

ITEM # _____

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

SUBJECT: Lakeshore Preserve Rezone from A-1 to PUD

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

AUTHORIZED BY: Tony Walter *TW* **CONTACT:** Tyrone Smith EXT. 7431

Agenda Date <u>01/11/2006</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 a request to rezone approximately 55.94 ± acres from A-1 (Agriculture District) to PUD (Planned Unit Development District); located on the south side of Wilson Road and east of International Parkway, based on staff findings, (Morrison Homes, applicant); or
2. Recommend DENIAL of a request to rezone approximately 55.94 ± acres from A-1 (Agriculture District) to PUD (Planned Unit Development District); located on the south side of Wilson Road and east of International Parkway, based on staff findings, (Morrison Homes, applicant); or
3. CONTINUE the item to a time and date certain.

District 5 – Commissioner Carey Tyrone Smith, Senior Planner

BACKGROUND:

The applicant is requesting to rezone 55.94 ± acres from A-1 (Agriculture District) to PUD (Planned Unit Development District). The subject property is located on the south side of Wilson Road, east of International Parkway. The Future Land Use designation of the subject property is HIP-TI (North I-4 Corridor High Intensity Planned Development-Target Industry). HIP-TI encourages growth of high tech industries and seeks to maintain adequate land for target industry in close proximity to and highly visible from major interchanges (Policy FLU-5.9). The applicant is proposing 450 townhomes at a density of approximately 12.5 dwelling units per acre.

Reviewed by: <i>KL</i> Co Atty: _____ DFS: _____ OTHER: _____ DCM: _____ CM: _____ File No. <u>Z 2005-065</u>
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The parcel is constrained from developing with target businesses and industries, manufacturing or high density residential as called for in HIP-TI as it does not front, nor have direct access to International Parkway. The only access to the property is from Wilson Road. The applicant does not have the ability to gain access from International Parkway and therefore is requesting a project designed within the constraints of the property.

STAFF RECOMMENDATION:

Staff recommends APPROVAL of a request to rezone approximately 55.94 ± acres from A-1 (Agriculture District) to PUD (Planned Unit Development District); located on the south side of Wilson Road and east of International Parkway, (Morrison Homes, applicant), based on staff findings, the Fiscal Impact Analysis Model, the policies of the Vision 2020 Comprehensive Plan and subject to the following conditions:

1. The development shall be a minimum of 450 townhome units.
2. Communication towers, billboards and pole signs shall be prohibited.
3. The applicant shall extend the existing southbound left turn lane on International Parkway to provide additional vehicle storage.
4. The applicant shall construct a turn around (cul-de-sac or hammerhead) near the east end of Wilson Road.
5. Garage parking spaces shall have minimum dimensions of 11' x 19.'
6. Garages shall not be converted to living space.
7. Parking of recreation vehicles and/or boats on trailers shall be prohibited within the development.
8. Where sidewalks are installed, the front building setback shall be no less than 20 feet from the nearest edge of the sidewalk. 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.
9. Retention ponds designed as an amenity shall be in accordance with Section 30.1344 of the Land Development Code.
10. Interior drives and parking areas within the townhouse tract shall be owned and maintained by a Homeowners Association.
11. Townhouse units shall have a minimum of one car garage each.
12. Required parking within the boundaries of the residential tract shall be 2.33 parking spaces per dwelling unit.

Attachments:

Staff Analysis
Location Map
FLU/Zoning Map
Aerial Photo
Preliminary Plan
Development Order
Ordinance

Lakeshore Preserve

Rezone from A-1 to PUD Z2005-065

APPLICANT	Morrison Homes	
PROPERTY OWNER (S)	PRN Real Estate & Investment, Ltd., WGML Investments, Ltd., and JDF Real Estate & Investment, Ltd.	
REQUEST	Rezone from A-1 (Agriculture District) to PUD (Planned Unit Development District)	
PROPERTY SIZE	55.94± acres	
HEARING DATE (S)	P&Z: January 11, 2005	BCC: February 14, 2005
PARCEL ID (S)	31-19-30-300-0020-0000	
LOCATION	South side of Wilson Road, east of International Parkway	
FUTURE LAND USE	HIP-TI (High Intensity Planned Development-Target Industry)	
ZONING	A-1 (Agriculture District)	
FILE NUMBER	Z2005-065	
COMMISSION DISTRICT	#5 – Carey	

Proposed Development:

The applicant is proposing to develop approximately 450 townhouse units at a density of approximately 12.5 dwelling units per net buildable acre.

ANALYSIS OVERVIEW:

ZONING REQUEST

The applicant is requesting to rezone 55.94 ± acres from A-1 (Agriculture District) to PUD (Planned Unit Development District). The subject property is located on the south side of Wilson Road, east of International Parkway. The Future Land Use designation of the subject property is HIP-TI (North I-4 Corridor High Intensity Planned Development-Target Industry). HIP-TI encourages growth of high tech industries and seeks to maintain adequate land for target industry in close proximity to and highly visible from major interchanges (Policy FLU-5.9). The applicant is proposing 450 townhomes at a density of approximately 12.5 dwelling units per acre.

The parcel is constrained from developing with target businesses and industries, manufacturing or high density residential as called for in HIP-TI as it does not front, nor have direct access to International Parkway. The only access to the property is from Wilson Road which is classified as a 2 lane undivided local road with a 25 foot right-of-way. The applicant does not have the ability to gain access from International Parkway which limits the development capacity of the site and reduces the potential for

development of the target industry uses outlined in the Comprehensive Plan and therefore is requesting a project designed within the constraints of the property.

DISTRICT REGULATIONS	Existing Zoning (A-1)	Proposed Zoning (PUD)
Minimum Lot Size	43,560 sq. ft.	1700 sq. ft.
Minimum House Size	N/A	1200 sq. ft.
Minimum Width at Building Line	150 feet	20 feet
Front Yard Setback	50 feet	20 feet
Side Yard Setback	10 feet	0 feet
(Street) Side Yard Setback	50 feet	N/A feet
Rear Yard Setback	30 feet	10 feet (2 feet for porches/patios)
Maximum Building Height	35 feet	35 feet
Office	N/A	N/A

PERMITTED & SPECIAL EXCEPTION USES

The following table depicts the permitted and special exception uses within the existing and proposed zoning districts:

Zoning District	Permitted Uses	Special Exception	Minimum Lot Size
A-1 (Existing)	Citrus or other fruit crops cultivation, production, and horticulture. Truck farms. Plant nurseries and greenhouses not involved with retail sales to the general public. Poultry and livestock production, excluding commercial swine raising, except as otherwise provided within the district. Grazing and pasturing of animals. Home occupations and home offices. Roadside stands for the sale of fruits, vegetables, and similar products produced on the premises. Government-owned or government-operated building or use, excluding public utility and service structures public. Public and private elementary	Cemeteries and mausoleums. Kennels including the commercial raising or breeding of dogs. Hospitals, sanitariums and convalescent homes, veterinary clinics and assisted living facilities and group homes when such facilities and homes are approved and licensed by the State of Florida. Public and private nursery schools, kindergartens, middle schools, high schools and colleges. Temporary asphalt plants for purpose of specific public road construction. Sawmills. Public utility and service structures. Fraternal clubs when chartered with the State. Country and golf	1 acre

