Item # 41

SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM
(Continued From 8/10/04)

SUBJECT: Florence Arbor PUD, Large Scale Land Use Amendment from Office to PD (Planned Development) and Rezone from A-1 (Agriculture) to PUD (Planned Unit Development) (Justin Pelloni, applicant)

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

AUTHORIZED BY: Donald S. Fisher **CONTACT:** Tina Deater **EXT.** 7440

Agenda Date 9/14/04 **Regular** ☐ **Consent** ☐ **Work Session** ☐ **Briefing** ☐
Public Hearing – 1:30 ☐ **Public Hearing – 7:00** ☒

MOTION/RECOMMENDATION:

1. TRANSMIT the request for a Large Scale Land Use Amendment from Office to PD (Planned Development) to the Florida Department of Community Affairs, on approximately 27.2 acres, located on the northeast corner of Orange Blvd. and C.R. 46A (Justin Pelloni, applicant); or
2. DENY the request for a Large Scale Land Use Amendment from Office to PD (Planned Development) to the Florida Department of Community Affairs, on approximately 27.2 acres, located on the northeast corner of Orange Blvd. and C.R. 46A (Justin Pelloni, applicant); or
3. CONTINUE the public hearing until a time and date certain.

District 5 – Commissioner McLain Tina Deater, Senior Planner

BACKGROUND:

This item was continued from the August 10, 2004 meeting, in order for the applicant to address water, school and economic development issues. If additional information is received concerning this item, it will be provided to the Commissioners prior to the meeting.

Reviewed by:
Co Atty:
DFS:
OTHER:
DCM:
CM:

File No. ph700pdp02

The applicant, Justin Pelloni, proposes a mixed use development on an approximately 27.2-acre site located on the northeast corner of Orange Blvd. and C.R. 46A. The proposal consists of 19,500 square feet of office/retail uses at a maximum floor area

ratio (FAR) of 0.3 and a maximum of 320 condominiums/townhomes at a net density of 20.25 units per net buildable acre. The request is a rezone from A-1 to PUD and a Large Scale Land Use Amendment from Office to Planned Development (PD).

STAFF RECOMMENDATION:

Staff recommends continuance of this item to the Spring 2005 large scale amendment cycle, in order to give staff and the applicant time to address the water resources, school and economic development issues that have recently been raised. As of August 9, 2004, we have not received any information from the applicant addressing any of these issues. The latest date to which this item may be continued and remain in the Fall 2004 cycle is September 14, 2004. All other large scale amendments awaiting transmittal will be subsequently delayed. However, should the Board decide to approve transmittal, staff recommends that it be subject the attached Preliminary Master Plan and Development Order.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Commission met on June 2, 2004 and voted 4-0 to recommend transmittal of the Large Scale Land Use Amendment from Office to PD (Planned Development), and approval of the rezone from A-1 to PUD, and approval of the attached Preliminary Master Plan subject to the attached Development Order. However, at the time of their meeting, the Board was not aware of the water resources, school, and economic development issues.

Florence Arbor PUD
Large Scale Land Use Amendment and Rezone Staff Report

Office to Planned Development (PD)	Amendment (Z2004-014, 04F.FLU03)

REQUEST	
APPLICANT	Justin Pelloni
PLAN AMENDMENT	Office to Planned Development
REZONING	A-1 (Agriculture District) to PUD (Planned Unit Development)
APPROXIMATE GROSS ACRES	27.2
LOCATION	Northeast corner of Orange Blvd. and C.R. 46A
BCC DISTRICT	District 5 – Commissioner McLain

RECOMMENDATIONS AND ACTIONS	
STAFF RECOMMENDATION	Staff recommends continuance of this item to the Spring 2005 large scale amendment cycle, in order to give staff and the applicant time to address the water resources, school and economic development issues.

SITE DESCRIPTION

1. DEVELOPMENT TRENDS AND EXISTING AND PERMITTED USES: The future land use designation of Office, currently assigned to the subject property, permits general office and supporting uses such as schools and day care centers. The proposed higher density residential and office/retail uses are appropriate transitional uses between the single-family residential uses in the PUD to the west and the HIPTI future land use to the east.

Location	Future Land Use*	Zoning*	Existing Use
Subject Property	Office	A-1 (Agriculture District)	Vacant, Single-family residential
North	PD (Planned Development)	PUD	Multi-family
South	PD(Planned Development) , SE (Suburban Estates)	PUD, A-1 (Agriculture District)	Vacant
East	Office, HIP-TI	OP (Office Professional), A-1 (Agriculture District)	Vacant, Grazing Land, Commercial
West	PD (Planned Development)	PUD (Heathrow)	Single-family residential

❖ *See enclosed future land use and zoning maps for more details.*

As identified from the Property Appraiser's future land use map, 378 acres of the unincorporated area in Seminole County are designated for Office land use. Approximately 52 acres are within conservation areas and are assessed as unbuildable until field checked. Of the remaining 326 acres, 107 already have a non-residential structure on the property such as office, school, or retirement home. This leaves a total of 219 buildable acres under the Office designation of which a portion are currently built as single family residential, the remaining being vacant acres. In general the parcels are less than 5 acres in size. As a note, office use already approved or built on properties with a land use designation of Planned Development or Higher Intensity Planned Development (HIP) have not been counted as part of these figures. Staff is attempting to quantify the office acreage in HIP/PUD projects before the BCC adoption hearing that is tentatively scheduled for December 2004.

COMPREHENSIVE PLAN CONSISTENCY

2. PLAN PROGRAMS - Plan policies address the continuance, expansion and initiation of new government service and facility programs, including, but not limited to, capital facility construction. Each application for a land use designation amendment will include a description and evaluation of any Plan programs (such as the effect on the timing/financing of these programs) that will be affected by the amendment if approved.

Summary of Program Impacts: The proposed amendment does not alter the options or long-range strategies for facility improvements or capacity additions included in the Support Documentation to the Vision 2020 Plan. The amendment request would not be in conflict with the Metroplan Orlando Plan or the Florida Department of Transportation's 5-Year Plan (Transportation Policy 14.1).

A. **Traffic Circulation - Consistency with Future Land Use Element:** *In terms of all development proposals, the County shall impose a linkage between the Future Land Use Element, Design Element and the Transportation Element and all land development activities shall be consistent with the adopted Future Land Use Element and adopted Design Element* (Transportation Policy 2.1).

Access to the subject property is via C.R. 46A, which is classified as a collector road with a Level of Service "A". The adopted Level of Service standard on this section of the road is "E".

B. **Water and Sewer Service – Adopted Potable Water and Sanitary Sewer Service Area Maps:**

The subject property is located within the Seminole County water and sewer service areas. Water, sewer and reclaimed water services are available to the site, however there may be a problem with potable water capacity based on the restrictions of the consumptive use permit issued by St. Johns River Water Management District. Staff is recommending continuance of this item to the Spring 2005 large scale amendment cycle, in order to give staff and the applicant time to address this issue.

C. **Public Safety – Adopted Level of Service:** *The County shall maintain adopted levels of service for fire protection and rescue...as an average response time of five minutes* (Public Safety Policy 2.1).

The property is served by the Seminole County EMS/Fire Station #36. Response time to the site is less than 5 minutes, which meets the County's average response time standard of 5 minutes.

3. REGULATIONS - The policies of the Plan also contain general regulatory guidelines and requirements for managing growth and protecting the environment. These guidelines will be used to evaluate the overall consistency of the land use amendment with the Vision 2020 Plan, but are not applied in detail at this stage.

A. **Preliminary Development Orders: Capacity Determination:** *For preliminary development orders and for final development orders, under which no development activity impacting public facilities may ensue, the capacity of Category I and Category III public facilities shall be determined as follows...No rights to obtain final development orders under which development activity impacting public facilities may ensue, or to obtain development permits, nor any other rights to develop the subject property shall be deemed to have been granted or implied by the County's approval of the development order without a determination having previously been made that the capacity of public facilities will be available in accordance with law* (Implementation Policies 2.3 and 2.4).

A review of the availability of public facilities to serve this property indicates that adequate public facilities either exist or could be made available. Staff is recommending continuance of this item to the Spring 2005 large scale amendment cycle, in order to give staff and the applicant time to address the water, school and economic development issues.

B. **Flood Plain and Wetlands Areas - Flood Plain Protection and Wetlands Protection:** *The County shall implement the Conservation land use designation through the regulation of development consistent with the Flood Prone (FP-1) and Wetlands (W-1) Overlay Zoning classifications...*(Policy FLU 1.2 and 1.3).

The site contains approximately 3.33 acres of wetlands and a portion of the site is located within the 100-year floodplain. A wetlands mitigation plan shall be required prior to final engineering approval for any proposed development on the subject property.

C. **Protection of Endangered and Threatened Wildlife:** *The County shall continue to require, as part of the Development Review Process, proposed development to coordinate those processes with all appropriate agencies and comply with the US Fish and Wildlife Service and the Florida Fish and Wildlife Conservation Commission Rules as well as other applicable Federal and State Laws regarding protection of endangered and threatened wildlife prior to development approval* (Conservation Policy 3.13).

A threatened and endangered species report shall be required prior to final engineering approval for any proposed development on the subject property.

4. DEVELOPMENT POLICIES - Additional criteria and standards are also included in the Plan that describes when, where and how development is to occur. Plan development policies will be used to evaluate the appropriateness of the use, intensity, location, and timing of the proposed amendment.

