MINUTES FOR THE SEMINOLE COUNTY
LAND PLANNING AGENCY/PLANNING AND ZONING COMMISSION
JANUARY 7, 2009

Members present: Matthew Brown, Walt Eismann, Rob Wolf, Melanie Chase and Dudley Bates.

Members absent: Ben Tucker and Kimberly Day.

Also present: Alison Stettner, Planning Manager; Tina Williamson, Assistant Planning Manager; Dori DeBord, Planning and Development Director; Watkins, Senior Planner; Larry Poliner, Development Review Manager; Development Review Division; Kathleen Furey-Tran, Assistant County Attorney; and Connie R. DeVasto, Clerk to the Commission.

OPENING BUSINESS:

The meeting convened at 7:00 P.M. with Chairman Brown leading the Pledge of Allegiance. The Chairman then introduced the Commission members and reviewed the procedure used for conducting the meeting and the voting.

Acceptance of Proof of Publication

None

This item was advertised for the December, 10, 2008 meeting and was officially continued by the Commission to a date certain (January 7, 2009); therefore, additional advertisement was not required.

Approval of Minutes

Commissioner Eismann made a motion to accept the minutes as submitted.

Commissioner Wolf seconded the motion.

The motion passed unanimously 5 – 0.

Technical Review Item: None

Public Hearing Items:

A. Major Amendment to the Carillon PUD; AHG Group LLC and University of Central Florida Foundation, Inc., applicant; 24.60± acres; generally located on the north side of the intersection of McCulloch Road and Lockwood Boulevard. (Z2007-24)

Commissioner Dallari – District 1
Tina Williamson, Assistant Planning Manager

Tina Williamson, Assistant Planning Manager - stated that the Applicants are requesting a major amendment to the Carillon PUD; parcels 202 of Lot 2, 401 and 201 to allow for a mixed use development with rooming apartments, community center and retail uses with a maximum building height of 45 feet. The uses being requested are rooming apartments and above-store flats along with all those uses permitted in the C-1 retail commercial zoning district and ancillary parking structures except for daycares and kindergartens, veterinary offices, pet stores and theatres. All Special Exception uses will remain Special Exception uses requiring approval under separate application. Outdoor amplification of sound will be prohibited and any sale of alcohol will be limited to bonafide restaurants and must comply with Section 30.1353 of the Seminole County Land Development Code. The intent of the community center use is to facilitate gatherings of University of Central Florida students for the purpose of community and occasional dining and religious services.

The use of the facilities for regularly scheduled University of Central Florida classes is prohibited. 1000 square feet of the community center will be available for rent to other organizations associated with the University. Per Section 30.1221 of the Seminole County Land Development Code, the parking requirements for rooming apartments are 1.25 parking spaces per bed. The applicant performed a parking demand analysis pursuant to Section 30.451(f)(2) of the Land Development Code with is attached as an exhibit in the Staff report demonstrating that the actual parking demand for this type of student housing is actually 0.76 parking spaces per bed. The parking demand analysis included both the field survey of six student housing facilities, four on campus and two off campus, between April 8, 2008 and April 10, 2008 which coincided with end of term exams for the spring semester. It also included a review of parking citations issued at those facilities during the same study period. The field survey consisted of actual parking counts taken between 6 and 9 a.m. and between 6 and 9 p.m. Based upon the results of the parking study, the Applicant is proposing to provide 1.03 parking spaces per bed instead of the 1.25 required by the Code. Staff has reviewed the parking demand analysis and determined that the results of the study are a valid representation of the demand for parking at the Northview project if safeguards are put in place to minimize excess parking demands and insure proper parking enforcement.

There are four existing student housing complexes approved in the County with reduced parking requirements that are similar. Tivoli, Phase 1, has a ratio of 1.12 spaces per bed. Tivoli, Phase 2, has a ratio of 1.15 spaces per bed. Riverwind has a ratio of 1.08 spaces per bed and Northgate Lakes has a ratio of 1.05 spaces per bed. This reduction is parking space is in conjunction of the proposed pedestrian, bicycle and shuttle bus facility depicted on the Final Master Plan. It is also consistent with Seminole County Comprehensive Plan Policy TRA, Transportation 2.2.6 "promote shared and reduced parking" and Transportation 2.2.7 "require multi-modle facilities and site planning and design". Staff is recommending approval of the reduction in the required parking subject to the conditions of approval in the attached Addendum 4 to the Developer's

Commitment Agreement relating to limitations on permitted uses, parking controls including signage and enforcement and the parking monitoring plan.

Per Section 30.1232 of the Seminole County Land Development Code, Active/Passive setback design standards are applicable along the north property line of Parcels 401 and 202 adjacent to the single family residential tracts within the PUD. The Applicant is requesting to reduce the path of setback along the north side of Parcel 202 from 100 feet to 32 feet and to allow the wet retention pond to encroach into the active buffer along the north property line of Parcel 401. Staff recommends approval of the wet retention pond encroachment into the active buffer in Parcel 401 subject to the condition that all the planting requirements of the Land Development Code will be met. Staff recommends approval of the waiver request to the passive setback along the north side of Parcel 202 from 100 feet to 32 feet due to the fact that Parcel 202 is separated from the nearest residential parcel by an existing retention pond and the distance to the nearest parcel is approximately 250 feet.

Staff has reviewed the requested major amendment for compliance with the requirements of Seminole County Land Development Code and Comprehensive Plan and has the following findings: The Seminole County Comprehensive Plan Future Land Use and Transportation Elements, contain policies relating to promoting mixed use developments in the urban area as a means of discouraging urban sprawl, maintaining short travel distances between commercial and residential areas, enabling the creation of a range of housing opportunities and providing transitional uses between low density residential and non-residential areas. The subject property is in a transitional area between the higher intensity University of Central Florida campus to the south and the lower intensity single family residential of the Carillon PUD to the north. The Seminole County Comprehensive Plan Policy FLU 2.10 states that the compatibility in Planned Developments may be achieved by application of performance standards such as, but not limited to, lot size, setbacks, buffering, landscaping, hours of operations, lighting and building heights. The proposed development program provides appropriate transitional uses, densities and intensities between the higher intensity University of Central Florida campus and lower intensity single family neighborhoods to the north.

The proposed Final Master Plan provides sufficient buffering adjacent to the residential neighborhoods to the north through the distance between uses and the proposed landscaping plan. The proposed Final Master Plan also provides sufficient design sensitivity adjacent to the residential neighborhoods through lighting restrictions, building orientation and step-down in building heights facing adjacent to residential. The proposed Addendum 4 to the Developers Commitment Agreement contains adequate conditions of approval to mitigate the potential parking and traffic impacts to the development including enforcement and monitoring plans.

In the proposed shuttle and pedestrian access plan, which is sheet 8 and 9 of the Final Master Plan, complies with Policy FLU 2.11, "On-site Mobility" and Transportation Policy 2.2.7 "Multi-Modal Facilities" by providing pedestrian connections, bicycle parking and

shuttle bus access between the University and the development approximately every 15 minutes Monday through Friday.

Staff recommends approval of the request based on Staff findings.

Aaron Gorovitz on behalf of the Applicants AHG and the University of Central Florida - stated that about a year ago, he received a call from Alan Ginsberg who stated that he had purchased the property at the northeast corner of Lockwood Boulevard and McCullough Road, directly across from the property owned by the UCF Foundation. He stated that together they had about 16 acres of developable land; 8 acres owned by the Foundation on the west side of Lockwood and the 8 acres owned by Mr. Ginsberg on the east side of Lockwood. Mr. Ginsburg indicated his desire as a purely personal and philanthropic endeavor in memory of his son Jeff who had been active in the Jewish Student Association Hillel to provide a high-end, first-class facility on his property for Hillel. At that time, Mr. Ginsburg had also spoken with the Catholic Campus Ministries who serve the approximately 12,000 Catholic students at UCF and who were interested in locating a similar center for Catholic students adjacent to Hillel. The UCF Foundation purchased its property to control the look and kind of uses that could be built directly across the street from the new stadium and northern entrance to the campus. It is the desire of the UCF Foundation to ensure that a high-quality development is located adjacent to the northern gate of the campus as well as provide a financial benefit to the Foundation.

Their program tonight will show a concerted effort by the Foundation and Mr. Ginsberg to construct a first-class project while simultaneously taking into consideration and ensuring the compatibility of the project with the adjacent residential community.

Bob Holmes, CEO of the UCF Foundation - stated that the Foundation has the oversight of the retail and residential components of this request and will have an impact on all of the UCF students who are in the audience. The Foundation purchased the northwest corner of McCullough and Lockwood. At the time of purchase, the Foundation knew that UCF had great plans for the northern end of the campus. A mixed use development of retail, student housing and the 10,000 seat arena was already under way as well as the stadium. When the western entrances to the campus were being developed, the Foundation did not have the ability or influence to control the look and the feel of those developments. The west gate currently has a commercial shopping center in hopes of re-development as well as an abandoned Chevron station. Both of which are not the warm and attractive community type gathering places that UCF would like and hope to see directly adjacent to its campus. Now the Foundation has the ability to start from scratch and do it right the first time. Northview is a transitional development which compliments both the University and wonderful residential neighborhoods just north of the University. The entire project is meant to be high-end, much like the Winter Park Village, with retail that is targeted for single family residential neighborhoods. This project is very different from the project that is across the street from the University which offers some retail uses that could be undesirable for a neighborhood. The reason this project is intended to be high-end, is because Mr.

