



PLANNING AND ZONING BOARD MEETING

City Hall – Council Chamber
405 Bagshaw Way, Edgewood, Florida
Monday, April 11, 2022 at 6:30 PM

Steve Kreidt
Chair

Ryan Santurri
Vice-Chair

David Gragg
Board Member

David Nelson
Board Member

Melissa Gibson
Board Member

AGENDA

WELCOME! We are very glad you have joined us for today's Planning and Zoning meeting. The Planning and Zoning Board is an advisory board to City Council comprised of citizen members who voluntarily and without compensation devote their time and talents to a variety of zoning and land development issues in the community. All P&Z recommendations are subject to final action by City Council. The results of today's meeting will be presented at the noted City Council meeting for approval of recommended actions. Any person desiring to appeal a recommended action of the Board should observe the notice regarding appeals below. **CAUTION:** Untimely filing by any appellant shall result in an automatic denial of the appeal.

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL AND DETERMINATION OF QUORUM

D. APPROVAL OF MINUTES

- [1.](#) March 14, 2022 P&Z Meeting Minutes

E. NEW BUSINESS

- [1.](#) Details of April 11, 2022 Meeting
- [2.](#) Special Exception 2022-02 - 169 Jamaica Ln. - Art Stone Granite
- [3.](#) Ordinance 2022-03 - Comp Plan Amendment
- [4.](#) New Zoning District - Site Specific Plan District (SSP)

F. UNFINISHED BUSINESS

- [1.](#) Ordinance 2022-02 - Window Sign Change

G. COMMENTS/ANNOUNCEMENTS

H. ADJOURNMENT

UPCOMING MEETINGS

Tuesday, April 19, 2022.....City Council Meeting
 Monday, May 9, 2022.....Planning & Zoning Meeting

General Rules of Order

You are welcome to attend and express your opinion. The Board is pleased to hear non-repetitive comments related to business before the Board; however, a **five (5) minute time limit per person** has been set by the Board. Large groups are asked to name a spokesperson. If you wish to appear before the Board, please fill out an Appearance Request Registration Form and give it to the City Clerk. When recognized, state your name and speak directly into the microphone. The City is guided by **Roberts Rules of Order** in governing the conduct of the meeting. Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk at (407) 851-2920 at least 24 hours in advance of the meeting.

We ask that all electronic devices (i.e. cell phones, pagers) be silenced during our meeting!

Thank you for participating in your government!

Appeals

According to Edgewood City Code Section 26-24 (2), “any person aggrieved by any recommendation of the Board acting either under its general powers or as a Board of Adjustment may file a notice of appeal to the City Council within seven (7) days after such recommendation is filed with the City Clerk. Per **Section 286.0105**, Florida Statutes state that if you decide to appeal a decision made with respect to any matter, you will need a record of the proceeding and may need to ensure that a verbatim record is made.

Americans with Disabilities Act

In accordance with the American Disabilities Act (ADA), if any person with a disability as defined by the ADA needs special accommodation to participate in this proceeding, he or she should telephone the **City Clerk at (407) 851-2920**.



**Monday, March 14, 2022
Planning and Zoning Draft Meeting Minutes**

CALL TO ORDER

Board Member Nelson called the meeting to order at 6:30 pm and led everyone in the Pledge of Allegiance.

ROLL CALL AND DETERMINATION OF QUORUM

The following Planning and Zoning and staff members were present.

Board Members:

David Gragg, Board Member
David Nelson, Board Member
Melissa Gibson, Board Member

Absent:

Steve Kreidt, Chair
Ryan Santurri, Vice-Chair

Staff:

Sandra Riffle, Deputy City Clerk
Brett Sollazzo, Administrative Assistant
John Freeburg, Police Chief
Drew Smith, City Attorney
Jim Winter, RLA, CPH
Ellen Hardgrove, AICP, City Planner

Applicants:

Natalia Balic, Architect, 535 Mandalay Road
John Mezzina, 506 and 512 Linson Court
Rick Baldocchi, AVCON
Tom Daly, Daly Design Group
Stuart McDonald, Toll Brothers

APPROVAL OF MINUTES

February 14, 2022 P&Z Meeting Minutes

Board Member Nelson made a motion to accept the February 14, 2022 Planning and Zoning Board meeting minutes as presented; second by Board Member Gragg.

NEW BUSINESS

• **Variance 2022-02 - 535 Mandalay Road - Home Addition**

Engineer Lane introduced the request for a variance to construct an addition to an existing single-family home zoned R-1AA. The addition would encroach into the side setback by 1'-1", leaving 8'-11' from the corner of the addition to the side lot line. Engineer Lane said that because the applicant is now working at home, they need the extra space.

Engineer Lane said he reviewed the applicant's justifications for the variance request, and CPH has no objection to the request.

Natalia Balic, the applicant's architect, said she represents the homeowner if the board had questions.

There was no public comment.

Board Member Nelson said that he was familiar with the property and did not think that passersby would be able to easily see the addition.

In response to Attorney Smith, Engineer Lane said that all of his comments were addressed, and there were no outstanding issues.

Board Member Nelson made a motion to recommend approval of Variance 2022-02 as presented. The motion was seconded by Board Member Gibson. The motion was approved (3/0).

The motion was approved by roll call vote.

Board Member Gragg	Favor
Board Member Nelson	Favor
Board Member Gibson	Favor
Chair Kreidt	Absent
Board Member Santurri	Absent

• **506 & 512 Linson Court
Proposed Replat and Variance Request 2022-01**

Planner Hardgrove began her review of the requested replat of 506 and 512 Linson Court, Lots 14 and 15 of the Oak Lynn Second Plat, respectively. The lots are zoned R-1AA. No additional lots are proposed, but the applicant has requested a change in the shared lot line to provide lake access to Lot 14.

Planner Hardgrove explained that the applicant proposes to demolish the existing house and rebuild a single-family residence on Lot 15 while the home on Lot 14 will remain the same. The demolition of the house will eliminate a nonconforming side yard setback created if the house remained. Lot 15 will meet R-1AA requirements, but the resident requested a variance from Code Section 126 (subdivisions) to have the standard 30-foot front yard R-1AA setback. She said the request is consistent with the neighborhood.

CPH also reviewed the plat, and they support the new lot configurations and the variance request with recommended changes to the plat that can be provided before the City Council meeting on April 19, 2022.

John Mezzina, the owner of both properties, spoke to the Board and said that the existing house on Lot 15 is in poor condition, and the neighborhood is eager to see improvement.

In response to Board Member Nelson, Mr. Mezzina said he would not build on Lot 15, but there is an interested party, and the proposed plans will work on the lot.

There was no public comment.

Planner Hardgrove said part of the recommendation is to delay recording the plat until after the demolition of the existing structure to avoid the nonconforming situation.

Board Member Nelson made a motion to recommend approval of the Subdivision Plan and Plat, subject to the City consultants' recommended changes, including a delay in the recording of the final plat until the existing house on existing Lot 15 (new Lot 2) is demolished to avoid creating a nonconforming side setback and encroachment into new Lot 1. The motion was seconded by Board Member Gibson. The motion was approved (3/0).

The motion was approved by roll call vote:

Board Member Gibson	Favor
Board Member Gragg	Favor
Board Member Nelson	Favor
Chair Kreidt	Absent
Board Member Santurri	Absent

Board Member Nelson made a motion to recommend the approval of Variance 2022-01 to Code Section 126-168(8). The motion was seconded by Board Member Gibson. The motion was approved (3/0).

The motion was approved by roll call vote

Board Member Gragg	Favor
Board Member Gibson	Favor
Board Member Nelson	Favor
Chair Kreidt	Absent
Board Member Santurri	Absent

- Holden Avenue Planned Development
 Haven Oaks Development Plan and Preliminary Subdivision Plan**

Planner Hardgrove began her review of a request for approval of the Preliminary Subdivision Plan and Development Plan for the proposed Holden Avenue Planned Development, the subdivision is to be known as Haven Oaks. The review was based on the approval of the approved PD's Land Use Plan (LUP) and the Development Agreement (DA).

Planner Hardgrove noted that there was a significant change to the lot size composition. When the LUP was approved, there were three 50-foot-wide lots, and there are now twenty. The DA allows the addition of 50-foot-wide lots if there is evidence that the reduction of lot size is for the preservation of historic or specimen trees that would not otherwise be preserved or for expansion of the recreation area.

She said there is a recreation area with a playground and another with a pavilion near a dry stormwater pond. They meet the requirements for recreation space, but there has been discussion about whether it is open space or recreation space.

Planner Hardgrove said that from a planning perspective, she recommends approval with the conditions contained in her report including that revisions will be made before Council's public hearing to Sheet C-300 Note 9 related to the correct number of permissible 50 feet and 60 feet wide lots. Also, conditioned on requiring that the DP/PSP be revised and resubmitted through the approval process should the preliminary construction drawings demonstrate the need to a) reduce the recreation areas below the minimum required per the Development Agreement or b) reduce the number of parking spaces shown on the Land Use Plan.

Engineer Lane, with CPH, questioned whether there was adequate turning movement for fire and rescue vehicles in the cul-de-sac. He said that it appears that it would be difficult to make a complete turn without driving over curbing. He also noted his concern for emergency vehicle access at the subdivision's exit, he suggested softening the curb and following the radius of the sidewalk to allow for vehicles to exit without grazing the curb or hitting the gate. Engineer Lane said the fire department prefers a 20-foot wide travel lane.

