



City Commission Work Session Minutes

July 29, 2021 at 1:00 p.m.

Virtual

Present:

Mayor Phil Anderson
Commissioner Marty Sullivan
Commissioner Sheila DeCiccio
Commissioner Carolyn Cooper
Commissioner Todd Weaver

City Manager Randy Knight
Asst. City Manager Michelle Neuner
City Clerk Rene Cranis

Also Present:

Planning and Transportation Director Bronce Stephenson
Planner Allison McGillis
Transportation Manager Sarah Walter

1) Call to Order

Mayor Anderson called the meeting to order at 1:10 p.m.

2) Discussion Item(s)

a. OA Discussion

Mrs. McGillis reviewed the Comp Plan revisions. The following items were discussed and agreed to by consensus:

Policy 1-XXX: Public Hearings for Conditional Uses – two public hearings for CU and city-wide notice.

Commissioner Cooper reviewed current Conditional Use current procedures and discussed the intent of the language. She clarified that she felt there should be a public notice on the large projects that are citywide. Commissioner Cooper stated there should be two public hearings with the Commission for any conditional use item. Mr. Stephenson added that any conditional use project would come before the P&Z Board, that is also a public hearing, in addition to the two hearings at City Commission.

Lengthy discussion was held on public hearing criteria for Conditional Use projects of different sizes, new construction vs. adaptive reuse, provisions and language to meet the intent to require two public hearings before the city commission. Consensus was to add verbiage for two public hearings by the City Commission for all Conditional Use greater than 10,000 square feet and Citywide notice for Conditional Use parcel more than

80,000 square feet, and buildings more than 35,000 square feet or with residential units more than 25 units.

Vesting Rights

Mrs. McGillis reviewed the language related to vesting rights added by the city attorney and explained that the clause would allow projects to be developed with the underlying zoning and future land use that is currently allowed prior to the adoption of the OAO. Discussion followed on what would constitute an inordinate burden as it relates to developing projects under the OAO and protections for the City with the "opt out" vesting rights verbiage. Commissioner Sullivan supports the idea of having a vested rights provision, but wants to make sure city approaches it the right way.

Commissioner Cooper expressed concern that the provision would create an opportunity to negate the entire purpose of the OAO. She suggested that the real buildable square footage on the lots should be evaluated now and after the OAO is adopted to understand if there could be legitimate claims. Commissioner Weaver expressed concern that the larger projects would be most likely to initiate a lawsuit. He referenced a property in Subarea D that is zoned Industrial and doesn't allow for residential. Discussion was held on scenarios where a developer may want to rezone, but not conform to OAO standards and whether the "opt out" language should be left in the comp plan. Further discussion followed. Further discussion followed. Staff will review the language further with the city attorney.

Zoning Ordinance

Mr. Stephenson noted that the new underlying rezoning of the park at Progress Point will be written into the code under the OAO. The change will be made prior to notice for the commission hearing. Mayor Anderson suggested adding a note to the comp plan stating that a minimum of 1.4 acres will be reserved as parkland. Commissioner Cooper suggested confirming with the city attorney whether the title would need to be changed because of the rezoning. Mrs. McGillis stated that the change would be made before the title is advertised, which is 30 days prior to the first commission meeting.

t. Orange Avenue Overlay District Development Enhancements/Bonuses Menu

- Change Percentage to Square-Foot, change structured parking to parking. strike (right of way, public easements and/or other enhancements), add "dedicated in perpetuity" and reference other definition.
- (2) Changed structured parking to parking, strike (right of way, public easements and/or other enhancements?), add "dedicated in perpetuity" and reference other definition.

Commissioner Cooper stated that public parking was a defined term in the comp plan and suggested changing the language to "parking dedicated to the public in perpetuity."

- (5) b. change to: "the "Incentive" to the Developer expressed as additional floor area allowed over and above the Baseline FAR."
c. change to: "Value of each additional square foot of floor area,"

Mayor Anderson reviewed a spreadsheet of OAO Land FAR Value-FAR Value Comps analysis. Discussion followed on the properties used for the Comps in the analysis. Mayor Anderson stated that additional information was needed on comparable sales and suggested looking through the broker list and determine which properties are "tear-down parcels, obtain square footage of the sites and add the parcels to the spreadsheet and suggested having a professional appraiser review the property adjustments and calculations.

The following change was made to the enhancement menu columns:
Change column to "Multiplier" removing Incentive "Achievement Maximums"

Discussion followed on the price per square foot, baseline and floor area.

Commissioner Weaver asked the status of acquiring the properties on the north side of Fairbanks Avenue. Mr. Stephenson confirmed that Commissioner Weavers concept was to allow the dedication of land within the overlay that is under common ownership that served the public good to be acceptable, does not have to be on the site itself. After discussion the following changes were made to the language on Page 35, sub paragraph (b): Remove reference to CT7, add Dedication of Right-of-Way, change intersection to transportation improvements, add "within OAO boundaries".

Review of the enhancement tables continued. Mayor Anderson reviewed the formula used to develop the multiplier calculations for the enhancements.

Mayor Anderson left meeting at 2:55 p.m. and returned at 3:08 p.m.

Commissioner Cooper reviewed the enhancement menu tables. Commissioner Weaver stated that the FAR in Table 1: S3 is too high and needs to be reconsidered.

Discussion was held on a parcel on Cypress Avenue owned by the Trovillion Trust. Mr. Stephens explained that the Trust has asked the City to vacate the property and in exchange, the Trust would agree, that upon redevelopment of those properties, would provide an easement along the trail. He explained that closing that portion of Cypress would allow the Trust to have a whole piece of property. In-depth discussion followed on placing a bike/ped path on either side of Palmetto and previous and current plans for the path. Sarah Walter spoke on transportation safety issues with a path on either

side of Palmetto. Further discussion was held on the realignment of Palmetto and the parking garage footprint.

Review of the Enhancement Menu continued.

- Remove CT. 3 – Denning Drive Mobility Extension. The project is already in progress, the Commission has allocated funds.

Commissioner Weaver asked the Commission if they would consider a bump out for buses at the park area just past commercial development before the proposed roundabout. Sarah Walter agreed that bump outs would be a great idea for the area. She stated that in talks with FDOT about Orange Avenue south 19-7-92 bump outs were requested along that stretch of Orange Avenue since FDOT will be a lane dieting that area.

Discussion was held on the multiplier, land value calculations, and gatekeeper incentives for items CT. 1, and CT.7 and language for item S.3 of the enhancement menu. After discussion the following changes were made by consensus

- CT1 – Multiplier added at 1.25.
- CT7 – Land Donation for Transportation Improvements – Change multiplier to 1.5.
- S3 – Renewable Energy – Add Solar PV Panel System to enhancement type and replace existing language to read “The cost of installing the system earns and increase.” Commissioners Sullivan and Weaver will provide additional language to the “Description and Potential Bonus” column.

Mayor Anderson closed the meeting by reiterating that staff would highlight the Broker buildings that are land deals and the mayor and Mr. Stephenson will review the spreadsheet and forward the revised copy to the commission.

3) Adjournment

Meeting adjourned at 3:49 p.m.

Mayor Phillip M. Anderson

ATTEST:

City Clerk Rene Cranis