



CITY COUNCIL REGULAR MEETING

City Hall – Council Chamber
405 Bagshaw Way, Edgewood, Florida
Tuesday, June 20, 2023 at 6:30 PM

MINUTES

A. CALL TO ORDER & PLEDGE OF ALLEGIANCE

Council President Horn called the meeting to order at 6:30 pm. He asked for a moment of silence and then led the Pledge of Allegiance. Council President Horn stated that he would like to move the Boise Variance agenda item to the first item of business; Councilmembers agreed.

B. ROLL CALL AND DETERMINATION OF QUORUM

Administrative and Permitting Manager Sollazzo announced a quorum with all five Council Members and Mayor Dowless present.

COUNCILMEMBERS PRESENT

Council President Alan Horn
Council President Pro-Tem Ben Pierce
Councilmember Lee Chotas
Councilmember Susan Lomas
Councilmember Chris Rader
Mayor John Dowless

STAFF PRESENT

Brett Sollazzo, Administrative & Permitting Manager
Dean DeSchryver, Police Chief
Shannon Patterson, Chief of Staff
Drew Smith, City Attorney
Ellen Hardgrove, City Planner
Galen Pugh, City Landscape Architect

APPLICANTS

Paul Waterson – Boise Cascade

C. PRESENTATION OF PROCLAMATION

There were no presentations or proclamations.

D. CONSENT AGENDA

May 16, 2023 City Council Meeting Minutes

Mayor Dowless noted one change to the meeting minutes, under his report section. He wanted to add that he asked Councilmembers to assist with picking up snipe signs.

Councilmember Lomas made a motion to approve the May 16, 2023 City Council Meeting Minutes with the one suggested change from Mayor Dowless; seconded by Councilmember Rader. The motion was approved by voice vote (5/0).

E. BOARDS & COMMITTEES

1. Variances 2023-02 & 2023-03: Boise Parking & Landscaping

Planner Hardgrove began by giving an overview of the proposed variances and how the application was prompted by a proposal for a new building on the property. The property contains a building supplies business consisting of 167,151 square feet of warehouse space plus outdoor storage. The proposal is to replace three of the existing buildings, totaling 9,340.54 square feet, with a 26,400 square foot building and two “lean-to” expansions providing an additional 11,000 square feet of covered space. Planner Hardgrove emphasized that this agenda item is not site plan approval, rather the purpose is to establish the rules for landscaping and parking when the site plan is submitted for approval.

The development onsite is categorized as legally nonconforming due to minimal landscaping onsite and the number of parking spaces. Per Code Section 134-38, legal nonconforming situations are not allowed to expand; furthermore, the city's landscaping regulations require the site to be brought into compliance with landscaping requirements if new construction totals more than 5,000 square feet.

Planner Hardgrove went over what conformance with the current landscape requirements would include (County standards apply because a city zoning was never established on the property). Because of "space limitations of existing improvements," the applicant is requesting approval of a variance from all of the Code requirements and proposes to provide landscaping as shown on the submitted landscape plan.

In addition to landscaping requirements, a minimum of 20% open space is required for commercial zoned property. The Boise property totals 11.75 acres. According to the applicant, the site currently includes an estimated 2 acres of open space (17%). The pervious areas onsite are not proposed to change; the proposed buildings will be on existing impervious areas.

The applicant's proposal for new landscaping takes into consideration that additional landscaping will further aggravate the code deficient parking. Per code standards, minimum parking onsite (one space for each 1,000 square feet, plus one parking space for each bay) should be 174 spaces, with 6 being ADA compliant. According to the submitted site plan, 59 parking spaces exist onsite, with only one that is ADA compliant. The proposed new building would bring the total gross square feet of building area to 184,210.46 square feet with six (6) bays, resulting in a required minimum parking total of 191 spaces, including 6 ADA compliant spaces. No additional parking is proposed.

The applicant has stated that the parking onsite is sufficient for the current use and that the demolition/new construction will not increase the current demand for parking onsite as the new building is strictly an overflow storage building for the large existing building. According to the applicant, approximately 50 employees are onsite each day with 48 personal vehicles.

It is acknowledged that conformance with landscaping requirements would further reduce the number of parking onsite; however, the applicant could take corrective by redesigning the onsite parking.

Finding the six standards for variance approval, as stated in Code Section 134-104, are true, the Planning and Zoning Board, on June 12, 2023 recommended approval of:

- 1) a variance to allow an increase of 17,060 square feet of building onsite without increasing the number of parking spaces except for one additional ADA compliant space.
- 2) a variance in landscaping requirements to allow the addition of more than 5,000 square feet of building onsite, with the landscaping and open space as shown on the submitted site plan dated received 4/24/23, with the conditions listed in the staff report.

