

ITEM # _____

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

SUBJECT: Magnolia Corporate Center Rezone from R-1 (Single-family Dwelling) District to PCD (Planned Commercial Development) District

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

AUTHORIZED BY: Tony Walter **CONTACT:** Tina Williamson EXT. 7353

Agenda Date <u>4/05/06</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 4.89 ± acres, located at 2542 W. SR 426, from R-1 (Single-Family Dwelling) to PCD (Planned Commercial Development) and recommend APPROVAL of the attached Preliminary Site Plan and Development Order, based on staff findings (Jack Reynolds/American Civil Engineering Co., applicant); or
2. Recommend DENIAL of a request to rezone 4.89 ± acres, located at 2542 W. SR 426, from R-1 (Single-Family Dwelling) to PCD (Planned Commercial Development) and recommend DENIAL of the attached Preliminary Site Plan and Development Order, based on staff findings (Jack Reynolds/American Civil Engineering Co., applicant); or
3. CONTINUE the item to a time and date certain.

District 1 – Comm. Dallari

Tina Williamson, Principal Coordinator

BACKGROUND:

The applicant is requesting a rezone from R-1 (Single-Family Dwelling) to PCD (Planned Commercial Development), in order to develop a mixture of office and retail uses on the subject property. The Future Land Use designation on the subject property is Industrial, which is consistent with the requested zoning district.

Reviewed by:	_____
Co Atty:	<u>KEP</u>
DFS:	_____
OTHER:	_____
DCM:	_____
CM:	_____
File No.	<u>Z2005-075</u>

The proposed Preliminary Site Plan indicates that the project will be built in two phases. Phase I will contain a total of 60,000 square feet of building area and Phase II will contain 4,500 square feet of building area. The proposed uses for the project are all uses in the OP (Office) district, all uses in the CN (Restricted Neighborhood Commercial) district and banks and restaurants (not drive-in).

STAFF RECOMMENDATION:

Staff recommends APPROVAL of a request to rezone 4.89 ± acres, located at 2542 W. SR 426, from R-1 (Single-Family Dwelling) to PCD (Planned Commercial Development) and recommends APPROVAL of the attached Preliminary Site Plan and Development Order.

Attachments:

Location Map
FLU/Zoning Map
Aerial Photo
Preliminary Site Plan
Development Order
Rezone Ordinance

Magnolia Corporate Center Rezone from R-1 to PCD

APPLICANT	Jack Reynolds/American Civil Engineering Co.	
PROPERTY OWNER	Sucil Ramsammy	
REQUEST	Rezone from R-1 (Single-family Dwelling) to PCD (Planned Commercial Development)	
PROPERTY SIZE	4.89 ± acres	
HEARING DATE (S)	P&Z: April 5, 2006	BCC: May 23, 2006
PARCEL ID	29-21-31-502-0000-0510 and 29-21-31-502-0000-003A	
LOCATION	2542 W. SR 426	
FUTURE LAND USE	Industrial	
ZONING	R-1 (Single-Family Dwelling) district	
FILE NUMBER	Z2005-075	
COMMISSION DISTRICT	#1 – Dallari	

PROPOSED DEVELOPMENT:

The applicant is proposing to develop 64,500 square feet of office and retail uses in two phases on a 4.89 ± acre site. Phase I will contain a total of 60,000 square feet of building area and Phase II will contain 4,500 square feet of building area. The proposed uses for the project are all uses in the OP (Office District), all uses in the CN (Restricted Neighborhood Commercial District) and banks and restaurants (not drive-in). All other special exception uses in the OP and CN districts shall remain special exception uses.

ANALYSIS OVERVIEW:

ZONING REQUEST

The following table depicts the minimum regulations for the current zoning district of R-1 (Single-Family Dwelling) and the requested PCD (Planned Commercial Development) district:

DISTRICT REGULATIONS	Existing Zoning (R-1)	Proposed Zoning (PCD)
Minimum Lot Size	8,400 square feet	N/A
Minimum House Size	700 square feet	N/A
Minimum Width at Building Line	70 feet	N/A
Front Yard Setback	25 feet	25 feet
Side Yard Setback	7.5 feet	7.5 feet
(Street) Side Yard Setback	25 feet	N/A
Rear Yard Setback	30 feet	10 feet
Maximum Building Height	35 feet	35 feet

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
R-1 (existing)	Any use permitted in the R-1A Single-Family Dwelling zoning classification, including the customary accessory uses, Home occupations and home offices, Community residential homes (group homes and foster care facilities) housing six (6) or fewer permanent unrelated residents	Any special exception permitted in the R-1A zoning classification, Day nurseries or kindergartens, Guest or tourist homes when located on state or federal highways, Off-street parking facilities, Assisted living facilities and community residential homes housing 7-14 permanent unrelated residents (including group homes and foster care facilities) provided that the location does not create a over-concentration of such homes or substantially alter the nature and character of the area as defined in Section 419.001(3)(c), Florida Statutes (2001), Communication towers, Private recreational facilities constructed as an accessory use to civic, fraternal, or social organizations if the existing use is located in a predominantly residential area as determined by the Planning Manager.	8,400 square feet
PCD (proposed)	Allowable uses shall be those permitted in the OP (Office) district, CN (Restricted Neighborhood Commercial) district and banks and restaurants (not drive-in). All other special exception uses in the OP and CN districts shall remain special exception uses.	Allowable uses shall be those permitted in the OP (Office) district, CN (Restricted Neighborhood Commercial) district and banks and restaurants (not drive-in). All other special exception uses in the OP and CN districts shall remain special exception uses.	N/A

