Item# VI A	_
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SEMINOLE COUNTY GOVERNMENT LOCAL PLANNING AGENCY/PLANNING &ZONING COMMISSION AGENDA MEMORANDUM

SUBJECT: Comprehensive Plan Amendment from Suburban Estates to Planned		
Development and rezoning from A-I (Agriculture) to PUD (Planned Uni-		
Development) - Jewish Senior Housing Council		
AUTHORIZED BY: Matthew West CONTACT: Cindy Mathen Ext. 7430		
Agenda Date 02/20/02 Regular Consent Work Session Briefing Public Hearing – 1:30 Public Hearing – 7:00		
MOTION/RECOMMENDATION:		
Approval of a comprehensive plan amendment from Suburban Estates to Planned Development for a 20-acre site located west of I-4, east of the Seminole-Wekiva Trail, and 3000 feet south of Lake Mary Boulevard.		
Approval of the rezoning from A-I (Agriculture) to PUD (Planned Unit Development) with development standards per the attached Development Order.		
District 5 - McLain (Cindy Matheny, Senior Planner)		

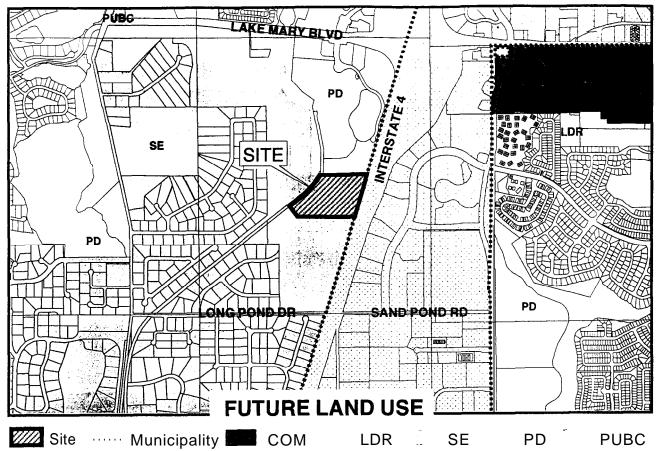
BACKGROUND:

The applicant is requesting a large-scale land use amendment from Suburban Estates to Planned Development in order to develop an elder housing complex on a 20-acre parcel. The applicant also requests a rezoning from A-I to PUD. The site abuts I-4, the Oakmonte PUD, and vacant Suburban Estates properties. The site also abuts the Seminole-Wekiva Trail and access will be provided to the Trail for residents of the project.

Site development would consist of fifty, one-story units on the west side of the site., and 200 assisted-living units on the east side of the site.

Reviewed by:

