

	Building 1	Building 2	Building 3	Total
Square Feet	12,866 sq. ft. (1-story)	20,000 sq. ft. (2-stories)	16,100 sq. ft. (1-story)	48,966 sq. ft.

The rezone to OP is a site plan specific rezone with an associated Development Order and conditions of approval. The proposed Development Order is attached.

STAFF RECOMMENDATION:

Staff recommends APPROVAL of a request for a Small Scale Land Use Amendment from Low Density Residential (LDR) to Office and a rezone from A-1 (Agriculture) to OP (Office), on 4.85 ± acres, located on the south side of Lake Mary Boulevard, between College Drive and Ridge Drive West, subject to the attached Site Plan and Development Order.

PLANNING AND ZONING COMMISSION/LPA RECOMMENDATION:

The Planning and Zoning Commission/LPA met on June 7, 2006 and voted 5-0 to recommend APPROVAL of a request for a Small Scale Land Use Amendment from Low Density Residential (LDR) to Office and a rezone from A-1 (Agriculture) to OP (Office), on 4.85 ± acres, located on the south side of Lake Mary Boulevard, between College Drive and Ridge Drive West, subject to the attached Site Plan and Development Order, based on staff findings.

Attachments:

- Location Map
- FLU/Zoning Map
- Aerial Photo
- Site Plan
- Development Order
- Land Use Amendment Ordinance
- Rezone Ordinance
- 6/7/06 P&Z Minutes

**San Mary Office
Small Scale Land Use Amendment from LDR to Office
Rezone from A-1 to OP**

APPLICANT	Dat Le	
PROPERTY OWNER	Dat Le	
REQUEST	SSLUA LDR to Office and Rezone A-1 to OP	
PROPERTY SIZE	4.85 ± acres	
HEARING DATE (S)	P&Z: June 7, 2006	BCC: July 25, 2006
PARCEL ID	14-20-30-502-0C01-0000	
LOCATION	The south side of Lake Mary Boulevard, between College Drive and Ridge Drive West	
FUTURE LAND USE	Low Density Residential	
ZONING	A-1 (Agriculture)	
FILE NUMBER	Z2004-054, 10-04SS.02	
COMMISSION DISTRICT	#5 – Carey	

PROPOSED DEVELOPMENT:

The applicant is proposing to develop a 3-building office complex with a total of 48,966 square feet, as follows:

	Building 1	Building 2	Building 3	Total
Square Feet	12,866 sq. ft. (1-story)	20,000 sq. ft. (2-stories)	16,100 sq. ft. (1-story)	48,966 sq. ft.

ANALYSIS OVERVIEW:

ZONING REQUEST

The following table depicts the Seminole County Land Development Code (LDC) minimum regulations for the current zoning district of A-1 (Agriculture) and the requested OP (Office):

DISTRICT REGULATIONS	Existing Zoning (A-1)	Proposed Zoning (OP)
Minimum Lot Size	43,560 square feet	15,000 square feet
Minimum House Size	N/A	N/A
Minimum Width at Building Line	150'	100'
Front Yard Setback	50'	25'
Side Yard Setback	10'	0'*
Rear Yard Setback	30'	10'*
Maximum Building Height	35'	35'

* Unless the lot line abuts property assigned a residential zoning classification or land use designation, then see LDC Section 30.1232, Active/Passive buffer setback design standards.

PERMITTED & SPECIAL EXCEPTION USES

The following table depicts the permitted and special exception uses within the existing and proposed zoning districts:

Uses	A-1 (existing)	OP (proposed)
Permitted Uses	Agricultural uses such as citrus or other fruit crops cultivation, production and horticulture, truck farms, plant nurseries and greenhouses not involved with retail sales to the general public, silva culture, public and private elementary schools, publicly owned and/or controlled parks and recreation areas, bait production, stables, barns, single-family dwelling and customary accessory uses including one (1) guesthouse or cottage, docks and boathouses, churches and structures appurtenant thereto, community residential homes (group homes and foster care facilities) housing six (6) or fewer permanent unrelated residents.	Dental and medical clinics, dental and medical laboratories. General office buildings, Insurance, real estate, architects, engineering, attorneys, and other professional business services, Accounting, auditing and bookkeeping services, finance offices, Telephone business offices and exchanges, post offices, public parks, public, private and parochial schools, playgrounds, fire stations, and administrative public buildings, Churches and attendant educational buildings, Day care facilities, kindergartens, Public and private elementary schools, middle schools and high schools, Adult living facilities and community residential homes (group homes and foster care facilities) housing more than six (6) permanent unrelated residents.
Special Exception Uses	Special Exception such as cemeteries and mausoleums, kennels including the commercial raising or breeding of dogs, hospitals, sanitariums and convalescent homes, veterinary clinics and assisted living facilities and group homes, public and private nursery schools, kindergartens, middle schools, high schools and colleges, public utility and service structures, fishing camps, marinas, gun clubs, or similar enterprises or clubs making use of land with nominal impacts to natural resources, privately owned and operated recreational facilities open to the paying public, such as athletic fields, stadium, racetracks, and speedways, golf driving ranges, riding stables, water plants, and sanitary landfill operations, off-street parking lots, farm worker housing, mobile homes, retail nurseries, landscaping contractors as an accessory use to a wholesale nursery or wholesale tree farm, communication towers, bed and breakfast establishments.	Single-family dwelling unit in connection with a permitted use provided said use is occupied only by the owner or operator of the business. When permitted, the residence shall be either above the office or attached to the rear; no detached residence shall be permitted and no residence shall occupy ground-floor frontage, Accessory parking for passenger vehicles when intended for a permitted adjacent commercial use. A parking lot operated as a commercial enterprise shall not be permitted, Public utility and service structures, Banks, savings and loan and similar financial institutions, and drive-in teller facilities, when located on a roadway having a right-of-way width of not less than eighty (80) feet, Private vocational, business, and professional schools which do not have an industrial character. Location on a roadway having a right-of-way width of not less than eighty (80) feet shall be required, Hospitals and nursing homes. Location on a roadway having a right-of-way width of not less than eighty (80) feet shall be required, Nonresidential, nonprofit clubs, lodges and fraternal organizations when located on a roadway having a right-of-way width of not less than eighty (80) feet, Funeral homes when located on a roadway having a right-of-way width of not less than eighty (80) feet, Communication towers.
Minimum Lot Size	1-Acre	15,000 square feet

COMPATIBILITY WITH SURROUNDING PROPERTIES

The proposed Future Land Use Amendment to Office is compatible with the adjacent community college to the west and is compatible with the other existing office uses along Lake Mary Boulevard. The proposed site plan and Development Order also ensures that the offices adjacent to Ridge Drive West are limited to one-story and are architecturally residential in character.

