

SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM

SUBJECT: Request for Approval of Final Master Plan and Developer's Commitment Agreement for East Lake Brantley Drive PUD - (Thomas Daly, applicant)

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Don Fisher **CONTACT:** Jeff Hopper **EXT.** 7431

Agenda Date <u>4/08/03</u> Regular <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Work Session <input type="checkbox"/> Briefing <input type="checkbox"/>
Public Hearing – 1:30 <input type="checkbox"/> Public Hearing – 7:00 <input type="checkbox"/>

MOTION/RECOMMENDATION:

1. APPROVE the Final Master Plan and Developer's Commitment Agreement for East Lake Brantley Drive PUD and authorize the Chairman to execute same, located on the west side of Wekiva Springs Road, 1/2 mile north of SR 434, including approximately 10 acres, based on findings made at the meeting (Tom Daly, applicant); or
2. DENY the request for approval of Final Master Plan and Developer's Commitment Agreement for East Lake Brantley Drive PUD, based on findings made at the meeting; or
3. CONTINUE the item until a date certain.

(District 3 – Commissioner Van Der Weide) (Jeff Hopper, Senior Planner)

BACKGROUND:

The applicant, Thomas Daly, requests approval of the Final PUD Master Plan and Developer's Commitment Agreement for East Lake Brantley Drive PUD in order to develop 74 townhouse residential units on a 9.99-acre site.

The Board approved the Preliminary PUD plan on the project on September 24, 2002, and an amended development order correcting an erroneous legal description was approved February 25, 2003. The zoning approval permitted townhouse units at a density of approximately 7.4 units per gross acre. (Staff calculations indicate a density of 9.49 units per net buildable acre on the Final Master Plan.) The developer is providing substantial buffering and landscaping on the south property line adjacent to Golf View Estates.

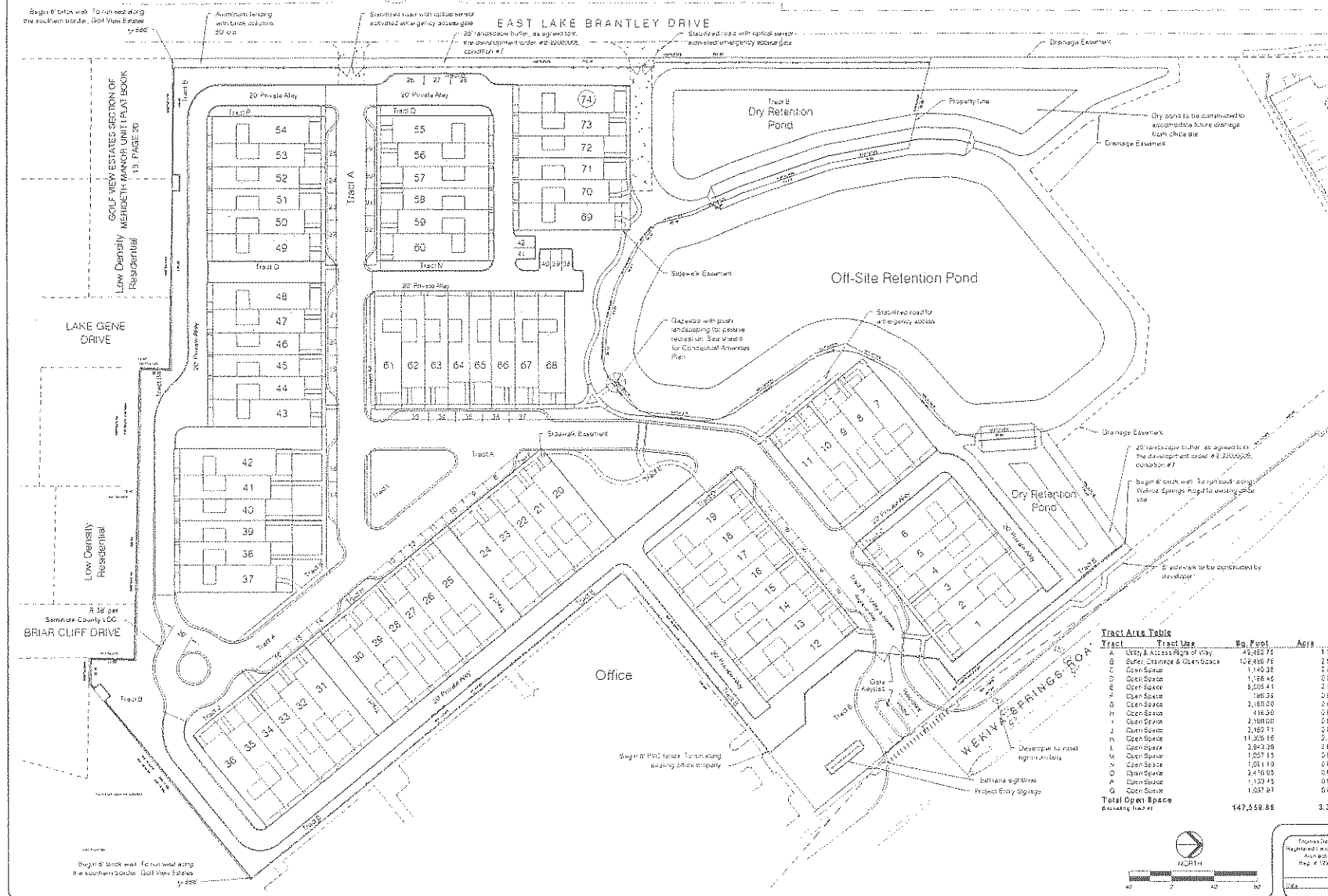
STAFF RECOMMENDATION:

Staff finds that the proposed Final PUD Master Plan and Developer's Commitment Agreement are consistent with the Preliminary Master Plan and approved development order, and the Vision 2020 Plan. Therefore, staff is recommending approval of the Final Master Plan and Developer's Commitment Agreement.

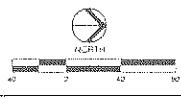
Reviewed by:
Co Atty: <u>KEC</u>
DFS: _____
Other: _____
DCM: <u>SS</u>
CM: _____
File No. <u>rpd05</u>

High Density Residential

EAST LAKE BRANTLEY DRIVE



Tract	Tract Use	Sq. Foot	Acres
A	Utility & Access Ways	46,282.72	1.14
B	Buffer Distance & Open Space	122,696.76	2.91
C	Open Space	1,140.38	0.03
D	Open Space	1,158.48	0.03
E	Open Space	8,008.41	0.18
F	Open Space	185.35	0.00
G	Open Space	2,185.00	0.05
H	Open Space	416.30	0.01
I	Open Space	2,168.00	0.05
J	Open Space	2,162.71	0.05
K	Open Space	11,205.16	0.26
L	Open Space	3,943.28	0.10
M	Open Space	1,027.15	0.02
N	Open Space	1,051.19	0.02
O	Open Space	2,415.05	0.06
P	Open Space	1,127.42	0.02
Q	Open Space	1,027.67	0.02
Total Open Space		147,558.88	3.38



Project No. 13-00000000
 Date: 02/20/2013
 Scale: 1" = 40'

daly design group inc.

REV	DATE	DESCRIPTION
1	02/18/13	ISSUED FOR PERMITTING
2	02/20/13	ISSUED FOR PERMITTING

Final Master Plan
 Final Master Plan
 East Lake Brantley Drive
 Seneca County, Ohio



02/20/2013
 13-00000000
 DATE
 PROJECT NO.

**EAST LAKE BRANTLEY TOWNHOMES PUD
DEVELOPER'S COMMITMENT AGREEMENT**

On April 8, 2003 the Board of County Commissioners of Seminole County, Florida issued this Developer's Commitment Agreement relating to and touching and concerning the following described property:

1. **LEGAL DESCRIPTION:**

See Exhibit A

2. **PROPERTY OWNERS**

ORLONE, N.V., a Netherlands Antilles Corporation, whose address is Werfstraat no. 6, Curacao, Netherlands, Antilles, as to a 1/6th undivided interest in the whole, Mohamed Al-Hudhud, President;

ORLTWO, N.V., a Netherlands Antilles Corporation, whose address is Werfstraat no. 6, Curacao, Netherlands, Antilles, as to a 1/6th undivided interest in the whole, Asem I. Bibi, President;

ORLTHREE, N.V., a Netherlands Antilles Corporation, whose address is Werfstraat no. 6, Curacao, Netherlands, Antilles, as to a 1/6th undivided interest in the whole, Sabah Al-Rumani, President.