A. **Compatibility:** When the County's Future Land Use Map (FLUM) was developed in 1987, land use compatibility issues were evaluated and ultimately defined through a community meeting/hearing process that involved substantial public comment and input. When amendments are proposed to the FLUM, however, staff makes an initial evaluation of compatibility, prior to public input and comment, based upon a set of professional standards that include, but are not limited to criteria such as: (a) long standing community development patterns; (b) previous policy direction from the Board of County Commissioners; (c) other planning principles articulated in the Vision 2020 Plan (e.g., appropriate transitioning of land uses, protection of neighborhoods, protection of the environment, protection of private property rights, no creation of new strip commercial developments through plan amendments, etc.).

The 27.2 acres that is proposed for rezoning and future land use amendment is part of a 29.2 acre administrative future land use amendment from Suburban Estates to Office that was completed in 1999 (please see the attached staff report). At that time, a group of the property owners had approached the Board of Commissioners and asked them to do an administrative land use amendment, in order to increase the resale value of their properties. Staff ultimately recommended Office future land use, not because the area was lacking office space, but because they felt it was an appropriate transitional use between the adjacent land uses of Planned Development and Office.

Staff believes that the proposed PD land use, with the attendant PUD Preliminary Master Plan, is also a compatible transitional use between the PUD land use designations to the north, west and south, and the Office and HIP-TI land use designations to the east. With a mixture of retail and office uses, and high density residential at 20.25 units per net buildable acre, the request would represent a transition of land use intensity between the properties equivalent to Low Density Residential to the west and large areas of office, commercial and other nonresidential development to the east. High density residential and retail/office are permitted adjacent to existing subdivisions, in order to function as a buffer from existing and future target industry development. The single family development to the west should not be greatly affected by the current proposal if adequate design features, such as architecture, walls, landscaping, setbacks and lighting controls are in place.

The east side of the subject property is adjacent to a strip of properties with Office future land use and OP (Office Professional) zoning. Although the zoning and future lands use are in place, the property is still vacant. Since the applicant is proposing to introduce residential uses into an area that is currently designated for office uses, the burden of providing the active buffer required by the Land Development Code, when office uses are placed next to residential, should be placed on the developer of the residential project. Therefore, staff is recommending as a condition of approval that a 50-foot setback and 25-foot landscape buffer with a 6-foot masonry wall, in compliance with the Land Development Code regulations for active buffers, should be placed along the east property line where the proposed residential tract is adjacent to the Office future land use.

The proposed Florence Arbor PUD would contain a combination of office, retail/commercial, and residential uses. Objective 4 of the Design Element of the Vision 2020 Comprehensive Plan is to encourage mixed-use corridors and centers with stronger connectivity and more attractive physical design. Staff believes that allowing residential uses in close proximity to the large area of HIP-TI future land use to the east will have the positive benefit of reducing sprawl, promoting diverse housing types and prices, and reducing traffic by allowing people to live near where they work. As part of the Evaluation and Appraisal Report (EAR) on the Vision 2020 Comprehensive Plan, completed in 1998, staff completed a residential needs analysis that indicated that by the year 2020, there are a projected 18,000 residents in the unincorporated areas that will need housing not provided by our Future Land Use Map. Due to these reasons, staff is supportive of the future land use amendment from Office to Planned Development.

Applicable Plan policies include, but are not limited to, the following:

Transitional Land Uses: *The County shall evaluate plan amendments to insure that transitional land uses are provided as a buffer between residential and non-residential uses, between varying intensities of residential uses, and in managing the redevelopment of areas no longer appropriate as viable residential areas. "Exhibit FLU: Appropriate Transitional Land Uses" is to be used in determining appropriate transitional uses.* (Policy FLU 2.5)

Although the applicant has requested a Planned Development (PD) land use designation, proposed density and housing types for the subject property are equivalent to High Density Residential (HDR). "Exhibit FLU: Appropriate Transitional Land Uses" indicates that HDR can be an appropriate transitional use adjacent to Low Density Residential (LDR), if the site is designed with appropriate buffers, lot sizes, and other design standards. The proposed retail/office component of this project would be separated and buffered from the single-family residential to the west by the proposed high-density residential development. The proposed retail and office would be compatible with permitted uses on adjacent HIP-TI lands to the east.

Design Principles: *The County will encourage development in corridors and centers based on the following principles* (Policy DES 4.2)*:*

- *Mixed-use centers should be designed with universal blocks, i.e. blocks with standard dimensions that accommodate several different types of uses, to enable re-use over time through infill, redevelopment and intensification.*

- *Mixed-use developments shall have integrated infrastructure, vertical and/or horizontal integration of different land uses and coordinated access.*

- *Mixed-use corridors and centers should promote development planning that encourage site plans to anticipate infill development with future building sites,*

structured parking, and the flexibility to intensify the site later when the market grows.

Other applicable plan policies include, but are not limited to:

FLU 2.1 Subdivision Standards.
FLU 4.2 Infill Development
FLU 5.5: Water and Sewer Service Expansion
FLU 2.11 Determination of Compatibility in PUD and PCD Zoning Classifications

B. **Concurrency Review - Application to New Development:** *For purposes of approving new development subsequent to adoption of this Comprehensive Plan, all adopted public facilities level of service standards and schedules of capital improvements...shall be applied and evaluated...consistent with policies of the Implementation Element...* (Capital Improvements Policy 3.2).

This policy provides for the adoption of level of service (LOS) standards for public facilities and requires that final development orders be issued only if public facilities meeting the adopted LOS are available or will be available concurrent with the impacts of development. Additionally, preliminary development orders shall only be issued with the condition that no rights to obtain final development orders or development permits, nor any other rights to develop the subject property are granted or implied by the County's approval of the preliminary development order.

5. SCHOOL IMPACTS – The proposed project will be served by the Northwest Cluster for elementary schools (Wilson, Bentley, Idyllwild, and Wicklow), Sanford Middle School and Seminole High School. The proposed residential units will generate an estimated twelve elementary school students, five middle school students, and six high school students. The Seminole County School Board is opposed to the proposed rezone and land use amendment without the payment of additional fees to fund school capacity improvements. A statement by Dianne Kramer of the Seminole County School System is attached. Staff is recommending continuance of this item to the Spring 2005 amendment cycle, in order to give staff and the applicant time to address the school capacity issue.

6. ECONOMIC IMPACTS – On June 8, 2004 the Board of County Commissioners approved the update to the Economic Element of the Vision 2020 Comprehensive Plan. Based upon this action, staff has begun reviewing land use amendments for compliance with the updated Economic Element. The Planning Division has contracted with a consultant to provide an analysis of the long-term fiscal impacts of converting office land uses to residential. The results of this analysis will not be available for a few months. Therefore, staff is recommending continuance of this item to the Spring 2005 amendment cycle, in order to give the consultant time to complete the analysis.

STAFF RECOMMENDATION:

Staff recommends continuance of this item to the Spring 2005 large scale amendment cycle, in order to give staff and the applicant time to address the water resources, school and economic development issues that have recently been raised. As of August 9, 2004, we have not received any information from the applicant addressing any of these issues. The latest date to which this item may be continued and remain in the Fall 2004 cycle is September 14, 2004. All other large scale amendments awaiting transmittal will be subsequently delayed. However, should the Board decide to approve transmittal, staff recommends that it be subject the following conditions, attached Preliminary Master Plan and Development Order.

a. The residential portion of the project shall be developed at a maximum density of 20.25 units per net buildable acre or a maximum of 320 dwelling units.
b. The retail/office portion of the project shall be developed with a maximum of 19,500 square feet of retail/office space.
c. A minimum of twenty-five (25) percent of the project area must be designated as open space per the requirements of the Land Development Code. Wet retention areas to be counted as open space shall be amenitized in accordance with the design criteria of Section 30.1344 of the Land Development Code. The applicant shall demonstrate on the Final PUD Master Plan that the open space requirements have been met.
d. The first row of structures adjacent to Orange Boulevard or the structures within the first 120 feet adjacent to Orange Boulevard, whichever constitutes the greater distance from Orange Boulevard, shall be limited to two stories.
e. The buffer adjacent to Orange Boulevard shall be a minimum of 25 feet in width, with a 6-foot masonry wall and landscaping in compliance with the Seminole County Land Development Code on the Orange Boulevard side of the wall.
f. Development greater than three (3) stories shall be restricted to the eastern 532.6 feet of the property.
g. The following minimum building setbacks and landscape buffers shall apply from the exterior boundaries of the development:
    1. South: 35 foot setback and 25 foot landscape buffer
    2. North: 35 foot setback and 15 foot landscape buffer
    3. West (adjacent to Orange Boulevard): 35 foot setback and 25 foot landscape buffer.
    4. East where the residential tract is adjacent to Office future land use: A 50 foot setback and 25 foot landscape buffer with a 6-foot masonry wall, in compliance with the Land Development Code regulations for active buffers, shall be placed along the east property line where the residential tract is adjacent to Office future land use.

