

1                                   **LAND PLANNING AGENCY/**  
2                                   **PLANNING AND ZONING COMMISSION**  
3                                   **COUNTY SERVICES BUILDING**  
4                                   **ROOM 1028**  
5                                   **August 7, 2002 - 7:00 P.M.**  
6                                   **MINUTES**

7  
8  
9   **Board Present:**

10 Ben Tucker, Chairman  
11 Tom Mahoney, Vice Chairman  
12 Allan Peltz  
13 Dick Harris  
14 Paul Tremel  
15 Beth Hattaway  
16 Dudley Bates

17  
18   **Staff Present:**

19 Matt West, Planning Division Manager  
20 Tony Matthews, Planning Division  
21 Kathy Fall, Planning Division  
22 Jeff Hopper, Planning Division  
23 John Thomson, Development Review Division  
24 Karen Consalo, Assistant County Attorney

25  
26   **I.     CALL TO ORDER**

27 Chairman Tucker convened the meeting to order at 7:00 p.m.

28   **II.    ROLL CALL**

29 Quorum was established.

30   **III.   ACCEPTANCE OF PROOF OF PUBLICATION**

31 **Motion by Commissioner Mahoney to approve proof of publication. Second**  
32 **by Alan Peltz.**

33 **Motion passed unanimously. (7-0)**

34   **IV.   APPROVAL OF MINUTES**

35 **Motion by Commissioner Mahoney to approve the minutes of the July 10,**  
36 **2002, meeting. Second by Commissioner Hattaway.**

37 **Motion passed unanimously. (7-0)**

38 **V. PRELIMINARY SUBDIVISION**

39 ***TOKEN FARM (PSP); JOYCE SCHOENING; 37 ACRES MORE OR LESS;***  
40 ***PRELIMINARY SUBDIVISION APPROVAL FOR A 7 LOT, SINGLE FAMILY***  
41 ***RESIDENTIAL SUBDIVISION, ZONED A-1; LOCATED ON THE WEST SIDE***  
42 ***OF THE GREENEWAY (417) AT THE SOUTHERLY LIMITS OF MIKLER***  
43 ***ROAD ONE MILE SOUTH OF RED BUG LAKE RD, OVIEDO.***  
44 ***COMMISSIONER MALOY – DISTRICT 3*** ***JOHN THOMSON***

45 The applicant is requesting approval of a seven lot Preliminary Subdivision Plan (PSP)  
46 and a waiver to the street paving requirement of Section 35.62 of the Land  
47 Development Code. This PSP is located on the west side of the Greenway (417) at the  
48 southerly limits of Mikler Road approximately one mile south of Red Bug Lake Road.

49 The property currently consists of four previously approved lots that are served by an  
50 unpaved private driveway on 37 acres of land. The property originally received a lot  
51 split approval and subsequently a plat waiver to add two additional lots bringing the  
52 current total of approved lots to four. The applicant has requested PSP approval to add  
53 three additional lots in DR No.: 16-21-31 - the configuration shown in the PSP. The PSP  
54 is Parcel ID#: 29-19-30-300-0150-000 consistent with the A-1 (Agriculture) zoning and  
55 Future Land Use Designation of Suburban Estates. The seven total lots results in a net  
56 density of one dwelling unit for five acres with lot sizes varying from 1.4 to 17.4 acres.

57 Staff can support the waiver request because the PSP is limited to seven lots in a rural  
58 setting. The subdivision is located in an area to the west of the Greenway and south of  
59 Chapman Road designated Suburban Estates that is generally rural in character with  
60 large lots (i.e. generally one to five acres in size). The internal street of the PSP serves  
61 only the seven lots of the subdivision. Adequate right-of width is provided for an open  
62 section and plans submitted for final engineering approval will require appropriate  
63 drainage and stabilized shoulders and sub-grade for the internal roadway.

64 The applicant has agreed to submit a declaration of covenants and restrictions  
65 providing for the maintenance of the unpaved roadway by the property owners  
66 association. The declaration will provide a covenant that no further subdivision of the  
67 property is to occur unless it meets the subdivision standards and that all current and  
68 future lot owners relinquish any rights to further subdividing of the property. This will  
69 be reinforced by execution of a Development Order with approval of this PSP.

70 Potable water for the individual lots is to be provided by well and wastewater is to be  
71 treated by individual onsite septic systems.

72 Staff recommends approval of the Preliminary Subdivision Plan and waiver to the  
73 internal street paving requirement in Section 35.62, Land Development Code subject to  
74 the conditions.