The Future Land Use designations, zoning districts and existing uses for the subject and abutting properties are as follows:

(North)

	City of Sanford Neighborhood Commercial Lake Mary Boulevard/Day Care <i>RC1 (Restricted Commercial)</i>	City of Sanford Neighborhood Commercial Lake Mary, Boulevard/Office <i>RC1 (Restricted Commercial)</i>	City of Sanford Neighborhood Commercial Lake Mary Boulevard/Eye Clinic <i>RC1 (Restricted Commercial)</i>	
(West)	LDR Seminole Community College/Retention Pond <i>A-1</i>	LDR Abandoned Tennis Club <i>A-1</i>	LDR Ridge Drive West/Single- Family Residence <i>R-1A</i>	(East)
	City of Sanford Public and Semi-Public Seminole Community College/Retention Pond <i>AG (Agriculture)</i>	City of Sanford Public and Semi-Public Seminole Community College/Retention Pond <i>AG (Agriculture)</i>	LDR Ridge Drive West/Single- Family Residence <i>R-1A</i>	

(South)

Example:

Future Land Use Existing Use <i>Zoning</i>

***Bold** text depicts the Future Land Use designation, *italicized* text depicts the existing zoning district and plain text depicts existing use. The shaded cell indicates the subject property. More detailed information regarding surrounding properties can be found in the attached Future Land Use, zoning and aerial photo maps.

SITE ANALYSIS:

ENVIRONMENTAL IMPACTS

Floodplain Impacts:

According to FEMA FIRM map number 12117C0045E with an effective date of April 17, 1995, the subject property is not located within the 100 year floodplain.

Wetland Impacts:

Based on preliminary aerial photo and County wetland map analysis, there appear to be no wetlands on the subject property.

Endangered and Threatened Wildlife:

Based on a preliminary analysis, there appear to be no endangered and threatened wildlife on the subject property. A listed species survey will be required prior to final engineering approval.

PUBLIC FACILITY IMPACTS

Rule 9J-5.0055(3)(c); Florida Administrative Code, requires that adequate public facilities and services be available concurrent with the impacts of development. The applicant has elected to defer Concurrency Review. The applicant will be required to undergo Concurrency Review prior to final engineering approval.

The following table depicts the estimated impacts the proposed development has on public facilities:

Public Facility	Existing Zoning (A-1)*	Proposed Development*	Net Impact
Water (GPD)	1,400	4,897	3,497
Sewer (GPD)	1,200	4,897	3,697
Traffic (ADT)	38	486	448

* Proposed Development impacts are based on 48,966 square feet of general office uses.

Utilities:

The site is located in the City of Sanford utility service area. Prior to final engineering approval, the developer will be required to provide a letter from the City of Sanford stating approval of the utility design and that the City has the capacity to serve the project.

Transportation / Traffic:

The proposed access is onto Ridge Drive West, which is classified as a Local Street. Ridge Drive West connects to Lake Mary Boulevard, which is classified as a Principal Arterial and is currently operating at a Level-Of-Service "C" in this area. The developer will be required to install a left turn lane on Lake Mary Boulevard at Ridge Drive West. Lake Mary Boulevard is not currently programmed to be improved according to the County 5-year Capital Improvement Program.

School Impacts:

The proposed project will not generate any school impacts.

Public Safety:

The County Level-Of-Service standard for fire protection and rescue, per Policy PUB 2.1 of the Comprehensive Plan, is 5 minutes average response time. The nearest response unit to the subject property is Station #32, which is located at 300 E. Airport Boulevard, Sanford and meets the Level-Of-Service standard.

Drainage:

The proposed project is located within the Lake Jesup Drainage Basin. The site does not have a positive legal outfall and will be required to provide total retention of the 25 year/24 hour storm event onsite. The drainage design and requirements will be verified during the Final Engineering process.

Parks, Recreation and Open Space:

In accordance with Section 30.250 of the Land Development Code, the applicant will be required to provide 25% open space within the development. The Development Plan indicates that the project contains 39.83% open space.

Buffers and Sidewalks:

The following landscape buffer and building setback standards contained in the attached Development Order will apply:

East: 15' landscape buffer and 25' building setback
West: 10' landscape buffer and 25' building setback
North: 15' landscape buffer and 50' building setback
South: Landscaped Retention Area

There is an existing sidewalk along the property frontage on Lake Mary Boulevard and the developer must provide a 5' sidewalk along the property frontage on Ridge Drive West.

APPLICABLE POLICIES:

FISCAL IMPACT ANALYSIS

This project does not warrant running the County Fiscal Impact Analysis Model.

SPECIAL DISTRICTS

The subject property is located within the Lake Mary Boulevard Gateway Corridor Overlay, which includes a 15' landscape buffer and a 50' building setback from Lake Mary Boulevard.

COMPREHENSIVE PLAN (VISION 2020)

The following policies are applicable with the proposed project:

Policy CIE 3.2: Application to New Development
Policy POT 4.5: Potable Water Connection
Policy SAN 4.4: Sanitary Sewer Connection
Policy PUB 2.1: Public Safety Level-of-Service

INTERGOVERNMENTAL NOTIFICATION:

An Intergovernmental Notice was sent to the City of Sanford on May 10, 2006. We have received a notice that the City of Sanford intends to annex the subject property for the purposes of water and sewer provision only. If the City were to annex the property into the City limits, an enclave would be created. The annexation is being heard by the City Commission on June 26, 2006.

LETTERS OF SUPPORT OR OPPOSITION:

At this time, Staff has received no letters of support or opposition.

