The meeting was called to order by Mr. Krecicki at 7:00 p.m. in the Commission Chambers of the Winter Park City Hall.

Present: Chairman Drew Krecicki, Vice-Chairman Rick Swisher, Patrick Doyle, Michael Dick, and Sarah Whiting. Carolyn Cooper was absent. Staff: Planning Director Jeffrey Briggs, Sr. Planner Stacey Scowden, Planning Technician Caleena Shirley, and Recording Secretary Lisa M. Clark.

PUBLIC HEARINGS

ZTA 1:09 AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 “LAND DEVELOPMENT CODE” ARTICLE III, “ZONING” SO AS TO AMEND WITHIN SECTION 58-83 “LAKEFRONT LOTS, CANALFRONT LOTS, STREAMFRONT LOTS, BOATHOUSES AND DOCKS” SUBSECTION (d) “OTHER STRUCTURES ON LAKEFRONT, CANALFRONT OR STREAMFRONT LOTS.” AND SUBSECTION (f) “BOATHOUSE LOTS ON CANALS.” SO AS TO MODIFY AND CLARIFY THE PROVISIONS FOR APPLICABILITY.

Sr. Planner Stacey Scowden gave the staff report. She explained that the proposed ordinance is intended to correct a problem in the City Code as it relates to the ordinary high water elevations of the various lakes on which Planning and Zoning Commission lake front reviews are performed. She noted that staff consulted with Mr. Tim Egan of the City’s Lakes and Waterways Division to obtain the accurate ordinary high water elevations. She added that the data provided to him was from the Florida Department of Environmental Protection Bureau of Survey and Mapping. In addition, all the lakes listed in the city’s code will be updated with the most accurate data upon passage of this ordinance. Lastly, she stated that these proposed changes to the ordinance will better enable staff to provide more accurate information as well as take additional measures to protect our lake shores. She discussed some minor wording changes offered by Mrs. Cooper. Staff recommended approval. Staff responded to Board member questions and concerns.

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

Motion made by Mr. Krecicki, seconded by Mr. Doyle to approve as follows:

1. Change normal to ordinary
2. Add language proposed by Mrs. Cooper with regard to gazebos

Motion carried unanimously with a 5-0 vote.
Sr. Planner Stacey Scowden gave the staff report. She stated that at the request of the City Commission, staff assembled a work group composed of two landscape architects and staff from Building, Planning, Parks, and Utilities. She introduced the members of the work group that were present (Stephen Pategas, Tom McMacken, and Chuck Trice, Parks Department). She noted that the proposed ordinances are the result of the work group’s efforts over the past several months. She provided an overview of the current codes versus the proposed ordinance. Staff recommended approval. The Committee members responded to Board member questions and concerns. Mrs. Whiting voiced her concerns with regard to the affect this would have on single-family homes. She expressed that she does not feel that it is fair to impose such restrictions.

Stephen Pategas, 1425 Berkshire, addressed Mrs. Whitings concerns with regard to the restrictions imposed on single-family homes.

Mr. Dick stated that he agrees with Mr. Pategas in that these are the minimum guidelines. He stated that he has met with the Committee and provided them with his concerns. They have for the most part addressed his concerns, overall supports both proposed ordinances.

Mr. McMacken, 1725 Shiloh Lane, stated that they as a committee had not reviewed Mrs. Cooper’s comments before the meeting, but as a committee they feel that 40% is appropriate with regard to impervious coverage, but that he has no problem with making it consistent with the Comprehensive Plan.

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

**Motion made by Mr. Krecicki, seconded by Mr. Dick to approve as follows:**

1. add the language to be visible from public right-of-ways
2. change normal to ordinary
3. add housekeeping language proposed by Mrs. Cooper that will make language consistent with the comprehensive plan.

**Motion carried with a 4-1 vote. Mrs. Whiting voted against the motion.**

**Site Plan Reviews**

CU 11:08 Review of landscape plan for Fields Motor Cars of Florida, Inc., on the 2.6 acre property at 951 North Wymore Road (former Park Inn Motel), zoned C-3.

