

SEMINOLE COUNTY GOVERNMENT

COUNTY SERVICES BUILDING
1101 EAST FIRST STREET
SANFORD, FLORIDA 32771-1468



Meeting Minutes (Final) - Final

Wednesday, March 4, 2015

6:00 PM

BCC Chambers

Planning and Zoning Commission

CALL TO ORDER

- Present** 5 - Chairman Matt Brown, Vice Chairman Dudley Bates, Commissioner Rob Wolf, Commissioner Michelle Ertel, and Commissioner Jay Zembower
- Excused** 2 - Commissioner Richard Jerman, and Commissioner Mya Hatchette

OPENING STATEMENT

The meeting convened at 6:02 p.m. with Chairman Matt Brown leading the Pledge of Allegiance. Chairman Brown then introduced the Commission members and reviewed the procedure used for conducting the meeting and voting.

STAFF PRESENT

Rebecca Hammock, Planning Manager; Kathy Hammel, Principal Planner; Melissa Clarke, Assistant County Attorney; Kim Fischer, Engineer; Bill Wharton, Principal Planner; Denny Gibbs, Principal Planner; Brian Walker, Senior Planner; Jeff Hopper, Senior Planner; and Hilary Padin, Clerk to the Planning and Zoning Commission.

ACCEPT PROOF OF PUBLICATION

A motion was made by Vice Chairman Dudley Bates, seconded by Commissioner Rob Wolf, that the Proof of Publication be Accepted. The motion CARRIED by the following vote:

- Aye:** 5 - Chairman Matt Brown, Vice Chairman Dudley Bates, Commissioner Rob Wolf, Commissioner Michelle Ertel, and Commissioner Jay Zembower
- Excused:** 2 - Commissioner Richard Jerman, and Commissioner Mya Hatchette

APPROVAL OF MINUTES - December & February

A motion was made by Commissioner Rob Wolf, seconded by Vice Chairman Dudley Bates, that the December Minutes be Approved as submitted. A motion was made by Vice Chairman Dudley Bates, seconded by Commissioner Michelle Ertel, that the February Minutes be Approved with the changes as named. The motions CARRIED by the following vote:

- Aye:** 5 - Chairman Matt Brown, Vice Chairman Dudley Bates, Commissioner Rob Wolf, Commissioner Michelle Ertel, and Commissioner Jay Zembower
- Excused:** 2 - Commissioner Richard Jerman, and Commissioner Mya Hatchette

NEW BUSINESS

Technical Review Item:

- 1 [2015-061](#) **Tierra Verde Preserve** - Preliminary Subdivision Plan approval for a 3 Lot Subdivision for 6.67 acres zoned A-1

(Agriculture), for property located on the south side of Michigan Street, approximately 300 feet east of Markham Woods Road, more particularly known as 3535 Michigan Street (Constance Owens, Tri3 Civil Engineering Design Studio, Inc, Applicant) District5 - Carey (Denny Gibbs, Project Manager)

Denny Gibbs, Principal Planner – presented this item and stated that this project consists of three (3) single family lots on 6.67 acres in the A-1 zoning district. Ms. Gibbs stated that the plat will eventually replace the underlying plat of Secluded Lake Estates, which had two (2) lots. Ms. Gibbs stated that each lot that Tierra Verde is proposing exceeds the required one (1) acre of net buildable area and will be served by well and septic. She explained that there will also be a ten (10) foot natural buffer on the east side, across lots 2 and 3 on the final plat. The Applicant will be relocating an existing drain field that serves lot 1 to be wholly on lot 1. Ms. Gibbs stated that the proposed Preliminary Subdivision Plan is consistent with the property's Suburban Estates Future Land Use designation and meets all of the requirements of Chapter 35 of the Land Development Code. Lastly, Ms. Gibbs stated that staff recommends that the Planning and Zoning Commission approve the PSP for Tierra Verde Preserve.

Commissioner Michelle Ertel asked Ms. Gibbs if the house currently located on the property will remain and Ms. Gibbs confirmed that the house will remain and further stated that the septic tank is associated with that house and the drain field is the one that will be moving.

Commissioner Jay Zembower asked if the house is part of the site and Ms. Gibbs responded that it is on lot 1.

Constance Owens, Applicant – advised that she represents the owner of the property and is available for any questions.

No one spoke in favor or in opposition to this request from the audience.

