

Item# VI D

SEMINOLE COUNTY GOVERNMENT  
LAND PLANNING AGENCY / PLANNING AND ZONING COMMISSION  
AGENDA MEMORANDUM

SUBJECT: Rezoning from A-I & C-I to PCD (Lake Monroe Commerce Center/  
Sid Vihlen Rezone)

DEPARTMENT: Planning & Development DIVISION: Planning

AUTHORIZED BY: Matthew West <sup>MIN</sup> CONTACT: Kathy Fall <sup>VF</sup> EXT: 7 3 8 9

Agenda Date 2/6/02 Regular  Consent  Work Session  Briefing   
Public Hearing – 1:30  Public Hearing – 7:00

**MOTION/RECOMMENDATION:**

Recommend approval of the proposed rezoning from A-I (Agriculture) & C-I (Commercial) to PCD (Planned Commercial District) for approximately 4.26 acres located on the east side of CR 15 at the intersection of Orange Boulevard with development standards as recommended by staff. (Sid Vihlen, Applicant)

(District #1-McLain)

(Kathy Fall, Senior Planner)

**BACKGROUND:**

The applicant, Sid Vihlen, requests approval of a rezoning from A-I (Agriculture) & C-I (Commercial) to PCD (Planned Commercial District) for 4.26 acres. The site is located on the east side of CR 15 at the intersection of Orange Boulevard.

The applicant proposes warehouses, commercial and office uses with a maximum building square footage of 39,938 feet. The preliminary plan depicts the buildings, parking, setbacks and buffer requirements.

This item was continued by request from the applicant due to the applicant's schedule conflicts.

Attachments: Staff Report  
Development Order  
Ordinance

Reviewed by: \_\_\_\_\_  
Co Atty: ABC  
DFS: \_\_\_\_\_  
Other: \_\_\_\_\_  
DCM: \_\_\_\_\_  
CM: \_\_\_\_\_  
File No. Z2001-019



