

**SEMINOLE COUNTY
LOCAL PLANNING AGENCY/
PLANNING AND ZONING COMMISSION
COUNTY SERVICES BUILDING
1101 EAST FIRST STREET
SANFORD, FLORIDA
BOARD CHAMBERS, ROOM 1028**

**WEDNESDAY, DECEMBER 4, 2024
6:00 PM**

MINUTES

CALL TO ORDER AND ROLL CALL

Present (6): Chairman Dan Lopez, Commissioner Lourdes Aguirre, Commissioner Carissa Lawhun, Commissioner Richard Jerman, Commissioner Brandy Ioppolo, and Commissioner Tim Smith

Absent (1): Vice Chairman Mike Lorenz

ACCEPT PROOF OF PUBLICATION

A motion was made by Commissioner Carissa Lawhun, seconded by Commissioner Richard Jerman to accept the Proofs of Publication. **The motion passed unanimously.**

Ayes (6): Chairman Dan Lopez, Commissioner Lourdes Aguirre, Commissioner Carissa Lawhun, Commissioner Richard Jerman, Commissioner Brandy Ioppolo, and Commissioner Tim Smith

APPROVAL OF MINUTES

A motion was made by Commissioner Tim Smith, seconded by Commissioner Carissa Lawhun to approve the October 2, 2024 Minutes, as submitted. **The motion passed unanimously.**

Ayes (6): Chairman Dan Lopez, Commissioner Lourdes Aguirre, Commissioner Carissa Lawhun, Commissioner Richard Jerman, Commissioner Brandy Ioppolo, and Commissioner Tim Smith

PUBLIC HEARING ITEMS

995 Miller Drive Special Exception - Consider a Special Exception for an outdoor recreational area at an existing warehouse in the M-1 zoning district on 6.8 acres, located on the west side of Miller Drive, south of North Street; BS2023-06 (320 Mac Investments LLC, Applicant) District4 - Lockhart (Hilary Padin, Planner).

Hilary Padin, Planner, presented this item as stated in the Staff report. She further stated that the property is approximately 6.8 acres with a warehouse on the eastern side. The western vacant side of the parcel is the proposed location for two (2) concrete slabs for the outdoor recreational area. The recreational area will be used by the property owners, employees and their families. The first slab will be utilized as a handball court and will be approximately 80 feet by 52 feet (80' x 52') with a concrete wall erected along the middle of it. The wall will be 43 feet wide, 16 feet tall and 8 inches thick (43' x 16' x 8"). The slab will be constructed approximately 13 feet (13') from the north property line. The second slab will be used for a basketball court and picnic area. It will be located 15.5 feet (15-1/2') east from the handball court slab and will be approximately 70 feet by 50 feet (70' x 50'). It will be constructed approximately 25 feet (25') from the north property line. The hours of operation for the recreational area will be dawn to dusk, seven (7) days per week, therefore wired lighting will not be utilized. A Site Plan will be required showing compliance with the Land Development Code and all other applicable Code requirements upon approval of this Special Exception. The property will be required to provide a retention area for the new impervious site. In compliance with Seminole County Land Development Code Section 30.3.5 Community Meeting Procedure, the Applicant conducted a community meeting on October 2, 2024.

Ingrid Soria, the applicant, located at 995 Miller Drive, Altamonte Springs, stated that she had nothing further to add, other than stating that the handball court is for their family.

No one from the audience spoke in favor of or in opposition to this request. Public comment was closed.

A motion was made by Commissioner Carissa Lawhun, seconded by Commissioner Richard Jerman to approve and refer the 995 Miller Drive Special Exception to the Board of County Commissioners, with the conditions stated in the Staff report (a-h). **The motion passed unanimously.**

Ayes (6): Chairman Dan Lopez, Commissioner Lourdes Aguirre, Commissioner Carissa Lawhun, Commissioner Richard Jerman, Commissioner Brandy Ioppolo, and Commissioner Tim Smith

Sanford Commercial Development PD Rezone – Consider a Rezone from C-2 (General Commercial) to PD (Planned Development) for two (2) restaurants with drive-through facilities on approximately 5.18 acres, located on the north side of E SR 46, approximately 1,500 feet east of I-4; (Z2023-11); (Bryan Shultz, Applicant); District5-Herr (Annie Sillaway, Senior Planner).

