



**CITY OF WINTER PARK  
Planning & Zoning Board**

**Regular Meeting  
City Hall, Commission Chambers**

**December 2, 2014  
6:00 p.m.**

**MINUTES**

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Chairman James Johnston called the meeting to order at 6:00 p.m. in the Commission Chambers of City Hall. Present: Peter Gottfried, Vice-Chairman, Shelia De Ciccio, Tom Sacha, Ross Johnston, Robert Hahn, Randall Slocum and Peter Weldon. Staff: Planning Manager, Jeff Briggs, City Attorney, Catherine Reischmann and Recording Secretary Lisa Smith.

**Approval of minutes – November 4, 2014**

**Motion made by Mr. Sacha, seconded by Mr. R. Johnston to approve the October 7, 2014, meeting minutes. Motion carried unanimously with a 6-0 vote.**

**PUBLIC HEARINGS**

Mr. Briggs stated this will be a simultaneous public hearing on the items.

**REQUEST OF SENTIO INVESTMENTS LLC FOR:** AN ORDINANCE TO AMEND THE COMPREHENSIVE PLAN FUTURE LAND USE MAP FROM INSTITUTIONAL AND SINGLE FAMILY RESIDENTIAL TO MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL FUTURE LAND USE ON THE PROPERTIES AT 1500 S. ORLANDO AVENUE; 1010 GARDEN DRIVE AND 1021 CAMELLIA AVENUE.

**REQUEST OF SENTIO INVESTMENTS LLC FOR:** AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP TO CHANGE THE ZONING OF SINGLE FAMILY (R-1A) DISTRICT TO MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL (R-3) DISTRICT ON THE PROPERTIES AT 1500 S. ORLANDO AVENUE; 1010 GARDEN DRIVE AND 1021 CAMELLIA AVENUE.

**REQUEST OF SENTIO INVESTMENTS LLC FOR:** CONDITIONAL USE APPROVAL TO REDEVELOP THE ST. JOHN'S LUTHERAN CHURCH PARKING LOT AT 1500 S. ORLANDO AVENUE AND THE TWO CHURCH HOMES AT 1010 GARDEN DRIVE AND 1021 CAMELLIA AVENUE INTO A THREE STORY, 90 ROOM ASSISTED LIVING AND MEMORY CARE RESIDENTIAL FACILITY OF APPROXIMATELY 73,000 SQUARE FEET, PURSUANT TO THE REQUESTED R-3 ZONING.

Planning Manager Jeff Briggs presented the staff report and explained that applicant, Sentio Investments LLC, is requesting to redevelop the St. John's Lutheran Church parking lot located at 1500 South Orlando Avenue, and the two adjacent Church homes located at 1010 Garden Drive and 1021 Camellia Avenue. The applicant is requesting a change to the Comprehensive Plan future land use map from institutional and single family residential to medium density multi-family residential, a companion rezoning from single family (R-1A) to multi-family (R-3), and a Conditional Use for a proposed three-story, 90-room/106 bed assisted living and memory care facility of approximately 73,000 square feet of building area including common areas, kitchen/ service areas and the 90 room/106 beds of assisted living and memory care living space.

Mr. Briggs discussed the R-3 provisions of the Land Development Code. He noted that the R-3 Code has a special setback for this type of facility that the “building” must be at least 50 feet from another residential zoned property. The setback to this building is 61 feet. He provided a comprehensive review of the project to include parking requirements, a comprehensive plan analysis, requested zoning code exceptions, the applicant’s traffic study, site design, compatibility with the surrounding neighborhood, and a history of the subject property. He added that the plan has been reviewed by pertinent city staff and that feedback has been incorporated into the staff report. Based upon the staff comments received, if the project proceeds then the following conditions need to be incorporated into the approval:

1. Construction of sidewalks on-site and off-site within this entire block and along one side of Garden Drive down to Mead Garden.
2. Incorporation of the parks impact fee for the R-3 potential of 32 units.

