



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

**Regular Meeting
City Hall, Commission Chambers**

**November 1, 2016
4:00 p.m.**

MINUTES

Chairman James Johnston called the meeting to order at 4:00 p.m. in the Commission Chambers of City Hall. Present: James Johnston, Tom Sacha, Randall Slocum, Shelia De Ciccio, Peter Gottfried, Ross Johnston, Robert Hahn and Raymond Waugh. Also Present: City Attorney Dan Langley. Staff: Planning Manager Jeff Briggs, Planner Allison McGillis and Recording Secretary Lisa Smith.

PUBLIC HEARINGS:

REQUEST OF THE WESTMINSTER WINTER PARK TOWERS FOR: CONDITIONAL USE APPROVAL TO BUILD A NEW LIFELONG LEARNING CENTER BUILDING ADDITION OF 16,650 SQUARE FEET AT 1111 SOUTH LAKEMONT AVENUE, ZONED R-4, AND PROVIDING FOR AMENDMENT OF THE EXISTING DEVELOPMENT AGREEMENT.

Planning Manager Briggs announced that the request to amend the existing Development Agreement which would allow expansion into the Waterbridge subdivision has been withdrawn by the applicant.

Mr. Briggs explained that the applicant, The Westminister Winter Park Towers is requesting the following:

1. Conditional Use Approval to build a new Lifelong Learning Center building addition of 16,650 square feet at 1111 S. Lakemont Avenue; and
2. To amend their Development Agreement to provide for this expansion. ~~and also to permit the acquisition of other residential homes by the WP Towers within the Waterbridge subdivision.~~

He first explained that the portion of the originally advertised request (with strike-thru above) was withdrawn by the applicant and would not be part of the public hearing request. As a result only the Lifelong Learning center building addition would be discussed and Mr. Briggs provided a description of the proposed project. He stated that the amenity will be for the residents of the Winter Park Towers and will be located between the main WP Towers building and the Parking Garage. The centerpiece of the project is an auditorium/stage to accommodate approximately 400 persons. He reviewed the zoning, Future Land Use, FAR and setbacks from Lake Berry. Parking for the project will be available in the visitor parking garage. The applicants are not requesting any variances or exceptions. Staff recommended approval of the Preliminary and Final Conditional Use for the Lifelong Learning Center facility and to amend the Development Agreement to provide for the addition of this facility.

Attorney Rebecca Wilson, 215 North Eola Drive, used a Power Point presentation to give details of the request. The new building will fit between the existing Towers building and the new development. There will be no visual obstructions because in order to see the building you would have to be on the campus. The new building is for residents only, and there will be no retail ticket sales to the general public. Parking will be available in the large parking garage. She noted that no variances are being requested; therefore, the applicant requested final approval at tonight's meeting.

Cissy Bergman, Residence Counsel President and Cultural Endowment Chair for the Winter Park Towers, spoke in support of the request.

The following people spoke in opposition to the request: Dan Morris, 1747 Demetree Drive; Rena Williams, 1760 Via Genoa; Gopal Basisht, 1751 Lake Berry Drive; Jay Plotkin, 1733 Lake Berry Drive; and Anne Domescek, 1208 Germaine Drive. The resident's expressed concern with language in the 2011 development agreement that prohibited construction of additional structures and also the requirement to construct a privacy wall bordering Waterbridge that has not been fulfilled and added traffic.

Mr. Briggs responded that the wall issue has to do with privacy for lighting and sound. Staff was made aware of the wall situation and that has been turned over to the City's Code Compliance Section to pursue further. He also explained that the applicant made a request to amend the Development Agreement in order to allow the development of the lifelong learning center building.

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

Attorney Wilson responded that the official violation notice has been received. She assured that the issue will be addressed before the November 14th compliance date.

The Board members expressed support of the addition for the development. Mr. Hahn noted that the "Vision" for the City included enhancements to City as a home for arts and culture and this would provide opportunities for the residents of the WP Towers for such learning and cultural programs that does not currently exist. Mr. Sacha noted that the parking garage has ample parking for visitors if family members decided to join their parents for a performance. Mr. J. Johnston also noted that the added traffic if a family member came to a performance would be minimal.

