

**TOWN COMMISSION REGULAR MEETING
MONDAY, SEPTEMBER 10, 2018
TOWN MEETING HALL
7:00 P.M.**

CALL TO ORDER:

Mayor Stark called the meeting to order at 7:10 p.m., followed by the Pledge of Allegiance and Invocation.

ROLL CALL:

COMMISSIONERS PRESENT: Commissioner McMullen
 Commissioner Polland
 Vice Mayor Satterfield
 Mayor Stark

COMMISSIONERS ABSENT: Commissioner Ramos

Ex Parte Communication: None.

PRESENTATION / WEST ORANGE HEALTH CARE DISTRICT

Lesa Gough, a representative from West Orange Health Care District made a presentation to the Town Commission. Healthy West Orange is a local campaign called "Healthy Selfie Day" through the month of September. Two YMCA memberships will be given away to two winning entrants. Mayor Stark read a Proclamation for "Healthy Selfie Day" on September 21, 2018. Ms. Gough provided T Shirts for the event to the Mayor and Commission and took a photo for local media.

PUBLIC FORUM:

None

CONSENT AGENDA:

- a. Minutes – None
- b. Manager's Report

MOTION was made by Vice Mayor Satterfield, seconded by Commissioner Polland, to approve the Consent Agenda as presented.

AYE: McMullen, Polland, Satterfield, Stark

NAY: None

ORDINANCE(S):

FIRST READING, ORDINANCE 2018-09, AN ORDINANCE OF THE TOWN OF OAKLAND, FLORIDA, AMENDING THE TOWN'S ZONING CODE BY THE REPEAL OF THE ENTIRE CURRENT ARTICLE XVI, GATEWAY CORRIDOR OVERLAY, OF THE TOWN OF OAKLAND ZONING CODE, AND REPLACING IT WITH A NEW ARTICLE XVI, URBAN DESIGN DISTRICT

CLASSIFICATIONS; AND PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY AND FOR AN EFFECTIVE DATE.

Planner Marder stated that the Ordinance was discussed in detail at the last Town Commission meeting, but that Mike Morrissey and Tara Salmieiri from Plan Active Studio are in attendance to answer any questions. Ms. Salmieiri reiterated the purpose of the Ordinance and that it will repeal and replace the Gateway Overlay Article XVI. She described the new planning principles and discussed the inclusion of a small amount of new information from the last presentation, including building heights and a new layer of design standards.

Mr. Morrissey discussed the new baseline criteria in the design standards to maintain the charm, quaintness, and unique characteristics of the Town of Oakland. Minimums and maximums, primary buildings, wings, connectors and other design library features were discussed. The Design Manual elements that regulate the final details on projects. The Design Manual is incorporated into the Ordinance but has been deliberately kept separate because the manual may fluctuate over time as design elements change or need further clarification.

Ms. Salmieiri wrapped up the presentation. Planner Marder recommended that the Commission vote upon the adoption of Ordinance 2018-09 separately from the Design Manual, which would be brought before the Commission at a later time.

Commissioner Polland had several specific questions regarding corner lot specifications and was informed that this was a typographic error and had been corrected along with several other minor errors. He also asked about specifications on maximum home sizes. Mr. Morrissey explained the maximums as they related to the primary home form.

Commissioner Polland had concerns regarding whether an application or developer would come into Oakland knowing what size home they could build.

Ms. Salmieiri explained that there are several areas of the new Article and in the Town's building codes that explain the concept of the "core" house form and the wings and additions and how all of those forms comprise the total square footage within the design regulations. She recommended putting together a "How To" document to guide developers and homeowners to further clarify the Town's design criteria. Ms. Salmieiri recommended that this clarification take place outside of the Code itself.

Mr. Marder explained that he initially had some similar difficulties in interpreting the design code when it was first created. It is a unique, but not difficult, way of expressing the Town of Oakland's building requirements.

