



CITY OF WINTER GARDEN

CITY COMMISSION REGULAR MEETING MINUTES

January 9, 2020

REGULAR MEETING of the Winter Garden City Commission was called to order by Mayor Rees at 6:30 p.m. at City Hall, 300 West Plant Street, Winter Garden, Florida. An Opening Invocation and Pledge of Allegiance were given.

Present: Mayor John Rees and Commissioners

Lisa Bennett – District 1

Bob Buchanan – District 2

Mark A. Maciel – District 3

Colin Sharman – District 4

Also Present: City Manager Mike Bollhoefer, City Attorney A. Kurt Ardaman, City Clerk Angee Grimmage, Assistant City Manager of Administrative Services Frank Gilbert, Assistant City Manager of Public Services Jon Williams, Community Development Director Stephen Pash, Economic Development Director Tanja Gerhartz, Finance Director Laura Zielonka, Information Technology Director Chad Morrill, Fire Chief Matt McGrew and Police Chief Stephen Graham

1. **APPROVAL OF MINUTES**

Motion by Commissioner Buchanan to approve regular meeting minutes of December 12, 2019 as submitted. Seconded by Commissioner Bennett and carried unanimously 4-0.

(Commissioner Sharman arrived at this point in the meeting at 6:34 p.m.)

2. **FIRST READING AND PUBLIC HEARING OF PROPOSED ORDINANCES**

- A. **Ordinance 20-04:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, REZONING CERTAIN REAL PROPERTY BEING APPROXIMATELY 8.25 +/- ACRES AND GENERALLY LOCATED AT 12301 WEST COLONIAL DRIVE ON THE NORTHEAST CORNER OF WEST COLONIAL DRIVE AND CARTER ROAD FROM THE EXISTING PLANNED COMMERCIAL DEVELOPMENT (PCD) ADOPTED BY ORDINANCE 00-78 TO PLANNED COMMERCIAL DEVELOPMENT (PCD) AS SET FORTH IN THIS ORDINANCE; PROVIDING FOR CERTAIN PCD DEVELOPMENT CONDITIONS AND REQUIREMENTS; DESCRIBING THE DEVELOPMENT AS THE PEOPLES PLAZA PCD; REPEALING AND REPLACING ORDINANCE 00-78; AND PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 20-04 by title only. Community Development Director Pash stated that this is a request to repeal the existing Planned Commercial Development (PCD) and replace it with a new PCD ordinance for property located at 12301 West Colonial Drive. He noted that the proposed development includes the demolition of all existing buildings on the site. The redevelopment would include a gas station at the corner; two future hotels would phase in on the northern portion of the property, and a pond behind. He further described that there would be one or two commercial lots located east of the gas station along the West Colonial Drive property as well as other improvements. The first proposed hotel is a Hampton Inn to include 102 rooms and five stories. The PCD has design guidelines, limits on the number of rooms at 220 total; also a

limit of two hotels, one gas station, and a drive-through facility. Staff recommends approval of Ordinance 20-04.

Mayor Rees commented about the number of gas stations, made an inquiry about the hotels and expressed his desire for a nicer dine-in restaurant. There was discussion on the need for nicer restaurants along State Road 50.

Mayor Rees opened the public hearing.

Sara Wolfe, 221 N. Boyd Street, Winter Garden, Florida, spoke in opposition to another gas station and noted the closure of other gas stations in the area. She stated that she does not think it is the type of entrance wanted for Winter Garden coming down from the Turnpike.

Mayor Rees closed the public hearing.

Motion by Commissioner Maciel to approve Ordinance 20-04 with the second reading and public hearing January 23, 2020. Seconded by Commissioner Buchanan.

City Manager Bollhoefer explained that the City works with developers on projects such as this, striving for the highest and best use for a development. In terms of this situation, this property and this project, the developer has to make the numbers work. In order to make the numbers work with the hotel, the gas station was a key element.

Commissioner Maciel agreed that there are pros and cons to this and inquired if there are other lots available, noting the possibilities for attracting a quality restaurant. City Manager Bollhoefer noted that he met with the property owners and stated that they are currently in discussions with a high-end restaurant for this site.

There was discussion on gas stations and their business lifespan, and also the competition that may drive them away.

Motion carried unanimously 5-0.