5. East where the office/retail tract is adjacent to Office future land use: 35 foot setback and 15 foot landscape buffer.

h. A minimum building setback of 15-feet and a minimum landscape buffer of 5-feet with a 6-foot masonry or brick wall shall apply between the retail/office and residential tracts.

i. The following minimum building setbacks shall apply to the individual townhouse buildings:
   1. Front: 20 foot
   2. Rear: 20 foot

j. The following minimum building setbacks shall apply to accessory structures associated with the townhouse units:
   1. Pools, and other accessory structures : Side - 5 foot, Rear – 5 foot
   2. Screen enclosures: Side - 3 foot, Rear – 3 foot

k. The following minimum building setbacks shall apply to the individual condominium buildings:
   1. Front: 20 foot
   2. Rear: 10 foot

l. The following building height limits shall apply:
   1. Town homes (I, 2, or 3-story) – maximum height 40 feet
   2. Condominiums (maximum 5-story) – maximum height 60 feet
   3. Office/Retail Uses – maximum height of 40 feet, including architectural features such as towers, spires, and cupolas. Anything proposed over 40 feet must have architectural renderings provided and must be approved by the Board of County Commissioners.

m. Permitted uses for the retail portion shall be all permitted uses in the C-1 zoning district; and special exception uses shall be those special exception uses permitted in the C-1 (Retail Commercial) zoning district as outlined in the Seminole County Land Development Code, except that the following uses shall be prohibited: funeral homes, drive-thrus, gasoline pumps, communication towers, hospitals, nursing homes, and flea markets. Alcoholic beverage establishments shall by allowed by special exception only.

n. Permitted uses for the residential portion shall be townhomes, condominiums, home occupations, and home offices.

o. All signage shall comply with the Lake Mary Boulevard Gateway Corridor Overlay Standards.

p. All landscape buffers and common areas shall be maintained by a homeowners association.

q. 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.

r. The developer shall construct a 5-foot wide sidewalk along the east side of Orange Boulevard.

s. Architectural renderings of the buildings shall be provided with the Final Master Plan.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Commission met on June 2, 2004 and voted 4-0 to recommend transmittal of the Large Scale Land Use Amendment from Office to PD (Planned Development), and approval of the rezone from A-1 to PUD, and approval of the attached Preliminary Master Plan subject to the attached Development Order. However, at the time of their meeting, the Board was not aware of the water resources, school, and economic development issues.

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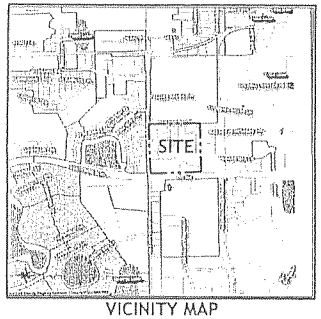
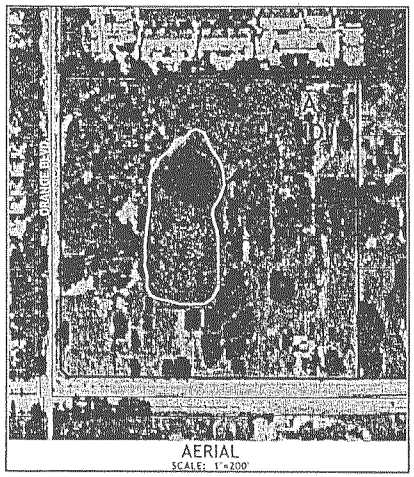
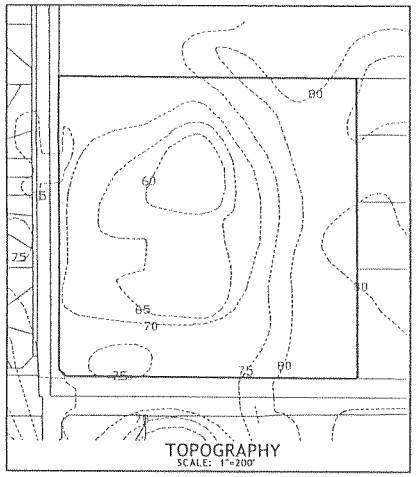


VICINITY MAP

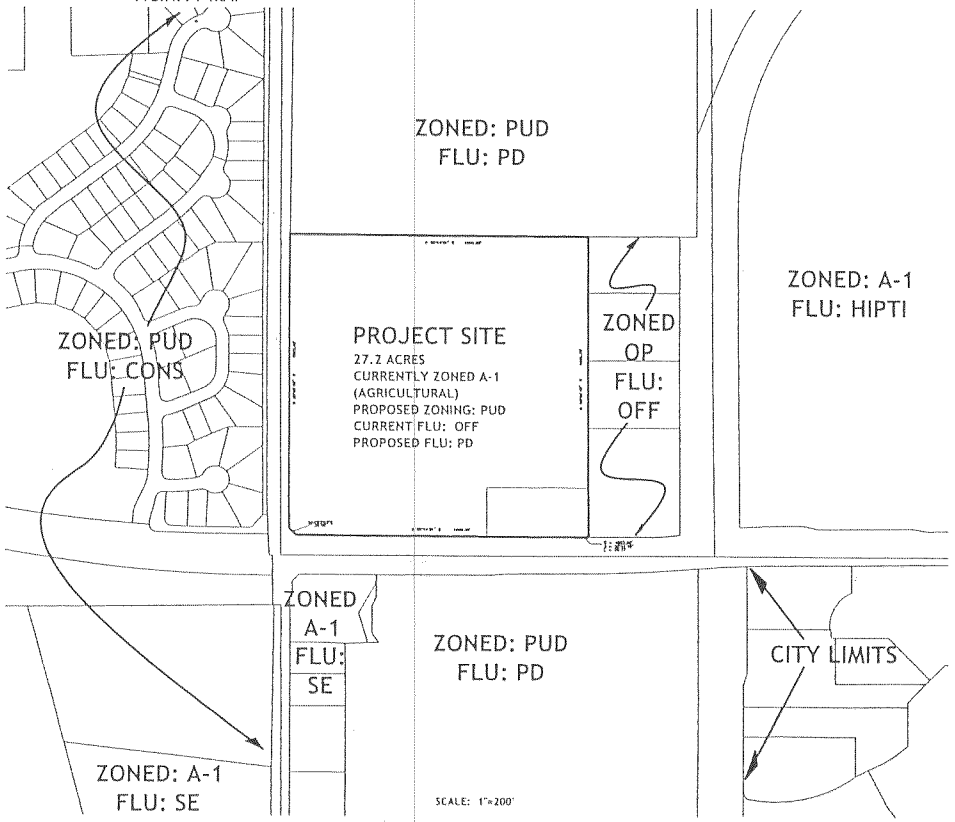
DEVELOPMENT SUMMARY			
LAND USE	ACREAGE	UNITS/SF	DENSITY/FAR
TOWNHOMES/ CONDOMINIUMS	25.7	320	12.5 DU/AC
OFFICE/RETAIL	1.5	19,500	.3 FAR
TOTAL	27.2		

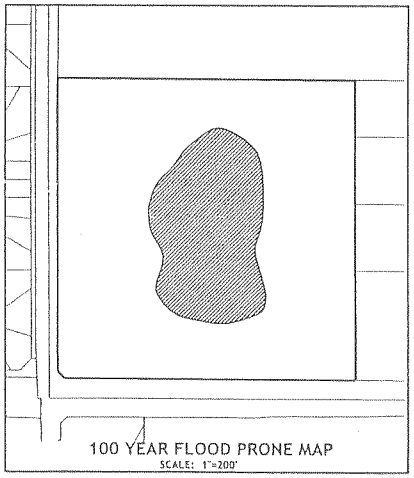


AERIAL
SCALE: 1"=200'

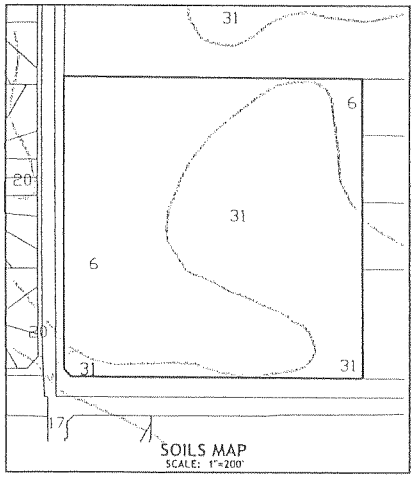


TOPOGRAPHY
SCALE: 1"=200'





100 YEAR FLOOD PRONE MAP
SCALE: 1"=200'



SOILS MAP
SCALE: 1"=200'

LEGEND

- 100 Year Flood Prone Area
- 75 Topography
- Soils line

6 Astatula-Apopka fine sands, 0 to 5 percent slopes
20 Myakka and Eaugaillie fine sands
31 Tavares-Millhopper fine sands, 0 to 5 percent slopes
Source: Seminole County GIS Data

NORTH

No.	REVISIONS	DATE	BY

SCALE AS NOTED
DESIGNED BY JMB
DRAWN BY JMB/FW
CHECKED BY JAM

Kimley-Horn and Associates, Inc.
© 2004
5860 MAGUIRE BLVD. SUITE 200, ORLANDO, FL 32808
(407) 898-1511
FIRM No. 696

DATE 4/30/04
PROJECT NO. 049258002

FLORENCE ARBOR PUD
PELLONI DEVELOPMENT CORP.
SECTION 31, TOWNSHIP 19S, RANGE 30E SEMINOLE COUNTY, FLORIDA

DESIGN ENGINEER: JONATHAN A. MARTIN
FLORIDA REGISTRATION NUMBER: 54055
SEAL

PRELIMINARY MASTER PLAN

SHEET NUMBER
1 of 2

NOTES

PUBLIC SAFETY, FIRE LOSS:
THE FOLLOWING REQUIREMENTS SHALL BE ON ALL SITE PLANS FOR SPRINKLERED BUILDINGS:

a) A CLASS 5 CONTRACTOR IS REQUIRED TO INSTALL FIRE LINES.
b) THE FIRE LINE FOR SPRINKLERED BUILDINGS STARTS AT THE DOUBLE DETECTOR CHECK VALVE.
c) NO OTHER WATER CONNECTION SHALL BE OFF OF THE FIRE LINE.
d) THE FIRE DEPARTMENT CONNECTION (FDC) SHALL BE WITHIN 200 FEET OF THE FIRE HYDRANT.
e) ANY FIRE LINE CHARGED BY THE FDC SHALL BE DR-14.
f) THE ONLY VALVE ALLOWED IN THE FDC LINE IS A CHECK VALVE.
g) ALL FIRE LINES SHALL BE INSPECTED BY THE FIRE INSPECTION DEPARTMENT BEFORE BEING COVERED.

