

**MINUTES
CITY OF OCOEE
PLANNING AND ZONING COMMISSION
(Acting as the Local Planning Agency)
REGULAR MEETING**

FEBRUARY 14, 2023

• CALL TO ORDER

Chair Lomneck called the regular session to order at 6:30 PM in the Commission Chambers of City Hall. The invocation was led by **Chair Lomneck**, followed by the Pledge of Allegiance to the Flag. **Recording Clerk Heard** called the roll and declared a quorum present.

Present: Chair Lomneck, Member Forges, Member Mellen, Member Williams, Alternate Member Keller

Absent: None

Also Present: Development Services Director Rumer, Zoning Manager Whitfield, Assistant City Attorney Drage, Recording Clerk Heard

• CONSENT AGENDA

1. Minutes of the Planning and Zoning Commission Meeting held on December 13, 2022

Motion for Approval of the Consent Agenda: Moved by Member Keller, Seconded by Member Mellen; Motion carried unanimously.

• OLD BUSINESS - None

• NEW BUSINESS

2. **413 Whittier Avenue, Phat An Temple Inc. Property - Annexation & Rezoning; Project No(s). AX-01-23-02 & RZ-23-01-02. (Zoning Manager Whitfield)**

Zoning Manager Whitfield presented a brief overview of the subject property which is located in District 2 on the east side of Whittier Avenue, beginning approximately 325 feet north of State Road 438, and is approximately 0.16 acres and currently vacant. The current zoning is Orange County R-1 (Single Family Residential District) with a proposed rezoning to City of Ocoee R-1 (Single Family Dwelling District). The subject property is contiguous to the City on the east and south and does not create an enclave. Instead, it furthers the City's efforts to reduce existing enclaves within the city limits. The applicant is requesting to annex into the city for water services.

Zoning Manager Whitfield stated the Development Review Committee (DRC) reviewed this item and had no comments for staff; and further, staff recommends approval of this annexation and rezoning.

The Board had no questions for staff.

The applicant was present for questions.

The Public hearing was opened. As no speaker forms were received, the public hearing was closed.

(6:33 pm)

Motion: Move that the Planning and Zoning Commission, acting as the Local Planning Agency, recommend to the Ocoee City Commission Approval of the Annexation of 413 Whittier Avenue, Phat An Temple Inc. Property; Project No. AX-01-23-02, subject to resolution of the remaining staff comments before the City Commission meeting; Moved by Member Williams, Seconded by Member Keller; motion carried unanimously.

(6:34 pm)

Motion: Move that the Planning and Zoning Commission, acting as the Local Planning Agency, recommend to the Ocoee City Commission Approval of the Rezoning of 413 Whittier Avenue, Phat An Temple Inc. Property; Project No. RZ-23-01-02, subject to resolution of the remaining staff comments before the City Commission meeting; Moved by Member Mellen, Seconded by Member Williams; motion carried unanimously.

3. **474 S. Bluford Avenue Condominiums - Comprehensive Plan Future Land Use Map Amendment from Low Density Residential (LDR) to Medium Density Residential (MDR) & Rezoning from R-1AA to PUD; Project No(s). CPA-2022-005 & RZ-22-12-45. (Zoning Manager Whitfield)**

Zoning Manager Whitfield presented a brief overview of the subject property which is vacant and wooded, approximately 0.94 acres and located in District 2 on the east side of South Bluford Avenue. The applicant is requesting to revise the Comprehensive Plan from Low Density Residential (LDR) to Medium Density Residential (MDR) and rezone the property from R-1AA to PUD in order to build six (6) multifamily residential units at three stories and two (2) car garages attached per each unit along with eight (8) guests parking spaces. The property is located within the Downtown Redevelopment Area (DRA), which is intended to attract reinvestment in the downtown area of Ocoee through flexible development regulations and innovative designs. Development of the downtown should include mixed uses and various forms of residential uses. Access will continue to be on South Bluford Avenue and will be limited to a right-in/right-out driveway to ensure safe traffic movement.

