

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Final Master Plan and Developer's Commitment Agreement for Florida Power and Light Unmanned Substation Expansion

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Donald S. Fisher **CONTACT:** Francisco Torregrosa **EXT.** 7387

Agenda Date <u>05/13/03</u> Regular <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Work Session <input type="checkbox"/> Briefing <input type="checkbox"/>
Public Hearing – 1:30 <input type="checkbox"/> Public Hearing – 7:00 <input type="checkbox"/>

MOTION/RECOMMENDATION:

1. APPROVE the Final Master Plan and Developer's Commitment Agreement for Florida Power and Light Unmanned Substation Expansion, consisting of approximately 5.34 acres and located approximately 200 feet south of SR 46, on the east side of Rinehart Road;
2. DENY the Final Master Plan and Developer's Commitment Agreement for Florida Power and Light Unmanned Substation Expansion;

(District 5- Comm. McLain)

(Francisco Torregrosa, Planner)

BACKGROUND:

The applicant, Florida Power and Light Co./Bruce Barber, requests approval of the Final PCD Master Plan and Developer's Commitment Agreement for Florida Power and Light Unmanned Substation Expansion in order meet an increasingly high demand for electricity in the area. The 5.34 acre project is located approximately 200 feet south of SR 46, on the east side of Rinehart Road. The expansion portion encompasses 3.32 acres of the existing unmanned substation.

STAFF RECOMMENDATION:

Staff recommends approval of the proposed Final PUD Master Plan and Developer's Commitment Agreement as both are consistent with the Preliminary Master Plan, the approved development order, and the Vision 2020 Plan.

Reviewed by:
Co Atty: <u>REC</u>
DFS: _____
Other: <u>AWJ</u>
DCM: <u>SS</u>
CM: <u>KB</u>
File No. <u>rpd02</u>

**RINEHART FPL SUBSTATION EXPANSION
DEVELOPER'S COMMITMENT AGREEMENT**

On April 10, 2001 the Board of County Commissioners of Seminole County issued this agreement relating to, concerning and binding the following real property situated in Seminole County, Florida:

I. Legal Description:

PARCEL 1-A:

BEGINNING ON THE WEST LINE OF SECTION 28, TOWNSHIP 19 SOUTH, RANGE 30 EAST; SEMINOLE COUNTY, FLORIDA, AT A POINT 482 FEET SOUTH OF THE CENTER LINE OF ST. GERTRUDE'S AVENUE, THENCE RUN EAST PARALLEL WITH ST. GERTRUDE'S AVENUE 660 FEET TO THE WEST LINE OF LOT 3 IN SMITH'S THIRD SUBDIVISION, RECORDED IN PLAT BOOK 1, PAG 86, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, THENCE SOUTH 208 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF LOT 24 IN SAID SMITH'S THIRD SUBDIVISION; THENCE WEST 660 FEET ALONG THE NORTH LINE OF LOT 24 TO THE WEST LINE OF SAID SECTION 26; THENCE NORTH 208 FEET, MORE OR LESS, TO BEGINNING, LESS THE WEST 190.00 FEET OF THE NORTH 118.00 FEET AND ALSO LESS THE WEST 15 FEET FOR A PUBLIC ROAD.

ALSO LESS AND EXCEPT THE FOLLOWING DESCRIBED PROPERTY:

THE NORTH 20.00 FEET OF THE EAST 261.90 FEET OF THE WEST 436.90 FEET OF THE FOLLOWING DESCRIBED TRACT:

THAT PART OF SECTION 28, TOWNSHIP 19 SOUTH, RANGE 30 SOUTH, SEMINOLE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: BEGIN ON THE WEST LINE OF SAID SECTION 28 AT A POINT 482 FEET SOUTH OF THE CENTERLINE OF GERTRUDE'S AVENUE (STATE ROAD NO. 46); THENCE RUN EAST PARALLEL TO THE SAID CENTERLINE OF GERTRUDE'S AVENUE 660 FEET TO THE WEST LINE OF LOT 3 IN SMITH'S THIRD SUBDIVISION, RECORDED IN PLAT BOOK 1, PAGE 86 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; THENCE SOUTH 208 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF LOT 24 IN SAID SMITH'S THIRD SUBDIVISION; THENCE WEST 660 FEET ALONG THE NORTH LINE OF LOT 24 TO THE WEST LINE OF SAID SECTION 28; THENCE NORTH 208 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, LESS THE WEST 15 FEET FOR A PUBLIC ROAD.

