

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

"CONTINUED FROM THE NOVEMBER 07, 2006 MEETING"

SUBJECT: Orange Boulevard / Steve Valentine PUD, Rezone & Large Scale Future Land Use Amendment from Suburban Estates (SE) to Planned Development (PD); and rezone from A-1 (Agriculture) to PUD (Planned Unit Development); (Steve Valentine, JTC Inc., applicant).

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

AUTHORIZED BY: Dori L. DeBord **CONTACT:** Michael Rumer **EXT.** 7431

Agenda Date <u>12/12/06</u> Regular <input type="checkbox"/> Consent <input type="checkbox"/> Work Session <input type="checkbox"/> Briefing <input type="checkbox"/>
Public Hearing – 1:30 <input checked="" type="checkbox"/> Public Hearing – 7:00 <input type="checkbox"/>

MOTION/RECOMMENDATION:

1. **ADOPT** an ordinance that includes the Large Scale Future Land Use Amendment, from Suburban Estates (SE) to Planned Development (PD); and adopt an ordinance for the rezone from A-1 (Agriculture) to PUD (Planned Unit Development), for 54± acres, located on the southwest corner of South Lake Sylvan Drive and Orange Boulevard, and approve the Preliminary Master Plan and Development Order, and authorize the Chairman to execute the aforementioned documents, based on staff findings (Steve Valentine, JTC Inc., applicant); or
2. **DENY** the requested Large Scale Future Land Use Amendment and rezone of 54± acres, located on the southwest corner of South Lake Sylvan Drive and Orange Boulevard, from Suburban Estates (SE) to Planned Development (PD); and rezone from A-1 (Agriculture District) to PUD (Planned Unit Development District), and authorize the Chairman to execute the denial development order, (Steve Valentine, JTC Inc., applicant); or
3. **CONTINUE** the public hearing until a time and date certain.

(1) For the record: A motion to adopt a plan amendment by ordinance will be enacted through a single ordinance presented to the Board as a separate agenda item following the conclusion of this large scale amendment cycle. The ordinance will contain a listing of all the amendments adopted by the Board as part of the cycle.

District 5 – Commissioner Carey

Michael Rumer, Senior Planner

BACKGROUND:

The applicant requests a Large Scale Future Land Use Amendment and rezoning of 54± acres, located on the southwest corner of South Lake Sylvan Drive and Orange Boulevard, from Suburban Estates (SE) to

Reviewed by: <u>KET</u> Co Atty: _____ DFS: _____ OTHER: <u>AB</u> DCM: _____ CM: <u>Doc</u> File No. <u>ph130pdp13</u>
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Planned Development and from A-1 (Agriculture) to PUD (Planned Unit Development). The proposed use is 109 single-family homes at a maximum density of 2.5 dwelling units per net buildable acre. The lots will be a minimum of 9,000 square feet and 75 feet in width and will be serviced by water and sewer provided by Seminole County.

RESPONSE TO FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS (DCA) OBJECTIONS, RECOMMENDATIONS, AND COMMENTS REPORT (ORC) DATED 10/20/06:

Staff received the Florida Department of Community Affairs ORC report (see attachment "A") on 10/20/2006. The report consisted of objections by DCA with regard to CR 46A and the current and projected level of service. Staff's response included analysis that the construction of the 4-lane extension of SR 417 from I-4 to International Parkway and the intersection improvements at CR46A/Rhinehart Road will both add significant capacity and improve traffic flow and is expected to more than offset the relatively small increase in trips on the segment in question. Staff believes this will satisfy the concerns of DCA and all objections will be withdrawn.

STAFF RECOMMENDATION:

Staff recommends ADOPTION of an ordinance that includes the Large Scale Future Land Use Amendment, from Suburban Estates (SE) to Planned Development (PD); and adopt an ordinance for the rezone from A-1 (Agriculture) to PUD (Planned Unit Development), for 54± acres, located on the southwest corner of South Lake Sylvan Drive and Orange Boulevard, and approve the Preliminary Master Plan and Development Order, and authorize the Chairman to execute the aforementioned documents, based on staff findings.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Commission met on July 12, 2006 and voted 6-0 to recommend APPROVAL of the Large Scale Future Land Use Amendment and rezone of 54± acres, located on the southwest corner of South Lake Sylvan Drive and Orange Boulevard, from Suburban Estates (SE) to Planned Development (PD); and from A-1 (Agriculture) to PUD (Planned Unit Development) based on staff findings and the following Planning and Zoning Commission findings of fact:

- A. This is an example of smart growth.
- B. In today's market, lot sizes do not diminish property values.
- C. Holding the 100 year storm event will improve the drainage in the area.

BOARD OF COUNTY COMMISSIONERS ACTION:

On August 8, 2006, the Board of County Commissioners voted 5-0 to transmit the requested Large Scale Land Use Amendment for 54± acres, located on the southwest corner of South Lake Sylvan Drive and Orange Boulevard, from Suburban Estates (SE) to Planned Development (PD) to the Florida Department of Community Affairs for review.

Attachments:

Staff Analysis

Location Map

FLU/Zoning Map

Aerial Photo

Preliminary Master Plan (11x17)

Development Order

Denial Development Order (applicable if the request is denied)

Rezone Ordinance

Applicant's Justification Statement

8/8/06 BCC Minutes

School District Capacity Report

October 20, 2006 Department of Community Affairs, Objections, Recommendations and Comments Report (ORC) with response.

**ORANGE BLVD PUD / STEVE VALENTINE Rezone &
Large Scale Land Use Amendment from SE to PD
Rezone from A-1 to PUD**

APPLICANT	Steve Valentine, JTC Inc.	
PROPERTY OWNER	Steve Valentine, JTC Inc, Authorized Agent	
REQUEST	Rezone from A-1 (Agriculture) district to PUD (Planned Unit Development) and LSLUA from SE to PD	
PROPERTY SIZE	54 ± acres	
HEARING DATE (S)	P&Z: July 12, 2006	BCC: August 08, 2006, November 7, 2006
PARCEL ID	36-19-29-300-003B-0000, 36-19-29-300-002A-0000, 36-19-29-300-0020-0000, 36-19-29-300-002B-0000, 36-19-29-300-002C-0000, 36-19-29-300-003C-0000, 36-19-29-300-0030-0000, 36-19-29-300-003A-0000, 36-19-29-300-003B-0000, 36-19-29-300-0010-0000, 36-19-29-501-0000-0040	
LOCATION	Located on the southwest corner of South Lake Sylvan Drive and Orange Boulevard.	
FUTURE LAND USE	SE (Suburban Estates)	
ZONING	A-1 (Agriculture)	
FILE NUMBER	Z2006-23	
COMMISSION DISTRICT	#5 – Carey	

Proposed Development:

The applicant is proposing to develop 109 single-family dwelling units at a net density of 2.5 dwelling units per net buildable acre.

ANALYSIS OVERVIEW:

Standards for Plan Amendments within the East Lake Sylvan Transitional Area:

This property is located within the East Lake Sylvan Transitional Area as depicted in Exhibit FLU: Special Area Boundaries of the Seminole County Comprehensive Plan (Vision 2020). An applicant for a Plan amendment proposing a residential density greater than one (1) unit per net buildable acre must comply with each of the following standards:

- a. The maximum allowable residential density upon parcels shall not exceed 2.5 dwelling units per net buildable acre.
- b. Plan amendments shall be to the Planned Development future land use designation with an associated PUD (Planned Unit Development) zoning classification.
- c. Properties seeking the Planned Development future land use designation must contain a gross acreage of not less than thirty (30) acres in size.

- d. Prior to approval, the applicant shall be required to submit documentation demonstrating that natural resources are protected and that the project shall not exceed a maximum density of two and one-half (2.5) dwelling units per net buildable acre.
- e. All conditions necessary for compliance with these standards shall be placed in the subdivision's covenants and restrictions, which covenants and restrictions shall be recorded in the official land records of Seminole County and which will provide for enforcement of the restrictions by the mandatory homeowners association established to govern the subject property.

The Preliminary Master Plan and Development Order conditions are consistent with the clustering provision. Under the proposed cluster concept, the applicant is providing the protection of wetlands and karst features with a 50-foot upland buffer adjacent to the wetlands and karst features. A buffer of at least 50-feet is located adjacent to Orange Boulevard and South Lake Sylvan Drive except where additional right-of-way dedication is required that is intended to save all existing trees.

LAND USE / ZONING REQUEST

The following table depicts the minimum regulations for the current zoning district of A-1 (Agriculture) and the requested district of PUD (Planned Unit Development):

DISTRICT REGULATIONS	Existing Zoning (A-1)	Proposed Zoning (PUD)
Minimum Lot Size	43,560 square feet	9,000 square feet
Minimum House Size	N/A	2,200 square feet
Minimum Width at Building Line	150 feet	75 feet
Front Yard Setback	50 feet	20 feet
Side Yard Setback	10 feet	7.5 feet
(Street) Side Yard Setback	50 feet	15 feet
Rear Yard Setback	30 feet	15 feet /25 (lots 95-102)
Maximum Building Height	35 feet	35 feet

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)	PUD (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.	Single-family residential, home office, home occupation.
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.	N/A
Minimum Lot Size	1-Acre	9,000 sq. ft.

COMPATIBILITY WITH SURROUNDING PROPERTIES

Staff has reviewed the requested Future Land Use amendment and rezone and has determined that they are compatible with surrounding properties. The proposed lot sizes of 9,000 square feet and 75' in width at the building line are compatible with the Buckingham Estates subdivision to the west and the Berington Club subdivision to the north. The proposed development also meets the clustering requirements of the East Lake Sylvan Transitional Area and will protect the wetlands and karst features.

SITE ANALYSIS:

ENVIRONMENTAL IMPACTS

Floodplain Impacts:

Based on FIRM map number 12117C0040E with an effective date of April 17, 1995 there is a floodzone area "AE" with base flood elevation of 54 feet, at the southwest corner of the site. No impacts to the area located within the zone "AE" are proposed.

Wetland Impacts:

Based on the preliminary master plan submitted and Seminole County wetland map analysis, a portion of the property (5 ± acres) contains wetlands. Compliance with the Land Development Code regarding development within and around wetland areas is required prior to the issuance of any building permits.

Endangered and Threatened Wildlife:

Based on a threatened and endangered study and a species of special concern survey performed by Ark Environmental Consulting, no species were found on the subject site.

PUBLIC FACILITY IMPACTS

Rule 9J-5.0055(3), 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 at this time. The applicant will be required to undergo Concurrency Review prior to final engineering approval.

Utilities:

The site is located in the service area of Seminole County and is proposing to connect to public utilities for water and sewer. There is a 12-inch water main on the west side of Orange Boulevard and a 12-inch force main on the west side of Orange Boulevard. This parcel must connect to reclaimed water. Approval of the proposed water service utility plan is required prior to the approval of final engineering plans.

Transportation / Traffic:

The property currently accesses Orange Boulevard. Orange Boulevard has a measured Level-Of-Service "A". This portion of Orange Boulevard is currently programmed to be improved according to the County 5-year Capital Improvement Program as a Minor Project. The proposed entrance is located on South Sylvan Lake Drive, a local road, which is not built to County standards. South Sylvan Lake Drive is required to be improved to County standards from Orange Boulevard to the end of the property frontage.

School Impacts:

The Seminole County Public School District has prepared an analysis regarding impacts resulting from recently platted residential developments that are zoned for the same schools as the subject property, but are not yet included in the school capacity numbers in the previous table. This analysis is included as an attachment to this report.

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 34, which is located at 4905 W SR 46, approximately 2.85 miles from the project.

Drainage:

The proposed project is located within the Yankee Lake Drainage Basin. Based on preliminary analysis, the site outfalls to Pearl Lake, which appears to be landlocked. Therefore, total retention of the 100 year/24 hour storm event will be required. Design of the drainage system will be evaluated in more detail prior to final engineering approval.

Parks, Recreation and Open Space:

In accordance with Section 30.1344 of the Land Development Code, the applicant will be required to provide twenty-five (25) percent of the site in common open space. Per Section 30.1344 (e), the common open space may include landscape buffers, recreational areas accessible to all residents, as well as the preservation of floodplain areas, wetlands and other natural resources. Section 30.451 (e) requires 25% usable open space and recreation areas dedicated to the homeowner association. The Preliminary Master Plan proposes to maintain 43.6% useable open space.

Buffers and Sidewalks:

At time of development, a 5-foot wide sidewalk is required to be installed along the property frontage on Orange Boulevard and South Sylvan Lake Drive. Active/Passive setbacks are not required because the proposed development is detached single-family, and the adjacent Future Land Use designations are Suburban Estates and the adjacent zoning is A-1.

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 East Lake Sylvan Transitional Area and the Wekiva Study Area.

COMPREHENSIVE PLAN (VISION 2020)

The following policies are applicable with the proposed project:

- Policy FLU 1.2: Flood Plain Protection
- Policy FLU 1.3: Wetlands Protection
- Policy FLU 1.4: Conservation Easements
- Policy FLU 1.5: Cluster Development
- Policy FLU 2.1: Subdivision Standards
- Policy FLU 2.11: Determination of Compatibility in the Planned Unit
- Policy FLU 14.2: Recognition of the East Lake Sylvan Transitional Area
- Policy FLU 14.8: Compliance Agreements Between Seminole County and the Florida Department of Community Affairs
- Policy FLU 15.2: Wekiva Study Area Natural Resource Protection
- Policy CON 3.7: Open Space Regulation
- Policy CON 3.8: PUD/Cluster Developments
- Policy CON 3.9: Conservation Easement/Dedication
- Policy PUB 2.1: Public Safety Level-of-Service

INTERGOVERNMENTAL NOTIFICATION:

Intergovernmental notice was sent to the Seminole County School District on June 12, 2006. The School District has provided a School Capacity Report, which is attached.

LETTERS OF SUPPORT OR OPPOSITION:

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

STAFF RECOMMENDATION:

Staff recommends ADOPTION of an ordinance that includes the Large Scale Future Land Use Amendment, from Suburban Estates (SE) to Planned Development (PD); and adopt an ordinance for the rezone from A-1 (Agriculture) to PUD (Planned Unit Development), for 54± acres, located on the southwest corner of South Lake Sylvan Drive and Orange

Boulevard, and approve the Preliminary Master Plan and Development Order, and authorize the Chairman to execute the aforementioned documents, based on staff findings.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

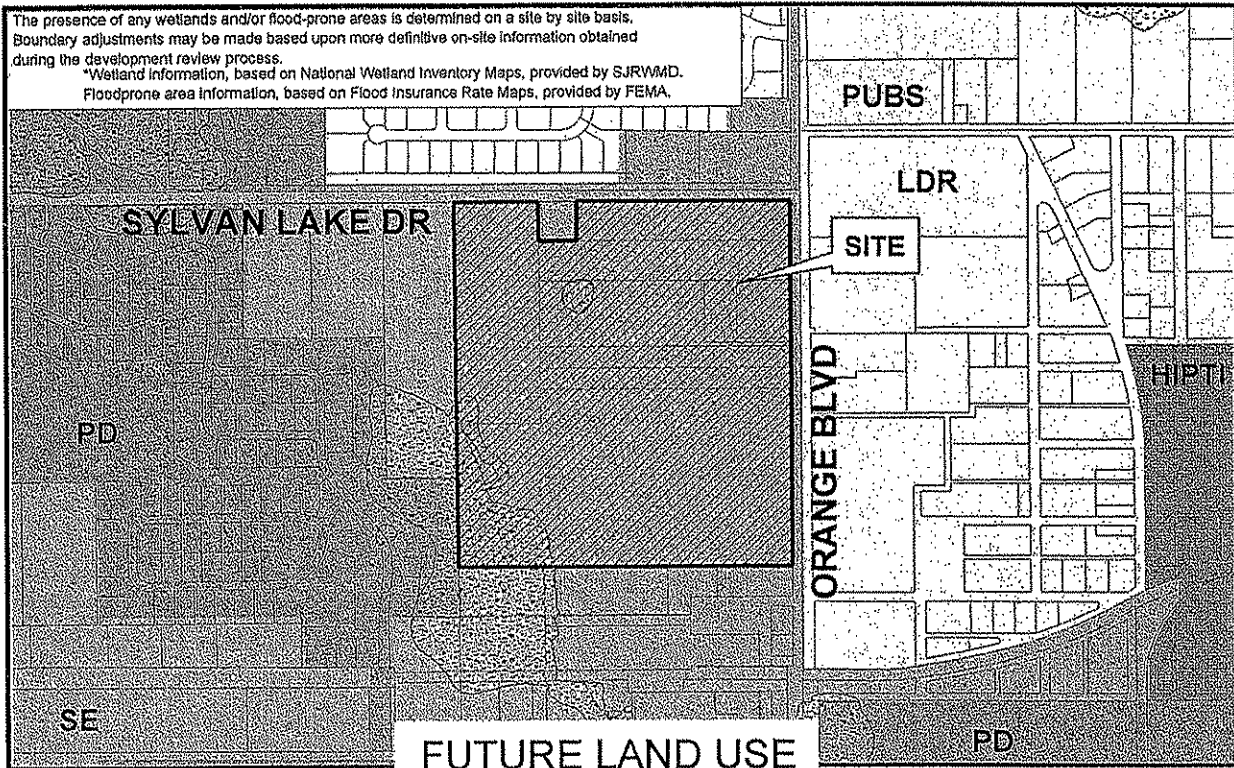
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- A. This is an example of smart growth.
- B. In today's market, lot sizes do not diminish property values.
- C. Holding the 100 year storm event will improve the drainage in the area.

