WINTER GARDEN

A REGULAR MEETING MINUTES
PLANNING AND ZONING BOARD
AUGUST 5, 2013

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, Mark Maciel, and Eric Weiss. (Rohan Ramlackhan arrived at 6:50pm)

MEMBERS ABSENT:

None

STAFF PRESENT:

City Attorney Kurt Ardaman, Community Development Director Ed Williams, Senior Planner Laura Smith, Senior Planner Stephen Pash, Planner Kelly Carson, and Customer Service Representative Kathy Rathel.

3. APPROVAL OF MINUTES

Approval of minutes from the regular meeting held on July 1, 2013.

Motion by Jimmy Dunn to approve the above minutes. Seconded by Kent Horsley, the motion carried unanimously 6-0.

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

4. 750 S. Park Avenue (Thomas & Dawn Deloach Trust)

Senior Planner Stephen Pash presented a voluntary annexation application for a 0.22± acre single-family property located at 750 S. Park Avenue. The applicant has requested

annexation with an initial zoning of R-2 and a land use designation of Low Density Residential. It is consistent with the surrounding area and City Staff recommends approval of Ordinances 13-45, 13-46 and 13-47 subject to staff recommendations.

Motion by Kent Horsley to recommend approval of Ordinances 13-45, 13-46 and 13-47 with staff recommendations (Attached Exhibit "A"). Seconded by Jimmy Dunn, the motion carried unanimously 6-0.

5. **1205 E Fullers Cross Road (Gilkey Organization, LLC)**

Senior Planner Stephen Pash presented a voluntary annexation application for an 11.1± acre parcel located on the north side of East Fullers Cross Road directly across the street from the entrance into the Tuscany neighborhood. The applicant has requested initial zoning of R-1B, which would allow 75' wide lots, and a land use designation of Low Density Residential. It is consistent with the surrounding area. Current proposal is for them to develop 26 single family lots. The applicant would still apply for the Preliminary Subdivision, Construction Plans, and a Final Subdivision Plan before everything can be approved. City Staff recommends approval of Ordinances 13-48, 13-49 and 13-50 subject to staff recommendations.

Board Member Kent Horsley mentioned that this was an item that had been on the books for a number of years but with a different owner and different plans. It has been planned for development for a number of years. This application is with a new developer and at the Public Meeting there were no objections from people in the neighborhood.

Motion by Kent Horsley to recommend approval of Ordinances 13-48, 13-49 and 13-50 with staff recommendations (Attached Exhibit "B"). Seconded by Mark Maciel, the motion carried unanimously 6-0.

6. **950 Vineland Road (Carrasquillo, Crucita)**

Senior Planner Stephen Pash presented a voluntary annexation application for a 0.24± acre property located at 950 Vineland Road. It is currently developed with a single-family home. The applicant has requested annexation with an initial zoning of R-NC and a land use designation of Residential Neighborhood Commercial. It is consistent with the surrounding area. Recently annexed properties to the north have received the same zoning and land use. City Staff recommends approval of Ordinances 13-51, 13-52 and 13-53 subject to staff recommendations.

Board Member Kent Horsley questioned the R-NC zoning and his concerns regarded allowing commercial into residential area. Senior Planner Pash explained that the owners could do an office but it would be thru Special Exceptions and be brought back to the Board. There are some small types of light commercial things allowed but nothing major and most would have to come back thru Board hearings.

Motion by Jimmy Dunn to recommend approval of Ordinances 13-51, 13-52 and 13-53 with staff recommendations (Attached Exhibit "C"). Seconded by Eric Weiss, the motion carried unanimously 6-0.

7. **948 Vineland Road (Goncalves, Antonio)**

Senior Planner Stephen Pash presented a rezoning application for a 0.55± acre property located at 948 Vineland Road just north of the previous application. It is already located within City limits with a zoning of R-2. The owner is requesting to rezone it to R-NC (Residential Neighborhood Commercial) which is consistent with the existing land use designation on the property and consistent with the surrounding area. City Staff recommends approval of Ordinances 13-54 subject to staff recommendations.

Motion by Mark Maciel to recommend approval of Ordinance 13-54 with staff recommendations (Attached Exhibit "D"). Seconded by Kent Horsley, the motion carried unanimously 6-0.

8. **700 Garden Commerce Parkway (Winter Garden Commerce Center)**

Senior Planner Laura Smith presented a proposal for a rezoning of 44.14± acres from I-1 to PID (Planned Industrial District). The applicant is requesting rezoning of a portion of the Winter Garden Commerce Center, including an 18 acre parcel located just to the south, so outdoor storage can be included as a permitted accessory use within the subdivision. This project is located on Story Road which was platted several years ago and has not been developed since. There are 20 lots on the north portion in Phase I of this industrial subdivision that have not been built upon but the roads and all infrastructures are in place. The applicant has purchased or is in a contract to purchase 17 of the 20 lots and is requesting to rezone those lots to PID. City Staff has gone thru the process with the applicant and has worked hard to make sure the outdoor storage is consistent with a high-end business park. Staff feels that the conditions in place in this Ordinance will help allow this project to be developed, including outdoor storage, in a manner that is consistent with the covenants and restrictions that were originally put in place with this subdivision. PNC Bank owns the 18 acre parcel included in this rezoning request and when their property is developed in a future phase they can have the same uses and same conditions in place. City Staff recommends approval of Ordinance 13-42 subject to staff recommendations.

Board Member James Gentry questioned what was going to be allowed to be stored outside and if there were any restrictions other than the 20' height maximum. Senior Planner Smith stated there were none but the applicant mainly wanted to store semi-trailers. The minimum height of the surrounding wall was 6' but Staff put in very strict landscaping standards which required having one 12' to 14' canopy tree, at time of planting, every 50' along the wall with 2 understory trees between the canopy trees and this would be monitored by Code Enforcement. The landscaping would increase the line-of-sight so the stacked or stored items would not be visible from the right-of-way. This subdivision was also getting improved architectural standards on the buildings written specifically to create a look more like a high-end light industrial Business Park and less like an Industrial Subdivision. Board Member Kent Horsley stated a concern with the height of the outdoor storage and wanted to know what would keep another recycler from coming in and stacking their bundles. Senior Planner Smith clarified that recyclers were not allowed in the permitted uses of this PID district. She also stated when the lower 18 acres are developed, the road will be further developed and a cul-de-sac will be put in or the road would be extended to West Colonial depending on the access issues.

Motion by Mark Maciel to recommend approval of Ordinance 13-42 rezoning approximately 44.14± acres from I-1 to PID subject to the conditions attached to Staff Report with the first reading by City Commission to be held on August 8, 2013, and with staff recommendations (Attached Exhibit "E"). Seconded by Eric Weiss, the motion carried 5-1 with Board Member Kent Horsley opposing.

FINAL PLAT / PRELIMINARY PLAT / LOT SPLIT (Public Hearing)

9. **315 E Fullers Cross Road (Highland Groves)**

Senior Planner Laura Smith presented a Preliminary Plat application for the Highland Groves Subdivision. This project came before the Board in July for rezoning to PUD. The applicant proposes to get the preliminary plat approval for 186 single family lots. This request is consistent with the comprehensive plan and the approved PUD zoning. City Staff recommends approval subject to staff recommendations.

City Attorney Kurt Ardaman stated this Preliminary Plat should have had a Developer's Agreement executed and agreed upon between the City and the Developer and recorded prior to consideration for approval. The one included was executed improperly by the agent instead of the trustee of the LF Roper Trust and Raymer F. Maguire III as the owner and, if the Zoning Board was so inclined to approve the Preliminary Plat, recommended making the approval contingent and conditioned upon the Developer's Agreement being fully executed and recorded prior to this being effective with a time specific of 30 days.

General discussion regarding the required setbacks which was stipulated in the zoning previously approved and the setbacks being shown are just house footprint examples.

(Rohan Ramlackhan arrived at 6:50pm)

Motion by Jimmy Dunn to recommend approval of the preliminary plat for 315 E Fullers Cross Road contingent and conditioned upon the signing of the Highland Groves Developers Agreement as presented with the execution and recording of within 30 days and with staff recommendations (Attached Exhibit "F"). Seconded by Mark Maciel, the motion carried unanimously 7-0.

10. **16303 Marsh Road (Crooked Lake Preserve)**

Senior Planner Laura Smith presented a Preliminary Plat application for Crooked Lake Preserve located at 16303 Marsh Road. This project came before the Board in July for a rezoning to UVPUD. The applicant requests preliminary plat approval for 140 single family lots. This request is consistent with the comprehensive plan and the approved UVPUD zoning. City Staff recommends approval subject to staff recommendations.

Carol McGowin of 1613 Walkerton Court, Winter Garden Florida, was present on behalf of the Orange County Public Schools. Orange County Public Schools objects to the project going forward as there is no CEA or concurrency agreement in place as defined by the interlocal agreement or state statute. She further stated this project does not comport with local ordinances, the ILA, or the county charter agreement that was adopted by Orange County voters in November 2012.

Community Development Director Ed Williams replied that we appreciate any comments that come from the School Board whether it is for P & Z or City Council. He further stated the School Board's comments tonight were inappropriate in that this is a subdivision pre-plat approval and the time to voice objections would have been at the comprehensive plan amendment or the rezoning hearing. Community Development Director Williams asked the Planning Board to not consider the comments in their deliberations, but, if the board members approved or denied the preliminary plat based on the School Boards comments, the board member must state such for the record. Background: the High School does not have capacity. The problem has been around for 9 years and the reliever high school has been in the budget but the school board has been unsuccessful in getting the high school approved. Other developments in this area have been approved with agreements and allowed to go forward. This developer has been presented with an agreement that states he must pay the fees but cannot go forward until the high school is designed. In the interlocal agreement with the school board there is a dispute resolution provision that the school board has not availed themselves of yet. The City is willing to meet with the school board in an effort to find an agreement that treats this developer as fairly as the other developers and recommends the Board Members allow this project to go forward and allow the City to negotiate with the School Board.

Motion by Eric Weiss to recommend approval of the Preliminary Plat for 16303 Marsh Road with staff recommendations (Attached Exhibit "G"). Seconded by Mark Maciel, the motion carried unanimously 6-0 with Jimmy Dunn recusing himself due to a conflict.

CITY OF WINTER GARDEN COMPREHENSIVE PLAN AMENDMENT UPDATES

11. Comprehensive Plan Amendment – Ordinance 13-55

Senior Planner Laura Smith presented a text amendment to the Comprehensive Plan. The State recommended incorporating the acreage annexed in the Marsh Road area (approximately 146 acres) into the numbers shown for acreage within the UV Land Use description. The amendment also clarified some language within the same policy that previously had been a disconnect with another project.

Motion by Mark Maciel to recommend approval of Ordinance 13-55 with the first reading by City Commission scheduled for August 8, 2013, and with staff recommendations. Seconded by Jimmy Dunn, the motion carried unanimously 7-0.

14. ADJOURNMENT

There being no further business, the meeting was adjourned at 7:16 p.m.

APPROVED: **ATTEST:**

Chairman James Gentry **Customer Service Rep Kathy Rathel**

EXHIBIT "A"

CITY OF WINTER GARDEN

PLANNING & ZONING DIVISION

300 West Plant Street - Winter Garden, Florida 34787-3011 • (407) 656-4111

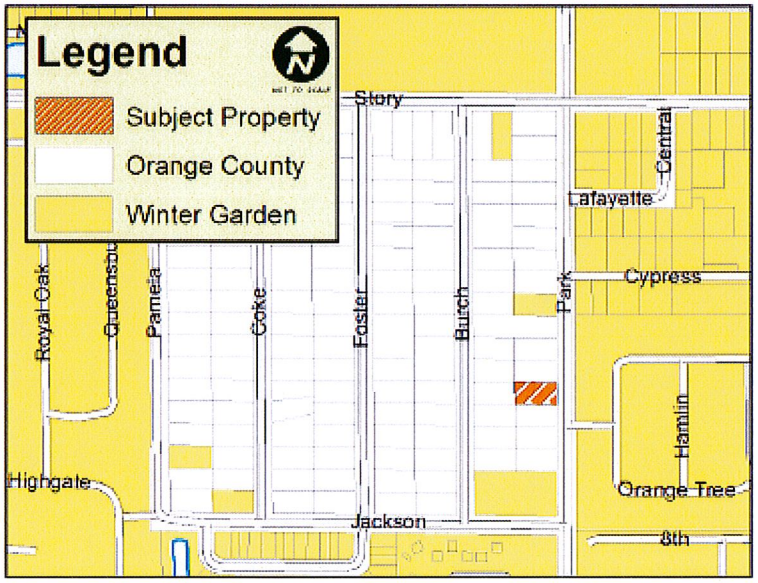
STAFF REPORT

TO: PLANNING AND ZONING BOARD
PREPARED BY: STEVE PASH, SENIOR PLANNER
DATE: JULY 29, 2013
SUBJECT: ANNEXATION – FLU AMENDMENT – ZONING
750 SOUTH PARK AVENUE (0.22 +/- ACRES)
PARCEL ID #: 22-22-27-1084-01-150
APPLICANT: THOMAS & DAWN DELOACH TRUST

INTRODUCTION

The purpose of this report is to evaluate the proposed project for compliance with the City of Winter Garden Code of Ordinances and Comprehensive Plan.

The subject property is located at 750 South Park Avenue and is approximately 0.22 ± acres. The map below depicts the proximity of the subject property to the City's jurisdictional limits:



The applicant has requested annexation into the City, amendment to the Future Land Use Map (FLUM) of the City's Comprehensive Plan to designate the property as Low Density Residential, and rezoning the property to R-2 Residential District.

