Minutes for the Seminole County
Land Planning Agency / Planning & Zoning Commission
July 7, 2004

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

Also present: Don Fisher, Director of Planning and Development; Tony Walter, Assistant Planning Manager; Tina Deater, Senior Planner; Karen Consalo, Assistant County Attorney; April Boswell, Senior Planner; Denny Gibbs, Planner; Jim Potter, Development Review Division and Candace Lindlaw - Hudson, Secretary.

The meeting was called to order at 7 P.M.

A quorum was established.

The Chairman reviewed the rules by which the meeting was to be conducted and how voting was accomplished. He then introduced the members of the Commission.

Proof of publication was unanimously accepted.

The minutes for the June 2, 2004 meeting were unanimously accepted as submitted.

TECHNICAL REVIEW ITEMS:

A. Briefing: Status of the Geneva Lens; overview of water quality and levels.

Commissioners McLain and Morris – Districts 5 and 2
April Boswell, Senior Planner

April Boswell presented an update on the water quality and quantity of water in the Geneva Lens. She stated that the water quality is good. Water levels vary with the rainfall.

Commissioner Tucker asked if the drawdown effect the salt-water intrusion.

Ms. Boswell stated that the deeper wells show chloride intrusion; shallow wells have no intrusion.

Commissioner Tucker noted that we are now pumping about half of the amount predicted for use in the year 2025.

Ms. Boswell stated that the County will monitor that.

B. Talman Mews Phase II – PSP; Hugh Harling & Associates, applicants; approximately 5 acres; Preliminary Subdivision approval for 8 lots, Single Family Residence, zoned A-1; 4212 Gabriella Lane.

Commissioner Maloy – District 1
Denny Gibbs, Planner

Ms. Gibbs stated that private road waivers to cul de sac length and right of way width are being requested.

There were no questions.

Commissioner Dorworth made a motion to recommend approval.

Commissioner Hattaway seconded the motion.

The motion passed unanimously (7 – 0).

Public Hearings:

C. Foxwood PUD Major Amendment; Unicorp National Development, Inc., applicant; approximately 139.9 acres; Major Amendment to Foxwood PUD; rezone from PUD (Planned Unit Development) to PUD (Planned Unit Development); approximately bounded by SR 436, Sand Lake Road, North Line Drive, and Hunt Club Boulevard. (Z2004-027)

Commissioner Van Der Weide – District 3
Tina Deater, Senior Planner

Ms. Deater stated that the entire Foxwood PUD contains approximately 139.9 acres. The property that is the subject of the proposed amendment contains approximately 1.44 acres and is located on the northeast corner of Hunt Club Boulevard and SR 436.

The applicant is requesting a major amendment to the existing Foxwood PUD agreement, consisting of converting 1.44 acres of a tract approved for office use to commercial use. The applicant is proposing that Tract 10, which was originally designated as general office, be split into Tract 10, containing 1.58 acres, which will remain designated as office, and Tract 11, containing 1.44 acres, which will be designated as commercial and will comply with the regulations of the C-1 zoning district. Currently the other commercial tracts approved within the PUD must comply with the regulations of the C-1 zoning district.

The original PUD agreement states that a 40-foot buffer is required along the east side of Tract 10. The applicant is also requesting that this 40-foot buffer be reduced to a 20-foot buffer. The C-1 zoning district allows properties adjacent to properties with non-residential zoning and future land uses to reduce the side yard setback to 0-feet. The proposed Tract 11 would be adjacent to property used for a cemetery with A-1 zoning and Public future land use, and therefore staff supports the buffer reduction from 40-feet to 20-feet.

In conclusion, Staff recommends approval of the requested major PUD amendment, subject to the Addendum #3 to the Developer's Commitment Agreement that is included in the staff report. Ms. Deater stated that staff recommendation was for approval, subject to the addendum #3 in the Developer's Commitment Agreement.

Commissioner Tucker asked if Ms. Deater had a history of the 40-foot buffer of the PUD.

