

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

SUBJECT: VANTAGE POINT PCD-REZONE A-1 to PCD

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Tony Walter **CONTACT:** Brian Nelson EXT. 7430

Agenda Date <u>11/02/05</u>	Regular <input type="checkbox"/>	Work Session <input type="checkbox"/>	Briefing <input type="checkbox"/>
	Special Hearing – 6:00 <input type="checkbox"/>	Public Hearing – 7:00 <input checked="" type="checkbox"/>	

MOTION/RECOMMENDATION:

1. Recommend APPROVAL of a request to rezone approximately 9.52 ± acres, located on the west side of Monroe Road, approximately one-half mile north of State Road 46, from A-1 (Agriculture) to PCD (Planned Commercial Development District) based on staff findings, Preliminary Site Plan and the conditions in the attached Development Order (Jerry Cutrona, applicant); or
2. Recommend DENIAL of a request to rezone approximately 9.52 ± acres, located on the west side on Monroe Road, approximately one-half mile north of State Road 46, from A-1 (Agriculture) to PCD (Planned Commercial Development District) based on staff findings (Jerry Cutrona, applicant); or
3. CONTINUE the item to a time and date certain.

District 5 – Comm. Carey

Brian Nelson, Principal Coordinator

BACKGROUND:

The applicant is requesting a change in zoning from A-1 (Agriculture) to PCD (Planned Commercial District) in order to develop a mixture of warehouse and office uses on the subject site. The Future Land Use designation on the subject site is Higher Intensity Planned Development-Target Industry (HIP-TI).

The proposed Master Plan indicates that the site will contain a total of 100,000 square feet and be developed in two phases. Phase 1 will consist of building #1 and building #2 containing 17,200 square feet of office space and 34,800 square feet of warehouse space. Phase 2 will consist of 14,400 square feet of office and 33,600 square feet of warehouse space. The southeastern portion of the site will consist of a

Reviewed by: _____
Co Atty: _____
DFS: _____
OTHER: _____
DCM: _____
CM: _____
File No. <u>Z 2005-</u>
<u>051</u>

wet retention pond and wetland/conservation area. Access will be off Monroe Road and aligned with Maronda Way.

STAFF RECOMMENDATION:

Staff recommends APPROVAL of a request to rezone approximately 9.52 ± acres, located on the west side of Monroe Road, approximately one-half mile north of State Road 46, from A-1 (Agriculture) to PCD (Planned Commercial Development District) based on staff findings, the Preliminary Site Plan and the attached Development Order.

Attachments:

Staff Analysis
Location Map
Plat Map
FLU/Zoning
Aerial Photo
Master Site Plan
Development Order
Rezone Ordinance

VANTAGE POINT PCD

Rezone from A-1 to PCD

APPLICANT	Jerry Cutrona	
PROPERTY OWNER	Jesse & Nancy Hays	
REQUEST	Rezone from A-1 (Agriculture District) to PCD (Planned Commercial Development District)	
PROPERTY SIZE	9.52 ± acres	
HEARING DATE (S)	P&Z: November 2, 2005	BCC: December 13, 2005
PARCEL ID	16-19-30-5AC-0000-00A1 and 00A2	
LOCATION	West side of Monroe Road, approximately one-half mile north of State Road 46	
FUTURE LAND USE	HIP-TI (Higher Intensity Planned Development-Target Industry)	
ZONING	A-1 (Agriculture District)	
FILE NUMBER	Z2005-051	
COMMISSION DISTRICT	#5 – Carey	

PROPOSED DEVELOPMENT:

The applicant is proposing to develop 100,000 square feet of warehouse/office space in two development phases on a 9.52 ± acre site. The following table provides a breakdown of each phase:

Phase 1	Office Sq. Ft.	Warehouse Sq. Ft.	Total Sq. Ft.
Building #1	7,200	16,800	24,000
Building #2	<u>10,000</u>	<u>18,000</u>	<u>28,000</u>
Total Phase 1	17,200	34,800	52,000
Phase 2			
Building #3	7,200	16,800	24,000
Building #4	<u>7,200</u>	<u>16,800</u>	<u>24,000</u>
Total Phase 2	14,400	33,600	52,000
Total Project	<u>31,600</u>	<u>68,400</u>	<u>100,000</u>

ANALYSIS OVERVIEW:

ZONING REQUEST

The applicant, Jerry Cutrona, is requesting to rezone 9.52 ± acres from A-1 (Agriculture District) to PCD (Planned Commercial Development District). The subject property is located on the west side of Monroe Road, approximately one-half mile north of State Road 46. The Future Land Use designation of the subject property is HIP-TI (Higher Intensity Planned Development-Target Industry). The following table depicts the minimum regulations for the current zoning district of A-1 (Agriculture) and the requested PCD (Planned Commercial Development District):

DISTRICT REGULATIONS	Existing Zoning (A-1)	Proposed Zoning (PCD)
Minimum Lot Size	43,560 square feet	N/A
Minimum House Size	N/A	N/A
Minimum Width at Building Line	150 feet	N/A
Front Yard Setback	50 feet	25 feet
Side Yard Setback	30 feet	0 feet
(Street) Side Yard Setback	25 feet	N/A
Rear Yard Setback	10 feet	10 feet
Maximum Building Height	35 feet	35 feet

PERMITTED & SPECIAL EXCEPTION USES

The following table depicts the permitted and special exception uses within the existing and proposed zoning districts:

