



Planning & Zoning Board Regular Meeting

Agenda

February 1, 2022 @ 6:00 pm

City Hall Commission Chambers
401 S. Park Avenue

welcome

Agendas and all backup material supporting each agenda item are accessible via the city's website at cityofwinterpark.org/bpm and include virtual meeting instructions.

assistance & appeals

Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's Office ([407-599-3277](tel:407-599-3277)) at least 48 hours in advance of the meeting.

"If a person decides to appeal any decision made by the Board with respect to any matter considered at this hearing, a record of the proceedings is needed to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based." (F.S. 286.0105).

please note

Times are projected and subject to change.

-
1. **Call to Order**
 2. **Consent Agenda**
 - a. [Approval of the January 4, 2022 Meeting Minutes.](#) 1 minute
 3. **Staff Updates**
 4. **Public Comments (for items not on the agenda): Three minutes allowed for each speaker**
 5. **Non-Action Items**
 6. **Action Items**
 7. **Public Hearings**
 - a. [CU #22-03: Request of Raymond Horal for Conditional Use approval to waive the separation distance requirement of 300 feet from a residential property in conjunction with retail liquor sales at 834 N. Orange Avenue, zoned C-3. Staff is requesting continuance of this item to the March 1, 2022 regular meeting of the Planning and Zoning Board.](#) 0 minutes
 - b. [SUB #22-02: Request of NIL Build LLC for: Subdivision approval to split the property at 810 N. Lakemont Avenue, zoned R-1A. Staff is requesting continuance of this item to the March 1, 2022 regular meeting of the Planning and Zoning Board.](#) 0 minutes
 - c. [Request of Winter Park Town Center Ltd.](#) 30 minutes
Request of Winter Park Town Center Ltd. for:
 - a. Conditional Use approval within Regal Cinemas at Winter Park Village, to construct a central architectural tower at a height of 63 feet, which requires a variance of 8 feet above the 55 feet as permitted by Code; and
 - b. Conditional Use approval under Section 58-138(b) which states, "The city commission shall be empowered to grant variances from the terms of this article and to permit signs otherwise prohibited by this article as deemed appropriate via agreements regarding nonconforming or prohibited signs on private properties as deemed necessary to fulfill the goals of the city, in improving the aesthetic appeal of the city, in reducing the number of outdoor

advertising signs and in preserving and protecting historic or architecturally significant signs", for the installation of three electronic signs, which are prohibited under Section 58-135 of the City Sign Code, on the front façade of Regal Cinemas in conjunction with the applicant's overall façade improvements to Winter Park Village and request for the type, location, height and size of the electronic signage to be permitted as depicted in the signage application package.

8. Board Comments

9. Adjournment



Planning & Zoning Board

agenda item

item type	Consent Agenda	meeting date	February 1, 2022
prepared by	Mary Bush	approved by	
board approval	Completed		
strategic objective			

subject

Approval of the January 4, 2022 Meeting Minutes.

motion / recommendation

background

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[January 4 P&Z Regular Meeting Minutes draft.pdf](#)



Planning and Zoning Board Minutes

January 4, 2022 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 5:58 p.m. Present: Richard James, Melissa Vickers, David Bornstein, Vashon Sarkisian, Michael Spencer and Alex Stringfellow. Absent: Jim Fitch. 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 Technician Aaron Hull, and Recording Secretary Mary Bush.

Consent Agenda

Motion made by Michael Spencer, seconded by Alex Stringfellow to approve the December 7, 2021 meeting minutes.

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

Staff Updates

Mr. Stephenson spoke briefly regarding the transition of the Board of Adjustments from under the lead of the City's Building Department to the Planning and Transportation Department and how it will relate to the Planning and Zoning Board. He also spoke on the Multi-Modal Transportation Impact Fee that was recently adopted and is now in effect as of January 1, 2022.

Mr. Stringfellow asked if there was an existing to-do list for the selected urban design consultant under the Planning Department. Mr. Stephenson noted that there have been two urban design firms selected that can do 3D renderings and modeling. The City Commission plans to have a work session specific to transforming the City's vision statement into a document that has more visual representation.

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 #22-02 Request of Michael Wenrich. Approval to construct a new, two-story 6,891 square-foot, single-family home located at 581 Sylvan Drive on Lake Osceola, zoned R-1AAA.
THIS ITEM WAS CONTINUED TO THE FEBRUARY 1ST PLANNING & ZONING BOARD REGULAR MEETING BY STAFF.
- ANNEX #22-01. Request of Mr. & Mrs. Reiff. Approval to construct a new, two-story, 7,216 sq. ft., single-family home located at 315 Virginia Drive on Lake Virginia, zoned R-1AAA.

Mr. Briggs provided the Board a brief summary of the request. He presented the Board an aerial view and photo of the existing vacant lot and the site plan for the home that previously existed on the lot. He mentioned that there had been a previously approved application for a three-story home to be built on the lot but that applicant decided not to move forward with the project and sold the lot to the current applicant. He noted that the applicant would be adding a master bedroom and making various renovations to the home and lakefront. He also noted that they would be addressing grade issues by significantly sloping the front driveway down to the motor court to bring vehicle activity down to a lower elevation. They also plan to install an inlet and piping from the motor court area to make sure that the water flows around the home. Mr. Briggs went on to discuss the landscaping, which involves no tree removals. He also discussed the pool elevation, which does not exceed more than 5-1/2 feet above existing grade. Mr. Briggs noted that there are no impaired views of the neighbors.

Staff recommendation was for approval with the following conditions:

- The applicant must preserve the two oak trees in the front yard.
- Dense bamboo privacy screening must be placed between the home and both adjacent homes.
- The applicant must provide a construction management plan.
- The applicant's contractor is required to establish a personal repertoire with the neighbors and provide them a point of contact.

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

Motion made by Michael Spencer, seconded by Alex Stringfellow, for approval to construct a new, two-story, 7,216 sq. ft., single-family home located at 315 Virginia Drive on Lake Virginia, zoned R-1AAA with the following conditions:

- The applicant must preserve the two oak trees in the front yard.
- Dense bamboo privacy screening must be placed between the home and both adjacent homes.
- The applicant must provide a construction management plan.
- The applicant's contractor is required to establish a personal repertoire with the neighbors and provide them a point of contact.

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

- SPR #22-03. Request of Mike and Linda Cegelis. Approval of additions to the existing home at 1200 Lakeview Drive on Lake Virginia, Zoned R-1AAA.

Mr. Briggs provided the Board a brief summary of the request. Mr. Briggs presented the Board a map and aerial view of the property. He discussed the applicant's plans for the home, which include renovations to the home, adding a master bedroom addition, and renovations and expansions on the lakefront. Mr. Briggs noted that the home is also a historically designated home. He also noted that the applicant will be removing one camphor tree in order to build the addition. Mr. Briggs added that the applicant is requesting a 10-foot setback in lieu of the required 14-foot setback for the addition to protect a large Cypress tree on the property. He further explained that the applicant has made an agreement with the neighbor with regard to the requested variance and has provided a letter of support from the neighbor. Mr. Briggs provided photos of the existing home and the proposed elevations for the project. He briefly discussed the applicant's desired enhancements for the lakefront side of the home and the proposed expansions for the deck area and landscaping. He noted that the applicant provided additional support letters from the surrounding neighbors. Mr. Briggs also noted that there are no blocked views of the lake for the neighbors and there is ample room for storm water retention.

Staff recommendation was for approval.

Discussion ensued with the Board regarding the amount of space between the addition and oak tree on the property.

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

Motion made by Melissa Vickers, seconded by Alex Stringfellow, for approval of additions to the existing home at 1200 Lakeview Drive on Lake Virginia, Zoned R-1AAA.

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

Board Comments

Chairman James inquired about topics for upcoming work sessions and discussion ensued. Mr. Spencer inquired about the Fairbanks and I-4 project and asked to be made aware of the next City Commission meeting date for the item. Mr. Stringfellow recommended discussing expanding and developing the particular area.

Adjournment

Meeting adjourned at 6:43 p.m.

/s/ Mary Bush.



Planning & Zoning Board

agenda item

item type	Public Hearings	meeting date	February 1, 2022
prepared by	Nicholas Lewis	approved by	Bronce Stephenson
board approval	Completed		
strategic objective			

subject

CU #22-03: Request of Raymond Horal for Conditional Use approval to waive the separation distance requirement of 300 feet from a residential property in conjunction with retail liquor sales at 834 N. Orange Avenue, zoned C-3. Staff is requesting continuance of this item to the March 1, 2022 regular meeting of the Planning and Zoning Board.

motion / recommendation

background

alternatives / other considerations

fiscal impact



Planning & Zoning Board

agenda item

item type	Public Hearings	meeting date	February 1, 2022
prepared by	Nicholas Lewis	approved by	Bronce Stephenson
board approval	Completed		
strategic objective			

subject

SUB #22-02: Request of NIL Build LLC for: Subdivision approval to split the property at 810 N. Lakemont Avenue, zoned R-1A. Staff is requesting continuance of this item to the March 1, 2022 regular meeting of the Planning and Zoning Board.

motion / recommendation

background

alternatives / other considerations

fiscal impact



Planning & Zoning Board

agenda item

item type Public Hearings	meeting date February 1, 2022
prepared by Nicholas Lewis	approved by Bronce Stephenson
board approval Completed	
strategic objective	

subject

Request of Winter Park Town Center Ltd.

item list

Request of Winter Park Town Center Ltd. for:

a. Conditional Use approval within Regal Cinemas at Winter Park Village, to construct a central architectural tower at a height of 63 feet, which requires a variance of 8 feet above the 55 feet as permitted by Code; and

b. Conditional Use approval under Section 58-138(b) which states, "The city commission shall be empowered to grant variances from the terms of this article and to permit signs otherwise prohibited by this article as deemed appropriate via agreements regarding nonconforming or prohibited signs on private properties as deemed necessary to fulfill the goals of the city, in improving the aesthetic appeal of the city, in reducing the number of outdoor advertising signs and in preserving and protecting historic or architecturally significant signs", for the installation of three electronic signs, which are prohibited under Section 58-135 of the City Sign Code, on the front façade of Regal Cinemas in conjunction with the applicant's overall façade improvements to Winter Park Village and request for the type, location, height and size of the electronic signage to be permitted as depicted in the signage application package.

motion / recommendation

Because the Code provides that the City Commission is to make decisions based on recommendations of the Planning and Zoning Board and the applicant is asking for a specific type of variance that could be allowed by Code, staff will not provide a recommendation for this request and will rely on the recommendation of P&Z and the determination of the Commission on whether to entertain this type of variance request.

background

As part of their overall site and façade improvements to the entire Winter Park Village, along with the addition of several new businesses, the applicant is proposing to make

several façade changes to the Regal Cinemas building, including the addition of an architectural tower at a height of 63 feet tall and three electronic signs along the front façade, at a total size of just over 1,550 square feet.

Architectural Tower Request:

The first part of this request, is to permit the central architectural tower at a height of 63 feet. The property is zoned C-1 which has a maximum height limit of 55 feet, therefore an 8-foot variance is requested. Section 58-84, provided in full below, permits the City Commission, based on a recommendation of the Planning and Zoning Board, to allow up to eight feet of additional height for architectural towers, spires, chimneys, or other architectural appendages, etc., based on a finding that said features are compatible with adjacent properties.

Section 58-84 - General Provisions for nonresidential zoning districts

(c) Architectural towers, spires, chimneys, or other architectural appendages, etc.

