezoning from A-1 (Agriculture District) to PUD (Planned Unit Development District) and PUD preliminary master plan, with staff findings and attached development order.

Reviewed by: [Signature]
Co Atty: [Signature]
DFS: [Signature]
Other: [Signature]
DCM: [Signature]
CM: [Signature]
File No. ph130pdp04

LAND PLANNING AGENCY/PLANNING AND ZONING COMMISSION
RECOMMENDATION (02/02/05):

Recommend approval, 7 to 0, of the proposed rezoning from A-1 (Agriculture District) to PUD (Planned Unit Development District) and PUD preliminary master plan, with staff findings and attached development order.

GREENWAY SOUTH PUD

REQUEST INFORMATION	
APPLICANT	Charles W. Clayton, Jr.
PROPERTY OWNER	Greenway South Property, LLC, c/o Charles W. Clayton, Jr., and E.G. Banks
REQUEST	Rezone from A-1 (Agriculture District) to PUD (Planned Unit Development District) and PUD preliminary master plan approval for a commercial development which would allow uses within the OP (Office District), C-1 and C-2 (Retail Commercial District) zoning classifications on approximately 23 acres
HEARING DATE(S)	LPA/P&Z: February 2, 2005 BCC: February 22, 2005
SEC/TWP/RNG	31-21-31-501-0000-0100
LOCATION	Southwest corner of SR 417 (Central Florida GreeneWay) and SR 426 (Aloma Avenue)
APPROXIMATE SIZE	23 acres
FUTURE LAND USE	Higher Intensity Planned Development-Transitional
ZONING	A-1 (Agriculture District)
FILE NUMBER	Z2004-065
COMMISSION DISTRICT	District 1 - Dallari

OVERVIEW

Zoning Request: The Applicant is requesting PUD approval for a commercial development which would allow uses within the OP (Office), C-1 and C-2 (Retail Commercial District) zoning classifications on approximately 23 acres. The plan proposes an estimated 266,650 square feet of office/commercial development. Staff recommends that off-site signage (billboards), mechanical garages, paint and body shops, contractor's equipment storage yard, drive-in theaters, adult entertainment, and parking of semi-tractor trailer and/or cargo trailer boxes outside the course of making ordinary deliveries be prohibited on this site.

Existing Land Uses: Abutting uses, future land use designations and zoning classifications are as follows:

property line abutting the South Tuskawilla Road Property/Aloma Development LLC. Landscaping along the wall shall consist of eight (8) canopy trees a minimum of 2 1/2 inches in diameter measured one (1) foot above ground every 100 linear feet.

14. Install sidewalks to connect building entrances and sidewalks in right-of-way.

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On February 22, 2005, Seminole County issued this Development Order relating to and touching and concerning the following described property:

Legal Lots 10 to 15, (less right-of-way of Aloma Avenue and SR 417) Subdivision of E. G. Townsends Homestead according to the plat thereof as recorded on PB 2, Page 61, of the Public Records of Seminole County, Florida.

(The aforescribed legal description has been provided to Seminole County by the owners of the aforescribed property.)

FINDINGS OF FACT

Property Owner(s): Greenway South Property, LLC, c/o Charles W. Clayton, Jr.
611 Wymore Road
Winter Park, FL 32789

E. G. Banks
CCCH Greenway South Property, LLC
611 Wymore Road
Winter Park, FL 32789

Project Name: Greenway South PUD

Requested Development Approval: Rezoning from the A-1 (Agriculture District) zoning classification to the PUD (Planned Unit Development District) zoning classification and approval of the associated PUD preliminary master plan attached as Exhibit A.

