

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

**WEDNESDAY, JANUARY 10, 2024
6:00 PM**

MINUTES

CALL TO ORDER AND ROLL CALL

Present (5): Chairman Carissa Lawhun, Vice Chairman Dan Lopez, Commissioner Lourdes Aguirre, Commissioner Richard Jerman, and Commissioner Mike Lorenz

ACCEPT PROOF OF PUBLICATION

A motion was made by Commissioner Richard Jerman, seconded by Vice Chairman Dan Lopez to approve the Proof of Publication. The motion passed unanimously.

Ayes (5): Chairman Carissa Lawhun, Vice Chairman Dan Lopez, Commissioner Lourdes Aguirre, Commissioner Richard Jerman, and Commissioner Mike Lorenz

APPROVAL OF MINUTES

A motion was made by Commissioner Richard Jerman, (no seconder was heard), all Board members voted Aye to approve the December 6, 2023 Minutes with changes cited by Vice Chairman Dan Lopez. The changes were to: 1) add Commissioner Stephen Smith as a voting member with each project and in attendance, and 2) to change the 2024 Meeting Schedule for the January meeting from 1/20/2024 to 1/10/2024. The motion passed unanimously.

Ayes (5): Chairman Carissa Lawhun, Vice Chairman Dan Lopez, Commissioner Lourdes Aguirre, Commissioner Richard Jerman, and Commissioner Mike Lorenz

PUBLIC HEARING ITEM

Trinity Prep Special Exception – Consider a Special Exception for an additional educational building at an existing private school in the A-1 zoning district on 90.19 acres, located on the south side of Aloma Avenue at Trinity Prep Lane; BS2023-03 (Richard Baldocchi, Applicant) District1 - Dallari (**Hilary Padin, Project Manager**).

Hilary Padin, Planner, presented this item as stated in the Staff report. She further stated that the applicant is requesting to construct a 30,000 square foot science building at the private school established in 1968. The additional education building will be two (2) stories tall and thirty-five (35) feet in height and will serve the existing student population of 888 students. The Development Order in the Board's agenda packet will be modified to add a Condition of Approval, which is to cap the student population at the existing 888 students. The school property and the proposed structure straddles the Seminole and Orange County lines, with 34.87 acres of the 90.19 acres of the property within Seminole County and 55.32 acres lies within Orange County. Of the proposed 30,000 square foot structure, 22,140 square feet is within Seminole County and the remaining 7,860 square feet lies within Orange County. An interlocal agreement has been granted to allow Seminole County to process the permitting of the entire structure. This structure will be constructed in an existing parking lot, which will remove 56 parking spaces. Although it states in the Staff report that the parking spaces will not be replaced, Orange County is now requiring the applicant, under their Special Exception, to replace 35 of the parking spaces. The parking spaces will be located on the Seminole County side of the campus. The school still exceeds the parking requirement of one (1) spot per four (4) seats in the auditorium. The auditorium has 800 seats; therefore they are required to have 200 parking spaces. The school will have a total of 317 parking spaces after the addition of the 35 spaces, as required by the Land Development Code. In compliance with the Seminole County Land Development Code's community meeting procedures, the applicant conducted a community meeting on July 13, 2023. Staff recommends approval of this request, as presented.

Rick Baldocchi, for the applicant, stated he is with Avcon, a green engineering firm representing Trinity Preparatory School. He provided a presentation shown on the overhead screens and stated the following:

- This project has been very challenging to get approved because the building straddles two counties.
- The only physical access is through Seminole County. Orange County treated this project as their project too.
- This requires them to have two (2) Special Exception projects move through the process. Orange County has approved their request for the Special Exception.
- They also have a joint agreement in process, which will allow Seminole County to review the building construction plans.
- They are requesting a 30,000 square foot building be constructed, with no additional student enrollment, since it's just existing science classes being replaced.
- The proposed site is interior to the property, which will not impact many of the residents. They held a community meeting with input from the surrounding residents.
- They are demolishing two (2) buildings in Orange County, which are the old science buildings, therefore the total net square footage increase is very small.
- They are over-parked by Seminole County's Code, but not by Orange County's Code.
- The parking lot and storm water pond was permitted, which serves that parking lot.
- They will be reducing the amount of impervious in that area, and the storm water will flow to the same pond.
- Neighbors on the other side of the lake have requested additional buffering, so they are adding trees along the outside of the road to accommodate those residents.

- They were not aware of the newly added condition to cap school enrollment until mid-day today.
- He has been in contact with the Headmaster, and they are not in a position to accept that condition tonight since they just found out about it a few hours ago.
- They understand that if any significant expansion of the school requires a new building, then they would have to come back for a Special Exception, but that number of enrollment is a fluctuating number and it has been higher.
- To cap enrollment today, could prevent a younger brother from coming into the school for example, and is very restrictive.
- They've been going through this process for six months and to learn about it today is difficult. They are in agreement with everything, except the cap condition.
- They are requesting this project be approved without that condition.
- If the Board wants to condition this request for future buildings to come back, they fully understand that, however, to put a hard cap of the existing enrollment now, is not something they're willing to accept tonight.