(1) Any architectural tower, spire, chimney, flag pole or other architectural appendage to a building shall conform to that districts height limit. However, when necessary to meet the building code requirements, chimneys may exceed the height by that minimum required distance.

(2) If provided for within the respective nonresidential zoning district, architectural appendages, embellishments and other architectural features may be permitted to exceed the roof heights specified in that section, on a limited basis encompassing no more than 30 percent of the building roof length and area, up to eight feet of additional height upon approval of the city commission, based on a finding that said features are compatible with adjacent projects. For any such approval not part of a conditional use request, the planning and zoning commission will review the plans at a public hearing after the notification of such request is mailed to all owners of property within 500 feet. The planning and zoning commission will make a recommendation to the city commission for their final decision.

The applicant's request of 63 feet, adheres to this 8-foot increase provision. Further, the width of the architectural tower does not exceed thirty percent (30%) of the building roof length and area, adhering to the other requirement of Section 58-84. The proposed architectural tower is significantly smaller in overall length and area compared to what exists today. The tower is proposed to be backlit and will not be lit on the east side, which faces single-family residential properties.

Signage Request:

The second half of this request, pertains to the proposed electronic signage along the front façade of Regal Cinemas. The three proposed signs are a total size of roughly 1,550 square feet and are fully located on the private property owned by the applicant. Section 58-135 of the City Sign Code includes animated signs, flashing signs, automatic changing

signs, electronic and inflatable signs as prohibited throughout the City with a limited exception for messages limited to time, temperature, date and other public service non-advertising copy. The signs as proposed, do not conform to this limited exception, and are therefore considered prohibited as electronic signs per Section 58-135.

Section 58-138(b), however provides that "the city commission shall be empowered to grant variances from the terms of this article and to permit signs otherwise prohibited by this article as deemed appropriate via agreements regarding nonconforming or prohibited signs on private properties as deemed necessary to fulfill the goals of the city, in improving the aesthetic appeal of the city, in reducing the number of outdoor advertising signs and in preserving and protecting historic or architecturally significant signs."

Therefore, the City Commission, on a finding based upon the criteria outlined above, has the authority to grant a variance for the type, location, height and size of the electronic signage as proposed by the applicant, which would otherwise be prohibited. The signage is very central to a large property, located over 500 feet from the public right-of-way of 17-92. The applicant will state their case for the granting of the variance to allow the signage and how potential impacts would be mitigated.

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[Final P-Z Plan set 1.14.22.pdf](#)

ATTACHMENTS:

[Justification Letter from Brett Hutchens.pdf](#)

ATTACHMENTS:

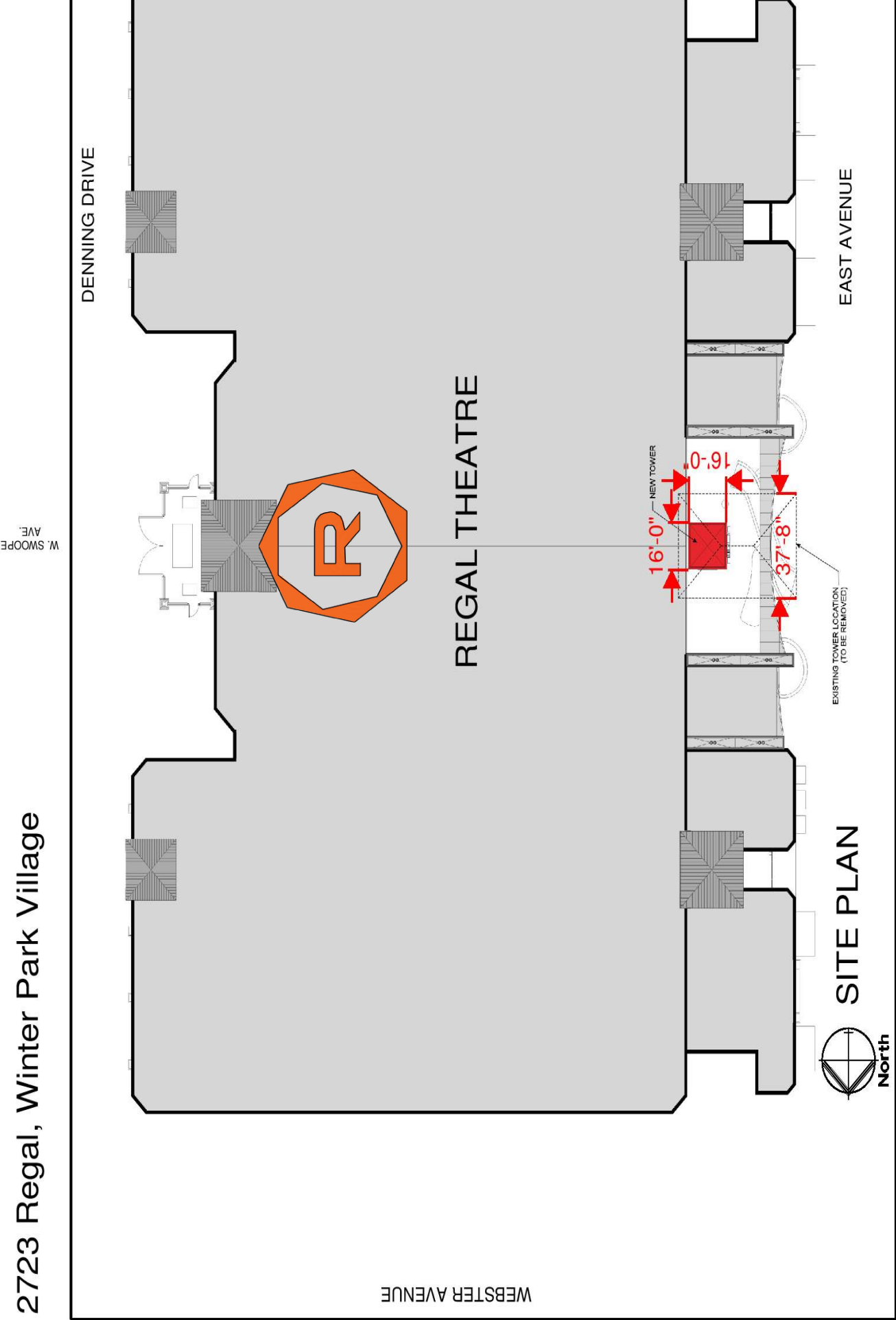
[Justification Letter from Becky Wilson 1.10.pdf](#)



REGAL

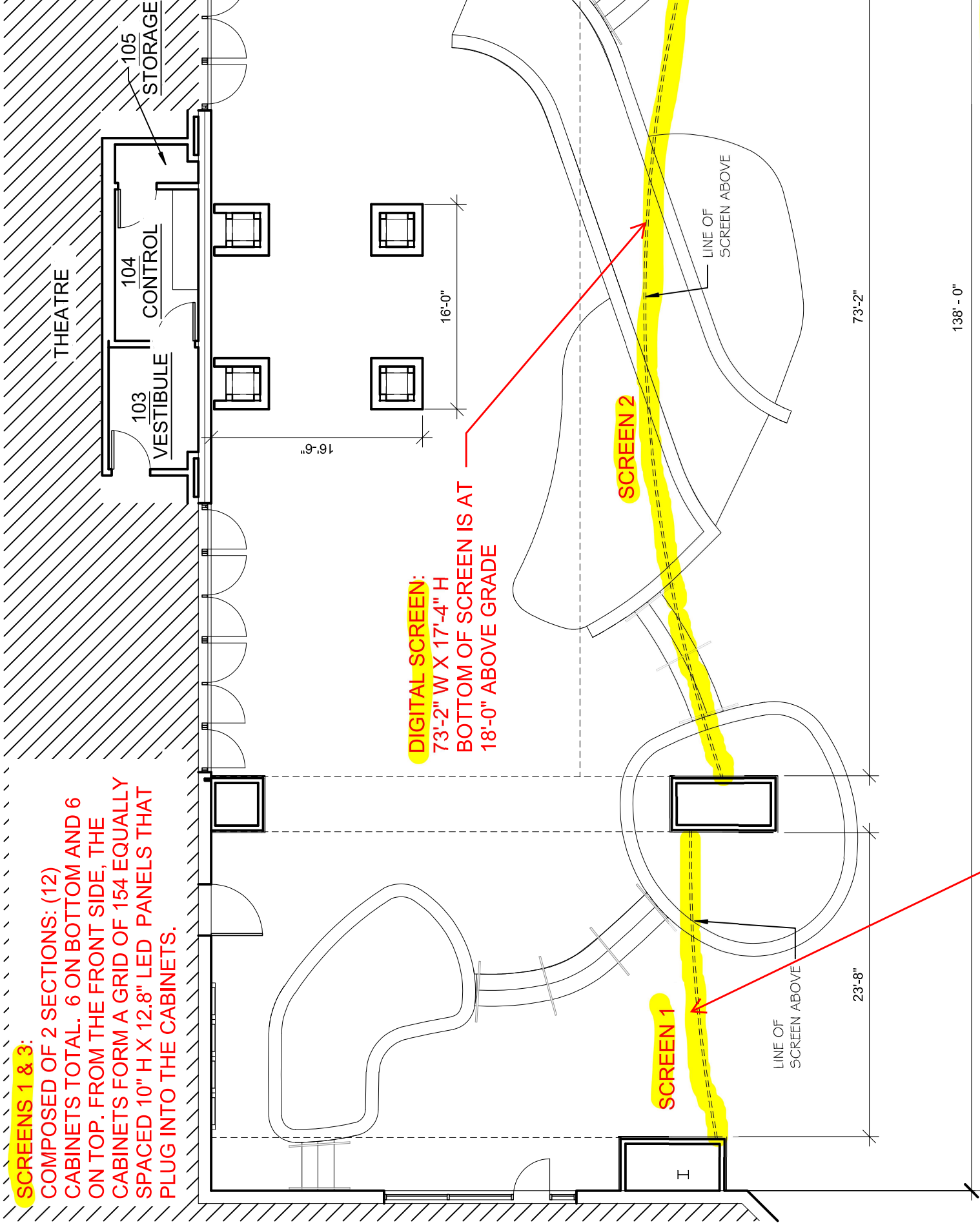


AT WINTER PARK
VILLAGE



SCREENS 1 & 3:

COMPOSED OF 2 SECTIONS: (12) CABINETS TOTAL. 6 ON BOTTOM AND 6 ON TOP. FROM THE FRONT SIDE, THE CABINETS FORM A GRID OF 154 EQUALLY SPACED 10" H X 12.8" LED PANELS THAT PLUG INTO THE CABINETS.