Planner Marder explained that a custom or specialty builder will understand the design requirements. A standard builder expecting to come into the Town with a simplistic may be surprised at the depth of the new design requirements. This is a very different type of code.

Mayor Stark asked how the Town would go about notifying people in the early planning stages that major changes have occurred which may impact their project.

Ms. Salmieiri explained that most designers, architects and engineers look first at the requirements of the municipality before starting work. It is a fundamental step prior to beginning design work. She also expressed that it is well known that there is a development moratorium currently in place for the purpose of reviewing and redoing the design requirements for the Town.

Mr. Morrisey stated that little hiccups are to be expected.

Mayor Stark stated that she was very concerned that a landowner might have already spent money and time to prepare documents and that would be frustrating and expensive. Ms. Salmieiri stated that if a landowner was caught in this situation, they are still free to apply for a variance and approach the Town with their concept. It can be handled fairly.

Commissioner Polland asked for clarification regarding light pollution issues and bird lighting. Ms. Salmieiri indicated that the original lighting provisions were still in place, consistent with Orange County, and had not been altered.

Mr. Marder reiterated that commercial areas do need differing light requirements. Mr. Foltz suggested that Oakland adopt the dark sky principals and evaluate how the current requirements apply.

Commissioner Polland mentioned the large bird populations in Oakland and the effects of lighting on wildlife.

Assistant Manager Koontz suggested that when the workshop is scheduled to review the Design Manual, that Town lighting codes be reviewed for potentially updating the types of fixtures.

Vice Mayor Satterfield asked several questions regarding the restriction of four-story structures along Highway 50. Mr. Morrisey explained that the design standards would address the building mass and height.

There being no further discussion, Mayor Stark closed the Public.

MOTION was made by Vice Mayor Satterfield, seconded by Commissioner Polland, to approve the first reading of **ORDINANCE 2018-09**, AN ORDINANCE OF THE TOWN OF OAKLAND, FLORIDA, AMENDING THE TOWN'S ZONING CODE BY THE REPEAL OF THE ENTIRE CURRENT ARTICLE XVI, GATEWAY CORRIDOR OVERLAY, OF THE TOWN OF OAKLAND ZONING CODE, AND REPLACING IT WITH A NEW ARTICLE XVI, URBAN DESIGN DISTRICT CLASSIFICATIONS; AND PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY AND FOR AN EFFECTIVE DATE.

AYE: McMullen, Polland, Satterfield, Stark

NAY: None

FIRST READING, ORDINANCE 2018-12, AN ORDINANCE OF THE TOWN OF OAKLAND, FLORIDA, AMENDING THE TOWN'S ZONING CODE BY MODIFYING PERMITTED, PROHIBITED AND SPECIAL EXCEPTION USES IN C-1, COMMERCIAL ZONING DISTRICTS;

AND PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

The Town Clerk read the Ordinance.

Planner Marder stated that in the Gateway Corridor, there are currently a large number of special exceptions. He explained the purpose of modifying the Town's zoning code and put forth a visual presentation of the current C-1 zoning within the Town and explained summary of how the Ordinance will straighten out the current zoning inconsistencies.

Assistant Manager Koontz reiterated that since the Gateway Corridor designation is now gone, the C-1 zoning needs to comply with the new Design Districts.

The Planning and Zoning Board (P&Z) recommended that several zoning uses be specifically spelled out as prohibited uses along the C-1 corridor. There was discussion related to the recommended C-1 prohibited uses.

Planner Marder pointed out the P&Z recommendations. There was discussion regarding what would Oakland be missing by prohibiting certain things up front.

Vice Mayor Satterfield stated that it might be a better idea to just prohibit what the Town does not want in the C-1 areas right up front so that there is no confusion and need for special exceptions.

Attorney Vose discussed the subject of liquor or boutique wine sales and package stores in general, and how other communities handle these types of businesses related to our size restrictions.

