

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

SUBJECT: Aloma Office Center Rezone from A-1 to RP

DEPARTMENT: Planning & Development DIVISION: Planning

AUTHORIZED BY: Matthew West CONTACT: Tina Deater EXT: 7440

Agenda Date	<u>10/6/04</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 a rezone from A-1 (Agriculture District) to RP (Residential Professional District) subject to the attached development order, site plan and architectural renderings, on approximately 2.8 acres, located on the east side of W. SR 426, approximately 650 feet south of W. Chapman Road (Lutheran Haven, Inc., applicant); or
2. Recommend DENIAL of the request for a rezone from A-1 (Agriculture District) to RP (Residential Professional District) on approximately 2.8 acres, located on the east side of W. SR 426, approximately 650 feet south of W. Chapman Road (Lutheran Haven, Inc., applicant); or
3. CONTINUE the public hearing until a time and date certain.

District 1 – Commissioner Maloy Tina Deater, Senior Planner

BACKGROUND:

The applicant, Lutheran Haven, Inc., is requesting a rezone from A-1 to RP, in order to build a three-building office complex with a total of approximately 17,000 square feet of office. The future land use designation of the subject property is Medium Density Residential (MDR), which allows the proposed RP zoning classification.

STAFF RECOMMENDATION:

Staff recommends approval of the rezone from A-1 to RP, subject to the attached development order, site plan and architectural renderings.

Reviewed by:	<u>kl</u>
Co Atty:	_____
DFS:	_____
OTHER:	_____
DCM:	_____
CM:	_____
File No.	<u>Z2004-028</u>

Attachments:

Development Order

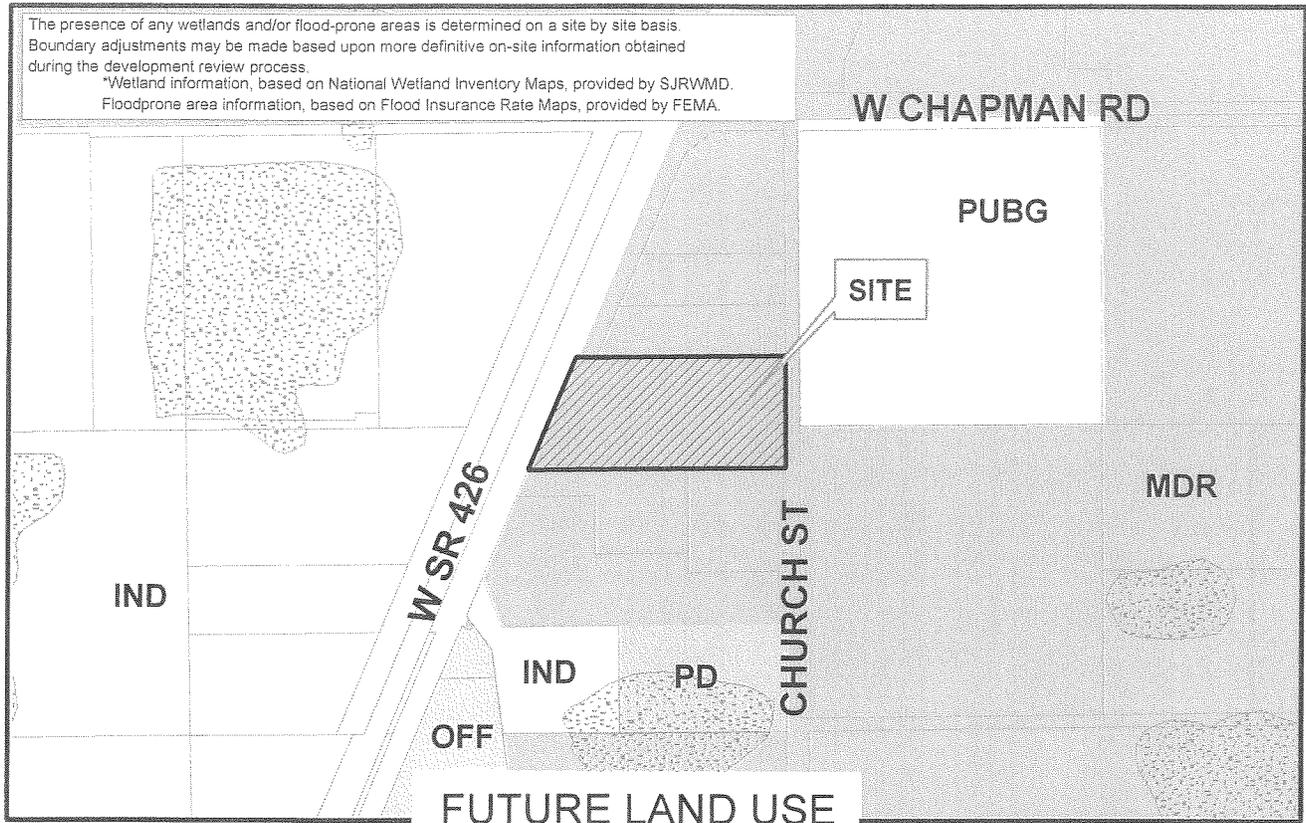
Site Plan

Architectural Renderings

Ordinance

Color Maps

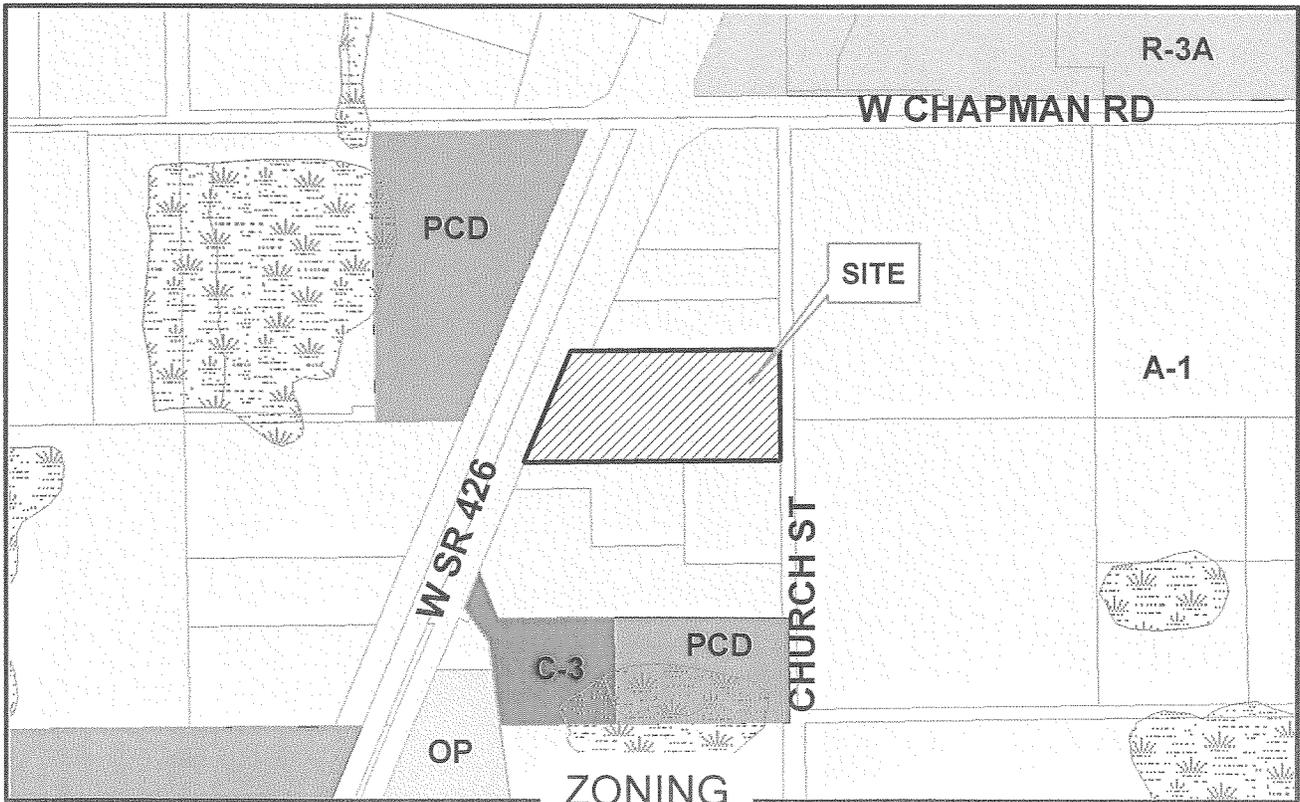
The presence of any wetlands and/or flood-prone areas is determined on a site by site basis. Boundary adjustments may be made based upon more definitive on-site information obtained during the development review process.
 *Wetland information, based on National Wetland Inventory Maps, provided by SJRWMD.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



