

**CITY OF WINTER PARK
PLANNING AND ZONING BOARD**

**Staff Report
June 2, 2015**

REQUEST OF UNICORP NATIONAL DEVELOPMENTS, INC. FOR: AN ORDINANCE AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE I, "COMPREHENSIVE PLAN" SO AS TO ADD A NEW POLICY TO THE US HIGHWAY 17-92 CORRIDOR STUDY AREA "J" TO PROVIDE FOR ADDITIONAL FLOOR AREA RATIO FOR PARKING GARAGES IF EQUAL PRIVATE AND PUBLIC PARKING IS PROVIDED.

REQUEST OF UNICORP NATIONAL DEVELOPMENTS, INC. FOR: AN ORDINANCE AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" SO AS TO CHANGE WITHIN SECTIONS 58-74 AND 58-76 COMMERCIAL C-1 AND C-3 DISTRICTS, SO AS TO ALLOW FOR ADDED FLOOR AREA RATIO FOR PARKING GARAGES IF EQUAL PRIVATE AND PUBLIC PARKING IS PROVIDED.

Unicorp National Developments, Inc. received their "final" conditional use approval for their Lakeside Crossing project from the Planning Board on April 7, 2015 and from the City Commission on April 27, 2015, for the property at 110 N. Orlando Avenue, zoned C-3. That approval by the City Commission was made with the conditions as recommended by P&Z and one code exception for the parking garage setback (6 ft. versus 10 ft.) on Harper Street.

Unicorp now desires to expand the project parking garage by 77 parking spaces which would change it from a 2½ level structure to a 3 level structure. The request also commits that one-half of those spaces (38 spaces) would be deemed "private parking" that could be used for expanded restaurant seating and the other half would be deemed "public parking" to be provided in excess of the City's parking code requirements.

The New Plan Submittals/Comp. Plan Amendment:

The Lakeside Crossing – Alternate Parking Option plans (attached) show the comparisons between the approved 2½ level garage and the proposed 3 level garage. The footprint dimensions, location and setbacks of the parking garage have not changed. The only change is that the parking garage would be fully two-stories in height (25 feet tall approx.) on all sides with parking on the roof/upper third level.

Because there is additional covered area within the expanded parking garage, (more 2nd level parking now covered) that added covered area must be counted toward the floor area ratio (FAR). This expanded parking garage covers an additional 25,937 square feet which increases the floor area ratio from the previous approval at 44.17% FAR to 60.87% FAR.

Under the City's Comp. Plan and Zoning Code, the City Commission may exclude the floor area of "public parking" from the floor area ratio calculation. Public parking is defined as those spaces provided above the minimum zoning code requirements. Subtracting the floor area of the 39 "public parking" spaces to be provided within this parking garage that are in excess of the zoning code requirements would then reduce the proposed floor area ratio to 52.52% FAR. Also, technically, 19 spaces of the 40 spaces provided on this site for the Lakeside (Trader Joes) project are also over and above the zoning code requirements and by definition "public parking". If one additionally subtracted those 19 spaces and the floor area thereof, it would reduce the "official" floor area ratio 48.4% FAR or just 3.4% above Code.

It is important to note that the current Comprehensive Plan and C-3 Zoning already permit up to a 60% FAR in certain circumstances. Those cases are when there is a mixed use building project that has residential units on the upper floors. The Comprehensive Plan and C-3 Zoning Code anticipate and allow for circumstances where a 60% FAR is acceptable within the Commercial future land use category and C-3 zoning. That is depicted in the table at the end of this staff report. Expanding a project above a 45% FAR can be approved within the current Comprehensive Plan policies and C-3 zoning district, if it were a mixed use project with residential units on the upper floors. This scenario addresses a single use project where the extra FAR is needed for parking garage space due to the higher parking requirements for restaurant businesses.

It is important to point out that the Comprehensive Plan and C-3 Zoning permit up to a 50% FAR if the project is a hotel. Again there is conformity with the 52.52 % or 48.4% FAR requested. It is interesting to note that the existing floor area of the Mt. Vernon Inn including the covered balcony areas is an FAR of 56.7%. Thus the requested project size is comparable to what currently exists on the property.

This Comprehensive Plan amendment and Zoning Code change would apply potentially to all properties that have frontage along the US Highway 17-92 (Orlando Avenue) corridor. The economics of this provision will make the likelihood of others requesting increased FAR based on this amendment unlikely. Spaces within parking garages cost roughly \$15,000 per space when built in structures to the quality required by the City. Any future developer working to use this amendment needs to build one public parking space for each private parking space. So at \$30,000 per parking space, that alone will limit the future applicability.

The Comprehensive Plan Approval Process:

The method required to allow for the expansion of this parking garage is to amend the Comprehensive Plan and C-3 Zoning Code to allow for this additional FAR. However, as requested it would only be for the special case when the additional parking garage spaces are split equally between private and public parking. Rather than make it a city-wide provision, this specific Comp. Plan amendment would apply only to properties fronting on Orlando Avenue within the US Highway 17-92 Corridor Planning Area by adding a new policy to read as shown below. Similar text would then be added to the C-1 and C-3 zoning regulations in order to implement this provision within the Zoning regulations. Both ordinances, as approved by the city attorney, are attached for your review.

Policy 1-4.1.J.16: Provide for Increased Floor Area Ratio on Orlando Avenue Based on Provision of Dedicated Public Parking. Notwithstanding the commercial intensity limits established elsewhere in this element, this policy shall enable the properties fronting on Orlando Avenue to be developed with a maximum commercial intensity (Floor Area Ratio) of 60% as long as one-half of the floor area ratio that is above 45% is dedicated public parking. The dedicated public parking spaces shall be over and above the parking spaces required for the commercial project pursuant to the City of Winter Park Land Development Code.

Amendment of the Cond. Use for the Revised Parking Garage Plans:

The applicant has been working with the city staff to redesign the parking garage toward conformance with the concepts outlined in the draft Parking Garage Design Guidelines that were presented conceptually to the Planning Board. The Conditional Use for this project will need to be amended to reflect the expanded parking garage but that cannot be done by the City Commission until the second reading and adoption of these Ordinances. Because this Comp. Plan amendment is a "large scale" text amendment, it has to be sent to the Florida Dept. of Economic Opportunity (FDOE) for review and comment. That is about a two month process. So the specific plans for the revised parking garage (interior and exterior) plus exterior landscaping will be on a future P&Z agenda for recommendation.

Summary and Staff Recommendation:

The public benefit to this request is that the patrons of the Lakeside Crossing businesses will have 39 more parking spaces above and beyond the code requirements to use. It is only 10% more parking but it is 10% more parking than previously agreed to. Those 39 extra parking spaces will certainly help during the peak times for the three proposed restaurants.

The appearance of a full 2-story parking garage at approximately the same height (25 feet) as the commercial buildings will look appropriate in terms of architecture and scale. When one discounts the "public parking" aspect of the request, the amount of floor area ratio above Code (48.4% FAR versus 45%

FAR) is not significant. Even without the public parking discounts, the total FAR of 60.87% FAR is a size and scale that was contemplated within the Commercial future land use category of the Comprehensive Plan and the C-1 and C-3 Zoning Code and not much more than the gross floor area of the existing Mt. Vernon Inn.

Staff Recommendation is for Approval of the Comprehensive Plan Amendment and C-1/C-3 Zoning Code amendment.

Relevant Comprehensive Plan Policies:

Policy 1-2.1.4: Floor Area Ratio Defined. Floor Area Ratio (FAR) shall be defined as the sum of the gross horizontal areas of the several floors of a building or buildings measured from the exterior surface of the walls divided by the land area of the site. The site land area must be entirely one contiguous land mass and shall not include land isolated or separated from the main site by a street or water body. The gross floor area ratio in square feet of the building or buildings on the property (and contiguous properties being used in connection with such building(s) divided by the area of such property in square feet. This mathematical expression (gross floor area ÷ land area = floor area ratio) shall determine the maximum building size permitted. Basement areas or other below grade floor areas are excluded from the floor area when more than one-half of that basement or floor height is below the established curb level. The area of stairways, elevators, and multi-story rooms or atriums shall be counted on each floor level. The floor area of private parking garages (above grade) or parking levels shall be counted toward the floor area ratio when such parking is provided to meet the parking requirements of the Land Development Code except for the top open parking level if it is open and uncovered. The public parking component of any parking garage may be excluded from the floor area ratio calculation by the City Commission.

Policy 1-3.8.2: Include Parking Garages in Floor Area Ratio and Lot Coverage Calculations. The City shall include all above grade parking garages in Floor Area Ratio and Lot Coverage calculations. However, public parking garages or the public portion of public/ private garages may be excluded from this requirement by the City Commission.

Policy 1-2.3.1: Commercial. This land use designation includes both the wide variety of commercial retail uses, restaurants, and various professional office uses. It is designed to relate to those areas zoned C-1, C-3 and C-3A, but may also include areas zoned I-1 when used for commercial or office or residential purposes. This designation also allows a density of residential uses as a conditional use up to 17 units per acre. Residential units however, shall only be permitted above the first or ground floor level. The intensity of use (floor area ratio) of buildings in this designation may not exceed the standards as listed in the Maximum Future Land Use Density/ Intensity Table and as governed by the maximum number of stories permitted in the Maximum Height Map within this Future Land Use Element.

Table 3 Future Land Use Map Designation Maximum Density/ Intensity Table

	Office	Commercial	Medium Density PD 1	High Density PD 2	C.B.D.
Density (units/ acre)	17 units/ acre	17 units/ acre	17 units/ acre	25 units/ acre	17 units/ acre
Intensity (FAR)					
Up to 2-3 story limit	45%*+ 60%**	45%*+ 60%**	130%	130%	200%
Up to 4 story limit	45%*+ 60%**	45%*+ 60%**	175%	200%	Not permit ted
Up to 5-8 story limit	45%*+ 60%**	45%*+ 60%**	N/A	250%	Not permit ted

Note: All categories count private parking garage floor space toward FAR limits.
Maximum number of stories is determined by the Maximum Height Map and may be further restricted by other policies of this Comprehensive Plan.

+ The 45% FAR may be increased up to 5% if parking for the increase is entirely underground beneath the foot print of the building or if the building's upper floor(s) cantilevered over such parking or for hotel buildings.

* For any building project exclusively commercial or office; or any mix of commercial or office uses.

** For any building project at least 85% commercial or office on the first floor with residential units on upper floors.

Note: This table reflects the maximum intensities that may be permitted in the underlying zoning district. The maximum intensity that will be approved on any specific site will be based on the applicable development regulations and the ability of the project to further promote the goals of the City, but is not an entitlement.

OCPA Web Map

- Florida Turnpike
- Major Roads
- Proposed Road
- Block Line
- Commercial/Institutional
- Hydro
- Golf Course
- Public Roads
- Brick Road
- Lot Line
- Governmental/Institutional/Misc
- Waste Land
- Lakes and Rivers
- Interstate 4
- Garage Road
- Rail Road
- Residential
- Commercial/Industrial/Vacant Land
- County Boundary
- Building
- Toll Road
- Road Under Construction
- Proposed Sun/Fall
- Agriculture
- Agricultural Canals
- Park
- Hospital

Courtesy Rick Singh, CFA, Orange County Property Appraiser



Vacant Commercial Under Construction
Lakeside Winter Park LLC

12	29
13	Carmel Cafe and Wine Bar
14	Pjs Carmel Land Holdings II LLC
15	Sesco Lighting
16	1133 W Morse Blvd LLC
17	32, 33, 34

4	3
3	
2	16
1	11
	8
	9
	18

W Morse Blvd

Daily Traffic 7000

14	15
13	16
12	17
11	18
10	19
9	20
8	21
7	22
6	23
5	24
4	25
3	26
2	27
1	28



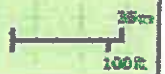
Beachview Ave
[4 Units]

W New England Ave

11	New England Wharf Shopping
10	New England Courtyard LLC
9	
8	
7	
6	
5	Copytronics
4	Sss Investments Of Jacksonville Inc
3	Burger King
2	Burger King Corp
1	



Fairview Ave
Grove Ave
Verizon Wireless Cellular Sales



OCPA Web Map

- | | | | | | | |
|---|--|--|--|--|--|----------------------------|
|  Florida |  Major Roads |  Proposed Road |  Residential |  Commercial/Industrial/Vacant Land |  Parks | 6 Lot Number |
|  Interstate 4 |  Public Roads |  Brick Road |  Agriculture |  Agricultural Cartilage |  Lakes and Rivers | 06060 Parcel Number |
|  Toll Road |  Gated Roads |  Block Line |  Commercial/Institutional |  Hydro |  Building | 3106 Parcel Address |
|  Road Under Construction |  Lot Line |  Governmental/Institutional/Other |  Waste Land |  Block Number | 111.9 Parcel Dimension | |

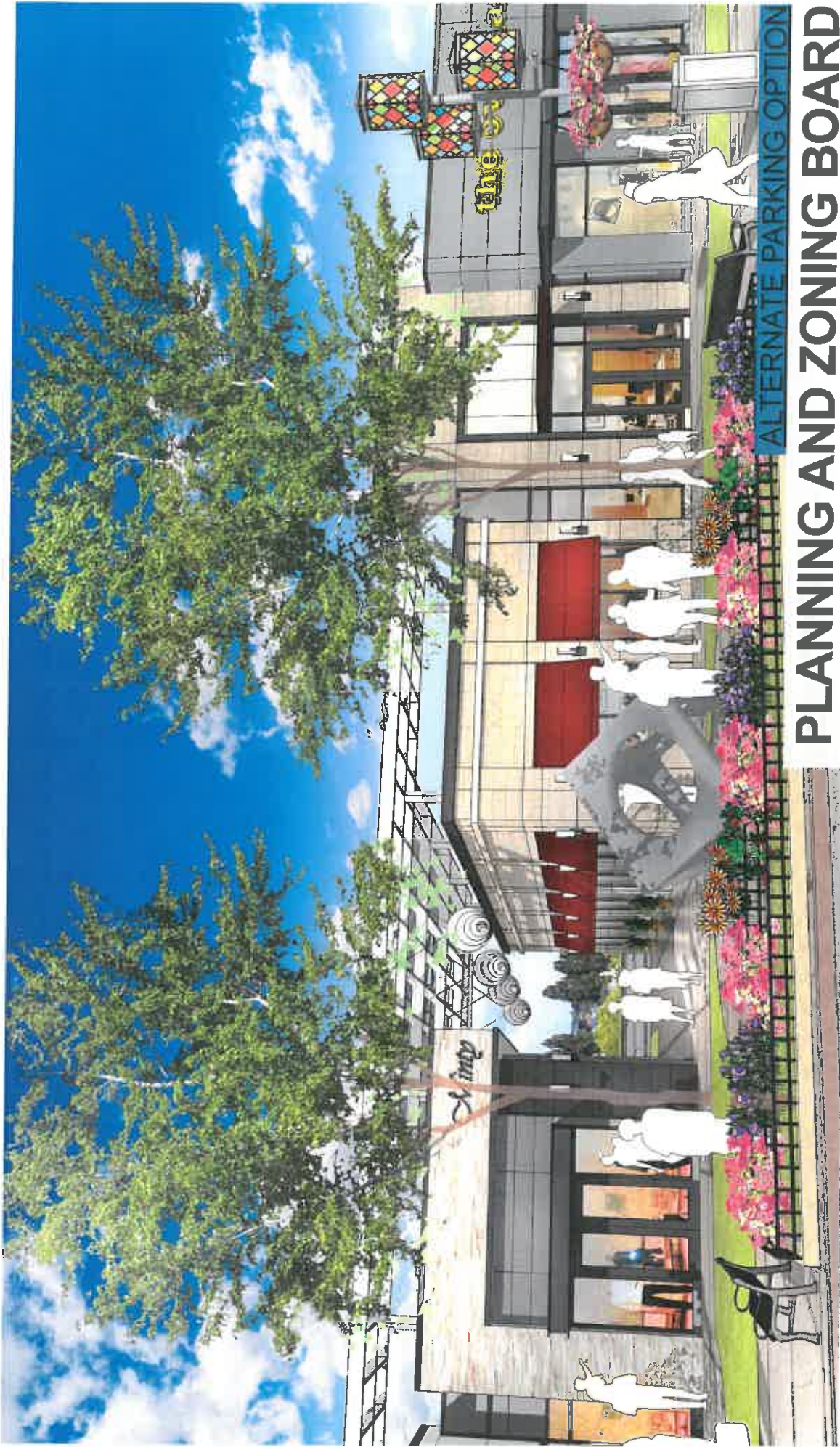
Prepared by Rick Singh, CFA, Orange County Property Appraiser



15 m
50 ft

Created: 10/26/2014

This map is for reference only and is not a survey.



LAKESIDECROSSING WINTER PARK

Unicom National Developments Developer | Antanovich Associates Architect | Minley Horn Civil Engineer

PLANNING AND ZONING BOARD

CITY OF WINTER PARK, FLORIDA

WINTER PARK, FLORIDA | MARCH 23RD, 2016



LAKESIDECROSSING

WINTER PARK

Unicorp National Developments Developer | Anunovich Associates Architect | Kinley Horn Civil Engineer

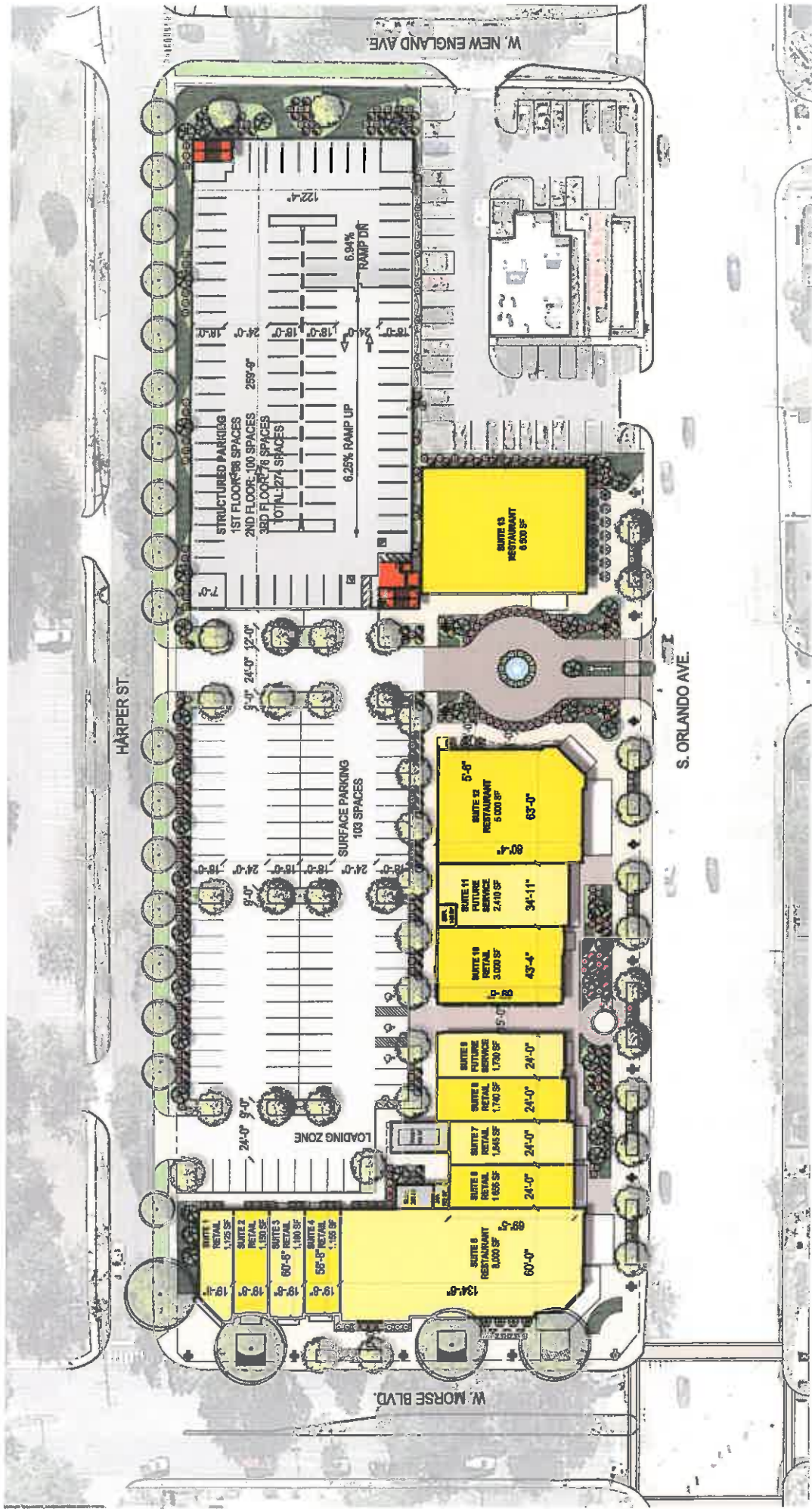
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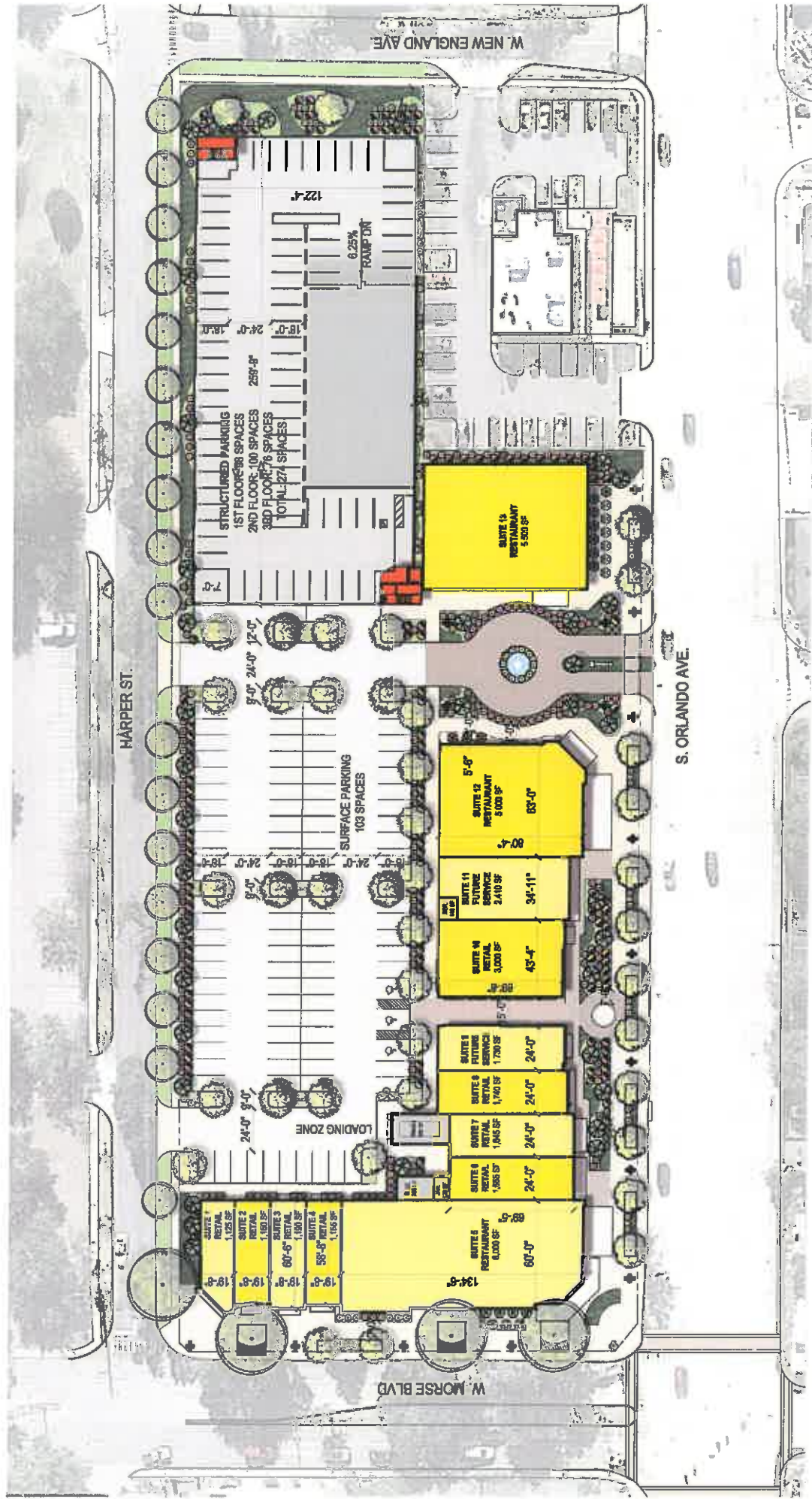
SITE PLAN 3

