



**CITY OF WINTER PARK
Planning & Zoning Board**

**Regular Meeting
City Hall, Commission Chambers**

**July 1, 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, Randall Slocum, Peter Gottfried, Shelia De Ciccio, Tom Sacha, and Robert Hahn. Absent: Ross Johnston and Peter Weldon. Staff: Planning Manager, Jeff Briggs and Recording Secretary Lisa Smith.

ADMINISTRATIVE

- **Approval of minutes – May 6 and June 3, 2014**
- **Election of Chairman and Vice-Chairman**

PUBLIC HEARINGS

REQUEST OF ST. MARGARET MARY CATHOLIC CHURCH FOR: CONDITIONAL USE APPROVAL TO RENOVATE AND EXPAND THE CHURCH SANCTUARY ADDING A NEW FRONT FOYER OR NARTHEX AND CHURCH STEEPLE/TOWER WHICH INCREASES THE CHURCH SIZE BY 2,600 SQUARE FEET, AT 526 N. PARK AVENUE, ZONED R-3.

Mr. Hahn announced that he has a conflict and will not be voting on this item.

Planning Director Jeffrey Briggs presented the staff report. He explained that the applicant, the St. Margaret Mary Catholic Church at 526 North Park Avenue is requesting to expand the front foyer aka narthex leading to the sanctuary by 2,600 square feet, and also add a new church steeple/tower element. Churches are conditional uses and expansions over 500 square feet require this review. He explained that St. Margaret Mary is not expanding the size or seating of the sanctuary, therefore, this does not affect attendance or the need for additional parking. This project is to enhance and enlarge the front door lobby area or narthex. The expansion provides more space for gathering, provides larger restrooms, brides room and other spaces. The addition encompasses the existing narthex and moves it outward further toward the street frontages. The front hardscape patio and landscape areas will also be redone. He reviewed the zoning and setbacks for the subject property and tree preservation. He explained that the R-3 zoning also has a maximum building height of 35-feet. When the Church sanctuary was expanded in 1980, it was approved to be 60-feet tall. The proposed new Church steeple is also proposed to match that height at 57-feet. The new front facade at the highest point is 40-feet. He added that the proposed building additions are in scale with the existing Church sanctuary; and staff is comfortable with these height variances. The architectural appearance of this project is a great visual improvement for the Church. He added that underground storm water exfiltration was added to the parking lots to retrofit this property approximately 10 years ago. Mr. Briggs responded to Board member questions and concerns.

He summarized by stating that the proposed addition simply upgrades the front door appearance of the Church and makes those entry spaces more usable for the congregation. The project architecture is very attractive and the elements such as the new steeple are in scale with the existing Church sanctuary. The landscape program will restore a significant portion of the landscape screening that exists today. Staff recommendation is

for approval subject to the landscape comments regarding the oak trees along the Park Avenue frontage and replacement along the Park Avenue frontage within the street-side landscape areas.

The applicants were present, but did not wish to address the Board. No one wished to speak in favor of or in opposition to the request. Public Hearing closed.

Motion made by Mr. Sacha, seconded by Mr. Slocum to approve the conditional use request to renovate and expand the church sanctuary adding a new front foyer or narthex and church steeple/tower, increasing the church size by 2,600 square feet. Motion carried unanimously with a 5-0 vote. Mr. Hahn abstained.

REQUEST OF STARBUCKS RESTAURANTS FOR: CONDITIONAL USE APPROVAL TO REDEVELOP THE FORMER JIFFY LUBE PROPERTY AT 2591 ALOMA AVENUE INTO A NEW STARBUCKS RESTAURANT WITH A DRIVE-THRU COMPONENT, ZONED C-3.

Planning Manager Jeffrey Briggs presented the staff report. He explained that the applicants are requesting conditional use request to establish a Starbucks restaurant with a drive-thru on the property at 2519 Aloma Avenue (former Jiffy Lube). He noted that it is a conditional use because of the drive-thru component. This new location will be in addition to the store at Lakemont & Aloma. Mr. Briggs reviewed the site and context, the project plans, traffic circulation and stacking, the landscape plan, and storm water retention. He noted that the fence enclosure to the dumpster is not opaque but that will be handled thru the building permit process. The other issue noted is that the canopy protecting the drivers at the order window is a half canopy. Orange County Code is for a full canopy otherwise there isn't really any protection during a rain storm. Staff feels this should at least comply with Orange County Code. Mr. Briggs summarized by stating that the site is adequately sized and the overall site plan design well suited for this type of project. The project meets all the code requirements, there are no variances requested and the drive-in components are designed to meet the peak stacking needs for the Starbucks intended as the occupant. Staff recommendation is for approval with the conditions that the existing oak tree by the new drive-thru lane (identified on the survey as #110) be saved and that there is a full canopy over the drive-thru lane pickup area. 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 in favor of or in opposition to the request. Public Hearing closed.

