

REGULAR MEETING OF THE CITY COMMISSION
July 14, 2014

The meeting of the Winter Park City Commission was called to order by Mayor Kenneth Bradley at 3:33 p.m. in the Commission Chambers, 401 Park Avenue South, Winter Park, Florida. The invocation was provided by Humanist Chaplain Chris Allen, President, Florida Humanist Association and Founding Executive Director of Hands on Orlando, followed by the Pledge of Allegiance.

Members present:

Mayor Kenneth Bradley
Vice Mayor Steven Leary
Commissioner Sarah Sprinkel
Commissioner Tom McMacken
Commissioner Carolyn Cooper

Also present:

City Manager Randy Knight
Assistant City Attorney Bill Reischmann
City Clerk Cynthia Bonham

Approval of the agenda

Motion made by Commissioner McMacken to approve the agenda; seconded by Commissioner Sprinkel and approved by acclamation with a 5-0 vote.

Mayor's Report

- a. Presentation of check from the Kenneth and Rachel Murrah City of Winter Park Tree Fund

Mr. Kenneth Murrah presented the City with a \$1,268.87 check for the purchase of planting trees.

- b. Proclamation – Miller's Hardware Day

Mayor Bradley congratulated Miller's Hardware on their upcoming 69th anniversary and proclaimed July 25 as "Miller's Hardware Day" in Winter Park.

- c. Citizen's recognition by the Police Department - John Cherry, Kim Groves and Jamison Koczan

Police Chief Brett Railey recognized John Cherry, Kim Groves and Jamison Koczan for rescuing a woman who was involved in a domestic violence disturbance. Chief Railey presented a plaque to each of them for their heroic actions. John Cherry was not able to attend.

- d. Winter Park Library Task Force appointment of members

Motion made by Commissioner McMacken and seconded by Commissioner Sprinkel to appoint the following members to the Winter Park Library Task Force: Dr. Gary Barker, Nancy Miles, Joel Roberts, Sam Stark, Chip

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Weston, Bruce Douglas, Jeffrey Jontz, Daniel Butts, Jan Walker, City Manager Randy Knight and Library Director Shawn Shaffer. No public comments were made. **The motion carried with a 4-1 vote with Mayor Bradley voting no.**

City Manager's Report

a. Presentation of the 2014/2015 budget

City Manager Knight provided a PowerPoint presentation on the proposed 2014/2015 budget. The overview consisted of general fund reserves, taxable values, operating millage, millage rate comparison, library budget, forestry services and the capital improvement plan.

City Manager Knight answered questions. He recommended that a work session be held to discuss the Enterprise Resource Program Software replacement, Urban Forestry Renewal Plan and funding for outside organizations.

Mayor Bradley recommended that they discuss the budget during the next few regular Commission meetings and then decide if a work session is necessary. In the meantime he suggested that they use the same format as last year where City Manager Knight provided the Commissioners with a budget list so that each Commissioner can provide their input on items they believe are priorities. The Commissioners were directed to submit their list to the City Manager no later than August 4 so they can be included in the agenda packet. By acclamation, the procedure above was agreed upon.

City Manager Knight noted that the formal budget document can be accessed via the City's website and/or the Commission's drop-box folder. He noted that he would be happy to brief them individually upon request if anyone requires additional information.

City Attorney's Report:

Assistant City Attorney Reischmann advised that the Max Media/Clear Channel settlement agreement is in the final stages of completion.

Non-Action Item: - No items.

Consent Agenda

- a. Approve the minutes of June 23, 2014.
- b. Approve the following purchase, contract and formal solicitation:
 1. Purchase Order to HD Supply for FY14 materials for the Winter Park Village Water Main Project on Canton (RFQ-14-2014); \$62,164.80.

2. Piggyback GSA Contract No. GS-07F-9491G, Federal Supply Services with Xylem Dewatering Solutions, Inc.; and authorize the Mayor to execute contract.
 3. Award RFQ-11-2014, Bucket Truck with Material Handler, to Altec Industries, Inc.; and authorize the Mayor to execute the contract, and approve subsequent purchase order.
- c. Approve the water main construction agreement with Winter Park Town Center Development, LLC for 940 W. Canton Avenue.