Reviewed by:
Co Atty: Reviewed for leg
DFS:
Other:
DCM:
CM:
File No. Z2001-045



////// Site

SE

PD

PUBC

Applicant: **Physical**

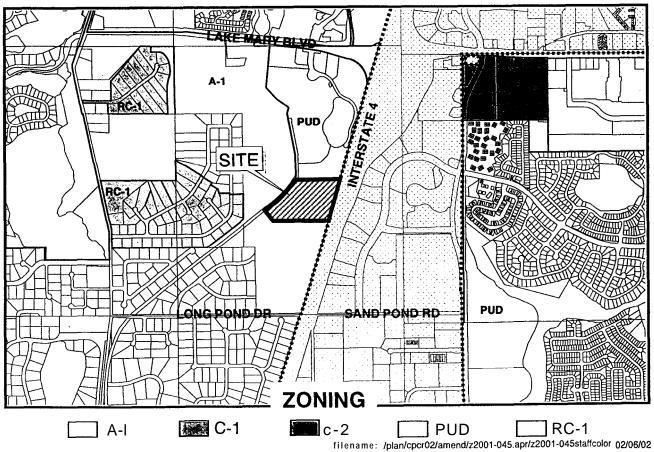
Oakmonte Senior Village

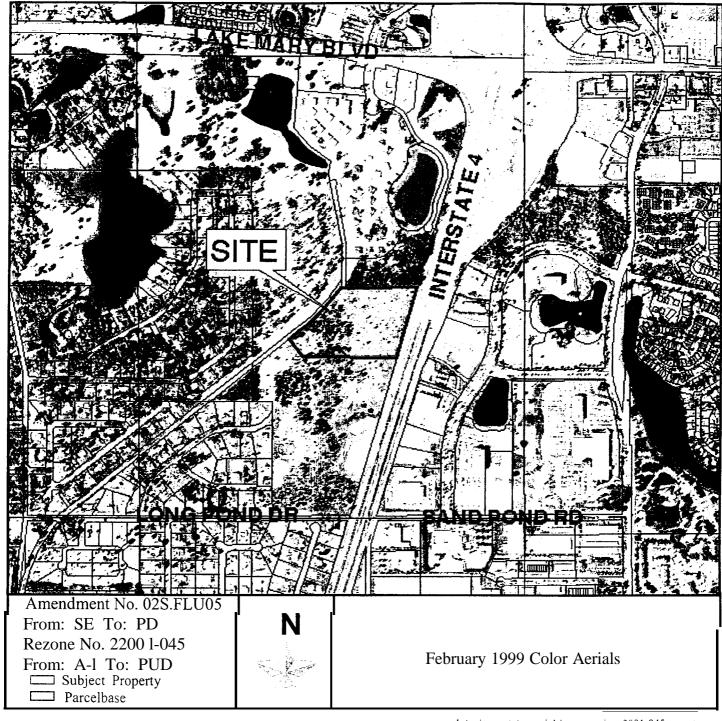
STR: 13-20-29-300-005B-0000

Gross Acres: +/-20 BCC District: 5

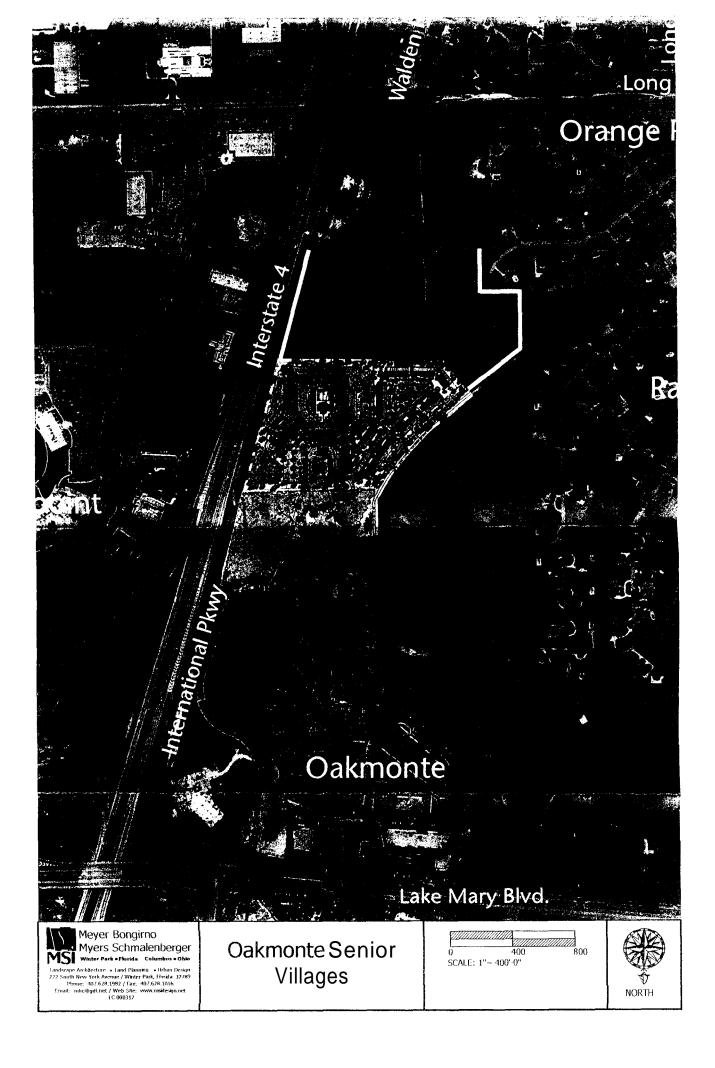
Existing Use: Vacant
Special Notes:

	Amend/ ezone#	From	То
FLU	02S.FLU05	SE	PD
Zonin	g Z2001-0 4	5 A-I	PUD





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EXECUTIVE SUMMARY

Suburban Estates to Planned Develoement

Amendment 02S.FLU05 & Z2001-045

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REQUEST		
APPLICANT	Jewish Senior Housing Council	
PLAN AMENDMENT	Suburban Estates to Planned Development	
REZONING	A-I (Agriculture) to PUD (Planned Unit Development)	
APPROXIMATE	20	
GROSS ACRES		
LOCATION	West of I-4, east of the Seminole Wekiva Trail, and 3000 feet south of Lake Mary Blvd.	
SPECIAL ISSUES	The site abuts a portion of the Seminole Wekiva Trail	
BOARD DISTRICT	#5 - Commissioner McLain	
RECOMMENDATIO		
STAFF	PLAN AMENDMENT:Recommend approval of Planned	
RECOMMENDATION	Development land use with findings that Planned	
February 20, 2002	Development land use with findings that Flatined Development land use, as proposed, would be:	
rebluary 20, 2002	Consistent with Plan policies related to the Planned	
	Development land use designation; and	
	Consistent with adjacent Planned Development and	
	Suburban Estates land uses; and	
	3. Consistent with Plan policies related to mixed-use	
	development; and	
	4. Consistent with development within the Oakmonte PUD	
	to the north; and	
	5. Consistent with Plan policies identified at this time.	
	REZONE: Based on the above analysis, staff recommends:	
	The request, as proposed, would be compatible with surrounding development; and	
	2. The request, as proposed, would be consistent with the	
	Seminole County Land Development Code regarding	
	PUD zoning.	
	(see next page)	

Suburban Estates to Planned Development

Amendment 02S.FLU05 & Z2001-045

RECOMMENDATIONS AND ACTIONS

STAFF RECOMMENDATION February 20, 2002

Therefore, Staff recommends approval of PUD zoning on the site, subject to:

- 1. Maximum building height shall be 35 feet.
- 2. The Owner shall provide a pedestrian gate for residen access to the Seminole-Wekiva Trail.

- 3. The Owner shall provide a split-face block wall with a height of 6 feet along the west and south property lines. Within the landscape buffer adjacent to the wall the Owner shall provide a row of canopy trees and a row of understory trees which shall be staggered to provide maximum visual screening.
- 4. Buildings within the western tract shall be limited to on story in height and shall have hip or gable roof
- 5. Parking requirements for the western tract shall be on space per dwelling unit, plus one guest space for ever 4 units or fraction thereof. Parking for the eastern trad shall be one space for each employee on the largest shift plus one space per four beds.
- 6. Outdoor recreation amenities provided in the eastern tract are for the benefit of all residents in the P\UD and shall be counted towards the 25% open space required for the overall PUD.
- 7. The project shall maintain a 25 foot wide landscape buffer and 50 foot building setback along the west and south property lines.
- 8. Access shall be provided via an extension of the Oakmonte PUD internal road system.
- 9. No off-sitsignage shall be permitted.
- 10. Lighting for the outdoor parking lots shall have a maximum height of 16 feet, including fixtures, which shall be cut-off/shoebox type fixtures or equivalent.
- 11. The project shall meet all portions of the Land Development Code which apply to multi-family development.
- 12. On the western tract, parking and circulation areas shall be separated from the property line by the residential buildings.

STAFF ANALYSIS

Suburban Estates to Planned Development

Amendment 02S.FLU05 & Z2001-045

- 1. Property Owners: Norbert M. Dorsey, as Bishop of the Catholic Diocese of Orlando
- 2. <u>Tax Parcel Numbers</u>:13-20-29-300-005B-0000
- 3. Applicant's Statement: None.
- **4.** <u>Development Trends</u>: Development trends along Lake Mary Boulevard are towards commercial uses to the north and northeast of the site, and residential to the west. Along I-4, homes on I-acre lots are west of the interstate, with office and hotels east of I-4 and within the City of Lake Mary.

SITE DESCRIPTION

I. EXISTING AND PERMITTED USES:

- a. The A-I zoning district permits single-family development at a maximum density of one unit per acre, and a variety of agricultural and non-residential uses, such as churches.
- b. The site is currently vacant and abuts vacant properties designated Suburban Estates and zoned A-I to the north and west. The northwest portion of the site abuts the Seminole-Wekiva Trail corridor. To the north, the site abuts the Oakmonte PUD, a mixed-use development consisting of office, commercial, multi-family, and institutional uses. Vacant parcels within the Oakmonte PUD which are designated for offices and an assisted-living facility, are immediately adjacent to the site.

Location	Future Land Use*	Zoning*	Existing Use
Site	Suburban Estates	A-I	Vacant
North	Planned Development	PUD	Vacant
South	Suburban Estates	A-I	Vacant
East	I-4 and City of Lake Mary	I-4 and City of Lake Mary	Office and hotel east ofl-
West	Suburban Estates	A-I	Vacant

^{*} See enclosed future land use and zoning maps for more details.

