



CITY OF WINTER PARK Planning & Zoning Board

**Regular Meeting
City Hall, Commission Chambers**

**February 5, 2013
7:00 p.m.**

MINUTES

Chair Whiting called the meeting to order at 7:00 p.m. in the Commission Chambers of City Hall. Present: Sarah Whiting, Tom Sacha, Peter Gottfried, Randall Slocum, James Johnston, Drew Krecicki, Robert Hahn and Peter Weldon, alternate. Staff: Planning Director Jeffrey Briggs and Recording Secretary Lisa Smith.

Approval of minutes – January 8, 2013

Motion made by Tom Sacha and seconded by Peter Gottfried, seconded by to approve the January 8, 2013, meeting minutes. Motion carried unanimously with a 7-0 vote.

PUBLIC HEARINGS

REQUEST OF MR./MRS. TETENBAUM FOR: LAKEFRONT SITE PLAN APPROVAL TO CONSTRUCT A NEW SINGLE FAMILY HOME ON THE PROPERTY AT 600 SEMINOLE DRIVE ON LAKE OSCEOLA, ZONED R-1AAA.

Planning Director Jeffrey Briggs presented the staff report. He explained that the applicants are requesting approval for a new two-story single-family home located at 600 Seminole Drive on Lake Osceola. The 37,912 sq. ft. lot currently holds an existing home which will be demolished for their new home. The new proposed two-story home will be 8,399 sq. ft. That is a FAR of 22.2% which is well within the allotted maximum of the base 33% FAR for this lot. This new home will have impervious lot coverage of 13,678 square feet or 36% within the maximum 50%. The total front yard impervious coverage is 40% again within the 50% maximum. He discussed the issues of tree preservation, view from the lake and view of the neighbors, storm water retention, all of which conformed to the lakefront guidelines. Staff recommended approval of the request. Mr. Briggs responded to board member questions and concerns.

The applicant was present, but did not wish to address the board. No one wished to speak concerning the request. Public Hearing closed.

Motion made by Mr. Sacha, seconded by Mr. Gottfried to approve the request. Motion carried unanimously with a 7-0 vote.

REQUEST OF LAKESIDE WINTER PARK LLC FOR: CONDITIONAL USE APPROVAL TO CONSTRUCT APPROXIMATELY 36,000 SQUARE FEET OF RETAIL, RESTAURANT AND OFFICE BUILDING SPACE ON THE PROPERTIES AT 111 AND 131 N. ORLANDO AVENUE, ZONED C-3.

Mr. Johnston and Mr. Slocum had previously indicated that they would not be participating in the discussion or voting on this item as their firms had done work for the applicant in the past. (Form 8B, Memorandum of Voting Conflict was completed by both and is attached to these minutes).

Planning Director Jeffrey Briggs presented the staff report. He explained that this item is the continuation of the request by the Lakeside Winter Park LLC (UniCorp USA - contract purchasers) to redevelop the Adventist Health Systems properties at 111 & 131 N. Orlando Avenue on Lake Killarney. The request was tabled at the January 8th P&Z meeting. P&Z then held a work session including an on-site tour on January 23rd. He stated that the parameters of the project have not changed. It consists of approximately 36,000 square feet of one-story retail, restaurant and office/bank buildings. There are two site plan Options "A" and "B" for which the applicant would like the flexibility to choose between. The major only difference is the size of the proposed restaurant. In order to accommodate this project there are three Conditional Use approvals required (1) project over 10,000 square feet; (2) drive-in tellers for branch bank and (3) restaurants with alcoholic sales within 300 feet of residential. He reviewed the proposed project with regard to site and context, current development request, building heights, architectural elevations, tree preservation, variance requests, storm water retention, landscaping, traffic impact, and the concerns of the Lake Killarney Condominium neighbors.

He summarized by stating that staff feels that this project is a quality redevelopment and an enhancement for this unique commercially zoned 3.86 acre lakefront location. Further, with the concessions and modifications made by the developer, most of the issues from the January P&Z meeting have been resolved. He continued by stating that there still are important conditions required to insure that this commercial project located next to 123 condominiums and about 200-250 residents does not undermine the peaceful enjoyment that the residents have within their homes and that the project does not harm their property values. He said that normally the "final" conditional use will be very important to review. Amongst those issues are the potential location of a sanitary sewer lift station and how that will be screened and maintained; the grading plan including any fill to raise the site so that the storm water retention system functions, etc.; architectural plan details on the rear of the northern building and the AC and mechanical noise issues. There also is the interface with the Lakes and Waterways Board that has jurisdiction on the "final" plans for the seawalls, docks, boardwalks, hardscape, filling of the lake and excavation of the "stream" amenity. Mr. Briggs noted that the primary focus of this "preliminary" conditional use review is to determine the entitlements and variances. The outcome of the lakefront setback variance (50 feet in lieu of 75 feet); the parking variance (32-43 spaces) and the landscape island variances will determine the parking yield and thus the ultimate scale or entitlements for the project. Staff recommendation is for approval of the "preliminary" conditional use subject to the following conditions:

1. That the project is limited to one restaurant located in the southern building and that no outdoor amplified musical entertainment is permitted after 10:00 pm.
2. That the parking variance be limited to 20 spaces unless the developer will commit via a development agreement to a "dinner" only restaurant.
3. That the shoreline alterations and improvements including any seawalls, docks, boardwalks, hardscape, filling of the lake and excavation of the "stream" amenity be approved by the Lakes and Waterways Board, as required by Code.
4. That the existing oak trees along the northern property line be preserved and that the developer add solid vinyl security fence between the properties including the radius fence beyond the end of the seawall.
5. That the "final" conditional use submittal attempt to preserve some of the oak trees at the project entrance.
6. That the "final" conditional use submittal address the specific design and sound containment of the AC and mechanical equipment for the northern building on all five tenant spaces.

Chuck Whittall, Unicorp Development, represented the applicant and introduced the other architect and engineer members of his team. He said that he was appreciative of tabling last month to allow for the time to have the work session to be able to specifically address Board member and Lake Killarney resident's concerns. He also stated that they can now announce that they have a commitment from Ruth Chris' Steakhouse for the 7,500 square foot restaurant with outdoor dining shown in the Option B site plan. That would need a 45 car parking variance but they would commit to a night-time dinner-only restaurant. He also asked however, for 20 car parking variance in the event that it becomes a day-time restaurant. He used a power point presentation with 3D renderings to provide specific details of the proposed project. Mr. Whittall indicated how the plans have been revised to cut back the corners of the buildings to the code required 75 foot setbacks so that just the interior sections were at the variance distance of 50 feet, thereby maintaining views of the lake from the neighboring properties.

Mr. Whittall acknowledged the concerns addressed in the staff report regarding the details for the "final" conditional use and promised all those concerns would be addressed. He said that the comments from last month's meeting about enhancing this as a gateway and that has been incorporated into the project. He indicated that the quality of the landscaping to be added to the site will more than compensate for the tree removal and the landscape island size variances. He said that the existing boat ramp will be removed, and there will not be motorized boats on the lake. He stated that the AC and mechanical systems will be designed so that no more than 55 decibels will be heard at the property line. Mr. Whittall then responded to Board member questions.

Bee Epley, 151 North Orlando Avenue, #209, spoke concerning the request. She stated that what is going in is a great improvement. She expressed concerns that she had with the landscape and fence buffer between the project and the Lake Killarney condominiums and the concerns about noise (AC and mechanical) from the project.

Rochelle Kolin, 225 Trismen Terrace, stated that she is very excited about the project and expressed that she feels that she indicated the need for a pronounced gateway entry at the Morse Boulevard intersection and was appreciative that the applicant's presentation showed that. She encouraged them to work out the parking issues.

Sarah Whitaker, owner of units 130, 115 and 235, said that she likes the fact that the view will be protected. She requested that the project be limited to a noise level of no more than 55 decibels specifically at night, as the developer has agreed to.

Joan Cason, 1915 Woodcrest Drive, urged the developers to exercise caution when placing air conditioning units on the rooftops. She said that this can be a huge noise generator.

Conrad Necrason, 2130 Lake Drive, requested that there be specific language with regard to the restrictions of motorized vehicles on the lake and that they prohibit any paddleboard or other watercraft rental businesses. He said that the Lake Killarney residents are opposed to commercial use of the lake and that these would present safety issues with water ski boats and even the occasional seaplane.

No one else wished to speak concerning this issue.

Mr. Whittall was allowed to address the neighbor's concerns. He said that the sound level will actually be below 55 decibels. He said that with what is proposed, the level will actually be below 55 decibels that it will be equal to the noise generated by a dishwasher. With regard to the lake, they will be a responsible lakefront property owner with regard to the uses of the lake. He said that he feels that any restriction on uses is not appropriate.

No one else wished to speak concerning the request. Public Hearing closed.

