

1 **MINUTES OF THE CITY OF LAKE MARY, FLORIDA, PLANNING AND ZONING**
2 **BOARD MEETING HELD JANUARY 27, 2009, 6:00 P.M., CITY HALL, 100 N.**
3 **COUNTRY CLUB ROAD**
4

5 **TAPE 1, SIDE A**

6 I. Call to Order

7 The meeting was called to order at 6:00 p.m.

8 II. Moment of Silence

9 III. Pledge of Allegiance

10 IV. Roll Call - Determination of a Quorum

11 The following members were present:

12 Member Colleen Taylor, Acting Chairman
13 Member Sid Miller, Acting Vice Chairman
14 Member J.B. Cartmill, II
15 Member Mike Napier
16 Alternate Joe Schofield

17
18 Dr. Robert Hawkins, Chairman, was absent.
19

20 City staff present were Juan (John) A. Omana, Jr., Community Development
21 Director; Gary Schindler, City Planner; and Diana T. Adams, Administrative
22 Secretary.
23

24 Also present was Geoffrey L. Summitt.
25

26 V. Election of Acting Chairman and Acting Vice Chairman for Purposes of this Meeting
27 Only
28

29 **MOTION:**

30
31 **Member Miller moved to elect Member Taylor as Acting Chairman for**
32 **purposes of this meeting only. Member Cartmill seconded the motion.**
33 **Chairman Hawkins was absent. The motion carried unanimously 5-0.**
34

35 **MOTION:**
36

1 **Member Cartmill moved to elect Member Miller as Acting Vice Chairman for**
2 **purposes of this meeting only. Member Napier seconded the motion.**
3 **Chairman Hawkins was absent. The motion carried unanimously 5-0.**
4

- 5 VI. Approval of Planning and Zoning Board Minutes - December 9, 2008
6 December 23, 2008
7

8 **MOTION:**
9

10 **Member Cartmill moved to approve the Minutes of the December 9, 2008**
11 **and December 23, 2008, Planning and Zoning Board meetings, as**
12 **presented. Member Miller seconded the motion. Chairman Hawkins was**
13 **absent. The motion carried unanimously 5-0.**
14

- 15 VII. Old Business
16

17 None
18

- 19 VIII. New Business
20

21 A. Election of Chairman and Vice Chairman to the Planning and Zoning Board for
22 2009 (*Postponed until a full board is present*).
23

24 B. 2008-RZ-03: Recommendation to the Mayor and City Commission regarding a
25 rezoning from A-1 (Agriculture) to C-2 (Commercial) for property situated in
26 between C.R. 46A westbound and eastbound and to the east of the Oaklawn
27 Funeral Home, Lake Mary, Florida; Applicant: Twin Lakes Properties, LLC
28

29 Gary Schindler, City Planner, presented Item B. and the related Staff Report.
30 The Location Map that is attached to the Staff Report was on the overhead
31 projector. He said, we have a very unique piece of property. Most of the time,
32 you have a road with one jurisdiction on one side, one on the other, and
33 sometimes you use the centerline to determine jurisdiction, or sometimes the
34 corporate limits' line runs down the center, and I think probably at one time this
35 happened. But, when they widened C.R. 46A, they found that there was a
36 funeral home in the way, and they said, well, it's too expensive to take out the
37 funeral home, so let's have the roadway go around. And, so, what we have
38 ended up with is a piece of property where the City of Sanford and the City of
39 Lake Mary abut, and we have a piece of property that is owned by an individual
40 that is in two jurisdictions. This little triangle right here (indicating to overhead) is
41 the portion that is in the City of Lake Mary. The remainder of this is in the City of
42 Sanford.
43

1 Mr. Schindler stated, now, we drive by this property quite frequently, if you are on
2 C.R. 46A, and you think of it as the goat farm because it is an active, agricultural
3 use and they keep goats there (puts colored aerial on the overhead that is
4 attached to the Staff Report). So, we see the portion that is in the City, and then
5 this portion is in the City of Sanford (indicating to overhead). Well, when it was
6 proposed that this be developed, it was going to require that both the City – or it
7 is requiring that both the City of Sanford and the City of Lake Mary revise the
8 land use and the zoning, and it gives a unique opportunity for Sanford and Lake
9 Mary to work together.

