



1 Bentley Park at Timacuan apartments. He was their project manager at that time so  
2 this is not the first time we have crossed paths.

3  
4 Mr. Omana said as far as protocol he would provide some opening statements and  
5 summarize a number of issues and Mr. Larry Adams of ACi will follow with a  
6 presentation as well as Mr. John Cunningham getting into the specifics of the site and  
7 how the area functions. That will be followed by a presentation by Mr. Kyle Riva of  
8 EPOCH Properties.

9  
10 Mr. Omana said at the last City Commission meeting Mr. Litton brought up that he had  
11 heard different vibes from the Commission as to what you want in the Downtown and  
12 what you don't want in the Downtown. The concern here is if the developer is ready to  
13 make a financial commitment, how can he do that if the development standards are not  
14 finalized. The bottom line is is the Commission okay with a four-story building setup  
15 and a TDR Program that's going to yield higher densities in Downtown. He explained  
16 TDR was the Transfer of Development Rights Program that the Commission had given  
17 staff direction on before. This is the Commission's opportunity to tell staff yea or nay on  
18 these particular issues.

19  
20 Mr. Omana said from a regulatory standpoint he would fill the Commission in on how  
21 this is all going to work if it is given the green light. Based on the direction the  
22 Commission and Mr. Litton have given staff over the past couple of years, we have  
23 been busy setting the regulatory table and from a professional standpoint, he believed  
24 we are ready to sit at that table and start eating. If the Commission gives the green light  
25 on a project like this, the developer will have to submit the formal final engineering plans  
26 to the City for review and take it through the development review process. At that point  
27 we will review it for all the technical standards. It will go before the Planning & Zoning  
28 Board and before the City Commission before any permits are issued for any site  
29 improvements. We have to finish setting the regulatory table. The Commission has  
30 given direction on the TDR Program and we need to codify that program and set up the  
31 parameters by which it will operate. That will involve dealing with the higher densities  
32 within the Downtown and also will have to deal with the approval of the development  
33 standards as it relates to the building height standards governing the property.

34  
35 Mr. Omana said the proposal calls for a 200-unit luxury apartment community on  
36 approximately 2.8 acres on City-owned property located at the meeting points of East  
37 Crystal Lake Avenue, Old Lake Mary Road, First Street and Palmetto Street. EPOCH  
38 proposes to purchase the properties from the City of Lake Mary. At this time the  
39 proposal calls for multiple four-story buildings with on-site and on-street parking as well  
40 as a parking structure and other amenities. Through the use of the TDR Program, it is  
41 estimated that the density will be equivalent to 71 dwelling units per acre. Under the  
42 existing entitlements, they would have approximately 50 units so they would have to  
43 take 150 from the TDR bank to allow them to go to the 200 units. This will be  
44 developed in accordance with the PUD and a developer's commitment agreement all of  
45 which will go before the City Commission.

1 Mr. Omana said what's exciting from a planning standpoint is if this project is approved,  
2 it will be one of the first transit oriented development projects along the SunRail corridor  
3 to be approved and constructed in this region. We believe it is very strategic in  
4 reference to its location. The potential for an economic redevelopment domino effect  
5 here is huge. He said earlier in his career he had the opportunity to do this in the South  
6 Florida area. It is very similar with the train line, with the TOD concept, and higher  
7 densities. In his 21 years of experience in this profession, it works and is why he was  
8 so excited about a proposal such as this.

9  
10 Mr. Omana said what staff is requesting is direction from the Commission on this  
11 project. If the Commission is in favor of this type of project, authorize the City Manager  
12 to enter into further negotiations with EPOCH Properties, finalize the purchase and sale  
13 agreement of the City-owned lands for purposes of the 200-unit luxury apartment  
14 project.

15  
16 Mayor Meador recognized the former Mayor of Sanford, Mr. Brady Lessard.

17  
18 Larry Adams of ACi came forward. Mr. Adams said ACi and CPH wanted to thank the  
19 Commission for the last two years of having the opportunity to work closely in  
20 workshops. Many concepts have been looked at but also the community. In going back  
21 to the beginning, one of the things we heard that was critical was how do we talk about  
22 footfall and adding to that to strengthen what we already have. He thought it was  
23 fascinating that they sit here tonight not talking about whether the train is coming. We  
24 are here to talk about how Lake Mary and its leadership and community are going to do  
25 what's good for everyone. We have been taking the time to look at not just building a  
26 project but building a "place". We have found the standards and care that have been  
27 given here is really to think about building a business model for the community and the  
28 City. This is purpose driven. We know Lake Mary is a highly desirable environment.  
29 We know the station will become one of the new alternatives. I-4 will be getting  
30 widened. We know there will be an interesting moment about people looking for  
31 alternatives and that's about the time the train will be operational so the timing couldn't  
32 be better.

