



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

**Regular Meeting
City Hall, Commission Chambers**

**January 3, 2017
6:00 p.m.**

MINUTES

Chairman James Johnston called the meeting to order a 6:00 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.

APPROVAL OF MINUTES

Motion made by Tom Sacha, seconded by Peter Gottfried to approve the December 6, 2016 meeting minutes. Motion carried unanimously.

PUBLIC HEARINGS:

REQUEST OF WINTER PARK REAL ESTATE ADVISORS INC. TO: AMEND THE "COMPREHENSIVE PLAN" FUTURE LAND USE MAP FROM SINGLE FAMILY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL ON THE ELEVEN FEET TO THE EAST OF 326 HANNIBAL SQUARE, EAST AND TO CHANGE FROM CENTRAL BUSINESS DISTRICT TO MEDIUM-DENSITY RESIDENTIAL ON THE PROPERTY AT 354 HANNIBAL SQUARE, EAST AND FROM SINGLE FAMILY RESIDENTIAL TO LOW DENSITY RESIDENTIAL ON THE PROPERTIES AT 463 AND 455 WEST LYMAN AVENUE.

REQUEST OF WINTER PARK REAL ESTATE ADVISORS INC. TO: AMEND THE ZONING MAP TO CHANGE FROM SINGLE FAMILY RESIDENTIAL (R-1A) DISTRICT TO MULTIPLE FAMILY RESIDENTIAL (R-3) ZONING ON THE ELEVEN FEET OF PROPERTY TO THE EAST OF 326 HANNIBAL SQUARE, EAST AND TO CHANGE FROM COMMERCIAL (C-2) ZONING TO MULTIPLE FAMILY RESIDENTIAL (R-3) ZONING ON THE PROPERTY AT 354 HANNIBAL SQUARE, EAST AND FROM SINGLE FAMILY RESIDENTIAL (R-1A) ZONING TO LOW DENSITY RESIDENTIAL (R-2) ZONING ON THE PROPERTIES AT 463 AND 455 WEST LYMAN AVENUE.

REQUEST OF WINTER PARK REAL ESTATE ADVISORS INC. FOR: CONDITIONAL USE APPROVAL TO REDEVELOP THE PROPERTIES AT 326 AND 354 HANNIBAL SQUARE, EAST AND AT 465; 463 AND 455 WEST LYMAN AVENUE WITH A NINE UNIT, TWO AND THREE STORY RESIDENTIAL PROJECT, PROSPECTIVELY ZONED R-3 AND R-2.

Mr. Slocum announced that has a conflict and will not participate in the discussion or vote on this item.

Planning Manager Jeffrey Briggs presented the staff report and explained that the applicant, Winter Park Real Estate Advisors, Inc. is requesting the following:

1. Changing the Comprehensive Plan future land use designations of Single Family Residential to Medium Density Residential on the eleven feet to the east of 326 Hannibal Square, East and to change from Central Business District to Medium-Density Residential on the property at 354 Hannibal Square, East and from Single Family Residential to Low Density Residential on the properties at 463 and 455 West Lyman Avenue.
2. Changing the Zoning on the same properties to Multi-Family (R-3); and (R-2)
3. Conditional Use for a nine unit townhouse project, as shown on the plans submitted.

Mr. Briggs discussed indicated that the entire site is 35,018 square feet (0.8 acres) with 141 feet of frontage on Hannibal Square East and 248 feet of frontage along W. Lyman Avenue. Generally, the western 86 feet along Hannibal Square East (326/354 Hannibal and 465 W. Lyman), which is one-third of the site, currently have land use designations of Central Business District with C-2 zoning and Medium Density Residential with R-3 zoning. Both allow up to 17 units per acre. There is a small piece that is 11 feet west of 326 Hannibal requested to be rezoned to R-3 so that the eastern boundary will be a straight line. They also are asking to rezone the C-2 lot at 354 Hannibal from C-2 to R-3. The major component of this application is for the remaining two-thirds of the site on the eastern side that has a future land use designation of Single Family Residential with R-1A zoning. That property is requested to be changed to Low Density Residential (R-2).