A motion was made by Commissioner Rob Wolf, seconded by Vice Chairman Dudley Bates, that the Tierra Verde Preserve PSP request be Approved. The motion CARRIED by the following vote:

Aye: 5 - Chairman Matt Brown, Vice Chairman Dudley Bates, Commissioner Rob Wolf, Commissioner Michelle Ertel, and Commissioner Jay Zembower

Excused: 2 - Commissioner Richard Jerman, and Commissioner Mya Hatchette

Public Hearing Items:

2 [2015-046](#)

Proposed Amendment to the Land Development Code

- Consider adoption of the Ordinance amending Chapters 2 and 30 of the Seminole County Land Development Code to revise regulations regarding building setbacks from natural water bodies. Countywide. (Jeff Hopper, Project Manager)

Jeff Hopper, Senior Planner – presented this item and stated that this item is a

proposed amendment to the Seminole County Land Development Code to revise the regulations regarding building setbacks from natural water bodies. Mr. Hopper stated that policy CON 2.4 of the Comprehensive Plan requires a 50-foot setback for new development from bodies of water. Mr. Hopper explained that this is in support of a more general objective of protecting and enhancing surface water quality in the County. He stated that starting from this policy directive, the proposed Code amendments clarify permissible building locations by providing definitions of natural water body and normal high water elevation and by establishing a minimum setback requirement to implement the policy. Mr. Hopper stated that the proposed ordinance would put the 50-foot setback in the Land Development Code and that it would apply only to principal buildings on lots or parcels legally created after the effective date of the regulations. Mr. Hopper stated that the revisions also include language clarifying existing setback requirements for swimming pools and screen enclosures and that the Development Advisory Board has reviewed this Ordinance and given comments to the Development Services Director, Tina Williamson, which are reflected in the proposed draft.

Staff recommends approval of the proposed Code amendments to revise regulations regarding building setbacks from natural water bodies.

Chairman Matt Brown stated that an earlier draft of this item came before them about 6 months ago and since then, some of the development community has spoken to him and advised him that Staff has spent a lot of time consulting with them and although they didn't get everything they wanted, they got some. Chairman Brown thanked Staff for working with them on it.

No one spoke in favor or in opposition to this request from the audience.

A motion was made by Commissioner Rob Wolf, seconded by Vice Chairman Dudley Bates, that the proposed amendment to the Land Development Code be Approved. The motion CARRIED by the following vote:

Aye: 5 - Chairman Matt Brown, Vice Chairman Dudley Bates, Commissioner Rob Wolf, Commissioner Michelle Ertel, and Commissioner Jay Zembower

Excused: 2 - Commissioner Richard Jerman, and Commissioner Mya Hatchette

3 [2015-048](#)

Reagan Center Large Scale Future Land Use

Amendment and Rezone - Consider a Large Scale Future Land Use Map Amendment from Low Density Residential, Planned Development and Office to Planned Development and the associated Rezone from Planned Development (PD) and Agriculture (A-1) to Planned Development (PD), and the associated Development Order and Master Development Plan for 118.55 acres located on the north and south sides of Ronald Reagan Blvd., and east of County Home Road and US Hwy.17-92; (Z2014-038) (Richard Wohlfarth, P.E., Applicant) District2 - Horan (Brian Walker, Project Manager)

Brian Walker, Senior Planner – presented this item and stated that the Applicant is requesting a Large Scale Future Land Use Amendment from Low Density Residential,