A SEPARATE PERMIT IS REQUIRED TO INSTALL THE FIRE LINE.

STORMWATER
SITE IS IN A LAND LOCKED BASIN AND WILL BE REQUIRED TO HOLD THE 100-YEAR STORM EVENT ONSITE.

STORMWATER INFRASTRUCTURE SHOWN HEREIN CONCEPTUAL ONLY AND SUBJECT TO CHANGE DURING FINAL DESIGN.

LANDSCAPING
AN OPAQUE WALL NOT LESS THAN 6 FEET IN HEIGHT WILL SURROUND THE PROPERTY.

LIGHTING
LIGHTING WILL COMPLY WITH SEMINOLE COUNTY'S NEW LIGHTING CODE.

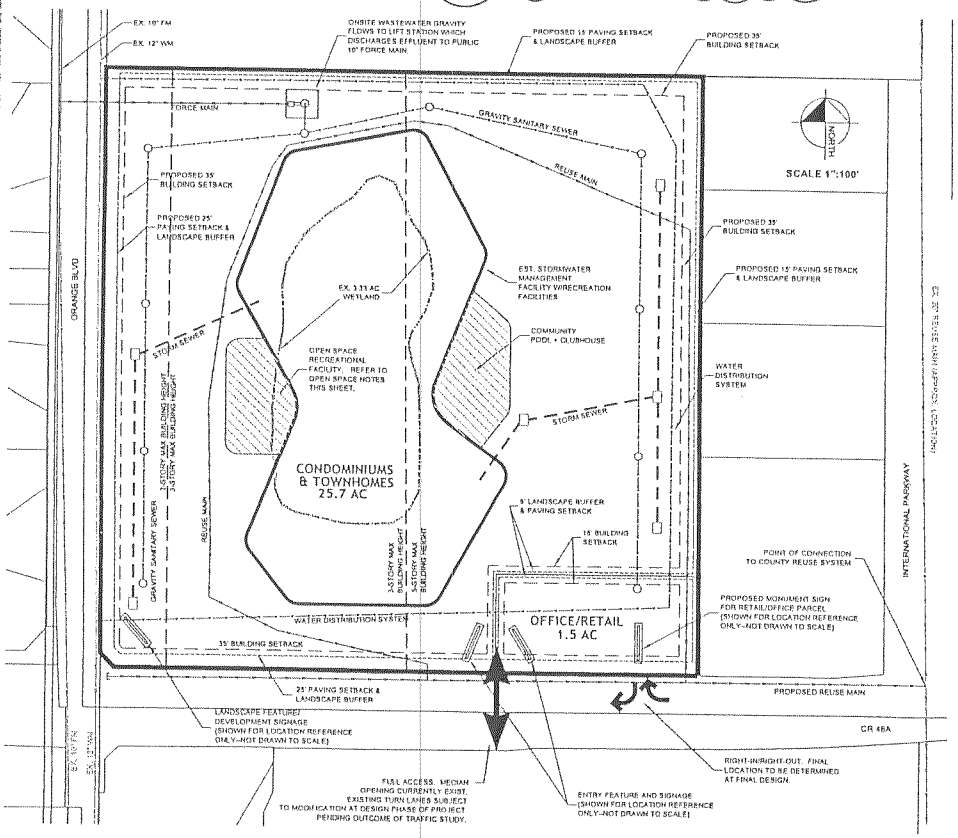
PEDESTRIAN, BICYCLE, AND VEHICULAR LINKAGE
DEVELOPMENT TEAM HAS BEEN WORKING AND WILL CONTINUE TO WORK IN CONJUNCTION WITH THE COUNTY TO SATISFY REQUIREMENTS SET FORTH IN SECTION 35.43 c.8 OF THE SEMINOLE COUNTY LAND DEVELOPMENT CODE. SIDEWALK ALONG ORANGE AVENUE WILL BE CONSTRUCTED COMPLETELY IN ORANGE BOULEVARD RIGHT-OF-WAY.

UTILITIES
SANITARY, WATER, AND REUSE WATER INFRASTRUCTURE SHOWN HEREIN CONCEPTUAL ONLY AND SUBJECT TO CHANGE DURING FINAL DESIGN.

WATER AND FIRE SERVICE
ONSITE WATER DISTRIBUTION SYSTEM WILL SERVE BOTH POTABLE DEMANDS AND FIRE SERVICE DEMANDS IN ACCORDANCE WITH APPLICABLE STATE AND LOCAL STATUTES.

RECREATION AND OPEN SPACE
INCLUDED IN THE DEVELOPMENT SHALL BE MORE THAN ONE "POCKET PARK". A SMALL, ATTRACTIVE COMMON AREA. THERE SHALL BE A CLUBHOUSE AND POOL THAT SHALL SERVE AS THE COMMUNITY'S PRIME AMENITY. THE CLUBHOUSE MAY ALSO INCLUDE A FITNESS CENTER, KITCHEN, AND LIBRARY.

PER SEMINOLE COUNTY 'DENSITY/OPEN SPACE CHECKLIST', PROPOSED OPEN SPACE IS COMPRISED OF AMENITIZED STORMWATER RETENTION FACILITIES, CLUBHOUSE AREA AND LANDSCAPED AREAS.



SITE DATA

PROJECT SIZE = 27.2 ACRES = 1,184,396 sf
- CONDO/TOWNHOME = 25.7 AC
- OFFICE/RETAIL = 1.5 AC

ESTIMATED POND SIZE = 6.89 AC = 300,705 sf
- (WITH RECREATION AMENITIES SURROUNDING POND.)

ESTIMATED TOTAL BUILDING FOOTPRINT SIZE = 5.53 AC
ESTIMATED DRIVE AISLES = 3.01 AC
REQUIRED BUFFER AREAS = 1.98 ACRES
ESTIMATED PARKING AND PAVED AREAS = 4.57 ACRES
ESTIMATED UTILITY TRACT (LIFT STATION) = 0.02 AC
ESTIMATED OPEN SPACE = 14.09 AC
WETLANDS
- PRE-DEVELOPMENT ONSITE WETLANDS = 3.33 AC
- WETLAND TYPE: DEEP MARSH
- WETLAND SIGNIFICANCE: LOW (SCORE OF 7)
- POST-DEVELOPED ONSITE WETLANDS = 0.00 AC.
- TYPE AND SIGNIFICANCE: N/A
- WETLANDS WILL BE MITIGATED.

NET BUILDABLE AREA = 15.80 AC
REQUIRED "USABLE" OPEN SPACE
- (25% OF GROSS SITE) = 27.2 x 0.25 = 6.80 AC

ESTIMATED "USABLE" OPEN SPACE PER SEMINOLE COUNTY 'METHOD FOR CALCULATING "COMMON USABLE" OPEN SPACE FOR PUD ONLY' WORKSHEET
- EST. PROVIDED USABLE OPEN SPACE = 7.14 AC
- THERE ARE NO REQ. EXTERNAL R/W DEDICATIONS, PUBLIC OR PRIVATE R/W, PLATTED RESIDENTIAL LOTS, UPLAND COMMON AREAS LESS THAN 15' IN WIDTH OR TRANSMISSION LINE EASEMENTS ASSOCIATED WITH THIS PROJECT.

DENSITIES
RESIDENTIAL DENSITY
- NUMBER OF CONDOS/TOWNHOUSES 320
- AREA = 25.70 ACRES
- GROSS DENSITY = 12.5 DWELLING/ACRE
- NET BUILDABLE DENSITY = 20.25 UNITS/ACRE
- MAXIMUM = AVERAGE FOR PROJECT AS RESIDENTIAL TRACT NOT BEING SUBDIVIDED INTO SMALLER, VARYING DENSITY TRACTS.

FLOOR-AREA-RATIO
- RETAIL/OFFICE SQUARE FOOTAGE = 19,500 sf
- ACREAGE = 1.5
- F.A.R. = 0.3

IMPACTS TO EXISTING INFRASTRUCTURE
WATER FLOWS
- CONDO/TOWNHOUSE = 94,420 GPD
- RETAIL/OFFICE = 1,950 GPD
- TOTAL FLOWS = 96,370 GPD

POINT OF CONNECTION: EXISTING 12-INCH WATER MAIN ON THE EAST SIDE OF THE ORANGE BOULEVARD RIGHT-OF-WAY.

WASTEWATER FLOWS
- CONDO/TOWNHOUSE = 85,350 GPD
- RETAIL/OFFICE = 1,950 GPD
- TOTAL FLOWS = 87,300 GPD

POINT OF CONNECTION: EXISTING 10-INCH FORCE MAIN ON THE WEST SIDE OF THE ORANGE BOULEVARD RIGHT-OF-WAY.

RECLAIMED WATER
- PROJECT WILL CONNECT TO THE 20-INCH RECLAIMED WATER MAIN AT THE CORNER OF INTERNATIONAL PARKWAY AND CR 46A.

DAILY TRIPS GENERATED
- RESIDENTIAL TOWNHOUSE/CONDO = 1725
- 19,500 sf OFFICE PARK = 223
- OR
- 19,500 sf RETAIL (SHOPPING CENTER) = 837
- TOTAL DAILY TRIPS = CONDO/TOWNHOUSE + RETAIL 1725 + 837 = 2562 TRIPS

SCHOOL AGED CHILDREN

SCHOOL AGE	FACTOR/UNIT	EST # OF STUDENTS
ELEMENTARY	0.115	37
MIDDLE SCHOOL	0.053	17
HIGH SCHOOL	0.057	19

TOTAL ESTIMATED NUMBER OF STUDENTS 73

TRAFFIC

EXISTING LEFT TURN LANE ON CR 46A WILL BE EXTENDED FOR ADDITIONAL STORAGE AS REQUIRED PER TRAFFIC ANALYSIS.

