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, Michael Dick and George Livingston. Absent: Vice-Chairman Rick Swisher, Sarah Whiting and Wendell Hays. Staff: Planning Director Jeffrey Briggs, Sr. Planner Stacey Scowden, Planning Technician Caleena Shirley and Recording Secretary Lisa Smith.

Approval of minutes: August 3 and August 16, 2010

Motion made by Mr. Dick, seconded by Mr. Livingston to approve the August 3rd meeting minutes as amended. Motion carried unanimously with a 3-0 vote.

Motion made by Mr. Dick, seconded by Mr. Livingston to approve the August 16th minutes as amended. Motion carried unanimously with a 3-0 vote.

Mr. Briggs announced that there will be a simultaneous public hearing on the following items:

PUBLIC HEARINGS:

REQUEST OF CRDI LLC FOR: AN ORDINANCE TO CHANGE THE FUTURE LAND USE MAP DESIGNATION OF LOW DENSITY RESIDENTIAL TO MEDIUM-DENSITY MULTI-FAMILY RESIDENTIAL ON THE PROPERTY AT 660 SYMONDS AVENUE.

REQUEST OF CRDI LLC FOR: AN ORDINANCE TO CHANGE THE EXISTING ZONING DESIGNATION OF LOW DENSITY RESIDENTIAL (R-2) DISTRICT TO MEDIUM DENSITY RESIDENTIAL (R-3) DISTRICT ON THE PROPERTY AT 660 SYMONDS AVENUE.

REQUEST OF W F G Ltd. FOR: AN ORDINANCE TO CHANGE THE FUTURE LAND USE MAP DESIGNATION OF SINGLE FAMILY RESIDENTIAL TO MEDIUM-DENSITY MULTI-FAMILY RESIDENTIAL ON THE PROPERTY AT 672 SYMONDS AVENUE.

REQUEST OF W F G Ltd. FOR: AN ORDINANCE TO CHANGE THE EXISTING ZONING DESIGNATION OF SINGLE FAMILY (R-1A) DISTRICT TO MULTI-FAMILY RESIDENTIAL (R-3) DISTRICT ON THE PROPERTY AT 672 SYMONDS AVENUE.

Planning Director Jeffrey Briggs presented the staff report. He stated that this public hearing is a request by the owners of 660 and 672 Symonds Avenue to change the Comprehensive Plan future land...
use (FLU) designation to “medium density residential” and R-3 zoning. Mr. Briggs explained that the Planning staff is recommending denial of this request to grant Medium Density Residential FLU (R-3 zoning) at 660 Symonds Avenue as it is unnecessary since the current Low Density Residential (R-2 zoning) allows the same building density as the R-3 zoning requested. He noted that the applicant has submitted prospective plans depicting the two-story, single family house with an upstairs apartment above the two car garage in the rear for both properties. Access to these units would be from the rear private cul-de-sac. The plans do not meet the zoning code regulations for either the existing R-2 zoning or the requested R-3 zoning, and need to be revised to meet the R-2 zoning regulations (which would allow the garage apartment).

Mr. Briggs added that a given the quasi-judicial nature of these decisions, the planning staff asked an independent outside planning consultant to address the issues of “compatibility” as it relates to the standards for approval/denial of these rezoning requests. He submitted that report into the record. The staff recommendation for 660 Symonds was for denial. The existing R-2 zoning allows the same building density as the R-3 zoning requested so there is no point. The staff recommendation for 672 Symonds was for approval to R-2 (not R-3) however with conditions regarding the mandatory rear access and a requirement to build to a traditional architectural style that then would be compatible with the street and neighborhood. The building as proposed is not of a compatible architectural style.

Mr. Briggs responded to Board member questions and concerns.

Dan Bellows, the applicant, 511 West New England Avenue, provided the Board with a history of the property. He explained that his original submission date was July 2006 and he has made substantial investment in these residential properties as they are the key to the eventual construction of the parking garage and third office building. He expressed that he is not in agreement with staff recommendations as to architecture but agrees to the commitment for the rear access only for both the main residence and the garage apartment on both lots. He discussed his disagreement with the conclusions as to compatibility.

The following people spoke concerning the requests: Joe Terranova, 700 Melrose Avenue (provided historical details concerning these specific properties as when he served on the City Commission and CRA Advisory Board); Jesse Fitzgerald, 791 Symonds Avenue; Mary Daniels, 650 Canton Avenue; Joseph Jackson, 710 Symonds Avenue; Linda Fay Washington, 321 North Capen Avenue; Brandy Burton, 652 West Canton Avenue; Denise Weathers, 140 North Orlando Avenue; Johnny Berry, 656 Symonds Avenue; Lynda Rambeau, 657 Symonds Avenue; and Lurline Fletcher, 790 Lyman Avenue.

