



Planning and Zoning Board Minutes

December 3, 2019 at 4:30 p.m.

City Hall, Commission Chambers
Regular Meeting

1. Call to Order:

Chairman Ross Johnston called the meeting to order at 4:30 p.m. in the Commission Chambers of City Hall. Present: Ross Johnston, Ray Waugh, Chuck Bell, Laura Turner, Christian Swann, Owen Beitsch, Adam Bert, and Laura Walda. Also Present: City Attorney Dan Langley. Staff: Planning Director, Bronce Stephenson; Principal Planner Jeff Briggs, Senior Planner Allison McGillis, and Recording Secretary Kim Breland.

2. Approval of Minutes:

Motion made by Ross Johnston, seconded by Laura Walda, to approve the November 5, 2019 meeting minutes with corrections. Motion carried unanimously with a 7-0 vote.

3. Public Hearings:

The following items were heard at 4:30 p.m.

- **SUB #19-18 Request of Lundev Homes For:** Subdivision approval to split the property at 1666 Chestnut Avenue into two, single-family lots. Each proposed lot meets or exceeds the R-1A zoning standards of 75-feet of lot width and 8,500 square feet of land area, so no variances are requested.

Principal Planner Jeff Briggs explained that the request was for a lot split on the property at 1666 Chestnut Avenue to divide the property into two single-family lots. He presented photos showing the location of the property at the corner of Chestnut Avenue and Phelps Avenue, which is, zoned R-1A.

Mr. Briggs explained that when new lots are created in R-1A zoning, the requirements include a 75-foot width for interior lots and 85-foot width for corner lots. The proposed lots meet code requirements, the proposed interior lot would be 9,750 square feet and the proposed corner lot would be 8,282 square feet which are both in excess of the 8,500 square foot code requirement and no variances were needed.

Mr. Briggs showed a map of the greater neighborhood and explained that in addition to looking at the zoning code requirements, Staff reviews comparable density lot sizes in the surrounding neighborhood, which includes a 500-foot radius of the property in the same zoning district. He explained that of the 101 homes in the neighborhood, with the same R-1A zoning, the median lot width was 75-feet which and the average lot area was approximately 9,900 square feet stated that both lot widths compared favorably in the neighborhood.

Mr. Briggs reminded the Board of a lot split request for the at 1691 Chestnut Avenue in July of 2019. He stated that the request included variances and did not have the support from the adjacent neighbor and the Board recommended denial for that request. He then reiterated that the current request did not have variances and provided the members with a petition of support from the ten adjacent neighbors including the neighbor that did not support the July 2019 lot split request.

Lastly, Mr. Briggs discussed the impact on neighbors and the street and explained that in the past, the P&Z Board has felt that two smaller homes are more compatible than one large home if the property was not split. He stated that property, as it was, could be used for a home up

to 7,000 square feet in size when split the square footage is less. Mr. Briggs explained that lot sizes change the floor area ratio, on larger lots; the FAR is 38% and 43% on smaller lots and by splitting the lot into two smaller lots, while the homes would be closer to the average on the street, they would produce an extra 1000 square feet of total home than if it were built as one property. He stated that the property owner across the street requested that the applicant keep the width at the 38% FAR so there would be no additional square footage.

Staff recommendation was for approval with the following conditions:

- 1. That the final front elevations of the homes be of varied architectural styles to each other to provide diversity to the neighborhood.**
- 2. That the new homes observe a maximum floor area ratio of 38%, as currently exists for the property.**

Board member Chuck Bell asked Staff about the architecture in elevations provided by the applicant. Mr. Bell stated that he felt the elevations varied in style and asked Mr. Briggs if he agreed. Mr. Briggs remarked that he did not agree and stated that there were a number of similarities between the two homes such as the garage doors, windows and porch column detail.

Applicant Brett Lundequam, 1577 Wilbhar Circle, Winter Park, FL, represented property owner Kelly Shirley. Mr. Lundequam noted that he believed the request met the zoning test requirements as presented by Staff. He stated that since the neighbor petition of support was handed out, the applicant had received additional support from other people in the neighborhood including the neighbor to the right that would be directly affected by changes to the FAR and setback. He noted that the home as it currently exists is 9.8 feet away from the property next door and the new home would be 11ft. He stated that the applicant is happy to change the architectural styles to accomplish diversity in the neighborhood.

Mr. Lundequam expressed challenges with the 38% FAR restriction and explained that the reduction took the ability to build a 3,750 square foot home down to 3,264 square foot home on the interior lot and the ability to build a 3,300 square foot home down to 2,900 square feet on the corner lot. He stated that the corner lot has design challenges being with being narrow in the back and wider in the front and adding the FAR reduction on to the other setback restrictions, caused an unfair burden on the value of the lot taking the equitable value down from a 75-foot lot to that of a 66-foot lot.

Mr. Lundequam stated that in the current study group there were eleven new home projects underway of four on 50-foot lots, six on lots between 60-feet and 75-feet and one home being built on a 100-foot lot. He stated that all of those homes are allowed to participate in the maximum FAR and from a builder's perspective, the reductions put the owner's lot price at an incomparable disadvantage.

Discussion ensued between the Board, Staff and the applicant regarding the FAR restriction for the property. Topics discussed were FAR maximums between lot sizes, plat sizes and comparable lot sizes of in the area.

Kelly Shirley, 1666 Chestnut Avenue, Winter Park, FL addressed the Board. Mr. Shirley explained that he was the owner of the property and provided a brief background of his life in Winter Park. He stated that he had been in contact with and shown the plans of the proposed homes to the neighbors and was met with support. He stated that the architect and builder went above and beyond to contact neighbors as well and thanked the Board for their consideration.