PARCEL 2-A:

BEGIN ON WEST LINE, SECTION 28, TOWNSHIP 19 SOUTH, RANGE 30 EAST AT A POINT 586 FEET SOUTH OF CENTER LINE OF ST. GERTRUDE'S AVENUE, RUN EAST PARALLEL WITH ST. GERTRUDE'S AVENUE 190 FEET, THENCE SOUTH 14 FEET, THENCE WEST 190 FEET, THENCE NORTH 14 FEET TO BEGINNING (LESS THE WEST 15 FEET FOR ROAD PURPOSE).

PARCEL 1-B:

BEGIN ON WEST LINE, SECTION 28, TOWNSHIP 19 SOUTH, RANGE 30 EAST AT A POINT 482 FEET SOUTH OF CENTER LINE OF ST. GERTRUDE'S AVENUE, RUN EAST PARALLEL WITH ST. GERTRUDE'S AVENUE 250 FEET THENCE SOUTH 104 FEET, THENCE WEST 250 FEET, THENCE NORTH 104 FEET TO BEGINNING (LESS THE WEST 15 FEET FOR ROAD PURPOSES). ALSO LESS THE EAST 60 FEET THEREOF AND LESS THE NORTH 20 FEET THEREOF.

PARCEL 2-B:

BEGIN ON WEST LINE, SECTION 28, TOWNSHIP 19 SOUTH, RANGE 30 EAST AT A POINT 586 FEET SOUTH OF CENTER LINE OF ST. GERTRUDE'S AVENUE, RUN EAST PARALLEL WITH ST. GERTRUDE'S AVENUE 190 FEET, THENCE SOUTH 14 FEET, THENCE WEST 190 FEET, THENCE NORTH 14 FEET TO BEGINNING (LESS THE WEST 15 FEET FOR ROAD PURPOSES).

II. Statement of Basic Fact:

A.	Total acreage (Parcels 1-A, 1-B, 2-A, 2-B)	5.34 acres.
B.	Proposed Expansion	3.09 acres +/-.
C.	Existing Substation	2.25 acres +/-.
D.	Specific Use	Unmanned Electrical Substation

III. Building and Lot Restrictions:

Maximum height in the substation will be the transmission poles, which should not exceed 75 feet.

IV. Landscaping and Buffers:

Landscaping and buffers shall exceed Seminole County Land Development Code requirements and shall meet the intent of the landscape plan represented to the County Commission. The current site plan delineates the following: 25 feet of perimeter buffer with a hedge and double row of native trees (along the north property line). A hedge surrounds the entire property consisting of a solid row of 1070 Wax Myrtles 3 feet in height at planting, and spaced every 2 feet. Native canopy trees will be planted surrounding the entire site (with the exception of under the existing transmission lines), consisting of 63 Live and Laurel Oaks twelve (12) feet in height, a minimum 3" caliper, spaced twenty-five (25) feet apart. The second row of trees will be planted along the north side of the property also spaced twenty-five (25) feet apart.

As an alternative to the aforementioned requirements, and complying with this intent, FPL shall preserve the majority of existing trees on-site. Specifically, the west and north sides and the east 208 feet will be preserved. If a north-south access road is constructed along the West Side and the remaining trees do not comply with the intent of the 25-foot buffer represented to the Commission, the buffer material shall be upgraded to meet this requirement.

