



OFFICIAL NOTICE

CITY OF CASSELBERRY PLANNING AND ZONING COMMISSION LOCAL PLANNING AGENCY

Wednesday, August 23, 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.

SPECIAL MEETING AGENDA

1. **Meeting Call to Order**
2. **Pledge of Allegiance**
3. **Roll Call**
4. **MINUTES - None**
5. **Disclosure of Ex Parte Communications**
6. **Conditional Use Applications - None**
7. **Site Plan Applications**
 - A. **SPR 22-03: Site Plan Approval for a Development of Community Impact for Wheel Park Phase I**
Site Plan Approval for a Development of Community Impact for Wheel Park Phase I, located east of N. Winter Park Drive, is requested.
 - B. **SPR 22-07: Site Plan Approval for a Development of Community Impact for Wheel Park Phase II**
Site Plan Approval for a Development of Community Impact for Wheel Park Phase II, located west of N. Winter Park Drive, is requested.
 - C. **SPR 22-04: Site Plan Approval for a Development of Community Impact for Wirz Park located at 806 Mark David Boulevard**
Site Plan Approval for a Development of Community Impact for improvements at Wirz Park, located at 806 Mark David Boulevard, is requested.
8. **Future Land Use and Rezoning Amendments**

A. **ZB 23-01: Official Zoning Map Amendment for Cheddars Planned Unit Development (PUD) Agreement and Concept Plan**

Approval of the proposed amendment to the City's Official Zoning Map for the Cheddars Planned Unit Development (PUD) Agreement and Concept Plan is requested.

9. Public Hearings - None

- 10. Citizens' Comments** Persons who wish to comment or make an inquiry on any matter NOT ON THIS AGENDA may do so at this time. Please raise your hand, and, when recognized by the Chairperson, come forward to the microphone, state your name and address, and briefly speak on the matter. All comments must be directed to the Chairperson or the Planning & Zoning Commission as a whole - not an individual board member, a City staff member, or another member of the audience. Citizens may be hearing during PUBLIC HEARINGS or at any time any agenda is before the Planning & Zoning Commission for consideration by following the same procedure described above.

11. Other Business

12. 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: August 23, 2023
Subject: SPR 22-03: Site Plan Approval for a Development of Community Impact for Wheel Park Phase I

REQUEST: Site Plan Approval for a Development of Community Impact for Wheel Park Phase I, located east of N. Winter Park Drive, is requested.

INTRODUCTION: The Community Development Department, Planning Division, requests that the Planning and Zoning Commission/Local Planning Agency (P&Z) consider site plan approval of a Development of Community Impact (DCI) for a new City Park, currently referred to as Wheel Park Phase I, to be located east of N. Winter Park Drive. This request for site plan approval (SPR 22-03) also includes a conditional use request (CU 23-11) for an impervious area greater than 30%.

GENERAL INFORMATION: Wheel Park Phase I encompasses five parcels totaling ±6.19 acres and sits south of Belle Avenue to the east of N. Winter Park Drive (Attachment 1 - Street View of Subject Property). The subject properties have a Recreation and Open Space (ROS) Future Land Use Map (FLUM) designation and are zoned ROS (Recreation and Open Space) earlier in 2023 (Attachment 2 - Maps). Additionally, the proposed park is not located within any overlay districts.

According to the City's *Unified Land Development Regulations* (ULDR) Section 1-2.5, the City's Development Review Committee (DRC) is responsible for ensuring that the proposed development satisfies all required performance standards and other applicable regulations. DRC voted to conditionally approve SPR 22-03 on July 20, 2023. With a focus on bicycles, Wheel Park Phase I includes a pump track, a playground, a bicycle safety garden, pavilions, benches, and an area for nature study, complete with a trail looping around the park (Attachment 3 – Site Plan).

Further, because of its classification as a Development of Community Impact, the proposed site plan also requires approval from the Planning and Zoning Commission (P&Z) and City Commission, as indicated in ULDR Section 4-18.2.

