

SEMINOLE COUNTY GOVERNMENT

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



Meeting Minutes (Draft) - Final

Wednesday, July 1, 2015

6:00 PM

BCC Chambers

Planning and Zoning Commission

CALL TO ORDER

Present 7 - Chairman Matt Brown, Vice Chairman Dudley Bates, Commissioner Rob Wolf, Commissioner Richard Jerman, Commissioner Mya Hatchette, Commissioner Michelle Ertel, and Commissioner Jay Zembower

Opening Statement

The meeting convened at 6:00 p.m. with Chairman Matt Brown leading the Pledge of Allegiance. The Chairman then introduced the Commission members and reviewed the procedure used for conducting the meeting and voting.

Staff Present

Rebecca Hammock, Planning and Development Manager; Kathy Hammel, Principal Planner; Melissa Clarke, Assistant County Attorney; Kim Fischer, Development Review Engineering Manager; and Connie DeVasto, 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, to accept the Proof of Publication into the record. The motion CARRIED by the following vote:

Aye: 7 - Chairman Matt Brown, Vice Chairman Dudley Bates, Commissioner Rob Wolf, Commissioner Richard Jerman, Commissioner Mya Hatchette, Commissioner Michelle Ertel, and Commissioner Jay Zembower

Approval of Minutes

A motion was made by Commissioner Rob Wolf, seconded by Commissioner Mya Hatchette, to Approve the June minutes as submitted. The motion CARRIED by the following vote:

Aye: 7 - Chairman Matt Brown, Vice Chairman Dudley Bates, Commissioner Rob Wolf, Commissioner Richard Jerman, Commissioner Mya Hatchette, Commissioner Michelle Ertel, and Commissioner Jay Zembower

NEW BUSINESS

Public Hearing Items:

[2015-115](#)

REQUEST TO CONTINUE THIS ITEM TO THE SEPTEMBER MEETING RECEIVED FROM APPLICANT - Evergreen Property Rezone and Small Scale Future Land Use Amendment - Consider adoption of the Ordinance enacting a Small Scale Future Land Use Map Amendment from Low Density Residential to Planned Development for approximately 2.5 acres and adoption of the Ordinance enacting the Rezone from A-1 (Agriculture) to PD (Planned Development) district for 29.2 acres for property located on the south side of Ronald Reagan Blvd., approximately 600 feet east of County Home Road; (11.14SS03) (Z2014-036) (David Evans, Applicant) District2 - Horan (Brian Walker, Project Manager)

No one spoke in favor or opposition to the continuance of this item from the audience.

A motion was made by Commissioner Rob Wolf, seconded by Vice Chairman Dudley Bates, to Continue the Evergreen Property Rezone and SSLUA agenda item to a date certain of the next meeting, September 2, 2015. The motion CARRIED by the following vote:

Aye: 7 - Chairman Matt Brown, Vice Chairman Dudley Bates, Commissioner Rob Wolf, Commissioner Richard Jerman, Commissioner Mya Hatchette, Commissioner Michelle Ertel, and Commissioner Jay Zembower

2015-137

Oregon Street Subdivision - PD Rezone - Consider adoption of the ordinance enacting a Rezone from A-1 (Agriculture) to PD (Planned Development) for 9.59 acres, located on the east side of North Oregon Street, approximately one-quarter mile south of Orange Boulevard; (Z2015-016) (CED Strategies, LLC, Applicant) District5 - Carey (Matt Davidson, Project Manager)

Kathy Hammel, Principal Planner - advised that this item will be heard at the August 5 meeting as all of the legal requirements for advertising were not met.