ALTERNATE PARKING OPTION
LAKESIDECROSSING
 WINTER PARK



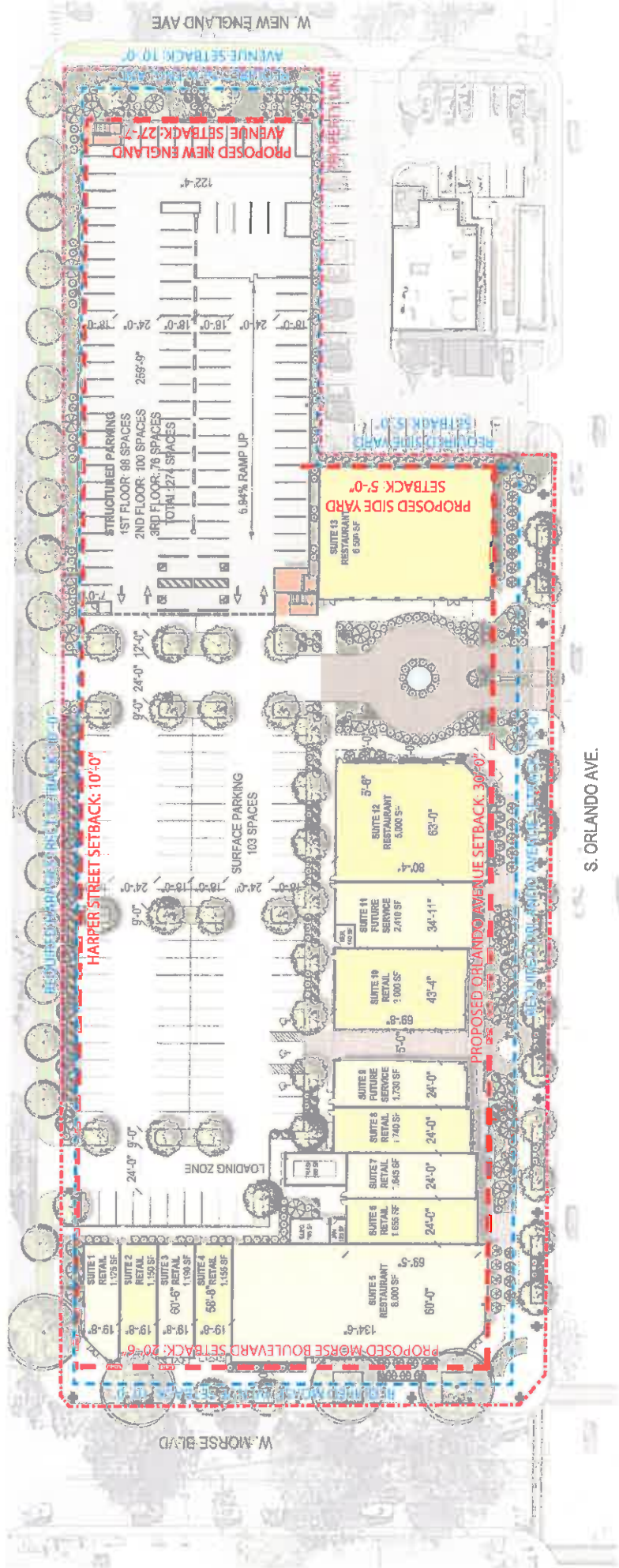
GARAGE SECOND FLOOR PLAN 4

ALTERNATE PARKING OPTION
LAKESIDECROSSING
 WINTER PARK



LAKESIDECROSSING

ALTERNATE PARKING OPTION



LAKESIDE CROSSING - AREA ANALYSIS: ALTERNATE OPTION								
LEVEL	FLOOR HEIGHT	PARKING		BUILDING HEIGHT	RETAIL		GROSS BUILT AREA	FAR AREA
		GARAGE	SURFACE		COMMON	RSF		
3	22'-2"	76	25,160				25,160	
2	10'-5"	100	31,947				31,947	
1	0	98	31,947	4'-25'-0"	36,300	37,435	69,382	
TOTAL		274	89,054		1,135	37,435	126,489	94,542

C-3 ZONING ANALYSIS			
SITE AREA	PROPOSED	REQUIRED	PROPOSED REQUIRED
155,314	155,314	-	30'
LOT COVERAGE	44.67%	45% Max	20'-6"
FAR	60.87%	45% Max	7'
PERVIOUS SPACE	14.55%	16% Min	27'-7"
PARKING TOTAL	377	300	5'
			SIDE YARD
			FRONT YARD (Orlando Ave)
			Morse Blvd.
			Harper St.
			New England Ave.
			15' Min
			10' Min
			6' Min

* One story retail building height is 25' to top of roof



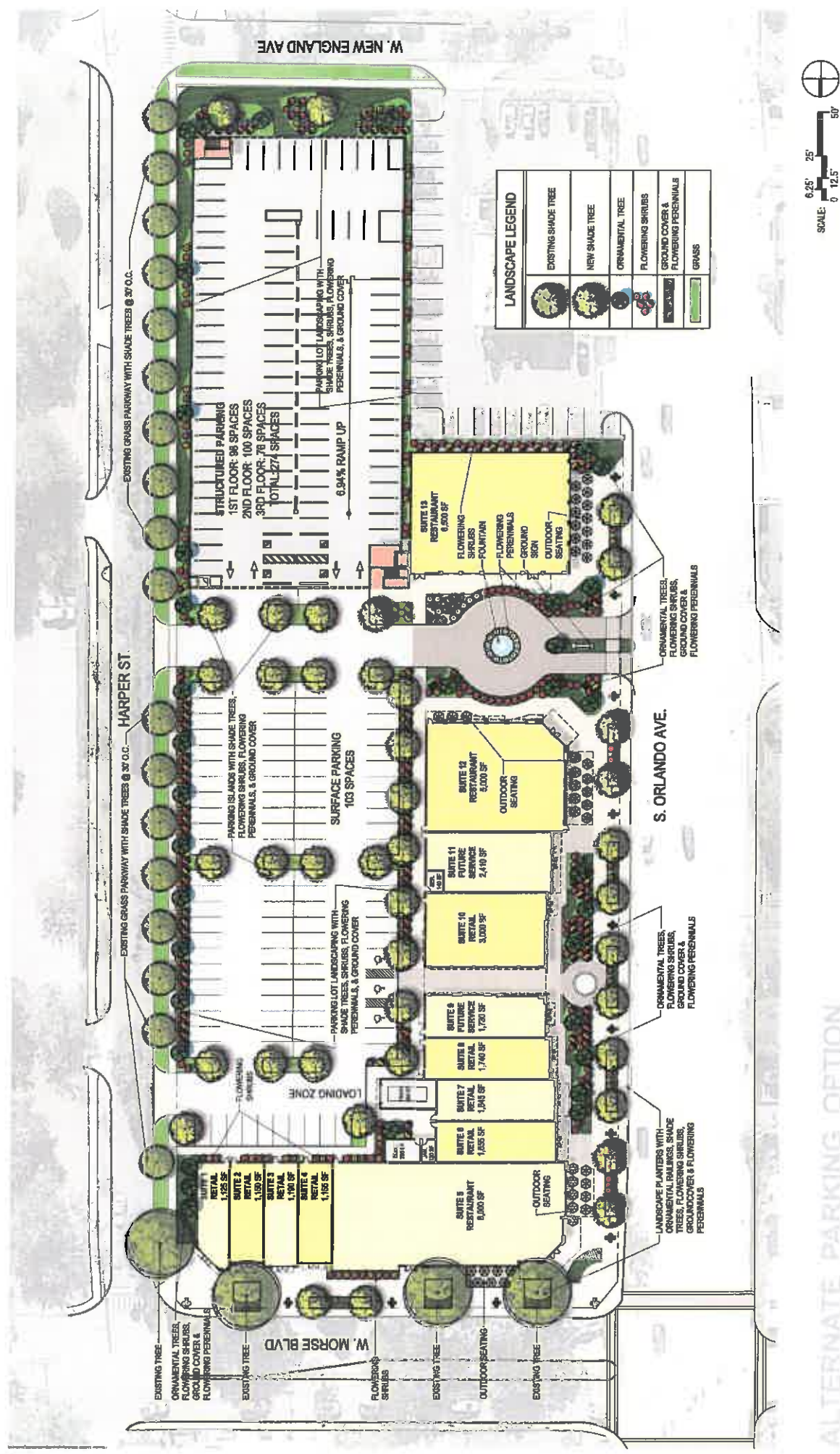
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ALTERNATE PARKING OPTION
LAKESIDE CROSSING
 WINTER PARK

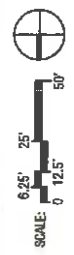
Unicorp National Developments Developer | Ambascioni Associates Architect | Kinley Horn Civil Engineer

SETBACK DIAGRAM & PROJECT ANALYSIS

WINTER PARK, FLORIDA | MARCH 23TH, 2016



LANDSCAPE LEGEND	
	EXISTING SHADE TREE
	NEW SHADE TREE
	ORNAMENTAL TREE
	FLOWERING SHRUBS
	GROUND COVER & FLOWERING PERENNIALS
	GRASS



ALTERNATE PARKING OPTION

LAKESIDECROSSING WINTER PARK

Unicity National Developments Developer | Anisamovich Associates Architect | Kinley Horn Civil Engineer

LANDSCAPE PLAN 7

WINTER PARK, FLORIDA | MARCH 23TH, 2015



ALTERNATE PARKING OPTION

LAKESIDECROSSING

WINTER PARK

Unicorp National Developments, Developer | Ammann+Juchacz Associates, Architect | Wiley Horn, Civil Engineer

2 LEVEL GARAGE- HARPER ST.

8

WINTER PARK, FLORIDA | MARCH 23TH, 2016



ALTERNATE PARKING OPTION

LAKESIDECROSSING WINTER PARK

Unicorp National Developments Developer | Arkunovitch Associates Architect | Kinley Horn Civil Engineer

2 LEVEL GARAGE- NEW ENGLAND AVE.

WINTER PARK, FLORIDA | MARCH 25TH, 2016



ALTERNATE PARKING OPTION

LAKESIDECROSSING

WINTER PARK

Unicorp National Developments Developer | Armanovitch Associates Architect | Minley Horn Civil Engineer

2 LEVEL GARAGE - AERIAL 10

WINTER PARK, FLORIDA | MARCH 23TH, 2016



ALTERNATE PARKING OPTION

LAKESIDECROSSING

WINTER PARK

Unicorp National Developments Developer | Antanovitch Associates Architect | Kinley Horn Civil Engineer

3 LEVEL GARAGE - HARPER ST. 11

WINTER PARK, FLORIDA | MARCH 23TH, 2015



ALTERNATE PARKING OPTION

LAKESIDECROSSING

WINTERPARK

Unicorp National Developments Developer | Antmanovich Associates Architect | Kinley Horn Civil Engineer

3 LEVEL GARAGE - NEW ENGLAND AVE. 12

WINTER PARK, FLORIDA | MARCH 23TH, 2015



ALTERNATE PARKING OPTION
LAKESIDECROSSING
WINTER PARK

Unicorp National Developments Developer | Antanovich Associates Architect | Kinley Horn Civil Engineer

3 LEVEL GARAGE - AERIAL 13

WINTER PARK, FLORIDA | MARCH 23TH, 2016

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE I, "COMPREHENSIVE PLAN" IN THE FUTURE LAND USE ELEMENT SO AS TO ADD A NEW POLICY TO THE US HIGHWAY 17-92 CORRIDOR PLANNING AREA "J" TO PROVIDE FOR ADDITIONAL FLOOR AREA RATIO FOR PARKING GARAGES IF EQUAL PRIVATE AND PUBLIC PARKING IS PROVIDED; PROVIDING FOR CODIFICATION, 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 City Commission desires to amend the Comprehensive Plan, Future Land Use Element, within US Highway 17-92 Corridor planning area "J" in order to allow floor area ratios up to 60%, if the increase over a 45% floor area ratio is exclusively for parking garage spaces and where the resultant increase in parking spaces are equally split between private and public parking, and

WHEREAS, 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, and

WHEREAS, the Winter Park Planning and Zoning Board, 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 June 2, 2015, 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 at which the City Commission has 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", is hereby amended by adding a new Future Land Use Policy within the US Highway 17-92 Corridor Planning Area "J" on Page 1-61 of the Goals, Objectives and Policies to read as follows:

Policy 1-4.1.J.16: Provide for Increased Floor Area Ratio on Orlando Avenue Based on Provision of Dedicated Public Parking. Notwithstanding the commercial intensity limits established elsewhere in this element, this policy shall enable the properties fronting on Orlando Avenue to be developed with a maximum commercial intensity (Floor Area Ratio) of 60% as long as one-half of the floor area ratio that is above 45% is dedicated public parking. The dedicated public parking spaces shall be over and above the parking spaces required for the commercial project pursuant to the City of Winter Park Land Development Code.

SECTION 2. Codification. This ordinance shall be incorporated into the Winter Park City Code. Any section, paragraph number, letter and/or any heading may be changed or modified as necessary to effectuate the foregoing. Grammatical, typographical and similar or like errors may be corrected, and additions, alterations, and omissions not affecting the construction or meaning of this ordinance and the City Code may be freely made.

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 of Ordinance. The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administrative Commission enters a final order determining the adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administrative Commission, this amendment may nevertheless be made effective by the adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

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 _____, 2015.

Mayor Steve Leary

Attest:

City Clerk

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ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE III, "ZONING", SECTIONS 58-74 COMMERCIAL (C-1) DISTRICT AND 58-76 COMMERCIAL (C-3) DISTRICT, SO AS TO ALLOW FOR ADDED FLOOR AREA RATIO FOR PARKING GARAGES IF EQUAL PRIVATE AND PUBLIC PARKING IS PROVIDED, LIMITED TO LOCATIONS ALONG THE ORLANDO AVENUE CORRIDOR; PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY AND EFFECTIVE DATE.

WHEREAS, the City Commission has amended the Comprehensive Plan to provide for additional floor area ratio allowance for parking garages subject to limits on their location and usage; and

WHEREAS, this Land Development Code amendment is needed to implement the policy amendment within the Comprehensive Plan so that the two Codes are consistent and not in conflict; and

WHEREAS, the zoning text amendment is consistent with the Comprehensive Plan, the requested zoning text changes will achieve conformance with the Comprehensive Plan, 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 City Staff recommends this Ordinance, and the Planning and Zoning Board of the City of Winter Park has recommended approval of this Ordinance at their June 2, 2015 meeting; and

WHEREAS, the City Commission of the City of Winter Park held a duly noticed public hearing 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; and

WHEREAS, words with double underlined type shall constitute additions to the original text and strike through shall constitute deletions to the original text, and asterisks (* * *) indicate that text shall remain unchanged from the language existing prior to adoption of this Ordinance.

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", Section 58-74 "Commercial (C-1) District", subsection (e) (3) is hereby amended to read as follows:

Sec. 58-74. Commercial (C-1) District.

* * *

(e) *Development standards.*

* * *

(3) The maximum floor area ratio and building lot coverage shall be forty-five (45%) percent. The floor area ratio shall include the floor area of any attached or detached above-grade private parking garage. The forty-five (45%) percent floor area ratio and building lot coverage may be increased by an additional five (5%) percent if the parking for the increased five (5%) percent floor area ratio is located entirely underground beneath the building's footprint or if the building's upper floor(s) are cantilevered over such parking or if it is for a hotel building. However, for properties with frontage on Orlando Avenue, the City Commission may approve a floor area ratio of up to sixty (60%) percent as long as one-half of the floor area ratio that is above forty-five (45%) percent is dedicated public parking. The dedicated public parking spaces shall be over and above the parking spaces required for the commercial project pursuant to the City of Winter Park Land Development Code.

* * *

SECTION 2. That Chapter 58 "Land Development Code", Article III, "Zoning", Section 58-76 "Commercial (C-3) district", subsection (e) (3) is hereby amended to read as follows:

Sec. 58-76. Commercial (C-3) District.

* * *

(e) *Development standards.*

* * *

(3) The maximum floor area ratio and building lot coverage shall be forty-five (45%) percent. The floor area ratio shall include the floor area of any attached or detached above-grade private parking garage. The forty-five (45%) percent floor area ratio and building lot coverage may be increased by an additional five (5%) percent if the parking for the increased five (5%) percent floor area ratio is located entirely underground beneath the building's footprint or if the building's upper floor(s) are cantilevered over such parking or if it is for a hotel building. However, for properties with frontage on Orlando Avenue, the City Commission

may approve a floor area ratio of up to sixty (60%) percent as long as one-half of the floor area ratio that is above forty-five (45%) percent is dedicated public parking. The dedicated public parking spaces shall be over and above the parking spaces required for the commercial project pursuant to the City of Winter Park Land Development Code. * * *

SECTION 4. Codification. This ordinance shall be incorporated into the Winter Park City Code. Any section, paragraph number, letter and/or any heading may be changed or modified as necessary to effectuate the foregoing. Grammatical, typographical and similar or like errors may be corrected, and additions, alterations, and omissions not affecting the construction or meaning of this ordinance and the City Code may be freely made.

SECTION 5. 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 5. Conflicts. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

SECTION 7. 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 _____, 2015.

Mayor Steve Leary

Attest:

City Clerk

**CITY OF WINTER PARK
PLANNING AND ZONING BOARD**

**Staff Report
June 2, 2015**

REQUEST OF JAVIER OMANA AND CHRIS HITE TO: AMEND THE "COMPREHENSIVE PLAN" FUTURE LAND USE MAP TO CHANGE FROM SINGLE FAMILY RESIDENTIAL TO LOW DENSITY RESIDENTIAL DESIGNATION ON THE PROPERTY AT 426 WEST LYMAN AVENUE.

REQUEST OF JAVIER OMANA AND CHRIS HITE TO: AMEND THE OFFICIAL ZONING MAP TO CHANGE FROM SINGLE FAMILY (R-1A) DISTRICT ZONING TO LOW DENSITY RESIDENTIAL (R-2) DISTRICT ZONING ON THE PROPERTY AT 426 WEST LYMAN AVENUE.

This is a request by Mr. Javier Omana and Ms. Chris Hite (contract purchasers) to seek approval to change the existing Single Family Residential future land use designation in the Comp. Plan and Single Family (R-1A) zoning to Low Density Residential future land use and Low Density Residential (R-2) zoning on the property at 426 West Lyman Avenue.

Site and Context: The property is a vacant 50 foot wide lot that is 134.6 feet deep and 6,397 square feet in size. The property is one lot in (to the west) from Virginia Avenue, on the south side of W. Lyman Avenue. As the attached map indicates, on the south side of Lyman Avenue, the zoning is single family (R-1A) from Pennsylvania Avenue heading eastward until the new David Weekly townhouses that are zoned R-2. On the north side of Lyman Avenue, after the commercial properties at the corners of the Hannibal Square, East street, the remaining properties are all single family (R-1A) down to New York Avenue.

Proposed Project Plans: The applicant has provided a 'Background and Justification Report' for this land use and zoning change and an 'Urban Design Plan' for this West Lyman Avenue corridor outlining a significant amount of information about existing conditions, existing zoning, streetscape patterns and other contextual information. The applicant has also provided a plan for the single family residence that they desire to build on this subject property. The main purpose of the rezoning request, as staff understands from the applicant, is to be able to build a new home under the R-2 maximum floor area ratio of 55% (3,518 sq. ft. maximum) versus the current R-1A maximum floor area ratio of 43% (2,751 sq. ft. maximum). Actually, what the applicant has presented is a plan for a new two-story house with a detached rear two-car garage which is 2,973 square feet in size (46.5%). So what they may desire is a 55% FAR but what they feel they need at a minimum is a redevelopment FAR of 46.5%, which is 222 square feet more than the proposed house plans presented by the applicant.

Comp. Plan FLU/Rezoning Request: The planning staff cannot support this request for a number of reasons. The subject property is an isolated parcel in the midst of a street that is predominately single family residential. This is not an "edge" property adjacent to other higher intensity zoning. In the case of the David Weekly townhouses that were rezoned to R-2 in March 2013, there was recognition of that property's proximity to the Railroad and being located adjacent to the City's electric utility storage yard. While these decisions are 'case by case', if the City rezones a property, more or less in the middle of a single family zoned street, then that rezoning to R-2 would certainly create an expectation and argument of fairness for all of the other adjoining properties to similarly be rezoned to R-2.

Rezoning to R-2 is also not necessary to foster redevelopment in this area. As the P&Z Board is aware, just two lots away, Phil Kean is planning to build two new single family homes within the R-1A maximum 43% FAR. On this street section of West Lyman Avenue, in this context, the staff's opinion is that a 55% FAR as is permitted in R-2 zoning is not an appropriate scale. To envision the potential building size permitted in R-2 zoning with a 55% FAR, one can look at the new house under construction at the corner of S. Denning Drive and N. Kentucky Avenue.

Lastly and perhaps most importantly, there is a Comprehensive Plan Policy 1-4.1.H.10 that provides specific direction for denial of these requests:

Policy 1-4.1.H.10: Rezoning Single-Family Property to \leq 7,500 sq. ft. Lots Deemed Inconsistent with Comprehensive Plan. The rezoning of any single-family property of 50 foot by 150 foot (7,500 sq. ft.) or smaller to low-density (R-2) residential for additional density shall be deemed in conflict with the Comprehensive Plan (single-family to duplex, for example).

Staff Option for the Applicant: The applicant's plans for their 2,973 square foot house are 222 square feet over the 43% FAR of the existing R-1A zoning. That 222 sq. ft. is the exact size of a one-car garage. To be compliant with the R-1A zoning, the applicant needs to change the design to a one-car enclosed garage with an attached one-car carport/porte-cochere on the rear. That carport/porte-cochere is not counted within the FAR. If the applicant absolutely must have a two-car enclosed garage then this is a matter for a variance request from the Board of Adjustment. The 'rationale' to the Board of Adjustment is that if a carport/porte-cochere can be built, why not let it be enclosed space, as this is floor area behind the garage, not visible from the street.

Summary and Recommendation:

Comprehensive Plan Policy 1-4.1.H.10 provides specific direction for denial of this request. The context is not appropriate for R-2 zoning or for the scale (55% FAR) of building permitted by R-2 zoning. A rezoning to R-2 in this mid-block location would create a precedent for other adjacent owners and create an expectation of a similar rezoning privilege. Additionally with a minor design change to their plans,

the desired home can be built with a porte-cochere at the rear and otherwise relief for the 222 square foot overage is a matter for the Board of Adjustment.

Staff recommendation is for Denial of this request.

Other Comprehensive Plan Policy Guidance:

Aside from the specific Policy mentioned above there are other more general policies in the City's Comprehensive Plan that protect and preserve the quality and character of Winter Park's single family residential neighborhoods and streets.

Policy 1-3.6.1: Maintain the Scale and Character of Neighborhoods. New development and redevelopment shall occur in a manner that preserves the elements of the existing neighborhood character that provide the attractiveness and unique character of each individual neighborhood. The City shall accommodate redevelopment activity in a manner that does not produce new residences which substantially alter the scale or character of a street. The aim shall be to restrict home sizes so they do not visually overpower the natural features or amenities in a neighborhood, but instead complement those features. The City shall regulate the degree and scale of development on single-family properties through the use of the tools of setbacks, height limits, lot coverage restrictions and impervious coverage restrictions, floor area ration, limiting wall heights at side yard setbacks, reducing heights along sensitive edges, second floor step backs on front and side, establishing maximum wall plane lengths that reflect the traditional width of buildings along the street, roof pitches, and alignment of front setbacks. Winter Park applies and shall continue to apply a floor area ratio in managing the size, building mass, and design features of single-family and townhouse buildings. Pursuant to the City's strategic plan, the City shall review its residential development standards as new issues are confronted in maintaining a proper scale and intensity among adjacent uses in order to retain Winter Park's "village" character.

Policy 1-3.6.2: Maintain the Quality and Character of Single-Family Residential Neighborhoods. Maintaining the character and quality of life for these neighborhoods shall continue to be a major policy of the Comprehensive Plan. The City shall maintain the quality and attractiveness of public infrastructure and public property such as streets, sidewalks, parkways, street canopies, and plants on public property. Pursuant to the City's strategic plan, the City shall review and revise its Land Development Code within one year of adoption of this Comprehensive Plan, to ensure that the scale and character of new development/redevelopment is compatible with existing single-family neighborhoods. The City Planning Commission and City Commission shall continue to develop more stringent land development codes as needed to avoid the adverse impacts of increased Commercial and/or High-Density Residential development adjacent to historically Single-Family or Low-Density Residential neighborhoods. The City shall protect Single-Family neighborhoods from all impacts of development that are not compatible with Low-Density and Single-Family environments and shall prohibit parking garages abutting Single-Family and Low Density Residential development.

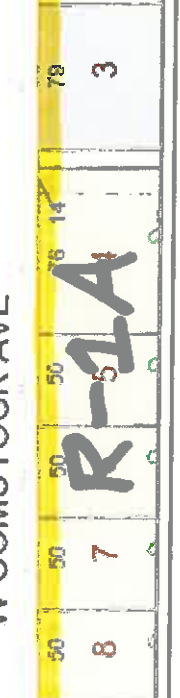
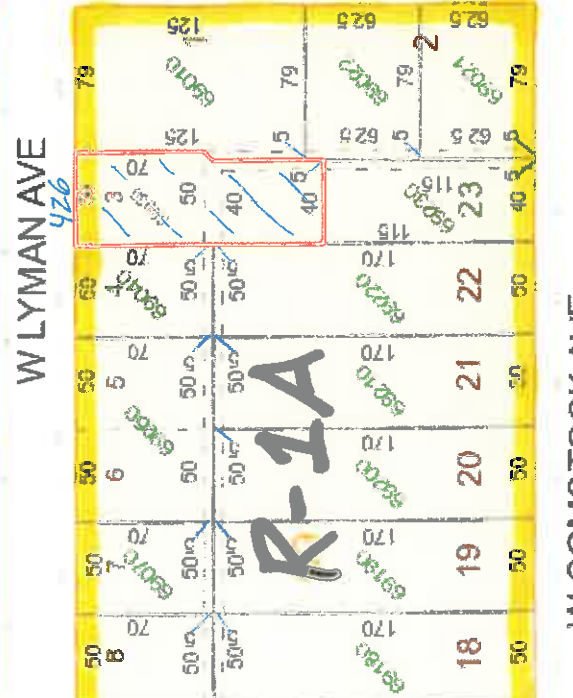
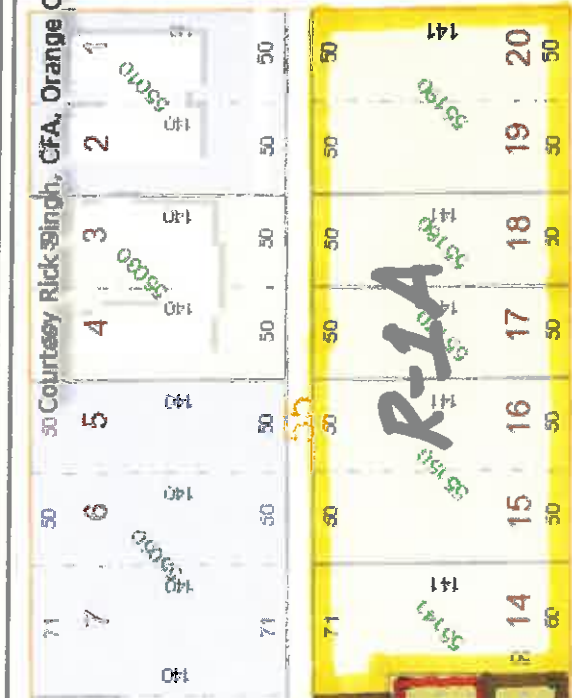
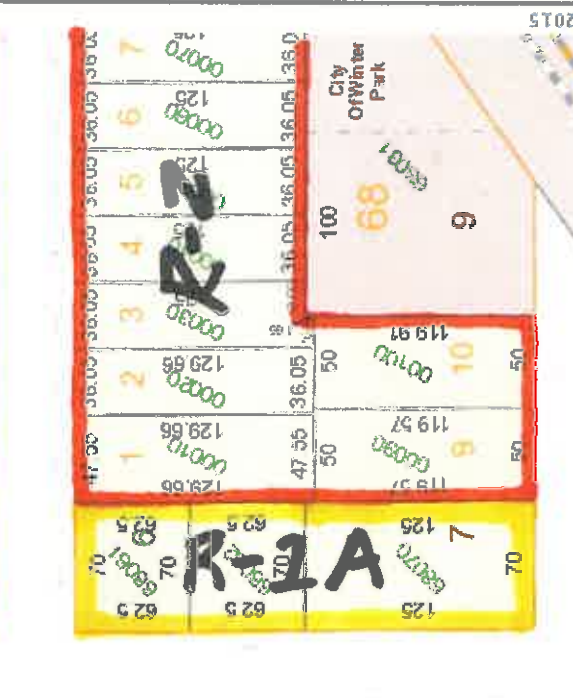
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- Interstate 4
- Toll Road
- Major Roads
- Public Roads
- Gated Roads
- Road Under Construction
- Proposed Road
- US Road
- State Road
- County Road
- Toll Ramp
- Interstate Ramp
- One Way
- Brick Road
- Rail Road
- Proposed SunRail
- Block Line
- Lot Line
- Residential
- Agriculture
- Commercial/Institutional
- Governmental/Institutional/Misc
- Commercial/Industrial/Vacant Land
- Hydro
- Waste Land
- Agricultural/Corbidge
- County Boundary
- Parks
- Golf Course
- Lakes and Rivers
- Building
- Power Plant



This map is for reference only and is not a survey.