This recommendation is consistent with staff's recommendation.

Discussion between Councilmembers and Planner Hardgrove ensued including discussion related to the landscaping that is being proposed, which includes exceeding the minimum required adjacent to the adjacent homes.

Councilmembers Rader and Lomas both stated that they did not believe all of the variance criteria had been met by the applicant, and were confused by the approval from the Planning & Zoning Board. There was also discussion related to the significant lack of parking onsite compared to the minimum that is required.

Paul Waterson, applicant and representative for Boise Cascade, spoke on behalf of the company. He stated that these new plans are to help make their operation more efficient, and it is not a large expansion. He went on to say that the new building will take much of the forklift traffic inside instead of outside. Mr. Waterson said that parking cannot be added to the greenspace area in front of the building due to there being an existing drain field and other utilities.

Councilmember Lomas brought up some concerns regarding hours of operation, noise, and trucks not turning left to Orange Avenue from the Boise property. Mr. Waterson replied that while the trucks are informed to turn left, and prefer to turn left towards Orange Avenue, sometimes the traffic along Holden is too much to make that happen, so they turn right. Councilmember Lomas then said that she has received complaints regarding forklift noise at 3:00am, to which Mr. Waterson replied they do not start forklifts until 5:00-6:00am.

Councilmember Chotas asked if Boise ever sells the property, would the parking variance continue, to which Attorney Smith stated yes, as the variance follows the land not the business. Planner Hardgrove said if the property is redeveloped for another use, the variance would go away. Councilmember Chotas then asked if a condition of approval for the variance could be if Boise sells, then the variance goes away. Attorney Smith said that is not possible unless the applicant were to offer that as condition of approval. Council President Horn liked the suggestion by Councilmember Chotas, and asked the applicant if he could make that request, to which Mr. Waterson replied he would bring it up to his team and come back to council with an answer. Mr. Waterson then asked for this discussion to be tabled and return when he has an answer for Council.

PUBLIC COMMENT

Patty Bass of 4515 Forrestal Avenue, stated that her husband has witnessed Boise operating forklifts between 4:00-4:30am, and has also seen the trucks turning right instead of left. Ms. Bass also stated her concerns about construction noise should the variances and building be approved. Attorney Smith stated that they can be code enforced for construction noise.

Councilmember Chotas made a motion to table discussions until the applicant can return with an answer on if Boise would relinquish any variances prior to them ever selling the property; seconded by Council President Horn. The motion was approved via roll call vote (5/0).

The motion was approved with a roll call vote.

Council President Horn	Favor
Councilmember Chotas	Favor
Councilmember Lomas	Favor
Councilmember Pierce	Favor
Councilmember Rader	Favor

F. ORDINANCES (FIRST READING)**1. Ordinance 2023-07: Projected Signs First Reading**

ORDINANCE 2023-07: AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA, RELATING TO SIGNS; AMENDING CHAPTER 122 OF THE CITY OF EDGEWOOD CODE OF ORDINANCES RELATING TO PROHIBITED SIGNS; MODIFYING THE LIST OF PROHIBITED SIGNS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION, CONFLICTS, AND EFFECTIVE DATE.

Attorney Smith read Ordinance 2023-07 in title only.

Planner Hardgrove began by explaining the ordinance, stating that it is to prohibit projection signs within the City. She went on to say that copy area and what is projected would be hard to control if allowed, and showed a video example of projection signs to Councilmembers.

Attorney Smith stated that projections for holiday decorations are exempt from the ordinance. Planner Hardgrove then went on to say that the Planning and Zoning Board recommended approval, and that Staff supports the recommendation.

There were no public comments.

Council President Horn made a motion to approve Ordinance 2023-07 as presented for its first reading; seconded by Councilmember Lomas. The motion was approved via roll call vote (5/0).

The motion was approved with a roll call vote.

Council President Horn	Favor
Councilmember Chotas	Favor
Councilmember Lomas	Favor
Councilmember Pierce	Favor
Councilmember Rader	Favor

2. Ordinance 2023-08: County to City Rezoning – R1A Oak Cove and Ordinance 2023-09: County to City Rezoning – R1AA Gatlin First Readings