75 **Commissioner Mahoney asked if it could be indicated where the four lots are**  
76 **located that are currently approved?**

77 Mr. Thomson said he did not have the approved lot layout but the PSP is a  
78 reconfiguration of those four lots that were previously approved. Mr. Thomson pointed  
79 to the four existing lots and the three new lots.

80 **Commission Mahoney asked why lot #5 appears to be encircled by lot #6?**

81 Mr. Thomson said that is correct. That is the way the applicant proposed it. Staff  
82 actually recommended that they square off the boundaries so it would not have this  
83 awkward shape but it does meet the minimum requirements of our Land Development  
84 Code.

85 **Commissioner Mahoney asked what is that extension of the road between**  
86 **lots #4 and #5?**

87 Mr. Thomson said those are the topographic contour lines.

88 **Commissioner Mahoney asked if the standards for unpaved roads is that they**  
89 **won't have black top?**

90 Mr. Thomson said that the right-of-way section would be an open rural section, which  
91 means it will have surface drainage with a swale system. The actual area where the  
92 waiver request is focused is the area where the road would go and the applicant will be  
93 required to put in sub-base.

94 **Commissioner Mahoney asked if Engineering would review things like water**  
95 **table and such?**

96 Mr. Thomson said staff will be reviewing more detailed construction plans at Final  
97 Engineering. Once the PSP is approved, if the waiver is approved by the BCC, the next  
98 step would be to bring in detailed construction plans as part of the final platting  
99 process.

100 The applicant, Joyce Schoening, said that lots #4 and #5 belong to their two sons and  
101 their families. Lot #1 is where her house is currently and lot #4 is for her mother. This  
102 is a family farm with livestock. The purpose in asking for the subdivision is to prevent  
103 any further subdivision of this property. It currently has wildlife on it and is in the  
104 woods and we would like to see it stay very natural in the future. She asked for Board  
105 approval.

106 **Motion by Commissioner Mahoney to approve the PSP along with the**  
107 **requested variance subject to the three staff conditions. Second by**  
108 **Commissioner Peltz.**

109 Motion passed unanimously. (7-0)

110 **These items were taken out of order:**

111 **VI. OLD BUSINESS**

112 **B. *HEATHROW ELEMENTARY; SEMINOLE COUNTY SCHOOL BOARD,***  
113 ***DIANNE KRAMER; 45 ACRES MORE OR LESS; REZONE FROM A-1***  
114 ***(AGRICULTURE) TO PLI (PUBLIC LANDS AND INSTITUTIONS); 5715***  
115 ***MARKHAM WOODS ROAD.***  
116 ***COMMISSIONER MCLAIN-DISTRICT 5*** *KATHY FALL*

117 **Motion by Commissioner Mahoney to continue this item to the October 2,**  
118 **2002, LPA meeting. Second by Alan Peltz.**

119 **Motion passed unanimously. (7-0)**

120  
121 **C. *LAKE JESUP WOODS; HARLING LOCKLIN & ASSOC./HUGH***  
122 ***HARLING; 81 ACRES MORE OR LESS; LARGE SCALE COMPREHENSIVE***  
123 ***PLAN AMENDMENT FROM SUBURBAN ESTATES (SE) TO LOW DENSITY***  
124 ***RESIDENTIAL (LDR); REZONE FROM A-1 (AGRICULTURE) TO PUD***  
125 ***(PLANNED UNIT DEVELOPMENT); SOUTH OF MYRTLE STREET, NORTH***  
126 ***OF CADILLAC STREET, AND EAST OF HESTER AVENUE.***  
127 ***COMMISSIONER MCLAIN-DISTRICT 5*** *AMANDA SMITH*

128 **Motion by Commissioner Mahoney to continue this item to the September 4,**  
129 **2002, LPA meeting. Second by Commissioner Hattaway.**

130 **Motion passed unanimously. (7-0)**

131  
132 **A. *TEXT AMENDMENT TO THE FUTURE LAND USE ELEMENT OF THE***  
133 ***SEMINOLE COUNTY COMPREHENSIVE PLAN (VISION 2020); TO***  
134 ***ADD A POLICY TO ALLOW THE PLANNING AND DEVELOPMENT***  
135 ***DIRECTOR TO APPROVE ADMINISTRATIVE WAIVERS TO LOT SIZE AND***  
136 ***LOT SIZE AND LOT WIDTH, UNDER SPECIAL CIRCUMSTANCES, IN THE***  
137 ***RC-1, A-1, A-3, A-5, AND A-10 ZONING DISTRICTS***  
138 ***COUNTYWIDE*** *MATT WEST*