The buffer material along a portion of the east and south side, under the existing transmission lines, has been substituted with a greater number of FPL "Right Tree-Right Place" material, specifically 35 Wax Myrtles twelve (12) feet in height spaced eight (8) feet apart.

V. Water and Sewer:

N/A (existing well – irrigation for expansion buffer)

VI. Permitted and Conditional Uses:

- A. Only those uses permitted and conditional uses within PCD (Planned Commercial Development) zoning district classification.

VII. Other Commitments:

Proposed substation security fence shall be consistent with the existing security fence: 7 feet of chain link with 1 foot of barbed wire to make an overall height of 8 feet.

The conditions upon this development approval and commitments made as to this development approval have been accepted by and agreed to by the Owners of the Property.

The terms and provisions of this Agreement run with the land and are not severable, and in the event any portion of this Agreement shall be found to be invalid or illegal, then the entire Agreement shall be null and void.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Daryl G. McLain, Chairman

ATTEST:

Maryanne Morse
Clerk to the Board of County
Commissioners of Seminole County, Florida

OWNER'S CONSENT AND COVENANT

COMES NOW, the owner, Florida Power and Light Co., on behalf of itself and its successors, assigns or transferees of any nature whatsoever and consents to, agrees with and covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Developer's Commitment Agreement.

Witness

Print Name

By: _____
Dean Busch, Siting Section Manager
Florida Power & Light Co. (FPL)

Witness

Print Name

STATE OF FLORIDA

COUNTY OF SEMINOLE

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared DEAN BUSCH, and is personally known to me or who has produced _____ as identification and who acknowledged and executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2003.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:



To: Memo to File

Date: October 17, 2000

Re: FLORIDA POWER & LIGHT COMPANY
TRANSMISSION LINE ROUTE AND SUBSTATION
SITE ACQUISITION, ZONING, SITE PLAN APPROVAL
AND PERMITTING: AUTHORIZATION TO SIGN

I, A. J. Olivera, Vice President, Power Systems, for Florida Power & Light Company, verify that the following listed individuals:

Barbara Jaindl
Dean Busch

are hereby authorized to represent, sign for, and authorize on behalf of Florida Power & Light Company in matters relating to the right-of-way and site acquisition, zoning, site plan approval and permitting of electrical transmission lines and substations.

A. J. Olivera
Vice President
Power Systems

The foregoing instrument was acknowledged before me this 24 day of OCTOBER 2000, by A. J. Olivera, Vice President of Power Systems of Florida Power & Light Company, a Florida Corporation. He is personally known to me and did not take an oath.

Gail F. Sanchez
Notary Public

STATE OF FLORIDA
COUNTY OF PALM BEACH

Gail F. Sanchez
MY COMMISSION # CC785493 EXPIRES
November 14, 2002
BONDED THRU TROY FAIR INSURANCE, INC

Gail F. Sanchez
MY COMMISSION # CC785493 EXPIRES
November 14, 2002
BONDED THRU TROY FAIR INSURANCE, INC

AN ORDINANCE AMENDING, PURSUANT TO THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY, THE ZONING CLASSIFICATION ASSIGNED TO CERTAIN PROPERTY LOCATED IN SEMINOLE COUNTY; ASSIGNING CERTAIN PROPERTY CURRENTLY ASSIGNED THE A-1 ZONING CLASSIFICATION THE PCD ZONING CLASSIFICATION; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SPECIFIC DEVELOPMENT CONDITIONS BY MEANS OF A DEVELOPMENT ORDER; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; 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 document titled "Florida Power and Light Company, Inc., Rezoning", dated April 10, 2001.

(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. REZONING.

(a) The zoning classification assigned to the following described property is changed from the A-1 (Agriculture) zoning classification to the PCD (Planned Commercial Development District) zoning classification:

Legal Description Attached as Exhibit A

(b) The rezoning action herein is subject to the conditions provided for and agreed to in Development Order #00-20000001 and the preliminary site plan incorporated herein.

Section 3. CODIFICATION. It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall not be codified.

