

ITEM # _____

**SEMINOLE COUNTY GOVERNMENT
LAND PLANNING AGENCY / PLANNING AND ZONING COMMISSION
AGENDA MEMORANDUM**

SUBJECT: Major Revision to Preliminary Master Plan for Deep Lake PUD
(Mike Jones Esq., applicant)
DEPARTMENT: Planning & Development **DIVISION:** Planning
AUTHORIZED BY: Matthew West **CONTACT:** Jeff Hopper **EXT** 7431

Agenda Date 12/03/03 Regular Work Session Briefing
Special Hearing – 6:00 Public Hearing – 7:00

MOTION/RECOMMENDATION:

1. Recommend APPROVAL of the requested major revision to a PUD Preliminary Master Plan for an 18.66-acre parcel located south of SR 426 and west of Deep Lake Road, per the attached amended development order (Harvey Slayton and Susan Irelan, applicants); or
2. Recommend DENIAL of the requested major revision to a PUD Preliminary Master Plan for an 18.66-acre parcel located south of SR 426 and west of Deep Lake Road; or
3. CONTINUE the item to a time and date certain.

District 1 – Maloy

Jeff Hopper-Senior Planner

BACKGROUND:

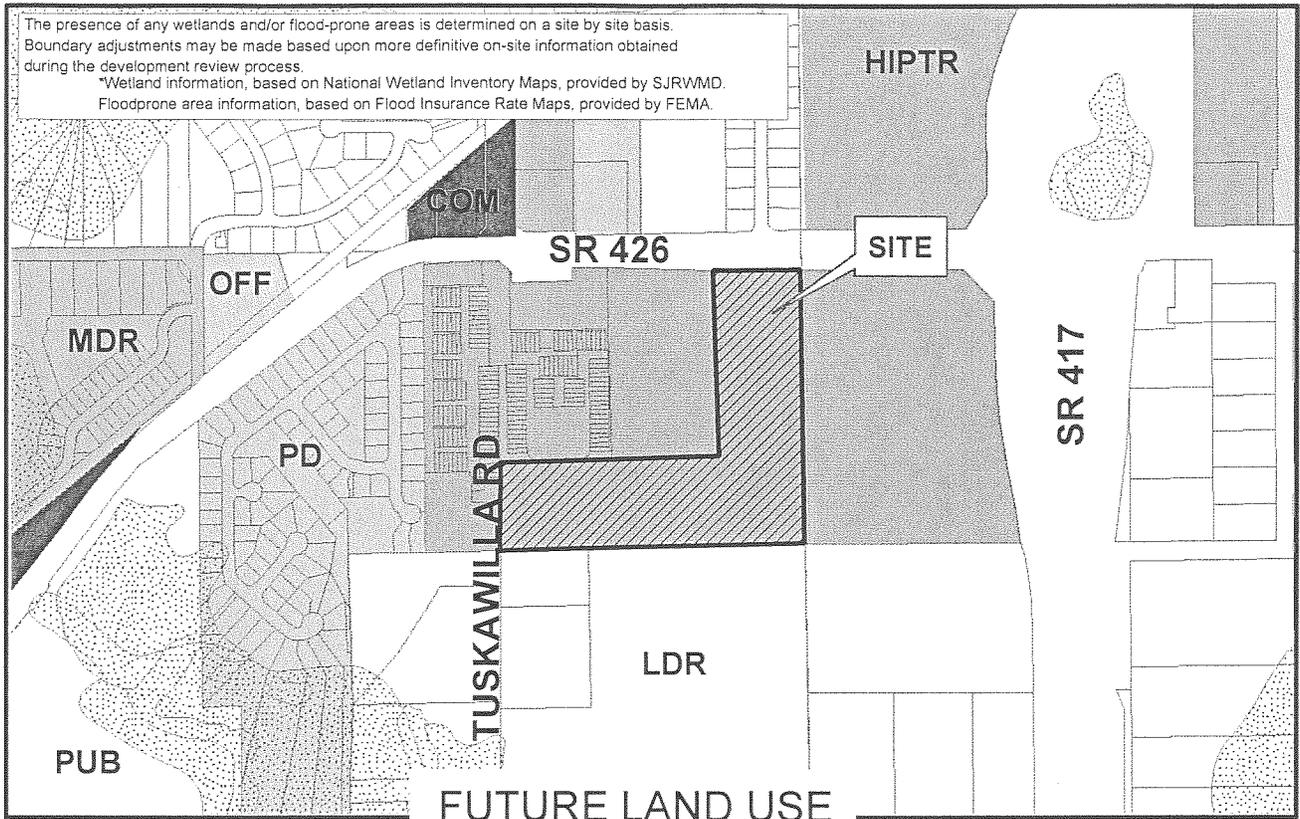
The applicant is proposing a major change to the Preliminary Master Plan for Deep Lake PUD, located on 18.66 acres in the Higher Intensity Planned Development (HIP) land use designation. As compared to the original plan, approved in 2002, the requested changes primarily involve the issue of access and an increase in density.

