

ITEM #

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

SUBJECT: Monroe Commerce Center Phase III, Rezone from A-1 (Agriculture) to PCD (Planned Commercial Development) (Pat Callaway, Realvest LLC, Applicant)
DEPARTMENT: Planning & Development **DIVISION:** Planning
AUTHORIZED BY: Matt West  **CONTACT:** Jeff Hopper **EXT** 7431

Agenda Date 04/06/05 Regular Work Session Briefing
Special Hearing – 6:00 Public Hearing – 7:00

MOTION/RECOMMENDATION:

1. Recommend APPROVAL of the requested rezone from A-1 (Agriculture) to PCD (Planned Commercial Development) for a 6.3-acre site located on the east side of Elder Road, and south of School Street, per the attached staff report (Pat Callaway, applicant); or
2. Recommend DENIAL of the requested rezone from A-1 (Agriculture) to PCD (Planned Commercial Development) for a 6.3-acre site located on the east side of Elder Road, and south of School Street, (Pat Callaway, applicant); or
3. CONTINUE the item to a time and date certain.

District 5 – Carey

Jeff Hopper-Senior Planner

BACKGROUND:

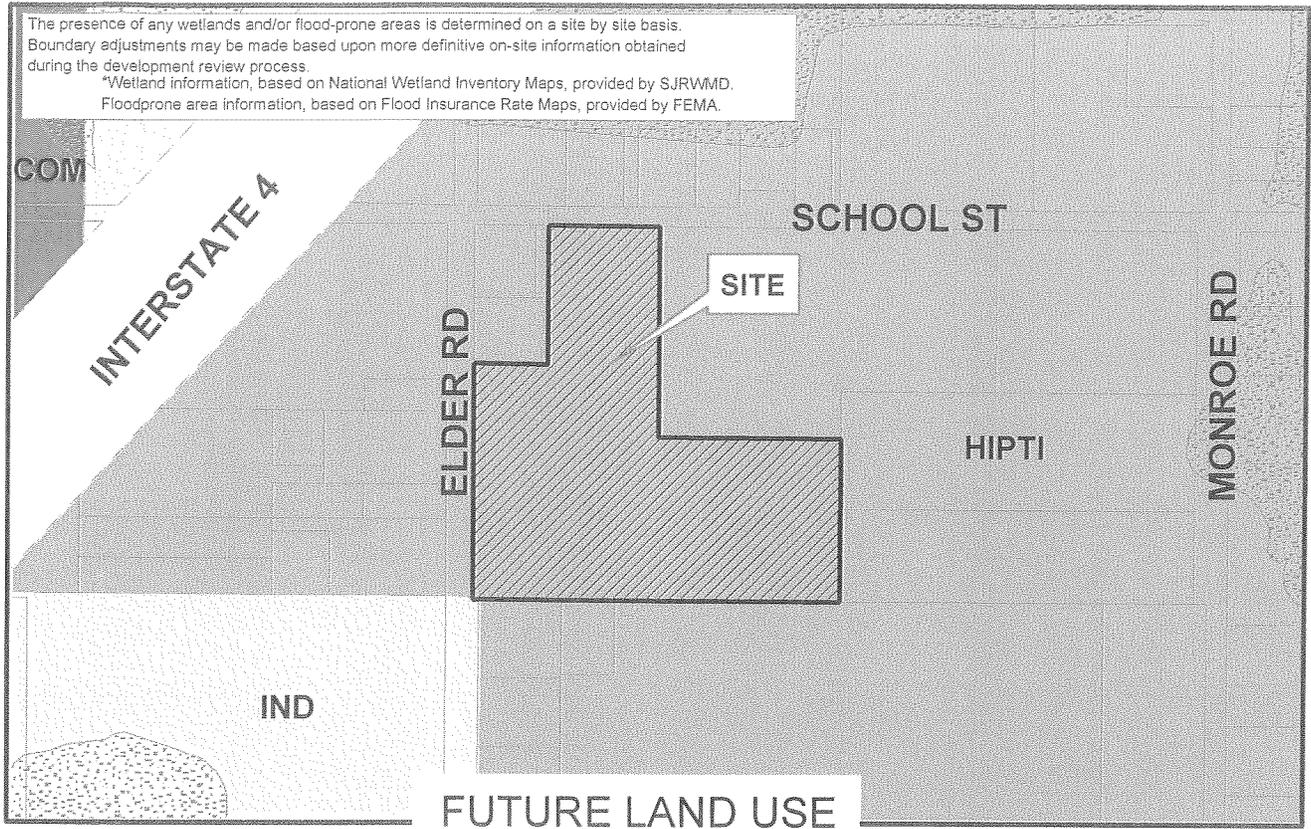
The applicant is requesting PCD zoning on a 6.3 acre site with a HIP-TI (High Intensity Planned Development – Target Industry) future land use designation. The proposal is an addition to an existing office-warehouse complex having access to Church Street to the south. Permitted uses would be those allowed in M-1A and C-3. In expanding the development, the applicant proposes two new buildings of 18,000 and 41,400 square feet respectively. Access would be provided through the existing site with no new curb cuts proposed for the new phase of the development.

