



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

**Regular Meeting
City Hall, Commission Chambers**

**November 7, 2017
6:00 p.m.**

MINUTES

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

APPROVAL OF MINUTES:

Motion made by Ross Johnston, seconded by Sheila De Ciccio to approve the October 3, 2017 meeting minutes. Motion carried unanimously 7-0.

PUBLIC HEARINGS:

REQUEST OF RON SCARPA AND BOB WALKER FOR: SITE PLAN APPROVAL TO CONSTRUCT A TWO-STORY, SINGLE-FAMILY HOME AT 2034 EAST END AVENUE, ZONED (R-1A).

Planning Manager, Jeff Briggs presented the staff report. He explained that in August of 2016, the City Commission approved a lot split/subdivision of 2098 East End Avenue pursuant to the conditions that the site plan, elevations and floor plan for the new home on the vacant lot (2034 East End) must be approved by the P&Z Board at a public hearing. Since that time, the lot has been split into two lots, 2098 and 2034 East End Avenue. The applicant is now requesting approval of their site plan and elevations of the proposed home on the vacant lot at 2034 East End Avenue.

Mr. Briggs noted that the applicant is proposing a two-story, 2,637 square foot home, which with a lot area of 6,960 square feet yields a floor area ratio (FAR) of 37.9%. This conforms to the Commission requirement of capping the FAR at 38%. He stated that the site plan meets all of the other general Code requirements with respect to impervious coverage, setbacks, etc. and the elevations of the proposed home (attached) depict a Florida vernacular architecture. Given the eclectic style of the neighborhood, the proposed architectural style is compatible based upon the advice of the City Architect. Lastly, Mr. Briggs reviewed the Development Agreement and explained that this request is meeting all of the conditions placed on the lot split approval and that notices were mailed to all of the neighbors to allow comments. Staff recommendation is for approval of the request.

No one from the public wished to speak and the applicant volunteered to answer any questions. The public hearing was closed.

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

Motion made by Laura Walda, seconded by Sheila De Ciccio for site plan approval to construct a two-story, single-family home at 2034 East End Avenue, zoned (R-1A). Motion carried unanimously 7-0.

REQUEST OF WEINGARTEN NOSTAT INC. FOR: CONDITIONAL USE APPROVAL TO REDEVELOP THE PORTION OF THE WITNER PARK CORNERS SHOPPING CENTER AT 1903-1999 ALOMA AVENUE THAT HELD THE FORMER WHOLE FOODS MARKET BY RECONSTRUCTING A NEW 30,346 SQUARE FOOT GROCERY AND NEW RETAIL SHOP SPACE, ON PROPERTY ZONED C-1.

Planning Manager, Jeff Briggs, presented the staff report. He explained that Weingarten Nostat, Inc. owners of the Winter Park Corners shopping center located at 1903-1999 Aloma Avenue are requesting Conditional Use approval to redevelop the portion of the shopping center (former Whole Foods Market site) by reconstructing a new 30,348 square foot grocery store and 12,250 square feet of retail space. The entire property measures 9.16 acres, and is zoned (C-1). He noted that the grocery store tenant will be a Sprouts Farmers Market, which is a natural and organic grocer, and will be their first location in Central Florida. This is a Conditional Use because the building size exceeds 10,000 square feet.

Mr. Briggs explained that the property currently holds retail spaces and restaurants as well as the former Whole Foods Market/Title Boxing building. The project would demolish that Whole Foods Market building, and rebuild a building in generally the same locations with parking in the front and side. The plan also proposes new retail spaces will fill-in the current gap between the two buildings. To the north across Edwin Boulevard and to the west across Lakemont Avenue are single-family properties. To the south are several commercial buildings followed by the Winter Park Hospital.

He stated that also the current drive-through lanes for the Bank of American tenant space are being removed for ten (10) additional parking spaces and landscaping and a small 1,500 square feet building addition. The drive-through lanes are then being replaced with a drive-up Bank of America ATM in the southwest portion of the site. The existing building facades on the site are going to get a face-lift with a new façade. The project meets the C-1 development standards in terms of density and intensity, landscaping, storm water retention, etc. Based on the property size of 9.16 acres, the project has a 23% floor area ratio (FAR) which is well within the 45% maximum FAR.

