

ITEM # \_\_\_\_\_

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

**SUBJECT:** Monroe Office Park Rezone

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

**AUTHORIZED BY:** Alison Stettner **CONTACT:** Austin Watkins EXT. 7440

<b>Agenda Date</b> <u>3/4/2009</u> <b>Regular</b> <input type="checkbox"/> <b>Work Session</b> <input type="checkbox"/> <b>Briefing</b> <input type="checkbox"/>
<b>Special Hearing – 6:00</b> <input type="checkbox"/> <b>Public Hearing – 7:00</b> <input checked="" type="checkbox"/>

**MOTION/RECOMMENDATION:**

1. **RECOMMEND APPROVAL** of a rezone from A-1 (Agriculture) to PUD (Planned Unit Development), for 1.60 ± acres, located at the northwest corner of the intersection of Monroe Road and Church Street, and recommend approval of the attached Preliminary Master Plan and Development Order, based on staff findings (Garth Schweizer, applicant); or
2. **RECOMMEND DENIAL** of a rezone from A-1 (Agriculture) to PUD (Planned Unit Development), for 1.60 ± acres, located at the northwest corner of the intersection of Monroe Road and Church Street (Garth Schweizer, applicant); or
3. **CONTINUE** the public hearing until a time and date certain.

District 5 – Commissioner Carey	Austin Watkins, Senior Planner
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**BACKGROUND:**

The applicant is requesting a rezone from A-1 (Agriculture) to PUD (Planned Unit Development) to develop a 9,336 square foot office park with a 108 seat/2,296 square foot sit-down restaurant. The applicant is proposing the following uses: Those uses permitted in the OP (Office) zoning classification of the Seminole County Land Development Code plus sit-down restaurants. The following uses shall be prohibited: Daycares, Churches, Schools, and Adult Living Facilities.

<b>Reviewed by:</b> <b>Co Atty:</b> <u>KPT</u> <b>DFS:</b> _____ <b>OTHER:</b> _____ <b>DCM:</b> _____ <b>CM:</b> _____  <b>File No.</b> <u>Z2008-65</u>
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The subject property is assigned the Higher Intensity Planned – Target Industry (HIP-TI) Future Land Use (FLU) designation. The requested uses of those uses permitted in the OP zoning classification, with the above listed exclusions are consistent with the *Seminole County Comprehensive Plan, Target Industry Uses*. Further, the proposed 108 seat/2,296 square foot restaurant is consistent with the *Comprehensive Plan Policy FLU 5.8 North I-4 Corridor HIP-TI Permitted Uses and Locational Standards* by being a “use supportive of the Target Industry and which is located either within a principal office structure or on-site within walking distance of the Target Industry and occupying a lesser square footage than the Target Industry.”

The applicant proposes to design the site, structures, and accessory details in accordance with the Florida Green Building Coalition (FGBC) Green Commercial Building standards. The applicant is proposing numerous “green” building features, such as pervious parking stalls, renewable energy contributions, drought tolerant landscaping, reduced parking capacity, stormwater treatment (bioswale, pervious paving, and rainwater harvesting), light pollution reduction, low emitting materials, increased thermal comfort, increased daylight views, 50% recycled content, 20% regionally manufactured and harvested materials, Forest Stewardship Council (FSC) certified wood, rapidly renewable materials, and numerous other design features, which are consistent with FGBC principles. Please refer to the attached “Green Features” worksheet for a completed list of proposed credits.

The applicant is requesting a parking waiver, pursuant to Section 30.451 (f) (2) of the Seminole County Land Development Code. The table below demonstrates the Land Development Code requirements and the applicant’s proposal:

**Parking Waiver Request**

	<b>Number of Stalls</b>	<b>Size of Stalls</b>	<b>Total Square Footage of Parking Stalls</b>
<b>Seminole County Land Development Code</b>	112 stalls	10’x20’	22,400 square feet
<b>Proposal</b>	103 stalls	9’x18’	16,686 square feet

Staff has reviewed the parking waiver request and finds that proposal justifies the parking waiver for the following reasons:

- FGBC Green Commercial Building Standards allows one credit if the parking of the site does not exceed the parking requirements of the local jurisdiction and if 5% of the building occupants are provided preferred parking stalls for carpooling or hybrid vehicles; FGBC allows one credit for reduction of the heat island effect

by construction of at least 30% of impervious areas with an SRI (Solar Reflective Index) of 29 or higher.

- The applicant proposes to reduce the total square footage of the parking stalls by 5,714 square feet, which is consistent with FGBC principles.
- The applicant proposes to construct all parking stalls using a pervious material, which will increase the SRI index and assist with on-site stormwater.
- The applicant proposes to construct all impervious areas using materials with an SRI index of 29 or higher, which will reduce the heat-island effect for this site.
- The applicant proposes to retain fourteen (14) on-site existing trees and use drought tolerant, Florida native plant species for at least fifty percent (50%) of the site.
- The parking stalls for restaurant and office use allows for a sharing of parking stalls between the varying uses. The office and restaurant uses have different peak hours for parking.
- The Seminole County Land Development Code allows for office complexes exceeding 10,000 square feet to provide one parking stall for each two hundred and fifty (250) square feet of office. The proposed development is 9,366 square feet of office, therefore 634 square feet short of the requirement.
- Shared parking may be utilized with adjacent developed properties.

### **STAFF RECOMMENDATION:**

Staff recommends APPROVAL of the requested rezone from A-1 (Agriculture) to PUD (Planned Unit Development), for 1.60 ± acres, located at the northwest corner of the intersection of Monroe Road and Church Street, and recommends APPROVAL of the attached Preliminary Master Plan and Development Order.

