



City Commission Regular Meeting

Agenda

February 26, 2025 @ 3:30 PM

City Hall Commission Chambers
401 S. Park Avenue

welcome

Agendas and all backup material supporting each agenda item are accessible via the city's website at cityofwinterpark.org/meetings/ and include virtual meeting instructions.

assistance & appeals

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

"If a person decides to appeal any decision made by the Board with respect to any matter considered at this hearing, a record of the proceedings is needed 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).

please note

Times are projected and subject to change.

1. Meeting Called to Order**2. Invocation - Pastor Ron Camblin, Aloma Church****3. Pledge of Allegiance****4. Approval of Agenda****5. Mayor's Report**

- a. Proclamation: Multiple Sclerosis Awareness Week 5 minutes
- b. Proclamation: Irish-American Heritage Month 5 minutes

6. City Manager's Report

- a. Strategic Plan Update 5 minutes

7. City Attorney's Report**8. Non-Action Items****9. Public Comments | 5 p.m. or soon thereafter**

(If the meeting ends earlier than 5 p.m., public comments will be at the end of the meeting. Three minutes are allowed for each speaker.)

10. Consent Agenda

- a. Approve the minutes of the regular meeting, February 12, 2025. 1 minute
- b. Approve the minutes of the work session, February 13, 2025. 1 minute
- c. Approve the following piggyback contracts: 1 minute
 - 1. SiteOne Landscape Supply, LLC - Lee County Contract #B240067AVR - Irrigation Parts and Related Items; for goods on an as-needed basis during the term of the agreement through March 18, 2027; Amount: \$250,000
 - 2. EPS International - FMPA Contract #ITB 2022-034 - Substation & Generating Station Maintenance - Renewal; for services on an as-needed basis during the term of the agreement through February 28, 2026; Amount: \$300,000
 - 3. BluSky Restoration Contractors, LLC - Orange County Public Schools Contract #ITB2004132 - Asbestos-Mold-Environmental Remediation Services; for services on an as-needed basis during the term of the agreement through August 25, 2025; Amount: \$200,000
 - 4. The Scarlett Group - TIPS Contract #23010401 - Trades, Labor,

and Materials (NON-JOC); for fleet equipment purchases during the term of the agreement through April 30, 2028; Amount: \$100,000

- | | |
|--|----------|
| d. Approve the following contracts: | 1 minute |
| 1. SS25-2 - Data Flow System, Inc. - TAC II SCADA System; for services on an as-needed basis through September 30, 2025; Amount: \$300,000 | |

11. Action Items Requiring Discussion

- | | |
|---|------------|
| a. Park Avenue Refresh Project Update & Design Approval | 20 minutes |
|---|------------|

12. Public Hearings: Quasi-Judicial Matters

(Public participation and comment on these matters must be in-person.)

- | | |
|--|------------|
| a. Ordinance - Vacating and abandoning a portion of Cypress Avenue between the FDOT Sunrail right-of-way and Palmetto Avenue. (1st reading - Tabled from February 12, 2025) | 10 minutes |
| b. Request from Frank LoCascio for properties at 2137 Oglesby Avenue and 725 Formosa Avenue: | 5 minutes |
| <ul style="list-style-type: none"> • Ordinance 3329-25 - Annexation • Ordinance 3330-25 - Establishing Commercial Future Land Use • Ordinance 3331-25 - Establishing Commercial (C-3) Zoning (2nd Readings) | |

13. Public Hearings: Non Quasi-Judicial Matters

(Public participation and comment on these matters may be virtual or in-person.)

- | | |
|--|-----------|
| a. Ordinance 3328-25 - Eliminating Tree Preservation Board (2nd reading) | 5 minutes |
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14. City Commission Reports

15. Summary of Meeting Actions

16. Adjournment



City Commission

agenda item 5.a

item type

Mayor's Report

meeting date

February 26, 2025

prepared by

Craig O'Neil, Assistant Director of Communications

approved by

Randy Knight, City Manager

subject

Proclamation: Multiple Sclerosis Awareness Week

motion | recommendation**background****alternatives | other considerations****fiscal impact****attachments**

None



City Commission

agenda item 5.b

item type

Mayor's Report

meeting date

February 26, 2025

prepared by

Craig O'Neil, Assistant Director of Communications

approved by

Randy Knight, City Manager

subject

Proclamation: Irish-American Heritage Month

motion | recommendation**background****alternatives | other considerations****fiscal impact****attachments**

None



City Commission

agenda item 6.a

item type

City Manager's Report

meeting date

February 26, 2025

prepared by

Michelle del Valle, Assistant City Manager

approved by

Randy Knight, City Manager

subject

Strategic Plan Update

motion | recommendation**background**

In June 2024, the City Commission held a strategic planning session that included the review of feedback from an informal survey, confirmed the current vision statement and focused on a discussion of agreed upon prioritized topics. Following the discussion, action items were identified and assigned to various departments. Attached is an updated report to share the status of the various strategic initiatives.

alternatives | other considerations**fiscal impact****attachments**

1. CITY COMMISSION STRATEGIC PLANNING - COMMENT SHEET 02.26.25

CITY COMMISSION STRATEGIC PLANNING

February 2025: Update of discussion of items as ranked by the City Commission

On June 27, 2024, the City Commission along with staff held a strategic planning session that included the review of feedback received from the informal survey that was conducted in June 2024, confirmation of the city's current vision statement, and agreed upon prioritized discussion items.

Below are updates to the strategic planning tasks indicating completion, current status or staff recommendations.

a. Infrastructure

Strategic planning task	Staff comments
Waiting on results of stormwater basin studies.	Basin studies have been completed and projects prioritized. Funding was included in the FY2025 budget and work is beginning. Development of a scorecard and communication plan is also underway.
Discussed options for Pennsylvania Avenue rebricking, funding challenges, brick shortages, etc.	Spot repairs have been made. Possible federal funding of \$250K for 2025. Reapplying for appropriation of \$3.5M in 2026.
Develop sidewalk placement strategy for future developments.	Not yet started.

b. Parks upkeep, expanding parks

Strategic planning task	Staff comments
Discussed the additional operating costs associated with building new parks.	Done as part of budget process.
Continue to focus on maintaining existing parks.	Cady Way Pool: Major refresh as part of public/private partnership. Central Park West Meadow: New public bathrooms and pavilion under construction. Park Ave & Central Park: Major refresh to the infrastructure and aesthetics to Park Ave and along Central Park (potentially three-four phases required) Winter Park Pines: Continued improvements underway.



Strategic planning task	Staff comments
Discussed desire to have a park west of US Hwy 17-92. Discussed potential to create a park at the current Tree Farm. Look for public/private partnership(s).	Public/private partnership being considered. One neighborhood meeting was held. Park currently being redrawn to include neighborhood feedback.
Work towards purchase of 436 property that abuts the Winter Pines Golf Course.	Realtor has been contacted. The current price is not within reasonable expectation.
Value engineer St. Andrew's Trail project and resubmit to FDOT for funding.	
Develop cost estimate to underground the powerlines on Harper Street and reshape the parking garage to maximize spaces with garage extending above the road.	Cost estimate was \$12M to \$14M. Currently not pursuing official engineered cost estimate.
Consider a more temporary solution to create parking at MLK, Jr. Park to allow for longer-term goals.	Successfully negotiated agreement with Heritage Park for night and weekend parking. Renewed parking lease with Valencia. Building a smaller lot near Lake Island Hall, which is currently in permitting.

c. Aloma Avenue revitalization

Strategic planning task	Staff comments
Plan and host a meeting with property owners along Aloma Avenue to learn about their long-term goals and establish some common vision for the future of that corridor.	Project scheduled to begin Spring/Summer of 2025

d. Aligning Transportation Master Plan with MetroPlan Orlando

Participate on various MPO Board to keep Winter Park projects in the forefront. Staff continuously works with MetroPlan to make sure our projects remain in alignment with their future workplans.
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e. Unfunded state appropriations

Monitor state legislative proposals and work with our lobbyist and state representatives to influence legislation and appropriations.

f. West Fairbanks quadrant revitalization

Strategic planning task	Staff Comments
Continue to advance the CRA extension and expansion process.	CRA extension and expansion granted for 10 years.



Host an owners' meeting following Orange County's decision on the CRA.

Project to start in winter 2025.

g. Enhance electric service to non-Winter Park electric customers

Strategic planning task	Staff comments
Consider lobbying the Public Service Commission for the right to buy additional areas not currently in our territory, but within the city limits.	A survey to residents will go out early March to gather opinion of service.
Continue to work with Duke Energy® to take advantage of the storm-hardening plan & system enhancement.	Electric Department continues to explore, very limited options at this time.
Collect data (SAIDE) on the performance of Winter Park neighborhoods against the Duke Energy® system as a whole as potential leverage to acquire or improve.	Not yet started.

h. Statistically valid citizen survey

Strategic planning task	Staff comments
Gather data on potential survey organizations & costs	Planning for a survey to be administered in 2026
Discuss this further as a City Commission work session topic	Work session on this topic to be held in Fall of 2025
Goal to have survey within the next two years	

i. Develop Strategic Land Acquisition list

Strategic planning task	Staff comments
Focus on strategic acquisitions list as presented - Eliminate potential parking behind Pottery Barn - Add FDOT/Wymore property and Solana property to the list	Acquired critical land on Fairbanks to improve Denning intersection and stormwater. Leasing additional parking on New England (behind Haagen-Dazs). The property behind Pottery Barn is not for sale.
High priorities 436 property - Denning/Fairbanks	436 property price not reasonable.

j. Residential assistance. incentives and rebate programs

Strategic planning task	Staff comments
Provide statistics on current use of programs	Staff is working on this.
Create social media campaign	



Make easy to find on website

k. Refresh of Park Avenue with one-way traffic and angle parking

Strategic planning task	Staff comments
	The one-way traffic model was not favorable to the City Commission. The Park Avenue Refresh project is underway with the goals of enhancing safety & aesthetics; strengthening infrastructure; providing consistency and maintaining the charm and warmth of the Avenue. Construction expected to begin summer 2025.

Future proofing exercise

- What challenges/changes beyond our control will the city face in the next 5 – 20 years?

Strategic planning task	Staff comments
How people get around ▪ Transportation ▪ Charging for micro transportation (scooters, e-bikes, etc.) ▪ Shuttles and non-driver shuttles • Parking leases with downtown churches	Considering the creation of a mobility hub as part of the Park Ave Refresh project. Entered two new parking agreements in downtown area. Staff closely engaged with MetroPlan
Surveillance – robotic Exploration of the use(s) of Artificial Intelligence (AI) ▪ Currently developing a policy to govern the use of AI	IT is developing an AI Policy and exploring areas for use and consideration. A pilot project is expected to begin FY 2025
Employee recruitment and retention ▪ Flex hours/schedule ▪ Competition with private market (pay and benefits)	Maintaining availability for citizens and guests 5 days per week. Testing (6-month evaluation) individual departmental plans for flex schedules. Implemented a second phase of the pay study in FY 2025 budget.



Comparing benefit packages for FY 2026 budget.



City Commission

agenda item 10.a

item type

Consent Agenda

meeting date

February 26, 2025

prepared by

Rene Cranis, City Clerk

approved by

Randy Knight, City Manager

subject

Approve the minutes of the regular meeting, February 12, 2025.

motion | recommendation**background****alternatives | other considerations****fiscal impact****attachments**

1. Minutes - 02-12-2025



City Commission Regular Meeting Minutes

February 12, 2025 at 3:30 PM

City Hall Commission Chambers
401 S. Park Avenue

Present

Mayor Sheila DeCiccio, Commissioners Marty Sullivan, Craig Russell, 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 DeCiccio called the meeting to order at 3:30 p.m.

2. Invocation - Dr. Harold Dorrell Briscoe, Dean of Religious and Spiritual Life, Rollins College

3. Pledge of Allegiance

4. Approval of Agenda

Motion made by Commissioner Cruzada to approve the agenda excluding Item 10.d.4 (removed at the request of staff) and Item 12.a. (postponed at the request of the applicant), seconded by Commissioner Weaver. The motion carried unanimously with a 5-0 vote.

5. Mayor's Report

a. Proclamation: Larry Adams

Mayor DeCiccio read a proclamation recognizing Larry Adams for his contributions to Winter Park and declaring February 12, 2025 as Larry Adams Day. Mr. Adams and his daughter, Jennifer, thanked the city for this recognition.

Mayor DeCiccio spoke about the increased use of electric scooters and bicycles and safety issues. Police Chief Tim Volkerson advised that riders must operate under same rules as a regular bicycle. Videos and brochures are being prepared to educate both children and parents and the department's traffic unit has increased its presence and contact with operators.

6. City Manager's Report

a. Presentation: Dr. Phillips Center

Kathy Ramsberger, President and CEO of Dr. Phillips Center, gave a presentation on the Dr. Phillips Center's programs and community impact and support and future plans.

7. City Attorney's Report

Mr. Ardaman advised of ethics complaints filed against individual Historic Preservation Board members and others for actions and statements made in their capacity as public officials. He recommended that, as provided for in State Statutes, the city provide and pay for a single attorney/law firm to represent those named in the complaint who do not have legal counsel.

Motion made by Mayor DeCiccio that the City Commission hereby finds that the ethics complaints by Ryan Phillips against certain Historic Preservation Board members, city staff, counsel, consultant, relate to actions and statements made in their capacity as public officials, and arose out of, or in connection with the performance of their official duties, serving a public purpose. Accordingly, the city manager is authorized to use public funds to provide for the defense of those individuals who do not have legal representation, seconded by Commissioner Sullivan. The motion carried unanimously by a 5-0 vote.

