



**PLANNING AND ZONING BOARD
REGULAR MEETING MINUTES
OCTOBER 3, 2016**

1. CALL TO ORDER / PLEDGE OF ALLEGIANCE / INVOCATION

Chairman Will Hawthorne called the meeting of the City of Winter Garden Planning and Zoning Board to order at 6:31 p.m. in the City Hall Commission Chambers. A moment of silence was 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 Will Hawthorne, Vice-Chairman David Kassander, and Board Members: Chris Lee, and Mark Maciel

MEMBERS ABSENT:

Mark DeFuso (excused), Heather Gantt (excused), and Gerald Jowers (excused)

STAFF PRESENT:

City Attorney Kurt Ardaman, Community Development Director Steve Pash, Planner I Jessica Frye, and recording secretary Kathleen Rathel

3. APPROVAL OF MINUTES

Motion by Mark Maciel to approve the regular meeting minutes of September 12, 2016 and seconded by David Kassander. Motion carried unanimously 4 - 0.

ANNEXATION / FUTURE LAND USE MAP AMENDMENT / REZONING (PUBLIC HEARING)

4. 420 W. Story Road – Leonel Lopez (ANNEXATION/FLU/ZONING)

Planner Frye presented a voluntary annexation, zoning and future land use amendment request for the 0.21+/- acre enclave located at 420 W. Story Road. The property is located on the southeast corner of W. Story Road and Foster Avenue. The applicant has requested the annexation with an initial zoning of R-2 (Residential) and an Amendment to the Future Land Use Map to designate the property as Low Density Residential. Staff has reviewed the request and recommends approval of Ordinances 16-62, 16-63 and 16-64.

Motion by Mark Maciel to recommend approval of Ordinances 16-62, 16-63 & 16-64 with Staff Recommendations (as provided in the agenda package). Seconded by Chris Lee the motion carried unanimously 4 - 0.

5. 707 W. Plant Street – 707 W Plant St, LLC (FLU MAP AMENDMENT)

Planner Frye presented a request to amend the Future Land Use designation for a 3.07 +/- acre property located at 707 W. Plant Street with a zoning of R-2. The applicant is requesting to amend the future land use designation from NC (Residential-Neighborhood Commercial) to LR (Low Density Residential) to allow the property to be rezoned to PUD (Planned Unit Development) at a later date. The request for Low Density Residential is consistent with the surrounding residential neighborhoods and the proposed PUD would require approval from the Development Review Committee, the Planning & Zoning Board, and City Commission. Staff has reviewed the request and recommends approval of Ordinance 16-71.

General discussion verified this request was for a future land use amendment only and the property would retain its initial zoning of R-2.

Motion by David Kassander to recommend approval of Ordinance 16-71 with Staff Recommendations (as provided in the agenda package). Seconded by Chris Lee the motion carried unanimously 4 - 0.

6. 605 & 755 E. Plant Street & 290 E. Newell Street – MI Homes of Orlando (PUD REZONING)

Community Development Director Pash presented a PUD Rezoning request for the 16.66 +/- acres of land at 605 & 755 E. Plant Street and 290 E. Newell Street. The property is located north of E. Plant Street, east of Donald Drive, and west of the Library. The applicants have requested to rezone the property from City R-1 (Single Family Residential) and R-2 (Residential) to PUD (Planned Unit Development). The proposed PUD will consist of 43 townhomes and 41 Single Family Dwellings. The townhomes will be adjacent to the trail and Plant Street and transition into Single Family homes. Twenty five of the townhomes located along Plant Street will include a second floor 400 square foot Granny Flat located above the garage. This will only be allowed at original development to make sure it meets all fire code requirements. The project will contain one recreation area in the center with a swimming pool and extra parking for guests, perimeter fencing and walls, a golf cart path that connects to Donald Drive. Staff has reviewed the request and recommends approval of Ordinance 16-72.

General discussion ensued on the location of the townhomes and dwellings within the project.

Chad Moorhead with Madden, Moorhead and Stokes at 431 E. Horatio Ave, Maitland FL 32751, and Dan Kaiser with M.I. Homes were present to answer any questions. He stated they have worked diligently with the community and Staff in revising the original plans to bring the current project before the Board.

Walter Swafford, 315 Courtlea Oaks Blvd, Winter Garden FL, inquired about the width of the lots and the dwelling size for the single family homes. Chad Moorhead replied the lots would be 50 feet wide and there would be a 50 foot buffer along the north side of the property containing a 6 foot masonry wall with landscaping. Dan Kaiser stated the single family homes would range in size from 1800 square feet to 3800 square feet.

Arthur Mitchell, 204 Trail Bridge Ct, Winter Garden FL, inquired about the distance between the edge of the retention pond on the east side to the property line. Chad Moorhead stated from the water surface to the property line would be approximately 50 feet and clarified it would be a detention pond versus a retention pond. They were also looking into vacating the unopened 30 foot Perkins Street right of way.

Mr. Pash clarified that all the fence heights would be 6 feet.