[2015-136](#)

Piedmont Town Park North Rezone - Consider a Rezone from A-1 (Agriculture) and PD (Planned Development) to PD (Planned Development) for 18.92 acres located on the east side of International Parkway, approximately ½ mile north of C.R. 46A; (Z2015-17) (Piedmont TownPark Land, LLC, Applicant) District5 - Carey (Kathy Hammel, Project Manager)

Kathy Hammel, Principal Planner – presented this item and stated this is a request for a rezone from A-1 and PD (Planned Development) to PD (Planned Development) for 18.92 acres. The subject property is north of the Colonial Town Park DRI (Development of Regional Impact) and is not part of this DRI; however, it is connected to it because of an agreement that Seminole County entered into in 2006. The agreement stated this tract of land was to make up for some Office that was lost when Lake Mary built some residential developments. Ms. Hammel further stated she listed some of the conditions that were tied to this parcel in the Staff report. The Applicant's request meets all of the conditions of the tri-party agreement and is consistent with the intent of that agreement. Ms. Hammel advised that the Applicant is requesting the following:

- * A mixed-use development*
- * 800,000 square feet of Class A Office, which is a Target Industry Use*
- * 300,000 square feet for a hotel, which is a Target Industry Use*
- * 100,000 square feet for retail/commercial*

Ms. Hammel further advised that the subject property is in the HIP-TI future land use, which is for target industries. The Applicant's goal is to have industries that are consistent with the investment and the trend of development in the area, which is Class A Office. The retail/commercial is allowed providing it is integrated into the Class A Target Industry. Ms. Hammel added that this request is consistent with FLU 5.8 of the Seminole County Comprehensive Plan, the Floor Area Ratio (FAR) and Target Industry uses.

Staff recommends approval of this item as requested by the Applicant.

When asked by Chairman Matt Brown if the Applicant is putting 1.1 million square feet on 18 acres, Ms. Hammel advised that this allows the Applicant to have the flexibility of the numbers to have a successful project and meet the market needs at that time.

Commissioner Jay Zembower clarified that the proposed buildings could be between 85 to 140 feet in height and Ms. Hammel stated that was correct. Commissioner Zembower inquired as to the impact fees this project may generate given Seminole County's firefighting capabilities and Ms. Hammel stated she did not have the answer to that; however, this request does go through the Development Review Committee and is evaluated by Public Safety and any issues will be addressed at that time.

Randall Morris, on behalf of the Applicant – stated that Luke Classon with IBI Group is also here to answer any questions. Ms. Morris further stated that this project came forward in the past as multi-family at a time when the build out of Class A began. It is now going to be Town Park Commons, which if approved, will be the most intense urban development this Commission has ever done in Seminole County. The design

features will pull in certain aspects of Colonial Town Park and new aspects that have not been seen before. He advised that this project will come back to the Commission in the fall with a site plan, which will show how green space is being used more productively. The project has I-4 on one side; the ramp on another side; to the west is International Parkway and to the south is the blended use of Colonial Town Park. Mr. Morris stated that this project will have a FAR of approximately 1.4, which is approximately 1.2 million square feet of development. The project could contain buildings as high as ten (10) stories and two (2) parking garages as high as five (5) stories. Mr. Morris stated the hotel is projected to be a 250-room hotel and the square footage is not known at this time. They are working with County Engineering relative to ingress/egress and FDOT 5 relative to ramps. Mr. Morris further stated that when the Wekiva Parkway is completed, there will be a partial taking of some of the Applicant's property, but the amount is unknown at this time. He also stated the taking is not a significant amount and they are thinking it will be approximately a half acre to one acre, which will affect how they set up the ponds, etc. When the Applicant comes back to the Commission in the fall, all of the issues will have been resolved. Mr. Morris stated he believes this type of project is exactly what the HIP-TI district was designed for to get the highest densities to build up and not out to preserve the densities toward the Wekiva.

When asked by Commissioner Rob Wolf if the published square footage will accommodate the needs of the Applicant, Mr. Morris stated yes. Commissioner Wolf also asked if the item that will come back to the Commission in the fall will contain a site plan, artist rendering and square footage allocation and Mr. Morris advised that is correct.

