



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

**Regular Meeting
City Hall, Commission Chambers**

**February 5, 2019
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, Sheila De Ciccio, Adam Bert, Owen Beitsch, Bob Hahn and Raymond Waugh. Absent: Laura Turner and Laura Walda. Also Present: City Attorney Kurt Ardaman. Staff: Director of Planning and Community Development, Bronce Stephenson; Planning Manager, Jeff Briggs; Senior Planner, Allison McGillis, and Recording Secretary, Kim Breland.

APPROVAL OF MINUTES:

Motion made by Ross Johnston, seconded by Sheila De Ciccio, to approve the January 8, 2019 meeting minutes. Motion carried with a 6-0 vote.

PUBLIC HEARINGS:

REQUEST OF ROLLINS COLLEGE FOR: FINAL CONDITIONAL USE APPROVAL FOR THE PROPOSED PARKING GARAGE TO BE BUILT ON ROLLINS COLLEGE CAMPUS AT THE CORNER OF FAIRBANKS AND OLLIE AVENUES, ZONED PQP.

Planning Manager, Jeff Briggs, gave the staff report and stated that Rollins College is requesting Final Conditional Use approval to build a new on-campus parking garage on the property located at the southwest corner of Fairbanks Avenue and Ollie Avenue with five levels and 784 parking spaces. On January 28, 2019 the City Commission, in accordance with the P&Z Board recommendation, approved the requests for Final Conditional Use for the Dormitory project and Preliminary Conditional Use for the parking garage. The previous parking garage plans were conceptual and included only a general footprint outline of the location with some generalized parking numbers. Now more detailed parking garage plans were ready for review.

Mr. Briggs explained that the intent is to have on-campus parking more convenient for both students, staff and visitors to campus activities without having to cross Fairbanks Avenue from the SunTrust parking garage. It also will provide more on-campus parking for shifting the junior class to the new on-campus dormitories.

The request was advertised for up to 4-stories/5 levels and the final design is a split plan which has the front one-third of the parking structure along Fairbanks Avenue at 3-stories/4 levels and then the rear two-thirds of the structure toward the Lake Virginia/Dinky Dock park is 4-stories/5 levels. All access to the parking garage from public streets is from Ollie Avenue so there is no direct connection out to Fairbanks Avenue. Ollie Avenue is intended to be widened in that northern section to create a three land section allowing for more stacking at the traffic light for left turns and straight thru/right turn movements.

Mr. Briggs reviewed parking garage setbacks and height, parking garage design standards, tree preservation and landscape plan, storm water retention and Ollie Avenue modifications.

Mr. Briggs summarized by stating that Rollins College shares the interest of the City in making the exterior of this parking garage structure attractive in appearance and to provide ample landscape screening. The design elements that have worked at the Winter Park Towers garage and the Lakeside Crossing garage have been incorporated into this design. All parking garages are required to submit a Parking Management Plan outlining the operational aspects of the facility. The City will look for some opportunity for limited public parking to complement Dinky Dock peak times of use in the summer. Locating this new parking garage on-campus will make parking more convenient for all students, staff and visitors and reduce the pedestrian safety issues crossing Fairbanks Avenue, as well as opening up parking at the SunTrust garage for other uses by Rollins College and possibly the City.

Mr. Briggs stated that the staff Recommendation was for approval of the final Conditional Use the Parking Garage pursuant to the design description outlined in the staff report and the plans submitted and with the approval of a Parking Garage Management plan prior to completion, as well as adding identification signage for Dinky Dock.

The Board had no questions for Staff.

Attorney Rebecca Wilson of Lowndes, Drosdick, Doster, Kantor & Reed, 215 N. Eola Drive, Orlando, Florida, represented the Applicant. She reviewed the project outline for the project and provided an update on the Rollins Parking Survey. Mrs. Wilson answered questions from the Board related to the project construction schedule.

There was no public comment. The public hearing was closed.

The Board agreed with Staff's recommendations.

