

SEMINOLE COUNTY DEVELOPMENT ORDER

On (DATE), Seminole County issued this Development Order relating to and touching and concerning the following described property:

See Attached Exhibit A

(The above described legal description has been provided to Seminole County by the owner of the above described property.)

FINDINGS OF FACT

Property Owner: Palmeira Holdings, LLC

Project Name: Parkside Place LSFLUA & PD Rezone

Requested Development Approval: Large Scale Future Land Use Map Amendment from Planned Development to Planned Development and a Rezone from PD (Reagan Center Planned Development) to PD (Parkside Place Planned Development) for a mixed use development on approximately 110 acres, located on the north and south sides of Ronald Reagan Blvd., and east of County Home Road and US Hwy. 17-92.

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The development conditions and commitments stated below will run with, follow and perpetually burden the above described property.

Prepared by:

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Order**NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:**

- (1) The subject application for development approval is **GRANTED**.
- (2) All development must fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.
- (3) The conditions upon this development approval and the commitments made as to this development approval, are as follows:
 - A. Development must comply with the Master Development Plan attached as Exhibit (B).
 - B. Permitted Uses:
 - a. General Office
 - b. Multi-family residential
 - c. Retail/Commercial
 - d. Hotel
 - e. Assisted Living Facility
 - f. Independent Living Facility
 - C. The Project Entitlements are as follows:
 - a. General Office: Maximum of 1,392,876 square feet.
 - b. Multi-family Residential (including Independent Living Facility and Student Housing): Maximum of 5,012 dwelling units. A minimum of fifteen (15) percent of multi-family residential (excluding student housing) shall be Workforce Housing.
 - c. Retail/Commercial: Maximum of 290,000 square feet.
 - d. Hotel: Maximum of 250 rooms.
 - e. Assisted Living Facility: Maximum of 312 beds, or 200,000 square feet.
 - D. Project Phasing:
 - a. Multi-family and non-residential uses shall be developed concurrently as practicable. Phase I multi-family may include up to 1,453 units, and a minimum of 25,000 square feet of non-residential uses, which shall be constructed prior to development of Phase II; Phase II multi-family may include up to 1,784 units, and a minimum of 50,000 square feet of non-residential uses, which shall be constructed prior to development of Phase III; Phase III multi-family may include up to 1,471 units, and a minimum of 100,000 square feet of non-residential uses, which shall be constructed prior to development of Phase IV; and Phase IV multi-family may include

up to 304 units and the remainder of the non-residential development.

- b. Before each subsequent phase, the minimum amount of non-residential uses of the current phase must be constructed in its entirety.
- c. The following matrix allows a conversion of the above uses between tracts as long as the total project trips are not exceeded and with approval at each Final Development Plan. The total number of residential units shall not exceed a total of 5,012 units and no additional residential units may be added through conversion with this trip equivalency matrix:

**Trip Equivalency Matrix
Parkside Place**

	Average Daily Trip Generation	Retail Commercial (ksf)	Office (ksf)	Multi- Family (units)	Assisted Living Facility (beds)	Hotel (rooms)	Trip Generation Rates
Retail Commercial (1 ksf)	is equivalent to	1	3.88	6.94	14.52	4.52	37.75
Office (1 ksf)	is equivalent to	0.26	1	1.79	3.75	1.17	9.74
Multi-Family (1 unit)	is equivalent to	0.14	0.56	1	2.09	0.65	5.44
Assisted Living (1 bed)	is equivalent to	0.07	0.27	0.48	1	0.31	2.60
Hotel (1 room)	is equivalent to	0.22	0.86	1.54	3.22	1	8.36

* KSF = 1,000 SF

Example:

