

CITY OF WINTER PARK
CITY COMMISSION WORK SESSION
June 17, 2009

An informal work session was held at 8:00 a.m. in room 200, 401 Park Avenue South, Winter Park, Florida between Commissioners Beth Dillaha and Phil Anderson and Assistant City Manager Michelle del Valle regarding board appointments, the post office, Fleet Peoples Park and form based code.

Board appointments

Commissioner Dillaha commented that the board appointments have been a very difficult process. She spoke about the alternate positions and that alternates should move into a regular position when it becomes available. Commissioner Anderson agreed and believed that these positions should be codified on the quasi-judicial boards. Commissioner Dillaha stated this would be a valid discussion for a Commission meeting and would bring this up under new business on June 22.

Post Office

Commissioner Dillaha voiced concerns about the deadline for the post office and commented about the HOPE project. She stated that the purpose was to raise money to expand Central Park and believed they should continue to do that.

Commissioner Anderson commented that he was uncertain if they could complete the fundraising necessary to create the entire 2 acre park expansion. He stated that he did not have an issue with the "Arrowhead" being redeveloped. In regards to the section beyond the "Arrowhead", he had no objection to the size of the existing post office.

Commissioner Dillaha expressed that they owe it to the citizens to follow through with this and commented that parks are the most important assets/features of the City. She stated that the HOPE project already raised approximately \$2 million and believed they need to raise another \$2 million. She suggested they take a plan to the citizens as long as they have a consensus among the Commission. She explained that if they do not raise the money by December they need to go forward with plan "B" which would be an extension on the agreement and then consider looking at other alternatives. She commented that because this is a timely matter she would bring this up at the June 22 meeting. There was also a brief discussion regarding parking on the "Arrowhead".

Fleet Peoples Park

Commissioner Dillaha explained the goals she believed they need to walk through as a Commission and try to accomplish. They are as follows: financial sustainability, environmental sustainability, make sure all the existing uses are maintained, and to follow the comprehensive plan and the strategic plan for the City.

Commissioner Anderson spoke about the process to date. He expressed that the environmental and alternative uses need to be considered and it has to be financially sustainable. He believed there should be an open play area, separate but equal facilities, pavilions and bathrooms and continued access to the beach. He was in favor of charging fees for this level of intensity for the park and commented that they need to develop the facilities capital improvement in phases.

Commissioner Dillaha spoke about how the park evolved over the years and stated that there was originally a trial period to use the park for a certain amount of hours off leash and during the weekends to have on leash time from 10:00 a.m. – 4:00 p.m. She explained that the rules were not obeyed and it became off leash all the time and more people moved in. She stated that the park is approximately 22 acres and can be easily shared to accommodate all of the uses and did not agree with turning it over to one use. She wanted to ensure they have a dog park that primarily serves our citizens, it is sustainable, and to maintain these other uses for rentals. She also spoke about the configuration of the park space and how it could work.

Commissioner Anderson wanted to move forward and believed that developing this area with a pavilion and having a restroom are key elements that have to be executed quickly or they need to look at an alternative layout.

Commissioner Dillaha provided two letters to Commissioner Anderson to read. She stated that one was from Natural Resources Director Tim Egan which refers to the Human Health and Safety element, the Aquatic Habitat Management and the recommendations from the Lakes Division. The other letter was from dog park consultant Dr. Marilyn Glasser which refers to her critique of the plan.

Commissioner Anderson stated that this is a conceptual plan that was created by a qualified consultant. He believed there would be three phases: Phase I was to have capital for the facilities which include a pavilion, restroom, swales, and the sod and irrigation system. He explained that the capital fundraising would be through an organization that is prepared to raise the money such as the Friends of Fleet Peoples organization or others. He added that Phase II would be the traffic pattern such as roads and parking; and Phase III would be the beach and sidewalk improvements. He stated that Mr. Holland will take this from a conceptual plan to a schematic plan.

Commissioner Dillaha commented that she wanted to know the cost, the timeline, the annual maintenance, and the fee structure. She stated that because of our economic times she looked at this as another large cost for the City and the displacement of what used to be a great use there. She suggested that Commissioner Anderson put together an outline of the fees, rules and regulations, timeline for funding, etc. Commissioner Dillaha provided Commissioner Anderson material for his review.