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

Mr. Krecicki closed the public hearing. He stated that he feels that the homes are nice, but questioned if they are appropriate for this neighborhood. Mr. Dick noted that the City now has an approved comp plan that was approved by both the P&Z and CC. He read provisions of the new comp plan policies into the record which discourage rezoning to R-3. He pointed out that the new comp plan “strongly discourages” what the applicant is proposing to rezone to R-3. The Board then discussed the option of rezoning to a lesser category of R-2 on 672 Symonds. Mr. Livingston pointed out that R-2 zoning exists on the opposite side of Symonds and so extending the R-2 to include 672 Symonds would be consistent with the existing R-2 zoning on the opposite side.

The Board agreed that as it relates to 660 Symonds, the rezoning to R-3 did not make sense as the lot size limits development to R-2 standards. The Board then took the following action:
Motion made by Mr. Dick, seconded by Mr. Livingston to deny the request to change the Future Land Use Map from Low Density to Medium Density Multi Family on 660 Symonds Avenue. Motion carried unanimously with a 3-0 vote.

Motion made by Mr. Dick, seconded by Mr. Livingston to deny the request to change the zoning from Low Density (R-2) to Medium Density Residential (R-3) on 660 Symonds Avenue. Motion carried unanimously with a 3-0 vote.

The Board then discussed the potential rezoning to R-2 for 672 Symonds Avenue. The Board discussed the staff's recommendation that the rezoning to R-2 be conditioned upon rear access only (as shown on the plans submitted by the applicant) and that the architectural style is changed to a traditional style that would be compatible with the street and neighborhood.

Attorney Reischmann advised the P&Z Commission that those conditions need to be accepted by the applicant. Mr. Bellows expressed his willingness to accept a comprehensive plan designation of low density residential and rezoning to R-2 and willingness to accept the condition regarding all vehicle access to come from the rear as depicted on the plans. He would not accept a condition regarding architectural style.

Attorney Reischmann advised the P&Z Commission to act on the original request before making any motion on an amended request.

As to the original request, a motion was made by Mr. Krecicki, seconded by Mr. Dick to deny the request to change the Future Land Use Map from Single Family Residential to Medium Density Multi Family due to inconsistencies with the comp plan policies on 672 Symonds Avenue. Motion carried unanimously with a 3-0 vote.

As to the original request a motion was made by Mr. Dick, seconded by Mr. Livingston to deny the request to change the zoning from Single Family Residential (R-1A) to Multi-Family (R-3) on 672 Symonds Avenue. Motion carried unanimously with a 3-0 vote.

As to amended request, a motion was made by Mr. Krecicki, seconded by Mr. Livingston to approve the change in future land use from Single Family Residential to Low Density Residential on 672 Symonds Avenue and the home and garage apartment is to have all vehicular access from the rear and rear entrance garages. Motion carried unanimously with a 3-0 vote.

Motion made by Mr. Krecicki, seconded by Mr. Livingston to approve the zoning change from R-1A to R-2 on 672 Symonds Avenue and the home and garage apartment is to have all vehicular access from the rear and rear entrance garages. Motion carried unanimously with a 3-0 vote.

Mr. Briggs announced that there will be a simultaneous public hearing on the following items:

REQUEST OF W F G Ltd. FOR: AN ORDINANCE TO CHANGE THE FUTURE LAND USE DESIGNATION OF LOW-DENSITY RESIDENTIAL TO MEDIUM-DENSITY MULTI-FAMILY RESIDENTIAL ON THE PROPERTY AT 620 AND 630 SYMONDS AVENUE.

REQUEST OF W F G Ltd. FOR: AN ORDINANCE TO CHANGE THE EXISTING ZONING DESIGNATION OF LOW DENSITY RESIDENTIAL (R-2) DISTRICT TO
MULTI-FAMILY RESIDENTIAL (R-3) DISTRICT ON THE PROPERTIES AT 620 AND 630 SYMONDS AVENUE.

REQUEST OF W F G Ltd. FOR: CONDITIONAL USE APPROVAL FOR A THREE STORY, THREE UNIT RESIDENTIAL “LIVE-WORK” BUILDING OF 6,772 SQUARE FEET IN SIZE AND A THREE STORY, TWELVE UNIT GARDEN APARTMENT BUILDING OF 12,300 SQUARE FEET IN SIZE AT 620 AND 630 SYMONDS AVENUE.

