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, Michael Dick, and Sarah Whiting. Staff: Planning Director Jeffrey Briggs, Sr. Planner Stacey Scowden, and Planning Technician Caleena Shirley.

APPROVAL OF MINUTES

Motion made by Mr. Dick, seconded by Mrs. Whiting to approve the February 24th minutes. Motion carried unanimously with a 4-0 vote.

PUBLIC HEARINGS


Planning Director Jeffrey Briggs presented the staff report. He explained that the Towers is requesting approval to modify the Conditional Use approval granted on January 25, 2010. He explained that the development plans have been modified in order to reduce the height of the lakefront residential building to four stories versus the five stories approved at the previous Planning Commission meeting. He explained that the applicant is also requesting to increase the lakefront setback for the lakefront building; to relocate the six units from the fifth floor to the future garden apartment building and to include that future 20-unit garden apartment building as part of the preliminary conditional use approval. The revised site plan, tree protection/compensation/landscape plans and 3-D perspective elevations have been provided for these proposed modifications. Further, a Development Agreement has been prepared by the City Attorney to incorporate these potential approvals and the conditions and restrictions that were previously approved. Mr. Briggs provided the details of the project history, preliminary approvals, compliance with the Comprehensive Plan and Zoning Code, Concurrency, storm water retention, building height and proximity to Lake Berry, tree preservation and compensation, the future garden apartment building, and the contents of the development agreement. Staff recommended
approval of the modifications to the preliminary conditional use subject to the development agreement and an increase in the lakefront setback to 128 feet.

Becky Furman, Lowndes, Drosdick, Kantor and Reed, represented the applicant. She introduced the members of the development team and showed a Power Point presentation detailing modifications to the proposed redevelopment since the last meeting. Ms. Furman and Mr. Steve Cook of Westminister Services responded to Board member questions and concerns. Other questions were answered by the project architect and engineer.

John Webb, 697 Balmoral Road, spoke in opposition asking that Lake Berry be protected by increasing the setback of the lakefront building as staff recommended and he also submitted a letter requesting three conditions be added to any motion for approval.

Vickie Kruger, Carolina Avenue expressed concern with the size of the courtyard and garage. She stated that she feels that the project needs more green.

Joe Terranova, 700 Melrose Avenue, addressed the Board in support of the project.

James McClain, spoke in favor of the request.

Allan Trovillion, spoke in favor of the request.

Tommy Cullens, 1274 Serena Drive, spoke in favor of the request.

Attorney Reichman requested disclosure of any ex-parte communications and the Board complied. She also answered questions from Mr. Dick concerning the contents of the development agreement.

Chairman Krecicki asked the Board members for their general comments and he began by stating that he is in support of the project modifications, and agrees that the current dimensions of the courtyard will be a value for the residents and as needed for the storm water exfiltration. He confirmed that this is a preliminary approval and that the final conditional use approval will bring forward all of the submittal requirements of Sec. 58-90. He encouraged the applicant to do additional 3D prospective elevation drawings as part of that submission package particularly in scale with the view from the lake as well as the important prospective of the parking garage from the Lakemont Avenue side. He asked for details on the parking garage lighting as is required by code, floor to floor heights and grading information. He stated that with all of the slope and grading conditions on this site it absolutely essential for the final submissions to include cross-sections through the project so the board can see how the buildings relate to the existing and proposed grades of the property. Mrs. Whiting stated that she is also in support of the modifications and has spent some time on site at the lakeside dock looking at the project site and other development around Lake Berry. She stated she believes that 110 foot setback is sufficient to minimize the visual impact of the building and does not need to be any further back because it will be further back than many of the homes around the lake. Mr. Dick also was in agreement with the proposed modifications but agreed with the need for the additional setback as proposed by staff and stated that the comments made by Mr. Webb are important considerations for the Board both tonight and during the final approval. He asked the applicant that for the final approval to provide full sized sets of plans, particularly of the landscaping detail. He voiced his concern about the height of the building and proximity to the lake and stated that he could support the staff recommendation to reduce the courtyard and remove the building farther from the lake. Mr. Swisher stated that he agreed with the current location and proposed height of the lakefront building.
The Board had additional discussion amongst themselves and with the City Attorney about terms of the development agreement and several modifications were agreed upon. The City Attorney advised the Board to have a separate motion for the conditional use and the development agreement.