#### Attachments:

Location Map

Zoning and Future Land Use Map

Aerial Map

Preliminary Master Plan

Approval Development Order

Rezone Ordinance

Denial Development Order (applicable only if denied)

Green Features Worksheet

Parking Waiver Justification

Ownership Disclosure Form

<b>Monroe Office Park Rezone from A-1 to PUD</b>	
<b>APPLICANT</b>	Garth Schweizer
<b>PROPERTY OWNER</b>	Garth Schweizer
<b>REQUEST</b>	Rezone from A-1 (Agriculture) to PUD (Planned Unit Development)
<b>PROPERTY SIZE</b>	1.60 ± acres
<b>HEARING DATE (S)</b>	P&Z: March 4, 2009      BCC: April 14, 2009
<b>PARCEL ID (S)</b>	16-19-30-5AC-0000-046A
<b>LOCATION</b>	Northwest corner of the intersection of Monroe Road and Church Street.
<b>FUTURE LAND USE</b>	HIP-TI (Higher Intensity Planned – Target Industry)
<b>ZONING</b>	A-1 (Agriculture)
<b>FILE NUMBER</b>	Z2008-65
<b>COMMISSION DISTRICT</b>	#5 – Carey

**ANALYSIS OVERVIEW:**

**ZONING REQUEST**

The following tables depict the minimum regulations for the current zoning district of A-1 (Agriculture) and the requested district of PUD (Planned Unit Development):

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

<b>DISTRICT REGULATIONS</b>	<b>Proposed Zoning (PCD)</b>
Minimum Lot Size	N/A
Minimum House Size	N/A
Minimum Width at Building Line	N/A
North Setback	5 feet
South Setback	15 feet
East Setback	15 feet
West Setback	5 feet
Maximum Building Height	35 feet – 45 feet cupola

## **COMPATIBILITY WITH SURROUNDING PROPERTIES**

The area of Monroe Road and Church Street area has been assigned the Future Land Use designation of Higher Intensity Planned Development – Target Industry (HIP-TI). The HIP-TI Future Land Use Designation has been implemented to encourage and foster growth for Target Industry uses such as office, manufacturing, and accessory uses. In the recent years this area has been transitioning from agricultural and residential uses to more intense industrial and office uses, which are more compatible and consistent with the existing Future Land Use Designation on the property. Some examples of recent rezone applications in this area are Monroe Road Commerce Center North and South, Vantage Point, Devlen Office, and Woodbridge Commerce Center. All of the surrounding PCDs allow for a variety of manufacturing and office uses. North of the subject property is the Wharton-Smith office, which is assigned the C-3 zoning classification. Due to the property's proximity to major thoroughfares and surrounding developments, the proposed development of a office complex and restaurant is consistent with the intent of the HIP-TI Future Land Use. The proposed use of this site allows for a mixture of compatible office and accessory uses allowing for the growth of an employment center. Staff finds the requested rezone is compatible with the surrounding uses and existing development patterns of the area.

### **SITE ANALYSIS:**

#### *Floodplain Impacts:*

Based on FIRM map with an effective date of 2007, there appears to be no floodplains on the subject property.

#### *Wetland Impacts:*

Based on preliminary aerial photo and County wetland map analysis, there appears to be no wetlands on the subject property.

#### *Endangered and Threatened Wildlife:*

Based on a preliminary analysis, there are not endangered and threatened wildlife on the subject property. A listed species survey will be required prior to final engineering approval.

## **PUBLIC FACILITY IMPACTS**

Rule 9J-5.0055(3), Florida Administrative Code, requires that adequate public facilities and services be available concurrent with the impacts of development. The applicant has elected to defer Concurrency Review at this time. The applicant will be required to undergo Concurrency Review prior to final engineering approval.

### *Utilities:*

The site is located in the Seminole County water and sewer utility service area, and will be required to connect to public utilities. There is a 12-inch water main on the west side of Monroe Road and a 4-inch force main on the west side of Monroe Road. The subject property is in the ten-year master plan for reclaimed water. An alternative source for irrigation water, such as a shallow well may be used until reclaimed water becomes available. However, if the irrigated area is less than one acre, potable water may be used for irrigation.

### *Transportation / Traffic:*

The property proposes access onto Monroe road (C.R.-15), which is classified as a Minor Collector roadway. Monroe Road has improvements programmed and is currently under construction per the County 5-year Capital Improvement. C.R.-15 will be improved to a four lane roadway, with center turn lanes.

### *Drainage:*

The proposed project is located within the Lake Monroe Drainage Basin, and has limited downstream capacity. The site will have to be designed to hold the post-development minus the pre-development volumetric difference for the 25-year, 24-hour storm event, not exceeding the pre-development rate of discharge.

### *Buffers and Sidewalks:*

There is an existing 8' County Trail along Monroe Road under construction. The following buffers are proposed:

North: 5' landscape buffer containing 4 canopy trees and 46 shrubs.

South: 10' landscape buffer containing 12 canopy trees, 3 understory trees, and 46 shrubs.

East: 5' landscape buffer containing 24 canopy trees, 8 understory trees, and 258 shrubs.

West: 5' landscape buffer containing 8 canopy trees, 110 shrubs, and existing native/oak trees.

## **APPLICABLE POLICIES:**

### **FISCAL IMPACT ANALYSIS**

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

**SPECIAL DISTRICTS**

The subject property is not located within any Overlay Districts.

**COMPREHENSIVE PLAN**

The County’s Comprehensive Plan is designed to preserve and enhance the public health, safety and welfare through the management of growth, provision of adequate public services and the protection of natural resources.

The proposed project is consistent with the following list of policies (there may be other provisions of the Comprehensive Plan that apply that are not included in this list):

- Policy FLU 2.10: Determination of Compatibility in Planned Development Zoning Classification
- Policy FLU 5.5: Higher Intensity Planned Development Purpose
- Policy FLU 5.8: North I-4 Corridor Higher Intensity Planned Development – Target Industry (HIP-TI) Permitted Uses and Locational Standards
- Exhibit FLU: Target Industry Uses

