MINUTES FOR THE SEMINOLE COUNTY
LPA/P&Z COMMISSION
FEBRUARY 4, 2004
7:00 P.M.

Members present: Richard Harris, Chris Dorworth, Ben Tucker, Dudley Bates, Alan Peltz, Walt Eismann, and Thomas Mahoney

Also present: Matt West, Planning Manager, Tony Walter, Assistant Planning Manager, Karen Consalo, Assistant County Attorney, Alice Gilmartin, Principal Coordinator, Jeffrey Hopper, Senior Planner, Cynthia Sweet, Planner, Dick Boyer, Senior Planner, Cathleen Consoli, Senior Planner, and Candace Lindlaw-Hudson, Senior Staff Assistant.

Commissioner Tucker called the meeting to order at 7:00 P.M. He then reviewed the manner in which the meeting is to be conducted.

Commissioner Bates made a motion to accept the proof of publication.
Commissioner Peltz seconded the motion.
The motion carried unanimously.

Commissioner Eismann made a motion to accept the minutes as submitted.
Commissioner Bates seconded the motion.
The motion passed unanimously.

Election of Officers for the year was now held.

Commissioner Peltz nominated Commissioner Tucker to be Chairman.

Commissioner Mahoney nominated Commissioner Harris to be Chairman.

There were no further nominations. Commissioner Dorworth moved to close the nominations. There were no objections.

The vote on the first motion to elect Commissioner Tucker was called. The vote was 3 – 4 against the motion. The motion was defeated.

The vote on the second motion to elect Commissioner Harris the Chairman was called. The vote was 4 – 3 in favor of the motion. Commissioner Harris was elected Chairman.

Commissioner Harris assumed the chairmanship and called for nominations for the new vice-chairman.

Commissioner Mahoney nominated Chris Dorworth for vice-chairman. Mr. Bates seconded the motion.

There were no further nominations.

The nomination was approved by a vote of 7 – 0. Mr. Dorworth will now serve as Vice Chairman.

Commissioner Bates left the meeting at this time to attend to a personal family matter.

Technical Review Items:

A. Land Development Code Workshop, informal discussion between the Planning and Zoning Commission and the new Land Development Code consultant on any needed revisions to the Land Development Code.

County Wide
Alice Gilmartin, Principal Coordinator

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County Wide
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Ms. Gilmartin introduced a team of people who are working on the updating of the County's Land Development Code, to better coordinate with the County's Comprehensive Plan:

> **Lee Einsweiler** (Duncan Associates): Senior member of the visiting team who has the most Florida experience (including 7 years of consulting from Boca Raton). He also has significant public and political experience and has managed a similar project in Sarasota County.
>
> **Bret Keast** (Lane Kendig, Inc.): Greatest experience with broad planning issues, engineering issues and also has substantial public and political experience.
>
> **Colin Scarff** (Duncan Associates): Background/interest in urban design issues.

Nancy Stroud: Land use attorney.

Lee Einsweiler explained that there will be an 18 month process for the update. His group will need direction, make a draft, show it to the public for amendment, and then bring back a final draft. He wanted feedback from P&Z members.

Commissioner Mahoney stated that the County will be seeing fewer straight zonings in the future and more planned developments. He would like to see more flexible options, creating incentives for PUD's. The trend is for smaller lots and bigger houses. He also noted a concern for buffering on double fronted lots. Many houses have been built on lots with one side on a "paper" road, and the roads are now being cut in, creating double fronting for some lots. Buffering should be required in such instances.

Commissioner Mahoney also stated that he would like to see a review by a landscape architect of buffers, to ensure that the buffers are not being over planted with trees.

Lee Einsweiler stated that with buffering, over planting will die back; the desire may be for the immediate effect.

Commissioner Mahoney said that over design may have to be created for the short term, but the County should do something for the long run.

Commissioner Tucker said that he was concerned about short front yard setbacks in PUDs (planned unit developments). The distance between the sidewalks edge and the garage is often too short to park an SUV or pickup, or a longer domestic vehicle. Side yard setbacks are a safety issue in respect to safety codes, especially with two story houses.

Commissioner Tucker also said that the number and type of single-family zonings should be examined. Of the current types, many are not used. Also, living areas specified are not consistent with the market today. Land use categories should be adjusted. We need larger land use categories.

Lee Einsweiler stated that there were too many plan amendments coming in.