- B. **Ordinance 20-07:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE WINTER GARDEN COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE DESIGNATION OF REAL PROPERTY GENERALLY DESCRIBED AS APPROXIMATELY 5.51 ± ACRES LOCATED AT 541 WINTER GARDEN VINELAND ROAD, WEST OF DANIELS ROAD, EAST OF WINTER GARDEN VINELAND ROAD, SOUTH OF SUNBRIDGE CIRCLE AND NORTH OF ROPER ROAD FROM LOW DENSITY RESIDENTIAL TO COMMERCIAL; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE
- C. **Ordinance 20-08:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, REZONING CERTAIN REAL PROPERTY GENERALLY DESCRIBED AS APPROXIMATELY 5.51 ±

ACRES LOCATED AT 541 WINTER GARDEN VINELAND ROAD, WEST OF DANIELS ROAD, EAST OF WINTER GARDEN VINELAND ROAD, SOUTH OF SUNBRIDGE CIRCLE, AND NORTH OF ROPER ROAD, FROM R-1 (RESIDENTIAL DISTRICT) TO PCD (PLANNED COMMERCIAL DEVELOPMENT); PROVIDING FOR CERTAIN PCD REQUIREMENTS AND DESCRIBING THE DEVELOPMENT AS THE SONATA WEST MOB II / NHCC PCD; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinances 20-07 and 20-08 by title only. Community Development Director Pash stated that this is a request to amend the future land use designation on this property from low density residential to commercial and rezone the property from R-1 to Planned Commercial Development (PCD). He described the location of the property and noted that the site would be developed with two 2-story medical office buildings and a single-story church. He noted that a traffic study was completed and the development would not change the existing level of service on the roads. He informed that the applicant would be required to make improvements to the intersection as well as paying their fair share of the installation of a traffic light at this intersection.

Commissioner Sharman inquired of the necessity of a traffic light for this small office complex. Mr. Pash responded that it would assist with traffic by slowing it down; assisting the Bradford Creek community with accessing their site. City Manager Bollhoefer noted that this would assist with traffic in terms of the existing Black Lake Subdivision and future development in the long term.

Mayor Rees inquired if the results of neighborhood meetings were favorable; Mr. Pash noted that there was only one person in opposition. The City Commission discussed changes in this area setting the precedence for future development, noting the buildings, traffic, as well as sufficient and shared parking on Sunday.

Mayor Rees opened the public hearing, hearing and seeing none, he closed the public hearing.

Motion by Commissioner Buchanan to approve Ordinances 20-07 and 20-08 with the second reading and public hearing January 23, 2020. Seconded by Commissioner Sharman and carried unanimously 5-0.

- D. **Ordinance 20-09:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS APPROXIMATELY 0.99 ± ACRES LOCATED AT 15151 E. OAKLAND AVENUE; NORTH OF STATE ROAD 438 E. OAKLAND AVENUE, WEST OF TILDENVILLE SCHOOL ROAD, AND EAST OF OAKLAND PARK BLVD; REDEFINING THE CITY BOUNDARIES TO GIVE THE CITY JURISDICTION OVER SAID PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE
- E. **Ordinance 20-10:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA AMENDING THE FUTURE LAND USE MAP OF THE WINTER GARDEN COMPREHENSIVE

PLAN BY CHANGING THE LAND USE DESIGNATION OF REAL PROPERTY GENERALLY DESCRIBED AS 0.99 ± ACRES OF LAND LOCATED AT E. OAKLAND AVENUE; NORTH OF STATE ROAD 438 E. OAKLAND AVENUE, WEST OF TILDENVILLE SCHOOL ROAD, AND EAST OF OAKLAND PARK BLVD FROM ORANGE COUNTY LOW DENSITY RESIDENTIAL TO CITY LOW DENSITY RESIDENTIAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

- F. **Ordinance 20-11:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA REZONING APPROXIMATELY 0.99 ± ACRES LOCATED AT 15151 E. OAKLAND AVENUE; NORTH OF STATE ROAD 438 E. OAKLAND AVENUE, WEST OF TILDENVILLE SCHOOL ROAD, AND EAST OF OAKLAND PARK BLVD; FROM ORANGE COUNTY A-1 CITRUS RURAL DISTRICT TO CITY R-1 SINGLE FAMILY RESIDENTIAL DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinances 20-09, 20-10 and 20-11 by title only. Community Development Director Pash stated that this is a voluntary annexation and described the location. He noted that the applicant is requesting a future land use designation of low-density residential and R-1 zoning. This property has an existing home in which the applicant plans to live. Mr. Pash addressed the issue of their current septic use as well as plans for future water and sewer connections. This is consistent with the surrounding area and staff recommends approval of Ordinance 20-09, 20-10, and 20-11.

Mayor Rees opened the public hearing, hearing and seeing none, he closed the public hearing.

Motion by Commissioner Bennett to approve Ordinances 20-09, 20-10 and 20-11 with the second reading and public hearing January 23, 2020. Seconded by Commissioner Buchanan and carried unanimously 5-0.

