

**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

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