ORDINANCE 2023-08: AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA, REZONING AND CHANGING THE OFFICIAL ZONING MAP CLASSIFICATION OF PROPERTIES GENERALLY LOCATED ON THE NORTH SIDE OF GATLIN AVENUE, ALONG OAK COVE LANE THAT WERE PREVIOUSLY ANNEXED INTO THE CITY OF EDGEWOOD BUT WHICH HAVE NOT YET BEEN ASSIGNED A CITY OF EDGEWOOD ZONING DISTRICT DESIGNATION; REPLACING THE ORANGE COUNTY ZONING DESIGNATION FOR SUCH PROPERTIES WITH THE MOST CONSISTENT EXISTING CITY OF EDGEWOOD ZONING DESIGNATION; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2023-09: AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA, REZONING AND CHANGING THE OFFICIAL ZONING MAP CLASSIFICATION OF PROPERTIES CURRENTLY ZONED COUNTY R1AA WHICH WERE PREVIOUSLY ANNEXED INTO THE CITY OF EDGEWOOD BUT WHICH HAVE NOT YET BEEN ASSIGNED A CITY OF EDGEWOOD ZONING DISTRICT DESIGNATION; REPLACING THE ORANGE COUNTY ZONING DESIGNATION FOR SUCH PROPERTIES WITH THE MOST CONSISTENT EXISTING CITY OF

EDGEWOOD ZONING DESIGNATION; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Attorney Smith read Ordinances 2023-08 and 2023-09 in title only.

Planner Hardgrove began by explaining the ordinances, stating that they are both a continuation of the City's effort to rezone previously annexed areas of the City where the County zoning has remained after annexation to a City zoning district. These are both city sponsored rezoning's. Planner Hardgrove went on to show the areas being rezoned, R1A within the Oak Cove subdivision and R1AA for property north and south of Gatlin.

The site standards for the proposed City zoning districts are identical to the County's district, with the exception that the City's district establishes a maximum impervious surface ratio (ISR); i.e., the amount of land that can be covered with buildings and pavement (50% of the water surface in a pool is assumed to count as impervious). The County's district does not have an impervious surface maximum.

Preliminary review of the lots that would be affected by the subject ordinances showed the development on each lot is within the 45% limit, except for two where the existing development is likely more than the 45% limit. These are 404 Gatlin Avenue and 500 Gatlin Avenue. The existing development on these lots is already categorized as legally nonconforming due to lot characteristics such as lot size and width. Additional impervious surface on these properties would require a variance from the ISR limit.

Staff and the Planning and Zoning Board recommend approval of both ordinances.

PUBLIC COMMENT

Ryan Smith, Edgewood Resident and property owner of 500 Gatlin Avenue, stated that while he has no objection to the rezoning, he wanted to be sure that this would not require him to make any changes to the property as currently developed. Attorney Smith stated that no changes would need to be made.

Councilmember Rader made a motion to approve Ordinance 2023-08 as presented for its first reading; seconded by Councilmember Lomas. The motion was approved via roll call vote (5/0).

Councilmember Rader made a motion to approve Ordinance 2023-09 as presented for its first reading; seconded by Councilmember Lomas. The motion was approved via roll call vote (5/0).

Both motions were approved with a roll call vote.

Council President Horn	Favor
Councilmember Chotas	Favor
Councilmember Lomas	Favor
Councilmember Pierce	Favor
Councilmember Rader	Favor

G. PUBLIC HEARINGS (ORDINANCES – SECOND READING & RELATED ACTION)

There were no public hearings or second readings of ordinances.

H. UNFINISHED BUSINESS

There was no unfinished business.

I. NEW BUSINESS**1. 2023-2024 Non-Ad Valorem Assessment**

Mayor Dowless went over Clerk Riffle's memo, and stated that FCC is looking for a 6.31% increase to their rate. Per the contract, the City is only required to increase their rate by 3%. However, FCC has done great work in the City, and complaints regarding trash service have gone down immensely since the change to them. To keep our relationship positive, Mayor Dowless suggested to approve the increase of FCC's rate the full 6.31%, and to increase the non-ad valorem rate by the same.

A brief discussion between Councilmembers ensued. There were no public comments.

Councilmember Chotas made a motion to increase the 2023-2024 Non-Ad Valorem rate by 6.31% to \$318.93 and approve the 6.31% collection rate increase proposed from FCC Environmental Services; seconded by Councilmember Lomas. The motion was approved via roll call vote (5/0).

The motion was approved with a roll call vote.

Council President Horn	Favor
Councilmember Chotas	Favor
Councilmember Lomas	Favor
Councilmember Pierce	Favor
Councilmember Rader	Favor

2. Storm Vendor Contract Extensions

Mayor Dowless spoke with Councilmembers regarding the approval of both the primary and backup debris monitoring companies.

CMTS – Primary monitoring company. CMTS worked closely with SDR during Hurricane Ian and provided a good service to the City. They provided needed documentation for FEMA and were constantly available during and after the storm. CMTS has requested a rate increase in the amount of 5%.

PD&O – Backup monitoring company. There are no changes to the existing contract that was approved in 2020 and they have not submitted any information other than the reminder of renewal. Due to the quality service we received from CMTS and the amount of damage caused by Hurricane Ian, it has not been necessary for the City to use PD&O's services.

