



# SEMINOLE COUNTY, FLORIDA

COUNTY SERVICES  
BUILDING  
1101 EAST FIRST STREET  
SANFORD, FLORIDA  
32771-1468

## Legislation Details (With Text)

**File #:** 2022-7437

**Type:** Public Hearing Items      **Status:** Passed

**File created:** 12/9/2022      **In control:** Planning and Zoning Commission

**On agenda:** 1/4/2023      **Final action:** 1/4/2023

**Title:** Towns at Greenleaf Small Scale Future Land Use Map Amendment and Rezone - Consider a Small Scale Future Land Use Map Amendment from Medium Density Residential and Commercial to Medium Density Residential and a Rezone from A-1 (Agriculture) to R-3A (Multiple Family Dwelling) for a thirty-three (33) lot townhome subdivision on approximately 6.71 acres, located southwest of Slavia Road and west of State Road 426; (Z2022-25/07.22SS.04) (Henry Chirinos - Beazer Homes, Applicant) District1 - Dallari (Annie Sillaway, Project Manager)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. LOCATION MAP, 2. FLU ZONING MAP, 3. AERIAL MAP, 4. LUA STAFF REPORT.pdf, 5. LAND USE ORDINANCE.pdf, 6. REZONE ORDINANCE.pdf, 7. DEVELOPMENT ORDER.pdf, 8. DEVELOPMENT PLAN.pdf, 9. SCHOOL IMPACT ANALYSIS, 10. TRAFFIC ANALYSIS, 11. UTILITY AVAILABILITY LETTER, 12. ATTACHMENT A TEXT, 13. ATTACHMENT A WORKSHEET.pdf, 14. COMMUNITY MEETING MINUTES, 15. COMMUNITY MEETING SIGN IN SHEET, 16. OWNERSHIP DISCLOSURE.pdf, 17. PLANNING AND ZONING MINUTES, 18. DENIAL DEVELOPMENT ORDER.pdf

| Date     | Ver. | Action By                      | Action  | Result |
|----------|------|--------------------------------|---------|--------|
| 1/4/2023 | 1    | Planning and Zoning Commission | approve | Pass   |
| 1/4/2023 | 1    | Planning and Zoning Commission | approve | Pass   |

**Title:**

**Towns at Greenleaf Small Scale Future Land Use Map Amendment and Rezone -** Consider a Small Scale Future Land Use Map Amendment from Medium Density Residential and Commercial to Medium Density Residential and a Rezone from A-1 (Agriculture) to R-3A (Multiple Family Dwelling) for a thirty-three (33) lot townhome subdivision on approximately 6.71 acres, located southwest of Slavia Road and west of State Road 426; (Z2022-25/07.22SS.04) (Henry Chirinos - Beazer Homes, Applicant) District1 - Dallari (**Annie Sillaway, Project Manager**)

**Agenda Category:**

Public Hearing Items

**Department/Division:**

Development Services - Planning and Development

**Authorized By:**

Mary Moskowitz

**Contact/Phone Number:**

Annie Sillaway 407-665-7936

**Motion/Recommendation:**

1. Recommend the Board of County Commissioners adopt the proposed Ordinance enacting a Small Scale Future Land Use Map Amendment from Medium Density Residential and Commercial to Medium Density Residential and adopt the Ordinance and Development Order enacting a Rezone from A-1 (Agriculture) to R-3A (Multiple Family Dwelling) for approximately 6.71 acres, located southwest of Slavia Road and west of State Road 426; or
2. Recommend the Board of County Commissioners deny the Ordinance enacting a Small Scale Future Land Use Map Amendment from Medium Density Residential and Commercial to Medium Density Residential and deny the Ordinance and Development Order enacting a Rezone from A-1 (Agriculture) to R-3A (Multiple Family Dwelling) for approximately 6.71 acres, located southwest of Slavia Road and on the West side of State Road 426; or
3. Continue the request to a time and date certain.

