

CITY OF WINTER SPRINGS, FLORIDA  
MINUTES  
**PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY**  
REGULAR MEETING  
APRIL 3, 2019

**CALL TO ORDER**

The Regular Meeting of Wednesday, April 3, 2019 of the Planning and Zoning Board/Local Planning Agency was called to Order at 5:30 p.m. by Chairperson Kok Wan Mah in the Commission Chambers (City Hall, 1126 East State Road 434, Winter Springs, Florida 32708).

**Roll Call:**

Chairperson Kok Wan Mah present  
Vice-Chairperson Kevin McCann, present  
Board Member James Evans, present  
Board Member Michael Ferrante, present  
Board Member Bart Phillips, present  
City Attorney Anthony A. Garganese, present  
Assistant to the City Clerk, Antonia DeJesus, present

A moment of silence was followed by the Pledge of Allegiance.

Mr. Tim McClendon, AICP, Director, Community Development Department, indicated that **PUBLIC HEARINGS “401”** and **“402”** were being pulled due to necessary administrative changes.

**AWARDS AND PRESENTATIONS**

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**100. Not Used**

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**INFORMATIONAL AGENDA**

**INFORMATIONAL**

**200. Not Used**

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## **PUBLIC INPUT**

*Chairperson Mah opened “Public Input”.*

*Mr. Dan Edwards, Vice President of Land, Central Florida Division, Dream Finders Homes, 8529 Southpark Circle, Orlando, Florida:* introduced himself as a representative of Dream Finders Homes and expressed his interest in receiving feedback related to aesthetic aspects of an upcoming project.

City Attorney Anthony A. Garganese reiterated that **PUBLIC HEARINGS “402”** was pulled from the Agenda and noted, “It’s not ready for the Board’s consideration.”

Discussion followed on a possible Special Meeting and Mr. Shawn Boyle, Director, Finance and Administrative Services, noted, “We’ll do everything in our powers to expedite this and get it before you.” Brief comments.

*Chairperson Mah closed “Public Input”.*

## **CONSENT AGENDA**

### **CONSENT**

#### **300. Office Of The City Clerk**

**The Office Of The City Clerk Requests That The Planning And Zoning Board/Local Planning Agency Review And Approve The Wednesday, March 6, 2019 Planning And Zoning Board/Local Planning Agency Regular Meeting Minutes.**

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**“MOTION TO APPROVE ITEM ‘300’.” MOTION BY BOARD MEMBER EVANS.  
SECONDED BY BOARD MEMBER PHILLIPS. DISCUSSION.**

### **VOTE:**

**VICE-CHAIRPERSON McCANN: AYE**

**BOARD MEMBER: EVANS: AYE**

**CHAIRPERSON MAH: AYE**

**BOARD MEMBER FERRANTE: AYE**

**BOARD MEMBER PHILLIPS: AYE**

**MOTION CARRIED.**

## **PUBLIC HEARINGS AGENDA**

### **PUBLIC HEARINGS**

#### **400. Community Development Department – Planning Division**

**The Community Development Department - Planning Division Requests That The Local Planning Agency Hold A Public Hearing To Consider EAR Based Amendments To The Comprehensive Plan (Ordinance 2019-XXX), Amending The Comprehensive Plan Related To Intergovernmental Coordination Element.**

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Mr. McClendon gave a historical background of the EAR (Evaluation and Appraisal Review) process and referenced the Florida Growth Management Act. Continuing, Mr. McClendon explained the series of events leading to the present regarding the EAR process.

Further, Mr. McClendon stated, “The proposed changes presented here before this board tonight will bring the Intergovernmental Coordination Element into compliance with the EAR and all the other state rules.” Additional comments followed on compliance, additional elements, and correspondence with the State. Mr. McClendon noted staff’s recommendation for approval.

Brief discussion followed on the approval process regarding the Comprehensive Plan and compliance.

*Chairperson Mah opened “Public Input”.*

No one spoke.

*Chairperson Mah closed “Public Input”.*

**“AT THIS TIME, I MOVE TO APPROVE ITEM ‘400’.” MOTION BY BOARD MEMBER EVANS. SECONDED BY BOARD MEMBER FERRANTE. DISCUSSION.**

#### **VOTE:**

**BOARD MEMBER PHILLIPS: AYE**

**VICE-CHAIRPERSON McCANN: AYE**

**BOARD MEMBER: EVANS: AYE**

**CHAIRPERSON MAH: AYE**

**BOARD MEMBER FERRANTE: AYE**

**MOTION CARRIED.**

PUBLIC HEARINGS

**401. Community Development Department – Planning Division**

**The Community Development Department - Planning Division Requests That The Local Planning Agency/Planning And Zoning Board Hold A Public Hearing To Consider The Aesthetic Review, Final Engineering Plans, And Special Exception Requests For The Winter Springs Town Center Retail Building/Ocean Bleu.**

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This Agenda Item was not discussed.

