



City Commission Regular Meeting Minutes

November 8, 2023 at 3:30 PM

City Hall Commission Chambers
401 S. Park Avenue

Present

Mayor Phil Anderson, Commissioners Marty Sullivan, Sheila DeCiccio, Kris Cruzada and Todd Weaver; City Manager Randy Knight; Assistant City Manager Michelle del Valle; City Attorney Kurt Ardaman and City Clerk Rene Cranis.

1. Meeting Called to Order

Mayor Anderson called the meeting to order at 3:34 p.m.

2. Invocation - Peter Moore, Director of Office of Management and Budget

3. Pledge of Allegiance

4. Approval of Agenda

Motion made by Commissioner DeCiccio to approve the agenda; seconded by Commissioner Cruzada. Motion carried unanimously with a 5-0 vote.

5. Mayor's Report

a. Week of the Family Video and Proclamation

Mayor Anderson read the proclamation declaring the week of November 4-11 as Week of the Family and presented it to Melanie Williams, Co-Chair, Orange County Week of the Family. A welcome video to be played at Popcorn Flicks in the Park on November 11th was shown.

Mayor Anderson reminded everyone of the Veterans Day event, Friday, November 10th at 9:30 a.m.

6. City Manager's Report

7. City Attorney's Report

8. Non-Action Items

9. Public Comments | 5 p.m. or soon thereafter - Taken after Item 12a.

10. Consent Agenda

- a. Approve the minutes of the regular meeting, October 25, 2023.
- b. Approve the minutes of the work session, October 26, 2023
- c. Approve the following piggyback contracts:
 1. Gresco Supply, Inc. - Osceola County Contract #ELE/190961 - Transformer Supply and Delivery Services; For goods and services on an as-needed basis during the term of the Agreement through March 2, 2024; Amount: \$1,500,000
 2. WeeDoo Greenboats, Inc. - GSA Contract #47QMCA20D0042; For goods on an as-needed basis during the term of the Agreement through July 16, 2025; Amount: \$80,000
- d. Approve the following contracts:
 1. Delsia Margraf - FY20-25 - Utility Billing Consulting - Amendment 4; For services on an as-needed basis during the term of the Agreement through November 13, 2024; Amount: \$125,000
 2. HDD of Florida - RFP15-19 - Underground Conduit/Pipe Installation Services - Amendment 7; For services on an as-needed basis during the term of the Agreement through September 30, 2024; Amount: \$3,000,000
 3. Heart Utilities of Jacksonville - RFP10-19 - Electric Utility Installation & Maintenance - Amendment 5; For services on an as-needed basis during the term of the Agreement through September 30, 2024; Amount: \$2,000,000
- e. Approve the following purchase:
 1. Dobbs Equipment, LLC - John Deere 524L Wheel Loader Tractor purchase; Amount: \$226,241.20

Mayor Anderson removed Item 10b. **Motion made by Mayor Anderson to approve the Consent Agenda except Item b; seconded by Commissioner DeCiccio.** There were no public comments. **Motion carried unanimously with a 5-0 vote.**

Mayor Anderson addressed the comment on Page 4 of the October 26 minutes regarding the annual savings from eliminating extra conduit and recalled suggesting that staff confirm the savings. **Motion made by Mayor Anderson to amend the minutes adding "Mayor Anderson suggested staff confirm the annual savings before coming back to the Commission."; seconded by Commissioner Cruzada.** There were no public comments. **Motion carried unanimously with a 5-0 vote.**

11. Action Items Requiring Discussion

- a. Ravaudage Agreement Amendment for Road Improvements and Partial Reimbursement

Transportation Engineer Hong Lim provided the background of the original road improvement and reimbursement agreement and proposed amendments. Staff

recommends approval with the multi-modal transportation impact fees paid by the developer used to fulfill the payment/reimbursement.

Mayor Anderson said he would like to listen to prior discussions/meetings to gain a full understanding of the history and link between the 2017 agreement, funding, incentives and benefits. Commissioner Sullivan agreed that more information is needed. He explained the terms of the 2017 agreement and at his request, Mr. Knight cited Windsong as a subdivision where roads were built and paid for by the developer and granted to the city. He also cited commercial streetscape projects where the city participated in the cost.

