

**A REGULAR MEETING MINUTES
PLANNING AND ZONING BOARD
January 09, 2006**

CALL TO ORDER

Chairman Bedsole called the regular meeting of the City of Winter Garden Planning and Zoning Board to order at 6:50 p.m. in City Hall Commission Chamber. The invocation was given following by the Pledge of Allegiance. The roll was called and a quorum was declared present.

PRESENT: Chairman Larry Bedsole, Board Members; Colin Sharman, Minister Xerxes Snell, Mac McKinney, and Bob Buchanan. Also present were City Attorney Frank Bedell, City Manager Mike Bollhoefer, City Planner Mark Cechman, Senior Planner Kelly Randall, Planner Brandon Byers, Planning Technician Lauren Simmons and Planning Technician Lorena Blankenship.

ABSENT: Board Members Tina Aldrich and Bea Deariso

APPROVAL OF MINUTES: Regular meeting held December 05, 2005

Motion by Bob Buchanan to approve the above minutes. Seconded by Mac McKinney, the motion carried unanimously 5-0.

NEW BUSINESS

Variances and Special Exception Permits

1. 214 2nd Street

Planning Technician Simmons presented the Board with a request for approval of a 2 foot side setback variance for property located at 214 2nd Street, to allow the applicant to maintain a previously constructed un-permitted addition. City Staff has reviewed the application and recommends approval.

Motion by Mac McKinney to approve the 2 foot side setback Variance. Seconded by Bob Buchanan, the motion carried unanimously 5-0.

2. Foundation Academy at Tilden Road – Special Exception Permit

Senior Planner Randall presented the Board with a request for approval of a Special Exception Permit for the Foundation Academy campus located at Tilden Road and Avalon Road. Ms. Randall explained that this property received approval of Special Exception Permit on 2002, but it expired after six months. City Staff has reviewed the subject application and recommends approval with the conditions included in the agenda package and the additional condition that the applicant enters into a Development Agreement with the City that addresses the following: the intersection improvements; the extent and timing of improvements to Mann Road; the provision of utilities to the site; and the funding of these improvements.

Bob Buchanan asked if the current request has been thoroughly reviewed and asked if the applicant will come back before the Board for approval of site plans. Senior Planner Randall responded affirmatively.

Colin Sherman asked about when the applicant will be informed of what their contribution to road improvements will be. Senior Planner Randall responded that City Staff met with the applicant today and they have been working on the Development Agreement for approximately two years. She stated that the Development Agreement should be presented before the City Commission very soon.

Motion by Bob Buchanan to approve the Special Exception Permit with City Staff conditions (see attached). Seconded by Minister Snell, the motion carried unanimously 5-0.

3. Avalon Townhomes - Special Exception Permit

Senior Planner Randall presented the Board with a request for approval of a Special Exception Permit and a preliminary plat for a 138 unit townhome development, which is part of the Avalon Reserve PUD (Planned Urban Development), located approximately 315 feet north of the northwest corner of Avalon Road and Marsh Road. The PUD requires that prior to receiving approval of the preliminary plat, the applicant must receive approval of a Special Exception Permit. City Staff has reviewed the application and recommends approval with the conditions included in the agenda package and the additional conditions that this project shall be required to participate in the City's final solution to provide the needed improvements to C.R. 545, and that the townhomes must be constructed as designed in the architectural plans.

Randy June, 310 South Dillard Street, Winter Garden, approached the Board to answer questions. Chairman Bedsole asked about the access road connecting the development to the adjacent commercial area. Mr. June responded that the access road was one of the requirements stated on the PUD.

Motion by Bob Buchanan to approve the Special Exception Permit and the Preliminary Plat with City Staff conditions (see attached). Seconded by Minister Snell, the motion carried unanimously 5-0.

4. Strates Fair Outdoor Event - Special Exception Permit

City Planner Cechman presented the Board with a request for approval of a Special Exception Permit for an outdoor carnival event consisting of rides, games and food concessions on property located near the southwest corner of E. Plant Street and the Western Beltway (S.R.429). City Staff recommends approval with the condition that the applicant must provide City Staff with site plans that answer the questions provided in Assistant to the City Manager Marshall Robertson's letter dated November 1, 2005, and the condition that each event must receive City Commission approval.

Chairman Bedsole asked about the number of events per year. Mr. Cechman responded that will be only one event a year, the Strates Carnival. Minister Snell inquired about the number of days of the event. Mr. Cechman responded that would be nine to ten days.

George Weston, 10600 South Orange Avenue, general manager for Strates Shows, approached the Board and stated that they successfully held two events in another location in Winter Garden, and they desire to use the subject property for their coming event during the fall of 2006.

Bob Buchanan asked if the subject event was separate form the Central Florida Fair. Mr. Weston responded affirmatively, and stated that the Central Florida Fair will hold their event on May, 2006.

Mac McKinney asked about the size of the area to be used for the event, Mr. Weston responded that will be 15 to 20 acres of land.

Motion by Colin Sharman to approve the Strates Fair Outdoor Event with the City's conditions (see attached). Seconded by Mac McKinney, the motion carried unanimously 5-0.

Annexations and Rezoning

5. New Hope Primitive Baptist Church - Rezoning

Planner Byers presented the Board with a request for approval of Ordinance 06-01; rezoning 2 acres of land located at 942 W. Story Road from R-2 to R-1B. He reminded the Board that at the December Planning and Zoning meeting, this property received approval of rezoning from R-2 to R-1 (85' wide lots), and explained that the applicant has since signed a contract to sell the property to a single-family home developer, who wishes to have slightly smaller lots under the R-1B zoning category (75' wide lots), since they will lose land to the required subdivision road and retention ponds. City Staff has reviewed the application and recommends approval.

