



Planning & Zoning Board Work Session Minutes

January 30, 2024 at 12:00 PM

City Hall Commission Chambers
401 S. Park Avenue

Present

David Bornstein, Alex Stringfellow, Vashon Sarkisian, Warren Lindsey, Michael Spencer, Jim Fitch

Absent

Melissa Vickers

Staff Present

City Attorney Dan Langley, Director of Planning & Zoning Allison McGillis, Planning Consultant Jeff Briggs, Senior Planner/Zoning Official John Harbilas, Planner Nicholas Lewis, Planner Corinna Lundgren, Administrative Coordinator Mary Bush

1. Meeting Called to Order

Chairman David Bornstein called the meeting to order at 12:01 p.m.

2. Discussion Item (s)

a. Discuss upcoming agenda items:

- 221 Holt Avenue – Conditional Use for bed and breakfast
- 610 W Morse Blvd – Conditional Use for a 170-seat restaurant (former location of The Coop)
- 1100 Orange Avenue – Conditional Use for 3-story, 29,500 square foot office building in the OAO

Mr. Lewis provided a brief summary of the upcoming agenda item for a lakefront site plan at 2430 Venetian Way. He noted that the applicant had provided a cost assessment to the City's Building Department that showed their valuation at less than 50% of the valuation of the structure as a whole. He explained that when that is the case, by right the applicant is allowed to keep any non-conforming setbacks, which in this case would be a current seven and a half foot side setback and a 45-foot canal front setback. He noted that staff was working with the applicant to determine the correct existing and proposed floor-area-ratio (FAR) calculations for the project. Mr. Lewis then reviewed what code allows, what exists on the property, and what was proposed for the project, including the impervious lot coverage and setbacks. He went

on to review photos of the existing home, noting that the applicant had already started construction on the home and lot. He explained that the applicant had started the construction without going through the permitting process and obtaining the Planning & Zoning Board's approval, so the City's Building Department issued a stop work order. He then indicated that the neighbor to the north of the property expressed no issue with the applicant's request but asked that the existing eight-foot Podocarpus hedge along the northern lot line not be extended beyond its existing location, so their canal view would not be blocked. He also indicated that staff would be proposing a condition for the Podocarpus hedge as well as a condition that the stormwater swales in the rear yard be moved away from two oak trees and also rounded into a more natural shape and grade.

The Board inquired about the location of the canal frontage, if the property is on a sewer or septic system, if there had ever been any flooding issues with the canal, the allowed setbacks on the canal frontage, if any neighbors had expressed concerns with the project, how it was determined that the applicant had started construction without a permit, and if staff double-checks the applicant's calculations when they are close to the maximum allowed. The Board indicated that they would like to know the setbacks for the adjacent houses and see what their views are of the canal frontage.

Mr. Briggs then provided a brief summary of the upcoming agenda item for a Conditional Use for a bed and breakfast at 221 Holt Avenue. He noted that the six unit condominium had previously been illegally converted into Airbnb vacation rentals but the applicant now wants to comply with a legal use since they must go before the City's Code Enforcement Board. He added that the applicant wanted to turn each individual unit into a separate bed and breakfast. He then indicated that the item would be withdrawn from the upcoming agenda so issues with the request can be worked out.

Mr. Harbilas continued discussion and provided a brief summary of the upcoming agenda item for a Conditional Use for a 170-seat restaurant at 610 W. Morse Boulevard. He noted that the property housed a restaurant called The Coop that closed down in July of last year. He explained that the applicant wanted to place another restaurant at the location but because more than six months had passed since the closing of The Coop, per code the applicant would have to apply for a new Conditional Use. He then indicated that the applicant had secured a lease for extra parking across the street and that they would only be renovating the existing building.

Mrs. McGillis then discussed the upcoming agenda item for a Conditional Use for an office building in the Orange Avenue Overlay District (OAO) at 1100 Orange Avenue. She noted that the Board would need to decide whether or not vacate a greenspace easement located at the southern tip of the property and to approve the applicant's commercial use request. She then provided some history of the property, noting that in 2008, Florida Power owned the property, which is in Subarea I and the City owned adjacent property in Subarea C, which is currently under construction to become a park called Seven Oaks Park. She explained that Florida Power eventually sold the property

to a company called Progress Point, LLC and that company wanted to develop it into a mixed use project that spanned Subarea I and Subarea C. That never happened, time passed and then Progress Point sold the portion of the property in Subarea I to American Momentum Bank. During this sale Progress Point, LLC secured a greenspace easement for the Subarea C portion of the property located at the southern tip of the lot. The easement specifies that there cannot be any buildings or paved areas in the easement area. When Progress Point, LLC resold the property to the applicant, McCraney Property Company, the greenspace easement went back under the ownership of the City. So, for the applicant to move forward with their project they would need to have the greenspace vacated. She further explained that the applicant wanted to move forward with their request to vacate the greenspace easement and had not given any indication that they were willing to compromise on the request. Mrs. McGillis expressed that during the Orange Avenue Overlay process, transportation studies were completed for the corridor that indicated a roundabout would make the intersection located at the southern tip of the lot function better. She added that in order to do so the City would need to use about 31 to 35 feet of width from the tip of the greenspace easement area. She indicated that the applicant did not want to consider a compromise or tradeoff for the needed area. She then went on to discuss the conditional use portion of the request noting that the project met all requirements for floor-area-ratio, setbacks, parking, stormwater, and meaningful open space. She also noted that staff was recommending that a few proposed parking spaces be eliminated to save two particular oak trees on the property. Mrs. McGillis then discussed four architectural waivers the applicant was requesting that had been recently reviewed and approved with recommendations by the Orange Avenue Overlay Appearance Review Advisory Board. She indicated that the waivers were in regard to the third floor step back, the third floor overhang, articulation, and the screen wall height. She then discussed the recommendations that were made. One recommendation being that the applicant carry some of the wood features that the building has underneath the roof overhang onto the building awnings, the main glass feature, and a few other areas throughout the building. Another recommendation being that the applicant provide oak trees rather than palm trees at the prominent corner of Minnesota Avenue and Denning Avenue to keep with the character of Winter Park.

Discussion then ensued with the Board about the reason the applicant does not want to compromise on the greenspace easement, how much square footage the applicant would have to give up for the City's roundabout, clarification of the front and side setbacks, the overhang encroachment into the setback, the architectural details of the building, on street parking, if the applicant would be leasing any part of the building, the proposed stormwater exfiltration system, if the meaningful open space being proposed will actually serve the public, the proposed entrances to the project, parking proposed for the Seven Oaks Park, and clarification of the details regarding the roundabout for the corridor.

3. Adjournment

The meeting adjourned at 12:52 p.m.

ATTEST:

/s/ Mary Bush, Recording Secretary