



Planning and Zoning Board Minutes

February 1, 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 5:59 p.m. 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 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 David Bornstein, seconded by Alex Stringfellow to approve the January 4, 2022 meeting minutes.

Motion carried unanimously with a 6-0 vote. (Vashon Sarkisian was not present for the approval of the January 4, 2022 meeting minutes.)

Motion made by Jim Fitch, seconded by David Bornstein to make an amendment to the December 7, 2021 meeting minutes adding Mr. Fitch's statement that he did not have confidence that Staff had a handle on the overall traffic situation at the Winter Park Christian Church.

Motion carried unanimously with a 7-0 vote.

Staff Updates

Mr. Stephenson spoke briefly regarding the upcoming commission election and amendments to the City's municipal charter.

Mr. Stephenson also noted that the Fairbanks and I-4 project discussed at the City Commission joint work session with the Planning and Zoning Board on November 17, 2021, is no longer proceeding and the City is looking for a new purchaser. He also noted that to take advantage of all the opportunities of connecting the area and revitalizing the industrial portion, staff will be bringing forward a recommendation to the City Commission to utilize the urban design consultant, Canin Associates. They will help create a road map for what may be appropriate in the area.

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

Chairman James inquired about item SPR #22-02 581 Sylvan Drive not being listed on the meeting's agenda. Mr. Briggs advised that the item was continued to the March 1, 2022 Planning and Zoning Board meeting.

Public Hearings

- 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.
THIS ITEM WAS CONTINUED TO THE MARCH 1ST PLANNING & ZONING BOARD REGULAR MEETING BY STAFF.
- SUB #22-02: Request of NIL Build LLC for: Subdivision approval to split the property at 810 N. Lakemont Avenue, zoned R-1A.
THIS ITEM WAS CONTINUED TO THE MARCH 1ST PLANNING & ZONING BOARD REGULAR MEETING BY STAFF.
- CU #22-02: 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.

Mr. Harbilas provided the Board a brief summary of the request. He presented the Board an aerial view of the existing property. He noted that the Regal Cinema building in the request is located internal to the entire site with private roads surrounding it. He reviewed the general code provisions for nonresidential zoning districts as they relate to the tower request. Mr. Harbilas then presented a site plan and rendering showing the tower at the main entrance to the Cinema. He noted that the tower will be illuminated on three sides with the fourth side, which faces east, having an opaque panel to block any light on that facade. He went on to discuss the front façade of the Cinema regarding the electronic sign request. Mr. Harbilas briefly reviewed the sign code and the variance and appeals procedures and conditions. He presented a site plan for the electronic screens being proposed for the front façade of the Cinema entrance, noting the main screen size to be 1,275 square feet and two smaller screens sized at 141 square feet each to be placed at the sides of the main screen. Mr. Harbilas added that the screens will be digital with moving images displayed on them. He also presented several renderings and street images of the proposed changes to the Cinema.

Staff recommendation was for approval for the tower height of 63 feet.

Staff did not take a position on the electric signage request due to the determination having to be made by the City Commission and the Planning and Zoning Board being the recommending body to the Commission for this specific type of variance.

The applicant's representative, Becky Wilson with Lowndes Law Firm at 215 North Eola Drive, Orlando, FL 32801 addressed the Board. Attorney Wilson provided the Board a detailed presentation regarding the request. She presented aerial views and renderings of the project. She discussed the intent behind the renovation of the Winter Park Village and the Regal Cinema. Attorney Wilson noted that the roads throughout Winter Park Village are private roads. She also elaborated on the new architectural tower feature highlighting that Code Section 58-84 permits the City Commission, based upon recommendation of the Planning & Zoning Board, to allow up to eight feet of additional height for "architectural towers, spires, chimneys or other architectural appendages" based on a finding that said feature is compatible with adjacent properties. She added that the light from the tower will be blocked on the residential side of the property to not adversely impact any of the residents along Denning Drive.

Attorney Wilson went on to discuss the conditional use request for the three electronic signs referencing Code Section 58-138(b). She noted that the signs were over 800 feet away from Orlando Avenue and cannot be seen from Webster Avenue, Canton Avenue, and Denning Drive. She also presented renderings of the front façade of the Cinema noting that entertainment is the main intent of the screens. She indicated that the applicant was willing to add as a condition that the screens will not be used for any type of offsite advertisement. Attorney

Wilson continued discussion explaining how the signs met the required conditional use criteria of including improving the aesthetic appeal of the City, reducing the number of outdoor advertising signs, and preserving and protecting historic or architecturally significant signs.

Brett Hutchins of 5391 Lakewood Ranch Blvd., Sarasota, FL 34240, a representative of the applicant, addressed the Board. He briefly discussed the background of the redevelopment of the Winter Park Mall into Winter Park Village and the current intent of the proposed renovations to the Regal Cinema. He noted that there are nine Regal Cinemas across the United States that have had similar renovations including the addition of the screens to improve the customer entertainment experience.

Discussion ensued with the Board and inquiries were made regarding the following:

- if there would be sound coming from the screens,
- if the screens would be on at all times,
- when the screens would be turned off,
- the existing height of the Cinema building,
- how comparable the interactive signs are to other signs at similar outdoor malls,

The applicant's representatives presented a brief fly over video for the Board to show more perspective on the project.

The Board then continued discussion and inquired about the following:

- if the commercial tenants shown in the fly-over video will be actual tenants,
- if the signs exceed the copy area requirement,
- the internal light source of the tower,
- and if the tower will work on a photo cell and timer.

Mr. Stephenson noted that the rule used for the size of wall signage is that if there is no ground sign, roof sign, or projecting sign, 45% of the sign able area may be used for copy of a wall or an area. He added that it is typically up to the zoning official to make the determination of the appropriate signage size.

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

Discussion ensued with the Board regarding the following:

- being cautious about any kind of conditions related to content for the signs,
- the signs being a possible distraction for drivers,
- the size of the largest sign,
- the daily hours the signage will be lit,
- the internal location of the proposed façade improvements,
- and if the applicant had ever considered making the entire internal portion of the Winter Park Village pedestrian only with no vehicles.

During discussion and without being asked, Attorney Wilson offered, on behalf of the applicant, to have no offsite advertisements displayed on the electronic screens, lighting to be on only during the theater business hours, and no sound from and only movie trailers to be shown on the electronic screens.

Attorney Langley noted that the Board could implement a condition that the copy area shall not include offsite advertising or signage and that it is intended to be without sound and only to project movie trailers.

Motion made by Melissa Vickers, seconded by Jim Fitch, for approval 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.

Motion carried unanimously with a 7-0 vote.

Motion made by David Bornstein, seconded by Melissa Vickers, for approval under Section 58-138(b) 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 with the following conditions:

- There must be no offsite advertisements displayed on the electronic screens.
- The lighting must only be on during the theater business hours.

- The electronic screens should have no sound.
- Movie trailers only are allowed to be shown on the electronic screens.

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

Board Comments

Mr. Bornstein expressed appreciation for Mr. Stringfellow's points regarding zoning and universal perspective during the City Commission joint work session with the Planning and Zoning Board on November 17, 2021. He also requested that the Board hold him accountable if he votes for any electronic signs in the future that are not internal and may impact traffic or residents.

Mr. Fitch expressed that he was upset about the Orlando Watch Company on Park Avenue that has a neon red sign which he feels destroys the ambience of Park Avenue.

Adjournment

Meeting adjourned at 7:12 p.m.

/s/ Mary Bush.

Approved by Board on March 1, 2022.