Ginsburg and UCF Foundation want it to be completely compatible with the Carillon and other residential communities.

When their chosen developers conceived this project, they were required to use the highest architectural standards to provide safeguards which would mitigate any adverse effect this plan would have on the adjacent residential communities. Northview is currently the only UCF housing option where every student would have their own bath off of their own bedroom. This room format is a higher rental rate for students and parents would look kindly to the location of this because it is adjacent to faith centers. The UCF Foundation and Mr. Ginsburg want to create the best and highest use of this property that will benefit the communities and the University. They have no intent to buy up houses along Lockwood and Northwood and turn them into student housing. They want a handsome and beautiful front door to our north side of campus that everyone can be proud of.

Jeff Smith, Architect with Niles Bolton and Associates - pointed out the faith centers on the east side of the property, which will house the Catholic Center at the northern end and the Hillel at the southern end. In total, there is approximately 46,000 square feet of space. In between those two centers, there is a one-story portion that is approximately 5,000 square feet and will be available for common usage of the two.

This recreational center is meant facilitate UCF students coming together for community purposes such as hanging out, watching television, sharing meals and religious services. The community center has small offices for staff for Hillel and for the Catholic Center. There will not be any regularly scheduled university credit courses provided at this facility. The area behind the Faith Center on the east side where student housing is indicated, there is a 4-story structure which have 112 apartments, the majority of which are 4 bedroom, 4 bath configurations – in total there are 428 apartment/student beds in that building.

The parking garage located on the east side behind the student housing building. He stated that the height of the parking garage is not taller than the height of the student housing that surrounds it and on the east, with the conservation easement, except for a very small portion, the parking garage will not be visible to anyone except maybe someone who is filling up their car and is hidden by the apartments that surround it. Also on the east side, there is a layering of heights and spaces. The height of the Hillel building is only 2 stories with a 1 story center. Behind it is the 4 story apartment building that will be approximately 45 feet in height and then behind that is a tree line. The trees are 50 to 60 feet in height.

The west side of the property which will have more student beds and will have about 53,000 square feet of retail space and retail space is only 1 story in height. The housing for the retail sits above and slightly back from the retail block itself and is 2 stories in height above 1 story of retail. The parking for both uses is located in a combination of surface and structured parking areas and pointed out all of the parking areas. It is their opinion that all of these components are linked together on both sides of the street to

create a high-end mixed use development and given these conditions, the retail component is destined to succeed. With the system of shuttle buses, the proximity to the campus, the residential housing and the Faith center that are part of the development, this will have a smaller developmental impact than if the currently allowable commercial retail square footage were to be built. Mr. Smith showed pictures (via Photoshop) of the proposed Northview "line of sight" renderings compared to the current line of sight and pointed out the different buildings and the different building heights.

Commissioner Wolf asked if the cluster of 3 buildings on the east side property to the north, are all 4 story buildings and if the small building out-cropping on the north is 2 stories.

Mr. Smith stated that the 2 story portion is the end piece.

Commissioner Wolf asked for clarification of the west side 2 story residential over retail which is effectively 3 stories.

Mr. Smith stated that is it 2 stories of residential over 1 story of retail.

Commissioner Wolf asked if the height restriction on that side is also 35 feet.

Mr. Smith advised that is was 35 feet but is different than the opposite side.

Walter Barineau with Retail South Development - spoke on behalf of the Applicants and stated that their company specializes in boutique and specialty retail and has been asked by the Applicants to look into managing and leasing the retail portion of the project. Their company is excited about this project because of the type of retail planned for this area and the scale of this project (53,000 square feet of retail) and the success is depended upon the combination of the single family residential homes as well as the students living at the Hillel and the Catholic Center.

The statistics show that this area is a very underserved area and with the continued growth of the area and the growth of the University, it will continued to be underserved which is why they are interested in this project. They have had already had a lot of interest shown in this project from retailers. The construction time that they have proposed will put them at a point where they can deliver this product at a time which will be better suited for this type of project. He further stated with construction costs what they are today; they will be able to build it to a level where they will be able to provide competitive lease rates, which will attract the type of specialty retailers they are looking for. He advised that they did a "soft marketing" and they were able to generate letters of intent for about one third of the property. He believes they will have a lot of pre-leasing before the ground breaking. Most of the interest has been from fast-casual restaurants, but they are anticipating a couple of sit-down restaurants, specialty groceries, day spas, boutique clothing, etc. The merchandising plan will be aimed at both the student population but primarily at the adjourning neighborhoods. He stated that with 52,000

square feet, they will need a variety of retailers to make this thing happen and with the product that is being designed; they feel strongly that this is going to be a very popular retail area.

Commissioner Wolf asked if Mr. Barineau's company owns this retail space or will it be owned by UCF.

Mr. Barineau stated that UCF will own this and his company is doing it on a fee basis.

Jon Walls with Miller Legg - stated that he is a landscape architect, and serves on the UCF Real Estate Committee. The retail space will be owned by the UCF Foundation not by UCF. He has a long history with this project as he was the original landscape architect, part of the master planning team and designed all of the parks. In 1987, the parcels to the south were planned for commercial and multi-family and the concept of mixed use did not exist at that time. Seminole County approved a commercial tract on the west side for a strip center and a big box retail site on the east side.

It is his belief that the plan presented today for mixed use development is better suited for the community and as a member of the Committee, he is proud to be a part of this type of development.

George Glance, President of KB Homes and on the Commission of the UCF Real Estate Committee - stated that as part of their due diligence process, they must understand the market and do many studies and research which included a comparison of home values that were adjacent to student housing. He showed a chart of the home values surrounding Pegasus Landing as compared to Carillon. They looked at all the closings in 2008 in the area adjacent to Pegasus Landing and found 9 non-foreclosure transactions and 19 closings that occurred in the Carillon community. The median price for these closings near Carillon was $260,000 as compared to $460,000 for the area immediately west of Pegasus Landing. The most significant piece of data in the chart was the average selling price per square foot was $121.00 in Carillon and $155.00 near Pegasus Landing. These properties sold at 93% of the asking price in Carillon as compared to 95.6% near Pegasus Landing. There has been no negative impact to property values in the vicinity of the student housing surrounding Pegasus Landing.

The value that the university adds in general to home values in the neighborhoods around it. If they had the opportunity to have a project like Northview as the gateway to a residential component, they would be thrilled with that. It is his belief that this will not affect the values of the property in Carillon in any way.

Commissioner Eismann asked how many beds are at Pegasus Landing.

The Applicant stated that there are 2,600 beds.

Mary Beth Ehasz, Vice President for Student Development and Enrollment Services at the University of Central Florida - stated that student housing is one of

her areas of responsibility. They are committed to enforcing the utmost of standards at Northview. All students are held accountable to the UCF Code of Conduct. She stated that studies have shown that when students of a like mind live in a community, it reinforces those beliefs that brought them there in the first place and provides an even stronger foundation for moving forward to adulthood.

While Northview contains a housing element, it is not faith based housing. It will be filled on a first come, first served basis. It is it their belief that the students drawn to Northview will apply based on the fact that it is close to the Hillel or the Catholic Faith Centers and that they will be good neighbors. The Northview community will be operated by the UCF Housing and Residents Life Department which is committed to creating a positive living and learning environment. The Northview residents will be governed by the UCF Code of Conduct and the UCF Housing and Residents Life Community Living Guide that holds students responsible for their actions. When students are found in violation of these rules, the Office of Student Conduct can impose sanctions. The students are responsible for their own actions as well as the actions of other students and their guests.

Commissioner Wolf asked how Ms. Ehasz's office accepts comments and/or complaints received from the areas surrounding Pegasus Landings and possibly Carillon with the issues that the neighbors might have. Commissioner Wolf also asked if they have had any issues in the past from the residents surrounding Pegasus Landing.

Ms. Ehasz stated that they do not have those calls presently.

Commissioner Wolf asked if Ms. Ehasz's office would be the office that would accept those calls.

Ms. Ehasz stated that her office often receives those calls as well as the office of the Off-Campus Student Services. That office set up a website and a phone service that anyone can call and let them know of any kind of situation that neighbors might be concerned about. She stated that their Good Neighbor Student Relationship Program has been quite effective and they feel it is a very good way to increase communication with the neighbors as well as for her office to teach the students how to live in the neighborhood.

Commissioner Wolf asked Ms. Ehasz if her office would implement policies or procedures if they found that calls and complaints were coming in so that they could take a proactive roll.