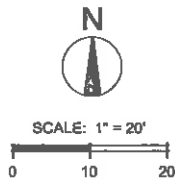
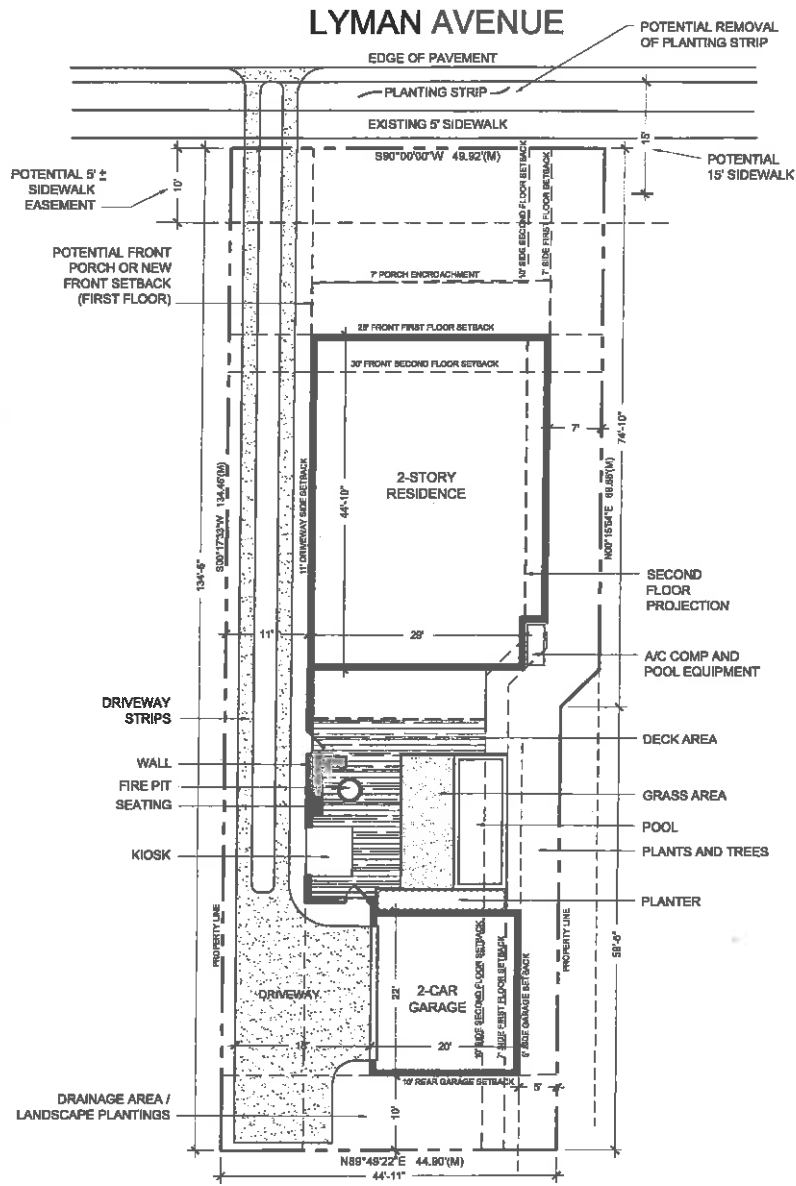
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- Florida Turnpike
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- Commercial/Institutional
- Governmental/Institutional/Misc
- Commercial
- Industrial/Vacant Land
- Hydro
- Waste Land
- Agricultural
- Cartilage
- County Boundary
- Parks
- Golf Course
- Lakes and Rivers
- Block Number
- Lot Number
- Parcel Number
- Parcel Address
- Parcel Dimension



Created: 5/13/2015

This map is for reference only and is not a survey.



PRELIMINARY SITE PLAN

**426 WEST LYMAN AVE.
WINTER PARK, FLORIDA
R-2 ZONING**

PROJECT NOTES:

- A. DESIRED LAND USE: LDR
- B. DESIRED ZONING: R-2
- C. CURRENT: VACANT
- D. LOT AREA: 6,397.33 S.F.
- E. MAXIMUM F.A.R.: 55% (3,519 S.F.)
- F. APPROX. F.A.R. / S.F.: 2,973 S.F. OR 46%

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 TO LOW DENSITY RESIDENTIAL DESIGNATION ON THE PROPERTY AT 426 WEST LYMAN, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

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

WHEREAS, Section 163.3184, Florida Statutes, establishes a process for adoption of comprehensive plans or plan amendments amending the future land use designation of property; and

WHEREAS, this Comprehensive Plan amendment meets the criteria established by Chapter 163 and 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 Winter Park Planning and Zoning Board, 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 June 2, 2015, 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 on June 22, 2015 and July 13, 2015 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 to low density residential on the property at 426 West Lyman Avenue, more particularly described as follows:

LOT 3 & THE N 55 FT OF LOT 23 IN BLOCK 69 & VAC ALLEY LYING BETWEEN SAID LOTS AND W1/2 OF ALLEY LYING ON EAST OF THE NORTH 55 FT OF LOT 23 PER 6479/1069 AND THE 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 # 05-22-30-9400-69-030

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. An amendment adopted under this paragraph does not become effective until 31 days after adoption. If timely challenged, an amendment may not become effective until the state land planning agency or the Administration Commission enters a final order determining that the adopted small scale development amendment 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 _____, 2015.

Mayor

Mayor Steve Leary

Attest:

City Clerk

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO CHANGE SINGLE FAMILY RESIDENTIAL (R-1A) DISTRICT ZONING TO LOW DENSITY RESIDENTIAL (R-2) DISTRICT ZONING ON THE PROPERTY AT 426 WEST LYMAN AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the owners of property at 426 West Lyman Avenue have requested a Zoning map amendment consistent with the amended Comprehensive Plan, and the requested zoning text change will achieve conformance with the Comprehensive Plan for the 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 of the City of Winter Park has recommended approval of this Ordinance at their June 2, 2015 meeting; and

WHEREAS, the City Commission of the City of Winter Park held a duly noticed public hearing 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. Official Zoning Map Amendment. That Chapter 58 "Land Development Code", Article III, "Zoning" and the Official Zoning Map is hereby amended so as to change the zoning designation of Single Family (R-1A) District to Low Density Residential (R-2) District zoning on the property at 426 W. Lyman Avenue, more particularly described as follows:

LOT 3 & THE N 55 FT OF LOT 23 IN BLOCK 69 & VAC ALLEY LYING BETWEEN SAID LOTS AND W1/2 OF ALLEY LYING ON EAST OF THE NORTH 55 FT OF LOT 23 PER 6479/1069 AND THE 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.

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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 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 _____, 2015.

Mayor Steve Leary

Attest:

City Clerk

APPLICATION FOR:

**FUTURE LAND USE AMENDMENT
AND
ZONING CLASSIFICATION CHANGE**

BACKGROUND AND JUSTIFICATION REPORT

FOR

**426 West Lyman Avenue
Winter Park Florida 32789
Parcel # 0522.30.9400.9.030**

PRESENTED TO:

**CITY OF WINTER PARK
PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
401 Park Avenue South
Winter Park, Florida 32789**

SUBMITTED BY:

Javier E. Omana, CNU-a

Christina E. Hite, RLA

Date: 4 May 2015

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I. Introduction

The applicants are contract purchasers of a certain lot located at 426 West Lyman Avenue, Winter Park, Florida, 32789. Subject lot consists of a vacant 50' x 130' ± parcel (6,189.5 s.f.) located generally at the southwest corner of the West Lyman Avenue and South Virginia Avenue intersection. The lot is mostly devoid of large trees or vegetation with topography generally sloping from the northwest corner to the southeast corner of the site. The lot is bordered to the west by a vacant lot; two single family homes to the east; one single family lot to the south; and a vacant lot to the southwest (refer to Exhibits 1 and 2). The applicants hereby respectfully submit the subject report pursuant to a Comprehensive Plan Amendment (Future Land Use Classification Change) and corresponding zoning classification change application, from Single Family to Low Density Residential and R-1A zoning to R-2, respectively. The applicants propose to build a single-family structure with accessory use (two car garage).

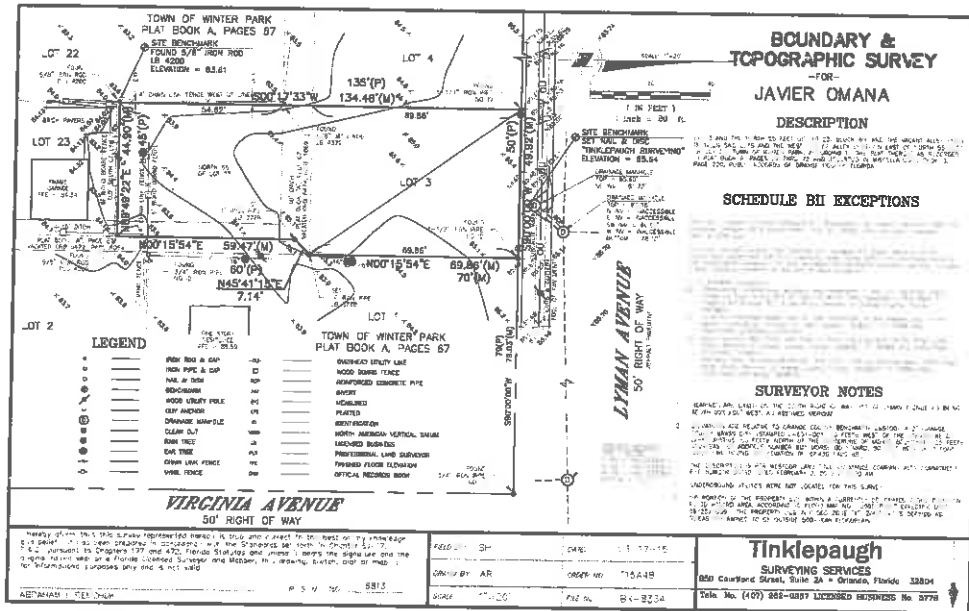
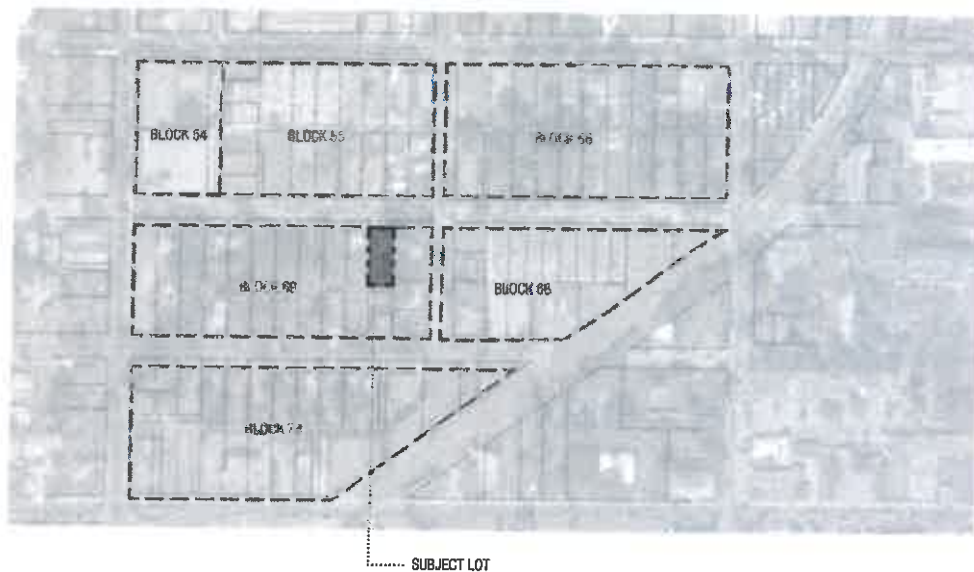


EXHIBIT 1



SOURCE: CITY OF WINTER PARK, FLORIDA
 FLAT BOOKS / PUBLIC WORKS DEPARTMENT

N
 GENERAL LOCATION
 EXHIBIT 2

A. Comprehensive Plan/ Future Land Use

The subject parcel/ lot lies within Future Land Use Map/ Planning Area H: Hannibal Square Neighborhood with a designation of Single Family (refer to Exhibit 3) as depicted in the City of Winter Park Comprehensive Plan, Chapter 7: Future Land Use Element as amended in December 16, 2014.

B. Zoning

The subject parcel/ lot has a zoning designation of R-1A (Single Family) as depicted on the City of Winter Park’s zoning Map adopted April 12, 2010 as part of the Land Development Code (refer to Exhibit 4)

C. Infrastructure

Potable water and sewer services are provided by the City of Winter Park. The site is served by an 8” sewer line, a 6” asbestos concrete (AC) pipe for water distribution, and a 48” stormwater drainage pipe, all located within the Lyman Avenue right-of-way.

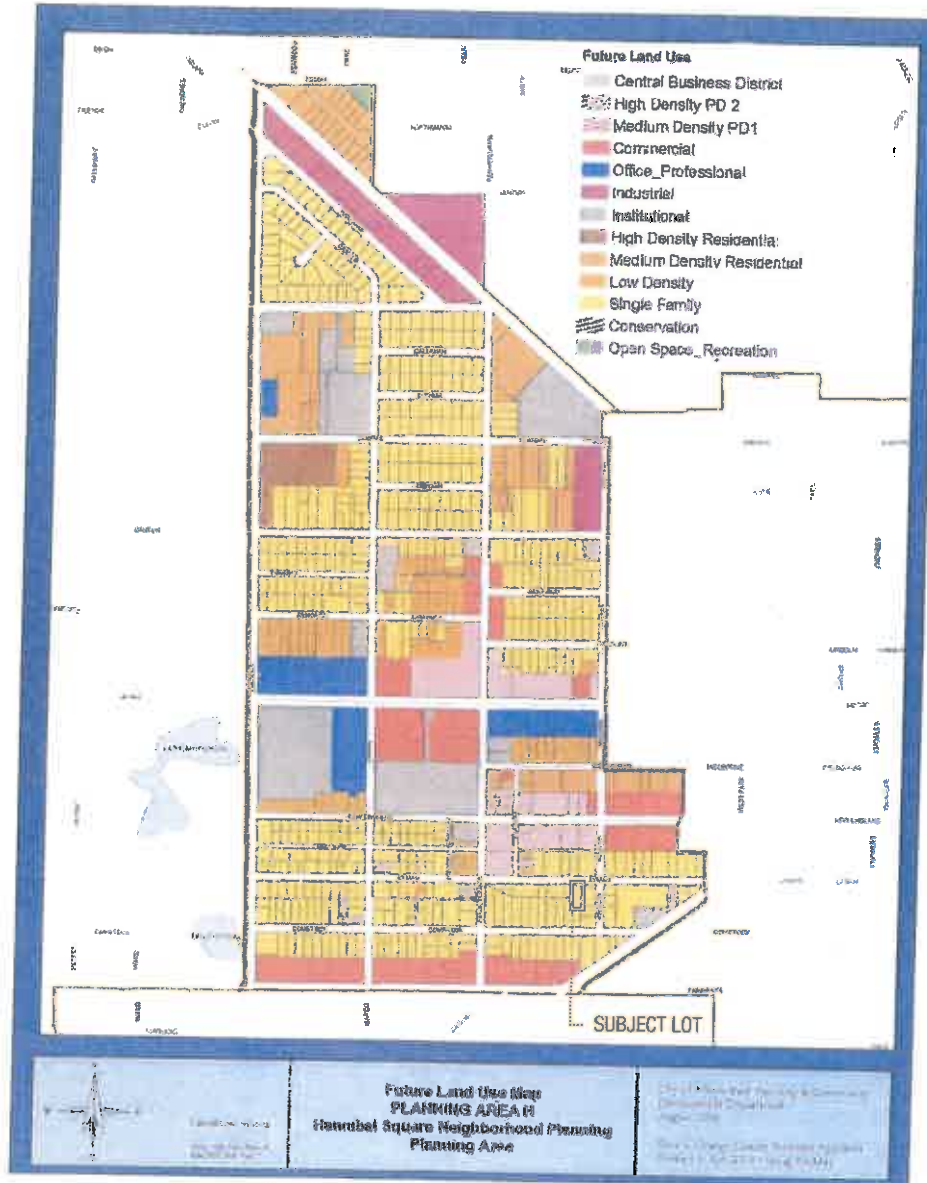


EXHIBIT 3



--- SUBJECT LOT



ZONING MAP

City of Winter Park, Florida

Zoning		Legend							
	C-1		I-1		PD-1		R-1A		County Boundary
	C-2		OC PD		PL		R-1AA		Winter Park
	C-3		O-1		IQP		R-1AAA		Other Cities
	C-3A		O-2		PR		R-2		City Map Sheets
			PD-2		PURD		R-3		Streets
							R-4		Water
									Parcel Ownership

This is to certify that this official Zoning Map was adopted April 12, 2010 as part of the Land Development Code of the City of Winter Park, Florida.

EXHIBIT 4

II. Comprehensive Plan/ Future Land Use Analysis

Growth Management plans through their Future Land Use Elements attempt to ensure that the character and location of land uses create smooth and orderly land use transitions, avoid incompatible land uses and establish the regulatory framework for sustainable growth, economic development and place-making opportunities.

Given the City of Winter Park's location within the East Central Florida/ Metropolitan Orlando Area, a fully urbanized, ethnically diverse community, the City must continue to promote quality infill development while enhancing existing neighborhoods by providing adequate infrastructure, minimizing land use conflicts with existing uses, and accommodating higher densities and intensities in a contextual fashion.

The subject lot/ parcel is uniquely positioned within the Hannibal Square Neighborhood (Planning Area H). The parcel is surrounded by vacant lots, single family, duplexes, mixed-use buildings (retail, commercial, multi-family), and parking structures (refer to Exhibit 5).



This portion of the Hannibal Square Neighborhood, which extends from South Pennsylvania Avenue east to South New York Avenue and bounded by West New

England Avenue to the north and West Fairbanks Avenue to the south consists of 11.2 ± acres with 76 lots, including 29 vacant lots (or 38.2%).

Block 69 (per City of Winter Park plat records and where the subject lot is located) consists of 3.42 acres of land (25 lots of which 13 are vacant, or 52 % of the entire block). Additionally, the southern half of Block 55, located north and across the street from the subject lot, has 10 lots, 6 of which are vacant consisting of 60% of the block.

The unique mix of built uses and vacant parcels set the stage for infill opportunities within the Hannibal Square Neighborhood. Economic development opportunities and a proper blend of uses will ensure the viability of the West Lyman Avenue Corridor. However, the proper tools must be in place to promote and encourage successful infill development to include the Future Land Use Map, Zoning Categories, Land Development Regulations and an Overlay/ Neighborhood Plan.

A. Evaluation of Existing Future Land Use Designations

Review of the Future Land use Map for Planning Area H/ Hannibal Square Neighborhood provides the following:

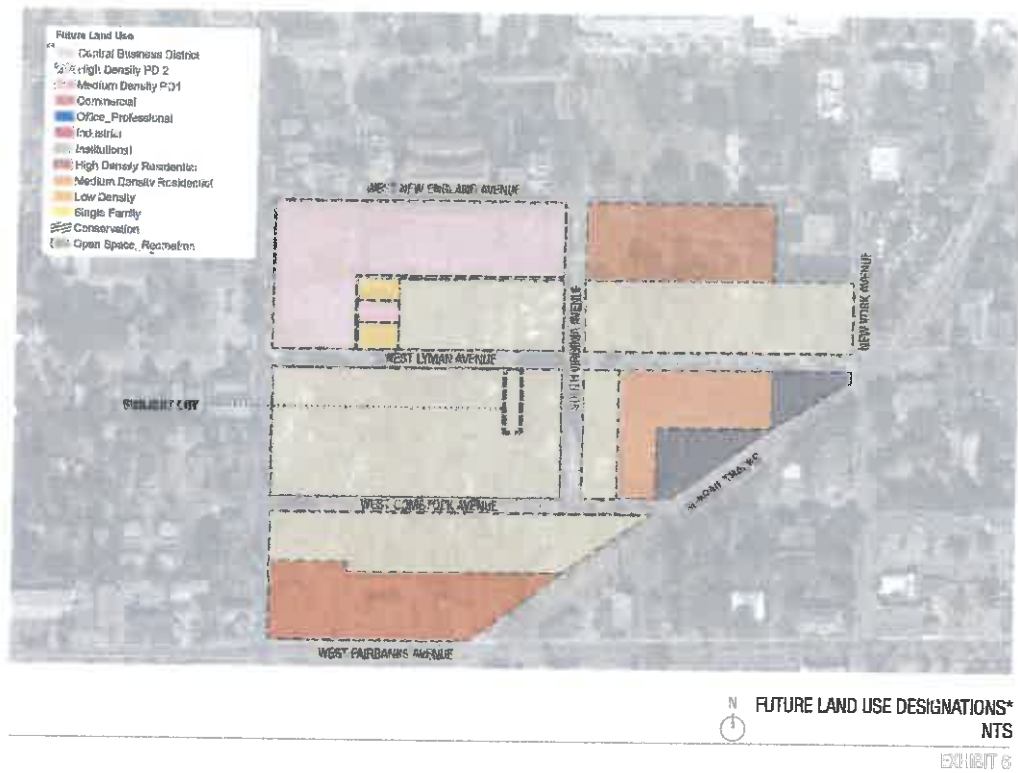
1. Commercial uses abutting and across from Single Family designations.
2. Central Business District uses abutting and across from Single Family designations.
3. Low Density Residential and Institutional designations abutting and adjacent to Single Family designations.

Items 1 and 2 above depict Future Land Use conflicts due to lack of proper 'step down' and/ or transitional uses necessary to minimize impacts to the less intense/ dense uses. More appropriate Land Uses to provide the 'step-down' and or transitional uses from Commercial and/or Central Business District to Single Family include:

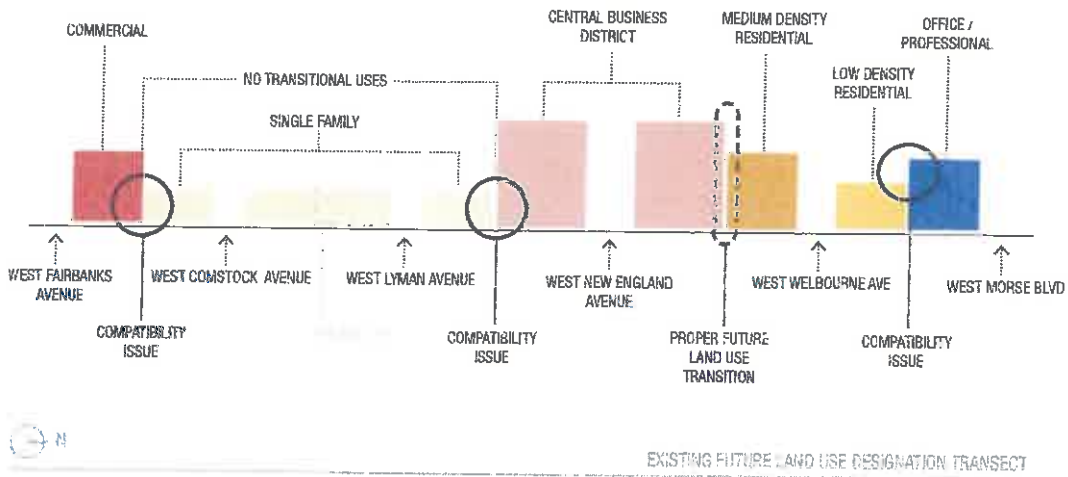
- A. Office/ Professional
- B. Medium Density Residential
- C. Low Density Residential

The existing Future Land Use Map has created issues of compatibility that must be addressed through introduction of appropriate transitional uses and Land Development Code and Site Design Standards.