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

The Board discussed the request. There was a brief discussion regarding the maximum FAR criteria in residential zoning. It was stated that the proposed homes were in context with the neighborhood and a recommendation was made to remove condition #2 regarding FAR restrictions and approve the request.

Motion made by Ray Waugh, seconded by Laura, for subdivision approval to split the property at 1666 Chestnut Avenue into two, single-family lots. Each proposed lot meets or exceeds the R-1A zoning standards of 75-feet of lot width and 8,500 square feet of land area with the following condition:

1. That the final front elevations of the homes be of varied architectural styles to each other to provide diversity to the neighborhood

Motion carried unanimously with a 7-0 vote.

- **SPR #19-16 Request of Marc Hagle For:** Approval to construct a new, single-family home to be two stories with a basement totaling 40,093 square feet, single-family located at 916 Palmer Avenue on Lake Osceola, Zoned R-1AAA.

Board Member Laura Walda recused herself from this item due to a colleague from her law firm representing the applicant.

Senior Planner Allison McGillis explained that the item was a site plan request for 916 Palmer Avenue on located Lake Osceola. She stated that the applicant was requesting approval to build a new, two-story home with a basement of approximately 40,000 square feet. She noted that per code requirements, the basement did not count toward FAR (floor area ratio) calculations and in terms of FAR calculations, the home measured approximately 28,000 square feet with a FAR of 33%.

Mrs. McGillis went on to review the lakefront criteria:

With relation to tree preservation, since the lot had previously been developed with a home and had since been cleared for redevelopment, the applicant is not requesting to remove any protected trees and is protecting the Cypress and Oak trees near the lakefront.

With respect to stormwater retention, the applicant proposed swales throughout the lot that would meet code requirements.

In terms of lake views, the code states that the lakefront setback would be the average of the homes within 200-feet or 50-feet from the lake whichever is greater. Staff determined that the average lakefront setback was approximately 140-feet.

Mrs. McGillis stated that the applicant had requested the home be built at the 114-feet from the lake. She stated that due to the differences in the lot depths of the homes on either side to the west and east of the lot, the curvature of the lake, it did not appear that the proposed home would sit out in front of the neighboring homes. Mrs. McGillis mentioned that Staff met with the adjacent neighbors to discuss the applicant's request and the neighbors were not opposed to the home as presented at the 114-foot lakefront setback.

Mrs. McGillis noted that the applicant had also requested a variance to build a six-foot wall along the front of the lot, setback twenty feet from the front of the lot and continue along the western side of the lot to hide the garage and parking areas. Along the front of the lot, the applicant proposed to landscape with dense vegetation such as trees, hedges and shrubs to screen the wall, due to the location of the wall along the western property line, only the interior side would be landscaped.

Mrs. McGillis summarized by stating that Staff did not have a concern with the wall height variance along the front of the property since most of the homes along Palmer Avenue have such as vegetation and/or wall buffer. She noted however, that during the meeting with the adjacent neighbors, they were opposed to the wall height variance along the western property line. She concluded that Staff recommendation was for approval with the exception of the wall height variance along the western property line and proposed the applicant meet the code requirements.

Staff recommendation was for approval with the following condition:

- 1. That the wall height along the western property line within the front setback meet the code requirements of a three-foot maximum height with four-foot columns.**

Mrs. McGillis answered questions from the Board regarding lakefront setbacks. There was a discussion regarding the normal high water elevation line and setback calculations in relation to the site plan request. The Board expressed concerns that the applicant's drawings and setback calculations were not accurate.

Hal Kantor of Lowndes, Drosdick, Doster, Kantor & Reed, 215 N. Eola Drive, Orlando, FL, addressed the Board. He stated that he represented the applicant and introduced architect Chris Hite who would address lakefront setback questions.

Architect, Chris Hite of Dix-Hite, 150 W Jessup Avenue, Longwood, FL, addressed the Board. Ms. Hite explained that the 114-foot neighbor's building line was measured from lake edge up to the neighbor's line to the east, which showed 114-feet. She stated that the line was used to show where the home would encroach on that side. She stated that the proposed house wraps around and steps back on the western side and the drawing showed "worst case" on the eastern side.

An in-depth discussion ensued regarding the intent of the code and accuracy of the property and setback lines as depicted in drawings presented by the applicant.

In addition, Mr. Kantor stated that the applicant agreed with Staff recommendation and with the condition and the wall height variance was no longer requested.

The Board heard public comment from:

Deno Dikeou, 900 Palm Avenue, Winter Park, FL addressed the Board. Mr. Dikeou stated that he lived in the home directly adjacent to the applicant's property and would not be opposed to the six-foot wall if it were landscaped and recessed two-feet from the property line. He stated that he had an issue with the 24-foot encroachment requested by the applicant. Mr. Dikeou stated that when his home was built; he was not allowed any flexibility by the City with relation to setbacks and his home had to be built to code so as not to encroach. He stated that the 24-foot encroachment was huge and the sightline could be seen and would protrude quite a distance. He stated that he was asking for equal application of the standards to everybody, as was the case when his home was built.

Jerome Henin, 950 Palmer Avenue, Winter Park, FL addressed the Board and explained that he was the other adjacent property owner and stated that he did not feel he was given enough notice of the applicant's request to understand the impact the proposal would have on his property. He expressed concerns related to the wall height and lakefront variances and retention walls and stated that he had no issue with the tree preservation, but would like to see a landscape plan. With relation to the wall variance, Mr. Henin mentioned traffic safety concerns with blocked views of the street. Lastly, he noted that it was not his intent to slow down the applicant's project, but having never received any informed communication on the plan from the applicant; he could not make an informed determination of how it could affect his property and asked the Board to continue the item to provide time for everyone to make informed decisions.

