

SEMINOLE COUNTY GOVERNMENT

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



Meeting Minutes (Draft) - Final

Wednesday, May 3, 2017

6:00 PM

BCC Chambers

Planning and Zoning Commission

CALL TO ORDER

- Present** 5 - Commissioner Jeanne Miller, Vice Chairman Michelle Ertel, Chairman Jay Zembower, Commissioner Jennifer Dane, and Commissioner Matt Brown
- Excused** 2 - Commissioner Rob Wolf, and Commissioner Richard Jerman

Opening Statement

The meeting convened at 6:05 p.m. with Chairman Jay Zembower leading the Pledge of Allegiance. The Chairman then introduced the Commission members and reviewed the procedure used for conducting the meeting and voting. At 6:06 p.m., Commissioner Jennifer Dane arrived.

Staff Present

Rebecca Hammock, Planning and Development Manager; Frank Consoli, Interim Development Review Manager; Paul Chipok, Assistant County Attorney; Matt Davidson, Senior Planner; and Tammy Brushwood, Clerk to the Planning and Zoning Commission.

Accept Proof of Publication

A motion was made by Commissioner Matt Brown, seconded by Vice Chairman Michelle Ertel, that the Proof of Publication be Approved. The motion **CARRIED** by the following vote:

- Aye:** 5 - Commissioner Jeanne Miller, Vice Chairman Michelle Ertel, Chairman Jay Zembower, Commissioner Jennifer Dane, and Commissioner Matt Brown
- Excused:** 2 - Commissioner Rob Wolf, and Commissioner Richard Jerman

Approval of Minutes

A motion was made by Vice Chairman Michelle Ertel, seconded by Commissioner Matt Brown, that the Minutes from the April 5, 2017 meeting be Approved, as submitted. The motion **CARRIED** by the following vote:

- Aye:** 5 - Commissioner Jeanne Miller, Vice Chairman Michelle Ertel, Chairman Jay Zembower, Commissioner Jennifer Dane, and Commissioner Matt Brown
- Excused:** 2 - Commissioner Rob Wolf, and Commissioner Richard Jerman

NEW BUSINESS

Public Hearing Items:

- 1 [2016-602](#) **Johnson Warehouse PD Major Amendment and Rezone** - Consider a Rezone from PD (Planned Development) to PD (Planned Development) for 3.48 acres, located on the southwest corner of the intersection of Sixth Street and Kennedy Point, approximately 800 feet south of North County Road 426; (Z2017-002) (Chris Johnson, Applicant) District2 - Horan (Matt Davidson, Project Manager)

Matt Davidson, Senior Planner, presented this item and stated that the applicant is requesting a Major Amendment and Rezone to PD (Planned Development) in order to develop this site for manufacturing warehouses with outside storage. The subject property was rezoned to Planned Development in 2008 permitting the uses in the M-1 A Very Light Industrial district with outside storage. However, there has been no development since that time and as a result, the previously approved Master Development Plan and Development Order have expired. Per Section 30.449 of the Land Development Code of Seminole County, if substantial development, as determined by the Development Services Director, has not begun within eight years after approval of the Master Development Plan, the approval of the Planned Development will be reviewed by the Planning & Zoning Commission and Board of County Commissioners to determine the appropriateness of the Planned Development zoning classification for the subject property. The eight year time limitation would restart if this Amendment is approved. The applicant is proposing to reduce the originally approved building setbacks and landscape buffers to make the site feasible for a fence company to utilize the property for a manufacturing warehouse with outside storage and ancillary office use. The site analysis, as well as detailed setback and buffer reduction requests, are stated in the Board's Staff report. The previously approved Development Order from 2008 required active passive buffering on the north and west boundaries of the subject property. The previous active passive buffers were more restrictive than the current Code requirements, which are customizable to the specific intensity of development being proposed. The applicant is proposing to exceed the current Code requirements, except for the proposed 10' buffer on the north, which Code requires to be a 15' buffer. However, the applicant is proposing to place a storm water pond along the northern property line and along with the adjacent uncut platted 40' right-of-way, which will serve as an additional buffer. The Industrial land use to the east of the site was approved in 1989 and has developed into the Off Broadway Industrial Park. The subject property is a transitional parcel between a Low Density Residential Future Land Use to the north and west and the Industrial Future Land Use to the east. Public Works has no immediate plans to pave the uncut 40' platted right-of-way to the north and west directly adjacent to the subject property. The request is consistent with the Land Development County of Seminole County and the surrounding area. The proposed project supports the objectives of the PD zoning designation in that it provides the required minimum of 25% open space. Based on current Code requirements, the proposed site also provides adequate buffering, including a 6' masonry wall along the west property line and a 6' PVC fencing along the

