

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

SUBJECT: Walden Chase, Small Scale Land Use Amendment from Planned Development (PD) to Planned Development (PD) and PUD Major Amendment (Thomas Daly, applicant)

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

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

Agenda Date 11/03/04 **Regular** **Work Session** **Briefing**
Special Hearing – 6:00 **Public Hearing – 7:00**

MOTION/RECOMMENDATION:

1. Recommend APPROVAL of the request for Small Scale Land Use Amendment from Planned Development (PD) to Planned Development (PD) and PUD Major Amendment on approximately 8.1 acres, located on the north side of Palm Valley Drive, 600' east of Alafaya Trail, (Thomas Daly, applicant); or
2. Recommend DENIAL of the request for Small Scale Land Use Amendment from Planned Development (PD) to Planned Development (PD) and PUD Major Amendment on approximately 8.1 acres, located on the north side of Palm Valley Drive, 600' east of Alafaya Trail, (Thomas Daly, applicant); or
3. CONTINUE the public hearing until a time and date certain.

(District 1 – Comm. Maloy)

(Jeff Hopper, Senior Planner)

BACKGROUND:

The applicant proposes a 74-unit townhouse development on an 8.1-acre site on Palm Valley Drive, at a maximum density of 11.6 units per net buildable acre. The subject property is a PUD currently approved for C-2 and OP uses. The proposed development requires both a major PUD amendment and a small scale land use amendment since the designated future land use is Planned Development (PD).

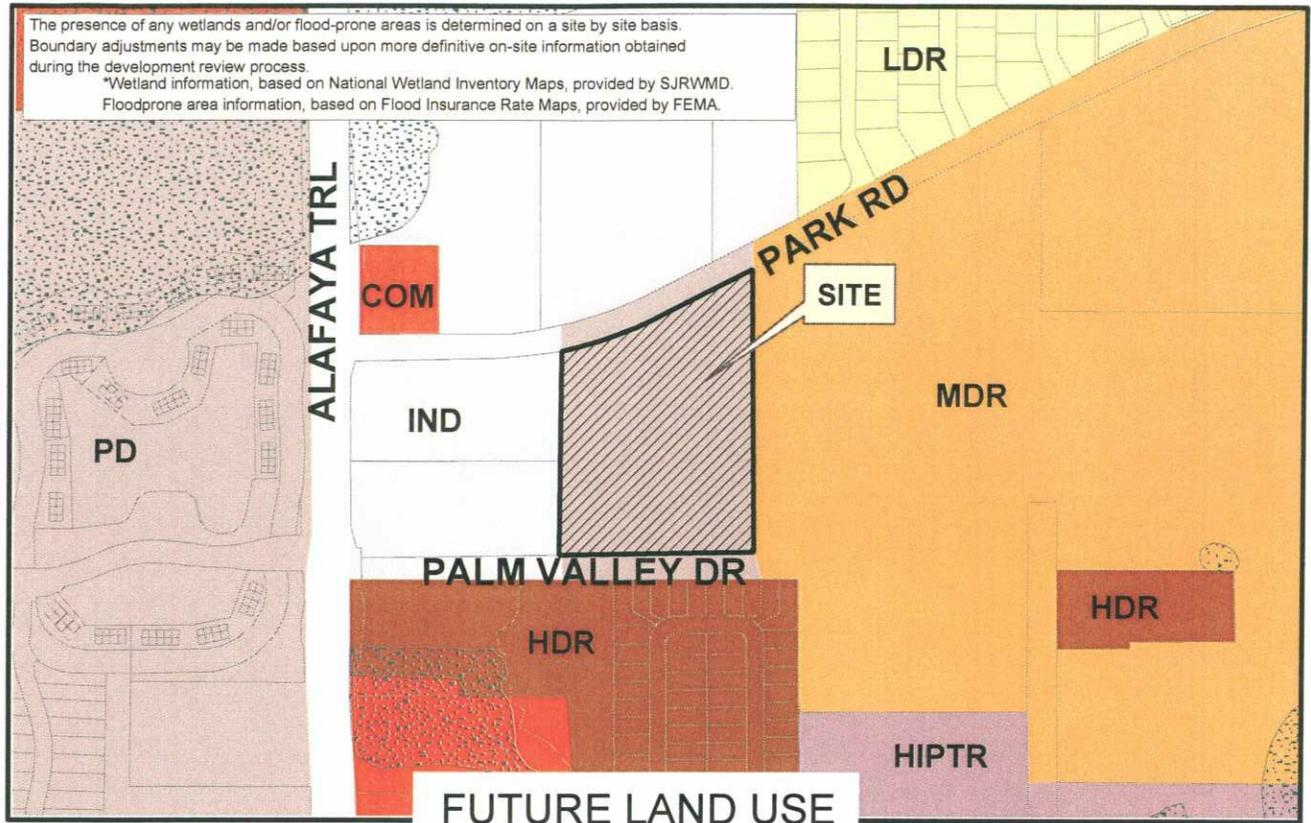
STAFF RECOMMENDATION:

