

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

SUBJECT: Rezone from A-1 (Agriculture) to OP (Office Professional). (Chris Nugent, applicant)

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

AUTHORIZED BY: Matthew West **CONTACT:** Jeff Hopper **EXT.** 7431

Agenda Date <u>04/07/04</u> Regular <input type="checkbox"/> Work Session <input type="checkbox"/> Briefing <input type="checkbox"/>
Special Hearing – 6:00 <input type="checkbox"/> Public Hearing – 7:00 <input checked="" type="checkbox"/>

MOTION/RECOMMENDATION:

1. Recommend APPROVAL of the request for rezoning from A-1 (Agriculture) to OP (Office Professional) on 6.23 acres on the east side of SR 426, approximately ¼ mile south of Chapman Road, subject to conditions listed in the development order, (Chris Nugent, applicant); or
2. Recommend DENIAL of the request for rezoning from A-1 (Agriculture) to OP (Office Professional) on 6.23 acres on the east side of SR 426, approximately ¼ mile south of Chapman Road, (Chris Nugent, applicant); or
3. CONTINUE the public hearing until a time and date certain.

(District 1 – Comm. Maloy)

(Jeff Hopper, Senior Planner)

BACKGROUND:

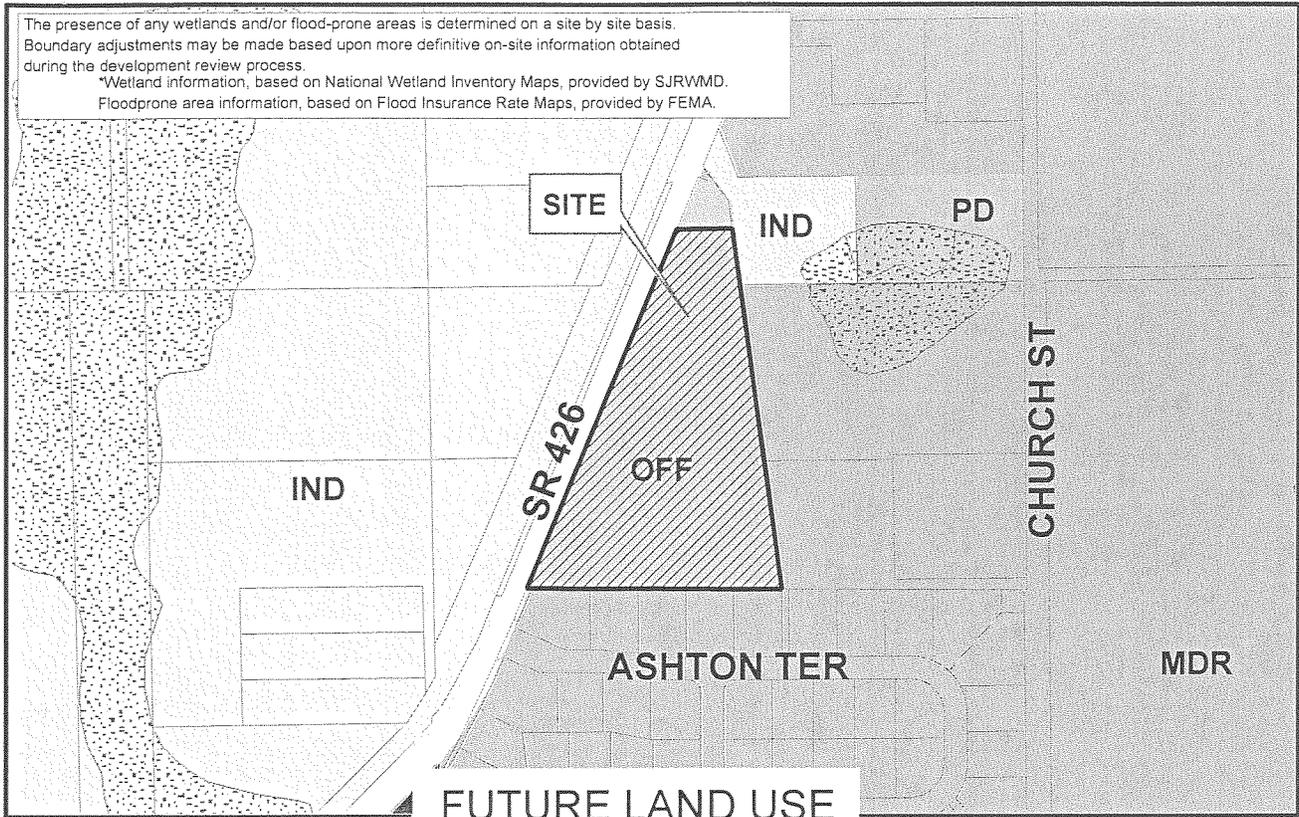
The applicant is seeking approval of a request for OP zoning and associated site plan on 6.23 acres east of SR 426 near Chapman Road. The proposal consists of 7 office buildings totaling 47,000 s.f. of floor area. Of these, 5 will be two stories at a maximum building height of 35'. The two remaining buildings, which will be located 25 feet from the south and east property lines, will be limited to 1 story.

