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

Approval of minutes: October 5, 2010

Motion made by Mr. Dick, seconded by Mr. Krecicki to approve the October 5th meeting minutes. Motion carried unanimously with a 5-0 vote.

PUBLIC HEARINGS:

LAKEFRONT SITE PLAN REVIEWS:

REQUEST OF M/M SITTEMA FOR: APPROVAL OF A NEW TWO-STORY, SINGLE FAMILY HOME AT 150 W. FAWSSETT ROAD ON LAKE SUE, ZONED R-1AA.

Senior Planner Stacey Scowden gave the staff report. She explained that the applicants, Mr. and Mrs. Sittema are requesting approval for a new single-family, two-story home located at 150 W. Fawsett Road on Lake Sue. She noted that the two-story home that is currently on this property that will be demolished to accommodate the new home. She reviewed the issues of FAR, tree preservation, view from the lake, views of the neighbors, and storm water retention. Staff recommended approval of the request. She responded to Board member questions and concerns.

The applicant was present and stated that he was in agreement with staff recommendations. No one wished to speak concerning the request. Public Hearing closed.

Motion made by Mr. Krecicki, seconded by Mr. Dick to approve the request subject to the applicant installing a screening wall for the pool equipment and landscape plan review by staff as specified by Sec. 58-87 of the Land Development Code. Motion carried unanimously with a 5-0 vote.

PUBLIC HEARINGS:
REQUEST OF ST. JOHN LUTHERAN CHURCH FOR: CONDITIONAL USE APPROVAL TO RE-ESTABLISH AN ELEMENTARY SCHOOL FROM PRESCHOOL THROUGH FIFTH GRADE FOR A MAXIMUM OF 100 STUDENTS FROM THE EXISTING CHURCH FACILITIES AT 1600 S. ORLANDO AVENUE, ZONED R-1A.

Planning Director Jeffrey Briggs presented the staff report. He explained that the St. John Lutheran Church at 1600 S. Orlando Avenue is requesting conditional use approval to re-establish a pre-school (daycare) and elementary school of up to 100 students combined. St. John Lutheran previously operated a pre-school and elementary school until 2004. He said that the previous school permitted up to 76 children in the pre-school/daycare activities, and up to 200 students in the elementary school (kindergarten thru fifth grade). He stated that this request is for a maximum of 100 children in both activities. Further, there is an existing school, the Monarch Learning Academy that currently operates out of the North Park Baptist Church in Baldwin Park that is requesting to move their existing school to this location by January 2011. Mr. Briggs noted that the R-1A zoning allows churches to operate schools subject to conditional use approval. He stated that parking is adequate and no problems are expected from the drop-off and pick-up of the children. Mr. Briggs responded to Board member questions and concerns.

Connie Haggerman, Business Manager of St. John Lutheran Church, represented the applicant. She stated that they are in agreement with staff recommendations. Marguerite McNeil, principal of Monarch Learning Academy offered to answer any questions that the Board might have. In response she stated that the 100 student maximum was based upon the current expectations but future growth might require them to come back for an increase in students.

Darlyn Jimenez, 1501 Orchid Avenue, stated that she is in support of the Church’s request because they have been a good neighbor. She provided the Board with insight of the traffic at the intersection of garden and orchid avenues and requested that consideration be given to installing a 4-way stop at that particular intersection.

Robert Blackwell, 917 Garden Drive, also spoke in favor of the request. He stated that he was a neighbor when the previous school operated and there were no issues. He agreed with Mrs. Jimenez with regard to her comments pertaining to traffic at Garden and Orchid avenues.

Mr. Livingston disclosed that Mr. Blackwell is a partner in his firm but his comments will have no bearing on his vote concerning this issue. No one else wished to speak concerning this request. Public Hearing closed.

The Commission members agreed that the previous school at St. Johns (with up to 276 students) was valuable in providing insight into the operations of this proposed school and with fewer students and ample parking there did not appear to be any problems that would result for the adjacent neighborhood. The Board felt that it was advisable to provide some leeway for growth (up to 150 students) of the school as it appears the location works well, parking is more than adequate and the neighborhood experience has been without problems.