THE FINAL LOCATION OF THE RIGHT-IN/RIGHT-OUT WILL BE DETERMINED DURING FINAL DESIGN.

GENERAL PURPOSE AND CHARACTER OF DEVELOPMENT

THE GENERAL PURPOSE AND CHARACTER OF THE PROPOSED DEVELOPMENT IS TO CREATE UPSCALE LIVING QUARTERS CONSISTENT WITH THE AREA'S HIGHER END NEIGHBORHOODS WITH SMALL, UNOBTRUSIVE RETAIL SHOPPES OR OFFICE SPACE EASING THE TRANSITION FROM RESIDENTIAL TO OFFICE USES, AS IS ZONED FOR THE ADJACENT PROPERTIES.

SETBACKS

	BUILDING	PAVING	LANDSCAPE BUFFERS
FRONT	35 FT	25 FT	25 FT
REAR	35 FT	15 FT	15 FT
SIDE	35 FT	15 FT	15 FT
INTERIOR	15 FT	5 FT	5 FT

1
- RESIDENTIAL BUILDING HEIGHT SETBACKS FROM ORANGE BOULEVARD
- 2-STORY STRUCTURES 0 FT
- 3-STORY STRUCTURES 120 FT
- 5-STORY STRUCTURES EASTERN HALF OF PROPERTY

*FIRST ROW OF STRUCTURES OR FIRST 120' ADJACENT TO ORANGE BOULEVARD RIGHT-OF-WAY SHALL BE A MAXIMUM OF TWO-STORIES IN HEIGHT.

BUILDING HEIGHTS FOR OFFICE/RETAIL

ONE STORY RETAIL BUILDINGS SHALL BE RESTRICTED TO 35 FEET IN HEIGHT. AESTHETIC FEATURES SUCH AS TOWERS, SPIRES, CUPOLAS AND DECORATIVE PARAPET WALLS SHALL BE PERMITTED AND SHALL NOT EXCEED 50 FEET. TWO STORY OFFICE OR A TWO STORY BUILDING WITH RETAIL ON THE GROUND FLOOR OFFICE ON THE SECOND SHALL BE RESTRICTED TO 45 FEET IN HEIGHT. AESTHETIC FEATURES SUCH AS TOWERS, SPIRES, CUPOLAS AND DECORATIVE PARAPET WALLS SHALL BE PERMITTED AND SHALL NOT EXCEED 60 FEET.

ACCEPTABLE USES RETAIL/OFFICE PARCEL:

ACCEPTABLE USES FOR RETAIL PARCEL: ALL C-1 USES EXCEPT GAS STATIONS AND FAST FOOD RESTAURANTS. RESTAURANTS THAT SELL ALCOHOL OR INCLUDE A FULL LIQUOR BAR SHALL BE PERMITTED, PROVIDED THEIR GROSS VOLUME SALES OF ALCOHOL SALES DO NOT EXCEED THE SALE OF FOOD. A SPECIAL EXCEPTION SHALL BE REQUIRED FOR THE OPERATION OF A TRADITIONAL FULL LIQUOR BAR WHOSE GROSS VOLUME SALES OF ALCOHOL EXCEED THE SALE OF FOOD. AN UP-SCALE WINE BAR THAT DOES NOT INCLUDE A FULL LIQUOR BAR WHOSE GROSS VOLUME SALES OF ALCOHOL EXCEED THE SALES OF FOOD SHALL NOT REQUIRE A SPECIAL EXCEPTION.
ACCEPTABLE USES FOR OFFICE: MEDICAL AND TRADITIONAL OFFICE.

A PROPERTY OWNERS ASSOCIATION (POA) WILL BE CREATED FOR THE MANAGEMENT OF COMMON AREAS AND FACILITIES.

MAJOR LANDSCAPING CONCEPTS

THE PROPERTY HAS MANY NICE OAK TREES, WE WOULD LIKE TO PRESERVE MANY OF THESE TO MAKE THEM OUR LANDSCAPE FEATURE. OTHERWISE, THERE SHALL BE A COMMON LANDSCAPING THEME THROUGHOUT THE DEVELOPMENT, WITH A REPETITION OF LANDSCAPE FEATURES ALONG THE STREETS. THE COMMON AREAS AND ENTRANCE SHALL BE SPOTS THAT SHALL HAVE ADDITIONAL LANDSCAPING EMPHASIS. LANDSCAPING WILL COMPLY WITH SEMINOLE COUNTY LAND DEVELOPMENT CODE.

1
- BUFFER ALONG ORANGE BOULEVARD
- SHALL BE 25 FT IN WIDTH WITH A 6 FT SCREENING WALL AND A COORDINATED REPETITION OF TREES ON THE ORANGE BOULEVARD SIDE OF THE WALL. WALL WILL BE PLACED AS CLOSE TO R/W LINE AS COUNTY WILL ALLOW.

STRUCTURAL CONCEPTS

THE TOWN HOMES SHALL BE 1.2, AND 3 STORIES . EACH UNIT WILL HAVE A BALCONY ON THE 2ND OR 3RD FLOOR ON BOTH THE FRONT AND BACK SIDE OF THE UNIT. THE GENERAL STYLE OF THE UNITS WOULD BE CONSISTENT WITH THE AREA'S HIGHER END NEIGHBORHOODS; INCLUDING STUCCO FINISHES, PITCHED TILE ROOFS, AND DETAILED FEATURES ON THE FRONT FACADE.

THE CONDOS SHALL HAVE SINGLE OR DOUBLE CAR GARAGES FACING AN ONSITE STREET. THE CONDOS SHALL BE UP TO FIVE STORIES (FIRST STORY SHALL INCLUDE SEPARATE GARAGES FOR EACH UNIT). IT IS ANTICIPATED THE UNITS HAVE BALCONIES AROUND THE ENTIRE PERIMETER. THE STRUCTURE SHALL BE MASONRY AND HAVE A COMPATIBLE AND COMPLIMENTARY ARCHITECTURAL STYLE TO THE TOWN HOMES.

HOUSING TYPES, PRICE RANGES, AND STAGING

THE ESTIMATED PRICES FOR THE TOWN HOMES SHALL BE FROM THE 200'S TO 300'S, THE CONDO'S ESTIMATED PRICE RANGE SHALL BE FROM THE 170'S TO 280'S. IT IS ANTICIPATED THAT APPROXIMATELY 30 % OF THE UNITS SHALL BE PRE-SOLD PRIOR TO CONSTRUCTION. IT IS ANTICIPATED THE DEVELOPMENT BE COMPLETELY BUILT OUT WITHIN THREE YEARS OF THE COMMENCEMENT OF CONSTRUCTION.

GROUND SIGNS
FOUR GROUND SIGNS ARE PROPOSED FOR THE DEVELOPMENT.

1	REVISED PER SEMINOLE COUNTY COMMENTS	5/17/04	JAB
No.	REVISIONS	DATE	BY

SCALE: AS NOTED
DESIGNED BY: JAB
DRAWN BY: JAB
CHECKED BY: JAM

Kimley-Horn and Associates, Inc.
© 2004
1600 MAGUIRE BLVD. SUITE 200, ORLANDO, FL 32803
(407) 898-1511
FAX No. 898

DATE: 4/30/04
PROJECT NO: 049258002

FLORENCE ARBOR PUD
PELLONI DEVELOPMENT CORP.
SECTION 31, TOWNSHIP 19S, RANGE 30E SEMINOLE COUNTY, FLORIDA

DESIGN ENGINEER: JONATHAN A. MARTIN
FLORIDA REGISTRATION NUMBER: 54053
SEAL

PRELIMINARY MASTER PLAN

SHEET NUMBER: 2 of 2

Drawing name: G:\049258002 Gen Property -- HEATHROW\CAD\CONCEPTUAL-MASTER PLAN.dwg MASTER2 May 13, 2004 1:37pm by Jeff Britton
This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

SEMINOLE COUNTY DEVELOPMENT ORDER

On December 14, 2004, Seminole County issued this Development Order relating to and touching and concerning the following described property:

Legal description attached as Exhibit A.

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

FINDINGS OF FACT

Property Owner: Pelloni Development Corporation
725 Primera Boulevard, Suite 130
Lake Mary, FL 32746

Project Name: Florence Arbor PUD

Requested Development Approval: Rezoning from A-1 (Agriculture District) to PUD (Planned Unit Development)

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 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 aforedescribed property.