**Background:**

The Applicant is requesting a Small Scale Future Land Use Map Amendment from Medium Density Residential and Commercial to Medium Density Residential and a Rezone from A-1 (Agriculture) to R-3A (Multiple Family Dwelling) in order to develop the subject property as a thirty-three (33) lot townhome subdivision, for a maximum density of 7.86 dwelling units per net buildable acre. Each townhome dwelling unit will be a minimum of 1,200 square feet in size and twenty (20) feet wide.

As required by Sec. 30.250 of the Land Development Code of Seminole County (LDCSC), the Applicant has provided a Development Plan showing the layout of buildings, circulation, buffers, and parking for the townhome units.

The requested Medium Density Residential Future Land Use designation allows a maximum density of ten (10) dwelling units per net buildable acre and permits the requested R-3A zoning classification.

The Future Land Use and zoning designations of the surrounding area are as follows:

East: State Road 426

Future Land Use: Public, Quasi Public and Low Density Residential

Zoning: A-1 (Agriculture) - St. Luke's Evangelical Lutheran Church Inc of

Slavia

West: Future Land Use: Medium Density Residential

Zoning: A-1 (Agriculture) - Vacant Land

North: Future Land Use: Commercial and Medium Density Residential

Zoning: A-1 (Agriculture) - Single Family Residential Dwellings

South: Future Land Use: Medium Density Residential

Zoning: R-3A (Multiple-Family Dwelling), A-1 (Agriculture)

On December 7, 2022, the Planning and Zoning Commission moved to table the request for the Towns at Greenleaf Rezone until the next regularly scheduled Planning and Zoning Commission Meeting on January 4, 2023. This would provide the applicant more time to research and be able to answer the following site concerns:

- 1.) Drainage concerns north of the property as well as the outfall concerns where drainage is flowing.

**Applicant Response:** The stormwater design shall meet Seminole County and SJRWMD requirements for a closed basin.

- 2.) Landscape Buffer Tract LB2 to the south should be either increased or a fence installed.

**Applicant Response:** The developer agrees to increase the landscape buffer along the southern portion of the site by five (5) feet from a fifteen (15) foot to a twenty (20) foot and will reduce the lot depth accordingly. The buffer details will comply with the Seminole County Land Development Code (SCLDC). The northern lots (1-13) of the proposed townhome development has reduced the lot size by five (5) feet to in order to maintain their landscape buffer requirements of fifteen (15) feet.

- 3.) No southbound deceleration lane is proposed.

**Applicant Response:** An access analysis was completed for the subject property by Traffic and Mobility Consultants and the report found that a right turn lane is not warranted with the proposed townhome development, operational improvements if required will be determined at Final Engineering, subject to FDOT permitting and approval.

## Site Analysis

### Tree Preservation:

Per Sec. 60.4 of the Land Development Code of Seminole County (LDCSC) a complete tree survey will be required at the time of Final Engineering.

### Floodplain Impacts:

Based on FIRM map with an effective date of 2007, there appears to be no floodplains on the subject property.

### Wetland Impacts:

Based on the wetland survey provided by the Applicant, there are approximately 1.51 acres of wetlands on the subject property. The Applicant is not proposing any impacts to the wetland area. A fifteen (15) foot minimum, twenty-five (25) foot overall average upland buffer must be provided from all approved jurisdictional wetland boundaries. Conservation easements dedicated to Seminole County will be required over the wetlands and required buffers.

### Endangered and Threatened Wildlife:

Based on a preliminary analysis, there may be endangered and threatened wildlife on the subject property. A listed species survey will be required prior to the approval of Final Engineering.

### Utilities:

The site is located in Seminole County's utility service area and will be required to connect to public utilities. There is a twelve (12) inch water main on the west side of SR 426 and a sixteen (16) inch force main on the east side of SR 426. The subject property is not in the ten year master plan for reclaimed water. Water and sewer capacity is available to serve the proposed development.

### Transportation/Traffic:

The property proposes access onto SR 426, which is classified as an urban minor arterial road. State Road 426 is currently operating at a level-of-service "B" or "C" depending on direction and time of day and does not have improvements programmed in the FDOT 5-year Work Program. A signal warrant analysis will be required at the time of Final Engineering. A traffic analysis will be required at Final Engineering which will determine if any operational improvements are needed. There is an existing deceleration lane for a left turn into the proposed development and an existing four (4) lane roadway (CR 426).