10
11 Mr. Schindler said, now, you will notice that the majority of the property is in the
12 City of Sanford. I will put up a very preliminary site plan. There is no vesting with
13 this site plan. There is no guarantee that this is going to be what we will see
14 when it comes back to us (puts very preliminary site plan that is attached to the
15 Staff Report on the overhead that says at the bottom this plan is for informational
16 purposes only). In effect, they are proposing a convenience store with gas
17 pumps and a retail center, and if you look at the portion that is in the City of Lake
18 Mary, we have got a couple of pumps, the equivalent of the ice cream freezer
19 and half the men's room, and that's it. So, we are working cooperatively with the
20 City of Sanford to allow them to – and the intent is to not have the development
21 go through two reviews, two permitting processes. We are working cooperatively
22 with Sanford so that this can be done with the minimum of bureaucratic red tape
23 review, and with certain conditions, we are agreeing to allow the City of Sanford
24 to review the entire development and to permit the entire development.

25
26 Mr. Schindler stated, in order for the Applicant to do what they want to do, the
27 subject property needs to be zoned C-2. Already this property has been before
28 the City of Lake Mary Local Planning Agency, and right now, the land use is
29 Public/Semi-Public, which doesn't allow a whole lot, and the request is to go to
30 Commercial. The requested zoning, from A-1 to C-2, is compatible with the
31 requested land use. And, the City of Sanford is in the same process. They have
32 to revise the land use and zoning on their portion. So, then, when it is all said
33 and done, the land use and the zoning will be compatible for commercial
34 development.

35
36 Mr. Schindler proceeded to discuss the four rezoning criteria listed on pages 2
37 and 3 of the Staff Report. He said that the City of Lake Mary Local Planning
38 Agency has recommended approval at their January 21, 2009, meeting to
39 change the land use to Commercial. He stated, the intent is that these items will
40 merge at the City Commission level. Both require ordinances with two readings.
41 So, we are well into the process.
42

1 Mr. Schindler said, so, what we have got is this piece of property, the goat farm,
2 that is in the median of C.R. 46A. The City of Lake Mary is working cooperatively
3 with the City of Sanford and we are both working cooperatively with Seminole
4 County in order to make this a reality and to determine what, if any, infrastructure
5 improvements need to be made. The land use and the rezoning are the first
6 steps.

7
8 As far as justification for the requested rezoning, Mr. Schindler stated, well, I
9 think everyone realizes that this was never going to stay a goat farm. It was
10 going to have some higher use for the property. Certainly not going to be
11 residential. I can't imagine anyone wanting to live – have a house in the middle
12 of the island and have cars zipping past. So, Office and/or retail commercial is a
13 logical use for the property.

14
15 Mr. Schindler said, now, we have seen that C.R. 46A has had some
16 commercialization without giving away, so-to-speak, the farm. On the corner of
17 Rantoul Lane and C.R. 46A, there is a commercial piece, retail. We have an
18 approved site plan there. We have approved a site plan for The Hills of Lake
19 Mary Medical Campus. So, there is a limited commercialization of C.R. 46A, and
20 this is the last piece of property that I know of that realistically can redevelop
21 within the City of Lake Mary. So, the request for the Commercial land use and
22 zoning here is in keeping with what we see happening, to a limited extent, within
23 the corridor, and we also have the Comprehensive Plan, and the C-2 zoning is
24 compatible with the Commercial land use. We have Future Land Use Policy 1.4,
25 which states that Commercial land use is designated to provide for a full range of
26 commercial and office uses and higher intensity commercial uses which can
27 accommodate large retail outlets as well as those that generate or capture large
28 volumes of traffic. The intensity of this land use requires that it be located in
29 relative proximity to a major thoroughfare. Well, how much more major proximity
30 can you have than being in the median that exists along C.R. 46A? But, it would
31 also offer a large range of commercial uses based upon their preliminary
32 development plan. Further, it would assist in the conformity of High Density
33 Residential (HDR) land uses to the south and that HDR land use should have
34 convenient access to adequate public and commercial services.

