

COMMISSION AGENDA

ITEM 502

Informational	
Consent	
Public Hearings	X
Regular	

May 12, 2014

KL

RS

Regular Meeting

City Manager

Department

REQUEST:

The Community Development Department — Planning Division requests that the City Commission hold a Public Hearing to consider Second Reading and Adoption for both Ordinance 2013-13, a Large-Scale Future Land Use Map Amendment, and Ordinance 2013-15, which proposes to rezone nine (9) parcels totaling approximately 60 gross acres, more or less, currently within Seminole County, Florida, and generally located south of State Road 434 and east of Tuskawilla Road. In addition, the Community Development Department - Planning Division requests that the City Commission support the placement of the subject property within TCEA Zone A and simultaneously update the existing TCEA Zone A Map to reflect said change.

SYNOPSIS:

The City of Winter Springs Community Development Department received an application for a Large-Scale Future Land Use Map Amendment and Rezoning request which, if approved, would change the Future Land Use Map from Seminole County's "Industrial" land use designation to the City of Winter Springs "Town Center" land use designation. In addition, the request would also change the Zoning Map from Seminole County's Agriculture "A-1" & Industrial "M-1" to City of Winter Springs "Town Center". The subject property is located within Seminole County, Florida, and generally situated south of State Road 434 and east of Tuskawilla Road (see **Attachment "A" - Location Map**).

CONSIDERATIONS:

APPLICABLE LAW AND PUBLIC POLICY

Florida Statute 163.3187 Amendment of adopted comprehensive plan;

Florida Statute 166.041 Procedures for adoption of ordinances and resolutions;
Winter Springs Charter Section 4.15 Ordinances in General;
Winter Springs Article III. Comprehensive Plan Amendments;
Section 15-30. Authority, purpose and intent;
Section 15-35. Review Procedure;
Section 15-36. Review criteria;
Florida Statutes 163.2511-163.3246 : (Provides that land development regulations for municipal planning be consistent with the Comprehensive Plan).
Winter Springs Charter Article IV. Governing Body.
Section 4.06. General powers and duties.
Section 4.15. Ordinances in General.
City of Winter Springs Comprehensive Plan.
Winter Springs Code of Ordinances, Chapter 20, Zoning, Article III Establishment of Districts, Division 4.
Winter Springs Code of Ordinances, Chapter 20, Zoning, Article II, Section 20-31

Applicant Name and Address:
Standard Pacific of Florida GP, Inc.
558 West New England Avenue
Suite 250
Winter Park, F132789

Property Owner:
L.D. Plante Inc.
P.O. Box 151117
Altamonte Springs, F132715

Property Address: None

Property Parcel ID'S:
06-21-31-501-OA00-0000
06-21-31-501-OB00-0000
26-20-30-5AR-OA00-008G
26-20-30-5AR-OA00-008C
06-21-31-501-0200-0000
06-21-31-501-O30A-0000
26-20-30-5AR-OA00-0080
01-21-30-501-0000-0340
01-21-30-501-0000-0170

Future Land Use Designation: Seminole County: "Industrial"

Zoning Designation: Seminole County: Agriculture "A-1" & Industrial "M-1"

Approved Development Permits: None

Pending Code Enforcement Actions: None

City Liens: None

Existing Land Uses - The subject site is located east of Tuskawilla Road and south of State

Road 434. More specifically, the surrounding area is generally characterized by existing cattle grazing, public/semi-public uses, low and medium density residential, and an office park located on Tuskawilla Road. The subject property is currently designated "Industrial" on the Seminole County Future Land Use Map and Agriculture "A-1" & Industrial "M-1" on the Seminole County Zoning Map. The subject site, as it currently exists, is an enclave surrounded by the City of Winter Springs. Life Community Church, located just south of the subject property, is currently within the City and fronts directly on Tuskawilla Road. There are a few existing single-family residences located just east of the subject property that are within the Tuscawilla PUD. Presently there is approximately 56 acres of vacant property currently within the City, located south of the subject property, that is scheduled to become part of the overall development. Properties to the west are within both the City of Winter Springs and Seminole County. Both the Tuskawilla Office Park and the neo traditional Avery Park subdivision, located west of Tuskawilla Road, are currently within the City of Winter Springs Town Center. Just to the north of Avery Park, are a few single-family residences located within Seminole County. Properties to the north are presently vacant and within the City of Winter Springs Town Center. Adjacent existing land uses, zoning and future land use designations include the following:

	Existing Land Use	Zoning	Future Land Use
Subject Properties	Few Existing Buildings; Vacant Property	Seminole County: Agriculture "A-1" & Industrial "M-1"	Seminole County: Industrial
North	Vacant	City of Winter Springs: Town Center	City of Winter Springs: Town Center
South	Vacant; Life Community Church	City of Winter Springs: PUD	City of Winter Springs: Low Density Residential; Public/Semi-Public
East	Tuscawilla PUD	City of Winter Springs: PUD	City of Winter Springs: Low Density Residential
West	Winter Springs Office Park, Avery Park, Single-Family (County)	City of Winter Springs: Town Center Seminole County: Agriculture "A-1"	City of Winter Springs: Town Center Seminole County: Medium Density Residential

Development Trends - The subject property, as it currently exists, is an enclave with approximately 60 acres, more or less, within the jurisdiction of Seminole County. The property is mostly undeveloped and has most recently been utilized for cattle grazing/agricultural pursuits. The vacant property is currently owned by L.D. Plante, Inc. and was formally owned by Central Florida Drum (CFD), a refurbishing and supply business from 1965 to 1986. From 1991 to 1998 the site was leased to Polymetrics, Inc. a manufacturer and supplier of industrial paints. Incorporating the subject property into the City of Winter Springs will eliminate the existing enclave and advance the City's vision for the Town Center and facilitate the development of the northern portion of the Tuscawilla PUD as noted on the original master plan for said PUD.

Proposed Future Land Use Classification - The proposed Large-Scale Future Land Use

Map Amendment proposes to change the Future Land Use Map designation from the Seminole County "Industrial" designation to the City of Winter Springs "Town Center" designation (see **Attachment B - Ordinance 2013-13**). The requested "Town Center" future land use designation currently has no maximum density/intensity limitation. The applicant desires to combine the nine (9) county parcels with approximately 56 contiguous acres to the south, presently within the City of Winter Springs, for future development. Conceptually, the proposed development is for 450 residential units and 45,000 square feet of non-residential development. The proposed development yields a total of 3.87 units per acre (see **Attachment C - Concept Plan**). To help evaluate the anticipated impact of said development, the applicant agreed to enter into an annexation agreement which limits the maximum density of said project to no more than four (4) units per gross acre (see **Attachment D - Annexation Agreement**). The Annexation Agreement request will be considered by the City Commission under Item 501 during the May 12, 2014 regular City Commission meeting.

Letters/Phone Calls In Favor Or Opposition - To date, the City has not received any letters or phone calls in favor or opposition. In accordance with Policy 2.1.2., Future Land Use Element, the City hosted a Design Charette for the proposed development on May 2, 2013.

Comprehensive Plan Amendment Analysis:

The following summarizes the data and issues which staff analyzed in reviewing this application:

Justification for Future Land Use Designation - The requested Large-Scale Future Land Use Map Amendment proposes to change the Future Land Use Map designation from "Industrial" to "Town Center" for approximately 60 gross acres, more or less, currently within Seminole County, Florida, and generally located south of State Road 434 and east of Tuskawilla Road. The proposed use and density is compatible with the surrounding area, as it generally characterized by low and medium density residential, commercial, and public/semi-public development patterns.

Public Facilities:

ROADS/TRAFFIC CIRCULATION:

Tuskawilla Road and State Road 434 are both four (4) lane arterial facilities that are currently operating at or above level of service B. Level of Service B is defined as a condition of road performance where traffic density is low and vehicles travel with operating speeds somewhat restricted by other vehicles. Drivers still have reasonable freedom to select their speeds.