COMPATIBILITY WITH SURROUNDING PROPERTIES

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

(North)

	Industrial Vacant <i>R-1/A-1</i>	Industrial Vacant Commercial <i>A-1</i>	Industrial Vacant Office/Commercial <i>C-1</i>	
(West)	Industrial Single- Family <i>A-1/C-3</i>	Industrial Vacant <i>R-1</i>	Commercial/MDR/Office SR 426/Church/Single- Family <i>CN/R-1</i>	(East)
	Industrial Retention Pond <i>A-1/M-1A</i>	Commercial/MDR SR 426/Vacant <i>A-1/C-2/M-1A</i>	Commercial/MDR SR 426 Vacant/Commercial/Single- Family <i>C-2/R-1</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 FEMA map #565 Oviedo, there appears to be no floodplains on the subject property.

Wetland Impacts:

Based on preliminary aerial photo and County wetland map analysis, there appears to be no wetlands on the subject property.

Endangered and Threatened Wildlife:

Based on a preliminary analysis, there are no endangered and threatened wildlife on the subject property. A listed species survey will be required prior to final engineering approval.

PUBLIC FACILITY IMPACTS

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 elected to defer Concurrency review at this time. The applicant will be required to undergo Concurrency review prior to final engineering approval.

The following table depicts the estimated impacts the proposed development has on public facilities:

Public Facility	Existing Zoning (R-1)	Proposed Development*	Net Impact
Water (GPD)	6,650	22,575	15,925
Sewer (GPD)	5,700	16,931	11,231
Traffic (ADT)	182	670	488
Schools			
Elementary	5	N/A	(5)
Middle	2	N/A	(2)
High	2	N/A	(2)

* Proposed Development is based on the proposed project consisting of 64,500 square feet of office and retail uses.

Utilities:

The site is located in the Seminole County utility service area, and will be required to connect to public utilities. There is a 16-inch water main on the west side of SR 426 and an 8-inch force main on the south side of Mikler Road. The subject property is in the ten year master plan for reclaimed water. An alternative source for irrigation water, such as a shallow well, will be required until reclaimed water becomes available. A letter of capacity and intent from Seminole County for water, wastewater and reclaimed water service is required at the time of Concurrency review, and approval of the proposed water service utility plan is required prior to the approval of final engineering plans.

Transportation / Traffic:

The property proposes access onto SR 426, which is classified as an Arterial. SR 426 is currently operating at a level-of-service "C" and has no improvements programmed in the County 5-year Capital Improvement Program.

School Impacts:

The proposed project will not generate any school impacts.

Public Safety:

The nearest response unit to the subject property is Station # 27, which is located at 5280 Red Bug Lake Road, Winter Springs. Based on a response time of 2 minutes per mile, the estimated response time to the subject property is 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 Howell Creek Drainage Basin, and has limited downstream capacity. This will be further evaluated in more detail prior to final engineering approval.

Parks, Recreation and Open Space:

In accordance with Section 30.1344 of the Land Development Code, the applicant will be required to provide twenty-five (25) percent of the site in open space. The location of and the amenities associated with the open space will be determined at the time of Final Site Plan Approval. The subject property is also adjacent to the Cross Seminole Trail on SR 426. The Preliminary Site Plan shows a pedestrian connection to the trail.

APPLICABLE POLICIES:

FISCAL IMPACT ANALYSIS

This project does not warrant the running of the County Fiscal Impact Analysis Model.

SPECIAL DISTRICTS

The subject property is not located within a Special District.

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 CIE: 3.2: Application to New Development
- Policy POT 4.5: Potable Water Connection
- Policy SAN 4.4: Sanitary Sewer Connection
- Policy PUB 2.1: Public Safety Level-of-Service

INTERGOVERNMENTAL NOTIFICATION:

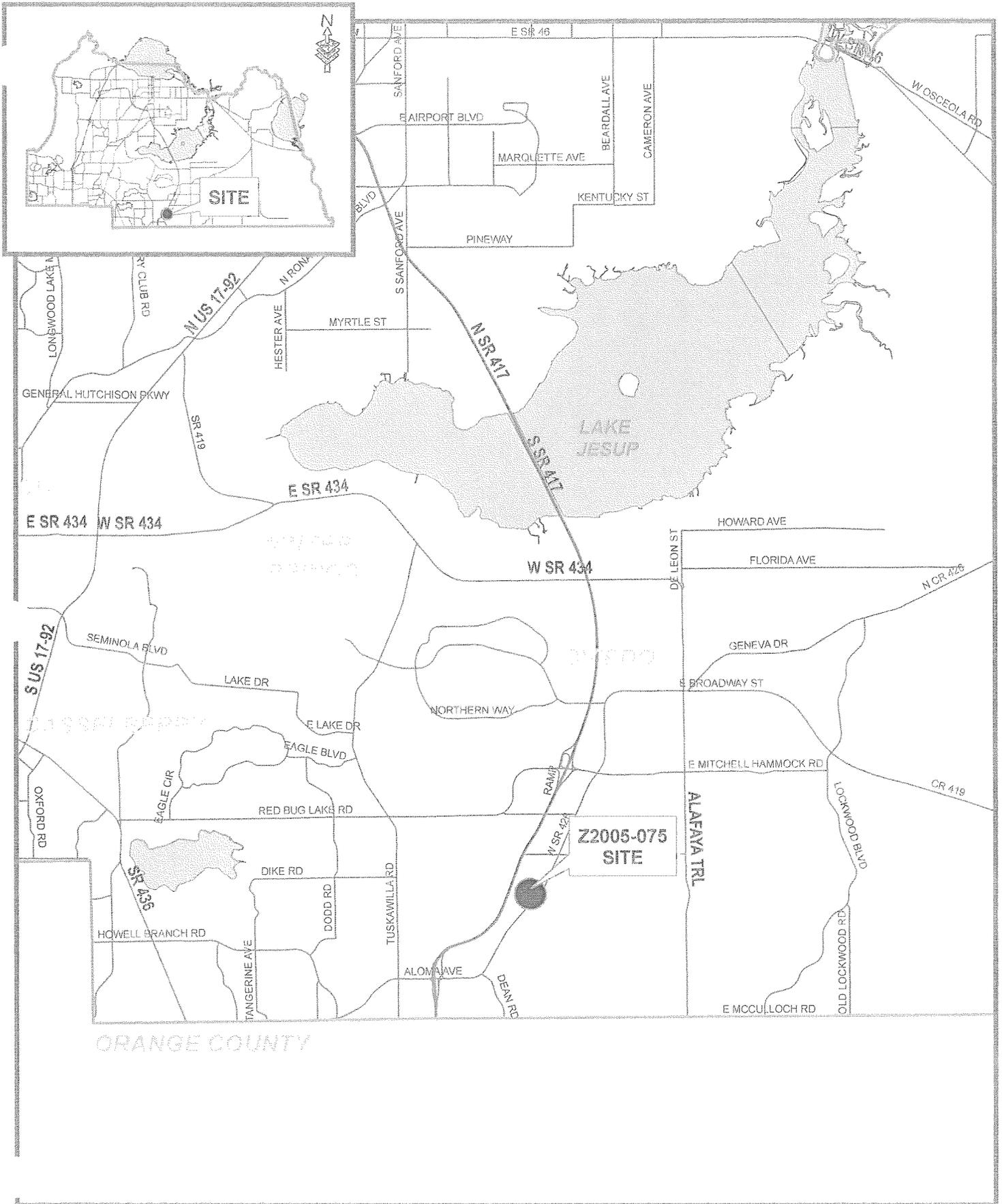
Intergovernmental notices were not required; the subject site is not within or directly adjacent to any local municipality and will not impact schools.

LETTERS OF SUPPORT OR OPPOSITION:

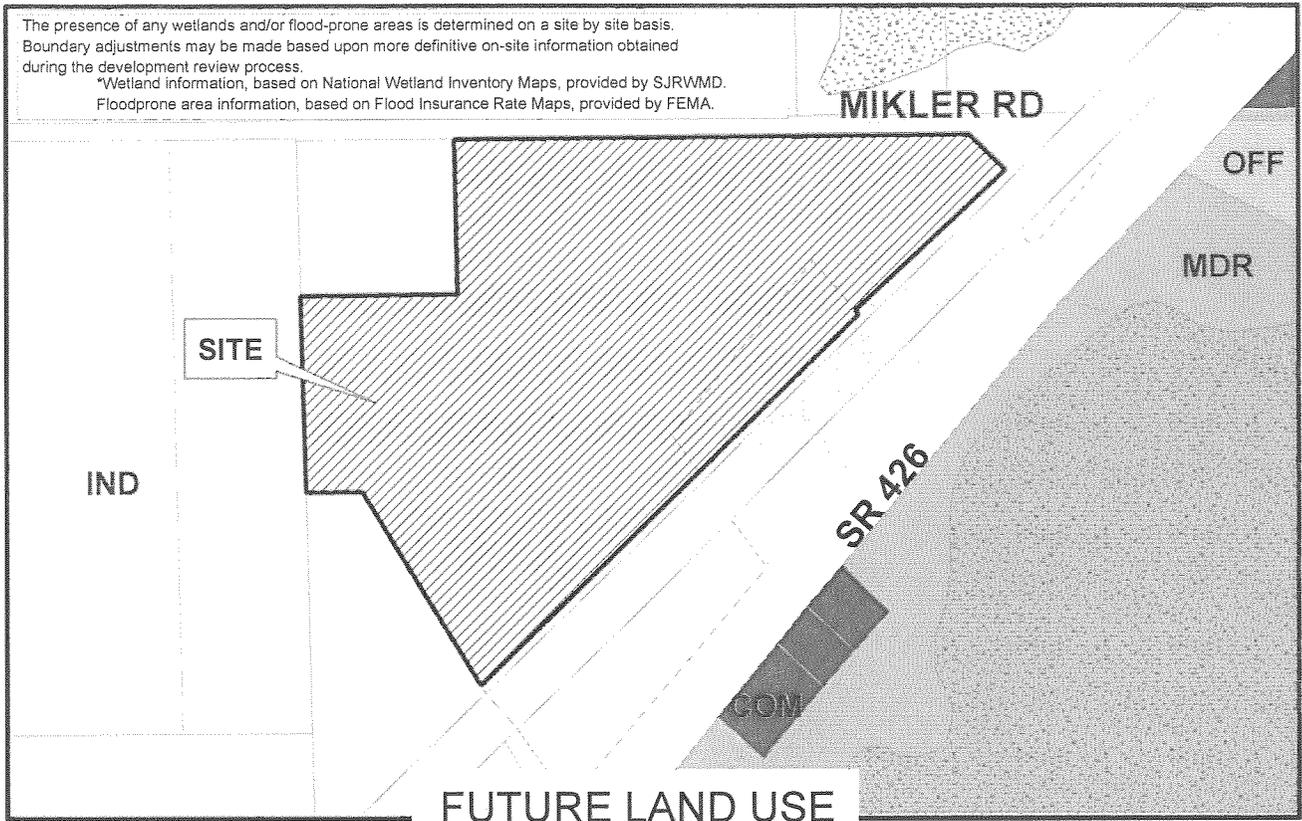
At this time, Staff has received no letters of support or opposition.