DIGITAL SCREEN:

73'-2" W X 17'-4" H
BOTTOM OF SCREEN IS AT
18'-0" ABOVE GRADE

SCREEN 2

SCREEN 1

DIGITAL SCREEN:

23'-6" W X 6'-0" H

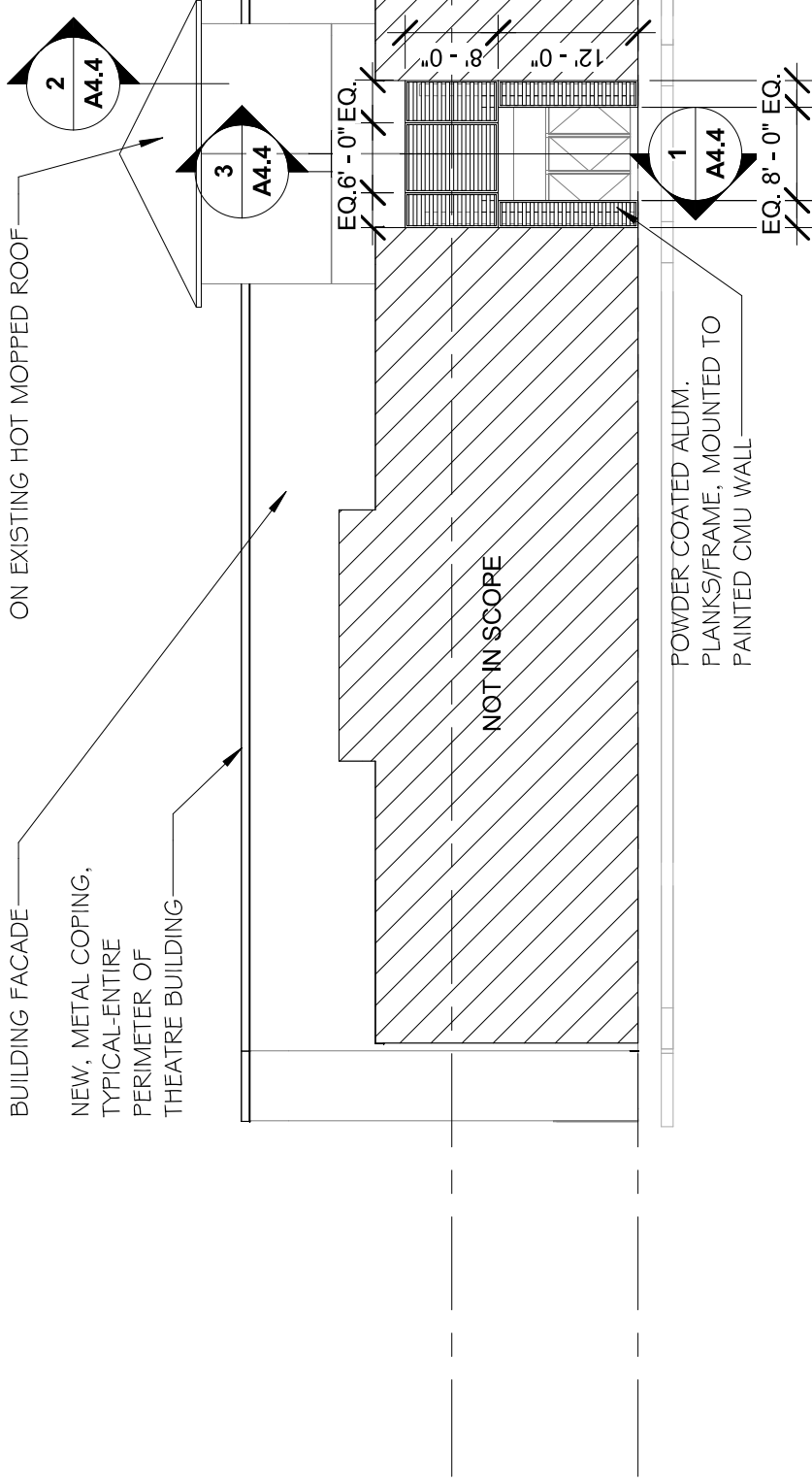
DIGITAL

23'-6" W
BOTTOM

PAINT ENTIRE
EXISTING THEATRE
BUILDING FACADE

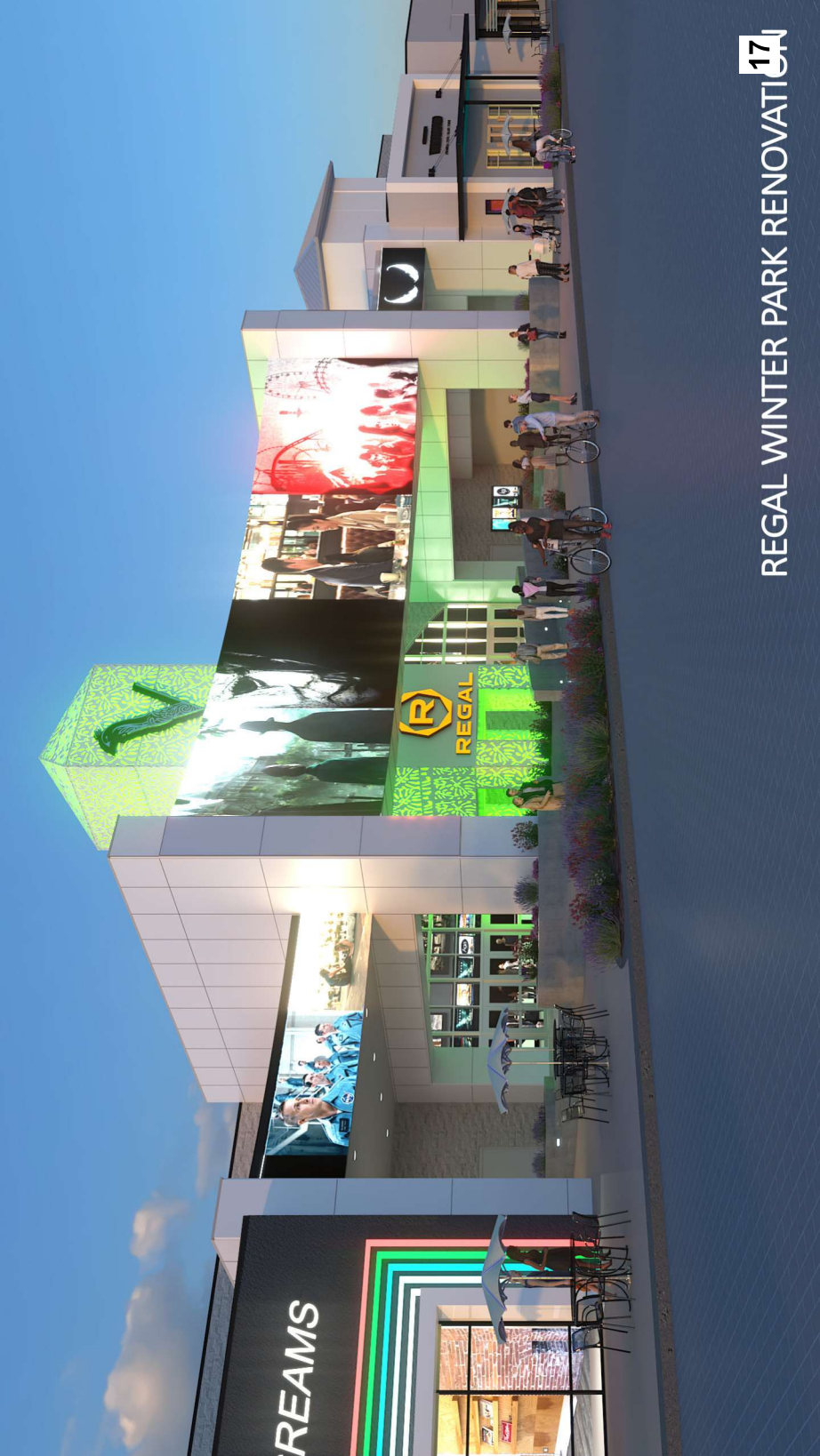
NEW, METAL COPING,
TYPICAL-ENTIRE
PERIMETER OF
THEATRE BUILDING

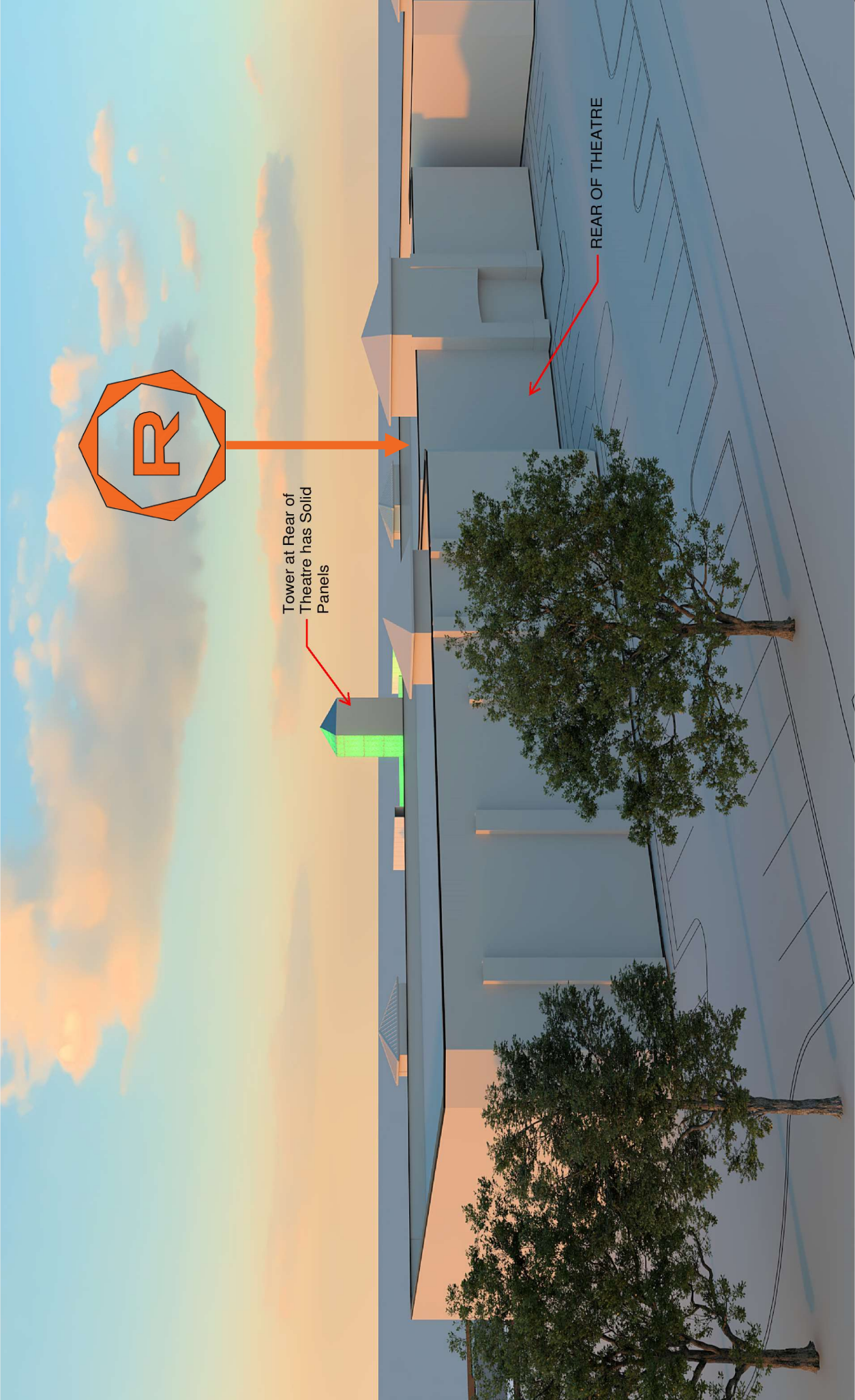
NEW STANDING SEAM METAL ROOF
ON SELF ADHERED UNDERLAYMENT
ON EXISTING HOT MOPPED ROOF



