Planning & Zoning Board Regular Meeting Minutes

September 6, 2022 at 6:00 p.m.

City Hall | Commission Chambers
401 S. Park Ave. | Winter Park, Florida

Present

Present: Richard James, Melissa Vickers, David Bornstein, Vashon Sarkisian, Michael Spencer, Jim Fitch, and Alex Stringfellow. Also Present: City Attorney Dan Langley. Staff: Director of Planning and Transportation Jeff Briggs, Senior Planner & Zoning Official John Harbilas, Planner I Nicholas Lewis, Planning Technician Aaron Hull, and Recording Secretary Mary Bush.

(1) Call to Order

Chairman Richard James called the meeting to order at 5:59 p.m.

(2) Consent Agenda

Approval of Minutes:

Motion made by Alex Stringfellow, seconded by Jim Fitch to approve the July 5, 2022 meeting minutes.

Motion carried unanimously with a 7-0 vote.

(3) Staff Updates

Mr. Briggs noted that the Board will have a joint work session with the City Commission on September 15, 2022 regarding stormwater regulations.

(4) Public Comments (for items not on Agenda)

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

(5) Non-Action Items

No non-action items.

(6) Action Items

No action items.

(7) Public Hearings

- SPR #22-11. Request of Michael John & Rita G Barko for approval to construct a new, one-story, 2,562 sq. ft., single-family home located at 2064 Lake Drive on Lake Killarney, zoned R-1A.

Mr. Hull provided the Board a brief summary of the request. He presented to the Board an area map and aerial of the property. He mentioned an existing shared driveway easement the applicant has with two neighbors to the north of the property. He then reviewed the building standards; speaking on the impervious lot coverage, Floor Area Ratio (FAR), and lakeside setback. Mr. Hull then presented a survey showing the trees that the applicant proposed to remove, which have already been approved by the City's Urban Forestry department. He went on to discuss the views from the lake, noting that the property is relatively flat and no views would be blocked. He added that the City had not received any comments from any neighboring property regarding the request. He also noted that the applicant proposed two swales to help convey stormwater.

Staff recommendation was for approval.

Mr. Fitch asked if there were any variances required, if the applicant would have to tear down the existing house, and if there had been any comments received from neighbors of the property. Mr. Hull addressed Mr. Fitch's questions noting that no variances were requested and the existing house would be torn down.

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

Motion made by Jim Fitch, seconded by David Bornstein, for approval to construct a new, one-story, 2,562 sq. ft., single-family home located at 2064 Lake Drive on Lake Killarney, zoned R-1A.

Motion carried unanimously with a 7-0 vote.

- SPR #22-12. Request of Andy Sturup of M. Lahr Homes on behalf of the homeowners David and Julia McKillen to construct a new, two-story, 4,709 square-foot, single-family home located at 1747 Barcelona Way on Lake Sue, zoned R-1AAA.

Mr. Lewis provided the Board a brief summary of the request. He presented to the Board an area map and aerial of the property. He noted that the lot is vacant, the request is well under the FAR and impervious lot coverage requirements, and the lake front setback is 80 feet which meets the average. He also noted that the proposed house would meet front and side setback requirements and the applicant was not requesting any variances. Mr. Lewis then presented the proposed site plan and elevations for the property noting that there were no issues with the views from the lake. He added that the neighbors to the east and west of the property were fully in favor of the applicant's plans. He then discussed the applicant's grading and tree plan, noting that the applicant was proposing to remove certain trees on the property including a 24-inch caliper cypress tree. Mr. Lewis explained that staff assessed the property and determined that the cypress tree covers a huge section of the side yard. This hinders building on the required 14 foot side setback, so tree mitigation was recommended. In addition to the tree mitigation, staff recommended shrinking the proposed swales and modifying the driveway location to protect an adjacent oak tree as conditions of approval.

Staff recommendation was for approval with the following conditions:

- That the required stormwater retention areas be reduced on order to provide a 30-foot setback to any preserved tree within the rear portion of the lot; and
- That the driveway be modified to provide at least a 15-foot setback to the young 10-inch oak within the front of the lot that is being preserved.

Ms. Sarkisian inquired about the reason for removing the trees located on the property line to which Mr. Lewis replied that they were determined by the Urban Forestry department to not be in good condition.

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

Motion made by David Bornstein, seconded by Alex Stringfellow, for approval to construct a new, two-story, 4,709 square-foot, single-family home located at 1747 Barcelona Way on Lake Sue, zoned R-1AAA with the following conditions:

- **That the required stormwater retention areas be reduced on order to provide a 30-foot setback to any preserved tree within the rear portion of the lot; and**
- **That the driveway be modified to provide at least a 15-foot setback to the young 10-inch oak within the front of the lot that is being preserved.**

Motion carried with a 7-0 vote.