BOARD OF COUNTY COMMISSIONERS ACTION:

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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.

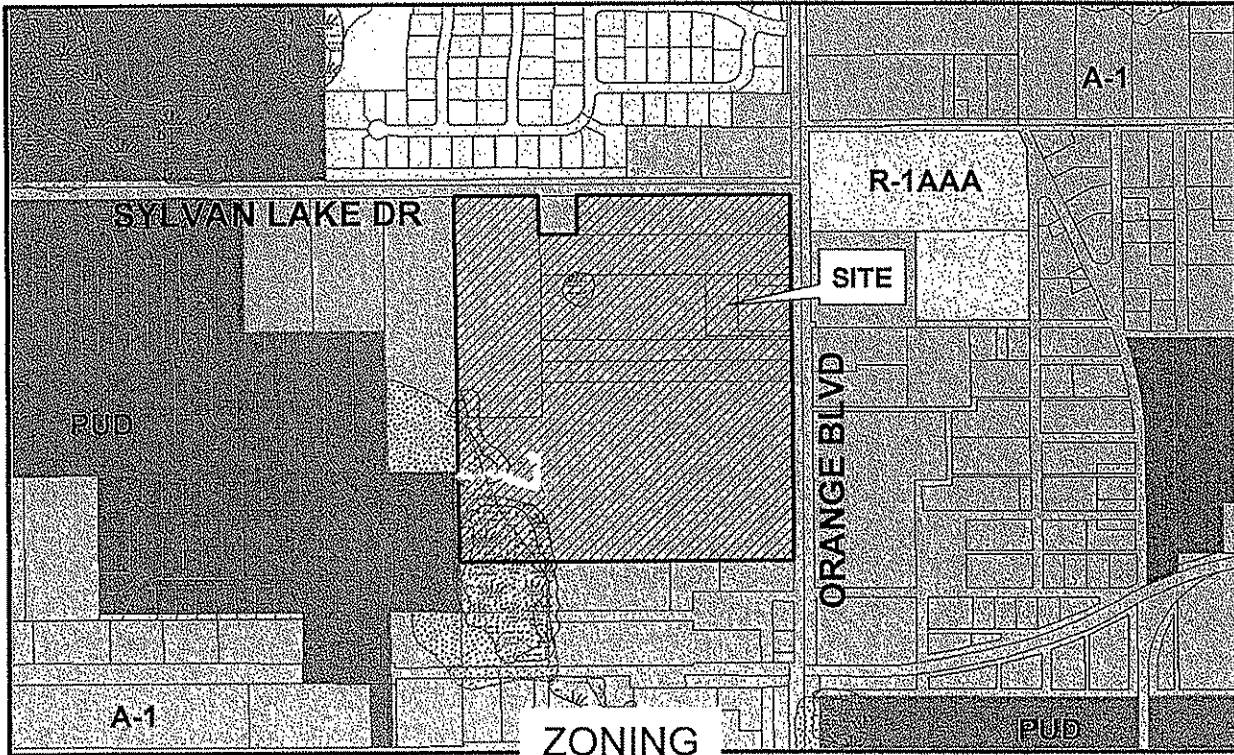


FUTURE LAND USE

Site
 Municipality
 LDR
 SE
 PD
 HIPTI
 PUBS
 CONS

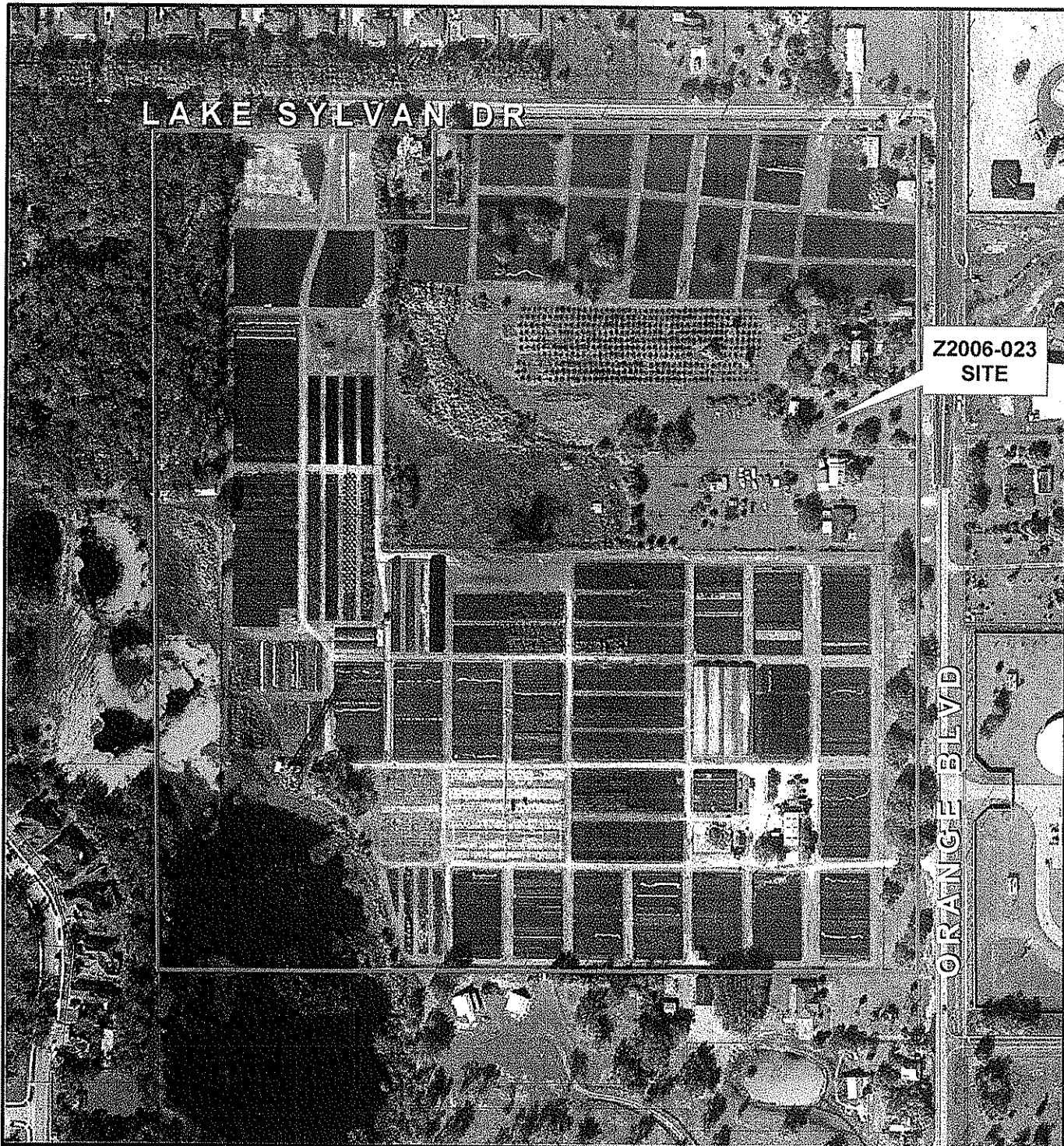
Applicant: Steve Valentine
 Physical STR: 19-29-36
 Gross Acres: 54.76 acres +/- BCC District: 5
 Existing Use: Mixed Uses
 Special Notes: None

	Amend/ Rezone#	From	To
FLU	06F.FLU01	SE	PD
Zoning	Z2006-023	A-1	PUD



ZONING

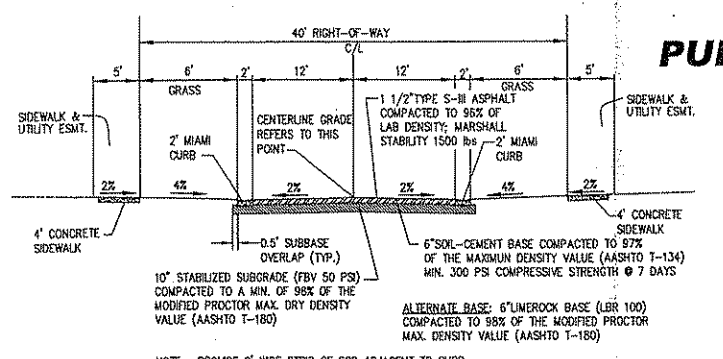
A-1
 R-1AAA
 PUD
 FP-1
 W-1



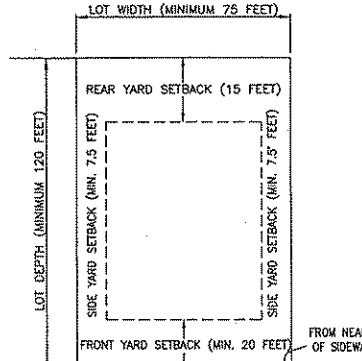
FLU No: 06F.FLU01
From: SE To: PD
Rezone No: Z2006-023
From: A-1 To: PUD
□ Parcel
□ Subject Property



January 2006 Color Aerials



TYPICAL 40' RIGHT-OF-WAY SECTION
 (A) NOT TO SCALE



TYPICAL LOT STANDARDS
 NOT TO SCALE

UTILITIES

WATER & SEWER UTILITIES DESIGN SHALL MEET THE REQUIREMENTS OF SEMINOLE COUNTY AND THE F.D.E.P.

WATER:
 THE PROPOSED DEVELOPMENT WILL BE SERVED THROUGH AN EXISTING 12" WATER MAIN LOCATED ON THE WEST SIDE OF ORANGE BLVD. THE PROPOSED WATER MAIN WILL BE SIZED TO MEET BOTH POTABLE AND FIRE DEMANDS.

SANITARY:
 A NEW LIFT STATION WILL BE DESIGNED TO CONNECT TO AN EXISTING 12" FORCE MAIN LOCATED ON THE WEST SIDE OF ORANGE BLVD.

RECLAIM:
 DUAL SYSTEM TO BE INSTALLED. IRRIGATION WILL UTILIZE POTABLE WATER UNTILL SUCH TIME RECLAIM IS AVAILABLE.

STORMWATER

THE PROPOSED STORMWATER MANAGEMENT SYSTEM SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF SEMINOLE COUNTY AND THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT.

BUFFERS

LANDSCAPE BUFFERS SHALL BE PROVIDED ALONG ORANGE BOULEVARD AND S. SYLVAN LAKE DRIVE.

FLOOD ZONE

FLOOD ZONE AE & ELEVATION 54 PER FEMA F.I.R.M. PANEL12117C0040E DATED: 4/17/1995

PRIVATE ROAD & COMMON AREAS

THE PRIVATE ROAD AND THE COMMON AREAS WILL BE OWNED AND MAINTAINED BY THE H.O.A. COMMON AREAS SHALL HAVE PEDESTRIAN CONNECTIONS FOR RECREATIONAL USES. FINAL LOCATION AND DESIGN TO BE DETERMINED AT FINAL MASTER PLAN STAGE

FIRE PROTECTION

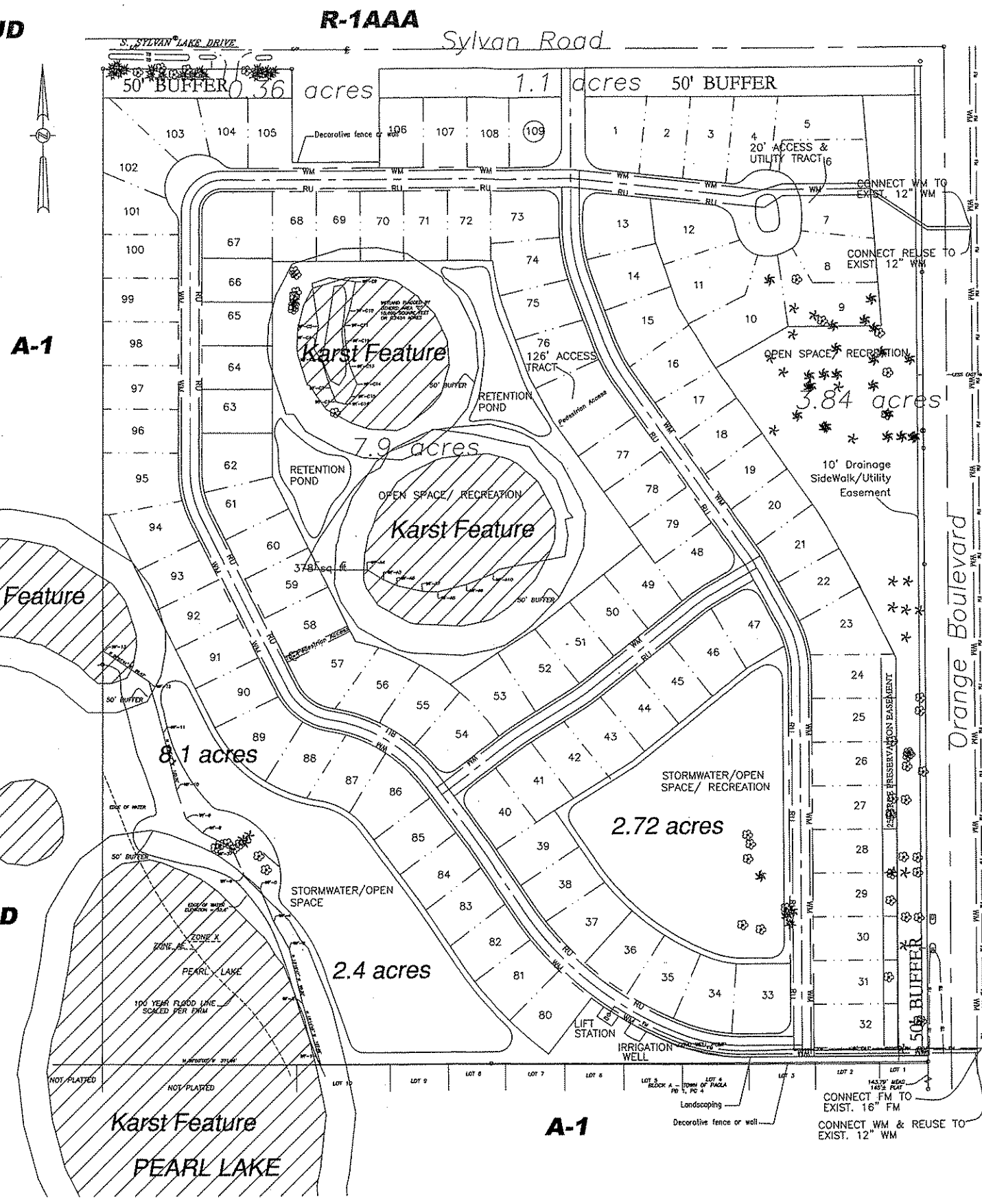
FIRE PROTECTION WILL BE PROVIDED THROUGH A SERIES OF PROPOSED FIRE HYDRANTS IN ACCORDANCE WITH THE SEMINOLE COUNTY PUBLIC SAFETY STANDARDS. APPENDIX G OF THE LAND DEVELOPMENT CODE.

