THE CITY OF WINTER GARDEN

PLANNING & ZONING BOARD AGENDA

CITY COMMISSION CHAMBERS/ 251 W. PLANT ST.

REGULAR MEETING May 5, 2008 6:30 P.M.

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1. Call to Order
2. Roll Call and Determination of Quorum
3. Approval of minutes from the April 7, 2008 meeting – Attachment 1

Variances & Special Exception Permits (all Public Hearings)

4. 671 Business Park Blvd Variances – Attachment 2
5. 535 North Main Street Variances – Attachment 3
6. 1627 Charlemagne Court Setback Variance – Attachment 4
7. Roper YMCA Special Exception Permit – Attachment 5
8. Budget Car Rental Special Exception Permit – Attachment 6

Variance Extension (no Public Hearings)

9. 238 N. Highland Setback Variance – Attachment 7

Lot Split (no Public Hearings)

10. 1225 N. West Crown Point Road Lot Split – Attachment 8
11. Windward Cay Phase 3 Lot Split – Attachment 9

Rezoning (all Public Hearings)

12. Apex Commerce Center PCD Rezoning – Attachment 10

Miscellaneous (no Public Hearings)

13. Evaluation and Appraisal Report (EAR) for City's Comprehensive Plan – Attachment 11

Any and all objections will be heard at this time and if no valid objections are presented to the contrary consideration will be given for granting this request. You are advised that if a person decides to appeal any decision made with respect to any matter considered at such hearing, then they will need to ensure that a verbatim record of the proceedings is made which includes the testimony and evidence upon which the appeal is to be based.

THE CITY OF WINTER GARDEN

CITY PLANNING AND ZONING BOARD AGENDA ITEM

ATTACHMENT 2 (Public Hearing)

Date: May 1, 2008 **Meeting Date:** May 5, 2008

Subject: 671 Business Park Blvd

Issue: Request for approval of 6 foot front yard setback variance for property located at 671 Business Park Blvd. If approved, this variance will allow the property owners to construct an entry feature on the front of the existing buildings.

Supplemental Material/Analysis:

Owner/Applicant Armstrong Air and Heating of Central FL, Inc.
Email: www.armstongairinc.com

Zoning: I-2 (requires 50 foot front yard setback)

FLU: Industrial

Summary: The property owner is requesting a 6 foot front yard setback variance to construct an entry feature on the existing warehouse building for property located at 671 Business Park Blvd.

The City Code states that, *"A variance may be granted from land development regulations by the planning and zoning board if the planning and zoning board concludes that literal enforcement of the provisions of land development regulations would result in either practical difficulties (for setback and parking provisions) or unnecessary hardships (for all other land development regulations) for the property at issue."* The code also lists the following criteria that have to be addressed before a variance can be approved *Underlined are Staff's comments concerning this particular petition.*

(a) Granting the variance will not cause or allow interference with the reasonable enjoyment of adjacent or nearby property owners or negatively impact the standard of living of the citizens of the city;

The request is for a 6 foot front yard setback variance to build an entry feature as part of the renovation and improvement to the existing warehouse buildings. The entrance feature will improve

the aesthetics of the existing building and positively impact the standards of the surrounding properties. Granting approval of this request should not negatively impact the adjacent property owners.

(b) The variance will allow a reasonable use of the property, which use is not out of character with other properties in the same zoning category;

The proposed entry feature and warehouse improvements are in character with the adjacent properties and Industrial zoning category.

(c) In the context presented, strict compliance with the land development regulation will not further any legitimate city objective or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under this criteria if the variance were denied;

Strict compliance with the land development regulations will not further any legitimate City objective.

(d) The granting of the variance is consistent with the city's comprehensive plan; and

(e) The variance requested is the minimum variance that will make reasonable use of the land, building, or structure or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under these criteria if the variance were denied.

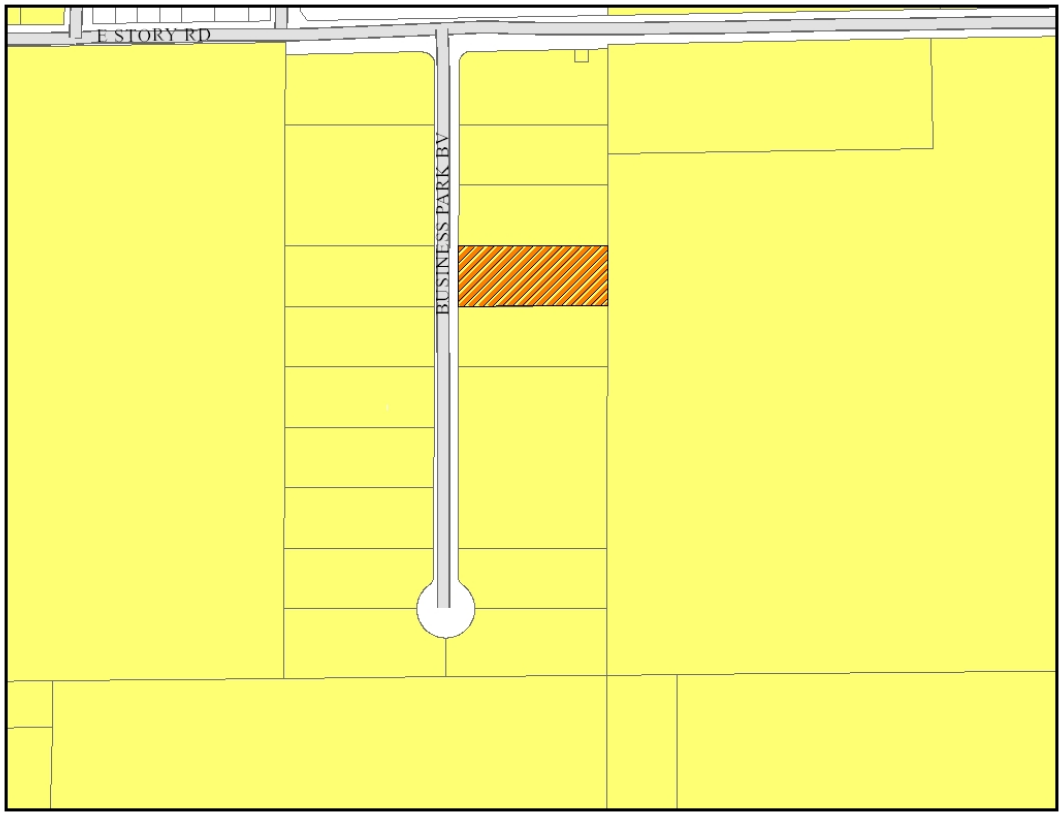
This variance is a minimal request. Granting this variance will make reasonable use of the land and may enhance the value of the property.

Staff Recommendation:

Staff recommends approval of the requested 6 foot front yard setback variance to allow construction of an entry feature as part of the building renovation and improvements to the existing warehouse buildings and with the condition that all existing junk vehicles, junk storage such as lawn mowers, lawn equipment, etc be removed from the property or stored inside the warehouse bays and that the property be cleaned up prior to the issuance of any building permits.

Next Step: If P& Z Board approves, clean up existing property conditions to staff's satisfaction and submit for small scale site plan approval.

671 Business Park Blvd



THE CITY OF WINTER GARDEN

CITY PLANNING AND ZONING BOARD AGENDA ITEM

ATTACHMENT 3 (Public Hearing)

Date: May 1, 2008 **Meeting Date:** May 5, 2008

Subject: 535 North Main Street

Issue: A request for the following variances:

-35' lot width variance
-3250 sq. ft. lot area variance
-5' side yard setback variance
-22' rear yard setback variance

Supplemental Material/Analysis:

Owner/Applicant: Kevin Michael

Zoning: R-1 (requires 85' x 100' lots with at least 10,000 sq. ft.)