- ☐ To convert 20,000 SF (20 KSF) Retail Commercial to Office:
 $20 \times 3.88 = 77.6 \text{ KSF} = 77,600 \text{ SF}$
- ☐ To convert 400 Apartment Units to Retail commercial:
 $400 \times 0.14 = 56 \text{ KSF} = 56,000 \text{ SF}$
- ☐ To convert 40,000 SF (40 KSF) Retail Commercial to Apartment Units:
 $40 \times 6.94 = 278 \text{ Units}$
- d. The Developer shall give notice of its intent to convert land uses using the conversion methodologies set forth above prior to the conversion being approved by the County. The notice shall include

the actual conversion methodology used and the resulting impacts of the conversion in terms of Project character and traffic generation. This notice shall include the total cumulative amount of multi-family units, the cumulative number of hotel units, the cumulative amount of retail commercial square footage, the cumulative amount of office square footage, and the cumulative number of assisted living facility beds approved by the County for the total project area, and the resulting impacts on potable water, wastewater, and solid waste. A letter will be obtained from Seminole County at the time of the proposed conversion verifying that capacity is available.

E. The maximum allowable building heights are as follows:

- Zone 1: Three hundred (300) feet
- Zone 2: One hundred thirty (130) feet
- Zone 3: One hundred sixty (160) feet
- Zone 4: Two hundred (200) feet
- Zone 5: One hundred thirty (130) feet
- Zone 6: One hundred thirty (130) feet
- Zone 7: Fifty (50) feet
- Zone 8a: One hundred thirty (130) feet
- Zone 8b: One hundred thirty (130) feet
- Zone 8c: N/A

F. The development must provide a minimum of twenty-five (25) percent common usable open space. The Applicant is providing approximately thirty (30) percent common, usable open space.

G. The setbacks from the external property boundaries are as follows, with the exception of those setbacks along Ronald Reagan Blvd, which are noted below:

North: Twenty-five (25) feet.

South: Twenty-five (25) feet.

East: Twenty-five (25) feet.

West: Twenty-five (25) feet.

Minimum setbacks from all Zones fronting Ronald Reagan Blvd., within the first one hundred (100) feet, shall be as follows:

Buildings 121 to 130 feet in height: One hundred (100) feet.

Buildings 111 to 120 feet in height: Eighty (80) feet.

Buildings 101 to 110 feet in height: Sixty (60) feet.

Buildings 81 to 100 feet in height: Forty (40) feet.

Buildings 61 to 80 feet in height: Thirty (30) feet.

Buildings up to 60 feet in height: Twenty-five (25) feet.

Internal setbacks will be determined at Final Development Plan.

H. The project buffers are as follows:

North: Twenty-five (25) feet landscape buffer.

South: Twenty-five (25) feet landscape buffer.

East: Twenty-five (25) feet landscape buffer.

West: Twenty-five (25) feet landscape buffer.

The perimeter buffer may be widened at Final Development Plan if required per Chapter 30, Part 67 of the Land Development Code of Seminole County. In no case may the building setbacks be less than the required buffer. Buffer components will be established at Final Development Plan.

I. The developer shall provide a pedestrian circulation system giving access to all portions of the development as well as connecting to existing sidewalks outside of the development.

J. Parking standards as shown on the Master Development Plan shall be conditioned upon parking mitigation measures including, by phase:

a. Phase I Parking Mitigation Measures:

- i. Provide locations and measures for car sharing, ride sharing, and bike sharing programs.
- ii. Provide a designated area(s) on Phase I for additional paved parking if the number of parking spaces allocated in the Phase I site development plan is determined to be inadequate to meet actual parking needs.
- iii. Provide a designated space to be used as a transit parking bay for LYNX or an alternative acceptable to LYNX.
- iv. Make known and market to the residents and businesses the programs that LYNX offers including carpool, van pool, ride share, and fixed route bus service.
- v. Coordinate with LYNX regarding any additional necessary transit improvements during the Final Development Plan and site plan approval process.
- vi. If no other public shuttle service is available to and from the Sunrail station at peak hours, developer shall fund such shuttle service.