**INTERGOVERNMENTAL NOTIFICATION:**

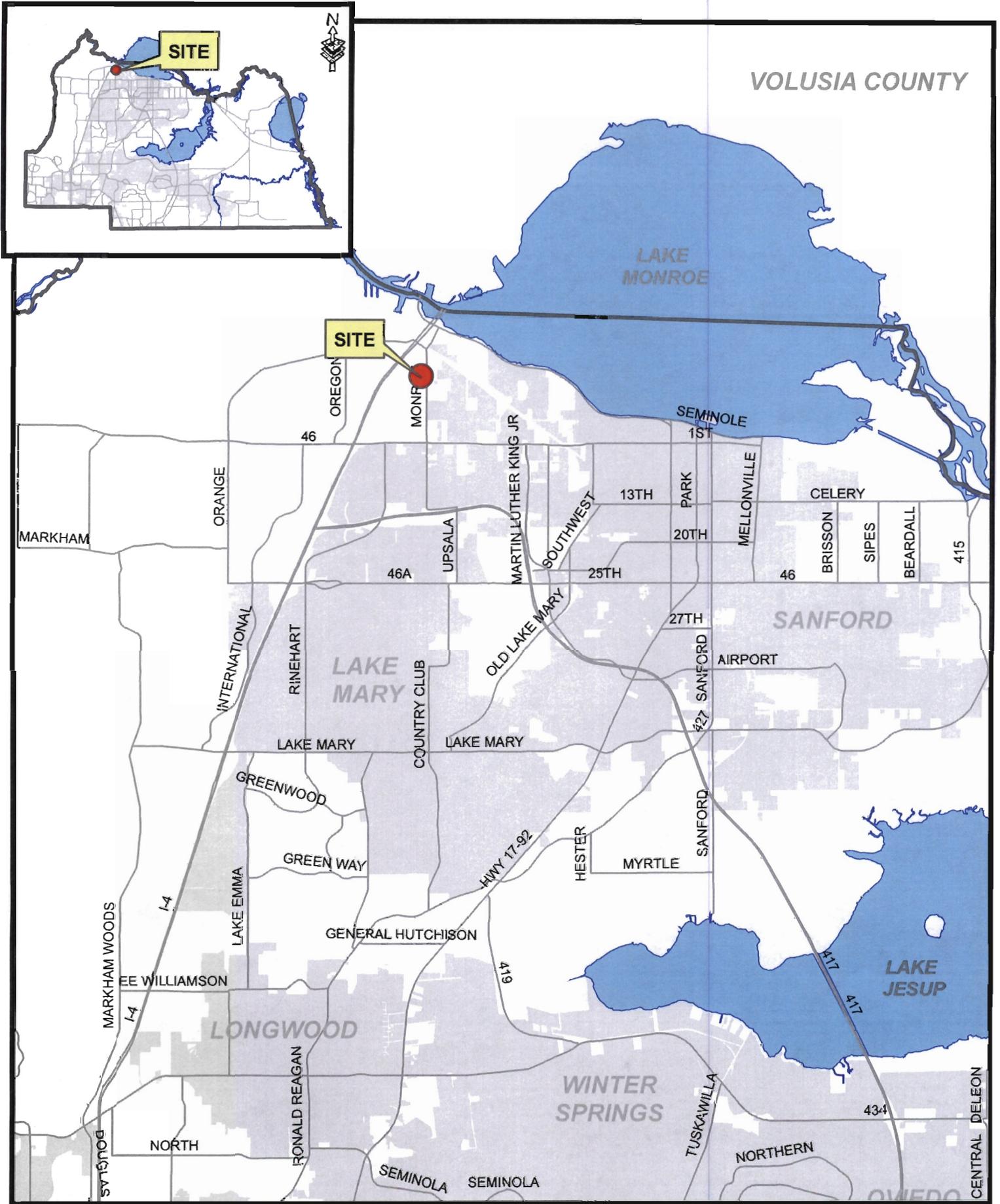
No intergovernmental notices were required.

**LETTERS OF SUPPORT OR OPPOSITION:**

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

**STAFF RECOMMENDATION:**

Staff recommends APPROVAL of the requested rezone from A-1 (Agriculture) to PUD (Planned Unit Development), for 1.60 ± acres, located at the northwest corner of the intersection of Monroe Road and Church Street, and recommends APPROVAL of the attached Preliminary Master Plan and Development Order.