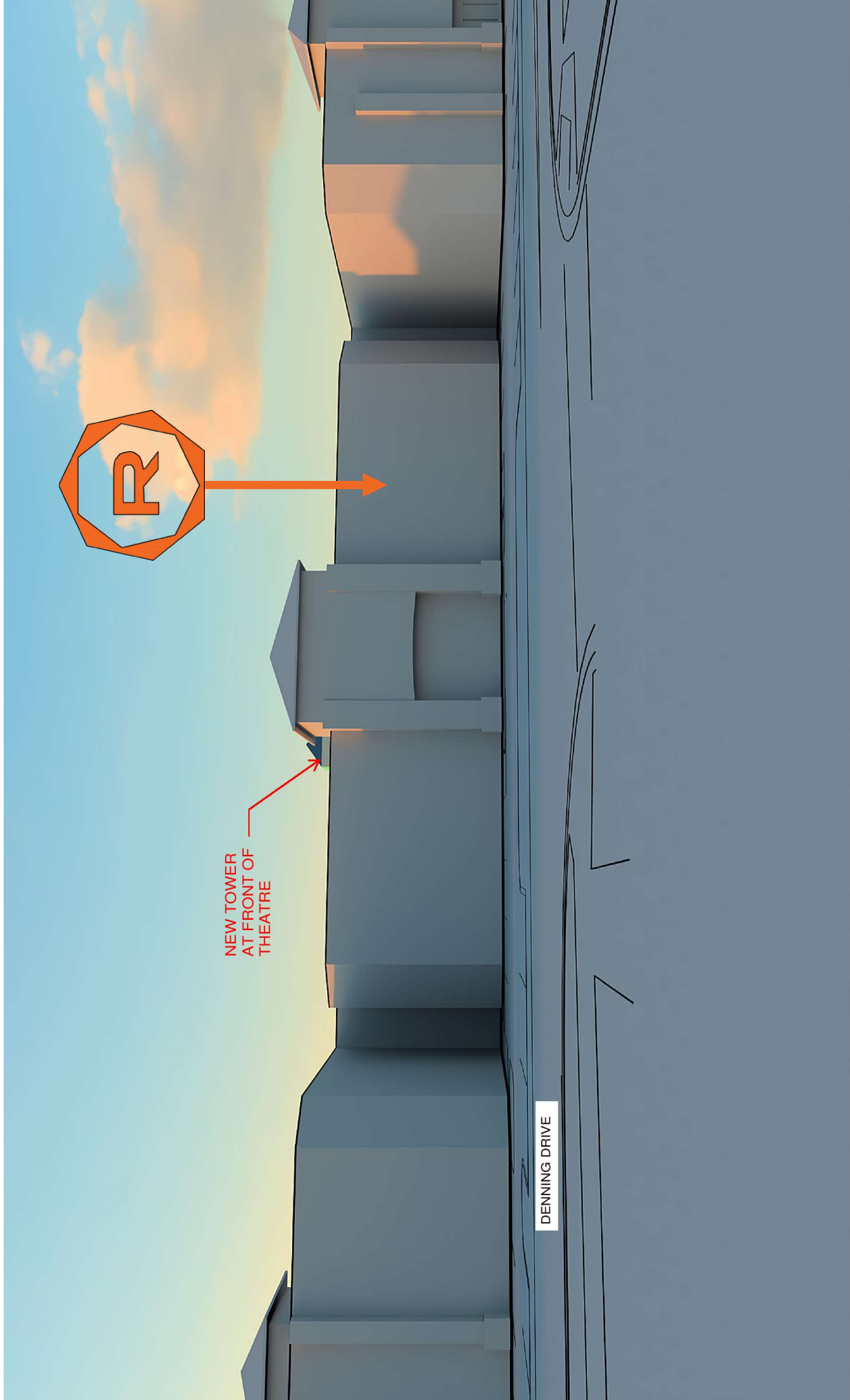
23' - 6"

TYPICAL:
EXTERIOR OF BUILDING
TO RECEIVE A NEW
STUCCO SYSTEM
EXISTING EIFS
NEW SOFFIT





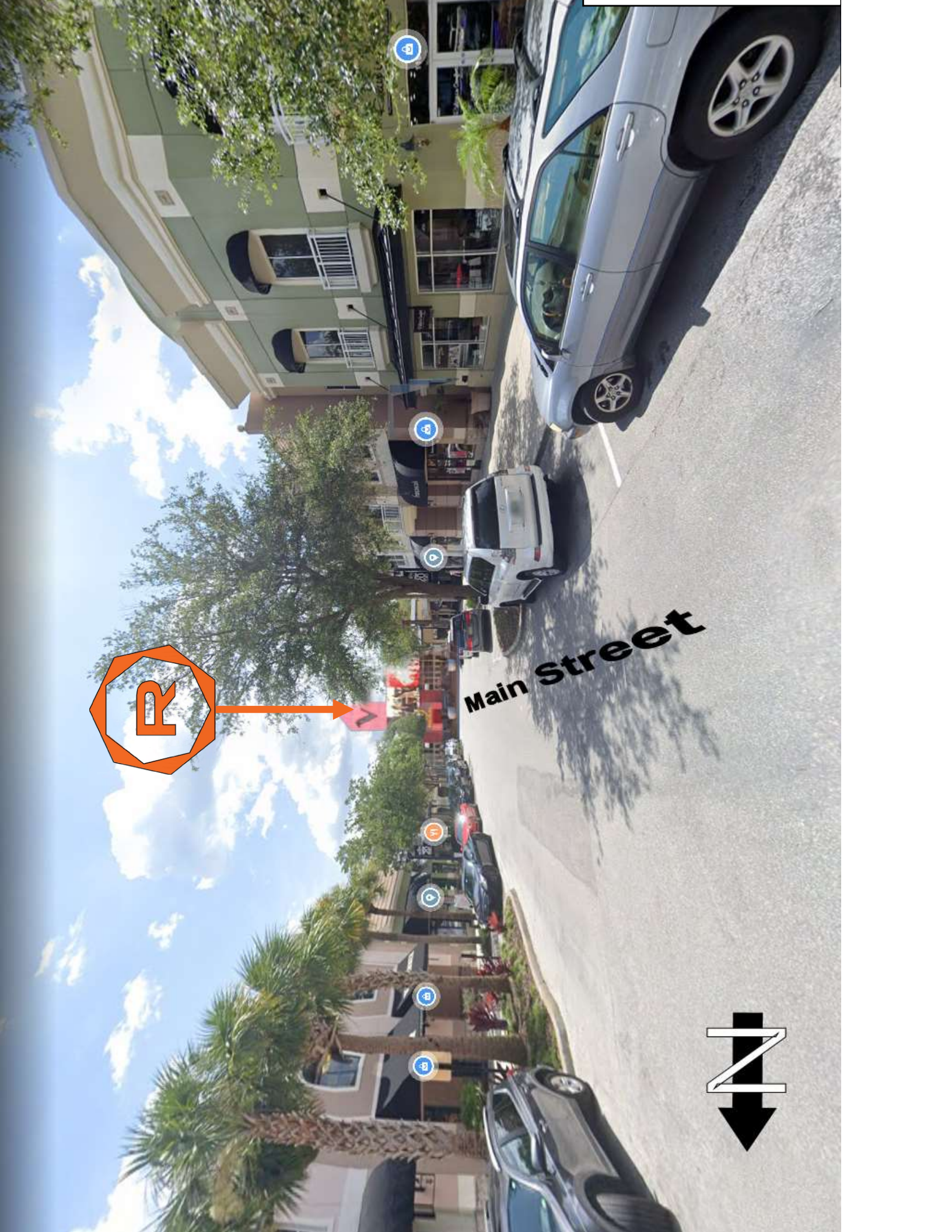
VIEW FROM VILLAGE PARK SENIOR LIVING, Denning Drive
UPPER LEVEL BALCONY



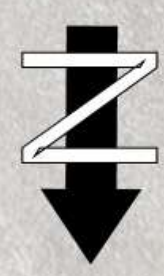
VIEW FROM SIDEWALK, Denning Drive & S. Swoope Ave.
REAR OF THEATRE



Google



Main Street





East Avenue





W. Canton Ave

Google

East Avenue





East Avenue





N Denning Dr

W Swoope Ave.

