

**CITY OF WINTER PARK
REGULAR MEETING OF THE CITY COMMISSION
November 28, 2005**

The meeting of the Winter Park City Commission was called to order by Mayor Kenneth A Kip@ Marchman at 3:30 p.m. in the Commission Chambers, 401 Park Avenue South, Winter Park, Florida.

The invocation was offered by Fire Chief Jim White, followed by the Pledge of Allegiance.

Members present:

Mayor Kenneth Marchman
Commissioner John Eckbert
Commissioner Barbara DeVane
Commissioner Douglas Metcalf
Commissioner Douglas Storer

Also present:

City Attorney Trippe Cheek
City Manager James Williams
City Clerk Cynthia Bonham

MAYOR'S REPORT:

1. Mayor Marchman reminded everyone of the November 30, 2005, 7:00 p.m., Town Meeting to discuss redevelopment issues that face the City. Additionally, he reported on the dates for the various holiday events that will be presented by the City.
2. Commission discussion ensued regarding the phone calls and e-mails received from Stephanie Henley from the Orange Avenue Business Association regarding the design study for the Holler and Progress Energy properties. Mayor Marchman reported that Ms. Henley has asked to serve on the Design Study Committee for the Holler and Progress Energy properties.

Mayor Marchman nominated Stephanie Henley to serve on the Design Study Committee for the Holler and Progress Energy properties, seconded by Commissioner Metcalf. The motion carried unanimously.

Amenable to the nomination, Commissioner DeVane expressed her preference of soliciting participation from a representative of the Fairbanks Avenue Area Association as well. She commented that she has been contacted by various individuals interested in serving on the committee. She suggested Roger Redman and Sara Whiting and noted that she can provide additional names if needed. Discussion ensued that the representatives from the properties themselves have been asked to participate. Commissioner DeVane reported that the meeting dates for the committee will be posted on the City's website for anyone wishing to attend.

NEW BUSINESS – CITIZENS COMMENTS:

No items of New Business were discussed.

CITY ATTORNEY'S REPORT:

City Attorney Cheek had no items to report.

CONSENT AGENDA:

- a) Approve the minutes of 11/14/05.
- b) Authorize the City Manager to execute the Consent to Assignment document between MCI, Inc. and Verizon.
- c) Approve the request of the Winter Park Sidewalk Art Festival committee to use the State office building on Denning Drive for event parking from March 16-19, 2006.
- d) Approve the following purchase orders:
 - 1) PR 122210 to Pierce for two fire trucks from Lake County contract #99-150, for the Fire Department; \$783,920.00 (Budget: Vehicle Replacement Fund)
 - 2) PR 122445 to Florida Highway Products for micro-surfacing of roadways from West Palm Beach contract #03/04-06; \$87,000.00 (Budget: Streets)
 - 3) PR #122499 to Chaz Equipment Co., for manhole rehabilitation from the City of Del Ray Beach bid # 2002-37, amount \$43,066.00 (Budget: Utilities: CIP)]
- e) Approve the following budget adjustments:
 - 1) Appropriate FY 2005 revenues in excess of budget estimates to cover expenditures.
- f) Approval for the Park Avenue Area Association's "Thursdays on Park Avenue" event. Event launch date December 1-2, 2005; additional dates for January – December 2006.
- g) Request from Enzian Theater to adjust their schedule of hosting "Popcorn Flicks" in Central Park from the third Thursday of each month to the second Thursday of each month to coincide with the Park Avenue Area Association's "Thursdays on Park Avenue" events.

Commissioner DeVane asked for clarification of item 'c'.

Motion made by Commissioner Storer to approve the Consent Agenda with the exception of item 'c'; seconded by Commissioner DeVane. The motion carried unanimously.

Commissioner DeVane asked that item 'c' be modified in case an alternate use is sought for utilizing the site in the short run.