VOLUSIA COUNTY

SITE

SITE

LAKE MONROE

SEMINOLE 1ST

MARKHAM

ORANGE

46

MONROE

MARTIN LUTHER KING JR

13TH

PARK

MELLONVILLE

CELERY

BRISSON

SIPES

BEARDALL

415

46A

UPSALA

25TH

SOUTHWEST

27TH

SANFORD

INTERNATIONAL

RINEHART

LAKE MARY

COUNTRY CLUB

OLD LAKE MARY

20TH

27TH

427

SANFORD

AIRPORT

LAKE MARY

LAKE MARY

GREENWOOD

GREEN WAY

HWY 17-92

HESTER

MYRTLE

SANFORD

GENERAL HUTCHISON

419

LAKE JESUP

MARKHAM WOODS

I-4

LAKE EMMA

LEE WILLIAMSON

LONGWOOD

WINTER SPRINGS

434

NORTH

RONALD REAGAN

TUSKAWILLA

NORTHERN

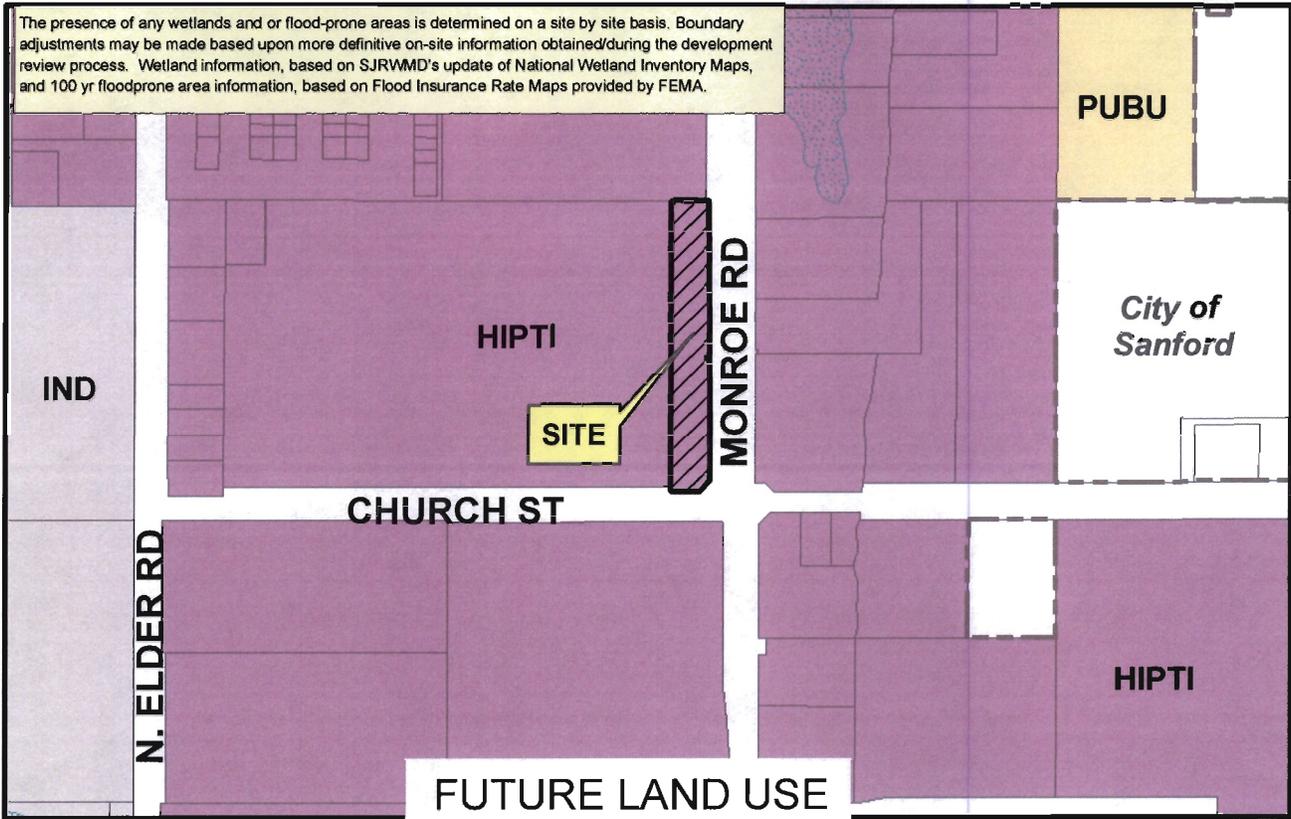
SEMINOLA

SEMINOLA

CENTRAL DELEON

OWIEDO

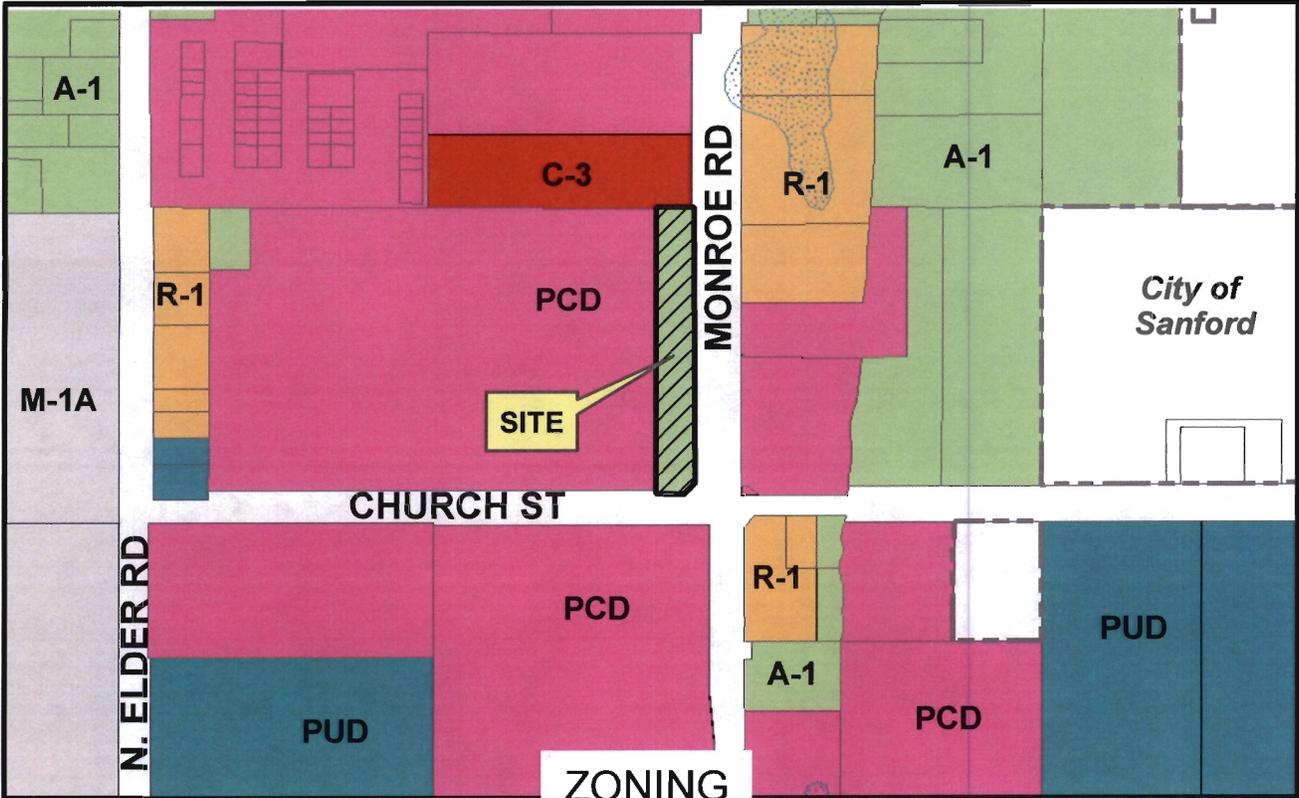
The presence of any wetlands and or flood-prone areas is determined on a site by site basis. Boundary adjustments may be made based upon more definitive on-site information obtained/during the development review process. Wetland information, based on SJRWMD's update of National Wetland Inventory Maps, and 100 yr flood-prone area information, based on Flood Insurance Rate Maps provided by FEMA.



Site 
  HIPTI 
  PUBU 
  IND 
  CONS 
  Municipality

Applicant: Garth Schweizer  
 Physical STR: 16-19-30-5AC-0000-046A  
 Gross Acres: 1.687 +/- BCC District: 5  
 Existing Use: office  
 Special Notes: \_\_\_\_\_