33  
34 Mr. Adams pointed out that we are trying to create something that is not just all about  
35 this project. There have been questions as to where we are headed with the master  
36 plan. When you look at the beginning of the vision that you have to bring people into  
37 the community, the only way other property owners are going to benefit in this well  
38 composed mixed-use environment is if we have people living here. We have people  
39 close by, walkability, connectivity, mobility. The next generations are moving in the  
40 direction of where they want to live based on how much time it takes to connect. We  
41 have taken the time to go through how we got to where we are.

42  
43 Commissioner Duryea arrived at this time (5:25 P.M.).

44  
45 John Cunningham of ACi came forward. He thanked Kyle Riva for believing in Lake  
46 Mary and this project. We have worked with Kyle for 12 years on thousands of units at

1 various places around the country. This is a unique project and doesn't fit the normal  
2 model but SunRail makes that a sweet spot in Downtown for the need of this. He went  
3 back to some things that were agreed to a couple of years ago. We were looking for  
4 densification of people on the street. One of the key elements was we were talking  
5 about coming from Lake Mary Boulevard and up Palmetto. We wanted to make sure  
6 we could cross the street and staff is working with FTA on how that is going to happen  
7 with the grade changes and coming down Crystal and over to Mr. Shaw's projects to  
8 create the connectivity.

9  
10 Mr. Cunningham said we have an East Village and a West Village and this is the first  
11 critical step. We have Terry Shaw on the west coming east and you have EPOCH  
12 Properties on the east coming west right now. Before the meeting they were talking  
13 about these synergies and how they could both keep going in the opposite direction and  
14 meet somewhere. These are exciting moments. The guidelines talked about the  
15 essence of each one of these buildings, streets and public places but not the specifics.  
16 This site isn't necessarily a site for this type of building or that type of building but as we  
17 focus in by having the residential here this synergy will be with Mr. Mahnken's building.  
18 People will come off, there will be some ground floor retail and we won't just be relying  
19 on SunRail but will be relying on up to 400 residences.

20  
21 Mr. Cunningham said the organization of this site began with the idea of having two  
22 ways into the property: one from Crystal Lake and one from Wilbur. To really frame the  
23 street edge and create an urban gateway you come up Palmetto, come across and  
24 there will be an iconic tower element on the apartment building. We tried to create a  
25 two-story amenity building. It is a one-story use but two floors. There is a half-court  
26 basketball court and a fitness center and rest rooms that will be working with the  
27 amenity deck or pool deck for the residences. On the ground floor will be a one-story  
28 pergolas structure that will continue to frame the street and also be a beautiful element  
29 for the pool deck. He pointed out the location of the clubhouse, leasing office, and the  
30 four-story residential buildings. Part of these residential buildings hides a good portion  
31 of the garage and then the buildings step down to three stories at the apex of Old Lake  
32 Mary Road and Wilbur. Rather than just having a sign in brick that says "Welcome to  
33 Lake Mary" there is a footnote that there could be a nice little park with a fountain and  
34 maybe a war monument celebrating some part of your heritage and history.

35  
36 Mr. Cunningham said the nice thing about this project is the that the garage floors line  
37 up with every floor of the residential building so the convenience is you pull into your  
38 garage and you can walk right into your building. Those are things that not everyone  
39 does and are things that upgrade the sustainability, viability, and leaseability that  
40 EPOCH recognizes. There will be two ways to connect. One is where the building  
41 physically connects. There will be a bridge-way so it is not as far of a walk. All along  
42 the property on Wilbur is angled street parking. On Old Lake Mary Road there is a  
43 series of parallel parking spaces and along Crystal Lake there is a series of angled  
44 parking as well. Trash will be one way in and one way out in a large trash receptor  
45 building.

1 Mr. Cunningham said the summary is 200 residential units with a mix of one, two and  
2 three bedroom units; a clubhouse/fitness leasing; three-story garage with four levels,  
3 grade plus two levels with a roof with approximately 250 to 300 spaces in the garage.  
4 There are 40 surface spaces and then you develop street parking and is 84 spaces for  
5 maximum possible spaces of 424.

6  
7 Mr. Cunningham said right out of the pattern book that we all created and agreed to as  
8 a team we would looking at the Florida vernacular style of architecture. It is a great  
9 residential style. The class of people that are going to be moving into these buildings  
10 are progressives and they are going to be looking at things that are rich and lively yet  
11 have an intimate scale and warm feel. There are landscape patterns that particularly go  
12 with that style of architecture with things that are more inherent to Florida. We will be  
13 looking to using those types of plantings and paving patterns. We looked at patterns of  
14 things taking place around the country that have that urban, edgy, cool feel. There will  
15 be a blend of brick, wood, siding, architectural grade asphalt shingles, and some metal  
16 roofs.