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the request subject to the conditions stated in this report.

Reviewed by: KR
Co Atty: _____
DFS: _____
OTHER: _____
DCM: _____
CM: _____
File No. Z2005-008

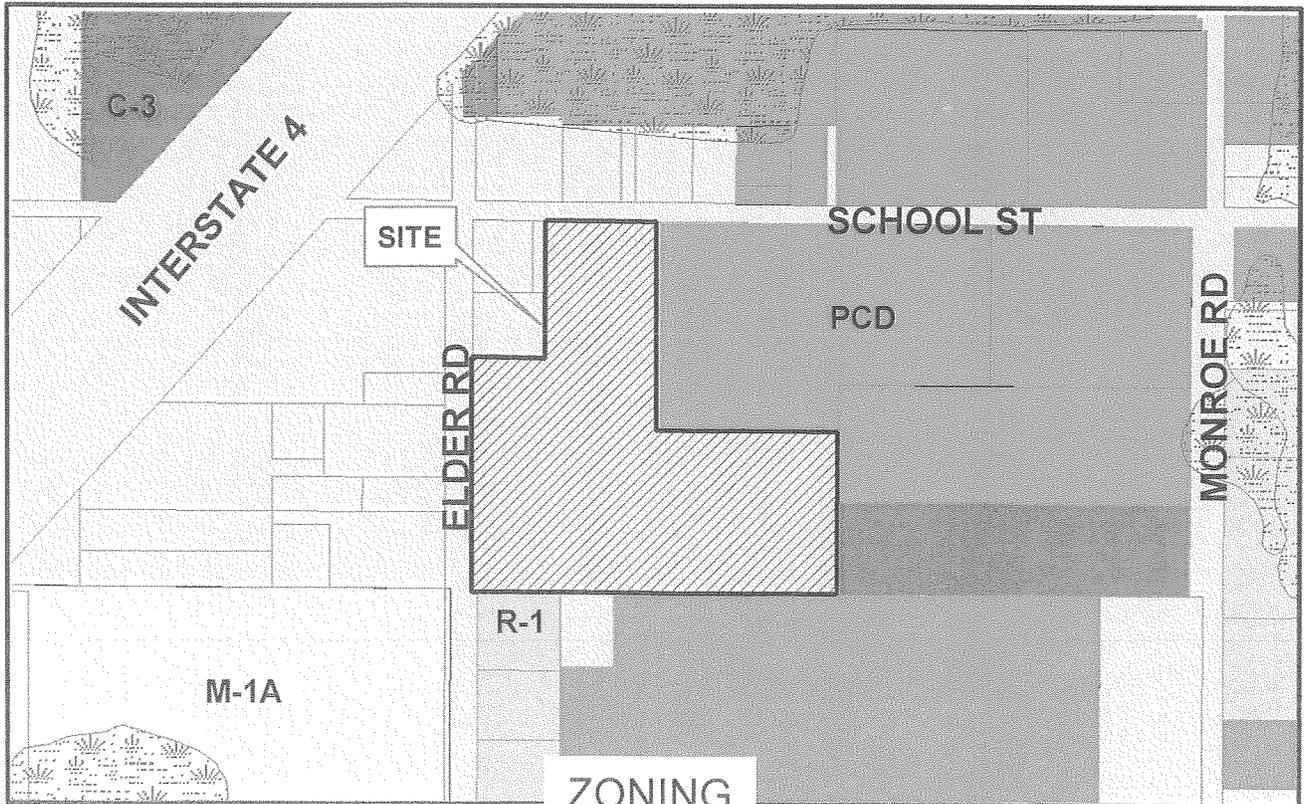
The presence of any wetlands and/or flood-prone areas is determined on a site by site basis.
 Boundary adjustments may be made based upon more definitive on-site information obtained during the development review process.
 *Wetland information, based on National Wetland Inventory Maps, provided by SJRWMD.
 Floodprone area information, based on Flood Insurance Rate Maps, provided by FEMA.