Motion made by Mr. Krecicki, seconded by Mr. Dick to approve the request subject to the change from 100-150 students. The Commission asked the City Traffic Engineer to look at ways to mitigate the neighbors’ concerns with regard to traffic at the Garden/Orchid avenue intersection. Motion carried unanimously with a 5-0 vote.
REQUEST OF THE WINTER PARK TOWERS FOR: FINAL CONDITIONAL USE APPROVAL PURSUANT TO THE PRELIMINARY CONDITIONAL USE APPROVAL GRANTED ON JUNE 28, 2010; ON PROPERTY ZONED R-4, AT 1111 S. LAKEMONT AVENUE.

Planning Director Jeffrey Briggs explained that the Winter Park Towers at 1111 S. Lakemont Avenue is requesting “Final” Conditional Use approval pursuant to the “Preliminary” Conditional Use approval granted on June 28, 2010. The purpose of the “Final” approval is to demonstrate conformance to the “preliminary” approval and to provide the additional detail as the project is now at 60% complete construction plan status. The “preliminary” approved development plans allow the construction of a four-level parking garage, a lakefront four-story residential building of twenty-four units, 47-feet above average existing grade; a five-story, 55-foot tall, thirty unit residential building adjacent to the northern side of the proposed parking garage and a twenty unit, two-story, garden apartment residential building in the area of the western portion of the existing parking lot.

Mr. Briggs stated that the applicant has provided the final site plan, grading and drainage plan, site utility plan, storm water report, tree protection/compensation/landscape plans, cross section plan and perspective elevations. He stated that the applicant has also presented 3D elevations and a partial interactive “fly-over”. In addition, the final Development Agreement has been prepared by the City Attorney to incorporate these approvals and the conditions/restrictions that were previously approved. Mr. Briggs addressed how each condition of approval was being achieved. The lone exception is the condition of approval that no storm water retention can be placed between the residential building and the lake or stream. The plans to be submitted to the St. John River WMD must show a slight variation to that condition because the St. John River WMD requires a small swale between the building and the lake, for the “lakefront lawn” water quality control (to prevent the flow of fertilizers/pesticides washing directly into the lake from the lawn during a rain event). It does not serve as any of the required storm water retention from the “building surfaces”. Staff recommended approval of the final conditional use. Mr. Briggs responded to Board member questions and concerns.

Rebecca Furman, 215 North Eola Drive, represented the applicant. She provided the Board members with a brief update concerning progress on the project with the use of 3D elevations and also a partial interactive “fly-over”. She reiterated the privacy protections that are agreed to as requested by the Waterbridge neighborhood. She indicated that the Development Agreement contains all the conditions that were previously agreed to and imposed by the City for the preliminary approval. She requested that Board members disclose any communication concerning this project. Each board member then outlined their specific ex-parte communications (or lack thereof) for the record.

Paul Verlander, Landscape Architect, addressed the details of the landscape plan and how the design worked to preserve several of the major existing oak trees. He noted that a certified arborist will work on-site during the construction process with the development team/contractor and city staff to evaluate and ensure that existing trees are protected. Mr. Verlander responded to several Board member questions and concerns.

Ken Linehan, Principal, Fugleberg Koch Architects, reviewed architectural aspects of the project and explained how the architectural plans have become more refined and how those plans meet the conditions (with respect to height) of the previous approvals. He presented a line of sight diagram that demonstrated that even from across the lake, the parking garage stair tower and lights will not be visible (per the condition of approval). Mr. Linehan responded to Board member questions and concerns.
Sam Sabaali, Project Engineer, discussed storm water management for the site at length. Mr. Sabaali responded to Board member questions and concerns. He also addressed the water quality swale (six inch deep swale and six inch high berm) that the water management district would require on the lakefront.

John Webb, 697 Balmoral Road, spoke in opposition to the request. He stated that the lake setback of the four story residential building has always been their concern. He asked the Board to increase the lakefront setback. He questioned the 55 feet of the residential building on the north side of the parking garage. He believes that building was limited to 50 feet in height. He also questioned the numbers on the elevations and expressed that the project does not appear to comply with previous approvals as measured from the existing average grade.