	<p>schools. Fish hatcheries or fish pools, when approved in accordance with all applicable federal, state, and County regulations and laws. Publicly owned and/or controlled parks and recreation areas. Bait production. Stables, barns, shed, silos, granaries, windmills, and related agricultural structures. Dairies. Apiculture. Silviculture including timber production. Single-family dwelling and customary accessory uses including one (1) guesthouse or cottage, docks and boathouses. Neighborhood recreation areas, when approved as part of a subdivision plat. Churches and structures appurtenant thereto. Community residential homes (group homes and foster care facilities) housing six (6) or fewer permanent unrelated residents.</p>	<p>clubs, fishing clubs, fishing camps, marinas, gun clubs, or similar enterprises or clubs making use of land with nominal impacts to natural resources, as determined by the Planning Manager. Privately owned and operated recreational facilities open to the paying public. Golf driving ranges. Riding stables. Commercial raising of swine (other than for family use). Sewage disposal plants, water plants, and sanitary landfill operations. Off-street parking lots. Farmworker housing. Mobile home. Retail nurseries. Organizations involved in either the slaughter of livestock, meat cutting, and/or processing operations, but that do not engage in retail sales. Community residential homes. Landscaping contractors. Communication towers. Disposal of tree cuttings or similar organic materials by burning in which materials have been transported to the property. Bed and Breakfast establishments which are not located within a platted subdivision.</p>	
<p>PUD (Proposed)</p>	<p>450 Townhouse units, home occupations and home office.</p>	<p>N/A</p>	<p>55.94 acres</p>

COMPATIBILITY WITH SURROUNDING PROPERTIES

The Future Land Use designations, zoning districts and existing uses for the subject and abutting properties are as follows:

(North)

	HIP-TI <i>Vacant</i> <i>A-1</i> <i>(31.16 acres)</i>	HIP-TI <i>Vacant</i> <i>A-1</i> <i>(24.84 acres)</i>	HIP-TI <i>Vacant</i> <i>A-1</i> <i>(15.21 acres)</i>	
(West)	HIP-TI <i>Vacant</i> <i>A-1</i> <i>(17.32 acres)</i>	HIP-TI <i>Vacant</i> <i>A-1</i> <i>(55.94 acres)</i>	I-4 <i>Roadway</i>	(East)
	HIP-TI <i>Vacant</i> <i>A-1</i> <i>(1.66 acres)</i>	HIP-TI and SR 417 <i>Vacant/Roadway</i> <i>A-1</i> <i>(9.97 acres)</i>	I-4 and SR 417 <i>Roadway</i>	

(South)

* **Bold** text depicts the Future Land Use designation, *italicized* text depicts the existing zoning district and plain text depicts existing use. The shaded cell indicates the subject property. More detailed information regarding surrounding properties can be found in the attached Future Land Use, zoning and aerial photo maps.

SITE ANALYSIS:

ENVIRONMENTAL IMPACTS

Floodplain Impacts:

Based on FIRM maps there appears to be no floodplains located on the subject property. Compliance with the Land Development Code regarding floodprone areas is required prior to the issuance of any building permits.

Wetland Impacts:

Based on preliminary aerial photo and County wetland map analysis, it appears that a portion of the subject property on the east and west sides may contain wetlands. Compliance with the Land Development Code regarding development within and around wetland areas is required prior to the issuance of any building permits.

Endangered and Threatened Wildlife:

A threatened and endangered species survey will be required prior to final engineering approval.

PUBLIC FACILITY IMPACTS

Concurrency:

Rule 9J-5.0055(3) (c), Florida Administrative Code, requires that adequate public facilities and services be available concurrent with the impacts of development. The applicant has submitted for concurrency review at this time.

The following tables depict the impacts the proposed development has on public facilities:

Public Facility	Existing Zoning (A-1)	Proposed Development* Townhomes	Net Impact
Water (GPD)	18,550	123,750	105,200
Sewer (GPD)	15,900	112,500	96,600
Traffic (ADT)	507	2637	2,130
Schools			
Elementary	13	51	38
Middle	6	24	18
High	7	26	19

Utilities:

The site is located in the utility service area of Seminole County and is required to connect to public utilities. There is a 15-inch gravity sewer main and 12-inch water main located on the south side Wilson Road, and also a 10-inch reclaim water main stub-out on the south side of Wilson Road. Approval of the proposed water service utility plan is required prior to the approval of final engineering plans.

Transportation / Traffic:

The property accesses Wilson Road, which is classified as a 2 lane undivided local road with a 25-foot right-of-way. The developer is responsible for constructing Wilson Road to County standards and is also responsible for dedicating the right-of-way required on Wilson Road to construct the road to Seminole County standards.

School Impacts:

Based on the formulas provided by the Seminole County School District, the proposed zone change will generate approximately 101 school-age children. This subject site is currently zoned for 27 school-age children, and will affect the following schools:

Schools Impacted	Proposed Impact	Current Capacity	05/06 Enrollment	Percent Capacity
Northwest Elementary Cluster	51	3955	4148	105%
Sanford Middle	24	1514	1507	90.4%
Seminole High	26	3404	3043	84.9%

Enrollment numbers are based on figures produced by the School District on 9/1/05.

Public Safety:

The nearest response unit to the subject property is Station # 34, which is located at 4905 State Road 46. Based on a response time of 2 minutes per mile, the estimated response time to the subject property is 2.5 minutes. The County level-of-service standard for response time is 5 minutes per Policy PUB 2.1 of the Comprehensive Plan.

Drainage:

The proposed project is located within the Lake Monroe drainage basin. There is positive outfall for the subject property with limited capacity; therefore the applicant will be required to limit post development discharge to a rate meeting this capacity.

Parks, Recreation and Open Space:

Derby Park, located at 1810 Lowe Ave. will service the subject property.

The applicant is proposing to provide 0.50 acres of open space/recreational facilities, which will consist of a pool, cabana/clubhouse and trail areas. Open space requirements must meet the Seminole County Land Development Code.

APPLICABLE POLICIES:

FISCAL IMPACT ANALYSIS

This project, due to the HIP-TI land use, does warrant processing the County Fiscal Impact Analysis Model (FIAM).

Lakeshore Preserve PUD (20-Year Impacts)		Development Scenarios	
		Current	Proposed
Total County Fiscal Impacts		-\$134,386	\$1,332,607
Total Economic Impacts	Jobs	3,007	350
	Sales	\$194,132,704	\$24,365,092
	Earnings	\$85,274,465	\$9,874,104
Total School Student Impacts		0	219

SPECIAL DISTRICTS

The subject property is not located within any special districts or overlays.

