

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Valentine Commercial Center; Rezone from A-1 (Agriculture) to C-2 (Retail Commercial District); (Javier E. Omana, applicant)

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

AUTHORIZED BY: Dan Matthys ^{MLW FOR DM} **CONTACT:** Jeff Hopper **EXT.** 7431

Agenda Date <u>8/23/05</u>	Regular <input type="checkbox"/>	Work Session <input type="checkbox"/>	Briefing <input type="checkbox"/>
	Public Hearing – 1:30 <input checked="" type="checkbox"/>	Public Hearing – 7:00 <input type="checkbox"/>	

MOTION/RECOMMENDATION:

1. APPROVE and enact an ordinance to rezone from A-1 (Agriculture) to C-2 (Retail Commercial District) a 1.7-acre site on the east side of Monroe Road, 0.1 miles north of Orange Blvd., per the attached staff report (Javier E. Omana applicant); or
2. DENY the requested rezone from A-1 (Agriculture) to C-2 (Retail Commercial District) for a 1.7-acre site on the east side of Monroe Road, 0.1 miles north of Orange Blvd., (Javier E. Omana applicant);
3. CONTINUE the item to a time and date certain.

District 5 – Carey

Jeff Hopper-Senior Planner

BACKGROUND:

The applicant requests C-2 zoning on property within a Commercial future land use as designated on the future land use map of the Vision 2020 Plan. Despite this designation, the entire site is shown within the Conservation Overlay. This indicates the presence of floodplain and/or wetland areas throughout the property. Environmental constraints could substantially limit development of the property for commercial use. Since the land use is already established as Commercial, these issues will be addressed at the time of site plan review.

PLANNING & ZONING COMMISSION RECOMMENDATION:

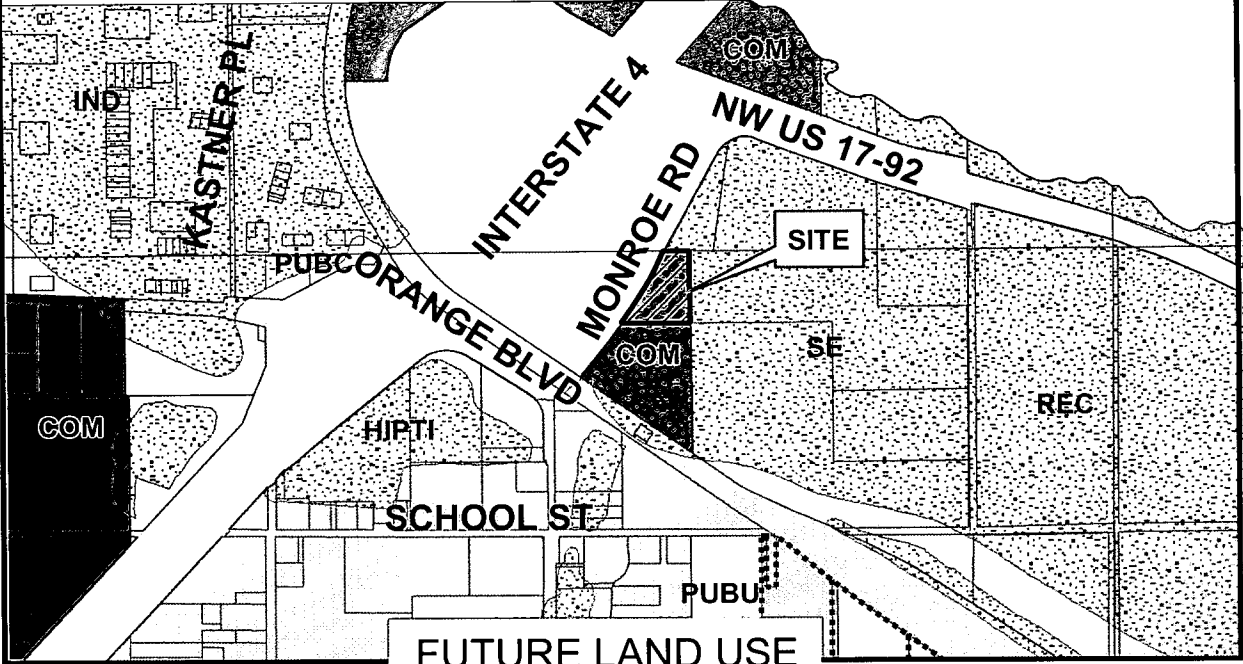
On July 13, 2005 the Planning & Zoning Commission voted 5-0 to recommend APPROVAL of the request.