Bobbie Joyce, 260 Gary Drive, Winter Garden FL, asked if the only entrance and exit would be from Plant Street or if there would be another location on Donald Drive. Chad Moorhead stated the only entrance/exit would be from Plant Street but there was a golf cart access proposed for Donald Drive.

Board Member Kassander inquired about the size of the Townhomes as the ordinance stated the minimum size was 1,000 square feet. Dan Kaiser stated the proposed size of the Townhomes would range from approximately 1,600 to 1,800 square feet. Board Member Kassander asked if the current ordinance could be amended to increase the minimum square footage from 1,000 to 1,500. Discussion ensued on the minimum square footage.

Board Member Kassander asked if the 20% open space included the retention pond. Mr. Pash stated the retention pond is the primary area but it also included the clubhouse, pool, and landscape buffers.

Motion by David Kassander to recommend approval of Ordinance 16-72 with an amendment to Paragraph 3, Section 1, F-3, to raise the minimum living area to 1500 square feet and with Staff Recommendations (as provided in the agenda package). Seconded by Will Hawthorne.

Board Member Lee questioned raising the minimum square footage on the Single Family homes to 1,800 along with the 1,500 for the Townhomes. The applicants asked if the minimum could be changed to 1,700 square feet for the single family homes.

David Kassander amended his original motion to include a 1,500 minimum square footage for Townhomes and 1,700 minimum square feet on the Single Family homes. Seconded by Will Hawthorne the motion carried unanimously 4 - 0

7. 602 E. Story Road – Orange County Public Schools (ANNEX/ZONING/FLU)

Community Development Director Pash presented a voluntary annexation, zoning and future land use amendment request for an 8.82 +/- acre enclave at 602 E. Story Road. The property is located on the southwest corner of E. Story Road and 9th Street. The applicant has requested the annexation with an initial zoning of R-2 and an Amendment to the Future Land Use Map to designate the property as Low Density Residential. Staff has reviewed the request and recommends approval of Ordinances 16-68, 16-69 and 16-70.

Tyrone Smith with Orange County Public Schools Facilities, 6501 Magic Way, Orlando FL, addressed the Board. He stated they are proposing to relocate the existing Maxey Elementary School to remove it from the industrial area and provide a new core building to house 600 to 650 students. They plan on keeping the Maxey Elementary name at the new location.

City Attorney Ardaman questioned what was going to happen to the existing Maxey site. Mr. Smith stated it would go through a repurposing process by the School Board and the use would be determined at a later date. There were several options but he could not share them at this time. Board Member Hawthorne asked what the timeline for repurposing would be. Mr. Smith stated it depended on the needs of the district while the new school was being built but could take anywhere from 6 months to 1 year.

Tyrone Smith clarified the reason for annexing was due to the property being in the Joint Planning Area and it was a requirement to annex in order to receive city services and utilities instead of keeping the school in Orange County jurisdiction.

Ed Williams of Williams Development Services, 920 Delaney Ave, Orlando FL, addressed the Board as a member of the public. He stated he finds it difficult to accept that the School Board will not share what the potential repurposing program will be. They are asking for approval for the new site without providing their potential intentions for the old site. He believes these answers should be provided before it is submitted to Commission.

The Board discussed whether any conditions of approval could be included before it goes before the City Council. City Attorney Ardaman stated it is two different properties and asked the applicant about deferring until this information could be provided.

Tyrone Smith stated there is a contract on the property so there is a need to move forward and that it is no different from the process the City would take in evaluating any new project. Chairman Hawthorne asked the reasoning behind why they could not share the information.

Discussion ensued on the options the Board had to either defer until more information is obtained or include conditions that prior to being considered by City Commission the City have time to evaluate the possible uses on the existing site as it may affect the new project.

Laura Kelly with Orange County Public Schools and in charge of real estate and Legal, 6501 Magic Way, Orlando FL, stated the existing site will continue to be used for at least another year until the new site is opened. The School system does not know at this time what will happen to the existing site but there would need to be significant repurposing in order to use it. The new school site is slated to open in 2018 so it would not be until early 2018 before the school board would know what would happen to the old campus. Uses are limited but it would not become another school.

Board Member Maciel stated the Board wants to work with Orange County Public School but the Board would like some parameters to know at least the limitations of future uses.

Discussion ensued regarding the uses of the new site and the effects of the future site usage and the ramifications of tabling this project one month in order to obtain more information.

Arthur Mitchell, 204 Trail Bridge Ct, Winter Garden FL, stated the new location for the school is a good thing but as a taxpayer and as a resident he would like a commitment that the old location will not be turned into something undesirable.

Motion by Will Hawthorne to recommend approval of Ordinances 16-68, 16-69 & 16-70 with Staff Recommendations (as provided in the agenda package) contingent upon Orange County Public Schools providing sufficient data of permitted uses or prohibited uses for the existing site to Staff before recommending approval to City Commission, and, if such information by the applicant is not provided to Staff, then the Board recommends denial. Seconded by Chris Lee the motion carried unanimously 4 - 0.