Mr. Briggs explained that planning staff is not opposed to the sale and redevelopment of these properties. He said that staff believes that there are a number of scenarios that could work well both for the Church and for the adjacent neighborhoods. One of which would be to go back to the original plan by the Church to sell only the existing parking lot and keep the two Church houses as a buffer from the neighborhood and as an option for future parking if the congregation regrows. Another compatible option would be to sell for a use or redevelopment plan that is more compatible in scale with the adjacent single family residential neighborhoods. He said that after significant review, staff has analyzed the request for Multi-Family Future Land Use/R-3 zoning and Conditional Use. He discussed the positive and negative aspects of the request.

He said that staff recognizes that there are several favorable aspects of this request, but due to the proximity/incompatibility to the adjacent single family neighborhood, and the size of the project (twice the size of City Hall), staff has major concerns in this regard. Further, staff feels that this development is too large and too intense for this site; and there exists Comprehensive Plan policy direction to support both the cautionary “strongly discouraged” aspect of making the Comp. Plan FLU/Rezoning change and the intent to make three story R-3 development visually appear to be just two stories in height. Staff recommended denial of all three of the requests. Mr. Briggs stated that a smaller scaled project may be acceptable to staff. Mr. Briggs responded to Board member questions and concerns.

John Ramsey, Sentio Investments, addressed the Board. He said that he feels that the proposed project meets a need of our aging population. He provided background information on Sentio Investments and an overview of the proposed facility. He said that the proposed facility will be private pay and will not receive government reimbursement. He introduced the members of the development team. Mr. Ellison Thomas, Arbor Co., provided background information on the operating company and the type of facility. Mr. Ted Edwards, 1350 Orange Avenue, the team’s legal advisor, discussed land use and compatibility issues. Walt Chancey, Architect, discussed the architectural details of the project. Turgut Dervish, Traffic Engineer, gave more insight into the applicant’s traffic study. Wendy Anderson, President of the St. John Lutheran Church Council, discussed the project from the church’s perspective. All members of the development team responded to questions posed by members of the Board.

Chairman Johnston opened the meeting for public comment. The audience was full to capacity with concerned citizens both for and against. The following people spoke concerning the request: Gary Barker, 1029 McKean Circle; Debbie Sirkin, 922 Garden Drive; William Sullivan, 1362 Richmond Road; Sara Brady, 929 Garden Drive; Libertad Acosta-Anderson, 923 Garden Drive; Dr. Blaise Mercadante, 651 Pinetree Road; Emily Green, 914 Garden Drive; Marcia Murray, 942 Garden Drive; Woody Woodall, 328 North Park Avenue; Gary Brewer, 1250 South Denning Drive; Jeff York, 905 Grover Avenue; Steven Beumer (Church Member), 1741 Choctaw Trail, Maitland; Michael Spencer, 1509 Orange Ave; Elliott Whitton, 933 Garden Drive; David Porter, 942 Grover Avenue; Ben Shoemaker (Church Member) 1317 Belleaire Circle; Garrison Green, 914 Garden Drive; Joe Puryga (Church Member) 109 South Orlando Avenue; Linda Lindsey (Church Member) 2212 Venetian Way; Jerry Haughn (Church Member) 1600 South Orange Avenue; Mark Anderson, 923 Garden Drive; Johnathan Jallad, 917 Garden Drive; Emily Ruff, 918 Camelia Avenue; Sara Van Arsdel, 2563 Fifeshire Drive; Stephen Pategas, 1425 Berkshire; Sally Flynn, 1400 Highland Road; Alex Stringfellow, 2709 Eastham Road; Dan Hench, 1239 Chichester Street; George Andrae, 1520 Nottingham Street; Mary Randall, 1000 South Kentucky Avenue; Kim Ruffner, 3039 Middlesex Road; Former Pastor Luther Kistler (Church Member), 503 Campus Street, Celebration; Vicki Krueger, 200 Carolina Avenue; Steve Cook (Former Project Manager of the Planning & Zoning Board

Winter Park Towers) 1105 Michigan Court; Darlyn Jimenez (owner of 1501 Orchid Avenue), 235 Rippling Lane; Sharon Parrish (Church Member), 1315 Bridgeport Drive; Don Smestad (Church Member), 300 White Oak Circle, Maitland; Ken Bowser, 922 Camelia Avenue.