FLU: Low Density Residential (LR)

Summary: On October 3, 2005, the applicant was granted the following variances and lot split for the property located on 535 N. Main Street:

Lot 186:
-15' lot width variance
-550' lot area variance
-2' side setback variance

Lot 185:
-35' lot width variance
-3250' lot area variance

The approved lot split created a new buildable lot of 50' x 135' for the vacant lot (Lot 185) and 70' x 135' for the existing lot (Lot 186).

The applicant had the following conditions attached to the approved variances:

1. The final design for the new house must have traditional downtown style of architecture such as front porches, framed windows, etc.
2. The size of the house must be greater than 1,400 s.f. and no more than 2,500 s.f.
3. At a minimum a front garage will need to be setback from the front house line by five feet. Ideally, the garage should be in the rear of the lot. If the garage is in the front, Staff suggests it is limited to a one car garage.

The applicant also received a 365-day variance extension on July 10, 2006. However, that extension expired prior to construction commencement. The applicant then received another variance on June 4, 2007. The applicant has since finalized a building plan for Lot 185. The proposed building plan desires a detached garage in the rear that will encroach into the setbacks. The house itself meets all the required setback requirements. Given that the applicant has met all the previous Planning & Zoning Board conditions, Staff does support their variance request.

The minutes from the October 3, 2005 minutes are as follows:

Variances

1. 535 N. Main Street – Lot Split and Variances

City Planner Cechman presented the Board with a request for a lot split and several variances for property located at 535 N. Main Street. He proceeded with a Power Point presentation identifying issues such as the property's size and location, zoning history of the site, development pattern of the neighborhood, and photographs of the existing structures on the property. City Planner Cechman explained that there is an existing house located on lot 186, which will remain on a 70 foot wide lot by 135 foot deep, and with an 8 foot wide side yard setback on the south side, and for that lot the applicant is requesting a 15 foot lot width variance, a 550 square feet lot area variance and a 2 foot side setback variance. If those variances are approved the remainder will become a buildable lot (lot 185) with dimensions of 50 feet wide by 135 feet deep. This new lot will need approval of a 35 foot lot width variance and a 3250 square foot lot area variance to construct a single family residence, which would meet the front, side and rear yard setbacks required by code. Mr. Cechman stated that City Staff has carefully reviewed the requests and has taken into consideration concerns such as the style of the house and the fact that the lot width is very narrow, and also if the applicant complies with the 10

foot side yard setback, the building footprint will be only 30 feet wide and if they built a garage in the front the building footprint of the house will be only 20 feet, but the applicant agrees to place the garage at the back. Mr. Cechman stated that the applicant has received support signatures from the neighbors concerning the variance petitions, and recommends approval of the lot split and the variances with the conditions that the final design for the new house must have traditional downtown style of architecture such as front porches, framed windows, etc; the size of the house must be greater than 1,400 s.f. and no more than 2,500 s.f; at a minimum a front garage will need to be setback from the front house line by five feet, ideally, the garage should be in the rear of the lot, and if the garage is in the front, City Staff suggests it is limited to a one car garage.

Chairman Bedsole expressed his disagreement with the option of having a one car garage, and stated that having the garage on the rear of the property seemed to be the most appropriate alternative.

Richard Mask noted that a large house would not harmonize with the character of the neighborhood and stated that it was important that City Staff monitors the house design.

Pam Phillips approached the board and stated that she resides at 535 N. Main Street, which is her childhood home. She stated that she was considering using one of the elevations from one of the model homes located at Winter Oaks subdivision, which she thought would be in harmony with the character of the neighborhood. Richard Mask asked Ms. Phillips if she was in agreement with City Staff conditions, Ms. Phillips responded affirmatively and stated that the garage on the rear of the property was the best alternative, but stated that she was not sure if she wanted a front porch.

City Manager Bollhoefer clarified that traditional downtown style consists of several architectural features and front porches are only an example o those features.

Dennis Turner, 512 N. Main Street, approached the board and stated that he was concerned about having a house in the neighborhood with 16 feet of garage and 4 feet of door. He stated that if a garage is allowed in the front, it should be a single car garage, or no more than 12 feet wide. Mr. Turner stated that if 10 foot side yard setbacks will be required the property owner will not be able to drive to the backyard and park the car, because there is not enough room on the side of the house. Mr. Turner suggested

that a side yard setback variance be granted, so a driveway can be built.

City Planner Cechman stated that City Staff has taken into consideration the side setback requirements, and perhaps if the new house is built closer to the existing house, it will provide a bigger space on the south side for a ribbon driveway. Ms. Phillips stated that since there is an oak tree on the south side of the property, the driveway has to go on the north side of the property.

Further discussion took place among City Planner Cechman, City Manager Bollhoeffer, board members and Ms. Phillips concerning the side yard setbacks and other possible options for the driveway on the new home, or the possibility of a side yard setback variance request. Ms. Phillips mentioned that perhaps she could use another house plan with smaller dimensions. City Planner Cechman explained that if necessary, the applicant may come back before the Board to request approval of another variance.

Motion by Richard Mask to approve the Lot Split and Variances with City Staff conditions (see attached). Seconded by Bea Deariso, the motion carried unanimously 5-0.

The City Code states that, *"A variance may be granted from land development regulations by the planning and zoning board if the planning and zoning board concludes that literal enforcement of the provisions of land development regulations would result in either practical difficulties (for setback and parking provisions) or unnecessary hardships (for all other land development regulations) for the property at issue."* The code also lists the following criteria that have to be addressed before a variance can be approved *Underlined are Staff's comments concerning this particular petition.*

(a) Granting the variance will not cause or allow interference with the reasonable enjoyment of adjacent or nearby property owners or negatively impact the standard of living of the citizens of the city;

Although generally Staff believes that the R-1 zoning district should be upheld where the character of the neighborhood consistently has 85' wide or larger lots, this section of Main Street was platted with 60' wide lots, and at least four of the houses on the block are constructed on 60' wide lots, including the two houses directly north of the subject property. Therefore, Staff believes that the proposed 70' wide and 50' wide lots are not out of character with the existing houses, and that due to the character of the neighborhood, and the quality of the houses proposed, the requested variances should not impact the standard of living or property values of the adjacent or nearby neighbors.

(b) The variance will allow a reasonable use of the property, which use is not out of character with other properties in the same zoning category;

As previously stated the character of the neighborhood, although zoned R-1, is such that smaller lots would not be inconsistent with the area. In addition, the proposed single-family house is consistent with the intent of the R-1 zoning code.

(c) In the context presented, strict compliance with the land development regulation will not further any legitimate city objective or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under this criteria if the variance were denied;

Strict compliance with the zoning regulations will not further any legitimate City objective, and the benefits in tax value and raising the value of the properties in the area with a well-constructed new home, could outweigh any negative effects.

(d) The granting of the variance is consistent with the city's comprehensive plan; and

The variance is consistent with the provisions of the City's Comprehensive Plan relating to single-family neighborhood character.

(e) The variance requested is the minimum variance that will make reasonable use of the land, building, or structure or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under these criteria if the variance were denied.

The variance requested is reasonable considering the proposed should not significantly impact the adjacent neighbors and will create an opportunity for further development and an increase in property values in this neighborhood.

