



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

**Regular Meeting
City Hall, Commission Chambers**

**April 2, 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, Owen Beitsch, Adam Bert, Laura Turner, Laura Walda and Raymond Waugh. Absent: Bob Hahn. Also Present: City Attorney Dan Langley. 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 Laura Turner, seconded by Laura Walda, to approve the March 5, 2019 meeting minutes. Motion carried with a 7-0 vote.

PUBLIC HEARINGS:

REQUEST OF Z PROPERTIES TO: AMEND THE "COMPREHENSIVE PLAN" FUTURE LAND USE MAP TO CHANGE FROM SINGLE FAMILY RESIDENTIAL TO A PARKING LOT FUTURE LAND USE DESIGNATION ON THE EASTERN 33 FEET OF THE STORM WATER RETENTION AREA SERVING ISRAEL SIMPSON COURT.

REQUEST OF Z PROPERTIES TO: AMEND THE OFFICIAL ZONING MAP TO CHANGE FROM SINGLE FAMILY RESIDENTIAL (R-1A) DISTRICT ZONING TO PARKING LOT (PL) DISTRICT ZONING ON THE EASTERN 33 FEET OF THE STORM WATER RETENTION AREA SERVING ISRAEL SIMPSON COURT.

Senior Planner, Allison McGillis, presented the staff report explaining that the item was a two-part request for a future land use amendment and rezoning for a portion of the property located off of Israel Simpson Court just west of Pennsylvania Avenue. The property is owned by the City of Winter Park and currently holds a storm water pond that captures the drainage from Israel Simpson Court. The Applicant, Z Properties, has entered into a long-term lease of the building to the east, fronting on Pennsylvania Avenue, which has a Masonic Lodge on the second floor and the first floor was the former Franks' Market, which will now be office space used by the Applicant.

The building was built in 1947 with no off-street parking. In order to add off-street parking, Z Properties made a request to the City Commission in January of 2019 to lease a portion of the City's pond property to construct 5 parking spaces to the east of the pond. As part of the lease of the 341 Pennsylvania Avenue property, the Applicant agreed to take over the maintenance of the existing pond. Mrs. McGillis provided slides showing the current state of the pond and the building at 341 Pennsylvania Avenue. She stated that the Applicant has agreed to renovate the entire building and also update the façade and landscaping which would be an aesthetic upgrade to the first floor. Mrs. McGillis presented the site plan for the two properties outlining the five parking spaces that will be constructed on the City's property. The Applicant will cover the cost of reshaping the existing pond to continue to capture the drainage from Israel Simpson Court as well as the added impervious area from the new five parking spaces. The Applicant will also provide a privacy

fence and landscaping to buffer the parking spaces from the adjacent residences to the north and south.

Mrs. McGillis stated that the City Commission conceptually agreed to the lease of this pond property, but in order to implement the lease which would change the east side of the property to a parking lot, future land use and rezoning is necessary as the area is zoned (R-1A) and commercial parking would not be allowed without the changes.

Staff Recommendation: While the cost savings to the City of \$750 annually is not significant, providing some off-street parking will be of benefit to free up on-street spaces for other users, such as customers of the Canopy Café. Staff has also been told that the applicant has talked to the one directly affected neighbor, who is in favor of this request, as long as there is a solid vinyl privacy fence on the common border between her property to screen the view of the cars. This requirement would be part of the lease agreement between the applicant and the city. Based on the benefits that this requests would provide, staff is recommending approval of this change to the Future Land Use Map and Zoning Map.

Mrs. McGillis responded to questions from the Board regarding procedures for the Applicant to hire a civil engineer to produce drainage plans and associated permit to accommodate the added impervious area as well as questions regarding feedback from the surrounding neighbors.

Applicant, Zane Williams, Z Properties, 1160 Mayfield Avenue, Winter Park, FL, addressed the Board. Mr. Williams reiterated that he has a long-term lease for the first floor of the property at 341 Pennsylvania Avenue. He stated that he has been working in conjunction with the lodge and felt that the added parking for his business and the rest of the lodge would be a good investment long term.

The Board heard public comment from Mary Daniels, 650 West Canton Avenue, Winter Park, FL. Mrs. Daniels expressed that while she doesn't object to the use of the land for added parking, her opposition is on principle to any R-1A district rezonings in the Hannibal Square neighborhood. She also expressed the necessity for buffer fencing to block view of the parking lot from her property.

