



City Commission Work Session Minutes

March 6, 2020 at 10:00 a.m.

City Hall, Commissioner Chambers
401 S. Park Avenue | Winter Park, Florida

Present

Vice- Mayor Greg Seidel
Commissioner Carolyn Cooper
Commissioner Todd Weaver

City Manager Randy Knight
City Attorney Dan Langley
City Clerk Rene Cranis

Also present

Bronce Stephenson, Director of Planning
Allison McGillis, Planner

Meeting called to order

Vice-Mayor Seidel called the meeting to order at 10:05.

Orange Avenue Overlay District

Vice-Mayor Seidel asked for clarification on charter requirements as it relates to substantive changes to the ordinance at first reading. Mr. Langley reviewed the charter provision which states that if there is a change in substance and text then the reading at the time of the change will be deemed first reading. He said that he did not see any changes at first reading that would require the commission to start anew. In response to questions by Commissioner Cooper, he explained state statutes regarding the ordinance adoption process and case law regarding changes made to the ordinance. He opined that based on the court interpretation, changes can be made during the ordinance adoption process, including first or second reading, provided that at when adopted the title of the ordinance would not be misleading. He added that amendments made at first reading were permitted and legal and if those same amendments were made at second reading they still would be legal. However, the Commission has the legislative authority to have another reading.

Commissioner Cooper asked whether comprehensive plan changes and changes to density and intensity are considered substantial. Mr. Langley stated that the title does not need to be specific to those or other changes. These ordinances cover a large area and the titles are general and provided sufficient notice to the public of what was in the ordinance.

Vice-Mayor Seidel asked what happens to the ordinance since the overlay has been approved by state agencies. Mr. Stephenson explained that the ordinance was sent, not a full comp plan amendment. Mr. Langley said he does not believe changes to the ordinance would constitute a second review by state agencies. Additional discussion was held on substantial changes. Mr. Langley restated that the Commission, by majority can set another reading although the charter does not require it. Commissioner Cooper asked for a written legal opinion.

Attorney Langley left the meeting at 10:30 a.m.

The following topics and items of concern were discussed:

- Enhancements and entitlements: ability to obtain property for bike trails and intersection improvements, impact on FAR, need to consider traffic impact, scale and character, need to obtain development plans and additional data.
- Scale of development and avoidance of canyonization.
- Architectural review and development standards
- Floor Area Ratio: increasing in exchange for property for infrastructure improvements, parking garage
- Traffic management that helps to move traffic for local residents.
- Fairbanks/Denning intersection. Need to know existing conditions/needs
- Harmon and Palmetto Avenues easements, on-street parking, minimum width, ease of traffic flow.
- Ability to construct parking garages with different base FAR
- Progress Point: public/private partnerships, options
- Calculation of pro rata share of infrastructure improvements
- Potential impact of intersection improvements and working with developers on their plans and their pro rata share of improvements.
- Density transfers: Potential increase of residential density, potential inclusion of include transfer of square footage, reducing traffic through reduction of size of residential units. Concerns were expressed regarding “sending” properties and transferring of nonexistent development rights.
- Modeling

Vice Mayor Seidel called a recess from 12:45 to 12:51 p.m.

Commissioner Weaver said he feels solutions to adding trips is to include workforce housing and improve transit system. He stated he feels development of a model is critical.

Vice-Mayor Seidel said he is comfortable that the information will be available when it is needed for staff to work with developers as they create their traffic impact analysis. He commented on current traffic studies by other agencies.

Commissioner Cooper said she feels the maximum FAR should take into consideration the transportation cost and impact.

Discussion followed on traffic studies and issues and improvements.

Commissioner Cooper stated her need to see 3-dimensional visuals at ground level and different levels of FAR.

Mr. Stephenson read excerpts from the Kimley Horn scope of work for traffic impact analysis and strategies.

Mr. Knight suggested that commissioners prepare their motions in advance of the second reading and in the order in which they appear in the ordinance due to length of the agenda. Mr. Knight left the meeting at 1:27 p.m.

Additional discussion was held on:

- FAR and impact of density transfers on FAR
- Residential units

- Entitlements and incentives for obtaining greenspace, and infrastructure improvements and working with developers to get what the city and residents need.
- Traffic flow and improvements in area of Palmetto and Harmon Avenues and exchange of right-of-way for Palmetto.
- FAR with density transfers, residential units per acre, scenarios and opportunities to achieve additional FAR.
- Trip generation and calculation

Commissioner Weaver summarized his position on Progress Point stating that he is opposed to selling the property and that buildings should be limited to two stories with a total building footprint of up to 20,000 square feet, maximum FAR of 60%, and limit the parking garage to two stories/three levels. He spoke in favor of adaptive reuse. Discussion followed on opportunities and options for development.

Mr. Stephenson left meeting at 2:43 p.m.

Commissioner Cooper stated that her amendments at second reading would include establishing a maximum FAR, density transfer and Progress Point. Discussion followed on the FAR for Progress Point, square footage, building footprint, maximum height and amended language in the ordinance.

After comments by Vice Mayor Seidel additional FAR, Mrs. McGillis stated that the policy could include flexibility to request a variance for increased FAR from the commission. Commissioner Cooper said she is opposed to variances that would allow additional FAR. Discussion followed on the ability for increased FAR.

Vice Mayor Seidel said that he feels the Overlay is big change for the city but compromise is needed to move forward and make improvements and it is important to know the value of what the city is giving and compared to the benefits the city would be receiving.

Commissioner Cooper asked Vice Mayor Seidel to provide a list where city code has failed in order to look at changes that matter. Vice Mayor Seidel said the issue to consider is whether changes are beneficial to the residents.

The work session adjourned 3:41 p.m.