STAFF RECOMMENDATION:

Staff recommends APPROVAL of a request to rezone 4.89 ± acres, located at 2542 W. SR 426, from R-1 (Single-family Dwelling) to PCD (Planned Commercial Development) and recommends APPROVAL of the attached Preliminary Site Plan and Development Order.



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.

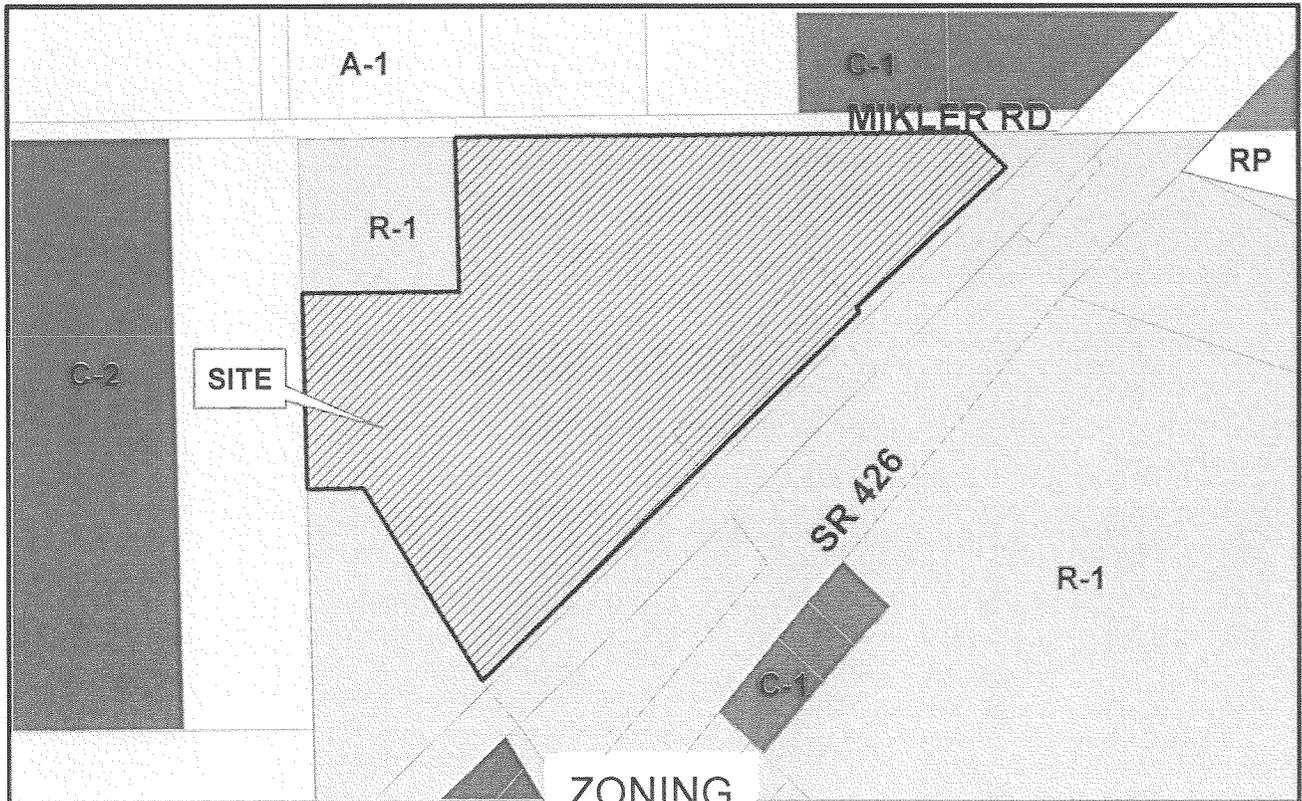


FUTURE LAND USE



Applicant: Sucil Ramsammy
 Physical STR: 29-21-31-502-0000-0510 & 003A
 Gross Acres: 5.48 +/- BCC District: 1
 Existing Use: Vacant with Res. Mobil Home
 Special Notes: None

