



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

**Regular Meeting
City Hall, Commission Chambers**

**April 7, 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: Vice-Chairman Peter Gottfried, Tom Sacha, Shelia De Ciccio, Ross Johnston and Peter Weldon. Absent: James Johnston, Randall Slocum and Robert Hahn. Staff: Planning Manager, Jeff Briggs, and Recording Secretary Lisa Smith.

Approval of minutes – March 3, 2015

Motion made by Mr. Gottfried, seconded by Mr. Weldon to approve the March 3, 2015, meeting minutes. Motion carried unanimously with a 5-0 vote.

PUBLIC HEARINGS

REQUEST OF TOWER ACQUISITION PARTNERS, LLC TO: AMEND THE CONDITIONAL USE APPROVAL PREVIOUSLY GRANTED TO THE PROPERTY AT 170 S. KNOWLES AVENUE/170 EAST MORSE BOULEVARD IN 2007, TO ALLOW FOR MODIFICATIONS TO THE MULTI-FAMILY PROJECT, TO NOW BE COMPOSED OF THREE UNITS, THREE STORIES AND 19,935 SQUARE FEET OF RESIDENTIAL LIVING AREA AND GARAGE, ON THIS PROPERTY ZONED C-2.

Mr. Briggs announced that the applicants have requested to postpone this item until May 5TH public hearing.

REQUEST OF PHILIP KEAN FOR: CONDITIONAL USE APPROVAL UNDER THE CLUSTER HOUSING PROVISIONS OF THE R-2 ZONING DISTRICT TO ALLOW THE CONSTRUCTION OF THREE, TWO-STORY TOWNHOUSE UNITS ON THE PROPERTIES AT 1047 AND 1049 NORTH KENTUCKY AVENUE, ZONED R-2.

Planning Manager Jeffrey Briggs presented the staff report and explained that the applicant recently purchased the properties at 1047 & 1049 N. Kentucky, located on the northeast corner of N. Kentucky and Ward Avenues. The request is for Conditional Use approval to develop a three unit townhouse project on this property zoned R-2. He noted that this is a Conditional Use because three or more units fall under cluster housing. Mr. Briggs reviewed the site and zoning parameters, height, FAR, setbacks, storm water retention and tree preservation. He said that there is a platted city alleyway between these properties that front on N. Kentucky Avenue and the properties that front on Fairbanks Avenue. It runs from Ward Avenue to Denning Drive. The site plan layout utilizes the city alleyway for access providing rear entry driveways from the alleyway into two car garages for each unit. This works to hide the cars from view and present a more attractive building image on the two streets. The two car garages are sized at 20 x 20.6 feet. Technically the parking requirement is 2.5 spaces per unit, so the rear driveways would also count toward meeting that parking requirement, as visitors could park in those driveways. Mr. Briggs stated that various city departments have reviewed this application including representatives from Planning & Community Development, Public Works, Electric Utility, Water and Wastewater Utilities, Fire, Urban Forestry, Parks & Recreation and City Administration.

Mr. Briggs stated that it is important to note that this project location on the corner of N. Kentucky and Ward Avenues is directly adjacent to a Mobil Lube Express store, a Goodyear Tire/Car repair business and a two story office building to the north and west. He summarized by stating that this project is located on the edge of a neighborhood and on the edge of commercial development. While the scale is much larger than the existing pattern of development, it is not realistic to expect redevelopment that will match the one-story, 800-1,100 square foot homes that were developed in the 1940's. The project meets all the development standards of the R-2 zoning district and will have an attractive architectural appearance with garages/cars screened from view.

Staff recommended approval with three conditions:

1. That the alleyway be paved and improved for the full width of the alley within the confines of this project.
2. That the project replant seven new oak trees, evenly spaces along the N. Kentucky and Ward Avenue frontages.
3. That the project remove the power poles in the alley area and underground electric and other utilities and provide an easement for an electric transformer to serve these three homes.

Mr. Briggs responded to Board member questions and concerns.

