



city commission agenda

AMENDED AGENDA
Regular Meeting

March 11, 2013
3:30 p.m.

Commission Chambers

commissioners		mayor		commissioners				
seat 1	Steven Leary	seat 2	Sarah Sprinkel	Kenneth W. Bradley	seat 3	Carolyn Cooper	seat 4	Tom McMacken

welcome

Welcome to the City of Winter Park City Commission meeting. The agenda for regularly scheduled Commission meetings is posted in City Hall the Tuesday before the meeting. Agendas and all backup material supporting each agenda item are available in the City Clerk's office or on the city's Web site at www.cityofwinterpark.org.

meeting procedures

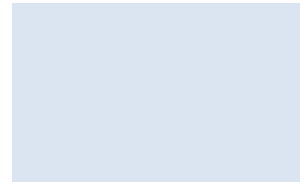
Persons desiring to address the Commission MUST fill out and provide to the City Clerk a yellow "Request to Speak" form located by the door. After being recognized by the Mayor, persons are asked to come forward and speak from the podium, state their name and address, and direct all remarks to the Commission as a body and not to individual members of the Commission, staff or audience.

Comments at the end of the meeting under New Business are limited to three (3) minutes. The yellow light indicator will remind you that you have one (1) minute left to sum up. Large groups are asked to name a spokesperson. This period of time is for comments and not for questions directed to the Commission or staff for immediate answer. Questions directed to the City Commission will be referred to staff and should be answered by staff within a reasonable period of time following the date of the meeting. Order and decorum will be preserved at all meetings. Personal, impertinent or slanderous remarks are not permitted. Thank you for participating in your city government.

1	Meeting Called to Order	
2	Invocation Reverend Allison Harrity, St. Richard's Episcopal Church Pledge of Allegiance	
3	Approval of Agenda	
4	Mayor's Report	
	a. Presentation – Police Department accreditation	15 minutes
	b. Proclamation – Health Week	5 minutes
5	City Manager's Report	Projected Time
	a. Update on New Hope Church portable completion schedule	10 minutes
6	City Attorney's Report	Projected Time

7 Non-Action Items	Projected Time
<ul style="list-style-type: none"> a. Introduction of Silvia Vargas, (consultant with Wallace, Todd, Roberts) for the Comprehensive Plan review per the Economic Development Plan b. Financial Report – December 2012 	10 minutes
8 Citizen Comments 5 p.m. or soon thereafter (if the meeting ends earlier than 5:00 p.m., the citizen comments will be at the end of the meeting) (Three (3) minutes are allowed for each speaker; not to exceed a total of 30 minutes for this portion of the meeting)	
9 Consent Agenda	Projected Time
<ul style="list-style-type: none"> a. Approve the minutes of 2/25/13. b. Approve the following contracts and formal solicitation: <ul style="list-style-type: none"> 1. Renewal with Matern Professional Engineering, Inc. RFQ-2-2012 Continuing Contract for Professional, Architectural & Engineering Services (Green Planning & Engineering Services) and authorize the Mayor to execute Amendment 1. 2. Renewal with Shaw Environmental & Infrastructure, Inc. for RFQ-2-2012 Continuing Contract for Professional, Architectural & Engineering Services (Green Planning & Engineering Services) and authorize the Mayor to execute Amendment 1. 3. Renewal with Kelly, Collins & Gentry, Inc. for RFQ-2-2012 Continuing Contract for Professional, Architectural & Engineering Services (Roadway Design) and authorize the Mayor to execute Amendment 1. 4. Award Schuller Contractors, Inc. for IFB-12-2013 Canton Avenue Stormwater Outfall Improvement and authorize the Mayor to execute the Contract; \$78,461.05. 5. Award Orlando Freightliner for IFB-14-2013 Purchase of New Cab & Chassis Tandem Axle Truck (PR 151755); \$76,459 c. Approve the mid-year budget adjustment to address projected shortfalls in revenue. 	5 minutes
10 Action Items Requiring Discussion	Projected Time
11 Public Hearings	Projected Time
<ul style="list-style-type: none"> a. Ordinance – Vacating and abandoning the utility easement at 1141 Via Capri. (2) b. <u>Request of the Sydgan Corporation:</u> <ul style="list-style-type: none"> - Ordinance – Amending the “Comprehensive Plan” Future Land Use map to change the existing Future Land Use designation of Single Family Residential to Low Density Residential on the property at 250 W. Lyman Avenue (2) - Ordinance – Amending the Official Zoning Map to change the existing zoning designation of Single Family (R-1A) District to Low Density Residential (R-2) District zoning on the property at 250 W. Lyman Avenue (2) 	<p>5 minutes</p> <p>20 minutes</p>

- c. **Resolution** – Authorizing the City Manager to enter into an Urban and Community Forestry Grant Memorandum of Agreement between the City of Winter Park and the Florida Department of Agriculture and Consumer Services



12 City Commission Reports

Projected Time

- a. Commissioner Leary
- b. Commissioner Sprinkel
- c. Commissioner Cooper
- d. Commissioner McMacken
- e. Mayor Bradley

10 minutes each

PLEASE NOTE THAT A SHADE MEETING (EXECUTIVE SESSION) WILL TAKE PLACE AFTER THE REGULAR MEETING TO DISCUSS FIRE AND POLICE PENSION ISSUES. THIS IS NOT OPEN TO THE PUBLIC.

appeals & assistance

"If a person decides to appeal any decision made by the Commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings, and that, for such purpose, he/she may need 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).

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



city commission **city manager's report**

item type City Manager's Report

meeting date March 11, 2013

Below are issues of interest to the Commission and community that are currently being worked on by staff, but do not currently require action on the Commission agenda. These items are being tracked to provide the Commission and community the most up to date information regarding the status of the various issues. The City Manager will be happy to answer questions or provide additional updates at the meeting.

issue	update	date
Electric Undergrounding Project	Utilities Advisory Board has completed the special meetings to consider various policy issues. This will come to the Commission for action.	March 11, 2013 work session scheduled.
Lee Road Median Update	Currently developing a construction schedule.	TBD
Fairbanks Improvement Project	<p>Contract has been awarded to Masci General Contractor, Inc.</p> <p>Progress Energy continuing to study transmission/distribution lines between I-4 and 17-92. FDOT has approved funding for PEF project engineering.</p> <p>Project website has been set up at www.cityofwinterpark.org/fairbanks</p>	<p><u>Construction Project</u> On schedule</p> <p><u>Communication Notices</u></p> <ul style="list-style-type: none"> • Force main work largely completed south of Lee Road (day work) • Contractor working on Fairbanks (day and night work). • Jackson lift station is largely complete. Gravity sewer is complete from Shoreview to Clay. Some soil contamination has been encountered. • Streetlight conduit and pole foundations being installed. • Decorative lights have been ordered. • Mast arm foundations and poles being installed. • Formosa intersection to be closed starting Sunday night. Should be open next Friday.
Traffic Study Alfond Inn	Study is complete. Staff has met with the residents on Alexander Place, Jim Campesi, owner/rep. for the Villa Siena condos and Rollins College to vet the proposals and recommendation. This will be on the City Commission agenda on March 25th.	March 2013

Tree Team Updates	Planning an educational session based on tree inventory study.	March 2013
Wayfinding Signs	All non-FDOT wayfinding signs are installed. Permitting of the FDOT signs continues. Private property agreements under development for nine (9) locations have been notified for permission.	Installation of Phase 2 scheduled for month of May.
ULI Fairbanks Avenue TAP	Staff is working on the vision session.	April 2013
Post Office Discussions	Received letter from USPS on August 6, 2012 regarding right of first refusal. No action at this time.	
Organizational Support	Will be discussed along with preliminary FY14 budget	May/June 2013
Utility Billing/Recurring credit cards	New software is being implemented. Contract on February 11 agenda for approval. Project implementation and testing during March.	March 2013
Amtrak/SunRail Station	Plans have been permitted, contract to be signed; currently developing construction schedule.	March 2013

Once projects have been resolved, they will remain on the list for one additional meeting to share the resolution with the public and then be removed.

NEW HOPE MISSIONARY BAPTIST CHURCH OF WINTER PARK, INC.
Mailing Address: Post Office Box 1626
Location: 274 Capen Avenue
Winter Park, Florida 32789

March 1, 2013

Attention:

Mayor Kenneth W. Bradley
Commissioner Carolyn Cooper
Commissioner Steven Leary
Commissioner Tom McMacken
Commissioner Sarah Sprinkel

The City of Winter Park, Florida

On behalf of our Church, as Pastor, Thanks you for your approval of the portables project granted to us assisting us in the establishment of our nursery/day school to meet the growing needs of the youth and residents of our city.

The purpose of this letter is to give Update of Portable Project.

At present date we have completed the following projects:

In process and near completion:

1. Two New restrooms have been completed, one each for men and women.
2. New updated coded plumbing and electrical improvements as per city approved plans.
3. Pastor's office to code per city approved plans.
4. Preparations for painting of the portables have been completed.
5. Pastor's office completed to code as per city approved plans.
6. Safety barriers around portables are in place.

7. Men and women handicap restrooms are presently being completed as per city approved plans and will be in use by 3/15/13.

Further, we expect to have completed additional items as follows:

Week 3/3/13 – 3/9/13

1. Painting
2. Skirting

Week 3/10/13 – 3/16/13

1. Re-positioning of ramps
2. Preparation for landscaping

Upon receipt of permitting

Project should be completed 45 days thereafter.

Note:

During project and until completion, church will maintain safety barrier around portables.

Very Respectfully submitted,



John P. Phillips

Pastor/Chairman of BOD



city commission agenda item

item type	Non-Action Item	meeting date	March 11, 2013
prepared by department division	Jeff Briggs/Dori Stone Planning/Economic Dev.	approved by	<input checked="" type="checkbox"/> City Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> N A
board approval	<input type="checkbox"/> yes <input type="checkbox"/> no <input checked="" type="checkbox"/> N A		final vote

Subject: Introduction of Silvia Vargas (consultant with Wallace, Todd, Roberts) for the Comprehensive Plan review per the Economic Development Plan.

The purpose of this non-action agenda item is to introduce the City’s consultant, Silvia Vargas, to the City Commission and to make you aware that the project is underway. No decision or action is needed.

Summary:

The City Commission’s strategic plan and the adopted Economic Development Plan both call for a review of the Comprehensive Plan with respect to opportunities to promote economic development. To that end, the Economic Development Dept. solicited proposals from consultants and selected Silvia Vargas from the Wallace, Todd, Roberts firm offices in Miami.

Ms. Vargas is in town on Monday and Tuesday (3/11-3/12). She will be touring the City, talking with staff and learning about the City. Ms. Vargas will also be talking with some members of the P&Z Board, EDAB and other significant stakeholder property owners as to their viewpoints on the Comprehensive Plan.

A copy of the Project Scope and Ms. Vargas resume is attached. The timeline for the project has changed as shown in the proposal but it is still a four month projected project.

Fiscal impact:

Funding for this project has been previously budgeted by the City Commission.

Strategic objective:

Accomplishes the strategic plan directive for a Comprehensive Plan review.



May 25, 2012

Dori DeBord Stone, AICP
City of Winter Park Economic Development/CRA Director
401 Park Avenue South
Winter Park, Florida
32789-4386

Via email

Re: Response to Economic Development Project Scope

Dear Ms. DeBord Stone:

Wallace Roberts & Todd, LLC (WRT) is appreciative for the opportunity to offer its services to the City of Winter Park for the evaluation of its Comprehensive Plan and Land Development Regulations. We submit this letter as the expression of our interest and as a means to briefly describe our firm's background and philosophy; our understanding of the project and suggested approach to completing the necessary tasks; our relevant experience; and our proposed timeline and estimated budget.

1. Background and Philosophy

Founded in 1963, WRT is a leading national planning and design firm. Our professional staff of 70 planners, urban designers, architects and landscape architects work throughout the U.S. and abroad from our headquarters in Philadelphia and additional locations in Miami, New York, Dallas, and San Francisco.

WRT helps clients achieve their goals for economic, environmental, and community health through planning and implementation. Our projects range from comprehensive and strategic plans for regions, counties and municipalities, to smaller scale plans and designs for neighborhoods and districts. We work in urban, suburban, small town and rural places; for communities experiencing growth, needing economic revitalization, or seeking to sustain valued resources.

In 2011, the American Planning Association recognized WRT's nearly 50 years of leadership and track record of sustained creativity by presenting the firm the first ever ***National Planning Excellence Award for a Planning Firm***. The extensiveness and diversity



of our experience have given us an intimate familiarity with the planning challenges faced by communities today, including the need to find creative ways to leverage limited resources, the demand for meaningful public participation, and the emergence of issues such as human investment, environmental sustainability, and effective governance needed to manage suburban sprawl, maintain community character, support sustainable development patterns, and make wise investments of taxpayers' money. We continue to develop new, innovative approaches and tools to enable communities to succeed in these difficult times.

2. Understanding of the Project and Proposed Scope of Work

Since its founding in the 1850's as a centrally planned winter resort town for northerners, the City of Winter Park has always been a well-designed and fiscally prosperous community. The City's current Comprehensive Plan was adopted in February of 2009, and found in compliance by the State of Florida in May of 2009. Amendments to the Future Land Use and Intergovernmental Coordination Elements were adopted in October 2010. The Capital Improvements Element was amended in September 2011. The Land Development Code (LDC), adopted wholesale in 1998, has been updated piecemeal over time to meet changing needs and to maintain consistency with the goals, objectives and policies of each Comprehensive Plan update.

Despite its many assets, over the past five years Winter Park has struggled with a combination of a high cost of living, unemployment, a relatively limited service economy, and sluggish home sales, new construction and redevelopment. For this reason, the City proposes to retain a consultant to assist the City in reviewing the current Comprehensive Plan and LDC, understanding the effect of these policies and regulations on economic development, and making recommendations for changes that may be necessary to both documents to increase their effectiveness in maintaining the economic vitality of the city.

Accordingly, WRT proposes the following elaboration on the Scope of Work provided by the City.

1. **Project Kickoff:** This task will include a 2-day to 2-1/2-day visit to conduct:
 - a. An organizational meeting with staff from the City's Economic Development/CRA and Planning Departments (and others as the City may deem necessary) to finalize discussions on specifics of the scope, schedule and expectations for meetings and products;
 - b. A brief tour to familiarize WRT with key areas of the City that economic development efforts are (or should be) focused on;
 - c. Individual or small group interviews with representatives from the Planning and Zoning, Building and Code Enforcement, and Economic



Development/CRA Departments, Planning and Zoning, Community Redevelopment, Economic Development and other pertinent boards, elected officials (as appropriate), and development community (builders, developers, architects, realtors, etc.), to acquaint WRT with “end users” of the Comprehensive Plan and LDC and, through these conversations, identify their present concerns and aspirations for the future regarding economic development in the City, as well as their perception of issues related to the Comprehensive Plan and the LDC. The purpose of these interviews is to begin to clarify Winter Park’s Economic Development Vision and Goals, with the ultimate objective of ensuring that said vision and goals are clearly supported both through the Plan and the regulations.

- d. An initial meeting with members of the public (PM-1) to describe the project scope, process, and timeline, discuss issues and concerns, and develop the vision and goals.
2. **Technical Memorandum:** In this task, WRT will produce a 4-5 page memorandum summarizing the key issues identified through the interviews and public meeting, and the resulting proposed statement of Economic Development Vision and Goals.
3. **Comprehensive Plan and LDC Review:** Starting prior to the kickoff, WRT will embark on a systematic review of each Comprehensive Plan element and all parts of Chapter 58, Land Development Code. The review will consider purpose and intent, internal consistency and consistency between the two documents, and consistency of both with the Economic Development Vision and Goals. Baseline economic development data may be reviewed, if available (to be provided by the city), to understand current conditions and trends as the context for the Vision and Goals.
4. **Draft Report:** WRT will prepare a draft Diagnosis report summarizing the conclusions of the Comprehensive Plan and LDC review. Strengths and weaknesses of both documents relative to economic development will be identified, as well as other aspects of the Plan or Code that would make their application easier on the end-user, based on best practices. The report will include an introduction/background, the previously established Economic Development Vision and Goals, and a list of prioritized recommendations based on the outcomes of the review.
5. **Public Meeting 2 (PM-2):** Staff comments will be addressed prior to presenting the results of the Comprehensive Plan and LDC reviews to the community in a public meeting. The meeting may be structured as a series of small “focus” groups to discuss specific topics, or as a large group exercise to reach consensus on issues.



6. **Final Report:** With the input received from PM-2, Following review of the draft report, WRT will make any necessary changes based on staff's comments. The final report will be submitted at least one week prior to the final presentation.
7. **Final Presentation(s):** Over a maximum of two successive days or evenings, WRT will make presentations of the final product (in PowerPoint or Prezi format) to City staff, a joint workshop of the Planning and Zoning Board and the Economic Development Advisory Board and the City Commission.

Note 1: To meet the schedule, a two-week turnaround period is proposed for all staff review tasks. In addition, we ask that a single, combined, consistent (i.e., non-duplicate/non-conflicting) set of staff comments be returned.

Note 2: WRT and City staff coordination between meetings will be accomplished via periodic (scheduled or as necessary) tele- or video-conference calls and email.

3. Relevant Experience

WRT has helped numerous jurisdictions throughout the U.S. to implement their comprehensive plans with creative development standards and ordinances, growth management techniques, economic development programs, and other implementation strategies to bring plan vision, goals, and objectives into reality.

In Florida alone, WRT has planned the revitalization of more two dozen community downtowns and CRA areas over the past three decades, including extremely successful efforts in Miami, Miami Beach's South Beach, Delray Beach, Sarasota, Pensacola Beach, Jacksonville Beach, Palmetto, Key West, Hollywood, Orlando, Punta Gorda, and Fort Myers Beach.

Our first generation of Florida comprehensive plans was influential in advancing the state-of-the-art in sustainable planning and balanced growth in Florida. WRT's landmark comprehensive plans proved enduring in their quality and success, including: the Monroe County 2010 Comprehensive Plan, recognized for innovative solutions to severe conflicts between sensitive ecosystems and development; the Sanibel Island Vision Comprehensive Plan (winner of APA's National Planning Landmark Award), which has allowed the island to retain both its place as an environmental attraction and its superior quality of life and casual lifestyle; and the Orlando Growth Management Plan, which helped transform Downtown Orlando into one of Florida's most successful urban centers. In Lee County, we developed a fiscally responsible long-term plan (winner of FAPA's Best Practices Merit Award) to enhance the sustainability of Lehigh Acres, a massive platted subdivision.