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the rezoning to C-2.

Reviewed by:	
Co Atty:	<u>KER</u>
DFS:	
OTHER:	<u>MLW</u>
DCM:	<u>ATP</u>
CM:	<u>KB</u>
File No.	<u>ph130pdp06</u>

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.

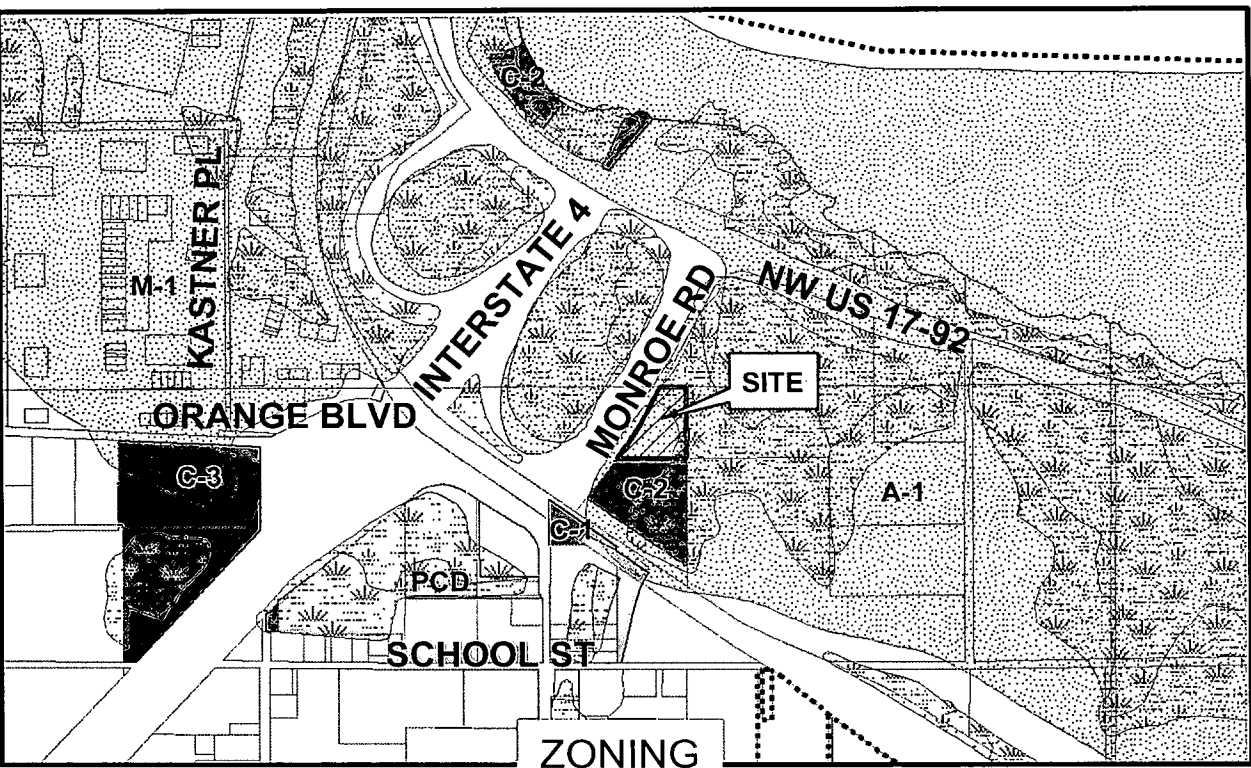