ANALYSIS: Throughout the site plan review process, efforts are made to ensure the intended development complies with all relevant performance criteria. Development proposals are evaluated for compatibility with surrounding areas, potential impacts related to anticipated growth, and the availability of necessary public facilities and services. As such, the proposed site plan was evaluated by the DRC based on the following criteria:

- ULDR Article IV, Comprehensive Plan Implementation
- ULDR Article V, Zoning District Regulations
- ULDR Article X, Appearance, Design, & Compatibility
- ULDR Article XII, Stormwater Management
- ULDR Article XIII, Landscaping
- ULDR Article XIV, Tree Protection

- ULDR Article XV, Off-Street Parking and Loading Requirements
- ULDR Article XVI, Signs
- ULDR Article XVIII, Site Plan Review

DRC has comprehensively reviewed the project at various design phases. After reviewing 100% design plans, DRC granted conditional approval on July 20, 2023, after which the remaining comments were adequately addressed (Attachment 4 - 1st Review DRC Comment Report).

Comprehensive Plan Implementation (ULDR Article IV)

The subject properties have a Recreation and Open Space FLUM designation and are zoned ROS, which are consistent with one another according to the City's Comprehensive Plan and ULDR Article IV.

Zoning District Regulations (ULDR Article V)

Land Use by District (ULDR Section 2-5.3) – The ROS zoning district is intended to accommodate existing and anticipated future needs for recreation and open space, including all land uses incorporated within the ROS zoning district within ULDR Table 2-5.3. Wheel Park Phase I is bordered by N. Winter Park Drive to the east and Belle Avenue to the north. To the west is a city-owned stormwater attenuation area, and to the south sits a single-family home. Overall, the proposed development is compatible with the surrounding land uses and is not anticipated to negatively affect neighboring properties.

Size and Dimension Criteria (ULDR Section 2-5.4) – SPR 22-03 meets all the relevant setback, size, and dimension requirements outlined for the ROS zoning district provided in ULDR Table 2-5.4 except for the 30% maximum allowed impervious surface area (ISR). The plans for Wheel Park Phase I propose ±35.25% impervious area with ±64.75% open space.

However, per ULDR Table 2-5.4, Footnote Q states that impervious areas greater than 30% in the ROS zoning district shall require conditional use approval. Upon review, staff recommends the conditional use (CU 23-11) be granted based on the criteria outlined in ULDR Article VI:

1. The proposed use of a park is compatible and harmonious with adjacent land use and will not adversely impact land use activities in the immediate vicinity;
2. There is sufficient site size and adequate site specifications to accommodate the proposed use;
3. To help mitigate potential impacts, the stormwater area is proposed to be natively landscaped to emulate a natural wetland;
4. No hazardous waste will be stored onsite; and
5. The City shall remain compliant with all applicable federal, state, county, and City laws and ordinances.

Further, per ULDR Table 2-5.4, Footnote P, any buildings or structures erected within this district shall be for parks and recreation purposes or protective services and shall support said purposes. This considered, the proposed structures onsite include pavilions, a utility shed, and playground equipment. Further, the project offers a 0.003 Floor Area Ratio (FAR), for which the maximum allowed in the ROS zoning district is 0.10 FAR.

Appearance, Design, and Compatibility (ULDR Article X)

Appearance of Site and Structures (ULDR Section 3-10.2) – The proposed use is compatible with the surrounding uses and did not require additional screening beyond the minimum landscaping requirements along the north, south, east, and west property boundaries. All

mechanical equipment will be screened accordingly from public view with landscaping. Solid waste will be manually collected from trash receptacles; a solid waste container enclosure is not proposed.

Lighting & Photometric (ULDR Section 3-10.2.6) – The applicant has provided a photometric plan that generally conforms to the lighting standards outlined in ULDR 3-10.6 (Attachment 5 - Photometric Plan).

However, per ULDR 3-10.6.C.2.d.(1), Table 2: Fixture Height, a variance is required for mounted light fixtures over 20 ft. in height. ULDR Section 1-2.7 outlines the process for requesting variances to P&Z. SPR 22-03 proposes light fixture mounting heights of approximately 40 ft., which will require variance approval.

Stormwater Management (ULDR Article XII)

A new wet detention pond will serve the development to accommodate the minimum required stormwater attenuation. However, all submitted site and construction plans must undergo further review by Public Works and Utilities Department staff to satisfy applicable requirements prior to the issuance of an Engineering Permit.

Landscaping (Article XIII) & Tree Protection & Replacement (Article XIV)

Wheel Park Phase I is extensively landscaped (Attachment 6 - Landscape Plan). The proposed landscape plan meets the intent of required right-of-way, perimeter, buffer, off-street parking, and non-vehicular open space landscaping requirements. Further, no species account for more than 50% of all trees, and any invasive species shall be removed.