Staff Recommendation:

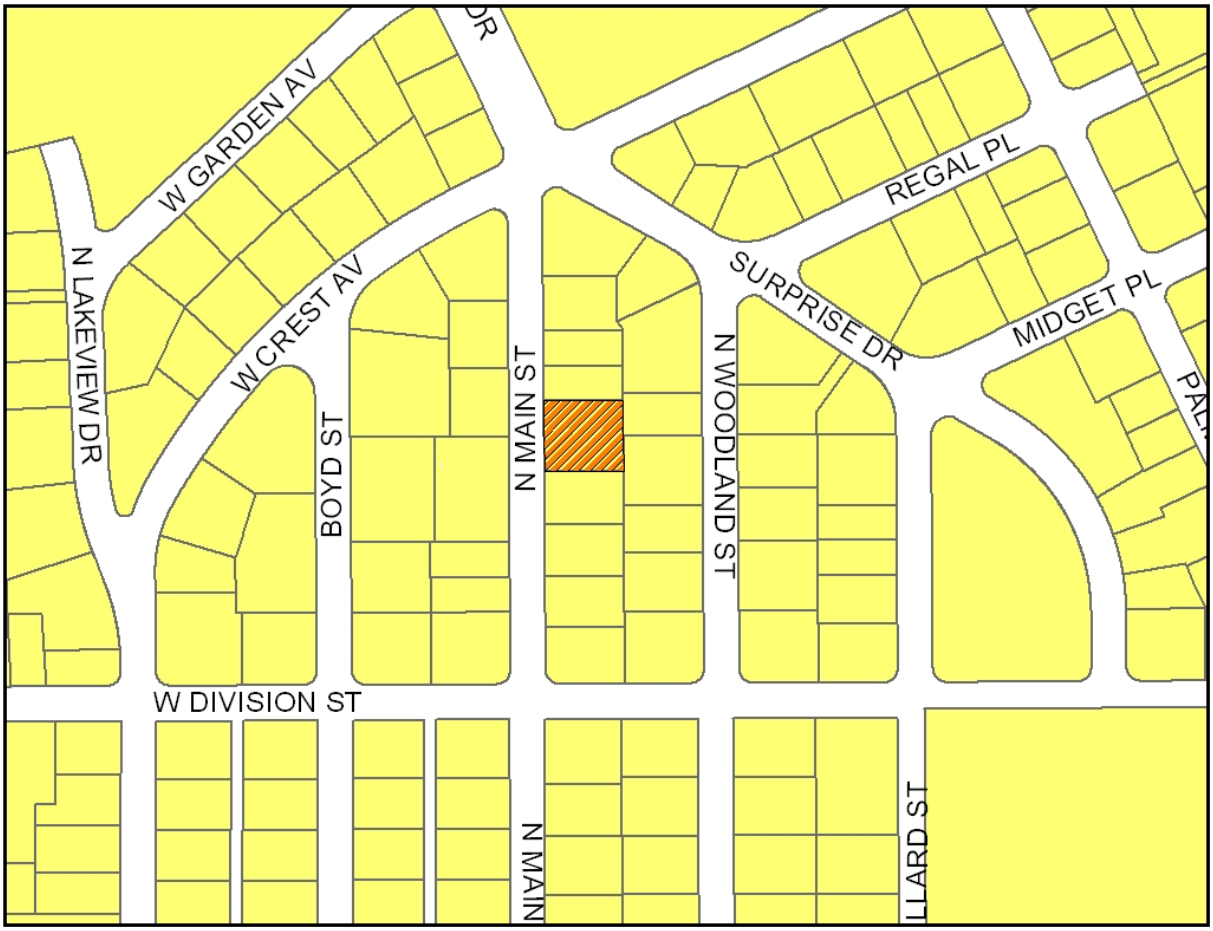
Staff recommends approval of the variance for the property located on 535 N. Main Street with the following conditions:

1. The final design for the new house must be similar in design to the drawings submitted with the variance request.
2. Prior to the start of construction, the applicant must provide evidence that the previously approved lot split was filed with the Orange County Property Appraiser's office.

Next Step:

Apply for building permits and commence construction. If applicant has not filed the previously approved lot split with the Orange County Property Appraiser's office, then that will need to be completed as soon as possible.

535 North Main Street



THE CITY OF WINTER GARDEN

CITY PLANNING AND ZONING BOARD AGENDA ITEM

ATTACHMENT 4 (Public Hearing)

Date: May 1, 2008 **Meeting Date:** May 5, 2008

Subject: 1627 Charlemagne Court

Issue: Request for a 7' rear yard setback variance to allow the property owners of 1627 Charlemagne Court to build an addition to their single-family home.

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Supplemental Material/Analysis:

Owner/Applicant: Clifford Woodard Email: peytonfsu@yahoo.com

Zoning: R-1

FLU: Low Density Residential (LR)

Summary: The applicant is requesting approval of a 7' rear yard setback variance to build an addition to their single-family home.

The City Code states that, *"A variance may be granted from land development regulations by the planning and zoning board if the planning and zoning board concludes that literal enforcement of the provisions of land development regulations would result in either practical difficulties (for setback and parking provisions) or unnecessary hardships (for all other land development regulations) for the property at issue."* The code also lists the following criteria that have to be addressed before a variance can be approved *Underlined are Staff's comments concerning this particular petition.*

(a) Granting the variance will not cause or allow interference with the reasonable enjoyment of adjacent or nearby property owners or negatively impact the standard of living of the citizens of the city;

Staff believes that this variance request will not negatively affect any adjacent property owners. There is an existing fence in the rear yard which should help screen the addition.

(b) The variance will allow a reasonable use of the property, which use is not out of character with other properties in the same zoning category;

Variances of this nature have been approved by the Planning & Zoning Board in the past. This small addition is not out of character with the surrounding neighborhood or zoning category.

(c) In the context presented, strict compliance with the land development regulation will not further any legitimate city objective or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under this criteria if the variance were denied;

Strict compliance with the zoning regulations will not further any legitimate City objective.

(d) The granting of the variance is consistent with the city's comprehensive plan; and

The variance is consistent with the provisions of the City's Comprehensive Plan relating to single-family neighborhood character.

(e) The variance requested is the minimum variance that will make reasonable use of the land, building, or structure or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under these criteria if the variance were denied.