17  
18 Mr. Cunningham said this is a direction. You have to take a slice in time and a moment  
19 and say we want to present something. There is a lot of flexibility and as Mr. Omana  
20 pointed out there are going to be a lot of other bites at the apple and opportunities for  
21 dialogue but this is the exciting moment of saying we are all here doing something  
22 pretty serious. We have spent the past five weeks working closely with EPOCH  
23 Properties drilling down on the designs and they have been working and testing all of  
24 this to make sure it works.

25  
26 Mr. Cunningham said what we are looking at is the two-story gymnasium/fitness  
27 building with some smaller scale iconic element to footnote the end of this development.  
28 The pool/park area will have a nice fence and trellis and a nice celebrated gateway  
29 element. There is a one-story element that breaks the scale down when you enter the  
30 leasing office. There are a series of undulating forms that are projecting balconies.  
31 Some are Juliet balconies and others that are more like outdoor rooms and elements  
32 that pop up to create interest and not just the horizontal line. He pointed out the iconic  
33 terminus and is the tower element we were talking about when we were looking at the  
34 site plan where the roundabout was so when you're coming across Palmetto with the  
35 cemetery on your right and SunRail station on the left, you will see this tower. The other  
36 thing great about EPOCH compared to some is when these spaces pop up above the  
37 roof line they actually have glass and are habitable when you are in the unit. You might  
38 want to sneak a little loft space with a spiral stair.

39  
40 Mr. Cunningham said the floor heights are 10' 8" and is the industry standard for high  
41 end luxury residential communities. We will have 9-foot ceilings in the primary living  
42 spaces and bedrooms. The height of the fourth floor would be about 42' 8" and there is  
43 usually 8 to 10 foot of shingled roof beyond that. He pegged the top of the iconic  
44 element at around 72 to 75 feet without the copper spiral above that.

1 Mr. Cunningham said on the Wilbur side at the apex with Old Lake Mary Road would be  
2 the four-star residential building abutting the parking garage. Each floor of the garage  
3 lines up with the floors of the residential units. The roof slab would be at 42' 8" and  
4 there would be a 3' 6" parapet. There will be a stair and elevator.

5  
6 Mr. Omana showed Crystal Lake Avenue on an exhibit where Mr. Noto had taken a  
7 photo of a five-story building from Winter Park and using computer technology  
8 transplanted the picture of the building on Crystal Lake Avenue across from the police  
9 station to give a perspective of the volume involved. He said it was interesting to point  
10 out the approximate load bearing wall height on the four story structures are  
11 approximately 42 feet. Our current code limits it to 35 feet so we have a differential of 7  
12 feet to load bearing wall so the difference isn't as much when you take a look at it using  
13 some hard numbers.

14  
15 Deputy Mayor Brender asked the height of the police station. Mr. Omana said 35 feet.

16  
17 Kyle Riva of EPOCH Properties came forward. He said it was a pleasure to be back in  
18 the City of Lake Mary. He thanked the gentlemen from ACi, Mr. Litton and Mr. Omana  
19 for all the time and effort they spent in helping formulate an exciting project. We think  
20 an excellent job has been done in creating a very special Downtown. We are excited to  
21 have the opportunity to compliment and enhance what is already here. We think the  
22 SunRail stop presents a unique opportunity to help stretch that Downtown and enhance  
23 the Downtown and grow the Downtown.

24  
25 Mr. Riva said EPOCH was established in 1970 and he joined the company in early  
26 1987. James "Jim" Pugh is the Chairman and one of the original founders of the  
27 company. We are based locally. We have built some 140 communities across the Sun  
28 Belt states and our territory ranges from Virginia to Arizona inclusive of Colorado. Our  
29 primary states over the past 20 years have been Florida, Texas, Arizona and the  
30 Carolinas. We are a fully integrated company and are our own general contractor as  
31 well as developer and property management company. We have managed some  
32 75,000 units across the country in our career and currently manage about 9,000 units.  
33 We are fairly small and when things were cooking five years ago we were doing five or  
34 six projects annually and we are now down to a couple annually. We don't have a lot of  
35 baggage left over from the old days. We are very financeable. We just completed a  
36 project on Vihlen Road by Universal Studios and is about 75% rented. We broke  
37 ground on a project in Raleigh, North Carolina approximately a month ago. We have  
38 another project in Orlando and one in Austin, Texas that we are working on now.  
39 Financing and equity partners are available to us. This is the kind of project they are  
40 looking for. They are looking for rail oriented, green type construction in a live, work,  
41 and play type of environment. We think this fits in well with what our investors are  
42 looking for.

