



OFFICIAL NOTICE

CITY OF CASSELBERRY PLANNING AND ZONING COMMISSION LOCAL PLANNING AGENCY

Wednesday, April 12, 2023
6:30 PM

City Commission Chambers
1st Floor, Casselberry City Hall
95 Triplet Lake Drive, Casselberry, Florida

TO THE PUBLIC: Persons are advised that if they decide to appeal any decisions made at these meetings/hearings they will need a record of the proceedings and for such purpose, they may need to ensure that a verbatim record of the proceedings is made which record includes the testimony and evidence upon which the appeal is to be based per Section 286.0105, Florida Statutes.

Persons with disabilities needing assistance to participate in any of these proceedings should contact the City of Casselberry A.D.A. Coordinator, 48 hours in advance of the meeting at (407) 262-7700, ext. 1150.

This is a public meeting, and the public is invited to attend. This agenda is subject to change. Please be advised that one (1) or more members of the City Commission and/or one (1) or more members of any of the City's Advisory Boards may be in attendance and may participate in the discussion at the meeting.

Persons can obtain an electronic copy of the agenda packet for this meeting by making a public records request to the City Clerk's Office by calling (407) 262-7700, Ext. 1133 or emailing cityclerk@casselberry.org.

AGENDA

1. **Call to Order/Roll Call**
2. **Pledge of Allegiance**
3. **Approval of Minutes**
 - A. **Minutes of March 8, 2023**
4. **Disclosure of Ex Parte Communications**
5. **Conditional Use Applications - None**
6. **Future Land Use Change and Rezoning Applications**
 - A. **ZB 22-09: Official Zoning Map Amendment for 380 SR 436**
Official Zoning Map Amendment for 380 SR 436
7. **Site Plan Applications - None**
8. **Other Business - None**
9. **Public Comments**
10. **Adjournment**

Date

Donna G. Gardner, CMC
City Clerk



City of Casselberry

Planning Division

95 Triplet Lake Drive, Casselberry, Florida 32707 • Telephone (407) 262-7700

To: Planning and Zoning Commission
From: Community Development Staff
Date: April 12, 2023
Subject: ZB 22-09: Official Zoning Map Amendment for 380 SR 436

REQUEST: Official Zoning Map Amendment for 380 SR 436

INTRODUCTION: The following report aims to provide the Planning and Zoning Commission (P&Z) with information regarding the request of the Applicant, John Roberts, with B&F Engineering, Inc, a Division of Crafton & Tull, to amend the Planned Unit Development (PUD) Agreement and Concept Plan for the Icon Commons PUD established via Ordinance No. 21-1553, for one parcel, totaling approximately 1.04 acres, located at 380 State Road (SR) 436.

Unified Land Development Regulations (ULDR) Section 4-20.3, which outlines PUD review and approval procedures, states that all planned unit developments shall be reviewed and processed as a zoning map amendment per Code of Ordinances Section 66-58 and ULDR Section 1-2.9. Further, ULDR Section 1-2.9.C. authorizes the P&Z to review requests to amend the Official Zoning Map and make recommendations to the City Commission, utilizing specific criteria set forth in ULDR Chapter I, Article II, Section 1-2.9, "Amendments to Land Development Regulations," ULDR Chapter II, Article IV, "Comprehensive Plan Implementation," and Article V, "Zoning District Regulations."

GENERAL INFORMATION: The subject property is ±1.04 acres and is generally located northwest of the intersection of SR 436 and Lamplite Way, falling within both the Community Redevelopment District (CRD) and the Oxford Park Overlay District (OPOD). The subject property has a Major Thoroughfare Mixed-Use (MTMU) Future Land Use Map (FLUM) designation. The City Commission approved rezoning the subject property on June 14, 2021, to PMX-MID (Planned Mixed-Use: Medium Rise) via Ordinance 21-1553 to establish the Icon Commons Planned Unit Development (PUD). Now, the Applicant desires to substantially modify the existing PUD agreement to provide for the development of a single-story drive-through coffee establishment.

The existing zoning district, PMX-MID, is classified as a PUD zoning district and must adhere to the requirements outlined in ULDR Article XX, Planned Unit Development. Further, modifications to existing PUD Agreements require approval of a revised PUD Agreement and associated Concept Plan as part of the rezoning process. The City's Development Review Committee (DRC) approved a revised Concept Plan for ZB 22-09 on February 16, 2023.

This public hearing was advertised in the *Orlando Sentinel* on March 30, 2023. Notices for the proposed PUD amendment were posted on the subject property on March 29, 2023. A notification letter was also mailed on March 30, 2023, to all property owners within 500 ft. of the subject property.

ANALYSIS: Consistency with the Comprehensive Plan

The proposed PUD amendment is consistent with the following Comprehensive Plan Objectives and Policies:

Objective FLU 1. Coordinate Future Land Use. The City shall establish land use categories and policies which will ensure the coordination of future land use with the appropriate topography, soil condition, availability of facilities and services, and contrasting land use. The City shall adopt zoning districts that correspond to specific land use categories and define allowable densities and intensities in each zoning district.

The subject property has a Major Thoroughfare Mixed-Use (MTMU) FLUM designation. The PMX-MID zoning district is compatible with the existing MTMU FLUM designation. The proposed modifications do not conflict with the intent of the PMX-MID zoning district, making the proposed PUD amendment consistent with the Comprehensive Plan.

Policy FLU 1.15. Concurrency Management System. A Concurrency Management System has been implemented to ensure that the public facilities and services and established levels of service are available concurrent with the impact of development.

The Applicant has satisfied concurrency requirements as the necessary public facilities and services are in place to serve the proposed project as noted in the associated Concept Plan.