In revising the preliminary plan, the applicant is proposing a temporary access to SR 426 adjacent to the east side of the subject property. The Board's previous approval required the access to be located along the west edge of the parcel unless the neighboring property owner to the east agreed to a relocation of Deep Lake Road to make use of a planned intersection serving that site. Other proposed changes since the first approval include an increase in density from 5.9 to 9.4 units per acre. Also, commercial/office land use has been reduced, and the project would share retention facilities with the South Tuskawilla Property PUD, adjacent to the south.

Staff has no objection to the access plan as shown by the applicant. Other proposed revisions are consistent with the Vision 2020 Plan and compatible with surrounding land uses. Staff recommends APPROVAL of the request subject to conditions listed in the attached report.

Reviewed by:
Co Atty: _____
DFS: _____
OTHER: _____
DCM: _____
CM: _____
File No. Z2003-049

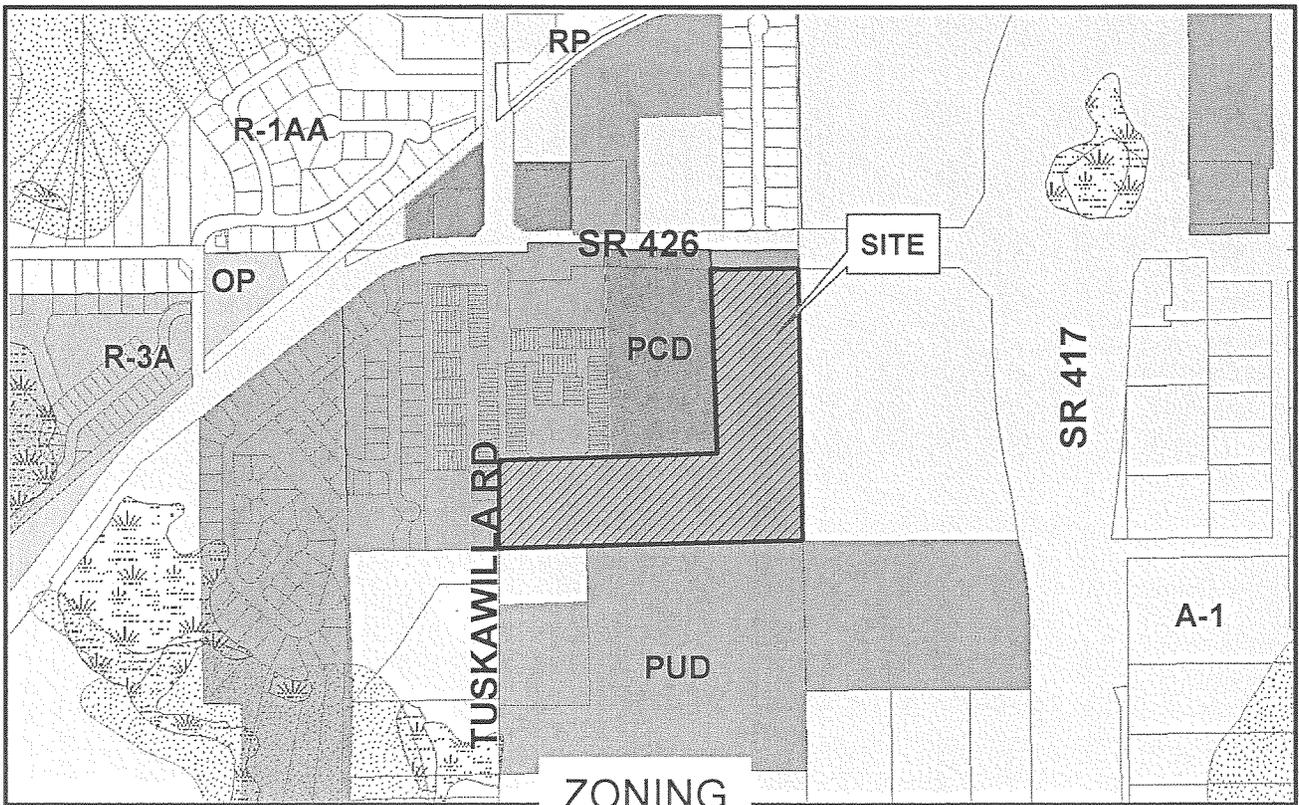
The presence of any wetlands and/or flood-prone areas is determined on a site by site basis. Boundary adjustments may be made based upon more definitive on-site information obtained during the development review process.
 *Wetland information, based on National Wetland Inventory Maps, provided by SJRWMD.
 Floodprone area information, based on Flood Insurance Rate Maps, provided by FEMA.