43  
44 Mr. Riva said we are excited about this because SunRail is coming and everything that  
45 you guys have put in place and have been working on for so long has taken a great  
46 foothold thus far in what Mr. Shaw has done and some of the nice retail shops and

1 everything around City Hall. To now have the opportunity to stretch that out to the east  
2 side and connect it into the SunRail stop is pretty neat. We are excited to be a part of  
3 that.

4  
5 Mr. Riva said he wasn't going to go through the architecture and that type of thing and  
6 thought John (Omana) did a great job with that. We build high-end, luxury apartments.  
7 We envision an average unit size of 900 S.F.± The rents will range from \$850 a month  
8 to a little north of \$1,200 a month. They will primarily be one and two-bedroom units.  
9 We anticipate the average age to be in their 20's and 30's and typically singles or young  
10 marrieds and very few children. These people are looking for that live, work, and play  
11 environment. They are looking to park their car in the garage, jump on the SunRail, or  
12 walk to a restaurant or shop. They are after high tech nicely appointed with fixtures,  
13 appliances, etc. in the units with great amenities like workout facilities, basketball courts,  
14 swimming pools, computer rooms, theaters and things of that nature. They are looking  
15 for a community that reaches beyond the walls. We are looking for them to walk  
16 everywhere. This is what smart growth promoters are looking for. We're trying to  
17 utilize existing infrastructure already in place. We are looking to take cars off the roads  
18 and have a pedestrian friendly development. We are looking to use SunRail and mass  
19 transit systems.

20  
21 Mr. Riva said by virtue of its nature being multi-family, it's greener construction than  
22 single family. It's a proven fact that multi-family units a third less utilities than a typical  
23 single family home. We also do a lot of green construction techniques in terms of  
24 double-paned glass, extra insulation, energy star appliances and things of that nature.  
25 Our average resident is looking for that green quality and a utilized mass transit. They  
26 are looking for that walk-to environment. We think this would be an excellent  
27 contribution to what is already in place. We're excited to get going. With positive  
28 feedback from the Commission today, we're prepared to start finalizing our drawings,  
29 finalizing contracts with the City on the land and moving forward.

30  
31 Commissioner Duryea said he wanted to preface what he was going to say by saying it  
32 is not going to be well received. We seem to be spending all our time in this nice little  
33 rural community. It's not so rural anymore but suburban. We are trying to make it into a  
34 city. He said he didn't mean a city as we know but a city as he knows it. We walk down  
35 the street and you never see the sun because the buildings are too high. He was not  
36 saying that will happen here but we seem as a people to go from agricultural to  
37 residential and then the residential turns into commercial and the commercial turns into  
38 higher and higher densities as time goes by. We originally conceived this area as  
39 commercial/residential/office/professional combination. This kind of throws it out the  
40 window. Even recently we had been thinking about the commercial aspects of using the  
41 bottom floors for shops and commercial ventures. Apartments fulfill the need of those  
42 who need them. I don't know if it fulfills our needs 100% because we're increasing the  
43 density in a very small area. Those roads that surround that area I don't believe will  
44 take a whole lot more traffic much less what 200 units will provide. He said he was  
45 willing to be flexible but was leery of the size of the buildings, the density, and the  
46 effects it will have on traffic.

1  
2 Deputy Mayor Brender said this is the kind of thing he sees happening particularly along  
3 the rail stops in a lot of cities he has visited. He shared some of Commissioner  
4 Duryea's concerns with the lack of mixed use. He did not want to see the Downtown to  
5 become a giant apartment complex. If we were to allow this we are going to be  
6 extremely restrictive on development in other areas as far as residential development.  
7 One of the problems a lot of developers have is you tend to center on what you like to  
8 develop and in this case it is apartments. He said he could point to a lot of areas but  
9 even around Orlando in places like Maitland. They built a great office park but they  
10 forgot about places to live and places to eat. They are losing and that is why. He said  
11 he didn't know how to take this giant clump of apartments and how to mix use it. He  
12 said he would like them to walk to Terry Shaw's area but wasn't sure they are going to  
13 walk that 400 yards across. We've got to have something there and where is it going to  
14 go if we do all of this apartments. This is the kind of discussion we need to have.

15  
16 Deputy Mayor Brender said secondly he didn't know how they arrived at this particular  
17 design that was on the screen earlier. He said he was looking for something a little  
18 different and something he had been trying to get all of them to agree on was what type  
19 of look do we want. He said he wasn't saying the government needs to set the  
20 architectural standard but at the same time he didn't want to see anything come off a  
21 shelf and get built. If you've got an architect who can ignore the shelf and start drawing  
22 and show me some creativity and something significantly different, I think we have the  
23 opportunity to showcase that here with SunRail. He said he was flexible. He can go  
24 with the density and recognized the need. If we're going to have a SunRail station and  
25 have a rail stop we've got to have density with it. If we don't put some of that density  
26 now he would foresee in five or ten years tearing it down and building it even more  
27 dense. He said he could get around the density part and altitude; the key is what it is  
28 going to look like. He said to him that was the most important issue. No offense to the  
29 designer but this looks pretty normal and wants something more. He said he couldn't  
30 put his finger on what's more yet but will know it when he sees it.