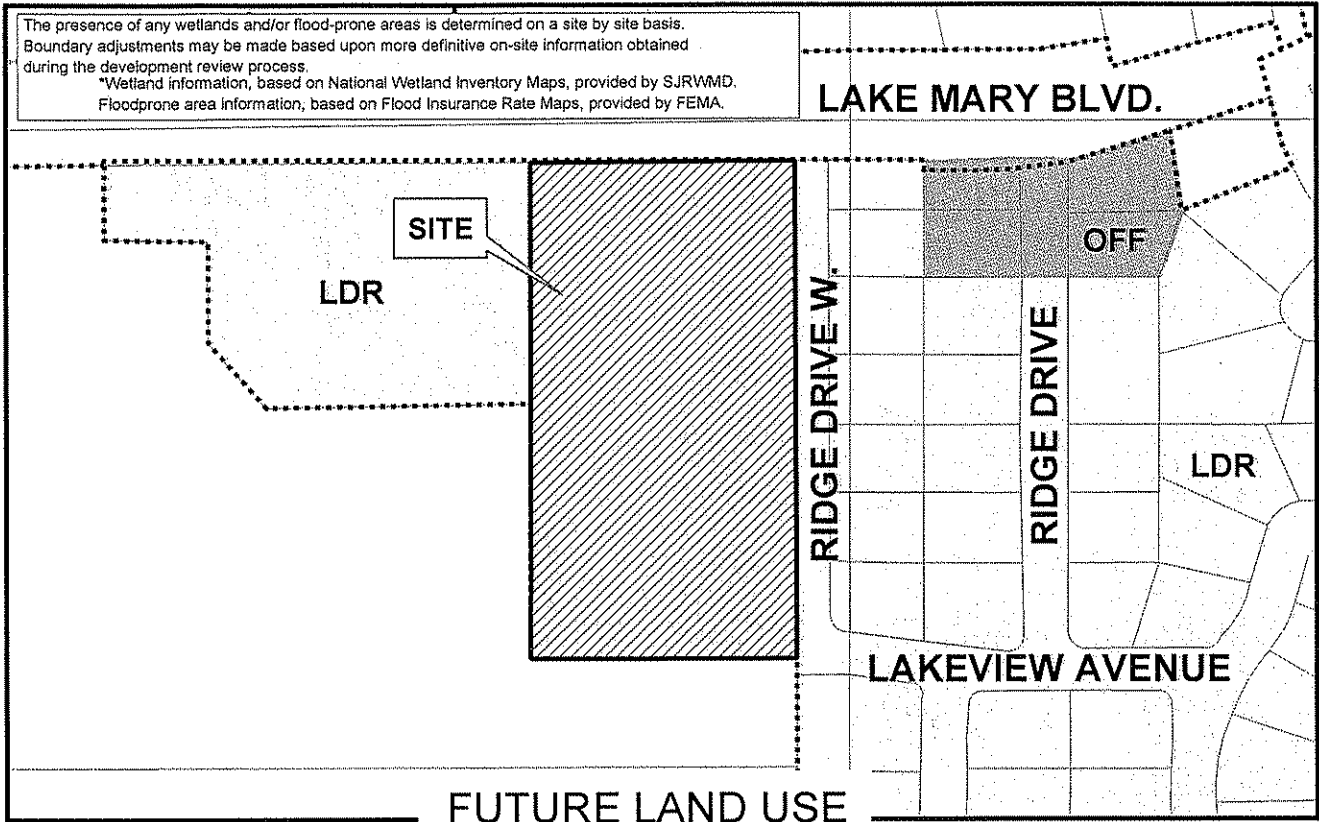
STAFF RECOMMENDATION:

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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.

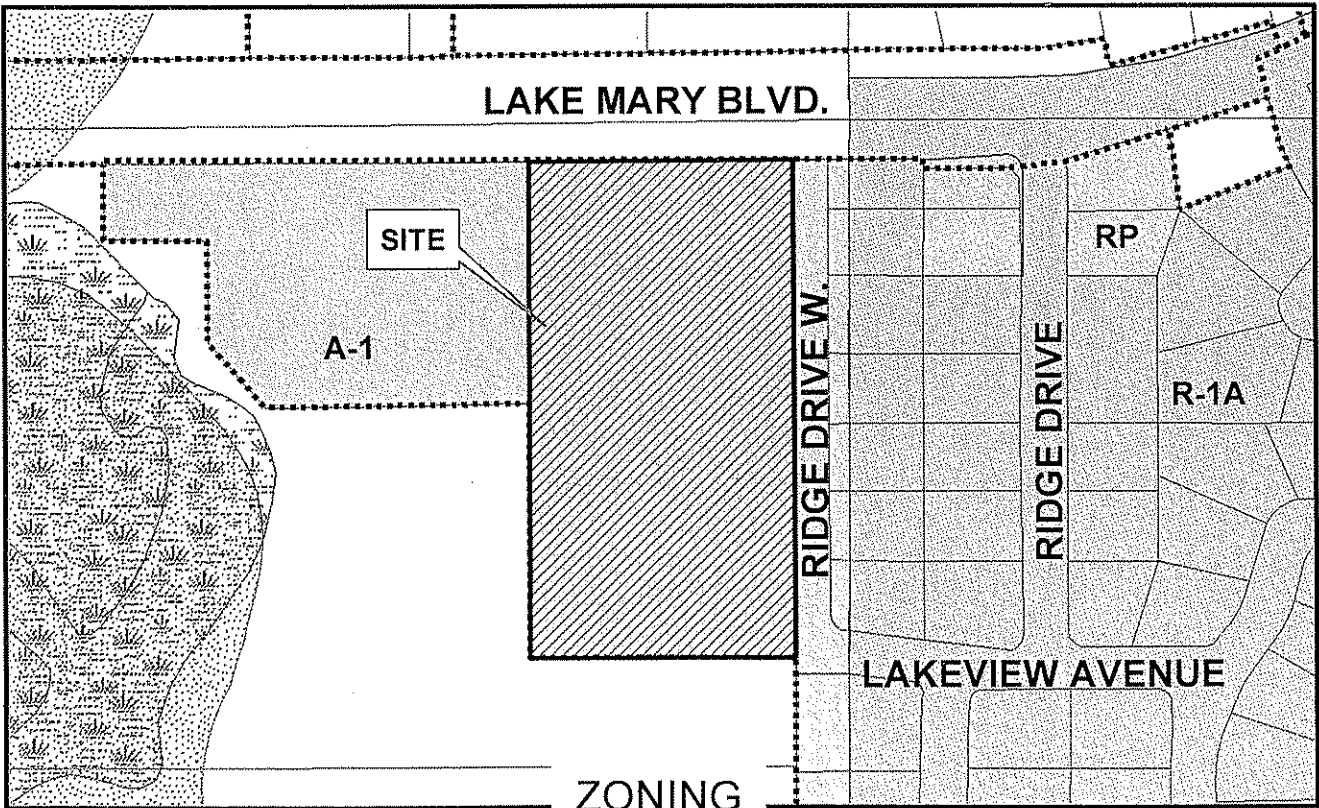


FUTURE LAND USE

Site
 Municipality
 LDR
 OFF

Applicant: Dat Minh Le
 Physical STR: part of 14.20.30.502.0C01.0000
 Gross Acres: 5 acres +/- BCC District: 5
 Existing Use: Recreational Facility
 Special Notes: None

	Amend/ Rezone#	From	To
FLU	10-04SS.02	LDR	OFF
Zoning	Z2004-054	A-1	OP





ZONING

A-1
 R-1A
 RP
 FP-1
 W-1

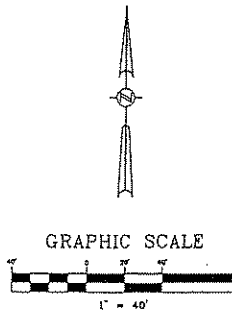


Amendment No: 10-04SS.02
 From: LDR To: OFF
 Rezone No: Z2004-054
 From: A-1 To: OP