Annie Sillaway, Senior Planner, presented this item as stated in the Staff report. She further stated this request is to allow for development of two (2) restaurants for C-2 (General Commercial) uses, with drive-through facilities and a maximum building height of thirty-five (35) feet. The subject property has a Future Land Use designation of Higher Intensity Planned Development Target Industry (HIP-TI), which allows a maximum Floor Area Ratio (F.A.R.) of 1.5. The PD proposes C-2 (General Commercial) permitted uses, which would allow uses for restaurants with drive-through facilities, medical and dental clinics, and office uses. The subject property is within the SR 46 Gateway Corridor Overlay District. The Applicant is proposing to meet all requirements within the Overlay District such as, but not

limited to, providing a twenty-five (25) foot wide landscape buffer adjacent to SR 46, providing a fifty (50) foot building setback, adhering to a maximum building height of thirty-five (35) feet, and complying with all signage, lighting, and landscaping requirements. Under the proposed PD zoning district, the Applicant is requesting a waiver from the Seminole County Land Development Code (SCLDC) for parking stall size. Under SCLDC Sec. 30.11.6 - Design of off-street parking spaces, a minimum of twenty (20) percent of required parking spaces is required to be a minimum stall size of ten (10) feet by twenty (20) feet, allowing up to eighty (80) percent of required spaces to be a minimum stall size of nine (9) feet by eighteen (18) feet. The Applicant proposes all parking spaces to be a minimum stall size of nine (9) feet by eighteen (18) feet. The subject site appears to contain approximately five (5) acres of floodplain on the subject property and approximately 1.5 acres of wetlands on site. A topographical survey showing the floodplain and wetland delineations will be required at the time of the Final Development Plan. The proposed PD zoning designation and the associated Master Development Plan have been evaluated for compatibility with the Land Development Code of Seminole County in accordance with Chapter 30, Part 8. Staff has determined that the request is consistent with the surrounding trend of development in the area and would result in a greater benefit to the County, and is consistent with the SCLDC as follows:

- Based on the existing development around the subject site, it is compatible with the surrounding uses of C-2 in the area. Intensity of the commercial uses within a Planned Development are measured in terms of Floor Area Ratio (F.A.R.) and shall be consistent with the maximum Floor Area Ratio for the development site established in the Comprehensive Plan. This subject site has an existing F.A.R. of 1.5, based on the existing Future Land Use of HIP-TI.
- The proposed development is in character with what is currently established along this segment of the SR 46 Gateway Corridor, which primarily consists of Commercial, Higher Intensity Planned Development - Target Industry Uses, and Office.

The request is consistent with the Land Development Code 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 twenty-five (25) percent open space, proposes sufficient buffering to maintain compatibility between the proposed development and adjacent properties, proposes a maximum building height and building setbacks. Under the Seminole County Future Land Use designations and allowable zoning districts, the Applicant is required to rezone the subject site to PD (Planned Development) to be compatible with the Future Land Use of HIP-TI. Per Policy FLU-4.5.3, small free-standing single or multi-use commercial operations are permitted along major collector and arterial roads on properties with the HIP-TI Future Land Use designation when commercial uses are the predominant existing use along the roadway in both directions from the project site. Staff finds that the existing HIP-TI Future Land Use designation with a maximum F.A.R. of 1.5, and the proposed uses of the C-2 zoning district is consistent and compatible with the surrounding trend of development in the area. Staff requests approval of this request.

Commissioner Carissa Lawhun asked what the applicant's reasoning was for the smaller parking spaces. Ms. Sillaway responded that no justification was provided, rather just a request for the waiver.

Rebecca Wilson, for the applicant, on behalf of the owner and applicant. Ms. Wilson

responded to Commissioner Lawhun's size of the parking space with a portion of the development that will not be undevelopable because of the need for compensating storage, and instead of asking for a reduction in the parking count, they thought they would instead reduce the width of the spaces. This would be a good way for them to provide for the needed parking. She further stated that there are a lot of other jurisdictions that allow that as their standard size for parking. Regarding the PD and the requirement for consistency in the surrounding area; she stated that this piece of property is situated in-between Chick-fil-A and the Wawa, which is on west 46, before I-4. This is a heavily commercial area. They will likely only build one (1) restaurant with drive-through, even though the request mentions two (2), with the secondary use just being something that complies with C-2. They don't think they'll be able to get two restaurants with drive-throughs on the property, but that was the maximum that they included, but the PD is for C-2 uses.

No one from the audience spoke in favor of or in opposition to this request. Public comment was closed.

A motion was made by Commissioner Richard Jerman, seconded by Commissioner Brandy Ioppolo to approve and refer the Sanford Commercial Development PD Rezone to the Board of County Commissioners, with the associated Development Order and to include the parking waiver. **The motion passed unanimously.**

Ayes (6): Chairman Dan Lopez, Commissioner Lourdes Aguirre, Commissioner Carissa Lawhun, Commissioner Richard Jerman, Commissioner Brandy Ioppolo, and Commissioner Tim Smith

Eagle Pass Rezone - Consider a Rezone from A-1 (Agriculture) to C-3 (Heavy Commercial and Very Light Industrial) for a proposed office building and self-storage buildings on approximately 9.40 acres, located on the west side of State Road 426 at Eagle Pass Road; (Z2024-011) (Eagle Pass Properties, LLC - Larry Jordan, Applicant) District1 - Dallari (Annie Sillaway, Senior Planner).