Board Member Nelson stated his concern about the trees near the contours of the dry retention pond at the front of the site. He does not see a preservation area around the trees and is concerned that the grading may damage the root structure.

Landscape Architect Winter responded and said they looked at the distance from the trees to the top of the bank, and there is an allowance of 6 inches per caliper inches away from the trunk.

Engineer Baldocchi, with AVCON, representing the property owner and Toll Brothers, said they met with staff, including Councilmember Rader. They created additional 50-foot-wide lots in order to save additional trees and provide more open space.

Engineer Baldocchi said they accept Planner Hardgrove's conditions of approval.

Landscape Architect Winter said that as per the DA 5.0, the tree removal application must be submitted concurrently with the Development/Subdivision plan. This is yet to be submitted, and staff needs adequate time for review.

Landscape Architect Winter noted that he does not want the recreation areas to be separated.

In response to Board Member Gibson, Engineer Baldocchi said they were able to manipulate the configuration of the lots to save healthy, historic trees. This resulted in more 50-foot-wide lots.

Public Comment

Jim Worthen, representing HAINC, spoke about the proposed light poles and the wall and stated concerns about the turn lanes on Holden Avenue.

Engineer Baldocchi said the light poles would be decorative, and the wall will have a brick design. He believes that the colored portion of the wall is dyed concrete with added striping but could not say for certain. The concern was potential peeling paint in the long run.

Planner Hardgrove said that the format for the turn lanes would be up to Orange County since Holden Avenue is a County maintained road.

Planner Hardgrove began a discussion of the proposed sign for the subdivision. As currently proposed, the copy area exceeds the code limit. The applicant, however, has submitted a comprehensive sign plan which allows flexibility in the copy area in exchange for creativity. The proposed signage is on both sides of the entrance road each 12 feet wide x 8 feet high, with backlit signs in front of the 6-foot high wall.

There was no public comment regarding the proposed signage.

Discussion ensued relative to the tot lot being separated from the pavilion. Board Member Gibson stated concerns about the need for a shaded area in the tot lot. Stuart McDonald responded that his experience is that customers prefer a playground that is pushed back rather than located at the front of the neighborhood.

Planner Hardgrove added that a shelter for the tot lot was discussed during DRC but hasn't been included in the proposed recreation area. Board Member Gibson said she would support a covered area. Board Member Nelson agreed that shade was needed and said there are three trees there that can provide shade and provide a workable solution.

Board Member Nelson said he is concerned about the lack of adequate area for fire trucks to turn in the cul-de-sac. He also asked how parking on one side of the road will be policed because fire trucks may have difficulty getting to the end of the road if cars are parked on both sides of the road.

Board Member Nelson expressed his disappointment in the PD layout, commenting that innovative design is required to qualify for a PD. He appreciates the efforts for lot lines and trees but is concerned about 50-foot lots with 3-car garages fronting the street. Board Member Gragg agreed with these comments.

Board Member Nelson made a motion to recommend approval of the Haven Oaks development plan and subdivision plan subject to the conditions enumerated by staff, including approval of the comprehensive sign plan but not including a covered tot lot. The motion was seconded by Board Member Gragg and was approved (2/1).

The motion was approved by roll call vote:

Board Member Nelson	Oppose
Board Member Gragg	Favor
Board Member Gibson	Favor
Chair Kreidt	Absent
Board Member Santurri	Absent

- **Ordinance 2022-01 - County Zoning to City Zoning**

This agenda item relates to the creation of new zoning districts for annexed land. Planner Hardgrove explained that when properties were annexed into Edgewood, excepting the Legacy at Lake Jessamine PD and the ECD, the City did not establish city zoning for the annexed land. She said that according to Code Section 134-172, all annexed areas retain their original zoning classification unless the City changes it. The lack of establishing a city zoning district has created confusion amongst staff regarding development application standards.

Planner Hardgrove said that staff recommends rezoning most of the annexed land to the newly created zoning district to provide the property owner use of the same development standards as allowed in the County while providing the City the control of the permitted uses. Generally, the new districts would apply to land that was zoned R1AA, R1A, R3, and Ind-3 at the time of annexation. The proposed new districts are R1AA-CA, R1A-CA, R3-CA, and Ind-CA; the CA signifies "County Annexed."

Planner Hardgrove said the rationale for maintaining the County site is to avoid creating legally nonconforming situations.

Planner Hardgrove reviewed each of the proposed districts. Staff recommended a change to line 79 making the R3CA Special Exceptions the same as that allowed in the R3 district (Code Section 134-282)

Further discussion included impervious surface ratio requirements, including for single-family homes in the R3 district. The consensus was to provide consistency with the city standards of a maximum 45% for the residential districts.

Planner Hardgrove also reported that annexed land that was zoned PO, C1 or C3 could be rezoned to the city's PO, C1 and C3 since these districts' site standards are the same as the County's or would not create adverse impacts on those properties; thus no need to create new districts for these zones.

There was no public comment.

Board Member Nelson made a motion to recommend approval of Ordinance 2022-01 to create new zoning districts including the suggested amendments from staff. The motion was seconded by Board Member Gibson.

The motion was approved by roll call vote:

Board Member Gragg	Favor
Board Member Nelson	Favor
Board Member Gibson	Favor
Chair Kreidt	Absent
Board Member Santurri	Absent

- **Ordinance 2022-02 - Window Sign Change**

Planner Hardgrove discussed a proposal to revise Code for window signage since architecture changes include more glass and current regulations could have an aesthetic impact on the city. The proposed change is to allow one window sign no larger than five (5) square feet in the copy area. She showed examples of existing window signage in the City and their square footage. This change is also more easily enforced.

Planner Hardgrove explained that glass doors are considered to be windows.

Board Member Nelson asked about the hours that are frequently listed on doors and suggested a cut-out for informational content. Attorney Smith said that due to free speech copy cannot be regulated but the actual address number is required and does not count towards the allowed copy.

Further discussion ensued regarding double doors and how to regulate transparent signage.

Planner Hardgrove said she can conduct more research.

There was no public comment. A letter was submitted by John Moccio on behalf of the Edgewood Business and Property Owners Association which voiced opposition to the proposed ordinance.

The Board decided to table further discussion of Ordinance 2022-02 until the April 11, 2022 meeting.

UNFINISHED BUSINESS

None

COMMENTS/ANNOUNCEMENTS

None

ADJOURNMENT

Board Member Nelson made a motion to adjourn the meeting at 8:07 pm; seconded by Board Member Gragg.

Steve Kreidt, Chair

Sandra Riffle, Interim City Clerk

Memo

To: Planning and Zoning Board Members
CC: Sandy Riffle, Drew Smith, Ellen Hardgrove
From: Brett Sollazzo, Administrative Assistant
Date: April 7, 2022
Re: Business Items Planning and Zoning Meeting April 11, 2022

For the April 11, 2022 Planning and Zoning Board meeting, the following is provided in your agenda packet for your review and consideration.

1. Special Exception 2022-SE-02 – 169 Jamaica Lane. – Art Stone Granite

- City Planner report dated 3/30/2022
- Special Exception application dated 3/24/2022

The notice of Public Hearing was mailed on Thursday, March 31, 2022 to those property owners within 500 feet of the subject property regarding Special Exception 2022-SE-02. There were 33 notices provided by U.S. Mail. Zero notices were returned as undeliverable, and no objections were received at City Hall as of the date of this memo.

The City Planner has no objections to the Special Exception and is prepared to respond to any questions you may have regarding the request. The applicant/representative for Art Stone Granite will also be in attendance to answer questions.

2. Ordinance 2022-03 – Comp Plan Amendment

- Comp Plan Amendment Ordinance
- City Planner report dated 4/4/2022

A display advertisement was placed in the Orlando Sentinel on Friday, April 1, 2022, to advertise the notice of consideration of ordinance amending the City of Edgewood Comprehensive Plan related to the creation of a site specific future land use designation. No comments were received at City Hall as of the date of this memo

The City Planner is prepared to respond to any questions you may have regarding the Comp Plan Amendment Ordinance.

3. New Zoning District – Site Specific Plan District (SSP)

- City Planner report dated 4/4/2022
- SSP Site Specific Plan District dated 4/7/2022

This is a discussion item for the proposed new zoning district. The City Planner is prepared to respond to any questions you may have regarding the new zoning district.

4. Ordinance 2022-02 – Window Sign Change

- Window Sign Ordinance

City Hall received one comment letter on March 11, 2022, which has been added to the agenda. The City Planner is prepared to respond to any questions you may have regarding the Window Sign Ordinance.



405 Bagshaw Lane - Edgewood, Florida 32809-3406
(407) 851-2920

To: Planning and Zoning Board Members
XC: Sandy Riffle, Interim City Clerk
Brett Sollazzo, Administrative Assistant
Drew Smith, City Attorney
From: Ellen Hardgrove, AICP, City Planning Consultant
Date: March 30, 2022
Re: Special Exception Application Art Stone

Relevant Facts

Property Owner/Applicant: Titan Real Estate LLC/ Wellington Goulart

Request: As provided for in Code Section 134-405 (C-3 zoning), a special Exception to allow,

- Outdoor storage of merchandise, parts or other equipment; and,
- Building material storage and sales (new, no junk or used material); and
- Storage and wholesale distribution warehouse adjacent to a residential zoning district or property with a residential future land use designation, including those across a right-of-way.

