CITY OF WINTER PARK
PLANNING AND ZONING BOARD

Staff Report
February 5, 2013

REQUEST OF LAKESIDE WINTER PARK LLC FOR: CONDITIONAL USE APPROVAL FOR APPROXIMATELY 36,000 SQUARE FEET OF RETAIL, RESTAURANT AND OFFICE ON THE PROPERTIES AT 111 AND 131 N. ORLANDO AVENUE, ZONED C-3.

This item is the continuation of the request by the Lakeside Winter Park LLC (UniCorp USA - contract purchasers) to redevelop the Adventist Health Systems properties at 111 & 131 N. Orlando Avenue on Lake Killarney. The request was tabled at the January 8th P&Z meeting. P&Z then held a work session including an on-site tour on January 23rd.

Generally the parameters of the project have not changed. It consists of approximately 36,000 square feet of one-story retail, restaurant and office/bank buildings. There are two site plan Options "A" and "B" for which the applicant would like the flexibility to choose between. The major only difference is the size of the proposed restaurant. In order to accommodate this project there are three Conditional Use approvals required (1) Project over 10,000 square feet; (2) drive-in tellers for branch bank and (3) restaurants with alcoholic sales within 300 feet of residential.

Site and Context: The "development parcel" is the combination of the properties at 111 N. Orlando Avenue (existing four story office) and 131 N. Orlando Avenue (former motel site) that are now under contract to the applicant. The project would demolish all the buildings and improvements for a complete redevelopment of the combined 3.86 acre site, which is zoned C-3. The combined properties have 430 feet of frontage on Orlando Avenue and on Lake Killarney. To the north is the Lake Killarney Condominiums (123 units) and to the south is the Hillstone/Houston's restaurant.

Current Development Request: The application package for "preliminary" conditional use approval includes the site plan, 3-D architectural perspective images of the building facades from the street and lakesides, conceptual landscape and storm water retention design and traffic impact report as required for the "preliminary" approval.

The project meets the requested C-3 development standards in terms of density and intensity but there are several variance requests that will be discussed individually. Based on the 3.86 acres, the project has a 20.1% building lot coverage and FAR (well within the 45% maximum FAR).

Building Heights: The proposed buildings are one-story but given the interior floor to ceiling heights desired and the parapets the heights generally compare to two-story buildings.. The north building will be 30' – 10" to the parapet and 34' – 6" to the roof peak. The south building will be 23' – 2" to the parapet and 31' -3" to the roof peaks. The architectural cupolas will be 39 feet in height. The height limit in the C-3 zoning is 55 feet which is the height of the existing office building on-site.

Architectural Elevations: The project elevations that have been provided to showcase the project depict an attractive retail and restaurant complex that will be a compliment to the area. There is ample articulation of the building facades and the many undulations help immensely to break up the exterior façade of the building.

The residents in the Lake Killarney condominiums that face this property have been concerned about the image of the rear wall/parapet of the north building that will face their units. While the City tries not to micro-manage projects, the final architectural design of the building facades will be very important at the "final" conditional use stage.

Tree Preservation: There are 61 existing trees on the site. The site plan indicates that the nine cypress trees along the lakefront (which are outside of the buildable area) will be preserved. The revised site also shows the preservation of the existing oak trees along the north boundary with the Lake Killarney condominiums in order to for those oak trees to serve as a visual buffer. The other 44 trees on site are proposed to be removed. All of the structures, paving, trees and landscaping in the buildable area of the property are proposed to be removed.

Staff had requested an effort to preserve some of the mature oak trees (3-4) up front on the site in the area near the main entrance. The revised site plan indicates "conceptually" that goal. (The Code automatically provides for a parking space variance up to five spaces for any loss of parking due to efforts to save significant trees). Staff is realistic in recognizing that the preservation of those oak trees may be difficult given the resultant landscape island size and all of the construction impacts. However, that design feature can be flushed out in more detail at the "final" conditional use stage.

The applicant has committed to a major landscape and tree replacement program so that this project does not just look like a typical shopping center parking lot. However, the variances requested to downsize the landscape islands will not create landscape islands large enough to support the mature growth of shade (oak) trees. So the landscape package internally will likely be understory trees or palm trees. As long as everyone's expectations are for the look of major palm tree canopy, etc. versus oak or other shade trees, then no one will be disappointed with the tree replacements in the landscape plan at the "final" conditional use stage.

Variance Requests: The variances requested relate to three elements involving a lakefront setback variance, a parking variance and the relaxation of the landscape standards within the new parking lot. The two of most concern are:

1. Lakefront Setback Variance: The city code requires a 75 foot lakefront setback. Single family homes can be located at a 50 foot setback but multi-family or commercial buildings (because they are much larger buildings) must adhere to a 75 foot setback. The staff's original concern for this lakefront setback variance were based upon the existing setbacks of the Lake Killarney Condominiums (85 feet) and the Hillstone/Houston's restaurant (100 feet) and the potential to impair the traditional lake views from the Lake Killarney Condominiums and from the lakefront patio at Hillstone/Houston's. However, the revised site plans which "cut the corners" of the building appear to have overcome those issues. That appears to be a very nice solution that was worked out through this public hearing process.

2. Parking Variance: Restaurant parking is based on one space for each three seats. This is similar to that used by other cities. It in fact does not provide all the 'real world' parking that a successful restaurant needs, but is based on a 70% occupancy factor. Retail and office parking is based one space for each 250 sq. ft. of building area. The applicant has stated they would like to request a parking variance of 30 spaces.

   The proposed parking lot has 160 spaces. Both of the site plan Options "A" and "B" request parking variances to slightly different degrees based upon the variation in restaurant and retail/office space size.

   Option "A" with the restaurant of (4,500 sq. ft. & 200 seats - 150 inside and 50 outside) and 31,625 sq. ft. of retail/office space requires 192 spaces and thus needs a variance of 32 parking spaces.

   Option "B" with the restaurant of (7,500 sq. ft. & 265 seats - 215 inside and 50 outside) and 28,765 sq. ft. of retail/office space requires 203 spaces and thus needs a variance of 43 parking spaces.

   While it may seem counterintuitive that Option "B" might be better, Option "B" may allow a restriction to a dinner only restaurant. Quality restaurants like Hillstone have the same peak demands for parking at lunch as they do for dinner. The only difference is that the lunch peak is 12:00 noon to 1:30 pm and the dinner peak is 6:00 pm to 9:00 pm. So a dinner only restaurant would provide more daytime parking for everyone and then the ability at night when the bank and other retail/salon businesses are closed to use that parking and more effectively use it via valet parking to overcome the deficit.

Staff agrees with the applicant that there is some small amount of parking "float" between the various tenants and the ability of valet parking to maximize usage. However, if the "specialty" grocer is as popular as we expect, then the parking lot may have very little "float". The Winter Park Village has been the most celebrated redevelopment project in the City and the most criticized, only because of the lack of parking. Staff does not want to make the same mistake again. So the staff is only comfortable recommending a parking variance of 20 spaces. However, if either Option includes the restriction (via development agreement) to a "dinner" only restaurant, then staff could support either variance requested.

Storm Water Retention: The site currently has storm water retention for the office building site that was developed in the mid-1980's but no retention for the old motel site where the rainfall runoff goes directly into Lake Killarney. The redevelopment of this property will retrofit the site to conform to the storm water retention requirements of the City and St. Johns River Water Management District. At this "preliminary" conditional use stage, the storm water design is conceptual via the narrative provided. At the "final" conditional use stage the design is complete. The area between the buildings and the lake is anticipated to be used for the storm water retention system. The plans commit to the preservation of the existing cypress trees on the lakefront at the same time there is urban streetscape being built to the lake's edge and construction of the storm water retention system. The detailed design and calculations are submitted at the "final" conditional use stage and the applicant is aware that the City Code prohibits any increase in the existing grades on the site above 2 feet.

Landscaping: Overall the impervious coverage of the site will be within the code maximum of 85%. A specific detailed landscape plan with types, sizes, quantities, etc. is reviewed at the "final" conditional use step.

Traffic Impact: The traffic generation from this project will increase daily traffic by 606 trips as compared to the previous uses. The added traffic will then be utilizing Orlando Avenue, a four lane arterial road and not impacting any residential streets with additional traffic. The project is using the existing traffic light entrance/exit and one additional entrance /exit to the north. FDOT is in charge of permitting for that additional entrance/exit to the north. FDOT may have concerns about left hand turns into the site with cars trying to use the same median land being used for left hand turn storage going onto Morse. Those are issues the developer will need to work out with FDOT.

Lake Killarney Condo Neighbor Concerns: For the January P&Z meeting, the City received 18 very similar emails from residents of the Lake Killarney Condominiums listing their concerns and conditions they desire. Their concerns are about providing a wall and tree buffer on the northern property that preserves the existing oak trees. They were concerned about the proposed 50 foot lakefront building setback blocking their views of the lake. They are also concerned about the nuisances of noise (at night from the construction and dumpsters) and from AC and mechanical equipment and live music.

Since the January P&Z meeting, the northern-most restaurant was eliminated which solves the problems of outdoor patio dining noise disturbing to the Lake Killarney Condo residents. The outdoor patio dining noise for the southern-most restaurant will be blocked by the northern building. The City will need to pay particular attention at the "final" conditional use stage top the design requirements for the AC and mechanical equipment and setting a decibel limit as a condition of approval. The City may need to hire an independent mechanical engineer to assist with this review.

Staff Summary: This project is a quality redevelopment and enhancement for this unique commercially zoned 3.86 acre lakefront location. It appears with the concessions and modifications made by the developer, that most of the issues from the January P&Z meeting have been resolved. That is exactly how this process is supposed to work.

There still are important conditions required to insure that this commercial project located next to 123 condominiums and about 200 -250 residents does not undermine the peaceful enjoyment that the residents have within their homes and that the project does not harm their property values.

Normally the "final" conditional use is perfunctory when just the final landscape, architectural and other engineering details are reviewed. However, in this case there are many "devils in the detail" matters that will be very important to review for the "final" conditional use. Amongst those are the potential location of a sanitary sewer lift station and how that will be screened and maintained. The grading plan including any fill to raise the site so that the storm water retention system functions, etc. will be important. Architectural plan details on the rear of the northern building and fencing between those properties. Plus, the AC and mechanical noise issues. There also is the interface with the Lakes and Waterways Board that has jurisdiction on the "final" plans for the seawalls, docks, boardwalks, hardscape, filling of the lake and excavation of the "stream" amenity.

The primary focus of this "preliminary" conditional use review is to determine the entitlements and variances. The outcome of the lakefront setback variance (50 feet in lieu of 75 feet); the parking variance (32-43 spaces) and the landscape island variances will determine the parking yield and thus the ultimate scale or entitlements for the project.

STAFF RECOMMENDATION IS FOR APPROVAL OF THE "PRELIMINARY" CONDITIONAL USE subject to the following conditions:

1. **That the project is limited to one restaurant located in the southern building and that no outdoor amplified musical entertainment is permitted after 10:00 pm.**
2. **That the parking variance be limited to 20 spaces unless the developer will commit via a development agreement to a "dinner" only restaurant.**
3. **That the shoreline alterations and improvements including any seawalls, docks, boardwalks, hardscape, filling of the lake and excavation of the**

"stream" amenity be approved by the Lakes and Waterways Board, as required by Code.

4. That the existing oak trees along the northern property line be preserved and that the developer add solid vinyl security fence between the properties including the radius fence beyond the end of the seawall.
5. That the "final" conditional use submittal attempt to preserve some of the oak trees at the project entrance.
6. That the "final" conditional use submittal address the specific design and sound containment of the AC and mechanical equipment for the northern building on all five tenant spaces.

VARIANCES FOR

LAKESIDE WINTER PARK

- **REDUCE THE LAKE SETBACK FROM 75' TO 50'**
  - This project will be an upscale retail/mixed-use development with heavy landscaping. The development will take advantage of the lake as an amenity allowing patrons to enjoy access to retail and restaurants from a proposed walk able boardwalk along the lake frontage. The proposed buildings need to abut the boardwalk to take advantage of the design amenity.
  - The 50' buffer width is in agreement with the code for residential uses.

- **MODIFY THE 30' LAKE BUFFER TO ALLOW BOARDWALK, HARDSCAPE & OUTDOOR PATIO**
  - The Lake edge is currently a retaining wall/sea wall. The developer proposes a walkable amenity along the Lake edge consisting of boardwalk, brick pavers, street furniture and hardscape.

- **MODIFY THE REQUIRED NUMBER OF PARKING SPACES FOR RESTAURANT USE FROM 1 SPACE / 3 SEATS TO 1 SPACE / 4.35 SEATS**
  - The total amount of restaurant space proposed is 6,000 s.f. Code parking for restaurants is based upon the number of seats. If the restaurants are evaluated on a per square foot basis, this ratio would be 19 spaces/1,000 s.f. This ratio greatly exceeds the typical parking ratio for restaurants in other adjacent municipalities.
  - The mixed-use nature of the project allows for a shared parking arrangement in that the retail and restaurant uses tend to peak at different times.

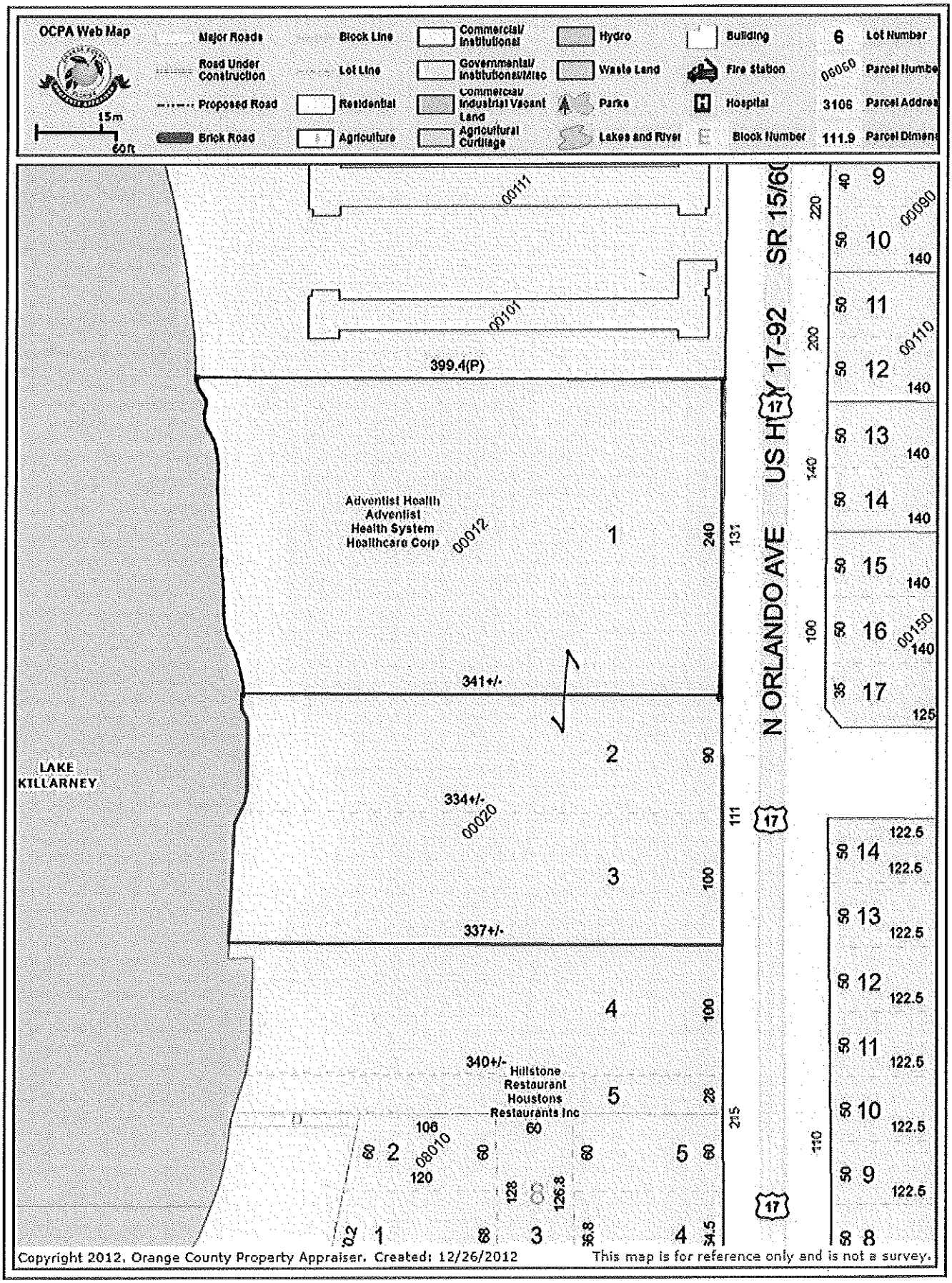
- **REDUCE THE WIDTH OF LANDSCAPE ISLANDS FROM 12' WIDE TO 7.5' WIDE AND ALLOW "DIAMOND" ISLANDS**
  - This project will be an upscale retail/mixed-use development with heavy landscaping. Other areas of the parking lot have been designed with islands and landscaping exceeding the landscape code.

- **ALLOW UP TO 13 PARKING SPACES IN A ROW WITHOUT AN ISLAND**
  - Code requires no more than 10 parking spaces in a row without an island.
  - This project will be an upscale retail/mixed-use development with heavy landscaping. Other areas of the parking lot which have been designed with islands and landscaping exceeding the landscape code.

