



city commission agenda

Regular Meeting

March 13, 2017
3:30 p.m.
Commission Chambers

commissioners				mayor		commissioners			
seat 1	Gregory Seidel	seat 2	Sarah Sprinkel	Steve Leary		seat 3	Carolyn Cooper	seat 4	Pete Weldon

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 website at 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.

Citizen comments at 5 p.m. and each section of the agenda where public comment is allowed are limited to three (3) minutes. The yellow light indicator will remind you that you have one (1) minute left. 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.

agenda

1 Meeting Called to Order

2 Invocation Rev. Alison Harrity, St. Richards Episcopal Church Pledge of Allegiance

3 Approval of Agenda

4 Mayor's Report

***Projected Time**
***Subject to change**

- Recognition – 2016 Plant Operations Excellence Award from Department of Environmental Protection
- Board appointments – Golf Course Advisory Board
- Discussion of Fiber

20 minutes

5 City Manager's Report

***Projected Time**
***Subject to change**

- Employee Recognition – 20, 25, 30 and 35 years of service

10 minutes

6	City Attorney's Report	*Projected Time *Subject to change
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**Adjourn as the City Commission and convene as the CRA Agency.
After completion, adjourn the CRA Agency and re-convene
as the City Commission.**

CRA Agency action item

- a. SunRail's "Get On Board" support request for Saturday, March 18, 2017 operations

Continue with Commission meeting

7	Non-Action Items	*Projected Time *Subject to change
	a. SunRail statistics	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)
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9	Consent Agenda	*Projected Time *Subject to change
	<p>a. Approve the minutes of February 27, 2017.</p> <p>b. Approve the following contracts:</p> <ol style="list-style-type: none"> 1. Associated Consulting, Inc. (RFQ-3-2017), Consulting Contract for Professional Architectural Services; and authorize the Mayor to execute contract. 2. Le-Huu Partners (RFQ-3-2017), Consulting Contract for Professional Architectural Services and authorize the Mayor to execute contract. 3. Zyscovich Architects, (RFQ-3-2017), Consulting Contract for Professional Architectural Services and authorize the Mayor to execute contract. 4. CPH, Inc. (RFQ-5-2017), Continuing Contract for Professional General Civil Engineering Services; and authorize the Mayor to execute contract. 5. Comprehensive Engineering Services, Inc. (RFQ-6-2017), Continuing Contract for Professional Transportation Planning & Engineering Services and authorize Mayor to execute contract. 6. Piggyback Contract (GS-35F-0119P) with Verizon Wireless for Cellular Services; and authorize the Mayor to execute contract and purchase order. 	5 minutes

10	Action Items Requiring Discussion	*Projected Time *Subject to change
	a. New Library and Events Center decision items	20 minutes

11	Public Hearings	*Projected Time *Subject to change
a.	<u>Request of Rollins College:</u>	
	- Ordinance – To amend the Land Development Code “Zoning Regulations” to change the text of the Commercial (C-3) zoning district to add a new conditional use to include “Facility Operations and Skilled Trade Shops Serving a University or College” (2)	20 minutes
	- Ordinance - To amend the “Comprehensive Plan” Future Land Use Map to change from a Low Density Residential Future Land Use Designation to a Commercial Future Land Use Designation on 875 square feet of the northwest corner of 483 Holt Avenue (2)	
	- Ordinance – To amend the Official Zoning Map to change from Low Density Residential (R-2) District zoning to Commercial (C-3) District zoning on 875 square feet of the northwest corner of 483 Holt Avenue (2)	
b.	Reconsideration of subdivision or lot split request to divide the property at 1800 Edwin Boulevard into two single family lots.	
c.	Ordinance – Authorizing the conveyance of the City owned property located at 2600 Lee Road. (2)	
d.	Ordinance – Amending Section 6-5 of Chapter 6, Code of Ordinances concerning distribution of handbills; providing for regulations of door-to-door distribution of leaflets, pamphlets and other handbills upon private property; providing for reasonable and content-neutral regulations of expression and speech; providing for regulations necessary to maintain aesthetics of the City and to prevent the excessive accumulation of litter by providing the least restrictive manner of securing expressive items (1)	10 minutes 5 minutes 10 minutes
12	City Commission Reports	*Projected Time *Subject to change
a.	Commissioner Seidel	
b.	Commissioner Sprinkel	
c.	Commissioner Cooper	
d.	Commissioner Weldon	
e.	Mayor Leary	10 minutes total

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 agenda item

Item type	Non-Action Item	meeting date	March 13, 2017
prepared by	Troy Attaway	approved by	<input checked="" type="checkbox"/> City Manager
department	Public Works		<input type="checkbox"/> City Attorney
division			<input type="checkbox"/> N/A
board approval		<input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> N/A	final vote
vision themes	<input type="checkbox"/> Cherish and sustain city's extraordinary quality of life.		
	<input type="checkbox"/> Plan growth through a collaborative process that protects city's scale and character.		
	<input type="checkbox"/> Enhance city's brand through flourishing arts and culture.		
	<input type="checkbox"/> Build and embrace local institutions for lifelong learning and future generations.		

subject

SunRail statistics

background

Troy Attaway will provide additional information at the meeting.

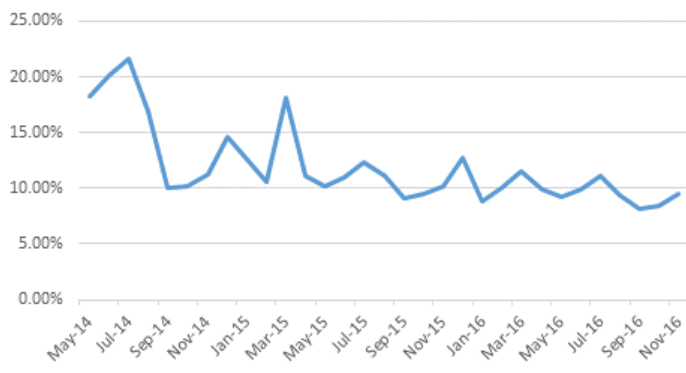
Winter Park SunRail Ridership



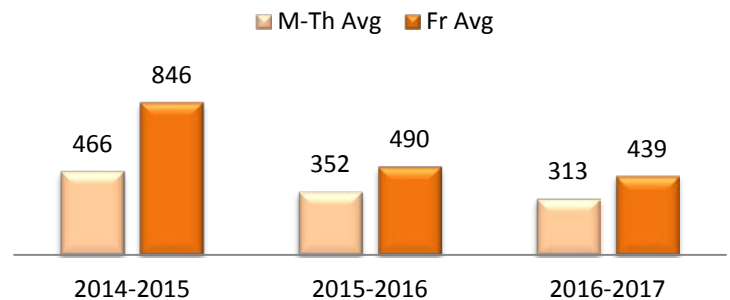
Data provided by SunRail in conjunction with the City of Winter Park

RIDERSHIP TRENDS

Winter Park's Share of Monthly Ridership Totals



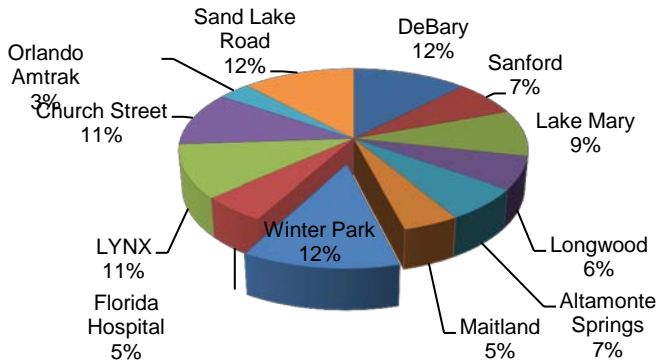
Winter Park Station Daily Average



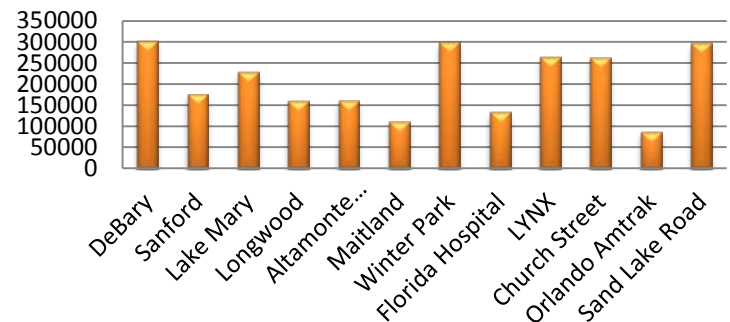
TOTAL
RIDERSHIP

2,500,000 RIDERS

12 Station Ridership Share



Total Ridership per Station



MERCHANT
INFLUENCE

CHARLES HOSMER
MORSE MUSEUM

1,979
PROMOTION
ATTENDEES

WINTER IN THE PARK
2016

39 DISCOUNTED
TICKETS

WINTER PARK ART FESTIVAL

Winter Park Art Festival									
	2014-2015			2015-2016			2016-2017		
	Train?	Dates	#	Train?	Dates	#	Train?	Dates	#
Fall	N	10/10-10/11	0	N	10/10-10/11	0	N	10/8-10/9	0
Spring	Y	3/20-3/22	11884	N	3/18-3/20	0	Y	3/18-3/20	TBD

REGULAR MEETING OF THE CITY COMMISSION
February 27, 2017

The meeting of the Winter Park City Commission was called to order by Mayor Steve Leary, at 3:40 p.m. in the Commission Chambers, 401 Park Avenue South, Winter Park, Florida. The invocation was provided by Rev. Shawn Garvey, First Congregational Church, followed by the Pledge of Allegiance.

Members present:

Mayor Steve Leary
Commissioner Greg Seidel
Commissioner Sarah Sprinkel
Commissioner Carolyn Cooper
Commissioner Pete Weldon

Also present:

City Manager Randy Knight
City Clerk Cynthia Bonham
City Attorney Kurt Ardaman

Approval of the agenda

Motion made by Commissioner Cooper to approve the agenda; seconded by Commissioner Sprinkel and carried with a 5-0 vote.

Mayor's Report

- a. Recognition – 2017 Healthy Weight Community Champion – Presented to the City by Dr. Sherin, Health Officer and Director of the Florida Department of Health

Dr. Sherin recognized the City on behalf of the State Surgeon General as the 2017 Healthy Weight Community Champion for the work it does in promoting a healthiest weight throughout the community because of its activities and environment.

City Manager's Report

- a. RFQ-3-2017, Continuing Contract for Professional Architectural Services

City Manager Knight stated the Commission asked to bring this back before them and that they can either leave the decision as is or add Aci as the third firm to the extension of staff architectural services.

Motion made by Commissioner Sprinkel to add Aci as the third firm to the preferred list; seconded by Mayor Leary.

After questioning by Commissioner Weldon, City Manager Knight explained there is no binding requirement to do business with any of the three firms but that depending on the project, the firm with the most expertise in that area will be chosen and if all are qualified, they will rotate through them. Commissioner Cooper stated she is comfortable moving Aci forward because they were one of the top three for both pre-orals and after the oral presentations which was not the case with the other applicant.

Commissioner Seidel abstained from voting due to a conflict of interest. Form 8B is attached to these minutes.

No public comments were made.

Upon a roll call vote, Mayor Leary and Commissioners Sprinkel, Cooper and Weldon voted yes. The motion carried with a 4-0 vote with Commissioner Seidel abstaining from voting.

City Attorney's Report

Attorney Ardaman provided an update on the library/events center matter where the clerk issued a no appeal on the bond validation which is written confirmation that the case is over. He addressed the Petition for Writ Certiorari case where the time period for the Petitioner's Committee to respond to the Motion to Dismiss (suggestion of mootness) has expired with nothing being filed so they expect a ruling on their motion by the panel of judges very shortly.

Non-Action Item:

No Items.

Consent Agenda

- a. Approve the minutes of February 13, 2017.
- b. Approve the interlocal agreement with the Winter Park Community Redevelopment Agency (CRA) regarding the Denning Drive Improvement Project.

Motion made by Commissioner Sprinkel to approve the Consent Agenda; seconded by Commissioner Weldon and carried unanimously with a 5-0 vote. No public comments were made.

Action Items Requiring Discussion

- a. Canvassing Board for March 14, 2017 election

There was discussion regarding the scheduling of the Canvassing Board meetings.

Motion made by Commissioner Sprinkel that the Canvassing Board consist of Commissioners Sprinkel, Cooper and Weldon with City Clerk Bonham as the alternate; to accept the canvassing criteria as set by the state and used by the Orange County for canvassing vote by mail (absentee) ballots; and to allow the Orange County Supervisor of Elections office to open and run all Vote By Mail ballots through the tabulator (after 9:00 a.m. on March 14) that are not questionable without ascertaining the results until after 7:00

p.m.; seconded by Commissioner Weldon and carried unanimously with a 5-0 vote.

Public Hearings:

- a. ORDINANCE NO. 3066-17: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA VACATING AND ABANDONING UTILITY EASEMENTS IN BLOCKS A,B,C,D,E,F,G,H,L,M,O,P, AND THAT PORTION ABUTTING LOTS 1 THROUGH 6 AND LOTS 16 THROUGH 20, BLOCK K, OF HOME ACRES SUBDIVISION, AS RECORDED IN PLAT BOOK M, PAGE 97 Second Reading

Attorney Ardaman read the ordinance by title.

Motion made by Commissioner Sprinkel to adopt the ordinance; seconded by Mayor Leary. No public comments were made. **Upon a roll call vote, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and Weldon voted yes. The motion carried unanimously with a 5-0 vote.**

- b. ORDINANCE NO. 3067-17: AN ORDINANCE OF THE CITY OF WINTER PARK FLORIDA, AMENDING ARTICLE III OF CHAPTER 2 OF THE CITY OF WINTER PARK CODE OF ORDINANCES REGARDING SUBSIDIARY CITY BOARDS AS ADOPTED BY ORDINANCE NO. 2843-11; ESTABLISHING THE GOLF COURSE ADVISORY BOARD; AND AMENDING THE NUMBER OF MEMBERS OF THE PUBLIC ART ADVISORY BOARD; PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE Second Reading

Attorney Ardaman read the ordinance by title.

Motion made by Commissioner Cooper to adopt the ordinance; seconded by Commissioner Sprinkel. No public comments were made. **Upon a roll call vote, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper, and Weldon voted yes. The motion carried unanimously with a 5-0 vote.**

- c. ORDINANCE NO. 3068-17: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING SECTION 102-182 OF THE CITY CODE OF ORDINANCES WITH RESPECT TO PENALTIES FOR UNAUTHORIZED DISCHARGES INTO WATERWAYS AND OTHER VIOLATIONS OF CHAPTER 102 OF THE CITY CODE OF ORDINANCES; PROVIDING FOR FINES AS PROVIDED IN THE CITY'S FEE SCHEDULE; PROVIDING FOR ENFORCEMENT VIA THE CODE COMPLIANCE BOARD FOR REPEATED OR CONTINUOUS VIOLATIONS; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE Second Reading

Attorney Ardaman read the ordinance by title.

Motion made by Commissioner Cooper to adopt the ordinance; seconded by Commissioner Sprinkel. No public comments were made. **Upon a roll call vote, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and Weldon voted yes. The motion carried unanimously with a 5-0 vote.**

- d. Request of Z Development Services: Conditional use approval to build a 1,435 square foot Dunkin Donuts store with a drive-thru on the vacant property at 370 Blue Heron Drive on the northeast corner of Fairbanks Avenue and Blue Heron Drive and providing for a development agreement if required

Planning Manager Jeff Briggs explained the building location, the request for a drive-thru and its location to help mitigate noise and traffic, the placement of oak trees, and the 8' wall on the back of the property. Mr. Briggs answered questions.

Bob Ziegenfuss, Z Development, representing the applicant, explained the enhancements made to the project as opposed to a standard Dunkin Donuts, signage, traffic separator median to help with traffic concerns of vehicles going into the neighborhood, and increased size of the wall to help with noise issues. He explained the changes made to the site plan after the P&Z meeting that was agreed to by staff and presented this evening. Sign lighting and stormwater was explained. Upon discussion as to the importance of Fairbanks Avenue and aesthetics, Mr. Briggs explained this project is higher quality than the City would normally get. Wider sidewalks was addressed by Mr. Ziegenfuss who stated they would be willing to entertain wider sidewalks but will have to be addressed with FDOT.

Motion made by Commissioner Cooper to approve the conditional use request to include the three conditions imposed by P&Z, that the monument sign will be externally lit, and that the applicant will provide as a condition to include a 2' wide easement for a future sidewalk consideration; seconded by Commissioner Sprinkel. No public comments were made. Upon a roll call vote, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and Weldon voted yes. The motion carried unanimously with a 5-0 vote.

- e. Request of Deshpande, Inc.: Preliminary subdivision plat approval to create 31 new residential single family lots from the current properties of 613/621/629 Ellen Drive and 503/511/519/524/525/532/600/601/604/618/619/624 Country Club Drive, zoned R-2

Planning Manager Jeff Briggs explained the request for the preliminary subdivision plat to build single family homes. He stated the only remaining issue is the preservation of trees and that there will be opportunities both in the design of Ellen Drive and individual homes to save some of the significant trees and when the final plat comes back for approval they may ask for interior setback variances to save trees. He stated that this conceptual approval allows them to move forward with engineering and final plans for construction. Mr. Briggs answered questions of the Commission regarding access easements, waste collection, attendance of residents at meetings nearby not a part of this subdivision and the notice provided to property owners.

Motion made by Commissioner Weldon to approve the request, subject to the P&Z recommendations for conditions; seconded by Mayor Leary.

Attorney Tara Tedrow of the Lowndes Drosdick Doster Kantor and Reed Law Firm, provided a presentation that included the location of the property, the existing residences and the year built, zoning, access to properties, site plan, complies with code criteria, complies with comprehensive plan, neighborhood enhancements, staff requested conditions of approval, Ellen Drive and Country Club Drive deeded to the City in 2006, and the diverse architectural design.

Ms. Tedrow requested approval subject to: a 30' right-of-way for Ellen Drive with final design to be determined at final plat; the diverse architectural design of homes; reconsideration of the \$62,000 payment for park acquisition; stormwater retention, infrastructure and tree preservation to be determined at final plat; and implementation of traffic calming measures. Ms. Tedrow answered questions regarding boat access.

David Robold, 612 Country Club Drive, objected to smaller setbacks from the lake, had concerns with the boat ramp causing more traffic on the lake, and the removal of oak trees on Ellen Drive and Country Club Drive. Ms. Tedrow addressed the trees that impact the property they own.

Randall Slocum, architect for the project, addressed the setbacks complying with the zoning and that the 50' length setback is allowed on Lake Killarney. He commented that the lake is private and there is no connection to other lakes and no public boat ramps on Lake Killarney. He addressed Ellen Drive and wanting to save as many trees as possible.

Unknown gentleman, Orlando, spoke about the access to the lake that the property owners have always had.

Commissioner Weldon asked Mr. Briggs if the applicant agreed to \$2,000 per lot up to \$62,000 for park acquisition. Mr. Briggs addressed our code and that they are providing green open space which is why they are asking for reconsideration of the \$62,000. He explained this will be both for green space and open recreation space.

Dave Schmidt, Dave Schmidt Engineering, 12301 Lake Underhill Road, Orlando, addressed the stormwater for the project.

Motion amended by Commissioner Weldon to remove condition #3 (that the development pay to the City's parks acquisition trust fund a one-time payment of \$62,000 for park acquisition in lieu of park impact fees) and have the fee calculated based on the net new units; Mayor Leary (as the seconder to the motion) agreed.

Mr. Briggs explained the steps needed before bringing the final plat back for approval.

Upon a roll call vote on both the amendment and main motion, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and Weldon voted yes. The motion carried unanimously with a 5-0 vote.

Public Comments (Items not on the agenda)

Sally Flynn, 1400 Highland Road, expressed concerns with drones in the City around her property. Attorney Ardaman explained the status of the adoption of an ordinance.

James Giuliani, 867 South Pennsylvania Avenue, asked about the process for adopting amendments and zoning in Winter Park and the public hearing process.

Trish Teague, on behalf of the Winter Park High School Foundation, thanked the Commission for supporting 'Restore the Roar' and for attending the event. She stated they want to partner with the City to get the scoreboard fixed (have had some donations already).

Katherine Smith, Winter Park High School Foundation, addressed the importance to provide a good working scoreboard for the school. Ms. Smith will provide City Manager Knight with the information she has procured so far regarding the scoreboard and sound system.

Recess

A recess was taken from 5:18 – 5:36 p.m.

f. Request of Rollins College:

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING REGULATIONS" SECTION 58-76 "COMMERCIAL (C-3) DISTRICT" SO AS TO ADD A NEW CONDITIONAL USE FOR "FACILITY OPERATIONS AND SKILLED TRADE SHOPS SERVING A COLLEGE OR UNIVERSITY "; PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY AND EFFECTIVE DATE First Reading

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 LOW DENSITY RESIDENTIAL TO COMMERCIAL ON 875 SQUARE FEET OF THE NORTHWEST CORNER OF 483 HOLT AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE First Reading

AN ORDINANCE AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO CHANGE LOW DENSITY RESIDENTIAL (R-2) ZONING TO COMMERCIAL (C-3) DISTRICT ZONING ON 875 SQUARE FEET ON THE NORTHWEST CORNER OF 483 HOLT

AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE First Reading

Conditional use approval to construct a two-story, 17,410 square foot building on the vacant properties at 501 Holt Avenue and 450 W. Fairbanks Avenue to hold the facilities operations and skilled trade shops of Rollins College, providing for certain exceptions and for a development agreement, if required.

Attorney Ardaman read all ordinances by title. This was a simultaneous public hearing.

Planning Manager Jeff Briggs summarized the request to consider the three ordinances and conditional use approval. He stated this went before the Planning and Zoning Board with a much larger scale but that the request being presented this evening is a lesser request, reduced in scale of operations and size of the project, which is why it does not need to go back before the P&Z Board. He stated the building after being downsized is a two story building about 17,000 square feet; the second floor will be facility operations offices and the first floor will be skilled trade shops where repairs are made.

Mr. Briggs stated that every issue/concern can be put into a development agreement for approval at the second reading of the ordinance. He addressed the ordinance dealing with the C-3 zoning text in the packet because of reaction from neighbors where initially they discussed it as rezoning the property as PQP (entire campus zoning) but there were concerns with unintended consequences rezoning to PQP might have. He also spoke about the property at 483 Holt Avenue where the college will build a new two story craftsman style home as approved by the Historic Preservation Board.

Mr. Briggs addressed how the college is trying to screen the adjacent neighborhood with constructing an 8' wall and planting oak trees along the Holt Avenue frontage that provides an effective visual and sound buffer. He also spoke about the new revised plan providing additional parking spaces on site for employees and the purchase by the college of vacant property next to Keke's on the north side of Fairbanks to turn it into a more formal paved and improved lot.

He addressed the conditions of approval by the Planning and Zoning Board that Rollins College has agreed to, including undergrounding of power lines along Holt Avenue, a large oak tree on site that they are preserving, connecting the sidewalk around the corner on Pennsylvania Avenue and that the Commission will see the final building elevations and materials from the conceptual representations before moving forward with the building permit.

Commissioners disclosed their conversations with the applicant and residents.

Rollins College President Grant Cornwell explained what they are trying to accomplish by their request and their mission that students live on campus. He

spoke about their facilities and operations plant currently located on prime lakefront property and their desire to move the facilities and operations off campus and build a residence hall in its current location to house more students. He commented that they have taken the requests of residents into consideration and complied with.

Attorney Becky Wilson, Lowndes Drosdick Doster Kantor and Reed Law Firm provided a PowerPoint presentation outlining the facilities building location and zoning, that Rollins has owned the 1.1 acre properties at 501 Holt and 450 W. Fairbanks since 2006, they presented a master plan to the City in 2010, and the addition of 875 sf at the NW corner of 483 Holt Avenue approved by the Historic Preservation Board for a new single family house. She elaborated on the college master plan, the property at 483 Holt, the P&Z Board recommendation, the revised plans to reduce the square footage and FAR, increased parking spaces, lowered the height and length of the building, and the distance from Holt Avenue. Ms. Wilson stated the revised plans also include removal of central receiving and warehousing, no fuel storage or dispensing facilities, no garbage truck parking or storage, and the pedestrian gate on Holt will be built too narrow to allow golf cart passage. She displayed a site/landscape plan, views from Holt, elevation view from Holt Avenue, renderings of the building and that this complies with the comprehensive plan and zoning.

Ms. Wilson requested that the Commission decide on the zoning to either find them consistent or adopt a text amendment, to approve the comprehensive plan/rezoning for the 875 square feet on the rear of 483 Holt Avenue, and to approve the conditional use request to construct the building at 501 Holt Avenue and 450 West Fairbanks Avenue. She addressed the P&Z Board condition #6 referencing the entrance gate on Fairbanks Avenue being closed during certain hours where they have determined there will be no longer be a gate and asked that condition be removed.

Commissioner Sprinkel stated she supports the C-3 zoning. Ms. Wilson answered questions of Mayor Leary regarding the property on Fairbanks with the railroad tracks and traffic concerns, and whether the property will be on/off the tax rolls. Commissioner Seidel asked that the language be clear as to the uses of the property to alleviate concerns of the residents. Commissioner Cooper expressed safety concerns with the railroad track. Commissioner Weldon spoke about commitments made that should be part of a development agreement.

Upon discussion, **motion made by Commissioner Sprinkel to accept the first ordinance on first reading (proposed text amendment as provided by Attorney Wilson as follows: "C-3 conditional use includes: accessory use to office for college or university may include area devoted to repair and parts storage within an enclosed building, performing maintenance and repair work by such college or university employees as plumbers, electricians, carpenters and/or painters. Warehousing, central receiving and garbage truck storage are prohibited")**, seconded by Mayor Leary.

Motion made by Commissioner Sprinkel to accept the comprehensive plan ordinance on first reading; seconded by Commissioner Seidel.

Motion made by Commissioner Sprinkel to accept the zoning ordinance on first reading for the property at 483 Holt Avenue; seconded by Commissioner Weldon.

Motion made by Commissioner Sprinkel to approve the conditional use request with the removal of P&Z condition #6 regarding the gate (and all the commitments made publicly by Ms. Wilson to be included in a development agreement); seconded by Commissioner Weldon.

