Chairman Krecicki called the meeting to order at 7:00 p.m. in the Welcome Center. Present: Drew Krecicki, Sarah Whiting, George Livingston, Tom Sacha, Peter Gottfried, Randall Slucm, James Johnston and Robert Hahn, alternate. Staff: Planning Director Jeffrey Briggs, Planning Technician Caleena Shirley and Recording Secretary Lisa Smith.

Approval of minutes – May 1, 2012

Motion made by Mr. Gottfried, seconded by Mr. Sacha to approve the May 1, 2012, meeting minutes. Motion carried unanimously with a 7-0 vote.

PUBLIC HEARINGS:

REQUEST OF CNL COMMERCIAL REAL ESTATE FOR: FINAL CONDITIONAL USE APPROVAL FOR A THREE STORY, 86,600 SQUARE FOOT, OFFICE BUILDING ON THE SITE OF THE FORMER STATE OFFICE BUILDING AT 941 W. MORSE BOULEVARD.

Chairman Krecicki and Mr. Hahn announced that they have conflicts and will not be participating in the discussion or voting on this item.

Planning Director Jeffrey Briggs presented the staff report. He explained that CNL Commercial Real Estate is requesting “final” conditional use approval for their office building project pursuant to the “preliminary” conditional use provided by the City Commission on April 23, 2012, on the property at 941 W. Morse Blvd. The “final” CU approval per code is the action to review compliance with the conditions of approval and to review the final landscape, drainage and lighting details. He reviewed the previously imposed conditions and said that the applicant has responded to and incorporated all into the plan. Mr. Briggs reviewed the project landscape plan. He noted that the plan does show screening of the property to the east. He said that this “final” conditional use provides three new plan details for review:

1. Landscape Plan – the specific landscape plan for the project meets the city code requirements. The major revision is a new landscape area created to screen the drive-in tellers as to view and noise from the Bank First building to the east. The ‘plan’ utilizes a tight row of Magnolia trees in the new landscape area and a tight row of Holly trees in the perimeter landscape strip on the western edge of the site to visually screen the tellers. Staff believes they will accomplish the intent. There are some conflicts with a storm water pipe and a light pole that may need to be addressed.

2. Storm Water Drainage Plan – the specific method of meeting the City and St. Johns River Water Management District drainage criteria is primarily via an underground exfiltration system located in the parking lot area near Morse Blvd. Soil borings confirm that the system, as designed, will operate properly in this location. There is a maintenance requirement both to the City and St. Johns. The cleaner roof-top drainage will be directed to a new surface retention area created by a small berm (versus swale to be protective of the tree roots) in the tree preservation area along Morse Blvd. It may
be a good idea to shift that retention area to where there is a gap between the existing oak trees in order to lessen the impact upon them. The plans submitted can be easily revised accordingly.

3. Site Lighting — The plan shows the location of the industry standard lighting for the parking lots via twenty foot poles with box type fixtures that direct the lighting downward and minimize any spillage. The applicant also contemplates building lighting and site lighting of the street front oak trees in order to accentuate the building architecture and trees at night.

He summarized by stating that everything appears to be on target to accomplish the partnership between the City and CNL to redevelop this property with a Class “A” office project. In this current economy and very ‘down’ office market, this is big accomplishment. The “final” conditional use submittals have addressed the concerns and conditions imposed with the “preliminary” approval. This “final” conditional use approval fulfills the commitments made by the applicant for the redevelopment of this property with a Class A office building. There are some minor plan revisions needed in accordance with the staff comments, for which, the applicant is in agreement. Staff recommendation is for approval of the “final” conditional use pursuant to minor plan revisions outlined.

Tom Cunningham, CNL Commercial Real Estate, 450 South Orange Ave, represented the applicant. He said that all of the previous conditions of approval have been met and that they have met with Mr. Barnes regarding the landscaping. No one wished to speak in favor of or in opposition to the request. Public Hearing closed.

Rick Baldocchi, 2301 Forrest Road, addressed board member concerns regarding the dumpster screening, storm water and landscape plan.

No one else appeared to speak on this matter.

The Planning Board members expressed satisfaction with the revised plans and the overall project. There was some discussion regarding the absence of building landscaping or trees in the hardscape patio area along the Denning Avenue frontage of the building. Other discussion centered on the details of the landscaping buffer for the Bank First project and the screening of the dumpster in the rear. With a consensus of satisfaction on the request.

Motion made by Mr. Gottfried, seconded by Mr. Johnston to approve as presented. Motion carried unanimously with a 6-0 vote.

