

ATTACHMENT 1

CITY OF OVIEDO, FLORIDA

2045 Comprehensive Plan 2006 Land Development Code



**Zoning Map Amendment
22-0051 ZMA**

Ordinance No. 1732

Supporting Data & Analysis

LPA

May 16, 2023

City Council 1st Reading

June 5, 2023

City Council Public Hearing

June 19, 2023

File Number: 22-0051-ZMA

Ordinance No: 1732

Application Type: Zoning Map Amendment (ZMA)

Owners: Dr. Talai Hilal
Allonde Development LLC
160 Spring Lake Drive
Altamonte Springs, Florida 32714

Applicant: Ramadam Seyam
Zoser Design Build Group, Inc
517 Oakcrest Street
Altamonte Springs, Florida 32714

Consultant: Christopher Germana
Germana Engineering and Associates, LLC
1120 W. Minneola Avenue
Clermont, Florida 34711

Requested Change: Total Acreage is 0.83 acres to be amended **from** Planned Unit Development (PUD) **to** Planned Unit Development (PUD)

I. PROPERTY LOCATION

A. General Location of Property:

The subject property consists of approximately 0.83 acres and is located on the west side of SR 417 and on the north side of Winter Springs Boulevard.

B. Seminole County Property Appraiser Parcel ID Number:
16-21-31-519-0100-0000

II. PURPOSE AND INTENT

The subject property consists of approximately 0.83 acres and currently has a future land use map designation of Low Density Residential (LDR) and a zoning district of Planned Unit Development (PUD). The subject property is part of a larger Planned Unit Development known as Seneca Bend. The Seneca Bend Development Agreement AND Conceptual Development Plan, adopted by the City Council on October 17, 1994 terminated on January 25, 2005. Seneca Bend Subdivision was approved for a maximum of twenty-two (22) dwelling units and a total of two point thirty-four (2.34) acres with commercial property. The original development agreement and conceptual development plan designated the subject property consisting of zero point eighty-three (0.83) acres, further platted as Parcel 1 along with one point fifty-one (1.51) acres, platted as Parcel 2 totaling (2.34) acres with a commercial designation. Parcel 2 is developed as an 8,000 square foot office building. The subject 0.83

acre property is the last remaining vacant commercial property within the Seneca Bend development.

Table 1: Summary of Future Land Use Designations and Zoning Districts

Parcels	Acres	Existing FLU	Existing Zoning	Proposed Zoning
16-21-31-519-0100-0000	0.83	LDR	PUD	PUD

LDR= Low Density Residential and PUD=Planned Unit Development

Therefore, the purpose of the proposed zoning map amendment to Planned Unit Development is to incorporate a new Development Agreement and Conceptual Development Plan to allow for the development of a childcare facility on the subject property.

The proposed development includes a day care development consisting of 5,439 square feet of commercial use and/or uses allowed within the C-2 zoning district. The proposed Planned Unit Development zoning district requires the approval of a Development Agreement (DA) and Conceptual Development Plan (CDP).

The proposed Development Agreement allows the following:

1. Page 3, Section 4. Findings of Facts
 - a. Land Use: The Property will be developed as a childcare facility and other “C-2” permissible uses.
 - b. Project Size:0.83 +/- Acres.
 - c. Density/Intensity Tables

Acreage	Maximum FAR	Proposed FAR	Proposed Square Feet
0.83	0.40	0.15	5,439

Impacts were based on the proposed use of a 5,439 sf daycare use. Any changes that would increase the intensity or density of the development will require an amendment to this Development Agreement and CDP and additional studies shall be required to determine if adequate capacity exists prior to the approval of the amendment to this Developers Agreement.

2. Page 4, Section 5. City of Oviedo Conditions of Approval

a. Principal Uses

The property will be developed as childcare facility and/or C-2 uses.

b. Accessory Uses

Accessory structures, associated with principal uses, are also permitted with the corresponding principal uses pursuant to the pertinent provisions of the LDC.

c. Building and Development

i. Maximum Building Height: 45 feet.

Building height shall be the vertical distance measured from the finished grade adjacent to the building to the top of the ceiling plate (exclusive of rooftop mechanical or equipment enclosures).

d. Setbacks:

- i. The following minimum building setback distance shall be required for commercial and office principal buildings:
- ii. 20 feet from the West of the Property with 5 feet buffer for the remaining portions
- iii. 20 foot landscaping buffer along Oak Bend Ct.

3. Page 4, Section 5 B. Landscaping and Buffering

B. The Developer shall comply with the landscape and buffer requirements of the LDC, this Agreement, and the CDP which, in the event of conflict, this Agreement and the CDP shall apply.

1. For non-residential lots, landscaping shall comply with the City's LDC, unless expressly stated otherwise herein.
2. Section 12.3(B)(3) of the LDC requires the planting of street trees at 1 canopy tree for every 50 linear feet of right-of-way and the applicable A1 buffer yard requires 3 trees per every 100 feet.

