



CITY OF WINTER PARK Planning & Zoning Board

**Regular Meeting
City Hall, Commission Chambers**

**June 4, 2013
7:00 p.m.**

MINUTES

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

WELCOME OF NEW BOARD MEMBERS AND ELECTION OF CHAIR AND VICE-CHAIR

Motion made by Mr. Sacha, seconded by Mr. Weldon nominating Mr. Johnston for Chairman. Motion carried unanimously with a 7-0 vote.

Motion made by Mr. Hahn, seconded by Mr. Slocum nominating Mr. Gottfried for Vice-Chairman. Motion carried unanimously with a 7-0 vote.

Approval of minutes – May 7, 2013

Motion made by Mr. Sacha and seconded by Mr. Weldon, to approve the May 2013, meeting minutes. Motion carried unanimously with a 7-0 vote.

PUBLIC HEARINGS

REQUEST OF THE WINTER PARK HOSPITAL FOR: CONDITIONAL USE APPROVAL TO CONSTRUCT ONE STORY, 8,040 SQUARE FEET OF ADDITIONS TO THE EXISTING 14,888 SQUARE FOOT CANCER CARE MEDICAL FACILITY OFFICE BUILDING AT 2100 GLENWOOD DRIVE, ZONED OFFICE O-2.

Planning Director Jeffrey Briggs gave the staff report. He explained that this item is a Conditional Use request from the Winter Park Hospital to expand the Cancer Care facility located at 2100 Glenwood Drive. It is a conditional use because of the facility size in excess of 10,000 square feet. He also noted that it is a stand-alone conditional use request because it was not a part of the master plan approved eight years ago. He provided an overview in terms of the project plans, parking, storm water retention, and the landscape plan. He summarized by stating that the project meets all the code requirements and no variances are requested. He said that aside from adding a couple of new trees to improve the aesthetics, staff has no concerns. Staff recommended approval of the request with the condition regarding addition of the cypress trees in the retention area and infilling the three gaps (one on Glenwood and two on Moray Lane) where street trees are needed. Mr. Briggs responded to Board member questions and concerns.

Selby Weeks, 385 Douglas Avenue, represented the applicant. He indicated their agreement with staff recommendations and responded to Board member questions and concerns. No one else wished to speak concerning the request. Public Hearing closed.

Motion made by Peter Gottfried, seconded by Tom Sacha to approve the conditional use request to construct a one-story, 8,040 square feet of additions to the existing 14,888 square foot cancer care medical facility office at 2100 Glenwood Drive. Motion carried unanimously with a 7-0 vote.

REQUEST OF THE WINTER PARK HOSPITAL FOR: FINAL APPROVAL OF THE PLANS FOR THE PARKING GARAGE AS APPROVED IN THE WINTER PARK HOSPITAL MASTER PLAN.

Planning Director Jeffrey Briggs provided the Board with historical insight as to the Winter Park Hospital Master Plan. He explained that in April 2005, the Winter Park Hospital received approval from the Planning Board and the City Commission of a Master Plan to guide the future development of the Winter Park Hospital campus. The approval of that Master Plan provided entitlements to the Hospital to proceed during a ten year period on the facility expansions and renovations contained within that Master Plan. He said that one caveat or condition of the Master Plan approval was that "the final site, civil, architectural, landscape and hardscape plan for each phase be reviewed and approved by the Planning Commission and City Commission". In essence this was a condition for 'quality control' as the Master Plan provided the entitlements and this condition provided the 'look see' at the final plans. He noted that the approval minutes from the 2005 meetings were provided to the Board members as a part of their packet. Further, he noted that the parking garage to be constructed is a five-story, six-level facility of 700+ parking spaces. It meets all the building, fire, life-safety and handicapped accessibility codes. Access from the adjacent streets is from the internal parking lot circulation and from the existing driveway access onto Mizell/Loch Lomond. He also provided an overview with regard to the comprehensive plan policies, redevelopment of the Winter Park Hospital Campus, final site plan, the civil/storm water retention plan, architectural and other project plans, landscape plans. He summarized by stating that it is easy to see the benefit from new medical facilities and services when they are proposed. Mr. Briggs noted that a parking garage unfortunately is not something quite as exciting but it is to the planning staff who knows that all development revolves around parking; thus the staff is very pleased to see this project come to fruition. The parking garage will provide much more convenient parking for those using and visiting the Hospital. It will also provide the necessary relief for staff parking as well as provide for the future growth and redevelopment of the Winter Park Hospital campus. Staff recommended approval of the request. Mr. Briggs responded to Board member questions and concerns.