Motion made by Mr. Gottfried, seconded by Mr. Slocum to approve the conditional use request of the Winter Park Towers to build a new lifelong learning center building addition of 16,650 square feet at 1111 South Lakemont Avenue, and amend the Development Agreement to provide for the addition of this facility. Motion carried unanimously with a 7-0 vote.

REQUEST OF Z PROPERTIES GROUP FOR: SUBDIVISION OR LOT SPLIT APPROVAL TO DIVIDE THE PROPERTY AT 200 OAKWOOD WAY, ZONED R-1AA, INTO TWO SINGLE FAMILY BUILDING LOTS.

Planning Manager Jeffrey Briggs presented the staff report. He explained that Z Properties Group is requesting subdivision or lot split approval to divide the R-1AA zoned property located at 200 Oakwood Way into two single-family lots. The property is currently occupied by one single-family home, which the applicant plans to demolish. Mr. Briggs reviewed the history of the property and explained that the western portion of the lot is a brick traffic circle (Champions Circle) that provides access mid-block from Oakwood Way to East Rockwood Way. However, in August of 1936 this road, formerly known as Champion Circle, was vacated. The brick roadway surface is still in-place today. The applicant plans to remove the entire traffic circle, and has provided letters of consent from the adjacent affected parties. Specifically, the applicant has agreed to remove all of the curbing and brick roadway, and add additional fill dirt to regrade the street and add new curbing. Also, they are going to add a new irrigation system, sod and fence to 160 Oakwood Way and 151 East Rockwood Way.

Mr. Briggs reviewed the zoning and comprehensive plan test criteria used in subdivision requests. He discussed the current configuration which was platted in an east/west pattern. The applicant desires to re-configure in a north/south which would result in the need for a variance. That pattern is not in keeping with neighborhood. He summarized by stating that there is neighborhood opposition to the requested lot split and staff does not recommend approval of lot splits with variance requests. Staff did support the alternative of redeveloping the lots as they were originally platted in the east/west pattern (Lots 3 and 6) because than no variances are needed and the lots fully comply with the R-1A zoning criteria.

Ira Kitograd, the applicant, 731 Pansy Avenue, discussed the plans to redevelop the property. He said that from an architectural standpoint, they would prefer to redevelop "side-by-side" versus "back-to-back" that would allow more design flexibility. However, he indicated his willingness to accept whatever direction the Board provides. Mr. Kitograd responded to Board member questions and concerns.

The following residents spoke in opposition to the request as originally presented: Linda Stanford, 201 East Fawsett Road; Glenna Harmon, 151 Oakwood Way; Donna Colada, 327 Beloit Avenue; Patricia Doherty, 211 Oakwood Way; Salvatore Curto, 251 Oakwood Way; Nan Castino, 250 Oakwood Way; Steve Garrity, 2150 Forrest Road; Suzanne Billings, 110 Chelton Circle; Drew De Vane, 220 Forrest Road; Stuart Lillie, 200 East Rockwood Way; and Jason Taft, 171 Oakwood Way. The neighbors all expressed their preference is to see the lots redeveloped as originally platted in the east/west orientation in keeping with the existing neighborhood so that the front of the homes faced Oakwood and Rockwood Way. The neighbors did not see the hardship to redevelop the lots "side-by-side" and they expressed that they want to maintain the character of the existing neighborhood.

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

The Planning Board members expressed that the public input was very helpful and valid. The existing pattern of homes facing the streets should be maintained. There was consensus of the Board that the method requested by the neighbors which needed no variances was the correct decision.

Motion made by Mr. Gottfried, seconded by Mr. Sacha to approve the subdivision or lot split to divide the property at 200 Oakwood Way into two single-family lots as originally platted (Lots 3 & 6). Motion carried unanimously with a 7-0 vote.