Chairman Bedsole asked about the number of homes that could be built on the subject property. Planner Byers responded probably five or six.

Motion by Colin Sharman to approve Ordinance 06-01, Rezoning from R-2 to R-1B. Seconded by Minister Snell, the motion carried unanimously 5-0.

6. Hickory Hammock PUD - Rezoning

City Planner Cechman explained that the subject request is for approval of a PUD (*Planned Urban Development*) for Hickory Hammock, property located on the west side of C.R. 545 and along Johns Lake. Mr. Cechman stated that this property was annexed into the City about a year ago, and that since there were not any school sites in the area, the developer was requested to provide Orange County Public Schools with some property for schools. At this time the developer has purchased property south of Tilden Road and is providing Orange County Public Schools with enough property for an Elementary School and a Middle School, in exchange for receiving development credits for the school impact fees. City Planner Cechman informed the Board that the applicant is also willing to contribute to the improvements to C.R. 545, which is one of the conditions of approval, along with the rest of the City Staff conditions included in the agenda package. The Board Members were provided with a copy of the Hickory Hammock Vision Book, which City Staff desires to include as part of the attachments to the PUD rezoning.

Kimball Woodbury, 255 Alhambra Circle, Suite 325, Coral Gables, Florida, Managing Director for SouthStar Development Partners, approached the Board and introduced Brenda Yates, Donald McIntosh, David Kelly, and Gordon Pfserich. Mr. Woodbury gave a brief history of the property, stating that the proposed project includes a total of 500 mixed units, townhomes and single family homes. He also presented the Board with a Power Point presentation identifying elements from the site plan, such as the entrances, the streetscape, the amenities, the green areas, the nature trails, the recreation area, and the club house. The Power Point presentation also included graphics of the different lot sizes, the home elevations, the architectural styles, and photographs of other SouthStar developments with architectural styles and elevations similar to the proposed ones for the Hickory Hammock site.

Chairman Bedsole inquired about the size of the property being rezoned to PUD. Mr. Woodbury responded that the total acreage of the property is 850 acres, but includes a lot of lake bottom. He stated that the developable area is 232 acres.

The Board Members, Mr. Woodbury, and City Planner Cechman further discussed issues concerning traffic concerns, future development, height of the homes, and the applicant's contribution to the improvements on C.R. 545.

Motion by Minister Snell to approve Ordinance 06-05, Rezoning to PUD with City Staff conditions, including that this project shall be required to participate in the City's final solution to provide the needed improvements to C.R.545 that may include

payments in addition to the City's transportation impact fees (see attached). Seconded by Bob Buchanan, the motion carried unanimously 5-0.

Site Plans

7. 350 E. Crown Point Road (Apex Commercial Center)

Senior Planner Randall presented the Board with a request for approval of a site plan for a 35,446 square foot commercial building located at 350 E. Crown Point Road, the Apex Commercial Center. City Staff has reviewed the application and recommends approval with the conditions included in the agenda package.

Chariman Bedsole inquired about the future improvements to East Crown Point Road. Planner Randall responded that the applicant is required to provide the City with a Bond or Letter of Credit to construct the widening of East Crown Point Road, and explained that the City is working on some multi-jurisdictional issues related to the road.

Bob Buchanan asked if the construction of an access road behind the subject project was being considered. Senior Planner Randall responded negatively.

Motion by Bob Buchanan to approve the Site Plan with City Staff conditions (see attached). Seconded by Colin Sharman, the motion carried unanimously 5-0.

8. 1106 Brick Road (Atlantic Surveying)

Planner Byers presented the Board with a request for site plan approval for 1106 Brick Road, for conversion of a house to a professional office. He explained that the Board granted a Special Exception Permit for the subject property, but the owner was required to complete the paving and drainage improvements required by Code. City Staff has reviewed the application and recommends approval with the conditions included in the agenda package.

Motion by Colin Sharman to approve the Site Plan with City Staff conditions (see attached). Seconded by Minister Snell, the motion carried unanimously 5-0.

Plats

9. Walkers Grove Pre-Plat

City Planner Cechman presented the Board with a request for approval of a preliminary plat for a 54 unit townhouse project located at the southeast corner of West Bay Street and Brayton Road. City Staff has reviewed the application and recommends approval with the conditions included in the agenda package, to include that no trees may be removed without a tree removal permit issued by the Building Official.

Paul Sexton, 232 South Dillard Street, Winter Garden, approached the Board and explained details of the proposed project and asked the Board to approve the subject project.

Motion by Minister Snell to approve the Preliminary Plat with City Staff conditions (see attached). Seconded by Colin Sharman, the motion carried unanimously 5-0.

10. Oakland Park Pre-Plat

City Planner Cechman stated that the subject project received approval of a PUD during the summer of 2005, and the applicant is now requesting approval of the preliminary plat. City Staff has reviewed the application and recommends approval with the conditions included in the agenda package.

Motion by Bob Buchanan to approve the Preliminary Plat with City Staff conditions (see attached). Seconded by Mac McKinney, the motion carried unanimously 5-0.

Miscellaneous

City Planner Cechman stated that since the Code Enforcement Board has switched their meeting date, the Planning and Zoning Board can change the meeting time from 6:45 to 6:30.

A discussion concerning the meeting time for the Planning and Zoning Board took place along the Board Members and it was decided that starting in February, 2006 the new meeting time will be at 6:30 p.m.

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:41 p.m.

APPROVED:

ATTEST:

Chairman Larry Bedsole

Planning Technician Lorena Blankenship