No one else wished to speak. The Public Hearing was closed.

The Board agreed with Staff's recommendation and indicated that the land use changes were minimal, at only 33 feet, and would provide a benefit of parking needed in this area.

Motion made by Ray Waugh , seconded by Laura Turner, for approval to amend the "Comprehensive Plan" Future Land Use map to change from Single Family Residential to Parking Lot Future Land Use designation on the eastern 33 feet of the storm water retention area serving Israel Simpson Court.

The motion carried with a 7-0 vote.

Motion made by Ray Waugh, seconded by Laura Turner for approval to amend the Official Zoning Map for change from Single Family Residential (R-1A) district zoning to Parking Lot (PL) district zoning on the eastern 33 feet of the storm water retention area serving Israel Simpson Court.

The motion carried with a 7-0 vote.

REQUEST OF THE GLEN HAVEN CEMETERY TO: AMEND THE "ZONING REGULATIONS", IN THE PARKS AND RECREATION ZONING DISTRICT TO PROVIDE FOR A NEW CONDITIONAL USE ALLOWING FUNERAL SERVICE FACILITIES ON THE SAME PROPERTY AS A CEMETERY.
REQUEST OF THE GLEN HAVEN CEMETERY FOR: CONDITIONAL USE APPROVAL TO CONSTRUCT A NEW, TWO-STORY, 9,100 SQUARE FOOT BUILDING FOR CEMETERY BUSINESS OFFICES AND VISITATION AND FUNERAL SERVICES ON THE GLEN HAVEN CEMETERY PROPERTY ADRESSED AS 2300 TEMPLE DRIVE, ZONED PR.

Board member, Laura Walda, recused herself from this item.

Planning Manager, Jeff Briggs, presented the staff report explaining that the two-part request of Glen Haven Cemetery, 2300 Temple Drive is for an amendment the Parks and Recreation zoning code to allow funeral services in the parks and recreation zoning district, in addition to cemetery services as a Conditional Use. In addition, the applicant is requesting Conditional Use approval to construct a new two-story, 9,100 square foot building for the cemetery business offices use as well as funeral service and visitation facilities.

Mr. Briggs provided background on the cemetery, explaining that it is a 44 acre property that was developed some time in the 1950s and that the cemetery was in unincorporated Orange County before it was annexed into the City of Winter Park in 2001. Mr. Briggs explained that the applicant would like to remove the existing 4,500 sq. ft. building at the end of the drive and in the same location, construct a new two-story 9100 square foot office and funeral services building. In addition, the applicant is proposing to build an additional parking lot area to the south of the new building. Total parking would be 57 paved parking spaces. It was noted that the room where funeral services would be held would have a maximum capacity of about 100 people.

Mr. Briggs discussion issues related to traffic, storm water retention & drainage, waterline extension for fire hydrant installation and landscaping maintenance. With relation to landscaping maintenance, Mr. Briggs explained that the applicant has an existing monument sign in the median of Place Vendome street on the east side of Temple Drive. It is believed that years ago, Orange County allowed the applicant to place their private business sign in the public right-of-way and in return the cemetery agreed to maintain the landscaping along the median along Place Vendome. To date, no formal agreement has been discovered. The residents have asked for a better quality of maintenance for the landscaping surrounding the sign on the median. Thus, the City has proposed an agreement with Glen Haven to take over responsibility for the landscape maintenance for an annual fee. Glen Haven will also work with the City to improve the irrigation system prior to the transfer of the maintenance responsibility. In addition, Glen haven is willing to grant some desired storm water easements, as part of this request.

In terms of traffic impact, there are now approximately 1,500 cars a day on Place Vendome. The I.T.E. generation would average about 220 trips per day but some of that traffic already visits Glen Haven for burials and visitations.

Mr. Briggs summarized by stating that Staff Recommendation is for approval of both requests with the following conditions:

1. Incorporation of the Agreement regarding the sign, median maintenance (post irrigation upgrade) and 15-20 foot storm water easements, as described in the staff report,

2. The storm water retention improvements shall include a complete clearing and regarding of the existing storm water retention area in the southeast corner of the site and upgrade of the outfall structure.
3. Installation of a fire hydrant to provide the required coverage for the new building per current code.
4. Maintenance of the existing 25-foot wide landscape screen between all buildings and parking areas for the neighbors to the east.

Mr. Briggs answered questions from the Board regarding increased number of services and how that would affect traffic in the area.