Motion made by Sheila De Ciccio, seconded by Ray Waugh, for final Conditional Use approval for the proposed parking garage to be built on Rollins College campus at the corner of Fairbanks and Ollie Avenues, zoned (PQP), pursuant to the design description outlined in the staff report and the plans submitted and with the approval of a Parking Garage Management plan prior to completion, as well as adding identification signage for Dinky Dock.

The motion carried with a 6-0 vote.

REQUEST OF ROLLINS COLLEGE FOR: CONDITIONAL USE APPROVAL FOR PHASE TWO OF THE ALFOND INN (PURSUANT TO THE DEVELOPER'S AGREEMENT, AS AMENDED BETWEEN THE CITY OF WINTER PARK AND ROLLINS COLLEGE, DATED DECEMBER 16, 2011) TO BUILD 73 ADDITIONAL HOTEL ROOMS, 12,000 SQUARE FEET OF NEW SPA/HEALTH CLUB SPACE AND 2,140 SQUARE FEET OF ADDITIONAL MEETING SPACE/GALLERY, ADDED TO THE EXISTING ALFOND INN AT 300 East NEW ENGLAND AVENUE.

Planning Manager, Jeff Briggs presented the staff report and explained that this Conditional Use request is for Phase 2 of the Alford Inn expansion pursuant to the Developer's Agreement that has been in place since December of 2011. The request is to build 73 additional hotel rooms, a 12,000 square foot spa/health club, and 2,140 square feet of new meeting/gallery space.

Mr. Briggs provided the board with a history of the property from the initial approval in 2001 of a hotel to replace the Langford, through the various permutations until the 2011 approvals that resulted in the Alford Inn, as it is known today. The important part is that this project is within the entitlements previously granted.

Mr. Briggs explained that the Alford Inn expansion takes place on top of the existing surface parking lot on the east side of the current hotel. The hotel addition is maintaining the same five stories in height as the current Alford Inn. The proposed building height is 59 feet to the roof elevation and 69 feet to the top of the roof elements, same as the existing heights. In all the previous hotel plans approved by the City since August, 2001, the building height, permitted was up to 75 feet with an additional 5 feet for parapet walls. The proposed hotel then is within that allowance.

This Alford Inn expansion meets the existing R-4 compliant front setbacks of 20 feet from New England and Lyman Avenues, as well as the 20 foot setback from the eastern (Library) side. It meets the R-4 impervious coverage code maximum of 85%, building lot coverage and FAR. Storm water retention and treatment already exists on-site. This Hotel expansion occurs on top of the existing parking lot so there is no new added impervious coverage to the site.

Mr. Briggs reviewed the parking allocation and parking management plan, City parking enforcement, existing parking for the library and construction parking.

Mr. Briggs summarized by stating that the City has been fortunate to have Rollins College as the "owner/developer" of the Alford Inn. The quality of the Hotel and of the operations have been a great reflection on the College and the City. The Alford Inn has been a boost to the economy of the City and of the Central Business District/Park Avenue area that has resulted from this quality hotel bringing a steady stream of guests/visitors with disposable income to spend during their stay in the City. This expansion is proposed to meet the demand for Hotel stays. The expansion is within the entitlement of the Development Agreement and in conformance with the R-4 Code, including meeting the City's parking code requirements.

Mr. Briggs concluded that the staff recommendation was for approval of the Alford Inn expansion, as presented, with one condition:

1. That Rollins provide stickers and R-Cards that will allow 20 Library employees to park either in the new Ollie garage or in the SunTrust garage, until such time as the new Library is completed.

Sam Stark, Chief Marketing and Community Relations Officer at Rollins College represented the Applicant. He remarked that the expansion of the Alford Inn will help Rollins continue to offer the students to attend Rollins College through the Alford scholarship program.

Architect, Tim Baker of Baker Barrios, 189 S Orange Ave #1700, Orlando, FL gave a presentation outlining the Developer's Agreement from Phase 1 in 2001 to the proposed plans for Phase 2 of the Alford expansion. He discussed the valet parking route, the new lobby expansion and new spa and meeting space areas. In addition, Mr. Baker reviewed project design concepts, landscaping.