However, in lieu of additional canopy trees, staff shall consider the existing vegetation nestled in the ±1.39 acres of Lot 5 as part of the required mitigation for the proposed tree removal onsite. Lot 5 is currently heavily treed, and none are proposed to be removed; this area provides additional buffering against the existing single-family home to the south.

Off-Street Parking and Loading Requirements (ULDR Article XV)

Per ULDR Section 3-15.2, no minimum parking requirement is identified for parks or recreational uses. However, the site plan proposes 79 parking spaces, including four ADA-accessible spaces sized 12 ft. by 20 ft with an accompanying 5-ft. access strip. Additionally, DRC evaluated traffic circulation and safety, including Casselberry Police Department and Seminole County Fire Department.

Signage (ULDR Article XVI)

No ground signs were proposed at this time. Any future signage will require a separate building permit and shall adhere to the applicable standards within ULDR Article XVI.

STAFF RECOMMENDATION: Staff recommends that the Planning and Zoning Commission recommend approval of case number SPR 22-03, which includes CU 23-11, 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 in the staff report. The proposed conditions of approval are as follows:

1. The site plan approval shall be valid for one (1) year; an extension request may be submitted prior to the expiration of this approval.
2. All remaining comments shall be addressed and considered resolved by staff before an engineering permit may be issued.
3. Lighting fixtures mounted higher than 20 ft. require approval of a variance by the Planning & Zoning Commission/Local Planning Agency.

4. Additional onsite lighting shall not be installed without the review and approval of an updated photometric plan by the City's Planning Division to ensure compliance with ULDR Section 3-10.6.
5. All of the above conditions shall be fully and faithfully executed, or the site plan shall become null and void.

ATTACHMENTS:

1. Street View of Subject Properties
2. Maps
3. Site Plan
4. 1st Review DRC Comment Report
5. Photometric Plan
6. Landscape Plan



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: August 23, 2023
Subject: SPR 22-07: Site Plan Approval for a Development of Community Impact for Wheel Park Phase II

REQUEST: Site Plan Approval for a Development of Community Impact for Wheel Park Phase II, located west of N. Winter Park Drive, is requested.

INTRODUCTION: The Community Development Department, Planning Division, requests that the Planning and Zoning Commission/Local Planning Agency (P&Z) consider site plan approval of a Development of Community Impact (DCI) for a new City Park, currently referred to as Wheel Park Phase II, to be located west of N. Winter Park Drive. This request for site plan approval (SPR 22-07) also includes a conditional use request (CU 23-12) for an impervious area greater than 30%.

GENERAL INFORMATION: Wheel Park Phase II encompasses five parcels totaling ±5.34 acres and sits south of Belle Avenue to the west of N. Winter Park Drive (Attachment 1 - Street View of Subject Property). The subject properties have a Recreation and Open Space (ROS) Future Land Use Map (FLUM) designation and are zoned ROS (Recreation and Open Space) earlier in 2023 (Attachment 2 - Maps). Additionally, the proposed park is not located within any overlay districts.

According to the City's *Unified Land Development Regulations* (ULDR) Section 1-2.5, the City's Development Review Committee (DRC) is responsible for ensuring that the proposed development satisfies all required performance standards and other applicable regulations. DRC voted to conditionally approve SPR 22-07 on July 20, 2023. With a focus on skateboards and roller skates and blades, Wheel Park Phase II includes skate bowls and street skate areas, complete with seating areas, a ceremony lawn, and a trail looping through the park (Attachment 3 – Site Plan).

Further, because of its classification as a Development of Community Impact, the proposed site plan also requires approval from the Planning and Zoning Commission (P&Z) and City Commission, as indicated in ULDR Section 4-18.2.

ANALYSIS: Throughout the site plan review process, efforts are made to ensure the intended development complies with all relevant performance criteria. Development proposals are evaluated for compatibility with surrounding areas, potential impacts related to anticipated growth, and the availability of necessary public facilities and services. As such, the proposed site plan was evaluated by the DRC based on the following criteria:

- ULDR Article IV, Comprehensive Plan Implementation
- ULDR Article V, Zoning District Regulations
- ULDR Article X, Appearance, Design, & Compatibility
- ULDR Article XII, Stormwater Management
- ULDR Article XIII, Landscaping

- ULDR Article XIV, Tree Protection
- ULDR Article XV, Off-Street Parking and Loading Requirements
- ULDR Article XVI, Signs
- ULDR Article XVIII, Site Plan Review

DRC has comprehensively reviewed the project at various design phases. After reviewing 100% design plans, DRC granted conditional approval on July 20, 2023, after which the remaining comments were adequately addressed (Attachment 4 - 1st Review DRC Comment Report).

