

**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

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 were 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