



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

**Regular Meeting  
City Hall, Commission Chambers**

**August 1, 2017  
6:00 p.m.**

**MINUTES**

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Chairman Ross Johnston called the meeting to order at 6:00 p.m. in the Commission Chambers of City Hall  
Present: Ross Johnston, Shelia De Ciccio, Laura Turner, Laura Walda, Bob Hahn and Owen Beitsch.  
Absent: Raymond Waugh and Adam Bert. Also Present: City Attorney Dan Langley. Staff: Planning Manager, Jeff Briggs; Senior Planner, Allison McGillis and Recording Secretary, Kim Breland.

**APPROVAL OF MINUTES:**

**Motion made by Ross Johnston, seconded by Laura Turner to approve the July 11, 2017 meeting minutes. Motion carried unanimously.**

**Motion made by Ross Johnston, seconded by Laura Turner to approve the July 18, 2017 meeting minutes. Motion carried unanimously.**

**PUBLIC HEARINGS:**

**REQUEST OF MARK AND CARYN ISRAEL FOR:** APPROVAL TO CONSTRUCT AN 831-SQUARE FOOT ADDITION TO THE SINGLE-FAMILY HOME LOCATED AT 728 KIWI CIRCLE ON LAKE OSCEOLA.

Senior Planner, Allison McGillis, gave the staff report. She explained that the addition requested by the applicant requires a variance for the side setback along the southern property line and that the addition does not require the moving of any existing trees onsite. Mrs. McGillis added that the addition does not create any stem walls or retaining walls facing the lake that are in excess of three feet in height, therefore it will not negatively impact the views from the lake. Furthermore, the addition is behind the location of the newly constructed home to the south, which is also utilizing a 10 foot side setback, so the addition will also help screen the applicant's yard from this adjoining residence.

Lastly, Mrs. McGillis informed the Board that the zoning code requires retention of storm water so that storm water flowing over a lakefront lawn area does not carry with it into the lake any fertilizers, herbicides, etc. The applicant will comply with the City's code requirements for storm water retention. Overall, the plans meet the intent of the lakefront review criteria. Staff did not see any significant concerns with the proposed home as presented, and the staff recommendation was for approval.

The applicant expressed that they were available for questions. No one wished to speak. The public hearing was closed. The Board agreed with Staff's recommendation and there were no questions.

**Motion made by Owen Beitsch, seconded by Laura Walda for approval to construct an 831-Square Foot addition to the Single-Family home located at 728 Kiwi Circle on Lake Osceola.**

**Motion carried unanimously with a 6-0 vote.**

**REQUEST OF MIKE MUSANTI FOR APPROVAL TO:** CONSTRUCT 5,887-SQUARE FEET OF ADDITIONS, ADDED DRIVEWAY AND RELOCATE THE SWIMMING POOL TO THE SINGEL-FAMILY HOME LOCATED AT 1000 GENIUS DRIVE ON LAKE VIRGINIA.

Senior Planner, Allison McGillis, gave the staff report. She explained that the applicant is requesting approval to construct 5,887-square feet of additions, added driveway and to relocate the swimming pool at the single-family home located at 1000 Genius Drive on Lake Virginia. The proposed additions yield a new floor area ratio (FAR) of 22%, which is below the maximum allowed FAR of 33%. The additions will also produce an impervious lot coverage of 22,364 square feet, or 28%, which is below the maximum impervious ratio of 50%.

She explained that the code direction on water front lots is "to preserve existing trees to the degree reasonably possible." There are several palm trees located within the building footprint that are to be removed, but the remaining trees onsite are being preserved. Mrs. McGillis also reviewed the code direction as it applies to height and extent of stem walls or retaining walls facing the lake. She explained that generally, the policy is not to permit walls/swimming pool decks facing the lake in excess of three feet in height. The deck areas and building shown on the attached site plan that extend beyond the 50 foot lakefront setback line are existing and grandfathered-in.

The applicant is removing a portion of the driveway along the northern portion of the property that extends into the 50 foot lakefront setback, and is adding onto the existing driveway along the canal front. A portion of the driveway addition extends into the 25 foot canal front setback line. Because the applicant is virtually swapping existing impervious from one area to another, she explained that it does not add any additional impervious area within the setback. Furthermore, the applicant is also proposing a new 60 inch tall podocarpus hedge to screen the vehicles from the lake and canal.

Lastly, Mrs. McGillis added that the proposed additions would not impede the views for the lake of the neighboring properties and staff recommendation was for approval.

The applicant expressed that they were available for questions. No one else wished to speak. The public hearing was closed.

The Board agreed with Staff's recommendation and there were no questions.