Comprehensive Plan Implementation (ULDR Article IV)

The subject properties have a Recreation and Open Space FLUM designation and are zoned ROS, which are consistent with one another according to the City's Comprehensive Plan and ULDR Article IV.

Zoning District Regulations (ULDR Article V)

Land Use by District (ULDR Section 2-5.3) – The ROS zoning district is intended to accommodate existing and anticipated future needs for recreation and open space, including all land uses incorporated within the ROS zoning district within ULDR Table 2-5.3. N. Winter Park Drive borders Wheel Park Phase II to the north and east. To the west is an unimproved city-owned right-of-way, and to the south sits a small, vacant city-owned parcel. Overall, the proposed development is compatible with the surrounding land uses and is not anticipated to affect neighboring properties negatively.

Size and Dimension Criteria (ULDR Section 2-5.4) – SPR 22-07 meets all the relevant setback, size, and dimension requirements outlined for the ROS zoning district provided in ULDR Table 2-5.4 except for the 30% maximum allowed impervious surface area (ISR). The plans for Wheel Park Phase II propose ±48.31% impervious area with ±51.69% open space.

However, per ULDR Table 2-5.4, Footnote Q states that impervious areas greater than 30% in the ROS zoning district shall require conditional use approval. Upon review, staff recommends the conditional use (CU 23-11) be granted based on the criteria outlined in ULDR Article VI:

1. The proposed use of a park is compatible and harmonious with adjacent land use and will not adversely impact land use activities in the immediate vicinity;
2. There is sufficient site size and adequate site specifications to accommodate the proposed use;
3. To help mitigate potential impacts, the stormwater area is proposed to be natively landscaped to emulate a natural wetland;
4. No hazardous waste will be stored onsite; and
5. The City shall remain compliant with all applicable federal, state, county, and City laws and ordinances.

Further, per ULDR Table 2-5.4, Footnote P, any buildings or structures erected within this district shall be for parks and recreation purposes or protective services and shall support said purposes. This considered, the proposed structures onsite include pavilions and restrooms. Further, the project offers a 0.003 Floor Area Ratio (FAR), for which the maximum allowed in the ROS zoning district is 0.10 FAR.

Appearance, Design, and Compatibility (ULDR Article X)

Appearance of Site and Structures (ULDR Section 3-10.2) – The proposed use is compatible with the surrounding uses and did not require additional screening beyond the minimum

landscaping requirements along the north, south, east, and west property boundaries. All mechanical equipment will be screened accordingly from public view with landscaping. Solid waste will be manually collected from trash receptacles; a solid waste container enclosure is not proposed.

Lighting & Photometric (ULDR Section 3-10.2.6) – The applicant has provided a photometric plan that generally conforms to the lighting standards outlined in ULDR 3-10.6 (Attachment 5 - Photometric Plan).

However, per ULDR 3-10.6.C.2.d.(1), Table 2: Fixture Height, a variance is required for mounted light fixtures over 20 ft. in height. ULDR Section 1-2.7 outlines the process for requesting variances to P&Z. SPR 22-07 proposes light fixture mounting heights of approximately 60 ft., which will require variance approval.

Stormwater Management (ULDR Article XII)

An expanded wet detention pond will serve the development to accommodate the minimum required stormwater attenuation. However, all submitted site and construction plans must undergo further review by Public Works and Utilities Department staff to satisfy applicable requirements prior to the issuance of an Engineering Permit.

Landscaping (Article XIII) & Tree Protection & Replacement (Article XIV)

Wheel Park Phase II is extensively landscaped (Attachment 6 - Landscape Plan). The proposed landscape plan meets the intent of required right-of-way, perimeter, buffer, off-street parking, and non-vehicular open space landscaping requirements. Further, no species account for more than 50% of all trees, and any invasive species shall be removed.

However, in lieu of additional canopy trees, staff shall consider the existing vegetation nestled in the 25-ft. wide unimproved right-of-way adjacent to the subject properties as required mitigation for the proposed tree removal onsite. This area is heavily treed and provides additional buffering against the existing single-family homes to the west. The City has no intent of constructing the right-of-way.

