MINUTES

Present: Chairman John Stevens, Vice-Chairman Patrick Doyle, Rick Swisher, Michael Dick, and Sara Whiting. Absent: Drew Krecicki
Staff: Planning Director Jeffrey Briggs, Sr. Planner Stacey Scowden, Planning Technician Caleena Shirley and Recording Secretary Lisa M. Clark.

Motion made by Mr. Doyle, seconded by Mr. Dick to approve the minutes of July 10 and 17, and September 11. Motion carried unanimously with a 5-0 vote.

PUBLIC HEARINGS

CU 11:07 Request of Furst Realties, Inc. for Conditional Use Approval to permit the redevelopment of the property at 170 South Knowles Avenue for a residential building project consisting of four (4), three story townhouses (The Residences at Morse and Knowles) on property zoned C-2.

Mr. Briggs gave the staff report. He stated that the applicant is requesting conditional use approval for a three-story four unit townhouse project under the third floor provisions of the C-2 code on the property at 170 South Knowles Avenue, located on the southwest corner of Morse Boulevard. Mr. Briggs gave an extensive overview of the development proposal for this property. He reviewed the issues of floor area ratio, setbacks, architectural variation and parking. He added that because the applicant is requesting the third floor component, city-wide notice was required.

Mr. Briggs summarized by stating that staff feels that the City is gaining several things via this proposed conditional use. He said that the project offers more architecturally attractive development on this corner with some green open space (building setbacks) that does not exist today, as well as reducing the parking deficit, and all is being done well within the floor area ratios permitted in the central business district. Staff recommended final approval. Mr. Briggs responded to Board member questions and concerns.

The firm of ACI represented the applicant. Marnie Connor, Oakleigh Lane, Maitland, Florida, introduced members of the development team. Larry Adams, Via Lombardi, gave the Board a detailed overview of the proposed project via a power point presentation. He discussed in detail the current zoning, setbacks and floor area ratio. He noted that the project falls well within the setbacks. John Cunningham, 1330 Sunset Drive, addressed the architecture of the proposed project. They responded to Board member questions and concerns.
The following people addressed the Board concerning the request:

Carol Card, 1645 Berkshire, stated that she opposes the third floor. She expressed concern with the loss of commercial activity in this area of downtown. Ms. Card read a letter into the record outlining her concerns with regard to construction traffic and staging.

David Odahowski, 199 East Welbourne, represented the Edith Bush Foundation. He spoke favorably of the project. He said that he feels that it would improve property values. He expressed concern with garbage pick-up, parking, and the loss of commercial activity in that area of downtown.

Trevor Anderson, 110 East Morse Boulevard, spoke favorably of the request.

Susan Gable, 1539 Golfside Drive, expressed concern with the loss of on-street parking. She stated that she would prefer that it be a two story building.

Meredith Speer, 1641 Chestnut Avenue, spoke favorably of the request. She read into the record a letter from the merchants of the Park Avenue Area Association supporting the request.

Woody Woodall, 411 Shepherd Avenue, expressed support of the request.

Joe Terranova, 700 Melrose Place, stated that he supports the request, however, expressed that he agrees with the comments made by Mrs. Card with regard to construction traffic staging. In addition, he stated that he is concerned with overhead power.

No one else wished to speak concerning this issue. Public Hearing closed.

Sara Whiting feels that an excellent use of property. She stated that she does not feel that it discourages commercial. She also said that she agrees with comments made concerning construction issues and encouraged the developers to be sensitive to current tenants. Pat Doyle agreed with the comments made by Mrs. Whiting, and stated that he feels that staff should set-up a construction staging area. Michael Dick agreed with comments made by Mrs. Card. Mr. Dick inquired as to whether the owners in the building had the ability to modify the initial landscaping. The Board was advised by the applicant that the covenants would restrict any landscape modification. He expressed that he likes the plan, likes the applicant’s approach to landscaping and setbacks, and further stated that he would like to see staff clarify the issues of overhead power. Rick Swisher supported the project. He stated that he feels that the two off-street parking spaces makes up for the two lost parking spaces and likes that the applicant is providing landscaping to compensate for the loss of the two spaces.

Motion made by Mr. Swisher, seconded by Mr. Dick to approve the request with the provision that the corner elevation at Morse and Knowles avenues be lowered. Motion carried unanimously with a 5-0 vote.