	Amend/ Rezone#	From	To
FLU	--	--	--
Zoning	Z2008-065	A-1	PUD



A-1 
  R-1 
  C-3 
  PUD 
  PCD 
  M-1A 
  CONS



Rezone No: Z2008-065  
From: A-1 To: PUD

-  Parcel
-  Subject Property



Winter 2007 Color Aerials

# MONROE OFFICE PARK

## A SUSTAINABLE CONTEMPORARY FLORIDA DESIGN INCLUDING OFFICES AND GENERAL BUSINESS AND A SIT DOWN RESTAURANT

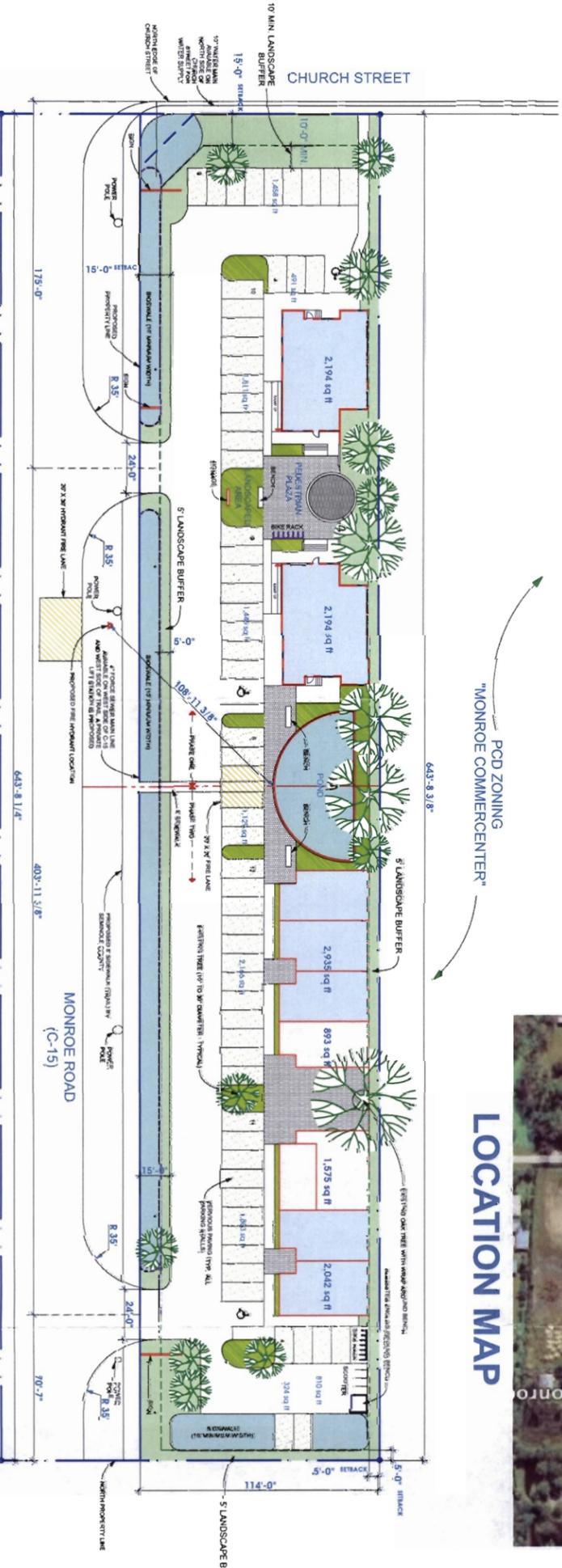
FLORIDA GREEN BUILDING COALITION  
GREEN COMMERCIAL BUILDING DESIGNATION

### PRELIMINARY MASTER PLAN

1"=30'-0"  
NORTH



LOCATION MAP



**ZONING**  
EXISTING: A-1  
PROPOSED: PLANNED USE DEVELOPMENT (PUD)  
PARCEL ID: 1618302AC0000044  
Development: Light Intensity Planned

**PERMITTED USES**  
OFFICES PER THE SEMINOLE COUNTY LAND DEVELOPMENT CODE PLUS SIT-DOWN RESTAURANTS. THE FOLLOWING USES SHALL BE PROHIBITED: DAYCARE, CHURCHES, SCHOOLS, OR ADULT DAYCARE FACILITIES.

**PHASED DEVELOPMENT STRATEGY**  
PHASE ONE TO INCLUDE SOUTH HALF OF PROPOSED DEVELOPMENT. PHASE TWO TO INCLUDE NORTH HALF OF PROPOSED DEVELOPMENT. PHASE THREE TO INCLUDE WEST HALF OF PROPOSED DEVELOPMENT. PHASE FOUR TO INCLUDE EAST HALF OF PROPOSED DEVELOPMENT. THE NORTH HALF OF THE PROPOSED CONCEPT SITE PLAN.

**COMMON AREAS MANAGEMENT**  
LANDSCAPE DESIGN AND MANAGEMENT FOR THE MANAGEMENT OF COMMON AREAS AND FACILITIES.

**SETBACKS**  
5' FROM THE NORTH AND WEST PROPERTY LINE  
15' FROM THE SOUTH PROPERTY LINE ALONG CHURCH STREET  
15' FROM THE EAST PROPERTY LINE ALONG MONROE ROAD  
MAXIMUM BUILDING HEIGHT - 35' FOR BUILDING - 45' FOR POOL

**LANDSCAPE BUFFERS**  
THE NORTH BUFFER TO INCLUDE 4 CANOPY TREES AND 46 SHRUBS  
THE WEST BUFFER TO INCLUDE 4 CANOPY TREES AND 46 SHRUBS  
NATIVE TREES AND UNPLANTED WITH 4 CANOPY TREES AND 110 SHRUBS  
THE EAST BUFFER TO INCLUDE 24 CANOPY TREES AND 8 UNDERSTORY TREES AND 224 SHRUBS  
CANOPY TREES AND 3 UNDERSTORY TREES AND 46 SHRUBS

**OPEN SPACE**  
25% OF PARCEL  
73,207 SF (1.69 ACRES)  
25% OF 73,207 SF: 18,302 SF (0.42 ACRES)

**PARKING**  
1 SPACED SEAT FOR OFFICE & GENERAL BUSINESS  
9,386 SF OFFICE: 38 SPACES REQUIRED  
1 SPACED SEAT FOR RESTAURANT  
2,268 SF OFFICE: 2,268 SF X 10 SEAT = 226.8 SF ALLOWED  
80 EXTERIOR SEATS  
28 EXTERIOR SEATS  
7 SPACES REQUIRED  
TOTAL PARKING PROVIDED: 65 SPACES  
PARKING SPACES SHALL BE 8' X 18'

**IMPACT ANALYSIS**  
SCHOOL - PROPOSED DEVELOPMENT WILL HAVE NO EFFECT UPON SCHOOLS.  
PORTAL E WATER AND SEWER: 100% OF PROPOSED DEVELOPMENT WILL BE SERVED BY PORTAL E WATER AND SEWER SYSTEMS.  
OFFICE SPACE = 9,386 SF X 10 GPD = 93,860 GPD  
RESTAURANT = 108 SEATS X 30 GPD/SEAT = 3,240 GPD  
PROJECT PORTAL WATER IMPACT = 4,171 GPD  
PROJECT SEWER IMPACT = 4,171 GPD  
TRAFFIC: OFFICE SPACE = 9,386 SF X 11.01 GPD/1000 SF = 103.1 GPD  
OFFICE SPACE = 9,386 SF X 11.01 GPD/1000 SF = 103.1 GPD  
PROJECT GROSS AVERAGE TRIPS PER DAY = 310  
WATER AND SEWER UTILITIES DESIGN SHALL MEET THE REQUIREMENTS OF SEMINOLE COUNTY.