Off-Street Parking and Loading Requirements (ULDR Article XV)

Per ULDR Section 3-15.2, no minimum parking requirement is identified for parks or recreational uses. However, the site plan proposes 90 parking spaces, with four ADA-accessible spaces sized 12 ft. by 20 ft with an accompanying 5-ft. access strip. Approximately 37% of total parking is undersized at 9 ft. by 18 ft. and the remaining are sized 10 ft. by 20 ft. Additionally, DRC evaluated traffic circulation and safety, including Casselberry Police Department and Seminole County Fire Department.

Signage (ULDR Article XVI)

One ground sign is proposed at this time. Any future signage will require a separate building permit and shall adhere to the applicable standards within ULDR Article XVI.

STAFF RECOMMENDATION: Staff recommends that the Planning and Zoning Commission recommend approval of case number SPR 22-07, which includes CU 23-12, 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 in the staff report. The proposed conditions of approval are as follows:

1. The site plan approval shall be valid for one (1) year; an extension request may be submitted prior to the expiration of this approval.

2. All remaining comments shall be addressed and considered resolved by staff before an engineering permit may be issued.
3. Lighting fixtures mounted higher than 20 ft. require approval of a variance by the Planning & Zoning Commission/Local Planning Agency.
4. Additional onsite lighting shall not be installed without the review and approval of an updated photometric plan by the City's Planning Division to ensure compliance with ULDR Section 3-10.6.
5. All of the above conditions shall be fully and faithfully executed, or the site plan shall become null and void.

ATTACHMENTS:

1. Street View of Subject Property
2. Maps
3. Site Plan
4. 1st Review DRC Comment Report
5. Photometric Plan
6. Landscape Plan



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: August 23, 2023
Subject: SPR 22-04: Site Plan Approval for a Development of Community Impact for Wirz Park located at 806 Mark David Boulevard

REQUEST: Site Plan Approval for a Development of Community Impact for improvements at Wirz Park, located at 806 Mark David Boulevard, is requested.

INTRODUCTION: The Community Development Department, Planning Division, requests that the Planning and Zoning Commission/Local Planning Agency (P&Z) consider site plan approval of a Development of Community Impact (DCI) for improvements at Wirz Park, located at 806 Mark David Boulevard. This request for site plan approval (SPR 22-04) also includes a conditional use request (CU 23-13) for an impervious area greater than 30%.

GENERAL INFORMATION: Located to the east of Mark David Boulevard, Wirz Park encompasses three parcels totaling ±26.48 acres, though only ±5.06 acres are being impacted by the proposed improvements (Attachment 1 - Street View of Subject Property). The subject properties have a Recreation and Open Space (ROS) Future Land Use Map (FLUM) designation and are zoned ROS (Recreation and Open Space) earlier in 2023 (Attachment 2 - Maps). Additionally, the proposed park is not located within any overlay districts.

According to the City's *Unified Land Development Regulations* (ULDR) Section 1-2.5, the City's Development Review Committee (DRC) is responsible for ensuring that the proposed development satisfies all required performance standards and other applicable regulations. DRC voted to conditionally approve SPR 22-04 on August 17, 2023. Proposed improvements include renovations to the event center, pool, trails, pavilions, and basketball and volleyball courts, complete with benches and a trail looping around the park (Attachment 3 – Site Plan).

Further, because of its classification as a Development of Community Impact, the proposed site plan also requires approval from the Planning and Zoning Commission (P&Z) and City Commission, as indicated in ULDR Section 4-18.2.

ANALYSIS: Throughout the site plan review process, efforts are made to ensure the intended development complies with all relevant performance criteria. Development proposals are evaluated for compatibility with surrounding areas, potential impacts related to anticipated growth, and the availability of necessary public facilities and services. As such, the proposed site plan was evaluated by the DRC based on the following criteria:

- ULDR Article IV, Comprehensive Plan Implementation
- ULDR Article V, Zoning District Regulations
- ULDR Article X, Appearance, Design, & Compatibility
- ULDR Article XII, Stormwater Management
- ULDR Article XIII, Landscaping
- ULDR Article XIV, Tree Protection

- ULDR Article XV, Off-Street Parking and Loading Requirements
- ULDR Article XVI, Signs
- ULDR Article XVIII, Site Plan Review

DRC has comprehensively reviewed the project at various design phases. After reviewing 100% design plans for the second time, DRC granted conditional approval on August 17, 2023, after which the remaining comments were adequately addressed (Attachment 4 – 2nd Review DRC Comment Report).