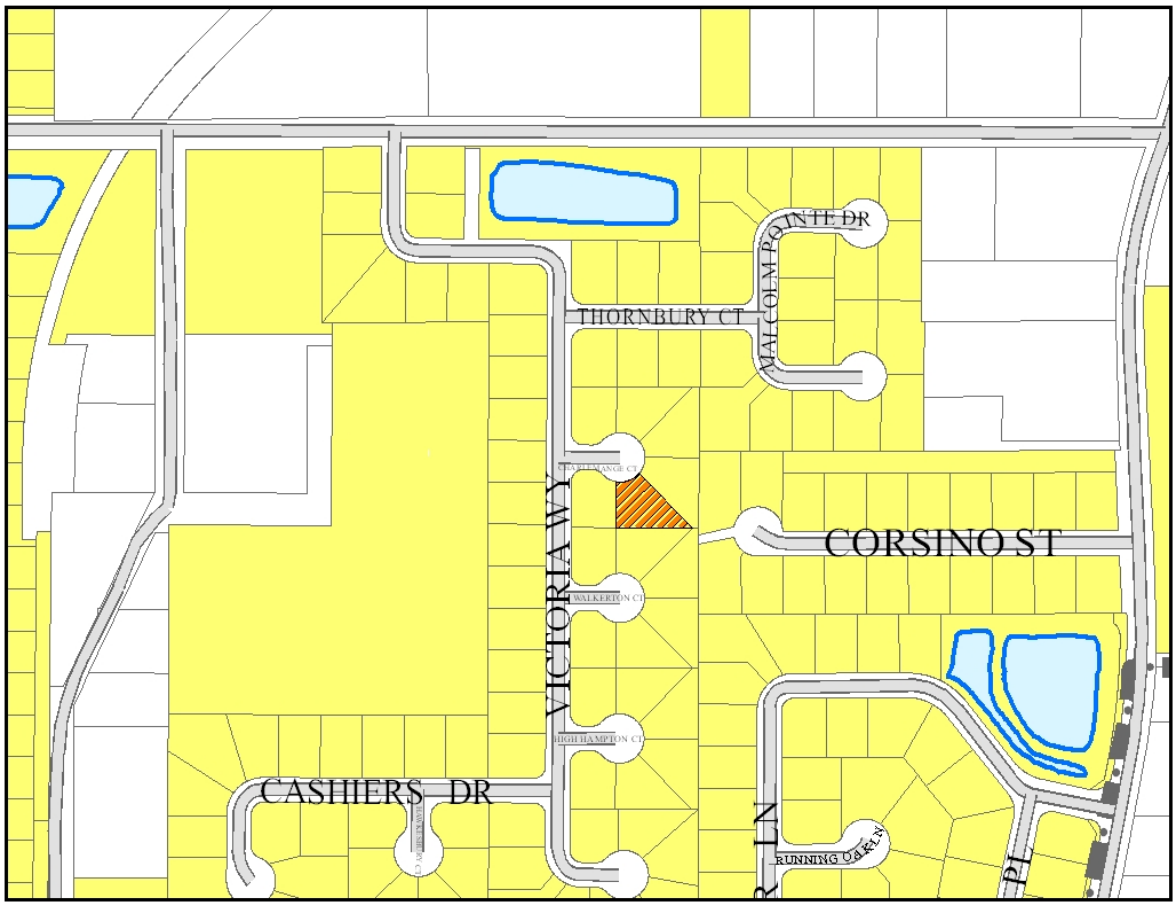
The variance requested is reasonable and minimal.

Staff Recommendation:

Staff recommends approval of the 7' rear yard setback variance to build an addition to their single-family home.

Next Step: Apply for building permits and commence construction.

1627 Charlemagne Court



THE CITY OF WINTER GARDEN

CITY PLANNING AND ZONING BOARD AGENDA ITEM

ATTACHMENT 5 (Public Hearing)

Date: May 1, 2008 **Meeting Date:** May 5, 2008

Subject: Roper YMCA (100 Windermere Road)

Issue: Request for approval of a special exception permit to allow the property owners to build an addition to their existing recreational facility.

Supplemental Material/Analysis:

Owner/Applicant: Ken Strong Email: kstrong@theevansgroup.com

Zoning: R-1

FLU: Low-Density Residential

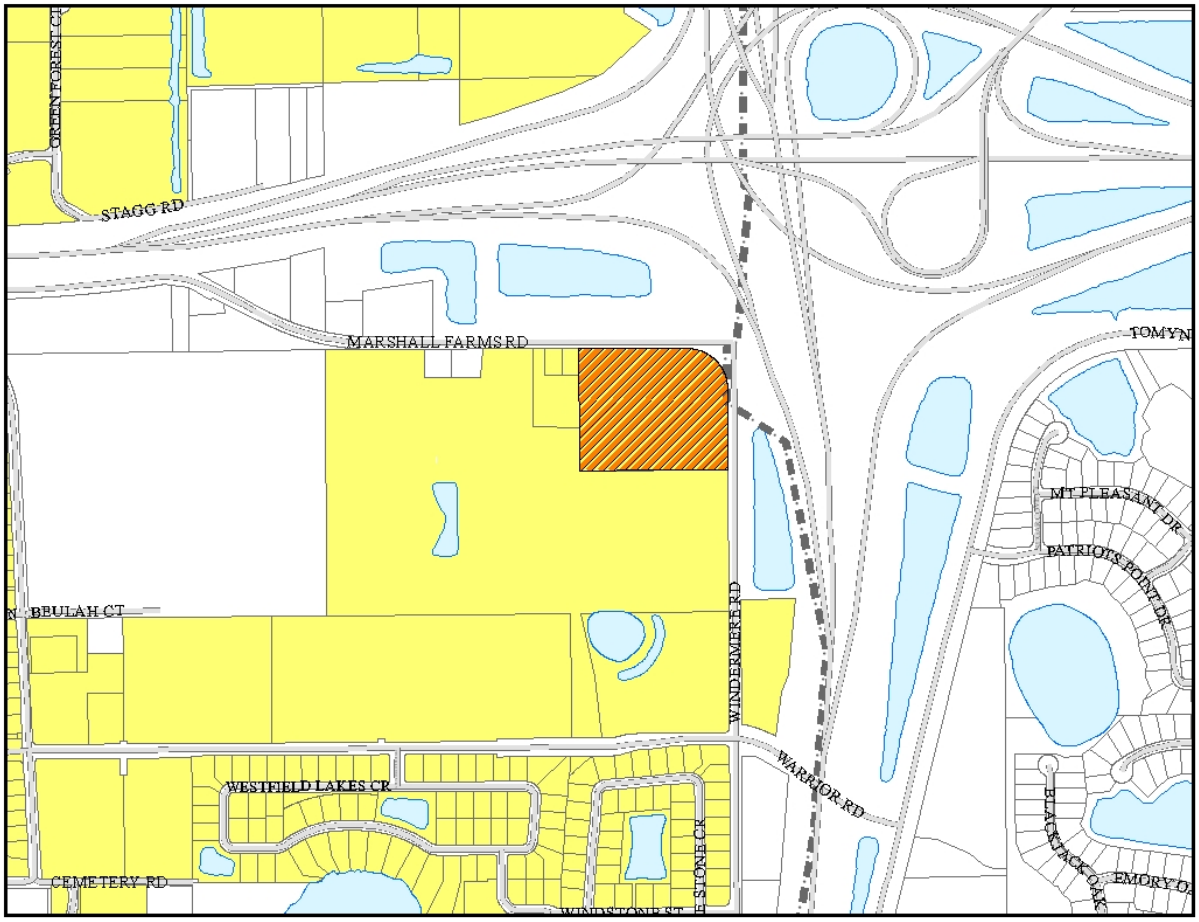
Summary: The applicant is requesting approval of a special exception permit to build an addition to their existing recreational facility.

Staff Recommendation:

Staff recommends approval of the special exception permit to build an addition to their existing recreational facility with the conditions in the Engineering Department's memo dated April 15, 2008.

Next Step: Schedule the pre-construction meeting.

Roper YMCA



GREEN FOREST CT
STAGG RD
MARSHALL FARMS RD
TOMYN
MT PLEASANT DR
PATRIOTS POINT DR
BEULAH CT
WINDERMERE RD
WARRIOR RD
WESTFIELD LAKES CR
CEMETERY RD
BLACKJACK OAK
EMORY O

THE CITY OF WINTER GARDEN

CITY PLANNING AND ZONING BOARD AGENDA ITEM

ATTACHMENT 6 (Public Hearing)

Date: May 1, 2008 Meeting Date: May 5, 2008

Subject: Budget Car Rental Special Exception Permit

Issue: Request approval of a Special Exception Permit for the property located at 13105 W. Colonial Drive, K-Mart Plaza. This Special Exception Permit will allow the applicant to provide car, and suv/pick up truck rental services at the existing retail shopping center. The applicant will have a small kiosk office located inside the K-Mart Store.