-  Parcel
-  Subject Property



January 2004 Color Aerials



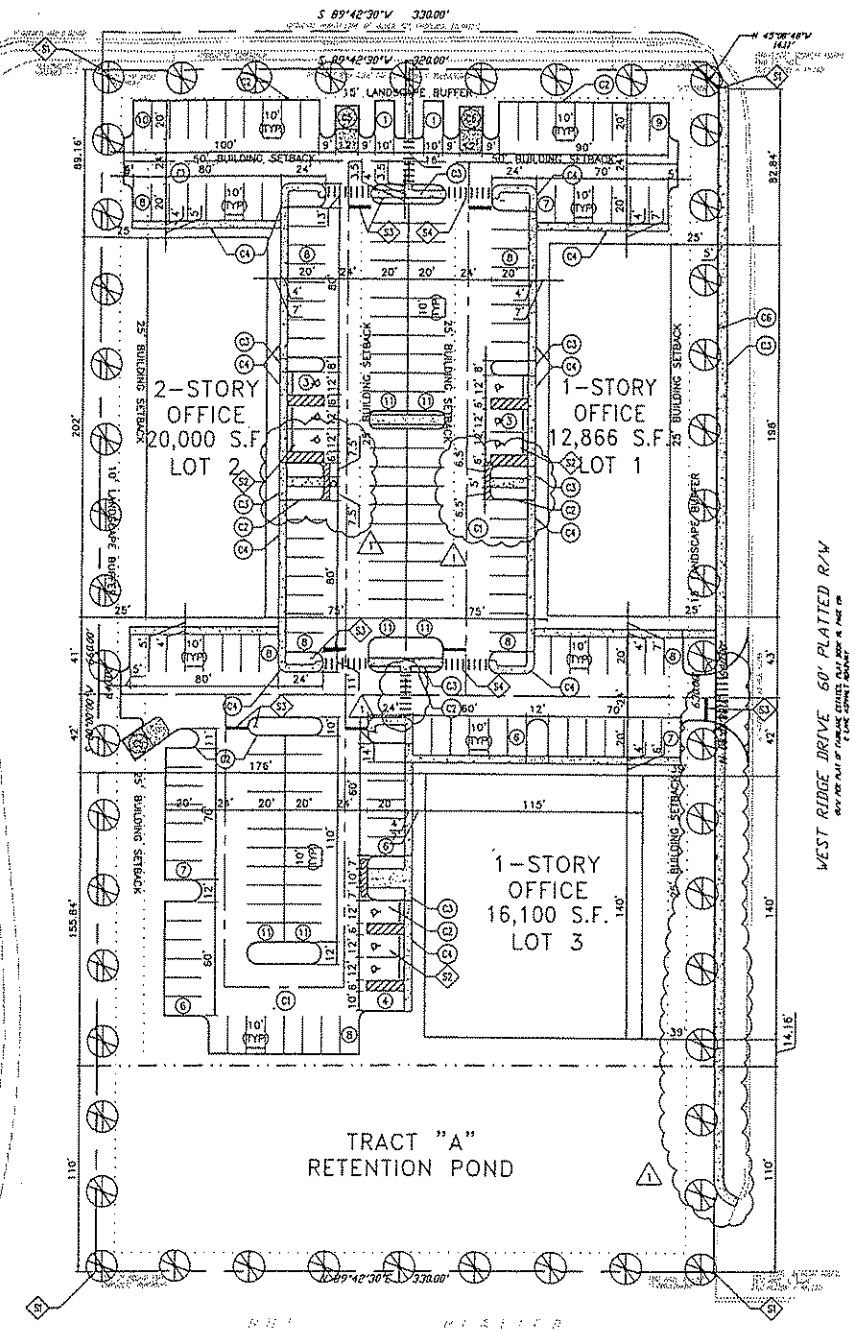
LAKE MARY BOULEVARD 140' R/W
100% PER SEMINOLE COUNTY PUBLIC WORKS DEPARTMENT REVIEW OF THIS PLAN FOR LAKE MARY BOULEVARD
 1/2006 REVIEWED BY: [unreadable]

① SITE CONSTRUCTION KEYNOTES

- C1. ASPHALT PAVEMENT.
- C2. 6" HEAD CURB, TYPICAL.
- C3. CONCRETE SIDEWALK, TYPICAL.
- C4. MONOLITHIC CURB & SIDEWALK, TYPICAL.
- C5. 12"x10" DUMPSTER W/ 6" CONCRETE PAD & 6" HIGH BLOCK WALL ENCLOSURE ON 3 SIDES.
- C6. 6" C.M.U. OR BRICK WALL.

② SITE STRIPING & SIGNAGE KEYNOTES

- S1. PROPERTY BOUNDARY.
- S2. HANDICAP PARKING STALL, TYPICAL.
- S3. 24" THERMOPLASTIC STOP BAR WITH R1-1 HIGH INTENSITY REFLECTORIZED "STOP" SIGN.
- S4. CROSSWALK STRIPING PER F.D.O.T. INDEX No. 17346, TYPICAL.



SITE DATA

PROPERTY LOCATION: SOUTHWEST CORNER OF LAKE MARY BLVD. & WEST RIDGE DRIVE, SANFORD, FLORIDA

EXISTING PROPERTY ZONING: A-1
 PROPOSED PROPERTY ZONING: OP
 PROPERTY FUTURE LAND USE DESIGNATION: OFFICE

LOT "1" AREA:	1,262± ACRES
LOT "2" AREA:	1,260± ACRES
LOT "3" AREA:	1,492± ACRES
TRACT "A" AREA:	0,833± ACRES
TOTAL PROJECT AREA:	4,847± ACRES

MAXIMUM ALLOWABLE BUILDING HEIGHT	35'	BUILDING HEIGHT PROPOSED	NOT TO EXCEED 35'
OPEN SPACE REQUIRED:			
LOT 1 OPEN SPACE PROVIDED:	25%		
LOT 2 OPEN SPACE PROVIDED:	28%		
LOT 3 OPEN SPACE PROVIDED:	33%		
TRACT A OPEN SPACE PROVIDED:	100%		

SETBACKS

LOT "1"		LOT "2"		LOT "3"	
BUILDING SETBACKS (REQUIRED)		BUILDING SETBACKS (REQUIRED)		BUILDING SETBACKS (REQUIRED)	
FRONT (WEST)	25'	FRONT (EAST)	25'	FRONT (NORTH)	42'
SIDE (NORTH) (LAKE MARY BLVD.)	50'	SIDE (NORTH)	92'	SIDE (EAST)	36'
SIDE (SOUTH)	0'	SIDE (SOUTH)	43'	SIDE (WEST)	176'
REAR (EAST) (PASSIVE BUFFER)	25'	REAR (WEST) (SIDE STREET)	25'	REAR (SOUTH)	14'

LOT "1"		LOT "2"		LOT "3"	
BUILDING SETBACKS (PROPOSED)		BUILDING SETBACKS (PROPOSED)		BUILDING SETBACKS (PROPOSED)	
FRONT (WEST)	75'	FRONT (EAST)	75'	FRONT (NORTH)	42'
SIDE (NORTH)	92'	SIDE (NORTH)	99'	SIDE (EAST)	36'
SIDE (SOUTH)	43'	SIDE (SOUTH)	41'	SIDE (WEST)	176'
REAR (EAST)	25'	REAR (WEST)	25'	REAR (SOUTH)	14'