Zoning District	Permitted Uses	Special Exception	Minimum Lot Size
A-1 (existing)	Agricultural uses such as citrus or other fruit crops cultivation, production and horticulture, truck farms, plant nurseries and greenhouses not involved with retail sales to the general public, silva culture, public and private elementary schools, publicly owned and/or controlled parks and recreation areas, bait production, stables, barns, single-family dwelling and customary accessory uses including one (1) guesthouse or cottage, docks and boathouses, churches and structures appurtenant thereto, community residential homes (group homes and foster care facilities) housing six (6) or fewer permanent unrelated residents.	Special Exception such as cemeteries and mausoleums, kennels including the commercial raising or breeding of dogs, hospitals, sanitariums and convalescent homes, veterinary clinics and assisted living facilities and group homes, public and private nursery schools, kindergartens, middle schools, high schools and colleges, public utility and service structures, fishing camps, marinas, gun clubs, or similar enterprises or clubs making use of land with nominal impacts to natural resources, privately owned and operated recreational facilities open to the paying public, such as athletic fields, stadium, racetracks, and speedways, golf driving ranges, riding stables, water plants, and sanitary landfill operations, off-street parking lots, farm worker housing, mobile homes, retail nurseries, landscaping contractors as an accessory use to a wholesale nursery or wholesale tree farm, communication towers, bed and breakfast establishments.	1 acre

<p>PCD (proposed)</p>	<p>Permitted uses shall be those listed in the Land Development Code as permitted or special exception uses in the C-3 zoning district together with light assembly uses. However, the following uses shall be prohibited: Amusement and recreation facilities automobile sales, bakeries, where goods are sold on premises at retail, banks, car wash, hotels and motels, laundrettes and Laundromats, mobile homes and recreational vehicle sales, on-site retail sales, paint and body shops, private clubs and lodges, restaurants, theaters, truck terminals, service stations, outdoor advertising signs, manufacturing of water-based and/or epoxy-based coatings, adhesives, sealants, and paints, industrial, technical and trade schools, except for classroom training directly associated with existing businesses located within the PCD development site such as real estate, alcoholic beverage establishments, adult entertainment and sexually oriented businesses, multi-family housing, public and private utility plants, stations, and distribution office, public and private schools, commercial mechanical repair garages or storage of vehicles for commercial repair, except that standard vehicle maintenance may be performed on vehicles associated with an existing business within the PCD development site, heliports, medical clinics, manufacturing of the following: boats, chemical products and processing, and dairy products.</p>	<p>N/A</p>	<p>N/A</p>
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COMPATIBILITY WITH SURROUNDING PROPERTIES

The Future Land Use designations, zoning districts and existing uses for the subject and abutting properties are as follows:

(North)

	HIPTI Light Industry <i>A-1/PCD</i>	HIPTI Office/Warehouse <i>PCD</i>	HIPTI Office Converted Residence <i>PCD</i>	
(West)	HIPTI Ornamental Agriculture/Single Family <i>A-1</i>	HIPTI Agriculture <i>A-1</i>	HIPTI Single-Family/Light Industry <i>PCD/A-1</i>	(East)
	HIPTI Vacant <i>A-1</i>	HIPTI Vacant <i>A-1</i>	HIPTI Vacant Residential/ Commercial <i>A-1</i>	

(South)

- **Bold** text depicts the Future Land Use designation, *italicized* text depicts the existing zoning district and plain text depicts existing use. The shaded cell indicates the subject property. More detailed information regarding surrounding properties can be found in the attached Future Land Use, zoning and aerial photo maps.

SITE ANALYSIS:

ENVIRONMENTAL IMPACTS

Floodplain Impacts:

Based on FIRM map number 539 Sanford, there are no floodplain impacts associated with the subject property.

Wetland Impacts:

Based on preliminary aerial photo and County wetland map analysis, a small area on the southeast portion of the property (approximately 0.20 ± acres) contains wetlands. Compliance with the Land Development Code regarding development within and around wetland areas is required prior to the issuance of any building permits.

Endangered and Threatened Wildlife:

Based on a preliminary analysis, there are no endangered and threatened wildlife on the subject property. A listed species survey will be required prior to final engineering approval.

PUBLIC FACILITY IMPACTS

Rule 9J-5.0055(3)(c)1-2, Florida Administrative Code, requires that adequate public facilities and services be available concurrent with the impacts of development. The applicant has submitted an application for Full Concurrency Review. Concurrency Management has determined that water and sewer facility capacity is available for the proposed property subject to execution of a Utility Agreement and payment of fees. Concurrency Management further determined that sufficient roadway capacity is available based upon Concurrency Management System Net Available Capacity.

The following table depicts the impacts the proposed development has on public facilities:

Public Facility	Existing Zoning (A-1)	Proposed Development*	Net Impact
Water (GPD)	3,150	19,576	16,426
Sewer (GPD)	3,150	15,472	12,322
Traffic (ADT)	86	618	532
Schools			
Elementary	2	N/A	(2)
Middle	1	N/A	(1)
High	1	N/A	(1)

* Proposed Development is based on the proposed project consisting of 31,600 square feet of office and 68,400 square feet of warehouse uses.

Utilities:

The site is located in the Seminole County utility service area, and will be required to connect to public utilities. There is currently a 10-inch water main along the east side of Monroe Road and a 4-inch force main along the west side of Monroe Road. Both of these existing lines run southward along Monroe Road and then turn eastward along Maronda Way. Concurrency Management has determined that water and sewer facility capacity is available subject to execution of a Utility Agreement and the payment of fees.

Transportation / Traffic:

The property accesses Monroe Road, which is classified as a two lane undivided minor collector road. Monroe Road is currently operating at a level of service "A". Staff determined that a left turn lane will be required at the site entrance, and determined that additional right-of-way will be required along the west side of Monroe Road per Appendix A. Monroe Road is currently programmed to be improved according to the County 5-year Capital Improvement Program. The 4-lane construction is scheduled to commence in 2007/2008.

School Impacts:

The proposed project will consist of office and warehouse uses and will not generate any school age children.

Public Safety:

The nearest response unit to the subject property is Station # 38, which is located at 1300 Central Park Drive. Based on a response time of 2 minutes per mile, the estimated response time to the subject property is 4 minutes. The County level-of-service standard for response time is 5 minutes per Policy PUB 2.1 of the Comprehensive Plan.

Drainage:

The proposed project is located within the Monroe Drainage basin. Elder Creek will provide positive outfall for the property although it currently has limited down stream capacity. This will be further evaluated in more detail prior to final engineering approval.

