



# Planning and Zoning Board Minutes

January 5, 2021 at 6:00 p.m.

721 W. New England Avenue | Virtual | Winter Park, Florida

## 1. Present

Chairman Ross Johnston called the meeting to order at 6:09 p.m. Present: Jim Fitch, Owen Beitsch, Laura Turner, Ross Johnston, Michael Spencer, Richard James and David Bornstein. Also Present: City Attorney Dan Langley. Staff: Director of Planning & Transportation Bronce Stephenson, Principal Planner Jeff Briggs, Senior Planner Allison McGillis, Transportation Manager Sarah Walter, Building Director George Wiggins, Assistant Building Director Kris Stenger, Sustainability Planner Vanessa Balta, Assistant Director Public Works Don Marcotte, and Recording Secretary Mary Bush.

**Motion made by Ross Johnston, seconded by Laura Turner, to re-order the meeting agenda items moving item CPA #20-06; RZ #20-06; CU #20-07 to be the last item of the meeting.**

**Motion carried unanimously with a 7-0 vote**

## 2. Approval of minutes

**Motion made by Ross Johnston, seconded by David Bornstein, to approve the December 1, 2020 meeting minutes.**

**Motion carried unanimously with a 7-0 vote.**

## 3. Public Hearing:

- SPR #20-18 Request of Native Homes, Inc. for approval to construct a new two-story single-family home at 530 Country Club Drive on Lake Killarney.

Mrs. McGillis provided the Board a brief summary of the SPR #20-18 request. Mrs. McGillis noted that no trees are to be removed, the pool and pool deck are proposed within the 3-ft height maximum per code, and a swale that meets code requirements will be placed near the lakefront. She also noted that the proposed setback of the home is 2.3-ft less than the average lakefront setback of the subdivision as established by City Commission guidelines. Although the variance is less, it follows the setback of homes along the re-platted neighborhood previously approved by the Planning & Zoning Board and will not block any views of existing neighbors.

Staff recommendation was for approval.

No one from the public wished to speak. The public hearing was closed.

**Motion made by Laura Turner, seconded by Richard James, for approval to construct a new two-story single-family home at 530 Country Club Drive on Lake Killarney.**

**Motion carried unanimously with a 7-0 vote.**

- SPR #20-14 Request of Lazarus Development Group, LLC for approval to construct a new two-story home at 520 Country Club Drive on Lake Killarney.

Mrs. McGillis provided a brief overview of the SPR #20-14 request to the Board. Mrs. McGillis explained that the request was initially denied at the Planning & Zoning Board Public Hearing on November 2, 2020 due to unresolved concerns brought up by David Robold, a neighboring homeowner at 518 Country Club Drive. After the hearing, the applicant and Mr. Robold had a meeting and the applicant offered various concessions to mitigate Mr. Robold's concerns, including moving the home an additional 5-ft toward the frontage of the lot. Staff confirmed that the applicant's plans comply with all zoning requirements.

Staff recommendation was for approval with the following conditions:

- That the applicant limits the height of their fence between the 85-foot setback and the lakefront to four (4) feet in height on the south side of their lot.
- That the applicant installs roof drains and underground pipes to convey the stormwater from their roof down to the stormwater swale at the lakefront.

The applicant's legal counsel, McGregor Love of Lowndes Law at 215 N. Eola Drive, Orlando, FL 32801 addressed the Board. Mr. Love noted that in September of 2018 the applicant and the neighboring homeowner, David Robold entered into a letter agreement. The agreement was drawn up by Mr. Robold and included his concerns about each individual lot being developed within Lake Killarney Shores. Per the agreement, the applicant agreed to various concessions to resolve the concerns of Mr. Robold. At the November 2, 2020 Planning & Zoning Board Public Hearing, Mr. Robold brought up new concerns regarding lot fill and drainage. Mr. Love explained that since the meeting the applicant has confirmed that no new fill was brought onto the lot, decreased the grade of the lot by 11 inches, agreed to limit the fence height between the home and the lake, and has agreed to install roof drains and underground pipes for drainage. Mr. Love also noted that the applicant has not received any response to various attempts to contact Mr. Robold.