Planned Development and Office to Planned Development and a Rezone from Planned Development and A-1 to Planned Development for approximately 118.55 acres on the north and south sides of Ronald Reagan Boulevard and this is east of County Home Road and U.S. Highway 17-92. At the Board of County Commissioners hearing to adopt the Land Use Amendment, the Applicant will be requesting that the Board also rescind the Flea World Development of Regional Impact Development Order associated with the property, which was approved in December of 1986 and that will also come before this Board prior to that. The project site consists of a parcel approximately 110 acres that is the site of Flea World currently on the north side of Ronald Reagan Boulevard and a vacant 8.2 acre parcel on the south side of the road. The Applicant proposes to develop approximately 84 acres of this site as a mixed use project and the project uses will be as follows: commercial and retail with a maximum floor area ratio of 0.25 is proposed and would not exceed 236,858 square feet; office with a maximum floor area ratio of 0.30 is proposed and would not exceed 216,537 square feet; multifamily with a maximum of 25 dwelling units per net buildable acre is proposed and would not exceed a maximum of 827 dwelling units; and townhomes with a maximum of 10 dwelling units per net buildable acre and would not exceed 83 dwelling units. They are also proposing a mix of commercial, office, multifamily, townhome uses in a single building. That would be permitted but the maximum densities and intensities just stated would not be exceeded. Approximately 30 acres of the site would be preserved for wetland conservation and storm water uses. The zoning and future land uses surrounding the larger 110 acre portion of the project property on the north side of Ronald Reagan Boulevard and on the south are as stated in the staff report. The Applicant has submitted a school impact analysis, which states that the number of students generated by the proposed project could be accommodated without exceeding the adopted levels of service. What we looked at in terms of the Comprehensive Plan, the proposed Planned Development Future Land Use designation, the Planned Development zoning designation and the associated master development plan have been evaluated for compatibility with the surrounding area and this is done in accordance with policy 2.9 and the public facilities and services will be available concurrent with the impacts of development at the adopted levels of service. The proposed project is consistent with the Comprehensive Plan and surrounding area as demonstrated in Attachment "A" and the summary information, which is a summary of Attachment "A". We also look at the project for consistency with the Land Development Code and the proposed project is consistent and compatible with the Land Development Code of Seminole County and the surrounding area. The proposed project supports the objectives of the Planned Development zoning designation in that it is a mixed use redevelopment. It also proposes redevelopment of the existing Flea World site to allow a mixture of commercial, office, multifamily and townhome uses and it also contains natural wetlands that will be enhanced and protected by preservation of open space. There will be buffering with a 15 foot minimum, 25 foot average buffer. The site is also a designated catalyst site specifically targeted for its proximity to the County Government Center and Seminole State College, in addition to being located in the CRA catalyst site. Ronald Reagan Boulevard supports several of the Community Redevelopment Agency's objectives. An analysis of the site is also as stated in the staff report. Based on this information, staff recommends transmission of the Large Scale Future Land Use Amendment for Low Density Residential, Planned Development and Office to Planned Development and adoption of the associated Rezone from Planned Development and Agricultural to Planned Development and approval of the associated Development Order and master development plan for 118.55 acres located on the north and south side of Ronald Reagan Boulevard and east of County Home Road and U.S. Highway 17-92.

Randy Morris, on behalf of the Applicant – stated that he is the co-developer and

representing the owner. Mr. Morris advised that his co-developer is Rick Wohlfarth from IBI Group and that he is present as well. He stated that they agree with the staff recommendation as they have worked very closely and extensively with staff over the last few months. He stated that they have also spoken with the CRA. Mr. Morris provided a map and demonstrated the locations of the site and of the surrounding government locations. He explained what the reference of this being a catalyst site means being that because of this project, the County now wants to continue to develop their sites. Mr. Morris stated that this project is the largest redevelopment project done in Seminole County in any record they could trace. He stated that the closest projects to it would be the CRA in Altamonte Springs at Crane's Roost and the Sanford Airport redevelopments. Mr. Morris stated that the economic impact is huge as the potential for this is 150 million dollars in new construction. The number of jobs that would be added would range between 500 and 1,000 positions. The current Flea World and Fun World, which have been there for 40 years, were very popular at one time and that the flea market concept has diminished and the number of booths has declined over the last decade. Mr. Morris stated that they are keeping Flea World open for another year for the vendors to make the adjustment. Mr. Morris advised that this currently is in a DRI, but that they will be requesting to get recind. He advised that their traffic consultant is present and available to answer any questions. Mr. Morris stated that in the original entitlements, they accounted for 15,000 trips and they would only be adding two or three thousand trips to that number, but that will be worked out further into the process as they are just changing the uses and not impacting much greater than Flea World was originally approved for. The parking is a huge paved area and was done before the current environmental laws were in place, so there was a sheet flow across the parking lots into the wetlands. Mr. Morris stated that their intention is to close down Bargain Boulevard and relocate it and demonstrated this on the map. He further explained how doing so would benefit the County campus. Mr. Morris discussed what jurisdictions the subject property and the surrounding properties are located in and advised that they intend to remain in the County's jurisdiction. Mr. Morris stated that he is aware that staff has received a phone call from a resident and a letter was received today. He lastly stated that they did reach out and speak to the resident.

Commissioner Rob Wolf asked Mr. Morris if they have any renderings of what the buildings will look like and he responded that he does not because their heaviest marketing will come during preliminary subdivision approval. Mr. Morris further stated that they will be going to the Board of County Commissioners in two weeks and are targeting to come back before this Board in May and should have better renderings at that point.

Commissioner Michelle Ertel asked Mr. Morris if he has a timeframe to start the build-out and in what order he intends to do so. Mr. Morris responded that in theory they would like to start ground breaking in the beginning of 2016 but that there will be several factors that would play a part in timing. He further stated that they would like to start with the residential aspect of it, but that plan is subject to change.