35
36 Mr. Schindler stated, in summary, staff has reviewed the request and believes
37 that Findings of Fact A through D listed in the Staff Report are determined to
38 provide support for the request to rezone the subject property from Public/Semi-
39 Public to C-2, Commercial District, by establishing consistency and compatibility.

40
41 Mr. Schindler concluded his presentation by directing the Board's attention to the
42 Voluntary Developer's Commitment Agreement that is attached to the Staff
43 Report. He requested the Board make two motions regarding this item, one

1 concerning recommending approval or denial of the proposed rezoning and, two,
2 make a motion regarding recommending approval or denial of the Voluntary
3 Developer's Commitment Agreement. He then pointed out the following
4 suggested changes to the Voluntary Developer's Commitment Agreement:
5

6 Omitting the words, or without, under 2.c.; strike the words, Sales of secondhand
7 merchandise, antiques or, under 2.h.; strike the comma after the word, shops,
8 under 2.h.; omitting 2.o. Instructional studios entirely from the list; and add the
9 wording, with onsite processing after the word, cleaners, under 2.r.

10
11 Member Miller requested explanation of the access points from C.R. 46A to the
12 site.

13
14 Mr. Schindler complied, indicating the three planned access points.

15
16 Member Miller asked, are traffic signals planned at those points?
17

18 Mr. Schindler answered, that is under-studied by the County. The site plan review
19 will deal specifically with the need for signalization, but, remember, just to the east
20 of this, The Hills of Lake Mary Medical Center is contributing big bucks for the
21 signal, when it becomes warranted, at The Hills of Lake Mary. So, what we have is
22 the signal at Rinehart and the signal at The Hills of Lake Mary. That should – traffic
23 signals result in platooning, and platooning means that you crowd all the vehicles
24 together and that leaves gaps, and the two signals should provide the opportunity
25 for platooning. However, we have agreed to allow – since this is a Seminole
26 County roadway, we have agreed to allow them to do the traffic analysis and they
27 will work with us to recommend what roadway improvements, if any, will be
28 required as part of the site plan review.
29

30 Member Miller questioned, will our Chief of Police look at the eastbound access
31 and comment on that?
32

33 Mr. Schindler answered affirmatively.
34

35 Member Miller commented that his perception of C.R. 46A is, where you are driving
36 through there, the speed limit today is 40 and is relatively blind where you are
37 going. He said that when he looked at this, if they don't put traffic signals at all
38 three of those entry points, we are going to be doubling up on the wrecks on C.R.
39 46A with The Reserve at Lake Mary.
40

41 Mr. Schindler reiterated that C.R. 46A is within the jurisdiction of Seminole County
42 Engineering. He stated that both cities have agreed to allow the County to do the
43 traffic analysis and will abide by their recommendations.

1 Member Miller asked, so, no public safety officers will comment on this?
2

3 Mr. Schindler responded, oh, no. We have had public safety officers involved in the
4 meetings all the way up to now.
5

6 Mr. Omana added, when this application was submitted, the City went ahead and
7 coordinated a meeting between the City of Sanford, their technical folks, the
8 developer and the Applicant, as well as Seminole County Engineering Division, and
9 we also included our technical staff, which included police and fire. So, before this
10 thing was even filed, we had the public safety officials, about 20 people...
11

12 Member Miller interjected, questioning, and, they didn't say you had to have a traffic
13 light there?
14

15 Mr. Schindler replied, not at this point.
16

17 Mr. Omana added, we said, we are putting you on notice that we are going to be
18 reviewing this thing. We are going to be working amongst all the agencies to make
19 sure that all of these issues are addressed.
20

