



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

**Regular Meeting
City Hall, Commission Chambers**

**January 5, 2016
6:00 p.m.**

MINUTES

Chair James Johnston called the meeting to order at 6:00 p.m. in the Commission Chambers of City Hall. Present: James Johnston, Peter Gottfried, Tom Sacha, Randall Slocum, Shelia De Ciccio, Robert Hahn and Ross Johnston. Absent: Peter Weldon. Deputy City Attorney: Dan Langley. Staff: Planning Manager Jeff Briggs, Planner I Allison McGillis and Recording Secretary Lisa Smith.

Approval of minutes – December 1, 2015 Regular Meeting minutes

Motion made by Tom Sacha, seconded by Shelia De Ciccio to approve the meeting minutes from the October 6th and November 3rd Regular Meeting and Special Meeting. Motion carried unanimously.

PUBLIC HEARINGS

REQUEST OF A. J. THOMAS III FOR: SUBDIVISION OR LOT SPLIT APPROVAL TO DIVIDE THE PROPERTY AT 2715 WOODSIDE AVENUE, ZONED R-1A, INTO TWO SINGLE FAMILY BUILDING LOTS.

Planning Manager Jeffrey Briggs presented the staff report and explained that the applicant, Mr. A.J. Thomas II (property owner), is requesting subdivision or lot split approval to divide the property located at 2715 Woodside Avenue into two single-family lots. The zoning of this property is R-1A. The property is currently occupied by one single-family home in the northeast portion, which is to be demolished. He reviewed the applicable zoning, comprehensive plan, subdivision codes and the dynamics of the surrounding neighborhood. He explained that this lot is currently 104 feet wide and measures approximately 15,600-square feet in size. The subdivided lots are proposed to be 52 feet wide each, and 7,800-square feet in size. The R-1A zoning requires a minimum of 75 feet of lot width, and a minimum of 8,500-square feet of land area. Thus, this request does not meet the R-1A lot dimension or land area standards, and variances are requested.

Mr. Briggs explained that the applicant has provided a generalized front elevation for the types of home that their company builds, and a general site plan for the layout of the proposed homes. They will comply with the normal single-family development standards, setbacks, etc. He noted that per the Subdivision Code, the City can condition any approval upon the subsequent submission, review and approval of house plans, as well as place conditions upon this approval.

He summarized by stating that based on the strict application of the Code, and the traditional method of using the average lot size for Comprehensive Plan comparison purposes, this subdivision request does not conform to the Zoning Test (it needs variances), or the Comprehensive Plan Test of the neighborhood comparison (based on average lot sizes). The Planning and Zoning Board then has the factual justification for denial based on those requirements, and the recognition that these are 52 foot wide lots in terms of usable dimensions. However, the P&Z Board can also recognize and acknowledge that these two proposed lots are the generally the same size (width/area) as 78% of the Edgewood Subdivision, and that a "comparison" per the Comprehensive Plan could be based on the median method (52 feet wide) versus the average method (59 feet

wide) of all of the R-1A lots within 500 feet. From Staff's perspective, the lot width and size variances for this request are reasonable given that the proposed lot area compares favorably to the median lot area of this immediate neighborhood, and that 78% of the originally platted Edgewood Subdivision still exists at the same lot width (50-54 feet wide). In this case, 60% of the homes within the 500-foot radius, zoned R-1A, are on lots 55 feet wide or less. Within the Edgewood Subdivision, 78% of the homes, zoned R-1A, are on lots 50-54 feet wide. Staff recommended approval. Mr. Briggs responded to Board member questions and concerns.

The applicant was present; however, he did not wish to address the board. The following neighbors spoke concerning the request:

Brian Kolka, 2805 Mulford Avenue, spoke in opposition to the request. He stated that he feels that approval of the request will change the character of the neighborhood, and that it will set a precedent. He said that he feels that increased density will have a negative impact on their neighborhood.

Robert Bates, 2719 Woodside Avenue, agreed with Mr. Kolka in that it will change the character of the neighborhood but expressed support for the redevelopment as being favorable for the neighborhood.

Stephen Combs, 2812 Woodside Avenue, stated that he did not oppose the request but expressed the desire to protect the ambiance and architectural character of the neighborhood.

Tim Egert, 2717 Woodside Avenue, spoke concerning drainage issues and setbacks for the proposed project.