We are vastly experienced in helping communities appraise and update existing plans and zoning codes, as we have done in Upper Darby and Philadelphia, PA, Cumberland and



Annapolis, MD, Portsmouth, VA, and Louisville/Jefferson County, KY. In some recent Florida examples, we quickly and successfully obtained DCA findings of sufficiency for the City of Palmetto's and the Village of Key Biscayne's comprehensive plan Evaluation and Appraisal Reports. We also prepared EAR-based plan amendments for Palmetto as follow-on work, and for the Town of Southwest Ranches, in Broward County.

The firm brings together extensive experience in creating or revising urban design guidelines to rejuvenate major highway corridors, downtowns, and waterfronts, as well as to create new "town-center" settings. Examples of such projects include the revitalization of Sistrunk Boulevard and the Northwest CRA in Fort Lauderdale; plans for a new town center in Aventura (FL); and a redevelopment plan for the creation of an "urban village" along the Gaines Street corridor between the FAMU and FSU campuses in downtown Tallahassee. WRT is also a leader in the redevelopment of obsolete commercial centers and strips, such as our plan for downtown Boca Raton—which led to replacement of the failed Boca Mall with Mizner Park.

Similarly, we frequently evaluate zoning ordinances and land development regulations in the performance of related work, as we did in the City of Palmetto to identify impediments to the implementation of WRT's Waterfront District Revitalization Master Plan for the city; or in the Village of Key Biscayne, where an exercise in planning for the redevelopment of a key city block at the entrance of the island's business corridor led to wholesale review and amendments to the commercial zoning district.

Just as important, WRT has significant experience in planning specifically for economic sustainability, from communities looking to build on a strong existing economic base; to those wanting to broaden opportunities for all segments of their populations; to those seeking a new sense of direction and diversification. This we have done in varied communities such as Newark, NJ, with our Economic Development, Land Use, and Transportation Plan; Cumberland, MD, with a Sustainable Economic Development Strategic Plan; Easton, PA, through a new CBD Economic Development Plan; and Camden, NJ, through a Strategic Revitalization Plan, Capital Improvement/Infrastructure Master Plan, and Hub Strategic Plan.

4. Proposed Timeline

To balance the desire for public input and the need to accommodate reviews at key points during the process, WRT proposes an overall completion timeframe of approximately 4 months, as shown below, subject to the scheduling of and public notice required for proposed public meetings and presentations, as well as timely review turnaround.



Task	Jul	Aug	Sept	Oct	Nov
Project Kickoff	■				
Public Meeting 1 (during Kickoff)	■				
TM-1		■*			
Staff Review		■			
Comp Plan/LDC Review	■	■			
Draft Report		■	■*		
Staff Review			■		
Public Meeting				■	
Final Report				■	■*
Staff Review				■	■
Final Presentation(s)					■

5. Estimated Budget

The following is an estimate of cost to perform the Scope of Work proposed in Section 2 of this letter. A rate schedule is shown as well.

Task	Labor Cost	Expenses	Total Cost
Project Kickoff (including Public Meeting 1)	\$ 3,192	\$895.0	\$ 4,087
Technical Memo 1: Key Issues/Vision and Goals	\$ 1,064	\$50.0	\$ 1,114
Review	\$ 5,320	\$100.0	\$ 5,420
Draft Report	\$ 5,720	\$150.0	\$ 5,870
Public Meeting 2	\$ 1,596	\$625.0	\$ 2,221
Final Report	\$ 3,392	\$100.0	\$ 3,492
Final Presentations	\$ 3,990	\$900.0	\$ 4,890
Total Hrs	182		
Total Cost	\$24,474	\$2,820	\$27,294

Note:

Expenses: includes direct travel expenses (airfares or mileage, whichever is lower), lodging, meals and car rental (if applicable), as well as miscellaneous office expenses (telephone conferencing, printing and reproduction, courier/mailing)



WRT is amenable to negotiating a contract that is either a lump sum basis (as shown), or a combination of lump sum for labor and direct expenses charged at cost up to an upset limit of \$2,820.

Assumption of budget as shown:

- Trips: Project Kickoff: 1 trip, 2 days (max 2 hotel nights); Public Meeting 2: 1 trip, 1 day (max 1 hotel night); Final Presentations: 1 trip, 2 days (max 2 hotel nights)
- The City is responsible for all legal notices, advertising, etc. associated with public meetings, as well as securing meeting facilities for all interviews, meetings and public events.
- WRT will work with best available data. We will not generate new data. All background data necessary for the completion of the project shall be provided by the City.
- Text and map amendments are not included in the scope or budget. (However, WRT is capable of doing both after the diagnosis process is completed.)

Billing Rates (effective as of May 30, 2012)

Principal in Charge	\$200
Senior Associate/Project Manager	\$135
Planner	\$75
Clerical	\$65

The work described in the Scope of Work will be carried out primarily by WRT Senior Associate and Project Manager Silvia Vargas, with oversight (QA/QC of deliverables) from WRT Principal John Fernsler and support from a staff planner. (Resumes are enclosed).

We are confident that our proposed approach is an excellent fit to meet the needs of Winter Park in this assignment. We will apply our collective skills and experience to help the City make its Comprehensive Plan and LDC what it requires to meet the economic development challenges of the future. We look forward to the opportunity to assist you.

In the meantime, please do not hesitate to contact me if you have any questions or require additional information.

Sincerely,


Silvia E. Vargas, AICP, LEED AP
Senior Associate



LANGUAGES

Fluent in Spanish and Italian
Proficient in French

Silvia E. Vargas, AICP, LEED AP

SENIOR ASSOCIATE / URBAN PLANNER

Silvia's professional practice in national and international planning has been performed at a variety of scales, ranging from community-wide comprehensive plans to smaller-scale focal plans and site development plans. Silvia is a skilled project manager, with extensive public engagement experience and great sensitivity to the challenges of working with diverse stakeholders in the planning process. She has a special interest in issues related to the preservation of community identity and in the application of sustainable practices as part of a holistic approach to achieve balanced community development. One of Silvia's strengths as a planner is her familiarity with the workings of municipal government, stemming from her previous work as a Senior Development Review Planner in the Florida Keys (Monroe County, FL).

EDUCATION

University of Kansas, *Master of Urban Planning*

University of Kansas, *Bachelor of Arts in Architectural Studies*

University of Kansas, *Bachelor of Arts in Italian Language & Literature*

PROFESSIONAL MEMBERSHIPS

American Institute of Certified Planners

American Planning Institute

American Planning Association (APA) Florida Chapter, Gold Coast Section, Board of Directors

Urban Land Institute, Associate

USGBC Miami-Dade / FL Keys Branch, Board Secretary

HONORS & AWARDS

1994 Monroe County Employee of the Month, September 1994

1993 Honor Society for International Scholars (University of Kansas Chapter), Phi Beta Delta

PUBLICATIONS / PRESENTATIONS

"Platted Lands: Retrofitting Florida's Antiquated Subdivisions for Sustainability."

Panel Session, APA FL Chapter Conference, Miami, FL, 2008

"Sustainable Tourism: Forming a Model in Marathon Key and the Middle Florida Keys."

Florida Marine Science Education Association Conference, 1996

"Ecological Issues and Sustained Economic Development in the Florida Keys."

Upper Keys League of Women Voters Seminar, 1994

"East Lawrence Neighborhood: Developing a Framework for Dealing with Historic

Preservation & Design Issues, East Lawrence Improvement Association."

Presentation, Lawrence, KS, 1992

VOLUNTEER / COMMUNITY WORK

American Planning Association Florida Chapter Annual Conference,

Host Committee Member, 2008

American Planning Association Florida Chapter Annual Conference, Mobile Workshop

Coordinator: Miami Beach Art Deco and North Beach (MiMo) Historic Districts, 2008

Habitat for Humanity Volunteer

Hands on Miami Day Project Coordinator, 2004-2006

Hands on Miami Volunteer



City of Palmetto Waterfront District Development Plan | Palmetto, FL
 Bowling Green / Warren County Comprehensive Plan | Bowling Green, KY
 Florida Keys Carrying Capacity Study | Florida Keys, FL

SELECTED PROJECTS

NUMBER OF AWARDS

PARKS & OPEN SPACE

Haulover Park General Plan
 Miami-Dade County, FL

Off-Highway Vehicle Trails Feasibility Study
 Miami-Dade County, FL

R. Hardy Matheson Preserve
 Coral Gables, FL

St. Charles Parish Parks & Recreation Master Plan
 St. Charles Parish, LA

SUSTAINABLE COMMUNITIES PLANNING

All Saints Development Regulations
 Tallahassee, FL

Bowling Green / Warren County Comprehensive Plan
 Bowling Green, KY

Bradfordville Sector Plan
 Bradfordville, Leon County, FL

Chapel Hill Comprehensive Plan Update
 Chapel Hill, NC

City of Georgetown 2030 Comprehensive Plan Land Use Element
 Georgetown, TX

City of Palmetto Comprehensive Plan Evaluation and Appraisal Report
 Palmetto, FL

Crandon Boulevard Development and Design Regulations / Zoning
 Key Biscayne, FL

Florida Keys Carrying Capacity Study ①
 Florida Keys, FL

Galveston Comprehensive Plan
 Galveston, TX

Greensboro Connections 2025 Comprehensive Plan ①
 Greensboro, NC

Interim Planning Services
 Islamorada Village, FL

Lehigh Acres Comprehensive Planning Study: Retrofitting Platted Lands for Sustainability ①
 Lee County, FL

NE 6th Street / Sistrunk Boulevard Site Development Standards and Building Design Guidelines
 Fort Lauderdale, FL

New Community Sustainable Development Concept Plan
 Alajuela, Costa Rica

Newport Context Analysis and Site Assessment
 Northern Florida

Pompano Beach Zoning-Atlantic Blvd. Design Guidelines
 Pompano Beach, FL

Pulaski County/Lake Maumelle Watershed Land Use Plan and Regulatory Controls
 Pulaski County, AR

Southwest Ranches Comprehensive Plan Amendments
 Southwest Ranches, FL

St. Charles Parish Comprehensive Plan
 St. Charles Parish, LA

Strategic Urban Development Plan: Panama City and the City of Colon
 Panama & Colon Cities, Republic of Panama

Village of Key Biscayne 2020 Vision Plan
 Key Biscayne, FL

Village of Key Biscayne Master Plan Evaluation and Appraisal Report
 Key Biscayne, FL

York County Comprehensive Plan & Implementation
 York County, SC

URBAN PLACES

Aventura Medical Office District Plan
 Aventura, FL

Beach Boulevard Corridor Vision Plan
 St. Augustine Beach, FL

City of Palmetto Waterfront District Development Plan
 Palmetto, FL

Harbor Redevelopment / Preservation and Corridor Enhancement Plan
 Stock Island, Monroe County, FL

NE 6th Street / Sistrunk Boulevard Streetscape Improvement Project and Urban Design Plan
 Fort Lauderdale, FL

University District Revitalization Plan ①
 Little Rock, AK

Financial Report

For the Month of December (25% of fiscal year lapsed) Fiscal Year 2012

General Fund

Highlights of the financial results for the three months of FY 2012 in the General Fund and projections for the remainder of the fiscal year are below:

- The timing of property tax distributions is a bit ahead of last year but should be on target with the annual budget.
- Electric utility taxes are projected to be \$150,000 lower than budget due to less kWh consumption and lower rates.
- Water utility taxes will likely be \$90,000 less than budget. These revenues are 10% of water services billed to customers inside the city limits. New rates were implemented later in the year than anticipated and only one third of the sewer/water subsidy was eliminated.
- Communication services taxes are projected to be \$40,000 lower than budget. This revenue source continues to decline as providers of communication services continue to bundle taxable (cable and phone) and non-taxable services (Internet) together for their customers in a manner that reduces the tax burden.
- Building permit revenues are projected to exceed the budget by at least \$110,000 as construction activity continues to be strong.
- Half cent sales tax and local option gas tax are expected to be \$80,000 and \$30,000, respectively, less than budgeted.
- Fines and forfeitures look like they will be \$20,000 greater than budgeted.
- Red light traffic camera revenues are on track to exceed the budget by \$90,000.
- Electric franchise fee revenues are anticipated to be \$180,000 less than budgeted due to the same reasons noted above for electric utility taxes.
- Expenditures are generally in line with or below budget. Information Technology expenditures are ahead of budget due to the renewal of maintenance contracts at the beginning of the fiscal year.
- A budget adjustment to address the total projected revenue shortfall of \$350,000 is on the consent agenda for the March 11 meeting.

Community Redevelopment Agency Fund

The CRA was credited with tax increment revenue from both the City and County in December. The decrease in comparison to the prior year is due to the 2.05% decrease in valuation.

The large debt service expenditure and debt proceeds revenue are from the refunding of the 2003-1, 2003-2, 2005-1 and 2005-2 CRA revenue notes. This refunding is

expected to result in annual savings of approximately \$60,000 without extending the maturity of the debt.

Water and Sewer Fund

The format of the attached Water and Sewer Fund report is a bit different than what has been presented in the past. It was prepared to better meet the needs of the Utilities Advisory Board and to show the flow of funds resulting from water and wastewater operations. Water sales data is at the top and financial data is below the line.

Revenues in total are projected to be on track with budget. Sewer revenues will exceed the budget estimate and water revenues will be short of the annual estimate.

Expenditures are projected to be within budget and net revenues are estimated to be 2.16 times debt service.

Fitch Ratings recently affirmed its AA- rating of our water and sewer revenue bonds.

Electric Services Fund

This is also the report we have been providing to the Utilities Advisory Board for a couple of years. This, I believe, is more informative than the report I have provided you in the past.

The top line shows historical and projected sales in kWh. Annual sales have declined from 440,100,000 in FY 2008 to 413,795,957 in FY 2012.

The benefits of our favorable bulk purchase contracts are evident throughout this report. Our cost of purchasing electricity declined from \$0.0815/kWh in FY 2010 to \$0.0553 in FY 2012.

Both fuel revenues and fuel expenses show a decline as a result of lower natural gas prices. We endeavor to keep fuel costs at breakeven for our customers. In May 2009, the City Commission approved a policy providing for quarterly adjustments to fuel rates to keep them as close to costs as possible. This report shows those costs and revenues have been fairly consistent beginning with FY 2010.

The downside of lower fuel cost recovery rates for the General Fund is evident in reviewing the Transfers Out line item. This is the 6% franchise fee equivalent. The revenues to the General Fund peaked at \$3,220,605 in FY 2010 but were only \$2,537,830 in FY 2012.

Debt service coverage remains strong at 3.19. The auction rate security bonds outstanding figure of \$16,285,000 does not reflect the \$700,000 purchased by the City as approved by the City Commission in this past January.

The City of Winter Park, Florida
Monthly Financial Report - Budget vs. Actual
General Fund
Fiscal YTD December 31, 2012 and 2011
25% of the Fiscal Year Lapsed

	Fiscal YTD December 31, 2012						Fiscal YTD December 31, 2011				
	Actual		Budget			Variance from Prorated Adj. Annual	Actual		Budget		Variance from Prorated Adj. Annual
	YTD	YTD %	Original Annual	Adjusted Annual *	Prorated Adj. Annual		YTD	Adjusted Annual	Prorated Adj. Annual		
Revenues:											
Property Tax	\$ 9,636,654	272%	\$ 14,174,500	\$ 14,174,500	\$ 3,543,625	\$ 6,093,029	\$ 9,087,302	\$ 14,265,000	\$ 3,566,251	\$ 5,521,051	
Franchise Fees	183,571	67%	1,103,800	1,103,800	275,950	(92,379)	174,206	1,132,500	283,125	(108,919)	
Utility Taxes	1,260,202	72%	7,048,216	7,048,216	1,762,054	(501,852)	1,184,986	7,022,000	1,755,500	(570,514)	
Occupational Licenses	421,244	357%	472,000	472,000	118,000	303,244	405,448	459,500	114,875	290,573	
Building Permits	422,069	126%	1,340,500	1,340,500	335,125	86,944	380,264	1,249,050	312,263	68,001	
Other Licenses & Permits	4,520	84%	21,500	21,500	5,375	(855)	5,015	21,000	5,250	(235)	
Intergovernmental	723,978	47%	6,179,928	6,179,928	1,544,982	(821,004)	724,201	6,206,702	1,551,676	(827,475)	
Charges for Services	1,105,891	88%	5,010,068	5,010,068	1,252,517	(146,626)	1,158,361	4,939,600	1,234,900	(76,539)	
Fines and Forfeitures	342,835	107%	1,287,600	1,287,600	321,900	20,935	127,961	1,220,200	305,050	(177,089)	
Miscellaneous	89,686	52%	683,381	683,381	170,845	(81,159)	87,614	556,457	139,114	(51,500)	
Fund Balance	-	-	-	606,788	151,697	(151,697)	-	636,911	159,228	(159,228)	
Total Revenues	14,190,650	150%	37,321,493	37,928,281	9,482,070	4,708,580	13,335,358	37,708,920	9,427,232	3,908,126	
Expenditures:											
City Commission	7,560	126%	24,077	24,077	6,018	(1,542)	7,956	22,376	5,594	(2,362)	
Legal Services - City Attorney	60,702	101%	240,236	240,236	60,059	(643)	41,500	240,236	60,059	18,559	
Legal Services - Other	-	0%	60,000	60,000	15,000	15,000	54,515	110,000	27,500	(27,015)	
Lobbyists	27,526	93%	118,000	118,000	29,500	1,974	27,529	116,000	29,000	1,471	
City Management	114,417	91%	501,161	501,383	125,346	10,929	110,458	487,729	121,932	11,474	
City Clerk	47,600	80%	237,843	238,145	59,536	11,936	43,734	239,071	59,768	16,034	
Communications Dept.	94,100	81%	461,681	463,095	115,774	21,674	92,935	447,427	111,857	18,922	
Information Technology Services	339,433	109%	1,212,642	1,241,789	310,447	(28,986)	512,267	1,353,592	338,398	(173,869)	
Finance	192,658	93%	830,673	831,058	207,765	15,107	197,415	808,588	202,147	4,732	
Human Resources	56,470	90%	249,430	250,789	62,697	6,227	60,249	357,576	89,394	29,145	
Purchasing	46,541	83%	211,301	225,011	56,253	9,712	45,439	206,965	51,741	6,302	
Planning & Community Development	125,712	63%	675,441	804,180	201,045	75,333	131,793	807,043	201,761	69,968	
Building	261,761	106%	1,375,881	992,095	248,023	(13,738)	304,731	1,292,765	323,191	18,460	
Public Works	1,690,883	97%	6,804,278	6,967,130	1,741,784	50,901	1,686,017	7,119,001	1,779,750	93,733	
Police	2,804,820	88%	12,739,143	12,794,807	3,198,702	393,882	2,654,722	12,186,252	3,046,563	391,841	
Fire	2,494,589	98%	9,858,414	10,224,777	2,556,193	61,604	2,213,821	9,345,829	2,336,457	122,636	
Parks & Recreation	1,576,291	92%	6,576,086	6,880,503	1,720,126	143,835	1,493,509	6,586,218	1,646,555	153,046	
Organizational Support	409,973	107%	1,536,560	1,536,560	384,140	(25,833)	442,970	1,550,212	387,553	(55,417)	
Non-Departmental	-	-	224,000	150,000	37,500	37,500	-	197,000	49,250	49,250	
Total Expenditures	10,351,036	93%	43,936,847	44,543,635	11,135,908	784,872	10,121,560	43,473,880	10,868,470	746,910	
Revenues Over/(Under) Expenditures	3,839,614	-232%	(6,615,354)	(6,615,354)	(1,653,838)	5,493,452	3,213,798	(5,764,960)	(1,441,238)	4,655,036	
Operating transfers in	2,778,726	128%	8,655,392	8,655,392	2,163,848	614,878	2,004,420	8,432,000	2,108,000	(103,580)	
Operating transfers out	(510,010)	100%	(2,040,038)	(2,040,038)	(510,010)	-	(616,635)	(2,466,540)	(616,635)	-	
Other Financing Sources/(Uses)	2,268,716	137%	6,615,354	6,615,354	1,653,838	614,878	1,387,785	5,965,460	1,491,365	(103,580)	
Total Revenues Over Expenditures	\$ 6,108,330		\$ -	\$ -	\$ -	\$ 6,108,330	\$ 4,601,583	\$ 200,500	\$ 50,127	\$ 4,551,456	