Motion made by Commissioner DeVane to approve Consent Agenda item 'c' with the following caveat: "that an approval does not impede the City's ability to utilize the site if an alternate use is sought in the short run", seconded by Commissioner Storer. The motion carried unanimously.

PUBLIC HEARINGS:

- a) ORDINANCE NO. 2655-05: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA HEREBY JOINS IN AND CONSENTS TO THE RELOCATION OF SAID SWALE EASEMENT AT LOT 3 OF WINDSONG – PRESERVE POINT, PARTICULARLY DESCRIBED HEREIN. Second Reading

Attorney Cheek read the ordinance by title. No staff or public comments were provided.

Motion made by Commissioner DeVane to adopt the ordinance, seconded by Commissioner Metcalf. Upon a roll call vote, Mayor Marchman and Commissioners Storer, Eckbert, Metcalf and DeVane voted yes. The motion carried unanimously with a 5-0 vote.

- b) ORDINANCE NO. 2656-05: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE I, "COMPREHENSIVE PLAN" AND THE FUTURE LAND USE PLAN MAP AND ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO ESTABLISH FUTURE LAND USE AND ZONING DESIGNATIONS ON THE PROPERTIES ANNEXED ON TURNER ROAD, BLOSSOM LANE, FOUNTAIN LANE, RIPPLING LANE AND LAKE DRIVE, MORE PARTICULARLY DESCRIBED HEREIN. Second Reading

Attorney Cheek read the ordinance by title. Planner Briggs in response to a newspaper article, stated that the intent of the ordinance is to establish the City's R-1A zoning in place of Orange County's R-1A zoning for this neighborhood that was annexed last year. No public comments were provided.

Motion made by Commissioner Storer to adopt the ordinance, seconded by Commissioner Metcalf. Upon a roll call vote, Mayor Marchman and Commissioners Storer, Eckbert, Metcalf and DeVane voted yes. The motion carried unanimously with a 5-0 vote.

- c) AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AUTHORIZING THE ISSUANCE BY THE WINTER PARK COMMUNITY REDEVELOPMENT AGENCY OF NOT EXCEEDING \$4,307,000 REDEVELOPMENT REVENUE BONDS, SERIES 2005, IN ACCORDANCE WITH THE COMMUNITY REDEVELOPMENT ACT OF 1969; AND PROVIDING AN EFFECTIVE DATE. First Reading

Attorney Cheek read the ordinance by title. No staff or public comments were provided.

Motion made by Commissioner Metcalf to accept the ordinance on first reading, seconded by Commissioner DeVane. Upon a roll call vote, Mayor Marchman and Commissioners Storer, Eckbert, Metcalf and DeVane voted yes. The motion carried unanimously with a 5-0 vote.

- d) Conditional Use and Planned Development Approval – Permitting the construction of a two story, 9,500 square foot Welcome Center (Chamber of Commerce) at 151 W. Lyman Avenue.

Planner Briggs explained what was initially presented regarding the parking component for the proposed building and the concern from the Planning and Zoning Commission (P&Z) with the adequacy of parking. He continued that although the code requires that the project contain 38 parking spaces, the reality is that due to the floor plan layout of the building, the project will require less parking. Mr. Briggs provided an explanation of the floor plan layout and that the

project does not contain the same parking requirement as that of an office building. He said assuming the project must have the 38 spaces available, the City has at its disposal parking in excess of the code at the City Hall and Farmers' Market properties and on the site itself that meets the 38 space requirement. He briefly elaborated on whether the excess parking will be available specifically for Chamber business and the concern with the displacement of patrons/public parking there today.

Mr. Briggs commented on the diligent effort staff has undertaken to solve the parking issue that was raised at the P&Z meeting. He said one solution is to execute a lease with Seaboard Coastline and continue to use the railroad right-of-way for parking. Additionally, he suggested a similar solution with the Colony Theater building. He said both leases are possible because they are existing encroachments, not new ones, and will result in 12 spaces in lieu of the original 8 spaces.