Mayor Dowless recommended to approve the extensions for both contracts, with CMTS getting their requested 5% increase. There was a brief discussion between Councilmembers. There were no public comments.

Councilmember Pierce made a motion to approve the contract extensions for CMTS with a 5% increase, and PD&O with no changes; seconded by Councilmember Lomas. The motion was approved via roll call vote (5/0).

The motion was approved with a roll call vote.

Council President Horn	Favor
Councilmember Chotas	Favor
Councilmember Lomas	Favor
Councilmember Pierce	Favor
Councilmember Rader	Favor

3. Pass-thru Fees Update

Councilmembers read through Clerk Riffle's memo regarding the cost of reviews for pools, and how City Staff wants to include both pools and commercial driveways as pass-thru fees.

Administrative and Permitting Manager Sollazzo went on to explain that we only receive a \$50 review fee for pools, but the final review costs from CPH are anywhere from \$350-\$500 on average. There was a brief discussion among Councilmembers and Administrative & Permitting Manager Sollazzo regarding the required deposit. Attorney Smith explained that per code, it states the initial deposit is \$1000, but City Staff can choose whatever they feel is appropriate.

Administrative and Permitting Manager Sollazzo asked if he could put together an ordinance with different tiered levels of pass-thru deposits depending on the project. Councilmembers agreed.

J. GENERAL INFORMATION

There was no general information.

K. CITIZEN COMMENTS

Ryan Smith, an Edgewood resident, spoke regarding the excessive speeding along Gatlin Road. He stated that people regularly go 70mph, and that a physical implement is needed to reduce the speeding. Mayor Dowless stated that while he supports the idea, the City does not own the road, so anything done to it would need to be from the County. Council stated their support for a project, and advised Mr. Smith and other concerned neighbors to voice their concerns to the Orange County Commissioners.

L. STAFF REPORTS

1. City Attorney Smith

- Brought up a conflict within the personnel policy regarding Bereavement leave and part time employees, with one section stating it is allowed and another stating it is not. Councilmembers had a brief discussion, and agreed that part time employees could not use bereavement leave.
- Reported legislation updates.

2. Police Chief DeSchryver

- No change in crime or traffic from previous month.
- Congratulated Officer Alex Kane on being selected as our agency's Crisis Intervention Team Officer of the Year
- Officers Jesse Bird, Amy Schlopy and Detective Nicolle Crock were called to the scene of a suspicious death. During the investigation into the death, a small greenhouse with 3 marijuana plants were discovered in the home.

- The Edgewood Police Department participated in the Annual Law Enforcement Torch Run for Central Florida to benefit the Athletes of the Special Olympics.
- The Edgewood Police Department remembered the Officers who passed away in the line of duty. During this time, Chief of Staff Shannon Patterson was honored for her family's sacrifice in Washington D.C. at the Country's Capital.

3. City Clerk Riffle

No report.

M. MAYOR AND CITY COUNCIL REPORTS

1. Mayor Dowless

- The Charter Review Committee met, and it was a good first meeting with lots of brainstorming.
- Attended the Orange County Prayer Breakfast. It was well attended.
- Attended the Metroplan meeting, and was re-elected MAC Chair.
- Currently working with Chief DeSchryver on the new PBA contract.
- Attended CAB on behalf of Councilmember Lomas.
- Met with Belle Isle and Pine Castle regarding possible annexation, and how to take Pine Castle Preservation District annexation limitations out of the Orange County Charter.
- Spoke about the Metroplan Safety Grant, and asked if any Councilmembers would like to be a contact.
- Currently working on the budget with Clerk Riffle.
- Tri-County League of Cities has a meeting coming up, and many Councilmembers have never attended. If they want to go, the next meeting will include a tour of the new Brightline train service.

2. Councilmember Chotas

No report.

3. Councilmember Pierce

No report.

4. Councilmember Rader

No report.

5. Councilmember Lomas

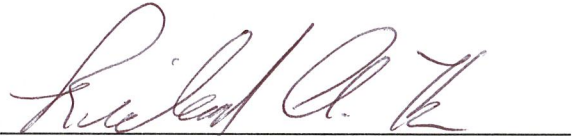
No report.

6. Council President Horn

- Attended the Orange County meeting regarding he proposed dog park in Cypress Grove Park.

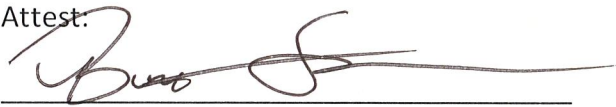
ADJOURNMENT

The meeting was adjourned at 8:26 PM.



Richard A. Horn, Council President

Attest:



Brett Sollazzo, Administrative & Permitting Manager

Approved in the July 18, 2023 City Council meeting