	Amend/ Rezone#	From	To
FLU	--	--	--
Zoning	Z2005-075	R-1	PCD



ZONING





Rezone No: Z2005-075
From: R-1 To: PCD

- Parcel
- Subject Property



January 2004 Color Aerials

**SEMINOLE COUNTY DEVELOPMENT
ORDER**

On May 23, 2006, Seminole County issued this Development Order relating to and touching and concerning the following described property:

See Exhibit A

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

FINDINGS OF FACT

Property Owner: Universal Autobody of Orlando, Sucil Ramsammy, President

Project Name: Magnolia Corporate Center

Requested Development Approval: Rezoning from R-1 (Single-family Dwelling) district to PCD (Planned Commercial Development) district

The Development Approval sought is consistent with the Seminole County Vision 2020 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 Williamson
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. The development shall comply with the site plan attached as Exhibit B and the architectural rendering attached as Exhibit C.
 - b. Allowable uses shall be those permitted in the OP (Office) district, CN (Restricted Neighborhood Commercial) district and banks and restaurants (not drive-in). All other special exception uses in the OP and CN districts shall remain special exception uses.
 - c. The developer shall comply with all active/passive buffer requirements as outlined in Section 30.1232 of the Land Development Code.
 - d. Total floor area shall be limited to 64,500 square feet.
 - e. The following building setbacks and buffering standards shall apply:
 - Front: 25' building setback and 10' landscape buffer
 - Side: 7.5' building setback and 5' landscape buffer
 - Rear: 10' building setback and 10' landscape buffer
 - f. All outdoor lightning is subject to the Seminole County Land Development Code 30.1234.
 - g. The developer shall amenitize retention areas to be counted toward open space requirements per Section 30.1344 of the Land Development Code.
 - h. Per Section 30.1255 of the Seminole County Land Development Code, the developer may reduce up to fifty (50) percent of the total required number of parking spaces to a stall size of nine (9) feet by eighteen (18) feet to encourage the preservation of significant trees and native vegetation. The location and number of these reduced parking spaces shall be determined at the time of Final Site Plan approval.
 - i. The following conditions shall apply to the trail along SR 426:
 - 1) The Trail Crossing shall be coordinated with Public Works/Engineering and FDOT.
 - 2) The outparcel shall not be allowed to have an additional access to SR-426 (No Trail Crossing).
- (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

Exhibit A

Lots 51 and 52, of "Benj. James Subdivision" as recorded in Plat Book 6, Page 1, of the Public Records of Seminole County, Florida;

TOGETHER WITH:

Lot 3, Jamestown, as recorded in Plat Book 9, Pages 71-72, of the Public Records of Seminole County, Florida;

LESS that portion of above mentioned Lots as shown on the Right of way Map from FDOT (F.A. project No. Section 77060-2518, Sheet 11) and that portion described in OR Book 3902, Pages 0537 through 0539;

PER ORB 4578, PAGE1983

All the above being more particularly described as follows:

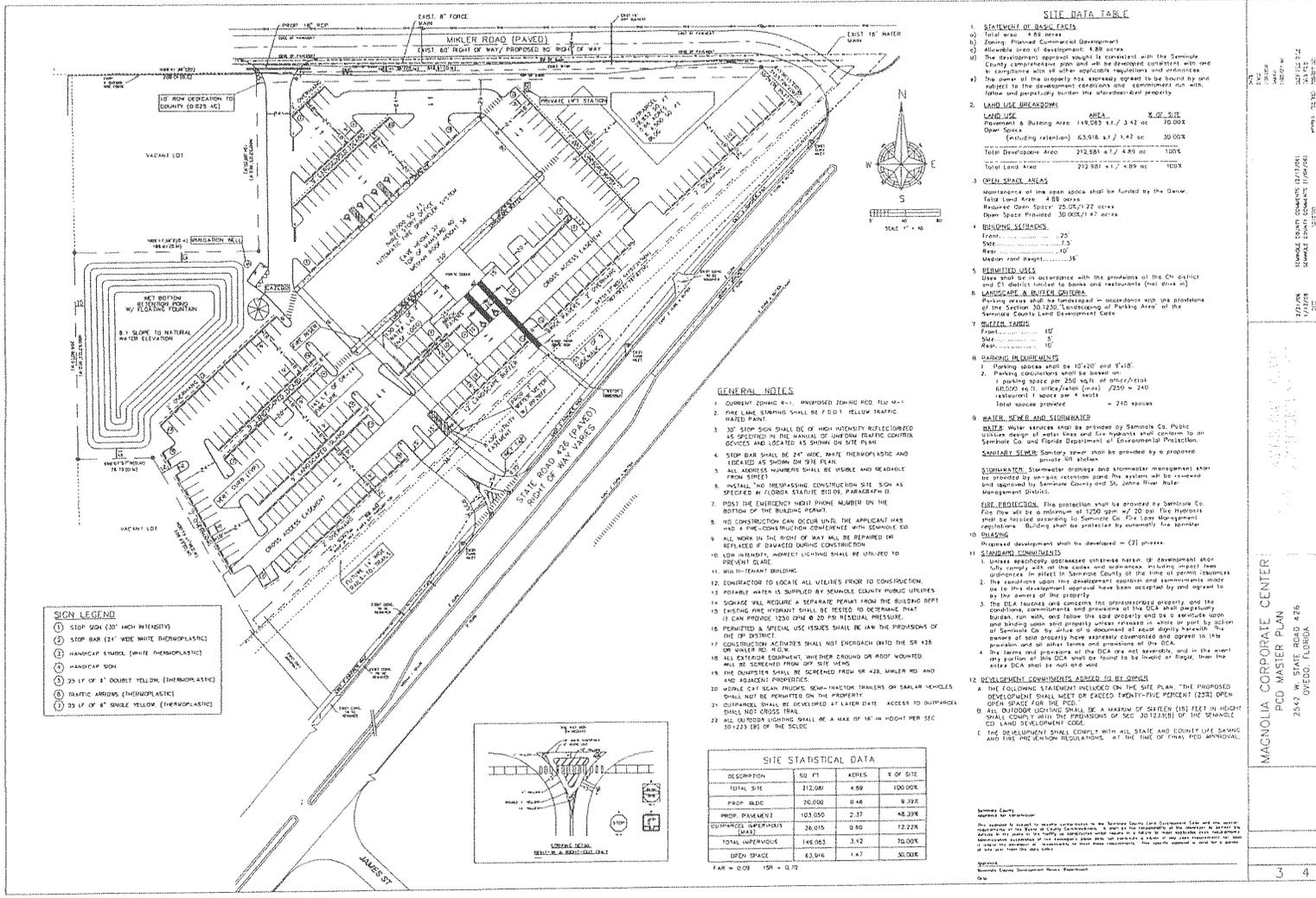
Commencing at the Northwest corner of the East 1/2 of the Southwest corner of Section 29, Township 21 South, Range 31 East, Seminole County, Florida, run S00°52'03"E, along the West line of said East 1/2, a distance of 35.00 feet to the South right of way line of Mikler Road according to the aforementioned plat of "Jamestown"; thence run N89°41'38"E along said South right of way line of Mikler Road 209.01 feet to the Northeast corner of Lot 1 of said Jamestown plat and the Point of Beginning; thence continue N89°41'38"E along said South right of way line 518.61 feet; thence run S45°50'15"E 55.29 feet to the Northwesterly right of way line of State Road 426 according to the Right of way Map of State Road 426 Section 77060-2518, Sheet 11; thence run S47°01'37"W along said right of way line 767.78 feet; thence run S42°58'23"E 10.00 feet to the Southeast line of Lot 52 of the aforementioned plat of "Benj. James Subdivision"; thence run S47°01'37"W along said Southeast line 7.06 feet to the Southwesterly line of said Lot 52; thence departing said Southeast line of Lot 52 run 206.95 feet; thence run S89°07'57"W 76.72 feet to the East right of way line of a 20.00 foot wide platted right of way according to the aforementioned "Benj. James Subdivision" plat; thence run N00°52'04"W along said East right of way line 208.80 feet to the South line of the aforementioned Lot 1 of the "Jamestown" plat; thence run N89°41'38"E along said South line 189.01 feet to the East line of said Lot 1; thence run N00°52'03"W 184.00 feet to the Point of Beginning.

CORRECTED BY THIS SURVEY

All the above being more particularly described as follows:

Commencing at the Northwest corner of the East 1/2 of the Southwest 1/4 of Section 29, Township 21 South, Range 31 East, Seminole County, Florida, run S00°52'03"E, along the West line of said East 1/2, a distance of 35.00 feet to the South right of way line of Mikler Road according to the aforementioned plat of "Jamestown"; thence run N89°41'38"E along said South right of way line of Mikler Road 209.01 feet to the Northeast corner of Lot 1 of said Jamestown plat and the Point of Beginning; thence continue N89°41'38"E along said South right of way line 518.61 feet; thence run S45°50'15"E 55.29 feet to the Northwesterly right of way line of State Road 426 according to the Right of way Map of State Road 426 Section 77060-2518, Sheet 11; thence run S47°01'37"W along said right of way line 767.78 feet; thence run S42°58'23"E 10.00 feet to the Southeast line of Lot 52 of the aforementioned plat of "Benj. James Subdivision"; thence run S47°01'37"W along said Southeast line 7.06 feet to the Southwesterly line of said Lot 52; thence departing said Southeast line of Lot 52

run N30°19'41"W, 206.95 feet; thence run S89°07'57"W 76.72 feet to the East right of way line of a 20.00 foot wide platted right of way according to the aforementioned "Benj. James Subdivision" plat; thence run N00°52'04"W along said East right of way line 208.80 feet to the South line of the aforementioned Lot 1 of the "Jamestown" plat; thence run N89°41'38"E along said South line 189.01 feet to the East line of said Lot 1; thence run N00°52'03"W 184.00 feet to the Point of Beginning.



