

Item # 66

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Monroe Commerce Center South, Phase 2, Rezone from A-1
(Agriculture) to PCD (Planned Commercial Development)
(Howard Schiefer-Decker, applicant)

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

AUTHORIZED BY: Donald Fisher **CONTACT:** Jeff Hopper **EXT** 7431

Agenda Date 10/14/03 Regular Consent Work Session Briefing
Public Hearing – 1:30 Public Hearing – 7:00

MOTION/RECOMMENDATION:

1. Enact an ordinance to APPROVE the request for rezoning from A-1 (Agriculture) to PCD (Planned Commercial Development), located at the southeast corner of Church Street and N. Elder Road (Howard Schiefer-Decker, applicant) or
2. DENY the request for rezoning from A-1 (Agriculture) to PCD (Planned Commercial Development), located at the southeast corner of Church Street and N. Elder Road (Howard Schiefer-Decker, applicant) or
3. CONTINUE the public hearing until a time and date certain.

(District 5 – Comm. McLain) (Jeff Hopper, Senior Planner)

BACKGROUND:

The applicant, Small Bay Partners LLC, requests approval of a rezoning from A-1 to PCD for this 4.25 acre parcel in order to develop an office-warehouse development. The subject property is currently vacant and has a Higher Intensity Planned Development (HIP) land use designation.

STAFF RECOMMENDATION:

Planning staff is recommending approval of the request, subject to conditions listed in the Development Order.

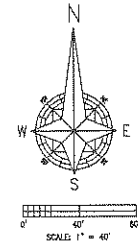
PLANNING & ZONING COMMISSION RECOMMENDATION

On September 3, 2003, the Planning & Zoning Commission voted 5-0 to recommend approval per staff recommendations.

Reviewed by: _____
Co Atty: KAC
DFS: _____
OTHER: MW
DCM: SS
CM: JE
File No. ph130pdp03

SEMINOLE COUNTY
REVIEW DIVISION
DEVELOPMENT

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PROJECT DATA:

1. NAME OF PROJECT: **Monroe Center/Phase II**
2. INTENDED USE: **NON-RESIDENT OFFICE AND BUSINESS**
3. BUILDING HEIGHT: **3 STORIES, 25' HEIGHT**
4. PROJECTED NO. OF EMPLOYEES: **24 PEOPLE**
5. TOTAL AREA: **195,110 SF (4.55 ACRES)**
6. EXISTING ZONING: **A-1 (SEMINOLE COUNTY)**
7. EXISTING LAND USE: **VAQUET**
8. FUTURE LAND USE: **INDUSTRIAL/OFFICE (SEE OFFICE)**
9. PROPOSED LAND USE: **INDUSTRIAL/OFFICE (SEE OFFICE)**
10. PROHIBITED LAND USE: **RE AND CE USES, USES REQUIRING SPECIAL OUTDOOR ADVERTISING, OR SIGNAGE BEYOND OF PERMITTED.**
11. IMPERVIOUS AREA:
 BUILT-UP: 16,200 SF
 ASPHALT: 30,300 SF
 CONCRETE: 1,180 SF
 DRIVEWAY: 10,000 SF
12. TOTAL IMPERVIOUS AREA: 58,680 SF (29.8%)
 TOTAL PAVEMENT AREA: 36,340 SF (18.6%)
 OPEN SPACE PROVIDED: 47,716 SF (24.5%)
13. BUILDING SETBACKS REQUIRED:
 FRONT STREET: 25 FEET
 ELDER STREET: 25 FEET
 SOUTH: 15 FEET
 EAST: 25 FEET
14. PARKING REQUIRED:
 1 SPACE/2 EMPLOYEES = 12 SPACES
 1 SPACE/100 SF = 11,200/100 = 112 SPACES
 1 SPACE/1,000 SF = 195,110/1,000 = 195 SPACES
TOTAL = 219
15. PARKING PROVIDED:
 81 - 5'X10' SPACES
 1 - 10'X20' BICYCLE SPACES
 118 - SPACES
TOTAL = 200
17. SOILS TYPE: **215 ENGLADE B/D**

GENERAL DEVELOPMENT NOTES:

