ARCHITECTURAL REVIEW AND HISTORIC PRESERVATION BOARD

SPECIAL MEETING MINUTES

MARCH 26, 2019

1. CALL TO ORDER
Chairperson Tory Parish called the meeting of the Architectural Review and Historic Preservation Board to order at 6:31 pm in the Commission Chambers of City Hall. A moment of silence was followed by the Pledge of Allegiance.
Quorum was declared present.

Present: Chairperson Tory Parish, Vice-Chairperson Ryan Hinricher, and Board Members: Kay Cappleman, Jared Czachorowski, Mark Hide, and Jessica Stone.

Absent: Eric Rainville (excused)

Staff Present: City Manager Mike Bollhoefer, Assistant City Manager – Public Services Jon Williams, Community Development Director Steve Pash, Economic Development Director Tanja Gerhartz, Urban Designer Kelly Carson, and Recording Secretary Kathleen Rathel

2. APPROVAL OF MINUTES

Motion by Kay Cappleman to approve the regular meeting minutes of February 19, 2018. Seconded by Ryan Hinricher and carried unanimously 6 – 0.

APPLICATION FOR CERTIFICATE OF APPROVAL

3. 252, 270 W. Plant Street – Crazy Plant Holdings (CPH), LLC

Board Member Cappleman announced she would be abstaining from voting due to a conflict of interest (Exhibit A).

City Manager Bollhoefer addressed the Board to go over a few items of the duties and responsibilities of the Board to the new Board Members. He stated, according to State Law, the two ways to abstain; 1) if you have a direct financial interest in the project being discussed or 2) a financial interest in any other project with the applicant and you feel there is a bias or prejudice. If the Board Member does not meet these requirements, then they must vote. He went through the Architectural General Design Standards and Guidelines booklet and pointed out Section 98-192 as key to making decisions based on whether the project meets those design standards. The Board is allowed to make recommendations to the Developer based on personal opinions. Also, the City or the Developer can request the Board Member state their official reason on the basis for voting for or against a project.

Urban Designer Carson presented a request for approval for a new development proposal located at 252 and 270 W Plant Street. The proposal is to demolish an existing non-contributing 5,528 square foot single story masonry vernacular building and construct a new 3-story, 45,000 square foot commercial building on the .51 +/- acre property. The building will contain mixed commercial uses including retail on the 1st floor with professional offices on the 2nd and 3rd floors. The building proposes an 8’ setback on W.
Plant Street to ensure consistency with existing structures to the east, a 15’ setback on S. Highland Avenue to allow for 5 angled parking spots as well as a balcony with outdoor seating, an 8’ setback on Tremaine Street, and a 0’ setback on the east property line with a proposed balcony overhanging the property line. The City allowed aerial easements in anticipation of development of this site. The proposed height of the building is approximately 52’ tall with the highest parapet at approximately 54’. The façade is broken into three distinct treatments to be consistent with existing downtown structures. The east façade features stucco with decorative bands, the center façade will feature a white painted brick, and the west façade will feature a red brick façade with a decorative precast band. Balconies are proposed on both the east and west facades. Ms. Carson then detailed the staff analysis and how this specific proposal meets the downtown requirements. One condition of approval was to have awnings over all entrance ways with landscaping to be reviewed during the Site Plan phase. Staff has reviewed the application and recommends approval subject to the conditions outlined in the Staff Report.

Mike Morrissey, the project architect, was present to answer any questions.

Board Member Hinricher inquired if the demolition met the redevelopment criteria and if the storefront windows would be clear instead of tinted to maximize visibility. Mr. Morrissey clarified that the intention was to use clear glass.

Chairperson Parish inquired about signage locations on the building, if the awnings would interfere with signage, and the location of the awnings.

General discussion ensued regarding the balcony construction, style and color of the red brick façade, and parapet colors.

*Motion by Jared Czachorowski to approve the request [for 252 and 270 W Plant Street with Staff conditions]. Motion amended to include the condition to use clear glass on the storefront windows. Seconded by Mark the motion carried unanimously 6 – 0.*

4. **ADJOURNMENT**

There being no further business, the meeting was adjourned at 7:11 pm.

**ATTEST:**

/S/
Recording Secretary Kathleen Rathel

**APPROVED:**

/S/
Chairperson Tory Parish
FORM 8B  MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME
Cappleman Kay Louise

NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE
Architectural Review

MAILING ADDRESS
519 N. Woodland St.

THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:

CITY

COUNTY

OTHER LOCAL AGENCY

CITY

CITY

COUNTY

OTHER LOCAL AGENCY

DATE ON WHICH VOTE OCCURRED
3/26/2019

NAME OF POLITICAL SUBDIVISION
Winter Garden Orange

MY POSITION IS:

ELECTIVE

APPOINTE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office MUST ABSTAIN from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also MUST ABSTAIN from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained), to the special private gain or loss of a relative, or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a “relative” includes only the officer’s father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A “business associate” means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; and

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

• You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)
APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

Kay Cappeleman, hereby disclose that on March 26, 2019:

(a) A measure came or will come before my agency which (check one or more)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, ________________________________;
- inured to the special gain or loss of my relative, ________________________________;
- inured to the special gain or loss of ________________________________, by whom I am retained; or
- inured to the special gain or loss of ________________________________, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

My family and the property owner of 252,270 W. Plant Street have financial interest in other Winter Garden properties.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

Date Filed: 3/26/2019
Signature: Kay Cappeleman

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED $10,000.

CE FORM 8B - EFF 11/2013
Adopted by reference in Rule 34-7.010(1)(f), F.A.C.