David Smith, 2803 Woodside Avenue, spoke in support of the lot split.

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

The Board members expressed no opposition to the request and agreed that the character of the neighborhood was dominated by smaller lots thus justifying the variances requested.

Motion made by Mr. Sacha, seconded by Mr. Gottfried to approve the subdivision or lot split to divide the property at 2715 Woodside Avenue into two single-family lots. Motion carried unanimously with a 7-0 vote.

REQUEST OF MORGAN BELLOWS TO: AMEND THE "COMPREHENSIVE PLAN" FUTURE LAND USE MAP TO CHANGE FROM SINGLE FAMILY RESIDENTIAL TO LOW DENSITY RESIDENTIAL DESIGNATION ON THE PROPERTY AT 335 WEST COMSTOCK AVENUE.

REQUEST OF MORGAN BELLOWS TO: AMEND THE OFFICIAL ZONING MAP TO CHANGE FROM SINGLE FAMILY (R-1A) DISTRICT ZONING TO LOW DENSITY RESIDENTIAL (R-2) DISTRICT ZONING ON THE PROPERTY AT 335 WEST COMSTOCK AVENUE.

Mr. Briggs announced that the applicant has requested to table indefinitely these two items.

REQUEST OF THE CITY OF WINTER PARK: AN ORDINANCE AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" SO AS TO AMEND WITHIN SECTION 58-95 DEFINITIONS, SO AS TO PROVIDE AN ALTERNATE DEFINITION FOR FAST FOOD BUSINESSES TO APPLY WITHIN THE C-1 AND C-3 COMMERCIAL DISTRICTS OF THE CITY.

Planning Manager Jeffrey Briggs gave the staff report. He explained that this public hearing is to consider an Ordinance to revise the definition of a "fast food business" in order to determine how to implement a policy of the Comprehensive Plan for the West Fairbanks corridor. The issue now is that the definition of "fast food restaurant" which works well within the pedestrian oriented districts of Park Avenue and New England Avenue is not suitable when applied to the Comprehensive Plan Policy for the West Fairbanks Avenue corridor.

Per the City Attorney, the options for the City are either to amend the Comprehensive Plan policy text, or to amend the definition of a "fast food business" to fit what is applicable for the commercial areas such as Fairbanks, Orange, Orlando and Aloma Avenues that are zoned C-1/C-3, which are outside of the downtown Central Business District (CBD) pedestrian core that is zoned C-2.

A Comprehensive Plan policy change would be the method to pursue if the City concludes that the current conditional use requirement for drive-ins provides enough leverage in the review of fast food franchise. The Planning Staff believes that there is logic in maintaining a policy to guide the redevelopment of West Fairbanks Avenue (as a gateway corridor into the City) that is not dominated by drive-through fast food restaurants. However, traditional sit-down table service restaurants and fast casual counter style service restaurants would be compatible with the goals of the City along this corridor. Staff feels that some latitude can be extended to the coffee and breakfast-type establishments with a new definition.

Debra Kirkland, 371 Blue Heron Drive, asked that more thought go into a reasonable buffer between the commercial and residential.

Karen Murphy, 358 Starling Road, expressed concern with the cut-through traffic that will be created for the surrounding residential neighborhoods as people try to avoid traffic on Fairbanks Avenue.

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

Consensus of the Board was to bring this issue back for discussion at a work session and invite the neighbors. Staff will provide copies of the TAP report and discuss the definitions for fast food and fast casual and how they overlay for this area. In addition, Mr. R. Johnston suggested that the Board revisit what has been done for other residential neighborhoods that abut commercial redevelopment and what has been done to alleviate their concerns.

Motion made by Mr. Gottfried, seconded by Mr. R. Johnston to table the request. Motion carried unanimously with a 7-0 vote.

NEW BUSINESS:

Chairman Johnston mentioned that he had been approached by members of the Economic Development Advisory Board (EDAB) who have also had meetings concerning the Progress Point property about having a joint meeting with P&Z. There was consensus amongst the Board members to pursue a joint work session.

Date of Next Regular Meeting: February 2, 2016

Date of Next Work Session: January 26, 2016

There was no further business. Meeting adjourned at 7:15 p.m.

Respectfully submitted,

Lisa M. Smith
Recording Secretary