### Sidewalks:

There is an existing sidewalk along SR 426.

### Drainage:

The proposed project is located within the Howell Creek Drainage Basin and may have a constrained outfall with limited downstream capacity therefore, the site will be designed to meet the Seminole County and SJRWMD requirements for a closed basin and may have to hold up to the entire twenty-five (25) year, twenty-four (24) hour storm event volume onsite unless a viable legal outfall is determined. There is an existing twenty (20) foot non-exclusive drainage and irrigation easement partially located over the north portion of the property that is in favor of St. Luke's Church, that will remain and will not be negatively impacted by the development.

### Open Space:

Twenty-five (25) percent common usable open space will be provided on the subject property.

### Buffer:

The Applicant proposes a fifteen (15) foot wide buffer on the north and east. The western portion will remain undisturbed. The applicant proposes to increase the southern landscape buffer from fifteen (15) feet to twenty (20) feet. Because the southern landscape buffer width (Tract LB2) is being increased from fifteen (15) feet to twenty (20) feet it created the need to create Tract LB3 along the eastern property line since that portion of the site only requires a fifteen (15) foot landscape buffer. Tract LB3 (Landscape Buffer) tract was added into the Tract table on the conceptual development plan. The detailed landscape buffers will meet the Seminole County Land Development Code (SCLDC).

### Public School Capacity Determination:

Seminole County Public Schools provided a School Impact Analysis School Capacity Determination for the proposed project based on Concurrency Service Area (CSA) and Zoned Schools for the property. The analysis concluded that the students generated by the project at this time, may not be able to be accommodated without exceeding the adopted Levels of Service (LOS) for the currently zoned elementary and high schools. The elementary and high schools are currently over capacity. The analysis notes this is a nonbinding review, the numbers are for informational purposes and as indicated in the

analysis may not represent future conditions when final approval requires a School Capacity Availability Letter of Determination (SCALD) reservation letter from the school board.

### Community Meeting:

In compliance with Seminole County Land Development Code Sec. 30.49 - Community Meeting Procedures, the Applicant conducted a community meeting on September 13, 2022.

### Consistency with the Land Development Code

Per Sec. 30.241 of the Land Development Code of Seminole County (LDCSC), the requested R-3A zoning classification is composed of medium- to high-density residential areas, plus open areas, where it is likely and desirable to extend such type of development. The district is situated where it is well serviced by public and commercial services with convenient access to thoroughfares or collector streets.

The subject site is surrounded by commercial and medium density residential future land use and will have direct access onto State Road 426 which is classified as a Minor Arterial roadway.

The R-3A zoning classification permits one (1), two (2), and three (3) story apartment buildings, townhomes, and condominiums. The subject zoning classification requires a minimum perimeter building setback of twenty-five (25) feet for one (1) story building, and thirty-five (35) feet for a two (2) story building. The development Plan proposes two (2) story townhomes with a thirty-five (35) foot setback.

### Consistency with the Comprehensive Plan

The purpose and intent of the proposed Medium Density Future Land Use is to provide for a range of residential uses at a maximum density of ten (10) dwelling units per net buildable acre. This land use should be located on, or in proximity to, collector or arterial roadways. This land use can serve effectively as a transitional use between more intense urban development and Low Density Residential.

The proposed development of thirty-three (33) townhome units on 4.20 net buildable acres for a maximum density of 7.86 dwelling units per net buildable acre, is consistent with the Medium Density Residential Future Land Use designation.

### **Staff Recommendation:**

Recommend the Board of County Commissioners adopt the proposed Ordinance enacting a Small Scale Future Land Use Map Amendment from Medium Density Residential and Commercial to Medium Density Residential and a Rezone from A-1 (Agriculture) to R-3A (Multiple Family Dwelling) for a thirty-three (33) lot townhome

subdivision on approximately 6.71 acres, located southwest of Slavia Road and on the West of State Road 426.