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owners of the property have expressly agreed to be bound by and subject to the development conditions and commitments stated below and have covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: Tony Matthews
1101 East First Street
Sanford, FL 32771

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

1. The aforementioned application for development approval is **GRANTED**.
2. All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.
3. The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owners of the property are as follows:
 - A. Permitted uses and special exception uses within the OP (Office District), C-1 and C-2 (Retail Commercial District) zoning classifications shall be allowed within the PUD development with the exception of off-site signage (billboards), mechanical garages, paint and body shops, contractor's equipment storage yard, drive-in theaters, adult entertainment establishments, and Parking of semi-tractor trailer and/or cargo trailer boxes outside the course of making ordinary deliveries.
 - B. Based on an existing agreement between the Florida Department of Transportation and the property owners of this site, a signalized full access intersection on SR 426 shall be installed.
 - C. A stormwater permit from the Seminole County Expressway Authority and/or Florida Department of Transportation is required for discharge of drainage to the SR 417 right-of-way or hold the 100-year, 24-year storm event onsite.
 - D. Prior to Final Engineering Approval, the Owners and County staff shall assess the feasibility of utilizing traffic-calming devices along Deep Lake Road.
 - E. Execute and maintain an agreement with the property owner to the west regarding a joint access road to SR 426, prior to PUD final master plan approval. Said agreement shall include, but not be limited to, the following issues:
 1. Provision of utilities such as water and sewer specifying location, sizes and capacity to serve on each side of Deep Lake Road.
 2. Aligning Deep Lake Road the proposed driveway for the development on the north side of SR 426 (Greenway Center North).
 3. Specifying driveway locations along the Deep Lake Road for access to the proposed development.
 - F. Landscaping and lighting shall be consistent with the standards of the Lake Mary Boulevard Overlay Ordinance, except that lighting height shall be limited to 16 feet.
 - G. Install a minimum 25 foot land cape buffer along the eastern property line abutting the Central Florida GreeneWay (SR 417) with planting requirements to be determined at time of PUD final master plan.
 - H. Mechanical units shall be located and/or screened so as not to be visible from SR 426 or abutting residential uses.
 - I. Lighting shall be installed in accordance with Seminole County Ordinance 2004-2, dated January 13, 2004. Outdoor lighting adjacent to the north property line along SR 426 and adjacent to residential uses shall be limited to decorative lighting affixed to the front of buildings. Security lighting with motion sensors shall be permitted on any part of the site.

- J. Maximum permitted building height shall be 35 feet.
 - K. Maximum Floor Area Ratio (FAR) shall not exceed 0.35 FAR.
 - L. Development shall connect to Seminole County water and sewer service.
 - M. Provide a minimum 50 foot building setback, minimum 25 foot landscape buffer and a six (6) foot high brick or masonry wall along the western property line of the site abutting residential uses within the Deep Lake PUD to the west and along the south property line abutting the South Tuskawilla Road Property/Aloma Development LLC. Landscaping along the wall shall consist of eight (8) canopy trees a minimum of 2 1/2 inches in diameter measured one (1) foot above ground every 100 linear feet.
 - N. Install sidewalks to connect building entrances and sidewalks in right-of-way.
4. This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owners of the said property have expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.
5. The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

Done and Ordered on the date first written above.

SEMINOLE COUNTY BOARD OF
COUNTY COMMISSIONERS

By: _____
Carlton D. Henley, Chairman

OWNER'S CONSENT AND COVENANT

COMES NOW, the owners, Greenway South Property, LLC, c/o Charles W. Clayton, Jr., and E.G. Banks on behalf of themselves and their heirs, successors, assigns or transferees of any nature whatsoever and consents to, agrees with and covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Development Order.

Witness Charles W. Clayton, Jr.

Witness

Witness E. G. Banks

Witness

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared _____ who is personally known to me or who has produced _____ as identification and who did take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2005.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

SITE DATA

OWNER: E.C. BAINS
 COOL GREENWAY SOUTH PROP., LLC
 411 WYMORE ROAD
 WINTER PARK, FLORIDA 32789
 (407) 438-6666

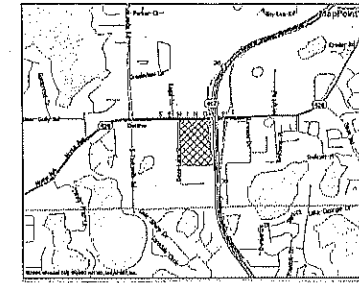
PLANNING CONSULTANT: FLORIDA LAND DESIGN, INC.
 217 S. WESTMONTPELIER BLVD., SUITE 211
 ALTA MONTPELIER, FLORIDA 32714
 (407) 385-1811 (407) 310-1812 (FAX)