The above stated options will allow the Developer to meet the intent of the landscaping and buffer yard requirements without inhibiting the growth of shrubs, ground cover, and other such landscaping and by allowing for the safe ingress and egress to and from the commercial uses.

3. A 5-foot-wide landscape buffer area along the perimeter of the PUD with buffer yard type A1. With the exception of the western boundary described in 5-A, d, i above

e. Transportation

- i. The Project shall have one (1) primary access point. The final locations and types of the Project access point shall be determined with the issuance of a right-of-way permit issued by the City. The developer is responsible for all improvements required by the City at the access points pursuant to the approved plans for the project.
- ii. The Developer shall bear the costs of all street signs, traffic control signs and devices within the Project boundaries. Such signs and devices shall be in place in appropriate locations as approved by the City pursuant to the approved plans for the Project.
- iii. The Developer shall pay, or cause to be paid in accordance with the requirements of the LDC, transportation impact fees for the Projects consistent with the City's impact Fees codes and ordinances, as amended from time to time at the time of building permit issuance.
- iv. Sight Distance shall be maintained in accordance with FDOT Design Standards.

The remaining portion of the Development Agreement is found in Ordinance No. 1732.

III. PROPERTY PROFILE

- A. Existing Use: The subject property is currently vacant
- B. Current Future Land Use: Low Density Residential (LDR)
- C. Existing Zoning: Planned Unit Development (PUD)
- D. Proposed Zoning: Planned Unit Development

IV. COMPREHENSIVE PLAN POLICY 1-1.1.4 ANALYSIS

A. Consistency with the Goals, Objectives, and Policies of the Comprehensive Plan and the Future Land Use Map Series

1. Supporting Goals, Objectives, and Policies:

The proposed ZMA was evaluated against the Comprehensive Plan in order to ensure compatibility with the surrounding zoning districts and land uses. Staff finds that the proposed amendment is consistent with the City's goal of developing and maintaining a well-balanced community with variety of land uses that are compatible with each other (FLUE Goal 1-1) as well as:

- Objective 1-1.2: To provide needed services, local employment opportunities and an increased tax base.

- Objective 1-1.3: To prevent urban sprawl, specifically implementing policies regarding infill development and promoting high density/intensity development in areas with complete urban services;

2. Conflicting Goals, Objectives, and Policies:

The proposed Zoning Map Amendment (ZMA) is not in conflict with any applicable goals, objectives, or policies of the City of Oviedo Comprehensive Plan.

B. Impact on Established and Projected Levels of Service

Impact of the proposed Zoning Map Amendment was analyzed based on the maximum allowable intensity and density of the subject property’s existing zoning designation compared to that of the proposed development program.

C. Compatibility with Existing and Proposed Land Uses

1. **Adjacent Land Uses:** The proposed Planned Unit Development zoning district is compatible with adjacent zoning districts and existing uses as shown in Table 2 below:

**Table 2
Adjacent Land Use Table:**

Direction	2045 FLU Designations	Zoning Districts	Existing Land Use
North:	Low Density Residential (LDR) / Conservation (C)	Planned Unit Development (PUD)	Seneca Bend Retention pond
South:	Commercial (CM)	Commercial (C-2)	Vacant
East:	Commercial (CM)	Commercial (C-2)	SR 417 and Doctor Office, Oviedo Pet Resort LLC, Shopping Center
West:	Low Density Residential (LDR)	Planned Unit Development (PUD)	Orlando Cleaners, Offices, Services

2. **Zoning Impact and Scope of Use:** The table below summarizes the City’s lot use regulations as specified in the LDC for the PUD zoning district.

Lot Size Standards

Lot Standards	Proposed Zoning Planned Unit Development (PUD)
Minimum Lot Size	N/A
Minimum Lot Width	N/A
Minimum Building Front Setback	20’
Minimum Building Side Setback	20’
Minimum Building Rear Setback	20’

The proposed Planned Unit Development zoning district does not establish minimum lot sizes and lot widths.

D. Current Supply of Vacant Land Already Designated for the Proposed Land Uses

According to GIS data, there are approximately 5,482.80 acres of vacant land with a Planned Unit Development (PUD) zoning district.

E. Funding Commitments for Required Improvements

No funding commitments for capital improvement projects are required of the applicant at this time because no additional capacity improvements are needed to accommodate the requested zoning change.

F. Impact on Natural Resources

The City's Environmental Consultant (E Sciences) reviewed the proposed Zoning Map Amendment and identified that impacts to the 0.654 acre wetland will need to be mitigated with an environmental resource permit from SJRMD will be required and a possibly a FDEP Federal 404 permit relating to the Clean Water Act.