1. SITE LIGHTING SHALL COMPLY WITH THE FOLLOWING REQUIREMENTS:
2. ILLUMINATION SHALL BE LIMITED TO THE FLOOR SHALL NOT EXCEED 2.5 FOOT CANDLES.
3. ALL LIGHTING FIXTURES SHALL BE MOUNTED AT A MINIMUM HEIGHT OF 15 FEET.
4. ALL LIGHTING SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING REQUIREMENTS:
5. THE LOCATION OF UNWARRANTED PARKING SHALL BE LIMITED TO THE PERMITTED PARKING AREAS.
6. THE LOCATION OF UNWARRANTED PARKING SHALL BE LIMITED TO THE PERMITTED PARKING AREAS.
7. THE LOCATION OF UNWARRANTED PARKING SHALL BE LIMITED TO THE PERMITTED PARKING AREAS.
8. THE LOCATION OF UNWARRANTED PARKING SHALL BE LIMITED TO THE PERMITTED PARKING AREAS.

NOTE: OFFICE SPACE SHALL NOT EXCEED 20% OF THE OVERALL FLOOR AREA.

- LEGEND**
- PROPERTY LINE
 - LOT LINE
 - PROPOSED BUILDING
 - SETBACK LINE
 - WATER SURFACE
 - PROPOSED E.O.P.
 - PROPOSED 2"X10" CONC. CURB
 - PROPOSED 24" CONC. CURB
 - PROPOSED ASPHALT PAVEMENT
 - PROPOSED CONCRETE PAVING
 - PROPOSED GRAVEL/SHELL PAVEMENT
 - SAFETY MARKER
 - SAFETY BENCH MARK
 - SAFETY BENCH FOREMARK
 - POTABLE WATER MAIN
 - SEWER WATER SERVICE
 - GAS/BIOMETHANE SERVICE
 - WATER METER VALVE
 - FIRE HYDRANT
 - TEMPORARY 60" FENCE
 - CONCRETE FOUNDATION
 - PROPOSED STEP BANK
 - PROPOSED PAVING SPACE

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Seminole County 20a Form Required
 Seminole County Land Development Code Requirements
 All work shall be done in accordance with the provisions of the Seminole County Land Development Code Chapter 22C122 incorporating
 MUDC and Seminole County Traffic Standards and must be installed PERM to DISPOSITION of the work.

AMERICAN CIVIL ENGINEERING CO.
 PRELIMINARY DEVELOPMENT PLAN
Monroe Center
 PHASE II
 SEMINOLE COUNTY, FLORIDA

DATE: 8/22/03 DRAWN BY: J. J. JONES CHECKED BY: J. J. JONES APPROVED BY: J. J. JONES	SHEET NO. 1 OF 1 TOTAL SHEETS: 1
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**Minutes for the Seminole County
Land Planning Agency / Planning and Zoning Commission
Wednesday, September 3, 2003
7:00 P.M.**

Members present: Alan Peltz, Richard Harris, Ben Tucker, Thomas Mahoney, Chris Dorworth, Beth Hattaway, and Dudley Bates.

Also present: Jeff Hopper, Senior Planner; Cynthia Sweet, Planner; Michael Rumer, Planner; Tony Walter, Principal Planner; Tony Matthews, Principal Planner; Karen Consalo, Assistant County Attorney; and Candace Lindlaw-Hudson, Senior Staff Assistant.

J. Monroe Commerce Center South – Phase 2; Small Bay Partners, LLC.
/ Howard Schiefer-Decker, applicant; approximately 4.25 acres; rezone
from A-1 (Agriculture) to PCD (Planned Commercial Development)
southeast corner of Church Street and N. Elder Street. (Z2003-033)
Commissioner Maloy – District 1
Jeff Hopper, Senior Planner

Mr. Hopper said that the applicant is requesting approval of a PCD (Planned Commercial Development) consisting of 56,000 square feet of floor area on a 4.25 acre site. The proposal consists of 3 buildings ranging in size from 17,120 to 21,600 square feet. According to the applicant, use of the property will be limited to multi-tenant offices and warehouses, and an outdoor storage area. Storage bays would not be used for retail or service businesses with high rates of traffic generation. Staff believes that the request is compatible with surrounding development. The subject property is located in the Higher-Intensity Planned Development (HIP) land use designation, as are adjoining properties to the north, south and east. Industrial land use lies across Elder Road to the west. The proposed project is similar to the applicant's previously approved project on adjacent property to the east. The first phase of Monroe Commerce Center South received Final Master Plan approval in June 2002 and is now under construction.