Site
 HIPTI
 COM
 PUBC
 SE
 IND
 PUBU
 REC

CONS
 Municipality

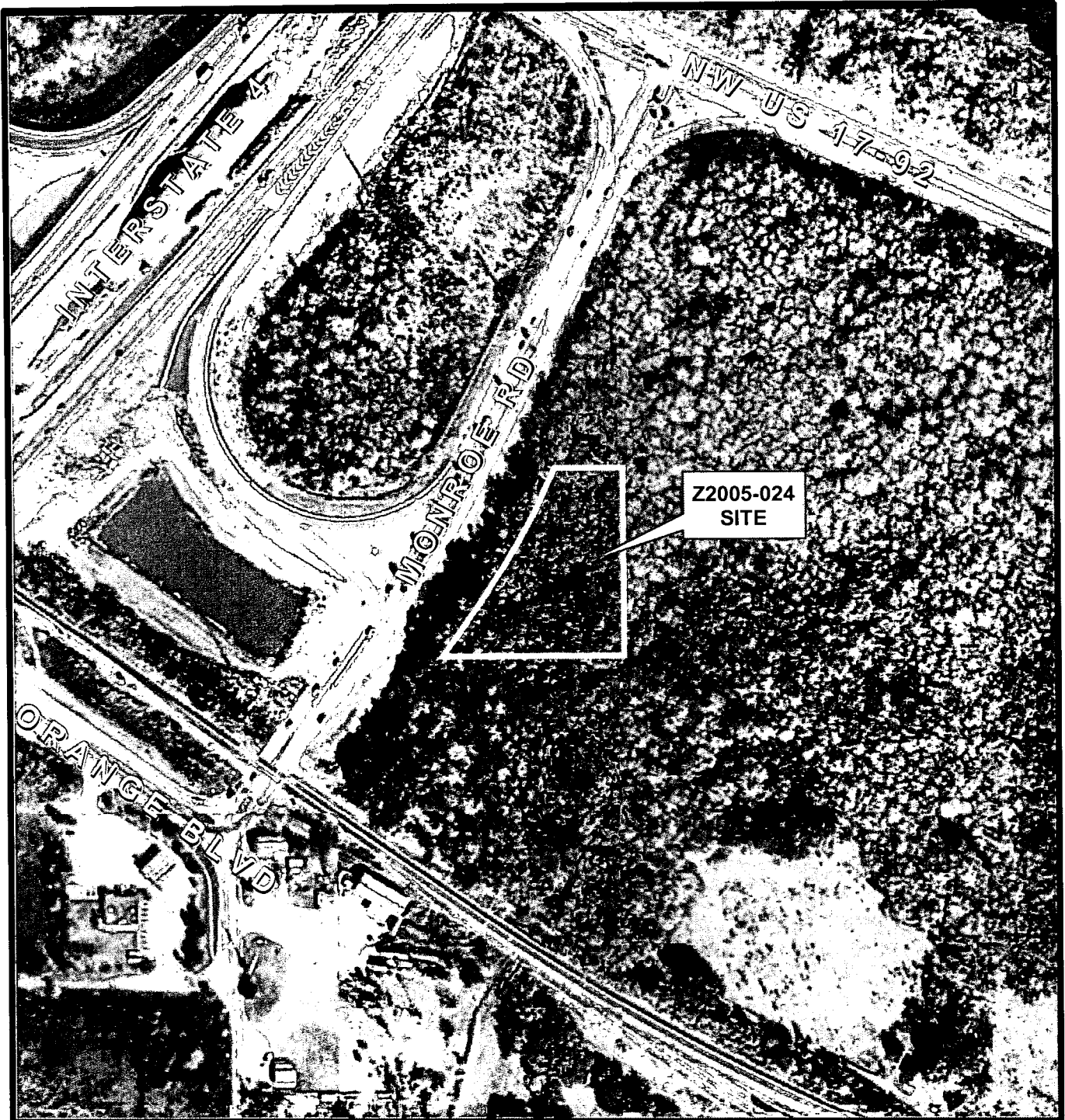
Applicant: CPH Engineers/Javier E Omana
 Physical STR: 16-19-30-5AC-0000-0130
 Gross Acres: 1.7+/- BCC District: 5
 Existing Use: Vacant
 Special Notes: None