Location: 169 Jamaica Lane, i.e., north side Jamaica Lane, west side of railroad tracks

Property Size: 1.77 acres

Existing Use: 24,989 square feet warehouse

Surrounding uses: North - Commercial Industrial HVAC Contractors
South - Single Family Subdivision
West - Roofing Contractor
East - Railroad Tracks/RV Storage

Property Zoning: C3

Surrounding Zoning: North - C3
South - R1A
West - C3
East - ECD

Exhibit 1 - Subject Property Location



Exhibit 2 - Subject Property



Exhibit 3 - Looking West on Jamaica Lane



Exhibit 4 - Looking East on Jamaica Lane



Proposal Description

The proposal is to locate a granite and other stone showroom and manufacturing business, Art Stone, at 169 Jamaica Lane. The business would entail storage of stone slabs, clientele visiting the site for material selection and ordering, and manufacturing (cut, fabricate, and polish) the product. Per Code Section 134-405, these uses are only allowed as a special exception within the C-3 district.

Consideration for approval by Planning and Zoning Board

According to Section 134-405(a), the Planning and Zoning Board is to consider the following when considering approval of special exceptions:

- Character of the neighborhood in which the proposed use is to be located,
- Its effect on the value of surrounding lands, and
- The area of the site as it relates to the required open space and off-street parking facilities.

If necessary, the Code allows for the granting of special exceptions with conditions and safeguards as are appropriate to eliminate potential adverse impacts.

Considerations

Effect on the character of the neighborhood

Jamaica Lane extends from Orange Avenue. Between Orange Avenue and the railroad tracks, the land use is heavy commercial (RV storage on the north side and airboat manufacturing on the south side). Heavy commercial uses are also located on the west side of the railroad tracks, although these uses are limited to the north side of the road, including a roofing contractor and a company specializing in commercial and industrial HVAC systems. On the south side of Jamaica Lane are single family homes in the Lake Jessamine Estates subdivision as shown in Exhibit 1. Increased truck traffic in the neighborhood will not occur as Toulon Drive does not connect to Jamaica Lane.

Effect on Surrounding Land Value

Additional information, including hours of operation, deliveries, and location of fabrication, relative to noise and dust impacts the business may cause to the adjacent residents needs to be addressed at the public hearing.

It should be noted that the property was zoned for heavy commercial uses prior to the development of the subdivision. The warehouse onsite was built in 1970 according to the Orange County Property Appraiser Records; the houses were built in 2003. The appendix of this report provides a list of C-3 uses which are allowed by right, i.e., special exception approval is not needed. Many of these uses can have similar impacts as that proposed.

Parking availability

The proposed use would not generate more than other uses that could potentially occupy the space by right (vs. special exception approval).

Conclusion and Recommendation

Unless additional information is presented at the public hearing that reveals there would be significant adverse impacts on the adjacent residential use from allowing this use, staff can support a special exception to allow the following.

- Outdoor storage of merchandise, parts or other equipment.
- Building material storage and sales (new, no junk or used material).
- Storage and wholesale distribution warehouse adjacent to a residential zoning district or property with a residential future land use designation, including those across a right-of-way.

If Planning and Zoning Board considers approval, staff would recommend conditioning the approval to a specific use: Granite/Stone sales and manufacturing. Additional conditions, such as hours of operation, may be appropriate to mitigate any identified negative impacts.

ESH

Appendix – C-3 Permitted Uses by Right

Sec. 134-403. Permitted uses.

Only the following principal uses and structures shall be permitted within any C-3 wholesale commercial district, provided that any permitted activities shall be conducted within a wholly enclosed building unless expressly stated otherwise herein:

- (1) Any use permitted in the C-1 retail commercial district or C-2 general commercial district.
- (2) Heating and air conditioning sales and service.
- (3) Bakeries (wholesale).
- (4) Soft drink bottling.
- (5) Testing of materials, equipment and products.
- (6) Machine shops.
- (7) Manufacture and assembly of scientific, electrical, optical and precision instruments or equipment.
- (8) Manufacture of novelties and souvenirs.
- (9) Storage and wholesale distribution warehouse, where not adjacent to a residential zoning district or property with a residential future land use designation, including those across a right-of-way.
- (10) Trade shops including tinsmith, cabinet maker, rug and carpet cleaning, upholstery, mattress renovation, electrical, roofing and plumbing shop.
- (11) Car washes. (No fuel services provided.)
- (12) Confectionery manufacture.
- (13) Furniture stripping.
- (14) Garment manufacturing.
- (15) Mechanical garage, including personal vehicle body shop and painting. (No fuel services provided.)
- (16) Milk bottling and distribution plants; ice cream manufacturing, citrus processing.
- (17) Sign manufacturing, installation, service and sales.
- (18) Welding shop.
- (19) New and off-site factory reconditioned automobile parts.
- (20) Other uses which are similar to the uses permitted herein, which are not specifically prohibited in section 134-404, which would promote the intent and purposes of these districts. Determination shall be made by authority and directive of the city council after public notice and hearing.



RECEIVED Section E, Item 2.

MAR 24 2022

CITY OF EDGEWOOD

APPLICATION FOR SPECIAL EXCEPTION

Reference: City of Edgewood Code of Ordinances, Section 134-121
REQUIRED FEE: \$750.00 + Applicable Pass-Through Fees (Ordinance 2013-01)
 (Please note this fee is non-refundable)

PLANNING AND ZONING MEETING DATE:	
CITY COUNCIL MEETING DATE:	

IMPORTANT: A COMPLETE application with all required attachments must be submitted to the City Clerk 30 days before the next Planning & Zoning meetings. No application shall be deemed accepted unless it is complete and paid for.

Notarized letter of authorization from Owner **MUST** be submitted if application is filed by anyone other than property owner.

Please type or print. Complete carefully, answering each question and attaching all necessary documentation and additional pages as necessary.

- New Special Exception Request
- Amendment to Special Exception. Date special exception granted _____

Applicant's Name:	Wellington Goulart	Owner's Name:	Titan Real Estate LLC
Address:	1123 Cobb Parkway South. Marietta, GA 30060	Address:	1111 Central Florida Pkwy. Orlando, FL 32837
Phone Number:	770-435-1881	Phone Number:	
Fax:		Fax:	
Email:	wellington@artstoneatlanta.com	Email:	
Legal Description:	GATLIN WITH HOBBS SUB MISC 4/177 FROM SW COR LOT 12 RUN E 279.13 FT FOR A POB TH E 263.12 FT N 13 DEG W 350.84 FT S 76 DEG W 257.58 FT S 13 DEG E 290.91 FT TO POB (LESS S 20.5 FT THEREOF)		
Zoned:	C-3		
Location:	169 Jamaica Lane. Orlando, FL 32809 13-23-29-2964-00-010		
Tract Size:			
City section of the Zoning Code from which Special Exception is requested:	Sec. 134-405 (11) (12)		
Request:	To allow building material storage and sales, and allow contractors storage and equipment yards.		
Existing on Site:	Empty Warehouse		



RECEIVED
Section E, Item 2.

MAR 24 2022

CITY OF EDGEWOOD

The applicant hereby states that the above request for Special Exception does not violate any deed restrictions on the property. Application must be signed by the legal owner, not agent, unless copy of power of attorney is attached.

Applicant's Signature	<i>[Signature]</i>	Date:	3-24-2022
Applicant's Printed Name	Wellington Goubart	Date:	3-24-2022
Owner's Signature			
Owner's Printed Name			

Office Use Only:	
Received Date:	3/24/2022
Received By:	Brett Solkazzo
Forwarded To:	City Planner Ellen Hardgrave
Notes:	

Please submit your completed application to City Hall via email to info@edgewood-fl.gov, via facsimile to 407-851-7361, or hand deliver to City Hall located at 405 Bagshaw Way. For additional questions, please contact City Hall at 407-851-2920.



REC Section E, Item 2.

MAR 24 2022

CITY OF EDGEWOOD

SPECIAL EXCEPTION APPLICATION

1. Provide the legal description (include street address) .

169 Jamaica Ln. - GATLIN WITH HOBBS SUB MISC 4/177 FROM SW COR LOT 12 RUN E 279.13 FT FOR A POB TH E 263.12 FT N 13 DEG W 350.84 FT S 76 DEG W 257.58 FT S 13 DEG E 290.91 FT TO POB (LESS S 20.5 FT THEREOF) +

2. If you are not the owner of the subject property, provide written acknowledgement and authorization from property owner that they do not object to the use requested in the Special Exception Application, and give their authorization for the use if approved.

Will be provided by the applicant.

3. SURROUNDING ZONING DESIGNATIONS:

DIRECTION	ZONING
NORTH	C-3
SOUTH	R-1A
EAST	C-3
WEST	C-3

4. Describe the proposed use you; including conditions on the use, hours of operation, required parking and loading spaces, and number of employees. If proposed use is a training/vocational school, provide the number of anticipated students/clients. Template kitchen counter tops, fabricate material such as granite, marble, & quartz. Once complete we will install kitchen counter tops at clients house. Hours of operation 9A-5P. Will need 1 loading dock. Will store slab for inventory.