- G. **Ordinance 20-12:** AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA VACATING A PORTION OF THE PLAT DEDICATED DRAINAGE AND UTILITY EASEMENTS OVER LOT 8 OF OAKLAND PARK UNIT 1A PARTIAL REPLAT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 84, PAGE 121, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; AND LOT 9 OF OAKLAND PARK UNIT 1A, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 70, PAGE 33, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA (LOCATED AT 1242 AND 1248 UNION CLUB DRIVE, WINTER GARDEN, FLORIDA) OWNED BY J & J BUILDING, LLC AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR AN EFFECTIVE DATE AND RECORDING

City Attorney Ardaman read Ordinance 20-12 by title only. Community Development Director Pash stated that this is a request to vacate the drainage and utility easement between the two lots 8 and 9 of Phase 1A. This request is so they can build one home across the two lots. Staff recommends approval of Ordinance 20-12.

Mayor Rees opened the public hearing, hearing and seeing none, he closed the public hearing.

Motion by Commissioner Buchanan to approve Ordinance 20-12 with the second reading and public hearing January 23, 2020. Seconded by Commissioner Sharman and carried unanimously 5-0.

3. SECOND READING AND PUBLIC HEARING OF PROPOSED ORDINANCES

- A. **Ordinance 20-01:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS APPROXIMATELY 1.16 ± ACRES LOCATED AT E. OAKLAND AVENUE; NORTH OF STATE ROAD 438 E. OAKLAND AVENUE, WEST OF TILDENVILLE SCHOOL ROAD, AND EAST OF OAKLAND PARK BLVD; REDEFINING THE CITY BOUNDARIES TO GIVE THE CITY JURISDICTION OVER SAID PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE
- B. **Ordinance 20-02:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA AMENDING THE FUTURE LAND USE MAP OF THE WINTER GARDEN COMPREHENSIVE PLAN BY CHANGING THE LAND USE DESIGNATION OF REAL PROPERTY GENERALLY DESCRIBED AS 1.16 ± ACRES OF LAND LOCATED AT E. OAKLAND AVENUE; NORTH OF STATE ROAD 438 E. OAKLAND AVENUE, WEST OF TILDENVILLE SCHOOL ROAD, AND EAST OF OAKLAND PARK BLVD FROM ORANGE COUNTY LOW DENSITY RESIDENTIAL TO CITY LOW DENSITY RESIDENTIAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE
- C. **Ordinance 20-03:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA REZONING APPROXIMATELY 1.16 ± ACRES LOCATED AT E.OAKLAND AVENUE; NORTH OF STATE ROAD 438 E. OAKLAND AVENUE, WEST OF TILDENVILLE SCHOOL ROAD, AND EAST OF OAKLAND PARK BLVD; FROM ORANGE COUNTY A-1 CITRUS RURAL DISTRICT TO CITY R-1 SINGLE FAMILY RESIDENTIAL DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinances 20-01, 20-02 and 20-03 by title only. Community Development Director Pash stated that this is a voluntary annexation and described the location. He noted that the applicant is requesting future land use designation of low-density residential and R-1 zoning. He noted that this property is vacant and the applicant is requesting annexation for connection to City services. Staff recommends approval of Ordinance 20-01, 20-02 and 20-03.

Mayor Rees opened the public hearing, hearing and seeing none, he closed the public hearing.

Motion by Commissioner Sharman to adopt Ordinances 20-01, 20-02 and 20-03. Seconded by Commissioner Buchanan and carried unanimously 5-0.

- D. **Ordinance 20-05:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA AMENDING THE FUTURE LAND USE MAP OF THE WINTER GARDEN COMPREHENSIVE PLAN BY CHANGING THE LAND USE DESIGNATION OF REAL PROPERTY GENERALLY DESCRIBED AS APPROXIMATELY 0.41 +/- ACRES OF LAND GENERALLY LOCATED AT 646 E. PLANT STREET ON THE SOUTHEAST CORNER OF E. PLANT STREET AND 6TH STREET, FROM INDUSTRIAL TO COMMERCIAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE
- E. **Ordinance 20-06:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, REZONING CERTAIN REAL PROPERTY GENERALLY DESCRIBED AS APPROXIMATELY 0.41 +/- ACRES OF LAND GENERALLY LOCATED AT 646 E. PLANT STREET ON THE SOUTHEAST CORNER OF E. PLANT STREET AND 6TH STREET, FROM I-2 (GENERAL INDUSTRIAL DISTRICT) TO CAPUD (CHARACTER AREA PLANNED UNIT DEVELOPMENT); PROVIDING FOR CERTAIN CAPUD REQUIREMENTS AND DESCRIBING THE DEVELOPMENT AS THE 646 E. PLANT STREET CAPUD; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinances 20-05 and 20-06 by title only. Community Development Director Pash stated that the owner of this property is requesting the rezoning and land use change in order to renovate a building built in 1931. He noted that they would add parking so that it can be used for office, retail or possibly a small restaurant. It is consistent with the Plant Street overlay requirements. Staff recommends approval of Ordinance 20-05 and 20-06.

Mayor Rees opened the public hearing, hearing and seeing none, he closed the public hearing.