Ms. Deater stated that based on current code there is no requirement in the buffering.

Tony Walter said that based on the current code requirement of 0 feet, staff thought that 20 feet was appropriate.

Jake Smith of Avid Engineering stated that a 20-foot buffer of native vegetation on the east property line will be kept. He would construct a wall if required.

The building will line up with the existing bank, which has no vegetation as a buffer.

Commissioner Tucker noted for the record the e-mail received in opposition to the lack of buffer sent by Jack Yent of Baldwin-Fairchild.

Commissioner Harris read the e-mail from Mr. Yent opposing the lack of buffer.

There was no public comment from the floor.

Commissioner Tucker stated that the 40-foot buffer was a necessity.

Commissioner Tucker made a motion to recommend denial of the reduction of the 40 foot buffer requirement and to deny the request for C-1 zoning.

Commissioner Hattaway seconded the motion. She stated that she also felt that the 20 foot buffer was insufficient.

The motion passed unanimously (7-0). The request was recommended for denial.

D. Fossitt Business Park; Jamie Russell, applicant; approximately 9.64 acres; rezone from A-1 (Agriculture District) and PCD (Planned Commercial Development) to PCD (Planned Commercial Development); Small Scale Land Use Amendment from SE (Suburban Estates) to PD (Planned Development); and Major Amendment to an existing PCD Preliminary Site Plan; located on the northeast corner of the intersection of Orange Boulevard and Missouri Street. (Z2004-026 & 07-S04SS.02)

Commissioner McLain – District 5
Tina Deater, Senior Planner

Ms. Deater stated that the subject property is located on the northeast corner of the intersection of Orange Boulevard and Missouri Avenue. The portion of the property that is the subject of the Small Scale Land Use Amendment and the Rezone from A-1 to PCD contains approximately 4.92 acres. The approved PCD proposed for amendment contains approximately 4.72 acres.

The current Fossitt Business Park PCD was originally approved on January 27, 2004. The applicant is now requesting the Small Scale Land Use Amendment Rezone, and PCD amendment, in order to incorporate the additional 4.92 acres into the Fossitt Business Park PCD. If the amendment to the PCD is approved, the entire project will total approximately 9.64 acres.

A comparison between the approved PCD Plan and the proposed amendment is included as attachment A in your staff report.

The Orange Boulevard Special Study, which was recently updated by the Planning Division, recommends that the corner of Missouri Avenue and Orange Boulevard should be the demarcation between residential and non-residential uses along Orange Boulevard. The subject property is the major transition point between the residential and non-residential uses, therefore, appropriate buffers and transitional uses are imperative. The building facades that are oriented toward Missouri should be compatible with the potential residential uses on the west side of Missouri. Therefore, staff recommends that the façade of the building facing Missouri Avenue should be changed to offices/storefront. And that roll-up doors and loading areas be prohibited on the building facades facing Missouri Avenue.

To be consistent with what was originally approved by the Board of County Commissioners, there are also two changes to the list of staff's recommended conditions of approval contained in the staff report:

1. Under the terms of the original approved development order, prior to final PCD site plan approval the developer is to contribute $4,000 to the Seminole County Transportation Trust Fund for use by Seminole County in fulfilling sidewalk needs. This is equal to $5.00 per linear foot of frontage along Missouri Avenue. This condition was originally put into the development order because the constrained right-of-way on Missouri Avenue makes it impractical to build a sidewalk there. Staff is recommending that the applicant be required to pay an additional $5.00 per linear foot of frontage along Missouri Avenue for the additional property they are adding to the project as part of this amendment process.