SIDEWALK ALONG ORANGE BOULEVARD

A 5 FOOT SIDEWALK WILL BE PROVIDED ALONG THE PROPERTY FRONTAGE ON SYLVAN ROAD.

WETLAND IMPACTS

THERE MAY BE POTENTIAL WETLAND IMPACTS TO THE ISOLATED WETLAND ADJACENT TO LOTS 59 & 60. THERE MAY BE A MINOR ENCROACHMENT BY THE RETENTION POND INTO THE UPLAND BUFFER AT THE SOUTHWEST CORNER OF THE PROPERTY.



APPLICANT: JTC INC.
 1053 MAITLAND CENTER COMMONS BLVD
 ORLANDO, FLORIDA 32801
 PHONE: 407-478-9800
 FAX: 407-478-4100

ENGINEERING CONSULTANT: FLORIDA ENGINEERING GROUP, INC.
 718 GARDEN PLAZA
 ORLANDO, FLORIDA 32803
 PHONE: 407-895-0324
 FAX: 407-895-0325

PLANNER: IVEY PLANNING GROUP, LLC.
 1101 NORTH LAKE DESTINY ROAD
 MAITLAND, FLORIDA 32751
 PHONE: 407-660-8881
 FAX: 407-660-8886

SURVEYOR: ACCURIGHT SURVEYS OF ORLANDO, INC.
 2012 E. ROBINSON STREET
 ORLANDO, FLORIDA 32803
 PHONE: 407-849-6314
 FAX: 407-897-3777

PROJECT DESCRIPTION

THE PROJECT WILL CONSIST OF A SINGLE FAMILY DETACHED RESIDENTIAL DEVELOPMENT WITH A TOTAL OF 109 LOTS ACCESSING SYLVAN ROAD.

THE TYPICAL LOT WILL BE 9,000 SF. WITH A LOT WIDTH OF 75 FEET.

LOTS 24 - 32 ARE 75' X 145' WITH A 25' EASEMENT ALONG EAST SIDE OF THE PROPERTY. THE PROJECT WILL ALSO INCLUDE INTERNAL ROADWAYS, STORMWATER MANAGEMENT FACILITIES UTILITIES AND ADEQUATE OPEN SPACE AND RECREATIONAL FACILITIES.
 MAXIMUM BUILDING HEIGHT: 35'

SITE DATA

LOCATION: SW CORNER OF S. SYLVAN LAKE DRV. AND ORANGE BLVD. SOUTH OF SR 46
 PARCEL ID: SEE EXHIBIT B
 FUTURE LAND USE DESIGNATION: SE
 EXISTING ZONING: A-1
 PROPOSED ZONING: PUD
 EXISTING USE: NURSERY WHOLE SALE PLANT, SINGLE FAMILY RESIDENTIAL AND CELL TOWER
 PROPOSED USE: SINGLE FAMILY RESIDENTIAL SUBDIVISION
 PROPOSED FUTURE LAND USE: PLANNED DEVELOPMENT

PROJECT AREA:
 GROSS ACREAGE 54.7604 ACRES
 TOTAL WETLANDS: 5.7213 ACRES
 NET DEVELOPABLE LAND:
 54.7604 - [ROW (5.43) + PRESERVED WETLANDS (5.7133)] = 43.6207 ACRES
 PROPOSED NET RESIDENTIAL DENSITY: 2.5 DU/ACRE [43.6207 X 2.5=109 UNITS]
 IMPACT ANALYSIS IS AS FOLLOWS:

SCHOOLS:	
ELEMENTARY SCHOOL:	109 X 0.249 STUDENTS/UNIT = 27 STUDENTS
MIDDLE SCHOOL:	109 X 0.114 STUDENTS/UNIT = 12 STUDENTS
HIGH SCHOOL:	109 X 0.124 STUDENTS/UNIT = 14 STUDENTS
TOTAL:	53 STUDENTS
ROADS:	109 X 9.57 ADT/DU = 1043 ADT (ITE 7TH EDITION)
WATER:	109 X 350 GPD/DU = 38,150 GPD
SEWER:	109 X 300 GPD/DU = 32,700 GPD

PROVIDED COMMON USABLE OPEN SPACE: 24.02 ACRES (43.6%)
 BUFFERS/OPEN SPACE/RECREATION: 5.3 ACRES
 STORMWATER/OPENSACE/RECREATION: 2.7 ACRES
 KARST FEATURE/WETLANDS/STORMWATER/OPENSACE/RECREATION: 16 ACRES
 RIGHT OF WAY: 5.43 ACRES

THE SITE PLAN IS CONCEPTUAL IN NATURE AND MAY CHANGE BASED UPON FINAL WETLAND DELINEATION AND ENGINEERING REVIEW

UTILITY COMPANIES
 WATER: SEMINOLE COUNTY UTILITIES
 SEWER: SEMINOLE COUNTY UTILITIES
 ELECTRIC: FLORIDA POWER & LIGHT
 TELEPHONE: BELLSOUTH
 CABLE: BRIGHTHOUSE NETWORKS

NOT VALID FOR CONSTRUCTION UNLESS SIGNED IN THIS BLOCK			
DATE	REVISIONS	BY	CHECKED

ORANGE BOULEVARD SUBDIVISION
 SEMINOLE COUNTY, FLORIDA

FLORIDA ENGINEERING GROUP, INC.
 CIVIL & ENVIRONMENTAL LAND DEVELOPMENT
 718 GARDEN PLAZA, ORLANDO, FLORIDA 32803
 TEL: 407-895-0324 FAX: 407-895-0325
 E-MAIL: info@feg-inc.us
 WEB PAGE: www.feg-inc.us

DESIGNED BY	DRAWN BY	CHECKED BY	APPROVED BY
RCR	RCR	JAA	JAA

PROJECT NO.	05-103
SCALE	1"=100'
DATE	MARCH 21, 2006
SHEET NO.	C-1
SHEET	1 of 1

**SEMINOLE COUNTY DEVELOPMENT
ORDER**

On December 12, 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: Steve Valentine
718 Garden Plaza
Orlando, FL 32803

Project Name: Orange Boulevard / Steve Valentine PUD, Rezone & Large Scale Land Use Amendment.

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

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 aforescribed property.

Prepared by: Michael Rumer, 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:

Standard Conditions:

- a. All development shall comply with the Preliminary Master Plan attached as Exhibit B.
- b. The maximum building height shall be two stories, not to exceed 35'.
- c. Permitted uses shall be single-family dwelling, home offices, home occupations.
- d. All landscape buffers and common areas shall be maintained by a homeowners association.
- e. The development shall provide a pedestrian circulation system giving access to all portions of the development as well as connecting to existing sidewalks outside the development.

Project Specific Conditions:

- a. Existing agriculture uses and the wholesale nursery, shall remain permitted uses until issuance of the site development permit for the final engineering plans.
- b. Existing Cell Tower shall be removed prior to the recording of the final plat.
- c. The minimum size of a residential unit shall be 2,200 square feet, excluding porches, garages, and other appurtenances.
- d. The project shall utilize clustering on site for the purposes of preserving wetlands, rare upland habitats, and karst features.
- e. The encroachment into or the placement or deposit of fill within the one hundred (100) year floodplain is prohibited.
- f. A Conservation Easement dedicated to Seminole County will be required over all wetlands and require a 50-foot average, 25-foot minimum upland buffers from wetland areas and karst features.
- g. Restoration and/or preservation of hydrologic regimes shall be required.
- h. Maintenance of undisturbed natural vegetation in site design as a means to provide preservation of native habitats and greenway systems shall be required.
- i. Preserve a minimum of 50% of the existing trees on site.
- j. A minimum of 40% common open space shall be provided.

- k. Access to the subdivision shall be from South Lake Sylvan Drive.
- l. The buffer adjacent to Orange Boulevard shall be a minimum of 50-feet in width with a 25-foot easement located at the rear of the lots adjacent to the 50-foot buffer and dedicated to the HOA resulting in a 75-foot buffer.
- m. A buffer shall be located adjacent to South Lake Sylvan Drive with a width of 50-feet except areas where the required right-of-way improvements require additional right-of-way dedication.
- n. The maximum number of dwelling units shall not exceed 109 units and net residential density shall be no more than 2.5 dwelling units per net buildable acre.
- o. The Development shall connect to the County's water and central sewer service and install residential reclaim water lines. The lines are to be charged with potable water until reclaimed water is available.
- p. Accessory buildings exceeding two-hundred (200) sq. ft. in size and /or twelve (12) ft. in height shall meet all of the setback requirements applicable to the main residence.
- q. A 6-foot high brick wall is required to be located on the perimeter of the property, except where wetlands and karst features are present.
- r. The following setback standards shall apply to the individual single-family homes:

Minimum Lot size	9,000 sq. ft.
Minimum Lot width	75 feet
Main Residence Front Yard Setback	20 feet
Main Residence Side Yard Setback	7.5 feet
Main Residence (Street) Side Yard Setback	15 feet
Main Residence Rear Yard Setback	15 feet / 25 feet (lots 95-102)
Accessory Structures Rear	10 feet
Pool Edge Rear	7.5 feet
Pool Edge Side	10 feet
Pool Enclosure Rear	5 feet
Pool Enclosure Side	7.5 feet

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

OWNER'S CONSENT AND COVENANT

COMES NOW, the owner, Robert Jones & Billie Jones, on behalf of themselves and their heirs, successors, assigns or transferees of any nature whatsoever and consents to, agrees with and covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Development Order.

Witness

Robert Jones

Witness

Witness

Billie Jones

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 Robert Jones & Billie Jones who is personally known to me or who has produced _____ as identification and who did take an oath.

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

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

EXHIBIT A

DESCRIPTION

COMMENCE AT THE NORTHEAST CORNER OF GOVERNMENT LOT 1, SECTION 36, TOWNSHIP 19 SOUTH, RANGE 29 EAST, SEMINOLE COUNTY, FLORIDA; THENCE S00°00'00"W ALONG THE EAST LINE OF SAID GOVERNMENT LOT 1 A DISTANCE OF 33.00 FEET; THENCE N89°50'00"W A DISTANCE OF 40.00 FEET TO THE WEST RIGHT OF WAY LINE OF ORANGE BOULEVARD AND FOR A POINT OF BEGINNING; THENCE S00°00'00"W ALONG SAID WEST RIGHT OF WAY LINE A DISTANCE OF 1709.41 FEET TO THE NORTHEAST CORNER OF LOT 1, BLOCK A, TOWN OF PAOLA, AS RECORDED IN PLAT BOOK 1, PAGE 4, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; THENCE N89°50'00"W ALONG THE NORTH LINE OF SAID BLOCK A, TOWN OF PAOLA, A DISTANCE OF 1413.96 FEET; THENCE N00°18'00"E A DISTANCE OF 1709.40 FEET TO THE SOUTH RIGHT OF WAY LINE OF SOUTH SYLVAN LAKE DRIVE; THENCE S89°50'00"E ALONG SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 323.00 FEET; TO THE WEST LINE OF LOT 1, TROVE PARK, AS RECORDED IN PLAT BOOK 4, PAGE 76, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA. THENCE S00°00'00"W ALONG SAID WEST LINE A DISTANCE OF 160.04 FEET TO THE SOUTH LINE OF SAID LOT 1; THENCE S89°50'00"E ALONG SAID SOUTH LINE A DISTANCE OF 150.00 FEET TO THE EAST LINE OF SAID LOT 1; THENCE N00°00'00"E ALONG SAID EAST LINE A DISTANCE OF 160.04 FEET TO THE SOUTH RIGHT OF WAY LINE OF SOUTH SYLVAN LAKE DRIVE; THENCE S89°50'00"E ALONG SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 932.01 FEET TO THE POINT OF BEGINNING.

CONTAINS 2385365 SQUARE FEET OR 54.7604 ACRES MORE OR LESS.

EXHIBIT B
Preliminary Master Plan

SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER

On December 12, 2006, Seminole County issued this Denial Development Order relating to and touching and concerning the following property described in the attached legal description as Exhibit "A".

Property Owner: Steve Valentine
718 Garden Plaza
Orlando, FL 32803

Project Name: Orange Boulevard / Steve Valentine PUD, Rezone & Large Scale Land Use Amendment.

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

The Board of County Commissioners has determined that the request for a rezone from A-1 (Agriculture) zoning classification to PUD (Planned Unit Development) zoning classification is not compatible with the surrounding area and could not be supported.

After fully considering staff analysis titled "Orange Boulevard / Steve Valentine PUD, Rezone & Large Scale Land Use Amendment from Suburban Estates (SE) to Planned Development (PD); and rezone from A-1 (Agriculture) to PUD (Planned Unit Development)" and all evidence submitted at the public hearing on November 7, 2006, regarding this matter the Board of County Commissioners have found, determined and concluded that the requested development approval should be denied.

ORDER

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

The aforementioned application for development approval is **DENIED**.

Done and Ordered on the date first written above.

SEMINOLE COUNTY BOARD OF COUNTY COMMISSIONERS

By: _____
Carlton D. Henley, Chairman

EXHIBIT A

DESCRIPTION

COMMENCE AT THE NORTHEAST CORNER OF GOVERNMENT LOT 1, SECTION 36, TOWNSHIP 19 SOUTH, RANGE 29 EAST, SEMINOLE COUNTY, FLORIDA; THENCE S00°00'00"W ALONG THE EAST LINE OF SAID GOVERNMENT LOT 1 A DISTANCE OF 33.00 FEET; THENCE N89°50'00"W A DISTANCE OF 40.00 FEET TO THE WEST RIGHT OF WAY LINE OF ORANGE BOULEVARD AND FOR A POINT OF BEGINNING; THENCE S00°00'00"W ALONG SAID WEST RIGHT OF WAY LINE A DISTANCE OF 1709.41 FEET TO THE NORTHEAST CORNER OF LOT 1, BLOCK A, TOWN OF PAOLA, AS RECORDED IN PLAT BOOK 1, PAGE 4, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; THENCE N89°50'00"W ALONG THE NORTH LINE OF SAID BLOCK A, TOWN OF PAOLA, A DISTANCE OF 1413.96 FEET; THENCE N00°18'00"E A DISTANCE OF 1709.40 FEET TO THE SOUTH RIGHT OF WAY LINE OF SOUTH SYLVAN LAKE DRIVE; THENCE S89°50'00"E ALONG SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 323.00 FEET; TO THE WEST LINE OF LOT 1, TROVE PARK, AS RECORDED IN PLAT BOOK 4, PAGE 76, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA. THENCE S00°00'00"W ALONG SAID WEST LINE A DISTANCE OF 160.04 FEET TO THE SOUTH LINE OF SAID LOT 1; THENCE S89°50'00"E ALONG SAID SOUTH LINE A DISTANCE OF 150.00 FEET TO THE EAST LINE OF SAID LOT 1; THENCE N00°00'00"E ALONG SAID EAST LINE A DISTANCE OF 160.04 FEET TO THE SOUTH RIGHT OF WAY LINE OF SOUTH SYLVAN LAKE DRIVE; THENCE S89°50'00"E ALONG SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 932.01 FEET TO THE POINT OF BEGINNING.

