

**CITY OF WINTER PARK
REGULAR MEETING OF THE CITY COMMISSION
January 14, 2003**

The meeting of the Winter Park City Commission was called to order by Vice Mayor Douglas Storer at 4:30 p.m. in the Commission Chambers, 401 Park Avenue South, Winter Park, Florida.

The invocation was offered by Finance Director Wes Hamil, followed by the Pledge of Allegiance.

PRESENT: Vice Mayor Douglas Storer; Commissioners John Eckbert, Douglas Metcalf (via telephone conferencing) and Barbara DeVane; City Attorney C. Brent McCaghren; City Manager James Williams and City Clerk Cynthia Bonham. Mayor Roland Hotard was absent.

MAYOR'S REPORT:

- a) Vice Mayor Storer introduced Sam Stark, Winter Park Chamber of Commerce, who summarized the holiday activities on Park Avenue. He also presented Winter Park schools and the City with checks from funds raised at their annual Pancake Breakfast.
- b) Vice Mayor Storer recognized Roger Keen, Public Works Department, as the January 2003 Outstanding Employee of the Month.
- c) Vice Mayor Storer recommended the following board appointment to the CRA Advisory Board: Phyllis Moore to replace Sharon Harrison who resigned. **Motion to appoint seconded by Commissioner DeVane and carried unanimously.** The Public Art Advisory Board members were appointed after the adoption of the ordinance (see below). The Commission was asked to submit names for the Pedestrian and Bicycle Board for appointment at a future meeting.

CITY ATTORNEY'S REPORT:

- a) RESOLUTION NO. 1808-03: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, DESIGNATING THE PROPERTY LOCATED AT 1531 BERKSHIRE AVENUE, WINTER PARK, FLORIDA AS A HISTORIC PROPERTY IN THE WINTER PARK REGISTER OF HISTORIC PLACES.

Attorney McCaghren read the resolution by title. No public comments were made.

Motion made by Commissioner DeVane to adopt the resolution, seconded by Commissioner Eckbert. Upon a roll call vote, Vice Mayor Storer, Commissioners Eckbert, Metcalf and DeVane voted yes. The motion carried unanimously with a 4-0 vote. The Mayor was not present to vote.

- b) Attorney McCaghren presented a proclamation declaring the time and voting precincts for the upcoming 2003 General Election. He announced that only two candidates qualified, eliminating the need for a Primary Election.

Motion made by Commissioner Eckbert to adopt the proclamation, seconded by Commissioner DeVane, and carried unanimously.

- c) Planner Jeff Briggs presented an interlocal agreement with Orange County regarding annexation of the Kilshore Lane enclave. He explained that it is permissible for cities and counties to agree on the annexation of enclaves under 10 acres so the City can annex the area by ordinance and is not required to hold a referendum. He stated that 10 out of 12 property owners agreed to annex and that Orange County agreed to annex via the annexation agreement. He clarified an ordinance will be forthcoming to annex the property.

Motion made by Commissioner Eckbert to approve the interlocal agreement, seconded by Commissioner DeVane and carried unanimously.

CONSENT AGENDA:

- a) Approve the minutes of 12/10/02.
- b) Introduction of new employees hired from October-December 2002.
- c) Approve organizational support in the amount of \$5,000, to be funded from the Contingency Fund, in lieu of waiving the fee for construction permits as requested by the Polasek Museum.
- d) Approve the request of the Enzian Theater to utilize City Hall for film maker conferences and lectures.
- e) Authorize the advertisement to amend the news rack ordinance to expand the coverage in the downtown area from New York Avenue over to Interlachen Avenue.
- f) Receive the project update and approve Change Order #1 for the Public Safety Facility in the amount of \$372,731.55.
- g) Approve contracting with Pecora & Pecora to assist in reviewing the City's communications efforts, in the amount of \$18,000 plus expenses for the project fee, \$7,000-\$9,000 for focus groups and surveys, and \$12,000 for Phase II, to be expended from the Contingency Fund.
- h) Receive the presentation by CATSS (Center for Advanced Transportation Systems Simulations - UCF, ATT and Engineering and Computer Simulations, Inc.) regarding the City's proposed participation in a simulation study for commuter rail. Approve expending \$24,000 from the CRA fund as Winter Park's contribution toward the cost. **PULLED FROM CONSENT AGENDA FOR DISCUSSION. SEE BELOW.**
- i) Receive the report from Orange County Manager Ajit Lalchandani regarding Orange County's Mobility 20/20 Initiative.
- j) Approve Budget Adjustments as follows:
- 1) Transfer \$400 from Parks to Public Works to reimburse the cost for 32 traffic signs for the Forestry Division.
 - 2) Transfer \$3,330 from Fleet Maintenance to ITS for annual maintenance agreement for the Trak Engineering Fuel Maintenance System.
 - 3) Transfer \$1,795 from Fleet Maintenance to ITS to purchase a new computer for the Trak Engineering Fuel Maintenance System.
 - 4) Transfer \$885 from the Fire Department to ITS to purchase a new computer.
 - 5) Transfer \$7,000 from the Water and Sewer R & R Fund, \$7,000 from Public Works, and \$14,000 from the Water and Sewer Operating Fund to the Vehicle Replacement Fund to purchase a Low Boy Vehicle with trailer.
 - 6) Transfer \$93 from Stormwater Fund, \$874 from Water and Sewer Operating Fund and \$77 from Fleet Maintenance to Public Works to cover cost of employee Christmas celebration.
 - 7) Appropriate \$6,000 of General Fund Balance designated for Code Enforcement Training for travel and training in the Code Enforcement Division.

- 8) Transfer \$7,000 from General Fund Contingency for geotechnical services to determine suitability of Lake Island site for the Rollins College Softball Field Project.
 - 9) Carryforward ongoing capital projects from FY 2002 to FY 2003. Projects carried forward totaled: CRA (\$2,294,259 - to be financed with line-of-credit), General Capital Projects (\$1,257,903), Stormwater Capital Projects (\$1,455,603), Streets and Sidewalks - Fund 304 (\$100,000), Central Facility Improvements (\$245,696), Sewer Impact Fee Fund (\$545,000), Water Impact Fee Fund (\$310,000) and Water and Sewer R & R Fund (\$2,207,910).
 - 10) A listing of open purchase orders as of September 30, 2002 that were carried forward to FY 2003 is included for your information. The total open purchase orders carried forward were \$11,766,646.47.
- k) Approve Change Orders, Bids and Purchases as follows:
- 1) PR 98972, to Nortrax for a John Deere Excavator for new lateral sewer crew from Manatee County bid RFQ 02-5092DL, \$43,119.85 (Budget: Vehicle Replacement)
 - 2) Amendment to Task Order 2002-01 to CH2M Hill for modifications to the Water System Improvement Program to Swoope Ground Storage Tank, \$12,000.00 (Budget: Swoope Avenue WTP Improvements)
 - 3) Extension of RFP-2-2002, Drink Vending Machines with Coca-Cola Bottling Company at no cost to the City.
 - 4) Extension of Bid WP-2-2001, Interior Plant Maintenance for the Civic Center and Farmers' Market with prices, terms and conditions to remain the same. (Budget: Civic Center, Farmers' Market).
- l) Review calendar and update with upcoming events.
- m) Receive updates concerning Florida Power Corporation and City Hall redevelopment.
- n) Approve the request from David Pace, Baldwin Park developer, to allow them to enter onto Lakemont Avenue for road construction at Corrine and Bennet on a temporary basis. Install a sign indicating the termination date.

No public comments were made regarding the Consent Agenda.

Motion made by Commissioner DeVane to approve the Consent Agenda, with the exception of item 'h', seconded by Commissioner Eckbert and carried unanimously. The Mayor was not present to vote.

Vice Mayor Storer pulled Consent Agenda 'h' for discussion as follows:

Consent Agenda Item 'h': Receive the presentation by CATSS (Center for Advanced Transportation Systems Simulations - UCF, ATT and Engineering and Computer Simulations, Inc.) regarding the City's proposed participation in a simulation study for commuter rail. Approve expending \$24,000 from the CRA fund as Winter Park's contribution toward the cost.

City Manager Williams clarified that the City has been asked to participate in the funding of \$24,000 which will come out of the CRA fund. Commissioner Eckbert asked what the City receives for their contribution. Economic Director Chip Weston explained the benefits to the City and possible uses. Commissioner Eckbert asked how much more money will have to be spent to accomplish the intended and priority uses for the technology for the City.