Mr. Briggs reviewed issues related to traffic impacts, parking analysis, storm water retention, landscaping and tree preservation, neighborhood compatibility, project signage and architectural articulation. He went over the conditional use process and summarized by stating that the proposed project is being built in conformance with the C-1 zoning code with regard to the site plan layout, but is requesting variances for parking and articulation requirements. Staff is not in support of the elevations as submitted nor the parking variance, and is recommending that the applicant work with the city architect and submit the final architectural elevations to the Planning & Zoning Board for final approval.

STAFF RECOMMENDATION IS FOR APPROVAL of the Conditional Use with a variance only for three parking spaces to provide landscape opportunities adjacent to Aloma Avenue, subject to the following conditions:

- 1. That the final architectural elevations and materials of the Grocery Store building, the western end cap addition and the new ATM structure be approved by the P&Z Board with input from the city architect.**
- 2. That a three parking space variance be granted to allow three additional landscape islands in the 40 space parking strip fronting Aloma Avenue.**
- 3. That the project be limited to 60 new restaurant seats, which can be split up among tenant spaces.**
- 4. That the project reface (stucco and paint) the existing wall in the rear of the project facing Edwin Boulevard and add street trees along Lander Road as may be necessary to screen the rear view of the loading and service areas.**

5. That the applicant install a five foot minimum sidewalk along Lander Road adjacent to the east side of the project and incorporate street trees where possible with species coordinated with Urban Forestry.
6. The electric transformer/switch gear and all backflow preventers shall be located where not visible from a public street and shall also be landscaped so as to be effectively screened from view.
7. That the newly constructed square footage comply with the City's bike parking ordinance.
8. That the applicant coordinate with Florida Hospital prior to building permit to consider design opportunities that may allow for a future traffic signal.

Mr. Briggs responded to questions from the Board.

Bob Ziegenfuss, PE, Z Development Services, presented details of the project and responded to questions from the Board regarding demolition of the property, traffic, parking, sidewalks, storm water retention and signage. Other representatives of Weingarten also provided information and answers to questions by the Board. Mr. Ziegenfuss outlined the rationale for the parking variance indicating that there were sufficient spaces but some are located by the County Court that are not readily visible. He also explained the significant investment that the applicants are undertaking to provide storm water retention for a 9 acre site that has very little retention existing. They discussed the timing of the project which may involve the changes at the Bank of America side as a Phase II. They also indicated that discussions have begun with Florida Hospital.

The Board heard public comments from: David Williams, 205 Tyree Lane; Karen Goldberg, 619 Byron Road and Steve Goldberg, 619 Byron Road. Their comments centered on traffic impact, constructions impacts, the need to improve the rear wall and the need for a sidewalk along Edwin Boulevard, which as a cut-through route with no sidewalk needs some improvements for pedestrian safety.

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

The Board agreed generally with Staff's recommendation. Chairman Johnston stated that he frequents this shopping center on a regular basis and there is no open parking anywhere on Thursday-Saturday nights. He stated that the Title Boxing and Huntington Education had no parking impact and it will be much greater with the Sprouts so he was opposed to the parking variance. That conclusion was supported by other Board member comments. In addition, Mr. Waugh pointed out that while the overall size of the shopping center remains the same or is smaller, the size of the grocery is increasing by 9,000 sq. ft. which will definitely increase the actual need for parking. The Board also mentioned that the process used for the Rollins facility Building with the elevations returning for approval resulted in a much better design and they welcomed that opportunity.

Motion made by Sheila De Ciccio, seconded by Ray Waugh for approval of the conditional use approval to redevelop the portion of the Winter Park Corners shopping center at 1903-1999 Aloma Avenue with a new retail shop space, subject to the conditions recommended by staff.

Motion carried unanimously with a 7-0 vote.

REQUEST OF THE CITY OF WINTER PARK FOR: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" SO AS TO ADOPT NEW ZONING REGULATIONS CHANGING THE PERMITTED, CONDITIONAL PROHIBITED USES AND DEVELOPMENT STANDARDS WITHIN THE ZONING DISTRICTS OF THE CITY; ADOPTING NEW DEVELOPMENT STANDARDS, DENSITIES AND INTENSITIES OF DEVELOPMENT; ADOPTING CHANGES NECESSARY TO IMPLEMENT THE CITY OF WINTER PARK, COMPREHENSIVE PLAN, GOALS, OBJECTIVES AND POLICIES DOCUMENT, DATED APRIL 24, 2017.

