



## CITY OF WINTER PARK PLANNING & ZONING COMMISSION

Carlisle Meeting  
Commission Chambers

October 25, 2006  
7:00 pm

### MINUTES

Vice-Chairman Margie Bridges called the meeting of the Planning and Zoning Commission to order at 7:12 p.m. in the Commission Chambers of City Hall, 401 Park Avenue South, Winter Park, Florida.

PRESENT: Vice-Chairman Margie Bridges, Patrick Doyle, Drew Krecicki, and John Stevens  
Absent: Tom Alday and Rick Swisher. City Staff Present: Planning Director Jeffrey Briggs, Sr. Planner Stacey Scowden, and Recording Planning Technician Caleena Shirley. City Attorney: Tripp Cheek

### PUBLIC HEARINGS

CU 1:05 Request of the Central Park Station Partners LLC for Final Development Plan Approvals under Section 58-86 and Section 58-90 of the Land Development Code pursuant to the Conceptual Approval of the Conditional Use and the Preliminary Development Plan approval for the Planned Development Overlay granted by the City Commission on February 28, 2005 and October 10, 2005, within the Central Business (C-2) District zoning for the four story, mixed use redevelopment of the U. S. Post Office property at 300 N. New York Avenue containing approximately 26,000 square feet of post office facilities, 14,000 square feet of commercial/office space, 69 residential condominiums and 366 parking spaces including basement parking, zoned C-2.

Vice Chairman Margie Bridges opened the meeting with an introduction and overview of the general purpose of the meeting. She stated the Planning and Zoning Commissions purpose is to review the final development plans for the redevelopment of the Winter Park Post Office property for the project known as the Carlisle. Mrs. Bridges continued stating that this project received preliminary or conceptual plan approval by the City Commission on January 24, 2005 and on February 28, 2005. She further explained once a project receives preliminary or conceptual approval the developer moves forward to prepare more detailed plans involving additional architectural details, civil engineering matters, storm water retention plans, landscaping plans and other submittals as may be required pursuant to the conditions of approval. Mrs. Bridges provided clarification on the Board's role during the meeting, which is to determine if any significant changes or alterations have been made. The options as spelled out in the code are to determine (a) That no significant changes have been made, or (b) That significant changes have been made but those changes are acceptable, or (c) that significant changes have been made which are not acceptable in which case the developer must amend such plan documents and re-submit such plans for final approval in order to build the project in conformance with the parameters of the original preliminary (conceptual) approval. She stated that the decision of the board on this public hearing item is a recommendation to the City Commission. Mrs. Bridges ended by over viewing the format for the nights meeting – first allowing Mr. Briggs to present the staffs



recommendation, second to allow the applicant to present and finally opening the discussion to receive public comment. She stated that following the closing of public comment there would be discussion among the board members and they would vote on a recommendation to the City Commission.

Planning Director Jeffrey Briggs present the staff report. He stated that this meeting would only provide a brief overview of various details of the project, being that the details were presented during the preliminary approvals. He continued by stating the meeting was a fact based hearing for the Planning and Zoning Commission to determine if the plans are in conformance with what they approved a year and a half ago. He also stated that if there has been changes, it would need to be determined if the changes are acceptable or unacceptable and what type of modifications need to be made. Mr. Briggs acknowledged citizen beliefs of the city making a mistake in granting the initial approval of the project. He continued that in spite of these beliefs the City can not erase the past or the decisions that were made and start over from the beginning. However, Mr. Briggs stated the City can ensure what was promised in the beginning is exactly what we have in the plans today. He stated that many of the attributes of the project are in question on a number of grounds, stemming from the developer recognizing in preparing the final plans, that for physical or financial reasons the second level of the underground parking garage that was planned originally was not feasible to construct. He continued to point out modifications that were made internally to deal with the change in the parking number and some of those changes are being questioned. He pointed out the four issues the majority of the attention is being brought to by various individuals and in their review, these plans are different from what was approved in January 2005.

Mr. Briggs stated the first issue is that of building height, of which the assumption was that the building site was flat and had a level sight with a zero-zero lot elevation, from north to south. Briggs pointed out in the current plans, the site is not flat, and that one would be walking down hill as they exit the post office going towards Carolina Avenue, thus reflecting there is a grade change and affecting the height of the building. Number of questions raised regarding the south end of the building is taller than what was originally represented because of the grade change. The modifications that have been made do meet the code definitions in respect to building height.

He continued by stating, the second issue involves the relocation of storm water retention, which will be located under ground and out of sight, but was originally planned to be on the east side of the building, west of the rail road tracks. Due to park impacts and maintenance access, the underground storm water retention has been moved to the South side of the building, under the right-of-way. This relocation will provided ease of maintenance, and to allow for landscape planning for the park. Due to the change being out of sight and not seen, this change was not deemed to be a significant change.

In addition Mr. Briggs added, the third issue, involves the reduction in the residential density from 130 unit s to 69 units, may people believe this is a significant change. Part of the reason for the approval, for PD Overlay (the variance portion) approval was based on the desire to have people living close to down town and put feet on the street. Staff's prospective is that if it was proposed originally with 69 units, the outcome would have been the same, given the building size was unchanged. The relative amount of square footage of residential units is unchanged and the project potentially has the same benefit to the Park Avenue merchants.

Continuing he presented, the forth issue, where staff does have a concern, which is the change of the building size above grade. When the project originally came in, it was represented to be 194,385 gross square feet, not counting the floor area for parking and loading docks (presented an overhead projection of the building elevation submitted during preliminary approval). The project now, not counting parking or loading docks, is larger by 33, 415 square feet above grade. Mr. Briggs indicated that the materials presented by the applicant are not accurate in that they represent that the Jan. 2005 preliminary approval was for 225,473 square feet. That is not true citing the original document. Mr. Briggs went on to describe how the applicant's are interpreting the code are also inaccurate and that there clearly has been a change in the distribution of uses within the building (parking has now become



office/residential) which also is not permitted by code. Mr. Briggs responded to Board member questions.