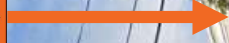




N Denning Dr

Google

N





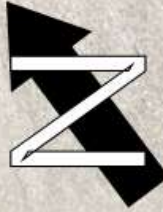
DENNING DR

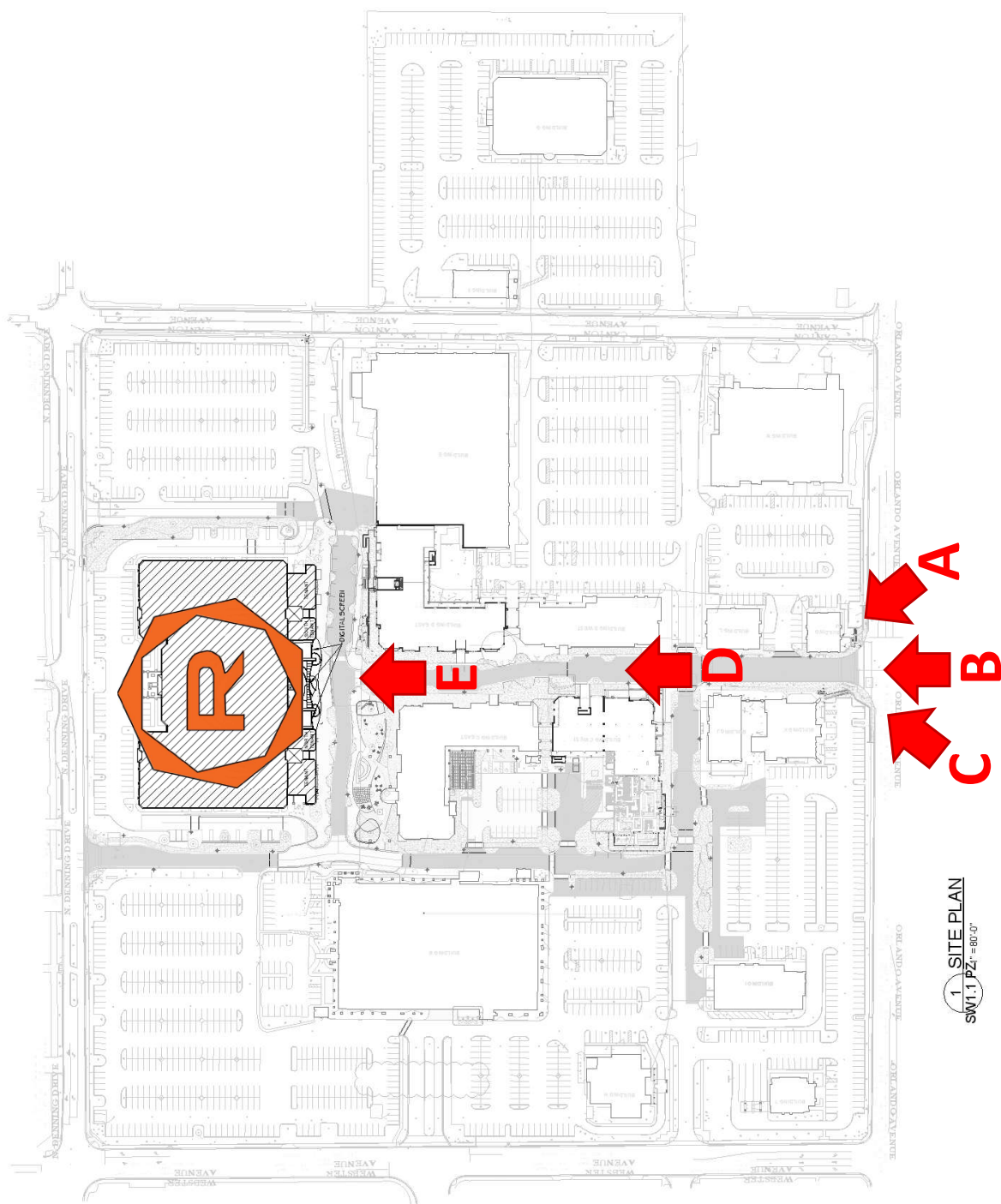


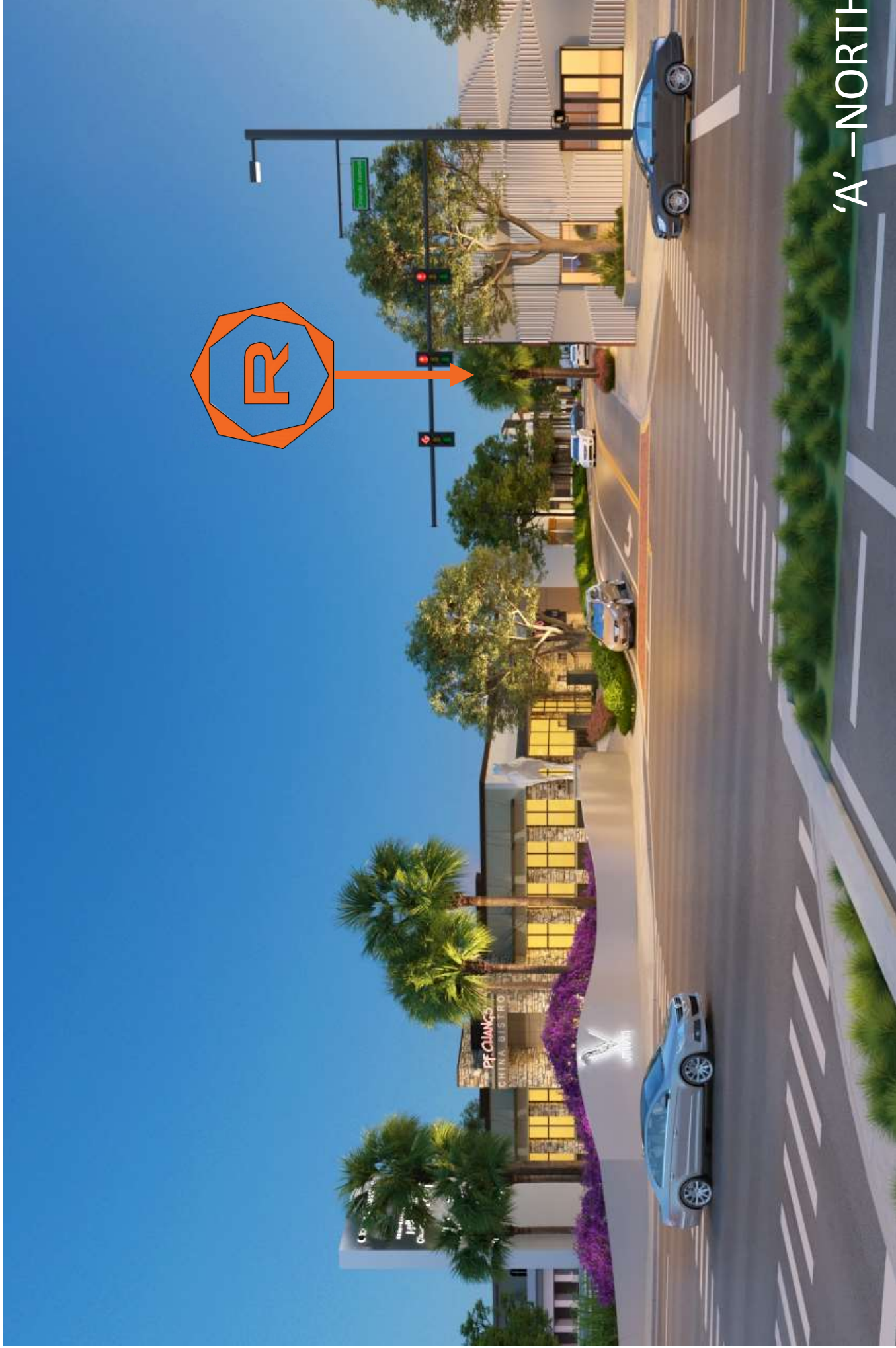
N Denning Dr

W Canton Ave

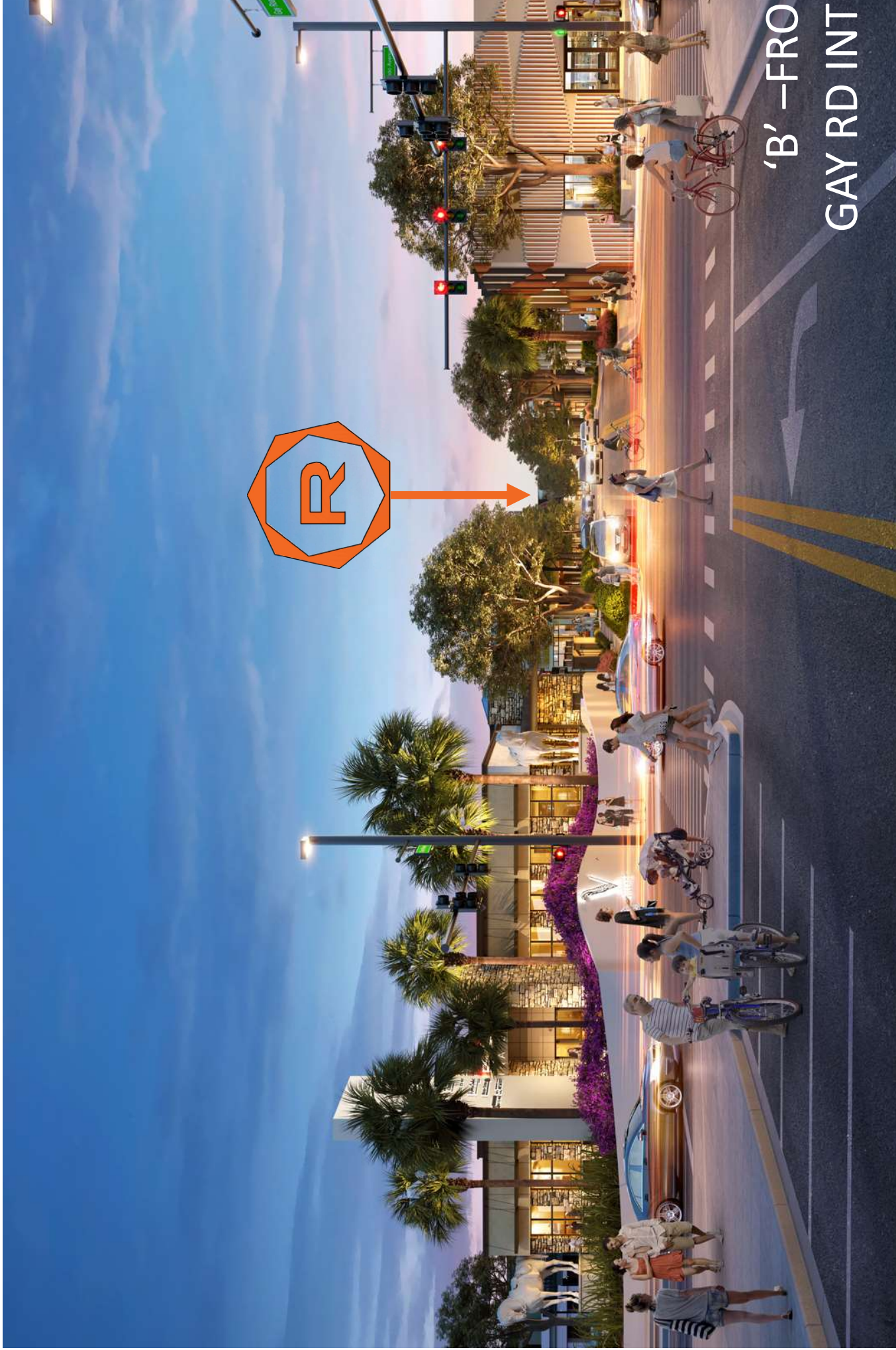
Google







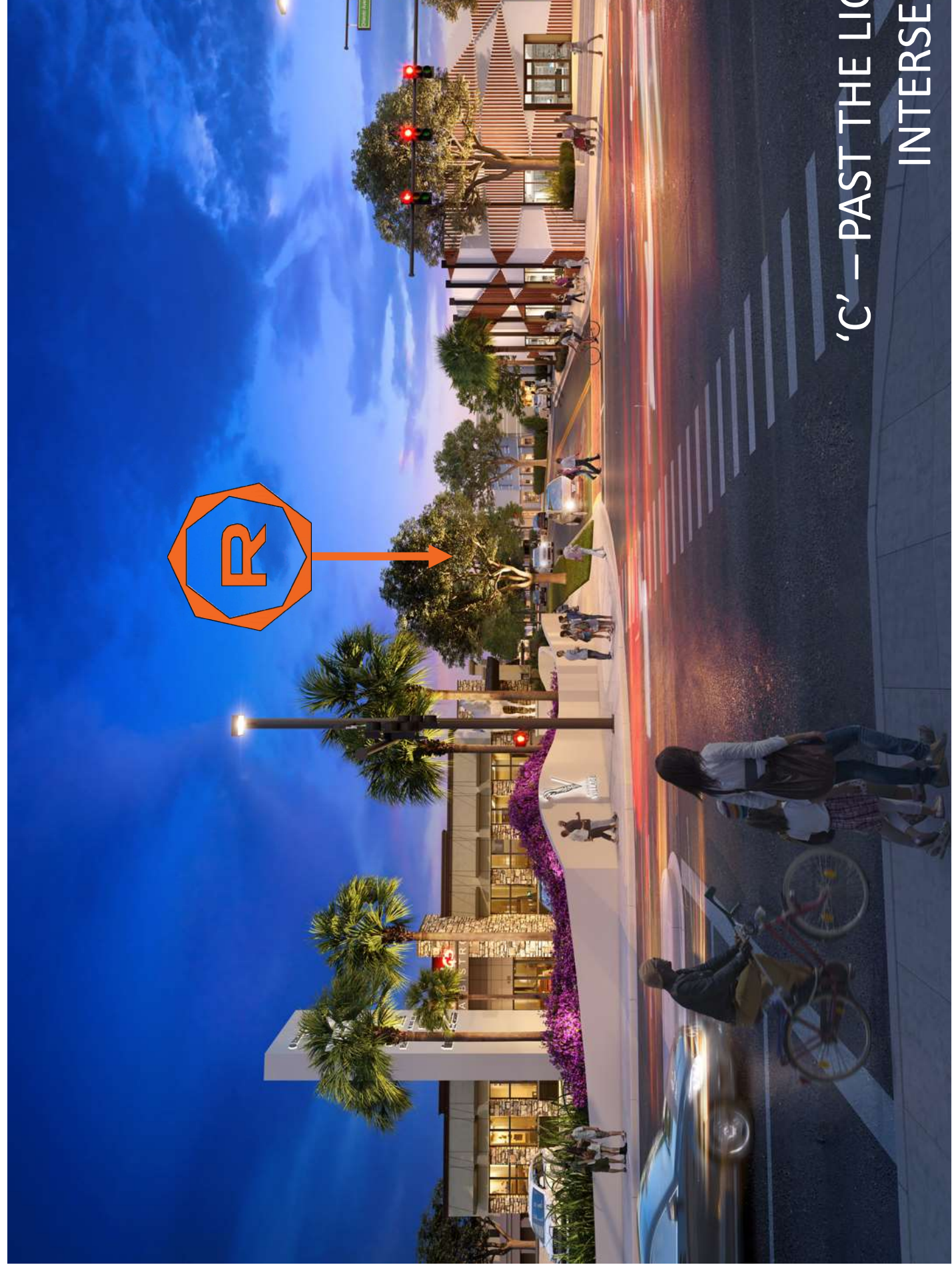
'A' - NORTH