21 Mr. Schindler added, and one thing we found out at that meeting, as a result of the
22 meeting that neither John nor I knew, is that there is an organization made up of
23 traffic safety officers, traffic planners and engineers that look at various locations in
24 the County on an as-needed basis to come up with recommendations for how to
25 prevent and rectify problems. So, we believe that between Seminole County
26 Engineering and the traffic group that this is going to be reviewed ad nauseam.
27

28 Mr. Omana announced that this item is quasi-judicial in nature; that there was a
29 Quasi-Judicial Sign-In Sheet (see attached) located at the back of the chambers for
30 any interested party to sign who wishes to be kept abreast of this matter.
31

32 Member Napier requested, help me understand what the Voluntary Developer's
33 Commitment Agreement is. He asked, is that a typical document that we ask for
34 when we rezone? What is the purpose of it?
35

36 Mr. Schindler answered, the answer is yes and no. There are times when we do
37 ask for it. It depends upon – it's on a case-by-case basis. It is not unusual. We
38 don't do it every time, but if we believe that there are certain circumstances that
39 should or should not be adhered to, then we will recommend it and it is up to the
40 Applicant as to whether or not they do or do not accept it.
41

42 Member Napier commented that it is unusual that the City would restrict a funeral
43 home being on the subject property when there is one right down the street.

1 Mr. Schindler explained that the reason for that is area, not competition; that funeral
2 homes have large demands for parking. He stated, the uses that you are seeing
3 are either based on traffic impact, parking impact, or noise impact such as with the
4 outside kennels. Those are the bases and certainly never on the basis of we are
5 trying to favor one use over another.
6

7 Member Cartmill questioned if the Voluntary Developer's Commitment Agreement
8 was going to cover just the approximate .34 of an acre that is within the City or the
9 entire project.
10

11 Mr. Schindler responded, it is for the whole project. That was one of the
12 agreements with Sanford, was that they would honor any Developer's Commitment
13 Agreement that the City worked out with the Applicant.
14

15 Member Cartmill asked, so, the signage requirements are going to be City of Lake
16 Mary through the whole project and not Sanford's?
17

18 Mr. Schindler answered affirmatively.
19

20 Acting Chairman Taylor questioned if the landscaping requirements for the subject
21 site are going to be following the City of Lake Mary's regulations as well. She
22 commented that there does tend to be a noticeable difference between City of
23 Sanford's landscape requirements and the City of Lake Mary's.
24

25 Mr. Schindler replied, it was the signage that we were most concerned with.
26

27 Mr. Omana added, and in our discussions with one of the Applicant's – or the
28 owner's representative is that we are, basically, in conceptual agreement – Gary, if
29 you could point to the very tip there on the right hand side.
30

31 Mr. Schindler complied.
32

33 Mr. Omana said, as you are going westbound, you obviously are going to see the
34 tip of that island. One of the representatives indicated that it would be wise to
35 provide a common buffer along there utilizing the Phoenix – Medjool palm and
36 something meeting our criteria, but have them – you know, basically a mirror image
37 so you are creating an aesthetically-pleasing element. And, again, those are some
38 of the things that we will certainly look at at the site plan stage with Sanford.
39

40 Acting Chairman Taylor asked, what will the City of Lake Mary's involvement be
41 once the zoning decision is completed?
42

43 Mr. Schindler answered, we will review the site plan and we will make our
comments to the City of Sanford. They will have the ultimate responsibility for

1 approval of the site plan. We will issue a Site Construction Permit for our area.
2 The City of Sanford will issue building permits and do the inspections for all
3 structures.

