

Legislation Text

File #: 2023-514, Version: 1

Title:

Tuskawilla Storage PD Rezone - Consider a Rezone from M-1 (Industrial) and A-1 (Agriculture) to PD (Planned Development) for a proposed self storage facility on approximately 4.81 acres, located on Tuskawilla Road approximately 200 feet south of Michael Blake Boulevard; (Z2022-20) (David Axel, Applicant) District2 - Zembower (**Doug Robinson, Project Manager**).

Authorized By:

Rebecca Hammock

Division:

Development Services - Planning and Development

Contact/Phone Number:

Doug Robinson / 407-665-7308

Motion/Recommendation:

1. Recommend the Board of County Commissioners adopt the proposed Ordinance enacting a Rezone from M-1 (Industrial) and A-1 (Agriculture) to PD (Planned Development) and approve the associated Development Order and Master Development Plan for 4.81 acres located on Tuskawilla Road approximately 200 feet south of Michael Blake Boulevard; or
2. Recommend the Board of County Commissioners deny adoption of the proposed Ordinance enacting a Rezone from M-1 (Industrial) and A-1 (Agriculture) to PD (Planned Development) and deny the associated Development Order and Master Development Plan for 4.81 acres located on Tuskawilla Road approximately 200 feet south of Michael Blake Boulevard; or
3. Continue the request to a time and date certain.

Background:

The Applicant is requesting a Rezone from M-1 (Industrial) and A-1 (Agriculture) to PD (Planned Development) in order to develop the subject property as a self-storage facility with a maximum floor area of 107,593 square feet, a maximum Floor Area Ratio (FAR) of

0.65, and a maximum building height, to the flat roof, of thirty-five (35) feet, up to three (3) stories. A maximum height for architectural roof elements of forty-five (45) feet is proposed. In addition, the maximum building height within 200 feet of the eastern property boundary is limited to twelve (12) feet by the proposed Development Order.

The subject property consists of one (1) parcel totaling 4.81 acres of vacant land. The site has been vacant since at least 2007, but was originally developed in the mid-1970s as operations for Hi-Flavor Meats, Inc. This business operated on this site until sometime in the mid-2000's. A demolition permit for the prior existing structures was issued by the County on March 17, 2006.

The subject property is surrounded by the City of Winter Springs and adjacent to the City's Town Center District. Self storage is not listed as a permitted use in this district. However, the subject property is located within unincorporated Seminole County and has a future land use designation of Industrial and split zoning of M-1 and A-1. M-1 zoning allows warehouse and self storage uses. Self storage is only permitted in the Industrial Future Land Use designation in unincorporated Seminole County.

The property's surroundings and proximity to the City of Winter Springs' Town Center presented concern regarding compatibility with the character of the surrounding area, which is mostly within the Winter Springs Town Center District, but includes residential uses. Therefore, given the location of the subject property and surrounding uses, the Applicant is proposing a Planned Development to create compatibility. Pursuant to Sec. 30.441. - Intent and purpose, the Planned Development (PD) district is intended to facilitate various development types, and combinations thereof, that may be difficult to achieve under conventional zoning regulations. Development standards to be implemented within a Planned Development shall be established by the Board of County Commissioners at the time of rezoning. Such rezoning shall be conditioned upon a Master Development Plan and a written Development Order. Specific criteria for the development may address, but not limited to, compatibility with surrounding land uses, road access, availability and efficient use of utility capacity, coordination with transit, etc. Architectural and other appearance-related design elements may be included as approval conditions where the Board finds they are necessary to achieve crucial aspects of the development concept, such as economic feasibility or neighborhood compatibility.

Thus, the Applicant has committed to several design criteria to lessen impacts to surrounding uses and properties. These include, but are not limited to, the following conditions:

- Prohibiting the outdoor storage of vehicles and equipment;
- Providing exterior finishes consistent with Winter Springs Town Center architectural guidelines;
- Designing the site so that storage bay doors will not be visible from off-site and no

- external storage bay doors shall face east toward existing residential development;
- Providing buffers along west and east property boundaries that will include extensive landscaping and may include decorative metal fencing;
 - Screening dumpsters, mechanical equipment, and fire protection equipment views from outside of the site; and
 - Reducing illumination onto surrounding properties, by fully shielding exterior lights, not exceeding 3000 kelvin color temperature lights, and decreasing light spillage from 0.5 foot candles, as required by Seminole County Land Development Code, to 0.25 foot candles.