Motion made by Mr. Sacha, seconded by Mr. Gottfried approve the conditional use request for a new Starbucks Restaurant with a drive-thru component subject to saving the existing oak tree by the new drive-thru lane (identified on the survey as #110) and that there be a full canopy over the drive-thru lane pickup area.

REQUEST OF GEORGIANA HARKINS TO: AMEND THE COMPREHENSIVE PLAN" SO AS TO CHANGE THE FUTURE LAND USE DESIGNATION OF OFFICE TO COMMERCIAL FUTURE LAND USE ON THE PROPERTY AT 1141/1143 ORANGE AVENUE.

REQUEST OF GEORGIANA HARKINS TO: AMEND THE OFFICIAL ZONING MAP SO AS TO CHANGE THE ZONING OF OFFICE (O-1) DISTRICT TO COMMERCIAL (C-3) DISTRICT ON THE PROPERTY AT 1141/1143 ORANGE AVENUE.

Mr. Briggs presented the staff report. He explained that the applicant Georgiana Harkins (property owner) is requesting to change the Comp. Plan FLU and Zoning designations of Office (O-1) to Commercial (C-3) on the property at 1141/1143 Orange Avenue. He noted that there is an existing 2,700 square foot, one-story building on the property fronting on Orange Avenue with parking in the rear accessed from Minnesota Avenue. This is just one property but there are two tenant spaces on each side of the building and each has a separate address of 1141 and 1143 Orange Avenue. He explained that the property owner in recent years has been having a more difficult time renting the space as office only. They are often approached by prospective tenants for hair salons and other such personal service businesses that are only allowed in commercial zoning. So this

request is simply to assist them in opening up more potential tenants to be able to use the building. He reviewed the zoning history of Orange Avenue. Mr. Briggs summarized by stating that the change to Commercial zoning on this one property with its' existing 2,700 square foot building will have very little impact except what the owners are hoping for, which is a broader range of tenants. He said that the parking in the rear is insufficient for any restaurant tenants, so the change just opens up the personal service type of business to locate there.

The City has discussed redevelopment of our Progress Point property directly across the street and has talked about scenarios where the frontage of that property could include building space for retail stores or restaurants. Progress Point is now also zoned only for Office, so if that future vision of Commercial zoning for the Progress Point property is acceptable, then it would be inconsistent not to allow this property the same privileges and range of tenants. Staff recommendation is for approval. Mr. Briggs responded to Board member questions and concerns.

The applicant was present, however, 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. Slocum to approve the request to amend the comprehensive plan future land use designation from Office to Commercial on properties located at 1141 and 1143 Orange Avenue. Motion carried unanimously with a 6-0 vote.

Motion made by Mr. Sacha, seconded by Mr. Slocum to approve the request to amend the official zoning map from Office (O-1) to Commercial (C-3). Motion carried unanimously with a 6-0 vote.

SITE PLAN REVIEWS:

SPR 2:14 – REQUEST OF REX-TIBBS CONSTRUCTION: FOR APPROVAL OF A NEW TWO-STORY SINGLE-FAMILY HOME LOCATED AT 1381 COLLEGE POINT ON LAKE VIRGINIA

Mr. Johnston announced that he has a conflict and will not be voting on this item.

Planning Manager Jeffrey Briggs presented the staff report and explained that Rex-Tibbs Construction is requesting approval for a new two-story single-family home at 1381 College Point on Lake Virginia. This 22,088 square foot lot has a home to be removed for this new project. He explained that the proposed two-story home will be 6,288 square feet which on this lot is a FAR of 28.5% within the allotted base 33% FAR. This new home will have impervious lot coverage of 9,011 sq. ft. or 40.8% within the maximum 50%. Mr. Briggs detailed staff's concerns with regard to tree preservation for the subject property. Mr. Briggs discussed in great detail that there are three (60+ inch) majestic live oak trees that are the major focus of this application. There are also two cypress trees down on the lakefront of this lot. He said that for the benefit of the Planning Board and interested neighbors, staff has requested that the applicant outline the steps and reasonable precautions (in writing) that will be undertaken to preserve the trees in question. The applicants assure the staff that they know what to do and have great experience in building homes while preserving mature trees. He detailed the major concerns relating to the neighboring 211 Sterling Avenue. He also reviewed the project's view from the lake, view of the neighbors, and storm water retention.