Attorney Rebecca Wilson of Lowndes, Drosdcik, Doster, Kantor & Reed, 215 N. Eola Drive, Orlando, Florida, represented the Applicant. She answered questions from the Board related to the parking agreement that Rollins has with All Saints Church of Winter Park. Mrs. Wilson reviewed the Developer's Agreement slide in the presentation. She noted that based on the Developer's Agreement, the Alford is not using its maximum entitlements, the Alford will still have 65 rooms remaining under the agreement with the City, along with just over 5,000 square feet of ballroom and banquet space and the Alford is staying under the height maximums.

Mrs. Wilson reminded the Board that as part of the Development Agreement, Rollins College committed to continue to own the property until at least 2037. She stated that it is a unique commitment that the college made, that they are not building this for profit, they continue to own and operate it for the benefit of the college and scholarships. Mrs. Wilson reviewed code required parking. She stated that the existing required parking for the Alford of 235 parking spaces, with the proposed Alford code requirement of 127 spaces with 28 of those spaces provided on-site, the applicant is able to provide 334 spaces in Sun Trust. She remarked that the current trend that hotels are seeing in relation to meetings and events in banquet halls is that the demand for parking spaces has decreased. She stated that the applicant is not asking for a waiver or variance with their Conditional Use request as the project meets the requirements. She stated that from a practical standpoint, now that the hotel has been open and operating for 5 years and in the evening and overnight there are approximately 70 cars and 55 cars when just the bar and restaurant is being used. When there are events, the peak number of cars has been 125-150. She remarked that nowadays people are using Uber and Lyft more than driving themselves or using valet services and based on that trend, the applicant is comfortable that the Alford will provide sufficient parking for continued operations with the 362 spaces provided with the expansion. Mrs. Wilson closed by stating that Mike Zimmerman was present to answer any questions related to parking and that she would like an opportunity to respond to any questions or concerns from the public, if needed.

Mike Zimmerman, Vice President of Development with Olympia Companies, who manages the Alford Inn, answered questions from the board related to overnight parking usage and how it correlates to the parking demand of the hotel.

The Board heard public comment from Betsy Gardner-Eckbert, 541 Fairfax Avenue. Mrs. Eckbert explained that she was addressing the Board in her capacity as CEO of the Winter Park Chamber of Commerce and was speaking as a representative of the Chamber of Commerce Board. Mrs. Eckbert stated that the Chamber of Commerce enthusiastically supports the project.

The Board also heard public comment in support from Matt Williams, 1441 Place Picardi, Winter Park, FL; Blair Cox, 2832 Rapidan Trail, Winter Park, FL; Sigrid Teidtke, 1760 Gaines Way, Winter Park, FL and Bob Pointer, 1540 Grove Terrace, Winter Park, FL. The residents were all in favor of the expansion and felt that the additions will be a welcomed benefit to Winter Park.

No one else wished to speak. The public hearing was closed. The Board agreed with Staff's recommendations.

Motion made by Sheila De Ciccop, seconded by Ray Waugh, for Conditional Use approval for Phase Two fo the Alford Inn (Pursuant to the developer's agreement, as amended between the City of Winter Park and Rollins College, dated December 16, 2011) with the following condition:

- 1. That Rollins provide stickers and R-Cards that will allow 20 Library employees to park either in the new Ollie garage or in the SunTrust garage, until such time as the new Library is completed.**

The motion carried with a 6-0 vote.