Site
 COM
 IND
 HIPTI
 CONS

Applicant: Pat Callaway
 Physical STR: 16-19-30-5AC-0000-031C
 Gross Acres: 6.35 +/- BCC District: 5
 Existing Use: Vacant Industrial General
 Special Notes: None

	Amend/ Rezone#	From	To
FLU	--	--	--
Zoning	Z2005-008	A-1	PCD



A-1
 C-3
 M-1A
 PCD
 R-1
 FP-1
 W-1

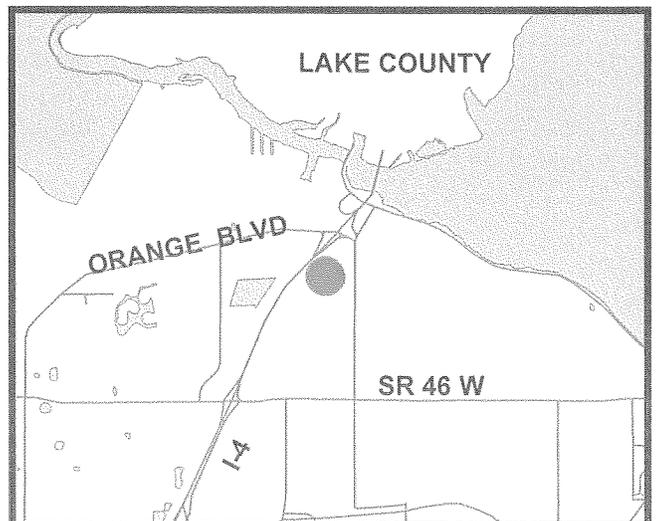


Rezone No: Z2005-008
 From: A-1 To: PCD

-  Parcel
-  Subject Property



January 2004 Color Aerials



5' ADDITIONAL RIGHT-OF-WAY TO BE DEDICATED TO SEMINOLE COUNTY

PROPOSED DEVELOPMENT

PROPOSED LAND USE: ALL THOSE USES ALLOWED IN M-1-A AND C-3 (THE PROPOSED DEVELOPMENT IS INTENDED FOR OFFICE AND WAREHOUSE USES). OUTSIDE STORAGE SHALL BE ALLOWED ON THE NORTH SIDE OF BUILDING "B" WITH ACCESS THROUGH THE BUILDING. THE OUTSIDE STORAGE FACILITY SHALL BE LIMITED FOR USE BY THE TOWNSHIP OF THE DEVELOPMENT ONLY.

PROHIBITED LAND USE: WARE SELF-STORAGE, OUT-DOOR ADVERTISING, AIRCRAFT SERVICE STATION, RESTAURANT AND/OR DRIVE-INS, HOTELS AND HOTELS.

PROPOSED ZONING: PFD, PLANNED COMMERCIAL DEVELOPMENT

BUILDING "A"
 30% OF TOTAL FLOOR AREA FOR OFFICE = 12,420 SF
 70% OF TOTAL FLOOR AREA FOR WAREHOUSE = 28,980 SF

BUILDING "B"
 45% OF TOTAL FLOOR AREA FOR OFFICE = 8,100 SF
 55% OF TOTAL FLOOR AREA FOR WAREHOUSE = 9,900 SF

TOTAL OFFICE FLOOR AREA = 20,520 SF (482,250)
TOTAL WAREHOUSE FLOOR AREA = 38,880 SF (862,250)

OFFICE PARKING RATE = 1 SPACE / 250 SF = 83 SPACES
WAREHOUSE PARKING RATE: 1 SPACE / 1000 SF, PLUS 1 SPACE FOR 2 EMPLOYEES (NUMBER OF EMPLOYEES IS NOT KNOWN AND WOULD BE HANDED PER BUSINESS)
ESTIMATED EMPLOYEES FOR WAREHOUSE = 1,900.00 SF OF WAREHOUSE = 8
REQUIRED PARKING FOR WAREHOUSE = (38,880 SF / 1000 SF) + (8/2) = 43 SPACES

TOTAL PARKING NEEDED 83 + 43 = 126 SPACES
PROPOSED PARKING 174 + 6 N/C = 180 SPACES
HANDICAP PARKING WILL MEET THE REQUIREMENT OF STATE OF FLORIDA AND FEDERAL ADA STANDARDS
PARKING SIZE 10'x20' - PER SEMINOLE CO.