Commissioner Harris stated that zeroscaping should be incorporated into landscaping plans for buffers. Also, with an aging population, people are looking for different types of housing, such as townhomes. We are transitioning over to infill projects. Buffer requirements need to be examined on infill projects in residential neighborhoods. Thriving communities have a variety of residential type uses within proximity to each other. 20 years ago people wanted to live in isolated neighborhoods. This is not always so today. The demand for landscape buffers should consider the amount of water

required to sustain a buffer. We are running out of water. Zeroscaping requirements are not in the Code now.

Commissioner Harris also noted the increasing friction between office and commercial uses. Also, people desire to live closer to work. There will be increased density with buildout, compounding the number of concerns mentioned previously.

Commissioner Dorworth concurred with the need for flexibility in future planning. He observed that many concessions are made when current projects are brought to the Board.

Lee Einsweiler asked for feedback from Board members over the next 3 to 4 months. He needs input on process issues.

Chairman Harris said that the "Old Business" part of the agenda could be a time to give continuing feedback to staff for the update team.

Matt West noted that the height restrictions in the PUDs and PCDs in HIPTI (High Intensity Target Industry) areas are being changed.

B. Lake Forest Section 15 PSP; Lake Forest / Richard B. Bavec; approximately 9.69 acres more or less; preliminary subdivision approval for 12 lots, single family residential, zoned PUD; 690 Lake Forest Blvd. (02-05500013)

Commissioner McLain – District 5
Cynthia Sweet, Planner

Ms. Sweet presented the plan for the last section of the Lake Forest development. She stated that no waivers had been requested and that staff recommendation was for approval.

There were no questions from the Board.

Commissioner Mahoney made a motion to recommend approval of the request as stated in the staff report.

Commissioner Peltz seconded the motion.

The motion passed unanimously (6 – 0).

C. The Sanctuary at Markham Woods, Regol Associates, Inc./ Robert Goll; preliminary subdivision plan for 6 single family residential lots on approximately 46.5 acres more or less zoned A-1; east side of Markham Woods Road, approximately 2000 feet south of the intersection of W. Lake Mary Blvd and Markham Woods Road. (03-5500047)

Commissioner McLain – BCC District 5
Michael Rumer, Planner

Ms. Sweet presented the preliminary subdivision plan for the 6 lot subdivision. Staff recommendation was for approval.

There were no questions from the Board.

Commissioner Peltz made a motion to recommend approval according to the staff report.

Commissioner Mahoney seconded the motion.

The motion passed unanimously (6 – 0).

Commissioner Eismann left the meeting at this time.

D. Water Supply Facilities Work Plan; proposed amendments to the Capital Improvements, Conservation, Intergovernmental, and Potable Water Elements of the County Comprehensive Plan.

County Wide
Dick Boyer, Senior Planner

Mr. Boyer stated that in 2002, the Legislature expanded the local government comprehensive plan (Plan) requirements to strengthen coordination of water supply planning and local land use planning. This was done in response to concerns that the limits of groundwater are being approached in many areas of the State and that alternative supplies must be identified, quantified and developed in addition to the implementation of local water conservation strategies and the Federal Department of Environmental Protection permitted water reuse programs.

The most significant requirement is completion of a 10-year Water Supply Facilities Work Plan (Work Plan) by all counties and cities within a "priority water resource caution area." These are areas where existing and reasonably anticipated sources of water and conservation efforts may not be adequate to a) supply water for all existing legal uses and reasonably anticipated future needs and b) sustain the water resources and related natural systems. This must be accomplished by Jan 1, 2005.

The local government's work plan must project water demand for at least a 10-year period and identify the current and planned water supply facilities and sources of water that will meet the projected demand. The Work Plan must be adopted as part of the Potable Water Element. The Capital Improvements

Element must also be amended to include projects listed in the first five years of the ten-year Work Plan as well as the text of other Plan elements as necessary.

Mr. Boyer said that the County is proposing a conservative work plan to meet the projected water demand over the next ten years for the four major County service areas. The main components of the Work Plan revolve around the following four basic areas: a) development and optimization of groundwater supplies, b) expansion of reclaimed water systems, c) a water conservation program including conservation rate structure, and d) evaluation of alternative water sources. On a priority basis, the County will continue to invest and expand in the existing reuse system and water conservation program. The Water Plan recommends proceeding with the initial phase of the residential reclaimed water retrofit program and continuing the planning related to alternative water supply development. As part of creating the Work Plan, the County will work with the St. Johns River Water Management District to ensure the Regional Water Supply Plan (RWSP) is considered. Discussions with the District regarding potential water supply sources, the amounts of water available to be permitted from these sources, coordination with other water suppliers and support funding for capital projects will be ongoing throughout the amendment process.