Motion made by Commissioner McMacken to approve the Consent Agenda; seconded by Commissioner Cooper. No public comments were made. **The motion carried with a 5-0 vote.**

Action Items Requiring Discussion:

a. Pink Out Winter Park 2014

Teresa Mairn, Winter Park Hospital, provided a PowerPoint presentation. She explained that for the fourth year, Winter Park Memorial Hospital is proposing that the City "go pink" during the month of September and October to bring awareness to breast health and the importance of the early detection of breast cancer.

City Manager Knight explained that the items in need of approval are the 8' pink flamingo flat signs with fundraising messages to be located near key city buildings/areas and the pink illuminated "orbs" that would hang in the trees down Park Avenue to provide a visual representation of Pink Out's Breast Cancer Awareness message at night. The applicant also requested that some items be displayed for eight weeks versus the typical four week approval.

Mayor Bradley refrained from voting on this item by virtue of his employment with the Winter Park Hospital but noted that he personally supports it. Form 8B, Conflict of Interest, is made part of this record.

Motion made by Commissioner McMacken to approve "Pink Out Winter Park"; seconded by Commissioner Sprinkel. No public comments were made. **Upon a roll call vote, Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried with a 4-0 vote. Mayor Bradley abstained from voting.**

b. Reimbursement to Habitat for Humanity for the building lot acquisition costs at 832 English Court

Planning & Community Development Director Dori Stone explained that Habitat for Humanity of Winter Park/Maitland, Inc. was requesting reimbursement for the expenses in the acquisition and clearing of the building lot at 832 English Court of approximately \$72,000 as part of the City's Affordable Housing Program. There is a

deteriorated substandard house on the property that will be removed. This will be Habitat's 44th house in Winter Park and 51st house total since 1992. They will begin construction right after Labor Day and will finish next June. Ms. Stone answered questions.

Motion made by Commissioner Sprinkel to approve the request; seconded by Commissioner McMacken. No public comments were made. **Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried with a 5-0 vote.**

c. 2014 Communitywide process on City vision

Motion made by Mayor Bradley to instruct City staff to begin the process to conduct a community wide City visioning process and to include issues in our Comprehensive Plan, but to be more inclusive of that including health, education, traffic and other issues that our City may have, that the process be done in way that we seek input through the public process but that we also send out to sample our community in its totality to hear from many citizens throughout the whole community versus those that just may come to a public session and that this process ultimately lead to a new Comprehensive Plan; seconded by Commissioner Sprinkel.

Discussion included the recommendation to have a professional consulting team manage the gathering of information and to provide the results. Planning & Community Development Director Dori Stone addressed questions pertaining to the scope of services and the overall cost/budget allowances for this task. She noted that a proposal will be forthcoming for their review and approval.

Commissioner Cooper stated her opposition with establishing a brand new Comprehensive Plan and to the sampling aspect of this task. She preferred that a valid survey be conducted so they can use the data received to define the potential changes that need to be made to the Comprehensive Plan.

Motion amended by Commissioner Cooper that we delete the final portion of the Mayor's motion "and that this process ultimately lead to a new Comprehensive Plan"; seconded by Commissioner McMacken.

Motion amended by Mayor Bradley to ask each of our Advisory Boards to be part of this process and to see what they perceive the City should be like in the year 2020; seconded by Commissioner Leary.

The following spoke in favor:

Cynthia Strollo, 777 French Avenue
Marty Sullivan, 901 Georgia Avenue
Kim Allen, 1800 W. Fawsett Road
Maria Bryant, 450 S. Virginia Avenue

Linda Eriksson, 535 N. Interlachen Avenue
Sally Flynn, 1400 Highland Road

Motion amended by Mayor Bradley that after the visioning process that the results will be used in a review of the Comprehensive Plan; seconded by Commissioner Leary.

Upon a roll call vote on the 1st amendment (that we delete the final portion of the Mayor's motion "and that this process ultimately lead to a new Comprehensive Plan"); Mayor Bradley voted no. Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried with a 4-1 vote.

Upon a roll call vote on the 2nd amendment (to ask each of our Advisory Boards to be part of this process and to see what they perceive the City should be like in the year 2020); Mayor Bradley and Commissioners Leary, Sprinkel and McMacken voted yes. Commissioner Cooper voted no. The motion carried with a 4-1 vote.

Upon a roll call vote on the 3rd amendment (that after the visioning process that the results will be used in a review of the Comprehensive Plan); Mayor Bradley and Commissioner Leary voted yes. Commissioners Sprinkel, Cooper and McMacken voted no. The motion failed with a 3-2 vote.