Mickey Grindstaff (Attorney for the Central Park Station Partners) – Mr. Grindstaff opened relaying his comfort in presenting to the board, having only three members present, being that the members were present at the beginning of the preliminary process and have adequate knowledge of the history of the project. He continued by addressing the commission with a two fold presentation. The two presentations walked through the initial planning and discussions of the Central Park Master Plan Taskforce, United States Postal Service, Planning and Zoning Commission, City Commission, a number of other City appointed board/ taskforce members, community organizations and citizenry that developed the post office site redevelopment project criteria, plans, Request for Qualification and Request for Proposal process. From the said process, Central Park Station Partners, LLC was selected out of the four proposals received in May of 2004. Mr. Grindstaff continued by reviewing the preliminary and final approvals received by the Planning and Zoning board, the contractual agreement between his client and the United States Postal Service, and the ordinance and Comprehensive Plan amendments, and preliminary approval granted by the City Commission to present date. Mr. Grindstaff contends that the plans are in same conformance as the plans which were submitted and approved previously by the two governing bodies and does not represent any significant changes as defined under the City of Winter Park Land Development Code and Comprehensive Plan. As such, Mr. Grindstaff asserted an action for final approval is warranted. Mr. Grindstaff also relayed the applicant's willingness to address P&Z board member and citizenry questions by way of a publicly noticed workshop that took place in January 2006 and by meeting with Commissioner John Stevens to review, clarify and address specific architectural questions Mr. Stevens relayed.

Mr. Grindstaff relayed that throughout the process beginning in 2004 through final submission of the development plans, Staff reports have found the plans presented by the applicant to have no significant changes and having meet all regulations of the code. He continued by addressing the most current staff report dated October 25, 2005 as being a recommendation that is respected by the applicant, however the applicant disagrees with the current Staff position and contends the plans in question and up for final approval have no significant changes.

Mr. Grindstaff concluded his presentation by expressing the applicants expressed they did not feel a need to come back before the P&Z Board, being that no significant changes were found in previous rounds of approval, but returned to address questions the board may have of the applicant and to address misnomers that have circulated amongst the community regarding the project. Mr. Grindstaff asserted that the components of the building project had not changed and that the architectural refinements made are in compliance with previously approved submissions. He also presented that while mediation efforts were made to come to an agreement regarding the changes in question, the applicant at the City Commissions request was placed back on the P&Z Commission's agenda and they have complied in attendance to this meeting. The applicant answered questions from the Board.

The following people spoke in favor of the project: Joe Terranova, 722 Melrose Avenue

The following people spoke in opposition to the project: Beth Dillaha, 1801 Forrest Rd; Mark Hagle, 1220 Park Ave. N.; Carolyn Cooper, 1047 McKean Circle; Jan Nichols; 1505 Bonnie Burn Circle Vicki Krueger, 200 Carolina Ave. #201; Susan Gabel, 1539 Golfside Dr; Yvonne O. Traylor, 150 Chelton Circle; Kathleen Kiely, 1800 Oneco Ave; Steve Gallagher, 1930 Summerlane Ave; William Traylor, Jr., 150 Chelton Circle; Gene Randall, 1285 Richmond Road; Sally Flynn, 1400 Highland Rd., Kim Allen, 271 Virginia Dr.; Will Graves, 30480 George Mason Ave.; Ann Higbie, 190 Ward Dr.; Forest Michael, 130 N. Center St.

The following person had no position on the project, but spoke to present general information: Michael Harbison, 2150 Forrest Road.



No one else wished to speak concerning the request. Public Hearing closed.

Commissioner John Stevens presented a Power Point presentation to the Board to provide observations relating to the Land Development Code and architectural points to consider while reviewing the applicants request. The conclusion of the presentation was that the external dimensions of the project have been changes. The internal courtyard is smaller but more importantly the external terraces have been reduced in size. Thus, the argument that nothing has changed in this project when viewed from the exterior is a false representation.

Vice-Chairman polled the Board members individually who expressed their discontent with the project and their observations regarding changes made to the plans/ project. Specifically the board referenced the changes in use and location within the project, the plans not having a complete landscape plan, the changes in total gross square footage, the lacking percentage of diversified mixed-use, the removal of a second level of under ground parking, setback changes, scale of project changes, the applicant not providing requested study materials (shade study and digital renderings), loss of affordable housing, loss of units and functionality of post office/ delivery services.

Mickey Grindstaff on behalf of the applicant respectfully chose not to address any of the questions/ concerns of the Board, giving reasoning that many of the questions presented were previously address in earlier hearings and in the disposition statements given in the current meeting. The applicant will proceed in upholding their disposition in the scheduled City Commission meeting.

Jeff Briggs - presented an overhead containing the four options from staff's perception of a means to present a motion for the project, the third option being the staff recommendation.

1. Recommend approval of the project, coming to the conclusion that the project conforms to the original approval. Any modifications made meet the code. Thus there are no significant changes, which is the position of the applicant tonight.
2. Recommendation of approval that the project conforms to the original approval, and perhaps there has been significant changes but those changes and acceptable.
3. Which is the staff recommendation – recommend approval, recognizing that the project has significant changes, can receive final approval if the project plans are revised as staff suggests reducing the gross square footage above grade to 194,385 not including parking and loading docks.
4. Recommend Denial of these final plan submissions. The project has significant changes from the original approval, these changes being unacceptable with specific details and other criteria per your personal observations.

**Motion made by John Stevens for Denial, seconded by Patrick Doyle (with amendments added) that the plans do not conform to the preliminary plans approved (January 2005) due to significant changes including:**

1. **Building area increase over 250 square feet**
2. **Variation in height above grade**
3. **Modifications and alterations on and to the site plan including relocation of the storm water facilities and a reduction in the building setbacks (upper floors) on the park side and New York Avenue side.**
4. **Changes in the distribution and location uses within the building**
5. **Changes in impervious grade uses**
6. **Inconsistency with original plans as to truck deliveries, and mail drop off**



- 7. Landscape and hardscape plan submitted as preliminary when final revisions are required per code.**

**Motion carried unanimously 3-0 for denial.**

Meeting adjourned at 9:51 pm.





## CITY OF WINTER PARK PLANNING & ZONING COMMISSION

Regular Meeting  
Commission Chambers

February 15, 2006  
7:00 pm

### MINUTES

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Chairman Tom Alday called the meeting of the Planning and Zoning Commission to order at 7:00 p.m. in the Commission Chambers of City Hall, 401 Park Avenue South, Winter Park, Florida.

PRESENT: Chairman Thomas Alday, Vice-Chairman John Stevens, Patrick Doyle, Margie Bridges, City Attorney Tripp Cheek, City Planner Jeffrey Briggs. Bill Roll and Rick Swisher were absent.

#### Approval of Minutes

**Motion made by Mr. Stevens, seconded by Mrs. Bridges to approve the meeting minutes from January 10 and 24, 2006. Motion carried unanimously with a 5-0 vote.**

#### PUBLIC HEARINGS

CU 1:05 Request of the Central Park Station Partners LLC for Final Development Plan Approval under Section 58-90 "Planned Development Overlay" pursuant to the approval of the Preliminary Development Plans by the City Commission on February 28, 2005 and October 10, 2005, within the Central Business (C-2) District zoning for the four story, mixed use redevelopment of the U. S. Post Office property at 300 N. New York Avenue containing approximately 26,000 square feet of post office facilities, 17,600 square feet of commercial/office space, 69 residential condominiums and 375 parking spaces including basement parking.

