



OFFICIAL NOTICE

CITY OF CASSELBERRY PLANNING AND ZONING COMMISSION LOCAL PLANNING AGENCY

Wednesday, April 10, 2024
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. Meeting Call to Order

2. Pledge of Allegiance

3. Roll Call

4. Approval of Minutes - None

5. Disclosure of Ex Parte Communications

6. Conditional Use Applications - None

7. Site Plan Applications

A. **SPR 24-04: Major Site Plan for Cheddar's Scratch Kitchen**

Approval of a Major Site Plan for Cheddar's Scratch Kitchen generally located east of the intersection of Concord Drive and S. U.S. Hwy. 17-92 and west of Lake Concord (Parcel 08-21-30-5BL-IF00-0040 and Parcel 08-21-30-5BL-IF00-0040) is requested.

8. Future Land Use Map and Zoning Map Amendments

A. **ZMA 24-03: An Ordinance Amending the *Official Zoning Map* for 2075 and 2035 Howell Branch Road**

Approval of an Ordinance amending the *Official Zoning Map* for Parcel ID 28-21-30-300-0280-0000 (2075 Howell Branch Road) and Parcel ID 28-21-30-538-0000-0020 (2035 Howell Branch Road) is requested.

B. **ZMA 24-04: An Ordinance Amending the *Official Zoning Map* for 329 Seminola Boulevard**

Approval of an Ordinance amending the City's *Official Zoning Map* from R-12.5 (Low Density Single-Family Residential) to RMF-13 (Medium Density Multi-Family Residential) for 329 Seminola Boulevard is requested.

C. **PUD 24-01: An Ordinance Amending the *Official Zoning Map* and Approving a Planned Unit Development (PUD) Agreement and Concept Plan for 1398 S.R. 436**

Approval of an Ordinance amending the *Official Zoning Map* and approving a PUD Agreement and Concept Plan for an age-restricted apartment complex to be located at 1398 S.R. 436 is requested.

9. Public Hearings - None

10. Other Business

11. Citizens' Comments

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: April 10, 2024
Subject: SPR 24-04: Major Site Plan for Cheddar's Scratch Kitchen

REQUEST: Approval of a Major Site Plan for Cheddar's Scratch Kitchen generally located east of the intersection of Concord Drive and S. U.S. Hwy. 17-92 and west of Lake Concord (Parcel 08-21-30-5BL-IF00-0040 and Parcel 08-21-30-5BL-IF00-0040) is requested.

INTRODUCTION: The Community Development Department, Planning Division, requests that the Planning and Zoning Commission/Local Planning Agency (P&Z) consider a request for approval of a Major Site Plan from the applicant, Casto Development, to construct a restaurant, Cheddar's Scratch Kitchen, at the subject properties located at located east of the intersection of Concord Drive and S. U.S. Hwy. 17-92 and west of Lake Concord (Parcel 08-21-30-5BL-IF00-0040 and Parcel 08-21-30-5BL-IF00-0040).

GENERAL INFORMATION: The subject properties total ±2.52 acres and are currently undeveloped. The subject properties have a Major Thoroughfare Mixed-Use (MTMU) *Future Land Use Map* (FLUM) designation and PMX-MID (Planned Mixed Use: Medium-Rise) zoning. Additionally, the subject properties are a part of the Lake Concord Overlay District (LCOD) and Community Redevelopment District.

The applicant intends to develop the vacant parcels as a Cheddar's Scratch Kitchen; the site will feature a restaurant and parking lot complete with landscaping and site lighting. In 2023, the City Commission approved Ordinance 23-1588, providing for a Concept Plan and Planned Unit Development (PUD) Agreement outlining allowable uses, size and dimension criteria, and other performance standards.

According to the City's *Unified Land Development Regulations* (ULDR) Section 4-18.2, the proposed project is classified as a Major Site Plan, which requires approval from the City's Development Review Committee (DRC) and P&Z. Further, the City's DRC is responsible for ensuring that any proposed development satisfies all required performance standards and other applicable regulations. This considered, DRC voted to approve SPR 24-04 on March 28, 2024.

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 based on the following criteria:

- ULDR Article IV, Comprehensive Plan Implementation
- ULDR Article V, Zoning District Regulations
- ULDR Article VII, General 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 first reviewed a concept plan of the proposal during the rezoning process for the PUD in mid 2023. In late 2023, the applicant submitted an application for site plan review, which DRC approved on March 28, 2024.