The Land Uses stated in Item 3 depict proper transitions of compatibility due to their use, floor area ratios, impervious surface ratios, building height, etc. Exhibit 6 depicts existing built uses and conditions with the corresponding Future Land Use designations per Planning Area H. The exhibit highlights the high intensity/ density/ low-density uses located in proximity to the subject lot.

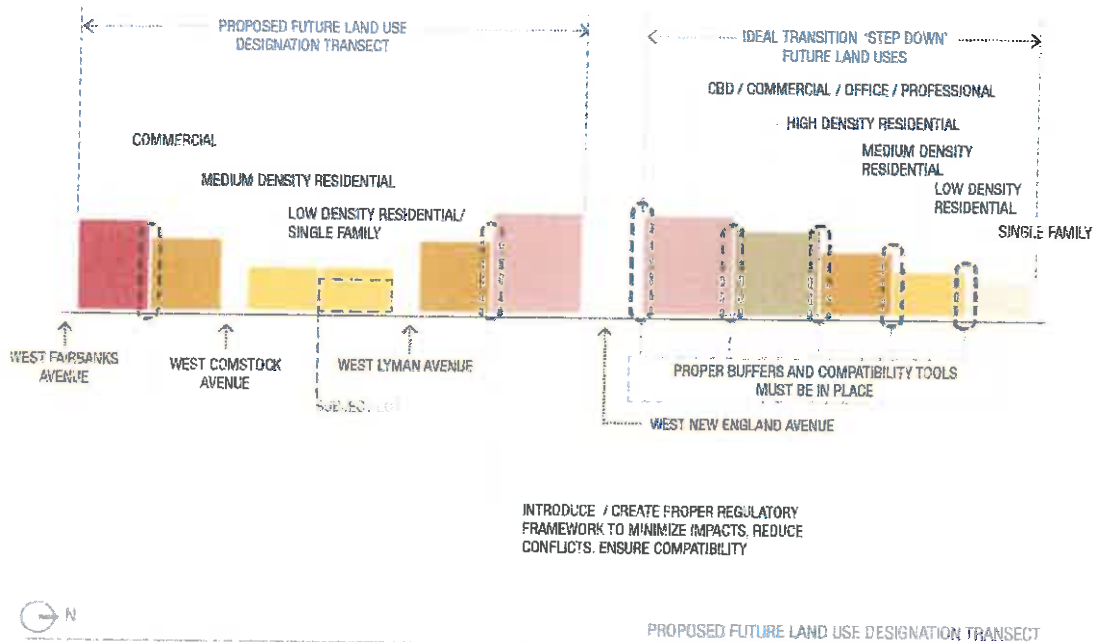


Based on ground-truthing reconnaissance, document research and aerial photography interpretation the transect cross section of the affected area depicts existing Future Land use designation:



The graphic depicts areas with proper Future Land Use transitions: The area north of New England Avenue to Morse Boulevard. It also shows the area south of New England Avenue to Fairbanks Avenue highlighted by no transitional land uses between high intensity/ density 'bookends' thus creating compatibility issues and underpinning potential economically viable infill opportunities.

In order to minimize future land use conflicts, ensure better use compatibility and to promote and foment quality infill redevelopment opportunities within the subject area the following land use transect is proposed:



B. Hannibal Square Neighborhood – Regulating Plan

In the fall of 1997, Traditional Neighborhood, Inc. retained the firm of Duany Plater-Zyberk and Company to conduct a master plan of the Hannibal Square Neighborhood. The plan included vast inventory and analysis of the subject Plan H Area (not yet established in the City of Winter Park at that time) with regards to existing uses, housing stock, and housing types. The planning study produced a Regulating Plan (see Exhibit 7) that recommended a mix of residential uses within the subject area ranging from Residential 2 to Residential 6:

Residential 2: Single Family

Residential 3: Single Family with Ancillary Use

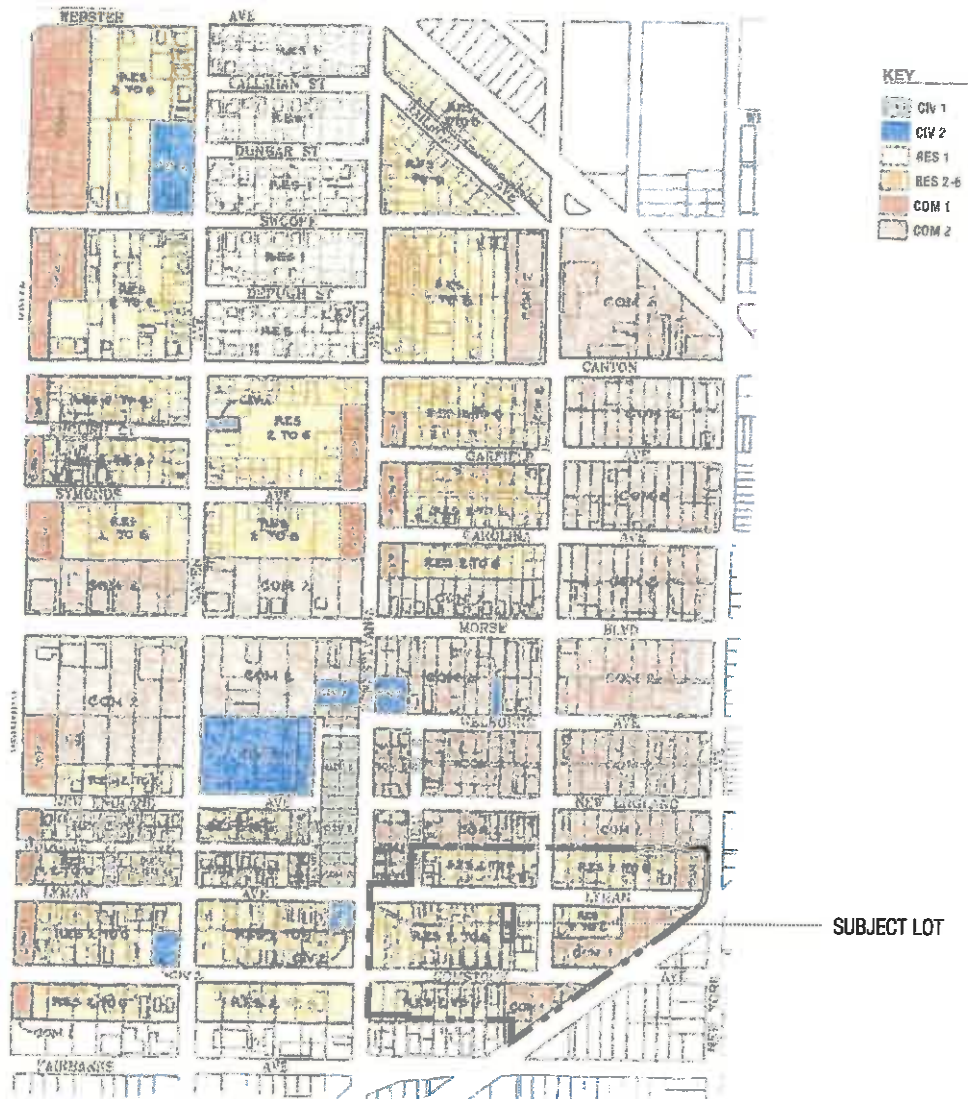
Residential 4: Double House on 120' width (minimum) lot.

Residential 5: Cottage Houses (up to three) on 150' width (minimum) lot

Residential 6: Townhouse

The regulating plan recognized the need to populate the residential area with a mix of housing types in order to create a vibrant walkable and complementary element to the commercial and office uses along West New England and Fairbanks Avenue. The plan also provided the appropriate residential transitional land uses to minimize land use incompatibility and density/ intensity conflicts.

The Hannibal Neighborhood Plan, it's Regulating Plan and corresponding urban design regulations were not officially adopted by the City of Winter Park, however, the documents serve as a guide and blueprint for sustainable, walkable place-making, sound community building, and village creation for the City.



ALLOWABLE USES / TYPES:

- SINGLE HOUSE
- HOUSE WITH AUXILIARY USE
- DOUBLE HOUSE - TWO ON ONE LOT
- COTTAGES (50' X 130' LOTS) - THREE ON ONE LOT
- TOWNHOMES

SOURCE: TRADITIONAL NEIGHBORHOOD, INC.
 HANNIBAL SQUARE NEIGHBORHOOD - MASTER PLAN
 DUANY PLATER-ZYBERK & COMPANY
 FALL 1997

EXHIBIT 7

C. The Transect

In analyzing the Future Land Use appropriateness and compatibility, the Transect serves as a reference to assess contextual suitability. The Center for Applied Transect Studies provides Transect Zone descriptions related to appropriate unit mix, land uses, compatible uses, and transitional uses. The New England Avenue Corridor appears to conform with the Transect Zone T-5 urban center characteristics. The subject lot's area can be classified as Transect Zone T-4 (refer to Exhibit 8). Given the existing status of the subject area (West Lyman Avenue and the subject lot) consisting of vacant lots, single family and duplex residential units, a transect designation of T-4 general urban is the most appropriate assignment of uses in order to provide proper transitions, uses and minimize land use conflicts. Additionally, such T-4 uses comply with the characteristics and uses within the village-building goals as described in the City of Winter Park Comprehensive Plan (Future Land Use Element Policy 1-1.1.2, page 1-2) to create and maintain 'Village' character.

D. Urban Analysis of the Future Land Use Map

Analysis of the City of Winter Park's Future Land Use Map resulted in the identification of several areas where Single Family and Low Density Residential designations abut and/or are adjacent to each other. The adjacencies created by having these two land uses create proper land use transition areas. These areas are:

Area 1: Block 68 located at the southeast quadrant of the West Lyman Avenue and South Virginia Avenue consists of Low Density Residential, Single Family and Institutional Future Land Uses. The Low Density Residential designation was granted from Single Family for the David Weekly Duplex Project (also includes two SF Units). Land Use designations across West Lyman Avenue are Single Family.

Area 2: One lot on the Single Family block has a Low Density designation.

Area 3. The north side of West New England Avenue from Denning Avenue east to South Capen Avenue has a designation of Low Density Residential. The south side of the street has a designation of Single Family

Area 4: Symmonds Avenue from Denning Avenue South Capen Avenue is characterized by Single Family and Low Density residential designations across from each other.

Area 5: This area is bordered by Canton Avenue, South Capen Avenue, Symmonds Avenue and Pennsylvania Avenue and is characterized by a mixture of Single Family and Low Density Residential designations.

Area 6: This area includes North Pennsylvania Avenue between West Swoope Avenue and Depugh Street. The west side of North Pennsylvania Avenue is designated Single Family and the east side is designated Low Density Residential.

The referenced areas are examples of City of Winter Park locations within the Hannibal Square Neighborhood that reflect residential Future Land Use designations depicting proper transition and compatibility (refer to Exhibit 9).

VERTICAL MIXED USE:
GROUND RETAIL WITH
RESIDENTIAL ABOVE

COMMERCIAL



VERTICAL MIXED USE:
GROUND RETAIL WITH
RESIDENTIAL ABOVE

WEST NEW ENGLAND AVENUE

T5



T-5 URBAN CENTER
T-5 Urban Center Zone consists of higher density mixed use building that accommodate retail, offices, rowhouses and apartments. It has a tight network of streets, with wide sidewalks, steady street tree planting and buildings set close to the sidewalks.

General Character: Shops with apartments and office above; townhouses, larger apartment houses, live-works, and civic buildings; predominantly attached buildings, trees within the public right-of-way, substantial pedestrian activity, frequent retail frontages
Building Placement: shallow setbacks or none; buildings oriented to street defining a street wall
Frontage Types: stoops, shopfronts, galleries
Typical Building Height: 2- to 5-story with some variation
Civic Space Types: plazas and squares, pocket parks, playgrounds
Thoroughfare Types: streets, commercial streets, avenues, boulevards, bikeways

SINGLE FAMILY



DAVID WEEKLY
DUPLEXES

WEST LYMAN AVENUE

T4



T-4 GENERAL URBAN
T-4 General Urban Zone consists of a mixed use but primarily residential urban fabric. It may have a wide range of building types: single, sideyard, and rowhouses. Setbacks and landscaping are variable. Streets with curbs and sidewalks define medium-sized blocks.

General Character: mix of houses, townhouses & small apartment buildings, with scattered commercial activity; balance between landscape and buildings, presence of pedestrians
Building Placement: shallow to medium front and side yard setbacks
Frontage Types: porches, fences, dooryards
Typical Building Height: 2- to 3-story with a few taller apartment buildings
Civic Space Types: squares and greens, pocket parks, playgrounds
Thoroughfare Types: streets, avenues, boulevards, bikeways

SOURCE: THE CENTER FOR APPLIED TRANSECT STUDIES

EXHIBIT B

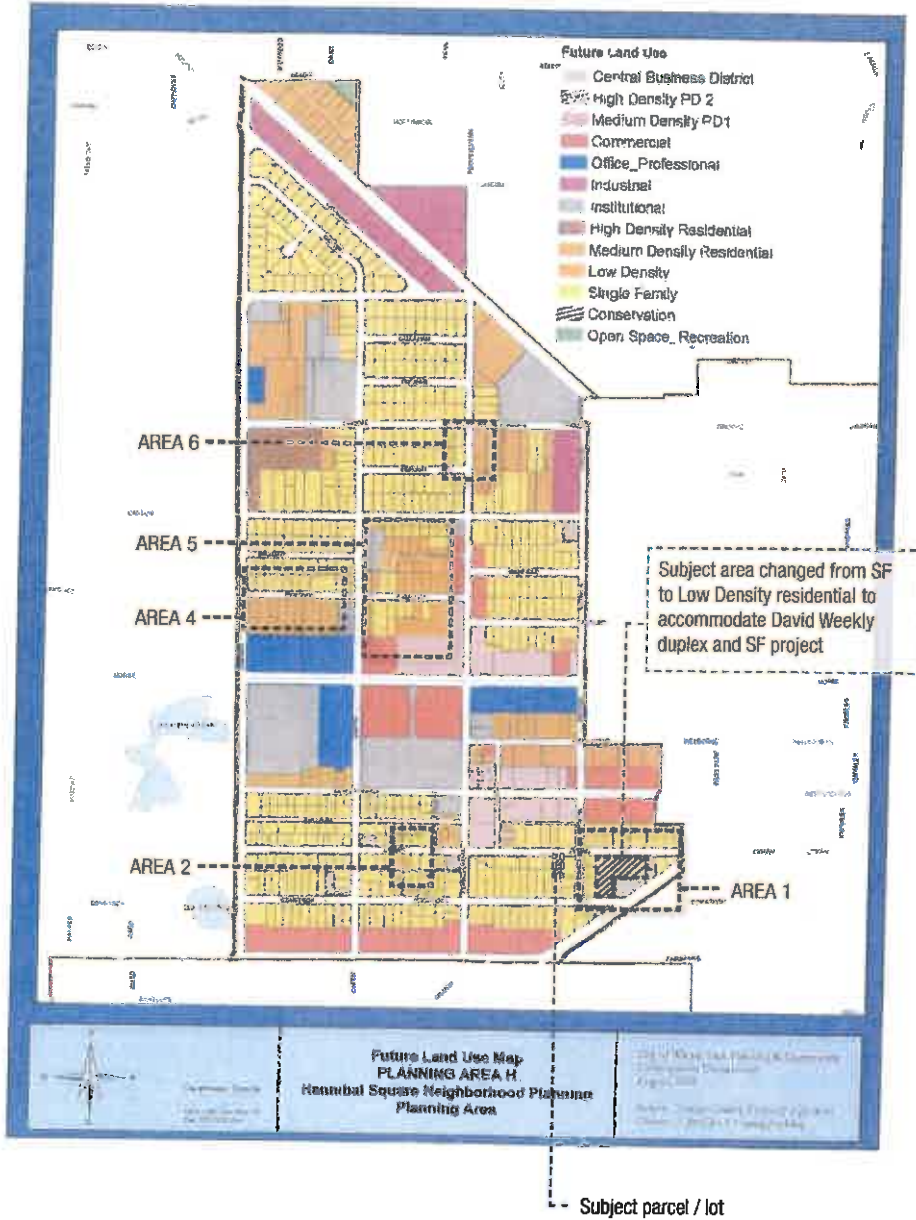


EXHIBIT 9

E. Comprehensive Plan: Future Land Use Element/ Consistency

The subject Comprehensive Plan Application has been analyzed relative to existing goals, objectives and policies of the City's Comprehensive Plan. A key factor in the evaluation of an application is its **consistency** with the plan.

- 1. Goal 1-1: Maintain individual identity, character, natural environment, and socio-economic and ethnic diversity. Winter Park will ensure that the character and location of land uses incorporate:.....(b) smooth and orderly land use transition; and(d) avoidance of incompatible uses threatening health, safety and welfare.**

Analysis/ Response

The subject application is consistent with the goal for it provides a proper Land Use transition from abutting Land Use designations; it avoids incompatible uses; and it would strengthen the City's excellence, character and reputation by promoting quality infill development conducive to the most efficient provision of services.

- 2. Policy 1-1.1.2: Maintain Village Character
The City shall strive to maintain the overall low-density 'Village Character' of Winter Park consistent with the Future Land Use Map.**

Analysis/ Response

The City's Land Use Map establishes a host of residential Land Use designations with appropriate densities to further and encourage the 'Village Character'. Approval of the subject application would strengthen that character by providing proper Land Use transitions, minimizing Land Use conflicts, provide for unit mix varieties, maintain low-density Village Character and continue to provide connectivity and 'walkability'.

- 3. Policy 1-1.2.2: Low Density Residential
This Land Use designation is designed to indicate areas to be zoned for Low Density Residential use. The compatible zoning district shall be R-2. Residential uses intended include Single Family.....**

Analysis/ Response

The subject application is requesting a Land Use change and corresponding rezone to allow for the construction of a Single-Family unit. Approval of this request will not create Land Use conflicts or use incompatibility.

- 4. Policy 1-3.1.3: Compatibility Between Adjacent Land Uses
The City shall promote compatibility between adjacent uses by regulating new development or redevelopment in the following ways:
g) Accomplish a smooth transition in Land Use
j) Compatibility of infill development**

Analysis/ Response

The subject application is both an infill and redevelopment parcel. It will not create incompatibility with adjoining adjacent Future Land Use, existing uses and will provide a smooth transition in Land Uses within the subject Hannibal Square Neighborhood Planning Area.

5. Objective 1-3.6: Preserve the quality and character of Winter Park’s residential neighborhoods

Policy 1-3.6.1: Maintain the scale and character of neighborhoods

Policy 1-3.6.2: Maintain the quality and character of Single Family residential neighborhoods.

Analysis/ Response

The subject request will preserve the elements of the existing neighborhood while setting the stage for redevelopment of the planning study area. The ‘Village Character’ shall be reinforced by the potential for residential options/ opportunities that will complement and be consistent with the existing neighborhood/ urban fabric.

III. Zoning Classification Change:

A. Standards for Review

The subject request also includes a Rezone from Residential Category R-1A to R-2. The City’s Zoning Code establishes Standards for Review of Zoning Amendments through Section 58-59 (b). The following responses address subject parcel application request relative to the standards:

1. The need and justification for change.

Response:

The subject request consists of the ability to construct a Single Family structure with accessory uses with a higher Floor Area Ratio (FAR) from R-1A (.38/.43) to R-2 (.55). The subject area has existing uses of Single Family, Duplexes, with R-1A and R-2 zoning in place.

2. When pertaining to the rezoning of land, the effect of the change, if any, on the particular property and the surrounding properties;

Response:

The subject property is vacant. 76 of the lots in the immediate vicinity are vacant. 196 linear feet from the subject lot a recent Future Land Use change and rezone (from Single Family to Low Density Residential and R-1A to R-2, respectively) was adopted by the City of Winter Park and resulted in the David Weekly project of West Lyman Avenue.

- 3. When pertaining to the rezoning of land, the amount of undeveloped land in the general area and in the city having the same classification as that requested;**

Response:

1.15 AC± of land, 196' east of the subject parcel are zoned R-2 with frontage along West Lyman Avenue.

- 4. That the proposed amendment is consistent with the applicable goals, policies and the text of the city's comprehensive plan, with appropriate consideration as to whether the proposed change will further, or at least not be contrary to, the purpose of this zoning ordinance and the general planning program;**

Response:

Refer to Future Land Use analysis portion of this study, Section II.

- 5. That the proposed plan resultant from the zoning change and proposed use as to business type, operating hours, noise, parking and traffic impact will be compatible with the existing and anticipated land use activities in the immediate neighborhood and that such use will be compatible with the character of the surrounding area;**

Response:

Refer to Future Land Use analysis portion of this study, Section III.

- 6. That adequate public facilities and services necessary to service the development associated with the proposed zoning will be available and in place at the time of impact of the development reliant upon such zoning;**

Response:

Public facilities and services to include potable water, sewer collection, garbage collection and electrical power are available to the site.

- 7. That the building size, floor area ratio, height and mass are compatible with and consistent with the scale and character of the immediate neighborhood;**

Response

Proposed building size, Floor Area Ratio, height and mass are compatible with and consistent with the scale and character of the immediate neighborhood (see Exhibit 10).

- 8. That the traffic generated from the proposed zoning shall not, on a daily or peak hour basis, degrade the level of service on adjacent roads or intersections or raise any traffic safety hazards; and**

Response

Proposed zoning/ use will not degrade the level of service on adjacent roads (on a daily or peak hour basis), intersections or raise any traffic safety hazards.

- 9. That the proposed zoning does not create, through noise, intensity of activity, traffic, overflow parking, storm water runoff, etc., any conditions that degrade the value of adjacent properties, the peaceful use of adjacent properties, degrade the economy of adjacent businesses or degrade the character of the surrounding neighborhood or negatively impact the future use of adjacent properties.**

Response

The proposed Zoning Use will not degrade the value of adjacent properties or otherwise negatively impact the Planning Area.

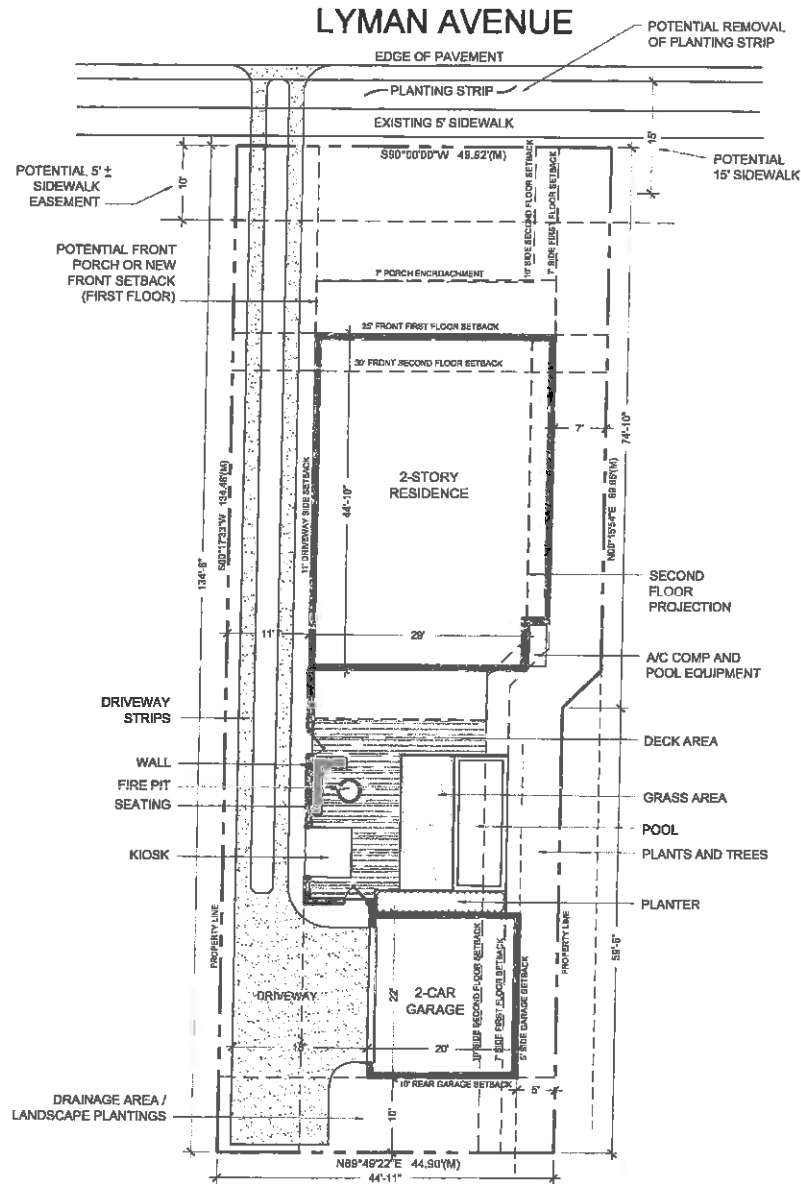
B. Compatibility Analysis

Compatibility is typically defined as the state in which two or more things are able to coexist without conflict. In the review and assessment of proposed zoning changes, compatibility of proposed uses within the context of existing zoning, uses and areas is a major analytical tool in establishing appropriateness of use. The City of Winter Park has established Standards for Review (addressed in Section A) and provides the framework compatibility analysis through the Comprehensive Plan and Zoning Code. For the subject lot the following type of compatibility elements are addressed:

1. Location/ Context

The subject study area consists of 11.2 AC ± with 76 lots; 29 lots or 38.2% of which are vacant (Refer to Exhibit 5). The subject lot is vacant. It forms part of Block 69 in the Hannibal Square Neighborhood. Subject block consists of 3.42 AC ±, Single Family units, 25 lots of which 13 or 52% are vacant. Block 68, located immediately east of the subject lot consists of 2.32 AC ±, with Residential Duplexes, Single Family and Institutional uses (17 lots). The southern half of Block 55, located north and across the street of subject lot consists of 1.42 AC ± with Single Family uses with ten (10) lots of which six (6) are of vacant lots (60%). The northern half of Block 74 that borders on West Comstock Avenue consists of 1.70 AC ± with Single Family

Residential, Duplex and Warehouse uses (14 lots), including three (3) vacant lots.
The southern half of Block 56 consists of 1.84 AC ± with 11 lots comprised of Single Family uses and one vacant lot.