**UTILITIES AND SERVICES**  
Water: Seminole County Utilities  
Sewer: Seminole County Utilities  
Cable: Seminole County Utilities  
Telephone: Seminole County Utilities  
Electricity: Florida Power & Light  
Gas: Florida Power & Light  
Fire Protection: Seminole County  
Seminole County

MONROE OFFICE PARK  
Lake Monroe, Florida

ARCHITECTURE: 145 CANAL STREET • NEW SMYRNA BEACH, FLORIDA 32168 • (386) 426-0456 • FAX (386) 426-5015  
ARCHITECTURE LICENSE NO. AA-0003143

LANDSCAPE

INTERIOR DESIGN: WEB SITE: www.swandb.com



SHEET NUMBER: A.1

PRELIM SITE PLAN: DEC. 7, 2008

FEB. 9, 2009

FEB. 11, 2009

JAN. 26, 2009

## SEMINOLE COUNTY DEVELOPMENT ORDER

On April 14, 2009, Seminole County issued this Development Order relating to and touching and concerning the following described property:

The East 180 feet of Lot 46, W Beardall's Map of St. Josephs according to the Plat thereof, as Recorded in Plat Book 1, Page 114, in the Public Records of Seminole County, Florida. (Less that part taken for road right of way according to Seminole County Right of Way Map).

Containing 1.685 Acres more or less.

### FINDINGS OF FACT

**Property Owner:** Garth A. Schweizer  
**Project Name:** Monroe Office Park  
**Requested Development Approval:** Rezone from A-1 (Agriculture) to PUD (Planned Unit Development).

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

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

Prepared by: Austin Watkins, Senior Planner  
1101 East First Street  
Sanford, Florida 32771

## Order

### NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

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

Office:	9,366 square feet
Restaurant:	2,296 square feet
  - B. The restaurant shall not exceed 108 seats and 2,296 square feet.
  - C. Permitted Uses:

Those uses permitted in the OP (Office) zoning classification of the Seminole County Land Development Code plus sit-down restaurants. The following uses shall be prohibited: Daycares, Churches, Schools, and Adult Living Facilities.
  - D. The maximum allowable building height is 35' for the structure and 45' for architectural enhancements, such as the cupola.
  - E. The setbacks shall be as follows:

<u>North:</u>	5'
<u>South:</u>	15'
<u>East:</u>	15'
<u>West:</u>	5'
  - F. The buffers shall be as follows:

<u>North:</u>	5' landscape buffer containing 4 canopy trees and 46 shrubs.
<u>South:</u>	10' landscape buffer containing 12 canopy trees, 3 understory trees, and 46 shrubs.
<u>East:</u>	5' landscape buffer containing 24 canopy trees, 8 understory trees, and 258 shrubs.
<u>West:</u>	5' landscape buffer containing 8 canopy trees, 110 shrubs, and existing native/oak trees.

- G. The developer shall provide a pedestrian circulation system giving access to all portions of the development as well as connecting to existing sidewalks outside of the development.
- H. The applicant shall provide one parking stall for every 250 square feet of office. If the office square footage is reduced below 7,000 square feet then one parking stall per 200 square feet of office shall be required.
- I. The minimum parking stall size shall be 9'x18'.
- J. All parking stalls shall be constructed using a pervious paving material.
- K. All other paved areas shall be constructed using a material that meets or exceeds an SRI (Solar Reflective Index) of 29.
- L. The fourteen existing trees, as shown in Exhibit "A" shall be maintained or replaced if damaged. The tree replacement shall be consistent with Section 60.22 of the Seminole County Land Development Code.
- M. All lighting shall not exceed the light levels and uniformity ratios recommended by the Illuminating Engineering Society of North America (IESNA) *Recommended Practice Manual: Lighting for Exterior Environments* (RP-33-99). All exterior lighting shall be designed such that all exterior luminaires with more than 1000 initial lamp lumens are shielded and all luminaires with more than 3500 initial lamp lumens meet the Full Cutoff IESNA Classification. The maximum candela value of all interior lighting shall fall within the building (not out through windows) and the maximum candela value of all exterior lighting shall fall within the property. Any luminaire within a distance of 2.5 times its mounting height from the property boundary shall have shielding such that no light or brightness from that luminaire crosses the property boundary.
- N. At least fifty percent (50%) of all landscaping shall be Florida drought tolerant species, per the water management district's Waterwise Florida Landscape.
- O. Bike racks shall be provided, as shown on Exhibit "A".
- P. Development shall comply with the Preliminary Master Plan attached as Exhibit "A".
- Q. 25% usable open space shall be provided on the subject property.
- R. All mechanical equipment, ground or roof-mounted, shall be screened from off-site view.
- S. Architectural renderings and a credit checklist for the FGBC (Florida Green Building Coalition) shall be provided at the time of Final Master Plan for review.

(4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and

binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.

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

**Done and Ordered on the date first written above.**

**SEMINOLE COUNTY BOARD  
OF COUNTY COMMISSIONERS**

By: \_\_\_\_\_  
Bob Dallari, Chairman

**Order**

**OWNER'S CONSENT AND COVENANT**

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

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Garth Schweizer

Print Name \_\_\_\_\_  
\_\_\_\_\_

Witness

Print Name \_\_\_\_\_

**STATE OF FLORIDA     )  
COUNTY OF SEMINOLE )**

**I HEREBY CERTIFY** that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared \_\_\_\_\_ who is personally known to me or who has produced \_\_\_\_\_ as identification and who executed the foregoing instrument.

**WITNESS** my hand and official seal in the County and State last aforesaid this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Notary Public, in and for the County and State  
Aforementioned

My Commission Expires:

Exhibit "A"  
Preliminary Master Plan



AN ORDINANCE AMENDING, PURSUANT TO THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY, THE ZONING CLASSIFICATIONS ASSIGNED TO CERTAIN PROPERTY LOCATED IN SEMINOLE COUNTY (LEGAL DESCRIPTION ATTACHED AS EXHIBIT "A"); ASSIGNING CERTAIN PROPERTY CURRENTLY ASSIGNED THE A-1 (AGRICULTURE) ZONING CLASSIFICATION THE PUD (PLANNED UNIT DEVELOPMENT) ZONING CLASSIFICATION; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EXCLUSION FROM CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

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

**Section 1. LEGISLATIVE FINDINGS.**

(a) The Board of County Commissioners hereby adopts and incorporates into this Ordinance as legislative findings the contents of the documents titled Monroe Office Park, dated April 14, 2009.

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

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

**SEE ATTACHED EXHIBIT "A"**

**Section 3. CODIFICATION.** It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall not be codified.

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

**Section 5. EFFECTIVE DATE.** A certified copy of this Ordinance shall be provided to the Florida Department of State by the Clerk of the Board of County Commissioners in accordance with Section 125.66, Florida Statutes, and this Ordinance shall be effective on the recording date of the Development Order #08-20500018 in the Official Land Records of Seminole County.

ENACTED this 14th day of April 2009.

BOARD OF COUNTY COMMISSIONERS  
SEMINOLE COUNTY, FLORIDA

By: \_\_\_\_\_  
Bob Dallari, Chairman

**Exhibit "A"  
Legal Description**

The East 180 feet of Lot 46, W Beardall's Map of St. Josephs according to the Plat thereof, as Recorded in Plat Book 1, Page 114, in the Public Records of Seminole County, Florida. (Less that part taken for road right of way according to Seminole County Right of Way Map).

