



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

**Regular Meeting
City Hall, Commission Chambers**

**January 6, 2015
6:00 p.m.**

MINUTES

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

Approval of minutes – December 2, 2014

Motion made by Mr. Sacha, seconded by Mr. Slocum to approve the December 2, 2014, meeting minutes. Motion carried unanimously with a vote.

PUBLIC HEARINGS

REQUEST OF UNICORP NATIONAL DEVELOPMENTS, INC. FOR: CONDITIONAL USE APPROVAL TO REDEVELOP THE FORMER MT. VERNON INN PROPERTY WITH A PROJECT TO BE CALLED LAKESIDE CROSSING OF APPROXIMATELY 37,473 SQUARE FEET OF RETAIL AND RESTAURANT SPACE INCLUDING A TWO LEVEL PARKING DECK AND SURFACE PARKING OF APPROXIMATELY 315 SPACES ON THE PROPERTY AT 110 S. ORLANDO AVENUE, ZONED C-3 AND PROVIDING FOR CERTAIN EXCEPTIONS AND FOR THE APPROVAL OF A DEVELOPMENT ORDER PERTAINING TO THE PROJECT.

Mr. Slocum announced that he has a conflict, and will not be participating in the discussion or voting of this item. Form 8B, Memorandum of Voting Conflict was completed and is an attachment to these minutes.

Planning Manager Jeffrey Briggs presented the staff report and explained that this public hearing is at the request of Unicorp National Development Inc. to redevelop the Mt. Vernon Inn site located at 110 South Orlando Avenue. He noted that the applicant is requesting preliminary conditional use approval to redevelop the site with a commercial project consisting of retail and restaurant tenant spaces. He noted that unlike the previous application for The Luxe, which requested a change to FLU/Zoning, this project proposes to develop to the existing C-3 zoning standards and is then only subject to Conditional Use review. He explained that the project site is approximately 3.58 acres, and consists of 37,473 square feet of retail/restaurant development of which 2,820 sq. ft. is used for common area mechanical/trash purposes and 34,653 sq. ft. is rentable commercial floor space. The developer is proposing a FAR of 44.17% which is within the maximum FAR of 45%. He outlined the C-3 zoning requirements for the this project in relation to the proposed dimensions. Mr. Briggs explained that the developer is exceeding the street front minimum setbacks on the Orlando Avenue and Morse Boulevard frontages in order to provide more room for landscaping, sidewalk and outdoor patio dining. On Harper Street and the interior sides, the project meets the applicable setbacks. Impervious coverage or green area also complies with the minimum 15% requirements. He said that the only exception that is requested is from the landscape code for the size of the interior landscape islands within the surface parking lot and the spacing every 11-12 spaces apart versus 10 spaces per code. Those landscape islands are shown at 9 feet wide versus the minimum 12 feet of width required. If that exception is not approved then the developer will lose four parking spaces to increase the widths accordingly.

Mr. Briggs reviewed the parking requirements for the project. He explained that parking spaces shown for this project are 315 spaces to meet a code requirement of 300 spaces. That requirement includes the 40 parking spaces that are committed by Development Agreement to be set aside as employee parking for the Lakeside project.

Parking for retail tenants is based on one space for each 250 square feet of floor area. Parking for restaurant tenants is based on one space for every three seats or one space for every 50 square feet of customer area, whichever is greater. Most often the seat count creates the greater demand. Based on the 300 spaces allocated by the developer for the total 27,300 sq. ft. of restaurant space shown, the one per three seat calculations would allow 690 seats spread amongst the four restaurants. However, the staff has also looked at the parking requirements if based on the "customer area" calculations. The staff looked at four restaurant floor plan scenarios and the typical amount of customer area versus kitchen/bar etc. is 50%-60% "back of house" to 40%-50% "customer area". Using a 45% average as the "customer area", the calculations for these four restaurants would create a demand for 245 spaces. At 50% of customer area, it would create a demand for 273 spaces.