5. If applicable, please provide:

- Dimensions of the property (see attached example)
- Existing and proposed location of structure(s) on the property
- Vehicular access ways, driveways, circulation areas (include widths)
- Off-street parking and loading areas
- Refuse and service areas
- Required setbacks; landscape or buffer areas; and other open spaces
- Existing and proposed adjacent rights-of-way, showing widths and centerlines
- Distances between buildings
- Interior and terminal landscape islands
- All existing and proposed sidewalks.
- Landscape plan

Revised 2/8/2022



March 24,2022

To whom it may concern.

We are very thrilled to open a new shop at Edgewood, Fl. Art Stone has been in the granite industry for a while now. We love helping our customers reach their dream kitchen. There's nothing more satisfactory than seeing their happiness once they have accomplished what they imagined.

We are in need of a Special Exception to allow us to store our granite materials and make sales. At 169 Jamaica we will use a showroom to display kitchen, bathroom, and bar sinks, along with sample kitchen to give our clients a look of a kitchen with granite countertops. In our warehouse location we tried to keep a good verity of Granite, Marble and Quartz full slabs, full slabs give a better view than a 4x4 sample.

The process of obtaining countertops, customers come into our showroom they hand select their material. Once that is done, we schedule a template to go to their house to measure the countertops. Drawing with measurement then is brought to the shop and it lays on top of slab to cut and fabricate, then on to polish edge.

Once that's complete, we will take the countertops and install at customer's house, there we will install sinks, Drill faucet holes and seal product.

If you have any questions, feel free to contact me at 770-435-1881

Wellington Goulart

President



March 25, 2022

To whom it may concern.

I, Jaime SX representing Titan Real Estate LLC, property owner of 169 Jamaica Ln. Orlando, FL 32809, give Art Stone Surfaces Inc permission to apply for a Special Exception.

Signature

Jaime SX

Printed Name

Jaime Sanchez

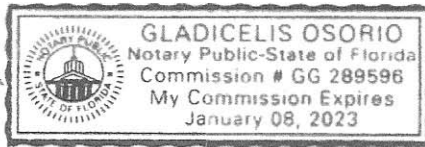
Signed this _____ day of _____, 20_____.

Sworn to and subscribed before me this 25 day of March, 2022.

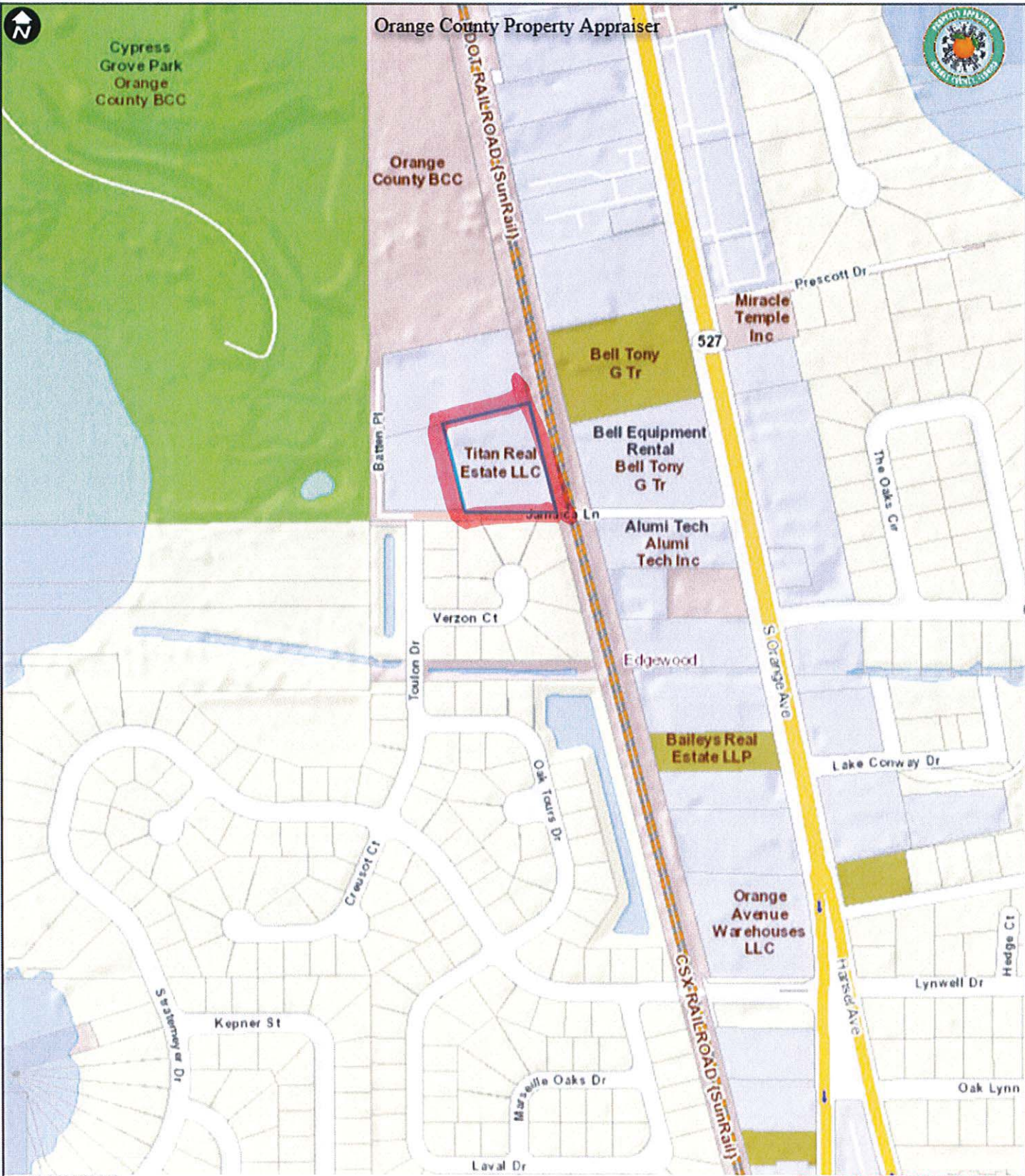
Notary Stamp Required

Notary Public [Signature]

My Commission Expires: 01/08/2023



OCA Web Map		Major Roads	Proposed Road	Block Line	Commercial/Institutional	Hydro
	Florida Turnpike					
	Interstate 4					
	Toll Road					



Created: 3/25/2022 9:29

This map is for reference only and is not a survey

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ORDINANCE NO. 2022-03

**AN ORDINANCE AMENDING THE CITY OF EDGEWOOD
COMPREHENSIVE PLAN RELATED TO THE CREATION
OF A SITE SPECIFIC FUTURE LAND USE
DESIGNATION; PROVIDING FOR CODIFICATION;
PROVIDING FOR CONFLICT AND SEVERABILITY; AND
PROVIDING AN EFFECTIVE DATE**

WHEREAS, the City Council of the City of Edgewood adopted the City of Edgewood Comprehensive Plan by Ordinance No. 91-378 on December 17, 1991, pursuant to Chapter 163.3184, Florida Statutes; and

WHEREAS, the City Council of the City of Edgewood amended the City of Edgewood Comprehensive Plan by Ordinance No. 2013-04 on November 19, 2013, pursuant to Chapter 163.3184, Florida Statutes; and

WHEREAS, the City Council of the City of Edgewood amended the City of Edgewood Comprehensive Plan by Ordinance No. 2021-02 on December 21, 2021 pursuant to Chapter 163.3184, Florida Statutes; and

WHEREAS, the City of Edgewood Comprehensive Plan, is the product of an ongoing planning process; and

WHEREAS, an updated and current City of Edgewood Comprehensive Plan is essential to direct the City’s future planning programs; and

WHEREAS, in some circumstances, certain future land uses require a more detailed level of review to ensure adjacent land use compatibility, environmental compatibility, and/or coordination with the limited availability public infrastructure; and

WHEREAS, the Local Planning Agency for the City of Edgewood received input and advice from its planners and staff; and

WHEREAS, the City Council of the City of Edgewood deems it necessary to make such revisions to the City of Edgewood Comprehensive Plan, as contained in this Ordinance; and

WHEREAS, all required public notices and public hearings for such amendment to the City of Edgewood Comprehensive Plan have been properly given and held; and

WHEREAS, amendments to the Comprehensive Plan as contained in this Ordinance are identified by ~~underlined~~ text.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF EDGEWOOD, FLORIDA AS FOLLOWS:

SECTION 1. LEGISLATIVE FINDINGS. The Recitals set forth above are hereby adopted as legislative findings of the City Council of the City of Edgewood.

SECTION 2. COMPREHENSIVE PLAN AMENDMENT TEXT. .

40 Policy 1.1.6 Development orders shall only be approved consistent with the adopted Future
41 Land Use Map. The Future Land Use Map classifications are defined below:

42
43 Commercial: Activities within land areas that are predominantly connected with
44 the sale, rental and distribution of products, or performance of services.
45 Commercial uses will be at a relatively low to moderate intensity, consistent with
46 existing uses. Maximum commercial intensity shall be 0.50 F.A.R. (floor area
47 ratio), unless as set forth below.