Availability of Access:

Preliminary access lane configuration for the project access points are:

- Main entrance at Tuskawilla Road - One (1) right only egress lane and one (1) ingress lane
- Michael Blake Blvd at Tuskawilla Road - One (1) right only and one (1) shared left through egress lanes, one (1) ingress lane
- Gardena Ave at State Road 434 - One (1) right only egress lane and one (1) ingress lane

Function Classification:

State Road 434 is a principal arterial that runs north from Edgewater Drive near Orlando to Altamonte Springs, then east to Oviedo, and then south to East Colonial Drive. Within this portion of the City of Winter Springs, State Road 434 is a four-lane roadway. Likewise,

that portion of Tuskawilla Road adjacent to the subject property is currently a four-lane roadway. According to the City's Comprehensive Plan, the level of service (LOS) on the portion of State Road 434 and Tuskawilla Road is B'. The traffic study provided by the applicant identifies an overall development of 366 residential units on 116 acres (60 acres to be annexed; approximately 56 acres currently within the City). On September 23, 2013, staff received via email a revised unit count of 450 total residential units. Staff has determined the preliminary traffic impact analysis to be incomplete and therefore will request a complete/modified report once the development proposal is presented to the City (see **Attachment E - Traffic Impact Analysis**).

POTABLE WATER:

City water is available to serve the proposed project.

WASTEWATER

City sewer service is available to serve the proposed project.

RECLAIMED WATER:

Reclaimed water is not available at this time. However, the irrigation system will be required to meet reclaimed water standards for future connection to reclaimed water when available.

ELECTRIC SERVICE:

Facilities serving the parcels: None currently. The City of Winter Springs is serviced by Duke Energy for electric service. Duke Energy will provide service to this area, with no interruption of service. A future land use change will not impact current electric rates.

SOLID WASTE:

Facilities serving the parcels: None currently. The City of Winter Springs currently has a franchise agreement and is serviced by Waste Pro, a private solid waste contractor who will provide service to this area.

STORMWATER MANAGEMENT:

Facilities serving the parcels: None currently. Upon development, the site will be required to provide on-site stormwater management in accordance with all applicable St. John's River Water Management District(SJRWMD) criteria.

POLICE:

The City of Winter Springs is responsible for police protection. The station closest in proximity to the subject property is located at 300 N. Moss Road. Response times are averaged monthly.

FIRE:

Seminole County is responsible for fire protection. City of Oviedo Fire Station 44, located at 42 Central Ave. S., Oviedo, Florida is the closest fire station. The response time is approximately four minutes.

NUISANCE POTENTIAL OF PROPOSED USE TO SURROUNDING LAND USES:

The change in designation from Seminole County "Industrial" to City of Winter Springs "Town Center" will not result in any nuisance potential for the surrounding properties because proposed uses are compatible with the "Town Center" future land use designation, and the subject property is surrounded primarily by commercial, public/semi-public, and residential uses.

NATURAL RESOURCES COMPATIBILITY:

There are no conservation overlays on the subject property.

SOILS:

According to the Soil Survey of Seminole County, Florida, prepared by the U.S. Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS), four

(4) soil types occur within the subject property boundaries (see **Attachment F - Preliminary Environmental Assessment**). These soils include the following:

2, Adamsville-Sparr Fine Sands

20, Myakka and EauGallie Fine Sands

26, Udorthents, Excavated

31, Tavares-Millhopper Fine Sands, 0 To 5 Percent Slopes

Adamsville-Sparr fine sand (#2) is a nearly level, somewhat poorly drained soils on low ridges on the uplands and low knolls on the flatwoods. Typically the surface layer of this soil type is grayish brown fine sand about 4 inches thick. In most years, the seasonal high water table for this soil type is at a depth of 12 to 36 inches for up to 6 months. The permeability of Adamsville soil is rapid. The permeability of Sparr soil is rapid in the surface and subsurface layers and is slow or moderately slow in the subsoil.

Myakka and EauGallie fine sands (#20) are nearly level, poorly drained soils found on broad plains on the flatwoods. Typically the surface layer of Myakka soil consists of black

fine sand about 5 inches thick. Typically the surface layer of EauGallie soil consists of dark gray fine sand about 5 inches thick. During most years the seasonal high table for this soil

type is within 12 inches of the surface for 1 to 4 months. The permeability of Myakka soil is rapid in the surface and subsurface layers and in the substratum and moderate or moderately rapid in the subsoil. The permeability of EauGallie soil is rapid in the surface and subsurface layers, moderate or moderately rapid in the sandy part of the subsoil and moderately slow in the loamy part of the subsoil.