SCALE: 1" = 20'
0 10 20

PRELIMINARY SITE PLAN

426 WEST LYMAN AVE.
WINTER PARK, FLORIDA
R-2 ZONING

PROJECT NOTES:

- A. DESIRED LAND USE: LDR
- B. DESIRED ZONING: R-2
- C. CURRENT: VACANT
- D. LOT AREA: 6,397.33 S.F.
- E. MAXIMUM F.A.R.: 55% (3,519 S.F.)
- F. APPROX. F.A.R. / S.F.: 2,973 S.F. OR 46%

2. Density/ Size/ Zoning

The study area consists mostly of Single Family and Residential Duplex uses (R-1A and R-2). The subject application conforms with the current zoning character of the area.

3. Building Height

Building height for the proposed use shall conform with building height per code (30').

4. Architectural Compatibility

The building stock of the study area consists of Single Family Residential, Residential Duplex, Industrial and Institutional uses with no particular style or motif. David Weekly's R-2/ Duplex project along West Lyman Avenue exhibits a neo-Mediterranean style, while the remaining Single Family depict dated Florida-ranch style with carport aesthetic, and utilitarian Single Family units (under 600 SF) located near Hannibal Square east. No architectural character exists.

C. Zoning Transects

Review of zoning designations within certain areas of the City of Winter Park to include the subject area (Lyman Avenue corridor/ Hannibal Square Neighborhood) highlight high intensity commercial at residential designations abutting Single Family (R-1A) areas without the proper transitional zoning designations thus creating areas of incompatibility and conflict. Some areas depict R-1A and R-2 zones abutting each other, a proper transition and conflict-free scenario (See Exhibit 11).

Area 1:

This area located along the West Lyman Road corridor depicts R-1A (Single Family) properties abutting C-3, C-2, O-1 and R-3 properties (subject lot is located within this multi-zoning area).

Area 2:

This area depicts R-2 areas abutting C-2 zones (High Intensity Commercial next to Residential)

Area 3:

This area is characterized by R-1A and R-2 lots abutting and across the street from each other. This is a proper transitional use (similar uses, density and intensity).

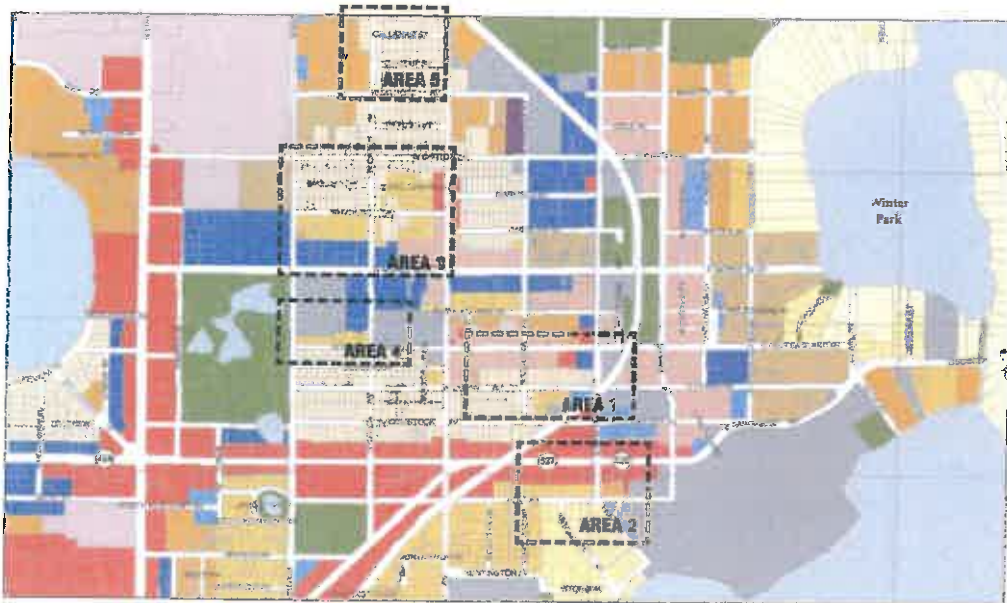
Area 4:

This area of West New England Avenue between Denning Avenue and South Capen Avenue consists of R-1A and R-2 lots located across from each other (similar uses, density and intensity).

Area 5:

This cluster of R-1A blocks is bordered by and abuts R-3 zoned properties.

As in Future Land Use designations, proper zoning placement must ensure 'step down' or a transitional layer system from most intense/ dense to less intense/ dense uses to avoid use conflicts and compatibility issues. Area 3 and 4, where compatible uses abut, minimizes design, height, use, intensity and density issues. Areas 1,2 and 5 illustrate areas of potential incompatible uses due to lack of 'step down' in use characteristics. Incompatibility may be exhibited in density, intensity, building height, hours of operation, etc.



N
ZONING MAP FOCUS AREAS
NTS

EXHIBIT 11

IV. Findings

The subject Future Land Use Amendment and concurrent Rezone (from Single Family to Low Density Residential and R-1A to R-2, respectively) application request is both

consistent with the Comprehensive Plan and compatible with the Zoning Code for the following reasons:

- A. Applicants desire to build a Single Family home with an FAR maximum of .55 (under R-2 zoning) versus the .38 allowable under R-1A zoning. This use is consistent with and compatible with surrounding uses.
- B. The subject application complies with and is consistent with the Future Land Use Element, specifically:
 - 1. Goal 1-1
 - 2. Policy 1-1.1.2
 - 3. Policy 1-1.2.2
 - 4. Policy 1-3.1.3
 - 5. Objective 1-3.6
- C. Application/ use provides appropriate transitional use.
- D. Application/ use does not create incompatible use.
- E. Application/ use is consistent with the Hannibal Square Neighborhood Regulating Plan
- F. Application/ use is consistent with Transect Zone T-4 (as created by the Center for Applied Transit Studies) uses as it implements characteristics of 'Village Character' mandated Future Land Use Element Policy 1-1.1.2
- G. Application/ use is consistent, compatible and complies with all nine (9) Standards for Review of Zoning Amendments as established in Section 58-59 (b) of the City of Winter Park's Zoning Code.

The Applicants acknowledge that the West Lyman Avenue corridor and its surrounding neighborhood areas are uniquely positioned for redevelopment. 50% of the subject lot's block consists of vacant lots. A total of 38% of the properties within the immediate area are vacant. Proper infill redevelopment must be achieved through the establishment of the requisite regulatory framework to ensure use compatibility, scale, proper transitions, architectural character, public realm elements, infrastructure, etc. In order to achieve the 'Village Character' of the City these tools may include: a Neighborhood Visioning Plan, an Urban Design Plan; amendments to Future Land Use Element goals, objectives and policies; and creation of a form-based Code. Economic development opportunities with a proper blend and mix of uses will ensure future viability of the West Lyman Avenue corridor and adjoining areas.

HANNIBAL SQUARE NEIGHBORHOOD
WEST LYMAN AVENUE CORRIDOR
URBAN DESIGN PLAN



PRESENTED TO:
THE CITY OF WINTER PARK, FLORIDA

PREPARED BY:
JAMIER E. OMANA, CNL-2 CHRISTINA E. HITE, PLA

4 MAY 2015



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PURPOSE AND MISSION STATEMENT

Urban Design is the process of designing and shaping cities, towns and villages. Urban design deals with buildings, streets, public spaces, public realm, districts and neighborhoods with the goal and objective of making areas functional, attractive and sustainable.

Introduction

The purpose of this Neighborhood Urban Design Plan is to provide the City of Winter Park, its leaders, staff and affected stakeholders (land owners within the study area) with a blueprint for potential redevelopment of a portion of the Hannibal Square Neighborhood.

The authors of this study are both Land Design professionals. In conducting due diligence for the purchase of property (for relocating their family to Winter Park), they were struck by the potential redevelopment possibilities for the subject area of the Hannibal Square Neighborhood bounded by West New England Avenue to the north, South Pennsylvania Avenue to the west, the SunRail tracks to the east and Fairbanks Avenue to the south. The subject area consists of 15.04 acres of which 3.94 acres are vacant. Uses include commercial, single family, multi-family, residential duplexes, office, institutional, parking structures and mixed-use buildings (vertically integrated).

Cities, through their growth management plans (Comprehensive Plans) and implementing documents (Zoning Code, Land Development Regulations, etc.) attempt to create and establish the character of neighborhoods. This objective may be achieved through the proper location of land uses to create smooth and orderly transitions, avoiding incompatible uses and conflicts, and establishing the requisite 'regulatory framework' for sustainable growth, economic development, place-making opportunities and promote village-like character for its neighborhoods.

The unique mix of built uses and vacant parcels provide the stage for redevelopment and infill opportunities within the study area. The proper blend of uses and economic development opportunities within the study area will ensure the area's vitality. However, proper implementation tools must be in place to promote, encourage and foment the village-like character desired throughout the city's comprehensive plan.

As the City of Winter Park embarks on its citywide visioning process, it must address how to provide for quality redevelopment of the area. The study attempts to provide a vision and blueprint for the creation of a true 'village-like' character for the subject area. The authors are not just purchasing a lot to build their home. They support and champion the possibilities of neighborhood and village embodied by the potential of the Hannibal Square Neighborhood.

Compatibility: Connectivity: Walkability: Mixed Use: Scale



FUTURE LAND USE - NTS

SOURCE: CITY OF WINTER PARK FUTURE LAND USE MAP



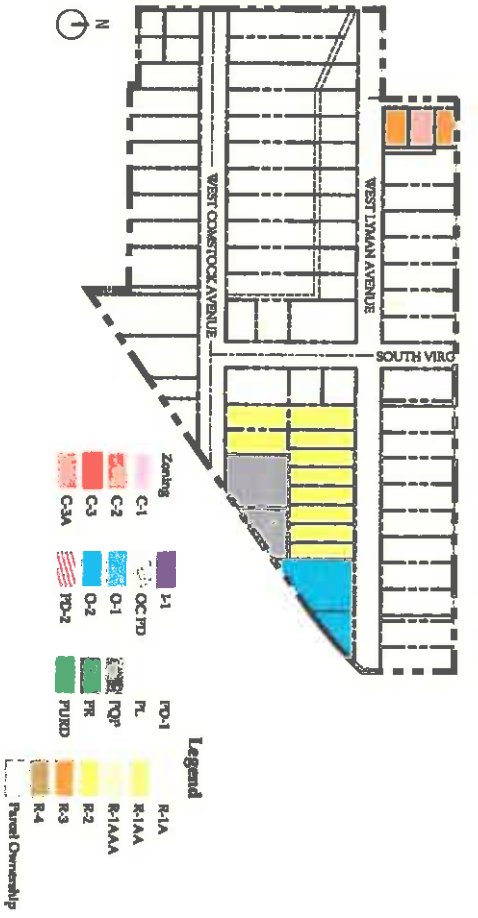
LOT INVENTORY: VACANT LOTS - NTS



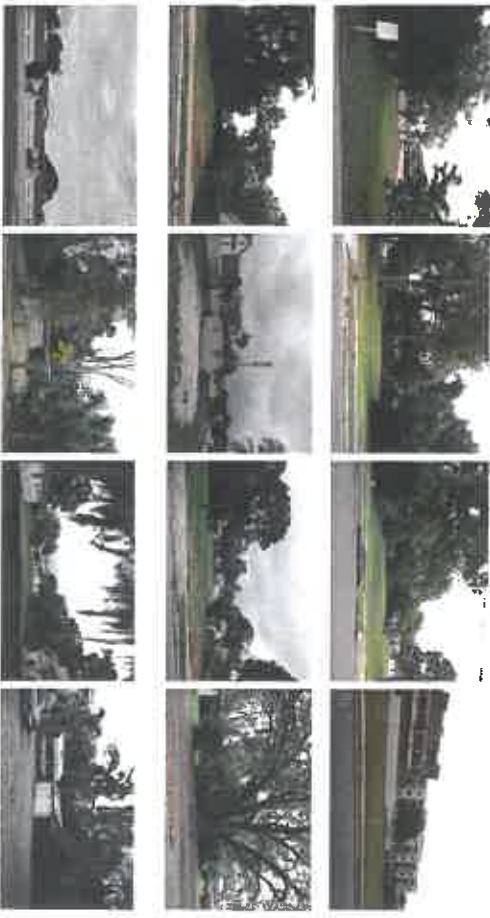
HANNIBAL SQUARE NEIGHBORHOOD
WEST LYMAN AVENUE CORRIDOR
URBAN DESIGN PLAN
4 MAY 2015

EXISTING ZONING - NTS

SOURCE: LAND DEVELOPMENT CODE OF THE CITY OF WINTER PARK



SELECTED PHOTO INVENTORY: VACANT LOTS



GENERAL INFORMATION - 3

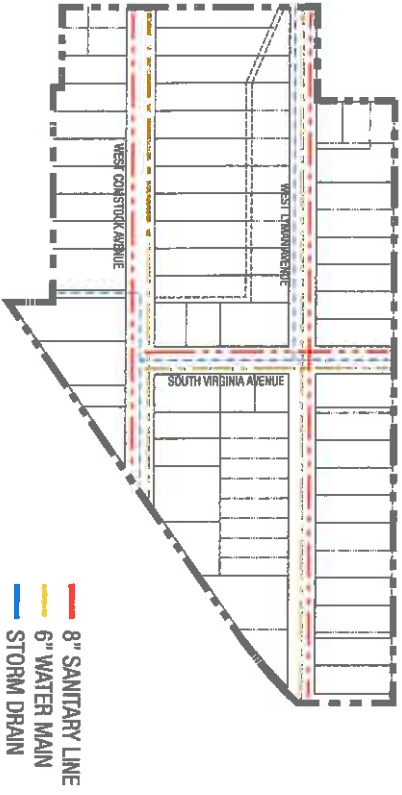
RECENTLY BUILT PROJECT: RESIDENTIAL DUPLEXES AND SINGLE FAMILY



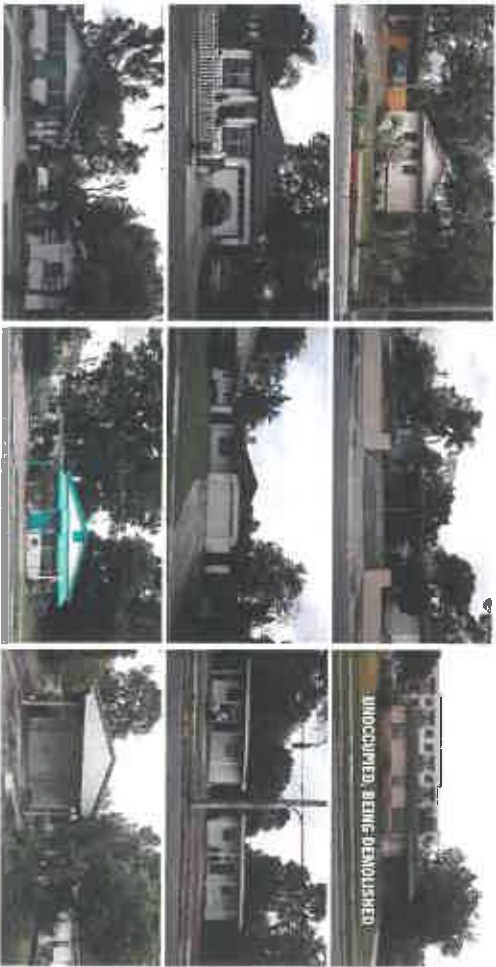
PHOTO INVENTORY: PUBLIC REALM



EXISTING INFRASTRUCTURE



EXISTING HOUSING STOCK



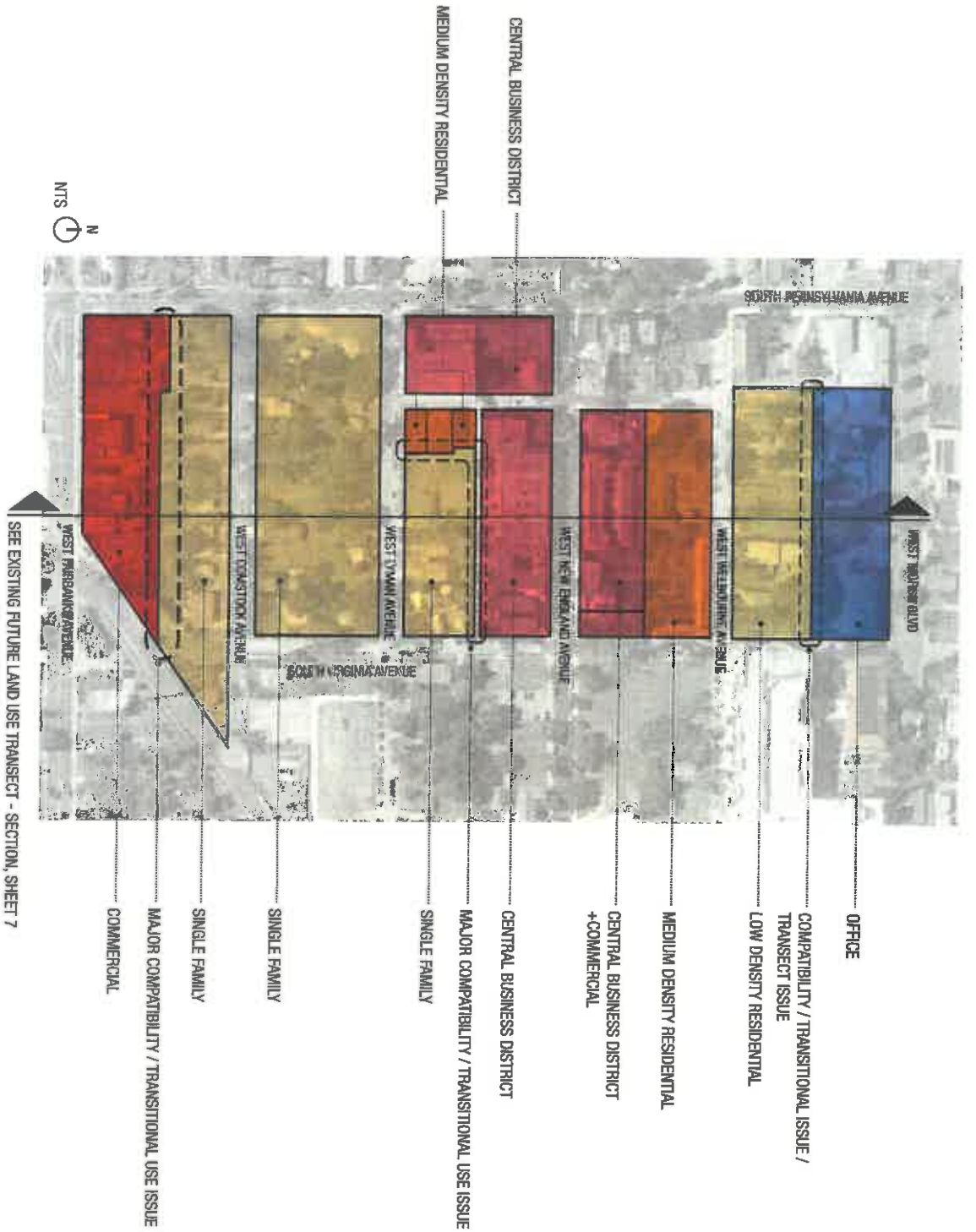
HANNIBAL SQUARE NEIGHBORHOOD
 WEST LYMAN AVENUE CORRIDOR
 URBAN DESIGN PLAN

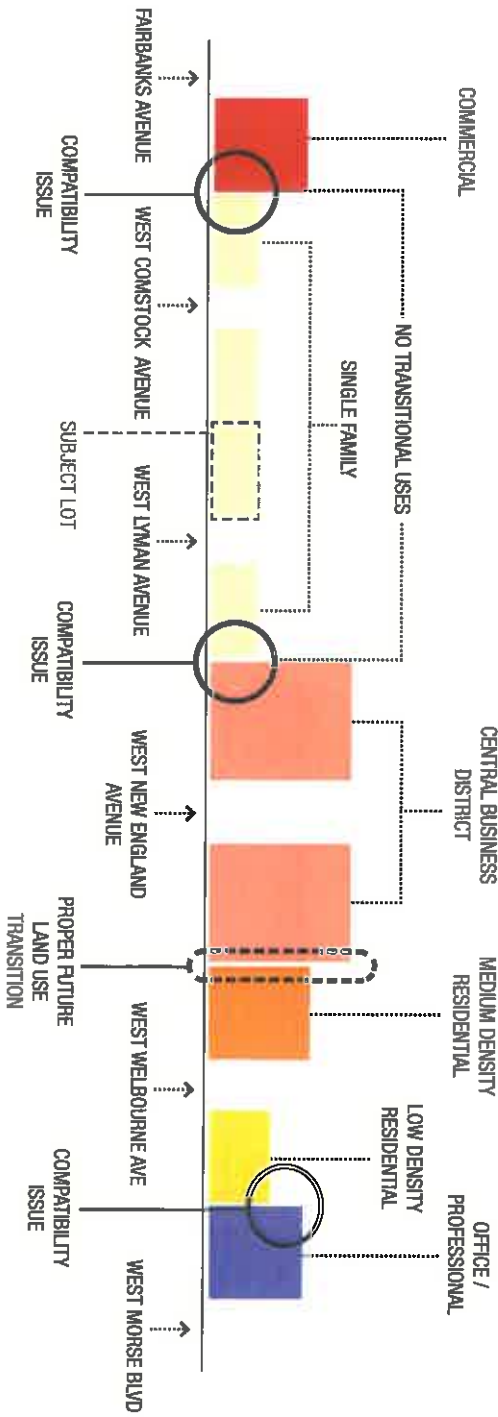
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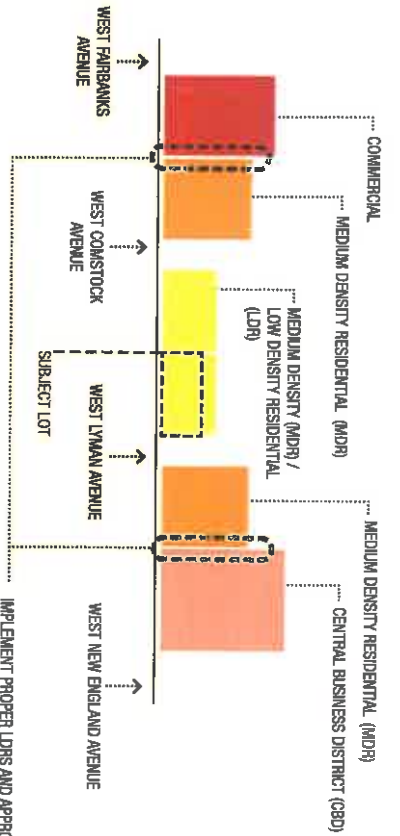
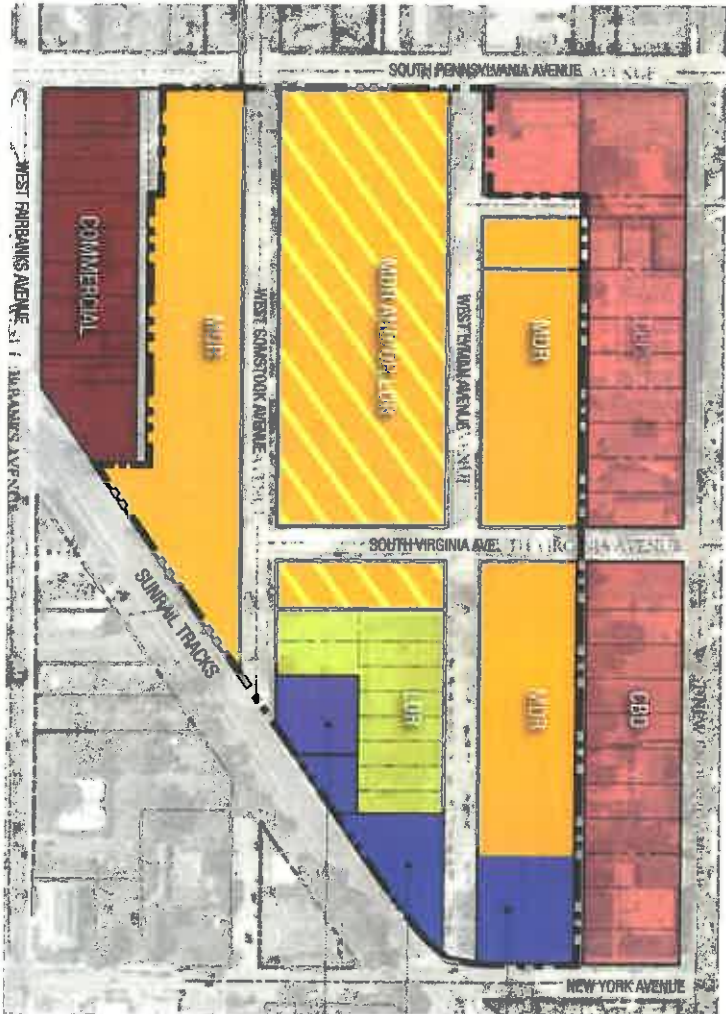
LEGEND:

- VACANT
- SINGLE FAMILY





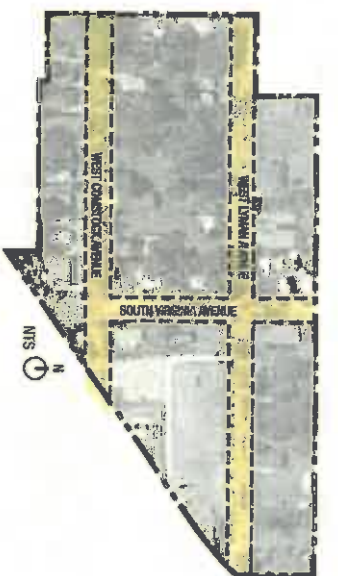




IMPLEMENT PROPER LDRS AND APPROPRIATE FUTURE LAND USES
 TO MINIMIZE IMPACTS AND ENSURE COMPATIBILITY

PUBLIC REALM ELEMENTS

Public realm is defined as any publicly owned rights of way, streets, parks, accessible open spaces and public/civic buildings and facilities. The quality of public realm is integral to the success in the creation of environments and communities where people want to live and work.

