



Planning and Zoning Board Minutes

December 7, 2021 at 06:00 p.m.

Hybrid Meeting
401 S. Park Avenue | In-Person and Virtual | Winter Park, Florida

Call to Order

Chairman Richard James called the meeting to order at 5:59 p.m. Present: Jim Fitch, Richard James, Melissa Vickers, David Bornstein, Vashon Sarkisian, Michael Spencer and Alex Stringfellow. Also Present: City Attorney Dan Langley. Staff: Director of Planning and Transportation Bronce Stephenson, Principal Planner Jeff Briggs, Senior Planner John Harbilas, Planner I Nicholas Lewis, Planning Specialist Aaron Hull, Transportation Manager Sarah Walter, and Recording Secretary Mary Bush.

Consent Agenda

Motion made by David Bornstein, seconded by Michael Spencer to approve the November 2, 2021 meeting minutes.

Motion carried unanimously with a 6-0 vote. (Jim Fitch was not present for the approval of the minutes.)

Staff Updates

No staff updates.

Public Comments (for items not on Agenda)

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

Non-Action Items

No non-action items.

Action Items

No action items.

Public Hearings

- SPR #21-13 Request of Charles Clayton on behalf of the owner, Kris Rivers, for approval of the remodel of the existing home at 5 Isle of Sicily on Lake Maitland, zoned R-1AAA, including the addition of a new exercise room which requires a variance to move the required first-floor side yard setback of 26 feet to the requested 22 feet.

Mr. Lewis provided a brief summary of the request. He presented to the Board aerial views of the project. He discussed the allowed and proposed Floor Area Ratio (FAR) requirement noting the proposed FAR is calculated at 34.24%. Mr. Lewis noted that there was no change in the impervious lot coverage and all setbacks will remain the same except for the east side setback. He presented the proposed floor plan showing an extension to the home, which is the addition of an exercise room. Mr. Lewis continued on to discuss the lakefront review criteria and how it applies to the project. He made mention that no trees would be negatively impacted, the view from the neighbors would be de minimis, stormwater will not be a concern since it will already be on impervious area, views from the lake will not be affected, and there would be no stem or retaining wall component. Mr. Lewis then presented and discussed elevations of the proposed home and photos of the existing home, noting that the exercise room would be placed near the concrete wall and landscape buffer located alongside the home.

Staff recommendation was for approval.

Mr. Fitch inquired about any objections received from the neighbors of the property. None were received.

The applicant's architect, Charles Clayton of Charles Clayton Construction, Inc. addressed the Board. He noted that the applicant had initially wanted to tear down the home but he recommended that they keep the original home. He was attending the meeting to answer any questions.

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

Motion made by Michael Spencer, seconded by Alex Stringfellow, for approval of the remodel of the existing home at 5 Isle of Sicily on Lake Maitland, zoned R-1AAA, including the addition of a new exercise room which requires a variance to move the required first-floor side yard setback of 26 feet to the requested 22 feet.

Motion carried unanimously with a 7-0 vote.

- ANNEX #21-03; CPA 21-08; RZ 21-06: Request of the RSRW Properties LLC: to Annex the Property at 1471 Harmon Avenue to establish Low Density Residential (R-2) Future Land Use and Zoning in order to build up to a two-family dwelling.

Mr. Harbilas provided the Board a brief summary of the request. He spoke on the general location of the property, noting that it is currently in unincorporated Orange County. He explained that the applicant desired to annex the property into the City of Winter Park and part of the annexation process is to place the required associated Comprehensive Plan Future Land Use and zoning under the City's designations. The applicant requested R-2 designation and zoning. Mr. Harbilas then presented and discussed an aerial view of the project showing the existing single-family home on the lot. He noted that the conceptual plan is to redevelop the site, although no site plan has been created yet.

Staff recommendation was for approval.

Mr. Stringfellow inquired about what is hypothetically possible to be placed on the property. Mr. Harbilas advised that up to two units such as a duplex can be permitted under the requested R-2 zoning.

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

Motion made by Jim Fitch, seconded by Alex Stringfellow, for approval to Annex the Property at 1471 Harmon Avenue to establish Low Density Residential (R-2) Future Land Use and Zoning in order to build up to a two-family dwelling.

Motion carried unanimously with a 7-0 vote.