COMPREHENSIVE PLAN (VISION 2020)

The following policies are applicable with the proposed project:

Policy FLU 2.11: Determination of Compatibility in PUD and PCD Zoning Classifications

Policy FLU 5.6: Higher Intensity Planned Development (HIP) Purpose.

Policy FLU 5.7: Higher Intensity Planned Development (HIP) General Uses and Intensities.

Policy FLU 5.9: North I-4 Corridor Higher Intensity Planned Development-Target Industry (HIP-TI) Permitted Uses and Locational Standards.

Policy FLU 5.13: Higher Intensity Planned Development (HIP) Design Standards

INTERGOVERNMENTAL NOTIFICATION:

Intergovernmental notices were sent to the Seminole County School District on December 20, 2005. To date, no comments have been received.

LETTERS OF SUPPORT OR OPPOSITION:

At this time, Staff has received no letters of support or opposition for this application.

STAFF FINDINGS:

This site does not meet the standards for Higher Intensity Planned Development for the following reasons:

1. Higher Intensity Planned Development areas should ensure that the uses developed can meet particular standards for facility capacity and land use compatibility. While the County has provided the infrastructure capacities to support development of non-residential target industries, this parcel is constrained from developing with target businesses and industries, manufacturing or high density residential as called for in HIP-TI because it does not front, nor have direct access to International Parkway. Access to the property is from Wilson Road which is classified as a 2-lane undivided local road with a 25-foot right-of-way. The applicant does not have the ability to gain direct access from International Parkway which limits the development capacity of the site and reduces the potential for development of the target industry uses outlined in the Comprehensive Plan.
2. The uses anticipated for Higher Intensity Planned Developments represent major traffic generators and attractors. If this site is developed with an office use at a

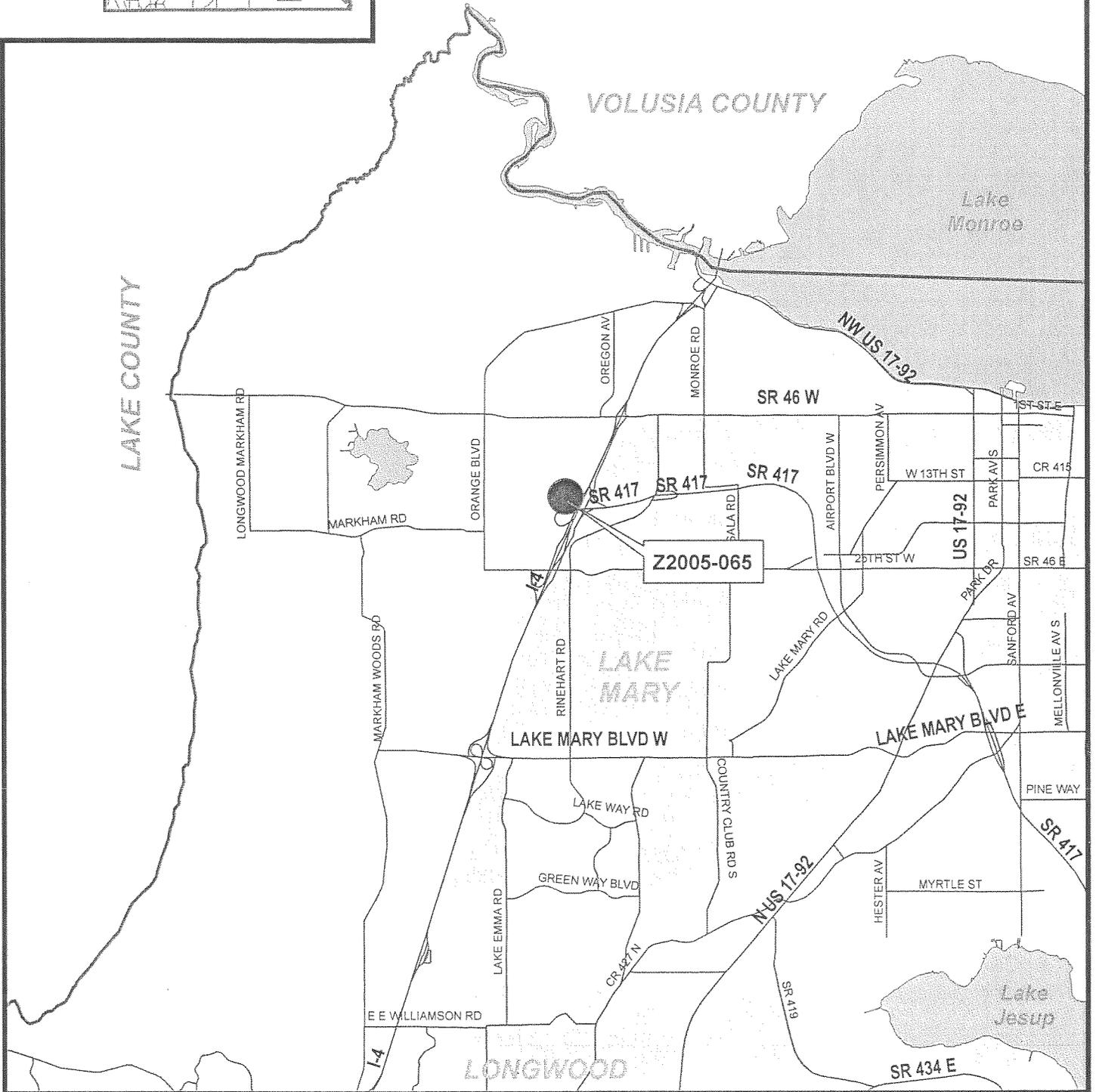
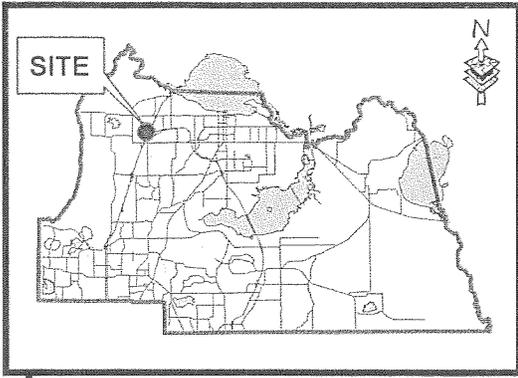
.35 floor area ratio, 5,450 average daily trips are generated verses 2,939 average daily trips generated by the proposed residential development.

3. Comprehensive Plan Policy FLU 5.7 (A) Location and Timing of Specific Uses states that; "The ultimate land uses within these areas are subject to economic cycles and the timing of individual property owner(s) proposals and therefore should not be specifically designated on Exhibit FLU: Future Land Use Map. Rather these areas should remain flexible in terms of future land use while ensuring that the uses developed can meet particular standards for facility capacity and land use compatibility." While the site is highly visible from Interstate-4, the lack of access to International Parkway renders it as a marginal site of Class - A office or commercial uses. Being a marginal site for Class-A office or commercial uses indicates that the site will be developed much later than other sites with adequate access to International Parkway in the area.
4. This site is unique in that it is the only site in this area of Higher Intensity Planned Development without adequate access to International Parkway.

