

**CITY OF WINTER PARK  
CITY COMMISSION SPECIAL MEETING MINUTES  
OCTOBER 16, 2006**

The meeting of the Winter Park City Commission was called to order by Mayor David Strong at 12:08 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 (arrived at 1:05 p.m.)

Also present:

City Manager James Williams  
Deputy City Clerk Nancy McLean

Members absent: Commissioner Douglas Storer

Planning Director Jeff Briggs updated the Commission on the comprehensive plan amendments. He explained that the Planning and Zoning Commission (P&Z) voted unanimously to recommend transmittal of the comprehensive plan, subject to their modifications and that October 23, 2006 is the next public forum for the transmittal at the Commission meeting. He addressed the context of the meeting such as policy items, reviewing the comprehensive plan list from the P&Z and introduced Mr. Canin from Canin and Associates for his presentation.

Mr. Canin gave a brief overview of his planning urban design firm and described how they help communities' development and manage the quality of the built environment. He stated this has been a challenging and important planning activity. Mr. Canin addressed his firm's recommendations and recommended transmittal of the current draft document. He stated that all of the design elements and design criteria should be viewed as place holders until the necessary visioning, design studies and guidelines can be completed. He commented that they supported the building height map as a guide to undertaking this work and agreed that the number of stories for each area was "generally correct." He addressed his view regarding the floor to floor maximum height. He added that some provisions presently proposed should be removed as they have not been substantiated with enough in-depth study, i.e., inclusion of the parking structures in floor area ratio calculations and the retrospective requirement of 10 acres of park per 1,000 people in each new project. He stated that the Planned Unit Development Overlay and mixed-use category are vitally important tools to effectively manage future development.

Commissioner DeVane stated that certain areas of the City require different kinds of design guidelines, the most obvious being the Central Business District. She explained that this is a topic that needs to be specifically addressed and they also need to make a commitment to the community and have Canin and Associates help establish a plan for how they will deal with these different issues and to let people know what is taking place. Mr. Canin stated it would be relatively easy to have a vision for the Central Business District, however the corridor is completely different and the future depends on how these corridors are cared for.

Commissioner DeVane agreed to sunset various provisions and asked how they would identify those. Mr. Canin recommended they notice the DCA and everyone else that the

design related elements are the ones that will sunset. Commissioner Metcalf asked about a typical comprehensive plan. Mr. Canin stated he was not concerned about the length of the document but how well it was organized.

Mayor Strong stated that Canin and Associates recommended an expeditious update of the plan and asked how long that would be. Mr. Canin stated approximately one year and will take a lot of work. Mayor Strong asked if this would be an amendment or a redo of the comprehensive plan. Mr. Canin said it was an amendment. Mayor Strong stated this plan contemplated planning for the annexation areas and asked if it was appropriate, Mr. Canin stated it was appropriate. Mayor Strong asked if the existing PD Overlay was deficient. Mr. Canin stated he had not examined the existing PD Overlay. Mayor Strong asked if it was realistic to build a vision and a consensus between the competing interests, homeowners, property owners and potential property owners. Mr. Canin said it was realistic and can be done and this was successful in the town of Windermere.

Commissioner DeVane asked if it would be useful to propose a timeline and a process of how to review and revise the Land Development Code. She said she is only concerned with the height in the Central Business District but they need to review what is and is not acceptable and to move forward. Mr. Canin explained the process that worked in Windermere. Commissioner DeVane stated an important piece of this process is to define the next step. She spoke about her comfort level of having a timetable, knowing who the group was going to be, and having a list of hot button issues.

Commissioner DeVane addressed the standard of 10 acres per 1,000 people needing to be preserved in the comprehensive plan. She stated there is enough property to be developed as parks and green space and will not vote to take this out off the comprehensive plan. Mayor Strong commented that every development should not have park space but believed the standards should be maintained because this is Winter Park.

Commissioner Metcalf asked Mr. Canin if he had an opinion about mixed uses. He stated this should be encouraged because mixed use was the future of our growth area and it adds to the tax base. Commissioner Metcalf asked Mr. Canin if the downtown business district was correctly shaped. Mr. Canin stated on a scale of 1-10 it was a nine.