REQUEST OF NPI WP REAL ESTATE HOLDINGS LLC FOR: SUBDIVISION APPROVAL TO DIVIDE THE PROPERTY AT 1693 LEE ROAD, ZONED OFFICE (O-1), INTO TWO OFFICE BUILDING LOTS AND TO ESTABLISH BUILDING SETBACKS SO THAT THE SITE MAY BE FURTHER DEVELOPED WITH A SECOND 9,900 SQUARE FOOT OFFICE BUILDING IN ADDITION TO THE EXISTING 9,560 SQUARE FOOT MEDICAL OFFICE IN ORDER TO ALLOW FEE SIMPLE OWNERSHIP OF THE TWO OFFICE BUILDING PADS AND COMMON OWNERSHIP OF PARKING, DRIVES AND OTHER INFRASTRUCTURE.

Planning Manager Jeffrey Briggs presented the staff and explained that the applicant, NPI WP Real Estate Holdings LLC (owner) is requesting the following:

1. To subdivide the property located at 1693 Lee Road, zoned office, O-1, into two office building lots in order to allow fee simple ownership of the two office building pads with common ownership of the parking, drives and other infrastructure, and
2. To establish building setbacks so that the site may be further developed with a second 9,900-square foot office building in addition to the existing 9,560-square foot medical office.

These proposed lots will equally share ownership of the remaining land area within Tracts A and B, including the parking lot, utility and storm water drainage areas. The applicant is also requesting to establish building setbacks for this property so that the site may be further developed with a second 9,900-square foot office building in addition to the existing 9,560-square foot medical office. The existing medical office was developed when the City's side setback standards for O-1 zoned properties that share a common line with a residentially-zoned parcel were five feet. Currently the building is setback eight feet from western property line, which is a residentially-zoned property. Today's code requires a 15-foot setback from this residential property line. Therefore, the applicant is requesting that the proposed additional building to be built on the newly subdivided Lot 2 follow this same eight-foot setback from the western property line. Since this abuts a driveway to the apartments in the rear staff feels that this will not negatively impact the adjoining property. Staff recommended approval of the request.

Attorney Tara Tedrow, 215 North Eola Drive, represented the applicant. She was in agreement with staff recommendations. Mr. Slocum asked if the applicant would be willing do to an enhanced landscape buffer along the western property line. Ms. Tedrow responded that there will be landscaping on the western property line.

No one wished to speak in favor of or in opposition to the request. Public Hearing closed.

The Planning Board members agreed that this request was in conformance with the Code and that the one setback variance was consistent with the current building and would not negatively affect the adjacent property as it was only used as driveway access.

Motion made by Mr. Gottfried, seconded by Mr. Sacha to approve the subdivision request to divide the property at 1693 Lee Road into two office building lots and to establish building setbacks so the site may be developed with a second 9,900 square foot office building in addition to the existing 9,560 square foot medical office in order to allow fee simple ownership of the two office building pads and common ownership of parking, drives and other infrastructure. Motion carried unanimously with a 7-0 vote.

REQUEST OF THE CITY OF WINTER PARK TO: AMEND THE "COMPREHENSIVE PLAN" FUTURE LAND USE MAP FROM AN INSTITUTIONAL FUTURE LAND USE DESIGNATION TO A LOW DENSITY RESIDENTIAL FUTURE LAND USE DESIGNATION ON THE VACANT "BLAKE YARD" PROPERTY AT 301 WEST COMSTOCK AVENUE.

REQUEST OF THE CITY OF WINTER PARK TO: AMEND THE OFFICIAL ZONING MAP FROM PUBLIC, QUASI-PUBLIC (PQP) DISTRICT ZONING TO LOW DENSITY RESIDENTIAL (R-2) DISTRICT ZONING ON THE VACANT "BLAKE YARD" PROPERTY AT 301 WEST COMSTOCK AVENUE.

Planning Manager Jeffrey Briggs presented the staff report and explained that the City of Winter Park is requesting the following:

1. Changing the Comprehensive Plan future land use designation of Institutional to Low Density Residential on the property at 301 West Comstock Avenue;
2. Changing the Zoning on the same property from Public, Quasi-Public (PQP) to Low Density Residential (R-2).