Site
 LDR
 MDR
 PD
 OFF
 COM
 HIPTR
 PUB
 CONS

Applicant: Mr. Harvey Slayton & Ms. Susan S. Irelan
 Physical STR: 36-21-30-300-0250-0000
 Gross Acres: +/-18 BCC District: 1
 Existing Use: Vacant
 Special Notes: None

	Amend/Rezone#	From	To
FLU	--	--	--
Zoning	Z2003-049	PUD	PUD



Site
 R-1AA
 RP
 OP
 PUD
 A-1
 FP-1
 W-1



Rezone No: Z2003-049
From: PUD To: PUD

-  Parcel
-  Subject Property



February 1999 Color Aerials

SITE DATA

1. PROJECT DESCRIPTION:
 THE PROJECT SITE CURRENTLY IS A CITRUS GROVE WITH PLANTED PINES. IT CONTAINS NO IMPROVEMENTS OTHER THAN AN IRRIGATION WELL AND A BOND. THE PROPERTY WAS PREVIOUSLY COMPLETELY CLEARED AND USED FOR AGRICULTURAL PURPOSES. THE PROJECT PROPOSES TO SUBDIVIDE THE SITE TO PROVIDE FOR THE DEVELOPMENT OF MULTIPLE TOWNSHOMES INCLUDING THE FOLLOWING: GENERAL, COMMERCIAL, HOUSING, HOTEL, HOUSING, JOURNAL, PROFESSIONAL OFFICE, AND MULTI-FAMILY TOWNHOMES (20 DISTRICT EQUIVALENTS). COMMERCIAL USE FACILITIES MAY INCLUDE RESTAURANT, BAR, AND OTHER FOOD SERVICE FACILITIES. APPLICANT PROPOSES TO PROVIDE FOR THE PROPERTY BOUNDARY TO TRACTS. TRACTS 1 AND 2 WILL SHARE COMMON AREA FACILITIES SUCH AS: HOPE ACCESS DRIVEWAY CONNECTION TO ADJACENT AREAS AND TRIP LANE. ALL TRACTS WILL SHARE UTILITIES AND OFF-SITE FLOODWATER MANAGEMENT IMPROVEMENTS. A PROPERTY OWNERS ASSOCIATION WILL BE FORMED TO OPERATE AND MAINTAIN ALL COMMON AREA IMPROVEMENTS LOCATED WITHIN TRACTS K AND L. A DECLARATION OF RESTRICTIONS AND EASEMENTS WILL BE REQUIRED TO ESTABLISH CROSS ACCESS, UTILITY, SEWERAGE, AND FLOODWATER MANAGEMENT EASEMENTS BETWEEN ALL TRACTS.

