



Planning and Zoning Board Minutes

September 7, 2021 at 6:00 p.m.

401 S. Park Avenue | In-Person and Virtual | Winter Park, Florida

1. Present

Chairman Richard James called the meeting to order at 6:01 p.m. Present: Jim Fitch, Richard James, Michael Spencer, Melissa Vickers, Alex Stringfellow, and Vashon Sarkisian. Absent: David Bornstein. Also Present: City Attorney Dan Langley. Staff: Director of Planning and Transportation Bronce Stephenson, Principal Planner Jeff Briggs, Transportation Manager Sarah Walter, and Recording Secretary Kim Breland.

2. Approval of Minutes

Motion made by Alex Stringfellow, seconded by Vashon Sarkisian, to approve the August 3, 2021 meeting minutes.

Motion carried unanimously with a 6-0 vote. (David Bornstein was not present for the meeting.)

3. Guidelines and Best Practices for Meetings of the Planning and Zoning Board:

This item was postponed until the October 5, 2021 P&Z Regular Board Meeting.

4. Staff Updates:

Mr. Stephenson noted that he attended an American Planning Association conference in Miami, FL recently and completed some recruiting for the vacant Planner III position with the City.

5. Citizen Comments:

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

6. Public Hearing:

- SUB #21-06. Request of Ron Scarpa for: Subdivision approval to split the property at 1832 Pineview Circle, zoned R-1A into two single-family building lots.

Mr. Briggs provided the Board a brief summary of the SUB #21-06 request. He reviewed the zoning and subdivision code criteria pertaining to the request. He presented photos of the property and 29 letters from neighbors who have signed in favor of the request including granting of the requested variances. He noted that the property has just over 18,000 square feet of lot area, which follows R-1A zoning code requirements. Dividing the property in half creates two 61 foot wide lots in lieu of the required 75 feet per zoning code, which creates the need for a variance. Mr. Briggs reviewed compatibility of the request with the surrounding neighborhood standards and existing conditions. He noted that the lots would be narrower than the average 70 feet of the surrounding properties, but the house size that can be produced on the lots is more aligned with the neighborhood's average house size. Mr. Briggs presented the site plans and prospective elevations for the project. He advised that it is the general practice of the City staff not to recommend approval of subdivision lot dimension variances.

Staff recommendation was for denial due to the requested variances.

The Board inquired about the original plat split of the lot, any variances requested for setbacks, and the substandard lot to the north of the property.

The Board heard public comment from the following resident:

Chuck Valence with Valence Realty Group of 2700 Westhall Lane #133, Maitland, FL 32751 addressed the Board. Mr. Valence noted that he was the broker to the seller of the property. He expressed that the neighbors were heavily brought into the idea of improving the neighborhood and the size of the split lots would not be far off from the average size of the surrounding homes.

The Board expressed approval of the request due to the increased compatibility with the neighborhood by splitting the lot, the number of neighbors shown to not have any issues with the request, and that the proposed plans align well with the original plat. Mr. Fitch commended the developer of the project for the proposed side entry garages.

Motion made by Melissa Vickers, seconded by Alex Stringfellow, for subdivision approval to split the property at 1832 Pineview Circle, zoned R-1A into two single-family building lots.

Motion carried unanimously with a 6-0 vote. (David Bornstein was not present for the meeting.)

- CPA #21-06. Request of the City of Winter Park for: Consideration and appropriate action for the Ordinances to modify the Comprehensive Plan and to modify the Land Development Code to create a Zoning Overlay District known as the Orange Avenue Overlay (OAO).

Mr. Stephenson provided a detailed overview of the CPA #21-06 request. He explained that the current meeting would satisfy the Orange Avenue Overlay (OAO) required district public hearing in front of the local Planning Agency, which is the Planning and Zoning Board. He mentioned that notice had been sent to the homes of all property owners within the City limits more than 30 days prior to the meeting. Mr. Stephenson then went on to explain that it has been close to three years that the OAO has been under discussion. He expressed gratitude for all of the participants involved in the OAO, including current and former Planning and Zoning Board members and staff, the City's attorneys, the City Commission, and various people in the community.