8. Non-Action Items

9. Public Comments | 5 p.m. or soon thereafter (Heard after Item 12c)

10. Consent Agenda

- a. Approve the minutes of the regular meeting, January 22, 2025.
- b. Approve the minutes of the work session, January 23, 2025.
- c. Approve the following piggyback contracts:
 1. Duval Ford, LLC - Florida Sheriffs Association Contract #FSA24-VEL32.0 - Pursuit, Administrative, and Other Vehicles; for vehicle purchases during the term of the agreement through September 30, 2025; Amount: \$350,000
 2. Duval Ford, LLC - Florida Sheriffs Association Contract #FSA23-VEH-21.1 - Heavy Trucks and Buses; for vehicle purchases during the term of the agreement through September 30, 2025; Amount: \$100,000
 3. Duval Ford, LLC - Bradford County Sheriff's Office Contract #22-27-1.0 - Vehicle Purchasing Agreement; for vehicle purchases during the term of the agreement through September 12, 2027; Amount: \$200,000
 4. Southern Switches & Contacts - FMPA Contract #ITB 2022-034 - Substation and Generating Station Maintenance - Renewal; for services on an as-needed basis during the term of the agreement through February 28, 2026; Amount: \$150,000
 5. Vortex Services, LLC - TIPS Contract #20110401 - Pipe Bursting; for services on an as-needed basis during the term of the agreement through January 31, 2027; Amount: \$1,250,000
 6. Mansfield Oil Company of Gainesville, Inc. - Orange County Contract #Y23-105A - Motor Fuels Transport Deliveries - Renewal; for services on an as-needed basis during the term of the agreement through February 20, 2028; Amount: \$2,600,000

7. Sunbelt Rentals, Inc. - GSA Contract #GS-21F-0028T - Hardware Superstore; for goods on an as-needed basis during the term of the agreement through July 29, 2027; Amount \$150,000
8. Grainger, Inc. - NASPO Contract #31160000-25-NASPO-ACS - Facilities Maintenance Repair, and Operations (MOR) and Industrial Supplies; for goods on an as-needed basis during the term of the agreement through August 31, 2026; Amount: \$150,000
9. Hale Innovation, LLC - Seminole County Contract #RFP-604788-24/TLR - Grant Consultant Services; for services on an as-needed basis during the term of the agreement through November 11, 2027; Amount: \$150,000
10. SiteOne Landscape Supply - Brevard County Contract #B-8-24-10 - Agriculture & Aquatic Chemicals; for goods on an as-needed basis during the term of the agreement through December 1, 2026; Amount: \$225,000
- d. Approve the following contracts:
 1. RFP8-24 -The Davey Tree Expert Company - Tree Pruning and Removal Services; for services during the term of the agreement through July 7, 2025; Amount: \$475,000
 2. RFQ27-21 - Kimley-Horn & Associates, Inc. - Continuing Urban Design Services - Renewal; for services on an as-needed basis during the term of the agreement through January 20, 2026
 3. Orange County Sheriff's Office - Memorandum of Understanding - Amendment 1; approval to share radio channel encryption information with City of St. Cloud
 4. SS25-2 - Data Flow System, Inc. - TAC II SCADA System; for services on an as-needed basis through September 30, 2025; Amount: \$400,000
(Removed at staff's request.)
 5. FY23-2 - Florida Fish & Wildlife Conservation (FWC) - Aquatic Vegetation Control for City Water Bodies - Renewal; the Work Plan for aquatic management reimbursements for public lakes
- e. FY25 Budget Amendment - City Hall Office Renovation & Reuse
- f. Accept change in polling location to YMCA from University Club

Motion made by Commissioner Weaver to approve the Consent Agenda, except Item d.4; seconded by Commissioner Cruzada. The motion carried unanimously by a 5-0 vote.

11. Action Items Requiring Discussion

12. Public Hearings: Quasi-Judicial Matters

- a. Tree Removal Permit Appeal - 1251 Woodmere Dr.

This appeal was postponed at request of applicant.

- b. Ordinance - Vacating and abandoning a portion of Cypress Avenue between the FDOT Sunrail right- of- way and Palmetto Avenue. (1st reading)

Attorney Ardaman read the ordinance by title. Mr. Knight reviewed the background of this right-of-way and Assistant Director of Public Works Don Marcotte responded to questions about the use of the property. Commissioner Sullivan expressed concern about vacating the right-of-way in the case the city could use it in the future. Mayor DeCiccio expressed concern about the lack of parking in the area. Commissioner Weaver agreed with Commissioner Sullivan.

Motion made by Mayor DeCiccio to table for one month. She would like more information on the plan to add more parking.

Zane Williams, applicant, explained the property was used exclusively for parking by the previous owner of the adjacent properties. He asked that, rather than deny this request, the commission visit the site and meet with him to review his plans and agreed about the need for parking.

Discussion followed on the original intent and use of the property. Commissioner Cruzada supported the abandonment for the benefit of future parking. Commissioner Weaver suggested a public private partnership for shared use of the parking area.

Upon questioning by Mayor DeCiccio, Mr. Williams said he will be prepared to address in two weeks. **Mayor DeCiccio revised her motion to table to the next meeting, February 26th, and seconded by Commissioner Weaver. Motion carried unanimously by a 5-0 vote.**

c. Ordinance - Eliminating Tree Preservation Board (1st reading)

Mr. Ardaman read the ordinance by title. Commissioner Sullivan spoke about the importance of the city's tree canopy and said this board is critical for proper oversight and management. He feels lack of attendance by board members is not a valid reason to disband the board and should be addressed by staff and the appointing member of the commission.

Parks Services Manager Josh Nye reviewed the attendance issues and the inability to obtain a physical quorum to hear appeals of tree removal permit denials. He explained that the Urban Forestry Division will review and issue tree removal permits and the Code Compliance Board would only hear appeals of denials of tree removal permits.

There were no public comments. **Motion made by Commissioner Russell to approve the ordinance on first reading, seconded by Commissioner Cruzada. Upon a roll call vote, Commissioners Russell and Cruzada and Mayor DeCiccio voted yes. Commissioners Sullivan and Weaver voted no. The motion carried by a 3-2 vote.**

9. Public Comments | 5 p.m. or soon thereafter (Heard after Item 12c)

Bob Barnett, Austin's Coffee employee, expressed concern about the future of Austin's Coffee with the proposed widening of Fairbanks Avenue and spoke about the benefits of arts and art venues in the community.

Mark Russell, 1237 Park Green Place, distributed copies of case studies on the impact of pickle ball courts such as noise, lighting and vibrations that will impact his home. The following also expressed concern: David Adhira, 1233 Park Green Place, Daniel Assael, 1140 and 1144 Park Green Place and Denise DeLuca Grasso, 1132 Park Green Place. It was suggested they developer erect a 12-foot wall, increased landscaping and limited operating hours. At the request of the commission, Director of Planning and Zoning Alison McGillis will meet with the residents.

Gigi Papa, 1440 Hibiscus Avenue, opposed the city paying for legal representation on an ethics complaint and spoke about upcoming elections and questions in a recent survey, which she found inappropriate.

Chris Messina, water utility customer, spoke about the adverse effects of fluoride and asked that the city eliminate fluoride from the water as many other cities have done.

d. Request of Frank LoCascio to:

- Annex the properties at 2137 Oglesby Avenue and 725 Formosa Avenue
- Establish Commercial Future Land Use
- Establish Commercial (C-3) Zoning (First Readings)

Attorney Ardaman read the ordinance by title. A simultaneous public hearing was held on these ordinances. Senior Planner John Harbilas gave a presentation on these requests for property located within the city's proposed annexation area. There were no public comments.

Motion made by Commissioner Cruzada to approve the annexation ordinance on first reading, seconded by Commissioner Russell. Upon a roll call vote, Commissioners Sullivan, Russell, Cruzada and Weaver and Mayor DeCiccio voted yes. The motion carried unanimously by a 5-0 vote.

Motion made by Commissioner Cruzada to approve the land use change ordinance on first reading, seconded by Commissioner Russell. Upon a roll call vote, Commissioners Sullivan, Russell, Cruzada and Weaver and Mayor DeCiccio voted yes. The motion carried unanimously by a 5-0 vote.

Motion made by Mayor DeCiccio to approve the zoning ordinance on first reading, seconded by Commissioner Cruzada. Upon a roll call vote, Commissioners Sullivan, Russell, Cruzada and Weaver and Mayor DeCiccio voted yes. The motion carried unanimously by a 5-0 vote.

13. Public Hearings: Non-Quasi-Judicial Matters

- a. RESOLUTION 2296-25 - A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, REPEALING RESOLUTION 2286-24, REGARDING THE IMPLEMENTATION OF A NEW TRAFFIC SIGNAL AT THE INTERSECTION OF S.R. 426/ALOMA AVENUE AND CORTLAND AVENUE; PROVIDING FOR AN EFFECTIVE DATE.

Attorney Ardaman read the resolution by title. Mr. Knight explained the background of discussions on improvements on Aloma Avenue and the proposed light at Cortland Avenue and the adoption of a resolution supporting the traffic light. However, in recent weeks, residents have raised opposition to the light, and as a result, this resolution will reverse the city's support. Director of Public Works and Transportation Charles Ramdatt stated raised intersections are proposed along Aloma, but the city has not received notification of FDOT's decision based on community input.

Commissioner Weaver opposed removal of the light until it is known whether the intersection will be raised.

Motion made by Mayor DeCiccio to adopt Resolution 2296-25, seconded by Commissioner Cruzada.

The following spoke in support of the light: Mark Sawruk, 1410 Alberta Drive and David Roark, 468 Lakewood Drive

The following opposed the light: Drew Bernstein, 150 Cortland Avenue; Blake Bernstein, 150 Cortland Avenue (canvassed the neighborhood and read the list of names opposing the light); Rhett Delaney, 1331 Aloma Avenue; Ann Higbie, 190 Ward Drive; Jon Arost, 1323 Aloma Avenue (showed map indicating support and opposition to the light); and David Albertson, 55 Trismen Terrace.

Mayor DeCiccio acknowledged the work of the Fix 426 group. She noted that the property owners withdrew their donation of the land for the light.

Motion made by Commissioner Weaver to table until response is received from FDOT about other solutions. Mr. Ramdatt clarified that the city is waiting on FDOT's position based on citizen comments received in last week's community meeting. **Motion withdrawn.**

Upon a roll call vote to adopt the resolution, Commissioners Sullivan, Russell, Cruzada and Weaver and Mayor DeCiccio voted yes.

14. City Commission Reports

Commissioner Sullivan –

- Commented on the Police Department's new program, Homeless Advocacy Response Team.
- Spoke about the Arts Weekend events from February 20-23.

Commissioner Russell –

- Urged residents to attend Black History Month and Arts Weekend events.
- Thanked Mr. Ramdatt and his staff that helped with issues near the bike trail.
- Looking forward to working with the Police Department on scooter safety videos.

Commissioner Cruzada –

- Thanked the Parks and Recreation Department and others for their work on the ribbon cutting of Seven Oaks Park.
- Commended Winter Park Youth Council on coordinating the candidate forum.

15. Summary of Meeting Actions

- Presented proclamation to Larry Adams.
- Received report on rules and communications for e-Scooters and e-bikes.
- Received presentation on the community impact of Dr. Phillips Center.
- Received report on ethics violations and authorized expenditure for legal representation.
- Approved the Consent Agenda excluding Item d.4.
- Postponed appeal of tree removal permit for 1251 Woodmere Drive.
- Tabled ordinance vacating a portion of Cypress Avenue until February 12th.
- Approved ordinance disbanding the Tree Preservation Board on first reading.
- Approved ordinances annexing and changing land use and zoning for 217 Oglesby and 725 Formosa.
- Adopted resolution repealing support of the traffic signal at Aloma and Cortland.
- Noted Arts Weekend events February 21-23.

16. Adjournment

The meeting adjourned at 6:32 p.m.

Mayor Sheila DeCiccio

ATTEST:

City Clerk Rene Cranis



City Commission

agenda item 10.b

item type

Consent Agenda

meeting date

February 26, 2025

prepared by

Rene Cranis, City Clerk

approved by

Randy Knight, City Manager

subject

Approve the minutes of the work session, February 13, 2025.

motion | recommendation**background****alternatives | other considerations****fiscal impact****attachments**

1. Minutes 02-13-25 WS



City Commission Work Session Minutes

February 13, 2025 at 3:30 PM

City Hall Commission Chambers
401 S. Park Avenue

Present

Mayor Sheila DeCiccio, Commissioners Marty Sullivan, Craig Russell, Kris Cruzada, and Todd Weaver, City Manager Randy Knight; Assistant City Manager Michelle del Valle and City Clerk Rene Cranis.

1. Meeting Called to Order

Mayor DeCiccio called the work session to order at 3:30 p.m.

2. Discussion Item (s)

a. Arts & Culture Nonprofit Grant Program

Director of Office of Management and Budget Peter Moore provided the background of organizational support provided for in each budget. With the end of the city's obligation to Dr. Phillips, an additional \$100k will be available. He suggested those funds be made available to support organizations that have not received consistent funding for the last five years. Staff is proposing a selection committee of members from some city boards.

Commissioner Russell arrived at 3:35 p.m.

Budget Analyst John Revels reviewed the proposed guidelines and the following items were discussed:

- Approval of the guidelines will be needed in order to appoint the selection committee in time to include in the FY 26 budget process.
- Clarification is needed on eligibility, specifically, for "adjuncts to for-profit organizations."
- Projects must be free to the public - add "except for direct reimbursement of costs."
- Evaluation form to be provided by the city and reviewed by the selection committee.
- Adapt and revise the process for the allocation of CRA funds.
- Eligibility - Non-profit must be within the City of Winter Park municipal boundary.
- Scope beyond Arts and Culture - inclusion of education and nonprofit social services.
- Need for guiding language for non-profits.

Staff will create a timeline to implement this process for the FY 26 budget and this will be on the March 12, 2025 commission agenda.

b. Billboard Swap

Mr. Knight provided a brief history of billboards and the goal of eliminating the number of billboards by trading static billboards for digital billboards.

Trippe Cheek, representing the property owner at 600 Baffie Avenue, participating virtually, committed to complying with city requirements on this property and looks for a project that will enhance the city. Mr. Knight explained the need for abandonment of a portion of Baffie Avenue. Mr. Cheek pointed out that the road ends at the rear of commercial property. He confirmed the initial proposal is to abandon the right-of-way, but the owner is open other options such as an r-o-w utilization agreement.

The City received three proposals:

- Lamar Advertising: Removal of the digital electronic billboard at 1621 Lee Road in conjunction with the erection of the new billboard at I-4 and Baffie Avenue.
- Outfront Media LLC: Removal of three static billboards at 2090, 2145 and 2431 Aloma Avenue in conjunction with the erection of the new I-4 billboard.
- Clear Channel Outdoor: Removal of two billboards at 2095 W. Fairbanks Avenue and one at 1873 W. Fairbanks Avenue in conjunction with the erection of the new I-4 billboard at 2600 W. Fairbanks Avenue and removal of the billboard at 2522 Aloma Avenue in the Year 2040.

Commissioners Sullivan and Weaver left at 4:30 p.m. Discussion was held on the proposals.

Nort Northam, owner of Clear Channel property, asked the commission to consider residential properties on Carolina Avenue to reduce impact of billboards.

Mr. Knight said staff is seeking direction from the commission to begin negotiations on a firm/proposal that would come back for final approval. He pointed out that this could be the last opportunity for the city because this is the last location for a digital billboard on I-4. If billboards are not removed as part of a swap, they may always exist.

The commission discussed the advantages (immediate removal of several billboards, improved aesthetics) and disadvantages (impact of digital billboards on residential areas) of each proposal and options.

Mayor DeCiccio requested this item be put on the next agenda as an action item for discussion. Mr. Knight will ask Clear Channel about the ability to remove the Fairbanks Avenue billboard sooner than 2040.

3. Adjournment

The work session adjourned 4:53 p.m.