In accordance with the City's Comprehensive Plan, permitted uses within the Low Density Residential land use include single family homes and churches and schools. The zoning classifications that are consistent with the Low Density Residential land use designation include PUD, R-1A, R-1, R-2, R-1B, and INT.

The City endorses infill of its jurisdictional limits through voluntary annexation of enclaves. The elimination of enclaves through voluntary annexation furthers the goals, objectives, and policies of the City's Comprehensive Plan.

EXISTING USE

The subject property is currently developed with a single family home.

ADJACENT LAND USE AND ZONING

The property located to the north is a single family house, zoned R-2 and located in Orange County. The properties located to the east are developed with a single family and the Orange Tree Mobile Home Park, zoned R-2 and located in the City. The property to the south is a single family house, zoned R-2 and located in Orange County. The properties to the west are developed as single family homes, zoned R-2 and located in Orange County.

PROPOSED USE

The owner is proposing to leave the existing single family home and connect to City sewer and water once the annexation is complete.

PUBLIC FACILITY ANALYSIS

The City will provide garbage collection, police protection, and all other services regularly provided to City of Winter Garden residents including building permits. The property will be served by both Orange County Fire and Rescue and the City of Winter Garden Fire Department under the First Response System.

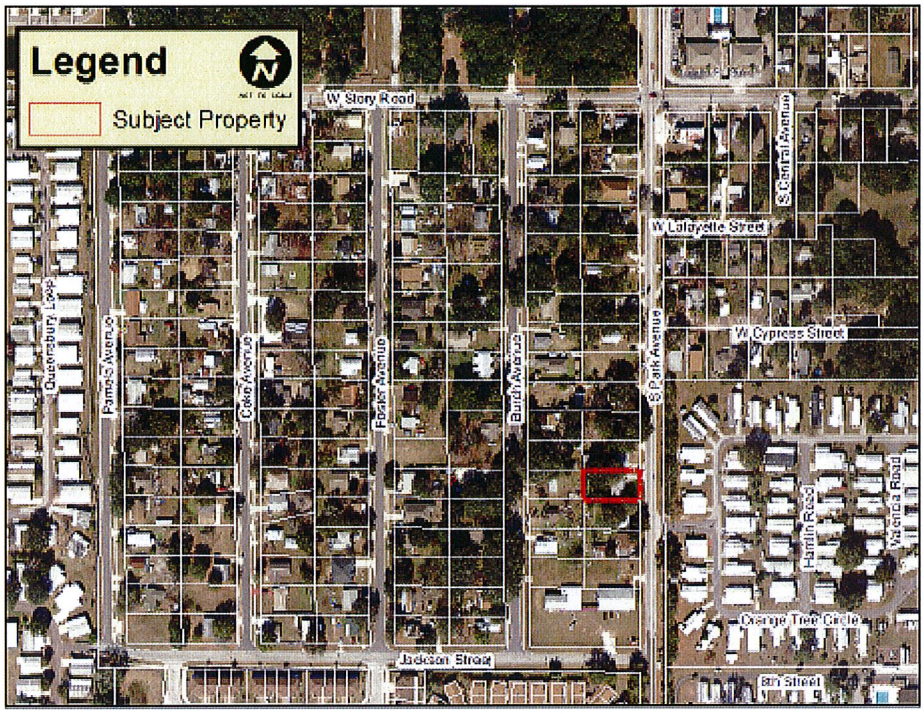
SUMMARY

City Staff recommends approval of the proposed Ordinances. Annexation will provide a more efficient delivery of services to the property and further the goals and objectives of the City of Winter Garden's Comprehensive Plan to eliminate enclaves.

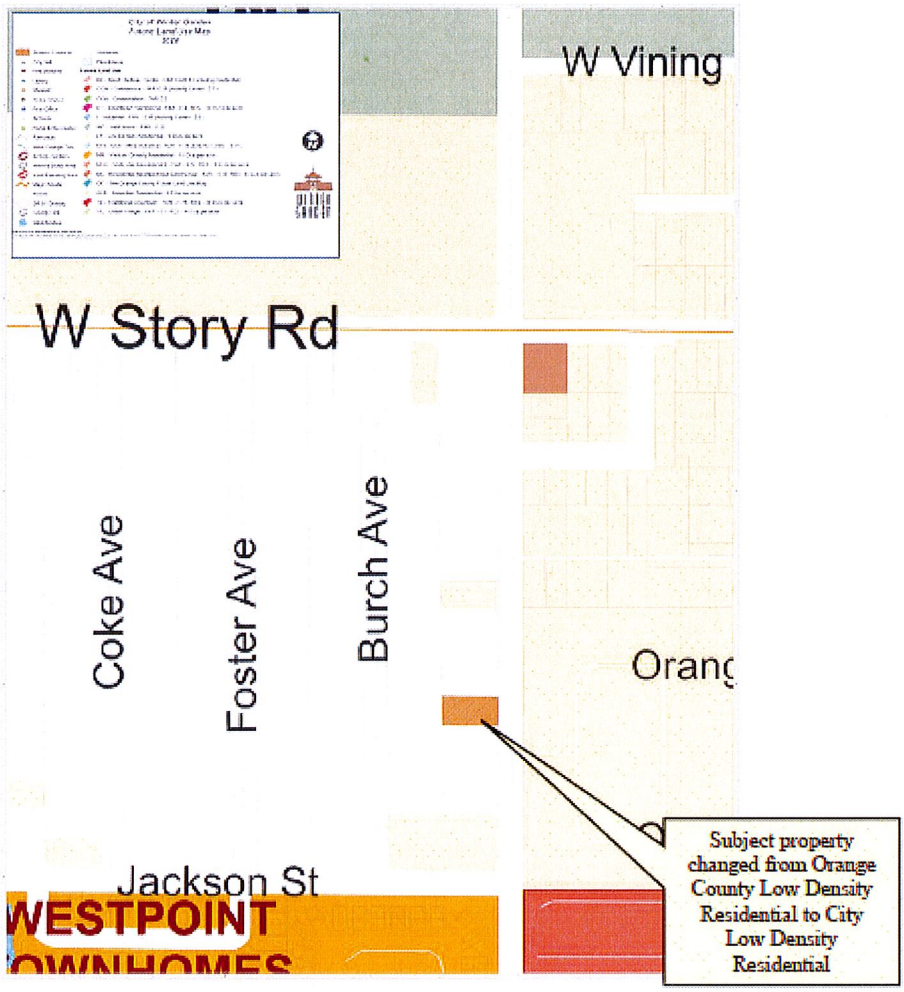
MAPS

AERIAL PHOTO

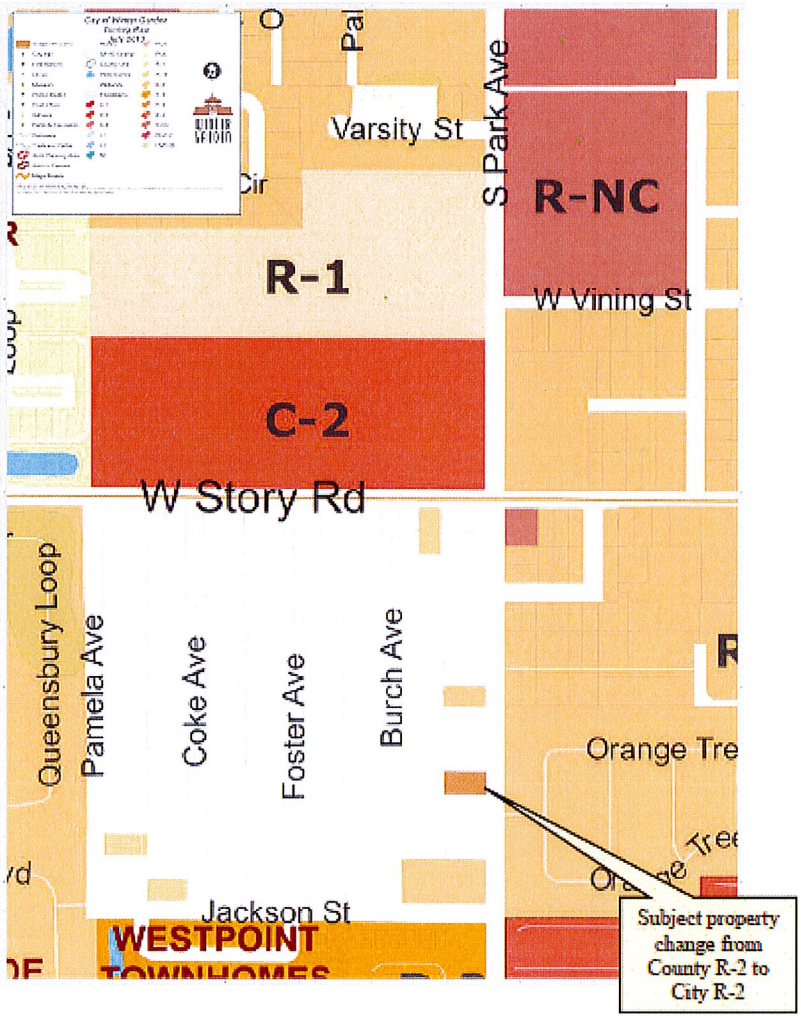
750 South Park Avenue



FUTURE LAND USE MAP
750 South Park Avenue



ZONING MAP
750 South Park Avenue



END OF STAFF REPORT

EXHIBIT "B"

CITY OF WINTER GARDEN

PLANNING & ZONING DIVISION

300 West Plant Street - Winter Garden, Florida 34787-3011 • (407) 656-4111

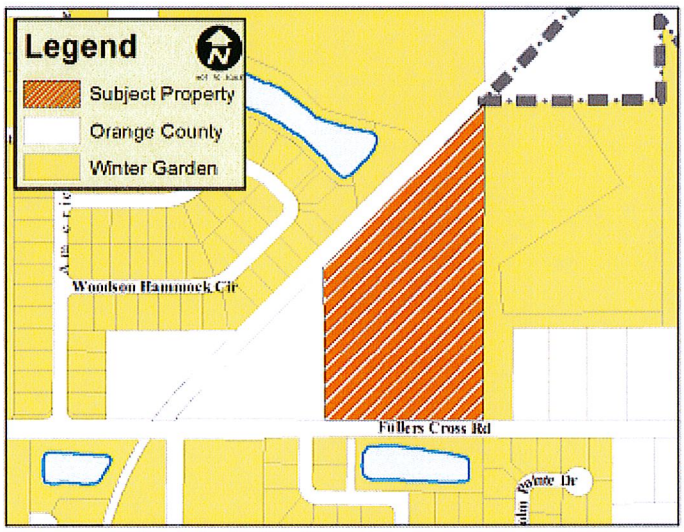
STAFF REPORT

TO: PLANNING AND ZONING BOARD
PREPARED BY: STEVE PASH, SENIOR PLANNER
DATE: JULY 29, 2013
SUBJECT: ANNEXATION – FLU AMENDMENT – ZONING
1205 EAST FULLERS CROSS ROAD (11.1 +/- ACRES)
PARCEL ID #: 12-22-27-0000-00-005
APPLICANT: GILKEY ORGANIZATION, LLC

INTRODUCTION

The purpose of this report is to evaluate the proposed project for compliance with the City of Winter Garden Code of Ordinances and Comprehensive Plan.

The subject property is located at 1205 East Fullers Cross Road, on the north side of East Fullers Cross Road, east of North West Crown Point Road and west of East Crown Point Road and is approximately 11.1 ± acres. The map below depicts the proximity of the subject property to the City's jurisdictional limits:



The applicant has requested annexation into the City, amendment to the Future Land Use Map (FLUM) of the City's Comprehensive Plan to designate the property as Low Density Residential, and rezoning the property to R-1B Single-Family Residential District.

In accordance with the City's Comprehensive Plan, permitted uses within the Low Density Residential land use include single family homes and churches and schools. The zoning classifications that are consistent with the Low Density Residential land use designation include PUD, R-1A, R-1, R-2, R-1B, and INT.

The City endorses infill of its jurisdictional limits through voluntary annexation of enclaves. The elimination of enclaves through voluntary annexation furthers the goals, objectives, and policies of the City's Comprehensive Plan.

EXISTING USE

The subject property currently contains one house, one manufactured home, and the remainder is wooded vacant land.

ADJACENT LAND USE AND ZONING

The property located to the north is developed with the Fullers Crossing single family neighborhood, zoned PUD, and located in Winter Garden. The property located to the east is 6 +/- acre property developed with a single family house, zoned R-1, and located in Winter Garden. The property to the south is developed with the Tuscany single family neighborhood, zoned R-1, and located in Winter Garden. The property to the west is 3.2 +/- acre property developed with a single family house and a citrus grove, zoned A-2, and located in Orange County.

PROPOSED USE

The applicant intends to annex the property and submit for a Preliminary Subdivision Plan, then Construction Plans to develop it with a single family neighborhood with approximately 26 lots.

PUBLIC FACILITY ANALYSIS

The City will provide garbage collection, police protection, and all other services regularly provided to City of Winter Garden residents including building permits. The property will be served by both Orange County Fire and Rescue and the City of Winter Garden Fire Department under the First Response System.