Ms. Ehasz stated that if they did receive a call from a resident who stated that there was an issue with a student, they would immediately want to talk to that resident and find out who the student was and if they had any further information regarding the situation. She advised that they have a very extensive Code of Conduct and if they did need to follow through on the student conduct process, they would. She stated that

oftentimes that is not necessary because they try to negotiate and mediate and talk with students as well as neighbors about proper expectations. She further stated that any person can file an incident report and that it is not difficult to do so.

Commissioner Chase asked for clarification regarding who will have control, the UCF Foundation or UCF.

Ms. Ehasz stated that the Office of Housing and Residents Life will be managing the project.

Commissioner Chase asked if Ms. Ehasz's office will manage it, but it will be under the UCF Foundation and if there was a problem, would there be any problem enforcing the issue under the UCF Foundation through her office.

Ms. Ehasz stated that there wouldn't be any problem enforcing any situation and that is the advantage of having the Office of Housing and Residents Life so that these types of situations can be handled properly.

Commissioner Chase asked if there was a situation at Northview, would it be handled the same way as if the situation happened on campus.

Ms. Ehasz stated that it would. She further stated that students signing up for this housing will be committing to the structure and regulations that the Office of Housing and Residents Life provides on campus.

Commissioner Wolf asked Ms. Ehasz if she had any proactive program in place where her office would actually meet with the residents of the Pegasus properties so that they are not forced to call in or go to a website to file a complaint; such as meeting with the Homeowners Associations address these issues, and does she foresee her office doing that with Carillon if this project is approved since policing students off campus is different than policing students on campus.

Ms. Ehasz stated that her office has started this year meeting with several Homeowners Associations who have expressed interest or concern about issues in their community as well as other apartment managers so that there is open communication regarding the expectations of conduct.

Chief Richard Beary, Police Chief for UCF - stated that Northview has enhanced security with real-time, cutting edge electronic cameras, monitoring systems in the garages, and in those places that are deemed critical for monitoring. These direct feeds will feed directly into the UCF Police Headquarters. Students are required to have a bar code sticker to get into the parking garages.

The UCF Police Department will serve as the first responders for any incidents that happen in the area which will benefit not only the students but the surrounding

neighborhoods. He stated that the UCF Police Department has a mutual aid agreement with Seminole County Sheriff's Office.

His office works directly with Ms. Ehasz's office as his staff is trained in dealing with student issues. Safety is their number 1 concern and they are committed to providing a superior level of law enforcement presence and service. It is his belief that the Northview development will create less calls for law enforcement service than some of the permitted uses that the property is zoned for.

Commissioner Wolf asked if fire and medical is provided by Seminole County.

Chief Beary stated that it is and there is a station right across the street.

Brian Canin, Urban Planner with Canin and Associates - stated that he visited the proposed site, the Carillon community and examined the site plan carefully. Smart Growth strategies organize our land uses to reduce distance, travel from where people live to where people work and recreate is critical to the success of our area. From a regional point of view in terms of Smart Growth, Mr. Canin believes that Northview is doing an excellent job.

The students are living in close proximately to where they need to spend their time so they are not spending a lot of time driving to where they need to be. The project is compact and doesn't use a lot of land. The students will be living in a mixed use community so that they can work in their apartments, visit their cultural centers and shop without getting into a car as well as walk or bike to the main campus. The project is a transit ready property with a committed operational transit system which is operated by UCF with incredibly high levels of service and safety.

Mixed use developments are one of the fastest growing trends. Homeowners from nearby residential areas are able to visit and enjoy the village retail establishments, which is called creating a "3rd place" environment. Local areas that are similar to this would be Baldwin Park and Celebration. He believes the Northview land uses are entirely compatible with the land uses around the site. He also believes that Northview, from a planning and design point of view, is cutting edge.

Mohammed Abdallah - stated that he is a professional engineer and his company worked with staff to conduct a parking study to make sure there is sufficient parking on site for the residents so that this does not create spill-over parking for the residents around the property. The study included 6 similar student residential complexes, 4 on campus and 2 off campus during a peak period when all students have to be in attendance such as exam time. The parking study confirmed what UCF was experiencing and that is you need approximately three quarters of a parking space per bed. The parking study came back with 0.76 and to factor in safety, they recommended one parking space per bed. The Applicant went further and provided 1.03 spaces per bed which will provide excess parking for visitors, etc. The parking study showed that

there is not a one to one ratio between students to cars. Students live in these types of communities so that they do not need a car.

There are two parking structures on the site and to ensure that the parking spaces are used correctly, the residential and employee parking will be controlled by gates and bar code decals which will be issued by UCF. The parking will be color coded, signed and striped so there will be no confusion as to where to park. There is a system set up where there will be monitoring on a yearly basis to make sure that the parking system is working and the violations are kept to a minimum. If there are problems, the County will be involved in resolving these issues.

His firm, as well as PBS&J, were retained to look at the traffic impacts. Each firm did their own survey and both came back with basically unified results which included making improvements to the intersection of Lockwood and McCulloch at the entrance of Carillon. Mr. Abdallah showed a slide of the type of improvements they have recommended for this intersection to provide additional areas for traffic to lessen congestion.

Commissioner Wolf asked how confident Mr. Abdallah is that the parking study is adequate given the fact that is was conducted during end of year exams and during mid-term.

Mr. Abdallah stated that he is very confident there is adequate parking because they contacted the surrounding apartment complexes for occupancy rates during this time period.

Commissioner Wolf asked if there isn't enough parking, is there additional land available to use for parking if that becomes an issue.

Mr. Abdallah stated that he couldn't answer that question.

Commissioner Brown asked if, when collecting the occupancy rate data, were the drop-out students taken into consideration as well as the "exam exempt" students.

Mr. Abdallah stated that he does not know what the drop rates are at the end of the year, but they do feel that with the occupancy rates, amount of property, the amount of parking and number of units that they looked at, there is enough parking proposed.

David Lowe with Dyer, Riddle, Mills and Precourt - stated that on the Parcel 201 and 401 on the west side, this project will meet or exceed the landscape buffer and building setback requirements for Seminole County. On the north side by the retention pond, adjacent to the residential parcels, the required 50 foot buffer will include 6 foot high masonry wall, with 8 canopy trees per 100 feet. The County required 100 foot building setback has been practically doubled at 195± feet. Against the Methodist Church on the west side, there is a 10 foot landscape easement with trees every 25 feet and scrubs that will reach a height of 3 feet within a year along with a 6 foot high fence.

On Parcel 202, they will meet or exceed the County's requirement for landscape buffer. On the north side of the Parcel, they are proposing a 50 foot landscape buffer which will include a 3 foot high earthen berm, 4 canopy trees per 100 feet and shrubs that will reach a height of 6 feet with 100% opacity within 1 year. The building setback meets the County's requirements on the east, south and west side. They have requested a waiver to the passive buffer setback on the north from 100 feet to 32 feet.

Commissioner Wolf asked Mr. Lowe to point out on the map, where they are requesting the 32 foot waiver.

Mr. Lowe pointed out the area.

Commissioner Wolf asked if that is where the earthen berm is as well.

Mr. Lowe advised that it was. There is a retention pond immediately north and the closest house is approximately 250 feet away. He believes that their request for the waiver will satisfy the building setback requirements because of the distance from the building to the homes. The site infrastructure includes sewer, drainage, and water and all of these will be designed and permitted through Seminole County St. John's Water Management.

Commissioner Wolf asked if the 195 foot setback on the west side is the narrowest or widest point.

Mr. Lowe stated that it was the narrowest point.

Commissioner Brown, (while pointing at the map), asked what's the distance from the 2 story structure to the house.

Mr. Lowe advised that is was 200 feet.

Mr. Gorovitz clarified the occupancy data taken during exam time and stated that there may be more students enrolled at the beginning of the year, but the occupancy rate is at its peak during final exams.

Commissioner Eismann asked how many vacant days are there typically in student housing.

Ms. Ehasz advised that this will be 12 month housing but students might leave during the breaks in December, spring, and summer.

Mr. Gorovitz stated that, as Mr. Abdallah stated, the parking study showed a need for .76 spaces which would be roughly 455 spaces. When they met with the UCF Foundation and Mr. Ginsburg, they wanted to go over that amount to make sure there is plenty of parking with 1.03 spaces, which is approximately 605 spaces. If there is a

discrepancy in the parking study regarding the number of students present at that time, it is covered with the additional 150 spaces proposed by the Applicants.

Rabbi Jonathan Siger, the Executive Director of the Central Florida Hillel Foundation and an affiliate of UCF - advised that we live in difficult times and the students that he comes in contact with want and deserve a space to come together for personal, academic and spiritual growth. They deserve the best services and communities that we can provide. If there is a group of young people who will lead our communities and our nation into the next century, they can be found on our campuses right now. In order for them to succeed and reach their potential, we must provide them a connection to each other and to the values that have led them this far.

Northview is an opportunity for them to create a center of life and living for students who want to be a part of something greater than themselves. Northview represents the opportunity for us to create a place where community, shared values, responsibility and the pursuit of excellence can grow.

