

SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM

SUBJECT: Arletta Street Rezone from A-1 (Agriculture) to C-3
(General Commercial and Wholesale) (Hugh Harling, Applicant)

DEPARTMENT: Planning & Development DIVISION: Planning

AUTHORIZED BY: Dan Matthys CONTACT: Jeff Hopper EXT 7431

Agenda Date 04/12/05 Regular Work Session Briefing
Public Hearing - 1:30 Public Hearing - 7:00

MOTION/RECOMMENDATION:

- 1. Enact an ordinance to APPROVE the requested rezone from A-1 (Agriculture) to C-3 (General Commercial and Wholesale District) for a 5-acre site located on the north side of Arletta Street, 0.3 miles east of SR 434, per the attached staff report (Hugh Harling, applicant); or
- 2. DENY the requested rezone from A-1 (Agriculture) to C-3 (General Commercial and Wholesale District) for a 5-acre site located on the north side of Arletta Street, 0.3 miles east of SR 434 (Hugh Harling, applicant); or
- 3. CONTINUE the item to a time and date certain.

District 3 – Van Der Weide Jeff Hopper-Senior Planner

BACKGROUND:

The applicant is requesting C-3 zoning on property designated Industrial on the future land use map. The site consists of an existing greenhouse facility. The applicant is proposing to remove the existing greenhouse and combine the subject property with the existing commercial use (outdoor storage lot for RV's and similar vehicles) to the north. Issues such as access, drainage, buffering and outdoor lighting will be addressed through site plan review subsequent to the rezoning.

PLANNING & ZONING COMMISSION RECOMMENDATION:

On March 2, 2005 the Planning & Zoning Commission voted 7-0 to recommend APPROVAL of the request.

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the request.

Reviewed by: KR
Co Atty: _____
DFS: _____
OTHER: _____
DCM: _____
CM: JH
File No. ph130pdp01

ATTACHED:

Staff Report
Ordinance
March 2, 2005 P & Z Minutes
FLU / Zoning Maps
Aerial Photo & General Location Map

ARLETTA STREET REZONE

REQUEST INFORMATION	
APPLICANT	Hugh Harling
PROPERTY OWNER	Robert Hattaway
REQUEST	A-1 (Agriculture) to C-3 (General Commercial & Wholesale)
HEARING DATE (S)	P&Z: March 2, 2005 BCC: April 12, 2005
PARCEL NUMBER	22-21-29-300-0230-0000
LOCATION	North side of Arletta Street, 0.3 mile east of SR 434
FUTURE LAND USE	Industrial
FILE NUMBER	Z2005-007
COMMISSION DISTRICT	3 – Van Der Weide

OVERVIEW

The applicant is requesting C-3 zoning on property located on approximately 5 acres in the Industrial future land use designation of the Vision 2020 Plan. The site consists of an existing greenhouse facility. The applicant is proposing to remove the existing greenhouse and combine the subject property with the existing commercial use (outdoor storage lot for RV's and similar vehicles) to the north.

Outdoor storage is a permitted use in the C-3 zoning district. The applicant is proposing to stabilize the surface of the property so it is suitable for the parking of large vehicles. Site design issues, such as access to public streets, stormwater management, landscaping, and lighting will be addressed through the required site plan review process. This evaluation would be conducted by the Development Review Division after approval of the requested rezone.

Existing Land Uses:

(North)

	MIXED USE (City) Shopping Center <i>Mixed Use District</i>	INDUSTRIAL Vehicle Storage <i>C-3</i>	INDUSTRIAL Vehicle Storage <i>C-3</i>	
(West)	MIXED USE (City) Shopping Center <i>Mixed Use District</i>	INDUSTRIAL (SUBJECT PROPERTY) Greenhouse facility <i>A-1</i>	INDUSTRIAL SF residential <i>A-1</i>	(East)
	INDUSTRIAL Church <i>A-1</i>	MIXED USE (City) Vacant <i>Mixed Use District</i>	MIXED USE (City) Vacant <i>Mixed Use District</i>	

(South)

***Bold** text depicts future land use designation, plain text depicts the existing use, and *italicized* text depicts zoning district. See enclosed future land use and zoning map for more details.