CONTAINS 2385365 SQUARE FEET OR 54.7604 ACRES MORE OR LESS

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) ZONING CLASSIFICATION THE PUD (PLANNED UNIT DEVELOPMENT) ZONING CLASSIFICATION; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EXCLUSION FROM 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 Orange Boulevard / Steve Valentine PUD, Rezone & Large Scale Land Use Amendment.

(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) to PUD (Planned Unit Development):

COMMENCE AT THE NORTHEAST CORNER OF GOVERNMENT LOT 1, SECTION 36, TOWNSHIP 19 SOUTH, RANGE 29 EAST, SEMINOLE COUNTY, FLORIDA; THENCE S00°00'00"W ALONG THE EAST LINE OF SAID GOVERNMENT LOT 1 A DISTANCE OF 33.00 FEET; THENCE N89°50'00"W A DISTANCE OF 40.00 FEET TO THE WEST RIGHT OF WAY LINE OF ORANGE BOULEVARD AND FOR A POINT OF BEGINNING; THENCE S00°00'00"W ALONG SAID WEST RIGHT OF WAY LINE A DISTANCE OF 1709.41 FEET TO THE NORTHEAST CORNER OF LOT 1, BLOCK A, TOWN OF PAOLA, AS RECORDED IN PLAT BOOK 1, PAGE 4, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; THENCE N89°50'00"W ALONG THE NORTH LINE OF SAID BLOCK A, TOWN OF PAOLA, A DISTANCE OF 1413.96 FEET; THENCE N00°18'00"E A DISTANCE OF 1709.40 FEET TO THE SOUTH RIGHT OF WAY LINE OF SOUTH SYLVAN LAKE DRIVE; THENCE S89°50'00"E ALONG SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 323.00 FEET; TO THE WEST LINE OF LOT 1, TROVE PARK, AS RECORDED IN PLAT BOOK 4, PAGE 76, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA. THENCE S00°00'00"W ALONG SAID WEST LINE A DISTANCE OF 160.04 FEET TO THE SOUTH LINE OF SAID LOT 1; THENCE S89°50'00"E ALONG SAID SOUTH LINE A DISTANCE OF 150.00 FEET TO THE EAST LINE OF SAID LOT 1; THENCE N00°00'00"E ALONG SAID EAST LINE A DISTANCE OF 160.04 FEET TO THE SOUTH RIGHT OF WAY LINE OF SOUTH SYLVAN LAKE DRIVE; THENCE S89°50'00"E ALONG SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 932.01 FEET TO THE POINT OF BEGINNING.

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 # 06-20500004 in the Official Land Records of Seminole County.

ENACTED this 12th day of December, 2006.

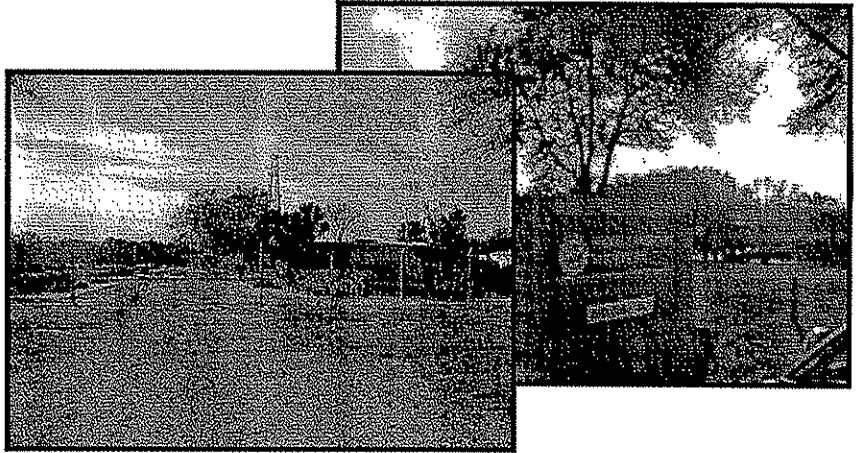
BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Carlton D. Henley
Chairman

Justification Statement

Project Description: The subject property is approximately 54.76 acres (43.6 of which is developable) and is located at the SW intersection of Orange Boulevard and South Sylvan Lake Drive south of S.R. 46. The applicant is requesting a large scale future land use amendment

to Planned Development (PD) and a rezone to Planned Unit Development (PUD) in order to develop a 109 lot single family residential subdivision with a maximum net density of 2.5 du/acre. The applicant is seeking a net density increase from 1 du/acre to 2.5 du/acre in accordance with FLU Policy 14.2. The typical lot size will be 9,000 sq. ft. with a lot width of 75 feet. Lots 24-32 will be 75' x 145' with a 25' easement along the east side of the lots. The minimum house size (heated space) shall be 2,200 square feet. Home prices (including the lot) will range from \$800,000-\$1,000,000. The internal subdivision streets shall be private.



Traffic: According to Seminole County Development Review Division, Orange Blvd. is operating at a LOS A with 9,022 trips per day. The adopted level of service for Orange Blvd. is E, which allows up to 19,360 trips per day.

Environmental: According to Rod Shultz, Environmental Scientist. E.D., the upland habitat can be developed without impacting threatened, endangered or species of special concern. Mr. Shultz's site visit did not reveal the presence of any threatened, endangered or species of special concern inhabiting the subject site. He believes this is primarily because of the agricultural (i.e. ornamental nursery) activities, lack of any significant native habitat and because it is not connected or contiguous to any other native landscape habitat. Please see the attached environmental report from Ark Environmental Consulting.

Current Entitlements: Under the property's current future land use and zoning categories it could be developed with one (1) acre lots that would permit agricultural uses such as churches, elementary schools and the raising of live stock such as pigs, cows, and chickens. The property's current zoning designation of A-1 would allow the

property to be platted into 1 acre lots with the use of septic tanks resulting in possibly no common open space/greenway corridors or tree preservation. Under A-1 zoning lots could be platted into wetland areas and the site could be subdivided into approximately 43 lots with 20% of the acreage used for infrastructure. Please see the table below for a comparison of impacts.

Development Impact Comparison					
	Population*	Students	Traffic/ADT	Water/GPD	Sewer/GPD
Current A-1 Zoning/ 43 Lots	108	21	412	15,050	12,900
Proposed PUD Zoning/109 lots	274	53	1043	38,150	32,700
Net Increase in Impact	166	32	631	23,100	19,800

Source: Per Seminole County Planning Division Generation Spreadsheet

* # of lots multiplied by 2.51 per Seminole County

Although, the proposed development will increase impacts to services and infrastructure it will have less impact on natural resources and is environmentally preferable for the following qualitative reasons:

- Sewage generated will be managed with central sewer rather than septic tanks where it is disposed of directly into the ground.
- Trees will be preserved with buffers.
- Wetlands will be preserved to the maximum extent possible and protected with buffers.
- Open space is increased to over 40%.
- Roadways are buffered and setbacks from roadways are increased.

Qualitative Impact Comparison						
	Buffers	Accessory Structures	Opens Space	Reclaim Water Use	Tree Preservation	Platting into wetlands
Current Zoning (A-1)	None required	Permitted in front yards and pools/enclosures could be as close as 7.5 ft. from the property line	0%	No	1 acre platted lots are exempt from the Arbor Ordinance	Could plat into wetlands
Proposed Zoning (PUD)	50' & 75' buffers	Accessory structures will be buffered from ROW's by the 50' buffers	40%	Yes	Trees to be preserved in buffers and open space tracts	Wetlands are protected & have upland buffers

Comprehensive Plan: The subject property is located within the East Lake Sylvan Transitional Area of the Wekiva River Protection Area (WRPA); therefore, it is not subject to the Wekiva River Protection Area Environmental Design Standards. However, the proposed plan exceeds minimum code requirements and is designed to comply with the **Wekiva River Protection Area Environmental Design Standards Sec. 30.1114** by:

- Providing a 50 ft. upland buffer around wetland areas;
- Minimal to no impacts to wetlands;
- Proposing no filling of the flood plain and;
- Preserving a minimum of 50% of the existing trees on site.

The request is consistent with the Future Land Use Element Plan Amendment Standards of Review for amendments within the East Lake Sylvan Transitional Area because:

- It proposes a maximum density of 2.5 du/acre
- The request is for PD future land use and PUD zoning
- The gross acreage of the site exceeds 30 acres

The request is consistent with the following Goals, Objectives, and Policies of the Seminole County Comprehensive Plan:

- **Policy FLU 14.2 Recognition of the East Lake Sylvan Transitional Area:**

The proposed amendment is in compliance with Policy FLU 14.2 because the anticipated development will have less impact on natural resources than low density residential development at one (1) dwelling unit per net buildable acre for the following reasons:

1. The subject property is currently a wholesale plant nursery that utilizes commercial grade fertilizers and pesticides. With the development of a single family subdivision the use of these chemicals will be drastically decreased.



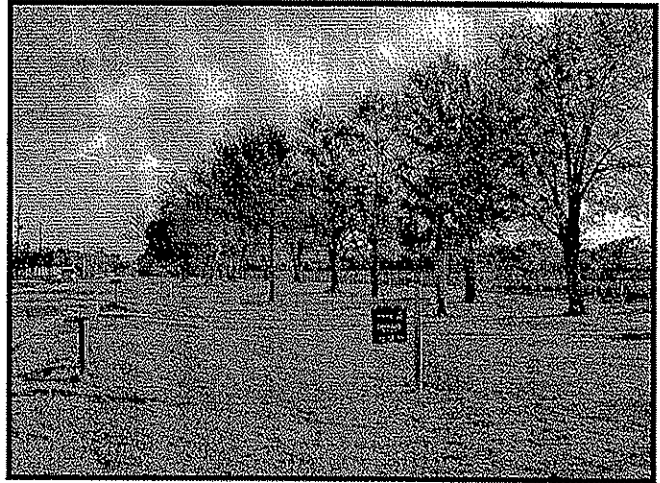
2. The existing wetlands on site are not protected from untreated run off and there is no stormwater treatment system in place. Therefore, run off from the site goes directly into the lake and wetland areas. With development of the site a stormwater system will be put in place that will treat stormwater run-off before it discharges into any wetlands.
3. With the development of the site as single family residential subdivision with 2.5 du/acre instead of 1 du/acre, the development will be clustered to protect environmentally sensitive areas and create upland buffers adjacent to wetland areas.
4. With the development of the site as single family residential subdivision with 2.5 du/acre instead of 1 du/acre central water and sewer and reclaimed water will be utilized as opposed to well and septic which is permitted on 1 acre lots. The use of reclaim water will decrease the impact to potable water usage.
5. Efforts will be made to preserve existing trees along Orange Blvd. and S. Sylvan Lake Drive in buffers. A minimum of 50% of the existing trees on site are to be preserved. Trees will be preserved in a buffer dedicated to the

Home Owner's Association (HOA) or in an easement dedicated to the HOA.

6. Please see attached Wekiva Consistency Form.

- **Issue FLU 3**

According to the Future Land Use Element of Seminole County's Comprehensive Plan **Issue FLU 3**, per the adopted Future Land Use map it is projected that between 2015 and 2020 the County will experience a shortage of vacant developable land for single family and multi-family development and among options available to address this shortage includes amending the plan to allow



increased densities within existing residential designations. The proposed amendment will increase the density from 1 du/acre to 2.5 du/acre thus helping to alleviate projected shortages of single family residential.

- **Policy FLU 15.2 Wekiva Study Area Natural Resource Protection and Policy CON 3.7 Open Space Regulation**

The subject request is consistent with FLU Policy 15.2 and CON Policy 3.7 because it protects open space by providing over 40% open space which is well above the required 25% for a planned development.

- **Policy FLU 15.2 Wekiva Study Area Natural Resource Protection**

The proposed amendment is also consistent with FLU Policy 15.2 because the anticipated development preserves the Karst Features on site and provides a 50 ft. buffer around the Karst areas.

- **Policy FLU 2.11 Determination of Compatibility in the Planned Unit Development and Planned Commercial Development Zoning Classifications**

The proposed land use amendment is consistent with FLU Policy 2.11 because the development standards of the PUD are compatible with adjacent development in the area. The proposed lot size and buffer of 50' along S. Sylvan Lake Drive makes the proposed subdivision consistent with Buckingham Estates to the West and Berington Club to the north. Lots along S. Sylvan Lake Drive within Buckingham Estates are 75' x 120', which is consistent with the proposed lot size of this request.



In addition, since there are existing single family homes in the area the proposed subdivision is more compatible with surrounding uses than agricultural uses permitted under the property's current zoning classification.

- **Policy CON 3.8 PUD/Cluster Developments**

The County shall encourage planned unit developments and cluster type developments in order to preserve large contiguous areas of wetland and other environmentally sensitive communities. The proposed amendment is consistent with Policy CON 3.8 because it is proposing a PUD zoning that protects the wetland areas. The lots are proposed on the upland areas of the site and the wetland areas are protected with buffers.

- **Policy FLU 15.3 Wekiva Study Area Cluster Development Standards**

The proposed development implements FLU Policy 15.3 by proposing a cluster development to protect the wetlands, flood prone areas and karst features on site.

- **Policy SAN 14.1.1 River Protection Areas**

The County shall continue to require the use of central sewer for all new subdivisions consistent with Section 381.0065, Florida Statutes and Chapter 64E-6, F.A.C. within the statutory Wekiva River Protection Area or if a similar provisions is enacted by Federal, State or local law, rule or regulation. The proposed subdivision implements policy SAN 1.1 since it will connect to central sewer minimizing potential adverse water quality impacts that would otherwise be caused with the use of individual septic systems permitted with one (1) acre lots.

Consistency with the Urban Sprawl Rule: The following statements address the application of each sprawl indicator listed below to the proposed comprehensive plan amendment.

Rule 9J-5.006.5.1:

The proposed amendment does promote a higher density development than what would be permitted under its current zoning classification.

Rule 9J-5.006.5.2:

The proposed land use amendment does not promote significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas. Nor does the proposed land use amendment promote leaping over undeveloped land. The property is located adjacent to a north/south collector (Orange Blvd.) connecting to two major arterials SR 46 and SR 46A. The subject property is located in the urban area and has urban development surrounding it. The proposed development could be classified as infill.

Rule 9J-5.006.5.3:

The proposed amendment does not promote radial, strip, or isolated development patterns.

Rule 9J-5.006.5.4:

The proposed land use amendment will not result in any negative impacts to the natural resources of the property. Development of the property is subject to the St. John's River Water Management District's and Seminole County's rules and regulations which govern wetlands, floodplains, and impacts associated with stormwater management. The proposed subdivision exceeds the requirements of the environmental regulations.

Rule 9J-5.006.5.5:

The proposed amendment does not negatively impact adjacent agricultural areas and activities. Development of the property will be subject to the County's land development regulations for stormwater management, resulting in no negative off-site impacts.

Rule 9J-5.006.5.6:

Development of the property will utilize existing public facilities and services. The water plant is directly across the street from the subject property.

Rule 9J-5.006.5.7:

Development of the property will utilize future public facilities and services including reclaim water. The County has also programmed to 3-lane Orange Blvd.

Rule 9J-5.006.5.8:

The proposed amendment will not result in any negative impacts to the County's infrastructure. Development of the property does not allow for land use patterns or timing that disproportionately increases the cost in time, money and energy, of providing and maintaining facilities and services.

Rule 9J-5.006.5.9:

The proposed amendment does not impact the separation between urban and rural uses. The property is located in an urban area of the County. The property is bordered by other single family residential subdivisions with similar densities.