48
49 Properties with a Commercial Future Land Use designation that have frontage on
50 a roadway designated as "principal arterial", may have a mixed-use development
51 pattern not exceeding 3.0 F.A.R. and up to 80 dwelling units per acre, when
52 adequate public facilities and services are demonstrated to be available and land
53 use compatibility demonstrated. This mixed-use pattern will promote infill and
54 redevelopment, while also promoting a reduction in vehicle trips and promoting
55 mobility. Properties developing under the mixed- use concept may develop
56 meeting the following design components, implemented through the land
57 development regulations:

- 58 1. Massing and scale building heights shall be permitted by land
59 development regulations; however, floors over the first may be required to
60 be stepped back to provide massing relief from adjacent properties with a
61 residential designation.
- 62
63 2. All sides of mixed use buildings shall incorporate architectural detail and
64 design elements so that there are no blank walls on the exterior,
65 incorporating a variety of rooflines, windows, and visual relief through
66 changes in building material, as well as horizontal and vertical changes in
67 the building facades.
- 68
69 3. Active uses within mixed-use buildings, including parking areas,
70 recreational facilities, and mechanical equipment shall be appropriately
71 buffered to reduce impact on existing residential uses.
- 72
73 4. Lighting and signage shall be appropriately designed, scaled and shielded
74 to reduce impact on surrounding residential areas.
- 75
76 5. Other compatibility measures and development standards as may be
77 defined through the Planned Development and site plan review process.
- 78
79 6. Any site with a property line adjacent to a street that provides access to a
80 residential neighborhood shall have no curb cuts onto the residential street,

81 so as to minimize impact to the residential neighborhood, unless approved
82 by City Council in a public hearing as part of a Planned Development
83 Zoning or a conditional use process.
84

85 Low Density Residential: Low density residential land uses shall be at a density
86 not exceeding 4 dwelling units per acre.
87

88 Medium Density Residential: Medium density residential land uses shall be at a
89 density greater than 4 dwellings units per acre and not exceeding 7 dwelling units
90 per acre.
91

92 High Density Residential: High density residential land uses shall be at a density
93 exceeding 7 dwelling units per acre but not greater than 16 units per acre.
94

95 Institutional: Activities within land areas that are predominantly connected with
96 government, schools, hospitals, and medically related facilities. Institutional land
97 uses will be at a relatively low to moderate intensity, consistent with existing
98 uses. Maximum institutional intensity will be 0.50 F.A.R. (floor area ratio).
99

100 Site Specific Plan: The Site Specific Plan designation is used for parcels that, due
101 to the proposed use, residential and/or nonresidential, require a more detailed
102 level of review to ensure adjacent land use and/or environmental compatibility.
103 The permitted uses on property with a Site Specific Plan designation shall be
104 those allowed in any of the other City future land use designations; however, the
105 ability to develop any use on the property shall be conditioned on demonstration
106 of adjacent land use and environmental compatibility. To be compatible means, a
107 development, building and/or land use is designed to be able to exist or occur
108 without conflict with its surroundings in terms of its uses, scale, height, massing,
109 and location on its site. The maximum density allowed shall be 16 units per acre
110 for residential and 1.0 floor area ratio for nonresidential. Simultaneously with
111 establishing this designation on the Future Land Use Map, a policy amendment
112 shall be approved that details the development program for the property including,
113 at a minimum, specific permitted uses and maximum density/intensity. Any
114 change to such policy directives shall require a comprehensive plan amendment.
115 Development on properties with this designation shall be required to be rezoned
116 to the Site Specific Plan District to ensure a well-planned development program
117 compatible with adjacent uses through consistency with site specific design
118 standards and architectural controls.

119 The density/intensity maximums listed in this policy are not an entitlement and
120 are not achievable in all situations. Many factors may limit the permitted use
121 and/or density and/or intensity including, but not necessarily limited to, physical

122 limitations imposed by property dimensions and onsite natural resources and
123 environmental systems, necessary land use compatibility design standards, as well
124 as compliance with applicable code requirements such as, but not limited to
125 parking, open space, setbacks, and impervious surface maximums.

126 **SECTION 3.** All ordinances or parts of ordinances in conflict with this Ordinance are
127 hereby repealed.

128
129 **SECTION 4.** After the first public hearing, this amendment was transmitted to the
130 Department of Economic Opportunity, and a copy was submitted to each of: the East Central
131 Florida Regional Planning Council, the St. Johns River Water Management District, the
132 Department of Environmental Protection, the Department of State, the Department of
133 Transportation, Orange County, and any other unit of local government or governmental agency
134 in the State of Florida that has filed a written request with the Clerk of the City of Edgewood,
135 Florida.

136
137 **SECTION 5.** This Ordinance shall become effective 31 days after the Department of
138 Economic Opportunity notifies the City that the Plan Amendment package is complete, or on the
139 date a final order is issued by the Department of Economic Opportunity or Administration
140 Commission finding the amendment in compliance, whichever occurs sooner. No development
141 permits or land uses dependent on this amendment may be issued or commence before it has
142 become effective.

143
144 **FIRST READING** on the ____ day of _____, 2022.

145 **ADOPTED** by the City Council of the City of Edgewood, Florida, this ____ day of
146 _____, 2022.

147
148 _____
149 Richard A. Horn, Council President

150
151
152 *ATTEST:*

153
154 _____
155 Sandra Riffle, City Clerk



Date: April 4, 2022
To: Planning and Zoning Board
From: Ellen Hardgrove, City Planning Consultant
XC: Sandy Riffle, Interim City Clerk
Brett Sollazzo, Administrative Assistant
Drew Smith, City Attorney
Re: Proposed Comprehensive Plan Amendment – Site Specific Future Land Use Designation

This agenda item is a proposed comprehensive plan amendment to add a new future land use designation for uses that require site specific development standards to ensure adjacent land use compatibility and/or protect environmentally sensitive areas. The proposed amendment adds a sixth future land use designation to Future Land Use Policy 1.1.6. to help the city plan for future growth and development.

As proposed, the uses that are allowed in the new future land use designation are any of the uses allowed in the City’s existing future land use designations. As also proposed, a request to designate a parcel as Site Specific Plan will require a simultaneous text amendment detailing, at a minimum, the specific allowable uses and densities/intensities.

The proposed policy also requires that development on property with this designation be rezoned to a new zoning district. The intent of the new zoning district is to ensure a well-planned development program that will be compatible with existing/planned adjacent uses through consistency with site specific design standards and architectural controls.

General language is also proposed to be added to this policy, applicable to all future land use designations, to provide an understanding that the listed densities/intensities are not an entitlement.

Policy 1.1.6 Development orders shall only be approved consistent with the adopted Future Land Use Map. The Future Land Use Map classifications are defined below:

Commercial: Activities within land areas that are predominantly connected with the sale, rental and distribution of products, or performance of services. Commercial uses will be at a relatively low to moderate intensity, consistent with existing uses. Maximum commercial intensity shall be 0.50 F.A.R. (floor area ratio), unless as set forth below.

Properties with a Commercial Future Land Use designation that have frontage on a roadway designated as "principal arterial", may have a mixed-use development pattern not exceeding 3.0 F.A.R. and up to 80 dwelling units per acre, when adequate public facilities and services are demonstrated to be available and land use compatibility demonstrated. This mixed-use pattern will promote infill and redevelopment, while also promoting a reduction in vehicle trips and promoting mobility. Properties developing under the mixed-use concept may develop meeting the following design components, implemented through the land development regulations:

1. Massing and scale building heights shall be permitted by land development regulations; however, floors over the first may be required to be stepped back to provide massing relief from adjacent properties with a residential designation.
2. All sides of mixed use buildings shall incorporate architectural detail and design elements so that there are no blank walls on the exterior, incorporating a variety of rooflines, windows, and visual relief through changes in building material, as well as horizontal and vertical changes in the building facades.
3. Active uses within mixed-use buildings, including parking areas, recreational facilities, and mechanical equipment shall be appropriately buffered to reduce impact on existing residential uses.
4. Lighting and signage shall be appropriately designed, scaled and shielded to reduce impact on surrounding residential areas.
5. Other compatibility measures and development standards as may be defined through the Planned Development and site plan review process.
6. Any site with a property line adjacent to a street that provides access to a residential neighborhood shall have no curb cuts onto the residential street, so as to minimize impact to the residential neighborhood, unless approved by City Council in a public hearing as part of a Planned Development Zoning or a conditional use process.

Low Density Residential: Low density residential land uses shall be at a density not exceeding 4 dwelling units per acre.

Medium Density Residential: Medium density residential land uses shall be at a density greater than 4 dwellings units per acre and not exceeding 7 dwelling units per acre.

High Density Residential: High density residential land uses shall be at a density exceeding 7 dwelling units per acre but not greater than 16 units per acre.

Institutional: Activities within land areas that are predominantly connected with government, schools, hospitals, and medically related facilities. Institutional land uses will be at a relatively low to moderate intensity, consistent with existing uses. Maximum institutional intensity will be 0.50 F.A.R. (floor area ratio).

Site Specific Plan: The Site Specific Plan designation is used for parcels that, due to the proposed use, residential and/or nonresidential, require a more detailed level of review to ensure adjacent land use and/or environmental compatibility. The permitted uses on property with a Site Specific Plan designation shall be those allowed in any of the other City future land use designations; however, the ability to develop any use on the property shall be conditioned on demonstration of adjacent land use and environmental compatibility. To be compatible means, a development, building and/or land use is designed to be able to exist or occur without conflict with its surroundings in terms of its uses, scale, height, massing, and location on its site. The maximum density allowed shall be 16 units per acre for residential and 1.0 floor area ratio for nonresidential. Simultaneously with establishing this designation on the Future Land Use Map, a policy amendment shall be approved that details the development program for the property including, at a minimum, specific permitted uses and maximum density/intensity. Any change to such policy directives shall require a comprehensive plan amendment. Development on properties with this designation shall be required to be rezoned to the Site Specific Plan District to ensure a well-planned development program compatible with adjacent uses through consistency with site specific design standards and architectural controls.