Ms. Furman was allowed an opportunity to rebut. She stated that the approvals for the building heights have been received; there is no access from the northern buildings to the area where the ditch is located and with regard to the finished grade she expressed that the number that Mr. Webb pointed out is a matter of inches and she trusts that the project engineer will resolve the issue. No one else wished to speak concerning the request. Public Hearing closed.

Mr. Swisher expressed that there are some “detail” issues for the Board to discuss but as a whole the project appears to be in compliance with the preliminary approval. Mr. Krecicki complimented the project team and then raised four topics for discussion that included landscaping of the lakeside tree wall, water level of the wet pond, need for a storm water maintenance plan and city review of the gutter system. Mrs. Whiting expressed that this was a great project. She agreed with Mr. Krecicki but felt the gutter system and water level in the wet pond was really an operational function for the WP Towers. Mr. Dick agreed with Ms. Whiting but added discussion that the tree compensation needed to be detailed as to what portion is paid now for Phase I (which appears to be most of it) and what remains to be paid at Phase II. Additionally he agreed with the landscape plan addition, the need to memorialize the storm water maintenance plan and that the arborist would be on-site during demolition and construction to oversee tree preservation.

Motion made by Mr. Krecicki, seconded by Mr. Swisher for final conditional use approval subject to the following conditions: (1) that a tree compensation split calculation between phase I and phase II be submitted to the City; (2) that a certified arborist be on-site during demolition and construction as necessary to ensure the protection and safeguard the survival of the existing trees to remain; (3) that a storm water maintenance plan be adhered to for both the exfiltration system and the swale/berm along the lakeside; and (4) that landscaping be added lakeside of the curb retaining wall for the oak tree on the lakeside. Motion carried unanimously with a 5-0 vote.

REQUEST OF THE CITY OF WINTER PARK FOR: TO AMEND ARTICLE III, "ZONING", SECTION 58-87 "LAKEFRONT LOTS, CANALFRONT LOTS, STREAMFRONT LOTS, BOATHOUSES AND DOCKS"; RENAMING THE SECTION TO INCLUDE WETLANDS AND ADDING A NEW SUBSECTION (F) SO AS TO INCLUDE WETLAND SETBACK PROVISIONS AND PROTECTIONS.

Planning Director Jeffrey Briggs said that the planning staff, in order to implement policies of the Comprehensive Plan is proposing a zoning code amendment to implement the setback buffer policies of the Comprehensive Plan for wetlands (minimum 50 feet) that are inclusive of the other “environmentally sensitive lands” which are defined as our lakes, streams and canals. He added that these same protections have already been in the city’s floodplain regulations for lakes, canals, streams and floodplain areas which would include wetlands although not by name. The inclusion of wetlands which typically also are at the edges of lakes, streams or are also floodplain areas is insuring that any wetland area that might be outside of a lake/stream’s edge and floodplain area is protected. Staff has taken the definition of wetlands from the Comp. Plan definitions section that was approved by Fl. DCA
and merged it with the floodplain protections already in the code. Tim Egan, the city’s lakes division chief, along with planning staff analyzed the Comprehensive Plan including the Conservation Element policies and this is the only action needed to implement the conservation codes of the City. Staff recommended approval. Mr. Briggs responded to Board member questions and concerns.

Mr. Livingston asked if the City’s definition of wetlands is the same the State uses. Mr. Briggs responded affirmatively. In response to questions, Mr. Briggs outlined that the wetlands within the City are located adjacent to the Howell Creek sections in between Lake Sue and Lake Virginia and along Howell Creek north of Lake Maitland.

No one wished to speak in favor of or in opposition to this request. Public Hearing closed.

Motion made by Mr. Livingston, seconded by Mr. Swisher to approve the ordinance. Motion carried unanimously with a 5-0 vote.

NEW BUSINESS:

There were no items of new business. Mr. Briggs announced the November 17, 2010 work session with the members of the City Commission and Placemakers concerning Fairbanks Avenue.

There was no further business. Meeting adjourned at 9:15 p.m.

Respectfully submitted,

Lisa M. Smith,
Recording Secretary