Phil Kean, 912 West Fairbanks Avenue, provided the Board members with a 3-D fly-around overview of the project. He explained that the original intent was to develop single-family homes on the property, but due to its proximity to commercial the cluster housing concept evolved. He had no objections to the recommendations of staff. Mr. Kean responded to Board member questions and concerns. No one spoke in favor of or in opposition to the request. Public Hearing closed.

The Board members discussed the project and noted the challenges of the location adjacent to commercial businesses. The Board asked questions about the alley, the landscaping proposed and the other recent development within this neighborhood. The consensus of the Board member comments was that this was appropriate scale for this location.

Motion made by Mr. Weldon, seconded by Mr. Sacha to approve the conditional use request under the cluster housing provisions of the R-2 zoning district to allow the construction of three, two-story townhouse units on the properties at 1047 and 1049 North Kentucky Avenue, and subject to the following conditions:

1. That the alleyway be paved and improved for the full width of the alley within the confines of this project.
2. That the project replant seven new oak trees, evenly spaces along the N. Kentucky and Ward Avenue frontages.
3. That the project remove the power poles in the alley area and underground electric and other utilities and provide an easement for an electric transformer to serve these three homes.

Motion carried unanimously with a 5-0 vote.

REQUEST OF FIFTH THIRD BANK TO: AMEND THE "COMPREHENSIVE PLAN" FUTURE LAND USE MAP SO AS CHANGE FROM SINGLE FAMILY RESIDENTIAL TO A PARKING LOT FUTURE LAND USE DESIGNATION ON THE PROPERTY AT 453 NORTH LAKEMONT.

REQUEST OF FIFTH THIRD BANK TO: AMEND THE OFFICIAL ZONING MAP SO AS TO CHANGE FROM SINGLE FAMILY (R-1A) DISTRICT ZONING TO PARKING LOT (PL) DISTRICT ZONING ON THE PROPERTY AT 453 NORTH LAKEMONT AVENUE.

REQUEST OF FIFTH THIRD BANK FOR: CONDITIONAL USE APPROVAL TO DEVELOP THE PROPERTIES AT 1851/1861/1871 ALOMA AVENUE AND 443/453 NORTH LAKEMONT AVENUE FOR A ONE-STORY 3,500 SQUARE FOOT BRANCH BANK WITH DRIVE-THRU TELLERS AND 5,715 SQUARE FEET OF PROFESSIONAL OFFICE, ON THESE PROPERTIES ZONED O-2 AND PROSPECTIVELY PL.

1851/1861/1871 Aloma Avenue. All of the properties are zoned Office (O-2) except for the 453 N. Lakemont parcel which is zoned Single family (R-1A). The request is to:

1. Change the Comp. Plan FLU and Zoning for the 453 N. Lakemont Avenue parcel to Parking Lot (PL) zoning so that it may be incorporated into the project for use as storm water retention; and
2. Approve a Conditional Use for Fifth Third Bank component of the project as it contains drive-thru components

The proposed development consists of a 3,872 square foot branch bank for Fifth Third with two drive-in tellers and companion 5,410 square feet of "for lease" office space. Total size of the one-story building is 9,282 square feet which is a 17.0% FAR; well within the maximum FAR of 45%. The building is centered on the site so it is significantly behind the perimeter setbacks. Impervious coverage or green area also exceeds the minimum 15% requirements by a significant amount at 57.5%. Mr. Briggs reviewed parking requirements. He explained that the application package is intended to provide the detail needed both for the "preliminary" and "final" conditional use approvals and as such includes the final site plan, architectural perspective images of the building facades with materials, landscape plan, complete storm water retention design, photometric plan and a traffic impact report. The current lease on the Fifth Third Bank branch to the east at 2011 Aloma Avenue (next to Mellow Mushroom) is expiring and they need to move quickly for this project as the replacement.

