

**CITY OF WINTER PARK
CITY COMMISSION WORK SESSION
April 23, 2008**

The meeting of the Winter Park City Commission took place at 2:00 p.m. in the City Commission Chamber, City Hall, Winter Park, Florida.

Present:

Vice Mayor Margie Bridges
Commissioner Phil Anderson
Commissioner Beth Dillaha
Commission Karen Diebel

Staff Present:

City Manager Randy Knight
Attorney Trippe Cheek
Deputy City Clerk Nancy McLean

Absent

Mayor David Strong

Planning Director Jeff Briggs outlined what they needed to accomplish. 1) comprehensive plan update and schedule; 2) discussion/concurrence on the process for review of the comprehensive plan; and 3) the major policy issues.

He spoke about the City Commission public hearing (1st reading) to consider the ordinance rescinding adoption of the comprehensive plan and that May 12, 2008 will be the 2nd reading. He explained that in moving forward they will need subsequent work sessions and he will be volunteering to meet with each of the Commissioners to review the comprehensive plan.

He stated that the comprehensive plan is a large document with many different elements but much of the scrutiny and examination is the Future Land Use Element. He will be working with the Commission to focus on the Future Land Use goals, objectives and policies. He addressed that the comprehensive plan is basically two documents; one consists of the goals, policies and objectives that they have to comply with for it to be adopted. The other is a backup document that has the data, inventory analysis, facts and figures, maps and the history of things but this is not adopted. He explained that when they started doing the comprehensive plan in 1991, the document included both of these as one document. He addressed that as it evolved over the years with the Department of Community Affairs and with litigation there was confusion between words describing things and the actual policies on what was enforceable. He stated that the State's perspective was they needed to have the two different documents that are legally enforceable and the background data that supports why they came up with these policies. Planner Stacey Scowden added that because the data is updated frequently they do not have to amend the comprehensive plan. Mr. Briggs explained that the logical starting point would be what came from Planning and Zoning Commission (P&Z) in terms of the doctrine they recommended and then sent to the City Commission for adoption.

Vice Mayor Bridges suggested that speaking to Mr. Briggs one on one is appealing but she wondered if it would be more effective to schedule those meetings collectively, especially on matters that are policy issues. She expressed it would give them the opportunity to work cohesively and be part of the discussion.

Commissioner Anderson agreed that if Mr. Briggs met with everyone individually it may accelerate the process. He expressed that there was merit in accelerating this because it would give them the opportunity to come back and review the summary sheet from Mr. Briggs. He

explained that if there was 80% consensus on common thought it would not need to be revisited however; the other 20% could focus on the group discussion.

He asked that the May 5 and May 19 work sessions be held with P&Z. Vice Mayor Bridges agreed and stated it may be helpful to hear their concerns to optimize the time and it would be clearer to track where they are. She suggested that Mr. Briggs break it down into certain elements and they could forward their questions via email.

Commissioner Anderson commented that one of the roles he would like to see with P&Z is to have them at their discussions and he believed they should weigh in on the major changes in the elements. He stated that as the Commission goes through the evaluations he would like to see P&Z take a vote.

There was a consensus to have joint work sessions with P&Z on May 5 and May 19 from 12:00-1:30 p.m.

Mr. Briggs spoke about the major policy issues: density/height bonus with the extra floor and 27% Floor Area Ratio (FAR), two story versus three story height limit in the Central Business District and three stories needing super majority (4 votes of City Commission); excluding parking garages from the FAR city-wide; limiting residential use of office/commercial properties; a new urban use/mixed use future land use & zoning category; density/intensity (FAR) lot coverage – heights; and park level of service standard (10 acres per 1,000) re: annexations. He stated these were issues the Commission needed to discuss in terms of affirmation or rejection of the new comprehensive plan.

Commissioner Anderson commented that two other elements they need to be mindful of was population and the traffic impacts, particularly as they look at either a new urban use/mixed use. Vice Mayor Bridges agreed and asked if they were going to determine their density and population and what kind of analysis has been done. She believed they could not have a discussion on whether or not they were going to give density bonuses until they knew what they want their density to be.

Commissioner Dillaha spoke about the Height Map Flexibility (July 18, 2007) and the added story. She expressed they could have the maximums in the comprehensive plan but they need to work on what a developer or a property owner needs to do to get the third story, like in the Central Business District (CBD). Mr. Briggs clarified that if there is something that says 2-3 stories there should be criteria that clearly delineates what is necessary to earn the third story. Commissioner Dillaha agreed. Mr. Briggs commented that the policy they have now says they can have 4 stories. He stated that Commissioner Dillaha expressed that if this was not in the version that P&Z sent, she did not want any part of it. He commented if that was consensus from the majority of the Commission, he would follow their direction to revise and modify that.

Vice Mayor Bridges position was they remove that because she did not believe it provides the certainty they were looking for, it exceeds the density and it was not in the P&Z version that came forward. Commissioner Anderson's inclination was they solicit the advice from P&Z and the one caveat that he would argue was the ability to create incentives for redevelopment to occur within certain areas of town.

Mr. Briggs stated that another item that has to be added to their list is how they incentivize all the work and effort they started with the form based code and smart code. The things presently on the list are what were changed from P&Z to adoption.