Several conditions were agreed to by Rollins College and provided by Ms. Wilson on their behalf to be included in a development agreement for the March 13 meeting to include:

1. Commitment to construct two single family homes in the arts and crafts style of the College Quarter neighborhood;
2. Masonry wall (8' tall) from the railroad track right of way parallel to Holt Avenue, north along the dividing line between 450 W. Fairbanks and the to be constructed home at 483 Holt Avenue and then east to join up with existing masonry wall behind 422 W. Fairbanks;
3. Underground overhead utility lines running parallel to Holt Avenue;
4. Multiplier landscaping screen on south side of proposed wall;
5. Install and maintain a small park area at the entrance of the College Quarter neighborhood along Holt Avenue, adjacent to the railroad tracks;
6. Installation of an attractive sign within this park area to read "Historic College Quarter";
7. Pedestrian gate to Holt Avenue approximately 36" wide;
8. Under no circumstances would golf carts be used along Holt Avenue to access the site;
9. Golf carts would not be used on Fairbanks, rather use properly licensed pickups and vans to access campus;
10. Replace and upgrade existing fences for properly along north side of Holt separating the commercial side of the block from the residential side of the block on an individual case basis;
11. Right-in, right-out approach for entering and leaving the facility for campus;
12. No garbage trucks would be parked or operated out of this location;
13. No outdoor work activities would occur at this location;
14. No auto repair activities would occur at this location;
15. No fuel storage or dispensing would occur at this location;
16. No grounds activities would occur out of this location;
17. Any repair work would occur inside a closed building with no open doors to allow noise to affect the neighborhood; and
18. No consolidation of trash.

The following spoke in opposition:

1. Elizabeth Bosserman, 818 Antonette Avenue
2. Nancy Galyean, 746 McIntyre Avenue
3. James Guiliani, 867 S. Pennsylvania Avenue
4. Steve Coutant, 905 Lakeview Drive
5. Aaron Beardon, 479 Holt Avenue

The following spoke in favor:

1. Jennifer Clark, 736 Antonette Avenue (only if Commission is willing to provide protection for College Quarter neighborhood). She provided a petition from the College Quarter Neighborhood opposing the ordinance to establish a new conditional use for facility operations and skilled trade shops.
2. Patrick Doyle, 748 McIntyre Avenue asked to narrow what they can do by adopting the textual change.
3. Mary Grace Gordon, 550 Holt Avenue
4. Fred Wendell, 530 Holt Avenue
5. Lee Van Valkenburgh, 565 Huntington Avenue (adopt ordinance with text change)

After public comments were closed, Ms. Wilson clarified issues brought forward from the citizens including a golf cart path (is not part of tonight's approval and they do not own all the necessary property at this time).

Upon a roll call vote on the first ordinance (with the change in text), Mayor Leary and Commissioners Seidel, Sprinkel and Weldon voted yes. Commissioner Cooper voted no. The motion carried with a 4-1 vote.

Upon a roll call vote on the second ordinance (comprehensive plan), Mayor Leary and Commissioners Seidel, Sprinkel and Weldon voted yes. Commissioner Cooper voted no. The motion carried with a 4-1 vote.

Upon a roll call vote on the third ordinance (zoning), Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and Weldon voted yes. The motion carried unanimously with a 5-0 vote.

Upon a roll call vote on the conditional use request (with removal of condition #6 and all new conditions by Ms. Wilson), Mayor Leary and Commissioners Seidel, Sprinkel and Weldon voted yes. Commissioner Cooper voted no. The motion carried with a 4-1 vote.

- g. AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AUTHORIZING THE CONVEYANCE OF THE CITY OWNED PROPERTY LOCATED AT 2600 LEE ROAD PURSUANT TO THE PROPOSAL ATTACHED HERETO AS EXHIBIT "B"; PROVIDING FOR CONFLICTS AND AN EFFECTIVE DATE First Reading

Attorney Ardaman read the ordinance by title.

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

- h. RESOLUTION NO. 2180-17: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA ESTABLISHING ITS INTENT TO REIMBURSE CERTAIN CAPITAL EXPENDITURES INCURRED IN CONNECTION WITH THE ACQUISITION AND CONSTRUCTION OF THE WINTER PARK LIBRARY AND EVENTS CENTER AND RELATED IMPROVEMENTS, AS MORE FULLY DESCRIBED HEREIN, WITH PROCEEDS OF A FUTURE TAX-EXEMPT FINANCING; PROVIDING CERTAIN OTHER MATTERS IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE.

Attorney Ardaman read the resolution by title. City Manager Knight explained the resolution.

Motion made by Commissioner Sprinkel to adopt the resolution; seconded by Commissioner Weldon. No public comments were made. **Upon a roll call vote, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and Weldon voted yes. The motion carried unanimously with a 5-0 vote.**

City Commission Reports:

a. Commissioner Seidel – Reported attending the First Baptist Church dedication ceremony.

b. Commissioner Sprinkel – Requested that a new statement be put on the signs when entering the City. Asked about what happens after development agreements are approved to make sure they are followed. City Manager Knight clarified that code enforcement would enforce it. Asked that emails are not forwarded to her from other people that are from another Commissioner and to be aware of that.

c. Commissioner Cooper – Thanked Vice Mayor Sprinkel for a wonderful speech at the 'Restore the Roar' event. Stated that Vice Mayor Sprinkel did a great job at The Center for Health and Wellbeing groundbreaking event. Spoke about road diet and the types of crashes that are improved with this. Reminded everyone about the Florida League of Cities webinar. Asked that the word Ravaudage be included in future information for approval to clarify and use consistent terminology.

d. Commissioner Weldon – Requested that staff provide the Commission with a summary of results of SunRail since the beginning, month by month ridership,

etc. and the impact of SunRail. After staff reviews this with the Commission, decide if they want to invite SunRail people to attend the meeting to reinforce what they can do together and to encourage the marketing programs for scheduling Saturdays.

e. Mayor Leary – Spoke about the attendance at the State of the City address. He asked about the comprehensive plan comments from Tallahassee and when these will come to the Commission. Planning Director Stone stated they received the Objections and Recommendations and Comments Report (ORC) with relatively small objections that can easily be corrected that will come back to the Commission sometime in April. Mayor Leary asked for assistance from the Commission to limit their comments and to keep the meetings moving and avoid repeating their comments.

The meeting adjourned at 7:43 p.m.

ATTEST:

Mayor Steve Leary

City Clerk Cynthia S. Bonham, MMC



city commission agenda item

item type	Consent Agenda	meeting date	March 13, 2017
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.	Associated Consulting, Inc.	RFQ-3-2017 – Continuing Contract for Professional Architectural Services	Total expenditure: As Needed Basis	Commission approve contract with Associated Consulting, Inc. and authorize Mayor to execute contract.
The City Commission authorized staff to enter into negotiations with Associated Consulting, Inc. on February 27, 2017.				
2.	Le-Huu Partners	RFQ-3-2017 – Continuing Contract for Professional Architectural Services	Total expenditure: As Needed Basis	Commission approve contract with Le-Huu Partners and authorize Mayor to execute contract.
The City Commission authorized staff to enter into negotiations with Le-Huu Partners on February 13, 2017.				
3.	Zyscovich Architects	RFQ-3-2017 – Continuing Contract for Professional Architectural Services	Total expenditure: As Needed Basis	Commission approve contract with Zyscovich Architects and authorize Mayor to execute contract.
The City Commission authorized staff to enter into negotiations with Zyscovich Architects on February 13, 2017.				
4.	CPH, Inc.	RFQ-5-2017 – Continuing Contract for Professional General Civil Engineering Services	Total expenditure: As Needed Basis	Commission approve contract with CPH, Inc. and authorize the Mayor to execute contract.
The City Commission authorized staff to enter into negotiations with CPH, Inc. on February 13, 2017.				
5.	Comprehensive Engineering Services, Inc.	RFQ-6-2017 – Continuing Contract for Professional Transportation Planning & Engineering Services	Total expenditure: As Needed Basis	Commission approve contract with Comprehensive Engineering Services, Inc. and authorize Mayor to execute contract.
The City Commission authorized staff to enter into negotiations with Comprehensive Engineering Services, Inc. on February 13, 2017.				

Approval of contract shall constitute approval for all subsequent purchase orders made against contract

Piggyback Contracts

	vendor	item background	fiscal impact	motion recommendation
6.	Verizon Wireless	Piggyback Contract for Cellular Service GS-35F-0119P	Total expenditure included in approved FY17 budget. Amount: \$231,760	Commission approve Piggyback Contract with Verizon Wireless for Cellular Services and authorize the Mayor to execute Contract and Purchase Order.
This is a GSA Federal Supply Schedule Contract.				

Approval of contract shall constitute approval for all subsequent purchase orders made against contract



city commission agenda item

Item type	Action Items for Discussion	meeting date	March 13, 2017	
prepared by	City Manager	approved by	<input checked="" type="checkbox"/> City Manager	
department			<input checked="" type="checkbox"/> City Attorney	
division			<input type="checkbox"/> N/A	
board approval		<input type="checkbox"/> yes <input type="checkbox"/> no	<input checked="" type="checkbox"/> N/A	final vote
vision themes	<input type="checkbox"/> Cherish and sustain city's extraordinary quality of life. <input checked="" type="checkbox"/> Plan growth through a collaborative process that protects city's scale and character. <input type="checkbox"/> Enhance city's brand through flourishing arts and culture. <input type="checkbox"/> Build and embrace local institutions for lifelong learning and future generations.			

subject

New Library and Events Center Decision Items

motion | recommendation

Provide staff direction on a variety of issues related to the new library and events center project.

background

Demolition of Civic Center – Currently the last scheduled booking is April 24th. Because of the delays caused by the litigation the architects have not yet been given the go ahead to begin design. As a result we will not have a final design and construction document for at least another 12-18 months. So the question is, do we open up a longer period for bookings throughout the summer and fall before demolishing the civic center or do we move forward with the demolition as soon as practicle after April 24th. Under either scenario there is a lot of equipment to be removed and repurposed before demolition so time will be allotted for that. From a financial standpoint keeping it open would be at best a breakeven scenario

Closing Event – Staff thought it might be good to have a grand closing event for the community to celebrate the many great events that took place in, and memories created at the civic center. Perhaps it could also be a fund raising event to help equip the new Events Center or something like that. If the Commission is interested in this, staff can brainstorm it a bit more and come back with ideas.

Maximum Project Amount – In ACi’s final report it estimated a project cost of \$32,500,000 for the library, events center and parking garage. The voters approved bonds at an amount not to exceed \$30,000,000 and the Library was challenged with raising \$2,500,000. During the annual budget adoption the Commission set the total project amount at \$30,000,000. There are several factors that come into play. First, there has already been a one year delay and construction prices have risen since the original estimates. The city has incurred significant legal fees that were not anticipated in the original project estimates. Representatives of Pizzuti, the city’s owners rep on the project will be on hand at the meeting to discuss budget estimates. Attached is the project estimate provided by ACi.

Method of Selling Bonds – We would normally do a competitive sale of the bonds, which means underwriters and banks would bid interest rates to take the entire bond issue. They would then market those bonds to their existing customers and institutions. We have received inquiries from some local residents interested in buying some of these bonds. Opening up an opportunity for residents to buy bonds in an important project like this does allow people to show their civic pride in the project. If we wanted to create a period where these bonds would be made available locally before they go out to the general public for sale we would need to do a negotiated sale instead of a competitive sale. From an interest rate standpoint there should not be much difference. Negotiated sales allow you to time the market a little better but you don’t get the advantage of competition. There is also a school of thought that if locals are allowed to buy the bonds it might hurt the fund raising efforts because people feel they are doing their part by buying the bonds and don’t need to contribute otherwise. While staff understands the desire by some to purchase the bonds we recommend a competitive sale as it is perceived to be the best practice for public bond issues.

alternatives | other considerations

n/a

fiscal impact

Discussed in each item above.

New Library, Events Center and Garage Concept Budget

Library (3 story)	\$	13,400,609
Events Center		2,530,584
Courtyard Cover		1,877,892
Earthwork, Utilities, Landscape, Hardscape		2,001,483
Parking Garage		3,004,943
Demolition		186,111
Construction Subtotal		23,001,622
Contingency 15%		3,450,243
Subtotal with Contingency		26,451,865
Architect/Engineering/Interiors Fees		1,914,891
Other Soft Costs		778,000
Subtotal with Soft Costs		29,144,756
Furnishings/Fixtures/Equipment - Library		2,025,000
Furnishings/Fixtures/Equipment - Events Center		658,000
Bond Costs		586,555
Total Project Cost		32,414,311
Less Library Fund Raising		2,500,000
Remaining to be Funded	\$	29,914,311



city commission public hearing

Item type	Public Hearing	meeting date	March 13, 2017		
prepared by	Jeff Briggs	approved by	<input checked="" type="checkbox"/> City Manager		
department	Planning and Community		<input checked="" type="checkbox"/> City Attorney		
division	Development		<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	7-0	final vote	
vision themes	<input checked="" type="checkbox"/> Cherish and sustain city's extraordinary quality of life.				
	<input checked="" type="checkbox"/> Plan growth through a collaborative process that protects city's scale and character.				
	<input type="checkbox"/> Enhance city's brand through flourishing arts and culture.				
	<input type="checkbox"/> Build and embrace local institutions for lifelong learning and future generations.				

Subject: Second Reading of the Zoning Text Change to C-3 Zoning; Second Reading of the Future Land Use Change and Rezoning for 875 sq. ft. of the site and Development Agreement for the Conditional Use to allow the construction of the Rollins College Facilities Operations at 501 Holt and 450 W. Fairbanks Avenues.

This is the second reading of the Ordinances referenced above. The Zoning Text change has been revised per the City Commission's direction to include the text supplied by Rebecca Wilson, attorney representing Rollins College. The other new item is the Development Agreement which includes the conditions from P&Z per the motion and the items read into the record from Rollins College at the February 27th meeting.

Thus, Rollins College is requesting the second reading for the following:

1. A change to the Commercial (C-3) Zoning Code text to provide for a new conditional use involving "facility operations and skilled trade shops serving a college or university.....";
2. To change the Comprehensive Plan future land use designation of Low Density Residential to Commercial on 875 square feet of the property at 483 Holt Avenue;
3. To change the Zoning on the same 875 square feet from Low Density Residential (R-2) to Commercial (C-3); and
4. To approve a Development Agreement to incorporate the conditions of approval for the Conditional Use approved on February 27th for the construction of a 17,410 square foot Facilities Operations building for Rollins College at 501 Holt and 450 W. Fairbanks Avenues.

Planning and Zoning Board Recommendation from January 3, 2017:

Motion made by Tom Sacha, seconded by Peter Gottfried to approve the request to amend ARTICLE III, "Zoning Regulations" To Change The Text Of The Commercial (C-3) Zoning District To Add A New Conditional Use To Include "Warehousing And Distribution Facilities When Serving A University Or College". Motion carried unanimously with a 7-0 vote.

Motion made by Tom Sacha, seconded by Peter Gottfried to approve the request to amend The "Comprehensive Plan" Future Land Use Map From A Low Density Residential Future Land Use Designation To A Commercial Future Land Use Designation On 875 Square Feet Of The Northwest Corner Of 483 Holt Avenue. Motion carried unanimously with a 7-0 vote.

Motion made by Tom Sacha, seconded by Peter Gottfried to approve the request to amend The Zoning Map To Change From Low Density Residential (R-2) Zoning To Commercial (C-3) Zoning On 875 Square Feet Of The Northwest Corner Of 483 Holt. Motion carried unanimously with a 7-0 vote.

Motion made by Tom Sacha, seconded by Peter Gottfried to approve the Conditional Use to construct and operate a 21,564 Square Foot Physical Plant and Central Receiving facility on the vacant properties at 501 Holt Avenue And 450 West Fairbanks Avenue subject to the Conditions provided by staff and offered by the applicant. Motion carried unanimously with a 7-0 vote.

Summary: Rollins College or its affiliated LLC's have owned since 2006, the vacant 1.1 acre properties at 501 Holt and 450 W. Fairbanks Avenues. Previously the property had held a small two bay car repair building (Andy Ahik's garage) that was demolished by the previous owners in the 1980's. Due to that previous commercial use the property is Zoned C-3 and designated Commercial in the Comprehensive Plan. The College now desires to develop these properties with a Facilities Operations including skilled trade shop facilities. Their goal is to move those operations that now exist on the main campus to this new site that borders the Railroad and commercial properties along Fairbanks and Orange Avenues on one side but which also borders the College Quarter residential neighborhood on the other side.

One priority of Rollins College has been to find a new location for Facilities operations. Those activities are now located on a prime lakefront portion of the campus. As a result, Rollins College desires to take these aspects of the campus and move those off-site including portions of those activities to this site. A challenge for Rollins College is that the site does not have the correct zoning that allows this type of Facilities Operations including skilled trade shop facilities. The skilled trade shops aspect involving repair work and spare parts storage and those activities are not one of the permitted or conditional uses in the C-3 zoning. Thus, the first component of this overall request from Rollins College is for the City to change the Zoning Code rules for the C-3 zoning district in order to allow this type of facility, as a conditional use. The second component involves the Conditional Use required for the Project and the addition of a small piece of adjacent property in order to provide more space for visual screening.

Request for the Rezone of the 875 sq. ft.: One of the primary goals of Rollins College is to screen the view of these operations and facilities as best as can be done from the neighborhood perspective. By shaving off a small piece (875 sq. ft.) of the northwest corner of their adjacent 483 Holt Avenue property, it allows the entire Project to slide further away from Holt Avenue, thus providing more space for an essential landscape buffer. The rest of the 483 Holt Avenue property is to be used for a new two-story single family house built in a Craftsman architectural style. Those plans were reviewed and approved by the City's Historic Preservation Board on December 14th and the Board also agreed with shaving off that small corner. The city staff endorsed this portion of the request in order to provide more space for the landscape screening.

Request for Conditional Use Approval/Project Description: The proposed building is now limited to Facilities Operations and skilled trade shops. This change and many other site plan and building plan modifications occurred as a result of meetings between Rollins College and the College Quarter neighborhood. The building now is 17,410 square feet, which is at a floor area ratio of 35%. The building is two stories and has approximately 38 feet of visible height. The building has been reduced in size from 21,584 square feet to 17,410 square feet and in height from 43 feet to 38 feet. The distance from Holt Avenue has been increased from 34 feet to 97 feet. All repair activities are to occur only within the enclosed building. Due to the smaller size there is additional employee parking on suite versus the previous plan.

Rollins College however, recognizes that the facility operations and activities facing the neighborhood still need to be screened from view. Thus, the site and project plans include a proposal for an eight foot tall brick wall along the Holt Avenue frontage, 10 feet behind the sidewalk along with landscaping in front of the wall. The landscaping will include a saw tooth pattern of new oak trees along the Holt Avenue frontage both in the Holt Avenue parkway and in the 10 foot setback to the wall. In order for those shade trees to grow the overhead power lines need to be undergrounded which Rollins College has agreed to pay for. The other purpose of the eight foot wall is to try to block sounds from the operations.

Analysis of Conditional Use Request: As with all conditional use requests, the primary question is compatibility. This location is adjacent to commercial development on three sides. It has frontages along the Railroad and the four lane arterial roadway of Fairbanks Avenue. The question of compatibility is the interface with the residential neighborhood along Holt Avenue. Rollins College is screening the facility with the eight foot tall wall and new oak trees. Previously, when the issue of noise from early morning truck deliveries was a concern, Rollins College offered that the entrance gate to this facility would be locked except for 8:30 am to 5:30 pm in order to mitigate noise from the truck deliveries. Since the central receiving and warehousing activity has been removed, the staff understands that there will not be a gate on Fairbanks Avenue so the facility can operate during their normal hours which begin at 7:00 am. Rollins College is aware that the City's noise ordinance will apply to their operations and nuisance sounds that can be heard inside any nearby home from these operations prior to 8:00 am would be a violation of the Code.

Planning and Zoning Board Summary: The P&Z Board agreed that the Zoning Text change was acceptable as long as the operations of the facility adjacent to the neighborhood were compatible. The P&Z Board also agreed that the physical plant and facilities building in layout, design and operations were compatible with the location adjacent to a residential neighborhood subject to the plans presented and the conditions recommended.

Planning and Zoning Board Minutes – January 3, 2017:

REQUEST OF ROLLINS COLLEGE TO: AMEND ARTICLE III, “ZONING REGULATIONS” TO CHANGE THE TEXT OF THE COMMERCIAL (C-3) ZONING DISTRICT TO ADD A NEW CONDITIONAL USE TO INCLUDE “WAREHOUSING AND DISTRIBUTION FACILITIES WHEN SERVING A UNIVERSITY OR COLLEGE”.

REQUEST OF ROLLINS COLLEGE TO: AMEND THE "COMPREHENSIVE PLAN" FUTURE LAND USE MAP FROM A LOW DENSITY RESIDENTIAL FUTRUE LAND USE DESIGNATION TO A COMMERCIAL FUTURE LAND USE DESIGNATION ON 875 SQUARE FEET OF THE NORTHWEST CORNER OF 483 HOLT AVENUE.

REQUEST OF ROLLINS COLLEGE TO: AMEND THE ZONING MAP TO CHANGE FROM LOW DENSITY RESIDENTIAL (R-2) ZONING TO COMMERCIAL (C-3) ZONING ON 875 SQUARE FEET OF THE NORTHWEST CORNER OF 483 HOLT.

REQUEST OF ROLLINS COLLEGE FOR: CONDITIONAL USE APPROVAL TO CONSTRUCT A TWO-STORY, 21,564 SQUARE FOOT BUILDING ON THE VACANT PROPERTIES AT 501 HOLT AVENUE AND 450 WEST FAIRBANKS AVENUE TO HOLD THE FACILITIES AND PHYSICAL PLANT OPERATIONS OF ROLLINS COLLEGE, PROVIDING FOR CERTAIN EXCEPTIONS AND FOR A DEVELOPMENT AGREEMENT, IF REQUIRED.

Planning Manager Jeffrey Briggs presented the staff report and explained that the applicant, Rollins College is requesting the following:

- A change to the Commercial (C-3) Zoning Code text to provide for a new conditional use involving “warehousing and distribution facilities when serving a university or college”;
- To change the Comprehensive Plan future land use designation of Low Density Residential to Commercial on 875 square feet of the property at 483 Holt Avenue;
- To change the Zoning on the same 875 square feet from Low Density Residential (R-2) to Commercial (C-3); and
- Conditional Use approval to construct a 21,564 square foot Physical Plant and Warehouse facility for Rollins College at 501 Holt and 450 W. Fairbanks Avenues.

Mr. Briggs explained that Rollins College or its affiliated LLC’s have owned since 2006, the vacant 1.1 acre properties at 501 Holt and 450 W. Fairbanks Avenues. Those properties are designated Commercial in the Comprehensive Plan and zoned Commercial (C-3). The College desires to develop these properties with a physical plant and warehouse facility. Their goal is to move those operations that now exist on the main campus to this new site that borders the Railroad and commercial properties along Fairbanks and Orange Avenues on one side but which also borders the College Quarter residential neighborhood on the other side.

The first challenge for Rollins College is that the site does not have the correct Comprehensive Plan designation or zoning that allows this type of physical plant industrial and warehouse operations. The first part of this overall request from Rollins College is for the City to change the Zoning Code rules for the C-3 zoning district in order to allow this type of facility, as a conditional use.

The second component involves the Conditional Use required for the Project and the addition of a small piece of adjacent property in order to provide more space for visual screening. The question for the P&Z Board via the Conditional Use is whether the size and operations of the facility and the facility and site design is acceptable and compatible in this location.

One of the goals of Rollins College is to screen the view of these physical plant operations and facilities as best as can be done from the neighborhood perspective. By shaving off a small piece (875 sq. ft.) of

the northwest corner of their adjacent 483 Holt Avenue property, it allows the entire Project to slide another 10 feet away from Holt Avenue, thus providing more space for the essential landscape buffer. The rest of the 483 Holt Avenue property is to be used for a new two-story single family house built in a Craftsman architectural style. Those plans were reviewed and approved by the City's Historic Preservation Board on December 14th and the Board also agreed with shaving off that small corner. The city staff also endorses this portion of the request in order to provide space for the landscape screening.

The proposed building is primarily a warehouse and distribution facility that also holds administrative office space for the physical plant departments of the College. The building is 21,564 square feet, which is at a floor area ratio of 45%, meaning that it is the largest building size that the C-3 zoning would permit on the 1.1 acre site. Due to the interior height needed for stacked pallet warehousing, this building has approximately 20 feet of visible height including parapet for the one story section closest to Holt Avenue and 44 feet in height for the two story portion of the building, closest to Fairbanks Avenue. For comparison, this building will similar in size to City Hall both in square footage and in height for the two-story portion.

As the applicant recognizes that the facility operations and the truck activity facing the neighborhood is not a desirable image, the site and project plans include a proposal for an eight foot tall brick wall along the Holt Avenue frontage and residential property lines along with landscaping in front of the wall. The other purpose of the eight foot wall is to try to block sound from the operations. The project has been modified since the initial application to increase the setbacks for the eight foot tall buffer wall in order to provide more space for planting of oak trees both in the Holt Avenue parkway area and in front of the wall in order to screen and hide the view of the facility as best as can be done.

Staff indicated that despite the best efforts of Rollins College, the size and scale of this facility cannot be completely hidden from view. The other neighborhood compatibility issue is the sounds that this facility will generate.

The planning staff recommendation was for:

1. APPROVAL of the text change to the C-3 zoning district.
2. APPROVAL of the request to change the Comprehensive Plan future land use designation of Low Density Residential to Commercial on 875 square feet of 483 Holt Avenue;
3. APPROVAL of the change of Zoning from Low Density Residential (R-2) to Commercial (C-3) on the same 875 square feet; and
4. APPROVAL of the Preliminary and Final Conditional Use subject to the following conditions:
 - Understanding that the provisions of Section 67-92 of the City's Noise Ordinance applies to this project as any "machine or device" shall be construed to apply to trucks, golf carts and forklifts operating at this facility.
 - That the undergrounding of the power lines along Holt Avenue, as agreed to by the applicant, is necessary in order to provide for the screening oak trees to be planted in the right-of-way.
 - That measures necessary to protect the 48 inch live oak tree on-site will be incorporated in the design, construction and operations of this facility.
 - That the City and Rollins College work together to connect the sidewalk on Holt Avenue to the sidewalk on Pennsylvania.
 - That the final architectural elevations and materials of the building and screen wall be approved by the P&Z Board with input from the city architect.

Rebecca Wilson, 215 North Eola Ave, represented the applicant. She used a Power Point presentation to present the details of the request. She generally agreed with the staff report and conditions but

indicated that the College had agreed to a condition that the gate would not be open and the facility deliveries would not occur except for the hours of 8:30 am to 5:30 pm in order to address the concerns about sound from the facility. She also indicated that in response to neighbor comments there will be no gas/fuel pump operations at this location. Ms. Wilson described the meeting process undertaken with the neighborhood and how the concerns have for the most part been addressed.

Fred Wendell, 530 Holt Avenue and Mary Grace Gordon, 550 Holt Avenue spoke concerning issues with the sound of activities, traffic circling on Holt Avenue and the architectural scale and style of the proposed facility. Steve Coutant, 905 Lakeview Drive, spoke in opposition to the use of the property for this type of facility. No one else wished to speak concerning the issue. Public Hearing closed.