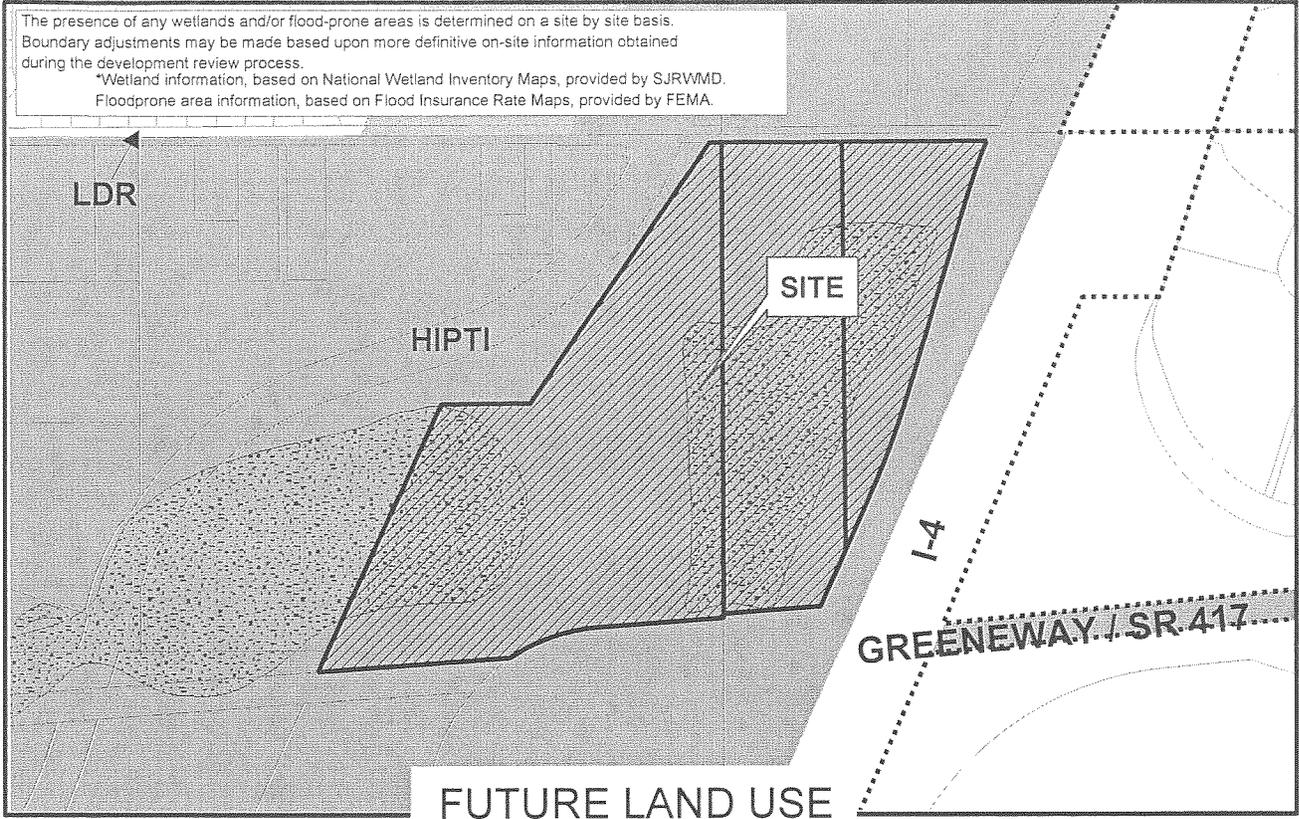
STAFF RECOMMENDATION:

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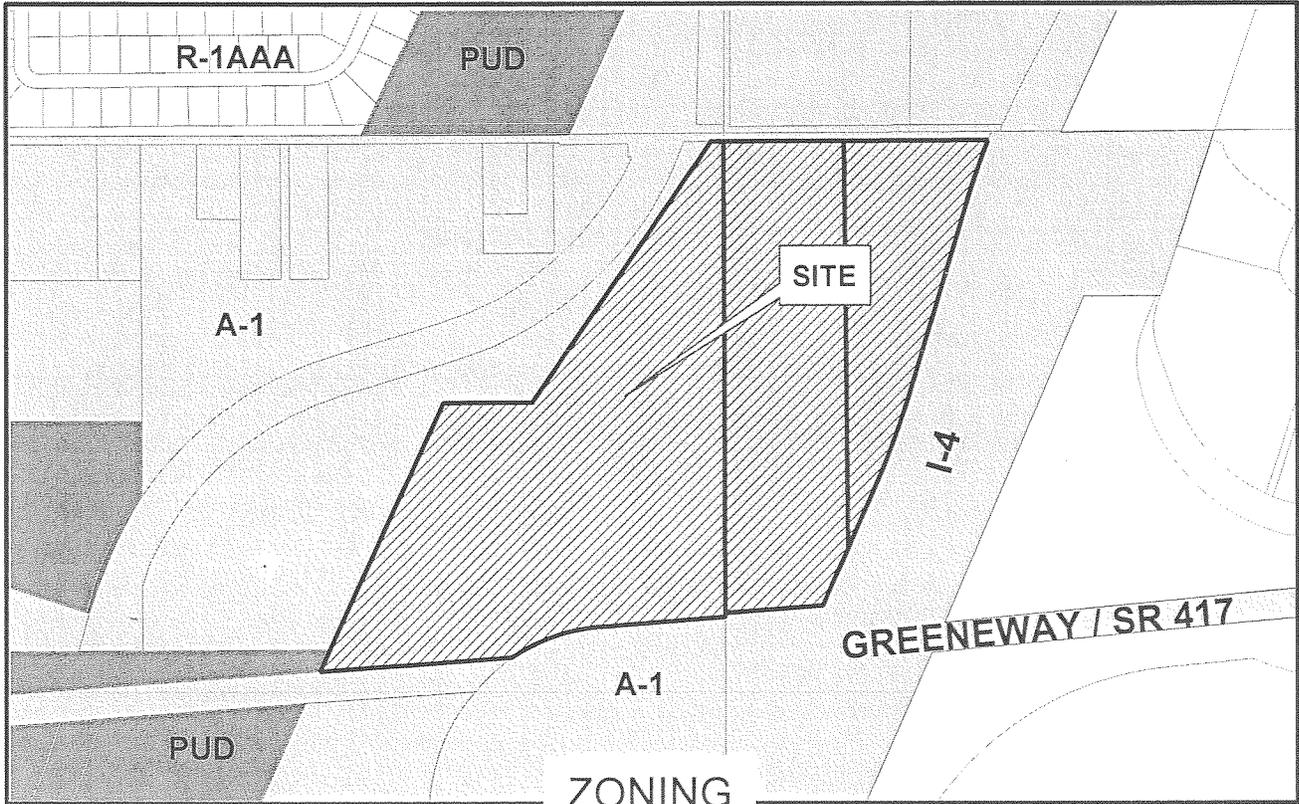
The presence of any wetlands and/or flood-prone areas is determined on a site by site basis. Boundary adjustments may be made based upon more definitive on-site information obtained during the development review process.
 *Wetland information, based on National Wetland Inventory Maps, provided by SJRWMD.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