4
5 Mr. Omana added, our portion will also have to come in for site plan approval,
6 through our process, since it is under our jurisdiction.
7

8 Member Napier questioned, is there a long-range plan for public utilities out there?
9 I know sewer is not available currently; is that right?
10

11 Mr. Schindler responded, sewer is not available. It is either over here to the west or
12 it is over to the east (indicating to overhead). The Hills of Lake Mary Medical
13 Center is having to run sewer all the way to Via Tuscany via a force main and
14 connect in to the City of Lake Mary's sewer system. This is likely going to be City of
15 Sanford utilities because the majority of the buildings are City of Sanford, but we
16 will make sure that this is potable water. The City has potable water lines along
17 C.R. 46A. So, it could end up being we provide water, they provide sewer and City
18 of Sanford would provide reuse water as well because we don't have a reuse water
19 line in that area, but that will be worked out during the site plan review phase.
20

21 Acting Chairman Taylor requested the Applicant come forward and address the
22 Board.
23

24 Geoffrey L. Summitt, Applicant Representative, with Denham Summitt
25 Engineering, LLC, 3667 Simonton Place, Lake Mary, Florida 32746, came
26 forward in favor of the proposed rezoning. He stated that access for the subject
27 site was actually planned when C.R. 46A was constructed; that there are curb-
28 cuts on both the eastbound and westbound lanes that they are proposing to
29 connect to. He said that their initial discussions with the County are going to
30 require them to shift their access points a little bit, but they have no objection to it
31 at this point. He stated that with regards to the traffic, they are conducting a
32 traffic study for the County and that should be done in probably two weeks and,
33 obviously, they will submit that to everybody involved, Sanford, Lake Mary and
34 the County, as they work out their final access points, as well as any offsets they
35 have because of concurrency issues that may arise. He said that as far as traffic
36 signals, the site is so small that you are never going to get a warrant analysis for
37 a traffic signal. The County will never support it. He stated that they will look at
38 sight distance at site plan stage and will look at vertical and horizontal and make
39 sure that they have enough sight distance for somebody to make that turning
40 movement and be safe and not get rear-ended or t-bone somebody for that
41 matter. He said that as far as utilities, water, sewer and reuse will be brought
42 down the north side of C.R. 46A by the City of Sanford and this project will be
43 connecting to that.

1 Member Miller asked if the hotel access will be abutting their access.

2
3 Mr. Summitt answered negatively.

4
5 Mr. Schindler added that the hotel will access C.R. 46A via Cherry Laurel.

6
7 Mr. Summitt added, there is also a turn lane associated with those improvements
8 that they are making as well. He stated that they are going to be held to some
9 pretty strict landscaping standards that were thrown to them by the City of
10 Sanford because they are not going to have a lot of buffers from the roadway
11 because the site is so narrow. He said that they are going to have to really make
12 "quality" out of the space that they have to work with and it will be a very nice
13 plan as far as landscaping is concerned. He stated that they do agree with staff's
14 recommendations except #8 contained within the Voluntary Developer's
15 Commitment Agreement. He said that they are still trying to figure out why this
16 donation needs to be written down if it is voluntary, but they are going to talk to
17 staff about that further and see what they can arrive at.

18
19 Alternate Schofield expressed his concern about traffic along with Member
20 Miller's earlier concerns. He questioned the possibility of a decel lane being
21 installed in this area.

22
23 Mr. Schindler replied, it seems that the City and the County have different ideas
24 about decel lanes. What we have told the developer is that unless the County
25 refuses to approve it, there will be a decel lane for the eastbound traffic. The
26 County does not like decel lanes on multiple-lane roadways, but our comment is
27 that the County must absolutely refuse to allow it, and if they don't, the City wants
28 it.

29
30 Mr. Summitt added, we have talked to the County about the decel lanes and the
31 County Engineer has indicated that he does not want the decel lanes, but I don't
32 have that in writing yet because I don't have the final sayings from the County's
33 review of our traffic study since we haven't submitted it yet. But, along our
34 arguments and along the County's point of view, the way you look at decel lanes
35 is decel lanes are kind of a lazy man's way of driving a car. The reason the
36 County has gotten away from decel lanes these days is because people are
37 more apt to pay attention when they know that the road does not have decel
38 lanes, specifically to the people in front of them. If you look at traffic accident
39 reports, you will see that there are really no more accidents at intersections that
40 don't have decel lanes than intersections that do have decel lanes. And, that is
41 kind of the stance that the County has taken on, and even Sanford is on the
42 same page as Lake Mary with regard to the decel lanes. Unfortunately, since the
43 road is the County's, it is really going to be their decision in the end, but, again,

1 we will submit the traffic study and the County's findings to the cities and we will
2 be happy to talk to them about it once that is completed.