2. Under the terms of the original approved development order, there was a specific layout approved for the buffer and wall along Missouri Avenue. In order to be consistent with the original approval, Staff is recommending to change proposed condition of approval C-4 in the staff report to read:

1. The buffer adjacent to the north, south and east sides of the development shall comply with the provisions of the Land Development Code. The buffer and wall along Missouri Avenue, to include the retention area all the way to the north property line, shall comply with attached Exhibit "B". The setback for the wall and landscaping may be increased pursuant to review of the Seminole County Traffic Engineer to ensure safe and adequate vehicular and pedestrian sight distance at the intersection of Orange Boulevard and Missouri Avenue. This determination shall be made at the time of final engineering.

Staff is also recommending that proposed condition of approval C-5 in the staff report be changed to read:

2. Additional landscaping shall be installed along the north side of the retention pond to screen it from Missouri Avenue. The landscaping details shall be provided as a part of the Final PCD Site Plan, and shall be subject to approval by the Planning Manger.

In conclusion, Staff is recommending approval of the proposed small scale land use amendment, rezone, and PCD major amendment with the conditions of approval contained within the development order that was approved on January 27, 2004 and the following additional conditions:

1. The façade of the building facing Missouri Avenue shall be changed to offices/storefront. No roll-up doors or loading areas shall be permitted on the sides of the buildings oriented to face Missouri Avenue.

2. The applicant shall be required to pay an additional $5.00 per linear foot of frontage along Missouri Avenue for the additional property they are adding to the project as part of this amendment process.

3. The applicant shall be required to continue the buffer and wall along Missouri Avenue as shown in Exhibit B of the original development order, to include the retention area all the way to the north property line; and

4. Additional landscaping shall be installed along the north side of the retention pond to screen it from Missouri Avenue. The landscaping details shall be provided as a part of the Final PCD Site Plan, and shall be subject to approval by the Planning Manger

Buffers on the north, south and east will comply with the Seminole County Land Development Code (LDC). Traffic study will be presented at the time of final engineering. Staff recommendation was for approval of the requests.

Commissioner Hattaway asked why the loading docks were needed to be at a lower height than usual.

Tony Walter stated that smaller trucks will use the facility and will not need the higher docks.

Commissioner Hattaway stated that this is not realistic. Dock high loading takes up less space. Unloading with a hand truck uses more space. It is an important design issue. Staff should visit industrial parks in the area and observe loading and unloading requirements.

Commissioner Hattaway asked why there was a 50-foot buffer on lighting.

Ms. Deater stated that this is a prior part of the previously approved Developer Commitment Agreement.

Jamie Russell stated that there are two parcels. She stated that there is a signed development order, which reflects buffers and a wall down Missouri Avenue. With the wall and trees along Missouri Avenue, she requested permission to have flex space on the interior. She stated that they have asked to incorporate the previous tract into the new plan. She has been asked to pay $4,000.00 to a mystery fund for sidewalks. With building buffers, one cannot even see the building from the road. She has a problem with the roll up doors.

Commissioner Dorworth asked if Ms. Russell had reviewed the terms of the staff report.

Ms. Russell stated that these were new terms she was not briefed on previously.

Kathy Brown of 1730 Beacon Drive said that she wanted the wall to be continued to the back; Missouri Avenue is the only entry to her subdivision. She said that she had been told that Seminole County would put in a sidewalk after completion of the project. We thought we were getting façades in the front and loading

docks in the back, away from the road. She wants the wall to be continued to the rear line, the sidewalks to be continued to the rear, and the loading docks placed in the rear.

Bruce Anderson said that this was the third time up for this project. We thought that this was a continuation of the last part of the project. This wall is greatly reduced from what was originally approved. There was a clear standard according to the pictures submitted as to what was approved. The intent of the layout was for small trucks.

Jamie Russell stated that the wall was to be built as per the picture presented. The west building on Missouri Avenue has been agreed to previously. We have reduced its size for aesthetic reasons.

Commissioner Harris asked if the development order is being redone.

Ms. Deater said that the development order is being amended to include the previously agreed upon development order. The current development order was to include the office/storefront, eliminating the loading docks and adding the 150 to 175 foot of additional wall.

Jamie Russell stated that the drainage is to go to the retention pond.