Chairman Alday announced that the request has been withdrawn from the agenda by the applicant due to changes in the plans that had not been provided to the Planning Commission for sufficient review. He stated that the item will be re-advertised for the next available hearing date. (April 4, 2006)

ZMA 3:06 Request of Fugelberg-Koch Architects to amend the Zoning Map to change the existing zoning designation of Commercial Shopping Center (C-1) District to General Commercial (C-3) District on the property at 2555 Temple Trail.

City Planner Jeffrey Briggs presented the staff report. Mr. Briggs gave the Board a general overview of the subject property. He explained that in the mid-1980's the applicant was granted a conditional use for the construction of a four-story office building on the northeast corner of the office/commercial plaza at 2555 Temple Trail. The project was not built at that time although the parking lot and all the surrounding development was constructed. About six years ago, another four story office was approved but gain not constructed. Now they are back with similar plans.

This time however, the plans show a 10 foot side setback including the internal stair tower element on the eastern side located adjacent to the public works facility. The code requires a 20 foot setback and thus the applicant is requesting to rezone to C-3 versus C-1, shopping center to avoid a variance (C-3 side setback is 5 feet). Mr. Briggs stated that staff is uncertain why the property has historically been zoned C-1 "Shopping Center" district and not the more typical C-3 "General Commercial". He noted that there is no difference in the permitted uses or building heights. He added that the only difference is in the setbacks. He said that the



property's proximity to the City's public works facility is not a problem as the City has constructed a storage building within three feet of the property.

Staff recommended approval of the rezoning and the renewal of the conditional use approval which has technically expired (after two years). Mr. Briggs responded to Board member questions and concerns. He agreed that the same setback relief could be handled with a Planned Development (PD) variance versus a rezoning but staff thought that would be a more controversial approach given the recent Town Meeting criticism of the PD process.

Mr. Lyle Fugleberg, co-applicant, 2555 Temple Trail, stated that he agrees with the recommendations made by staff. He responded to Board member questions and concerns.

No one wished to speak in favor of or in opposition to the request. Public Hearing closed.

The Board members discussed the request. Mr. Doyle stated that he has no issues with the request as presented by staff. Mr. Stevens stated that he does not support approving the request as the applicant can revise the building to meet the 20 foot setback. He expressed concerns relating to retention and stated that he is concerned that the project may become a high use office complex. Mrs. Bridges stated that she agrees with the setback comments made by Mr. Stevens and further that she sees no justification to rezone the subject property. Mr. Alday stated that he agrees with the comments relating to rezoning, but would prefer to see the PD overlay (variance) for this project versus a rezoning. He pointed out that the City has already approved a four story office at this location twice before and the only issue this time is the setback question which is adjacent to the Public Works complex (and the City has no objection).

**Motion to deny the request made by Mr. Stevens, seconded by Mrs. Bridges. The vote was 2-2. The Planning Commission agreed to send it forward to the City Commission with this 2-2 vote.**

**OTHER BUSINESS:**

Mr. Ken Murrah read a letter into the record requesting to repeal an ordinance that was passed in February 2005 concerning amending the definition of Floor Area ratio (FAR) for commercial projects. He stated that he feels strongly that the ordinance leads to precedent setting and further that repealing it will establish fairness in the zoning code. The Board agreed to bring this issue to the next work session for discussion as long as it was prospective and not retrospective on projects already approved.

There was no further business. Meeting Adjourned at: 8:45 p.m.

Respectfully submitted,

Lisa M. Clark,  
Recording Secretary



**CITY OF WINTER PARK  
PLANNING & ZONING COMMISSION**

Regular Meeting  
Commission Chambers

January 10, 2006  
7:00 p.m.

**MINUTES**

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Chairman Tom Alday called the meeting of the Planning and Zoning Commission to order at 7:00 p.m. in the Commission Chambers of City Hall, 401 Park Avenue South, Winter Park, Florida.

PRESENT: Chairman Thomas Alday, Vice-Chairman John Stevens, Bill Roll, Patrick Doyle, Margie Bridges, Rick Swisher, City Planner Jeffrey Briggs.

**APPROVAL OF MINUTES**

**Motion made by, seconded by to approve the December 6, 2005, meeting minutes. Motion carried unanimously with a 5-0 vote.**

**PUBLIC HEARINGS**

ZMA 3:06 Request of the Marco Hotel Assoc. LLC to amend the Zoning Map to change the existing zoning designation of General Commercial (C-3) District to Central Business (C-2) District on the properties at 901 and 911 N. Orlando Avenue in order to build a four-story mixed use development containing a 250 seat restaurant, 5,000 square feet of retail space, 70 condominium units and a 230 space three level parking garage.

Chairman Alday announced that the request has been removed from the agenda and will not be heard.

CU 1:05 Request of the Central Park Station Partners LLC for Final Development Plan Approval under Section 58-90 "Planned Development Overlay" pursuant to the approval of the Preliminary Development Plans by the City Commission on February 28, 2005 and October 10, 2005, within the Central Business (C-2) District zoning for the four story, mixed use redevelopment of the U. S. Post Office property at 300 North New York Avenue containing approximately 26,000 square feet of post office facilities, 17,600 square feet of commercial/office space, 69 residential condominiums and 375 parking spaces including basement parking.

Mickey Grindstaff, 300 South Orange Avenue, was present representing the applicant. He introduced the members of the development team. He stated for the record, that the applicants feel that their submittal fully complies with the technical requirements of the City Code, and that they are certain that they were not required to be at the meeting; however, they came at the request of the City Commission. He said that they were prepared to make a complete presentation, but in the best interest of the project and the community they requested to table the public hearing. He stated that in light of the pending lawsuit, he suggested tabling the request until the February Planning Commission meeting in order to hold a public work shop prior to that meeting. He said that the applicants are hopeful that this will put to rest any misinformation that may be circulating in the community.

The Board members were agreeable to this request. The applicant was directed to coordinate this effort with staff.



**Motion made by Mr. Doyle, seconded by Mr. Stevens to table the request until the February Planning Commission meeting. Motion carried unanimously with a 5-0 vote.**

### **SITE PLAN REVIEWS**

SPR 1:06 Request of Mr./Mrs. Childers for approval of a new single family home at 2104 Venetian Way on Lake Maitland.

City Planner Jeffrey Briggs stated that staff is requesting to table the item until the January 24, 2006 public hearing. No one wished to speak concerning the request. Public hearing closed.