2. AREA TO BE REZONED: 18.66 ACRES

3. EXISTING ZONING: A-1, AGRICULTURAL

4. PROPOSED ZONING: PUD, PLANNED UNIT DEVELOPMENT

5. LAND USE DESIGNATION: HIP-TL HIGH DENSITY PLANNED DEVELOPMENT - TARGET INDUSTRIES

6. AEA PARCEL NO.: 30-21-30-001-000-004

7. OWNERS: MR. HEAVY SLATTERY AND MS. SHELLEY SLATTERY
 1001 LITTLE ROCK ROAD
 OVRLEA, FL 32761

8. SURVEYOR: ALLEN & COMPANY
 PROFESSIONAL SURVEYORS & MAPPERS
 18 EAST FLORIDA STREET
 WINTER GARDEN, FL 32789

9. ENGINEER: DESIGN SERVICE GROUP, INC.
 3624 SOUTH GRANT STREET
 LONGWOOD, FL 32750

10. SITE AREA, PHASING, AND LAND USES:

TRACT	TRACT AREA	RESIDUALS	FINISH	COMMERCIAL C2 EQUIVALENT
A	1.24 ACRES	21.85 SF	0	0
B	1.24 ACRES	21.85 SF	0	0
C	1.24 ACRES	21.85 SF	0	0
D	1.24 ACRES	21.85 SF	0	0
E	1.24 ACRES	21.85 SF	0	0
F	1.24 ACRES	21.85 SF	0	0
G	1.24 ACRES	21.85 SF	0	0
H	1.24 ACRES	21.85 SF	0	0
I	1.24 ACRES	21.85 SF	0	0
J	1.24 ACRES	21.85 SF	0	0
K	1.24 ACRES	21.85 SF	0	0
L	1.24 ACRES	21.85 SF	0	0
M	1.24 ACRES	21.85 SF	0	0
N	1.24 ACRES	21.85 SF	0	0
O	1.24 ACRES	21.85 SF	0	0
P	1.24 ACRES	21.85 SF	0	0
Q	1.24 ACRES	21.85 SF	0	0
R	1.24 ACRES	21.85 SF	0	0
S	1.24 ACRES	21.85 SF	0	0
T	1.24 ACRES	21.85 SF	0	0
U	1.24 ACRES	21.85 SF	0	0
V	1.24 ACRES	21.85 SF	0	0
W	1.24 ACRES	21.85 SF	0	0
X	1.24 ACRES	21.85 SF	0	0
Y	1.24 ACRES	21.85 SF	0	0
Z	1.24 ACRES	21.85 SF	0	0
AA	1.24 ACRES	21.85 SF	0	0
AB	1.24 ACRES	21.85 SF	0	0
AC	1.24 ACRES	21.85 SF	0	0
AD	1.24 ACRES	21.85 SF	0	0
AE	1.24 ACRES	21.85 SF	0	0
AF	1.24 ACRES	21.85 SF	0	0
AG	1.24 ACRES	21.85 SF	0	0
AH	1.24 ACRES	21.85 SF	0	0
AI	1.24 ACRES	21.85 SF	0	0
AJ	1.24 ACRES	21.85 SF	0	0
AK	1.24 ACRES	21.85 SF	0	0
AL	1.24 ACRES	21.85 SF	0	0
AM	1.24 ACRES	21.85 SF	0	0
AN	1.24 ACRES	21.85 SF	0	0
AO	1.24 ACRES	21.85 SF	0	0
AP	1.24 ACRES	21.85 SF	0	0
AQ	1.24 ACRES	21.85 SF	0	0
AR	1.24 ACRES	21.85 SF	0	0
AS	1.24 ACRES	21.85 SF	0	0
AT	1.24 ACRES	21.85 SF	0	0
AU	1.24 ACRES	21.85 SF	0	0
AV	1.24 ACRES	21.85 SF	0	0
AW	1.24 ACRES	21.85 SF	0	0
AX	1.24 ACRES	21.85 SF	0	0
AY	1.24 ACRES	21.85 SF	0	0
AZ	1.24 ACRES	21.85 SF	0	0
BA	1.24 ACRES	21.85 SF	0	0
BB	1.24 ACRES	21.85 SF	0	0
BC	1.24 ACRES	21.85 SF	0	0
BD	1.24 ACRES	21.85 SF	0	0
BE	1.24 ACRES	21.85 SF	0	0
BF	1.24 ACRES	21.85 SF	0	0
BG	1.24 ACRES	21.85 SF	0	0
BH	1.24 ACRES	21.85 SF	0	0
BI	1.24 ACRES	21.85 SF	0	0
BJ	1.24 ACRES	21.85 SF	0	0
BK	1.24 ACRES	21.85 SF	0	0
BL	1.24 ACRES	21.85 SF	0	0
BM	1.24 ACRES	21.85 SF	0	0
BN	1.24 ACRES	21.85 SF	0	0
BO	1.24 ACRES	21.85 SF	0	0
BP	1.24 ACRES	21.85 SF	0	0
BQ	1.24 ACRES	21.85 SF	0	0
BR	1.24 ACRES	21.85 SF	0	0
BS	1.24 ACRES	21.85 SF	0	0
BT	1.24 ACRES	21.85 SF	0	0
BU	1.24 ACRES	21.85 SF	0	0
BV	1.24 ACRES	21.85 SF	0	0
BW	1.24 ACRES	21.85 SF	0	0
BX	1.24 ACRES	21.85 SF	0	0
BY	1.24 ACRES	21.85 SF	0	0
BZ	1.24 ACRES	21.85 SF	0	0
CA	1.24 ACRES	21.85 SF	0	0
CB	1.24 ACRES	21.85 SF	0	0
CC	1.24 ACRES	21.85 SF	0	0
CD	1.24 ACRES	21.85 SF	0	0
CE	1.24 ACRES	21.85 SF	0	0
CF	1.24 ACRES	21.85 SF	0	0
CG	1.24 ACRES	21.85 SF	0	0
CH	1.24 ACRES	21.85 SF	0	0
CI	1.24 ACRES	21.85 SF	0	0
CJ	1.24 ACRES	21.85 SF	0	0
CK	1.24 ACRES	21.85 SF	0	0
CL	1.24 ACRES	21.85 SF	0	0
CM	1.24 ACRES	21.85 SF	0	0
CN	1.24 ACRES	21.85 SF	0	0