REQUEST OF LG WINTER PARK FAIRBANKS LLC FOR: CONDITIONAL USE APPROVAL FOR A NEW 2,430 SQUARE FOOT, 60 SEAT, WENDY'S RESTAURANT WITH A DRIVE-IN COMPONENT AND 8,240 SQUARE FEET OF ADDITIONAL RETAIL/OFFICE BUILDING SPACE AT 1308,1324,1350 WEST FAIRBANKS AVENUE ZONED C-3 AND O-1

Planning Manager Jeff Briggs presented the staff report and explained that the request is for Conditional Use approval to build a new 2,000 square foot, 60 seat Wendy's restaurant in conjunction with an adjoining 6,240 square foot retail building on the combined properties at 1308, 1324 and 1350 West Fairbanks Avenue. This is a Conditional Use because of the drive-thru component and per code; the Conditional Use applies to the entire project. He explained this property has split zoning in that the north half fronting on Fairbanks Avenue is zoned Commercial (C-3) and the south half fronting on Gene Street is zoned Office (O-1).

Mr. Briggs explained that a related request was made in September 2017 before P&Z that included a new Wendy's and free standing retail building on these same properties. In that case, the land use designations in the Comprehensive Plan and Zoning Map on the rear portion of the site needed to be amended from office to commercial due to the Wendy's layout extending over the south portion of the site. That request was recommended for denial by the P&Z Board due to concerns over those land use changes, the increased traffic, site design and non-compliance with the P&Z Board's desire for a unified building arrangement. The applicant then subsequently withdrew that request.

This current request has been altered in two significant ways. One change is that all of the commercial activities on the site have been relocated to the northern portion of the site with only parking on the southern portion of the site thus negating the need for the southern portion to be re-designated from office to commercial. As a result, this current application only includes the Conditional Use request and not any land use changes.

The second important change is that the applicant has been able to redesign the building arrangement, eliminating two independent free standing buildings. Now the two buildings (Wendy's and Retail) are connected, which creates the visual appearance of a one building with a common architectural style having the Wendy's as an end cap.

He explained that the site plan layout depicts the Wendy's on the east side of the new development with the drive-thru lane and stacking along the rear or south side of the building. The outdoor patio seating area and roof forms the connection to the retail building on the western side. That retail building could have any combination of retail/salon/office tenants.

The 60 seat Wendy's requires 20 parking spaces per code (one space for each 3 seats). The retail or office parking requires 34 spaces based on one space for each 250 square feet. The parking lot design shows 57 total spaces which is 3 more parking spaces than required by code.

Mr. Briggs discussed the traffic impact of the project. He stated that the P&Z board may recall that there were several property owners along Gene Street that were in opposition to this project in February, 2017 due to the inevitable increase in traffic onto Gene Street from the Wendy's. Nothing

in the re-design has changed those impacts. Due to the heavy traffic volumes and speeds on Fairbanks Avenue, the proposed driveway is right turn in and right turn out to preclude dangerous left turns into or out of the site onto Fairbanks.

Mr. Briggs noted that the applicant also held a community meeting in January regarding this request. The City has heard mixed reactions following this meeting, and received a petition signed by the neighborhood.

He concluded by stating that the staff recommendation in 2011, was for denial of the adjacent McDonalds based on the added traffic impact. Thus, for consistency with the staff recommendation made for denial of the McDonald's in 2011 and based on the potential twelve-fold increase in traffic generation likely resultant from this conditional use, Mr. Briggs stated that the staff recommendation was for denial. He further explained that should the P&Z Board alternatively recommend approval, then staff would suggest the following conditions of approval:

1. That the approval is granted based upon the construction and extension of the Fairbanks Avenue median divider, so as to preclude the traffic safety hazards of left turning movements.
2. That the landscape plan be modified to include three oak street trees added to the Gene Street frontage.
3. That Wendy's new pylon ground sign be limited to the same 30 sq. ft. size as the McDonalds. Also that the retail building monument sign be limited to the same 30 sq. ft.
4. That the two building components share a commonality of architectural style, materials and coloration and that the Wendy's icon wall and the retail tower element both be finished with red glazed brick and that the base materials of the two buildings be the same.

Mr. Briggs answered questions from the Board regarding future use of the retail portion of the building, hours of operation of the Wendy's and traffic generation.