Under the existing and proposed zoning, the western 86 feet could be developed with a four unit, three story townhouse building per the R-3/C-2 entitlements. There is no significant change to the development potential on this portion of the site. However, the eastern two-thirds of the site, designated single family could now yield three single-family homes. The proposal for rezoning to R-2 is for five total units, an increase of 2 units. The combination of these rezoning requests changes and increases the residential unit density by two units.

Mr. Briggs discussed Comprehensive Plan Policy Guidance in Policy 1-3.8.4 of the adopted Comprehensive Plan which states that applications, requesting a land use change from either single family (R-1A) or low density residential (R-2) development to multi-family residential (R-3) are strongly discouraged. It is important to note that this policy does not discourage a change from single family residential to low density residential (R-2) as requested by the applicant. There is no other Policy in the current adopted Comprehensive Plan that directly relates to this situation of a potential rezoning from R-1A to R-2. There is Policy 1-H-10 which says any property less than 7,500 square feet in size should not be rezoned from R-1A to R-2, but that does not apply to this request with 22,772 square feet of land area.

There is one other applicable Policy that has not yet been adopted but has been approved by the City Commission in the new Comprehensive Plan just sent up to the State for review. That Policy 1-H-15 is shown below and it provides guidance for approval of the type of request that has been made in this application.

Policy 1-H-15: Special Circumstances for the North Side of West Lyman Avenue between New York and Hannibal Square, West Capen and Pennsylvania Avenues. Notwithstanding Policy 1-H-1 above, there exists low density residential future land use and development along a portion of West Lyman Avenue. Continuation of that scale, type and size of development and changes to low density residential future land use, only, may be permitted on the north side of West Lyman Avenue between New York Avenue and Hannibal Square, East.

Mr. Briggs discussed that the 4-Unit Townhouse Project on the R-3 property is two stories on for the north and south end units and three stories for the two middle units. The Floor Area Ratio and Unit Density match the proposed zoning. That 4 Unit Building is asking for the following exceptions or variances:

1. Building Lot Coverage (47.8% vs. 40%)
2. Minimum land area for multi-family development (12,219 sq. ft. vs. 15,000 sq. ft.) but it meets the unit density as site size allows 4 units.
3. Side setback on east side (3 feet vs. 20 feet)
4. Lyman facing door entry columns project into the Lyman street setback.
5. Second story element projects into Lyman street setback.

Mr. Briggs then discussed the 5-Unit Townhouse Project on the R-2 property. Those buildings are two stories and the Floor Area Ratio and Unit Density match the proposed zoning. There are no exceptions requested for that project and it meets all the R-2 regulations in terms of setbacks, building heights, etc.

Planning Staff recommendation was for approval of the Comprehensive Plan FLU and rezoning requests and for approval of the Conditional Use requests together with the exceptions requested subject to the development agreement amendment.

Rebecca Wilson, 215 North Eola Ave, represented the applicant. She used a Power Point presentation to present the details of the request. She agreed with the staff report and reiterated their desire as follows: a rezoning and comprehensive plan amendment 354 Hannibal Sq. from C-2/CBD to R-3/MDR; Rezone/CPA 463 and 455 W. Lyman Ave from R-1A/SFR to R-2/LDR; approve the Conditional Use Permit. She added that they will continue to meet with the owners of the adjacent property with access to the alley to be determined prior to City Commission. She indicated that the context of the request, adjacent to a six story parking garage and commercial development was the special circumstance that was the rationale and justification for the change to R-2 zoning. Morgan Bellows, 651 Northwood Circle provided other information on the specifics of the proposed house design and desire for the added square footage.

Maria Bryant, 400 W. Lyman & 450 S. Virginia Avenue, Forrest Michael, 358 W. Comstock Avenue, Martha Bryant hall, 331 W. Lyman Avenue, Lurline Fletcher, 811 English Court, Laurel Habgood, 411 W. Comstock Avenue, Samuel Phillips, 435 W. Lyman Avenue; Glenn Franklin, 445 W. Lyman Avenue, John Schofield, 358 Vitoria Avenue and Bob Cambric, representing Mary Daniels, 650 West Canton Avenue; spoke in opposition to the request asking the Board to maintain the single family zoning and expressing that the scale and size of the proposed buildings was not compatible with the residential environment on West Lyman Avenue.