Elizabeth Henin, 950 Palmer Avenue, Winter Park, FL, addressed the Board and stated that she was the wife of Mr. Jerome Henin. She reiterated Mr. Henin's concerns and requested the Board continue the item to allow more time to understand the impact the proposed home would have on their property. She remarked that her main concern was related to the screen wall height and not being able to see cars that may be speeding around the corner from the west along Palmer Avenue. Mrs. Henin explained that she would like to understand if the wall proposed by the applicant would block the sight of traffic when exiting her property.

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

The Board and Staff held an in-depth discussion regarding public notice requirements, the 114-foot lakefront setback and high-water mark calculations, views of neighbors and concerns expressed by the adjacent neighbors during public comment. The Board determined that more information was needed in order to move the request forward, citing issues related to setback calculations and lack of communication between the applicant and neighbors. The request was tabled to the January 7, 2020, Planning and Zoning meeting.

Motion made by Ray Waugh, seconded by, Chuck Bell to table the request of Marc Hagle to construct a new, single-family home to be two stories with a basement totaling 40,093 square feet, located at 916 Palmer Avenue on Lake Osceola, Zoned R-1AAA to the January 7, 2020 Planning and Zoning meeting.

The motion carried unanimously with a 6-1 vote. Board member Christian Swann voted against the motion to table the item.

The Board took a 20-minute recess. The following items were heard at 6:00 p.m.

- **CU #19-12 Request of the Edyth Bush Charitable Foundation For: Conditional Use approval to demolish their existing three-story building and rebuild a new, three-story, 19,602 square foot building at 199 E. Welbourne Avenue, Zoned C-2.**

Board Member Laura Walda recused herself from this item due to a colleague from her law firm representing the applicant.

Principal Planner Jeff Briggs asked the Board to disclose any conversations or meetings regarding the Edyth Bush Conditional Use request. There were no disclosures.

Mr. Briggs stated that the item was a request of the Edyth Bush Charitable Foundation for Conditional User approval to build a new, three-story building replacing the existing three-story building at 199 E. Welbourne Avenue. He explained that in the City's zoning code; when buildings larger than 10,000 square feet or have three-stories are built in the downtown area, require Conditional User approval from the Planning and Zoning Board and City Commission. Their property at the corner of Knowles and Welbourne is approximately 11,000 square feet in size and zoned C-2 would allow for a FAR (floor area ratio) up to 200% or 21,800 square feet to be built on the property, the existing three-story building is approximately 12,000 square feet in size. He then reviewed the City's method of calculating floor area ratio and explained that the actual usable floor area within the building walls is 16,955 square feet, with a FAR of 155% which is significantly less than the 200% FAR that would be allowed.

Mr. Briggs stated that in terms of code compliance, the proposed building met all code requirements including applicable setback and coverage requirements. He stated that the applicant would provide stormwater retention via underground exfiltration and in terms of traffic generation, there was a potential for 58 more trips over the current usage of the building. He stated that the proposed usage would be much less than what the building has done in the past. He explained that previously a dental office occupied the second floor with six employees as well as patients and a stamp shop with 12 employees and two small non-profit offices with 3 employees had previously occupied the third floor with 26 employees working in the building, less the number of employees working for Edyth Bush.

Mr. Briggs stated that the building will be three floors, the third floor will be occupied by five Edyth Bush Foundation employees, the second floor will be occupied by non-profit organizations with 5-6 employees and the first floor is intended for community space that would be open for other non-profits to use for events, meetings, etc.

Mr. Briggs briefly discussed parking demand and compatibility criteria for the area presented elevations of the proposed building.

Staff recommendation was for approval.

Mr. Briggs answered questions from the Board regarding double loaded parking spaces in the City.

David Odahowski, Edyth Bush Charitable Foundation, President & CEO, 119 E. Welbourne Avenue, Winter Park, addressed the Board. He introduced members of the Edyth Bush Charitable Foundation staff and gave a presentation of the history of the Bush family and their foundation's contributions to the Winter Park area and statewide.

Mr. Odahowski explained that their Board considered renovations to the existing building and potential sale and relocation elsewhere as there was no requirement in their Charter that the foundation must remain in Winter Park. He asked that the Board help the foundation to continue with their future important work in the heart of Winter Park with their historic civic investment in downtown Winter Park.

Attorney, Rebecca Wilson of Lowndes, Drosdick, Doster, Kantor & Reed, 215 N. Eola Drive, Orlando, FL, represented that applicant. Mrs. Wilson gave a brief overview of the project. She explained that the entrance to the existing building was located on Welbourne Avenue with 12 surface parking spaces along Knowles. She stated that Knowles was an uninspired street and the Foundation was hoping that by reorienting the building putting the surface spaces under the building and moving the entrance to Knowles will activate the street and other reinvestment on the street will make it pedestrian-oriented and less of a parking lot.

Mrs. Wilson showed renderings of the building with updated landscaping and stated that the first floor was intended to be an open gallery space where cultural and non-profits in Winter Park can display their endeavors, similar to the first floor at the Winter Park Welcome Center, but on a grander scale. She stated that there would be a receptionist and restrooms on the ground floor. She noted out that the Edyth Bush Foundation purchased the other floors and vacated the businesses in the existing building to attain control of the property. In addition, she noted that the building was included in the Central Business District parking exclusion area, "for whatever square footage you have and whatever parking you now have, you are vested for that ratio." The Foundation worked with their architect to accomplish the 11,660 square foot of net usable parking space. She stated that it was important to point out that the building could not be turned into space for lawyers, architects, etc. as Edyth Bush is a "not for profit" organization and could not lease to a "for-profit" business because it would jeopardize the tax status of the building resulting in large implications.

There were no questions for the applicant.