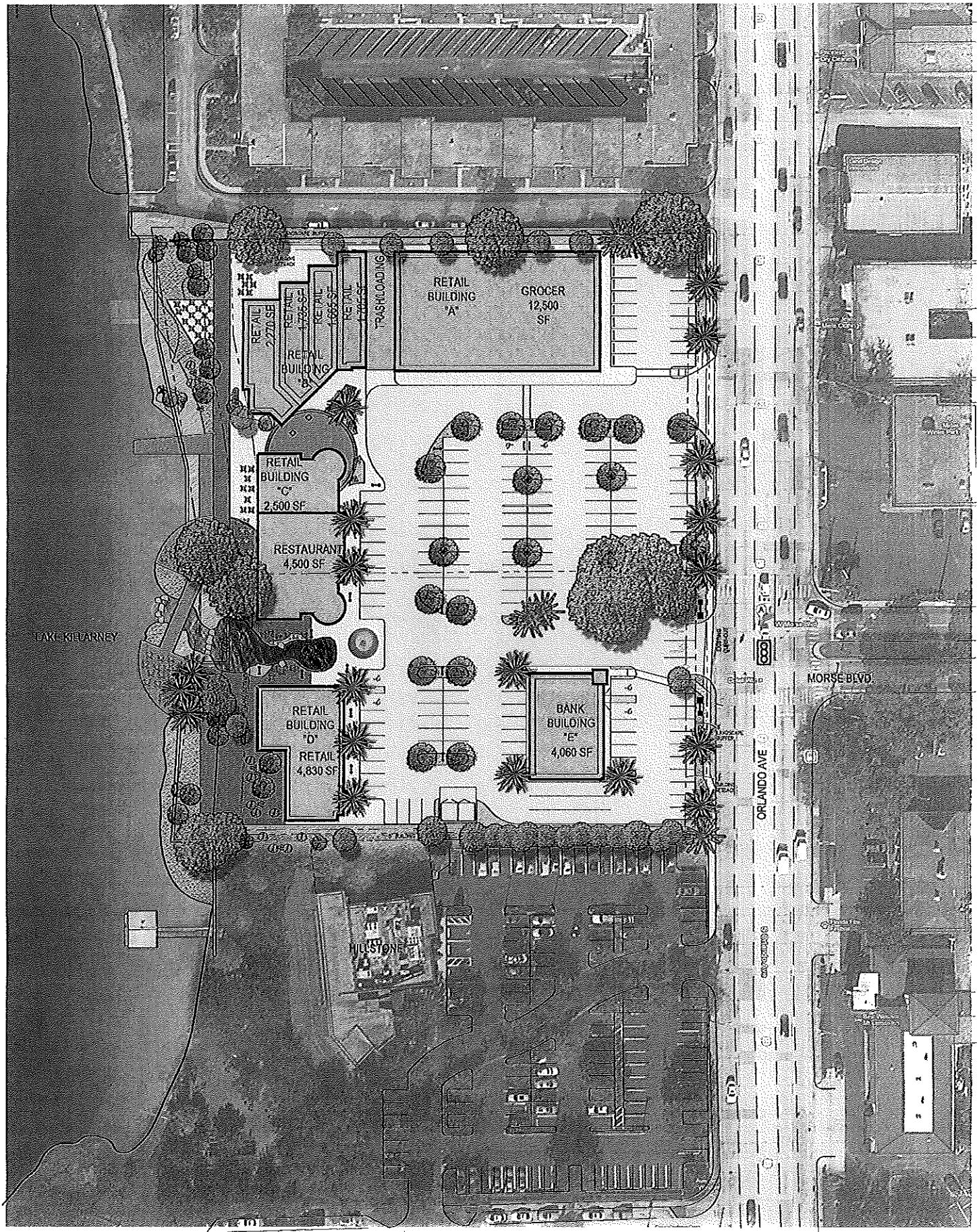
- **MODIFY BUILDING FAÇADE LANDSCAPING TO ALLOW LANDSCAPING TO BE MOVED TO THE PERIMETER**
  - Code requires 100% of the visible façade from a public ROW, exclusive of direct access or special architectural features, to have a landscape area of at least 6', no more than 20' from the façade or 8' if adjacent to the façade.
  - This project will be an upscale retail/mixed-use development with heavy landscaping.

- **REDUCE THE VUA LANDSCAPING FROM 7.5% to 7%**
  - We are currently at 7.06% (Excluding the Bank/ Retail building but including the diamonds in the parking lot). To reach the 7.5% interior landscaping, we need approximately 775 sq ft of additional landscaping (about 5 parking spots)
  - This project will be an upscale retail/mixed-use development with heavy landscaping.

- **INCREASE THE ALLOWABLE DOCK/BOARDWALK FROM 600 SF TO 2,300 SF**
  - This project will be an upscale retail/mixed-use development with heavy landscaping.



111 & 131 N. Orlando Avenue



	RETAIL AREA	PARKING PROVIDED	PARKING RATIO
TOTAL	35,765 SF	160 SPACES	4.5 SP / 1,000 SF

EXISTING TREE

N

SCALE: 0 16 32 64

111 & 113 N. Orlando Avenue

Winter Park, Florida

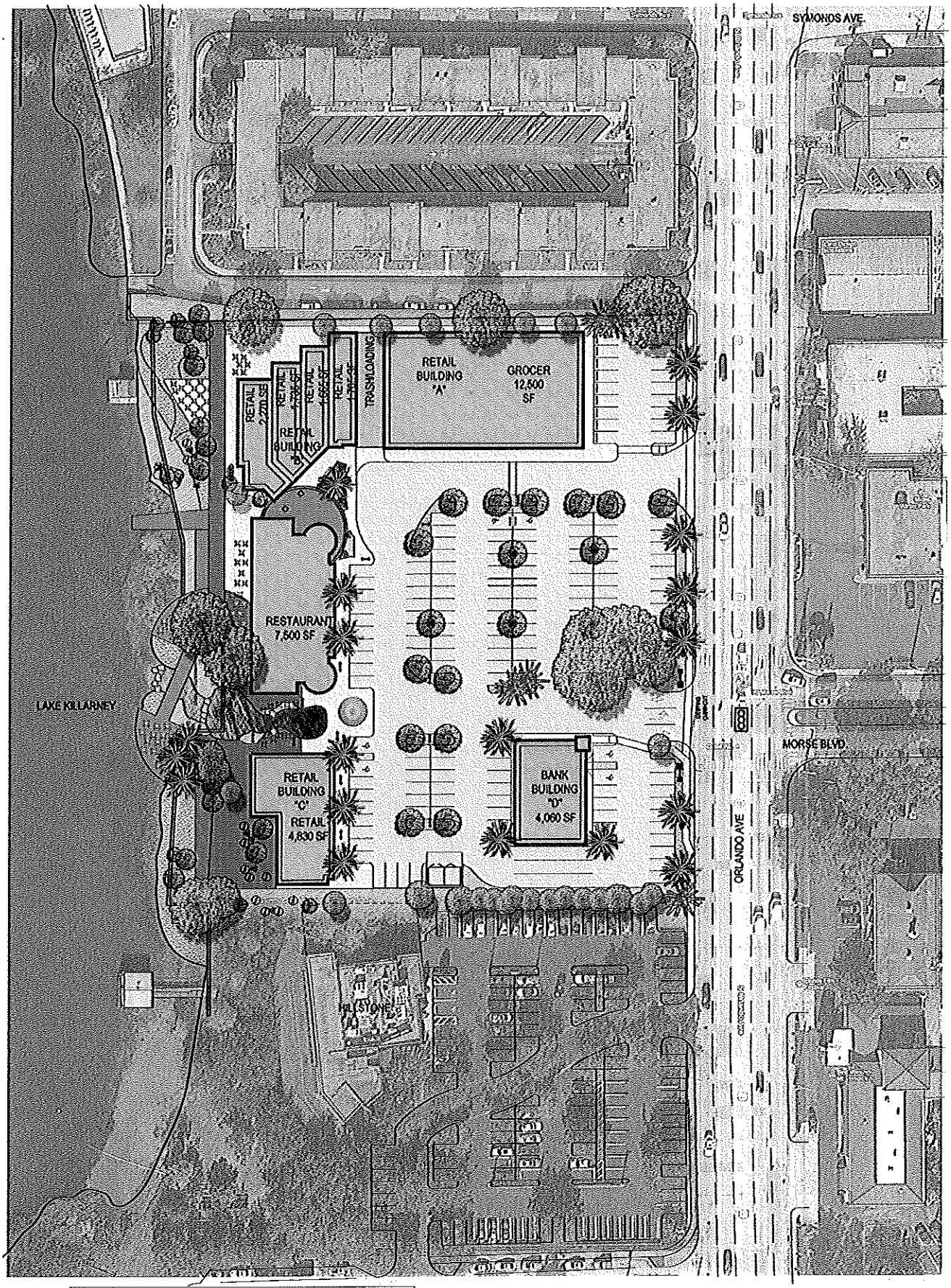
Master Site Plan - A

01.15.2013

Antunovich Associates - Consultant

Unicorp National Developers, Inc - Developer

THE INFORMATION PROVIDED ON THIS DRAWING IS FROM DOCUMENTATION AVAILABLE AND MAY NOT REFLECT ACTUAL FIELD CONDITIONS. SERVICE CHASES AND UTILITIES PROVIDED BY THE LANDLORD FOR THE BASE BUILDING MAY EXIST WITHIN THE TENANTS



	RETAIL AREA	PARKING PROVIDED	PARKING RATIO
TOTAL	36,265 SF	160 SPACES	4.4 SP / 1,000 SF

EXISTING TREE

N

SCALE: 0 16 32 64

111 & 113 N. Orlando Avenue

Winter Park, Florida

Master Site Plan - B

01.15.2013

Antunovich Associates - Consultant
224 West Huron Street, Chicago, IL 60610
Phone 312-266-1126 Fax 312-266-1123

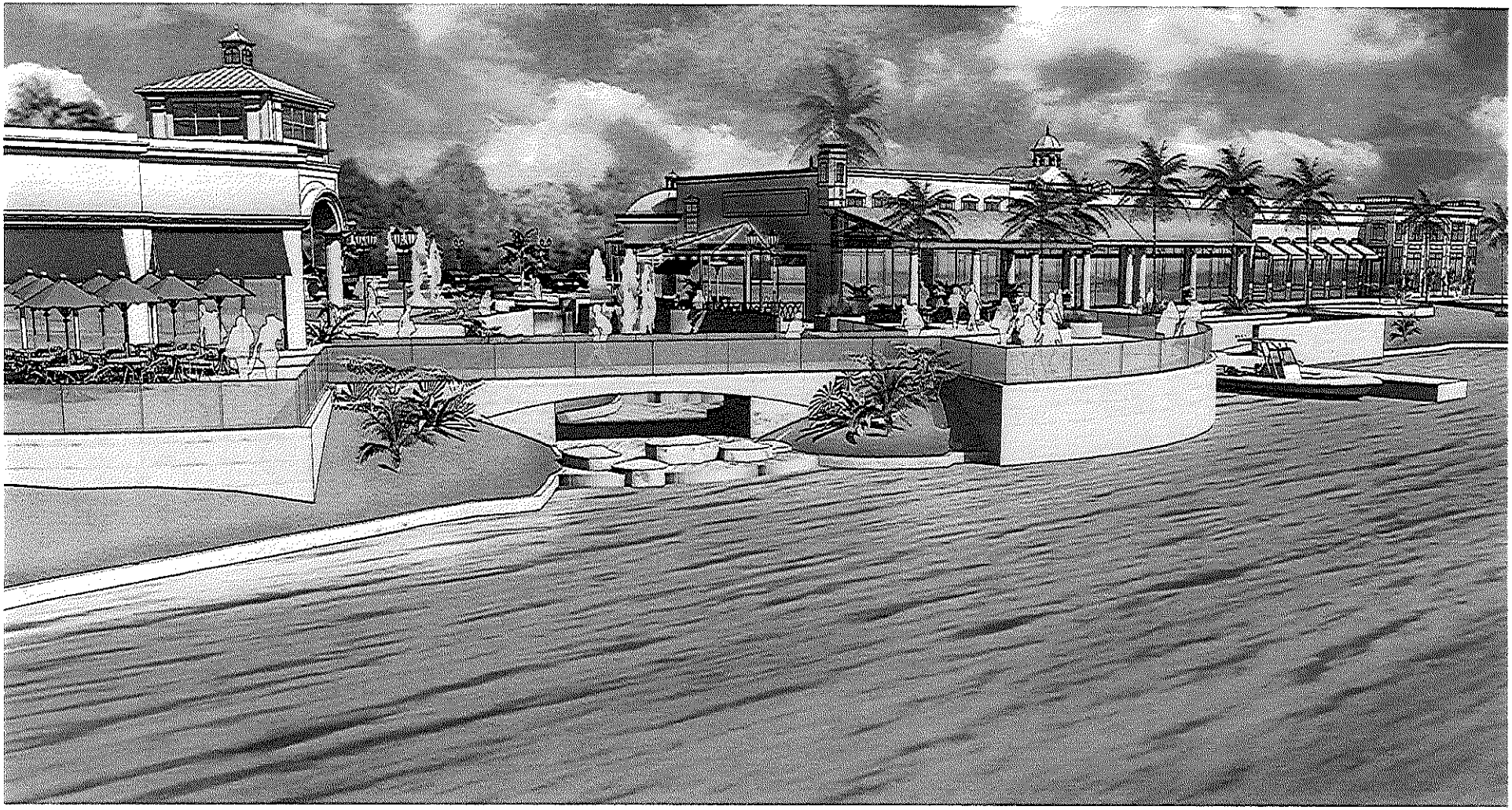
Unicorp National Developers, Inc - Developer

Lakeside Winter Park

Conceptual Rendering

Unicorp National Developments, Inc. Developer | **Antunovich Associates** Architects, Planners

Orlando, Florida | **November 8, 2012**



Lakeside Winter Park

Conceptual Rendering

Unicorp National Developments, Inc. Developer | **Antunovich Associates** Architects, Planners

Orlando, Florida | **November 8, 2012**

Lakeside Winter Park

Unicorp National Developments, Inc. Developer | **Antunovich Associates** Architects, Planners

Conceptual Rendering

Orlando, Florida | **November 8, 2012**

LAKESIDE WINTER PARK
Conditional Use Application
Stormwater Retention and Drainage Plan

Please note the following from the survey just completed on the subject property:

- *The normal high water elevation of the Lake is at 81.786 (NAVD88) – according to City Code*
- *The top of the existing seawall varies and the spot grades east of the seawall have an elevation of at least 84 (excluding the retention areas)*
- *The 100-year flood elevation per FEMA is elevation 84.4 (NAVD88)*
- *The existing parking lot elevations range from 84.31 to 91.10 (NAVD88)*

We plan on designing an underground storm water treatment system along the Lake under the proposed boardwalk/pedestrian/outdoor patio areas and/or under the proposed parking lot.

The system would use chambers that could be constructed over. These chambers are low profile (usually 16" tall arch culverts with gravel surrounding them and they need 18" of cover). As you can see from the elevations dictated above, the existing site topography lends itself appropriately to this design as the proposed parking lot grades will be well above the water table and sea wall.

The system would be designed to meet SJRWMD and City storm water standards.

November 15, 2012

TABLE 1
DAILY TRIP GENERATION ESTIMATES (8th Edition ITE)

DESCRIPTION	ITE Land-Use (Code)	Independent Variable	Rate or Equation	Size	Daily 2-Way Trips (vpd)
EXISTING DEVELOPMENT					
Office Building	715	KSF	11.57	39,191	453
Motel	320	Rooms	5.63	41	231
FUTURE DEVELOPMENT					
Shopping Center	820	KSF	42.94	30	1,290
Net Increase in Trips					606

All of these emails were received prior to the January 11th meeting

Jeffrey Briggs

From: Jeffrey Briggs
Sent: Wednesday, December 26, 2012 11:55 AM
To: Jeffrey Briggs
Subject: LAKESIDE WINTER PARK LLC

From: Carol Sawyer Lotspeich [mailto:clotspeich@aol.com]
Sent: Friday, December 21, 2012 10:46 AM
To: Jeffrey Briggs
Subject: LAKESIDE WINTER PARK LLC

The Lake Killarney Condominiums are home to approximately 246 people. Since our home is our refuge and we deserve privacy and peaceful use of our residences, it is essential that conditions of approval be placed upon the restaurant(s) and shopping center that is proposed to be built next to our homes. The greatest concerns are noise, security, and the continuance of our current environment.

That being said we (owners and residents) would request the following conditions upon the Lakeside Winter Park proposed shopping center development:

NOISE: The owners and residents of the Lake Killarney Condominiums request that there be:

1. No noise generating construction before 7 AM or after 7 PM.
2. No deliveries or waste pick up before 7 AM or after 10 PM.
3. No restaurants or outdoor dining within 300 feet of the project north boundary.
4. No outdoor amplified music from the restaurant(s) or stores. (We don't want to listen to the music during the day and need quiet enjoyment of our homes at night so we can sleep)
5. No indoor amplified music after 10 PM. (Every time the doors open and close, late at night, the restaurant music will be heard inside our units)

SECURITY: The owners and residents of the Lake Killarney Condominiums request that there be:

1. A 6-foot masonry wall constructed adjacent to the north property line to continuously extend from the 17-92 (Orlando Ave.) setback to the seawall.
2. A barrier placed at the lakefront prohibiting any access between the Lake Killarney Condominiums property and Lake Side Winter Park.

ENVIRONMENT: The owners and residents of the Lake Killarney Condominiums request that:

1. The cupola on the north building be removed from the design as that structure will obstruct existing lake views of residents.
2. The applicant provide a cross section of the setback between the north property boundary. This 15 foot setback needs to include the masonry wall, 10 feet of densely vegetated buffer, and the proposed 5 foot sidewalk next to the building.
3. Assurance from the developer be required that the existing oak trees along the north property boundary will be preserved.

VARIANCES: The owners and residents of the Lake Killarney Condominiums request that the variances be denied for:

1. The Lakefront Setback. The City Code requires a 75 foot setback from the lake and the Lake Killarney Condominium building at the closest point is 85 feet from the lake. There is no hardship or necessity for a 50 foot lakefront setback. This variance will impact our lake views and devalue our property values !
2. The Parking Code. The parking variance requested, we understand primarily is to allow the second restaurant location which is within 300 feet of our homes. We are opposed to that northern-most restaurant location due to noise and security concerns. There is no hardship or necessity for a parking variance for the second restaurant.

Jeffrey Briggs

From: Jeffrey Briggs
Sent: Monday, December 10, 2012 10:38 AM
To: Jeffrey Briggs
Subject: FW: Lakeside Winter Park

From: Jeff york [mailto:jyork@yorkpropertycompany.com]
Sent: Monday, December 10, 2012 9:16 AM
To: Jeffrey Briggs
Subject: Lakeside Winter Park

Hi, Jeff. I am supportive of Unicorp's request for a Conditional Use approval to redevelop the Adventist Health Properties.....but PLEASE make sure that the project has adequate parking.

Just north of the proposed site there is a small strip center with a Starbucks, Yogurtland, etc. which is owned by the same company (Unicorp.) Parking for that project is a nightmare.

So, even though the developer isn't going to like it, please make sure that the new proposed shopping center is adequately parked.

Thank you.

JEFF YORK
YORK PROPERTY COMPANY
2180 N. PARK AVE., SUITE 220
WINTER PARK, FL 32789
OFFICE 407-622-2558
CELL 321-663-4535

WWW.YORKPROPERTYCOMPANY.COM

CORPORATE REAL ESTATE SERVICES
TENANT REPRESENTATION

Jeffrey Briggs

From: Glenn Viers <Glenn.Viers@Hillstone.com>
Sent: Monday, January 07, 2013 4:18 PM
To: Jeffrey Briggs
Subject: 111 & 131 N. Orlando

Dear Mr. Briggs,

On behalf of Hillstone Restaurant Group, Inc., fka Houston's Restaurant, I am writing to express our strong opposition to the set-back variance application filed for the the Unicorp development adjacent to the north side of our restaurant in Winter Park.

I well remember the fact that both the City's Planning Commission, and City Commission put Hillstone through the proverbial "paces" when we secured our zoning and land-use approvals more than a decade ago and our restaurant project is/was much better as a result. At the risk of stating the obvious, the incredible and unobstructed lake-front views were what first attracted Hillstone to Winter Park and the City is to be commended for preserving Lake Killarney's beauty by exercising sound land-use decisions. Please do not allow this variance request to change things.