	Amend/Rezone#	From	To
FLU	--	--	--
Zoning	Z2005-024	A-1	C-2



Site
 A-1
 C-1
 C-2
 C-3
 M-1
 PCD
 FP-1
 W-1

Municipality

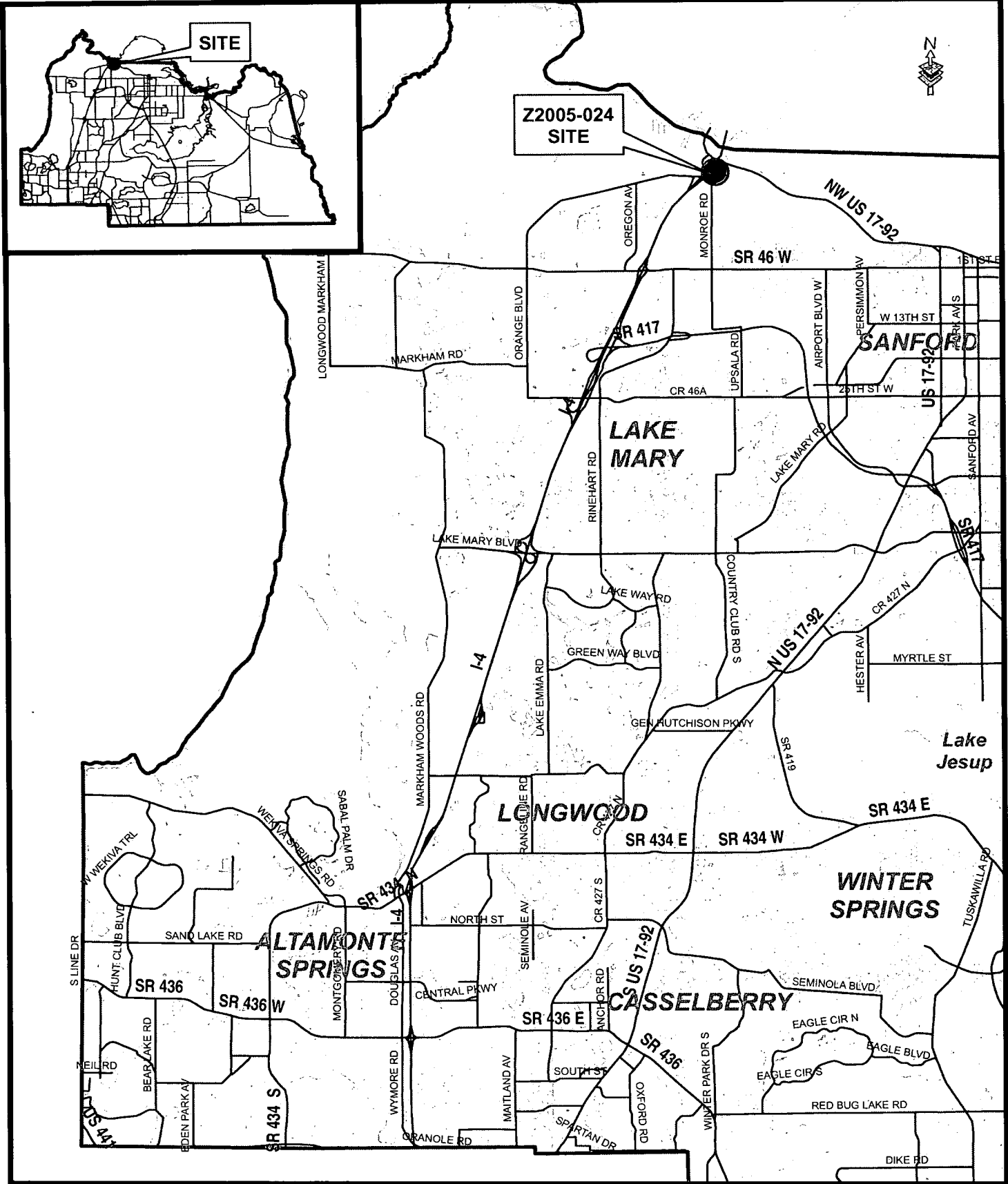


Amendment No: --
From: -- To:--
Rezone No: Z2005-024
From: A-1 To: C-1



January 2004 Color Aerials

 Subject Property



**Z2005-024
SITE**



SITE

VALENTINE COMMERCIAL CENTER REZONE

REQUEST INFORMATION	
APPLICANT	Javier E. Omana / CPH Engineers
PROPERTY OWNER	Matthew T. Valentine
REQUEST	A-1 (Agriculture) to C-2 (Retail Commercial)
HEARING DATE (S)	P&Z: July 13, 2005 BCC: August 23, 2005
PARCEL NUMBER	16-19-30-5AC-0000-0130
LOCATION	East side of Monroe Rd., 500 feet north of Orange Blvd.
FUTURE LAND USE	Commercial
FILE NUMBER	Z2005-024
COMMISSION DISTRICT	5 – Carey