PROPOSED SETBACKS: FRONT (ELDER ROAD) 25'
 REAR (NORTH) 10'
 SIDE (EAST & WEST) 10'

PROPOSED BUILDING HEIGHT: 35' MAXIMUM

PROPOSED UTILITIES:

SEWERAGE: SEMINOLE COUNTY CONNECTION TO EXISTING EXISTING LIFT STATION OVERHEADLY CONSTRUCTED IN WARDHOE COMMERCENTER II (PRIVATE UTILITY AGREEMENT WILL BE REQUIRED)

POTABLE WATER: SEMINOLE COUNTY CONNECTION TO EXISTING 10" WATER MAIN ON ELDER ROAD. ADDITIONAL FIRE HYDRANTS, IF REQUIRED, WILL BE PROVIDED TO MEET THE REQUIREMENTS OF SEMINOLE COUNTY LOC.

ELECTRICAL POWER: FLORIDA POWER CORPORATION PER FPC REQUIREMENTS

POLICE & FIRE: SEMINOLE COUNTY SHERIFF DEPARTMENT
 SEMINOLE COUNTY FIRE & EMERGENCY SERVICES

PROPOSED BUFFER:

NORTH: MINIMUM 10' LANDSCAPE BUFFER FROM PROPERTY LINE TO EDGE OF PAVEMENT OR TOP OF POND

WEST: MINIMUM 10' LANDSCAPE BUFFER FROM PROPERTY LINE (ELDER ROAD P/W) TO EDGE OF PAVEMENT

SOUTH: MINIMUM 10' LANDSCAPE BUFFER FROM PROPERTY LINE TO EDGE OF PAVEMENT

EAST: MINIMUM 10' LANDSCAPE BUFFER FROM PROPERTY LINE TO EDGE OF PAVEMENT

EXISTING MAJORITY TREES ALONG WEST PROPERTY LINE WILL BE RETAINED AS MANY AS POSSIBLE. MINIMUM TREE SIZE AND SPACING SHALL MEET SEMINOLE COUNTY LOC.

TRAFFIC GENERATION: BASED ON TRIP GENERATION RATE FROM 2011 EDITION OF ALL TRIP GENERATION REPORT, BE CODE 110 - GENERAL OFFICE AND THE CODE 150 - WAREHOUSE

AVERAGE DAILY TRIPS:
 20,520 SF OF OFFICE = 225.83 TRIPS
 38,880 SF OF WAREHOUSE = 192.84 TRIPS
TOTAL = 418.67 TRIPS

PM PEAK HOURS:
 20,520 SF OF OFFICE = 30.33 TRIPS
 38,880 SF OF WAREHOUSE = 18.27 TRIPS
TOTAL = 48.60 TRIPS

TAX PARCEL ID NO 16-19-33-540-0000-031C

DEVELOPMENT INFORMATION

LAND OWNER: REALVEST-WARDHOE COMMERCENTER II, LLC
 2200 LUCEN WAY, SUITE 350, WATLAND, FL 32751
 PHONE (407) 875-9985

DEVELOPER: REALVEST DEVELOPMENT, LLC, MR. PAT CALLAWAY
 2200 LUCEN WAY, SUITE 350, WATLAND, FLORIDA 32751
 PHONE (407) 875-9985

PLANNERS/ENGINEERS: SK CONSORTIUM, INC., MR. CHAS SHONKLE
 1155 LOUISIANA AVENUE, SUITE 204, WINTER PARK, FL 32789
 PHONE (407) 629-4788

SURVEYOR: ALLEN & COMPANY, INC.
 1420 E. HOBBSWOOD ST., ORLANDO, FLORIDA 32803
 PHONE (407) 857-1443

EXISTING SITE DATA

TOTAL SITE AREA: 6.345 ACRES (276,386.20 SF)

EXISTING LAND USE: VACANT

EXISTING ZONING: A-1 (AGRICULTURE & PCD)

SURROUNDING LAND USE:

NORTH: SCHOOL STREET
 WARDHOE CONTRACTOR OFFICE

EAST: OFFICE/WAREHOUSE (WARDHOE COMMERCENTER II, SFR ELDER ROAD)

SOUTH:

WEST:

SURROUNDING ZONING:

NORTH: A-1 (AGRICULTURE)

EAST: C-3 (COMMERCIAL) PCD

SOUTH: PCD, A-1 (AGRICULTURE)

WEST: A-1 (AGRICULTURE)

FUTURE LAND USE DESIGNATION: MP, ON SUBJECT PROPERTY AND SURROUNDING HIGH WIDENESS PLANNED DEVELOPMENT

EXISTING DRAINAGE PATTERN:

THE SITE IS RELATIVELY FLAT AND SLOPES TOWARD NORTHEAST. THE SITE IS CURRENTLY AN OPEN FIELD WITH MAJORITY VEGETATION ALONG THE WEST PROPERTY LINE (ELDER ROAD).