TAFTAN PROPERTIES, N.V., a Netherlands Antilles Corporation, whose address is Werfstraat no. 6, Curacao, Netherlands, Antilles, as to a 1/6th undivided interest in the whole, Daoud Siksek, President;

PERIANA INVESTMENTS, N.V., a Netherlands Antilles Corporation, whose address is Werfstraat no. 6, Curacao, Netherlands, Antilles, as to a 1/6th undivided interest in the whole, Rashid Mazroui, President; and

ASTRID I. TYUS, whose address is 1268 Tittsworth Road, Seymour, Tennessee 37865, as to a 1/6th undivided interest in the whole.

3. **REQUESTED DEVELOPMENT APPROVAL**

Approval of Developer's Commitment Agreement and Final Master Plan, attached as Exhibit "B."

4. **STATEMENT OF BASIC FACTS**

- | | | |
|----|--|----------------------------------|
| A. | Total Area: | 9.99 Acres |
| B. | Zoning: | Planned Unit Development |
| C. | Density | 9.5 units per net buildable acre |
| D. | The development approval sought is consistent with the Seminole County | |

Comprehensive Plan and will be developed consistent with and in compliance with all other applicable regulations and ordinances.

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

5. **LAND USE BREAKDOWN**

<i>LAND USE</i>	<i>AREA (acres)</i>	<i>% OF SITE</i>
Townhouse Residential	4.18	41.84
Utility & Access R/W	1.14	11.41
Alleys	1.05	10.51
Buffer, Drainage & Open Space tract	2.51	25.13
Other Open Space	0.89	8.91
TOTAL AREA	9.99	100.00

6. **OPEN SPACE AND RECREATION AREAS**

Total Residential Land Area: 9.99 acres
 Required Open Space: 25% = 9.99 acres x 0.25 = 2.50 acres
 Open Space Provided: 3.62 Acres

7. **BUILDING SETBACKS**

North property line: 10'
 East Property Line (adjacent properties) 10'
 South Property Line: 30' for 1-story buildings
 50' for 2-story buildings

East Lake Brantley Drive: 25'
 Wekiva Springs Road 25'

8. **PERMITTED USES**

Option A: Townhouses

- Attached single family dwelling units
- Single Family Homes
- Group Homes
- Home offices

Option B: Office Uses

Any uses permitted in the OP (Office) zoning district, subject to development standards of said district.

NOTE: If developed, office uses shall be the exclusive use of the property. Mixing of residential and office uses shall not be permitted on the site.

9. **LANDSCAPE & BUFFER CRITERIA**

East Property Line (Wekiva Springs Road):

- 25' landscape buffer. A minimum of 4 canopy trees per 100' to be planted.

South Property Line

- A 6-foot brick wall with canopy trees planted at a rate of 4 per 100 feet and understory trees planted at a rate of 5 per 100 feet.

West Property Line (East Lake Brantley Drive)

- 25' landscape buffer. A minimum of 4 canopy trees per 100' to be planted.

North Property Line

- No buffer requirements
All landscape buffers and common areas shall be maintained by a homeowners association.

10. **DEVELOPMENT COMMITMENTS**

- A. All townhouse units will be located on individual platted lots.
- B. The development will not be designed as student housing.
- C. Balconies shall be prohibited on units 37-54.
- D. Building appearance shall be similar to designs presented at the public hearing, as shown in Exhibit C, per the approved Development Order # 2-22000005.
- E. Front walls of townhouses units shall be staggered.
- F. Dumpsters and mechanical units shall be located and/or screened so as not to be visible from Wekiva Springs Road, East Lake Brantley Drive, or Golfview Estates to the south.
- G. No accessory buildings shall be allowed on individual townhouse lots.
- H. The developer shall provide a pedestrian circulation system giving access to all portions of the development as well as connecting to existing sidewalks outside the development.
- I. Outdoor lighting shall be cutoff/shoebox style fixtures a maximum of 16 feet in height.
- J. The project street lighting adjacent to the south property boundary will be limited to decorative lighting affixed to the fronts of units.
- K. Building height shall be limited to 35 feet. Height shall be measured from the mean elevation between roof ridge and eaves.
- L. Right and left turn lanes shall be provided for access from Wekiva Springs Road.

11. **WATER, SEWER AND STORMWATER**

WATER: Water services shall be provided by Florida Water Services Inc.