Parks, Recreation and Open Space:

The applicant is proposing to provide 3.0 ± acres of open space (2.5 required). Part of the open space will include an amenitized retention pond. The amenities for the pond are not known at this time but will be identified in the Final Site Plan.

APPLICABLE POLICIES:

FISCAL IMPACT ANALYSIS

This project does not warrant the running of the County Fiscal Impact Analysis Model.

SPECIAL DISTRICTS

The subject property is not located within a Special District.

COMPREHENSIVE PLAN (VISION 2020)

The following policies are applicable with the proposed project:

Policy FLU	2.11: Determination of Compatibility in PUD and PCD Zoning Classifications
Policy FLU	5.6: Higher Intensity Planned Development (HIP) Purpose
Policy FLU	5.7 Higher Intensity Planned Development (HIP) General Uses and Intensities
Policy POT	4.5: Potable Water Connection
Policy SAN	4.4: Sanitary Sewer Connection
Policy PUB	2.1: Public Safety Level-of-Service

INTERGOVERNMENTAL NOTIFICATION:

An intergovernmental notice was sent to the City of Sanford on October 17, 2005. To date, no comments have been received.

LETTERS OF SUPPORT OR OPPOSITION:

At this time, Staff has received no letters of support or opposition.

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the request to rezone approximately 9.52 ± acres, located on the west side of Monroe Road, approximately one-half mile north of State Road 46, from A-1 (Agriculture District) to PCD (Planned Commercial Development District), subject to the following conditions:

- a. Permitted uses shall be those listed in the Land Development Code as permitted or special exception uses in the C-3 zoning district together with light assembly uses. However, the following uses shall be prohibited:

- Amusement and recreation facilities
- Automobile sales
- Bakeries, where goods are sold on premises at retail
- Banks
- Car wash
- Hotels and motels
- Launderettes and Laundromats
- Mobile homes and recreational vehicle sales
- On-site retail sales
- Paint and body shops
- Private clubs and lodges
- Restaurants
- Theaters
- Truck Terminals
- Service stations
- Outdoor advertising signs
- Manufacturing of water-based and/or epoxy-based coatings, adhesives, sealants, and paints
- Industrial, technical and trade schools, except for classroom training directly associated with existing businesses located within the PCD development site such as real estate
- Alcoholic beverage establishments
- Adult entertainment and sexually oriented businesses
- Multi-family housing
- Public and private utility plants, stations, and distribution office
- Public and private schools
- Commercial mechanical repair garages or storage of vehicles for commercial repair, except that standard vehicle maintenance may be performed on vehicles associated with an existing business within the PCD development site
- Heliports

Medical Clinics

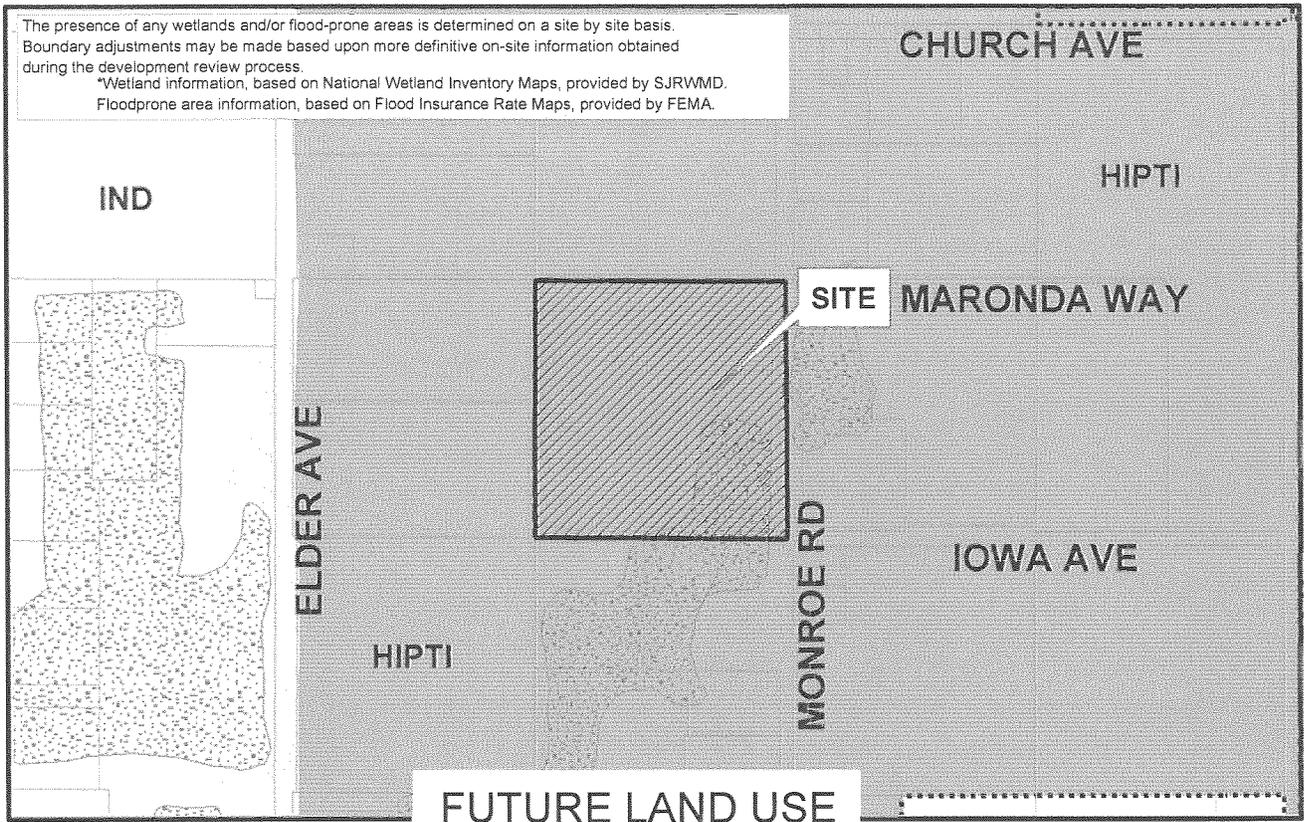
Manufacturing of the following:

- a. Boats
 - b. Chemical products and processing
 - c. Dairy products
- b. The developer shall provide a minimum 10-foot wide irrigated buffer along the east property line adjacent to Monroe Road, consisting of 4 canopy trees per 100 feet, a minimum of 3" diameter measured 1-foot above ground.
 - c. The developer shall provide a minimum 5-foot wide irrigated buffer along the property's north and south property lines consisting of 4 canopy trees per 100 feet, a minimum of 3" diameter measured 1-foot above ground.
 - d. The developer shall provide a minimum 10-foot wide irrigated buffer along the property's west property lines consisting of 4 canopy trees per 100 feet, a minimum of 3" diameter measured 1-foot above ground.
 - e. Use of the outdoor storage area shall only be allowed for the tenant of Building "B". Outdoor storage for Building "B" shall not allow storage of materials within parking spaces or driveway aisles. A 6-foot chain link fence shall surround this area. This area shall be screened, landscaped, and irrigated so as not to be seen from Monroe Road or adjacent properties. The stacking of stored material in this area shall not exceed 6 feet in height.
 - f. Total floor area shall be 100,000 square feet and shall be limited as follows:

<i>Building</i>	<i>Office</i>	<i>Warehouse</i>
#1 and #2	17,200 s.f.	34,800 s.f.
#3 and #4	14,400 s.f.	33,600 s.f.
Totals	31,600 s.f.	68,400 s.f.

- g. Required building and accessory setbacks shall be 25 feet from Monroe Road and 10 feet from all other property lines.
- h. Maximum building height shall be 35 feet.
- i. The developer shall amenitize retention areas to be counted toward open space requirements per Section 30.1344 of the Land Development Code, with no fencing of the pond permitted. Amenities shall be consistent with light industry facilities such as picnic tables and additional landscaping around the retention area.
- j. Outdoor lighting shall consist of cutoff-shoebox style fixtures and shall be limited to 16 feet in height, and no more than 0.5 foot-candles in intensity at the property lines.
- k. The developer shall dedicate additional right-of-way along the property frontage on Monroe Road. Right-of-way required for the dedication will vary from approximately 20-feet on the south end of the parcel to 33-feet on the north end and will be verified at Final Site Plan approval. In addition, a left turn lane shall be required on Monroe Road at the project entrance.

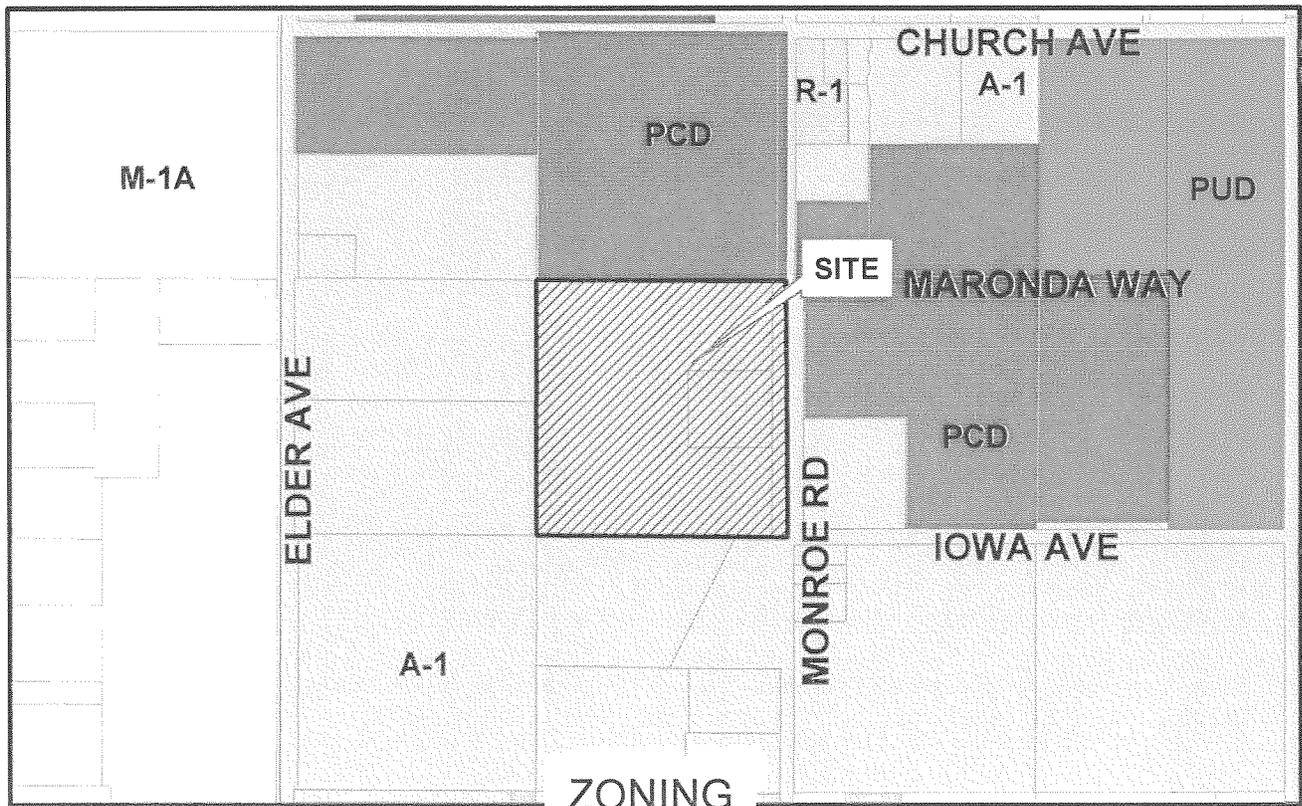
The presence of any wetlands and/or flood-prone areas is determined on a site by site basis. Boundary adjustments may be made based upon more definitive on-site information obtained during the development review process.
 *Wetland information, based on National Wetland Inventory Maps, provided by SJRWMD.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