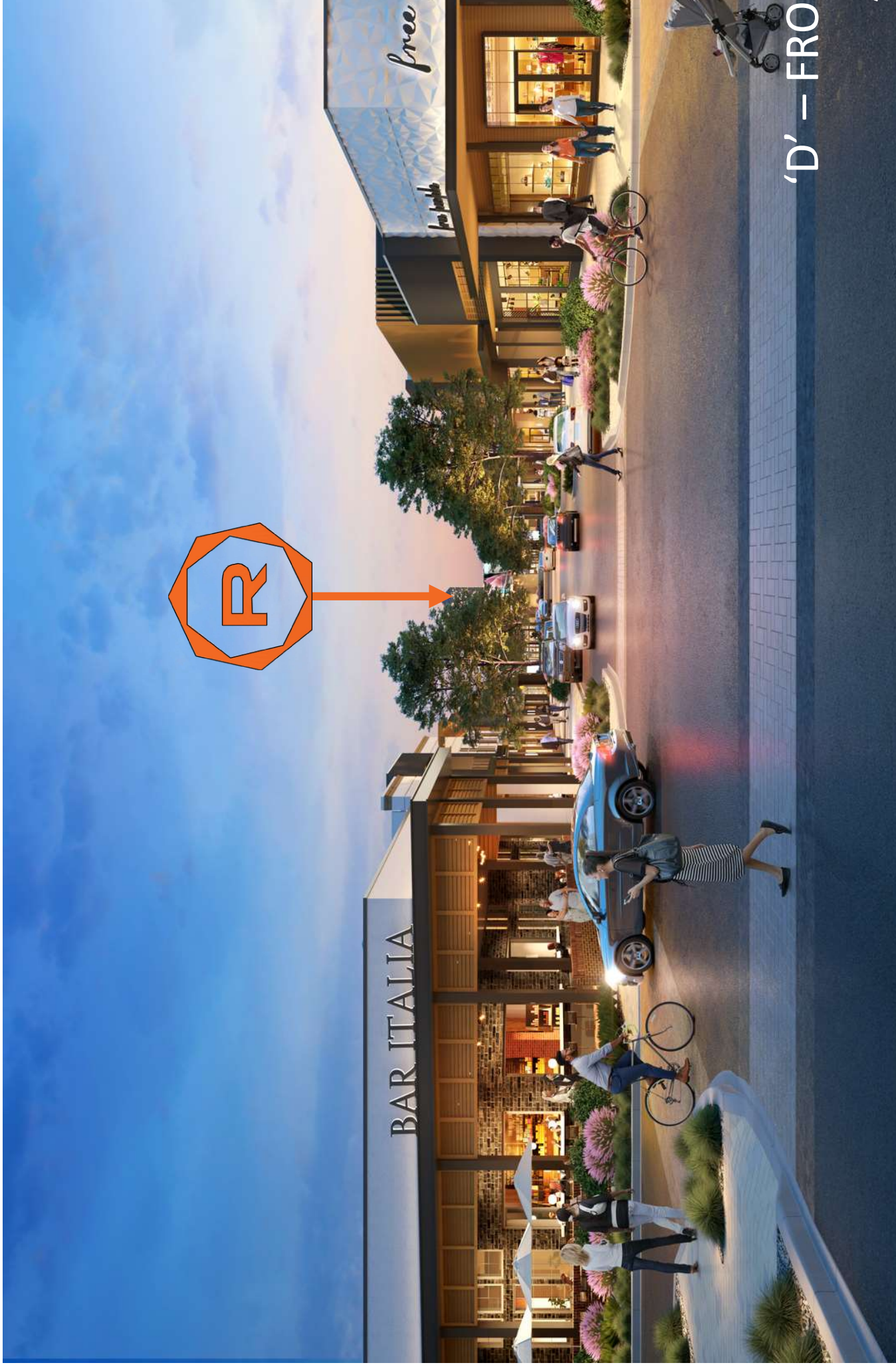


'B' -FRO
GAY RD INT



'C' – PAST THE LIC
INTERSE



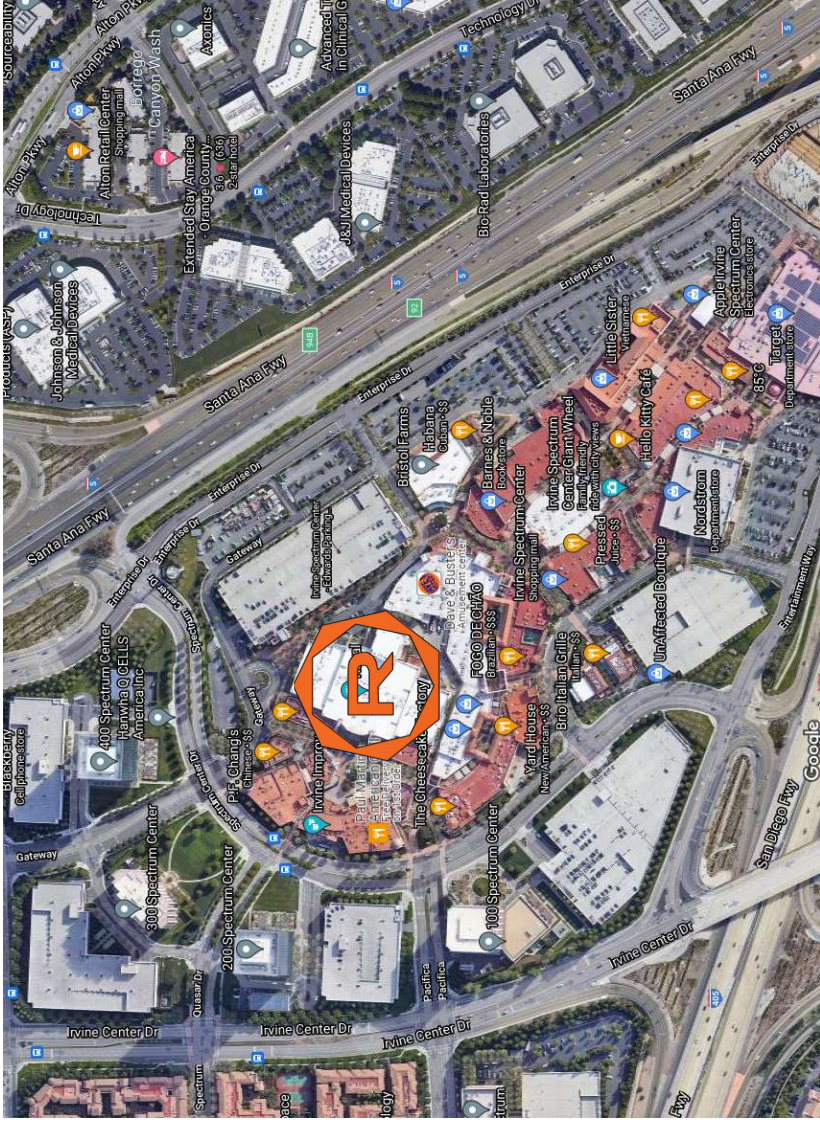


'D' - FRO

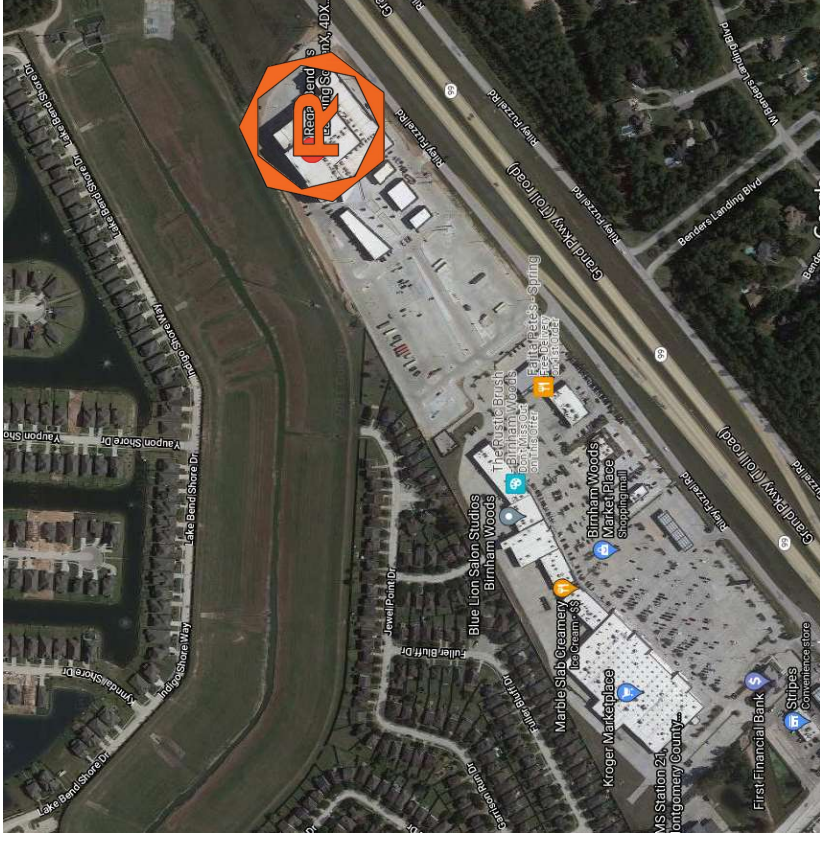


'E' - FROM E

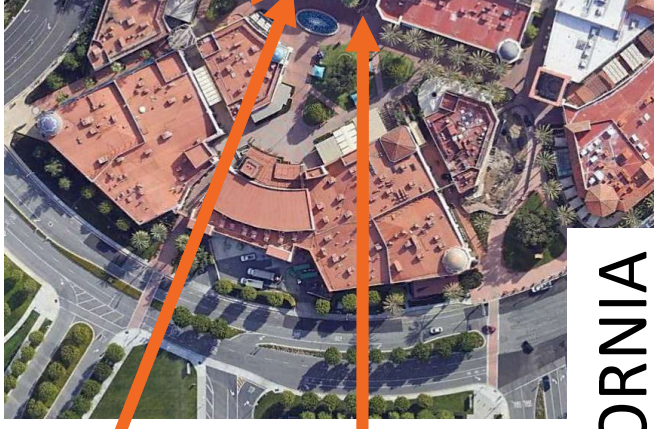
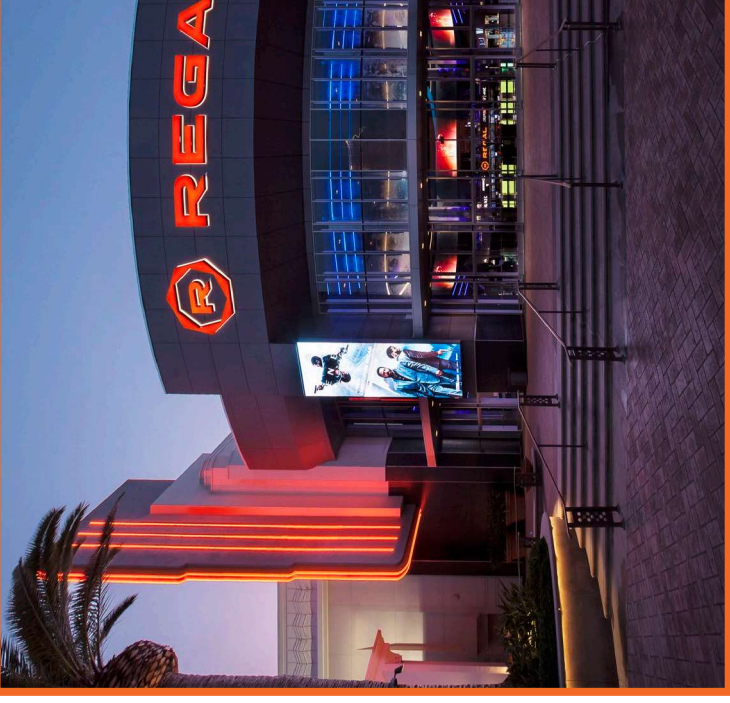
REGAL THEATRE PROJECTS WITH SIMILAR SIGNAGE CONDITIONS