Annie Sillaway, Senior Planner, presented this item as stated in the Staff report. She further stated that the applicant is proposing to develop the subject property with an office and self-storage facility, in compliance with the C-3 zoning district which permits general office, commercial and wholesale distribution, storage, and light manufacturing. The requested rezone is for approximately 9.40 acres, located on the west side of SR 426 at Eagle Pass Road. The buffer requirements will be determined at the time of site plan review. The requested C-3 (Heavy Commercial & Very Light Industrial) zoning classification requires a minimum of twenty-five (25) percent open space. The request is consistent with Chapter 30, Part 43 of the Land Development Code of Seminole County and is compatible with the surrounding trend of development in the area. The zoning to the east and south are C-2 (General Commercial), and to the west is the Alro Metals PD (Planned Development), that allows for office and self-storage use. The subject property has an Industrial Future Land Use designation, which allows a maximum Floor Area Ratio (F.A.R.) of 0.65 and permits the requested C-3 zoning district. The purpose and intent of the existing Industrial Future Land Use is to identify locations for a variety of heavy commercial and industrial land use oriented towards wholesale distribution, storage manufacturing, and other industrial uses. This land use should be located with direct access to rail systems, collector, and arterial roadways, allows infill development where this use is established, and has direct access to SR 426, a

minor arterial roadway that is consistent with the Comprehensive Plan, which consists of Industrial, Commercial, and Office use. In compliance with Seminole County Land Development Code Sec. 30.49 – Community Meeting Procedure, the Applicant conducted a community meeting on October 14, 2024.

Larry Jordan, the applicant, stated that he had nothing further to add to Annie's presentation. He stating that the zoning requested is for the future use as stated, and their business office will be at this location, along with some warehouses if they have to and depending on the use allowed for the property.

Audience participation included the following:

- 1) Ronald Manco, of Oviedo, stated that he has concerns about the drainage improvements and not necessarily the zoning. He's lived at his property for 42 years and never had a drainage issue until Hurricane Ian, when his home flooded. He has studied water drainage a lot in this area and he thinks the only bottleneck left is on the subject property. He just wants to make sure that the drainage will be improved.

There were no additional audience comments. Public comment was closed.

Larry Jordan, in his rebuttal, stated that the culvert was put in by the County many years ago and the culverts are 36" and the requirement for the improvement of the property behind the subject property was the same size piping, according to the County's requirements.

Commissioner Richard Jerman asked if there is a drainage easement underlying the culverts in that flow-way currently and Mr. Jordan responded there won't be any construction where they are. Commissioner Jerman asked again if there is an easement that currently exists and Mr. Jordan responded there is no easement, and that is within the subject property. He further stated that the County asked permission to improve them and installed the culverts when the previous owner was on the property. Commissioner Jerman asked then, when they develop the property, they will protect the flow-way in some fashion; maybe, including putting in an easement for that area and Mr. Jordan responded yes, absolutely.

A motion was made by Commissioner Tim Smith, seconded by Commissioner Richard Jerman to approve and refer the Eagle Pass Rezone to the Board of County Commissioners. **The motion passed unanimously.**

Ayes (6): Chairman Dan Lopez, Commissioner Lourdes Aguirre, Commissioner Carissa Lawhun, Commissioner Richard Jerman, Commissioner Brandy Ioppolo, and Commissioner Tim Smith

Seminole Science School Expansion Small Scale Future Land Use Map Amendment and PD Rezone – Consider a Small Scale Future Land Use Map Amendment from Mixed-Use Development and Low Density Residential to Planned Development and a Rezone from A-1 (Agriculture) and C-2 (General Commercial) to PD (Planned Development) for the development of a Public Charter School on approximately 7.85 acres, located at the northwest corner of North US Hwy 17-92 and North Ronald Reagan Boulevard; (Z2024-013/06.24SS.01); (Yalcin Akin, Ph.D., Manager of Discovery Education Holdings. LLC; Applicant); District4 - Lockhart; (Annie Sillaway, Senior Planner).

Annie Sillaway, Senior Planner, presented this item as stated in the Staff report. She further stated that the applicant is requesting an expansion of the existing Seminole Science Public Charter School lying within the jurisdiction of the City of Lake Mary. There are approximately 0.06 acres of wetlands and 0.04 acres of floodplain onsite. Redevelopment of the site will address stormwater run-off and mitigation of the wetlands. The Applicant proposes to develop a portion of the wet retention pond on the parcel directly adjacent to the east of the subject site, known as Lot 2 of the Victoria Square Subdivision, located within the City of Lake Mary. An interlocal agreement has been drafted between the City of Lake Mary and Seminole County that permits the review and permitting between the County and the City for Lot 2. The interlocal agreement was approved by the City of Lake Mary Commission on September 19, 2024, and has been included in the Board's agenda packet. This Agreement is scheduled to be heard at the Board of County Commissions meeting on January 14, 2025, along with the request to approve the Small Scale Future Land Use and PD Rezone request for this project. The subject property is located in the Seminole County utility service area and will be required to connect to public utilities; however Lot 2 is within the City of Lake Mary Service Area. The City of Lake Mary has granted permission for Seminole County to serve this project, via a letter from the City of Lake Mary, since Seminole County has connection to utilities in the immediate vicinity. The applicant provided a traffic study, and no additional turning lanes are required for the proposed development. A cross access easement between the subject site and the existing school to the north will be established at the time of Site Plan review. Landscape buffers are proposed around the entire property boundary. Review Criteria for the Planned Development, as per the Seminole County Land Development Code (SCLDC) Sec. 30.8.5.3, which states that when approving a Planned Development, the Board of County Commissioners shall affirm that the proposed development is consistent with the Comprehensive Plan and Greater Benefits and Innovation Criteria. In addition, PD zoning may be approved only when the Board determines that the proposed development cannot be reasonably implemented through existing provisions of this Code, and that a PD would result in a greater benefit to the County than development under conventional zoning district regulations. Such greater benefits must include two or more of the following:

- Crime Prevention – The design of the proposed school building allowing pedestrian and roadway access around the entire building for parents and students to drive around the site. This would allow more eyes around the school to allow for visibility of public spaces to reduce and prevent crime.
- Neighborhood/community amenities – The applicant is providing an extension to the existing school, which provides a community amenity.

The proposed project supports the objectives of the Planned Development (PD) Zoning designation. The Master Development Plan provides:

- Permitted uses are limited to a school and related accessory use.
- Provides sufficient buffering to maintain compatibility between the existing development and the adjacent properties.
- Provides defined hours of operation to protect the surrounding areas from noise that may come from student pick up and drop off, and the operation of the recreational field.
- Architectural renderings have been provided and the building will be developed based on the renderings provided to show the design and placement of the building of the

- proposed Charter School site.
- Provides the required twenty-five (25) percent open space.

The applicant conducted a community meeting on October 1, 2024. Staff finds the proposed Planned Development Future Land Use designation and Planned Development zoning classification to be consistent with the Comprehensive Plan. Staff requests the Board of County Commissioners adopt the proposed Small Scale Future Land Use Map Amendment and concurrent Rezone as per the following:

- 1.) Based on Staff's findings and the testimony and evidence received at the hearing, the Board finds the request does meet the identified portions of the Comprehensive Plan and moved to adopt the requested Small Scale Future Land Use Map Amendment from Higher Intensity Planned Development – Target Industry to Planned Development; and
- 2.) Based on Staff's findings and the testimony and evidence received at the hearing, the Board finds the request does meet the identified portions of the Seminole County Land Development Code and moves to adopt the requested Rezone from A-1 (Agriculture) and C-2 (General Commercial) to PD (Planned Development), and associated Development Order and Master Development Plan.

Brent Spain, of Theriaque & Spain in Orlando, for the applicant, stated that they are in support of Staff's recommendations, provided a brief presentation, while showing a PowerPoint presentation on their proposed development. They recommend approval of their request.

Public Comment included the following:

Opposed to this request included the following:

1. Del Figueriras, of Lake Mary, stated that he is opposed to this development with concerns regarding increased traffic, noise, service deliveries, maintenance, flooding, parking overflow, visual impacts from a new lighted multi-story structure behind their house, and how this project will negatively affect their property values. He also asked for reassurance that Pugh Street will not be an entry or exit point to the site, and asked if the wetlands and pumping station will be taken away from their HOA with the County taking that over.
2. John McClelland, of Lake Mary, stated that he is opposed to this development with concerns regarding school size, flooding, lighting, traffic, and if Staff considers future projects such as the County building and the old Flea World development to be developed nearby.
3. Richard Goodwin, of Lake Mary, stated that he has serious concerns with flooding and their lift station for Lake Mary Woods. He also concerns with traffic and parking back-up, and access from Pugh Street.
4. Scott Leitner, of Lake Mary, stated that this project impacts him the most as his house is directly adjacent to the north of the proposed project. The project is too dense for this land, there are protected wetlands on both sides of Pugh Street and the water flows onto the property. He hears the kids at the school now since they work from home. The addition will be four times closer to their home with double the number of students. This is too close to a residential neighborhood. A 10 foot buffer will not stop the noise. They

asked for concessions and will they erect a block wall, will it be 10 feet high, and what is the landscaping for noise reduction.