This item will go to the Board of County Commissioners on February 24, and then back for an adoption hearing in June, assuming things move smoothly.

The entire report is being presented tonight. The Executive Summary explains the process. Attachment D is the CIE update.

These amendments are made to address the water supply requirement. Local issues will be addressed separately.

Commissioner Harris asked about Table 1. It shows that as of next year we will be about a half million gallons of water short of the necessary supply. This will need to come from an alternate source. This is a critical issue.

Bob Adolphe, Environmental Services manager, stated that the County has approximately 18 utilities suppliers serving unincorporated and cities. Mr. Adolphe said that these are "a phase in of alternate sources, not a deficit until 2006. " The deficit is west of I-4, in the northwest service but we have planned programs, with future consumptive use permits giving increased allocations.

Commissioner Tucker asked about surcharges on billing.

Mr. Boyer said that such things would be addressed by the Planning Technical Advisory Committee which meets monthly. There is also the Mayor's and Manager's Committee.

Commissioner Tucker had concerns about the quality of service problems.

Mr. Boyer stated that this amendment did not address those areas.

No one spoke on this item from the public.

Commissioner Mahoney made a motion to recommend transmittal.

Commissioner Peltz seconded the motion.

The vote was unanimous (5 – 0) in favor of the motion.

E. <u>Text Amendment to the Economic Element of the Seminole County Comprehensive Plan</u>, Seminole County, Applicant; Amend the Economic Element of Vision 2020 A Guide to the Journey Ahead to reflect the updated Economic Development Stategic Plan; 04S.TXT03.

County Wide
Cathleen Consoli, Senior Planner

Cathleen Consoli stated that in 1993, the Economic Development Program was formally established and identified what businesses and locations offered the best economic opportunities for the County.

The strategic focus of the proposed Economic Element is derived from the 2003 Strategic Plan and identifies four major concepts:

1. Continue to Create a Great Place to Live,
2. Build a Strong Business Environment,
3. Communicate the Seminole County Opportunity and
4. Target Areas, Target Industries and Target Occupations.

These concepts are applied in the Goals, Objectives and Policies of the Element. Issues addressed include the need to shift the tax base from residential to non-residential sources, a target approach linking the future land use designations with areas of more intense economic growth, the importance of small businesses within the County, and a continued investment in public infrastructure. Objectives for strengthening the workforce of the County, ways to provide employment opportunities for challenged areas and the importance of agriculture in the economy of the County are provided.

The proposed Economic Element presents a framework with which the County can continue to reach economic success. This is one of 5 optional elements, this being the last of 4 elements being completed to update the Vision 2020 Plan. The Economic Element is part of the Large Scale Land Use Amendment Cycle for Spring 2004 and scheduled to be transmitted to the DCA (Department of Community Affairs) on March 9.

Staff recommends approval of transmission of the Economic Element.

Bill McDermott stated that this element reflects the Economic Strategy that was adopted earlier this year. The last time this element was updated was in the mid 90's. There have been many changes in the County. We are approaching build out and we are trying to sustain the good things that have been going on in the County.

Commissioner Tucker asked if residential build out will occur in 2010, what were the projections for commercial or industrial buildout.

Mr. McDermott said that 2020 is a reasonable date for commercial – industrial buildout. We have to think about filling empty existing commercial and industrial space before we build more. Colonial Towne Properties is one example.

No one spoke on this item from the public.

Commissioner Mahoney made a motion to recommend approval of transmission to DCA.

Commissioner Dorworth seconded the motion.

The motion was approved by unanimous vote (5 – 0).

F. Savannah Park at Heathrow; Mary Anne Jarrell, applicant; approximately 9.9 acres; rezone from A-1 (Agriculture) to PUD (Planned Unit Development) and Small Scale Land Use Amendment from Office to PD (Planned Development); located at the northwest corner of International Parkway and Wilson Road. (Z2003-043 and 11-03SS.01)

Commissioner McLain – District 5
Jeff Hopper, Senior Planner

G. Savannah Park at Heathrow; Mary Anne Jarrell, applicant; approximately 23.7 acres; rezone from A-1 (Agriculture) to PUD (Planned Unit Development) and Large Scale Land Use Amendment from Office to PD (Planned Development); located west of International Parkway and south of Wayside Drive. (Z2003-051 and 04S.FLU01)