Mr. Briggs noted that the conditional use request has been withdrawn by the applicant due to insufficient plans. However, the plans submitted illustrate how the requested FLU and zoning changes would be utilized.

Planning Director Jeffrey Briggs presented the staff report. He explained that these requests are by WFG Ltd. (property owner) of 620 and 630 Symonds Avenue to change the Comprehensive Plan future land use (FLU) designation of “low density residential” and the existing R-2 zoning to a FLU map designation of “medium density residential” and R-3 zoning.

He explained that the size of the property at 620/630 Symonds Avenue site is 36,625 square feet (0.84 acres) in size and that the current zoning is R-2 and the applicant is requesting R-3 which permits a maximum of 17 units per acre equating to 14 units. Further, the two residential projects proposed for 620/630 Symonds total 15 units. So, some modification will be necessary to decrease the total to 14 units if the R-3 zoning is approved. He noted that the total square footage of the two projects is 19,072 sq. ft (FAR of 52%) which is within the existing R-2 zoning density of 55%. Mr. Briggs pointed out that the applicant is not requesting the changes for more building density (square footage) and the applicant has agreed to be bound by the 55% maximum FAR from the existing FLU and R-2 zoning. The changes simply allow smaller sized and additional living units (9 vs. 14) and five more feet of building height (35 vs. 30) to permit a third floor.

Mr. Briggs gave an overview and critique of both the 620 and 630 Symonds Avenue project in detail. He summarized by stating that the staff believes that the consultant’s report together with the redesign changes recommended by that report and the planning staff will achieve residential building projects that are in scale with the character of Symonds Avenue and the surrounding area. He added that it is very important to recognize that this Comp. Plan FLU change and rezoning request does not increase the building density beyond the 55% FAR now permitted by the Low Density Residential FLU and R-2 zoning. So the amount of square footage of buildings proposed is the same (and actually slightly smaller) than what is permitted by the current FLU and R-2 zoning. There are only two things gained by the applicant with the change to the R-3 zoning. One is to permit 14 residential units versus the 9 residential units permitted by R-2 zoning. Since the building size is no larger, at 52% FAR, than the 55% FAR already permitted by R-2 zoning, all this change does is allow smaller sized residential units of 850 - 1,200 square feet in size versus the 2,200 square foot size to achieve the same FAR. The second change is the ability to go to 35 feet in height and add the third floor on the “garden apartment” building which better accomplishes the goal of screening the parking garage.

Staff recommended approval of the FLU/Zoning changes requested from Low Density Residential (R-2) to Medium Density Residential (R-3) that contingent upon and in order to meet the standards of Section 58-89 (b) that the ordinances amending the FLU and Zoning becoming effective only upon the execution of a Development Agreement between the property owner and the city (as prepared by the city attorney) to require:

1. That the 620 Symonds Avenue “live-work” project be modified to a two-story duplex building, a maximum of 30-feet in height meeting the R-2 zoning setbacks and to include a redesign to include a pitched roof of a maximum 12:12 (45 degree) slope and a street front facing open porch on the first floor.
2. That the Development Agreement provide for the use of 620 Symonds as a “live-work” project and shall contain provisions outlining the permitted uses on each floor and enforcement methods to insure that the business owner or employees occupying the first floor are residing in the residential second floor space.

3. That the specific final building plans including signage for the construction of the 620 Symonds “live-work” project be subsequently reviewed and approved by the Planning Commission and City Commission prior to construction following public notice as would be required for conditional uses.

4. That the 630 Symonds Avenue “garden apartment” project be modified to include a redesign to include a step back in setback for the third floor of at least five feet on at least two-thirds of the façade length facing Symonds Avenue to be utilized as open porch/balcony areas.

5. That the 630 Symonds Avenue “garden apartment” project requires the subsequent review and approval by the Planning Commission and City Commission of the plans necessary for a preliminary and final conditional use approval following public notice as required for conditional uses.

6. There shall be a maximum 55% floor area ratio for the combined 620/630 Symonds Avenue properties in conformance with the plans submitted by the applicant.

Mr. Briggs responded to Board member questions and concerns.

Dan Bellows, applicant, addressed the Board concerning the request. He explained in detail why he felt the “live-work” concept was a good idea and how it would be enforced. He stated that he agrees with certain conditions noted in the staff report regarding the garden apartment building at 630 Symonds Avenue and is in agreement with the limitation to a FAR of 55% for the entire site. He stated that the apartment sizes proposed at 850-1,200 square feet are what the market desires and can be rented at affordable prices which will benefit the neighborhood. He stated that he is open to a duplex versus a triplex and two stories versus three on the live-work building at 620 Symonds if that would make it more palatable. He responded to Board member questions and concerns.