The P&Z Board members agreed that the Zoning Text change was acceptable as long as the operations of the facility adjacent to the neighborhood were compatible. Next the P&Z Board discussed and agreed that the physical plant and facilities building in layout, design and operations were compatible with the location adjacent to a residential neighborhood subject to the plans presented and the conditions recommended. The P&Z Board members asked staff to work with the College to address the issues that may arise with FDOT and the W. Fairbanks driveway location. The P&Z Board members thanked the applicant for working with the neighborhood and trying to address the concerns, especially with respect to the hours limited from 8:30 am to 5:30 pm. The P&Z Board felt that the remaining element of compatibility was the architectural design and asked the applicant to similarly include the neighbors in an initial review of those plans prior to returning to the Planning Board.

Motion made by Tom Sacha, seconded by Peter Gottfried to approve the request to amend the "Zoning Regulations" To Change The Text Of The Commercial (C-3) Zoning District To Add A New Conditional Use To Include "Warehousing And Distribution Facilities When Serving A University Or College". Motion carried unanimously with a 7-0 vote.

Motion made by Tom Sacha, seconded by Peter Gottfried to approve the request to amend The "Comprehensive Plan" Future Land Use Map From A Low Density Residential Future Land Use Designation To A Commercial Future Land Use Designation On 875 Square Feet Of The Northwest Corner Of 483 Holt Avenue. Motion carried unanimously with a 7-0 vote.

Motion made by Tom Sacha, seconded by Peter Gottfried to approve the request to amend The Zoning Map To Change From Low Density Residential (R-2) Zoning To Commercial (C-3) Zoning On 875 Square Feet Of The Northwest Corner Of 483 Holt. Motion carried unanimously with a 7-0 vote.

Motion made by Tom Sacha, seconded by Peter Gottfried to approve the Conditional Use to construct and operate a 21,564 Square Foot Physical Plant and Central Receiving facility on the vacant properties at 501 Holt Avenue And 450 West Fairbanks Avenue subject to the Conditions provided by staff and offered by the applicant. Motion carried unanimously with a 7-0 vote.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING REGULATIONS" SECTION 58-76 "COMMERCIAL (C-3) DISTRICT" SO AS TO ADD A NEW CONDITIONAL USE FOR "FACILITY OPERATIONS AND SKILLED TRADE SHOPS SERVING A COLLEGE OR UNIVERSITY"; PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY AND EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Board of the City of Winter Park has recommended approval of this Ordinance at its January 3, 2017 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 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's Comprehensive Plan; and

WHEREAS, the City Commission hereby find 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 PEOPLE OF THE CITY OF WINTER PARK:

SECTION 1. That Chapter 58 "Land Development Code", Article III "Zoning" of the Code of Ordinances is hereby amended and modified by adding within Section 58-76 "Commercial (C-3) District", a new Conditional Use for "facility operations and skilled trade shops serving a college or university", as subsection 58-76 (c) (1) (p) to read as follows:

Sec. 58-76. Commercial (C-3) district.

(c) *Conditional uses.*

(p) Facility operations and skilled trade shops accessory to a college or university which may include areas devoted to repair and parts storage within an enclosed building, performing maintenance and repair work by such college or university employees as plumbers, electricians, carpenters and/or painters. Warehousing, central receiving and garbage truck storage are prohibited.

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. CODIFICATION. It is the intention of the City Commission of the City of Winter Park, Florida, and it is hereby ordained that the provisions of this Ordinance

shall become and be made a part of the Code of Ordinance of the City of Winter Park, Florida; that the Sections of this Ordinance may be renumbered or re-lettered to accomplish such intention; that the word, "Ordinance" may be changed to "Section," "Article," or other appropriate word.

SECTION 5. EFFECTIVE DATE. This ordinance shall become effective immediately upon its final passage and adoption.

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 _____, 2017.

Mayor Steve Leary

Attest:

City Clerk

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 LOW DENSITY RESIDENTIAL TO COMMERCIAL ON 875 SQUARE FEET OF THE NORTHWEST CORNER OF 483 HOLT AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

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

WHEREAS, Section 163.3184, Florida Statutes, establishes a process for adoption of comprehensive plans or plan amendments amending the future land use designation of property; and

WHEREAS, this Comprehensive Plan amendment meets the criteria established by Chapter 163 and 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 Winter Park Planning and Zoning Board, acting as the designated Local Planning Agency, has reviewed and recommended APPROVAL of the proposed Comprehensive Plan amendment after having held an advertised public hearing on January 3, 2017, and 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 on February 27, 2017 and March 13, 2017 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 low density residential to commercial on 875 square feet of the northwest corner of 483 Holt, more particularly described as shown on Exhibit "A" to the Ordinance.

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. An amendment adopted under this paragraph does not become effective until 31 days after adoption. If timely challenged, an amendment may not become effective until the state land planning agency or the Administration Commission enters a final order determining that the adopted small scale development amendment 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 _____, 2017.

Mayor

Mayor Steve Leary

Attest:

City Clerk

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO CHANGE LOW DENSITY RESIDENTIAL (R-2) ZONING TO COMMERCIAL (C-3) DISTRICT ZONING ON 875 SQUARE FEET ON THE NORTHWEST CORNER OF 483 HOLT AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the owner of property at 483 Holt Avenue has requested a Zoning map amendment that is consistent with the Comprehensive Plan, and the requested zoning text change will achieve conformance with the Comprehensive Plan for the property and such municipal zoning does meet 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 of the City of Winter Park has recommended APPROVAL of this Ordinance at their January 3, 2017 meeting; and

WHEREAS, the City Commission of the City of Winter Park held a duly noticed public hearing 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

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. Official Zoning Map Amendment. That Chapter 58 "Land Development Code", Article III, "Zoning" and the Official Zoning Map is hereby amended so as to change the zoning designation of Low Density Residential (R-2) District zoning to Commercial (C-3) District zoning on 875 square feet of the northwest corner of 483 Holt Avenue, more particularly described in Exhibit "A" to this Ordinance.

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 _____ does not become effective, then 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 _____, 2017.

Mayor Steve Leary

Attest:

City Clerk



Public Hearing

NOTICE OF AN ORDINANCE TO ESTABLISH A NEW CONDITIONAL USE FOR FACILITY OPERATIONS AND SKILLED TRADE SHOPS SERVING A COLLEGE OR UNIVERSITY WITHIN THE C-3 ZONING DISTRICT

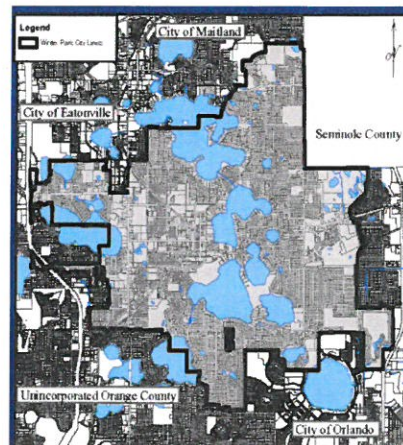
NOTICE IS HEREBY GIVEN that the Winter Park City Commission will hold a Public Hearing on Monday, February 27, 2016 at 5:01 p.m., in City Hall Commission Chambers, located at 401 South Park Avenue in the City of Winter Park, Florida, to consider the adoption of an Ordinance to establish a new Conditional Use within the (C-3) zoning district to allow facility operations and skilled trade shops serving a college or university.

Copies of the proposed Ordinance are available for inspection in the Planning Department in City Hall, Monday through Friday, from 8 a.m. to 5 p.m., as well as on the city's official web site at www.cityofwinterpark.org.

All interested parties are invited to attend and be heard with respect to the adoption of the proposed amendments. Additional information is available in the Planning Department so that citizens may acquaint themselves with each issue and receive answers to any questions they may have prior to the hearing.

Pursuant to the provisions of the Americans with Disabilities Act: any person requiring special accommodation to participate in this meeting, because of disability or physical impairment, should contact the Planning Department at 407-599-3324 at least 48 hours in advance of this hearing.

Pursuant to §286.0105 of the Florida Statutes: if a person decides to appeal any decision made by the City Commission with respect to any matter considered at such meeting or hearing, they will need a record of the proceedings, and they need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.



Urban Forestry Staff Report

Rollins Physical Plant

2/20/2017

- Relocate walk outside dripline of historic oak and extend tree protection barricades beyond dripline.
- Revised tree survey required with correct diameters and accurate tree count.
- Mitigation calculations are not accurate.
- All trees need to be preserved on the property if the diameter is greater than 9" at DBH if the tree is outside the building footprint.
- Crape myrtles are protected species and need to be mitigated (multi-stem species).
- Sabal palms on northeast corner are on adjacent property and need to be preserved.
- Two oaks along the southeast property line need to be preserved on site and tree protection barricades need to be installed.
- Any trees on railroad corridor need to be preserved on site.
- Tree protection barricades are required for off-site trees along southeast property line and along the west side of white house.
- A separate tree removal permit application is required prior to commencement of construction.
- Tree protection barricades are required prior to permit approval.

LEGEND

	TREE TO REMAIN/ TREE BARRICADE
(REFER TO DETAIL FOR ACTUAL SIZES AND COLORS (PAGE TP-201))	
	TREE TO BE REMOVED AND MITIGATED
	CLASP - CRAPE MYRTLE TO BE REMOVED
	PALM TO BE REMOVED



RLF
ROGERS, LOVELOCK & FRITZ, INC.
Architecture
Engineering
Interior Design
4750 New Broad Street
Orlando, Florida 32814
Telephone: (407) 750-8000
Telex: (407) 750-5003
www.rlf.com
Licenses: AA 0000864
Licenses: Number: SR 0000020
©1997 RLF & owner's name

ROLLINS

FACILITIES BUILDING

CITY OF WINTER PARK
PRELIMINARY CONDITIONAL USE SUBMITTA

FEBRUARY 10, 2017
MD 1653

MKM

JRM

No.

Sheet title/content

TREE
MITIGATION &
PROTECTION
PLAN

AS SHOWN

Drawing number:

TM1

M. REBECCA WILSON

rebecca.wilson@lowndes-law.com
215 North Eola Drive, Orlando, Florida 32801-2028
T: 407-418-6250 | F: 407-843-4444
MAIN NUMBER: 407-843-4600

 MERITAS LAW FIRMS WORLDWIDE

February 14, 2017

Jeff Briggs
Planner
Winter Park Planning Dept.
401 Park Avenue South
Winter Park, FL 32789

**Re: Revised Plans for Proposed Development at 450 W. Fairbanks
Avenue/501 Holt Avenue ("Physical Plant")**

Dear Jeff:

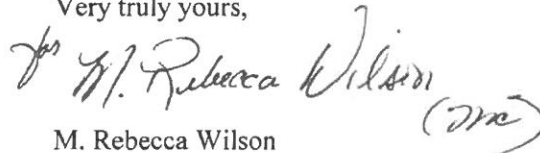
Enclosed please find revisions to the Rollins College Physical Plant. The revisions include the following:

- Removal of Central Receiving and Warehousing;
- Reduction in building size from 21,584 sf to 17,410 sf;
- Increase in number of parking spaces from 5 to 25;
- FAR reduced from 44% to 35%;
- Height reduced from 43 feet (top of tower) to 38 feet (ridge of roof);
- Length of Building reduced from 345 feet to 234 feet;
- Distance from Holt increased from 34 feet to 97 feet.

Accordingly, the proposed C-3 text amendment is revised to add the following as a conditional use:
"Facilities operations and skilled trade shops when serving a university or college."

Thank you for your assistance and please let me know if you have any questions.

Very truly yours,


M. Rebecca Wilson

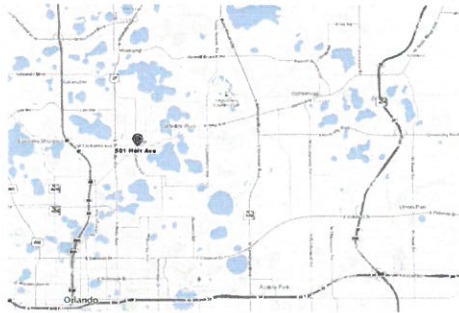
MRW/mlc
Enclosure

CC: Scott Bitikofer



FEBRUARY 10, 2016

FACILITIES BUILDING 450 WEST FAIRBANKS AVE.



VICINITY MAP (N.T.S.)

PARCEL ID NO.:

05-22-30-9400-89-170 AND 05-22-30-9400-89-151

INDEX OF DRAWINGS:

GENERAL	
0000	COVER SHEET & INDEX OF DRAWINGS
1	BOUNDARY & TOPOGRAPHIC SURVEY
CIVIL	
DP1.00	EXISTING CONDITIONS PLAN
DP1.00	SITE DEVELOPMENT PLAN
DP2.00	SITE ENGINEERING PLAN
LANDSCAPE	
TM 1	TREE MITIGATION & PROTECTION PLAN
L1	PLANTING PLAN
L2	PLANT SCHEDULE, DETAILS & NOTES
ARCHITECTURE	
AE200	BUILDING ELEVATIONS
AE900	CONCEPTUAL LANDSCAPE PLAN AND ELEVATION
AE901	SECTION VIEW FROM HOLT AVE.
AE902	VIEW LOOKING DOWN HOLT AVE. FROM PENNSYLVANIA
AE903	VIEW OF NEW ROLLINS FACILITY FROM HOLT AVE.
AE904	30 VIEWS
AE905	30 VIEWS
AE906	30 VIEWS

RLF

PROJECT NUMBER: 15034

Architect

RLF Architects
4750 New Broad Street
Orlando, Florida 32814
Telephone (407) 730-8600
Telefax (407) 730-3603
License # AAC000564

Civil

Poulos & Bennett
2602 E. Livingston St
Orlando, Florida 32803
Telephone (407) 487-2594
Telefax (407) 288-5260
Eng. Bus. No. 28567

Landscape

Magley Design
1817 East Washington Street
Orlando, Florida 32803
Telephone (407) 758-8456
Telefax (407) 898-0223
FL RLA # 0001375

**CITY OF WINTER PARK
PRELIMINARY CONDITIONAL USE SUBMITTAL**

LEGAL DESCRIPTION:

(By this Surveyor)

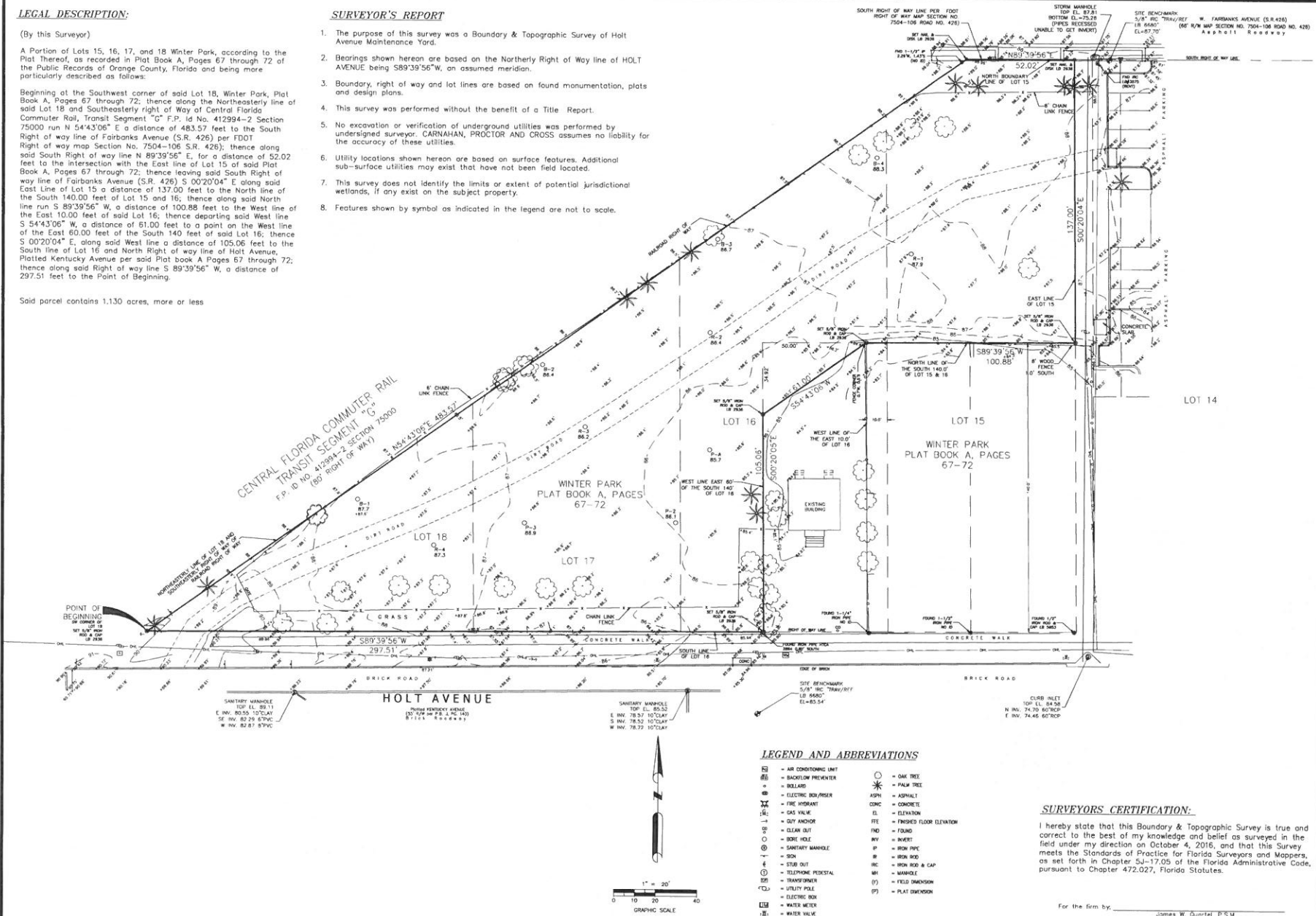
A Portion of Lots 15, 16, 17, and 18 Winter Park, according to the Plat thereof, as recorded in Plat Book A, Pages 67 through 72 of the Public Records of Orange County, Florida and being more particularly described as follows:

Beginning at the Southwest corner of said Lot 18, Winter Park, Plat Book A, Pages 67 through 72; thence along the Northeastly right of way of said Lot 18 and Southeastly right of way of Central Florida Commuter Rail, Transit Segment "G" F.P. id No. 412994-2 Section 75000 run N 54°43'06" E a distance of 483.57 feet to the South Right of way line of Fairbanks Avenue (S.R. 426) per FDOT Right of way map Section No. 7504-106 S.R. 426; thence along said South Right of way line N 89°39'56" E, for a distance of 52.02 feet to the intersection with the East line of Lot 15 of said Plat Book A, Pages 67 through 72; thence leaving said South Right of way line of Fairbanks Avenue (S.R. 426) S 0°20'04" E along said East Line of Lot 15 a distance of 137.00 feet to the North line of the South 140.00 feet of Lot 15 and 16; thence along said North line run S 89°39'56" W, a distance of 100.88 feet to the West line of the East 10.00 feet of said Lot 16; thence departing said West line S 54°43'06" W, a distance of 61.00 feet to a point on the West line of the East 60.00 feet of the South 140 feet of said Lot 16; thence S 0°20'04" E, along said West line a distance of 105.06 feet to the South line of Lot 16 and North Right of way line of Holt Avenue, Plat Kentucky Avenue per said Plat Book A Pages 67 through 72; thence along said Right of way line S 89°39'56" W, a distance of 297.51 feet to the Point of Beginning.

Said parcel contains 1.130 acres, more or less

SURVEYOR'S REPORT

1. The purpose of this survey was a Boundary & Topographic Survey of Holt Avenue Maintenance Yard.
2. Bearings shown hereon are based on the Northerly Right of Way line of HOLT AVENUE being S89°39'56"W, on an assumed meridian.
3. Boundary, right of way and lot lines are based on found monumentation, plats and design plans.
4. This survey was performed without the benefit of a Title Report.
5. No excavation or verification of underground utilities was performed by undersigned surveyor. CARNAHAN, PROCTOR AND CROSS assumes no liability for the accuracy of these utilities.
6. Utility locations shown hereon are based on surface features. Additional sub-surface utilities may exist that have not been field located.
7. This survey does not identify the limits or extent of potential jurisdictional wetlands, if any exist on the subject property.
8. Features shown by symbol as indicated in the legend are not to scale.

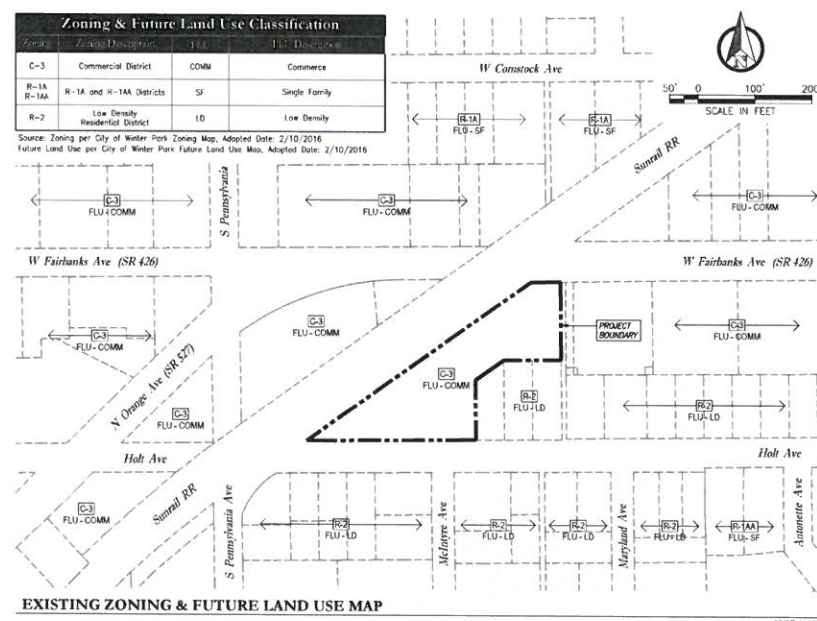
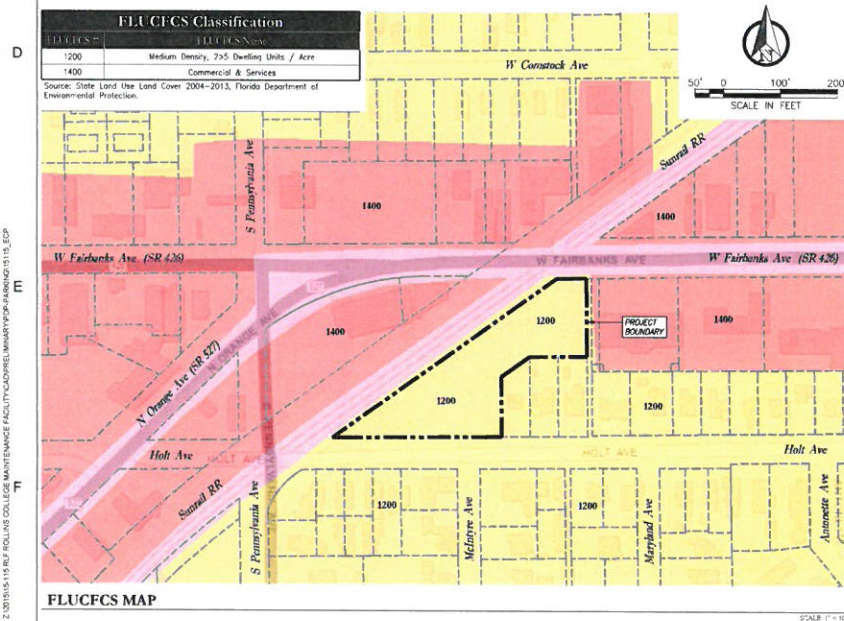
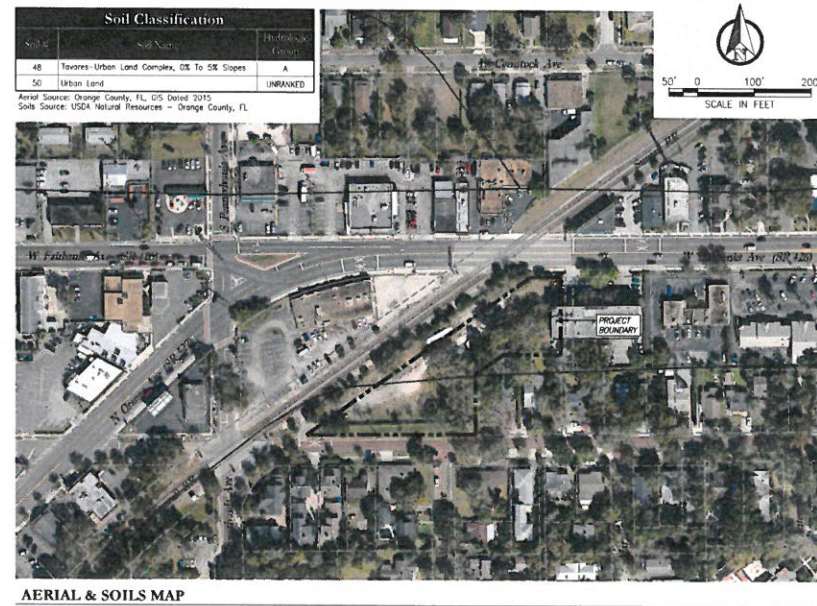
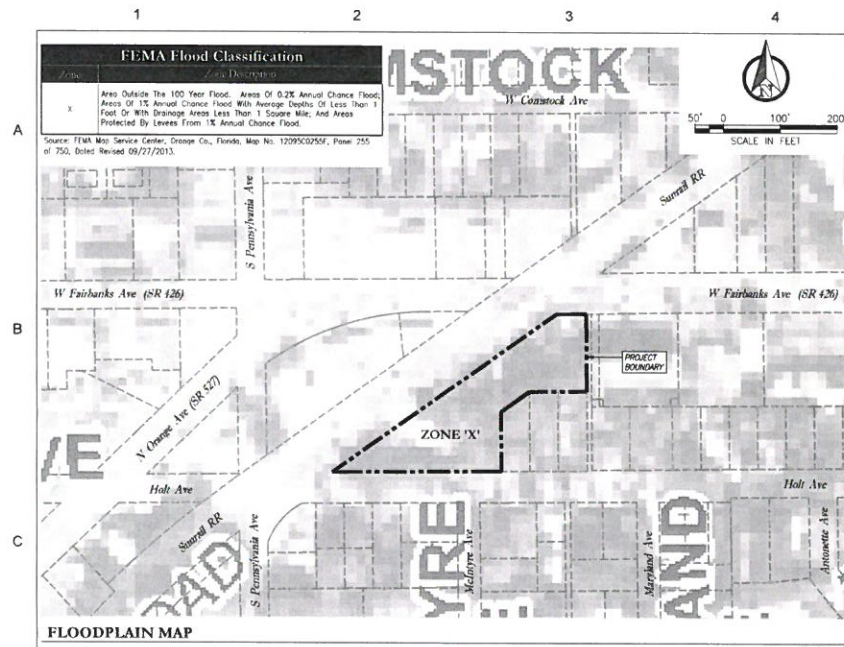