Due to significant unresolved technical issues, staff recommends that the request be CONTINUED to the December 1 meeting.

Reviewed by: CR
Co Atty: _____
DFS: _____
OTHER: _____
DCM: _____
CM: _____

File No. Z2004-048,
09-04SS02

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.

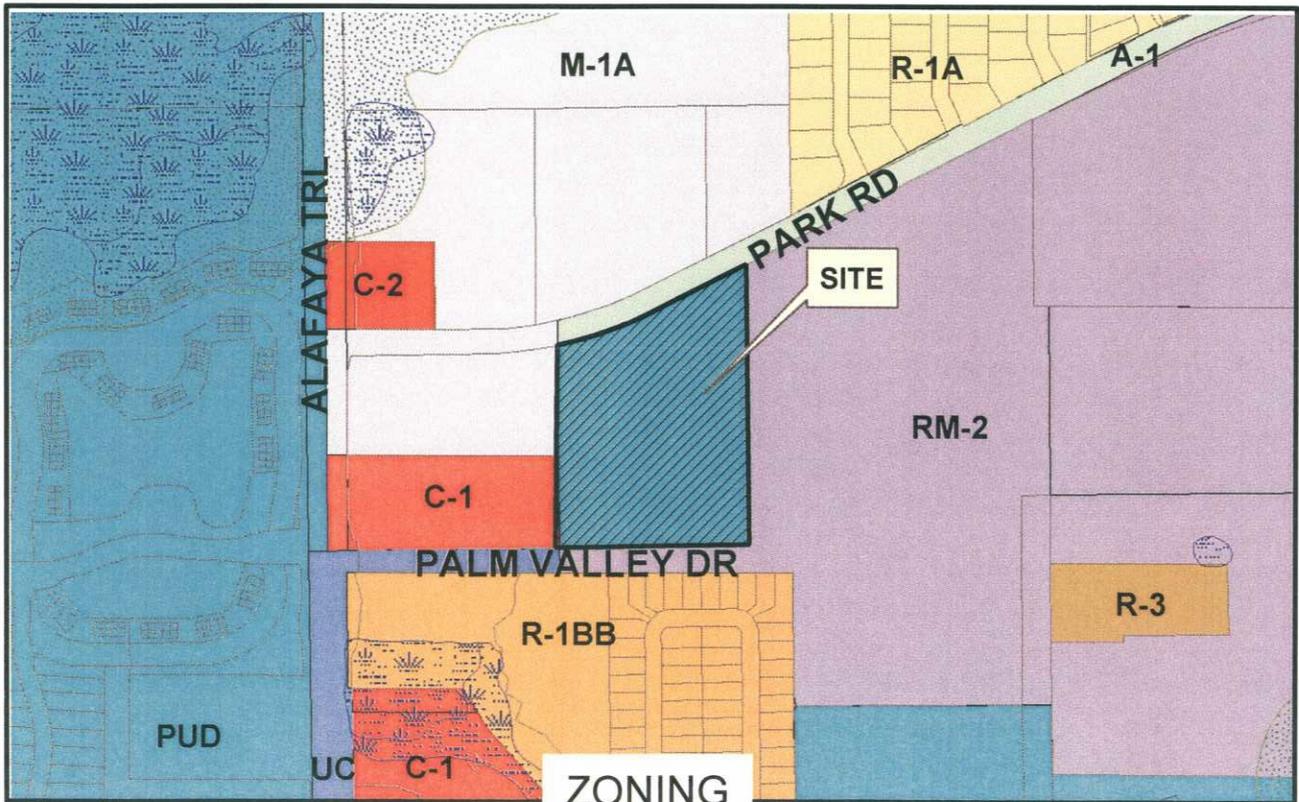


FUTURE LAND USE

- Site
- LDR
- MDR
- HDR
- PD
- COM
- IND
- HIPTR
- CONS

Applicant: Thomas Daly, Daly Design Group Inc.
 Physical STR: part of 34-21-31-503-0000-022A
 Gross Acres: +/- 8.09 BCC District: 1
 Existing Use: Vacant
 Special Notes: None