COMPREHENSIVE PLAN CONSISTENCY

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

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

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

Access to the subject property is via the Oakmonte PUD internal roadway system, which is constructed to Seminole County standards, to Lake Mary Boulevard, an arterial road. The roadway connects the site to the mixed-use Oakmonte PUD.

B. <u>Water and Sewer Service – Adopted Potable Water and Sanitary Sewer Service</u>

<u>Area Maps:</u> Figure 11. 1 and Figure 14. 1 are the water and sewer service area maps for Seminole County.

The subject properties are within the Seminole County Utilities water and sewer service area.

C. <u>Public Safety- Adopted Level of ServicThe</u> County shall maintain adopted levels of service for fire protection and rescue...as an average response time of five minutes (Public Safety Policy 12.2.2).

The property is served by the Seminole County EMS/Fire Rescue Paola Station (Station # 35). Response time to the site is less than 5 minutes, which meets the County's average response time standard of 5 minutes.

- **3. REGULATIONS** The policies of the Plan also contain general regulatory guidelines and requirements for managing growth and protecting the environment. These guidelines will be used to evaluate the overall consistency of the land use amendment with the Vision 20/20 Plan, but are not applied in detail at this stage.
 - A. Preliminary Development Orders: Capacity Determination preliminary development orders and for final development orders under which no development activity impacting public facilities may ensue, the capacity of Category I and Category III public facilities shall be determined as follows: No rights to obtain final development orders under which development activity impacting public facilities may ensue, or to obtain development permits, nor any other rights to develop the subject property shall be deemed to have been granted or implied by the County's approval of the development order without a determination having previously been made that the capacity of public facilities will be available in accordance with law (Implementation Policy 1.2.3).

A review of the availability of public facilities to serve this property indicates that there would be adequate facilities to serve this area, and that the proposed Plan amendment would create no adverse impacts to public facilities.

B. Flood Plain and Wetlands Are \$\frac{2}{2}\$ sood Plain Protection and Wetlands Protection

The County shall implement the Conservation land use designation through the regulation

of development consistent with the Flood Prone (FP-1) and Wetlands (W-I) Overlay Zoning

classifications.. (Policy FLU 1.2 and 1.3).

The subject property does not contain any wetlands and/or flood prone areas.

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

A threatened and endangered species report shall be required prior to final engineering for the subject property.

4. DEVELOPMENT POLICIE Sodditional criteria and standards are also included in the Plan that describe when, where and how development is to occur. Plan development policies will be

used to evaluate the appropriateness of the use, intensity, location, and timing of the proposed amendment.

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

Based upon an <u>initial</u> evaluation of compatibility, Planned Development land use, as proposed, would be consistent with Plan policies identified at this time and therefore is consistent with the <u>Seminole County Comprehensive Plan</u>.

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

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

The applicant proposes to construct two types of elder housing. For independent seniors, fifty, one-story attached units at a net density of 7.4 units per acre would be built on the western 6.75 acres of the site. The remaining 13.25 acres adjacent to I-4 would be developed with 200 two- or three-story assisted living units at a net density of 15.1 units per acre. To ensure compatibility between the proposed PUD and adjacent Suburban Estate land use designation, the applicant must demonstrate that the PUD plan provides for creative site design and appropriate standards for buffering, setbacks, lighting and building height, and limiting adjacent uses to passive, unobtrusive uses. The intent of the Planned Development land use and associated PUD zoning is to provide for a variety of uses and intensities within a development site and encourage flexible and creative site design, and to integrate infrastructure to reduce costs, reduce the provision of excess facilities, and improve visual appearance. Staff is of the opinion that the request meets the intent of the Planned Development definition and PUD zoning classification.

Where the site abuts Suburban Estates properties, the applicant proposes to provide a six foot high wall of split-face block and double row of trees for visual screening. A 25 foot wide landscape buffer will be provided within a 50 foot building setback. Further, the western portion of the site will be limited to smaller-scale buildings with a one-story height limit and no parking located adjacent to the property line. The

proposal, with appropriate development standards related to lighting, buffering, design, and building height, minimizes any potential impacts to the neighboring area. Buildings with a maximum height of 35 feet will be permitted on the east side of the site, abutting I-4 and office uses within the Oakmonte PUD. Recreational uses for the entire PUD will be provided in this area, further reducing impacts to properties located west of the site.