As is common in office/warehouse developments, adequate parking is an issue with the proposed project. It is not clear at the planning stage how much of the total project floor area will be used for office and how much will be used for warehousing purposes. Because office uses and storage uses have significantly different parking requirements, there is a wide range of possibilities as to how much actual demand there will be for parking on the site.

If the site were entirely in office use, the Code would require 224 spaces. If entirely warehouse, the requirement would be 56 plus 1 per 2 employees. Since the end product will be a combination of the two uses, it is necessary to create development criteria that limit office use to a proportion that meets Code based on the 111 parking spaces proposed on the site plan.

The applicant proposes a maximum of 20% office space. Based on that limitation, required parking would be as follows:

11,200 s.f. office space	45 spaces
44,800 s.f. warehouse	45 spaces
24 warehouse employees *	12 spaces
TOTAL	102 spaces
*estimated by applicant	

Although the number of spaces noted on the site plan appears to exceed the Code requirement, this is not necessarily the case. Only 79 spaces are actually shown on the plan (the total of 111 is noted in the project data table). Under the applicant's proposal, the balance of required parking would be comprised of clear areas adjacent to bay doors. Collectively, these areas are large enough to provide the balance of the required parking, but the applicant also proposes to use them as bay door access for trucks and other large vehicles. Under such conditions, these dual-use areas may not be available for ordinary parking purposes. Without special criteria imposed through the PCD approval, up to 23 required parking spaces could be lost.

To address this problem, staff recommends that parking adjacent to bay doors be permitted with the following stipulations, to be included in the development order:

1. Parking spaces adjacent to bay doors should be striped, with a minimum depth of 20 feet;
2. Minimum width of spaces should be equal to the width of the doors themselves, but in no case less than 10 feet; and
3. Access to the site by semi-trucks and other vehicles too large to use ordinary parking spaces should be restricted. (The site plan notes that large trucks with trailers will use Monroe Commerce Center North on the opposite side of Church Street.)

The site contains adequate room for 39 such parking spaces, while only 23 are needed to comply with the Code. The remaining bay door approach areas could be left undesignated for flexibility in meeting the needs of individual tenants.

Mr. Hopper said staff recommends approval of the request subject to the following conditions:

- a. Permitted uses are limited to office, warehouse, assembling, light manufacturing, wholesale showrooms, and auto detailing as described herein.

Detailing of vehicles, including truck bed liner installation, window tinting, pin striping, and similar activities not constituting auto repair shall be permitted as determined appropriate by the Planning Manager.

- b. Office uses shall be limited to 20 percent of floor area for the development.
- c. Prohibited uses are mini-storage, retail, outdoor advertising, and on-site repair of vehicles.
- d. Storage bays shall not be used for retail uses involving on-site customer contact.
- e. Parking spaces adjacent to bay doors shall be permitted subject to the following conditions:

- 1. No less than 23 such spaces shall be provided, or additional spaces as needed to meet Land Development Code parking requirements for the entire site.
- 2. All required spaces shall be striped.
- 3. Minimum dimensions shall be 20 feet in depth. Width of spaces shall be equal to that of adjoining bay door(s), but in no case less than 10 feet.
- 4. Semi-trucks and other vehicles exceeding 20 feet in length shall not use regular parking areas between 7 a.m. and 7 p.m. on weekdays.

f. Pedestrian connections shall be provided between interior walkways and public sidewalks along Church Street and North Elder Road.

g. At the time of Final Master Plan approval, additional right-of-way shall be dedicated along Church Street sufficient to provide a 35-foot half right-of-way.

h. Lighting shall consist of cut-off/shoe box style fixtures.

i. Outdoor storage shall be limited to the designated outdoor storage area and shall be used only by tenants of the development.

j. The outdoor storage area shall be landscaped to the north, south and east with plantings providing 75% screening to a height of 3 feet. Along these sides, required plantings shall include 1 canopy tree per 25 linear feet, and further screening shall be provided using a 6-foot chain link fence with vinyl slats.

John Herbert of 200 N. Moss Road, Winter Springs, said that this is Phase 3 of an existing development.

No one spoke from the audience on this item.

Commissioner Mahoney made a motion to recommend approval of the rezoning to PCD as per the conditions in the staff report.