Planning Director Martin spoke that they do not have a detailed plan on all of the uses at this time. He explained that part of this is an investment so they can be trained on it and apply it to the components that would relate to the future of the City Hall and other projects such as Central Park and the development of the Post Office. He stated it is also a partnership in the regional approach to commuter rail and has benefit for the City in the long term.

Vice Mayor Storer clarified that for the \$24,000, the City will be participating in the study and will be able to show the citizens a simulation of what commuter rail would look like through Winter Park. He spoke about the possibility of using this for cultural tourism. Commissioner DeVane stated she would like staff input regarding how they feel this technology could benefit their departments and the additional costs to modify or expand the software as needed. In conclusion, Vice Mayor Storer asked Mr. Martin and Mr. Weston to address the issues as discussed regarding exactly what the City is receiving for the \$24,000, whether this is state of the art, whether we can use it for projects going on in the City, the additional cost for staff to bring it up to the level of being able to use it for these other uses and to ask the departments if they would have use for this.

Motion made by Commissioner Eckbert to require staff to go back and provide further information on what would be encompassed in the \$24,000, what the future uses for the City could be and the estimated costs by the consultant to do additional work for the City; seconded by Commissioner DeVane, and carried unanimously. The Mayor was not present to vote.

PUBLIC HEARINGS:

- a) ORDINANCE NO. 2494-03: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA INCREASING THE MEMBERSHIP OF THE PUBLIC ART ADVISORY BOARD FROM FIVE (5) MEMBERS TO EIGHT (8) MEMBERS; PROVIDING AN EFFECTIVE DATE. Second Reading

Attorney McCaghren read the ordinance by title. No public comments were made.

Motion made by Commissioner Eckbert to adopt the ordinance, seconded by Commissioner Metcalf. Upon a roll call vote, Vice Mayor Storer and Commissioners Eckbert, Metcalf and DeVane voted yes. The motion carried unanimously with a 4-0 vote. The Mayor was not present to vote.

The following were appointed to the Public Art Advisory Board: Ann Grey, Diane Reese, Susan Finnegan, Judy Albertson, Michael Mennello, Jan Clanton, Sandy Womble and Laura Storer as the citizen-at-large. **Motion to appoint made by Commissioner DeVane, seconded by Commissioner Eckbert and carried unanimously. The Mayor was not present to vote.**

Attorney McCaghren noted that the appointment of Laura Storer (Commissioner Storer's spouse) to the Public Art Advisory Board is not a violation of the Florida Anti-Nepotism rule and is permitted under the Florida Statutes.

- b) Request of Trilogy Park, Inc.:

ORDINANCE NO. 2495-03: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58 LAND DEVELOPMENT CODE, ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO CHANGE THE ZONING DESIGNATION OF LOW DENSITY

RESIDENTIAL (R-2) DISTRICT TO CENTRAL BUSINESS (C-2) DISTRICT ON THE PROPERTY
LOCATED AT 403 WEST MORSE BOULEVARD, MORE PARTICULARLY DESCRIBED HEREIN.
Second Reading

Attorney McCaghren read the ordinance by title. No staff or public comments were made.

Motion made by Commissioner DeVane to adopt the ordinance, seconded by Commissioner Eckbert. Upon a roll call vote, Vice Mayor Storer and Commissioners Eckbert, Metcalf and DeVane voted yes. The motion carried unanimously with a 4-0 vote. The Mayor was not present to vote.

- c) ORDINANCE NO. 2496-03: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA VACATING AND ABANDONING THE RIGHT-OF-WAY OF RAILROAD AVENUE BETWEEN PENNSYLVANIA AND SWOOPE AVENUES. Second Reading

Attorney McCaghren read the ordinance by title. No staff or public comments were made.

Motion made by Commissioner Eckbert to adopt the ordinance, seconded by Commissioner DeVane. Upon a roll call vote, Vice Mayor Storer and Commissioners Eckbert, Metcalf and DeVane voted yes. The motion carried unanimously with a 4-0 vote. The Mayor was not present to vote.