Mr. Briggs stated that the applicant's plans have been reviewed by various city departments including representatives from Planning & Community Development, Public Works, Electric Utility, Water and Wastewater Utilities, Fire, Urban Forestry, Parks & Recreation and City Administration. He briefed the Board members on what the concerns were. He discussed the details of the applicant's traffic study.

He summarized by stating that after significant review, staff has analyzed the preliminary Conditional Use and will recommend approval subject to certain conditions. Overall, the applicant has provided a plan that meets the requirements of the land use and zoning as outlined in the Comprehensive Plan and Land Development Code. The one exception to the landscape code seems acceptable and thus staff recommendation of the "preliminary" Conditional Use subject to the following conditions:

1. The Lakeside Crossing Development entitlements comprise 37,473 square feet of commercial development which includes restaurants and retail space.
2. The project is required to have a minimum of 300 parking spaces to meet the anticipated needs of the development plan, which includes a parking garage and surface parking lot. Restaurant seating and floor plans will only be permitted that meet the parking code and no parking variances are to be granted.
3. The entrance to the project along Orlando Avenue will be restricted to right in/right out only.
4. The developer will coordinate and install intersection traffic signal improvements for the full Morse Boulevard/Orlando Avenue intersection to include restricted left turn signals in all directions subject to FDOT and city approval.
5. The developer will contribute \$50,000 to the cost of new mast arms as part of the improvements to Orlando Avenue and West Morse Boulevard.
6. The developer will pay and install the smart signal technology improvements at the Morse Boulevard/Orlando Avenue intersection.
7. The developer will install and maintain decorative paving within the entire Morse Boulevard/Orlando Avenue intersection for safer pedestrian crossing.
8. The developer commits to using 5" caliper street trees along street frontages for landscaping.
9. The developer will work with the city's Arborist regarding any tree replacement and maintenance along Orlando Avenue, Morse Avenue and Harper Avenue as it affects his property.
10. The developer will provide bike parking to be determined as part of the final conditional use review.

Mr. Briggs responded to questions posed by Board members.

Chuck Whittall, Unicorp National Developments, addressed the Board members concerning the request. He explained that resident's concerns for less density were heard and that the project has been scaled back and is now commercial only. He provided insight into the new proposed project. He said that it their goal to provide adequate parking for business patrons. He said that for the garage, there will be valet parking and employees will be required to park on the top floor. Mr. Whittall detailed his desire to redesign the parking garage to accommodate an additional 75 parking spaces on the top level, and he reiterated his request for the variance

to keep parking lot islands at 9 feet. He stated that granting the variance will accommodate four parking spaces. He stated his willingness to plant whatever trees at whatever calipher the city desires in the islands. He said that parking for the employees of Blue Cross across the street will be accommodated in the garage. He added that he feels that the two projects will work well together. Mr. Whittall responded to Board member questions and concerns.

Mr. Briggs responded to Board member concerns with regard to the parking proposal described by the applicant.

Jim Barnes, #7 Isle of Sicily, stated that he feels that the new proposed project is much improved over the previous. He elaborated on his concerns with regard to storm water runoff from this project and the direction in which it will flow. He also expressed concern regarding the traffic from S. Orlando Avenue to Harper, and denying the requested variance and maintaining the 12 foot median.

Sally Flynn, 1400 Highland Road, the proposed project is greatly improved over the previous proposal. She asked if the applicant would consider planting oak trees in the median islands versus palm trees. She stated that she feels that the requested variance should be denied and that 12 foot median be kept.

Gary Brewer, 1250 South Denning Drive, spoke concerning traffic on Morse Boulevard and Orlando Avenue.

Mr. Whittall responded to the citizens comments. He stated that they are contributing to intersection improvements traffic improvements with continuous left turn signals. He said that retention to accommodate the project will be on constructed on-site and he reiterated his willingness to place whatever trees in the medians that the City desires, but noted that this particular development will have oak trees.