Mayor Sheila DeCiccio

ATTEST:

City Clerk Rene Cranis



City Commission

agenda item 10.c

item type

Consent Agenda

meeting date

February 26, 2025

prepared by**approved by****subject**

Approve the following piggyback contracts:

motion | recommendation**background****alternatives | other considerations****fiscal impact****attachments**

None

**item type**

Consent Agenda

meeting date

February 26, 2025

prepared by

Rebecca Watt, Procurement Agent

approved by

Randy Knight, City Manager

subject

1. SiteOne Landscape Supply, LLC - Lee County Contract #B240067AVR - Irrigation Parts and Related Items; for goods on an as-needed basis during the term of the agreement through March 18, 2027; Amount: \$250,000
2. EPS International - FMPA Contract #ITB 2022-034 - Substation & Generating Station Maintenance - Renewal; for services on an as-needed basis during the term of the agreement through February 28, 2026; Amount: \$300,000
3. BluSky Restoration Contractors, LLC - Orange County Public Schools Contract #ITB2004132 - Asbestos-Mold-Environmental Remediation Services; for services on an as-needed basis during the term of the agreement through August 25, 2025; Amount: \$200,000
4. The Scarlett Group - TIPS Contract #23010401 - Trades, Labor, and Materials (NON-JOC); for fleet equipment purchases during the term of the agreement through April 30, 2028; Amount: \$100,000

motion | recommendation

Commission approve items as presented and authorize Mayor to execute.

background

1. The Originating Agency (Lee County) issued a formal solicitation to award this contract in FY24.
2. The Originating Agency (FMPA) issued a formal solicitation to award this contract in FY22.
3. The Originating Agency (Orange County Public Schools) issued a formal solicitation to award this contract in FY20.
4. The Cooperative Purchasing Agency (TIPS) issued a formal solicitation to award this contract in FY23.

alternatives | other considerations

N/A

fiscal impact

Total expenditures included in the following approved budgets:

1. General Fund
2. Electric Utility Fund
3. General Fund
4. Equipment Replacement Fund

attachments

None



City Commission

agenda item 10.d

item type

Consent Agenda

meeting date

February 26, 2025

prepared by**approved by****subject**

Approve the following contracts:

motion | recommendation**background****alternatives | other considerations****fiscal impact****attachments**

None



City Commission

agenda item 10.d.1

item type

Consent Agenda

meeting date

February 26, 2025

prepared by

Rebecca Watt, Procurement Agent

approved by

Randy Knight, City Manager

subject

1. SS25-2 - Data Flow System, Inc. - TAC II SCADA System; for services on an as-needed basis through September 30, 2025; Amount: \$300,000

motion | recommendation

Commission approve item as presented and authorize Mayor to execute.

background

1. A formal notice was issued on October 2, 2024, stating this product is identified as a single source pursuant to Florida Statute 287.057.

alternatives | other considerations

N/A

fiscal impact

Total expenditures included in the following approved budgets:

1. Water & Wastewater Fund

attachments

None

**item type**

Action Items Requiring Discussion

meeting date

February 26, 2025

prepared by

Clarissa Howard, Director of Communications

approved by

Randy Knight, City Manager

subject

Park Avenue Refresh Project Update & Design Approval

motion | recommendation

Approval of overall design and recommendations for Phase I of the Park Avenue Refresh project

background

Park Avenue is the epicenter of Winter Park's culture, charm and economic vitality. The last Park Avenue streetscape restoration occurred between 1996 and 1999. Now, almost 30 years later, the city's main street will be undergoing a refresh to provide for today and tomorrow's needs.

The Park Avenue Refresh project was assigned to city staff in September 2024 and since then, over 50 meetings have been held engaging city departments, consultants and stakeholders. The city has assembled a productive and multidisciplinary project team of experts, developed a webpage cityofwinterpark.org/ParkAveRefresh, administered a public survey with over 1,300 responses, and created an email: ParkAveRefresh@cityofwinterpark.org allowing for questions and feedback.

Already, this project has garnered media attention from a number of local print, television and electronic media outlets. The goals of this project are to:

- Maintain the charm & warm, inviting environment of the Avenue
- Enhance safety & aesthetics
- Strengthen infrastructure (electric, smart city & irrigation)
- Provide a consistent look for hardscape, landscape & architectural elements along the Avenue

The conceptual design was presented to the City Commission at the January 23 Work Session. An updated presentation will be made by the project team including the scope of Phase I and

recommended hardscape and landscape selections for consideration. An updated project timeline will also be provided for the ongoing Phase 1 efforts.

alternatives | other considerations

fiscal impact

Funding has been approved by the CRA for FY2025

attachments

None



City Commission

agenda item 12.a

item type

Public Hearings: Quasi-Judicial Matters

meeting date

February 26, 2025

prepared by

Donald Marcotte, Assistant Director of Public Works/City Engineer

approved by

Randy Knight, City Manager

subject

Ordinance - Vacating and abandoning a portion of Cypress Avenue between the FDOT Sunrail right-of-way and Palmetto Avenue. (1st reading - Tabled from February 12, 2025)

motion | recommendation

Move to adopt ordinance to vacate that portion of Cypress Avenue lying between the FDOT Sunrail right of way and Palmetto Avenue as shown on attached sketch.

background

The City of Winter Park received a request from Z Properties, Inc. to vacate a portion of the Cypress Avenue right-of-way between the FDOT Sunrail right of way and Palmetto Avenue.

This portion of the right-of-way is a dead end and has been historically used as parking for the adjacent property owner, formally Allen Trovillion.

Hearing the request to approve the Ordinance for this right-of-way vacation on February 12, 2025, the City Commission agreed to table the request for two weeks. Tabling allowed commissioners a chance to visit the site and Z Properties a chance to prepare exhibits for the proposed future use of the property. Letter and presentation submitted by the applicant are attached.

alternatives | other considerations

Deny the request.

fiscal impact

None.

attachments

1. Letter from applicant
2. Applicant presentation

3. Ordinance - Cypress Avenue abandonment
4. Cypress Abandonment Exhibit A
5. Utility Companies ROW Release



I am writing to formally request the vacation and abandonment of a portion of Cypress Avenue, between the FDOT SunRail ROW and Palmetto Avenue. This request will benefit the property at 1242-1360 Palmetto Avenue and aligns with the Orange Avenue Overlay Guidelines.

Our goal is to breathe new life into the existing buildings by repurposing them, rather than letting them remain neglected or be demolished.

The project has always relied on the City ROW for its functionality, and as we move forward with upgrades, exclusive use of the ROW is becoming increasingly vital. Our ownership of this property would help eliminate existing liabilities for the City. Additionally, at our own expense, we are replacing the 9 spots on Cypress with 14 new on-street parking spots on City-owned property, which we do not own or have exclusivity over. This addition will help alleviate parking congestion along Palmetto Avenue.

The timing of this project is especially favorable with the opening of the new Seven Oaks Park. The development of high-end, low-density commercial space would complement the park and support the ongoing growth and beautification of the Orange Avenue corridor.



CYPRESS AVE RIGHT OF WAY PROPOSAL

Palmetto Ave, Winter Park, FL 32789



Cypress Ave Proposal

1242-1260 PALMETTO AVE, WINTER PARK, FL

Project No. Project Number

Developer
Name: Z PROPERTIES
Address: 219 W Comstock Ave, Winter Park, FL 32789
Tel: 407.929.3303
Email: Zane@zpropertiesinc.com

Design:
Name: Z PROPERTIES
Address: 219 W Comstock Ave, Winter Park, FL 32789
Tel: 407.929.3303
Email: Zane@zpropertiesinc.com

Structure:
Name:
Address:
Tel:
Email:

Trusses:
Name:
Address:
Tel:
Email:

Architectural:
Name:
Address:
Tel:
Email:

Other:
Name:
Address:
Tel:
Email:

Pools: NOT PART OF PERMIT SET
Name:
Address:
Tel:
Email:

Interior Design: NOT PART OF PERMIT SET
Name:
Address:
Tel:
Email:

Rev. Date

Date 2/20/2025

Scale

Cover

Sheet No.

A000



Cypress Ave Proposal

1242-1260 PALMETTO AVE, WINTER PARK, FL

Project No. Project Number

Developer
Name: **Z PROPERTIES**
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Structure:
Name:
Address:
Address:
Tel:
Email:

Trusses:
Name:
Address:
Address:
Tel:
Email:

Landscape Architect:
Name:
Address:
Address:
Tel:
Email:

Civil:
Name:
Address:
Address:
Tel:
Email:

Pools: NOT PART OF PERMIT SET
Name:
Address: -
Address: -
Tel: -
Email: -

Interior Design: NOT PART OF PERMIT SET
Name:
Address: -
Address: -
Tel: -
Email: -

Rev.	Date

ALL DRAWINGS AND WRITTEN MATERIAL APPEARING HEREIN CONSTITUTE THE ORIGINAL AND UNPUBLISHED WORK OF Z PROPERTIES INC., AND MAY NOT BE DUPLICATED, USED, OR DISCLOSED WITHOUT THE EXPRESS WRITTEN CONSENT OF Z PROPERTIES INC.

Date 2/20/2025

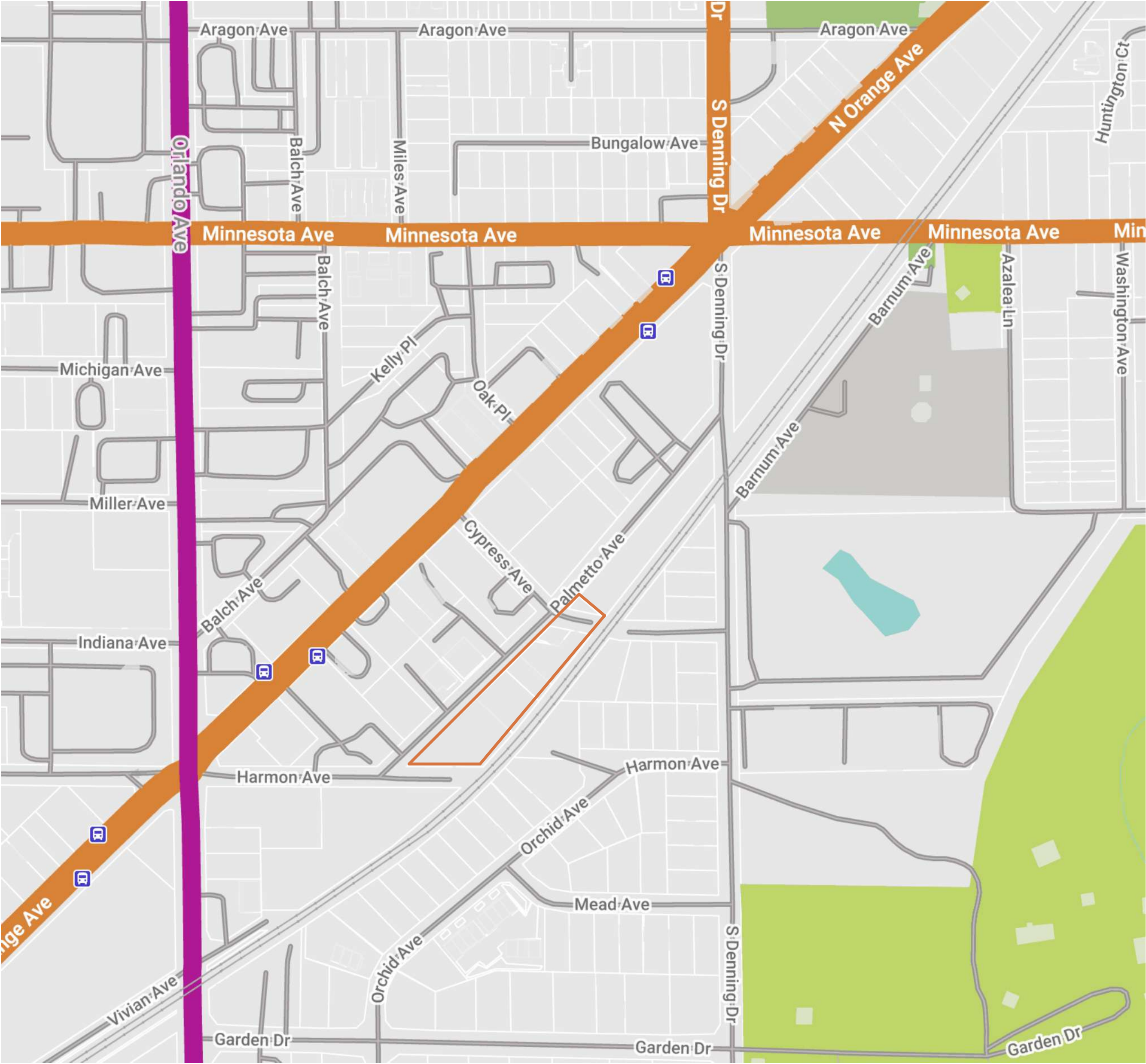
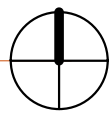
Scale
Project Data

A001

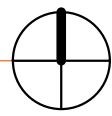
Sheet No. Page 34 of 73



1
AERIAL VIEW
SCALE: N.T.S



2
LOCATION MAP
SCALE: N.T.S



PROJECT DATA

PARCEL ID 12-22-29-6600-01-600
CITY WINTER PARK
ACREAGE 0.24

PROPERTY DESCRIPTION
PALMETTO ADD TO WINTER PARK E/14 LOTS 160 161 & 162 (LESS BEG AT PT ON NLY LINE LOT 162 S 82 DEG E 45.78 FT FROM NWLY COR SAID LOT RUN N 82 DEG W 45.78 FT TO SAID NWLY COR S 45 DEG W ALONG SELY R/W PALMETTO AVE 60 FT TO SW COR LOT 161 S 44 DEG E 50.1 FT NELY 53.10 FT NWLY 14 FT TO PT 35.18 FT SWLY OF BEG TH NELY TO BEG)