Commissioner Harris seconded the motion.

The motion passed by unanimous consent. (7-0)

MONROE COMMERCE CENTER SOUTH, PHASE 2

REQUEST INFORMATION	
APPLICANT	Howard Schiefer-Decker
PROPERTY OWNERS	Paul and Myrice Lukas
REQUEST	Rezone from A-1 (Agriculture) to PCD (Planned Commercial Development)
HEARING DATE(S)	P&Z: September 3, 2003 BCC: October 14, 2003
SEC/TWP/RNG	16-19-30-5AC-0000-0520
LOCATION	Southeast corner of Church Street and N. Elder Road
FUTURE LAND USE	High Intensity Planned Development
FILE NUMBER	Z2003-033
COMMISSION DISTRICT	District 5 (McLain)

OVERVIEW

Zoning Request: The applicant is requesting approval of a PCD (Planned Commercial Development) consisting of 56,000 square feet of floor area on a 4.25 acre site. The proposal consists of 3 buildings ranging in size from 17,120 to 21,600 square feet. According to the applicant, use of the property will be limited to multi-tenant offices and warehouses, and an outdoor storage area. Storage bays would not be used for retail or service businesses with high rates of traffic generation.

Staff believes that the request is compatible with surrounding development. The subject property is located in the Higher-Intensity Planned Development (HIP) land use designation, as are adjoining properties to the north, south and east. Industrial land use lies across Elder Road to the west. The proposed project is similar to the applicant's previously approved project on adjacent property to the east. The first phase of Monroe Commerce Center South received Final Master Plan approval in June 2002 and is now under construction.

As is common in office/warehouse developments, adequate parking is an issue with the proposed project. It is not clear at the planning stage how much of the total project floor area will be used for office and how much will be used for warehousing purposes. Because office uses and storage uses have significantly different parking requirements, there is a wide range of possibilities as to how much actual demand there will be for parking on the site.

If the site were entirely in office use, the Code would require 224 spaces. If entirely warehouse, the requirement would be 56 plus 1 per 2 employees. Since the end product will be a combination of the two uses, it is necessary to create development criteria that limit office use to a proportion that meets Code based on the 111 parking spaces proposed on the site plan.

The applicant proposes a maximum of 20% office space. Based on that limitation, required parking would be as follows:

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To address this problem, staff recommends that parking adjacent to bay doors be permitted with the following stipulations, to be included in the development order:

1. Parking spaces adjacent to bay doors, and all other required spaces, should be striped, with a minimum depth of 20 feet;
2. Minimum width of spaces should be equal to the width of the doors themselves, but in no case less than 10 feet; and
3. Semi-trucks and other vehicles exceeding 20 feet in length shall not use regular parking areas between 7 a.m. and 7 p.m. on weekdays. (The site plan notes that large trucks with trailers will use Monroe Commerce Center North on the opposite side of Church Street.)

The site contains adequate room for 39 such parking spaces, while only 23 are needed to comply with the Code. The remaining bay door approach areas could be left undesignated for flexibility in meeting the needs of individual tenants.

Existing Land Uses: The existing zoning designations and land uses are as follows:

	Zoning	Future Land Use	Existing Land Use
North	R-1 / PCD	HIP	SF / office-warehouse
South	A-1	HIP	agriculture
East	PCD	HIP	office-warehouse
West	M-1A	Industrial	vacant

For more detailed information regarding zoning and land use, please refer to the attached map.

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.
2. The proposed zoning 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. Seminole County will provide water and sewer service to the site.
4. Information on stormwater capacity and outfall will have to be provided prior to Final 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 PCD zoning classification is consistent with the Higher-Intensity Planned Development (HIP) future land use designation of the Vision 2020 Plan.

PLANNING & ZONING COMMISSION RECOMMENDATION

On September 3, 2003, the Planning & Zoning Commission voted 5-0 to recommend approval per staff recommendations.