He explained that the plan has been discussed with the adjacent property owner, the Millers. He detailed the other concerns raised regarding this plan. He said that the Millers have expressed concern that the plans have located the AC compressors and the swimming pool equipment next to their bedroom windows, and they have requested that those noise generators be moved forward up by the front of the garage. Further, staff has conveyed that request to the applicants and they do not desire to accommodate this request. Mr. Briggs summarized by stating that staff does not see any concerns with the new home as presented except with respect to the issues of the preservation of the majestic live oak trees. Staff could recommend approval without any conditions of approval if the reasonable precautions and steps to be taken to preserve the important live oak trees were documented on the plans and in the arborist report. Staff recommended

approval of the request contingent upon the following plans and special construction techniques methodology to be submitted and approved by the City prior to building permit:

1. Root pruning and deep root fertilization to identify the location of the major root systems for the 66 inch live oak and a structural engineer report and plans (signed and sealed) indicating the location of the major root systems for the 66 inch live oak tree and the details of the bridge foundation system to be constructed in order to minimize damage to that tree.
2. A cross section and construction methodology for the driveway area deemed sufficient by the City Chief of Forestry to minimize damage to that tree.

Donnie Rex, 181 Circle Drive, Maitland, spoke concerning the request. He stated that they will do everything necessary to take care of the tree as construction progresses. He noted that his firm built the home on the adjacent lot. When questioned about the neighbor's concerns regarding the a/c compressors. Mr. Rex noted that they will follow city regulations with regard to the where the compressors can be located.

Ed Story, 4564 Burke Street, represented the owners of 235 Sterling Avenue and the Millers who reside at 211 Sterling Avenue who were out of state. He stated that they would like to ensure that there is a plan in place and that all reasonable precautions are taken to preserve the live oak trees, in particular the one adjacent to the Miller's residence. He requested that the applicant's elaborate on their plans to preserve the tree. He also requested that the a/c compressors be relocated to another location on the lot, as they are now adjacent to the miller's bedroom.

Mary Edwards, 805 Grandview Avenue, explained that she is the Arborist hired by the Millers to review the condition of the 66" oak tree and the proposed plan of construction. She provided details of her report to the Board. She responded to Board member questions and concerns.

Hal Moreland, 10 North Summerland Avenue, #9, explained that the Millers are his parents. He expressed concerns with the differing views in the arborist reports submitted. He explained that it is very important to the Millers to preserve the tree and have taken precautions to maintain the health and viability of the tree. He said that they would like to see specific plans in to preserve the tree. He requested that the a/c compressors be relocated to another area of the property.

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

Mr. Hahn stated that he sees an arborist report by the applicant with generalities and then one from the Millers which offers specific procedures and recommendations. He stated that he would like to see a tree preservation plan that brings the two together and resolves the actions to be taken. Mr. Gottfried said that he feels that City forestry chief and planning staff have given the Board some specific conditions to resolve this situation. Consensus of the Board was to approve the request subject to the City staff (City Planner and Arborist) to sign off on the tree preservation/protection methodology before a building permit will be issued.

Motion made by Mr. Sacha, seconded by Mrs. DeCiccio to approve the request contingent upon the following plans and special construction techniques methodology to be submitted and approved by the City (Planning and Forestry) prior to building permit:

1. **Root pruning and deep root fertilization to identify the location of the major root systems for the 66 inch live oak and a structural engineer report and plans (signed and sealed) indicating the location of the major root systems for the 66 inch live oak tree and the details of the bridge foundation system to be constructed in order to minimize damage to that tree.**
2. **A cross section and construction methodology for the garage and driveway area deemed sufficient by the City Chief of Forestry to minimize damage to those trees.**

Motion carried with a 4-1 vote. Mr. Hahn voted against the Motion. Mr. J. Johnston abstained.

NEW BUSINESS:

There were no items of new business.

Date of Next Regular Meeting: Tuesday, August 5, 2014 @ 6:00 p.m.

Date of Next Work Session Meeting: Tuesday, July 29, 2014 at 12:00 Noon.

There was no further business. Meeting adjourned at 7:30 p.m.

Respectfully submitted,

Lisa M. Smith
Recording Secretary