Site
 Municipality
 HIPTI
 IND
 CONS

Applicant: Jerry Cutrona
 Physical STR: 16-19-30-5AC-0000-00A1 & 00A2
 Gross Acres: 9.52 +/- BCC District: 5
 Existing Use: Agricultural and S-F Home
 Special Notes: None

	Amend/Rezone#	From	To
FLU	--	--	--
Zoning	2005-051	A-1	PCD



A-1
 R-1
 M-1A
 PUD
 PCD
 FP-1
 W-1

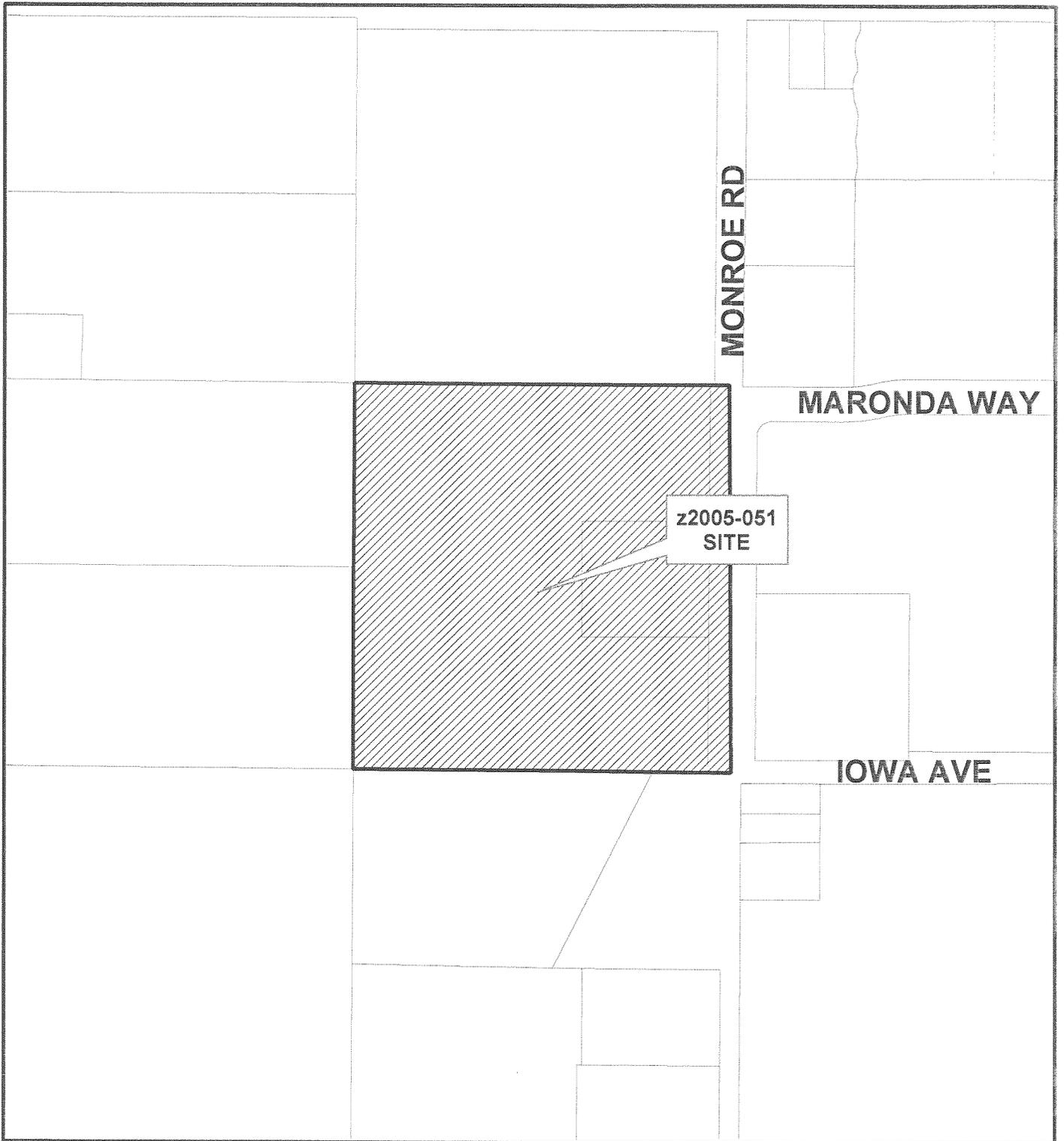


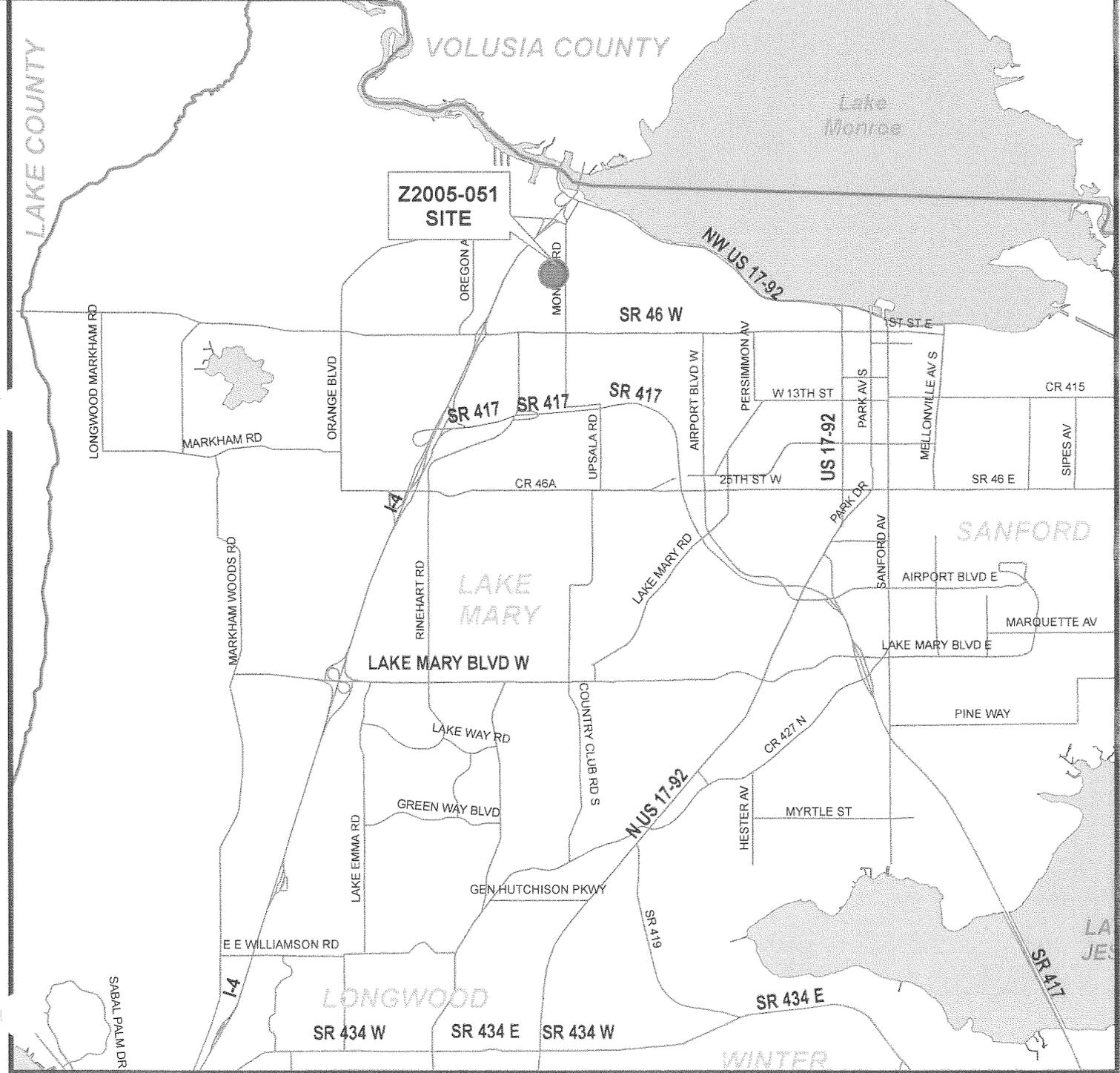
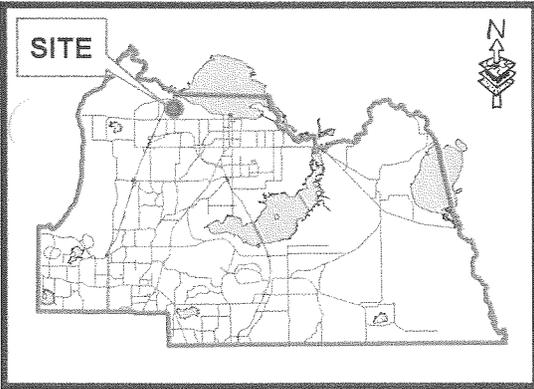
Rezoning No: Z2005-051
From: A-1 To: PCD