ZONING
O-1



Cypress Ave Proposal

1242-1260 PALMETTO AVE, WINTER PARK, FL

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Address 219 W Comstock Ave, Winter Park,
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Civil:
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Pools: NOT PART OF PERMIT SET
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Interior Design: NOT PART OF PERMIT SET
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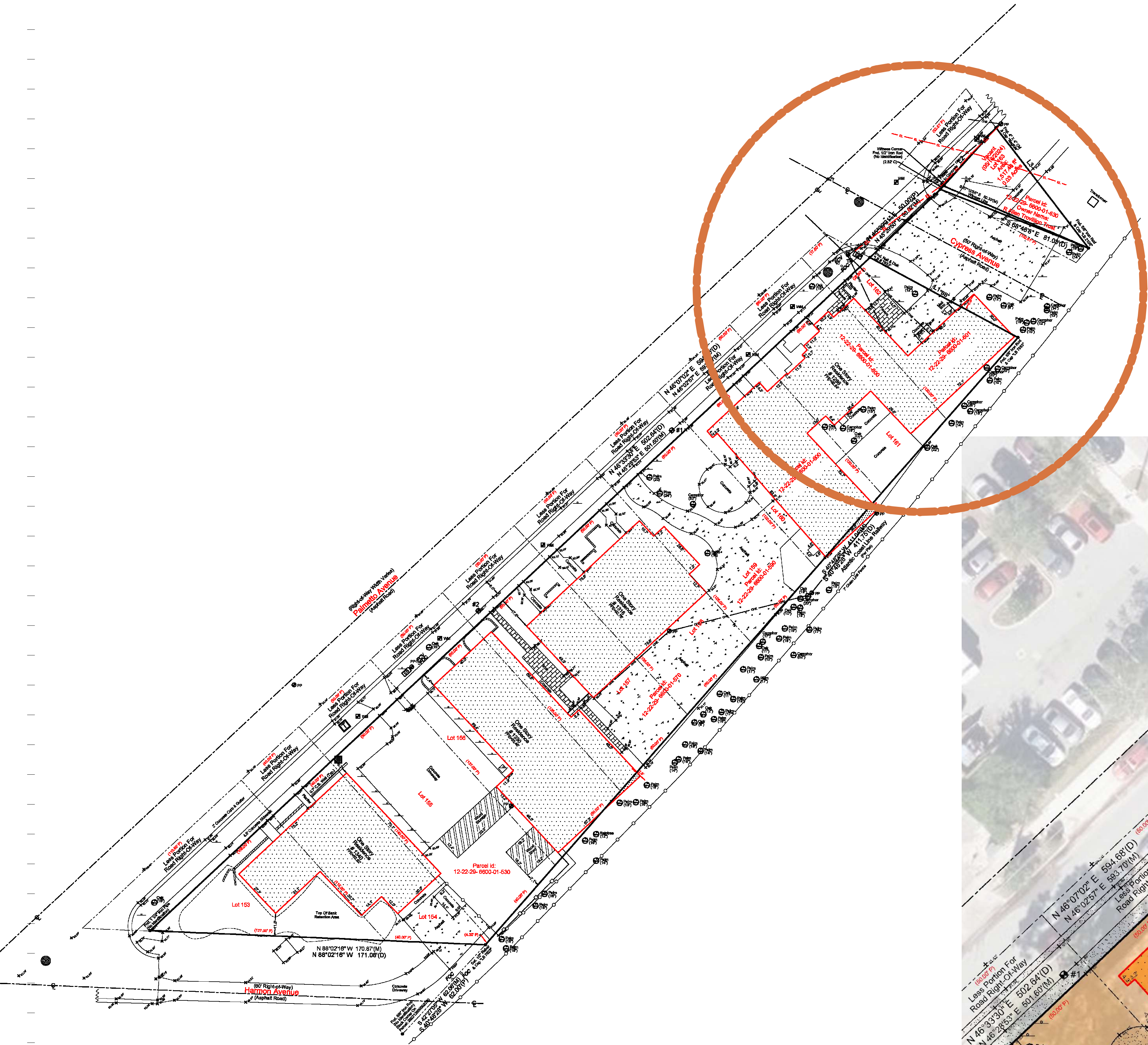
Rev.	Date

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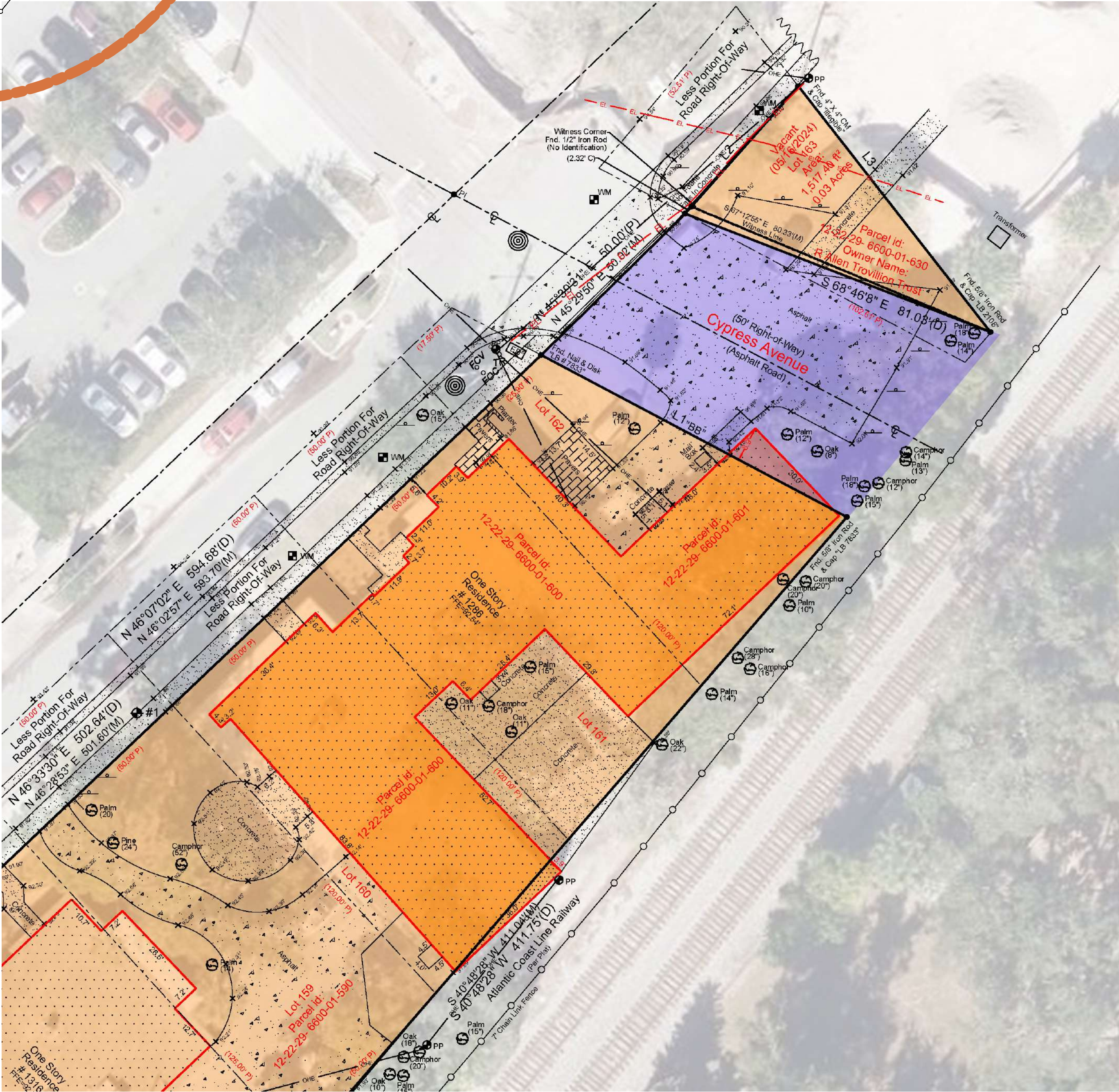
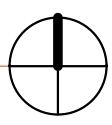
Date 2/20/2025

Scale
Survey

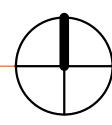
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1 SURVEY
SCALE: N.T.S



2 SURVEY CLOSE UP
SCALE: N.T.S



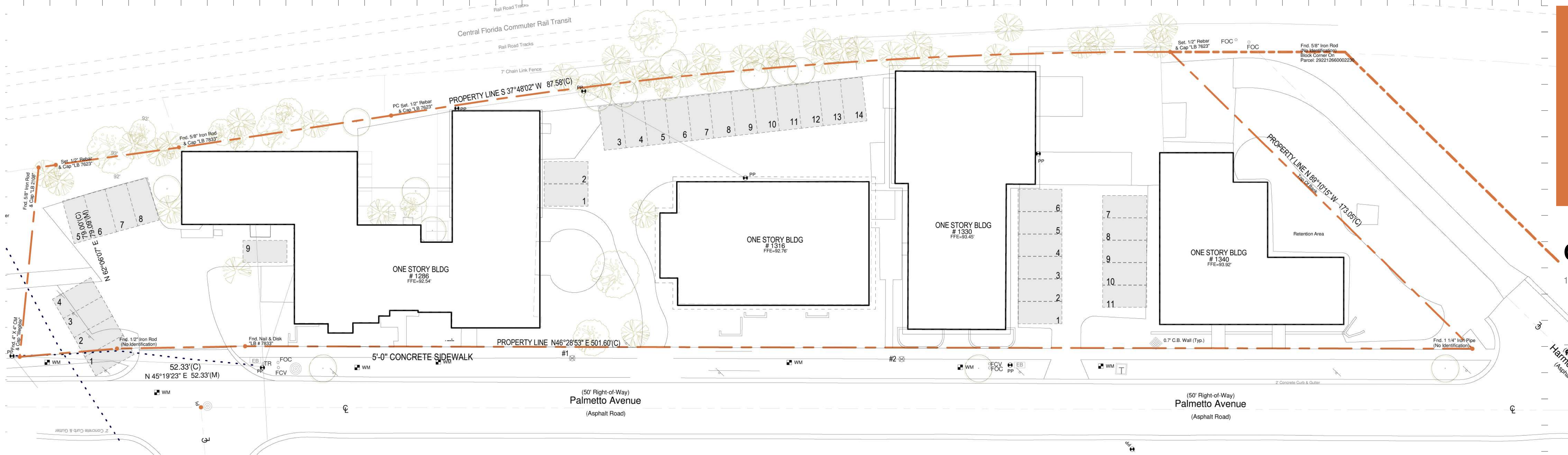
A002

Z

Cypress Ave Proposal

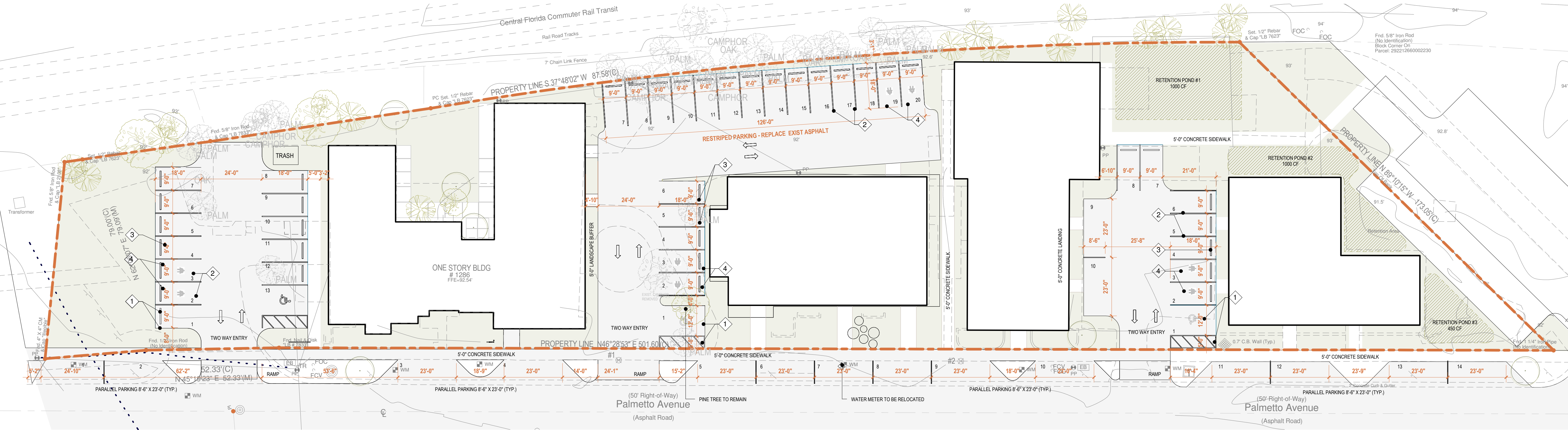
1242-1260 PALMETTO AVE, WINTER PARK, FL

Project No. Project Number



1 EXISTING SITE PLAN
3/64" = 1'-0"

EXISTING COMMERCIAL 20,660 SF



2 PROPOSED SITE PLAN
3/64" = 1'-0"

PROPOSED COMMERCIAL 19,333 SF | TOTAL PARKING ONSITE 43 P.S.

KEY NOTE

- ◇ ADA STRIPPING AND SIGNAGE; FDOT INDEX 17346, PAGE 15. SEE DETAILS.
- ◇ 6" PARKING SPACE STRIPPING (WHITE TRAFFIC PAINT)
- ◇ CURB STOP TO PROVIDE 2' VEHICLE OVERHANG. SEE DETAILS.
- ◇ FUTURE EV CHARGING, TYP.

PARKING CALCS

EXISTING	PARKING SPACES
4 ONE STORY BLDGS = 20,660 SF	34
PROPOSED	
4 EXIST. ONE STORY BLDGS = 19,333 SF	
TOTAL ON-SITE PARKING PROVIDED	43
PARKING SPACE DISTRIBUTION SUMMARY	
PARKING SPACE: 9'x 18' -STANDARD SPACE	40
ADA PARKING SPACE: 12' x 18' (WITH 5' AISLE)	3
ADDITIONAL OVERFLOW STREET SIDE PARKING SPACE: 8-6" X 23'	14
TOTAL PARKING ALLOCATED	57
TOTAL EV PARKING PROVIDED @43 X20%	8

IMPERVIOUS / PERVIOUS

LOT AREA		
58,200 SF		
IMPERVIOUS ALLOWED	49,470 SF	85%
PROPOSED	38,540 SF	66%
PROPOSED IMPERVIOUS		
4 EXIST. ONE STORY BLDGS	19,000 SF	
PARKING LOT	16,560 SF	
SIDEWALKS & PATHWAYS	2,980 SF	
PROPOSED PERVIOUS		
GREEN AREAS	19,650 SF	

RETENTION CALCS

EXISTING	18,739 SF
2 ONE STORY BLDGS	11,889 SF
PARKING LOT	6,350 SF
SIDEWALKS & PADS	500 SF
PROPOSED	22,735 SF
2 ONE STORY BLDGS	10,545 SF
PARKING LOT	7,650 SF
SIDEWALKS & PADS	700 SF
OFF SITE PARALLEL PARKING	3,840 SF
IMPERVIOUS	22,735 SF
1/2" RUNOFF	
REQUIRED RETENTION	947.29 CF
PROPOSED RETENTION POND #1	1,000 CF

Developer
Name **Z PROPERTIES**
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Address FL 32789
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Landscape Architect:
Name
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Email

Civil:
Name
Address
Address
Tel:
Email

Pools: NOT PART OF PERMIT SET
Name
Address
Address
Tel:
Email

Interior Design: NOT PART OF PERMIT SET
Name
Address
Address
Tel:
Email

Rev.	Date

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Date 2/20/2025

Scale 3/64" = 1'-0"

Overall Site Plan

A003

Sheet No.



Cypress Ave Proposal

1242-1260 PALMETTO AVE, WINTER PARK, FL

Project No. Project Number

Developer
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Address FL 32789
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Email

Trusses:
Name
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Landscape Architect:
Name
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Civil:
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Tel:
Email

Pools: NOT PART OF PERMIT SET
Name
Address -
Address -
Tel: -
Email

Interior Design: NOT PART OF PERMIT SET
Name
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Tel: -
Email

Rev.	Date
1	BLDG. FIRE REVIEW #1 08.08.22

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Date 2/20/2025

Scale
Front Elevation Renders

A004

Sheet No.