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

Mr. Weldon complimented the applicant for redesigning a project that meets code. He discussed his issues with ingress/egress. He stated that he has spoken with the City's traffic engineer and many of the comments he heard at tonight's meeting echoed that conversation. He said that he feels that there should be full signalization at West New England Avenue and South Orlando Avenue. Mr. R. Johnston articulated his concerns with traffic circulation in the immediate area surrounding the project, specifically vehicles at Harper Avenue attempting to go westbound on Morse. He said that he has witnessed a substantial amount of accidents at that location. Mr. Johnston stated that this problem is not specific to this applicant, but with any applicant that tries to develop in that particular location. Mrs. De Ciccio agreed with Mr. Johnston. She spoke her concerns regarding pedestrian safety for those walking to these projects via Morse Boulevard and South Orlando Avenue. She encouraged more efforts to ensure pedestrian safety. Mr. Gottfried expressed that the while he agrees with the concerns about traffic it is important to note that the project meets all of the City's Code requirements. He agreed with the comments made, but feels that the applicant has made every effort to bring back a project that pleases the City. Mr. Hahn agreed with the comments made by Mrs. De Ciccio. He verbalized his thoughts for a project with a different type of use that encourages more public gathering spots and a differing orientation toward the park. Consensus of the Board after further discussion was not to approve the landscape code exception for the width of the landscape islands in the surface parking area.

Motion made by Mr. Weldon, seconded by Mr. Sacha to deny the variance to reduce the median island from 12 feet down to 9 feet. Motion carried unanimously with a 6-0 vote. Mr. Slocum abstained.

Motion made by Mr. Weldon, seconded by Mr. Sacha to incorporate the condition that requires the applicant contribute \$50,000 toward the full signaling cost of West New England Avenue and South Orlando Avenue should the City of Winter Park and FDOT deem it necessary within three years of issuance of certificate of occupancy. Motion carried unanimously with a 6-0 vote. Mr. Slocum abstained.

Motion made by Mr. Weldon, seconded by Mr. Sacha to grant preliminary conditional use approval to the request subject to the following conditions:

1. The Lakeside Crossing Development entitlements comprise 37,473 square feet of commercial development which includes restaurants and retail space.
2. The project is required to have a minimum of 300 parking spaces to meet the anticipated needs of the development plan, which includes a parking garage and surface parking lot. Restaurant seating and floor plans will only be permitted that meet the parking code and no parking variances are to be granted.
3. The entrance to the project along Orlando Avenue will be restricted to right in/right out only.
4. The developer will coordinate and install intersection traffic signal improvements for the full Morse Boulevard/Orlando Avenue intersection to include restricted left turn signals in all directions subject to FDOT and city approval.
5. The developer will contribute \$50,000 to the cost of new mast arms as part of the improvements to Orlando Avenue and West Morse Boulevard.
6. The developer will pay and install the smart signal technology improvements at the Morse Boulevard/Orlando Avenue intersection.
7. The developer will install and maintain decorative paving within the entire Morse Boulevard/Orlando Avenue intersection for safer pedestrian crossing.
8. The developer commits to using 5" caliper street trees along street frontages for landscaping.
9. The developer will work with the city's Arborist regarding any tree replacement and maintenance along Orlando Avenue, Morse Avenue and Harper Avenue as it affects his property.
10. The developer will provide bike parking to be determined as part of the final conditional use review.

Motion carried unanimously with a 6-0 vote. Mr. Slocum abstained.

REQUEST OF MR. JOSEPH PASSALACQUA FOR: A LOT CONSOLIDATION APPROVAL PER SECTION 58-392 OF THE CITY CODE TO COMBINE THE TWO PROPERTIES AT 1251 AND 1252 LAKEVIEW DRIVE AS ONE PROPERTY, THEREBY PERMITTING 1251 LAKEVIEW DRIVE TO BE USED FOR THE PRINCIPAL SINGLE FAMILY RESIDENCE AND TO ALLOW 1252 LAKEVIEW TO BE USED FOR OTHER ACCESSORY STRUCTURES AS PERMITTED BY CODE, SUBJECT TO LIMITATIONS AS MAY BE MADE AS PART OF THIS REQUEST.