Form based code

Commissioner Anderson commented that this might provide additional predictability for builders and developers. He explained that he was applying the definition of design mandates to form based code because they still have to meet the floor area ratio, building heights, the parking requirements and the comprehensive plan. He stated they will have much more predictability on approvals if they follow these guidelines. He added that he was also concerned with the budget at this point and time. Commissioner Dillaha agreed.

Commissioner Dillaha believed that the conditional use section of the code could be rewritten or they look at form based code which is design mandates for buildings that are 10,000 square feet or greater, if these are the main issues. She stated that presently form based code pertains to everything on these certain corridors; not just 10,000 square feet or more. Building Director George Wiggins and Cheryl Bowers, Canin and Associates representative, answered questions. Commissioner Dillaha commented that this item will be on the June 22 agenda and they can discuss it further at the meeting. She added that she wanted to have more work sessions.

Commissioner Dillaha expressed that she would like for Planning Director Jeff Briggs to make a presentation on the passing of Bill 360 which basically did away with Growth Management at the state level. She stated that they will have to redo the Transportation Element and some other things. She wanted to have this as a discussion at some point as well.

The meeting was adjourned at 10:30 a.m.

A handwritten signature in cursive script, appearing to read "Cynthia S. Bonham".

City Clerk Cynthia S. Bonham

November 24, 2008

Ms. Kim Allen of the Parks and Recreation Commission has requested some comments from me. We have had several telephone conversations and she has shared photos, letters and other information with me, via email, including the Fleet Peoples Park Proposed Site Plan. I will acknowledge that this information that I have received from Ms. Allen is basically all the info I have been working with so I'm sure there is much I'm not aware of – I have also, however, read through additional information via the City of Winter Park, FL website as well as the “Friends of Fleet Peoples Park” website.

I have been a dog park consultant/expert for the past 4 years. I have visited and photographed dog parks all over the country, done a great deal of research, presented dog park educational sessions at numerous professional recreation and park conferences, conducted evaluations of dog parks, written articles on dog parks for several professional publications and magazines and I'm passionate about assisting communities “do dog parks RIGHT!” I have a master's degree as well as a doctoral degree in recreation and parks and I've been teaching college courses in this field since 1981. I also have 30 years of professional municipal recreation and parks experience.

Now, all that said, I will offer my comments about the information I have received and reviewed, in no particular order:

General Comments

- I'm hearing that this park is overused by dogs and their owners. Much turf has deteriorated, there are drainage problems, especially around the dog-wash and fountain areas, dogs are often in areas originally designated for people.
- I've seen photos with dogs ON picnic tables. This is unacceptable and there should never be picnic tables in a designated dog park – benches, yes; picnic tables, no. (picnic tables encourage dog owners to face one another vs. face their dogs to constantly be monitoring them)
- I have heard that many of the dog owners do not monitor their dogs and, thus, often do not pick up their dogs' feces. Picking up after one's dog in a dog park **ALWAYS** is the single most important dog park rule – for health and sanitary reasons as well as common sense and courtesy. This most important “self-policing” aspect of community dog parks is what truly makes dog parks work! It's a serious problem if this is not done consistently by all dog owners at all times.
- If there are not MANY dog waste bag stations conveniently placed throughout the park, There should be – and they need to be refilled on a regular basis as needed. There also needs to be many trash receptacles convenient for both dog owners and maintenance folks.
- The park and recreation department should be overseeing, maintaining and operating this park as this should a major responsibility of the department. Problems and issues at Fleet Peoples Park should be being addressed and the City Commission should be extremely concerned since city residents are being impacted negatively. The parks and recreation department should be taking the lead here.
- The beach area usage needs to be professionally studied. The state, county and/or city health department and probably the environmental agency in the region should be involved as to the advisability or inadvisability of the use of the Lake Baldwin beaches and shoreline for dogs, people, fishing and boating (with/without motors). Some difficult determinations and decisions may need to be made.

