

Item # 54 A

**SEMINOLE COUNTY GOVERNMENT  
AGENDA MEMORANDUM**

**SUBJECT:** Appeal of the Planning and Zoning Commission's Denial of the Preliminary Subdivision Plan (PSP) for Greenway Pointe Townhomes

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

**AUTHORIZED BY:** Donald S. Fisher **CONTACT:** Cynthia Sweet **EXT.** 7443

<b>Agenda Date</b> <u>11/9/2004</u> <b>Regular</b> <input checked="" type="checkbox"/> <b>Consent</b> <input type="checkbox"/> <b>Work Session</b> <input type="checkbox"/> <b>Briefing</b> <input type="checkbox"/>
<b>Public Hearing – 1:30</b> <input type="checkbox"/> <b>Public Hearing – 7:00</b> <input type="checkbox"/>

**MOTION/RECOMMENDATION:**

**REVERSE** the decision of the Planning and Zoning Commission to deny the approval of the Preliminary Subdivision Plan for Greenway Pointe Townhomes, subject to the Board of County Commissioners approval of the Final Master Plan and Developer's Commitment Agreement for Greenway Pointe PUD and subject to the conditions as outlined by staff (Morrison Homes, applicant).

**UPHOLD** the decision of the Planning and Zoning Commission to deny the approval of the Preliminary Subdivision Plan for Greenway Pointe Townhomes.

District 1 – Maloy (Cynthia Sweet, Planner) *CS*

**BACKGROUND:**

At its regular meeting on November 3, 2004, the Planning and Zoning Commission denied the request for approval of a Preliminary Subdivision Plan for Greenway Pointe Townhomes. The proposed project consists of 218 townhome lots with a minimum lot size requirement of 2,000 square feet on a 52.21 acre parcel zoned PUD (Planned Unit Development). The proposed roads within the development will be private and utilities will be served by Seminole County utilities. The site is located at the northwest corner of Aloma Avenue (SR 426) and SR 417, in Section 31, Township 21 S, Range 30 E.

Staff's recommendation to the Planning and Zoning Commission was to approve the PSP subject to the following conditions.

The PSP shall meet all the conditions of the proposed approved Developer's Commitment Agreement for the Greenway Pointe Planned Unit Development, the Seminole County Land Development Code, and the following conditions.

<b>Reviewed by:</b> <i>KR</i> <b>Co Atty:</b> _____ <b>DFS:</b> _____ <b>Other:</b> _____ <b>DCM:</b> _____ <b>CM:</b> _____ <b>File No.</b> <u>rpdd02</u>
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1. The wetland boundaries as depicted are required to be verified by SJRWMD and Seminole County staff prior to final engineering plan approval.
2. A 25-foot average, 15-foot minimum, undisturbed upland buffer is required to be provided from all approved jurisdictional wetland boundaries.
3. A conservation easement dedicated to Seminole County will be required over jurisdictional wetlands and required undisturbed upland buffers.
4. Access to SR 426 is limited to the existing conditions until the signalized intersection is constructed by the Clayton Property Developers across the street as approved by FDOT. At the time the signalized access is constructed, the access to this development shall be constructed to line up with the Clayton Property access if it does not already do so.
5. The proposed density may be reduced due to the storm water and other related design criteria as required by the Seminole County Land Development Code.

The Planning and Zoning Commission's decision to deny the approval of the PSP was based on the following: insufficient information was submitted for their review, not enough time to review the project, and the timing of the traffic signal at SR 426. The applicant provided a revised copy of the PSP to the Planning and Zoning Commission at the meeting at the request of staff. The only change to the PSP was to include the lot numbers.

Staff has gone back and reviewed the previous requests for this project and determined that item # 4 should be removed from the conditions of approval. Staff feels that the issues that the Planning and Zoning Commission raised are resolved. The property owner(s) will be coordinating the access and traffic improvements with the property across the street known as Deep Lake.