The following people addressed the Board concerning the request: The following people spoke concerning the request: Mary Daniels, 650 Canton Avenue Jesse Fitzgerald, 791 Symonds Avenue; Joe Terranova, 700 Melrose Avenue; Denise Weathers, 140 North Orlando Avenue; Johnny Berry, 656 Symonds Avenue, and Lurline Fletcher, 790 Lyman Avenue. The Citizen comments primarily focused on opposition to the “live-work” since Symonds should remain a residential street and opposition to a three story building on the frontage of Symonds Avenue.

No one else wished to speak concerning this request.

Mr. Krecicki closed the public hearing. He stated that he agrees with the neighbors that the “live-work” concept is not appropriate for this location. He expressed that “live-work” might be a valuable concept to explore and put into the code but the ‘test case’ should not be this location. Mr. Dick and Mr. Livingston concurred with that position. The Board members also expressed that maintaining a residential frontage on Symonds Avenue was the paramount concern and maintaining a consistent two story, 30 foot tall maximum height for building along that street frontage. There was consensus then not to change the zoning along the frontage.

In discussing the rear garden apartment building, Mr. Dick again noted that the City has an approved comp plan that was approved by both the P&Z and CC and the new comp plan policies “strongly discourages” what the applicant is proposing to rezone to R-3. He stated that he felt that there was not enough convincing rationale for why that policy should not be followed. Mr. Krecicki and Mr. Livingston expressed that the location of this parcel next to a parking garage and in the rear of the block made it an individual situation that would not be precedent setting for any future request.
The Board agreed that it needed to make separate motions on the frontage of this property (referred to as 620 Symonds) and the rear portion (referred to as 630 Symonds). The Board then took the following action:

Motion made by Mr. Krecicki, seconded by Mr. Livingston to deny the request to change the Future Land Use Map from Low Density to Medium Density Multi Family due to inconsistencies with the comp plan policies on 620 Symonds Avenue (front 100 feet). Motion carried unanimously with a 3-0 vote.

Motion made by Mr. Krecicki, seconded by Mr. Livingston to deny the request to change the zoning from Low Density (R-2) to Medium Density Residential (R-3) on 620 Symonds Avenue (front 100 feet). Motion carried unanimously with a 3-0 vote.

Motion made by Mr. Krecicki, seconded by Mr. Livingston to approve the Future Land Use Map designation from Low Density to Medium Density on the rear 91.5 feet (630 Symonds Avenue). (Note: This excludes the 620 Symonds Avenue property - the front portion 100 feet along Symonds Avenue). The motion was amended to add the following stipulations: (1) FAR shall remain a maximum of 55%; (2) The 3rd story as recommended by staff and as agreed to by the applicant be setback at least 5 feet on 2/3 of the length of the 3rd floor facade facing Symonds to be utilized as open porch/balcony areas; (3) The applicant understands the need for conditional use approval for the garden apartment building. Motion carried with a 2-1 vote. Mr. Dick voted against the motion.

Motion made by Mr. Krecicki, seconded by Mr. Livingston to approve the change in the existing zoning designation of Low Density (R-2) to Multi Family (R-3) on the rear 91.5 feet of (630 Symonds Avenue) with the same stipulations as previously approved. (Note: This excludes the 620 Symonds Avenue property - the front portion 100 feet along Symonds Avenue). Mr. Dick voted against the motion.

REQUEST OF THE CITY OF WINTER PARK FOR: AN ORDINANCE AMENDING CHAPTER 58 "SIGN REGULATIONS" TO IMPLEMENT PROVISIONS OF THE CENTRAL BUSINESS DISTRICT/PARK AVENUE AND MORSE BOULEVARD DESIGN GUIDELINES AND TO PROVIDE STANDARDS FOR SIGNS FACING INTERSTATE FOUR.

Planning Director Jeffrey Briggs presented the staff report. He explained that this agenda item comprises three code changes:

1. Amends the Morse Boulevard Design Guidelines to revise the required setbacks along Denning Drive and Morse west of Denning.
2. Amends the Central Business District and Morse Blvd. design Guidelines to address interior illuminated signs.
3. Amends the Sign Code to reference the Central Business District and Morse Blvd. Design Guidelines and also to adopt new sign rules for I-4 frontage signs and for signs on office properties adjacent to four lane roads.