5. Mark Kaminski, of Lake Mary, stated his concerns mimic what the other speakers have said. He has concerns with additional traffic and flooding, since it already floods during storm events. They want assurance that Pugh Street will never be open for safety reasons.
6. Shawn Larkin, of Lake Mary, stated his concerns are if Weldon gets backed up, they will try to find another way to the school, with just plants as landscaping the students can just walk through that area. On the corner of Pugh Street and Lake Road has a main bus stop, and with additional vehicles coming to this school poses a hazard. There needs to be a concession for a wall that blocks off access from student drop-offs. He wants a promise that the stormwater will be held on site and not spill onto their neighborhood. The school use to be a movie theatre, now it's a school and the proposal is to double it.
7. Brenda Whitwam, of Lake Mary, stated her concerns as a homeowner behind the school and they're currently dealing with the noise from the P.A. systems and conversations. If this is a high school the noise increases, and they already hear the sound from the Boombah sports complex on SR 419. Lighting will invade their back yards. They also have traffic concerns with pick-up and drop-offs spilling onto the roadway. They already have issues with traffic accidents on Silkwood and Ronald Reagan. They hold their own drainage for their development, not the City of Lake Mary. With the new school, the storm water runoff will fill their drain pond.
8. Nancy Allen, of Lake Mary, stated her concerns and echoed what everyone else has said. They have a flooding problem already.
9. Neil Whitwam, of Lake Mary, stated he is on the HOA of Woodfield Estates on the other side of the project. They have drainage, noise, and traffic concerns along with safety concerns the traffic impacts create. He thinks turn lanes will be needed for safety. They enjoy their quiet life, but they would appreciate the Board's insight and wisdom in this project.
10. Chris Rich, of Lake Mary, stated that he shared everyone's concerns already made tonight. He added that the existing wildlife will be impacted with this new development, which will drive them into the neighborhood's and wetland.

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

Brent Spain, in his rebuttal, provided the following comments:

- A traffic impact analysis was done and there was nothing abnormal with how this analysis was conducted.
- Lighting on the building – there is a condition in the Development Order (DO) that the PD has to comply with the County's lighting requirements and standards.
- They have limited hours of operation and won't be open until 10:00 or 11:00 PM.
- Environmental studies mentioned in the Staff report, will be done at the Site Plan phase of the development as required by State law.
- They are not adjacent to Pugh Street and they do not propose any connection to that street. The applicants have no objections to adding a condition to the DO, that says there will be no connection to Pugh Street.

- Parking requirements - a parking analysis they did addresses the County's requirement, which is about 95 spaces; and they also meet the requirements of the State addressing educational facilities. They meet all of these requirements.
- There is one isolated wetland on the site, which is less than ¼ of an acre. St. Johns River Water Management District (SJRWMD) walked the site last week. They confirmed their wetland delineation and are okay with the impacts to this wetland. It is not a connected wetland to the wetlands some of the neighbors have mentioned.
- Charter schools are not subject to the school sizing requirements that perhaps Seminole County Public Schools follow.
- There are currently no plans for lighting on the field. Any changes in the future to the PD requires them to comply with the County's lighting requirements.
- This project is not using the neighborhood's lift station, as they have their own.
- They have their own on-site storm water retention, which actually improves the situation over what it is now.
- They have 52% open space on this project site, which is in excess of the 25% requirement.
- The school has a drop-off and pick-up policy that students are required to comply with by proceeding through the designated queuing area. You cannot just walk into the school in any other manner.
- There is no press box or PA system at the sports field.
- They are not allowed to have light spillage from their property onto the surrounding neighborhood, so that will not occur.
- Their traffic consultant was required by the County to do a turn-lane analysis in the study, and that given the increased trips, the number anticipated for this project does not warrant the addition of a right turn lane. If that condition changes in the future, then it can be re-evaluated.
- The applicant requests the Board to follow Staff's detailed findings and recommendations to approve their project as presented.

Commissioner Richard Jerman stated that the north buffer is weak against the residential area and from the west corner to halfway to the east boundary, it calls for a 10 foot landscape buffer. He suggested to the applicant if they could do a little more with that buffer to the north, for the residential community. Mr. Spain responded that is what they tried to do and they had their consultants do an enhanced landscape planting along that area. Pictures and graphics were shown on the overhead regarding their enhanced landscape buffering. So they are trying to enhance the landscape buffer over and above what the Code requires; however, they don't have an issue with enhancing that further. Commissioner Jerman asked if they would consider putting in a PVC fence, and the applicant responded that they are agreeable to that. However, they don't want to tear out the existing trees and landscaping that is there now, but will put in the fence if that is preferable to the Board and the County also agrees with it.

Commissioner Tim Smith asked if there is any additional fencing on the site and the Applicant responded there is and showed it on the overhead.

Commissioner Carissa Lawhun stated that she likes adding the condition to the Development Order about "no connection ever to Pugh Street", in order to make the neighbors more comfortable. They should never have to worry about that and the applicant is agreeable to it,

so she thinks it should be added now. The applicant stated that they are agreeable to adding that condition to the Development Order as stated.

Board discussion ensued.

Annie Sillaway, of Staff, stated that a correction to the Staff report is that the future land use is not Higher Intensity Planned Development Target Industry, but rather a future land use change from Mixed Use and Low Density Residential to PD (Planned Development).