All of the Board members expressed that they feel that the project will be a wonderful addition to the City. They expressed that the on-site work session had been very helpful to see conditions first hand and to work out solutions. They thanked the applicant and the neighbors for being very constructive in this effort.

Mr. Gottfried stated that his main concern is still parking. He explained that he has spoken with staff from the Orange County concerning the ongoing parking problem at the applicant's Sand Lake Road project. He said that he does not want to see another problem created and expressed concern about the parking variances. Mrs. Whiting said she agreed and for that reason she feels said that she is only comfortable with the Option B site plan of a 7,500 sq. ft. "dinner only" restaurant with respect to the parking variance. That was the only Option that provides the opportunity for valet parking. She indicated she was not supportive of option A. She also suggested that the parking issue be evaluated in one year's time. Mrs. Whiting also wanted to highlight staff commitment to engaging an acoustical engineer for the "final;" review in an effort to mitigate the noise and to advise the Board. Mr. Hahn said that he agreed with Mrs. Whiting. He said that he is appreciative that the applicant has been very respectful and engaged with the residents of Lake Killarney. Mr. Hahn was also complimentary of the changes made to address the "gateway" location and engagement with Lake Killarney.

Mr. Sacha stated that he agreed with the comments of both Mrs. Whiting and Mr. Hahn. He said that maybe a good solution to the parking problem is to have employees of the establishments to park off-site. He said that he feels that there are opportunities for off-site parking that need to be explored. Mr. Krecicki echoed the concerns with regard to parking. He requested that the applicant provide details of the AC equipment when they return for final approval, as that would be a very important consideration. Mr. Weldon said he would like for the applicant to come into partnership with the City and the neighbors in an effort to bypass the parking issue.

Motion made by Mr. Krecicki, seconded Mr. Sacha to approve with staff conditions and as modified as follows:

1. That the project is limited to one restaurant located in the southern building and that no outdoor amplified musical entertainment is permitted after 10:00 pm.
2. That the parking variance (requested for the 7,500 sq. ft. restaurant in Option B) be approved for 45 spaces but contingent upon the developer's commitment via a development agreement to a "dinner" only restaurant. (Only Option B site plan approved)
3. That the shoreline alterations and improvements including any seawalls, docks, boardwalks, hardscape, filling of the lake and excavation of the "stream" amenity be approved by the Lakes and Waterways Board, as required by Code.
4. That the existing oak trees along the northern property line be preserved and that the developer add solid vinyl security fence between the properties including the radius fence beyond the end of the seawall.
5. That the "final" conditional use submittal attempt to preserve some of the oak trees at the project entrance.
6. That the "final" conditional use submittal address the specific design and sound containment of the AC and mechanical equipment for the northern building on all five tenant spaces and that there be a specific decibel level that cannot be exceeded at the property line per the City's acoustical consultant.

Mr. Krecicki also recommend that after a 12 month period after project opens the City revisit parking if there are complaints, and that the applicant explore other options for parking either off-site parking for employees of the tenants or valet parking and report back at the time of final submission, which was accepted by Mr. Sacha. Motion carried unanimously with a 7-0 vote.

REQUEST OF MR./MRS. GAVIN FORD FOR: CONDITIONAL USE APPROVAL TO CONSTRUCT A TENNIS COURT ON THE PROPERTY AT 1551 VIA TUSCANY, ZONED R-1AAA.

Planning Director Jeffrey Briggs gave the staff report and explained that the applicants are requesting conditional use approval to allow the installation of a tennis court on the property at 1551 Via Tuscany. He explained that tennis courts were made a conditional use in all residential zoning districts about 20 years ago due to concerns about their size (60 x 120); impervious coverage, their associated fencing and lighting. He noted that the added design consideration for this request is building a flat tennis court on a sloping lakefront. He said that the applicants have submitted a site/grading plans, and schematic perspective elevations of how the tennis court, retaining walls and fencing will look. Further, in order to address the slope or grade of the lakefront, the tennis court will be built into the grade with the tennis court lowered nine feet below the elevation of the lakefront patio/floor level of the home. Across the 60 foot width of the court, the lakeside edge of the tennis court will be 3 ½ to 4 feet above the existing grade on the lakeside. In order to further minimize that lakeside retaining wall, they will grade up to the retaining wall so that no more than 2 ½ feet of retaining wall is visible on the lakeside. The setback to the lake is at 55 feet which meets the minimum 50 foot lakefront setback requirement.