Site
 MDR
 PD
 OFF
 IND
 PUBG
 CONS

Applicant: Lutheran Haven Inc.
 Physical STR: 20-21-31-5CB-0000-0080
 Gross Acres: +/- 2.8 BCC District: 1
 Existing Use: Vacant
 Special Notes: None

	Amend/ Rezone#	From	To
FLU	--	--	--
Zoning	Z2004-028	A-1	RP



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



Rezone No: Z2004-028
From: A-1 To: RP

-  Parcel
-  Subject Property



February 1999 Color Aerials

Aloma Office Center Rezone from A-1 to RP

Rezone from A-1 (Agriculture District) to RP (Residential Professional District)		Z2204-028
REQUEST		
APPLICANT	Lutheran Haven, Inc.	
REZONING	A-1 (Agriculture District) to RP (Residential Professional District)	
FUTURE LAND USE	MDR (Medium Density Residential)	
APPROXIMATE GROSS ACRES	2.8	
LOCATION	Located on the east side of W. SR 426, approximately 650 feet south of W. Chapman Road	
BCC DISTRICT	District 1 – Commissioner Maloy	
RECOMMENDATIONS AND ACTIONS		
STAFF RECOMMENDATION	Staff recommends approval of the rezone from A-1 to RP, subject to the attached site plan, architectural drawings, and development order	

STAFF ANALYSIS & FINDINGS

OVERVIEW

Zoning Request:

The applicant, Lutheran Haven, Inc., is requesting a rezone from A-1 to RP, in order to build a three-building office complex with a total of approximately 17,000 square feet of office. The future land use designation of the subject property is Medium Density Residential (MDR), which allows the proposed RP zoning classification.

The existing zoning and future land use designations surrounding the subject property are as follows:

DIRECTION	EXISTING ZONING	FUTURE LAND USE
Subject Property	A-1	Medium Density Residential
North	A-1	Medium Density Residential
South	A-1, C-3, PCD, OP	Medium Density Residential, Industrial, Planned Development, Office
East	A-1	Medium Density Residential, Public
West	A1, PCD	Industrial

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

SITE ANALYSIS

Facilities and Services:

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.

Water and sewer ~~are~~ services are available to the site and supplied by Seminole County.

Transportation / Traffic:

Access is available to the site from SR 426. SR 426 is classified as an Arterial and has an adopted Level of Service of "E". It is currently operating at a Level of service of "B" in this area.

Compliance with Environmental Regulations:

At this time there are no concerns with compliance with environmental regulations.

Compatibility with Surrounding Development:

The property has a Medium Density Residential future land use designation, and the proposed RP zoning classification is allowed in that future land use category. The property is surrounded by Medium Density Residential future land use on the north and Medium Density Residential and Public future land uses to the east. To the south of the subject property are Medium Density Residential, Industrial, Planned Development, and Office future land uses. To the west of the subject property, across SR 426, a four-lane divided

roadway, the future land use designation is Industrial. The subject property is in a transitional area where office uses are becoming more appropriate than residential uses. However, because there are residential uses in the area, the proposed office buildings must comply with the active/passive buffer standards required by the Seminole County Land Development Code adjacent to residential future land use, and they should be architecturally residential in nature. Therefore, staff is recommending that approval of the rezone to RP should be subject to the attached site plan, architectural drawings, and development order to ensure compatibility.

STAFF RECOMMENDATION

Staff recommends approval of the rezone from A-1 to RP, subject to the attached development order, site plan and architectural renderings.

**SEMINOLE COUNTY DEVELOPMENT
ORDER**

On February 10, 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 Owner: Lutheran Haven, Inc.
2041 W. S.R. 426
Oviedo, FL 32765

Project Name: Aloma Office Center Rezone A-1 to RP

Requested Development Approval: Rezoning from A-1 (Agriculture) to RP (Residential 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: Tina Deater, 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:

- a. All development shall comply with the conceptual site plan attached as Exhibit B. Any revisions deemed to be major by the Planning Manager shall require approval by the Board of County Commissioners.
- b. The exterior of the building shall be designed in accordance with the architectural drawings attached as Exhibit C.
- c. All retention ponds that encroach into the active/passive buffers shall be designed so that they are dry within 24 hours after a 10-year rainfall event.

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

OWNER'S CONSENT AND COVENANT

COMES NOW, the owner, Lutheran Haven, Inc., on behalf of itself and its heirs agents, 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

Donald L. Kovac, Executive Director of
Lutheran Haven, Inc.