Andrew Stein, student at UCF - stated that he became involved in the Hillel in his freshman year and it has added so much to his college experience. It gives students something to be involved in outside of classes and that they students who belong to these types of organizations are not the types of students who just want to pass the time, they want to belong to something and gain experience. When a student leaves home, they sometimes lose touch with their religion and having organizations available at UCF, helps them stay grounded in their faith and meet like-minded students like themselves. Northview will make the students proud to live in this community.

Frannie Marmorstein, student at UCF and past President of the UCF Hillel - stated that by being a part of the Hillel, she has grown as a leader and has been able to develop her faith. She is very interested in the student housing as she lives by the kosher meal plan and having the Hillel nearby has helped her maintain her way of life. Also, having a facility next to Hillel where students can live, have access to Kosher food, have a place to worship, to meet other Jewish students and grow as leaders, is very important.

Father Stephen Parkes, Director of the Catholic Ministry at UCF – stated that in his 4 years ministering to the students and faculty, he came to realize that they are dedicated to growing the future leaders of our country. It is the mission of the Catholic Ministry to help both students and faculty realize their best potential. The Dioceses is very grateful to be a part of the Northview project as it will help balance the well rounded growth of our community and to be good neighbors.

Michael Giblin, parent with a son at UCF - stated the faith programs have made his son become a better person. His son has friends who share a common belief and help the community. He did not want his son to live on campus until the faith programs came along. Now he wants his son to live there to be involved in this great community and asked for the Commission's endorsement of this project.

Dana Boyd, parent of 4 adult children who are alumni of UCF and the Catholic Ministry – stated that she is very grateful for the opportunities the Catholic Ministry offered to her children. The Catholic Ministry has played a role in making her children and other children become faithful citizens that they are today.

Scott Chuchla, student at UCF – stated that he is very involved in the Catholic Ministry program. They need a better/bigger place for students to come together to find out more about their faith and to practice their faith. The proposed facility will give both the Catholic and the Jewish students a central location to come together for spiritual guidance.

Michael Hellmann, alumnus of UCF and of the UCF Catholic Ministry program, Class of 2006 - stated that the Catholic Ministry helped him prepare for the real world by strengthening his faith, morals and dedication to the community and asks the Commission to approve this request.

Alan Ginsburg, Applicant - stated that he is a developer of affordable housing; however, this is a different situation totally. He was looking for property on UCF that he could build a Hillel center in honor of his son. He found the vacant Winn Dixie property, purchased it and offered it to the UCF Foundation to develop the Northview project. Students of this caliber, living in a community like what is proposed, owned by the Foundation, operated by the University, is first class and exactly what this community needs.

If he was a neighbor to the proposed project, he would be concerned about the traffic, noise and everything that comes with college students. The design of the residential structure is such that there are no balconies or patios so there will be no noise factors. They have done everything within their power to make this an asset and world class situation that will help students and asks the Commission for their support of this project.

Mr. Gorovitz stated that their team underwent an extensive legal review of the constitutionality of having a Hillel and Newman Center within this project and found that the proposed project is legal in all respects.

This project can only be built with the residential component. If there were fewer beds or no beds, the project would not be built. The student residence element at Northview is essential to the ultimate success of this project.

With a project of this magnitude, there are only a few small Land Development Code waivers requested. With all the Smart Growth mixed use projects mentioned earlier, there are waivers to the ordinary single family use code requirements. There is substantial justification for each and every waiver.

They submitted this application over 18 months ago and County Staff has reviewed this application extensively. County Staff analyzed every part of this application and added several requirements, all of which the Applicants have met, to get them to where they are today.

The Commission took a 5 minute recess at 9:15 and resumed at 9:20 p.m.

Michael Newman, student at UCF - stated that he is speaking from a religiously unaffiliated perspective and although he is not Jewish, Hillel has played a significant role on campus. They have built a community that goes way beyond religion; one that is based on service and education. The Hillel has helped him become a better leader on campus and asks that the Commission approve this request.

Dr. Alan Fickett, alumnus of UCF and member of the Foundation Board – stated he is pleased to have this opportunity to bring a faith based, high quality student housing on the campus and he believes it will benefit the community as well. He asked the Commission for their consideration in this matter.

Brandon Delanois, student of UCF and Student Body Vice President - stated that the students hold themselves to the highest standards and take pride in their communities and "practice what they preach". It is his belief that the students, faculty. As well as the community neighbors, can work together to improve the quality of life in our community.

Sister Elizabeth Worley, on behalf of the Catholic Dioceses - stated that they give their full support for this project. The proposed Northview project, including the student housing, will provide a unique opportunity for faith formation for Catholic students studying at the university and will be a benefit for students and the community as well.

Mary Solik, legal counsel for TB Com Properties LLC - advised the Commission that TB Com Properties was the Applicant for a Special Exception approval for a 150 foot cell tower on this property that was approved by the Board of County Commissioners on December 9, 2008. She presented a copy of the Development Order which is tied to a specific site plan for that cell tower. The master plan that is in the Staff report does not fully accommodate the site plan that is approved in the Development Order. She asked that any approval of this project contain an amendment to the proposed Development Order which addresses a requirement that this project accommodate the site plan that has been approved by the Board of County Commissioners.

Jan Reynolds - stated that the Foundation wants to be good neighbors and especially with the neighbors at the Carillon United Methodist Church. The Church has some concerns with the back of the garage. They are concerned that is facing their properties and the fence versus a wall which might be needed to separate the Northview buildings from their child daycare area. They have a meeting with the Church and the architects

tomorrow morning to go over their concerns and wanted to let the Commission know that they are still working out some issues and want to be good neighbors.

She took Rabbi Siger and Father Parkes on an airplane ride over Texas A & M which have the two largest developments of Hillel and Newman Centers. They are great successes and they saw what could occur for UCF. She went to Georgetown in Washington D.C. and saw their great village campus environment that benefits not only the students but the neighborhoods.

Karl Burginder, on behalf of the Carillon Homeowners Association - advised that they do not oppose the uses regarding the religious use, the student centers and related commercial development that is permitted by the existing Land Development Code. They have a strong objection to high density student housing in the immediate proximately to their single family community. He believes there is fundamental incompatibility with it such as traffic issues, pedestrian congestion issues, parking issues, safety issues and so forth.

The build-out of the Carillon community pre-dated the extension of UCF at the intersection of Lockwood and McCullough Road. Upon learning about the proposed project, the HOA conducted an informal meeting among homeowners and were not surprised to find out how strong the opposition was to the proposed student housing. He stated that they prepared a petition opposing this project and they had signatures of 90% of the homeowners. At that time, they held a special meeting to decide if they needed to hire representatives to help them oppose this project which they ultimately did.

They have had meetings with most of the parties involved in this project, including the Catholic Ministry, Mr. Ginsburg and County Staff. However, they are still opposed to the student housing due to the proximity to their community.

Randall Morris stated that they have come before the Commission on behalf of the Carillon community to point out the inconsistencies with zoning issues and interpretations of County Staff regarding this issue. In the past, requests for student housing have come to the Planning and Zoning Commission requesting higher buffers, not reducing buffers and the reason why there haven't been many recently is because the Board of County Commissioners frowned upon student housing being next to residential. One of the issues with this application is that it's not just an adjoining property; it is an integral part of the Carillon PUD community.

When you enter the Carillon community from the north entrance of UCF which was not there when this community was planned, there is a carillon at the entrance that they maintain. There are also 2 on both sides as entrance features. This area was always planned to be integral to the residential homeowners.

This area was zoned "UC" prior to 1987 and the rezoning and preliminary master plan for Carillon was approved in 1987 as multifamily limited to 2 story garden apartments,

townhouses and zero lot lines. The original Final PUD approved Tracts 201, 202 and 401 were designated in the final master plan in 1988 with the first amendment (multifamily and light industrial) removed in 1992. The second amendment came through in 1999 to add gas stations/car washes and the third amendment approved a commercial strip center on Parcels 201 and 401 in 2003.

He showed a list of the 8 primary student housing projects that have been reviewed over the past decade which will show the trend of student housing in Seminole County and gave an update on each project as they are today. Those projects are Hawthorne Glen PD, Riverwind, Tivoli, Sawgrass East, Tradition at Alafaya, Walden Chase, Northgate Lakes and Alafaya Commons/Granville Apartments. Mr. Morris then showed a map of where these projects are located which shows that the trend has not gone the way they were originally planned or approved.

Matthew West with Ivey Planning Group - stated that his boss, Joel Ivey, was one of the original master planners for the Carillon PUD. He feels this application is before the Commission prematurely. He stated that according to the Comprehensive Page FLU - 78, PD's have to have a phasing plan and he doesn't believe there is a phasing plan associated with this project to address what has to be built first, what can stand alone, etc.

In the plans that were submitted, it states that the building height is "measured to roof". Mr. West gave hand outs to the Commissioners which list excerpts from the Land Development Code and the County Comprehensive Plan and stated that what is submitted in the plans before the Commission is inconsistent with the County definition of building height.