THE HIGHEST ELEVATION IS APPROXIMATELY 20', AND THE LOWEST IS APPROXIMATELY 14'. THE PROPERTY IS IN ZONED "C", ACCORDING TO FLOOD INSURANCE MAP PANEL NUMBER 120289 0030 B, MAP DATE 5-5-1981

ENVIRONMENT:

LEGAL DESCRIPTION

LOT 31 (LESS THE NORTH 380 FEET OF THE EAST 320 FEET OF LOT 31 AND LESS THE NORTH 250 FEET OF THE WEST 140 FEET OF THE NORTH 1/2 OF LOT 31), FLORIDA LAND AND COLIMINATION COMPANY LIMITED, W/ BEARDALE'S MAP OF ST. JOSEPH'S, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 114 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, SUBJECT TO RIGHT OF WAY ON NORTH FOR WARDHOE SCHOOL ROAD AND ON WEST FOR ELDER ROAD AS SHOWN ON SAID PLAT, THE CENTER LINE OF SAID PLATTED ROADS USING THE LOT BOUNDARY LINES AS DESCRIBED HEREIN.

ACCESS

THE PROPOSED DEVELOPMENT WILL BE ACCESSIBLE THROUGH EXISTING PLANNED COMMERCIAL DEVELOPMENT FROM THE SOUTH (EXISTING WARDHOE COMMERCENTER II). CHURCH STREET WAS IMPROVED TO COUNTY STANDARDS FROM USPSLA (C-15) TO THE WESTERN BOUNDARY OF WARDHOE COMMERCENTER II.

A TRAFFIC IMPACT STUDY IS NOT REQUIRED SINCE PM PEAK HOUR TRAFFIC IS LESS THAN 50 TRIPS.

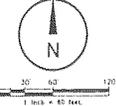
LANDSCAPE CONCEPT

CANOPY TREES: 25' ON CENTER ALONG ELDER ROAD (WESTERN PROPERTY LINES); 25' ON CENTER ALONG SOUTH PROPERTY LINE, ADJUTING EXISTING SINGLE FAMILY RESIDENTIAL HOMES.

UNLESS EXISTING MAJORITY TREES CAN BE RETAINED, MINIMUM TREE SIZE SHALL BE 3" CANOPY TREES WILL BE OF NATIVE SPECIES.

PARKING LOT LANDSCAPE SHALL MEET THE MINIMUM REQUIREMENTS OF SEMINOLE COUNTY LAND DEVELOPMENT CODE.

TREE AND SHRUBS IN OTHER AREAS SHALL MEET THE MINIMUM REQUIREMENT OF SEMINOLE COUNTY.



ENGINEERING
 PLANNING
 DESIGN
 URBAN
 SK Consortium, Inc.
 1000 N. ORLANDO AVE., SUITE 200, ORLANDO, FLORIDA 32729
 TELEPHONE: 407-857-4788 FAX: 407-857-4789