CO	1.24 ACRES	21.85 SF	0	0
CP	1.24 ACRES	21.85 SF	0	0
CQ	1.24 ACRES	21.85 SF	0	0
CR	1.24 ACRES	21.85 SF	0	0
CS	1.24 ACRES	21.85 SF	0	0
CT	1.24 ACRES	21.85 SF	0	0
CU	1.24 ACRES	21.85 SF	0	0
CV	1.24 ACRES	21.85 SF	0	0
CW	1.24 ACRES	21.85 SF	0	0
CX	1.24 ACRES	21.85 SF	0	0
CY	1.24 ACRES	21.85 SF	0	0
CZ	1.24 ACRES	21.85 SF	0	0
DA	1.24 ACRES	21.85 SF	0	0
DB	1.24 ACRES	21.85 SF	0	0
DC	1.24 ACRES	21.85 SF	0	0
DD	1.24 ACRES	21.85 SF	0	0
DE	1.24 ACRES	21.85 SF	0	0
DF	1.24 ACRES	21.85 SF	0	0
DG	1.24 ACRES	21.85 SF	0	0
DH	1.24 ACRES	21.85 SF	0	0
DI	1.24 ACRES	21.85 SF	0	0
DJ	1.24 ACRES	21.85 SF	0	0
DK	1.24 ACRES	21.85 SF	0	0
DL	1.24 ACRES	21.85 SF	0	0
DM	1.24 ACRES	21.85 SF	0	0
DN	1.24 ACRES	21.85 SF	0	0
DO	1.24 ACRES	21.85 SF	0	0
DP	1.24 ACRES	21.85 SF	0	0
DQ	1.24 ACRES	21.85 SF	0	0
DR	1.24 ACRES	21.85 SF	0	0
DS	1.24 ACRES	21.85 SF	0	0
DT	1.24 ACRES	21.85 SF	0	0
DU	1.24 ACRES	21.85 SF	0	0
DV	1.24 ACRES	21.85 SF	0	0
DW	1.24 ACRES	21.85 SF	0	0
DX	1.24 ACRES	21.85 SF	0	0
DY	1.24 ACRES	21.85 SF	0	0
DZ	1.24 ACRES	21.85 SF	0	0
EA	1.24 ACRES	21.85 SF	0	0
EB	1.24 ACRES	21.85 SF	0	0
EC	1.24 ACRES	21.85 SF	0	0
ED	1.24 ACRES	21.85 SF	0	0
EE	1.24 ACRES	21.85 SF	0	0
EF	1.24 ACRES	21.85 SF	0	0
EG	1.24 ACRES	21.85 SF	0	0
EH	1.24 ACRES	21.85 SF	0	0
EI	1.24 ACRES	21.85 SF	0	0
EJ	1.24 ACRES	21.85 SF	0	0
EK	1.24 ACRES	21.85 SF	0	0
EL	1.24 ACRES	21.85 SF	0	0
EM	1.24 ACRES	21.85 SF	0	0
EN	1.24 ACRES	21.85 SF	0	0
EO	1.24 ACRES	21.85 SF	0	0
EP	1.24 ACRES	21.85 SF	0	0
EQ	1.24 ACRES	21.85 SF	0	0
ER	1.24 ACRES	21.85 SF	0	0
ES	1.24 ACRES	21.85 SF	0	0
ET	1.24 ACRES	21.85 SF	0	0
EU	1.24 ACRES	21.85 SF	0	0
EV	1.24 ACRES	21.85 SF	0	0
EW	1.24 ACRES	21.85 SF	0	0
EX	1.24 ACRES	21.85 SF	0	0
EY	1.24 ACRES	21.85 SF	0	0
EZ	1.24 ACRES	21.85 SF	0	0
FA	1.24 ACRES	21.85 SF	0	0
FB	1.24 ACRES	21.85 SF	0	0
FC	1.24 ACRES	21.85 SF	0	0
FD	1.24 ACRES	21.85 SF	0	0
FE	1.24 ACRES	21.85 SF	0	0
FF	1.24 ACRES	21.85 SF	0	0
FG	1.24 ACRES	21.85 SF	0	0
FH	1.24 ACRES	21.85 SF	0	0
FI	1.24 ACRES	21.85 SF	0	0
FJ	1.24 ACRES	21.85 SF	0	0
FK	1.24 ACRES	21.85 SF	0	0
FL	1.24 ACRES	21.85 SF	0	0
FM	1.24 ACRES	21.85 SF	0	0
FN	1.24 ACRES	21.85 SF	0	0
FO	1.24 ACRES	21.85 SF	0	0
FP	1.24 ACRES	21.85 SF	0	0
FO	1.24 ACRES	21.85 SF	0	0
FR	1.24 ACRES	21.85 SF	0	0
FS	1.24 ACRES	21.85 SF	0	0
FT	1.24 ACRES	21.85 SF	0	0
FU	1.24 ACRES	21.85 SF	0	0
FV	1.24 ACRES	21.85 SF	0	0
FW	1.24 ACRES	21.85 SF	0	0
FX	1.24 ACRES	21.85 SF	0	0
FY	1.24 ACRES	21.85 SF	0	0
FZ	1.24 ACRES	21.85 SF	0	0
GA	1.24 ACRES	21.85 SF	0	0
GB	1.24 ACRES	21.85 SF	0	0
GC	1.24 ACRES	21.85 SF	0	0
GD	1.24 ACRES	21.85 SF	0	0
GE	1.24 ACRES	21.85 SF	0	0
GF	1.24 ACRES	21.85 SF	0	0
GG	1.24 ACRES	21.85 SF	0	0
GH	1.24 ACRES	21.85 SF	0	0
GI	1.24 ACRES	21.85 SF	0	0
GJ	1.24 ACRES	21.85 SF	0	0
GK	1.24 ACRES	21.85 SF	0	0
GL	1.24 ACRES	21.85 SF	0	0
GM	1.24 ACRES	21.85 SF	0	0
GN	1.24 ACRES	21.85 SF	0	0
GO	1.24 ACRES	21.85 SF	0	0
GP	1.24 ACRES	21.85 SF	0	0
GO	1.24 ACRES	21.85 SF	0	0
GR	1.24 ACRES	21.85 SF	0	0
GS	1.24 ACRES	21.85 SF	0	0
GT	1.24 ACRES	21.85 SF	0	0
GU	1.24 ACRES	21.85 SF	0	0
GV	1.24 ACRES	21.85 SF	0	0
GW	1.24 ACRES	21.85 SF	0	0
GX	1.24 ACRES	21.85 SF	0	0
GY	1.24 ACRES	21.85 SF	0	0
GA	1.24 ACRES	21.85 SF	0	0