SITE ANALYSIS

Facilities and Services:

1. Adequate facilities and services must be available concurrent with the impacts of development. If required by the concurrency review, additional facilities and services will be identified. The applicant has deferred concurrency testing.
2. The proposed rezone is consistent with the adopted future land use designation assigned to the property, and does not alter the options or long range strategies for facility improvements or capacity additions included in the Support Documentation to the Vision 2020 Plan.
3. The site is not in a designated water or sewer service area of Seminole County or any other provider. However, the site is adjacent to the established service areas of Utilities Inc. and the City of Altamonte Springs. Prior to approval of any development requiring such service, the applicant must obtain documentation from one of these providers indicating the availability of service.
4. Information on stormwater capacity and outfall must be provided prior to site plan approval.

Compliance with Environmental Regulations: At this time there are no concerns regarding compliance with environmental regulations.

Compatibility with Surrounding Development: The proposed C-3 zoning is compatible with surrounding developments and is consistent with the Industrial future land use designation.

Intergovernmental Notice Process: An Intergovernmental Notice of the proposed rezone was sent to the City of Altamonte Springs on March 9, 2005.

PLANNING & ZONING COMMISSION RECOMMENDATION:

On March 2, 2005 the Planning & Zoning Commission voted 7-0 to recommend APPROVAL of the request.

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the request.

AN ORDINANCE AMENDING, PURSUANT TO THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY, THE ZONING CLASSIFICATIONS ASSIGNED TO CERTAIN PROPERTY LOCATED IN SEMINOLE COUNTY; ASSIGNING CERTAIN PROPERTY CURRENTLY ASSIGNED THE A-1 (AGRICULTURE) ZONING CLASSIFICATION THE C-3 (GENERAL COMMERCIAL AND WHOLESALE DISTRICT) ZONING CLASSIFICATION; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:

Section 1. LEGISLATIVE FINDINGS.

(a) The Board of County Commissioners hereby adopts and incorporates into this Ordinance as legislative findings the contents of the documents titled "Arletta Street Rezone."

(b) The Board hereby determines that the economic impact statement referred to by the Seminole County Home Rule Charter is unnecessary and waived as to this Ordinance.

Section 2. REZONINGS. The zoning classification assigned to the following described property is changed from A-1 (Agriculture) to C-3 (General Commercial and Wholesale):

LEG SEC 22 TWP 21S RGE 29E W 1/2 OF SW 1/4 OF NW 1/4 OF SW 1/4

Section 3. SEVERABILITY. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, it is the intent of the Board of County Commissioners that the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

Section 4. EFFECTIVE DATE. A certified copy of this Ordinance shall be provided to the Florida Department of State by the Clerk of the Board of County Commissioners in accordance with Section 125.66, Florida Statutes, and this Ordinance shall be effective upon filing with the Department of State.

ENACTED this 12th day of April, 2005.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Carlton D. Henley
Chairman

MINUTES FOR THE SEMINOLE COUNTY
LAND PLANNING AGENCY/PLANNING AND ZONING COMMISSION

WEDNESDAY, MARCH 2, 2005

Members present: Matt Brown, Richard Harris, Beth Hattaway, Chris Dorworth, Ben Tucker, Walt Eismann, and Dudley Bates.

Also present: Tony Walter, Assistant Planning Manager; Dan Matthys, Director of Planning and Development; Jeffrey Hopper, Senior Planner; Tina Deater, Senior Planner; Cynthia Sweet, Planner; Rebecca Hammock, Principal Planner; Denny Gibbs, Planner; Michael Rumer, Planner; Tom Radzai, Senior Engineer; and Candace Lindlaw-Hudson, Senior Staff Assistant.

E. Arletta Street Rezone; Hugh Harling, Applicant; approximately 5 acres; rezone from A-1 (Agriculture) to C-3 (General Commercial and Wholesale District); located on the north side of Arletta Street, approximately 0.3 mile east of SR 434. (Z2005-007)

Commissioner Van Der Weide – District 3
Jeff Hopper, Senior Planner

Mr. Hopper stated that the request is for a change from A-1 (Agriculture District) zoning to C-3 (Commercial District) zoning. The parcel has an Industrial future land use designation. The site is an existing greenhouse facility. There is an existing commercial site to the north. This property will be an expansion of the existing commercial use adjacent to the site which is for RV storage. The greenhouse will be removed and the site will be covered with a stabilized surface suitable for parking. Site plan approval will address issues such as access, drainage, buffering and outdoor lighting subsequent to the rezoning. Staff recommendation is for approval.

Commissioner Tucker asked about the extension of the road.

Mr. Hopper stated that Mr. Harling would address that issue.

