



**A REGULAR MEETING MINUTES
PLANNING AND ZONING BOARD
JANUARY 9, 2012**

1. CALL TO ORDER/INVOCATION/PLEDGE OF ALLEGIANCE

Chairman James Gentry called the meeting of the City of Winter Garden Planning and Zoning Board to order at 6:30 p.m. in the City Hall Commission Chambers. The invocation was given followed by the Pledge of Allegiance.

2. ROLL CALL AND DETERMINATION OF QUORUM

The roll was called and a quorum was declared present.

MEMBERS PRESENT:

Chairman James Gentry, Vice-Chairman James Dunn, Board Members: Kent Horsley, Mac McKinney, Rohan Ramlackhan, and Eric Weiss.

STAFF PRESENT:

City Manager Mike Bollhoefer, City Attorney Kurt Ardaman, Community Development Director Ed Williams, Senior Planner Laura Smith, Senior Planner Stephen Pash, Planner I Alejandra Fazekas, and Administrative Specialist Corrina Williams.

MEMBERS ABSENT:

Mark Maciel (excused).

3. APPROVAL OF MINUTES

Approval of minutes from the regular meeting held December 5, 2011.

Motion by Kent Horsley to approve the above minutes, seconded by Rohan Ramlackhan, the motion carried unanimously 6-0.

VARIANCE (Public Hearing)

4. 953 Glenmeadow Drive

Planner I Alejandra Fazekas presented the Board with a request for approval of an accessory structure setback variance on the property located at 953 Glenmeadow Drive. The applicant requests to allow the construction of a 14' x 24' shed in the backyard, surrounding the

existing pool and several trees, of which the applicant would like to not have to remove. The application was previously submitted at the December 5, 2011 P & Z meeting but was tabled to allow the applicant to provide a revised survey to include the swimming pool. The present survey reflects the revisions requested. The applicant is requesting a 5' side yard setback in lieu of the 10' foot side yard setback requirement and a 5' rear yard setback in lieu of the 24' rear yard setback requirement for accessory structures over 160 square feet located in the R-1 residential zoning district. City staff recommends approval of a variance to Sections 118-1310(c)(2)(a) and 118-308 of the City Code to allow the construction of the shed. City staff also recommended landscaping requirements to offset the visual impact of the shed to the adjacent property located on the east side of the applicant's property.

Board had a general discussion to review alternate locations of the shed on the site but it was established that with the location of the pool and to prevent the removal of the existing trees, along with the condition that if the code is followed the shed would be too close to the principle structure.

Motion by Kent Horsley to recommend the project of 953 Glenmeadow Drive and variance as proposed to be approved and to include staff recommendations. Seconded by James Dunn, the motion carried unanimously 6-0.

ANNEXATION, REZONING AND FUTURE LAND USE AMENDMENTS (Public Hearing)

5. 13501 W. Colonial Drive

Senior Planner Stephen Pash presented the Board with a request for a voluntary annexation of an existing gas station/convenience store/window tinting business into the city located at the northwest corner of W. Colonial Drive and S. Dillard Street. The applicant also requests rezoning the property from C-1 (Orange County) to C-2 (Winter Garden), and changing the land use designation from Orange County Commercial to City of Winter Garden Commercial. This property lies within the West State Road 50(WSR50) Overlay District which has additional development standards, sign regulations, and landscaping requirements. Staff recommends the approval of Ordinance 12-04, Ordinance 12-05 and Ordinance 12-06.

Board had a general discussion regarding the existing signage which is not in compliance with City Code and the WSR50 Overlay District standards and is considered to be "grandfathered-in" until redevelopment or the owner presents an application for a new sign. The "grandfathered-in" status stays in effect with the sale of the property. City Staff is working with, and will continue to work with the Owner of the property, to bring the signage and any other elements up to City Code. The property Owner has demonstrated an ongoing willingness to work with City Staff to come into compliance.

Motion by James Gentry to approve Ordinance 12-04, Ordinance 12-05, and Ordinance 12-06 for the property located at 13501 W. Colonial Drive. Seconded by Rohan Ramlackhan, the motion carried unanimously 6-0.