- d) AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AUTHORIZING THE LEASE OF A PORTION OF THE PROPERTY KNOWN AS THE "RAILROAD AVENUE PROPERTY" TO THE HOUSING AUTHORITY OF WINTER PARK, FLORIDA, SAID PROPERTY BEING MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING AN EFFECTIVE DATE. First Reading

Attorney McCaghren read the ordinance by title and explained its intent. He stated this is a portion of the property acquired from the Wadsetter Corporation. He explained that the southern portion is to build a water treatment plant and the northern portion will have three buildings with apartment units. He addressed the discussions with the Housing Authority who will build the buildings and are in the process of securing financing for the construction. He stated this authorizes the lease of that property in accordance with the City's Charter. Planner Briggs stated their goal is to have the lease with the Housing Authority on the next agenda. No public comments were made.

Motion made by Commissioner Eckbert to accept the ordinance on first reading, seconded by Commissioner DeVane. Upon a roll call vote, Vice Mayor Storer and Commissioners Eckbert, Metcalf and DeVane voted yes. The motion carried unanimously with a 4-0 vote. The Mayor was not present to vote.

e) Request of Mr. and Mrs. Robert Piercy regarding the property at 1815 Hammerlin Avenue:

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58, LAND DEVELOPMENT CODE, ARTICLE I, "COMPREHENSIVE PLAN" AND THE FUTURE LAND USE MAP SO AS TO CHANGE THE FUTURE LAND USE DESIGNATION OF SINGLE FAMILY TO LOW DENSITY RESIDENTIAL ON THE PROPERTY LOCATED AT 1815 HAMMERLIN AVENUE, MORE PARTICULARLY DESCRIBED HEREIN. First Reading

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58, LAND DEVELOPMENT CODE, ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO CHANGE THE ZONING DESIGNATION OF SINGLE FAMILY (R-1A) DISTRICT TO LOW DENSITY RESIDENTIAL (R-2) DISTRICT ON THE PROPERTY LOCATED AT 1815 HAMMERLIN AVENUE, MORE PARTICULARLY DESCRIBED HEREIN. First Reading

Attorney McCaghren read both ordinances by title.

City Planner Jeff Briggs provided the staff report. He spoke that the request is to rezone the property from (R-1A), Single Family District to (R-2), Low Density Residential. He identified the property as being located in the South Parkland neighborhood which was annexed into the City in May of last year. He explained that this property is the only potential redevelopment site on the street for anything other than single family residential. He said the applicant is proposing to build six townhouses pursuant to this rezoning. He continued that the zoning would be changed to (R-2), the property will be divided into three 75' wide lots and will contain a townhouse duplex on each lot. He said this proposal would be an investment in new housing which is what the neighborhood needs to increase property values. He spoke that the project's design maximizes the preservation of the existing trees on the property. He said the applicant is complying with the new (R-2) code which is to be adopted later this evening. Mr. Briggs noted that the applicant is not maximizing the square footage to 55% but has maintained the square footage at 47% which meets the new code requirement.

He continued that this project is only possible because the City of Orlando has granted permission for Winter Park to run the sewer line from Corrine up to the site. He explained that staff is not concerned with setting a precedent because given the surrounding uses, the request seems appropriate and a benefit for the neighborhood. He reported that there was no opposition from the surrounding neighbors at the Planning and Zoning Commission (P&Z) meeting.

No public comments were provided.

City Attorney McCaghren noted that the P&Z conditionally approved this request provided that the project is built according to the elevations that were presented by the applicant at the public hearing before the P&Z.

Motion made by Commissioner Metcalf to accept the amendment to the comprehensive plan ordinance on first reading with the conditional approval from the Planning and Zoning Commission that the project is built according to the elevations that were presented at the Planning and Zoning Commission public hearing, seconded by Commissioner Eckbert. Upon a roll call vote, Vice Mayor Storer and Commissioners Eckbert, Metcalf and DeVane voted yes. The motion carried unanimously with a 4-0 vote. The Mayor was not present to vote.

Motion made by Commissioner Eckbert to accept the zoning designation ordinance on first reading, seconded by Commissioner DeVane. Upon a roll call vote, Vice Mayor Storer and Commissioners Eckbert, Metcalf and DeVane voted yes. The motion carried unanimously with a 4-0 vote. The Mayor was not present to vote.

- f) Request of Mr. Jeff Hamilton for preliminary subdivision plat approval to create a new subdivision of fourteen lots, zoned R-2 to allow each lot to be used for the construction of a duplex townhouse building on the 3.3889 acre vacant tract located south of Beloit and east of Denning Drive.