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

Commissioner Wolf asked Staff, with respect to the fire trucks, if an additional impact fee would be levied on this Developer for this project or will the fees be taken out of our tax base and Ms. Hammel stated she does not have the answer to this.

General discussion ensued regarding the current ladder trucks available to the County and the approximate cost of a new ladder truck should additional trucks be needed.

Commissioner Zembower asked for clarification regarding the agreement that is set to expire in one year and Ms. Hammel advised that what expires is the Lake Mary annexation part of the agreement. The rest of the agreement does not have an expiration date.

Mr. Morris advised that the Applicant will pay all required impact fees.

General discussion ensued regarding the costs involved in a project of this size and the amount of HIP-TI land that is still available in the County.

A motion was made by Commissioner Rob Wolf, seconded by Commissioner Michelle Ertel, to recommend Approval of the Piedmont Town Park North Rezone and Refer the item to the Board of County Commissioners. The motion CARRIED by the following vote:

Aye: 7 - Chairman Matt Brown, Vice Chairman Dudley Bates, Commissioner Rob Wolf, Commissioner Richard Jerman, Commissioner Mya Hatchette, Commissioner Michelle Ertel, and Commissioner Jay Zembower

CLOSING BUSINESS

Commissioner Zembower asked Staff to review the posting requirement for projects, as he does not believe a posting at the front of a property is sufficient when the property is large. Chairman Brown advised that there is a process that must be followed according to the Land Development Code. Commissioner Richard Jerman advised that the Applicant must sign an Affidavit stating that the property was posted correctly. Ms. Hammock stated she would review the requirements and discuss it with the Director to make sure there are safeguards in place to ensure the postings are being done properly.

Adam Jackson of Sanford (from the audience) – advised that he would like more information regarding the Evergreen agenda item. Chairman Brown explained what the Applicant is requesting and Mr. Jackson was given a copy of that agenda item for his review prior to the upcoming meeting.

Chairman Brown, referring to the recent P & Z workshop, asked if Ms. Hammock received any policy suggestions from the guest speaker. Ms. Hammock advised that she did receive some examples of By-Laws and would forward them to the Commissioners for their review.

Commissioner Wolf asked if the County looked into the online registration program for rural residents that he suggested last year and Ms. Hammock advised that she discussed this with the Director and she stated because of liability issues, it is not something that Staff could pursue because the 300-foot notices are actually a courtesy, not a legal requirement. She further stated if Staff did anything other than what was legally required; it would set the County up for liability issues.

Melissa Clarke, Assistant County Attorney – advised that the Comprehensive Plan states that the County “may” send out notices to the neighbors, which means it is not mandatory. If the County sets an expectation that the rural residents will be alerted to any changes and notification is not given, it could create a problem.

Commissioner Wolf stated that the residents would sign up for this notification and it would be up to them to keep their information current on the County’s website. He further stated that the County’s I.T. Department can do this automatically and it will not require any action on behalf of Staff. He believes the County should take that extra step as a courtesy to the residents of Seminole County.

Ms. Clarke stated this may expose the County to additional liability and it is not something that can be decided on a Staff level. Commissioner Wolf stated he would like this presented to the Board of County Commissioners and would like to have input regarding this prior to it being presented.

Commissioner Michelle Ertel stated she also believes it would set the County up for liability because once the County starts doing something, it becomes expected and then one time it is not done, it could result in lawsuits. Ms. Clarke advised the Commissioners that the County was recently challenged on this issue when neighbors contended that they did not receive the 300-foot notices and the County’s argument was that the Comprehensive Plan states the County “may” send out notices and Staff complied with the requirements pursuant to Florida Statutes. She further stated it is Staff’s job to illustrate what the risks are and any changes to this is a policy should be made by the Board of County Commissioners.

Planning and Development Manager Report

Ms. Hammock thanked the Commissioners who were able to attend the workshop and advised that she provided all of the information received at the workshop to the Commissioners who could not attend.

ADJOURNMENT

There being no further business, the meeting adjourned at 6:50 P.M.