6. 13036 Roper Road

Senior Planner Laura Smith presented the Board with a request to rezone 40.29 ± acres property located on Roper Road to R-1 City of Winter Garden zoning. Property is owned by Grace Church of Orlando, and was annexed into the City of Winter Garden in 2009 and assigned the future land use designation of low density residential in 2010. The property owner is proposing to construct a 22,100 square foot church on the 40.29± acre property, which contains approximately 24.9± acres of jurisdictional wetland. The proposed use of the property for a Church is not a permitted use in the R-1 zoning district but it is permitted by special exception, and the owner has submitted an application for a special exception permit which will be presented before the Board at the February 6, 2012 meeting if this rezoning application is approved by the City Commission. City staff has coordinated with the property owner to ensure that the wetlands on the property will be impacted to the least extent possible with any development of the property. City staff recommends the rezoning of the property to R-1.

Board had questions with regard to the capacity of the church and the traffic impact this development may have on Roper Road and Daniels Road. Senior Planner Smith advised that a traffic study would be required and would be addressed with the future applications for development which would be brought before the Board at a later date.

Board had a general discussion with regard to the jurisdictional wetlands on the property and what actions the City have and will take to ensure the preservation of the wetlands. Senior Planner Smith advised the Board that the applicant has been through the City's development review process and the Development Review Committee (DRC) has provided comments to the applicant advising that the City will not support any development of the property that could substantially or unnecessarily impact the jurisdictional wetlands. A clause for the preservation of the wetlands will be a stipulation in the special exception permit. It is determined that there are three upland areas on the property and the development is proposed to be on the far east side of the property. Future development for the other two areas located on the west side of the property, have not been proposed.

Motion by Kent Horsley to approve Ordinance 11-37 for the rezoning of the 40.29± acres located at 13036 Roper Road rezoning from City of Winter Garden N-Z to City R-1 Seconded by Mac McKinney, the motion carried unanimously 6-0.

PUD REZONINGS (Public Hearing)

7. Oakland Park, PUD Amendment

Senior Planner Laura Smith presented the Board with a request to amend the Oakland Park Planned Unit Development (PUD) Zoning Ordinance 05-26. The Oakland Park PUD is comprised of 189.9± acres located along Oakland Avenue east of the Town of Oakland and south of Lake Apopka. Ordinance 05-26 adopted the Oakland Park PUD concept plan which allowed for 575 dwelling units which equate to a gross 3.02 units per acre. The amendment is to increase the dwelling units to 610 resulting in an additional 35 dwelling units adjusting the gross units per acre to 3.21 units per acre. The owner/developer also request to amend the lot mixture approved by Ordinance 05-26 which included 5 single family detached lot types and 2 attached lot types. The amendment proposal includes 8 single family detached

lot types and 1 attached lot type. The townhomes, apartments, and live-work units originally established by Ordinance 05-26 will remain unchanged. The owner/developer is also requesting the phasing schedule established by Ordinance 05-26 to allow a new methodology of “transect zones”, which is a categorization system offering greater flexibility with citing the various lot types within the project as a whole. The owner/developer also requests the revision to the recreational amenities schedule. Ordinance 05-26 specified that each recreational amenity be completed by the time that the phase it is located within is 50% complete, and the “union club”, located on Lake Apopka was required to be completed by the 450th building permit issuance. The amendment removes the distinction for the “union club” and changes it to apply to the same criteria as all the other amenities. City staff has worked with the owner/developer to ensure the proposed amendment is consistent with the existing homes of the community, and that the architectural design criteria are maintained with from the original planned unit development concept plan and recommend the approval of the proposed PUD amendment, as it is consistent with the City’s Comprehensive Plan and the code of ordinances.

John Rinehart, of Castle & Cooke of Florida, 15241 E. Oakland Avenue, Winter Garden, Florida, applicant for the proposed amendment, approached the board to present a description of the project and discuss the market conditions that necessitated the changes to the project thereby initiating the request for a PUD amendment. Mr. Rinehart advised of a correction to Senior Planner Smiths presentation to that of the time frame conditions of the “union club” which Senior Planner Smith state 450th building permit issuance whereas; Mr. Rinehart stated it to be at the 150th building permit issuance. Mr. Rinehart also advised that to meet commitments to the new builders brought to the project they have proposed to build the “meadowmarsh park” facility this year, and then the “union club” park will fall into the phase it is a part of, with the exception of the swimming pool portion which is to also be completed this year.