City Attorney McCaghren excused himself as the City's counsel due to a conflict of interest. Special Counsel Scott Glass provided representation.

Mr. Briggs provided the staff report. He spoke that the request is for a preliminary plat approval for approximately 3.9 acres of (R-2) zoned property. He explained the earlier requests that have been proposed and denied concerning this property and the 50' width requirement under the (R-2) zoning. He reported that the applicant is seeking preliminary plat approval for a subdivision to construct a street and 12 lots around a cul-de-sac with each lot containing a townhouse/duplex building. He said the individual lots comply with the 50' width requirement under the (R-2) zoning along with the 9,000 square foot lot area requirement. He reported that the density of 24 total units is the primary issue with the surrounding neighbors and the request is for 6 units per acre. He stated that the Planning and Zoning Commission (P&Z) decided the number of units proposed is an appropriate compromise in terms of the density. He explained that once a preliminary plat approval has been obtained, the final plat will include additional details that will require approvals. He said that the decision that needs action tonight is whether this is an appropriate layout and density for this piece of property. Mr. Briggs addressed the conditions imposed by the P&Z.

He spoke of the legal concern with the owner/occupancy condition imposed by the P&Z. Special Counsel Scott Glass addressed this condition and explained how it would be problematic to enforce. Discussion ensued regarding the intent of the P&Z to impose the owner/occupancy condition.

Applicant Jeff Hamilton provided exhibits of the elevations for the proposed project. He said the request is for a permitted use under the Land Development Code and spoke of the legally permitted density, bordering zoning designations and the incremental tax revenues that would be generated for the CRA once this property is developed. Mr. Hamilton reported that the preliminary plat submitted is for 12 lots with one lot deleted at the request of the planning staff prior to the P&Z meeting. He spoke of the platted lots located on Dixie Terrace and the proposed parking plan for the site. He commented that the 13 conditions imposed by the P&Z were not based on whether the proposed preliminary plat conformed to the Winter Park Land Development Code and the subdivision regulations. He said the conditions added were based upon generalizations and opinions as to whether the subdivision conformed to an undefined standard of land use. Although he did not object to condition #1 imposed by the P&Z, he addressed and rebutted the remaining 12 conditions imposed. He said clarification of the conditions need to occur in order to avoid any further delays with the project. In an effort to achieve design diversity, Mr. Hamilton asked for flexibility with the elevation and site plan designs. He asked if City Architect Alberto Vargas could approve elevation modifications to expedite the process. Mr. Hamilton continued with a summary

of the proposed project. Engineer Hugh Locke explained the difficulty of providing double garages for lots 1-4.

Vice Mayor Storer asked for public comments.

Joe Terranova, 700 Melrose Avenue, as the Chairman of the CRA Advisory Board, provided comments related to the CRA's determination that the proposed project is consistent with the CRA plan.

Shay Silver, 735 Pansy Avenue, commented on how she believed inadequate notice of the meeting was provided to the surrounding neighbors. She urged the Commission to return this request to the P&Z to address the applicant's comments regarding the conditions imposed.

Laurie McNear, 1136 Oaks Boulevard, spoke about the noise impact from the railroad crossing and how this project affects the existing residential area.

Thomas Kimble, 1070 Oaks Boulevard, opposed to the project, expressed his concern of the potential of this project to convert into rental property.

Margaret Howe, 1170 Kenwood Avenue, spoke that the applicant is not complying with the conditions imposed by the Planning and Zoning Commission.

Matt Zedler, 1101 Kenwood Avenue, spoke of the notice for the December 3, 2002, P&Z meeting and the site plan submitted for approval. He inquired into the legality of the applicant revising site plans prior to public hearings without providing proper notice to the public which he believed happened. He asked for the Commission to deny this request.

Francesca Moore, 1207 Kenwood Avenue, spoke how the conditions imposed are meant to protect the community.

Michelle Rodriguez, 1667 North Park Avenue, provided comments in opposition to this project and how it does not in her belief comply with the City's comprehensive plan. She displayed selected comments made from a memorandum provided by Special Counsel Glass to the City regarding this issue.

Special Counsel Glass noted the memorandum he submitted to the City Planner. He commented that what was presented by Ms. Rodriguez was not in the original format it was created in and that it was not on his firm's letterhead as originally drafted.