Prepared by: Tina Deater, Senior Planner
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 approval, all of which have been accepted by and agreed to by the owner of the property are as follows:

a. The residential portion of the project shall be developed at a maximum density of 20.25 units per net buildable acre or a maximum of 320 dwelling units.
b. The retail/office portion of the project shall be developed with a maximum of 19,500 square feet of retail/office space.
c. The first row of structures adjacent to Orange Boulevard or the structures within the first 120 feet adjacent to Orange Boulevard, whichever constitutes the greater distance from Orange Boulevard, shall be limited to two stories.
d. The buffer adjacent to Orange Boulevard shall be a minimum of 25 feet in width, with a 6-foot masonry wall and landscaping in compliance with the Seminole County Land Development Code on the Orange Boulevard side of the wall.
e. Development greater than three (3) stories shall be restricted to the eastern 532.6 feet of the property.
f. The following minimum building setbacks and landscape buffers shall apply from the exterior boundaries of the development:
    1. South: 35 foot setback and 25 foot landscape buffer
    2. North: 35 foot setback and 15 foot landscape buffer
    3. West (adjacent to orange Boulevard): 35 foot setback and 25 foot landscape buffer.
    4. East where the residential tract is adjacent to Office future land use: A 50 foot setback and 25 foot landscape buffer with a 6-foot masonry wall, in compliance with the Land Development Code regulations for active buffers, shall be placed along the east property line where the residential tract is adjacent to Office future land use.
    5. East where the office/retail tract is adjacent to Office future land use: 35 foot setback and 15 foot landscape buffer.
g. A minimum building setback of 15-feet and a minimum landscape buffer of 5-feet with a 6-foot masonry or brick wall shall apply between the retail/office and residential tracts.
h. The following minimum building setbacks shall apply to the individual townhouse buildings:

1. Front: 20 foot
2. Rear: 20 foot

i. The following minimum building setbacks shall apply to accessory structures associated with the townhouse units:
   1. Pools, and other accessory structures : Side - 5 foot, Rear – 5 foot
   2. Screen enclosures: Side - 3 foot, Rear – 3 foot

j. The following minimum building setbacks shall apply to the individual condominium buildings:
   1. Front: 20 foot
   2. Rear: 10 foot

k. The following building height limits shall apply:
   1. Town homes (I, 2, or 3-story) – maximum height 40 feet
   2. Condominiums (maximum 5-story) – maximum height 60 feet
   3. Office/Retail Uses – maximum height of 40 feet, including architectural features such as towers, spires, and cupolas. Anything proposed over 40 feet must have architectural renderings provided and must be approved by the Board of County Commissioners.

l. Permitted uses for the retail portion shall be all permitted uses in the C-1 zoning district; and special exception uses shall be those special exception uses permitted in the C-1 (Retail Commercial) zoning district as outlined in the Seminole County Land Development Code, except that the following uses shall be prohibited: funeral homes, drive-thrus, gasoline pumps, communication towers, hospitals, nursing homes, and flea markets. Alcoholic beverage establishments shall by allowed by special exception only.

m. Permitted uses for the residential portion shall be townhomes, condominiums, home occupations, and home offices.

n. All signage shall comply with the Lake Mary Boulevard Gateway Corridor Overlay Standards.

o. All landscape buffers and common areas shall be maintained by a homeowners association.

p. 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.

q. The developer shall construct a 5-foot wide sidewalk along the east side of Orange Boulevard.

r. Architectural renderings of the buildings shall be provided with the Final Master Plan.

(4) This Development Order touches and concerns the aforedescribed 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 owner of the said property has 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.

By: _____
Daryl G. McLain
Chairman, Board of County Commissioners

OWNER'S CONSENT AND COVENANT

COMES NOW, the owner, Pelloni Development Corporation, on behalf of itself and its heirs agents, 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 James Pelloni, President of Pelloni Development Corporation

_____

Print Name

_____

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 James Pelloni, President of Pelloni Development Corporation, 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 _____, 2004.

_____

Notary Public, in and for the County and State Aforementioned

My Commission Expires:

EXHIBIT A
LEGAL DESCRIPTION

A TRACT OF LAND BEING A PORTION OF THE SOUTHWEST 1/4 OF SECTION 31, TOWNSHIP 19 SOUTH, RANGE 30 EAST, SEMINOLE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 31; THENCE RUN S89°44'51"E ALONG THE SOUTH LINE OF THE SAID SOUTHWEST 1/4 OF SECTION 31 A DISTANCE OF 40.00 FEET; THENCE RUN N00°02'42"W A DISTANCE OF 85.04 FEET TO THE POINT OF INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF PAOLA ROAD (STATE ROAD 46A) AS DESCRIBED IN OFFICIAL RECORDS BOOK 3162, PAGE 893 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, AND THE EAST RIGHT-OF-WAY LINE OF ORANGE BOULEVARD, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE RUN ALONG SAID NORTH RIGHT-OF-WAY LINE OF PAOLA ROAD, S44°55'03"E A DISTANCE OF 35.49; THENCE CONTINUE ALONG SAID NORTH RIGHT-OF-WAY LINE OF PAOLA ROAD, S89°44'51"E A DISTANCE OF 1005.28 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 4523.66 FEET, THENCE RUN EASTERLY ALONG THE ARC OF SAID CURVE AND THE SAID NORTH RIGHT-OF-WAY LINE OF PAOLA ROAD, THROUGH A CENTRAL ANGLE OF 00°44'40", AN ARC DISTANCE OF 58.77 FEET; THENCE LEAVING SAID NORTH RIGHT-OF-WAY LINE OF PAOLA ROAD, RUN N00°02'42"W, A DISTANCE OF 1086.70 FEET TO THE NORTH LINE OF THE SOUTH 17.39 CHAINS OF THE AFORESAID SOUTHWEST 1/4 OF SECTION 31; THENCE RUN ALONG SAID NORTH LINE N89°44'51"W A DISTANCE OF 1089.80 FEET TO THE EAST RIGHT-OF-WAY LINE OF ORANGE BOULEVARD, SAID EAST RIGHT-OF-WAY LINE BEING 40.00 FEET EAST OF AND PARALLEL TO THE WEST LINE OF THE AFORESAID SOUTHWEST 1/4 OF SECTION 31; THENCE RUN S00°02'42"E ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 1062.06 FEET TO THE POINT OF BEGINNING.

CONTAINING 27.19 ACRES MORE OR LESS.

ORDINANCE NO. 2004- SEMINOLE COUNTY, FLORIDA

AN ORDINANCE AMENDING, PURSUANT TO THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY, THE ZONING CLASSIFICATIONS ASSIGNED TO CERTAIN PROPERTY LOCATED IN SEMINOLE COUNTY (LENGTHY LEGAL DESCRIPTION ATTACHED AS EXHIBIT A); ASSIGNING CERTAIN PROPERTY CURRENTLY ASSIGNED THE A-1 ZONING CLASSIFICATION THE PUD ZONING CLASSIFICATION; 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 documents titled, "Florence Arbor PUD Large Scale Land Use Amendment and Rezone Staff Report"

(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 to PUD:

SEE ATTACHED 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. This Ordinance shall become effective upon filing this order by the Department and recording of Development Order #04-23000002 in the official land records of Seminole County.

ENACTED this 14th day of December, 2004.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Daryl G. McLain
Chairman

EXHIBIT A
LEGAL DESCRIPTION

A TRACT OF LAND BEING A PORTION OF THE SOUTHWEST 1/4 OF SECTION 31, TOWNSHIP 19 SOUTH, RANGE 30 EAST, SEMINOLE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 31; THENCE RUN S89°44'51"E ALONG THE SOUTH LINE OF THE SAID SOUTHWEST 1/4 OF SECTION 31 A DISTANCE OF 40.00 FEET; THENCE RUN N00°02'42"W A DISTANCE OF 85.04 FEET TO THE POINT OF INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF PAOLA ROAD (STATE ROAD 46A) AS DESCRIBED IN OFFICIAL RECORDS BOOK 3162, PAGE 893 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, AND THE EAST RIGHT-OF-WAY LINE OF ORANGE BOULEVARD, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE RUN ALONG SAID NORTH RIGHT-OF-WAY LINE OF PAOLA ROAD, S44°55'03"E A DISTANCE OF 35.49; THENCE CONTINUE ALONG SAID NORTH RIGHT-OF-WAY LINE OF PAOLA ROAD, S89°44'51"E A DISTANCE OF 1005.28 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 4523.66 FEET, THENCE RUN EASTERLY ALONG THE ARC OF SAID CURVE AND THE SAID NORTH RIGHT-OF-WAY LINE OF PAOLA ROAD, THROUGH A CENTRAL ANGLE OF 00°44'40", AN ARC DISTANCE OF 58.77 FEET; THENCE LEAVING SAID NORTH RIGHT-OF-WAY LINE OF PAOLA ROAD, RUN N00°02'42"W, A DISTANCE OF 1086.70 FEET TO THE NORTH LINE OF THE SOUTH 17.39 CHAINS OF THE AFORESAID SOUTHWEST 1/4 OF SECTION 31; THENCE RUN ALONG SAID NORTH LINE N89°44'51"W A DISTANCE OF 1089.80 FEET TO THE EAST RIGHT-OF-WAY LINE OF ORANGE BOULEVARD, SAID EAST RIGHT-OF-WAY LINE BEING 40.00 FEET EAST OF AND PARALLEL TO THE WEST LINE OF THE AFORESAID SOUTHWEST 1/4 OF SECTION 31; THENCE RUN S00°02'42"E ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 1062.06 FEET TO THE POINT OF BEGINNING.

CONTAINING 27.19 ACRES MORE OR LESS.

Dianne_Kramer@scps.k12.fl.us

05/18/2004 09:46 AM

To: TDeater@seminolecountyfl.gov
cc: Board-Members_DL/scps_esc@mail.scps.k12.fl.us
Subject: RE: Large Scale Land Use Amendments

Even though there are only 320 condos/townhomes, we are very much opposed to any change of land use that converts office, commercial, or industrial land use designations to designations that include residential land uses. The area that you have described for Florence Arbor is served by the Northwest Cluster for elementary schools (Wilson, Bentley, Idyllwilde, and Wicklow); Sanford Middle School; and Seminole High School. All of these schools are currently over capacity. Classroom additions at Wilson and Bentley will open in August 2005 and a new middle school next to Heathrow Elementary will open in August 2006. High School attendance zones will be revised this year to create an attendance zone for Hagerty High School that opens in the Oviedo area in August 2005. Additions and renovations at Seminole High School are currently in progress. No other improvements are planned for the area surrounding Florence Arbor, and the current plans will accommodate only the current population and the previously approved residential development.