139 **Motion by Commissioner Mahoney to continue this item to the September 4,**  
140 **2002, LPA meeting. Second by Commissioner Hattaway.**

141 **Motion passed unanimously. (7-0)**

142 **VII. NEW BUSINESS**

143 **A. *TESINSKY RV STORAGE MIKE HATTAWAY; 1.90 ACRES MORE OR***  
144 ***LESS; SMALL SCALE LAND USE AMENDMENT FROM MEDIUM DENSITY***  
145 ***RESIDENTIAL TO INDUSTRIAL; AND REZONE FROM A-1 (AGRICULTURE)***  
146 ***TO PCD (PLANNED COMMERCIAL DEVELOPMENT); EAST SIDE OF SR 426***  
147 ***AND 0.2 MILE SOUTH OF CHAPMAN ROAD.***  
148 ***COMMISSIONER MALOY-DISTRICT 1*** *JEFF HOPPER*

149 **At this time Commissioner Hattaway declared a conflict of interest and**  
150 **removed herself from the meeting.**

151 The applicant is asking for a Small Scale Land Use Amendment from Medium Density  
152 Residential to Industrial and Rezoning from A-1 to PCD. The applicant is also asking for  
153 concurrent approval of a Final Master Plan and Developer's Commitment Agreement.  
154 The property is approximately 1.9 acres on the East Side of SR 426, 0.2 mile south of  
155 Chapman Road.

156 The applicant is proposing a storage yard for recreational vehicles on the property to  
157 the rear of the existing Tesinsky Automotive facility. No structures or paved surfaces  
158 are being proposed, with access to be provided through the existing Tesinsky facility to  
159 the west.

160 Development in this area is characterized by low-density residential and rural uses, with  
161 some industrial development to the west of SR 426. Adjoining property to the north,  
162 east and south is designated Medium Density Residential. The site currently consists of  
163 vacant land largely cleared of trees.

164 Land uses surrounding the site are Single Family Residential to the north, vacant land to  
165 the south and east; and an auto repair and storage facility to the west.

166 Staff feels that, rather than Industrial, a Planned Development land use designation is  
167 most appropriate for the site in assuring compatibility and tailoring development  
168 standards to the proposed use. With appropriate design features, the proposal would  
169 be compatible with surrounding land uses.

170 Staff recommends approval of the request, subject to development conditions listed in  
171 the Staff Report. Among these are the following:

- 172 1. Permitted uses of the property shall be parking and storage of recreational vehicles  
173 and C-3 uses, except for certain prohibited uses including communication towers,  
174 vehicle sales, and contractors' storage yards.
- 175 2. Subject property shall be screened on the east and south by an 8' chain link fence  
176 with tennis-style mesh wind screening.
- 177 3. Developer shall install landscape buffers along the east and south property lines  
178 consisting of 4 canopy trees and 5 wax myrtle plants per 100'.
- 179 4. No inoperable, junked or abandoned vehicles shall be stored at the facility.

180 There are some changes staff would like to make in the draft Development Order as a  
181 result of a meeting with the applicant.

182 Item e:

183 Instead of permanent irrigation system, landscaping should be maintained in a healthy  
184 condition, as the Code requires. Also, that existing vegetation may count toward  
185 landscape requirements, as appropriate.

186 Item f:

187 Lighting should be a maximum of 25' in height rather than 16'.

188 Item i:

189 Public access would be prohibited from 10:00 p.m. to 5:00 a.m., rather than 6:00 a.m.

190 Mike Hattaway, the applicant, has worked closely with staff and appreciates their  
191 diligent efforts. He concurs with staff recommendations and asked for Board approval.

192 **Motion by Commissioner Peltz for approval including new staff**  
193 **recommendations. Second by Commissioner Tremel.**

194 **Motion passed unanimously. (7-0)**

195 ***B. EAST LAKE BRANTLEY DRIVE PUD; DALY DESIGN***  
196 ***GROUP/THOMAS DALY; APPROXIMATELY 9.9 ACRES MORE OR LESS;***  
197 ***SMALL SCALE LAND USE AMENDMENT FROM OFFICE TO PLANNED***  
198 ***DEVELOPMENT (08-02SS.2);AND REZONE FROM OP (OFFICE***  
199 ***PROFESSIONAL) TO PUD (PLANNED UNIT DEVELOPMENT); WEST SIDE***  
200 ***OF WEKIVA SPRINGS ROAD, APPROXIMATELY ½ MILE NORTH OF SR***  
201 ***434.***

202 ***COMMISSIONER VAN DER WEIDE-DISTRICT 3*** ***JEFF HOPPER***

203 The applicant is asking for a Small Scale Land Use Amendment from Office to Planned  
204 Development; and Rezoning from OP to PUD. The property is approximately 9.9 acres  
205 on the west side of Wekiva Springs Road, at East Lake Brantley Road., ½ mile north of  
206 SR 434.