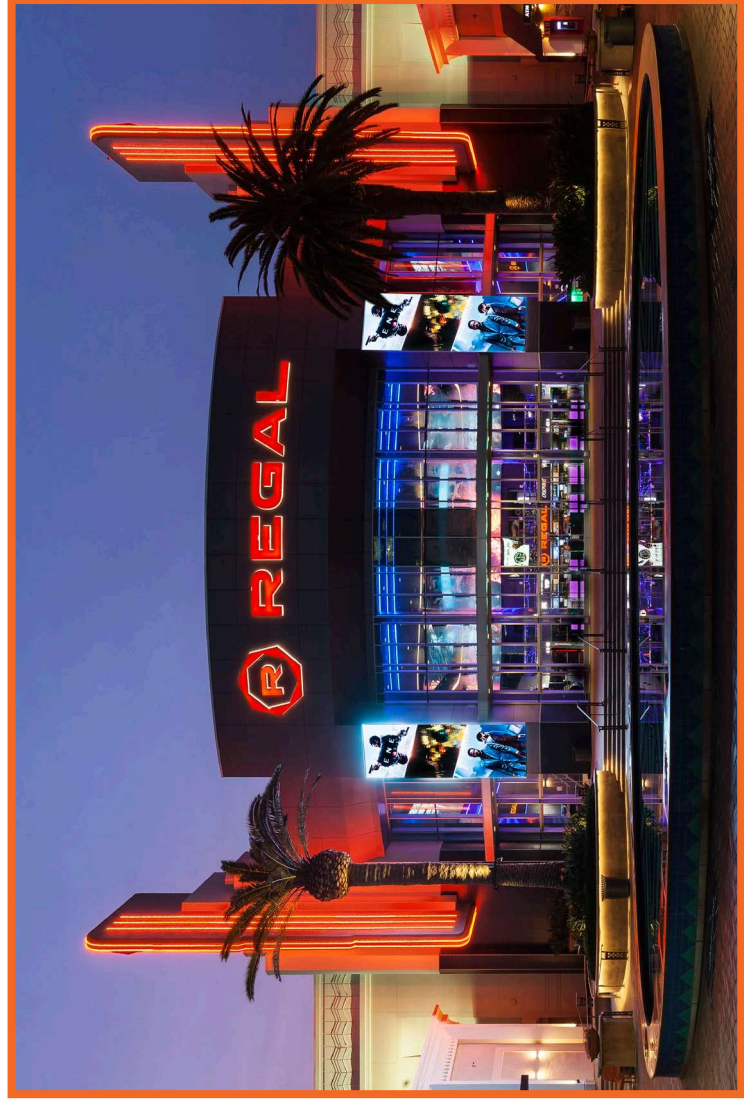
IRVINE, CALIFORNIA

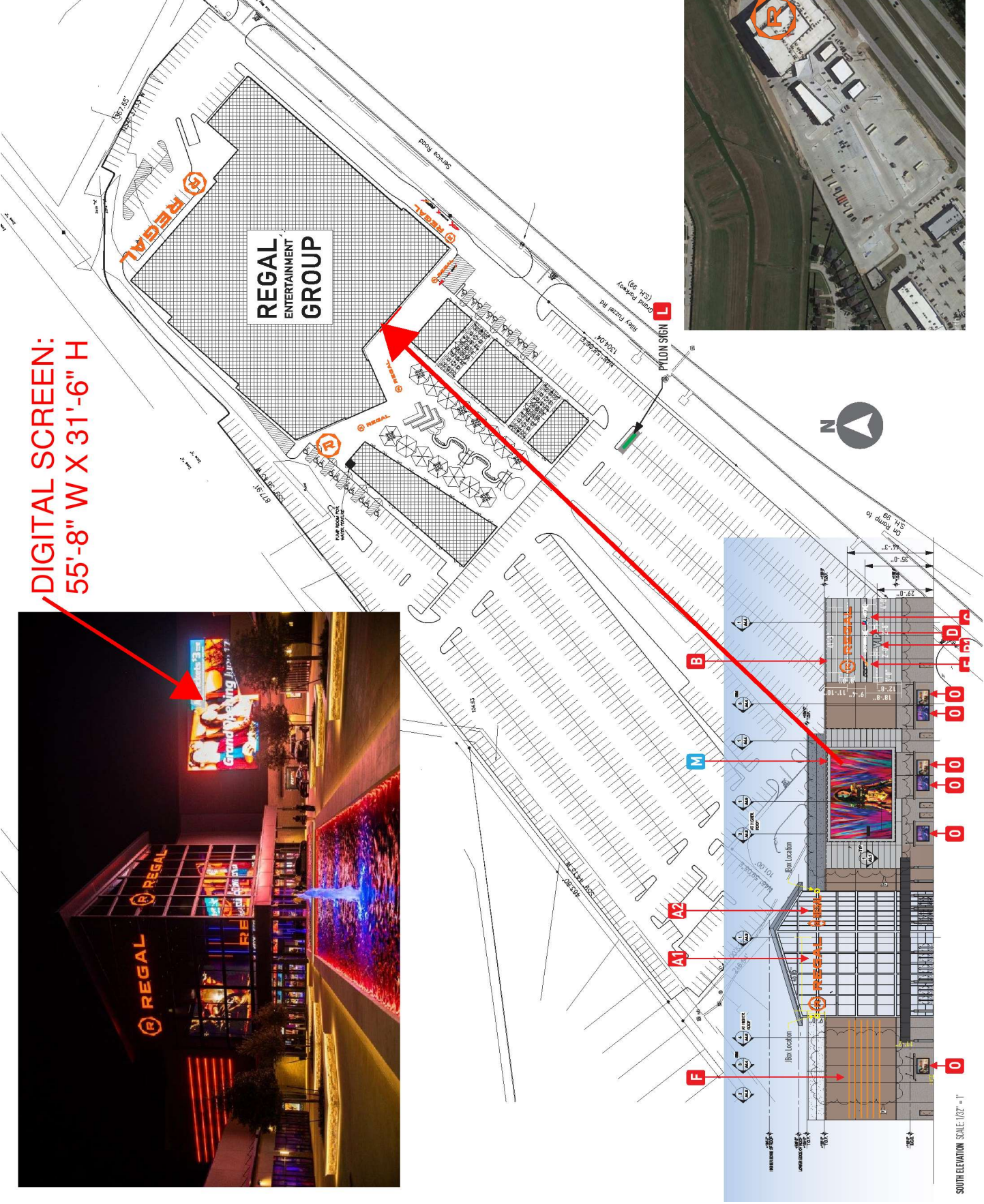


SPRING, TEXAS



IRVINE, CALIFORNIA





An aerial photograph of a large industrial or commercial facility. A red circle with a white letter 'B' is drawn around a specific building in the upper left portion of the image. The facility includes several large, light-colored buildings, a large paved parking lot filled with vehicles, and a road or driveway running along the right side. The surrounding area appears to be a mix of developed land and some greenery.

December 3, 2021

Re: Winter Park Village Conditional Use Permit (CUP)

Dear Bronce,

Winter Park Town Center Ltd ("Casto") developed and owns the property known as Winter Park Village. It has been my pleasure to work on this property for 25 years. When we began, the former Winter Park Mall was a decaying 528,000 square foot mall which was virtually empty except for Dillards department store. In 2000, Casto worked with the City to create one of the first open air retail villages in the country. We saw this trend continue for the next 20 years as malls across the U.S. became a thoughtful gathering place or "village green" for the residents. We introduced Regal Cinemas, P.F. Chang's, Cheesecake Factory and Ruth's Chris to Winter Park all of which are still thriving today.

The success of Winter Park Village resulted in increased competition as many other developers have tried to mimic our success in Winter Park. Then as you are aware, in March 2020 the pandemic created another disruption among retail and restaurants. We appreciate all that the City did to keep its residents safe and provide flexibility for our restaurants. As we move out of the pandemic we continue to be committed to this legacy project and have made the decision to invest over \$40million dollars in upgrading Winter Park Village. This will include among other things: rebranding; updating of architecture and facades; enhanced lighting and landscaping; enhanced outdoor spaces for gathering and lingering; new outdoor furnishings along with exterior and interior enhancements to Regal Cinemas. This commitment is already attracting new high-quality retailers and restaurants. Once completed we will return to the glory of when we first opened and continue to serve the citizens and visitors of beautiful Winter Park.

Regal Cinemas is our largest and most important tenant and its long term success is integral to the success of Winter Park Village. The theatre business was severely damaged as a result of the pandemic but it is showing positive signs of recovery. We intend to invest \$4 million dollars in exterior improvements to the Regal building and they are committed to invest \$1million dollars for interior improvements.

In order to accomplish this vision, we are requesting help from the City Commission for two items. The first is an architectural feature on the Regal Cinema at the terminus of our entry

road into the site. This architectural feature will create a new and exciting sense of arrival. The architectural feature is 63 feet in height and is lit internally to be visible from the west, north and south. The eastern façade (Denning Drive) will be enclosed to ensure no light intrusion to the residential properties to the east. The City's Land Development Code (LDC) allows the City Commission to approve this additional height: "Architectural appendages, embellishments and other architectural features may be permitted to exceed the roof heights specified in this section, on a limited basis; encompassing no more than 30 percent of the building roof length, up to eight feet of additional height upon approval of the city commission, based on a finding that said features are compatible with adjacent properties." Sec. 58-74(e)(9). Renderings of the tower are included, as well as the surrounding area showing multi story structures of 55 feet in height.

The second item we are requesting is the installation of 3 digital screens on the front (west) façade of Regal Cinema. These digital screens are located over 882 feet from N. Orlando Avenue Right-of- Way (see pictures included demonstrating no visibility from any rights of way). Pursuant to LDC section 58-138 "the city commission shall be empowered to grant variances for signs located on properties that require conditional use approval by the city commission or in circumstances where agreements are approved by the city commission pursuant as specified in sections 58-85 and 58-86." We respectfully request that the City consider these digital screens as an exciting addition to the experience at Winter Park Village. We have attached additional information as to location, size and visual impact. The screens have been employed by Regal in other theatre remodels with great success.