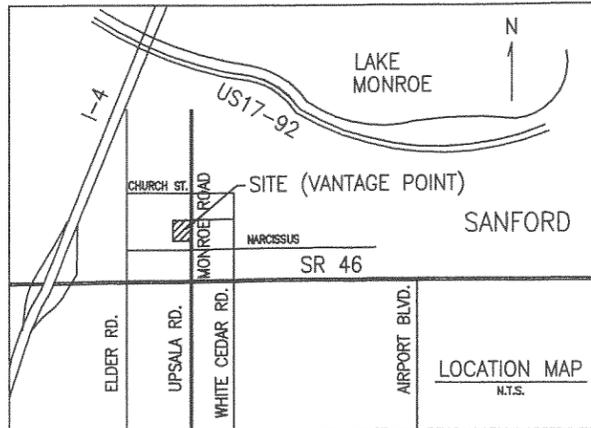
-  Parcel
-  Subject Property



January 2004 Color Aerials







SEC.31 TWP.19 RGE.30
 TAX I.D. NO. 16-19-30-5AC-0000-00A1
 TAX I.D. NO. 16-19-30-5AC-0000-00A2
 SEMINOLE CO. FLORIDA

A-1
 ZONED

PERMITTED SITE USES:
 ALL PERMITTED USES AS INDICATED IN THE SEMINOLE COUNTY ZONING REGULATION C-3 DISTRICT AND ANY LIGHT ASSEMBLY USES.

PROHIBITED SITE USES:
 MANUFACTURING PROCESSES, RETAIL SALES, AND USE LISTED IN M-1 DISTRICT.