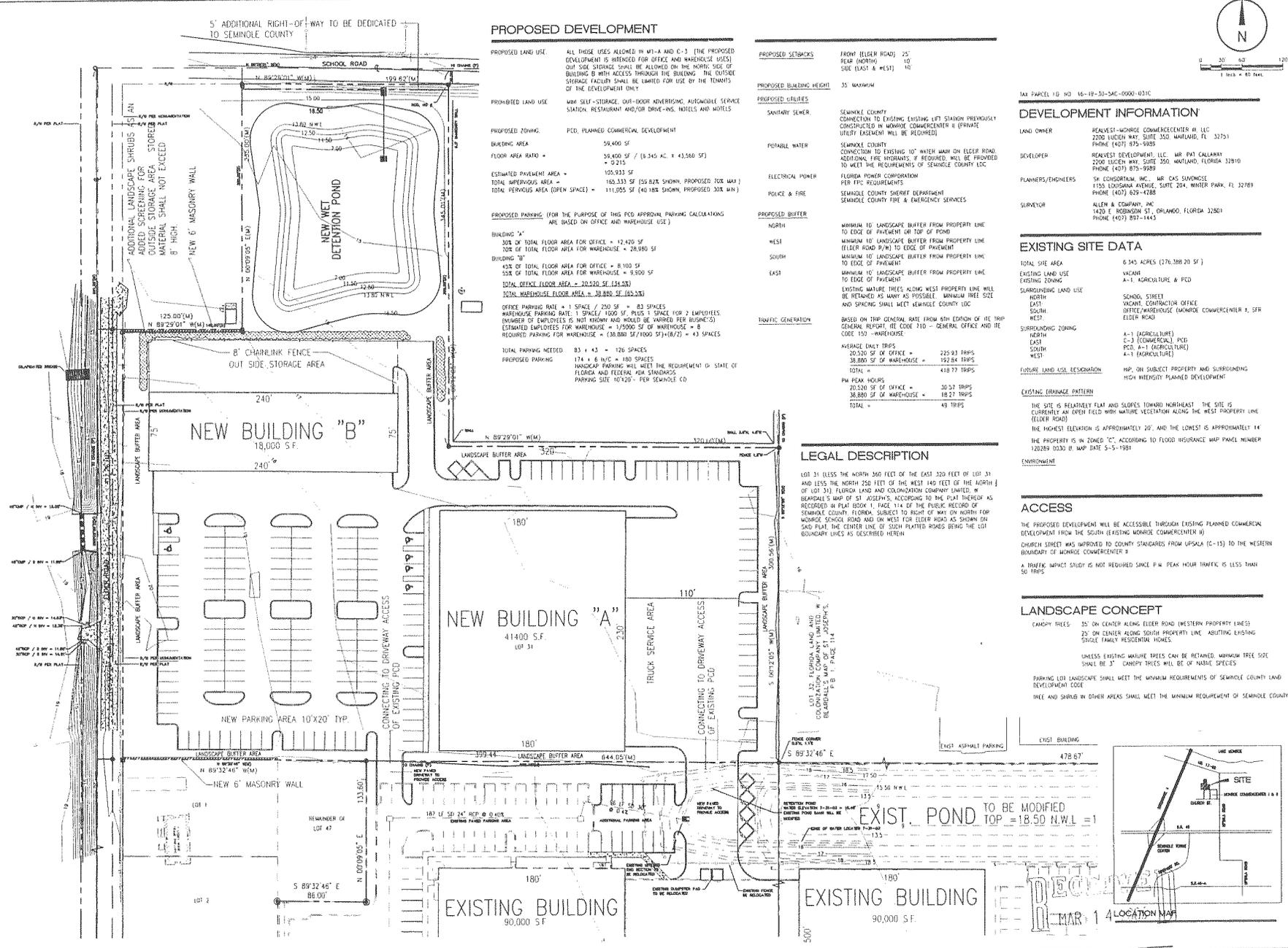
Scale: Max=2 Meters/6.6 Feet

PCD MASTER SITE PLAN
 MONROE COMMERCENTER III
 REALVEST-MONROE
 COMMERCENTER III, LLC
 SEMINOLE COUNTY, FLORIDA

07/31/06 - CIP SUBMISSION
 02/17/08 - CIP REVISION PER PDC

Issue Date and Purpose
 Project Number
 0503

Drawn by
 NAME, CH
 Checked by
 W. KALASZICH
 PLOT NO.
 MP2



MONROE COMMERCE CENTER PHASE III

REQUEST INFORMATION	
APPLICANT	Pat Callaway
PROPERTY OWNER	Realvest Monroe CommerCenter III, LLC
REQUEST	A-1 (Agriculture) to PCD (Planned Commercial Development)
HEARING DATE (S)	P&Z: April 6, 2005 BCC: May 24, 2005
PARCEL NUMBER	16-19-30-5AC-0000-031C
LOCATION	North side of SR 436, and west of West Lake Brantley Road, south of Sand Lake Road
FUTURE LAND USE	HIP - TI
FILE NUMBER	Z2005-008
COMMISSION DISTRICT	5 – Carey

OVERVIEW

The applicant is requesting PCD zoning on a 6.3 acre site with a HIP-TI (High Intensity Planned Development – Target Industry) future land use designation. The proposal is an addition to an existing office-warehouse complex having access to Church Street. Permitted uses would be those allowed in M-1A and C-3. In expanding the development, the applicant proposes two new buildings of 18,000 and 41,400 square feet respectively. Access would be provided through the existing site with no new curb cuts proposed for the new phase of the development.

As recommended by staff, the applicant is showing 6-foot tall masonry walls adjacent to residential properties at the northwest and southwest corners of the site. The site will include a 25-foot landscape buffer area adjacent to Elder Road. Prohibited uses, as proposed by the applicant, include self-storage, service stations, restaurants and hotel/motel facilities. An outdoor storage area, adjacent to the north side of Building B, would be limited to use by tenants of the development.