Mr. Briggs explained that the proposed tennis court has 8 foot tall fencing at the ends of the court and 4 foot tall fencing in the middle. On the south side, the new swimming pool, at a higher grade, will screen that fencing from the neighboring property so that only 4 feet is visible. On the north side however, the fencing and retaining wall ranges from the 8 to 12 feet in total height. Thus, screening that view for the neighbor to the north is important. There is considerable existing vegetation and trees already in place. The applicants proposes to add whatever landscaping is necessary to completely screen the tennis court and fencing from the view of the neighbor to the north. The applicants have also agreed to add landscaping against the tennis court retaining wall/fencing as well as the swimming pool retaining wall on the lakeside so that these features will be buffered from the lakeside. The neighbor to the south is in support of the request but also requests a hedge privacy buffer.

Conceptual storm water retention swales are shown on the plan. Since this is to be a clay tennis court, the required retention is also important to keep the "clay water" out of the lake. A design complication is the existing lake edge cypress trees and their roots/knees. Thus, the storm water retention plan will need to be modified and engineered to incorporate a berm system (versus swales) that can impede the flow of runoff so that the runoff percolates down and not into the lake. He said that no night lighting is planned and the applicants understand that to add lighting in the future requires a subsequent conditional use approval just as we did at 1360 Alabama Drive.

STAFF RECOMMENDATION IS FOR APPROVAL subject to the following conditions:

1. That a landscape plan be submitted for approval by staff to completely screen from the view the tennis court and fencing to the neighboring property to the north and that the lakeside retaining walls and fencing also be effectively buffered with landscaping.
2. That the storm water retention plan be modified to include a berm retention system.
3. That no night lighting is approved as part of this conditional use.

Mr. Briggs then responded to Board member questions.

Rebecca Wilson, Lowndes, Drosdick, Kantor and Reed, represented the applicants. She used a Power Point presentation to show the current conditions of the property and the renderings of the proposed upgrades. She said that they are in agreement with staff recommendations and will provide the landscape plan to completely screen the view of the tennis court from the neighbor to the north and to also provide the hedge privacy buffer as requested by the neighbor to the south. She also indicated that the storm water would be engineered as required by code to meet the City's retention requirements and to address the "clay water" concern. She responded to Board member questions and concerns.

Gene Godbold, 222 West Comstock Avenue, Ste. 101, attorney representing Bill and Debra Dingman, spoke in opposition to the request. He spoke to the need to preserve and protect the single-family neighborhood.

He stated that a tennis court and 12 foot fences is completely out of character with the lakefront environment of the City. He requested denial as an incompatible use of the lakefront.

Debra Dingman, 1621 Via Tuscany, expressed opposition to the request. She said that she feels that the proposed redevelopment will have a detrimental impact on their property values due to the noise levels and the water run-off. She indicated that the Racquet Club continually experiences problems with their clay water runoff and did not want the lakefront damaged by that runoff. She indicated that the view of this tennis court would hurt their view of the lake.

Mrs. Wilson expressed that the applicants do not feel the request is unrealistic. She said that the retaining wall will stabilize the slope and that the integrity of the neighborhood will be significantly improved. She pointed out that this is a large estate lot and the applicants are not requesting to subdivide the property and also that there is another residential property on the same lake that has a tennis court. Further, they are willing to mitigate wherever necessary with landscaping.

No one else wished to speak concerning this issue. Public Hearing closed.

The Board members expressed support of the request as designed and provided that the commitments as to landscaping and retention were met. The Board members expressed that the issue of the clay runoff complicates the retention design and indicated that they are not in favor of a clay playing surface if any clay water runoff gets into the lake. The recognized the concerns of the neighbor but felt there was adequate land for this tennis court and the landscape screening would be effective.

Motion made by Mr. Krecicki, seconded by Mr. Sacha to approve the request subject to the staff recommendations and additional conditions as follows:

- 1. That a landscape plan be submitted for approval by staff to completely screen from the view the tennis court and fencing to the neighboring property to the north and that the lakeside retaining walls and fencing also be effectively buffered with landscaping.**
- 2. That the storm water retention plan be modified to include a berm retention system.**
- 3. That no night lighting is approved as part of this conditional use.**
- 4. Add landscape buffer on south side of property.**
- 5. Full capture of the clay run-off into the lake with design as approved by the City Storm Water Engineer and submit to staff for approval.**

Motion carried unanimously with a 7-0 vote.