TRACT DATA:
 TOTAL AREA: 23.31 ACRES
 TOTAL WETLAND AREA: 0.86 ACRES
 EXISTING ZONING: A-1 (SEMINOLE COUNTY)
 EXISTING PLU DESIGNATION: HUPTR (SEMINOLE COUNTY)
 PROPOSED ZONING: PUD (SEMINOLE COUNTY)
 PROPOSED USES: MIXED USES BASED ON SEMINOLE COUNTY ZONING CLASSIFICATIONS C-1, C-1, OFF, 15 FEET
 MAXIMUM BLDG. HT.: 35 FEET
 MAXIMUM IMPERVIOUS: 75%
 MIN. OPEN SPACE: 25%
 MAXIMUM F.A.R.: 4.33
 MAXIMUM S.F.A.: 256,659 S.F.

- NOTES:
- BOUNDARY AND TOPD BASED ON SURVEY BY IHM ASSOCIATES, INC.
 - UTILITIES TO THE SITE WILL BE FURNISHED BY THE FOLLOWING PROVIDERS:
 - WATER: SEMINOLE COUNTY
 - SEWERS: SEMINOLE COUNTY
 - ELECTRIC: PROGRESS ENERGY
 - TELEPHONE: SPRINT/VENTURE TELEPHONE
 - SOLID WASTE: SEMINOLE COUNTY
 - AN ON-SITE LIFT STATION WILL PROVIDE SANITARY SEWER TRANSMISSION. CONNECTION TO THE MAJOR TRANSMISSION MAIN LOCATED ON ALOMA AVENUE WILL BE PROVIDED PURSUANT TO SEMINOLE COUNTY UTILITIES REQUIREMENTS.
 - PUBLIC WATER MAINS SHALL MEET THE REQUIREMENTS OF THE AMERICAN WATERWORKS ASSN. (AWWA) AND SEMINOLE COUNTY MIN. STANDARDS. IT IS REQUIRED TO SURVEY THE SITE.
 - FIRE PROTECTION IS TO BE PROVIDED BY SEMINOLE COUNTY. PER SEMINOLE COUNTY PUBLIC SAFETY DEPARTMENT FIRE FLOW SHALL BE NO LESS THAN 150 GPM AT 10 PSI RESIDUAL.
 - STORMWATER DRAINAGE TO BE DESIGNER PER SEMINOLE COUNTY AND ST. JOHNS RIVER WATER MANAGEMENT DISTRICT REGULATIONS.
 - LANDSCAPE BUFFERS TO BE PROVIDED IN ACCORDANCE WITH THE COUNTY'S LDC. DETAILS TO BE PROVIDED AT THE TIME OF SUBMITTAL OF THE FINAL PUD DEVELOPMENT PLAN.
 - THERE ARE NO WETLANDS ON SITE. AN ENVIRONMENTAL REPORT ADDRESSING SPECIES OF SPECIAL CONCERN AND ENDANGERED SPECIES WILL BE PROVIDED AT THE TIME OF FINAL PUD DEVELOPMENT PLAN. AN EAGLE'S NEST IS KNOWN TO BE LOCATED WITHIN ONE MILE OF THE SITE. THE DEVELOPER WILL BE REQUIRED TO SECURE A LETTER DETAILING SPECIAL REQUIREMENTS PRIOR TO APPROVAL OF FINAL PUD DEVELOPMENT PLAN.
 - NO RESIDENTIAL DEVELOPMENT IS CONTEMPLATED FOR THE SITE, THEREFORE, ESTIMATED DEMANDS ARE BASED ON THE CONSUMPTION DEMAND STANDARDS FOUND ON THE COUNTY WEB PAGE AS RECOMMENDED BY MIKE HANDBUR.
 - THE SITE IS ENTIRELY IN FLOOD ZONE "X" PER THE FLOOD INSURANCE RATE MAP FOR SEMINOLE COUNTY.
 - SOLS CONSIST OF BASINGER FINE SANDS AND TAYLORS FINE SANDS PER THE SOIL SURVEY OF SEMINOLE COUNTY, FLORIDA.