Containing 1.685 Acres more or less.

**SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER**

On April 14, 2009, Seminole County issued this Denial Development Order relating to and touching and concerning the following described property:

The East 180 feet of Lot 46, W Beardall's Map of St. Josephs according to the Plat thereof, as Recorded in Plat Book 1, Page 114, in the Public Records of Seminole County, Florida. (Less that part taken for road right of way according to Seminole County Right of Way Map).

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

**Property Owner(s):** Garth Schweizer

**Project Name:** Monroe Office Park

**Requested Development Approval:** Rezone from A-1 (Agriculture) to PUD (Planned Unit Development).

The Board of County Commissioners has determined that the rezone request from A-1 (Agriculture) to PUD (Planned Unit Development) district is not compatible with the surrounding area and could not be supported.

After fully considering staff analysis titled "Monroe Office Park" and all evidence submitted at the public hearing on April 14, 2009, regarding this matter the Board of County Commissioners have found, determined and concluded that the requested rezone from A-1 (Agriculture) to PUD (Planned Unit Development) should be denied.

**ORDER**

**NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:**

The aforementioned application for development approval is **DENIED**.

**Done and Ordered on the date first written above.**

**SEMINOLE COUNTY BOARD OF COUNTY COMMISSIONERS**

By: \_\_\_\_\_  
Bob Dallari, Chairman

GREEN FEATURES  
FOR  
MONROE OFFICE PARK  
728 C-15, LAKE MONROE, FLORIDA  
1-26-09

The site located at 728 C-15 in Lake Monroe Florida is designed to meet the minimum requirements of the Florida Green Building Coalition Green Commercial Building Designation Standards. Some of these green features include:

ENERGY-

- 1) Renewable Energy – 15% contribution
- 2) Ozone Depletion – HCFC free and HVAC&R Equipment

WATER-

- 1) Drought Tolerant Landscape 50%-100%
- 2) Water Efficient Irrigation – No Potable Use
- 3) Innovative Wastewater Technologies – Greywater System

SITE-

- 1) Alternative Transportation – Public Transportation Access (if available)
- 2) Alternative Transportation – Parking Capacity- reduced size of parking stalls and shared parking with adjacent buildings
- 3) Stormwater Management – Rate and Quantity – Pervious Paving, Rain Water Harvesting
- 4) Stormwater Management – Treatment (possibly) – Bioswale
- 5) Reduction of Heat Islands – Non-Roof – open grid paving
- 6) Light Pollution Reduction – Computer modeling, full cut-off luminaires

HEALTH-

- 1) Increased Ventilation Effectiveness – air change rate
- 2) Low Emitting Materials – Low VOC adhesives and sealants, paints, carpet, composite wood (no added urea-formaldehyde resins), insulation (no formaldehyde), environmentally friendly maintenance plan (non toxic cleaning materials).
- 3) Controllability of Systems – Perimeter Spaces and Non-Perimeter Spaces
- 4) Thermal Comfort – Comply with ASHRAE 55-1992, Dehumidification System
- 5) Daylight and Views – 50% - 75% of Spaces

MATERIALS-

- 1) Recycled Content – Specify 50%
- 2) Recyclable Materials
- 3) Leased Floor Coverings
- 4) Local Regional Materials – 20% manufactured and harvested locally
- 5) Rapidly Renewable Materials

- 6) Certified Wood – FSC
- 7) Durable Materials
- 8) Low Maintenance Finishes
- 9) Hurricane- Impact Resistant Openings
- 10) Flood – 12” above 100 year flood plain (possibly)

DISASTER MITIGATION-

- 1) Wildfire- Fire Resistant Exterior Finishes (possibly – some heavy timber construction)

GENERAL-

- 1) Environmental Innovation – Energy and Water

JUSTIFICATION PARKING STUDY  
FOR  
MONROE OFFICE PARK  
728 C-15, LAKE MONROE, FLORIDA  
1-26-09

The proposed Monroe Office Park site, located at 728 C-15 in Lake Monroe Florida, has approximately 15 oak trees from 10" caliber to 30" caliber that provide shade for cars and people in the plaza as well as habitats for birds. By implementing 9'x18' parking stalls, there is a greater design flexibility to preserve the trees. The parking area around the trees as well as all of the parking stalls, will be of pervious paving material, tree wells will be provided as well as drip irrigation as necessary to ensure healthy growth and the material used for the driving lanes will provide a high SRI in keeping with the 'Green' building plan. With the advent of the hybrid automobile and other alternative fuel automobiles, there is a trend to reduce the size of parking stalls to 9'x18' in lieu of 10'x20'.

It is also more and more common for municipalities to use a higher square foot of office space when calculating the number of required parking spaces. Within the proposed Monroe office Park there is a sitdown restaurant that will share parking needs with the offices, especially after 5:00 PM, and will attract many walkins from adjacent offices. Therefore the parking calculations include 250 sf/stall for office space in lieu of 200SF/stall per Seminole County Land Development Code. Some of the neighboring municipalities that incorporate 9'x18' stall sizes and or and 250 sf/stall for office space in the Land Development Code include the following:

**City of New Smyrna Beach** = *Office building, general: One parking space for each 300 square feet of gross leasable area.*

(300 x 15% unleasable space (corridors and equipment closets and restrooms) = 45 sf, therefore is 255sf/stall)

**Lake County**

*Minimum stall size and aisle width. The minimum parking stall size Shall be nine (9) feet by eighteen (18) feet for regular stalls, and handicap stalls Shall meet state Accessibility requirements. A maximum of twenty (20) percent of the required Parking Area may be allocated for parking of compact cars. The minimum parking stall size for compact cars Shall be eight (8) feet by fifteen (15) feet. All parking stalls abutting a sidewalk, Landscape Buffer or travel lane Shall have wheel stop or curbs.*

**Orange County**

*Regular parking space sizes shall be a minimum of 180 square feet (either 9' x 20' or 10' x 18'). Spaces within parking garages may be a minimum of 8 1/2' x 18'. Off-street turning and maneuvering space shall be provided for each lot so that no vehicle shall be required to back onto or from any public street. Suggested parking lot design standards are contained in Exhibit I on file and available for reference in the office of the county engineer.*

*Up to twenty-five (25) percent of the off-street parking spaces required by section 38-1476 may be designed as compact car parking spaces. Each compact car parking space shall be a minimum of eight (8) feet wide and sixteen (16) feet long. Compact car parking spaces shall be clearly marked or posted for "Compact Cars Only." All other provisions of this article relating to off-street parking requirements shall be met.*