Zoning Manager Whitfield explained the Development Review Committee (DRC) recommended approval subject to the following conditions:

- I. Revision of the Land Use Plan (LUP) to indicate a maximum impervious surface area (ISA) of 50% of the lot or parcel area and to include a note that the landscape buffer along South Bluford Avenue will complement the street landscaping from

- the Bluford Avenue Streetscape Plan,
- II. Resolution of all outstanding Utilities Department comments regarding water and sewer connections and Public Work comments regarding limited access (right-in/right-out) design and garbage dumpster location and
- III. Execution of a Development Agreement for infrastructure improvements and modifications as needed.

Zoning Manager Whitfield stated the applicant has provided a revised Land Use Plan (LUP), which addressed two out of the three DRC comments. Subject to the remaining outstanding condition of the execution of the development agreement, staff recommends approval.

Member Keller asked if the two homes on the south end have enough room for maneuverability. **Zoning Manager Whitfield** stated code requirements for two-way traffic is 22 feet and it currently is at 30 feet, which is an extra eight (8) feet.

Chair Lomneck commented that in his opinion this area is not ready for this type of construction. He believes this area and the downtown infrastructure needs more work.

Constance Silver, *Applicant, Tri3 Civil Engineering Design Studio, Inc., 611 Stone Oak Drive, Sanford*, stated if there are any questions on the design, she is the civil engineer on this project.

Chair Lomneck opened the public hearing.

Darryl Braland, *Ocoee Resident*, stated he has lived in this area for 40 years, and he is not in favor of this project, because this area already has congestion because of the nearby school.

David Blackwell, *Ocoee Resident*, stated he lives across the street from this property and mentioned a similar project was presented a few months ago and asked what has changed from then to bring this project forward. He believes this project is in conflict with the downtown redevelopment plan because this project is proposed as medium density residential, but surrounded by single-family residential.

Larry Kline, *Ocoee Resident*, stated he is opposed to this proposed project, which is similar to the project that was brought forth last year. He explained townhouses with five-foot setbacks do not belong in a neighborhood next to single-family homes with approximately 25-foot setbacks. He is in favor of single-family homes being built in this area.

Dan Bright, *Ocoee Resident*, stated he lives a block from this area and is concerned about the surrounding areas rezoning to high density or medium density if this parcel is rezoned to medium density. He is concerned about the height of the homes at 44 feet, because he does not believe there is anything that tall in the downtown area.

Zoning Manager Whitfield explained the adopted downtown redevelopment area allows mixed and multi-uses including vertical and horizontal mixed uses and allows for a variety of housing types.

Chair Lomneck stated in his personal opinion this area will be converted some day, but today is not the day. He believes the downtown needs to be addressed first, and he personally does not feel this fits in because of the height of the homes.

Member Mellen said he agreed with Chair Lomneck and the speakers that this area is not ready for this until the downtown is more complete. He explained he believes this project does not fit the surrounding area; and further, he is not a fan of the front being so close to the roadway.

Member Williams stated the infrastructure is not in place yet to support this type of development.

Member Forges stated this project is medium density, and the last project brought before them within this area was asking to rezone to high density. He asked if there is Plan B.

Constance Silver, Applicant, stated they do not have a Plan B.

David Blackwell, Ocoee Resident, read some of Scott Loughheed's email. (*Email scanned as supporting documents*)

Chair Lomneck closed the public hearing.

Member Keller explained he does not feel this area is ready for this; and further, he believes the right-in/right-out only access is proof of that.

Zoning Manager Whitfield commented that requirements of Section 6-15C and Table 5-2 do not apply, because it is a PUD zoning which requires a Land Use Plan (LUP) and the LUP establishes the standards.

Chair Lomneck commented that there are condos and townhomes within the city that are directly next to single-family homes.

(7:04 pm)

Motion: Move that the Planning and Zoning Commission, acting as the Local Planning Agency, recommend to the Ocoee City Commission Denial of the Comprehensive Plan Future Land Use Map Amendment from Low Density Residential (LDR) to Medium Density Residential (MDR) of 474 S. Bluford Avenue Condominiums; Project No. CPA-2022-005; Moved by Member Mellen, Seconded by Member Williams; motion carried unanimously.

(7:05 pm)

Motion: Move that the Planning and Zoning Commission, acting as the Local Planning Agency, recommend to the Ocoee City Commission Denial of the Rezoning from R-1AA to PUD of 474 S. Bluford Avenue Condominiums; Project No. RZ-22-12-45; Moved by Member Mellen, Seconded by Member Keller; motion carried unanimously.