BOUNDARY & TOPOGRAPHIC SURVEY
 HOLT AVE MAINTENANCE YARD SURVEY
 ORANGE COUNTY, FL
 FOR: ROLLINS COLLEGE

CARNAHAN PROCTOR CROSS, INC.
 CONSULTING ENGINEERS • SURVEYORS • PLANNERS
 604 Courtyard Street, Suite 101, Orlando, FL 32804
 PHONE: (407) 940-5880 FAX: (407) 940-5884
 CARNAPRO@CPCROSS.COM
 www.carnahan-proctor.com



REVISIONS	
NO	DATE
1	1
SHEET NO.	
1	1
PROJECT NO. 100917	



RLF
ROGERS, LOVELOCK & FRITZ, INC.
Architecture

Engineering
Interior Design
4750 New Broad Street
Orlando, Florida 32814
Telephone (407) 730-4900
Toll-free (877) 730-4903
www.rlf.com
License Number AA C000944
License Number ER 0000628
Project Title & owner's name

ROLLINS
FACILITIES BUILDING

CITY OF WINTER PARK
PRELIMINARY CONDITIONAL USE SUBMITTAL

Signature
Professional Engineer
No. 52781
STATE OF FLORIDA
Professional Engineer
This map has been carefully prepared and used to this best of my knowledge and belief in accordance with the requirements of the Florida Statutes and the rules of the Board of Professional Engineers.
Paulos & Bennett, LLC
2012 E. Livingston St., Orlando, FL 32805
Tel: 407-204-1000, www.paulosandbennett.com
Reg. No. 18747

DATE
FEBRUARY 10, 2017

job number
15034

drawn by
RFC

checked by
MDS

revisions
No. Description Date

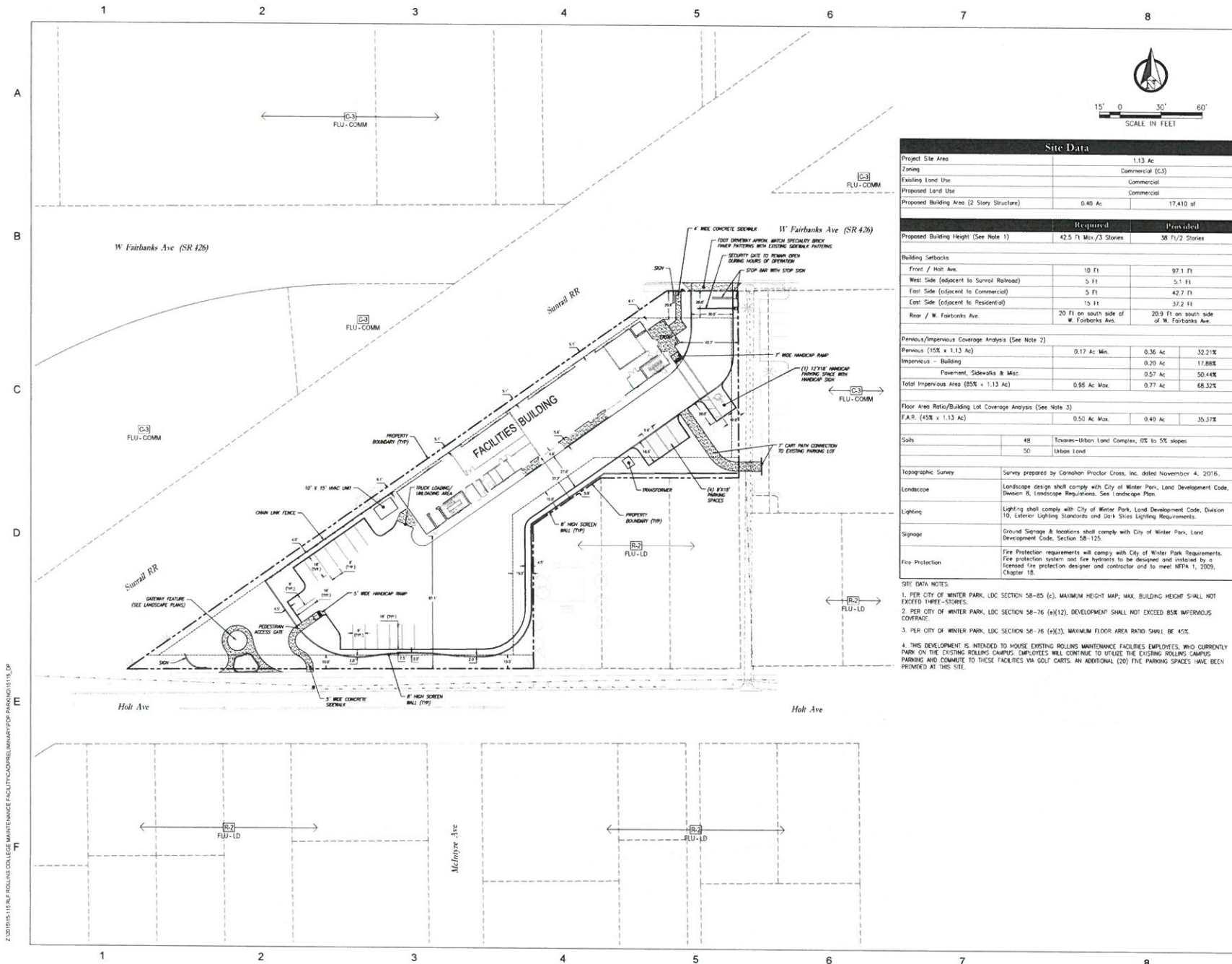
sheet title/contents

Existing Conditions Plan

AS SHOWN

drawing number

DP0.10



Site Data			
Project Site Area	1.13 Ac		
Zoning	Commercial (C-3)		
Existing Land Use	Commercial		
Proposed Land Use	Commercial		
Proposed Building Area (2 Story Structure)	0.40 Ac	17,410 sq	
	Required	Provided	
Proposed Building Height (See Note 1)	42.5 Ft Max./3 Stories	38 Ft/2 Stories	
Building Setbacks			
Front / Holt Ave.	10 Ft	97.1 Ft	
West Side (adjacent to Sunrail Railroad)	5 Ft	5.1 Ft	
East Side (adjacent to Commercial)	5 Ft	42.7 Ft	
East Side (adjacent to Residential)	15 Ft	37.2 Ft	
Rear / W. Fairbanks Ave.	20 Ft on south side of W. Fairbanks Ave.	20.9 Ft on south side of W. Fairbanks Ave.	
Permeable/Impervious Coverage Analysis (See Note 2)			
Permeable (15% x 1.13 Ac)	0.17 Ac. Min.	0.36 Ac.	32.21%
Impervious - Building	0.20 Ac.	17.88%	
Pavement, Sidewalks & Misc.	0.57 Ac.	50.44%	
Total Impervious Area (85% x 1.13 Ac)	0.96 Ac. Max.	0.77 Ac.	68.32%
Floor Area Ratio/Building Lot Coverage Analysis (See Note 3)			
F.A.R. (45% x 1.13 Ac)	0.50 Ac. Max.	0.40 Ac.	35.37%
Soils	48	Towhee-Urbon Land Complex, 0% to 5% slopes	
	50	Urban Land	
Topographic Survey	Survey prepared by Cornahan Proctor Cross, Inc. dated November 4, 2016.		
Landscape	Landscape design shall comply with City of Winter Park, Land Development Code, Division 8, Landscape Regulations. See Landscape Plan.		
Lighting	Lighting shall comply with City of Winter Park, Land Development Code, Division 10, Exterior Lighting Standards and Dark Skies Lighting Requirements.		
Signage	Ground Signage & locations shall comply with City of Winter Park, Land Development Code, Section 58-125.		
Fire Protection	Fire Protection requirements will comply with City of Winter Park Requirements. Fire protection system and fire hydrants to be designed and installed by a licensed fire protection designer and contractor and to meet NFPA 1, 2009, Chapter 18.		

- SITE DATA NOTES:**
- PER CITY OF WINTER PARK, LDC SECTION 58-85 (c), MAXIMUM HEIGHT MAP; MAX. BUILDING HEIGHT SHALL NOT EXCEED THREE-STORIES.
 - PER CITY OF WINTER PARK, LDC SECTION 58-76 (a)(12), DEVELOPMENT SHALL NOT EXCEED 85% IMPERVIOUS COVERAGE.
 - PER CITY OF WINTER PARK, LDC SECTION 58-76 (a)(13), MAXIMUM FLOOR AREA RATIO SHALL BE 45%.
 - THIS DEVELOPMENT IS INTENDED TO HOUSE EXISTING ROLLINS MAINTENANCE FACILITIES EMPLOYEES, WHO CURRENTLY PARK ON THE EXISTING ROLLINS CAMPUS. EMPLOYEES WILL CONTINUE TO UTILIZE THE EXISTING ROLLINS CAMPUS PARKING AND COMMUTE TO THESE FACILITIES VIA GOLF CARTS. AN ADDITIONAL (20) FIVE PARKING SPACES HAVE BEEN PROVIDED AT THIS SITE.

RLF
 ROGERS, LOVELOCK & FRITZ, INC.
 Architecture
 Engineering
 Interior Design
 4750 New Broad Street
 Orlando, Florida 32814
 Telephone (407) 750-6900
 Telex (407) 750-9903
 www.rlf.com
 License Number AA 000964
 License Number ES 000629
 Project title & owner's name

ROLLINS
 FACILITIES BUILDING

CITY OF WINTER PARK
 PRELIMINARY CONDITIONAL USE SUBMITTAL

Signature
 JAMES C. DANIEL
 JAMES C. DANIEL
 No. 52781
 STATE OF FLORIDA
 PROFESSIONAL ENGINEER
 Date February 10, 2017

POULOS & BENNETT
 Paulos & Bennett, LLC
 3002 E. Livingston St., Orlando, FL 32803
 Tel: 407-204-1100, www.paulosandbenett.com, Bldg. No. 247

Date
FEBRUARY 10, 2017

Job number
15034

Drawn by
RFC

Checked by
MDS

Revisions	No.	Description	Date

Sheet title/content
Preliminary Development Plan

As shown
 Drawing number
DP1.00

1

2

3

4

5

6

7

8

A

TYPICAL LANDSCAPE NOTES:

1. ALL TREE CALIPER SIZES NOTED ARE MINIMUM. INCREASE SIZE OR ANY OTHER SPECIFICATIONS AS REQUIRED, PROVIDING MINIMUM PLANT SIZE AND SPECIFICATIONS.
2. ALL CONTAINER SIZES NOTED ARE MINIMUM. INCREASE SIZE OF POT AS REQUIRED, PROVIDING MINIMUM PLANT SIZE AND SPECIFICATIONS. ALL HEIGHT AND SPREAD SPECIFICATIONS ARE MINIMUM.
3. SHRUB AND GROUNDCOVER BED QUANTITIES ARE INDICATED FOR EACH PLANT BED. ALL PLANT QUANTITIES FOR PROPOSAL SHALL BE DERIVED SOLELY FROM DRAWINGS AND SPECIFICATIONS.
4. SHRUB AND GROUND COVER SPACING IS INDICATED ON THE PLANT LIST AND SHALL APPLY FOR ALL "MASS PLANTING" BEDS.
5. OWNERS REPRESENTATIVE MUST TAG AN EXAMPLE OF EACH PLANT SPECIES ACCORDING TO THE SPECIFICATIONS IN THE PLANT LIST.
6. SEE PLANT LIST DETAILS AND SPECIFICATIONS FOR FURTHER PLANTING INFORMATION.

B

7. LOCATION OF ALL UTILITIES AND BASE INFORMATION IS APPROXIMATE. CONTRACTOR SHALL VERIFY ALL UNDERGROUND UTILITIES AND OBSTRUCTIONS AND COORDINATE WITH OWNERS REPRESENTATIVE PRIOR TO INITIATING INSTALLATION WORK. CONTRACTOR SHALL BE RESPONSIBLE TO REPAIR OR REPLACE ANY DAMAGE COMMITTED TO EXISTING ELEMENTS ABOVE OR BELOW GROUND TO ITS ORIGINAL CONDITION AND TO THE SATISFACTION OF THE OWNERS REPRESENTATIVE.
8. CONTRACTOR SHALL FIELD ADJUST LOCATION AS NECESSARY TO AVOID DAMAGE TO EXISTING UNDERGROUND UTILITIES AND/OR EXISTING ABOVE GROUND ELEMENTS. ALL CHANGES REQUIRED SHALL BE COMPLETED AT THE CONTRACTOR'S EXPENSE AND SHALL BE COORDINATED WITH THE OWNERS REPRESENTATIVE.
9. CONTRACTOR SHALL FIELD STAKE THE LOCATION OF ALL PLANT MATERIAL PRIOR TO INITIATING INSTALLATION FOR THE REVIEW AND APPROVAL OF THE LANDSCAPE ARCHITECT OR OWNERS REPRESENTATIVE. THE LOCATION OF ALL PLANT MATERIAL IS SUBJECT TO FIELD CHANGE.
10. LANDSCAPE CONTRACTOR SHALL COORDINATE THEIR WORK WITH THE IRRIGATION CONTRACTOR AND ALL OTHER TRADES.
11. LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL HAND WATERING AS REQUIRED UNTIL PLANT MATERIALS ARE WELL ESTABLISHED. TO SUPPLEMENT IRRIGATION WATERING AND MAINTAIN.
12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR HAND WATERING IN ALL LANDSCAPE AREAS WHERE THE EXISTING OR PROPOSED IRRIGATION IS FOR WHATEVER REASON NOT OPERATING OR NOT OPERATING CORRECTLY.
13. CONTRACTOR SHALL CLEAN THE WORK AREAS AT THE END OF EACH WORKING DAY. RUBBISH AND DEBRIS SHALL BE COLLECTED AND DEPOSITED AS DIRECTED DAILY. ALL MATERIALS, PRODUCTS, AND EQUIPMENT SHALL BE STORED IN AN ORGANIZED FASHION AS DIRECTED BY THE OWNER OR OWNERS REPRESENTATIVE.
14. ALL PLANT MATERIAL SHALL BE IN FULL AND "STREET" ACCORDANCE WITH FLORIDA NO. 1 GRADE, ACCORDING TO THE "GRADES AND STANDARDS FOR NURSERY PLANTS" PUBLISHED BY THE FLORIDA DEPARTMENT OF AGRICULTURE AND FORESTRY SERVICES, CURRENT EDITION.
15. CONTRACTOR SHALL REMOVE EXISTING SOIL AND/OR VEGETATION IN ALL AREAS TO BE PLANTED WITH SHRUBS/GROUNDCOVERS AND/OR ALL AREAS TO BE MULCHED.
16. CONTRACTOR SHALL REPLACE SOIL IN ALL AREAS WHERE VEGETATION IS REMOVED OR RELOCATED, WHERE EXISTING LAWN AREAS ARE DAMAGED BY HIS WORK, AND WHERE NEW VEGETATION IS INSTALLED UNLESS OTHERWISE NOTED ON PLANS WITH SAME GRASS SPECIES TO THE SATISFACTION OF THE OWNERS REPRESENTATIVE. CONTRACTOR SHALL BE RESPONSIBLE FOR FRESH GRASSING ALL SUCH AREAS TO BLEND BOTH ELEVATIONS AND SOIL INTO EXISTING SURROUNDING LAWN AREAS.
17. THE CONTRACTOR SHALL BEAR ALL COSTS OF TESTING OF SOILS, AMENDMENTS, ETC. ASSOCIATED WITH THE WORK AND INCLUDED IN THE SPECIFICATIONS. PRIOR TO COMMENCEMENT OF THE LANDSCAPING WORK, FOR EVERY BLOCK SECTION OF STREET THE CONTRACTOR SHALL PROVIDE COMPLETE SOIL TESTS FOR AT LEAST THREE AREAS UNDISTURBED BY PREVIOUS WORK AND TWO AREAS DISTURBED AND/OR REPELLED. SEE SPECIFICATIONS FOR ADDITIONAL TESTING REQUIREMENTS.
18. THE CONTRACTOR SHALL PROVIDE UNIT PRICES AS REQUESTED WHICH INCLUDE THE TOTAL COST OF THE WORK INCLUDING BUT NOT LIMITED TO ANY AND ALL COSTS FOR EQUIPMENT, MATERIAL, PRODUCTS, OVERHEAD, PROFIT, GUARANTEES, LABOR, INSTALLATION, ETC. TO PROVIDE A COMPLETE JOB AS OUTLINED ON THE DRAWINGS. THE OWNER SHALL HAVE THE OPTION TO ADD OR DEDUCT FROM THE LUMP SUM BID CONTRACT AMOUNT, BASED ON THE QUOTED UNIT PRICES FOR ANY OR THE ITEMS LISTED IN THE "PLANT LIST".
19. CONTRACTOR SHALL PROTECT EXISTING VEGETATION TO REMAIN BY MEANS APPROVED BY THE OWNER/OWNERS REPRESENTATIVE AND AS DETAILED IN THE DRAWINGS.
20. CONTRACTOR SHALL CLEAN, PRUNE, AND SHAPE EDGES OF EXISTING VEGETATION AS DIRECTED BY OWNERS REPRESENTATIVE. CREATE SMOOTH BED LINES AROUND EXISTING VEGETATION.
21. CONTRACTOR AND EMPLOYEE VEHICLE PARKING SHALL BE COORDINATED WITH THE OWNER OR OWNERS REPRESENTATIVE. SHUTTLE OF EMPLOYEES TO THE PROJECT AREAS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. CONTRACTOR SHALL NOT DISRUPT OR CONFLICT IN ANY WAY WITH EXISTING TRAFFIC.
22. CONSTRUCTION ACCESS SHALL BE INDICATED BY THE OWNER. COORDINATION OF HEAVY EQUIPMENT AND MATERIALS SHALL BE THE CONTRACTOR'S RESPONSIBILITY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR SCHEDULING AND COORDINATION OF WORK WITH OTHER TRADES AND THE OWNER OR OWNERS REPRESENTATIVE.
23. THE CONTRACTOR SHALL TAKE WHATEVER MEANS THAT MAY BE NECESSARY TO FULLY UNDERSTAND ALL THE ACCESS ROUTES AND CONSTRUCTION SCHEDULES IN ORDER TO PROVIDE A COMPLETE AND FINISHED PROJECT ON SCHEDULE.
24. FINE STRAW MULCH OR APPROVED EQUAL SHALL BE USED (CYPRUS MULCH NOT ALLOWED).

D

E

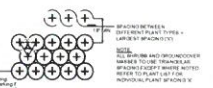
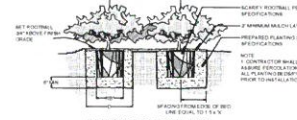
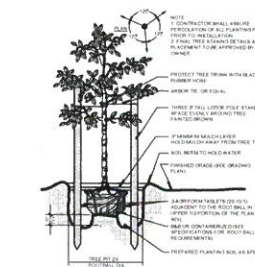
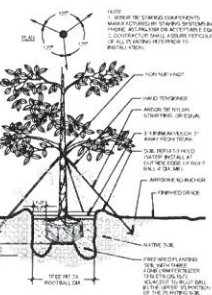
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PLANT SCHEDULE									
TREES	QTY	BOTANICAL NAME	COMMON NAME	CONT.	CAL	SPECIFICATION	WATER USAGE	NATIVE	REMARKS
ELA DEC	3	ELAEAGNUS DECIPENS TM	JAPANESE BLUEBERRY TREE	45 GAL MIN.	3" CAL MIN	9' H X 6' SPH	LOW-MEDIUM	NO	SINGLE, STRAIGHT TRUNK, FULL TO THE CANOPY, MATCHED
LAC MUX	6	LAGERSTROMIA INDICA "MUSKOGEE"	MUSKOGEE CRAWP MYRTLE	45 GAL MIN.	2.75" CAL	11' H X 5.5' SPH	LOW-MEDIUM	NO	SINGLE STRAIGHT TRUNK, FULL HEAD, MATCHED
LIG JAP	8	LICHTSTROM JAPONICUM	JAPANESE PRIVET	CONT.	8" H X 4' S	LOW	NO	NO	MULTI-TRUNK, FULL, MATCHED
QUER VIR	14	QUERCUS VIRGINIANA	SOUTHERN LIVE OAK	200 GAL	9.5" CAL	18-20' H X 10' SPH	LOW-MEDIUM	YES	SINGLE, STRAIGHT TRUNK, FULL
TAB UMB	3	TABERNAEMONTANA	YELLOW TRUMPET TREE	FG OR CONT.	2-3" CAL	10' H X 6' S	LOW	NO	SINGLE, STRAIGHT TRUNK, FULL
EXISTING TREES	QTY	BOTANICAL NAME	COMMON NAME	CONT.	CAL	SPECIFICATION	WATER USAGE	NATIVE	REMARKS
EX1 E2	2	EXISTING OAK	EXISTING 12" OAK TO REMAIN	SEE SURVEY					
EX1 OAK	1	EXISTING OAK	EXISTING 40" OAK TO REMAIN	SEE SURVEY					
EX1 EDR	1	EXISTING OAK	EXISTING 9" OAK TO REMAIN	SEE SURVEY					
PALM TREES	QTY	BOTANICAL NAME	COMMON NAME	CONT.	CAL	SPECIFICATION	WATER USAGE	NATIVE	REMARKS
SAB SAB	4	SABAL PALMETTO	CABBAGE PALMETTO	B & B	14" CAL	12' CT	MEDIUM	NO	HEAVY TRUNK, RETAIN ROOTS
SHRUBS	QTY	BOTANICAL NAME	COMMON NAME	CONT.	CAL	SPECIFICATION	WATER USAGE	NATIVE	REMARKS
AZA SUN	114	AZALEA ENCORE "AUTUMN SUNBURST" TM	AUTUMN SUNBURST ENCORE AZALEA	3 GAL	24" H MIN		MEDIUM	NO	FULL
CYA CO2	3	CYATHA COOPERI	AUSTRALIAN TREE FERN	3 GAL	18" DA		LOW-MEDIUM	NO	FULL
HAM FIR	75	HAMELIA PATENS	FIRE BUSH DWARF	3 GAL	12" H X 18" S		LOW-MEDIUM	YES	FULL
POB MA2	61	PODOCARPUS MACROPHYLLUS MA2	SHRUBBY VEW	3 GAL	12" H X 12" S		LOW-MEDIUM	NO	FULL
POB MA2	80	PODOCARPUS MACROPHYLLUS MA2	SHRUBBY VEW	7 GAL	12" H X 12" S		LOW-MEDIUM	NO	FULL
RHO FAS	52	RHOENOCORON OBTUSUM "FASHION"	FASHION AZALEA	3 GAL	14" H X 16" S		MEDIUM	YES	FULL
VIB AW4	12	VIBURNUM OBOVATISIMUM "AWABUKI"	AWABUKI VIBURNUM	7 GAL	10" H X 24" S		LOW	NO	FULL
ZAM JUM	48	ZAMIA FUMIDA	COONTIE	3 GAL	12" H X 12" S		LOW	YES	FULL
VINES/PALMER	QTY	BOTANICAL NAME	COMMON NAME	CONT.	CAL	SPECIFICATION	WATER USAGE	NATIVE	REMARKS
FIG CRE	6	FIGUS FUMIDA	CREeping FIG	1 GAL		8' DA	LOW-MEDIUM	NO	FULL, 5 RUNNERS MIN.
SHRUB AREAS	QTY	BOTANICAL NAME	COMMON NAME	CONT.	CAL	SPECIFICATION	WATER USAGE	NATIVE	SPACING
DIA VA3	34	DIANELLA TASMANICA "VAREGATA"	FLAX LILY	3 GAL		16" H X 16" S	LOW	YES	24" o.c.
SCH TR2	280	SCHOFFELERA ARBORICOLA "TRINETTE"	SCHOFFELERA	3 GAL		16" H X 16" S	LOW-MEDIUM	NO	24" o.c.
GROUND COVERS	QTY	BOTANICAL NAME	COMMON NAME	CONT.	CAL	SPECIFICATION	WATER USAGE	NATIVE	SPACING
CYR FA2	318	CYRTOTANUM FALCUTUM	HOLLY FERN	1 GAL		8" DA	LOW-MED	NO	30" o.c.
UR BIG	681	LIROPE ANDRAC "TIDWELLS BIG BLUE"	BIG BLUE LILY TURF	1 GAL		12" H X 12" S	MEDIUM	NO	15" o.c.
TRA VAX	397	TRACHELOPERUM ASIATICUM	DWARF JASMINE	1 GAL		12" H X 12" S	LOW-MED	NO	15" o.c.
TUL MO	221	TULBAGHIA VIOLACEA	SOCIETY GARLIC	1 GAL		10" DA	LOW-MED	NO	18" o.c.
MULCH	QTY	BOTANICAL NAME	COMMON NAME	CONT.	CAL	SPECIFICATION	WATER USAGE	NATIVE	SPACING
MUL M17	362 SF	MULCH (PINE BARK)	MULCH	N/A					4" THICKNESS
SOB	QTY	BOTANICAL NAME	COMMON NAME	CONT.	CAL	SPECIFICATION	WATER USAGE	NATIVE	SPACING
STE AUG	11,592 SF	STENOTAPHRUM SECUNDATUM "FLORITAM"	FLORITAM ST. AUGUSTINE SOO	SOB		500	MEDIUM	NO	CLEAN AND WEED FREE



1 LARGE TREE PLANTING DETAIL

Scale: N.T.S.

2 SMALL TREE PLANTING DETAIL

Scale: N.T.S.

3 SHRUB PLANTING DETAIL

Scale: N.T.S.

4 GROUNDCOVER PLANTING DETAIL

Scale: N.T.S.

5 PLANT SPACING DETAIL

Scale: N.T.S.