11. LAND USES:

TRACT	OVERSIGHT AREA	% OF TOTAL OVERSIGHT AREA	NET AREA	TOTAL AREA	% OF SITE
1	1.24 ACRES	6.68%	0.83 ACRES	12.4 ACRES	12.4%
2	1.24 ACRES	6.68%	0.83 ACRES	12.4 ACRES	12.4%
3	1.24 ACRES	6.68%	0.83 ACRES	12.4 ACRES	12.4%
4	1.24 ACRES	6.68%	0.83 ACRES	12.4 ACRES	12.4%
5	1.24 ACRES	6.68%	0.83 ACRES	12.4 ACRES	12.4%
6	1.24 ACRES	6.68%	0.83 ACRES	12.4 ACRES	12.4%
7	1.24 ACRES	6.68%	0.83 ACRES	12.4 ACRES	12.4%
8	1.24 ACRES	6.68%	0.83 ACRES	12.4 ACRES	12.4%
9	1.24 ACRES	6.68%	0.83 ACRES	12.4 ACRES	12.4%
10	1.24 ACRES	6			

DEEP LAKE PUD

REQUEST INFORMATION	
APPLICANT	Mike Jones, Esq.
PROPERTY OWNER	Harvey Slayton and Susan S. Irelan
REQUEST	Major Modification to PUD Preliminary Master Plan
HEARING DATE (S)	P&Z: December 3, 2003 BCC: December 9 , 2003
PARCEL NUMBER	36-21-30-300-0250-0000
LOCATION	South of SR 426 and east of S. Tuskawilla Road
FUTURE LAND USE	High Intensity Planned Development (HIP)
FILE NUMBER	Z2003-049
COMMISSION DISTRICT	District 1 (Maloy)

OVERVIEW

Zoning Request: The applicant is proposing a major revision to the Preliminary Master Plan for Deep Lake PUD, approved in April 2002 and located on 18.66 acres in the Higher Intensity Planned Development (HIP) future land use designation. As compared to the original plan, the requested change involves an increase in residential density, a slight reduction in office-commercial land area, relocation of retention to an off-site facility, and most importantly, a change in access.

In revising the preliminary plan, the applicant is proposing a temporary main access to SR 426 lying entirely on the subject Slayton/Irelan property. The access would be moved to the east in the future, when the neighboring Clayton property is developed, to make use of a planned intersection already approved by the Florida Department of Transportation. The Board's previous approval required the access to be located along the west edge of the Slayton/Irelan site unless an agreement could be obtained from the Claytons allowing the immediate use of a portion of their property for the relocation of Deep Lake Road.

Rather than locate the main entrance as previously directed by the Board, the applicant would install an unsignalized right-in/right-out intersection on the west side of the property. This would be approximately 200 feet west of the proposed main entrance.

Other proposed changes since the first approval include an increase in the number of dwelling units from 65 to a maximum of 100, for a net density increase from 5.9 to 9.4 units per acre. Also, commercial/office land use has been reduced from 4.41 acres to 3.44 acres. Another significant change is the removal of a 1.65 acre dry retention/open space tract. Retention for Deep Lake PUD would be provided on the site of the South Tuskawilla Property PUD to the south, an adjoining single-family project with the same developer.

Open space is another required feature of the development that may ultimately be shared with the South Tuskawilla Property PUD. In a detailed site layout currently being considered by the developer, the amount of "usable" common open space, as applicable to PUDs, is somewhat less than the 25 percent required by the Code. However, technical

issues related to open space can be addressed in the Final Master Plan review process; only the overall concepts of the project, such as density and access, are requested for approval at this time. Any open space deficit in the final design for Deep Lake would likely be offset by open space created within the South Tuskawilla project. This would be accomplished by combining the two developments under one Final Master Plan.

While certain design aspects of the project have yet to be finalized, the applicant has supplied staff with the following additional points of information:

- All units will have 3 bedrooms and 2 baths, as a minimum, and will range in size from 1,405 to 2,215 square feet of living area.
- All units will be 2-story townhomes to be sold fee-simple.
- Front walls will be staggered to create architectural relief.
- All units will include a 2-car garage.
- Supplemental guest parking will be provided.
- A 50-foot buffer will be provided adjacent to the Saliga property on the southwest corner of the site (the previous approval required 40').
- Along the boundary between residential and commercial use at the northeast corner of the site, there would be 10-foot buffers on each side of the line, with commercial structures subject to a 54-foot setback from the residential property line.