Supplemental Material/Analysis:

Owner/Applicant: Mary Beth White, Budget Car Rental
Email: Marybeth.white@cendant.com

Zoning: C-2 (requires Special Exception Permit for automobile sales and service)

FLU: Commercial

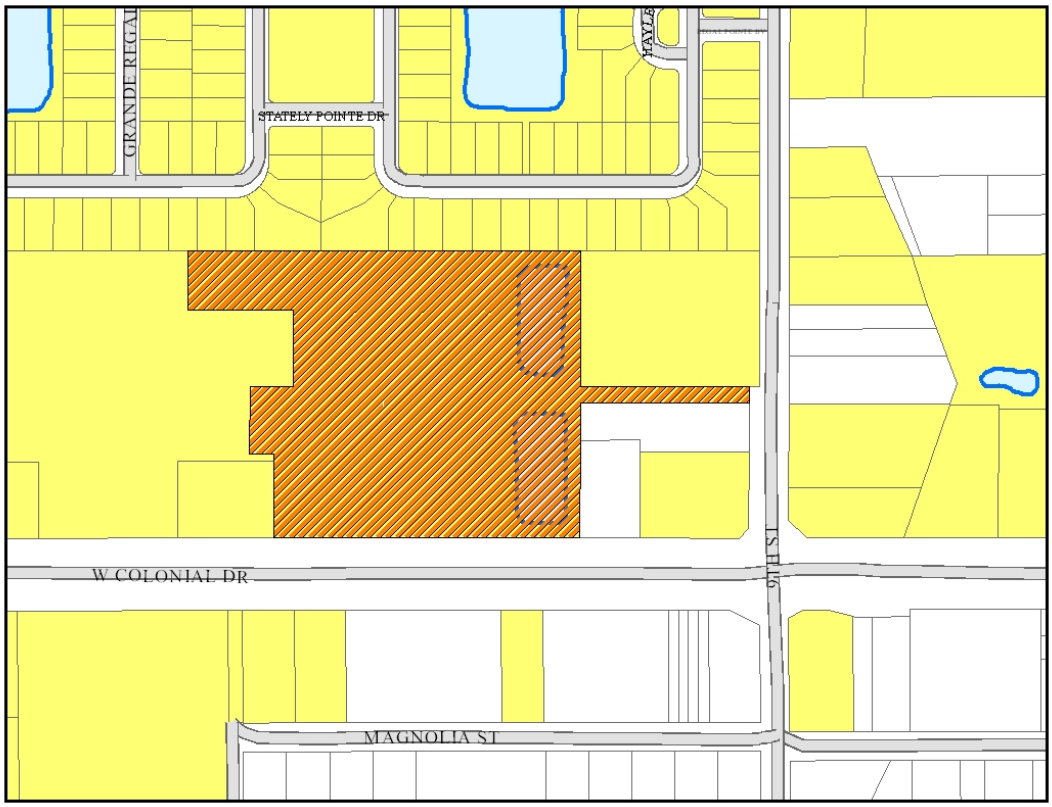
Staff Recommendation:

Staff recommends approval of the Special Exception Permit with the following conditions:

1. Maximum of 10 vehicles allowed on site at any time.
2. All parked vehicles must be parked in one of the 10 dedicated Budget Car Rental parking spaces. Parking of rental vehicles in other dedicated customer parking spaces is not allowed at this location.
3. Applicant may only provide rental services for cars, pickup trucks and sport utility vehicles. Rental services for large trucks, u-hauls, and vans will not be allowed at this site.
4. No additional signage will be allowed at this site unless K-Mart reduces/eliminate some of their existing signage. All new signage must comply with City Code Section 118.1430.

Next Step: If P & Z approves, apply for Small Site Plan review and approval for designated parking.

13105 W. Colonial Drive, K-MART PLAZA



THE CITY OF WINTER GARDEN

CITY PLANNING AND ZONING BOARD AGENDA ITEM

ATTACHMENT 7 (No Public Hearing)

Date: May 1, 2008 **Meeting Date:** May 5, 2008

Subject: 238 N. Highland Avenue Variance Extension

Issue: Request for approval of a variance extension for 7 foot side yard (south) setback variance to build a detached garage and a request for an 8 foot side yard (south) setback variance to construct a carport for property located at 238 N. Highland Avenue.

Supplemental Material/Analysis:

Owner/Applicant: Andrew Crabtree (407) 538-8325

Zoning: R-2 (Requires a 10 foot side yard setback).

FLU: Low Density Residential

Summary: The property owners are requesting a variance extension for 7 foot side yard (south) setback variance to build a detached garage and an 8 foot side yard (south) setback variance to construct an attached carport on the south side of the existing single family home. The detached garage and open carport will be buffered from the neighbor's property with an existing 8 foot high fully grown hedge that is located on the neighbor's property.

The detached garage has already been constructed. However, the attached carport has not. The minutes from the May 7, 2007 meeting are as follows:

238 N. Highland Avenue

Planner McGruder presented the board with a request for 238 N. Highland Avenue, for approval of a 7 foot side yard (south) setback variance to allow the property owner to build a detached garage and an 8 foot side yard (south) setback to construct a carport. The applicant also owns the adjacent 60'X 120' parcel and he will be combining the parcels with Orange County Property Appraiser. City Staff reviewed the application and recommends approval.

Chairman Bedsole asked if the oak trees located on the rear of the property will be removed. Planner McGruder responded negatively.

Tina Aldrich asked if the existing shed located on the rear of the property will be removed. Planner McGruder responded affirmatively.

Motion by Tina Aldrich to approve the Variance, with the condition that the applicant will be combining the subject parcel with the adjacent parcel to the north. Seconded by Jerry Carris, the motion carried unanimously 6-0.

The City Code states that, *"A variance may be granted from land development regulations by the planning and zoning board if the planning and zoning board concludes that literal enforcement of the provisions of land development regulations would result in either practical difficulties (for setback and parking provisions) or unnecessary hardships (for all other land development regulations) for the property at issue."* The code also lists the following criteria that have to be addressed before a variance can be approved *Underlined are Staff's comments concerning this particular petition.*

(a) Granting the variance will not cause or allow interference with the reasonable enjoyment of adjacent or nearby property owners or negatively impact the standard of living of the citizens of the city;

The request is for a 7 foot side yard (south) setback variance to build a detached garage and a 8 foot side yard (south) setback variance to construct an attached open carport on the side of the existing single family residence. The proposed detached garage and open carport will be similar in architectural design and color to blend aesthetically with the principle building. This request should not negatively impact any of the adjacent property owners.

(b) The variance will allow a reasonable use of the property, which use is not out of character with other properties in the same zoning category;

The proposed 7 foot side yard (south) setback variance and 8 foot side yard (south) setback variance will allow the owners the ability to construct a detached garage and open carport and complete the proposed remodeling and improvements to the existing single family home. The single family residence is completely in character with the neighborhood and the zoning category.

(c) In the context presented, strict compliance with the land development regulation will not further any legitimate city objective or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under this criteria if the variance were denied;

Staff believes that strict compliance with the land development regulations will not further any legitimate City objective; and that the requested variances will allow the property owner to construct a home in keeping with the City's regulations concerning single-family dwelling units.

(d) The granting of the variance is consistent with the city's comprehensive plan; and

The variance is consistent with the provisions of the City's Comprehensive Plan relating to single-family neighborhood character.

(e) The variance requested is the minimum variance that will make reasonable use of the land, building, or structure or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under these criteria if the variance were denied.