Attorney Tara Tedrow of Lowndes, Drosdcik, Doster, Kantor & Reed, 215 N. Eola Drive, Orlando, Florida, represented the Applicant. She provided a presentation defining the overview of the project explaining that the property is 1.52 acres total with the north half of property fronting on Fairbanks Avenue which is zoned Commercial (C-3) with a Commercial FLU designation. The south half of the property is fronting on Gene Street is zoned Office (O-1) with an Office Professional Future Land Use designation. She stated that the request is a final Conditional Use approval and they applicant has submitted fully engineered site plans and landscape plans which have been approved by the City's Urban Forestry director.

Ms. Tedrow reiterated that the applicant is requesting to build a new 2,000 square foot, 60 seat Wendy's restaurant in conjunction with an adjoining 6,240 square foot retail building Restaurant and retail uses are permitted by right, but the drive-thru component requires a Conditional Use Approval. She provided images showing that the location is a heavy commercial corridor and discussed the existing site conditions and access points as they relate to Fairbanks Avenue and Gene Street.

Ms. Tedrow explained that the original request in September of 2017 contained a CUP, rezoning and FLU, but the applicant has made significant changes to the plans since that initial project was reviewed which Staff has recognized in their report.

The project layout was redesigned to eliminate the need to amend the Comprehensive Plan Future Land Use designations as well as to eliminate the need to amend the Zoning Map. The building

program was redesigned to create the image of a unified building project with the Wendy's as the end cap, per the policy direction of the Comprehensive Plan and the desire previously expressed by Planning & Zoning.

Ms. Tedrow noted that the applicant held a voluntary community meeting on January 16, 2019 to obtain feedback from the neighbors. She remarked that they applicant did not receive any negative feedback about the design or the architecture. She stated that the concerns were related to traffic and the extension of the median.

Ms. Tedrow remarked that the request is for Conditional Use approval for a drive-thru restaurant and provided slides outlining the concept plan. She noted that along Shoreview, the applicant is adding a new sidewalk connection point, which will be a 6-foot wide sidewalk along Shoreview and an 8-foot sidewalk along Fairbanks Avenue, as well as upgrading the 5-foot wide sidewalk along Gene Street. There are 3 access points which all meet the code.

Ms. Tedrow presented the concept plan that showed the stacking of the cars. She stated that their director of development, who oversees all of their Florida operations, remarked that typically there are not more than 10 cars stacking at a time during peak hours. She provided an image showing 10 cars stacking and stated that while driving along Fairbanks Avenue, the stacked cars at Wendy's would likely go unnoticed because you cannot see them the way you can see them stacked at the neighboring McDonald's. She stated that the applicant has provided sufficient room for the cars going through the drive-thru.

Ms. Tedrow provided a code comparison slide showing the required parking space, building height and setback requirements versus what is being proposed by the applicant. She reviewed the landscape plan and landscape buffers as well as a comparison of the McDonald's drive-thru component versus the Wendy's drive-thru component. She reviewed the project design and enhancements.

James Taylor of Kimley-Horn Associates, 189 South Orange Avenue, Orlando, FL, presented the traffic review. He reviewed the traffic impact analysis stating that the study was performed per City Land Development Code requirements. He stated that the scope expanded to address unique site conditions:

- Includes a midday peak hour operational analysis (in addition to required Daily and PM peak hour analyses)
- Collected data at McDonalds to determine trip generation and distribution and apply to this project
- Conducted detailed operational analysis along Shoreview Avenue from Fairbanks Avenue to Gene Street to include observations of traffic queue length and intersection delays to verify/calibrate analysis tools results

In addition, Mr. Taylor reviewed the analysis conclusions, safety conditions, responses to petitions from the neighbors, traffic generation clarifications and CUP code requirements on traffic.

Ms. Tedrow closed the applicant presentation by reviewing the criterial for the Conditional Use approval; she reviewed criteria related to Comprehensive Plan policies, Commercial District policies and Conditional Uses. She closed by reviewing conditions of approval suggested by Staff and asked for the opportunity to respond to any concerns expressed by the public.