Of the 38 speakers, 24 spoke in opposition and 14 in favor of the request. The consensus of the neighbors and citizens in opposition expressed concern that the visioning process is not complete yet, expressed concern with the size and height of the project, with the impact of traffic on the adjacent residential neighborhood, with pedestrian safety and lack of sidewalks and with cut-thru traffic. They also were in opposition as the proposed project goes against current comprehensive plan policies and did not include sufficient landscape screening and buffering to their neighborhood. The consensus of the church members and citizens who spoke in favor was that the project filled a social need, had very low traffic and was necessary for the financial survival of the Church.

No one else wished to address the Board. Public Hearing closed.

Mr. Weldon thanked the applicant for their interest in investing in the City of Winter Park and bringing a needed asset in the community. He thanked the speakers for their thoughtful comments. He said that he is personally empathetic to the church, but the questions for the Planning Board are not about the financial predicament of the Church but about changes to Zoning and a Conditional Use. He stated that he feels that there are fundamental policy issues with the plan as proposed (i.e.: lack of a sufficient buffer and needs to be significant smaller). He stated that he could support a scaled down version of the project but not this plan. Mr. Sacha stated that he feels that this project has similar qualities to the Canton/Capen issue where a plan needs to be modified in density to achieve city and neighborhood acceptance. He indicated that he feels the same with this one, that if you buy a property, then you should build within the zoning or reach a compromise acceptable to the neighborhood. He added that he feels that there is a need in the community for such a facility but not at this scale and size. Mr. Slocum said that he feels that the architect did a good job with the general scope and design perimeters, but felt that the vertical scale of the project is too large and would require a greater landscape buffer. He said that he cannot support the project at this magnitude. Mr. Hahn said that he sees both sides of the argument. He added that he feels the comments made by the speakers were both sound and thoughtful. Further, that this type of request ushers in a new form of community development. He agreed with the comment that the Comp. Plan doesn't give the Board the latitude necessary specifically in the area of housing in making these types of decisions. He felt that it is an excellent use but this is too much square footage for this site. Mr. R. Johnston encouraged the applicants to go back and re-visit a scaled down version of the project. He stated that he feels that this is the right project and the right location but it is the wrong size. He encouraged the applicants to develop a fall back option. Mr. J. Johnston said after listening to the church's argument the neighborhood needs to understand that the property will be sold. He does not feel that R-1A is appropriate for this property. He feels that this type of use is very appropriate for this property, but must be scaled back. Mrs. De Ciccio concurred with the other comments in that the project is too large for the footprint of the property. She encouraged the applicants to scale the project back. She agreed with Mr. J. Johnston that re-development will happen on the subject property. She encouraged the neighbors to work with the City with regard to traffic planning. Mr. Gottfried reiterated that there are residential properties all along this portion of Orlando Avenue. He said that he feels that there is a place for single family residential on this property and it could work. He said that he feels that what is proposed is out of scale and too much for this property.

City Attorney, Catherine Reischmann clarified the voting on this project. She explained that the first vote is a policy vote on whether to grant the request to change the comprehensive plan future land use map designation from institutional and single-family to medium density multi-family. The vote on the motion for the comprehensive plan determines the outcome for the rezoning since the zoning should be in conformance with the Comp. Plan FLU. However, if the Comp. Plan FLU/Zoning is not changed then they are not eligible for the Conditional Use. So in essence if the first vote is for denial then it determines the outcome of the other two requests.