This application is the third request to amend the PUD. The following table compares the current proposal with the original approval and the two subsequent proposals considered in the fall of 2002:

	Approved Preliminary MasterPlan	Proposed Revision 9/02	Proposed Revision 11/02	Proposed Revision 12/03
Number of townhouse units	65	180	133	100
Residential density (gross)	5.9 units/acre	13 units/acre	9.5 units/acre	7.0 units/acre
Residential density (net)	8.2 units/acre*	17.0 units/acre	12.7 units/acre	9.4 units/acre
Typical townhouse lot size	30' x 78'	18.5' x 53'	20' x 52'	30' x 100'
Residential Parking	individual garages	common parking lots	individual garages	individual garages
Commercial/office property	4.41 acres	3.15 acres	3.92 acres	3.44 acres
Recreational facilities	tennis court, pool	"sport court"	tennis court, tot lot, pool, passive recreation area	pool/spa, tot lot, cabana
Retention facilities	landscaped retention areas	off-site retention	off-site retention	off-site retention

	Approved Preliminary MasterPlan	Proposed Revision 9/02	Proposed Revision 11/02	Proposed Revision 12/03
Setbacks/buffers	40-foot setback on south adjacent to Saliga property	no change	additional 20' on south adjacent to Saliga property	no reduction, additional 10' setback on south adjacent to Saliga property

*estimate

Existing Land Uses: The existing zoning designations and land uses are as follows:

	Existing Zoning	Future Land Use	Existing Use
North	PUD, PCD, R-1AA	Higher Intensity Planned Development and Low Density Residential	SF residential, church
South	PUD	Low Density Residential	vacant
East	A-1	Higher Intensity Planned Development	vacant
West	PUD, PCD	Higher Intensity Planned Development	Mini-storage and townhouse residential

For more detailed information regarding zoning and land use, please refer to the attached map.

SITE ANALYSIS

Facilities and Services:

1. Adequate facilities and services must be available concurrent with the impacts of development. If required by the concurrency review, additional facilities and services will be identified.
2. The proposed zoning is consistent with the adopted future land use designation assigned to the property, and does not alter the options or long range strategies for facility improvements or capacity additions included in the Support Documentation to the Seminole County Comprehensive Plan.
3. Water and sewer service will be provided by Seminole County.

Compliance with Environmental Regulations: The project must comply with the requirements of the W-1 Wetlands Overlay District. An undisturbed wetland buffer averaging 25' and not less than 15' is required landward of the wetland limits.

Compatibility with surrounding development: Currently, the surrounding properties have Low Density Residential and Higher Intensity Planned Development future land use designations. The approved Planned Unit Development, together with proposed changes, is compatible with adjacent land use designations.

STAFF RECOMMENDATION

Staff has no objections to the access plan as shown by the applicant, which will require a separate approval from the Florida Department of Transportation.

Other revisions being proposed at this time are consistent with the Vision 2020 Plan and compatible with surrounding land uses. Subject to compliance with Code requirements related to open space, drainage and other development standards, the proposed alterations to the Preliminary Master Plan are reasonable and appropriate to the area.

Staff recommends APPROVAL of the requested modifications to the Preliminary Master Plan, subject to the following:

- a. The developer must obtain approval from the Florida Department of Transportation for the proposed access as shown on the amended Preliminary Master Plan or, in the absence of such approval, the developer must do one of the following:
 - (1) Execute and maintain an agreement with the property owner to the east regarding a joint access road to SR 426. Said agreement shall include, but not be limited to, the following issues:
 - Provision of utilities such as water and sewer specifying location, sizes and capacity to serve on each side of the joint access road.
 - Aligning the joint access road with the proposed driveway for the development on the north side of SR 426 (Greenway Center North).
 - Specifying driveway locations along the joint access road for development on both sides.
 - (2) Provide a full-service access to the development at the west edge of the subject property.
- b. Residential density shall not exceed 9.4 units per net buildable acre, as defined in the Seminole County Land Development Code.
- c. Landscaping and lighting shall be consistent with the standards of the Lake Mary Boulevard Overlay Ordinance, except that lighting height shall be limited to 16 feet.
- d. There shall be a 50-foot setback and a 6-foot masonry wall provided along the common property line with the following described parcel:

SEC 36 TWP 21S RGE 30E W 375 FT OF N 250 FT OF SE 1/4 OF SE ¼
- e. Prior to Final Engineering Approval, the Owner and County staff shall assess the feasibility of utilizing traffic-calming devices along Deep Lake Road.
- f. The owner shall install hedges on the east side of Tuskawilla Road where it abuts the project.
- g. Within the buffer between townhomes and South Tuskawilla Road, the Owner shall install four 3" caliper oak trees per 100 linear feet, and understory trees at 10 foot intervals.
- h. Tracts I and J are approved for permitted and special exception uses within the C-2 zoning district, with the exception of off-site signage (billboards), mechanical

garages, paint and body shops, contractor's equipment storage yard, drive-in theaters, and adult entertainment establishments.

- i. Tract K is approved for townhouse use, customary accessory uses, and recreation and open space amenities located in common areas of the development site.
- j. The Owner shall provide recreational amenities as shown on the Preliminary PUD Master Plan.
- k. A landscape buffer shall be provided as follows between Tract J and Tract K:
 - (1) The width of the buffer shall be 10 feet on Tract J and 10 feet on Tract K.
 - (2) Commercial buildings on Tract J shall be subject to a minimum setback requirement of 54 feet from the Tract K boundary.
 - (3) A 6-foot brick or masonry wall shall be provided along the common property line.
 - (4) The buffer on the south (residential) side of the required wall shall be planted with at least 4 canopy trees per 100 linear feet.