	Amend/ Rezone#	From	To
FLU	09-04SS.02	PD	PD
Zoning	Z2004-048	PCD	PUD



ZONING

- Site
- R-1A
- R-3
- RM-2
- C-1
- C-2
- M-1A
- PUD
- A-1
- UC
- FP-1
- W-1



Amendment No: 09-04SS.02
 From: PD To: PD
 Rezone No: Z2004-048
 From: PCD To: PUD

- Parcel
- Subject Property



February 1999 Color Aerials

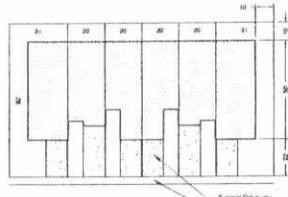
Description:

A parcel of land comprising a portion of Lot 23, ORLANDO INDUSTRIAL PARK, according to the Plat thereof as recorded in Plat Book 10, Page 100 of the Public Records of Seminole County, Florida.

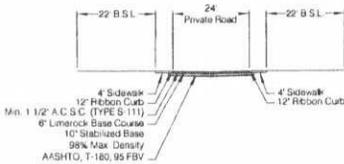
Being more particularly described as follows:

Begin at the Northwest corner of aforesaid Lot 23, also being a point on the Southerly right-of-way line of Park Road, also being a point on a non tangent curve concave Northwesterly and having a radius of 1156.78 feet, thence from a tangent bearing of North 79°30'39" East run Northwesterly along the Northerly line of said Lot 23, also being said Southerly right-of-way line, also being said curve through a central angle of 15°37'13" for an arc distance of 315.37 feet to a point of tangency; thence continuing along said Northerly line and said Southerly right-of-way line run North 63°53'26" East for a distance of 263.01 feet to a point on a line 125.00 feet West of and parallel with the Easterly line of said Lot 23, thence departing said Northerly line and said Southerly right-of-way line run South 00°02'02" West along said parallel line for a distance of 784.53 feet to a point on the Northerly right-of-way line of an unnamed private roadway, thence departing said parallel line run North 89°05'16" West along said Northerly right-of-way line for a distance of 537.29 feet to a point on the Westerly line of aforesaid Lot 23, thence departing said Northerly right-of-way line thence run North 00°18'31" East along said Westerly line for a distance of 581.53 feet to aforesaid POINT OF BEGINNING.

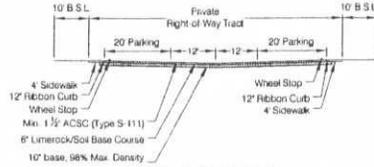
Contains 8.056 acres more or less



Typical Lot Layout
Not To Scale



Typical Road Section
Not To Scale



Typical Road With Standard Parking Section
Not To Scale

Walden Chase Planned Development

Final Master Plan

Seminole County, Florida

August 2004

Revisions



10.12.04

Revised per DRC meeting 09.15.04

Prepared for:
Centex Homes

385 Douglas Avenue, Suite 2000
Altamonte Springs, FL 32714

Owners

Fradkin Brothers Realty Co. LLC
9199 Reister Town Rd.
Dwight Mills, MD 21117
Contact: Mark Fradkin

Developer

Centex Homes
385 Douglas Ave., Suite 2000
Altamonte Springs, FL 32714
(407)661-2189
Contact: Michael Oliver PE

Applicant/Agent

Daly Design Group
913 N. Pennsylvania Ave
Winter Park, FL 32789
(407) 740-7373
Contact: Thomas Daly ASLA

Engineer

Madden Engineering, Inc.
431 E. Horatio Ave., Suite 260
Maitland, FL 32751
407-629-8330
Contact: Charlie Madden

Surveyor

Allen & Company
16 E. Plant St.
Winter Garden, FL 34787
407-654-5355
Contact: James L. Rickman