Section 4. 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 5. EFFECTIVE DATE.

(a) 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 take effect upon filing with the Department of State.

ENACTED this 10th day of April, 2001.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Dick Van Der Weide, Chairman

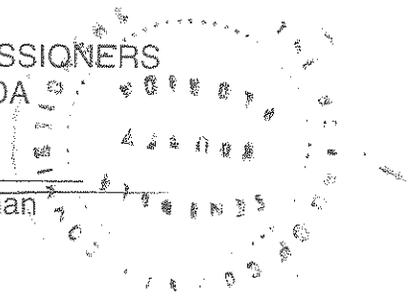


EXHIBIT A

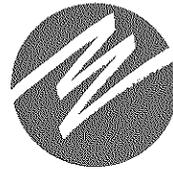
1. Beginning on the West line of Section 28, Township 19 South, Range 30 East; Seminole County, Florida, at a point 482 feet South of the center line of St. Gertrude's Avenue, thence run East parallel with St. Gertrude's Avenue 660 feet to the West line of Lot 3 in Smith's Third Subdivision, recorded in Plat Book 1, Page 86, of the Public Records of Seminole County, Florida; thence South 208 feet, more or less, to the Northeast corner of Lot 24 in said Smith's Third Subdivision; thence West 660 feet along the North line of Lot 24 to the West line of said Section 28; thence North 208 feet, more or less, to beginning, less the West 190.00 feet of the North 118.00 feet and also less the West 15 feet for a public road.

2. Begin on West line, Section 28, Township 19 South, Range 30 East at a point 482 feet South of center line of St. Gertrude's Avenue, run East parallel with St. Gertrude's Avenue 250 feet, thence South 104 feet, thence West 250 feet, thence North 104 feet to beginning (less the West 15 feet for road purposes).

3. Begin on West line, Section 28, Township 19 South, Range 30 East at a point 586 feet South of center line of St. Gertrude's Avenue, run East parallel with St. Gertrude's Avenue 190 feet, thence South 14 feet, thence West 190 feet, thence North 14 feet to beginning (less the West 15 feet for road purposes).