3
4 Alternate Schofield asked Mr. Omana, is it something that the City of Lake Mary
5 could approach the County about if the County is absolutely against a decel
6 lane? Is there anything the City could do to assist with that possibility of getting
7 one?

8
9 Mr. Omana answered, whatever may come out of the discussions with the traffic
10 engineering folks at the County and our folks will be relayed to the City
11 Manager's office, as well as the City Commission, because this matter has to go
12 in front of the City Commission. Not only that, the site plan has to come back to
13 you as a body. So, should there be a resistance or a determination by the
14 County with respect to the decel lanes, we will certainly let the powers that be
15 know of that determination and they can take it from there accordingly.

16
17 Member Miller questioned, I assume that we are prepared to make it C-2 on the
18 other side, the balance of the property on Lake Mary; right? So, we would
19 develop that equally as dense? Once we do this, we are.....

20
21 Mr. Omana responded, actually, a good chunk of that is wetlands.

22
23 Mr. Schindler added, between this property and the funeral home is
24 undevelopable.

25
26 Acting Chairman Taylor asked, what is the City's position or staff's position on
27 the Voluntary Developer's Commitment Agreement if the Applicant were not to
28 voluntarily agree to Item No. 8?

29
30 Mr. Schindler replied, we would like to defer that to the City Commission since it
31 is the City Commission – this is not the first time this has been done. The City
32 Commission freely accepts voluntary commitment agreements and contributions
33 to the City's parks system are frequently an issue of development. So, staff
34 recommends that the \$10,000 be retained and let the developer make their case
35 to the City Commission.

36
37 Member Napier questioned, is that a standard item in these voluntary
38 agreements?

39
40 Mr. Schindler answered, for the City of Lake Mary it is.
41 Member Napier asked, so, every one that we go into a voluntary commitment...

42
43 Mr. Schindler interjected, responding, and even sometimes without.

1 Member Napier questioned, how do you come up with that dollar figure?
2

3 Mr. Schindler replied, as historically has been charged.
4

5 Member Miller asked, what lighting standards will they follow for this
6 development? How brightly lit is this going to be since it is adjacent to high-
7 density residential?
8

9 Mr. Schindler answered, .05-foot candles at the property line.
10

11 Member Miller questioned, does that mean that the lights will focus down?
12

13 Mr. Schindler responded, always.
14

15 Member Miller asked, who will enforce that?
16

17 Mr. Schindler replied, I will be out with a light meter on our portion. I don't know
18 what the City of Sanford does.
19

20 Member Miller questioned, are there the same light standards for the City of
21 Sanford as there are for us?
22

23 Mr. Schindler answered, I cannot answer that, but be assured that before we
24 issue a CO, I go out on property at night and do light meter readings.
25

26 Member Miller commented, I have had a number of people, when Rinehart Place
27 was being developed, come to me and say, why can't we get a service station at
28 Rinehart Place, because the only place to buy gasoline in that area is Sam's
29 Club. So, I think you are going to see a lot business for a service station at this
30 place, and you are going to see people coming off I-4 at 5 o'clock in the evening
31 as they are headed toward Deltona if our prices are still cheaper than they were
32 in Volusia County, which they used to be. There will be a stream of people
33 getting off at that exit because we are like a nickel a gallon cheaper than Volusia
34 County usually and this is the last point and it looks like it is going to be an easy
35 access to flip in there and flip out. I hope they look at that with their traffic
36 patterns. I hope they let the residents of The Reserve at Lake Mary know what
37 we are doing with this, too, because I think they are very concerned, in general,
38 about what public safety is doing with C.R. 46A. Instead of the transportation
39 department in Sanford, I would like Don Eslinger and whoever the Chief is in
40 Sanford and the Chief here in Lake Mary to say, yeah, this is fine. We don't have
41 any problems with this. You are not creating an unusual hazard. As far as a
42 decel lane study is concerned, when you look at all exits instead of those that
43 should have a decel lane to have your study, you have just created an invalid