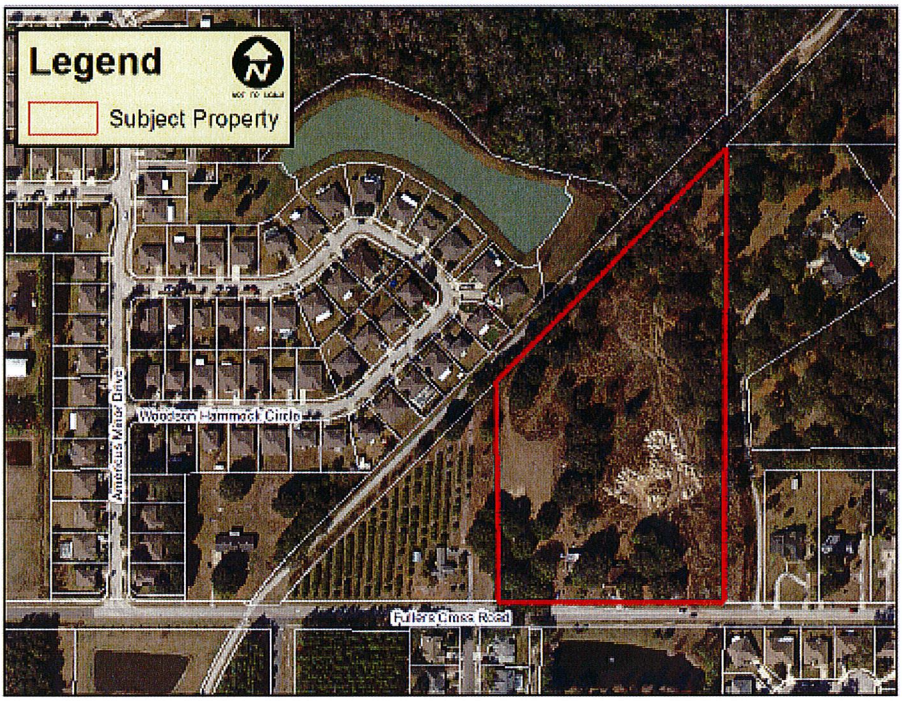
SUMMARY

Annexation will provide a more efficient delivery of services to the property and further the goals and objectives of the City of Winter Garden's Comprehensive Plan to eliminate enclaves. City Staff recommends approval of the proposed Ordinances.

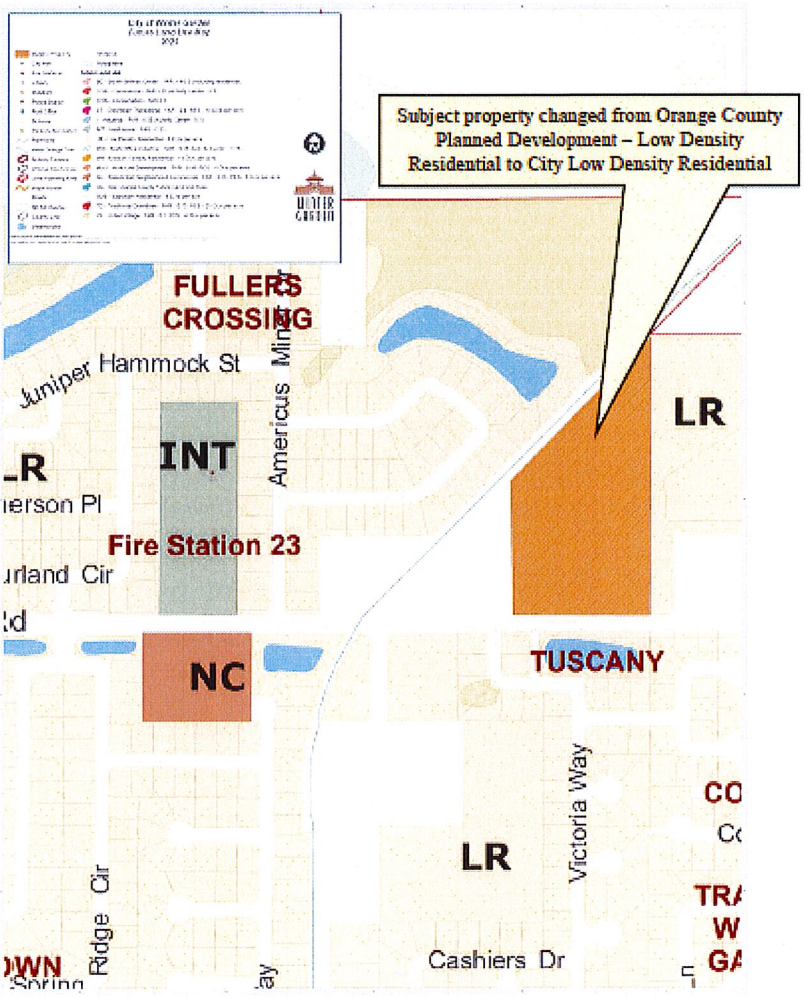
MAPS

AERIAL PHOTO

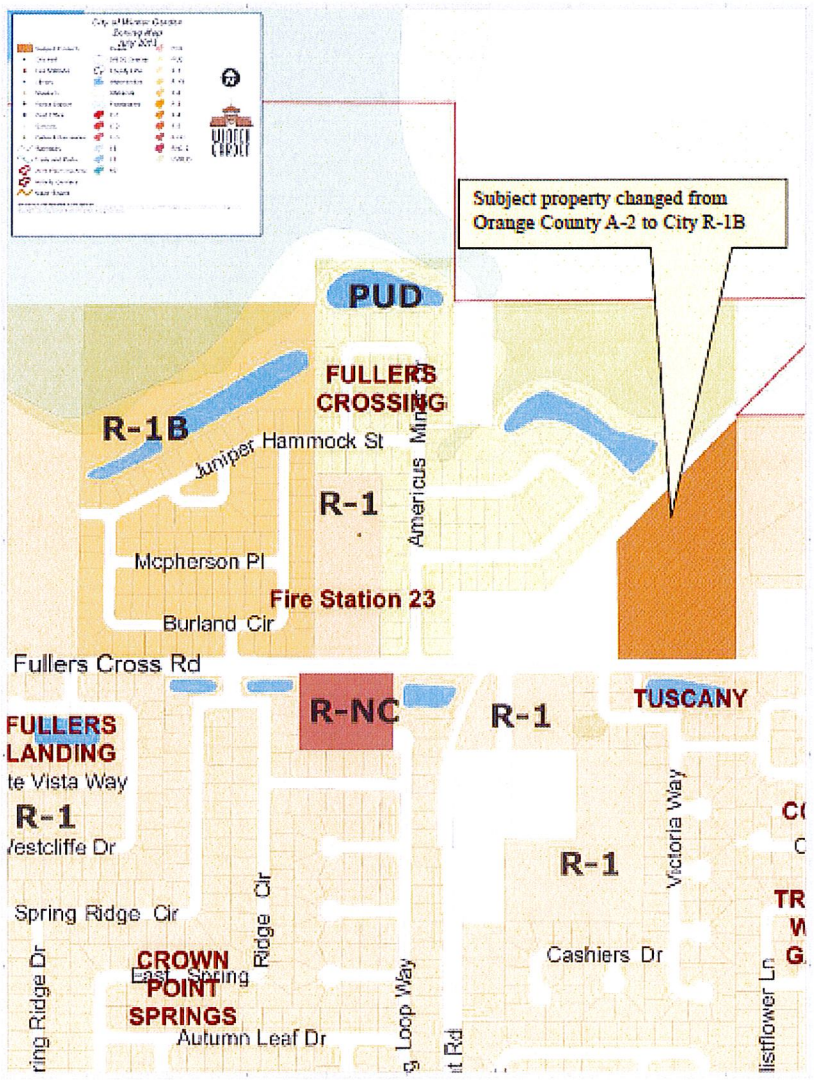
1205 East Fullers Cross Road (Oak Trail)



FUTURE LAND USE MAP
1205 East Fullers Cross Road (Oak Trail)



ZONING MAP
1205 East Fullers Cross Road (Oak Trail)



END OF STAFF REPORT

EXHIBIT "C"

CITY OF WINTER GARDEN

PLANNING & ZONING DIVISION

300 West Plant Street - Winter Garden, Florida 34787-3011 • (407) 656-4111

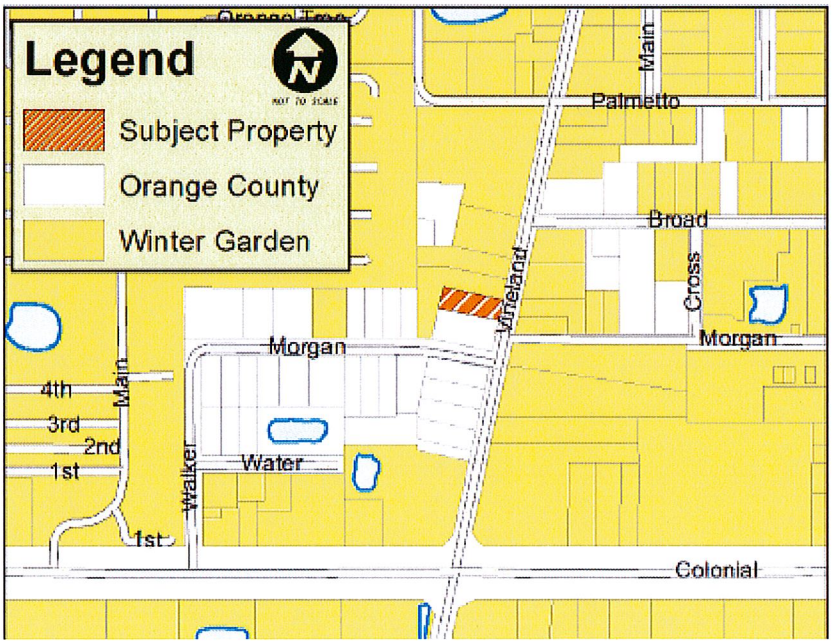
STAFF REPORT

TO: PLANNING AND ZONING BOARD
PREPARED BY: STEVE PASH, SENIOR PLANNER
DATE: JULY 29, 2013
SUBJECT: ANNEXATION – FLU AMENDMENT – ZONING
950 VINELAND ROAD (0.24 +/- ACRES)
PARCEL ID #: 23-22-27-8199-00-100
APPLICANT: CRUCITA CARRASQUILLO

INTRODUCTION

The purpose of this report is to evaluate the proposed project for compliance with the City of Winter Garden Code of Ordinances and Comprehensive Plan.

The subject property is located at 950 Vineland Road and is approximately 0.24 ± acres. The map below depicts the proximity of the subject property to the City's jurisdictional limits:



The property is currently zoned R-2 in Orange County and carries a Future Land Use designation of Low Medium Density Residential. The existing zoning and land use allow single-family detached and attached dwellings.

The applicant has requested annexation into the City, amendment to the Future Land Use Map (FLUM) of the City's Comprehensive Plan to designate the property as Residential Neighborhood Commercial, and initial zoning of R-NC. This zoning and land use is consistent with the surrounding area.

Properties designated with the Residential-Neighborhood Commercial land use category are required to be developed at a floor area ratio not greater than 0.35. Gross residential density shall be not greater than 6 dwelling units per acre. All uses shall have a maximum height of 35 feet. This designation shall provide for permitted low density residential uses and neighborhood commercial and professional uses. The mix should have a minimum of 80% residential uses. Uses should be located on collector and minor arterial streets close to low density residential areas. The zoning classifications that are consistent with the Residential Neighborhood Commercial classification is RNC and INT.

The City endorses infill of its jurisdictional limits through voluntary annexation of enclaves. The elimination of enclaves through voluntary annexation furthers the goals, objectives, and policies of the City's Comprehensive Plan.

EXISTING USE

The subject property is currently developed and used as a single-family house.

ADJACENT LAND USE AND ZONING

The property located to the north and west is developed as a duplex, is currently requesting a rezoning to R-NC, and is located in the City. The property located to the east is developed with a pool construction company, zoned C-2 and located in the City. The property to the south is developed with a single family house, zoned R-2, and located in Orange County.

PROPOSED USE

The applicant intends to annex the property, continue using the single-family home, and later convert the home into an office. Converting the house into an office can be done through Special Exception process.

PUBLIC FACILITY ANALYSIS

The City will provide garbage collection, police protection, and all other services regularly provided to City of Winter Garden residents including building permits. The property will be served by both Orange County Fire and Rescue and the City of Winter Garden Fire Department under the First Response System.

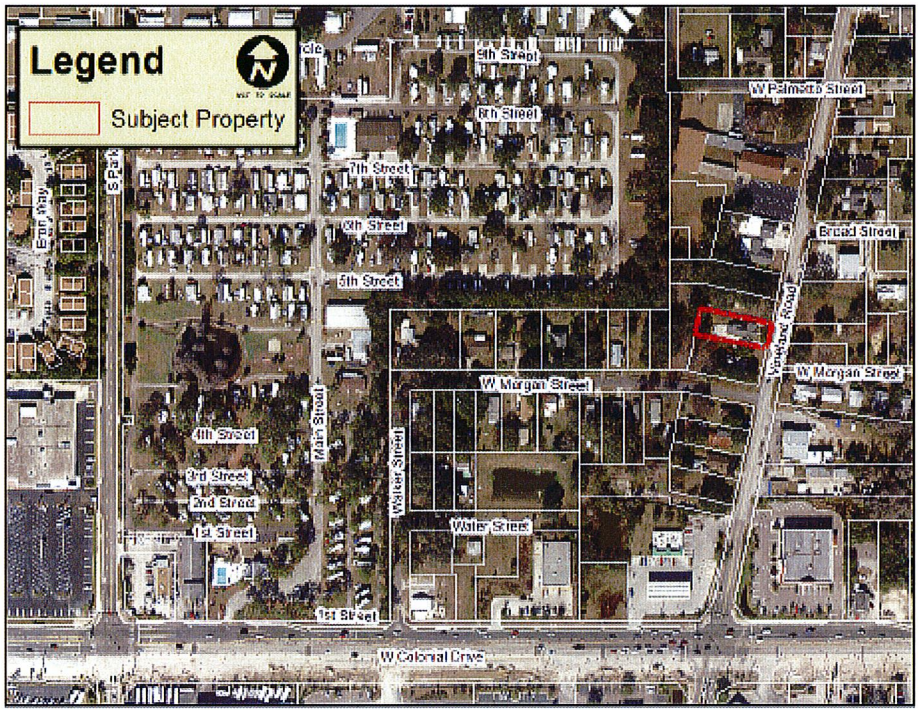
SUMMARY

Annexation will provide a more efficient delivery of services to the property and further the goals and objectives of the City of Winter Garden's Comprehensive Plan to eliminate enclaves. City Staff recommends approval of the proposed Ordinances.