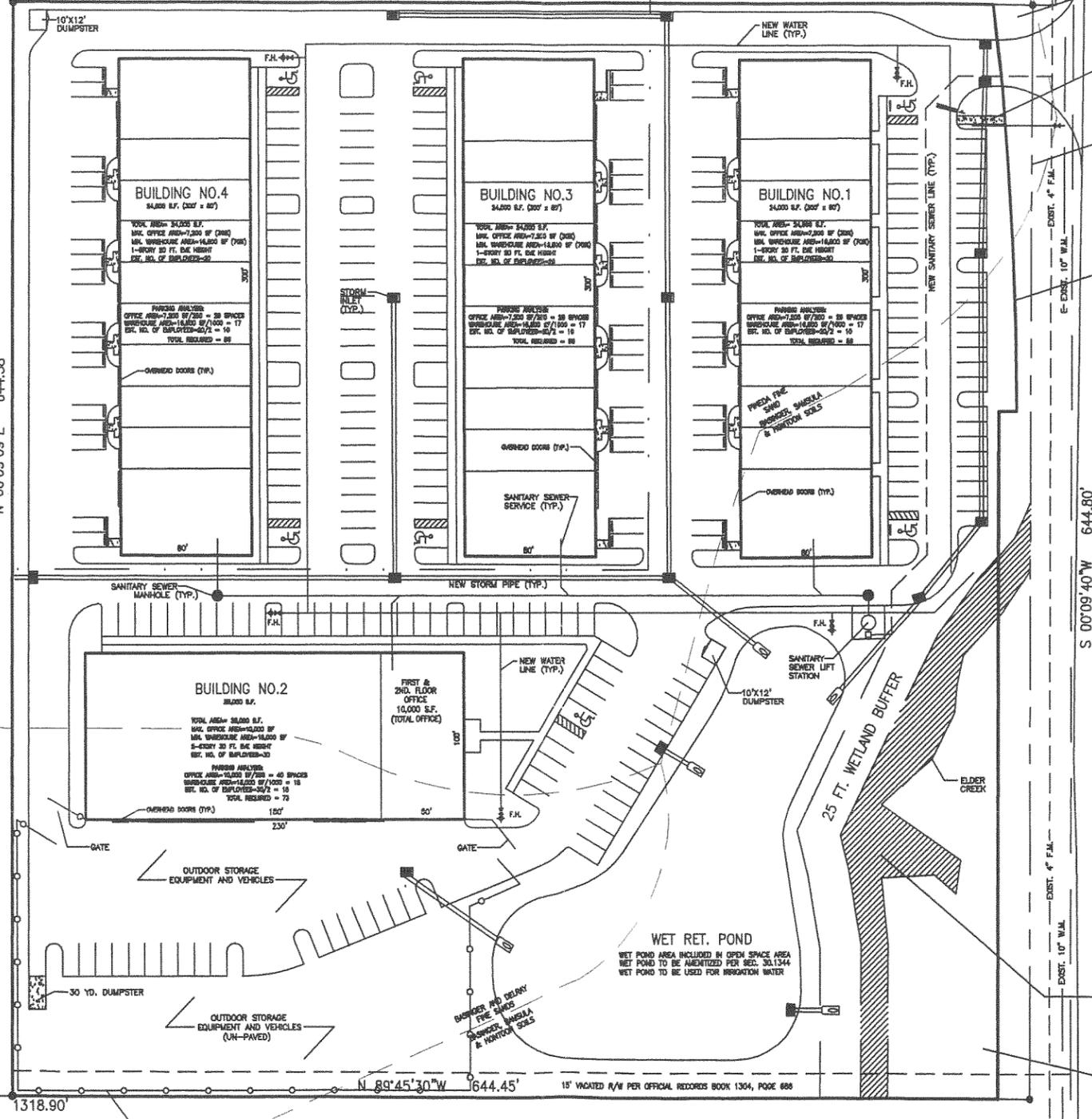
LEGAL DESCRIPTION
 SECTION 31, TOWNSHIP 19 SOUTH, RANGE 30 EAST, SEMINOLE COUNTY, FLORIDA
 REAL PROPERTY DESCRIPTION:
 LOT 4, ST. JOSEPH, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 114 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, LESS RIGHT-OF-WAY FOR MONROE ROAD, TOGETHER WITH THE NORTH 1/2 OF VACATED STREET ON SOUTH, PER OFFICIAL RECORDS BOOK 1304, PAGE 688.

N 89°45'30"W 1318.90'

(MONROE COMMERCE CENTER)
 PCD
 ZONED

PHASE 2 PHASE 1

S 89°47'44"E 644.55'



A-1
 ZONED

NOTE: MAXIMUM OFFICE AREA FOR BUILDINGS 1,3 AND 4 SHALL NOT EXCEED 30% OF THE TOTAL BUILDING AREA.



R/W LINE PER SEMINOLE COUNTY RIGHT-OF-WAY DEPARTMENT RECORDS (ADDITIONAL R.O.W. TO BE DEDICATED TO SEM. CO.)

MARONDA WAY

R/W LINE PER SEMINOLE COUNTY TAX ASSESSOR

A-1
 ZONED

PROPOSED LEFT TURN LANE

R/W LINE PER SEMINOLE COUNTY RIGHT-OF-WAY DEPARTMENT RECORDS (ADDITIONAL R.O.W. TO BE DEDICATED TO SEM. CO.)

PROJECT DATA:

1. SITE AREA: 408,812 S.F. (9.38 AC.) (100%)
2. BLDG. AREA: 100,000 S.F. (2.30 AC.) (24.8%)
3. PAVEMENT AREA: 188,223 S.F. (4.28 AC.) (46.0%)
4. WETLAND AREA: 6,825 S.F. (0.15 AC.) (1.7%)
5. GREEN AREA: 133,164 S.F. (3.03 AC.) (32.5%)
6. REG. PARKING: SEE BUILDING FOOTPRINTS FOR INFORMATION
 TOTAL REQUIRED PARKING = 241 SPACES
 TOTAL PROVIDED PARKING = 241 SPACES
7. REG. PARKING BY PHASES:
 PHASE 1 TOTAL REQUIRED PARKING = 129 SPACES
 PHASE 1 TOTAL PROVIDED PARKING = 134 SPACES
 PHASE 2 TOTAL REQUIRED PARKING = 112 SPACES
 PHASE 2 TOTAL PROVIDED PARKING = 107 SPACES

PROJECT SUMMARY:

1. REQUEST TO RE-ZONE APPROX. 6.38 AC. FROM A-1 TO PCD FOR WAREHOUSE AND OFFICE USE.
2. APPLICANT: JERRY CUTRONA, MONROE INVESTMENTS, LLC, 1120 WISCONSIN AVE, ORANGE CITY, FLORIDA 32763, PHONE: 386-775-0300, FAX: 386-775-1585, E-MAIL: jerrycutrona@gerwin.com
3. PROJECT NAME: VANTAGE POINT
4. PROJECT ADDRESS: 670 MONROE ROAD
5. CURRENT USE: LANDSCAPE NURSERY
6. MAINTENANCE & MANAGEMENT OF COMMON AREAS TO BE BY MONROE INVESTMENTS, LLC
7. FIRE PROTECTION BY ON-SITE FIRE HYDRANTS
8. LANDSCAPING TO MEET OR EXCEED SEMINOLE COUNTY LDC REQUIREMENTS SEC. 30.1230(5)(B)(2)
9. EXISTING WETLANDS (0.2049 AC.) TO REMAIN UNDISTURBED
10. ALL MECHANICAL EQUIPMENT TO BE SITED FROM MONROE ROAD.