Mr. Briggs gave a brief explanation on why the comprehensive plan would be the wrong tool for a building project. Mayor Strong stated that he did not see this as a problem but rather as a process that is more cumbersome and the end result would be for everyone's benefit including the property owner.

Commissioner Eckbert arrived at the meeting at 1:05 p.m.

Mr. Briggs explained the issues from the P&Z meeting and how citizens would like the comprehensive plan to include mandatory voter referendums, such as commuter rail and the creation or expanding of a CRA. The P&Z deemed this as not part of the comprehensive plan.

Mr. Briggs addressed the appropriate height for Denning to Harper and Fairbanks. Commissioner Eckbert was not convinced that the comprehensive plan was the right place to designate height guidelines and had reservations about involving Tallahassee on this issue. Commissioner DeVane disagreed and it is important for everyone to agree on the density, taller buildings and which areas are residential. Mayor Strong stated that the comprehensive plan process regarding the Rollins building generated input and discussion that resulted in a building that everyone was happy with. He believed that if it takes a year to go through a comprehensive plan amendment then that was a good thing and he was not worried about Tallahassee delaying it for another six months.

Mayor Strong asked what will be in the sunset provision. Mr. Briggs explained it would state when the height limits are incorporated in the Land Development Code they no longer need to be enforced in the comprehensive plan. Mayor Strong and Commissioner DeVane agreed with the P&Z recommendation and Commissioner Metcalf and Eckbert did not agree. No consensus could be reached on this item.

Mr. Briggs explained P&Z's next issue was a 30' height limit on Park Avenue. He stated P&Z believed that two stories is the character of Park Avenue. Commissioner DeVane stated she was disappointed that this did not address the setback issue. The Commission discussed 30 foot height limits on properties fronting on Park Avenue and on the east side of New York Avenue. Commissioner DeVane said she believed the citizens would like to see Park Avenue protected. She requested that P&Z discuss the change in the setback on the front and place this on their "to do list". Commissioner Eckbert spoke about the appropriateness of having an Architectural Review Board for the Park Avenue corridor. Mayor Strong agreed and spoke about being unsure about committing to something that has not been publicly noticed or publicly debated in front of the Commission. Mr. Briggs explained there is a lot of time for the public to debate issues until this is adopted in April. Mayor Strong and Commissioner DeVane agreed with the P&Z's recommendation and Commissioners Metcalf and Eckbert did not agree. No consensus could be reached on this item.

A recess was taken from 2:10 -2:24 p.m.

Mr. Briggs explained the issue of the Floor Area Ratio (FAR) of 200% within the Central Business District vs. 260% FAR (private parking garages included). He stated the 260% FAR would work if someone wanted a three story building and they received conditional use approval including parking. He stated that P&Z agreed to keep the number and count the parking garages. Commissioner DeVane stated this needs more investigation and study because they have different numbers for parking requirements for residential, retail and commercial. Commissioner Metcalf stated we need more flexibility and more parking in the downtown area.

Mr. Briggs explained that there was no commitment in the comprehensive plan that binds the City Commission to a mixed use code. Mayor Strong stated he wanted a mixed use zoning code that can be used within limits and he was unaware of any problems. Commissioner DeVane asked to find a way that guarantees they are going to have commercial and or at least retail on the first floor. Mr. Briggs said that was part of it.

Mr. Briggs explained the P&Z recommended they repeal the PD Ordinance and place setbacks and parking variances in the conditional use section. Commissioner DeVane asked what they would have to do to repeal the PD Overlay. Mr. Briggs addressed they needed to vote to have it advertised and tell him how they want it advertised. Attorney Cheek stated he drafted the ordinance to repeal the PD Overlay but some parts of it need to be revised. Commissioner DeVane asked if an ordinance could be written and reflect what had been discussed. Mr. Briggs concurred. Commissioner Metcalf addressed the PD Overlay and the need for a mixed use component. The Commissioners wanted to commit to mixed use in some form and context.

Mr. Briggs explained the P&Z heard from citizens that were concerned and do not like that larger buildings are permitted if they use the R-4 provisions of commercial/office zoning and persuaded the P&Z to take these out of the code as a policy direction. He stated this was a policy direction recommended to the Commission from P&Z. Commissioner DeVane stated one of the problems was not including adequate green space when there is R-4 density on commercial office zones and there is no specific requirements dealing with this issue. Mayor Strong did not agree that they need more commercial for an adequate tax base. He believed they need to discourage conversion of commercial properties to residential use and did not want to loose commercial zoning.