The Board heard public comment from the following residents:

David Robold of 518 Country Club Drive, Winter Park, FL 32789 addressed the Board. Mr. Robold spoke on concerns regarding fill distortions, lake views, retaining walls, drainage, and swales and stated that the applicant made no attempt to contact him.

The prospective homeowner of 520 Country Club Drive, Jennifer Benedetti of 150 E. Robinson Street, Orlando, FL 32801 addressed the Board. Ms. Benedetti stated that she tried to communicate with the neighbor, Mr. Robold, but did not receive any response.

No one else from the public wished to speak. The public hearing was closed.

The applicant, Robert Lazarus with Lazarus Development Group, LLC at 607 Trumpet Place, Celebration, FL 34747 stated that multiple attempts to contact Mr. Robold were made by his representatives but no response was received. He also stated that the grade of the lot was not changed and that the retaining walls were pre-engineered and thus do not require rebar or footers.

The Board expressed disappointment with the lack of communication between both parties, but recognized that the applicant had complied with all requirements for the project.

**Motion made by Owen Beitsch, seconded by David Bornstein, for approval to construct a new two-story home at 520 Country Club Drive on Lake Killarney with the following conditions:**

- That the applicant limits the height of their fence between the 85-foot setback and the lakefront to four (4) feet in height on the south side of their lot.
- That the applicant installs roof drains and underground pipes to convey the stormwater from their roof down to the stormwater swale at the lakefront.

**Motion carried with a 6-1 vote. (In Favor: Owen Beitsch, David Bornstein, Richard James, Michael Spencer, Laura Turner, and Ross Johnston. Opposed: Jim Fitch.)**

- ANNEX #21-01; CPA #21-01; RZ #21-01; CU #21-01 Request of the Magruder Eye Institute to annex the properties at 279/283 Orange Terrace Drive; 450/460/470 Cambridge Blvd. and 2310 Devon Court; to amend the Comprehensive Plan and Official Zoning Map to establish Parking Lot future land use and Parking Lot (PL) zoning on those annexed properties and for Conditional Use approval to construct a two-story, 32,000 sq. ft. medical office building on these properties combined with 2245 W. Fairbanks Avenue.

Mr. Briggs provided the Board a brief overview of the request. Mr. Briggs noted that the request is for annexation of certain residential homes across the street from the existing building to create added parking spaces and establish a parking lot designation in the Comprehensive Plan and zoning code only allowing a surface parking lot. Mr. Briggs also noted the added aesthetics the project would provide

for the West Fairbanks Avenue corridor, the protections in place for the surrounding homeowners, the expected low traffic generation from the business, and the requirement of the project to have a right turn only out to Orange Terrace Drive.

Staff recommendation was for approval with the following conditions:

- That the applicant partner with the City to implement a landscape pedestrian safety zone along the Fairbanks Avenue frontage, provide a pedestrian easement for the sidewalk improvements to be implemented along the Fairbanks Avenue frontage and add some architectural styling to the east facing wall.
- That modifications be made to the driveway design to discourage traffic exiting onto Cambridge Blvd. heading south toward Wymore Road and open a driveway onto Orange Terrace Drive to facilitate exiting onto W. Fairbanks Avenue.

The Board inquired about the applicant's ownership of the homes being demolished for the project and possible salvaging of any of the signage on Fairbanks.

The applicant's legal counsel, Rebecca Wilson of Lowndes Law at 215 N. Eola Drive, Orlando, FL 32801 addressed the Board. Ms. Wilson noted that all of the curb cuts on Fairbanks will be eliminated and the applicant currently owns four of the homes being turned into parking area and two more homes are under contract.

The Board heard public comment from the following resident in favor of the request:

Glen Jaffee, 20 N. Orange Avenue, Orlando, FL.

The Board heard public comment from the following residents in opposition of the request:

Robert Maisel, 2323 Devon Court, Winter Park, FL; John Mitchell, 145 Killarney Drive, Winter Park, FL; Bill Voecks, 1820 Karolina Avenue, Winter Park, FL; John Mines, 1991 Killarney Drive, Winter Park, FL; Herman Thompson, 2348 Devon Court, Winter Park, FL; Linda Heeg, 440 Cambridge Boulevard, Winter Park, FL; and Bonnie Hansen, 400 Kilshore Lane, Winter Park, FL.