The density/intensity maximums listed in this policy are not an entitlement and are not achievable in all situations. Many factors may limit the permitted use and/or density and/or intensity including, but not necessarily limited to, physical limitations imposed by property dimensions and onsite natural resources and environmental systems, necessary land use compatibility design standards, as well as compliance with applicable code requirements such as, but not limited to parking, open space, setbacks, and impervious surface maximums.



Date: April 4, 2022
To: Planning and Zoning Board
From: Ellen Hardgrove, City Planning Consultant
XC: Sandy Riffle, Interim City Clerk
Brett Sollazzo, Administrative Assistant
Drew Smith, City Attorney
Re: Proposed Zoning District for Site Specific Future Land Use Designation

This agenda item is the proposed zoning district that would be required for development under the proposed future land use designation: Site Specific. The agenda item is meant to be an informal work-session to discuss the proposed requirements of the district. Discussion items will include, but not limited to the following.

- Permitted and prohibited uses; e.g., are there any C-3 uses that specifically should be prohibited?
- The need for development standards such as height and impervious surface maximums.
- The ability to be flexible on parking standards.
- The requirement for a community meeting.
- The distance for public notification.
- Minimum landscape requirements.
- Any other information needed to determine compatibility.

ESH

Sec. 134-476. Intent and purpose of SSP district.

- a) The intent and purpose of the SSP district is to implement the Site Specific Plan future land use designation of the City’s comprehensive plan, establishing a process that will ensure a proposed development is compatible with adjacent land uses, protect environmentally sensitive areas, and is coordinated with available public services and facilities
- b) In the event of any conflict with any other provision of this Code, the provisions of this Division shall prevail unless specifically provided otherwise.

Sec. 134-477. Uses permitted.

- a) *Uses Permitted.* Any use permitted in any zoning district within the City shall be considered a potential use in the SSP district unless such use is specifically enumerated as a prohibited use within the SSP district.
- b) *Development Agreement.* The specific permitted uses for property zoned SSP shall be set forth in a development agreement approved as provided herein, which shall be recorded in the official public records of Orange County, Florida.

Sec. 134-478. Prohibited Uses

- a) Any use prohibited in the C-1, C-2, or C-3 district shall be prohibited in the SSP district.
- b) Car washes

Sec. 134-479. Approval procedure.

- a) The applicant shall submit to the City Clerk an application and payment of all application fees for consideration of comprehensive plan amendments (future land use map amendment and site specific policy detailing, at a minimum, the proposed use and density and/or intensity) and rezoning (the site specific plan) approval. The application shall include sufficient copies, as required by the city, of the following.
 - 1) Complete application form documenting the applicant’s name and contact information, full legal description of the property, acreage, owner’s name and contact information, and agent authorization if applicant is not the owner of the property
 - 2) The proposed comprehensive plan amendments per Section 134-480
 - 3) The Site Specific Plan per Section 134-481
 - 4) A statement of need and justification for the change

- 5) An analysis of how the proposed use is consistent with and/or furthers the goals, objectives and policies of the city's comprehensive plan
- 6) An analysis of potential land use compatibility issues and the proposed mitigation. Land use compatibility is of premier importance to this district. Compatible means, a development, building and/or land use that is designed to be able to exist or occur without conflict with its surroundings in terms of its uses, scale, height, massing and location on its site. Land use compatibility should be addressed based on the following; suggested mitigation measures are listed, often times, more than one mitigation strategy is necessary.
 - a. Visual impact/Building Scale and Site Design: the three-dimensional bulk of a structures onsite including height, width, and depth compared to adjacent uses. This not only includes the appearance of any structures, but also the effect of outdoor storage, as well as the long term maintenance of buildings, landscaping, etc. onsite. Mitigation Measures include, but are not limited to the following.
 - 1) Provide gradual transition between smaller and larger residential lots through the arrangement and scale of lots and/or by providing appropriately scaled buffers.
 - 2) Minimize the mass of buildings that directly face smaller, pre-existing buildings by: 1) reducing the visual impact with larger setbacks; 2) incorporating design and elevation features that complement adjacent lower-density/intensity development; 3) stepping buildings down to a scale (building bulk, footprint size, and height) complementing adjacent development; and/or 4) breaking up massing of buildings.
 - 3) Design structures in a manner that provides a visual or height transition and complements the scale and form of adjacent development. This can be done through reducing building height, providing step-backs, varying massing, increasing setbacks, and other techniques.
 - 4) Alternating/undulating facades, especially for buildings longer than a standard block.
 - 5) Adjust yards, landscaping, and building setbacks to reflect patterns in adjacent, lower-intensity residential areas.
 - 6) Use drainageways and swales, mature trees, wetlands to improve compatibility in building scale.
 - 7) Locate, design, and manage stormwater management features (including retention and detention basins, swales, surface drainageways, constructed

wetlands, and greenways) to provide visual amenities or entryways, or to provide opportunities for passive recreation.

- 8) Use landscape, pedestrian ways, bioswales, and parking design to divide large parking lots into smaller blocks.
 - 9) Use landscaped buffers and screening to reduce the visual impact of parking facilities on adjacent residential areas.
 - 10) Place parking lots between taller commercial buildings and single family homes.
- b. Operational Impact – Operational by-products like noise, odors, dust, vibration, light, heat, electrical interference etc. that will negatively impact adjacent uses.
- 1) Contain operations within building walls to the maximum degree possible.
 - 2) Use vertical screening to block visual effects of high-impact components such as mechanical equipment and service areas.
 - 3) Locate dumpsters away from adjacent residential areas.
 - 4) Direct light generated by higher intensity uses, including direct illumination of parking and service areas, signs, and structures, away from adjacent residential areas and public streets.
 - 5) Reduce noise through additional wall insulation, plantings, fences and walls, and strategic placement of doors and windows.
 - 6) Hours of operation—Low intensity uses such a residential generally have much more restricted activities than higher intensity uses such as industrial.
- c. Traffic/Vehicle Use—The type and amount of vehicles that will use the site and the resulting congestion that will be produced off site as well as potential noise from vehicles that will operate onsite.
- 1) Coordinate with the City/County/State to construct improvements necessary to mitigate the project’s impact on the subject street or intersection.
 - 2) Utilize site designs, building groupings, and site features that accommodate and encourage the use of transportation alternatives, including pedestrian, bicycle, and public transportation. Examples of techniques include wide, transit stops, and multi-use paths and trails to building entrances; and visible and convenient bicycle parking facilities.
 - 3) Increase the connectivity of the street network to reduce reliance on single routes for access.
 - 4) Locate service areas away from adjacent residential areas.

- d. An analysis of the availability of facilities and services including Potable Water, Wastewater, Stormwater Management, Solid Waste Disposal, Police and Fire Protection, and Transportation.
 - e. An analysis of the suitability of the proposed development given the soils, topography, wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, and historic resources on site.
 - f. An analysis of how the proposed development promotes water and energy conservation.
 - g. The proposed Development Agreement per Section 134-483.
 - h. Any supporting data the applicant deems necessary to support the request.
- b) *Distribution for Review* After determining the application is complete, the City Clerk shall distribute the application to pertinent city staff for review. An incomplete application will not be forwarded to staff, resulting in the delay of processing.
 - c) *Staff/Applicant Meeting/Initial Review Comments.* The City Clerk will coordinate with the applicant and staff to schedule a meeting to discuss staffs' review comments, as well as guide further refinement of the application if necessary.
 - d) *Community Meeting.* Prior to the final staff report preparation, the applicant shall schedule and attend a community meeting to provide an informal setting to present the project and gain input from area residents/businesses. A report summarizing the community meeting proceedings and any modifications to the proposal based on the input shall be submitted to the City Clerk for staff distribution.
 - e) *Staff Report.* Following the applicant's report on the community meeting, a joint staff report addressing the comprehensive plan amendment and site specific plan will be prepared for the Planning and Zoning Board by staff, which will be sent to the applicant. The applicant may request an additional staff/applicant meeting to discuss the report or request the City Clerk schedule a public hearing before the Planning and Zoning Board.
 - f) *Planning and Zoning Board Hearing.* The Planning and Zoning Board hearing date shall not be scheduled within 21 days of the City Clerk receiving the request from the applicant to proceed to public hearing unless the minimum time is waived by the City Clerk.
 - g) *City Council Hearings.* The public hearing before the City Council shall be held at least ten days after the Planning and Zoning Board hearing, unless the time is waived by the City Clerk. The city shall process the comprehensive plan amendment in accordance with Chapter 163, Florida Statutes. Final approval of the zoning shall not occur until after the effective date of the comprehensive plan amendments.