4. 911 Marshall Farms Road, Surujlall Property - Annexation & Rezoning; Project No(s). AX-01-23-01 & RZ-23-01-01. (Zoning Manager Whitfield)

Zoning Manager Whitfield presented a brief overview of the subject property which is vacant, contains approximately 2.22 acres, and is located in District 3 on the east side of Marshall Farms Road. This property is currently zoned Orange County A-1 (Citrus Rural District) with a proposed rezoning to City of Ocoee C-2 (Community Commercial). The subject property is bordered on the west and east by the City's jurisdictional limits and, as such, is contiguous to the City. Annexation of the property does not create an enclave; instead, it furthers the City's efforts to reduce existing enclaves within the city limits. The property is located within the Ocoee-Orange County Joint Planning Area (JPA) Agreement boundary, and the proposed annexation is consistent with the terms of the JPA Agreement. However, the requested C-2 zoning on the entire property is inconsistent with the JPA Future Land Use Map which designates greater than half (50%) of the eastern portion of the property as Conservation. The applicant is requesting to annex into the City for the home office for her truck hauling business with one (1) private service bay. Staff and the DRC recommended approval subject to the condition that the C-2 zoning only applies to the front/western 325 feet of the property in order to maintain the Conservation designation on the east consistent with the JPA FLUM and Wekiva Study Area requirements.

The applicant was present for questions.

Member Mellen asked whether any mitigation is required for a split lot that is adjacent to a conservation lot. **Zoning Manager Whitfield** answered that this is only one (1) lot with two (2) future land use designations and that development is proposed for the upland portion which would not touch the conservation area.

The public hearing was opened. As no speaker forms were received, the public hearing was closed.

Member Forges asked if the structure is a warehouse or an office with a warehouse and what the bay is intended to be used for. **Zoning Manager Whitfield** stated the structure is an office/warehouse with one (1) bay to service their fleet trucks and not open to the general public.

Emma Surujlall, Applicant/owner, 720 Belle Terre Court, explained the bay will be used to maintain the trucks and keep fleet maintenance work in-house.

Member Forges asked whether the office portion is larger than the bay area to which **Zoning Manager Whitfield** replied in the affirmative.

(7:15 pm)

Motion: Move that the Planning and Zoning Commission, acting as the Local Planning Agency, recommend to the Ocoee City Commission Approval of the Annexation of 911 Marshall Farms Road, Surujlall Property; Project No. AX-01-23-01, subject to resolution of the remaining staff comments before the City Commission meeting; Moved by Member Williams, Seconded by Member Forges; motion carried unanimously.

(7:16 pm)

Motion: Move that the Planning and Zoning Commission, acting as the Local Planning Agency, recommend to the Ocoee City Commission Approval of the Rezoning of 911 Marshall Farms Road, Surujlall Property; Project No. RZ-23-01-01, subject to the condition recommended by staff and the DRC to only apply the C-2 zoning to the western 325 feet of the property and retain the remainder as Conservation; Moved by Member Mellen, Seconded by Member Keller; motion carried unanimously.

• **MISCELLANEOUS**

5. Project Status Report

Development Services Director Rumer updated the Board with the following:

- Invited the members to visit the new location of RusTeak located in the Inspiration PUD off of Tonym Boulevard.
- The Grand Opening of Wellness Park was held today.
- The Unity Park ribbon cutting will be coming up soon in the following months.
- A new subdivision was submitted for a parcel off of A.D. Mims Road adjacent to Prairie Lake.
- Two mixed-use centers are currently under final review.

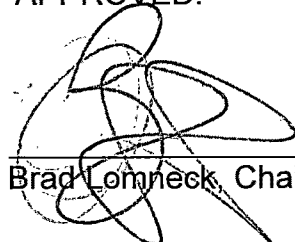
Chair Lomneck announced Scott Kennedy has resigned from the board, and there is a vacancy.

• **ADJOURNMENT - 7:25 p.m.**

ATTEST:


Kathy Heard, Recording Clerk

APPROVED:


Brad Lomneck, Chair