No one else from the public wished to speak. The public hearing was closed.

The Board further inquired about staff parking, traffic flow, cut through traffic, the perimeter wall, and the need for demolition of the home at 2310 Devon Court.

Ms. Wilson addressed the public and Board inquiries and noted that the applicant posted notice as required by the City, is purchasing the additional lots to address overflow parking, will have the ability to monitor employees, and will have security lighting and cameras installed for the project. Ms. Wilson also noted that perimeter walls built at other similar projects in Winter Park have not diminished any home values. She added that first floor parking in the building was considered, but to meet zoning codes it could not be done and, therefore, additional lots were needed to be purchased.

**Motion made by David Bornstein, seconded by Owen Beitsch, for approval to annex the properties at 279/283 Orange Terrace Drive; 450/460/470 Cambridge Blvd. and 2310 Devon Court; to amend the Comprehensive Plan and Official Zoning Map to establish Parking Lot future land use and Parking Lot (PL) zoning on those annexed properties and for Conditional Use approval to construct a two-story, 32,000 sq. ft. medical office building on these properties combined with 2245 W. Fairbanks Avenue with the following conditions:**

- **That the applicant partner with the City to implement a landscape pedestrian safety zone along the Fairbanks Avenue frontage, provide a pedestrian easement for the sidewalk improvements to be implemented along the Fairbanks Avenue frontage and add some architectural styling to the east facing wall.**
- **That modifications be made to the driveway design to discourage traffic exiting onto Cambridge Blvd. heading south toward Wymore Road and open a driveway onto Orange Terrace Drive to facilitate exiting onto W. Fairbanks Avenue.**

**Motion carried unanimously with a 7-0 vote.**

Chairman Johnston called for a recess at 7:46 p.m. and reconvened the meeting at 7:56 p.m.

- ZTA # 20-08 Request of the City of Winter Park for: An Ordinance amending Article III, Zoning of Chapter 58 of the Land Development Code providing regulations electric vehicle charging stations in multi-family and non-residential parking lots and parking garages.

Mr. Stenger provided the Board a brief summary of the ZTA #20-08 request. He noted that multiple meetings and work sessions were completed over the last two years with the City Commission and six different Boards, including the Planning and Zoning Board. After these meetings and work sessions were held, key revisions were made to the draft of the ordinance. Mr. Stenger noted that the following revisions were included:

- Removed single family/duplex residential readiness requirements.
- Modified multi-family residential readiness and installation requirements to conditional use.
- Required 1 charging station for every 20 required parking spaces for all non-residential properties.
- Required a ratio of 10% of total required parking spaces for all non-residential properties provide electrical capacity and buried raceway necessary to accommodate the future hardwire installation.
- Technical updates resulting from City Board, Commission, City Attorney, Staff and External Experts discussions.

Mr. Stenger provided a presentation of comparisons of the proposed ordinances with other similar ordinances for various cities within Florida and including Atlanta, GA.

No one from the public wished to speak. The public hearing was closed.

**Motion made by Laura Turner, seconded by David Bornstein, to approve an Ordinance amending Article III, Zoning of Chapter 58 of the Land Development Code providing regulations electric vehicle charging stations in multi-family and non-residential parking lots and parking garages.**

**Motion carried unanimously with a 7-0 vote.**

- CPA #21-02; RZ #21-02 Request to establish Commercial future land use and Commercial (C-3) zoning on seven lots annexed into the City at 2269/2267/2265/2263/6221/2259/2257 Kentucky Avenue.

**THIS ITEM HAS BEEN CONTINUED TO A FUTURE DATE. PLEASE CHECK [BOARD PUBLIC MEETINGS ON THE CITY OF WINTER PARK WEBSITE FOR FUTURE UPDATES.](#)**

- CPA #20-06; RZ #20-06; CU #20-07 Request of Winter Park Historic Hotels Group to vacate portions of Killarney Drive and Fairview Avenue, and in return, creating open space/park areas, amend the Comprehensive Plan Future Land Use policy text to add a new policy for this specific property, amend the Zoning Code Commercial (C-3) and Open Space Recreational (PR) text to provide for the allowances above for only this specific property, amend the Future Land Use/Zoning Map from Single Family (R-1A) and Office on 2.09 acres of this site to Commercial (C-3) and 0.88 acres to Open Space Recreational (PR), and Conditional Use approval for the specific hotel project of a 5-story, 132-room hotel with associated restaurant, ballroom/meeting space, and 235-space parking garage with one floor of underground parking.