OVERVIEW

The applicant requests C-2 zoning on property within a Commercial future land use as designated on the future land use map of the Vision 2020 Plan. Despite this designation, the entire site is shown within the Conservation Overlay. This indicates the presence of floodplain and/or wetland areas throughout the property. Environmental constraints could substantially limit development of the property for commercial use. However, these issues will be addressed at the time of site plan review.

Existing Land Uses:

(North)

Interstate 4	SUBURBAN ESTATES Vacant <i>A-1</i>	SUBURBAN ESTATES Vacant <i>A-1</i>
Interstate 4	COMMERCIAL (SUBJECT PROPERTY) Vacant <i>A-1</i>	SUBURBAN ESTATES Vacant <i>A-1</i>
Interstate 4	COMMERCIAL billboard <i>A-1</i>	SUBURBAN ESTATES Vacant <i>A-1</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. The impacts of development shall not occur until adequate facilities and services are available.
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 in the City of Sanford's water and sewer service area. Prior to approval of any development requiring such service, the applicant must obtain documentation from the City indicating the availability of service.

Compliance with Environmental Regulations: The applicant will be required to dedicate a Conservation Easement to Seminole County over all post development wetlands and required upland buffers. If proposed development would create impacts on the wetlands, the County will require a mitigation plan approved by the St. Johns River Water Management District (SJRWMD).

Compatibility with Surrounding Development: The proposed C-2 zoning is compatible with the Commercial future land use designation and surrounding uses.

Intergovernmental Notice Process: Intergovernmental notice is not required since no other entities are affected.

PLANNING & ZONING COMMISSION RECOMMENDATION:

On July 13, 2005 the Planning & Zoning Commission voted 5-0 to recommend APPROVAL of the request.

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the rezoning to C-2.

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-2 (RETAIL COMMERCIAL 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 "Valentine Commercial Center 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-2 (Retail Commercial District):
LEG THAT PT OF E 1/2 OF N 1/2 OF LOT 13 E OF H/W 4 ; ST JOSEPHS; PB 1, PG 114

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.

ORDINANCE NO. 2005-

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 23rd day of August, 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
JULY 13, 2005**

Members Present: Beth Hattaway, Dudley Bates, Walt Eismann, Matthew Brown, Richard Harris

Member absent: Ben Tucker

Also present: Matt West, Planning Manager; Tony Walter, Assistant Planning Manager; Dan Matthys, Director of Planning and Development; Jeffrey Hopper, Senior Planner; Tony Matthews, Principal Planner; Rebecca Hammock, Principal Planner; Kimberley Romano, Assistant County Attorney; Tom Radzai, Senior Engineer; Jerry McCollum, County Engineer, and Candace Lindlaw-Hudson, Senior Staff Assistant.

D. Valentine Commercial Center; Javier E. Omana / CPH Engineers, applicant; approximately 1.7 acres; rezone from A-1 (Agriculture District) to C-2 (Commercial District); located on east side of Monroe Road, 0.1 mile north of Orange Blvd. (Z2005-024)

Commissioner Carey – District 5
Jeff Hopper, Senior Planner

Mr. Hopper stated that the applicant is requesting C-2 on property in the Commercial future land use designation. Despite the Commercial land use, the entire site lies within the Conservation Overlay as shown on the future land use map of the Vision 2020 Plan. This means there are extensive floodplain and/or wetland areas on the site. Environmental constraints could substantially limit development of the property for commercial use. These issues will be fully addressed at the site of site plan review. Because the request is consistent with the future land use map, Staff recommends approval.

Javier Omana said that he concurs with staff recommendations.

There were no questions from the commissioners or comments from the floor.

Commissioner Eismann made a motion to recommend approval.

Commissioner Hattaway seconded the motion.

The motion passed by unanimous consent (5 – 0).