207 The applicant is proposing a townhouse development on the subject property, with a  
208 site plan indicating 74 units at a net density of 9.09 units/acre. As a possible  
209 development option, the applicant proposes to retain the current potential of office uses  
210 on the site, subject to development standards of the OP zoning district. In order to  
211 accommodate both scenarios, he is requesting a Planned Development future land use  
212 designation. Proposed townhouse units would be designed for fee-simple ownership  
213 with each home on a separate, privately owned lot.

214 The site currently consists of wooded, undeveloped land. Land uses surrounding the  
215 site are vacant and commercial land to the north; Single family residences to the south;  
216 Office and medium density residential to the east; and Single family residential and a

217 church to the west. Development in this area is characterized by single family and multi-  
218 family residential uses, as well as commercial and office uses along Wekiva Springs Road.

219 Staffs feels that, with appropriate design features such as adequate buffering and  
220 access controls, the proposal could be compatible with surrounding development and in  
221 character with the overall intensity of the area.

222 Staff recommends approval of the request, subject to development conditions listed in  
223 the Staff Report. Among these are:

- 224 1. Townhouse units shall be individually owned on platted lots.
- 225 2. There shall be a 50' building setback and a 25' buffer along the south property line.  
226 Existing trees shall be preserved in the required buffer.
- 227 3. A 6' brick or masonry wall shall be constructed and maintained along the south  
228 property line.
- 229 4. Landscape buffers a minimum of 25' in width shall be provided along East Lake  
230 Brantley Drive and Wekiva Springs Road. A minimum of 4 canopy trees per 100'  
231 shall be planted in said buffers.
- 232 5. Outdoor lighting shall be cutoff/shoebox style fixtures a maximum of 16' in height.

233 **Commissioner Temel asked if this project would have access off of East Lake**  
234 **Brantley Drive?**

235 Mr. Hopper said it is his understanding that the applicant has proposed emergency  
236 access only from East Lake Brantley Drive. The main entrance and exit would be from  
237 Wekiva Springs Road.

238 **Commissioner Tremel asked if this was specified somewhere if it is**  
239 **approved?**

240 Mr. Hopper said he would double-check that.

241 Mr. Daley represented the applicant, Centex Homes. It is his proposal to develop about  
242 2/3 of the property. The proposed townhome project is going to be on the southern  
243 portion of the property and the remainder of this land is going to be retained for office  
244 use.

245 There are a couple of staff conditions that Mr. Daly wanted to address.

246 Item #4 – There shall be a 50' building setback and a 25' buffer along the south  
247 property line.

248 They are 4 existing single family residences on the south property line. There are two  
249 dead end streets that come into it. It is not our intent to extend those roads into our  
250 property. We are proposing to buffer those off and not have any vehicular traffic into  
251 the site. The 50' building setback and the 25' buffer is something that comes out of the  
252 Land Development Code with the active/passive buffer requirements.

253 If you take a look at the active/passive buffer requirements that are currently in the  
254 Code, the 50' building setback and 25' buffer that are requested by staff are the same

255 as what a commercial site would be against this property. These are not apartments or  
256 rental units, these are attached single family homes. When we look at the buffers that  
257 are suggested by staff, we think staff does not recognize this.

258 Our proposal is to provide a 10' buffer between the single family properties and the  
259 townhome project, a 30' building setback for the one-story, a 40' passive side building  
260 setback, and grade the setback up to 50' adjacent to the active side which would be the  
261 rear of the units of the two-story buildings. We think this is a natural progression. We  
262 have been working with staff over the last several months to develop a different  
263 standard for townhomes versus apartments. We think the gradation of building  
264 setbacks based upon the type of unit, building height and the separation between the  
265 single-family is more appropriate than a standard 50' building setback, which is for a  
266 commercial building.