Comprehensive Plan Implementation (ULDR Article IV)

The subject properties have a Recreation and Open Space FLUM designation and are zoned ROS, which are consistent with one another according to the City's Comprehensive Plan and ULDR Article IV.

Zoning District Regulations (ULDR Article V)

Land Use by District (ULDR Section 2-5.3) – The ROS zoning district is intended to accommodate existing and anticipated future needs for recreation and open space, including all land uses incorporated within the ROS zoning district within ULDR Table 2-5.3. Wirz Park is surrounded by single-family homes with Low Density Residential (LDR) FLUM and R-9 (Low Density Single-Family) zoning designations to the north, west, and south. To the west are parcels in Seminole County's jurisdiction with Planned Development (PD) FLUM and PD (Planned Development) zoning as well as Low Density Residential (LDR) and R-1 (Single-Family-8400). Overall, the proposed development is compatible with the surrounding land uses and is not anticipated to negatively affect neighboring properties.

Size and Dimension Criteria (ULDR Section 2-5.4) – SPR 22-04 meets all the relevant setback, size, and dimension requirements outlined for the ROS zoning district provided in ULDR Table 2-5.4 except for the 30% maximum allowed impervious surface area (ISR). The plans for Wirz Park propose $\pm 50\%$ impervious area with $\pm 50\%$ open space for the total impacted area. Further, the project offers a 0.02 Floor Area Ratio (FAR) for the impacted area, for which the maximum allowed in the ROS zoning district is 0.10 FAR.

However, per ULDR Table 2-5.4, Footnote Q states that impervious areas greater than 30% in the ROS zoning district shall require conditional use approval. Upon review, staff recommends the conditional use (CU 23-13) be granted based on the criteria outlined in ULDR Article VI:

1. The proposed use of a park is compatible and harmonious with adjacent land use and will not adversely impact land use activities in the immediate vicinity;
2. There is sufficient site size and adequate site specifications to accommodate the proposed use;
3. To help mitigate potential impacts, the stormwater area is proposed to be natively landscaped to emulate a natural wetland;
4. No hazardous waste will be stored onsite; and
5. The City shall remain compliant with all applicable federal, state, county, and City laws and ordinances.

Further, per ULDR Table 2-5.4, Footnote P, any buildings or structures erected within this district shall be for parks and recreation purposes or protective services and shall support said purposes. This considered, the proposed structures onsite include an event center, pavilions, housing for pool equipment, and playground equipment.

Appearance, Design, and Compatibility (ULDR Article X)

Appearance of Site and Structures (ULDR Section 3-10.2) – Opaque fencing is proposed along the north property line to mitigate potential nuisance impacts. Otherwise, the proposed use is compatible with the surrounding uses and does not require additional screening beyond the minimum landscaping requirements along the north, south, east, and west property boundaries. All mechanical equipment will be screened accordingly from public view with landscaping. An opaque solid waste enclosure is also provided.

Lighting & Photometric (ULDR Section 3-10.2.6) – Duke Energy shall provide a photometric plan that generally conforms to the lighting standards outlined in ULDR 3-10.6. Per ULDR 3-10.6.C.2.d.(1), Table 2: Fixture Height, a variance is required for mounted light fixtures over 20 ft. in height.

Stormwater Management (ULDR Article XII)

A wet detention pond in the northeast corner of the park will serve the development to accommodate the minimum required stormwater attenuation. However, all submitted site and construction plans must undergo further review by Public Works and Utilities Department staff to satisfy applicable requirements prior to the issuance of an Engineering Permit.

Landscaping (Article XIII) & Tree Protection & Replacement (Article XIV)

Wirz Park is extensively landscaped (Attachment 5 - Landscape Plan). The proposed landscape plan meets the intent of required right-of-way, perimeter, buffer, off-street parking, and non-vehicular open space landscaping requirements. Further, no species account for more than 50% of all trees, and any invasive species shall be removed. However, in lieu of additional canopy trees, staff shall consider the existing vegetation nestled in the ±21.27 acres to the south of the proposed improvements, which is heavily treed.