* As adjusted through December 31, 2012

The City of Winter Park, Florida
Monthly Financial Report - Budget vs. Actual
Community Redevelopment Fund
Fiscal YTD December 31, 2012 and 2011
25% of the Fiscal Year Lapsed

	Fiscal YTD December 31, 2012						Fiscal YTD December 31, 2011			
	Actual		Budget				Actual	Budget		
	YTD	YTD %	Original Annual	Adjusted Annual *	Prorated Adj. Annual	Variance from Prorated Adj. Annual	YTD	Adjusted Annual	Prorated Adj. Annual	Variance from Prorated Adj. Annual
Revenues:										
Property Tax	\$ 2,003,379	396%	\$ 2,024,000	\$ 2,024,000	\$ 506,000	\$ 1,497,379	\$ 2,090,102	2,107,423	\$ 526,856	\$ 1,563,246
Intergovernmental	-	0%	-	-	-	-	-	-	-	-
Charges for services	131,451	0%	175,940	175,940	43,985	87,466	124,194	162,000	40,500	83,694
Miscellaneous	39,131	619%	25,300	25,300	6,325	32,806	11,482	25,000	6,250	5,232
Fund Balance	-	0%	37,478	55,845	13,961	(13,961)	-	3,092,566	773,142	(773,142)
Total Revenues	2,173,961	381%	2,262,718	2,281,085	570,271	1,603,690	2,225,778	5,386,989	1,346,748	879,030
Expenditures:										
Planning and Development	342,806	187%	715,435	733,802	183,451	(159,356)	149,415	605,283	151,321	1,906
Capital Projects	-	0%	-	-	-	-	203,063	3,199,283	799,821	596,758
Debt service	6,355,249	1643%	1,547,283	1,547,283	386,821	(5,968,428)	-	1,550,823	387,706	387,706
Total Expenditures	6,698,055	1175%	2,262,718	2,281,085	570,271	(6,127,784)	352,478	5,355,389	1,338,848	986,370
Revenues Over/(Under) Expenditures	(4,524,094)	100%	-	-	-	(4,524,094)	1,873,300	31,600	7,900	1,865,400
Debt proceeds	5,870,000	-	-	-	-	5,870,000	-	-	-	-
Operating transfers out	-	0%	-	-	-	-	(7,900)	(31,600)	(7,900)	-
Other Financing Sources/(Uses)	5,870,000	0%	-	-	-	5,870,000	(7,900)	(31,600)	(7,900)	-
Total Revenues Over/(Under) Expenditures	\$ 1,345,906		\$ -	\$ -	\$ -	\$ 1,345,906	\$ 1,865,400	\$ -	\$ -	\$ 1,865,400

* As adjusted through December 31, 2012

WINTER PARK WATER AND WASTEWATER METRICS
December 31, 2012

	FY 2013				FY 2012	
	FY 2013 YTD	FY 2013 Annualized	FY 2013 Budget	Projected Variance from Budget	FY 2012 YTD	FY 2012 in Total
Operating Performance:						
Sales (in thousands of gallons)						
Water meters	703,698	2,867,707			734,558	2,743,894
Irrigation meters	186,697	760,828			193,032	746,113
Total	890,396	3,628,535			927,590	3,490,007
<hr style="border-top: 1px dashed black;"/>						
Operating revenues: ¹						
Sewer - inside city limits	\$ 1,639,179	\$ 6,530,229	\$ 6,008,000	\$ 522,229	1,633,189	6,628,333
Sewer - outside city limits	1,863,861	7,288,323	6,595,000	693,323	1,795,540	7,337,342
Water - inside city limits	1,574,690	7,311,893	8,047,000	(735,107)	1,773,484	7,264,552
Water - outside city limits	1,315,520	5,600,317	5,558,000	42,317	1,195,050	4,890,304
Other operating revenues	318,300	1,273,200	1,197,000	76,200	337,468	1,396,248
Total operating revenues	6,711,550	28,003,962	27,405,000	598,962	6,734,731	27,516,779
Operating expenses:						
General and administration	359,256	1,616,652	1,681,263	64,611	341,549	1,716,877
Operations	2,542,656	11,441,952	12,221,999	780,047	2,739,261	11,322,930
Facility agreements	681,422	3,066,399	3,412,000	345,601	631,563	3,480,709
Total operating expenses	3,583,334	16,125,003	17,315,262	1,190,259	3,712,373	16,520,516
Operating income (loss)	3,128,216	11,878,959	10,089,738	(591,298)	3,022,358	10,996,263
Other sources (uses):						
Investment earnings	64,895	259,580	166,850	92,730	43,118	184,401
Miscellaneous revenue	625	2,500	-	2,500	950	7,253
Transfer to Renewal and Replacement Fund	(500,564)	(2,002,256)	(2,002,830)	574	(461,408)	(1,846,020)
Transfer to General Fund	(478,525)	(1,914,100)	(1,914,100)	-	(462,400)	(1,849,600)
Transfer to Capital Projects Fund	(17,750)	(71,000)	(71,000)	-	(16,624)	(66,496)
Debt service sinking fund deposits	(1,480,564)	(5,923,086)	(5,867,532)	(55,554)	(1,403,251)	(5,844,526)
Total other sources (uses)	(2,411,883)	(9,648,362)	(9,688,612)	40,250	(2,299,615)	(9,414,988)
Net increase (decrease) in funds	\$ 716,333	\$ 2,230,597	\$ 401,126	\$ (551,047)	722,743	1,581,275
Debt service coverage	2.16	2.05				1.91

¹The City implemented adjustments to water (increasing) and wastewater (decreasing) effective December 1, 2012

WINTER PARK ELECTRIC UTILITY METRICS

December 31, 2012

	<u>FY'13</u>	<u>FY'13</u>	<u>FY'13</u>	<u>Variance</u>					
	<u>YTD</u>	<u>Annualized</u>	<u>Budget</u>	<u>from</u>	<u>FY'12</u>	<u>FY'11</u>	<u>FY'10</u>	<u>FY'09</u>	<u>FY'08</u>
				<u>Budget</u>					
<u>Technical Performance</u>									
Net Sales (kWh)	102,530,908	419,692,622	430,647,050	(10,954,428)	413,795,957	427,601,415	438,993,683	427,236,273	440,100,000
Average Revenue/kWh	0.1086	0.1086			0.1091	0.1212	0.1306	0.1251	0.1068
Wholesale Power Purchased (kWh)	98,904,000	435,700,441	446,266,000	(10,565,559)	434,514,000	451,951,216	456,911,847	442,159,788	449,100,000
Wholesale Power Cost/kWh	0.0579	0.0579			0.0553	0.0674	0.0815	0.0810	0.0794
Gross margin	0.0507	0.0507			0.0538	0.0538	0.0491	0.0441	0.0275
SAIDI (rolling 12 month sum)	56.88				72.73	64.44	80.04	80.04	63.14
MAIFI (rolling 12 month sum)	0.49				1.02	0.42	2.55	2.55	2.90
Billed vs. Sold kWh Ratio	103.67%	96.33%	96.50%		95.23%	94.61%	96.08%	96.62%	98.48%
<u>Income Statement</u>									
Electric Sales:									
Fuel	3,872,926	15,853,156	18,301,327	(2,448,171)	15,769,044	20,583,619	24,721,381	25,498,612	21,131,479
Non-Fuel	7,263,064	29,730,102	30,865,793	(1,135,691)	29,365,745	31,244,725	32,605,878	27,955,719	25,880,839
Other Operating Revenues	100,936	403,744	412,046	(8,302)	407,431	667,604	332,720	1,111,386	819,976
Total Operating Revenues	11,236,926	45,987,002	49,579,166	(3,592,164)	45,542,220	52,495,948	57,659,979	54,565,717	47,832,294
Operating Expenses:									
General and Administrative	277,727	1,110,908	1,206,446	95,538	981,451	1,047,988	1,085,915	1,122,148	982,754
Operating Expenses	1,385,391	5,541,564	8,460,761	2,919,197	4,939,316	5,136,207	4,880,216	5,055,849	6,139,857
Purchased Power									
Fuel	3,901,447	17,186,992	18,375,561	1,188,569	15,992,090	21,212,369	24,786,014	23,183,450	23,802,250
Non-Fuel	1,823,320	8,032,246	8,569,163	536,917	8,043,955	9,256,070	12,437,885	12,618,456	11,840,108
Transmission Power Cost	465,006	1,860,024	2,203,674	343,650	2,328,188	2,130,671	2,155,495	2,062,414	1,600,046
Depreciation and Amortization	728,501	2,914,004	-	(2,914,004)	3,644,520	3,423,041	3,252,216	2,538,419	2,376,833
Total Operating Expenses	8,581,392	36,645,738	38,815,605	2,169,867	35,929,520	42,206,346	48,597,741	46,580,736	46,741,848
Operating Income (Loss)	2,655,534	9,341,264	10,763,561	(1,422,297)	9,612,700	10,289,602	9,062,238	7,984,981	1,090,446
Nonoperating Revenues (Expenses):									
Investment Earnings (net of interest paid on interfund borrowings)	18,628	74,512	(70,000)	144,512	57,244	33,506	(38,774)	172,488	(168,750)
Principal on Debt	(382,500)	(1,720,000)	(1,625,000)	(95,000)	(1,620,000)	(1,430,000)			
Interest on Debt	(683,208)	(2,732,832)	(3,256,978)	524,146	(2,579,881)	(2,990,613)	(2,303,537)	(2,823,689)	(3,614,713)
Miscellaneous Revenue	77,469	309,876	-	309,876	126,183	1,337,683	34,307	35,038	49,364
Proceeds from Sale of Assets	-	-	-	-	2,655	(22,089)	57,992	4,011	3,560
Grant Reimbursements for Undergrounding	-	-	-	-	-	-	892,849		
Contributions in Aid of Construction	167,122	668,488	-	668,488	389,419	477,746	212,897		
Capital Contributions for Plug-In Program	34,883	139,532	-	139,532	102,343	59,593	171,940	1,679	15,893
Total Nonoperating Revenues (Expenses)	(767,606)	(3,260,424)	(4,951,978)	1,691,554	(3,522,037)	(2,534,174)	(972,326)	(2,610,473)	(3,714,646)
Income (Loss) Before Operating Transfers	1,887,928	6,080,840	5,811,583	269,257	6,090,663	7,755,428	8,089,912	5,374,508	(2,624,200)
Operating Transfers In									
Operating Transfers In	-	-	-	-	-	-	-	-	-
Operating Transfers Out	(624,253)	(2,555,272)	(2,923,200)	367,928	(2,537,830)	(2,869,777)	(3,220,605)	(2,931,710)	(2,633,592)
Total Operating Transfers	(624,253)	(2,555,272)	(2,923,200)	367,928	(2,537,830)	(2,869,777)	(3,220,605)	(2,931,710)	(2,633,592)
Net Income	1,263,675	3,525,568	2,888,383	637,185	3,552,833	4,885,651	4,869,307	2,442,798	(5,257,792)

WINTER PARK ELECTRIC UTILITY METRICS

December 31, 2012

	FY'13	FY'13	FY'13	Variance					
	<u>YTD</u>	<u>Annualized</u>	<u>Budget</u>	<u>from</u>	<u>FY'12</u>	<u>FY'11</u>	<u>FY'10</u>	<u>FY'09</u>	<u>FY'08</u>
				<u>Budget</u>					
<u>Technical Performance</u>									
<u>Other Financial Parameters</u>									
Debt Service Coverage	3.19				3.17	3.11	4.85	2.70	0.73
Fixed Rate Bonds Outstanding	58,510,000				59,915,000	61,235,000	57,120,000		
Auction Rate Bonds Outstanding	16,285,000				16,610,000	16,910,000	22,410,000		
Total Bonds Outstanding	74,795,000				76,525,000	78,145,000	79,530,000	80,010,000	70,760,000
Principal Repayment	1,530,000	1,530,000	1,720,000		1,620,000	1,430,000	480,000	625,000	3,920,000
Capital Spending from Bond Proceeds	71,373	71,373	-		1,802,511	514,366	2,209,465	6,305,626	6,509,127
Capital Spending from Sources other than Bond Proceeds	612,205	612,205	4,940,000		2,109,061	1,621,474	1,245,371	1,921,374	2,641,642
Balance Owed on Advance from General Fund	-				-	405,494	2,241,006	2,743,554	2,856,026
Cash Balance (borrowed from pooled cash)	1,211,370				2,838,999	(2,589,592)	(8,096,129)	(10,106,320)	(11,118,569)

Notes

Fiscal Years run from October to September; FY'13 is 10/1/12 to 9/30/13

SAIDI is System Average Interruption Duration Index (12-month rolling sum)

MAIFI is Momentary Average Interruption Frequency Index (12-month rolling sum)

REGULAR MEETING OF THE CITY COMMISSION
February 25, 2013

The meeting of the Winter Park City Commission was called to order by Mayor Kenneth Bradley at 3:35 p.m. in the Commission Chambers, 401 Park Avenue South, Winter Park, Florida.

The invocation was provided by Pastor David Smith, First Christian Church Winter Park, followed by the Pledge of Allegiance.

Members present:

Mayor Kenneth Bradley
Commissioner Steven Leary
Commissioner Sarah Sprinkel
Commissioner Carolyn Cooper
Commissioner Tom McMacken

Also present:

City Manager Randy Knight
City Attorney Larry Brown
City Clerk Cynthia Bonham
Deputy City Clerk Michelle Bernstein

Approval of the agenda

Motion made by Commissioner McMacken to discuss Items 10a and 10b after the City Attorney's Report; seconded by Commissioner Sprinkel to approve the agenda with the above changes; approved by acclamation with a 5-0 vote.

Mayor's Report

- a. Recognition of Winter Park Eagle Scouts

Mayor Bradley recognized Grant Barker, Patrick Burns, Vincent Falbo and Samuel Green for achieving the ranking of Eagle Scout. He thanked them for their hard work and dedication and presented each of them with a formal proclamation.

City Manager's Report:

City Manager Knight welcomed the following new businesses to the City: Tiffany Deli, Miller's Orlando Ale House and Blu on the Avenue Restaurant.

City Attorney's Report

Attorney Brown advised that no ruling has been given on the Bell litigation case. He also noted that his office prepared draft revisions to the election qualification ordinance and this information was given to the City Clerk for coordination with City Manager Knight. Once finalized, the revised ordinance will be brought forward to the Commission for adoption.

Non-Action Item

a. Quiet zones update

Assistant Public Works Director Don Marcotte provided a PowerPoint presentation containing updated information regarding quiet zones, the funding mechanisms and the next steps moving forward. Myra Monreal, P.E. with the City of Orlando addressed questions including the different phases of design work and the funding opportunities associated with each phase. She provided a brief overview of what the City of Orlando is doing and what the best approach would be for Winter Park.

Mr. Marcotte answered questions. He explained that our next step is to take the funding that is available right now, refine our concept plan and obtain a bid from an Operations & Maintenance (O&M) contractor and then bring that cost information back to the Commission for direction.

Should the City need to set aside funds for quiet zones, Mayor Bradley directed City Manager Knight to provide the Commission with the appropriate deadlines that need to be met. The request was acknowledged.

Consent Agenda

- a. Approve the minutes of 2/11/2013.
- b. Approve the following purchases and contracts:
 1. PR 151471 to GO 3D, Inc. for crime scene laser scanner and accessories; \$63,040.
 2. PR 151524 to Sternberg Lanterns for purchase of 44 light poles for Fairbanks Avenue project; \$164,604. – **PULLED FOR DISCUSSION, SEE BELOW**
 3. Contract renewal with GAI Consultants, Inc. for RFQ-2-2012 Continuing Contract for Professional, Architectural & Engineering Services (Discipline: General Civil & Public Facility Engineering) and authorize the Mayor to execute Amendment 1. – **PULLED FOR DISCUSSION, SEE BELOW**
 4. Contract renewal with Herbert-Halback, Inc. 1 for RFQ-2-2012 Continuing Contract for Professional, Architectural & Engineering Services (Discipline: Landscape Architect) and authorize the Mayor to execute Amendment 1. – **PULLED FOR DISCUSSION, SEE BELOW**
 5. Contract renewal with Miller Legg 1 for RFQ-2-2012 Continuing Contract for Professional, Architectural & Engineering Services and authorize the Mayor to execute Amendment 1. – **PULLED FOR DISCUSSION, SEE BELOW**

Motion made by Commissioner Leary to approve Consent Agenda items 'a' and 'b.1'; seconded by Commissioner McMacken and carried unanimously with a 5-0 vote.