8. 14991 W. Colonial Drive – 14991 W Colonial LLC (ANNEX/ZONING/FLU)

Community Development Director Pash presented a voluntary annexation, zoning and future land use amendment request for the 3.74 +/- acre enclave at 14991 W. Colonial Drive. The property is located on the northeast corner of W. Colonial Drive and Tildenville School Road. The applicant has requested the annexation with an initial zoning of C-2 and an Amendment to the Future Land Use Map to designate the property as Commercial. The property also falls within the State Road 50 Overlay District which has additional design standards that would have to be met when the property is developed. Staff has reviewed the request and recommends approval of Ordinances 16-65, 16-66 & 16-67.

Board Member Kassander asked if there was any significant difference between C-1 (County) and C-2 (City). Mr. Pash stated they were very similar but the County zoning may allow a few additional uses that would fall under a Special Exception with the City.

Motion by Chris Lee to recommend approval of Ordinances 16-65, 16-66 & 16-67 with Staff Recommendations (as provided in the agenda package). Seconded by Mark Maciel the motion carried unanimously 4 - 0.

9. 15001 W. Colonial Drive – 7-Eleven, Inc (ANNEX/ZONING/FLU)

Community Development Director Pash presented a voluntary annexation, zoning and future land use amendment request for the 1.58 +/- acre enclave at 15001 W. Colonial Drive. The property is located on the northwest corner of W. Colonial Drive and Tildenville School Road and is the current site of the 7-Eleven. The applicant has requested the annexation with an initial zoning of C-2 and an Amendment to the Future Land Use Map to designate the property as Commercial. The property also falls within the State Road 50 Overlay District which has additional design standards that would have to be met. Staff has reviewed the request and recommends approval of Ordinances 16-55, 16-56 & 16-57.

Board Member Hawthorne asked how the Overlay affects an existing use. Mr. Pash stated it would affect redevelopment or any site changes. The advantage for annexing would provide local services.

Motion by David Kassander to recommend approval of Ordinances 16-55, 16-56 & 16-57 with Staff Recommendations (as provided in the agenda package). Seconded by Will Hawthorne the motion carried unanimously 4 - 0.

SPECIAL EXCEPTION (PUBLIC HEARING)

10. 1218 Winter Garden Vineland Road, Ste 100 & 104 – My Gym Children’s Fitness Center

Planner Frye presented a Special Exception request for the property located at 1218 Winter Garden Vineland Road, Suites 100 & 104 located within the Winter Garden Business Park. The applicant is requesting the Special Exception to allow a children’s fitness center with associated child care programs such as, fitness classes for various age groups, day camps, Parent’s Night Out events, and children’s parties. All equipment and activities would be contained within the facility. Staff has reviewed the requests and recommends approval subject to the conditions outlined in the Staff Report.

Board Member Lee asked for a list of the conditions. Ms. Frye stated the conditions included having the classes staggered to maintain appropriate traffic flow within the development, a maximum enrollment for all provided classes of 30 children, activities and equipment must be kept within the building, and the interior buildout of the space would require a building permit. Ms. Frye reviewed the traffic flow and parking to make sure the use would be acceptable. The two suites total approximately 3,500 square feet.

Motion by Mark Maciel to recommend approval of the Special Exception [for 1218 Winter Garden Vineland Road Suites 100 & 104] with Staff Recommendations (as provided in the agenda package). Seconded by David Kassander the motion carried unanimously 4 - 0.

CITY OF WINTER GARDEN CODE UPDATES (PUBLIC HEARING)

11. Ordinance 16-59 – Comp Plan Amendment for Dillard Street Corridor

Community Development Director Pash presented a comprehensive plan amendment to add a statement into Policy 2-1.1.5 and add policy 2-1.1.15 of the multimodal transportation element of the Winter Garden Comprehensive Plan to include policies pertaining to the Dillard Street Corridor project; providing for severability; providing for an effective date. Staff recommends approval of Ordinance 16-59.

Board Member Kassander asked why the City had to do an ordinance. Mr. Pash explained the ordinance was required to amend the City's comprehensive plan which will help the City pursue grants and different alternatives for funding.

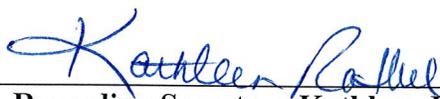
Motion by David Kassander to approve Ordinance 16-59. Seconded by Chris Lee the motion carried unanimously 4 - 0.

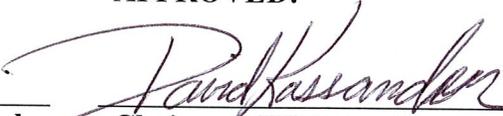
ADJOURNMENT

There being no further business, the meeting was adjourned at 7:36 p.m.

ATTEST:

APPROVED:


Recording Secretary Kathleen Rathel


Chairman Will Hawthorne
Vice Chairman David Kassander