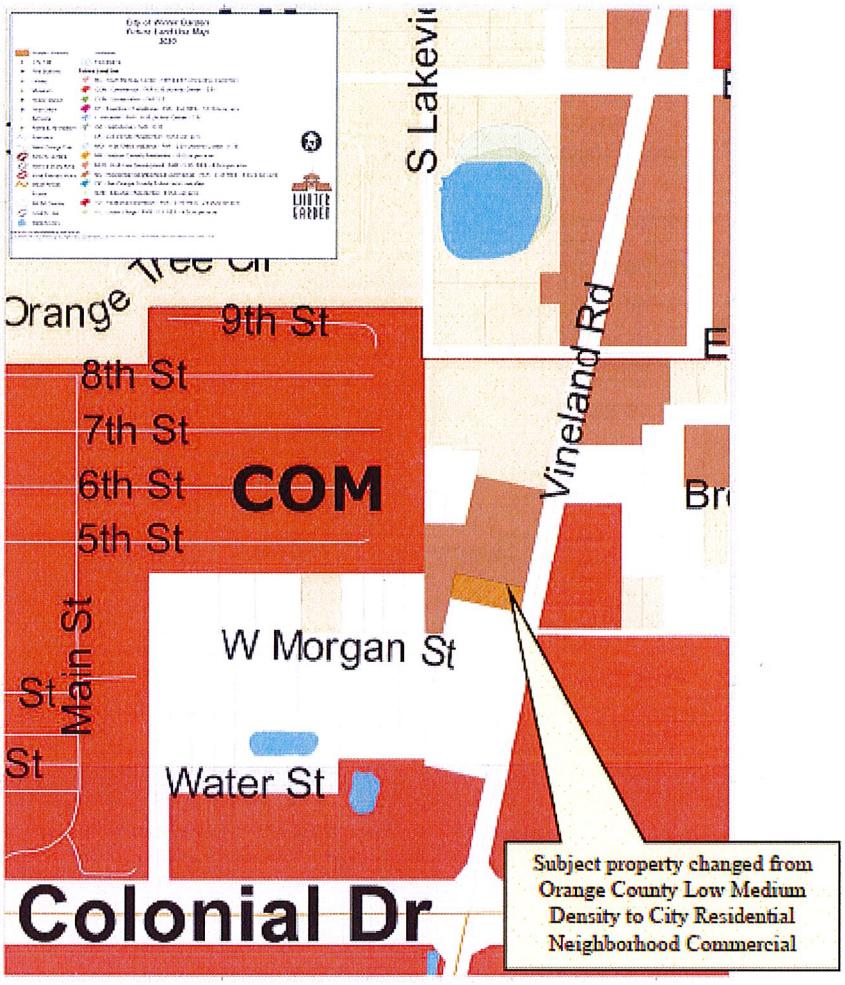
MAPS

AERIAL PHOTO

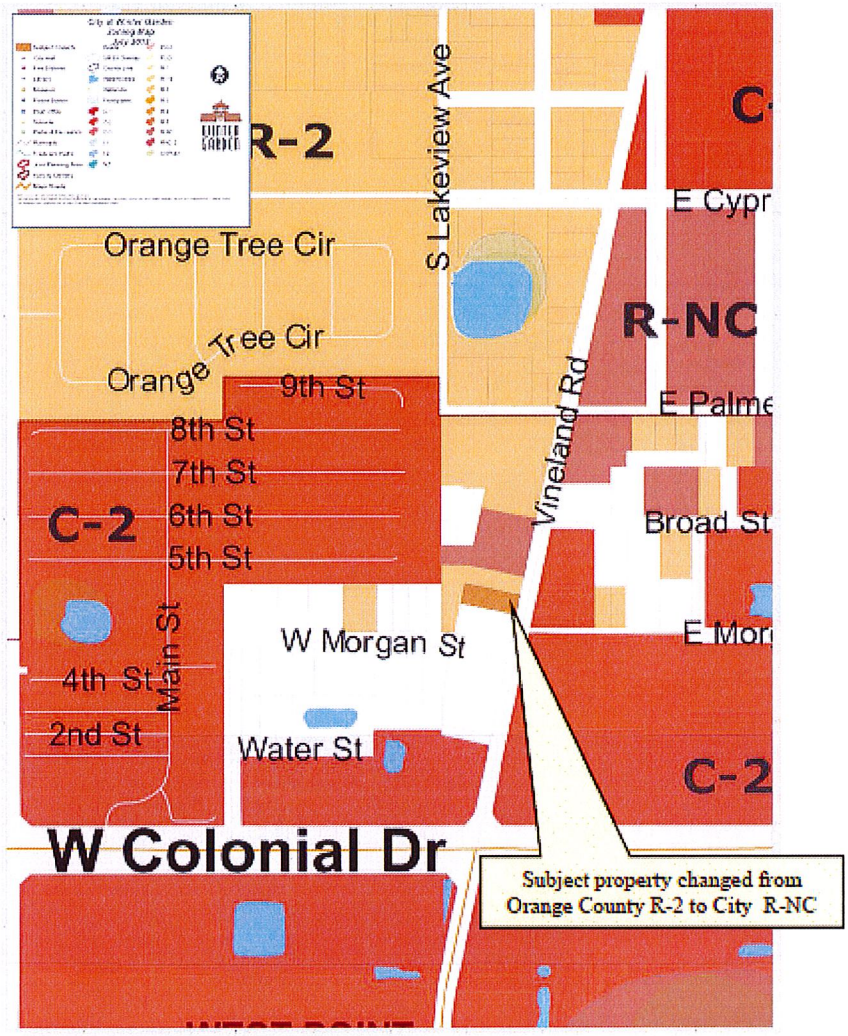
950 Vineland Road



FUTURE LAND USE MAP
950 Vineland Road



ZONING MAP
950 Vineland Road



END OF STAFF REPORT

EXHIBIT "D"

CITY OF WINTER GARDEN

PLANNING & ZONING DIVISION

300 West Plant Street - Winter Garden, Florida 34787-3011 • (407) 656-4111

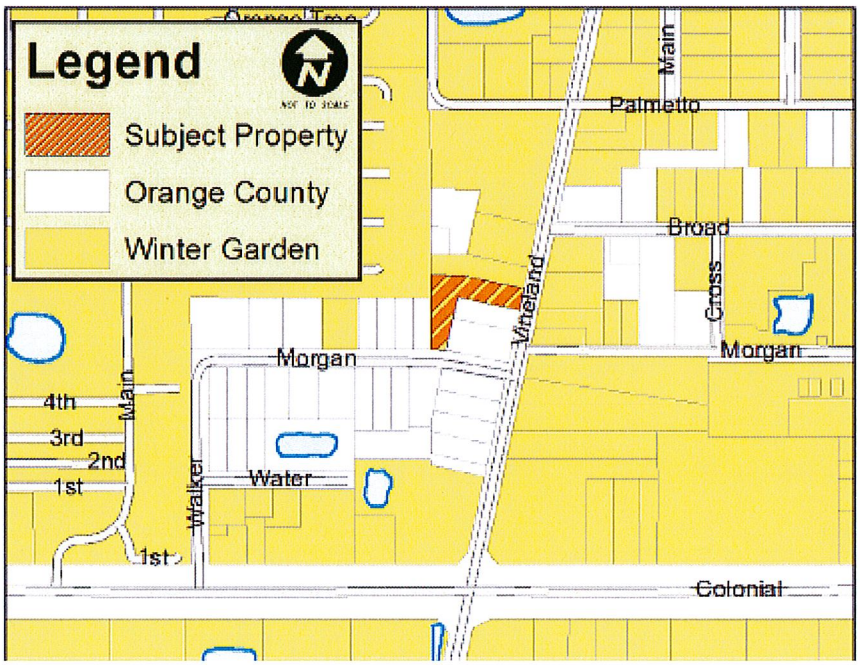
STAFF REPORT

TO: PLANNING AND ZONING BOARD
PREPARED BY: STEVE PASH, SENIOR PLANNER
DATE: JULY 29, 2013
SUBJECT: REZONING
948 VINELAND ROAD (0.55 +/- ACRES)
PARCEL ID #: 23-22-27-8199-00-090
APPLICANT: ANTONIO GONCALVES

INTRODUCTION

The purpose of this report is to evaluate the proposed project for compliance with the City of Winter Garden Code of Ordinances and Comprehensive Plan.

The subject property is located at 948 Vineland Road and is approximately 0.55 ± acres. The map below depicts the proximity of the subject property to the City's jurisdictional limits:



The applicant is requesting to rezone the 0.55 ± acre property which is located within the City of Winter Garden and carries a Future Land Use Designation of R-NC (Residential Neighborhood Commercial) on the Future Land Use Map of the City's Comprehensive Plan from R-2 (Residential District) to R-NC (Residential Neighborhood Commercial District)..

EXISTING USE

The subject property is currently developed and used as a duplex.

ADJACENT LAND USE AND ZONING

The property located to the north is developed as a single family house, located in the City, and zoned R-NC. The property located to the east is developed with a pool construction company, zoned C-2 and located in the City. The property to the south is developed with a duplex, and currently being annexed into the City. The property to the west is developed with Winter Garden RV Resort, zoned C-2 and located in the City.

PROPOSED USE

The applicant intends to annex the property and at a later date convert it into an office. Converting the house into an office can be done through Special Exception process.

PUBLIC FACILITY ANALYSIS

The City will provide garbage collection, police protection, and all other services regularly provided to City of Winter Garden residents including building permits. The property will be served by both Orange County Fire and Rescue and the City of Winter Garden Fire Department under the First Response System.

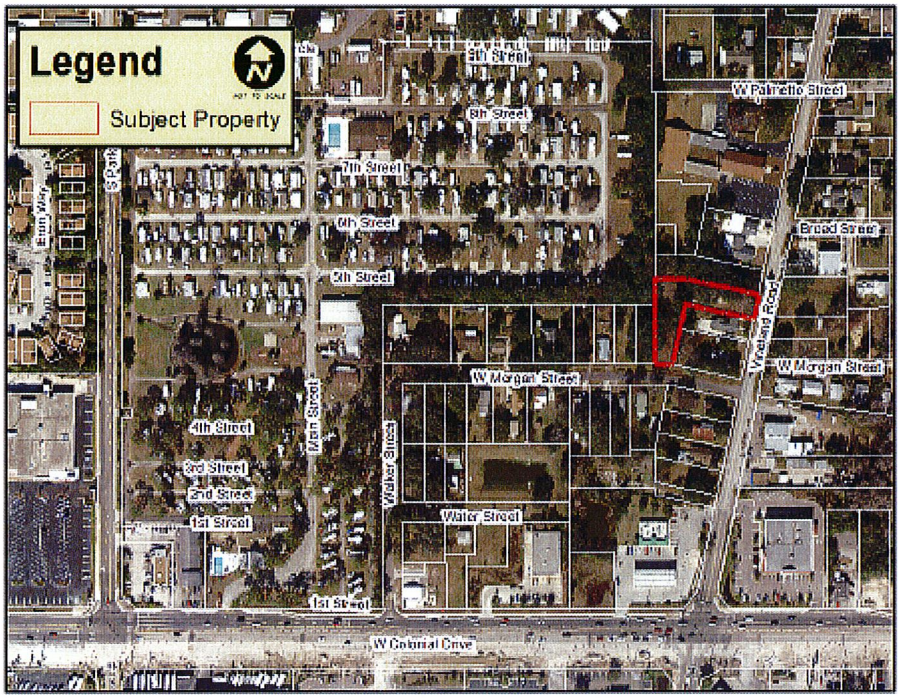
SUMMARY

Annexation will provide a more efficient delivery of services to the property and further the goals and objectives of the City of Winter Garden's Comprehensive Plan to eliminate enclaves. City Staff recommends approval of the proposed Ordinances.