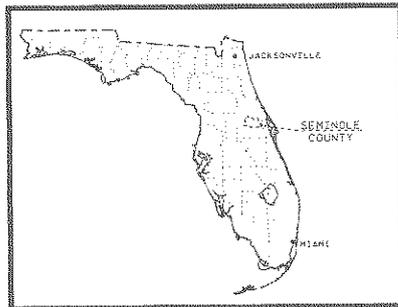
RINEHART SUBSTATION EXPANSION

SITE DEVELOPMENT PLAN

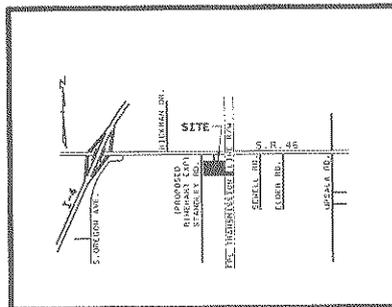


FPL

SEMINOLE COUNTY, FLORIDA
SECTION 28, TOWNSHIP 19S, RANGE 30E



LOCATION MAP



VICINITY MAP

INDEX OF DRAWINGS

SKETCH NO.	DESCRIPTION
RIN00	COVER SHEET
RIN01	SITE PLAN
RIN02	FENCE, FILL & GRADE PLAN
RIN04	LANDSCAPE PLAN



PLANS PREPARED BY :
FLORIDA POWER AND LIGHT COMPANY
TRANSMISSION AND SUBSTATION SITING SECTION

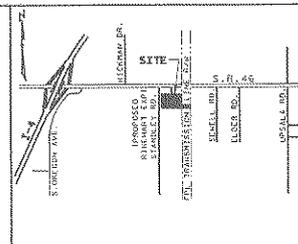
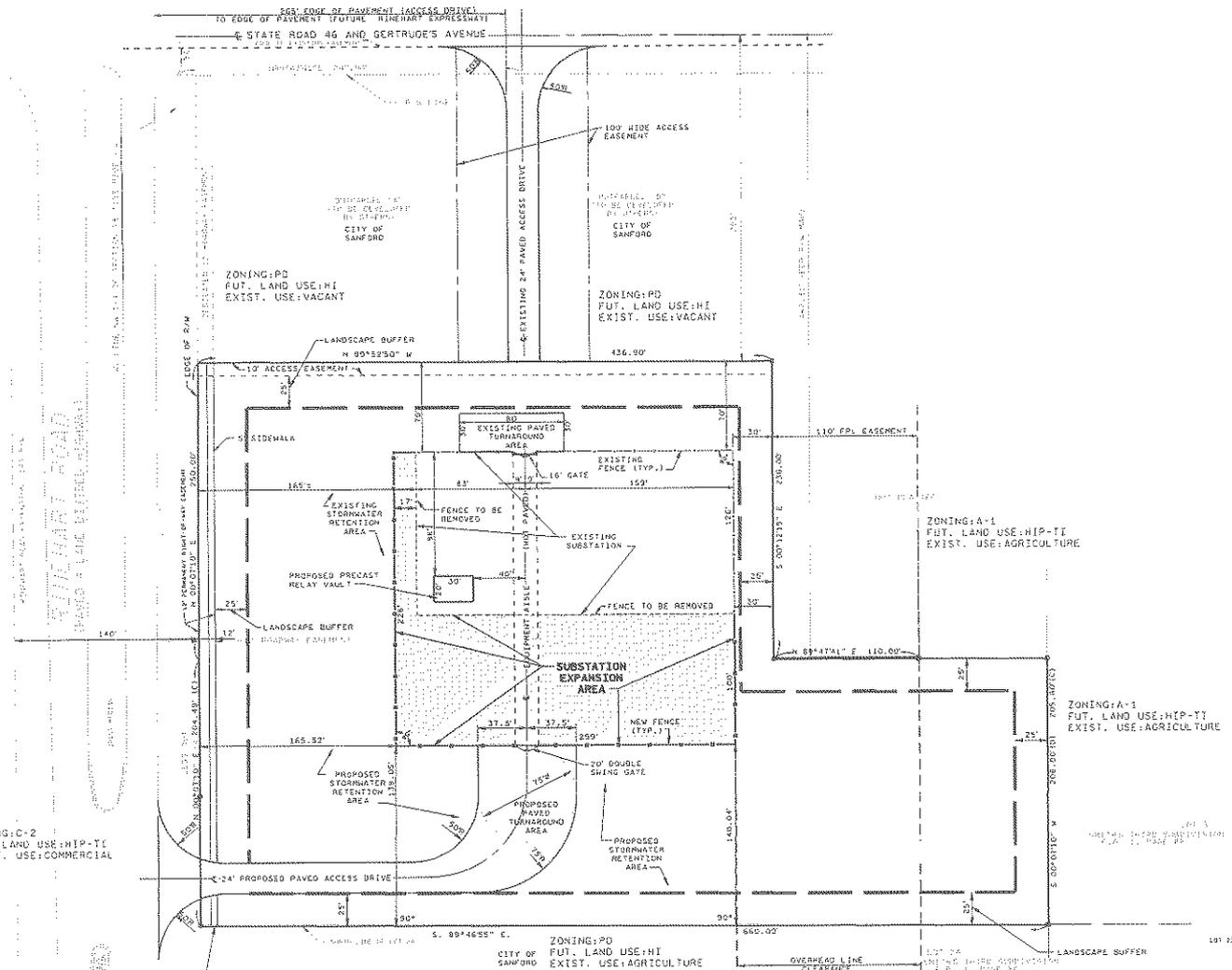
700 UNIVERSE BLVD. (PDP-JB)
JUNO BEACH, FLORIDA 33408

RINEHART SUBSTATION	
FPL PROJECT NO. 20001267	
00126754 R0	RIN00
SCALE: AS SHOWN	
C A E	

ENGINEER'S SEAL

3/15/06 ENG 2/03

ALL DIMENSIONS IN FEET UNLESS OTHERWISE NOTED.
 ALL DIMENSIONS TO CENTERLINE UNLESS OTHERWISE NOTED.
 ALL DIMENSIONS TO FACE UNLESS OTHERWISE NOTED.