31  
32 Commissioner Lucarelli said she liked the fact that the conceptual plan is not just a  
33 single color, solid rectangle next to the road and despised that. She hates driving down  
34 17-92 through Maitland. It's like being in New York City and you don't see the sun. She  
35 said she liked the difference in the roofline, the colors, and the elevation of the building.  
36 She liked it was off the road separated by parking, wide sidewalks and landscaping.  
37 She agreed with George (Duryea) and Gary (Brender) that initially we talked about  
38 doing mixed use. As we plan this there needs to be this balance kept in everyone's  
39 mind. We need the residential element to feed the businesses Downtown. That is a  
40 very important factor.

41  
42 Mayor Mealor said there is probably not going to be a more important discussion that  
43 we have in the immediate future. Later this evening we do the second reading of the  
44 budget. All one has to do is look at the longitudinal aspects of that budget. Take your  
45 TRIM notice from three weeks ago and the clarity is obvious in that we are not going to  
46 be able to sustain ourselves by doing what we have been doing. We absolutely have to

1 do some different things. George (Duryea) and Gary (Brender) were both articulate  
2 about the mixed use concept. We charged Mr. Litton to go out and find a way to bring  
3 that back to us and what he brought back to us is that there is no market for that right  
4 now. He acknowledged we were blessed in this community but we are going to see no  
5 more McMansions. We are not going to see single family home ownership to the  
6 degree that we did 10 or 20 years ago. The Great Recession the last two years has  
7 changed the landscape in everything that we do. He said he was naïve when it comes  
8 to architectural standards but when he saw the presentation this evening the first thing  
9 that captured his eye were flairs in some of the features. That was very appealing to  
10 him. In terms of what he was seeing, that kind of captivated him in terms of the  
11 appearance.

12  
13 Mayor Meador said we have one opportunity at this. It was 20 years ago when we were  
14 having the discussion about the I-4 corridor and many people did not want us to do  
15 anything. We told them there was nothing small town or rural about that area and allow  
16 us to develop it and we will buffer the residential communities. We did that. He said he  
17 didn't mean this in a disrespectful manner but what we do right there in that area,  
18 regardless of what it is, will be an improvement over what's there right now. We have  
19 an opportunity to do some very different things. It's going to be uncomfortable and it's  
20 going to take an education process with the community, but he thought it was to our  
21 community's best long-term interest to take on this type of project in this specific area.  
22 He didn't think there was a better place to do it in terms of its proximity. SunRail is not  
23 the answer. SunRail is the spine. It's going to be the mobility, connectivity, the spinoff  
24 so we can take those young people and get them on there but also get them to their  
25 place of employment. He said no one had done a better job of articulating that than  
26 Commissioner Brender. We are having discussions with FDOT and Lynx and they are  
27 very receptive to this. At the Legislative Delegation this past week Senator Simmons  
28 agreed to take on a bill that would introduce almost a revenue kind of enhancement to  
29 make some of that possible and will be introducing that in the Florida Senate.

30  
31 **SIDE 1B**  
32

33 Mayor Meador said we are going to have to send a message. This cannot be a 3 – 2  
34 vote. We have a very talented team. He said he was speaking to Harry Barley who  
35 immediately talked about the young man he met six months ago and the impression he  
36 made on him and tonight we see where he has taken some of those skills. (Mayor  
37 Meador was referring to Steve Noto.) We have a staff. Give them direction and the task  
38 and they can bring something back to us. This is not the kind of thing we can micro-  
39 manage. We've sent mixed messages to the development community. We are saying  
40 one thing and they come before us and we do a different thing. We don't have that  
41 luxury right now. We are talking about a major commitment but it is going to require a  
42 unified effort from this Commission and staff.

43  
44 Deputy Mayor Brender said he was not trying to say against what David (Meador) just  
45 said. He was in favor of the development but the key is the details of the development  
46 as to what it is going to be and what it's going to look like. Whatever image that we set

1 here is probably going to be what we are going to have throughout that district. He  
2 wasn't saying go away because he wants mixed use. He liked the same things Jo Ann  
3 (Lucarelli) likes with the building and the articulated roofs and the different levels. It's  
4 just the architectural lines that he is trying to settle on. We are going to live with it  
5 throughout the entire East Village. He said he was just trying to get it right and was not  
6 trying to send them away.