Upon a roll call vote on the main motion as amended, Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried with a 5-0 vote.

Public Comment (5:00 p.m.) - No public comments were made.

PUBLIC HEARINGS:

- a. RESOLUTION NO. 2143-14: A RESOLUTION OF THE CITY OF WINTER PARK RENAMING FLEET PEEPLES PARK TO ITS ORIGINAL NAME, LAKE BALDWIN PARK

Assistant City Attorney Reischmann read the resolution by title.

Motion made by Commissioner McMacken to adopt the resolution; seconded by Commissioner Sprinkel. City Manager Knight answered questions. Mayor Bradley offered comments regarding the resolution. No public comments were made. **Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried with a 5-0 vote.**

A recess was taken from 5:15 p.m. to 5:46 p.m.

- b. Request of St. Margaret Mary Catholic Church: Conditional use approval to renovate and expand the church sanctuary adding a new front foyer or narthex and church steeple/tower which increases the church size by 2,600 square feet at 526 N. Park Avenue

Planning Manager Jeff Briggs provided an overview of the proposed enhancements. He explained that St. Margaret Mary is not expanding the size or seating of the sanctuary so the request does not affect attendance or the need for additional parking. The addition encompasses the existing narthex and moves it outward further toward the street frontages. He spoke briefly about the current zoning and setbacks for the property which will require a variance for the 7' setback of this addition to the Park Avenue sidewalk.

Mr. Briggs advised that there are four oak trees along the Park Avenue frontage and two small elm trees in landscape planter areas in the front courtyard patio area. The two small elm trees will be removed. The southernmost 16" oak tree along the Park Avenue frontage will be saved but the 20" oak tree will be removed because of the conflict with the addition. The two northernmost oaks along the Park Avenue frontage are to be preserved. He explained the plan for the trees and a new landscape island area with a new oak tree near the corner and the swap of a crape myrtle for a new oak tree near the 20" oak that is coming out to keep the canopy consistent. Mr. Briggs advised that the Planning and Zoning (P&Z) Board voted unanimously in favor of the conditional use request.

Commissioners disclosed that there were no ex-parte communications.

Upon inquiry regarding the building height variance, Mr. Briggs explained that the R-3 zoning also has a maximum building height of 35'. When the church sanctuary was expanded in 1980, it was approved to be 60' tall. The proposed new church steeple will match that height at 57'. The new front facade at the highest point is 40'. He added that the proposed building additions are in scale with the existing Church sanctuary and that staff is comfortable with these height and setback variances and the landscape comments.

Motion made by Commissioner McMacken to approve the conditional use request as approved by P&Z; seconded by Commissioner Sprinkel. Mr. Briggs answered questions regarding the zoning. No public comments were made. **Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.**

- c. Request of Starbucks Restaurants: Conditional use approval to redevelop the former Jiffy Lube property at 2591 Aloma Avenue into a new Starbucks Restaurant with a drive-thru component

Planning Manager Jeff Briggs addressed the site, the proposed enhancements, traffic circulation and stacking, the proposed landscaping plan, stormwater retention, dumpster enclosure and window canopy. He advised that the Planning and Zoning (P&Z) Board voted unanimously in favor of the conditional use request subject to saving the existing oak tree by the new drive-thru lane and that there be a full canopy over the drive-thru lane pickup area.

Motion made by Commissioner Sprinkel to approve the conditional use request as approved by P&Z; seconded by Commissioner McMacken.

Motion amended by Commissioner McMacken to include that any of the speaker systems outside are directional in nature; seconded by Mayor Bradley.

Mr. Briggs answered questions related to parking requirements and stacking.

Mary Randall, 1000 S. Kentucky Avenue, expressed concerns with the potential traffic congestion and pedestrian safety impacts to the local residents and elderly citizens of the Mayflower retirement community.

Upon a roll call vote on the amendment, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

Upon a roll call vote on the main motion as amended, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

d. Request of Georgiana Harkins for the property at 1141/1143 Orange Avenue:

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE I "COMPREHENSIVE PLAN" FUTURE LAND USE MAP SO AS TO CHANGE THE FUTURE LAND USE DESIGNATION OF OFFICE TO COMMERCIAL ON THE PROPERTY AT 1141/1143 ORANGE AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE. First Reading

AN ORDINANCE AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO CHANGE OFFICE (O-1) DISTRICT ZONING TO COMMERCIAL (C-3) DISTRICT ZONING ON THE PROPERTY AT 1141/1143 ORANGE AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE. First Reading

Assistant City Attorney Reischmann read both ordinances by title.