Udorthents, excavated (#26) consist of excavated areas of unconsolidated or heterogeneous soil and geologic materials, which have been removed mainly for use in road construction or as fill material in low areas and for building foundations. Most areas of Udorthents, excavated locally called borrow pits, are from 5 to 40 feet deep. Some of the pit

bottoms are seasonally ponded. Most pit areas have been left idle. These areas must be smoothed, shaped, and filled if they are to be used for agricultural or for urban development.

Tavares-Millhopper fine sands, 0 to 5 percent slopes (#31) are nearly level to gently sloping, moderately well drained soils found on low ridges and knolls on the uplands. Typically the surface layer of Tavares soil consists of very dark grayish brown fine sand about 6 inches thick. Typically the surface layer of Millhopper soil consists of gray fine sand about 7 inches thick. The soils in this map unit have a seasonal high table at a depth of 36 to 60 inches for 2 to 6 months. The permeability of Tavares soil is rapid or very rapid. The permeability of Millhopper soil is rapid in the surface and subsurface layers and moderately slow in the subsoil.

The Florida Association of Environmental Soil Scientists (FAESS) considers the main components of Basinger and Smyrna fine sands, depressional (#11) as a hydric soil

type.

Furthermore, the FAESS considers inclusions present in Myakka and EauGallie fine sands (#20), Udorthents, excavated (#26) and St. Johns and EauGallie fine sands (#29) as hydric. This information can be found in the Hydric Soils of Florida Handbook, Third Edition (March, 2000).

FLOOD PRONE AREAS:

According to the Seminole County Property Appraiser's records, the property is within both flood zone "X" and "AE". Flood hazard areas identified on the Flood Insurance Rate Map are identified as a Special Flood Hazard Area (SFHA). SFHA are defined as the area that will be inundated by the flood event having a 1-percent chance of being equaled or exceeded in any given year. The 1-percent annual chance flood is also referred to as the base flood or 100-year flood. SFHAs are labeled as Zone "AE". The areas of minimal flood hazard, which are the areas outside the SFHA and higher than the elevation of the 0.2-percent-annual-chance flood, are labeled Zone "X".

HISTORIC RESOURCES:

No known historical resources are known to be located on the subject property.

WILDLIFE:

The environmental report that was submitted with the future land use amendment application indicates no gopher tortoises on the nine (9) acres to be annexed. However, there are gopher tortoises on that portion of the property currently within the City of Winter Springs. Based on the tortoise population that exists within that portion of the site within the

City and the expected development plan for the overall 116 acre property, there is only one potential option for resolving the gopher tortoise issue. This option is off-site relocation and

will require that any tortoise within 25 feet of proposed construction activities be relocated off-site to an approved recipient site. In addition to the on-site review for "listed" species, BTC conducted a review of the FFWCC's recorded Bald Eagle (*Haliaeetus leucocephalus*) nest sites on or in the vicinity of the subject property. This review revealed three (3) Bald Eagle nests, through the 2010-2011 nesting season, within one mile of the subject site. These nests, Nest SE-002, Nest SE-003, and Nest SE-087, are all located greater than 660' from any portion of the subject property. As such, no restrictions towards the development of this site will apply.

Consistency with the Comprehensive Plan:

Future Land Use Element

The Conceptual Plan that was presented by the applicant, as a point of discussion purposes, contains 450 residential units on 116 acres yielding a density of 3.87 dwelling units per acre. Per the Comprehensive Plan, the Town Center future land use category has no maximum density threshold. To help evaluate the anticipated impact of said development, the applicant has agreed to an Annexation Agreement hereby limiting the maximum density of said project to no more than four(4) units per gross acre.

The Town Center category was based upon traditional design standards for development that will become the identifying focus of the City's downtown and contribute to an increased

and diversified tax base for the City. The primary purpose of the Town Center is to create an economically successful, vibrant, aesthetic, compact, multimodal, diverse, mixed use (including horizontal and vertical integration of uses) neo-traditional urban environment, designed on a pedestrian scale and with a pedestrian orientation. The Town Center is to be a

place where people can reside in a mix of single and multiple family dwellings, work, gather to shop, relax, recreate, be entertained, attend community events, and enjoy the natural beauty of lands located in the Town Center.