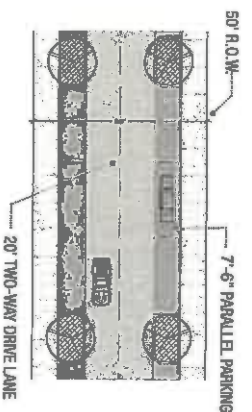


STREETS

EXISTING



PROPOSED

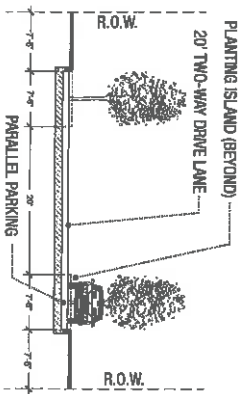


RIGHTS OF WAY

EXISTING



PROPOSED WITHIN 50' RIGHT OF WAY

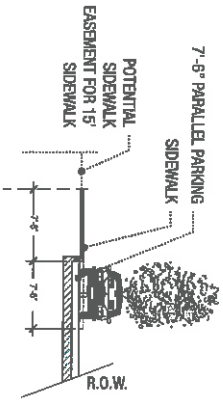


SIDEWALKS

EXISTING



PROPOSED

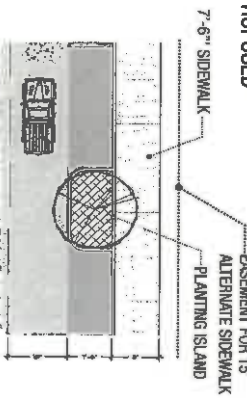


PARALLEL PARKING

EXISTING



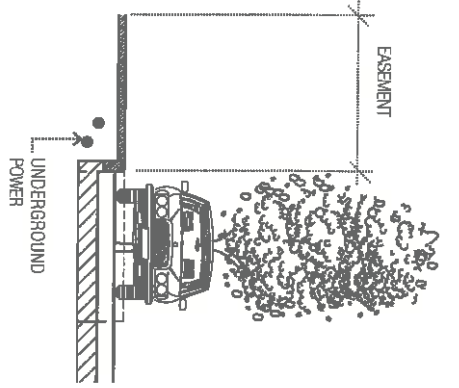
PROPOSED



OVERHEAD POWER AND LIGHTING

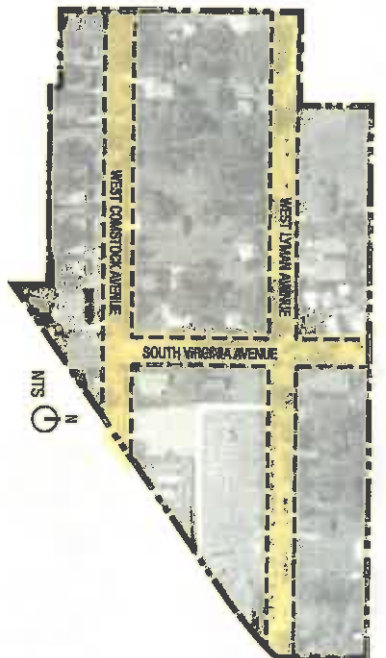


EXISTING



PROPOSED

LIGHTING
FIXTURE SPEC
HANNBAL SQUARE
NEIGHBORHOOD BANNER



REGULATORY SIGNAGE



EXISTING



PROPOSED



STREET FURNITURE



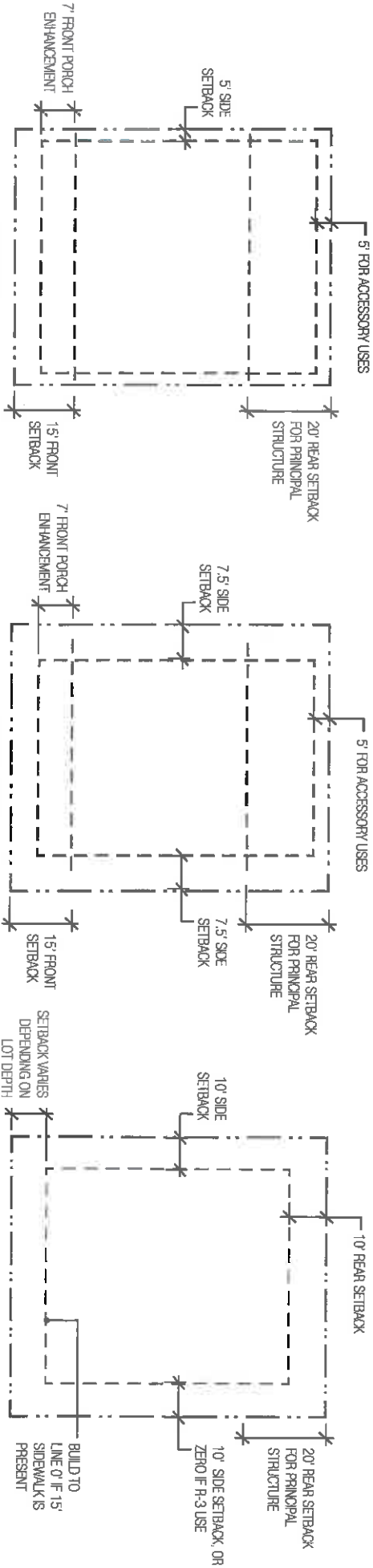
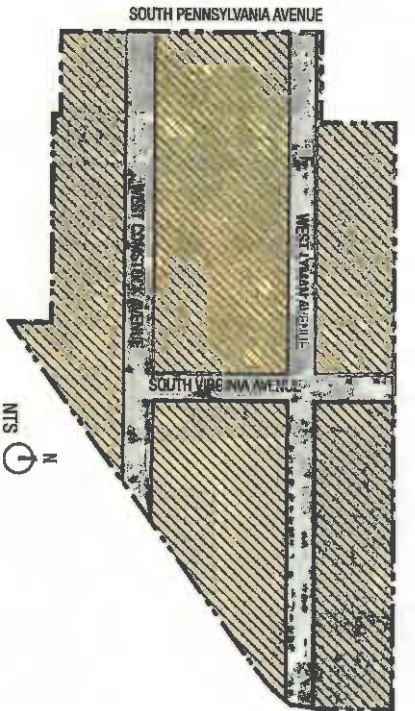
OPEN SPACES



SITE DESIGN REGULATIONS /STANDARDS:

Regulations/standards are intended to raise the level of quality for residential development within a regulatory structure that offers options and flexibility —not strict requirements. Regulations/standards foster in-fill / redevelopment environment of aesthetic and sustainable value, enhancing economic development efforts promoting Hannibal Square's unique character and ensuring an efficient development process.

- Permitted uses
- Single family residences
- Residential duplexes
- Multi-family residences
- Conditional uses (to be determined)
- Accessory uses
- Live - work



ZONING:	R-1A, R-2	R-2	R-3
HEIGHT:	TWO STORES (30 FEET)	TWO STORES (30 FEET)	THREE STORES (40 FEET)
PARKING:	TWO OFF-STREET SPACES	TWO OFF-STREET SPACES	2.5 PER UNIT
FLOOR AREA RATIO:	MAXIMUM .55	MAXIMUM .55	MAXIMUM .75
IMPERVIOUS SURFACE RATIO:	MAXIMUM .60	MAXIMUM .65	MAXIMUM .70

HANNIBAL SQUARE NEIGHBORHOOD
WEST UMAN AVENUE CORRIDOR
URBAN DESIGN PLAN

URBAN FORM PLAN: LOT STANDARDS 11

4 MAY 2015



THEMED + REGULATORY SIGNAGE

ACCENT PAVING AT INTERSECTIONS AND
THEMED + REGULATORY SIGNAGE

PARALLEL PARKING

THEMED +
REGULATORY SIGNAGE
OPEN SPACE /
'POCKET PARK'

WEST LYMAN AVENUE

SOUTH PENNSYLVANIA AVENUE



THEMED
+ REGULATORY SIGNAGE

THEMED LIGHTING
THROUGHOUT

SOUTH VIRGINIA AVENUE

SUNRAIL TRACKS

THEMED + REGULATORY
SIGNAGE
BRICK STREETS
UNDERGROUND
UTILITIES
STREET TREES

HANNIBAL SQUARE NEIGHBORHOOD
WEST LYMAN AVENUE CORRIDOR
URBAN DESIGN PLAN
4 MAY 2015

ILLUSTRATIVE PLAN - NTS 12



SUMMARY/ ACTION PLAN

The subject study area within the Hannibal Square Neighborhood is uniquely positioned for redevelopment. Over 28% of the study area lots are vacant. New residential duplexes and single family have been introduced into the area. The renaissance of the community has commenced. However, infill re-development requires the proper implementation tools along with forward-thinking Future Land Use policies to ensure proper land use transitions to minimize conflicts, create compatibility, and establish the key elements to create a village-like character and complement the West New England Avenue Corridor. The subject Neighborhood Urban Design Plan provides a blueprint for proper use mix, compatible uses, urban form (to include public realm design) performance standards, etc. All these elements applied in concert set the foundation for economically viable, sustainable, functional and attractive infill redevelopment neighborhoods with the urban context.

The City of Winter Park, through its Visioning Process must examine, explore and establish the proper 'regulatory framework' to ensure quality development within this unique quadrant of the Hannibal Square Neighborhood.

Policy and Implementation Tools required to set that framework include:

- A. Introduce amendments and or revisions to the City's Future Land Use Element, fostering village-creation policies.
- B. Urban design goals, objectives and policies for the area based on the vision.
- C. Establish a vision for the area. Engage the property owners – not outsiders.
- D. Create a Neighborhood Urban Design Plan and adopt same as a mandatory overlay for the area.
- E. Amend the Future Land use Map and text to reflect proper land use transitions to minimize conflicts.
- F. Amend and/or create site design standards through the Land Development Code and Zoning Code to implement the vision in concert with the Neighborhood Urban Design Plan.

The subject study is respectfully submitted to the City of Winter Park for consideration and inclusion in the Visioning Process.



**CITY OF WINTER PARK
PLANNING AND ZONING BOARD**

**Staff Report
June 2, 2015**

REQUEST OF TOWER ACQUISITION PARTNERS, LLC TO:
AMEND THE CONDITIONAL USE APPROVAL PREVIOUSLY GRANTED TO THE PROPERTY AT 170 S. KNOWLES/170 E. MORSE BLVD. IN 2007, TO ALLOW FOR MODIFICATIONS TO THE MULTI-FAMILY PROJECT APPROVED IN 2007, TO NOW BE COMPOSED OF THREE UNITS, THREE STORIES AND 19,935 SQUARE FEET OF RESIDENTIAL LIVING AREA AND GARAGE, ON THIS PROPERTY ZONED C-2.

This Conditional Use request by the prospective purchasers of the property at 170 S. Knowles Avenue/170 E. Morse Blvd. seeks to amend the previously approved conditional use plans to allow for modifications to the multi-family project originally approved in 2007. It was originally four units but is now three units, each three stories in height and now 19,935 square feet of total building area. The property is zoned C-2. See plans attached.

Background: On October 22, 2007 the City Commission approved a Conditional Use, for a four unit, three-story, 18,290 square foot condominium project to replace the two story retail/office building at the SW corner of Morse Blvd. and Knowles Avenue. That project was to be developed by the property owner, Mr. Furst and it required a Conditional Use approval as it is was a three story building in the Central Business District and a project over 10,000 sq. ft.

That original Conditional Use approval was valid for two years. The City Commission provided an extension on April 13, 2009. Then on April 10, 2010 the City Commission provided a five year extension until October 22, 2016. Later, on October 24, 2011 the City Commission extended the Conditional Use approval until October 24, 2021. As this application is from a contract purchaser, the seller and purchaser have requested that any approval be conditioned upon the eventual sale and closing which is reflected in the staff conditions.

Current Project Plan Request:

The project parameters retain much of the original site plan layout from the original approval in 2007. The project fronts on Morse Blvd. and Knowles Avenue and has a rear entry motor court from the Treat Way alley into two car garages for each of the three units. The total building area increases from 18,290 square feet to 19,935 square feet. This is an increase in floor area ratio from the 177% permitted in 2007 to the current request at 192.61%. The Code maximum FAR for C-2 zoning is 200%.

For purposes of comparison, the following table outlines the C-2 zoning requirements and the proposed dimensions of this project.

	C-2 Requirements	Project Proposal
Property Size		10,350 sf
Floor Area Ratio	Max. 200%	192.61%
Knowles Ave. setback	0 feet	5-8 feet
Morse Blvd. setback	3.3 feet	3.3 feet
Alley setback	0 feet Floors 1 & 2 10 feet -3 rd floor	3 feet 4 inches for all floors
Interior Side setback	0 feet	0 feet
Bldg. Height	40 feet	40 feet

The street setbacks on Morse Blvd. are in line with the average existing 3.3 foot setback (from the adjacent Landmark Condominium) and the street setbacks on Knowles Avenue are 5 to 8 feet except for the first floor entry porch features at zero feet or at the property line as there is no 'average' setback on Knowles Avenue in this block. There is also a proposed 3 foot-4 inch street setback to the Treat Way alley (south side) and to the adjacent Landmark Condo (west side).

The building height is at the maximum 40 feet permitted for three story buildings in the Central Business District and in the C-2 zoning. There is a cornice parapet wall of 5 feet in height for a total visual height of 45 feet. Back within the rooftop are the elevator/stair tower elements for each unit, an additional 10 feet in height. These heights are consistent with the original 2007 approval and the parapet walls are somewhat smaller as the 2007 plans which had architectural ornamentation on the corners with some added height.

The Comprehensive Plan and the Zoning Code contain a requirement to provide terracing and articulation by imposing a further setback for the third floors of any prospective building within the Central Business District and C-2 zoning. The Comprehensive Plan policies are very prescriptive in requiring a one for one foot setback for the third floors. If the third floor is 10 feet tall then the third floor setback is 10 feet. The C-2 zoning is less prescriptive in that it just requires that "a significant portion of the top floor shall be terraced and stepped back from the exterior face of the next lower floor".

In this project, as with the Morse/Virginia Townhouses, designed by Phil Kean, the design solution is to build the "box" setback from the street front by 9-10 feet and then add architectural articulation outward from the "box". An acceptable method of compliance, different than what was anticipated but it complies with Code. In some sense, it is actually a better design solution because the bulk of the "building mass" is further setback from the street frontages.

Per the policy of the Comprehensive Plan, if the third floor is ten feet in height then the third floor must be setback 10 feet from the street where zero foot setbacks apply (Knowles Avenue and the Alley) and the third floor must be setback 13 feet 3 inches from where a 3 foot, 3 inch street setback exists (Morse Blvd.). The proposed plans indicate a 9 foot, 1 inch setback for the third floor on the Knowles Avenue frontage and a 12 foot, 3 inch setback for the third floor on the Morse Blvd. frontage. The applicant is asking for an exception, as may be permitted via this Conditional Use review for the 1 foot difference (9 foot setback vs. 10 foot floor height). To the staff this one foot differential seems de minimus and staff has no issue for the request for that 1 foot setback exception.

On the Treat Way alley side however, which is also street frontage, the plans depict a 3 foot-4 inch setback for all three floors and no additional setback for the third floor as required by the C-2 zoning. This request is asking in effect to "grandfathered-in" the vertical 3 foot-4 inch setback for all three floors that was approved for the previous project in 2007. But Treat Way is a public street with frontage and visibility all along Knowles Avenue. Even if the setback is not the full 10 feet for the third floor, there is still a valid reason to break up the vertical wall as is being done for the Knowles and Morse frontages. Thus, the staff does not support an exception from the Code for the third floor on this Treat Way frontage but would support just an additional 3 foot setback and will recommend approval only of the 1 foot differential as contemplated for the other street sides.

Streetscape Proposal:

The applicant is also asking the City to consider a streetscape proposal for this section of Knowles Avenue. Currently (as depicted in the plans) along Knowles Avenue are 12 on-street parking spaces at 90 degrees from the travel lanes. An existing 4½ foot sidewalk exists between the curb and the property line. The applicants would like to convert this Knowles Avenue street frontage to a parallel parking orientation of 6 on-street spaces. That increases the sidewalk width to 12½ feet for better pedestrian circulation and oak trees within this area.

This proposal benefits the project by enhancing the visual street appeal of this street section and increasing pedestrian access. The negative part is that the City loses 6 public parking spaces and the ability to add 2 more spaces when the existing driveway is closed.

Public Works has been conducting parking surveys on the use and availability of parking spaces in the six city parking lots downtown for the past 15 months. The Knowles Avenue parking spaces have consistently been the most heavily utilized parking in the downtown. As a result, the recommendation from Public Works is not in favor of this streetscape proposal as it results in the loss of 6-8 public parking spaces.

The applicant's position is that the conversion of this property from a retail/office building to a residential building is going to reduce the demand from customers/clients parking on Knowles to visit businesses within this building. The applicant's perspective is that this change in use will benefit the parking situation and more than offset the loss of the 6 parking spaces.

Staff Analysis of the Applicant's Requests:

Various city departments have reviewed this application including Public Works, Electric Utility, Water and Wastewater Utilities, Fire, Urban Forestry, Parks & Recreation and City Administration. The comments received were as follows:

Fire Dept: It will be a fire sprinklered building and access is from the two streets.

Public Works/Traffic Engineering: Storm water retention via underground exfiltration is permitted within the Central Business District. The proposal for exfiltration below the parking courtyard can be approved subject to design for appropriate volumes and a maintenance agreement recorded to run with title to the land. Bicycle parking should be considered.

Public Works is also recommending denial of the streetscape proposal due to the loss of 6-8 public parking spaces.

Water/Sewer Utility: There is one water meter supplying the existing building. Single family residences are each required to have individual water meters per the code. There is not a water main on Knowles Avenue. Therefore, two additional water meters will be required to be installed on the south side of Morse Blvd. The same situation exists with the sanitary sewer. There is only one existing lateral and it is connected to the sewer main in Morse Blvd. There is no sewer main on Knowles Ave. The code also requires SFR's to have individual sewer laterals.

As per fire suppression and the sprinkler system for the building, since it is three stories, the challenge is that there is no water main on Knowles Ave. There is a stubbed out 6" water main in Treat Way that could be extended to provide water for a fire suppression system. It would need to be extended to Morse Blvd. and connect to the existing 8" to ensure flow capacity.

Electric Utility: Need to know the proposed location of the electric transformer box. If proposed in the street frontage it needs to be screened.

Parks & Recreation and Urban Forestry Depts.: No landscaping or landscape plan is required in the C-2 district for buildings, thus the front planters are nice to see.

Traffic Study:

The staff has not required the developer to provide a traffic study because the total trip generation from 3 residential units of 33 trips per day is far less than the trip generation from the existing 7,365 square feet of retail/office spaces which produces 349 trips per day per ITE generation estimates. This existing traffic generation may be overstated since many trips to the downtown are multi-destination trips but the conclusion regardless is that this residential project of three townhouses will generate less traffic than the existing building.

Impact Upon the Downtown Winter Park Historic Districts:

This property is located outside the US Federal Register - Downtown Winter Park Historic District which ends at the Center Street alley and the Interlachen Avenue Historic District which ends adjacent to this property. See maps attached. In other cases, a question has been raised about applicability of a recommendation from the City's Historic Preservation Board per the code text below:

Sec. 58-446. - Functions, powers and duties of the historic preservation board. The historic preservation board shall be responsible for the development and administration of a comprehensive historic preservation program, and shall identify and maintain the city's historic resources for the benefit of both present and future residents. It shall be the responsibility of the HPB to:

1. Provide or recommend incentives for historic preservation, and to recommend for or against rezonings, demolitions, developments, lot splits, lot consolidations, or conditional uses that could impact historic resources identified in the Florida Master Site File survey of the City of Winter Park.

The precedent has been to apply this Code requirements for projects within a historic district but not to properties outside the Districts. If we were to do that then the question is how far outside the district is applicable. P&Z could recommend and/or City Commission could direct that the application be reviewed by the Historic Preservation Board but staff does not have the legal authority to require such action on our own initiative.

Other Considerations:

This project is intended to be developed as fee simple townhouses pursuant to a replat (not as a condominium). To the extent that any "subdivision approval" is required, then this process provides that approval. This fee simple/replat marketing approach is what was approved by the City for the 400 Swoope townhouse project, the Morse/Virginia Townhouse project and the one at 125 S. Interlachen Avenue.

Experience has taught us that special attention needs to be paid to the placement of the electric transformers and back flow preventers. It is not a significant issue with the green electric transformer or switch gear boxes but the appearance of the backflow preventers next to the sidewalk quickly diminishes the visual appeal of the

development. While one can accept that in commercial locations, it is not acceptable on Morse Blvd. or Knowles Avenue. There are conditions recommended to address these circumstances.

The scale of this project and the materials presented allows the City to combine the Preliminary and Final Conditional Use approvals. However, the Code requires two public hearings for approval by the City Commission for three story buildings within the Central Business District.

Comprehensive Plan and Zoning Code Compliance:

There are a number of policies in the Comprehensive Plan that address the design aspects of this application. Those policies and other relevant C-2 Zoning Code sections that are included as an appendix to this staff report.

STAFF RECOMMENDATION IS FOR APPROVAL of both the Preliminary and Final Conditional Use approvals for the modification of this project with the following conditions:

1. The third floor facing the Treat Way alley must be setback an additional 3 feet from the lower floors in a reduced but similar fashion to the other street elevations.
2. The electric transformer/switch gear and backflow preventers shall be located adjacent to the building and shall be effectively screened from view.
3. Changes to the Knowles Avenue parking arrangement are not approved.
4. As the Applicant is not the owner of the Property, but rather is the purchaser under a contract for sale and purchase to buy the Property, unless specifically consented to by Owner in writing, no approval issued pursuant to the Application or any condition imposed in connection therewith, shall be binding upon the Property or the current Owner of the Property unless and until Applicant, or its successor or assign, acquires title to the Property. If Applicant or its successor or assign does not acquire title to the Property within one hundred fifty (150) days following the approval by the City Commission of such Conditional Use Permit and the expiration of any appeal period applicable thereto, the Conditional Use Permit shall be null and void and the existing Conditional Use, which was extended by the City Commission on October 24, 2011 until October 24, 2021 shall be in full force and effect; provided, however, that Owner shall have the right to waive the foregoing and accept the new Conditional Use Permit which shall not be null and void in such event."

Comprehensive Plan policy and C-2 District excerpts:

Policy 1-3.2.2: Maintain the Character and Scale of the Central Business District: The City shall maintain the character and scale of the Central Business District (CBD), including the Park Avenue Corridor as one of the premier downtown retail shopping districts in Florida, by reinforcing attributes that underlie its ambiance and special character, including its pedestrian scale, the relationship of its buildings and their orientation to the street, the eclectic mix of architectural styles, the open space vistas of Central Park, and the predominance of small distinctive specialty shops. This Comprehensive Plan imposes a two story height limit throughout the Central Business District as depicted on the Winter Park Central Business District Boundary Map located in the Definitions section of this Comprehensive Plan. These height restrictions may be increased to a maximum 3 story height limit if the development is approved by the City Commission as a Conditional Use and conforms to the Maximum Height Map. Third floors approved by conditional use in the CBD must be setback on street frontages equal to their height of a one foot setback for each one foot height of the third floor. Properties designated low density residential, and other properties identified as limited to two stories on the Maximum Height Map are not candidates for the 3 story height Conditional Use. The maximum floor area ratio within the CBD shall include private parking garages which are either at grade or elevated in calculations of floor area. Subterranean parking garages and public parking garages may be excluded from floor area calculations by the City Commission.

Policy 1-3.8.9: Preserve the Pedestrian Scale and Orientation of the CBD and Restrict Building Height. The City shall preserve the pedestrian scale and orientation of the Winter Park Central Business District Boundary Map, as defined in the Definitions section of this Comprehensive Plan, by limiting development for any property to two stories in height or three stories (including any mezzanine levels) on a case by case basis via conditional use approval by the City Commission for any third floor. The pedestrian orientation is also protected by prohibiting new drive-in businesses within the C-2 zoning locations east of Virginia Avenue. Approvals or other variances for more than three stories are prohibited. Third floors approved by conditional use must be setback on street frontages equal to their height on a one foot setback for each one foot height of the third floor. Properties designated low density residential and properties limited to two stories on the Maximum Height Map are not candidates for the 3 story conditional use.

Sec. 58-75. Commercial (C-2) District.

(b) *Permitted uses.*

(4) Residences located on any floor outside of the Park Avenue Corridor or above the ground floor within the Park Avenue Corridor.

(c) *Conditional uses.* The following uses may be permitted as conditional uses following review by the planning and zoning board and approval by the city commission in accordance with the provisions of this C-2 district section only.

(3) Buildings with a third floor provided that such conditional use approvals require two public hearing approvals by the city commission;

(6) Buildings over 10,000 square feet, any addition over 500 square feet to an existing building over 10,000 square feet or additions over 500 square feet to existing buildings that result in a building over 10,000 square feet in size.

(e) *Development standards.*

(1) On all streets, buildings and structures shall be built to a zero foot building setback from the property line or such front setback as is established by the average front setback of the existing buildings on that block of street frontage, whichever is greater. However, canopies may extend over the sidewalks provided a clearance of nine feet zero inches is maintained from the sidewalk to the bottom portion of the canopy.