Cypress Ave Proposal

1242-1260 PALMETTO AVE, WINTER PARK, FL

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Landscape Architect:
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Tel:
Email

Civil:
Name
Address
Address
Tel:
Email

Pools: NOT PART OF PERMIT SET
Name
Address -
Address -
Tel: -
Email

Interior Design: NOT PART OF PERMIT SET
Name
Address -
Address -
Tel: -
Email

Rev.	Date

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Date 2/20/2025

Scale
Renderings 2

A005

Sheet No.



Cypress Ave Proposal

1242-1260 PALMETTO AVE, WINTER PARK, FL

Project No. Project Number

Developer
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Address 219 W Comstock Ave, Winter Park,
Address FL 32789
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Tel: 407.929.3303
Email Zane@zpropertiesinc.com

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Trusses:
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Address
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Tel:
Email

Landscape Architect:
Name
Address
Address
Tel:
Email

Civil:
Name
Address
Address
Tel:
Email

Pools: NOT PART OF PERMIT SET
Name
Address -
Address -
Tel:
Email

Interior Design: NOT PART OF PERMIT SET
Name
Address -
Address -
Tel:
Email

Rev.	Date

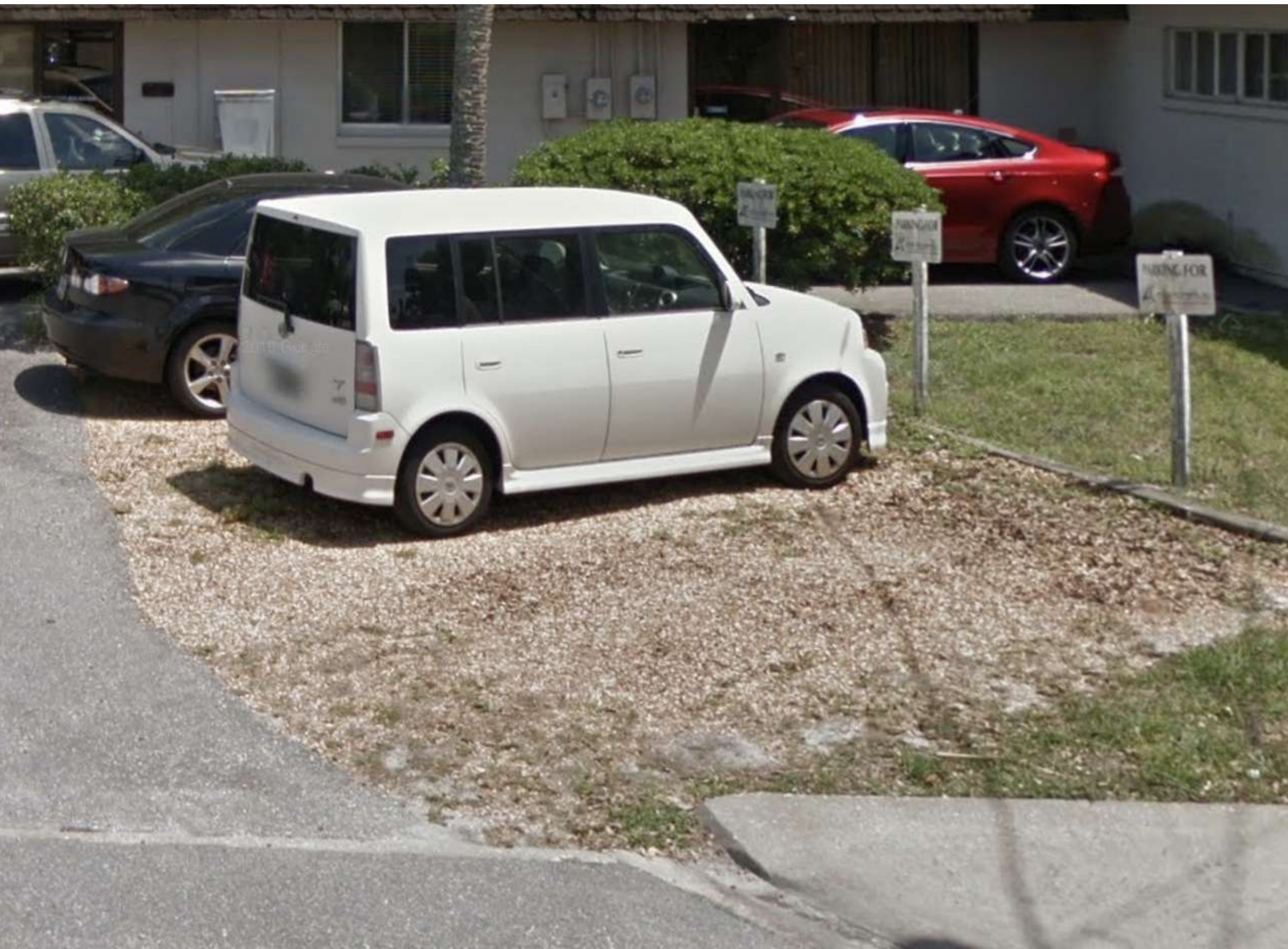
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Date 2/20/2025

Scale
Renderings 3

A006

Sheet No.



Cypress Ave Proposal

1242-1260 PALMETTO AVE, WINTER PARK, FL

Project No. Project Number

Developer
Name **Z PROPERTIES**
Address 219 W Comstock Ave, Winter Park,
Address FL 32789
Tel: 407.929.3303
Email Zane@zpropertiesinc.com

Design:
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Tel: 407.929.3303
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Structure:
Name
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Email

Trusses:
Name
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Email

Landscape Architect:
Name
Address
Address
Tel:
Email

Civil:
Name
Address
Address
Tel:
Email

Pools: NOT PART OF PERMIT SET
Name
Address -
Address -
Tel: -
Email -

Interior Design: NOT PART OF PERMIT SET
Name
Address -
Address -
Tel: -
Email -

Rev.	Date

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Date 2/20/2025

Scale
Existing Photos

A007

Sheet No.



Cypress Ave Proposal

1242-1260 PALMETTO AVE, WINTER PARK, FL

Project No.	Project Number
-------------	----------------

Developer	
Name	Z PROPERTIES
Address	219 W Comstock Ave, Winter Park,
Address	FL 32789
Tel:	407.929.3303
Email	Zane@zpropertiesinc.com

Design:

Name	Z PROPERTIES
Address	219 W Comstock Ave, Winter Park,
Address	FL 32789
Tel:	407.929.3303
Email	Zane@zpropertiesinc.com

Structure:
Name
Address
Address
Tel:
Email

Trusses:

Name

Address

Address

Tel:

Email

Landscape Architect:
Name
Address
Address
Tel:
Email

Civil:	
Name	
Address	
Address	
Tel:	
Email	

Pools: NOT PART OF PERMIT SET

Name	
Address	
Address	-
Tel:	-
Email	

Interior Design: NOT PART OF PERMIT SET

Name _____
Address _____
Address _____
Tel: _____
Email _____

[illegible]

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Date 2/20/2025

Scale

Existing Photos

A008

Sheet No.



Cypress Ave Proposal

1242-1260 PALMETTO AVE, WINTER PARK, FL

Project No. Project Number

Developer
Name **Z PROPERTIES**
Address 219 W Comstock Ave, Winter Park,
Address FL 32789
Tel: 407.929.3303
Email Zane@zpropertiesinc.com

Design:
Name **Z PROPERTIES**
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Address FL 32789
Tel: 407.929.3303
Email Zane@zpropertiesinc.com

Structure:
Name
Address
Address
Tel:
Email

Trusses:
Name
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Tel:
Email

Landscape Architect:
Name
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Address
Tel:
Email

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Email

Pools: NOT PART OF PERMIT SET
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Tel:
Email

Interior Design: NOT PART OF PERMIT SET
Name
Address -
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Rev.	Date

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Date 2/20/2025

Scale
Renderings

A009

Sheet No. Page 42 of 73

After Recording Return To:
City of Winter Park
City Clerk's Office
401 Park Avenue South
Winter Park, Florida 32789

ORDINANCE ####-##

**AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA,
VACATING AND ABANDONING AN UNIMPROVED 50 FOOT-WIDE
PORTION OF THE CYPRESS AVENUE RIGHT OF WAY DEDICATED
BY THE PALMETTO COMPANY'S ADDITION TO WINTER PARK,
ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK
"E", PAGE 14, OF THE PUBLIC RECORDS OF ORANGE COUNTY,
SAID PORTION TO BE VACATED IS SHOWN HEREON AS EXHIBIT
"A" ATTACHED HERETO AND DESCRIBED AS BEING SITUATED
BETWEEN ORANGE COUNTY FLORIDA TAX PARCEL
IDENTIFICATION NUMBER 12-22-29-6600-01-600 TOGETHER
WITH PARCEL 12-22-29-6600-01-601 ON THE WEST AND
FLORIDA TAX PARCEL IDENTIFICATION NUMBER 12-22-29-
6600-01-630 ON THE EAST AND DESCRIBED HEREIN;
PROVIDING FOR CONFLICTS, RECORDING AND AN EFFECTIVE
DATE.**

WHEREAS, Z 14 BUILDING, LLC ("Applicant") is the fee simple owner of address 1242 Palmetto Avenue AND address 1260 Palmetto Avenue and ~~and~~ address Winter County Tax Parcel Identification DESCRIBED AS BEING SITUATED BETWEEN ORANGE COUNTY FLORIDA TAX PARCEL IDENTIFICATION NUMBER 12-22-29-6600-01-600 TOGETHER WITH PARCEL 12-22-29-6600-01-601 ON THE WEST AND FLORIDA TAX PARCEL IDENTIFICATION NUMBER 12-22-29-6600-01-630 ON THE EAST.

WHEREAS, the Applicants have petitioned the City of Winter Park ("City") for the partial vacation and abandonment of the 50 feet wide right-of-way as set forth herein; and

WHEREAS, the 50.00 feet wide right-of-way was dedicated to the public by the PALMETTO COMPANY'S ADDITION TO WINTER PARK, as recorded in Plat Book E, Page 14, Public Records of Orange County, Florida; and

WHEREAS, it has been determined that Applicants have caused the publication of the required notice of intent to vacate pursuant to general law and have paid all outstanding ad valorem taxes for ADDRESSES: 1260 Palmetto Avenue, 1280 Palmetto Avenue and- 1242 Palmetto Avenue, Winter Park, Florida;

WHEREAS, the City has the authority to adopt this Ordinance by virtue of its home rule powers and Charter with respect to abandoning and vacating rights-of-way no longer needed for public purposes; and

WHEREAS, the City has determined that this portion of Cypress Avenue right-of-way being vacated and abandoned by this Ordinance is no longer needed by the City of Winter Park or for any public purpose.

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

Section 1. The City Commission of the City of Winter Park, Florida hereby vacates and abandons that certain portion of the 50 feet wide public right-of-way described in **EXHIBIT "A"** attached hereto ("Vacation Area"), subject to a reservation by the City of Winter Park of a perpetual utilities easement over, under and through the Vacation Area for the construction, installation, repair, replacement, reconstruction, maintenance, control, operation, use, and modification of public utilities and facilities, including but not limited to sewer lines, water lines, reclaimed water lines, gas lines, electric lines, cable television lines, telecommunications lines, stormwater drainage lines, fiber optic cables and other public utilities facilities of every type, including without limitation, mains, pipes, inlets, grates, pumps, valves, wires, structures, boxes, manholes, electrical controls, cables and similar appurtenances, including the right of ingress and egress to and from adjacent public rights-of-way for the purposes of the easement.

Section 2. Any error in the legal description or in depiction of the Vacation Area may be corrected by subsequent curative document(s) prepared, executed, and/or recorded by the City Manager and/or his or her designee, if any such error is determined to exist by the City Manager or City Commission.

Section 3. In the event of any conflict between this Ordinance and any other ordinance or portions of ordinances, this Ordinance controls.

Section 4. After adoption, this Ordinance shall be recorded in the public records of Orange County, Florida.

Section 5. This Ordinance shall take effect immediately upon its passage and adoption.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held at City Hall, Winter Park, Florida, on the ____ day of _____, 2025.

Sheila DeCiccio, Mayor

ATTEST:

Rene Cranis, City Clerk

NOTES:

1) THIS IS A GRAPHIC DEPICTION OF THE RIGHT OF WAY BEING PETITIONED FOR VACATION AND ABANDONMENT OF RIGHT OF WAY.

2) THE AREA TO BE VACATED IS SHOWN ON THE GRAPHIC DEPICTION BELOW SUBJECT TO CORRECTIONS BY GROUND SURVEYS.

3) THIS DEPICTION IS NOT A SURVEY.

EXISTING RIGHT OF WAY TO BE VACATED:

ALL OF THAT PART OF THE UNIMPROVED RIGHT OF WAY PLATTED AS CYPRESS AVENUE BY THE PALMETTO COMPANY'S ADDITION TO WINTER PARK AS PLATTED IN PLAT BOOK "E", PAGE 14, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA LYING EAST OF PALMETTO AVENUE (AS IT MAY BE AMENDED FROM TIME TO TIME) AND LYING WEST OF THE FLORIDA DEPARTMENT OF TRANSPORTATION SUNRAIL COMMUTER LINE RIGHT OF WAY.



CITY OF WINTER PARK
PUBLIC WORKS DEPARTMENT
ENGINEERING DIVISION
SURVEY SECTION
500 N. Virginia Avenue
Winter Park, Florida 32789
Phone: (407) 599-3233

PREPARED BY THOMAS L. CONNER, CITY SURVEYOR
FLORIDA LICENSED SURVEYOR AND MAPPER 164340

SKETCH OF DESCRIPTION
A PORTION OF CYPRESS AVENUE
RIGHT OF WAY TO BE VACATED

SECTION 12, TWP 22 S, RGE 29 E
CITY OF WINTER PARK, ORANGE COUNTY, FL
PALMETTO VACATE SKETCH AND DESCRIPTION.DWG

UTILITY COMPANY APPROVAL OF EASEMENT OR RIGHT OF WAY RELEASE

Date: July 1, 2024

City of Winter Park
401 Park Avenue South
Winter Park, FL 32789

Dear Tara Lamoureux :

I am in the process of requesting the City of Winter Park vacate an (easement/right of way) as shown on the copy of the enclosed tax map. The site is located at (address) 1242 Palmetto Avenue, Winter Park, FL 32789 (Cypress Avenue) in Winter Park. In order to have this action heard, I must provide letters of no objection from utility companies serving the neighborhood.

Please review your records, complete the form, below, and return this letter to me at chanel@zpropertiesinc.com. If you have any questions, please contact Chanel Magid 407-949-8639

Sincerely

Name: Z Properties Group, Inc.
Address: 219 W. Comstock Avenue
City, State, Zip Code: Winter Park, FL 32789

☐ The subject parcel is not within our service area.