11. IMPACT ANALYSIS IS PROJECTED AS FOLLOWS:
- SCHOOLS: NONE EXPECTED
 - ROADS: 266.65 X 76.9 ADT/1000 S.F. = 10,205 ADT
 - WATER: 266.65 X 100 GPD/1000 S.F. = 26,665 GPD
 - SEWERS: 266.65 X 100 GPD/1000 S.F. = 26,665 GPD
12. DEVELOPMENT WILL COMPLY WITH ALL BUILDING CODE AND PUBLIC SAFETY REQUIREMENTS.
14. EFFORT WILL BE MADE TO PROVIDE PEDESTRIAN FRIENDLY DESIGN, NEIGHBORHOOD INTERCONNECTIVITY AND ALTERNATIVE TRANSPORTATION FACILITIES AT THE TIME OF FINAL ENGINEERING PLANS.
15. ACCESS TO THE SITE WILL BE VIA PROPOSED DEEP LAKE ROAD IMPROVEMENTS. PURSUANT TO AN AGREEMENT BETWEEN THE VARIOUS AFFECTED PARTIES, DEEP LAKE ROAD SHALL BE DEVELOPED AS A 89' PUBLIC RIGHT-OF-WAY DIVIDED ROADWAY ADJACENT TO THIS SITE. PURSUANT TO NEGOTIATIONS WITH FOOT, A SIGNALIZED, FULL-DIRECTIONAL INTERSECTION WILL BE CONSTRUCTED AT ALOMA AVENUE PROVIDING ACCESS FROM THE NORTH AND SOUTH. A COPY OF THESE AGREEMENTS SHALL BE PROVIDED TO SEMINOLE COUNTY STAFF PRIOR TO APPROVAL OF THE FINAL PUD DEVELOPMENT PLAN.

LOCATION MAP



LEGAL DESCRIPTION

LOTS 16 TO 15 BEING E 1/4 OF ALOMA AVE. & S 47 1/2 SUBDIVISION OF 46.6 TOWNSEND HOMESTEAD ACCORDING TO THE PLAT THEREOF AS RECORDED ON PLAT BOOK 2, PAGE 61, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

BEAR CREEK S/D

GREENWAY POINTE PUD

POINT OF COMMENCEMENT

POINT OF BEGINNING

1/4 SECTION 34-21-34

1/4 SECTION 34-21-34

1/4 SECTION 34-21-34

1/4 SECTION 34-21-34

PUD

STATE ROAD 417
 (EASTERN BELTWAY)
 (BY NAME WEST)

- (H) R=3009.72'
 C=4042.51'00"
 A=600.81'
- (I) R=3689.72'
 C=4042.51'00"
 A=600.81'

Returned 3/6/06
 12/21/06

Returned 3/6/06
 12/21/06

Returned 3/6/06
 12/21/06

Returned 3/6/06
 12/21/06

Returned 3/6/06
 12/21/06

Returned 3/6/06
 12/21/06

Returned 3/6/06
 12/21/06

SHEET 1

DATE	BY	REVISION

FLORIDA LAND DESIGN, INC.
 217 S. WESTMONTPELIER BLVD., SUITE 211
 ALTA MONTPELIER, FLORIDA 32714
 (407) 385-1811 (407) 310-1812 (FAX)

EXHIBIT A

GREENWAY SOUTH PUD
 IN SEMINOLE COUNTY, FLORIDA

PRELIMINARY PUD PLAN

JAN 21 2005

EXHIBIT A

SITE DATA

OWNER: E.G. BANKS
CCCH GREENWAY SOUTH PROP., LLC.
611 WYMORE ROAD
WINTER PARK, FLORIDA 32789
(407) 628-0000

PLANNING CONSULTANT: FLORIDA LAND DESIGN, INC.
222 S. WESTMONTE DRIVE, SUITE 211
ALTAMONTE SPRINGS, FLORIDA 32714
(407) 389-1811; (407) 389-1812 (FAX)

TRACT DATA:

TOTAL AREA: 23.32 ACRES

TOTAL WETLAND AREA: 0.00 ACRES

EXISTING ZONING: A-1 (SEMINOLE COUNTY)

EXISTING FLU DESIGNATION: HIPTR (SEMINOLE COUNTY)

PROPOSED ZONING: PUD (SEMINOLE COUNTY)

PROPOSED USES: MIXED USES BASED ON SEMINOLE
COUNTY ZONING CLASSIFICATIONS C-1,
C-2, OPN.