Commissioner Jay Zembower asked Mr. Morris if they intend to develop any low income housing and Mr. Morris responded that they do not.

Chairman Matt Brown asked Mr. Morris to discuss their intention for Reagan Center Village and Mr. Morris responded that it is a townhome project with 83 townhomes.

No one spoke in favor of this request from the audience.

Nikole der ooij of Orlando – spoke in opposition to this request. She advised that she

is with Ecohuset, LLC and stated that she is speaking on behalf of the residents who reached out to them and is also a friend of a neighbor that would be impacted by this project. Ms. der ooij stated that there is a concern about the disruption of wetlands. She stated that the residents she spoke to are not against high density but crossing over another road and rezoning an agricultural parcel nestled inside of agricultural lots, is not conducive to the everyday lifestyles of the 15 residents that use Thomas Stable Road as a private access to their homes. Ms. der ooij stated that at least 5 residents have a signed easement from the property owner and it is their only access and they own half of it. She stated that there was never a community meeting prior to this hearing and they want to give the long time residents and property owners an opportunity to understand the intent of the developer. She further stated that it is important for everyone to understand the advantages and disadvantages of the project. She requests that this Board hold their vote for 30 days to meet with the residents to formulate a plan acceptable for all of the parties. Ms. der ooij noted that she has 4 maps for demonstration.

Commissioner Rob Wolf stated that it is the St. John's River Management District and not this Board that has anything to do with the wetlands and with respect to the easement, it is part of a condition of the property and its ownership and not part of Planning & Zoning so they can't weigh in on that. Chairman Matt Brown stated that the Applicant would be the one to weigh in on that.

Tracey Driscoll of Sanford – spoke in opposition of this request. Ms. Driscoll provided a map and discussed the location of Thomas Stable Road on the maps submitted for approval and how moving the road would change the ingress and egress. Ms. Driscoll also requested that the Board hold their vote for 30 days until it has been corrected. She further stated that everything surrounding the property is agricultural. Ms. Driscoll advised that the Kid's House is located nearby and to protect the people in the community that they are trying to help, she stated that they don't want a lot of people to know where they are. Ms. Driscoll addressed the environmental impacts as there are bald eagles and indigo snakes that reside on the property. Ms. Driscoll discussed her concern for traffic safety on Ronald Reagan Boulevard as there are many accidents and fatalities at the intersection. Ms. Driscoll stated that they are proposing 51% multifamily, 21% commercial/retail and 20% office and stated that they do not need that much multifamily as the community needs more restaurants, movie theatres and entertainment. The majority of the traffic that they are proposing is being directed to C.R. 427. They are showing 5,979 additional traffic trips, just from the apartments that they are proposing from the multifamily. 7,471 additional traffic from the commercial retail on the back side of 427, not including the whole community. 13,450 additional daily trips at the end of each day, that is a little more dangerous. Ms. Driscoll stated that it currently takes 4 to 5 minutes at peak traffic times to get across that area. Ms. Driscoll is requesting that they look to develop the area on the north side of Ronald Reagan Boulevard.

Chairman Brown explained to Ms. Driscoll that the traffic trips are well reviewed through the process and maybe even overly cautious to create a greater safety for the community. He further stated that things such as the wetlands and protected animals, there are studies that are done and steps that are taken to ensure they are protected. Ms. Driscoll responded that they are not against this redevelopment as Flea World has lived out its longevity, but they are concerned about them jumping across Ronald Reagan Boulevard. She further stated that there are many businesses that are vacant in that area.

Commissioner Wolf stated that the level and ratio of mixed use will be determined as

the project goes through the process and that they wouldn't want to develop property that wouldn't be used.

Shawn Driscoll of Sanford – spoke in opposition of this request. He advised that he has resided on the property all of his life. Mr. Driscoll stated that he has a lot of wildlife that roams their property and that their kids can play outside without having to worry about being hurt or stolen and he believes that having apartments next to his house will diminish that lifestyle for them. Mr. Driscoll stated that they all have at least 2 acres. He stated that he is not against what they want to do on the north side of Ronald Reagan Boulevard, but that he would like the Board to really consider how this would impact the 8 acres neighboring their homes on the south side. Mr. Driscoll demonstrated on the map where his property and driveway along the subject property is located.