A motion was made by Commissioner Lourdes Aguirre, seconded by Commissioner Brandy Ioppolo to approve and refer the Seminole Science Small Scale Future Land Use Map Amendment and PD Rezone to the Board of County Commissioners, *with the condition to add no connection ever to Pugh Street and the additional PVC fencing along the north side to the Development Order.* **The motion carried unanimously.**

Ayes (6): Chairman Dan Lopez, Commissioner Lourdes Aguirre, Commissioner Carissa Lawhun, Commissioner Richard Jerman, Commissioner Brandy Ioppolo, and Commissioner Tim Smith

SR 46/Lake Forest (AKA Terracina) PD - Consider a Small Scale Future Land Use Map Amendment from Higher Intensity Planned Development-Target Industry and Planned Development to Planned Development, and a Rezone from PD (Planned Development) to PD (Planned Development) for a proposed self-storage facility on approximately 3.53 acres, located on the north side of W SR 46 between Bernini Way and Lake Forest Blvd (Z2022-16, 06.22SS.04) (Robert Hattaway, Applicant) District5 - Herr (Annie Sillaway, Senior Planner).

Annie Sillaway, Senior Planner, presented this item as stated in the Staff report. She further stated that the proposed development is for a self-storage facility and an area for outdoor storage of vehicles. The development also proposes C-1 (Retail Commercial) uses, excluding convenience stores and self-service laundromats. The Applicant is proposing a Floor Area Ratio (F.A.R.) of 0.66, and a maximum building height of thirty-five (35) feet. The proposed hours of operation of the storage facility are 7:00 am to 10:00 pm seven (7) days a week. The concept plan illustrates five (5) buildings that total approximately 39,360 square feet, and eighteen (18) parking spaces internal to the site designated for the outdoor storage of vehicles. The applicant has stated that the outdoor storage of vehicles is proposed for an unspecified period of time with the intent to eventually remove those parking spaces to construct two (2) additional storage buildings for a total of seven (7) self-storage buildings. The applicant is providing a wall around the north, west and eastern portions of the site and south facing SR 46 will have fencing, which is only shown in the architectural renderings. The property subject to this Future Land Use Amendment and Rezone is comprised of two (2) parcels:

- Lot C4, referred to as Parcel A, which has a HIP-TI Future Land Use with PD Zoning known as the SR46/Forest PD,
- Acreage Parcel 2P, referred to as Parcel B, has a Planned Development Future Land Use with PD Zoning known as the SR 46/Lake Forest Townhomes (AKA Terracina) PD.

On October 25, 2005, the Board of County Commissioners approved the SR 46/Lake Forest PD on forty-two (42) acres, with entitlements for townhomes at a density of ten (10) dwelling

units per net buildable acre for a maximum of 286 units. Also, six (6) commercial lots permitting those uses under the C-1 (Retail Commercial) zoning district, excluding convenience stores and self-service laundromats, with Parcel A included in this PD. The original rezone request proposed townhomes and commercial outparcels permitting C-2 (Retail Commercial) uses. However, during the October 25, 2005, public hearing, the surrounding community members, including the Lake Forest Homeowners Association, expressed concerns about stormwater, flooding, the high density of the townhomes, and the intensity of uses under the C-2 zoning classification. During the public hearing discussion, the applicant agreed to change the permitted uses on the commercial lots from C-2 to C-1 (Retail Commercial), which was then approved by the Board. The Seminole County Land Development Code (SCLDC) classifies self-storage as an Industrial use which is not permitted under the existing SR 46/Lake Forest Planned Development. The Applicant is proposing the following buffers:

- Thirty-five (35) feet, along the west adjacent to the Lake Forest entrance.
- Twenty-five (25) feet, south facing SR 46.
- No buffer being provided along the east facing Bernini Way.
- Twenty-five (25) feet, along the north facing via Ponita Run.

The requested PD zoning designation and the associated Master Development Plan have been evaluated for compatibility with the Seminole County Land Development Code (SCLDC) in accordance with Chapter 30, Part 8 and the surrounding area. In approving the PD the Board must find that the request is consistent with the Comprehensive Plan and has General Level of Development Quality. The applicant provided an architectural rendering illustrating a wall to be located on three (3) sides of the development which would prohibit pedestrian accessibility from the adjacent townhome community and eliminate the opportunity for a variety of commercial goods and services that may be provided under the C-1 zoning district. Staff has determined that the request is inconsistent with the surrounding trend of development in the area, and would not result in a greater benefit to the County than the current zoning, and is not consistent with the Seminole County Land Development Code as follows:

- Based on the proposed use of self-storage, it is not compatible with the surrounding uses in the area.
- Intensity of commercial or industrial uses within a Planned Development are measured in terms of Floor Area Ratio (F.A.R.) and shall be consistent with the maximum F.A.R. for the development site established in the Comprehensive Plan.
- This project has a proposed F.A.R. of 0.66, which exceeds the Commercial maximum F.A.R. of 0.35.
- This level of intensity almost doubles the maximum F.A.R. for commercial uses and is not compatible with the abutting single family residential use (Lake Forest Community).