**Volusia County**

*Off-street Parking Standards. While off-street parking is necessary to accommodate automobile demands, it displaces a large percentage of the county's open space and separates structures from the main pedestrian concourses. The purpose of the following guidelines is to avoid large expanses of asphalt and conflicts between vehicles and pedestrians:*

*(a) Where a mix of uses creates staggered peak periods of parking demand, shared parking may be utilized to reduce the total amount of required parking.*

*(b) Large parking lots shall be visually and functionally segmented into smaller lots with landscaped islands and canopy trees. No single parking area shall exceed 120 spaces.*

*As an incentive to reduce asphalt and encourage landscaping, parking space depth in nonresidential developments may be reduced by two feet if abutting a landscape area as long as vehicle parking will not interfere with required plantings or encroach on sidewalks*

The majority of the adjacent properties include office, office/warehouse and wholesale and retail stores and showrooms and manufacturing shops; provide more than 500 parking spaces within 1000 feet, yet even more important is the fact that the adjacent uses and close proximity provide for a compatible “green relationship” that encourages people to walk to the restaurant for lunch. The next closest sitdown restaurant is Sobik’s at the corner of SR 46 and Monroe road, which is well over a mile from the office/warehouse core of buildings that are adjacent to the Monroe Office Park property. Therefore, the surrounding adjacent land uses can easily accommodate shared parking for dinnertime and a “walk-up” destination option for lunch.

All of these practices will contribute to the protection of open space, increase stormwater retention areas, provide reduction of heat islands, and encourage some mid day exercise (walking to lunch in lieu of driving), therefore; contributing to lowering the carbon footprint within the surrounding area.

In summation, the Seminole County Land Development code calls for 1 10’ x 20’ parking stall for every 200SF of office space which would require us to provide 47 parking stalls using up 9,700 square feet. We are proposing 1 9’ x 18’ parking stall for every 250SF of office space which would require us to provide 38 parking stalls using only 6,156 square feet thus providing an additional 3,544 square feet of open space for storm water drainage and pedestrian enjoyment.

SEMINOLE COUNTY  
**APPLICATION & AFFIDAVIT**

**Ownership Disclosure Form**

Please provide the information as requested below in accordance with Ordinance No. 07- \_\_\_\_\_:

1. List all natural persons who have an ownership interest in the property, which is the subject matter of this petition, by name and address.

Name: Garth A. Schweizer Name: \_\_\_\_\_

Address: 213 Woodlake Dr Maitland Address: \_\_\_\_\_

Phone #: 407-321-2280 Phone #: \_\_\_\_\_

Name: \_\_\_\_\_ Name: \_\_\_\_\_

Address: \_\_\_\_\_ Address: \_\_\_\_\_

Phone #: \_\_\_\_\_ Phone #: \_\_\_\_\_

(Use additional sheets for more space.)

2. For each corporate owner, list the name, address, and title of each officer of the corporation, the name and address of each director of the corporation, and the name and address of each shareholder who owns 2% or more of the stock of the corporation. Shareholders need not be disclosed as to corporations whose shares of stock are traded publicly on any national or regional stock exchange.

Name of Corporation: \_\_\_\_\_ Name of Corporation: \_\_\_\_\_

Officers: \_\_\_\_\_ Officers: \_\_\_\_\_

Address: \_\_\_\_\_ Address: \_\_\_\_\_

Directors: \_\_\_\_\_ Directors: \_\_\_\_\_

Address: \_\_\_\_\_ Address: \_\_\_\_\_

Shareholders: \_\_\_\_\_ Shareholders: \_\_\_\_\_

Address: \_\_\_\_\_ Address: \_\_\_\_\_

(Use additional sheets for more space.)

3. In the case of a trust, list the name and address of each trustee and the name and address of the beneficiaries of the trust.

Name of Trust: \_\_\_\_\_

Trustees: \_\_\_\_\_ Beneficiaries: \_\_\_\_\_

Address: \_\_\_\_\_ Address: \_\_\_\_\_

(Use additional sheets for more space.)

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4. For partnerships, including limited partnerships, list the name and address of each principal in the partnership, including general or limited partners.

Name of Partnership: \_\_\_\_\_ Name of Partnership: \_\_\_\_\_  
Principal: \_\_\_\_\_ Principal: \_\_\_\_\_  
Address: \_\_\_\_\_ Address: \_\_\_\_\_

(Use additional sheets for more space.)

5. In the circumstances of a contract for purchase, list the name of each contract vendee, with their names and addresses, the same as required for corporations, trust, or partnerships. In addition, the date of the contract for purchase shall be specified along with any contingency clause relating to the outcome of the consideration of this petition.

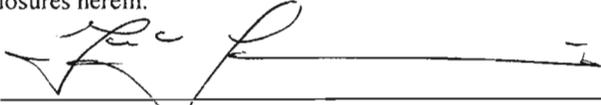
Contract Vendee: \_\_\_\_\_ Contract Vendee: \_\_\_\_\_  
Name: \_\_\_\_\_ Name: \_\_\_\_\_  
Address: \_\_\_\_\_ Address: \_\_\_\_\_

(Use additional sheets for more space.)

6. As to any type of owner referred to above, a change of ownership occurring subsequent to this application, shall be disclosed in writing to the Planning and Development Director prior to the date of the public hearing on the application.

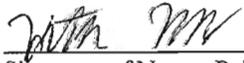
7. I affirm that the above representations are true and are based upon my personal knowledge and belief after all reasonable inquiry. I understand that any failure to make mandated disclosures is grounds for the subject rezone, future land use amendment, special exception, or variance involved with this Application to become void. I certify that I am legally authorized to execute this Application and Affidavit and to bind the Applicant to the disclosures herein.

11-21-08  
Date

  
Owner, Agent, Applicant Signature

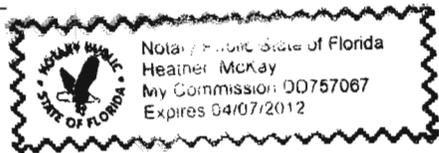
STATE OF FLORIDA  
COUNTY OF Seminole

Sworn to (or affirmed) and subscribed before me this 21st day of November, 2008 by  
Garth A. Schweizer

  
Signature of Notary Public

Heather McKay  
Print, Type or Stamp Name of Notary Public

Personally Known  OR Produced Identification \_\_\_\_\_  
Type of Identification Produced \_\_\_\_\_



<b>For Use by Planning &amp; Development Staff</b>	
Date: _____	Application Number: _____

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