Comprehensive Plan Implementation (ULDR Article IV)

The subject property has an MTMU FLUM designation and is zoned PMX-MID, 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 PMX-MID zoning district is meant to accommodate a wide general retail and service commercial activities. The associated PUD Agreement also outlines permitted and conditionally permitted principal and accessory uses. Restaurants and similar establishments, such as Cheddar's Scratch Kitchen, are permitted as a principal use in the adopted PUD Agreement, in the Lake Concord Overlay District per ULDR 2-7.32, as well as in the PMX-MID zoning district per ULDR Table 2-5.3. All uses not expressly listed as permitted or conditional uses within the adopted PUD Agreement are prohibited. Overall, the proposed development is compatible with the surrounding land uses and is not anticipated to adversely affect neighboring properties.

Size and Dimension Criteria (ULDR Section 2-5.4)

The applicant's proposal meets all the relevant setback and size and dimension requirements outlined in the adopted PUD Agreement, and those for the PMX-MID zoning district provided in ULDR Table 2-5.4. The proposed Cheddar's Scratch Kitchen is ±20 ft and 9 in. tall, with its tallest peak over the main customer entrance measuring ±24 ft. and 4.5 in. The proposed heights are within the maximum allowable height of the adopted PUD Agreement.

Further, the maximum Impervious Surface Ratio (ISR) allowed for the PMX-MID zoning district is 80% impervious area with at least 20% open space; the applicant is proposing 75.44% impervious area and 24.56% open space. Additionally, the project offers a 0.55 Floor Area Ratio (FAR), for which the maximum allowed in the PMX-MID zoning district is 1.0 FAR.

General Regulations (ULDR Article VII)

Commercial Design Standards for Commercial Uses (ULDR Section 2-7.35) – The proposed elevations aim to reduce the commercial building's scale through vertical and horizontal articulation and the use of animating features. To enhance the customer entrance, roof peaks and awnings covering large windows have been added. Wall offsets with stone textures have been used to provide additional visual interest along the primary façade. Conservatory-style dining included in the proposal will allow guests to have an unobstructed view out over Lake Concord. In addition, a future outdoor dining area has been designated on the site plan. A 6-ft. wide sidewalk was also incorporated from the customer entrance and parking lot to S U.S. Hwy 17-92, providing pedestrian access to the City's sidewalk system. The site plan also provides for pedestrian and vehicular cross-access to the site to the south. Overall, the site and proposed elevations meet the intent of design standards and blend harmoniously with surrounding commercial uses.

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 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 from public view on the proposed principal building. Further, the applicant provided landscaping per St. John's River Water Management District guidelines along the eastern property boundary fronting Lake Concord.

Lighting & Photometric (ULDR Section 3-10.2.6) – The applicant has provided a photometric plan conforming to ULDR standards, including the maximum allowed illuminance levels and mounting heights.

Community Redevelopment District Urban Design Standards (ULDR Section 3-10.13) – The proposed site plan adheres to the CRD Mandatory Design Standards. The proposed elevations have been articulated to prevent monotonous and box-like design and adhere to the Benjamin Moore Historical Color Collection. The building has also been oriented to provide lake views to diners and the proposed outdoor dining area.

Stormwater Management (ULDR Article XII)

The development will be served by an underground stormwater system 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)

The applicant has submitted a detailed landscape plan for the proposed development. The proposed landscape plan satisfies the right-of-way, perimeter, buffer, and non-vehicular open space landscaping requirements. For off-street parking tree requirements, the total number of required canopy trees is 76; the applicant proposes 38. Since the site cannot realistically support the mature growth of 38 additional canopy trees, the applicant has chosen to alternatively pay \$13,300.00 into the City's tree bank fund.

The site plan proposes removing 289 caliper inches from the subject property. As a result, 122 replacement caliper inches or 41 three-inch caliper canopy trees would be required for mitigation per the tree replacement requirements outlined in ULDR Section 3-14.7. Again, the applicant is opting to pay \$14,350.00 into the City's tree bank fund.

Off-Street Parking and Loading Requirements (ULDR Article XV & ULDR Section 2-7.34)

The applicant is proposing 162 parking spaces, but only 62 are required. Additionally, the DRC, including the Casselberry Police Department and Seminole County Fire Department, has evaluated traffic circulation and safety.