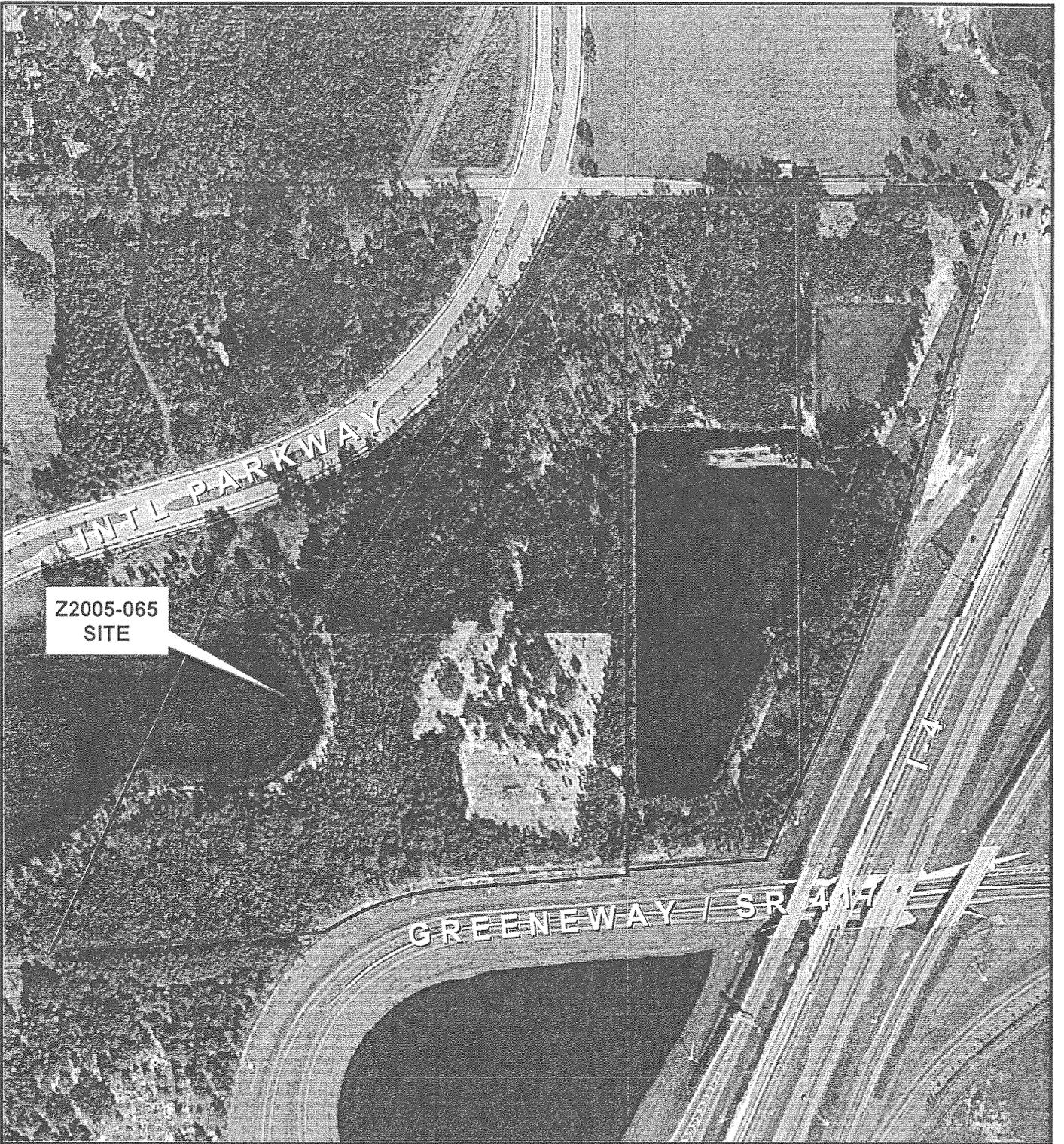
Site
 Municipality
 LDR
 HIPTI
 CONS

Applicant: Lakeshore Preserve
 Physical STR: part of 31-19-30
 Gross Acres: 55.94 +/- BCC District: 5
 Existing Use: Vacant Pasture
 Special Notes: None