K. Prior to commencement of each subsequent phase (Phases II through IV), a parking study shall be prepared and submitted with the Final Development Plans. Parking ratios and requirements will be evaluated and determined at the time of each phase's Final Development Plan approval.

L. All internal streets shall be private and will be designed to minimum Seminole County roadway design standards.

M. All project signage must comply with the Land Development Code of Seminole County. If project exceeds or otherwise does not meet the Land Development Code a Major Amendment to the Planned Development will be required.

- N. Workforce Housing: A minimum of fifteen percent (15%) of the total multi-family residential (excluding student housing) will be workforce housing. This Development Order adopts the definition of Workforce Housing to be that which “includes households in which one or more of the wage-earners, employed by either the private or public sector, are compensated for provision of services essential to Seminole County, including but not limited to: teachers and educators, police and fire personnel, government employees, healthcare personnel, and skilled building trades personnel.” Furthermore, this DO adopts the definition of Workforce Housing Development as: “Owner or renter occupied developments consisting of single or multi-family units in which a minimum of fifteen percent (15%) of the total unit are attainable by households at or below 140 percent of Area Median Income (AMI).”
- O. Architectural and site design guidelines will be prepared to create unified building and site development standards. These will include standards for building styles/themes and landscape treatments of open spaces. These standards will be provided at the time of Final Development Plan for each phase.
- P. Recreation Uses: The project will create passive recreation uses within the urban and natural environment. Recreational acreage will meet the minimum on-site recreation amenities consistent with the definition of urban open space in policy FLU 4.4, for urban open space, on-site recreational amenities and buffering performance frameworks. These urban open space and recreational amenities may include but not be limited to natural preserved areas, pedestrian oriented streets, green roofs/rooftop gardens, rooftop swimming pools, and fitness clubs.
- Q. Open spaces throughout the project will be linked to create pedestrian walkways, bikeways and trails where practical. Stormwater ponds will be designed to be visually pleasing. Conservation areas will be enhanced to improve the current physical condition and provide for public access by means of elevated boardwalks and/or pathways, if permitted by the local, state and federal agencies having jurisdiction over such facilities. A minimum of twenty-five (25) percent of the gross area of the property will be utilized as open space, with fifty (50) percent of the conservation area included in the open space area calculation. The Applicant is providing thirty (30) percent common, usable open space.
- R. A Property Owner’s Association shall be created to manage all common areas and facilities.
- S. The Applicant must file FAA Form 7460-1 with the Federal Aviation Administration and submit the form and FAA response to the local jurisdictions and the Sanford Airport Authority for review prior to the issuance of permits.
- T. Pedestrian Crossings at US Highway 17-92: Improvements to provide for pedestrian crossings on US HWY 17-92 will be made in Phase I, providing they are permitted by FDOT. These improvements will include an at grade pedestrian crosswalks at the main entrance on US Hwy 17-92, and a “refuge area” in the center of the median.

- U. A multi-modal study will be required prior to Phase I final engineering site plan approval to determine when a pedestrian overpass bridge will be required. The cost of the pedestrian bridge if and when warranted, will be at the developer's expense.
- V. A full traffic impact analysis (TIA) will be required prior to final engineering site plan approval for each phase of development. The TIA will determine all the offsite improvements required in the County Right-of-Way for each phase.
- W. The driveway, per the exhibit provided, shows inbound direction only. At Final Engineering Approval these driveways may be modified based on the Traffic Study anticipated to be submitted for review.
- X. The eastern most parcel labeled as Zone 7 on the Master Development Plan on the exhibit does not show a turn lane from C.R. 427. Zone 7 includes a low traffic generator Assisted Living Facility (ALF). In the event the parcel is more intensely developed with more trips generated than assumed, a turn lane be required. If a turn lane is required the proposed driveway for Zone 7 will be relocated to accommodate the turn lane.
- Y. Minimum required parking spaces for residential land uses per the Master Development Plan may not be fee based parking.
- Z. In the case of a conflict between the written conditions A through Y in this Development Order and the Master Development Plan attached as Exhibit (B), the terms of the written conditions A through Y shall apply.