Genean McKinnon, 701 Via Bella Winter Park, FL, addressed the Board. She stated that she appreciated the contributions the Edyth Bush Foundation had made to the City of Winter Park and stated that she felt the project would make a great difference in opening up the area around Knowles Avenue. She asked the Board to support the Foundation's request.

Dan Cahill, 1640 Hillcrest Avenue, Winter Park, FL, addressed the Board. He stated that Edyth Bush was a great institution for the City of Winter Park and he was in support of the Foundation's request.

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

The Board agreed with Staff recommendation.

Motion made by Swann, seconded by, for Conditional Use approval to demolish the existing three-story building and rebuild a new, three-story, 19,602 square foot building at 199 E. Welbourne Avenue, Zoned C-2.

The motion carried unanimously with a 7-0 vote.

- CPA #19-04 Request of the City of Winter Park To: Amend Chapter 58, Land Development Code, Article I, “Comprehensive Plan” so as to adopt new Goals, Objectives, and Policies of the Future Land Use element to establish the Orange Avenue Overlay District.
- ZTA #19-05 Request of the City of Winter Park To: Amend Chapter 58 “Land Development Code”, Article III, “Zoning Regulations” so as to adopt a new zoning district Section 58-83 Overlay Districts (OD).

Planning Director Bronce Stephenson took a moment before his presentation to ask for a show of hands from the public attending the meeting if they had participated in any of the meetings conducted throughout the Orange Avenue Overlay process. A great number of hands were raised and Mr. Stephenson commended those persons for their participation. Mr. Stephenson then recognized the Orange Avenue Overlay Steering Committee members for their service contribution to the process as well as members of Staff for their involvement.

Mr. Stephenson stated that the Overlay Language and each new revision had been available for public review for months and focused his presentation on the work sessions and individual meetings with the Planning and Zoning board members. He stated that he wanted to focus on the process that had taken place over the last year. He noted that the process was not the result of a developer application or applications on file. Mr. Stephenson stated that the process was an initiative defined in the Comprehensive Plan and read the related policy:

Policy 1-2.4.14: Mixed Use Designation

Within one year from the adoption of this Comprehensive Plan, *the City will create a mixed use overlay or district for commercially designated parcels that would be intended to facilitate design and use flexibility to achieve pedestrian scale, innovative transit connectivity and maximizing open space within a commercially viable and architecturally desirable design...*

Mr. Stephenson stated that aside from the portion of the policy related to the one-year timeframe, the initiative had been accomplished. He stated that he was proud of the work that was achieved and explained that with the assistance of the Community, Staff was able to create a product designed by Winter Park that rather than using an outside consultant. He stated that the Overlay report contained approximately four pages of items from the Comprehensive Plan that directed the process such as increasing connectivity, creating architectural standards and removing inappropriate uses from the area.

Mr. Stephenson noted that another important directive was to create a gateway into Winter Park and stated that the Orange Avenue Overlay area had the potential to be a beautiful gateway into Winter Park and was kept at the forefront during the process. In addition, he stated that the Vision Winter Park process was at the front of every decision made and two of the Vision Winter Park committee members were members of the Orange Avenue Overlay Steering Committee. He reiterated that the Comprehensive Plan and Vision Winter Park were the guiding documents and principals used along with extensive input received throughout the process.

Mr. Stephenson stated that Orange Avenue had been a topic of discussion for many years with a number of studies and analyses performed but because no opportunities for redevelopment of the area stemmed from those studies, Staff decided to take a different direction with the process.

Mr. Stephenson stated that extensive and continued public input had been the backbone of the process and reviewed the numerous ways in which staff received information from the public:

Open Public Input Meetings, Orange Avenue Survey, Orange Avenue email address OrangeAve@cityofwinterpark.org for any and all public input, Individual Meetings, Orange

Avenue Overlay Steering Committee, meetings with EDAB, TAB, CRAAB, KWPB&S, P&Z and City Commission, Orange Avenue Walkshop and Citywide Public Notice and subsequent public hearings at Planning & Zoning and City Commission.

Mr. Stephenson explained that the Orange Avenue Overlay Steering Committee met every two weeks over the course of 6 months to discuss issues afflicting Orange Avenue Overlay. The Committee held panel discussions with neighboring residents, small-business owners, large land-owners and larger business owners in the area to discuss hear their concerns. In addition, the Committee reviewed extensive public input and worked to create solutions to the problems that have led to over a decade of economic stagnation and decline of the area. Mr. Stephenson presented a planning video that documented the public process and explained that throughout the process, there was a commitment to public involvement and education. He noted that by the time the Overlay process was complete, there would be 19 meetings where the public was invited to attend, provide input or ask questions. Additionally, two Planning & Zoning Board work sessions and two City Commission meetings will have been held and open for the public to attend.

In an effort to assist with any misinformation the public may have received about the process, Mr. Stephenson moved on to discuss the facts of the Overlay process:

- The Overlay process and subsequent language created were not related to any development applications, developer requests, or plans for development of any property.
- The Overlay process was the result of the adopted Comprehensive Plan, which called for the creation of a Mixed-Use Overlay District. The City Commission directed staff to pursue this Overlay Process.
- The language created was not created by developers. It was created by the Winter Park community.
- The primary objective has been to solve the issues that have led to over a decade of economic stagnation. The protection and creation of redevelopment opportunities of small businesses have been at the forefront of this process
- Currently, the Overlay Area has approximately 1,100 units that are allowed by right. If the Overlay was approved, there would be the same number of units.
- With the Overlay District, there would be no more dwelling units created. There is no increase in gross density in the area.
- Despite what had been reported, the small-scale character of Orange Avenue has been promoted and protected throughout the process to the highest extent possible.
- Additional entitlements of square footage must be earned by new development. The way to earn the additional entitlements is through the construction of public improvements, park space improvements, trails and connectivity, more trees to increase the urban canopy, and other public improvements.
- Despite what had been misrepresented repeatedly through social media and mass email, the process was not hurried in any way. The City Commission was aware of the 12 month+ timeline and had been updated on the progress of the process twice a month in the City Commission packets.
- This process included several months of public input opportunities, public meetings, public input, neighborhood meetings, public presentations, educational videos and much more.
- This process is the culmination of more than 14 months of work by City staff, a Steering Committee and community input.