MAXIMUM BLDG. HT.: 35 FEET

MAXIMUM IMPERVIOUS: 75%

MIN. OPEN/GRN. SPACE: 25%

MAXIMUM F.A.R.: 0.35

MAXIMUM S.F.: 266,650 S.F.

NOTES:

1. BOUNDARY AND TOPO BASED ON SURVEY BY BJM ASSOCIATES, INC.
2. UTILITIES TO THE SITE WILL BE FURNISHED BY THE FOLLOWING PROVIDERS:
 - * WATER: SEMINOLE COUNTY
 - * SEWER: SEMINOLE COUNTY
 - * ELECTRIC: PROGRESS ENERGY
 - * TELEPHONE: SPRINT/UNITED TELEPHONE
 - * SOLID WASTE: SEMINOLE COUNTY
3. AN ON-SITE LIFT STATION WILL PROVIDE SANITARY SEWER TRANSMISSION. CONNECTION TO THE MAJOR TRANSMISSION MAIN LOCATED ON ALOMA SHALL BE METERED PURSUANT TO SEMINOLE COUNTY UTILITIES REQUIREMENTS.

EXHIBIT A

4. PUBLIC WATER MAINS SHALL MEET THE REQUIREMENTS OF THE AMERICAN WATERWORKS ASSN. (AWWA) AND SEMINOLE COUNTY. MIN. 8" DIAMETER PIPE IS REQUIRED TO SERVE SITE.
5. FIRE PROTECTION IS TO BE PROVIDED BY SEMINOLE COUNTY. PER SEMINOLE COUNTY PUBLIC SAFETY DEPARTMENT FIRE FLOW SHALL BE NO LESS THAN 1250 GPM AT 20 PSI RESIDUAL.
6. STORMWATER DRAINAGE TO BE DESIGNED PER SEMINOLE COUNTY AND ST. JOHNS RIVER WATER MANAGEMENT DISTRICT REGULATIONS.
7. LANDSCAPE BUFFERS TO BE PROVIDED IN ACCORDANCE WITH THE COUNTY'S LDC. DETAILS TO BE PROVIDED AT THE TIME OF SUBMITTAL OF THE FINAL PUD DEVELOPMENT PLAN.
8. THERE ARE NO WETLANDS ON SITE. AN ENVIRONMENTAL REPORT ADDRESSING SPECIES OF SPECIAL CONCERN AND ENDANGERED SPECIES WILL BE PROVIDED AT THE TIME OF FINAL PUD DEVELOPMENT PLAN. AN EAGLE'S NEST IS KNOWN TO BE LOCATED WITHIN ONE MILE OF THE SITE. THE DEVELOPER WILL BE REQUIRED TO SECURE A LETTER DETAILING SPECIAL REQUIREMENTS PRIOR TO APPROVAL OF FINAL PUD DEVELOPMENT PLAN.
9. NO RESIDENTIAL DEVELOPMENT IS CONTEMPLATED FOR THIS SITE, THEREFORE, ESTIMATED DEMANDS ARE BASED ON THE CONSUMPTION DEMAND STANDARDS FOUND ON THE COUNTY WEB PAGE AS RECOMMENDED BY MIKE HARBER.
10. THE SITE IS ENTIRELY IN FLOOD ZONE "X" PER THE FLOOD INSURANCE RATE MAP FOR SEMINOLE COUNTY.
11. SOILS CONSIST OF BASINGER FINE SANDS AND TAVARES FINE SANDS PER THE SOIL SURVEY OF SEMINOLE COUNTY, FLORIDA.
12. IMPACT ANALYSIS IS PROJECTED AS FOLLOWS:

* SCHOOLS:	NONE EXPECTED
* ROADS:	266.65 X 76.9 ADT/1000 S.F. = 20,505 ADT
* WATER:	266.65 X 100 GPD/1000 S.F. = 26,665 GPD
* SEWER:	266.65 X 100 GPD/1000 S.F. = 26,665 GPD
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14. EFFORT WILL BE MADE TO PROVIDE PEDESTRIAN FRIENDLY DESIGN, NEIGHBORHOOD INTERCONNECTIVITY AND ALTERNATIVE TRANSPORTATION FACILITIES AT THE TIME OF FINAL ENGINEERING PLANS.
15. ACCESS TO THE SITE WILL BE VIA PROPOSED DEEP LAKE ROAD IMPROVEMENTS. PURSUANT TO AN AGREEMENT BETWEEN THE VARIOUS AFFECTED PARTIES, DEEP LAKE ROAD SHALL BE DEVELOPED AS A 90' PUBLIC RIGHT-OF-WAY DIVIDED ROADWAY ADJACENT TO THIS SITE. PURSUANT TO NEGOTIATIONS WITH

EXHIBIT A

FDOT, A SIGNALIZED, FULL-DIRECTIONAL INTERSECTION WILL BE CONSTRUCTED AT ALOMA AVENUE PROVIDING ACCESS FROM THE NORTH AND SOUTH. A COPY OF THESE AGREEMENTS SHALL BE PROVIDED TO SEMINOLE COUNTY STAFF PRIOR TO APPROVAL OF THE FINAL PUD DEVELOPMENT PLAN.

AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY; PROVIDING FOR THE REZONING OF CERTAIN DESCRIBED REAL PROPERTIES LOCATED IN UNINCORPORATED SEMINOLE COUNTY FROM A-1 (AGRICULTURE DISTRICT) TO PUD (PLANNED UNIT DEVELOPMENT DISTRICT); PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:

Section 1. LEGISLATIVE FINDINGS.

(a) The Board of County Commissioners hereby adopts and incorporates into this Ordinance as legislative findings the contents of the document titled "Greenway South PUD".

(b) The Board of County Commissioners hereby determines that the economic impact statement referred to by the Seminole County Home Rule Charter is unnecessary and waived as to this Ordinance.

Section 2. REZONING. The zoning classification assigned to the following described property is changed from the A-1 (Agriculture District) to the PUD (Planned Unit Development District) zoning classification.

LEGAL DESCRIPTION ATTACHED AS EXHIBIT A

Section 3. CODIFICATION. It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall not be codified.

Section 4. SEVERABILITY. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, it is the intent of the Board of County Commissioners that the invalidity shall not affect other provisions or applications

of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

Section 5. EFFECTIVE DATE. A certified copy of this Ordinance shall be provided to the Florida Department of State by the Clerk of the Board of County Commissioners in accordance with Section 125.66, Florida Statutes, and this Ordinance shall take effect upon filing the Ordinance with the Department of State and recording Development Order #04-20500009 in the Public Records of Seminole County, Florida.

ENACTED this 22nd day of February 2005

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Carlton C. Henley, Chairman

**EXHIBIT A
LEGAL DESCRIPTION**

A-1 to PUD (Z2004-065)

Legal Lots 10 to 15, (less right-of-way of Aloma Avenue and SR 417) Subdivision of E. G. Townsends Homestead according to the plat thereof as recorded on PB 2, Page 61, of the Public Records of Seminole County, Florida.

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

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(The aforescribed legal description has been provided to Seminole County by the owners of the aforescribed property.)

FINDINGS OF FACT

Property Owner(s): Greenway South Property, LLC, c/o Charles W. Clayton, Jr.
611 Wymore Road
Winter Park, FL 32789

