



Planning & Zoning Board Regular Meeting Minutes

November 7, 2023 at 6:00 PM

City Hall Commission Chambers
401 S. Park Avenue

Present

Michael Spencer, Warren Lindsey, Vashon Sarkisian, Melissa Vickers, Jim Fitch. Also Present: City Attorney Dan Langley. Staff: Director Emeritus of Planning & Zoning Jeff Briggs; Senior Planner & Zoning Official John Harbilas; Planner I Corinna Lundgren; and Recording Secretary Mary Bush.

Absent

Alex Stringfellow and David Bornstein.

1. Call to Order

Vice-Chair Michael Spencer called the meeting to order at 6:00 p.m.

2. Consent Agenda

- a. Approve the minutes of October 3, 2023.

Motion made by Warren Lindsey, seconded by Vashon Sarkisian to approve the October 3, 2023 meeting minutes.

The motion carried unanimously by a 4-0 vote. (Mr. Fitch was not present for the approval of the minutes. David Bronstein and Alex Stringfellow were not present for the meeting.)

3. Public Comments (for items not on the agenda): Three minutes allowed for each speaker

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

4. Public Hearings (Public participation and comment on these matters must be in person.)

- a. Request of the City of Winter Park for an Ordinance of the City of Winter Park, Florida amending Chapter 58, "Land Development Code", Article III, "Zoning" Section 58-84 "General provisions for non-residential zoning districts", to provide definitions and submittal and reporting requirements and other provisions for certification and implementation of development pursuant to the Live Local Act of Florida Statutes.

Mr. Briggs provided the Board with a brief summary of the request. He briefly explained the Live Local Act. He then noted that in regards to the Act, a problem for the City is the overrides in the State law that take precedent over anything in the Land Development Code when at least 40% of the residential units in a project are deemed affordable. He explained that because of the overrides, the City cannot require a zoning or land use change, special exception, conditional use or comprehensive plan amendment for the building height, zoning, and densities for projects under the Act. He added that the density of the projects cannot be restricted below the highest density allowed on any land within the City where residential development is allowed. He also noted that the Live Local Act applies to any commercial or industrial zoned property. He then added that the City cannot require any proof that the Act is being complied with prior to, during, and after the building of a development. Mr. Briggs explained that the proposed ordinance would provide definitions for terms not defined in State Statutes, a list of submissions for certification of conformance under the Live Local Act, reporting requirements for projects as to conformance with the Live Local Act, and for penalties for non-compliance.

The staff recommendation was for approval.

The Board inquired about the following:

- whether the stated 40% is by square footage or by the number of units,
- if a proposed property can be split up into different parcels or has to be owned by one entity,
- if the sanction for non-compliance is a fine or can be completely revoked,
- and if a fine would be against all or a portion of a property if imposed.

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

Motion made by Melissa Vickers, seconded by Jim Fitch, for approval of an Ordinance of the City of Winter Park, Florida amending Chapter 58, "Land Development Code", Article III, "Zoning" Section 58-84 "General provisions for non-residential zoning districts", to provide definitions and submittal and reporting requirements and other provisions for certification and implementation of development pursuant to the Live Local Act of Florida Statutes.

The motion carried unanimously by a 5-0 vote. (David Bornstein and Alex Stringfellow were not present for the meeting.)

- b. SUB# 23-02 Request of Robert Lazarus, on behalf of the property owner Thomas Family Trust, for: Subdivision approval to split the property at 627 Country Club Drive, into two (2) residential lots

for single-family homes.

Mr. Harbilas provided the Board with a brief summary of the request. He presented area and aerial maps of the property. He noted that the property backs up on three sides to office buildings and there is one residential lot to the southeast that the property shares a boundary with. He also noted that all of the surrounding lots meet code requirements and are similar to what the applicant is proposing to do. He explained that the applicant intended for the property to be split into two lots for two single family homes. Mr. Harbilas then presented and discussed the applicant's proposed elevations for the request. He indicated that the project meets all the setback and zoning requirements for R-2 zoning.

The staff recommendation was for approval.

The Board asked if there had been any issues raised by the neighboring property owners and if the two lots adjacent to the property were vacant.

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

Motion made by Warren Lindsey, seconded by Melissa Vickers, for Subdivision approval to split the property at 627 Country Club Drive, into two (2) residential lots for single-family homes.

The motion carried unanimously by a 5-0 vote. (David Bornstein and Alex Stringfellow were not present for the meeting.)

5. Action Items

6. Non-Action Items

7. Staff Updates

Mr. Briggs discussed a few updates with the Board. He noted that the Comprehensive Plan update was approved with minor revisions by the City Commission at its first reading in October and was then submitted to the State for review and approval. He added that the Comprehensive Plan item will go back to the City Commission for a second reading in January. He then went on to note that the City Commission heard the Metro Winter Park, LLC request regarding the Patmos Chapel at their October 25, 2023 meeting and tabled it until their next meeting scheduled for November 8, 2023. Mr. Briggs then informed the Board that the citywide notice had been mailed out for a Rollins College Residency Hall request and would be on the next Planning & Zoning Board meeting agenda for December 5, 2023. He indicated that Rollins College's oldest dorm is the Holt dorm on Aloma Avenue, which is where the redevelopment site for the proposed additional 300 bedroom Residency Hall building would be located. He added that Rollins College has a second request involving a proposed faculty apartment building planned to go before the Planning & Zoning Board on January 9, 2023.

8. Board Comments

9. Upcoming Agenda Items

10. Adjournment

The meeting adjourned at 6:28 p.m.

Minutes approved by the Board on December 5, 2023.

ATTEST:

/s/ Mary Bush, Recording Secretary