Objective FLU 2. Blighted Area Renewal and Redevelopment. The City shall encourage the redevelopment and renewal of economically underutilized or blighted areas.

The subject property has remained vacant and economically underutilized since its demolition in 2008. The proposed amendment to the existing PUD Agreement and Concept Plan will allow the Applicant to pursue the development of a drive-through coffee establishment, thereby activating an economically underutilized site.

Policy HC 2.1A. Casselberry shall accommodate pedestrian circulation through new mixed-use and commercial projects with sidewalks and internal pathways.

The Applicant is proposing to develop the site according to current regulations, including the City's Healthy Community Complete Streets Policy and Design Guidelines (Complete Streets Policy). The Complete Streets Policy supports improved pedestrian circulation, particularly to adjacent sites and SR 436. Without the proposed modifications to the existing PUD Agreement and Concept Plan, redevelopment that incorporates these design standards is not feasible.

Policy HC 2.1C. Casselberry shall encourage development to consider the connections, both vehicular and pedestrian, to adjoining sites to reduce personal automobile trips.

The proposed Concept Plan from the Applicant has included infrastructure designs to provide vehicular connectivity to the adjacent property in an effort to reduce trips and congestion on SR 436.

Conformance with Ordinances

The proposed PUD amendment conforms to ULDR Section 2-4.3, Official Zoning Map and District Boundaries, which states that any changes or amendments to the official zoning map shall be consistent with the Comprehensive Plan Future Land Use Map. The PMX-MID zoning district is consistent with the Major Thoroughfare Mixed-Use FLUM designation. Additionally, the proposed Concept Plan and PUD Agreement conform to the requirements of ULDR Article XX, Planned Unit Development, which indicates that modifications to existing PUD agreements require the review and approval of a revised PUD agreement and an associated Concept Plan.

Changed Condition

The FLUM designation of the subject property was amended by the City to Major Thoroughfare Mixed-Use in 2010. This amendment resulted in an inconsistency between the zoning and FLUM designation of the subject property, as the only zoning districts compatible with Major Thoroughfare Mixed-Use are PMX-MID and PMX-HIGH (Planned Mixed-Use: High Rise). The City Commission approved a rezoning of the subject property on June 14, 2021, from CG (Commercial General) to PMX-MID via Ordinance 21-1553 to establish the Icon Commons Planned Unit Development (PUD). Construction of the proposed development was never initiated, and the site remains vacant. Now, the Applicant desires to substantially modify the existing PUD agreement to provide for the development of a single-story drive-through coffee establishment.

Land Use Compatibility

The subject property sits adjacent to SR 436 and is surrounded to the east and west primarily by restaurants and general retail sales and services. The adjacent property to the east has a Commercial (COMM) FLUM designation and CG zoning, while the properties to the west have a Major Thoroughfare Mixed-Use FLUM designation and CG zoning. Directly north of the site is a vacant tract of land with a Recreation and Open Space (ROS) FLUM designation and ROS (Recreation and Open Space) zoning. Northeast of the subject property are single-family homes that have a Low Density Residential (LDR) FLUM designation and R-9 (Low Density Single-Family) zoning.

The proposed PMX-MID zoning designation is supported by its proximity to SR 436, which is classified as a major arterial road. The northeastern property line of the site abuts low-density residential development. As such, the primary building is oriented closer to SR 436 and away from residential land uses. Additionally, the PUD Agreement requires a minimum 30 ft. wide bufferyard, with intensive landscaping, as well as a 30 ft. rear yard setback along the northeast portion of the property line adjacent to the residential development. Landscaping and tree protection will be reviewed comprehensively during the site plan review process to ensure proper buffering and screening between uses.

The subject property are located within the OPOD and CRD overlay districts. Therefore, development on the site will be subject to additional design standards during the site plan review process. Overall, the proposed PUD amendment is compatible with surrounding properties and adjacent land uses.

Adequate Public Facilities

Police services are provided for the subject property by the City of Casselberry, and fire services are currently provided by the Seminole County Fire Department. Vehicular and pedestrian access are provided by SR436. Connections for City water and sanitary sewer services are available to the subject property. Since residential uses are not included in the proposal, a school impact analysis from Seminole County Public Schools is not required.

Natural Environment

The proposed amendment is not anticipated to have any negative effect on the natural environment, as the site is not located in a floodplain. There are no wetlands present on the subject property.

Economic Effects

As a new project, the development is designed to increase area property values and have an overall positive impact on economic development. Additionally, as the site is currently vacant, developing the property will generate an increase in tax revenue and utility user fees for the City.

Orderly Development

In accordance with ULDR Section 4-20.3.C., the Applicant submitted a Concept Plan for the

proposed development of the subject property, which was reviewed and approved by the DRC on February 16, 2023. DRC's review of the concept plan informed the general terms of the PUD Agreement, which will govern future development of the site. Following approval of the amendment to the PUD Agreement and Concept Plan, the Applicant will submit a site plan review application for the development of the subject property. All future plans to develop the site will be reviewed and shall adhere to the requirements of the City's ULDR, Code of Ordinances, Complete Streets Policy, and the PUD Agreement.

STAFF RECOMMENDATION: Staff recommends that the Planning and Zoning Commission recommend approval of case number ZB 22-09 to the City Commission, based on the staff report and the testimony and evidence presented, that the request meets the applicable provisions of the Unified Land Development Regulations and is consistent with the Comprehensive Plan as per the written findings contained in the staff report.

ATTACHMENTS:

1. Ordinance 23-XXXX and PUD Agreement
2. Concept Plan
3. Maps
4. Street View of Subject Property
5. Table of Surrounding Land Uses
6. Permit Disclaimer