	Amend/Rezone#	From	To
FLU	--	--	--
Zoning	Z2005-065	A-1	PUD



A-1
 PUD
 R-1AAA
 FP-1
 W-1



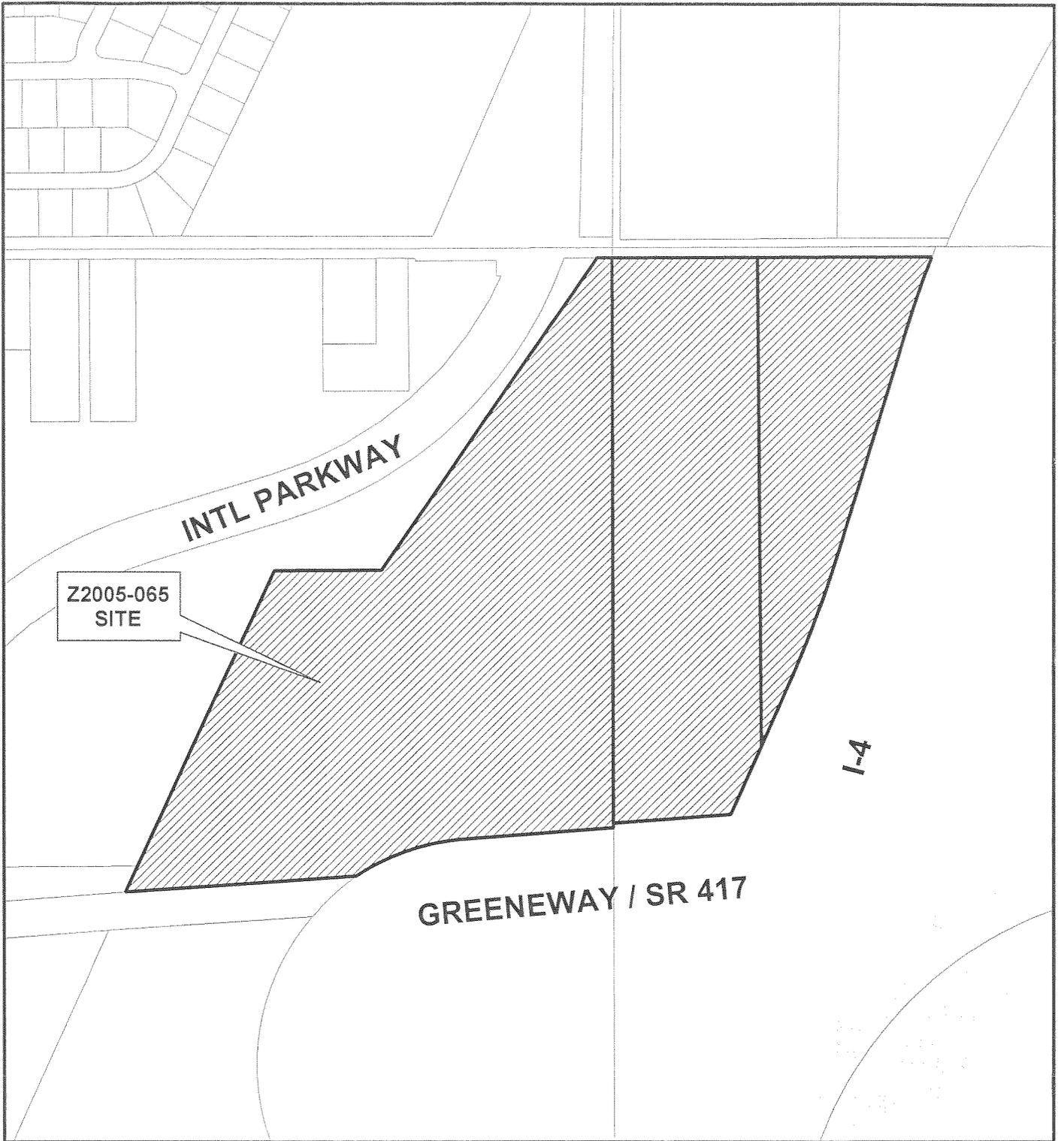
Z2005-065
SITE

Rezoning No: Z2005-065
From: A-1 To: PUD

-  Parcel
-  Subject Property



January 2004 Color Aerials





MADDEN
engineering, inc.
CIVIL ENGINEERS
431 E. Horatio Avenue
Suite 260
Maitland, Florida 32751
(407) 629-8330

**PRELIMINARY MASTER PLAN
FOR
LAKESHORE PRESERVE**

FLORIDA

CLIENT
MORRISON HOMES INC.

151 SOUTHALL LANE
MAITLAND, FL 32751
(407) 629-0077

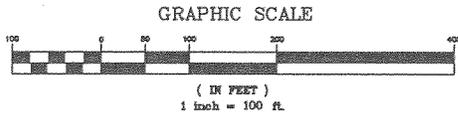
ENGINEER IN CHARGE:

CHADWYCK H. MOORHEAD, P.E., #61261
CERTIFICATE OF AUTHORIZATION NO. EB-0007723

NO.	DATE	BY	REVISIONS
1	12/11/05	CHM	ISSUED FOR PERMITS
2	12/22/05	CHM	REVISED PER COMMENTS
3	01/05/06	CHM	REVISED PER COMMENTS
4			
5			
6			
7			
8			
9			
10			
11			

JOB # 25148
DATE: 8/12/05
SCALE: 1" = 100'
DESIGNED BY:
DRAWN BY:
APPROVED BY: CMM

PMP-1



DESCRIPTION:

ALL OF THAT PART OF THE NE 1/4 OF SECTION 31, TOWNSHIP 19 SOUTH, RANGE 30 EAST, LYING WITHIN THE SHARFORD GRANT AND LYING NORTH OF THE RIGHT-OF-WAY OF THE ATLANTIC COASTLINE RAILROAD, LESS BEGINNING AT A POINT 45 LINKS WEST OF THE NORTHEAST CORNER OF SAID SECTION 31, RUN WEST TO THE WEST LINE OF THE SHARFORD GRANT, RUN THENCE SOUTH 25° WEST 15.00 CHAINS ALONG SAID GRANT LINE, THENCE EAST 4.68 CHAINS, THENCE NORTHEASTERLY 17.30 CHAINS TO THE POINT OF BEGINNING AND ALSO LESS THE NORTH 25 FEET THEREOF FOR PUBLIC ROAD.

AND

THE WEST 429.7 FEET OF THE NORTHWEST 1/4 SECTION 32, TOWNSHIP 19 SOUTH, RANGE 30 EAST, LYING NORTH OF THE RIGHT-OF-WAY OF THE ATLANTIC COASTLINE RAILROAD, LESS THE NORTH 25 FEET THEREOF FOR PUBLIC ROAD.

AND

THAT PART OF THE NORTHWEST 1/4 OF SECTION 32, TOWNSHIP 19 SOUTH, RANGE 30 EAST, LYING NORTH OF ATLANTIC COASTLINE RAILROAD RIGHT-OF-WAY, WEST OF INTERSTATE 4 RIGHT-OF-WAY AND SOUTH OF THE SOUTH RIGHT-OF-WAY OF WILSON ROAD, A PUBLIC ROAD, LESS WEST 455.7 FEET THEREOF.

AND LESS:

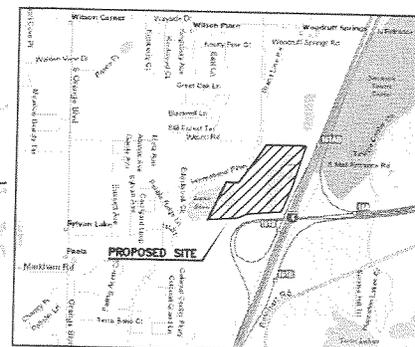
AS DESCRIBED IN OFFICIAL RECORD BOOK 1294, PAGE 1887, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, AND AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION NO. 77160-2441, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 32, (A ONE INCH (1") IRON PIPE AS NOW EXISTING) RUN SOUTH 00°47'00" EAST ALONG THE WEST LINE THEREOF 1726.77 FEET TO A POINT ON THE NORTH LINE OF THE ABANDONED ATLANTIC COASTLINE RAILROAD RIGHT-OF-WAY (A 100 FOOT RIGHT-OF-WAY BY PLAT), AND THE POINT OF BEGINNING; THENCE SOUTH 89°40'20" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE 704.27 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 847.31 FEET AND A CENTRAL ANGLE OF 297°17'00"; THENCE FROM A CHORD BEARING OF NORTH 71° 01'47" EAST RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE 330.05 FEET TO THE END OF SAID CURVE; THENCE NORTH 85°40'20" EAST 303.53 FEET TO SAID WEST LINE OF SECTION 32; THENCE CONTINUE NORTH 85°40'20" EAST 304.94 FEET; THENCE NORTH 24° 07'25" EAST 426.30 FEET TO THE BEGINNING OF A CURVE CONCAVE WESTERLY HAVING A RADIUS OF 3162.72 FEET AND CENTRAL ANGLE OF 07°12'14" AND CHORD BEARING OF NORTH 2027'00" EAST; THENCE RUN NORTHERLY ALONG THE ARC THEREOF 366.22 FEET TO THE END OF SAID CURVE; THENCE NORTH 19°04'24" EAST 666.06 FEET TO THE BEGINNING OF A CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 2742.78 FEET AND CHORD BEARING OF NORTH 191°40'00" EAST; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 04°47'00" A DISTANCE OF 229.02 FEET TO A POINT ON THE SOUTH LINE OF WILSON AVENUE, THENCE DEPARTING SAID CURVE NORTH 89° 17'24" EAST ALONG SAID SOUTH LINE 280.57 FEET TO A POINT ON THE WEST LINE OF EXISTING STATE ROAD 400 LIMITED ACCESS RIGHT-OF-WAY; THENCE SOUTH 84°03'20" WEST ALONG SAID WEST RIGHT-OF-WAY LINE 186.57 FEET TO THE NORTH LINE OF SAID ATLANTIC COASTLINE RAILROAD; THENCE SOUTH 85°40'20" WEST ALONG SAID NORTH LINE 440.79 FEET TO THE POINT OF BEGINNING.