(4) This Development Order touches and concerns the above described property and the conditions, commitments and provisions of this Development Order will perpetually burden, run with and follow this property and be a servitude upon and binding upon this property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity with this Order.

(5) The terms and provisions of this Order are not severable and in the event any portion of this Order is found to be invalid or illegal then the entire order will be null and void.

(6) In the case of a conflict between the written conditions in this Development Order and the attached Master Development Plan, the terms of the written conditions shall apply.

(7) All applicable state or federal permits must be obtained before commencement of the development authorized by this Development Order.

(8) Issuance of this Development Order does not in any way create any rights on the part of the Applicant or Property Owner to receive a permit from a state or federal

agency, and does not create any liability on the part of Seminole County for issuance of the Development Order if the Applicant or Property Owner fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

(9) In approval of this Development Order by Seminole County, the property owner(s) understands that the County must receive a Final Development Plan within five (5) years of approval of the Master Development Plan, unless this time period is extended by the Seminole County Local Planning Agency / Planning and Zoning Commission. If substantial development has not begun within eight (8) years after approval of the Master Development Plan, the planned development will be subject to review by the Local Planning Agency / Planning and Zoning Commission and the Board of County Commissioners may move to rezone the subject property to a more appropriate zoning or extend the deadline for start of construction (see Sections 30.446 and 449, LDC).

(10) This Order becomes effective upon recording with the Seminole County Clerk of the Court. However, in no case will this Order be effective prior to the effective date of the associated comprehensive plan amendment enacted in association with Parkside Place LSFLUA & PD Rezone (as referenced in Exhibit A), on DATE.

Done and Ordered on the date first written above.

**SEMINOLE COUNTY BOARD
OF COUNTY COMMISSIONERS**

By: _____
John Horan, Chairman

EXHIBIT A**Legal Description**

A portion of the South one-half (S 1/2) of Section 14, Township 20 South, Range 30 East, Seminole County, Florida, together with a portion of the Northwest one-quarter (NW 1/4) of Section 23, Township 20 South, Range 30 East, Seminole County, Florida, being more particularly described as follows:

BEGINNING at the Southwest corner of said Section 14; Thence North 00°02'52" West along the West line of the Southwest one-quarter (SW 1/4) of said Section 14, a distance of 491.02 feet to a point on the Southeasterly right-of-way line of State Road No. 15 & 600, as shown on State of Florida Department of Transportation Right-of-Way Map Section Number 77010, F.P. ID 240196 1, dated October 29th, 2010; Thence North 40°43'14" East along said Southeasterly right-of-way line, a distance of 1,101.76 feet; Thence departing from said Southeasterly right-of-way line, run North 89°40'43" East along the Southerly boundary of TROPIC PARK, according to the plat thereof as recorded in Plat Book 38, Page 40, of the Public Records of Seminole County, Florida, a distance of 1,917.67 feet; Thence North 89°52'43" East along a Southerly boundary of SUNLAND ESTATES, according to the plat thereof as recorded in Plat Book 11, Pages 16 through 22, inclusive, of said Public Records, a distance of 800.24 feet; Thence South 00°12'06" East along the Westerly boundary of SUNLAND ESTATES AMENDED PLAT, according to the plat thereof as recorded in Plat Book 12, Pages 1 and 2, of said Public Records, a distance of 756.14 feet to a point on the Northerly right-of-way line of County Road 427, as shown on Seminole County Public Works Department Right-of-Way Map for County Road 427-VI (Hester Road to Lake Mary Boulevard) last revision date of March 3rd, 1998, said point lying at the beginning of a non-tangent curve concave to the Northwest, and from said point a radial line bears North 34°45'39" West, the following nine (9) courses being along the Northerly right-of-way line of said County Road 427; Thence Southwesterly along said curve having, a radius of 1,096.28 feet, a central angle of 02°35'42", and an arc distance of 49.65 feet to a point of tangency; Thence South 57°50'03" West, a distance of 21.15 feet; Thence North 32°10'02" West, a distance of 5.00 feet; Thence South 57°50'03" West, a distance of 548.20 feet; Thence South 32°09'57" East, a distance of 5.00 feet; Thence South 57°50'03" West, a distance of 305.03 feet; Thence North 32°09'51" West, a distance of 5.00 feet; Thence South 57°50'03" West, a distance of 205.75 feet; Thence South 32°09'57" East, a distance of 5.00 feet, the following nineteen (19) courses being along the Northerly right-of-way line of County Road 427, as shown on Seminole County Public Works Department Right-of-Way Map for County Road 427-V (U.S. 17-92 to Hester Avenue) last revision date of September 20th, 1996; Thence South 57°50'03" West, a distance of 269.45 feet to a point of curvature with a curve concave to the Northwest; Thence Southwesterly along said curve, having a radius of 1,096.28 feet, a central angle of 15°22'06", and an arc distance of 294.05 feet; Thence North 16°47'51" West, a distance of 5.00 feet to a point at the beginning of a non-tangent curve concave to the North, and from said point a radial line bears North 16°47'51" West; Thence Westerly along said curve, having a radius of 1,091.28 feet, a central angle of 02°42'52", and an arc distance of 51.70 feet; Thence North 14°04'59" West, a distance of 15.00 feet to a point at the beginning of a non-tangent curve concave to the North, and from said point a radial line bears North 14°04'59" West; Thence Westerly along said curve, having a radius of 1,076.28 feet, a central angle of 18°47'53", and an arc distance of