REQUEST OF THE CITY OF WINTER PARK FOR: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE II, "CONCURRENCY MANAGEMENT REGULATIONS" SO AS TO ADOPT CHANGES TO THE CONCURRENCY MANAGEMENT REGULATIONS OF THE CITY NECESSARY TO IMPLEMENT THE CITY OF WINTER PARK, COMPREHENSIVE PLAN, GOALS, OBJECTIVES AND POLICIES DOCUMENT, DATED APRIL 24, 2017.

Planning Manager, Jeff Briggs presented the staff report and explained that the two proposed Ordinances make the changes required to implement the recently adopted new Comprehensive Plan within the City's Land Development Code as shown below. These were discussed in detail at the October 31st P&Z work session.

1. Sec. 58-82 and 58-83 – Implements the Comp. Plan policy decision to remove the PD-1 and PD-2 zoning districts.
2. Sec. 58-82 – Implements the Comp. Plan policy decision to adopt a new Medical Arts zoning district.
3. Sec. 58-69 – Implements the Comp. Plan policy decision to change the R-4 zoning district to clarify that it only relates to existing R-4 properties; remove the affordable housing density incentives and clarify the visitor parking requirements.
4. Sec. 58-68 – Implements the Comp. Plan policy decisions to change the R-3 zoning district to fully implement the maximum 17 units/acre; remove the affordable housing density incentives; implement the policy on third floor sloped roofs and dormers; clarify the visitor parking requirements; and addresses the most common exception request for master bedrooms on the first floor.
5. Sec. 58-70 – Implements the Comp. Plan policy decision for allowance of up to eight units per acre in PURD developments approved by the City Commission within the single family future land use category.
6. Sec. 58-75 – Implements the Comp. Plan policy decisions to change the C-2 zoning district to remove drive-ins as a conditional use; require that the first floor along New England Avenue must be business occupancy with residential only on the upper floors as is the current policy along Park Avenue; implement the policy limiting building height to two stories opposite Central Park; implements the policy prohibiting 'big box' stores over 65,000 square feet and implements the prohibition on vapor lounges and smoke shops.
7. Sec 58-74 & 58-76 – Implements the Comp. Plan policy decision on the prohibition of vapor lounges and smoke shops in the C-1 and C-3 zoning districts.
8. Sec. 58-71 & 58-84 - Implements the Comp. Plan policy decision to remove the affordable housing density incentives in the General Provisions sections of the Zoning Code.
9. Article II - Land Development Code – Concurrency Management: Updates and revises the city's concurrency regulations with regard to the elimination of transportation concurrency.

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

Motion made by Laura Turner, seconded by Laura Walda to approve and Ordinance of the City of Winter Park, Florida, amending chapter 58 “Land Development Code” Article III, “Zoning” so as to adopt new zoning regulations changing the permitted, conditional prohibited uses and development standards within the zoning districts of the City; adopting changes necessary to implement the City of Winter Park, Comprehensive Plan, Goals, Objectives and Policies document, dated April 24, 2017.

Motion carried unanimously with a 7-0 vote.

Motion made by Laura Turner, seconded by Laura Walda for an Ordinance of the City of Winter Park, Florida, amending chapter 58 “Land Development Code” Article III, “Concurrency Management Regulations” so as to adopt changes to the Concurrency Management Regulations of the City necessary to implement the City of Winter Park Comprehensive Plan, Goals and Policies document, dated April 24, 2017.

Motion carried unanimously with a 7-0 vote.

REQUEST OF THE CITY OF WINTER PARK FOR: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 “LAND DEVELOPMENT CODE” ARTICLE III, “ZONING” SO AS TO ADOPT NEW ZONING REGULATIONS AND DEVELOPMENT STANDARDS WITHIN THE ZONING DISTRICTS OF THE CITY.