David Tabor, 1894 Meeting Place, represented the applicant. He stated that the parking garage is within the height limitations of the Winter Park Code. He said that several meetings have been held with the officials of Winter Park Hospital and that they have been providing guidance thru the planning and design phase of the garage. He expressed that they are happy with the look of the building as configured. He also addressed management of the parking garage. He said that there are provisions in place for future access control; that the facility will not be manned; security cameras will be in place to monitor who comes in and out of the garage; and that it will be an open structure but there will be access gates. He also noted that the plan as presented addresses many of the existing security issues and will allow for better management of visitor parking.

Dave Walker, Project Manager, Florida Hospital also responded to Board member questions regarding physician parking and security. No one else wished to speak concerning this issue. Public Hearing closed.

Mr. Gottfried expressed that he is concerned with the mass of the building, what it will look like from the road and what will happen with the surrounding surface parking. He also said that he feels that the members of the Planning Board should see the master plan. Mr. Slocum does not have a problem with the scale of the building. His main concern was the utilitarian appearance of the façade on the west. He expressed that he would like to see more architectural details. Mr. Weldon did not have an issue. The Board members discussed the pros/cons of the articulation of the west elevation.

Motion made by Peter Gottfried, seconded by Tom Sacha to grant final approval of the plans for the parking garage as approved in the Winter Park Hospital Master Plan.

Amendment: Mr. Slocum offered that a greater portion of the west façade needs to incorporate the details on the façade of Sections 3 and 5. Mr. Gottfried accepted the amendment.

A greater portion of the west elevation needs to incorporate the fenestration details that are more prevalent on the other façade. Motion carried unanimously with a 7-0 vote.

REQUEST OF THE FIRST GREEN BANK FOR: CONDITIONAL USE APPROVAL TO ESTABLISH A BRANCH BANK LOCATION AT 862 S. ORLANDO AVENUE WITHIN THE EXISTING BUILDING AND TO CONSTRUCT NEW REMOTE DRIVE-THRU TELLER LANES ON THE ADJACENT PROPERTY AT 1161 MINNESOTA AVENUE, ZONED C-3 AND O-1.

Planning Director Jeffrey Briggs presented the staff report. He explained that this item is a conditional use request from First Green Bank to establish a branch bank facility with drive-in tellers on the property at 862 S. Orlando Avenue (northeast corner of Orlando and Minnesota Avenues) and on the adjacent property at 1161 Minnesota Avenue. It is a conditional use because of the drive-in tellers. He reviewed the request for site and context, project plans, parking, traffic circulation and stacking, storm water retention, and landscaping. He summarized by stating that the site is adequately sized and the overall site plan design well suited for this type of project. The drive-in components are designed to meet the peak stacking needs for this 'community' bank and likely if they were acquired by a large 'national' bank the stacking would work as well. Staff recommendation is for approval. Mr. Briggs responded to Board member questions and concerns.

Constance Owens, 158 Villa de Esta Terrace, Lake Mary, represented the applicant. She used a power point presentation to present details of the project to the Board members.

Ken LaRowe, 22449 Lake Sadler Road, Eustis, FL, represented First Green Bank. He gave the Board members a comprehensive overview of the "green" concept that the bank is built upon. They expressed agreement with the staff report and responded to Board member questions and concerns. No one else wished to speak concerning the request. Public Hearing closed.