Consent Agenda Item 'b.2' – PR 151524 to Sternberg Lanterns for purchase of 44 light poles for Fairbanks Avenue project; \$164,604.

Director of Utilities David Zusi addressed Commissioner Sprinkel's question pertaining to the funds being used and the type of lighting being purchased. **Motion made by Commissioner McMacken to approve Consent Agenda item 'b.2'; seconded by Commissioner Cooper and approved unanimously with a 5-0 vote.**

Consent Agenda Item 'b.3' – Contract renewal with GAI Consultants, Inc. for RFQ-2-2012 Continuing Contract for Professional, Architectural & Engineering Services (Discipline: General Civil & Public Facility Engineering) and authorize the Mayor to execute Amendment 1.

City Manager Knight addressed Mayor Bradley's inquiry as to the renewal rights of these contracts (Consent Agenda Items 'b.3', 'b.4' and 'b.5') and what the process/procedures would be if they wish to change it.

Commissioner Sprinkel refrained from voting on this item due to a family member working for this firm and submitted a Form 8B (attached).

Motion made by Mayor Bradley to approve Consent Agenda item 'b.3'; seconded by Commissioner Cooper and approved unanimously with a 4-0 vote. Commissioner Sprinkel abstained from voting.

Consent Agenda Item 'b.4' – Contract renewal with Herbert-Halback, Inc. 1 for RFQ-2-2012 Continuing Contract for Professional, Architectural & Engineering Services (Discipline: Landscape Architect) and authorize the Mayor to execute Amendment 1.

Consent Agenda Item 'b.5' - Contract renewal with Miller Legg 1 for RFQ-2-2012 Continuing Contract for Professional, Architectural & Engineering Services and authorize the Mayor to execute Amendment 1.

Motion made by Mayor Bradley to approve Consent Agenda items 'b.4' and 'b.5'; seconded by Commissioner Cooper and approved unanimously with a 5-0 vote.

Public Comment

Forrest Michael, 130 North Center Street, provided feedback pertaining to the Blake Street City utility yard and the potential surplus. A consideration might be 15 parking spaces of value to the City of about \$180,000/year or \$12,000 per space. He also suggested that a community garden area be created on one or more of the vacant parcels of land that the City owns.

Assistant Public Works Director Troy Attaway addressed Commissioner Leary's question pertaining to Comstock Avenue and what the construction plans call for.

A recess was taken from 5:10 p.m. to 5:31 p.m.

Action Items Requiring Discussion

a. Tennis Management Services (RFP-7-2013)

NETRESULTS, All American Tennis, LLC submitted their company information to the Deputy City Clerk for distribution.

Parks and Recreation Director John Holland explained that the City has been under contract for Tennis Management Services with High Performance Sports Management for the past three years. Contract term limitations required that we issue a new RFP for these services. The RFP was issued on December 10, 2012 whereby a total of three proposals were received and deemed responsive for evaluation. Following the evaluation, the top two short listed firms NETRESULTS – All American Tennis, LLC and High Performance Sports Management, Inc. were invited to provide an oral presentation to the selection committee, which occurred on January 31, 2013.

Mr. Holland explained that staff has experienced some learning curves over the past three years and will make several appropriate changes to our contract to assure the continuance of the highest level of customer service. Mr. Holland answered questions and noted that the decision before them is to award the contract to one of the two vendors listed above. He also clarified that the approval would be for five one year contracts.

City Manager Knight explained that the original contract was for three years with no renewal options which is why it went out to bid. He also explained that there is no policy that dictates the length of the contract since all contracts are not the same; the Commission determines the length of the contract when they award the contract.

Discussion ensued regarding several concerns raised by both the public and staff such as the conditions/management of the playing courts especially the soft courts, reservation policy system, conservation of electric utility, the presence of two or more employees when the center opens and/or during busy times and the unofficial childcare at the facility. Attorney Brown noted that more detail is needed on the required level of inventory and the types of inventory in the Pro Shop. He also noted that staff is aware of several other housekeeping items that need to be addressed. Mr. Holland confirmed. A majority of the Commission agreed that these concerns need to be addressed.

Each vendor was allotted ten minutes to present and ten minutes for public comments.

Len Simard and David MacBurnie of NETRESULTS, All American Tennis, LLC provided a PowerPoint presentation which included their business credentials, staffing and facility locations.

Anzela (Angie) Zguna, High Performance Sports Management, Inc. provided a PowerPoint presentation including their overall achievements to date, revenue increases and new ventures such as community outreach programs.

Motion made by Commissioner Sprinkel to provide or to ask our Parks and Recreation staff to work with High Performance Sports Management, Inc. on this as we move forward; seconded by Commissioner Cooper.

The Commission thanked both organizations for participating, staff for their due diligence and the residents for their comments to not change the existing vendor.

NETRESULTS, All American Tennis, LLC provided ten minutes of video showing positive client feedback for their public comment session.

Hunt Taylor, 859 Palmer Avenue urged the Commission to keep the current vendor. He provided the Deputy City Clerk with a petition containing over 300 resident and non-resident signatures in support of High Performance Sports Management, Inc.

Terry Mooney, 760 Virginia Drive spoke favorably for High Performance Sports Management, Inc.

Mayor Bradley clarified that the decision before them is to negotiate with High Performance Sports Management, Inc. A majority of the Commission requested that the items of concern listed above be addressed and for the final contract to come back to them for approval, including the terms/length of the contract.

Commissioner McMacken was comfortable with a one year contract so that the items of concern can be addressed right away. Commissioner Cooper felt that one year is too short and five is too long and maybe we can gradually increase the contract length over time.

Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

- b. Cancel or reschedule the Commission meeting scheduled for Monday, May 27, 2013 due to the Memorial Day Holiday.

Motion made by Mayor Bradley to cancel the meeting scheduled for May 27, 2013; seconded by Commissioner Cooper. No public comments were made. **Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.**

Public Hearings:

- a. Request of Lakeside Winter Park LLC: Conditional use approval to construct approximately 35,500 square feet of retail, restaurant and office building space on the properties at 111 and 131 N. Orlando Avenue, zoned C-3.

Mayor Bradley advised that the property is being sold by his employer. He recused himself from voting but participated in the discussion. Form 8B is attached.

Planning Director Jeff Briggs explained that this request was tabled at the January 8 P&Z meeting. P&Z held a work session including an on-site tour on January 23. A subsequent public hearing was held on February 5 whereby P&Z voted 7-0 for approval with staff conditions and as modified as follows:

1. That the project is limited to one restaurant located in the southern building and that no outdoor amplified musical entertainment is permitted after 10:00 pm.
2. That the parking variance (requested for the 7,500 sq. ft. restaurant in Option B) be approved for 45 spaces but contingent upon the developer's commitment via a development agreement to a "dinner" only restaurant. (Only Option B site plan approved)
3. That the shoreline alterations and improvements including any seawalls, docks, boardwalks, hardscape, filling of the lake and excavation of the "stream" amenity be approved by the Lakes and Waterways Board, as required by Code.
4. That the existing oak trees along the northern property line be preserved and that the developer add solid vinyl security fence between the properties including the radius fence beyond the end of the seawall.
5. That the "final" conditional use submittal attempt to preserve some of the oak trees at the project entrance.
6. That the "final" conditional use submittal address the specific design and sound containment of the AC and mechanical equipment for the northern building on all five tenant spaces and that there be a specific decibel level that cannot be exceeded at the property line per the City's acoustical consultant.

Mr. Briggs further explained what took place at the P&Z Board meeting. Since the January P&Z meeting, the northern-most restaurant was eliminated which solves the problems of outdoor patio dining noise disturbing the Lake Killarney Condo residents. The outdoor patio dining noise for the southern-most restaurant will be

blocked by the northern building. The City will need to pay particular attention at the "final" conditional use stage to the design requirements for the AC and mechanical equipment and setting a decibel limit as a condition of approval. The City staff will need to hire an independent mechanical engineer to assist with this review.

Mr. Briggs explained that this is a two-step process; a preliminary conditional use approval process which is being conducted today and the final conditional use which will come to the Commission at a later date. In the interim the applicant will be going to the Lakes and Waterways Board to seek approval for all of the lakeshore property improvements (docks, boardwalks, hardscape, etc.) since they have jurisdiction.

Mr. Briggs spoke briefly about the lakefront setback variance and the parking variance requests. City code requires a 75 foot lakefront setback however the applicant requested a 50 foot setback. A compromise was made to cut the corners on the north and south ends of the building to allow for a 75 foot setback. He spoke about the parking variance request, the code requirements and the two different site plan options being offered by the applicant. He noted that the proposed parking lot has 160 spaces and that both site plan options address the parking variances to slightly different degrees based upon the variation in restaurant and retail/office space size. Mr. Briggs noted that the applicant has committed to a 'dinner only' restaurant as part of the approval. The 'dinner only' restaurant would provide more daytime parking for everyone and then the ability at night when the bank and other retail/salon businesses are closed to use that parking and more effectively use it via valet parking to overcome the deficit.

Mr. Briggs answered questions including the measurement of sound attenuation and code requirements for parking.

Chuck Whittall, Unicorp Development, spoke on behalf of the applicant. His PowerPoint presentation illustrated conceptual images of the project, preliminary building elevations and a master plan/site plan layout including parking.

Mr. Whittall addressed the Commission's concerns with the potential parking constraints and the associated variance request. He offered several different scenarios that could come into play that would allow him the additional parking needed. As a compromise, Mr. Whittall said he will agree to add verbiage in the developer's agreement that 4,000 square feet in the project itself (outside the bank) would be restricted to not being open after 6:00 p.m.

Motion made by Commissioner Leary to move this forward with the conditions proposed by staff and P&Z, as well as adding conditions just discussed in regards to the 6:00 p.m. closing of the 4,000 square feet; seconded by Commissioner Sprinkel.

Following a brief discussion regarding the difference between retail and restaurant parking code requirements and how many parking spaces would be permitted under each, the **motion was amended by Commissioner McMacken for the applicant to provide a valet parking plan for after 6:00 p.m. (to be part of the final conditional use); seconded by Commissioner Leary.**

Motion amended by Commissioner Cooper to clarify that the following commitments are included in the developer's agreement: no boat ramp, no motorized vehicles on the lake, noise from the mechanical equipment would be designed for a maximum of 55 decibels at the property line and the boat dock would be limited to 1,200 square feet and that is the area over the water (not any boardwalks or anything that would occur back in the sea wall); seconded by Commissioner McMacken.

Attorney Brown provided legal counsel regarding commercial use of the lake and who has jurisdiction and City Manager Knight provided input.

Sarah Whitaker, 151 N. Orlando Avenue, shared concerns with the potential increase in noise levels and the need to secure the boardwalk after hours.

Bee Epley, 151 N. Orlando Avenue, shared concerns with the parking issues and security measures.

Vicki Krueger, 200 Carolina Avenue, spoke in favor of the request.

Conrad Necrason, 2130 Lake Drive, spoke in opposition.

Upon a roll call vote on the first amendment (for the applicant to provide a valet parking plan for after 6:00 p.m.); Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried with a 4-0 vote. Mayor Bradley recused himself.

Upon a roll call vote on the second amendment to clarify that the following commitments are included in the developer's agreement: no boat ramp, no motorized vehicles on the lake, noise from the mechanical equipment would be designed for a maximum of 55 decibels at the property line and the boat dock would be limited to 1,200 square feet and that is the area over the water (not any boardwalks or anything that would occur back in the sea wall); Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried with a 4-0 vote. Mayor Bradley recused himself.

Upon a roll call vote on the main motion as amended (to move this forward given the conditions proposed by staff and P&Z, as well as adding conditions just discussed in regards to the 6:00 p.m. closing of the 4,000 square feet; for the applicant to provide a valet parking plan for after 6:00 p.m. (at the final conditional use); to clarify that the following

commitments are included in the developer's agreement: no boat ramp, no motorized vehicles on the lake, noise from the mechanical equipment would be designed for a maximum of 55 decibels at the property line and the boat dock would be limited to 1,200 square feet and that is the area over the water (not any boardwalks or anything that would occur back in the sea wall); Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried with a 4-0 vote. Mayor Bradley recused himself.

- b. Request of Mr./Mrs. Gavin Ford: Conditional use approval to construct a tennis court on the property at 1551 Via Tuscany zoned R-1AAA.

Planning Director Jeff Briggs explained that the Ford's have a contract to purchase the home and that the tennis courts were made a conditional use in all residential zoning districts about 20 years ago due to concerns about their size (60 x 120); impervious coverage, their associated fencing and lighting. The added design consideration for this request is building a flat tennis court on a sloping lakefront.

Mr. Briggs noted that on P&Z voted 7-0 for approval with the following conditions:

1. That a landscape plan be submitted for approval by staff to completely screen from the view the tennis court and fencing to the neighboring property to the north and that the lakeside retaining walls and fencing also be effectively buffered with landscaping.
2. That the storm water retention plan be modified to include a berm retention system.
3. That no night lighting is approved as part of this conditional use.
4. Add landscape buffer on south side of property.
5. Full capture of the clay run-off into the lake with design as approved by the City Storm Water Engineer and submit to staff for approval.

Motion made by Mayor Bradley to approve the conditional use request with P&Z conditions 1, 2 and 5; seconded by Commissioner Leary.

In response to an inquiry, Mr. Briggs noted that there is a difference in regulations for tennis courts versus pools.

Motion amended by Commissioner Cooper to approve this with the P&Z conditions (adding items 3 and 4); seconded by Commissioner Sprinkel.

Rebecca Wilson, Lowndes, Drosdick, Kantor and Reed spoke on behalf of the applicant and provided a brief PowerPoint illustrating the request.

Debra Wert Dingman, 1621 Via Tuscany, noted that she is the neighbor to the north. She spoke in opposition and shared her concerns with the potential increase in noise levels and property/lake damage from the clay water run-off.

Upon a roll call vote on the amendment, Mayor Bradley voted no. Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried with a 4-1 vote.

Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

- c. AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA VACATING AND ABANDONING THE EASEMENT BEGIN AT THE NORTHEAST CORNER OF SAID LOT 14, BLOCK "A", CLOISTER GROVE SUBDIVISION, RUN WEST 50 FEET ALONG THE NORTH LINE OF SAID LOT 14 TO THE NORTHWEST CORNER OF SAID LOT 14; THENCE SOUTH 52 FEET TO THE SOUTHEAST CORNER OF LOT 15, BLOCK A, CLOISTER GROVE REPLAT, AS RECORDED IN PLAT BOOK O, PAGE 147, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA (1141 VIA CAPRI) THENCE NORTHEASTERLY 72 FEET, MORE OR LESS, TO THE POINT OF BEGINNING. First Reading

Attorney Brown read the ordinance by title. Assistant Public Works Director Don Marcotte provided clarity regarding the abandoning of this easement.

Motion made by Mayor Bradley to accept the ordinance on first reading; seconded by Commissioner Sprinkel. No public comments were made. Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

- d. Request of the Sydgan Corporation:

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE I "COMPREHENSIVE PLAN" FUTURE LAND USE MAP SO AS TO CHANGE THE FUTURE LAND USE DESIGNATION OF SINGLE FAMILY RESIDENTIAL AND INSTITUTIONAL TO OFFICE FUTURE LAND USE ON THE PROPERTIES AT 216, 226 AND 234 WEST LYMAN AVENUE AND TO MEDIUM-DENSITY RESIDENTIAL ON THE PROPERTY AT 250 WEST LYMAN AVENUE, MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR CONFLICTS, SEVERABILITY AND EFFECTIVE DATE. First Reading

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO CHANGE THE ZONING DESIGNATION OF SINGLE FAMILY (R-1A) DISTRICT AND PUBLIC, QUASI-PUBLIC (PQP) DISTRICT TO OFFICE (O-2) DISTRICT ON THE PROPERTIES AT 216, 226 AND 234 WEST LYMAN AVENUE AND TO MEDIUM DENSITY MULTI-FAMILY (R-3) DISTRICT ON THE PROPERTY AT 250 WEST LYMAN AVENUE, MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR CONFLICTS, SEVERABILITY AND EFFECTIVE DATE. First Reading

Attorney Brown read both ordinances by title. Commissioners disclosed their ex-parte communications as it relates to the rezoning ordinance.

Planning Director Jeff Briggs explained the request. The 216 and 226 W. Lyman properties are designated Single Family (R-1A). The 234 W. Lyman Avenue property historically was where the Winter Park Taxi Company and Western Union office operated from and is PQP.

The proposal for these three properties collectively is to redevelop the entire site by moving the historic Grant Chapel church building from its current location at 301 W. New England Avenue to this new location. The Grant Chapel building was constructed in 1935 and was one of the historic churches in the Hannibal Square neighborhood. The congregation was no longer viable in the late 1990's and in 2002 it was sold to the applicant. In recent years, the building has been used by the Winter Park photos and wedding chapel business who would continue those business activities in the new location. The proposed office (O-2) zoning would allow that business and in the future for use as office space. The site plan shows the Grant Chapel building, its associated parking and the corner plaza for outdoor wedding photos. He explained the alternative as New England Avenue redevelops to much higher density for Grant Chapel to be demolished to make way for that redevelopment.

He also explained that one of the properties being acquired at 234 W. Lyman has three parking spaces that is committed as off-site parking for the Prince-Bush building at 227 N. New York Avenue. He addressed the need to waive the requirement for those three spaces.

Mr. Briggs noted that P&Z voted in favor to approve the comprehensive plan Future Land Use map amendment to Office and the rezoning to (O-2) on the properties at 216, 226 and 234 W. Lyman Avenue with the condition that a Development Agreement commits the owner to the relocation of the Grant Chapel Church building to this site within two (2) years from this approval and commits to the preservation of the Grant Chapel Church building. P&Z also voted in favor to approve the Comprehensive Plan future land use map amendment to multi-family and the rezoning to (R-3) on the property at 250 W. Lyman Avenue. Mr. Briggs answered questions.

The Grant Chapel was further discussed. Mr. Briggs clarified that rezoning for the Grant Chapel is conditioned upon that they move over within 2 years, that they become part of the City's historic preservation program which preserves it and if those do not happen, the property reverts back to its original zoning.

A brief discussion ensued regarding the rezoning and the potential impacts it would have to the surrounding area/neighborhood. A majority of the Commission agreed that 250 W. Lyman Avenue should remain as a single family home designation.

Motion made by Commissioner Cooper to deny the comprehensive plan change. Motion failed for lack of a second.