Planning Manager, Jeff Briggs presented the staff report and explained that the proposed Ordinance makes changes that the Planning and Building Department staff felt were needed to update the Zoning Code and to address situations where the zoning text needed improvement. A summary of those changes are as follows:

1. Sec. 58-81 Parks and Recreation (PR) District: Amends the maximum height permitted from 35 to 45 feet.
2. Sec. 58-86 – Parking Code changes:
 - a. Establishes a minimum 15% standard for visitor parking spaces within multi-family projects in surface lots and in parking garages and that at minimum at least one space must be provided without additional cost to each residential unit.
 - b. Increases the minimum term for off-site parking leases to permit building construction from 5 years to 30 years.
 - c. Provides a reference to the parking garage design standards and the requirement for parking garage management plan.
 - d. Provides a reference for storm water design requirements, particularly those involving drainage entering from adjacent public streets.
3. Sec 58-90 – Conditional Uses:
 - a. Provides the ability for the City Commission to provide an exception for up to 5% floor area ratio if confined to a parking garage (Lakeside Crossing).
 - b. Clarifies the calculation method for conditional uses and notice.
 - c. Clarifies that conditions of approval may require developer funded infrastructure upgrades needed for mobility, water, sewer, etc.
4. Sec. 58-87 – Lakefront Lots: Clarifies that the minimum 50 foot lakefront and wetland setback which applies to structures and swimming pools also applies to driveways and parking lots.
5. Sec. 58-71 – General Provisions for Residential Zoning Districts:
 - (a) Clarifies that pool cabanas cannot be used for habitation at the closer setbacks.
 - (b) Updates rules for walls and fences requiring a setback from sidewalks, gates to match fence styles, the same finish on both sides of a fence and allowance to replace nonconforming fences if setbacks are met.

- (c) Requires garage door setbacks of 20 feet from private alleys as the Code now does from public streets and sidewalks.
 - (d) Clarifies the setbacks, heights and other provisions for parking within carports in office building surface parking lots.
 - (e) Incorporates into the Zoning Code, the current prohibition in the Subdivision Code on private streets and gated communities.
 - (f) Requires rooftop recreation decks on residential buildings to be approved by the City Commission.
 - (g) Allows properties with two different zoning designations to combine the permitted density, if approved by the City Commission.
6. Sec. 58-84 – General Provisions for Non-Residential Zoning Districts:
- (a) Limits the display of merchandise outside commercial businesses to only the Central Business District and Hannibal Square Business district zoned C-2 and not outside commercial businesses city-wide.
 - (b) Clarifies the setbacks, heights and other provisions for parking within carports in multi-family parking lots.
 - (c) Requires rooftop recreation decks to be approved by the City Commission.
 - (d) Incorporates the alcoholic beverage regulations from Chapter 10 “Alcoholic Beverages” into the Chapter 58 (Zoning Code) since State alcoholic beverages licenses require “zoning” approval from the City.
 - (e) Adds, as a place holder, adoption of the Orange County architectural design standards.
7. Sec. 58-95 – Definitions: Provides the clarification on the calculation of floor area for carports in office/multi-family parking lots and provides consistency for basements excluded from floor area ratio for residential and commercial.
8. Sec. 58-64 – Nonconforming Structures: Clarifies that if a nonconforming structure is destroyed by fire, tornado, hurricane, etc. that it can be rebuilt to its original dimensions but must be at least five feet from a neighboring properties and that when 90% of the roof and interior of a building is removed for renovation that the entire building must be rebuilt in compliance with current codes.
9. Sec. 58-66 – R-1AA and R-1A Districts: Incorporates in the Zoning Code, the Subdivision Code requirement on lot dimensions that corner lots must have 10 feet of additional width.

Mr. Briggs answered questions from the Board related to parking variance requests. The P&Z Board indicated that they believed that the process of review of parking variance requests should remain as-is. Very few are approved unless there is overwhelming evidence that they are warranted.

Motion made by Ray Waugh, seconded by Sheila De Ciccio to approve the Ordinance to adopt new Zoning Regulations and Development Standards within the zoning districts of the City with the condition of removing item 3b (limit on parking variances) from the document. Motion carried unanimously with a 7-0 vote.

NEW BUSINESS:

There was no further business. Meeting adjourned at 6:59 p.m.

Respectfully submitted,

Kim Breland
Recording Secretary