He explained that the City Commission has discussed the Blake Yard property but has not yet made a decision on whether it is surplus to the City's needs and a candidate for sale through a Notice of Disposal public process. The property is now vacant and not used for city purposes. The primary purpose of this public hearing is to determine if the City Commission desires to sell this property or if they alternatively desire to use it for a City purpose such as open space, park community garden, etc.

One complication to a potential sale is that the property currently has an Institutional future land use designation and Public Quasi-Public (PQP) zoning. There are very limited private development options given these land use designations that are in place due to the City's previous use of the property for construction staging and as an electric utility storage yard.

The property is adjacent to the David Weekly townhouse development, zoned R-2 and the one story Grant Chapel building, zoned O-2. The property borders the FDOT railroad tracks. Across Comstock Avenue is single family R-1A zoning. In looking at the location of the property and based upon advice from the City's real estate broker, the staff recommendation as well as that from the City's real estate broker is to change the future land use designation to low density residential and R-2 zoning. He said that if the City Commission decides to sell the Blake Yard property then the Staff Recommendation is as follows:

1. APPROVAL of the request to change the Comprehensive Plan future land use designation to Low Density Residential at 301 West Comstock Avenue;
2. APPROVAL of the change of Zoning on the same property to Low Density Residential (R-2).

Mr. Briggs responded to Board member questions and concerns.

Forest Micheal, 358 West Comstock Avenue, presented his concept for the Hannibal Market Garden to be located on the subject property. He presented a petition signed by 35 neighbors and some community green vendors. He noted that the plan has been presented to the City's Transportation Advisory Board, KWPB and Sustainability Advisory Board, the Parks and Recreation Advisory Board. In addition, the following community organizations: Hannibal Square Community Land Trust, Hannibal Square Heritage Center, the Winter Park Historical Association and Casa Feliz. The concept proposes to use the subject property for open space, connectivity and part of the "trail head".

The following people spoke in favor of the R-2 zoning: Morgan Bellows, 335 West Comstock Avenue; and Dan Bellows, 400 West Comstock Avenue.

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

The Planning and Zoning Board members were split on this matter. Commissioners J. Johnston, Sacha, Slocum and R. Johnston felt that the property was ill suited for a park or community garden at the dead end of Comstock Avenue, next to the railroad and with limited access and visibility. They preferred that if more parkland was a priority that the money from the sale be used to purchase a property with a better location. Commissioners Gottfried, De Ciccio and Hahn felt that the property was well suited for open space or some type of parkland. They did not feel that the City should sell this land asset unless the sale was directly tied to the purchase of another compensating property.

Motion made by Mr. J. Johnston, seconded by Mr. Slocum to approve the request to amend the Comprehensive Plan Future Land Use Map from Institutional future land use designation to a low density residential future land use designation on the "Blake Yard" property at 301 West Comstock Avenue. A roll call vote was taken and the Board voted as follows: Commissioners Sacha, R. Johnston, Slocum, J. Johnston voted yes. Commissioners Gottfried Hahn and De Ciccio voted no. Motion carried with a 4-3 vote.

Motion made by J. Johnston, seconded by Mr. Slocum to approve the request to amend the official zoning map from Public, Quasi-Public (PQP) zoning to Low Density residential (R-2) on the vacant "Blake Yard" property at 301 West Comstock Avenue. A roll call vote was taken and the Board voted as follows: Commissioners Sacha, R. Johnston, Slocum, J. Johnston voted yes. Commissioners Gottfried Hahn and De Ciccio voted no. Motion carried with a 4-3 vote.

Chairman Johnston called a recess at 5:30 p.m., and reconvened the meeting at 6:00 p.m.

REQUEST OF W F G LTD. TO: AMEND THE "COMPREHENSIVE PLAN" FUTURE LAND USE MAP TO CHANGE FROM LOW DENSITY RESIDENTIAL TO COMMERCIAL FUTURE LAND USE DESIGNATION ON THE VACANT PROPERTY FRONTING ON SYMONDS AVENUE (FORMER 620/630 SYMONDS AVENUE).