Commissioner DeCiccio asked why this (cost-sharing) is being considered for this developer when it is not done for others and said she needs additional information. Commissioner Weaver expressed his concern about setting/continuing a precedent and said he is unsure that a future commission would agree to a similar request.

Mayor Anderson asked staff to advise whether part of the multi-modal plan connects the western edge of the city to 17-92 and whether this request helps achieve that part of the transportation plan.

Motion made by Mayor Anderson to table to December 13, 2023; seconded by Commissioner Weaver. Motion carried unanimously with a 5-0 vote.

12. Public Hearings: Quasi-Judicial Matters

a. Request of Metro Winter Park LLC to:

1. Ordinance 3287-23 - Amending the Comprehensive Plan Future Land Use designation from Institutional to Medium Density Residential to be consistent with the R-3 zoning of the properties (2nd reading)
2. Conditional Use approval for a two-story, 53-unit multi-family project on the properties at 821 & 831 W. Swoope Ave. and 800, 810 & 830 W. Webster Ave.

Attorney Ardaman read the ordinance by title. A simultaneous public hearing was held on these items.

Jeff Briggs summarized the requests for land use change to conform with current R-3 zoning and conditional use. He reviewed the concerns that have been addressed in the current site plan and the conditions agreed to by the developer. After hearing from the public and discussions in the previous meeting, staff is recommending the Webster driveway include a raised median to prevent left turns onto Webster. In addition, staff has looked at Swoope Avenue and believes the developer will agree to widen Swoope to provide on-street public parking on the north side of Swoope along the length of the project. He provided the background of R-3 zoning designation and area zoning and uses. He said conditional use approval is required because the number of units and

because the total square footage exceeds 10,000 square feet and went on to explain the standards for conditional use.

Becky Wilson, attorney for the property owner, stated the applicant has added a raised median as outlined by Mr. Briggs. She identified area R-3 zoned properties and their current uses and explained the ability for R-3 properties to be redeveloped from current single-family to townhomes. She showed images of area properties and renderings of the building on Webster which has been redesigned to look more like a single-family home. She stated the applicant has agreed to widen Swoope Avenue on the north side from Capen to Denning with two 11'-wide travel lanes (portion to be impact fee creditable); construct five on-street parking spaces along Swoope frontage and improve curb ramps at the NW corner of Swoope and Capen.

Commissioner Sullivan questioned the width of Swoope and suggested changing the language to require increasing the width by two feet. Jeff Swisher, Kimley Horn, said the width of Swoop varies and the intent is to have a consistent width of 22 feet from edge of asphalt to edge of asphalt. Mrs. Wilson said requiring a two-foot increase would create an inconsistent pavement width.

Commissioner Cruzada asked if any consideration was given to maintaining some level of single family instead of multi-family next to existing single-family residential homes on Webster and Swoope. Mrs. Wilson stated that change would result in a reduction in the number of units. In essence, the applicant is being asked to give up their rights under R-3 zoning when the adjacent properties zoned R-3 will still have the ability to redevelop into townhomes without having to come before the commission. Commissioner Cruzada said he spoke with residents who prefer single family homes compatible with the neighborhood.

Commissioner Weaver said it is not unusual for the commission to look at compatibility of uses and agrees with Commissioner Cruzada regarding single-family homes adjacent to multi-family homes. He suggested converting all or parts of Buildings 9 and 15 to single-family units, which would reduce the number of units; but the units could be smaller to retain the current number of units and could be made more affordable.

Mayor Anderson noted the zoning has been established and cannot be taken away without consequences, but feels the core question is whether the proposal is compatible within the zoning. He addressed comments raised in the previous meeting about stormwater, which he feels is a superior improvement to current conditions; preference for ownership versus rental, which the city cannot dictate; and character of the community (ways to introduce change that meets the character of the community). He expressed appreciation for the single-family use along Capen, which is compatible with existing use on Capen. The question is how Building 9 relates to the lots to the west and how the end of Building 15 relates to the lots along Webster.