Site Data

Overall Site	
Parcel ID Number	34-21-31-503-000-021A
Total Land Area	8.056 ac
Approved Zoning	PUD
Approved Land Use Designation	PUD
Total Units	74
Proposed Density	9.14 units/ac
Maximum Building Height	35 (2 story)
Typical Lot Size	1,840 s.f. (32 x 82)
Maximum Frontage	20'
Minimum Lot Area	1,000
Potential School Age Children	60

Tract Data	
A Private Roadway	2.31 ac
B1 Landscape Buffer	0.11 ac
C Buffer and Open Space	0.29 ac
D Retention, Open Space, Recreation, and Buffer	1.13 ac
E Retention, Open Space, and Buffer	1.48 ac
F Open Space	0.12 ac
G Lift Station	0.02 ac
H Landscape Buffer	0.18 ac

Property Setbacks	
North Property Line	25'
South Property Line	30'
East Property Line	25'
West Property Line	20'

*Setbacks to be a minimum of 20' from the front building line.

Minimum Building Setbacks on Lots	
Front	32'
Rear	10'
Side	0'

Minimum Building Separation Requirements	
Side to Side	30'
Side to Rear	30'

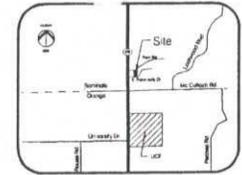
Parking	
Required Spaces	148 (Rund)
Garage	74
Driveway	74
Visitor	74
Total Parking	219

Net Buildable Acreage Calculation

Gross Site Area	=	8.056 acres
External R/W Deductions	-	0.00 acres
Nonresidential Outparcels	-	0.00 acres
Wetlands	-	0.00 acres
Flood Profile Areas	-	0.00 acres
Public Road R/W	-	0.00 acres
Private Road R/W	-	1.71 acres
Drive Areas (excl. Alleys)	-	0.00 acres
Lakes	-	0.00 acres
Transmission Line Easements	-	0.00 acres
Net Buildable Area	=	6.33 acres

Open Space Calculation

Gross Site Area	=	8.056 acres
Required External R/W Deductions	-	0.00 acres
Public or Private R/W	-	1.71 acres
Drive Areas for Non-Recreational Uses	-	0.00 acres
Parking and Paved Areas	-	0.00 acres
(unless associated with a Recreational Amenity)	-	
Residential Lots (if platted)	-	2.89 acres
Residential Building Footprints (if unplatted)	-	0.00 acres
Outparcels	-	0.00 acres
Retention (if not amortized per LOC)	-	0.00 acres
Utility Tracts/Facilities	-	0.02 acres
Upland Common Areas Less Than 15' in Width (unless developed with pedestrian, bicycle or horse trails)	-	0.00 acres
Required Buffer Areas	-	0.00 acres
Transmission Line Easements (not containing rec. amenities)	-	0.00 acres
Required "Usable" Open Space	=	3.47 acres



Location Map

General Notes

- Streets will be privately owned & maintained by the home owners association
- Buffer, landscaping, and common areas will be privately owned & maintained by The Homeowners Association
- Project infrastructure will be developed in one phase
- Solid waste collection will be curbside pick-up
- Fan flow to be provided with at least 1250 gpm at 20 psi residual pressure
- An easement over tract 'A' will be granted to Seminole County for purposes of maintaining utilities
- Tract 'G' (lift station) will be dedicated to Seminole County
- All stormwater management piping and ponds will be privately owned and maintained
- Project outfall system will be owned and maintained by Seminole County
- Accessory buildings will not be permitted