**Motion made by Mr. Roll, seconded by Mr. Doyle to table the request until January 24, 2006. Motion carried unanimously with a 5-0 vote.**

City Planner Jeffrey Briggs presented the staff report. He reviewed the issues of floor area ratio, impervious coverage, views of the neighbors and the lake, storm water retention and tree preservation. Staff recommended approval. He responded to Board member questions and concerns.

**Motion made by Mr. Roll, seconded by Mrs. Bridges to approve the request. Motion carried unanimously with a 5-0 vote.**

SPR 2:06 Request of Holloway Custom Homes for approval of anew single family home at 680 Via Lugano on Lake Maitland.

City Planner Jeffrey Briggs presented the staff report. He reviewed the issues of floor area ratio, impervious coverage, views of the neighbors and the lake, storm water retention and tree preservation. Staff recommended approval. He responded to Board member questions and concerns.

Jessie Sparks, 700 Via Lugano, requested that if the item is approved that he be provided a copy of the engineered drawings.

No one else wished to speak concerning the request. Public Hearing closed.

**Motion made by Mr. Roll, seconded by Mrs. Bridges to approve the request subject to staff conditions in addition to providing a copy of the engineered drawings to the adjacent neighbor Mr. Sparks. Motion carried unanimously with a 5-0 vote.**

SPR 3:06 Request of Mr./Mrs. Gray for approval of a new single-family home at 140 Fawsett Road on Lake Sue.

City Planner Jeffrey Briggs presented the staff report. He reviewed the issues of floor area ratio, impervious coverage, views of the neighbors and the lake, storm water retention and tree preservation. Staff recommended approval. He responded to Board member questions and concerns.

Mr. Gray, the applicant, was present and briefly addressed the Board. He expressed his agreement with staff recommendations. No one else wished to speak concerning the request. Public Hearing closed.

**Motion made by Mr. Roll, seconded by Mrs. Bridges to approve the request. Motion carried unanimously with a 5-0 vote.**

### **PUBLIC HEARING**

CU 11:05 Request of the Sydgan Corp. for Conditional Use Approval and Planned Development Approval for the redevelopment of the properties at 410 & 550 Denning Drive, 800/828/844 Swoope



Avenue, 781/783/835 W. Canton Avenue and 441/437 N. Capen Avenue for a 105 unit two/three story apartment project with a three level parking garage

ZMA 10:05 Request of the Sydgan Corp. to amend the Comprehensive Plan Future Land Use Map and the Official Zoning Map so as to change the existing land use designations of Multi-Family and Single Family Residential (R-3/R-1A) to Multi-Family Residential (R-4) on the properties referenced above for a 105 unit two/three story apartment project with a three level parking garage.

City Planner Jeffrey Briggs presented the staff report. He stated that the applicant proposes to construct the apartments on the "L" shaped piece of property on Swoope/Denning with an internal parking garage. He reviewed the past history on the request. He said that that Planning Commission approved the request on August 16, 2005, with eight conditions. Mr. Briggs noted that the request made it thru the first reading with the City Commission, however, on November 14, 2005, the Commission voted to return the requests to the Planning Commission. He stated those reasons for the record. He reviewed the dynamics of the surrounding neighborhood in addition to the zoning and comprehensive plan aspects of the plan.

He said that the proposed development agreement provides for dedicated park/open space which was a point of contention at previous public hearings. He said that the applicant has agreed to donate the 30,500 square feet to the city, and to be maintained by the City in perpetuity. He noted that the issue of the parking garage has also been revisited by the applicant in making the garage a 3 level versus a 4 level garage. He also stated that the City Commission's intention for this applicant is not clear (if the applicant is to start over or concentrate on the four items as stated.)

In response to a question, Tripp Cheek, City Attorney, stated that although the language is not clear in the City Commission motion, it appears that the City Commission wishes the Planning Commission to re-examine this project only with regard to the four issues detailed in their motion. It is not clear if the City Commission wishes the Planning Commission to re-visit this request as if it were sent back for a total re-evaluation as to the merits of proceeding with the project at all. Based upon that advice the Planning Commission concurred that the direction is to confine their action to the review of the four issues delineated in the motion and not to re-visit whether the project should be approved or denied.

Alberto Vargas, CRA Manager, provided more insight into the request. He stated that from staff's perspective the proposed structure adheres to the intent of the Denning Drive charette regarding height and building placement. He noted that one area where the project differs from the Casto development is that there are some units on the first floor that face Denning Drive. Mr. Vargas responded to Board member questions and concerns. Board members questioned why the Casto condominium was requested to break-up their façade then why not this project. They also questioned the compatibility of the 50 foot tall section of the building on the corner of Denning and Canton opposite single family homes. Mr. Vargas responded to those questions.

Attorney Todd Norman, represented the applicant. He stated that the proposed development agreement has been reviewed and approved by the applicant. He added that he feels that the issues raised by the City Commission have been addressed. He responded to Board member questions and concerns.

The following people spoke in favor of the request: Kelly Price, Dennis Dunham, 663 West Swoope Avenue, Michael Hall, 663 West Swoope Avenue, Michael O'Shaughnessy, 255 Osceola Court, and Carlos Posada, 1501 Summerland Avenue.

The following people spoke in opposition to the request:

Mary Daniels, 650 Canton Avenue, stated that she does not oppose the redevelopment of the apartments, but that she opposes the construction of the parking garage in a residential neighborhood. She asked if surface parking was ever considered as an option for the project. She stated that she feels that a precedent will be set if approved.

Susan Gabel, 1539 Golfside Drive, opposed the increased density and the construction of a parking garage.



Lurline Fletcher, 790 Lyman Avenue, opposed the height, increased density and construction of the parking garage so close to existing residential units. She also expressed concern with increased traffic.

Carolyn Cooper, 1047 McKean Circle, spoke concerning issues relating to the comprehensive plan and concurrency.

Rick Frazee, 1921 Englewood Road, stated that he feels that the project should be put on hold until the comprehensive plan is completed.

Kim Allen, 271 Virginia Avenue, opposed the project due to overall planning aspect. She encouraged the Board to look at the overall impact on the existing residential neighborhood due to the significant increase in density and traffic.

Ginny Murphy, 1061 McKean Circle, commented that she feels that the Board and City Commission should stop and consider the people that live in the neighborhood and to study the traffic. She stated that the redevelopment has caused the West Side and Hannibal Square to lose its character.

Margie Wagner, 181 West Stovin Avenue, opposed the project setbacks.

Martha Hall, 331 West Lyman Avenue, spoke concerning past redevelopment projects and restated the reasons that she opposes the newest project.