STAFF RECOMMENDATION

Staff recommends APPROVAL of the request subject to the following conditions:

- a. Permitted uses are limited to office, warehouse, assembling, light manufacturing, wholesale showrooms, and auto detailing as described herein. Detailing of vehicles, including truck bedliner installation, window tinting, pinstriping, and similar activities not constituting auto repair shall be permitted as determined appropriate by the Planning Manager.
- b. Office uses shall be limited to 20 percent of floor area for the development.
- c. Prohibited uses are mini-storage, retail, outdoor advertising, and on-site repair of vehicles.
- d. Parking spaces adjacent to bay doors shall be permitted subject to the following conditions:

1. No less than 23 such spaces shall be provided, or additional spaces as needed to meet Land Development Code parking requirements for the entire site.
 2. All required spaces shall be striped.
 3. Minimum dimensions shall be 20 feet in depth. Width of spaces shall be equal to that of adjoining bay door(s), but in no case less than 10 feet.
 4. Semi-trucks and other vehicles exceeding 20 feet in length shall not use regular parking areas between 7 a.m. and 7 p.m. on weekdays.
- e. Pedestrian connections shall be provided between interior walkways and public sidewalks along Church Street and North Elder Road.
 - f. At the time of Final Site Plan approval, additional right-of-way shall be dedicated along Church Street sufficient to provide a 35-foot half right-of-way.
 - g. Lighting shall consist of cut-off/shoe box style fixtures and comply with the County Lighting Ordinance.
 - h. Outdoor storage shall be limited to the designated outdoor storage area and shall be used only by tenants of the development.
 - i. The outdoor storage area shall be landscaped to the north, south and east with plantings providing 75% screening to a height of 3 feet. Along these sides, required plantings shall include 1 canopy tree per 25 linear feet, and further screening shall be provided using a 6-foot chain link fence with vinyl slats.

FILE # Z2003-033

DEVELOPMENT ORDER # 3-20500008

**SEMINOLE COUNTY DEVELOPMENT
ORDER**

On October 14, 2003, Seminole County issued this Development Order relating to and touching and concerning the following described property:

Legal description attached as Exhibit A.

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

FINDINGS OF FACT

Property Owner: PAUL AND MYRICE LUKAS

Project Name: MONROE COMMERCE CENTER SOUTH PH 2

Requested Development Approval: Rezoning from A-1 (Agriculture) zoning classification to PCD (Planned Commercial Development) zoning classification

The Development Approval sought is consistent with the Seminole County Vision 2020 Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: JEFF HOPPER
1101 East First Street
Sanford, Florida 32771

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.
- (3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:
 - a. Permitted uses are limited to office, warehouse, assembling, light manufacturing, wholesale showrooms, and auto detailing as described herein. Detailing of vehicles, including truck bedliner installation, window tinting, pinstriping, and similar activities not constituting auto repair shall be permitted as determined appropriate by the Planning Manager.
 - b. Office uses shall be limited to 20 percent of floor area for the development.
 - c. Prohibited uses are mini-storage, retail, outdoor advertising, and on-site repair of vehicles.
 - d. Parking spaces adjacent to bay doors shall be permitted subject to the following conditions:
 1. No less than 23 such spaces shall be provided, or additional spaces as needed to meet Land Development Code parking requirements for the entire site.
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 - f. At the time of Final Site Plan approval, additional right-of-way shall be dedicated along Church Street sufficient to provide a 35-foot half right-of-way.
 - g. Lighting shall consist of cut-off/shoe box style fixtures and comply with the County Lighting Ordinance.
 - h. Outdoor storage shall be limited to the designated outdoor storage area and shall be used only by tenants of the development.
 - i. The outdoor storage area shall be landscaped to the north, south and east with plantings providing 75% screening to a height of 3 feet. Along these sides, required plantings shall include 1 canopy tree per 25 linear feet, and further screening shall be provided using a 6-foot chain link fence with vinyl slats.

4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.

(5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

Done and Ordered on the date first written above.

By: _____
Daryl G. McLain
Chairman
Board of County Commissioners

Attest:

Maryanne Morse
Clerk to the Board of County Commissioners

FILE # Z2003-033

DEVELOPMENT ORDER # 3-20500008

OWNER'S CONSENT AND COVENANT

COMES NOW, the owner, Paul Lukas, on behalf of himself and his heirs, 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 Development Order.

Witness

PAUL LUKAS

Print Name

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 PAUL LUKAS, 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:

FILE #

Z2003-033

DEVELOPMENT ORDER # 3-20500008

OWNER'S CONSENT AND COVENANT

COMES NOW, the owner, Myrice Lukas, on behalf of herself and her heirs, 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 Development Order.