CONTAINING 55.942 ACRES, MORE OR LESS.

SITE DATA:

- SITE AREA: 55.94 AC.
- PROPOSED PROJECT SHALL BE TOWNHOMES
- EXISTING LAND USE: (HP) TARGET INDUSTRY (TO REMAIN)
NOTE: ALLOWABLE MAXIMUM DENSITY = 50 DU/AC
- EXISTING ZONING: A-1 AGRICULTURE
- PROPOSED ZONING: PUD
- FEMA: FLOOD MAPS SHOWS LAKE STEN AS ZONE "A" (UNDETERMINED); HOWEVER THE SEMINOLE COUNTY LAKE INDEX IDENTIFIES THE LAKE STEN FLOOD PLAIN AS ELEV. 70.0.
- WATER, SEWER AND RECLAIM SERVICE WILL BE PROVIDED BY SEMINOLE COUNTY.
- STORMWATER SYSTEM TO BE DESIGNED TO MEET SEMINOLE COUNTY AND SURFWD REQUIREMENTS.
- FIRE PROTECTION WILL BE DESIGNED IN ACCORDANCE TO SEMINOLE COUNTY REQUIREMENTS.
- OPEN SPACE WILL BE PROVIDED PER SEMINOLE COUNTY LDC.
- A MANDATORY HOA WILL BE CREATED PROVIDING FOR THE MANAGEMENT OF COMMON AREAS AND FACILITIES.
- EXCEPT FOR A DOCK NO OTHER ENCROACHMENTS INTO THE EXISTING ON-SITE WETLANDS ADJACENT LAKE STEN ARE ANTICIPATED AT THIS TIME. IF ANY ENCROACHMENTS DO OCCUR, THEN MITIGATION WOULD BE PROVIDED FOR THE SURFWD AND SEMINOLE COUNTY REQUIREMENTS. THE EXISTING BORROW PIT CONFIGURATION WILL BE MODIFIED TO THE APPROXIMATE SHAPE SHOWN (TRACT A).
- PROPOSED SETBACKS:
FRONT - 20' FROM B.O.S.
SIDE - 0' EXCEPT 20' BETWEEN BUILDINGS, 10' FROM BOS (BACK OF SIDEWALK) OR 5' FROM PARKING SPACE
REAR - 10' (2' FOR PORCHES/PATIOS)
- PROPOSED BLDG. SEPARATION:
SIDE TO SIDE - 20'
SIDE TO REAR - 30'
REAR TO REAR - 40'
- SCHOOL AGE CHILDREN:
ELEMENTARY: (ASSUME 450 DU x 0.115 CHILD/DU) = 52 CHILDREN
MIDDLE: (ASSUME 450 DU x 0.053 CHILD/DU) = 24 CHILDREN
HIGH SCHOOL: (ASSUME 450 DU x 0.057 CHILD/DU) = 26 CHILDREN
TOTAL: 102 SCHOOL AGE CHILDREN
- 4' SIDEWALKS WILL BE PROVIDED IN FRONT OF ALL UNITS.
5' SIDEWALKS WILL BE PROVIDED ALONG THE SOUTH SIDE OF WILSON RD.
- THE GENERAL INTENT OF THE PROPOSED ZONING CLASSIFICATION IS AS FOLLOWS:
 - THE GENERAL PURPOSE IS TO DEVELOP AN ATTRACTIVE TOWNHOME DEVELOPMENT.
 - THE PROPOSED LAND USE BY ACREAGE AND DENSITY IS SHOWN ON THE "LAND USE TABLE" ON THIS SHEET.
 - THE MAXIMUM BUILDING HEIGHT IS 35 FEET. IT IS ANTICIPATED THAT THE BUILDINGS WILL BE WOOD FRAME OR BLOCK CONSTRUCTION WITH A STUCCO FINISH.
 - LANDSCAPING WILL MEET THE SEMINOLE COUNTY LDC. CONCEPTUALLY, A GATED, HEAVILY LANDSCAPED DIVIDED ENTRY IS ANTICIPATED.
 - RECREATION AND OPEN SPACE IS ADDRESSED ON THE "LAND USE TABLE" ON THIS SHEET.
 - NO FACILITY COMMITMENTS ARE ANTICIPATED.
- THE PROPOSED TOWNHOMES WILL BE DEVELOPED IN ONE PHASE WITH A MINIMUM PRICING STARTING AT MID TO HIGH \$200,000.
- MAXIMUM UNIT TOTAL: UP TO 450 UNITS
- WILSON ROAD IS TO BE IMPROVED TO THE ENTRANCE OF THE DEVELOPMENT.
- MINIMUM LOT SIZE - 20' (W) X 85' (L)
- MINIMUM UNIT SIZE - 1,200 S.F.



VICINITY MAP
N.T.S.

FILE # Z2005-065

DEVELOPMENT ORDER #

**SEMINOLE COUNTY DEVELOPMENT
ORDER**

On _____, 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(s): PRN INV./WGML INV./JDF INV.

Project Name: LAKESHORE PRESERVE PUD

Requested Development Approval: Rezone from A-1 to PUD

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: TONY WALTER
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:

1. The development shall be a minimum of 450 townhome units.
2. Communication towers, billboards and pole signs shall be prohibited.
3. The applicant shall extend the existing southbound left turn lane on International Parkway to provide additional vehicle storage.
4. The applicant shall construct a turn around (cul-de-sac or hammerhead) near the east end of Wilson Road.
5. Garage parking spaces shall have minimum dimensions of 11' x 19.'
6. Garages shall not be converted to living space.
7. Parking of recreation vehicles and/or boats on trailers shall be prohibited within the development.
8. Where sidewalks are installed, the front building setback shall be no less than 20 feet from the nearest edge of the sidewalk. 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.
9. Retention ponds designed as an amenity shall be in accordance with Section 30.1344 of the Land Development Code.
10. Interior drives and parking areas within the townhouse tract shall be owned and maintained by a Homeowners Association.
11. Townhouse units shall have a minimum of one car garage each.
12. Required parking within the boundaries of the residential tract shall be 2.33 parking spaces per dwelling unit.