We understand our neighbor has applied for a variance from the 75 foot setback requirement from the lake for a 50 foot set back instead. Please know that we strongly oppose this variance request. Based on Hillstone's understanding of the Unicorp variance request, there is no hardship that would support not complying with the existing code's 75 foot set-back requirement. Maximizing parking to accommodate more intensive development is not a hardship, much less an "undue hardship" so as to justify such a variance request. Nor is it necessarily a good idea in the long run, especially with regards to such a special setting of the applicant's property on Lake Killarney.

Moreover, granting the variance will undoubtedly have an adverse affect on Hillstone's use and enjoyment of its property since reducing the set-back by more than 30% will undoubtedly affect our (and our guests') view from Hillstone's property. Hillstone has invested significant time, effort, and expense developing what we consider one of the premier dining destinations in Central Florida, if not the entire state. Without wanting to sound immodest, our Restaurant has been a catalyst for other high quality development in the Winter Park area, so please be assured that Hillstone is not raising objections due to competitive concerns. Indeed, we welcome competition as it makes us better. Hillstone's opposition to this variance is motivated solely by a desire to preserve the quality of Lake Killarney and Winter Park.

Please convey Hillstone's strong opposition to the set-back variance request to the City's Planning Commission and City Commission.

Please let me know of I may answer any questions or otherwise be of assistance.

Best regards,

Glenn
W. Glenn Viers
Vice President & General Counsel
Hillstone Restaurant Group, Inc.
3539 Northside Parkway
Atlanta, GA 30327
Telephone: (404) 467-1855

Jeffrey Briggs

From: Carol Sawyer Lotspeich <clotspeich@aol.com>
Sent: Saturday, January 05, 2013 6:40 PM
To: Jeffrey Briggs
Subject: Lake Side Winter Park/Lake Killarney Condominiums

Thanks to all of you for taking the time to serve our community.

As a 15-year owner/resident at the Lake Killarney Condominiums (LKC), plus the owner of four other LKC units, I fully support staff's recommendations for the proposed Lake Side Winter Park project.

One issue of huge importance that was not directly spoken about in the staff report is the noise level(s) from the grocery store compressors. A visit to the residential area directly behind the Whole Foods Grocery store confirmed my worst nightmares. Even behind an eleven-foot masonry enclosure the compressor noise level was startling. The Lake Killarney Condo's are closer to the proposed grocery than the residences behind Whole Foods. There will be little sleep for those 28 units in the direct path of the compressor noise.

Since the developer has chosen not to meet in advance with the LKC residences regarding the plan, perhaps you could condition the project approval based on the grocery store location on the southeast of the property.

Thank you again for your time and concern with maintaining the residential quality of life in Winter Park.

Most sincerely,
Carol Sawyer Lotspeich
407-574-2323

Carol Sawyer Lotspeich
clotspeich@aol.com

Jeffrey Briggs

From: lakeworks@cfl.rr.com
Sent: Monday, January 07, 2013 10:27 AM
To: Jeffrey Briggs; Mayor and Commissioners
Subject: Lake Killarney Development - Lakeside Winter Park property - Request for concessions

As a homeowner in Winter Park, I am are concerned with the development of the Lakeside Winter Park property.

1. Limit the project to 1 restaurant and least 300' setback from our property, with seating limited to 150 seats, and no indoor or outdoor amplified music after 10 pm.
2. No noise from construction or ongoing business (deliveries, waste pick-up) before 7am and after 7 pm for construction, 10 pm for ongoing business.
3. A 6' masonry wall along the entire north side of the development with 10' of dense vegetation and a buffer and a security boundary at the lakefront. Also, preserve our oak trees along that border.
4. Preserve our values, views and lakefront aesthetic consistency by requiring at least a 75' setback from the lake and adhere to Florida wildlife guidelines for the water birds and other native animals that might be displaced by this development.
5. Increase police presence in the area and provide private security if there becomes a need to do so due to any activity that would interfere with the safety and security of the residents of Winter Park.

Sincerely,

Martin Unkefer

2011 Harmon Ave.

Winter Park, FL 32789

407.927.2023

Jeffrey Briggs

From: Robin <robin.schumacher@earthlink.net>
Sent: Monday, January 07, 2013 10:01 AM
To: Jeffrey Briggs; Mayor and Commissioners
Subject: Lake Killarney Development - Lakeside Winter Park property - Request for concessions

As a resident/tenant in Winter Park, I am are concerned with the development of the Lakeside Winter Park property.

1. Limit the project to 1 restaurant and least 300' setback from our property, with seating limited to 150 seats, and no indoor or outdoor amplified music after 10 pm.
2. No noise from construction or ongoing business (deliveries, waste pick-up) before 7am and after 7 pm for construction, 10 pm for ongoing business.
3. A 6' masonry wall along the entire north side of the development with 10' of dense vegetation and a buffer and a security boundary at the lakefront. Also, preserve our oak trees along that border.
4. Preserve our values, views and lakefront aesthetic consistency by requiring at least a 75' setback from the lake and adhere to Florida wildlife guidelines for the water birds and other native animals that might be displaced by this development.
5. Increase police presence in the area and provide private security if there becomes a need to do so due to any activity that would interfere with the safety and security of the residents of Winter Park.

Sincerely,

Robin Schumacher

2011 Harmon Ave.
Winter Park, FL 32789

407.637.5825

Jeffrey Briggs

From: Christina Foy <christina@modelscout.com>
Sent: Monday, January 07, 2013 9:43 AM
To: Jeffrey Briggs; Mayor and Commissioners
Cc: dbiebel@ymail.com
Subject: Lake Killarney Condominiums - Requests for Concessions re: development

As an owner (David Biebel) and resident/tenant (Christina Foy) we are concerned with the development of the Lakeside Winter Park property. Since our home is our refuge we deserve privacy and peaceful use of our residence. We want to request the following conditions on the project:

1. Limit the project to 1 restaurant and least 300' setback from our property, with seating limited to 150 seats, and no indoor or outdoor amplified music after 10 pm.
2. No noise from construction or ongoing business (deliveries, waste pick-up) before 7am and after 7 pm for construction, 10 pm for ongoing business.
3. A 6' masonry wall along the entire north side of the development with 10' of dense vegetation and a buffer and a security boundary at the lakefront. Also, preserve our oak trees along that border.
4. Preserve our values, views and lakefront aesthetic consistency by requiring at least a 75' setback from the lake and adhere to Florida wildlife guidelines for the water birds and other native animals that might be displaced by this development.
5. Increase police presence in the area and provide private security if there becomes a need to do so due to any activity that would interfere with the safety and security of the residents of Lake Killarney Condominiums.

Sincerely,

Christina Foy, Resident, 407-718-7011, christina@modelscout.com
David Biebel, Owner, 407-963-2857, dbiebel@ymail.com

--
Best,

Christina Foy
Director
www.modelscout.com
LIKE OUR FACEBOOK PAGE
MODELSCOUT
62 W. Colonial Drive
Loft 309
Orlando, FL 32801
407-420-5888, Press Option 3

Jeffrey Briggs

From: Dan Moore User <dmoore1467@cfl.rr.com>
Sent: Monday, January 07, 2013 8:30 AM
To: Jeffrey Briggs; Mayor and Commissioners
Cc: Dan Moore Moore
Subject: Lake Killarney Condo.

As a owner/resident of Lake Killarney Condominiums I am concerned with the development of the Lakeside Winter Park property. Since our home is our refuge we deserve privacy and peaceful use of our residences. I want to request the following conditions on the project:

1. Limit the project to 1 restaurant at least 300' setback from our property, with seating limited to 150 seats, and no indoor or outdoor amplified music after 10 PM.
2. No noise from construction or ongoing business (deliveries, waste pick-up) before 7AM and 7PM for construction, 10 PM for ongoing business.
3. A 6' masonry wall along the entire north side of the development with 10' of dense vegetation as a buffer and a security boundary at the lakefront. Also, preserve our oak trees along that border.
4. Preserve our values, views, and lakefront aesthetic consistency by requiring at least a 75' setback from the lake.
5. Traffic study/impact?

Dan Moore
Owner Unit #133
Lake Killarney Condominiums

Jeffrey Briggs

From: VERNON & SANDRA HYSELL <flyboyd9@bellsouth.net>
Sent: Friday, January 04, 2013 4:36 PM
To: Jeffrey Briggs
Cc: Mayor and Commissioners
Subject: Lakeside Winter Park LLC development

As an owner/resident of Lake Killarney Condominims I am concerned with the development of the Lakeside Winter Park property. Since our home is our refuge we deserve privacy and peaceful use of our residences. I want to request the following conditions on the project:

1. Limit the project to 1 restaurant at least 300' setback from out property, with seating limited to 150 seats, and no indoor or outdoor amplified music after 10PM.

&n bsp; &nb sp; &nbs p; 2. No noise from construction or ongoing business (deliveries, waste pick-up) before 7 AM and 7PM for construction, 10 PM for ongoing business.

3. A 6' masonry wall along the entire north side of the development with 10' of dense vegetation as a buffer and a security boundary at the lakefront. Also, preserve our oak trees along that border. ;

4. Preserve our values, views, and lakefront aesthetic consistency by requireing at least a 75' setback from the lake.

Thank you for your considerations of our concerns.

Vernon and Sandy Hysell Unit 140

Jeffrey Briggs

From: Pam S. Ives <psives@earthlink.net>
Sent: Friday, January 04, 2013 5:55 PM
To: Jeffrey Briggs; Mayor and Commissioners
Subject: Lakeside Winter Park LLC Development

Dear sirs;

I am writing to express my concern regarding the development of the Lakeside Winter Park property adjacent to Lake Killarney Condominiums. As an owner of a Lake Killarney Condominium I would like to voice my concern not only for myself, but for the other residents. These condominiums are our homes and we deserve privacy. I want to request the following conditions on the project:

1. Limit the project to 1 restaurant at least 300' setback from our property, with seating limited to 150 seats, and no indoor or outdoor amplified music after 10:00 pm.

2. No noise from construction or ongoing business (deliveries, waste pick up, etc.) before 7:00 am or after 7:00 pm for construction, 10:00 pm for ongoing business.

3. A 6' masonry wall along the entire north side of the development with 10' of dense vegetation as a buffer and a security boundary at the lakefront. Also, please preserve our oak trees along that border.

4. Preserve our values, views and lakefront aesthetic consistency by requiring at least a 75' setback from the lake.

Thank you for your consideration regarding this matter.
Sincerely,
Keenan M. Stringer

Jeffrey Briggs

From: Romayne Welch <rwelch01@twcny.rr.com>
Sent: Saturday, January 05, 2013 5:50 PM
To: Jeffrey Briggs; Mayor and Commissioners
Subject: Lakeside Development Meeting

Jan.5,2013

To the City of Winter Park Planners:

On Jan. 8th 2013 there will be an important meeting of the planning powers for the Lakeside
Winter Park property bordering the Lake Killarney Condominiums. The development of this project is of significant concern to me and the other residents of LKC.

Progress is desired and should certainly be encouraged to grow in a beneficial manner. Certain rules should be followed for the benefit of all involved --- that is, the proposed businesses and the existing nearby residents of the Lake Killarney Condos. A few of these simple and sensible rules are:

1) No loud or amplified music after 10:00 PM.

2) Limited noise from deliveries and pick-ups before 8:00 AM and after 10:00 PM.

3)"Living borders" (plants, trees, bushes) as a separation between the businesses and existing residents to maintain the character of Winter Park, retain views and decrease noise levels.

4)Intelligent use of Lake Killarney and its lake front, both ecologically and aesthetically thereby benefitting everyone.

Great care should go into the physical planning of the businesses involved to maintain and protect the City of Winter Park, residents, and to add to the future success of the intended businesses.

With respect,

Romayne Welch, owner at LKC.

Jeffrey Briggs

From: Brayley, John M SFC RET <john.brayley@us.army.mil>
Sent: Friday, January 04, 2013 3:45 PM
To: Jeffrey Briggs
Subject: Preservation of the lakefront aesthetic (UNCLASSIFIED)

UNCLASSIFIED

City of Winter Park Planning Department:

As owners and residents of Lake Killarney Condominium, we are concerned with the development of the lakeside Winter Park property south of our condo(s). Since this is our personal refuge, my wife and I deserve a private and peaceful residence. We request the following conditions be placed on the property development south of the Lake Killarney Condominiums.

1. *Limit the project to one restaurant setback at least 300 feet from the residential property and limited seating with no outdoor amplified music after 10 PM.

2. *A six foot masonry wall along the entire north side of the development some sound buffering vegetation.

3. *Preservation of the street side oak tree on the boundary and a security at the lakefront.

We would like the preservation of the lakefront aesthetic and not an over exposure of light and nose.

Respectively,

John & Anita Brayley

Units# 155 & 230

John.Brayley@us.army.mil
Cell: (912)980-8660
UNCLASSIFIED

Jeffrey Briggs

From: Heather Riebenack-Hebb <originalhrh@gmail.com>
Sent: Friday, January 04, 2013 11:51 AM
To: Jeffrey Briggs; Mayor and Commissioners
Subject: Lake Killarney Condos Request Regarding Lakeside Winter Park

Dear Mayor, Commissioner & Planning Board,

I believe the neighboring Lakeside Winter Park development will be good for the area, however as a owner/resident of Lake Killarney Condominiums I am concerned with the development of the Lakeside Winter Park property. I'd hate to see similar parking, sound & traffic problems that have occurred in similar nearby projects. Since our home is our refuge we deserve privacy and peaceful use of our residences. In addition, we need careful and great attention to support and increase our property values after the recent real estate downturn. I therefore request the following conditions on the project:

1. Limit the project to 1 restaurant at least 300' setback from out property, with seating limited to 150 seats, and no indoor or outdoor amplified music after 10 PM.

2. No noise from construction or ongoing business (deliveries, waste pick-up) before 7 AM and 7 PM for construction, 10 PM for ongoing business.

3. A 6' masonry wall along the ENTIRE north side of the development with 10' of dense vegetation as a buffer and a security·boundary at the lakefront. Also, preserve our established oak trees along that border.

4. Preserve our values, views, and lakefront aesthetic consistency by requiring AT LEAST a 75' setback from the lake.

It is my understanding that these are all very reasonable and highly logical requests with the support of the planning staff. Your attention and influence is greatly appreciated.

Most sincerely,

--
Heather Riebenack-Hebb

Jeffrey Briggs

From: Shawn Hebb <shawn.w.hebb@gmail.com>
Sent: Friday, January 04, 2013 8:28 AM
To: Jeffrey Briggs
Subject: Planning Department

As a owner/resident of Lake Killarney Condominiums I am concerned with the development of the Lakeside Winter Park property. Since our home is our refuge we deserve privacy and peaceful use of our residences. I want to request the following conditions on the project:

1. Limit the project to 1 restaurant at least 300' setback from out property, with seating limited to 150 seats, and no indoor or outdoor amplified music after 10 PM.
2. No noise from construction or ongoing business (deliveries, waste pick-up) before 7AM and 7PM for construction, 10 PM for ongoing business.
3. A 6' masonry wall along the entire north side of the development with 10' of dense vegetation as a buffer and a security boundary at the lakefront. Also, preserve our oak trees along that border.
4. Preserve our values, views, and lakefront aesthetic consistency by requiring at least a 75' setback from the lake.

Kind Regards,

Shawn W. Hebb

Jeffrey Briggs

From: WadeMCO@aol.com
Sent: Friday, January 04, 2013 1:13 AM
To: Jeffrey Briggs
Cc: javiermco@aol.com
Subject: Lake Killarney

As a owner/resident of Lake Killarney Condominiums I am concerned with the development of the Lakeside Winter Park property.
We deserve privacy and peaceful use of our residences. I want to request the following conditions on the project:

1. Limit the project to 1 restaurant at least 300' setback from out property, with seating limited to 150 seats, and no indoor or outdoor amplified music after 10 PM.
2. No noise from construction or ongoing business (deliveries, waste pick-up) before 7AM and 7PM for construction, 10 PM for ongoing business.
3. A 6' masonry wall along the entire north side of the development with 10' of dense vegetation as a buffer and a security boundary at the lakefront. Also, preserve our oak trees along that border.
4. Preserve our values, views, and lakefront aesthetic consistency by requiring at least a 75' setback from the lake.

Thank you,
Wade Wise/ owner
Javier Vicente/ owner
Units 122, 125 and 132

Jeffrey Briggs

From: Bee Epley <beeepley@gmail.com>
Sent: Thursday, January 03, 2013 11:01 AM
To: Jeffrey Briggs
Cc: Bee Epley; Carol Lotspeich212; Heather Riebenack; Jeff Sweeney; Andy Polasek/LKC; Joan Nelson/LKC; Pat/ Towers Mgmt
Subject: Project/UnicorpUSA

This Development is and will certainly be of great interest in many positive venues to us at Lake Killarney Condos.

As a good neighbor our interests are to preserve our privacy and peace.
We ask for some considerations:

Limit the project to ONE Restaurant at least 300' setback from our property, with seating limited to 150 seats, and no indoor amplified music after 10pm I being closest to this request NO OUTDOOR Amplified music at anytime. Lakes carry and amplify all noises a great deal naturally.

Construction noise (deliveries, waste pick-ups) limited between 7am and 7pm for construction and 10pm for ongoing business.

North side 6' masonry wall along entire building structure leaving open space from edge of building for lakefront view. And, 10' dense vegetation as a buffer and Security Buffer at the lakefront. Previously Advantist Health Care planted oaks by their property line and those oaks will be a natural buffer already in place.

Preserve our values, views, and lakefront aesthetic consistency by requiring at least 75' setback from the lake.

Bee Epley Unit 209 (plus 4 Rentals in the Complex)
151 N Orlando Ave.,
Winter Park, Fl., 32789

Jeffrey Briggs

From: Bernadette Siyufy <siyufyb@yahoo.com>
Sent: Monday, December 31, 2012 3:05 PM
To: Jeffrey Briggs

As a owner/resident of Lake Killarney Condominiums I am concerned with the development of the Lakeside Winter Park property. Since our home is our refuge we deserve privacy and peaceful use of our residences. I want to request the following conditions on the project:

1. Limit the project to 1 restaurant at least 300' setback from out property, with seating limited to 150 seats, and no indoor or outdoor amplified music after 10 PM.
2. No noise from construction or ongoing business (deliveries, waste pick-up) before 7AM and 7PM for construction, 10 PM for ongoing business.
3. A 6' masonry wall along the entire north side of the development with 10' of dense vegetation as a buffer and a security boundary at the lakefront. Also, preserve our oak trees along that border.
4. Preserve our values, views, and lakefront aesthetic consistency by requiring at least a 75' setback from the lake.

We will all be watching this closely.

Jeffrey Briggs

From: Kevin Gallaher <kgallaher@gmail.com>
Sent: Wednesday, January 02, 2013 9:43 AM
To: Jeffrey Briggs; Mayor and Commissioners
Subject: Lake Killarney Condos

Mayor, City Commisioners, and Planning Dept.,

As a owner/resident of Lake Killarney Condominiums I am concerned with the development of the Lakeside Winter Park property. Since our home is our refuge we deserve privacy and peaceful use of our residences. I want to request the following conditions on the project:

1. Limit the project to 1 restaurant at least 300' setback from out property, with seating limited to 150 seats, and no indoor or outdoor amplified music after 10 PM.
2. No noise from construction or ongoing business (deliveries, waste pick-up) before 7AM and 7PM for construction, 10 PM for ongoing business.
3. A 6' masonry wall along the entire north side of the development with 10' of dense vegetation as a buffer and a security boundary at the lakefront. Also, preserve our oak trees along that border.
4. Preserve our values, views, and lakefront aesthetic consistency by requiring at least a 75' setback from the lake.