REQUEST OF W F G LTD. TO: AMEND THE OFFICIAL ZONING MAP TO CHANGE FROM LOW DENSITY RESIDENTIAL (R-2) DISTRICT ZONING TO COMMERCIAL (C-3) DISTRICT ZONING ON THE VACANT PROPERTY FRONTING ON SYMONDS AVENUE (FORMER 620/630 SYMONDS).

REQUEST OF W F G LTD. FOR: CONDITIONAL USE APPROVAL TO CONSTRUCT A THREE STORY BUILDING OF APPROXIMATELY 70,000 SQUARE FEET IN SIZE TO INCLUDE A PROPOSED HOTEL OF APPROXIMATELY 120 ROOMS, A 4,000 SQUARE FOOT RESTAURANT, 4,900 SQUARE FEET OF MEETING SPACE, A SWIMMING POOL AMENITY AND LANDSCAPED GARDENS UTILIZING THE EXISTING 3-LEVEL PARKING GARAGE AND PROVIDING FOR CERTAIN EXCEPTIONS AND FOR THE APPROVAL OF A DEVELOPERS AGREEMENT, IF REQUIRED.

Planning Manager Jeffrey Briggs presented the staff report. The applicant, WFG Ltd. (Property Owner), is requesting the following:

1. Changing the Comprehensive Plan future land use designation of Low Density Residential to Commercial on 9,575 square feet of property on Symonds Avenue;
2. Changing the Zoning on the same 9,575 square feet of property from Low Density Residential (R-2) to Commercial (C-3); and
3. Conditional Use approval to construct a three story hotel project of 120 rooms, 4,000 square foot restaurant, 4,900 square feet of meeting space and swimming pool amenity area utilizing the existing three story parking garage.

Mr. Briggs discussed the history of the Community Redevelopment Area and the development history of the subject property along with the Development Agreement executed in November 2000 and the two subsequent amendments in November 2007 and February 2012. The 2012 amendment refers to the existing surface parking lot off of Symonds Avenue it as a "commercial" parking lot. He discussed the project plans, parking, and land development code and comprehensive plan policies, and the conditional use. The major issue for the planning staff was the height and scale of the hotel building on Symonds Avenue as a residential street. This hotel building location is adjacent to and across the street from one and two story single family homes. Thus, from the planning staff's perspective, the western end of the hotel needs to stop at the point where the Comprehensive Plan Policy H-7 says to go no further. In that way there is a 50 foot separation of the hotel from the closest home.

Attorney Rebecca Wilson, 215 North Eola Avenue, used a Power Point presentation to give details of the proposed project. She stated that the applicant was in support of the staff recommendation and was amending their request for the future land use change and rezoning to just the eastern 50 feet of Lot 2 where the "commercial" parking lot is located. She discussed history of the subject property, parking requirements, employment and the hotel needs analysis. She requested that the Board:

1. Approve 50 feet on Symonds Avenue to C-3/Commercial (over existing commercial parking lot)
2. Approve Preliminary CUP for MDM Hotel building limited to eastern 50 feet of Lot 2
3. Confirm that the plans for four residential units would be under construction on Symonds prior to Hotel Certificate of Occupancy, per the 2000 Development Agreement.

The following people addressed the Board concerning the request: Bob Cambric, representing Mary Daniels, 650 West Canton Avenue; Lurline Fletcher, 811 English Court; Joseph Jackson, 710 Symonds Ave; Forrest Michael, 358 West Comstock Avenue; Martha Bryant-Hall, 331 West Lyman Avenue. The residents expressed opposition to the third story and the size of the mass of the proposed structure, the commercial creep into the residential neighborhood; and noise. They requested that the applicant consider partnering with the Hannibal Square Community Land Trust to keep the homes that will be constructed on the residential portion affordable and working with the neighbors for job creation for the residents of the Hannibal Square neighborhood. A letter was also submitted to the Board from Maria Bryant, 450 South Virginia Avenue that detailed her concerns regarding the project.