Section 134-480 Preparation of the Comprehensive Plan Amendments

- a) The necessary amendments to the comprehensive plan (Future Land Use Map amendment and new policy identifying, at a minimum, the permitted uses and densities/intensities) shall conform to the requirements as specified within F.S. ch. 163, pt. II. and follow the process outlined below.
- (1) The comprehensive plan text or map amendments shall be submitted to the Planning and Zoning Board for study and recommendation. The Planning and Zoning Board shall study such proposals to determine:
 - a. The need and justification for the change;
 - b. The effect of the change, if any, on the particular property and the surrounding properties;
 - c. The compatibility of the proposed land uses with surrounding properties; and
 - d. The relationship of the proposed amendment to the goals, objectives and policies and text of the city's comprehensive plan, with appropriate consideration as to whether the proposed change will further, or at least not be contrary to the comprehensive plan.
 - (2) No recommendation for transmittal or adoption of any amendment to the comprehensive plan shall be made by the Planning and Zoning Board until and unless a public hearing has been held. In addition to the public notice requirements of F.S. ch. 163, pt. II, written notice of the time and place of such meeting and the proposed action to be taken shall be posted upon the property and mailed to all owners of record of property within 1,500 feet of the property requested for map amendment at least 15 days prior to the public hearing. The public notice posted on the property shall be erected to be in full view of the general public on each street side of said land and shall be erected by the applicant.
 - (3) The Planning and Zoning Board, following their public hearing, may recommend approval, approval with conditions, denial or submit such request with no recommendation to the City Council in the case of a tie vote.
 - (4) Upon the filing of the recommendations report by the Planning and Zoning Board, the City Council shall hold the first of two public hearings to consider approval of the request in a timely fashion in accordance with Florida law. The second public hearing on the ordinance to consider approval will occur based on the timeline in Florida law, and with notice and hearings conducted in the manner prescribed by law. If the amendment qualifies as a small-scale amendment, review/recommendation by the Planning and Zoning Board and two public hearings by City Council shall occur after giving at least 15 days' notice of time and place of such hearings consistent with State law as well as posted upon the property by the applicant in full view of the general

public on each street side of said land, and mailed to all owners of record of property within 1,500 feet of the property.

- b) The proposed policy amendment shall restrict the range of permitted uses and development intensity/density. The City Council may also restrict or impose requirements such as, but not limited to, limitations on building size and height, minimum setbacks, other site design or building design or use features, and/or vehicle access configuration.

Sec. 134-481 The Specific Site Plan (SSP).

- a) The Specific Site plan shall address the use of all or a portion of the subject property. If the developer or applicant proposes to create a subdivision, a preliminary subdivision plan shall be processed concurrently with the site plan in accordance with Chapter 126 and shall be subject to approval by the City Council.
- b) The site plan, drawn to scale not to exceed one inch equals 200 feet, unless otherwise permitted, and consisting of properly identified exhibits and support materials, shall clearly indicate the following.
 - (1) The project name, legal description, total acreage and location map.
 - (2) Existing topography at one-foot contours based on the county datum (or as approved by the city engineer) and other natural features including, but not limited to, lakes, watercourses, wetland, and conservation areas.
 - (3) On-site soil types (based on the soil conservation service classification system), flood hazard areas and generalized vegetation.
 - (4) Existing uses, easements, and demolition plan
 - (5) Proposed land uses and development intensity/density, with each phase of the total development identified if phasing is proposed
 - a. Proposed Residential. Maximum gross density, total number of units, type of unit(s), minimum lot size, minimum air conditioned living floor area per unit, building height (in stories and feet), impervious surface maximum per lot, minimum building and accessory use setbacks, open space acreage delineated in tracts, and recreation area delineated in tracts. Recreation and open space/excluding landscape buffers shall constitute 25% of the total acreage of the property (excluding water bodies and wetland). At least two recreation activities shall be provided per recreation tract.
 - b. Proposed Nonresidential. Specific types of uses; gross building floor area; building floor area ratio; building height (in stories and feet); minimum setbacks from all sides; maximum impervious surface per lot/tract; delineated areas where outdoor

activities will take place, and a listing of the type of outdoor activities are proposed; and open space acreage delineated in tracts.

- (6) The phasing of development and the manner in which each phase of development can exist as an independent stable unit with all necessary public services and facilities.
 - (7) Identification of adjacent streets, and street intersections or rights-of-way within 500 feet of proposed access points, any major street setbacks, and planned right-of-way lines.
 - (8) Proposed method of providing the following services:
 - a. Water service (including fire flows), plus gallons-per-day requirement.
 - b. Sewage disposal, plus gallons per day generated.
 - (9) Proposed method of land use compatibility.
 - (10) Stormwater management system, including direction of surface drainage flow.
 - (11) Refuse storage areas locations.
 - (12) Proposed easements.
 - (13) Transportation facilities including roads, and pedestrian and bike path facilities proposed in the development, including the proposed right-of-way, sidewalk and bike path widths.
 - (14) Projected vehicle traffic generation based on established standards. A traffic study shall be provided if determined to be necessary by the city engineer.
 - (15) Parking spaces detailing location and size.
 - (16) Exterior lighting.
 - (17) Existing tree survey and removal/replacement plan per Chapter 130.
 - (18) Landscape, tree planting and screening plan, species, quantity, and sizes provided.
 - (19) Design elevations or renderings of structures.
 - (20) Sign plan, including scaled plans of proposed signs.
 - (21) School age population (if applicable).
 - (22) Requested waivers from the subdivision regulations or other development standards shall be indicated on the site plan or submitted in writing detailing the particular provisions of the Code requested to be waived and basis for the request.
- c) The SSP shall serve as the basis for the required new comprehensive policy, SSP zoning district ordinance, and the required Development Agreement.

Sec. 134-481 Site and Building Standards

- a) Impervious Surface Maximum
- b) Maximum Height
- c) Where other site standards have not been specifically delineated in the Site Specific Plan, the Code requirements shall apply, e.g., parking and landscaping

Sec. 134-483 Development Agreement: The Development Agreement is required to be submitted at the time of application. The document shall detail covenants, conditions, restrictions, and agreements that govern the use, maintenance and continued protection of minimum standards established by the rezoning/comprehensive plan policy, as well as maintenance and protection of the building structures, infrastructure, recreation areas, and landscaping.

Sec. 134-484. Amendments to the Site Specific Plan.

- a) Amendments to the approved Site Specific Plan shall be classified as either substantial or nonsubstantial amendments.
- b) A substantial amendment is an amendment that would result in any of the following:
 - (1) A change that would include a land use not previously permitted under the approved Site Specific Plan zoning.
 - (2) A change that would alter the location of a building within 300 feet of a property boundary, except when it is a reduction in the mass or height
 - (3) A change that would require an amendment to the city's conditions of approval.
 - (4) A change that would increase the land use intensity.
 - (5) An amendment to the phasing that would propose a land use in advance of the development it was designed to support.
- c) The determination of a substantial or non-substantial amendment shall be made jointly by the city engineer and city planner. If an agreement is not reached, the determination shall be made by the City Council.
- d) Where the developer proposes to reduce the number of units or floor area in one phase of the project, a corresponding increase in the number of units or floor area in another phase may be administratively approved, if all other conditions of approval are not adversely affected, and no other change is proposed that would be considered a substantial amendment.
- e) Substantial amendments must be approved by applicable public hearings, which could include amendment to the comprehensive plan.

Sec. 134-485. Control of development following approval.

- a) Upon the approval of the Site Specific Plan, the use of land and the construction or modification of any buildings or structures on the property shall be in accordance with the approved Site Specific Plan, rather than with the other provisions of this chapter. However, all other city codes, ordinances, policies and resolutions shall apply to the project.
- b) The city engineer and city planner shall be responsible for certifying that all aspects of the development, including conditions of approval have been satisfactorily completed prior to the issuance of a certificate of completion.
- c) After certification, no changes may be made to the approved development plan except that:
 - (1) Any structural extension, alteration or modification of existing building structures that are consistent with the approved site plan may be authorized by the city engineer or other city designee.
 - (2) A building or structure that is 75 percent or more destroyed may be reconstructed only in compliance with the development plan unless an amendment to the site plan is approved under the provisions of this division.

Sec. 134-486. Other requirements.

- a) Off-site improvements may be required in conjunction with the Site Specific Plan approval in order to offset the impacts on public facilities and services created by the proposed development.
- b) All projects shall provide an adequate level of public facilities and services to accommodate the project as proposed in the development plan.
- c) At the time of development, the development shall comply with all regulations and ordinances in force at the time of engineering plan approval.
- d) Projects that have not been developed and which the City Council considers to be inconsistent with the provisions of this division may be required to update the site plan or may be subject to administrative rezoning if the project is not vested under the applicable law.

Sec. 134-487 Enforcement and penalties.

In the event of a noncompliance with this article, the City Council shall have the authority to suspend construction activity and revoke any building permit issued under this article, and to take all actions necessary to halt construction until such time as the provisions herein are complied with. In the event legal action is necessary, and professional fees and costs are incurred by the city enforcing compliance, these expenses shall be borne by the developer or parties violating the terms of this article. These penalties are in addition to any other penalties provided by law.

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ORDINANCE NO. 2022-02

AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA, RELATING TO SIGNS; AMENDING CHAPTER 122 OF THE CITY OF EDGEWOOD CODE OF ORDINANCES RELATING TO WINDOW SIGNS; PROHIBITING WINDOW SIGNAGE; PROVIDING AN EXCEPTION FOR ONE WINDOW SIGN NO LARGER THAN FIVE SQUARE FEET IN COPY AREA; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION, CONFLICTS, AND EFFECTIVE DATE.