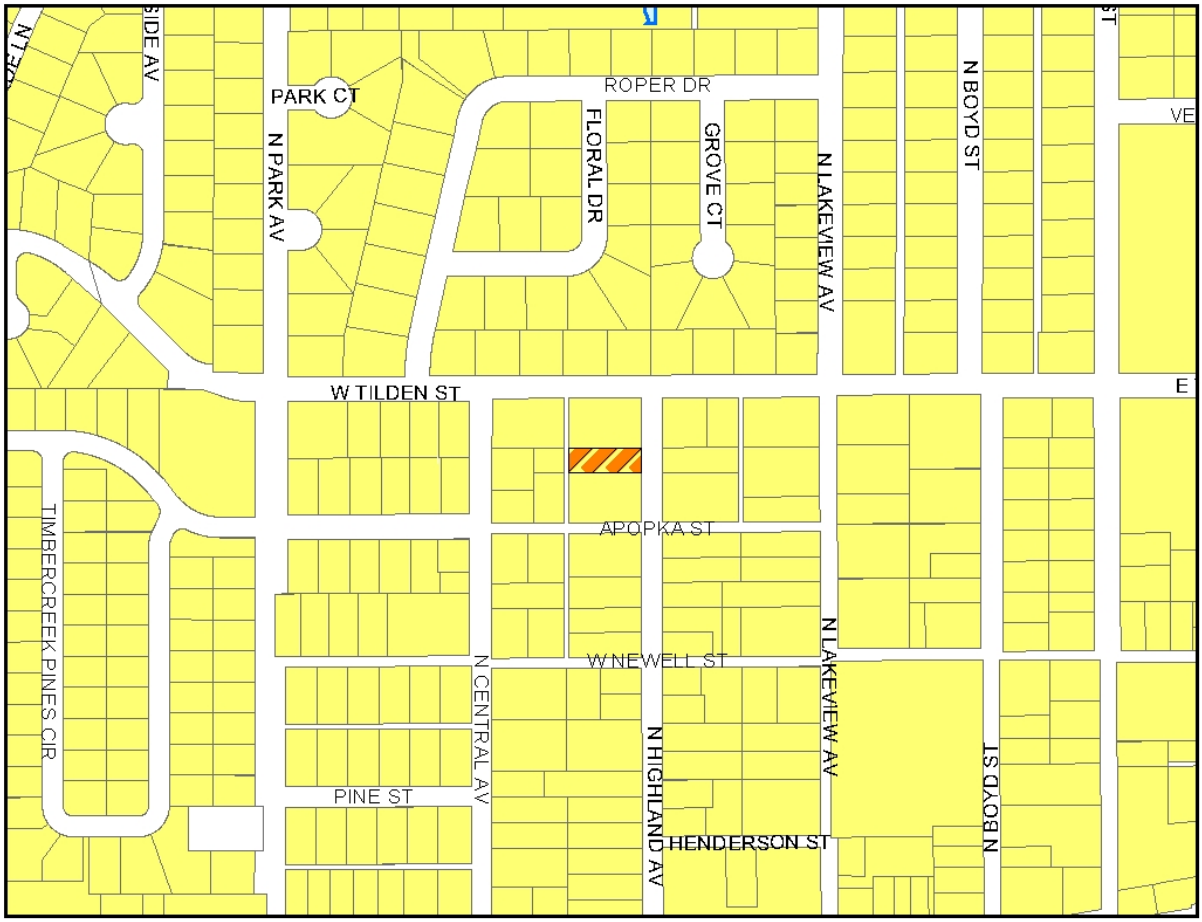
The variance is a minimal request, which will allow the property owner the ability to construct a reasonably sized detached garage and open carport on the south side of the of the existing single family home.

Staff Recommendation:

Staff recommends approval of the requested variance extension for a 7 foot side yard (south) setback variance to build a detached garage and 8 foot side yard (south) setback variance to construct an open carport on the south side of the existing single family home.

Next Step: If P& Z Board approves, submit for appropriate building permits.

238 North Highland Avenue



THE CITY OF WINTER GARDEN

CITY PLANNING AND ZONING BOARD AGENDA ITEM

ATTACHMENT 8 (no Public Hearing)

Date: May 1, 2008 **Meeting Date:** May 5, 2008

Subject: 1225 N. West Crown Point Road Lot Split

Issue: Applicant is requesting a lot split that will subdivide the property into two 190'x162' buildable lots.

Supplemental Material/Analysis:

Owner/Applicant: Maria Cisneros (321) 231-8774

Zoning: R-1 (Require a 85'x100' minimum lot dimensions)

FLU: Low Density Residential

Summary: Applicant is requesting a lot split for the subject property. The lot split will create two 190'x162' buildable lots. A single family home will be constructed on the lots in the future.

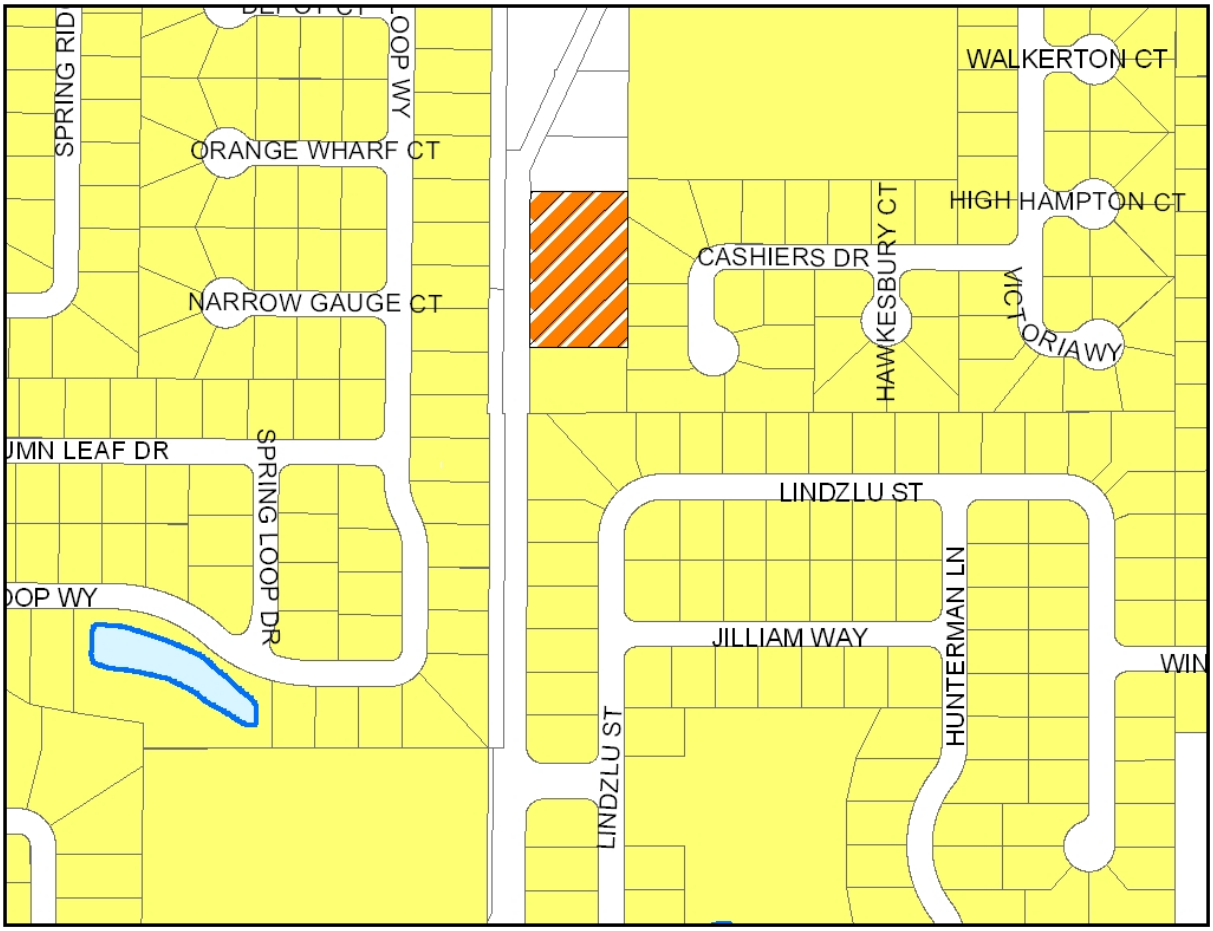
Staff Recommendation:

Staff recommends approval of the lot split to create two 190'x162' buildable lots.