Impacts to the surrounding area are also limited by the applicant's proposal to provide access through the existing Oakmonte PUD to the north. The proposal does not include access through the adjacent Suburban Estates areas but instead orients the project toward a developed, higher-intensity PUD and the Lake Mary Boulevard corridor. The proposal also provides for residential uses located adjacent to an established PUD which contains retail and service uses. Residents of the proposed PUD would be able to access these uses either by using the adjacent recreational trail or by internal vehicular access, thus reducing trips on County roadways.

Other applicable plan policies include:

Determination of Compatibility in the PUD Zoning Classifications (Policy FLU 2.11) On-site Traffic Flow (Policy FLU 2.12)

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

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

- **5. COORDINATION** Each application for a land use designation amendment will be evaluated to assess how and to what extent any additional intergovernmental coordination activities should be addressed.
 - A. <u>Plan Coordination:</u> The County shall continue to coordinate its comprehensive planning activities with the plans and programs of the School Board, major utilities, quasipublic agencies and other local governments providing services but not having regulatory authority over the use of land (Intergovernmental Coordination Policy 8.2.12). Seminole County shall coordinate its comprehensive planning activities with the plans and programs of regional, State and Federal agencies by. ..as the County is now a charter County (Intergovernmental Coordination Policy 8.3.3).

The <u>Vision 2020 Plan</u> fully complies with the State Comprehensive Plan adopted pursuant to Chapter 187, Florida Statutes, and the Strategic Regional Policy Plan of

the East Central Florida Regional Planning Council pursuant to Chapter 163, Florida Statutes. Consistency with the State Plan and the Regional Policy Plan will be evaluated by individual review agencies during the Plan amendment review process.

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FILE

SEMINOLE COUNTY DEVELOPMENT ORDER

On _____, 2002, Seminole County issued this Development Order relating to and touching and concerning the following described property:

Legal description attached as Exhibit A.

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

FINDINGS OF FACT

Property Owner: BISHOP NORBERT M DORSEY, PO BOX 1800, ORLANDO, FL 32802

(Herein referred to as "Owner")

Project Name: OAKMONTE SENIOR VILLAGES

Requested Development Approval: Rezoning from A-I zoning classification to PUD 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 aforedescribed property.

Prepared by: CINDY MATHENY 1101 East First Street Sanford, Florida 32771

Order

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

- (1) The aforementioned application for development approval is GRANTED.
- (2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.
- (3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:
 - a. Maximum building height shall be 35 feet.
 - b. The Owner shall provide a pedestrian gate for resident access to the Seminole-Wekiva Trail.
 - c. The Owner shall provide a split-face block wall with a height of 6 feet along the west and south property lines. Within the landscape buffer adjacent to the wall, the Owner shall provide a row of canopy trees and a row of understory trees which shall be staggered to provide maximum visual screening.
 - d. Buildings within the western tract shall be limited to one story in height and shall have hip or gable roofs.
 - e. Parking requirements for the western tract shall be one space per dwelling unit, plus one guest space for every 4 units or fraction thereof. Parking for the eastern tract shall be one space for each employee on the largest shift plus one space per four beds.
 - f. Outdoor recreation amenities provided in the eastern tract are for the benefit of all residents in the PUD and shall be counted towards the 25% open space required for the overall PUD.
 - g. The project shall maintain a 25 foot wide landscape buffer and 50 foot building setback along the west and south property lines.
 - h. Access shall be provided via an extension of the Oakmonte PUD internal road system.
 - i. No off-site signage shall be permitted.
 - j. Lighting for the outdoor parking lots shall have a maximum height of 16 feet, including fixtures, which shall be cut-off/shoebox type fixtures or equivalent.
 - k. The project shall meet all portions of the Land Development Code which apply to multi-family development.
 - 1. On the western tract, parking and circulation areas shall be separated from the property line by the residential buildings.
- (4) This Development Order touches and concerns the aforedescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said

property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.

(5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

OWNER'S CONSENT AND COVENANT

COMES NOW, the owner, Catholic Diocese of Orlando, on behalf of itself and its heirs, successors, assigns or transferees of any nature whatsoever and consents to, agrees with and covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Development Order.

commitments set forth in this Developme	ent Order.
Witness	BISHOP NORBERT M DORSEY Property Owner
Witness	
STATE OF FLORIDA)	
COUNTY OF SEMINOLE)	
State and County aforesaid to take ac M. Dorsey who is personally	is day, before me, an officer duly authorized in the knowledgments, personally appeared Bishop Norbert known to me or who has produced as identification and acknowledged and
executed the foregoing instrument.	ao idonambanan ama donmombagoa ama
WITNESS my hand and official day of, 2002.	seal in the County and State last aforesaid this

Done and Ordered on the date first written above.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By:
Daryl G. McLain
Chairman

MARYANNE MORSE
Clerk of the Board of
County Commissioners of
Seminole County, Florida.

