

**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

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