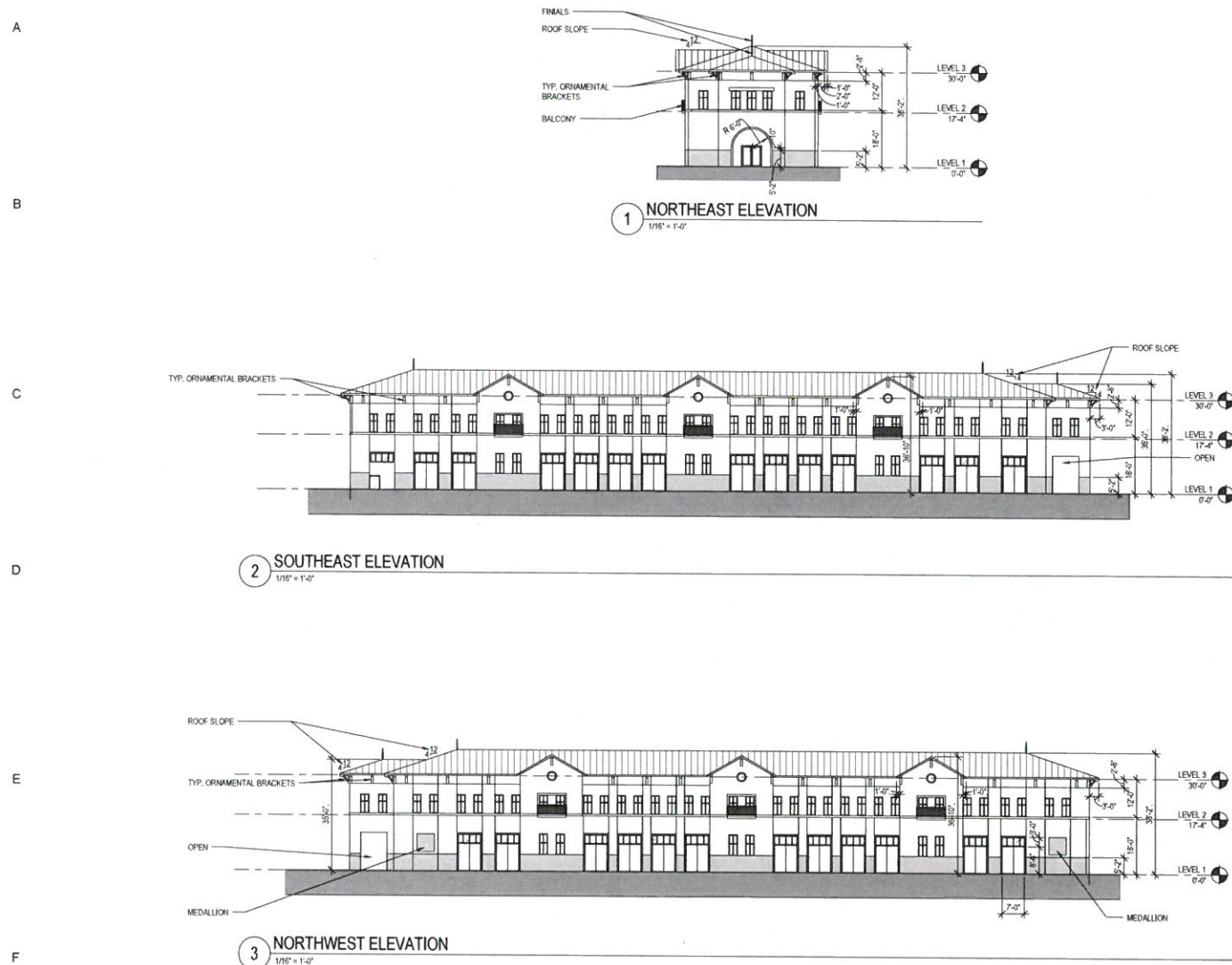
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ROGERS, LOVELOCK & FRITZ, INC.
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Toll-free (800) 730-8600
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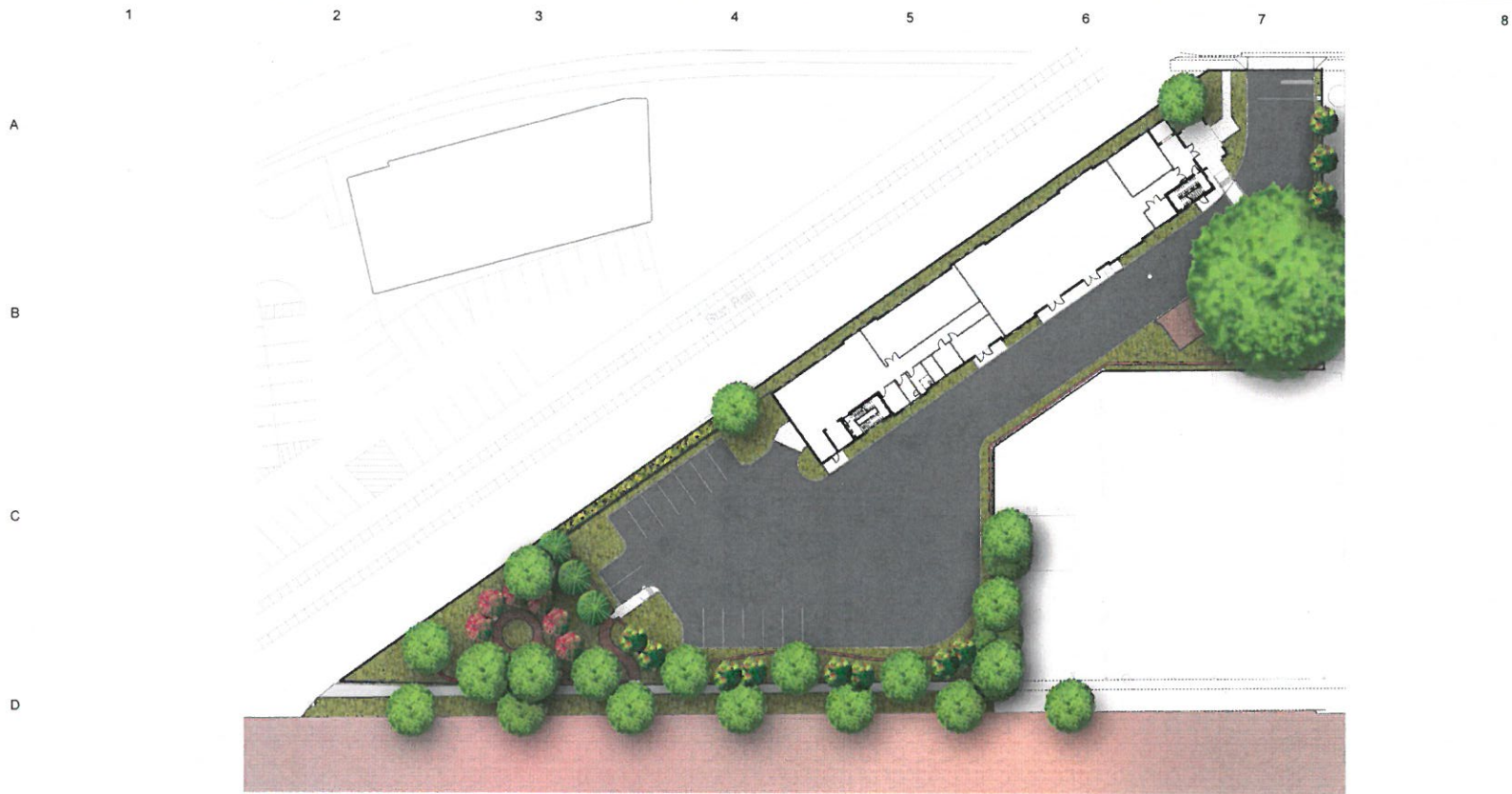
ROLLINS
FACILITIES BUILDING
CITY OF WINTER PARK
PRELIMINARY CONDITIONAL USE SUBMITTAL
Signature

DATE
FEBRUARY 10, 2017
MD 1653
DRAWN BY
MKM
CHECKED BY
JRM
REVISIONS
No. Description Date

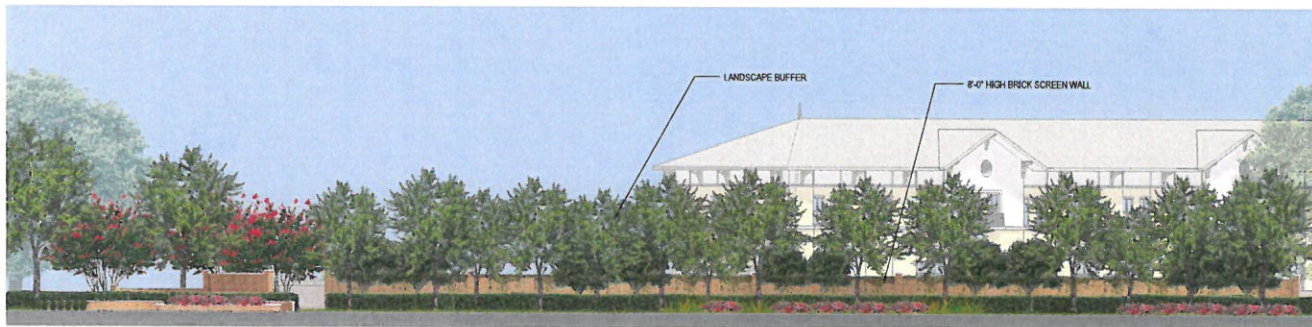
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PLANT SCHEDULE, DETAILS, & NOTES
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sheet of

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1- CONCEPTUAL LANDSCAPE PLAN



2- ELEVATION VIEW OF LANDSCAPE FROM HOLT AVE.

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Interior Design
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Orlando, Florida 32814
Telephone (407) 730-5000
Telex (407) 730-5000
www.fff.com
License Number AA C000564
License Number EB 0009629
project title & owner's name

ROLLINS
FACILITIES BUILDING

CITY OF WINTER PARK
PRELIMINARY CONDITIONAL USE SUBMITTAL
see@signature

date
FEBRUARY 10, 2017

job number
15034

drawn by
MCH, MCP

checked by
RLB

revisions
No. Description Date

sheet title/content
**CONCEPTUAL
LANDSCAPE PLAN
AND ELEVATION**

NOT TO SCALE
drawing number

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CITY OF WINTER PARK
PRELIMINARY CONDITIONAL USE SUBMITTAL

seal/signature

FEBRUARY 10, 2017

job number
15034

drawn by

MCH, MCP

checked by
RLB

No.	Description	Date
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VIEW LOOKING
DOWN HOLT AVE.
FROM
PENNSYLVANIA

NOT TO SCALE

drawing number 1

AE902

Steel of




1 - VIEW FROM FAIRBANKS & RAILROAD



2 - VIEW FROM FAIRBANKS LOOKING EAST

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Orlando, Florida 32814
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Telefax (407) 730-3603
www.faa.com
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License Number EB 0000629
project title & owner's name



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CITY OF WINTER PARK
PRELIMINARY CONDITIONAL USE SUBMITTAL

see signature

FEBRUARY 10, 2017

15034

drawn by
MCH, MCP

RLB

[illegible]

3D VIEWS

NOT TO SCALE

drawing number

AE904

Sheet of _____ of _____



1 - AERIAL VIEW FROM FAIRBANKS LOOKING WEST



2 - VIEW FROM FAIRBANKS LOOKING WEST

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Orlando, Florida 32814
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Telex (407) 730-5603
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License Number AA C000544
License Number EB 0000620
project file & owner's name

ROLLINS
FACILITIES BUILDING

CITY OF WINTER PARK
PRELIMINARY CONDITIONAL USE SUBMITTAL
see@signature

date
FEBRUARY 10, 2017

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Author

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Checker

revisions
No. Description Date

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3D VIEWS

drawing number

AE906

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PREPARED BY AND RETURN TO:

Jeffrey Briggs, Planning Manager
City of Winter Park
401 Park Avenue
Winter Park, FL 32789
(407) 599-3440

Orange County Tax Parcel # 05-22-30-9400-89-151; 05-22-30-9400-89-170

DEVELOPER'S AGREEMENT
(Rollins College – 450 W. Fairbanks Avenue / 501 Holt Avenue)

THIS DEVELOPER'S AGREEMENT ("Agreement") is entered into and made as of the ____ day of _____, 2017, by and between the **CITY OF WINTER PARK, FLORIDA**, 401 S. Park Avenue, Winter Park, Florida, 32789 (hereinafter referred to as the "City"), and **ROLLINS COLLEGE**, a non-profit corporation whose address is 1000 Holt Avenue, Winter Park, Florida 32789 (hereinafter referred to as "Rollins College").

W I T N E S S E T H

WHEREAS, Rollins College is the owner of that certain real property located at 450 W. Fairbanks Avenue and 501 Holt Avenue, Winter Park, Florida, lying within the municipal boundaries of the City, having Orange County Tax Parcel Identification Numbers 05-22-30-9400-89-151 and 05-22-30-9400-89-170, more particularly described on Exhibit "A" attached hereto (hereinafter referred to as the "Property"); and

WHEREAS, Rollins College desires to develop the Property as a 17,410 sq. ft. facilities building (hereinafter, the "Project"); and

WHEREAS, Rollins College desires to facilitate the development of the Project, in compliance with the laws and regulations of the City and of other governmental authorities, as well as provide assurances that the Project will be compatible with surrounding properties; and

WHEREAS, Rollins College made certain representations concerning voluntary restrictions and conditions to be placed upon the Property, and desires to formalize such voluntary restrictions and conditions; and

WHEREAS, on February 27, 2017 the City Commission approved a Conditional Use Permit for the proposed Project provided that Rollins College abide by the restrictions mutually agreed upon for the operation and future use of the Property, and that this Agreement shall set out the development entitlements, exceptions, conditions and terms of the City's approvals; and

WHEREAS, this Agreement is not a statutory development agreement pursuant to Chapter 163, Florida Statutes (Florida Local Government Development Agreement Act), and is

being entered into by the City pursuant to the City's home rule authority as a condition of development approvals and based on concessions voluntarily agreed upon by Rollins College.

NOW THEREFORE, in consideration of the mutual promises and covenants herein contained, the City and Rollins College agree as follows:

SECTION 1. RECITALS

The above recitals are true and correct and form a material part of the Agreement.

SECTION 2. APPROVAL

On February 27, 2017 the City Commission approved a Conditional Use Permit for the construction of a two-story, 17,410 square foot building on the Property. The approved use is facilities operations offices and includes as an accessory use to office area devoted to repair and parts storage within an enclosed building, performing maintenance and repair work by such college or university employees as plumbers, electricians, carpenters and/or painters. Warehousing, central receiving and garbage truck storage are prohibited. The approved Site Plan is on Exhibit "B" attached hereto.

SECTION 3. CONDITIONS OF APPROVAL

Rollins College agrees to develop, operate and maintain the Project and Property in accordance with the conditions of approval imposed by the City Commission, which are outlined as follows:

- (i) Prior to obtaining building permits for the Project (except the wall mentioned in subsection (ii) below which all or a portion may be built simultaneously with construction of the home at 483 Holt Ave), Rollins College will, at its expense, design, permit and construction of two arts and crafts style single-family homes to be located at 363 and 483 Holt Avenue ~~and that to~~ preserve the residential character of Holt Avenue as previously approved by Historic Preservation Board;
- (ii) Prior to obtaining building permits for the Project, Rollins College will, at its expense, design, permit and C~~construction of~~ an eight-foot wall parallel to Holt Avenue, north along the dividing line between 450 W. Fairbanks Avenue and the single-family home to be built at 483 Holt Avenue, and east to connect to the existing masonry wall behind 422 W. Fairbanks Avenue. Two legs will be architectural brick; one will be stucco CMU construction;
- (iii) Prior to the issuance of a certificate of occupancy for any Project building, at its expense, Rollins College shall cause the U~~undergrounding~~ of power lines along Holt Avenue adjacent to the Property and to provide for the screening of oak trees to be planted in the right-of-way;
- (iv) The P~~provisions~~ of Section 67-92 of the City's Noise Ordinance shall apply to the Project as any "machine or device" shall be construed to apply to trucks, and golf carts operating on the Property;
- (v) Incorporation in the design, construction and operations of the Project of measures necessary to protect the 48 inch live oak tree on-site;
- (vi) Commitment to work with the City to connect the sidewalk on Holt Avenue to the sidewalk on Pennsylvania, including granting to the City public sidewalk

easements as may be necessary over and through Rollins College owned properties;

- (vii) Final architectural elevations and materials of the building and screen wall shall be subject to the review and approval by the City's Planning and Zoning Board and with review and input from the City Architect;
- (viii) Screening of the site by a multi-tier landscaping screen on the south side of the wall;
- (ix) Installation and maintenance of a small park area at the entrance of the College Quarter Neighborhood along Holt Avenue, adjacent to the railroad;
- (x) Installation of "Historic College Quarter" sign in the park area;
- (xi) Construction of a 36-inch wide pedestrian gate to Holt Avenue;
- (xii) Prohibition of golf carts associated with the Facility Operations Building along Holt Avenue west of New York Avenue;
- (xiii) Prohibition of golf carts along Fairbanks Avenue, properly licensed pick-up vehicles will be used to access campus;
- (xiv) Commitment to work with neighboring parcel owners along the north side of Holt Avenue to replace and upgrade existing fences separating the commercial side of the block from the residential side of the block on an individual case basis;
- (xv) Right-in-right-out approach for West Fairbanks Avenue for traffic entering and exiting the Property;
- (xvi) Rollins College shall actively take measures to discourage ~~Discouragement of~~ vehicles traveling from its campus from passing down Holt Avenue;
- (xvii) Prohibition of parking or operating garbage trucks out of the Property;
- (xviii) Prohibition of outdoor work activities on the Property;
- (xix) Prohibition of auto repair activities on the Property;
- (xx) Prohibition of fuel storage and dispensing on the Property;
- (xxi) Prohibition of grounds keeping to be based out of the Property; and
- (xxii) Commitment to conduct any trades-related work inside of a closed building on the Property, with no open doors so as to prevent noise from emanating from the Property.
- ~~(xxii)(xxiii)~~ Prohibition of the storage or consolidation of trash and other solid waste generated from other businesses and properties.

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In addition to the requirements and obligations of Rollins College herein, the development, operation and maintenance of the Property and the Project shall be subject to the City of Winter Park Code of Ordinances requirements and any other development orders, approvals and permits for the Project and Property, including the conditions of such development orders, approvals and permits.

SECTION 3. STORM WATER RETENTION

Rollins College will retrofit the Property to conform to the storm water retention requirements of the City and the St. Johns River Water Management District.

SECTION 4. AMENDMENTS TO THIS AGREEMENT

Amendments to this Agreement, if requested by Rollins College, may be permitted if approved following review by the City in conformance with the City's Land Development Code

and other applicable requirements of the City.

SECTION 5. AGREEMENT TO BE BINDING

This Agreement, including any and all supplementary orders and resolutions, together with the approved development plan, the master sign plan, and all final site plans, shall be binding upon Rollins College and their successors and assigns in title or interest. The provisions of this Agreement and all approved plans shall run with the Property and shall be administered in a manner consistent with Florida Statutes and local law.

SECTION 6. ENFORCEMENT

This Agreement may be enforced by specific performance by either party. In no event shall the City be liable for monetary damages arising out of or concerning this Agreement. In the event that enforcement of this Agreement by the City becomes necessary, and the City is successful in such enforcement, Rollins College shall be responsible for all costs and expenses, including attorney's fees, whether or not litigation is necessary, and if necessary, both at trial and on appeal, incurred in enforcing or ensuring compliance with the terms and conditions of this Agreement, which costs, expenses and fees shall also be a lien upon the Property superior to all others. In addition to the foregoing, the City shall be permitted without notice to immediately withhold the issuance of certificates of occupancy and building permits associated with the Project in the event Rollins College is in violation of any provision of this Agreement until such violation is cured to the City's satisfaction. Further, if Rollins College fails to timely pay the City any monies due pursuant to this Agreement, the City may record a Notice of Lien against the Property in the amount owed to the City. Interest on unpaid overdue sums shall accrue at the rate of eighteen percent (18%) compounded annually or at the maximum rate allowed by law if lower than 18%. A copy of such Notice of Lien shall also be delivered to Rollins College in the same manner as required under this Agreement for delivery of written notices. The recorded Notice of Lien shall constitute a lien upon the Property and the lien may be foreclosed upon for the benefit of the City any time after fifteen (15) days after the Notice of Lien has been recorded in the public records. City may foreclose the lien in accordance with the procedures established in Chapter 702, Florida Statutes, or successor or other statute providing for lien foreclosure procedures. Rollins College may obtain a release from the lien by paying the amount stated in the lien, plus accrued interest, plus attorney's fees and costs incurred by the City in filing and collecting upon the lien.

SECTION 7. GOVERNING LAW; VENUE

This Agreement shall be governed by and construed in accordance with the laws of the State of Florida. The exclusive venue for purpose of litigation in any action to construe or enforce the provisions of this Agreement shall be in a court of competent jurisdiction in and for Orange County, Florida.

SECTION 8. RECORDING

This Agreement shall be recorded, at Rollins College's expense, among the Public Records of Orange County, Florida no later than fourteen (14) days after full execution. Notwithstanding the foregoing, the same shall not constitute any lien or encumbrance on title to the Property and shall instead constitute record notice of governmental regulations, which regulates the use and enjoyment of the Property.

SECTION 9. TIME IS OF THE ESSENCE

Time is hereby declared of the essence as to the lawful performance of all duties and obligations set forth in this Agreement.

SECTION 10. SEVERABILITY

If any part of this Agreement is found invalid or unenforceable in any court, such invalidity or unenforceability shall not affect the other parts of this Agreement, if the rights and obligations of the parties contained herein are not materially prejudiced and if the intentions of the parties can be affected. To that end, this Agreement is declared severable.

SECTION 11. DEVELOPMENT PERMITS

Nothing herein shall limit the City's authority to grant or deny any development permit applications or requests subsequent to the effective date of this Agreement. The failure of this Agreement to address any particular City, County, State and/or Federal permit, condition, term or restriction shall not relieve Rollins College or the City of the necessity of complying with the law governing said permitting requirement, condition, term or restriction. Unless expressly authorized or granted herein, nothing in this Agreement shall constitute or be deemed to constitute or require the City to issue any approval by the City of any rezoning, Comprehensive Plan amendment, variance, special exception, final site plan, preliminary subdivision plan, final plat or subdivision plan, building permit, grading, stormwater drainage, engineering, or any other land use or development approval. These and any other required City development approvals and permits shall be processed and issued by the City in accordance with procedures with respect to same as otherwise set forth in the City's Code of Ordinances and subject to any conditions of approval thereof. This Agreement is approved under the City's home rule authority and is not a statutory development agreement under Chapter 163, Florida Statutes.

SECTION 12. SUBORDINATION/JOINDER

Rollins College represents and warrants to City that it is the fee simple owner of the Property. Unless otherwise agreed to by the City, all liens, mortgages and other encumbrances not satisfied or released of record, must be subordinated to the terms of this Agreement or the lienholder join in this Agreement. It shall be the responsibility of Rollins College to promptly obtain the said subordination or joinder, if necessary, in form and substance acceptable to the City Attorney, prior to the City's execution of the Agreement.

SECTION 13. NOTICE

Any notices required or permitted under this Agreement shall be addressed to the City, Owners and Rollins College at the addresses listed in the first paragraph of this Agreement, or at such other addresses designated in writing by the party to receive notice. Notices shall be either: (i) personally delivered (including without limitation, delivery by UPS, Federal Express or other commercial courier service), in which case they shall be deemed delivered on the date of delivery; or (ii) sent by certified mail, return receipt requested, in which case they shall be deemed delivered on the date shown on the receipt unless delivery is refused or intentionally delayed by the addressee, in which event they shall be deemed delivered on the date of deposit in the U.S. Mail.

SECTION 14. MISCELLANEOUS

a. Nothing contained in this Agreement nor in any instruments executed pursuant to the terms of this Agreement shall be construed as a waiver or attempted waiver by the City of its home rule authority, police power, zoning authority and sovereign immunity under the Constitution and laws of the State of Florida or any other privilege, immunity or defense afforded to the City or the City's officials, officers, employees and agents under the law.

b. This Agreement is entered into voluntarily by Rollins College without duress and after full review, evaluation and consideration by Rollins College. Rollins College is represented by counsel.

c. The captions or section headings of this Agreement are provided for convenience only and shall not be deemed to explain, modify, amplify or aid in the interpretation, or meaning of this Agreement.

d. City and Rollins College are not partners and this Agreement is not a joint venture and nothing in this Agreement shall be construed to authorize Rollins College to represent or bind the City to matters not expressly authorized or provided in this Agreement.

e. None of the parties shall be considered the drafter of all or any portion of this Agreement for the purposes of interpreting all or any portion of this Agreement, it being recognized that all parties have contributed substantially and materially to the preparation of this Agreement.

SECTION 15. TERM; EFFECTIVE DATE

This Agreement shall not be effective and binding until the latest date that this Agreement is approved by and signed by all parties hereto. The Agreement will be effective for 30 years from the Effective Date.

[SIGNATURES TO FOLLOW]

IN WITNESS WHEREOF, Rollins College and the City have executed this Agreement as of the day and year first above written.

Witnesses

ROLLINS COLLEGE

Name: _____

By: _____
Name: _____
Its: _____
Date: _____

Name: _____

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this ____ day of _____, 2017,
by _____, as _____ of _____. He
(She) ☐ is personally known to me or ☐ has produced _____ as
identification.

(NOTARY SEAL)

Notary Public Signature

(Name typed, printed or stamped)

CITY OF WINTER PARK, FLORIDA

ATTEST:

By: _____
Mayor Steve Leary

By: _____
City Clerk

STATE OF FLORIDA)
COUNTY OF ORANGE)

The foregoing instrument was acknowledged before me this ____ day of _____, 2017, by Steve Leary, as Mayor of the City of Winter Park, Florida, who is personally known to me.

Notary Public
Printed Name: _____
My commission expires: _____

Exhibit "A"
Legal Descriptions

Parcel 1:

LOT 15, LESS THE SOUTH 140 FEET, THE EAST 60 FEET OF LOT 16 LESS THE SOUTH 140 FEET, BLOCK 89, REVISED MAP OF TOWN OF WINTER PARK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK A, PAGES 67 THROUGH 72, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

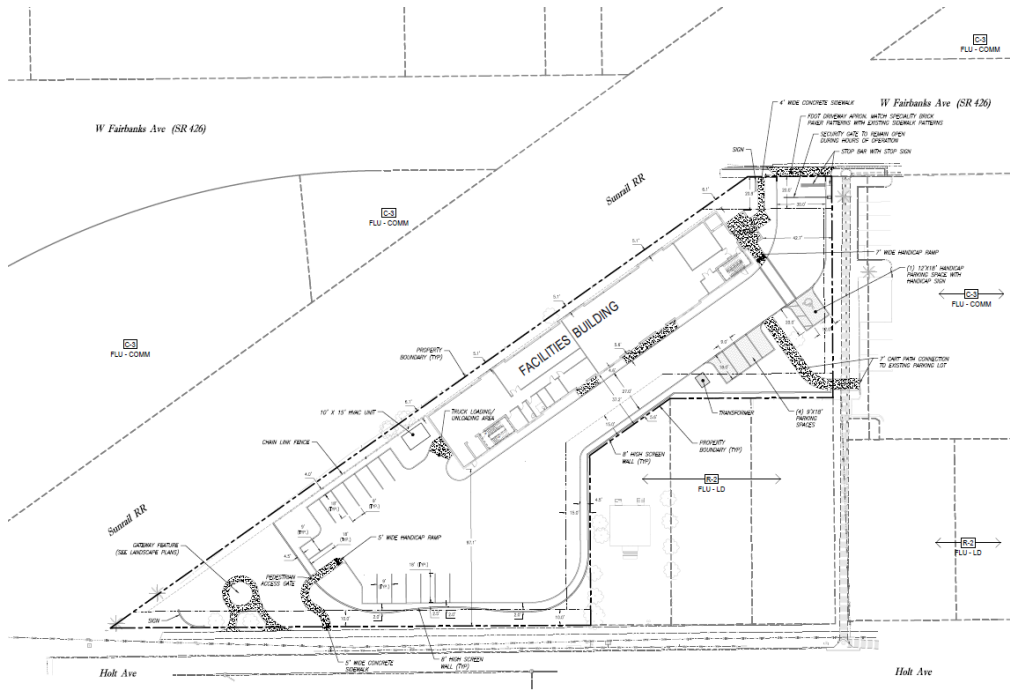
LESS AND EXCEPT THAT PART CONVEYED TO THE CITY OF WINTER PARK FOR ROAD RIGHT OF WAY AS SET FORTH IN THE QUIT CLAIM DEED RECORDED IN DEED BOOK 793, PAGE 629, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF LOT 15, BLOCK 89, REVISED MAP OF TOWN OF WINTER PARK, THENCE SOUTH 8 FEET, THENCE WEST TO THE SOUTHEASTERLY BOUNDARY LINE OF THE ATLANTIC COAST LINE RAILROAD, THENCE NORTHEASTERLY ALONG SAID SOUTHEASTERLY BOUNDARY LINE OF THE ATLANTIC COAST LINE RAILROAD RIGHT OF WAY TO FAIRBANKS AVENUE, THENCE EAST 42 FEET TO POINT OF BEGINNING, ALL BEING PART OF BLOCK 89, REVISED MAP OF TOWN OF WINTER PARK, AS RECORDED IN PLAT BOOK A, PAGES 67 THROUGH 72, INCLUSIVE, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

Parcel 2:

LOTS 17, 18 AND THE WEST 40 FEET OF LOT 16, BLOCK 89, REVISED MAP OF THE TOWN OF WINTER PARK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK A, PAGES 67 THROUGH 72, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

Exhibit "B" Site Plan



Jeffrey Briggs

From: Mary Grace Gordon <gordonmg@tampabay.rr.com>
Sent: Thursday, February 16, 2017 2:12 PM
To: Mayor and Commissioners
Cc: Dori Stone; Jeffrey Briggs
Subject: Support for the Rollins project at 450 W Fairbanks Ave

Dear Mayor Leary and Commissioners:

My name is Mary Grace Gordon of 550 Holt Ave and I support the Rollins Facilities Building project at 450 W Fairbanks Ave.