Hugh Harling stated that he concurred with the staff comments. Gateway Drive is part of an extension that services the shopping center immediately to the west. It will be extended along Arletta Street to Keller Road which

will tie into Maitland Boulevard as part of an Altamonte Springs project. He is working with the City of Altamonte Springs on the alignment to have good traffic conditions in the area.

Commissioner Tucker asked if there will be a 4 lane divided roadway.

Mr. Harling said that it would be.

Commissioner Tucker asked if the section of Keller Road that runs by the Altamonte Springs sewer plant would be expanded.

Mr. Harling said that the City is developing a professional center east of the sewer plant.

Commissioner Harris asked if it was intended that this area extending down to SR 434 be annexed into the City. The area north of Maitland Boulevard would be developed into a large complex of professional and commercial uses which would be an extension of Maitland Center.

Mr. Harling said that it is a matter of speculation at this time. He could not say. Across the street, the property is already in the City. This is an island of non-city land. There are some residential uses. The City has purchased the existing utilities. Annexation is a matter of speculation.

Commissioner Harris asked if this is part of the long-range plans for the area.

Mr. Harling stated that it is part of the long range plans for both the City and the County. They both have the same plans for the area as far as land use and compatibility goes.

Earl Mike of 784 Arletta Street has lived in the area since 1961. He concurs with the C-3 rezoning. He has concerns with the changes in the roads in the area. Residents do not know what is going on. It is hard to find out. He needed the information that was given out tonight. He was concerned about the development of Arletta Street.

Chairman Tucker said that the details will be worked out in site plan approval.

Mr. Mike said that his land is south and west of the subject site. He had previously been quoted a low price for his land. He is encouraged with this development, since the value of his land is going up.

Commissioner Tucker said that the access to the site will be to the south.

Mr. Mike said that he and his neighbors ask for the recommendation of approval.

Mr. Harling stated in closing that the trees that had been removed in the area had been taken down in order to lay fiber-optic cable. The work was unrelated to his project.

Commissioner Harris made a motion to recommend approval.

Commissioner Bates seconded the motion.

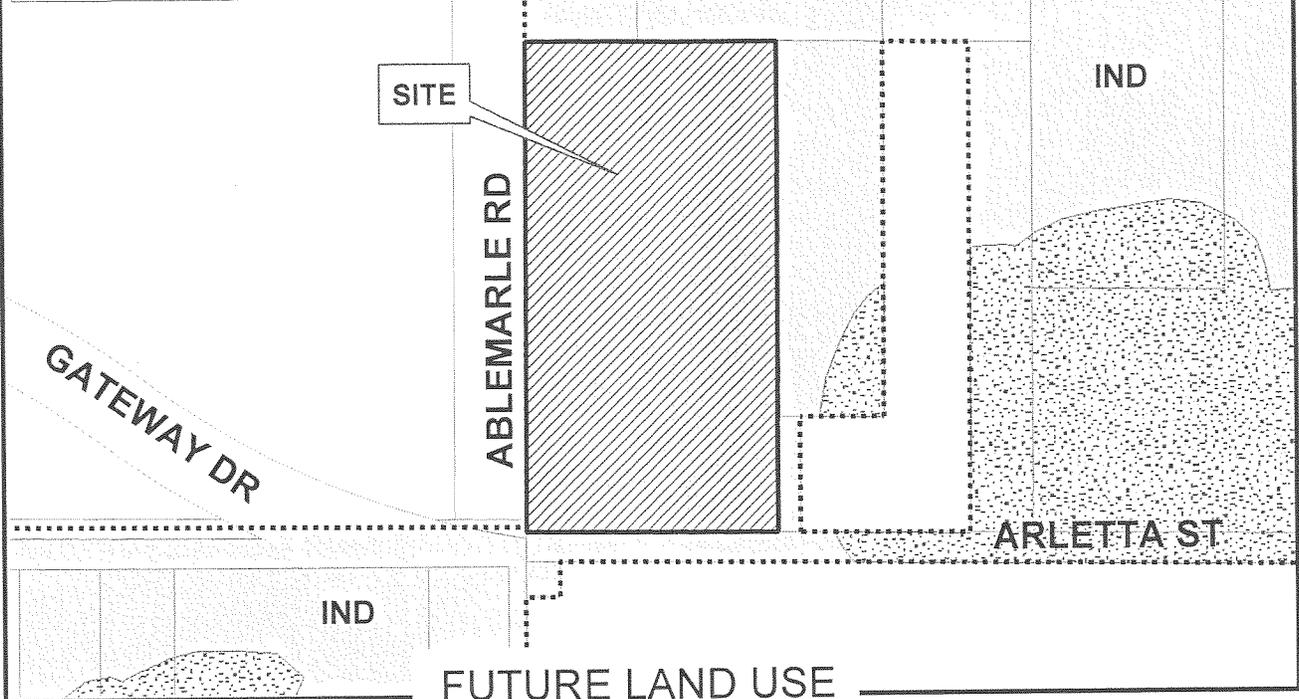
Commissioner Hattaway stated that the property owner is a family member, but she has no personal or financial interest in the application.