267 We are asking for Board approval of our submitted drawing instead of item #4 and on  
268 our submittal plan it identifies those specific setbacks and buffer requirements.

269 Item #5 calls for a brick or masonry wall. If you look back at the passive buffer  
270 requirements, there is language in there about doing landscaping and/or a brick or  
271 masonry wall. Again, these are for more intense uses. We are asking for the ability to  
272 put up a 6' PVC fence that would be equally screened, equally durable and maintained.  
273 All the site improvements are commonly owned and maintained by the homeowners  
274 association.

275 Item #15 – Window openings on the second floor of units facing the south property  
276 boundary shall be frosted or opaque. The intent is that if we are putting buildings right  
277 up against the south property line, we would frost the second floor windows so you  
278 can't look down. However, that statement by itself could apply to any south facing  
279 building within the project. We would like to request to amend that condition to say  
280 that ***for units that are closer than 50'***, window openings on the second floor shall  
281 be frosted.

282 **Commissioner Tremel said there is no egress showing into this property off of**  
283 **East Lake Brantley Drive.**

284 Mr. Daly said that on the plan there is an access point to East Lake Brantley as  
285 emergency only. The police and fire departments need to be able to get into a location  
286 at more than one access point. However, the main access point is from Wekiva Springs  
287 Road. There is an existing median cut and turn lane into the site and that is where the  
288 main entrance is proposed.

289 **Commissioner Tremel asked what is the design of that emergency access?**

290 Mr. Daly said that these typically will be gates the fire department can cut or crash  
291 through.

292 **Commissioner Tremel asked if it would be gated?**

293 Mr. Daly said yes, it is a gated community and will be kept secure for the residents.



294 **Commissioner Hattaway asked if there will be big landscaped boulevards and**  
295 **on-street parking?**

296 Mr. Daly said there will be on-street parking, landscaped boulevards at the entrance,  
297 sidewalks on both sides and ornamental lighting.

298 PUBLIC COMMENT

299 Don Preslik, 3114 Clubside Drive, spoke in opposition to the project. He presented over  
300 200 petitions to the Board which were entered into record. He is not against anything  
301 Mr. Daly has presented. However, if anyone has driven down that street approximately  
302 the time school starts, these children are not able to ride their bikes to school because  
303 of the traffic. It was just a couple of weeks ago that he drove by on a Saturday  
304 afternoon right where this project is proposed and it was totally underwater from a  
305 rainstorm. There is no adequate drainage there. In addition to that, there are traffic  
306 jams coming out onto Wekiva Springs Road on many occasions. The current residents  
307 will not benefit from this project. The existing residents of this area have a right to  
308 function in manner that they pursued when they bought in that area. The quality of life  
309 that was in this area 15 years ago is diminishing rapidly. Any financial benefit the  
310 County would get at this point would be totally offset by the crowding of the schools  
311 and the additional costs of the issues of the roads that would have to be addressed.  
312 Any additional housing in that area would be detrimental to the existing residents.

313 William Fahey, 412 Timbercove Circle, is a resident of the Sweetwater Oaks Subdivision.  
314 His house faces Wekiva Springs Road. He is concerned about the increase in traffic.  
315 Over the years this area has been rezoned from Residential to Office Professional. Now  
316 they want to reverse the trend and take this land that is contiguous to the Office  
317 Professional and put it back to Residential again. This will have a big impact on the  
318 schools and the residents.

319 Robert Whitson, 315 East Lake Brantley Drive, spoke in opposition to the project. His  
320 property is located right across the street from the west side of the project. He agrees  
321 with the concerns expressed so far, especially the traffic issues. His main concern is  
322 the effect on East Lake Brantley Drive, which is a small 2-lane road that already has  
323 flooding problems and no sidewalks. He is very concerned about having more  
324 pedestrian traffic and more vehicle traffic in that area. He would like to have a wall on  
325 East Lake Brantley Drive. There is a lake there and at night that street is very dark and  
326 there has been trouble with vandalism on his property. He is opposed to putting  
327 housing there because he feels it will overload the area but whatever they decide to put  
328 there, he would strongly recommend a wall along there too high for children to climb  
329 over, and it should be well landscaped.