Additionally, Mr. Briggs explained the voluntary offer from Rollins College to authorize 12 Chamber employees and their visitors to park on the fourth floor of the Suntrust parking garage. He said the same offer has been extended to the City and will allow 8-10 City employees to park on the fourth floor of the garage; either voluntarily or as a condition of new employment which will result in an entire row of City employee parking converting to public parking. Mr. Briggs elaborated on the possibility of obtaining 10 additional spaces on the City lot by shifting the orientation of the parking spaces located between the Public Works Department building and City Hall. He stated that the overall result will yield 32 public parking spaces; 20 in the lot across the street, and 12 on-site.

Planner Briggs addressed the other concern of the P&Z dealing with the building's architecture. He displayed the elevations and reported that the property is zoned C-2 (Central Business District) that allows a height limit of 30' for two story buildings, and 5' of parapet around the flat roof to hide mechanical equipment. He said any two-story building downtown can have a visible height of 35'.

Planner Briggs explained the concern of the P&Z with the original proposal that included two peaked roof elements; one in the front and one in the back of the building that measures 40'; and a copula on the top that measures 57'. He said the P&Z is concerned with the heights and the variance that will allow those heights. He elaborated on the deliberations at the P&Z level that resulted in alternate options if there is any interest in height reduction. Lastly, Mr. Briggs elaborated that the project will benefit both the City and the Chamber of Commerce, and that it requires this zoning approval regardless of the timing controversy of when it was presented to the P&Z. He reiterated that the building conforms to the C-2 zoning code, no variance for parking is needed because of the 20 extra parking spaces, and that a height variance is needed that will be based on the elevation decided by the Commission.

Bill Walker, Winter Park Chamber of Commerce, spoke in favor of the request to construct the two-story Welcome Center at 151 Lyman Avenue.

John Cunningham, ACi Architects, 955 N. Pennsylvania Avenue, displayed various pictures of architectural civic buildings around the country and renderings of the proposed building with various elevations and heights; with and without towers/spires. He addressed the residential scale of the proposed building.

Allen Trovillion, 271 W. Horatio Avenue, spoke in favor of the Chamber Welcome Center. He addressed the history of the relationship between the Chamber and the City and the importance of features on buildings in the City. He spoke about the opportunity to construct this building so it stands out.

Mike O'Shaughnesy, 255 Osceola Court, spoke in favor of the height of the Welcome Center and the cupola proposed.

Stephanie Henley, representing the Orange Avenue Business Association, spoke in support of the Welcome Center and the contribution it will bring to the architectural aspects of the city.

Harry Barley, 1671 Oakhurst Avenue, addressed the parking situation at City Hall and the lack of spaces for the public. He spoke in favor of the cupola so the building will stand out in the downtown area. He stated the CRA Advisory Board agreed to approve the project as proposed.

Alan Parker, 151 N. Virginia Avenue, spoke in favor of the cupola because of the distinction that it will add to the building.

Blair Culpepper, First National Bank of Central Florida, spoke in favor of the Welcome Center and the many meetings the project has been through. He addressed the importance of the Center to the community and as a civic home to the Chamber.

Carolyn Cooper, 1047 McKean Circle, spoke in favor of the Center but spoke against the height of the building and the leased off-site parking. She addressed concerns with using CRA funds and the 10 year lease of the building.

Melixa Carbonell, owner of Shou-Ture, Inc. spoke about the importance of the Welcome Center bringing patrons to the avenue.

Dexter Richardson, 1590 Highland Road, spoke in favor of the Chamber project as proposed with the cupola to unite the community in a civic effort.

Larry Mosley, 339 Beloit Avenue, spoke in favor of the Welcome Center and did not see the height or parking to be a concern with the project.

Sandy Womble, 940 Old England Avenue, addressed concerns with height and scale of the proposed Welcome Center compared to other buildings in the City.