CU 12:07 Request of Park Lane at Winter Park for Conditional Use Approval to permit the redevelopment of the properties at 901 and 911 N. Orlando Avenue for a two story 24,925 square foot project comprised of 11,971 square feet of commercial/office space on the first floor including a branch bank with drive-thru tellers and 12,964 square feet on the second floor comprising 15 residential units on property zoned C-3.

Mr. Briggs gave the staff report. He stated that the applicant is requesting conditional use approval for a two-story 24,925 square foot building on the subject properties zoned C-3. He reviewed the current use of the property. He gave an overview of the development proposal for the property. He discussed the issue of stacking for the proposed bank, parking, storm water retention, architectural elevations, landscaping and signage. He summarized by stating that from staff’s perspective the City is gaining several things via this conditional use and a much more architecturally attractive development on this...
property with the building orientation up front on 17/92 screening all of the parking as desired. He noted that the surplus parking will be very valuable to provide flexibility among future tenants. He added that motels have struggled at this location and one factor is that this property currently falls well short of the needed motel parking of one space per room. Staff recommended final approval of the request. Mr. Briggs responded to Board member questions and concerns.

Shawn Ells of the Miller-Sellen firm represented the applicant. Michelle Barley, Scott Partnership, addressed questions pertaining to architecture.

No one wished to speak concerning the request. Public Hearing closed.

Mr. Doyle supports the request with the condition that the applicant bring back a revised landscape plan to the Planning Commission for final approval.

**Motion made by Mr. Doyle, seconded by Mr. Swisher to approve the request subject to the applicant returning with revised landscape plans to the Planning Commission for final approval. Motion carried unanimously with a 5-0 vote.**

CU 13:07 Request of O'Boy's Barbeque restaurant to amend their Conditional Use Approval to permit live amplified musical entertainment (as a location within 300 feet of residential properties) at 565 W. Fairbanks Avenue, zoned C-3.

Mr. Briggs announced that the request was withdrawn by the applicant prior to tonight's meeting.

Mr. Swisher left the meeting at 9:00 p.m.

CU 14:07 Request of Florida Bank Of Commerce for Conditional Use Approval to allow a bank with drive-thru teller lanes as part of the redevelopment of the former Limmoncello restaurant property at 702 Orange Avenue, zoned C-3.

Mr. Briggs gave the staff report. He explained that the applicant is requesting conditional use approval in order to redevelop the former Limmoncello restaurant with a Florida Bank of Commerce with two drive-thru teller lanes. He provided a general overview of the proposed project with regard to parking, tree preservation, traffic circulation and signage. Staff recommended approval of the request with the condition that the conditional use is limited to use by the Florida Bank of Commerce, and any subsequent change/merger with another financial institution shall require subsequent approval by the City for the drive-thru facilities to insure sufficient stacking room exists without impeding traffic flow within this parking lot.

Zane Williams, 626 Bonita Drive, represented the applicant. He noted that ingress/egress is via Orange Avenue. He said that he feels that what is being proposed is more attractive than what exists there currently. He said that the Florida Bank of Commerce is a commercial bank with four employees. He reviewed the numbers on the parking matrix submitted to the members of the Planning Commission. He responded to Board member questions and concerns.

Fred Szydlik, 756 McIntyre Avenue, spoke concerning the request. He expressed concern with how traffic from the proposed bank facility would affect the intersection of Holt and Pennsylvania avenues.

Margie Bridges, 767 Antonette Avenue, stated that she agrees with the comments made by Mr. Szydlik. She said that she would like to see the applicant develop a traffic circulation plan with the City’s Public Works department for the success and safety of the intersection. She said that she feels that the use of the property for a bank will be beneficial as well as all of the other improvements that are going on with Orange Avenue.
No one else wished to speak concerning the request. Public Hearing closed.

Pat Doyle, disclosed that he is an officer of the College Quarter neighborhood association. He stated that he does not feel that there should be any access to the proposed facility via Holt Avenue. He added that he would like to see a use at that location that the city has more control over versus a building with a drive-thru facility. He requested that the request be tabled in order for the project to receive the review of a traffic engineer. The Board entered into a brief discussion concerning ingress/egress for the project and traffic circulation. The applicant pointed out that he has met with Public Works staff on-site twice prior to tonight’s meeting and the suggested point of ingress/egress actually came as a result of those meetings.