Print Name

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, Donald L. Kovac the Executive Director of Lutheran Haven, Inc., who is personally known to me or who has produced _____ as identification and who executed the foregoing instrument and sworn an oath.

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:

**EXHIBIT A
LEGAL DESCRIPTION**

LEG N 74 FT OF LOT 8 + ALL LOTS E + F (LESS N 15 FT OF LOT E)
SLAVIA FARMS PB 6 PG 97

EXISTING UTIL. ADDRESS TO BE OBTAINED AFTER ZONING APPROVAL.

EXISTING PUBLIC WATER SERVICE LOCATED NEAR THE REAR OF WAY AT THE PROPERTY LINES SHALL BE UTILIZED FOR DOMESTIC WATER AND FIRE PROTECTION FOR THE PROPOSED DEVELOPMENT.

LANDSCAPING AND IRRIGATION SHALL BE DESIGNED TO MEET SEVIERE COUNTY REQUIREMENTS FOLLOWING REG-316.

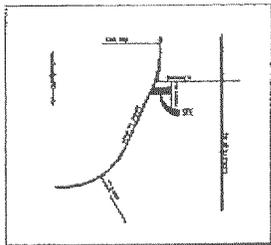
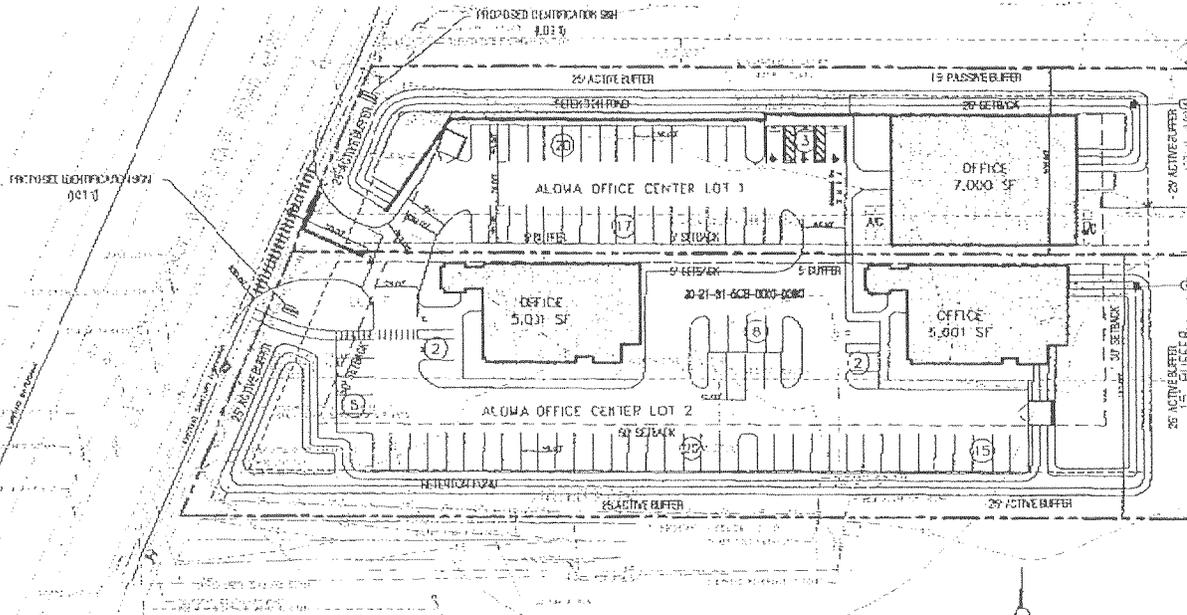
SITE LIGHTING SHALL BE DESIGNED TO MEET SEVIERE COUNTY REQUIREMENTS FOLLOWING REG-316.

PROPOSED ZONING - RESIDENTIAL PROFESSIONAL

ALOMA OFFICE CENTER

A PROFESSIONAL OFFICE BUILDING OF SEVERAL A UNITS OF WELL-SERVICED BY SINGLE-COURT APARTMENTS

PROFESSIONAL BUSINESS SERVICES
DENTAL CLINICS
MEDICAL CLINICS
GENERAL OFFICES



LOCATION MAP

APPLICANT/OWNER:

RATCLIFF PROPERTIES
2100 ALAYATA TRAIL, SUITE 206
OVIEDO, FLORIDA 32765
MR. STEVE RATCLIFF
(407) 365-9755, (407) 363-6336 (fax)

ENGINEERING CONSULTANT:

ENGINEERING & DESIGN GROUP, INC.
237 PLAZA DRIVE, SUITE D
OVIEDO, FLORIDA 32765
MR. GREGORY R. CRAWFORD, PE, PSM
(407) 971-4858, (407) 977-1037 (fax)

LEGAL DESCRIPTION:
SECTION 17 & 18, T17N, R17E, S17E, ALL LOTS 1 & 2
(LESS 11.15 FT. OF LOT 11 SURFACE PARAS. PB 1 & 2, PG 97)

SITE DATA:

LOT 1

CURRENT LAND USE / ZONING: VACANT / R-1
PROPOSED LAND USE / ZONING: OFFICE / RP

FRONT (WEST) SETBACK: 5'
SIDE (NORTH) SETBACK: 25'
SIDE (SOUTH) SETBACK: 5'
REAR (EAST) SETBACK: 37'

TOTAL SITE AREA: 1.78± ACRES
BUILDING AREA: 7,000 SF OFFICE
BUILDING HEIGHT: 30 MAXIMUM

PARKING CALCULATIONS:

ONE (1) SPACE FOR EACH TWO HUNDRED (200) SQUARE FEET OF GROSS FLOOR AREA.
REQUIRED PARKING: 35 SPACES
BLOCKOFF / 200 = 40
PROPOSED PARKING:
10' X 20' STALL = 5
12' X 20' (HANDICAPPED) = 5
TOTAL PARKING PROVIDED = 10
OPEN SPACE CALCULATIONS:
IMPERVIOUS BUILDING: 7,000 SF
PARKING: 1,550 SF
WALKS: 2,000 SF
TOTAL: 10,550 SF IMPERVIOUS (0.54 AC)
PERVIOUS SITE: 1.09 AC
LESS IMPERVIOUS: 0.54 AC
TOTAL PERVIOUS: 0.55 AC
(0.55/1.00 = 0.50)
OPEN SPACE = 50% OF SITE

LOT 2

CURRENT LAND USE / ZONING: VACANT / R-1
PROPOSED LAND USE / ZONING: OFFICE / RP

FRONT (EAST) SETBACK: 5'
SIDE (NORTH) SETBACK: 5'
REAR (SOUTH) SETBACK: 5'

TOTAL SITE AREA: 1.72± ACRES
BUILDING AREA: 10,022 SF OFFICE
BUILDING HEIGHT: 30 MAXIMUM

PARKING CALCULATIONS:

ONE (1) SPACE FOR EACH TWO THOUSAND (2,000) SQUARE FEET OF GROSS FLOOR AREA.
ONE (1) SPACE FOR EACH TWO HUNDRED (200) SQUARE FEET OF GROSS FLOOR AREA.
REQUIRED PARKING: 50 SPACES
BLOCKOFF / 200 = 40
PROPOSED PARKING:
10' X 20' STALL = 44
12' X 20' (HANDICAPPED) = 4
TOTAL PARKING PROVIDED = 52
OPEN SPACE CALCULATIONS:
IMPERVIOUS BUILDING: 10,022 SF
PARKING: 22,200 SF
WALKS: 1,000 SF
TOTAL: 33,222 SF IMPERVIOUS (0.85 AC)
PERVIOUS SITE: 1.73 AC
LESS IMPERVIOUS: 0.85 AC
TOTAL PERVIOUS: 0.88 AC
(0.88/1.73 = 0.43)
OPEN SPACE = 43% OF SITE

NO. OF PERMISSIBLE UNITS PER LOT	NO. OF PERMISSIBLE UNITS	NO. OF PERMISSIBLE UNITS	NO. OF PERMISSIBLE UNITS
1	1	1	1
2	2	2	2
3	3	3	3
4	4	4	4
5	5	5	5
6	6	6	6
7	7	7	7
8	8	8	8
9	9	9	9
10	10	10	10