Motion made by Peter Weldon, seconded by Peter Gottfried to approve the request with variances 1-7, but not 8 and 9. NOTE: The requested variances are listed on the first page of the plans submitted by the applicant dated May 20, 2013. Motion carried with a 6-1 vote. Mr. Slocum voted against the motion.

REQUEST OF MR. CHRISTOPHER DEVERELL FOR: SUBDIVISION APPROVAL TO SPLIT THE PROPERTY AT 2611 PARKLAND DRIVE INTO TWO LOTS OF 55 FEET OF LOT WIDTH AND 8,119 AND 9,934 SQUARE FEET OF LOT AREA WITH VARIANCES FROM THE R-1AA LOT DIMENSIONS.

Mr. Briggs announced that the request has been withdrawn by the applicant.

REQUEST OF DAVID WEEKLY HOMES FOR: SUBDIVISION APPROVAL TO SPLIT THE PROPERTY AT 250 W. LYMAN AVENUE, ZONED R-2, INTO SIX LOTS. THE SUBDIVISION WILL CONSIST OF FOUR DUPLEX LOTS OF 9,000 SQUARE FEET FRONTING ON LYMAN AVENUE AND TWO SINGLE FAMILY HOME LOTS OF 6,000 SQUARE FEET FRONTING ON COMSTOCK AVENUE WHICH MEET OR EXCEED THE REQUIREMENTS FOR R-2 LOTS.

Planning Director Jeffrey Briggs gave the staff report. He explained that David Weekly Homes has a contract to purchase the property at 250 W. Lyman Avenue. He noted that this property was rezoned in March to R-2 by the owner. The contract purchaser is now requesting subdivision or lot split approval to divide the property into six lots. Four of the lots will be duplex lots and two will be single family lots. No variances are requested since the proposed lot dimensions meet the R-2 standards. The four proposed duplex lots fronting on Lyman Avenue are required by the R-2 zoning to be at least 50 feet wide and have a minimum of 9,000 square feet of lot area. The eastern three duplex lots are 72 feet wide and have the required 9,000 square feet of lot land area. The western-most duplex lot is 84 feet wide and has 11,000 square feet of lot area. The two proposed single family lots fronting on Comstock Avenue are required by the R-2 zoning to be at least 50 feet wide and have a minimum of 6,000 square feet of lot area. These two single family lots are 50 feet wide and have the required 6,000 square feet of lot land area. He said that the applicant has provided a generalized site plan and building layout so that the City can see what the current thinking is for development of these lots. No variances are being requested. The duplex townhomes and the single family homes will

meet all the R-2 zoning requirements in terms of setbacks, height, floor area ratio, lot coverage, etc. They would like to have the garages in the rear. Thus, the plan contemplates a one-way circulation alley in the rear as access to the garages. The City is not being asked to approve any of the development plans. They are just provided to give the City an idea of what is anticipated from this subdivision request. He summarized by stating that the request meets all the R-2 zoning requirements for lot sizes and no variances are requested. Unlike our other rezoning and conditional use requests where there is often some discretion by the City based on context and compatibility, the case law with subdivision requests is that when a property meets the code, they are entitled to an approval. That is the case with this request. Staff recommended approval of the request. Mr. Briggs responded to Board member questions and concerns.

Kevin Kramer, David Weekly Homes, represented the applicant. He indicated agreement with the staff report, and responded to Board member questions and concerns. No one wished to speak concerning this item. Public Hearing closed.

Motion made by Tom Sacha, seconded by Peter Gottfried to approve the subdivision request to split the property at 250 West Lyman Avenue, zoned R-2, into six lots. The subdivision will consist of four duplex lots of 9,000 square feet fronting on Lyman Avenue, and two single-family home lots of 6,000 square feet fronting on Comstock Avenue. Motion carried unanimously with a 7-0 vote.

Chairman Johnston and Mr. Slocum announced that their firms have done work for the applicant, and they will not participate in the discussion or voting on this item.