Commissioner McLain – District 5
Jeff Hopper, Senior Planner

Mr. Hopper stated that he would present items F and G together. The applicant, Mary Anne Jarrell, proposes a mixed use development on a 23.7-acre site on International Parkway, consisting of 48,000 square feet of retail use, 24,000 square feet of office use, and a maximum of 186 residential dwellings at a density of 8 units per net buildable acre. The request consists of a rezone from A-1 to PUD and a Large Scale Land Use Amendment from Office to Planned Development (PD). This application represents the second phase of a larger development, totaling approximately 33 acres, which includes an additional 9.9 acres of townhouse residential use. The proposal also includes a tier of 19 brownstone residential units to the west of the commercial buildings. The units would function as a barrier between the retail uses at the project entrance on International Parkway and lower density single family development in Tall Trees Subdivision to the west. (As an alternative option to be exercised on the basis of market conditions, the applicant may substitute a mixed residential/office structure with offices on the ground floor and living units above.) There would

also be a 50-foot undisturbed buffer and a 6-foot masonry wall along the west site boundary. The site will include recreational facilities for residents, such as a park, clubhouse and pool. Proposed minimum living area per unit is 1,600 square feet. All units will be sold fee simple. The proposal includes a 50-foot undisturbed buffer and building setback, and a 6-foot masonry wall along the west site boundary adjacent to Tall Trees Subdivision. The site will include recreational facilities for residents, such as a park and clubhouse. Proposed minimum dwelling unit size is 1,600 square feet under air. All units will be sold fee simple. The access will be from Wayside and Wilson. Staff finds this consistent with the Vision 2020 Plan and recommends approval with the following conditions:

Staff recommends transmittal of the requested Large Scale Land Use Amendment and rezone subject to the following conditions:

a. Westward-facing balconies shall be prohibited within 100 feet of the west property line.
b. Permitted uses shall be townhouse units, single family homes, home occupations and home offices, CN (Restricted Neighborhood Commercial District) uses with the addition of sit-down restaurants and banks with no outside automatic teller machines. Drive - throughs shall be prohibited.
c. Use of common areas shall be limited to open space, recreational amenities, stormwater management, and utility facilities serving all residents of the development.
d. Density shall be limited to 8.0 units per net buildable acre over the residential portion of the development.
e. Along the west site boundary, the following standards shall apply:
    1. 50-foot undisturbed buffer to be supplemented with vegetation in areas where needed, so that an active buffer is met
    2. 6-foot masonry wall
    3. 50-foot setback all structures
    4. 90-foot setback for 3-story brownstone buildings
f. The retention pond along the west property line must be removed from the 50-foot undisturbed buffer.
g. A 20-foot setback shall be required from the front wall of any unit to the nearest edge of the street or sidewalk.
h. Mechanical units shall be located and/or screened so as not to be visible from International Parkway or adjoining single family development.
i. A minimum of twenty-five (25) percent of the project area must be designated as open space per the requirements of the Land Development Code. Wet retention areas to be counted as open space shall be amenitized in accordance with the design criteria of Section 30.1344 of the Land Development Code. The applicant shall demonstrate on the Final PUD Master Plan that the open space requirements have been met.
j. Prior to Final Master Plan approval, the applicant shall obtain a joint use agreement with the Seminole County Public Works Department allowing the

existing County retention ponds adjacent to the site to be incorporated into the project's stormwater management system.

k. All landscape buffers and common areas shall be maintained by a homeowners association.

l. The developer shall provide a pedestrian circulation system giving access to all portions of the development as well as connecting to existing sidewalks outside the development.

m. Outdoor lighting shall be cutoff/shoebox style fixtures a maximum of 16 feet in height.

n. Street lighting adjacent to the west property boundary will be limited to decorative lighting affixed to the fronts of the units. Security lighting with motion sensors shall be permitted on any side of the buildings.

o. Building height shall be limited to 35 feet for structures within 100 feet of the west property line, 45 feet for all others. Height shall be measured from the mean elevation between roof ridge and eaves, as specified in the Land Development Code.

p. The applicant shall provide a cross-access easement for Phase 1 over property described in Exhibit B.

q. Existing trees that are preserved during construction may satisfy the landscaping requirements of this development order or the Land Development Code.

r. Review of the Final Master Plan by the Board of County Commissioners shall be a public hearing and architectural renderings of the proposed development shall be required.

s. No advertising signs shall be permitted on the west side of the brownstone row of buildings.

t. Dock-high loading facilities shall be prohibited.

u. No single non-residential building footprint shall exceed 10,000 square feet.

