



CITY OF WINTER PARK Planning & Zoning Board

Regular Meeting
City Hall, Commission Chambers

October 1, 2013
6:00 p.m.

MINUTES

Chairman Johnston called the meeting to order at 6:15 p.m. in the Commission Chambers of City Hall. Present: James Johnston, Chairman, Randall Slocum, Shelia De Ciccio, Ross Johnston. Absent: Peter Weldon, Tom Sacha, Peter Gottfried, and Robert Hahn. Staff: Planning Manager Jeffrey Briggs and Recording Secretary Lisa Smith.

Approval of minutes – September 3 and 23, 2013

Motion made by Mr. R. Johnston, seconded by Mrs. De Ciccio, to approve the September 3 and 23, 2013, meeting minutes. Motion carried unanimously with a 4-0 vote.

PUBLIC HEARINGS

Mr. Briggs announced that there would be a simultaneous public hearing on the following two items.

REQUEST OF WINDERMERE WINTER PARK VENTURES LLC FOR: CONDITIONAL USE APPROVAL UNDER THE LARGE BUILDING ORDINANCE TO BUILD A 15 UNIT RESIDENTIAL TOWNHOUSE PROJECT AT 472 AND 510 W. SWOOPE AVENUE, ZONED (R-3) WITH VARIANCES BUILDING LOT AND IMPREVIOUS COVERAGE AND FOR A 10 FOOT SIDE SETBACK ON THE WEST SIDE IN LIEU OF THE REQUIRED 20 FEET.

Mr. Briggs presented the staff report and explained that the applicant Windermere Winter Park Ventures LLC is requesting Conditional Use approval for a new 15-unit residential townhouse project on the opposite side of the street from the City's Swoope Avenue Water Plant. He said that the combined properties of 472 and 510 West Swoope Avenue are 150 feet wide by 250 feet deep (37,500 square feet) and based on the existing R-3 zoning, on a property with more than 15,000 square feet, the maximum residential density is one unit for each 2,500 square feet of land. Therefore, this 37,500 square feet of land in the two combined lots equates to the 15 units requested.

He discussed the details of the Conditional Use request and explained that the applicant plans 15 townhouses arranged in a nine-unit building on the east side of the property and a six-unit building on the west side of the property with a center common driveway. The proposed units range in size from 1,750 to 2,600 square feet of living area and all units additionally have an enclosed two car garage. Parking is required at 2.5 spaces per unit (37.5 spaces) and the site plan shows 39 parking spaces. There is an enclosed two car garage for each unit and nine outside common area spaces. Architecturally, the design is simple but in scale with the neighborhood. On the street front unit, there is a street front facing front porch to give the building visual street appeal.

Mr. Briggs discussed the three variances requested. Mr. Briggs explained that two of the variances relate to the maximum building footprint or building lot coverage and the corresponding maximum impervious lot coverage. The R-3 code maximum is 40% building lot coverage (footprint) of the lot area and 70% impervious coverage. This design is at 42.4% building lot coverage and 73.2% impervious lot coverage. The design challenge for the developer is that the first floor needs to contain the two car garage area and the

'living' spaces of the kitchen and living room. Upstairs are the bedroom spaces. So the design challenge is providing enough usable 'living' space on the first floor and that results in the building (footprint) lot coverage variance request which totals 900 square feet (total over code) or 60 square feet over per unit. The impervious lot coverage variance is the result of the same design challenge and the need for 2.5 parking spaces per unit. The 1,215 square feet of impervious coverage over the code limit is again 900 square feet from the building footprint, 175 square feet from the two open front porches and 140 square feet of added pavement which is one parking space.

The third variance is a request for a 10 foot side setback on the west side of the property in lieu of the required 20 foot side setback. The design purposefully puts the smaller, six-unit building on the western side requesting the variance versus the longer nine-unit building. On that west side is a 10 unit residential project owned by Chris Heidrich. In your packets is an email from Chris Heidrich consenting to the variance for the ten foot side setback subject to a condition requiring a bamboo hedge screen which staff will incorporate into the staff recommendation.