Brian Wettstein, as a Park Avenue business owner, addressed the importance of the Welcome Center being visible for visitors.

Marilyn Meaux, as a Chamber of Commerce member, spoke in favor of the design of the Welcome Center and the importance of the building to the community.

Steve Miller, 1428 Lake Knowles Circle, opposed the proposed location of the Chamber because of the parking issue.

Charles Fehner, 243 E. Canton Avenue, spoke about concerns with the height of the proposed building.

Jim Barnes, 333 Trismen Terrace, spoke about the architectural aspects of the proposed building and the importance of constructing a Welcome Center.

Gary Brewer, 1250 S. Denning Avenue, commented on the number of responsibilities of the Chamber that the City would have to assume if the Chamber failed to exist.

Mark Squires, 400 Park Avenue, spoke in favor of the Center because of the importance to the City.

Woody Woodall, Whittington Properties, 411 Shepherd Avenue, spoke in support of the building as proposed.

Bill Rosenfelt, 1400 New York Avenue, spoke against the Chamber because of the height and parking issues.

Matt Certo, 1350 Orange Avenue, spoke about the importance of the proposed project for the City.

Craig Delongy, 221 Cortland Avenue, spoke in favor of the proposed building.

Frank Herring, 1250 Woodmere Drive, spoke about parking issues and the valid solutions brought forward to lessen the parking concerns. He encouraged approval of the project.

Ann Saurman, 1041 Osceola Avenue, spoke against the project because of having to stray from the rules of the city. She expressed her concerns with changing the character of the City.

Marie Melaugh, 1441 Cardinal Court, spoke against the height of the proposed building.

Patricia Maddox, 220 Edinburgh, as a representative of the Winter Park Health Foundation, spoke in favor of the Welcome Center and the benefits to the residents outside the Chamber of Commerce.

Cynthia Sucher, 908 Lingo Court, past chair of the Chamber of Commerce, spoke in favor of the proposed building as presented. She addressed the project being a joint project with the City and the benefits to the residents and visitors.

Frank Hamner, 742 South Dunstan Way, addressed the importance of supporting the project and the important addition it will bring to the City.

Peter Gottfried, 1841 Carollee Lane, spoke against the many residential variances by the Board of Adjustment, but agreed with the proposed Chamber building.

Carl Bitler, 1806 Jessica Court, spoke in favor of the proposed Welcome Center and its importance of providing economic growth within the City.

George Herbst, 1742 Temple Drive, spoke in favor of the Chamber project. He addressed the impressive architecture design and quality of the building being proposed.

David Strong, 300 Virginia Drive, spoke against the project because what of he believed to be a violation of the City's comprehensive plan. He spoke against granting the variances for the project.

Robert Miller, Summerfield Avenue, spoke about concerns with parking at the Chamber building.

Susan Gabel, 1539 Golfside Drive, spoke against the size of the proposed building.

Kenneth Murrah, 1601 Legion Drive, expressed his concerns with the project that should have been discussed earlier in the process. He stated this should have gone to the P&Z before August 22. He addressed concerns with the lack of parking at the site. He spoke about concerns with setting a precedent if the Commission overturns the P&Z denial. He urged the Commission to maintain the integrity of the P&Z code to uphold their decision.

Rick Frazee, 1921 Englewood Road, spoke in opposition to the Chamber building because of the parking code and the lack of parking for the events taking place in that building. He stated the building would be great if it contained greenspace.

Tom Sacha, 304 Wing Lane, spoke in favor of the proposed project. He addressed the importance of the location being walking distance to Park Avenue and other businesses in the City.

Lydia Gardner, 293 Sylvan Drive, spoke about the significant improvement this will make for the City.

Marty Spence, 1710 Windsor Drive, addressed the importance of the Welcome Center and the facilities it will provide the citizens and visitors of the City. She spoke about the importance that the building stand out in the downtown area.