- Citywide Notice was sent to all Winter Park households. The Citywide notice has been in households for over a month and the information has been available for review and input throughout the process.
- There was no “push” to try to get this process done during the holidays and public hearings would be held by P&Z on December 3 and by the City Commission on January 13, 2020.

Mr. Stephenson provided information on the upcoming Orange Avenue Overlay meeting schedule.

- On December 18, 2019, staff would hold a public information meeting in the lobby of the Gateway Plaza building at 1201 Orlando Ave for property owners within the Orange Avenue Overlay area. Notice was sent to all property owners within the Overlay District and the public is welcome to attend as well.
- On December 21, 2019, staff will have a booth at the Winter Park Farmers Market to be available to discuss the Orange Avenue Overlay District with anyone who has questions, concerns or suggestions. Staff will at the booth from 7AM until 1PM.
- P&Z Public Hearing December 3, 2019.
- City Commission Public Hearing January 13, 2020.

Mr. Stephenson stated that at their 12th and final meeting on November 13, 2019, The Orange Avenue Steering Committee voted 8-2 to recommend approval of the Orange Avenue Overlay District.

Mr. Stephenson noted that the issues that the Steering Committee members did not agree on were whether or not Progress Point should be developed, at what scale or whether the area should be made into a park, and what other opportunities could be explored for the property. Additionally, one Committee member did not agree with some of the language in the Overlay document and felt it did not fit with some of the guiding documents that were a part of the process.

Mr. Stephenson stated that Staff recommendation was for approval of the Ordinances to create the Orange Avenue Overlay District and to amend the Comprehensive Plan to reflect the language of the Orange Avenue Overlay District.

There were no questions for Staff. The Board opened the floor for public comment.

The Board heard public comment from:

Steve Goldman, 2009 Venetian Way, Winter Park, FL addressed the Board and stated that he was representing the views for the Winter Park Land Trust. He commended Mr. Stephenson’s efforts with the process and stated that it was important to have strong community support with the process. He talked about the importance of green space for the area and the need for an inviting entrance to Mead Garden.

Sheila De Ciccio, 1630 Laurel Road, Winter Park, FL addressed the Board. She explained that she was a member of the Orange Avenue Overlay Steering Committee and noted concerns related to the Progress Point property. She discussed concerns related to the maximum height requirement and increased traffic. Additionally, Mrs. De Ciccio stated that she felt the City should not sell Progress Point, but find a use for the property that would benefit the residents of Winter Park such as a theater district or food court.

Phil Anderson, 1621 Roudelay Lane, Winter Park, FL addressed the Board. He urged the Board to delay the vote on the Ordinance and discussed concerns related to parking deficit, stormwater treatment, traffic safety, loss of on-street parking. Additionally, Mr. Anderson felt that the best use of Progress Point would be to solve parking and stormwater needs for businesses in the area.

Lamont Garber, 1071 Lakeview Drive, Winter Park, FL addressed the Board and explained that he was a member of the Orange Avenue Overlay Steering Committee and that throughout the meetings, the Committee members did a lot of due diligence and took the time to understand concerns of the area. Mr. Garber talked about the benefit the Overlay would have on the area by enlisting the help of the three major landowners to provide infrastructure solutions for the area such as drainage, parking, right of ways, and most importantly, improvements the obsolete structures along Orange Avenue.

Bill Segal, 1820 Windsor Drive, Winter Park, FL, addressed the Board and explained that he was a member of the Orange Avenue Overlay Steering Committee. He talked about his experiences driving on Orange Avenue over the years and recounted the lack of life or vibrancy in the area. Mr. Segal stated that he was thrilled about the effort to rehabilitate the area and explained that the Committee received a great amount of public input throughout the process. He stated that he was happy about the new walkway into Mead Garden, the addition of walk/bike paths and most importantly, the opportunities the Overlay would allow the small business owners to improve their properties and stated that he felt the document had great balance. Lastly, Mr. Segal stated the need for the Board and City Commission to take an in-depth look at the Progress Point property.

Thomas A. Thomas, 1302 Orange Avenue, Winter Park, FL addressed the Board stated that his office moved onto Orange Avenue in November of 1997 and talked about ongoing traffic issues in the area throughout the years. He stated that with the new process, he would like to see the parking issues resolved in the area and speed limits enforced.

Jennifer Crotty, 1152 Harmon Avenue, Winter Park, FL addressed the Board and stated that she was a small business owner in the area. She stated that after listening to the stories of other business owners in the area fighting to get issues resolved over the years, she believed the Overlay was the best solution for fixing the problems in the area and stated she was in favor of the Overlay.

Ruth Heine, 2358 Summerfield Road, Winter Park, FL recognized the time and effort the Committee put into preparing the proposal for submission to the Planning and Zoning Board and City Commission. Mrs. Heine expressed concerns related to traffic and stated that she would like to see Progress Point used as greenspace for the area. Additionally, Mrs. Heine stated that she would like to see renderings of what the area would look like with the changes in the Overlay and asked the Board to give the process more time.