SANITARY SEWER: Sanitary sewer shall be provided by Utilities inc.

STORMWATER: Stormwater drainage and stormwater management shall be according to Seminole County's county regulations.

FIRE PROTECTION: Fire protection shall be provided by Seminole County. Fire flow will be a minimum of 1,250 gpm with 20 p.s.i. Fire hydrant shall be located according to Seminole county regulations.

12. PHASING

The development will be constructed in 1 phase.

13. STANDARD COMMITMENTS

1. Unless specifically addressed otherwise herein, all development shall fully comply with all of the codes and ordinances, including impact fee ordinances, in effect in Seminole County at the time of permit issuance.
2. The conditions upon this development approval and commitments made as to this development approval have been accepted by and agreed to by the Owners of the property.
3. The developer's commitment agreement touches and concerns the aforescribed property, and the conditions, commitments, and provisions of the developer's commitment agreement 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 by part by action of Seminole County by virtue of a document of equal dignity herewith. The Owners of said property have expressly covenanted and agreed to this provision and all other terms and provisions of the developer's commitment agreement.
4. The terms and provisions of the developer's commitment agreement are not severable, and in the event any portion of this developer's commitment agreement shall be found to be invalid or illegal, then the entire developer's commitment agreement shall be null and void.

**DONE AND ORDERED ON
THE DATE FIRST WRITTEN ABOVE**

By: _____

**Daryl G. McLain
Chairman**

OWNER'S CONSENT AND COVENANT

COMES NOW, the owner, ORLONE, N.V., on behalf of itself and its 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 Developer's Commitment Agreement.

Witness

Print Name

By: _____
Mohamed Al-Hudhud
President

Witness

Print Name

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 MOHAMED AL-HUDHUD, and is personally known to me or who has produced _____ as identification and who acknowledged and executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2003.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

OWNER'S CONSENT AND COVENANT

COMES NOW, the owner, ORLTWO, N.V., on behalf of itself and its 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 Developer's Commitment Agreement.

Witness

Print Name

By: _____
Asem I. Bibi
President

Witness

Print Name

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 ASEM I. BIBI, and is personally known to me or who has produced _____ as identification and who acknowledged and executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2003.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

OWNER'S CONSENT AND COVENANT

COMES NOW, the owner, ORLTHREE, N.V., on behalf of itself and its 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 Developer's Commitment Agreement.

Witness

Print Name

By: _____

Sabah Al-Rumani
President

Witness

Print Name

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 SABAH AL-RUMANI, and is personally known to me or who has produced _____ as identification and who acknowledged and executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2003.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

OWNER'S CONSENT AND COVENANT

COMES NOW, the owner, TAFTAN PROPERTIES, N.V., on behalf of itself and its 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 Developer's Commitment Agreement.

Witness

Print Name

By: _____
Daoud Siksek
President

Witness

Print Name

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 DAOUD SIKSEK, and is personally known to me or who has produced _____ as identification and who acknowledged and executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2003.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

OWNER'S CONSENT AND COVENANT

COMES NOW, the owner, PERIANA INVESTMENTS, N.V., on behalf of itself and its 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 Developer's Commitment Agreement.

Witness

Print Name

By: _____
Rashid Mazroui
President

Witness

Print Name

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 RASHID MAZROUI, and is personally known to me or who has produced _____ as identification and who acknowledged and executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2003.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

OWNER'S CONSENT AND COVENANT

COMES NOW, the owner, ASTRID I. TYUS, on behalf of herself and her 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 Developer's Commitment Agreement.

Witness

Print Name

By: _____
Astrid I. Tyus

Witness

Print Name

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 ASTRID I. TYUS, and is personally known to me or who has produced _____ as identification and who acknowledged and executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2003.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

EXHIBIT A

LEGAL DESCRIPTION (CENTEX PARCEL)