Motion made by Commissioner McMacken that we approve the first ordinance (Comprehensive Plan) on first reading to change the Future Land Use Designations of Single Family Residential and Institutional to Office Future Land Use for the properties at 216, 226 and 234 West Lyman Avenue and to deny the change of density to Medium Density Future Land Use on the property at 250 West Lyman Avenue; seconded by Commissioner Sprinkel.

Motion made by Commissioner McMacken to accept the ordinance on first reading to amend the zoning map from Single Family R-1A and Public Quasi Public (PQP) zoning to Office O-2 District zoning on the properties 216, 226 and 234 West Lyman Avenue and to deny the request to have Medium Density (R-3) zoning on 250 West Lyman Avenue; seconded by Commissioner Sprinkel. Commissioner McMacken clarified that this will allow the chapel to be established on the properties at 216, 226 and 235 W. Lyman and to deny the rezoning of the property at 250 W. Lyman Avenue. Commissioner Sprinkel wanted to make sure that the chapel will be moved and that an office building will not be built there.

Upon discussion, **Commissioners McMacken and Sprinkel withdrew their motions on both ordinances.**

Motion made by Commissioner McMacken to deny the first ordinance (amending the comprehensive plan); seconded by Commissioner Cooper.

Motion made by Commissioner McMacken to deny the second ordinance (amending the official zoning map); seconded by Commissioner Cooper.

Applicant Dan Bellows, 558 West New England Avenue, provided background regarding the request to change the current zoning and the enhanced benefits that will result if approved. He also spoke briefly regarding the relocation of the Grant Chapel Church and the need to preserve this historic building and that he had envisioned the church moving next to the Heritage Center which is not possible because of the trees.

The following spoke in opposition to the request:

Lurlene Fletcher, 790 Lyman Avenue (not present to speak; before departing the meeting she asked City Clerk Cynthia Bonham to express her opposition).

Forrest Michael, 130 North Center Street

John Skolfield, 358 Ultoria Avenue

Commissioner Sprinkel expressed her preference of the R-1 designation but was agreeable with R-2 with a maximum of 13 townhomes. Commissioner Leary expressed his preference of enhancing the property. The nearby property

designations were discussed and where the line should be drawn for certain zonings.

Upon a roll call vote to deny the first ordinance (comprehensive plan), Commissioners Sprinkel, Cooper and McMacken voted yes. Mayor Bradley and Commissioner Leary voted no. The motion carried with a 3-2 vote.

Since the first ordinance failed, the zoning ordinance was not voted on.

Motion made by Mayor Bradley to accept the first ordinance (comprehensive plan) on first reading for R-2 zoning on the property at 250 West Lyman Avenue (that was presented initially as R-3); seconded by Commissioner Leary.

Commissioner McMacken stated he will not support this without a plan.

Motion made by Mayor Bradley to accept the second ordinance (zoning) on first reading for the property at 250 West Lyman Avenue (change R-1 zoning to R-2 zoning); seconded by Commissioner Leary.

Applicant Dan Bellows provided a compromise that the property at the point remains residential.

Forrest Michaels addressed the need that a zoning transition to be established.

John Skolfield spoke about the R-2 zoning on historic R-1 zoning being across the street from his property and Mr. Michaels which changes the flavor of the existing street.

Upon a roll call vote on the first ordinance (comprehensive plan), Mayor Bradley and Commissioners Leary and Sprinkel voted yes. Commissioners Cooper and McMacken voted no. The motion carried with a 3-2 vote.

Upon a roll call vote on the second ordinance (zoning), Mayor Bradley and Commissioners Leary and Sprinkel and Cooper voted yes. Commissioner McMacken voted no. The motion carried with a 4-1 vote. (See below)

Commissioner Cooper addressed her understanding that if the comprehensive plan says it is low density then the only compatible zoning is R-2. She asked for legal counsel that after she voted no on a comprehensive plan change, in order to be compatible with the comprehensive plan, if should she vote Yes on the R-2 zoning even if she is not in favor of the entire request. She wanted to know if she could change her vote.

Commissioner Cooper changed her vote on the second ordinance (zoning) to 'no'. The motion carried with a 3-2 vote (after Commissioner Cooper changed her vote while the item was still open).

e. Equalization Board Hearing

Attorney Brown read the resolution by title. This item was moved up to the first item under public hearings.

RESOLUTION NO. 2121-13: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, PURSUANT TO CHAPTER 170, FLORIDA STATUTES, DECLARING THAT THE CITY IS TO FUND CAPITAL IMPROVEMENTS IN AND FOR THE CITY, TO-WIT: UNDERGROUND ELECTRIC/CATV (BHN) FACILITIES ALONG VIA SALERNO/VIA CAPRI; FURTHER DECLARING THAT THE COST OF SAID IMPROVEMENTS SHALL BE PARTIALLY PAID BY SPECIAL ASSESSMENTS LEVIED AGAINST REAL PROPERTY SPECIALLY BENEFITTED BY SAID IMPROVEMENTS; SPECIFYING THE MANNER OF AND TIME FOR PAYING THE SPECIAL ASSESSMENTS; AND INVITING THE PUBLIC TO REVIEW THE PROJECT PLANS AND SPECIFICATIONS AND THE ASSESSMENT PLAT, ALL OF WHICH ARE ON FILE AT THE ELECTRIC UTILITY DEPARTMENT OF THE CITY OF WINTER PARK; CONFIRMING THE SPECIAL ASSESSMENTS FOR THE UNDERGROUNDING OF ELECTRIC/CATV (BHN) FACILITIES WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY OF WINTER PARK, CONSISTING OF PROPERTIES ADJACENT TO VIA SALERNO AND VIA CAPRI AVENUE; PROVIDING AN EFFECTIVE DATE.

Motion made by Commissioner McMacken to adopt the resolution; seconded by Commissioner Sprinkel.

Eric Rosoff, 1247 Via Salerno, commended and thanked staff for their involvement.

Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

City Commission Reports:

a. Commissioner Leary

Commissioner Leary thanked staff for the great event in Central Park on Saturday (Champions in the Park). He spoke about the portable units at the New Hope Church still not being resolved. Commissioner Leary thanked Assistant City Manager del Valle for her assistance in the absence of the City Manager.

b. Commissioner Sprinkel

Commissioner Sprinkel spoke about the Duck Derby. She asked about wayfinding signs for Mead Garden. She spoke about the Kaboom playground construction this weekend and asked to see the plan. Commissioner Sprinkel thanked the City

Manager and Mr. Holland who helped out someone renting a space. She announced the economic breakfast tomorrow morning that she had to miss and asked about taxicabs parking in neighborhoods and that she wanted to know the rules for this.

c. Commissioner Cooper

Commissioner Cooper announced Speak Up Wekiva this weekend; she needs to understand how we are moving forward with reclaimed water; residents at Four Seasons indicated to her that people are cutting through their neighborhood going to the ballfields and that they were having issues with turning out of their entrance due to the large tree on one side of the street and the four Suburban's on the other side; she indicated the lights are out on Balfour and McKean Circle. She stated our Mayor made us very proud at the Meet the Mayors event. She asked that the number of new jobs created in the City be added to the City Manager's Report. She asked who won the Chili Cook-Off event. It was indicated that Rollins won. She addressed that the Florida League of Cities legislative agendas are up.

d. Commissioner McMacken

Commissioner McMacken indicated they are all walking on Sunday at St. Patrick's Day parade.

e. Mayor Bradley

Mayor Bradley spoke about the recent movie in theatres that attacked Winter Park. He expressed his displeasure with the comments made.

The meeting adjourned at 9:16 p.m.

ATTEST:

Mayor Kenneth W. Bradley

City Clerk Cynthia S. Bonham



city commission agenda item

item type	Consent Agenda	meeting date	March 11, 2013
prepared by department division	Purchasing Division	approved by	<input checked="" type="checkbox"/> City Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> N/A
board approval	<input type="checkbox"/> yes <input type="checkbox"/> no <input checked="" type="checkbox"/> N/A		final vote

Contracts

	vendor	item background	fiscal impact	motion recommendation
1.	Matern Professional Engineering, Inc.	Amendment 1 for RFQ-2-2012 Continuing Contract for Professional, Architectural & Engineering Services (Green Planning & Engineering Services)	Total expenditure included in approved FY13 budget.	Commission approve contract renewal with Matern Professional Engineering, Inc. and authorize the Mayor to execute Amendment 1
<p>The City utilized a formal solicitation process to award this contract. The City Commission approved contract award to Matern Professional Engineering, Inc. on March 26, 2012. The contract term was for a period of one (1) year with a total of four (4) one year renewal options, not to exceed five (5) years in total. The current contract term will expire on March 25, 2013.</p>				
2.	Shaw Environmental & Infrastructure, Inc.	Amendment 1 for RFQ-2-2012 Continuing Contract for Professional, Architectural & Engineering Services (Green Planning & Engineering Services)	Total expenditure included in approved FY13 budget.	Commission approve contract renewal with Shaw Environmental & Infrastructure, Inc. and authorize the Mayor to execute Amendment 1
<p>The City utilized a formal solicitation process to award this contract. The City Commission approved contract award to Shaw Environmental & Infrastructure, Inc. on March 26, 2012. The contract term was for a period of one (1) year with a total of four (4) one year renewal options, not to exceed five (5) years in total. The current contract term will expire on March 25, 2013.</p>				
3.	Kelly, Collins & Gentry, Inc.	Amendment 1 for RFQ-2-2012 Continuing Contract for Professional, Architectural & Engineering Services (Roadway Design)	Total expenditure included in approved FY13 budget.	Commission approve contract renewal with Kelly, Collins & Gentry, Inc. and authorize the Mayor to execute Amendment 1
<p>The City utilized a formal solicitation process to award this contract. The City Commission approved contract award to Kelly, Collins & Gentry, Inc. on March 26, 2012. The contract term was for a period of one (1) year with a total of four (4) one year renewal options, not to exceed five (5) years in total. The current contract term will expire on March 25, 2013.</p>				

Formal Solicitations

	vendor	item background	fiscal impact	motion recommendation
4.	Schuller Contractors, Inc.	IFB-12-2013 Canton Avenue Stormwater Outfall Improvement	State of Florida Department of Environment Protection will fund 60% of project cost. Amount: \$78,461.05	Commission approve award to Schuller Contractors, Inc. and authorize the Mayor to execute the Contract.
The City utilized a formal solicitation process to award this contract.				
5.	Orlando Freightliner	IFB-14-2013 Purchase of New Cab & Chassis Tandem Axle Truck	Total expenditure from vehicle replacement fund Amount: \$76,459	Commission approve award and PR 151755 to Orlando Freightliner
The City utilized a formal solicitation process to award this contract.				



city commission agenda item

item type	Consent Agenda	meeting date	March 11, 2013
prepared by	Wes Hamil	approved by	<input checked="" type="checkbox"/> City Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> N A
department	Finance		
division			
board approval		<input type="checkbox"/> yes <input type="checkbox"/> no <input checked="" type="checkbox"/> N A	final vote

subject

Mid-year adjustment to budget

motion | recommendation

Approve budget adjustment

background

City staff monitors revenues and expenses on a monthly basis in comparison to budget projections. At this mid point in our fiscal year, it appears that our overall revenues will be short of the amounts projected in the FY 2013 budget by approximately \$350,000 (8/10 of 1% of total revenues). The attached budget adjustment is proposed to assist in keeping expenditures within currently projected revenues.

alternatives | other considerations

N/A

fiscal impact

Total estimated net shortfall is \$350,000.

long-term impact

Adjusting spending will keep us on track for achieving budgetary goals for FY 2013. We will continue to monitor revenues and make further adjustments if necessary.

strategic objective

Quality government services and financial security

**CITY OF WINTER PARK
BUDGET ADJUSTMENT**

SUBMITTING DEPARTMENT: Finance ADJUSTMENT NUMBER: _____

DATE: March 5, 2013 GROUP NUMBER: _____

SOURCE OF FUNDS:			
ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PROJECT NUMBER	ADJUSTMENT
001-0000-314.10-00	Electric utility taxes		(150,000)
001-0000-314.30-00	Water utility taxes		(90,000)
001-0000-314.50-00	Communication services taxes		(40,000)
001-0000-322.10-02	Building permits		110,000
001-0000-335.10-80	Half cent sales tax		(80,000)
001-0000-335.90-10	Local option gas tax		(30,000)
001-0000-351.10-00	Fines and forfeitures		20,000
001-0000-351.10-05	Red light traffic cameras		90,000
001-0000-381.40-60	Electric franchise fees		(180,000)
TOTAL			(350,000)

USE OF FUNDS:			
ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PROJECT NUMBER	ADJUSTMENT
001-1203-512.34-46	Election costs		(35,000)
001-4104-521.22-11	Police pension		(77,500)
001-5103-522.22-12	Fire pension		(106,000)
301-0000-513.10-19	IT infrastructure upgrades		(41,500)
301-0000-572.10-11	General Parks Maintenance		(40,000)
001-3105-541.53-40	Concrete for sidewalks		(25,000)
301-0000-539.10-60	Traffic signal improvements		(25,000)
TOTAL			(350,000)

REASON FOR ADJUSTMENT REQUEST:
Mid-year budget adjustment to address projected shortfall in revenues

APPROVALS:			
_____	Commission Approval Date	Randy Knight City Manager	3/5/2013
Wes Hamil	3/5/2013	David Zusi	
Finance Director	Date	Department Head	Date



city commission agenda item

item type	Public Hearing	meeting date	March 11, 2013
prepared by	Debbie Wilkerson	approved by	<input checked="" type="checkbox"/> City Manager <input checked="" type="checkbox"/> City Attorney <input type="checkbox"/> N A
department	Public Works		
division	n/a		
board approval		<input type="checkbox"/> yes <input type="checkbox"/> no <input checked="" type="checkbox"/> N A	final vote

subject

Request to vacate the City easement at 1141 Via Capri.

motion | recommendation

Approve the vacation request on second reading.

background

Letters of no objection received from utilities serving the neighborhood. (See Attached) No objection from City Engineer.

alternatives | other considerations

n/a

fiscal impact

None

strategic objective

n/a

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA VACATING AND ABANDONING THE EASEMENT BEGIN AT THE NORTHEAST CORNER OF SAID LOT 14, BLOCK "A", CLOISTER GROVE SUBDIVISION, RUN WEST 50 FEET ALONG THE NORTH LINE OF SAID LOT 14 TO THE NORTHWEST CORNER OF SAID LOT 14; THENCE SOUTH 52 FEET TO THE SOUTHEAST CORNER OF LOT 15, BLOCK A, CLOISTER GROVE REPLAT, AS RECORDED IN PLAT BOOK O, PAGE 147, OF THE PUBLIC RECORDS OF ORANGE COUNT, FLORIDA (1141 VIA CAPRI) THENCE NORTHEASTERLY 72 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

BE IT ENACTED by the People of the City of Winter Park, Florida as follows:

Section 1. The City Commission of the City of Winter Park, Florida hereby vacates and abandons that certain utility easement located at 1141 VIA CAPRI over **BEGIN AT THE NORTHEAST CORNER OF SAID LOT 14, BLOCK "A", CLOISTER GROVE SUBDIVISION, RUN WEST 50 FEET ALONG THE NORTH LINE OF SAID LOT 14 TO THE NORTHWEST CORNER OF SAID LOT 14; THENCE SOUTH 52 FEET TO THE SOUTHEAST CORNER OF LOT 15, BLOCK A, CLOISTER GROVE REPLAT, AS RECORDED IN PLAT BOOK O, PAGE 147, OF THE PUBLIC RECORDS OF ORANGE COUNT, FLORIDA; THENCE NORTHEASTERLY 72 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.**

Section 2. All ordinances or portions of ordinances in conflict herewith are hereby repealed.

Section 3. This ordinance shall take effect immediately upon its passage and adoption.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held at City Hall, Winter Park, Florida, on the 25th day of February, 2013.

Mayor Kenneth W. Bradley

ATTEST:

City Clerk Cynthia S. Bonham

Downing Law Offices, P.A.

501 South New York Avenue
Suite 220
Winter Park, Florida 32789
Phone 407 960 5927
Fax 407 960 5929
www.haldowninglaw.com

Harold L. Downing
hdowning@haldowninglaw.com

January 7, 2013

Mr. Don Marcotte
City Engineer
CITY OF WINTER PARK
180 West Lyman Avenue
Winter Park, Florida 32789

HAND DELIVERY

Re: Request to vacate utility easement
at 1141 Via Capri, Winter Park, Florida

Dear Mr. Marcotte:

On behalf of our clients, George A. Koehn and Rebecca W. Koehn, we request that the City vacate that certain utility easement dated June 18, 1974, and recorded September 12, 1974, at Official Record Book 2566, Page 798, Public Records of Orange County, Florida, granted to the Florida Power Corporation (the "1974 Easement") encumbering the real property having a street address of 1141 Via Capri and being more particularly described as:

Lots 13 and 14, Block "A," CLOISTER GROVE SUBDIVISION, as recorded in Plat Book J, Page 119, of the Public Records of Orange County, Florida

Less:

Begin at the Northeast corner of said Lot 14, Block "A", CLOISTER GROVE SUBDIVISION, run West 50 feet along the North Line of said Lot 14 to the Northwest corner of said Lot 14; thence South 52 feet to the Southeast corner of Lot 15, Block A, CLOISTER GROVE REPLAT, as recorded in Plat Book O, Page 147, of the Public Records of Orange County, Florida; thence Northeasterly 72 feet, more or less, to the point of beginning.

A copy of the 1974 Easement is enclosed. Currently, the improvements on 1141 Via Capri have been demolished and removed and the lot is vacant. The Koehns purchased the property and intend to construct a new single family home.

Mr. Don Marcotte
January 7, 2013
Page 2

The Koehns request that the 1974 Easement be vacated because:

- 1) the legal description in the 1974 Easement is defective because it does not "close" – there is an error in the third line of the description (we have highlighted it). It says, "run Southwesterly to the Southeast corner of said Lot 11"; it should have said "run Southwesterly to the Southwest corner of said Lot 11."
- 2) the property is served by a utility easement running along its north (or rear) boundary; that easement was granted in the instrument recorded October 20, 2008, in O.R. Book 9776, Page 6684, Public Records of Orange County, Florida (the "2008 Easement"); and,
- 3) the Koehns are willing to grant any additional easements necessary to provide utility service.