Joan Fenal, 1109-1115 Oaks Boulevard, provided comments in opposition to the proposed project and how it will impact her neighborhood.

No additional public comments were provided. Vice Mayor Storer closed the public comments.

Applicant Jeff Hamilton provided comments related to his experience in the real estate development field and that this request is for a permitted use and not a conditional use of the property.

Discussion ensued regarding whether there are other homeowner associations in the City that own and maintain park areas within their subdivision. City Planner Briggs confirmed that there is

precedent for the Commission to impose this restriction. He said there are also provisions related to public access. Commissioner DeVane inquired whether the final plat could be rejected if certain requests are not incorporated. Mr. Briggs explained that the only decision that needs to be made tonight is to approve the preliminary plat and whether this 12 lot layout and density is compatible with the neighborhood and if the architectural scheme presented is appropriate. He continued that only condition #1 is necessary to comply with at this point. He explained the remaining conditions are directions to the applicant and staff on items that need to be resolved before final plat approval.

Commissioner DeVane disclosed discussions she had with the applicant. She expressed her preference that the proposed changes to the imposed conditions be returned to the P&Z for review. She requested documentation related to the impact on the intersection of Beloit and Denning Avenues. She said she cannot support the proposed changes.

Commissioner Eckbert spoke in support of the conditions imposed by the P&Z. Commissioner Metcalf reported he had met with Mr. Hamilton and was unaware that he was opposed to the conditions. He suggested that this project be returned to the P&Z for negotiations. Commissioner Storer provided comments supporting the matter to be returned to the P&Z.

Immediately following Commissioner Storer's comments, Planner Briggs spoke that the applicant had agreed to accept the conditions imposed by the P&Z. Commissioner Eckbert asked for clarification of the final plat approval process.

Motion made by Commissioner Eckbert to approve the preliminary subdivision plat approval with the conditions imposed by the Planning and Zoning Commission, along with Special Counsel addressing the legality of the owner/occupancy provision, seconded by Commissioner Metcalf. Upon a roll call vote, Vice Mayor Storer and Commissioners Eckbert, Metcalf and DeVane voted yes. The motion carried unanimously with a 4-0 vote. The Mayor was not present to vote.

- g) AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58, LAND DEVELOPMENT CODE, ARTICLE III, "ZONING" SO AS TO AMEND SECTION 58-67 "LOW DENSITY RESIDENTIAL (R-2) DISTRICT", GENERAL DEVELOPMENT STANDARDS; SECTION 58-68 MEDIUM DENSITY MULTIPLE FAMILY RESIDENTIAL (R-3) DISTRICT", DEVELOPMENT STANDARDS; SECTION 58-82 "GENERAL PROVISIONS", SECTION 58-81 "OFF-STREET PARKING AND LOADING REGULATIONS" AND SECTION 58-91 "DEFINITIONS" TO CREATE NEW REGULATIONS FOR BUILDINGS IN THE R-2 AND R-3 ZONING DISTRICTS ON FIFTY TO SIXTY FIVE FOOT WIDE LOTS AND LARGER LOTS INCLUDING CERTAIN NEW DESIGN AND SITE DEVELOPMENT REQUIREMENTS, AMENDING CERTAIN R-2 CLUSTER HOUSING PROVISIONS, CREATING STANDARDS FOR REDEVELOPMENT OF EXISTING BUILDINGS, PROVIDING A METHODOLOGY TO APPLY SECOND FLOOR SETBACKS FOR ATTIC SIZE LIMITATIONS AND AMENDING PROVISIONS ON FRONT YARD PARKING. First Reading

Attorney McCaghren read the ordinance by title.

Planner Briggs provided the staff report. He explained the intent of the proposed ordinance and the changes to the development and design standards. Building Official George Wiggins spoke of the extensive revision process which has resulted in the proposed changes for the (R-2) zoning district. He presented an overview of the proposed changes.

Vice Mayor Storer asked for public comments.

Nancy Galyean, 746 McIntyre Avenue, provided comments in support of the proposed changes to the Land Development Code that would regulate compatibility to surrounding residences when new single family residences are built.

Robin Chapman, 1510 Glencoe Road, supportive of the proposed ordinance, spoke that this was a positive effort and helps plan the future of the City.