The northernmost 50 feet of this property (453 N. Lakemont – Lot 25) is zoned single family (R-1A). The applicant is requesting a Comp. Plan and Zoning change to Parking lot (PL). They would use the property primarily for the bulk of the storm water retention as well as four parking spaces. The City created the Parking Lot zoning category for just this type of situation where the use of the land is limited to only parking or storm water retention as proposed. No other use and no buildings can be put on that land, if zoned PL. The only permitted uses in PL zoning are surface parking spaces and storm water retention. (If it were rezoned as office then it would bestow the ability for future buildings)

From the staff's perspective if the property stays zoned single family (R-1A) then Fifth Third Bank will sell the lot and then likely a new two-story home will be constructed on that property. Fifth Third Bank can accommodate all of their storm water retention via underground exfiltration and the 4 parking spaces can be relocated to the landscape area on the western boundary. This then puts a new SF house in the 'backyards' of the three existing homes at 1850, 1860 & 1890 Edwin Blvd. Alternatively, the proposed plan maintains the vast majority of this property as open space via the use confined and restricted to storm water retention. This seems to the planning staff to be a more favorable neighboring use for those three homeowners.

The plans include measures meant to provide protection and screening for the residential neighbors to the north on Edwin Blvd. On that common boundary line will be a six foot block stucco wall painted to match the building. There are also trees that are planned to help screen views above the wall height.

Mr. Briggs summarized by stating that the planning staff understands that there is no enthusiasm for another branch bank at this gateway location into the City; however, Fifth Third Bank purchased this property ten years ago with the intention of building on it someday. He said that the applicant has provided a plan that meets the requirements of the Comprehensive Plan and Land Development Code. He noted that planning staff's viewpoint is that the rezoning seems to be in the best interests of the neighbors and the additional parking for a medical tenant can be added since the project exceeds the "green" or pervious area required by Code. Staff has analyzed the Conditional Use/Rezoning and is recommending approval subject to the several conditions.

Brett Nevaril, Infinity Engineering Group, represented the 5/3 Bank. He stated that he has communicated with Mr. Briggs and is aware of the concerns and requests of the neighbors and expressed willingness to work with the neighbors. He indicated that the Bank is in agreement with the conditions recommended by the City and then addressed the conditions of the neighbors which the Bank is also in agreement with. He responded to Board member questions and concerns.

Stephanie Murphy, 1850 Edwin Boulevard (Lot 28), represented eight of her neighbors. She stated that they are concerned that several aspects of the proposed development that are not compatible with the existing neighborhood. She used a power point presentation to detail their concerns with the proposed development. The highlights of the requests were: (1) increase in height to an 8-foot wall (they requested that the wall be

constructed first in an effort to buffer the neighborhood from construction dust and noise; (2) that the wall be brick instead of stucco; (3) that the dumpster be relocated to a space on the property further away from the residents; (4) that the trees be of a height and size to provide an immediate barrier; (5) that consideration be given to decorative light poles; (6) that more time be allowed to study the traffic in this area; and (6) that proper landscaping be installed adjacent to the building.

Beth Hall, 516 Sylvan Drive, spoke in opposition to the request and expressed concern with the architectural design of the proposed bank, the traffic impact on the surrounding neighborhood and the drive-thru tellers exiting on Aloma Avenue. She requested that more consideration be given to the existing residential neighborhood and that she is opposed to changing the zoning and comprehensive plan.

Marti Miller, 1399 Aloma Avenue, explained that she said that she would like to see the City purchase the property and develop it as a park. She was opposed to the property being developed with a bank.

Paul Helsby, (owner of the adjacent property to the west) spoke in favor of the request, stated that he is the principal neighbor on Aloma Avenue. His plans originally were to redevelop his property with his dental practice but he now has the property listed for sale. He stated that he is happy to see the property develop. He requested that more consideration be given to the façade, that more study be given to the traffic, and an easement pass-thru between his property and the subject property be required. He agreed with Mrs. Murphy concerning the dumpster placement.

Penney Potter, 1360 Canterbury Road, stated that she opposed to the rezoning and comprehensive plan change.

Tina Dover, 1800 Edwin Boulevard, opposed the drive-thru, the encroachment into the residential neighborhood and cut-thru traffic.