E. G. Banks
1190 Park Avenue
Winter Park, FL 32789

Project Name: Greenway South PUD

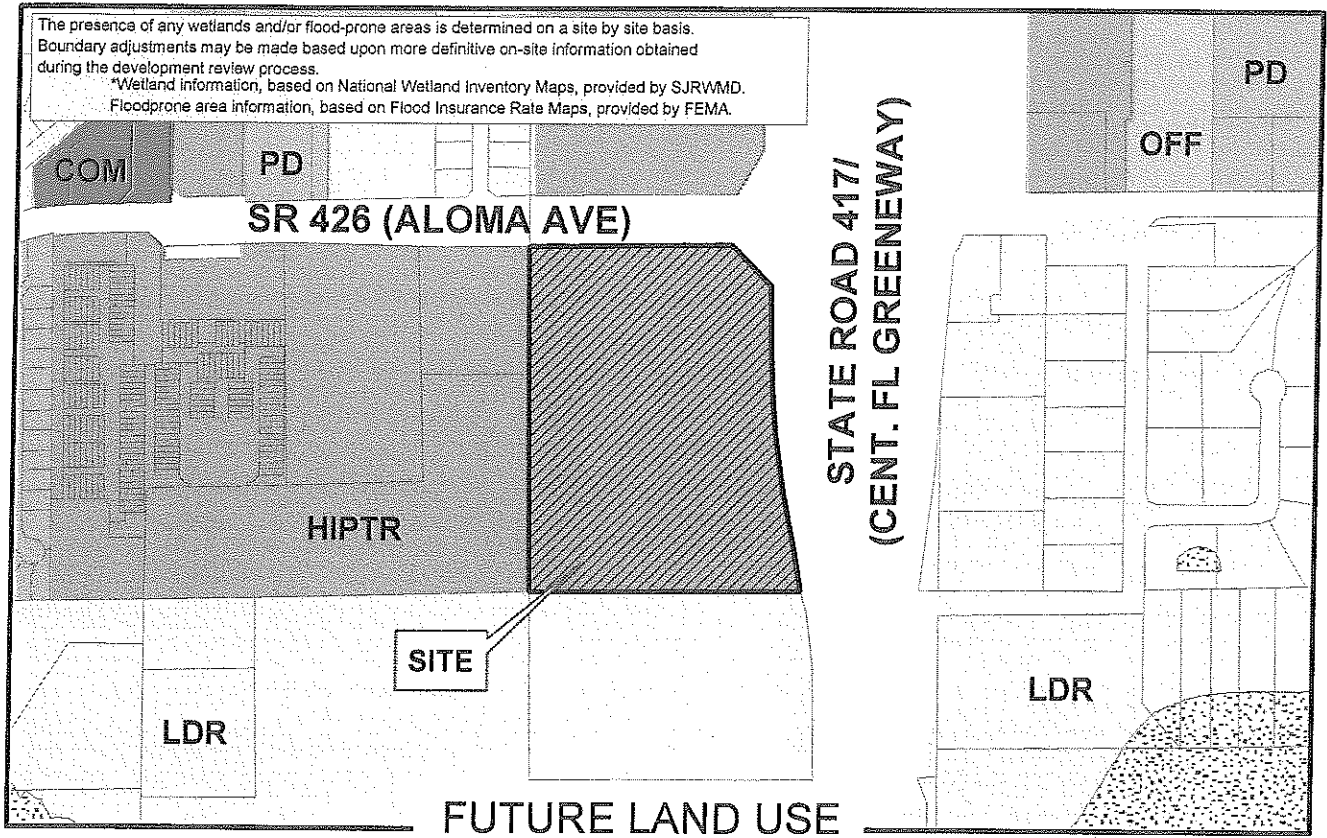
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The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owners of the property have expressly agreed to be bound by and subject to the development conditions and commitments stated below and have covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: Tony Matthews
1101 East First Street
Sanford, Florida 32771

The presence of any wetlands and/or flood-prone areas is determined on a site by site basis. Boundary adjustments may be made based upon more definitive on-site information obtained during the development review process.
 *Wetland information, based on National Wetland Inventory Maps, provided by SJRWMD.
 Floodprone area information, based on Flood Insurance Rate Maps, provided by FEMA.