LOCATION SKETCH
 SEC. 28, TWP. 19 S., RGE. 30 E.,
 SEMINOLE COUNTY

- GENERAL NOTES:**
1. APPLICANT AND AGENT, JACK RINEHART, FOR FLORIDA POWER AND LIGHT, OWNER & DEVELOPER, 700 UNIVERSAL BLVD., SUITE 200, JUNG BEACH, FLORIDA 33408, PHONE (561)855-4005. CONTACT: BRUCE BARBER (CONTRACT SITING PROJECT MANAGER)
 2. THIS UNMANNED FACILITY WILL BE USED FOR TRANSFORMATION, REGULATION, AND DISTRIBUTION OF ELECTRICITY.
 3. FPL CERTIFIES THAT THIS FACILITY WILL BE USED ONLY BY EMPLOYEES, AND THE WORK ASSOCIATED WITH HIGH VOLTAGE ELECTRICAL EQUIPMENT CANNOT REASONABLY BE PERFORMED BY HANDICAPPED PERSONS. PURSUANT TO CHAPTER 351.39(1)(1), OF FLORIDA STATUTES, THIS FACILITY IS NOT SUBJECT TO THE ACCESSIBILITY REQUIREMENTS OF THE ADA.
 4. FENCE SHALL BE 7'-0" CHAIN LINK WITH 4 STRANDS OF BARBED WIRE OR 4" EXTENSION ARMS TO MAKE AN OVERALL TOTAL HEIGHT OF 8'-2".
 5. THIS FACILITY WILL CONSUME NO UNRECOVERABLE ENERGY AND IS EXEMPT FROM THE FLORIDA ENERGY REVIEW CODE.
 6. THIS FACILITY WILL GENERATE NO SOLID WASTE.
 7. THIS IS AN UNMANNED RESTRICTED ACCESS FACILITY. NO FPL EMPLOYEES REPORT TO THIS LOCATION AND MAINTENANCE CREWS WILL PARK INSIDE THE FENCED AREA. THEREFORE, NO PARKING SPACES WILL BE PROVIDED.
 8. FPL TWO-MAN MAINTENANCE CREWS WILL AVERAGE TWO TRIPS PER MONTH TO THIS FACILITY.
 9. ADDRESS: 4485 WEST STATE ROAD 46, SANFORD, FL 32771
 10. THIS PROPERTY LIES IN FLOOD ZONE "X".
 11. USDA SOIL CLASSIFICATION FOR ENTIRE SITE IS (S 20) MOKKA/KAU GALLIE FINE SAND.
 12. THIS PROJECT SHALL COMPLY WITH THE SEMINOLE COUNTY LAND DEVELOPMENT CODE.

TAX POLICY #5:

EXISTING SUBSTATION:	28-19-30-300-0024-0000
EXPANSION PARCELS:	28-19-30-300-0014-0000 28-19-30-300-0040-0000 28-19-30-300-0050-0000

SECTION, TOWNSHIP & RANGE: 528, 119, R30
COMMISSIONER DISTRICT: 5 JAYL G. McLAUGHLIN (COMM.)
EXISTING ZONING: PGD (PL. COMM. DEVELOP.)
FUTURE LAND USE DESIGNATION: HIP-TI (HIGH INTENSITY PLANNED DEVELOPMENT TARGET INDUSTRY)
EXPANSION PARCEL USE: UNMANNED ELECTRICAL SUBSTATION
REQUIRED SETBACKS: P=25', S=10', R=10'
PRE-CAST RELAY VAULT (ELECTRICAL EQUIPMENT SHELTER): 600 S.F.
IMPERVIOUS: 3.56 ACRES
IMPERVIOUS: 1.78 ACRES
TOTAL OPEN SPACE: > 10% OF GROSS AREA
TOTAL GROSS AREA: 6.34 ACRES