FROM THE EAST 1/4 CORNER OF SECTION 4, TOWNSHIP 21 SOUTH, RANGE 29 EAST, RUN THENCE N 89°48'34" W A DISTANCE OF 586.40 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF EAST LAKE BRANTLEY DRIVE, RUN THENCE N 00°02'34" E ALONG SAID EAST RIGHT OF WAY LINE A DISTANCE OF 28.06 FEET TO A CONCRETE MONUMENT AT THE NORTHWEST CORNER OF LOT 1, BLOCK "A", OF GOLF VIEW ESTATES SECTION OF MEREDITH MANOR UNIT I ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 13, ON PAGE 20, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA. FOR A POINT OF BEGINNING. RUN THENCE N 00°02'34" E ALONG THE EAST RIGHT OF WAY LINE OF SAID EAST LAKE BRANTLEY DRIVE A DISTANCE OF 710.19 FEET; THENCE DEPARTING SAID EAST RIGHT OF WAY LINE, RUN S75°52'46"E, 86.55 FEET; THENCE S10°16'10"E, 74.95 FEET; THENCE S18°40'50"E, 84.62 FEET; THENCE S22°48'22"E, 53.73 FEET; THENCE S13°41'19"E, 33.40 FEET; THENCE S51°21'22"E, 26.16 FEET; THENCE S61°53'24"E, 43.37 FEET; THENCE S75°28'56"E, 41.94 FEET; THENCE S85°26'07"E, 36.12 FEET; THENCE N49°12'31"E, 51.35 FEET; THENCE N06°08'27"E, 74.23 FEET; THENCE N34°25'43"W, 108.07 FEET; THENCE N17°40'03"W, 31.29 FEET; THENCE N26°42'19"E, 54.25 FEET; THENCE N48°21'05"E, 81.70 FEET; THENCE N03°30'52"W, 83.80 FEET; THENCE N54°37'37"E, 138.04 FEET MORE OR LESS TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF THE WEKIVA SPRINGS ROAD, THENCE S 39°11'05" E ALONG THE WESTERLY RIGHT OF WAY LINE OF SAID WEKIVA SPRINGS ROAD A DISTANCE OF 381.29 FEET; THENCE S50°48'55"W DEPARTING SAID WESTERLY RIGHT OF WAY LINE, 285.00 FEET; THENCE S39°12'44"E A DISTANCE OF 450.00 FEET THENCE S50°46'04"W A DISTANCE OF 236.13 FEET MORE OR LESS TO A POINT ON THE NORTH LINE OF LOT 1, BLOCK "D" OF SAID GOLF VIEW ESTATES SECTION OF MEREDITH MANOR UNIT I, THENCE RUN ALONG THE NORTHERLY LINE OF SAID SUBDIVISION THE FOLLOWING COURSES AND DISTANCES: THENCE N88°54'59"W A DISTANCE OF 23.76 FEET TO THE NORTHWEST CORNER OF LOT 1, BLOCK "D", THENCE N01°05'01"E A DISTANCE OF 41.00 FEET TO A CONCRETE MONUMENT ON THE EAST LINE OF BRIARCLIFF DRIVE; THENCE N88°54'51"W A DISTANCE OF 159.99 FEET TO THE NORTHWEST CORNER OF LOT 13, BLOCK "B"; THENCE N88°54'51"W A DISTANCE OF 110.30 FEET MORE OR LESS TO A POINT ON THE EAST RIGHT OF WAY LINE OF LAKE GENE DRIVE; THENCE N01°04'19"E ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 28.00 FEET TO A POINT ON THE NORTH LINE BOUNDARY LINE OF SAID PLAT OF MEREDITH MANOR UNIT 1; THENCE N88°55'41"W A DISTANCE OF 176.05 FEET TO THE NORTHWEST CORNER OF LOT 2, BLOCK "A"; THENCE N89°56'11"W A DISTANCE OF 110.89 FEET TO THE POINT OF BEGINNING.

CONTAINING 9.990 ACRES, MORE OR LESS.

EXHIBIT B

Final Master Plan

High Density Residential

EAST LAKE BRANTLEY DRIVE

GOLF VIEW ESTATES SECTION OF
LOW DENSITY RESIDENTIAL UNIT PLAT BOOK
151, PAGE 20

LAKE GENE DRIVE

Low Density Residential

BRIAR CLIFF DRIVE

Office

Soiling Tree (TYP)
See Legend for Tree Specification

TREE LEGEND	
SYMBOL	DESCRIPTION
	PINE TREE
	CEDAR TREE
	PALM TREE
	OAK TREE
	EUCALYPTUS TREE

Soils Legend

- Arlanville-Spart fine sands
- Tavares-Mulhopper fine sands
- Urban Land, 0 to 12 percent slopes

Information by SCS Orange County
Soil Survey



NOTE: Topo survey provided by
Altamonte Surveying and Platting, Inc.