7  
8 Blair Harle, candidate for Commission Seat 3 and current member of Local Planning  
9 Agency, came forward. If we increased the density in that area, would we pull density  
10 from other parts of Lake Mary that means that they could not be developed in the future  
11 so you don't increase the overall densities too high? He asked how that would work.

12  
13 Mr. Omana said the density would come from the Downtown area that already has its  
14 entitlements in place. We are not pulling from outside of the Downtown area. He  
15 showed an exhibit of the 125± acres of the Downtown development area. The TDR  
16 Program will be the supplier of any additional density. It's all within the area  
17 encompassed by the Downtown. We are not going outside of the boundaries and  
18 taking away from any existing density that is already approved per the Comprehensive  
19 Plan.

20  
21 Mayor Mealor said the concern he has right now about mixed use, one thing he learned  
22 in Tallahassee serving on the Appropriations Committee is that capital will follow  
23 opportunity. If you bring a group in and that opportunity is there then we create a  
24 demand for the mixed use concept.

25  
26 Commissioner Duryea said if this was approved today with the densities, parking and all  
27 the rest, he asked what we could expect in the rest of the Downtown District and the  
28 TOD because of it.

29  
30 Mr. Omana said the City Commission has addressed that issue through the approval of  
31 the master plan. There are designations of mixed use, residential and a variety of other  
32 uses. It is allowed for the flexibility to occur. He addressed Commissioners Brender  
33 and Duryea's mixed use concern. Based on what has been presented, this project will  
34 be completely residential. He pointed out an area designated as mixed use under the  
35 Downtown Master Plan designation. We own 2.8 acres of it and will be classified as  
36 residential under the regulatory table process. That will leave the north side of this  
37 block as mixed use. We won't be missing out on any mixed use component; it will be  
38 right next door. We have other sectors within the Downtown that will have the ability to  
39 provide that mixed use.

40  
41 Commissioner said he understood that but was asking more specifically if we increase  
42 the whole Downtown area and the TOD have certain preexisting entitlements based  
43 upon density, drainage and all the rest of the things. If we jumble up all those  
44 residences in that one spot, does that take away from somewhere else? He said he  
45 would think it would have to.

1 Mr. Omana said when he came on board in 1998 we did a number of studies. We then  
2 did a projection internally as to what happens if the Downtown does build out and what  
3 could be its ultimate capacity. When the studies came back and were blessed by DCA  
4 it showed from a concurrency standpoint the Downtown could support in the vicinity of  
5 300,000 to 400,000 S.F. of non-residential and between 400 to 800 residential units  
6 meeting all the concurrency standards. He explained what he meant about concurrency  
7 standards were traffic, traffic impacts, intersection analysis, and things of that nature.  
8 By increasing the density if you are taking from our City-owned properties and assigning  
9 them to the EPOCH piece, it would be our opinion that is all within the umbrella that has  
10 already been adopted by the City and blessed by DCA.

11  
12 Commissioner Duryea said if 400 residential units were conceived of in '98 then we are  
13 using up half of them.

14  
15 Mr. Omana answered affirmatively.

16  
17 Commissioner Duryea said that takes away from that particular density for the future.

18  
19 Mr. Omana said it takes away from the entitlement. Here is where the recent changes  
20 in growth management have been a blessing. With the dissolution of DCA and the  
21 restructuring of growth management, the concurrency responsibility has been thrown  
22 onto our table even more. We will be in the position through the site plan process to  
23 invoke what we need as far as any infrastructure improvements, any traffic lanes or  
24 design to make sure that any impacts are addressed. The other issue is that all land  
25 use changes are now governed by the local jurisdiction and are not longer governed by  
26 the Department of Community Affairs. We are dictating our own future with respect to  
27 land use and land use impacts. It is no longer the state telling us what to do. It is you  
28 dictating what is in the best interest of the City using concurrency standards and  
29 expertise we have on staff.

30  
31 Deputy Mayor Brender expressed concern of ending up with a Downtown full of  
32 apartment complexes. The only thing developers want to do right now is apartments  
33 and not mixed use. He said he didn't accept that. He said he didn't care that all they  
34 want to build today is just apartments. He has been here long enough to know that over  
35 time we have gone through everything from single family to townhomes. Right now you  
36 can't touch a townhome within a thousand miles. It's a cycle and understood that. He  
37 knew what is happening today but didn't care about today. We are building a 25-year  
38 plan here.