Mr. Briggs summarized by stating these properties have historically (since 1971) been zoned R-3 for multi-family development and the R-3 zoning was established in recognition of the 250 foot lot depths in this block. The location is across the street from the city's water plant and a half block from the Public Safety complex. As such, multi-family development is compatible with the area and what has been contemplated by the R-3 zoning for many decades. He noted that the variances for the added lot and impervious coverage will be imperceptible. As long as the project provides the bamboo landscape screen requested by the neighbor who is impacted by the side setback variance and the project landscapes the front yard beyond the minimum code, then the visual impact of the added coverage will be mitigated. Staff recommended approval of the Conditional Use with the condition that a landscape plan be approved by City that incorporates a bamboo screen along the western setback area and increased landscape buffer in the front yard.

REQUEST OF WINDERMERE WINTER PARK VENTURES LLC TO: AMEND THEIR CONDITIONAL USE APPROVAL TO REMOVE THE PROHIBITION ON ENCLOSED GARAGES VERSUS OPEN CARPORTS AT THE TWO AND A HALF STORY, 9 UNIT RESIDENTIAL TOWNHOUSE BUILDING UNDER CONSTRUCTION AT 434/444 W. SWOOPE AVENUE, ZONED (R-3).

Mr. Briggs gave the staff report and stated that in February, 2012, Windermere Winter Park Ventures LLC received Conditional Use approval for a new, two-story, ten-unit residential townhouse project at 434/444 W. Swoope Avenue. (It is soon to be re-addressed as the 400 West Swoope Avenue). He said that this project was subsequently revised down to nine units by the developer and is now under construction. As they begin to market the units they are getting a negative response from buyers about having carports for each townhouse unit versus enclosed garage space. The developer is now asking to remove that original condition of approval so they may complete the project with enclosed garages. He noted that the applicant has submitted a revised building perspective drawing showing the "look" with garages which they believe to be more attractive. The primary concern cited by the applicant for the change is the added security of an enclosed garage space versus the open carport.

Mr. Briggs discussed the pros/cons of carports versus garages. He explained that while it may seem unusual, that specific design feature of carports versus garages was originally requested by the planning staff. What the City has learned with townhouse projects is that the two car garages get filled up with "stuff". In areas of the City developed with a row of townhomes, there are sections of Indiana, Schultz, Kentucky and Aragon Avenues, the City often has a one-way street at night with long lines of cars parked back to back on-street, so cars can pass only one way at a time. All of the congested street sections are in front of townhouse projects with two car garages. So originally to keep this project from angering the neighbors with cars parked up and down the street, the carport design was required and a specific condition of approval was part of the action by the City.

Mr. Briggs summarized by stating that the Public Works/Traffic Division had already determined that for this section of Swoope Avenue, in order to keep the optimum free flow of two way traffic, the north side of Swoope Avenue in this block is designated as 'no on-street parking'. Given the number of driveways that exist on the south side, there will only be about 6-7 on-street parking spaces available. Given that there is only be a finite number of on-street parking spaces for the residents to overflow into, the staff has moderated its' position. Residents are not likely to park around the corner on Pennsylvania or Virginia Avenues. Staff recommendation is for approval of removal of the prohibition on enclosed garages for this project.

Mr. Briggs responded to Board member questions and concerns. He pointed out that an email had been received from Board member Randall Slocum and distributed to fellow Board members detailing his garage width concerns with the 472/510 West Swoope project.

Mark Nasrallah, 3920 Edgewater Drive, represented the owner/applicant on both requests. He explained that he has submitted a response to Mr. Briggs email addressing Mr. Slocum's concerns about the interior garage widths. He discussed the dimensions of the garages. He explained that the garage doors have been recessed to create a shadow line in an effort not to have a "warehouse row look". He said that all setbacks have been have been maxed out. He acknowledged Mr. Slocum's concerns. He stated that they are unable to change the design unless the variances are increased to add a few more inches to each unit, which he was certain the developer would favor. Mr. Nasrallah responded to Board member questions and concerns.

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

Mr. Slocum addressed the Board and explained that with 18 ft. 8 inch wide interior two car garages, one can park two cars inside but barely be able to open the doors. If we are concerned about cars parked on the streets then we should make sure that the garages are actually wide enough to be usable. He cited best practices guides and other architectural standards to support the matter. Mr. Briggs responded that the City Code does not contain a minimum width standard but it would be a good idea to have one. The Board discussed the matter and was in agreement conceptually. Mr. J. Johnston suggested that the Board offer an alternative as part of the motion that would encourage the applicant to add the 8 inches discussed to the garage width and to have the Board motion support those incrementally increased variances. Ms. De Ciccio and Mr. R. Johnston stated their agreement and also the concurrence that the difference in lot coverage and impervious coverage would not be noticeable. The Board then expressed their concurrence that the project was compatible with the surrounding area and that enclosing the carports is acceptable.

