

**A REGULAR MEETING MINUTES  
PLANNING AND ZONING BOARD  
SEPTEMBER 14, 2009**

**CALL TO ORDER**

Chairman Jerry Carris 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 Chamber. The invocation was given followed by the Pledge of Allegiance. The roll was called and a quorum was declared present.

**MEMBERS PRESENT:** Chairman Jerry Carris, Vice-Chairman James Gentry, Board Members: Mac McKinney, James Dunn, Rohan Ramlackhan, Kent Horsley, and Mark Maciel.

**STAFF PRESENT:** City Attorney Dan Langley, Economic Development Director Dolores Key, Assistant to the City Manager for Public Services Don Cochran, Community Development Director Tim Wilson, Principal Planner Bill Wharton, Planner Brandon Byers, Planner Regina McGruder, and Administrative Assistant Ana Alves.

**STAFF ABSENT:** City Manager Mike Bollhoefer

**1. APPROVAL OF MINUTES**

Approval of minutes from regular meeting held August 03, 2009.

Kent Horsley pointed out that items # 2 and # 4 must be amended to reflect “*motion passed 6-0-1*”; Item # 4 should reflect “*motion carried unanimously 7-0*”, and also, board member Rohan Ramlackhan’s name was misspelled on page #5.

*Motion by James Gentry to approve the above minutes as amended. Seconded by James Dunn, the motion carried unanimously 7-0.*

**2. Parks and Recreation Dept. Presentation - Jessie Brook Community Center**

Parks and Recreation Director Jay Conn made a presentation to the Board regarding Jessie Brock Community Center and Park Project. He explained that this project does

not require action by members of the Planning and Zoning Board, but their review and support is advantageous when seeking grant funding.

Mr. Conn reported that the City of Winter Garden is now in the process of redeveloping the former Dillard St. Elementary school at 310 N. Dillard St. The City acquired this property in 2007 with plans to transform the remaining buildings and grounds into the Jessie Brock Community Center and Park. This facility will serve as the City of Winter Garden's home to all operations of the Recreation Division of the Parks and Recreation Department. The existing buildings at this 16,000 square foot facility are being remodeled into rooms that will be utilized for classes in art, pottery, fitness, dance, cooking, and other instructional activities as well as for youth day camps, teen activities, luncheons, dances, pre-school programs, senior citizen programs and private rental functions. Office space will also be created to accommodate Recreation Department staff members. In addition to these indoor areas the outdoor areas will be developed as an outdoor park. Park amenities will include a walking path with outdoor fitness equipment stationed at various distances, park benches, increased landscaping, and a floating fountain. Future phases will include a playground and a picnic pavilion. Development has been underway since April and is scheduled to be completed by the end of November, 2009. The center should be fully operational by January of 2010.

Board Members expressed their support to the project and voiced their appreciation to Park and Recreation Department Director Conn and his department for their work and efforts regarding the project.

### **Annexations, Comp Plan Amendments & Rezonings**

#### **3. 13036 Roper Road**

Planner Byers presented the Board with a request for approval of Ordinance 09-49, annexation of 13036 Roper Road. Mr. Byers informed the Board that this vacant property is approximately 40.28 acres and owned by the Grace Church of Orlando. There are approximately 25 acres of Class I wetlands making approximately 15 acres of the property developable. The wetlands are located near the center of the property. The property owner will consider locating their church operations at this site in the future, after the City completes their Comprehensive Plan Amendments. City Staff has reviewed the application and recommends approval.

Kent Horsley inquired about the wetlands and environmental issues. Planner Byers explained that wetlands are very well protected, and that there is an average 25 foot setback requirement. He added that the land can be mitigated through St. Johns River Water Management District, but noted that it is not an easy process. Planner Byers

reported that the City requires applicants developing projects on vacant parcels to provide an environmental report analyzing the vegetation, wild life and/or endangered species.

***Motion by James Gentry to recommend approval of Ordinance 09-49, annexation of 13036 Roper Road.***

Amber Whitt, 12902 Roper Road, Winter Garden, approached the Board and stated that she owns the adjacent property to the east of the subject lot, and stated that all properties north of Roper Road are annexed into the City but her property and others to the south of Roper Road are unincorporated Orange County. She expressed her desire to annex into the City. Planner Byers suggested Ms. Whitt to come to the Planning and Zoning Department to fill out an annexation application.

***The motion was seconded by Mark Maciel, and carried unanimously 7-0.***

**4. Parcel ID # 33-22-27-0000-00-014**

Planner Byers presented the Board with a request for approval of Ordinance 09-48, annexation of property with parcel ID # 33-22-27-0000-00-014. Mr. Byers explained that this property is approximately 3.74 acres, and the City purchased it in 2006 from a private landowner. The City will process the Comprehensive Plan Amendment with the rewrite and EAR-based amendments for the City Comprehensive Plan. The City will then rezone the property after the Comprehensive Plan has been completed by the City in 2010.