There are no fire lanes shown on the Master Plan and he believes that they should always be addressed on the Master Plan. One of the requests before the Commissioners was for waivers to parking requirements and if fire lanes have to go in, you will lose some parking spaces. Is the Applicant planning to come back at a later date to do this all over again for an additional waiver or reduction in parking?

Again, referencing his handout, he believes that there is a level of service issue for the Fire Station 65 that is shared between Orange County and Seminole County because it is having capacity issues. He advised that there are ongoing discussions on how to deal with the service delivery to this area and he believes this has not been addressed in the proposed plans.

According to the Land Development Code, there is a requirement for an earthmoving plan, which goes back to building height and the ability to save any trees on the site and this has not been addressed in the proposed plans.

The reason why this item was continued from the December meeting was in direct relation to the fact that there was an approval or settlement on the cell tower that could

affect the layout and design of the final master plan that the Commission has before them and this issue has not been addressed.

Mr. West questioned the parking study conducted by Mr. Abdallah and stated that he didn't feel the study was done during peak parking hours. According to the UCF Master Plan Housing Policy 1.1.1, 80 % of the beds are made available for the freshman class and they have the highest drop-out rate, so typically by the end of the semester, a lot of the students who are using the student housing have dropped out. Based on the fact that some students are exam exempt, most of those students will not hang around if they do not have to take the exams. It concerns him that no one did a "bed check" so see how many students were actually there during the parking study. Questions were asked of surrounding complexes, but there wasn't a definitive answer.

According to the ITE Parking Generation Manual, the peak parking hours for the multi family area is 12 a.m. to 4 a.m. and the study used 6 a.m. to 9 a.m. and 6 p.m. to 9 p.m. He feels these hours are not peak hours and the actual peak hours were not used.

Nothing was addressed regarding the parking for the stadium and arena and any influence or impact that may have on parking issues. Mr. West showed an article from the Orlando Sentinel stating that UCF is trying to attract 100,000 visitors to the campus for their Light Up UCF events.

The study did utilize 4 on campus and 2 off campus sites and he believes they should have looked at other universities or colleges to see if there are any other issues that might crop up.

The master plan appears to have too many things trying to fit on a small site. He stated that places like Avalon Park or Celebration are DRI level projects which are hundreds and hundreds of acres and the project before the Commission is only about 15 acres of buildable land which is an incredibly dense project being placed on this property and was never the concept of Carillon. Carillon is a substantially built out PUD that was a suburban level development and the Applicants are proposing to go back and cram in this cutting edge development?

Mr. West showed a drawing of the site and pointed out Building A on the west side and stated that there is a dead end parking row over 300 feet in length and if someone came into this parking area and could not find a space, they would have to back up out of the parking area because there isn't any place to turn around.

There is a concern regarding how to get emergency vehicles and fire hoses around Building G. He pointed out an area called the Emergency Stabilized Access Lane which according to the plans, the Applicants are going to plant oak trees in this area. It is his understanding that this area should be a clear area so that a fire truck can turn around and it has to be stabilized to hold the weight of a fire truck. If the Applicants remove the proposed trees, which he is assuming are there to help screen the building from the homes across the street, they lose that landscaping/screening ability. Even moving the

trees to the area directly outside of this area would not be an option because as the trees grow, the limbs will interfere with the fire trucks. The Applicants have put an emergency access in a place that is supposed to be used for landscaping and buffering.

Mr. Morris stated that the picture the Applicants showed of this area earlier was at a street view angle and there is a direct conflict because of the stabilization access road for fire and the landscaping on top of that access road.

Mr. West also stated that the plans show auto turn, which is the ability for big trucks to turn into the different areas, and he believes they did not demonstrate how a 50 foot long fire truck could turn off of Lockwood and make the quick "S" turn to get into that stabilized access. He stated that this is not an adequate place to address the issue of fire access to the rear of the buildings.

He would question the design of the proposed crosswalk because it would be unreasonable to funnel everyone to the middle of this busy collector to get to the crosswalk. He suggested that this area should have a graded crossing, like a bridge or a fly over.

In the Seminole County Comprehensive Plan, it addresses when amendments to existing Planned Development Sites are required. The Applicants want to call the parking garage an ancillary use and parking garages are mentioned specifically in C-2 zoning. Carillon is approved for C-1 uses. He believes the Applicants have skipped a process by not getting a comprehensive plan amendment because they are going to a higher intensity commercial use. What the Applicants are proposing is a campus facility inside the Carillon PUD. They are going to police it, provide transit to it, manage the student housing and have student activities on this site.

Mr. Morris stated that in the Applicants presentation, they referred to this at least 10 times as "on campus".

Mr West stated if there is any indication that there is a use being added to this PUD that was never interpreted, permitted or mentioned before, it's the fact that there is going to be a campus facility added to this PUD which was really proposed as a residential PUD with support commercial.

The County code addresses PUD zoning and there are separate sections for PUD's proposed on PD land use, which is what this site has, versus PUD's proposed on HIP (High Intensity Planned Development) land use. Parking garages are only mentioned in the text as part of HIP properties that are going through the PUD process. That is an indication of what the PUD zoning was originally based on. In the 1990's, the County created HIP where parking garages and structures are really anticipated.

The County is in favor of this project because it promotes mixed use, transit and they may look at it as an infill development; however, Carillon is not that type of development and it never was intended to be. The Applicants are going to take a mixed use

development of high intensity and drop it into this lower intensity suburban PUD. The homeowners bought here with certain expectations and we are changing it on them.

Mr. Morris stated that in student housing and in projects that are this dense and intense, they are generally not asking for that many exceptions. They have a parking space dimension exception where they can potentially go from 20 to 10, which is at the will of the Staff because they believe that if the parking isn't working, it will be under their control in the future, not the Planning and Zoning Commission or the Board of County Commissioners. They will go from 20 feet by 10 feet, which is the standard, to 18 by 9 and restripe the whole thing if the parking doesn't work. There is already a presumption that the parking will not work.

They are proposing a Student housing parking reduction from 1.25 spaces per bed to 1.03. The crosswalk location is already an issue and they want to work out at site plan. When you have these many exceptions, you don't wait to work them out at site plan. The building height increase to 45 feet from 35 feet standard has not been clearly defined. The driveway spacing is already a compromise in the recommended code in terms of the separation requirements of those individual ingresses and egresses. There is already an intersection that is about ready to fail and they are proposing to have this come in at the same time. With the enhancements that the Applicants are proposing, the intersection would work a little better. There will still be a backup for the Carillon people who were there first.

Mr. West stated that the PUD was approved for C-1 uses only and the intent of C-1 zoning was to reserve those areas for commercial and not allow them to all go residential. There was cap of 10% of that C-1 area which could be utilized for multi-family. The project you have before you is exceeding that. This is another deviation from the approved C-1 uses.

Mr. Morris stated that the Applicant had an extremely long presentation that did not deal with zoning issues. It dealt with the concept of building a Catholic Center and a Jewish Center which both operate very successfully right now on the UCF campus or off campus. By law, these cannot be on the campus; but it is not the responsibility of the Government or the Carillon community to sacrifice so they can have student housing along with the centers. This is a private charitable effort; don't get lost in the emotion and sentiment of the Hillel and Newman Centers. This is a business proposition, a fundraising proposition on a money making venture before the Commission. It is a money making venture by the Foundation which is an arm of the University for the benefit of the University. There is a consistent pattern of this being said this is a campus, this is UCF. It is not UCF. UCF has a Master Plan which was approved by the Governor, supported by the Board of County Commissioners in 2005, which says that they must provide 80% of the beds for Freshman students and that the University will not own any housing facilities off campus. This project, in some fashion, is owned by the University or will benefit the University. This is a business venture to make a profit. That is why Commissioner Wolf was told that there isn't a compromise because the Applicant doesn't want to give up one bed and Carillon does not want student housing.

They don't want to deny them the opportunity to make a profit but not at the expense of the Carillon community. The Commission has more reasons for denial due to the fact that tracts are being removed from the Carillon PUD; the uses proposed are not in support of the Carillon PUD; student housing use is not consistent with the intent and design of the Carillon PUD; nothing should be deferred to the site plan; there should be no student housing projects east of Lockwood; the UCF campus should not extend into this residential PUD; the application is deficient; it violates the previous County Commission policy and is inconsistent with the Comprehensive Plan.

Students are transient and most are not Seminole County residents and won't be staying in this immediate area. They commute from Brevard County, Broward County, Dade County to name a few. Seminole County residents make up about 10% of the population of the University which means 90% of the students are not from Seminole County.

Mr. Morris asked the Commission to deny the proposed request.

Commissioner Wolf asked what precluded the developer, the Applicant, and the Carillon community from coming together to work out a compromise; because what we have here is a winner takes all scenario.