Witness

MYRICE LUKAS

Print Name

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 MYRICE LUKAS, 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:

FILE # Z2003-033

DEVELOPMENT ORDER # 3-20500008

EXHIBIT A

LEGAL DESCRIPTION

N 1/2 OF LOT 52 (LESS E 15 FT FOR RD) ST JOSEPHS PB 1 PG 114

AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY; PROVIDING FOR THE REZONING OF CERTAIN DESCRIBED REAL PROPERTIES LOCATED IN UNINCORPORATED SEMINOLE COUNTY FROM THE A-1 (AGRICULTURE) DISTRICT TO PCD (PLANNED COMMERCIAL DEVELOPMENT) DISTRICT; 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 "Monroe Commerce Center South Phase 2."

(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) District to PCD (Planned Commercial Development) District:

Legal Description Attached as EXHIBIT A

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 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. This Ordinance shall become effective upon both the filing of this Ordinance with the Department and the recording date of Development Order # 3-20500008 in the official land records of Seminole County.

ENACTED this 14th day of October, 2003.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

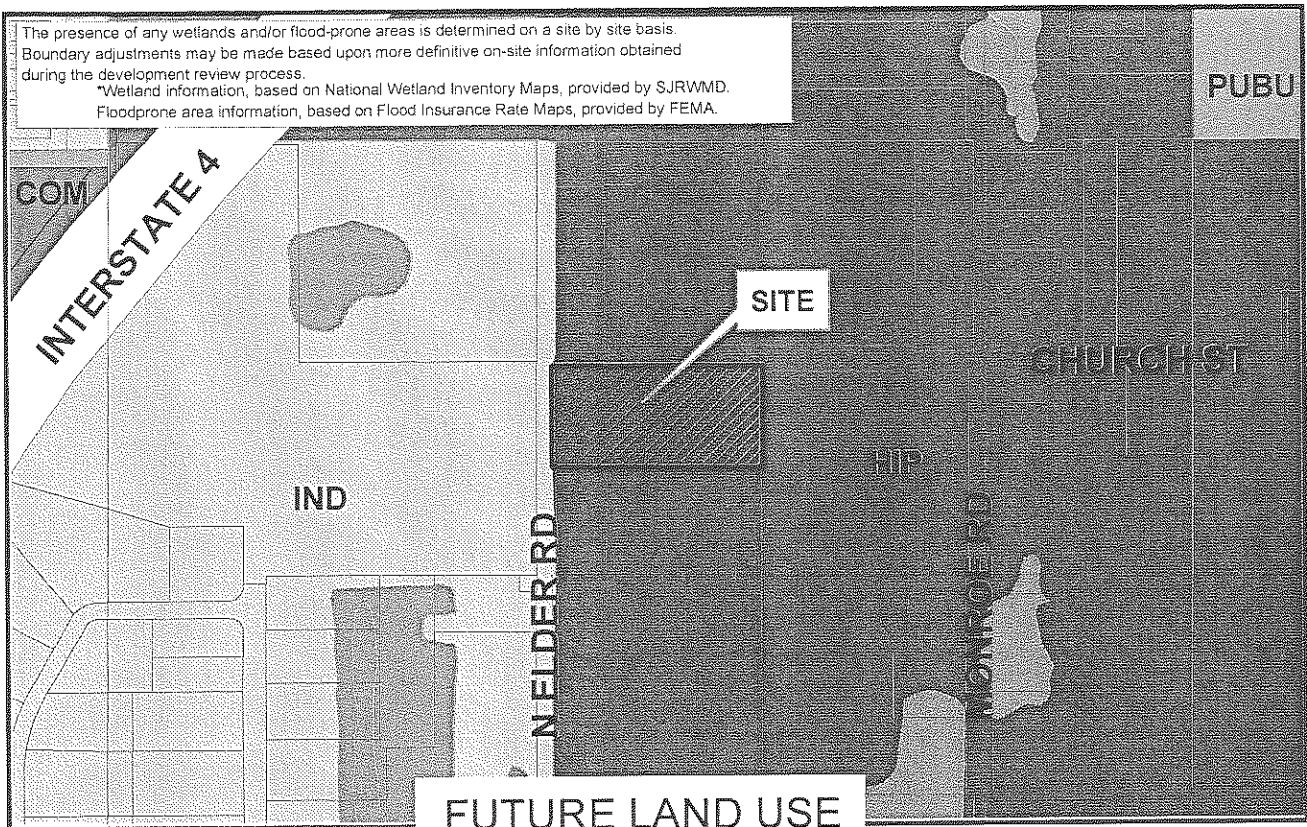
By: _____
Daryl G. McLain
Chairman

FILE # Z2003-033

**EXHIBIT A
LEGAL DESCRIPTION**

N 1/2 OF LOT 52 (LESS E 15 FT FOR RD) ST JOSEPHS PB 1 PG 114

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.
 Flood-prone area information, based on Flood Insurance Rate Maps, provided by FEMA.