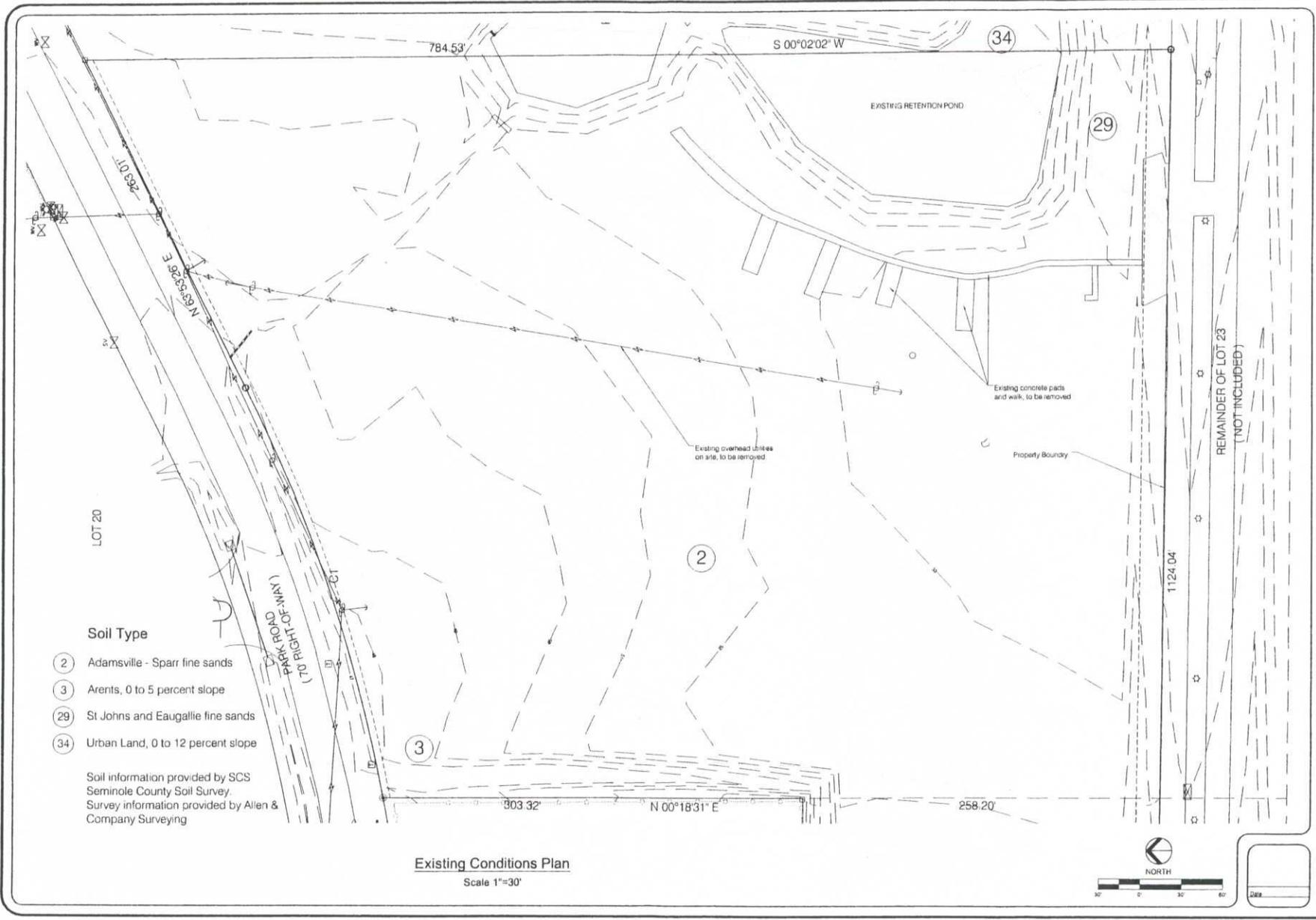
Sheet Index

SHEET	DESCRIPTION
FMP 1	Cover
FMP 2	Existing Conditions Plan
FMP 3	Final Master Plan
FMP 4	Utility Plan
FMP 5	Conceptual Landscape Plan
FMP 6	Earthmoving Concept Plan

daly design group, inc.

Land Planning • Landscape Architecture • Project Management
913 N. Pennsylvania Ave., Winter Park, Florida 32789
Phone 407 740 7373 • Fax 407 740 7661 • www.dalydesign.com
Date: August 2004 Scale: As Noted Job No: 2421

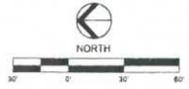
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- Soil Type**
- (2) Adamsville - Sparr fine sands
 - (3) Arents, 0 to 5 percent slope
 - (29) St Johns and Eaugallie fine sands
 - (34) Urban Land, 0 to 12 percent slope

Soil information provided by SCS
 Seminole County Soil Survey.
 Survey information provided by Allen &
 Company Surveying

Existing Conditions Plan
 Scale 1"=30'