The motion passed unanimously (7 – 0).

Respectfully submitted,

Candace Lindlaw-Hudson

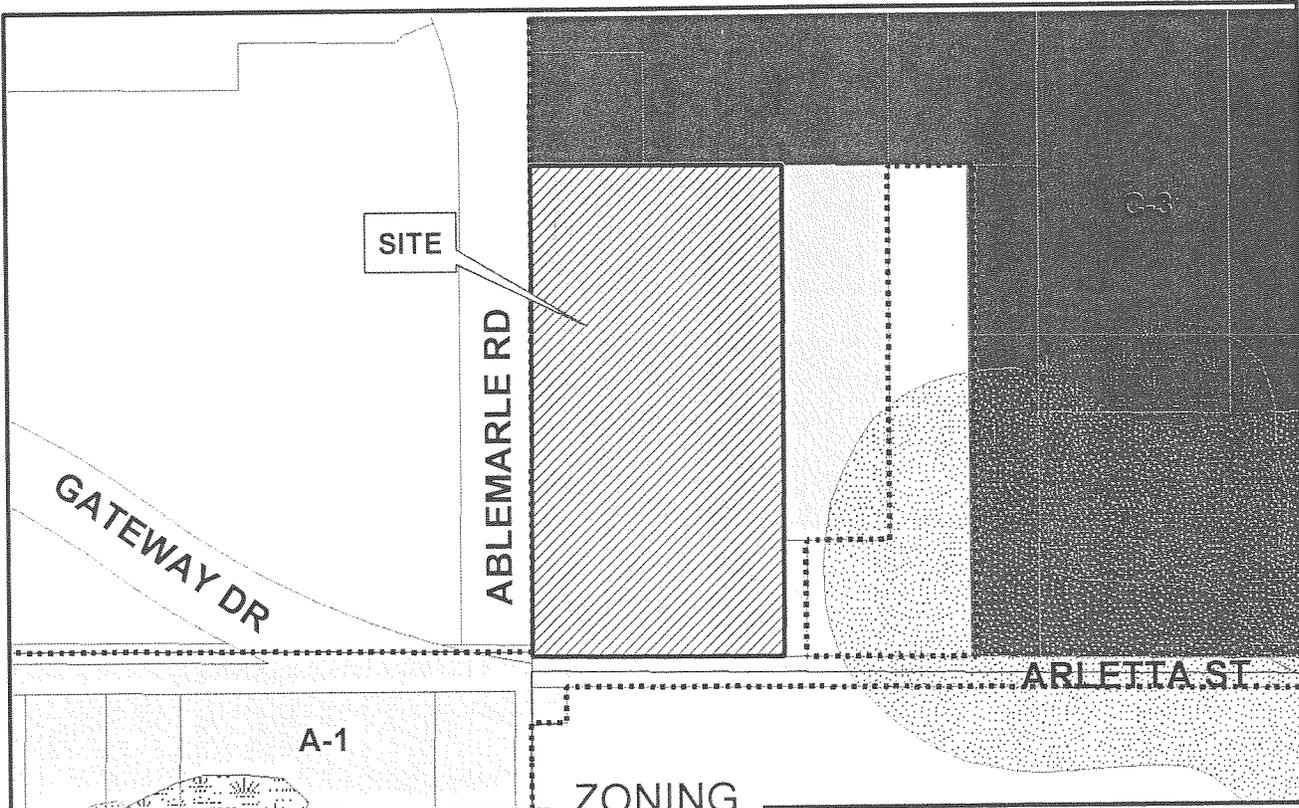
The presence of any wetlands and/or flood-prone areas is determined on a site by site basis. Boundary adjustments may be made based upon more definitive on-site information obtained during the development review process.
 *Wetland information, based on National Wetland Inventory Maps, provided by SJRWMD.
 Floodprone area information, based on Flood Insurance Rate Maps, provided by FEMA.