The Celery Estates South project will have minimal impact, but it is also located in an area where all of the schools are over capacity. It would be served by the Northeast Cluster (Midway, Hamilton, and Pine Crest) for elementary schools; Millennium Middle School; and Seminole High School. A new Midway Elementary School will be built on 20th Street between Brisson and Sipes Ave. That school should be open by August 2006.

Please let me know if you need additional information. Thanks.

Dianne L. Kramer, Deputy Supt./Operations
Seminole County Public Schools
407.320.0060 direct line
407.320.0292 FAX

<mailto:dianne_kramer@scps.k12.fl.us>

-----Original Message-----
From: TDeater [mailto:TDeater@seminolecountyfl.gov]
Sent: Tuesday, May 18, 2004 9:15 AM
To: Dianne Kramer
Subject: Large Scale Land Use Amendments

Hello,

I am working on staff reports for two Large Scale Land Use Amendments and rezones that will be heard by the Planning and Zoning Board on 6/2/04 and the BCC on 7/13/04. I wanted to get some information about school impacts prior to finishing the reports. Here is the information about the two cases:

Florence Arbor Rezone; **Justin Pelloni, applicant**; approximately 27.2 acres; Large Scale Land Use Amendment from Office to Planned Development and rezone from A-1 (Agriculture) to PUD (Planned Unit Development) for a

MINUTES FOR THE SEMINOLE COUNTY
LAND PLANNING AGENCY/PLANNING AND ZONING COMMISSION
JUNE 2, 2004

Members present: Walt Eismann, Beth Hattaway, Ben Tucker, and Dudley Bates

Members absent: Alan Peltz, Chris Dorworth, and Richard Harris

Also present: Matt West, Planning Manager; Jim Potter, Engineer, Development Review Division; Cynthia Sweet, Planner; Alice Gilmartin, Principal Coordinator; Jeffrey Hopper, Senior Planner; Tina Deater, Senior Planner; Karen Consalo, Assistant County Attorney, and Candace Lindlaw-Hudson, Senior Staff Assistant

Florence Arbor PD; Justin Pelloni, applicant; 27.2 acres Large Scale Land Use Amendment from Office to PD (Planned Development) and Rezone from A-1 (Agriculture) to PUD (Planned Unit Development); located on the northeast corner of Orange Blvd. and CR 46A (04F.FLU03 and Z2004-014)

Commissioner McLain – District 5 -
Tina Deater, Senior Planner

Tina Deater introduced the location and request for the Florence Arbor project. It encompasses 27.2 acres on the northeast corner of Orange Boulevard and CR 46A. It will be a mixed-use development. The Vision 2020 Plan says that it can be appropriate for such uses with adequate buffering. Staff recommends approval and transmittal of the request for a Large Scale Land Use Amendment from Office to PD (Planned Development) and rezone from A-1 (Agriculture District) to PUD (Planned Unit Development) and approval of the attached Preliminary Master Plan with the conditions stated in the staff report. These include:

a. The residential portion of the project shall be developed at a maximum density of 20.25 units per net buildable acre or a maximum of 320 dwelling units.
b. he retail/office portion of the project shall be developed with a maximum of 19,500 square feet of retail/office space
c. A minimum of twenty-five (25) percent of the project area must be designated as open space per the requirements of the Land Development Code. Wet retention areas to be counted as open space shall be amenitized in accordance with the design criteria of Section 30.1344 of the Land Development Code. The applicant shall demonstrate on the Final PUD Master Plan that the open space requirements have been met.
d. The first row of structures adjacent to Orange Boulevard or the structures within the first 120 feet adjacent to Orange Boulevard, whichever is greater, shall be limited to two stories.
e. The buffer adjacent to Orange Boulevard shall be a minimum of 25 feet in width, with a 6-foot masonry wall and a coordinated repetition of trees in

compliance with the Seminole County Land Development Code on the Orange Boulevard side of the wall.

f. Development greater than three (3) stories shall be restricted to the eastern half of the property.

g. The following minimum building setbacks and landscape buffers shall apply from the exterior boundaries of the development:

1. Front: 35 foot setback and 25 foot landscape buffer
2. Rear: 35 foot setback and 15 foot landscape buffer
3. Side: 35 foot setback and 15 foot landscape buffer

h. A minimum building setback of 15 feet and a minimum landscape buffer of 5 feet with a 6-foot masonry or brick wall shall apply between the retail/office and residential tracts.

i. The following minimum building setbacks shall apply to the individual townhouse buildings:

1. Front: 20 foot
2. Rear: 20 foot

j. The following minimum building setbacks shall apply to accessory structures associated with the townhouse units:

1. Pools and other accessory structures: Side: 5 foot, Rear: 5 foot
2. Screen enclosures: Side: 3 foot, Rear: 3 foot

k. The following minimum building setbacks shall apply to the individual condominium
buildings:

1. Front 20 foot
2. Rear: 10 foot

l. The following building height limits shall apply:

1. Town homes (1,2, or 3-story) – maximum height 40 feet
2. Condominiums (maximum 5 story) – maximum height 60 feet
3. Office/Retail Uses – maximum height of 40 feet, including architectural features such as towers, spires, and cupolas. Anything proposed over 40 feet must have architectural renderings provided and must be approved by the Board of County Commissioners.

m. Permitted uses for the retail portion shall be all permitted uses in the C-1 zoning district and special exception uses shall be those special exception uses in the C-1 (Retail Commercial) zoning district as outlined in the Seminole County Land Development Code, except that the following uses shall be prohibited: funeral homes, drive-thrus, gasoline pumps, communication towers, hospitals, nursing homes, and flea markets. Alcoholic beverage establishments shall be allowed by special exception only.

n. Permitted uses for the residential portion shall be townhomes, condominiums and home occupations.

o. All signage shall comply with the Lake Mary Boulevard Gateway Corridor Overlay Standards.

p. All landscape buffers and common areas shall be maintained by a homeowners association.

q. 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.

r. The developer shall construct a 5-foot wide sidewalk along the east side of Orange Boulevard.
s. Architectural renderings of the buildings shall be provided with the Final Master Plan.

Justin Pelloni spoke next. He stated that he has developed in Lake Mary, including the Shoppes at Oakmonte and now Park Place at Heathrow. He stated that he is interested in the community. He lives within a mile of the proposed project being considered. His company does high-end townhomes and condominiums. Empty nesters are looking for this type of easier living.

Public comment

Linda Welker stated that she was a 30 year resident of the area. She knows change in coming and feels that this is a nice transitional use. It is consistent with the area. She is in favor of this request.

Efrem Her stated that changes had to come to the area eventually and that this concept was good.

Cindy Crane of 820 Banana Lake Road spoke in opposition. She is concerned with the density of the project. The height of the condominiums should be restricted to 2 stories. She is also concerned about the impact this project will have on the schools. The intersection near this project will be a nightmare.

In rebuttal, John Gilmartin stated that the proposed use will not be as intense as it would be at the current office use.

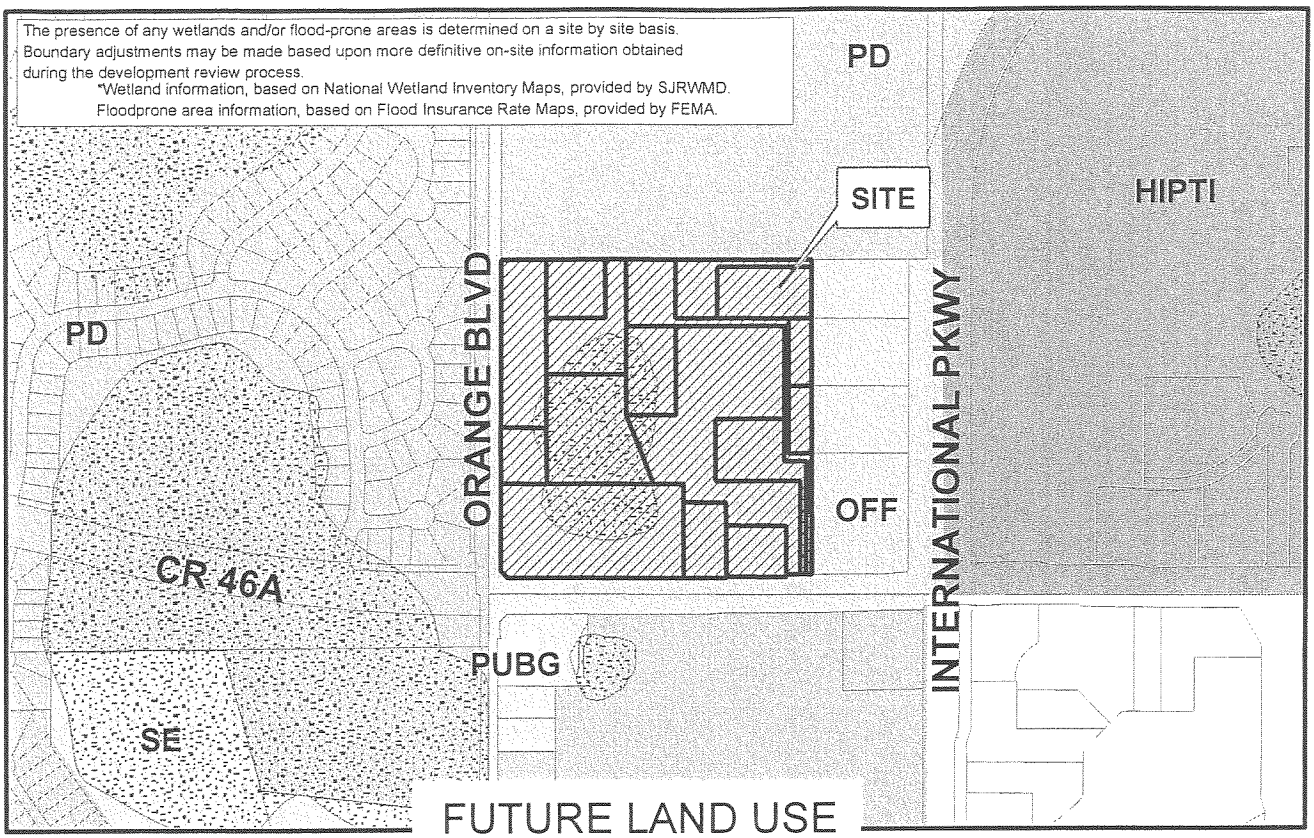
Commissioner Hattaway read the comments of Dianne Kramer, representing the Seminole County School Board.