Javier Omana, 426 West Lyman Avenue and Dan Bellows, 425 West New England Avenue spoke in favor of the request.

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

The P&Z Board members were in consensus in acknowledging the citizen concerns about the development scale that is in contrast to the pre-existing small single family home character on Lyman Avenue. The P&Z Board however recognized that for the R-3 portion of this project on the western one-third of the site, the rezonings to square off and create a unified R-3 zoned parcel for the 4-unit townhouse; do not affect the unit density and provide for less floor area ratio than the current zonings would provide. The members expressed that the design with the two-story unit facing West Lyman is sensitive to the scale of the existing and future buildings to be built across W. Lyman Avenue. Also P&Z members commented on the context for this building being adjacent to the six story parking garage.

Most of the P&Z Board felt that the rezoning of the R-1A properties to R-2 is consistent with the new proposed Comprehensive Plan Policy guidance in the new version of the Comp. Plan and does not violate any of the existing Comp. Plan policies. They also noted the context for this building is adjacent to three story commercial buildings to the rear (north). No exceptions or variances are requested for this component of the project. The dissenting vote was due to the density increase (2 units) and desire to maintain single family land use.

Motion made by Tom Sacha, seconded by Shelia DeCiccio to approve the request to amend the Comprehensive "Comprehensive Plan" Future Land Use Map From Single Family Residential To Medium Density Residential on the eleven feet to the east of 326 Hannibal Square, East and to change from Central Business District To Medium-Density Residential on the property at 354 Hannibal Square, East and from Single Family Residential to Low Density Residential on the properties at 463 and 455 West Lyman Avenue. Motion carried with a 6-1 vote. Peter Gottfried voted against the motion.

Motion made by Tom Sacha, seconded by James Johnston to amend the Zoning Map To Change From Single Family Residential (R-1A) District To Multiple Family Residential (R-3) zoning on the eleven feet of property to the east of 326 Hannibal Square, East And To Change From Commercial (C-2) Zoning To Multiple Family Residential (R-3) Zoning On The Property At 354 Hannibal Square, East And From Single Family Residential (R-1A) Zoning To Low Density Residential (R-2) Zoning On The Properties At 463 And 455 West Lyman Avenue. Motion carried with a 6-1 vote. Peter Gottfried voted against the motion.

Motion made by Tom Sacha, seconded by Shelia DeCiccio to approve the request to Amend The Zoning Map To Change From Single Family Residential (R-1A) District To Multiple Family Residential (R-3) Zoning On The Eleven Feet Of Property To The East Of 326 Hannibal Square, East And To Change From Commercial (C-2) Zoning To Multiple Family Residential (R-3) Zoning On The Property At 354 Hannibal Square, East And From Single Family Residential (R-1A) Zoning To Low Density Residential (R-2) Zoning On The Properties At 463 And 455 West Lyman Avenue. Motion carried with a 6-1 vote. Peter Gottfried voted against the motion.

REQUEST OF ROLLINS COLLEGE TO: AMEND ARTICLE III, "ZONING REGULATIONS" TO CHANGE THE TEXT OF THE COMMERCIAL (C-3) ZONING DISTRICT TO ADD A NEW CONDITIONAL USE TO INCLUDE "WAREHOUSING AND DISTRIBUTION FACILITIES WHEN SERVING A UNIVERSITY OR COLLEGE".

REQUEST OF ROLLINS COLLEGE TO: AMEND THE "COMPREHENSIVE PLAN" FUTURE LAND USE MAP FROM A LOW DENSITY RESIDENTIAL FUTURE LAND USE DESIGNATION TO A COMMERCIAL FUTURE LAND USE DESIGNATION ON 875 SQUARE FEET OF THE NORTHWEST CORNER OF 483 HOLT AVENUE.