Matthew Walker, 438 North Capen Avenue, said that he feels that the project should be put on hold to investigate whether it is a good project for the entire City.

John Murphy, 2221 Hawick Lane, opposed the construction of the parking garage.

Sally Flynn, 1400 Highland Road, stated that she agrees with the residents that live in the community and that the concerns raised should be taken into consideration.

Reginald Clark, 855 English Court, requested that item be placed on hold for further review.

Bill Rosenfeld, 1400 New York Avenue, stated that he tends to agree with the residents that reside in the surrounding community, and suggested that the entire project be reviewed and investigate surface parking.

Dan Bellows, 533 West New England Avenue, stated that he has gone through several meetings and stated that he feels that he has done what was requested of him and that it is addressed in the proposed development agreement. He requested that the Board approve the request.

George McClure, 1730 Shiloh Lane, spoke concerning concurrency and stated that he feels that a thorough traffic analysis needs to be completed.

No one else wished to speak concerning the issue. Public Hearing closed.

Mr. Cheek addressed a letter that was received from the applicant's attorney. He stated that he has reviewed the stated issue and does not see that there is any conflict of interest in any member of the Planning Commission voting on this matter.

Mrs. Bridges stated that she has reviewed the letter and has listened to all of the comments and that she has kept an open mind and that she is able to make a decision with an open mind.

Mr. Cheek responded to Board member questions relating to the comprehensive plan and concurrency.



The Board members addressed the points individually. Consensus was that item #1 relating to parking and green-space has been resolved with the dedication. Mrs. Bridges questioned whether an additional acre needs to be added to the established green space. Mr. Roll stated that in his opinion, the applicant has complied.

Item #2: Size of the parking garage and make a determination of whether it is premature to build a 320 space parking garage. Consensus was that the applicant has reduced the height and has complied to condition #2.

Item #3: Address and reconsider the size and facade of the building along Denning Drive by breaking up the building into smaller units. Mr. Alday stated that the project has gone thru several discussions and the applicant has oriented front doors toward Denning Drive to be more pedestrian friendly. Consensus was that the applicant has conformed. Mr. Vargas requested that Board recommend that the applicant be directed to work with staff regarding the cross sections in order to maintain consistency with the Casto development across street. The Board was agreeable to that request.

Item #4: Make a determination as to whether the project infringes on residential property. Considerable discussion ensued regarding increasing the setback from the parking garage to the adjacent residential properties. Consensus was to take such action as defined in the motion.

**Motion made by Mr. Roll, seconded by Mr. Doyle to conceptually approve the request with the same conditions imposed on August 16, 2006. This motion includes the acceptance of plans submitted by the applicant to the City Commission on November 14, 2005 as satisfying the conditions relating to parking and green space, the reduced three level size of the parking garage, the revised articulation and facade of the building along Denning and Swoope and the infringement as relates to R-1A zoning. However, the applicant is to revise the plans to take 7.5 feet out of the courtyard and 2.5 out of the front setback on Swoope Avenue in order to increase to 20 feet the setback of the parking garage from the south rear property line. Motion carried with a 4-1 vote. Mr. Stevens voted against the motion.**

ZTA 1:06      Request of the City of Winter Park to amend Chapter 58 "Land Development Code", Article III, "Zoning" so as to establish a new Section 58-91 "Zoning in Progress"

**Mr. Briggs announced that the request has been withdrawn by the applicant/city.**

There was no further business. Meeting Adjourned at: 10:15 p.m.

Respectfully submitted,

Lisa M. Clark,  
Recording Secretary



**CITY OF WINTER PARK  
PLANNING & ZONING COMMISSION**

Regular Meeting  
Commission Chambers

January 11, 2005  
7:00 p.m.

**MINUTES**

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Chairman David Lamm called the meeting of the Planning and Zoning Commission to order at 7:00 p.m. in the Commission Chambers of City Hall, 401 Park Avenue South, Winter Park, Florida.

PRESENT: David Lamm, Chairman, Thomas Alday Vice-Chairman, John Stevens, Patrick Doyle, Bill Roll, Margie Bridges, City Planner Jeffrey Briggs and Recording Secretary Lisa M. Clark.

**PUBLIC HEARINGS**

- CU 1:05 Request of the Central Park Station Partners LLC for Conditional Use and Planned Development Approval within the Central Business (C-2) District zoning to permit the construction of a four-story, mixed use redevelopment of the U. S. Post Office property at 300 N. New York Avenue. The request also includes approval of the temporary post office facilities to be located on the city property south of the current post office on New York Avenue and Morse Blvd. and at the former city water plant site on New York Avenue.
- ZTA 1:05 Request of the Central Park Station Partners LLC for an Ordinance to Amend Chapter 58, Article III, "Zoning" so as to amend the Zoning Definitions to provide for an alternate definition of floor area ratio within the New York Avenue corridor of the Central Business (C-2) District.

City Planner Jeffrey Briggs presented the staff report. He stated that the applicant is seeking approval for the project plans to redevelop the Winter Park Post Office property at 300 North New York Avenue, currently zoned C-2. He noted that there is a companion request for a zoning text change to permit the floor area ratio calculation used for the Landmark Condominium project. He said that the proposal is for a four-story mixed use building with two levels of underground parking. Mr. Briggs provided an extensive overview of the project description, request for floor area ratio modification, and planned development variances, off-site approvals, and density bonuses. Staff indicated that the major issue was the setback of the building adjacent to the property line along New York Avenue which was not consistent with the rules adopted in March 2004 for the Sprint project. Staff recommended approval of the request except for the variance. Mr. Briggs responded to Board member questions and concerns.

Messrs. Lamm and Alday and Mrs. Bridges disclosed that that they prior meetings with the applicant.

Mr. Allan Keen, 1312 Bridgeport Drive, Winter Park, introduced the partners involved in the redevelopment of the post office site. Mr. Paul Bryan, 510 Jennifer Lane, Windermere, introduced the members of the redevelopment. John Cunningham, ACI Architects.

Mr. Cunningham began by indicating that the components of the building project, floor plans, parking arrangements, etc., had not changed since the work session presentations to the both the planning commission and the City Commission. However, further refinements have been undertaken to the exterior architectural form. Mr. Cunningham then displayed the architectural prospective drawings of the exterior highlighting the elements of architectural relief and ornamentation. During his presentation, Mr. Cunningham answered questions from the planning commission concerning specific materials, setbacks, overhangs and other design features. He addressed the issue of the setback variance on New York Avenue by emphasizing the compensation provided with the enhanced building setbacks on the east (Central Park) side and south



(Chamber) side. He also indicated the proposal to narrow the drive lanes of New York Avenue which would allow the east curb of New York Avenue to be moved out of providing room for some landscaped tree island.