John Cascio, 858 Golfview Drive, spoke in favor of the Welcome Center as proposed. He stated the height and parking issues are why this project is before the Commission this evening. He spoke about the many people here in favor of the approval of the building.

Joe Regner, 1560 Orange Avenue, recommended approval of the project with the height and cupola as presented.

Sharon Strong, 155 Stovin Avenue, spoke about concerns with scale, size and density of the project. She asked the Commission to agree with the P&Z denial.

Frederick Jones, 369 New York Avenue, spoke about the collaborative effort with the City and the Chamber and the importance of having a significant structure and cupola on the building. He commended the City for working with the Chamber and the winning nature of this project.

Frank Dasse, 423 Country Club Drive, spoke in favor of the Welcome Center. He addressed the importance of the cupola and the impressive nature of the proposed construction.

David Lamm, 1250 Alexa Drive, opposed the Welcome Center because of creating a non-conforming project because of the parking. He did not oppose the height of the building being proposed. He stated similar procedures should be followed as in the private sector.

Richard Trismen, 213 W. Comstock Avenue, spoke in opposition to the proposed building. He urged the City to control land uses and addressed the need to obey the City's codes.

Jane Hames, City of Maitland resident, asked for approval of the building with the addition of the cupola.

Recess taken from 5:33 – 5:42 p.m.

Mary Rumberger, 1234 Palmer Avenue, spoke in favor of the Welcome Center as proposed. She spoke about the beautiful addition it will make to the City.

Debbie Komanski, 63 Osceola Avenue, spoke in favor of the Welcome Center. She stated the Polasek Museum needs a Welcome Center to help promote the museum.

Janet Atkins, 1060 McKean Circle, opposed the project because of its scale.

Margie Bridges, 767 Antoinette Avenue, addressed concerns with the context of the building when there is no current plan for City Hall. She stated she did not believe there will be enough parking for this project at this location.

Beth Dillaha, 1801 Forrest Road, opposed the project because of being too flexible with bending the codes of the City. She asked that the rules in place be followed. She stated the Chamber building can be built within code.

Dave Dickinson, 730 Pinetree Road, spoke in opposition to the building because of the location but was not against having a new Chamber built.

Kim Allen, 271 Virginia Drive, spoke about her concerns with altering the comprehensive plan as it currently exists and the precedent set if the rules are bent.

Margie Wagner, 181 W. Stovin Avenue, spoke about the need to adhere to the current process and code. She spoke in favor of a new chamber building but to follow the rules.

Carolyn Planck, 901 Palmer Avenue, spoke in favor of the Welcome Center and the favorable collaborative effort being made by the City and the Chamber.

Sam Stark, 691 E. Lake Sue Avenue, Chamber of Commerce Executive Director, clarified the building is not a Chamber building but is a building that will benefit the community as a whole. He stated that parking is a non-issue, that the building is architecturally pleasing, and that Winter Park deserves such a building. He asked for approval of the original designed Welcome Center.

Commissioner DeVane commented on her support of the project. She spoke about the importance of expanding Central Park, the need to eliminate the old Chamber building and

parking lots at that location, and creating additional greenspace on the northwest corner of Central Park. She spoke about the benefits of such a building. She addressed the P&Z concerns with the proposed parking, height, and suggested eliminating the cupola for now and building it later when a new City Hall is constructed.

Commissioner Metcalf spoke about the importance of the project and the need for a beautiful building to be built that will enhance the City and for visitors to obtain information from.

Commissioner Storer spoke about the project being an excellent example of a public private partnership. He stated the architecture of the building is appropriate because it compliments the type of architecture that currently exists in the City. He spoke about this project being caught up with a separate issue that some of the residents currently have. He stated the parking issue has been satisfied. He addressed the importance of the cupola with the original architecture.

Commissioner Eckbert commented that a private/public project will benefit the City and that he did not believe a vote in favor of an architectural feature for a public building will set a precedent on what private developers are permitted to pursue in the City. He elaborated on the attractive nature of the proposed building and the parking solution.