The Applicant is varying from the off-street parking requirements of Sec. 30.1221 (4) - Manufacturing Concerns and Warehouses, which requires one (1) space for each one thousand (1,000) square feet of building plus one (1) space for two (2) employees on the largest shift. Instead, the Applicant has referenced the applicability of a parking justification study prepared for a similar project in Seminole County showing that the parking calculation of one (1) space for each ten thousand (10,000) square feet of building plus one (1) space for two (2) employees on the largest shift is adequate parking for the self storage use.

The Future Land Use and Zoning designations of the surrounding area in relation to the subject property are as follows:

East: Strong Tree Way / Tuskawilla Crossings Townhomes
Future Land Use: Town Center District (Winter Springs)
Zoning: TC (Town Center - T4) (Winter Springs)

West: Tuskawilla Road / Avery Park Single-Family Residential
Future Land Use: Medium Density Residential (MDR), and
Town Center District (Winter Springs)
Zoning: A-1 (Agriculture), and
TC (Town Center - T4) (Winter Springs)

North: Vacant Property
Future Land Use: Town Center District
Zoning: TC (Town Center - T4) (Winter Springs)

South: Open Space for Tuskawilla Crossings
Future Land Use: Town Center District
Zoning: TC (Town Center - T4) (Winter Springs)

Site Analysis

Floodplain Impacts:

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

Drainage:

The proposed project is located within the Howell Creek Drainage Basin and has limited downstream capacity. Therefore, the site will have to be designed to hold 25-year, 24-hour storm event onsite unless an appropriate outfall system is determined at final engineering.

Wetland Impacts:

The site contains wetlands. Wetland delineation and buffers shall be required at Final Development Plan. A 15-foot minimum, 25-foot average undisturbed upland buffer must be provided from all approved jurisdictional wetland boundaries. A conservation easement that includes all onsite wetlands shall be provided post development.

Endangered and Threatened Wildlife:

The site has been vacant since at least 2007 and may contain endangered or threatened species. A listed species survey will be required prior to Final Development Plan approval.

Utilities:

The subject property is located in unincorporated Seminole County but within the City of Winter Springs utility service area. Developments requiring utilities from cities are normally required to enter into pre-annexation agreements that often dictate appropriate land uses based on that city's vision for the future (future land use map). If a developed property connects to city utilities it is usually required to annex once it becomes contiguous. In this case, however, it has been determined that sewer is not available to the site, as the location and type of line does not meet definition of available. There is a twelve-inch (12") water line along Tuskawilla Road and a fire hydrant adjacent to the property. Since the Applicant is proposing a PD for a self-storage facility, Environmental Services has determined that connection to central water is not required based on that specific use. Thus, the development is proposing well and septic.

The Applicant presented a letter addressed to the City of Winter Springs requesting water and sewer service for the proposed development. The Applicant has indicated to Seminole County that they have not received a response to their letter. The Applicant, therefore, proposes to develop the site utilizing private well water and an onsite sewage treatment and disposal system.

The Applicant has further stated that according to Florida Statute 381.0065(1)(b) and (2)(b), since the City of Winter Springs has not responded, it has essentially denied utility connections, and since the site is not capable of connecting to those services, the

connection may be considered not “available”.

The Applicant has stated that once available, the site will connect to the City’s public utilities. Until such time, the Applicant is proposing an onsite sewage treatment and disposal system that complies with the State’s required limit of 1,000 gallons per day or less.

Fire Protection:

Since the Applicant is proposing a private well for water, an alternative fire protection system shall be provided in accordance with the adopted edition of the Florida Fire Prevention Code pursuant to Florida Statute 633. Alternative methods shall be reviewed by the Authority Having Jurisdiction (AHJ) and must be found acceptable prior to AHJ approval at the time of Final Development Plan approval.

Transportation/Traffic:

The property proposes access onto Tuskawilla Road, which is classified as a Rural Minor Arterial roadway. Tuskawilla Road is currently operating at a level-of-service range from “B-D” depending on time of day and direction. Tuskawilla Road does not have improvements programmed in the County’s 5-year Capital Improvement Program.

Sidewalks:

There is an existing sidewalk along Tuskawilla Road. The developer will be required to provide connection between the sidewalk and the site.

Public Transit:

The nearest LYNX Link 434 bus stop is approximately one-quarter mile from the site on E SR 434, east of Tuskawilla Road.

Buffers:

The Applicant proposes a twenty (20) foot buffer along the eastern property line including understory trees, a 0.4 opacity, 2.25 plant units per 100 linear feet, and the option for either opaque fencing, if installed along the inside edge of the landscape buffer; or decorative metal fencing, if installed along the eastern property line. The south buffer width is ten (10) feet with a 0.1 opacity, and 0.95 plant units per 100 linear feet. The west buffer includes a twenty-five (25) foot buffer, 0.5 opacity, and 2.7 plant units per 100 linear feet along Tuskawilla Road. The north buffer would be identical to the south buffer in width and number of plant units.