The surrounding area is generally characterized by existing cattle grazing, public/semi-public uses, low and medium density residential, and an office park located on Tuskawilla Road. The existing Tuskawilla Planned Unit Development (PUD), located to both the east and south, was annexed into the City of Winter Springs in 1972. Said development includes a combination of single-family, multi-family, commercial, and many park and open space amenities. The proposed future land use amendment is consistent with the Comprehensive Plan.

The proposed future land use amendment is consistent with the following Goals, Objectives and Policies from the Future Land Use Element of the Comprehensive Plan:

GOAL 1: Quality of Life. To ensure that the character, magnitude, and location of all land uses provides a system for orderly growth and development(as defined in sections 163.3221 and 380.04, Florida Statutes) that achieves a balanced, natural, energy efficient, and economic environment, and enhances the quality of life of all residents throughout and beyond the 2030 planning horizon.

Response: The subject site as it currently exists is an enclave surrounded by the City of Winter Springs. This enclave is adjacent to the City's Town Center and will be developed consistent with the City of Winter Springs Comprehensive Plan and Code of Ordinances.

Policy 1.2.2: Potable Water. Do not issue development orders unless it can be determined that adequate potable water supplies and facilities are available. (Cross Reference: See Infrastructure Element, Policy 2.3.3)

Response: Water is available to serve the project

Policy 1.2.4: Sewer. Require residential and commercial development and redevelopment, to connect to or extend the central sewer system to provide service to their development, except for single family residential that includes only one or two lots. (Cross Reference: See Infrastructure Element, Policy 1.4.1)

Response: Sewer is available to serve the project.

Policy 1.4.2: Higher Density Infill. Encourage the efficient use of land with compatible infill and higher density and intensity development within the Town Center and the U.S. 17-92 CRA Corridor.

Response: The applicant seeks to expand the boundaries of both the City and the Town Center in preparation for a mixed-use community.

Policy 1.8.2: Enclaves. Annex all enclaves, where feasible, in order to reduce land use conflicts and provide efficient public service.

Response: The subject site, as it currently exists, is an enclave surrounded by the City of Winter Springs. The subject property represents the largest enclave within the City.

Policy 1.8.3: Condition for Connection to City Utilities. Require new development within the County in areas that are contiguous to the City, to be annexed into the City and to be developed to City standards as a condition for connection to City utilities, unless that

development is the subject of a mutually accepted utility agreement.

Response: The subject property as it currently exists is an enclave surrounded by the City of Winter Springs. The requested Large-Scale Future Land Use Map Amendment is a companion to a proposed Annexation (Ordinance 2013-12) and Rezoning (Ordinance 2013-15) request. Upon annexation adoption, the proposed project will be developed to City standards as a condition for connection to City utilities.

Policy 2.1.2: Design Charette. Host design charettes to create small area plans consistent with the Town Center Master Plan, involving property owners and stakeholders for the following areas, prior to their development:

- a. Between Orange Avenue and Lake Jesup
- b. North of and adjacent to Tusawilla PUD

Response: In accordance with Policy 2.1.2., Future Land Use Element, the City hosted a Design Charette for the proposed development on May 2, 2013.

Policy 6.1.4: Procedures for Inclusion of Annexed Properties into the City's TCEA.

Place properties that involve a large-scale land use amendment into a City TCEA Zone as part of the large-scale amendment process and amend simultaneously the appropriate TCEA map(s). Place properties that involve a small-scale land use amendment into a City TCEA Zone as part of the next large-scale amendment cycle, and amend simultaneously the appropriate

TCEA map(s). During the interim period, after obtaining a City land use category, but prior to placement in a City TCEA Zone, development on property may proceed by the development providing and funding mobility standards and requirements of the most physically proximate Zone. If the property is adjacent to two Zones, the City shall assign the Zone after making a determination as to which is most appropriate. (Ord. 2010-18; 10-25-10)

Response: Per Policy 1.11.2, Transportation Element, TCEA Zone A is identified as the Central Mobility Hub and is generally located at the heart of the City at the intersection of

State Road 434 and Tusawilla Road and coincides generally with the Town Center. As part of the requested Large-Scale Future Land Use Map Amendment, staff is placing the subject property within TCEA Zone A and simultaneously updating the existing TCEA Zone A Map to reflect said change (see **Attachment G - TCEA Zone Map**).