Jill Hamilton Buss, 1935 Oakhurst Avenue, Winter Park, FL addressed the Board and stated that she was a member of the Orange Avenue Overlay Steering Committee as well as the Transportation Advisory Board. She read quotes related to walkability and transportation and explained that even though the transportation portion of the Overlay was set aside, much of what the Committee focused on was related to transportation, connectivity, pedestrian and bicyclist safety, widening of sidewalks, many things that make a place walkable and bikeable. She noted that throughout the process, the Committee met with residents, small and large business owners and she was very impressed with the amount of involvement from the community. She stated that she felt the entire process was well thought out and she was in favor of the Ordinance.

Cynthia Hasenau, 111 Longbranch Road, Winter Park, FL addressed the Board. Ms. Hasenau stated that she was the Executive Director of Mead Botanical Garden and stated that the Garden was in a public/private partnership with City. She stated that she had attended a number of meetings regarding the Overlay and was struck by the continued balance, openness, thoughtfulness and willingness to learn from the Committee members. She talked about greenspace, successful commerce for the area and connectivity and spoke in favor of the Ordinance.

David Daly, 1307 Lindenwood Lane, Winter Park, FL addressed the Board and expressed concerns related to existing traffic conditions and wondered what impact the Overlay would have on traffic in the area.

Bonnie Ferguson, 700 Melrose Avenue, Winter Park, FL addressed the Board. She stated that she's lived in Winter Park since 1960 and reiterated Mr. Daly's concerns regarding the impact the Overlay would have on traffic. Mrs. Ferguson also expressed concerns about stormwater retention and greenspace in the area. She stated that she believed in the process, appreciated all of the public input and effort made during the process and felt that Progress Point should remain a City-owned property.

Judith Meyers, PO Box 554, Winter Park, FL, addressed the Board and stated that she has been a resident of Winter Park since 1969. Ms. Meyers expressed concerns related to traffic conditions on Orange Avenue and throughout the City. She voiced concerns that the Overlay would add to the already poor traffic conditions and stated she was opposed to the Ordinance.

Wade Miller, 1520 Glencoe Road, Winter Park, FL, addressed the Board. He stated that he attended a number of the Orange Avenue Overlay Steering Committee meetings and stated that he was impressed by the process. He stated that if every task force could accomplish what the Steering Committee achieved on every project in the City, Winter Park would continue to be an incredible place and talked about the positive impact the Overlay would have on Winter Park. He stated that the process was a positive moment for Winter Park and he would like to see the process continue.

Jeanne Wall, 2110 Lake Drive, Winter Park, FL, addressed the Board. Mrs. Wall stated that she appreciated the time and effort of everyone involved in the process. She voiced concerns related to the increased traffic, parking, and maximum height requirements, signage and uses such as massage in the Overlay area. She asked that the Board delay voting on the Ordinance and take more time to review the process before moving forward.

Bart Johnson, 1214 Turner Road, Winter Park, FL addressed the Board and stated that he and his wife have lived in Winter Park for 30 years. Mr. Johnson commended the Committee and Staff for their efforts with the process. He stated that he read most of the documents related to the Overlay was largely in favor of the majority of what the Committee was trying to accomplish, such as placemaking, purpose and Vision themes. He conveyed concerns related to the impact the Overlay would have on already poor traffic conditions in the area and asked the Board to take those concerns into consideration.

Dr. Peter Lemiux, 5309 Cypress Reserve Place (business at 1185 Orange Avenue), Winter Park, FL, addressed the Board. Dr. Lemiux explained that he been a business owner on Orange Avenue for the past 30 years and enjoyed hearing the conversations regarding the potential improvements to Orange Avenue. He explained that his biggest concerns were related to parking and stormwater drainage. He stated that he was hopeful that the Progress Point property would be constructively utilized to solve the problems afflicting the area. He stated that the business owners are the fuel for the economy for Orange Avenue and he would hate to see changes that would prohibit the businesses from flourishing. Lastly, Dr. Lemieux thanked Staff and the Orange Avenue Overlay Steering Committee for listening to the concerns of the small business owner and stated he was in support of the Ordinance.

Jeffrey Blydenburgh, 204 Genius Drive, Winter Park, FL, addressed the Board. He thanked Staff and the Orange Avenue Overlay Steering Committee for their efforts and talked about the Vision Winter Park being a guiding document for the Orange Avenue Overlay process. He discussed the FAR requirements for the area and stated that the proposed scales were not densification for the area. Mr. Blydenburgh went on to state that he felt the Progress Point property should be used as an open space for the area. Lastly, he thanked the Committee and Staff for their hard work and asked the Board to support the Ordinance.

Leon Huffman, 350 Olulu Avenue, Winter Park, FL, addressed the Board. Mr. Huffman thanked Staff and the Committee for their participation in the process. He expressed concerns that the Orange Avenue Overlay Ordinance would change the scale, maximum height requirements and density restrictions that were adopted in the Comprehensive Plan in 2017 and asked the Board to consider those concerns.

Pat McDonald, 2348 Summerfield Road, Winter Park, FL, addressed the Board. She stated that the Orange Avenue Overlay was probably the most important decision Planning and Zoning would ever make for the City of Winter Park because the Overlay would serve as a model for all corridor redevelopment in the City. Ms. McDonald said that she and other citizens needed more time to read the Overlay document and asked the Board to delay their vote to give the citizens an opportunity to be fully informed about all aspects of the Orange Avenue Overlay and have all of their questions answered.

Mary R. Randall, 1000 S. Kentucky Avenue, Winter Park, FL, addressed the Board. Mrs. Randall expressed concerns results related to increased traffic and meeting notice requirements. She asked the Board to delay their vote and to consider those concerns.

Guy Colado, 327 Beloit Avenue, Winter Park, FL, addressed the Board. Mr. Collado stated that he was the developer and part-owner of one of the properties within the Overlay. He voiced issues related to garage FAR and building height requirements and that Staff and the Board address his concerns.