More issues and concerns will be addressed and requested later throughout the development process with the appropriate agencies, such as: sound buffering for A/C units, storm water drainage, electrical equipment placement, etc. This is the first step...support your community and property values now!!

Please help us protect our community. Thanks, Kevin

Kevin Gallaher
321-689-0636
skype: kevinjgallaher
GreenEarthBlueWater, LLC.
"In God We Trust"

Jeffrey Briggs

From: bill hill <billhill10@gmail.com>
Sent: Sunday, December 30, 2012 3:25 PM
To: Mayor and Commissioners; Jeffrey Briggs
Cc: bill hill; originalhrh@gmail.com; lkcawp@gmail.com
Subject: Lakeside Winter Park Development/Lake Killarney Condos

Dear Mayor, City Commissioners, Planning Department and whom else it may concern,

As a owner/resident of Lake Killarney Condominiums I am concerned with the development of the Lakeside Winter Park property. Since our home is our refuge we deserve privacy and peaceful use of our residences. I want to request the following conditions on the project:

1. Limit the project to 1 restaurant at least 300' setback from out property, with seating limited to 150 seats, and no indoor or outdoor amplified music after 10 PM.

2. No noise from construction or ongoing business (deliveries, waste pick-up) before 7AM and 7PM for construction, 10 PM for ongoing business.

3. A 6' masonry wall along the entire north side of the development with 10' of dense vegetation as a buffer and a security boundary at the lakefront. Also, preserve our oak trees along that border.

4. Preserve our values, views, and lakefront aesthetic consistency by requiring at least a 75' setback from the lake.

5. To insure a Traffic flow that does not impede on our entrance and exit from our property and to insure that is safe.

Best

Bill Hill

Jeffrey Briggs

From: Susan Pecuch <emailsusie@mac.com>
Sent: Sunday, December 30, 2012 9:39 AM
To: Jeffrey Briggs
Subject: Concerns questions about WP Lakeside

As a owner/resident of Lake Killarney Condominiums I am concerned with the development of the Lakeside Winter Park property. Since our home is our refuge we deserve privacy and peaceful use of our residences. I want to request the following conditions on the project:

1. Limit the project to 1 restaurant at least 300' setback from out property, with seating limited to 150 seats, and no indoor or outdoor amplified music after 10 PM.
2. No noise from construction or ongoing business (deliveries, waste pick-up) before 7AM and 7PM for construction, 10 PM for ongoing business.
3. A 6' masonry wall along the entire north side of the development with 10' of dense vegetation as a buffer and a security boundary at the lakefront. Also, preserve our oak trees along that border.
4. Preserve our values, views, and lakefront aesthetic consistency by requiring at least a 75' setback from the lake
Sent from my iPhone. Please excuse message brevity and any typos.

Susan Pecuch
Lake killarney condo resident

407 310 6386
Specuch@mac.com

Sent from my iPhone. Please excuse message brevity and any typos.

Susan Pecuch
407 310 6386
Specuch@mac.com

151 N. Orlando ave., apt. 103
Winter Park, Fl. 32789-3601

1/4/13

Winter Park Planning Dept.

To whom it may concern;

As an owner/resident of Lake Killarney Condominiums I am concerned with the development of the Lakeside Winter Park property. Since our home is our refuge we deserve privacy and peaceful use of our residences. I want to request the following conditions on the project:

1. Limit the project to 1 restaurant at least 300' setback from out property, with seating limited to 150 seats, and no indoor or outdoor amplified music after 10 PM.
2. No noise from construction or ongoing business (deliveries, waste pick-up) before 7AM and 7PM for construction, 10 PM for ongoing business.
3. A 6' masonry wall along the entire north side of the development with 10' of dense vegetation as a buffer and a security boundary at the lakefront. Also, preserve our oak trees along that border.
4. Preserve our values, views, and lakefront aesthetic consistency by requiring at least a 75' setback from the lake.

Respectfully,

Eugene D. Williams

CITY OF WINTER PARK
PLANNING AND ZONING COMMISSION

Staff Report
February 5, 2013

REQUEST OF MR./MRS. GAVIN FORD FOR: CONDITIONAL USE APPROVAL TO CONSTRUCT A TENNIS COURT ON THE PROPERTY AT 1551 VIA TUSCANY, ZONED (R-1AAA).

This is a request of Mr./Mrs. Gavin Ford for conditional use approval to allow the installation of a tennis court on the property at 1551 Via Tuscany. The Ford's have a contract to purchase the home at 1551 Via Tuscany on Lake Maitland and the neighbors will be pleased to see the renovation of this home finally completed. Renovation started in June 2008 and since 2010 there has been no activity as the property went into foreclosure and bank ownership.

Tennis courts were made a conditional use in all residential zoning districts about 20 years ago due to concerns about their size (60 x 120); impervious coverage, their associated fencing and lighting. The added design consideration for this request is building a flat tennis court on a sloping lakefront.

Attached are the applicant's submittals that include a site plan, grading plan and schematic perspective elevations of how the tennis court, retaining walls and fencing will look. In order to address the slope or grade of the lakefront, the tennis court will be built into the grade with the tennis court lowered nine feet below the elevation of the lakefront patio/floor level of the home. Across the 60 foot width of the court, the lakeside edge of the tennis court will be 3 ½ to 4 feet above the existing grade on the lakeside. In order to further minimize that lakeside retaining wall, they will grade up to the retaining wall so that no more than 2 ½ feet of retaining wall is visible on the lakeside. The setback to the lake is at 55 feet which meets the minimum 50 foot lakefront setback requirement.

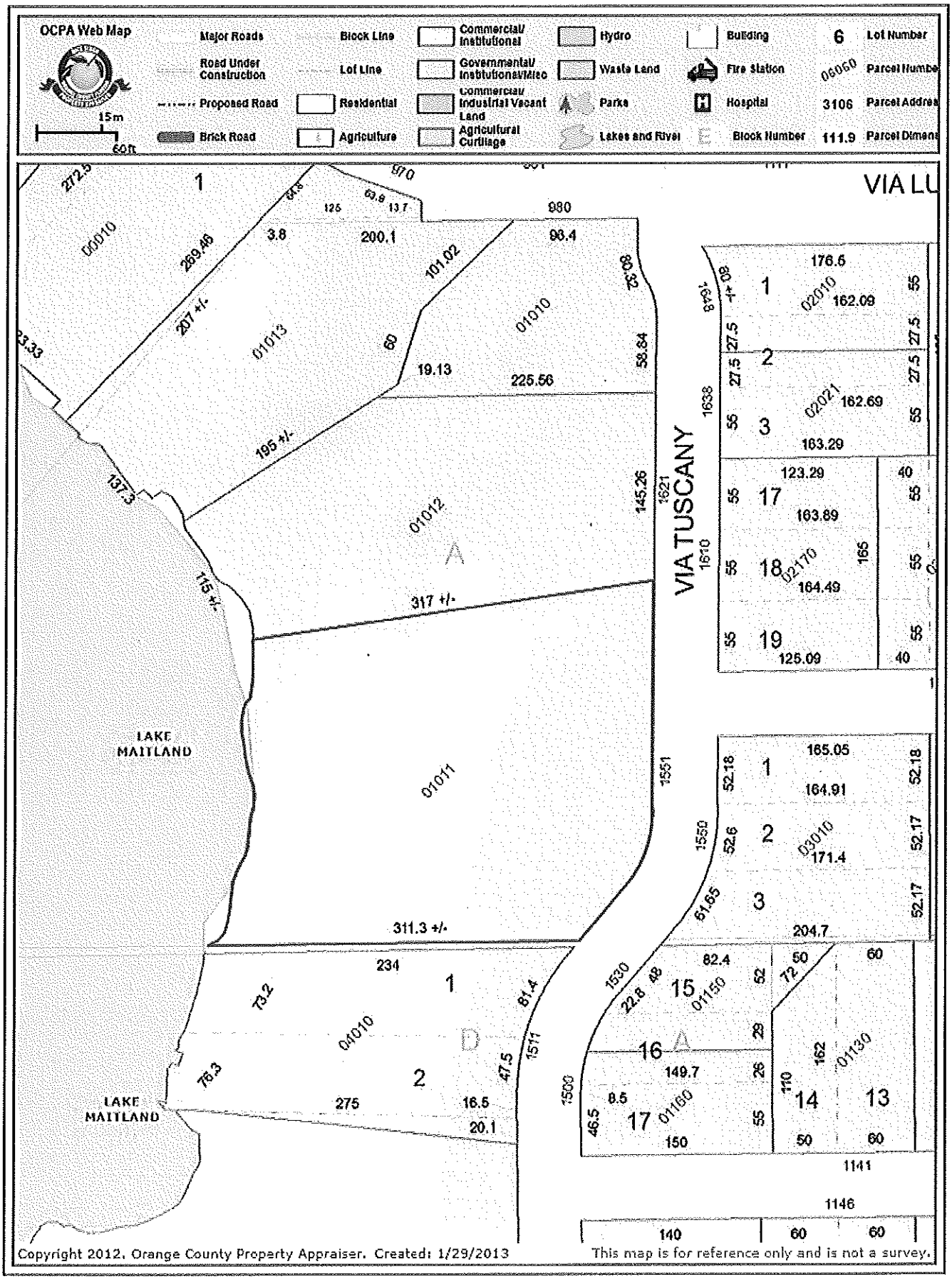
The proposed tennis court has 8 foot tall fencing at the ends of the court and 4 foot tall fencing in the middle. On the south side, the new swimming pool, at a higher grade, will screen that fencing from the neighboring property so that only 4 feet is visible. On the north side however, the fencing and retaining wall ranges from the 8 to 12 feet in total height. Thus, screening that view for the neighbor to the north is important. There is considerable existing vegetation and trees already in place. The applicants propose to add whatever landscaping is necessary to completely screen the tennis court and fencing from the view of the neighbor to the north. The applicants have also agreed to add landscaping against the tennis court retaining wall/fencing as well as the swimming pool retaining wall on the lakeside so that these features will be buffered from the lakeside.

Conceptual storm water retention swales are shown on the plan. Since this is to be a clay tennis court, the required retention is also important to keep the "clay water" out of the lake. A design complication is the existing lake edge cypress trees and their roots/knees. Thus, the storm water retention plan will need to be modified to incorporate a berm system (versus swales) that can impede the flow of runoff so that the runoff percolates down and not into the lake.

No night lighting is planned and the applicants understand that to add lighting in the future requires a subsequent conditional use approval just as we did at 1360 Alabama Drive.

STAFF RECOMMENDATION IS FOR APPROVAL subject to the following conditions:

1. **That a landscape plan be submitted for approval by staff to completely screen from the view the tennis court and fencing to the neighboring property to the north and that the lakeside retaining walls and fencing also be effectively buffered with landscaping.**
2. **That the storm water retention plan be modified to include a berm retention system.**
3. **That no night lighting is approved as part of this conditional use.**


OCPA Web Map
15m
60ft
Major Roads
Road Under Construction
Proposed Road
Brick Road
Block Line
Lot Line
Residential
Agriculture
Commercial/ Institutional
Governmental/ Institutional/Misc
Commercial/ Industrial Vacant Land
Agricultural Curtilage
Hydro
Waste Land
Parks
Lakes and Rivers
Building
Fire Station
Hospital
Block Number
6
Lot Number
06050
Parcel Number
3106
Parcel Address
111.9
Parcel Dimens
VIA LU
VIA TUSCANY
LAKE MAITLAND
LAKE MAITLAND
00010
01013
01010
01012
A
01011
04010
D
01150
01130
01160
272.5
269.46
207 +/-
195 +/-
137.3
115 +/-
317 +/-
311.3 +/-
980
970
200.1
98.4
225.56
145.26
176.5
162.09
162.69
163.29
123.29
163.89
164.49
125.09
165.05
164.91
171.4
204.7
234
73.2
76.3
275
16.5
20.1
81.4
47.5
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1146
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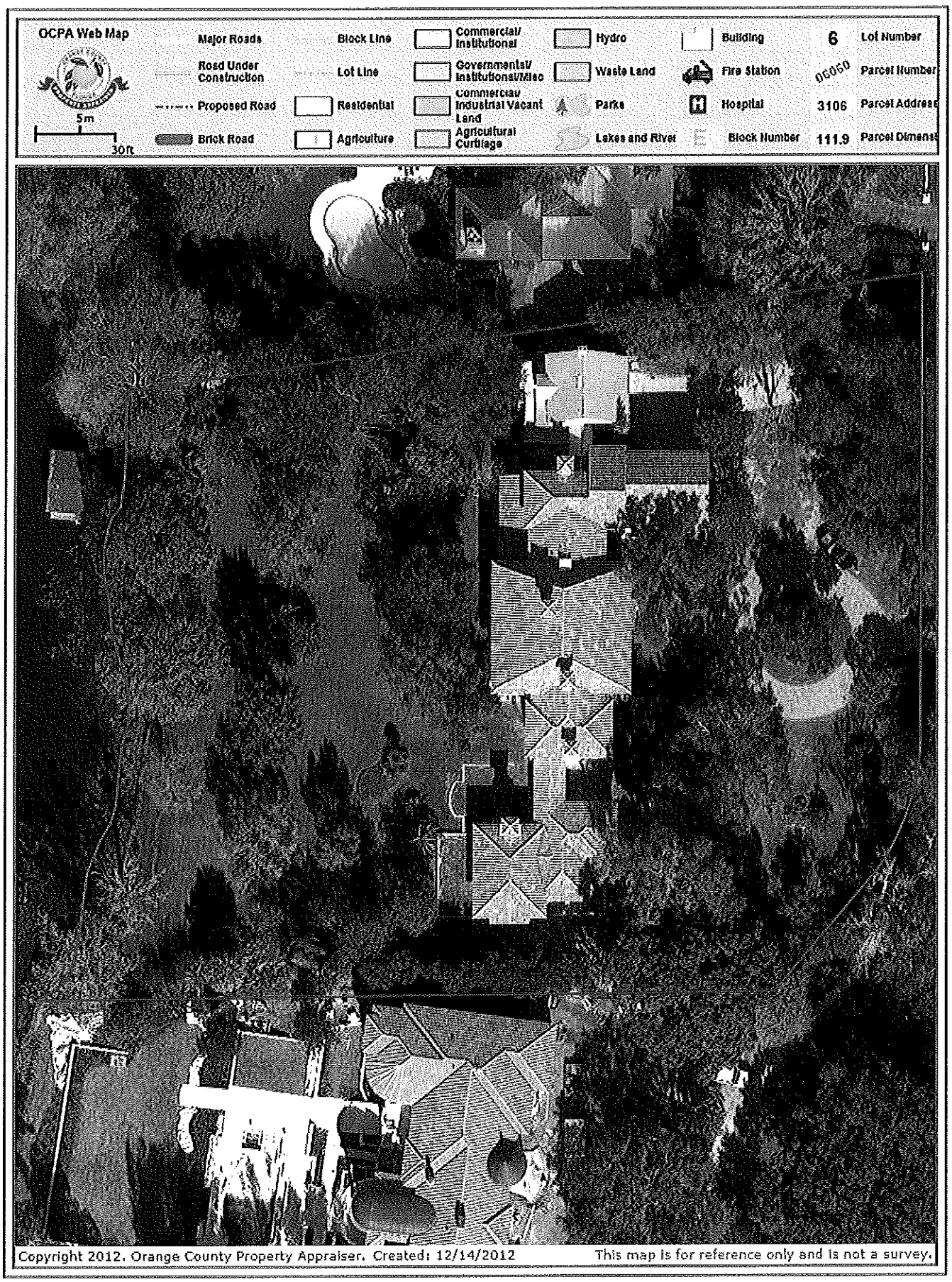
Copyright 2012, Orange County Property Appraiser. Created: 1/29/2013
This map is for reference only and is not a survey.


OCPA Web Map
Major Roads
Road Under Construction
Proposed Road
Brick Road
Block Line
Lot Line
Residential
Agriculture
Commercial/ Institutional
Governmental/ Institutional/Misc
Commercial/ Industrial Vacant Land
Agricultural Curtilage
Hydro
Waste Land
Parks
Lakes and River
Building
Fire Station
Hospital
Block Number
6
Lot Number
06060
Parcel Number
3106
Parcel Address
111.9
Parcel Dimens
5m
30ft
Copyright 2012. Orange County Property Appraiser. Created: 12/14/2012
This map is for reference only and is not a survey.