Rule 9J-5.006.5.10:

The proposed amendment does not discourage infill development or the redevelopment of existing neighborhoods.

Rule 9J-5.006.5.12:

The proposed amendment does not result in poor accessibility. Access shall be provided on S. Sylvan Lake Drive, which connects to Orange Blvd.

Rule 9J-5.006.5.13:

The proposed amendment does not result in the loss of significant amounts of open space. Development of the property will be subject to the City's land development regulations for required open space, stormwater management, and buffers. In addition, open space requirements shall be exceeded.

participation agreement requires that they have a boat ramp on that property.

Commissioner Carey stated she would like staff to discuss with the SJRWMD relative to what flexibility they may have with that condition.

Bob Musser, 2780 Lake Howell Lane, addressed the Board to state he is in favor of the continuance, but the developer has failed to deliver, for the past 30 days, on a promise to the residents to work with them on getting a set of restrictions that the homeowners around the lake could agree with. He stated based on past performances, he is not sure August 22 is enough time to review this.

Speaker Request and Written Comment Forms were received and filed.

Districts 1, 2, 3, 4 and 5 voted AYE.

**REZONE AND LARGE SCALE LAND USE
AMENDMENT/Steve Valentine, JTC, Inc.**

Proof of publication, as shown on page _____, calling for a public hearing to consider request to Rezone from A-1 (Agriculture) to PUD (Planned Unit Development), and Large Scale Land Use Amendment from Suburban Estates (SE) to Planned Development (PD) for 54+/- acres located on the southwest corner of South Lake Sylvan Drive and Orange Blvd.; Steve Valentine, JTC Inc., received and filed.

Michael Rumer, Planning, addressed the Board to state the applicant is proposing 109 single-family homes at a maximum density of 2.5 dwelling units per net buildable acre. Lots will be a minimum of 9,000 sq. ft. and 75 ft. in width. The lots will be serviced by water and sewer provided by Seminole County. This property is located within the East Lake Sylvan Transitional Area, which presents

a residential density greater than 1 unit per net buildable acre if the proposal complies with the following standards: (a) Maximum density is 2.5 units per acre; (b) A land use amendment to PUD and an associated PUD rezone; (c) The property must contain at least 30 gross acres; and (d) All conditions necessary for compliance will be placed in the subdivision's covenants and restrictions. Staff has determined that the Preliminary Master Plan and development order conditions are consistent with the clustering provision. The Planning & Zoning Commission (P&Z) recommended approval of the request to transmit. He stated staff has two changes to the development order. Under the Project Specific Conditions, Item S would be added to state that Lots 95 through 102 will have a 25 ft. rear setback; and Change Item Q to state a 6 ft. **brick** wall is required and the masonry wall aspect would be removed from that condition.

Matt West, Ivey Planning Group, addressed the Board to advise that Jean Abi-Aoun and Steve Valentine are in attendance. He displayed and reviewed slides (not received and filed) of the property that fronts Orange Blvd. and the Site Location. He continued by reviewing the Site Information; Opportunities and Why they are asking for a PUD; copies of photographs showing the tower that will be removed, Beckel's Nursery, and the Water Treatment Plant; the Preliminary Master Plan; the P&Z is recommending approval; and the applicant's request. He stated Mr. Valentine has met with the School Board and has signed an agreement with them to contribute additional monies over and above the school impact fees. He stated they are working with the School Board to alleviate the impacts and concerns the School Board raised on increasing the density.

Chairman Henley asked what type of formula was agreed on with the School Board regarding the 140% capacity. Whereupon, Mr. West advised he believes they are paying an additional \$2,700 per unit.

Jack Owen, 5855 S. Sylvan Lake Dr., addressed the Board to state he owns 10 acres bordering the west side of this property. He stated his concern is there was supposed to be a wall between him and this subdivision and after discussing this with Commissioner Carey and Mr. Valentine, those concerns have been satisfied. He stated he understands that the wall would be built and it would be a brick wall. He added his other concern is the drainage as his property is on the downhill side of the proposed rezone. He concluded by saying he has a fishing pond on his property and it will be an attraction for children to fish in that pond.

No one else spoke in support or in opposition.

District Commissioner Carey stated the condition was added to have 25 ft. rear yard setbacks on Lots 25 through 102 and those homes will set back 10 ft. further in addition to the 6 ft. wall being made out of brick. She stated she appreciates the applicant working with them in making sure the property to the west would be protected.

Motion by Commissioner Carey, seconded by Commissioner Dallari to transmit request to Rezone from A-1 (Agriculture) to PUD (Planned Unit Development), and Large Scale Land Use Amendment from Suburban Estates (SE) to Planned Development (PD); for 54+/- acres located on the southwest corner of South Lake Sylvan Drive and Orange Blvd., as described in the proof of publication, Steve Valentine, JTC Inc., based on staff findings and with the additional setbacks on Lots 95 through 102, a 25 ft. rear yard setback, as well as the wall being brick and not masonry.

Under discussion, Commissioner Carey stated some of the residents were concerned with East Lake Sylvan Drive and she would like to assure them that that road will be built to County standards.

Districts 1, 2, 3, 4 and 5 voted AYE.

**CAPITAL IMPROVEMENTS, IMPLEMENTATION
AND TRANSPORTATION ELEMENT**

Proof of publication, as shown on page _____, calling for a public hearing to consider request to transmit proposed Capital Improvements, Implementation and Transportation Element amendments to enable the use of Proportionate Fair-Share Funding of Transportation Improvements to the Department of Community Affairs (DCA), received and filed.

Sheryl Stolzenberg, Planning, addressed the Board to advise the request is to transmit to the DCA text amendments to the Capital Improvements Implementation and Transportation Elements of the County's Comprehensive Plan in order to enable the use of a proportionate fair share funding of transportation improvements. She reviewed the requirements of the Growth Management Act. The Legislation created a possibility of a developer making a contribution towards advancing the project in order to bring it online sooner and that would be a proportionate fair share. This does not mean that a project not complying with the Comp Plan would have to be approved, but it gives local governments and developers another way to finance a transportation improvement for a project that would otherwise be seen as desirable. Staff is required by December 1 to put in place of the concurrency management system of the Land Development Code language that enables this. Because they address the issue of concurrency in the Comprehensive Plan, staff



**SEMINOLE COUNTY PUBLIC SCHOOLS
School Capacity Report**

To: Seminole County Board of County Commissioners

From: George Kosmac, Deputy Superintendent, Seminole County Public Schools

Date: July 6, 2006

RE: Z2006-23 / 06f.Flu01 Orange Boulevard FLU/Rezone

Seminole County Public Schools (SCPS), in reviewing the above FLU/rezone request, has determined that if approved the new zoning designation would have the effect of increasing residential density, and as a result generate additional school age children.

Description: -54 +/- acres; Large Scale Land Use Amendment from SE (Suburban Estates) to PD (Planned Development) and Rezone from A-1 (Agriculture) to PUD (Planned Unit Development); located on the southwest corner of South Sylvan Lake Drive and Orange Boulevard.

Based on information received from Seminole County Planning and from the staff report for the Orange Boulevard request, SCPS staff has summarized the potential school enrollment impacts in the following tables:

Total Proposed units					
Total # of Units		# of Single-Family Lots		# of Multi-Family Units	
109		109		0	
Student Generation					
<i>Impacted Schools</i>	<i>Projected Number of Additional Students</i>	<i>Current Capacity</i>	<i>Current Enrollment</i>	<i>Percent Utilization</i>	<i>Students Resulting from Recently Approved Developments</i>
Elementary Northwest Cluster	27	4186	4086	97.6	207
Middle Markham Woods	12	1251	N/A	N/A	26
High Seminole	14	1966	2900	140.2	192

Projected Number of Additional Students is determined by applying the current SCPS student generation rate (calculated by using US Census data analysis) to the number and type of units proposed.

Current Capacity is based on the current enrollment FTE date not including relocatable stations.

Current Enrollment is based on the most recent official FTE count (February).

Percent Utilization is the ratio of enrollment to total permanent building student stations.

Students Resulting from Recently Approved Developments is a summary of students generated from developments approved and platted since January 2005. Student enrollment changes due to existing housing are excluded from these totals.

Comments:

The students generated at the Middle school level resulting from the proposed development, would at this point be able to be absorbed into the zoned schools without adverse affect. However, the students generated from the new residential dwelling units could not be absorbed into the Elementary or High schools without the increased use of relocatable student stations (portables) or significant reduction in level of service at the affected campus. There are no planned expansions/additions in the current five-year capital plan that would provide additional student capacity to relieve the affected schools.



BCC
CM/DCM
CO ATTORNEY

STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

"Dedicated to making Florida a better place to call home"

Plan mgr

JEB BUSH
Governor

THADDEUS L. COHEN, AIA
Secretary

October 20, 2006

The Honorable Carlton D. Henley, Chairman
Seminole County Board of County Commissioners
1101 East First Street
Sanford, Florida 32771-1468

ATTACHMENT "A"

Dear Chairman Henley:

The Department has completed its review of the proposed Comprehensive Plan Amendment for Seminole County (DCA 06-2), which was received on August 21, 2006. Based on Chapter 163, F.S., we have prepared the attached report, which outlines our findings concerning the amendment. It is particularly important that the County address the "objections" set forth in our review report so that these issues can be successfully resolved prior to adoption. We have also included a copy of local, regional and state agency comments for your consideration. Within the next 60 days, the County should act by choosing to adopt, adopt with changes or not adopt the proposed amendment. For your assistance, our report outlines procedures for final adoption and transmittal.

The County's proposed Amendment 06-2 consists of text amendments (Capital Improvements Element; Implementation Element; and Transportation Element) addressing proportionate fair-share mitigation for transportation and one amendment to the Future Land Use Map (FLUM) for a 54 acre parcel. The Department commends the County for this timely update to the Comprehensive Plan to address proportionate fair share mitigation. However, we have a concern that the text amendments do not provide enough guidance for the transportation concurrency management system consistent with the requirements of Section 163.3180(16), Florida Statutes. The Department has concerns that the FLUM amendment is not appropriately supported by data and analysis regarding transportation planning and potable water planning.

If you, or your staff, have any questions or if we may be of further assistance as you formulate your response to this Report, please contact Scott Rogers, Principal Planner, at (850) 922-1809.

Sincerely yours,

James D. Stansbury
Regional Planning Administrator

Enclosures: Objections, Recommendations and Comments Report
Review Agency Comments

cc: Mr. Don Fisher, Director, Planning and Development Services, Seminole County
Mr. Phil Laurien, Executive Director, East Central Florida Regional Planning Council

2555 SHUMARD OAK BOULEVARD TALLAHASSEE, FLORIDA 32399-2100
Phone: 850.488.8466/Suncom 278.8466 FAX: 850.921.0781/Suncom 291.0781
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CRITICAL STATE CONCERN FIELD OFFICE
2796 Overseas Highway, Suite 212
Marathon, FL 33050-2227
(305) 289-2402

COMMUNITY PLANNING
2555 Shumard Oak Boulevard
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(850) 488-2356

EMERGENCY MANAGEMENT
2555 Shumard Oak Boulevard
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(850) 413-9869

HOUSING & COMMUNITY DEVELOPMENT
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100
(850) 488-7956

TRANSMITTAL PROCEDURES

The process for adoption of local comprehensive plan amendments is outlined in s. 163.3184, Florida Statutes, and Rule 9J-11.011, Florida Administrative Code.

Within ten working days of the date of adoption, the County must submit the following to the Department:

- Three copies of the adopted comprehensive plan amendment;
- A copy of the adoption ordinance;
- A listing of additional changes not previously reviewed;
- A listing of findings by the local governing body, if any, which were not included in the ordinance; and
- A statement indicating the relationship of the additional changes to the Department's Objections, Recommendations and Comments Report.

The above amendment and documentation are required for the Department to conduct a compliance review, make a compliance determination and issue the appropriate notice of intent.

In order to expedite the regional planning council's review of the amendment, and pursuant to Rule 9J-11.011(5), F.A.C., please provide a copy of the adopted amendment directly to Mr. Phil Laurien, Executive Director of the East Central Florida Regional Planning Council.

Please be advised that the Florida legislature amended Section 163.3184(8)(b), F.S., requiring the Department to provide a courtesy information statement regarding the Department's Notice of Intent to citizens who furnish their names and addresses at the local government's plan amendment transmittal (proposed) or adoption hearings. In order to provide this courtesy information statement, local governments are required by the law to furnish to the Department the names and addresses of the citizens requesting this information. This list is to be submitted at the time of transmittal of the adopted plan amendment (a sample Information Sheet is attached for your use).

DEPARTMENT OF COMMUNITY AFFAIRS
OBJECTIONS, RECOMMENDATIONS AND COMMENTS
FOR
SEMINOLE COUNTY
AMENDMENT 06-2

October 20, 2006
Division of Community Planning
Bureau of Local Planning

This report is prepared pursuant to Rule 9J-11.010, F.A.C.

**OBJECTIONS, RECOMMENDATIONS AND COMMENTS
FOR
SEMINOLE COUNTY
AMENDMENT 06-2**

I. CONSISTENCY WITH CHAPTER 163, PART II, F.S.; and RULE 9J-5, F.A.C.

The County's proposed Amendment 06-2 consists of text amendments (Capital Improvements Element; Implementation Element; and Transportation Element) to address proportionate fair-share mitigation for transportation and one amendment to the Future Land Use Map (FLUM) for a 54 acre parcel. The Department raises the following objections and comments to proposed Amendment 06-2:

A. Text Amendments

The proposed text amendments revise the Capital Improvements Element, Implementation Element, and Transportation Element to address the transportation proportionate fair-share mitigation requirements of Section 163.3180(16), Florida Statutes (F.S.). The amendments add several new policies and revise existing adopted policies and text portions of the three elements.

1. Objection: Section 163.3180(16), F.S., establishes various requirements for proportionate fair-share mitigation, including in part the following three items: (1) the methodology to calculate proportionate fair-share mitigation shall be as provided in Section 163.3180(12), F.S.; (2) proportionate fair-share mitigation includes separately or collectively, private funds, contributions of land, and construction and contribution of facilities and may include public funds as determined by the local government; and (3) mitigation for development impacts to facilities on the Strategic Intermodal System made pursuant to this subsection requires the concurrence of the Department of Transportation. The proposed amendment does not include plan policies that appropriately establish meaningful and predictable standards/guidelines addressing the three statutory items identified above either by: (a) plan policies that incorporate by reference the provisions of Section 163.3180(16), F.S., or (b) plan policies that state: (i) the methodology that will be used to calculate proportionate fair-share mitigation, (ii) that proportionate fair-share mitigation includes separately or collectively, private funds, contributions of land, and construction and contribution of facilities and may include public funds as determined by the local government, and (iii) that mitigation for development impacts to facilities on the Strategic Intermodal System made pursuant to this subsection requires the concurrence of the Department of Transportation. Therefore, the proposed amendment is not consistent with the requirements of Section 163.3180(16), F.S.

Regarding the County's Land Development Code, the proposed Transportation Element Policy 13.18 states "The County hereby establishes within its Land Development Code (LDC) a Proportionate Fair-Share Program in accordance with Subsection 163.3180(16), Florida Statutes (F.S.) ..." This first sentence is vague and misleading as to whether the County needs to amend its Land Development Code to address the Proportionate Fair-Share Program or whether the plan

amendment somehow accomplishes the revision to the Land Development Code. Therefore, Policy 13.18 is not meaningful and predictable.

Rules 9J-5.005(2, 5, and 6); 9J-5.0055(1, 2, and 3); 9J-5.016(1, 2, 3, and 4); 9J-5.019(1, 2, 3, and 4), Florida Administrative Code (F.A.C.); and Sections 163.3177(6)(b, i, and j); 163.3177(2, 3, 8, and 10); 163.3180; 163.3180(16), Florida Statutes (F.S.).