Ann Murrah, 1601 Legion Drive, stated that she would like to see the property developed in a joint venture between the City, the developer and Dr. Hellsby to develop the property as a gateway park. She said that she feels that would be very appropriate for this gateway into the city.

Donna Colado, 327 Beloit Avenue, commented that she agrees with the comments made by Mrs. Murrah and the neighbors.

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

Mr. Nevaril responded to the concerns brought up concerning lighting explaining that the lighting currently proposed by the bank complies with city code. He stated that they are willing to further modify the rear lighting on the north side of the property related to the parking lot and retention pond to be sure it does not affect the neighbors. He responded to Board member questions with regard to ATM location, architectural aspects of the development, the dumpster concern. He agreed to work on the west elevation and explained that this is a new prototype architectural look that the Bank is introducing.

Mr. Weldon spoke to the concerns raised by the neighbors. He explained that he feels it is practical to rezone the R-1A zoned property to allow for a parking lot and retention area only as this use as open space seems more attractive for the neighbors. He encouraged those that are passionate about the park issue to take those concerns to the City Commission. He commented that he feels that the proposal is a thoughtful low-intensity one-story use of the property relative to the current entitlements that would permit a four story building. He thanked Mrs. Murphy for her presentation, and assured that consideration will be given to the neighbors requests in the Board's recommendation to the City Commission.

Mr. R. Johnston agreed with Mr. Weldon with regard to the rezoning for open space and retention, but stated that he is very concerned with the architectural details of this request, as the look is very simplistic and not going to be of the quality we would hope for at this gateway location into the City. He encouraged the applicants to give more thought into the comments received at the meeting. Considerable discussion ensued

amongst the Board members to review and insure that the requests of the neighbors were considered in a motion to augment what had been suggested by staff.

Motion made by Mr. Weldon, seconded by Mr. Sacha to amend the "Comprehensive Plan" future land use map from Single Family Residential to Parking Lot on the property at 453 North Lakemont Avenue. Motion carried unanimously with a 5-0 vote.

Motion made by Mr. Weldon, seconded by Mr. Sacha to amend the official zoning map from Single Family Residential (R-1A) district zoning to Parking Lot (PL) district zoning on the property at 453 North Lakemont Avenue. Motion carried unanimously with a 5-0 vote.

Motion made by Mr. Weldon, seconded by Mr. Sacha to approve the conditional use to develop the properties at 1851/1861/1871 Aloma Avenue and 443/453 North Lakemont Avenue for a one-story square foot branch bank with drive-thru tellers and other professional office, on these properties zoned O-2 and prospectively PL; and subject to the following special conditions:

- 1. The Fifth Third Bank project entitlements comprise 9,282 square feet of office development including two drive-thru teller lanes.**
- 2. The project is required to have a minimum of 37 parking spaces to meet the anticipated needs of the development plan and may create the additional 6 parking spaces needed for medical tenant usage of the 5,410 square feet of associated office space within the landscape area along the western border of the site.**
- 3. The entrance/exits to the project along Aloma and Lakemont Avenues will be restricted to 'right in/right out' only and the center line median on Lakemont Avenue shall be extended to the north 25 feet at the expense of the applicant.**
- 4. The project signs along the two streets shall be limited to non-interior illuminated monument signs as presented.**
- 5. The western building elevation facing 17,000 cars a day traveling east on Aloma Avenue shall include significant brick veneer façade coverings to match the architectural pattern of the other building facades.**
- 6. The hours of operation of the drive-in teller speaker system is restricted to no later than 10:00 pm and no drive-in teller speaker noise shall be audible within any adjacent residential building.**
- 7. Replacement of the sweet gum and cypress trees on the northern border of the property with cedar trees.**

As well as the following conditions suggested by the neighboring property owners and agreed to by the applicant:

- 8. Increase in the height of the proposed privacy wall on the northern property line to eight feet in height and construction to be of brick or brick veneer to match the primary structure with columns appropriately spaced and cap. Also that this privacy wall be constructed in the first phase of the construction activity in order to serve as a buffer from construction noise/dust.**
- 9. Insure that the parapet wall height and location of AC and mechanical equipment screens such equipment from view.**
- 10. Add hedges and understory trees to the landscape area adjacent to the north side of the building consistent with that shown for the landscape areas on the east and south sides of the building.**
- 11. Modify the rear parking lot lighting on the northern border of the property adjacent to the residential properties to insure no light intrusion onto their properties.**
- 12. Relocate the dumpster to a location further removed from the abutting residential neighbors.**

Motion carried unanimously with a 5-0 vote.