- CU#22-07 Request of Winter Park Town Center LTD. Request Winter Park Town Center LTD for Conditional Use approval to redevelop the Ruth Chris restaurant pad within the Winter Park Village (490 N. Orlando Avenue) with a one-story, 16,186-square-foot building with a 6,138-square-foot outdoor patio for an Arhaus furniture store, zoned C-1.

Mr. Harbilas provided the Board a brief summary of the request. He presented an aerial view of the property and noted that the property is located within the Winter Park Village commerce center. He stated that the applicant was proposing to demolish the existing building and replace it with a new larger building. He added that one lane of parking would be removed and staff was comfortable with it because the building would be retail, which comes with a much lower parking requirement than its previous use as a restaurant. Mr. Harbilas then presented elevations of the proposed building and noted that the proposed patio of the building will only be used to display outdoor furniture. He also noted that the request meets all of the zoning requirements for setbacks, coverage, and parking.

Staff recommendation was for approval.

The Board briefly inquired about the following:

- the size of the existing building,
- the reason for the Conditional Use classification,
- having a comparison chart provided to the Board,
- and if there would be any warehouse space included.

City Attorney Langley inquired about the entitlements of the overall shopping center development plan.

The applicant's representative, Attorney Becky Wilson with Lowndes Law Firm at 215 North Eola Drive, Orlando, FL 32801 addressed the Board. Attorney Wilson noted that the applicant was not requesting any variances or waivers, there was a comparison included in the site plan regarding the existing and proposed parking count, the applicant has access to around 430 more parking spaces than required by code, and there would be no onsite storage.

Mr. Spencer asked if there would be a loading dock to which Attorney Wilson responded that there would not be a loading dock and confirmed that the furniture in the showroom would be set up through the doors of the building at initial opening and as needed for any occasional change outs.

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

The Board shared their thoughts on the request and inquired about obtaining a copy of the original permit for the original plans, the amount of space between the buildings and curb lines, and the current status of the supply chain for furniture.

Motion made by Michael Spencer, seconded by Vashon Sarkisian, for Conditional Use approval to redevelop the Ruth Chris restaurant pad within the Winter Park Village (490 N. Orlando Avenue) with a one-story, 16,186-square-foot building with a 6,138-square-foot outdoor patio for an Arhaus furniture store, zoned C-1.

Motion carried with a 7-0 vote.

- Request of the City of Winter Park and the Elevation Plaza LLC for: Ordinances to amend the Comprehensive Plan Future Land Use map and zoning map from Institutional (PQP) to Office (O-1) on a portion of the property at 631 N. New York Avenue and to change from Office (O-1) to Institutional (PQP) on a portion of the property at 507 N. New York Avenue as part of a swap of properties.

Mr. Briggs provided the Board a brief summary of the request. He then presented aerial views of the properties. He explained that the City owned property at 631 N. York Avenue was currently being used for storage and deemed surplus, so the City had sought requests for proposals for it. Elevation Plaza, LLC expressed interest in doing a swap of their property at 507 N. New York Avenue with the City's property and the City approved. Mr. Briggs noted that Elevation Plaza, LLC would be building a free standing office building around 10,000 square feet, meeting the parking requirement, easement to use the existing driveway that goes out to North New York Avenue. The City would build a replacement park maintenance building to store equipment. Mr. Briggs also explained that in order to do the swap the zoning must be swapped as well.

Staff recommendation was for approval.

The Board briefly inquired about the following:

- the amount of golf carts the City's new building will hold,
- how the City will access the new building,
- whether or not the existing building at 507 N. New York Avenue would be demolished,
- what will happen to the building by the nearby Baptist church and cemetery,
- and if the lot size of the building at 631 N. New York Avenue will be sufficient for future office parking.

Ms. Sarkisian expressed concern for two parcels not being linked by a driveway. Mr. Briggs commented that he could ask that a drive be placed at the new Elevation Plaza parcel.

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

Motion made by Alex Stringfellow, seconded by Michael Spencer, for approval of Ordinances to amend the Comprehensive Plan Future Land Use map and zoning map from Institutional (PQP) to Office (O-1) on a portion of the property at 631 N. New York Avenue and to change from Office (O-1) to Institutional (PQP) on a portion of the property at 507 N. New York Avenue as part of a swap of properties.

Motion carried with a 7-0 vote.

- Request of the City of Winter Park for an Ordinance to update and modernize the Stormwater Retention code.

Mr. Briggs explained that staff was not yet ready to present the item in detail to the Board.

Motion made by Richard James, seconded by Alex Stringfellow, to table the item until such time as determined by staff.

Motion carried with a 7-0 vote.

(8) Board Comments

Brief discussion ensued about stormwater regulations and the suggested stormwater configuration for private properties. Mr. Briggs noted that he would look into possible language regarding organic shaping of the stormwater configuration standards.

(9) Upcoming Agenda Items

No discussion ensued on upcoming agenda items.

(10) Adjournment

Meeting adjourned at 6:52 p.m.

Minutes approved by the Board on October 4, 2022.

/s/ Recording Secretary Mary Bush