Commissioner Richard Jerman asked who imposed that condition, Seminole or Orange County and Mr. Baldocchi responded that it is in this Board's packet as a condition for approval tonight.

Ms. Padin, of Staff, responded that it was not included in the agenda packet, as it was just added to the agenda and it would be included in the Development Order. Commissioner Jerman asked where this came from. Ms. Padin responded stated that when they do Special Exceptions for schools, they cap the student population as part of the approval process. Since this school has been in existence since 1968, they never had a Special Exception that capped the student enrollment. Staff decided to go ahead and place the cap now going forward at 888, which is the current student enrollment.

Commissioner Jerman stated that this is one of the top schools in the area and he couldn't believe this is even being considered.

Public comment in opposition to the request included the following:

- 1) Stephen Lynch, of Winter Park, stated that the map he received is not the same one that the applicant just presented. He stated that there are woods and wetlands on the property. He talked about existing flooding concerns in the area. If the wetlands are not going to be disturbed, then he is okay with the request.

Ms. Padin of staff stated that the mapping system they use is not exact with placement of the site.

- 2) Ken Landy, of Winter Park, stated that his concerns are about the map they received with the building in their backyard. He thought they were going to build the building behind him. He stated his concerns with storm water runoff and if this land is rezoned does it mean they can build whenever they want to, since the land use was re-purposed. With 35 more parking spaces, he asked where (on the map provided) would they be located. Ms. Padin confirmed that the 35 spaces being added is currently a grassy area, but used currently as parking.

Kathy Hammel, Principal Planner, stated that any improvements done on site will require the property owner to go through the public hearing process. Any proposed additional buildings would require the same process as this process.

- 3) Tim Conyers, of Winter Park, stated that to put a cap on the school population doesn't seem reasonable at all and it should be changed without the cap.

Mr. Baldocchi, in his rebuttal, stated that the northwest corner is currently encumbered by a conservation easement. Not only would someone need to come back to this Board, but requires an application to the State to remove a conservation easement, which is very difficult to do. They are not changing the zoning tonight. The school is allowed to be in this residential zoning as a Special Exception, so they thought they were just amending the Special Exception, but no one could find one. Therefore, this request is becoming the Special Exception to allow the school to be in the same zoning that they've always been in, which is residential.

Commissioner Jerman stated that this school has operated since 1968, and now staff decides to put a cap on enrollment using their current enrollment, which might not be what it normally is for the school. He thinks it is an outrageous request.

A motion was made by Commissioner Richard Jerman, seconded by Commissioner Lourdes Aguirre to approve and refer the Trinity Prep Special Exception to the Board of County Commissioners, ***WITHOUT*** the condition to cap enrollment. The motion passed unanimously.

Ayes (5): Chairman Carissa Lawhun, Vice Chairman Dan Lopez, Commissioner Lourdes Aguirre, Commissioner Richard Jerman, and Commissioner Mike Lorenz

CLOSING BUSINESS

Interim Planning Manager's Report – Kathy Hammel announced that the Board of County Commissioners approved the Land Development Code changes and we have a new Planning Manager, Dale Hall, who will start next week. This board will meet him at the February P&Z meeting.

Commissioner Richard Jerman – recognized Mr. Stephen Smith, for his service on the P&Z Board the past few years. He further stated that he was a great member of the Planning & Zoning Board these past few years and he will be missed.

Chairman Carissa Lawhun – stated that another new board member will be joining the Planning & Zoning Commission next month too. She asked the Board if they wanted to hold the elections tonight or wait until next month. Commissioner Jerman responded that he doesn't see any reason to wait for a new member who doesn't know anybody, and this board already has a Vice Chair to take his turn to move up in the Chair's seat.

A motion was made by Commissioner Richard Jerman, seconded by Commissioner Mike Lorenz to nominate Dan Lopez as Chairman for this year. No other nominations were received. The motion passed unanimously.

Ayes (5): Chairman Carissa Lawhun, Vice Chairman Dan Lopez, Commissioner Lourdes Aguirre, Commissioner Richard Jerman, and Commissioner Mike Lorenz

A motion was made by Commissioner Richard Jerman, seconded by Commissioner Carissa Lawhun to nominate Commissioner Mike Lorenz as Vice Chairman for this year. No other nominations were received. The motion passed unanimously.

Ayes (5): Chairman Carissa Lawhun, Vice Chairman Dan Lopez, Commissioner Lourdes Aguirre, Commissioner Richard Jerman, and Commissioner Mike Lorenz

Newly elected Chairman Dan Lopez stated as his first duty as Chairman, he will turn the gavel over to Commissioner Lawhun to finish this meeting.

ADJOURNMENT

Having no further business, the meeting adjourned at 6:27 PM.