1 study. So, they say you don't have anymore accidents at non-decel access
2 points than you do at decel, the reason is there are dozens of access points that
3 it doesn't make sense to put a decel lane and there are lots of them that it does
4 make sense to put them in. So, that is a rather strange study for a transportation
5 person to throw out, and we have had that discussion here before, so they know
6 what we think about it. I know what I think about it. But, we need some money
7 pumped into the County and the cities. These are construction dollars putting
8 people to work.

9
10 **TAPE 1, SIDE B**

11
12 There being no further public comment, Acting Chairman Taylor closed that
13 portion and entertained board discussion and/or a motion.

14
15 Acting Chairman Taylor expressed her concern of traffic safety; that adding a
16 decel lane there due to the speed factor would be beneficial for a way to give
17 people a way to get out of there and not get rear-ended.

18
19 Alternate Schofield commented, they already have a decel lane there to make
20 the U-turn to get back on westbound. So, really all they would be doing is
21 extending the decel lane that is currently there and pulling it back another two or
22 three hundred feet to accommodate turning into the proposed site. So, it is not
23 like they are creating something out of nothing. The decel lane is already there.
24 So, I am not so much worried about the westbound lane as I am the eastbound
25 lane because of the nature of the hill you go up and you slope back down to the
26 left and coming around that corner. I jog on C.R. 46A a lot, and the speed limit is
27 40, but you would be hard-pressed to find anybody who does 40 or less.

28
29 **MOTION:**

30
31 **Member Cartmill moved to recommend approval to the Mayor and City**
32 **Commission the rezoning request by Twin Lakes Properties, LLC, Lake**
33 **Mary, Florida, consistent with staff's Findings of Fact listed in the Staff**
34 **Report. Member Miller seconded the motion. Chairman Hawkins was absent.**
35 **The motion carried unanimously 5-0.**

36
37 **MOTION:**

38
39 **Member Miller moved to recommend approval to the Mayor and City**
40 **Commission the Voluntary Developer's Commitment Agreement related to**
41 **Application No. 2008-RZ-03 subject to omitting the words, or without, under**
42 **2.c.; strike the words, Sales of secondhand merchandise, antiques or, under**
43 **2.h.; strike the comma after the word, shops, under 2.h.; omitting 2.o.**

1 **Instructional studios entirely from the list; and add the wording, with onsite**
2 **processing after the word, cleaners, under 2.r. Member Cartmill seconded**
3 **the motion. Chairman Hawkins was absent. The motion carried unanimously**
4 **5-0.**

5
6 It is hereby noted that it was subsequently decided that this item will move forward
7 to the City Commission meeting of February 19, 2009.

8
9 IX. Introduction of New Alternate to Planning and Zoning Board

10 Juan (John) A. Omana, Jr., Community Development Director, announced Joe
11 Schofield, the new Alternate, to the Board. He requested Alternate Schofield tell
12 the Board about himself and his background.

13 Alternate Schofield stated that he is a resident of Lake Mary and lives in The
14 Reserve at Lake Mary. He said that he came to Orlando 20 years ago, went to
15 UCF, graduated UCF, and has worked with UCF ever since. He stated that he
16 currently works with UCF Regional Campuses as an Associate Director of Budget
17 and Finance in their headquarter office at the main campus.

18 The Board collectively welcomed Alternate Schofield aboard.

19 X. Community Development Director's Report

20 Juan (John) A. Omana, Jr., Community Development Director, reported on City
21 Commission actions at their January 15, 2009, meeting.

22 XI. Other Business

23 None

24 XII. Reports of Other Members

25 None
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XIII. Adjournment

The meeting was adjourned at 6:52 p.m.

Colleen Taylor, Acting Chairman

Diana T. Adams, Administrative
Secretary