Planning Manager Jeff Briggs explained that applicant/property owner Georgiana Harkins is requesting to change the Comprehensive Plan Florida Land Use and Zoning designations of Office (O-1) to Commercial (C-3) on the property at 1141/1143 Orange Avenue. There is an existing 2,700 square foot, one-story building on the property fronting on Orange Avenue with parking in the rear accessed from Minnesota Avenue. This is just one property but there are two tenant spaces on each side of the building and each has a separate address of 1141 and 1143 Orange Avenue. He explained that the property owner in recent years has been having a more difficult time renting the space as office only. They are often approached by prospective tenants for hair salons and other personal service businesses that are only allowed in commercial zoning. This request will assist them in opening up more potential tenants to be able to use the building.

Mr. Briggs advised that the zoning change will have very little impact except to provide a broader range of tenants. The parking in the rear is insufficient for any restaurant tenants so the change only opens up the personal service type of businesses to locate there. The Planning and Zoning board voted unanimously in favor of both ordinances.

Upon inquiry by Commissioner Cooper, Mr. Briggs explained the difference in site standards between the C-3 and O-1 zoning and the C-3 and C-3a zoning. He advised that C-3a zoning would be consistent with the Future Land Use and is considered a lesser designation than what was advertised. Commissioner Cooper asked for support to grant the applicant a C-3a zoning to try and keep the character in line with the surrounding neighborhood.

Motion made by Mayor Bradley to accept the comprehensive plan ordinance on first reading; seconded by Commissioner Sprinkel. No public comments were made. **Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.**

Motion amended by Commissioner Cooper to the zoning ordinance; to change the zoning to C-3a; seconded by Commissioner McMacken. No public comments were made. **Upon a roll call vote, Mayor Bradley and Commissioners Leary and Sprinkel voted no. Commissioners Cooper and McMacken voted yes. The motion failed with a 3-2 vote.**

Motion made by Mayor Bradley to accept the zoning ordinance on first reading; seconded by Commissioner Sprinkel. No public comments were made. **Upon a roll call vote, Mayor Bradley and Commissioners Leary and Sprinkel voted yes. Commissioners Cooper and McMacken voted no. The motion carried with a 3-2 vote.**

e. Request of Phil Kean Design Group:

ORDINANCE NO. 2966-14: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE I "COMPREHENSIVE PLAN" FUTURE LAND USE MAP SO AS TO CHANGE THE FUTURE LAND USE DESIGNATION OF MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL TO CENTRAL BUSINESS DISTRICT ON THE PROPERTY AT 421 WEST MORSE BOULEVARD, MORE PARTICULARLY DESCRIBED HEREIN. Second Reading

ORDINANCE NO. 2967-14: AN ORDINANCE AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO CHANGE MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL (R-3) DISTRICT ZONING TO COMMERCIAL (C-2) DISTRICT ZONING ON THE PROPERTY AT 421 WEST MORSE BOULEVARD, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE. Second Reading

Assistant City Attorney Reischmann read both ordinances by title.

Motion made by Commissioner Sprinkel to adopt the comprehensive plan ordinance; seconded by Commissioner McMacken. No public comments were made. **Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.**

Motion made by Commissioner McMacken to adopt the zoning ordinance; seconded by Commissioner Sprinkel. No public comments were made. **Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.**

- f. ORDINANCE NO. 2968-14: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 102, UTILITIES TO ADD SECTION 102-2, ESTABLISHING THE WEST FAIRBANKS AVENUE WATER/SEWER IMPACT FEE DEFERRAL PROGRAM; AMENDING SECTIONS 102-57 and 102-92 OF THE CODE OF ORDINANCES TO INCORPORATE THIS IMPACT FEE DEFERRAL PROGRAM; AND ALLOWING THE CITY MANAGER OR MAYOR UNDER THE TERMS AND CONDITIONS SPECIFIED HEREIN TO SIGN CERTAIN CONTRACTS RELATING TO THE IMPLEMENTATION OF THE IMPACT FEE DEFERRAL PROGRAM; PROVIDING FOR CODIFICATION, CONFLICTS AND AN EFFECTIVE DATE. Second reading

Assistant City Attorney Reischmann read the ordinance by title.

Motion made by Mayor Bradley to adopt the ordinance; seconded by Commissioner Sprinkel.