Existing Land Uses: Existing land uses on surrounding properties are as follows:

(North)

HIP -TI SF Residential <i>A-1</i>	HIP -TI SF Residential <i>A-1</i>	HIP -TI Mineral processing <i>PCD</i>
HIP -TI SF Residential/vacant <i>A-1</i>	HIP -TI (SUBJECT PROPERTY) Vacant <i>A-1</i>	HIP -TI Offices, warehousing <i>PCD / C-3</i>
INDUSTRIAL Vacant <i>M-1A</i>	HIP -TI SF Residential/ Vacant/industrial <i>R-1/A-1/PCD</i>	HIP -TI Office/warehouse <i>PCD</i>

(South)

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

SITE ANALYSIS

Facilities and Services:

1. Adequate facilities and services must be available concurrent with the impacts of development. If required by the concurrency review, additional facilities and services will be identified.
2. The proposed zoning is consistent with the adopted HIP--TI future land use designation assigned to the property, and does not alter the options or long range strategies for facility improvements or capacity additions included in the Support Documentation to the Vision 2020 Plan.
3. Seminole County will provide water and sewer service to the site.
4. Information on stormwater capacity and outfall will have to be provided prior to Final Site Plan approval.

Compliance with Environmental Regulations: At this time there are no concerns regarding compliance with environmental regulations.

Compatibility with Surrounding Development: The proposed PCD zoning is compatible with the HIP--TI future land use designation.

STAFF RECOMMENDATIONS:

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

- a. Uses shall be limited to those listed in the Land Development Code as permitted or special exception uses in the M-1A and C-3 districts. These uses shall be allowed by right. However, the following uses shall be prohibited:
 - mini-storage
 - retail
 - outdoor advertising
 - service stations
 - on-site repair of vehicles
 - restaurants
 - hotels and motels
- b. A 25-foot wide buffer shall be provided along the west property line adjacent to Elder Road, consisting of 4 canopy trees per 100 feet, a minimum of 3" diameter measured 1 foot above ground.
- c. A 10-foot wide buffer shall be provided adjacent to the existing home at the southwest corner of the site. This buffer shall consist of a 6-foot tall masonry wall and 4 canopy trees per 100 feet, a minimum of 3" diameter measured 1 foot above ground.

- d. A 6-foot tall masonry wall shall be provided along the south boundary adjacent to the residential property on Elder Road.
- e. Use of the outdoor storage area shall be restricted to tenants of the development, with access into this area provided only through Building B. This area shall be surrounded by an 8-foot chain link fence and shall be screened and landscaped so as not to be seen from School Street or Elder Road. The stacking of stored material in this area shall not exceed 8 feet in height.
- f. Floor area shall be limited as follows:

<i>Building</i>	<i>Office</i>	<i>Warehouse</i>
A	12,420 s.f.	28,980 s.f.
B	8,100 s.f.	9,900 s.f.
Totals	20,520 s.f.	39,880 s.f.

- Any increase in office area shall require a minor amendment to the PCD to ensure adequate parking on the site.
- g. Required building and accessory setbacks shall be 25 feet from Elder Road and School Street, 10 feet from all other property lines.
 - h. Maximum building height shall be 50 feet.
 - i. Retention areas to be counted toward open space requirements shall be amenitized per Section 30.1344 of the Land Development Code. This shall be evaluated at Final Site Plan.

FILE #

Z2005-008

DEVELOPMENT ORDER # 5-20500001

**SEMINOLE COUNTY DEVELOPMENT
ORDER**

On May 24, 2005, Seminole County issued this Development Order relating to and touching and concerning the following described property:

Legal description attached as Exhibit A.

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

FINDINGS OF FACT

Property Owner: REALVEST MONROE COMMERCENTER III, LLC

Project Name: MONROE COMMERCE CENTER PHASE III

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

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

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

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

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.
- (3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:

- a. Uses shall be limited to those listed in the Land Development Code as permitted or special exception uses in the M-1A and C-3 districts. These uses shall be allowed by right. However, the following uses shall be prohibited:
 - mini-storage
 - retail
 - outdoor advertising
 - service stations
 - on-site repair of vehicles
 - restaurants
 - hotels and motels
- b. A 25-foot wide buffer shall be provided along the west property line adjacent to Elder Road, consisting of 4 canopy trees per 100 feet, a minimum of 3" diameter measured 1 foot above ground.
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- d. A 6-foot tall masonry wall shall be provided along the south boundary adjacent to the residential property on Elder Road.
- e. Use of the outdoor storage area shall be restricted to tenants of the development, with access into this area provided only through Building B. This area shall be surrounded by an 8-foot chain link fence and shall be screened and landscaped so as not to be seen from School Street or Elder Road. The stacking of stored material in this area shall not exceed 8 feet in height.
- f. Floor area shall be limited as follows:

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Z2005-008

DEVELOPMENT ORDER # 5-20500001

- g. Required building and accessory setbacks shall be 25 feet from Elder Road and School Street, 10 feet from all other property lines.
- h. Maximum building height shall be 50 feet.
- i. Retention areas to be counted toward open space requirements shall be amenitized per Section 30.1344 of the Land Development Code. This shall be evaluated at Final Site Plan.