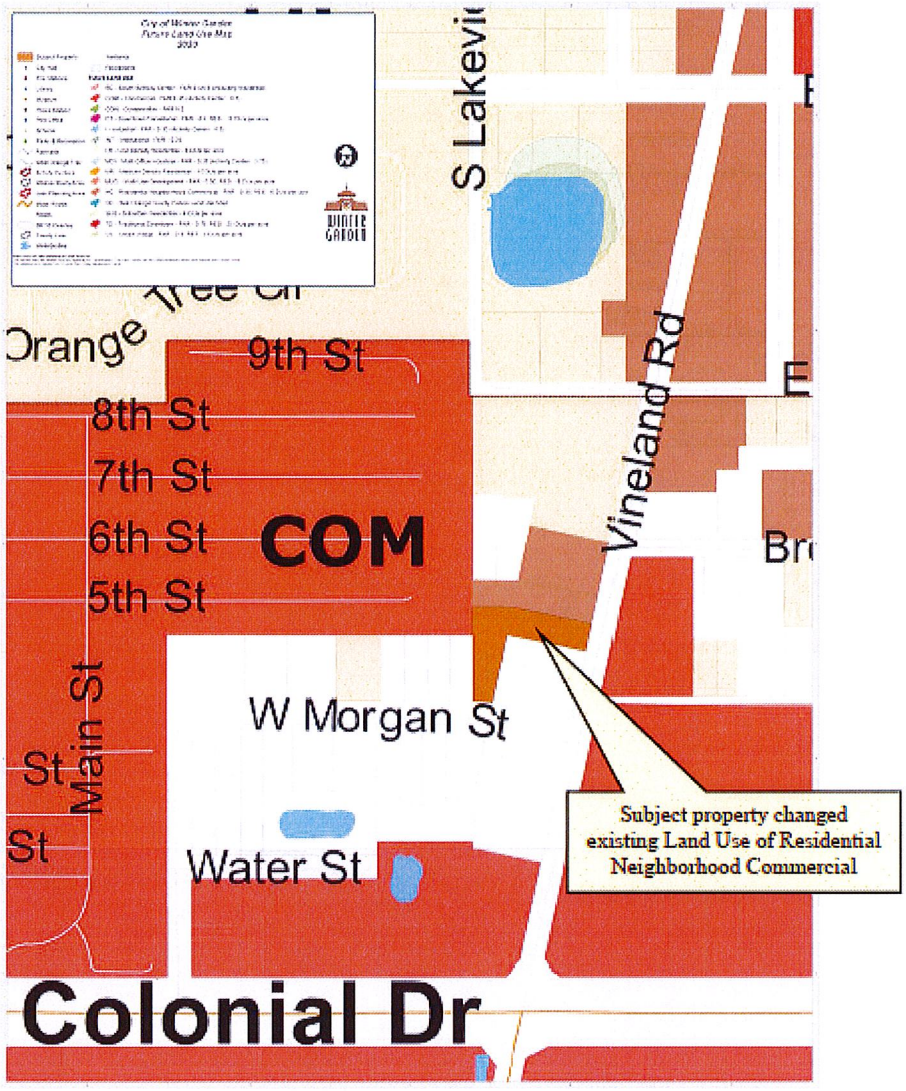
MAPS

AERIAL PHOTO

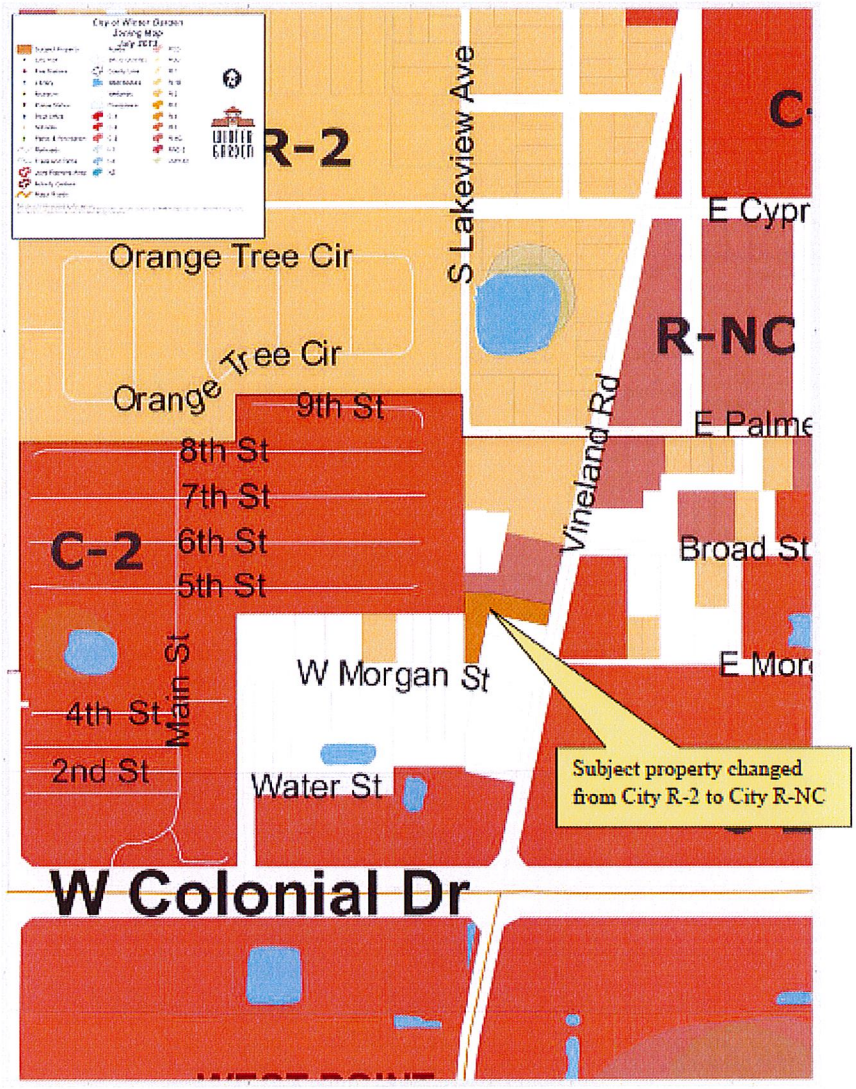
948 Vineland Road



FUTURE LAND USE MAP
948 Vineland Road



ZONING MAP
948 Vineland Road



END OF STAFF REPORT

EXHIBIT "E"

CITY OF WINTER GARDEN

PLANNING & ZONING DIVISION

300 West Plant Street - Winter Garden, Florida 34787-3011 • (407) 656-4111

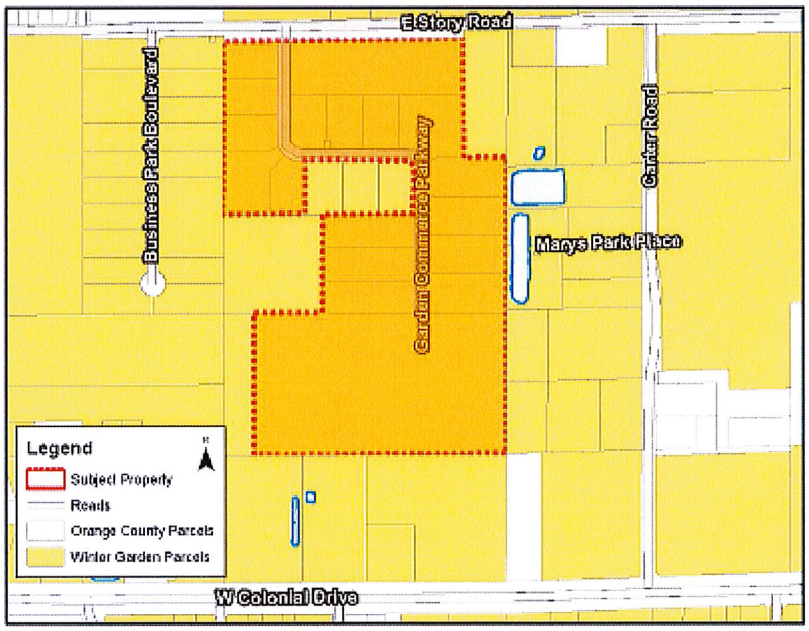
STAFF REPORT

TO:	PLANNING AND ZONING BOARD
PREPARED BY:	LAURA SMITH, SENIOR PLANNER
DATE:	AUGUST 1, 2013
SUBJECT:	REZONING – WINTER GARDEN COMMERCE CENTER **Garden Commerce Pkwy (44.14+/- ACRES)** **PARCEL ID #**
APPLICANT:	PNC Bank, National Association

INTRODUCTION

The purpose of this report is to evaluate the proposed project for compliance with the City of Winter Garden Code of Ordinances and Comprehensive Plan.

The subject properties, located on the Garden Commerce Parkway on the south side of Story Road, are approximately 44.14± acres. The map below depicts the location of the subject property within the City of Winter Garden municipal limits.



The applicant is requesting to rezone 44.14± acres of land. The subject property is located within the City of Winter Garden municipal limits, and carries the zoning designation I-1 (Light Industrial and Warehousing District). The subject property is designated Multi Office Industrial on the Future Land Use Map of the City's Comprehensive Plan and is located within the Story Road Industrial Activity Center (see attached map).

EXISTING USE

The subject properties were partially platted into an industrial subdivision of 20 lots, 17 of which are included in the proposed rezoning in addition to an 18 acre parcel which is a future phase of the partially platted industrial subdivision. The platted portion of the properties has been improved with roads, stormwater retention and utilities however the 18 acre parcel has not been improved. All lots including the 18 acre parcel are presently vacant with no existing structures.

The subdivision is also subject to the Covenants, Conditions and Restriction of the Winter Garden Commerce Center which were established and recorded with the platting of the 20 lots. The Covenants, Conditions and Restrictions were put in place to ensure higher standards of development for the subdivision through building and use restrictions.

ADJACENT LAND USE AND ZONING

The properties located on the north side of the subject properties are an orange grove with a single family home which is zoned C-2 in the City of Winter Garden and an I-1 zoned property containing approximately a 100,000 square feet of industrial manufacturing and warehousing. The properties located to the south of the subject properties are all zoned C-2 in the City of Winter Garden, one contains a 33,000 square foot building occupied by Quality Health Care, another is occupied by Independence RVs, and the third is a 7.73+/- acre vacant unimproved property. The properties located to the east of the subject properties are zoned I-2 within the City of Winter Garden and include 5 properties which are all developed and operating industrial manufacturing and warehouse type businesses. The properties located to the west of the subject properties are zoned I-1 in the City of Winter Garden, 8 of the neighboring properties are developed and operating light manufacturing and warehousing type businesses and 2 of the neighboring properties are vacant unimproved property.

Within the subject industrial subdivision there are 3 lots which are not owned by the applicant and are not included in the properties proposed for rezoning, those properties are vacant and do not contain any buildings and are zoned I-1 within the City of Winter Garden.

PROPOSED USE

The applicant proposes to develop the 17 lots within the industrial subdivision and the 18+/- acres parcel on the south side of the platted subdivision as an industrial business park. The applicant has requested rezoning because they seek to allow outdoor storage within the subdivision. Under the current zoning of I-1 the properties are prohibited from having outdoor storage of materials.

The applicant proposes rezone the properties to PID (Industrial Planned Unit Development) to include outdoor storage as a permitted use with specific screening and buffering regulations which include walls and landscape material with limitations on the maximum height of materials

stored outdoors. Additionally, the applicant has prohibited uses such as automobile repair to insure that the subdivision functions as an industrial business park and not a heavy industrial corridor.

PUBLIC FACILITY ANALYSIS

Potable Water, Reclaimed Water, and Wastewater Services

The proposed development will be served by and required to connect to City of Winter Garden water, wastewater, and reclaimed water which are available and have adequate capacity to serve the proposed development. At such time that each property is developed, all necessary utility connections will be made, all connection costs shall be borne by the property owner.

Stormwater

The stormwater retention/detention facilities designed to service the proposed development have been constructed and meet the LOS Standards stated in Policy 4-1.1.1 of the Public Facilities Element included in the City of Winter Garden Comprehensive Plan. In addition, the unimproved 18+/- acres parcel will also be required to comply with the LOS standards referenced above and all additional stormwater facilities will be designed in accordance with St. Johns River Water Management District and City of Winter Garden requirements.

Transportation

The subdivision is limited to a single access point on Story Road and access points to all lots within the subdivision will be from Garden Commerce Parkway.

Other Services

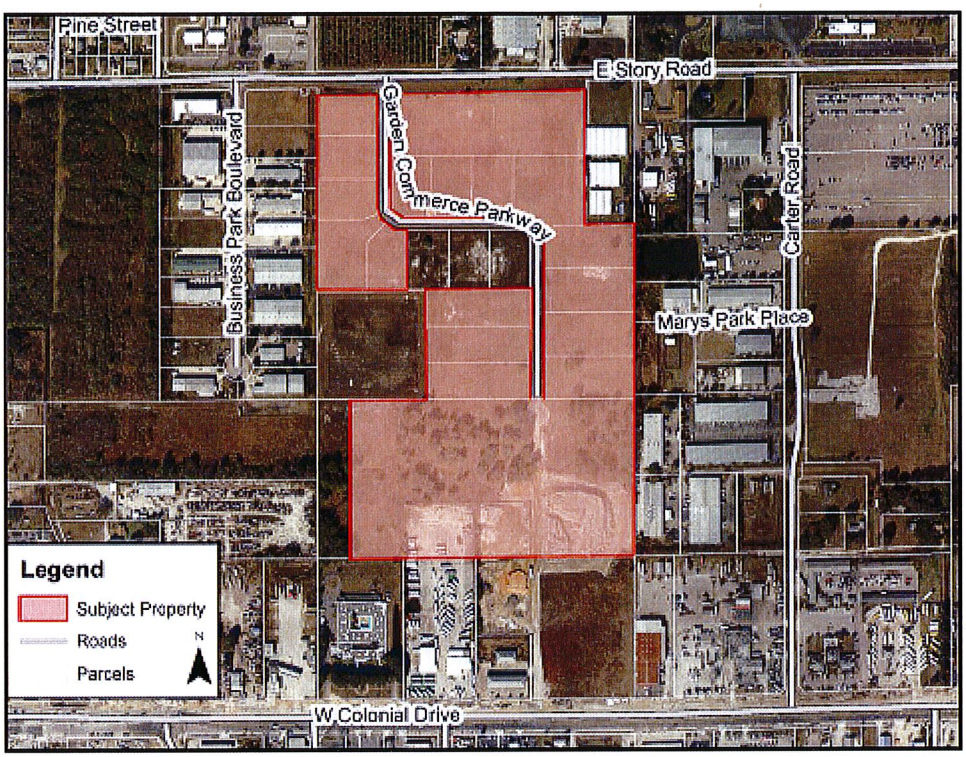
The City will provide garbage collection, police protection, and all other services regularly provided to City of Winter Garden residents including building permits. The property will be served by both Orange County Fire and Rescue and the City of Winter Garden Fire Department under the First Response System.