Please let me know if staff has any additional questions. We look forward to continuing the successful partnership we have had with the City for over two decades.

Sincerely,

A handwritten signature in blue ink, appearing to read "Brett Hutchens", is written over the printed name.

Brett Hutchens

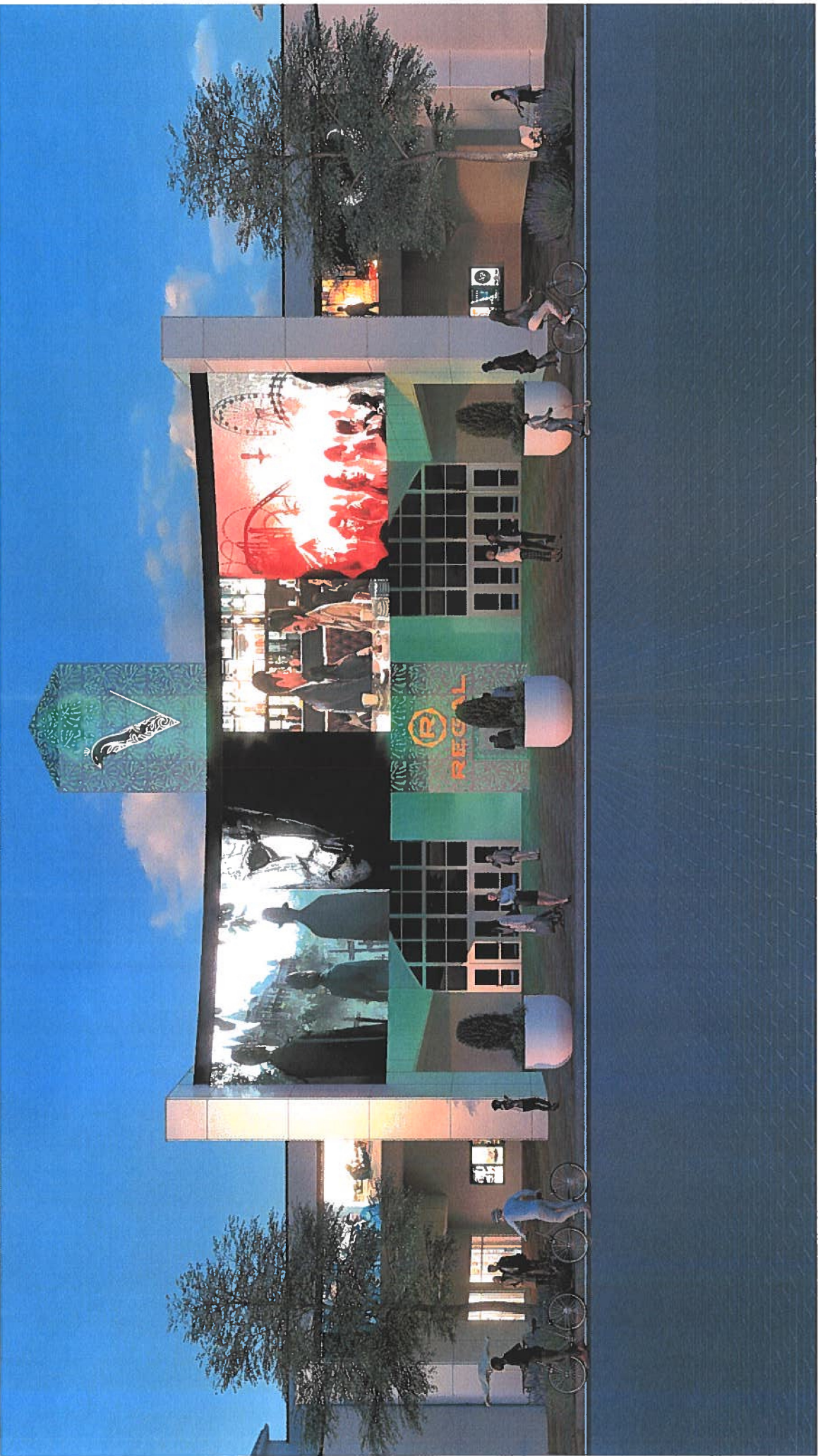
Enclosure

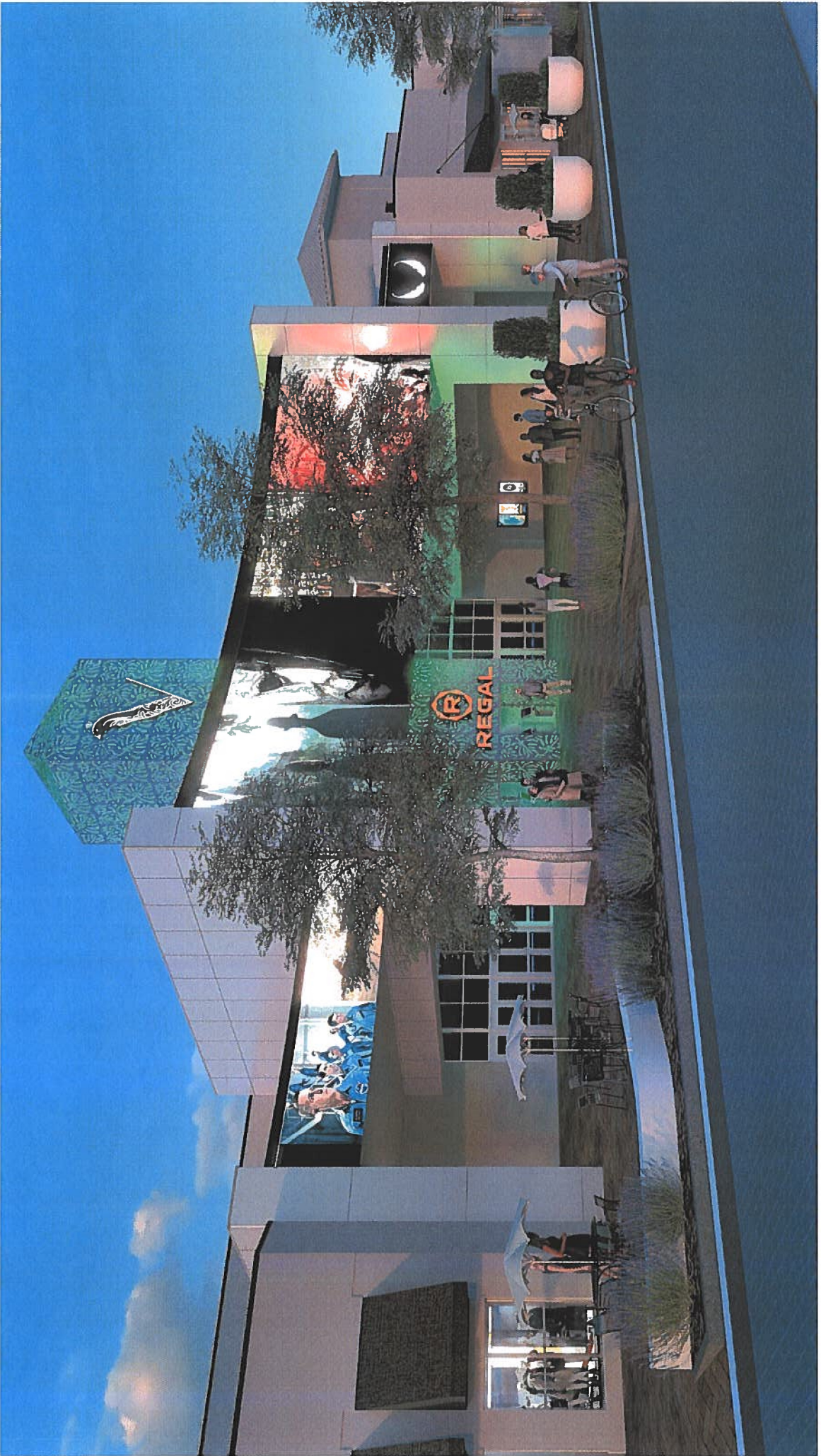














M. REBECCA WILSON

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215 North Eola Drive, Orlando, Florida 32801-2028
T: 407-418-6250 | F: 407-843-4444
MAIN NUMBER: 407-843-4600



January 10, 2022

SENT VIA EMAIL

City of Winter Park
Attn: John Harbilas, AICP
Planning & Transportation Department
401 Park Avenue South
Winter Park, FL 32789

jharbilas@cityofwinterpark.org

Re: Winter Park Town Center Ltd./Conditional Use

Dear John,

As you know this firm represents Winter Park Town Center Ltd. ("Casto") with regard to the Conditional Use request. The request includes the installation of 3 digital screens on the front façade of Regal Cinema. Please note that these digital screens are internal to Winter Park Village and only visible from private drive aisles and not visible from public right-of-way.

Section 58-138 allows the City Commission to grant variances for signage and sets forth criteria to consider including: fulfilling the goals of the City and improving the aesthetic appeal of the City.

The vision for the City states "Winter Park is the City of arts and culture, cherishing its traditional scale and charm while building healthy and sustainable future for all generations." As you know, the Regal Cinema is the only Cinema in the City of Winter Park screening first run movies and the only one to provide the RPX experience. Regal Cinema attracts Winter Park residents along with other Central Florida residents, to enjoy the performing arts in its cinematic format. These digital screens will enhance this cultural experience by showing exciting trailers to entertain those enjoying the Village's outdoor plaza and as they walk to and from the Villages shops and restaurants. The City puts an emphasis in its vision "for all generations". We believe that these digital screens will be enjoyed by residents of many ages due to the wide appeal of the Cinema from the Casablanca 80th Anniversary screening and Bolshoi Ballet to Spider-Man.



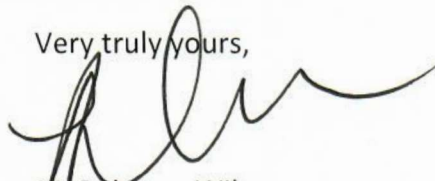
The Winter Park Comprehensive Plan FLU Element Policies include:

- GOAL 1-1: "To promote conscientious economic development in appropriate locations"
- GOAL 1-4: "Create an environment that balances business creation and growth while maintaining an exceptional quality of life for its residents."
- OBJECTIVE 1-4.2: "The City will continue to enhance local attractions and recreational facilities to promote tourism and quality of life, recognizing that the creative arts and culture play a major role in building and sustaining economically vibrant communities by generating jobs, revenue and tourism."

As explained in Brett Hutchens letter to the City dated December 3, 2021, Casto intends to invest \$40 Million in order to upgrade Winter Park Village to bring new and exciting businesses to Winter Park. The digital screens are part of the overall aesthetic and desire for activity in the Village. The City has continued to promote economic development along the US 17-92/Orlando Avenue corridor. We believe that this reinvigorating and exciting outdoor experience will promote tourism and enhance quality of experiences that available in Winter Park.

Regal Cinema is also operating in the highly competitive entertainment market. In addition to Casto's multi-million dollar exterior remodel, Regal has committed its own capital to an expensive interior renovation. Of the 540 theaters in the Regal chain, only 9 exceeded 2019 volumes and all of those had recently received a similar remodel. The cinema business has its challenges, but it has been proven that creating new and enhanced experiences will successfully overcome those challenges. Although the digital screens are not part of the interior renovation, they contribute to the overall experience and signal that the interiors are also new and exciting.

Very truly yours,



M. Rebecca Wilson

MRW/nle

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