Mr. Stephenson provided the Board a brief overview and history of the request. Mr. Stephenson explained that the main portion of the item was to rezone multiple properties to Commercial Zoning Code C-3, as well as a few properties that were formerly zoned R-1A houses to a parks and recs area. The rezoning would be for the construction of a 5-story, 132-room hotel with associated restaurant, ballroom/meeting space, and a 235-space parking garage with one floor of underground parking. Mr. Stephenson briefly overviewed the site plans with the Board and provided the history of the planned area, which currently includes the Hillstone Restaurant on Orlando Avenue. Mr. Stephenson noted that the vacated motel located on the corner of Fairview Avenue and 17-92 will be demolished as a part of the project requirements. He also noted that the building for the hotel will be set back from 17-92 and three homes were purchased to create a park area that will connect to open space to the side of the hotel. A portion of Fairview Avenue is proposed to be vacated for pedestrian traffic and crossing from the park area to the hotel. The onsite existing dock will be used for public views only. Mr.

Stephenson explained that the applicant proposed a new comp plan policy to be adopted to support the development requirements of the hotel with the following details:

- 44% Open Space which shall include walking/biking path;
- ISR 59%;
- FAR up to 0.99;
- Maximum height fifty-five feet (55') (with mansard/parapet roof up to 65')
- Up to four (4) architectural features seventy-three feet (73') in height;
- The building shall be seventy-five feet (75') setback from Lake Killarney at a height of only thirty-five feet (35'). Additional height must also meet the lakeside setback requirements in the City's Land Development Code;
- Public Use of Grove Avenue Park and associated parking spaces;
- The parking garage shall be concealed from view of single-family homes;
- Final traffic calming to be approved by City Commission at Conditional Use Permit; and
- Final architecture and massing to be approved by City Commission at Conditional Use Permit.

Staff recommendation was to require the following conditions if the request was to be approved:

- Without cost to the City, the property owner shall grant to the City for the benefit of the public, perpetual public access and recreational use easements for the Grove Avenue Park area (portion designated Open Space and Recreation FLU) and the open space /green area between Lake Killarney and the rear of the main hotel building, which includes the full portion of Lake Killarney Drive to be vacated at the developer's request. The easements must be in a form and with terms acceptable to the City Manager with counsel from the City Attorney. The easement for the Grove Avenue Park area shall include public rights of use of the park's associated vehicular parking spaces. The easement for the open space/green area between Lake Killarney and the hotel building will be non-exclusive and may retain to the hotel property owner certain rights of use that do not interfere with non-vehicular access by the public. The open space and public access easements required of the project must be executed and recorded prior to or simultaneously with the recording of the final plat and before any building permits are issued for vertical construction. The open space/park area improvements shown on the project plans shall be in place and ready for public use before any certificate of occupancy is issued for the hotel building. The property owner shall, at its cost, bear the full responsibility for the operation, maintenance and repair of the public access and use easement areas and the sod, landscaping and improvements thereon. Because the project is in part made up of the proposed vacated public right-of-way, staff recommends that this above described area should remain open for public recreational enjoyment.
- The dock be only for pedestrian access with no boat or other vessel slips or moorings allowed. There shall only be one dock not to exceed 600 square feet in size and such will not extend further than 25 feet into Lake Killarney. All existing docks shall be removed prior to issuance of a certificate of occupancy. Restaurant and/or bar service is prohibited on the dock.
- No watersports or watersports rentals be allowed.
- Recommend adding the following language to the Proposed New Policy 1-J-15: Except for the permitted uses of hotel and park/open space, the ancillary uses of a restaurant and meeting rooms for the hotel, and the customary principal structures and accessory structures (such as a parking garage, hardscaping, stormwater facilities and a pedestrian dock) for the permitted uses, all other uses and structures are prohibited on the property regardless of the permitted uses and conditional uses of the underlying future land use map and zoning designations for the property.
- The hotel provides shuttle service available for guests to reduce parking demand.
- Prior to issuance of building permits for any building(s) to be developed upon the property, a final plat (replat) of such property meeting the requirements of Chapter 177, Florida Statutes and Chapter 58 of the Winter Park Code of Ordinances shall be submitted by the property owner and approved by the City and recorded in the Orange County public records.