LOT "1"		LOT "2"		LOT "3"	
BUILDING SETBACKS (PROPOSED)		BUILDING SETBACKS (PROPOSED)		BUILDING SETBACKS (PROPOSED)	
FRONT (WEST)	75'	FRONT (EAST)	75'	FRONT (NORTH)	42'
SIDE (NORTH)	92'	SIDE (NORTH)	99'	SIDE (EAST)	36'
SIDE (SOUTH)	43'	SIDE (SOUTH)	41'	SIDE (WEST)	176'
REAR (EAST)	25'	REAR (WEST)	25'	REAR (SOUTH)	14'

PARKING

PARKING REQUIRED	
LOT "1"	
OFFICE	12,866 S.F. x (1 SPACE PER 250 S.F.) = 51 SPACES
SPACES REQUIRED TO BE RESERVED FOR HANDICAP	3 SPACES

LOT "2"	
OFFICE	20,000 S.F. x (1 SPACE PER 250 S.F.) = 80 SPACES
SPACES REQUIRED TO BE RESERVED FOR HANDICAP	4 SPACES

LOT "3"	
OFFICE	16,100 S.F. x (1 SPACE PER 250 S.F.) = 65 SPACES
SPACES REQUIRED TO BE RESERVED FOR HANDICAP	3 SPACES
TOTAL PARKING REQUIRED	200 SPACES

PARKING PROVIDED	
LOT "1"	
STANDARD PARKING SPACES	63 SPACES
HANDICAP PARKING	3 SPACES
LOT "1" PARKING PROVIDED	66 SPACES

LOT "2"	
STANDARD PARKING SPACES	65 SPACES
HANDICAP PARKING	3 SPACES
LOT "2" PARKING PROVIDED	68 SPACES
* ADDITIONAL PARKING WILL BE PROVIDED THROUGH A CROSS PARKING AGREEMENT WITH LOT 1.	

LOT "3"	
STANDARD PARKING SPACES	64 SPACES
HANDICAP PARKING	3 SPACES
LOT "3" PARKING PROVIDED	67 SPACES

TOTAL PARKING PROVIDED	192 SPACES
STANDARD PARKING SPACES	192 SPACES
HANDICAP PARKING	9 SPACES
TOTAL PARKING PROVIDED	201 SPACES

BUFFERS (ALONG PROPERTY PERIMETER)

LANDSCAPE BUFFERS (REQUIRED)		LANDSCAPE BUFFERS (PROPOSED)	
(WEST)	10'	(WEST)	15'
(NORTH) (LAKE MARY BLVD.)	15'	(NORTH)	>15'
(SOUTH)	15'	(SOUTH)	15'
(EAST)	25'	(EAST)	15'
(EAST) (ACTIVE BUFFER)	15'	(EAST) (ACTIVE BUFFER)	15'
(EAST) (PASSIVE BUFFER)	15'	(EAST) (PASSIVE BUFFER)	15'

SITE AREA CALCULATIONS

LOT 1			
BUILDING FOOTPRINT	12,866 ± S.F.		
PAVING	26,213 ± S.F.		
SIDEWALK	2,042 ± S.F.		
IMPERVIOUS AREA	41,123 ± S.F.	0.844 ± AC.	74.82 %
PERVIOUS AREA	13,841 ± S.F.	0.318 ± AC.	25.18 %
TOTAL SITE AREA	54,964 ± S.F.	1,262 ± AC.	100.00 %
LOT 2			
BUILDING FOOTPRINT	13,310 ± S.F.		
PAVING	26,104 ± S.F.		
SIDEWALK	2,016 ± S.F.		
IMPERVIOUS AREA	41,430 ± S.F.	0.951 ± AC.	76.48 %
PERVIOUS AREA	13,445 ± S.F.	0.309 ± AC.	24.52 %
TOTAL SITE AREA	54,875 ± S.F.	1,260 ± AC.	100.00 %
LOT 3			
BUILDING FOOTPRINT	16,100 ± S.F.		
PAVING	27,329 ± S.F.		
SIDEWALK	1,424 ± S.F.		
IMPERVIOUS AREA	44,773 ± S.F.	1.028 ± AC.	68.90 %
PERVIOUS AREA	20,236 ± S.F.	0.464 ± AC.	31.10 %
TOTAL SITE AREA	65,009 ± S.F.	1,492 ± AC.	100.00 %

NOT VALID FOR CONSTRUCTION UNLESS SIGNED IN THIS BLOCK	4/12/2006	PER SEMINOLE COUNTY COMMENTS DATED 3/3/2006	JDC	SJS
DATE	REVISIONS		BY	CHECKED

SAN MARY PROFESSIONAL OFFICE PARK
 SANFORD, FLORIDA

FLORIDA ENGINEERING GROUP, INC.
 CIVIL • ENVIRONMENTAL • LAND DEVELOPMENT
 718 GARDEN PLAZA, ORLANDO, FLORIDA 32808
 TEL: 407-896-0324 FAX: 407-896-0325
 E-MAIL: info@feg-inc.us
 WEB PAGE: www.feg-inc.us

CONCEPTUAL SITE PLAN			
DESIGNED BY	DRAWN BY	CHECKED BY	APPROVED BY
JAA	JDC	JAA	JAA

PROJECT NO.	04-098
SCALE	1" = 40'
DATE	FEBRUARY 3, 2006
SHEET NO.	
SHEET	OF

JAIN ADI-ARUN, P.E.
 CERTIFICATE NO. 45138
 2004-098 CONCEPT.DWG

SEMINOLE COUNTY DEVELOPMENT ORDER

On July 25, 2006 Seminole County issued this Development Order relating to and touching and concerning the following described property:

Legal description attached as **Exhibit A**.

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

FINDINGS OF FACT

Property Owner: Dat Le

Project Name: San Mary Office SSLUA LDR to Office and Rezone A-1 to OP

Requested Development Approval:

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 has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: Tina Williamson
1101 East First Street
Sanford, Florida 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's approval, all of which have been accepted by and agreed to by the owner of the property are as follows;

Standard Conditions:

- a. All development shall comply with the Development Plan attached as Exhibit B.
- b. The maximum building height shall be two stories, not to exceed 35'.
- c. Permitted uses shall be those permitted uses in the OP (Office) district.
- d. All landscape buffers and common areas shall be maintained by a property owners association.
- e. In accordance with Section 30.1344 of the Land Development Code, a minimum of twenty-five (25) percent of the project area must be designated as open space.

Project Specific Conditions:

a. The project shall be developed with a total of 48,966 square feet, as follows:

	Building 1	Building 2	Building 3	Total
Square Feet	12,866 sq. ft. (1-story)	20,000 sq. ft. (2-stories)	16,100 sq. ft. (1-story)	48,966 sq. ft.

b. The following landscape buffer and setback standards shall apply:

- East: 15' landscape buffer and 25' building setback
- West: 10' landscape buffer and 25' building setback
- North: 15' landscape buffer and 50' building setback
- South: Landscaped Retention Area

- c. The development must comply with Chapter 30 Part 56 of the Seminole County Land Development Code: Lake Mary Boulevard Gateway Corridor Overlay Standards.
- d. The buildings adjacent to Ridge Drive West shall be limited to one-story and must be designed with a residential character as determined by the Planning Manager. Architectural renderings must be provided to the DRC at the time of site plan review.