Off-Street Parking and Loading Requirements (ULDR Article XV)

Per ULDR Section 3-15.2, no minimum parking requirement is identified for parks or recreational uses. However, the site plan proposes 66 parking spaces, including two ADA-accessible spaces sized 12 ft. by 20 ft with an accompanying 5-ft. access strip. 27 parking spaces are undersized measuring 9 ft. by 18 ft. while the rest are standard 10 ft. by 20 ft. Additionally, DRC evaluated traffic circulation and safety, including Casselberry Police Department and Seminole County Fire Department.

Signage (ULDR Article XVI)

No new ground signs were proposed at this time. Any future signage will require a separate building permit and shall adhere to the applicable standards within ULDR Article XVI.

STAFF RECOMMENDATION: Staff recommends that the Planning and Zoning Commission recommend approval of case number SPR 22-04, which includes CU 23-13, 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 in the staff report. The proposed conditions of approval are as follows:

1. The site plan approval shall be valid for one (1) year; an extension request may be submitted prior to the expiration of this approval.
2. All remaining comments shall be addressed and considered resolved by staff before an engineering permit may be issued.
3. Lighting fixtures mounted higher than 20 ft. require approval of a variance by the Planning & Zoning Commission/Local Planning Agency.

4. Onsite lighting shall not be installed without the review and approval of a photometric plan by the City's Planning Division to ensure compliance with ULDR Section 3-10.6.
5. All of the above conditions shall be fully and faithfully executed, or the site plan shall become null and void.

ATTACHMENTS:

1. Street View of Subject Property
2. Maps
3. Site Plan
4. 2nd Review DRC Comment Report
5. Landscape Plan



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: August 23, 2023
Subject: ZB 23-01: Official Zoning Map Amendment for Cheddars Planned Unit Development (PUD) Agreement and Concept Plan

REQUEST: Approval of the proposed amendment to the City's Official Zoning Map for the Cheddars Planned Unit Development (PUD) Agreement and Concept Plan is requested.

INTRODUCTION: The Community Development Department, Planning Division, requests that the Planning and Zoning Commission/Local Planning Agency (P&Z) hold a public hearing to consider ZB 23-01: an application for a Planned Unit Development (PUD) Agreement (Attachment 1) and Concept Plan (Attachment 2) for development of the subject properties generally located east of the intersection of Concord Drive and S. U.S. Hwy. 17-92 and west of Lake Concord that are currently zoned PMX-MID (Planned Mixed Use: Medium-Rise).

GENERAL INFORMATION: The subject properties total ±2.58 acres and are located within the Community Redevelopment District (CRD) and the Lake Concord Overlay District (LCOD). Further, the subject properties have a Major Thoroughfare Mixed-Use (MTMU) Future Land Use Map (FLUM) designation and are zoned PMX-MID (Attachment 3 - Maps; Attachment 4 - Street Views of Subject Properties).

The applicant, CASTO Casselberry North, LLC, who owns the subject properties, intends to develop a sit-down restaurant called Cheddar's Scratch Kitchen. However, the previous zoning amendment designating the subject properties as PMX-MID did not include the approval of a PUD Agreement or an associated Concept Plan. To proceed with site development, an approved PUD Agreement and Concept Plan are required per Article XX, Planned Unit Development, of the City's *Unified Land Development Regulations* (ULDR).

The PMX-MID zoning district is classified as a PUD zoning district and must adhere to the requirements outlined in ULDR Article XX. ULDR Section 4-20.3 provides a set of procedures for reviewing and approving PUD applications. All planned unit developments shall be processed as a zoning map amendment following Section 66-58 of the City's Code of Ordinances (City Code) and ULDR Section 1-2.9.

Moreover, P&Z has the authority, per ULDR Section 1-2.9.C., to review requests for amending the City's *Official Zoning Map* and make recommendations to the City Commission. The review process utilizes criteria noted in ULDR Section 1-2.9, ULDR Article IV, Comprehensive Plan Implementation, and ULDR Article V, Zoning District Regulations.

The City's Development Review Committee (DRC) approved a Concept Plan for ZB 23-01 on July 20, 2023 (Attachment 5 - 2nd Review DRC Comment Report). Consistent with Chapter 166 of Florida Statutes and City Code Section 66-58, staff provided the following notice for this public hearing:

- A display ad was published in the Orlando Sentinel on August 10, 2023,
- Notices for the proposed PUD amendment were posted on the subject property on August 17, 2023, and
- Notification letters were also mailed on August 17, 2023, to all property owners within 500 ft. of the subject properties.