Policy 1.3.1: Requires all development proposals to determine their specific impacts on current Level of Service (LOS) and mobility standards.

Response: Staff has requested a revised Traffic Impact Analysis for said development. The revised report shall analyze the adjusted residential unit count from 336 to 450 total units. A complete/modified report is to accompany the future development proposal.

Policy 1.3.4: Requires the City to support proposed future land use map amendments with data and analysis demonstrating that adequate water supplies and associated public facilities will be available to meet the projected growth demands.

Response: City water and sewer service is available to serve the subject property.

Policy 1.6.4: Encourages land uses that generate high traffic counts to locate adjacent

to arterial roads and mass transit systems.

Response: The proposed mixed-use development is adjacent to both Tuskawilla Road and State Road 434. Both roadways are four (4) lane arterial facilities that are currently operating at or above level of service B.

Policy 1.7.1: Requires the City to consider existing and proposed land uses in adjacent jurisdictions when reviewing proposed land use amendments.

Response: The proposed use and density is compatible with the surrounding area, as it generally characterized by low and medium density residential, commercial, and public/semi-public development patterns.

Transportation Element

The proposed future land use amendment is consistent with the following policies from the Transportation Element of the Comprehensive Plan:

Policy 1.1.7 and Policy 1.11.5: Requires a Transportation Impact Analysis for all new development generating more than 300 total annual average daily trips.

Response: Staff has requested a revised Traffic Impact Analysis for said development. A complete/modified report is to accompany the future development proposal.

FINDINGS:

1. The request is consistent with all applicable goals, objectives and policies of the City's adopted Comprehensive Plan.
2. The request is in conformance with the purpose and intent of the City Code and with all applicable requirements.
3. Considering the type and location of uses involved and the general character of the area, the change of the FLUM designation will not result in any incompatible land uses, including such factors as height, bulk, scale, intensity, traffic, noise, drainage, dust, lighting, appearance, and other factors deemed important.
4. The request is consistent with Florida Statute Chapter 163, Part 11, of the Florida Statutes.

REZONING ANALYSIS:

The following summarizes the data and issues which Staff analyzed in reviewing this application as required by the Code of Ordinances, Section 20-31:

- (1) Compliance with Procedural Requirements-The proposed rezoning is in compliance with all procedural requirements established by the City Code and law. Requirements for advertising the land use action have been met.
- (2) Consistent with the Comprehensive Plan-The proposed rezoning change is consistent with the City's Comprehensive Plan and the proposed change will not have an adverse effect on the Comprehensive Plan.
- (3) Consistent with any Master Plan for the property- The applicant has requested this rezoning to allow the properties, in conjunction with 50 acres within the City just to the south, to be developed as a mixed use community.
- (4) Not Contrary to the Land Use Pattern Established by the Comprehensive Plan-The proposed rezoning from Seminole County's Agriculture "A-1" & Industrial "M-1" to Winter Springs "Town Center" is appropriate and compatible with the land use pattern established by the City's Comprehensive Plan (see **Attachment H - Ordinance 2013-15**). Surrounding properties within the City have future land use designations of "Town Center" and "Low Density Residential". Surrounding

properties within Seminole County have a future land use designations of "Industrial" and "Medium Density Residential".

(5) Does Not Create Spot Zoning- The proposed rezoning does not create a spot zone, which is prohibited by law. The adjoining properties are zoned for residential, town center, and planned unit development.

(6) Does Not Materially Alter the Population Density Pattern- The proposed rezoning does not alter the existing developed population density pattern and therefore will not overtax the load on public facilities and services (utilities, streets, and other municipal services and infrastructure).

(7) Does Not Create Illogically Drawn Zoning District Boundaries- The proposed rezoning does not result in existing zoning district boundaries that are illogically drawn in relation to the existing conditions on the property and the surrounding area and the land use pattern established by the City's Comprehensive Plan.

(8) Changed Conditions Make the Proposed Rezoning Necessary- The proposed zoning designation of "Town Center" is compatible with the proposed "Town Center" Future Land Use Map designation described within Ordinance 2013-13.

(9) No Serious Reduction in Light or Air to Adjacent Areas- The proposed rezoning will not seriously reduce light or air to adjacent areas.