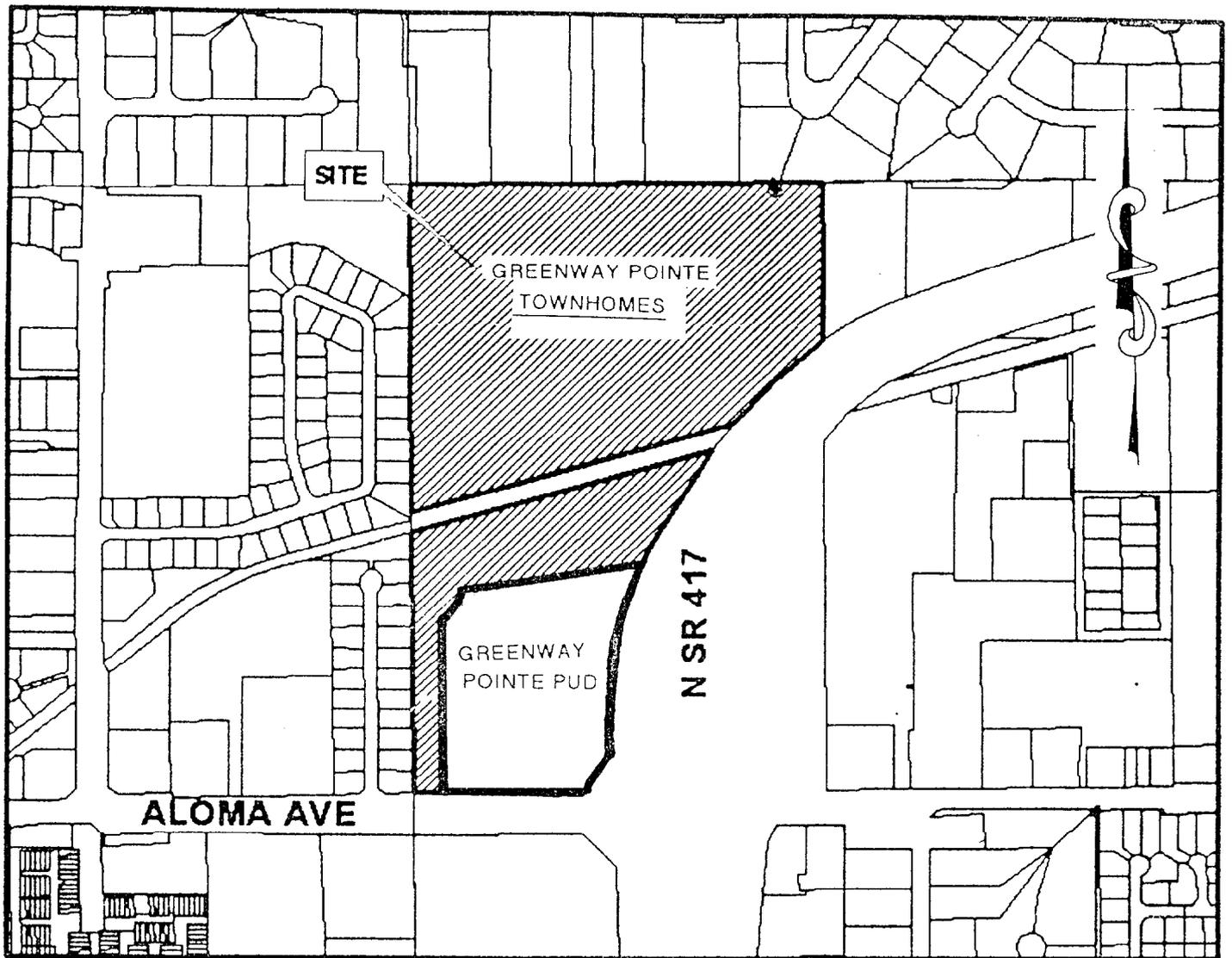
**STAFF RECOMMENDATION:**

Staff recommends reversal of the Planning and Zoning Commission's decision and recommends approval of the Preliminary Subdivision Plan for Greenway Pointe Townhomes as requested by the applicant subject to the Board of County Commissioners approval of the Final Master Plan and Developer's Commitment Agreement for Greenway Pointe Planned Unit Development and the conditions as specified above with the exception of item # 4.