**Motion made by Laura Walda, seconded by Laura Turner for Approval to construct 5,887-Square Feet of additions, added driveway and relocate the swimming pool to the single-family home located at 1000 Genius Drive.**

**Motion carried unanimously with a 6-0 vote.**

**REQUEST OF ALBERTSONS-WILLIAMS PARTNERSHIP II FOR:** CONDITIONAL USE APPROVAL TO REDEVELOP THE FORMER SUN TRUST DRIVE-IN TELLER AT 345 CAROLINA AVENUE WITH A NEW THREE STORY OFFICE BUILDING OF 9,926 SQUARE FEET AND INCLUDING ONE BANK DRIVE-THRU TELLER LANE, ZONED OFFICE (O-1).

Planning Manager, Jeff Briggs gave the staff report and explained that this item is a conditional use request to redevelop the former SunTrust drive-in bank teller location, with a new three story, 9,926 square foot office building, with a one lane drive-thru teller on the west side, the property is zoned Office (O-1). He presented views showing the former Sun Trust tellers and the area where the teller lanes existed. The property is in the same ownership as the 201 North New York building. Mr. Briggs gave the Board some background that originally, the SunTrust bank was located in the 201 N. New York Avenue building. They moved their offices over to the Rollins/SunTrust building at 400 N. Park Avenue in 1999 and maintained their drive-in tellers at this location. When SunTrust opened their new remote bank teller drive-thru at 295 S. New York Avenue, last year, this parcel became available for redevelopment by the property owner.

He added that the 345 Carolina Avenue site is 19,598 square feet in size and that building size includes the open drive-thru "floor area" of the drive-thru teller lane under the cantilevered building. The Zoning Code does allow a maximum floor area ratio of up to 50% when the added 5% is the open area of parking/drives under building cantilevered above, thus this FAR at 46.4% is within Code. Subtracting the floor area of the drive-thru space under the cantilevered upper floors from the gross square footage brings the building to a 44.4% floor area ratio. Mr. Briggs also provided the Board with information regarding parking, traffic circulation, building height, storm water retention and site lighting. He informed the Board that the proposed location is compatible with the surrounding buildings and their respective building heights and as such the small one foot of roof height exception is acceptable. Mr. Briggs added that this is a positive redevelopment scenario in bringing Class A office space to the CBD and eliminating a standalone, five drive-in teller facility for just a single drive-thru teller lane within the building footprint. The site is technically just outside the CBD façade guidelines boundary but those provisions regarding signage should apply for compatibility with the surroundings.

Staff recommendation was for approval of both the preliminary and final conditional use with one condition:

1. That the project shall be restricted to a non-interior illuminated monument sign and non-interior illuminated wall signage in conformance with the CBD façade design guidelines.

Mr. Briggs also mentioned that Mr. Jim Pugh, owner of the adjacent two-story building to the west had visited with staff just prior to the meeting and wanted to convey his support for the project.

Applicant, Larry Williams of 300 North Park Avenue, Winter Park, Florida addressed the Board. Mr. Williams gave the Board a brief history of the property and explained that the new local bank, Winter Park National Bank, going into the location was the first bank the government had approved to be opened since 2009. He went on to say that he was very eager for the project to be moved forward and thanked the Board for their consideration. He indicated that the bank teller would only be open for about 4 hours a day as a convenience for their customers.

The P&Z Board members agreed that the scale of this building was appropriate in the context of adjoining three other adjacent properties with 3-4 story buildings of similar height. They noted that there were no other variances and that adding Class A office versus the existing teller building was a positive change.

**Motion made by Sheila De Ciccio, seconded by Laura Walda for preliminary and final conditional use approval to redevelop the former Sun Trust Drive-In Teller at 345 Carolina Avenue with a new three-story office building of 9, 926 Square Feet and including one Bank drive-thru teller lane, zoned Office (O-1).**

**Motion carried unanimously with a 6-0 vote.**

**REQUEST OF ERIC REY FOR:** CONDITIONAL USE APPROVAL TO REDEVELOP THE PROPERTY AT 2281 NAIRN DRIVE WITH AN ADULT CONGREGATE LIVING FACILITY OR ASSISTED LIVING FACILITY FOR THE EDLERLY OF UP TO 14 RESIDENTS WITHIN A NEW ONE STORY, APPROXIMATELY 5,000 SQUARE FOOT BUILDING, ZONED R-2.

Senior Planner, Allison McGillis, gave the staff report and explained that in 2016 this property was rezoned from (R-1A) to (R-2) and received Conditional Use approval to build three townhomes on this property. Since that time, the owners have decided that this proposed assisted living facility would be a better use for the property. Because of this, a new conditional use approval is needed.