**REQUEST OF VISION DEVELOPMENT AND MANAGEMENT LLC FOR: CONDITIONAL USE APPROVAL TO DEVELOP UP TO A TWO STORY 12,000 SQUARE FOOT BUILDING WITH A NEW BRANCH BANK LOCATION AS A REDEVELOPMENT OF THE PROPERTY AT 957 W. FAIRBANKS AVENUE, ZONED (C-3).**

Planning Director Jeffrey Briggs presented the staff report. He explained that this item is a conditional use request from the contract purchasers of the property at 957 W. Fairbanks Avenues. He explained that there are two redevelopment options for the site. Both include a new branch bank facility with drive-in tellers and one option includes a building over 10,000 square feet in size. He noted that the applicants are requesting that this be a 'complete' application with all the information provided for both the 'preliminary' and 'final' conditional use approvals. He provided details of the site and the surrounding neighborhood dynamics, the project plans to include parking, stacking and traffic circulation, storm water retention, and landscape and architecture. He summarized by stating that staff is very complimentary of the overall site plan design and architecture. The project meets all the code requirements, the setback variances are minimal and the drive-in components are designed to meet the peak stacking needs for the 'community' bank intended as the occupant.

Staff recommendation was for approval with the following conditions:
1. That this conditional use approval is limited to use by Trustco Bank or other ‘community’ bank as agreed to by staff and any subsequent acquisition/merger with another financial institution shall require subsequent approval by the City for the drive-thru facilities to insure sufficient stacking room exists without impeding traffic flow within this parking lot.

2. That the staff will approve the “final” landscape plan and storm water system/design plans in accordance with code.

3. That credit is provided for the seven parking spaces being voluntarily removed to provide for mixed use tenancies.

Mr. Briggs responded to Board member questions and concerns.

David Lamm, Lamm & Co., represented the applicant. He stated that they are in agreement with the staff report. The reason for presenting the two schemes is to allow for flexibility as the project progresses. He said that it is their intention to present a quality redevelopment plan in either option. He also requested that the Board consider allowing the applicant to construct an ATM end cap bypass lane in addition to removing the restrictive covenant concerning the type of bank as detailed under option 2 (the two-story option), as a part of the approval. Mr. Lamm responded to Board member questions and concerns.

Several of the current tenants were present to speak concerning this request. Andres and Paula Montoya, 959 West Fairbanks Avenue; Daniel Wantessi, 941 West Fairbanks Avenue; Donna Moore, 955 and 957 West Fairbanks Avenue. They all explained that they have signed long-term leases and discussed how this redevelopment affects them.

Mr. Lamm clarified that the purpose of the application at this time is to determine project feasibility. Once there is a potential project then the existing tenants can be brought into the process to see if there can be accommodations made with the existing leases. However, first they must know if the City will allow the project.

Craig Silverman, 3662 Avalon Park Boulevard, Orlando, FL addressed the Board concerning the tenant issue. He indicated their willingness to meet with all of them individually. He said they are currently in the process of going thru each lease individually. He responded to Board member questions and concerns.

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

The Board members discussed the request. Mr. Livingston said that he feels that the request is premature if the applicant doesn’t know whether they can build the project given the leases. Several Board members expressed that they would like to see something worked out with the existing tenants in order to accommodate them. However, in response to a question, the applicant expressed that tabling the request will not work with the contract timeframe. Consensus was that the tenancy issue is out of the purview of the Board.

Mrs. Whiting stated that she is uncomfortable with the parking and that she is more comfortable with option one versus option two. She requested that the Board vote on the options separately but the consensus was to take the request as a whole. Mr. Johnston and Mr. Gottfried expressed that they feel it will be good to have either new redevelopment option for this section of Fairbanks Avenue.

Motion made by Mr. Gottfried, seconded by Mr. Johnston to approve the request subject to staff recommendation. Mr. Krecicki amended the motion to add that staff verify the ownership of Lot 20 to ensure that there is no conflict of ownership. Motion carried with a 5-2 vote. (Mr. Livingston and Mrs. Whiting voted against the motion).
REQUEST OF THE CITY OF WINTER PARK FOR: REVISIONS TO THE SINGLE FAMILY AND ACCESSORY BUILDING ZONING REGULATIONS.

Planning Director Jeffrey Briggs presented the item on behalf of Building Official George Wiggins. He explained that it came to light on the day of P&Z meeting (May 1) that there should be a slight accommodation for architectural flexibility due to a new or remodeled home being built with the intent to be true to specific architectural style. He said that this information was received after the meeting. He said that the proposed amendment was submitted to the City Commission during the 1st reading of the Ordinance as a minor change. The City Commission wanted a P&Z recommendation prior to acting on it. He directed their attention to the letter submitted by Mr. Wiggins detailing the minor change.

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

The Board members had no objections to the change generally but felt that the decision to grant the waiver for articulation of the roof line could be arbitrary. They expressed a preference for the Planning Commission to review those scenarios as is done with lakefront homes.

Motion made by Mr. Krecicki, seconded by Mrs. Whiting to approve as requested with the change to the text requiring approval by the Planning and Zoning Board. Motion carried unanimously with a 7-0 vote.

NEW BUSINESS:

Mr. Briggs announced that the July meeting will be held on July 10th instead of July 3rd.

There was no further business. Meeting adjourned at 8:30 p.m.

Respectfully submitted,

Lisa M. Smith,
Recording Secretary