**Motion by Mr. Krecicki, seconded by Mr. Swisher to approve the proposed modifications to the preliminary conditional use to include the following conditions:**

1. The approval is for the 110-foot setback, as proposed, measured from the 70.0 normal high water elevation (per code) and 47-foot maximum height measured from the existing average grade (per code).
2. Stormwater retention shall not be permitted on the lakefront side of the proposed project.
3. That the parking garage, including light fixtures, shall be screened by the lakefront building and not be visible from the lake.
4. That there is no adverse lighting affects when viewed from the lakeside.
5. That the requirements of Sec 58-90 are met for the final approval and final design plans.

Motion carried with a 3-1 vote. Mr. Dick voted against the motion.

Mr. Briggs clarified the motion to indicate that he understands the parking garage will not be completely (100%) invisible from the lake because you will be able to see it in the small gap in between the existing Towers building and the new lakefront building. However, staff understands the intent of the condition is that the lakefront building is to completely screen the parking garage structure when viewed straight on. The Board concurred with that clarification.

**Development Agreement**

Motion made by Mr. Krecicki, seconded by Mr. Dick to accept the Development agreement with the three minor amendments as discussed to include the storm water maintenance program text, City versus Tree Board and striking landscaping from the Waterbridge wall section. Motion carried unanimously with a 4-0 vote.

Chairman Krecicki declared a recess at 8:55 p.m. and reconvened the meeting at 9:00 p.m.

**REQUEST OF SUNTRUST BANK FOR: CONDITIONAL USE APPROVAL TO CONSTRUCT A DRIVE-IN BANK TELLER FACILITY ON THE PROPERTY AT 301 SOUTH NEW YORK AVENUE, ZONED C-3, ON THE NORTHWEST CORNER OF NEW ENGLAND AND NEW YORK AVENUES.**

Mr. Briggs stated that this item is a request for conditional use approval by SunTrust Bank for the development of a drive-in teller facility with four drive-through teller lanes on the property at 301 S. New York Avenue, zoned C-3, at the northwest corner of New York and New England Avenues. SunTrust currently has a remote (drive-in teller) facility on Carolina Avenue that they are leasing. They would move their operations to this location in an ownership venue. Mr. Briggs reviewed the issues of height, parking, traffic circulation and stacking, site lighting, tree preservation and architecture. **STAFF RECOMMENDATION IS FOR PRELIMINARY APPROVAL** of the conditional use with the following conditions:

1. That the preliminary conditional use approval does not include approval of the architectural elevations. The architectural designs shall be approved by the City coincident with the final conditional use approval. Following recommendations from the City staff and revisions by the applicant as to style, incorporation of a front door image onto New York Avenue and
compatibility with adjacent buildings, such revised architectural plans shall be submitted as part of the final conditional use review process.

2. That the landscape plan (with required tree compensation) and lighting plan also be approved as part of the final conditional use review process.

3. That the ATM facility shown on the westernmost drive-thru lane be relocated to the easternmost drive-thru lane or eliminated as necessary so as to minimize light spread and comply with city code related to the adjacent residential property.

4. That Sun Trust contribute the proportionate share ($5,000) to the electric undergrounding project for New York Avenue and provide an electric utility easement for a pad mounted transformer in the northwest corner of the site and as otherwise needed for underground service to provide service to this building and to facilitate the removal of the utility poles on New York Avenue in conjunction with the CRA project.