The first item relates to the redevelopment of the State Office building property. Morse Boulevard from New York Avenue to Denning Drive has a pattern of the buildings up close to the street. This up-front building location is mandated by the Morse Boulevard design guidelines and it works very well in that section of Morse Boulevard. However, the previous planning administration desired the same ‘new urbanist’ development pattern be continued in the next block of Morse Blvd., Denning Drive, Canton Avenue and Harper Street. The map depicting the area governed by the Morse Blvd. Design Guidelines includes that block and the potential redevelopment sites of the State Office building.
property and former DMV property. The mandatory 10 foot front setback, that is required by the Morse Boulevard Design Guidelines, is incompatible with the current vision for the redevelopment of the 5.0 acre State Office building property and needs to be changed. It is the City Commission's desire to try to preserve some of the existing oak trees up along the Morse Blvd. frontage and locate any new building further back on the property.

The second proposed change relates to the concern about the appearance of interior illuminated signs along Park Avenue, New England Avenue or Morse Boulevard. Staff is proposing a change to the design guidelines to require exterior illuminated signs or to allow the “halo” illumination but with muted “cool” pastel colors. He added that the City also needs to update the Sign Regulations to incorporate these provisions and to include a reference to the Central Business District and Morse Boulevard design guidelines.

In addition, the Building Official George Wiggins has requested two other changes. The first is that our current sign code is silent concerning any special provisions for signs facing Interstate Four. George is suggesting that we add to the sign code the same provisions for I-4 signs as exists in Orange County. The second change deals with the office zoned properties along Lee Road (and other four lane roads) that are limited to 36 square feet (while commercial properties are allowed 50-100 square feet depending on the street). Mr. Wiggins is suggesting a slight increase for equity to allow office properties up to 50 square feet of signage for any street frontage located adjacent to a four lane road. Staff recommended approval. Mr. Briggs responded to Board member questions and concerns.

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

The Board members noted that they had previously discussed these changes at a work session and also during last month's regular P&Z meeting. There was concurrence that the issues discussed had been addressed.

Motion made by Mr. Krecicki, seconded by Mr. Livingston to approve the request as amended. Motion carried unanimously with a 3-0 vote.

REQUEST OF THE CITY OF WINTER PARK FOR: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 "ZONING" WITHIN SECTION 58-83 “LAKEFRONT LOTS, CANALFRONT LOTS, STREAMFRONT LOTS, BOATHOUSES AND DOCKS” SUBSECTION (d) (5) SO AS TO MODIFY THE LAKEFRONT SETBACK PROVISIONS, PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

Planning Director Jeffrey Briggs presented the staff report. He explained that the City Commission has requested P&Z to look at establishing greater minimum lakefront setbacks for multi-family or commercial buildings. He noted that this is in response to the Winter Park Towers request where technically the minimum allowable setback is 50 feet, even though the R-4 zoning allows five stories and 60 feet of height (including parapets). The 50 foot minimum is deemed acceptable for single family homes but not for larger multi-family or commercial buildings. Mr. Briggs explained that approximately 95% of the lakefronts in the city are zoned single family residential. Further, only 14 properties on city lakes zoned other than single family. There are four areas where more intensive zoning exists. One is the Winter Park Towers property on Lake Berry. The second is on the north shore of Lake Virginia from Rollins College on around to Sutton Place South and the continuing to the Lake Virginia Condominiums. The third area is on Lake Osceola at Morse Boulevard where the Cloisters and Whispering waters Condominiums are located. The fourth area is on the east shore of Lake Killarney from Houston's Restaurant on around to the Chateau du Lac Condominiums. He explained that staff’s proposal increases the minimum setback on properties zoned other than R-1AAA, R-1A, R-2 and PURD (which would stay at 50-feet minimum) to correspond to the height of the proposed structure.
For structures 35 feet in height or less, the setback would be a minimum of 75 feet, for structures between 35 and 45 feet in height the minimum setback would be 100 feet and the minimum setback would then increase 10 feet for each additional 10 foot increment or partial increment of additional structure height. He said that the existing zoning code text already says “as conditions necessitate, the planning and zoning commission may impose the increased setbacks in concert with their waterfront review authority as necessary to accomplish the objectives in this section”. However, since the minimums are often cited an increase for larger buildings is warranted. Staff recommendation is for approval. Mr. Briggs responded to Board member questions and concerns.

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

The Board members noted that they had previously discussed these changes at a work session and also during last month’s regular P&Z meeting. There was concurrence that the issues discussed had been addressed.

**Motion made by Mr. Dick, seconded by Mr. Krecicki to approve the request. Motion carried unanimously with a 3-0 vote.**

There was no further business. Meeting adjourned at 10:15 p.m.

Respectfully submitted,

Lisa M. Smith,
Recording Secretary