(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.

(6) This Development Order shall control in the event of any conflict between the terms and conditions of the development order and the terms, conditions, or notes of any site plan or master site plan.

Done and Ordered on the date first written above.

By: _____
Carlton D. Henley
Chairman
Board of County Commissioners

OWNER'S CONSENT AND COVENANT

COMES NOW, PRN INVESTMENT, 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

PRN Investment

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 _____, PRN Investment, 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 _____, 2006.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

OWNER'S CONSENT AND COVENANT

COMES NOW, WGML INVESTMENT, 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

WGML Investment

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 _____, WGML Investment, 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 _____, 2006.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

OWNER'S CONSENT AND COVENANT

COMES NOW, JDF INVESTMENT, 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

JDF Investment

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 _____, JDF Investment. 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 _____, 2006.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

EXHIBIT A**Project Legal Description:**

Lake Shore Preserve (Z2005-065) DESCRIPTION:

ALL OF THAT PART OF THE NE 1/4 OF SECTION 31, TOWNSHIP 19 SOUTH, RANGE 30 EAST, LYING WITHIN THE SANFORD GRANT AND LYING NORTH OF THE RIGHT OF WAY OF THE ATLANTIC COASTLINE RAILROAD, LESS BEGINNING AT A POINT 45 LINKS WEST OF THE NORTHEAST CORNER OF SAID SECTION 31, RUN WEST TO THE WEST LINE OF THE SANFORD GRANT, RUN THENCE SOUTH 25° WEST 15.60 CHAINS ALONG SAID GRANT LINE, THENCE EAST 4.68 CHAINS, THENCE NORTHEASTERLY 17.55 CHAINS TO THE POINT OF BEGINNING AND ALSO LESS THE NORTH 25 FEET THEREOF FOR PUBLIC ROAD.

AND

THE WEST 429.7 FEET OF THE NORTHWEST 1/4 SECTION 32, TOWNSHIP 19 SOUTH, RANGE 30 EAST, LYING NORTH OF THE RIGHT OF WAY OF THE ATLANTIC COASTLINE RAILROAD, LESS THE NORTH 25 FEET THEREOF FOR PUBLIC ROAD.

AND

THAT PART OF THE NORTHWEST 1/4 OF SECTION 32, TOWNSHIP 19 SOUTH, RANGE 30 EAST, LYING NORTH OF ATLANTIC COASTLINE RAILROAD RIGHT-OF-WAY, WEST OF INTERSTATE 4 RIGHT-OF-WAY AND SOUTH OF THE SOUTH RIGHT-OF-WAY OF WILSON ROAD, A PUBLIC ROAD, LESS WEST 429.7 FEET THEREOF.

AND LESS:

AS DESCRIBED IN OFFICIAL RECORD BOOK 1291, PAGE 1587, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA AND AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION NO. 77160-2441, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 32, (A ONE INCH (1") IRON PIPE AS NOW EXISTS); RUN SOUTH 00°14'59" EAST ALONG THE WEST LINE THEREOF 1726.77 FEET TO A POINT ON THE NORTH LINE OF THE ABANDONED ATLANTIC COASTLINE RAILROAD RIGHT-OF-WAY (A 100 FOOT RIGHT-OF-WAY BY PLAT), AND THE POINT OF BEGINNING; THENCE SOUTH 85°40'20" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE 704.27 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 647.31 FEET AND A CENTRAL ANGLE OF 29°17'06"; THENCE FROM A CHORD

BEARING OF NORTH 71°01'47" EAST RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE 330.85 FEET TO THE END OF SAID CURVE; THENCE NORTH 85°40'20" EAST 393.53 FEET TO SAID WEST LINE OF SECTION 32; THENCE CONTINUE NORTH 85°40'20" EAST 354.94 FEET; THENCE NORTH 24°03'25" EAST 426.30 FEET TO THE BEGINNING OF A CURVE CONCAVE WESTERLY HAVING A RADIUS OF 3162.72 FEET AND CENTRAL ANGLE OF 07°12'51" AND CHORD BEARING OF NORTH 20°27'00" EAST; THENCE RUN NORTHERLY ALONG THE ARC THEREOF 398.22 FEET TO THE END OF SAID CURVE; THENCE NORTH 16°50'34" EAST 668.08 FEET TO THE BEGINNING OF A CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 2742.78 FEET AND CHORD BEARING OF NORTH 19°14'05" EAST; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 04°47'03" A DISTANCE OF 229.02 FEET TO A POINT ON THE SOUTH LINE OF WILSON AVENUE; THENCE DEPARTING SAID CURVE, NORTH 89°57'24" EAST ALONG SAID SOUTH LINE 260.57 FEET TO A POINT ON THE WEST LINE OF EXISTING STATE ROAD 400 LIMITED ACCESS RIGHT-OF-WAY; THENCE SOUTH 24°03'25" WEST ALONG SAID WEST RIGHT-OF-WAY LINE 1855.57 FEET TO THE NORTH LINE OF SAID ATLANTIC COASTLINE RAILROAD; THENCE SOUTH 85°40'20" WEST ALONG SAID NORTH LINE 440.79 FEET TO THE POINT OF BEGINNING.

CONTAINING 55.942 ACRES, MORE OR LESS

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 PUD (PLANNED UNIT DEVELOPMENT) 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 Lakeshore Preserve PUD dated February 14, 2006

(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 PUD (Planned Unit Development):

SEE ATTACHED EXHIBIT A

Section 3. 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 4. 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 on the recording date of the Development Order # _____ in the Official Land Records of Seminole County.

ENACTED this 14th day of February 2006

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Carlton Henley,
Chairman

**EXHIBIT A
LEGAL DESCRIPTION**

Lake Shore Preserve (Z2005-065) DESCRIPTION:

ALL OF THAT PART OF THE NE 1/4 OF SECTION 31, TOWNSHIP 19 SOUTH, RANGE 30 EAST, LYING WITHIN THE SANFORD GRANT AND LYING NORTH OF THE RIGHT OF WAY OF THE ATLANTIC COASTLINE RAILROAD, LESS BEGINNING AT A POINT 45 LINKS WEST OF THE NORTHEAST CORNER OF SAID SECTION 31, RUN WEST TO THE WEST LINE OF THE SANFORD GRANT, RUN THENCE SOUTH 25° WEST 15.60 CHAINS ALONG SAID GRANT LINE, THENCE EAST 4.68 CHAINS, THENCE NORTHEASTERLY 17.55 CHAINS TO THE POINT OF BEGINNING AND ALSO LESS THE NORTH 25 FEET THEREOF FOR PUBLIC ROAD.

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