☒ The subject parcel is within our service area. We do not have any facilities within the easement/right of way. We have no objection to the vacation.

☐ The subject parcel is within our service area. We object to the vacation.

Additional comments: _____

Signature: Tara Lamoureux

Print Name: Tara Lamoureux

Title: Assistant Water & Wastewater Utility Director

Date: 7/19/2024

UTILITY COMPANY APPROVAL OF EASEMENT OR RIGHT OF WAY RELEASE

Date: July 1, 2024

City of Winter Park
1409 Howell Branch Road
Winter Park, FL 32789

Dear Mourad Belfakih :

I am in the process of requesting the City of Winter Park vacate an (easement/right of way) as shown on the copy of the enclosed tax map. The site is located at (address) 1242 Palmetto Avenue, Winter Park, FL 32789 (Cypress Avenue) in Winter Park. In order to have this action heard, I must provide letters of no objection from utility companies serving the neighborhood.

Please review your records, complete the form, below, and return this letter to me at chanel@zpropertiesinc.com. If you have any questions, please contact Chanel Magid 407-949-8639

Sincerely

Name: Z Properties Group, Inc.
Address: 219 W. Comstock Avenue
City, State, Zip Code: Winter Park, FL 32789

☒ The subject parcel is not within our service area.

☐ The subject parcel is within our service area. We do not have any facilities within the easement/right of way. We have no objection to the vacation.

☐ The subject parcel is within our service area. We object to the vacation.

Additional comments: _____

Signature: _____

Print Name: Mourad Belfakih

Title: Electrical Enginmeer Manager

Date: 7-23-2024

UTILITY COMPANY APPROVAL OF EASEMENT OR RIGHT OF WAY RELEASE

Date: July 1, 2024

TECO Peoples Gas
600 W. Robinson / PO BOX 2433
Orlando, FL 32802

Dear Shawn Winsor **:**

I am in the process of requesting the City of Winter Park vacate an (easement/right of way) as shown on the copy of the enclosed tax map. The site is located at (address) 1242 Palmetto Avenue, Winter Park, FL 32789 (Cypress Avenue) in Winter Park. In order to have this action heard, I must provide letters of no objection from utility companies serving the neighborhood.

Please review your records, complete the form, below, and return this letter to me at chanel@zpropertiesinc.com. If you have any questions, please contact Chanel Magid 407-949-8639

Sincerely

Name: Z Properties Group, Inc.
Address: 219 W. Comstock Avenue
City, State, Zip Code: Winter Park, FL 32789

☐ The subject parcel is not within our service area.

☒ The subject parcel is within our service area. We do not have any facilities within the easement/right of way. We have no objection to the vacation.

☐ The subject parcel is within our service area. We object to the vacation.

Additional comments: _____

Signature: Shawn Winsor

Print Name: Shawn Winsor

Title: Gas Design Project Manager

Date: 7-17-24

UTILITY COMPANY APPROVAL OF EASEMENT OR RIGHT OF WAY RELEASE

Date: July 1, 2024

Century Link Lumen
3621 All American BLVD
Orlando, FL32712

Dear Robert Godek :

I am in the process of requesting the City of Winter Park vacate an (easement/right of way) as shown on the copy of the enclosed tax map. The site is located at (address) 1242 Palmetto Avenue, Winter Park, FL 32789 (Cypress Avenue) in Winter Park. In order to have this action heard, I must provide letters of no objection from utility companies serving the neighborhood.

Please review your records, complete the form, below, and return this letter to me at chanel@zpropertiesinc.com. If you have any questions, please contact Chanel Magid 407-949-8639

Sincerely

Name: Z Properties Group, Inc.
Address: 219 W. Comstock Avenue
City, State, Zip Code: Winter Park, FL 32789

 The subject parcel is not within our service area.

X The subject parcel is within our service area. We do not have any facilities within the easement/right of way. We have no objection to the vacation.

 The subject parcel is within our service area. We object to the vacation.

Additional comments: We do have facilities within the easement/right of way in the area but vacating would not interfere with our services. We have no objection to the vacation.

Signature:



Print Name: Jason Castillo-Reyes

Title: Associate Engineer

Date: 07/12/2024

Construction Department
3767 All American Blvd
Orlando FL 32810



July 17, 2024

Chanel Magid
Chief Operating Officer
219 W. Comstock Ave

Re: Vacate of Right of way; Cypress Ave

Dear Ms. Magid:

Spectrum has reviewed your request to vacate this portion of Cypress Ave right of way adjacent to parcel 12-22-29-6600-01-601

Spectrum has no object to the vacation of right of way as shown below,



If you need and additional information, please contact me at my office 407-532-8511.

Sincerely,

Tracey Domostoy

Tracey Domostoy
Construction Supervisor
Charter- Spectrum

Cc: E-mailed Chanel Vicari <chanel@ZPropertiesinc.com>



City Commission

agenda item 12.b

item type

Public Hearings: Quasi-Judicial Matters

meeting date

February 26, 2025

prepared by

John Harbilas, Senior Planner

approved by**subject**

Request from Frank LoCascio for properties at 2137 Oglesby Avenue and 725 Formosa Avenue:

- Ordinance 3329-25 - Annexation
- Ordinance 3330-25 - Establishing Commercial Future Land Use
- Ordinance 3331-25 - Establishing Commercial (C-3) Zoning (2nd Readings)

motion | recommendation

Staff and Planning and Zoning Board recommendation is for approval.

background

The City of Winter Park, received a request to annex the two properties at 2137 Oglesby Avenue; and 725 Formosa Avenue, from unincorporated Orange County, into the City. When approved, the City needs to establish a Commercial Future Land Use designation in the Comprehensive Plan and Commercial (C-3) zoning on these properties. The Formosa property currently has the same Commercial future land use and Commercial (C-3) zoning in Orange County. The Oglesby property currently has residential future land use and Residential (R-2) zoning in Orange County.

Redevelopment of this West Fairbanks gateway corridor has been a long-term project pursued by the City Commissions over the past 15 years. The first step was the annexation of this corridor 15 years ago and then, over time, major investments in the public infrastructure, with the hope to insight commercial redevelopment. Per the policies of the Comprehensive Plan, the City is interested in annexing properties in this West Fairbanks Study area, on the south side of West Fairbanks Avenue in this block west of Formosa Avenue. Those in the City, are all currently zoned Commercial (C-3). Furthermore, the subject properties fall within the Comp Plan's Annexation Reserve Area #2, as well as, the Joint Planning Area, between the City and Orange County, which encourages intergovernmental coordination and facilitates annexing enclave County lands such as this area.

There is no specific, proposed development at this time. The P&Z and City Commission are only reviewing the annexation, and new City future land use and zoning designations, for now.

alternatives | other considerations

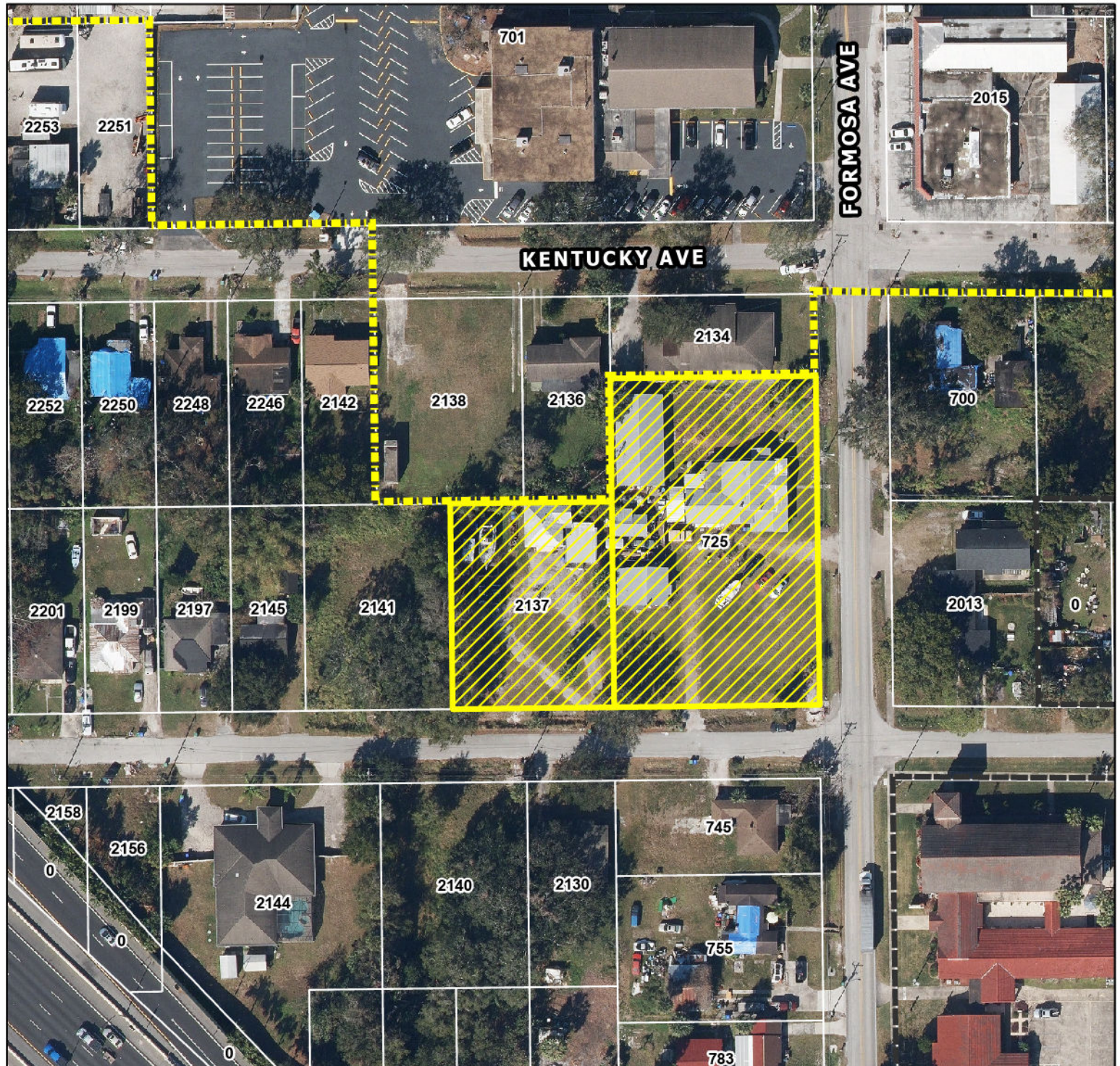
fiscal impact

attachments

1. Annexation Area
2. Ordinance 3329-25 Annexation
3. Ordinance 330-25 - Future Land Use
4. Ordinance 3331-25 - Zoning



ANNEXATION AREA
2137 Ogelsby Ave &
725 Formosa Ave
City of Winter Park
Florida



ORDINANCE 3329-25

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, PROVIDING FOR THE ANNEXATION OF APPROXIMATELY 1.07 ACRES OF REAL PROPERTY LOCATED AT 2137 OGLESBY AND 725 FORMOSA AVENUE, AS MORE SPECIFICALLY DESCRIBED HEREIN, INTO THE MUNICIPAL BOUNDARIES OF THE CITY OF WINTER PARK; REDEFINING THE CITY BOUNDARIES TO GIVE THE CITY OF WINTER PARK JURISDICTION OVER SAID PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the property owner of 2137 Oglesby Avenue and 725 Formosa Avenue has requested the City enact a voluntary annexation for 2137 Oglesby Avenue and 725 Formosa Avenue, also identified by Orange County Tax Parcel ID #'s: 11-22-29-6180-02-020 and 11-22-29-6180-02-480.

WHEREAS, the City of Winter Park has determined that the Subject Property is reasonably compact and contiguous to the municipal limits of the City of Winter Park, that annexation of the Subject Property will not result in the creation of an enclave and that the Subject Property meets the prerequisites and standards set forth in Section 171.044, Fla. Stat., for voluntary annexation into the City of Winter Park; and

WHEREAS, the City of Winter Park has provided adequate notice required by general law for the annexation of the Subject Properties and has conducted the required public hearing prior to the adoption of this Ordinance.

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

SECTION 1: *Recitals.* The above "Whereas" clauses are true and correct and constitute legislative findings of the City of Winter Park City Commission and are incorporated herein by this reference.

SECTION 2: *Property Annexed.* That, after conducting two public hearings and having found that the Owners' petition for voluntary annexation of the Subject Properties meet the prerequisites and standards for annexation under general law, the Subject Properties identified as 2137 Oglesby Avenue, also identified with the OCPA ID# 11-22-29-6180-02-480, and 725 Formosa Avenue, also identified with the OCPA ID# 11-22-29-6180-02-020, as further legally defined below and as graphically shown on the map and sketched attached hereto as Exhibit "A" is hereby annexed into the municipal boundaries of the City of Winter Park.

Legal description: LOTS 48 AND 49, BLOCK "B", OLYMPIA HEIGHTS ANNEX, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK "J", PAGE 83, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, TOGETHER WITH LOTS 2, 3, 4 AND 5, BLOCK "B", OLYMPIA HEIGHTS ANNEX, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK "J", PAGE 83, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

SECTION 3: *Effect of Annexation.* That the City of Winter Park, shall have all of the power, authority, and jurisdiction over and within the Subject Properties as described in Section 2 hereof, and the inhabitants thereof, and property therein, as it does and have over its present corporate limits and laws, ordinances, and resolutions of said City shall apply and shall have equal force and effect as if all territory had been part of said City at the time of the passage of such laws, ordinances, and resolutions.

SECTION 4: *Apportionment of Debts and Taxes.* Pursuant to § 171.061, Fla. Stat., the area annexed to the City shall be subject to all taxes and debts of the City upon the effective date of annexation. However, the annexed area shall not be subject to municipal ad valorem taxation for the current year if the effective date of the annexation falls after the City levies such tax.

SECTION 5: *Instructions to Clerk.* Within seven (7) days following the adoption of this Ordinance, the City Clerk or her designee is directed to file a copy of this Ordinance with the clerk of the circuit court and the chief administrative officer of Orange County as required by § 171.044(3), Fla. Stat.

SECTION 6: *Severability.* Should any portion of this Ordinance be held invalid, then such portions as are not declared invalid shall remain in full force and effect.

SECTION 7: *Effective Date.* This Ordinance shall become effective after its adoption at its second reading.

ADOPTED this 26th day of February, 2025, by the City Commission of the City of Winter Park, Florida.