330 Sharon Fowler, 623 Longmeadow Circle, is concerned about the increase in traffic  
331 impacts. The current zoning would not affect the traffic but Residential zoning would.  
332 She is also concerned about potential overcrowding of the school system. Even now we  
333 already exceed the desired number of children per classroom. From a land planning

334 standpoint, the area is now shown as Office, and the zoning classification that is there  
335 now would allow for a consistent Office land use in that area. She feels it is a bad idea  
336 from a planning standpoint to chop that and add a Residential land use in between the  
337 Office land use. We would not get a chance to see the streetscape because it is a  
338 gated community. We would only see the backside of the buildings from Wekiva  
339 Springs Road. All the other communities along Wekiva Springs Road, including Sabal  
340 Point, internalize their egress to the apartments and for high density. These aren't  
341 apartments but they are high density. This would be the first development to have high  
342 density land use for residential directly on Wekiva Springs Road.

343 Lori Hudson, 662 Pine Shadow Court, represents Wekiva One, a neighbor to this  
344 property. She agrees with all the concerns that have been mentioned. In addition,  
345 when this property was purchased, we were told that a group of investors had bought  
346 the property all along Wekiva Springs Road and had it designated as Office Professional  
347 with the hope that when it was all built there would be a frontage road that would ease  
348 the traffic and provide easier access to all the businesses. This won't take place if the  
349 Residential development is to go there. The letter of notification she received was  
350 dated August 1<sup>st</sup> and she feels that this was not enough notice to discuss the existing  
351 residents' concerns.

352 Mayo Graham, 385 Wekiva Springs Road, spoke in opposition to the request. He is  
353 concerned about the increase in traffic. He feels there should be a permanent brick or  
354 masonry wall and not a PVC wall. He asked what the setbacks would be from his  
355 property line to the project. He also wanted to know where the sewer system was  
356 coming from.

357 Tom Eastes, 454 Timber Ridge Drive, spoke in opposition to the request. He moved  
358 here specifically for the schools and is concerned about the impact this project will  
359 have. He is also concerned about the traffic issues that have been mentioned. He  
360 doesn't see any benefit this project will have for the existing residents.

361 Mr. Daly said the main concern is traffic. We are building 74 homes, which will have  
362 less than 600 trips a day. The existing level of service is level B and the acceptable is  
363 level service is E. From a concurrency standpoint, we more than meet the traffic  
364 capacity limits for Wekiva Springs Road.

365 Some of the other comments, referring to schools, we have the half cent sales tax that  
366 was just passed and there is a lot of construction moving forward.

367 Referring to the comments about drainage, there is an existing lake on the property.  
368 We will be required to hold all of our stormwater within our site and within that lake. It  
369 is a closed basin and there is no outfall. We can't fix any current problems that are  
370 going on, but we won't increase that problem.

371 This is the last piece of vacant property in this area and he doesn't feel the County can  
372 stop the ability to develop this site. The question tonight is whether we allow an infill of  
373 townhomes on this property, in this location.

374 Mr. Graham asked about the setback from his property. He owns the deep property  
375 along the southern property line. We are requesting 30' for a one-story building, 40' a  
376 passive side of a building and 50' for a two-story where the units face.

377 He is willing to sit down with the residents between now and the BCC meeting to  
378 further explain what his proposal is and take them out to see the product we are  
379 proposing for this site. He requested Board approval for this project.

380 **Chairman Tucker asked how is the sewer is being provided?**

381 Mr. Daly said there is an existing force main on the east side of Wekiva Springs Road.  
382 Seminole County does not provide sewer service. It is provided by Utilities, Inc., so we  
383 would be going under the road and providing service through a lift station.

384 **Commissioner Bates asked about the level of service B on Wekiva Springs**  
385 **Road.**

386 Mr. Daly said yes, in the staff report under Comprehensive Policy Plan, item A, Traffic  
387 Circulation, Consistency with Future Land Use Element. It says the existing level of  
388 service on this portion of Wekiva Springs Road is B with an adopted level of service  
389 standard E.

390 **Commissioner Bates lives in that area and he feels that something is way out**  
391 **of line as far as a level of service B on Wekiva Springs Road, especially at the**  
392 **peak hours. He is very concerned about the traffic impact in that area.**

393 Mr. Daly said this project will generate less than 600 trips a day and that is based on 8  
394 trips per unit. If it were a single family, it would be 10 trips a day based on the traffic  
395 engineer's standards. He doesn't feel that 600 trips a day is going to exacerbate the  
396 existing problem.

397 **Chairman Tucker asked is there was verification of the traffic studies?**

398 Mr. Hopper said he consulted the support document of the Comprehensive Plan. He  
399 has information from the traffic reviewer of the Development Review Committee who  
400 indicated the proposed development will generate 434 average trips per day.