Mrs. McGillis presented an aerial view of the property and its location showing that the property is adjoining single family owned properties so when an R-2 property abuts R-1A single family zoned properties, the restrictions of the property limit it to 45% floor area ratio (FAR) versus the 55% normally permitted and this project is proposing a 35% floor area ratio (FAR). The proposed Assisted Living Facility will be one-story and a

total of approximately 5,000 Square Feet with a storage area contained within the roof slope. The storage area will be strictly for storage and not living space for the residents.

The project is meeting or exceeding the required setbacks with the exception of the front porch, which is permitted to extend into the front setback up-to five feet. The porch is proposed to extend approximately eight feet into the front setback, so a variance is required for this projection. Staff feels like with the traditional architecture proposed, and the front porch being the primary focal point of this bungalow-like look, a wider front porch that extends into the front setback is acceptable and the architectural style will also look single-family in nature which will help the property blend in with the neighborhood.

In terms of landscaping, the applicant has provided a preliminary landscape plan for the property, and a majority of the existing trees onsite are located within the project footprint, and are proposed to be removed. The Urban Forestry department has requested that the applicant save the 40" oak in the northwest corner of the property, the 35" oak in the southwest portion of the property, the 10" and the 27" oak in the southeast portion of the property. Planning staff is recommending this request as a conditional of approval. Also that the applicant plant, as part of the tree mitigation requirements for the trees removed, compensating cypress trees within the stormwater pond.

With respect to parking, the City's parking requirement for an assisted living facility is one space for each three beds and one space for each staff person. The applicant is proposing 14 beds and one 24-hour caretaker. Based on these numbers, the parking requirement is 6 parking spaces, which the applicant is providing, but because of the limited sight area, the maneuverability of the property is difficult and cars are forced to reverse out on Nairn Drive to exit. The Public Works department reviewed the applicant's parking configuration and since assisted living isn't a large traffic generator, there are no concerns with the proposed layout. However, Planning Staff is concerned with the close proximity of the driveway and parking spaces to the west adjoining property and the applicant has stated that they would install a six-foot fence along the property line and Staff is recommending this to be a condition of the approval. The Public Works department also requested that a five-foot minimum sidewalk be installed on the property and since there is a tight area of the right-of-way, the Urban Forestry department also requested that the five-foot minimum sidewalk be placed one-foot onto the applicant's private property so that there is enough space to plant street trees.

Overall the key element that the Board is tasked with looking at in this conditional use proposal is looking at the compatibility of it with the existing neighborhood. Staff feels this request has made efforts to blend in well with the surrounding neighborhood.

#### STAFF RECOMMENDATION IS FOR APPROVAL WITH THE FOLLOWING CONDITIONS:

1. That the applicant shall install an appropriate buffer adjacent to the driveway which can be either a landscape buffer that is a minimum height of six feet at planting or a vinyl fence that is a minimum of six feet in height, or a combination of both.
2. That the applicant save the 40" oak in the northwest corner of the property, the 35" oak in the southwest portion of the property, the 10" and the 27" oak in the southeast portion of the property. Also that the applicant plant, as part of the tree mitigation requirements for the trees removed, compensating cypress trees within the stormwater pond.
3. That a five foot minimum sidewalk be installed, with one foot located within the private property, so that a minimum of six feet of width remain within the public right-of-way for Urban Forestry to plant street trees.

Mrs. McGillis answered questions from the Board.

Mr. Eric Rey and Mr. Alexander Rey and their father spoke representing the application and explained their business operations plan, staffing, deliveries and the manner in which the facility would operate. They indicated that they would be licensed as a community residential home.

The P&Z Board members asked questions of the applicant regarding the nature of the occupants, their health needs, the independence of the residents, the services provided to the residents and looked for clarification on whether this was independent living, assisted living, memory care, etc. and what the plans were when the population aged in place.

The Board heard public comments from David Williams, 209, Tyree Lane; Will McCurdy, 2288 Hawick Lane and Ina Mae McIlrath, 2240 Nairn Road. All speakers expressed concerns about the amount of traffic, deliveries and adequacy of parking. They also expressed their opposition to a 'business' located in the middle of residential properties.

No one else wished to speak. The public hearing was closed.

The Board members agreed that additional information was needed on the type and function of the business in order to insure that there was adequate parking, and minimal impact upon the neighborhood. There was consensus amongst the comments by the Board members that insufficient information was presented for an action to approve and the Chairman asked the applicant if they would like to table or continue this item in order to respond to the Board's questions. The applicant agreed to have the item tabled.

**Motion made by Owen Beitsch, seconded by Laura Turner to Table the Applicant's request to no date certain to allow for more information to be collected for review.**

**Motion carried unanimously with a 6-0 vote.**

**REQUEST OF ALOMA HOLDINGS LLC TO:** AMEND THE OFFICIAL ZONING MAP TO CHANGE FROM MEDIUM DENSITY MULTIPLE-FAMILY RESIDENTIAL (R-3) DISTRICT ZONING TO OFFICE (O-2) DISTRICT ZONING ON THE PROPERTIES AT 407 ST. ANDREWS BOULEVARD AND 2291/2295/2301 & 2305 GLENWOOD DRIVE.