Jim Potter, Senior Engineer with Development Review Division stated that the wall will not effect the roadway drainage. Applicants will have to do enclosed drainage.

Commissioner Harris stated that the 150 to 175 feet of wall extension will block the flow into the retention pond.

Mr. Potter stated that the parcels to the north and east are new. The back parcel will be for drainage. The site may have to be raised.

Commissioner Harris asked if there could be landscaping with no wall to help with drainage flow.

Tina Deater stated that the changes expand the retention on site.

Commissioner Tucker asked about the outcome of the bus stop issue on Missouri Avenue.

Kathy Brown stated that the bus stop had been moved to Missouri Avenue at Canal Street.

Commissioner Tucker asked if the light would affect any residential properties.

Ms. Deater said that there would be residential development across Missouri Avenue. The final line of demarcation for residential uses is to the west of Missouri Avenue.

Commissioner Tucker stated that he did not want to extend the wall. He would like to see over landscaping on the rear of the building facing the retention pond. The wall is detrimental to drainage. He likes item 13 – the 50-foot setback on lighting. He could see the lighting setback

Don Fisher stated that it was the intent of the plan to set back the lights 50 feet within all property boundaries. This development order was done before the passage of a lighting ordinance.

Commissioner Tucker asked about the wall, item 17.

Mr. Fisher stated that the wall extends the policy of the Board; there are ways of under draining.

Commissioner Tucker asked about the dock height issue.

Mr. Fisher said that this site is intended to be lighter industrial and office type uses. With no dock high loading, uses will stay light. The original plan did not show roll up doors along Missouri Avenue. Architectural features will be done at the time of final master plan submittal.

Commissioner Tucker asked Kathy Brown about the wall.

Kathy Brown said that the removal of the house on the property for the retention pond will necessitate a wall along Missouri Avenue. She wanted a wall, not landscaping along the rear of the property. There are residences adjacent to this property.

Commissioner Dorworth said that he thought over landscaping is better than a wall for drainage reasons.

Commissioner Dorworth made a motion to recommend approval of the request with the exception of # 17. He also wanted to delete proposed conditions 21 and 22 and that # 13 will not apply to sections adjacent to industrial uses.

Commissioner Eismann proposed a friendly amendment to include the inclusion of over landscaping in lieu of a wall along the rear section on Missouri Avenue.

Commissioner Dorworth accepted the amendment to his motion.

Commissioner Hattaway seconded the motion and amendment.

The motion passed unanimously (7-0).

E. Heathrow International Business Center; Shutts & Bowen LLP, applicant; approximately 436.7 acres; Major Amendment to the Heathrow International Business Center PUD Master Plan; approximately bounded by CR 46A, Interstate 4, Lake Mary Boulevard, and Banana Lake Road. (Z2004-029)

Commissioner McLain – District 5
Tina Deater, Senior Planner

Chairman Harris stated that this item has been requested to be continued to August 4, 2004.

Commissioner Dorworth made a motion to continue the item to the August 4, 2004 meeting.

Commissioner Bates seconded the motion.

The motion passed unanimously.

F. W SR 46 / Orange Blvd. Rezone; C&C Plaza, LLC/Kim Young, applicant; approximately 7.92 acres; rezone from A-1 (Agriculture District) to C-1 (Retail Commercial District); located northeast of the intersection of SR 46 and Orange Boulevard. (Z2004-005)

Commissioner McLain – District 5
Tina Deater, Senior Planner

The subject property contains approximately 7.92 acres, and is located northeast of the intersection of W SR 46 and Orange Boulevard.

The applicant is requesting the rezoning from A-1 to C-1, in order to build a commercial development. Currently, the surrounding area has Commercial and Low Density Residential future land use designations. The subject property has a Commercial future land use designation, which allows the proposed C-1 zoning designation. The proposed rezone would make the zoning and future land use consistent. The property immediately adjacent to the subject property to the west is a gas station/convenience store. When the subject property goes through the site plan approval process, the applicants will be subject to the active/passive buffer standards contained within the Seminole County Land Development Code, in order to ensure compatibility with the residential properties to the north and east.
Greg Wilson of R.H. Wilson Engineers was present to represent the applicant.