Mr. Stephenson noted the following as the intent of the OAO:

- To create the next great "Place" in Winter Park.
- To solve the issues that have led to over a decade of economic stagnation.
- For protection and creation of redevelopment opportunities of small businesses.
- To utilize the investment of private property owners on larger tracts of land to benefit area businesses and the community as a whole.
- To do what the City said it would do per the Comprehensive Plan Policy 1-2.4.14: Mixed Use Designation. The policy states that within one year from the adoption of the Comprehensive Plan, the City will create a mixed use overlay 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 elaborated on the extensive public process and study portion of the development of the OAO. He explained that there had been almost three years of work sessions, regular meetings, public hearings, virtual charettes, opportunities for public input, and walkshops for people who wanted to be involved in and educated about the process as well as why the area has not developed and grown. He noted that the dedicated Steering Committee worked on the base of the OAO document and then guided public input. He also noted the numerous studies had been completed on traffic, economics, and massing as well as discussions with local stakeholders, including large and small property owners, regarding their concerns and vision for the area.

Mr. Stephenson presented a current OAO Future Land Use Map to the Board. He explained that the current step for the Board to take was to act on the Comprehensive Plan element and then have it sent to Tallahassee for the formal review process. The time for the review would allow the Planning and Zoning Board to look into the Land Development Code elements.

Mr. Stephenson pointed out that notes had been kept on the changes that had been discussed with the Planning and Zoning Board at previous meetings and work sessions.

City Attorney Langley inquired if Mr. Stephenson was requesting the Board to continue the Land Development regulation to a future meeting. Mr. Stephenson responded yes and to a date and time certain to be proposed for the October 5, 2021 regular Planning and Zoning Board meeting at 6:00pm.

Motion made by Richard James, seconded by Michael Spencer, to continue the agenda item topic of modifying the Land Development Code to the October 5, 2021 regular meeting of the Planning and Zoning Board.

Motion carried unanimously with a 6-0 vote. (David Bornstein was not present for the meeting.)

The Board heard public comment from the following resident:

Robert Ullberg of 636 Dunblane Drive, Winter Park, FL 32789 addressed the Board. He noted that he has a business at 1318 Palmetto Avenue, Winter Park, FL 32789. Mr. Ullberg expressed that he was pushing to keep the integrity and history of Palmetto Avenue and speaking for the small business owners with concerns about the proposed development plans. He inquired about what problems with the vision were expressed to the City by stakeholders.

The Board noted that the area is not currently being affected by the OAO. The Board also clarified that the OAO is meant to be more of a vision of what could happen in the area and there is a specific focus on keeping existing business to allow for quality development consistent with historic Winter Park.

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

Mr. Stephenson reviewed the following changes made to the OAO ordinance by the Planning and Zoning Board:

- grammar changes,
- detailed explanation regarding the intent of the OAO,
- inclusion of the area with single-family homes to the north of Jewett Orthopedic Institute in Subarea A,
- detail of standards policy language in the OAO,
- created consistency in the language for Subarea C regarding maximum residential uses,
- increased the maximum achievable floor area ratio (FAR) from 100% to 125% and changed the Residential Density increase for workforce housing from 10% to 20% for Subareas D, I, and J,
- added policy language regarding required meaningful open space per property acre,
- removed language regarding Parallel Orange Avenue Access,
- revised the language regarding the transportation and mobility fee,
- removed Appearance Review language,
- revised language for policy regarding Public Hearings for conditional uses,
- added language for workforce housing to the FAR policy for parking structures,
- and revised the language for the Block Structure policy.

The Board briefly discussed the following:

- clarification on the area north of Jewett Orthopedic Institute and a recommendation for it to become part of Subarea A,
- the numbers for Progress Point in Subarea C not completely reflecting their current status,
- and how parking garages work in FAR calculation and its evolution over time.

City Attorney Langley advised to reword the mobility fee section. Brief discussion ensued on the exact wording to use.

Chairman James called for a recess at 7:22 p.m. and reconvened the meeting at 7:34 p.m.

The Board heard public comment from the following residents:

Michael Perelman of 1010 Greentree Drive, Winter Park, FL 32789 addressed the Board. He expressed support for the majority of the OAO as an opportunity for the City but wanted to focus on Subarea C. Mr. Perelman disagreed with staff's guidance on leaving decisions on how to handle Progress Point to the City Commission, which he felt would be an abrogation of the responsibilities laid upon the Board

to provide recommendations on which the City Commission would opine. He informed the Board that a petition signed by 500 residents had been presented to the City Commission for a push for increased green space in the Progress Point area. Mr. Perelman expressed that the OAO ordinance as currently presented would overwhelm the proposed park and run against the publicly demonstrated desires for the area. He does not see any urgency to allow more building at this point. Mr. Perelman encouraged the Board to restrict the allowable building space to the provision of bathrooms, which he feels would maximize the potential green space and public usability.