SIGN LEGEND

- 1 STOP SIGN (30" HIGH INTENSITY)
- 2 STOP BAR (24" WIDE WHITE THERMOPLASTIC)
- 3 HANDICAP SYMBOL (WHITE THERMOPLASTIC)
- 4 HANDICAP SIGN
- 5 24" LY OF 4" DOUBLE YELLOW (THERMOPLASTIC)
- 6 TRAFFIC ARROWS (THERMOPLASTIC)
- 7 24" LY OF 4" SINGLE YELLOW (THERMOPLASTIC)

SITE STATISTICAL DATA

DESCRIPTION	SQ. FT.	ACRES	R OF SITE
TOTAL SITE	212,081	4.89	100.0%
PROP. BLDG.	26,000	0.56	12.27%
IMPV. PARKING	103,000	2.23	48.37%
EQUIPPED SURFACES (PAV.)	38,015	0.83	17.72%
TOTAL IMPROVEMENTS	167,015	3.62	76.66%
OPEN SPACE	45,066	1.47	21.33%

FAIR = 0.20 100' = 0.25"

SITE DATA TABLE

- STATEMENT OF BASIC FACTS**
 - Total area 4.89 acres
 - Zoning: Planned Commercial Development
 - Allowable area of development: 4.89 acres
 - The development approved sought is consistent with the Seminole County comprehensive plan and will be developed consistent with and in compliance with all other applicable regulations and ordinances.
 - The owner of the property has expressly agreed to be bound by and subject to the development restrictions and ordinances set forth with future and periodically updated the state-of-the-art property.
- LAND USE INFORMATION**

LAND USE	AREA	R OF SITE	
Planned Commercial Building Area	19,000 sq. ft. / 0.43 ac	10.00%	
Open Space	(including retention)	45,066 sq. ft. / 1.47 ac	30.00%
Total Development Area	212,081 sq. ft. / 4.89 ac	100%	
Total Land Area	212,081 sq. ft. / 4.89 ac	100%	
- OPEN SPACE AREAS**

Maintenance of the open space shall be limited by the Owner.

Total Land Area 4.89 acres

Required Open Space 25,000 sq. ft. / 0.57 acres

Open Space Provided 30,066 sq. ft. / 0.69 acres
- BUILDING SPECIFICATIONS**

Floors	25
Size	26,000
Depth	140
Median road height	35
- PERMITTED USES**

Uses shall be in accordance with the provisions of the Comprehensive Zoning Ordinance and C1 districts limited to hotels and restaurants (not drive in).
- LANDSCAPE & BUFFER REQUIREMENTS**

Buffer areas shall be landscaped in accordance with the provisions of the Section 30.1200 Landscaping of Parking Area of the Seminole County Land Development Code.
- BUFFER ZONES**

Front	10'
Side	5'
Rear	10'
- PARKING REQUIREMENTS**
 - Parking spaces shall be 10'x20' and 9'x18'.
 - Parking spaces shall be located in:
 - 1 parking space per 250 sq. ft. of office/retail
 - 1 parking space per 1,000 sq. ft. of restaurant
 - 1 space per 4 seats

Total spaces provided = 210 spaces
- WATER, SEWER AND STORMWATER**

WATER: WATER SERVICE shall be provided by Seminole Co. Public Utility Agency of water lines and fire hydrants shall conform to an approved by the Florida Department of Environmental Protection.

SEWERAGE: Sewerage: Sanitary sewer shall be provided by a proposed private lift station.

STORMWATER: Stormwater drainage and stormwater management shall be provided by on-site retention pond. The system will be reviewed and approved by Seminole County and St. Johns River Water Management District.
- FIRE PROTECTION**

Fire protection shall be provided by Seminole Co. Fire Dept. with a minimum of 1200 gpm of 20 sec. fire hydrants shall be installed according to Seminole Co. Fire Code Management Ordinance. Building shall be protected by automatic fire sprinkler.
- TRAINING**

Proposed development shall be developed in (2) phases.
- DEVELOPMENT REQUIREMENTS**
 - UNLESS SPECIFICALLY STATED OTHERWISE HEREIN, THE DEVELOPMENT SHALL COMPLY WITH ALL THE CODES AND ORDINANCES, INCLUDING THOSE ADOPTED IN EFFECT IN SEMINOLE COUNTY AT THE TIME OF PERMIT APPLICATION.
 - The conditions upon the development approval and amendments made as to the development approval have been accepted by and agreed to by the owner of the property.
 - The DCA has reviewed and approved the site plan, including the conditions, commitments and provisions of the DCA and preliminary site plan, and has issued the DCA and preliminary site plan. The DCA shall be a separate upon and binding upon the property when released, written or oral by action of Seminole Co. by order of a document of equal dignity herewith. The number of said property have already completed and approved to the provision and all other terms and provisions of the DCA.
 - The terms and provisions of the DCA are not severable, and in the event any provision of the DCA shall be found to be invalid or illegal, then the entire DCA shall be null and void.
- DEVELOPMENT DEVELOPMENT APPROVAL TO BE OBTAINED**
 - THE FOLLOWING STATEMENT IS INCLUDED ON THE SITE PLAN: "THE PROPOSED DEVELOPMENT SHALL MEET OR EXCEED TWENTY-FIVE PERCENT (25%) OPEN SPACE SPACE FOR THE PROJECT."
 - ALL OUTDOOR LIGHTING SHALL BE A MAXIMUM OF SEVEN (7) FEET IN HEIGHT OPEN SPACE FOR THE PROJECT.
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 - ALL OUTDOOR LIGHTING SHALL BE A MAXIMUM OF SEVEN (7) FEET IN HEIGHT OPEN SPACE FOR THE PROJECT.