STAFF RECOMMENDATION:

The requested rezone is consistent with the Office future land use designation as established by the Vision 2020 Plan. Staff recommends APPROVAL with conditions as stated in the attached Development Order.

Reviewed by: <u>KEC</u> Co Atty: _____ DFS: _____ OTHER: _____ DCM: _____ CM: _____ File No. <u>Z2002-013</u>
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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.

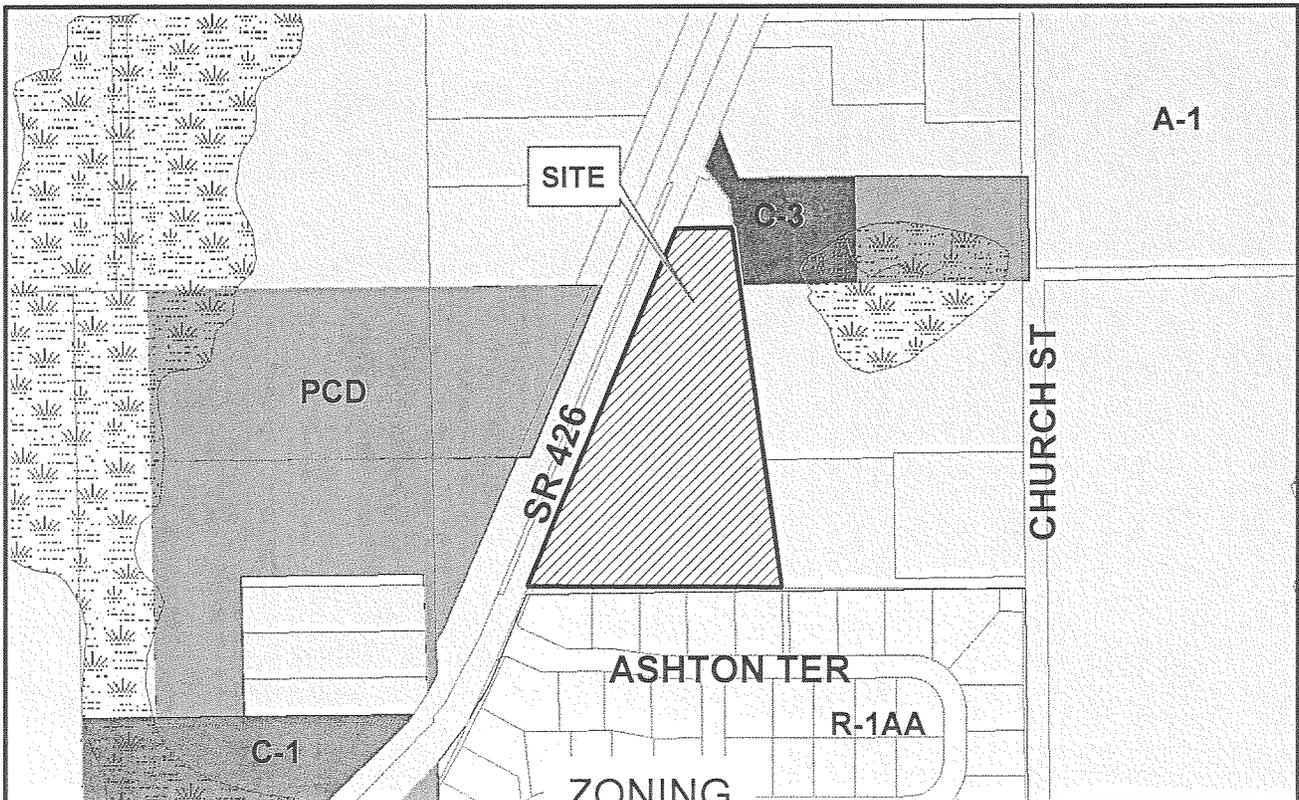


FUTURE LAND USE

Site
 MDR
 PD
 OFF
 IND
 CONS

Applicant: Steve Ratcliff - Ratcliff Properties
 Physical STR: 20-21-31-5CB-0000-0090
 Gross Acres: 6.232 BCC District: 1
 Existing Use: Single Family Residential
 Special Notes: None