Mayor Marchman stated this is a much needed civic structure and that its size and scale are appropriate for the area. He spoke in support of the project as presented.

Prior to the vote, Commissioner DeVane disclosed her discussions with the parties involved with the project. She commended fellow Commissioners for making the distinction between public/public and private/public buildings. She encouraged staff to return with code information on the distinction between the two collaborative efforts in terms of towers and spiers. She commented on the need to develop a rear access plan for the project that will direct visitors from the Welcome Center to Central Park.

Motion by Commissioner Storer to approve the conditional use and planned development project with the original design option and the parking plan as presented this evening, seconded by Commissioner Metcalf. The motion carried unanimously.

Recess taken from 6:30 – 6:35 p.m.

- e) Conditional Use request of Old Southern Bank to convert the former Café Aragon Restaurant in the Aloma Shopping Center at 2413 Aloma Avenue, into a branch bank with three drive-in tellers.

Planner Jeff Briggs explained the request for the conditional use request and the plans for redeveloping this property. He addressed the conditions of approval by the P&Z. No public comments were made. Commissioner DeVane commented that the St. Andrews intersection is a problem.

Motion made by Commissioner Metcalf to approve the conditional use request with the Planning and Zoning Commission conditions, seconded by Commissioner Eckbert. The motion carried unanimously.

f) Moratorium Ordinances:

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA RELATING TO ESTABLISHING A MORATORIUM FOR UNTIL MAY 1, 2006 ON THE ACCEPTANCE OF APPLICATIONS AND THE ISSUANCE OF APPROVALS FOR REZONINGS OR PLANNED DEVELOPMENT APPROVALS FOR MAJOR COMMERCIAL, OFFICE AND/OR MULTI-FAMILY DEVELOPMENT PROJECTS WITHIN THE CENTRAL BUSINESS DISTRICT AND THE COMMUNITY REDEVELOPMENT AREA AS DEFINED WITHIN; MAKING CERTAIN FINDINGS; PROVIDING AN EFFECTIVE DATE. First Reading

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA RELATING TO ESTABLISHING A MORATORIUM UNTIL MAY 1, 2006 ON THE ACCEPTANCE OF APPLICATIONS AND THE ISSUANCE OF APPROVALS FOR REZONINGS OR PLANNED DEVELOPMENT APPROVALS FOR MAJOR COMMERCIAL, OFFICE AND/OR MULTI-FAMILY DEVELOPMENT PROJECTS WITHIN THE CENTRAL BUSINESS DISTRICT AND THE COMMUNITY REDEVELOPMENT AREA AS DEFINED WITHIN; PROVIDING FOR RESTRICTIONS ON THE ISSUANCE OF CERTAIN TYPES OF OCCUPATIONAL LICENSES IN THE SAME DEFINED AREA UNTIL MAY 1, 2006, MAKING CERTAIN FINDINGS; PROVIDING AN EFFECTIVE DATE. First Reading

Attorney Cheek read both ordinances by title. Planner Jeff Briggs spoke about the differences between the two ordinances listed. He explained the format for the November 30, 2005, Town Meeting and provided a brief synopsis on the topics for discussion. He elaborated on the purpose for the proposed moratorium, the concern over the moratorium lasting past May 1 and not extending it, and the pros and cons with imposing a moratorium. Planner Briggs stated staff recommended approval of either ordinance for a six month period.

Commissioner Eckbert inquired whether staff considered additional potential geographical boundaries to be part of a moratorium and if alternatives other than what is proposed were examined. Planner Briggs commented that the areas included in the proposed ordinances is where most of the activity is occurring. He said staff is content with the identified boundaries.

Allen Trovillion, 271 Horatio Avenue, sought clarification as to how this will apply to certain projects.

Mike Schwartz, 216 Park Avenue South, summarized how the City would look today if redevelopment that resulted in quality projects had not been allowed in the City.