401 **Chairman Tucker asked how this compares to Office Professional?**

402 Mr. Hopper said he did not have that information.

403 Mr. West said if you 80,000-90,000 square feet of Office on there, you probably have  
404 more than double what the townhome project would generate for traffic.

405 **Commissioner Mahoney asked if the existing zoning would have a much**  
406 **harder impact than the rezoning?**

407 Mr. West said yes.

408 **Chairman Tucker asked whether the site can be accessed from East Lake**  
409 **Brantley Drive under the existing zoning?**

410 Mr. West said as it stands now, they can go in on both East Lake Brantley Drive and  
411 Wekiva Springs Roads.

412 **Chairman Tucker asked what the typical clearing situation would be for**  
413 **clearing the trees in an existing proposal like this versus the existing zoning**  
414 **of Office?**

415 Mr. West said whether it is Office or townhomes, you could have the same issues with  
416 grading or providing parking. The issue here is that, because they are going to a PUD,  
417 you could put additional restrictions on it.

418 **Chairman Tucker asked about the comparison of this proposal versus Office**  
419 **for drainage and the impact on the lake.**

420 Mr. West said they have to meet the same drainage requirements since it is a closed  
421 basin.

422 **Chairman Tucker asked which would give the most drainage results?**

423 Mr. West said that most townhomes projects are going to have more green area as  
424 opposed to Office needing more parking and more pavement. In all likelihood, the  
425 odds are there will be more pervious and green space with the townhome project than  
426 with an Office project.

427 Mr. West quoted from the ITE Trip Generation Manual, 6<sup>th</sup> Edition, the standard they  
428 use across the country. A general office building averages about 11 trips per 1,000  
429 square feet. This is about twice what you get from a townhome project, on average.

430 **Chairman Tucker asked how would that spread over a time frame? Would**  
431 **there be more or less of an impact with traffic coming to and from an office**  
432 **all at once versus traffic coming from a home?**

433 Mr. West said offices are typically 8 to 5 or 9 to 5 in operation and have much more  
434 rigid hours when employees would arrive or depart as opposed to residential, where  
435 whoever lives there may work different shifts. The peak impact from office is going to  
436 be greater than from townhomes.

437 **Commissioner Mahoney asked what the setbacks were for Office**  
438 **Professional?**

439 Mr. West said the setback from office to adjacent residential, an office building could  
440 have a 25' buffer and a 50' building setback if it is active. That means it would have a  
441 main entrance or air conditioners on that side or something that would generate noise  
442 or traffic. If it were passive, an office building that was single story and had no  
443 entrances on the back, it could have a 15' buffer and a 25' building setback. If it were  
444 a two-story office building, it could be a 15' buffer and a 50' building setback.

445 **Chairman Tucker said that in item #2 it refers to not marketing this as**  
446 **student housing. How do you differentiate designs for student housing?**

447 Mr. West said that student housing will typically have a bathroom for every bedroom  
448 that is actually attached to that bedroom, so that the only area that's common space is  
449 the kitchen and living room and they can rent each bedroom out separately.

450 **Chairman Tucker doesn't see how you could make that apply in some of the**  
451 **unique designs that are out there.**

452 **Chairman Tucker asked how the County is realistically going to enforce the**  
453 **condition that the second story windows be frosted a year after its built?**

454 Mr. West said if someone complains, the County goes out and tells the developer that  
455 the windows have to be sand blasted or frosted.

456 **Chairman Tucker asked if it was enforceable?**

457 Mr. West said yes, through the Code Enforcement process.

458 **Chairman Tucker said theoretically or practically?**

459 Mr. West said our Code Enforcement process is improving everyday. We are now  
460 partnering with Sheriff's Office in a pilot program and the resources of their deputies  
461 and their resource officers would supplement our existing Code Enforcement Team.

462 **Commissioner Hattaway asked about Mr. Graham's concern about the PVC**  
463 **wall?**

464 Mr. West said that he agreed with Mr. Graham and would recommend the masonry  
465 wall. It is lower maintenance and much more permanent.