District 1 - Maloy

Attachments: Location Map

Reduced copy of PSP



LOCATION MAP

PRELIMINARY SUBDIVISION PLANS  
FOR  
GREENWAY POINTE TOWNHOMES  
ON  
PARCEL "B"  
OF  
GREENWAY POINTE PUD  
IN  
SEMINOLE COUNTY, FLORIDA

**LEGAL DESCRIPTION**

PARCEL #

(PARCEL "B")  
A parcel of land lying in Section 21, Township 21 South, Range 21 East, Seminole County, Florida, described as follows:  
Beginning at the Northwest corner of said Section 21, thence run North 89°12'22" East along the West line of said Section 21 a distance of 1,750.73 feet thence run South 01°00'00" East a distance of 430.82 feet to a point on the West line of said Section 21 at any line of 38.417 (Eastern Railway) and a curve having a radius of 1,443.52 feet and a central angle of 27°47'16", thence run Southwesterly along said curve along the West line of said Section 21 at any line of 38.417 a distance of 444.43 feet to a point of tangency thence run South 32°22'54" West a distance of 82.29 feet to a point on the West line of said Section 21 and a point on the East line of the Bear Creek Pond measured in Plat Book 21, Page 84-86, Seminole County, Florida, thence departing the North right of way of the said railroad run North 01°00'00" East along the West line of said Section 21 and along the East line of the Bear Creek Pond a distance of 1,408.51 feet to the Northwest corner of said Section 21 and the POINT OF BEGINNING.  
Containing 44.35 acres more or less.

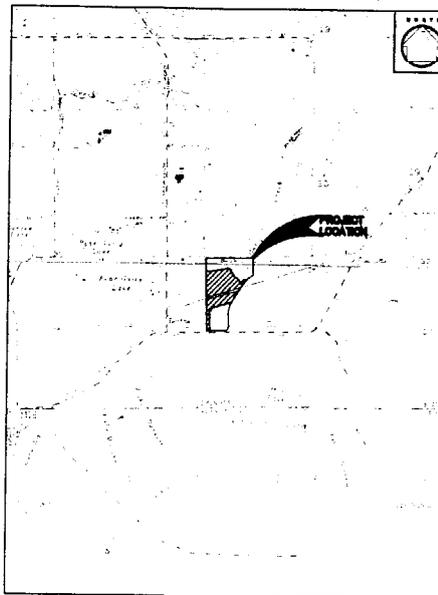
and together with:

(PARCEL "B")  
A parcel of land lying in Section 21, Township 21 South, Range 21 East, Seminole County, Florida, described as follows:  
Commencing at the Northwest corner of said Section 21, run South 01°00'00" East along the West line of said Section 21 and along the East line of the Bear Creek Pond measured in Plat Book 21, Page 84-86, Seminole County, Florida, a distance of 1,408.51 feet to a point on the West line of said Section 21, thence run North 01°00'00" East a distance of 430.82 feet to a point on the West line of said Section 21 at any line of 38.417 (Eastern Railway) and the POINT OF BEGINNING. thence run North 72°47'16" East along said West line of said Section 21 at any line of 38.417 a distance of 444.43 feet to a point on the West line of said Section 21 and a point on the East line of the Bear Creek Pond measured in Plat Book 21, Page 84-86, Seminole County, Florida, thence departing the North right of way of the said railroad run North 01°00'00" East along the West line of said Section 21 and along the East line of the Bear Creek Pond a distance of 1,408.51 feet to the Northwest corner of said Section 21 and the POINT OF BEGINNING.  
Containing 7.88 acres more or less.

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- 2 Preliminary Subdivision Plan
- 3 Construction Details

SEPTEMBER 2004



LOCATION MAP  
SCALE: 1" = 2000'

**OWNERS**  
E. G. Banks  
CCH GREENWAY  
NORTH PROP., LLC.  
811 Wymore Road  
Winter park, Florida 32789  
(407) 644-8200 \* Fax (407) 644-8646

**DEVELOPER**  
Morrison Homes  
151 Southhall Lane Suite 200  
Maitland, Florida 32751  
(407) 629-0077 \* Fax (407) 670-1688

**ENGINEER/PLANNER**  
Florida Land Design, Inc.  
222 South Westmonte Drive, Suite 211  
Altamonte Springs, Florida 32714-4288  
(407) 389-1811 \* Fax (407) 389-1812

**SURVEYOR**  
BJM Associates, Inc.  
508 Wymore Road  
Winter Park, Florida 32789  
(407) 645-5586 \* Fax (407) 629-5389

