

Minutes
Planning and Zoning Commission
June 2, 2016 - 10 AM
City Commission Chambers
City Hall, Sanford, Florida

Members Present

Steve Esler, Chairman
Michael Loader, Vice Chairman
Jerry Mills
Lindsay Oyewale
Dominick Fiorentino III, alternate

Members Absent

Carsandra Buie - excused
Joshua Dane - excused
Eddie Green

Others Present

Lonnie Groot, Assistant City Attorney
Russ Gibson, Planning and Development Services Director
Eileen Hinson, Development Services Manager
Sabreena Colbert, Planner
Mary Muse, Administrative Coordinator

Mr. Esler called the meeting to order at 10 AM.

Moment of Silence

Pledge of Allegiance

Approval of Minutes

Mr. Loader moved to approve the May 5, 2016 Regular Meeting Minutes. Mr. Mills seconded. Motion carried 4-0, Ms. Oyewale not present at this time.

Attendance

The board unanimously approved Ms. Buie's and Mr. Dane's absences as excused. The board unanimously approved Ms. Oyewale's and Mr. Green's absences as unexcused. After the vote, Ms. Oyewale arrived so board amended the motion to note Ms. Oyewale was present.

Public Hearings

PH-1 Hold a Public Hearing to consider a Rezone request to amend the DeBoer PD by adding 0.462 acre, amending specific uses and creating a new 15.80 acre Ganesh North PD at 343 Monroe Road.
Tax Parcel Numbers: 16-19-30-5AC-0000-0810, 16-19-30-5AC-0000-0820, 16-19-30-5AC-0000-082A, 16-19-30-5AC-0000-082B, 16-19-30-5AC-0000-082C
Property Owner: Ganesh Holdings North LLC
Representative: Robert VonHerbulis - McKee Construction Company

Mr. Esler passed the gavel to Vice Chairman Mike Loader due to Mr. Esler's company being involved in this project and will be recusing himself.

Ms. Oyewale moved to recommend the City Commission rezone the 0.462 acre parcel from AG, Agriculture to PD, Planned Development and add it to the DeBoer PD to create the Ganesh North PD Master Plan as recommended by staff on revised memo subject to a Development Order that includes all recommended conditions. Mr. Fiorentino seconded. Motion carried 4-0, Mr. Esler abstained.

PH-2 Hold a Public Hearing to consider a Rezone request to change 9.33 acres at 800 Meisch Road from AG, Agriculture to RI-1, Restricted Industrial.
Tax Parcel Number: 26-19-30-5AE-2900-0000
Property Owner: J & K Sanford, LLC
Representative: Michael Wojtuniak, P.E. – Engineered Permits, Inc.

Ms. Oyewale moved to recommend the City Commission rezone 9.33 acres with a project address of 800 Meisch Road from AG, Agriculture to RI-1, Restricted Industrial based on the request being consistent with the Future Land Use designation. Mr. Loader seconded. Motion carried 5-0.

PH-3 Hold a Public Hearing to consider a Rezone request to amend the Cedar Pointe (aka Thornbrooke) PD Master Plan approved lot sizes and counts at 133 N. White Cedar Road.
Tax Parcel Numbers: 21-19-30-5TT-0H00-0000 and 21-19-30-5TT-0M00-0000
Property Owner: Taylor Morrison of Florida, Inc.
Representatives: Ellen Avery-Smith - Rogers Towers, P.A., Chris Tyree - Taylor Morrison and Kevin White - Waldrop

Jennifer Carter, a Thornbrooke resident, came forward. She was concerned about the additional traffic through the 50' lot section and asked if the 40' lot section could have their own access road as well as their own mail kiosk within the 40' lot section.

There was discussion regarding changes to the site plan (changing some of the requested 40' lots to 50' lots and installing the mail kiosk within the 40' lot section) so the board adjourned for 10 minutes to allow the representatives to review the plan to see if they could incorporate these changes. After board reconvened, the representatives said they would make the two changes. They said they would create 50' lots (noted as lots 231-240) adjacent to existing 50' lots (noted as lots 19-26) and reconfigure lots 78-85 to add one lot they would be losing when creating the 50' lots.

Ms. Oyewale moved to recommend the City Commission approve the request to amend a portion of the approved Cedar Pointe PD (Thornbrooke PD) at 133 N. White Cedar Road by converting portions of the approved 50-foot wide lot section of the subdivision to 40-foot wide lots as recommended by staff subject to a Development Order that includes all recommended conditions with the following changes: 1) add a mail kiosk in the 40' lot section; 2) reduce the number of 40' lots by making 50' lots (noted as lots 231-240) that are adjacent to existing 50' lots (noted as lots 19-26); and 3) add one 40' lot by reconfiguring lots 78-85. Mr. Loader seconded. Motion carried 4-1, Mr. Mills against.

Development Plans

- DP-1** Amend the Cedar Pointe PD (aka Thornbrooke) Preliminary Subdivision Plan approved lot sizes and counts at 133 N. White Cedar Road.
Tax Parcel Numbers: 21-19-30-5TT-0H00-0000 and 21-19-30-5TT-0M00-0000
Property Owner: Taylor Morrison of Florida, Inc.
Representatives: Ellen Avery-Smith - Rogers Towers, P.A., Chris Tyree - Taylor Morrison and Kevin White - Waldrop

Ms. Oyewale moved to recommend the City Commission approve the amendment to the Preliminary Subdivision Plan for Cedar Pointe PD (aka Thornbrooke) received May 23, 2016, subject to adoption of and compliance with all conditions and requirements of the Revised Cedar Point PD (Thornbrooke) Master Plan and associated Development Order No. including the changes required for the PD Master Plan. Mr. Loader seconded. Motion carried 4-1, Mr. Mills against.

Staff Reports

A staff report was distributed to the board.

Although Mr. Dane was not able to attend the meeting, Mr. Gibson acknowledged his service to the board.

Commissioners Reports

Mr. Mills asked if there would be support to develop properties into large estate sites in areas zoned restricted industrial to help preserve and protect the older Florida sites. Mr. Gibson stated although it could be accommodated, the interest for this type of use of the land is decreasing.

Mr. Groot commented that everyone functioned very well today as a Planning Board.

Adjournment

Meeting adjourned at 12:15 PM.



Steve Esler, Chairman

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <i>EBLER STEPHEN CHARLES</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>City of Sanford Planning & Zoning Commission</i>
MAILING ADDRESS <i>125 Kay's Landing Dr.</i>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY COUNTY <i>Sanford FL 32771 Seminole</i>	NAME OF POLITICAL SUBDIVISION: <i>City of Sanford</i>
DATE ON WHICH VOTE OCCURRED <i>JUNE 2, 2016</i>	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, STEPHEN C. ESLER, hereby disclose that on JUNE 2, 2016, 20 :

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of McKee Construction Co. who is my employer and I have, by whom I am retained; or been involved in meetings, construction issues and overall planning of the project for McKee.
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

6-2-2016
Date Filed

[Signature]
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.