Commissioner Cooper stated that several residents on West Fairbanks Avenue have contacted her claiming that the City made a commitment to not charge them for the water/sewer hookup costs. She asked staff to provide her with the background information during the annexation timeframe period.

City Manager Knight explained there is nothing on record that supports this claim. The only formal action that was taken by the Commission was for the City to pay the impact fees on behalf of the local church. He clarified that this program is available to new and existing businesses.

No public comments were made.

Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, McMacken and Cooper voted yes. The motion carried with a 5-0 vote.

- g. ORDINANCE NO. 2969-14: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, PROHIBITING THE CONSTRUCTION OF A PROFESSIONAL MINOR LEAGUE BASEBALL STADIUM IN MARTIN LUTHER KING, JR. PARK (FORMERLY KNOWN AS LAKE ISLAND PARK), A CITY PARK BOUNDED BY W. MORSE BOULEVARD, S. DENNING DRIVE, HARPER ST., AND W. COMSTOCK AVE.; PROVIDING LEGISLATIVE FINDINGS; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE FOR THIS ORDINANCE. Second Reading

Assistant City Attorney Reischmann read the ordinance by title. Mayor Bradley addressed the slight modification to the ordinance language as of the last meeting and asked for clarification. Attorney Reischmann explained that their office reviewed the document and made a clerical error which resulted in a sentence being added to Section 2(b) and the accidental deletion of Section 3 as presented for first reading on June 23, 2014. The version that is in their current agenda packet is the exact version submitted by the petitioners.

Motion made by Commissioner Sprinkel to adopt the ordinance; seconded by Commissioner McMacken.

Motion amended by Mayor Bradley for the language to read "If the City decides to build a professional minor league baseball stadium that there will be no stadium built in Martin Luther King, Jr. Park"; seconded by Commissioner Leary.

Upon request, Attorney Reischmann answered questions by providing legal counsel regarding the proposed amendment.

Andrew Hand of Shepard, Smith & Cassady, P.A. explained that his firm drafted the ordinance and offered to answer questions of the Commission.

Mayor Bradley inquired as to the formal name of the Political Action Committee (PAC) and if they filed the proper paperwork with the City since there was no backup information in the agenda packet. City Clerk Cynthia Bonham responded by noting that the formal name of committee is "Protect MLK, Jr. Park" and yes, they did file the proper paperwork with the City.

The following spoke in favor:

Gene Randall, 1285 Richmond Road
Pat McDonald, 2348 Summerfield Road
Sally Flynn, 1400 Highland Road
Martha Bryant Hall, 331 West Lyman Avenue
Barry Greenstein, 2348 Summerfield Road

Julio de Arcos, 200 Courtland Avenue, spoke in opposition.

Upon a roll call vote on the amendment, Mayor Bradley voted yes. Commissioners Leary, Sprinkel, McMacken and Cooper voted no. The motion failed with a 4-1 vote.

Upon a roll call vote of the original motion, Mayor Bradley and Commissioners Leary, Sprinkel, McMacken and Cooper voted yes. The motion carried with a 5-0 vote.

- h. ORDINANCE NO. 2970-14: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA; ARTICLE I "COMPREHENSIVE PLAN" BY AMENDING THE GOALS, OBJECTIVES AND POLICIES TEXT WITHIN THE FUTURE LAND USE ELEMENT RELATED TO THE MAXIMUM BUILDING HEIGHT WITHIN THE CENTRAL BUSINESS DISTRICT FUTURE LAND USE DESIGNATION; PROVIDING FOR SEVERABILITY, CODIFICATION, AND CONFLICTS; PROVIDING AN EFFECTIVE DATE. Second Reading

Assistant City Attorney Reischmann read the ordinance by title. Planning Manager Jeff Briggs explained that on April 28 the Commission approved the first reading of this ordinance and authorized transmittal to the Florida Department of Economic Opportunity (DEO) for review and approval. Staff is in receipt of the DEO review letter dated June 18 stating that they have no comments on this amendment, thus it is ready for second reading.