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

Lakeside Winter Park LLC (Unicorp USA) is requesting "final" conditional use approval for their project pursuant to the "preliminary" conditional use approved by the Planning Board on February 5, 2013 and by the City Commission on February 25, 2013, on the properties at 111 & 131 N. Orlando Avenue. Mr. Briggs detailed the City Commission approval of the "preliminary" conditional use with same conditions as recommended by P&Z. He said that per city code, the public hearings advertised for the conditional use review and approval in February were for the "preliminary" CU approval per code. The "final" CU approval per code is the action to review compliance with the conditions of approval and to review the final civil, landscaping, drainage and lighting details. He discussed the "final" conditional use provides four new plan details for review:

1. Landscape Plan – the specific landscape plan for the project is attached. There were variances granted at the "preliminary" stage for reduced landscape island size and for the number of spaces between landscape islands. Overall 18.63% of the site is pervious which exceeds the 15% minimum pervious requirement in the Code. The major landscape feature will be the 4 canary date palm trees at the entrance and the 24 other date palms throughout the parking lot. In addition, there will be added some 7 live oaks, 5 magnolias, and 7 cypress trees.
2. Storm Water Drainage Plans – the specific method of meeting the City and St. Johns River Water Management District drainage criteria is primarily via an underground ex-filtration system located in the parking lot area near Morse Blvd. Soil borings confirm that the system, as designed, will operate properly in this location. There is a maintenance requirement both to the City and St. Johns. It is quite and extensive system encompassing about 25,000 square feet and 124 chambers under about one-half acre of the 3.86 acre site. Due to the extensive nature of this system and the location required for it, the existing oak trees at the entrance could not be saved.
3. Site Lighting – The plan contains the site lighting plan and photometrics which do not produce light spillage onto the adjacent properties.
4. Civil Plan – Because the lakefront building pads are several feet lower than Orlando Avenue there is not enough 'fall' grade drop to get the sanitary sewer to flow via gravity out to the sewer collection system in Orlando Avenue. A sanitary sewer lift station then is planned and shown adjacent (on the

south side) next to dumpster location. It is then adjacent to the storm water retention areas for the Hillstone restaurant.

5. Final Site Plan – Following the approval by the Lakes Board of the waterfront improvements, the plan has been revised accordingly. There is still a staff concern about the outdoor seating shown on the lakefront along the shoreline in the northern portion of the site. Obviously it is intended as a nice amenity for customers to enjoy the view of the lake but there is an inherent problem if used for dining/drinking late at night when that activity and noise will be a nuisance to the residents at the Lake Killarney Condo. The Development Agreement needs to address that intended use.

Mr. Briggs briefly touched upon the Development Agreement. He said that there needs to be a Development Agreement prepared and executed (following approval by the City Attorney) to incorporate the approvals granted, the variances permitted, the conditions of approval and enforcement methods for those conditions as outlined. Staff recommendation is for approval of the “final” conditional use pursuant to the condition that a Development Agreement be executed (following approval by the City Attorney) to incorporate the approvals granted, the variances permitted, the conditions of approval and enforcement methods for those conditions as outlined. Mr. Briggs responded to Board member questions and concerns.

Chuck Woodall represented Unicorp National Development. He indicated his agreement with the details of the staff report. He said that another restaurant will locate in the area once proposed for Ruth Chris’. He said that it is a lunch/dinner restaurant and it is within previous which does not require any variances. He confirmed that Trader Joes is part of the development. He reviewed the current elevations and requested that paddle boarding be allowed. He said that they are no longer requesting motorized vehicles on the lake. Mr. Woodall responded to Board member questions and concerns.

Sara Whitaker, 151 North Orlando Avenue, stated that she is a member of the Lake Killarney Board. She submitted a petition signed by the residents of the Lake Killarney condos for a solid wall as opposed to a vinyl fence along the shared boundary. She noted that the reason for requesting the wall is to provide a sound barrier as well as a security measure. She said that they would also like to participate in the noise study.

Bee Epley, 151 North Killarney Avenue, a member of the Lake Killarney Board, reiterated the need for the decibel study. She requested that it be conducted in three areas; the street (17/92), the middle portion and down by the lake. She stated that the Board is asking that the applicant be required to provide documentation of the study and again requested that Lake Killarney residents be a part of the study.