Under FLU Policy 2.9 in the Comprehensive Plan, the Determination of Compatibility in the Planned Development, the land use designation provides for a variety of densities and/or intensities arranged within a development site to facilitate flexible and creative site design. These considerations shall be paramount in any given project utilizing the Planned Development land use designation and an increase in density/intensity alone shall not justify an alternative to conventional future land use designation, such as Low Density Residential

or Medium Density Residential. The proposed development is not in character with what is currently established along this segment of the SR 46 Gateway Corridor, which primarily consists of Commercial, Higher Intensity Planned Development - Target Industry uses, Office, Low Density Residential, and Suburban Estates.

The Applicant has not provided evidence on how the project will result in a greater benefit to the County as required in PD zoning. The architectural renderings provided by the Applicant are not compatible with the area. The renderings show a wall surrounding the site, which is not consistent with the design layout of the retail site to the east of the subject property. Staff finds that the requested Planned Development Future Land Use designation with a maximum F.A.R. of 0.66, and the proposed use equivalent to Industrial, is incompatible with the surrounding trend of development in the area and therefore, inconsistent with Seminole County Comprehensive Plan. The applicant held their first community meeting on June 14, 2022, and held another community meeting that was scheduled for October 10, 2024, but was rescheduled for October 22, 2024, due to Hurricane Milton.

Staff requests the Board of County Commissioners deny the proposed Small Scale Future Land Use Map Amendment and concurrent Rezone as per the following:

- Based on Staff's findings and the testimony and evidence received at the hearing, the Board finds the request does not meet the identified portions of the Comprehensive Plan and moves to deny the requested Small Scale Future Land Use Map Amendment; and
- Based on Staff's findings and the testimony and evidence received at the hearing, the Board finds the request does not meet the identified portions of the Seminole County Land Development Code and moves to deny the requested Rezone, and associated Development Order and Master Development Plan.

However, if the Land Use Amendment and Rezone are ultimately approved by the Board, Staff recommends the following conditions for the Board to consider adding to the approval and incorporating into the Development Order:

- The Applicant shall redesign the site to include a minimum of 6,000 square feet of bottom floor C-1 (Retail Commercial) uses per building.
- The retail and office component of the self-storage facility may be included in the minimum required square footage calculation for the C-1 uses. Alternatively, the bottom floor of two main self-storage buildings must be designed to appear as bottom floor retail in architecture; for example, faux retail facades.
- Outdoor storage of any kind including boats and RVs is prohibited.
- The single-story outside entry self-storage buildings shall be fully screened from off-premises view by utilizing site design and buffer components that provide 100% opacity.
- Buffer components may include a solid wall or a decorative open fence with landscaping to screen the buildings from view from W SR 46, the Lake Forest Community, and the Terracina Townhomes.

- Enhanced Architectural renderings for the proposed development must be included as part of the Development Order with the following conditions: the building façade must consist of earth tones; the windows have a reflective tint so that storage units are not visible from offsite; and the roof of the self-storage buildings be of a tile design consistent with the development adjacent on the east, and the Terracina Townhomes adjacent to the north.

Commissioner Richard Jerman asked what would normally be allowed on this site and asked if it is general retail with a 0.35 F.A.R., and Ms. Sillaway responded yes that is correct. Commissioner Jerman stated then, the applicant is requesting 0.66 F.A.R.

Chad Moorhead, of Madden, Moorhead & Stokes, in Maitland, stated that he is the applicant for the project and also, a resident of the Lake Forest community. Mr. Moorhead made his presentation to the Board. He stated that the new storage is not the old, orange roll-up doors style with metal buildings. Staff had issues with storage use, architecture, and Floor Area Ratio, along with several things, that is not per the Land Development Code. They held a community meeting, and they had issues with the height of the proposed facility. After the community meeting, they redesigned some things and lowered the building from a three-story and a roughly 130,000 square foot building down to two, two-story buildings. Pictures and graphics were shown by the applicant on the overhead screen. They needed to do some outside storage with RV and boats, but no construction equipment. Mr. Madden continued with stating that they proposed a Development Order in the Board's packet of information, which they prepared and are proposing to allow outside RV and storage. They learned they could put a limitation of ten years on the outside storage. The landscaping plan they are proposing doesn't have any on the west, because the original PD and the plat, there's a 35 foot undisturbed buffer. On the south, they propose a berm with hedges and trees. On the north, they are proposing trees to block the second story windows of the Terracina units that look down towards the storage. Their architect prepared renderings of the entry to Lake Forest and other views of the proposed development which were shown on the overhead. They're proposing a 50 foot buffer on the south side, not 25 feet, and which is in their proposed Development Order. If the C-1 uses are done, then it will be a 25 foot landscape buffer. Phase two pictures and renderings were shown. They feel this development fits within the community, even though they know it's different. The area has changed a lot in 20 years. They request the Board approve the applicant's Development Order and not the conditions that Staff requested. They are willing to add the 10 year stipulation as a condition to the Development Order for the temporary outdoor RV and boat storage.