Mr. Briggs explained that one of the recommendations of the WRT study of the Comprehensive Plan was to eliminate internal conflicts between the Comprehensive Plan and the Land Development Code (zoning code) with respect to building heights. A conflict exists within the Comprehensive Plan policies regarding building heights within the Central Business District in that it establishes a fixed 30' maximum building height for two story buildings and a fixed 40' maximum building height for three story buildings within the CBD. The Comprehensive Plan does not provide any provision for approval of any additional height within the definition of a "variance". However, in the zoning code, while the same 30' and 40' dimensions are established for two and three story buildings in the CBD, the Land Development Code allows for an exception or variance by the City Commission to permit up to five additional feet in building height.

Discussion ensued regarding building heights, setbacks and variances. Upon request, Mr. Briggs answered questions to provide clarity.

Motion made by Mayor Bradley to adopt the ordinance as presented; seconded by Commissioner Leary.

Motion amended by Commissioner McMacken to un-strike the following sentence: "Third floors approved by conditional use in the CBD must be setback on street frontages equal to their height of a one foot setback for each one foot height of the third floor." in two places (Policy 1-3.2.2 and Policy 1-3.8.9)"; seconded by Commissioner Cooper.

Mr. Briggs answered questions raised by Attorney Reischmann and the Commission regarding the code provisions.

Pat McDonald, 2348 Summerfield Road, encouraged approval of the amendment.

Upon a roll call vote on the amendment, Mayor Bradley and Commissioners Leary, Sprinkel, McMacken and Cooper voted yes. The motion carried unanimously with a 5-0 vote.

Upon a roll call vote on the main motion as amended, Mayor Bradley and Commissioners Leary, Sprinkel, McMacken and Cooper voted yes. The motion carried unanimously with a 5-0 vote.

- i. ORDINANCE NO. 2971-14: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA; ARTICLE I "COMPREHENSIVE PLAN" BY AMENDING THE GOALS, OBJECTIVES AND POLICIES TEXT WITHIN THE FUTURE LAND USE ELEMENT RELATED TO REPEALING THE REQUIREMENT FOR A SUPERMAJORITY VOTE OF THE CITY COMMISSION TO APPROVE CERTAIN CONDITIONAL USES; PROVIDING FOR SEVERABILITY, CODIFICATION, AND CONFLICTS; PROVIDING AN EFFECTIVE DATE.
Second Reading

Assistant City Attorney Reischmann read the ordinance by title. Planning Manager Jeff Briggs explained that on April 28 the Commission approved the first reading of this ordinance and authorized transmittal to the Florida Department of Economic Opportunity (DEO) for review and approval. Staff is in receipt of the DEO review letter dated June 18 stating that they have no comments on this amendment, thus it is ready for second reading.

Motion made by Mayor Bradley to adopt the ordinance; seconded by Commissioner Sprinkel.

Joe Terranova, 151 N. Virginia Avenue, supported the adoption of the ordinance.

Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, McMacken and Cooper voted yes. The motion carried unanimously with a 5-0 vote.

City Commission Reports:

- a. Commissioner Leary – No items.
- b. Commissioner Sprinkel - No items.
- c. Commissioner Cooper

Commissioner Cooper requested that the Commission discuss which types of ordinances should be codified. She also requested that they discuss the police and fire pensions.

Commissioner Cooper asked that staff include all backup documents in the agenda packets in the future that better explains each item.

Commissioner Cooper explained that in an effort to provide a better understanding and clarity on certain topics, she recommended that staff include a simple chart on the agenda title sheet that shows both the current, and the proposed property setbacks, height and zoning district and to list in detail the different options that are allowable under code.

- d. Commissioner McMacken

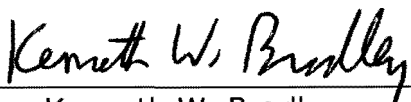
Commissioner McMacken thanked staff for making the 4th of July event a huge success.

- e. Mayor Bradley

Mayor Bradley instructed staff to post all registration documents and financial reports for each registered PAC on the City's website for open transparency purposes. City Manager Knight acknowledged.

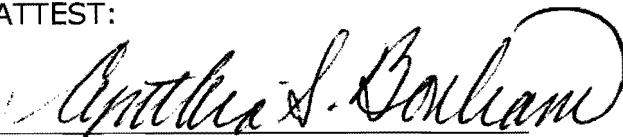
Mayor Bradley advised that the Budweiser commercial featured during this year's Super Bowl showing Winter Park welcoming home Lieutenant Charles Nadd from Afghanistan received an Emmy nominee for best commercial category.

The meeting adjourned at 7:35 p.m.



Mayor Kenneth W. Bradley

ATTEST:



City Clerk Cynthia S. Bonham, MMC