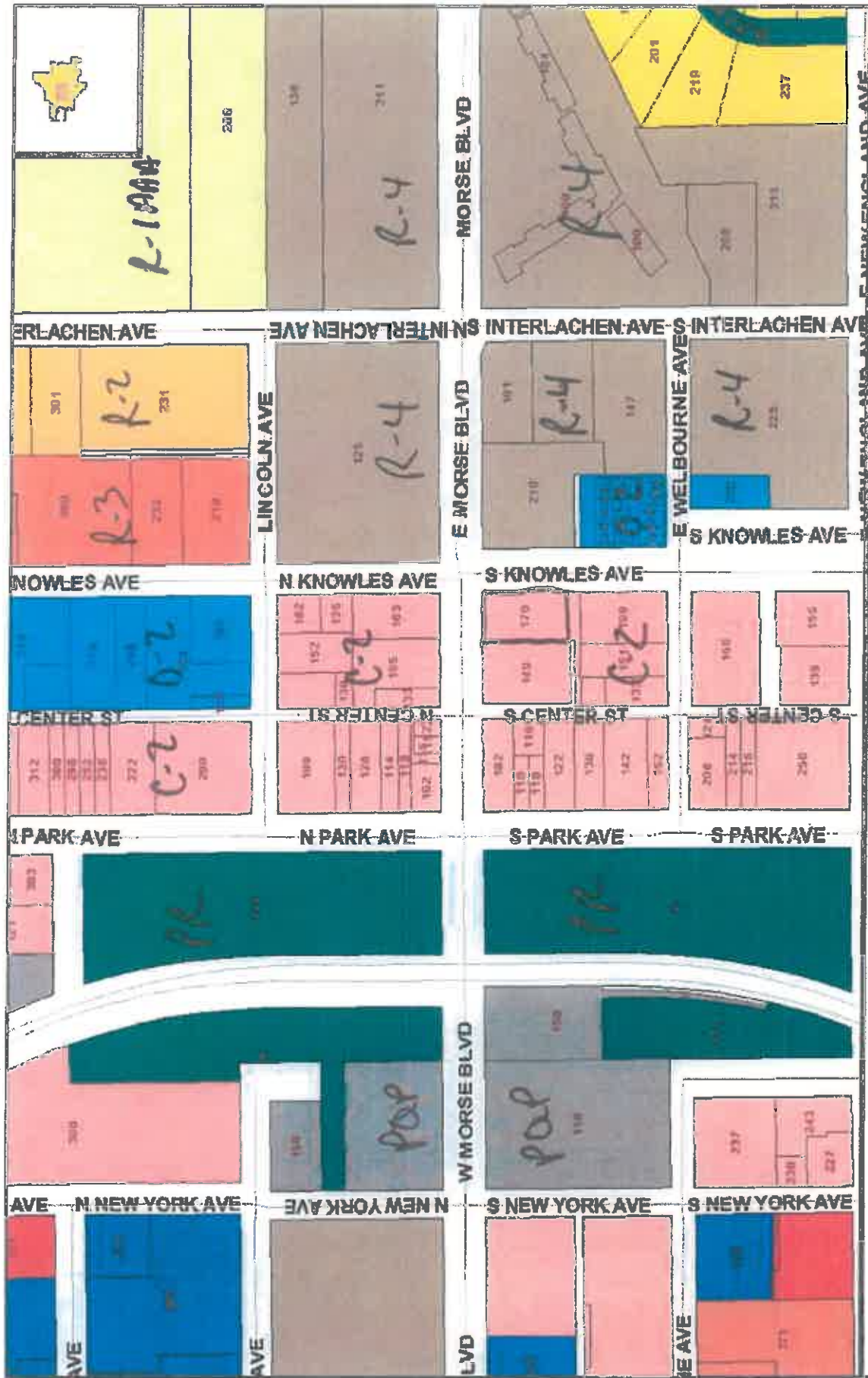
(2) Building heights shall not exceed the height limits imposed by the Maximum Height Map. For those properties within the geographic areas shown with a two story maximum, the maximum building height shall be thirty (30) feet; for those properties shown with a three story maximum height, the maximum building height may be up to forty (40) feet if approved via conditional use. Variances for more than three stories in the Central Business District are prohibited. Parapet walls, mansard, gable or hip roof appendages or similar architectural elements or appendages on a one or two story building may be added to the building height but in no case shall extend more than five (5) feet above the building roof height limitations established in the section. Mechanical equipment, elevator towers and related non-occupied structures may be added to the building roof height but in no case shall exceed more than ten (10) feet above these building roof height limitations and shall be located to the maximum extent possible so that they are not visible from the street.

(3) Buildings shall be setback no less than ten (10) feet from the rear lot line.

(4) No side yard setbacks shall be required on interior side property lines.

(5) The maximum floor area ratio for any building shall be two hundred (200%) percent. The floor area ratio shall include the floor area of any attached or detached above grade private parking garage.

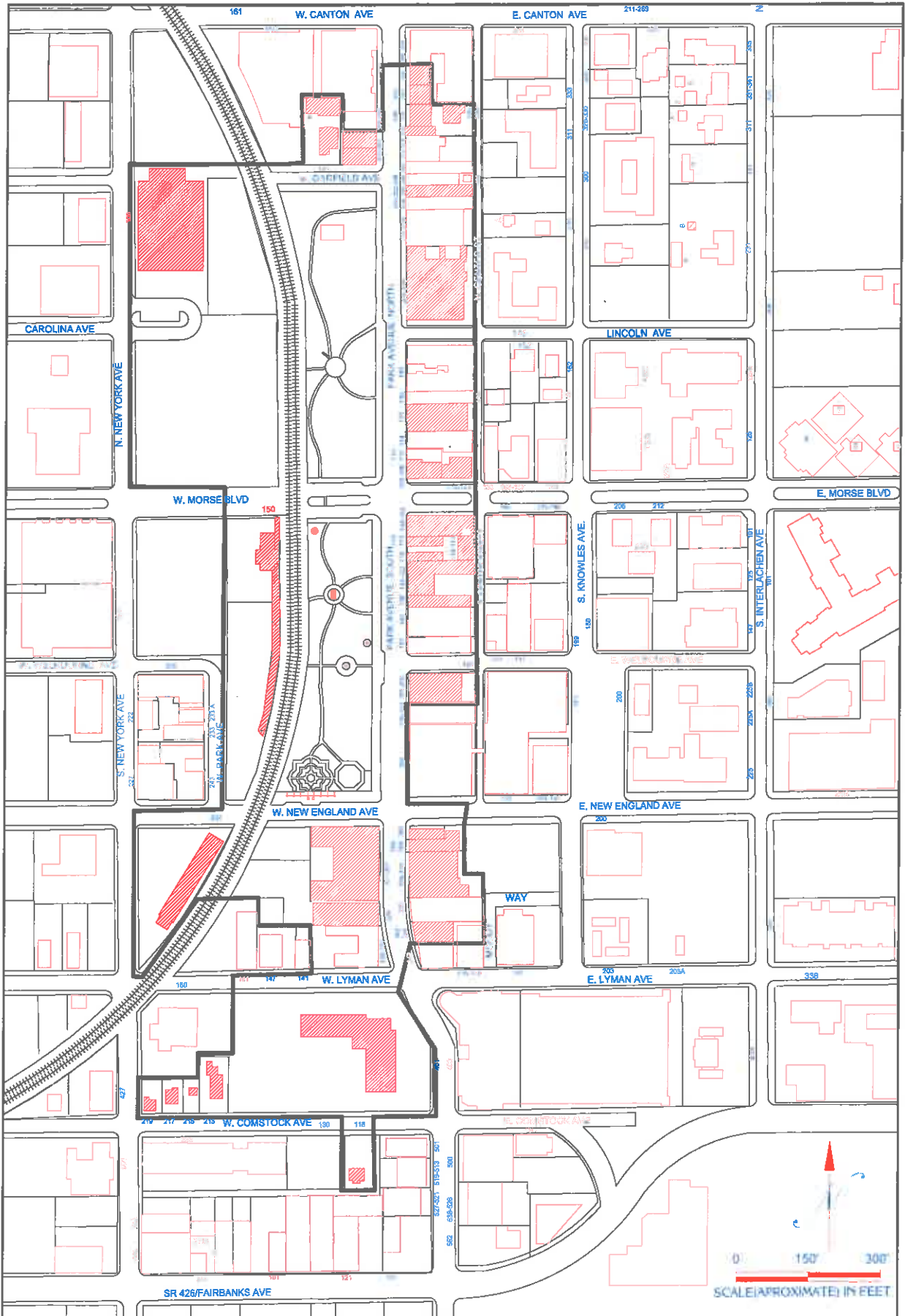
(8) Terracing and articulation requiring additional setbacks are required to create relief to the overall massing of the building facades. Such design features of building façade articulation are required at least every sixty (60) feet on average along the primary building façades facing the streets, or along the building frontage where the building fronts the primary parking lot area. For any building over two stories in height and over 200 feet in length, there shall be a thirty-five (35) foot break on at least the first floor, the design of which shall be a component of the architectural review process required for conditional use. For any building over two stories or thirty (30) feet in height, a significant portion of the top floor shall be terraced and stepped back from the exterior face of the next lower floor. Parking structures are exempt from this terracing requirement.



1 in. = 195.0 feet



170 E. Morse Blvd.



**Downtown Winter Park Historic District
Winter Park, Orange County, Florida**

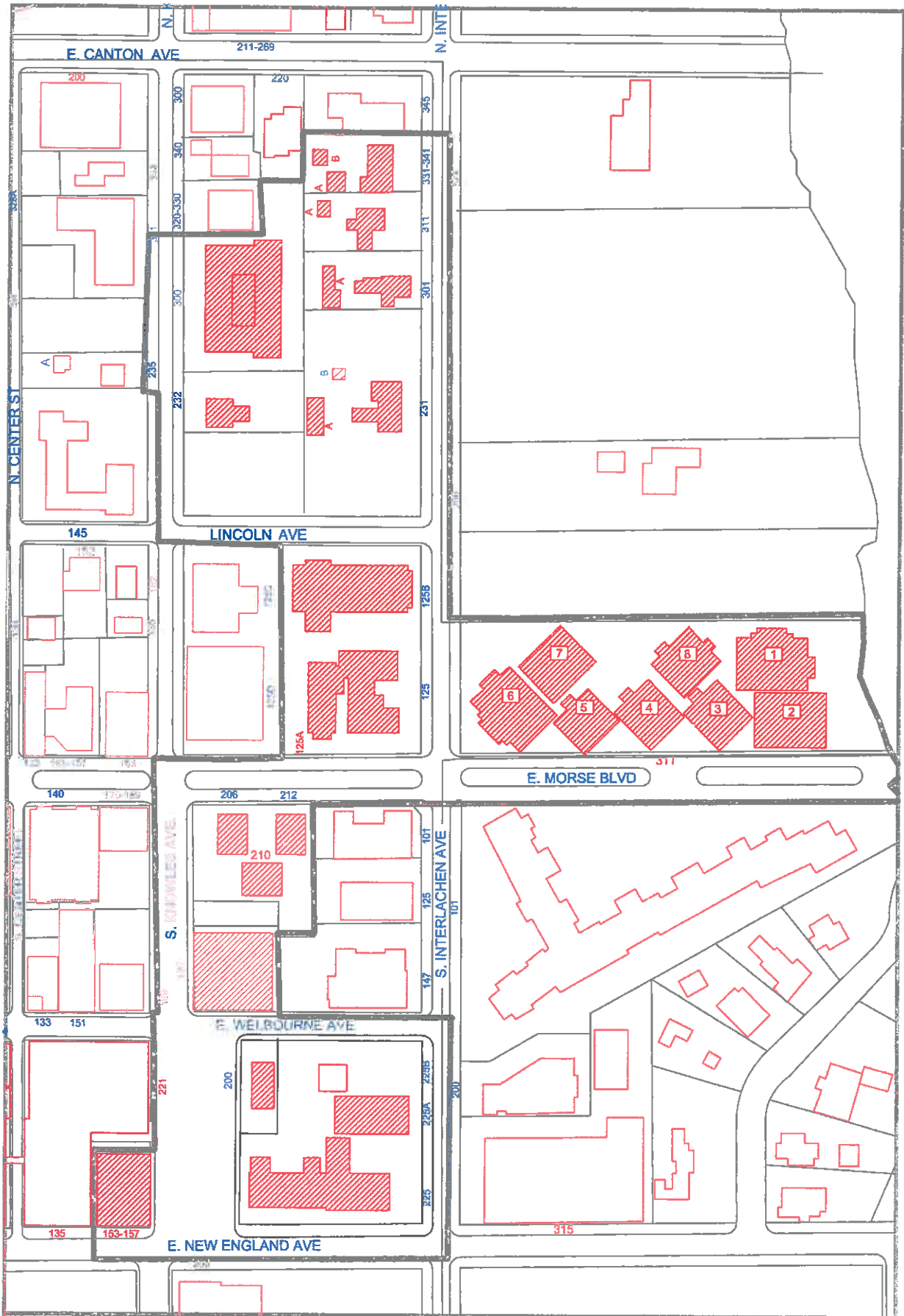
LEGEND

- Contributing Buildings
- Noncontributing Buildings
- Street Addresses
- Historic District Boundary



501





Interlachen Avenue Historic District
 Winter Park, Orange County, Florida

LEGEND

- Contributing Buildings
- Noncontributing Buildings
- Street Addresses
- Historic District Boundary





① Proposed Perspective Elevation at Knowles and Morse Intersection

JONES
ARCHITECTURE

KNOWLES TOWNHOMES

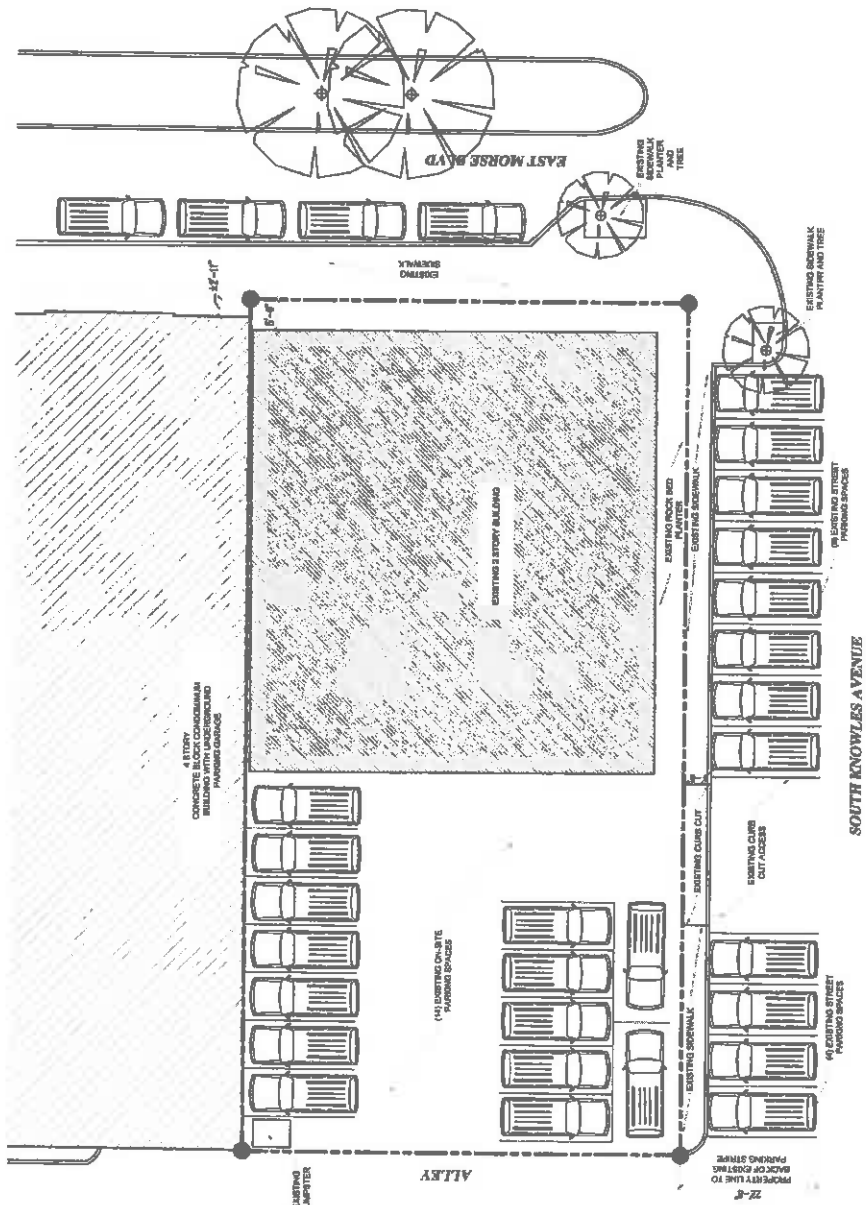


① Proposed Perspective Elevation at Knowles and Ailey Intersection

2024 APR 11 2:02

JONES
ARCHITECTURE

KNOWLES TOWNHOMES

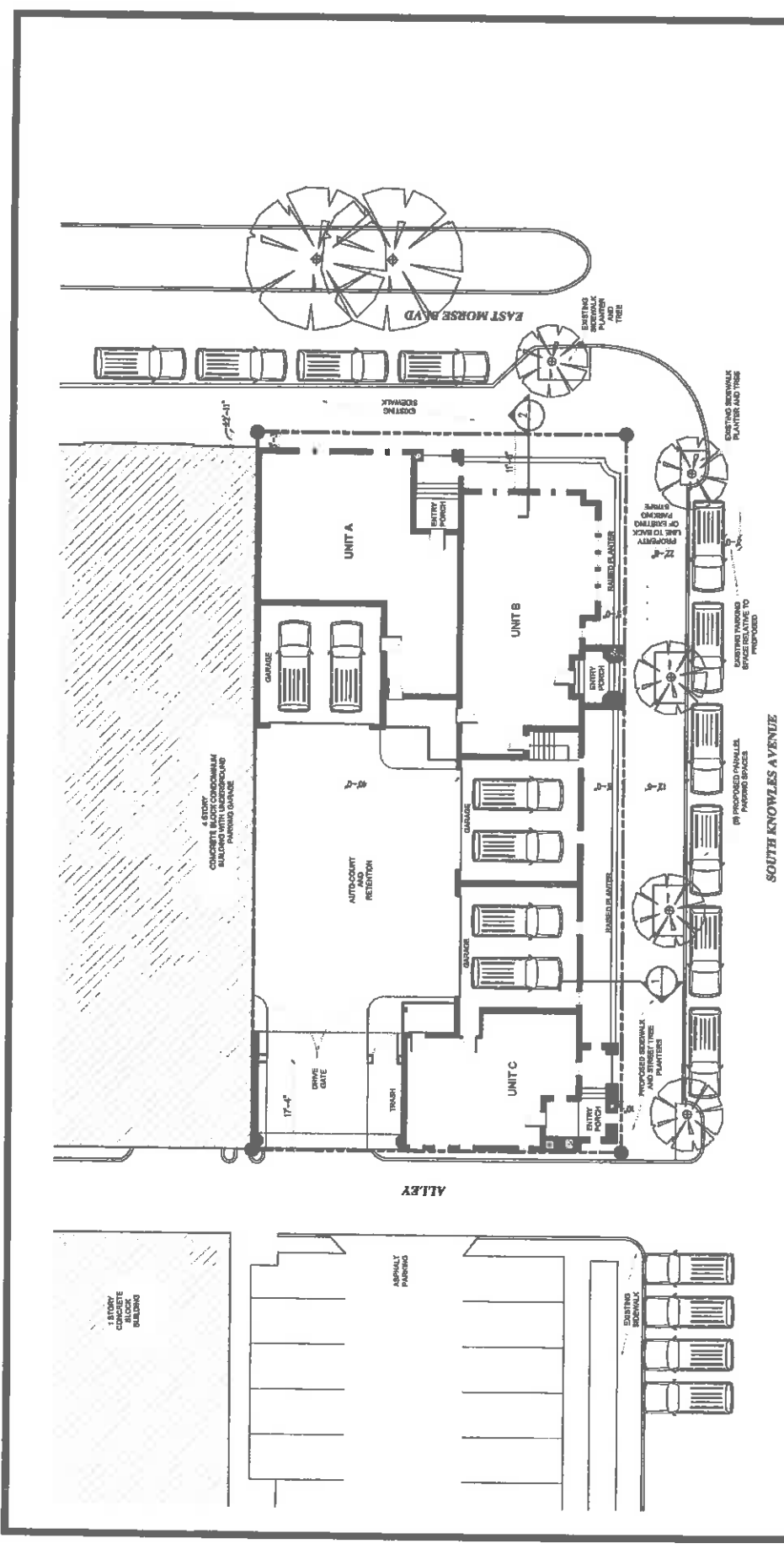


1 Existing Site Plan
 2023.7.27 10:46:00 AM EDT

JONES
 ARCHITECTURE



KNOWLES TOWNHOMES

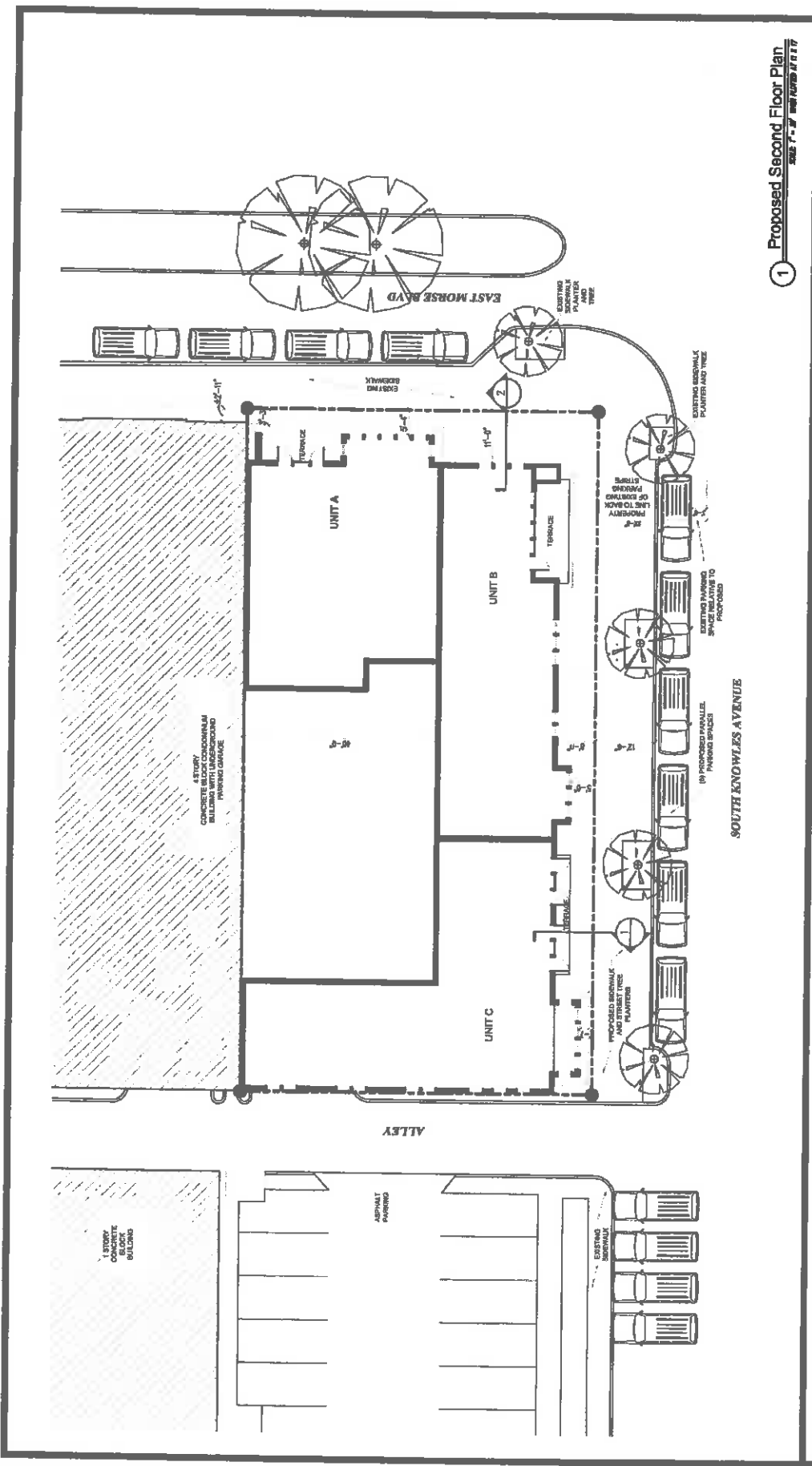


1 Proposed Site and First Floor Plan
 SUB P.O.# 2011-0008-11-11-17



KNOWLES TOWNHOMES

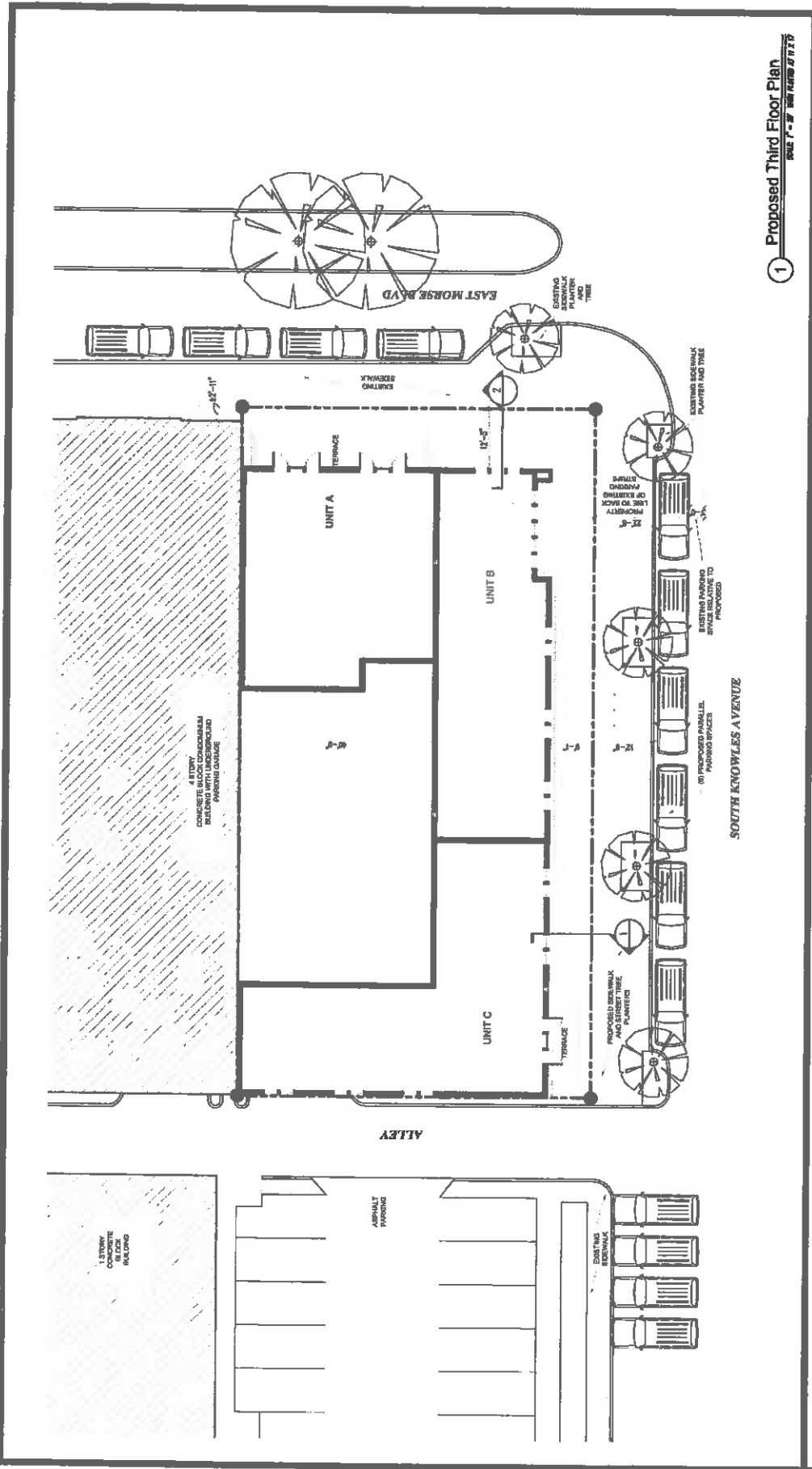
JONES
 ARCHITECTURE



1 Proposed Second Floor Plan
 SHEET 7-27 KNOWLES TOWNHOMES

KNOWLES TOWNHOMES

JONES
 ARCHITECTURE



Proposed Third Floor Plan
 SUB. 1-2-20 10/14/2020 BY J.A.