Larry Kelly of 149 Overoaks Place, Sanford, said that he had been told when he moved in to Terra Bella that a wall would go in with the development of this site. This site is only 100 feet wide. What kind of operation could fit there with all of the parking, drainage and buffering requirements necessary?

Commissioner Harris told Mr. Kelly that the future land use of the site is commercial. This request is compatible with the future land use designation.

Mr. Kelly said that the property is only 100 feet wide. With a 40 foot setback, there is only 60 feet of lot to develop.

Loretta Talley of 5495 Glen Oak Place, Sanford, lives in Forest Glen, immediately adjacent to the parcel. She stated that the property is heavily wooded, with a lot of wild life. The area is residential.

Donnina I. Toro of 5489 Glen Oak Place, Sanford, said that Forest Glen is a quiet community. She is opposed to the application. She does not want a shopping center in her back yard. She requests preservation of existing trees in a buffer and a wall.

Terry Raymond of 172 Overoaks Place is the Vice President of the Terra Bella Homeowners Association. He requested a wall be placed, matching the other perimeter walls of the Terra Bella subdivision.

Commissioner Dorworth stated that the future land use was decided on some time ago. We are not looking at a site plan here tonight. The details will be worked out later.

Greg Wilson stated that the applicant will be following the Land Development Code. There is a passive buffer which will save trees.

Commissioner Tucker asked where the rear and side of the site were.

Tina Deater said that the access would be determined at site plan review.

Commissioner Tucker stated that the rear yard for C-1 is 10 feet. The side yard is 0 feet. In approving this, could the Commission stipulate a 10 foot side yard setback?

Tony Walter stated that the Land Development Code requires a wall and buffering if the site abuts residential zoning.

Tina Deater said that the buffer for a one story building would be 15 feet, and for a 2 story building, 25 feet.

Commissioner Dorworth made a motion to recommend approval.

Commissioner Peltz seconded the motion.

The motion passed unanimously (7-0).

G. **Dike Road/Bee Jay Cove Subdivision; Norberto Arias, applicant**; approximately 5 acres; rezone from A-1 (Agriculture District) to R-1 (Single-Family Residential District); located on the southeast corner of the intersection of Dike Road and Bee Jay Cove. (Z2004-032)

Comm. Maloy - District 1
Tina Deater, Senior Planner

Ms. Deater said that the subject property contains approximately 5.0 acres and is located on the southeast corner of the intersection of Dike Road and Bee Jay Cove.

The applicant is requesting rezoning from A-1 to R-1, in order to build a single-family subdivision. The subject property has a future land use designation of low density residential, which allows the proposed R-1 zoning designation.

Staff reviewed the request, and determined that it is compatible with the Vision 2020 Comprehensive Plan and the surrounding trends of development. Therefore, staff is recommending approval of the requested R-1 zoning classification.

Commissioner Tucker asked about the preliminary site plan and the proposed number of lots.

Ms. Deater stated that there would be 11 lots.

Commissioner Tucker asked if there were to be any limitations on 2 story houses.

Ms. Deater said that there would be no restrictions.

Commissioner Tucker noted the presence of two high tension power lines. He did not want any two story homes adjacent to high tension power lines.

Commissioner Tucker made a motion to recommend approval.

Commissioner Peltz seconded the motion.

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

H. Capital Improvements Element; Seminole County, applicant; Annual Update of the County's Five Year Capital Facilities Program. (04F.TXT01)

County Wide
Dick Boyer Senior Planner

Mr. Boyer stated that this item is for the budget process. It will be reviewed by Florida's Department of Community Affairs (DCA), the BCC, and then it will come back to this Commission.