REMAINDER OF LOT 23
 (NOT INCLUDED)

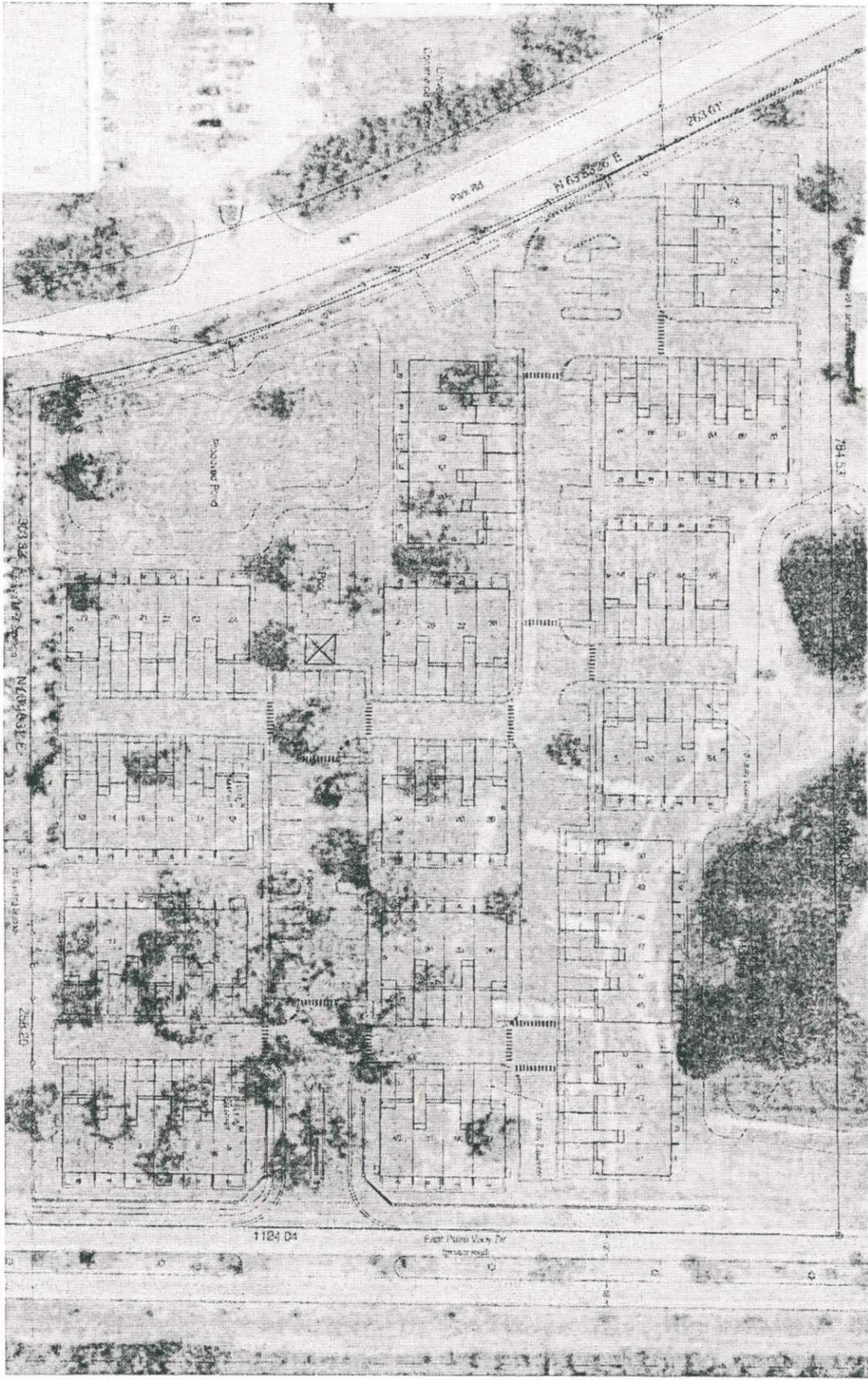
Existing Conditions Plan
 Final Master Plan
 Walden Chase
 Seminole County, Florida

REV.	DATE	DESCRIPTION

PROJECT NO: 2421
 SCALE: 1"=30'
 DATE: August 2004
 SHEET: FMP-2

daily design group inc.
 Land Planning, Landscape Architecture, Project Management, Development Consulting
 913 N. Pennsylvania Ave., Winter Park, Florida 32789 (407) 740-7213 www.dailydesign.com