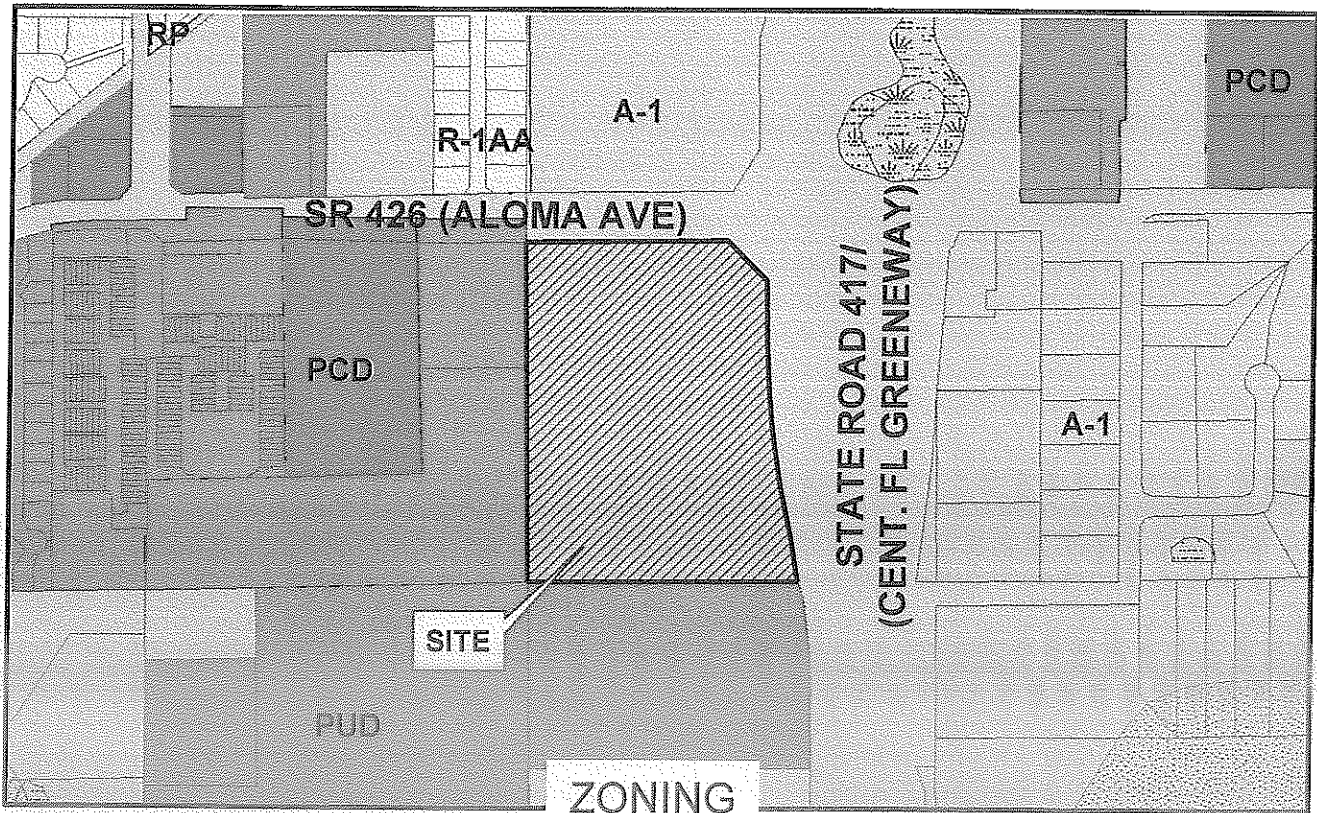


FUTURE LAND USE

Site
 LDR
 PD
 OFF
 COM
 HIPTR
 CONS

Applicant: Charles W. Clayton, Jr.
 Physical STR: 31-21-31-501-0000-0100
 Gross Acres: 23 +/- BCC District: 1
 Existing Use: Agriculture
 Special Notes: None

	Amend/ Rezone#	From	To
FLU	--	--	--
Zoning	Z2004-065	A-1	PUD



ZONING

Site
 R-1AA
 RP
 PUD
 A-1
 PCD
 FP-1
 W-1



Please note aerial does not align with parcel and street lines.

2004 Aerial Series

Greenway South PUD



Aerial Map Legend

-  Subject Property- 31-21-31-501-0000-0100
-  Parcel Lines

Project Information: Rezone from A-1 to PUD and PUD preliminary master plan approval for a commercial development which would allow uses within the OP, C-1 and C-2 zoning classifications on approximately 23 acres

Current Zoning: A-1
Current Future Land Use: HIPTR



Vicinity Map Legend

-  Unincorporated County
-  Subject Property
-  Water Bodies