There were no questions or comments.

Commissioner Bates made a motion to recommend approval.

Commissioner Peltz seconded the motion.

The motion passed 7 – 0.

I. Urban Conservation Village Ordinance; Seminole County, applicant; an ordinance amending the Land Development Code of Seminole County by creating Part 27, Sections 30.481, 30.482, 30.483, 30.484, 30.485 and 30.486; amending Section 2.3; adding definitions; creating the Urban Conservation Village Overlay zoning classification; delineating overlay applicability; describing the overlay purpose; providing technical and design standards; providing for design flexibility; providing incentives; creating greenway requirement; describing greenway permitted uses; requiring greenway maintenance; describing application process; providing for severability; providing for codification; and providing for an effective date.

Tony Walter, Assistant Planning Manager
Commissioner McLain – District 5

Tony Walter introduced the background of the text amendment and ordinance, stating that the BCC had authorized the advertising of the item in June. The draft ordinance is scheduled for presentation to the BCC on July 13 and July 27. The Board wants to adopt an ordinance which reflects the rural character of the area in question.

Mr. Walter then summarized the report:

Page 2 describes a greenway area and defines the primary and secondary conservation areas. View sheds are defined. The way the homes view common area is defined.

Applicability is only to the Myrtle Street sub area one only.

Current code prevails in areas not addressed in the ordinance.

We encourage cluster development and large lots.

Page 5 notes that there are no minimum lot sizes or minimum yard setbacks. Residential structures can be varied and can be closer to the road than typical in other settings. Setbacks must comply with fire and safety regulations.

Issues such as measurement of rights of way were discussed, along with walls, buffering and use of vegetation. There will be 4 parking spaces on each lot, to help keep cars from parking the streets.

Density in this area complies with the County Comprehensive Plan, up to 2 units per acre. Development in this area must connect to water and sewer. There will be initiatives for water volume reduction. Storm water quality systems are required. Retention ponds are allowed in the open space and must be monitored.
Page 7 discusses fences. Fences will not be allowed any closer than 25 feet to wetland areas.

The majority of homes are to be adjacent to greenway areas.

Sidewalks will be on at least one side of internal streets.

Lighting criteria is addressed starting on page 8. No lighting spillage will be allowed to adjacent residential or conservation areas.

There will be 50 percent greenway area. Open space should be accessible to neighborhood residents.

Retention ponds are allowed in open space calculations.

Neighborhoods will be connected internally and externally. Adjacent open spaces should be put together.

Section 5B discusses natural water bodies, not retention ponds.

On page 12, note that recreation areas shall be no closer than 50 feet to the nearest residence. This may be reduced with tot lots. There is a list of permitted uses.

Under item E, streets are excluded from density calculations. Underground utilities will not interfere with density calculations. Maintenance endowments may be allowed. St. Johns River Water Management will not accept any land without an endowment.

Page 14 outlines the 4 step process on how the design is done.

Page 15 discusses greenway management.

Commissioner Dorworth stated that this is an incentive plan.

Mr. Walter stated that one unit per acre is allowed at present.

Commissioner Tucker stated that chain link fencing should be allowed.

Commissioner Tucker stated that Page 8, item A-1 is too vague. "Neighborhood resident" should be specified.

Commissioner Hattaway asked about the status of placement of school bus stops. Could school bus stops be addressed here?

Commissioner Tucker agreed that this is an important issue.

Mr. Walter stated that staff could add language to sections dealing with buffers.

Commissioner Tucker asked about feedback from the State of Florida.

Mr. Walter stated that there had been questions on industrial uses. There is one section called the Midway Industrial Park.

Robert Jasmine of 1153 Myrtle Street stated that this document is not finished. The steering committee, of which he is a member, has problems with the ordinance. Changes keep occurring. There are holes in the document as it is now. It needs to be reviewed by Randall Arndt. It is not ready to go to the BCC.