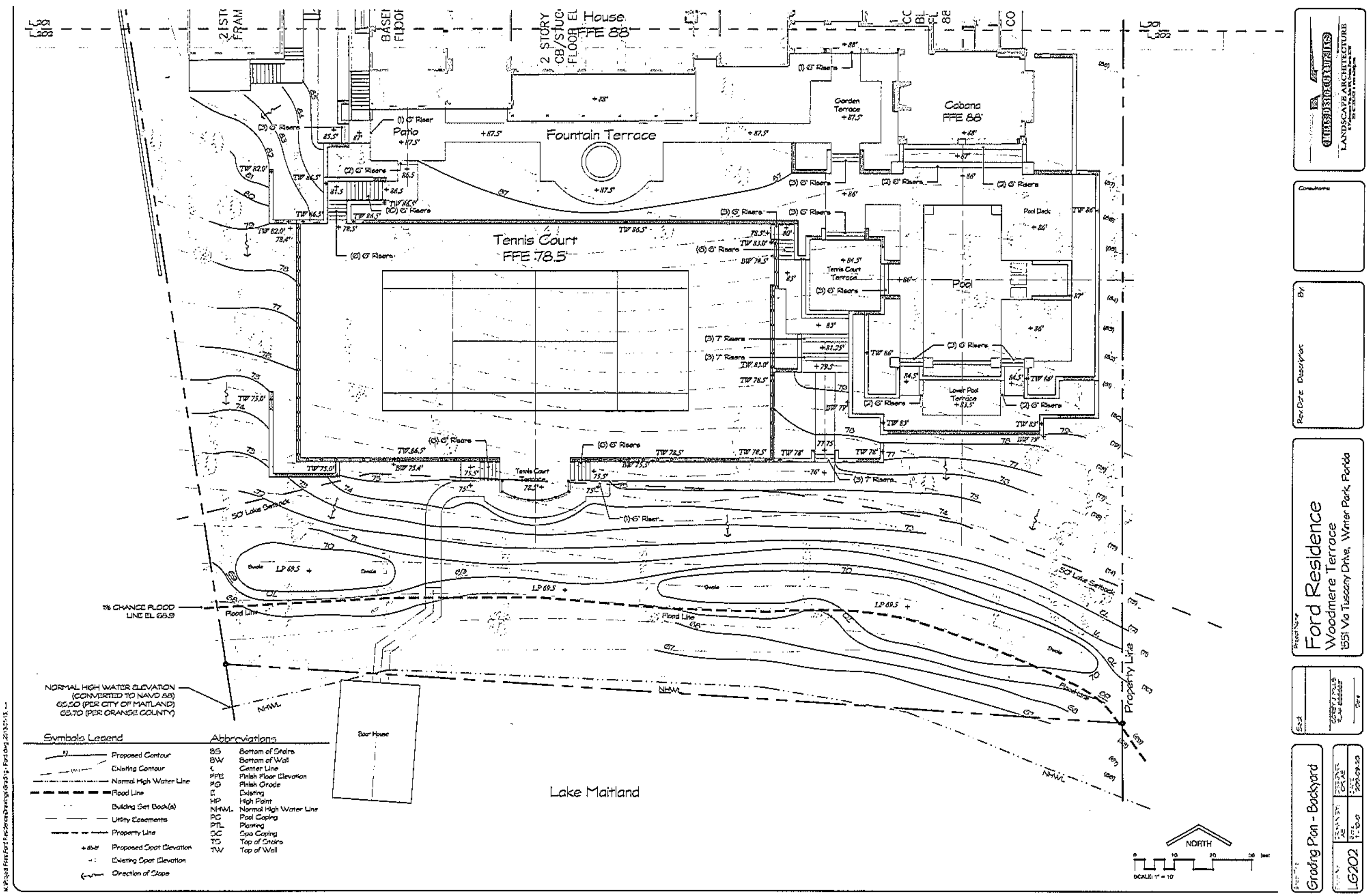
Horizontal Plan

L5101

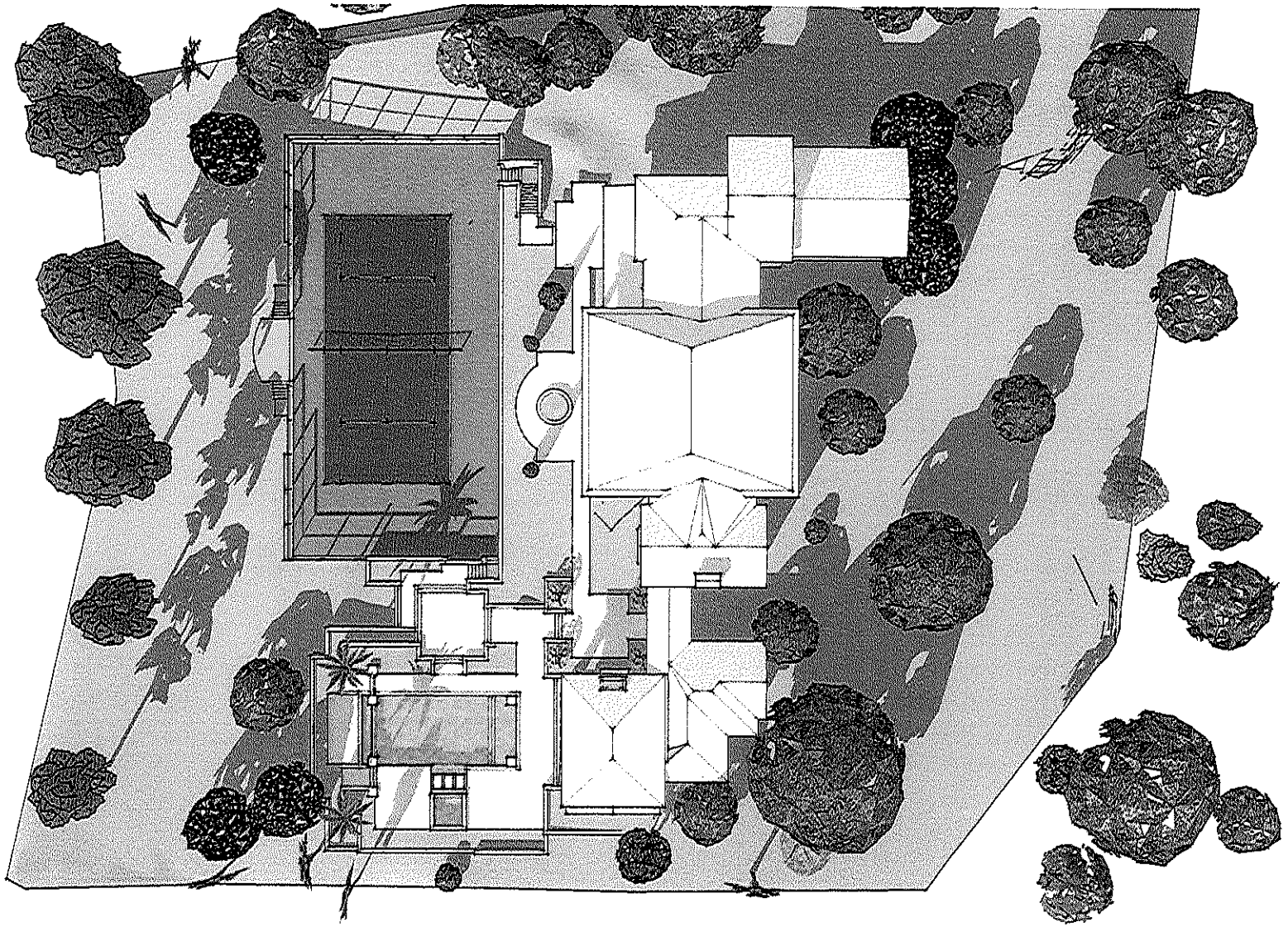
Ford Residence
Woodmere Terrace
551 Via Tuscany Drive, Winter Park, Florida

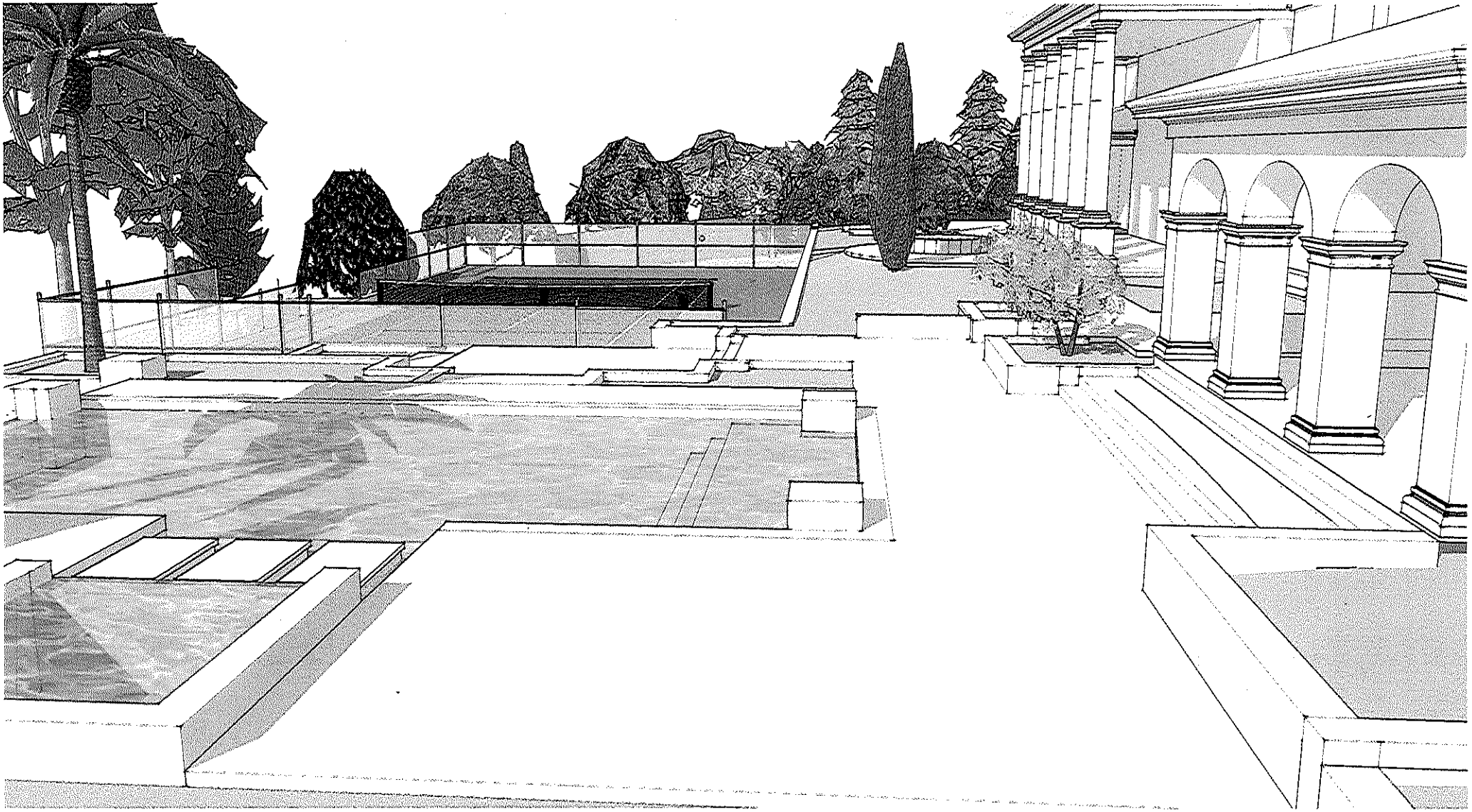
LANDSCAPE ARCHITECTURE

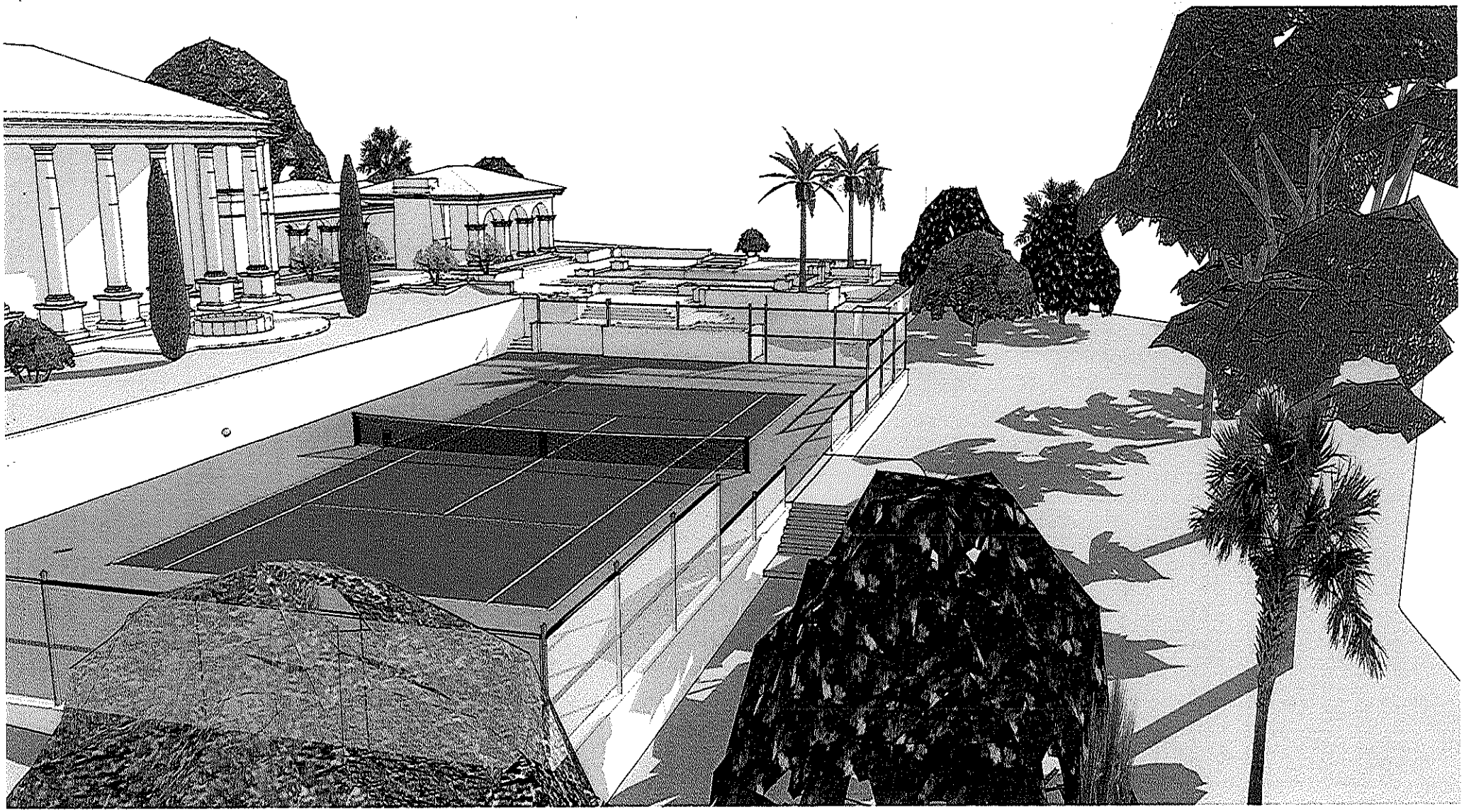
Enlargement Plan - Backyard
L5202
Ford Residence
Woodmere Terrace
351 Via Tuscany Drive, Winter Park, Florida
Rev/Date Description By
LANDSCAPE ARCHITECTURE
Property Line
Lot Line
Pool
Cabana
FFE 88
Pool Deck
Lower Pool Terrace
Planter
Garden Terrace
Tennis Court Terrace
Fountain Terrace
House
FFE 88
Patio
Tennis Court
FFE 78.5
Hand Rail
Fountain
3.5' Tennis Court Fence On Wall
5' Tennis Court Fence
4' Fence
Rolling
Boathouse
Lake Maitland
Flood Line
NHWL
50' Lake Setback
NORTH
Symbols Legend
Proposed Contour
Existing Contour
Normal High Water Line
Flood Line
Building Set Back(s)
Utility Easements
Property Line
Proposed Spot Elevation
Existing Spot Elevation
Direction of Slope
Abbreviations
BS Bottom of Stairs
BW Bottom of Wall
CL Center Line
FFE Finish Floor Elevation
FG Finish Grade
HR Hand Rail
NHWL Normal High Water Line
PC Pool Coping
PF Planting
SC Spa Coping
TS Top of Stairs
TW Top of Wall

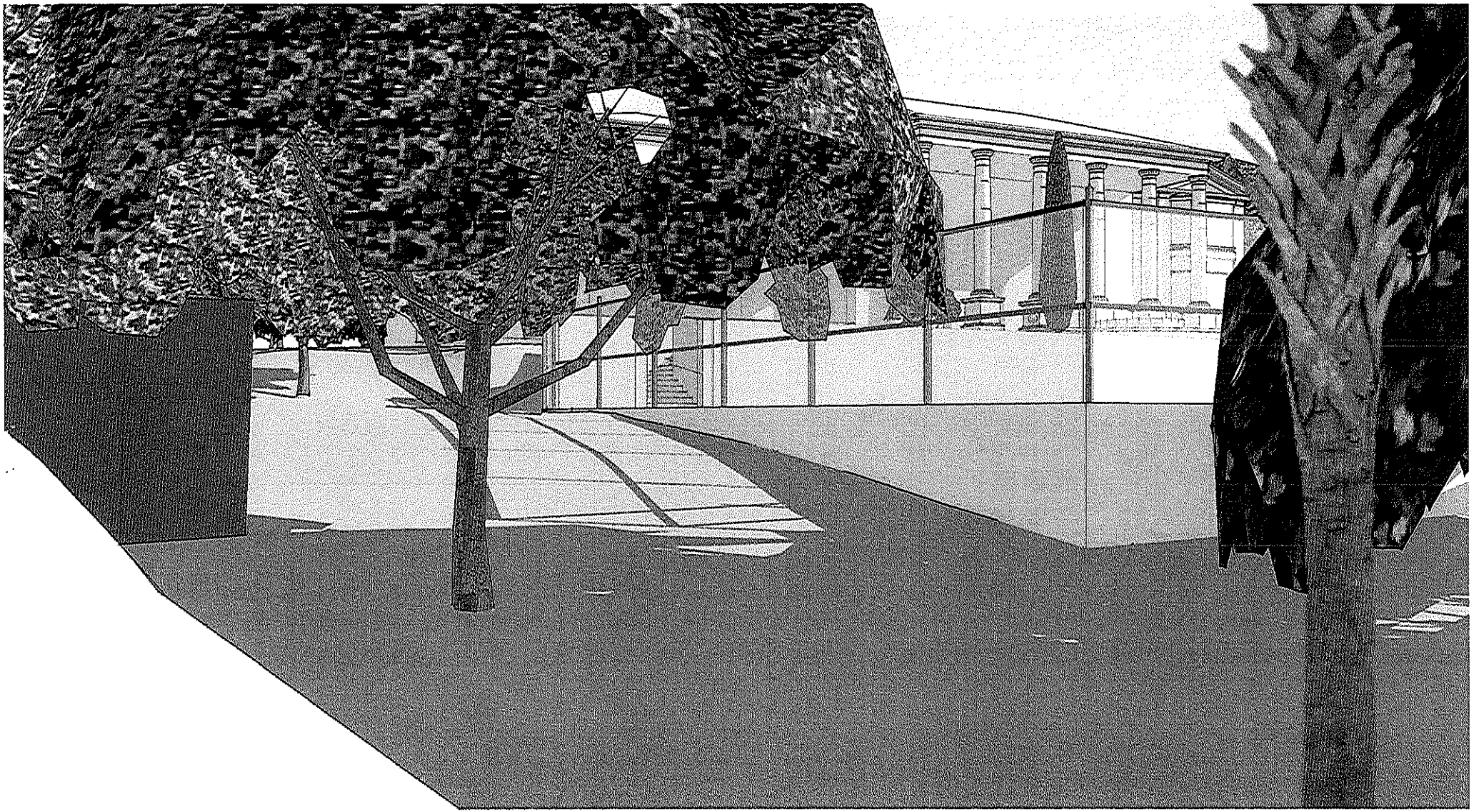


Ford Residence
Woodmere Terrace
1551 Via Tuscany Drive, Winter Park, Florida
Grading Plan - Backyard
LG202
LANDSCAPE ARCHITECTURE
Consultants:
Rev Date Description By
House
FFE 88
2 STORY
CB/STUCCO
Fountain Terrace
Patio
Garden Terrace
Cabana
FFE 88'
Pool Deck
Pool
Lower Pool Terrace
Tennis Court Terrace
Tennis Court
FFE 78.5
Boat House
Lake Maitland
50' Lake Setback
Flood Line
Property Line
1% CHANCE FLOOD LINE EL 68.9
NORMAL HIGH WATER ELEVATION (CONVERTED TO NAVD 88) 65.50 (PER CITY OF MAITLAND) 65.70 (PER ORANGE COUNTY)
NORTH
SCALE: 1" = 10'
Symbols Legend
Proposed Contour
Existing Contour
Normal High Water Line
Flood Line
Building Set Back(s)
Utility Easements
Property Line
Proposed Spot Elevation
Existing Spot Elevation
Direction of Slope
Abbreviations
BS Bottom of Stairs
BW Bottom of Wall
Center Line
FFE Finish Floor Elevation
FG Finish Grade
E Existing
HP High Point
NHWL Normal High Water Line
PC Pool Coping
PTL Planting
SC Spa Coping
TS Top of Stairs
TW Top of Wall