Tracey Florio of 1250 S. Denning Drive, Unit 114, Winter Park, FL 32789 addressed the Board. She inquired about whether or not wider sidewalks, a bike route, and a central parking garage would be a part of the plan. She also inquired about the pedestrian friendliness of the project, the location of green space, how traffic will be routed, plans for pedestrian lights, the types of businesses tagged for the project, and the estimated time for the project to begin. Ms. Florio's overall concern was for pedestrian safety and the potential impact to traffic.

Trippe Cheek of 329 Park Avenue North, Winter Park, FL 32789 addressed the Board. He stated that he represented WP Station Tower LLC, WP Station LLC, Wintergate LLC, Palmetto Building 2019 LLC all owned by Demetree. Mr. Cheek expressed that he has general objections to the OAO and feels that the development restrictions unnecessarily burden the property owners and do not permit the development of commercially reasonable and economically feasible projects. He noted that there was ongoing litigation regarding property owners' rights under the original OAO that is still pending and that his clients reserve all rights. Mr. Cheek also noted that he has reached out to the City and suggested meeting to figure out the impacts and possible positive resolutions.

Frank Hamner of 405 Balmoral Road, Winter Park, FL 32789 addressed the Board. He stated that he represents the Holler family which are the owners of the Subarea J property, most of the Subarea B properties, and a significant number of the Subarea A properties through various entities. Mr. Hamner objected to the OAO proposal and expressed that if the OAO is passed, the area will still be the same years from now and would not solve any problems. He recommended that the Board choose a specific number on the residential units because using a percentage of units would make it difficult to find someone to build less than one percent of a unit.

Beth Hall of 516 Sylvan Drive, Winter Park, FL 32789 addressed the Board. She thanked the Board and staff for the dedication and hard work put into devising the overlay. She also inquired about the greenspace requirements for two acre properties as opposed to the original number of 1.5 acres and how the change in maximum FAR from 100% to 125% was decided.

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

Brief discussion ensued and the Board requested to be provided a checklist of transportation projects that are ongoing as the code is established for the Transportation Master Plan. The Board also inquired about a requirement of pervious and impervious ratio for all properties in the overlay. Mr. Stephenson noted that code requires 15% of a property to be pervious.

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 with the changes as outlined by the Planning and Zoning Board.

Brief discussion ensued with the Board regarding RFP and process requirements and addressing the FAR for Subarea C.

City Attorney Langley recommended the following proposed motion language:

- I move to recommend approval of the Orange Avenue Overlay Comprehensive Plan Amendment Ordinance subject to the revisions set forth in the red line of the Ordinance contained in the agenda package with the additional changes to the Multi-Modal Impact Fee Policy to be restated as follows:
 - Policy title: Multi-Modal Impact Fee
 - It is the intent of the City to establish a Multi-Modal Impact Fee or other funding mechanism requiring development projects to make a contribution towards the cost of

designing, engineering, permitting, and construction of transportation and mobility projects.

Motion made by Alex Stringfellow, seconded by Michael Spencer, for approval of the Orange Avenue Overlay Comprehensive Plan Amendment Ordinance subject to the revisions set forth in the red line of the Ordinance contained in the agenda package with the additional changes to the Multi-Modal Impact Fee Policy to be restated as follows:

- o Policy title: Multi-Modal Impact Fee
- o It is the intent of the City to establish a Multi-Modal Impact Fee or other funding mechanism requiring development projects to make a contribution towards the cost of designing, engineering, permitting, and construction of transportation and mobility projects.

Motion carried with a 6-0 vote. (David Bornstein was not present for the meeting.)

7. Board Update and Comments:

No Board updates or comments.

8. Upcoming Meeting Schedule:

The next regular meeting will be held on October 5, 2021 and the next work session will be on September 28, 2021

Adjourn

Meeting adjourned at 8:05 p.m.

Respectfully Submitted,

Mary Bush

Recording Secretary

Approved by Board on October 5, 2021.