north and south property lines. The proposed phased development of four separate warehouse buildings is less intrusive than the previously approved individual 38,500 square foot building. The area for outside storage has also been reduced and will be removed when Phase 2 of the development is completed. The proposed Planned Development zoning classification is compatible with the surrounding trend of development in the area and is consistent with both the allowable uses and intensity provisions of the existing Planned Development Future Land Use designation. Consequently, Staff recommends the Board of County Commissioners adopt the Ordinance enacting a Rezone from PD (Planned Development) to PD (Planned Development) and approve the associated Development Order and Master Development Plan for 3.48 acres.

Chairman Jay Zembower asked if this is proposed to be on a septic system and Mr. Davidson responded that is correct. Chairman Zembower stated that he noticed that the City of Oviedo has a utility easement that runs along the eastern corridor of the project and asked if that is a sewer easement. Mr. Davidson responded not that he is aware of.

Chairman Zembower asked if it is all drain field area around the perimeter of the buildings and Mr. Davidson responded that is what their preliminary plan is showing and we would not allow trees to be in the drain field. Chairman Zembower commented that it concerns him how the caliper-type canopy trees planted in those areas will survive in the drain fields. Mr. Davidson stated that they have a separate delineation as indicated on the Plan. On the west side, they show a 15' buffer and then there's a line that says drain field before you get to the building, which separates it and they will have to show that the trees will be outside of that.

Kim Fischer, of Winter Springs, stated that she is representing the owner/developer of this project. She further stated that they agree with Staff and one other thing she would like to add is that the owner is the building to the east and he will be moving his fence company to this parcel.

Ms. Fischer referred to the overhead map aerial and continued as follows:

- * There is an unimproved right-of-way along the west and the owner would like to use his product, which is the PVC vinyl fence, instead of doing a wall.
- * This will be less intrusive to the trees, so they won't need to take out the trees along that right-of-way in order to get the footers in.
- * They ask, along with Staff's recommendation, to approve that and add the modification to switch from a wall to a fence.

Chairman Zembower asked which side of the project is that and Ms. Fischer responded it is on the west side and where the line of trees are showing on the map. She further stated that the west is bordered by an unimproved right-of-way, which is heavily treed. They would like to save those trees and get a fence in there instead of a wall.

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

A motion was made by Commissioner Matt Brown, seconded by Vice Chairman Michelle Ertel, that the Johnson Warehouse PD Major Amendment and Rezone be Approved and Referred to the Board of County Commissioners, with one change from a masonry wall to be a vinyl fence on the western side. The motion CARRIED by the following vote:

Aye: 5 - Commissioner Jeanne Miller, Vice Chairman Michelle Ertel, Chairman Jay Zembower, Commissioner Jennifer Dane, and Commissioner Matt Brown

Excused: 2 - Commissioner Rob Wolf, and Commissioner Richard Jerman

2 [2016-603](#)

All Florida Recovery Small Scale Future Land Use

Amendment and Rezone - Consider a Small Scale Future Land Use Map Amendment from Commercial to Industrial and a Rezone from C-2 (Retail Commercial) to C-3 (General Commercial and Wholesale) for 0.77 acres, located on the west side of Overland Road, approximately 700 feet south of South US Highway 441; (Z2017-006) (Steve Combs, Applicant) District3 - Constantine (Matt Davidson, Project Manager)