Next Step:

Applicant needs to record the lot split with the Orange County Property Appraiser.

1225 N. West Crown Point Road



THE CITY OF WINTER GARDEN

CITY PLANNING AND ZONING BOARD AGENDA ITEM

ATTACHMENT 9 (no Public Hearing)

Date: May 1, 2008 **Meeting Date:** May 5, 2008

Subject: Windward Cay Phase 3

Issue: Applicant is requesting a lot split that will create a 122' x 127' commercial lot.

Supplemental Material/Analysis:

Owner/Applicant: Randy June Email: Randy@jec3.com

Zoning: PCD

FLU: Commercial

Summary: Applicant is requesting a lot split for the subject property.

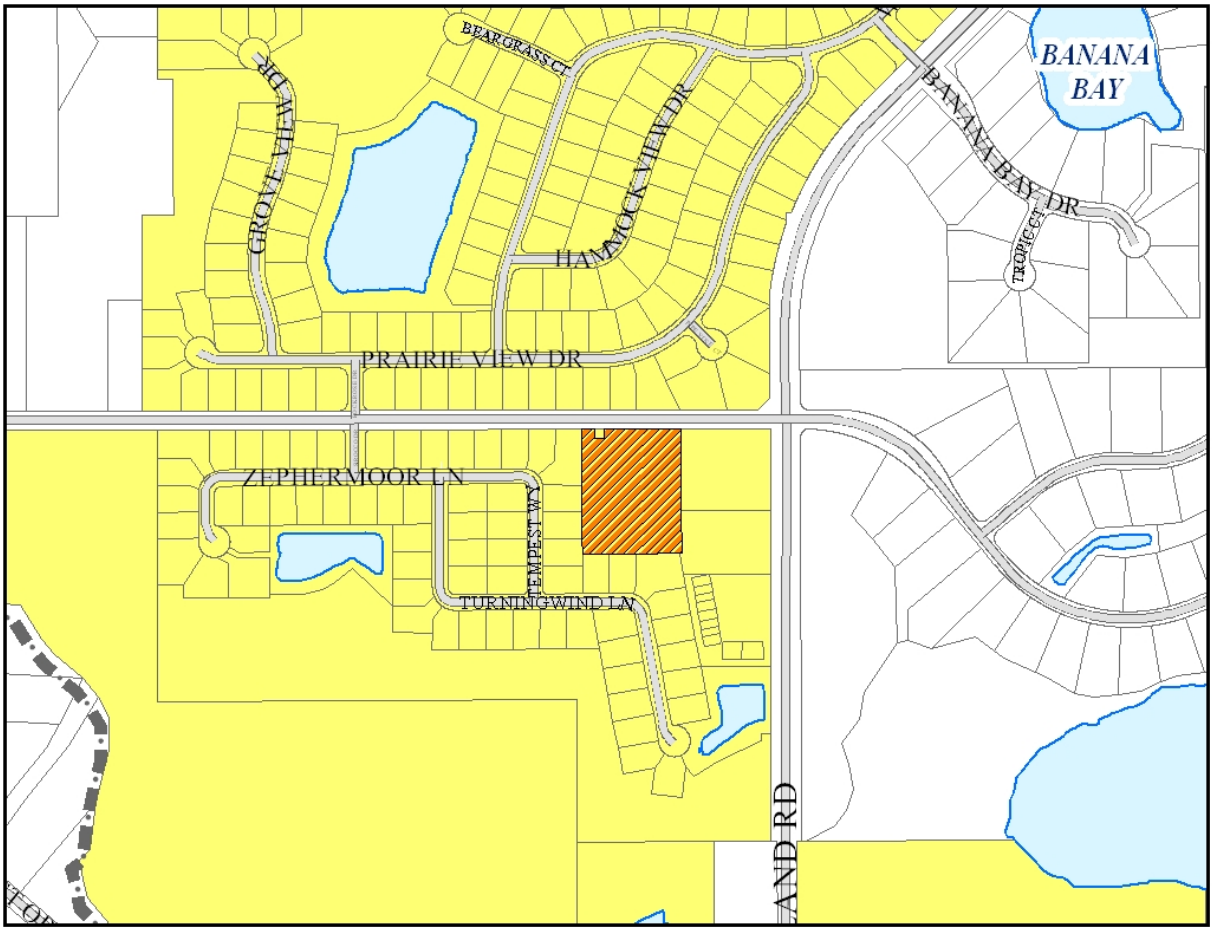
Staff Recommendation:

Staff recommends approval of the lot split with the conditions found in the Engineering Department memo dated April 30, 2008.

Next Step:

Applicant needs to record the lot split with the Orange County Property Appraiser.

Windward Cay Phase 3



THE CITY OF WINTER GARDEN

CITY PLANNING AND ZONING BOARD AGENDA ITEM

ATTACHMENT 10 (Public Hearing)

Date: May 1, 2008 **Meeting Date:** May 5, 2008

Subject: Apex Commerce Center Planned Commercial Development Rezoning

Issue: Request for approval of Ordinance 08-13, rezoning the subject property from City C-2 to City PCD for property located at 310, 330 & 350 East Crown Point Road.

Supplemental Material/Analysis:

Owner/Applicant: Yog Melwani Email: yog@apexdevelopment.net

Current Zoning: C-2

Proposed Zoning: PCD (Planned Commercial Development)