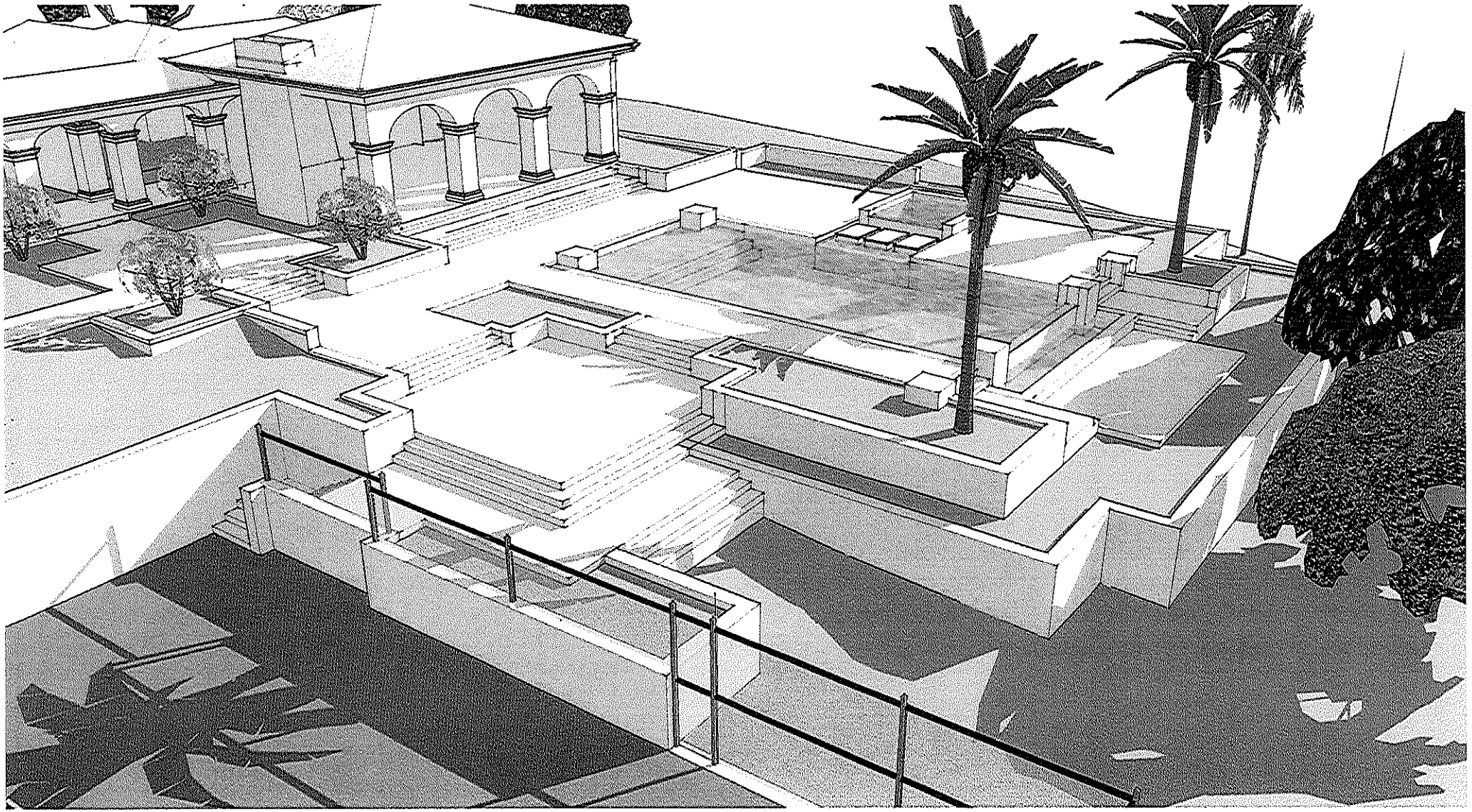


MILLS DESIGN GROUP, INC.
LANDSCAPE ARCHITECTURE

SCHEMATIC DESIGN

January 9, 2013

ford residence

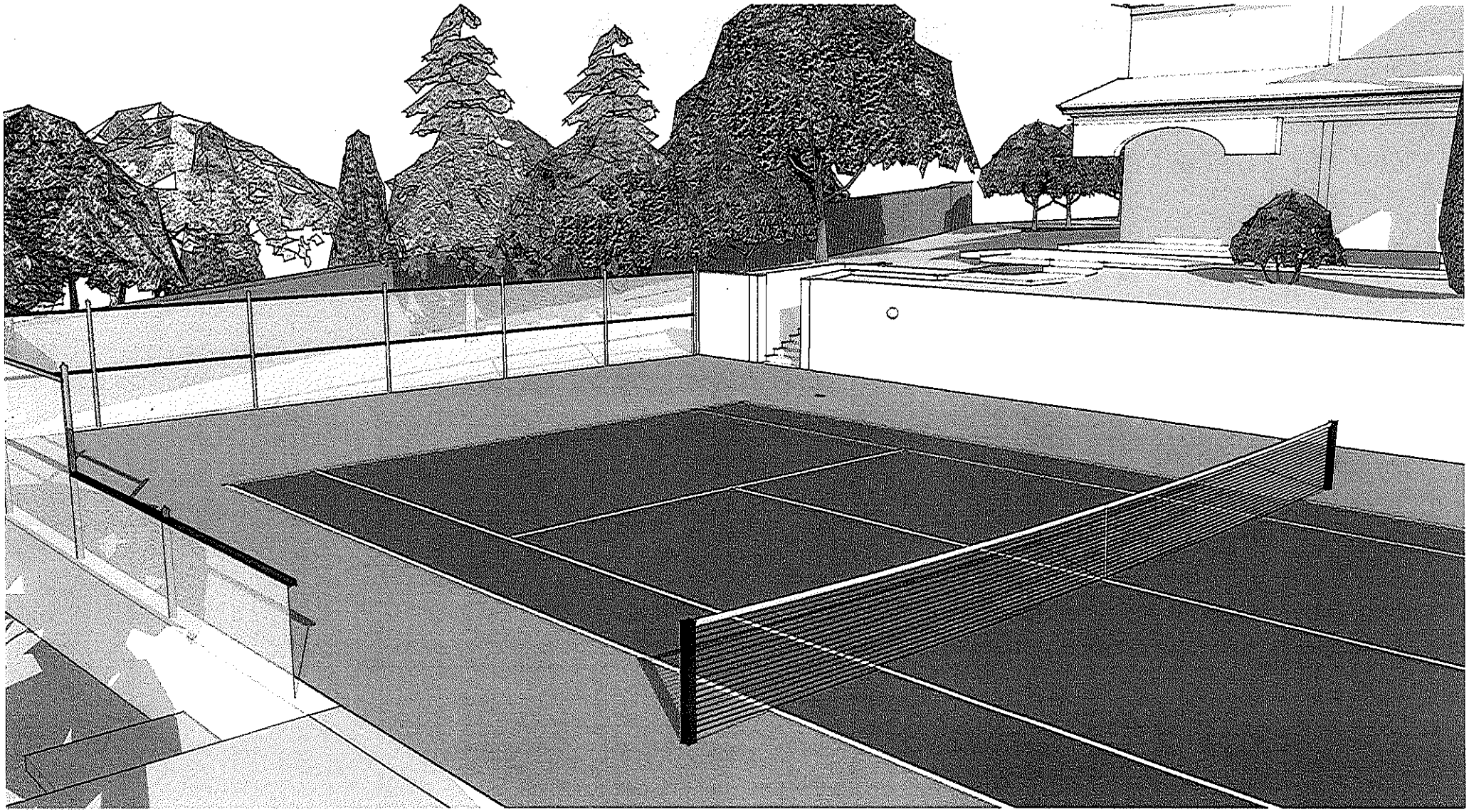


MILLS DESIGN GROUP, INC.
LANDSCAPE ARCHITECTURE

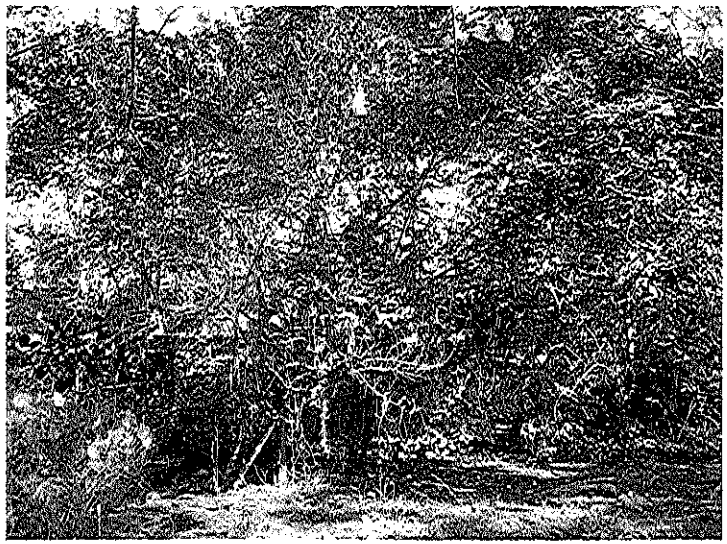
SCHEMATIC DESIGN

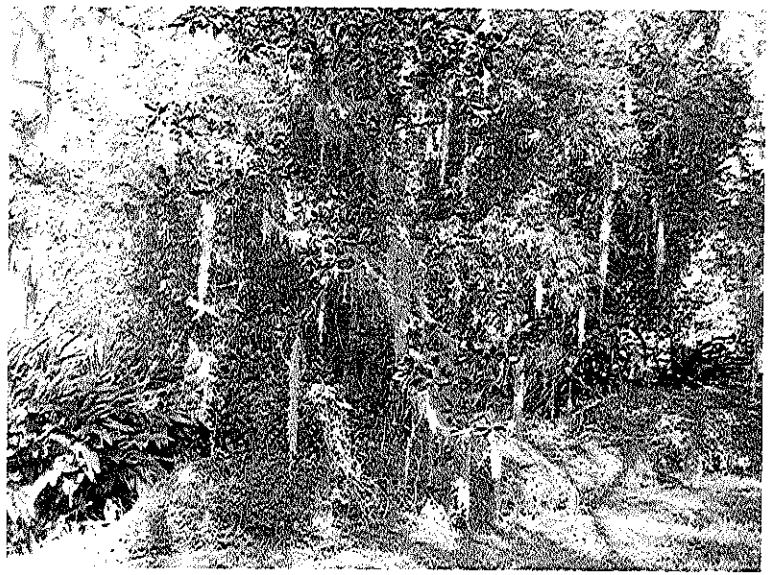
January 9, 2013

ford residence



Via Tuscany
65 ft
© 2012 Google





CITY OF WINTER PARK
PLANNING AND ZONING COMMISSION

Staff Report
February 5, 2013

REQUEST OF THE SYDGAN CORP. TO: AMEND THE COMPREHENSIVE PLAN FUTURE LAND USE MAP SO AS TO CHANGE THE EXISTING FUTURE LAND USE DESIGNATIONS OF SINGLE FAMILY RESIDENTIAL AND INSTITUTIONAL TO OFFICE FUTURE LAND USE ON THE PROPERTIES AT 216, 226 AND 234 W. LYMAN AVENUE AND TO MEDIUM DENSITY RESIDENTIAL FUTURE LAND USE ON THE PROPERTY AT 250 W. LYMAN AVENUE.

REQUEST OF THE SYDGAN CORP TO: AMEND THE OFFICIAL ZONING MAP SO AS TO CHANGE THE EXISTING SINGLE FAMILY (R-1A) DISTRICT AND PUBLIC, QUASI-PUBLIC (PQP) ZONING TO OFFICE (O-2) DISTRICT ZONING ON THE PROPERTIES AT 216, 226 AND 234 W. LYMAN AVENUE AND TO MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL (R-3) DISTRICT ZONING ON THE PROPERTY AT 250 W. LYMAN AVENUE.

The Sydgan Corp. owns and has contingent contracts to purchase property for which they seek Comp. Plan FLU Map and Zoning Map changes to:

1. Change the existing single Family (R-1A) and Institutional (PQP) designations to Office (O-2) zoning on the properties at 216, 226 and 234 W. Lyman Avenues in order to relocate the Grant Chapel building on this site and use for office purposes; and to
2. Change the existing Single Family (R-1A) designation to Medium Density Residential (R-3) zoning on the property at 250 W. Lyman Avenue in order to build townhomes on the property.

These are made as one request with two components for which the City may treat each one independently of the other.

216, 226 and 234 W. Lyman Property:

The 216, 226 and 234 W. Lyman Avenue properties consist of the small single family frame house at the New York Avenue corner, the adjacent vacant lot to the west and the next adjacent former Western Union property. The 216 and 226 W. Lyman properties are designated single family (R-1A). The 234 W. Lyman Avenue property historically was where the Winter Park Taxi Company and Western Union office operated from. Due to the quasi-public service business nature of those operations, the City established Institutional future land use in the comprehensive plan and Public, Quasi, Public (PQP) zoning back in 1976.

The proposal for these three properties collectively is to redevelop the entire site by moving the historic Grant Chapel church building from its current location at 301 W. New England Avenue to this new location. The Grant Chapel building was constructed in 1935 and was one of the historic churches in the Hannibal Square neighborhood. The congregation was no longer viable in the late 1990's and in 2002 it was sold to the applicant. In recent years, the building has been used by the Winter Park photos and wedding chapel business. They would plan to continue those business activities in the new location. The proposed office (O-2) zoning would allow that business and in the future for use as office space. The site plan shows the Grant Chapel building, its associated parking and the corner plaza for outdoor wedding photos.

The alternative as New England Avenue redevelops to much higher density is for Grant Chapel to be demolished to make way for that redevelopment. The historic preservation term for this is "adaptive reuse". Preserving and saving a historic building for an alternate economically viable use.

Comprehensive Plan Policies:

There are conflicting Comprehensive Plan policies in regards to this request, as shown below. The Comprehensive Plan understandably contains a negative policy toward rezoning West Lyman Avenue for business purposes. While the City Attorney will advise that you can't "prohibit" a change (as it reads), the intent is clear to keep West Lyman Avenue as a residential street. On the other hand, the Comprehensive Plan encourages the adaptive reuse of historic buildings. Given this context and location, on the corner of New York and Lyman Avenue, across from the Farmers Market and City Hall facilities, it seems to the staff that the goal of Historic Preservation for the Grant Chapel building outweighs the negative precedent. However, the action to rezone needs to be conditioned upon a Development Agreement which binds the applicant to move the Grant Chapel building within a reasonable time period, such as one year or the action top rezone shall be null and void.

Policy 1-4.1.H.6: Protect the Residential Character of Certain Segments of Lyman Avenue and Carolina Avenue by Prohibiting Non-residential or Mix-Use Development and Related Accessory Uses. The City shall protect the existing residential character of Lyman Avenue between Hannibal Square East and New York Avenue and on Carolina Avenue by prohibiting the use of properties fronting on these streets in whole or in part for non-residential development, or for parking or for storm water retention for adjacent commercial or office development.

Policy 1-3.12.14: Rehabilitation and Adaptive Reuse of Historic Buildings for Contemporary Uses. The City shall encourage the rehabilitation and adaptive reuse of historic buildings if the buildings may no longer feasibly be used for their historic purposes.

250 W. Lyman Property:

The 250 W. Lyman Avenue property is approximately 52,035 sq. ft. in size with 300 feet of frontage on W. Lyman Avenue and then a rear portion with 100 feet of frontage on Comstock Avenue. It is now designated single family (R-1A) and the applicant is requesting the city's multi-family residential (R-3) designation. Under the current city zoning, 8 single family homes could be built on this property. Under the proposed R-3 designation, up to 20 multi-family units could be developed.

Future Development Plans:

The future development plans of the applicant are not firm at this time because the property is under contract for sale to David Weekly Homes. David Weekly does not have development plan finalized at this time. However, one of the requirements for a rezoning submission is to "*include prospective plans indicating the desired development scenario proposed as a result of an approval*". So in keeping with that code requirement, the applicant as the seller, has presented a site plan representative of how 16 new townhomes could be built on this site if rezoned.

These development plans presented are to be representative of what could be built on the property. They are not a commitment to build what is shown. Just as background, the site plan shows 2 ½ story townhomes of about 3,000 square feet in size including the two car garages at the rear of each unit. A common driveway serves all units and provides a rear access. The plans meet the building lot coverage (40%) and FAR (110%). These development plans do not meet the front setbacks (8 foot shown in lieu of the required 25 feet) or the parking requirements (2 spaces shown in lieu of the required 2 ½ spaces per unit. However, the City is now approving this plan or any variances at this time. The application is only for Comp. Plan FLU and Rezoning to R-3.

Staff Appraisal:

The staff supports both requests. In terms of location and context these properties are on the edge of the downtown and next to the SunRail R/O/W and City Electric utility yard. In this transitional location, single family residential zoning is not the most appropriate development use in this location. The requested rezonings are compatible with this "edge" transitional location.