Bill Sullivan, 1362 Richmond Road, Winter Park, FL, addressed the Board and explained that he was a member of the Orange Avenue Overlay Steering Committee, had been a member of Vision Winter Park and was a current business owner on Orange Avenue. Mr. Sullivan explained how the Committee addressed issues related to parking and stormwater drainage issues and expressed concern that if the process were delayed the area would continue to suffer from blight.

Michael "Micky" Grindstaff, 300 S. Orange Avenue, Winter Park, FL, addressed the Board on behalf of Demetree Global, which owns the gateway parcels at 17-92, and Orange Avenue and is also a 19 year resident of Winter Park. Mr. Grindstaff stated that Demetree Global was very much in favor of the Overlay and asked the Board to consider changing two sections of the Overlay language that related to the Demetree Global properties:

1. To move a piece of property in Area A to Area D due to common ownership
2. To adjust RailTrail sidewalk connection square footage numbers and language related to enhancement C.2.1.

John Beck, 451 N. Interlachen Avenue, Winter Park, FL, addressed the Board. Mr. Beck expressed concerns related to traffic, density, and accidents in the City. He stated that the Ordinance should be to put to a vote by the citizens of Winter Park.

Frank Hamner, 405 Balmoral Road, Winter Park, FL, addressed the Board and stated that he had been a resident for over 30 years and has represented the Holler Properties for over 20 years. Mr. Hamner stated that he attended all but two of the Orange Avenue Overlay Steering Committee meetings and commended Staff and the Committee members for their hard work. He talked about the unique structure of the Overlay process and discussed the in-depth effort made by Staff and the Committee to include public input. Mr. Hamner stated that any delay in moving the Ordinance forward to the City Commission would be a disservice to the amount of time the Committee had put into the process. He implored the Board to support the hard work of the committee and stated that it could not have been a better process.

Michelle Heatherly, 940 W. Canton Avenue, Winter Park, FL, addressed the Board and stated that she was a Winter Park resident as well as a representative of Demetree Global and commended Staff and the Committee for their investment of time and hard work on the Orange Avenue Overlay process. She stated that she was in agreement with Mr. Grindstaff and Mr.

Hamner that the process had been a very collaborative process with a lot of public input. Ms. Heatherly stated that the City has an opportunity to create a beautiful gateway entrance into Winter Park with a welcoming sense of arrival that would transform the entire corridor into a walkable vibrant thriving place full of activity for residents, businesses and visitors. She stated that she had attended all of the Orange Avenue Overlay Steering Committee meetings, walkshop, public input meetings and listened to various panels and felt that the Overlay provided an opportunity to help solve some of the problems in the Corridor including shared parking, stormwater retention and meaningful open space. Lastly, Ms. Heather stated that as a resident she excited for the Overlay and Demetree Global was in full support of the process.

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

The Board asked Mr. Stephenson to address concerns expressed during public comment. Mr. Stephenson thanked the community for their participation during the meeting and went on to address concerns voiced by the residents. Mr. Stephenson addressed concerns:

Progress Point - Mr. Stephenson explained that no applications have been received for any projects related to Project Point. The property is owned by the City and the City Commission will decide on development for the property.

Parking solutions - Mr. Stephenson stated that the Ordinance includes a detailed parking solution for the Orange Avenue Overlay area and reviewed the shared parking criteria.

Traffic Study - Mr. Stephenson stated that the Ordinance contains an extensive traffic study, which includes portions of the 17-92 traffic study and Orange Avenue west of 17-92 traffic, a study being discussed by DOT and noted that DOT was working on solutions for the intersection of 17-92 and Fairbanks Avenue, and Orange Avenue and Harmon Avenue.

Stormwater - Mr. Stephenson explained that a thorough analysis of the area had been conducted and briefly discussed explained the stormwater treatment plan.

Police Dept., Fire Dept., Public Works and Electric Utilities - Mr. Stephenson explained that all departments were involved with the process. He explained that Staff met with each department to discuss and ensure that each had the capacity to serve new development of varying scales.

Utility easement modification on the Rail Trail - Mr. Stephenson stated that the 20-foot easement was required for utilities and the best location for those easements was along the trail. He stated that certain utilities require separation from other utilities and explained that a 12-foot easement did not allow enough space for Fiber, Water, Electric and Sewer, etc., thus, a 20-foot easement was the minimum that should be allowed. Mr. Stephenson noted that Staff would be opposed to reducing the easement.

The Board asked Mr. Stephenson to address comments made by Mr. Colado that FAR allowances on the west side of Orange Avenue were different than the east side. Mr. Stephenson explained that the FAR allowances were the same on both sides of Orange Avenue; he explained that the FAR was the same for Area E, which is adjacent to 17-92. He explained that the difference on the West Side parking garages would count toward FAR because there was no shortage of parking on the west side of 17-92. He explained that parking was strategically placed in that area so that it did not encroach into residential neighborhoods.

An extensive discussion ensued regarding the 20-foot easement reduction request and Staff's opposition to the reduction. The Board and Staff discussed the current location of utilities, stormwater drainage at Palmetto Avenue and the Rail-Trail access easement, development incentives for people connections. The Board and Staff discussed the possibility of an alternative for the portion of the easement related to the property in Area D. Mr. Stephenson stated that the language that reads, "The trail shall be built along the entire property line adjacent to the rail" could be changed to "The trail shall extend the entire length of the property". Mr. Stephenson noted that a 12-foot trail should be the minimum constructed for a

striped trail with landscape buffers on either side. Mr. Stephenson stated that Staff would support P&Z in the reduction, but strongly request that the Board keep the width and location of the trail remain as outlined in the enhancement matrix.