Recommendation: Revise the proposed amendment to include plan policies that appropriately incorporate by statutory reference the provisions of Section 163.3180(16), F.S. Alternatively, revise the proposed amendment to include plan policies that appropriately: (1) state the methodology that will be used to calculate proportionate fair-share mitigation, (ii) state that proportionate fair-share mitigation includes separately or collectively, private funds, contributions of land, and construction and contribution of facilities and may include public funds as determined by the local government, and (iii) state that mitigation for development impacts to facilities on the Strategic Intermodal System made pursuant to this subsection requires the concurrence of the Department of Transportation. In addition, the first sentence of Policy 13.18 should be revised to clarify that "By December 1, 2006, the County shall establish within its Land Development Code (LDC) a Proportionate Fair-Share Program in accordance with Subsection 163.3180(16), Florida Statutes (F.S.) ..."

B. FLUM Amendment

A proposed Future Land Use Map (FLUM) amendment to change a 54 acre parcel from Suburban Estates (1 dwelling unit per acre) to Planned Development (109 dwelling units).

1. Objection: The proposed FLUM amendment increases the development potential on the subject amendment parcel and increases the potential number of vehicle trips from the parcel. The proposed FLUM amendment is not appropriately supported by a transportation analysis (including assumptions, data sources, and description of methodologies used) for the five year and long term planning timeframes of the comprehensive plan addressing the following: (1) the number of peak hour vehicle trips generated by the maximum development potential allowed by the FLUM amendment; (2) the impact of the peak hour vehicle trips (including the combined trips of FLUM amendments impacting the same road segment) on the projected operating level of service of CR 46A; (3) the need for road improvements (scope, timing and cost of improvements) or other planning alternatives to maintain the adopted level of service standards on CR46A; (4) coordination of the road improvements or other planning alternatives with the Future Land Use Element, Transportation Element (including Future Transportation Map or map series), and Capital Improvements Element, and implementation through the Five-Year Schedule of Capital Improvements; and (5) coordination of the road improvements with the plans of the Florida Department of Transportation and the plans of the applicable Metropolitan Planning Organization. The amendment is not appropriately supported by data and analysis demonstrating the amendment is consistent with the following provisions of the County's Comprehensive Plan: Future Land Use Element Goal, Objectives FLU 5 and 6, and Policy FLU 6.1; Transportation Element Goals 1, 2, and 4, Objectives TRA 1, 2, 3, 4, 5, 6, 13, and 14, and Policies TRA 2.1, 2.2, 5.1, 5.5, 13.1, 13.2, 14.1, and 14.3; and Capital Improvements Element Goals 1 and 3, Objectives CIE 1 and 3, and Policies CIE 1.1 and 1.5.

The proposed FLUM amendment is not consistent with the following requirements: Rules 9J-5.002(8); 9J-5.005(2 and 5); 9J-5.006(3)(b)1; 9J-5.006(3)(c)3; 9J-5.006(4); 9J-5.019(3)(f, g, h, and i); 9J-5.019(4)(b)1, 2, and 3; 9J-5.019(4)(c)1; 9J-5.019(5)(a and b); 9J-5.016(1)(a); 9J-5.016(2)(b, c, and f); 9J-5.016(3)(b)1, 3, and 5; 9J-5.016(3)(c)1.d, 1.e, 1.f, and 1.g; 9J-5.016(4)(a)1, 2, and 4; 9J-5.015(3)(b)1 and 2; 9J-5.015(3)(c)1, 5, and 11, F.A.C.; and Sections 163.3177(1, 2, 3, 4, and 8); 163.3177(6)(a, b, and j); and 163.3177(6)(h)1 and 2, F.S.

Recommendation: Revise the amendment to include the required analysis necessary to support the FLUM amendment and demonstrate coordination of land use with the planning and provision of transportation facilities and coordination with the Capital Improvements Element. Revise the Transportation Element, Capital Improvements Element, and Future Land Use Element, as necessary, to be consistent with and supported by the data and analysis and to achieve internal consistency with the FLUM. Include data and analysis demonstrating coordination of the amendment with the plans of the Florida Department of Transportation and the applicable Metropolitan Planning Organization. Revise the amendment as necessary to be consistent with and supported by the data and analysis.

2. Comment: The FLUM amendment increases the development potential on the subject amendment parcel and will cause a slight increase in the potential demand upon potable water facilities. The data and analysis for the FLUM amendment indicates a potable water deficit by year 2010 for the facilities that would serve the subject amendment parcel. The amendment analysis addresses the deficiency by noting several steps that the County is taking, including updating its Consumptive Use Permit and a plan amendment to address the County's 10 Year Water Supply Facility Work Plan. The Department recommends the analysis for the FLUM amendment be revised to identify the amount of potable water that is projected (5 Year and Long Term) to be available to serve the FLUM amendment and to identify the potable water capital facility capacity improvements, if any, that will be needed to meet future water demand (5 Year and Long Term), and to clarify that the specific facility improvements will be addressed in the corresponding plan amendment for the 10 Year Water Supply Facility Work Plan.

3. Comment: The Seminole County Public School District has indicated a lack of planned available school capacity to accommodate the potential students from the FLUM amendment; and therefore, the County may wish to consider not adopting the FLUM amendment until there are planned school capacity expansions/additions to the School District five-year capital plan to accommodate the potential students.

II. CONSISTENCY WITH STATE COMPREHENSIVE PLAN

Objection: The proposed Comprehensive Plan Amendment 06-2 is not consistent with and does not further the following provisions of the State Comprehensive Plan (Chapter 187, Florida Statutes) for the reasons noted in the objections raised above in Section I:

- (a) Goal 15.a (Land Use); Policy 15.b.1, and 15.b.5;
- (b) Goal 19.a (Transportation); Policies 19.b.2, 19.b.3, 19.b.9, and 19.b.13; and
- (c) Goal 25.a (Plan Implementation); Policy 25.b.7.

Recommendation: Revise the plan amendment as recommended for the objections raised above.



6 JS
9/20/06

Florida Department of Transportation

JEB BUSH
GOVERNOR

Intermodal Systems Development
133 South Semoran Boulevard
Orlando, FL 32807-8250

DENVER L. STELLER, JR.
SECRETARY

September 19, 2006

Mr. Ray Eubanks, Community Program Administrator
Department of Community Affairs, State of Florida
Plan Review & DRI Processing Section
2555 Shumard Oaks Boulevard
Tallahassee, FL 32399-2100

SUBJECT: PROPOSED COMPREHENSIVE PLAN AMENDMENTS
LOCAL GOVERNMENT: SEMINOLE COUNTY
DCA #: 06-2

Dear Mr. Eubanks:

The Department of Transportation has completed its review of the above proposed comprehensive plan amendments as requested in your memorandum dated, August 24, 2006.

We appreciate the opportunity to participate in this review process and we offer our comments with this letter. If further information is received from the local government prior to the issuance of the ORC Report, the Department may revise the comments.

If you have any questions, please contact me at 407-482-7880 or e-mail me at judy.pizzo@dot.state.fl.us.

Sincerely,

Judy Pizzo
Systems Planner

BMcK
attachment

cc: Rob Magee, FDOT-C/O
James Stansbury, DCA
Tony Walter, Seminole County

COMPREHENSIVE PLAN AMENDMENT REVIEW COMMENTS

Local Government: Seminole County
DCA Amendment #: 06-2
Date of DCA's Request Memo: August 24, 2006
Review Comments Deadline: September 21, 2006
Today's Date: September 19, 2006

ELEMENT: Future Land Use Element: FLUM Amendment
RULE REFERENCE: 9J-5.006 Future Land Use Element
 9J-5.019 Transportation Element
 9J-11.006 Submittal Requirements
 9J-11.007 Data and Analysis Requirements

BACKGROUND INFORMATION:

Orange Blvd / Valentine PUD: 54 acres (5 acres conservation); current future land use: Suburban Estates (1 unit/ acre); proposed future land use: Planned Development (2.5 units/ acre per East Lake Sylvan Transitional Area policy; 109 units per D.O.); affected state roads: SR 46, SR 400/ I-4 (FIHS), and SR 417 (FIHS)

REVIEW COMMENTS/ RECOMMENDATIONS:

For the County's Planned Development (PD) future land use designation, maximum densities and intensities are established at the time of the plan amendment via a Development Order (D.O.). The proposed D.O. for this request establishes a maximum of 109 dwelling units. Although the D.O. submitted with the amendment is not executed, the Department assumes that it represents the maximum development scenario.

The County defines density by net rather than gross acreage, whereby conservation and preservation areas are excluded from density and intensity calculations. As indicated in the submittal, 5 acres are comprised of wetlands. It is recommended that such conservation areas be assigned a more appropriate future land use designation to provide the best possible protection against development or encroachment.

As shown in the table below, the proposed amendment represents an increase in density under a maximum development scenario.

Trip Generation Potential of FLUM Amendment

Scenario	Land Use Designation	Maximum Allowed Density/ Intensity	ITE Land Use Code	Size of Development		Daily Trips	PM Peak Trips
				Acres	Allowed Development		
Adopted	SE	1 unit/ acre	210	54	54 units	590	52
Proposed	PD	2.5 units/ acre	210	54	109 units per DO	1,126	116
Change in Trips						+536	+64

1. FDOT's TIPS software was used for trip generation estimates

FDOT Contact: Judy Pizzo, Systems Planner
 FDOT
 Telephone: 407-482-7880
 Fax: 407-275-4188
 E-mail: judy.pizzo@dot.state.fl.us

Reviewed by: Ellen Bertoni, AICP
 Genesis Group
 904-730-9360
 904-730-7165
ebertoni@genesisgroup.com

File: J:\Growth Management\Comprehensive Plans\CommentsandCoverLetters\Seminole Co\SeminoleCounty06-2Comments091906.doc

COMPREHENSIVE PLAN AMENDMENT REVIEW COMMENTS

Local Government: Seminole County
DCA Amendment #: 06-2
Date of DCA's Request Memo: August 24, 2006
Review Comments Deadline: September 21, 2006
Today's Date: September 19, 2006

The Department has the following concerns regarding the traffic assessment information contained in the Support Document. First, the document does not address impacts to SR 400/I-4 or SR 417, which are FHS facilities within the recommended study area. Second, the trip distribution plot shown in Figure 1 does not accurately reflect existing interchanges along SR 400/I-4 at SR 46 and CR 46A. Considering the location of the proposed development and the existing 400/I-4 interchanges, the distribution seems to be understated to and from the north. The proposed trip distribution should be re-evaluated since an increase in traffic moving north will result in increased impacts to SR 46. Third, the ADT for SR 46 in 2015 and 2025 are significantly lower than those projected in the LOS_ALL spreadsheet. The maximum service volumes used to calculate LOS were not included. It is unclear how the future year ADT and LOS were calculated. Fourth, the table entitled "Future Land Use Change - Assessment of Growth Impact" does not demonstrate that capacity exists to support the amendment since it indicates that the SF unit projection will require adjustment to accommodate the amendment.

Per FDOT's generalized LOS_ALL spreadsheet, affected segments of SR 46 and SR 400/I-4 do not have capacity to accommodate any additional vehicle trips; the affected segments are currently over capacity and are projected to remain so through 2015. Although long-term improvements are slated for SR 46, this facility will not have available capacity in the short term.

The Department recommends that the traffic impact assessment be revised to better support the request. The analysis should assume the maximum development scenario, re-evaluate the trip distribution and additional impacts to SR 46, address impacts to all state roads in the vicinity, and propose any necessary mitigation measures. Please explain how the ADT for 2015 and 2025 was derived and show maximum service volumes used to calculate LOS.

FDOT Contact: Judy Pizzo, Systems Planner FDOT	Reviewed by: Ellen Bertoni, AICP Genesis Group
Telephone: 407-482-7880	904-730-9360
Fax: 407-275-4188	904-730-7165
E-mail: judy.pizzo@dot.state.fl.us	ebertoni@genesishgroup.com
File: J:\Growth Management\Comprehensive Plans\CommentsandCoverLetters\Seminole Co\SeminoleCounty06-2Comments091906.doc	

COMPREHENSIVE PLAN AMENDMENT REVIEW COMMENTS

Local Government: Seminole County
DCA Amendment #: 06-2
Date of DCA's Request Memo: August 24, 2006
Review Comments Deadline: September 21, 2006
Today's Date: September 19, 2006

ELEMENT: Transportation Element: Text Amendments
Capital Improvements Element: Text Amendments

RULE REFERENCE: 9J-5.016 Capital Improvements Element
9J-5.019 Transportation Element
9J-11.006 Submittal Requirements
9J-11.007 Data and Analysis Requirements

BACKGROUND INFORMATION:

Proportionate Fair Share Funding of Transportation Improvements

REVIEW COMMENTS/ RECOMMENDATIONS:

The Department has no comments regarding the proposed text amendments.

FDOT Contact: Judy Pizzo, Systems Planner FDOT	Reviewed by: Ellen Bertoni, AICP Genesis Group
Telephone: 407-482-7880	904-730-9360
Fax: 407-275-4188	904-730-7165
E-mail: judy.pizzo@dot.state.fl.us	ebertoni@genesishgroup.com

File: J:\Growth Management\Comprehensive Plans\CommentsandCoverLetters\Seminole Co\SeminoleCounty06-2Comments091906.doc

East Central Florida
**REGIONAL
PLANNING
COUNCIL**

6 JS
9/26/06

M E M O R A N D U M

Chairman
Jon B. Rawlson
Governor's Appointee
Orange County

TO: D. Ray Eubanks, FDCA, Community Program Administrator
James Stansbury, FDCA

Vice Chairman
Michael S. Blake
Commissioner
Tri-County League
of Cities
Winter Springs

FROM: Phil Laurien, AICP
Executive Director

DATE: Monday, September 25, 2006
SUBJECT: Comprehensive Plan Amendment Review

Secretary/Treasurer
Teresa Jacobs
Orange County

LOCAL GOVERNMENT: Seminole County
LOCAL AMENDMENT #: Proportionate Fair-Share Funding of
Transportation Improvements: Seminole
County
Orange Boulevard/Steve Valentine PUD
DCA AMENDMENT #: Seminole County 06-2

Executive Director
Phil Laurien, AICP

Serving
Alford, Lake,
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Counties.

631 N. Wymore Road
Suite 100
Maitland, Florida
32751

Council staff has completed a technical review of the Seminole County's comprehensive plan amendments reference above. Due to direct relation to the Wekiva Parkway and Protection Act, Part III, Chapter 369, F.S., these amendments are exempt from the twice per year limitation on large scale plan amendment submittal for 2006.

Phone
407.623.1075
Fax 407.623.1084

The review was conducted in accordance with the provisions of the East Central Florida Regional Planning Council's current contract with the Florida Department of Community Affairs for Comprehensive Plan Amendment Reviews.

Suncom 334-1075
Suncom Fax
334-1084

We have not identified any significant and adverse effects on regional resources or facilities, nor have any extra-jurisdictional impacts been identified that would adversely effect the ability of neighboring jurisdictions to implement their comprehensive plans.

Website:
www.ecfrpc.org

The East Central Florida Regional Planning Council is available to assist in the resolution of any issues that should arise in the course of your review. If you should have any questions, please contact me at Sun Com 334-1075 x316. Thank you.