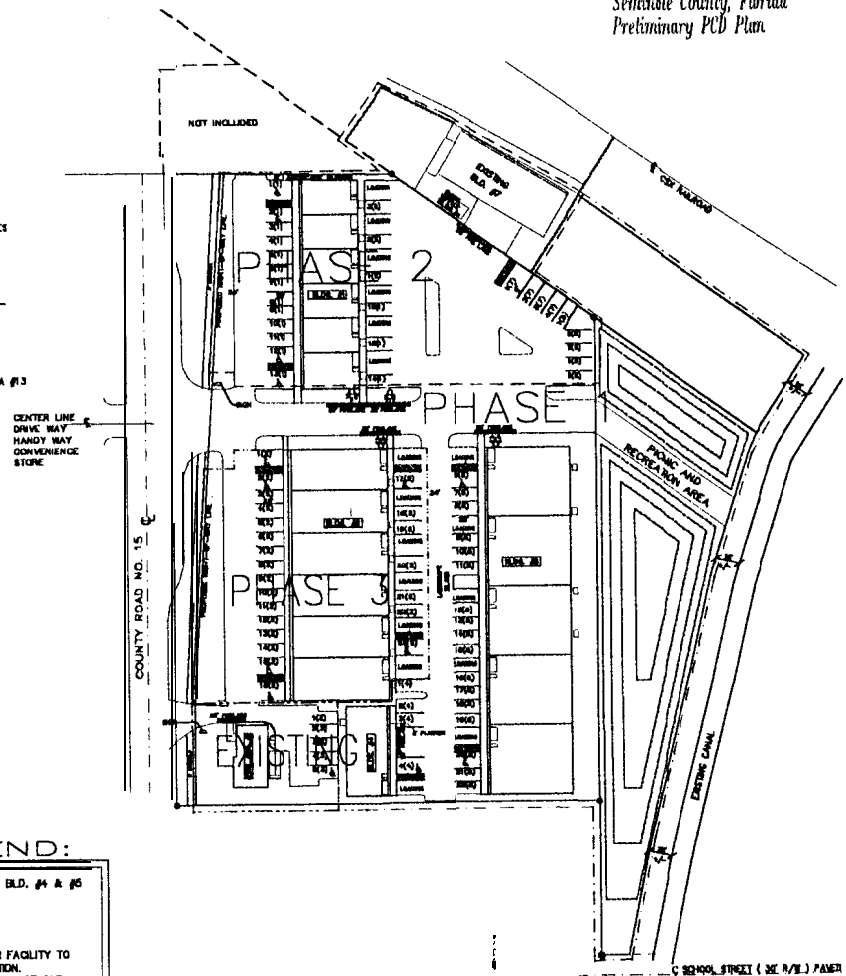




**NOTES**

1. ALL STRUCTURES SHALL COMPLY WITH THE STANDARD BUILDING CODE, 1987, ED., FOR HEIGHT AND AREA, TABLE 300 AND 400, OCCUPANCY, CLASSIFICATION AND TYPE OF CONSTRUCTION.
2. ALL STRUCTURES THAT ARE REQUIRED TO BE ACCESSIBLE PER FLORIDA ACCESSIBILITY CODE OF BUILDING CONSTRUCTION, 1987, ED., SHALL COMPLY WITH THAT CODE. COMPLIANCE SHALL BE IN ACCORDANCE WITH THE CODE 4.1.3, SECTION (1), DATED JANUARY, 1988.
3. THE LOCATION OF HANDICAPPED PARKING SPACES, LOADING ZONES, SIDEWALKS AND DOT RAMP ON SITE SHALL MEET CHAPTER 318.1855 OF THE FLORIDA STATUTES AND SECTION 4.1.3 OF THE FLORIDA ACCESSIBILITY CODE. FLORIDA ACCESSIBILITY CODE, SECTION 4.8.1 SHALL BE MET.
4. ALL STRUCTURES WILL COMPLY WITH THE STANDARD PLUMBING CODE, 1994, ED., TABLE 407, FOR MINIMUM FACILITIES. FOOD SERVICE ESTABLISHMENTS SHALL PROVIDE A MINIMUM OF 750 GALLON GREASE TRAP OR A GREASE TRAP SIZED BY FAC 100-8.
5. ALL TWO-WAY DRIVING AISLES WILL BE A MINIMUM WIDTH OF TWENTY FOUR (24) FEET.
6. WATER AND SEWER UTILITIES WILL BE SERVED BY SEMINOLE COUNTY UTILITIES AND THE STANDARDS AND POLICES OF SEMINOLE COUNTY UTILITIES SHALL BE MET.
7. ALL STANDARD PARKING SPACES WILL BE 10' X 20' AND COMPACT AND HANDICAP PARKING SPACES SHALL MEET ESTABLISHED CODES.
8. DEVELOPMENT AND INFRASTRUCTURE STANDARDS SHALL MEET THE REQUIREMENTS AND REGULATIONS BY SEMINOLE COUNTY.
9. BUILDINGS SHALL BE CONSTRUCTED TO MEET THE REQUIREMENTS, REGULATIONS AND CODES OF SEMINOLE COUNTY OR THE APPLICABLE GOVERNING AGENCY.
10. ALL BUILDINGS SHALL BE SPRINKLED TO MEET THE REQUIREMENTS OF NFPA #13

Lake Monroe Commerce Center  
 County Road # 15  
 Seminole County, Florida  
 Preliminary PCB Plan



**PHASING LEGEND:**

- PHASE 1: ENTRANCE ROAD, RETENTION POND AND BLD. #1 & #2
- PHASE 2: BLD. #1, #2 & #7
- PHASE 3: BLD. #7
- EXISTING: BLD. #3: OFFICE/TAKE OUT REST.

**NOTES:**

- 1.) BLD. #6 & #7, TIRE & MECHANICAL REPAIR FACILITY TO OPERATE AS IS UNTIL PHASE 2 CONSTRUCTION.
- 2.) EXISTING RETAIL/BAIT SHOP AND OUTDOOR VEGETABLE MARKET TO OPERATE AS IS UNTIL PHASE 3 CONSTRUCTION.