- The project shall be developed consistent with engineered drawings, elevations and architectural renderings submitted with the conditional use application and considered by the City Commission.
- Due to the age and historic nature of some of the structures proposed to be demolished, the applicant shall make available any home that would meet the City of Winter Park Historic Preservation criteria proposed to be demolished to any party, who at their own expense, may move the structure to a site where it can be restored. Any interested party shall make arrangements with the applicant for the removal of the structure within 60 days of approval of the project.
- The parking garage shall include at least two (2) EV charging spaces. The parking garage shall have at least 20% of the parking spaces wired for EV charging spaces.
- The developer/property owner will remove invasive species along the lake shoreline in front of its property and will replant with species appropriate for littoral zones. In addition, property owner/developer as part of an approved Landscape Plan will save the existing four Cypress trees along the lakefront and will add an additional four Bald Cypress.
- The exterior lighting shall use zero lot line lighting technology and directional lighting. The project shall use directional sound technology for all exterior speakers.
- In addition to meeting all federal, state, City and St. Johns Water Management District requirements for retention and treatment of stormwater, property owner/developer shall: (a) at property owner's/developer's expense, construct a baffle box in the stormwater utility line running under Beachview Avenue in order to treat the existing stormwater run-off from the City's streets into Lake Killarney; (b) after the City's acceptance of the baffle box construction described above, property owner/developer, at its sole cost and expense, remove the chain link fence in Lake Killarney which is currently located at the outfall of the stormwater utility line; and (c) enter into a Maintenance Schedule Agreement with City prior to issuance of certificate of occupancy to ensure the proper maintenance for the exfiltration system.
- The property owner/developer shall cause the cessation of the motel operation at 271 S. Orlando Avenue upon commencement of construction of the project. The property owner/developer will demolish or renovate the buildings at 271 S. Orlando Avenue within six (6) months of its receipt of Certificate of Occupancy for the Henderson Hotel main building.
- In accordance with Comprehensive Plan Future Land Use Policy 1-J-15, except for the hotel, open space and ancillary uses to the hotel stated herein, all other uses are prohibited on the property. There shall be a maximum of 132 Hotel Rooms. Ancillary uses of Ballroom/Meeting Space up to 7,500 square feet and Restaurant up to 220 seats.
- 235 vehicle parking spaces shall be provided between the sub-surface parking garage and the first floor drop off area. 30 vehicle parking spaces shall be installed in the Grove Avenue Park area.

The Board inquired about the Planning and Zoning Board's duties regarding the lakefront homes included in the project plans, other possible major modifications that could be made after the Planning and Zoning Board hearing, involvement of Lakes and Waterways for the request, and the background of the water filtration plans. Mr. Stephenson and City Attorney, Dan Langley addressed the Board inquiries.

Board disclosures were made noting that all Board members had received various emails and meeting invites from the public in opposition and in favor of the project. Mr. Bornstein, Mr. Beitsch, Mr. James, Mr. Spencer, Mr. Fitch, and Chairman Johnston individually participated in meetings with members of the public, including the Developer and applicant.

The applicant, Adam Wonus provided a brief presentation to the Board reviewing the details of the project. Mr. Wonus explained that the project will have a positive impact on the community by cleaning up a neglected area of Winter Park and creating a place for everyone to enjoy. Mr. Wonus introduced his team of representatives at the meeting, which included Tim Baker of Baker Barrios Architects, Inc., Mark Israel of Universal Engineering, Rebecca Wilson of Lowndes Law Firm, and Kimley-Horn & Associates. Mr. Wonus noted that the project would help solve existing challenges facing the Killarney Estates Neighborhood, including providing a permanent cure to cut-thru traffic, enhanced stormwater

filtration systems, shoreline restoration, elimination of lake access from the site, addition of a park with 24-hour security, and restoration of the blighted area along 17-92.