PROJECT NO.	17-107
DATE	Dec 2002
SHEET	1 OF 5

daly design group inc.

Land Planning, Architecture, Project Management, Drafting and Consulting
1022 N. Paragarden Ave., Winter Park, Florida 32789
(407) 947-7700 www.dalydesign.com

Topographic Map

Final Master Plan
East Lake Brantley Drive
Orange County, Florida



PROJECT NO.	17-107
DATE	Dec 2002
SHEET	1 OF 5

High Density Residential

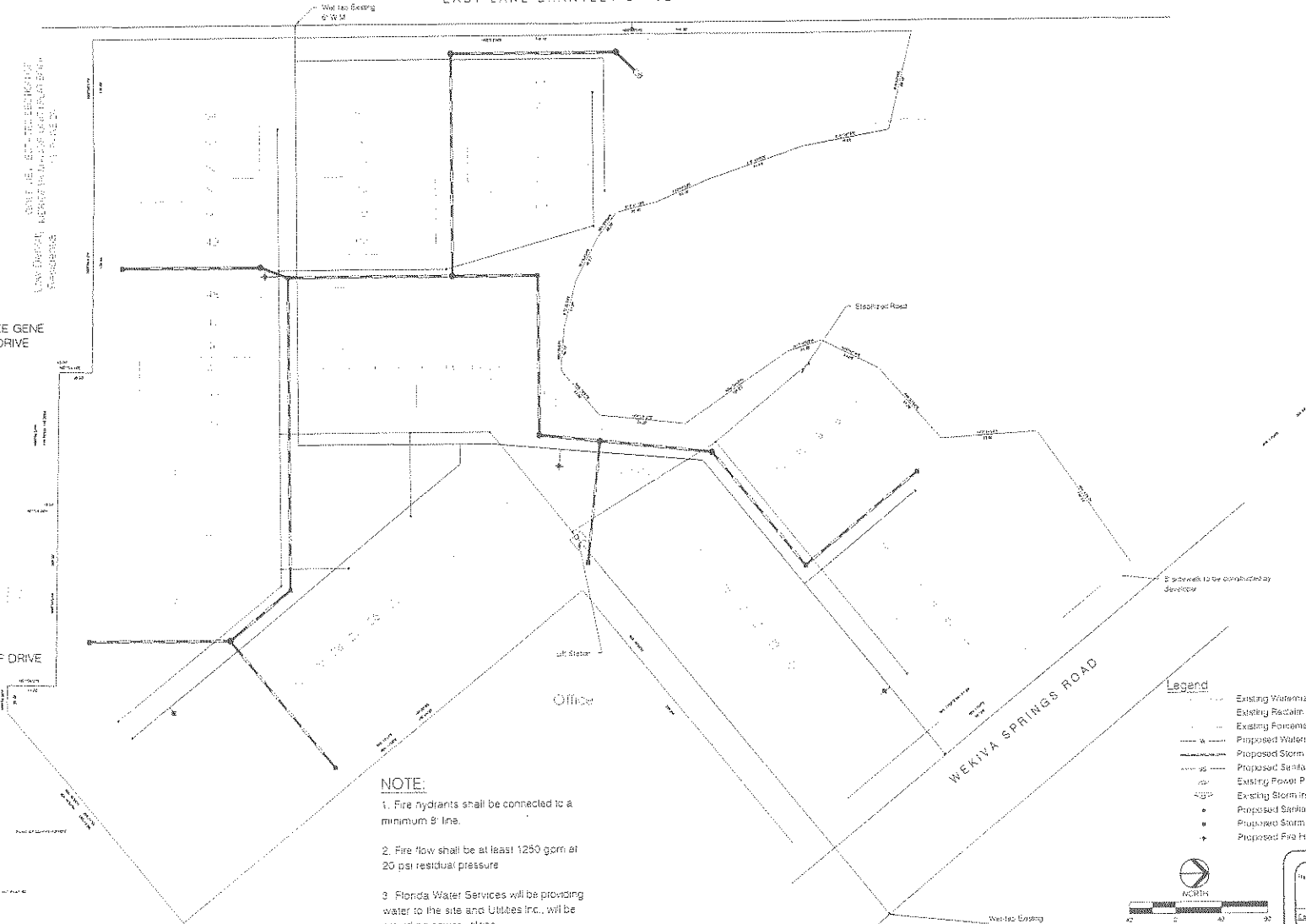
EAST LAKE BRANTLEY DRIVE

LAKE GENE DRIVE

BRIAR CLIFF DRIVE

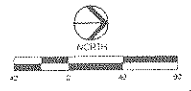
WEXIVA SPRINGS ROAD

ADDITIONAL UTILITY INFORMATION
LINE DESIGN, MATERIALS AND MANHOLE BOX
TRANSFORMER
1" UNITS



- NOTE:**
1. Fire hydrants shall be connected to a minimum 8" line.
 2. Fire flow shall be at least 1250 gpm at 20 psi residual pressure
 3. Florida Water Services will be providing water to the site and Utilities Inc. will be providing sewer utilities

- Legend**
- Existing Watermain
 - Existing Retain Water Line