	Amend/Rezone#	From	To
FLU	--	--	--
Zoning	Z2002-013	A-1	OP



ZONING

Site
 R-1AA
 C-1
 C-3
 A-1
 PCD
 FP-1
 W-1



Rezone No: Z2002-013
From: A-1 To: OP

-  Parcel
-  Subject Property



February 1999 Color Aerials

PROPOSED ZONING - OFFICE PROFESSIONAL

STATE ROAD 426 OFFICE PARK

PROFESSIONAL BUSINESS SERVICES

DENTAL CLINICS
MEDICAL CLINICS
GENERAL OFFICES

SLAVIA FARMS
PLAT BOOK 6, PAGES 9T

A-1

BUILDING/SITE ADDRESS TO BE OBTAINED AFTER REZONING APPROVAL.
EXISTING PUBLIC WATER SERVICE LOCATED WITHIN THE RIGHT OF WAY AT THE PROPERTY LINES SHALL BE UTILIZED FOR DOMESTIC WATER AND FIRE PROTECTION FOR THE PROPOSED IMPROVEMENTS.
LANDSCAPING AND IRRIGATION SHALL BE DESIGNED TO MEET SEMINOLE COUNTY REQUIREMENTS FOLLOWING REZONING.
SITE LIGHTING SHALL BE DESIGNED TO MEET SEMINOLE COUNTY REQUIREMENTS FOLLOWING REZONING.

SLAVIA FARMS
PLAT BOOK 6, PAGES 9T

10' WIDE FLORIDA
POLYMER EMERGENCY
DEED BOOK 03 PAGE 244

LOT 8

C-3

LEASO CUT

EXISTING GUY
WIRE TOWER

EXISTING POWER
POLYMER EMERGENCY

PROPOSED ANTI-CLIMB
CONNECT TO EXISTING ONE-WIRE
TOWER TOWER

EXISTING CHANNEL
POWER LINE (TYP)

PROPOSED 10' WIDE
FLORIDA POLYMER EMERGENCY
DEED BOOK 03 PAGE 244

PROPOSED 10' WIDE
FLORIDA POLYMER EMERGENCY
DEED BOOK 03 PAGE 244

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PROPOSED 10' WIDE
FLORIDA POLYMER EMERGENCY
DEED BOOK 03 PAGE 244

SITE DATA:
CURRENT LAND USE / ZONING: OFFICE/RES
PROPOSED LAND USE / ZONING: OFFICE/OP
TOTAL SITE AREA: 6,232 ± ACRES
BUILDING AREA: 47,000 SF OFFICE
BUILDING HEIGHT: 35 MAXIMUM
PARKING CALCULATIONS:
OFFICE COMPLEXES EXCEEDING TEN THOUSAND (10,000) SQUARE FEET OF GROSS FLOOR AREA, APPROXIMATELY FIFTY (50) SQUARE FEET OF GROSS FLOOR AREA.
REQUIRED PARKING: 47,000SF USE 47,000 / 250 = 188
PROVIDED PARKING: 188 ± 192
10' x 20' STALL
12.4 25' (UNDERCARRIAGE) = 7
TOTAL PARKING PROVIDED = 189
OPEN SPACE CALCULATIONS:
IMPERVIOUS: 32.0005SF
BUILDING: 03.0005SF
PAVING: 03.0005SF
TOTAL: 127.0015SF
PERVIOUS: 6.2323 AC
SITE: 2.03 AC
LESS IMPERVIOUS: 3.2023 AC
TOTAL: (2.380) / (0.322) = 0.2306
OPEN SPACE = SIX (6) OF SITE