**LEGEND**

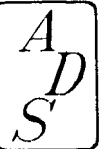
ZONING - A-100 COMMERCIAL, RECREATION					
TOTAL AREA:	4.88 ACRES				
MAX. BLD. HEIGHT:	TOTAL FLOOR AREA:	MAXIMUM:	MINIMUM:	MINIMUM:	MINIMUM:
BUILDING 1	6,000	1,200	4,800	11	33
BUILDING 2	10,000	2,000	14,000	12	33
BUILDING 3 (EXIST)	1,000	1,000	0	0	0
BUILDING 4	10,000	2,000	12,000	12	33
BUILDING 5 (EXIST)	2,000	2,000	0	0	0
<b>TOTAL</b>	<b>29,000</b>	<b>6,200</b>	<b>30,800</b>	<b>33</b>	<b>77</b>

OFFICE SPACE & RETAIL	4.88 ACRES @ 200' SIDEWALK	46,112 SQ. FT.
OFFICE SPACE PROVIDED	127 ACRES	26,348 SQ. FT.
OFFICE & WARE / PLANTING AREA	(2,000 ACRES)	18,000 SQ. FT.
OFFICE SPACE PROVIDED	(1,200 ACRES)	18,000 SQ. FT.

- NOTES:**
- 1.) LAND USE SHALL BE PRIMARILY AN OFFICE / RECREATION COMMERCIAL, WITH A MINOR AMOUNT OF RETAIL SPACE.
  - 2.) PLAN IS CONCEPTUAL AND DEVELOPMENT SHALL BE DETERMINED BY MARKET CONDITIONS EXISTING AT THE TIME LAND USES ARE PROVIDED.

RAND YARD RAILWAY DEVELOPMENT CORP. 204 NORTH PARK AVENUE SUITE 104 SANFORD FLORIDA 32771 PHONE (407) 321-2007 FAX (407) 321-4150  
 OWNER / DEVELOPER



ARCHITECTURAL DESIGN SERVICES  
 OF CENTRAL FLORIDA INC.  
 S. JEFFREY GILDER  
 204 N. PARK AVE. SUITE 104  
 SANFORD, FL 32771  
 407-322-7567  
 407-368-3998