 - Existing Forcemain
 - Proposed Watermain
 - Proposed Storm Sewer
 - Proposed Sanitary Sewer
 - Existing Power Pole
 - Existing Storm Inlet
 - Proposed Sanitary Manhole
 - Proposed Storm Inlet
 - Proposed Fire Hydrant



Water Existing
12" x 12"

daly design group inc.

1000 Phoenix, Tempe, AZ 85283
303 N. Thompson Ave., Tempe, AZ 85281 (480) 250-3333 www.dalydesign.com

Utility Plan
Final Master Plan
East Lake Brantley Drive
Graham County, Florida

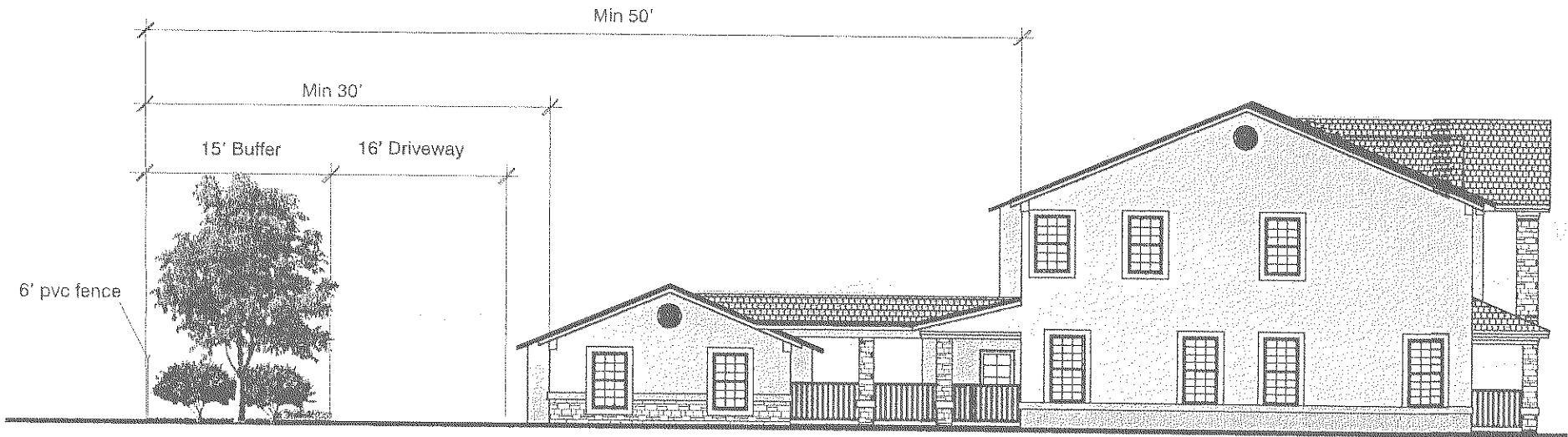


Prepared By: [Name]
Checked: [Name]
Date: 11/14/12
Scale: 1" = 40'

Project No: 12-002
Date: 11/14/12
Sheet: 3 of 5

EXHIBIT C

Building elevations presented at Public Hearing



East Lake Brantley Townhomes

Daly Design Group
 Land Planning, Landscape Architecture, Project Mangement, Development Consulting
 861 West Morse Blvd. Suite 125, Winter Park, Florida 32789 (407) 740-7373

Date: 09.09.02 Scale: Not to scale Job No. 2222

South Buffer Elevation
 Seminole County, Florida