OCT 11 2004



NOV 11 2014



11/11/14

Project No. 1822421
 Date: 11/11/14
 Page: 6 of 6



Aerial Photograph
 Final Master Plan
 Walden Chase
 Seminole County, Florida

REV	DATE	DESCRIPTION	BY

daly design group inc.
 Land Planning, Landscape Architecture, Project Management, Development Consulting
 615 N. Pennsylvania Ave., Winter Park, Florida 32789 (407) 740-7573 www.dalydesign.com

Walden Chase Small Scale Land Use Amendment Staff Report

Planned Development (PD) to Planned Development (PD)		Amendment (Z2004-048, 9- 04SS.02)
REQUEST		
APPLICANT	Thomas Daly	
PLAN AMENDMENT	Planned Development to Planned Development	
REZONING	Major PUD Amendment	
APPROXIMATE GROSS ACRES	8.1	
LOCATION	North side of Palm Valley Dr., 600' east of Alafaya Tr.	
BCC DISTRICT	1, Maloy	
RECOMMENDATIONS AND ACTIONS		
STAFF RECOMMENDATION November 3, 2004	Due to significant unresolved technical issues, staff recommends that the request be CONTINUED to the December 1 meeting.	

STAFF ANALYSIS

Planned Development (PD) to Planned Development (PD)

Amendment
(Z2004-048,
9-04SS.02)

1. **Property Owner:** Fradkin Brothers Realty Co. LLC
2. **Tax Parcel Number:** 34-21-31-503-0000-022A
3. **Development Trends:** The subject property lies between Industrial future land use to the north and west, and Medium and High Density Residential to the east and south. The proposed density of 11.6 units per net buildable acre is slightly higher than the allowable density in MDR to the east (developed as a mobile home park). Also, it is consistent with allowable densities in HDR to the south, although this property has been developed as a single family subdivision. Adjacent properties to the north and west are developed in heavy commercial uses.

SITE DESCRIPTION

1. **EXISTING AND PERMITTED USES:** The future land use designation of Office, currently assigned to the subject property, permits general office and supporting uses such as schools and day care centers.

Location	Future Land Use*	Zoning*	Existing Use
North	Industrial	M-1A	warehouse
South	HDR	R-1BB	single family
East	MDR	RM-2	mobile home park
West	Industrial	M-1A / C-1	mini-warehouse / 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 effect on the timing/financing of these programs) that will be affected by the amendment if approved.

Summary of Program Impacts: The proposed amendment 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. The amendment request would not be in conflict with the Metroplan Orlando Plan or the Florida Department of Transportation's 5-Year Plan (Transportation Policy 14.1).

A. **Traffic Circulation - Consistency with Future Land Use Element:** *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 Palm Valley Drive, a privately owned local road. The nearest arterial is SR 434, approximately 600' west of the site. The existing Level of Service (LOS) on this portion of SR 434 is "D". The adopted LOS standard is "D" as well, but the road is in the process of being widened to 4 lanes, which will significantly increase its capacity.

B. **Water and Sewer Service – Adopted Potable Water and Sanitary Sewer Service Area Maps:** *Figure 11.1 and Figure 14.1 are the water and sewer service area maps for Seminole County*

The subject property is within the Seminole County water and sewer service areas. Water, reclaimed water, and sewer service are available to the site.

C. **Public Safety – Adopted Level of Service:** *The 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 Station #65. 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 2020 Plan, but are not applied in detail at this stage.

A. **Preliminary Development Orders: Capacity Determination:** *For 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, or that such facilities could be made available, and that the proposed Plan amendment would create no adverse impacts to public facilities.

B. **Flood Plain and Wetlands Areas - Flood 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-1) Overlay Zoning classifications...(Policy FLU 1.2 and 1.3).*

The site contains less than 5% wetlands or flood prone areas, and can be developed within requirements of the Vision 2020 Plan and Land Development Code.

C. **Protection of Endangered and Threatened Wildlife:** *The 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 threatened wildlife prior to development approval (Conservation Policy 3.13).*

A threatened and endangered species report shall be required prior to final engineering approval for any proposed development on the subject property.