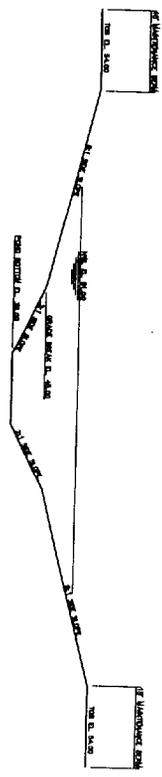
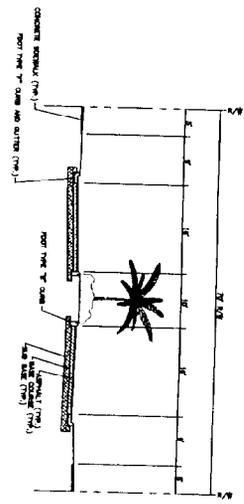
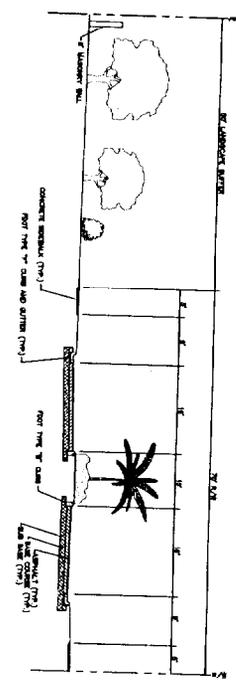
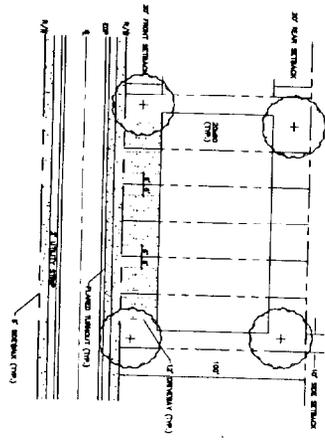
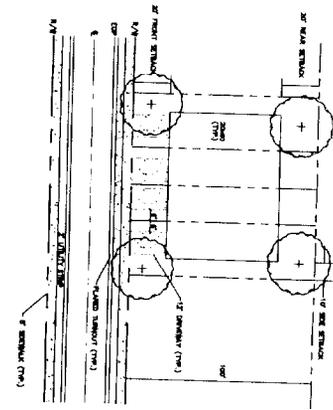
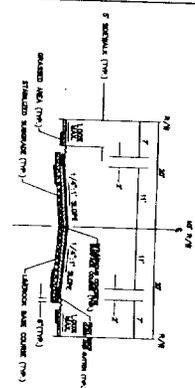
**ENVIRONMENTAL CONSULTANT**  
Modica and Associates  
310 Almond Street  
Clermont, Florida 34711  
(352) 394-2000 \* FAX (352) 394-1159

**GEOTECHNICAL ENGINEER**  
Nodarse & Associates, Inc.  
1675 Lee Road  
Winter Park, Florida 32789  
(407) 740-6110 \* Fax (407) 740-6112

**TRAFFIC ENGINEER**  
Traffic Planning and Design, Inc.  
535 Versailles Drive, Suite 200  
Maitland, Florida 32751  
(407) 828-9955 \* Fax (407) 828-8850

SHEET	1 of 3	
<p><b>FLORIDA LAND DESIGN, INC.</b> 222 SOUTH WESTMONTA DRIVE, SUITE 211 ALTAMONTE SPRINGS, FLORIDA 32714 (407) 389-1811 FAX (407) 389-1812</p>		
<p><b>GREENWAY POINTE TOWNHOMES IN SEMINOLE COUNTY, FLORIDA COVER SHEET AND LOCATION MAP</b></p>		





**GREENWAY POINTE TOWNHOMES**  
 IN SEMINOLE COUNTY, FLORIDA  
**CONSTRUCTION DETAILS**

**FLORIDA LAND DESIGN, INC.**  
 222 SOUTH WASHINGTON AVENUE  
 SUITE 201  
 ALBANY, FLORIDA 32314  
 (904) 339-8888 FAX (904) 339-8888

NO.	DATE	BY	REVISION
1	10/27/14	LMV	AS PER PRELIMINARY 3-D DIMENSIONAL DESIGN PER COUNTY

**SHEET**  
 3 OF 3

11/17/14 2:20:14