SEMINOLE COUNTY AMENDED DEVELOPMENT ORDER

On December 9, 2003, 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 Owners: SUSAN S. IRELAN
HARVEY SLAYTON

Project Name: DEEP LAKE PUD

Requested Development Approval: MAJOR REVISION TO PUD PRELIMINARY
MASTER PLAN

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: Jeff Hopper
1101 East First Street
Sanford, Florida 32771

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

(1) The aforementioned application for a major revision to the Deep Lake PUD Preliminary Master Plan is **GRANTED**.

(2) The Deep Lake PUD Preliminary Master Plan is hereby amended as follows:

- (A) The developer must obtain approval from the Florida Department of Transportation for the proposed access as shown on the amended Preliminary Master Plan or, in the absence of such approval, the developer must do one of the following:
1. Execute and maintain an agreement with the property owner to the east regarding a joint access road to SR 426. Said agreement shall include, but not be limited to, the following issues:
 - Provision of utilities such as water and sewer specifying location, sizes and capacity to serve on each side of the joint access road.
 - Aligning the joint access road with the proposed driveway for the development on the north side of SR 426 (Greenway Center North).
 - Specifying driveway locations along the joint access road for development on both sides.
 2. Provide a full-service access to the development at the west edge of the subject property.
- (B) Residential density shall not exceed 9.4 units per net buildable acre, as defined in the Seminole County Land Development Code.
- (C) Landscaping and lighting shall be consistent with the standards of the Lake Mary Boulevard Overlay Ordinance, except that lighting height shall be limited to 16 feet.
- (D) There shall be a 50-foot setback and a 6-foot masonry wall provided along the common property line with the following described parcel:

SEC 36 TWP 21S RGE 30E W 375 FT OF N 250 FT OF SE 1/4 OF SE 1/4

- (E) Prior to Final Engineering Approval, the Owner and County staff shall assess the feasibility of utilizing traffic-calming devices along Deep Lake Road.
- (F) The owner shall install hedges on the east side of Tuskawilla Road where it abuts the project.
- (G) Within the buffer between townhomes and South Tuskawilla Road, the Owner shall install four 3" caliper oak trees per 100 linear feet, and understory trees at 10 foot intervals.
- (H) Tracts I and J are approved for permitted and special exception uses within the C-2 zoning district, with the exception of off-site signage (billboards), mechanical garages, paint and body shops, contractor's equipment storage yard, drive-in theaters, and adult entertainment establishments.

- (I) Tract K is approved for townhouse use, customary accessory uses, and recreation and open space amenities located in common areas of the development site.
- (J) The Owner shall provide recreational amenities as shown on the Preliminary PUD Master Plan.
- (K) A landscape buffer shall be provided as follows between Tract J and Tract K:
 - 1. The width of the buffer shall be 10 feet on Tract J and 10 feet on Tract K.
 - 2. Commercial buildings on Tract J shall be subject to a minimum setback requirement of 54 feet from the Tract K boundary.
 - 3. A 6-foot brick or masonry wall shall be provided along the common property line.
 - 4. The buffer on the south (residential) side of the required wall shall be planted with at least 4 canopy trees per 100 linear feet.

(3) 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.

(4) 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 above.

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

EXHIBIT A

LEGAL DESCRIPTION

The Northeast Quarter of the Southeast Quarter of Section 36, Township 21 South, Range 30 East, Seminole County, Florida, less and Except the Following two parcels of land:

The West 155.5 yards (466.50 feet) of the West 311 yards (933.00 feet) of the North 311 yards (933.00 feet) of the Northeast Quarter of the Southeast Quarter of Section 36, Township 21 South, Range 30 East, Seminole County, Florida.

AND

The East 155.5 yards (466.50 feet) of the West 311 yards (933.00 feet) of the North 311 yards (933.00 feet) of the Northeast Quarter of the Southeast Quarter of Section 36, Township 21 South, Range 30 East, Seminole County, Florida.

Further less and except that part taken by Seminole County Expressway Authority by Stipulated Final Judgment recorded February 16, 1993, in Official Records Book 2545, Page 1319, Public Records of Seminole County, Florida, described as:

That part of the Southeast 1/4 of Section 36, Township 21 South, Range 30 East, Seminole County, Florida, being more particularly described as follows:

Commence at the Northeast corner of the Southeast 1/4 of said Section 36; thence run South 00°34'41" East along the East line of said Southeast 1/4 a distance of 25.59 feet for a POINT OF BEGINNING; said point being on the South right of way line of State Road 426 (Aloma Avenue) as shown on State Road Right of Way Map Section 770060-2501, said point also being 25.00 feet South of, when measured perpendicularly from the centerline of S.R. 426; thence continue South 00°34'41" East a distance of 95.01 feet; thence departing said East line of the Southeast 1/4 run South 89°14'17" West a distance of 188.50 feet; thence run North 88°11'07" West a distance of 202.18 feet to a point on a line 933.00 feet east of, when measured perpendicularly from the West line of the Northeast 1/4 of the Southeast 1/4 of said Section 36; thence run North 00°41'00" West parallel with said West line a distance of 85.91 feet to the aforementioned South right of way line; thence North 89°14'17" East along said right of way line a distance of 390.67 feet to the POINT OF BEGINNING.