Mr. Briggs recommended the compromise he believed the P&Z was going to reach and used the DMV property as an example. He explained if they did not want office space on the ground floor but wanted 100% residential and if the code allowed this, it has to be a three story building with only 40% lot coverage. He stated he did not see any harm in the 3 story building and they could always ask for mixed-use which would allow them to have the first floor as office or retail/commercial use. Mr. Canin concurred with Mr. Briggs on this issue and stated they have options to do the R-3 in one of those zones or encourage the mixed use because it might be better tax base solutions.

Commissioner Eckbert asked if he has reviewed all of the P&Z recommendations and if he had a recommended policy for each issue. Mr. Canin stated he did and was against the FAR being included and recommended removing the park space standard of 10 acres per 1,000 residents. He stated they felt they needed the PD Overlay and mixed use tool. Commissioner Metcalf agreed with the R-3 as long as there was a mixed use option to provide for more density and a better looking project. He addressed certain places where perhaps the R-4 needs to be looked at in R-4 districts.

Mayor Strong asked why they could not say on commercially zoned property that they will require commercial use on the ground floor and consider mixed use on other floors. Mr. Briggs explained in some places residential or office/commercial works just as well on the ground floor and the DMV property is a good example. Mayor Strong stated he would like to identify major thoroughfares where they have commercial and require the first floor to be office or commercial use. Mr. Briggs concurred with this recommendation but within some distance such as if the building is within 100 feet on a commercial road, it was appropriate to require the mixed use or commercial on the ground floor for areas such as 17/92, Lee Road, Fairbanks, Aloma and Orange Avenue.

Mr. Briggs explained the last issue regarding the standard of 10 acres per 1,000 residents for park land. He asked how to move forward in the future and maintain that

standard and if there will be exceptions. He demonstrated a chart with parkland, lakes, population and density. He explained the standards. Commissioner DeVane stated they had an expert who could address impact fees and create a proposal once they have an inventory of the parkland they have and know what the values are. She stated they have a lot of property out there that may not be buildable but it has green space and can be used as parkland. She also suggested looking at our school sites for more green space.

Commissioner Eckbert asked if the urban theory of using parks was the correct mechanism to restrict growth. Mr. Briggs explained it never said it was a way to curb growth, but that the state said to pick a standard and hold to it. He commented that the Parks Board believed the standard is appropriate for the City. Commissioner Eckbert stated his concern was more about the maintenance and operations of the parks rather than having more parks. Commissioner DeVane stated we need to look at addressing the larger pieces of property that do not look like they will be developed and incorporate that in the parks standard conversation. She stated these parks are a magnet for more people wanting to live in Winter Park and it is important to keep what they have and do a better job of maintaining it. Mayor Strong asked if there was consensus to accept P&Z recommendation that includes Lakes Midget, Chelton, Wilbar and Knowles back into the park acreage. The Commission was not ready to make a decision.

Mr. Briggs also spoke about what was in the best financial interest of the City to annex certain areas and the policy in the plan where certain annexations should be exempt from meeting the 10 acres per 1,000 standards. Commissioner DeVane did not agree with this policy. Commissioner DeVane and Mayor Strong wanted to maintain the standard they already have. Commissioner Eckbert believed that it was not right to abide by a standard but should abide by what is good for the community. Commissioner DeVane stated that the Mead Garden group and the Parks Board were talking about the need to establish endowments for some of the parks. Mayor Strong stated he supported this standard because it enhances the opportunity to receive State funding for park acquisition.

Commissioner Eckbert asked about the format for the October 23, 2006 meeting. Mr. Briggs explained there would be a brief presentation by staff, public comments will be made, will try to obtain a decision to transmit and to make any necessary changes. Mayor Strong asked Mr. Briggs to outline areas where there is no consensus at the moment and list what the issues are for both sides.

Mayor Strong asked Mr. Briggs to address some questions/comments he had regarding the Land Use Element at the next Commission meeting on October 23, 2006. Mayor Strong stated he had some issues with the transportation element. Mr. Briggs stated there were issues that concerned the State as well.

Mayor Strong adjourned the meeting at 4:33 pm.



Cynthia S. Bonham, City Clerk