(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.

Attest: _____
Maryanne Morse
Clerk to the Board of County Commissioners

By: _____
Board of County Commissioners
Carlton D. Henley, Chairman

OWNER'S CONSENT AND COVENANT

COMES NOW, the owner, Dat Le, on behalf of himself and his 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

Print Name

Dat Le

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 Dat Le, who is personally known to me or who has produced _____ as identification and who executed the foregoing instrument and sworn an oath.

WITNESS my hand and official seal in the County and State last aforesaid this ____ day of _____, 2006.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

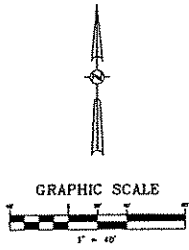
File # Z2006-012

DEVELOPMENT ORDER #04-22000006

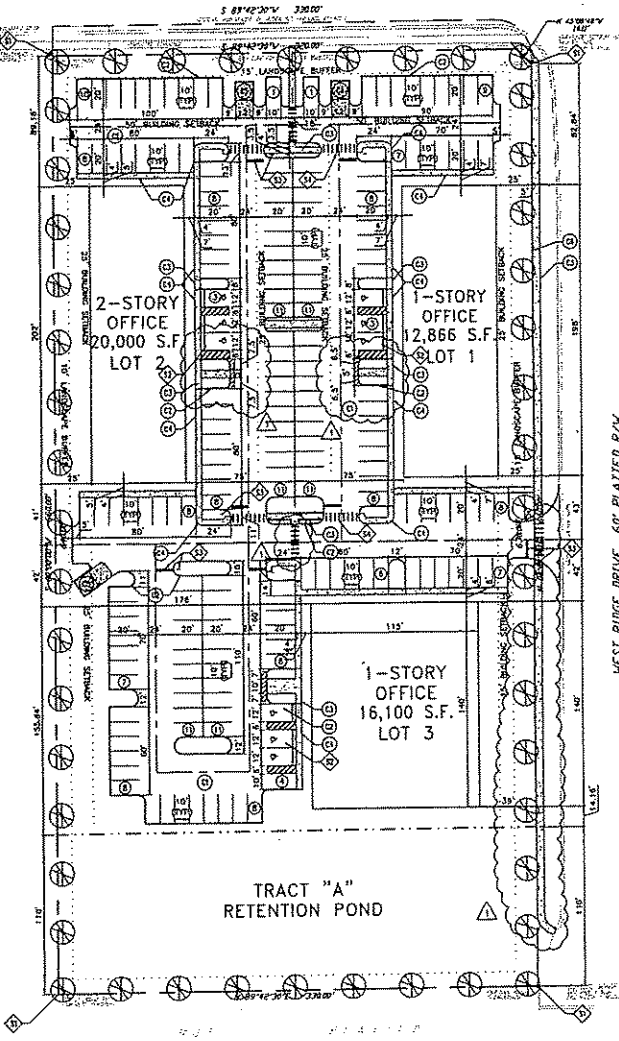
EXHIBIT A
Legal Description

**LEG E 330 FT OF N 660 FT OF BLK C (LESS N 20 FT FOR RD) FAIRLANE ESTATES
PB 10 PG 19**

EXHIBIT B



LAKE MARY BOULEVARD 140' R/W
60' TO CORNER CURB LINE, 15' LAND BUFFER, 15' TO LOT R/W BOUNDARY
 15' TO CORNER CURB LINE, 15' LAND BUFFER, 15' TO LOT R/W BOUNDARY



SITE DATA
 PROPERTY LOCATION: SOUTHWEST CORNER OF LAKE MARY BLVD. & WEST RIDGE DRIVE, SANFORD, FLORIDA

EXISTING PROPERTY ZONING: A-1
 PROPOSED PROPERTY ZONING: OP
 PROPERTY FUTURE LAND USE DESIGNATION: OFFICE

LOT "1" AREA: 1.262± ACRES
 LOT "2" AREA: 1.280± ACRES
 LOT "3" AREA: 1.492± ACRES
 TRACT "A" AREA: 0.833± ACRES
 TOTAL PROJECT AREA: 4.847± ACRES

MAXIMUM ALLOWABLE BUILDING HEIGHT: BUILDING HEIGHT PROPOSED
 35' NOT TO EXCEED 35'

OPEN SPACE REQUIRED: 25%
 LOT 1 OPEN SPACE PROVIDED: 28%
 LOT 2 OPEN SPACE PROVIDED: 28%
 LOT 3 OPEN SPACE PROVIDED: 33%
 TRACT A OPEN SPACE PROVIDED: 100%

SETBACKS
 LOT "1"
 BUILDING SETBACKS (REQUIRED) BUILDING SETBACKS (PROPOSED)
 FRONT (WEST) 25' FRONT (WEST) 75'
 SIDE (NORTH) (DUE W/RY R/W) 50' SIDE (NORTH) 92'
 SIDE (SOUTH) 0' SIDE (SOUTH) 42'
 REAR (EAST) (ADJAC. BUFFER) 25' REAR (EAST) 25'

LOT "2"
 BUILDING SETBACKS (REQUIRED) BUILDING SETBACKS (PROPOSED)
 FRONT (EAST) 25' FRONT (EAST) 75'
 SIDE (NORTH) (DUE W/RY R/W) 50' SIDE (NORTH) 89'
 SIDE (SOUTH) 0' SIDE (SOUTH) 41'
 REAR (WEST) (EDGE STREET) 25' REAR (WEST) 25'

LOT "3"
 BUILDING SETBACKS (REQUIRED) BUILDING SETBACKS (PROPOSED)
 FRONT (NORTH) 25' FRONT (NORTH) 42'
 SIDE (EAST) (ADJAC. BUFFER) 25' SIDE (EAST) 39'
 SIDE (WEST) (EDGE STREET) 25' SIDE (WEST) 174'
 REAR (SOUTH) 0' REAR (SOUTH) 14'

PARKING
 LOT "1"
 OFFICE 12,866 S.F. x (1) SPACE PER 250 S.F. 51 SPACES
 TOTAL SPACES REQUIRED 51 SPACES
 SPACES REQUIRED TO BE RESERVED FOR HANDICAP 3 SPACES

LOT "2"
 OFFICE 20,000 S.F. x (1) SPACE PER 250 S.F. 80 SPACES
 TOTAL SPACES REQUIRED 80 SPACES
 SPACES REQUIRED TO BE RESERVED FOR HANDICAP 4 SPACES

LOT "3"
 OFFICE 16,100 S.F. x (1) SPACE PER 250 S.F. 64 SPACES
 TOTAL SPACES REQUIRED 64 SPACES
 SPACES REQUIRED TO BE RESERVED FOR HANDICAP 3 SPACES

TOTAL PARKING REQUIRED: 200 SPACES

PARKING PROVIDED
 LOT "1"
 STANDARD PARKING SPACES 83 SPACES
 HANDICAP PARKING 3 SPACES
 LOT "1" PARKING PROVIDED 86 SPACES

LOT "2"
 STANDARD PARKING SPACES 83 SPACES
 HANDICAP PARKING 3 SPACES
 LOT "2" PARKING PROVIDED 86 SPACES
 * ADDITIONAL PARKING WILL BE PROVIDED THROUGH A CROSS PARKING AGREEMENT WITH LOT 1.