5. That the sign plans be included as part of the final conditional use approval package and that consistent with the Park Avenue and New England Avenue design guidelines, no internally illuminated signs are permitted. Furthermore that the signage be limited to that allowed in the office zoning districts so as to be the same as permitted in height, square footage, etc. to that of the adjacent Wachovia and Washington Mutual banks, zoned O-1.

Mr. Swisher disclosed that his firm works with CPH Engineers, but noted that he has no financial interests in the project they are representing tonight.

Justin Pope, CPH Engineers, represented Suntrust and expressed agreement with the items mentioned in the staff report and acceptance of the conditions.

Sally Flynn, 1414 Highland Avenue, spoke in opposition to the request due to added traffic congestion. There were no further public comments. Public Hearing closed.

The Planning Commission members posed questions to the applicant concerning the traffic circulation, parking, site lighting, landscaping, the bus stop and tree preservation and agreed that the final submission would insure all the outstanding issues were taken care of. There was agreement that the project was viable at this location and appreciated the staff double checking the traffic report data. They expressed appreciation for the potential upgrades to the building architecture by SunTrust and asked that the landscape plan, in particular pay close attention to the prominence of the New England/New York corner.

Motion made by Mr. Krecicki, seconded by Mrs. Whiting to approve the request subject to staff recommendations. Motion carried unanimously with a 4-0 vote.

REQUEST OF THE CITY OF WINTER PARK FOR: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 “LAND DEVELOPMENT CODE” ARTICLE I, “COMPREHENSIVE PLAN” WITHIN THE FUTURE LAND USE ELEMENT SO AS AMEND POLICIES INVOLVING DENSITIES, BUILDING HEIGHTS AND MIX OF USES WITHIN THE CENTRAL BUSINESS DISTRICT AND MEDIUM DENSITY RESIDENTIAL FUTURE LAND USE CATEGORIES, AMEND POLICIES CONCERNING THE PROHIBITIONS ON SUBDIVISIONS AND CERTAIN FUTURE LAND USE MAP CHANGES AND TO CLARIFY CERTAIN OTHER POLICY PROVISIONS AND DEFINITIONS, MORE PARTICULARLY DESCRIBED HEREIN.

The Winter Park City Commission, based on property owner, planning staff and city attorney input is sponsoring several comprehensive plan amendments to the future land use element. The proposed modifications fall into three categories; 1) those to adjust policies that may affect property values; 2)
those that ‘prohibit’ asking for a comp. plan amendment or subdivision approval; and 3) those needed to clarify the intent of a policy. Mr. Briggs reviewed in detail the policies up for consideration and responded to Board member questions and concerns.

Rebecca Furman, represented New England Partners, LLC, explained to the Board that policies regarding the ability to seek CBD FLU and C-2 zoning which now permitted for the Welbourne Avenue lots owned by her client are being changed to deprive her client of that ability which they believe negatively affects the value of their property.

There was general discussion by the Board members on various proposed policy amendments and questions for staff concerning aspects of those changes. Chairman Krecicki led the Board through each individual policy for their comments and discussions. There was general concurrence on all of the policies except for Mrs. Whiting expressed opposition to the lot consolidation proposal. She felt it is inconsistent to prohibit a subdivision of estate properties, but then not let someone combine lots to create a new estate property.

Motion made by Mr. Krecicki, seconded by Mr. Dick to recommend approval with three modifications:

1) Policy 1-2.3.3 to include the prohibition on first floor residential units in the CBD FLU category;

2) Policies 1-3.8.4 and 1-4.1.H.3 and 1-4.1.J.3 to say “strongly discourage” for consistency with the other policies and

3) Exempt policy 1-3.6.9 on lot consolidations from this motion.

Motion carried unanimously with a 4-0 vote.

Motion made by Mr. Krecicki, seconded by Mr. Dick to approve Policy 1-3.6.9. Motion carried with a 3-1 vote. Mrs. Whiting voted no to the motion.

There was no further business. The meeting adjourned at 10:45 p.m.

Respectfully submitted,

Lisa M. Smith,
Recording Secretary