- The City has a master plan that should be addressed reflecting this park and the City's anticipated future. The park is one important park of several city parks and it should be viewed in the context as a part of the city's park system – an area designated to respond to the needs of the residents of the city (the various parks ought to be serving the various needs of the residents) – This should be the basis and the priority for the re-design of the park. (The re-design, then, should respond to the current problems, issues, needs and desires of the city residents – as identified by appropriate professionals within city government as well any contractual additional professionals hired by the city government).
- The various problems being experienced in the park including the dissatisfaction reflected by Winter Park residents, indicates that the dog owners and the usage of this park in general is simply not being appropriately controlled.

Comments about the Proposed Site Plan

- The plan doesn't appear to address any of the problems the park is experiencing. The re-design of the park should address the current problems and issues as the first and foremost priority.
- There's seems to be no input from the city's parks and recreation department nor the city commission. Perhaps the planning department ought to be involved as well.
- As beach access is a primary benefit of this park, that access should be maximized for people. If that can be established, then perhaps additional access can be obtained for various types of boating and/or for dogs. The health and/or environmental agencies must be involved with the city in making these determinations.
- The plan does not appear to reflect the regulations of the Americans with Disabilities Act.
- Dog parks should be designed with at least two areas, one designated for smaller dogs, one for larger dogs. This is not apparent in the plan. In addition, due to the turf issues, I'd recommend at least three areas in this park so that the designations could be interchangeable while one area can "rest and recover" for a period of time. I've seen this done, in Florida and it makes for health, attractive turf in all three fenced enclosures.
- The access areas into the fenced enclosures must be designed in a particular fashion for the safety of both dog owners and dogs. I can't tell if the design is done correctly.
- A major portion of this park ought to be re-designated for non-dog owner residents. Both current usage and the plan only seem to allocate a small portion in the southwestern area of the park for people. The plan does show some amenities here but for a park of this size with the resource of the lake, much more can and should be included. The master plan should be reviewed for this determination but revenue needs should be seriously considered. Several large picnic shelters along with a children's playground (must also to be professionally designed by a recognized IPEMA commercial playground company – at least two areas, one for 2-5-year-olds and one for 5-12-year-olds) is a good start but other amenity examples could include a sand volleyball court or horseshoe courts. Additional amenities enhance the revenue opportunities.
- I can't tell if the parking, for about 75 cars, is adequate. With parking for only about 15 cars in the "people" area, nearest to the picnic shelters, I would definitely say that was inadequate. I can't identify either a roadway or parking for the boat ramp.
- I don't understand what appear to be walkways through the large dog park area. Generally, people will follow the shortest, most direct route to get to where they are going. The design looks attractive but may not be practical or necessary
- The dock, "gathering area" and beach for the dog park are quite extensive, far larger than the non-dog area of the park. Again, the continuation of dogs accessing the beach

and waterfront of Lake Baldwin needs to be researched. If it is permitted to continue, perhaps a more equitable sharing of the beach could be determined.

- There should be no picnic tables or picnic shelters anywhere in a dog park. Nor should people picnicking in shelters in the "people" area be permitted to bring and leave their dogs in the dog park. Only benches should be in the dog park area(s) and they should be placed primarily along the perimeter of the fencing to maximize viewing and site lines to enable constant monitoring of their dogs.
- Dog wash areas and dog fountains should be surrounded by a drainage material such as pea gravel to minimize puddling and mud. In addition, an "apron" of material should be by all entrances due to the often excessive wear and turf damage in dog park entries.
- Finally, the re-design of Fleet Peeples Park will be expensive. That is with or without the implications I've discussed here. This should be a major city project vs. a fund-raising project by well-meaning individuals. I understand many of those supporting the re-design are non-residents who regularly use the dog park. I consider this problematic and, frankly, inappropriate. This is a City of Winter Park park, for the residents of Winter Park. At least a portion of the problems and issues re: the overuse and deterioration of the park are directly related to these non-residents. They can and should petition their own communities for the creation of dog parks.

