Present: Chairman John Stevens, Vice-Chairman Patrick Doyle, Rick Swisher, Drew Krecicki, Michael Dick, and Sara Whiting.

Staff: Sr. Planner Stacey Scowden, Planning Technician Caleena Shirley, and Recording Secretary Lisa M. Clark.

Other Business:

Mr. Paul Bryan, 238 West Welbourne Avenue, was present to verify receipt of the letter dated December 4, 2007, from Attorney Rebecca Furman. He stated that the intent of the letter was to confirm that tonight does not represent one of the tablings for the Progress Point request. He clarified by adding that this is being requested in order to preserve the original public notice, there must be a formal action from the Board with regard to tonight’s hearing. A copy of the letter is attached as a part of these minutes (Exhibit “A”). Ms. Scowden provided clarification with regard to upcoming meeting dates and the subject matter of the meetings.

Mr. Stevens expressed concern with the proposed urban use code. He said that he feels that there are many questions and concerns that the Board still needs to address. He distributed a checklist to the other Board members detailing the issues (Exhibit “B”). He stated that he feels that the Board has a big task at hand with this new code and wants to ensure that the Board does an adequate review. He said that he felt that it was important for the members to have to review prior to the December 10th, work session. The Board members expressed appreciation for the checklist.

Mr. Dick questioned staff as to whether a qualified professional has been obtained to provide technical assistance to the board with this undertaking. Ms. Scowden responded that one has not been obtained.

The discussion was deferred until the end of the meeting.

Approval of Minutes – November 6, 2007

Motion made by Mr. Swisher, seconded by Mr. Krecicki to approve the November 6, 2007, meeting minutes. Motion carried unanimously with a 5-0 vote.

PUBLIC HEARINGS

COMP 3:07 AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 “LAND DEVELOPMENT CODE”, ARTICLE I, "COMPREHENSIVE PLAN" SO AS TO ADOPT AND ADD TO THE COMPREHENSIVE PLAN, PUBLIC FACILITIES ELEMENT NEW GOALS, OBJECTIVES AND POLICIES DOCUMENT RELATED TO THE “WATER SUPPLY PLAN”, ADDITIONALLY AMENDING THE CONSERVATION, AND INTERGOVERNMENTAL COORDINATION ELEMENTS PROVIDING AN EFFECTIVE DATE.
Assistant Planner Stacey Scowden presented the staff report. She explained that the issue was presented to the Board at a work session on 11/14/07. She provided further background into this issue in connection with the requirements of state statutes. She said that this water supply facilities work plan provides the city’s response to strengthening the linkage between land use planning and water supply planning. She noted that the work plan includes a section providing background data on the city’s water utility, the city’s effort on water conservation and reuse, a description of tasks to be undertaken over the next 10 years to address the city’s water supply needs, and a description of traditional and alternative sources of water including reuse. Staff recommended approval of the request. Ms. Scowden responded to Board member questions and concerns.

Mr. Bob Masserelli, CH2M Hill, explained that has been working with city staff (both Planning and Utilities) in writing a water supply plan that is in compliance with the Comprehensive Plan. He discussed state amendments and mandates in this regard. He responded to Board member questions and concerns.

Carolyn Cooper, 1047 McKean Circle, expressed concern that the proposed ordinance is planning for water for a population estimates that does not take into consideration the proposed urban land use code. She referred to the estimates that are in the not yet adopted comprehensive plan.

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

Motion made by Mr. Krecicki, seconded by Mr. Doyle to approve the request with the condition that the water supply element will be revised in 2010 to ensure compliance with the most current population estimates. Motion carried unanimously with a 5-0 vote.

CU 18:07 Request of Abdo’s Auto Spa, Inc. for Conditional Use Approval to operate a car repair business on the property at 1787 West Fairbanks Avenue, zoned C-3.

Assistant Planner Stacey Scowden gave the staff report. She explained that the applicant is requesting conditional use approval to operate a car repair business at the above-referenced address during the hours of 8 a.m. to 6:00 p.m. (Monday thru Sunday). She reviewed past uses of the subject property. She explained that staff’s dilemma with is that the previous tenant was a car sales business with many parking issues. She noted that the City received several complaints that the previous tenant was parking down the residential street. Ms. Scowden added that it has been explained to this particular applicant how serious the City is regarding not permitting any storage, either temporary or permanent, of any vehicles on the street. The applicant has assured staff that there is ample parking inside the building for visitors and vehicles being worked on. Staff recommended approval of the request subject to no storage (temporary or permanent) of any vehicles located off premises such as down the residential street. She added that if Code Enforcement observes violations with this particular applicant’s conditional use approval, the City has the right to revoke the occupational license which in effect renders the business illegal based on the City Code and will be closed. Ms. Scowden responded to Board member questions and concerns.