Attorney Wilson was allowed the opportunity to respond to the neighborhood concerns. Traffic on Symonds Avenue the surface lot will be taken away as the entrance is on Morse Boulevard. At this point, in the process it is too early to discuss employment, but expressed that they will make employment opportunities known when it is at that stage.

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

The Planning Board members discussed the request. The Planning Board agreed that a quality boutique hotel on this site would be a wonderful addition to the City. The Board complimented the applicant's on their compromise on the amount of land to be changed to commercial in recognition of the Comprehensive Plan Policy H-7. There was also agreement that the architecture of the project is very attractive, there is ample parking and the land involved is designated or has been used for "commercial" purposes. This is the Preliminary Conditional Use stage and the Board understood that the revised plans would return as modified for the reduced land area with the Final Conditional Use review. Thus, the Board had the assurance that the City would review and approve the final plans and see further design details to insure compatibility with the adjacent residential neighborhood.

Motion made by Mr. Gottfried seconded by Mr. R. Johnston to approve the request to amend the Comprehensive Plan Future Land Use Map to change from Low Density Residential to Commercial future land use designation on the vacant property fronting on Symonds Avenue (former 620/630 Symonds Avenue). Motion carried unanimously with a 7-0 vote.

Motion made by Mr. Gottfried, seconded by Mr. R. Johnston to approve the request to amend the official zoning map to change from low density residential (R-2) to Commercial (C-3) on the vacant property fronting on Symonds Avenue (former 620/630 Symonds Avenue). Motion carried unanimously with a 7-0 vote.

Motion made by Mr. Gottfried, seconded by Mr. Sacha to approve the request for conditional use approval to construct a three-story building of approximately 70,000 square feet in size to include a proposed hotel of approximately 120 rooms, a 4,000 square foot restaurant, 4,900 square feet of meeting space, a swimming pool amenity and landscaped gardens utilizing the existing three-level parking garage and providing for certain exceptions and for the approval of a Developer's Agreement, if required. Motion carried unanimously with a 7-0 vote.

REQUEST OF BFC NEW ENGLAND LLC FOR: CONDITIONAL USE APPROVAL TO CONSTRUCT A THREE STORY MIXED USE BUILDING OF 52,601 SQUARE FEET IN SIZE WITH PARKING IN A BASEMENT LEVEL ON THE PROPERTY ZONED C-2, AT 158 EAST NEW ENGLAND AVENUE AND PROVIDING FOR CERTAIN EXCEPTIONS AND FOR A DEVELOPERS AGREEMENT, IF REQUIRED.

Chairman Johnston announced that he had a conflict and would not participate in the discussion or vote on this item. (Form 8B, Memorandum of Voting Conflict was completed and is included as a part of these minutes. He turned the meeting over to Vice-Chairman Gottfried. He left the meeting at 7 p.m.

The City Staff and the applicant both gave full presentations concerning the item. Daniel Butts, Managing Partner, and Attorney Mickey Grindstaff represented the applicants. The Board received public comment in opposition from the following people: Ann Higbie, 190 Ward Drive; Bill Rosenfelt, 147 East Lyman Avenue; Meredith Murphy, 1770 Windsor Drive; Carol Rosenfelt, 1400 North New York Avenue; Tucker Byrd (represented the Deavers of 180 Park Avenue West); Vickie Kruger, 200 Carolina Avenue; Anthony Consalvo, 147 East Lyman Avenue; Forrest Michael, 358 West Comstock.

After a lengthy discussion concerning the Project and the issues regarding the adequacy and management of parking for the project, consensus of the Board was to table the request.

Motion made by Mr. Gottfried, seconded by Mr. Hahn to TABLE the request until such time as the applicants can to draft a Development Agreement including a parking management plan that details and reach consensus with the city staff on the parking statistics and how the daytime parking deficit

will be addressed and what provisions will be made for the public to use the parking facilities for all properties involved. Motion carried unanimously with a 7-0 vote.

NEW BUSINESS:

There was no further business. Meeting adjourned at 9:45 p.m.

Respectfully submitted,

Lisa M. Smith
Recording Secretary