Matt Davidson, Senior Planner, presented this item and stated that the applicant is requesting a Small Scale Future Land Use Map Amendment from Commercial to Industrial and Rezone to C-3 General Commercial and Wholesale in order to develop the subject property as an auto repossession storage facility. The applicant has been operating his business from the adjoining parcel to the south in Orange County for the past 10 years. The subject property is the former site of the Tropic Gardens Mobile Home Park. The mobile home park was demolished in 2014 and the property is currently vacant, except for a shed on the northwest corner of the property. The surrounding properties have Commercial and Industrial Future Land Use and the applicant is proposing Industrial Future Land Use in order to support the requested C-3 General Commercial and Wholesale zoning. Vehicle storage is permitted in the C-3 district and the proposed hours of operation are 10:30 a.m. to 5:30 p.m. The applicant has stated that the 0.77 acre site can hold up to 50 vehicles, however, he believes that the site will only contain between 25 and 35 vehicles at any given time. The vehicles are only temporarily stored on site until they go to the auction. If this request is approved, the applicant will be required to submit a site plan review in order to meet the requirements of Chapter 40 of the Land Development Code of Seminole County. The proposed amendment to Industrial is consistent with existing land use patterns in the area and also compatible with the adjacent development in Orange County, which has both Industrial zoning and Industrial Future Land Use. Staff analysis indicates that sufficient services are available to support the proposed Future Land Use Amendment and Rezone. The proposed use of the property as an auto repossession and storage facility is an allowable use in the C-3 zoning district and an existing business on Overland Road. Staff finds the requested Industrial Future Land Use in C-3 General Commercial and Wholesale zoning classification to be consistent with the Comprehensive Plan and compatible with the trend of development in the area. Consequently, Staff recommends the Board of County Commissioners adopt the proposed Ordinance enacting a Small Scale Future Land Use Map Amendment from Commercial to Industrial and a Rezone from C-2 Retail Commercial to C-3 General Commercial and Wholesale for 0.77 acres.

Mr. Davidson further added that they did a site visit and he displayed a few pictures on the overhead screen. Mr. Davidson explained the pictures as shown.

Steve Combs, the applicant, stated that he agrees with Staff's recommendation on this and it is his first time doing a land use change.

Chairman Jay Zembower asked if they are only going to use this yard for the proposed use and only during the hours stated and Mr. Combs responded it is strictly for storage, so cars will be put there during the day and they will go to the auction during the day. Chairman Zembower asked if he saw any operating hours beyond that and Mr. Combs responded no, sir. Chairman Zembower asked if they had any plans for future use other than that and Mr. Combs said no.

Mr. Combs stated that they will put up a fenced area that will be set back quite a bit from the front of the property. He stated that they are probably using just under half of the property for storage and the rest of the property will stay grass and some shrubbery on the front side of Overland Road. A graphic of the property was shown on the overhead screen with Mr. Combs pointing out the road, setbacks, and where the cars would be stored.

Chairman Zembower asked if his long term goal would be to move his entire business to Seminole County and Mr. Combs responded yes, that would be long term.

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

A motion was made by Vice Chairman Michelle Ertel, seconded by Commissioner Jennifer Dane, that the All Florida Recovery Small Scale Future Land Use Amendment and Rezone be Approved and Referred to the Board of County Commissioners. The motion CARRIED by the following vote:

Aye: 5 - Commissioner Jeanne Miller, Vice Chairman Michelle Ertel, Chairman Jay Zembower, Commissioner Jennifer Dane, and Commissioner Matt Brown

Excused: 2 - Commissioner Rob Wolf, and Commissioner Richard Jerman

CLOSING BUSINESS

Planning & Development Manager's Report

Rebecca Hammock stated that she has been working with GIS on the vacant land maps and they have created them by Future Land Use category. The only thing it will not show are partially developed lands that could be further developed. There is a countywide map and also a map broken down by Commission districts, but it is too large to email. Ms. Hammock distributed hard copies of the maps for the Board's review and stated if the maps look okay, we can put them on an FTP site for the Board to access and they would be able to zoom in and out of the specific parcels. If an item goes before the Board and you want to see what is going on in a particular area, you will be able to see the inventory of vacant lands in that area. There is also a table that provides the percentages of the different Future Land Use categories broken down by Commission district, which will also be added to the FTP site.

Chairman Jay Zembower stated that after the Board reviews the maps, they can email Staff with their input. Ms. Hammock stated that the maps will not be 100% accurate, as there could be redevelopment parcels or partially developed parcels. Chairman Zembower stated that it is a good barometer of what is going on in a particular area. Ms. Hammock restated that when they view it electronically, they can zoom in for more detail. She also stated that GIS can create interactive maps if the Board is interested.

Ms. Hammock commented that she sent an email to the Board on the criteria Staff uses in reviewing a request for a Comprehensive Plan Amendment and Rezone. This

is part of Attachment A and included in the Board's packet.

Chairman Zembower thanked Staff and the Assistant County Attorney, Mr. Paul Chipok, for conducting the recent new Board member training. He commented that it was an excellent and informative session on the duties of the Board.

ADJOURNMENT

There being no further business, the meeting adjourned at 6:26 p.m.