I sincerely hope my comments have been helpful. There are numerous issues here and I know some residents have been unhappy. Let me say I am usually in support of allowing non-residents to use a community's dog park but there are clearly serious concerns in this case. In addition, I must say that I am NEVER in favor of fees being charged for dog park use and I maintain my position here despite the problems. I feel that may be the worst case scenario, but I don't believe that will solve problems and will instead simply create the question, "how much?", and doesn't allow anything to get resolved. If people pay, they expect service. Your problems could worsen! Also, the problems are not really monetary ones. Revenue generated will probably be minimal yet will have to be administered, enforced, monitored, etc. I do feel park rangers or other staff will be needed, at least to an extent, but I don't think, at this point, that charging fees is an answer. I feel far more information needs to be gathered before deciding that fees will be a "fix".

Good luck!

Dr. Marilyn R. Glasser, President
Parks and Pastimes, Inc.
Brewster, NY 10509
1800-96PARKS
mrglasser@parksandpastimes.com

LAKE MANAGEMENT ISSUES
RELATED TO DOG USE AT FLEET PEEPLES PARK ON LAKE BALDWIN
PREPARED BY THE CITY OF WINTER PARK PUBLIC WORKS DEPARTMENT, LAKES DIVISION
January 7, 2009

Introduction

The Parks Department has requested that the Lakes Division (Public Works Department) provide comments and recommendations related to the use of Fleet Peeples Park as a designated “dog park”, particularly as such use or designation pertains to the management of Lake Baldwin. The impacts that the current use of the park has on several lake management activities are discussed below, followed by recommendations that will allow the management goals to be more easily met.

Water Quality and Stormwater Management

Water quality in Lake Baldwin is currently good, having high clarity readings, a robust aquatic plant community and good fisheries. For this reason the Lakes Division is very interested in protecting the lake. Winter Park currently spends over \$2 million per year on lake and stormwater management activities. The vast majority of these funds go to rehabilitating lakes that have been impacted by stormwater runoff and other human/development related uses. It is much more cost effective to protect a lake from degradation than it is to clean it up after the fact. In order to provide adequate protection, it would be desirable to maintain a stormwater treatment system between the lake and the intensive activity areas of the park.

A combination of a grass filter strip and shallow, dry retention area would provide a high level of protection without restricting people from using any of the park areas. If the park, or parts of it, are continued to be used as a dog park, the dog use area would have to be located upstream of the stormwater management area to allow it to function properly and prevent it's being denuded of grass, as the current area adjacent to the beach has been impacted. This type of system would allow runoff from the rest of the park, including the dog use area to be treated to remove nutrients and other harmful constituents from the stormwater before discharging to the lake

Another factor that elevates Winter Park's lake management concerns is the listing of Lake Baldwin on the State's Draft Verified List of Impaired Waters released 10/30/2008. Due to a State policy related to lakes with low color readings, some lakes have a much lower threshold for nutrients than lakes with normal or high color readings. The result is that many lakes in very good condition, like Lake Baldwin, will end up having very strict nutrient load limits imposed by the State (Total Maximum Daily Loads, or TMDL's). If Lake Baldwin remains on the list (it currently appears that it will), then it is likely that Winter Park will need to take advantage of every opportunity possible, including the treatment plan discussed above, to reduce nutrient runoff to the level that would meet the new limits.

One final factor regarding water quality is the presence of water borne pathogens. This issue is discussed along with other health issues in a separate section below.

Human Health and Safety

Health and safety of park patrons is closely tied to water quality issues. Dog waste can present hazards to human health and safety. A number of canine borne parasites can be present in waters contaminated by dog waste and can also infect humans. These parasites are capable of causing significant health problems. Because testing for these organisms can be very expensive, and there are no accepted thresholds for recreational contact, the only biological monitoring that is performed is for fecal coliform bacteria, which can be harmful but also act as an indicator of other potential health threats. These organisms are present in the feces of warm blooded organisms including mammals and birds. In order for a beach to be licensed by the State as a swimming beach, bi-weekly bacteriological monitoring must be performed, and the beach must be closed whenever fecal coliform levels exceed an average of 200 colonies per 100 milliliters of sample. While Fleet Peeples Park is not a licensed swimming beach, the Lakes Division monitors it bi-weekly due to the heavy use of the park. The presence of large numbers of fecal coliform bacteria can indicate the potential for contamination by other pathogens that are not as easily monitored. The results of bacteriological monitoring for the past four years are summarized below (Table 1.).