ALOMA OFFICE CENTER
LOTS 1 AND 2
Steve Ratcliff, PSM

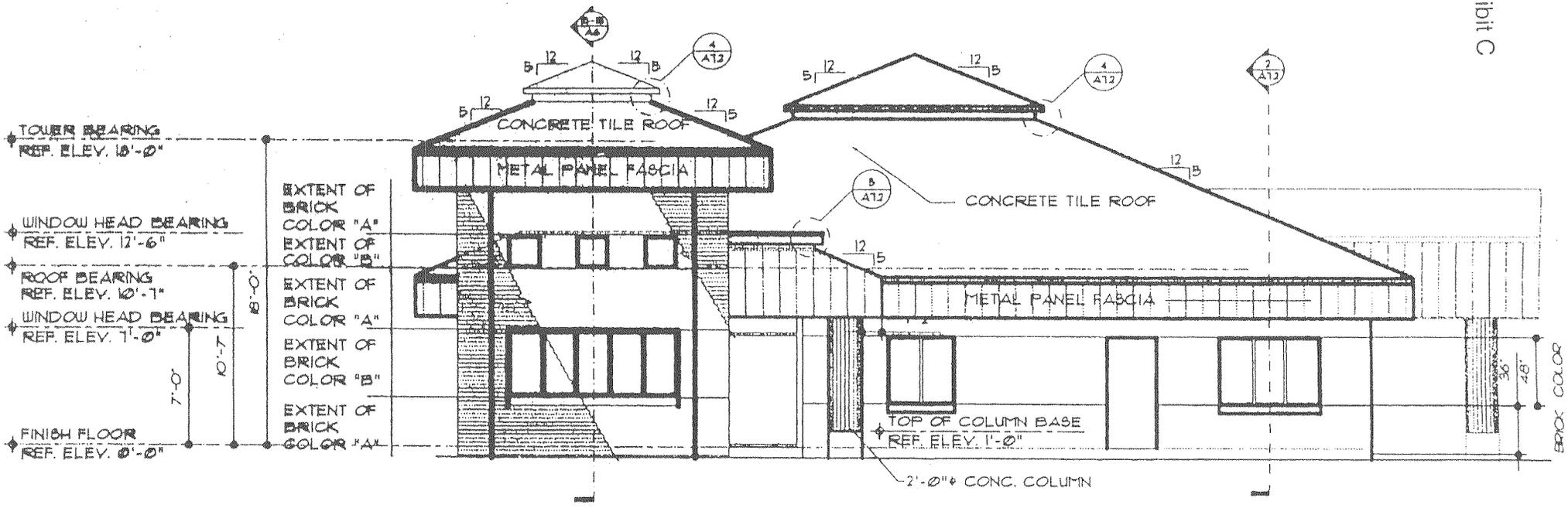
CONCEPT PLAN

RATCLIFF PROPERTIES
2100 ALAYATA TRAIL, SUITE 206
OVIEDO, FLORIDA 32765
Phone: (407) 365-9755, Fax: (407) 363-6336
www.ratcliffproperties.com

Engineering & Design Group, Inc.
237 Plaza Drive, Suite D, Oviedo, Florida 32765
Phone: (407) 971-4858, Fax: (407) 977-1037
www.edginc.com

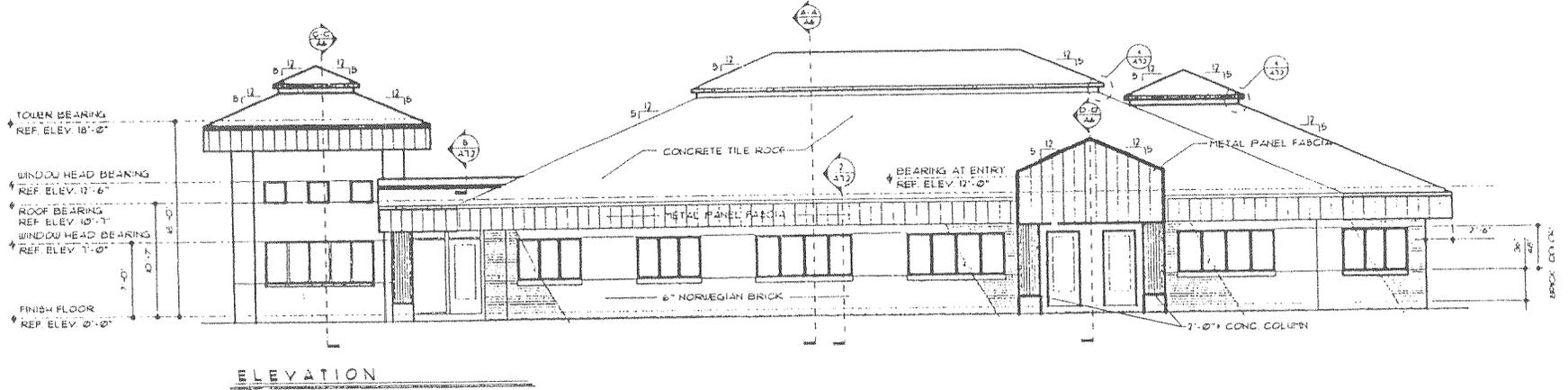
EDG

Drawn By: Steve Ratcliff, PSM
Project No.: 23-04-00
Scale: 1" = 10'
Date: MAY 2011
Sheet No.: 1 of 1