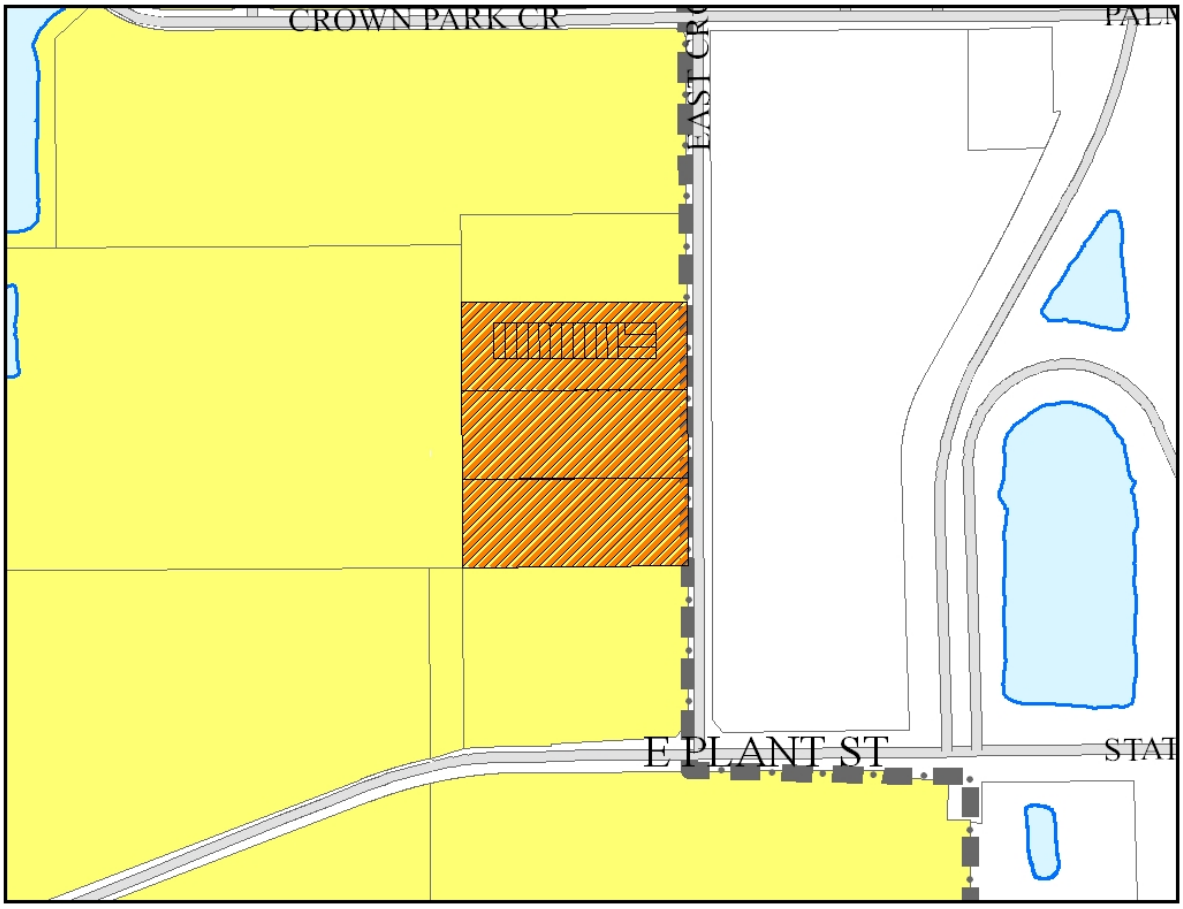
Summary: Applicant is requesting approval of Ordinance 08-13, rezoning the subject property from City C-2 to City PCD for property located at 310, 330 & 350 East Crown Point Road. Previously the site plan was approved by Planning and Zoning on December 4, 2006 and received City Commission approval on December 28, 2006. The applicant is not requesting any changes to the previously approved site plan; but only requesting to change the current City C-2 zoning to City Planned Commercial Development which allows some light manufacturing and light industrial uses.

Staff Recommendation:

Staff recommends approval of Ordinance 08-13 with the conditions in the site plan previously approved by the City Commission on January 26, 2006 and conditions of the Engineering Department's memorandum of December 9, 2005 for Lot 3, located at 350 E. Crown Point Road. Also, the site plan approved by the City Commission on December 26, 2006; and the conditions of the Engineer's Memo dated November 8, 2006 for Lots 1 & 2 located at 310 & 330 East Crown Point Road. .

Next Step: Tentatively scheduled for first reading at the May 22, 2008 City Commission agenda.

Apex Commerce Center



THE CITY OF WINTER GARDEN

CITY PLANNING AND ZONING BOARD AGENDA ITEM

ATTACHMENT 11 (Public Hearing)

Date: May 1, 2008 **Meeting Date:** May 5, 2008

Subject: Evaluation and Appraisal Report (EAR) for City's Comprehensive Plan

Issue: The City is in the process of preparing the EAR report for the City Comprehensive Plan. Attached is the drafted major issue list, the proposed schedule and a flow chart that outlines the process that will include workshops and public hearing. Staff will make a brief presentation at the meeting and answer questions.

City of Winter Garden
Evaluation and Appraisal Report

Major Issues List

Overview

The following is a list of the major issues for assessment in the City of Winter Garden Evaluation and Appraisal Report (EAR) of the Comprehensive Plan. Section 163.3191 (e) F.S. requires that the EAR include the identification of major issues, and where pertinent, the potential social, economic and environmental impacts. In addition, an assessment of the comprehensive plan objectives within each element as they relate to the major issues will be performed to present the level of achievement and identify action to address the issue.

1. **Mixture of uses in the Downtown Core**

There is a need to add more variety of uses in the Downtown area (i.e. different types of retail, office, residential, high tech business). This can be achieved by establishing a mixed, integrated land use category within the downtown and other designated areas in the CRA plan (2004 update).

2. **Redevelopment/Revitalization**

Redevelopment and revitalization of existing developed areas is crucial to maintain and enhance original developed areas in the City. Areas of the City where redevelopment and revitalization will be emphasized include:

- SR 50 overlay corridor
- Downtown Core
- East Winter Garden (CRA area)

3. **Transportation**

Evaluate both Land use and Multi-modal transportation options to minimize congestion on various roadways in the City. These Roadways include SR 50, Plant Street, Story Road, and Dillard Street (SR 537). The City will analyze the feasibility of establishing concurrency exception areas, long range concurrency management designations or other appropriate State authorized programs that link land use, transportation systems and appropriate infrastructure improvements.

4**. Activity Centers**

Identify important areas of the City that are the focal areas for diverse land use, promoting revitalization of underutilized property and for new and expanding businesses and employment centers in the City. Activity Center areas will be eligible for development bonuses and special reviews for designated targeted businesses as determined by the City. The comprehensive plan shall identify the necessary policies to develop a framework and identify the areas that will be designated Activity Centers. Potential areas include the Downtown Core, east Plant Street, SR 50 corridor and the Beltway Center.

5. **Residential Neighborhoods**

The City has a wide diversity of residential neighborhoods that have constructed over the past 60+ years. These involve both traditional and neo-traditional neighborhoods located throughout the City. Established neighborhoods need continuous physical investment to maintain integrity and values of neighborhoods. Also, well maintained neighborhoods promote infill development and redevelopment and help attract new businesses to the City. Redevelopment in targeted areas of the City will also lead to a variety of uses in immediate vicinity to older neighborhoods. The City will consider developing new land use categories with appropriate development standards and will encourage redevelopment where appropriate and protect viable neighborhoods.

Special Topics

Schools

The City will assess the efforts to coordinate future land uses and residential development with the capacity of public schools and establish population projections that support school capacity as planned by the Orange County School Board (OCPS) and provide assistance for the planning and siting of new schools.

Water Supply

The City of Winter Garden adopted the Water Supply plan in 2006. The City will evaluate the legislative changes made over the past few years since 2002 regarding the water supply requirements as well as the Wekiva Parkway Protection Act requirements in the Comprehensive Plan. The City as part of their consumptive use permit with SJRWMD has committed to expand reclaimed water use in the City. Additionally, the City will review storm water quality and determine consistency with the District's surface water improvement management (SWIM) program and environmental and consumptive use permitting rules.

City of Winter Garden
City Comprehensive Plan
Evaluation and Appraisal Report (EAR) Schedule

1. **Identification of Major issues- complete by April 14,2008**
2. **Send out agency invitation to Scoping meeting- by April 16,2008**
3. **Scoping Meeting- April 29,2008 (City Commission chambers 9-11 am)**
4. **Finalize Major issues list/Send out materials to P&Z Board**
5. **Planning & Zoning Workshop - May 5,2008 (Overview EAR process and review Major Issues list)**
6. **City Commission – May 22, 2008 Review and approve letter of understanding and authorize transmittal to DCA**
7. **Prepare EAR draft- (April-August) includes changes to and adding new policies**
8. **Hold Public workshop- September 8,2008 or September 15,2008 (either separate or with P&Z meeting)**
9. **P&Z (LPA) Public Hearing –October 6,2008 (Consider doing joint Ad)**
10. **City Commission Adoption of EAR (Do by Resolution)**
11. **Transit to DCA**
12. **DCA 90 days to determine if EAR is sufficient per 163.3191(2), F.S.**