**Density Multi-Family Residential Future Land Use on the properties at 1500 S. Orlando Avenue; 1010 Garden Drive and 1021 Camellia Avenue. Motion carried unanimously.**

**City Attorney, Catherine Reischmann confirmed for the Board that the two remaining requests naturally fail, so no further action was taken.**

**Chairman J. Johnston called a recess at 8:50 p.m. and reconvened the meeting at 8:55 p.m.**

**REQUEST OF THE AVIS BUDGET GROUP INC. FOR: AN ORDINANCE TO AMEND IN THE ZONING CODE, SECTION 58-74 COMMERCIAL (C-1) DISTRICT SO AS TO PROVIDE FOR CAR RENTAL AGENCIES AS A PERMITTED USE WITHIN THAT C-1 COMMERCIAL ZONING DISTRICT.**

Planning Manager Jeffrey Briggs presented the staff report and explained that this is a request of the Avis-Budget car rental group for the City to consider allowing car rental agencies as a permitted use within the Commercial (C-1) zoning district. Presently, car rental agencies are permitted in the Commercial (C-3) zoning district but not a permitted use in C-1. The applicant, Avis-Budget, was located at the Mt. Vernon but had to move upon the sale of that property. They have found a location within the K-Mart shopping center but while the Mt. Vernon is zoned C-3, the K-mart center is zoned C-1. Mr. Briggs noted that the "in-city" car rental agencies that have operated in the City do not tend to have more than 12-15 cars. There are about a dozen cars parked overnight at Avis/Budget and Enterprise. The car washing and servicing of the vehicles is done off-site. The staff does not anticipate problems if this change is made unless the numbers of cars became detrimental. Staff recommended approval with the condition of limiting the use to no more than 15 cars. Mr. Briggs responded to Board member questions and concerns.

Paul Chipok, Gray Robinson Law Firm, 301 East Pine Street, Orlando, represented the applicant. He stated that they are in agreement with the staff report. He said that all C-3 properties in the area were surveyed, and none of them met their criteria. A 1,400 square foot storefront was found in the K-Mart shopping center that meets their needs. All business is transacted inside, and no more than 15 cars would be available on site at any time and that service or repair is done at their airport facility. He said that he feels that the nature of the business is compatible with other C-1 businesses in the shopping center. Mr. Chipok responded to Board member questions and concerns.

Peter Perachi, Avis-Budget car rental group, 1855 Griffin Road, Danube Beach, FL, responded to Board member questions and concerns. He said that the storefront space they have selected faces Lee Road and that the cars will be parked in the rear of the property along the Executive Drive frontage. He said that they typically park their cars where no one else parks, so they do not interfere with day-to-day operations of other businesses. He responded to Board member questions and concerns.

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

Mr. Slocum expressed that while he agreed with the request, there may be circumstances where the parking might interfere with other tenants usage. He urged caution and suggested the conditional use process to review these requests on a case by case basis. After discussion amongst the Board members there was consensus to proceed in that manner. Mr. J. Johnston confirmed that the Board would then need two motions, one to approve an amended Ordinance and one to approve the specific request of the applicant.

**Motion made by Mr. J. Johnston, seconded by Mr. Gottfried that car rental agencies, limited to no more than 15 cars on-site at any time, in the C-1 district, be allowed as a conditional use. Motion carried unanimously.**

**Motion made by Mr. J. Johnston, seconded by Mr. Gottfried to approve the conditional use request for Avis-Budget Car Rental Group in C-1 zoning at the K-Mart center with the condition that the applicant is limited to no more than 15 cars at this location. Motion carried unanimously.**

**NEW BUSINESS:**

Date of Next Regular Meeting: Tuesday, January 6, 2015 at 6:00 p.m.

Date of Next Work Session Meeting: Tuesday, January 27, 2015 at 12:00 noon.

There was no further business. Meeting adjourned at 9:30 p.m.

Respectfully submitted,

Lisa M. Smith  
Recording Secretary