Discussion ensued regarding shared parking-related and ULI (Urban Land Institute) standards. The Board asked Mr. Stephenson if the City had a recognized standard for shared parking relative to the ULI standard or another standard other than the term shared parking. Mr. Stephenson explained that the shared parking standard was adopted by the City along with the 750-foot walkshed and modified parking requirements for retail restaurant and office in the CBD (Central Business District), Park Avenue and Hannibal Square. He noted that at that time, the language only included properties directly fronting on Orange Avenue, but with the Ordinance language, the entire Overlay area would be included. He reiterated that the City uses ULI for shared parking analysis, as it is a nationally recognized standard.

Further discussion ensued regarding development intensity concerns reflected during public comment. The Board and Staff discussed Floor Area Ratio analysis for the Overlay area and the allowable square footage under the current zoning.

There were no further questions for Staff.

Board member Laura Turner thanked all of the committee members and staff for their participation in the process. She stated she was a professional planner by trade and education and outreach was an important component of what she does with public projects. She stated that the process was one of the most intense and collaborative efforts she'd seen urged fellow P&Z members to support the document, including changes made during the work session. She stated that and while there are some unanswered questions, the document provides the framework for the future land use component of the district.

Board member Adam Bert stated that he was in favor of the Ordinance. He stated that the Overlay area was stagnant and blighted and in the present economic climate, there was no reason for the area not to be productive. He noted concerns made by residents during public comment and stated that he felt overall, the Overlay would be a benefit to the residents and small businesses in the area as well as the entire City. He commended Mr. Stephenson for his efforts and dedication in the process and noted Mr. Stephenson's previous experience in creating an Overlay district in the Red Bud District of Owasso, Oklahoma.

Board member Chuck Bell stated that he has been a planner for 40 years and worked all over the world. He stated that the self-initiated planning process is rare and should be a model going forward in the City. He stated that normally an outside consultant would be brought in to create the processes developed by the Committee and Staff. He reiterated that the document was a framework that progressively looks at zoning in a way that is much more thought out in order to guide the vision of what the area should be. He commended Staff and the Committee for their efforts with the process and supports the Ordinance.

Board member Dr. Owen Beitsch stated that he also was a professional planner. He commended Staff and the Committee for their accomplishment with the process. He stated that the word framework was very important, as there were suggestions that the Planning and Zoning board attempted to put into a broader set of changes. He stated that because it was a framework some things would not work exactly as drafted and it should be expected that the Ordinance would change over time. He talked about the lack of functionality in the area in its current condition and stated that the changes outlined in the Ordinance were significant enough that the benefits outweigh any shortfalls. He stated that he was in support of the Ordinance and urged his fellow board members to support it as well.

Vice-chair Ray Waugh echoed his fellow board members' sentiments and noted the efforts made with the process had been thoughtful and very thorough. He addressed issues related to stormwater retention, traffic and the walkshed radius. He talked about connectivity, nodes of

development and shared parking benefits that would be achieved with the framework created from the Ordinance. Mr. Waugh addressed parking study concerns for the area and stated that every development application would go through the same process and the Ordinance is the framework of the Overlay which would allow those applications to get into the process.

Board member Laura Walda stated that it had been a great experience to be a part of the process and to see how serious everyone on the Committee had taken their roles and provided a diverse array of opinions. She stated that the Committee had come up with a product that created the best framework that could be put together and she was pleased to be a part of the project.

Board member Christian Swann stated that an Overlay was by no way an entitlement of any kind and stated that each project submitted would be scrutinized. He stated that the document served as a great balance of progressive and exciting new development over time, but maintaining the ambiance that one feels when arriving in Winter Park. He stated that as a resident, he felt the Ordinance would be a great basis and could be replicated in different corridors throughout Winter Park and Greater Orlando. He urged his fellow board members to support and motion to approve the Ordinance.

Chairman Johnston stated that he was a businessperson who focused on profit and loss. He stated that he believed the public/private partnership that would be put in place would allow the free market to step in and invest capital and assume the risk that the government could not. He talked about the lack of development along Orange Avenue and the Progress Point property and stated that there was a need for the private development market to work with the City to improve conditions in the area. Mr. Johnston stated that the Ordinance was a framework to guide development and felt the Ordinance should be moved on to the City Commission.

Motion made by Adam Bert, seconded by Laura Turner to approve CPA #19-04 Request of the City of Winter Park to amend Chapter 58, Land Development Code, Article I, “Comprehensive Plan” so as to adopt new Goals, Objectives, and Policies of the Future Land Use element to establish the Orange Avenue Overlay District.

Motion carried unanimously with a 7-0 vote.

Motion made by Laura Turner, seconded by Owen Beitsch to approve ZTA #19-05 Request of the City of Winter Park to amend Chapter 58 “Land Development Code”, Article III, “Zoning Regulations” so as to adopt a new zoning district Section 58-83 Overlay Districts (OD) with the following amendments:

- 1. Page 17 - Meaningful Open Space: Modified changes to say, “Existing park space shall not count toward required open space” taking out references to sidewalk and potential rights-of-way as counting towards open space requirements.**
- 2. Page 21 - Variances: Add reference to variance criteria defined in other sections for the land development code, specify specific chapter in which variances are contained as was recommended by the City Attorney**
- 3. Page 31 - Road Closures remove the word “or”**
- 4. Page 36/37 - Enhancement Matrix - CT1 and CT2 Trail: Staff to modify language to allow trail to meander through property as long as it extends the entire length of the properties for future trail locations.**

Motion carried unanimously with a 7-0 vote.

4. New Business: None

5. Planning Director's Report: None

6. Board Update & Comments: None

Meeting adjourned at 9:20 p.m.

Respectfully,

Kim Breland, Recording Secretary