LOT "3"
 STANDARD PARKING SPACES 84 SPACES
 HANDICAP PARKING 3 SPACES
 LOT "3" PARKING PROVIDED 87 SPACES

TOTAL PARKING PROVIDED: 261 SPACES

BUFFERS (ALONG PROPERTY PERIMETER)
 LANDSCAPE BUFFERS (REQUIRED) LANDSCAPE BUFFERS (PROPOSED)
 (WEST) 10' (WEST) 10'
 (NORTH) (DUE W/RY R/W) 15' (NORTH) 15'
 (SOUTH) 15' (SOUTH) >15'
 (EAST) (ADJAC. BUFFER) 25' (EAST) (ADJAC. BUFFER) 15'
 (EAST) (ADJAC. BUFFER) 25'

SITE AREA CALCULATIONS
 LOT 1
 BUILDING FOOTPRINT 17,088 S.F.
 PARKING 20,215 S.F.
 SIDEWALK 7,014 S.F.
 IMPERVIOUS AREA 44,317 S.F. 0.814 S.A.C. 71.83 ±
 PERVIOUS AREA 13,811 S.F. 0.258 S.A.C. 28.28 ±
 TOTAL SITE AREA 54,364 S.F. 1.000 ±

LOT 2
 BUILDING FOOTPRINT 13,310 S.F.
 PARKING 18,104 S.F.
 SIDEWALK 7,014 S.F.
 IMPERVIOUS AREA 41,438 S.F. 0.837 S.A.C. 73.48 ±
 PERVIOUS AREA 12,442 S.F. 0.236 S.A.C. 26.28 ±
 TOTAL SITE AREA 54,364 S.F. 1.000 ±

LOT 3
 BUILDING FOOTPRINT 16,100 S.F.
 PARKING 27,229 S.F.
 SIDEWALK 1,344 S.F.
 IMPERVIOUS AREA 44,771 S.F. 1.028 S.A.C. 88.90 ±
 PERVIOUS AREA 20,215 S.F. 0.465 S.A.C. 22.10 ±
 TOTAL SITE AREA 68,655 S.F. 1.492 S.A.C. 100.00 ±

- Ⓞ SITE CONSTRUCTION KEYNOTES**
- C1. ASPHALT PAVEMENT.
 - C2. 8" NEHD CURB, TYPICAL.
 - C3. CONCRETE SIDEWALK, TYPICAL.
 - C4. MONOLITHIC CURB & SIDEWALK, TYPICAL.
 - C5. 12"x10" DUMPSTER W/ 8" CONCRETE PAD & 8" HIGH BLOCK WALL ENCLOSURE ON 3 SIDES.
 - C6. 6" C.M.U. OR BRICK WALL.
- Ⓞ SITE STRIPING & SIGNAGE KEYNOTES**
- S1. PROPERTY BOUNDARY.
 - S2. HANDICAP PARKING STALL, TYPICAL.
 - S3. 24" THERMOPLASTIC STOP BAR WITH R1-1 HIGH INTENSITY REFLECTORIZED "STOP" SIGN.
 - S4. CROSSWALK STRIPING PER F.D.O.T. INDEX No. 1734A, TYPICAL.

SAN MARY PROFESSIONAL OFFICE PARK
 SANFORD, FLORIDA

FLORIDA ENGINEERING GROUP, INC.
 CIVIL • ENVIRONMENTAL • LAND DEVELOPMENT
 718 GARDEN PLAZA, ORLANDO, FLORIDA 32805
 TEL 407-886-0324 FAX 407-886-0325
 E-MAIL: fegrp@fegrp.com
 WEB PAGE: www.fegrp.com

CONCEPTUAL SITE PLAN
 DESIGNED BY JAA DRAWN BY JDC CHECKED BY JAA APPROVED BY JAA

PROJECT NO. 04-098
 SCALE 1" = 40'
 DATE FEBRUARY 3, 2006
 SHEET 01 OF 01
 FLORIDA ENGINEERING GROUP, INC.
 CERTIFICATE NO. FE-400614
 JOHN JANI-SHUK, P.E.
 CERTIFICATE NO. 45188
 2004-038 CONCEPT.DWG

NOT VALID FOR CONSTRUCTION UNLESS SIGNED IN THIS BLOCK	1/12/2006	PER SEMINOLE COUNTY COMMENTS DATED 3/3/2009	JDC	SJS
DATE	REVISIONS	BY	CHECKED	

AN ORDINANCE FURTHER AMENDING ORDINANCE NUMBER 91-13, AS PREVIOUSLY AMENDED, KNOWN AS THE SEMINOLE COUNTY COMPREHENSIVE PLAN; AMENDING THE FUTURE LAND USE MAP OF THE SEMINOLE COUNTY COMPREHENSIVE PLAN BY VIRTUE OF SMALL SCALE DEVELOPMENT AMENDMENT (LEGAL DESCRIPTION IS SET FORTH AS AN APPENDIX TO THIS ORDINANCE); CHANGING THE FUTURE LAND USE DESIGNATION ASSIGNED TO CERTAIN PROPERTY FROM LOW DENSITY RESIDENTIAL TO OFFICE; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EXCLUSION FROM THE SEMINOLE COUNTY CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Seminole County enacted Ordinance Number 91-13 which adopted the 1991 Seminole County Comprehensive Plan ("the Plan"), which Plan has been subsequently amended from time-to-time and in accordance with State law; and

WHEREAS, the Board of County Commissioners has followed the procedures set forth in Sections 163.3184 and 163.3187, Florida Statutes, in order to further amend certain provisions of the Plan as set forth herein relating to a Small Scale Development Amendment; and

WHEREAS, the Board of County Commissioners has substantially complied with the procedures set forth in the Implementation Element of the Plan regarding public participation; and

WHEREAS, the Seminole County Local Planning Agency held a Public Hearing, with all required public notice, on June 7, 2006 for the purpose of providing recommendations to the Board of County Commissioners with regard to the Plan amendment set forth herein; and

WHEREAS, the Board of County Commissioners held a Public Hearing on July 25, 2006, with all required public notice for the purpose of hearing and considering the recommendations and comments of the general public, the Local Planning Agency, other public agencies, and other jurisdictions prior to final action on the Plan amendment set forth herein; and

WHEREAS, the Board of County Commissioners hereby finds that the Plan, as amended by this Ordinance, is internally consistent, is consistent and compliant with the provisions of State law including, but not limited to, Part II, Chapter 163, Florida Statutes, the State Comprehensive Plan, and the Comprehensive Regional Policy Plan of the East Central Florida Regional Planning Council.