SUMMARY

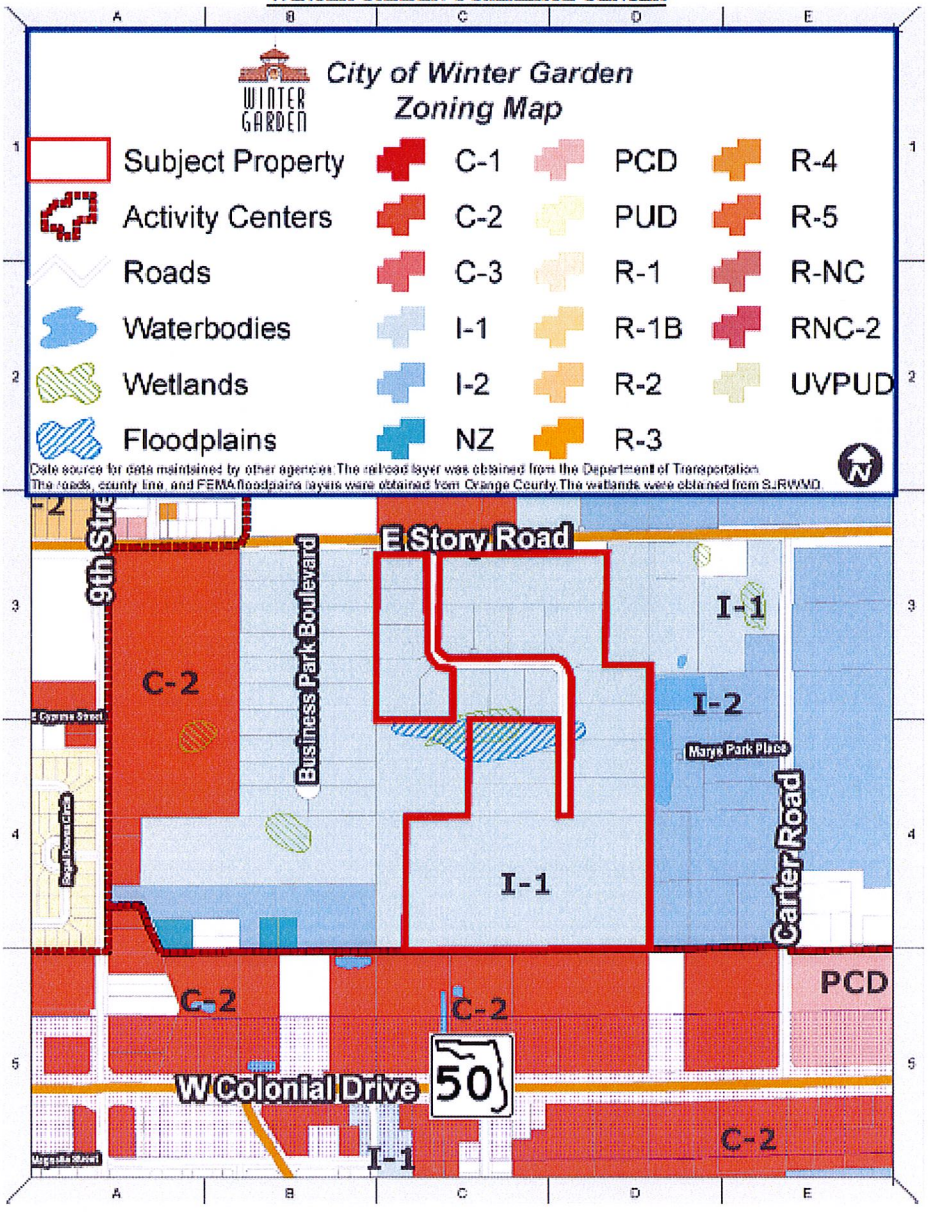
City Staff recommends approval of the proposed Ordinance subject to the conditions and restrictions contained within Ordinance 13-42 and other City development codes and regualtions. Rezoning the subject property form City I-1 to City PID is consistent with the Future Land Use Map of the City's Comprehensive. The proposed PID is consistent with surrounding development in the area and is compatible with the uses in the surrounding area. The proposed development of the subject property is consistent with the goals, objectives and policies of the City's Comprehensive Plan and land development regulations.

MAPS

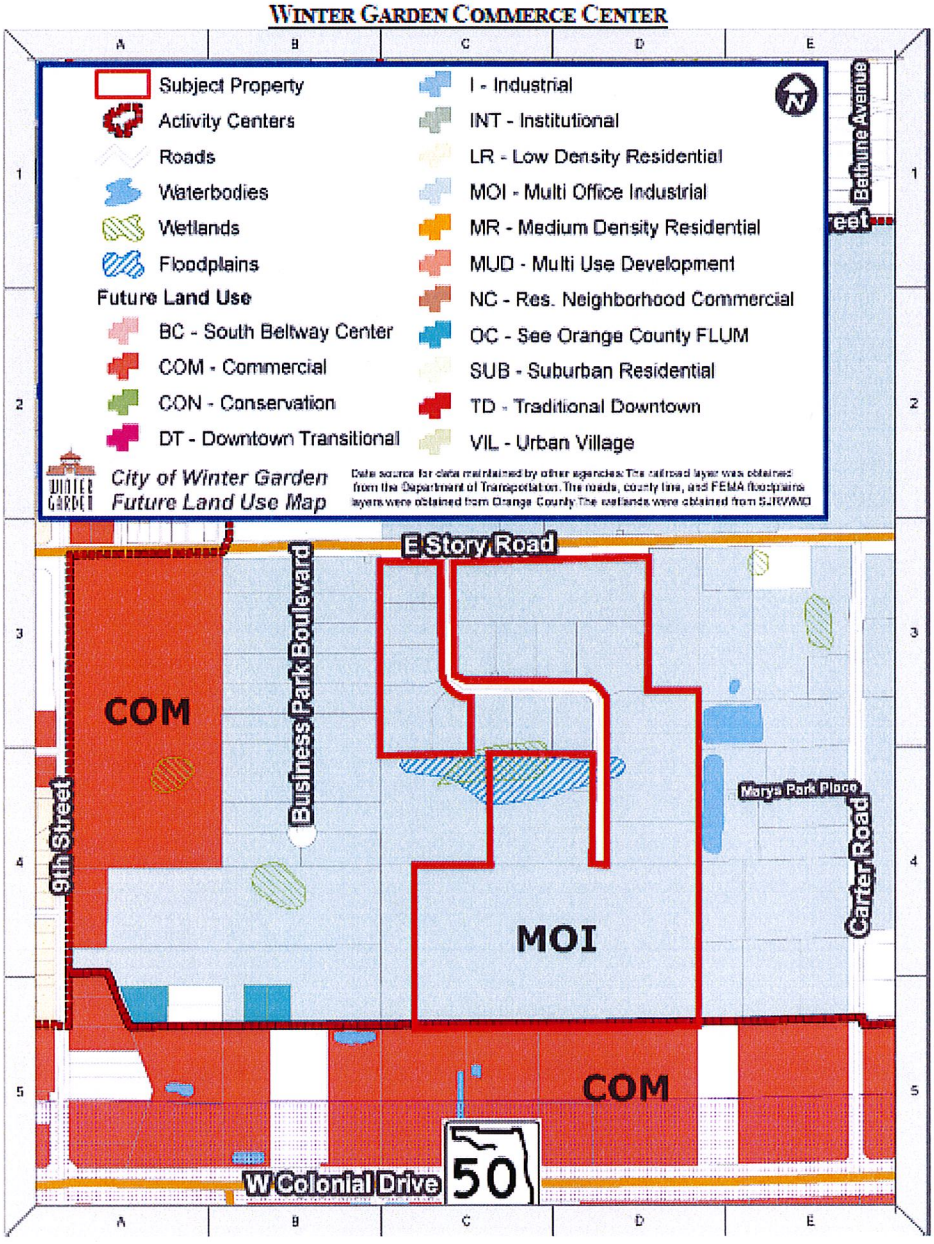
AERIAL PHOTO
WINTER GARDEN COMMERCE CENTER



ZONING MAP
WINTER GARDEN COMMERCE CENTER



FUTURE LAND USE MAP
WINTER GARDEN COMMERCE CENTER



END OF STAFF REPORT

EXHIBIT "F"

CITY OF WINTER GARDEN

PLANNING & ZONING DIVISION

300 West Plant Street - Winter Garden, Florida 34787-3011 • (407) 656-4111

STAFF REPORT

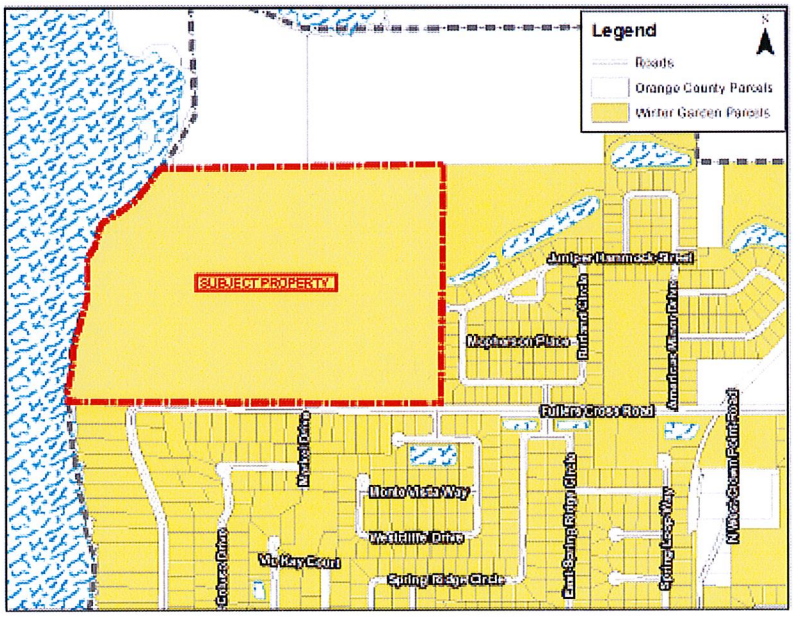
TO: PLANNING AND ZONING BOARD
PREPARED BY: LAURA SMITH, SENIOR PLANNER
DATE: AUGUST 1, 2013
SUBJECT: PRELIMINARY PLAT
315 East Fullers Cross Road (81+/- ACRES)
PARCEL ID # 11-22-27-0000-00-003

APPLICANT: L.F. Roper Trust

INTRODUCTION

The purpose of this report is to evaluate the proposed project for compliance with the City of Winter Garden Code of Ordinances and Comprehensive Plan.

The subject property, located on the north side of Fullers Cross Road, east of Lake Apopka and west of E. Crown Point Road, is approximately 81± acres. The map below depicts the location of the subject property within the City of Winter Garden municipal limits.



The applicant is requesting approval of Preliminary Plat of the 81± acre property which is the Highland Groves PUD Subdivision for 186 single family residential lots. The subject property is located within the City of Winter Garden municipal limits, and carries the zoning designation PUD (Planned Unit Development) in the City of Winter Garden. The subject property is designated Low Density Residential on the Future Land Use Map of the Comprehensive Plan.

EXISTING USE

The subject property is primarily used for agricultural purposes (citrus grove) and contains a pump house and fenced in storage area related to the acrigultural activity.

ADJACENT LAND USE AND ZONING

The property located on the northwest side of the subject property is in the process of being annexed into the City of Winter Garden and proposed to be incorporated into the proposed PUD in the future, however presently it is unimproved vacant land located in un-incorporated Orange County with A-2 Zoning. The property located on the northeast side of the subject property is owned by the City of Ocoee and is also unimproved vacant land located in un-incorporated Orange County with A-2 Zoning. The properties located to the south are single family residential homes within the City of Winter Garden with R-1 Zoning. The property to the east is Fullers Crossing a single family residential community in the City of Winter Garden zoned R-1B. The subject property is bordered on the west by Lake Apopka.

PROPOSED USE

The applicant proposes to develop the 81 ± acre site into a residential planned unit development containing 186 single-family dwelling units ranging in size from 75'x115' to 100'x115'. The proposed lot size mixture is:

Lot Size	# of lots
100'x115'	13
95'x115'	24
90'x115'	9
80'x115'	12
75'x115'	128

The proposed subdivision will be a non-gated community with gross density proposed at 2.29 dwelling units per acre, the LR-Low Density Residential Future Land Use Designation allows up to 6 dwelling units per acre. The proposed subdivision will contain an active recreational park (tot-lot and ½ basketball court) and a passive recreation area (walking trails and open space) and 14.2+/- acres of wetlands preserved for conservation.

SUMMARY

City Staff recommends conditional approval of the proposed Preliminary Plat subject to the following conditions:

1. The environmental report states that gopher tortoises are active on site and that there is a possibility of sand skinks. Provide approvals from FFWCC prior to construction that these species have been addressed.