Commissioner Cruzada spoke about the history and heritage of the area and showed provisions from the Code and Comp Plan regarding protection of and compatibility with

adjacent and surrounding residential uses. He showed photos of homes in the area depicting smaller homes with lower pitched roofs as opposed to the two-story and higher pitched roofs proposed in the development.

In-depth discussion was held on compatibility and different scenarios: one versus two-story houses, massing, size of units, relocating buildings to adjust for loss of units if converted to single-family unit.

Mrs. Wilson said they would be willing to change Building 9 to a duplex, looking as if it were single-family. Lengthy discussion followed on opportunities and barriers to move Building 15 to reduce the visual impact of the two and a half story structure, including increasing setbacks and changing the end unit to one-story and second story stepbacks. Also discussed were options for separating Building 9 into smaller single-family units and allowing reduced setback and increased density of the interior to accommodate the loss of units.

The following spoke in opposition, citing incompatibility, traffic, and preservation of the neighborhood.

- Donna Snyder, 640 Douglas Avenue
- Willie Clark, 820 W. Webster Avenue
- Sheila Reid, 780 Carver Street
- Bill Cole, 794 W. Swoope (on-street parking - Capen Avenue, public safety access)
- Brenda Martin-Smith, 831 W Webster
- Roda Ward Carter, 840 W. Canton (petition in opposition to the request)
- Mary Daniels, 650 Canton Avenue
- Adeline Davis, 367 Holt Avenue
- Charles Newton, 631 W. Swoope (cited inconsistencies with Comp Plan, CRA Plan)
- Anjali Vaya, 521 N. Capen Avenue
- Martha Bryant Hall, 331 W. Lyman
- Ruben Paige, 840 Carver Street

A recess was held from 5:58 to 6:15 p.m.

Mrs. Wilson expressed empathy for the neighbors and the history. Although the applicant has given up substantial density and building height, they are willing to compromise by adding a single-family unit on Webster, which will cause the loss of a unit in Building 15, provided they are granted the ability to add a unit to one of the internal buildings. Regarding the buildings on Swoope, they will agree to change Building 9 to a duplex and Building 8 to a 4-plex or to change Building 9 to a single-family unit (with the existing unit width) and make Building 8 a 5-plex.

Mr. Briggs responded to questions regarding on-street parking stating the Swoope parking is in addition to the onsite parking and explained parking is allowed on both sides of Capen because of its wider than normal width, however, the Planning and Zoning Board discussed options to increase the width of the parking spaces by

decreasing the greenspace between the curb and sidewalk. Mrs. Wilson added that not all residents were in agreement. Mayor Anderson summarized this is a city decision, but funding needs to be identified. Commissioner DeCiccio suggested CRA funds could be used to fund all or part of fixing parking on Capen and put the rest on an improvement plan and that staff get the neighbors input on what would help them.

Mayor Anderson thanked the applicant for their empathy for the residents' experience and appreciated the information and history provided. Commissioner DeCiccio suggested forming a committee to look at the entire area toward the goal of preserving the history, culture and neighborhood feel of the area. Mayor Anderson said he feels that was the original intent of the CRA Advisory Board and spoke about efforts of the Board. He suggested a future topic of compatibility of residential styles. He questioned whether this could be approved based on the compromise or whether this needs to come back with a modified site plan based on commission direction.

Continued discussion was held on compatibility issues and compromises to change the exterior to single-family homes, or to look like single-family homes.

Mayor Anderson believes there is support for single-family or the appearance of single family on three sides. The commission can approve or deny the applicant's proposal or table with the applicant's consent.

Mrs. Wilson noted that the applicant has met all city codes without variances and they have spent time and money guessing what would be acceptable. She explained existing conditions on R-3 zoned lots across the street that have four homes on one lot and adjacent lots with two and three-story apartments and as a result it is unfair to ask the applicant to build single-family homes across the street.