Consensus of the Board was to table the request until the November 6th, public hearing.

**Motion made by Mr. Doyle, seconded by Mrs. Whiting to table the request until the November 6, 2007 public hearing.**

**SITE PLAN REVIEWS**

**SPR 7:07 Request of M/M Conte for site plan review for an addition to their home at 550 Via Lugano on Lake Maitland.**

Assistant Planner Stacey Scowden presented the staff report. She reviewed the issues of floor area ratio, impervious coverage, views of the neighbors and the lake, storm water retention and tree preservation. Ms. Scowden noted that home is currently non-conforming because the home is located within the 50’ lakefront setback. She gave the Board further insight into the history of the property. Staff recommended approval. She responded to Board member questions and concerns.

The applicant was not present.

Mr. Leslie Morgan, 570 Via Lugano, property owner to the east, spoke in favor of the request. He encouraged the Board to approve the request. He said that he feels that it will be an enhancement to the neighborhood. He also expressed concern as to how the soil would be stabilized on the east of property during construction. He also said that he would be support any variance request made by the applicant. No one else wished to speak concerning this request. Public Hearing closed.

Ms. Whiting stated that she supports the request in light of the neighbor being supportive of the request. Board members present expressed their agreement. Consensus of the Board was to refer the applicant to the Board of Adjustment for the pursuit of the variance. The Planning Commission expressed their full support of the variance. They expressed support of the addition otherwise.

**Motion made by Sara Whiting, seconded by Patrick Doyle to refer the applicant to the Board of Adjustment to pursue a setback variance of the mean water line. Motion carried unanimously with a 4-0 vote.**

**SPR 8:07 Request of Mr. Borck for site plan review for the pool addition to his home at 2430 Via Sienna on Lake Tuscany.**

Assistant Planner Stacey Scowden presented the staff report. She stated that the applicants are requesting approval for the construction of a pool at the above-referenced location. She reviewed the issues of floor area ratio, impervious coverage, views of the neighbors and the lake, storm water retention and tree preservation. Staff recommended approval. She responded to Board member questions and concerns.
Tony Caruso, represented the applicant. He reviewed the dynamics of the subject property. He said that along with the pool, a water feature will be constructed to hide the water slide. He reviewed landscaping and the retaining wall that will be constructed as a buffer. Mr. Caruso presented a petition with 11 signatures in support of the request. He responded to Board member questions and concerns.

Charles Bethel, 2434 Via Sienna, expressed concern with the height of the rock structure. He inquired as to whether there was a way to “mask” the structure so that is not visible from his property. He also expressed concern that the structure may be visible from Via Tuscany. Mr. Bethel also expressed concern with potential damage to the common drive-way. Mr. Caruso spoke to these concerns.

Mick Night, spoke concerning the request. Mr. Night stated that he is not against waterfall feature, but expressed concern that the proposed water feature could affect the desirability and “feel” of Winter Park. He stated that he is concerned that from this particular property, the water feature will be visible from other lakefront properties and public views around Lake Tuscany.

No one else wished to speak concerning the request. Public Hearing closed.

**Motion made by Sara Whiting, seconded by Patrick Doyle to approve the request subject to visual obstruction plantings on the north side. Motion carried unanimously with a 4-0 vote.**

SPR 9:07 Request of Jeffrey Paglialonga for review of site/home plans at 331 and 341 E. Kings Way to meet the conditions of the lot split approved in August, 2001.

Assistant Planner Stacey Scowden, gave the staff report. She explained that as a part of an approved lot split request from 2001, the applicant is required to bring elevations and site plans back to the Planning Commission for their review as well as review by the surrounding neighbors. She added that notices were sent out to all neighbors within 250 feet of the lots. Ms. Scowden responded to Board member questions and concerns.

Gar Vance, 1740 Winter Park Road, spoke concerning the request. He represented

No one else wished to speak concerning the request. Public Hearing closed.

**Motion made by Sara Whiting, seconded by Patrick Doyle to approve the request as long as the applicant agreed to the interior first floor setback to be at 12 foot and the second story to be at 14 and the exterior setbacks could remain as normal (10 feet for the first floor and 12.5 feet for the second floor). Motion carried unanimously with a 4-0 vote.**

There was no further business. The meeting adjourned at 10:39 p.m.

Respectfully submitted,

Lisa M. Clark,
Recording Secretary