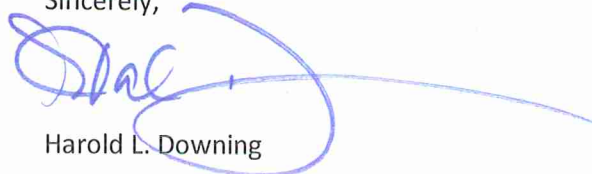
Enclosed are five (5) consents from the following utility providers:

- a) TECO/Peoples Gas;
- b) Bright House Networks, Inc.;
- c) City of Winter Park (Water/Wastewater);
- d) City of Winter Park (Electric Director); and
- e) Embarq Florida, Inc.

Additionally, we have enclosed a letter from Lori Herring at Progress Energy Florida, Inc. acknowledging that Progress Energy no longer provides electrical service to 1141 Via Capri due to the sale of the franchise to the City of Winter Park. Finally, we have enclosed a copy of a survey of 1141 Via Capri that shows the problem with the legal description.

Thank you for your attention to the Koehns' request and do not hesitate to contact us with any questions or comments.

Sincerely,



Harold L. Downing

HLD/pdq

Enclosures

cc: Mr. and Mrs. George A. Koehn

32-21-30

WP-447, 1974 30 Vert.
399 O.R. 2566 PG 798

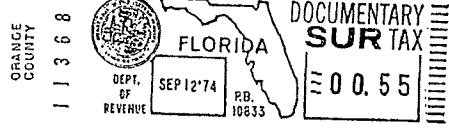
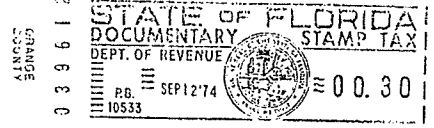
822317 RECORDED SEP 12 10 24 AM '74

KNOW ALL MEN BY THESE PRESENTS, That the undersigned, in consideration of the sum of One Dollar and other valuable considerations, the receipt of which is hereby acknowledged, grant and convey to FLORIDA POWER CORPORATION, its successors or assigns, the right, privilege and easement to construct, reconstruct, operate and maintain for such period of time as it may use the same or until the use thereof is abandoned, a single pole line for the transmission and distribution of electricity, including necessary communication and other wires, poles, guys, anchors, ground connections, attachments, fixtures, equipment and accessories (hereinafter collectively referred to as "facilities") desirable in connection therewith over, upon and across the following described land

in Orange County, State of Florida, to wit:

This document prepared by R. W. Neizer
RETURN TO: Real Estate Dept., Florida Power Corp.
P. O. Box 14042, St. Petersburg, Florida 33723

From the NE corner of Lot 14 Block 'A', Cloister Grove according to the plat thereof recorded in plat book 'J' page 119, Public Records of Orange County, Florida, run Southwesterly to the Southeast corner of said Lot 14, Block 'A', thence North along the West line thereof to a point on said West line 52 feet South of the NW corner thereof thence Northeasterly 72 feet more or less to the Point of beginning. Herein referred to as Easement Area.



~~The Easement Area shall be bounded by the following description:~~

GRANTEE shall have the right to patrol, inspect, alter, improve, repair, rebuild or remove said facilities, including the right to increase or decrease the number of wires and voltage, together with all rights and privileges reasonably necessary or convenient for the enjoyment or use thereof for the purposes above described. GRANTEE shall also have the right to trim, cut and keep clear trees, limbs, and undergrowth along said line, and trees adjacent thereto, that may endanger the proper operation of the same. GRANTORS further grant the reasonable right to enter upon adjoining lands of the GRANTORS for the purpose of exercising the rights herein granted.

GRANTORS hereby agree that no buildings or structures, other than fences, shall be constructed or located within said Easement Area. However, GRANTORS reserve the right to use said Easement Area for any other purpose which will not unreasonably interfere with the safe and proper construction, installation, operation, maintenance, alteration, repair or removal of said facilities of GRANTEE.

GRANTORS covenant that they have the right to convey the said easement and that the GRANTEE, its successors or assigns shall have quiet and peaceful possession, use and enjoyment of said easement.

All covenants, terms, provisions and conditions hereof shall inure to the benefit of and be binding upon the parties hereto and their respective heirs, successors or assigns.

IN WITNESS WHEREOF, the GRANTORS have hereunto affixed their hands and seals this 18th day of June, A.D. 1974.

Signed, sealed and delivered in presence of
Ernest C. Patterson Jr (LS.)

Louis F. Hunt III (HUSBAND) (LS.)
Lynnda W. Hunt (WIFE) (LS.)

STATE OF Florida)
COUNTY OF Orange) ss.

I HEREBY CERTIFY that on this 18th day of June, A.D. 1974, before me the undersigned authority, personally appeared Louis F. Hunt III & Lynnda W. Hunt

to me known to be the person(s) described in and who executed the foregoing instrument and have acknowledged before me that ~~he~~ executed the same.

WITNESS my signature and official seal in said County and State, the day and year last aforesaid.
(NOTARIAL SEAL)

Robert Whelan
Notary Public

My Commission Expires: 9-18-76

RECORDED & RECORD VERIFIED

Annexed Hunt
County Comptroller, Orange Co., Fla.

Survey

12/11/2007 18:27 FAX 4076207778

NIGHT-WILLIAMS

0008

- NOTES
1. THIS SURVEY WAS PREPARED FROM TITLE INFORMATION FURNISHED TO THIS SURVEYOR. THERE MAY BE OTHER RESTRICTIONS OR UNRECORDED EASEMENTS THAT AFFECT THIS PROPERTY.
 2. NO UNDERGROUND IMPROVEMENTS HAVE BEEN LOCATED UNLESS OTHERWISE SHOWN.
 3. THIS SURVEY IS PREPARED FOR THE SOLE BENEFIT OF THOSE CERTIFIED TO AND SHOULD NOT BE RELIED UPON BY ANY OTHER ENTITY.
 4. DIMENSIONS SHOWN FOR THE LOCATION OF IMPROVEMENTS HEREON SHOULD NOT BE USED TO RECONSTRUCT BOUNDARY LINES.
 5. BEARINGS ARE BASED ON ASSUMED DATUM AND ON THE LINE SHOWN AS BASEL BEARING (BB).
 6. PROPERTY HEREON LOCATED IN ZONE "X" PER F.I.R.M. COMMUNITY PANEL NO. 120168 0265 E DATED 12-06-00.

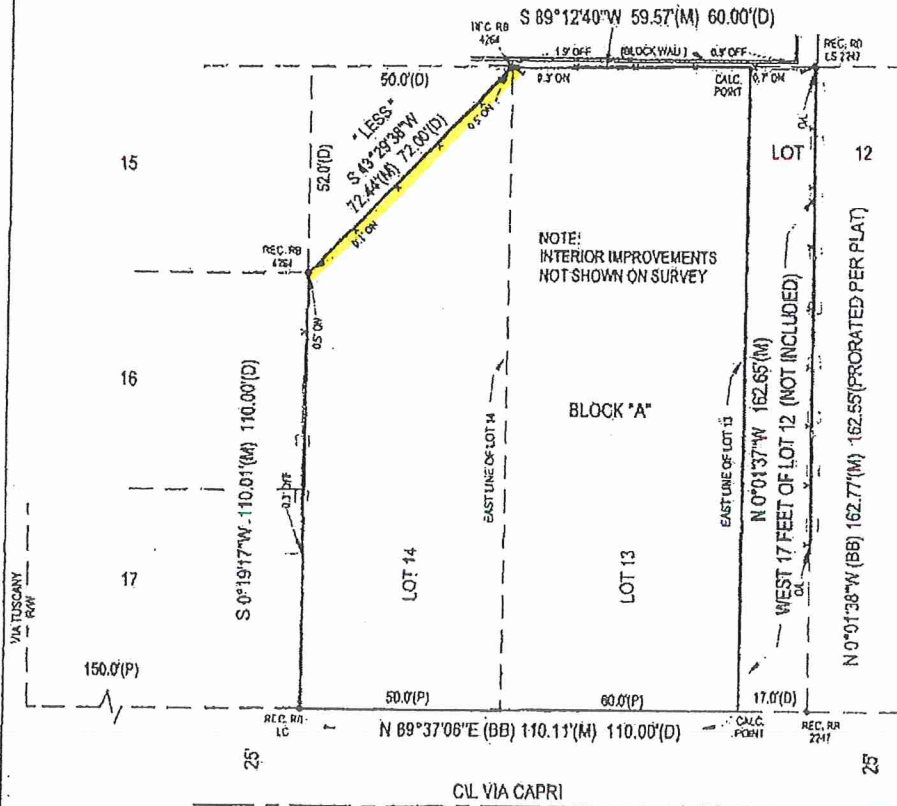


Boundary
And
Mapping
Associates, Inc.

LAND
SURVEYORS
LB 4565

109 WEST ORANGE STREET
ALTA MONTE SPRINGS, FL
32714
PH. (407) 696-1155

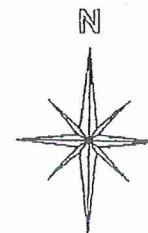
REPLAT WOODMERE TERRACE
BLOCK C (P.B. M, PG. 13)



CERTIFIED TO:
J. MICHAEL NIGHT & VICTORIA J. NIGHT
ALOMA TITLE COMPANY
COMMONWEALTH LAND TITLE INSURANCE CO.
WACHOVIA MORTGAGE CORP.

DESCRIPTION: (PROPOSED)
LOTS 13 AND 14, BLOCK "A", CLOISTER GROVE SUBDIVISION, AS RECORDED IN PLAT BOOK J, PAGE 119, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; (LESS: BEGIN AT THE NORTHEAST CORNER OF SAID LOT 14, BLOCK "A", CLOISTER GROVE SUBDIVISION, RUN WEST 50 FEET ALONG THE NORTH LINE OF SAID LOT 14 TO THE NORTHWEST CORNER OF SAID LOT 14; THENCE SOUTH 52 FEET TO THE SOUTHEAST CORNER OF LOT 15, BLOCK "A", CLOISTER GROVE REPLAT, AS RECORDED IN PLAT BOOK "O", PAGE 147, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE NORTHEASTERLY 72 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.)

CONTAINING 16501.31 +/- SQUARE FEET



SCALE 1" = 30'



**Electric
utility** services

Operation & Maintenance Services provided by ENCO Utility Services

DISTRIBUTION EASEMENT

KNOW ALL MEN BY THESE PRESENTS, That the undersigned, their successors, lessees and assigns ("GRANTOR"), in consideration of the mutual benefits, covenants and conditions herein contained, does grant and convey to CITY OF WINTER PARK, a Florida Municipal Corporation ("GRANTEE"), 401 Park Ave S., Winter Park, Florida 32789, and to its successors, lessees and assigns, an easement to install, operate and maintain in perpetuity or until the use thereof is abandoned, such facilities as may be necessary or desirable for providing electric energy and service and communication services by GRANTEE or others; said facilities being located in the following described "Easement Area" within GRANTOR'S premises in ORANGE County, Florida, to wit:

BEGIN AT THE NORTHEAST CORNER OF LOT 14, BLOCK A, CLOISTER GROVE SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK J, PAGE 119, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN S.43°52'36"W. A DISTANCE OF 72.14 FEET TO THE SOUTHEAST CORNER OF LOT 15, BLOCK A, CLOISTER GROVE REPLAT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK O, PAGE 147, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE SOUTH ALONG THE WEST LINE OF SAID LOT 14, BLOCK A, A DISTANCE OF 7.21 FEET; THENCE DEPARTING SAID WEST LINE RUN N.43°52'36"E. 82.15 FEET TO THE NORTH LINE OF LOT 13, BLOCK A, OF SAID CLOISTER GROVE SUBDIVISION; THENCE WEST ALONG SAID NORTH LINE 6.94 FEET TO THE POINT OF BEGINNING.

Tax Parcel Number: 32-21-30-1416-01-130

The rights herein granted to GRANTEE by GRANTOR specifically include: (a) the right for GRANTEE to patrol, inspect, alter, improve, repair, rebuild, relocate, and remove said facilities; (b) the right for GRANTEE to increase or decrease the voltage and to change the quantity and type of facilities; (c) the right for GRANTEE to clear the Easement Area of trees, limbs, undergrowth and other physical objects which, in the opinion of GRANTEE, endanger or interfere with the safe and efficient installation, operation or maintenance of said facilities; (d) the right for GRANTEE to trim or remove any timber adjacent to but outside the Easement Area which, in the opinion of GRANTEE, endangers or interferes with the safe and efficient installation, operation or maintenance of said facilities; (e) the reasonable right for GRANTEE to enter upon land of the Grantor adjacent to said Easement Area for the purpose of exercising the rights herein granted; and (f) all other rights and privileges reasonable necessary or convenient for GRANTEE's safe and efficient installation, operation and maintenance of said facilities and for the enjoyment and use of said easement for the purposes described above.

GRANTOR hereby covenants and agrees that no buildings, structures or obstacle (except fences) shall be located, constructed, excavated or created within the Easement Area. If fences are installed, they shall be placed so as to allow ready access to GRANTEE's facilities and provide a working space of not less than six feet (6') on the opening side and one foot (1') on the other three sides of any pad mounted transformer. If GRANTOR's future orderly development of the premises is in physical conflict with GRANTEE's facilities, GRANTEE shall, within 60 days after receipt of written request from GRANTOR, relocate said facilities to another mutually agreed upon Easement Area in GRANTOR's premises, provided that prior to the relocation of said facilities, (a) GRANTOR shall pay to GRANTEE the full expected cost of the relocation as estimated by GRANTEE, and (b) GRANTOR shall execute and deliver to GRANTEE, at no cost, an acceptable and recordable easement to cover the relocated facilities. Upon the completion of the relocation, the easement herein shall be considered cancelled as to the portion vacated by such relocation.

PLEASE RETURN TO JEC
WINDERWEEDLE, HAINES, WARD & WOODMAN, P.A.
P. O. BOX 880
WINTER PARK, FLA. 32790

DOC # 20080629419 B: 9776 P: 6684

10/20/2008 01:45:16 PM Page 1 of 2

Rec Fee: \$18.50 Doc Type: EAS

Deed Doc Tax: \$0.00

Intangible Tax: \$0.00

Mortgage Stamp: \$0.00

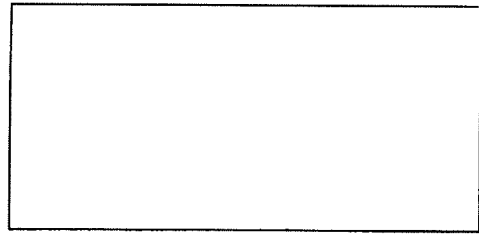
Martha O. Haynie, Comptroller

Orange County, FL

PU - Ret To: WINDERWEEDLE HAINES WARD



County Use Only



GRANTOR covenants not to interfere with GRANTEE's facilities within the Easement Area in GRANTOR's premises, and GRANTOR further covenants to indemnify and hold GRANTEE harmless from any and all damages and injuries, whether to persons or property, resulting from interference with GRANTEE's facilities by GRANTOR or by GRANTOR's agents or employees.

GRANTOR hereby warrants and covenants (a) that GRANTOR is the owner of the fee simple title to the premises in which the above described Easement Area is located, (b) that GRANTOR has full right and lawful authority to grant and convey this easement to GRANTEE, and (c) that GRANTEE shall have quiet and peaceful possession, use and enjoyment of this easement.

All covenants, terms, provisions and conditions herein contained shall inure and extend to and be obligatory upon the successors, lessees and assigns of the respective parties hereto.

IN WITNESS WHEREOF, the GRANTOR has caused this easement to be signed in its name by its proper officials thereunto duly authorized and its official seal to be hereunto affixed and attested this 21st day of July, 2008.

WITNESSES:

[Signature]

(Print Name) Caryn Wheeler

Margaret E. Beckemeier

(Print Name) Margaret E. Beckemeier

GRANTOR(S) [Signature]

Print Name DONALD PAUL DIETRICH I / KRISTYN D. ELLIOTT

Address 1231 VIA CARA I

Winter Park, Florida 32789 zip code

STATE OF FLORIDA)
) SS.
COUNTY OF ORANGE)

The foregoing Easement was acknowledged before me this 21st day of July, 2008, by D. Paul Dietrich I and Kristyn D. Elliott They are He/She is personally known to me or who have produced

_____ as identification and who did/did not take an oath.



(SEAL)

Margaret E. Beckemeier
NOTARY PUBLIC

Print Name: Margaret E. Beckemeier

Serial Number

My Commission Expires:

Utility Review for Vacation of Easement/Right of Way

December 05, 2012

Re: Easement granted in O.R. Book 2566, Page 798, Public Records of Orange County, Florida, affecting 1141 Via Capri, Winter Park, Florida 32789

_____ The subject parcel is not within our service area.

X_____ The subject parcel is within our service area. We do not have any facilities within the easement/right of way and we have no objection to vacating it.

_____ The subject parcel is within our service area and it will be needed for future use. We object to the vacation.

Additional comments:

UTILITY PROVIDER: TECO/Peoples Gas

Signature: Deborah Prezic

Print Name: Deborah Prezic

Title: Sr Admin

Date: 12/05/12

Utility Review for Vacation of Easement/Right of Way

December 5, 2012

Re: Easement granted in O.R. Book 2566, Page 798, Public Records of Orange County, Florida, affecting 1141 Via Capri, Winter Park, Florida 32789

_____ The subject parcel is not within our service area.

_____ The subject parcel is within our service area. We do not have any facilities within the easement/right of way and we have no objection to vacating it.

_____ The subject parcel is within our service area and it will be needed for future use. We object to the vacation.

Additional comments:

UTILITY PROVIDER: Bright House Networks, Inc.

Signature: _____ *P.J. King*

32, 21, 30

Print Name: _____ *P.J. KING*

Title: _____ *SR. CONST. MGR.*

Date: _____ *12-5-2012*

*Mtk
12/5/12*

Utility Review for Vacation of Easement/Right of Way

December 6, 2012

Re: Easement granted in O.R. Book 2566, Page 798, Public Records of Orange County, Florida, affecting 1141 Via Capri, Winter Park, Florida 32789

_____ The subject parcel is not within our service area.

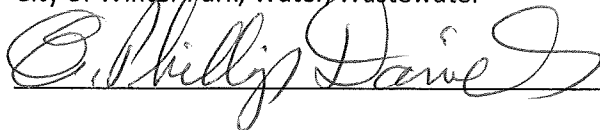
XXXX The subject parcel is within our service area. We do not have any facilities within the easement/right of way and we have no objection to vacating it.