Board member questions began with Mr. Doyle's inquiry about the traffic impact of this project specifically on the New York/Canton avenues intersection and potential future need for a traffic light. Kokwan Mah, traffic consultant from Glatting-Jackson explained that a traffic study has been conducted and in response indicated that the level of service at that intersection will decline from level (C-D). He said that what it means is that the average wait at the 4-way stop is now 18 seconds and with the added traffic, the average wait time will increase to 27 seconds.

The following people spoke in support of the project: Joe Terranova, 722 Melrose Avenue; Michael O'Shaughnessy, 255 Osceola Court (owns 201 West Canton Avenue); Allan Trovillion; Danny Williams, 637 Blairshire; and Forest Michael, Michael Design Associates.

Vickie Crooker, 200 Carolina Avenue, spoke concerning the request. She explained that she is concerned with what type of storm water exfiltration system that will be used for the project and the impact that the residential component will have on the area schools.

Ken Kraft, 231 Chelton Circle, owner of the Kraft Insurance Building at New York and Garfield avenues stated his concern about storm water impacts onto New York Avenue which already experiences some flooding problems and asked the Board for attention to that detail. He expressed concern about the scale of the project, and does not support the narrowing of New York Avenue but otherwise complimented the architecture and concept for this redevelopment.

No one else wished to speak concerning the request. Public Hearing closed.

Chairman Lamm polled the Board members individually who expressed their support for the project and its design. In particular, John Stevens expressed appreciation to the development team on the exemplary architectural product. He expressed some concern about the closeness of the building setback to New York Avenue, but felt the architectural detail and relief were compensating factors.

The Board members discussed the issue of consistency with the Sprint project setbacks and whether this building would be precedent setting. Their consensus was that the architectural details overrode the need for setback consistency (just for consistency sake) and the intent of the PD process was to reward architectural design when warranted on a case-by-case basis without setting any precedent.

**Motion made by Mr. Lamm, seconded by Mr. Roll to grant approval of the FAR ordinance and conceptual approval to the conditional use and planned development request (for variations in the New York Avenue building setbacks) with incorporation of the prospective drawings presented to the Planning Commission into the public record subject to the following conditions:**

- 1. That a development agreement be prepared by the developer for approval by the City incorporating provisions for:**
  - a. Air rights easements for balconies and other protrusions into the right-of-way**
  - b. Mutual access easements for the public plaza areas**
  - c. Provisions for off-site storm water exfiltration and companion maintenance agreements**
  - d. Density bonus contributions as suggested by staff**
  - e. Hardscape and landscape plan with approvals by the City for pedestrian circulation areas with improvements (including street lights) similar to Park Avenue streetscape**
  - f. Underground facilities for electric power**
  - g. Building materials and finishes per submitted plans as presented and where not provided then similar to Suntrust building quality**
- 2. Approval includes submissions for interim or temporary post office facilities**



3. **Storm water master plan to be prepared by developer at the direction of the City to include focus on alleviating any existing drainage problems on New York Avenue.**
4. **Traffic study to be updated by developer including Sprint and Genius Foundation projects with City Commission to determine whether mast arm traffic signal is needed at New York and Canton avenues.**
5. **Those modifications to the cross section of New York Avenue shall be approved by the City Commission following design drawings and notice to adjacent property owners.**

**Motion carried unanimously with a 5-0 vote.**

MISC 4:04 Request of the Sydgan Corp. for Planned Development Approval within the Central Business (C-2) District zoning to permit the construction of a four story mixed use building at 450 West New England Avenue.

MISC 3:04 Request of the Sydgan Corp. for Planned Development Approval within the Central Business (C-2) District zoning to permit the construction of a four story mixed use building and seven level parking garage on the property bounded by Pennsylvania Avenue, Lyman Avenue and Hannibal Square, East.

Mr. Briggs announced that there would be a simultaneous public hearing for these items. Mr. Briggs added that the applicant has prepared a parking layout and matrix that clearly illustrates parking for all of the applicants projects.

#### 450 West New England Avenue

City Planner Jeffrey Briggs presented the staff report. He reviewed the details of 450 West New England Avenue. He said that the applicant is requesting conditional use and planned development approval to construct a four-story mixed use building on five lots on the south side of New England Avenue, and east of Hannibal Square East. He noted that the 450 West New England Avenue building received conceptual approval by the Board in July 2004 for a three-story mixed use building. He updated the Board members concerning the request. He noted that the previous project was deemed financially prohibitive due in part to the cost of providing 35 spaces of underground parking. He said that the feature has been removed and the required parking has been moved into an enlarged parking garage in the related project that the applicant proposes to build on the block south of the Dexter's building. He added that an additional fourth floor is being requested to augment the income generated by this project. He discussed in detail the plans for the proposed mixed use building to include FAR requirements, planned development variances and density bonus.

Mr. Briggs summarized by saying that although this may not be a complete application package as desired, the item was kept on the agenda for the Board to discuss the merits of the four-story versus the three-story building. He said that the project would complete the redevelopment of the block as envisioned in the CRA Plan, not in scale but in the mixed-uses of retail-office and residential. He restated the conditions that were imposed in July 2004 and added a third as follows:

1. That the project be deed restricted to residential usage only for the second, third and fourth floor.
2. That the final site plan, floor plans, civil engineering plans, landscape plans and architectural elevations, including building materials be approved by the Planning Commission.
3. That the developer contribute a park acquisition density bonus of \$72,000 to cover the full costs of parkland needed for the 12 additional units permitted via the PD variance and that a deed restriction be required for any future condominium conversion that requires three units certified under the City's affordable housing guidelines or payment of a negotiated fee-in-lieu.

Mr. Briggs responded to Board member questions and concerns.

#### 362 Pennsylvania Avenue

Mr. Briggs provided details of the request. He stated that the applicant is requesting conditional use and planned development approval to construct a four-story mixed use building and seven level parking garage on the six lots lying south of the Dexter's building bounded by Pennsylvania and Lyman avenues and Hannibal



Square East. He noted that this is the same property approved in July 2004 for a similar mixed-use building but the parking garage component is revised from five to seven levels. He added that the increase in the height of the parking garage is to accommodate the shift of the 35 parking spaces that were proposed to be in the basement parking garage level below the 450 West New England Avenue project. He said that with that change, the details of the project remain the same. He discussed in detail the plans for the proposed mixed use building to include FAR requirements; planned development variances and density bonus.