At this zoning map amendment stage of the development process, the applicant has committed to adhering to the environmental protection policies of the Comprehensive Plan and to further evaluating environmental conditions and any needed mitigation as part of the Site Development Order/Final Engineering review and approval process.

G. Consistency with efforts to increase the supply of non-residential lands available for economic use.

The proposed zoning map amendment for approximately 0.83 acres of the property to Planned Unit Development zoning district provides the opportunity to develop the property as a daycare for economic use in the City.

H. Consistency with efforts to increase the provision of a viable mixture of land uses in a compact, walkable area that is accessible to the full range of feasible non-motorized and motorized transportation modes.

The requested PUD zoning district allows a diversity of land uses and thus aligns with the City's desire to increase the provision of a viable mixture of land uses in a walkable area. The subject property is accessible by non-motorized and motorized transportation modes.

V. OTHER CONSIDERATIONS

A. Housing

The proposed development does not include residential dwelling units. Thus, no impact to housing is proposed.

B. Population Impact

The proposed Zoning Map amendment will not have an effect on the City's population.

C. Public Health/Safety/Welfare Issues

There are no public health, safety, or welfare issues associated with this zoning map amendment.

D. Impact on Schools

The proposed Zoning Map Amendment will not have an effect on the Seminole County public school.

E. Other Comments

No comments.

VI. STAFF RECOMMENDATION

Staff recommends approval of the proposed zoning map amendment from Planned Unit Development to Planned Unit Development (PUD) based on the findings presented in this report.

EXHIBITS

EXHIBIT A	Location Map
EXHIBIT B	Current Future Land Use Map
EXHIBIT C	Current Zoning Map
EXHIBIT D	Proposed Zoning Map
EXHIBIT E	Table 4.1 Table of Permissible Land Uses