PERVIOUS: 6.2323 AC
SITE: 2.03 AC
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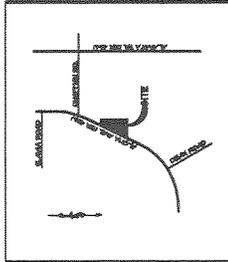
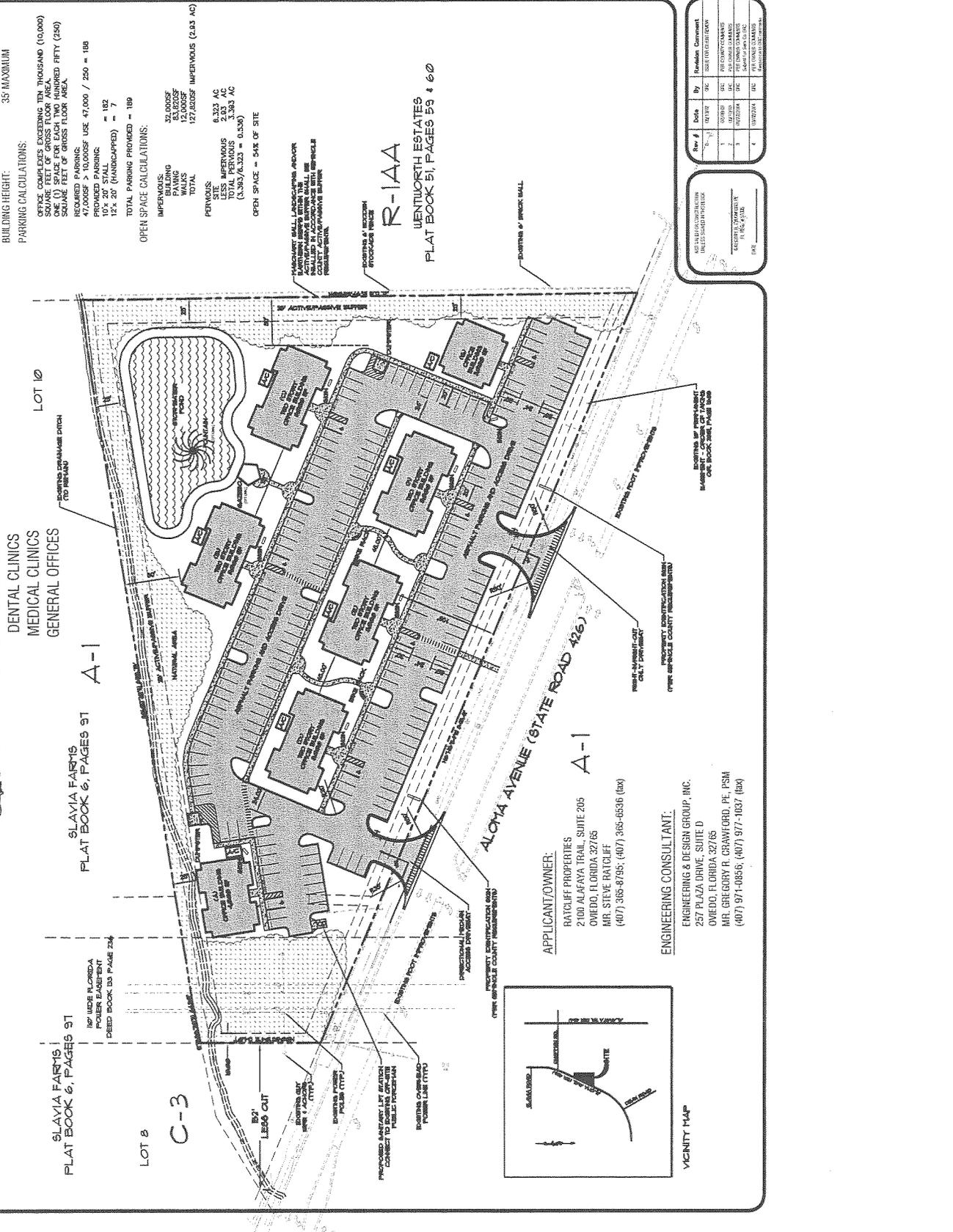
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APPLICANT/OWNER:
RATCHIFF PROPERTIES
2100 ALAMEDA TRAIL, SUITE 205
OWIEDO, FLORIDA 32765
MR. STEVE RATCHIFF
(407) 365-8795; (407) 365-6536 (fax)