Shannon Driscoll of Sanford – spoke in opposition of this request. She provided photographs demonstrating Thomas Stable Road and the surrounding area of their homes. Ms. Driscoll stated that she home-schools her children and they go outside everyday to explore the various wildlife and is also concerned about how changing the road and adding the multifamily residences would impact that.

Chairman Matt Brown advised for the record that Sharon Thomas, Virginia Thomas, Steve Thomas, Gail Thomas, Thomas Bledsoe and Georgeanne Bledsoe are also in opposition of this item, but have chosen not to make oral comments.

No one else spoke in opposition of this item from the audience.

Mr. Morris advised that some of the current land uses on Ronald Reagan Boulevard are a dog training facility and an irrigation company. He stated that it is currently A-1 and the Future Land Use is LDR. He stated that he is a member of the Board of Directors for 11 years for Kids House is not a private facility where people seek shelter and is not an overnight facility. It is a treatment house and not a sanctuary. Regarding the wetland question, Mr. Morris stated that when you are preserving and enhancing the wetlands as we are doing, we are talking about roughly 30% of the land staying that way. The only wetlands that are being impacted are a couple of wetlands in the middle of the parking lot. He stated that he always does community meetings when he can, but only when it rises to that occasion. All they knew from staff was that one person had called and one letter was just received today but they will happily have a community meeting in the interim. He will aim to have it after the BCC meeting in 2 weeks and discuss their plan in greater detail. Mr. Morris explained the processes that they still need to go through for the preliminary and future processes through the County and public hearings. Mr. Morris stated that they will address the issue regarding Thomas Stable Road and keeping it a dirt road.

Commissioner Wolf advised Mr. Morris that he strongly encourages that he have a community meeting and Mr. Morris responded that he will do so, but is not sure if he will be able to get it done before the next BCC meeting in two weeks.

Commissioner Wolf asked Mr. Morris what his thoughts are regarding the buffering for the two story townhomes and he responded that the height of the townhomes will be up to 35 feet as that is the County standard and stated that Mr. Wohlfarth will address the buffering.

Commissioner Zembower advised that he visited the site and stated that there are older oak trees in and around the property and asked Mr. Morris if there is any intention

for the developer to leave the oak trees in place for buffering. Mr. Morris responded that they will go with the Code and try to preserve the value of the townhome project. He further stated that they are attempting to be sensitive to the homeowners as well as the tax payers of Seminole County who have paid for Ronald Reagan Boulevard.

Richard Wohlfarth, Applicant – stated that their proposal would be that the entire road will be located on their property. Regardless of what kind of residential development they put on this property, the idea of them proposing to have access off a dirt road, I don't think I have the nerve to ask that question. Mr. Wohlfarth stated that they know that they will have to build it to County standards and that will be on the property in question. He stated that a good majority of the dirt road, about 15 feet of it, is within an easement on the owner's property and that their goal is to save every large tree that they can, because from a development perspective, they add to the ambiance of a project. Mr. Wohlfarth stated that they have options for how they would have access; one is to take the median break and have that go north and over to the County's property and keep that and have it as a major intersection there. He stated that they would like to take their road and slide it to the east and make it a road that only goes onto their property, but have access to the rear property and leave the dirt road where it is. He advised that would have a negative effect on the residents, because there is a major median break and that will become a major intersection so they would look to move the median break and make a connection to the dirt road and leave the dirt road the way that it is, which would have an impact on them because 15 feet of it is on their property. Mr. Wohlfarth stated that they have a 20 foot buffer that is required, so they will not have a building back up to the property line and would agree to landscape that and put in proper type of buffer, possibly a six foot high fence with landscaping.

Commissioner Wolf asked Mr. Wohlfarth if they would vacate their half of the easement with the residents and deed it to them and he responded that it would be one option, but they would need to take a look at it as they cannot tell you where the center of the road is and where the trees are but he does know that they have a 15 foot ingress/egress easement and he assumes some of those trees are within that easement. He stated that they could work it out to work in everyone's best interest as they want to be good neighbors.

A motion was made by Commissioner Michelle Ertel, seconded by Commissioner Jay Zembower, that the Reagan Center Large Scale Future Land Use Amendment and Rezone be Approved. The motion CARRIED by the following vote:

Aye: 5 - Chairman Matt Brown, Vice Chairman Dudley Bates, Commissioner Rob Wolf, Commissioner Michelle Ertel, and Commissioner Jay Zembower

Excused: 2 - Commissioner Richard Jerman, and Commissioner Mya Hatchette

ADJOURNMENT

There being no further business, the meeting adjourned at 7:17 p.m.