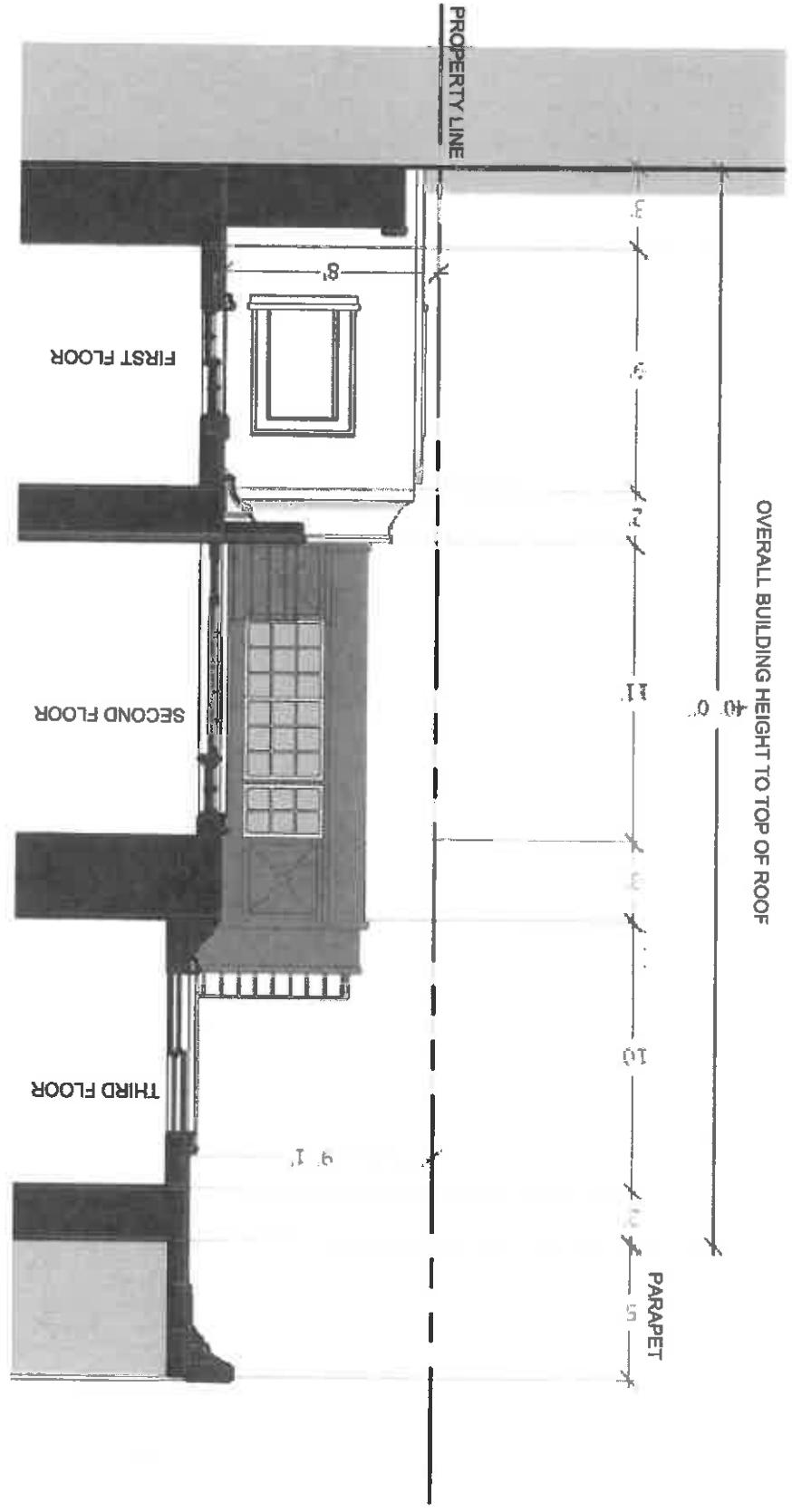
JONES ARCHITECTURE

KNOWLES TOWNHOMES

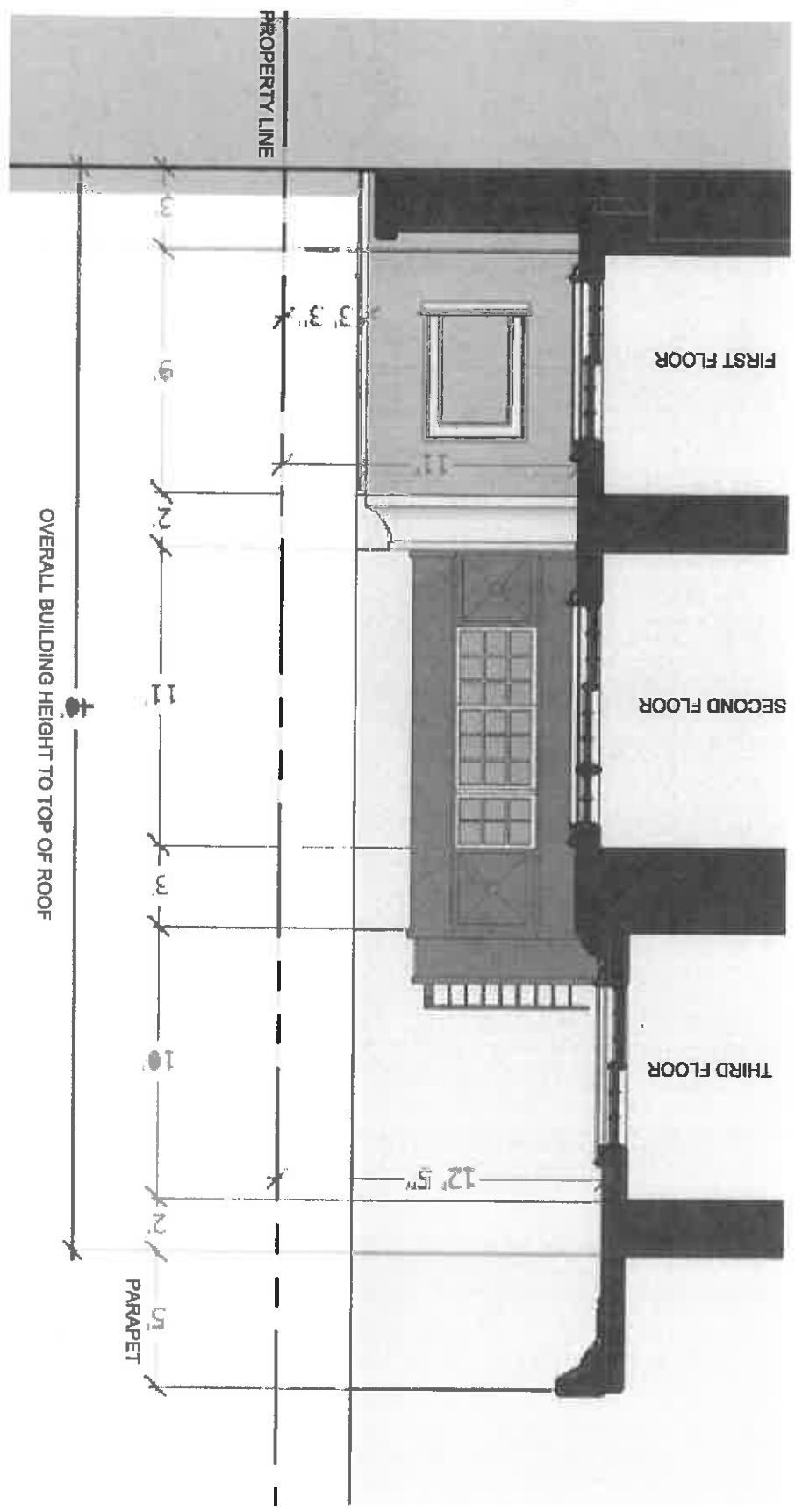
1

JONES ARCHITECTURE

1 Proposed Wall Section along South Knowles



2 Proposed Wall Section along East Morse





Public Hearing

NOTICE OF REQUEST TO MODIFY A CONDITIONAL USE APPROVAL AT 170 S. KNOWLES AVE.

NOTICE IS HEREBY GIVEN BY THE CITY OF WINTER PARK, FLORIDA, that public hearings will be held by the City of Winter Park **Planning & Zoning Board on Tuesday, March 3, 2015, at 6 p.m.** and by the **City Commission on Monday, March 23, 2015, at 3:30 p.m.** in the Commission Chambers of City Hall at 401 S. Park Ave., Winter Park, Florida, 32789, to consider the request to modify and amend the previous conditional use approval granted for 170 S. Knowles Ave. for revised plans for a three-story, three-unit, 19,935-square-foot residential building at 170 S. Knowles Ave., zoned C-2.

Copies of the proposed development plans are available now for inspection in the Planning & Community Development Department in City Hall, Monday through Friday, from 8 a.m. to 5 p.m., and beginning Tuesday, February 24, 2015, on the city's website at cityofwinterpark.org under Board & Public Meetings.



All interested parties are invited to attend and be heard with respect to the adoption of the proposed amendments. Additional information is available in the Planning Department so that citizens may acquaint themselves with each issue and receive answers to any questions they may have prior to the hearing.

Pursuant to the provisions of the Americans with Disabilities Act: any person requiring special accommodation to participate in this meeting, because of disability or physical impairment, should contact the Planning & Community Development Department at 407-599-3453, at least 48 hours in advance of this hearing.

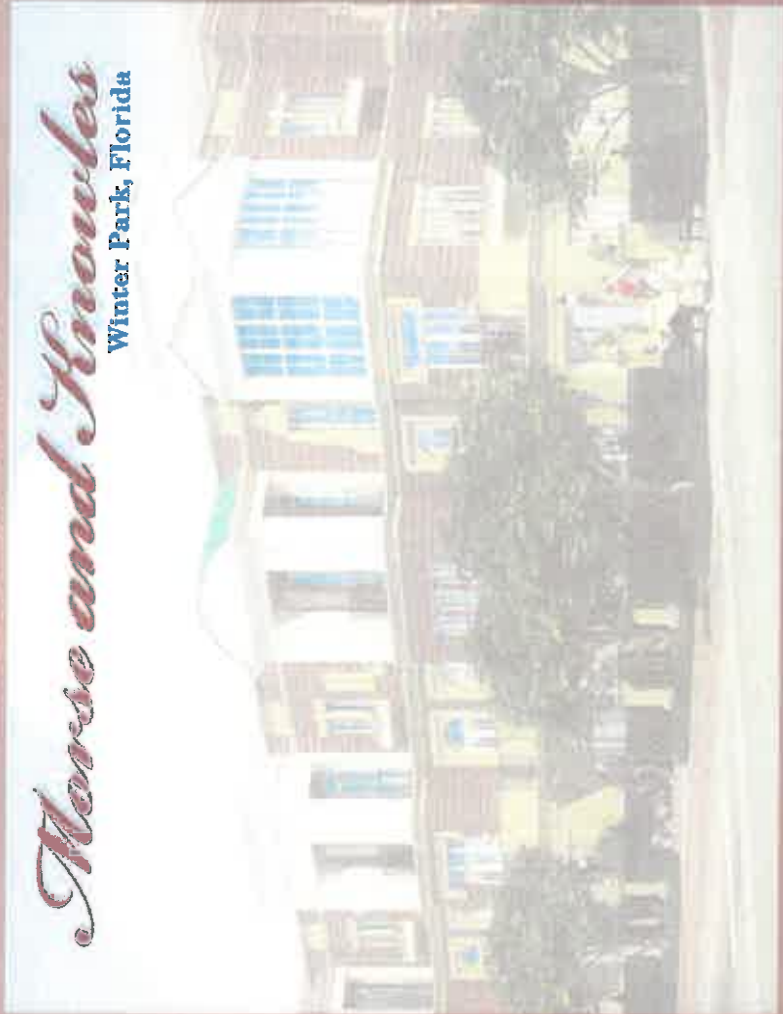
Pursuant to §286.0105 of the Florida Statutes: if a person decides to appeal any decision made by the City Commission with respect to any matter considered at such meeting or hearing, they will need a record of the proceedings, and they need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

Original Plans Approved in October, 2007

The Residences at

Morse and Howles

Winter Park, Florida



ANIMATION

The Residences at Horse and Howells

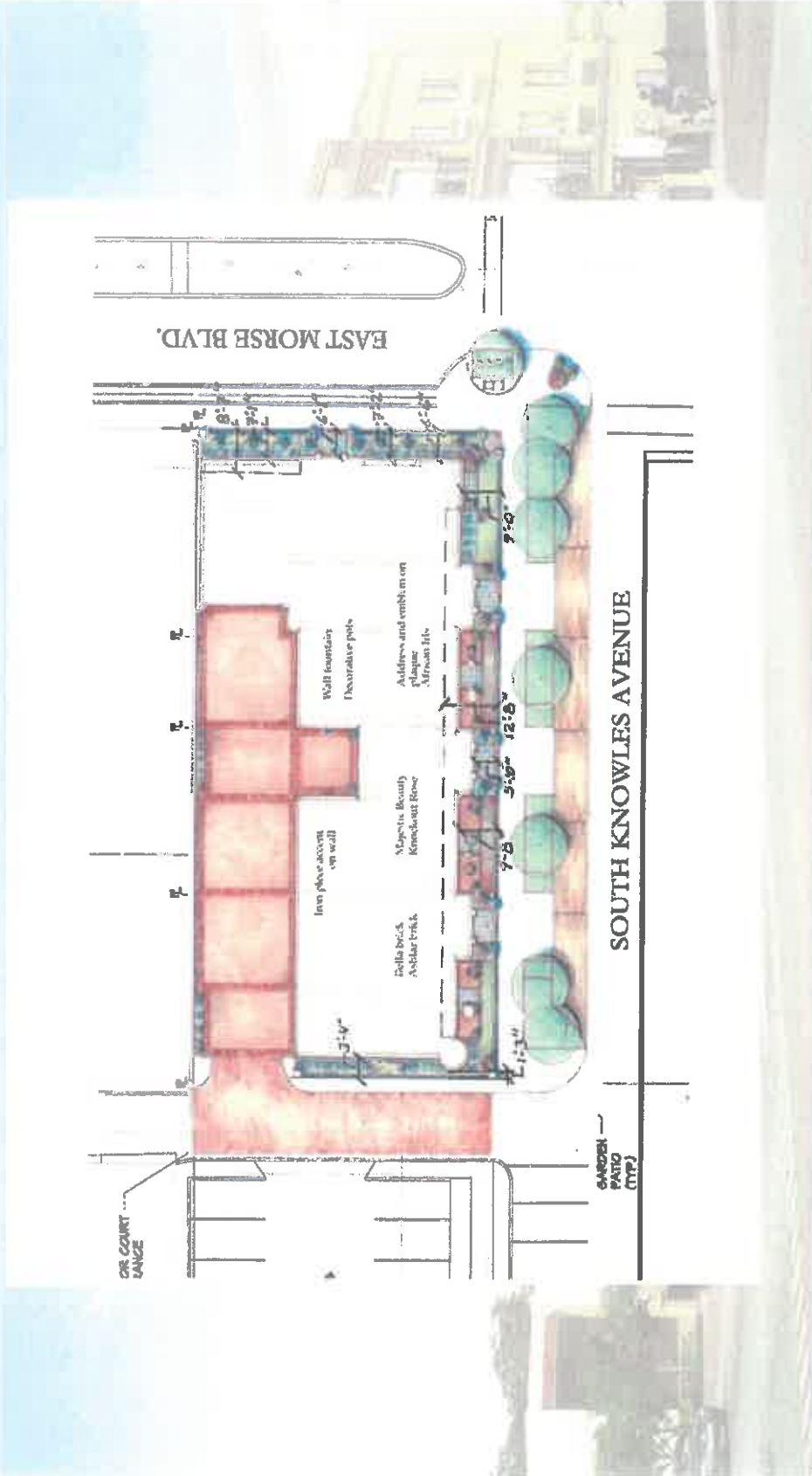
Winter Park, Florida



Horse & Howells, Inc.

SITE DESIGN

The Residences at Morse and Knowles
Winter Park, Florida



EXISTING BUILDING

The Residences at Morse and Broadway
Winter Park, Florida



● ZONING

BUILDING CRITERIA

W.P. LDC

PROJECT AS PROPOSED

● 1. BUILDING HEIGHT
ROOF HEIGHT

3 STORIES 40'

3 STORIES 37'

2. PARAPETS, MANSARD AND
GABLE ROOF APPENDAGES

AN ADDITIONAL 10' FOR
3 AND 4 STORY BUILDINGS

2'-7" to 6'-6"

● 1. BUILDING SETBACK
FRONT

0' OR AVERAGE OF BLOCK

Morse - 5'-1" to 7'-2"
Knowles - 5'-10 to 9'-8"

2. SIDE

0'

0'

3. REAR

10'

N.A. - no rear yard

● F.A.R.

W.P. COMP. PLAN

PROJECT

FLOOR AREA RATIO

FAR 2.0

FAR 1.77 with garages
FAR 1.62 without garages

© **ZONING (CONTINUED)
PARKING**

W.P. LDC

COMMERCIAL 1/250 SQ.FT.

EXISTING

7,500 SQ. FT.

30 SPACES REQUIRED

14 SPACES PROVIDED

16 SPACES ON STREET

PROJECT

RESIDENTIAL 2.5/UNIT

4 RESIDENTIAL UNITS

10 SPACES REQUIRED

8 SPACES PROVIDED

2 SPACES ON STREET

**THERE IS LESS IMPACT TO PUBLIC ON-STREET PARKING BY 14 SPACES
(16-2)**

Upon a roll call vote on the first ordinance as amended, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

Upon a roll call vote on the second ordinance, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

- b. Request for 10 year Conditional Use approve extension for Mr. Felix Furst for the project at 170 S. Knowles Avenue.

Planning Director Jeff Briggs explained the request for the four unit townhouse project located at 170 S. Knowles Avenue and that this was back on the agenda because of a requirement of advertising. This would add another five years and would be effective until October 24, 2021.

Motion made by Commissioner Sprinkel to approve the extension of the conditional use request, seconded by Commissioner Leary. Upon a roll call vote, Mayor Bradley and Commissioners Leary and Sprinkel voted yes. Commissioners Cooper and McMacken voted no. The motion carried with a 3-2 vote.

- c. Request of Winter Park Investors LLC on behalf of WAWA, Inc.: Conditional use approval to construct a convenience store and drive-in gas/fuel sales at 901 and 911 North Orlando Avenue

Each Commissioner disclosed their ex-parte conversations with the applicant. Planning Director Jeff Briggs summarized the site and the conditional use request. He noted that he is comfortable with the architecture of the proposed canopy and the landscaping and indicated that it is an upgrade from the minimum requirement listed in the code.

Applicant Brian Pomykacz, Real Estate Manager for WAWA, provided a presentation and video regarding the history of their company and how the company will integrate into the surrounding community.

Ryan Stahl, Equinox Development Group provided the site plan, showed renderings of the proposed building and explained how the building will look both inside and outside.

Motion made by Commissioner McMacken to approve the conditional use request, seconded by Commissioner Sprinkel.

Bill Shallcross, 1450 Bonnie Burn Circle, indicated that this is not a project that he would prefer to see in the City and encouraged the Commission to carefully consider approving the project.

Bee Epley, 151 N. Orlando Avenue, spoke in favor of the project.

Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

**CITY OF WINTER PARK
PLANNING AND ZONING BOARD**

**Staff Report
June 2, 2015**

REQUEST OF THE CITY OF WINTER PARK FOR: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING SECTIONS 58-71 AND 58-95 OF ARTICLE III, ZONING, CHAPTER 58, LAND DEVELOPMENT CODE TO CLARIFY LANGUAGE BY REMOVING THE ANTIQUATED TERM “SERVANT”; PROVIDING FOR SEVERABILITY, CODIFICATION, CONFLICTS AND AN EFFECTIVE DATE.

This public hearing is to consider an Ordinance, requested by the City Commission, to update the Zoning Code text by removing the antiquated term of “servants” and replacing it with “domestic service employees”.

When the City discussed the lot consolidation request at 1251/1252 Lakeview Drive there was discussion of a proposed “guest house”. In the Zoning Code text, the use of guest houses is limited to family members, visitors and “servants”. This is an antiquated term going back to the adoption of this zoning regulation in 1952. The City Commission asked that staff update this terminology and the city attorney has prepared the accompanying ordinance to accomplish that request.

Staff Recommendation is for Approval.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING SECTIONS 58-71 AND 58-95 OF ARTICLE III, ZONING, CHAPTER 58, LAND DEVELOPMENT CODE TO CLARIFY LANGUAGE BY REMOVING THE ANTIQUATED TERM "SERVANT"; PROVIDING FOR SEVERABILITY, CODIFICATION, CONFLICTS AND AN EFFECTIVE DATE.

WHEREAS, the City Commission wishes to clarify the language in the City Code by removing the antiquated term "servant"; and

WHEREAS, this Ordinance promotes the health, safety and welfare of the City residents; and

WHEREAS, words with double underline shall constitute additions to the original text and strike through text shall constitute deletions to the original text, and asterisks (* * *) indicate that text shall remain unchanged from the language existing prior to adoption of this Ordinance.

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

Section 1. Sub-section (i)(8) of Section 58-71, General Provisions for Residential Zoning Districts, of Chapter 58, Land Development Code, is hereby amended to read as follows:

* * *

(i) Accessory buildings, structures, air-conditioning equipment and other accessory uses in residential zones.

* * *

(8) Guesthouses or garage apartments are permitted accessory uses when they provide accommodations for guests, ~~servants~~ domestic service employees or members of a family occupying the main building on the same property. Guesthouses or garage apartments shall not exceed 1,000 square feet of floor area. Guesthouses or garage apartments as permitted accessory uses may not have a kitchen area or cooking facilities. They also may not have separate utility meters or be rented, let or hired out for occupancy whether compensations be paid directly or indirectly. In order to insure that these provisions are understood as ownership of property transfers and to protect the city from a proliferation of prohibited nonconforming rental uses, all applicants for building permits for guesthouses or garage apartments, or for the substantial improvement of same

shall record a deed restriction outlining the above restrictions and conditions of that building permit. That deed restriction shall be recorded prior to the issuance of the building permit and shall be removed only with the consent of the city. Substantial improvement for the purposes of this section shall be work totaling more than 25 percent of the replacement construction value of the original accessory structure.

* * *

Section 2. Section 58-95, Definitions, of Chapter 58, Land Development Code, is hereby amended as follows:

* * *

Dwelling, single-family means a detached building designed for or occupied exclusively by one family, including guests and ~~servants~~ domestic service employees employed on the premises and having but one kitchen.

* * *

Family means one or more persons occupying a single dwelling unit, provided that unless all members are related by blood, marriage or adoption, no such family shall contain over three unrelated persons, but further provided that domestic ~~servants~~ domestic service employees employed on the premises may be housed on the premises without being counted as a family or families.

* * *

Section 3. Incorporation Into Code. This ordinance shall be incorporated into the Winter Park City Code. Any section, paragraph number, letter and/or any heading may be changed or modified as necessary to effectuate the foregoing. Grammatical, typographical and similar or like errors may be corrected, and additions, alterations, and omissions not affecting the construction or meaning of this ordinance and the City Code may be freely made.

Section 4. Severability. If any section, subsection, sentence, clause, phrase, word or provision of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

Section 5. Conflicts. All ordinances or parts of ordinances in conflict with any of the provisions of this ordinance are hereby repealed.

Section 6. Effective date. This ordinance shall become effective immediately upon adoption by the City Commission of the City of Winter Park, Florida.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, held at City Hall, Winter Park, Florida, on the _____ day of _____, 2015.

Mayor Steve Leary

Attest:

Cynthia Bonham, City Clerk