Signage (ULDR Article XVI)

Any signage will require a separate building permit and shall adhere to the applicable standards within the ULDR.

STAFF RECOMMENDATION: Staff recommends that the P&Z recommend approval of case number SPR 24-04, based on the staff report and the testimony and evidence presented, that the request meets the applicable provisions of the ULDR 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. Provide copies of all local, regional, state, and federal permits for the project to the City prior to the commencement of development.
3. All of the above conditions shall be fully and faithfully executed, or the site plan shall become null and void.

ATTACHMENTS:

1. Maps
2. Site Plan
3. Elevations
4. Landscape Plan
5. Photometric Plan
6. DRC Comment Report 3.26.24



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 10, 2024
Subject: ZMA 24-03: An Ordinance Amending the *Official Zoning Map* for 2075 and 2035 Howell Branch Road

REQUEST: Approval of an Ordinance amending the *Official Zoning Map* for Parcel ID 28-21-30-300-0280-0000 (2075 Howell Branch Road) and Parcel ID 28-21-30-538-0000-0020 (2035 Howell Branch Road) is requested.

INTRODUCTION: The Community Development Department's Planning Division requests that the Planning and Zoning Commission/Local Planning Agency (P&Z) hold a public hearing to consider ZMA 24-03: an application to amend the City's *Official Zoning Map* for two (2) parcels: Parcel ID 28-21-30-300-0280-0000 (2075 Howell Branch Road) and Parcel ID 28-21-30-538-0000-0020 (2035 Howell Branch Road).

Unified Land Development Regulations (ULDR) Section 1-2.9.C. authorizes the Planning and Zoning Commission (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 parcels are ±1.79 acres and ±1.46 acres and are addressed at 2075 Howell Branch Road and 2035 Howell Branch Road, respectively. Each parcel currently accommodates one commercial building. The westernmost parcel, located at 2075 Howell Branch Road, was recently annexed into the City of Casselberry in February 2024. Given that it was previously located in unincorporated Seminole County, an amendment to the City's *Future Land Use Map* (FLUM) to Commercial (COMM) is also underway for this parcel.

The applicant intends to develop both parcels with commercial retail spaces, and to proceed, an amendment to the City's *Official Zoning Map* is required to establish a consistent City zoning district. For the property at 2075 Howell Branch Road, the applicant is requesting to change the zoning designation of the subject property from Seminole County OP (Office Professional) to City of Casselberry CG (Commercial General). For the property located at 2035 Howell Branch Road, the applicant is requesting to change the zoning designation from City of Casselberry OR (Office Residential) to City of Casselberry CG (Commercial General). The CG (Commercial General) zoning district is intended to accommodate a variety of retail operations and consumer services.

On March 28, 2024, a notification letter was mailed via USPS to all property owners within 500 feet of the subject property. On the same day, notices for the proposed amendment were also posted on the subject property. Finally, this public hearing was advertised in the Orlando Sentinel on March 29, 2024.

ANALYSIS: Consistency with Comprehensive Plan

The proposed amendment to the *Official Zoning Map* 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 that will ensure future land use coordination 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.
- Policy FLU 1.8 – Properties designated Commercial shall be developed at a Floor Area Ratio no greater than 0.25. On arterial roadways, a Floor Area Ratio of up to 0.35 may be allowed. Residential uses shall be developed at a gross density not exceeding 13 dwelling units per acre.

Changed Condition

In 2023, the applicant reached out to the City to discuss future plans for the site, as it was in unincorporated Seminole County. After meeting with staff, it was recommended that the applicant annex the property into the city limits and establish a FLUM and zoning district; thereafter, it could be developed for commercial use. The property was annexed into the City on February 26, 2024, via Ordinance 24-1591. Now, all future development of the site will be required to abide by all provisions of the ULDR, including establishing consistent land entitlements.

Land Use Compatibility

To the east of the parcels are condominiums with a High Density Residential (HDR) FLUM designation and RMF-20 (High Density Multifamily) zoning. To the north is a duplex community with a Medium Density Residential (MDR) FLUM designation and RMF-20 (High Density Multifamily). To the south is Howell Branch Road, which is considered a minor arterial roadway. Further south on the other side of Howell Branch Road are condominiums located in unincorporated Seminole County with high-density residential land entitlements. To the west are two parcels, one of which is in the City of Casselberry with a Commercial (C) FLUM designation and OR (Office/Residential) zoning, and the other is in unincorporated Seminole County, but both accommodate commercial uses.