Table 1. Summary of bacteriological monitoring of the Fleet Peeples Park Beach area.

Year	2005	2006	2007	2008
Average count (colonies/100 mL)	231	107	210	154
No. of event results over Swimming Beach threshold *	7	3	9	4
No. of event results over TMDL threshold **	3	2	3	0
Annual Average exceeds TMDL threshold Y/N**	No	No	No	No
Number of sample records***	18	20	18	13

*Swimming Beach Standard: Average Count must be less than 200 colonies/100 mL of sample.
 Note: under swimming beach rules additional closures would have been required due very high individual samples.

**TMDL Threshold: Annual Average must be under 400 colonies/ 100 mL of sample.

***26 sampling events are scheduled during a given year, but some are missed due to holidays or manpower shortages. Some results were lost when some e-mail files were corrupted. These results are being retrieved from the lab and will be included on an update.

The results show that bacteria levels at the beach periodically exceed both swimming beach and TMDL standards. It is likely that levels of other pathogens, such as the intestinal parasite *Giardia*, are elevated at least periodically. While the summary data do not appear alarmingly high, some individual samples had levels exceeding several thousand colonies per 100 milliliters. It should also be noted that the relationship between bacterial levels and parasites like *Giardia* is not direct, and risk of human infection may be greater than the bacteria levels may seem to indicate. Human recreational contact with water

potentially contaminated with dog feces is not recommended. Continued use of the beach area by dogs could reduce the safety of that area for aquatic dependant recreational uses.

In addition to water borne parasites, several dog parasites including dog roundworms and hookworms can persist in soils contaminated by dog feces, and can be transmitted to humans (hookworms can be transmitted through skin contact). Since aquatic recreational activities often involve participants that are barefooted, having dog use areas that are not physically separated from other recreational areas can increase the risk of human infection.

Aquatic Habitat Management

Aquatic vegetation is very important to the overall ecology of any lake. Because much of the Lake Baldwin shoreline is undeveloped, the State of Florida allows us to keep the beach area of the park cleared for recreational access. The Lakes Division would, however, like to plant portions of the park frontage to improve aesthetics and to set a positive example to residents who are required by City and State law to maintain aquatic vegetation on portions of their shorelines. Prior to the use of the beach area as an off leash dog park, several stands of aquatic plants were present on the beach area, and were maintained by the Lakes Division. The extent of dog traffic in this area has resulted in the elimination of all vegetation from the beach area, and reestablishment of plants is not feasible without physical barriers between the plant stands and dog use areas.

Lake Related Recreation

The Lakes and Waterways Advisory Board has stated that they want Lake Baldwin to be accessible for low impact recreational activities such as fishing, sailing, canoeing and kayaking. They have recommended that motorized fishing boats be allowed as long as the internal combustion engines are not used. In order to facilitate these uses it is important to keep the existing boat ramp open to public use. Having a beach area for landing and staging sail and paddle craft is also very helpful for encouraging these uses. The current configuration of the park, with most of the beach area available to off leash dogs is not conducive to these water dependant recreational activities. Boaters who do not wish to interact with dogs are currently restricted to an approximately 50 foot wide beach area next to the boat ramp.

Recommendations:

While water quality data do not indicate an immediate threat to water quality in the Lake Baldwin, the City is facing extremely strict limitations on nutrient discharges to the lake. Available literature also indicates that there are significant threats to human health from mixing human recreation and concentrated dog use in the same area(s), particularly in the beach and lake area. If protecting and improving water quality, and minimizing the potential health risks are the only goals and concerns related to the management of Fleet Peoples Park, the following actions are recommended.

- Prohibit dogs from the lake and beach area to reduce the potential for health threats to park users, and to allow restoration of the beach area and construction of an effective stormwater management system.
- Provide enough space between dog use areas and Lake Baldwin to provide effective stormwater management while maintaining a beach area for recreational access. Approximately 200 feet would allow for a 100 foot grass filter strip a shallow dry retention swale or pond and a beach access area.
- Separate any off leash dog use areas from general park users who may not be aware of potential health threats associated with pet waste in upland areas, or who do not want to interact with the dogs.
- Implement strict requirements for disposing of pet waste.