I am on the board for the College Quarter Neighborhood Association and have been involved in the discussions about the Rollins projects along Holt Ave. I also attended both of the neighborhood meetings hosted by Rollins College when they presented their plans to numerous members of our neighborhood. However, today, I write to you a **citizen and resident of our Historic District**.

Rollins should be commended for the manner in which they have approached all of their projects along Holt Ave, including this Facilities Building project. Rollins has proactively sought out neighborhood input and opinions. They have been transparent in the process, and have attempted in every way to develop a new spirit of collaboration between Rollins and the College Quarter.

As you may know, Rollins College is the largest homeowner in the College Quarter. As a neighbor who has been involved in this process, I can see that Rollins is feeling as though they are not just our next-door neighbor but they are an integral part of our Historic Neighborhood. Rollins has tried to work together for common solutions that will benefit both the neighborhood and the college.

Rollins has been very reasonable!! The question is: **"Can this reduced version of the Facilities Building function without negative impacts on the neighbors peace and tranquility and property values?"**

Last night Rollins hosted another neighborhood meeting to answer questions from the College Quarter neighbors. Here are the most important two questions from last night's meeting:

How will Rollins College use the Skilled Trades area of the new Facilities Building?

The first floor will be dominated by the skilled trades, the trades include plumbing, electrical, heating and air conditioning and ventilation, carpentry, and painting. Each of the trades will have their own space, these spaces will house specialized tools and equipment as well as spare parts and workspace. While the vast majority of work is performed in the field (on campus) some repairs and fabrication occurs in the shops. For example the electrical shop would house supplies such as wire, fuses, breakers, conduits, light bulbs, etc. and the shop space may be used to rewire a desk lamp that would later be returned to an office on campus. Another example the carpenter shop, a large open area with a variety of equipment including table saw, drill press, planer, power miter saw, belt and drum sander, and

a series of work tables. The shop space may be used for things such as furniture repair, window and screen repairs, small carpentry projects like custom shelves, etc.

Will the Facilities Building doors remain open during the hours of operation?

Rollins stated: "What may be even more important is what does not happen here, all work will be performed **within the building** not in the parking lot or on the grounds."

The Rollins skilled trade areas will be **totally enclosed**. The skilled trade areas will be air conditioned with filtered exhausts in appropriate areas that will vent out toward the railroad tracks. There are no doors that will be opened from the skilled trade areas. No one will be able to see, hear or smell anything coming from within the shops. All work will be performed **within the building** not in the parking lot nor on the grounds. There will be no outdoor work on-site and there will be no doors opened while work occurs within the Facilities Building.

When my husband heard about the 'activities to be expected within a facilities operations,' he said, "How would this be any different from what might occur in a neighbor's garage? The difference might be that the neighbor would have his garage door open and would do his work at night and on the weekends."

I am totally convinced that the new Rollins Facilities property project at 450 W Fairbanks will **function without negative impacts on the neighbors peace and tranquility and property values!!!** Actually, I believe that the improvement to our neighborhood will not only increase the value of our quality of life but also increase the value of our homes.

Please vote "yes" in support of the Rollins proposal on February 27th!

Your **positive** vote is imperative to the future of our neighborhood. Rollins is a great neighbor, if they sell this property to someone else, we will never see the care with which Rollins has planned their project at 450 W Fairbanks. Rollins has:

- Promised the undergrounding of the power lines along the Holt property
- Promised to protect trees and plant around 40 more trees
- Promised gorgeous landscaping and a lovely little park
- Promised to work with the City to connect the sidewalk on Holt Ave to the sidewalk on Pennsylvania
- Promised to enclose all work of the Skilled Trade Shops inside the Facilities Building – no sound, no sight, no smell
- Promised no vehicle entrance or exit from the Facilities Building onto Holt Ave, including no golf carts
- Reduced the original building plan by over 4,000 sq ft, reduced the length of the building by 111 ft, and reduced the height of the building
- Increased the original plan by adding 29 extra parking spaces (34 total spaces) and over 10% more FAR (35% total FAR)
- Increased the distance of the building from Holt Ave – it will be 97 ft away from our neighborhood!!

There are 150 homes in the College Quarter Historic residential neighborhood. I truly believe that there is a silent majority that supports Rollins work in our neighborhood. However, a few

vocal residents have expressed opposition (most of them wrote to you without hearing from Rollins College). However, they do **not** represent the entire neighborhood.

There is a **spiral of silence**. When there are negative folks who dominate the conversation or impose their views, it engenders an atmosphere of fear and causes those in support to remain silent instead of voicing their opinions. This vocal opposition may lead to a false perception that it represents the community as a whole. As politicians, you must see this occur everyday.

We are looking to you as leaders of our community to be reasonable in your decisions and to do what is **best for all parties**. For the good of the whole, I pray that your decisions are **guided with wisdom and insight**. **I have great faith in your good actions!!**

I feel called not be silent. I support the Rollins proposal for 450 W Fairbanks.

Again, please vote "yes" and support these wonderful improvements!!!

Thank you for your consideration.

With kindest regards,

Mary Grace

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Mary Grace Gordon

550 Holt Ave

Winter Park, FL 32789

(863) 583-2434 - Cell

PS: Does there even need to be a Conditional Use text change to the C-3 zoning in order to approve the Rollins project at 450 W Fairbanks Ave?

The Rollins Skilled Trade Shops are **totally enclosed** within the **Facilities Building**.

Please see **Sec. 58-76. Commercial (C-3) District**.

(b) Permitted uses.

(10) Uses customarily incidental and accessory to the permitted uses, including the **repair of goods** of the types sold in stores are permitted. **Such repair must be carried on within a completely enclosed building**, may not be carried on as a separate business, and provided further that there shall be no manufacturing, assembling, compounding, processing or treatment of products, other than that which is clearly incidental and essential to the permitted uses.

Do you think that perhaps this covers the work within the Rollins Facilities Building - Skilled Trade Shops?

Jeffrey Briggs

From: Mary Grace Gordon <gordonmg@tampabay.rr.com>
Sent: Tuesday, February 21, 2017 9:24 AM
To: Mayor and Commissioners
Cc: Jeffrey Briggs; Dori Stone
Subject: Please consider an amendment to the Conditional Use for C-3 Zoning

Dear Mayor Leary and Commissioners,

There are several neighbors in the College Quarter who would be much more supportive of the "Conditional Use" text change for the C-3 zoning code, if you would amend the Ordinance. The suggestion would simply be clarifications to what has been already been advertised.

Here is the suggestion:

"p. Facilities operations and skilled trade shops when serving a university or college. However, warehousing, distribution facilities, central receiving, and garbage collection are prohibited. Skilled Trade Shops and all repair activities shall be totally enclosed within the building. Skilled Trade Shops shall be defined as floor areas devoted to repair and parts storage within an enclosed building with the purpose of performing maintenance and repair of items related to a college or university by such skilled trades as plumbers, electricians, carpenters and painters for installation at a job site location."

Thank you for your careful consideration.

With kindest regards,

Mary Grace

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Mary Grace Gordon

550 Holt Ave

Winter Park, FL 32789

(863) 583-2434 - Cell

Jeffrey Briggs

From: Linda Merbler <lmerbler@gmail.com>
Sent: Monday, February 27, 2017 8:05 AM
To: Mayor and Commissioners
Cc: Jeffrey Briggs; City_manager
Subject: College Quarter Neighborhood- Zoning Change

My husband and I are not in agreement to the proposed zoning code text (C-3) change within the Winter Park Land Development Code to add 'a new conditional use for facility operations and skilled trade shops servicing a college or university within the C-3 zoning district'.

We live on McIntyre Avenue - a street which runs directly into Holt Avenue opposite the site that Rollins is currently seeking to develop. We are concerned that this zoning change could permanently alter the face of our neighborhood as the code change does not give any legal definition of 'facility operations' or 'skilled trade shops'. Without limitations and directives, areas of our neighborhood could be at risk of eventually being zoned 'industrial'.

We live in a distinct and beautiful neighborhood and we must prevent any possibility of changes that will be detrimental to the enjoyment of living in this unique pocket of Winter Park.

Please note our opposition to this zoning code change.

Linda & Ken Merbler
795 McIntyre Avenue

Jeffrey Briggs

From: Jennifer Clark <jenniferclarkncc@gmail.com>
Sent: Sunday, February 26, 2017 7:47 PM
To: Mayor and Commissioners
Cc: Jeffrey Briggs
Subject: 450 W. Fairbanks

Dear Mayor Leary and Commissioners,

My name is Jennifer Clark and I have resided at 736 Antonette Ave in College Quarter for 24 years. I have been a CQNA board member for two terms. I am currently serving my second term on the CQNA Board. At this time, I am voicing my perspective as a private resident of College Quarter. Because of differing views among board members and within the neighborhood, the CQNA board made a motion to not vote on and represent a collective viewpoint concerning the Rollins development at 450 W. Fairbanks Ave.

I was born and raised in Winter Park, attended Winter Park High School, and obtained both a Bachelors and Masters Degree from Rollins College. I like Rollins College and its many enriching contributions to our community. I supported the development of the Child Development Center (which is directly across from our home), and I look forward to the addition of the two faculty homes on Holt Ave. With all of the positive experiences I have had with Rollins College, I recognize there will be times that my views concerning their endeavors may not be as supportive.

The Rollins development at 450 W. Fairbanks challenges my willingness to be completely supportive. I am not arguing Rollins' ability to build beautiful buildings, provide lush landscape, or be good neighbors. I have concerns about the inherent function of this building and the vital and constant role it plays for the campus of Rollins College. I also have strong concerns about what could happen in the future at 450 W. Fairbanks. I want our City Commission to consider the important role it has in protecting the College Quarter neighborhood. I have reviewed the newest Rollins Development plan and there are a few areas that need more attention and will require your best judgement as leaders of our community. Rollins has claimed their transparency throughout this process and have made adjustments to their original plan. This has made the development at 450 W. Fairbanks seem more compatible within a residential neighborhood aesthetically, but the function of such a facility continues to pose negative issues that make it incompatible with College Quarter. There are three areas of this project that I strongly believe need your best thinking practices:

1. Many residents of the College Quarter neighborhood would like to have assurance from its Mayor and City Commission that the possibility of the future addition of the components of central receiving, warehousing, distribution, and garbage collection are prohibited on this property. This can either be accomplished by amending the requested ordinance to C-3 zoning prohibiting these functions within the Land Development Code, or if the City decides that Rollins does not need the conditional use applied to the C-3 zoning, these functions should be limited within the Development Plan including a duration of time (50 years) that these limits must be upheld. The same approach should be used in placing limits on the skilled trades component of the project prohibiting the following skilled trades: Auto Mechanics, Groundskeeping, Landscaping, or machine/shop welding.
2. Rollins has presented a cart path map to College Quarter residents that offers an incomplete ingress and egress plan for two reasons: Rollins does not presently own one of the properties on Holt and the end of the proposed cart path has the Rollins' golf carts exiting the wrong way on a one-way street. This one-way street is the busy entrance to both the retail part of their 601 & 330 Fairbanks property and to the Child Development Center where small children and their families will be entering and exiting. Golf

Carts are an important means of accomplishing the daily tasks of the Facility Building on the Rollins Campus. Mr Bitikofer has stated there are 26 that are used daily. It is not possible for Rollins to run their facility operations without the use of golf carts. College Quarter does not want the use of Holt Ave for golf carts to be part of the solution of a fallible cart path plan.

3. Rollins has stated that the current building plan sits 97ft from Holt Ave. I agree that this can be viewed as an improvement to the residents on Holt directly across the street from the facility building, but the building still remains much closer to the residents who reside on the same side of Holt Ave as the facility building. These residents will also be the ones most impacted by the function of this building. I believe it is imperative for the City Commission to require Rollins to build a 6ft brick wall along the property line that divides Holt and Fairbanks running along the backside of these homes. This will provide more protection from the noise and traffic the addition of this operations facility will generate. It will also create a buffer between the back of the Fairbanks Rollins Campus and the residents on Holt Ave.

The decision that will be made regarding the Rollins' development of 450 W. Fairbanks Ave should be approached in a way that shows mutual collaboration and genuine reciprocity between an ever-expanding college and the College Quarter residents who want the protection they deserve of a very well-established residential community. I don't believe these decisions should just be assessed in the black and white terms of "complete support for" or "complete opposition to". If you reach your decision by calculating the climate of College Quarter by quantifying such extreme positions, then you are minimizing the complexity of the pivotal and precedent setting decision you will be making.

Sincerely,

Jennifer L. Clark, MA, NCC, PA, LMHC
736 Antonette Avenue
407 920-4476

Jeffrey Briggs

From: Nancy Galyean <nangalyean@icloud.com>
Sent: Sunday, February 26, 2017 9:57 PM
To: Mayor and Commissioners; Jeffrey Briggs; City_manager
Subject: Here's a letter with my true feelings...

Dear Mayor and Commissioners,

I wrote a letter last Friday with regard to the proposed ordinance that establishes a “new conditional use for facility operations and skilled trade shops serving a college or university within the C-3 zoning district”. At the time I felt College Quarter had no choice but to accept Rollins’ proposed Facilities Building at 450 West Fairbanks Avenue; therefore, we should try our best to protect our neighborhood in any way we could.

Since then I decided to write a letter with my true feelings: **I do not want Rollins to move their facilities building** “one of the least attractive aspects of the campus, located on one of the most attractive locations on the campus” **to our beautiful historic residential neighborhood.** I cannot imagine that having this massive structure, twice the length of the Winter Park Farmer’s Market, could possibly add one cent to the value of my home. Our home is the largest investment we have and my husband and I are depending on the value of our home to eventually pay for assisted living, nursing home, and long-term care payments. I can just imagine when the realtor is showing our house and the client asks “What is that huge building just across Holt?” The realtor answers “Oh, that is Rollins’ Facilities Building for facility operations and skilled trades.” My point is, it will be very difficult to sell my home at the price it would bring without a “facility operations and skilled trades” building across the street.

I understand that Rollins College is landlocked and would like to expand beyond its campus. I also understand that the City of Winter Park would like to help Rollins with their request; however, I am alarmed that the City is giving higher priority to Rollins College than to its own citizens. *Example: The Agenda Packet for tomorrow’s meeting ends with 2 letters in favor of Rollins’ proposal, both from the same person, with no letters in opposition to Rollins’ request although I am aware of numerous opposition letters that have been sent. Why would the city not include any opposition letters?*

Rollins and the City of Winter Park are proceeding with this project with too many unknowns and unanswered questions: (1) The entrance/exit at Fairbanks needs a traffic study as the mixture of 3 streets crossing, railroad tracks, and this Rollins driveway is a setup for increased traffic problems; (2) The proposed cart path cannot come about until Rollins owns all the properties on Fairbanks, which it does not; there is no sense acting like this is a possibility until that deal is made. (3) The proposal states there will be 34 parking spaces; the diagrams (Planting Plan) shows 20, where are the other 14 spaces?

Mr. Mayor and Commissioners, it is very important for you to reassure the residents of College Quarter that there will never be central distribution/warehousing or garbage collection on this property.

Again, I do not want Rollins to move their facilities building to our beautiful historic residential neighborhood.

Thank you for taking the time to read my letter,

Nancy Galyean

Nancy M. Galyean
746 McIntyre Avenue
Winter Park, FL 32789-5044

Cell: 407.929.0903



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Jeffrey Briggs

From: Nancy Galyean <nangalyean@icloud.com>
Sent: Friday, February 24, 2017 12:55 PM
To: Mayor and Commissioners; Jeffrey Briggs; City_manager
Subject: Permanent Change to the Land Development Code

Dear Mayor and City Commissioners, Jeff Briggs, and City Manager,

I am a 40-year resident of College Quarter and have some concerns with regard to the proposed ordinance that establishes a "new conditional use for facility operations and skilled trade shops serving a college or university within the C-3 zoning district". If approved, this will be a **permanent change to the Land Development Code** that would affect any C-3 zoned property in Winter Park owned by a college or university. That could include not just Rollins, but also, Full Sail, Valencia, Orange Technical College-Winter Park Campus, or any other college or university within the City of Winter Park.

It is the responsibility of the Mayor and Commissioners of the City of Winter Park to define the terms "**facility operations**" and "**skilled trade shops**" so C-3 property owners do not take advantage of the surrounding residential community as they create their own "definitions."

Thank you for taking the time to make sure your citizens are protected.

Nancy Galyean

Nancy M. Galyean
746 McIntyre Avenue
Winter Park, FL 32789-5044

Cell: 407.929.0903



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Jeffrey Briggs

From: Bob Halback <bobhalback@embarqmail.com>
Sent: Friday, February 24, 2017 1:22 PM
To: Jeffrey Briggs; jjohnson@shutts.com; petergottfried@gis1.com; Mayor and Commissioners; sgdeciccio@gmail.com
Cc: nfreeman1954@gmail.com
Subject: Villa Tuscany Memory Care Proposal

February 24, 2017

The Mayor of Winter Park
The City Commissioners of Winter Park
Winter Park Planning and Zoning Commission

Dear Winter Park Representatives:

I am writing in connection with the planned development by Villa Tuscany Holdings, LLC to build a memory care facility at 1298 Howell Branch Road in the city of Winter Park. This building is a terrible idea, one I am surprised the city is even considering because it goes against every theme the city has expressed in its recent vision to the citizens of our municipality.

Theme 1 Cherish and sustain Winter Park's extraordinary quality of life.

Theme 2 Plan our growth through a collaborative process that protects our city's timeless scale and character.

Theme 3 Enhance the Winter Park brand through a flourishing community of arts and culture.

Theme 4 Build and embrace our local institutions for lifelong learning and future generations.

The proposed development cannot "cherish and sustain . . . quality of life" since it intends to pack a three story commercial unit in the middle of a residential neighborhood. Nor can it create a "collaborative process that protects our city's . . . scale and character" since it asks for a three story building on a city street and in a neighborhood that has no other buildings of that height. Additionally, there is little "collaboration" when the developers are asking for several variances to the building code.

Let us be clear: what is planned is a building that will be shoe-horned onto an undersized lot in a wetlands area on Lake Temple. If any of you have walked into the area in the rainy season, you would have discovered that the lake and wetlands flood up and out of the banks of the lake, nearly reaching the sidewalk on the East side of the property.

Also, one of the variances requested is to move the building outside of the current requirement for frontal easement closer to the current sidewalk. Obviously this request is because they do not have enough room on the current site for their planned construction. More evidence of the overbuilding of the site is that they plan to have parking on a different commercial property across Howell Branch Road. If they don't have enough parking on site, how can they plan for parking for visiting family members and medical workers?

Focusing more closely on the "timeless scale" of our vision, remember that another variance asks to build a three story building, exceeding the 35 foot height that is the current building code limit in this area. And, though the developers suggest differently, this commercial development will only compound the already congested traffic on Howell Branch Road. I can remember when the city was concerned about our streets being turned into pass-throughs to other areas and avenues of gridlock.

Finally, I would like to remind you that this area was also filled illegally, a matter which was addressed years ago by the city Commission. The developers made a poor property investment; it is not the city's job to help them profit from it.

Jeffrey Briggs

From: Elizabeth Bosserman <elizabethbosserman@gmail.com>
Sent: Friday, February 24, 2017 10:48 AM
To: Mayor and Commissioners; Jeffrey Briggs; City_manager
Subject: Concerns re: 501 Holt Ave., 450 W. Fairbanks Ave.

Dear Mayor Leary, Winter Park City Commission, Jeff Briggs, Randy Knight,

I am opposed to the request by Rollins College for a "Zoning Text Change to C-3 Zoning" and the future land use changes contained in this request. There are a number of reasons I am in opposition to this request, some of which I will share with you.

- The close proximity of a facilities operations and everything it brings with it....noise, increased traffic, mass and scale of the building in relation to our homes....to our neighborhood.

- The fact that there are no clear definitions provided by the City for the terms "facility operations" and "skilled trade shops".

With no clear definitions written by the City it leaves this change in the Winter Park Development Code open to interpretation

now and in the future. I feel that it is not the applicant's (Rollins College in this instance) prerogative to define said terms.

- The revised development plan does not adequately address the parking needs of a facility of this scale and size. Rollins

College personnel assured College Quarter residents that this concern had been appropriately addressed. This only to look at the renderings to see that the parking area has been scaled back.

- Another concern is the hours of operation. Are they 8:30 - 5:00 as we have been informed or has the start time been moved to 7:00 am? The operations, activities and the noise generated at this early hour could be a concern and a violation of the city noise ordinance.

I ask you follow through with implementing and protecting the Vision Themes highlighted in regard to the college's request.

"Cherish and sustain city's extraordinary quality of life."

"Plan growth through a collaborative process that protects the city's scale and character."

Elizabeth Bosserman
818 Antonette Avenue
College Quarter

Jeffrey Briggs

From: Melinda Wright <mwrightlcs@gmail.com>
Sent: Thursday, February 23, 2017 4:44 PM
To: Mayor and Commissioners
Cc: Jeffrey Briggs; city_manager@cityofwinterpark
Subject: Rollins College Zoning Change

This letter is to voice my opposition to the proposed new ordinance establishing "a new conditional use for facility operations and skilled trade shops serving a college or university within the C-3 zoning district."

Along with many of my College Quarter neighbors I am concerned about the ambiguity of this "conditional use", and its potential impact on my neighborhood. Consider all of the possibilities: increased truck traffic on residential streets, increased noise, increased parking problems, use of hazardous materials, the building of a structure grossly out of scale with its surroundings, increased light pollution—all things that can drastically change the character and livability of a community.

When Rollins College expands its footprint into the surrounding neighborhood it is no small thing. Zoning changes, even if they seem like small changes, have potentially large, unanticipated consequences that can affect the quality of life and the property values for the people who live in that neighborhood. College Quarter is home to individuals and families who own property and pay taxes. They deserve to be consulted, and to have a say in any proposed change.

Zoning laws are clear for a reason: they protect property and create desirable cities. As Winter Park grows ever denser in population, we need greater clarity in zoning, not less.

Jeffrey Briggs

From: Lee Van Valkenburgh <Lvanvalkenburgh@cfl.rr.com>
Sent: Wednesday, February 22, 2017 3:58 PM
To: Mayor and Commissioners
Cc: Jeffrey Briggs; City_manager
Subject: Proposed Zoning Change--C-3 Zoning Districts--Feb 27 Meeting

We write to express our opposition to the proposed ordinance, on the Commission agenda for February 27, requested by Rollins College relating to C-3 zoning districts. The proposed change, establishing a new conditional use for certain types of operations that serve colleges or universities, has the potential to cause significant damage to the properties and residents of the College Quarter district.

As you know, Rollins wishes to build a new facilities operations center on the wedge of vacant property that lies between Fairbanks and Holt Avenues. Frankly, any kind of commercial construction on that site has the potential to affect us and other residents negatively, with noise, traffic, and environmental pollution. Ask yourself whether you would be happy with a large industrial or commercial enterprise being built smack up against your own neighborhood, and you will understand our concerns.

We recognize that Rollins has significantly scaled back its project, and we appreciate the College's efforts to take into account the concerns of neighborhood residents. So while we would rather not have this new construction at the proposed site, if it is to be built there we ask that the proposed ordinance be sent back to staff for further work, specifically to carefully define "facility operations" and "skilled trade shops". While Rollins currently does not envision expanding its facilities center any further than currently proposed, needs can change over time and a future College administration may decide that it wants additional services and functions, e.g., warehousing, at this site. Constructing the language of the proposed new conditional uses more tightly would help ensure against that possibility and thus help protect our neighborhood.

Rollins is an important part of Winter Park, and we are glad the College is here. But ultimately the city exists for the benefit of its residents first, so we ask your help to ensure that the concerns of our neighborhood are reflected in any changes to the language relating to C-3 zoning.

Thank you for your consideration.

Sincerely,

Lee and Judy Van Valkenburgh
565 Huntington Avenue

Jeffrey Briggs

From: Irene DeVane <ide25@aol.com>
Sent: Wednesday, February 22, 2017 10:15 AM
To: Mayor and Commissioners; Jeffrey Briggs; City_manager
Cc: Jennifer Clark; Elizabeth Bosserman; Mary Grace Gordon; Peter Celeste; Gordon Blich Sr; fdallas
Subject: I Oppose the proposed ordinance to establish new conditional use.....

My name is Irene DeVane, I have lived in my home at 532 Holt Ave. for 12 years. After a few years living on Holt Ave. Rollins College acquired the property at 501 Holt Ave. which is directly across the street from my home. At that time we were told that Rollins would build a row of townhouses on the that property for faculty. Which was the best fit for our neighborhood and our property values and quality of life for the College Quarter District and especially for those of us who are home owners on Holt Ave. For most of us our homes are the largest investments we have and will depend on our property values going up in the future.