39  
40 John Cunningham of ACi came forward. He said you need catalysts. This is a plan but  
41 is not "the" plan and respected what was said about the plan being built out over years.  
42 The beauty of this project sends concern about 200 to 800 residential units. By building  
43 this there is a clear catalyst of Terry Shaw coming further east and sending a message  
44 to other development communities. Everyone is doing horizontal mixed use today, if  
45 they are doing anything at all. What you have in terms of a regional catalyst here is  
46 Kyle's (Riva) development, Mr. Mahnken's development, and there have been

1 conversations about the redevelopment of the police station into other uses. What we  
2 think you should be advocating in the short term are conscious, horizontal mixed use.  
3 You have to take each opportunity as it comes. That was part of the flexibility. When  
4 John Omana had his use map up, while it said mixed use it didn't say this piece of  
5 property is exactly for retail office rather than residential. Because of this project,  
6 because of what Mr. Shaw and Mr. Mahnken are doing, and because of a few other  
7 people looking very intently in this general area puts some of your precious residential  
8 density here. That's a decision we can't make for you.

9  
10 Mayor Mealor said when we talk about 200 high end apartments coming in they are  
11 going to need certain things. We know there is somebody interested in the Shoppes at  
12 Lake Mary property. What they propose would be incredibly helpful to this community  
13 but is predicated on that mass being right there. Just as we did in the '90's with the I-4  
14 corridor, we directed staff as to what our vision was and they were to say no to anything  
15 that didn't match the vision. Because of DCA vanishing, we now have more oversight,  
16 more say-so in the process, and more responsibility so we've got to be careful how we  
17 do this. He pointed to the stair step parks going to the Events Center which is a Lake  
18 Mary Promenade that we have paid consultants on what that could look like down the  
19 road. That is an amazing amenity and green space. Now we need to find a way to get  
20 those people to Central Park West. We are going to have a discussion later this  
21 evening about a high end sports bar.

22  
23 Mayor Mealor said North Country Club Road is currently a County road. He asked the  
24 Commission if any of them had objection to asking him or the City Manager to start  
25 talking with the County. He thought this was the time because we have got to have  
26 control of this road so we can change the dynamic. Simultaneously we need to have  
27 discussion with the County about Palmetto and Lake Mary Boulevard. There were no  
28 objections from the Board.

29  
30 Mayor Mealor said he ran in 2008 and met with Mr. Omana saying can we change what  
31 this looks like, keep the feel, keep the proximity of the lake, and keep that small town  
32 comfortable look. We've got the opportunity to take advantage of Central Park West, a  
33 living area that is a phenomenal amenity in terms of what is available to them in terms  
34 of lifestyle and recreational opportunities. Hit the trail, take your bikes and have a  
35 wonderful lifestyle. It can't happen piecemeal but it's not going to happen in isolation.  
36 We've got to have the bigger picture. He said he didn't think anything was going to  
37 happen if we don't put a critical mass in place first.

38  
39 Deputy Mayor Brender said he could support the critical mass and could support the  
40 density. What he was not so far supporting was the look and feel but those are things  
41 that are yet to be finalized. He said if we go with 200 units here, we still have the ability  
42 to limit. We are not entitling anybody else to 200 units just because they got 200 units.

43  
44 Mr. Omana said that was correct. Each one stands on its own. Going back to the  
45 question of how do we protect ourselves from a bunch of apartment complexes coming  
46 in. He recalled his reference to the TDR Program. Under prior direction from the

1 Commission, we went ahead and established the City-owned properties (roughly 26  
2 acres) doing the equivalence calculation that gives us 484 TDR units. These gentlemen  
3 need 150 and will leave us with 334 TDR's. The reason this has worked out from a  
4 planning perspective is we have been able to aggregate 2.8 acres. Under that existing  
5 layout without the TDR's you can only put 50 units on that aggregation of properties.  
6 The TDR allows you to go up to 200. For somebody to come in and want to do another  
7 apartment complex, they would be able to tap into the TDR Program but it would have  
8 to provide an aggregation and come to us with it. Let's say they do that and put three or  
9 four acres together and let's say we've run out of TDR's in our TDR bank. They would  
10 have to come back to the Commission under a comprehensive plan amendment to seek  
11 a higher density than the one that is already allotted under the existing land use  
12 designation. The Commission under its legislative authority has the ability to approve or  
13 deny so you have complete control over this.

14  
15 Deputy Mayor Brender recalled when Primera was first developed we were being asked  
16 to allow a strip mall because strip malls were popular back then. We said no and that  
17 was not what we envisioned for Primera. We waited and in the end got what we  
18 wanted. He said he supported this and needed to be the catalyst and the center of the  
19 population. He wanted to make sure we have the ability later to continue to direct what  
20 is going to happen because he was not interested in a downtown full of apartments with  
21 a train station running through it. He wanted some guarantees.