Gene Randall, 1285 Richmond Road, urged the Commission to adopt the ordinance. He provided photographs illustrating the impact to his neighborhood resulting from the existing (R-1) zoning designation.

Michelle Rodriguez, 1667 North Park Avenue, provided supportive comments to the revisions to the (R-2) zoning designation. She expressed her concern of upholding the Comprehensive Plan.

Thaddeus Seymour, 1350 College Point, thanked the Commission for considering the public comments provided. He spoke of the importance of this issue to the community.

Shay Silver, 735 Pansy Avenue, spoke about how the revisions proposed preserve the privacy between neighbors.

Lurline Fletcher, 790 Lyman Avenue, asked for clarification on the proposed ordinance.

Patrick Doyle, 748 McIntyre Avenue, urged the Commission to adopt the ordinance.

Mr. Wiggins spoke that this ordinance is a first step and that additional revisions may be necessary. He continued that significant bonuses are included in the ordinance that will encourage single family development within the (R-2) and (R-3) zoning designations.

Vice Mayor Storer closed the public comments portion of the meeting.

Commissioner Eckbert supportive of the ordinance, expressed his appreciation for the community's participation in coming up with a solution to this issue. Commissioners DeVane and Metcalf spoke in support of the ordinance.

Motion made by Commissioner DeVane to accept the ordinance on first reading, seconded by Commissioner Eckbert. Upon a roll call vote, Vice Mayor Storer and Commissioners Eckbert, Metcalf and DeVane voted yes. The motion carried unanimously with a 4-0 vote. The Mayor was not present to vote.

Vice Mayor Storer spoke how the ordinance was not project specific and hopes that dialogue will continue regarding its effectiveness.

- h) Request of the City of Winter Park to revise the architectural design guidelines for properties zoned Central Business (C-2) to extend the application of these design guidelines to properties within the New England Avenue corridor. **THE PLANNING AND ZONING COMMISSION UNANIMOUSLY APPROVED WITH A 5-0 VOTE.**

Planner Briggs provided the staff report. No public comments were provided.

Motion made by Commissioner Eckbert to approve the request to revise the architectural design guidelines for properties zoned Central Business (C-2) to extend the application of these design guidelines to properties within the New England Avenue corridor, seconded by Commissioner DeVane. Upon a roll call vote, Vice Mayor Storer and Commissioners Eckbert, Metcalf and DeVane voted yes. The motion carried unanimously with a 4-0 vote. The Mayor was not present to vote.

- i) AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 90 "STREETS, SIDEWALKS AND OTHER PUBLIC PLACES, ARTICLE IV, "NEWSRACK CODE" SO AS TO EXPAND THE AREA OF CONTROL OVER NEWSRACKS WITHIN THE PARK AVENUE CORRIDOR AS EXTENDING FROM NEW YORK AVENUE TO INTERLACHEN AVENUE, PROVIDING AN EFFECTIVE DATE. First Reading

Attorney McCaghren read the ordinance by title.

Planner Briggs provided the staff report. He said the newspaper boxes on Park Avenue have been very successful. He spoke that this amendment would provide for control over the proliferation of boxes on New York and Interlachen Avenues.

Vice Mayor Storer asked for public comments. No comments were provided.

Commission discussion ensued regarding whether this area should be extended to include Morse Boulevard or throughout the Central Business District.

Motion made by Commissioner DeVane to accept the ordinance on first reading, seconded by Commissioner Eckbert. Upon a roll call vote, Vice Mayor Storer and Commissioners Eckbert, Metcalf and DeVane voted yes. The motion carried unanimously with a 4-0 vote. The Mayor was not present to vote.

NEW BUSINESS:

1. Commissioner DeVane asked for an update on the Lakemont/Aloma property. Planning Director Martin reported that the proposed savings and loan project (AmSouth) will not be developed on that parcel. He spoke that the property owner is upgrading the units that were not in compliance. Discussion ensued regarding that this progress needs to be monitored.

2. Commissioner DeVane asked that based upon the experience of the (R-2) zoning designation review, that staff provide, along with architects from the community, an overall review of the (R-2) zoning designation for constraints and any possible problems. She suggested forming a task force to look at all the residential codes. Vice Mayor Storer spoke that staff should submit a list of possible areas of review.

Vice Mayor Storer adjourned the meeting at 8:02 p.m.

ATTEST:

Mayor

City Clerk