***Motion by Kent Horsley to recommend approval of Ordinance 09-48, annexation of property with parcel ID # 33-22-27-0000-00-014. Seconded by James Dunn the motion carried unanimously 7-0.***

**5. 120 Tildenville School Road**

Planner McGruder presented the Board with a request for approval of Ordinance 09-50, annexation of 120 Tildenville School Road; Ordinance 09-51, amending the future land use of subject property to City Low Density Residential; and Ordinance 09-52, rezoning the property to City R-2. City Staff has reviewed the petitions and recommends approval.

***Motion by James Dunn to recommend approval of Ordinance 09-50, annexation of 120 Tildenville School Road; Ordinance 09-51, amending the future land use for 120 Tildenville School Road to Low Density Residential; and Ordinance 09-52, rezoning 120 Tildenville School Road to City R-2. Seconded by Kent Horsley, the motion carried unanimously 7-0.***

**6. Apex Commerce Center, PCD Rezoning**

Planner McGruder informed the Board that this PCD Rezoning Ordinance was approved by the Planning and Zoning Board on September 2008, but because of some changes made to the Developers Agreement, City Staff has requested that the item be presented before the Board for approval. She added that the Item has been removed from the agenda, since City Staff and the developer are still working on some details regarding the Developers Agreement.

**7. Ordinance 09-59, Proposed Amendment to City's Comprehensive Plan**

Principal Planner Wharton presented the Board with a request for approval of Ordinance 09-59, proposed amendment to City's Comprehensive Plan, amending the Intergovernmental Coordination Element, Future Land Use Element, Public Services Element, and the Conservation Element of the City's Comprehensive Plan to incorporate the City's 10-Year Water Supply Facilities Work Plan (2009-2018).

Mr. Wharton explained that in 2005 the Florida Legislature passed Senate Bills 360 and 444 that significantly changed Chapters 163 and 373 of the Florida Statutes (FS) by strengthening the statutory link between regional water supply plans prepared by the water management districts, and comprehensive plans prepared by local governments. Each water management district, in our case the St Johns River Water Management District (SJFWMD), is required to develop a district water supply plan. If the water management district finds that existing sources of water will not be adequate to meet projected water demands, then the water management district must develop a regional water supply plan identifying how water supply needs can be met for the next 20 years. In turn, local governments which fall within the boundaries of a regional water supply planning area are required to develop a 10-year water supply facilities work plan to ensure that adequate water supplies will be able to meet future demands and this plan must be consistent with the water management district's plan. The proposed ordinance contains amendments to the comprehensive plan to incorporate the City 10-Year Water Supply Facilities Work Plan as required by subsection 163.3177(6) (c) FS. These amendments include coordination with St. Johns River Water Management District when updating the water supply plan, entering into new and maintaining existing agreements dealing with water supplies and reuse systems, coordinating future land use map changes with adequate water supplies, consulting with the local utility provider on availability of water supplies prior to issuing development permits, ensuring efficient operation of the reclaimed water system, controlling the use of package treatment plants, and continuing water conservation programs. City Staff requests the Planning and Zoning Board as the Local Planning Agency recommends approval to the City Commission of Ordinance 09-59 to incorporate the City 10-year water Supply Facilities Work Plan into the City's comprehensive plan.

Kent Horsley inquired about the paragraph in page 15 which states “*The City shall maintain a strategic plan to connect the properties that are considered feasible for connection*”. He asked if the City has any plans to bring reclaimed water to neighborhoods that are not currently using it, or is the reclaimed water for new developments only. Don Cochran, Assistant to the City Manager for Public Services, approached the Board and reported that approximately 10 months ago the City engaged the services of PEC Engineering Consultants to develop a 20 year Reuse Water Master Plan, in response to St. Johns River Water Management District encouragement that all utilities find alternative water sources. One proposed source would place water plants on St. Johns River and pump water to Orlando. The City had another consultant, Boyle Engineering attend the meetings and put together a feasibility study for pumping water from St. Johns River, but after analysis the cost to the City of Winter Garden, over the next 30 years, would be 200 million dollars. Determining that this is not financially feasible, the City plans to extend reuse lines throughout the City within the next 20 years to provide reuse water for irrigation purposes. Extending reuse lines throughout the City will be the most feasible and cost effective way to take irrigation water to the homes. The City will still evaluate alternative water supplies for the future years. Mr. Cochran further explained and clarified details on the City’s plan to bring reclaimed water throughout the City.

In response to Mark Maciel’s question, Community Development Director Wilson stated that the proposed amendment to the City’s Comprehensive Plan regarding the 10-year Water Supply Facilities Work Plan is a statutory requirement. Mr. Wilson explained that St Johns River Water Management District is the main permitting agency for new developments regarding water conservation, but the City will expect the developers to comply with the water consumption requirements available at the time. Irrigation and landscaping requirements on individual homes may need to be adjusted. Mr. Wilson added that if the City goes through this process correctly, our requirements will be consistent with St. Johns River Water Management District requirements.

***Motion by Kent Horsley to recommend approval of Ordinance 09-59, to incorporate the City 10-Year Water Supply Facilities Work Plan into the City’s comprehensive plan. Seconded by James Gentry, the motion carried unanimously 7-0.***

### **ADJOURNMENT**

There being no further business, the meeting was adjourned at 7:18 p.m.

**APPROVED:**

**ATTEST:**

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**Chairman Jerry Carris**

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**Planning Technician Lorena Blankenship**