

**CITY OF WINTER PARK
CITY COMMISSION WORK SESSION MINUTES
OCTOBER 2, 2006**

The meeting of the Winter Park City Commission was called to order by Mayor David Strong at 12:00 p.m. in the Commission Chambers, 401 Park Avenue South, Winter Park, Florida.

Members present:

Mayor David Strong
Commissioner Douglas Metcalf
Commissioner Barbara DeVane
Commissioner John Eckbert
Commissioner Douglas Storer

Also present:

City Manager James Williams
City Clerk Cynthia Bonham

Planning Director Jeff Briggs and Planner Stacey Scowden provided an update on the comprehensive plan amendments. Mr. Briggs displayed and explained the map showing maximum height boundaries within the various areas of the City and maximum heights (using the number of stories, not feet) that would be allowed throughout those areas. He explained the areas in the City limits and in the County and the number of allowable stories being proposed in the plan. He reassured the Commission that by providing the sanitary sewer, the City's policy requires annexation and if the Commission decides they do not want what has been built, they do not have to annex it.

Mr. Briggs addressed the Winter Park Hospital and the master plan to redevelop their campus with densities and heights that are six stories that do not fit in the zoning. He stated that has been approved and is part of the comprehensive plan being proposed.

He stated by adopting the map within the comprehensive plan, they are restricting some heights from what currently exists. He explained the number of stories that could be built throughout certain streets/corridors. He stated they believed the map would be well received but that staff is receiving constant criticism of the map for many different issues; including the preference of the map reflecting the number of feet versus the number of stories. He stated the Planning and Zoning Commission (P&Z) believed that height belongs in the Land Development Code so they have not agreed to this. He stated it is the intent to put heights within the zoning code so that it can be amended easily and the comprehensive plan would not have to be amended.

Commissioner DeVane spoke about the importance of this issue and her desire to err on the side of a more stringent comprehensive plan submittal and to tweak it when it comes back. She did not want to create a loophole where if you obtain permission to build a certain type and size of building, that it can easily be changed. She addressed the need to discuss number of feet versus number of stories. Mr. Briggs suggested seeing what evolves as a recommendation from the P&Z.

There was further discussion regarding concerns that once a project is approved, that it does not change into a larger project. Mayor Strong addressed his preference of seeing an outside figure of height which does not inhibit reasonable development but inhibits abuse. Mr. Briggs stated they could do an outside figure or range. It was agreed that this be further discussed.

Commissioner Storer asked if the Commission is going to address each point and come to any conclusions today. Mr. Briggs stated he was trying to update the Commission as

to what is in the comprehensive plan since there have not been updates for a while and changes have been made through the entire process. He also intended to inform the Commission concerning the points of contention and controversy to help them figure out the decision points.

Commissioner Eckbert addressed the importance of the height issue and the need to ensure this is put into the correct document. Discussion ensued regarding whether the City or the DCA should make these types of decisions and whether height should be part of the comprehensive plan or the Land Development Code. Mr. Briggs further explained that staff is trying to obtain a decision on the appropriate heights using the map as a tool and did not have an opinion whether to put it in the zoning code or comprehensive plan.

Commissioner DeVane addressed the appropriateness of the height issue being a part of the comprehensive plan and in feet at this time and when it comes back from the DCA, the Land Development Code is going to be reviewed and the debate of where it belongs can occur during the period between transmittal and approval.

Commissioner Storer addressed the absence of a community visioning session regarding what the direction of development or no development in the City should be. He stated if we had the proper time to hold a visioning session, they could make decisions as to the appropriate document for each various issue brought forward. Commissioner Metcalf agreed and commented he was not in favor of sending a restrictive document to the DCA.

Mayor Strong stressed the importance of having very restrictive descriptions in place dictating what will/will not be allowed to be built in the City knowing that those rules can be changed. He stated he believed the vagueness of the rules in place have hurt the character of downtown Winter Park. Commissioner Eckbert agreed with the Mayor's comments and that it is Winter Park's responsibility to be sure the correct rules are in place and that issues such as height be the decision of the Commission not the DCA.