Mr. Morris stated that they had meetings; but unfortunately each side has strong opinions and the Carillon community absolutely does not want student housing in their neighborhood. Clearly if the Applicants agree to rework the plan and cut the student housing by half, get the site plan fixed and fix all the other things that are wrong with it, that is something that they could consider. However, the Applicant will tell you that they need this for the money and won't give an inch and Carillon says no. If the Commission makes a recommendation to deny this request, it may force the issue. If they were ordered by the Board of County Commissioners or the District Commissioner to meet with all parties, they would. If it came down to a take it or leave it situation, he would recommend to them to sit down at the table.

Robert Collins, a resident of Carillon – stated that he feels that the Applicants haven't addressed what will be done about the traffic; what will be done when 100,000 visitors come to UCF; what will be done when Gemini Boulevard is closed when the UCF arena has a large event and is diverted all the traffic onto McCullough Road. The traffic backs up all the way to Alafaya Trail when they divert the traffic from Gemini. He stated that the staff report said that no fiscal impact analysis was required.

Commissioner Brown asked Mr. Collins what is his definition of a fiscal impact.

Mr. Collins said he does not understand how one would not be required and wants to know what the criteria is because this is State university land; they pay no taxes to Seminole County; the faith based community centers do not pay taxes; it's occupied by

a bunch of residents that aren't Seminole County residents and they do not pay taxes either. This is not about a Hillel Center; it's about a profit making business venture.

He advised that he sent an email to Staff pointing out the fact that Mr. Ginsburg and the University of Central Florida have a huge amount of corporate entities that they do business under and each person who is involved in this project should make sure that they do not have any conflict of interest regarding any and all of these entities.

He asked the Commission to picture a 4 story parking garage 295 feet from their door as he will have if this project is approved. If it was their home, they would be opposed to the project too.

Mark Wissinger, resident of Carillon - stated that the parcels that are the subject of this project are part of the Carillon community, not part of UCF. One of the considerations they took when picking a place to live was what would be the zoning of adjacent undeveloped land. He had interest in the parcels at the entrance of Carillon and were pleased to learn that they were part of the overall community plan and were zoned to be compatible. He does not want the zoning to be changed because these zoning requirements were put in place for a reason; to ensure that the parcels were compatible with the residential community that is also part of the planned community. If this is truly a philanthropic venture as Mr. Ginsburg says, he would urge him to proceed with the retail and the religious portions of this project.

Jerry Speer, a resident of Carillon – stated that he is opposed to this project primarily for safety reasons. He has 5 sons and believes that the safety of his sons and the other children in this community is at stake in this decision. He suggested that the principals of the neighboring schools be contacted to find out their experiences with college students that drive up and down Lockwood Boulevard. Safety for the UCF students was mentioned in the Applicants' presentation, but there was no mention of the safety for the residents in the surrounding communities. The kids attend the 5 parks up and down Lockwood Boulevard. He urged the Commission to request a safety study of this request. They continue to have repeated safety issues on Lockwood with unsafe driving and speeding with some of the college students. He has witnessed this first hand. The kids walk or bike to the 5 parks in this area and he believes the decision of the Commission will have a long term impact on the safety of their community.

The developer is asking to put a 600 bed student dorm with 600 cars and a retail center with alcohol in their back yards. There seems to be other sites available on campus and this doesn't seem like a prudent safety decision for our community. He would suggest to Mr. Ginsburg that a compromise could be made to have a pedestrian center dorm without the parking garages. He would like to see the parking placed on campus because his main concern is the kids driving up and down Lockwood Boulevard to get to this site.

He doesn't believe they need the retail space. There are 2 dozen retail malls within 5 miles of this site.

Robert Byers, resident of Carillon – stated that no one would have moved to this neighborhood if they knew this type of project would be placed in their backyard and this is literally in his backyard.

The Applicants have emphasized the religious centers and make the connection between the religious centers and student housing but they admit that there is no religious test that they can administer to those who will live in this housing. The fact that they have religious centers there does not say anything about the people who live there. It is a first come, first serve situation and the only discriminator is that it will be expensive

He would love to be within walking distance of some retail space and a restaurant. However, the Applicants have stated that the proposed parking will be reserved for students. They have also stated that it is for the benefit of UCF. It is very clear that the residents of Carillon are not highly regarded and are an obstruction. They said it will be an excellent entrance to UCF without mentioning that it is already an entrance to Carillon. They promise that this will be a first class development and he does not have any faith that this will be true.

Jim Latimer, resident of Carillon – stated that he feels, using the Applicants word, "a gathering of University students for religious services" does not belong at the entrance to a single family subdivision. They want to control and influence the look and feel of what is built across from the stadium and he wants to influence the look and feel of the entrance to Carillon. He feels it does not compliment the residential neighborhood and it is not compatible with a single family neighborhood. He wants commercial activity on this site.

James Dunn, resident of Carillon and past President of the Carillon HOA – stated he had no idea when he bought his home that something like this would ever go on this property. He thought maybe a grocery store or a strip mall but nothing like this. He and his wife do not oppose the faith centers. He attended a meeting with Mr. Ginsburg and his representatives as well as representatives of Carillon about a year ago and he said that Mr. Ginsburg told them that if his community opposes this project, he would sell the property to someone else and they would have to deal with whatever is put there. He deeply respects what Mr. Ginsburg is trying to do but his community opposes this project. He would love to have the faith centers and the retail projects, but if they can't have that without the student housing, then all of it needs to go.

Roger Smith, resident of Carillon – stated that the Commission can just say no to this project without saying no to the student center and the retail shops. He is only opposed to the student housing. Mr. Ginsburg can have his legacy with the Hillel and it can be built on Carillon property as long as the student housing is not. Please say no and support the homeowners in Seminole County.

Kim Watson, resident of Carillon – asked that the Commission deny this request. She does not have a problem with the faith based centers. She thinks this is a great idea.

The concern is the student housing and the parking garages which will distract from the enjoyment of their homes. She believes their property values will decline due to the noise and the visual impact of a 4 story parking garage. The student behavior is not compatible with family life with the language and behavior of the students.

With the introduction of the additional traffic lanes, they will lose part of the entrance to Carillon which they pay to maintain and enjoy. Please back the tax payers of Seminole County and deny this request.

Commissioner Brown stated that he has received 8 other speaker forms in opposition of this request who do not want to speak, as well as a letter from the Red Bug Coalition expressing opposition. Commissioner Brown asked if there was anyone else in the audience who would like to speak in opposition to this request.

Kathleen Jordan, a resident of Carillon – stated that the traffic is bad now without this project, so when if it is developed, the traffic will back up all the way to the elementary school. She is proud to have UCF as a neighbor, but moved to this community because it was in Seminole County. However, she is concerned about the behavior of some of the UCF students and doesn't believe that having college students directly in their neighborhood is a good mix or good for the families.

Diane Bevis, resident of Carillon – stated that this project will ruin their land values. If student housing goes up, it will totally change the landscaping. There will be a lot of homes for sell and their land value will go down. There are plenty of other empty areas around this area where something like this could be place. Please oppose this project because of their land values and their sense of community.

Mr. Gorovitz addressed the comments made by Mr. Morris and Mr. West with the following responses:

- Zoning – it was stated that the Applicants and Staff did not address the issue of zoning. They not only addressed the issue of zoning but did so for 18 months. They had 4 or 5 DRCs and this was one of the most intensive zoning reviews that he has ever had.
- No phasing plan – that is true, because it is a one phase project that will be built at one time.
- Fire safety – there aren't any fire safety experts at this meeting, but there are fire experts on the Seminole County Development Review Committee. The Applicants had at least 3 meetings with them and they said they could handle any issues that might come up from a fire safety perspective.
- Traffic study – Turgut Dervish, Mohammed Abdallah and members of Staff met several times and had a methodology meeting as well as having them go to UCF for additional information and they determined how best to make a judgment. In addition, Staff required that, in case the study is wrong, the Applicants have to do an annual study to make sure there aren't any problems and if there are, the Applicants have to correct them. They had Seminole County professionals, UCF

professionals and professionals from Transportation Planning and Design doing a detailed methodology for the study.

- Stadium and arena parking – Staff made many demands of the Applicants regarding parking such as color coded parking and requiring that they hire an officer to make sure there is only 2 hours of parking in the retail section.
- Gemini Boulevard closures – this road is closed for games and concerts which occur less than 20 times per year for 5 hours. They do not close this road all the time.
- Campus facility – this is not a campus facility; it is an enhanced environment for the students to live but it is not part of the campus.
- For profit – this is a philanthropic effort by Mr. Ginsburg. If UCF makes a profit, they will turn around and use it for the benefit of the students and the community.
- Meetings – they had a series of meetings with several homeowner associations. The Carillon HOA meeting went very poorly. The Applicants asked them to work with them, to give some input on the plan and received constant "no" answers. The Applicants then asked, if this project is approved, would they help pick out the retailers. One woman agreed and then changed her mind after the meeting. The Applicants also had a meeting with the professionals hired by the Carillon community and they stated that they were opposed to any student housing with no compromise.
- Property values – the Applicants' professional testified that the property values would hold or go up.
- Traffic will be worse – every traffic consultant that has looked at this has stated that the traffic will get better not worse at this intersection.