Mr. Mazar, attorney representing the applicant, was present to address questions and concerns. He stated that all operations will be contained inside the building. He added that the building is only conducive to this type of use. With regard to noise generated from this particular business, he stated that he was a neighbor to the applicant at his previous location and there was never a problem with noise.

Mr. Jim Viegle, adjacent property owner, expressed his support of the request. No one else wished to speak concerning this request. Public Hearing closed.

All Board members, with the exception of Mr. Stevens, expressed support of the request. Mr. Stevens detailed his concerns for the request.

Motion made by Mr. Krecicki, seconded by Mr. Doyle to approve the request with the following conditions:
1. Operations are approved for Monday thru Saturday from 8 a.m. to 5 p.m.
2. All cars are to be located inside the structure.
3. Code Enforcement has the right to revoke the occupational license if complaints are received.
4. The conditional use approval is limited to this applicant only.
5. No vehicle sales are permitted.

Motion carried unanimously with a 5-0 vote.

SITE PLAN REVIEW

MISC 4:07 Review of updated site plans and elevations, resubmitted by IBK Construction, for the two lots approved for lot split at 1671 Sunset Drive, zoned R-1A.

Senior Planner Stacey Scowden presented the staff report. She explained that the Board approved the request at the September 11th public hearing with the condition that the applicant obtain side elevations and present them to the adjacent neighbors. She explained that they were also required to revise their site plan to meet the minimum qualifications with regard to setback. She said that based on a conversation with the applicant, the revised site plans and elevations were delivered to the neighbors. Ms. Scowden stated that applicant has satisfactorily met the staff conditions from the previous meeting as well as complied with the City zoning code. Staff recommended approval of the request.

Mr. Gary Hancock, architect, was present representing the applicant. Mr. Hancock stated that the applicant has met the requirements of floor area ratio, that no trees are being removed, and that the air condition unit will be located within the setback requirements. He stated that they are in agreement with staff recommendations. He responded to Board member questions and concerns.

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

Motion made by Mr. Swisher, seconded by Mr. Krecicki recommending approval of the request. Motion carried unanimously with a 5-0 vote.

The Board reentered the previous discussion with regard to the urban use zoning code.

Mr. Doyle expressed concern that the ordinances may not be as understandable clear as those that he has seen from other cities (i.e., the use of charts and diagrams, etc.). He questioned staff as to how this can become more organized. Ms. Scowden replied that she agrees and that hopefully this will be rectified with the re-writing of the Land Development Code and the drafting of the new form based code.

Mr. Swisher stated that he agrees. He said that he feels that the form based code will be a big help in this regard.

Mr. Stevens requested that the Board members review the checklist prior to the work session so that it can be discussed further.

The Board members discussed the issue of timing. Mr. Dick detailed his concern with regard to the proposed ordinance in relation to the Progress Point project. He stated that he does not want to feel compelled that the Board is “under the gun” to get the project approved until the Board is totally comfortable with the ordinance, and further that he does not feel that any applications should be approved until the ordinance is approved. He expressed that he does not want to send “mixed signals” to potential applicants. Mr. Krecicki stated that agrees with the comments made by Mr. Dick. He reiterated his concerns of starting discussions on the proposed project until the comprehensive plan is completed.

Mrs. Whiting stated that she would like for the Board to make a determination on progress point. She also had concerns with regard to the timing of the proposed project. She explained that it is not her personal preference for the project to go to City Commission without an endorsement from the Planning Commission.

The Board discussed whether they felt that it was necessary to obtain technical assistance thru this process. Mr. Dick explained that he would feel much more comfortable with the direction coming from a land use
professional. Ms. Scowden explained that Canin Associates was retained for the specific contract to develop
the incentive/amenity criteria and have been dialoging with Mr. Briggs on a regular basis.

Ms. Whiting requested that the Board be provided with codes from other cities to study during this process.
There was no further business.

A motion was made by Mr. Dick, seconded by Mr. Krecicki requesting that staff put on the city
commission agenda for December 10th the hiring a land use professional to provide guidance in the
formulation of the urban land use code. Motion carried unanimously with a 5-0 vote.

Meeting adjourned at 9:00 p.m.

Respectfully submitted,

Lisa M. Clark,
Sr. Staff Assistant