Planner Marder discussed indoor retail sales categories in relation to alcohol sales. Extensive discussion ensued regarding specific details of package liquor sales, alcohol sales in a restaurant setting, and specifics of the quality of establishment desired.

There was clarification of the difference between convenient stores with or without gas stations.

The Commission decided that Items 1- Motor Vehicle Sales and Repair, 2 – Gas Stations, 3 – Drive Thru Businesses and 6 - Bars with On Premise Consumption of Liquor would be listed as prohibited uses. Planner Marder and Mr. Koontz reminded the Commission that Items 4 – Liquor Sales with Off Premise Consumption and 5 – Restaurants with On-Premise Consumption of Liquor: Must derive at least 51 percent of gross food and beverage revenue from the sale of food and nonalcoholic beverages, can be left as is and reviewed again in the future.

There being no further discussion, Mayor Stark closed the Public Hearing.

MOTION was made by Commissioner Polland, seconded by Commissioner McMullen, to approve the first reading of **ORDINANCE 2018-12**, AN ORDINANCE OF THE TOWN OF OAKLAND, FLORIDA, AMENDING THE TOWN'S ZONING CODE BY MODIFYING PERMITTED, PROHIBITED AND SPECIAL EXCEPTION USES IN C-1, COMMERCIAL ZONING DISTRICTS;

AND PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE, with the following conditions: 1- Motor Vehicle Sales and Repair, 2 – Gas Stations, 3 – Drive Thru Businesses and 6 - Bars with On Premise Consumption of Liquor will be listed as prohibited uses.

AYE: McMullen, Polland, Satterfield, Stark
NAY: None

OTHER POLICY MATTERS:

Acceptance of Infrastructure / Oakland Trails Phase 2

Public Works Director Parker explained that Dave Glunt of Meritage Homes was in attendance to answer any questions regarding the acceptance of infrastructure. All of the infrastructure has been permitted and the maintenance bond has been put in place and certified. There will be more than 2 miles of infrastructure improvements to be owned by the Town of Oakland. We are experiencing about a 25% percent increase of water customers, and 620 new water meters in this development.

Mayor Stark remarked that the increase in infrastructure and services would require the appropriate increase in Town staff for maintenance and support. Mayor Stark mentioned that the roundabout project was getting underway and more information was forthcoming.

Director Parker stated that Meritage provided their transportation impact fees up front. Mr. Parker and Mayor Stark discussed the funding from Orange County toward the roundabout project and obtaining warranty deeds for the land.

Staff recommended a motion for approval.

MOTION was made by Commissioner Polland, seconded by Vice Mayor Satterfield, to approve the Oakland Trails Phase 2 infrastructure improvements.

AYE: McMullen, Polland, Satterfield, Stark
NAY: None

Mayor and Commission Reports

Public Works Director Parker provided a copy of the permit for the Art & History Center to Mayor Stark. Mayor Stark thanked the Town staff for all the work they do. The Commission appreciates it.

Vice Mayor Satterfield gave an update on the Charter School. The modifications are not complete at this time. They are working with permitting and the Fire Department.

Mayor Stark reiterated that September 20th and 26th are big days upcoming with regard to Town Manager Foltz' retirement.

Mayor Stark stated that J. Edwin Mills, Esq., Town Attorney, submitted his resignation after many years of serving the Town of Oakland. The date was open-ended pending the Town finding a suitable replacement for his services.

Mayor Stark indicated that she would be attending Representative Randolph Bracy's Legislative Roundtable along with Mr. Foltz and Mr. Koontz.

Mr. Parker reminded that this time last year, Hurricane Irma was bearing down on Central Florida. Hurricane preparedness is always an important issue.

ADJOURNMENT

There being no further business, Mayor Stark adjourned the meeting at 8:33 p.m.

TOWN OF OAKLAND:


KATHY STARK, MAYOR

ATTEST:


KIMBERLY GAY, TOWN CLERK