The major controversy over previous decades has been rezoning of residential property in the Hannibal Square neighborhood to business and for other non-residential purposes. Residents have objected to being squeezed out every time residential property is rezoned for business use. In this context one could object to the rezoning for the Grant Chapel on those grounds. However, part of the site is already zoned PQP. There is the loss of

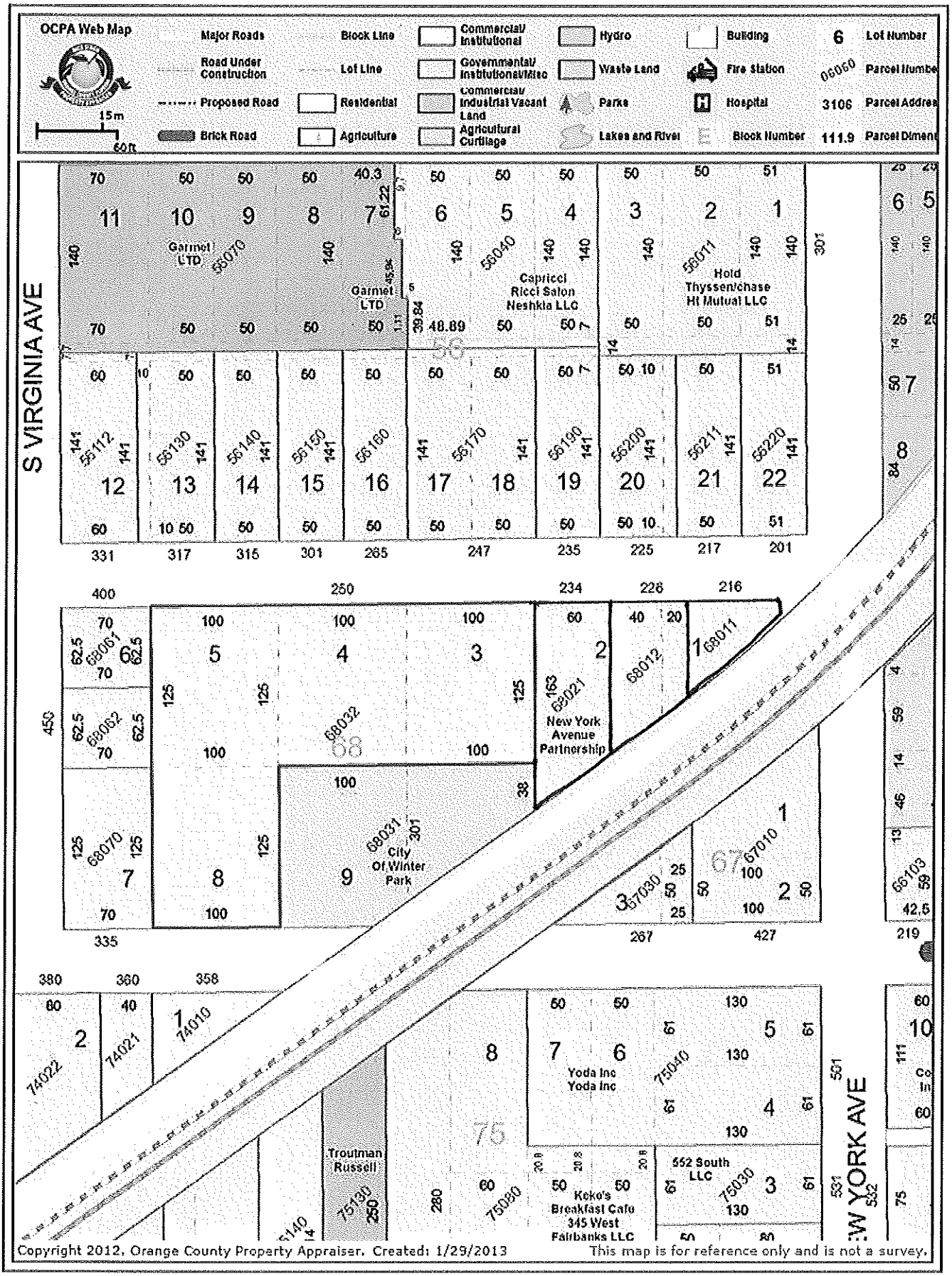
only one home. Additionally, with the companion rezoning to R-3, the resultant increase in density is more than offsetting the loss of the one home. Lastly, the applicant commits to the historic preservation of the Grant Chapel building which is an important historical element of the Hannibal Square community.

The request for the change to R-3 zoning is appropriate given the location and context of this "edge" transitional setting. If the City desires to preserve the residential character of the Hannibal Square neighborhood, then getting new residential townhouse development on this large vacant property will work to insure the residential transitional edge is fixed. As long as this large site sits vacant, it is a candidate for some to see it with office or commercial development potential.

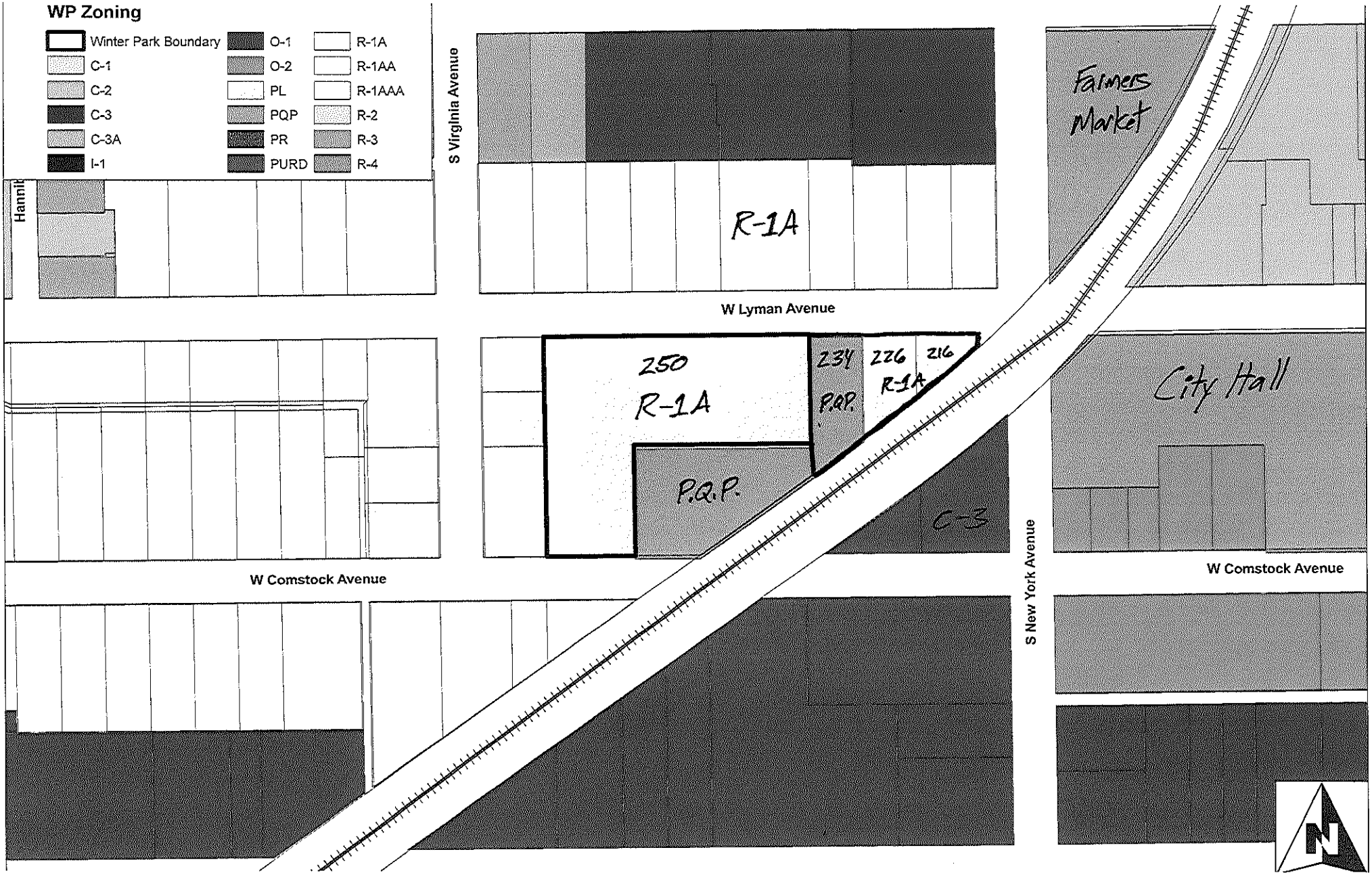
Staff Recommendation:

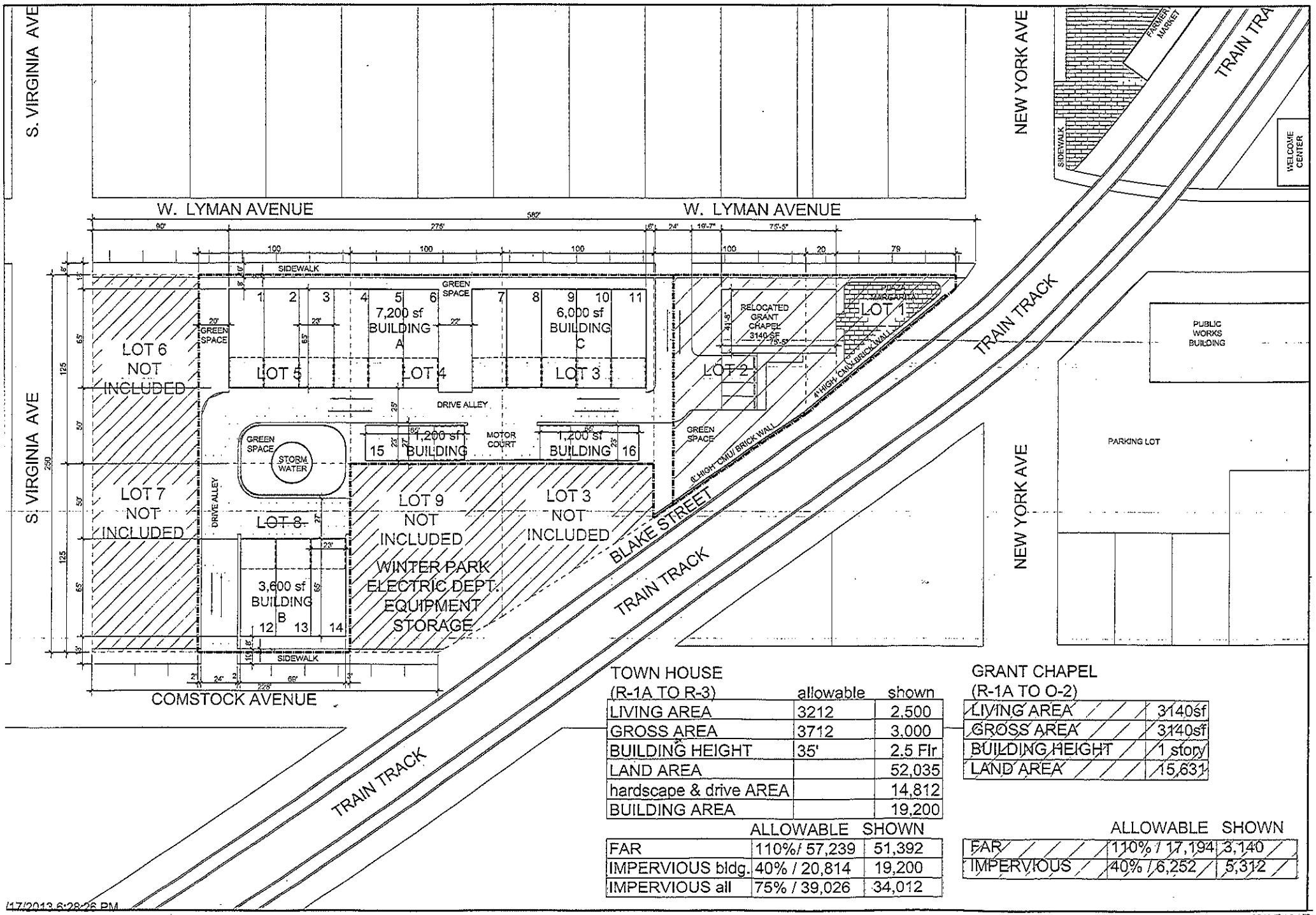
Staff recommendation is for Approval of the change to Office (O-2) on the properties at 216, 226 and 234 W. Lyman Avenue with the condition that a Development Agreement commit the owner to the relocation of the Grant Chapel church building to this site within two (2) years from this approval.

Staff recommendation is for Approval of the change to Multi-Family Residential (R-3) on the property at 250 W. Lyman Avenue.


OCPA Web Map
Major Roads
Road Under Construction
Proposed Road
Brick Road
Block Line
Lot Line
Residential
Agriculture
Commercial/ Institutional
Governmental/ Institutional/Misc
Commercial/ Industrial Vacant Land
Agricultural Curtilage
Hydro
Waste Land
Parks
Lakes and River
Building
Fire Station
Hospital
Block Number
6 Lot Number
06060 Parcel Numbe
3106 Parcel Addres
111.9 Parcel Dimens
15m
60ft
S VIRGINIA AVE
Garmet LTD
Capricci Ricci Salon Neshkia LLC
Hold Thyssenchase Ht Mutual LLC
New York Avenue Partnership
City Of Winter Park
Troutman Russell
Yoda Inc
Yoda Inc
Keko's Breakfast Cafe 345 West Fairbanks LLC
552 South LLC
NEW YORK AVE
Copyright 2012, Orange County Property Appraiser. Created: 1/29/2013
This map is for reference only and is not a survey.


OCPA Web Map
Major Roads
Block Line
Commercial/ Institutional
Hydro
Building
6
Lot Number
Road Under Construction
Lot Line
Governmental/ Institutional/Misc
Waste Land
Fire Station
060650
Parcel Numbe
Proposed Road
Residential
Commercial/ Industrial Vacant Land
Parks
Hospital
3106
Parcel Addres
15m
60ft
Brick Road
Agriculture
Agricultural Curtilage
Lakes and River
Block Number
111.9
Parcel Dimens
Copyright 2012. Orange County Property Appraiser. Created: 1/29/2013
This map is for reference only and is not a survey.


WP Zoning
Winter Park Boundary
C-1
C-2
C-3
C-3A
I-1
O-1
O-2
PL
PQP
PR
PURD
R-1A
R-1AA
R-1AAA
R-2
R-3
R-4
S Virginia Avenue
Hannib
R-1A
W Lyman Avenue
Farmers Market
250
R-1A
234
P.QP.
226
R-1A
216
P.Q.P.
C-3
City Hall
W Comstock Avenue
W Comstock Avenue
S New York Avenue
N



TOWN HOUSE (R-1A TO R-3)	allowable	shown
LIVING AREA	3212	2,500
GROSS AREA	3712	3,000
BUILDING HEIGHT	35'	2.5 Flr
LAND AREA		52,035
hardscape & drive AREA		14,812
BUILDING AREA		19,200

	ALLOWABLE	SHOWN
FAR	110%/ 57,239	51,392
IMPERVIOUS bldg.	40% / 20,814	19,200
IMPERVIOUS all	75% / 39,026	34,012

GRANT CHAPEL (R-1A TO O-2)	
LIVING AREA	3140sf
GROSS AREA	3140sf
BUILDING HEIGHT	1 story
LAND AREA	15,631

	ALLOWABLE	SHOWN
FAR	110% / 17,194	3,140
IMPERVIOUS	40% / 6,252	5,312

Grant Chapel Study

Historic Significance: Grant Chapel is eligible for historic landmark status under National Register of Historic Places Criterion A for its association with the growth and development of the African-American community in Winter Park. A cornerstone was laid for an African Methodist Episcopal church in Hannibal Square during 1893, and Grant Chapel was organized in Hannibal Square in 1906 as a member of the African Methodist Episcopal (AME) churches (MacDowell: 59, 88). Church records could describe the origins more specifically. *The History of Winter Park* states that the Grant Chapel congregation constructed a church on West New England Avenue in 1935 at a cost of $4,000 (MacDowell: 212). The existing building's dedication plaque dedicates Grant Chapel Methodist Church on May 30, 1943. Reverend E. J. Sheppard was the Pastor. Hannibal Square is listed in the Black Heritage Trail guidebook published by the Florida Department of State.

Context: Grant Chapel is located in the Hannibal Square district. Unlike such purely residential historic areas as Virginia Heights or the College Quarter, Hannibal Square also contained churches, schools, a library and several businesses associated with the history of the African-American community in Winter Park.

Architecture: The building is constructed in a vernacular ecclesiastical style. Grant Chapel faces south on West New England Avenue with a shallow front setback from the sidewalk. The building is stucco with a front-facing one and one-half story gable roof. The one story entry porch faces New England Avenue. The entry porch roof is v-groove metal, possibly original material, and the main roof is composition shingles – relatively new material. The overhang has been enclosed with ventilated aluminum panels. An additional entry to the church offices is located on the west side. The offices are located in a short side-facing gabled extension. Entry doors also access the front (north) of the sanctuary on the west and east sides. Four tall vertical windows are on the east side of the sanctuary and three are on the west. Each window is composed of eight (2x4) divided lights with textured tinted glass. Decorative buttresses are placed along the long sidewalls of the sanctuary. The front entry porch features three concrete steps leading to an arched opening. The sides of the entry porch have open arches. The front doors are a pair of paneled wood doors with period hardware. The entry stair walls have a simple coping edge. The exterior stucco shows some older repairs but the building appears to be in sound condition. The interior has a vaulted ceiling and retains the original wood floors and elevated alter and choir space.

Relocating Historic Buildings: Relocating a building is a last resort to avoid demolition. From a preservation perspective, relocating a building presents several concerns. First, the context of the building will be altered. The association with the surrounding natural and built environment is destroyed. Left behind are features that make each building unique. Many of the character defining features that contribute to the architectural significance of a building may be damaged as a result of relocation. An improperly relocated building can have a negative impact on the setting of existing buildings in a new location. Side and front setback,

orientation, scale, mass and individual features of existing buildings should be considered when choosing an appropriate site.

Despite the negatives, relocation is preferable to demolition. This is particularly true with regard to buildings whose significance is primarily architectural such as Casa Feliz, the Robert Bruce Barbour house. There are several criteria to be considered when reviewing a proposal to move a building to a new site. The environment for the new site should be similar to the old one in terms of age of the context, surrounding buildings, their height, materials, setback and architectural details.

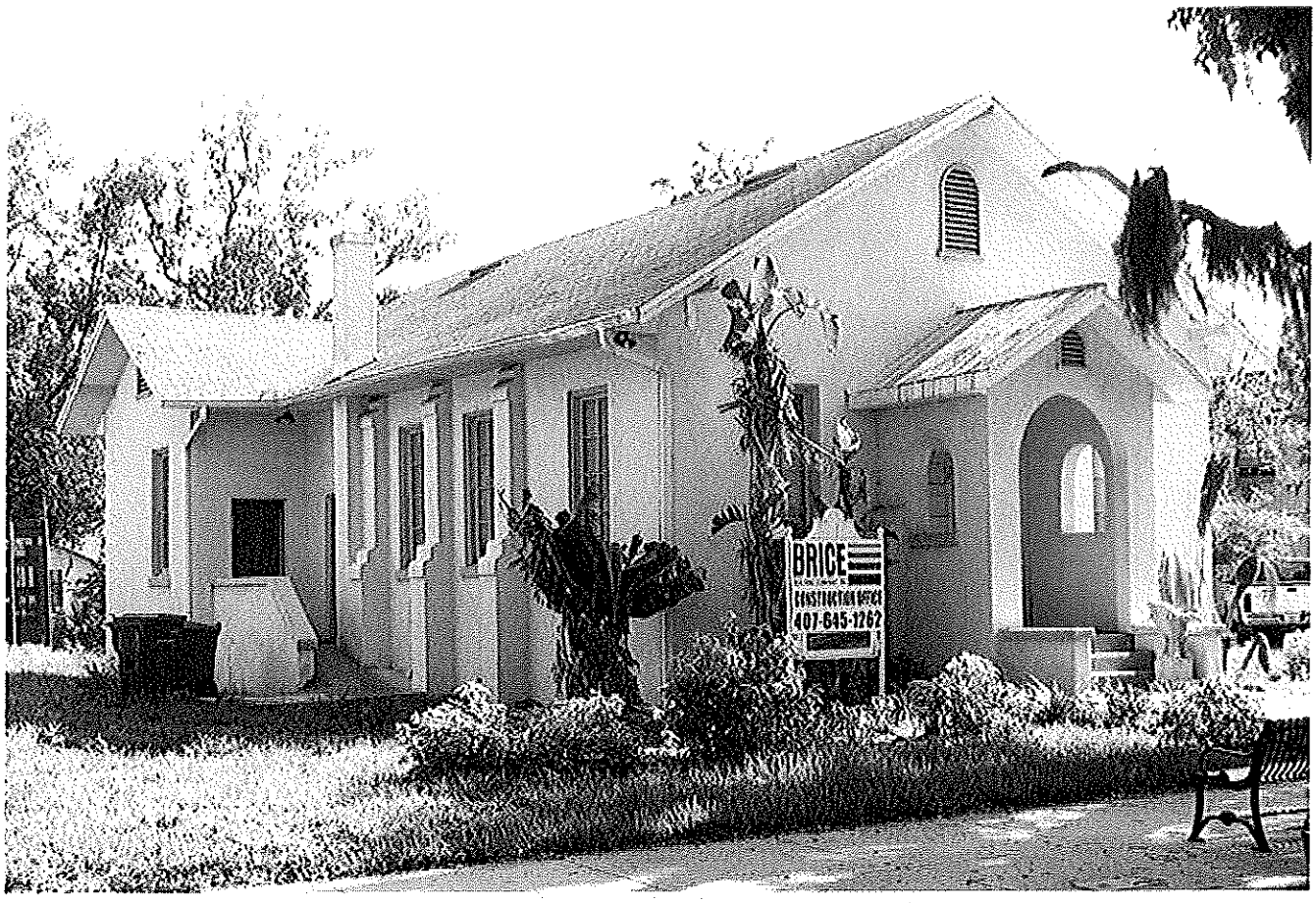
Recommendations: The relocation of the Grant Chapel building has special considerations. To retain its association with the history of Hannibal Square and mitigate the loss to West New England Avenue, it should be relocated to an appropriate site in the Hannibal Square neighborhood. The setting and orientation should be compatible with the original. The orientation and setback of its primary façade should be compatible with surrounding buildings as well as appropriate for the historic building. The new foundation should have a design height and facing materials to match those of the original. The chapel should be listed in the Winter Park Register of Historic Places and given an appropriate adaptive reuse.