_____ The subject parcel is within our service area and it will be needed for future use. We object to the vacation.

Additional comments:

UTILITY PROVIDER: City of Winter Park, Water/Wastewater

Signature:



Print Name:

E. Phillip Daniels

Title:

Assistant Utility Director
Water and Wastewater Department

Date:

December 6, 2012

Utility Review for Vacation of Easement/Right of Way

December 6, 2012

Re: Easement granted in O.R. Book 2566, Page 798, Public Records of Orange County, Florida, affecting 1141 Via Capri, Winter Park, Florida 32789

_____ The subject parcel is not within our service area.

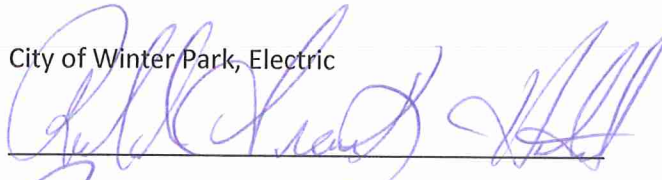
X_____ The subject parcel is within our service area. We do not have any facilities within the easement/right of way and we have no objection to vacating it.

_____ The subject parcel is within our service area and it will be needed for future use. We object to the vacation.

Additional comments:

UTILITY PROVIDER: City of Winter Park, Electric

Signature:



Print Name:

ROLAND F. HOTARD

Title:

Assist. Director

Date:

12/6/12

Utility Review for Vacation of Easement/Right of Way

December 31, 2012

Re: Easement granted in O.R. Book 2566, Page 798, Public Records of Orange County, Florida, affecting 1141 Via Capri, Winter Park, Florida 32789

_____ The subject parcel is not within our service area.

✓_____ The subject parcel is within our service area. We do not have any facilities within the easement/right of way and we have no objection to vacating it.

_____ The subject parcel is within our service area and it will be needed for future use. We object to the vacation.

Additional comments:

UTILITY PROVIDER: Embarq, Florida, Inc., dba Century Link

Signature: Candy Crim

Print Name: CANDY CRIM

Title: OSP ENGINEER II

Date: 1-2-13



December 11, 2012

Mr. Harold Downing
Downing Law Offices, P.A.
501 South New York Avenue, #220
Winter Park, FL 32789

RE: Request for Release of Easement Recorded in ORB 2566, PG 798, Orange County

Dear Mr. Downing:

It was a pleasure speaking with you this afternoon. As discussed, the above referenced easement was granted to Florida Power Corporation in 1974. Unfortunately, I cannot release that easement as it is no longer our service territory. The City of Winter Park bought a portion of our electrical system several years ago and the release will need to be prepared by the City. I apologize for the delay this may cause you clients.

If I can be of further assistance, please do not hesitate to contact me.

Best Regards,

A handwritten signature in blue ink that reads 'Lori L. Herring'.

Lori L. Herring
Land Agent
Distribution Right of Way - Florida



city commission public hearing

item type	Public Hearing	meeting date	March 11, 2013
prepared by department division	Jeff Briggs Planning Department	approved by	<input checked="" type="checkbox"/> City Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> N/A
board approval	Planning and Zoning Board	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> N/A	6-1 final vote

Subject: Second Reading of the Comp. FLU/Rezoning of 250 W. Lyman Avenue to Low-Density Residential (R-2).

At the first reading on February 25th, the City Commission took the following actions:

1. Denied by a 3-2 vote, the change to Office (O-2) zoning on the properties at 216, 226 and 234 W. Lyman Avenues in order to relocate the Grant Chapel building on this site and denied the change to Multi-Family Residential (R-3) on the property at 250 W. Lyman Avenue.
2. Approved by a 3-2 vote a substitute change to Low Density Residential (R-2) zoning on the property at 250 W. Lyman Avenue.

The ordinances (attached) have been revised accordingly.

Planning and Zoning Board Recommendation:

Motion made by Mr. Sacha, seconded by Mr. Gottfried to approve the Comprehensive Plan future land use map amendment to multi-family and the rezoning to (R-3) on the property at 250 West Lyman Avenue. Motion carried with a 6-1 vote. Mrs. Whiting voted against the motion.

Summary:

250 W. Lyman Property:

The 250 W. Lyman Avenue property is 50,000 sq. ft. in size with 300 feet of frontage on W. Lyman Avenue and then a rear portion with 100 feet of frontage on Comstock Avenue. Under the current city R-1A zoning, 8 single family homes could be built on this property. Under the R-2 designation, approved at the first reading, up to 12 multi-family units could be developed.

Future Development Plans:

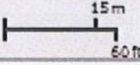
The future development plans for the property are not known at this time. The site plan that remains in this packet is the one prepared for the request for R-3 zoning based on the code requirements for a rezoning submission to "include prospective plans indicating the desired development scenario proposed as a result of an approval".

Under the proposed R-2 zoning the maximum floor area ratio is 55%. So for this 50,000 square foot property one could build up to 12 units of 2,291 sq. ft. in size. If one desired larger units then the number of units would need to be reduced. The height limit is two stories and 30 feet in height.

Staff Appraisal:

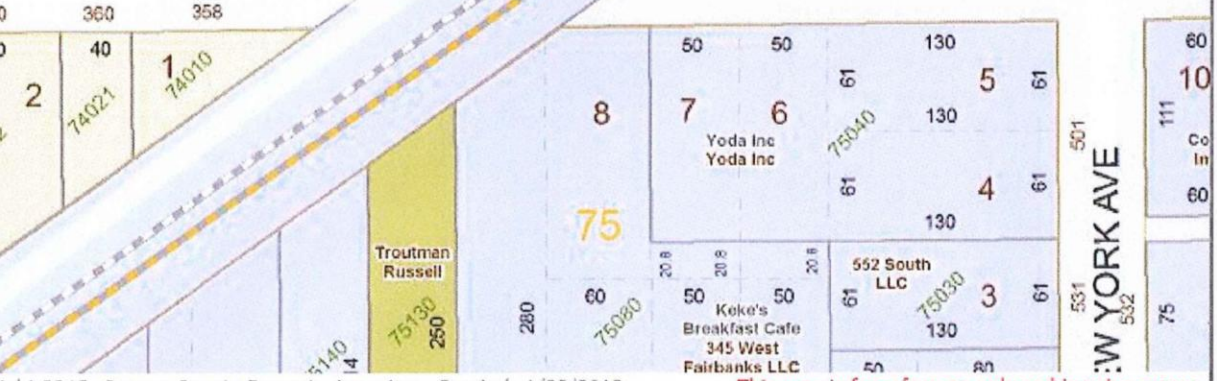
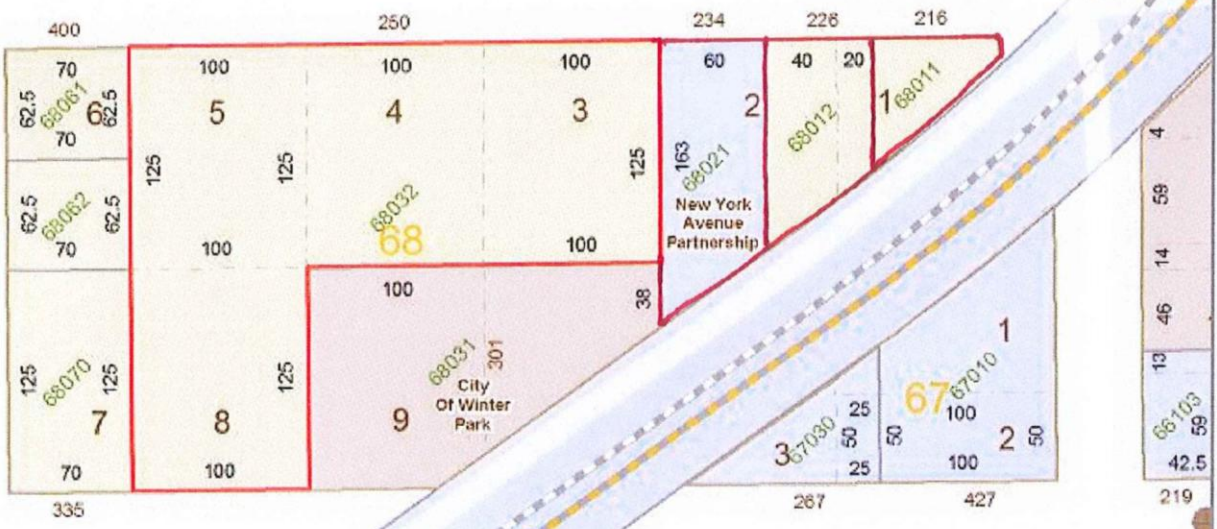
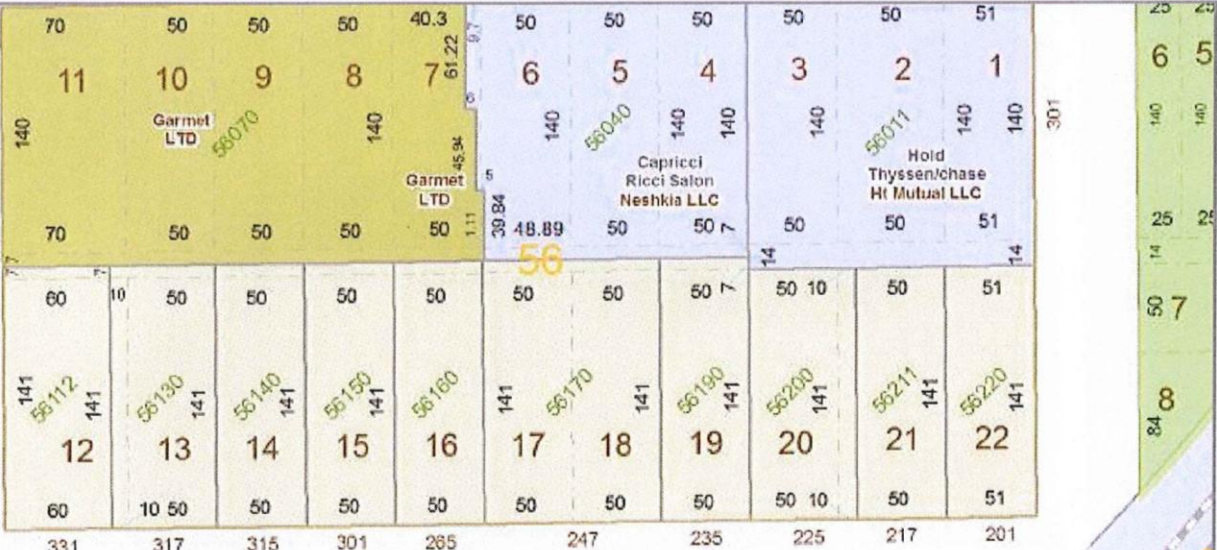
The staff supported the original request as compatible with this "edge" transitional location. The compromise to a lesser density of R-2 zoning also provides the same logical transition in density as one moves from the Railroad and New York Avenue west toward the single family zoned properties.

OCPA Web Map



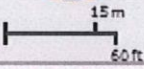
- Major Roads
- Road Under Construction
- Proposed Road
- Brick Road
- Block Line
- Lot Line
- Recreational
- Agriculture
- Commercial/Institutional
- Governmental/Institutional/Misc
- Commercial/Industrial/Vacant Land
- Agricultural Curtilage
- Hydro
- Waste Land
- Parks
- Lakes and River
- Building
- Fire Station
- Hospital
- E Block Number
- 6 Lot Number
- 06060 Parcel Number
- 3106 Parcel Address
- 111.9 Parcel Dimension

S VIRGINIA AVE



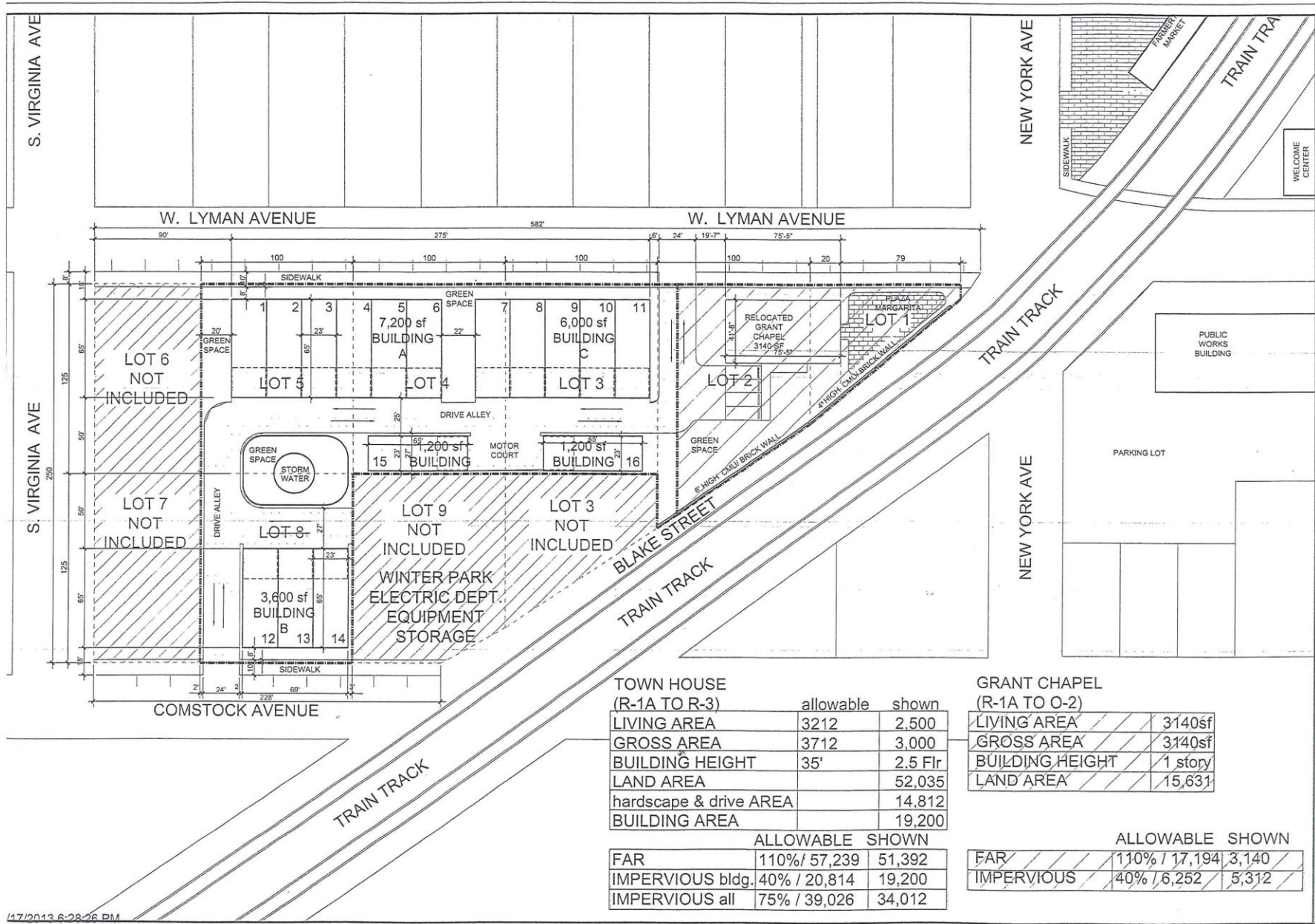
W YORK AVE

OCPA Web Map



Major Roads	Block Line	Commercial/Institutional	Hydro	Building	6 Lot Number
Road Under Construction	Lot Line	Governmental/Institutional/Misc	Waste Land	Fire Station	06060 Parcel Number
Proposed Road	Residential	Commercial/Industrial/Vacant Land	Parks	Hospital	3106 Parcel Address
Brick Road	Agriculture	Agricultural/Curlage	Lakes and River	Block Number	111.9 Parcel Dimension

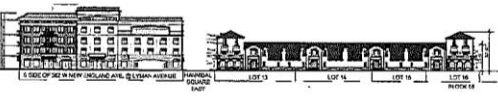
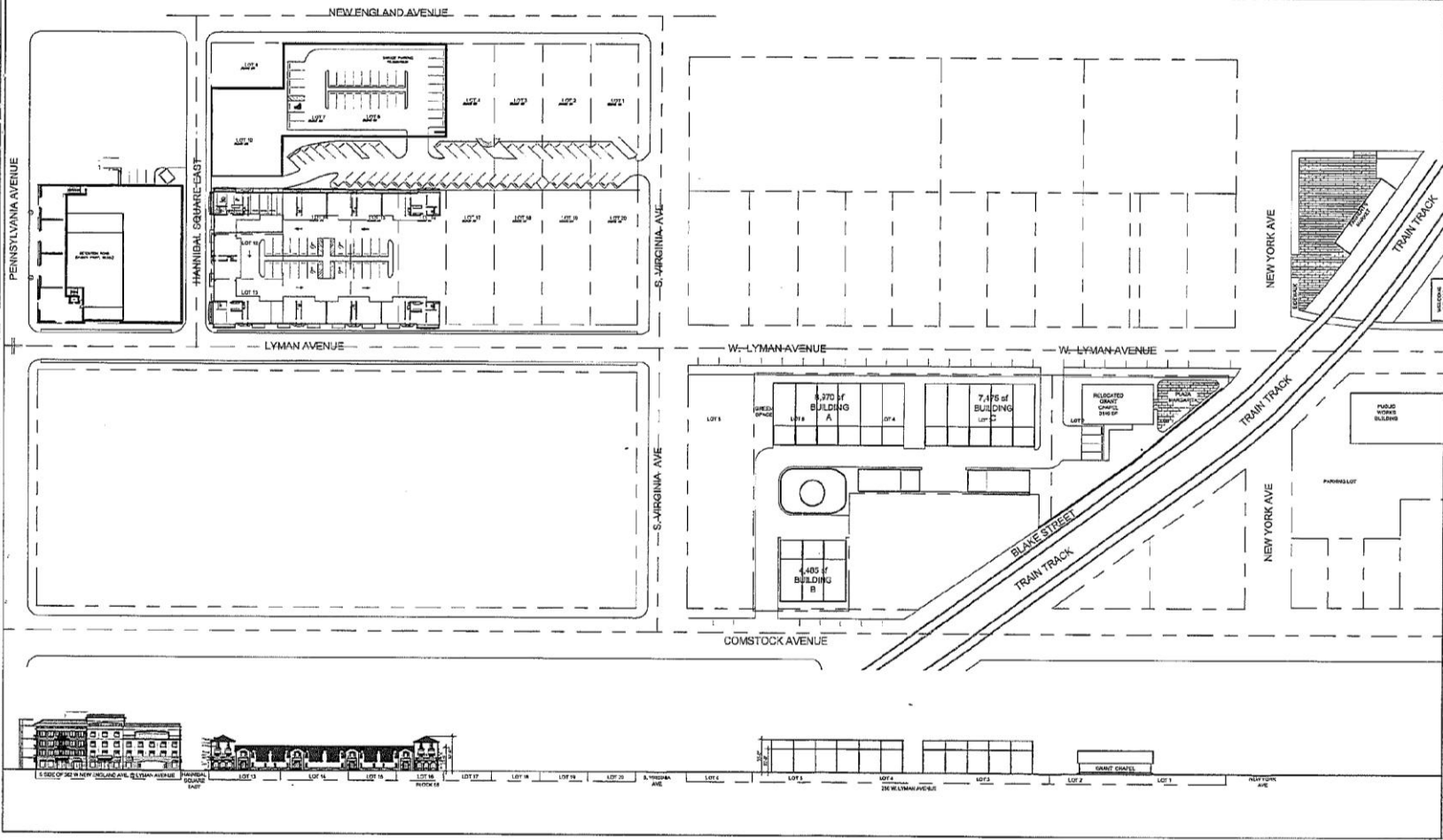