Staff recommends approval of the requested Small Scale Land Use Amendment and rezone subject to the following conditions:

a. Westward-facing balconies shall be prohibited within 100 feet of the west property line.

b. Permitted uses shall be townhouse units with fee simple ownership, single family homes, home occupations and home offices.

c. Use of common areas shall be limited to open space, recreational amenities, stormwater management, and utility facilities serving all residents of the development.

d. Density shall be limited to 8.0 units per net buildable acre or a maximum of 79 dwelling units.

e. Along the west site boundary, the following standards shall apply:
    1. 50-foot undisturbed buffer to be supplemented with vegetation in areas where needed, so that an active buffer is met
    2. 6-foot masonry wall
    3. 50-foot setback for all two-story structures

4. 120-foot setback for all three-story buildings

f. Required setbacks and buffers along the south property line shall be as follows:
   1. 25-foot setback for all one-story buildings
   2. 25-foot setback for all two-story buildings
   3. 25-foot setback for all three-story buildings
   4. 15-foot landscape buffer with 4 canopy and 5 understory trees per 100 feet.

g. A 20-foot setback shall be required from the front wall of any unit to the nearest edge of the street or sidewalk.

h. Mechanical units shall be located and/or screened so as not to be visible from International Parkway or adjoining single family development.

i. A minimum of twenty-five (25) percent of the project area must be designated as open space per the requirements of the Land Development Code. Wet retention areas to be counted as open space shall be amenitized in accordance with the design criteria of Section 30.1344 of the Land Development Code. The applicant shall demonstrate on the Final PUD Master Plan that the open space requirements have been met.

j. Prior to Final Master Plan approval, the applicant shall obtain a joint use agreement with the Seminole County Public Works Department allowing the existing County retention ponds adjacent to the site to be incorporated into the project's stormwater management system.

k. All landscape buffers and common areas shall be maintained by a homeowners association.

l. The developer shall provide a pedestrian circulation system giving access to all portions of the development as well as connecting to existing sidewalks outside the development.

m. Outdoor lighting shall be cutoff/shoebox style fixtures a maximum of 16 feet in height.

n. Street lighting adjacent to the west property boundary will be limited to decorative lighting affixed to the fronts of the units. Security lighting with motion sensors shall be permitted on any side of the buildings.

o. Building height shall be limited to 35 feet for structures within 100 feet of the west property line, 45 feet for all others. Height shall be measured from the mean elevation between roof ridge and eaves, as specified in the Land Development Code.

p. Access to the site shall be provided through a cross-access easement over property described in Exhibit B.

q. Existing trees that are preserved during construction may satisfy the landscaping requirements of this development order or the Land Development Code.

r. Review of the Final Master Plan by the Board of County Commissioners shall be a public hearing and architectural renderings of the proposed development shall be required.

Attorney Rob Gabaide spoke for the applicant. He stated that they agreed with staff recommendations and requested the addition of the permitted uses of bakery

and specialty grocery to the large scale land use amendment list. Pertaining to the cross access easement on the small scale land use amendment, should Phase One go on its own, only Wilson will be accessed. Final master plan will reflect cross access easement to International Parkway.

Commissioner Mahoney asked if a traffic study had been done on Wilson. He was concerned about the level of traffic on International Parkway if the Small Scale Land Use Amendment is done alone.

Mr. Hopper stated that the traffic study had not been done yet. It will be done at the time of final master plan consideration.

Commissioner Harris asked for comments from the audience, and found no one wishing to speak.

Pertaining to item F: Commissioner Mahoney made a motion to recommend approval of item F with conditions stated in the staff report, with the stipulation of no cross access easement .

Commissioner Peltz seconded the motion.

Commissioner Tucker asked about the issue of not having a cross access easement when emergency vehicles have to respond to a call.

Matt West stated that a stabilized drive with a crash gate could be run out to International Parkway. This will be considered at the time of final master plan approval.

Commissioner Harris was concerned about the proximity of the buildings to the entry. He wanted to see another access point for emergency purposes.

Commissioner Tucker asked to amend the motion to require an access point.

Commissioner Mahoney amended his motion to reflect the requirement for an emergency access pointing addition to the main entrance on Wilson Road.

The vote was 5 – 0 in favor of the motion.

Pertaining to item G: Commissioner Mahoney made a motion to recommend transmittal of the LSLUA and rezone with the amendment made tonight of the addition of permitted uses of specialty grocery and bakery.

Commissioner Peltz seconded the motion.

The vote was 5 – 0 in favor of the motion.

Matt West reminded the Commissioners of the upcoming special meeting on February 18.

There being no further business the meeting adjourned at 8:10 P.M.

Respectfully submitted,

Candace Lindlaw-Hudson
Secretary