TLH



St. Johns River Water Management District

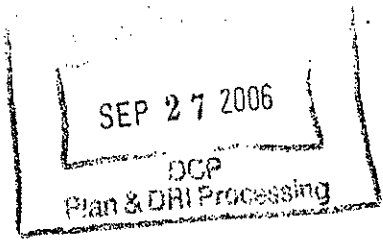
Kirby B. Green III, Executive Director • David W. Fisk, Assistant Executive Director

4049 Reid Street • P.O. Box 1429 • Palatka, FL 32178-1429 • (386) 329-4500
On the Internet at www.sjrwmd.com

6
JS
9/27/06

September 21, 2006

D. Ray Eubanks, Administrator
Plan Review and Processing
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100



Re: Seminole County Proposed Comprehensive Plan Amendment
DCA Amendment #06-2

Dear Mr. Eubanks:

St. Johns River Water Management District (District) planning staff have reviewed the above-referenced proposed comprehensive plan amendment. The proposed amendment consists of one change to the County's future land use map and text changes to the Transportation, Implementation, and Capital Improvements elements. The District staff review focuses on water supply availability and related water resource issues in an effort to link land use planning and water supply planning. In the review of water supply availability, District staff consider infrastructure, permitted allocation under consumptive use permits, and source. District staff have no comments because no substantial water supply availability or related water resource issues were identified.

We appreciate the opportunity to provide comments. If you have any questions or need additional information, please contact District Policy Analyst Peter Brown at (386) 329-4311/Suncom 860-4311 or pbrown@sjrwmd.com.

Sincerely,

Linda Burnette, Director
Office of Communications and Governmental Affairs

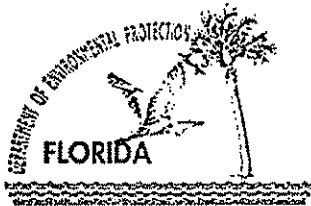
LB/GCS

cc: Randy Morris, Seminole County Commission
Bob Dallari, Seminole County Commission
Carlton Henley, Seminole County Commission
Tony Walter, Seminole County

Phil Laurien, ECFRPC
Jim Quinn, FDEP
Jeff Cole, SJRWMD
Nancy Christman, SJRWMD
Peter Brown, SJRWMD

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Jeb Bush
Governor

Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

6 JS
9/25/06
Colleen M. Castille
Secretary

September 21, 2006

Mr. Ray Eubanks
Florida Department of Community Affairs
Plan Review and DRI Processing Team
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

RE: Seminole County, 06-2, Comprehensive Plan Amendment Review

Dear Mr. Eubanks:

On behalf of the Department of Environmental Protection, the Office of Intergovernmental Programs has reviewed the proposed comprehensive plan amendment in accordance with the provisions of Chapter 163, *Florida Statutes*. As required by law, the scope of our comments and recommendations is limited to the environmental suitability of the proposed changes in light of the Department's regulatory and proprietary responsibilities. Based on our review of the proposed amendment, the Department has found no provision that requires comment, recommendation or objection under the laws that form the basis of the Department's jurisdiction and authority. If the amendment pertains to changes in the future land use map or supporting text, please be advised that at such time as specific lands are proposed for development, the Department will review the proposal to ensure compliance with environmental rules and regulations in effect at the time such action is proposed.

Thank you for the opportunity to comment on this proposal. If I may be of further assistance, please call me at (850) 245-2172.

Sincerely,

SER

Suzanne E. Ray
Environmental Specialist
Office of Intergovernmental Programs

/ser



6 JS

9/14/06

FLORIDA DEPARTMENT OF STATE
Sue M. Cobb
Secretary of State
DIVISION OF HISTORICAL RESOURCES

Mr. Ray Eubanks
Department of Community Affairs
Bureau of State Planning
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

September 12, 2006

Re: Historic Preservation Review of the Seminole County (06-2) Comprehensive Plan Amendment Request

Dear Mr. Eubanks:

According to this agency's responsibilities under sections 163.3177 and 163.3178, *Florida Statutes*, and Chapter 9J-5, *Florida Administrative Code*, we reviewed the above document to determine if data regarding historic resources have been given sufficient consideration in the request to amend the Seminole County Comprehensive Plan.

We reviewed one proposed amendment to the Future Land Use Map, in addition to a text amendment regarding funding of transportation improvements, to consider the potential effects of these actions on historic resources. Our cursory review suggests that the proposed text change may have no adverse effects on historic resources. Nevertheless, for the land use amendment, although this tract does not contain any archaeological sites listed in the Florida Master Site File or the *National Register of Historic Places*, there is one historic structure recorded within this tract, 8SE1186. It remains the county's responsibility to ensure that potentially significant historic resources will not be adversely affected by this amendment. This parcel appears to have at least moderate archaeological site probability. The most effective way to guarantee that such sites are not damaged is for the county to sponsor or require historic resource surveys so that it can ensure its archaeological resources and historic structures fifty years of age or older will be considered when substantive changes in land use are proposed.

If you have any questions regarding our comments, please feel free to contact Susan M. Harp of the Division's Compliance Review staff at (850) 245-6333.

Sincerely,

Frederick P. Gaske, Director

Xc: Mr. James Stansbury

500 S. Bronough Street • Tallahassee, FL 32399-0250 • <http://www.flheritage.com>

- Director's Office (850) 245-6300 • FAX: 245-6436
- Archaeological Research (850) 245-6444 • FAX: 245-6452
- Historic Preservation (850) 245-6333 • FAX: 245-6437
- Historical Museums (850) 245-6400 • FAX: 245-6433
- Southeast Regional Office (904) 367-1900 • FAX: 367-1091
- Northeast Regional Office (904) 295-5015 • FAX: 295-5011
- Central Florida Regional Office (813) 777-2813 • FAX: 777-2810



6 JS
10/16/06

Florida Department of Transportation

JEB BUSH
GOVERNOR

Intermodal Systems Development
133 South Semoran Boulevard
Orlando, FL 32827-3260

DENVER J. STUTLER, JR.
SECRETARY

October 12, 2006

Mr. Ray Eubanks, Community Program Administrator
Department of Community Affairs, State of Florida
Plan Review & DRI Processing Section
2555 Shumard Oaks Boulevard
Tallahassee, FL 32399-2100

SUBJECT: PROPOSED COMPREHENSIVE PLAN AMENDMENTS
LOCAL GOVERNMENT: SEMINOLE COUNTY
DCA #: 06-2

Dear Mr. Eubanks:

The Department of Transportation has completed its review of the above proposed comprehensive plan amendments as requested in your memorandum dated, August 24, 2006.

We appreciate the opportunity to participate in this review process. We offer our revised comments with this letter based on additional information that has been received from the local government.

If you have any questions, please contact me at 407-482-7880 or e-mail me at judy.pizzo@dot.state.fl.us.

Sincerely,

Judy Pizzo
Systems Planner

JP
attachment

cc: Rob Magee, FDOT-C/O
James Stansbury, DCA
Brett Blakadar, Seminole County
Jerry McCollum, Seminole County
Dick Boyer, Seminole County

DEPARTMENT OF COMMUNITY AFFAIRS
OBJECTIONS, RECOMMENDATIONS AND COMMENTS
FOR
SEMINOLE COUNTY
AMENDMENT 06-2

October 20, 2006
Division of Community Planning
Bureau of Local Planning

This report is prepared pursuant to Rule 9J-11.010, F.A.C.

**OBJECTIONS, RECOMMENDATIONS AND COMMENTS
FOR
SEMINOLE COUNTY
AMENDMENT 06-2**

I. CONSISTENCY WITH CHAPTER 163, PART II, F.S.; and RULE 9J-5, F.A.C.

The County’s proposed Amendment 06-2 consists of text amendments (Capital Improvements Element; Implementation Element; and Transportation Element) to address proportionate fair-share mitigation for transportation and one amendment to the Future Land Use Map (FLUM) for a 54 acre parcel. The Department raises the following objections and comments to proposed Amendment 06-2:

A. Text Amendments

The proposed text amendments revise the Capital Improvements Element, Implementation Element, and Transportation Element to address the transportation proportionate fair-share mitigation requirements of Section 163.3180(16), Florida Statutes (F.S.). The amendments add several new policies and revise existing adopted policies and text portions of the three elements.

1. Objection: Section 163.3180(16), F.S., establishes various requirements for proportionate fair-share mitigation, including in part the following three items: (1) the methodology to calculate proportionate fair-share mitigation shall be as provided in Section 163.3180(12), F.S.; (2) proportionate fair-share mitigation includes separately or collectively, private funds, contributions of land, and construction and contribution of facilities and may include public funds as determined by the local government; and (3) mitigation for development impacts to facilities on the Strategic Intermodal System made pursuant to this subsection requires the concurrence of the Department of Transportation. The proposed amendment does not include plan policies that appropriately establish meaningful and predictable standards/guidelines addressing the three statutory items identified above either by: (a) plan policies that incorporate by reference the provisions of Section 163.3180(16), F.S., or (b) plan policies that state: (i) the methodology that will be used to calculate proportionate fair-share mitigation, (ii) that proportionate fair-share mitigation includes separately or collectively, private funds, contributions of land, and construction and contribution of facilities and may include public funds as determined by the local government, and (iii) that mitigation for development impacts to facilities on the Strategic Intermodal System made pursuant to this subsection requires the concurrence of the Department of Transportation. Therefore, the proposed amendment is not consistent with the requirements of Section 163.3180(16), F.S.

Regarding the County’s Land Development Code, the proposed Transportation Element Policy 13.18 states “The County hereby establishes within its Land Development Code (LDC) a Proportionate Fair-Share Program in accordance with Subsection 163.3180(16), Florida Statutes (F.S.) ...” This first sentence is vague and misleading as to whether the County needs to amend its Land Development Code to address the Proportionate Fair-Share Program or whether the plan

amendment somehow accomplishes the revision to the Land Development Code. Therefore, Policy 13.18 is not meaningful and predictable.

Rules 9J-5.005(2, 5, and 6); 9J-5.0055(1, 2, and 3); 9J-5.016(1, 2, 3, and 4); 9J-5.019(1, 2, 3, and 4), Florida Administrative Code (F.A.C.); and Sections 163.3177(6)(b, i, and j); 163.3177(2, 3, 8, and 10); 163.3180; 163.3180(16), Florida Statutes (F.S.).

Recommendation: Revise the proposed amendment to include plan policies that appropriately incorporate by statutory reference the provisions of Section 163.3180(16), F.S. Alternatively, revise the proposed amendment to include plan policies that appropriately: (1) state the methodology that will be used to calculate proportionate fair-share mitigation, (ii) state that proportionate fair-share mitigation includes separately or collectively, private funds, contributions of land, and construction and contribution of facilities and may include public funds as determined by the local government, and (iii) state that mitigation for development impacts to facilities on the Strategic Intermodal System made pursuant to this subsection requires the concurrence of the Department of Transportation. In addition, the first sentence of Policy 13.18 should be revised to clarify that “By December 1, 2006, the County shall establish within its Land Development Code (LDC) a Proportionate Fair-Share Program in accordance with Subsection 163.3180(16), Florida Statutes (F.S.) ...”

B. FLUM Amendment

A proposed Future Land Use Map (FLUM) amendment to change a 54 acre parcel from Suburban Estates (1 dwelling unit per acre) to Planned Development (109 dwelling units).

1. Objection: The proposed FLUM amendment increases the development potential on the subject amendment parcel and increases the potential number of vehicle trips from the parcel. The proposed FLUM amendment is not appropriately supported by a transportation analysis (including assumptions, data sources, and description of methodologies used) for the five year and long term planning timeframes of the comprehensive plan addressing the following: (1) the number of peak hour vehicle trips generated by the maximum development potential allowed by the FLUM amendment; (2) the impact of the peak hour vehicle trips (including the combined trips of FLUM amendments impacting the same road segment) on the projected operating level of service of CR 46A; (3) the need for road improvements (scope, timing and cost of improvements) or other planning alternatives to maintain the adopted level of service standards on CR46A; (4) coordination of the road improvements or other planning alternatives with the Future Land Use Element, Transportation Element (including Future Transportation Map or map series), and Capital Improvements Element, and implementation through the Five-Year Schedule of Capital Improvements; and (5) coordination of the road improvements with the plans of the Florida Department of Transportation and the plans of the applicable Metropolitan Planning Organization. The amendment is not appropriately supported by data and analysis demonstrating the amendment is consistent with the following provisions of the County’s Comprehensive Plan: Future Land Use Element Goal, Objectives FLU 5 and 6, and Policy FLU 6.1; Transportation Element Goals 1, 2, and 4, Objectives TRA 1, 2, 3, 4, 5, 6, 13, and 14, and Policies TRA 2.1, 2.2, 5.1, 5.5, 13.1, 13.2, 14.1, and 14.3; and Capital Improvements Element Goals 1 and 3, Objectives CIE 1 and 3, and Policies CIE 1.1 and 1.5.

The proposed FLUM amendment is not consistent with the following requirements: Rules 9J-5.002(8); 9J-5.005(2 and 5); 9J-5.006(3)(b)1; 9J-5.006(3)(c)3; 9J-5.006(4); 9J-5.019(3)(f, g, h, and i); 9J-5.019(4)(b)1, 2, and 3; 9J-5.019(4)(c)1; 9J-5.019(5)(a and b); 9J-5.016(1)(a); 9J-5.016(2)(b, c, and f); 9J-5.016(3)(b)1, 3, and 5; 9J-5.016(3)(c)1.d, 1.e, 1.f, and 1.g; 9J-5.016(4)(a)1, 2, and 4; 9J-5.015(3)(b)1 and 2; 9J-5.015(3)(c)1, 5, and 11, F.A.C.; and Sections 163.3177(1, 2, 3, 4, and 8); 163.3177(6)(a, b, and j); and 163.3177(6)(h)1 and 2, F.S.

Recommendation: Revise the amendment to include the required analysis necessary to support the FLUM amendment and demonstrate coordination of land use with the planning and provision of transportation facilities and coordination with the Capital Improvements Element. Revise the Transportation Element, Capital Improvements Element, and Future Land Use Element, as necessary, to be consistent with and supported by the data and analysis and to achieve internal consistency with the FLUM. Include data and analysis demonstrating coordination of the amendment with the plans of the Florida Department of Transportation and the applicable Metropolitan Planning Organization. Revise the amendment as necessary to be consistent with and supported by the data and analysis.

2. Comment: The FLUM amendment increases the development potential on the subject amendment parcel and will cause a slight increase in the potential demand upon potable water facilities. The data and analysis for the FLUM amendment indicates a potable water deficit by year 2010 for the facilities that would serve the subject amendment parcel. The amendment analysis addresses the deficiency by noting several steps that the County is taking, including updating its Consumptive Use Permit and a plan amendment to address the County's 10 Year Water Supply Facility Work Plan. The Department recommends the analysis for the FLUM amendment be revised to identify the amount of potable water that is projected (5 Year and Long Term) to be available to serve the FLUM amendment and to identify the potable water capital facility capacity improvements, if any, that will be needed to meet future water demand (5 Year and Long Term), and to clarify that the specific facility improvements will be addressed in the corresponding plan amendment for the 10 Year Water Supply Facility Work Plan.

3. Comment: The Seminole County Public School District has indicated a lack of planned available school capacity to accommodate the potential students from the FLUM amendment; and therefore, the County may wish to consider not adopting the FLUM amendment until there are planned school capacity expansions/additions to the School District five-year capital plan to accommodate the potential students.

Proposed response to Objection#1:

The proposed planned development of 109 single family homes which is capped by a development order will generate 116 pm (73 in and 43 out) peak hour trips. Also, the proposed planned development would result in a net increase of 54 peak hour trips (34 in and 20 out) compared to the maximum density under the existing FLUM. See revised Table 1.

With the net increase of 54 pm peak hour trips all segments of CR 46A will operate at or above the adopted LOS except for the segment between International Parkway and Rinehart Road. CR 46A from International Parkway to Rinehart Road is identified for improvement in the 2020 Comprehensive Plan - Capital Improvements Element (CIE) for Seminole County. CR 46A @ Rinehart Road – Intersection Improvements (Project # 00191643) has \$400,000 allocated to its completion, see attached "CIE Exhibit-53". This project would help to decrease the delay and increase the operating speed of CR 46A, particularly between I-4 and Rinehart Road.