LEGAL DESCRIPTION

DESCRIPTION (LANDS INSOUTH 1/2 Of SECTION 13-20-29)

A PORTION OF LANDIN THE SOUTH 1/2 OF SECTION 13, TOWNSHIP 20 SOUTH. RANGE 29 EAST, SEMINOLE COUNTY, FLORIDA BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNEOF BLOCK "C", OAKMONTE PARKACCORDING TO THE PLAT THEREOF AS RECORDED LIPLAT BOOK 53, PAGE 75 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, AS THE POINT OF BEGINNING, SAID POINT BEING ON THE WEST RIGHT OF WAY LINE OF STATE ROAD NO. 400; ?-HENCE RUNS 1611'40" W, ALONG SAID WEST RIGHT OF WAY LINE, 850.93 FEET; THENCE RUN N 89'45'37" W, 1087.66 FEET; THENCE RUN N 37'49'36' W, 240.65 FEET TO THE EASTERLY RIGHT OF WAY LINE OF SEMINOLE WEXIVATRAIL (A 50' RIGHT OF WAY); THENCE RUN N 5270'24' E, ALONG SAID EASTERLY RIGHT OF WAY LINE AND CURVE HAVING A CENTRAL ANGLE OF 20'06'21", A RADIUS OF 1935.08 FEET, AN ARC LENGTH OF 679.05 FEET, A CHORD BEARING OF N42'07'13' E AND A CHORD DISTANCE OF 675.57 FEET TOSOUTH LINEOF AFORESAID BLOCK "C"; THENCE RUN S 89'45'37" E, ALONG SAID SOUTH LINE, 288.56 FEET; THENCE RUN N 88'56'45" E, CONTINUING ALONG SAID SOUTH LINE, 586.96 FEET JO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL Of LANDCONTAINS 20.0 ACRES MORE OR LESS.

Matt West To: Cindy Matheny/Seminole@Seminole

02/05/2002 07:55 AM Subject: Re-zoning

---- Forwarded by Matt West/Seminole 02/05/2002 07:58 AM -----



Annette Hatch 02/04/2002 08:20 AM To: DonFisher/Seminole@Seminole, MattWest/Seminole@Seminole

CC:

Subject: Re-zoning

Annette M. Hatch, Executive Assistant to Commissioner Daryl G. McLain, District 5
Seminole County Board of County Commissioners 1101 East First Street, Sanford, FL 32771 407-665-7209 FAX 407-665-7958 ahatch@co.seminole.fl.us

---- Forwarded by Annette t-latch/Seminole 02/04/2002 08:23 AM -----



MAbram7879@aol.com

To: ahatch@co.seminole.fl.us

02/03/2002 03:59 PM

cc: deswine@co.seminole.fl.us, dmerkt@co.seminole.fl.us, dcollett@co.seminole.fl.us, gwalker@co.seminole.fl.us

Subject: Re-zoning

Dear Commissioner,

On Wednesday, Februar 20th, the Jewish Senior Housing Council of Greater will present a request for rezoning to the Planning and Zoning Commissioners. We wish to express our support for the construction of the Jewish Senior Housing Counsel's Senior Village and the rezoning of needed twenty (20) acres adjacent to the Oakmonte development located in the Southwest quadrant of the intersection of I-4 and Lake Mary Boulevard adjacent to the Oakmonte Apartment on Heathrow International Boulevard South.

We are both in our 80 years of age and are currently exploring retirement housing and assisted living facilities in Central Florida. This past week we have visited the Merrill Gardens in Altamonte Springs and Atria Wekiva Springs in Apopka, appraising their programs which in some cases we find unsatisfactory.

Please approve the rezoning request of the Jewish Senior Housing Council. We expect this new facility will have all the programs of which we will approve. We have been permanent residents of Seminole County for the past twenty years.

Sincerely -- Morris and Lillian Abramowitz





JOB NO. 21129

EC. 13, TWP. 20S, RANGE 29E

DRAWN BY:

APPROVED BY: CMM

DATE:09/14/01

SCALE: 1" = 600'

OAKMONTE SENIOR VILLAGES

AERIAL

EXPERIAN 1998 SEMINOLE COUNTY, FLORIDA PAGE: 40 DATE: NOV. 1997