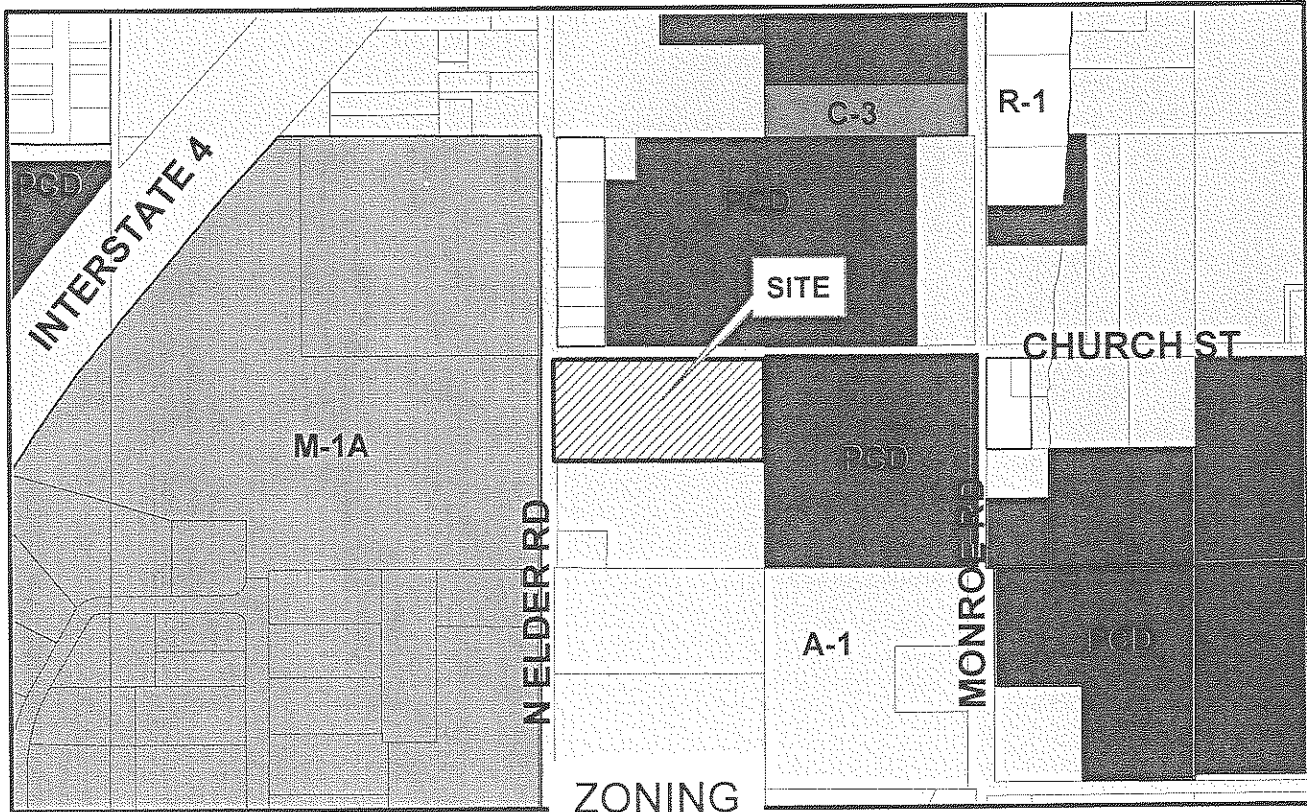


FUTURE LAND USE

Site
 MDR
 PUBU
 HIP
 IND
 COM
 CONS

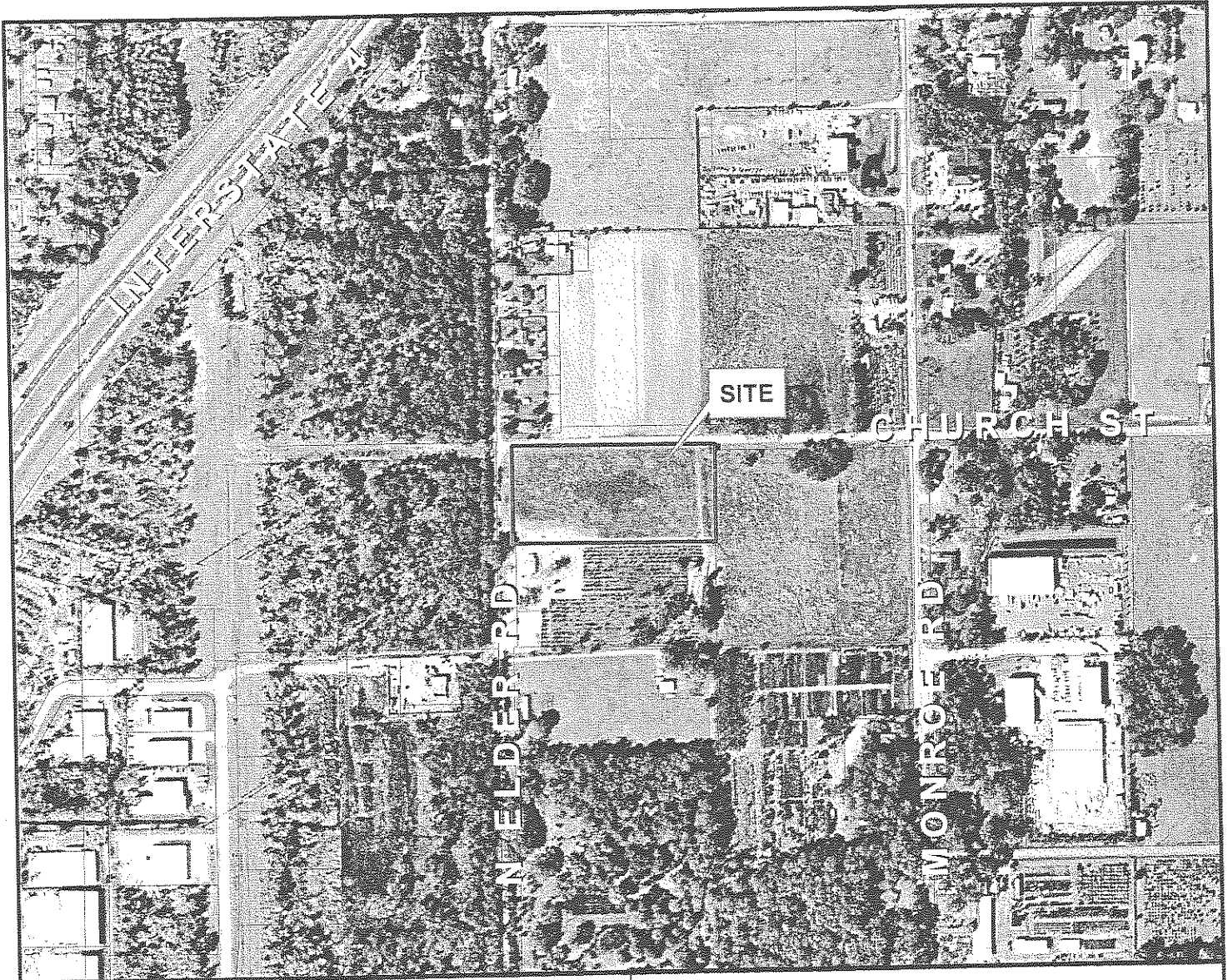
Applicant: Small Bay Partners, LLC
 Physical STR: 16-19-30-5AC-0000-0520
 Gross Acres: 4.25 BCC District: 1
 Existing Use: Vacant Industrial
 Special Notes: None

	Amend/ Rezone#	From	To
FLU	--	--	--
Zoning	Z2003-033	A-1	PCD





ZONING

Site
 A-1
 C-2
 PCD
 C-3
 M-1A
 R-1



Rezone No: Z2003-033
From: A-1 To: PCD

-  Parcel
-  Subject Property



February 1999 Color Aerials