REQUEST OF UNICORP NATIONAL DEVELOPMENTS, INC. FOR: FINAL CONDITIONAL USE APPROVAL FOR LAKESIDE CROSSING, A REDEVELOPMENT OF THE FORMER MT. VERNON INN PROPERTY WITH APPROXIMATELY 37,473 SQUARE FEET OF RETAIL AND RESTAURANT SPACE INCLUDING A TWO LEVEL PARKING DECK AND SURFACE PARKING OF APPROXIMATELY 300

SPACES ON THE PROPERTY AT 110 S. ORLANDO AVENUE, ZONED C-3 AND PROVIDING FOR CERTAIN EXCEPTIONS AND CONDITIONS.

Planning Manager Jeffrey Briggs presented the staff report and explained that Unicorp National Developments, Inc. is requesting "final" conditional use approval for their Lakeside Crossing project pursuant to the "preliminary" conditional use approved by the Planning Board on January 6, 2015 and by the City Commission on February 9, 2015, for the property at 110 N. Orlando Avenue, zoned C-3. He stated that the City Commission approved the "preliminary" conditional use with the same conditions recommended by P&Z. Mr. Briggs reviewed the City Code requirements with regard to issuing final approval. He explained that overall the Lakeside Crossing project is the same as was approved for the Preliminary CU but there have been two important revisions:

1. The total square footage of the commercial project is virtually the same with 37,473 sf for the "preliminary" CU and now 37,435 sf now at "final" CU. There has been a decrease in the common area spaces from 2,820 sf to 1,135 sf. At this time, the "for lease" floor space is 36,300 sf. The significant changes have been that the mix of the retail and restaurant has changed with more space being devoted to retail store space versus restaurant usage and dropping to three restaurants now versus four restaurants previously. The square footage of retail has increased from 7,353 square feet to 16,800 square feet. The square footage of the restaurant spaces has decreased from 27,300 square feet down to 19,500 square feet. That means that the parking allocation has also changed. Now of the 300 spaces provided, there are the 40 spaces required for the Lakeside project across the street, 67 spaces provided for the retail space and 193 spaces for the restaurant space. That translates into 579 restaurant seats versus 690 seats previously. This averages 193 seats per restaurant. This new mix should significantly alter the peak usage of the project as the retail store usage is spread more evenly throughout the day versus the lunch and dinner peaks for the restaurants. It also reduces the traffic generation for the project.
2. The final parking count has also changed due to the need to enlarge the landscape islands, to provide the required number of handicapped spaces and due to providing more truck circulation and loading space. However, the final parking count is still at the 300 spaces required by the "preliminary" CU approval.

Mr. Briggs then outlines and described the new plan submission for the final conditional use. Mr. Briggs also reviewed the provisions concerning the Development Agreement and conformance to the Morse Boulevard Design Guidelines. He discussed issues relating to mobility and traffic. Mr. Briggs explained that the "preliminary" approval requires the developer to "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". In discussions with FDOT, they prefer that the City be the applicant for the FDOT permit to upgrade that traffic signal. As a result, staff will be modifying that condition for the developer to reimburse the City for the engineering/application costs of the submittal for permit by FDOT. Since the approval of the "preliminary" CU, it has been determined that the 'proportionate share' of the costs of the adaptive traffic signal control technology improvements at the Morse Boulevard/Orlando Avenue intersection are \$5,000. These "final" CU plans have been modified to provide 15 bicycle parking spaces. While this is less than the 30 spaces required, staff is comfortable that this provides adequate bicycle parking opportunities.