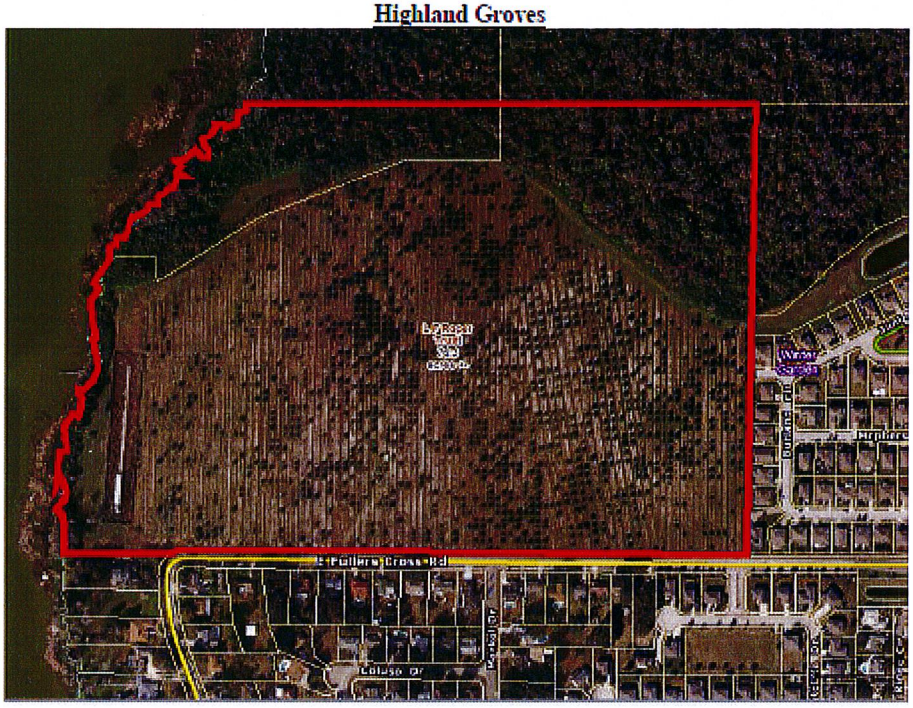
2. The geotechnical report states that organic soils are present near the lake shoreline. Provide the muck delineation overlay on the final construction plans to ensure that these areas will not fall on building lots without the muck being removed.
3. Walls and landscaping shall be located within a landscape and wall tract, to be maintained by the HOA; wall and landscape tract shall be outside of the existing R/W.
4. All proposed easements shall be 30' minimum width for sanitary, water and storm; improvements shall be centered within the easement. Common areas not abutting right-of-way shall include a tract (not easement) for access and maintenance.
5. Utilities: Minimum 8" potable water (internal), 8" reuse water, and minimum 6" sanitary force main are required. Utilities shall be extended the full property frontage per Code; Upsizing agreement may be necessary for extending the 16" water main on Fullers Cross Road; Water and Reuse lines shall be looped and connected into the existing stubouts in Fullers Crossing. Reuse main shall be extended on Fullers Cross Road to connect to the existing stubout approximately 640 feet east of the entrance. Force main shall be 6"; all internal water mains shall be 8" minimum (see comments from Public Services).
6. Minimum 5 ft wide utility and drainage easements shall be provided on each side lot line; 10' drainage and utility easements required adjacent to R/W.
7. Some of this property appears to be "A" type soils and may require adherence to the Wekiva protection regulations. Wekiva Protection requirements as outlined in the Comprehensive Plan shall be met, especially for drainage. Geotechnical report indicates an absence of Karst features.
8. Streetlighting shall be pursuant to City Code, including frontage on Fullers Cross Road, meeting dark skies requirements (Code Section 118-1536(k)). Submit streetlighting plan from Progress Energy prior to preconstruction meeting.
9. All irrigation on the site shall be designed to be supplied by reclaimed water (minimum 8" internal main size – as shown).
10. Permits from SJRWMD and FDEP (water, wastewater and NPDES) are required prior to issuance of site or building permits.
11. Sidewalks internal to the development shall be constructed adjacent to all lands not containing building lots prior to final acceptance. This shall include all retention, conservation, lift station, or recreation tracts, abutting roadways, pedestrian walkways, etc. Sidewalks external to the development shall be constructed upon final completion.
12. Docks: Response indicates that no docks are proposed with the initial development, but requests that each lakefront lot owner and/or HOA have the ability to permit and construction their own docks in the future if desired. Docks shall comply with City of Winter Garden Ordinance 11-20 and will require separate permit approval through the Building Department.

Conditional approval of the Preliminary Plat will allow the owner to proceed with development plans as well as the final plat.

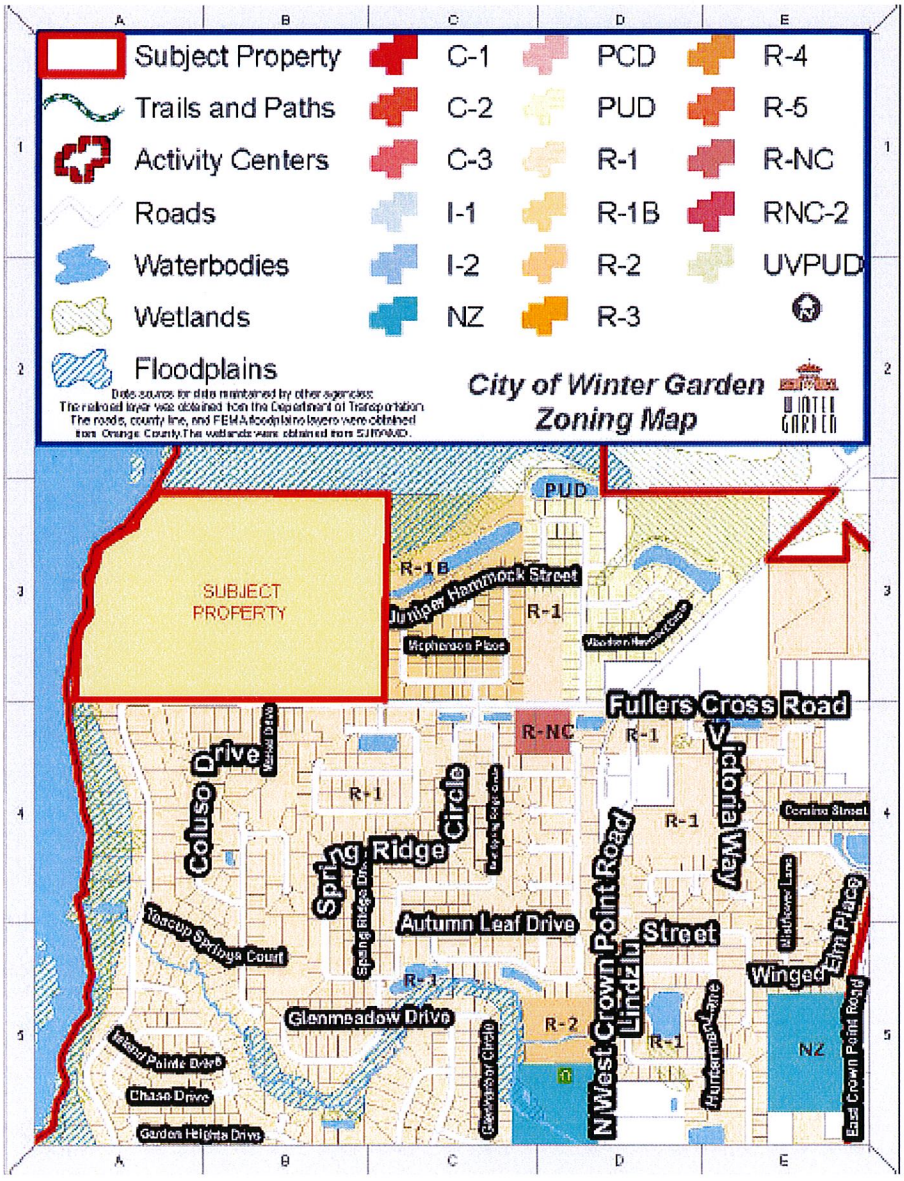
MAPS

AERIAL PHOTO

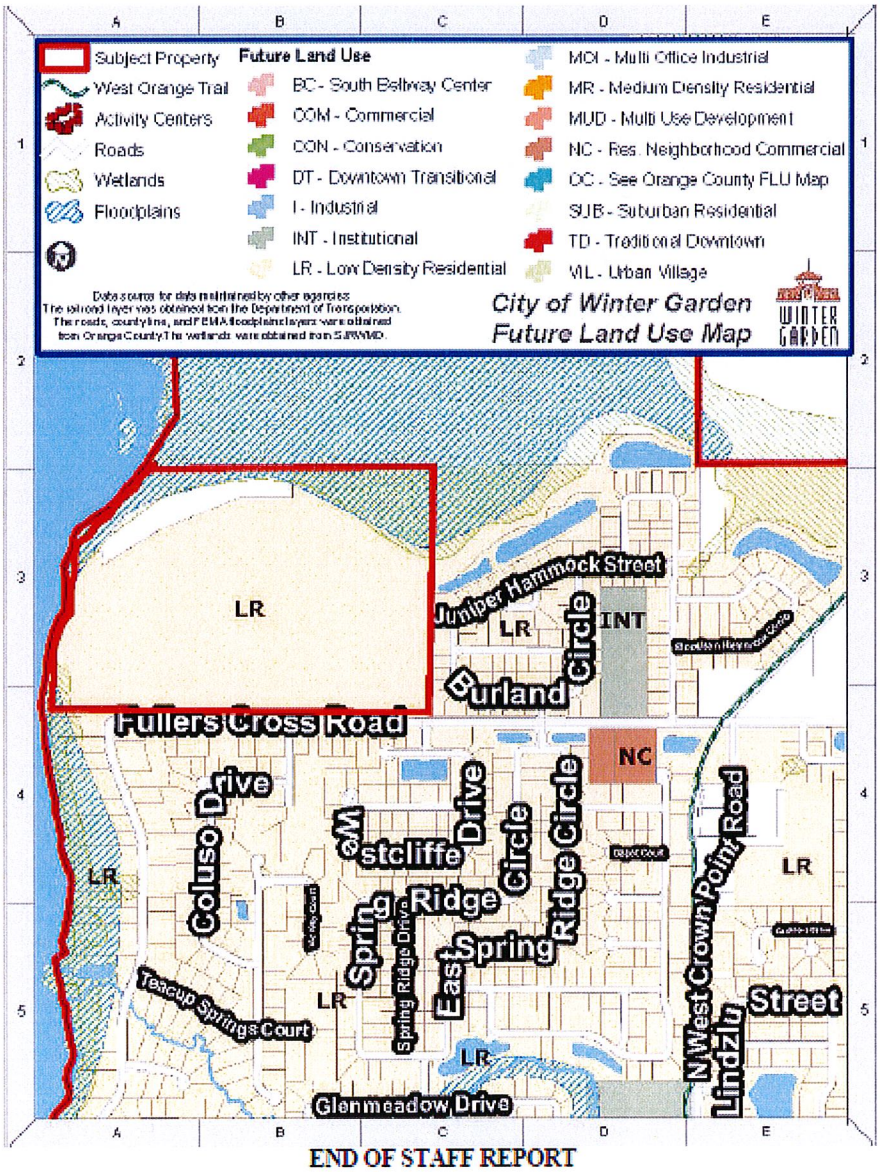
Highland Groves



ZONING MAP
Highland Groves



FUTURE LAND USE MAP
Highland Groves



END OF STAFF REPORT

EXHIBIT "G"

CITY OF WINTER GARDEN

PLANNING & ZONING DIVISION

300 West Plant Street - Winter Garden, Florida 34787-3011 • (407) 656-4111

STAFF REPORT

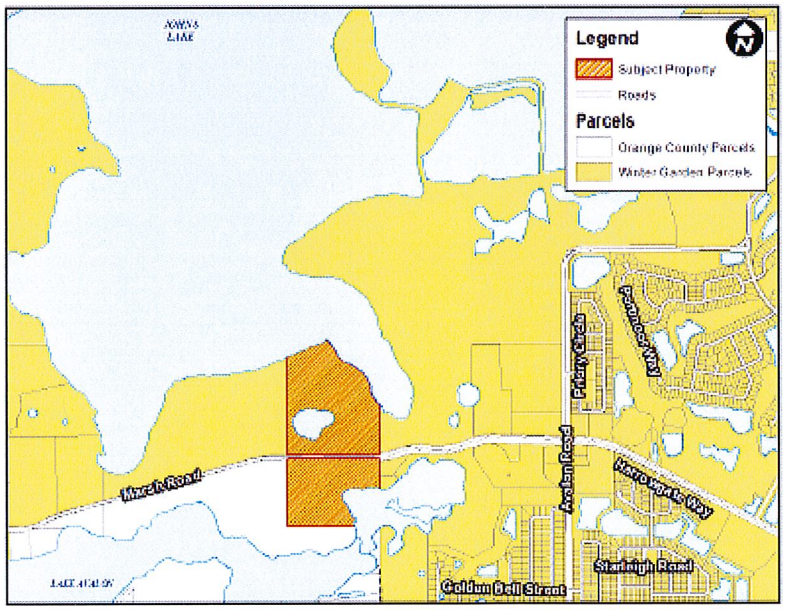
TO: PLANNING AND ZONING BOARD
PREPARED BY: LAURA SMITH, SENIOR PLANNER
DATE: AUGUST 1, 2013
SUBJECT: PRELIMINARY PLAT
16303 Marsh Road (105.68+/- ACRES)
Parcel ID# 05-23-27-0000-00-005 & 05-23-27-0000-00-008

APPLICANT: Crooked Lake Holdings, LLC

INTRODUCTION

The purpose of this report is to evaluate the proposed project for compliance with the City of Winter Garden Land Development Regulations, Comprehensive Plan, and Future Land Use Map

The subject property, located on the north and south side of Marsh Road east of Williams Road and west of Avalon Road at 16303 Marsh Road, is approximately 78.29± acres. The map below depicts the location of the subject property within the City of Winter Garden municipal limits:



The applicant is requesting approval of Preliminary Plat of the 78.29± acre property which is Crooked Lake Preserve UVPUD Subdivision for 140 single family residential lots. The subject property is located within the City of Winter Garden municipal limits, and carries the zoning designation UVPUD (Urban Village Planned Unit Development) in the City of Winter Garden. The subject property is designated Urban Village on the Future Land Use Map of the Comprehensive Plan.

EXISTING USE

The subject property is vacant unimproved land presently used for agriculture (timberland) and does not contain any structures.