Mr. Briggs spoke about the Miller Sellen study and the third part of the study that the Commission had not yet received concerning the mixed use zoning district. He stated that is supposed to be the proper mix of height and square footage that yields more building to the property owners to compensate for any reduction in height but brings it down into a scale and with the open space and greenery that the City likes. He stated the comprehensive plan indicates this is the direction the City is going; but does not state that the City is absolutely committed to adopting that. He stated that staff does not have an opinion whether mixed use should be in the comprehensive plan or the zoning code.

He stated some discontent regarding the map still exists that the Commission will hear about at the transmittal hearing particularly relating to the area from Denning Drive west to Harper Street which includes the State Office property, the DMV, Winter Park Village and Vo Tech. He stated that three stories would apply to the Denning Drive sides and four stories internally which are the rules they have been operating under and with the approval of the DMV project. He stated certain citizens are demanding it be a three story maximum in conflict with what the City has historically been doing.

Mr. Briggs addressed the Planned Development Overlay that is currently in the code as the City's variance process rather than having to go before the Board of Adjustment

asking for a variance and the discontent with residents having a variance process. He stated the comprehensive plan mandates changing the PD ordinance and takes away the variance authority for more height and more floor area ratio. He stated it can remain for setbacks, parking, landscape areas, stormwater, etc. site features. Mr. Briggs addressed other issues that the P&Z did not include in the comprehensive plan about citizens asking for policies that require a referendum on any issue involving the creation or expansion of any new CRA; any decisions made on a commuter rail stop; and to sell, lease or trade any significant City property.

He disagreed with citizen concerns that R-4 multi-family residential should be taken out of the commercial zoning codes (C-3 and Office). He stated he understands concerns with the intensity of R-4 that the physical size of buildings in the code may be too large but those codes can be adjusted accordingly within one year of adoption of the plan. He stated that staff and the P&Z are in support of this but not to take it out all together from the commercial and office codes. Mayor Strong spoke about the need for a balance.

There was a discussion regarding any relationship in the comprehensive plan concerning height, density, mass or traffic. Mr. Briggs spoke about transportation concurrency and the need to track the number of net new trips generated on state and local roads. He also addressed the control the City has only within the City and not with other jurisdictions and projects that are approved that may affect traffic in Winter Park.

Mr. Briggs summarized the projected P&Z schedule. He stated they will continue their transmittal hearing on October 10, 2006 and rescheduled the Commission transmittal hearing for November 13, 2006 as advertised on flyers.

Mr. Briggs stated if the Commission has any issues regarding the document, they should inform staff so they can address the matter. Mayor Strong stated they could raise their issues in the scheduled public hearing or the Commission could have another work session. Commissioner DeVane suggested scheduling another work session to go over the document page by page. She expressed concerns with postponing the transmittal for another month. Commissioner Metcalf agreed. She stated there needs to be closure so they can move forward on land use issues as soon as possible.

There was a consensus to move forward whether or not the P&Z comes to an agreement; and a consensus to schedule another work session for October 16, 2006 and to schedule the transmittal meeting on October 23, 2006 rather than November 13, 2006. Mayor Strong asked that this notice be advertised to the public. The Strategic Planning session was postponed on October 16, 2006 due to the Comprehensive Plan work session.

Brian Canin explained that before the next work session he would prepare a letter offering advice on the best course of action and would provide recommendations.

The Commission asked that any future updates to the document has a version number associated with it and to use different highlighted colors to track any changes made by the various departments.

Commissioner DeVane asked if any P&Z members present had any comments. Margie Bridges stated she had no comments, however, she asked Mr. Canin if he could copy the P&Z members at the same time he copies the Commission.

Mayor Strong adjourned the meeting at 1:30 p.m.

A handwritten signature in cursive script, reading "Cynthia S. Bonham". The signature is written in black ink and is positioned above a horizontal line.

Cynthia S. Bonham, City Clerk