Planning Director Jeffrey Briggs presented the staff report. He explained that this conditional use request came before the Planning and Zoning Commission in December 2008 and was approved by the City Commission on January 12, 2009. The conditional use was approved with the condition that the applicant submit a revised landscape plan to the Planning Commission for approval prior to the issuance of the building permit. He provided the Board members with an update of what has happened since the last meeting. He summarized the site meeting held with staff and Commissioner Dick, Johann LaRose and Mark Adams on December 15th. He also explained that the City Arborist has also toured the site and provided recommendations regarding site tree location. He reiterated Mr. Lee’s recommendations.

Mr. Briggs stated that the owner of Fields BMW wants to submit the original plan back to the Planning Commission and does not want to make the suggested changes, but wishes to address the issues directly with
the Planning Commission. He said that the Planning Commission needs to decide whether the eight oaks on
the north side of the property can be removed in order for the applicant to bring back a landscape plan that can
be approved.

Mark Adams, 429 South Keller Road, Orlando, explained that their plan is to utilize the former Park In Motel for
parking and vehicle display area and build a new car was for customers of the BMW dealership. He briefly
discussed their request to replace the eight trees on the northern edge of the property which would allow
unrestricted access between the two lots. He provided the Board members with an overview of the current
conditions of the property and also submitted the report from the arborist that inspected the trees. He
discussed the results of the report.

John Mantoine, Fields BMW, addressed the board. He explained that building a new car wash at the proposed
location makes it easier for their customers to access. He discussed issues relating to the traffic pattern. He
explained that without tree removal the plan does not work. Second, he explained concerns that the
dealership has with regard to the location of live oak trees and the new cars that are parked in that location.
He requested that they be allowed to remove the trees and replace with another specimen. He expressed their
willingness to comprise on this issue with the Board. He responded to Board member questions and concerns.

Gabriel Muzone, certified arborist, displayed pictures showing the trees on the property line from west to east.
He discussed issues relating to the root structure of the trees in relation to the existing swale. He said that if
they were allowed to remove the live oaks he would recommend that they be replaced with cypress trees
spaced so that there is room for them to mature. He said that this scenario will provide for a better root
structure. He responded to Board member questions and concerns.

Penny Potter, 1365 Canterbury Road, said that she feels that the trees should be protected and further any
compensation offered could not make-up for the canopy that would be lost with removing eight mature oak
trees. No one else wished to speak concerning this issue. Public Hearing closed.

Chairman Krecicki opened the item for discussion by the board members. Mr. Dick stated that he feels that
practical and logical decisions must be made with regard to this request. He spoke concerning tree
compensation and the current conditions of the property. He said that safety is a concern with the only access
point being Wymore Road. He said that if the trees have to be removed, he would want to see more significant
compensation on site. He encouraged the applicants to revise the site plan and provide more compensation
on-site. Mr. Doyle stated that he agrees with the comments made by Mr. Dick, but with regard to replacement
would like to see more substantial plantings of oaks in another place on the property. He added that he does
not feel that ligustrums do not compensate for the loss of the oaks. Mrs. Whiting stated that she agrees. Mr.
Krecicki stated that agrees with the comments and recommended to the applicant that when the applicants
return, that the revised site plans maintain some density of tree growth in the area between the two properties.
He stated that he sees the need to have the removed between the two properties and that he appreciated the
comments made by the arborist. Mr. Swisher stated that he appreciated the comments made by Ms. Potter,
but that he agrees with the comments made by Mr. Dick. He said that he favors the applicant removing the
eight trees and returning to the Board with a landscape plan that incorporates the concerns raised by the
Board members.

Motion made by Mr. Swisher, seconded by Mr. Doyle to deny the applicant’s request to remove the
eight trees. The applicant is to return to the Board with a revised site plan that incorporates the Board
member concerns. Amendment: Mr. Doyle amended the motion adding that the trees are to remain
until a new landscape plan has been approved by the Board. Motion carried unanimously with a 5-0
vote.

New Business

Mr. Briggs updated the Board on these items:
- Response from City Attorney on New England Avenue
- Decision on buffer setback distance for parking garages abutting single-family and low density
- Review of the definition of a variance

**Upcoming Meeting Schedule:**

Work Session Wednesday, February 25, 2009 @ 12:00 noon  
Regular Meeting Tuesday, March 3, 2009 @ 7 p.m.

There was no further business. The meeting adjourned at 9:50 p.m.

Respectfully submitted,

Lisa M. Clark,  
Recording Secretary