Kim Henry, 151 North Orlando Avenue, #105, expressed agreement with the statements made by Ms. Whitaker and Ms. Epley. She spoke concerning security.

Mr. Woodall was allowed to readdress the Board. He spoke to concerns raised regarding the construction of the wall versus fencing. He said that fencing would be better suited for the area because it creates a better sound barrier and provides better security. He noted that if the wall were erected that would destroy oak trees that exist along the perimeter. He stated that the residents would not be able to see the mechanical equipment if they are standing out on their balconies because of parapet screening. The decibel study will not be completed until the buildings have been completed, but the buildings are being designed at the agreed upon level. The public hearing was closed.

Mr. Weldon expressed that he understands the concerns of the residents, but feels that it is up to the developer and residents to come to an agreement on the stated concerns.

Motion made by Tom Sacha, seconded by Bob Hahn to grant final conditional use approval pursuant to an executed Development Agreement that has been approved by the City attorney that incorporates the approvals granted, the variances permitted, and the conditions of approval and enforcement methods for those conditions as outlined. In addition, the applicant has agreed to include in the City Commission packet colored diagrams that show the rear elevations of the Trader Joe’s building. In addition, the applicant is to provide a “hard example” of the type of fencing that is

to be used on the northern border of the property that abuts the Lake Killarney Condominiums. Motion carried unanimously with a 5-0 vote. (James Johnston and Randall Slocum abstained.)

LAKEFRONT SITE PLAN REVIEWS

- **REQUEST OF MR/MRS WHEELER FOR:** APPROVAL OF A NEW TWO-STORY SINGLE-FAMILY HOME LOCATED AT 1731 PINETREE ROAD ON LAKE MAITLAND.

Planning Director Jeff Briggs presented the staff report. He explained that Mr./Mrs. Wheeler are requesting approval for a new two-story single-family home located at 1731 Pinetree Road on Lake Maitland. The 28,627 sq. ft. lot is vacant. The existing home was demolished and the lot de-mucked in anticipation of this new home. He stated that the new proposed two-story home will be 8,265 sq. ft. That is a FAR of 28.9% which is well within the allotted maximum of the base 33% FAR for this lot. This new home will have impervious lot coverage of 10,272 sq. ft. or 39.4% within the maximum 50%. The total front yard impervious coverage which is the yard area in front of the house is 12% which is again well within the 50% maximum. He discussed the issues of tree preservation, view from the lake, view of neighbors and storm water retention. He stated that staff has no issues with this new home as presented. Staff recommended approval of the request.

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

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

- **REQUEST OF MR/MRS SMERGE FOR:** APPROVAL OF A NEW TWO-STORY SINGLE-FAMILY HOME LOCATED AT 2050 ST. GEORGE AVENUE ON LAKE SPIER.

Planning Director Jeffrey Briggs presented the staff report. He explained that Mr./Mrs. Smerge are requesting approval for a new two-story single-family home located at 2050 St. George Avenue on Lake Spier. The 25,021 sq. ft. lot currently holds an existing home which will be demolished for their new home. The new proposed two-story home will be 4,431 sq. ft. That is a FAR of 17.7% which is well within the allotted maximum of the Base 33% FAR for this lot. This new home will have impervious lot coverage of 7,981 sq. ft. or 31.9% within the maximum 50%. The total front yard impervious coverage which is the yard area in front of the house is 41.4% which is again well within the 50% maximum. He discussed the issues of tree preservation, view from the lake, view of neighbors and storm water retention. He stated that staff has no issues with this new home as presented. Staff recommended approval of the request.

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

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

NEW BUSINESS: None was discussed

Date of Next Work Session: Wednesday, June 26, 2013 at 12:00 Noon.

Date of Next Meeting: Tuesday, July 2, 2013 at 7:00 p.m.

There was no further business. Meeting adjourned at 8:15 p.m.

Respectfully submitted,

Lisa M. Smith
Recording Secretary