SURVEY INFO PROVIDED BY:
 ROBERTS SURVEYING & MAPS, INC.
 185 N. COUNTRY CLUB ROAD
 LAKE NASSAU, FLORIDA
 PH. (407) 322-2213 FAX 322-2232
 DATED 8-18-00

NO.	DATE	DESCRIPTION	BY	CHKD.
0501	4-13-03	00001267 ADDED PROPOSED PRECAST RELAY VAULT.	DRS	DRS
0502	3-27-03	00001267 REV'D TO FINAL SITE PLAN SUBMITTAL.	DRS	DRS
0503	2-11-02	00001267 REV'D TO FINAL SITE PLAN.	DRS	DRS
0504	1-11-01	00001267 REV'D PER SEMINOLE COUNTY COMMENTS.	DRS	DRS
0505	8-18-00	00001267	DRS	DRS

DATE 1-16-01 SCALE 40' 60' 80' 120'

DESIGNER
 DR. SULLIVAN ER 5583
 CM COR

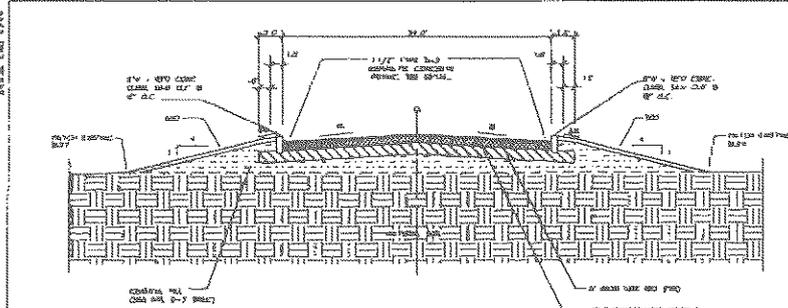
APPROVED
 20001267 B. BARBER

**RINEHART SUBSTATION
 FINAL SITE PLAN**

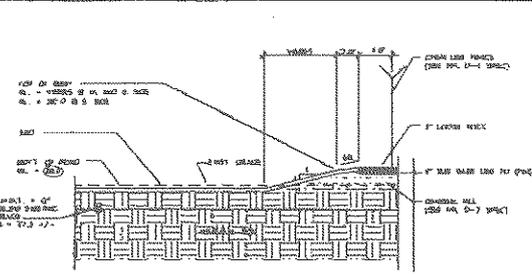
0001267
 00126751 R4

SHEET 1 OF 1
E-RIN01
 I C A D

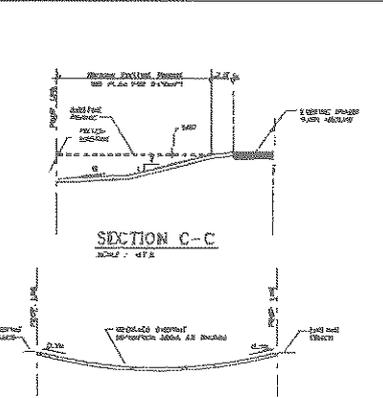
REV NO 4



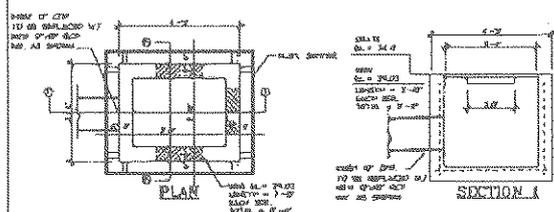
SECTION A-A
SCALE: 1" = 3' (SEE SHEET 472)