According to the City's *Comprehensive Plan*, the CG (Commercial General) zoning district designation may provide for a range of general retail and commercial activities. Additionally, the site plan review process will assess landscape buffers, lighting, parking and connectivity. Given that the parcels to the west have a Commercial FLUM designation and accommodate commercial uses and that those to the north, east, and south consist of medium- and high-density residential developments, staff finds that the proposed zoning district is compatible with adjacent land uses.

Adequate Public Facilities

The City of Casselberry provides police services to the subject property, and Seminole County currently provides fire services. Vehicular and pedestrian access will be provided via a driveway on Howell Branch Road. Additionally, a school impact analysis from Seminole County Public Schools demonstrating school concurrency prior to rezoning the subject property is not necessary, given that the proposed use is non-residential. Lastly, city water and sanitary sewer services are available for the subject property.

Natural Environment

The proposed amendment to the *Official Zoning Map* is not anticipated to affect the natural environment negatively.

Economic Effects

The proposed amendment to the *Official Zoning Map* is not anticipated to have any negative economic effects.

Orderly Development

All plans to develop the subject property will be reviewed and shall adhere to the requirements of the City's ULDR and *Code of Ordinances*.

STAFF RECOMMENDATION: Staff recommends that P&Z provide a favorable recommendation to the City Commission to approve project number ZMA 24-03, based on the staff report and the testimony and evidence presented, that the request meets the applicable provisions of the ULDR and is consistent with the *Comprehensive Plan* as per the written findings contained in the staff report.

ATTACHMENTS:

1. Ordinance 24-XXXX (ZMA 24-03)
2. Maps
3. Letter to Property Owners
4. Property Posting Photo
5. Published Legal Ad



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 10, 2024
Subject: ZMA 24-04: An Ordinance Amending the *Official Zoning Map* for 329 Seminola Boulevard

REQUEST: Approval of an Ordinance amending the City's *Official Zoning Map* from R-12.5 (Low Density Single-Family Residential) to RMF-13 (Medium Density Multi-Family Residential) for 329 Seminola Boulevard is requested.

INTRODUCTION: The Community Development Department's Planning Division requests that the Planning and Zoning Commission/Local Planning Agency (P&Z) hold a public hearing to consider ZMA 24-04: an application to amend the City's *Official Zoning Map* from R-12.5 (Low Density Single-Family Residential) to RMF-13 (Medium Density Multi-Family Residential) for one (1) parcel (Parcel ID 09-21-30-502-0000-0020) at 329 Seminola Boulevard.

Unified Land Development Regulations (ULDR) Section 1-2.9.C. authorizes the Planning and Zoning Commission (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 ±0.85 acres and is located at 329 Seminola Boulevard. The applicant, Valerie Herrel, representing The Sanctum Lakeside LLC, has applied to amend the City's *Official Zoning Map* from R-12.5 (Low Density Single-Family Residential) which is inconsistent with the property's future land use of MDR to RMF-13 (Medium Density Multi-Family Residential) which is consistent with the property's future land use of MDR.

On March 28, 2024, a notification letter was mailed via USPS to all property owners within 500 feet of the subject property, a written notice for the proposed amendment was posted on the subject property, and a notice of this public hearing was advertised in the *Orlando Sentinel*.

ANALYSIS: Consistency with Comprehensive Plan

The proposed amendment to the *Official Zoning Map* is consistent with the following objectives and policies from the City's *Comprehensive Plan*:

- Objective FLU 1. Coordinate Future Land Use. The City shall establish land use categories and policies that will ensure future land use coordination 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.
- Policy FLU 1.2 – Properties designated MDR shall be developed at a gross density not exceeding 13 units to the acre and is intended for single-family and multi-family detached and attached housing.

- Objective FLU 3. Eliminate Inconsistencies. The City shall continue to encourage the elimination of uses inconsistent with the approved future land use.
- Policy FLU 5.1 – The City shall continue to require mandatory utility hook up, subject to applicable State laws and City of Casselberry regulatory procedures, to ensure proper provision of necessary public facilities and services at the time of the impact of development.