(10) Adverse Impact on Surrounding Property Values- The proposed zoning designation has been determined by evaluating the prevailing character of the area around the subject property.

(11) Not Detrimental to Future Improvement of Adjacent Vacant Property- The intent in the zoning of the property is to apply a zoning classification for the subject property that is consistent and compatible with the surrounding land uses.

(12) Does Not Constitute a Special Privilege- The proposed rezoning does not constitute a grant of special privilege to an individual owner as contrasted with the public welfare.

(13) Not out of Scale- The proposed rezoning change is not out of scale or incompatible with the needs of the neighborhood or the City.

(14) Does Not Violate any City Land Use Regulations- The proposed rezoning does not violate any applicable land use regulations adopted by the City.

FINDINGS:

In analyzing the rezoning request, it has been determined that the fourteen (14) review standards included in Section 20-31 were satisfied.

FISCAL IMPACT:

The proposed Large-Scale Future Land Use Map Amendment and Rezoning serves as the preliminary stage for allowing the subject property to be developed into a mixed-use development. Development of the subject property will provide an increase to the City's taxable value. A Fiscal Analysis will be performed once the development detail of the property are presented to the City.

COMMUNICATION EFFORTS:

This Agenda Item has been electronically forwarded to the Mayor and City Commission, City Manager, City Attorney/Staff, and is available on the City's Website, LaserFiche, and the City's Server. Additionally, portions of this Agenda Item are typed verbatim on the respective Meeting Agenda which has also been electronically forwarded to the individuals noted above, and which is also available on the City's Website, LaserFiche, and the City's Server; has been sent to applicable City Staff, Media/Press Representatives who have requested Agendas/Agenda Item information, Homeowner's Associations/Representatives

on file with the City, and all individuals who have requested such information. This information has also been posted outside City Hall, posted inside City Hall with additional copies available for the General Public, and posted at five (5) different locations around the City. Furthermore, this information is also available to any individual requestors. City Staff is always willing to discuss this Agenda Item or any Agenda Item with any interested individuals.

Pursuant to Florida Statutes 171.044 (6), the Seminole County Board of County Commissioners was sent via Certified Mail the notice of Annexation, Large-Scale Plan Amendment, and Rezoning for the subject parcels on April 18, 2014 (see **Attachment I Notification Letter**). Adjacent property owners have been notified by U.S. mail on September 23, 2013. Notification Letters). The request was legally advertised within the Orlando Sentinel on April 24, 2014 and May 1, 2014 (see **Attachment J, Legal Advertisements**). In addition, the properties have been posted with a large yellow sign. Lastly, in accordance with Policy 2.1.2., Future Land Use Element, the City hosted a Design Charette for the proposed development on May 2, 2013.

RECOMMENDATION:

The Community Development Department — Planning Division and the Planning and Zoning Board/Local Planning Agency requests that the City Commission hold a Public Hearing for Second Reading and Adoption of both Ordinance 2013-13, a Large-Scale Future Land Use Map Amendment, and Ordinance 2013-15, which proposes to rezone nine (9) parcels totaling approximately 60 gross acres, more or less, currently within Seminole County, Florida, and generally located south of State Road 434 and east of Tuskawilla Road. In addition, the Community Development Department - Planning Division requests that the City Commission support the placement of the subject property within TCEA Zone A and simultaneously update the existing TCEA Zone A Map to reflect said change.

ATTACHMENTS:

- A - Location Map
- B - Ordinance 2013-13
- C - Concept Plan
- D - Annexation Agreement
- E - Traffic Impact Analysis
- F - Preliminary Environmental Analysis
- G - TCEA Zone Map
- H - Ordinance 2013-15
- I - Notification Letter
- J - Legal Advertisements

ATTACHMENT "A"

Cross Seminole Trail

LEGEND

UNINCORPORATED AREA TO BE ANNEXED

PARCEL	TAX ID
1	06-21-31-501-0A00-0000
2	06-21-31-501-0B00-0000
3	26-20-30-5AR-0A00-008G
4	26-20-30-5AR-0A00-008C
5	06-21-31-501-0200-0000
6	06-21-31-501-030A-0000
7	26-20-30-5AR-0A00-0080
8	01-21-30-501-0000-0340
9	01-21-30-501-0000-0170

SR 434

Miskawilla Road