ADJACENT LAND USE AND ZONING

The subject property is bordered on the north side by John's Lake. The property located to the east of the subject property is the Hickory Hammock residential subdivision currently under site construction which is zoned PUD in the City of Winter Garden. The property located to the west of the subject property on the north side of Marsh Road is the Waterside at John's Lake residential subdivision currently under site construction which is zoned UVPUD in the City of Winter Garden. The property located to the south and west of the subject property on the south side of Marsh Road is vacant unimproved land presently used for agriculture (timberland & citrus grove), this property was recently annexed into the City and is presently the subject of a Future Land Use Map Amendment to designate the property as Urban Village on the City's Future Land Use Map however until that amendment is adopted the property retains its Orange County Future Land Use Designation of Village.

The subject property and surrounding properties to the west are all located within the JPA expansion area as adopted by the Sixth Amendment to the Restated Interlocal Agreement for Joint Planning Area between Orange County and the City of Winter Garden. Additionally, the subject property as well as many of the surrounding properties (a total of 596 acres) were annexed into the City of Winter Garden by Ordinance 07-34. At the time the properties were annexed into the City they were not assigned zoning or future land use designation in the City of Winter Garden. Subsequently, as part of the EAR based amendments to the City's Comprehensive Plan which were adopted in 2010, the subject property and many of the surrounding properties (a total of 642.73 acres) were assigned a future land use designation of Urban Village on the Future Land Use Map of the City's Comprehensive Plan.

PROPOSED USE

The applicant is requesting preliminary plat approval to move forward with development plans and the final plat. The applicant proposes to develop the 78.29 ± acre site into an urban village planned unit development (UVPUD) of 140 single family dwelling units, with 3 recreational park areas, and open space areas.

SUMMARY

City Staff recommends conditional approval of the proposed Preliminary Plat subject to the following conditions:

1. Proposed roundabout on Marsh Road: Size and configuration will be determined at time of final engineering; radius, number of lanes, etc. shall safely accommodate traffic and be reviewed by the City's Roundabout Consultant. Additional right-of-way may be required.

2. Utilities: As discussed, the project will need to install a minimum 16" water main, 12" sanitary force main, and a 12" reclaimed water main on Marsh Road to serve the development. These lines will need to be extended to proposed or existing stub-outs near the intersection of Avalon and Marsh Roads, at the Developer's expense – coordinate with the Waterside development immediately to the west. Participation in cost-sharing with other developments will be required as discussed at DRC.

3. Coordinate with the adjacent Waterside and Hickory Hammock developments on the proposed roadway connections.

4. Proposed 5 ft building setbacks will only be approved provided that no obstructions of any kind are allowed within the 5 ft setback area. Minimum 5 ft wide utility and drainage easements shall be provided on each side lot line.

5. If gated, the streets will be private and maintained by the HOA. While portions of the right-of-way may be dedicated to the City, maintenance of special pavements, landscaping, hardscaping, etc. shall be performed by the HOA under a R/W maintenance agreement. This would include the roundabout island. If street trees are allowed, the HOA will be responsible for their installation, maintenance and removal if necessary.

6. Docks shall comply with City of Winter Garden Ordinance 11-20 (as codified in Chapter 118 of the City Code).

7. Some of this property appears to be "A" type soils and may require adherence to the Wekiva protection regulations (along with the Karst feature). Wekiva Protection requirements as outlined in the Comprehensive Plan shall be met, especially for drainage and Karst protection.

8. The Lakefront water quality BMP will need further definition and detail on final construction plans (slopes, depth, location, maintenance entity, etc.). Typical section of Swale "D" has been provided, which shall be a tract/drainage easement maintained by the HOA.

9. Provide Sand Skink study and clearance from FFWCC.

10. As shown, the proposed stormwater pond for Marsh Road/CR 545 (Tract J) is to be granted to the City as a drainage easement, to be designed, constructed by, and maintained by, the City.

11. A Developers Agreement addressing the phasing, utilities and other commitments of the development's master plan has been approved by the City Commission and shall be recorded prior to the issuance of any site or building permits.

12. All irrigation on the site shall be designed to be supplied by reclaimed water (minimum 8" internal main size).

13. Typical Pavement Section & General Notes: Location and type of street trees will be reviewed with final plans. If allowed, street trees will be the responsibility of the HOA, not the City, regardless if the project is gated/private or public.

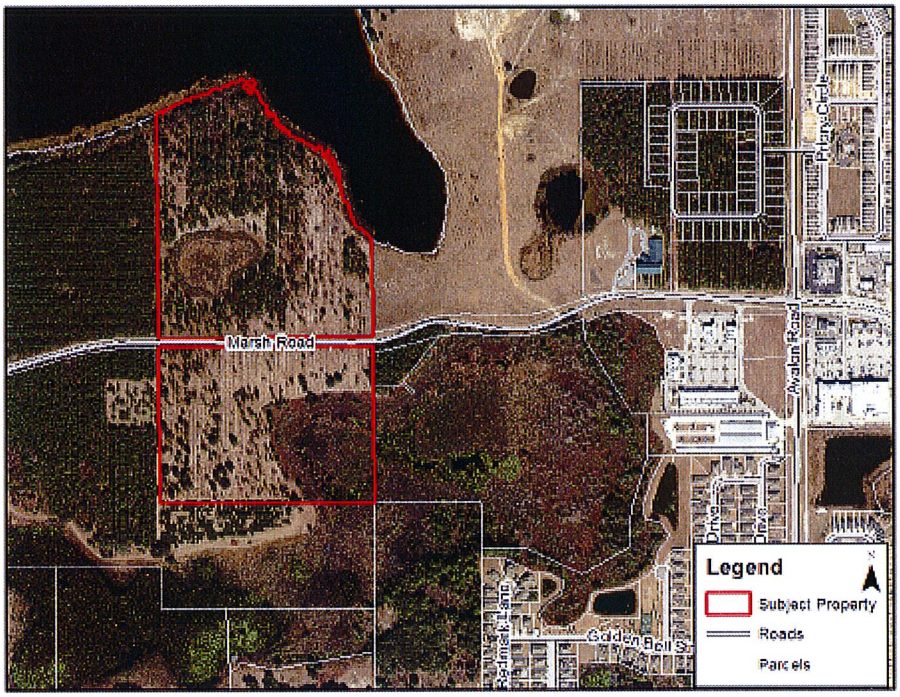
14. All proposed easements shall be 30' minimum width for sanitary, water and storm; improvements shall be centered within the easement. Common areas not abutting right-of-way shall include a tract (not easement) for access and maintenance. There will be no street trees permitted between the back of curb and sidewalk, all strees must be located on the individual lot behind the sidewalk.

15. The 100 year flood boundary is shown to encroach on many of the lots abutting Johns Lake. A LOMR shall be filed with FEMA as a condition of final plat approval for any areas requiring fill within the 100 year flood zone. Fill within the 100 year flood zone will only be allowed if compensating storage is provided.

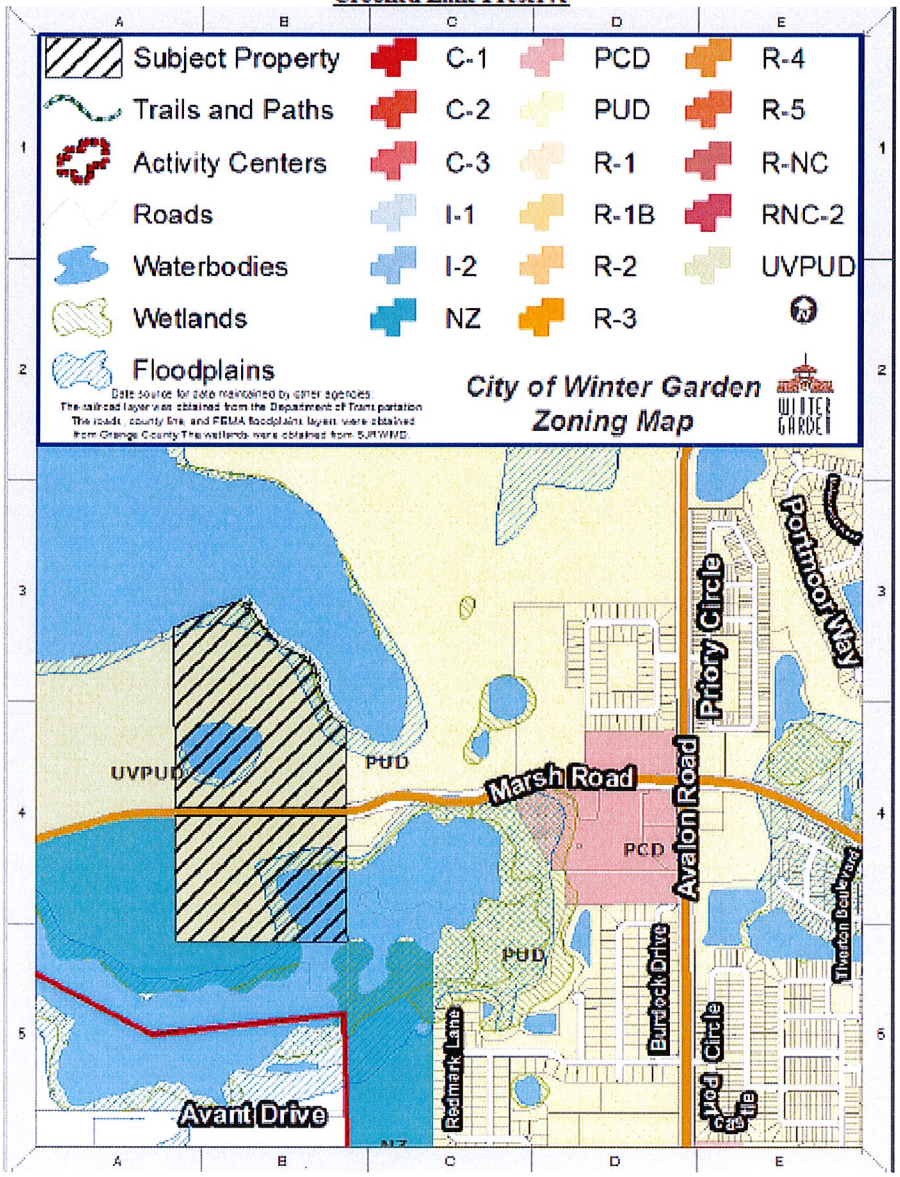
Conditional approval of the Preliminary Plat will allow the owner to proceed with development plans as well as the final plat.

MAPS

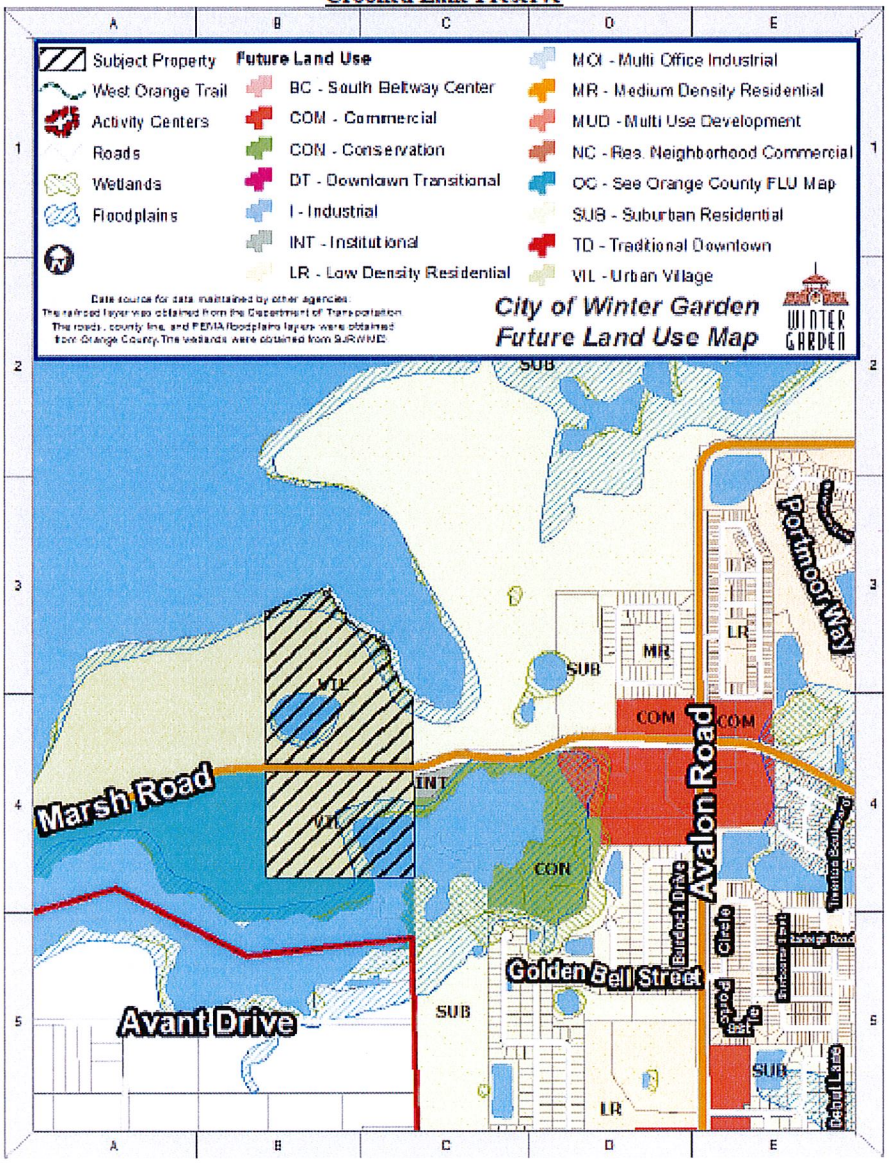
AERIAL PHOTO
Crooked Lake Preserve



ZONING MAP
Crooked Lake Preserve



FUTURE LAND USE MAP
Crooked Lake Preserve



END OF STAFF REPORT