Mayor Sheila DeCiccio

ATTEST:

Rene Cranis, City Clerk

ORDINANCE 3330-25

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 ESTABLISH COMMERCIAL FUTURE LAND USE ON THE ANNEXED PROPERTY AT 2137 OGLESBY AVENUE AND 725 FORMOSA AVENUE, AND TO INDICATE THE ANNEXATION ON THE OTHER MAPS WITHIN THE COMPREHENSIVE PLAN, MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission intends to amend its Comprehensive Plan to establish a municipal Comprehensive Plan future land use map designation as a small-scale amendment to the Comprehensive Plan on the recently annexed properties at 2137 Oglesby Avenue and 725 Formosa Avenue; and

WHEREAS, on February 4, 2025, the Planning and Zoning Board held a public hearing on the proposed future land use map amendment set forth herein and made a recommendation of approval to the City Commission; and

WHEREAS, the amendment of the Comprehensive Plan maps and the establishment of a future land use designation meets the criteria established by Chapter 163, Florida Statutes and pursuant to and in compliance with law.

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

SECTION 1: That, Chapter 58 "Land Development Code", Article I, "Comprehensive Plan" future land use plan map is hereby amended so as to establish a Commercial future land use designation on the annexed properties at 2137 Oglesby Avenue and 725 Formosa Avenue, and that all other maps in the Comprehensive Plan reflect the annexation of this property into the City of Winter Park, said property being more particularly described as follows:

Legal description: LOTS 48 AND 49, BLOCK "B", OLYMPIA HEIGHTS ANNEX, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK "J", PAGE 83, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, TOGETHER WITH LOTS 2, 3, 4 AND 5, BLOCK "B", OLYMPIA HEIGHTS ANNEX, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK "J", PAGE 83, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

SECTION 2: This ordinance shall become effective 31 days after adoption but shall not become effective if this Ordinance is challenged pursuant to Florida Statutes Section 163.3187 within 30 days after adoption. In that case it will not become effective until the State Land Planning Agency or the Administration Commission, respectively, issues a Final Order determining the Ordinance, in compliance, with Chapter 163, Florida

Statutes.

ADOPTED this 26th day of February, 2025, by the City Commission of the City of Winter Park, Florida.

Mayor Sheila DeCiccio

ATTEST:

Rene Cranis, City Clerk

ORDINANCE 3331-25

**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
ESTABLISH COMMERCIAL (C-3) ZONING ON THE ANNEXED
PROPERTIES AT 2137 OGLESBY AVENUE AND 725 FORMOSA
AVENUE, MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING
FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the City Commission intends to establish a municipal zoning designation on this property in compliance with the establishment of a similar Comprehensive Plan future land use designation for said property; and

WHEREAS, on February 4, 2025, the Planning and Zoning Board held a public hearing on the proposed zoning map amendment set forth herein and made a recommendation of approval to the City Commission; and

WHEREAS, the establishment of municipal zoning meets the criteria established by Chapter 166, Florida Statutes and pursuant to and in compliance with law, notice has been given to Orange County and to the public by publication in a newspaper of general circulation to notify the public of this proposed Ordinance and of public hearings to be held.

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

SECTION 1: That, Chapter 58 "Land Development Code", Article III, "Zoning" and the official Zoning Map is hereby amended so as to establish a Commercial (C-3) district zoning on the annexed properties at 2137 Oglesby Avenue and 725 Formosa Avenue, and that all other maps in the Comprehensive Plan reflect the annexation of this property into the City of Winter Park, said property being more particularly described as follows:

Legal description: LOTS 48 AND 49, BLOCK "B", OLYMPIA HEIGHTS ANNEX, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK "J", PAGE 83, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, TOGETHER WITH LOTS 2, 3, 4 AND 5, BLOCK "B", OLYMPIA HEIGHTS ANNEX, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK "J", PAGE 83, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

SECTION 2: This ordinance shall become effective 31 days after adoption but shall not become effective if this Ordinance is challenged pursuant to Florida Statutes Section 163.3187 within 30 days after adoption. In that case it will not become effective until the State Land Planning Agency or the Administration Commission, respectively, issues a Final Order determining the Ordinance, in compliance, with Chapter 163, Florida Statutes.

ADOPTED this 26th day of February, 2025, by the City Commission of the City of Winter Park, Florida.

Mayor Sheila DeCiccio

ATTEST:

Rene Cranis, City Clerk

**item type**

Public Hearings: Non Quasi-Judicial Matters

meeting date

February 26, 2025

prepared by

Josh Nye, Parks Services Manager

approved by**subject**

Ordinance 3328-25 - Eliminating Tree Preservation Board (2nd reading)

motion | recommendation

Adopt ordinance.

background

The Tree Preservation Board board has well-documented chronic, long-term attendance issues. The last quorum staff was able to obtain was in January 2024. There was no meeting called for February. Staff was unable to obtain a quorum for March, April, May, July, August, and September of 2024.

The only quasi-judicial functions of the Tree Preservation Board are making recommendations on changes to the tree preservation ordinance and hearing appeals to denied tree removal permits. The Planning & Zoning Board also currently reviews changes to the tree preservation ordinance. The Code Compliance Board currently hears appeals to tree code violations. Prior to the reconstitution of the Tree Preservation Board, the Code Compliance Board also heard appeals to tree removal permits. The Planning & Zoning and Code Compliance boards are well-equipped to handle the quasi-judicial functions of the Tree Preservation Board.

alternatives | other considerations**fiscal impact****attachments**

1. Ordinance 3328-25 Tree Preservation Board

ORDINANCE 3328-25

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 2, ARTICLE III, SECTION 2-47 LISTING SUBSIDIARY BOARDS OF THE CITY OF WINTER PARK; AMENDING CHAPTER 2, ARTICLE III, SECTION 2-48 DESCRIBING GENERAL RULES APPLICABLE TO SUBSIDIARY BOARDS; REPEALING CHAPTER 2, ARTICLE III, SECTION 2-68 REGARDING THE TREE PRESERVATION BOARD; AMENDING CHAPTER 2, ARTICLE III, SECTIONS 2-103 AND 2-106 REGARDING THE JURISDICTION AND POWERS OF THE CODE COMPLIANCE BOARD; AMENDING CHAPTER 58, ARTICLE V, DIVISION 6 GOVERNING TREE PRESERVATION AND PROTECTION; PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City has the authority under the City Charter, Section 2(b), Article VIII of the State Constitution, and Section 166.021(1), Florida Statutes, to exercise any power for municipal purposes except where expressly prohibited by law; and

WHEREAS, on June 13, 2011, the City Commission adopted Ordinance No. 2843-11 codifying amendments to Article III of Chapter 2 of the City of Winter Park Code of Ordinances regarding the establishment of subsidiary boards of the City of Winter Park; and

WHEREAS, on October 17, 2024, the City Commission adopted Ordinance No. 3320-24 codifying amendments to Article V of Chapter 58 of the City of Winter Park Code of Ordinances concerning tree preservation and protection and landscape regulations; and

WHEREAS, the responsibility for issuing stop orders, granting or denying tree removal permits, and implementing the Tree Preservation Ordinance currently rests with the Urban Forestry Division of the City's Parks and Recreation Department under Section 58-283(a) of the City of Winter Park Code of Ordinances; and

WHEREAS, the responsibility for issuing fines for violations of the Tree Preservation Ordinance rests with the Code Compliance Board under Section 58-298(d) of the City of Winter Park Code of Ordinances; and

WHEREAS, the Building & Permitting Services Department is delegated authority to require tree removal permits and place conditions on the issuance of construction, demolition and other land development permits where removal of protected trees is requested; and

WHEREAS, the City's distinctive tree canopy is a natural resource of great significance that enhances the City's aesthetic beauty;

WHEREAS, the Code Compliance Board, and the City's staff assigned to the Code Compliance Board, have considerable experience conducting quasi-judicial hearings on alleged violations of the City Code involving the unauthorized removal of trees, the unauthorized removal of aquatic vegetation along the City's waterways, and computing and assessing fines for such code violations; and

WHEREAS, the City Commission has determined that, for greater government efficiency and simplicity, it is in the interest of the public welfare of the citizens of Winter Park that the Code Compliance Board should hear all cases involving unauthorized tree removals as well as appeals from the denial of tree removal permits and appeals from conditions placed on tree removal permits; and

WHEREAS, the City's Planning and Zoning Board has considerable experience advising the City Commission on a broad range of planning issues, including proposed City Code amendments pertaining to the long-range planning, protection, public stewardship, and enhancement of the city's tree canopy; and

WHEREAS, the Planning and Zoning Board should continue in this role, which is duplicative of duties assigned to the Tree Preservation Board; and

WHEREAS, in order to effectuate the foregoing and to eliminate duplication and confusion over responsibilities in the City Code, the duties of the Tree Preservation Board should be reassigned to the Code Compliance Board and the Planning and Zoning Board, and the Tree Preservation Board should be removed from the list of the City's advisory boards.

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Winter Park, Florida, that:

SECTION 1. Recitals. The foregoing recitals are hereby ratified and confirmed as being true and correct and are hereby made a part of this Ordinance.

SECTION 2. City Code Amendment. Section 2-47 of the City Code of Ordinances is hereby amended as follows (words that are ~~stricken out~~ are deletions; words that are underlined are additions):

Sec. 2-47. List and size of boards established.

The general requirements for boards are specified in division 2 herein and the board specific requirements are specified in division 3. Unless otherwise provided by the City Charter, state law, other ordinance or this article, each board shall have seven members. The following boards are established:

- (1) Board of adjustments;
- (2) Civil service board (also sits as the independent personnel review board);
- (3) Code compliance board (which also sits as the nuisance abatement board and performs the functions of a code enforcement board pursuant to F.S. ch. 162);
- (4) Community redevelopment agency;
- (5) Community redevelopment advisory board;

- (6) Construction board of adjustments and appeals;
- (7) Economic development advisory board;
- (8) Historic preservation board;
- (9) Housing authority board;
- (10) Keep Winter Park beautiful and sustainable advisory board;
- (11) Lakes and waterways board;
- (12) Parks and recreation advisory board;
- (13) Transportation advisory board;
- (14) Planning and zoning board;
- (15) Public art advisory board;
- (16) Utilities advisory board;
- (17) Winter Park Firefighters' pension board;
- (18) Winter Park Police Officers' pension board;
- (19) Orange Avenue overlay appearance review advisory board;
- ~~(20) Tree preservation board.~~
- ~~(20)~~(21) Lake Killarney board.
- ~~(21)~~(22) Winter Pines Golf Course Advisory Board.

SECTION 3. City Code Amendment. Section 2-48 of the City Code of Ordinances is hereby amended as follows (words that are ~~stricken out~~ are deletions; words that are underlined are additions):

Sec. 2-48. General rules applicable to subsidiary boards and ad hoc committees of the City of Winter Park.

(o) *Sunset of boards unless a board is required by statute or Charter.* Except for those boards that are required to be in existence pursuant to Florida Statute or City Charter, each city board shall sunset and terminate every five years following May 1, 2011, unless the board is renewed by a majority vote of the commission. This will allow the commission to evaluate the effectiveness and need for the particular board on a regular basis. Notwithstanding this provision, any advisory board may be terminated at any time by a majority vote of the city commission, unless such board is required by Florida Statute or Charter. The following quasi-judicial boards will not sunset: board of adjustments; planning and zoning; construction board of adjustments and appeals; code compliance; civil service; lakes and waterways board and lake killarney board (to the extent it hears stormwater fees appeals); and the historic preservation board (to the extent it acts in a quasi-judicial capacity with respect to recommendations for or against rezonings, demolitions, developments, lot splits, lot consolidations or conditional uses that could impact historic resources identified in the Florida Master Site File Survey of the City of Winter Park, reviews applications for certificates of review for designated

landmarks, resources and property within designated districts, or approves variances appropriate for the preservation of historic resources in conjunction with applications for certificates of review).~~;~~ and the tree preservation board (to the extent it sits as a quasi-judicial board with respect to the consideration of applications for tree removal permits and appeals to the tree preservation board from any denial of an application or any of the conditions attached to the approval of a tree removal permit, or to the extent it sits as a quasi-judicial board with respect to the recommendation of modification of building plans or variances regarding the preservation of protected trees, or the waiver of up to a maximum of five parking spaces for the purposes of preserving existing protected trees). Additionally, without first complying or satisfying legally imposed conditions, the community redevelopment agency and the housing authority may not be abolished.

SECTION 4. City Code Amendment. Section 2-68 of the City Code of Ordinances is hereby repealed as follows (words that are stricken out are deletions; words that are underlined are additions):

Sec. 2-68. Reserved. Tree preservation board.

Pursuant to the authority of the city commission, there is established within the City of Winter Park, a tree preservation board, subject to the following provisions:

- (1) ~~*Membership.*~~ The number of members and the procedures for appointment thereof shall be in accordance with the provisions of divisions 1 and 2 of this article.
- (2) ~~*With exception, this is an advisory board.*~~ The tree preservation board is generally an advisory board with exceptions, and shall, after receiving such information as it deems appropriate, and following due deliberation in accordance with its internal rules and procedures, give advice and recommendations to the city commission related to the protection and improvement of the city's trees, with the goal of fostering, maintaining and improving the public stewardship, protection, long range planning and careful oversight of the implementation of improvement projects for the maintenance, preservation, growth and enhancement of trees within the City of Winter Park. The city acknowledges that its trees and tree canopy are a natural resource of great significance.
 - a. Review and make recommendations on proposed code revisions and changes to the City of Winter Park Planting Guide and the City of Winter Park Urban Forestry Management Plan.
 - b. Prioritize, review and make recommendations on tree management plans for large city facilities (parks and public buildings).
 - c. Review and make recommendations on habitat management plans for natural areas.
 - d. Provide educational opportunities to engage the community in learning about the value and benefit of trees.

~~As an exception to the general rule that this is an advisory board, the city commission may, by ordinance or resolution, assign a quasi-judicial function to the tree preservation board. The provisions of this article concerning general procedures applicable to city boards and this section concerning the tree preservation board are incorporated by reference into section 58-283. These quasi-judicial functions include the assignment, in section 58-283 of the authority to hear and decide appeals from tree removal applications, appeals from conditions of approval for approved tree removal permits, appeals concerning a request for a waiver of parking spaces in multi-family residential and nonresidential parking lots, and cases involving the modification of building plans or variances relating to the preservation of trees.~~

- ~~(3) *Quasi-judicial proceedings.* To the extent the city commission by ordinance provides that this board has quasi-judicial authority, the board shall conduct such quasi-judicial proceedings in conformance with the requirements of Florida law. The city manager and city attorney shall provide technical support and resources upon request to assure that this quasi-judicial activity of the board is in accordance with the requirements of Florida law. In such proceedings, the board shall be governed by the substantive and procedural requirements set out in the City Code, including those provisions set out in chapter 58, as these provisions may be amended by the city commission.~~

SECTION 5. City Code Amendment. Sections 2-103 and 2-106 of the City Code of Ordinances are hereby amended as follows (words that are ~~stricken out~~ are deletions; words that are underlined are additions):

Sec. 2-103. Jurisdiction

(a) In its efforts to promote, protect and improve the health, safety and welfare of the citizens of the city, the code compliance board shall have the jurisdiction to hear and decide alleged violations of any codes and ordinances of the city.

(b) It is the legislative intent of the city commission to provide for the establishment of the code compliance board as an additional or supplemental means of obtaining compliance with such codes and ordinances. Nothing shall prohibit the city commission from enforcing its codes and ordinances by any other means.