Mr. Briggs summarized by saying that although this may not be a complete application package as desired, the item was kept on the agenda for the Board to discuss the merits of the five-level versus seven-level parking garage. He said that the project would complete the redevelopment of this block as envisioned in the CRA plan, not in the scale/height of the parking garage but in the mixed uses of office/retail and residential. He added that the previous project was approved with two conditions and if approved, staff recommended the addition of a third condition:

1. That the project be deed restricted to residential usage only for the second, third and fourth floors.
2. That the final site plan, floor plans, civil engineering plans, landscape plans and architectural elevations, including building materials be approved by the Planning Commission.
3. That the Developer submits to the City for approval, a parking management plan for the operation of the parking garage and the signage of those spaces.

Mr. Briggs responded to Board member questions and concerns.

Dan Bellows, 533 West New England Avenue, the applicant, spoke concerning parking requirements for the two proposed projects. He said that currently there are 505 parking spaces. He said that if the proposed projects were approved that would bring the total up to 509 leaving a shortage of 4 parking spaces.

The following people spoke in favor of the project: Carlos Posada, 720 Pansy Avenue and Merrill Ladika, 451 Garfield Avenue.

Lurline Fletcher, 790 Lyman Avenue, spoke in opposition to the request.

No one else wished to speak concerning the request. Public Hearing closed.

The Board members discussed the pros/cons of both requests in detail. Mr. Alday stated that he does not support going to the fourth floor and going over the 40-foot height rule. He stated that the policies for the redevelopment of New England Avenue and the Hannibal Square district are to replicate the scale and height of Park Avenue which is no more than 40-feet tall. He noted that the original Dexter's building was approved for three stories only because of the third floor residential component, and because the redevelopment remained within the 40-foot height rule. The only reason, the Planning Commission approved the four-story building south of the Dexters building was that it stayed consistent with the 40-foot height.

Mrs. Bridges stated that she agrees with Mr. Alday and feels that the redevelopment will negatively affect the quality of the residential neighborhood. She said that she is concerned with the impact that a four-story building with an outdoor terrace will have on the residential neighborhood. She said that she feels that would be certain noise disturbances that cannot be abated. She said that she could even support three stories in a "mixed-use" context, but stated that she does not support four. Messrs. Doyle and Stevens stated that they agree with the comments made by Mrs. Bridges and Mr. Alday. Mr. Roll stated that he has no objections to the request. Mr. Lamm expressed that he agrees with the comments made concerning the single-family residential. He said that he feels that there needs to be a philosophy that will assist staff within the guidelines of making the transition to single-family homes. He said that he does not support the plan that "steps back" 30-feet from the street.

Mr. Roll sated he was not concerned with the four stories because we have already approved a four-story building south of Dexters and the increase in height is minimal.



**450 West New England Avenue**

**Motion made by Mr. Doyle, seconded by Mr. Stevens to deny the request. Motion carried with a 4-1 vote. Mr. Roll voted against the motion.**

**362 Pennsylvania Avenue**

Consensus of the Board members was they were not in support of the additional height.

**Motion made by Mr. Roll to approve the request subject to the applicant building at the height that was previously approved. Amendment: Approve with the garage going to six levels. Motion dies for lack of a second.**

**Motion made by Mr. Stevens, seconded by Mr. Doyle to deny the request. Motion carried with a 4-1 vote. Mr. Roll voted against the motion.**

CU 3:05 Request of New Fellowship Church of God for Conditional Use Approval to construct a new one story, 1,300 square foot fellowship hall addition to the existing Church at 640 W. Canton Avenue, zoned R-1A.

City Planner, Jeffery Briggs, presented the staff report. He explained that the applicant is requesting conditional use approval to construct a new fellowship hall addition at the rear of the property on the west side of the existing Church. He noted that the applicant provided a preliminary site plan. He stated that the church purchased the vacant lot adjacent to the property in order to facilitate the project. He added that the church had use of the property for parking, but not ownership. Mr. Briggs reviewed the dynamics of the property. He said that the adjacent neighbor has signed a letter of consent for the project. He stated that the surrounding properties should not be impacted by the proposed project. Mr. Briggs said that this is an opportunity for the Church to upgrade the appearance of the property by providing landscaping. Staff recommended approval of the request with the condition that the City approve a landscape plan to be implemented in concert with the building program. He responded to Board member questions and concerns.

Pastor Charles Bargaineer, represented the Church. He stated that currently, they have no place to conduct youth activities and this proposed addition would serve this purpose.

Merrill Ladika, 451 Garfield Avenue, spoke in opposition to the request. She stated that she has concerns as to how the congregation parks on the property.

Rudolph Scott, 750 Northwood Circle, church member, addressed the issues concerning parking.

No one else wished to speak concerning this issue. Public Hearing closed.

The Board members briefly discussed the request. Mr. Lamm requested that the church members do not park across the front lawn. He said that he agrees with the staff concerns for landscaping. He stated that he supports the request subject to: the approval is conceptual subject to the applicant providing final plans that illustrate storm water retention, curb cuts, side setbacks for the adjacent neighbor and installing landscaping. Board members agreed with Mr. Lamm.

**Motion made by Mr. Lamm, seconded by Mr. Roll to approve the request subject to the following conditions:**

- 1. That the City approves a landscape plan to be implemented in concert with the building program.**
- 2. Approval conceptual with final plans to come back to the Planning Commission for final approval. Plans are to include details of storm water retention, curb cuts, parking, buffer yards, and landscaping.**



**3. This approval also includes a recommendation not to park on the Pennsylvania front lawn.**

**Motion carried unanimously with a 5-0 vote.**

ZTA 11:04 Request of the City of Winter Park for: An Ordinance Amending Chapter 58, Article III, "Zoning" to provide setback regulations for certain recreational structures.

City Planner Jeffrey Briggs presented the staff report. He noted that the ordinance was discussed at the September meeting where it was tabled and that staff has since met with John Stevens regarding improvements to the text. He reviewed the details of the ordinance. Staff recommended approval.

No one wished to speak concerning the request. Public Hearing closed.

**Motion made by Mr. Stevens, seconded by Mr. Roll to approve the request. Motion carried unanimously with a 5-0 vote.**

CU 2:05 Request of Mr. Rich Bercini for Conditional Use Approval under the Cluster Housing provisions of the R-2 zoning district to build thirteen, two story townhouses on the properties at 1326-1379 Orchid Avenue.

Mr. Briggs announced that the request was withdrawn by the applicant. He said that the applicant will resubmit for a public hearing in February and new notices will be mailed out.

#### **SITE PLAN REVIEWS**

CU 15:03 Request for approval of Final Building Elevations for the Langford Condominiums at 315 E. New England Avenue.