353.11 feet; Thence South 04°30'16" West, a distance of 15.00 feet; Thence North 85°29'44" West, a distance of 204.85 feet to a point of curvature with a curve concave to the South; Thence Westerly along said curve, having a radius of 2,934.79 feet, a central angle of 01°07'08", and an arc distance of 57.31 feet; Thence North 00°17'31" West, a distance of 5.01 feet to a point at the beginning of a non-tangent curve concave to the South, and from said point a radial line bears South 03°22'45" West; Thence Westerly along said curve, having a radius of 2,939.79 feet, a central angle of 03°30'20", and an arc distance of 179.87 feet to a point of tangency; Thence South 89°52'25" West, a distance of 177.20 feet to a point of curvature with a curve concave to the South; Thence Westerly along said curve, having a radius of 1,236.28 feet, a central angle of 06°14'12", and an arc distance of 134.57 feet; Thence South 06°21'47" East, a distance of 5.00 feet to a point at the beginning of a non-tangent curve concave to the South, and from said point a radial line bears South 06°21'47" East; Thence Westerly along said curve, having a radius of 1,231.28 feet, a central angle of 25°32'34", and an arc distance of 548.91 feet to a point of tangency; Thence South 58°05'39" West, a distance of 82.29 feet; Thence North 31°54'21" West, a distance of 5.00 feet; Thence South 58°05'39" West, a distance of 127.90 feet; Thence North 78°12'46" West, a distance of 21.68 feet, the following two (2) courses being along the Northeasterly right-of-way line of County Home Road, as shown on Seminole County Public Works Department Right-of-Way Map for County Road 427-V (U.S. 17-92 to Hester Avenue) last revision date of September 20th, 1996; Thence North 34°31'12" West, a distance of 145.89 feet; Thence North 38°20'02" West, a distance of 46.54 feet to a point on the West line of the Northwest one-quarter (NW 1/4) of said Section 23; Thence North 00°11'51" West, a distance of 430.05 feet to the POINT OF BEGINNING.

Said lands lying and situate in Seminole County, Florida, containing 110.13 Acres, more or less. Subject to existing easements, rights-of-way, covenants, reservations and restrictions of record, if any.

EXHIBIT B

Master Development Plan