REQUEST OF THE SYDGAN CORP. TO AMEND THE COMPREHENSIVE PLAN FUTURE LAND USE MAP SO AS TO CHANGE THE EXISTING FUTURE LAND USE DESIGNATIONS OF SINGLE FAMILY RESIDENTIAL AND INSTITUTIONAL TO OFFICE FUTURE LAND USE ON THE PROPERTIES AT 216, 226 AND 234 W. LYMAN AVENUE AND TO MEDIUM DENSITY RESIDENTIAL FUTURE LAND USE ON THE PROPERTY AT 250 W. LYMAN AVENUE.

REQUEST OF THE SYDAN CORP TO: AMEND THE OFFICIAL ZONING MAP SO AS TO CHANGE THE EXISTING SINGLE FAMILY (R-1A) DISTRICT AND PUBLIC, QUASI-PUBLIC (PQP) ZONING TO OFFICE (O-2) DISTRICT ZONING ON THE PROPERTIES AT 216, 226 AND 234 W. LYMAN AVENUE AND TO MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL (R-3) DISTRICT ZONING ON THE PROPERTY AT 250 W. LYMAN AVENUE.

Planning Director Jeffrey Briggs presented the staff report and explained that the Sydgan Corp. owns and has contingent contracts to purchase property for which they seek Comprehensive Plan future land use map and Zoning map changes to:

1. Change the existing Single Family (R-1A) and Institutional (PQP) designations to Office (O-2) zoning on the properties at 216, 226 and 234 W. Lyman Avenues in order to relocate the Grant Chapel building on this site and use for office purposes; and to
2. Change the existing Single Family (R-1A) designation to Medium Density Residential (R-3) zoning on the property at 250 W. Lyman Avenue in order to build townhomes on the property.

He noted that they are made as one request with two components for which the City may treat each one independently of the other.

Mr. Briggs reviewed the history of the subject properties. He explained that the 216, 226 and 234 W. Lyman Avenue properties consist of the small single-family frame house at the New York Avenue corner, the adjacent vacant lot to the west and the next adjacent former Western Union property. The 216 and 226 West Lyman properties are designated single family (R-1A). The 234 W. Lyman Avenue property historically was where the Winter Park Taxi Company and Western Union office operated from. Due to the quasi-public service business nature of those operations, the City established Institutional future land use in the comprehensive plan and Public, Quasi, Public (PQP) zoning back in 1976. He said that the proposal for these three properties collectively is to redevelop the entire site by moving the historic Grant Chapel church building from its current location at 301 West New England Avenue to this new location.

The Grant Chapel building was constructed in 1935 and was one of the historic churches in the Hannibal Square neighborhood. The congregation was no longer viable in the late 1990's and in 2002 it was sold to the applicant. In recent years, the building has been used by the Winter Park photos and wedding chapel business. They would plan to continue those business activities in the new location. The proposed office (O-2) zoning would allow that business and in the future for use as office space. The site plan shows the Grant Chapel building, its associated parking and the corner plaza for outdoor wedding photos. The alternative as New England Avenue redevelops to much higher density is for Grant Chapel to be demolished to make way for that redevelopment. The historic preservation term for this is "adaptive reuse". Preserving and saving a historic building for an alternate economically viable use. He reviewed the comprehensive plan issues.

One other small complication is that one of the properties being acquired at 234 W. Lyman has three parking spaces that are committed as off-site parking for the Prince-Bush building at 227 N. New York Avenue. In order to make this happen (since there is not space for that parking plus the parking needed for the Grant Chapel tenant is to waive the requirement for those three spaces. As a practical reality they have never used them.

In summary, given this context and location on the corner of New York and Lyman Avenue, across from the Farmers Market and City Hall facilities, it seems to the staff that the goal of Historic Preservation for the Grant Chapel building outweighs any negative precedent. However, the action to rezone needs to be conditioned upon a Development Agreement which binds the applicant to move the Grant Chapel building within a reasonable time period, such as two years or the action to rezone shall be null and void and that the Planning & Zoning Board

applicant must commit to preserve the Grant Chapel building by adding it to the City's Historic Preservation program. Mr. Briggs indicated that the applicant was in agreement to these conditions.

Mr. Briggs said that the 250 West Lyman Avenue property is approximately 52,035 sq. ft. in size with 300 feet of frontage on W. Lyman Avenue and then a rear portion with 100 feet of frontage on Comstock Avenue. It is now designated single family (R-1A) and the applicant is requesting the city's multi-family residential (R-3) designation. Under the current city zoning, 8 single family homes could be built on this property. Under the proposed R-3 designation, up to 20 multi-family units could be developed.