Historic Background: Hannibal Square

African-Americans were an integral part of Winter Park's development from its beginning in 1881. Loring Chase and Oliver Chapman, the town's founders, were abolitionists from New England. Their original plan for the town designated a neighborhood, which was named Hannibal Square, for the homes of African-Americans who worked in the groves, hotels and homes, and as carpenters and farmers. Residents of Hannibal Square typically owned their own homes and land. The Winter Park Company donated land in Hannibal Square for a school and churches, and the neighborhood developed its own businesses, services, library, social clubs and cultural organizations. Hannibal Square had its own brass band and baseball team. The original street pattern and many houses and commercial buildings have survived to the present. Landmark buildings include the Mount Moriah Church, Bethel Baptist Church, Flowers Temple, Grant Chapel, the Early Rising Lodge, and Lake Hall Lodge.

The black residents of Hannibal Square played a vital role in the town's early economic political and social life. *The Winter Park Advocate*, a newspaper edited by Gus Henderson, was first published in Hannibal Square in 1887. It was the second black-owned newspaper in Florida, and for several years the only newspaper in Winter Park. The black vote was essential for the incorporation of the town in 1887, and two Hannibal Square residents, Frank Israel and Walter Simpson, were elected as alderman on the first Town Council. In 1892, a political group sent a petition to the State Legislature, and the corporate town limits were changed to exclude Hannibal Square. Long since included back into incorporated Winter Park, Hannibal Square is a revitalizing neighborhood with a renewed pride in its heritage.

Parcel Photos - 301 W New England Ave



302205940040170 05/19/2006

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE I "COMPREHENSIVE PLAN" FUTURE LAND USE MAP SO AS TO CHANGE THE FUTURE LAND USE DESIGNATION OF SINGLE FAMILY RESIDENTIAL AND INSTITUTIONAL TO OFFICE FUTURE LAND USE ON THE PROPERTIES AT 216, 226 AND 234 WEST LYMAN AVENUE AND TO MEDIUM-DENSITY RESIDENTIAL ON THE PROPERTY AT 250 WEST LYMAN AVENUE, MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR CONFLICTS, SEVERABILITY AND EFFECTIVE DATE.

WHEREAS, the Winter Park City Commission adopted its Comprehensive Plan on February 23, 2009 via Ordinance 2762-09, and

WHEREAS, the owner of the property more particularly described herein has requested an amendment to the Comprehensive Plan for this property, and such amendment meets the criteria established by Chapter 166, Florida Statutes and pursuant to and in compliance with law, notice has been given to Orange County and to the public by publication in a newspaper of general circulation to notify the public of this proposed Ordinance and of public hearings to be held.

WHEREAS, the Winter Park Planning and Zoning Commission, acting as the designated Local Planning Agency, has reviewed and recommended adoption of the proposed Comprehensive Plan amendment, having held an advertised public hearing on February 5, 2013, provided for participation by the public in the process and rendered its recommendations to the City Commission; and

WHEREAS, the Winter Park City Commission has reviewed the proposed Comprehensive Plan amendment and held advertised public hearings and provided for public participation in the process in accordance with the requirements of state law and the procedures adopted for public participation in the planning process.

NOW THEREFORE BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, AS FOLLOWS:

SECTION 1. That Chapter 58 "Land Development Code", Article I, "Comprehensive Plan" future land use plan map is hereby amended so as to change the future land use map designation of single family residential and institutional to office on the properties at 216, 226 and 234 W. Lyman Avenue, subject to the implementation of a development agreement for the preservation of the Grant Chapel church building and said property being more particularly described as follows:

Lots 1 & 2, Block 68, Revised Map of the Town of Winter Park as recorded in Plat Book "A", Pages 67-72 of the Public Records of Orange County, Florida.

Property Tax ID's # 05-22-30-9400-68-011; 05-22-30-9400-68-012 and 05-22-30-9400-68-021

SECTION 1. That Chapter 58 "Land Development Code", Article I, "Comprehensive Plan" future land use plan map is hereby amended so as to change the future land use map designation of single family residential to medium density multi-family residential on the property 250 W. Lyman Avenue, said property being more particularly described as follows:

Lots 3, 4, 5 and 8, Block 68, Revised Map of the Town of Winter Park as recorded in Plat Book "A", Pages 67-72 of the Public Records of Orange County, Florida.

Property Tax ID # 05-22-30-9400-68-032

SECTION 2. Severability. If any Section or portion of a Section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Ordinance.

SECTION 3. Conflicts. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

SECTION 4. Effective Date. This Ordinance may not become effective until 31 days after adoption. If challenged within 30 days after adoption, this Ordinance may not become effective until the state land planning agency or the Administrative Commission, respectively, issues a final order determining that this Ordinance is in compliance.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this _____ day of _____, 2013.

_____
Mayor

Attest:

_____
City Clerk

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO CHANGE THE ZONING DESIGNATION OF SINGLE FAMILY (R-1A) DISTRICT AND PUBLIC, QUASI-PUBLIC (PQP) DISTRICT TO OFFICE (O-2) DISTRICT ON THE PROPERTIES AT 216, 226 AND 234 WEST LYMAN AVENUE AND TO MEDIUM DENSITY MULTI-FAMILY (R-3) DISTRICT ON THE PROPERTY AT 250 WEST LYMAN AVENUE, MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR CONFLICTS, SEVERABILITY AND EFFECTIVE DATE.

WHEREAS, the owner of the property more particularly described herein has requested rezoning in compliance with the Comprehensive Plan, and the requested zoning will achieve conformance with the Comprehensive Plan future land use designation for this property, and such municipal zoning meets the criteria established by Chapter 166, Florida Statutes and pursuant to and in compliance with law, notice has been given to Orange County and to the public by publication in a newspaper of general circulation to notify the public of this proposed Ordinance and of public hearings to be held; and

WHEREAS, the Planning and Zoning Board and City Staff of the City of Winter Park have recommended approval of this Ordinance at their February 5, 2013 meeting; and

WHEREAS, the City Commission of the City of Winter Park held duly noticed public hearings on the proposed zoning change set forth hereunder and considered findings and advice of staff, citizens, and all interested parties submitting written and oral comments and supporting data and analysis, and after complete deliberation, hereby finds the requested change consistent with the City of Winter Park Comprehensive Plan and that sufficient, competent, and substantial evidence supports the zoning change set forth hereunder; and

WHEREAS, the City Commission hereby finds that this Ordinance serves a legitimate government purpose and is in the best interests of the public health, safety, and welfare of the citizens of Winter Park, Florida.

NOW THEREFORE BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, AS FOLLOWS:

SECTION 1. That Chapter 58 "Land Development Code", Article III, "Zoning" and the Official Zoning Map are hereby amended so as to change the existing zoning designation of single family (R-1A) district and public, quasi-public (PQP) district to office (O-2) district zoning on the properties at 216, 226 and 234 W. Lyman Avenue, subject to the implementation of a development agreement for the preservation of the Grant Chapel church building and said property being more particularly described as follows:

Lots 1 & 2, Block 68, Revised Map of the Town of Winter Park as recorded in Plat Book "A", Pages 67-72 of the Public Records of Orange County, Florida.

Property Tax ID's # 05-22-30-9400-68-011; 05-22-30-9400-68-012 and 05-22-30-9400-68-021

SECTION 2. That Chapter 58 "Land Development Code", Article III, "Zoning" and the Official Zoning Map are hereby amended so as to change the existing zoning designation of single family (R-1A) district to medium density multi-family residential (R-3) district zoning on the property at 250 W. Lyman Avenue and said property being more particularly described as follows:

Lots 3, 4, 5 and 8, Block 68, Revised Map of the Town of Winter Park as recorded in Plat Book "A", Pages 67-72 of the Public Records of Orange County, Florida.

Property Tax ID # 05-22-30-9400-68-032

SECTION 3. Severability. If any Section or portion of a Section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Ordinance.

SECTION 4. Conflicts. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

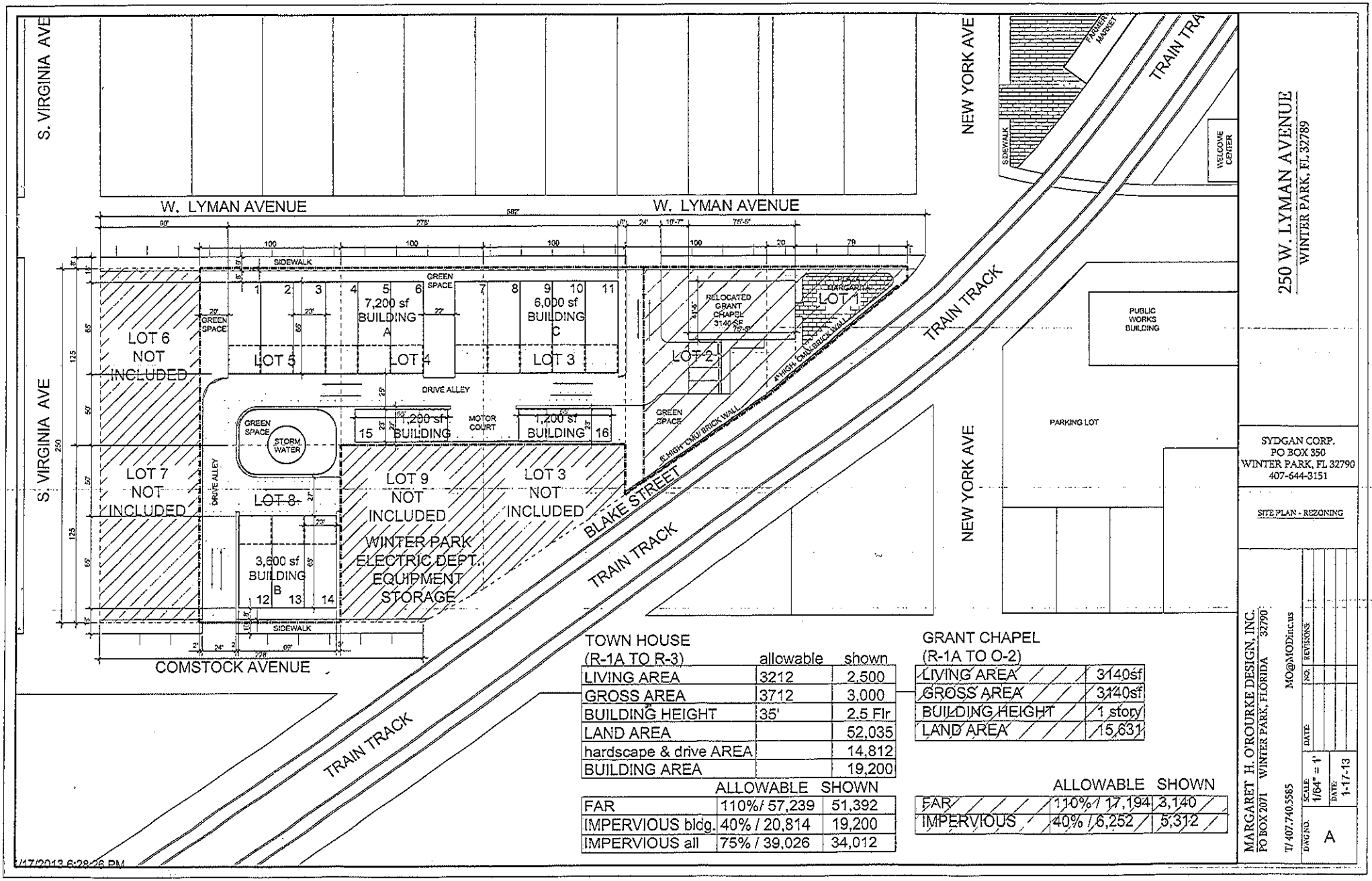
SECTION 5. Effective Date. This Ordinance shall become effective upon the effective date of Ordinance _____. If Ordinance _____ does not become effective, then this Ordinance shall be null and void.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this _____ day of _____, 2013.

_____
Mayor

Attest:

_____
City Clerk



250 W. LYMAN AVENUE
WINTER PARK, FL 32789

SYDGAN CORP.
PO BOX 350
WINTER PARK, FL 32790
407-644-3151

SITE PLAN - REZONING

TOWN HOUSE
(R-1A TO R-3)

	allowable	shown
LIVING AREA	3212	2,500
GROSS AREA	3712	3,000
BUILDING HEIGHT	35'	2.5 Flr
LAND AREA		52,035
hardscape & drive AREA		14,812
BUILDING AREA		19,200

	ALLOWABLE	SHOWN
FAR	110%/ 57,239	51,392
IMPERVIOUS bldg.	40% / 20,814	19,200
IMPERVIOUS all	75% / 39,026	34,012

GRANT CHAPEL
(R-1A TO O-2)

LIVING AREA	3140sf
GROSS AREA	3140sf
BUILDING HEIGHT	1 story
LAND AREA	15,631

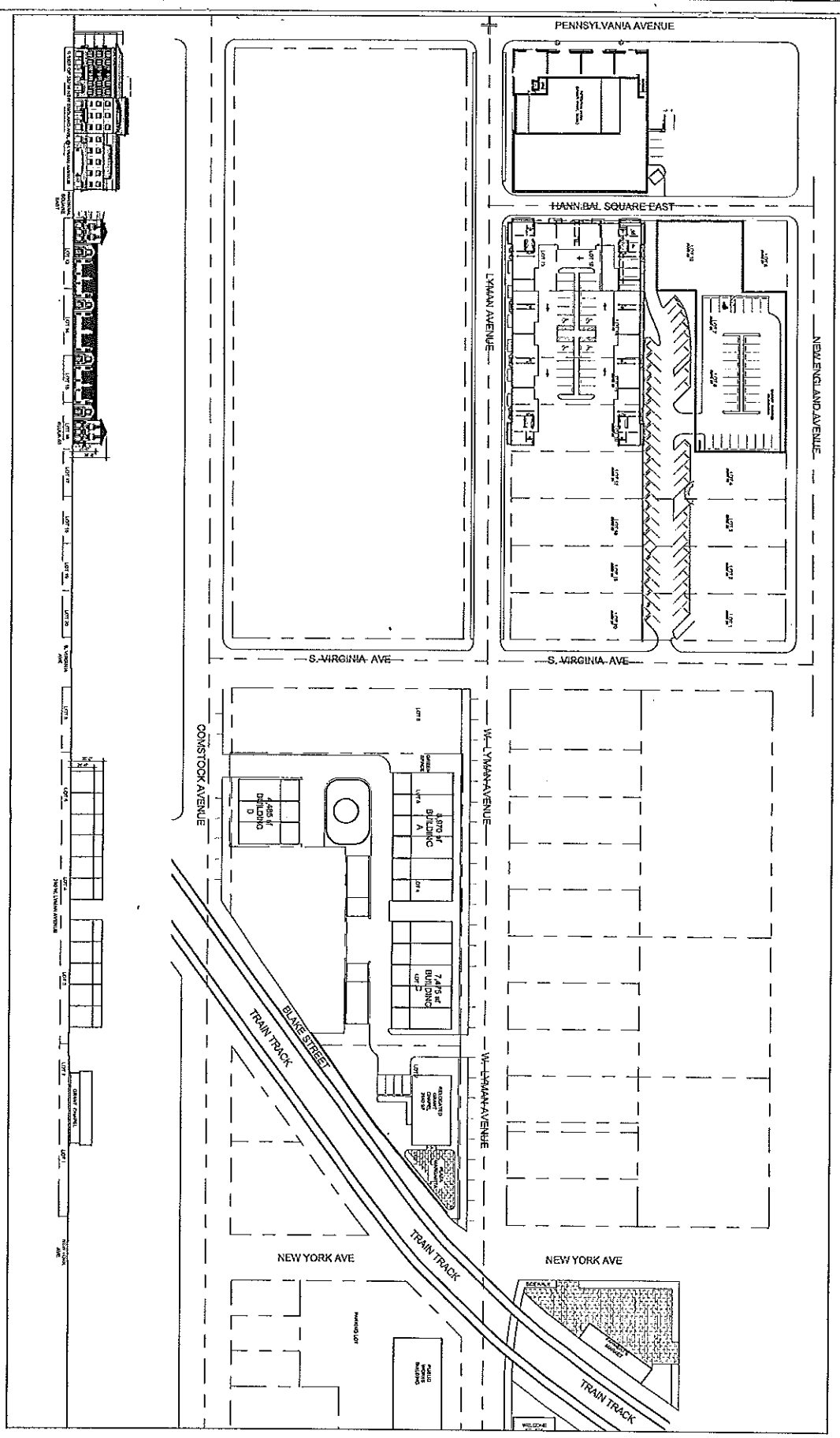
	ALLOWABLE	SHOWN
FAR	110% / 17,194	3,140
IMPERVIOUS	40% / 6,252	5,312

MARGARET H. O'ROURKE DESIGN, INC.
PO BOX 2071 WINTER PARK, FLORIDA 32790
T/ 407.740.5585
MO@MODinc.us

NO.	REVISIONS	DATE:

SCALE: 1/64" = 1'
DATE: 1-17-13
DWG NO. A

1/17/2013 6:28:26 PM



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D'WG NO.	SCALE:	DATE:	NO:	REVISIONS:
B1	NTS			
	DATE: 1-8-13			

SITE PLAN - REZONING

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