Commissioner Weaver clarified that he is not suggesting reducing the number of units, but making them smaller, and he could support using R-1 setbacks to make it work. In-depth discussion followed on different site plan scenarios and options for narrowing and decreasing the size of units with a single-family or single-family expression. Mrs. Wilson noted that a reduction of the parking ratio to 2.0 would be needed. She added that they would have to revise their plan to see if they could regain the two units lost as part of the commission's direction. She said if the commission desires to see the revised plan, she would prefer this be tabled to the next meeting.

Motion made by Mayor Anderson to table and continue the ordinance and conditional use request to December 13th; seconded by Commissioner DeCiccio. Upon a roll call vote Commissioners Sullivan, DeCiccio, Cruzada and Weaver and Mayor Anderson voted yes. Motion carried unanimously with a 5-0 vote.

Commissioner DeCiccio asked staff to work on options for Capen Avenue in order to determine what is best for the neighborhood.

9. Public Comments | 5 p.m. or soon thereafter – None.

A recess was held from 7:05 to 7:15 p.m.

13. Public Hearings: Non Quasi-Judicial Matters

- a. RESOLUTION 2280-23 - A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, DESIGNATING THE PROPERTY LOCATED AT 1390 INDIANA AVENUE, WINTER PARK, FLORIDA AS A HISTORIC RESOURCE ON THE WINTER PARK REGISTER OF HISTORIC PLACES.

Mr. Briggs provided the history of this property and presented the request, which is recommended for approval by the Historic Preservation Board.

Motion made by Commissioner Weaver to approve the resolution; seconded by Commissioner Sullivan. Attorney Ardaman read the resolution by title. There were no public comments. **Upon a roll call vote, Commissioners Sullivan, DeCiccio, Cruzada and Weaver and Mayor Anderson voted yes. Motion carried unanimously with a 5-0 vote.**

- b. Ordinance prohibiting smoking and vaping in city parks and recreational facilities (1st reading)

Attorney Ardaman read the ordinance by title.

Director of Parks and Recreation Jason Seeley provided the history of smoking ban, including vaping, in parks and recreation facilities and provided details on the prohibition, signage, and enforcement. It does not apply to cigars.

Gigi Papa, 1440 Hibiscus Avenue, opposed the ordinance, feeling a smoking ban in public parks should be decided by the residents not by the commission.

Jimmy Clarity, Vice-President of Community Impact, American Heart Association, commended the Parks and Recreation Advisory Board and advancing this to the commission and provided a history of smoking prohibition regulations.

Mr. Seeley responded to questions.

Motion made by Commissioner Weaver to approve the ordinance; seconded by Commissioner DeCiccio. Upon a roll call vote, Commissioners Sullivan, DeCiccio and Weaver and Mayor Anderson voted yes. Commissioner Cruzada voted no. Motion carried unanimously with a 4-1 vote.

14. City Commission Reports

Commissioner DeCiccio –

- On behalf of the Winter Park Library, thanked staff for the help with their recent Festapalooza event.

- Advised that work on Orange Avenue from Clay up to and including the intersection with 17-92 begins in January.

Commissioner Cruzada –

- Thanked staff for the stormwater improvements on Brechin, Whitehall and Lakemont.

Commissioner Weaver –

- Reminded everyone of the Veterans Day event on November 10th which will include a tribute to veteran and former Mayor Joe Terranova

15. Summary of Meeting Actions

- Approved the Consent Agenda with amendment to the work session minutes.
- Tabled the Ravaudage agreement with a request for additional information.
- Tabled the request regarding the redevelopment of the former Patmos Chapel property to December 13th.
- Directed staff to evaluate the parking along Capen Avenue.
- Approved resolution adding 1390 Indiana Avenue to the Register of Historic Places.
- Approved ordinance banning smoking and vaping in city parks on first reading.
- From CRA Agency meeting, asked staff to get a proposal to update the base parking study and pursue getting back a track crossing at end of the train station platform at Garfield.

16. Adjournment

The meeting adjourned at 7:41 p.m.

Mayor Phillip M. Anderson

ATTEST:

City Clerk Rene Cranis