Changed Condition

In 2023, the applicant reached out to the City to discuss future plans for the site, which included dividing the existing single-family home into multi-family units. Because the use will be changing from single-family to multi-family, a rezoning is required to accommodate the desired density. The subject property already has a future land use designation, which is MDR, that supports the rezoning to RMF-13, which allows up to 13 dwelling units per acre. The applicant is proposing 4 dwelling units. The current zoning designation of R-12.5 is inconsistent with the future land use of MDR, and this rezoning to RMF-13 will correct this issue by giving the property consistent land entitlements.

Land Use Compatibility

The subject property sits just south of Lake Kathryn. To the east is City-owned property that serves as a waterway connecting Lake Kathryn to the Lake Jesup Basin network. To the south, across from Seminola Boulevard, are low-density single-family homes. To the west, adjacent to the property, are many medium-density residential properties severing both single-family and multi-family uses.

According to the City's *Comprehensive Plan* and ULDR, areas with RMF-13 zoning are intended to accommodate multifamily residential development with a maximum density of 13 units per acre. Sites for medium-density residential developments should be located so that they provide a smooth transition between lower-density residential areas and areas developed and/or designated for other more intense uses. Generally, medium-density residential development should be located between the perimeter of low-density residential areas and more intense development. This considered, the proposed zoning is compatible with adjacent land uses, and the proposed amendment to the *Official Zoning Map* is consistent with the *Comprehensive Plan*.

Adequate Public Facilities

The City of Casselberry provides police services to the subject property, while Seminole County currently provides fire services. Vehicular and pedestrian access is provided via Seminola Blvd. Lastly, the City of Casselberry provides city water and sanitary sewer services.

Natural Environment

The proposed amendment to the *Official Zoning Map* is not anticipated to affect the natural environment negatively.

Economic Effects

The proposed amendment to the *Official Zoning Map* is not anticipated to affect the economy negatively.

Orderly Development

The amendment to the *Official Zoning Map* to rezone to RMF-13 is consistent with the MDR FLUM designation. Building permits are required for the interior conversion of the building to create four dwelling units; a minor site plan modification to accommodate the use and change of use application will also be required after the rezoning.

STAFF RECOMMENDATION: Staff recommends that P&Z provide a favorable recommendation to the City Commission to approve project number ZMA 24-04, based on the staff report and the testimony and evidence presented, that the request meets the applicable provisions of the ULDR and is consistent with the *Comprehensive Plan* as per the written findings contained in the staff report.

ATTACHMENTS:

1. Ordinance 24-XXXX (ZMA 24-04)
2. Maps
3. Letter to Property Owners
4. Property Posting Photo
5. Published Legal Ad



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 10, 2024
Subject: PUD 24-01: An Ordinance Amending the *Official Zoning Map* and Approving a Planned Unit Development (PUD) Agreement and Concept Plan for 1398 S.R. 436

REQUEST: Approval of an Ordinance amending the *Official Zoning Map* and approving a PUD Agreement and Concept Plan for an age-restricted apartment complex to be located at 1398 S.R. 436 is requested.

INTRODUCTION: The Community Development Department's Planning Division requests that the Planning and Zoning Commission/Local Planning Agency (P&Z) hold a public hearing to consider PUD 24-01: an application to amend the City's *Official Zoning Map* from CG (Commercial General) to PMX-HIGH (Planned Mixed Use: High Rise) for one (1) parcel (Parcel ID28-21-30-300-054B-0000) at 1398 S.R. 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 the City's *Code of Ordinances* Section 66-58 and ULDR Section 1-2.9. Further, ULDR Section 1-2.9.C. authorizes the Planning and Zoning Commission (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."

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 ±3.94 acres and is located at 1398 S.R. 436. It has a Major Thoroughfare Mixed-Use (MTMU) Future Land Use Map (FLUM) designation and is zoned CG. According to the City's comprehensive plan, the CG zoning district is inconsistent with the MTMU FLUM designation. To proceed with the development of a five-story age-restricted (55+) apartment complex, the applicant is requesting to amend the City's *Official Zoning Map* and rezone the property to PMX-HIGH. The subject property is also not located within any overlay districts.

PMX-HIGH is classified as a PUD zoning district and must adhere to the requirements outlined in ULDR Article XX, Planned Unit Development. Further, PUD Agreements require approval of a 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 PUD 24-01 on March 21, 2024.