Tim Baker of Baker Barrios Architects, Inc. addressed the Board and briefly overviewed the project noting that it is an opportunity to restore the historic roots of the property as well as the essence of Winter Park. Mr. Baker elaborated on the Florida craftsmanship architecture chosen for the project and the design of the park area. He also provided detailed information on the building plans, lot scales, landscape plans, lighting plans, underground parking garage, lake views, sound mitigation, and use of the hotel.

Rebecca Wilson of Lowndes Law Firm addressed the Board with a brief presentation. Ms. Wilson elaborated on the requested amendments to the Comp Plan and zoning changes providing the Board a comparison of the requested changes to the current policies and code allowances.

Mr. Wonus closed the presentations to the Board with a brief history of the Henderson family, past Winter Park hotels, and the community outreach completed over the past four years. Mr. Wonus also noted that over 650 letters of support were received for the project.

The Board heard public comment from attorney Alison Yurko, at P.O. Box 2286, Winter Park, FL speaking in opposition of the request and on the behalf of the following citizens in opposition of the request:

Joyce Cunningham, 251 Rippling Lane, Winter Park, FL; Lou Blanchard, 255 Blossom Lane, Winter Park, FL; Sharon Huffman, 350 Ololu, Winter Park, FL; David Hunter, 2142 Lake Drive, Winter Park, FL; Kaye Voecks, 2096 Lake Drive, Winter Park, FL; and Danny Anderson, No Address Provided.

Ms. Yurko Addressed the Board and provided a brief presentation expressing concerns with the sufficiency of the application, the project area being considered blighted, the lawfulness of the proposed ordinance and its adherence to the Comp Plan, the compatibility of the C-3 zoning use with the residential community, and the underground parking garage.

The Board heard public comment from the following residents in favor of the request:

Joseph Linartas, 1310 Fairview Avenue, Winter Park, FL; Douglas Marks, 1500 Lake Knowles Circle, Winter Park, FL; Danny Williams, 233 West Park Avenue, Winter Park, FL; Sally Coyle, 452 N. Phelps Avenue, Winter Park, FL; Charles Brenner, 1828 Killarney Drive, Winter Park, FL; Danielle Payne, 1180 Woodmere Drive, Winter Park, FL; Kimberly Woodham, 1321 Fairview Avenue, Winter Park, FL; Sydney Rossman-Reich, 1279 Michigan Avenue, Winter Park, FL; David Sutphin, 350 Killarney Drive, Winter Park, FL; Israel Erazo-Cronk, 3664 N. Goldenrod Road #104, Winter Park, FL; Bob Moser, 911 N. Orange Avenue, Orlando, FL; Luke Wickham, 1760 Elizabeths Walk, Winter Park, FL; Alec Touris, 1025 Turner Road, Winter Park, FL; Michael Sheerin, 1750 Winchester Drive, Winter Park, FL; Tim Dwyer, 315 East New England Avenue Ste. 20, Winter Park, FL; Matthew Certo, 1649 Magnolia Avenue, Winter Park, FL; Jason Schallor, 544 N. Knowles Avenue #530, Winter Park, FL; Kristy Walson, 255 South Orange Avenue Ste. 1600, Orlando, FL; Doug Foreman, 245 Rippling Lane, Winter Park, FL; Scott Bunkers, 227 S. Orlando Avenue, Winter Park, FL; Joe Schuemann, 1150 S. Orlando Avenue, Winter Park, FL; Damien Madsen, 1140 S. Orlando Avenue, Winter Park, FL; Nick Leason, 1428 Auburn Green Loop, Winter Park, FL; Christopher Wideman, 1551 Harris Circle, Winter Park, FL; Betsy Gardner Eckbert, 151 W. Lyman Avenue, Winter Park, FL; Randolph Pena, 2088 Lake Drive, Winter Park, FL; Kenneth Polsinelli, 1701 Spruce Avenue, Winter Park, FL; Mark Israel, 728 Kiwi Circle, Winter Park, FL; Ryan Rhyce, 440 Shoreview Avenue, Winter Park, FL; Clayton Ferrara, 1808 Hamilin Avenue, Winter Park, FL; Howard Tooley, 1317 Dallas Avenue, Winter Park, FL; and Calvin Hare, 2072 Lake Drive, Winter Park, FL.