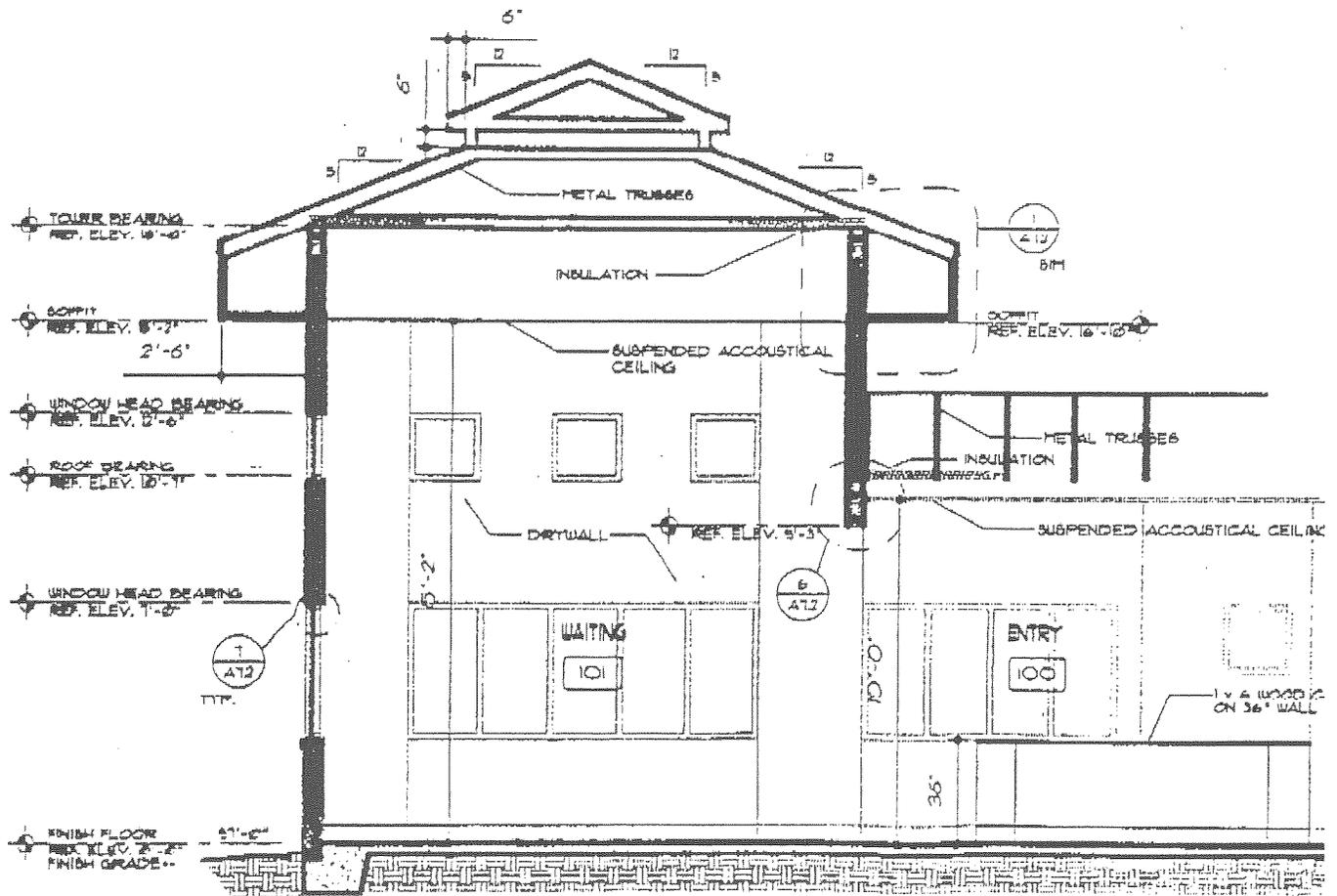
ELEVATION

LOT 2



ELEVATION

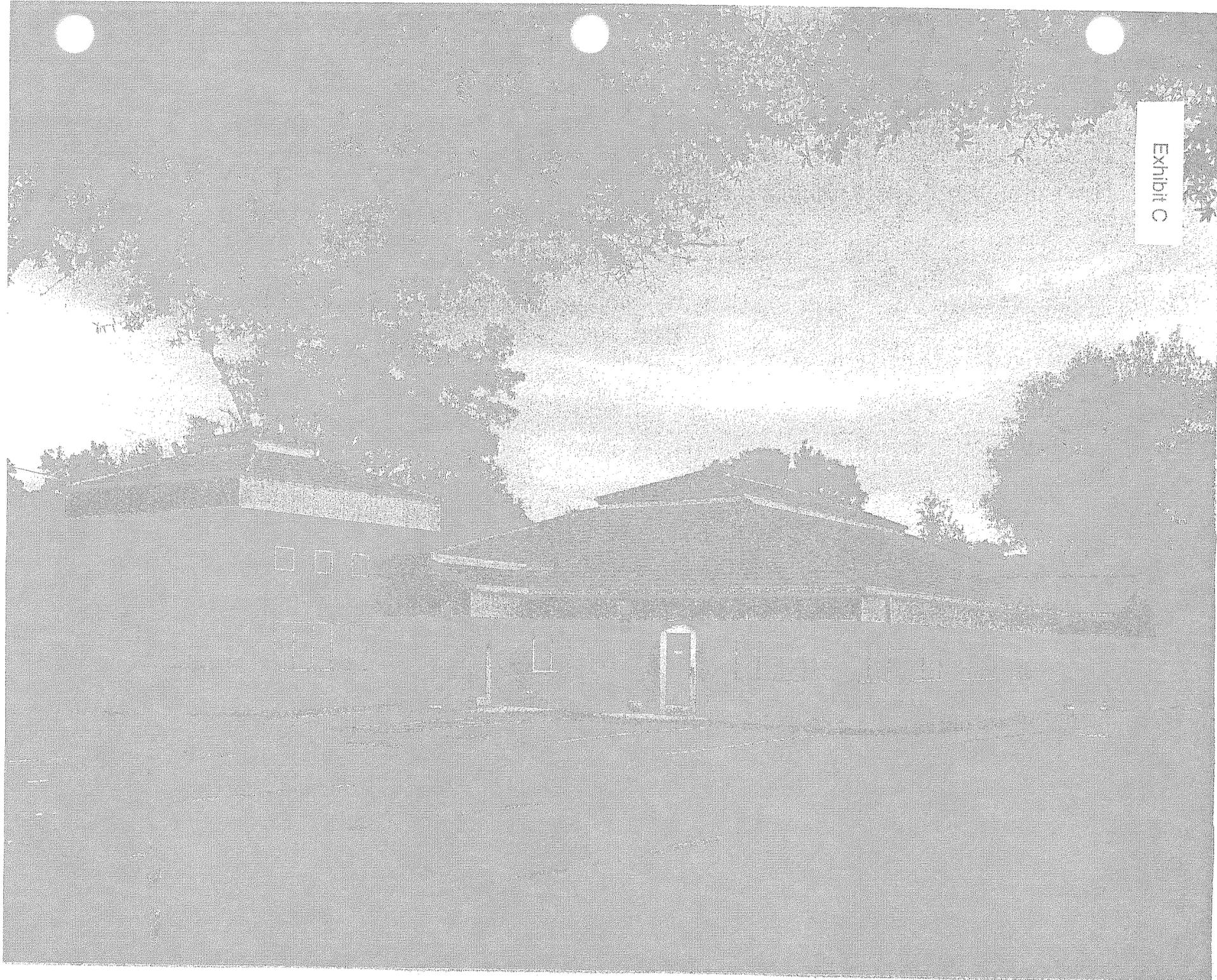
LOT 2



BUILDING SECTION

C-C

Exhibit C



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 A); ASSIGNING CERTAIN PROPERTY CURRENTLY ASSIGNED THE A-1 ZONING CLASSIFICATION THE RP 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, "Aloma Office Center Rezone from A-1 to RP."

(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 to RP in accordance with the contents of the documents titled, "Aloma Office Center Rezone from A-1 to RP Staff Report" and Development Order # 04-20000007 :

SEE 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, and this Ordinance shall be effective upon the date of filing with the Department and recording of Development Order # 04-20000007 in the Official Land Records of Seminole County.

ENACTED this 9th day of November, 2004.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Daryl G. McLain
Chairman

**EXHIBIT A
LEGAL DESCRIPTION**

LEG N 74 FT OF LOT 8 + ALL LOTS E + F (LESS N 15 FT OF LOT E)
SLAVIA FARMS PB 6 PG 97