Commissioner Diebel stated that she did not see the merit in repealing the adoption without understanding what they want to readopt. She noted that it would create a time schedule; it is completely inefficient and contrary to the goal of redevelopment itself. She advocated reaching a point of what the conflict issues were and to modify those as necessary. She expressed that during the adoption she supported doing the criteria and putting it back into the hands of P&Z to develop those; however, it was 9 months later and no work has been done for the criteria for the bonus. She supported having some flexibility in this plan to encourage the redevelopment, establishing the criteria that grants those kinds of requirements and being very specific.

Commissioner Dillaha believed that these were very critical and important issues and they should look at the July 18, 2007 Planning and Zoning version. She stated it was critical to have a good comprehensive plan and did not want to rush through this because there were things wrong with the existing document and changes are needed. Commissioner Diebel asked what those changes should be. Commissioner Dillaha summarized her issues and explained they need to have a discussion on what they want to achieve and what their goals are.

Commissioner Diebel advocated that if Commissioner Dillaha has specificities she bring them forward rather than trying to build consensus among the group. She stated if there were things that Commissioner Dillaha needs to work through to become more comfortable with the objectives she wants to achieve, she would be supportive of that. She also addressed her discussing the comprehensive plan for the past year.

Commissioner Dillaha spoke about mixed use and explained that it is a popular type of use but she hesitated having that type of language throughout the comprehensive plan that refers generally to mixed use, as it could be applied anywhere. She stated they need to determine where it makes sense and what format it should be. She added that Altamonte Springs has something called integrated use where it is commercial and retail and they designate where they have mixed use and integrated use which achieves certain goals in certain areas of their City. She believed they should do the same.

Commissioner Diebel stated she was supportive of that but she advocated giving that task to a supporting board and have that recommendation come back. She addressed that if Commissioner Dillaha wants to be an advocate of that process she would recommend that. However, she did not want to decide this as a Commission but rather vote on a recommendation that has been decided on. Commissioner Dillaha suggested P&Z do this because it was their responsibility. Commissioner Bridges added that they should have the tools to provide some analysis and give them instruction that they want the specificity as to why they apply to certain areas, and what they propose and why, with criteria. Commissioner Diebel agreed. Commissioner Diebel stated that she did not have anything to add to the list but she was supportive of any discussion on the list.

Commissioner Anderson spoke about the traffic impact and asked if Public Works Director Troy Attaway could provide an idea of how to do a baseline traffic study. He explained that they could use it and have that knowledge to help make a decision on the mixed use elements.

Planning Director Briggs stated they will accept the assignment that they are uncomfortable with the mixed use/urban use being applied to any property in the City that happens to currently be office/commercial. He explained that they need something to critique and they will have a recommendation in terms of eligible locations to ask for and this will narrow the field. He also added doing a traffic analysis either by the license plate survey (extremely expensive) or the computer model which would be under \$25,000.

Commissioner Anderson stated that he would like to add a policy discussion of the housing types to the list. He talked about the population growth impact in the future which will lead to looking at housing types in terms of size or the number of work force housing that ties into the park level of service.

Commissioner Dillaha wanted to have a work session with P&Z on these major policy issues which would help them make a better decision. Commissioner Diebel asked if it was necessary to repeal the ordinance or could they let this adoption ride itself out because it was not validated yet and assume that they will modify it at the Commission level. Attorney Cheek responded that if they want to make a substantive change (like one of the issues being discussed today) they could appeal or change it now either way. Commissioner Diebel commented that she did not see the merit in reintroducing the hearings that P&Z has to go through if the outcome will be the revalidation of what they already adopted in the policy.

Mr. Briggs explained that they can save time on the process by deciding what they want to change now. Once they reach an agreement with the State, they need to re-adopt but they will save 1-2 months on P&Z's public hearings and it going back to them formally. Commissioner Diebel stated that her understanding from this discussion was they were asking them for a recommendation on these policy issues.

Commissioner Dillaha expressed that she was a proponent of doing this right and taking it through the process. She stated that if they had responded to the ORC a year ago, they would have a comprehensive plan in place, but it was reworked at the last minute. Vice Mayor Bridges agreed.

Vice Mayor Bridges stated in regards to these policy issues she would like to have a discussion on population. She also asked if they are going to articulate that they want to have a traffic study and to what extent. Commissioner Anderson asked that this be done and consider this at the next Commission meeting. He explained that this would only be relevant to the urban use/mixed use discussion.

Commissioner Anderson expressed that the form based code analysis was inspirational. He stated they had layovers of different spears of potential neighborhoods in the City and he thought that was a good concept. Vice Mayor Bridges agreed that it was a functional and appropriate village concept and it is the essences of traditional neighborhoods and sustainable communities. She suggested they talk to P&Z and ask them to use this as the basis of their review.

Planning Director Briggs gave a brief summary as to why these major policy issues were on the list before they get together with P&Z. Commissioner Bridges stated that the Park Level of Service standard was important and announced that Pembroke Pines (Clearwater area) is increasing their green park standard for the 10 acres per 1,000 as Winter Park has in an effort to

achieve greening of their City. She said more and more communities are looking at that and she would like the Commission and P&Z to consider this carefully because now is not the time to be relaxing that standard but rather looking for ways to preserve it.

Commissioner Diebel stated that if they were going to initiate the discussion of excluding parking garages from the FAR city-wide then they should have a base to Commissioner Anderson's point on traffic and parking. She explained that what they found in the discussion was that so much of their CBD was built when they had no parking standards. She expressed that before it comes to the Commission again they need something that says there is a recommendation for a basis of decision.

The meeting was adjourned at 3:40 p.m.



Cynthia Bonham
City Clerk Cynthia Bonham