Motion by Commissioner Bennett to adopt Ordinances 20-05 and 20-06. Seconded by Commissioner Buchanan and carried unanimously 5-0.

4. **REGULAR BUSINESS**

- A. **Recommendation to approve FINAL PLAT for 555 N. Dillard Street (Dillard Pointe)**
Community Development Director Pash stated that this is the final plat for the Dillard Pointe subdivision. He noted that this plat replats 12 existing lots into 12 new lots. The new lots are consistent with the Planned Unit Development (PUD) zoning as well as the area's existing development. The plat was reviewed and approved by the Development Review Committee (DRC) and staff recommends approval, subject to conditions as noted in the DRC Report.

Motion by Commissioner Sharman to approve FINAL PLAT for 555 N. Dillard Street (Dillard Pointe). Seconded by Commissioner Bennett and carried unanimously 5-0.

B. Recommendation to approve **SITE PLAN** for N. West Crown Point Road (Alta Winter Garden), subject to conditions

Community Development Director Pash stated that this is the site plan for the property generally located at the northeast corner of East Plant Street and Northwest Crown Point Road. He noted that the plan is to develop the site with five new three-story buildings that will have 250 apartments. He described other site improvements and noted that the plans are consistent with the approved Character Area Overlay PUD ordinance (CAPUD). Staff recommends approval, subject to conditions as outlined in the DRC Report.

Motion by Commissioner Buchanan to approve SITE PLAN for N. West Crown Pointe Road (Alta Winter Garden), subject to conditions. Seconded by Commissioner Maciel and carried 4-1; Mayor Rees opposed.

C. Recommendation to approve SITE PLAN for 620 Garden Commerce Parkway (Quality Playing Cards), subject to conditions

Community Development Director Pash stated that this is the site plan for property located at 620 Garden Commerce Parkway. The owners are requesting approval to build a new 12,500 square foot office and warehouse, along with other site improvements. The plans are consistent with the approved Planned Industrial Development (PID) Ordinance. Staff recommends approval, subject to the DRC Report.

There was discussion on the landscape being similar to what is already in the area.

Motion by Commissioner Buchanan to approve SITE PLAN for 620 Garden Commerce Parkway (Quality Playing Cards), subject to conditions. Seconded by Commissioner Maciel and carried unanimously 5-0.

D. Recommendation to approve **EQUIPMENT PURCHASES: (1) Vermeer Vactron Model LP573XDT Trailer Mounted Hydro Excavator and (1) Vermeer D8X12 Underground Bore System Complete**

Fleet and Facilities Division Manager Caines stated that this request is to purchase two pieces of equipment for the City's Public Services Department. He described the Vactron Excavator equipment and noted the cost at \$51,500, a piggyback of the Florida Sheriff's Association and Florida Association of Counties contract. He also described the Underground Bore System and noted the cost at \$52,432, a piggyback contract of the Sourcewell contract. Mr. Caines noted that both were anticipated purchases that were included in the current budget.

Commissioner Sharman inquired about the underground bore system and the demand for it being enough for the City to provide this service in-house. Mr. Caines described our current equipment and the new equipment and there was discussion on the uses for both.

Motion by Commissioner Sharman to approve equipment purchases of (1) Vermeer Vactron Model LP573XDT Trailer Mounted Hydro Excavator and (1) Vermeer D8X12 Underground Bore System Complete. Seconded by Commissioner Bennett and carried unanimously 5-0.

5. **MATTERS FROM PUBLIC** – There were no items.

6. **MATTERS FROM CITY ATTORNEY** – There were no items.

7. **MATTERS FROM CITY MANAGER**

- Staff Appreciation

City Manager Bollhoefer thanked staff for all of their hard work and efforts regarding events during the holidays.

- Winter Garden Art Association Gala

City Manager Bollhoefer inquired of the City Commission's desire to attend the Winter Garden Art Association Gala on Friday, February 21, 2020.

- Horse Drawn Carriage – Valentine's Day

City Manager Bollhoefer informed the City Commission of the Horse Drawn Carriages that are to be available for Valentine's Day, February 14, 2020. *There were no noted objections.*

- Car Show

City Manager Bollhoefer announced that Saturday, January 18, 2020 would be the first car show of the year.

- Martin Luther King (MLK) Day

City Manager Bollhoefer announced that the MLK, Jr. community celebration is Monday, January 20, 2020.

8. **MATTERS FROM MAYOR AND COMMISSIONERS**

Commissioner Sharman expressed his enjoyment of the Christmas Holiday and the events here in Winter Garden.

Commissioner Buchanan expressed his excitement over the new development in Winter Garden; listing some of them. He acknowledged the work of City staff for the Christmas events. He also spoke of experiences and comments noted by some City visitors.

Commissioner Bennett thanked staff for all their hard work during the holidays and noted that they do a really good job.