Malixa Carbonell, 200 St. Andrews Boulevard, as a merchant on Park Avenue, provided a petition in opposition to a moratorium, but was supportive of the process in place and responsible growth.

Forest Michael, 130 N. Center Street, provided a powerpoint presentation on how he believes responsible development can be planned.

Pamela Rousch, 733 Granville Drive, spoke in favor of a moratorium.

Baxter Matthews, Florida Frame House, as a Hannibal Square merchant spoke in opposition of imposing a moratorium.

Frank Hamner, 742 South Dunstan Way, spoke against imposing a moratorium and the message that it sends.

William Traylor, 150 Chelton Circle, stated he is in favor of a moratorium because of concerns with the current rate of growth in the City.

Kim Allen, 271 Virginia Avenue, spoke in favor of a moratorium because of future plans for the various projects underway of substantial size. She addressed concerns with impact to schools and over capacity, retail and the danger of lowering property values.

Bill Rosenfelt, 1400 New York Avenue, spoke in favor of a moratorium. He stated he did not like any of the major projects being built.

Todd Norman, Winter Park Property and Consumer Rights Coalition, Inc., opposed to the proposed moratorium, stated that the City Commission has the power to deny any projects that they feel are inappropriate for the City.

Mimi Dickinson, 730 Pinetree Road, supported a moratorium because of concerns with the growth in the City.

Carolyn Branner, 711 Bonita Drive, supported the moratorium to allow time to review changes that will take place in the future.

Bruce Blackwell, 1624 Roundelay Lane, opposed to imposing a moratorium because of the negative impact to the City.

David Johnston, 636 Darcey Drive, urged approval of a moratorium to take corrective steps on the processes that have taken the City to where it is today.

Stephanie Henley, President of Orange Avenue Business Association, opposed a moratorium because of the impact to the economic and architectural health of the City.

David Strong, 300 Virginia Drive, urged support of the moratorium and spoke about the outdated existing comprehensive plan.

Carolyn Cooper, 1047 McKean Circle, supported a moratorium. She spoke about policies within the comprehensive plan including the park, building heights, etc. that need to be followed. She showed the cumulative impact to the City with the various projects being built.

Rick Frazee, 1921 Englewood Road, preferring the second version of the proposed moratorium, asked that the Commission approve a moratorium to help heal the community.

Harold Barley, 1671 Oakhurst Avenue, opposing a moratorium, commented on the need to review the code and the processes in place, rather than imposing a moratorium.

David Lamm, 1250 Alexa Drive, opposed to imposing a moratorium, commented on the need to study and review the areas that are being considered. He asked that if the Commission

supports the moratorium that due diligence is demonstrated to produce a unified vision for redevelopment. He elaborated on the differences between urban and suburban codes.

Robert Hall, 1851 Forrest Road, spoke in favor of a moratorium because of the large scale of current projects being developed.

Linda Kylmann, 257 Canton Avenue, spoke in favor of imposing a moratorium because of the large scale of current projects and the direction she believed the City is going in.

John Cunningham, 955 N. Pennsylvania Avenue, opposed to imposing a moratorium, spoke about the need to incorporate additional architectural character and understanding into the Comprehensive Plan.

Sandy Womble, 940 Old England Avenue, spoke in favor of a moratorium because of concerns with heights of buildings and stand alone parking garages within the City.

Lurline Fletcher, 790 Lyman Avenue, spoke in favor of imposing a moratorium because of buildings being constructed too large on the west side of Winter Park coming into their neighborhood.

Ken Wright, Shutts & Bowen, representing Central Park Station Partners, objected on behalf of Central Park Station Partners to any retrospective application, understanding or implication with regard to the ordinance.

Diane Rostkowski, 98 Palmer Avenue, spoke in favor of the moratorium and the need to review the vision for the City.

