



CITY OF WINTER PARK Planning & Zoning Board

**Regular Meeting
City Hall, Commission Chambers**

**February 4, 2014
6:00 p.m.**

MINUTES

Chairman James Johnston called the meeting to order at 6:00 p.m. in the Commission Chambers of City Hall. Present: James Johnston, Chairman, Shelia De Ciccio, Ross Johnston, Tom Sacha, Peter Weldon, Robert Hahn. Absent: Randall Slocum and Peter Gottfried. City Attorney Katie Rieschman Staff: Planning Manager Jeffrey Briggs and Recording Secretary Lisa Smith.

Approval of minutes – January 7, 2014

Motion made by Mr. Sacha, seconded by Mrs. DeCiccio to approve the January 7, 2014, meeting minutes. Motion carried unanimously with a 6-0 vote.

PUBLIC HEARINGS

REQUEST OF ENGLISH AND SWOOPE INVESTMENT LLC AND VILLAGE PARK SENIOR HOUSING PARTNERS LTD. TO: AMEND THE CONDITIONAL USE AND DEVELOPMENT AGREEMENT FOR THE VILLAGE PARK SENIOR HOUSING PROJECT AT 550 N. DENNING DRIVE SO AS TO ADD THE PROPERTY AT 796 W. SWOOPE AVENUE TO THE PROJECT THEREBY PERMITTING AN INCREASE IN DENSITY FROM 105 TO 108 APARTMENTS WITHIN THE SENIOR HOUSING PROJECT.

Planning Manager Jeffrey Briggs gave the staff report and explained that the applicants, English and Swoope Investment LLC and Village Park Senior Housing Partners Ltd. (Atlantic Housing Partners), are requesting to amend their Conditional Use approval and Development Agreement. The request is to add the property at 796 W. Swoope Avenue into the project in order to permit an increase in the density for the senior housing project from 105 units to 108 units. Mr. Briggs briefly reviewed the history of the property, the details of the current request, parking, and an overview of code requirements for affordable/senior housing. He summarized by stating that the property at 796 W. Swoope Avenue has four somewhat deteriorated rental units and it is unfortunate that some commitment to improve those units is not part of the proposal. However, from the exterior no one will be able to tell whether three more apartments are within this project and the impact on parking is de minimus. While the amended Development Agreement serves to record in the public records, the approval and conditions, Mr. Briggs indicated that it is a challenge for all of the Building Dept. and Planning staff to remember the terms of Development Agreements so it may be advisable to rezone 796 W. Swoope Avenue from R-3 to R-2 so that the four unit maximum density becomes inherent in the R-2 zoning. Staff recommended approval of the request subject to the Development Agreement terms and conditions and the applicant's consent to a rezoning to R-2 for the 796 W. Swoope Avenue property. Mr. Briggs responded to Board member questions and concerns.

The Board members asked the Ms. Reischmann to clarify how the land condominium would work and how the development agreement conditions become enforceable restrictions upon future development.

Rebecca Wilson represented the applicant. She stated that the project is almost at 100% occupancy and feels pretty certain that there will soon be a waiting list. She explained that they have discovered that there is rarely

more than one car per unit so they will need less parking than anticipated as almost all the seniors only have one car. They originally believed that seniors who were downsizing out of larger homes would need to rent these storage locker amenities but the demand has not been there. Thus, this has become empty space that is better utilized as one additional apartment on each floor to help meet the demand for rentals. Ms. Wilson stated that they were in support of the staff's recommendation and the rezoning to R-2 was also acceptable to her client.

The following people spoke concerning the request:

Dan Bellows, 411 West New England Avenue, spoke in favor of the project but spoke against the rezoning of 796 West Swoope to R-2 because he believed it would work against the changes in zoning to increase density that he wants to ask for on his adjacent properties.

Blanche Bolden, 541 Capen Avenue, expressed concern with a project of this size being so close to her backyard. She wanted to know the long range plans for the subject property at 796 W. Swoope because she did not want a large multi-story building close to her home.

Donna Colado, 327 Beloit Avenue, spoke in favor of the project.

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

The Board members discussed the need for these additional units of senior housing and agreed that the request was beneficial for the City. Considerable discussion ensued about the condominium approach to selling off the property at 796 West Swoope and how that would work which were answered by the city attorney, C. Reischmann. There also was considerable discussion concerning the staff recommendation to downzone the 796 West Swoope property to R-2 as to the need for it and the impact on development of that property in the future. Mr. Hahn indicated that the City should not be doing anything to limit the redevelopment opportunities that were available in this area. Mr. Weldon asked the city attorney for clarifications on the enforcement capabilities of the rezoning versus the development agreement amendment. There developed concurrence on the Board that the Development Agreement alone was sufficient for enforcement of the limitation to four maximum units on the 796 West Swoope property.

Motion made by Mr. Weldon, seconded by Mrs. De Ciccio to approve the request to amend the conditional use and development agreement for the Village Park Senior Housing Project at 550 North Denning Drive so as to add the property at 796 West Swoope Avenue to the project thereby permitting an increase in density from 105 to 108 apartments within the senior housing project (without the rezoning to R-2). Motion carried unanimously with a 6-0 vote.

REQUEST OF THE CITY OF WINTER PARK FOR: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CERTAIN PROVISIONS OF ARTICLE IV, SIGN REGULATIONS OF THE CITY OF WINTER PARK LAND DEVELOPMENT CODE TO PROVIDE MORE SPECIFICITY AND TO ADD CLARITY; AND AMENDING SECTION 1-24, SCHEDULE OF VIOLATIONS AND PENALTIES, RELATING TO SNIPE SIGNS; SEVERABILITY; AND PROVIDING FOR SEVERABILITY, CODIFICATION, CONFLICTS AND AN EFFECTIVE DATE.

[illegible]

on those signs as well as the A-frame or menu board signs. Mr. Briggs indicated that from the previous P&Z work session discussion the one change concerning the size of signs on Lee Road has been incorporated into this revision. Staff recommended approval. Mr. Briggs responded to Board member questions and concerns.

Sally Flynn, 1400 Highland Road, spoke concerning the request. She requested clarification with regard to political signs.

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

The Board members indicated that the work session discussion had been very helpful in discussing each of these changes prior to this public hearing. Mr. Weldon asked the city attorney to outline the major areas which they had revised in terms of updating for case law. City Attorney, C. Reischmann outlined those for the Board including elections signage, free expression signage and off-site (billboard) signs.

Mr. J. Johnston asked about the number of election signs permitted and the city attorney indicated that case law has held that limitations on the number of signs for each individual election races/issue to be invalid but that this restriction to no more than four signs was still reasonable limitation given the context. She noted that the two square foot maximum size is not changing.

Motion made by R. Johnston, seconded by Mr. Weldon to approve the proposed revisions to the sign code as proposed by staff and the City Attorney. Motion carried unanimously with a 6-0 vote.

NEW BUSINESS:

There were no items of new business.

Date of Next Work Session Meeting: Tuesday, February 25, 2014 at 12:00 Noon.

Date of Next Regular Meeting: Tuesday, March 4, 2014 at 6:00 p.m.

There was no further business. Meeting adjourned at 6:55 p.m.

Respectfully submitted,

Lisa M. Smith
Recording Secretary