REQUEST OF ROLLINS COLLEGE TO: AMEND THE ZONING MAP TO CHANGE FROM LOW DENSITY RESIDENTIAL (R-2) ZONING TO COMMERCIAL (C-3) ZONING ON 875 SQUARE FEET OF THE NORTHWEST CORNER OF 483 HOLT.

REQUEST OF ROLLINS COLLEGE FOR: CONDITIONAL USE APPROVAL TO CONSTRUCT A TWO-STORY, 21,564 SQUARE FOOT BUILDING ON THE VACANT PROPERTIES AT 501 HOLT AVENUE AND 450 WEST FAIRBANKS AVENUE TO HOLD THE FACILITIES AND PHYSICAL PLANT OPERATIONS OF ROLLINS COLLEGE, PROVIDING FOR CERTAIN EXCEPTIONS AND FOR A DEVELOPMENT AGREEMENT, IF REQUIRED.

Planning Manager Jeffrey Briggs presented the staff report and explained that the applicant, Rollins College is requesting the following:

A change to the Commercial (C-3) Zoning Code text to provide for a new conditional use involving "warehousing and distribution facilities when serving a university or college";

To change the Comprehensive Plan future land use designation of Low Density Residential to Commercial on 875 square feet of the property at 483 Holt Avenue;

To change the Zoning on the same 875 square feet from Low Density Residential (R-2) to Commercial (C-3); and

Conditional Use approval to construct a 21,564 square foot Physical Plant and Warehouse facility for Rollins College at 501 Holt and 450 W. Fairbanks Avenues.

Mr. Briggs explained that Rollins College or its affiliated LLC's have owned since 2006, the vacant 1.1 acre properties at 501 Holt and 450 W. Fairbanks Avenues. Those properties are designated Commercial in the Comprehensive Plan and zoned Commercial (C-3). The College desires to develop these properties with a physical plant and warehouse facility. Their goal is to move those operations that now exist on the main campus to this new site that borders the Railroad and commercial properties along Fairbanks and Orange Avenues on one side but which also borders the College Quarter residential neighborhood on the other side.

The first challenge for Rollins College is that the site does not have the correct Comprehensive Plan designation or zoning that allows this type of physical plant industrial and warehouse operations. The first part of this overall request from Rollins College is for the City to change the Zoning Code rules for the C-3 zoning district in order to allow this type of facility, as a conditional use.

The second component involves the Conditional Use required for the Project and the addition of a small piece of adjacent property in order to provide more space for visual screening. The question for the P&Z Board via the Conditional Use is whether the size and operations of the facility and the facility and site design is acceptable and compatible in this location.

One of the goals of Rollins College is to screen the view of these physical plant operations and facilities as best as can be done from the neighborhood perspective. By shaving off a small piece (875 sq. ft.) of the

northwest corner of their adjacent 483 Holt Avenue property, it allows the entire Project to slide another 10 feet away from Holt Avenue, thus providing more space for the essential landscape buffer. The rest of the 483 Holt Avenue property is to be used for a new two-story single family house built in a Craftsman architectural style. Those plans were reviewed and approved by the City's Historic Preservation Board on December 14th and the Board also agreed with shaving off that small corner. The city staff also endorses this portion of the request in order to provide space for the landscape screening.

The proposed building is primarily a warehouse and distribution facility that also holds administrative office space for the physical plant departments of the College. The building is 21,564 square feet, which is at a floor area ratio of 45%, meaning that it is the largest building size that the C-3 zoning would permit on the 1.1 acre site. Due to the interior height needed for stacked pallet warehousing, this building has approximately 20 feet of visible height including parapet for the one story section closest to Holt Avenue and 44 feet in height for the two story portion of the building, closest to Fairbanks Avenue. For comparison, this building will similar in size to City Hall both in square footage and in height for the two-story portion.

As the applicant recognizes that the facility operations and the truck activity facing the neighborhood is not a desirable image, the site and project plans include a proposal for an eight foot tall brick wall along the Holt Avenue frontage and residential property lines along with landscaping in front of the wall. The other purpose of the eight foot wall is to try to block sound from the operations. The project has been modified since the initial application to increase the setbacks for the eight foot tall buffer wall in order to provide more space for planting of oak trees both in the Holt Avenue parkway area and in front of the wall in order to screen and hide the view of the facility as best as can be done.