ENGINEERING CONSULTANT:
ENGINEERING & DESIGN GROUP, INC.
257 PLAZA DRIVE, SUITE D
OWIEDO, FLORIDA 32765
MR. GREGORY R. CRAWFORD, P.E., PSM
(407) 971-0856, (407) 971-1037 (fax)

VICINITY MAP

State Road 426 Office Park
Bramble County, Florida
Alameda Avenue (Just South of Clayman Road)
CONCEPT PLAN

Ratchiff Properties
2100 Alameda Trail, Suite 205
Oviedo, Florida 32765
(407) 365-8795 / (407) 365-6536 Fax

Engineering & Design Group, Inc.
257 Plaza Drive, Suite - D, Oviedo, Florida 32765
Phone: (407) 971-0856, Fax: (407) 971-1037
email: erg@wtdm.com

Drawn By/Checked By: [Signature]
Project No.: 051010
Scale: 1"=40'
Date: 05/13/02
Sheet Name: CPT-V-03
Sheet No.: 1 of 1

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SR 426 OFFICE PARK

REQUEST INFORMATION	
APPLICANT	Chris Nugent
PROPERTY OWNERS	Steve and Wanda Ratcliff
REQUEST	Rezone from A-1 (Agriculture) to OP (Office Professional)
HEARING DATE(S)	P&Z: April 7, 2004 BCC: May 11, 2004
SEC/TWP/RNG	20-21-31-5CB-0000-0090
LOCATION	East side of SR 426, approximately ¼ mile south of Chapman Road.
FUTURE LAND USE	Office
FILE NUMBER	Z2002-013
COMMISSION DISTRICT	District 1 – Comm. Maloy

OVERVIEW

Zoning Request: The applicant is seeking approval of a request for OP zoning and associated site plan on 6.23 acres east of SR 426 near Chapman Road. The proposal consists of 7 office buildings totaling 47,000 s.f. of floor area. Of these, 5 will be two stories at a maximum building height of 35'. The two remaining buildings, which will be located 25 feet from the south and east property lines, will be limited to 1 story.

Adjacent property to the south and east is in the Medium Density Residential (MDR) future land use designation, triggering the active/passive buffering requirements of the Land Development Code. The less restrictive passive side setback requirement of 25' applies to Buildings (A) and (G), adjacent to the east and south property lines, respectively, since there are no primary entrances or vehicular use areas facing site boundaries. For the same reason, a 50-foot minimum setback applies to all other buildings on the site.

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

	Zoning	Future Land Use	Existing Land Use
North	A-1	Office	Vacant
South	R-1AA	MDR	Single Family
East	A-1	MDR	Auto Repair / Single Family
West	PCD/A-1	IND	Vacant

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 Vision 2020 Plan.
3. Seminole County will provide water and sewer service to the site.
4. Information on stormwater capacity and outfall will have to be provided prior to Final Site Plan approval.

Compliance with Environmental Regulations: At this time there are no concerns regarding compliance with environmental regulations.

Compatibility with surrounding development: The proposed OP zoning classification is compatible with the surrounding existing uses.

STAFF RECOMMENDATION

Staff recommends APPROVAL of the request subject to the following conditions:

- a. Retention pond shall be amenitized per Section 30.1344 of the Land Development Code if counted toward required open space.
- b. Outdoor lighting fixtures shall be limited to shoebox-cutoff style fixtures not more than 16 feet in height.
- c. Outdoor lighting adjacent to the south and east property boundaries will be limited to decorative lighting affixed to the fronts of the buildings. Security lighting with motion sensors shall be permitted on any side of the buildings.
- d. The architectural style of the building shall be compatible with residential development and consistent with the drawing attached as Exhibit "B".
- e. Building height shall be limited to a maximum of 35 feet.
- f. Applicant shall provide paved pedestrian paths connecting all buildings to public sidewalks on SR 426.
- g. Delivery hours shall be limited to 8 a.m.- 9p.m.
- h. Mechanical units shall be located and/or screened so as not to be visible from SR 426 or adjoining single family development.
- i. The development shall be required to connect to Seminole County water and sewer service.