Beth Dillaha, 1801 Forrest Road, spoke in favor of imposing a moratorium. She expressed concerns with large, dense, out-of-scale projects being built that are taking away the character of the City. She spoke about the need to update and follow the City's Comprehensive Plan.

James Strollo, 777 French Avenue, spoke in favor of a moratorium because of the scale and architecture of the Park Place building. He addressed the need to retain the charm of Winter Park.

Dave Dickinson, 730 Pinetree Road, spoke in favor of the moratorium. He stated he is not against change or progress, but only wanted to maintain the character and charm of the City.

Margie Wagner, 181 West Stovin, spoke in favor of the moratorium ordinance and against large scale projects from being built in the City.

Gary Brewer, 1250 S. Denning Avenue, addressed his uncertainty on whether a moratorium is necessary and whether it will solve any of the current concerns.

Commissioner Storer addressed his disappointment with the lack of civility that included anonymous e-mail, lawsuits, half truths, misinformation and threats made that surrounded the Welcome Center issue. He said we need productive, not destructive dialogue. Supportive of reviewing the comprehensive plan and encouraging more public involvement, he stated he was unsupportive of a moratorium, but that he was committed to improving the process.

Commissioner Metcalf stated he will not support a moratorium, but was supportive of the intent to restrict certain types of occupational licenses for businesses operating in the gateway to the City.

Commissioner Eckbert expressed his disappointment in communications he has received with people believing they have no voice in the public process. He spoke about the need for a process to drive a solution and an external process that assists with moving things expeditiously for consideration.

Commissioner DeVane elaborated on the decision that was made at the last meeting to postpone any decision on the moratorium ordinance until the receipt of public input from the November 30, 2005, Town Meeting. She elaborated on what has brought the issue to the forefront and where to go from here. She stated the proposed ordinance only restricts rezonings and variances, but does not restrict development that complies with existing land development codes. Commissioner DeVane spoke on the need to improve the notification process. She expressed her support in the moratorium because it clears the plate for Planning and Zoning to devote their full attention to discuss the issues. She asked that all Commissioners agree with her and move forward with the first reading of the ordinance to obtain additional citizen comments at the Town Meeting that can be considered during the second reading of the ordinance that is scheduled for December 12, 2005.

Mayor Marchman expressed his support of the ordinance proposed and the need to work together to create a community vision.

Motion by Commissioner Eckbert to table the consideration of the moratorium until after the November 30, Town Meeting, seconded by Commissioner Metcalf. The motion failed by a 3-2 vote. Mayor Marchman and Commissioners DeVane and Storer voted no.

Commissioner DeVane reminded everyone that it was originally agreed upon that this process was to be completed by the end of the year.

Motion by Commissioner DeVane to follow staff recommendation and to accept the second version of the moratorium ordinance, seconded by Mayor Marchman. Upon a roll call vote, Mayor Marchman and Commissioner DeVane voted yes. Commissioners Storer, Eckbert, Metcalf voted no. The motion failed by a 3-2 vote.

CITY MANAGER'S REPORT:

No items to report.

NEW BUSINESS (CITY COMMISSION):

- 1) Commissioner DeVane expressed her concern with the current condition of the sidewalks in the City. She asked if staff would pressure wash the sidewalks where needed.

- 2) Commissioner DeVane inquired whether trash service can be implemented on Saturdays and Sundays.
- 3) Commissioner Metcalf asked that staff review whether Park Avenue merchants are adhering to the outside seating sidewalk setback requirement.
- 4) Commissioner DeVane asked that staff review the building on New England where Tugboat is located and the roof drain that is draining on to the sidewalk and not into the gutter.
- 5) Commissioner DeVane asked staff to review if the City should construct the Northwood subdivision wall because it looks like the property has changed hands.

Mayor Marchman adjourned the meeting at 8:47 p.m.

Mayor Kenneth R. Marchman

ATTEST:

City Clerk Cynthia Bonham