Mr. Briggs reviewed the details of the previous approval. He noted that in January 2004, the City Commission granted conditional use approval to redevelop the former Langford Apartment property at the corner of New England and Interlachen avenues for a four-story 31-unit condominium project. He restated the conditions of approval as follows:

1. Final plans for architectural, landscaping, exterior lighting, dumpster screening and perimeter wall (required where the parking lot abuts single-family homes) shall require final approval by the Planning Commission for both the main condominium and the two story single-family homes.
2. Decorative automatic garage doors shall be included at the entrance to the underground parking level in a similar fashion to the Regent Condominium.

He noted that full construction plans have not been provided by the applicant. He discussed the plans submitted by the applicant. He added that the overall plans appear to be consistent with the design and quality of architecture and materials provided in the original plans presented to the Planning Commission in December 2003. Staff recommended approval of the request subject to the consistency of the wall design with the existing perimeter wall and that the surface parking lot is within screened fixtures that minimize light spread onto adjacent properties.

Doug Trovillion and George Powell, 333 East Par Street, Orlando, were present representing the applicant.

**Motion by Mr. Roll to approve, seconded by Mr. Alday, carried by 5-0 vote.**

Respectfully submitted,

Lisa M. Clark,  
Recording Secretary



**CITY OF WINTER PARK  
PLANNING & ZONING COMMISSION**

Regular Meeting  
Commission Chambers

October 5, 2004  
7:00 p.m.

**MINUTES**

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Vice-Chairman Tom Alday called the meeting of the Planning and Zoning Commission to order at 7:00 p.m. in the Commission Chambers of City Hall, 401 Park Avenue South, Winter Park, Florida.

PRESENT: Thomas Alday Vice-Chairman, John Stevens, Patrick Doyle, Bill Roll, Margie Bridges, City Planner Jeffrey Briggs and Recording Secretary Lisa M. Clark. ABSENT: David Lamm

**APPROVAL OF MINUTES**

**Motion made by Mrs. Bridges, seconded by Mr. Roll to approve the September 7, 2004 minutes. Motion carried unanimously with a 5-0 vote.**

**PUBLIC HEARINGS**

- COMP 5:04 Request of the United States Postal Service to amend the Comp. Plan Future Land Use Plan Map from Governmental and Community Services to Central Business District at 300 N. New York Avenue.
- ZMA 9:04 Request of the United States Postal Service to amend the Zoning Map so as to change the existing zoning of Public, Quasi-Public (PQP) District to Central Business (C-2) District at 300 N. New York Avenue.

City Planner Jeffrey Briggs presented the staff report. He explained that the applicant is requesting to change the Comprehensive Future Land Use Map and rezone the post office property located at 300 North New York Avenue from Public-Quasi Public to C-2. Mr. Briggs explained that the postal service solicited proposals for the redevelopment of the downtown Winter Park post office property. He stated that the joint venture partner selected is Central Park Station Partners LLC. He noted that the group is now developing plans for the site that is to be a combination of new post office, commercial/office space, and residential condominiums and parking garage. Mr. Briggs continued by stating that while those plans are still in development the idea is to follow the precedent of the recent C-2 zoning code change for the Sprint project that permits buildings that may be up to four stories (55 feet in height) along the New York Avenue corridor.

He explained that staff's reason for coming forward with the Comprehensive Plan amendment and proposed rezoning is due to the fact that Orange County Government is proposing a Charter Amendment concerning school capacity. He provided insight into the proposed charter amendment and how it could affect City projects. Staff recommended approval of the request. Mr. Briggs responded to Board member questions and concerns.

Mickey Grindstaff, Shutts & Bowen, 300 South Orange Avenue, Suite 1000, Orlando, represented the applicant. He explained that he is the authorized agent of the post office and also that he represents the contract purchaser with the post office, Central Park Station Partners. He urged the Board members to exercise caution when considering a condition that the zoning would expire in two-years. He said that would create a contract zoning situation. He stated that the applicants propose to redevelop the property in a manner that is consistent with the approval given to the Sprint project. He added that they would return at a later date to seek conditional use approval.



John Cunningham, ACi Architects, 955 North Pennsylvania Avenue, spoke concerning the request. He addressed the concerns of why plans were not produced for this meeting. He explained that due to the recent storms and the pending charter amendment, the applicants chose to go forward with the comprehensive plan and rezoning. He expressed their willingness to bring preliminary plans to the Planning Commission at a work session.

No one else wished to speak concerning this issue. Public Hearing closed.

Discussion ensued among the Board members. Messrs. Stevens and Doyle expressed their concerns relating to proceeding without specific plans as to how the C-2 zoning would be used in the redevelopment of the post office property. Considerable discussion ensued with the applicant regarding issues such as building architecture, building heights, parking, traffic circulation, compatibility with the adjacent central park and prospective square footages of the building uses. The applicant offered specific numbers as to outside boundaries for the scale of the project. The Board discussed in detail the potential affect of the Orange County Charter Amendment and options available to the City. After considerable discussion, it was the consensus of the Board that a conceptual approval could be granted allowing the rezoning to proceed with specific limitations as to the scale/size of the project and the understanding that all design development decisions still rest with future reviews by the Planning Commission and the City Commission.

**Motion made by Mr. Roll, seconded by Mrs. Bridges to approve the request limiting the developer to:**

- 1. 12,000 square feet commercial retail**
- 2. 12,000 square feet office**
- 3. No more than 30,000 square feet of post office**
- 4. Residential use not to exceed a 130,000 square feet**

**Motion carried unanimously with a 5-0 vote.**

- CU 8:04 Request of the Landmark LLC for Conditional Use and Planned Development Approval to permit the construction of a four story, fourteen unit, multi-family residential condominium building and basement parking garage on the property at 140 E. Morse Boulevard.
- ZTA 12:04 Request of the Landmark LLC to amend the zoning text regulations to allow for residential units on the ground floor outside of the Park Avenue Corridor geographic area.
- ZTA 13:04 Request of the Landmark LLC to amend the zoning Definitions to provide for an alternate definition of floor area ratio within the Central Business (C-2) District.

Mr. Briggs announced that the request is postponed until the November 2, 2004, Planning Commission Meeting.

- CU 10:04 Request of St. Margaret Mary Catholic Church for Conditional Use Approval to construct a two-story detached garage building on the rear of their property at 500 N. Knowles Avenue, zoned R-3.

Mr. Briggs announced that the request was tabled until the November 2, 2004, Planning Commission Meeting.

- MISC 6:04 Request of Mr./Mrs. Spencer for Subdivision Approval to split the property at 2414 E. Winter Park Road into two separate single family lots.

Mr. Briggs announced that the request was tabled until the November 2, 2004, Planning Commission Meeting.