Planning Manager, Jeff Briggs, gave the staff report and explained that the Applicant, Aloma Holdings LLC is requesting to rezone the properties located at 407 St. Andrews Boulevard and 2291, 2295, 2301 and 2305 Glenwood Drive from Medium Density Multiple-Family Residential (R-3) to Office (O-2) in order to develop the properties with two 4,000 foot single story medical offices. Mr. Briggs informed the Board that the Applicant does not need approval from the City to move forward with the buildings, but since the property is residential presently with residential units on it, it is zoned (R-3) and they need the action to rezone to Office (O-2). This street does have office future land use and the City has agreed that properties on Glenwood Drive may evolve from residential to office as it is in this instance when it is surrounded by office development. Staff recommendation was for approval of the rezoning request.

Sam Sebaali of Florida Engineering Group, 5127 S. Orange Avenue, Orlando, FL represented the applicant. He concurred with Staff's recommendations and stated that the property is surrounded by offices on all sides and the future land use designation allows the office zoning so the project is compatible with the comprehensive plan.

The Board heard public comments from David Williams, 209 Tyree Lane regarding concerns about lack of proper storm water retention and lack of sidewalks/crosswalks around the property.

Mr. Sebaali responded to the public comments and concerns and stated that the project is only in the rezoning stage, but there was a pre-application meeting with Staff regarding the project and these issues were mentioned. The project will include a sidewalk on Glenwood which will wrap around the edge of the property

being developed and the City will be extending the sidewalk to Aloma Avenue. Mr. Sebaali also mentioned that there will be a drainage system included in the redevelopment project.

No one else wished to speak. The public hearing was closed.

The Board members concurred that this was an appropriate location for redevelopment with medical offices and that the Comprehensive Plan supported this zoning change.

**Motion made by Sheila De Ciccio, seconded by Laura Walda to amend the official zoning map to change from Medium Density Multiple-Family Residential (R-3) district zoning to Office (O-2) district zoning on the properties at 407 St. Andrews Boulevard and 2291/2295/2301 & 2305 Glenwood Drive.**

**Motion carried unanimously with a 6-0 vote.**

**REQUEST OF THE CITY OF WINTER PARK TO:** AMEND THE "COMPREHENSIVE PLAN" FUTURE LAND USE MAP TO CHANGE FROM AN INSTITUTIONAL FUTURE LAND USE DESIGNATION TO AN OPEN SPACE AND RECREATION FUTURE LAND USE DESIGNATION ON THE CITY PROPERTY LOCATED BETWEEN 652 AND 700 WEST MORSE BOULEVARD.

**REQUEST OF CITY OF WINTER PARK TO:** AMEND THE OFFICIAL ZONING MAP TO CHANGE FROM PUBLIC, QUASI-PUBLIC (PQP) DISTRICT ZONING TO PARKS AND RECREATION (PR) DISTRICT ZONING ON THE CITY PROPERTY LOCATED BETWEEN 652 AND 700 WEST MORSE BOULEVARD.

Planning Manager, Jeff Briggs, gave the staff report and presented a map to the Board which showed a greenbelt area that runs from Morse Boulevard as a pathway the community center, but when the new facility was built with the swimming pool in the back, the pathway no longer allowed access to the center.

In 2016, when the condo project was approved at 652 Morse Boulevard, the City Commission agreed that while the City would keep the plaza park on the Morse frontage, they would sell the strip of land that leads back to the community center, but based on the condition that it would remain open space and the zoning of the property would Parks and Recreation (PR). Furthermore, a deed restriction would be placed upon the sale that the land could not be used for the development of any future buildings and also that the land itself may not be used in floor area ratio calculations to increase the development potential of any adjacent or nearby properties.

This change in land use designations help to enforce the deed restrictions that this land is to be open space without any buildings. The developers plan to use the land as a landscape open space common area tract functioning as front yard area with a walkway that will allow pedestrian access to the townhomes.

**Motion made by Laura Turner, seconded by Laura Walda to approve both ordinances to amend the Comprehensive Plan future land use map and Official Zoning map to change from Institutional/Public, Quasi-Public (PQP) to Open Space and Recreation/Parks and Recreation (PR) district zoning on the City property located between 652 and 700 West Morse Boulevard.**

**Motion carried unanimously with a 6-0 vote.**

#### **NEW BUSINESS:**

There was no further business. Meeting adjourned at 6:51 p.m.

Respectfully submitted,

Kim Breland  
Recording Secretary