Ann Ellis, 15136 Oakland Avenue, Winter Garden, Florida, provided public comment with regard to traffic impact from the density of the project. Based on the project was first approved with the intent to construct a road from west end of Oakland Park through to West State Road 50 to alleviate traffic on Oakland Avenue, and now it is no longer going to happen Ms. Ellis wanted clarification on what was the new intent of the City to manage the traffic along Oakland Avenue. City Manager, Mike Bollhoefer advised that the project will include a traffic light at the commercial center of the project, the intersection at Avalon Road and Plant Street will be modified to include additional turn lanes. City Manager Bollhoefer also clarified that it is not the City’s intent to widen Oakland Avenue so that the existing trees and the aesthetics along the road will remain as a complimentary feature for the City of Winter Garden.

Board had general discussion to further clarify the traffic issue and Mr. Rinehart presented, in addition to the intersection modifications the City Manager Bollhoefer explained, there are 25 cottage homes in the project which will have an additional exit across the trail and out onto Tildenville School Road. Mr. Rinehart presented that as the development continues, it will be the intent to have a network parallel to Oakland Avenue.

Tim Keating, 802 Tildenville School Road, Winter Garden, Florida, provided public comment with regard to the traffic impact and maintenance of Tildenville School Road. City Manager Bollhoefer advised the citizen that the City, along with the cooperation of Orange County will address the maintenance issues.

Board had general discussion to further clarify where the proposed additional lots would be located. Mr. Rinehart advised that the streets were shortened to allow the additional lots throughout the project and that there is not one designated area impacted by the new 35 lots.

Motion by James Dunn to approve Ordinance 12-08 with staff recommendations. Seconded by Rohan Ramlackhan, the motion carried unanimously 6-0.

8. Cantero Property, PUD

Senior Planner Laura Smith presented the Board with a request to rezone 37.8± acres of land, located on the northwest corner of Avalon Road and Davenport Road for the project known as the “Cantero Property” with a proposed new name of “Carriage Pointe Reserve”, from City NZ to City PUD. The proposed project is to build 90 single family residential homes on the property which equates to a gross density of 2.43 units per acres. The project will be developed in two phases with 65’ and 75’ width residential single family lots. The property is within the Joint Planning Agreement - 6 (JPA6) expansion area and has been reviewed to be in compliance with the JPA6 guidelines, which include provisions for front porches, garage setbacks, and a 100’ open space buffer along the south and west perimeter of the property. The property is also located within the Wekiva Study Area resource protection overlay and is subject to additional stringent open space and environmental standards due to the recharge potential in the soil. The owner/developer has allocated 25 % (9.48 ± acres) of the developable area to Wekiva open space. The owner/developer held a community meeting on December 15, 2011. City Staff finds the proposed planned unit development plan is consistent with the City’s comprehensive plan, the code of ordinances, JPA6, and the Wekiva Study Area requirements and would recommend approval of the rezoning of the property to planned unit development.

Jim McNeil, of Akerman Senterfitt, 420 South Orange Avenue, Orlando, Florida, counsel for the applicant, Taylor Morrison, presented an overview of the project to the board and advised the board that as a result of the community meeting, and citizens concerns, additional buffering was added along the south of the project.

Board had general discussion to further clarify ingress and egress to the development for residents and emergency services. Senior Planner Smith advised the board of the emergency access road that is planned on the southside of the property. Scott Stearns, of Bowyer-Singleton & Associates, 520 S. Magnolia Avenue, Orlando, Florida, Civil Engineer for the applicant advised the board that this location would be an “emergency stabilized access” road capable of holding fire trucks along with a crash gate at the back of the property. This would not be a road for the residents to access the development on a daily basis. Residents will have only a one way in and out of the development.

Board further discussed the traffic impact to Avalon Road with the development of the 90 homes. Community Development Director Ed Williams reviewed with the Board several things that will be taking place to assist with the traffic conditions of Avalon Road. The City has an agreement with Orange County for the future widening of Avalon Road to four lanes. The City is looking into accelerating the intersection improvements and the owner/developer will be required to install turn lanes into the development.

Motion by Mac McKinney to approve Ordinance 12-07 for the PUD rezoning for Carriage Pointe Reserve/Cantero Property with staff recommendations Seconded by James Dunn, the motion carried unanimously 6-0.

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:53 p.m.

APPROVED:

ATTEST:

Chairman James Gentry

Administrative Specialist Corrina Williams