INTENDED USE OF DEVELOPMENT:

BUILDINGS 1,3 AND 4 TO BE A LIGHT INDUSTRIAL, OFFICE WAREHOUSE (FLEX SPACE) WITH MULTIPLE TENANTS.
 BUILDING 2 TO BE NEW FACILITIES FOR GENERAL WORKS, LLC A ROOFING AND SHEET METAL COMPANY.

8626.34 SQUARE FEET OR 0.2049 ACRES IN WETLANDS AS LOCATED BY SURVEYOR

20161.25 SQUARE FEET OR 0.4633 ACRES IN LAID EAST OF WETLANDS AS LOCATED BY SURVEYOR

RE-ZONING MASTER PLAN

VANTAGE POINT

SEMINOLE COUNTY, FLORIDA

DATE: _____

JOHN J. HENNING, P.E.
 STATE OF FLORIDA
 REG. NO. 38508

1 OF 1

FILE # Z2005-051

DEVELOPMENT ORDER # 5-20500009

**SEMINOLE COUNTY DEVELOPMENT
ORDER**

On December 13, 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: JESSE S. HAYS

Project Name: VANTAGE POINT

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: BRIAN NELSON
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. Permitted uses shall be those listed in the Land Development Code as permitted or special exception uses in the C-3 zoning district together with light assembly uses. However, the following uses shall be prohibited:
 - Amusement and recreation facilities
 - Automobile sales
 - Bakeries, where goods are sold on premises at retail
 - Banks
 - Car wash
 - Hotels and motels
 - Launderettes and Laundromats
 - Mobile homes and recreational vehicle sales
 - On-site retail sales
 - Paint and body shops
 - Private clubs and lodges
 - Restaurants
 - Theaters
 - Truck Terminals
 - Service stations
 - Outdoor advertising signs
 - Manufacturing of water-based and/or epoxy-based coatings, adhesives, sealants, and paints
 - Industrial, technical and trade schools, except for classroom training directly associated with existing businesses located within the PCD development site such as real estate
 - Alcoholic beverage establishments
 - Adult entertainment and sexually oriented businesses
 - Multi-family housing
 - Public and private utility plants, stations, and distribution office
 - Public and private schools
 - Commercial mechanical repair garages or storage of vehicles for commercial repair, except that standard vehicle maintenance may be performed on vehicles associated with an existing business within the PCD development site

Heliports
 Medical Clinics
 Manufacturing of the following:

- a. Boats
 - b. Chemical products and processing
 - c. Dairy products
- b. The developer shall provide a minimum 10-foot wide irrigated buffer along the east property line adjacent to Monroe Road, consisting of 4 canopy trees per 100 feet, a minimum of 3" diameter measured 1-foot above ground.
 - c. The developer shall provide a minimum 5-foot wide irrigated buffer along the property's north and south property lines consisting of 4 canopy trees per 100 feet, a minimum of 3" diameter measured 1-foot above ground.
 - d. The developer shall provide a minimum 10-foot wide irrigated buffer along the property's west property lines consisting of 4 canopy trees per 100 feet, a minimum of 3" diameter measured 1-foot above ground.
 - e. Use of the outdoor storage area shall only be allowed for the tenant of Building "B". Outdoor storage for Building "B" shall not allow storage of materials within parking spaces or driveway aisles. A 6-foot chain link fence shall surround this area. This area shall be screened, landscaped, and irrigated so as not to be seen from Monroe Road or adjacent properties. The stacking of stored material in this area shall not exceed 6 feet in height.
 - f. Total floor area shall be 100,000 square feet and shall be limited as follows:

<i>Building</i>	<i>Office</i>	<i>Warehouse</i>
#1 and #2	17,200 s.f.	34,800 s.f.
#3 and #4	14,400 s.f.	33,600 s.f.
Totals	31,600 s.f.	68,400 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 Monroe Road and 10 feet from all other property lines.
- h. Maximum building height shall be 35 feet.
- i. The developer shall amenitize retention areas to be counted toward open space requirements per Section 30.1344 of the Land Development Code, with no fencing of the pond permitted. Amenities shall be consistent with light industry facilities such as picnic tables and additional landscaping around the retention area.
- j. Outdoor lighting shall consist of cutoff-shoebox style fixtures and shall be limited to 16 feet in height, and no more than 0.5 foot-candles in intensity at the property lines.
- k. The developer shall dedicate additional right-of-way along the property frontage on Monroe Road. Right-of-way required for the dedication will vary from approximately 20-feet on the south end of the parcel to 33-feet on the north end. A left turn land shall also be required on Monroe Road for left turn movements into the property.

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.

(6) This Development Order shall control in the event of any conflict between the terms and conditions of the development order and the terms, conditions, or notes of any site plan or master site plan.

Done and Ordered on the date first written above.

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

FILE # Z2005-051

DEVELOPMENT ORDER # 5-20500009

OWNER'S CONSENT AND COVENANT

COMES NOW, the owner, Jesse S. Hays, on behalf of himself and his 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: _____

By: Jesse S. Hays

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:

FILE # Z2005-051

DEVELOPMENT ORDER # 5-20500009

EXHIBIT A

LEGAL DESCRIPTION

SECTION 21, TOWNSHIP 19 SOUTH, RANGE 30 EAST, SEMINOLE COUNTY, FLORIDA

LOT A, ST. JOSEPHS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 114 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA. LESS RIGHT-OF-WAY FOR MONROE ROAD. TOGETHER WITH THE NORTH ½ OF VACATED STREET ON SOUTH, PER OFFICIAL RECORDS BOOK 1304, PAGE 686.