TOWN HOUSE (R-1A TO R-3)		
	allowable	shown
LIVING AREA	3212	2,500
GROSS AREA	3712	3,000
BUILDING HEIGHT	35'	2.5 Flr
LAND AREA		52,035
hardscape & drive AREA		14,812
BUILDING AREA		19,200
ALLOWABLE SHOWN		
FAR	110% / 57,239	51,392
IMPERVIOUS bldg.	40% / 20,814	19,200
IMPERVIOUS all	75% / 39,026	34,012

GRANT CHAPEL (R-1A TO O-2)	
LIVING AREA	3140sf
GROSS AREA	3140sf
BUILDING HEIGHT	1 story
LAND AREA	15,631

ALLOWABLE SHOWN		
FAR	110% / 17,194	3,140
IMPERVIOUS	40% / 6,252	5,312



250 W. LYMAN AVENUE
WINTER PARK, FL 32789

SYDGAN CORP.
PO BOX 350
WINTER PARK, FL 32790
407-644-3151

SITE PLAN - REZONING

MARGARET H. O'ROURKE DESIGN, INC.
FO BOX 2071 WINTER PARK, FLORIDA 32790

SCALE: NTS
DATE: 1-8-13

DATE:	NO.:	REFVISIONS:

B1

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE I "COMPREHENSIVE PLAN" FUTURE LAND USE MAP SO AS TO CHANGE THE FUTURE LAND USE DESIGNATION OF SINGLE FAMILY RESIDENTIAL TO LOW DENSITY RESIDENTIAL ON THE PROPERTY AT 250 WEST LYMAN AVENUE, MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR CONFLICTS, SEVERABILITY AND EFFECTIVE DATE.

WHEREAS, the Winter Park City Commission adopted its Comprehensive Plan on February 23, 2009 via Ordinance 2762-09, and

WHEREAS, the owner of the property more particularly described herein has requested an amendment to the Comprehensive Plan for this property, and such amendment meets the criteria established by Chapter 166, Florida Statutes and pursuant to and in compliance with law, notice has been given to Orange County and to the public by publication in a newspaper of general circulation to notify the public of this proposed Ordinance and of public hearings to be held.

WHEREAS, the Winter Park Planning and Zoning Commission, acting as the designated Local Planning Agency, has reviewed and recommended adoption of the proposed Comprehensive Plan amendment, having held an advertised public hearing on February 5, 2013, provided for participation by the public in the process and rendered its recommendations to the City Commission; and

WHEREAS, the Winter Park City Commission has reviewed the proposed Comprehensive Plan amendment and held advertised public hearings and provided for public participation in the process in accordance with the requirements of state law and the procedures adopted for public participation in the planning process.

NOW THEREFORE BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, AS FOLLOWS:

SECTION 1. That Chapter 58 "Land Development Code", Article I, "Comprehensive Plan" future land use plan map is hereby amended so as to change the future land use map designation of single family residential to low-density residential on the property 250 W. Lyman Avenue, said property being more particularly described as follows:

Lots 3, 4, 5 and 8, Block 68, Revised Map of the Town of Winter Park as recorded in Plat Book "A", Pages 67-72 of the Public Records of Orange County, Florida.

Property Tax ID # 05-22-30-9400-68-032

SECTION 2. Severability. If any Section or portion of a Section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Ordinance.

SECTION 3. Conflicts. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

SECTION 4. Effective Date. This Ordinance may not become effective until 31 days after adoption. If challenged within 30 days after adoption, this Ordinance may not become effective until the state land planning agency or the Administrative Commission, respectively, issues a final order determining that this Ordinance is in compliance.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this _____ day of _____, 2013.

Mayor

Attest:

City Clerk

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO CHANGE THE ZONING DESIGNATION OF SINGLE FAMILY (R-1A) DISTRICT TO LOW DENSITY RESIDENTIAL (R-2) DISTRICT ON THE PROPERTY AT 250 WEST LYMAN AVENUE, MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR CONFLICTS, SEVERABILITY AND EFFECTIVE DATE.

WHEREAS, the owner of the property more particularly described herein has requested rezoning in compliance with the Comprehensive Plan, and the requested zoning will achieve conformance with the Comprehensive Plan future land use designation for this property, and such municipal zoning meets the criteria established by Chapter 166, Florida Statutes and pursuant to and in compliance with law, notice has been given to Orange County and to the public by publication in a newspaper of general circulation to notify the public of this proposed Ordinance and of public hearings to be held; and

WHEREAS, the Planning and Zoning Board and City Staff of the City of Winter Park have recommended approval of this Ordinance at their February 5, 2013 meeting; and

WHEREAS, the City Commission of the City of Winter Park held duly noticed public hearings on the proposed zoning change set forth hereunder and considered findings and advice of staff, citizens, and all interested parties submitting written and oral comments and supporting data and analysis, and after complete deliberation, hereby finds the requested change consistent with the City of Winter Park Comprehensive Plan and that sufficient, competent, and substantial evidence supports the zoning change set forth hereunder; and

WHEREAS, the City Commission hereby finds that this Ordinance serves a legitimate government purpose and is in the best interests of the public health, safety, and welfare of the citizens of Winter Park, Florida.

NOW THEREFORE BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, AS FOLLOWS:

SECTION 1. That Chapter 58 "Land Development Code", Article III, "Zoning" and the Official Zoning Map are hereby amended so as to change the existing zoning designation of single family (R-1A) district to low density residential (R-2) district zoning on the property at 250 W. Lyman Avenue and said property being more particularly described as follows:

Lots 3, 4, 5 and 8, Block 68, Revised Map of the Town of Winter Park as recorded in Plat Book "A", Pages 67-72 of the Public Records of Orange County, Florida.

Property Tax ID # 05-22-30-9400-68-032

SECTION 2. Severability. If any Section or portion of a Section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Ordinance.

SECTION 3. Conflicts. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

SECTION 4. Effective Date. This Ordinance shall become effective upon the effective date of Ordinance _____. If Ordinance _____ or if either Section of that Ordinance does not become effective, then that Section or this Ordinance shall be null and void.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this _____ day of _____, 2013.

Mayor

Attest:

City Clerk

REQUEST OF THE SYDGAN CORP. TO AMEND THE COMPREHENSIVE PLAN FUTURE LAND USE MAP SO AS TO CHANGE THE EXISTING FUTURE LAND USE DESIGNATIONS OF SINGLE FAMILY RESIDENTIAL AND INSTITUTIONAL TO OFFICE FUTURE LAND USE ON THE PROPERTIES AT 216, 226 AND 234 W. LYMAN AVENUE AND TO MEDIUM DENSITY RESIDENTIAL FUTURE LAND USE ON THE PROPERTY AT 250 W. LYMAN AVENUE.

REQUEST OF THE SYDAN CORP TO: AMEND THE OFFICIAL ZONING MAP SO AS TO CHANGE THE EXISTING SINGLE FAMILY (R-1A) DISTRICT AND PUBLIC, QUASI-PUBLIC (PQP) ZONING TO OFFICE (O-2) DISTRICT ZONING ON THE PROPERTIES AT 216, 226 AND 234 W. LYMAN AVENUE AND TO MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL (R-3) DISTRICT ZONING ON THE PROPERTY AT 250 W. LYMAN AVENUE.

Planning Director Jeffrey Briggs presented the staff report and explained that the Sydgan Corp. owns and has contingent contracts to purchase property for which they seek Comprehensive Plan future land use map and Zoning map changes to:

1. Change the existing Single Family (R-1A) and Institutional (PQP) designations to Office (O-2) zoning on the properties at 216, 226 and 234 W. Lyman Avenues in order to relocate the Grant Chapel building on this site and use for office purposes; and to
2. Change the existing Single Family (R-1A) designation to Medium Density Residential (R-3) zoning on the property at 250 W. Lyman Avenue in order to build townhomes on the property.

He noted that they are made as one request with two components for which the City may treat each one independently of the other.

Mr. Briggs reviewed the history of the subject properties. He explained that the 216, 226 and 234 W. Lyman Avenue properties consist of the small single-family frame house at the New York Avenue corner, the adjacent vacant lot to the west and the next adjacent former Western Union property. The 216 and 226 West Lyman properties are designated single family (R-1A). The 234 W. Lyman Avenue property historically was where the Winter Park Taxi Company and Western Union office operated from. Due to the quasi-public service business nature of those operations, the City established Institutional future land use in the comprehensive plan and Public, Quasi, Public (PQP) zoning back in 1976. He said that the proposal for these three properties collectively is to redevelop the entire site by moving the historic Grant Chapel church building from its current location at 301 West New England Avenue to this new location.

The Grant Chapel building was constructed in 1935 and was one of the historic churches in the Hannibal Square neighborhood. The congregation was no longer viable in the late 1990's and in 2002 it was sold to the applicant. In recent years, the building has been used by the Winter Park photos and wedding chapel business. They would plan to continue those business activities in the new location. The proposed office (O-2) zoning would allow that business and in the future for use as office space. The site plan shows the Grant Chapel building, its associated parking and the corner plaza for outdoor wedding photos. The alternative as New England Avenue redevelops to much higher density is for Grant Chapel to be demolished to make way for that redevelopment. The historic preservation term for this is "adaptive reuse". Preserving and saving a historic building for an alternate economically viable use. He reviewed the comprehensive plan issues.

One other small complication is that one of the properties being acquired at 234 W. Lyman has three parking spaces that are committed as off-site parking for the Prince-Bush building at 227 N. New York Avenue. In order to make this happen (since there is not space for that parking plus the parking needed for the Grant Chapel tenant is to waive the requirement for those three spaces. As a practical reality they have never used them.

In summary, given this context and location on the corner of New York and Lyman Avenue, across from the Farmers Market and City Hall facilities, it seems to the staff that the goal of Historic Preservation for the Grant Chapel building outweighs any negative precedent. However, the action to rezone needs to be conditioned upon a Development Agreement which binds the applicant to move the Grant Chapel building

within a reasonable time period, such as two years or the action to rezone shall be null and void and that the applicant must commit to preserve the Grant Chapel building by adding it to the City's Historic Preservation program. Mr. Briggs indicated that the applicant was in agreement to these conditions.

Mr. Briggs said that the 250 West Lyman Avenue property is approximately 52,035 sq. ft. in size with 300 feet of frontage on W. Lyman Avenue and then a rear portion with 100 feet of frontage on Comstock Avenue. It is now designated single family (R-1A) and the applicant is requesting the city's multi-family residential (R-3) designation. Under the current city zoning, 8 single family homes could be built on this property. Under the proposed R-3 designation, up to 20 multi-family units could be developed.

The future development plans of the applicant are not firm at this time because the property is under contract for sale to David Weekly Homes. David Weekly does not have development plan finalized at this time. However, one of the requirements for a rezoning submission is to *"include prospective plans indicating the desired development scenario proposed as a result of an approval"*. So in keeping with that code requirement, the applicant as the seller, has presented a site plan representative of how 16 new townhomes could be built on this site if rezoned. However, the City is not approving this plan or any variances at this time. The application is only for Comp. Plan FLU and Rezoning to R-3.

The staff supports this request. The request for the change to R-3 zoning is appropriate given the location and context of this "edge" transitional setting. If the City desires to preserve the residential character of the Hannibal Square neighborhood, then getting new residential townhouse development on this large vacant property will work to insure the residential transitional edge is fixed. As long as this large site sits vacant, it is a candidate for some to see it with office or commercial development potential.

Staff recommendation is for Approval of the change to Office (O-2) on the properties at 216, 226 and 234 W. Lyman Avenue with the condition that a Development Agreement commits the owner to the relocation of the Grant Chapel church building to this site within two (2) years from this approval; and approval of the change to Multi-Family Residential (R-3) on the property at 250 W. Lyman Avenue.

Dan Bellows, the applicant, 558 West New England Avenue, addressed the Board regarding the request. He discussed the history of the property and provided the Board members with details of the proposed redevelopment. He said that he feels that what is proposed is a good transition for this property that is so close to New York Avenue, the SunRail tracks, Farmers Market and City Hall. He responded to Board member questions and concerns.

Patrick Olson, represented the owners of 234 West Lyman, expressed support of the request. However, the owners do not wish the rezoning to be effective unless Mr. Bellows closes on the property.

Martha Hall, 331 West Lyman Avenue, was opposed. She expressed concern that a more detailed plan has not been submitted by the buyer for the townhouses and also that there is not enough parking for 16 townhouses. She encouraged the Board to maintain the single-family residential character of Lyman Avenue, and also to adhere to the applicant being required to submit more detailed plans.

Lurline Fletcher, 790 Lyman Avenue, agreed with the comments made by Mrs. Hall.

Forrest Michael, 358 West Comstock Avenue, addressed the Board. He suggested that there be a more interactive forum with the neighborhood to address the properties in more detail. He agreed with the comments made by Mrs. Hall and Ms. Fletcher. He said that he has met with the applicant to discuss some preliminary concerns. He said that he feels that there are many unanswered questions. He discussed his concerns with regard to the City electric utility PQP zoned property, which the City may soon declare surplus. He presented his plans for the redevelopment of the electric utility property and the possibility for a new street connection.

Mr. Briggs explained that the City Commission has a work session planned for February 25th to explore options for city properties. Amongst those to be discussed is the City's electric utility yard along the railroad and whether to sell that land.

Mr. Bellows reiterated that he has a contracts pending on two of the subject properties at 226 and 234 W. Lyman and that he has worked very hard to secure the properties necessary to make this redevelopment happen. He requested that the Board move forward with this request because the contracts could not be extended.

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

The Board members discussed the request and were in general agreement with the requests. The Board discussed the City electric yard and whether it would be best to delay this recommendation for one month while the City Commission determines the fate of that property. Mrs. Whiting expressed that the Board should wait so that there would be some reaction from the City Commission as to the plans presented by Forest Michael. Mr. Johnston indicated that he felt inclined to vote on the request that was before them tonight as the City Commission process may take many months for a decision. The Board indicated that they were only voting on the zoning issue and were not approving any of the site plans or building plans presented to them.

Motion made by Mr. Sacha, seconded by Mr. Gottfried to approve the comprehensive plan future land use map amendment to Office and the rezoning to (O-2) on the properties at 216, 226 and 234 W. Lyman Avenue with the condition that a Development Agreement commits the owner to the relocation of the Grant Chapel church building to this site within two (2) years from this approval and commits to the preservation of the Grant Chapel Church building.

Motion carried with a 6-1 vote. Mrs. Whiting voted against the motion.

Motion made by Mr. Sacha, seconded by Mr. Gottfried to approve the Comprehensive Plan future land use map amendment to multi-family and the rezoning to (R-3) on the property at 250 West Lyman Avenue.

Motion carried with a 6-1 vote. Mrs. Whiting voted against the motion.

NEW BUSINESS:

There were no items of new business.

There was no further business. Meeting adjourned at 10:30 p.m.

Respectfully submitted,

Lisa M. Smith,
Recording Secretary



city commission **public hearing**

item type	Public Hearing	meeting date	March 11, 2013
prepared by department division	Michelle del Valle/Dru Dennison Urban Forestry Management	approved by	<input checked="" type="checkbox"/> City Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> N/A
board approval	<input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> N/A		final vote

Subject:

Urban and Community Forestry Grant

Summary:

Staff is currently applying to obtain an Urban and Community Forestry Grant through the State of Florida Department of Agriculture and Consumer Services; Florida Forest Services to help fund development of an Urban Forestry Management Plan through updating and expanding the City's tree inventory. As part of the development of the Draft UFMP staff worked with a vendor to inventory a sample inventory for 300 trees. This grant would allow for significant expansion of that work, and the development of a long term work plan and maintenance schedule.

The grant requires a 50% match. The City's portion of the match (\$20,000) would be covered by accounting for staff time and equipment purchased to collect data.

Staff Recommendation:

Adopt Resolution in support of grant.

A RESOLUTION OF THE CITY OF WINTER PARK AUTHORIZING THE CITY MANAGER TO ENTER INTO AN URBAN AND COMMUNITY FORESTRY GRANT MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF WINTER PARK AND THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

WHEREAS, trees are an important part of our community; and

WHEREAS, the City of Winter Park desires to apply for an Urban and Community Forestry Grant which would provide monies in which to help fund development of an Urban Forestry Management Plan through updating and expanding the City's tree inventory, and

WHEREAS, the City of Winter Park wishes to enter into an Urban and Community Forestry Grant Memorandum of Agreement between the City of Winter Park, Florida and the Florida Department of Agriculture and Consumer Services;

NOW, THEREFORE, BE IT RESOLVED, that the City Commission of the Winter Park, Orange County, Florida:

Section 1. The City Commission supports the development of an Urban Forestry Management Plan to maintain, protect, preserve, and renew the City's canopy

Section 2. The City Commission hereby authorizes the City Manager to enter into an Urban and Community Forestry Grant Memorandum of Agreement between the City of Winter Park, Florida and Florida Department of Agriculture and Consumer Services.

Section 3. This Resolution shall become effective immediately upon its passage and adoption.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida held at City Hall, Winter Park, Florida on the 11th day of March, 2013.

Mayor Kenneth W. Bradley

ATTEST:

Cynthia S. Bonham, MMC City Clerk