Commissioner Tim Smith asked if eliminating outdoor storage of any kind would be a deal-breaker and Mr. Moorhead responded yes, it is. He further stated that he would like the board to move this item along to the Board of County Commissioners, one way or the other.

Commissioner Richard Jerman stated that he is very opposed to the outdoor storage at this location. He doesn't like this at the entry of a nice community. He feels it becomes a Code Enforcement issue and a problem. He asked the applicant if they were trying to bait-and-switch the Board, since the renderings shown look to be very dense landscaping with 10 year old trees at least. He asked Mr. Moorhead if those are existing trees and Mr. Moorhead responded they are not. Commissioner Jerman stated that he doesn't like that and it is not a

proper representation as to what people are really going to see. Additional discussion ensued regarding the trees and landscaping. Commissioner Jerman added that he thinks the applicant is being overly aggressive with their F.A.R.to almost doubled. Mr. Moorhead asked doubled over what 3.5? He further stated that there is a lot of parking in that and part of what he thinks is an issue with our County right now and the Floor Area Ratios need to go up some, because they can't spread out anymore.

Public Comment included the following:

1. Kristen Del Rosario, of Sanford, stated she was opposed to RV's, boats, animals, no smells from outside storage. She was in favor of the storage unit when it was going to be three stories with a drive-in facility, but no outside storage.
2. Harry Price, of Sanford, stated that they don't want three quick service restaurants in front of their neighborhood. He thinks self-storage could be a good alternative to three quick service restaurants. He would like to see the applicant work with Staff with no outside storage.
3. Fred Patton, of Sanford, stated that he agreed with Mr. Price's comments, and if self-storage was well-designed then self-storage could work. If outside storage was there it would have to be invisible to their neighborhood.
4. Karen Capone, of Sanford, provided written comments only which included this proposed development is not compatible with their area, flooding issues, trees would be removed, and no Special Exceptions should be allowed.
5. Stephanie Northcutt, of Sanford, stated that she doesn't want to see any RV's or boat and outside storage is a hard no. There is the possibility for retail or office, which she's okay with that.
6. George Sellery, of Sanford, stated that 732 homes disagree with this proposal. The pictures shown aren't real. The PD is C-1 since 2005, and Bob Hattaway voluntarily went from C-2 to C-1 zoning. Nobody's going to put fast food at this location and it wouldn't be more than two, not three. He mentioned that the Board was instrumental with re-doing the Land Development Code and it finally finished in 2024. The Board took out public storage and it is only allowed in C-3, Industrial.
7. Grey Wilson, of Sanford, stated that this storage unit proposal is a violation of the original agreement and a trust breach.
8. James Vandegrift, of Sanford, stated that his main concern is with the kids in the area and the bus stop. Drainage and wetlands are also his concern, as well as reduced green space and home values going down.
9. Francis Caruso, of Sanford, stated that he agrees with what everyone has said. He stated that this proposal is not right for this location and would devalue their property.
10. Cecilia Matta, of Sanford, provided written comments in opposition to this request regarding devaluing their homes.

Mr. Moorhead, in his rebuttal, spoke about the outside storage would go away at phase two development and they're willing to go with a 10 year limit on the outside storage and that is where they stand on it.

Neysa Borkert, Deputy County Attorney, asked the applicant if they're willing to agree to a condition to limit the outside storage to 10 years and the applicant responded yes. Ms. Borkert asked if the outside storage would then cease and regardless of whether or not they built another building and Mr. Moorhead responded yes.

Commissioner Lourdes Aguirre commented that it is important to honor what was there already and what was established as part of the vision of the County. She sides with Staff on this issue.

A motion was made by Commissioner Carissa Lawhun, seconded by Commissioner Lourdes Aguirre to deny and refer the SR 46/Lake Forest (Terracina) PD Small Scale Future Land Use Amendment and Rezone to the Board of County Commissioners; as the Board finds the request does not meet the identified portions of the Comprehensive Plan and does not meet the identified portions of the Seminole County Land Development Code. **The motion carried unanimously.**

Ayes (6): Chairman Dan Lopez, Commissioner Lourdes Aguirre, Commissioner Carissa Lawhun, Commissioner Richard Jerman, Commissioner Brandy Ioppolo, and Commissioner Tim Smith

CLOSING BUSINESS

Rebecca Hammock, Growth Management Director, stated that the Clerk provided a proposed list of 2025 P&Z meeting dates and requires approval by the Board.

A motion was made by Commissioner Richard Jerman, seconded by Commissioner Lourdes Aguirre to approve the 2025 Planning & Zoning Commission meeting schedule as presented. **The motion carried unanimously.**

Ms. Hammock stated that the P&Z Board's term list was also provided as requested by the Board.

Rural Enclaves Briefing and Presentation – Staff and Eliza Juliano Harris from Kimley-Horn Consultants gave a brief presentation on the Rural Enclaves for Lazy Acres.

ADJOURNMENT

Having no further business, the meeting adjourned at 8:52 P.M.