James Johnston of Shutts & Bowen, LLP, 300 South Orange Avenue, Orlando, FL, represented the applicant. He addressed questions from the Board regarding anticipated increase in services per day. He stated that the cemetery has been in operation for 60 years and would like to offer on-site funeral services in addition to the burial and internment services that currently exist. He explained that in recent years the industry has moved toward funeral and burial services being offered in the same location. Mr. Johnston indicated that the new building would have a height of 40 feet to the top of the peaked roof. He reviewed the location of the new building proposed, setbacks, landscaping, hours of operation and traffic concerns. Mr. Johnston reiterated that the applicant will be working with the City to correct storm water retention issues and confirmed the agreement regarding the median landscaping between the applicant and the City. Mr. Johnston requested the opportunity to address any concerns from the public.

Mr. Johnston answered questions from the Board regarding existing traffic flow and projected traffic flow with the new services at the completion of the project. Mr. Johnston introduced the Funeral Director who responded to traffic questions and provided additional background on industry changes as they apply to the Conditional Use request to have services onsite. Discussion ensued.

The Board heard public comment from: Jason Johnson, 2431 Versailles Avenue, Winter Park, FL; Steven Reeves Valentine, 2343 Versailles Avenue, Winter Park, FL; Aaron Stearns, 2420 Versailles Avenue, Winter Park, FL; Scott Whitman, 1368 Place Vendome, Winter Park, FL; Marie Ciaravino, 2341 Chantilly Avenue, Winter Park, FL; Jim Ciaravino, 2341 Chantilly Avenue, Winter Park, FL; Mindy Teegarden, 1367 Place Vendome, Winter Park, FL; Samantha Starr, 2358 Versailles Avenue, Winter Park, FL; Karen Kaczmarek, 1443 Place Vendome, Winter Park, FL; Meredith Moody, 2435 Chantilly Avenue, Winter Park, FL; Devin Sylvester, 2400 Versailles Avenue, Winter Park, FL and Justin Ingram, 1305 Place Vendome, Winter Park, FL. The residents spoke in depth about increased traffic concerns and landscaping conditions on the perimeter of cemetery and in the street right-of-way median on Place Vendome. Their position was that they did not want any added traffic due to the many children in the neighborhood and absence of sidewalks.

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

Mr. Johnson addressed concerns from the public related to increased traffic, safety concerns and maintenance of the monument sign on the median at Place Vendome.

There was extensive discussion between the applicant, the P&Z Board and staff. Topics discussed were:

- Increased traffic and safety concerns, as to numbers and sidewalks.
- Number of increased vehicle trips through the area per day.

- Landscaping maintenance surrounding the monument sign on the median at Place Vendome.

The P&Z Board encouraged the residents to voice their concerns about sidewalks and pedestrian safety to the City Commission, as this request moves forward. Mr. Waugh noted that if Glen Haven had developed in the past, with single family homes versus as a cemetery, those homes would generate more traffic than the current cemetery and proposed funeral services will generate. The general consensus was that while this would increase traffic to a small degree, the P&Z Board did not feel that it was a significant adverse impact.

Motion made by Laura Turner, seconded by Ray Waugh, for approval to amend the "Zoning Regulations" in the Parks and Recreation Zoning District to provide for a new Conditional Use, allowing funeral service facilities on the same property as a cemetery.

The motion carried with a 5-1 vote. (Adam Bert voted in opposition to the request)

Motion made by Laura Turner, seconded by Ray Waugh for Conditional Use approval to construct a new, two-story, 9,100 square foot building for cemetery business offices and visitation and funeral services on the Glen Haven Cemetery property addressed as 2300 Temple Drive, Zoned (PR) with the following conditions:

- 1. Incorporation of the Agreement regarding the sign, median maintenance (post irrigation upgrade) and 15-20 foot storm water easements, as described in the staff report,**
- 2. The storm water retention improvements shall include a complete clearing and regarding of the existing storm water retention area in the southeast corner of the site and upgrade of the outfall structure.**
- 3. Installation of a fire hydrant to provide the required coverage for the new building per current code.**
- 4. Maintenance of the existing 25-foot wide landscape screen between all buildings and parking areas for the neighbors to the east.**
- 5. Funeral and visitation services will end by 8 p.m.**

The motion carried with a 5-1 vote. (Adam Bert voted in opposition to the request)

Respectfully,

Kim Breland
Recording Secretary