The technical memorandum for "CR 46A Between Rinehart Road and I-4 Eastbound Ramp – Traffic Operations Study", substantiates that the already allocated funds for this project would, increase the functionality of CR 46A in the near future, please refer to attached "Table 15". It should be noted that this segment will operate below the adopted LOS with or without the land use change in the year 2025.

The project is currently adopted in the Seminole County Capital Improvements Element (CIE) under the table entitled "FDOT Adopted Five Year Improvement Plan - Major Capital Projects". This table will be updated to reflect the most recent TIP in February/March of 2007 when the County is planning to do its annual CIE update. The CR46A/Rinehart project is also adopted in the County's current CIE to be under construction in 2007.

Also, the programmed SR 417 Extension between I-4 and International Parkway would offer relief to CR 46A as an alternative East-West facility between International Parkway and Rinehart Road. The SR 417 Extension project (Financial Management # 4155871), has funding allocated through the construction phase in the five year TIP published by Metroplan, see attached exhibit – Page III-15 from Metroplan TIP. The SR 417 Extension is proposed for construction in 2010/11 in the most recently adopted Transportation Improvements Program of METROPLAN Orlando. The project is currently adopted in the Seminole County Capital Improvements Element (CIE) under the table entitled "FDOT Adopted Five Year Improvement Plan - Major Capital Projects". This table will be updated to reflect the most recent TIP in February/March of 2007 when the County is planning to do its annual CIE update.

Staff did not respond to Comments 2&3 as the DCA only wants the Objections resolved.

II. CONSISTENCY WITH STATE COMPREHENSIVE PLAN

Objection: The proposed Comprehensive Plan Amendment 06-2 is not consistent with and does not further the following provisions of the State Comprehensive Plan (Chapter 187, Florida Statutes) for the reasons noted in the objections raised above in Section I:

- (a) Goal 15.a (Land Use); Policy 15.b.1, and 15.b.5;
- (b) Goal 19.a (Transportation); Policies 19.b.2, 19.b.3, 19.b.9, and 19.b.13; and
- (c) Goal 25.a (Plan Implementation); Policy 25.b.7.

Recommendation: Revise the plan amendment as recommended for the objections raised above.

Table 1
Steve Valentine/Orange Boulevard
Trip Generation

Land Use	ITE Code	Size	/ Units	Daily Trips			Pm Peak Hour		
				Total Traffic	In	Out	Total Traffic	In	Out
Existing Future Land Use Maximum Density₁									
Single Family ₂	210	54	DU	590	295	295	62	39	23
Proposed Future Land Use Maximum Density₁									
Single Family ₃	210	109	DU	1,126	563	563	116	73	43
<i>Net increase in Trips</i>				<i>536</i>	<i>268</i>	<i>268</i>	<i>54</i>	<i>34</i>	<i>20</i>

Source: GMB Engineers & Planners

Notes:

- 1 Proposed FLU is Planned Development (PD), Existing FLU is Suburban Estate (SE), Gross Acres = 54 acres, and Developable Acres = 49 acres.
- 2 SE is Single Family occurring on Gross Area @ 1.0 units/acre.
- 3 PD is designated as 109 Single Family at approximately 2.0 units/acre.
- 4 Trip generation estimates based on FDOT TIPS Software.

**Table 3
COMPREHENSIVE PLANNING DIVISION (TRANSPORTATION)**

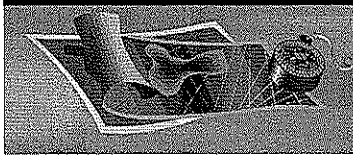
APPLICANT			ACRES	EXISTING USE	PLAN AMENDMENT						REZONING REQUEST															
Orange Boulevard/Steve Valentine			54.0	Miscellaneous Residential	FROM: SE TO: PD						FROM: A-1 TO: PUD															
Identification of Major Roadways Serving Site by Roadway Segment			Existing FDOT Classification	LOS Standard	Number of Lanes Year			With Existing FLU						With Proposed FLU												
Name:	From:	To:			2006	2015	2025	2006		2015		2025		2015		2025										
							PK	HR	PK	DIR	LOS	PK	HR	PK	DIR	LOS	PK	HR	PK	DIR	LOS	PK	HR	PK	DIR	LOS
CR 46A	Orange Boulevard	International Parkway	Arterial	E	4	4	4	749		B	1,349		D	2,016		E	1,374		D	2,041		E				
CR 46A	International Parkway	Rinehart Road	Arterial	E	4	4	4	2,035		E	2,218		E	2,422		F	2,230		F	2,433		F				
CR 46A	Rinehart Road	Country Club Road	Arterial	E	4	4	4	1,092		C	1,613		D	2,192		E	1,616		D	2,196		E				

LOS X - Level of Service based on capacity

FLU - Future Land Use

Note: Programmed improvement at the intersection of CR 46A and Rinehart Road and the planned improvement of SR 417 Extension from I-4 to International Parkway would offer relief to CR 46A between International Parkway and Rinehart Road.

Data and Analysis	
<p>The land use change associated with Orange Boulevard/Steve Valentine resulted in net increase of 54 peak hour trips. The proposed amendment is not expected to alter the LOS or generate new or additional demands for transportation improvements beyond those identified in the Comprehensive Plan to address Plan growth projections. The proposed amendment will not alter the options or long-range strategies for facility improvements or capacity additions included in the support documentation to the Plan.</p>	<p>This form is used for general site evaluation and information purposes only at this preliminary development order stage. See staff report for the preliminary analysis of the impact of the proposed amendment on services and facilities prepared consistent with the methodology used to prepare the Comprehensive Plan. This is not a Concurrency evaluation or analysis which must be conducted prior to the first final development order. No final development order may be issued without Concurrency.</p>



Vision 2020 Comprehensive Plan Seminole County, Florida

Project #	Transportation Project Title	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
00005701	Airport Blvd - US 17-92 to CR 46A	509,077	-	-	-	-
00005801	C-15 (Monroe Rd) - SR 46 To US 17-92	6,557,647	8,300,000	-	-	-
00006101	Airport Blvd - CR 46A to SR 46	2,638,088	-	-	-	-
00006102	Airport Blvd - US 17-92 to SR 46 (Construction)	18,537,217	-	-	-	-
00006201	Bunnell Rd - Eden Park Rd to West Town Pkwy	88,764	-	-	-	-
00006202	Bunnell Rd/Eden Park Ave (Construction)	4,137,336	-	16,632,000	-	-
00006301	Chapman Rd - SR 426 to SR 434	3,436,046	3,000,000	10,000,000	-	-
00006702	CR 427 - SR 436 to Charlotte St	1,309,317	-	-	-	-
00007001	CR 427 - Longwood-Lake Mary Rd to US 17-92	65,900	-	-	-	-
00007202	CR 427 - US 17-92 to Lake Mary Blvd	208,516	-	-	-	-
00007502	Dodd Rd - Red Bug Lake Rd to Howell Branch Rd	672,885	-	-	-	-
00007701	Eden Park Rd - Bunnell Rd to Orange County Line	47,568	-	-	-	-
00010401	E Lake Mary Blvd - Sanford Ave to Ohio Ave	704,254	-	-	-	-
00010701	E Lake Mary Blvd - Ohio Ave to SR 415	4,427,743	-	-	-	-
00011401	CR 46A - CR 15 to Old Lake Mary Rd	8,834,383	-	-	-	-
00012401	Lake Dr - Seminola Blvd to Tuskawilla Rd	17,590,002	-	-	-	-
00012402	Lake Dr - Seminola Blvd to Tuskawilla Rd (Casselberry)	909,011	-	-	-	-
00012403	Lake Dr - Seminola Blvd to Tuskawilla Rd (SNOCWTA)	460,000	-	-	-	-
00013701	Sand Lake Rd - Hunt Club Blvd to SR 434	2,023,174	-	-	-	12,500,000
00014201	Miscellaneous Right-of-way, C	25,000	-	-	-	-
00014601	Wymore Rd - Orange County Line to SR 436	3,973,838	-	-	-	8,502,045
00016202	TRAFFIC PROJECTS- FUTURE	150,000	150,000	150,000	150,000	-
00024201	Howell Branch Rd - Lake Howell Rd to SR 436	136,000	-	-	-	-
00024202	Howell Branch Rd / Lake Howell Rd / SR 436 Landscaping	64,000	-	-	-	-
00024203	Howell Branch Road / Lake Howell Road / SR 436 Traffic and S	136,667	-	-	-	-
00054101	Lake Emma Rd - Sand Pond Rd to Longwood Hills Rd	2,956,788	14,329,506	-	-	-
00075301	CR 46A - Rinehart Rd to CR 15	31,484	-	-	-	-
00137101	Asphalt Surface Maintenance Pr	3,466,875	2,800,500	4,200,525	4,410,550	4,631,078
00173501	Rds Access Mgt And Resurfacin	141,816	-	-	-	-
00175502	Jpp/sr434 Sixlane/maitland-436	312,677	-	-	-	-
00175503	SR 434 - Maitland Blvd to SR 436	312,677	-	-	-	-
00187718	Riverwalk Trail - C-15 to Frech Ave - City of Sanford Lead	-	-	690,000	-	-
00187723	Cross Seminole Trail - Big Tree Park to Old Sanford Oviedo R	1,511,501	500,000	-	-	-
00187724	Aloma Ave at Red Bug Lake Rd - Pedestrian Overpass	-	2,050,000	-	-	-
00191617	Minor Rd. Program - Future Years	-	-	4,000,000	4,000,000	4,000,000
00191618	Celery Ave - Mellonville Ave to SR 415	769,815	450,000	-	-	-
00191620	Minor Road Program (11541 Fund	187,500	187,500	187,500	187,500	187,500
00191621	Richmond Ave - SR 46 to Moore's Station	99,014	-	-	-	-
00191622	Eng-beardall Ave	50,000	750,000	-	-	-
00191623	Red Bug Lake Rd @ Tuskawilla Rd - Intersection Improvements	2,015,865	-	-	-	-
00191625	Eng-w. Crystal Drive	15,935	-	-	-	-
00191629	Eng-old Mims Rd (cr426 To S.	309,342	-	-	-	-
00191630	Slavia Rd @ SR 426 - Intersection Improvement	405,286	-	-	-	-
00191636	CR 431 (Orange Blvd) - CR 46A to SR 46	132,008	2,800,000	-	-	-
00191638	Vihlen Paving	475,000	-	-	-	-
00191640	Country Club Rd - Rantoul Ln to CR 46A	150,000	1,000,000	-	-	-
00191642	SR 436 @ Maitland Ave - Intersection Improvement	-	75,000	-	-	-
00191643	CR 46A @ Rinehart Rd - Intersection Improvement	50,000	350,000	-	-	-



Table 15
CR 46A & Rinehart Road Traffic Operations Study
CORSIM Model Comparison- Future Year 2012 PM Design Hour Conditions
No Build Versus Build Scenarios Model Travel Time and Speed Comparison by Segment

PM PEAK HOUR CONDITIONS				
Roadway Segment	NB Scenario		Build Scenario	
	Travel Time (sec)	Avg Speed (mph)	Travel Time (sec)	Avg Speed (mph)
CR 46A Eastbound				
I-4 Westbound Ramp to I-4 Eastbound Ramp	69.2	14.0	44.1	22.0
I-4 Eastbound Ramp to Rinehart Road	164.1	3.3	50.2	10.9
CR 46A Westbound				
East of Rinehart Road	78.2	16.6	87.0	14.9
Rinehart Road to I-4 Eastbound Ramp	62.0	8.8	48.6	11.2
Rinehart Road Northbound				
Timacuan Blvd. to CR 46A	69.3	15.6	65.6	16.5
CR 46A to North of CR 46A	44.1	36.7	43.8	36.9
Rinehart Road Southbound				
North of CR 46A to CR 46A	670.0	2.4	96.2	16.8
CR 46A to Timacuan Blvd.	28.7	37.0	28.0	37.8
NBL - Rinehart Road to I-4 Eastbound Ramp				
Timacuan Blvd. to CR 46A	124.8	8.7	90.2	12.0
CR 46A to I-4 Eastbound Ramp	19.3	17.3	19.2	17.1
SBR - Rinehart Road to I-4 Eastbound Ramp				
North of CR 46A to CR 46A	664.2	2.4	52.7	30.7
CR 46A to I-4 Eastbound Ramp	19.3	17.3	19.2	17.1

No Build Versus Build Scenarios Model Travel Time and Speed Comparison by Section

PM PEAK HOUR CONDITIONS				
Roadway Section	NB Scenario		Build Scenario	
	Travel Time (sec)	Avg Speed (mph)	Travel Time (sec)	Avg Speed (mph)
CR 46A				
I-4 Westbound Ramp to Rinehart Road	233.3	6.5	94.3	16.1
East of Rinehart Road to I-4 Eastbound Ramp	140.2	13.1	135.6	13.6
Rinehart Road				
Timacuan Blvd. to North of CR 46A	113.4	23.8	109.4	24.7
North of CR 46A to Timacuan Blvd.	698.7	3.9	124.2	21.7
Rinehart Road to I-4 Eastbound Ramp				
Timacuan Blvd. to I-4 Eastbound Ramp (NBL)	144.1	9.7	109.4	12.8
North of CR 46A to I-4 Eastbound Ramp (SBR)	683.5	2.8	71.9	27.0

METROPLAN ORLANDO
TRANSPORTATION IMPROVEMENT PROGRAM

FEDERAL AND STATE FUNDS

HIGHWAY PROJECTS

SEMINOLE COUNTY

FINANCIAL MANAGEMENT NUMBER	PROJECT NAME OR DESIGNATION	PROJECT DESCRIPTION				PROJECT STATUS AND COST (\$000's)					FUND SOURCE	PROJECT PHASES	MAP REF. NO.
		FROM	TO	LENGTH (MI.)	WORK DESCRIPTION	2006/07	2007/08	2008/09	2009/10	2010/11			
4137471	Cross Seminole Trail	Red Bug Lake Rd.	Franklin St.		Construct Shared Use Path		2,000				ACSE	Payback	
4137481	Cross Seminole Trail	Gardenia Ave.	Wade St.		Construct Shared Use Path	2,000					ACSE	Payback	
4137491	Cross Seminole Trail	Orange/Seminole Co. Line	Mikler Rd.		Construct Shared Use Path	900 150					ACSU DDR	Payback Payback	
4147791	SR 15/600/US 17/92	Orange/Seminole Co. Line	Lake-of-the-Woods Blvd.	1.04	Reconstruct from Rural to Urban		5 1,200	8,000			DIH DDR	PE Paybackj	1 & 2-25
4150301	SR 426/CR 419	Pine St.	Lockwood Blvd.	3.00	Widen to 4 Lanes	1,418					HPP	PE	
4155271	SR 15/600/US 17/92	N of Raven/Shepard Rd.	N of Airport Blvd.	4.53	Resurfacing	3,394 231					DDR DIH	CST CST	
4155871	SR 417 Extension	I-4	International Pkwy.	0.10	New 4-Lane Expressway	10	1,200			100 11,281	DIH DS DIH DS	PE PE CST CST	1-26
4166211	Cross Seminole Trail	Mikler Rd.	Red Bug Lake Rd.		Construct Shared Use Path	138 138 825					DDR LF XU	CST CST CST	
4171781	SR 46	E of SR 415	Seminole/Volusia Co. Line	12.24	Resurfacing		315 5,023				DIH DS	CST CST	
4174611	Kewannee Trail	Wilshire Blvd.	Brittany Ct.		Construct Shared Use Path			250	1,000		SE SE	PE CST	

Ⓞ This US 17/92 project is funded for construction by Seminole County in FY 2005/06. These funds will be paid back by FDOT in FY 2008/09.