- Request of Winter Park Christian Church for: Conditional Use approval to build a new replacement church facility on the 1.25 acres of the Lakemont frontage at 740/760 N. Lakemont Avenue, Zoned R-1A. Request of Creative Neighbors LLC to: amend the Comprehensive Plan Future Land Use Element Text and Future Land Use Map; to amend the Zoning Map to change from single family (R-1A) zoning to Planned Unit Residential District (PURD) zoning; for approval of the preliminary concept plan and the comprehensive development plan of the Planned Unit Residential District zoning and to provide subdivision plat approval to divide the east/rear 5.25 acres of 740/760 N. Lakemont Avenue to provide for 13 single family home lots and 12 townhouse lots, common area park and retention tracts along with the dedication of required public streets and easements.

Mr. Briggs provided the Board a brief summary of the request. He noted that the request included two parts; first, to rebuild a new church, sanctuary, and other facilities on the 1.25 acres of the property frontage along N. Lakemont Avenue and second, to redevelop the rear 5.25 acres into 13 single-family homes and 12 townhomes under Planned Unit Residential District (PURD) zoning. Mr. Briggs presented the Board an aerial view of the property and gave a brief history of the church and facilities, noting that they dated back to the 1950's and needed upgrades and modernizations. He also noted that the applicant desired to replace the main facility with a new church and to finance the replacement by selling acreage to Creative Neighbors, LLC to complete the residential development. Mr. Briggs continued on to discuss the conditional use zoning of the church, the site plan and conceptual layout, and parking. He added that the church plans overall meet code.

Mr. Briggs continued the discussion by moving on to the layout of the residential development, the new publicly dedicated street system to be added, the infrastructure for the single-family homes and townhomes, and the stormwater plan for runoff. He noted that the applicant is asking to use the PURD zoning to complete the mix of single-family homes and townhomes. He also noted that there is more than an acre of common area park that is open to the public and a buffer area that runs around the perimeter of the site, which meets the necessary open space requirements and preserves the major trees that currently exist along the property line. Mr. Briggs

explained that the land is designated institutional in the Comprehensive Plan due to the current church use and must be changed to single-family residential to accommodate the single-family homes and townhomes. He added that the project will be subject to a subdivision plat. Mr. Briggs went on to discuss the advantages of using a PURD and provided existing examples. He noted that the church, through deed restriction, will be giving up their ability to build anything larger than what currently exists to match the 43% FAR that applies to single-family residential. He also noted that staff recommended postponement of the next step of the PURD process, which is to have the Board review the applicant's comprehensive development plan, to a future public hearing.

Staff recommendation was for approval with postponement of the comprehensive development plan review.

Discussion ensued with the Board regarding the following:

- the size of the right-of-way for the streets,
- the purpose of the perimeter,
- ownership of the perimeter,
- on site provision of stormwater,
- the current traffic load on Lakemont Avenue and its capacity for the newly generated traffic,
- the Board's review of the Articles of Incorporation for the HOA,
- responsibility for utility development,
- consideration for traffic going south on Lakemont Avenue and turning left into the property,
- approval of the plans by the City's police and fire departments,
- fencing of the property's boundaries,
- contingency of the conceptual plan upon receiving variances not yet requested,
- and the requirement of sidewalks on both sides of the streets.

The applicant, Michael Halpin introduced a speaker on his behalf, Kenneth Marchman who attends the existing church. Mr. Marchman of 1641 Palm Avenue, Winter Park, FL 32789 addressed the Board. He discussed how the idea for the project came about and expressed that it would be a shame not to have a church at that location. He indicated that the church wanted the project to move forward and become something everyone can be proud of.

The applicant, Michael Halpin of 1620 Pine Avenue, Winter Park, FL 32789 addressed the Board. He spoke on the reasons he and his wife, Heidi Halpin chose to go with the PURD option. He also addressed the concerns brought up regarding the 20-ft perimeter buffer, possible fencing, their prior outreach to surrounding neighbors, drainage, traffic, retention exfiltration, and adding greenspace. Mr. Halpin expressed that the project would be an ideal scenario as a transition from the institutional use of the church to the townhomes to the single-family homes and to the park on the property.

Discussion ensued with the Board regarding the following:

- the valley to be located in the perimeter buffer,
- the walkability of the perimeter buffer,
- and the perimeter fencing.