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 conditions of approval from the "preliminary" and "final" CU process and enforcement methods for those conditions. The conditions to be added to or modified from the "preliminary" approval are as follows:

1. That the final landscape site plan be modified to include more substantial landscape screening and trees for the parking garage in the setback areas including new trees and other landscape materials determined by the City Staff and that only oak trees be allowed within the interior of the project wherever it is determined new tree plantings will occur where space is adequate for oak trees.
2. That the parking garage final elevations and interior design be returned for subsequent approval to achieve a higher "Sun Trust Parking Garage" standard of architectural treatment.
3. That the Development Agreement include the requirement for a "Parking Management Plan" for subsequent approval by the City to maintain oversight on the management of the parking garage, including areas reserved for tenants and/or valet, fees to be charged, etc.
4. In conformance with the Morse Blvd design guidelines, there shall be no interior illuminated signage for the project.

5. The developer shall reimburse the City for the engineering/application costs of the submittal for permit by FDOT of the traffic signal upgrade. The proportionate share for the adaptive traffic signal control technology improvements at the Morse Boulevard/Orlando Avenue intersection shall be \$5,000.

Chuck Whittall, applicant, and Joe Antunovich, Architect, presented an overview of the final conditional use request with the use of a power point presentation. Mr. Whittall discussed the plans for tree preservation, incorporation of decorative street lights, and reviewed the overall elevations of the development project. He noted that the requests for the parking garage will come back at a later date. He revisited the request to reduce the islands behind the retail space from 12 feet down to 9-feet. He stated that by doing that, they would gain an additional four parking spaces in the parking field. He stated that in exchange for that, he would double the caliper of trees that are required. On the east side, they requested a 6-foot setback versus a 10-foot setback. He explained that the 6-foot setback will allow for better maneuverability in the garage by increasing the aisle width to 24 feet wide. He said that it will also make it more pedestrian friendly. Together they responded to Board member questions and concerns. 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. Weldon to grant final conditional use approval to the Lakeside Crossing Development located at 110 South Orlando Avenue pursuant to the condition that a Development Agreement be executed (following approval by the City Attorney) to incorporate the approvals granted, the conditions of approval from the “preliminary” and “final” CU process and enforcement methods for those conditions. The conditions to be added to or modified from the “preliminary” approval are as follows:

1. That the final landscape site plan be modified to include more substantial landscape screening and trees for the parking garage in the setback areas including new trees and other landscape materials determined by the City Staff and that only oak trees be allowed within the interior of the project wherever it is determined new tree plantings will occur where space is adequate for oak trees.
2. That the parking garage final elevations and interior design be returned for subsequent approval to achieve a higher “Sun Trust Parking Garage” standard of architectural treatment.
3. That the Development Agreement include the requirement for a “Parking Management Plan” for subsequent approval by the City to maintain oversight on the management of the parking garage, including areas reserved for tenants and/or valet, fees to be charged , etc.
4. In conformance with the Morse Blvd. design guidelines there shall be no interior illuminated signage for the project.
5. The developer shall reimburse the City for the engineering/application costs of the submittal for permit by FDOT of the traffic signal upgrade.
6. That the developer’s pay a proportionate share (\$5,000) for the adaptive traffic signal control technology improvements at the Morse Boulevard/Orlando Avenue intersection.
7. The width of the interior landscape islands within the surface parking lot may be reduced from 12 feet down to 9 feet wide based on the developer’s commitment to increase the size of the oak trees to be planted within those islands to 5 inches in caliper.
8. The setback for the parking garage on Harper Street is reduced from 10 feet down to 6 feet along the length of the parking garage so that the interior traffic aisles may be widened to 24 feet.

Motion carried unanimously with a 5-0 vote.

NEW BUSINESS:

Date of Next Regular Meeting: Tuesday, April 7, 2015 at 6:00 p.m.

Date of Next Work Session Meeting: Wednesday, March 24, 2015 at 12:00 noon.

There was no further business. Meeting adjourned at 6:15 p.m.

Respectfully submitted,

Lisa M. Smith
Recording Secretary