

Agenda Memorandum

To: Local Planning Agency
Prepared By: Debra Pierre, Planning Manager
Date: May 16, 2023
Subject: **Ordinance No. 1732**, Zoning Map Amendment for Oviedo Child Care Planned Unit Development.

Introduction: This is a request to amend the City's Official Map for approximately zero point eighty-three (0.83) acres located on the west side of SR 417 and on the north side of Winter Springs Boulevard from Planned Unit Development to Planned Unit Development. The applicant is Ramadan Seyam, Zoser Design Build Group, Inc.

Discussion: Per Section 166.041(3)(a), Florida Statutes, a privately-initiated ordinance to change the official zoning map of a parcel must be read by title on at least two (2) separate days and shall, at least ten (10) days prior to adoption, be noticed once in a newspaper of general circulation in the City. LDC Sections 2.4(E) and 2.5(B) require a public hearing before the Local Planning Agency (LPA) and a public hearing before the City Council for an amendment to the Official Zoning Map. Thus, the proposed Zoning Map Amendment (ZMA) will undergo two (2) public hearings: one (1) before the LPA and one (1) before City Council. Per Land Development Code (LDC) Section 2.5(A)(3), the City Council shall have final approval authority over amendments to the official zoning map.

The subject property consists of approximately zero point eighty-three (0.83) acres. The parcel is designated with the Low Density Residential (LDR) future land use map designation and the Planned Unit Development (PUD) zoning district. The subject property is part of a larger Planned Unit Development known as Seneca Bend. The Seneca Bend Development Agreement, 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 the commercial property. The original development agreement 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 the Commercial designation. Parcel 2 is developed as an 8,000 square foot office building. The subject property is the last remaining vacant commercial property within the Seneca Bend development.

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 a childcare facility on the subject property. The proposed daycare use is compatible with the surrounding future land use designations, zoning districts and existing uses as shown in the table below:

Table 3: Land Use Adjacency Evaluation

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

Source: City of Oviedo Planning & Development Division, 2023

The proposed development is a child care facility consisting of 5,439 square feet of commercial use. The proposed Planned Unit Development zoning district requires the approval of a Development Agreement (DA) and Conceptual Development Plan (CDP). The DA and CDP are attached to Ordinance No. 1732, Zoning Map Amendment for the subject property.

The Development Agreement includes the following:

1. A PUD with a childcare facility and "C-2" zoned permissible uses.
2. Maximum Building Height is 45 feet which includes any architectural feature; exclusive of rooftop mechanical or equipment enclosures.
3. Transportation: The Project will have one (1) primary entrance along Oak Bend Court. The project is estimated to generate 259 gross daily trips as calculated using the trip generation values defined in the Institute of Transportation Engineers *Trip Generation Manual, 10th Edition*.
4. Potable water shall be provided by the City of Oviedo and sewer shall be provided by the City of Winter Springs.
5. The property shall provide a minimum of 30% open space.

There is adequate capacity for recreation, water, sewer, solid waste, and transportation to accommodate the proposed use.

Staff recommends approval of Ordinance No. 1732. The City Attorney reviewed Ordinance No. 1732 and identified no concerns relative to content and accuracy. The City followed all the proper notification and advertisement requirements for the public hearings per the Florida Statute 166.

Budget Impact: There are no budgetary impacts arising from approval of Ordinance No. 1732.

Strategic Impact: Promote diversification of the local economy.

Recommendation: It is recommended that the LPA conduct a public hearing and recommend adoption of Ordinance No. 1732 to City Council.

Attachment(s): Supporting Data Inventory and Analysis