The Board heard public comment from the following residents:

Meredith Murphy of 1770 Windsor Drive, Winter Park, FL 32789 addressed the Board. Ms. Murphy spoke on concerns regarding adding sidewalks, repairing streets, adding curbs, and adding traffic bumps throughout her neighborhood across N. Lakemont Avenue from this development site.

Cynthia Edmonds of 1721 Windsor Drive, Winter Park, FL 32789 addressed the Board. Ms. Edmonds spoke on concerns regarding the residential redevelopment, density, increased traffic, cut through traffic, and safety.

Terry Bryant of 1831 Windsor Drive, Winter Park, FL 32789 addressed the Board. Ms. Bryant spoke on concerns regarding the PURD zoning, the future of the elementary school, walkability, and the possible effects to taxation.

Beth Hall of 516 Sylvan Drive, Winter Park, FL 32789 addressed the Board. Ms. Hall spoke on concerns regarding sufficient parking for future increased church membership, the request being divided into multiple segments, parking on grass, stormwater adequacy, the project's proximity to the neighborhood school, possible effects on before and after school drive times, the church remaining a polling location, the ability of homeowners to remove and replace trees with significantly smaller trees, fencing, and the proximity of the project to the annexed eastern part of Palmer Avenue still on septic.

Erich Scherer of 800 N. Lakemont Avenue, Winter Park, FL 32789 addressed the Board. Mr. Scherer spoke on concerns regarding density and traffic. He expressed that he would like to see the townhomes changed to single-family homes.

Patrick Larue of 800 N. Lakemont Avenue, Winter Park, FL 32789 addressed the Board. Mr. Larue spoke on concerns regarding traffic, safety, school zone speeding, and increased density.

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

Mr. Halpin addressed the public comments and spoke on the prior outreach to the surrounding homes, meeting the density requirements, continuing the voting polls at the church, parking, and the reason for the design of the townhomes.

Discussion ensued with the Board regarding the following:

- the elevation of the frontage of the church,
- the type of retention along Lakemont Avenue,
- the possibility of a retaining wall on the pond to the east of the church,
- and written communication and feedback from neighbors.

Mr. Stephenson addressed the Board and spoke on the traffic concerns. He noted that there was an initial driveway location plan that would have created a slight offset of Lakemont Avenue so the driveway was moved mid-way between Windsor Drive and Taylor Avenue. Mr. Stephenson added that this location is the best placement to avoid conflict points and the vehicle trips would be minimal.

Discussion continued with the Board regarding the following:

- updates to the initial traffic study for the project,
- clarification on applicant's statement regarding the number of townhomes in relation to the number of single-family homes,
- the possibility of cutting down all the existing trees,
- and the possibility of placing a restriction in the HOA covenants to protect the trees.

Chairman James called for a recess at 7:45 p.m. and reconvened the meeting at 7:56 p.m.

The Board discussed comments and questions regarding traffic issues, school cut through traffic, and the City's neighborhood improvement program. The Board expressed divided favor and opposition for the request, with those in favor noting it to be a reasonable plan and asset to the community and those in opposition noting that the combination of requests from the church and the residential development and possible traffic issues were not favored. Mr. Fitch noted that he did not have confidence that Staff has a handle on the overall traffic situation at the Winter Park Christian Church.

Vice Chair Bornstein disclosed that he resides in the same neighborhood and is friends with the applicant. He also disclosed that he met with the applicant months ago for an informational review of the initial plans.

Motion made by Alex Stringfellow, seconded by Michael Spencer, for approval of the Conditional Use by the Winter Park Christian Church and Approval of Creative Neighbors LLC for amending the Comprehensive Plan map and text as presented, amending the zoning map as presented, subdivision plat approval as presented and the preliminary concept plan but postponement of the request for approval of the comprehensive development plan for the PURD development to be reviewed at a future public hearing.

Motion carried with a 5-2 vote. (In Favor: Vashon Sarkisian, Michael Spencer, Alex Stringfellow, David Bornstein, Richard James. Opposed: Jim Fitch and Melissa Vickers.)

Board Comments

No Board comments.

Adjournment

Meeting adjourned at 8:18 p.m.

/s/ Mary Bush.

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Approved by Board on January 4, 2022.