4. DEVELOPMENT POLICIES - Additional 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. **Compatibility:** 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, prior to public input and comment, 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 Vision 2020 Plan (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 initial evaluation, the proposed amendment to the PD land use may be compatible with the Industrial land use designation on adjoining properties to the north and west. This can be achieved through sensitive site design features such as setbacks, buffers, and fences or walls to screen the proposed residential use from more intensive industrial and commercial uses. The amendment also represents an appropriate transition of land use intensity between these Industrial properties and less intense residential uses to the east and south of the subject property.

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

Transitional Land Uses (Policy FLU 2.5): *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.*

Although the proposed development would be in a Planned Development (PD) land use designation, the proposed gross density for the subject property is equivalent to Medium Density Residential (MDR). "Exhibit FLU: Appropriate Transitional Land Uses" indicates that MDR is an appropriate transitional use adjacent to MDR and HDR to the east and south. Also, MDR can be compatible with the adjacent light industrial uses to the north and west. This can be achieved with appropriate design features such as buffer areas and walls to minimize any adverse impacts.

Other applicable plan policies include:

FLU 2.1 Subdivision Standards.

FLU 2.11 Determination of Compatibility in the PUD Zoning Classification

FLU 5.5: Water and Sewer Service Expansion

PD Future Land Use Definition

B. Concurrency Review - Application to New Development: *For purposes of approving new development subsequent to adoption of this Comprehensive Plan, all adopted public facilities 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. The applicant has elected to defer concurrency review and the site will have to demonstrate concurrency compliance at the time of final engineering.

STAFF RECOMMENDATION:

Staff's main concern with the proposed development is the issue of usable common open space. While the site *may* have adequate area to meet the 25% open space requirement, complete calculations to establish this have not been submitted to date. These calculations should eliminate buffer areas and all parking from proposed open space acreage.

Of the total area to be counted toward the 25% requirement, more information is needed as to how the applicant will make this space into usable amenities for residents of the project. The site plan indicates a swimming pool as the primary recreational facility. However, a more detailed amenities plan should be provided indicating other specific facilities such as walking trails, tot lots, picnic tables, etc. These facilities should be distributed throughout the project rather than concentrated in one spot. Tract E, the retention facility on the east property line, must be amenitized in accordance with the Code in order to count toward open space. Additional details regarding this facility should be shown on the plan.

A further concern is with architectural details of the proposed development. Since the current application represents a Final Master Plan, there is no later step in the approval process at which this information can be provided to the Commission. Therefore, elevations should be submitted before the Commission decides on a recommendation.

Staff recommends CONTINUANCE of the request to the December 1 meeting. If the Commission decides to address the item on the current agenda, the following conditions for approval are recommended:

1. Prior to approval by the Board of County Commissioners, the applicant shall demonstrate compliance with the 25% usable common open space requirement by providing active recreational amenities within the development, excluding required buffer areas. This shall include information on how retention ponds will be amenitized in accordance with Section 30.1344 of the Land Development Code.

2. Buffers along the north and west property lines shall contain 4 canopy trees per 100 linear feet, having a minimum caliper of 3" as measured 1 foot above ground, and a 6-foot PVC fence.
3. Sales materials on the proposed development shall clearly indicate the presence of industrial and commercial land uses to the north and west.
4. Building setbacks from the perimeter of the site shall be as follows:

North	25'
South	35'
East	25'
West	20'
5. Permitted uses shall be single family homes, townhouses, home occupations, home offices, and appropriate accessory uses.
6. Minimum required setbacks on individual lots shall be:

Front	22'
Rear	10'
Side	0'
7. In the event that sidewalks are installed in easements on privately owned lots, the front building setback shall be no less than 20 feet from the nearest edge of the sidewalk.
8. No accessory buildings shall be permitted on platted townhouse lots.
9. Sidewalks shall be provided adjacent to all dwelling units, and crosswalks shall be designated to establish continuous pedestrian access to all parts of the development. This shall include a crosswalk to visitor parking at the north end of the site, and a sidewalk at the head of any such spaces that abut unpaved areas.
10. Balconies and similar appurtenances shall be prohibited on units having rear walls within 50 feet of the east property line.
11. Front walls of the units shall be staggered.
12. Prior to approval by the Board of County Commissioners, elevations shall be provided showing architectural features of the units.