RAND YARD RAILWAY DEVELOPMENT CORP.  
 PHASING PLAN

DATE: 5/12/98  
 10-28-2001  
 NOTED

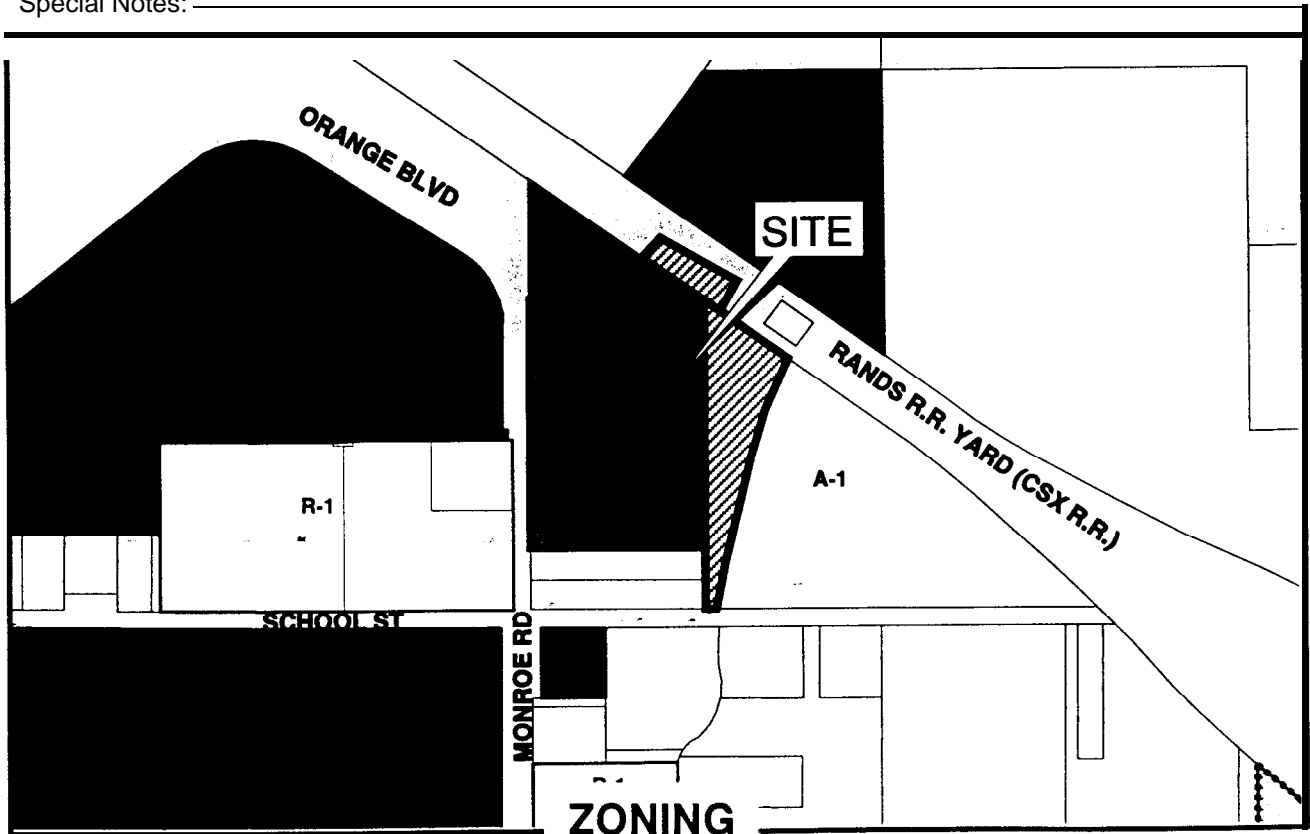


Site   
 Municipality   
 COM   
 SE   
 PUBU   
 HIP

Applicant: Rand Yard Railway Development Corporation  
 Physical STR: part of 16-1 9-30-5AC-0000-025C  
 Gross Acres: 3.964 BCC District: 5  
 Existing Use: Stores Office Vacant  
 Special Notes: \_\_\_\_\_