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

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

Done and Ordered on the date first written above.

By: _____
Carlton D. Henley
Chairman
Board of County Commissioners

FILE #

Z2005-008

DEVELOPMENT ORDER # 5-20500001

OWNER'S CONSENT AND COVENANT

COMES NOW, the owner, Realvest-Monroe CommerCenter, LLC, on behalf of itself and its heirs, successors, assigns or transferees of any nature whatsoever and consents to, agrees with and covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Development Order.

Witness

Print Name

By: _____
George D. Livingston, Jr., as its President

STATE OF FLORIDA

COUNTY OF SEMINOLE

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared George D. Livingston, Jr., who is personally known to me or who has produced _____ as identification and who did execute the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2005.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

EXHIBIT A

LEGAL DESCRIPTION

LOT 31 (LESS THE NORTH 360 FEET OF THE EAST 320 FEET OF LOT 31 AND LESS THE NORTH 250 FEET OF THE WEST 140 FEET OF THE NORTH ½ OF LOT 31), FLORIDA LAND AND COLONIZATION COMPANY LIMITED, W. BEARDALL'S MAP OF ST. JOSEPH'S, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 114 OF THE PUBLIC RECORD OF SEMINOLE COUNTY, FLORIDA, SUBJECT TO RIGHT OF WAY ON NORTH FOR MONROE SCHOOL ROAD AND ON WEST OF ELDER ROAD AS SHOWN ON SAID PLAT, THE CENTER LINE OF SUCH PLATTED ROADS BEING THE LOT BOUNDARY LINES AS DESCRIBED HEREIN

AN ORDINANCE AMENDING, PURSUANT TO THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY, THE ZONING CLASSIFICATIONS ASSIGNED TO CERTAIN PROPERTY LOCATED IN SEMINOLE COUNTY; ASSIGNING CERTAIN PROPERTY CURRENTLY ASSIGNED THE A-1 (AGRICULTURE) ZONING CLASSIFICATION THE PCD (PLANNED COMMERCIAL DEVELOPMENT DISTRICT) ZONING CLASSIFICATION; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:

Section 1. LEGISLATIVE FINDINGS.

(a) The Board of County Commissioners hereby adopts and incorporates into this Ordinance as legislative findings the contents of the documents titled "Monroe Commerce Center Phase III."

(b) The Board hereby determines that the economic impact statement referred to by the Seminole County Home Rule Charter is unnecessary and waived as to this Ordinance.

Section 2. REZONINGS. The zoning classification assigned to the following described property is changed from A-1 (Agriculture) to PCD (Planned Commercial Development):

See Exhibit A

Section 4. SEVERABILITY. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, it is the intent of the Board of County Commissioners that the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

Section 5. EFFECTIVE DATE. A certified copy of this Ordinance shall be provided to the Florida Department of State by the Clerk of the Board of County Commissioners in accordance with Section 125.66, Florida Statutes. This Ordinance shall become effective upon the date of filing by the Department and recording of Development Order #5-20500001 in the official land records of Seminole County.

ENACTED this 24th day of May, 2005.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Carlton D. Henley
Chairman

EXHIBIT A

LEGAL DESCRIPTION

LOT 31 (LESS THE NORTH 360 FEET OF THE EAST 320 FEET OF LOT 31 AND LESS THE NORTH 250 FEET OF THE WEST 140 FEET OF THE NORTH ½ OF LOT 31), FLORIDA LAND AND COLONIZATION COMPANY LIMITED, W. BEARDALL'S MAP OF ST. JOSEPH'S, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 114 OF THE PUBLIC RECORD OF SEMINOLE COUNTY, FLORIDA, SUBJECT TO RIGHT OF WAY ON NORTH FOR MONROE SCHOOL ROAD AND ON WEST OF ELDER ROAD AS SHOWN ON SAID PLAT, THE CENTER LINE OF SUCH PLATTED ROADS BEING THE LOT BOUNDARY LINES AS DESCRIBED HEREIN