ANALYSIS: Consistency with the Comprehensive Plan

The proposed PUD amendment is consistent with the following objectives and policies in the City's Comprehensive Plan. Redevelopment incorporating these goals is only feasible with the proposed PUD Agreement and Concept Plan.

Objective FLU 1. Coordinate Future Land Use

The subject properties have an MTMU FLUM designation. The proposed PMX-MID zoning amendment is compatible with the existing MTMU FLUM designation.

Policy FLU 1.5. Major Thoroughfare Mixed-Use

The proposed modifications for a sit-down restaurant are aligned with the intent of the PMX-MID zoning district, making the proposed PUD amendment consistent with the City's Comprehensive Plan.

Policy FLU 1.15. Concurrency Management System

The applicant has satisfied concurrency requirements as the necessary public facilities and services are available to serve the proposed project, as noted in the associated PUD Agreement and Concept Plan.

Policy FLU 1.22. Community Redevelopment Area

The applicant's desire to combine the subject properties to develop a sit-down restaurant satisfies one of the Community Redevelopment Area's (CRA) goals: to promote parcel aggregation to aid redevelopment within the subject area.

Objective FLU 2. Blighted Area Renewal and Redevelopment

The subject property has remained vacant and economically underutilized since 2008 and appears unsightly from S. U.S. Hwy. 17-92. The proposed amendment to the existing PUD Agreement and Concept Plan will allow the applicant to pursue the development of a sit-down restaurant, thereby activating an economically underutilized site and reducing blight in the City.

Policy FLU 4.3, Lake Access

The proposed Concept Plan includes windows over at least 70% of the façades facing Lake Concord, providing waterfront views for those dining inside. The subject properties will also provide a connection to the adjacent property to the south to ensure access to Lake Concord Park.

Policy MTE 1.14, Pedestrian Facilities

The proposed Concept Plan details a pedestrian connection to S. U.S. Hwy. 17-92, adding to the City's pedestrian network per the City's Multimodal Transportation Master Plan (MTMP).

Policy HC 2.1. Promote Pedestrian Oriented Design

The applicant proposes developing 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 existing mobility networks leading to Lake Concord Park and beyond.

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.

Changed Condition

In 2010, the FLUM and zoning designations of the subject properties were amended by the City to MTMU and PMX-MID, respectively. A PUD Agreement and Concept Plan were included in the administrative land entitlement changes to encourage development along S. U.S. 17-92. Now, wanting to develop the subject properties, the applicant has provided a PUD Agreement and Concept Plan for a sit-down restaurant on Lake Concord.

Land Use Compatibility

S. U.S. 17-92 runs along the west side of the subject properties, with general retail and services on the other side. To the east is Lake Concord and Home Depot to the north. To the south sit Casselberry public facilities, including the Police Department, Lake Concord Park, and City Hall. The adjacent properties are all designated with an MTMU FLUM and PMX-MID zoning.

The subject properties are also located within the LCOD 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 properties by the City of Casselberry, and the Seminole County Fire Department provides fire services. S. U.S. Hwy. 17-92 provides vehicular and pedestrian access. 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 needed.

Natural Environment

Lake Concord sits east of the subject properties. To adequately protect the shoreline, the proposed development must maintain a buffer following the St. Johns River Water Management District requirements and the City's Code of Ordinances. Therefore, the proposed PUD amendment is not anticipated to affect the natural environment negatively.

Economic Effects

As a new project, the development is designed to increase area property values and have an overall positive impact on economic growth in Casselberry. 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

Under 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 July 20, 2023. DRC's review of the concept plan informed the general terms of the PUD Agreement, which will govern the site's future development. Following approval of the PUD Agreement and Concept Plan, the applicant will submit a site plan review application to develop the subject properties. All future plans to develop the site will be reviewed and shall adhere to the requirements of the City's

ULDR, City Code, Complete Streets Policy, and the PUD Agreement (Attachment 5 - Permit Disclaimer).

STAFF RECOMMENDATION: Staff recommends that the Planning and Zoning Commission/Local Planning Agency recommend approval of case number ZB 23-01 to the City Commission, based on the staff report and the testimony and evidence presented, that the request meets the applicable provisions of the City Code and ULDR 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 Views of Subject Properties
5. Permit Disclaimer