Action on 472/510 West Swoope Avenue:

Motion made by Mr. J. Johnston, seconded by Mr. Slocum, to approve the conditional use under the large building ordinance with the requested variances for building and impervious lot coverage and with the staff recommended condition that a landscape plan be approved by the City that incorporates a bamboo screen along the western setback area and increased landscape buffer in the front yard. In addition the Board also encourages the developer to increase the width of the garages on the eastern six units on the property a minimum of eight inches for each unit and supports the increased variances needed to accomplish that. This is to be reviewed at the City Commission public hearing. Motion carried unanimously with a 4-0 vote.

434/444 W. Swoope Avenue

Motion made by Mr. J. Johnston, seconded by Mrs. De Ciccio to amend the conditional use approval to remove the prohibition on enclosed garages versus open carports at the two and a half story, nine-unit residential townhouse building under construction and with the further condition that the developer look to maximize the width of the garages. Motion carried unanimously with a 4-0 vote.

Mr. Gottfried entered the meeting at 6:45 p.m.

TO CHANGE THE EXISTING ZONING OF MULTI-FAMILY RESIDENTIAL (R-3) DISTRICT TO OFFICE (O-2) DISTRICT ON THE PROPERTY AT 409 ST. ANDREWS BOULEVARD.

Planning Manager Jeffrey Briggs gave the staff report and explained that Aloma Avenue Holdings LLC (Dr. Shaw) has acquired the former Signature Pharmacy building at 2304 Aloma Avenue and also the property directly behind, to the south, at 409 St. Andrews Boulevard with the intention is to renovate the Signature Pharmacy building into medical office space and to expand the parking onto the 409 St. Andrews Blvd. property. That property is now zoned residential (R-3) and they are requesting rezoning to office (O-2). The existing development on both of these properties is grandfathered-in from development in Orange County prior to annexation by the City in 1992. The Signature Pharmacy building is developed as medical space on the second floor and general office space on the first floor. The property at 409 St. Andrews Boulevard (while zoned R-3) has general office space downstairs and a residential unit upstairs in the existing building.

The intention is to demolish that building and redevelop 409 St. Andrews as additional parking which is needed to convert the entire former Signature Pharmacy building to medical use. The construction plans show the detail of the exterior improvements. Retention is being added to these properties as none exists today. Landscaping is being added where none exists today. A new fence to buffer and screen the new parking lot from the adjacent duplexes will be added as no visual buffer exists today. So from the exterior view, this redevelopment of the site and renovation of the building will be a welcome upgrade. Staff is providing this explanation of the background for this request but the public hearing is just for the rezoning. The agenda item does not include approval of the specific plans which will still be required to meet the applicable zoning and other codes of the City. Staff recommendation is for approval.

Sam Saboli, 5127 South Orange Avenue, represented the applicants. He stated that they are in agreement with the staff recommendations. He stated that he was available to respond to Board member questions and concerns.

Lou Nimcoff, 1870 Aloma Avenue, stated that he owns property on Glenwood Ave and pointed out his property on the map for the Board. He expressed concern with the installation of a privacy buffer. Mr. Briggs responded that where the subject property borders residential property a six-foot vinyl fence will be installed.

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

Mr. J. Johnston confirmed that this rezoning is in conformance with the Comprehensive Plan future land use designation of 'office' for this property. The Board noted that the project is an upgrade for the area and will be a nice improvement for the area.

Motion made by Mr. R. Johnston, seconded by Mrs. De Ciccio to amend Chapter 58 "Land Development Code", Article III, "Zoning" and the official zoning map so as to change the existing zoning of multi-family residential (R-3) district to office (O-2) district on the property at 409 St. Andrews Boulevard. Motion carried unanimously with a 5-0 vote.

NEW BUSINESS:

Date of Next Work Session Meeting: Tuesday, October 29, 2013 at 12:00 Noon.

There was no further business. Meeting adjourned at 7 p.m.

Lisa M. Smith
Recording Secretary