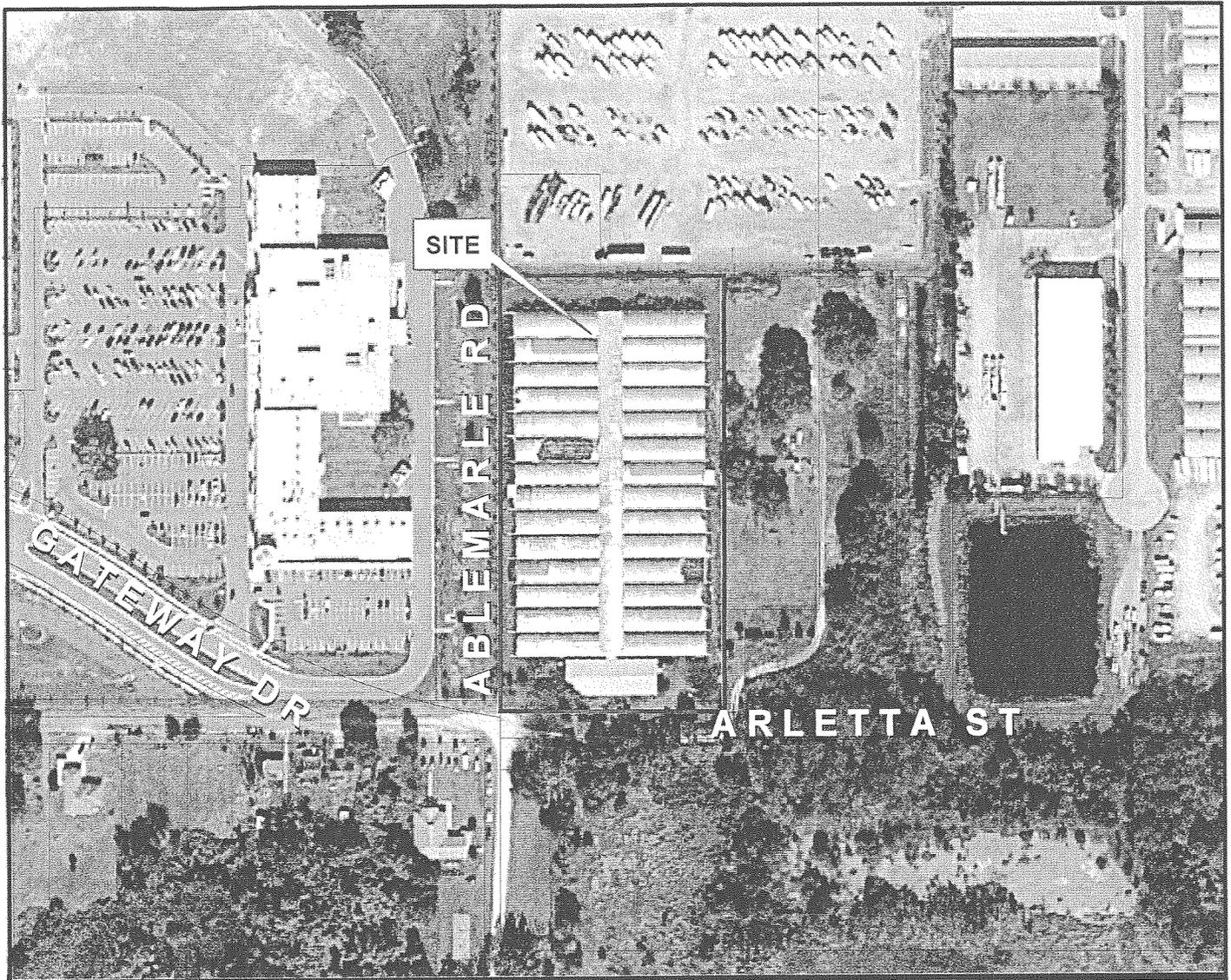
Site
 Municipality
 IND
 CONS

Applicant: Hugh W. Harling
 Physical STR: 22-21-29-300-0230-0000
 Gross Acres: 5 +/- BCC District: 3
 Existing Use: Agricultural
 Special Notes: None

	Amend/Rezone#	From	To
FLU	--	--	--
Zoning	Z2005-007	A-1	C-3



A-1
 C-3
 FP-1
 W-1



Rezone No: Z2005-007
 From: A-1 To: C-3

- Parcel
- Subject Property



January 2004 Color Aerials