Exhibit A: Location Map



Exhibit B: Current Future Land Use Map

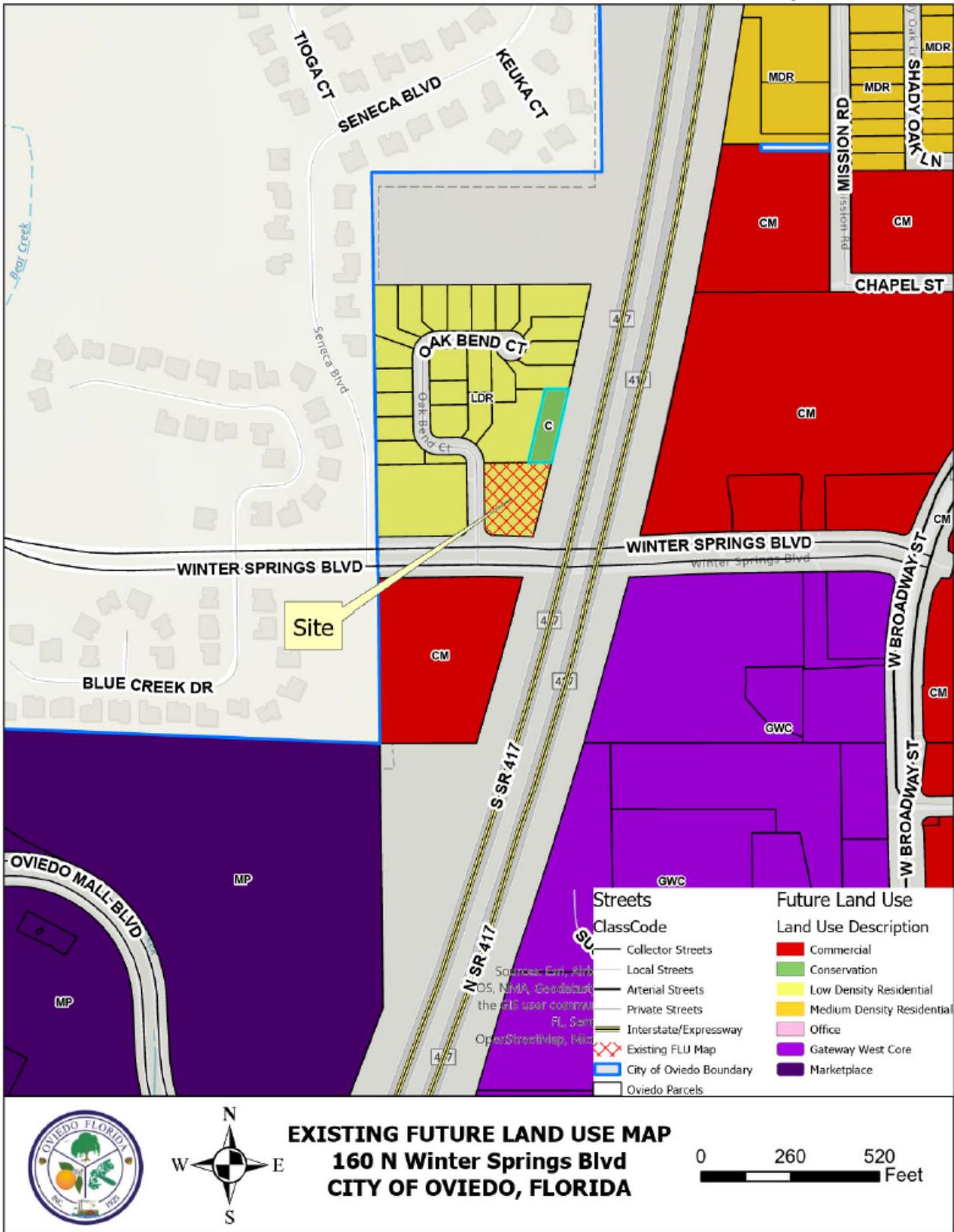


Exhibit C: Existing Zoning Map

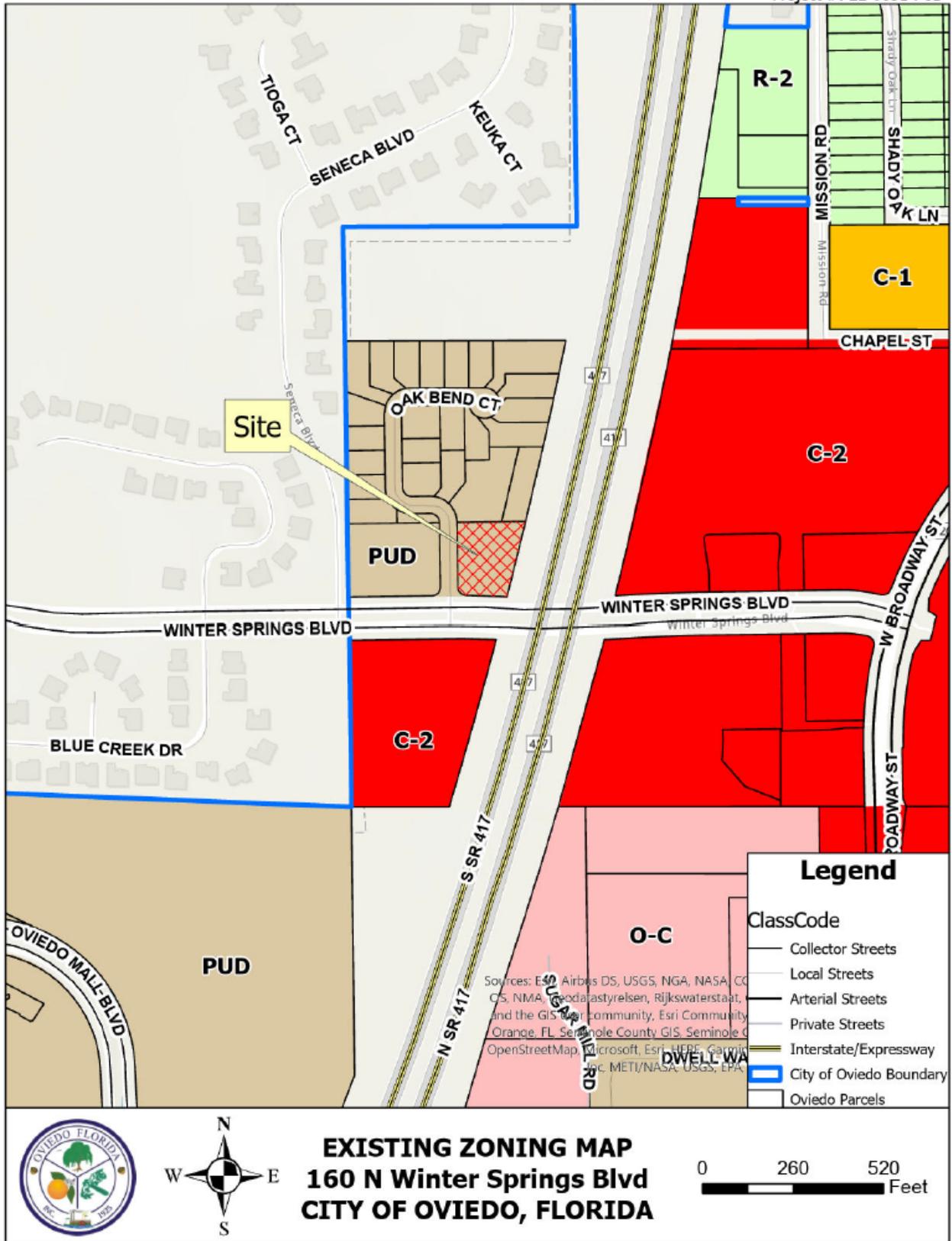


Exhibit D: Proposed Zoning Map