Planning Manager Jeffrey Briggs presented the staff report. He explained that the applicant Mr. Joseph Passalacqua (as represented by Rebecca Wilson) is requesting approval to consolidate the two properties of 1251 Lakeview Drive and 1252 Lakeview Drive into one property. That will enable the non-lakefront portion at 1251 Lakeview Drive to be used as the site for the principal single family residence and allow the lakefront portion at 1252 Lakeview Drive to be used for accessory structures permitted by Code such as a guest house, swimming pool, etc. He reviewed the history of the property and discussed comprehensive plan policies and land development code text as relates to the consolidation of lakefront lots. He provided details of the property's current status. He explained that back in September when the Planning Board was discussing the lot split, the staff made the point that while 1252 Lakeview Drive is not a buildable lot, it's not without value to the owner. The property now holds a boathouse which provides access to the Chain of Lakes and contributes value to the property across the street at 1251 Lakeview Drive. He noted that this type of connection of ownership is not unlike others along Lakeview Drive that have their lakefront access and boathouse across the street from the home site. Additionally, the 1252 Lakeview portion is already providing lakefront access via the boathouse to the 1251 Lakeview Drive portion that the two portions be allowed to legally be consolidated. He summarized by stating that this request, and the voluntary restrictions are consistent with the intent of the City's lot consolidation regulations. Staff recommended approval subject to the voluntary restrictions:

1. 1251 Lakeview Drive is limited to a residence up to 4,500 sq. ft. and 1252 Lakeview Drive can only be developed along with a swimming pool, as a guest house/pool cabana up to 1,000 sq. ft. in accordance with Section 58-71(i); or
2. 1251 Lakeview Drive may be developed as a residence of up to 5,200 sq. ft. if there is no development (other than a swimming pool) on 1252 Lakeview Drive

Mr. Briggs responded to Board member questions and concerns.

Rebecca Wilson, 215 North Eola Drive represented the applicant. She said that that the applicant decided that this was the direction to go in after conversations with city staff. She agreed with Mr. Briggs comment that what he is requesting is no different than what occurs down Lakeview Drive and other properties that have the home on one side of the street and the boathouse across the street on the lake. She provided an overview of the history of the subject property. She added that she does not feel that the request is precedent setting as they are not requesting to combine the FAR of the two lots to build a larger home. She responded to Board member questions and concerns.

Adaire Fluno, 1234 Lakeview Drive, requested clarification of the definition of accessory. She stated that she opposes the consolidation of the lots.

Peter Foley, 1270 Lakeview Drive, spoke in opposition to the request.

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

Mr. Slocum said that he feels that this is a good use of the property and agreed with the comments made by Mr. Briggs that this proposal is not uncommon. Additionally, plans will have to return to the Board for the lakefront site plan approval process. Board members agreed.

Motion made by Mr. Sacha, seconded by Mr. Weldon to approve the request to consolidate 1251 and 1252 Lakeview Drive subject to the following conditions:

- 1. 1251 Lakeview Drive is limited to a residence up to 4,500 sq. ft. and 1252 Lakeview Drive can only be developed along with a swimming pool, as a guest house/pool cabana up to 1,000 sq. ft. in accordance with Section 58-71(i); or**
- 2. 1251 Lakeview Drive may be developed as a residence of up to 5,200 sq. ft. if there is no development (other than a swimming pool) on 1252 Lakeview Drive**

Motion carried unanimously.

NEW BUSINESS:

Date of Next Regular Meeting: Tuesday, February 3, 2015 at 6:00 p.m.

Date of Next Work Session Meeting: Tuesday, January 27, 2015 at 12:00 noon.

There was no further business. Meeting adjourned at 9:30 p.m.

Respectfully submitted,

Lisa M. Smith
Recording Secretary