Mr. Gorovitz asked that the Commission look at this project and decide whether it complies with all requirements and if it serves the greater good of Seminole County. This is one project that is remarkably beneficial, for the great good of the community and should be approved.

Commissioner Wolf asked Mr. Gorovitz to address the dead end parking issue.

Mr. Gorovitz stated that it meets the County standards and Staff believes that it would be better if that one access point on the west side of the property was an emergency only point and their view was that it met all of the safety and adequate access rules and all the adequate parking rules. The Applicants' consultants met with the Seminole County Transportation staff. Seminole County also hired GMB Consultants to be sure it meets all the requirements. This has been looked at by 4 licensed professional traffic groups and they have all signed off on it.

Commissioner Wolf asked if they said it was okay to back up 100 yards.

Mr. Gorovitz said there is plenty of room to turn around and drive straight.

Commissioner Wolf asked if there is a circle at the end.

Mr. Gorovitz stated that there could be but there is enough room even without a circle to turn around and it meets the transportation standards.

The Commission took a 5 minute recess at 11:07 and resumed at 11:12 p.m.

Commissioner Wolf asked Mr. Gorovitz what the Applicants are going to do to ensure that the proposed retail space does not stay vacant given the fact that many of the surrounding retail areas have been vacant for some time.

Mr. Gorovitz stated that we are in a recession period and but by the time this project is built, hopefully we will be out of this recession and there will be high levels of occupancy. In addition, the tenant mix that they are attracting is a different tenant mix that is on the campus. The retail issues on campus are purely student oriented retail which will be very different than the proposed retail.

Commissioner Wolf stated that because there are vacancies on the UCF campus and across the street, this tells him that UCF is not willing to lower the price to get tenants in there. Commissioner Wolf asked Mr. Gorovitz what are the Applicants going to do proactively to get the retail filled so that you don't have vacant buildings out there.

Mr. Gorovitz stated that the Applicants do not want to have buildings that stay vacant and they will do whatever they need to do to prevent this from happening. If Commissioner Wolf is asking if they will reduce the rent if the initial rents don't work, the answer is yes. They will absolutely provide inducements to tenants so that they will come and pay rent to get the community going. However he can't say what the inducements are because it's 2 years from now.

Commissioner Wolf asked, regarding the dead end parking, if the Applicants envision putting in a circle or something like that so that it is very easy for people to turn around.

Mr. Gorovitz stated that if Engineering says they have to put in a circle, they will put one in.

Commissioner Wolf asked if there is available real estate for additional parking should the side require it.

Mr. Gorovitz advised that there is and that they have a commitment from UCF to make available additional real estate should the site require it. However, based on 4 traffic consultants in review, he feels they will have too much parking as opposed to not enough.

Commissioner Wolf asked, regarding the parking for the buildings on the northeast side, how many units are in one of those segments.

Mr. Gorovitz stated that there were 428 beds on the east side but he does not know how many are in each segment and asked a consultant in the audience to find out.

Commissioner Brown stated that parking has always been a problem at UCF because he has been to the campus and had two children who have graduated from UCF and it was a problem for them.

Mr. Gorovitz stated that, Austin Watkins, one of the Staff's Senior Planners, is a student at UCF and has a lot of parking problems, became involved in this project and his experience was used as part of the methodology when discussing the parking issues.

Jeff Smith stated that there is a 4 bed, 4 bath unit on every floor.

Mr. Gorovitz, in continuing his remarks regarding the parking, he stated that there is a parking space for every bed and there will be a very heavy duty security system in place to make sure that, for example, Unit 10's parking space is available for Unit 10's occupant at all times.

Commissioner Chase asked if students will be able to come to this area, park, and then ride the trolley or shuttle to class.

Mr. Gorovitz stated that there will be visitor parking available; but they cannot guarantee that is will not happen. However, there will be security walking around 24/7 to make sure this doesn't become a habit.

Commissioner Wolf stated that, given their discussion at the last meeting and the attorney opinion that was received regarding pre-hearing fact-finding, he would like to disclose that he met with the Northview developers, the UCF Foundation, the Carillon representatives and drove the area. Commissioner Wolf also said that he is very torn regarding this issue because he lives in the area and the lines are hard between the left and the right and the parties are not talking.

Commissioners Brown and Eismann advised that they also met with Mr. Gorovitz' group and also with Mr. Morris.

Commissioner Chase stated that, while she disagrees with the County Attorney's opinion, she will disclose that she has also spoken with both sides of this issue.

Commissioner Bates stated that he has spoken with both sides as well.

Commissioner Wolf stated that it is his belief that the Northview project, as proposed, is a little intense to say the least for this neighborhood. Northview is being built right in

the cluster of a gateway to Carillon. You come up McCullough and the first thing you see is the bell tower and you see the carillons on both sides of the road and then you drive another several hundred yards and you see the set of carillons introducing you to the Carillon property. The Carillon subdivision takes great pains to maintain an architectural look and feel; therefore, there are several questions that he needs to ask.

Commissioner Wolf asked if there were any brick structures or brick highlights to complement the existing Carillon architecture that's present throughout Carillon.

Mr. Gorovitz stated that their goal is to have a project that is compatible with the Carillon single family and also compatible with the UCF campus.

Commissioner Wolf asked if that was a yes.

Mr. Gorovitz stated that he did not want to mislead him, but he could not tell him where they will have bricks and where they won't but it will be architecturally designed so that it is compatible with Carillon.

Mr. Gorovitz stated that Mr. Ginsburg reminded him that they have met with the owner of the Chevron station and asked him to work with the Applicants in enhancing the architectural look of his Chevron station. He is willing to do this so that his station, Northview and Carillon have some consistency and some compatibility.

Commissioner Wolf asked if, once the Applicants gain control of the Northview area, will they take over the maintenance, landscaping and watering of the easements on both sides as well as the median and maintain it to the level of standards that the Carillon Homeowners Association is doing currently.

Mr. Gorovitz stated that they will not assume control of the landscaping as those are Tracts A, B, C and D that are owned by the Homeowners Association. If they would want the Applicants to work with them to be sure that it was maintained properly, he has no doubt they could work that out with them.

Commissioner Wolf asked, regarding the cluster of the 4 buildings on the northeast side, if the Applicants have considered more of a tiering effect going from 2 to 3 to 4 stories as opposed to going from 2 straight to 4.

Mr. Gorovitz stated that they met with the architects and looked at the different renderings and different kinds of tiering, the view shed was very different when you went from 2, to a little stack of 3 and a stack of 4. You could hardly tell the difference. They did a fairly extensive line of sight research and they considered it, but decided not to do it because there was no appreciable benefit for the residents and it took units away and they feel these units will be in high demand.

Commissioner Wolf stated that the proposed project contains 600 beds with language that said if the cell tower was approved, it will be reduced to 585 beds. Now that the cell tower has been approved, will the Applicants reduce the bed count to 585.

Mr. Gorovitz stated that yes, but he believes the count would be 584.

Commissioner Wolf stated that each of the buildings is 16 units, so eliminating one of those buildings and pushing it back away from the road, eliminates one of the waivers the Applicants are asking for the 35 feet on the north property line; it allows you additional buffering and it would also allow fire truck entrance back around the buildings and asked if the Applicants would consider doing this.

Mr. Gorovitz stated no because they looked at it with staff, their professionals and with the fire marshal and the fire marshal was comfortable with the circumstance as it exists and he was comfortable that he could protect the building. The Applicants then looked at ingress and egress to the cell tower regarding whether they could shift things and all of the engineers determined that the building couldn't move back; it wouldn't work.

Commissioner Wolf asked where the Applicants are going to pull the 16 units from.

Mr. Gorovitz stated that the 16 units will be pulled from the back; almost facing the Chevron station so that there is access to the cell tower.

Commissioner Wolf stated that he is concerned about the buffering on the west side of the parking garage, on Parcel 202, may not provide the level of peace and quiet that the residents currently enjoy; specifically, headlights, noise and car alarms. According to Staff, this second level is basically guardrail height; is that correct?

Mr. Gorovitz stated that it is 22 feet.

Commissioner Wolf asked, once you park your car on the second level, what is the height of the barrier between where your tires are to where it would preclude headlights from shining into the neighborhood as well as sounds coming into the neighborhood?

Jeff Smith stated that at the site plan stage that they are in right now, that has not been determined; but at a minimum, it has to be 42 inches per code. In all likelihood, they will push it up a little bit more.

Commissioner Wolf stated that he would like to hear them say that they will attenuate lights, car alarms and sounds going into the neighborhood; mitigate that as much as possible to be a friendly neighbor. Is that something they could do and at what height do they think would accomplish this?

Mr. Gorovitz stated that they received a call from the Methodist Church, which really is the entity that is the closest to this garage on the west side and they asked the Applicants to come up with an architectural plan that will take care of all the kinds of

things that Commissioner Wolf is talking about as it relates to the portion that faces the Methodist Church. The Applicants' architects have worked out and are continuing to work out some architectural schemes and they will be meeting with the Church tomorrow to make sure they are comfortable with it and if they were comfortable with it, the Applicants would have compatibility and consistency with the area on the north side.