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

Section 1. RECITALS/LEGISLATIVE FINDINGS:

- (a) The above recitals are true and correct and form and include legislative findings which are a material part of this Ordinance.
- (b) The Board 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. AMENDMENT TO COUNTY COMPREHENSIVE PLAN FUTURE LAND
USE DESIGNATION:

(a) The Future Land Use Element's Future Land Use Map as set forth in Ordinance Number 91-13, as previously amended, is hereby further amended by amending the future land use designation assigned to the following property and which is depicted on the Future Land Use Map and further described in the attached Appendix "A" to this Ordinance:

Amendment Appendix "A"

- (b) The associated rezoning request was completed by means of Ordinance Number 06-_____.
- (c) The development of the property is subject to the development intensities and standards permitted by the overlay Conservation land use designation, Code requirements and other requirements of law.

Section 3. SEVERABILITY:

If any provision of this Ordinance or the application 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 4. EXCLUSION FROM COUNTY CODE/CODIFICATION:

(a) It is the intent of the Board of County Commissioners that the provisions of this Ordinance shall not be codified into the Seminole County Code, but that the Code Codifier shall have liberal authority to codify this Ordinance as a separate document or

as part of the Land Development Code of Seminole County in accordance with prior directions given to said Code Codifier.

(b) The Code Codifier is hereby granted broad and liberal authority to codify and edit the provisions of the Seminole County Comprehensive Plan, as amended.

Section 5. EFFECTIVE DATE:

(a) 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 and 163.3187, Florida Statutes.

(b) This ordinance shall take effect upon filing a copy of this Ordinance with the Department of State by the Clerk of the Board of County Commissioners; provided, however, that the effective date of the Plan amendment set forth herein shall be thirty-one (31) days after the date of adoption by the Board of County Commissioners or, if challenged within thirty (30) days of adoption, when a final order is issued by the Florida Department of Community Affairs or the Administration Commission determining that the amendment is in compliance in accordance with Section 163.3184, Florida Statutes, whichever occurs earlier. No development orders, development permits, or land use dependent on an amendment may be issued or commence before an amendment has become effective. If a final order of noncompliance is issued by the Administration Commission, the affected amendment may nevertheless be made effective by the Board of County Commissioners adopting a resolution affirming its effective status, a copy of which resolution shall be provided to the Florida Department of Community Affairs, Bureau of Local Planning, 2555 Shumard Oak Blvd., Tallahassee, Florida 32399-2100 by the Clerk of the Board of County Commissioners.

ENACTED this 25th day of July, 2006.

BOARD OF COUNTY COMMISSIONERS
OF SEMINOLE COUNTY, FLORIDA

By: _____

Carlton D. Henley, Chairman

APPENDIX A

LEG E 330 FT OF N 660 FT OF BLK C (LESS N 20 FT FOR RD) FAIRLANE ESTATES
PB 10 PG 19

AN ORDINANCE AMENDING, PURSUANT TO THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY, THE ZONING CLASSIFICATIONS ASSIGNED TO CERTAIN PROPERTY LOCATED IN SEMINOLE COUNTY; ASSIGNING CERTAIN PROPERTY CURRENTLY ASSIGNED THE A-1 (AGRICULTURE) DISTRICT THE OP (OFFICE) DISTRICT ZONING CLASSIFICATION; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR EXCLUSION FROM CODIFICATION; PROVIDING FOR SEVERABILITY; 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 documents titled "San Mary Office SSLUA and Rezone."

(b) The Board 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. REZONINGS. The zoning classification assigned to the following described property is changed from A-1 (Agriculture) district to the OP (Office) district:

SEE ATTACHED EXHIBIT A

Section 3. EXCLUSION FROM 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 be effective on the recording date of the Development Order # 04-22000006 in the Official Land Records of Seminole County.

ENACTED this 25th day of July 2006.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Carlton D. Henley
Chairman

**EXHIBIT A
LEGAL DESCRIPTION**

LEG E 330 FT OF N 660 FT OF BLK C (LESS N 20 FT FOR RD) FAIRLANE ESTATES
PB 10 PG 19

**MINUTES FOR THE SEMINOLE COUNTY
LAND PLANNING AGENCY/PLANNING & ZONING COMMISSION
JUNE 7, 2006**

Members present: Ben Tucker, Matt Brown, Beth Hattaway, Dudley Bates, and Jason Brodeur.

Members absent: Walt Eismann, Rob Wolf.

Also present: Tony Walter, Planning Manager; April Boswell, Assistant Planning Manager; Tina Williamson, Principal Coordinator; Michael Rumer, Senior Planner; Benjamin Dunn, Senior Planner; Arnold Schneider, Assistant County Attorney; Kelly Brock, Senior Engineer; and Candace Lindlaw-Hudson, Senior Staff Assistant.

San Mary Office Small Scale Land Use Amendment and Rezone; Dat Minh Le, applicant; 4.85 ± acres; Small Scale Land Use Amendment from LDR (Low Density Residential) to Office and Rezone from A-1 (Agriculture) to OP (Office); located on the south side of Lake Mary Boulevard, between College Drive and Ridge Drive. (Z2004-054/10-04SS.02)

Commissioner Carey-District 5
Tina Williamson, Principal Coordinator

Tina Williamson introduced the application for a rezone which would allow a 3 building complex. Two buildings would be one story high. One building would be 2 stories high. Staff recommendation is for approval.

Commissioner Tucker asked about the access to College Drive.

Ms. Williamson said that the applicant did not get permission to have access to College Drive. Access will come from Ridge Drive.

Jean Abi Aoun said that the site has a tennis court facility there now. The office park will have one story structures near the homes. The buildings will be constructed to look like residential style structures. The college is expanding and did not want to share the road. This site plan meets County requirements. The City of Sanford will provide water and sewer. They have no objection to the project.

Penny Miller of Fairlane Estates has been a resident there for 9 years. She supports the project. The tennis courts there have been abandoned for some time, with undesirable side effects.

Donald Tice lives in Fairlane Estates. He is in favor of the project. He asked why the property would annex into the City of Sanford.

Commissioner Tucker said that annexation was necessary to get water and sewer from the City.

Mr. Tice said that his neighborhood has Sanford water and sewer and did not annex into the City.

Commissioner Hattaway was concerned about the appearance of the buildings from the college's entrance driveway and the placement of garbage dumpsters.

Jean Abi Aoun said that there was a landscape buffer on the west side. It will have a residential setting. Garbage would be held in the north portion.

Commissioner Hattaway asked what type of client would be there.

Mr. Abi Aoun said that the site would be professional offices.

Commissioner Hattaway said that she would like to see extra buffering on that side to add to the beauty of the area..

Mr. Rumer said that College Drive has a large landscape berm at the beginning of the drive.

Commissioner Brodeur asked about the traffic count from the project.

Mr. Abi Aoun said that he would estimate 530 trips per day.

Tina Williamson said that the County Traffic Engineer estimated 486 trips.

Commissioner Brodeur made a motion to recommend approval.

Commissioner Bates seconded the motion.

The motion passed 5 – 0.