466 **Motion by Commissioner Mahoney for approval of the Small Scale**  
467 **Amendment and rezoning subject to the 17 staff conditions with two**  
468 **modifications. Condition #15, the restriction be added that windows within**  
469 **85' be subject to that restriction and Condition #4, we impose the staggered**  
470 **restriction of a 10' buffer and a 30' setback on a one-story building, a 40'**  
471 **setback on the passive side of a two-story building and a 50' setback on the**  
472 **active side of a two-story building. Second by Commissioner Harris.**

473 **Commissioner Mahoney clarified recommendation on Condition #15. The**  
474 **frosting will take place only on units within 50' of the southern boundary**  
475 **line.**

476 **Commissioner Tremel said he didn't oppose the changes to Condition #4, but**  
477 **he is sensitive to staff comments that they are not sure how this plays out.**  
478 **He supports the concept but would like staff to work with the developer**  
479 **between now and the BCC meeting to look at these specific issues.**

480 **Commissioner Tremel would like the motion to be amended to state approval**  
481 **with staff recommendations.**

482 **Motion amended by Commissioner Mahoney for approval of the Small Scale**  
483 **Amendment and rezoning subject to staff's recommendations. Second by**  
484 **Commissioner Harris.**

485 **Commissioner Harris said that everyone talked about the impacts of the**  
486 **traffic. If this development generates less than half the traffic and even less**  
487 **impact at peak times than it is currently zoned, that particular concern**

488 **should go away. The other issue is with respect to schools. Based on his**  
489 **understanding of the demographics of the people that move into these kinds**  
490 **of developments, they're not the ones that bring two or three children. They**  
491 **tend to be people who are no longer interested in doing the yard work or**  
492 **keeping up a home for a family and have other interests. So a great many**  
493 **"empty nesters" will be buying townhomes and very few families. The**  
494 **drainage on this particular development, because it has to hold all of the**  
495 **runoff on site and will have more pervious square footage, solves that**  
496 **problem. So the three main concerns of traffic, schools and drainage will be**  
497 **adequately addressed and an improvement over the existing zoning and of**  
498 **minimal impact.**

499 **Commissioner Peltz stated the masonry wall should stay and not be changed**  
500 **to PVC.**

501 **Motion passed unanimously. (7-0)**

502

503 ***C. SENATE BILL 1906 - BRIEFING OF SENATE BILL 1906 PASSED BY THE***  
504 ***FLORIDA LEGISLATURE.***

505 *TONY MATTHEWS, PRINCIPAL PLANNER*

506 Tony Matthews gave an overview of Senate Bill 1906 passed by the Florida Legislature  
507 during the 2002 Florida Legislature session. Numerous changes, both required and  
508 optional, were made to the state's growth management legislation

509 Mr. Matthew's briefed the Board focusing on those items that are required by local  
510 governments.

511 Staff has looked over 180 pages from the legislative session. There are a number of  
512 questions that we do not have answered at this time and we may have to come back to  
513 the LPA.

514 Normally there is rule making authority granted to a state level which helps to interpret  
515 the intent of the legislature by we are not privy to that at this time.

516 The items on the table in your package represent those that are required and need  
517 attention; there are some optional items and other changes not set out in this table.

518 Also, please note that some of the proposed amendments to the Vision 2020 Plan are  
519 self imposed and some are required.

## 520 **VIII. Planning Manager's Report**

521 Mr. West said there is be Small Area Study on Myrtle Street to request an increase in  
522 density. Staff was directed to look at this at the recommendation of the Land Planning  
523 Agency and the BCC. This area was Agricultural for years. The roads are narrow,  
524 drainage is substandard and there are impacts to water and sewer and schools. The  
525 first community meeting was July 15<sup>th</sup> at the School Board auditorium and

526 approximately 105 people turned out of 300 notices that were mailed out. Most of the  
527 people that spoke were opposed to increasing the densities in that area. The next  
528 meeting with the community will be at the School Board auditorium at 7:00 p.m. on  
529 September 16, 2002. We are going to come up three scenarios: 1) Build out area at 1  
530 unit per acre as currently planned; 2) Build out at 2½ units per acre; 3) Build out at 4  
531 units per acre. We may come up with a mix or leave it as is. After the second  
532 community meeting, we will invite the community to come before the Land Planning  
533 Agency in October.

534 **IX. OTHER BUSINESS**

535 **There was no Other Business.**

536 **X. ADJOURNMENT**

537 Meeting adjourned at 9:05 p.m.

538 Respectfully Submitted,

539

540

541

542 

---

Fran Newborg, Recording Secretary

543

544 The public hearing minutes of the Seminole County Local Planning Agency/Planning and  
545 Zoning Commission is not a verbatim transcription. Recorded tapes of the public  
546 hearing can be made available, upon request, by contacting the Seminole County  
547 Planning Division Office, 1101 E. First Street, Sanford, Florida, 32771, (407) 665-7371.