I strongly object to the proposed ordinance to establish a new conditional use for facility operations and skilled trade shops serving a college or university within the C-3 Zoning district without providing definitions of terms and neighborhood protection.

I would feel at ease with the new proposed plan as long as we are assured that there will be no surprises in the future. That will affect our quality of life and financial futures.

Thank you,
Irene H. DeVane
532 Holt Ave.
Winter Park, FL 32789

Sent from my iPad

Jeffrey Briggs

From: Melanie Rice <irisblue723@gmail.com>
Sent: Wednesday, February 22, 2017 9:12 AM
To: Mayor and Commissioners; Jeffrey Briggs; City_manager
Subject: College Quarter Neighborhood Petition

Gentlemen and Ladies,

As a resident of the Winter Park College Quarter Neighborhood, living close to the proposed Rollins project on Holt Avenue, I would like to make known my thoughts about the project.

I am in favor of the project, which I see as an improvement of the existing vacant lot, as long as the two terms "facility operations" and "skilled trade shops" are clarified and meet our expectations as homeowners and residents.

I reside at 468 Holt Avenue with my husband, Peter W. Rice.

Sincerely,

Melanie Rice

"Peace is not only better than war, but infinitely more arduous."

-- George Bernard Shaw

One ought, every day at least, to hear a little song, read a good poem, see a fine picture, and if it were possible, to speak a few reasonable words. -- **Johann Wolfgang von Goethe**

Jeffrey Briggs

From: Jennifer Clark <jenniferclarkncc@gmail.com>
Sent: Wednesday, February 22, 2017 6:42 AM
To: sbitikofer@rollins.edu
Cc: Mayor and Commissioners; Jeffrey Briggs
Subject: Questions Concerning 450 W Fairbanks Ave

Dear Scott,

I have been reviewing and considering the revised conditional use ordinance, the revised development plans, as well as today's recent request by Rollins to amend the start time of the facility building operations. My thoughts are as follows:

- 1) In recognizing Rollins' desire to collaborate with College Quarter and respect the boundaries of a residential neighborhood, it is imperative to consider the original plan of operation that was presented to the CQNA Board as well as to the residents of College Quarter. The original plan followed the city's noise ordinance code with the operation of your facility being between the hours of 8:30am - 5:30. On February 21, 2017, Rollins requested an amendment to the original agreed upon start plan by changing the start time of operations at 450 W Fairbanks Ave to 7:00 am. This change once again raises the issue of the compatibility of the function of this type of college operation within a residential neighborhood. The P&Z report states: "the other neighborhood compatibility issue is the sounds that this facility will generate.....It should be noted that "machines or devices"(the term used in the noise ordinance code) include trucks, golf carts and forklifts. If neighbors are awakened by the backup beeping or other operational noise before 8:00am, in violation of the Ordinance, inside their homes, then Rollins College will need to implement a plan that complies with the Ordinance"
- 2) The revised development plan only shows 20 parking spaces for a 17,410 square ft building. You stated in your statistics, that were presented to the College Quarter neighborhood, the plan to provide for 34 parking spaces that would be used for your many maintenance vehicles, 12-26 golf carts, and 65-80 employees. I believe the parking plan to be underdeveloped despite the "solution" of employees parking across Fairbanks at a vacant property next to Keke's. I am hoping this plan becomes more infallible as you move forward.
- 3) In maintaining appropriate boundaries within the collaborative relationship between Rollins College and College Quarter neighborhood, it is important for our city commissioners to expand on the definition of "facility operations" and skilled trade shops" within the text of the conditional use ordinance. This definition must prohibit the use of warehousing, central receiving, distribution, and garbage collection under the term of "facility operations" and provide a clear definition of what "skilled trade shops" consist of. This definition must be upheld without any exceptions (even hardship) because of a property's proximity to an established residential neighborhood. I realize this is not under your authority as it is the job of the city government to protect the integrity of its neighborhoods. The residents of College Quarter are looking for more expansive and clear text to be added to the Land Development Code from the Mayor and City Commissioners.
- 4) College Quarter residents are excited about the Rollins' plan to build an additional craftsman style home at 483 Holt Ave to be used as faculty housing. This adds even more of a stronger buffer/ soft transition between the College Quarter neighborhood and the facility building. Faculty housing and a child development center are compatible commercial uses within an established residential neighborhood with functions that enhance a neighborhood rather than detract from it. This type of use reinforces a positive intermingling of Rollins College and the residents of College Quarter. This is why it is important to prevent any possibility of incompatibility in the development of your facility operations building at 450 W. Fairbanks. Consistency in development and a

respect for the limitations that are present when building within a neighborhood is critical to positive collaboration.

On a side note, I was just curious as to when construction would begin on the faculty home at 483 Holt Ave?

Thank you for considering my thoughts. We do appreciate all of your hard work and willingness to create a mutually beneficial negotiation process.

Best,

Jennifer L. Clark, MA, NCC, PA, LMHC
736 Antonette Ave
407 920-4476



city commission public hearing

Item type	Public Hearing	meeting date	March 13, 2017		
prepared by	Jeff Briggs	approved by	<input checked="" type="checkbox"/> City Manager		
department	Planning and Community		<input checked="" type="checkbox"/> City Attorney		
division	Development		<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	5-0	final vote	
vision themes	<input checked="" type="checkbox"/> Cherish and sustain city's extraordinary quality of life. <input checked="" type="checkbox"/> Plan growth through a collaborative process that protects city's scale and character. <input type="checkbox"/> Enhance city's brand through flourishing arts and culture. <input type="checkbox"/> Build and embrace local institutions for lifelong learning and future generations.				

Subject: Request for Subdivision or Lot Split Approval for 1800 Edwin Blvd.

This request was not approved by the City Commission on January 9, 2017 due to a 2-2 tie vote. Based upon the petition (attached), the City Commission agreed on February 13, 2017 to rehear this request. The request has been re-advertised and notices mailed to surrounding property owners.

Randall Lazarus (contract purchaser) is requesting subdivision or lot split approval to divide the property located at 1800 Edwin Boulevard into two single-family lots. The zoning of this property is R-1A. The property is currently occupied by one single-family home, which the applicant plans to demolish.

Planning and Zoning Board Recommendation:

Motion made by Tom Sacha, seconded by Randall Slocum to approve the subdivision request to divide 1800 Edwin Boulevard into two single-family building lots. Each lot is proposed to be 62.5 feet in width and 9,375 square feet in size. The Board approved the lot width variance request of 62.5 feet as required in the R-1A zoning. In addition to the following condition:

1. That the final architectural elevations of the two proposed homes be of significantly different architectural styles and front façades from each other.

Motion carried unanimously with a 5-0 vote.

Summary: During the City's review process of subdivisions or lot split requests, there are two criteria that are reviewed. First is the 'Zoning Test' as to conformance with the zoning criteria. The next is the 'Comprehensive Plan Test' which is conformance to the neighborhood character.

ZONING TEST: This existing property is 125 feet wide along Edwin Boulevard and 18,774-square feet in size. The subdivided lots are proposed to be 62.5 feet wide, with lot areas of 9,375-square feet in size. The R-1A zoning requires a minimum of 75 feet of lot width, and a minimum of 8,500-square feet of land area. This request does not meet the R-1A lot dimension standards for lot width (62.5 feet vs. 75 feet), and variances are requested.

COMPREHENSIVE PLAN TEST: There are 78 homes within this neighborhood along Edwin Boulevard, Bryan, Lakemont, Phelps Aloma, Anzle, and Harris Avenues with the R-1A zoning (see attached map). The average lot width is 73 feet. The median lot width is also 73 feet.

Of the 78 homes compared, 30% of them have lot widths less than or equal to 62.5 feet and 70% of the neighborhood have lots greater than 62.5 feet. Thus, the proposed lot widths of 62.5 feet compare favorably only to 30% of the neighborhood.

The average lot area from this 78 home survey is 10,328-square feet, and the median lot area is 8,886-square feet. Thus, the proposed lot area (9,375-square feet each) compares favorably to the median and average lot area of the neighborhood.

DEVELOPMENT PLANS: The applicant has provided a generalized front elevation for the type of homes that they plan to build, and general site plans for the layout of the proposed new homes. The applicants will comply with the normal single-family development standards, setbacks, etc.

DEVELOPMENT OPPORTUNITIES: Lot split requests like these give the City an opportunity to provide input to the developers to encourage variety and character in their design to enhance our single-family neighborhoods. The applicant has provided generalized front elevations of the types of homes they plan to build, which depict two different architectural styles for the homes. Staff suggests that the final front elevations of the homes also be of varied architectural styles to each other to provide diversity to the neighborhood.

Planning Staff Recommendation: The staff recommendation was for denial since the proposed 62.5 foot lots widths are significantly smaller than the Code required 75 feet, and only 30% of the nearby homes are on lots of 62.5 feet or less.

Planning and Zoning Board Summary: The Planning and Zoning Board members felt that the lot split was in the best interests of the neighborhood for compatibility. P&Z felt that have two new homes of approximately 4,000 square feet in size each was much preferable for compatibility on this street than having one new home potentially of 7,000-8,000 square feet on the property as it now exists. There are a number of new homes in this immediate area that have been recently built or are under construction in the 3,500-4,000 square foot range which is larger than the older homes on these streets. To have a new home so much larger at 7,000-8,000 square feet would not be compatible, in the opinion of the P&Z Board, thus the P&Z Board recommendation was unanimously in favor of the request.

Planning and Zoning Board Minutes – December 6, 2016:

REQUEST OF RANDALL LAZARUS FOR: SUBDIVISION APPROVAL TO DIVIDE THE PROPERTY AT 1800 EDWIN BOULEVARD, ZONED R-1A, INTO TWO SINGLE FAMILY BUILDING LOTS. THE TWO LOTS ARE PROPOSED TO BE 62.5 FEET IN WIDTH AND 9,375 SQUARE FEET IN SIZE. THE 62.5 FEET OF LOT WIDTH REQUIRES A VARIANCE WITH LESS THAN THE 75 FEET OF LOT WIDTH REQUIRED IN THE R-1A ZONING.

Planner Allison McGillis presented the staff report. She explained that the applicant, Randall Lazarus (contract purchaser), is requesting subdivision or lot split approval to divide the property located at 1800 Edwin Boulevard into two single-family lots. The zoning of this property is R-1A. The property is currently occupied by one single-family home, which the applicant plans to demolish. She reviewed the criteria of the zoning and comprehensive plan test used in determining appropriateness of subdivision requests.

This is a situation where the proposed lot square footages are comparable to the neighborhood standard. However, the lots widths are significantly smaller than the Code required 75 feet, and only 30% of the nearby homes are on lots of 62.5 feet or less. In recognition that lot width variances are requested, and that the Comprehensive Plan comparison of lot widths does not support the request, the Staff Recommendation is for DENIAL. However, if APPROVED, staff recommends the following condition:

1. That the final architectural elevations of the two proposed homes be of significantly different architectural styles and front façades from each other.

Randall Lazarus, Classic Homes, 2981 West S.R. 434, Longwood, FL, proposes to build two single-family homes on the subject property that are compatible with the existing neighborhood. He explained that he built the home at 1850 Edwin Boulevard which is similar in width and dimension.

Mark Squires, Winter Park Land, 122 South Park Avenue, represented the sellers of the property in an estate sale. He discussed the character of the street from Phelps to Lakemont. The current lot size is 18,774 feet according to the OC Property Appraiser, larger than any lot on the street. He reviewed the lot sizes in the neighborhood. In addition the house that was developed across the street by the same applicant is very similar to what is proposed to be developed on the subject lots.

Mary Randall, 1000 South Kentucky Avenue, spoke in opposition to the request.

Sally Flynn, 1400 Highland Road, spoke in favor. She said that she supports approving the request due to the unusual configuration of the street. She feels that a large home would spoil the neighborhood and what the applicant is proposing is compatible with the existing neighborhood.

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

The Planning and Zoning Board members felt that the lot split was in the best interests of the neighborhood for compatibility. P&Z felt that have two new homes of approximately 4,000 square feet in size each was much preferable for compatibility on this street than having one new home potentially of 7,000-8,000 square feet on the property as it now exists. There are a number of new homes in this immediate area that have been recently built or are under construction in the 3,500-4,000 square foot range which is larger than the older homes on these streets. To have a new home so much larger at 7,000-8,000 square feet would not be compatible, in the opinion of the P&Z Board, thus the P&Z Board recommendation was unanimously in favor of the request.

Motion made by Tom Sacha, seconded by Randall Slocum to approve the subdivision request to divide 1800 Edwin Boulevard into two single-family building lots. Each lot is proposed to be 62.5 feet in width and 9,375 square feet in size. The Board approved the lot width variance request of 62.5 feet as required in the R-1A zoning. In addition to the following condition:

2. That the final architectural elevations of the two proposed homes be of significantly different architectural styles and front façades from each other.

Motion carried unanimously with a 5-0 vote.



Mark Squires <marksquires6@gmail.com>

Petition of non-objection to lot split at 1800 Edwin Blvd

1 message

Mark Squires <marksquires6@gmail.com>

Sun, Feb 12, 2017 at 10:19 AM

To: Sarah Sprinkel <sarah_sprinkel@yahoo.com>

Sarah - You'll be receiving from me this morning 2 sheets of paper with signatures of Edwin Blvd owners thereon. If the scan doesn't work from my home office, I'll go in to the WP Land Co. office and send them to you.

We started out with one sheet, but we kept repeatedly hitting some houses with nobody home and wanted to get this to you in time for tomorrow's City Commission meeting, so I copied the first sheet which let 2 of our group talk to different folks simultaneously. Both sheets are the same down to the red line and then are different.

On Edwin Blvd. 32789 there are 23 houses and no vacant lots at this time. There is a new house under construction at the SE corner of Edwin and Phelps, but it faces Phelps. Of the 23 houses, 2 are the applicant and the subject property (1815 and 1800), so they obviously do not object. Of the remaining 21, the petitions have signatures of non-objection from 16, so whether you count 18 out of 23 or 16 out of 21, the petitions meet the 70-75% figure you mentioned when you met with Pitt and me.

All 4 100' property owners have signed (1741, 1765, 1781, and 1770.), although we didn't get the last one at home until yesterday or we would have gotten this to you sooner.

The 3 docusign signatures are 1721, the new house just finishing out at the NE of Phelps and Edwin (owner now in Lake Mary) and absentee owners of 1805 (Mt. Dora) and 1861 (Sarasota).

We are hoping that you can bring this up at Commission tomorrow so the City can advertise and the revote can be held in March. Jeff Briggs is adamant that the matter does not have to come up before P & Z again, with the unanimous 7-0 vote in favor.

Sarah - There are a lot of people counting on your extra help on this. With email back and forth in our group, the sheets dimmed, so I will leave hard copies for you tomorrow morning at City Hall.

Many thanks and best regardsMark

--
Mark Squires Realtor
Winter Park Land Company
122 Park Avenue South., Winter Park, FL 32789
407-256-6677
marksquires6@gmail.com

A

We the residents of Edwin Blvd in Winter Park 32789 do not object to the lot split at 1800 Edwin Blvd. This split will give each lot 62.5 ft. of frontage and 150 ft. Depth thereby equalling 9,375 sq. foot lots. This lot split was approved by the Winter Park Planning and Zoning Board on Dec. 6 2016.

Wayne
H. H. H.

Name.	Address.	Signature
2/4 Laura Bermudez	1750 Edwin Blvd.	[Signature]
2/4 Michael Andersen	1735 Edwin Blvd	[Signature]
2/4 Judy Greenstein	1741 EDWIN BLVD	Judy Greenstein *
2/4 Betsy LeBoder	1765 Edwin Blvd.	Betsy LeBoder *
2/4 Michael McGilling	1850 Edwin Blvd	Michael McGilling
2/4 Roger Thorpe	1840 EDWIN BLVD	[Signature]
2/6 DENISE KAWASHIRO BABA	1830 EDWIN BLVD	[Signature]
2/6 CHRISTY GARRETT	1781 EDWIN BLVD	Christy Garrett *
2-6 KODIA S. SANCHEZ	1790 Edwin	KODIA SANCHEZ
2/10 Ann Sircelen	1799 Edwin	Ann Sircelen
2/11 Nita Kivall	1801 Edwin	Nita Kivall

Electrical
H. H. H.

Champion
C. C. C.

Mainak Patel 1721 Edwin Blvd.
Winder Witherell 1805 Edwin Blvd.
Patrick Ryskamp 1861 Edwin Blvd.

Mainak Patel dotloop verified 02/10/17 8:13PM EST EELD-KDOV-SINZ-ECRC
Winder Witherell dotloop verified 02/10/17 7:52PM EST PTEF-92TF-WKAD-ZLOV
Patrick Ryskamp dotloop verified 02/10/17 11:58PM EST FKKT-A97H-BISE-P54D

2/11 Masi Harrison 1890 Edwin
Agenda Packet Page 86

Mr. Hance

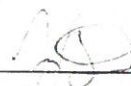
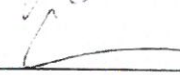
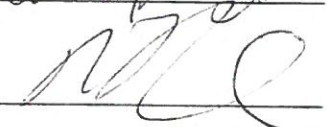

(B)

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Name.

Address.


Signature

2/4	Laura Bermudez	1750 Edwin Blvd.	
2/4	Michael Anderson	1735 Edwin Blvd	
2/4	Judy Greenstein	1741 EDWIN BLVD	Judy Greenstein *
2/4	Benny LaBoda	1765 Edwin Blvd.	Benny LaBoda *
2/4	Michael McGilly	1850 Edwin Blvd	Michael McGilly
2/4	Rogan Thorpe	1840 EDWIN BLVD	
2/6	DENISE KAWASHIRO BABA	1830 EDWIN BLVD	
2/6	CHRISTY GARRETT	1781 EDWIN BLVD	Christy Garrett *
2-6	HOPE J. SANCHEZ	1790 Edwin	HOPE J. SANCHEZ
2-11	Patty Cook	1770 Edwin Blvd	Patty Cook

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

City Commission Reports:

a. Commissioner Seidel - Reported he attended the lunch today with the Healthy Central Florida people who discussed the comprehensive plan and putting connectivity first. He spoke about the Champion Circle issue and the public meetings held. Addressed the electrical 10 year plan that is only a 10 year plan if funds are available. He asked that the website indicate that this project is contingent on pending funds and if the revenues allow this.

 b. Commissioner Sprinkel - Thanked the City Attorney for information provided to them regarding Champion. She spoke about the lot split public hearing of 1800 Edwin Boulevard where she was on the prevailing side that voted against it. She stated since then she has received a petition with 80% of residents on that street that support the lot split. She asked that this go back through the process and be put on an agenda for reconsideration of her vote because she can now support this. There was a consensus to reconsider this.

c. Commissioner Cooper - Addressed the Park Village issue regarding parking in the parking garage for the senior housing on Denning Drive and wanted to see the code fixed shortly. Spoke about Congresswoman Murphy's round table discussion scheduled for next week and if that will be rescheduled. Commented that the City will be hosting the Tri-County League of Cities lunch/meeting in March. Commissioner Cooper asked about the Mead Gardens issue from the last meeting and the motion to allow the ownership to rest with Mead Garden, Inc. Commissioner Weldon clarified his intent. She reported that there is a new advocacy consultant for the Florida League of Cities who will be holding a meeting on February 16 at Belle Isle. She stated if they can get their legislative write-ups together that would help.

d. Commissioner Weldon - Followed up on the discussion from the last meeting about the letter they received regarding bicycles, pedestrians and signage and ways to improve public safety. He spoke about his concerns with runners crossing the streets in the dark with no reflectors and wearing dark clothing. There was a consensus to investigate what other cities are doing to encourage communication with the public. He asked that our staff liaison raise this issue with the Transportation Board.

e. Mayor Leary - Spoke about the passing of Jim Thomas from the Thomas Lumber family. Stated he had the honor of attending the luncheon today with the German Counsel General Kline, the German Counsel for Puerto Rico, Virgin Islands and Florida. Reported that he spoke with Congresswoman Murphy and Mayor Jacobs and that he sat with Mayor Dyer recently and the community partner that

the camphor would be severely impacted as well as a large portion of the canopy would need to be removed on the west side to create the open pathway for vehicles and also on the south side for the townhouse. So while you could get around the trunk of the tree with a smaller driveway about 60% of the tree canopy would need to be removed; thus, the entire tree should be removed.

Motion made by Commissioner Seidel to approve the request; seconded by Commissioner Weldon. No public comments were made. **Upon a roll call vote, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and Weldon voted yes. The motion carried unanimously with a 5-0 vote.**

Commissioner Sprinkel asked that they receive information regarding any impacted trees before the meetings so they do not have to postpone items because of the lack of that information. It was agreed that this would be a procedure to follow.

→ b. Request of Randall Lazarus for subdivision or lot split approval to divide the property at 1800 Edwin Boulevard into two single family lots.

Planning Manager Jeff Briggs explained the request and lot width variance request of 62.5 feet as required in R-1A zoning. Staff recommendation was denial because it did not meet the frontage criteria but that the P&Z members felt the 62.5 lots fit in better with the character of Edwin Boulevard and that having two smaller homes was better than one much larger home.

Commissioner Sprinkel spoke against the request because of lowering the lot width and wanted the 75' to remain. Commissioner Cooper also spoke against the request because it failed the comprehensive plan test, the 62.5' did not favorably compare to the neighborhood, and that the code should be followed.

Commissioner Seidel declared a conflict of interest and did not vote. Form 8B is attached. He asked if that would make a difference if they had different size lots instead two lots the same size.

Commissioner Weldon addressed the lots across the street being comparable to this request so he agreed with the lot split request. Mayor Leary stated he attended the P&Z Board meeting and agreed that two homes would better fit into the neighborhood.

Motion made by Commissioner Weldon to approve the lot split request; seconded by Mayor Leary.

Mark Squires, Winter Park Land Company, representing the applicant/seller, spoke in favor of approving the request. He addressed this lot being the largest one on the street and that a 7,000 square foot house could be built that would not fit in with the street.

→ Upon a roll call vote, Mayor Leary and Commissioner Weldon voted yes. Commissioners Sprinkel and Cooper voted no. Commissioner Seidel recused himself from voting due to a conflict of interest. The motion failed with a 2-2 tie vote.

c. AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, PROVIDING FOR THE APPROVAL OF THE PROJECT WELLNESS FINAL PLAT AND ACCEPTANCE OF THE DEDICATIONS THEREIN, INCLUDING THE RECONFIGURED PUBLIC RIGHTS-OF-WAY; PROVIDING FOR THE VACATION AND ABANDONMENT OF CERTAIN PORTIONS OF MIZELL AVENUE, SOUTH EDINBURGH DRIVE AND NORTH PERTH LANE AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR THE VACATION AND ABANDONMENT OF CERTAIN DISTRIBUTION AND UTILITY EASEMENTS; PROVIDING FOR THE RENAMING OF CERTAIN PUBLIC RIGHTS-OF-WAY; PROVIDING FOR CONFLICTS, SEVERABILITY, AN EFFECTIVE DATE AND RECORDING First Reading

Planning Manager Jeff Briggs addressed the approval of Project Wellness in May 2016 and the requirement to adopt an ordinance for a re-plat that includes vacations of public streets. He stated nothing has changed from the prior approvals and that this also includes the renaming of roads.

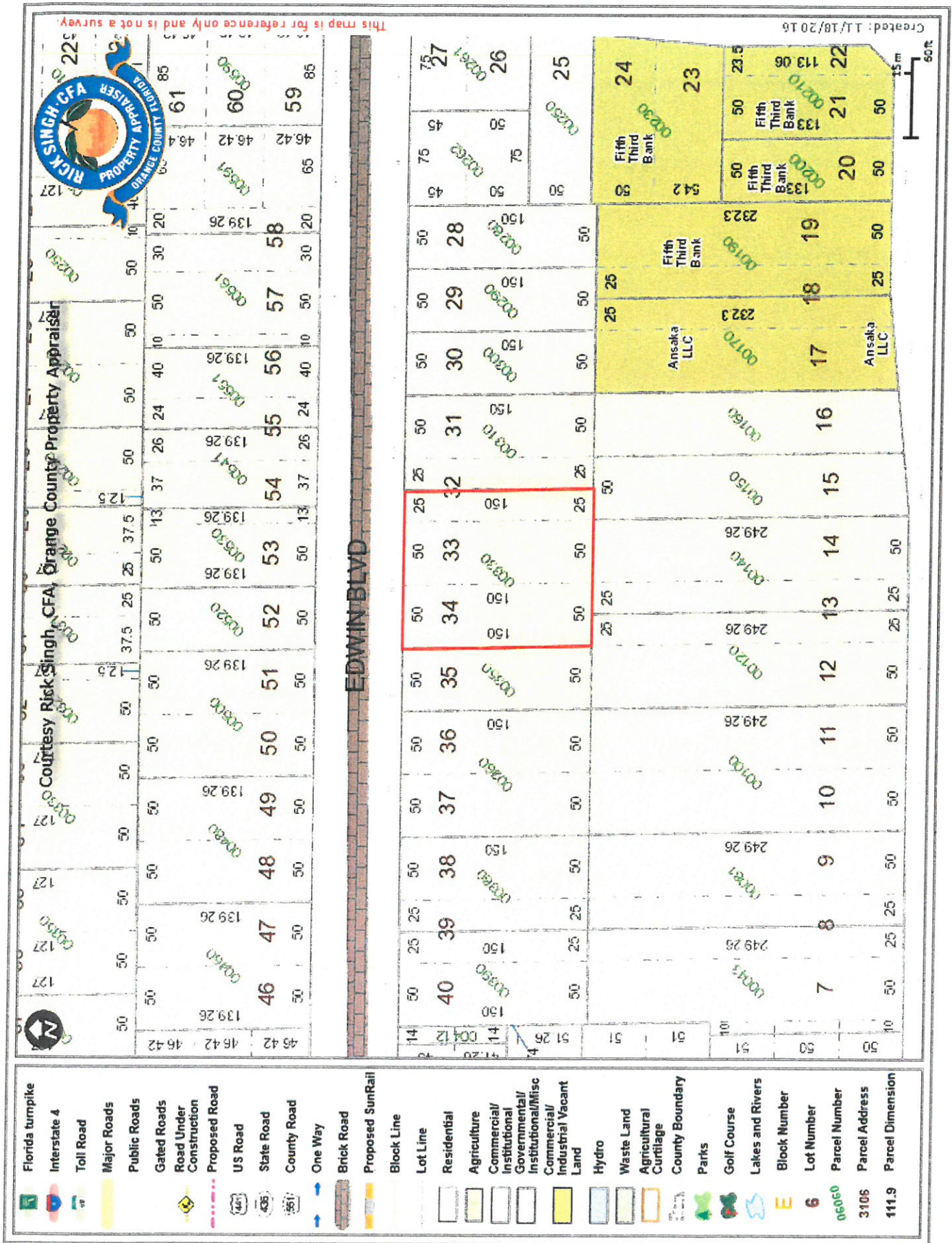
Motion made by Commissioner Sprinkel to accept the ordinance on first reading, seconded by Commissioner Weldon. No public comments were made. **Upon a roll call vote, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and Weldon voted yes. The motion carried unanimously with a 5-0 vote.**

d. Request of Phil Kean Designs:

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 LOW DENSITY RESIDENTIAL TO PARKING LOT ON THE NORTH 20 FEET OF 947 NORTH KENTUCKY AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE. First Reading

AN ORDINANCE AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO CHANGE LOW DENSITY RESIDENTIAL (R-2) ZONING TO PARKING LOT (PL) DISTRICT ZONING ON THE NORTH 20 FEET OF 947 NORTH KENTUCKY AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE. First Reading

Attorney Ardaman read both ordinances by title. Planning Manager Jeff Briggs explained the request. The property at 947 North Kentucky backs up to the rear of the properties at 906/912/952 West Fairbanks Avenue that holds the offices of Phil Kean Designs. Those collective buildings have been renovated and rebuilt over the past 3-4 years and are in conformance with the City's parking regulations.