Mr. Jasmine said that tennis courts are not natural lands, and should be subtracted from open space calculations. Trails should also be subtracted. Retention ponds need to be eco-friendly, otherwise they should also be subtracted from the 50% greenspace calculations.

Ann Esterson of 1235 Myrtle Street said that the project has been worked on for 2.5 years now. She agrees with the concept. She has trouble with the restrictions. This must be practical. Ms. Esterson stated that she is not in agreement with the 35 foot setbacks. Today, only RC-1 zoning has 35 foot setbacks. A 15 foot buffer is difficult.

Ms. Esterson stated that things are too specific in places. Parking for 2 of 4 cars- can the interior of the garage be counted toward this calculation? (Page 4)

On Page 7, open space descriptions are too restrictive. Item 5 concerns privacy fences. How can a fence be considered opaque if it is only 25 % opaque? She did not anticipate builders or homeowners using chicken wire or hurricane fences. Omit the entire internal privacy fence section.

On page 8 there is a problem with off site open space. Trails placed internally in the neighborhood will cause a tremendous liability to homeowners. Also, Item 3 on that page (protection of lowland areas) should be omitted. It is too vague.

On page 9, Item H pertains to trails. Trails connecting to the outside make for a wide open subdivision. What if the community is gated?

Also, a 60% greenway as suggested will bring in requests for waivers. You do not need large setbacks from external amenities such as tot lots.

We are requiring extra storm water treatment, but are also allowing horses.

We are an urban service area, not rural. Mr. Arndt said that 2 units per acre density is low.

We want to relax and delete some aspects of the report.

Sandy Bierly of Acorn Development said that the separation of recreation areas is not realistic. She also had questions on materials to be allowed for fencing. Fencing of wood looks horrible after a while. Greenway maintenance is very expensive. An example of this is a 30 acre development with a $6,000. per month greenway maintenance fee.

Danny DeCiryan of 1581 Silk Tree Circle, Sanford, President of the North Lake Jesup Community, Inc., stated that due to the time involved, Commissioner McLain has requested a review by Mr. Arndt.

Public input was closed at this time.

Mr. Walter stated that some items had not been resolved at this time.

Commissioner Harris stated that this should be continued until Mr. Arndt had a chance to review the document.

Mr. Walter stated that he could take Commission comments to the BCC and then come back.

Commissioner Hattaway asked about the time constraints.

Mr. Walter stated that delays would put off property developments.

Commissioner Hattaway asked why Mr. Arndt had not reviewed this document prior to presenting it to this board.

Commissioner Tucker said that in the beginning this was a conservation village, then an urban conservation village, and now it is only the Myrtle Street area.

Mr. Walter stated that the BCC wants to see how this project goes.

Commissioner Tucker stated that the Arndt book Rural By Design pertains to areas more rural than here. Didn't Mr. Arndt say that the 2 units per acre density was acceptable? We are not looking at a generalized ordinance here. We are being asked to look at specific land with general comments. This is going beyond the scope of what we normally do.

Commissioner Dorworth said that incentives have been greatly reduced. With the limitations and the bureaucratic encumbrances, developers will be discouraged.

Commissioner Tucker made a motion to recommend approval.

Commissioner Peltz seconded the motion.

Commissioner Dorworth stated that he will be voting against the motion.

Commissioner Harris stated that he would also be voting against the motion. This is draconian.

Commissioner Tucker stated that this is beyond spot zoning.

Commissioner Bates asked if the Commissioners could move this item on without endorsement.

Karen Consalo, Assistant County Attorney stated that Commissioners could vote either way. The item will go on to the BCC.

Commissioner Tucker withdrew his motion.

Commissioner Hattaway made a motion to send the item to the BCC with the recommendation to deny it.

Commissioner Bates seconded the motion.

The motion passed unanimously (7 – 0).

There being no further business, the meeting adjourned at 10:27 P.M.

Respectfully submitted,

Candace Lindlaw-Hudson, Recording Secretary