WHEREAS, the regulation of signs is necessary to protect the public health, safety and welfare of the citizens, businesses and visitors to the City of Edgewood (“the City”); and

WHEREAS, during the implementation of new sign regulations, the City has monitored the effectiveness and efficiency of said regulations; and

WHEREAS, the City continues to face challenges in effectively controlling window signage in a manner that avoids sign clutter and aesthetic impacts to buildings; and

WHEREAS, some businesses continue to abuse the allowances for window signage the City has tried to maintain; and

WHEREAS, as building practices evolve and more glass and windows are used in buildings, the challenges presented by window signage become more significant; and

WHEREAS, in order to avoid sign clutter and protect the aesthetic beauty of the City of Edgewood, the City Council finds it appropriate and necessary to further restrict the usage of window signage within the City of Edgewood.

WHEREAS, the City Council finds that this Ordinance is concerned with the secondary effects of speech including but not limited to aesthetics and traffic safety, and are not intended to regulate viewpoints or censor speech, and for those and other reasons that the foregoing provisions are not subject to, or would not fail, a “prior restraint” analysis.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EDGEWOOD, FLORIDA, AS FOLLOWS:

SECTION ONE. The findings set forth in the recitals above are hereby adopted as legislative findings of the City Council pertaining to this Ordinance.

42 **SECTION TWO.** Chapter 122, “Signs,” of the City of Edgewood Code of Ordinances is
43 hereby amended as set forth as follows (note: additions are indicated by underline, deletions are
44 indicated by ~~strikethrough~~, and portions of the Code that remain unchanged and which are not
45 reprinted here are indicated by ellipses (***):

46

47 **Sec. 122-10. Prohibited signs.**

48 ***

49 (23) Window signage ~~that exceeds 25 percent of the total glass area of all windows and 333~~
50 ~~glass doors~~ except as expressly allowed within this Chapter. Window signage lawfully
51 existing as of _____ shall be allowed to remain until the earlier of: 1) voluntary
52 removal of the window signage or 2) a change of occupancy in the unit upon which the
53 window signage is located.

54

55 **Sec. 122-13. Signs subject to permitting.**

56 (b) *Non-residential.*

57 ***

58 (4) Subject to the maximum total copy area, the following signs shall be permitted in all
59 non-residential zoning districts:

60 a. *Ground signs.* Ground signs shall be permitted pursuant to the following:

- 61 1. One low-profile sign, one tall-profile sign, consistent with the definitions for
62 same, or one electronic changeable message sign consistent with the
63 requirements in subsection 122-13(b)(4)a.5 below, shall be allowed along
64 each public road right-of-way the parcel abuts.
- 65 2. On multi-occupant parcels at least five acres in size with at least 375 feet of
66 parcel depth measured from the front property line to the rear property line,
67 one large parcel sign, consistent with the definition for same, shall be
68 allowed in lieu of a low-profile, tall-profile, or electronic changeable
69 message sign.
- 70 3. On parcels abutting multiple public road rights-of-way, one additional
71 ground sign shall be allowed per secondary road frontage. The sign location
72 along the secondary frontage shall be at least 100 feet from the point of road
73 intersection with the primary road, as measured along the right-of-way. The
74 secondary frontage shall be the road with the lowest traffic count.

75 ***

76 b. *Attached signs.* The following attached signs shall be permitted:

- 77 1. One wall sign, one projecting sign, or one hanging sign shall be allowed per
78 principal building façade facing a public road right-of-way for each principal
79 building located on a parcel; such sign or signs allowed herein do not have to
80 be located on the building façade facing the public road right-of-way, but
81 only one such sign shall be allowed per building façade.
- 82 i. No wall sign or supporting structure for a wall sign shall project
83 more than 12 inches from the wall of a building nor over any
84 public right-of-way. Wall signs may not disrupt architectural
85 features of the building and must be architecturally compatible and
86 consistent with the building. Further, no wall sign shall extend
87 above the roofline except where an exterior parapet wall projects
88 above the roofline, in which case such sign may extend to the top
89 of such wall.
- 90 ii. No projecting sign shall extend beyond three feet beyond the face
91 of the building. No sign face of any projecting sign may be greater
92 than six square feet in area. A projecting sign shall be hung at a 90-
93 degree angle from the face of the building and the bottom of the
94 projecting sign shall be at least seven feet above grade.
- 95 iii. The edge of any hanging sign furthest from the building shall not
96 extend beyond the edge of the roofline. No sign face of any
97 hanging sign may be greater than six square feet in area. A hanging
98 sign shall be hung either parallel to or at a 90-degree angle from
99 the face of the building. The bottom of the hanging sign shall be at
100 least seven feet above grade.
- 101 2. One awning sign shall be allowed per awning installed upon the principal
102 buildings located upon the premises.
- 103 c. Window Signs. Window Signs shall be allowed only on the ground floor of a
104 building. One window sign not exceeding 5 square feet in copy area or two
105 matching window signs with each sign located on a different window in a
106 symmetrical manner not exceeding a cumulative 7 square feet in copy area shall
107 be allowed. Window signs shall be counted in the total copy area allowed. and
108 shall be limited to an area that does not exceed 25 percent of each window area.
109 The remaining 75% of the windows shall remain transparent. A glass door shall
110 be categorized as a window for this regulation.
- 111 d. One fuel pump sign with copy area no greater than two square feet located upon a
112 functional and properly licensed fuel pump. Fuel pump signs shall not be included
113 in the calculation of maximum total copy area.
- 114 e. Governmental right-of-way signs.
- 115 (5) In addition to the maximum number of signs and total square footage allowed per
116 parcel, each business location located within a multiple-occupant building with an
117 individual exterior entrance location, shall be permitted one attached sign consistent

118 with subsection 122-13(b)(4)b. and window signage consistent with subsection 122-13
119 (b)(4)(c), which signs shall be located proximate to the primary entrance to such
120 business location. Such multiple-occupant signage shall be subject to the following:

- 121 a. The total maximum copy area available for such multiple-occupant signage per
122 parcel shall be two square feet of copy area for each linear foot of building
123 frontage of the building. ~~If the building has multiple stories which are utilized for~~
124 ~~business locations, then the width of each additional story shall be utilized in~~
125 ~~calculating the building frontage.~~ Each occupant of the building shall then be
126 allocated sign square footage based on their rental (or owned) square footage
127 percentage of the total available square footage in the building. In no event,
128 however, may any one business location exceed a maximum of 100 square feet of
129 total copy area except as otherwise authorized for an anchor tenant.
- 130 b. Anchor tenants upon a multiple-occupant parcel shall be allowed an additional
131 one square foot of copy area for each linear foot of building frontage of that
132 portion of the building occupied by the anchor tenant over 100 linear feet. Said
133 additional copy area shall not exceed 200 square feet of copy area per anchor. The
134 copy area allowed within this paragraph shall be wall signage, awning signage, or
135 a combination thereof.

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

141
142 **SECTION FOUR.** It is the intent of the City Council of the City of Edgewood that the
143 provisions of this Ordinance shall be codified. The codifier is granted broad and liberal authority
144 in codifying the provisions of this Ordinance.

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146 **SECTION FIVE.** This Ordinance shall take effect immediately upon adoption as
147 provided by the Charter of the City of Edgewood.

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149 PASSED ON FIRST READING THIS _____ DAY OF _____, 2022.

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151 PASSED AND ADOPTED THIS _____ DAY OF _____, 2022.

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CITY OF EDGEWOOD, FLORIDA
CITY COUNCIL

Richard A. Horn, Council President

ATTEST:

Sandra Riffle, Interim City Clerk

Edgewood Business and Property Owners Association

Ordinance 2022-02

Sign Ordinance

To: Planning and Zoning and City Council
Edgewood City Hall
405 Bagshaw Way

3/11/2022

The Edgewood Business and Property Owners Association does not support the proposed sign changes in the proposed new code. Under much duress we accepted the code changes that Edgewood brought to the table with some compromises. We did not like them but accepted them. This was back in 2018/2019. We felt they were too restrictive then, but gave in to attempt to work with the city. Now once again after two to three years, the city is adding more restrictions to businesses being able to do business and market their business in the city. Although the city appears to have grandfathered existing business owners in with their current signs, as Edgewood loses businesses through attrition the new businesses will have another restriction placed on them which may make move to a more business friendly city. The majority of the current business owners I have spoken to lately feel this city has yet to be business friendly. Once again the city has not gone to the business owners or this association to inform them of their plans, unfortunately again putting another black mark on transparency and making the city look like they do not even want business owner's opinions on anything to do with having businesses in the city.

I have within the last 3 years talked to multiple commercial developers that are building in and around the city of Edgewood and asked them if they are planning to do any developing in the city of Edgewood. Unfortunately I get pretty much the same response from all the major developers I have spoken to which goes something like this. As a developer it is no longer if you build it they will come. You need to be able to prove within reason to business owners that will be leasing the space that there would be a good chance they would succeed. With the multitude of restrictions the city has on business in the city the formula just does not work to build something profitable to the developer and businesses that will be leasing it. There is much more return on investment just outside the city limits. Most do not feel they will be building anything of substantial value to the city, within city limits any time in the near future unless Edgewood changes the way it seems to feel about businesses and restrictions in the city.

If possible I would like this letter read into and made a permanent part of the record for planning and zoning and the city council meetings that are planned for this ordinance.

I can be reached for comment at 407-716-9888 or email at John.edgewoodcenter@gmail.com

Sincerely John Moccio (Edgewood Business and Property Owners Association)