MAGNOLIA CORPORATE CENTER
 PCD MASTER PLAN
 2542 W. STATE ROAD 426
 OVIEDO, FLORIDA

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; ASSIGNING CERTAIN PROPERTY CURRENTLY ASSIGNED THE R-1 (SINGLE-FAMILY DWELLING) DISTRICT ZONING CLASSIFICATION THE PCD (PLANNED COMMERCIAL DEVELOPMENT) DISTRICT ZONING CLASSIFICATION; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; 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 "Magnolia Corporate Center Rezone to PCD."

(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 R-1 (Single-family Dwelling) district to PCD (Planned Commercial Development) district:

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 # 05-20500014 in the Official Land Records of Seminole County.

ENACTED this 23th day of May 2006.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Carlton D. Henley
Chairman

EXHIBIT A

Lots 51 and 52, of "Benj. James Subdivision" as recorded in Plat Book 6, Page 1, of the Public Records of Seminole County, Florida;

TOGETHER WITH:

Lot 3, Jamestown, as recorded in Plat Book 9, Pages 71-72, of the Public Records of Seminole County, Florida;

LESS that portion of above mentioned Lots as shown on the Right of way Map from FDOT (F.A. project No. Section 77060-2518, Sheet 11) and that portion described in OR Book 3902, Pages 0537 through 0539;

PER ORB 4578, PAGE1983

All the above being more particularly described as follows:

Commencing at the Northwest corner of the East 1/2 of the Southwest corner of Section 29, Township 21 South, Range 31 East, Seminole County, Florida, run S00°52'03"E, along the West line of said East 1/2, a distance of 35.00 feet to the South right of way line of Mikler Road according to the aforementioned plat of "Jamestown"; thence run N89°41'38"E along said South right of way line of Mikler Road 209.01 feet to the Northeast corner of Lot 1 of said Jamestown plat and the Point of Beginning; thence continue N89°41'38"E along said South right of way line 518.61 feet; thence run S45°50'15"E 55.29 feet to the Northwesterly right of way line of State Road 426 according to the Right of way Map of State Road 426 Section 77060-2518, Sheet 11; thence run S47°01'37"W along said right of way line 767.78 feet; thence run S42°58'23"E 10.00 feet to the Southeast line of Lot 52 of the aforementioned plat of "Benj. James Subdivision"; thence run S47°01'37"W along said Southeast line 7.06 feet to the Southwesterly line of said Lot 52; thence departing said Southeast line of Lot 52 run 206.95 feet; thence run S89°07'57"W 76.72 feet to the East right of way line of a 20.00 foot wide platted right of way according to the aforementioned "Benj. James Subdivision" plat; thence run N00°52'04"W along said East right of way line 208.80 feet to the South line of the aforementioned Lot 1 of the "Jamestown" plat; thence run N89°41'38"E along said South line 189.01 feet to the East line of said Lot 1; thence run N00°52'03"W 184.00 feet to the Point of Beginning.

CORRECTED BY THIS SURVEY

All the above being more particularly described as follows:

Commencing at the Northwest corner of the East 1/2 of the Southwest 1/4 of Section 29, Township 21 South, Range 31 East, Seminole County, Florida, run S00°52'03"E, along the West line of said East 1/2, a distance of 35.00 feet to the South right of way line of Mikler Road according to the aforementioned plat of "Jamestown"; thence run N89°41'38"E along said South right of way line of Mikler Road 209.01 feet to the Northeast corner of Lot 1 of said Jamestown plat and the Point of Beginning; thence continue N89°41'38"E along said South right of way line 518.61 feet; thence run S45°50'15"E 55.29 feet to the Northwesterly right of way line of State Road 426 according to the Right of way Map of State Road 426 Section 77060-2518, Sheet 11; thence run S47°01'37"W along said right of way line 767.78 feet; thence run S42°58'23"E 10.00 feet to the Southeast line of Lot 52 of the aforementioned plat of "Benj. James Subdivision"; thence run S47°01'37"W along said Southeast line 7.06 feet to the Southwesterly line of said Lot 52; thence departing said Southeast line of Lot 52 run

N30°19'41"W, 206.95 feet; thence run S89°07'57"W 76.72 feet to the East right of way line of a 20.00 foot wide platted right of way according to the aforementioned "Benj. James Subdivision" plat; thence run N00°52'04"W along said East right of way line 208.80 feet to the South line of the aforementioned Lot 1 of the "Jamestown" plat; thence run N89°41'38"E along said South line 189.01 feet to the East line of said Lot 1; thence run N00°52'03"W 184.00 feet to the Point of Beginning.