Open Space:

The requested development will meet the required twenty percent (20) common usable open space, which may include the area in landscape buffers.

Community Meeting:

The Applicant held a community meeting on Tuesday March 14, 2023 at 6:00 p.m. The community meeting sign-in sheet indicates that eighty-seven (87) citizens attended the meeting. The Applicant also reported that an alternative sign-in sheet provided by Winter Springs included names for fourteen (14) meeting attendees. The Applicant's meeting summary indicated that a wide range of questions were asked including, but not limited to, questions about the location of a fire water tank, buffer zones, driveway and access locations, traffic generation, hours of operation, types of commercial uses, impact on home values, and incompatibility with nearby neighborhoods. The Applicant provided 3D renderings of the proposed building as well as a proposed landscape buffer view facing west from Strong Tree Way, located along the eastern property boundary.

Winter Springs Recommendation:

The City of Winter Springs has indicated their objection to the proposed rezone. Please see the attached email correspondence from Nick Tafelsky, a Senior Planner with the City.

Consistency with the Land Development Code

The proposed PD zoning designation and the associated Master Development Plan have been evaluated for compatibility with the Land Development Code of Seminole County in accordance with Chapter 30, Part 25.

The request is consistent with the Land Development Code of Seminole County and the surrounding area. The proposed project supports the objectives of the PD zoning designation in that it provides the required minimum of twenty (20) percent open space and provides adequate buffering to maintain compatibility with surrounding uses.

Staff finds that the requested PD zoning classification to be compatible with the trend of development in the area.

Consistency with the Comprehensive Plan

Under Policy FLU 2.9, "Determination of Compatibility in the Planned Development Zoning Classification," the County may consider uses or structures proposed within the Planned Development zoning classification on a case-by-case basis, evaluating the compatibility of the proposed use or structure with surrounding neighborhoods and uses. Compatibility may be achieved through performance standards such as, but not limited to, lot size, setbacks, buffering, landscaping, hours of operation, lighting, and building heights.

The proposed Planned Development zoning classification is consistent with a general trend toward higher development intensities and upgraded visual appearances along Tuskawilla Road, in conjunction with the City of Winter Springs Town Center zoning district. The proposed building height of thirty-five (35) feet with architectural roof elements not to exceed forty-five (45) feet is in keeping with the high-intensity commercial activities to the north, along Tuskawilla Road and SR 434, and the proposed PD will generate minimal demand for roadway and utility capacity. The proposed Master Development Plan provides adequate buffering along the adjacent street frontages to the east and north, and foundation landscaping along the building walls visible from off-site.

The proposed request is also consistent with the Seminole County FLU Exhibit 1 Compatible Transitional Land Uses. The Compatible Transitional Land Use Table states that light industrial uses can be compatible with medium density residential uses when sufficient buffers, limited building heights, architectural controls and limited hours of operation are established through PD zoning to address any nuisance related issues and enhance compatibility. The applicant is proposing a PD to create compatibility through design criteria. The property is adjacent and near townhome developments within the City of Winter Springs, which appear to have medium densities. In addition there is County MDR Future Land Use property to the northwest.

The City of Winter Springs has annexed property immediately surrounding the subject site both to the east and directly west of Tuskawilla Road. These annexations and rezonings to Town Center occurred around 2001 and 2014 and, in both cases, the City of Winter Springs found that the proposed use and density were compatible with the surrounding area and land uses were compatible with the Town Center. The May 29, 2001 Commission Agenda public hearing item states that the proposed rezoning is compatible with the existing land use of adjacent properties, which includes the subject property. These two commission agenda item reports are attached to this current rezone request.

Staff finds the requested PD zoning classification to be consistent with the Seminole County Comprehensive Plan.

An Interlocal Agreement was presented by the City Attorney on behalf of the City of Winter Springs City Commission to the County Attorney's Office to proffer for the County's consideration. The County Attorney's Office opined that the draft Agreement is based on the authority contained in FS Section 171.046, which applies to developed property. The subject property is currently vacant; thus this section does not apply to undeveloped or unimproved real property. The City's proposed Interlocal Agreement is attached for reference.

Planning and Zoning Commission Recommendation:

The Planning and Zoning Commission voted five (5) to one (1) to recommend the Board of County Commissioners approve this item on May 3, 2023.

Staff Recommendation:

Recommend the Board of County Commissioners adopt the proposed Ordinance enacting a Rezone from M-1 (Industrial) and A-1 (Agriculture) to Planned Development (PD) for 4.81 acres and approve the associated Development Order and Master Development Plan, located on Tuskawilla Road approximately 200 feet south of Michael Blake Boulevard.