The future development plans of the applicant are not firm at this time because the property is under contract for sale to David Weekly Homes. David Weekly does not have development plan finalized at this time. However, one of the requirements for a rezoning submission is to *"include prospective plans indicating the desired development scenario proposed as a result of an approval"*. So in keeping with that code requirement, the applicant as the seller, has presented a site plan representative of how 16 new townhomes could be built on this site if rezoned. However, the City is not approving this plan or any variances at this time. The application is only for Comp. Plan FLU and Rezoning to R-3.

The staff supports this request. The request for the change to R-3 zoning is appropriate given the location and context of this "edge" transitional setting. If the City desires to preserve the residential character of the Hannibal Square neighborhood, then getting new residential townhouse development on this large vacant property will work to insure the residential transitional edge is fixed. As long as this large site sits vacant, it is a candidate for some to see it with office or commercial development potential.

Staff recommendation is for Approval of the change to Office (O-2) on the properties at 216, 226 and 234 W. Lyman Avenue with the condition that a Development Agreement commits the owner to the relocation of the Grant Chapel church building to this site within two (2) years from this approval; and approval of the change to Multi-Family Residential (R-3) on the property at 250 W. Lyman Avenue.

Dan Bellows, the applicant, 558 West New England Avenue, addressed the Board regarding the request. He discussed the history of the property and provided the Board members with details of the proposed redevelopment. He said that he feels that what is proposed is a good transition for this property that is so close to New York Avenue, the SunRail tracks, Farmers Market and City Hall. He responded to Board member questions and concerns.

Patrick Olson, represented the owners of 234 West Lyman, expressed support of the request. However, the owners do not wish the rezoning to be effective unless Mr. Bellows closes on the property.

Martha Hall, 331 West Lyman Avenue, was opposed. She expressed concern that a more detailed plan has not been submitted by the buyer for the townhouses and also that there is not enough parking for 16 townhouses. She encouraged the Board to maintain the single-family residential character of Lyman Avenue, and also to adhere to the applicant being required to submit more detailed plans.

Lurline Fletcher, 790 Lyman Avenue, agreed with the comments made by Mrs. Hall.

Forrest Michael, 358 West Comstock Avenue, addressed the Board. He suggested that there be a more interactive forum with the neighborhood to address the properties in more detail. He agreed with the comments made by Mrs. Hall and Ms. Fletcher. He said that he has met with the applicant to discuss some preliminary concerns. He said that he feels that there are many unanswered questions. He discussed his concerns with regard to the City electric utility PQP zoned property, which the City may soon declare surplus. He presented his plans for the redevelopment of the electric utility property and the possibility for a new street connection.

Mr. Briggs explained that the City Commission has a work session planned for February 25th to explore options for city properties. Amongst those to be discussed is the City's electric utility yard along the railroad and whether to sell that land.

Mr. Bellows reiterated that he has a contracts pending on two of the subject properties at 226 and 234 W. Lyman and that he has worked very hard to secure the properties necessary to make this redevelopment happen. He requested that the Board move forward with this request because the contracts could not be extended.

No one else wished to speak concerning this issue. Public Hearing closed.

The Board members discussed the request and were in general agreement with the requests. The Board discussed the City electric yard and whether it would be best to delay this recommendation for one month while the City Commission determines the fate of that property. Mrs. Whiting expressed that the Board should wait so that there would be some reaction from the City Commission as to the plans presented by Forest Michael. Mr. Johnston indicated that he felt inclined to vote on the request that was before them tonight as the City Commission process may take many months for a decision. The Board indicated that they were only voting on the zoning issue and were not approving any of the site plans or building plans presented to them.

Motion made by Mr. Sacha, seconded by Mr. Gottfried to approve the comprehensive plan future land use map amendment to Office and the rezoning to (O-2) on the properties at 216, 226 and 234 W. Lyman Avenue with the condition that a Development Agreement commits the owner to the relocation of the Grant Chapel church building to this site within two (2) years from this approval and commits to the preservation of the Grant Chapel Church building.

Motion carried with a 6-1 vote. Mrs. Whiting voted against the motion.

Motion made by Mr. Sacha, seconded by Mr. Gottfried to approve the Comprehensive Plan future land use map amendment to multi-family and the rezoning to (R-3) on the property at 250 West Lyman Avenue.

Motion carried with a 6-1 vote. Mrs. Whiting voted against the motion.

NEW BUSINESS:

There were no items of new business.

There was no further business. Meeting adjourned at 10:30 p.m.

Respectfully submitted,

Lisa M. Smith,
Recording Secretary