Commissioner Wolf asked if a person was coming down the north side on Lockwood, would they be able to see that garage structure and if so, is there a facade to it?

Mr. Gorovitz stated that he does not believe a person could see it but he does not have a line of sight for every car lane.

Commissioner Wolf asked if the buffering be sufficient across the retention pond to prevent the neighborhoods from seeing that structure?

Mr. Gorovitz stated that when they showed the line of sight before, there is a lot of natural vegetation in there and they plan, if this is approved, to meet with that tier of neighbors, along with Staff and the Applicants' landscape plans to discuss with them to what extent they would prefer to have the natural buffer left and Applicants could augment it as opposed to doing an ordinary landscape plan.

Commissioner Wolf, referring to the garage entrance to the north and how the Applicants are forcing all traffic to go to the north, do they feel there is adequate landscaping buffering in that area? He stated that he knows Staff says it meets code, but it is a pretty intense development that is proposed.

Mr. Gorovitz stated that the Applicants believe there is adequate landscaping, but in the meetings with the homeowners, if additional landscaping was needed so that they didn't see a headlight, that's what they will do. It is their goal to be compatible, cooperative and get along in the long run.

Commissioner Wolf asked if they had considered removing the 26 parking spaces along the north side putting in additional buffering there and relocating the 26 parking spaces elsewhere on the property to created that additional buffer?

Mr. Gorovitz stated that he doesn't believe the Applicants have looked into doing that but he thinks there is plenty of land to do the appropriate buffering, landscaping and walling to achieve all the goals Commissioner Wolf is talking about.

Commissioner Brown stated that the Applicants are saying there is sufficient land but are also asking for a waiver along that corridor so there isn't sufficient land.

Mr. Gorovitz stated that the waiver relates to how long an area can be wet as opposed to dry. It's not a waiver for landscaping.

Commissioner Wolf stated that he agrees it meets code but the project that is proposed is quite intense given this area and would think that would be something that the Applicants would want to strongly consider.

Mr. Gorovitz asked Commissioner Wolf if he is asking them to relocate some of the parking on the northwestern portion of the property.

Commissioner Wolf stated that he was talking about the 26 spaces; allocating them someplace else; only have a driveway there; have more trees in that area to create an additional buffer; and that would provide additional buffering as traffic comes down Lockwood Boulevard.

Mr. Gorovitz stated that he doesn't know if they could make that work and couldn't commit to it at this time; but it would be something they would look at.

Commissioner Wolf, referring to the north wall across from the retention pond, stated that when he personally went to this area, some of the neighbors came up and advised him that currently students hop the 6 foot fence when they are visiting the area. Commissioner Wolf asked if the Applicants have considered putting up a 8 foot concrete structure that would slow these student down?

Mr. Gorovitz stated that he wasn't aware of this and that this is the first he has heard of it.

Commissioner Wolf asked him to consider a 8 foot concrete wall along the north wall on the west side to preclude cut-through traffic. He also stated that he would hope that a brick or a brick facade wall would be implemented here to complement the current brick that is used throughout Carillon. He is bringing these up because they were not addressed before and if they aren't discussed, it won't get done.

Mr. Gorovitz stated that he is hearing this for the first time and cannot make a commitment without discussing it with their consultants. He said that a lot of what is being asked can be accomplished, but he cannot make a commitment at this time.

Commissioner Wolf made a motion to approve this request with the following stipulations:

- **The architecture of the project should incorporate brick or brick accents into the final design to complement the Carillon gateway.**
- **Northview should assume responsibility for their portion of the Lockwood Boulevard easements and median landscaping, consistent with the current level provided by the Carillon HOA.**
- **One of the northern sections of Building G should be eliminated due to fire safety, buffering and setbacks and the remaining buildings on the northeast side should be tiered from two, to three, to four stories.**

- **The northwest parking garage should incorporate walls to attenuate car light and noise.**
- **The twenty-six parking spaces on the north side of Parcel 401 should be redistributed elsewhere on the site and replaced with additional canopy tree buffering.**
- **The wall associated with the Active Buffer on the north side of Parcel 401 should be increased to 8 feet and have a brick façade, in keeping with the Carillon architecture.**
- **The maximum number of bedrooms for the entire project shall not exceed 584.**
- **The cell tower plan approved by the Board of County Commissioners on December 9, 2008 must be incorporated into the Final Master Plan.**
- **Re-striping to create smaller parking spaces should not be permitted as a means to mediate any parking deficiencies that may be identified in the future.**
- **Both the developer and UCF Student Housing Office should implement proactive and periodic meetings with the Carillon HOA to solicit comments and concerns during the development and occupancy phases of Northview.**

Commissioner Wolf added that he would hope the Board tighten these up because he does believe this is very intense for where it is located but it is a very good use for the property and overall, a good fit for the community.

Commissioner Eismann seconded the motion.

Commissioner Eismann asked for clarification of the stipulation regarding no re-striping for additional parking and asked if Commissioner Wolf had a suggestion for an alternative to that.

Commissioner Wolf stated yes, make the parking spaces narrower as mentioned by the opponent. We want to keep wide parking spaces and not make them smaller.

Commissioner Eismann asked what would happen if they needed additional parking.

Commissioner Wolf stated that is why it was discussed that they have more land, they need to go out and make more spaces.

Commissioner Brown stated that the land would be across the street; not contiguous.

Commissioner Wolf discussed the possibility of amending his motion to keep wider spaces for retail and guests and leave the width of student spaces to Staff's future determination, but then decided to leave the motion as stated.

General discussion ensued regarding leaving the wider parking spaces for retail parking and the size of parking spaces.

Commissioner Bates asked if the Commission could ascertain, with all the conditions made in the motion, if this was doable and a general discussion ensued regarding the conditions and the reasons behind them.

Commissioner Wolf responded that the Board is a recommending body and this is a fair compromise.

Commissioner Chase stated that she had a similar concern because the motion is asking for significant changes and it might be sending them back to square one.

Commissioner Eismann stated that one of the reasons he seconded the motion was that Commissioner Wolf stipulated that the Applicants get the maximum number of beds they asked for which still gives them the revenue generation that they feel they need to make this project work. He also believes that a lot of the stipulations will help out the community even though it is not popular with the Carillon community and the compromises make sense. He also commended Staff on their hard work that they have done on this process and how they produced a diligent package.

Commissioner Brown stated that it has been mentioned that this project took 18 months to get to the Commission and wonders why all of the meetings had not taken place prior to it coming before them and all of the issues resolved. He said there are a lot of loose ends and while he agrees with a lot of the restrictions, he believes that the Applicants can just say they can't make that work. He believes there is too much on this small piece of property and has issues with the parking.

Commissioner Wolf stated he heard Staff will have to look at the parking on a yearly basis to make sure it is working and if it isn't, they have to take corrective action and asked Alison Stettner if that was true. They have to get new land to do that, not re-striping.

Alison Stettner, Planning Manager, stated that every September they will monitor the parking to make sure that it is working and if it is not working, they will have to find spaces to make it work.

Commissioner Brown asked if it's working fine for two years, what happens then?

Mrs. Stettner stated that they can continue to require the parking study.

Commissioner Brown asked if the Development Order says that they won't have to.

Mrs. Stettner advised that it says as long as the Planning Staff agrees that there needs to be monitoring. Upon build out and full occupancy, if it is working fine, she doesn't see a need to continue to monitor the project.

Commissioner Brown said he has a problem with the time they picked to monitor the parking and said he talked to some of the students and they said they wouldn't have picked that time.

Mrs. Stettner stated that Staff is requiring it to be in September during peak season; during times when there are football games; weekend hours; weekday hours and the methodology that would have to be followed during the annual monitoring.

Chief Beary stated that, regarding the parking issues, the Legislature does not give universities money for parking. When they build a building, the only parking that is required is handicap parking. They have to self-generate funds to help build parking garages. There has to be a parking mess, which result in citations issued, to help generate the money to build the parking garages.

General discussion ensued regarding parking on universities and colleges.

Commissioner Wolf stated that the shuttle buses will be shuttling 90% plus of the students from this facility so the amount of cars and traffic would be reduced.

The motion passed 4 – 1 with Commissioner Brown voting no.

Commissioner Brown asked Alison Stettner if she had anything to address in her Manager's Report and she advised that election of officers will be held at the February meeting. She also asked the Commission if they would like to begin the 5:30 p.m. work sessions on the Land Development Code or would they prefer that she provide a new schedule of work sessions to them at the next meeting.

Commissioner Chase advised that she will not be present at the February meeting.

General discussion ensued regarding the upcoming election of officers and the upcoming workshops.

It was the consensus of the Commissioners to begin the workshops in March.

There being no further business, the meeting was adjourned at 12:00 A.M.

Respectfully submitted,

Connie R. DeVasto