Staff indicated that despite the best efforts of Rollins College, the size and scale of this facility cannot be completely hidden from view. The other neighborhood compatibility issue is the sounds that this facility will generate.

The planning staff recommendation was for:

1. APPROVAL of the text change to the C-3 zoning district.
2. APPROVAL of the request to change the Comprehensive Plan future land use designation of Low Density Residential to Commercial on 875 square feet of 483 Holt Avenue;
3. APPROVAL of the change of Zoning from Low Density Residential (R-2) to Commercial (C-3) on the same 875 square feet; and
4. APPROVAL of the Preliminary and Final Conditional Use subject to the following conditions:
 - a. Understanding that the provisions of Section 67-92 of the City's Noise Ordinance applies to this project as any "machine or device" shall be construed to apply to trucks, golf carts and forklifts operating at this facility.
 - b. That the undergrounding of the power lines along Holt Avenue, as agreed to by the applicant, is necessary in order to provide for the screening oak trees to be planted in the right-of-way.
 - c. That measures necessary to protect the 48 inch live oak tree on-site will be incorporated in the design, construction and operations of this facility.
 - d. That the City and Rollins College work together to connect the sidewalk on Holt Avenue to the sidewalk on Pennsylvania.
 - e. That the final architectural elevations and materials of the building and screen wall be approved by the P&Z Board with input from the city architect.

Rebecca Wilson, 215 North Eola Ave, represented the applicant. She used a Power Point presentation to present the details of the request. She generally agreed with the staff report and conditions but indicated that the College had agreed to a condition that the gate would not be open and the facility deliveries would not

occur except for the hours of 8:30 am to 5:30 pm in order to address the concerns about sound from the facility. She also indicated that in response to neighbor comments there will be no gas/fuel pump operations at this location. Ms. Wilson described the meeting process undertaken with the neighborhood and how the concerns have for the most part been addressed.

Fred Wendell, 530 Holt Avenue and Mary Grace Gordon, 550 Holt Avenue spoke concerning issues with the sound of activities, traffic circling on Holt Avenue and the architectural scale and style of the proposed facility.

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

The P&Z Board members agreed that the Zoning Text change was acceptable as long as the operations of the facility adjacent to the neighborhood were compatible. Next the P&Z Board discussed and agreed that the physical plant and facilities building in layout, design and operations were compatible with the location adjacent to a residential neighborhood subject to the plans presented and the conditions recommended. The P&Z Board members asked staff to work with the College to address the issues that may arise with FDOT and the W. Fairbanks driveway location. The P&Z Board members thanked the applicant for working with the neighborhood and trying to address the concerns, especially with respect to the hours limited from 8:30 am to 5:30 pm. The P&Z Board felt that the remaining element of compatibility was the architectural design and asked the applicant to similarly include the neighbors in an initial review of those plans prior to returning to the Planning Board.

Motion made by Tom Sacha, seconded by Peter Gottfried to approve the request to amend the “Zoning Regulations” To Change The Text Of The Commercial (C-3) Zoning District To Add A New Conditional Use To Include “Warehousing And Distribution Facilities When Serving A University Or College”. Motion carried unanimously with a 7-0 vote.

Motion made by Tom Sacha, seconded by Peter Gottfried to approve the request to amend The "Comprehensive Plan" Future Land Use Map From A Low Density Residential Future Land Use Designation To A Commercial Future Land Use Designation On 875 Square Feet Of The Northwest Corner Of 483 Holt Avenue. Motion carried unanimously with a 7-0 vote.

Motion made by Tom Sacha, seconded by Peter Gottfried to approve the request to amend The Zoning Map To Change From Low Density Residential (R-2) Zoning To Commercial (C-3) Zoning On 875 Square Feet Of The Northwest Corner Of 483 Holt. Motion carried unanimously with a 7-0 vote.

Motion made by Tom Sacha, seconded by Peter Gottfried to approve the Conditional Use to construct and operate a 21,564 Square Foot Physical Plant and Central Receiving facility on the vacant properties at 501 Holt Avenue And 450 West Fairbanks Avenue subject to the Conditions provided by staff and offered by the applicant. Motion carried unanimously with a 7-0 vote.