The Board heard public comment from the following residents in opposition of the request:

Connie Brashear, 1644 Rutledge Road, Longwood, FL; Jeanne Wall, 2110 Lake Drive, Winter Park, FL; Leon Huffman, 350 Ololu, Winter Park, FL; Karen Voecks, 2096 Lake Drive, Winter Park, FL; Bill Voecks, 2096 Lake Drive, Winter Park, FL; John Mitchell, 145 Killarney Drive, Winter Park, FL; Sara Dickerson, 1300 Fairview Avenue, Winter Park, FL; Dave Dickerson, 1300 Fairview Avenue, Winter Park, FL; David Dickerson, 1300 Fairview Avenue, Winter Park, FL; Jim Cunningham, 251 Rippling Lane, Winter Park, FL; Kim Anderson, 2150 Lake Drive, Winter Park, FL; Glenn Viers, 3539 Northside Parkway, Atlanta,

GA; Mary Black, No Address Provided; Beth Hall, 516 Sylvan Drive, Winter Park, FL; and Matthew Minear, 451 Broadview Avenue, Winter Park, FL.

The following citizens, all in favor of the request, registered to speak but were not present at the time of public comment:

Alexander Rey, 1636 Elizabeths Walk, Winter Park, FL; John Zeledon, 2240 Venetian Way, Winter Park, FL; Michael Brownlee, 2026 Fosgate Drive, Winter Park, FL; Scott Manghillis, 1521 Harmon Avenue, Winter Park, FL; and Tucker Byrd, 180 Park Avenue, Winter Park, FL.

No one else from the public wished to speak. The public hearing was closed.

Chairman Johnston called for a recess at 12:09 a.m. on January 6, 2021 and reconvened the meeting at 12:15 a.m.

Ms. Wilson briefly addressed the Board and responded to claims that notice was not properly provided. Ms. Wilson elaborated on the City-wide, newspaper, and property posted notices that were completed for the application and subsequent public hearings.

Further discussion ensued between Ms. Wilson and the Board regarding concerns related to Geotech and the underground parking garage, possible changes to construction plans, the C-3 zoning, and the 6 months after certificate of occupancy stipulation for the tear down of the existing motel. Ms. Wilson noted that a Geotech report was completed and received on December 23, 2020 and it concluded that temporary dewatering, basement excavation and construction of the hotel will not increase the risk of ground subsidence within or adjacent to the subject site. She also agreed to have the existing motel torn down prior to the certificate of occupancy.

The Board briefly shared their individual comments on the project and their reasons for their decisions on its approval or denial.

**Motion made by Laura Turner, seconded by David Bornstein, to approve the request to vacate portions of Killarney Drive and Fairview Avenue, and in return, creating open space/park areas, amend the Comprehensive Plan Future Land Use policy text to add a new policy for this specific property, amend the Zoning Code Commercial (C-3) and Open Space Recreational (PR) text to provide for the allowances above for only this specific property, amend the Future Land Use/Zoning Map from Single Family (R-1A) and Office on 2.09 acres of this site to Commercial (C-3) and 0.88 acres to Open Space Recreational (PR), and Conditional Use approval for the specific hotel project of a 5-story, 132-room hotel with associated restaurant, ballroom/meeting space, and 235-space parking garage with one floor of underground parking with all of the staff recommended conditions and including the modification that the certificate of occupancy (CO) for the hotel building will not be released until the demolition of the building at 271 South Orange Avenue.**

**Motion carried with a 4-3 vote. (In Favor: Owen Beitsch, David Bornstein, Laura Turner, and Ross Johnston. Opposed: Richard James, Jim Fitch, and Michael Spencer.)**

#### **4. New Business:**

No new business.

#### **5. Planning Director's Report:**

No planning report.

#### **6. Board Update & Comments:**

No Board updates or comments.

## 7. Upcoming Meeting Schedule:

The next regular meeting will be held on February 2, 2021 and the next work session will be on January 26, 2021.

### Adjourn

Meeting adjourned at 12:48 a.m. on January 6, 2021.

Respectfully Submitted,

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Mary Bush

Recording Secretary

Approved by Board on February 2, 2021.