	Amend/ Rezone#	From	To
FLU			
Zoning	Z2001-019	C-1/A-1 F	C D



N  
A

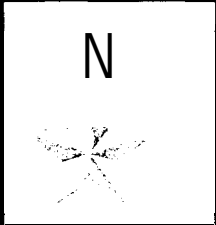


A-1   
 C-1   
 R-1   
 C-2   
 PCD



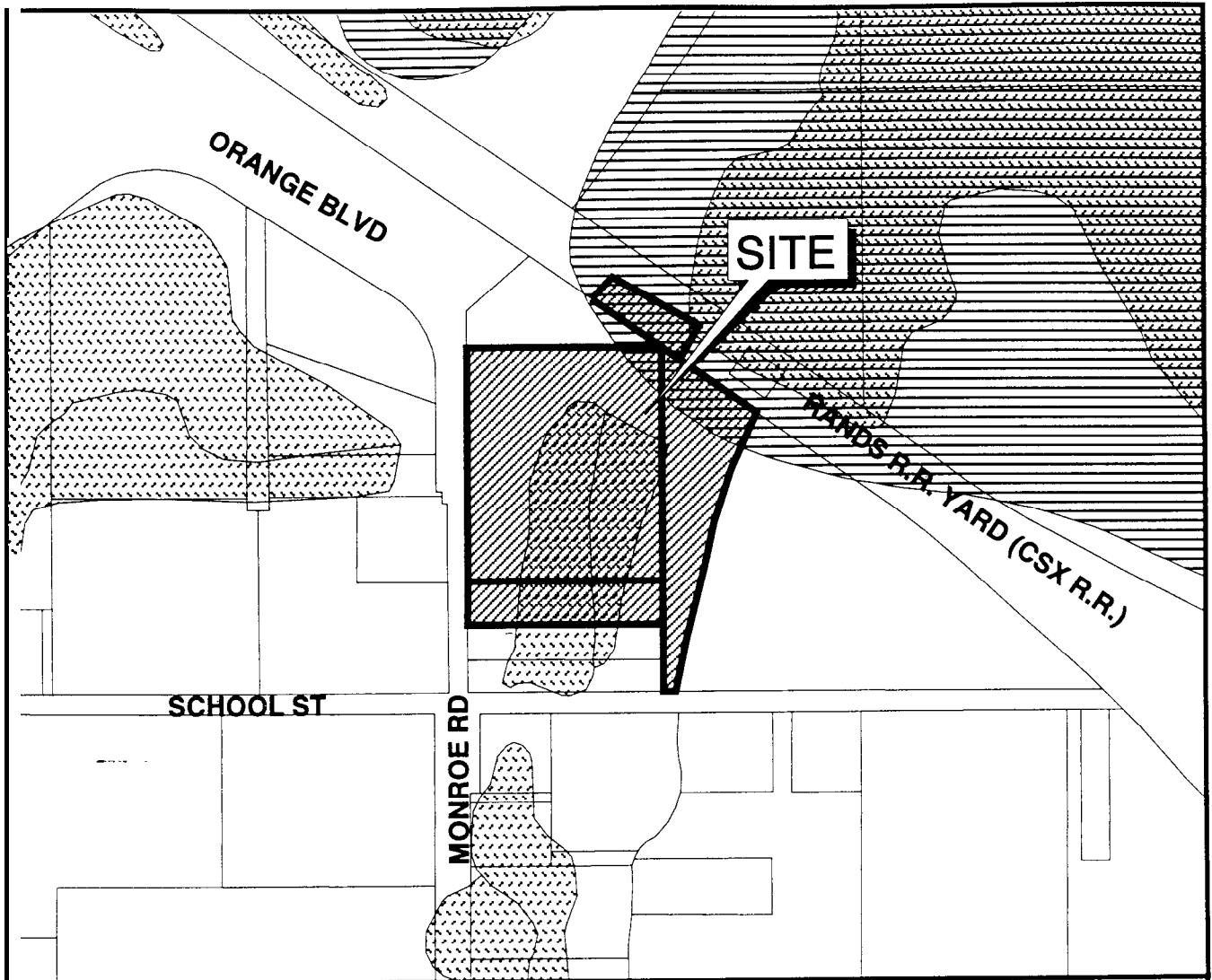
Rezone No. 2200 1-O 19  
 From: C-1/A-1 To: PCD

-  Subject Property
-  Parcelbase





February 1999 Color Aerials

# CONSERVATION



Rezone Z2001-019  
From: C-1 To: PCD

-  Subject Property
-  Municipality
-  Flood
-  Wetlands

N  
A

*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 FEM**



**LAKE MONROE COMMERCE CENTER/SID VIHLEN  
REZONING FROM C-I & A-I TO PCD**

REQUEST INFORMATION	
<b>APPLICANT</b>	Sid Vihlen
<b>PROPERTY OWNER</b>	Rand Yard Railway Development Corporation
<b>REQUEST</b>	A-I & C-I to PCD
<b>HEARING DATE (S)</b>	P&Z: February 6, 2002      BCC: March 26, 2002
<b>SEC/TWP/RNG</b>	16-19-30-5AC-0000-025C-0-7
<b>LOCATION</b>	East side of CR 15 at Orange Boulevard
<b>FUTURE LAND USE</b>	Higher Intensity Planned Development-Target Industry
<b>FILE NUMBER</b>	Z2001-019
<b>COMMISSION DISTRICT</b>	5-McLain

**OVERVIEW**

**-Zoning Request:** The applicant is requesting a rezoning from A-I (Agriculture) & C-I (Commercial) to PCD (Planned Commercial District) in order to develop a mixture of warehouse, office and commercial uses that are allowed under the C-I, C-3 and M-IA zoning districts on this 4.26-acre parcel of land. The proposed plan indicates seven buildings in which three are existing consisting of 39,938 square feet. The property will be developed in three phases. The site is within an area designated at Higher Intensity Planned Development-Target Industry (HIP-TI) on the Future Land Use Map. Access will be from County Road 15.

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

North – C-2, HIP-TI, vacant

South -A-I, HIP-TI, business

East-A-I, HIP-TI, vacant

West – PCD & R-I, HIP-TI, Handy Way and vacant

The proposed request is consistent with the intent of the HIP land use on the site. Other surrounding properties have the same future land use, and the request does not create a compatibility issue.