REQUEST OF ST. JOHN EVANGELICAL LUTHERAN CHURCH FOR: CONDITIONAL USE APPROVAL TO USE THEIR VACANT PROPERTIES AT 1010 GARDEN DRIVE AND 1021 CAMELIA AVENUE, WHICH ARE ZONED SINGLE FAMILY RESIDENTIAL (R-1A), FOR PARKING AS AN UNPAVED GRASS PARKING LOT FOR THE CHURCH; CHURCH SCHOOL AND COMMUNITY EVENTS. A CONDITIONAL USE ZONING APPROVAL IS NECESSARY TO ALLOW THESE PROPERTIES TO BE USED AS A PARKING LOT.

Mr. Briggs explained that this public hearing is the request of St. John Lutheran Church at 1600 S. Orlando Avenue for Conditional Use approval to use the two adjacent Church properties at 1010 Garden Drive and 1021 Camellia Avenue for an unimproved overflow parking lot. The letter attached describes the request of St. John Lutheran Church to use the two adjacent Church properties at 1010 Garden Drive and 1021 Camellia Avenue for an unimproved grass overflow parking lot. Part of the reason for this request is that since the medical office property is under construction, the Church does not have access during construction to the 34 parking spaces to be provided for on Sundays and Holidays per their Agreement. That part of this request for temporary usage during the construction is completely understandable.

However, this request is for a permanent continuous approval. Staff outlined in detail the concerns and issues with the continuous request and that the lack of a plan as well as the aspect of the commercial sale of pumpkins and presumably Christmas trees. As there is no "site plan" per se showing how the properties would be used as a parking lot in terms of a parking layout for the 52 cars that the Church envisions as the peak occupancy of these properties the Planning staff also cannot support such an open ended approval for the Conditional Use. The staff also knows from experience that the condition of these properties will degrade over time from the traffic and parking. As presented the request has no limitations on usage and no assurance to the City or the adjacent neighborhood on any landscape program or standards.

Staff Recommendation was for APPROVAL of the Conditional Use for the temporary time period while the medical office project is under construction but for DENIAL of the Conditional Use for any further parking usage of these properties after the construction is complete.

Pastor Tom Lyberg, St. John Lutheran Church, 1500 S. Orlando Avenue explained to the P&Z Board the current issues with a lack of parking during the construction of the medical building. He explained the desires of the Church with respect to a continued use and their desire to maintain an attractive property. In response to P&Z Board questions, Pastor Lyberg acknowledged the need for more additional information.

Sara Brady, 929 Garden Drive complimented Pastor Lyberg on the communication that he has introduced between the neighborhood and the Church. She stated that everyone understands the current shortfall but the neighbors do not want cars parked on this property every day, at all hours with no assurance of how it would look or be maintained.

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

The P&Z Board agreed upon the need for this overflow parking during the construction time period. However, as to the long term usage, the P&Z Board was concerned that the Church was asking for Conditional Use approval with no limitations on the use of the property for parking and so that it can be used seven days a week and at any hours. The P&Z Board could not support such an open ended approval for the Conditional Use with no commitment on maintenance, landscaping or fencing. Thus, the motion from P&Z to continue that portion of the request until a more detailed site plan, landscape plan and use program (hours of the day/days of the week) is submitted.

Motion made by Tom Sacha, seconded by Peter Gottfried to grant temporary Conditional Use approval (until completion of the medical office building) to St. John Lutheran Church to use the vacant properties at 1010 Garden Drive and 1021 Camellia Avenue for parking as an unpaved grass parking lot for the church, church school and community events. Motion carried unanimously with a 7-0 vote.

Motion made by James Johnston, seconded Tom Sacha to Continue the Conditional Use request for permanent parking long term use at 1010 Garden Drive and 1021 Camellia Avenue after the construction period until a more detailed site plan, landscape plan and use program (hours of the day/days of the week) is submitted. Motion carried unanimously with a 7-0 vote.

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

Lisa M. Smith
Recording Secretary