Comprehensive Plan Test 1800 Edwin Boulevard Lot Split Request

City of Winter Park
Florida

LEGEND

- Subject Site
- R-1A Lots Within
- 500' of Site (78 total)

NOTES

Average Lot Width = 73 feet
 Median Lot Width = 73.5 feet
 Average Lot Size = 10,328 square feet
 Median Lot Size = 8,886 square feet
 23 Lots are 62.5' or Less in Width (30%)
 55 Lots are Greater than 62.5' in Width (70%)

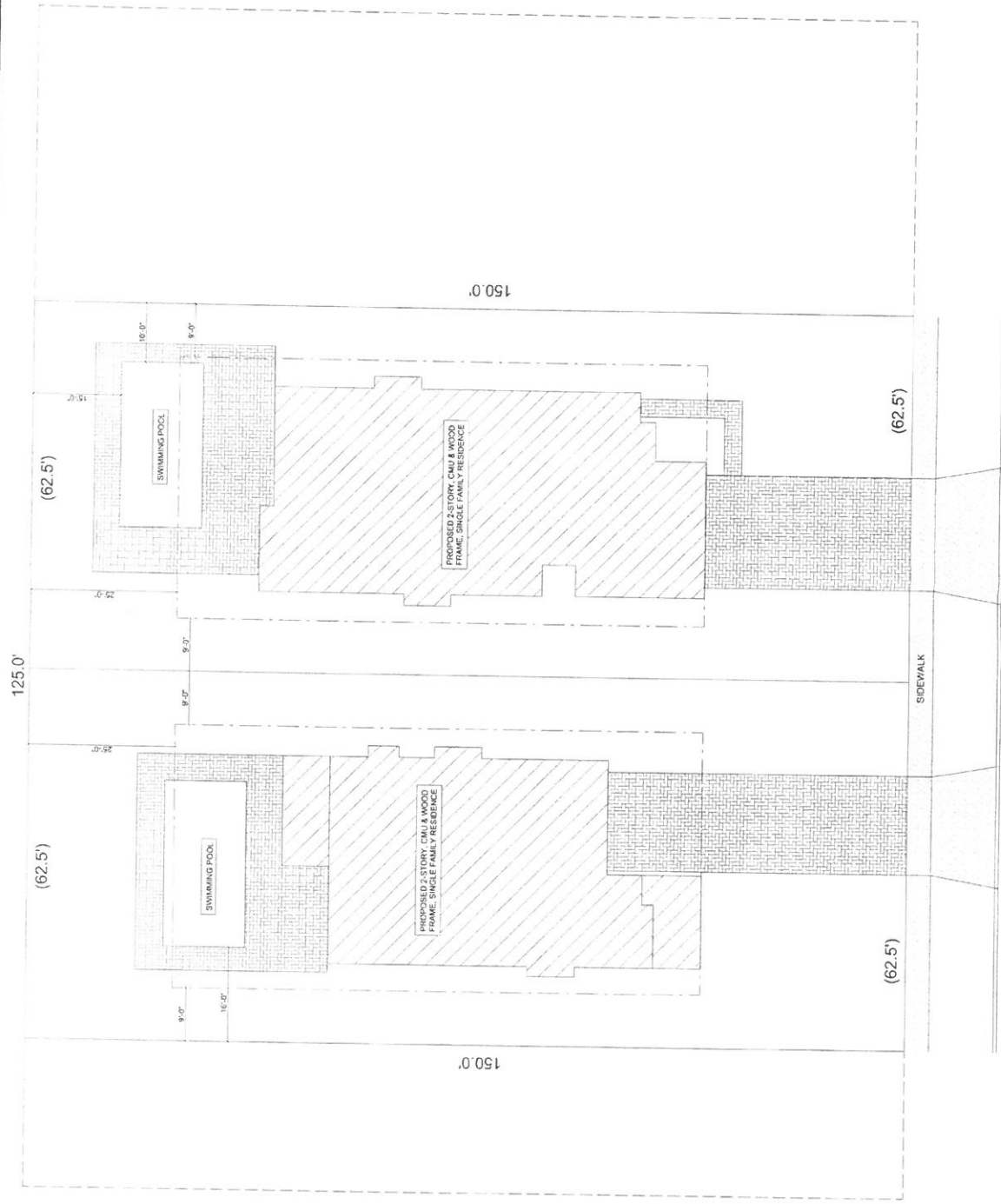


Date: 11/17/2016





EDWIN BLVD





city commission agenda item

Item type	Public Hearing	meeting date	March 13, 2017		
prepared by	City Manager	approved by	<input checked="" type="checkbox"/> City Manager		
department			<input checked="" type="checkbox"/> City Attorney		
division			<input type="checkbox"/> N/A		
board approval	<input type="checkbox"/> yes <input type="checkbox"/> no <input checked="" type="checkbox"/> N/A		final vote		
vision themes	<input type="checkbox"/> Cherish and sustain city's extraordinary quality of life.				
	<input checked="" type="checkbox"/> Plan growth through a collaborative process that protects city's scale and character.				
	<input type="checkbox"/> Enhance city's brand through flourishing arts and culture.				
	<input type="checkbox"/> Build and embrace local institutions for lifelong learning and future generations.				

subject

Proposed sale of 2600 Lee Road property SECOND READING OF ORDINANCE

motion | recommendation

Approve the sale of 2600 Lee Road to Glen Spivey (2600 Lee Road, LLC) for \$915,000.

background

The city acquired 2600 Lee Road in early 2015 for \$990,000. At the time the property appraised at \$830,000 but the City Commission determined it was in the best interest of the city to acquire the property to end threatened litigation as well as end the extensive ongoing criminal and code enforcement activity at the property.

The broker commission due CBRE on the sale will be \$41,600 so the net to the city before closing cost is \$873,400. The buyer will pay the commission to its broker.

Section 2.11 (b)(7) of the city charter requires an ordinance to convey any land of the city.

alternatives | other considerations

A second offer was received for \$930,000 but required the city to pay the co-broker fee of \$27,900 along with the city broker commission of \$42,200 bringing the net sale to \$859,900.

fiscal impact

The net proceeds from the sale will add to the General Fund undesignated fund balance (reserves).

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF WINTER PARK,
FLORIDA, AUTHORIZING THE CONVEYANCE OF THE
CITY OWNED PROPERTY LOCATED AT 2600 LEE ROAD
PURSUANT TO THE PROPOSAL ATTACHED HERETO
AS EXHIBIT “B”; PROVIDING FOR CONFLICTS AND AN
EFFECTIVE DATE.**

WHEREAS, Section 2.11 of the Charter of the City of Winter Park, Florida, authorizes the City Commission, by ordinance to convey or authorize by administrative action the conveyance of any lands of the City; and

WHEREAS, the City acquired the property located at 2600 Lee Road for the purpose of avoiding litigation costs and to eliminate ongoing criminal activity and code compliance issues associated with the use of the property; and

WHEREAS, the City has determined that there is not a municipal use of this property; and

WHEREAS, the City Commission deems it advisable to convey said property to 2600 Lee Road, LLC pursuant to the terms of the proposal attached hereto as Exhibit “B”.

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF WINTER PARK:

SECTION 1. The recitals stated hereinabove are incorporated herein by reference and are made fully a part of this Ordinance.

SECTION 2. The property that is authorized to be conveyed by the City to 2600 Lee Road, LLC is the property identified in Exhibit “A” attached hereto and made a part hereof by reference, with a street address of 2600 Lee Road, Winter Park, Florida.

SECTION 3. The City Commission of the City of Winter Park hereby approves the transfer and conveyance of 2600 Lee Road, Winter Park, Florida to 2600 Lee Road, LLC subject to the terms of the proposal identified as Exhibit “B” attached hereto and made a part hereof by reference and the terms and conditions of a purchase and sale contract to be negotiated and executed between the parties. This Ordinance is not intended to be a final acceptance of an offer to purchase or sale such property; as such acceptance is subject to the negotiation and execution of a purchase and sale contract in a form acceptable to the City.

SECTION 4. This Ordinance shall constitute the authorization by the City Commission pursuant to Section 2.11 of the Charter of the City of Winter Park, Florida,

for the transfer and conveyance of the property set forth above. The City Commission of the City of Winter Park hereby authorizes City Manager and City Attorney to negotiate a purchase and sale contract and authorizes the Mayor to execute such purchase and sale contract and deed of conveyance on behalf of the City, as may be required to effectuate the intent of this Ordinance.

SECTION 5. CONFLICTS. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

SECTION 6. EFFECTIVE DATE. This Ordinance 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 in City Hall, Winter Park, on this ____ day _____, 2017.

Mayor Steven Leary

ATTEST:

City Clerk, Cynthia S. Bonham

Ordinance No. _____
Page 2

EXHIBIT "A"
CITY PROPERTY

LOTS 1, 2, 3 and 4, Block B, Killarney Acres, according to the plat thereof as recorded in PLAT BOOK "O", Page 49 of the Public Records of Orange County, Florida.

Parcel ID#: 02-22-29-4164-02-010

Ordinance No. _____
Page 3



EXHIBIT "B"

ADVISORY & TRANSACTION SERVICES
Licensed Real Estate Broker

CBRE

CBRE, Inc.
200 South Orange Avenue
Suite 2100
Orlando, FL 32801
T 407 279 0050
F 407 404 5001
bobby.palta@cbre.com
www.cbre.com/bobby.palta

R. Bobby Palta
First Vice President
Retail Properties Group

Glen Spivey
The Spivey Group, Inc.



February 16, 2017

Re: Letter of Intent to Purchase for 2600 Lee Road – Winter Park, FL 32789

Pursuant to our initial discussions of the above referenced property, please consider our proposal for sale of the subject property according to the following terms and conditions:

Property:	Parcel ID: 02-22-29-4164-02-010 See Exhibit "A"
Purchaser:	2600 Lee Road, LLC c/o Glen Spivey or its wholly owned assigns.
Seller:	The City of Winter Park or its related entities.
Purchase Price:	The purchase price for the subject property shall be the sum of Nine Hundred Fifteen Thousand Dollars (\$915,000) all cash, at the close of escrow.
Deposit:	<p>A deposit of Twenty-Five Thousand dollars (\$25,000) will be delivered to a mutually agreed upon escrow account upon execution of a fully executed contract which shall be held in a non interest-bearing account.</p> <p>Upon expiration of the inspection period and any extensions thereof, Purchaser shall make an additional deposit of Seventy-Five Thousand Dollars (\$75,000) which together with the initial deposit shall become non-refundable, provided however that the Purchaser has not terminated the purchase and sale agreement.</p> <p>All deposits paid shall be applied to the purchase price.</p>
Inspection Period:	<p>Purchaser shall have Sixty (60) days from the effective date of the contract to perform the inspection of the property and related documentation in order to ensure suitability of property for intended use. Seller may, in Seller's sole discretion, furnish due diligence materials to Purchaser within Ten (10) business days of the effective date of the contract that includes:</p> <ul style="list-style-type: none">• Current site plan of the parcel and space/floor plan of the Premises (if applicable);

EXHIBIT "B"

Glen Spivey
February 16, 2017
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	<ul style="list-style-type: none"> • Applicable reciprocal parking agreements, REAs, CC&Rs and seller's restrictive covenants; • Engineering and environmental studies in Seller's Possession including Phase I reports (and Phase II reports if applicable); • Soils or geotechnical reports; • All surveys; • Preliminary title report or current title insurance policy with copies of all exceptions; • Rules and regulations applicable to the parcel; • Description of all major mechanical components for the building and age including: HVAC, Electrical Service, Grease Trap, Natural Gas. (if applicable) • Copies of all service and maintenance contracts and any other agreements affecting the property. (if applicable) • Sign criteria applicable to the development • Any other detailed plans and drawings (or AutoCAD DWG files) reasonably necessary for Purchaser to commence its work on the Premises. <p>If for any reason the Purchaser does not find the property and terms suitable for its intended use, the Purchaser has the right to cancel the contract. Purchaser will provide Seller with digital copies of any surveys, site plans, reports or any other due diligence materials done on the property at no cost to Seller prior to release of any Deposits.</p>
Closing:	Within Thirty (30) days of the expiration of the Inspection Period.
Contract:	Within Ten (10) days of acceptance of this offer by Seller, Seller shall present Purchaser with a contract acceptable to Seller for said property. Purchaser and Seller shall make reasonable efforts to negotiate and execute a contract within Fifteen (15) business days from receipt of contract.
Closing Costs:	<p>The following costs and expenses will be paid as follows in connection with the Closing:</p> <p>Seller will pay:</p> <ul style="list-style-type: none"> • Seller's attorneys' fees. • One-half of the escrow and closing fees charged by the Title Company. • The cost of preparation of the Deeds and other documents of conveyance. • The premium and all other costs and charges for the standard owner's title insurance policy, excluding any endorsements or supplemental coverage Purchaser may choose to obtain. • All document stamp tax fees on the Deed. • Such other costs as are allocated to Seller under this Agreement. <p>Purchaser will pay:</p> <ul style="list-style-type: none"> • Purchaser attorney's fees. • One-half of the escrow and closing fees charged by the Title Company. • The cost to obtain the Survey. • Any filing fee to record the Deeds.

CBRE

EXHIBIT "B"

Glen Spivey
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	<ul style="list-style-type: none">• The premium and all other costs and charges for any endorsements and additional coverage Purchaser may choose to obtain for the owner's title insurance policy, and any lender's title insurance policy and endorsements or supplemental coverage obtained by Purchaser.• All costs, fees, expenses, and mortgage registration taxes incurred in connection with any mortgage financing obtained by Purchaser.• Such other costs as are allocated to Purchaser under this Agreement.
Title:	Seller shall select a title agent and title underwriting company (the "Title Company") to issue an owners' title insurance policy in connection with the purchase, and deliver a title insurance commitment to Purchase no later than thirty (30) days after full execution of the Purchase contract.
Brokerage:	CBRE, Inc. exclusively represents the Seller in this transaction. Purchaser is responsible for paying any brokerage fees related to Purchaser's broker this transaction.
Expiration:	This letter of Intent shall be valid until 5:00 p.m. EST on February __, 2017 at which time it shall become null and void.
Billboard:	Per surveys, except for the western catwalk overhead, the entire Clear Channel billboard structure is located and exists on the adjacent property to the east, owned by Florida Hospital. City's code prohibits any new billboard sites and no replacement of that structure is permitted.

This letter/proposal is intended solely as a preliminary expression of general intentions and is to be used for discussion purposes only. The parties agree that this letter/proposal is not intended to create any agreement or obligation by either party to negotiate a definitive lease/purchase and sale agreement and imposes no duty on either party to continue negotiations. The parties intend that neither shall have any contractual obligations to the other with respect to the matters referred herein unless and until a definitive agreement has been fully executed and delivered by the parties.

Sincerely,



Bobby Palta
First Vice President
CBRE, Inc.

CBRE

EXHIBIT "B"

Glen Spivey
February 16, 2017
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ACCEPTED BY SELLER – CITY OF WINTER PARK


Signature

Printed Name

Its

Date

ACCEPTED BY PURCHASER – 2600 LEE]*
ROAD, LLC



Signature

Glen Spivey

Printed Name

Its

2-17-17

Date

* Have not formed entity yet.

CBRE

EXHIBIT "B"

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EXHIBIT "A" LEGAL DESCRIPTION

Lots 1, 2, 3 and 4, Block "B", KILLARNEY ACRES, according to the plat thereof, as recorded in Plat Book "O", Page 49, of the Public Records of Orange County, Florida. (Less right-of-way on the North, for Lee Road (State Road 438), as recorded in Minute Book 87, Page 907, of the Ninth Judicial Circuit in Orange County, Florida).

CBRE

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING SECTION 6-5 OF CHAPTER 6 OF THE CODE OF ORDINANCES OF THE CITY OF WINTER PARK CONCERNING DISTRIBUTION OF HANDBILLS; PROVIDING FOR REGULATIONS OF DOOR-TO-DOOR DISTRIBUTION OF LEAFLETS, PAMPHLETS, AND OTHER HANDBILLS UPON PRIVATE PROPERTY; PROVIDING FOR REASONABLE AND CONTENT-NEUTRAL REGULATIONS OF EXPRESSION AND SPEECH; PROVIDING FOR REGULATIONS NECESSARY TO MAINTAIN AESTHETICS OF THE CITY AND TO PREVENT THE EXCESSIVE ACCUMULATION OF LITTER BY PROVIDING THE LEAST RESTRICTIVE MANNER OF SECURING EXPRESSIVE ITEMS; PROVIDING FOR EXEMPTIONS; PROVIDING FOR ENFORCEMENT; PROVIDING FOR CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the City of Winter Park (the “City”) recognizes that pamphlets, leaflets, brochures, handbills, and other similar expressive materials have traditionally played a vital role in the progress of and shaping of our nation; and

WHEREAS, the City recognizes that pamphlets, leaflets, brochures, handbills, and other similar expressive materials are afforded governmental protections as set forth in federal and Florida law; and

WHEREAS, the City recognizes that the protections of the First Amendment to the United States Constitution extends to the door-to-door distribution of pamphlets, leaflets, brochures, handbills, and other similar expressive materials to occupants of private premises; and

WHEREAS, federal and Florida courts have held that the prevention of litter, protection of the aesthetics of the City, and the safety of the community, in certain circumstances, constitute substantial governmental interests; and

WHEREAS, the excessive accumulation of pamphlets, leaflets, brochures, handbills, and other similar expressive materials on private premises may constitute a nuisance and may also indicate temporary or permanent vacancy of private premises, which otherwise could lead to criminal targeting or vandalism of such temporarily or permanently vacant private premises; and

WHEREAS, pursuant to section 403.413, Florida Statutes, the Florida legislature has enacted the Florida Litter Law, which provides that the discarding, placing, or depositing of litter in or on any private property is prohibited, unless prior consent of the owner has been given and unless the dumping of such litter by such person will not cause a public nuisance or otherwise be in violation of any other state or local law, rule, or regulation; and

WHEREAS, the City desires to balance the freedom of speech and freedom of expression protections afforded by federal and Florida law with the protected desire of certain private property owners to be left alone or to not have their rights of privacy disturbed or otherwise have pamphlets, leaflets, brochures, handbills, and other similar expressive materials deposited or discarded without their consent upon their private premises; and

WHEREAS, the City desires to balance the freedom of speech and freedom of expression protections afforded by federal and Florida law with the substantial governmental interests in the prevention of litter, the maintenance of the aesthetics of the City, and an attempt to curtail visual blight caused by excessive accumulation of litter;

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

SECTION I: RECITALS. The above recitals are true and correct and constitute legislative findings of the City Commission of the City of Winter Park.

SECTION II: That SECTION 6-5 is hereby amended to read as follows (~~struckout text~~ indicates deletions while underlined text indicates additions):

Section 6-5. – *Distribution of Handbills.*

(a) *Definitions.* The following words, terms, and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Distribute means to deposit, place, discard, deliver, throw, scatter, hand out, or circulate.

Handbill means any unsolicited merchandise, advertisements, flyers, dodgers, circulars, leaflets, pamphlets, papers, booklets, magazines, newspapers, newsletters, or any other printed or otherwise reproduced original or copies of any matter or literature~~printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, paper, booklet or any otherwise reproduced original or copies of any matter of literature,~~ whether of a commercial nature or not.

Private premises means any dwelling, house, building, or other structure, designed or used wholly or in part for private residential purposes, whether inhabited or temporarily or continuously uninhabited or vacant, and shall include any yard, grounds, walk, driveway, porch, steps, vestibule, or mailbox belonging or appurtenant to that dwelling, house, building, or other structure.

(b) Declaration of policy.

It is the policy of the City in keeping with the laws of the United States of America and the spirit of the Constitution of the State of Florida, to promote and balance its concerns for community aesthetics, safety, and littering combined with the right of private owners of property to be left alone and otherwise not have their private property invaded or littered by those who do not have permission to use it with the guaranteed and inalienable rights of members of the public to express and exercise their rights to free speech and expression on and about private property in certain instances.

~~Name and address of distributor.~~ In order that residents of the city may notify distributors that they do not wish to receive handbills at a particular location in the future, it shall be unlawful for any person to distribute handbills which do not have printed on the cover of the handbill, front or back, the name, address and telephone number of the person who caused the handbill to be distributed.

(c) Distribution ~~at residences~~ of handbills on private property.

- (1) Generally. It shall be unlawful for any person to distribute any handbill upon or at any private premises a residence, on the property or on the residential mailbox if requested by a person owning or occupying the residence through a telephone call or letter to the distributor as named therein pursuant to subsection (b) of this section any person owning or occupying those premises not to do so, or if there is placed on the premises in a conspicuous position near the entrance, a sign bearing the words "No Trespassing," "No Peddlers or Agents," "No Advertisement," "No Solicitation," "No Unsolicited Newspapers," "No Solicitors or Peddlers," or any similar notice or phrase indicating in any manner that the occupant(s) of the private premises desires to be left alone or to not have his or her right of privacy disturbed or not to have any handbills left upon his or her premises.
- (2) ~~It shall be unlawful for any person to distribute any handbill at a residence, on the property or on the residential mailbox, if a sign is placed in a conspicuous position on the premises which reads "no trespassing," "no peddlers," "no advertisements," "no unsolicited newspapers," or any similar phrase, clearly indicating that the occupants of the premises do not desire to have their right of privacy disturbed or to have any such handbill left upon the premises~~Manner of distribution and placement. It shall be unlawful for any person to distribute any handbill in or upon any private premises which are inhabited except by handing or transmitting such handbill directly to the owner or occupant of the private premises who consents to such distribution; provided, that in the case of inhabited, private premises which are not posted as provided in subsection (c)(1), such person, unless requested by anyone upon the premises not to do so, may place or deposit the handbill in or upon the inhabited private

premises, so long as the handbill is so placed or deposited as to secure or prevent it from being blown or drifted about the premises or elsewhere and such placement or deposit does not damage or otherwise cause material interference with the premises as is or should be apparent to a reasonable person, except that mailboxes may not be used for distribution when prohibited by federal postal laws or regulations.

(3) *Placement of handbills on vacant private premises.* Notwithstanding the preceding provisions, it shall be unlawful for any person to distribute any handbill in or upon any private premises where it is or should be readily apparent to a reasonably prudent person that the property is uninhabited or has been otherwise vacant for a substantial period of time.

(4) *Excess accumulation of litter.* It shall be unlawful for any person to distribute any handbill in or upon any private premises where it is or should be apparent to a reasonable person that multiple previous days' distributions of any such material have not been removed or such distribution or deposit results in an excessive accumulation of handbills that is or should be apparent to a reasonable person.

(d) *Exemptions.* This section shall not apply to the distribution of mail by the United States or to the distribution of any printed material pursuant to a subscription or with prior consent of a recipient. The provisions of this section shall not apply to the regular delivery of newspapers, magazines, or other similar materials which have been subscribed to by the persons receiving them or by occupants of the residence to which they are delivered whereby consent to receive such items has been given or by the distribution of mail by the United States Government. Notwithstanding the preceding, the exempted materials referenced herein shall still be subject to the manner of placement provisions set forth in subsection (c)(2) relating to placement or depositing so as to secure such materials in a manner that does not damage or otherwise cause material interference with the premises.

(e) *Enforcement.*

(1). *Generally.* This section shall be enforceable against any business, entity, or individual distributing, sponsoring, or directing that a handbill be distributed in violation of this section. To the extent multiple businesses, entities, or individuals are determined to have committed the same violation(s) of this section, then such business, entities, or individuals shall be jointly and severally liable for such violation(s). The city may pursue, at its sole discretion, one (1) or more liable parties for recovery or imposition of costs, fees, and/or fines. Violations of this section may be enforced by any authorized agent or employee of the city whose duty it is to ensure compliance with the codes and ordinances of the city in accordance with chapter 162, Florida Statutes, and other provisions of this Code, including but not limited to, code inspectors, law enforcement officers, and code enforcement or code compliance officers. Violations of this section

are hereby declared violations of an itinerant or transient nature and may be determined irreparable or irreversible under the particular circumstances.

(2) *Enforcement mechanisms.* The city shall have the right, in its sole discretion, to one (1) or more of the following remedies or actions in the event a violation of this section has occurred or is occurring in accordance with Florida law, chapter 162, Florida Statutes, and Chapter 1, Article II and Chapter 2, Article III, Division 5 of this Code: initiation of **code enforcement or code compliance proceedings** against any and all alleged violators of this section; prosecution as a criminal misdemeanor punishable by a fine not exceeding \$500.00 or imprisonment for a definite term not exceeding sixty (60) days, or by both such fine and imprisonment in the discretion of the court; issuance of a civil citation, which shall be punishable as a Class III Offense with a civil penalty of \$200 per violation as set forth in Article II, section 1-23 of this Code; initiation and prosecution of any appropriate action at law or in equity to bring about compliance or remedy, including but not limited to, instituting an action in any court to enjoin violations of this section, in which case the violating business, entity, and/or individual shall be liable to the city for reimbursement of the city's attorneys' fees and costs relating to such action.

SECTION III: INCONSISTENCY. If any Ordinances or parts of Ordinances are in conflict herewith, this Ordinance shall control to the extent of the conflict.

SECTION IV: SEVERABILITY. If any section, subsection, sentence, clause, phrase, provision, or word of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then such invalidity or unconstitutionality shall not be held to invalidate or impair the validity, force, or effect of any other remaining provisions of this Ordinance.

SECTION V: CODIFICATION. Section II of this Ordinance shall be codified or made a part of the City of Winter Park Code of Ordinances.

SECTION VI: This Ordinance shall become effective immediately upon approval by the City Commission at its second reading.

First reading held on the _____ day of _____, 2017.

Second reading, public hearing, and adoption held on the _____ day of _____, 2017.

**City of Winter Park
City Commission**

Steven M. Leary, Mayor

Attest: _____
Cynthia S. Bonham, City Clerk

Approved as to legal form and sufficiency for
the City of Winter Park, Florida only:

A. Kurt Ardaman, City Attorney