This public hearing was advertised in the Orlando Sentinel on March 29, 2024. Notices for the proposed amendment were posted on the subject property on March 28, 2024. A notification letter was also mailed on March 28, 2024, 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 goals, objectives, and policies in the City's *Comprehensive Plan*:

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 an MTMU FLUM designation. The PMX-HIGH zoning district is compatible with the existing MTMU FLUM designation. The proposed use of age-restricted apartments does not conflict with the intent of the PMX-HIGH zoning district, making the proposed PUD amendment consistent with the *Comprehensive Plan*.

Policy FLU 1.5. Major Thoroughfare Mixed-Use. The Major Thoroughfare Mixed-Use category is intended to provide opportunities for mid to high-density/intensity mixed-use development along major transportation corridors within the City.

The applicant is proposing PMX-HIGH zoning, a high-density/high-intensity zoning district, appropriately situated between existing multifamily and along S.R. 436, a major arterial roadway.

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.

As the proposed use is age-restricted, a school impact analysis from Seminole County Public Schools is not required. The PUD agreement provides for utility provision and dedication, stormwater and environmental impacts, and transportation.

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 economically underutilized for years and suffered from blight. The previously vacant office building was demolished in the summer of 2023. The proposed amendment will allow the applicant to pursue the development of an age-restricted apartment complex, thereby activating an economically underutilized site.

Objective FLU 3. Eliminate Inconsistencies. The City shall continue to encourage the elimination of uses inconsistent with the approved future land use.

The subject property is zoned CG, which is inconsistent with the MTMU FLUM. The proposed amendment will eliminate this inconsistency.

Objective HC 2.1 Promote Pedestrian Oriented Design & Policy HC 2.1A. Casselberry shall accommodate pedestrian circulation through new mixed-use and commercial projects with sidewalks and internal pathways.

The applicant shall 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 S.R. 436.

HOE 1.3 Development within the Area of Existing Infrastructure and Public Facilities. In order to encourage development in an orderly and economical manner, those areas within the City that have the necessary public facilities and services in place shall have priority for development in the planning process.

By focusing development efforts on areas with existing infrastructure and public facilities, like along S.R. 436, the City can promote orderly growth and minimize the need for costly infrastructure expansion into undeveloped areas, thereby maximizing resources. This approach can help create more vibrant, sustainable communities while also reducing the burden on taxpayers and preserving natural areas.

Conformance with Ordinances

The proposed amendment conforms to ULDR Section 2-4.3, which states that any changes or amendments to the *Official Zoning Map* shall be consistent with the *Comprehensive Plan's* FLUM. The PMX-HIGH zoning district is consistent with the MTMU FLUM designation. Additionally, the proposed Concept Plan and PUD Agreement conform to the requirements of ULDR Article XX, Planned Unit Development.

Changed Condition

In November 2022, the subject property's FLUM designation was amended to MTMU in preparation for future development. 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 (Planned Mixed-Use: Medium Rise) and PMX-HIGH. Now, ready to proceed with development, the applicant is requesting the required zoning map amendment to PMX-HIGH.

Land Use Compatibility

The subject property sits east of S.R. 436. To the north and east is an apartment complex, Onyx Winter Park, with a Medium Density Residential (MDR) FLUM designation and RMF-13 (Residential Multifamily) zoning district. To the south is another apartment complex known as Birchwood Landings, which has a Low Intensity Nonresidential/Medium Density Residential (LI/MDR) FLUM designation and CG zoning. To the west sits Chipotle and Panda Express on parcels with MTMU FLUM designations and PMX-MID zoning.

The proposed PMX-HIGH zoning designation is supported by its proximity to S.R. 436, which is classified as a major arterial road and surrounding multifamily uses. The proposed PUD amendment is compatible with surrounding properties and adjacent land uses.

Adequate Public Facilities

The City of Casselberry provides police services for the subject property, and the Seminole County Fire Department currently provides fire services. S.R. 436 provides vehicular and pedestrian access. Connections for City water and sanitary sewer services are available to the subject property. Since the proposed apartments are meant to be age-restricted, 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.

Economic Effects

The proposed amendment is not meant to have any negative economic impacts.

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 March 21, 2024. 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 P&Z recommend approval of case number PUD 24-01 to the City Commission, based on the staff report and the testimony and evidence presented, that the request meets the applicable provisions of the ULDR and is consistent with the *Comprehensive Plan* as per the written findings contained in the staff report.

ATTACHMENTS:

1. Ordinance 24-XXXX (PUD 24-01)
2. Maps
3. Letter to Property Owners
4. Photo of Property Posting
5. Published Legal Ad