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 Seminole County Vision 2020 Plan.
3. Seminole County water and sewer service will be available to serve the site.
4. The applicant will be required to dedicate 15 feet starting on the south end of the property that will increase to 40 feet on the north end for the future widening of CR 15.

**Compliance with Environmental Regulations:** There are wetlands and floodprone areas on the site. At the time of development, the proposed subdivision must comply with all relevant wetland provisions of the Seminole County Comprehensive Plan and Land Development Code.

**Compatibility with surrounding development:** Currently, the area has a HIP-TI land use designation. The PCD zoning classification, as proposed is compatible with the HIP-TI land use designation.

## **STAFF RECOMMENDATION**

Staff recommends approval of the requested PCD zoning classification, with the following conditions:

1. Uses allowed will be mixture of warehouse, office and commercial uses that are allowed under the C-1, C-3 and M-1A zoning districts with no more than 10% of the total square footage to be retail.
2. Building height will not exceed thirty-five feet.
3. Parking spaces, setbacks, and all landscaping shall comply with the off-street parking and landscaping section of the Land Development Code in effect at the time of site plan approval.
4. Outdoor advertising signage (billboards) is prohibited.
5. Dedication of-right of way starting at 15 feet in width on the south end of the property that will increase to 40 feet on the north end for the future widening of CR 15 prior to site plan approval.
6. Lighting shall consist of cut-off/shoe box style fixtures with a maximum height of twenty feet, including fixtures.
7. Any traffic signal modifications required as a result of this development shall be paid by the developer.
8. 5' sidewalk along property frontage of C-1 5.
9. Access may be limited after C-1 5 widening.

**SEMINOLE COUNTY DEVELOPMENT  
ORDER**

On \_\_\_\_\_ Seminole County issued this Development Order relating to and touching and concerning the following described property:

See Attached “**EXHIBIT A**”

**FINDINGS OF FACT**

**Property Owner:** Rand Yard Railway- Development Corporation  
204 North Park Avenue, Suite 100  
Sanford, Fl. 32771

**Project-Name:** Lake Monroe Commerce Center/Sid Vihlen Rezone

**Requested Development Approval:** Rezoning from A-I (Agriculture) & C-I (Commercial) to PCD (Planned Commercial District).

The Development Approval sought is consistent with the Seminole County Comprehensive 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: KATHY FALL,  
SENIOR PLANNER  
1101 East First Street  
Sanford, Florida 32771

**SEMINOLE COUNTY DEVELOPMENT  
ORDER**

**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.
- (2) 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. Uses allowed will be mixture of warehouse, office and commercial uses that are allowed under the C-1, C-3 and M-1A zoning districts with no more than 10% of the total square footage to be retail.
  - B. Building height will not exceed thirty-five feet.
  - C. Parking spaces, setbacks, and all landscaping shall comply with the off-street parking and landscaping section of the Land Development Code in effect at the time of site plan approval.
  - D. Outdoor advertising signage (billboards) is prohibited.
  - E. Dedication of right of way starting at 15 feet in width on the south end of the property that will increase to 40 feet on the north end for the future widening of CR 15 prior to site plan approval.
  - F. Lighting shall consist of cut-off/shoe box style fixtures with a maximum height of twenty feet, including fixtures.
  - G. Any traffic signal modifications required as a result of this development shall be paid by the developer.
  - H. 5' sidewalk along property frontage of C-1 5.
- (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 above.**

By: \_\_\_\_\_  
Daryl G. McLain  
Chairman

**SEMINOLE COUNTY DEVELOPMENT  
ORDER**

**OWNER'S CONSENT AND COVENANT**

**COMES NOW**, Rand Yard Development Corporation, the owner of the  
aforescribed property in this Development Order, on behalf of itself and its 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

\_\_\_\_\_  
Rand Yard Development  
Sid Vihlen, Owner

\_\_\_\_\_  
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 Sid Vihlen  
who is personally known to me or who has produced  
\_\_\_\_\_ as identification and who executed the  
above instrument.

**WITNESS** my-hand and official seal in the County and State last aforesaid this  
\_\_\_\_\_ day of \_\_\_\_\_, 2002.

Notary Public, in and for the County and State  
Aforementioned