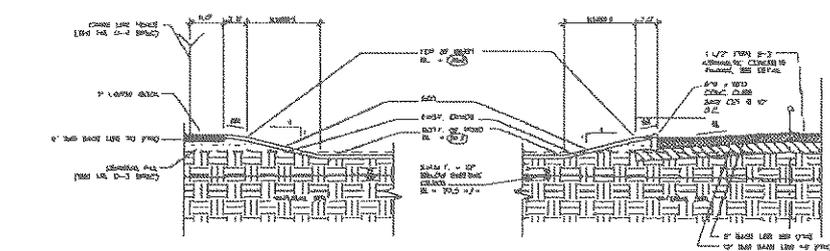
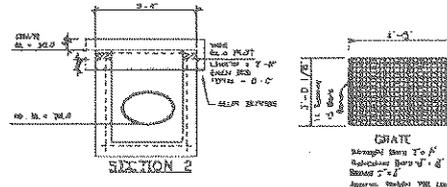
SECTION B-B
SCALE: 1" = 3' (SEE SHEET 472)



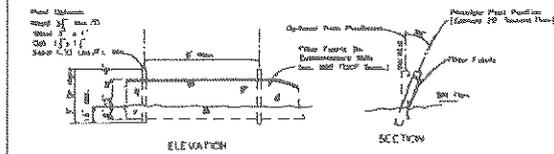
SECTION C-C
SCALE: 1/2" = 1'



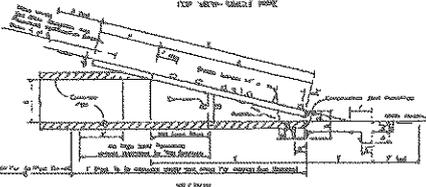
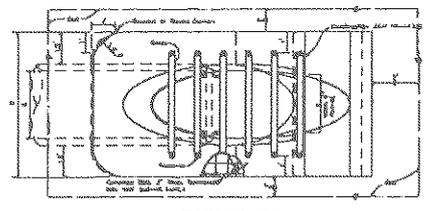
FOOT TYPE 'C' - OUTFALL STRUCTURE
PART INDEX SEE SHEET 473-4



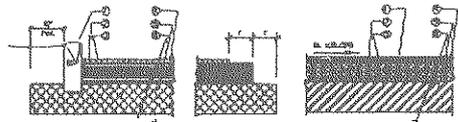
SECTION E-E
SCALE: 1" = 3' (SEE SHEET 472)



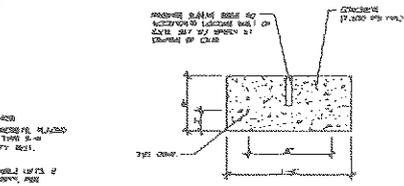
TYPE 3 SILT FENCE
SCALE: 1/2" = 1'



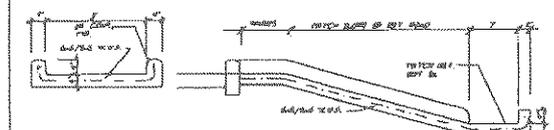
MITERED END SECTION
PART INDEX A 273-4



SITE PAVING W/ CONC. CURB
ASPHALT PAVING DETAILS



FLUSH CONCRETE HEADER CURB
SCALE: 1/2" = 1'



CONC. FRAME DETAIL
SCALE: 1/2" = 1'

DROOR & ASSOCIATES INC.
200 N. Washington St., Suite 107
Tallahassee, FL 32309
PH: (904) 292-2222
FAX: (904) 292-2222

DATE	DESCRIPTION
1-2-00	PER CLIENT'S REVISED COMMENTS
1-27-00	FOR FINAL REVIEW COMMENTS

DATE	SCALE	BY	CHKD	APP'D
9-25-02	1/2" = 1'	DR	EH	
		CH	CDR	

RINEHART SUBSTATION
SECTIONS AND DETAILS

(SIB, G. PP)
SHEET 2 OF 2
E-R (NO2)
DATE PLOTTED: 02/02/03
PLotted by: S. J. B. JR.