Ms. Tedrow responded to questions from the Board.

The Board heard public comment in opposition of the project from: Carol Felsing, 1419 Gene Street, Winter Park, FL; Thomas Lamar 1370 Gene Street, Winter Park, FL; Julie Lllamar, 1370 Gene Street, Winter Park, FL; Mary Black, 1334 Dallas Avenue, Winter Park, FL and Nord Northam, 120 Broadview Avenue. The residents expressed concerns about the potential increase in traffic backing up onto Gene Street and Shoreview with the proposed project. There was also a concern related to debris and trash in the general areas adjacent to or down the road from the establishment.

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

The applicant responded to concerns raised by the P&Z Board and public related to traffic surrounding the site as well as the issue of trash and debris in common areas adjacent to the Wendy's. In depth discussion ensued with the P&Z Board.

Motion made by Owen Beitsch , seconded by Sheila De Ciccio, for Conditional Use approval for a new 2,000 square foot, 60 seat, Wendy's restaurant with a drive-in component and 8,240 square feet of additional retail/office building space at 1308, 1324 and 1350 West Fairbanks Avenue zoned (C-3) and (O-1) with the conditions set forth by Staff and the added condition that the applicant conduct regular on-site and off-site litter removal operations on a schedule submitted to and approved by the City.

The motion carried with a 5-1 vote, with Mr. Waugh voting for denial.

REQUEST OF CITY OF WINTER PARK FOR: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING ARTICLE IV OF CHAPTER 58 OF THE LAND DEVELOPMENT CODE CONCERNING SIGN REGULATIONS; PROVIDING FOR A NEW DEFINITION OF SNIPE SIGNAGE AND TEMPORARY SIGNAGE; PROVIDING FOR REVISED REGULATIONS RELATING TO TEMPORARY SIGNAGE INCLUDING DURATIONAL LIMITATIONS, SIZE LIMITATIONS, LOCATION REQUIREMENTS, AND COPY AREA LIMITATIONS; PROHIBITING HUMAN SIGNAGE.

Planning Director, Bronce Stephenson, summarized the request. He stated that this public hearing is to consider an Ordinance to amend the City sign code to revise the regulations and allowances for certain temporary signs. Part of the objective is to update the regulations based on recent court decisions and another is to make the regulations uniform for all types of temporary signs. He outlined the following changes:

1. Revises the definition of a temporary sign to apply to all types of temporary signs such as constructions signs, real estate signs, political campaign signs, etc. so that they are treated uniformly.
2. Clarifies the real estate and construction signage size allowance.
3. Removes the 45-day pre-election timeline that currently exists as election laws do not allow for the restriction of political signage a certain number of days prior to an election.
4. Modifies the size of most temporary signs including political signage, going from two (2) to four (4) square feet. Four square feet is the standard real estate and political signage size, and thus candidates do not need specialty signs to be ordered for the City.
5. Emphasizes that all types of temporary signage, including campaign signs cannot be placed in the public right-of-way and cannot be placed on a property without the consent of the owner or the tenant of the property. This section also states the normal practice that such illegally placed temporary signage shall be subject to removal.

6. Allows for one (1) 'free speech' sign that does not bear a commercial message to be placed on private property.

Mr. Stephenson stated that the staff recommendation is for approval of the proposed changes. He also stated that the staff received a letter from the Orlando Realtor Association with additional requested changes to the sign code. He stated that staff is not recommending to incorporate all of their changes.

Mr. Stephenson and City Attorney, Kurt Ardaman, responded to questions from the Board.

The Board heard public comment from Mr. Louis Nimkoff, 740 Williams Drive, Winter Park, FL.

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

Motion made by Ray Waugh, seconded by Adam Bert to approve the Ordinance to amend the sign code as recommended by staff with the exception of the changes to the permitted sizes of temporary and political signs.

The motion carried with a 5-0 vote.

Kim Breland, Recording Secretary