PUBLIC HEARINGS

**402. Community Development Department – Planning Division**

**The Community Development Department Requests That The Local Planning Agency/Planning And Zoning Board Hold A Public Hearing To Consider The Aesthetic Review, Final Engineering Plans, And Special Exception Request For The Winter Springs Town Center Townhomes.**

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There was no discussion on this Agenda Item.

PUBLIC HEARINGS

**403. Community Development Department – Planning Division**

**The Planning & Zoning Board Shall Conduct A Public Hearing And Make Recommendation Regarding Ordinance No. 2019-05.**

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City Attorney Anthony A. Garganese introduced the Agenda Item and provided some context on the first moratorium ordinance adoption and its subsequent veto as well as the direction provided by the City Commission. Attorney Garganese noted, “It’s virtually the same ordinance that was previous recommended with that one additional substantive change.”

Discussion followed on the four (4) exceptions from the temporary moratorium, the timeframe surrounding the City Commission’s willingness to implement a moratorium, the impact of the moratorium to developers and their projects, and the retroactive application of new rules to ongoing projects.

Board Member James Evans inquired if there had been an influx on applications for special zoning permits since the initial discussion of the moratorium. Mr. McClendon replied, “Nothing out of the ordinary; nothing’s been submitted.” Much discussion ensued on the impact of the moratorium.

*Chairperson Mah opened “Public Input”.*

*Mr. Bryan Schultz, 6414 Montclair Bluff Lane, Windermere, Florida:* introduced himself as the developer for the Starbucks parcels. In response to the discussion of the moratorium and its impact, Mr. Schultz noted, “We do have two (2) concepts that we’ve been trying to apply – since this proposed moratorium on December 10 that we haven’t submitted that we were informed we’re not to submit anything that needs a special exception.” Mr. Schultz commented further on the moratorium on its impact to his projects.

Discussion ensued on the first moratorium, its impact, project application procedures regarding special exceptions, the purpose of the moratorium and its parameters, pre-application meetings, Mr. Schultz’s projects, the uncertain nature of the rules through the City Code’s revision process, and the potential length of the second moratorium.

With much discussion on the potential length of the second moratorium, Attorney Garganese pointed out, “In essence, doing another ninety (90) days is – assuming that the first ordinance wasn’t vetoed – it’s like the Commission taking the ninety (90) day extension which was in the original ordinance.”

On the topic of extensions, Attorney Garganese indicated, “The direction that we received from the Commission was to represent the ordinance as originally enacted with that one (1) additional exception.”

Comments followed various recommendations, pending developments, effects of moratoriums, residents’ concerns, terminology regarding special exceptions, city infrastructure and schools, the Town Center District Code’s functionality, workshops, and a community survey.

Much deliberation followed on possible moratorium extensions and the terms and conditions of the ordinance.

*Chairperson Mah closed “Public Input”.*

Mr. Boyle commented on the moratorium time frames that would affect staff and their capacity and ability to work within them. With further comments, Mr. Boyle emphasized, “It is staff’s number one priority to move this process - get it completed.”

Much debate followed on the length of the moratorium time frame.

**“I’D LIKE TO MAKE A MOTION THAT WE APPROVE THE MORATORIUM LIMITED TO SIXTY (60) DAYS, IN THE INITIAL.” MOTION BY BOARD MEMBER FERRANTE. SECONDED BY VICE-CHAIRPERSON McCANN. DISCUSSION.**

**VOTE:**

**CHAIRPERSON MAH: AYE**

**BOARD MEMBER EVANS: NAY**

**BOARD MEMBER FERRANTE: AYE**

**VICE-CHAIRPERSON McCANN: AYE**

**BOARD MEMBER PHILLIPS: NAY**

**MOTION CARRIED.**

## **REGULAR AGENDA**

**REGULAR**

**500. Not Used**

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## **600. REPORTS**

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Remarks followed on recent city events.

## **PUBLIC INPUT**

*Chairperson Mah opened “Public Input”.*

No one spoke.

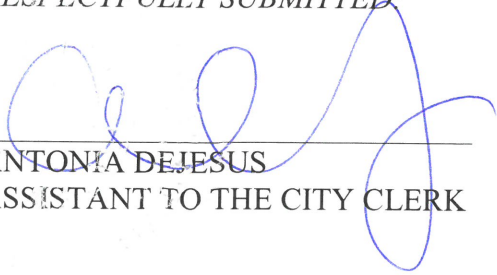
*Chairperson Mah closed “Public Input”.*

Brief comments followed on local students in attendance.

## ADJOURNMENT

Chairperson Mah adjourned the Regular Meeting at 7:03 p.m.

*RESPECTFULLY SUBMITTED:*



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ANTONIA DEJESUS  
ASSISTANT TO THE CITY CLERK

NOTE: These Minutes were Approved at the June 5, 2019 Planning And Zoning Board/Local Planning Agency Regular Meeting.