(c) It is the further intent of the city commission that the code compliance board shall be established pursuant to the provisions of F.S. ch. 162 with authority to impose administrative fines and other noncriminal penalties to provide an equitable, expeditious, effective and inexpensive method of enforcing any codes and ordinances in force in the city where a pending or repeated violation continues to exist. The code compliance board shall have all of the powers and authority of a code enforcement board pursuant to F.S. ch. 162.

(d) The code compliance board shall have jurisdiction to hear cases involving financial compensation requirements or fines assessed for tree removal, improper tree replacement, or damage to trees pursuant to sections 58-286, 58-290, and 58-298.

(e) The code compliance board shall further have jurisdiction pursuant to the provisions of article V, division 6 of chapter 58 to hear and decide appeals from the denial of tree removal permit applications and appeals of conditions of approval placed on tree removal permits.

Sec. 2-106. Powers of the code compliance board.

The code compliance board shall have the power to:

- (1) Adopt rules for the conduct of its hearings.
- (2) Subpoena alleged violators and witnesses to its hearings, which subpoenas shall be served by the police department.
- (3) Subpoena records, surveys, plats and other documentary evidence, which subpoenas shall be served by the police department.
- (4) Take testimony under oath.
- (5) Issue orders having the force and effect of law commanding whatever steps are necessary to bring a violation into compliance.
- (6) Establish and levy fines for code violations pursuant to sections 2-108, 58-287, 58-299, and 58-300.
- (7) Hear and decide appeals from the denial of tree removal permit applications as well as appeals of conditions of approval placed on tree removal permits.

SECTION 6. City Code Amendment. Article V, Division 6 of Chapter 58 of the City Code of Ordinances is hereby amended as follows (words that are ~~stricken out~~ are deletions; words that are underlined are additions; sections and provisions not included are not being amended):

Sec. 58-283. Establishing duties and authority.

- (a) The Parks and Recreation Department is delegated the following authority:
 - (1) To jointly work with the Building & Permitting Services Department in administering the provisions of this division including, but not limited to, technical and advisory support.
 - (2) To grant or deny, in whole or in part, tree removal permits.
 - (3) To oversee the implementation of the Tree Preservation Ordinance through the administration and operation of the Urban Forestry Division.
 - (4) To waive or modify all or some of the requirements of this division in the case of a hurricane, tornado, severe rainstorm, or other emergency.

- (5) To regulate and supervise trimming or removal of trees in the public rights-of-ways and on City property.
 - (6) To issue a stop work order at a site if unauthorized tree work is occurring or if trees are being damaged through construction or other potentially harmful activity.
 - (7) To require immediate removal of any tree that poses an unacceptable risk to public property or persons on public property.
 - (8) To oversee the City's Utility Vegetation Management Program in coordination with the Electric Utility Department.
- (b) *The Building & Permitting Services Department* is delegated the following authority:
- (1) To require that a tree removal permit be obtained with building, demolition, site development, foundation work, and other construction activity permits, where removal of a protected tree is requested.
 - (2) To place conditions on the issuance of construction, demolition or other land development permits when recommended as a condition of a tree removal permit.
 - ~~(3) To grant a building setback encroachment up to a maximum distance of ten feet into a required setback area in order to preserve a protected tree. The City shall require a letter of approval from the affected abutting property owner(s) as a condition of approving the setback encroachment.~~
- (c) *The Planning & Zoning Board* is delegated the following authority:
- (1) To make formal recommendations to the City Commission on any proposed changes to the Land Development Code, which includes the Tree Preservation Ordinance.
 - (2) Any protected trees approved for removal or protection by the Planning & Zoning Board or City Commission shall not subsequently need approval from the City ~~or the Tree Preservation Board~~, except for the administrative processing of a permit to verify approval by the respective board or commission. ~~Prior to granting any tree removal request on appeal or otherwise, if the Tree Preservation Board rendered any decision with regard to tree removal or protection on a property that later comes before the Planning & Zoning Board or City Commission, then that decision and related information of that decision shall be transmitted in writing to the respective board or commission.~~
- (d) *The Code Compliance Tree Preservation Board* shall be delegated the following authority:
- (1) To hear appeals of the denial, in whole or in part, of a tree removal permit application or any of the conditions attached to the approval of a tree removal permit as outlined in this division prior to any protected tree removal. The Code Compliance Tree Preservation Board may affirm,

reverse, or modify the decision of the Director of Parks and Recreation or their designee to deny an application or to strike conditions of the permit.

- (2) To hear and decide appeals of an order by the City requiring the removal of a tree or parts of a tree on private property deemed to pose an unacceptable risk to public property or persons on public property.
- (3) To hear and decide appeals of code enforcement fines or financial compensation requirements imposed for infractions pursuant to this division. To make formal recommendations to the Planning & Zoning Board on any proposed changes to the Tree Preservation Ordinance.
- (4) ~~To periodically conduct educational programs and/or publish educational material as to the importance of trees to the City of Winter Park and the requirements of this division.~~

(e) The Director of Planning and Zoning shall be delegated the authority to grant a building setback encroachment up to a maximum distance of ten feet into a required setback area in order to preserve a protected tree. The City shall require a letter of approval from the affected abutting property owner(s) as a condition of approving the setback encroachment.

Sec. 58-285. Tree removal permit procedure.

- (a) *When no construction or demolition is involved.* Applications for tree removal permits shall include:
 - (1) Remittance of a tree removal permit fee of an amount established by the City Commission in the Fee Schedule; and
 - (2) An accurate site plan drawn (hand-drawn site plan may be acceptable) to scale depicting which protected trees are proposed for removal, with the locations, common and/or botanical names, and sizes.
 - (3) A photograph of the protected trees proposed for removal.
 - (4) Trees requested for removal shall be marked with flagging and noted accordingly on the site plan. Paint shall not be used for marking protected trees.
 - (5) Application forms may also require information regarding reasons for tree removal and other specifics as determined by the City.
 - (6) Trees requested for removal with trunks that originate from two or more adjacent properties shall require the written consent of all property owners.
- (b) *When construction or demolition involving other permitting is involved.*
 - (1) In addition to the requirements of subsection 58-285(a), applications relating to or arising out of new building construction, renovation, demolition, or site work permits, or requiring construction permits shall

include an accurate site plan drawn to scale indicating the square footage of the site and the square footage of the proposed building area(s). The site plan shall depict any proposed grade changes and a plan view of actual trees on site including:

- a. The property lines and footprint of existing structures.
- b. The existing and proposed grades.
- c. Proposed additions to existing buildings, proposed new buildings, structures, and other impervious surfaces, such as but not limited to sidewalks, pool decks, patios, fences, walls, driveways, parking areas, stormwater retention areas, overhead and underground utilities, and other physical improvements.

- (2) Incomplete or incorrect applications that require additional site visits by City staff shall require an additional fee equal to the original permit fee for each subsequent visit.

(c) *Removal voids appeal process.*

- (1) Removal of any protected tree requested on a tree removal permit application is regarded as the applicant's acceptance of the conditions for removal as stated on the application, and voids any appeal.
- (2) Except as allowed under subsections 58-283(a)(4) and 58-284(e), removal of a protected tree without a permit shall make void any appeal as provided in this division.

(d) *Appeals.*

- (1) Upon denial of an application, or conditions placed on the approval of a tree removal permit, the grounds for such action shall be given to the applicant in writing. An applicant may appeal the tree removal denial decision or specific conditions placed on the tree removal approval to the Code Compliance Tree Preservation Board provided that such appeal is filed with the Urban Forestry Division within ten (10) days of the applicant's receipt of the decision or approval conditions being appealed. The appeal must be in writing, state the grounds of the appeal, and articulate in detail why the written decision (or a portion thereof) is incorrect. An applicant appealing a decision must pay to the city a fee prescribed by the City Commission to cover the administrative costs of an appeal taken under this subsection (d).
- (2) Following the Urban Forestry Division's receipt of a written appeal of a denial of a tree removal permit or the conditions placed on the approval of a tree removal permit, the Code Compliance Tree Preservation Board shall consider the appeal as a de novo quasi-judicial hearing within 45 calendar days or as soon as possible thereafter and make a final decision. The Code Compliance Tree Preservation Board will hear such an appeal pursuant to its authority under Section 2-1032-68. The applicant appealing the decision has the burden to prove that the tree removal denial decision or

specific conditions placed on the tree removal is incorrect or exceeds the authority given under the city code. The Code Compliance Tree Preservation Board's decision on the appeal must be supported by competent, substantial evidence in the record at the appeal hearing. A written rendition of the decision of the Code Compliance Tree Preservation Board will be sent to the applicant within ten (10) days of the appeal hearing.

- (3) The applicant may appeal the decision of the Code Compliance Tree Preservation Board to the circuit court within thirty (30) days of the execution of the final order pursuant to Sec. 2-108. ~~City Commission if a further written appeal is filed with the City Clerk within ten (10) days of the date of the written rendition of the decision of the Tree Preservation Board. Further, with approval of the City Manager, the Urban Forestry Division may appeal the decision of the Tree Preservation Board to the City Commission by filing a written appeal with the City Clerk within ten (10) days of the date of the written rendition of the decision by the Tree Preservation Board. The City Commission will conduct a quasi-judicial hearing on the appeal at a regularly scheduled meeting to be conducted within forty-five (45) days of the appeal being filed, or at such later meeting as may be agreed to by the applicant and the City Manager. The City Commission may reverse, modify or uphold the decision of the Tree Preservation Board. The City Commission's decision on the appeal constitutes a final decision by the City. If the Commission upholds the denial, the tree(s) may not be removed.~~

(e) *Time for processing tree removal permit applications.*

- (1) Notice of an incomplete or inaccurate application shall be given to the applicant within seven working days of the receipt of the application.
- (2) Each application shall either be approved, approved with conditions, denied, or returned to the applicant, requesting further action on the application within fourteen business days of the receipt of a complete application.

(f) *Duration of tree removal permit.*

- (1) Unless associated with new building construction, renovation, demolition, site work, or other construction permits, each tree removal permit shall remain in effect for one year from the date of issuance. If the action approved in the permit is not completed within the permit's effective date, then the permit is void and a new tree removal permit must be obtained before any tree removal occurs.
- (2) All conditions for removal, except financial compensation to the City which is required at the time a permit is approved in accordance with subsection 58-286(d)(1), shall be met within 30 days of the tree removal date unless an extension is documented on an approved permit. Extensions no longer

than one year from date of removal may be considered on a case by case basis.

- (3) Tree removal permits associated with new building construction, renovation, demolition, site work, or other construction permits shall remain in effect through the duration of the associated building project. All conditions for removal shall be met before final building inspection.

Sec. 58-290. Penalties for tree removal without required permit or for tree damage.

- (a) Any protected tree removed without a permit or destroyed or having received major damage in violation of this division shall be replaced and/or compensated at the rate of twice the requirements of section 58-286.
- (b) If no evidence exists on site to calculate the DBH inches of the tree(s) removed, then the tree(s) shall be presumed to be a minimum of a twenty-four DBH inches. It is the property owner's responsibility and burden of proof to prove otherwise.
- (c) For repeat offenders the City has the right to double restoration requirements or fines (or both) for each subsequent infraction, and in the alternative or in addition to revoke or suspend a contractor's license to do business in the city.
- (d) Any person subject to code enforcement for an infraction pursuant to this section shall be entitled to all rights of administrative appeal and judicial review before the Code Compliance Board and review of such actions as provided by Florida law.

Sec. 58-298. Enforcement and authority to enforce this division.

- (a) The City shall provide interpretations, administration and enforcement of the provisions of this division and shall be synonymous with and referred to as "the City" or "City" for references contained herein. Appeals of decisions and determinations in the enforcement of this division shall follow the procedure as set forth in subsection 58-285(d) or as specifically addressed elsewhere.
- (b) The City shall have the authority to stop work at a site if unauthorized tree work is occurring. Once a stop work order is issued, work shall not commence until the necessary permits have been issued and any applicable fine has been paid.
- (c) Failure to meet permit condition requirements for replacement within thirty days of the removal of the tree(s) shall require compensation, including administrative costs plus accrued interest at the rate per annum specified in F.S. Section 55.03 filed as a lien upon the property and the provisions of section 102-135 shall apply.
- (d) Violations for this division shall be subject to the following: Code enforcement actions or citations as per Class IV level citation as listed under Article II, Code Enforcement Citation, Section 1-23 "Classes of violations and penalties" and/or

code compliance board may impose maximum penalties of \$250.00 per day for first time violations or \$500.00 per day for repeat violations. Further, the code compliance board may impose a \$5,000.00 fine per violation for violation of an irreparable or irreversible nature. In addition to imposing code enforcement fines, the code compliance board may order remedial action to restore the property.

- (e) Failure to remove or prune any tree deemed by the City to pose an unacceptable risk to public property or persons on public property shall constitute a violation of this article. Such violation may result in giving notice to the owner or the agent of the owner an order to correct the violation by removing the entire tree or limb(s). Failure to correct the violation may result in the City taking the necessary action to remove the tree or limb(s) and assess all costs incurred by the City to the owner of the property, plus an administrative fee as established by the City Commission in the Fee Schedule. Where the full amount due the City is not paid by such owner or agent of the owner within thirty days after invoicing the owner for removing the tree or limb(s), such charges shall be declared a lien on the property. In addition, nothing shall prevent the City from pursuing other legal courses of action to correct the violation, including referring the matter to the Code Compliance Board. Appeals of an order to remove a tree or limb(s) of a tree will be heard by the Code Compliance Tree Preservation Board and must be filed with the city within thirty days of receipt of notice or within thirty days of posting the property with a notice to remove the tree or limb(s). An appeal shall include payment of any required fees, provision of documentation verifying the health of the tree, and any other information which will justify withdrawing the order to remove the tree or limb(s). Appeals of the decision of the Code Compliance Tree Preservation Board on this matter shall be taken to the circuit court pursuant to Sec. 2-108. Code Compliance Board.

SECTION 7. Severability. If any section, subsection, sentence, clause, phrase, word or provision of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 8. Conflicts. In the event of a conflict or conflicts between this Ordinance and any other ordinance or provision of law, this Ordinance controls to the extent of the conflict, as allowable under the law.

SECTION 9. Codification. Sections 2 through 6 of this Ordinance shall be incorporated into the Winter Park City Code. Any section, paragraph number, subsection number, letter and/or any heading may be changed or modified as necessary to effectuate the foregoing. Grammatical, typographical and similar or like errors may be corrected, and additions, alterations, and omissions not affecting the construction or meaning of this ordinance or City Code may be freely made.

SECTION 10. Effective date. This Ordinance shall become effective immediately upon adoption by the City Commission of the City of Winter Park, Florida.

ADOPTED this 26th day of February, 2025 by the City Commission of the City of Winter Park, Florida.

Mayor Sheila DeCiccio

ATTEST:

Rene Cranis, City Clerk