Commissioner Tucker asked if the existing single-family homes on the property would be demolished.

Mr. Pelloni stated that they would be.

Commissioner Tucker made a motion to recommend approval of the rezone and transmittal of the Large Scale Land Use Amendment and attached Master Plan.

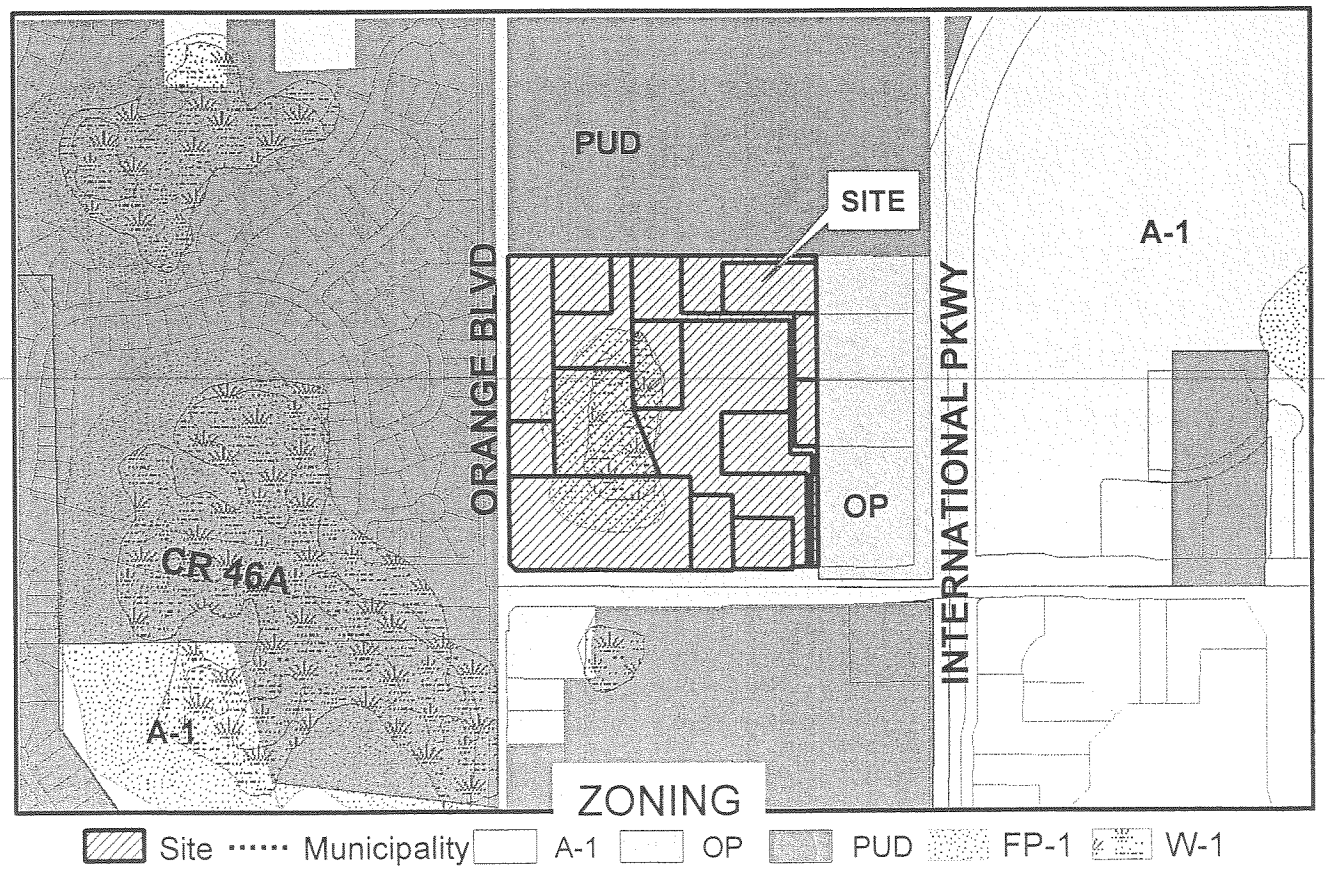
Commissioner Hattaway seconded the motion.
The motion passed by a vote of 4 – 1.



Applicant: Justin Pelloni
Physical STR: part of 31-19-30
Gross Acres: 27.2 BCC District: 5
Existing Use: Vacant, Single Family, and Grazing Land
Special Notes: None

	Amend/ Rezone#	From	To
FLU	04F.FLU03	OFF	PD
Zoning	Z2004-014	A-1	PUD

N



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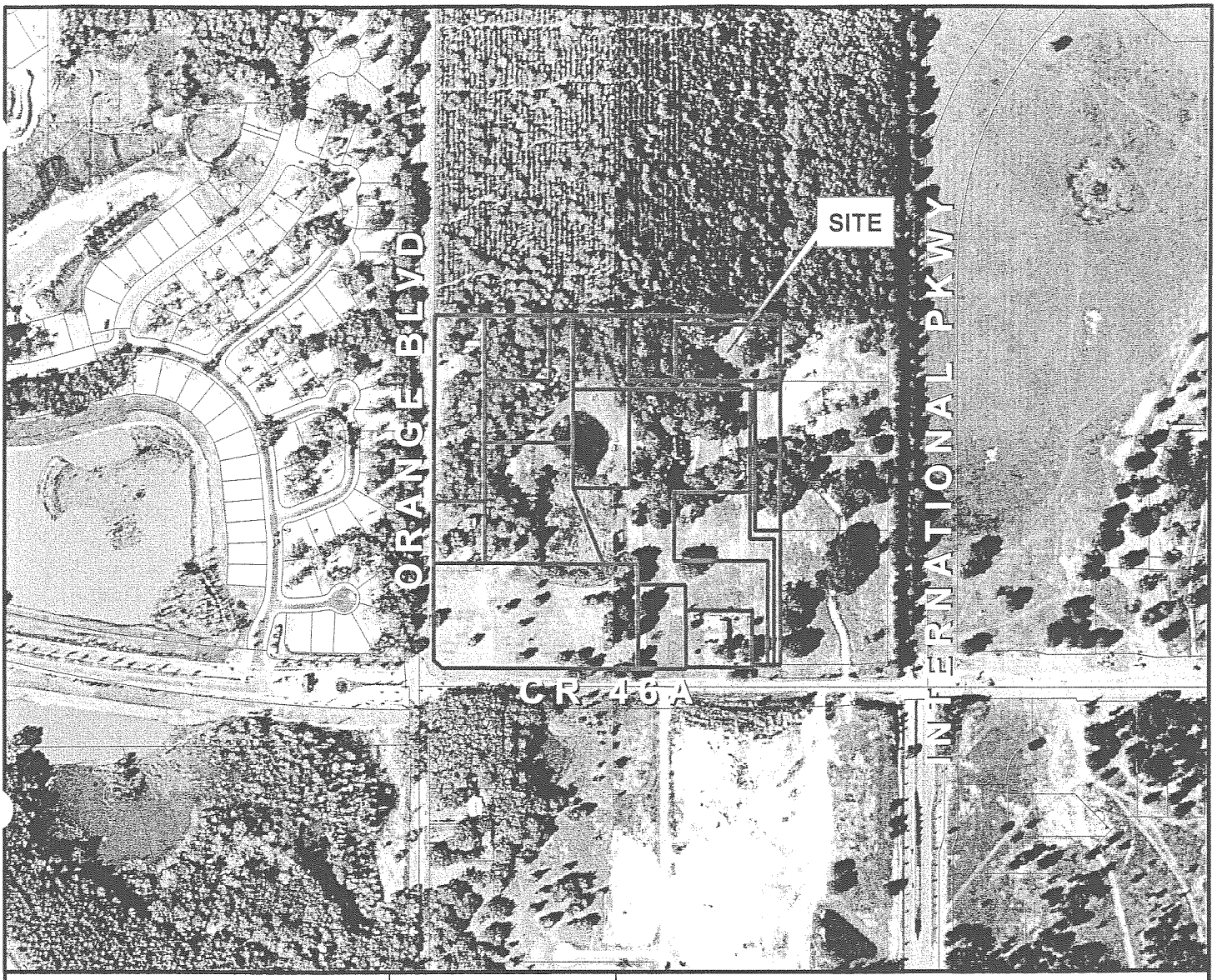

Amendment No: 04F.FLU03
From: OFF To: PD
Rezone No: Z2004-014
From: A-1 To: PUD

Parcel

Subject Property

N

February 1999 Color Aerials

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