**SEMINOLE COUNTY DEVELOPMENT
ORDER**

On May 11, 2004, 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: STEPHEN J. RATCLIFF
 WANDA K. RATCLIFF

Project Name: STATE ROAD 426 OFFICE PARK

Requested Development Approval: Rezone from A-1 (Agriculture) to OP (Office Professional)

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 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. Retention pond shall be amenitized per Section 30.1344 of the Land Development Code if counted toward required open space.
- b. Outdoor lighting fixtures shall be limited to shoebox-cutoff style fixtures not more than 16 feet in height.
- c. Outdoor lighting adjacent to the south and east property boundaries will be limited to decorative lighting affixed to the fronts of the buildings. Security lighting with motion sensors shall be permitted on any side of the buildings.
- d. The architectural style of the building shall be compatible with residential development and consistent with the drawing attached as Exhibit "B".
- e. Building height shall be limited to a maximum of 35 feet.
- f. Applicant shall provide paved pedestrian paths connecting all buildings to public sidewalks on SR 426.
- g. Delivery hours shall be limited to 8 a.m.-9p.m.
- h. Mechanical units shall be located and/or screened so as not to be visible from SR 426 or adjoining single family development.
- i. The development shall be required to connect to Seminole County water and sewer service.

(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.

FILE # Z2002-013

DEVELOPMENT ORDER #2-22000003

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

Done and Ordered on the date first written above.

By: _____

Daryl G. McLain
Chairman
Board of County Commissioners

Attest:

Maryanne Morse
Clerk to the Board of County Commissioners

OWNER'S CONSENT AND COVENANT

COMES NOW, STEPHEN J. RATCLIFF, on behalf of himself and his 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

Print Name

Stephen J. Ratcliff

Witness

Print Name

STATE OF FLORIDA

COUNTY OF SEMINOLE

I **HEREBY CERTIFY** that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared STEPHEN J. RATCLIFF, and is personally known to me or who has produced _____ as identification and who acknowledged and executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2004.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

OWNER'S CONSENT AND COVENANT

COMES NOW, WANDA K. RATCLIFF, on behalf of herself and her 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

Print Name

Wanda K. Ratcliff

Witness

Print Name

STATE OF FLORIDA

COUNTY OF SEMINOLE

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared WANDA K. RATCLIFF, and is personally known to me or who has produced _____ as identification and who acknowledged and executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2004.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

FILE # Z2003-043

DEVELOPMENT ORDER #3-22000009

EXHIBIT A

Project Legal Description:

LOT 9 (LESS PT N OF 110 FT FPL ESMT) SLAVIA FARMS PB 6 PG 97

FILE # Z2003-043

DEVELOPMENT ORDER #3-22000009

EXHIBIT B

ARCHITECTURAL APPEARANCE OF BUILDINGS



STATE ROAD 426 OFFICE PARK

FRONT ELEVATION SCHEME

SEMINOLE COUNTY PROJECT No. 02-000003

AN ORDINANCE AMENDING, PURSUANT TO THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY, THE ZONING CLASSIFICATIONS ASSIGNED TO CERTAIN PROPERTY LOCATED IN SEMINOLE COUNTY (LENGTHY LEGAL DESCRIPTION ATTACHED AS EXHIBIT); ASSIGNING CERTAIN PROPERTY CURRENTLY ASSIGNED THE A-1 (AGRICULTURE) ZONING CLASSIFICATION THE OP (OFFICE PROFESSIONAL) ZONING CLASSIFICATION; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:

Section 1. LEGISLATIVE FINDINGS.

(a) The Board of County Commissioners hereby adopts and incorporates into this Ordinance as legislative findings the contents of the documents titled "SR 426 Office Park."

(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 OP (Office Professional):

LEGAL DESCRIPTION ATTACHED EXHIBIT A

Section 3. CODIFICATION. It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall not be codified.

Section 4. SEVERABILITY. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, it is the intent of the Board of County Commissioners that the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

Section 5. EFFECTIVE DATE. A certified copy of this Ordinance shall be provided to the Florida Department of State by the Clerk of the Board of County Commissioners in accordance with Section 125.66, Florida Statutes. This Ordinance shall become effective upon the date of filing by the Department and recording of Development Order #2-22000003 in the official land records of Seminole County.

ENACTED this 11th day of May, 2004.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Daryl G. McLain
Chairman

EXHIBIT A

LEGAL DESCRIPTION

LOT 9 (LESS PT N OF 110 FT FPL ESMT) SLAVIA FARMS PB 6 PG 97