22  
23 Commissioner Duryea said this is a planning nightmare for Mr. Omana because it  
24 changes everything that we have been talking about. DCA has been dissolved but that  
25 doesn't mean it won't pop its ugly head up again. In the meantime there are still  
26 concurrency rules and it is now our responsibility to make sure those concurrency rules  
27 are complied with. The concurrency of the traffic element, the effect on the sewer,  
28 water, recreation and now do we have to have a fire truck with a big ladder. Those  
29 things are very important. He asked when we get to throw that into the hat.

30  
31 Mr. Omana said when they come in for the site plan review—and everything in the  
32 Downtown has to come before the Commission—you will have the ability to present  
33 those issues. We will bring them up under the DRC review once the plan is submitted.

34  
35 Mr. Omana said DCA will be gone October 1 and it was said something else could pop  
36 up. His counter to that is DCA is gone. We have set standards and regulations and will  
37 continue to set standards and regulations at the local level, i.e. City of Lake Mary. If five  
38 years from now a state agency is created that attempts to change those, he would  
39 automatically recommend that a Bert Harris claim be brought up against that state  
40 agency by the City because we are now playing under our rules. There are investment-  
41 backed expectations. If somebody tries to change the rules we have the disposal of a  
42 Bert Harris claim in our Charter and felt comfortable in that respect.

43  
44 Mayor Mealor asked what was needed from the Commission.

45

1 Mr. Litton said we need the Commission's headshakes to move forward with this from  
2 the technical standpoint that we can get into incurring costs that would be associated  
3 with contracts and financial transactions. We are financially solvent in this deal and the  
4 City will be whole in the financial side of it. We have worked it out but haven't reduced it  
5 to paper yet. We have worked out the financial side of it but that will have to be reduced  
6 to writing and there will be real estate contracts prepared and executed. EPOCH is  
7 ready to proceed based on our discussions. He didn't want to waste a lot of time and  
8 money on everybody's part if this wasn't a doable thing. This is going to set the tone for  
9 the Downtown. We are fortunate to have somebody like EPOCH that is willing to invest  
10 their resources. Right now that property is bringing in zero dollars. We estimate in the  
11 neighborhood of \$70,000 in taxes a year between the ad valorem and franchise. It is an  
12 economic plus for the City. He said he would like the Commission to tell him to proceed  
13 and give staff direction and let us work through the hurdles.

14  
15 Mayor Meador asked Messrs. Harle and Plank and the Commission if they had any  
16 problems with what was presented this evening.

17  
18 Mr. Harle No  
19 Mr. Plank No  
20 Commissioner Lucarelli No

21  
22 Commissioner Duryea said he had a problem with the lack of mixed use and with the  
23 density.

24  
25 Deputy Mayor Brender said he had no problem but would have some future discussion  
26 on what that "look" is going to be.

27  
28 Mayor Meador said we have consensus and some concern from Commissioner Duryea.  
29 He asked staff to keep Commissioner Duryea informed throughout this process.

30  
31 B. Discussion of downtown parking proposal

32  
33 Mr. Omana said recently the City Commission authorized the purchase of several lots  
34 on Seminole Avenue west of North Fourth Street. The purpose of that transaction was  
35 to aggregate lots to be utilized for purposes of supporting infrastructure where it was  
36 parking, ponds, swale areas or anything to do with utilities and drainage. After the  
37 transaction occurred, Mr. Terry Shaw approached staff and proposed an alternative  
38 parking design strategy in light of a proposed high end sports restaurant that would be  
39 located where the third building is going to go along Fourth Street. This would allow  
40 parking on Seminole Avenue right-of-way which would support any overflow from that  
41 particular use but also support our special events, the events occurring in the park, art  
42 shows and things of that nature. We felt that aspect of it was important. If the  
43 Commission is in favor of this concept, City staff would have to coordinate modifications  
44 to the approved engineering that Mr. Paster is coordinating without consultants and  
45 redesign the three lots that were purchased to accommodate the drainage. This would

1 include an analysis on whether those three lots could technically handle the volumetric  
2 capacity that would be generated.

3  
4 Mr. Omana said should this initial engineering analysis look favorable, the preliminary  
5 assessment by Mr. Paster and the Public Works Department has shown it would cost  
6 an additional \$170,000 to do the project and Mr. Shaw would like the City to cover this  
7 amount. Mr. Shaw would be responsible for obtaining the St. Johns River Water  
8 Management District permit and coordinating that engineering aspect. We seek  
9 Commission direction on this.

10  
11 Mr. Noto said we are looking at a 50 to 60 space parking lot area. Depending on how it  
12 is designed it could be on-street parking. We are not sure what kind of capacity those  
13 three lots can handle as far as drainage is concerned. What is on the overhead is what  
14 was provided by Mr. Shaw. He walked through how this would work if you were a  
15 driver. To the far left of the overhead is Fifth Street and to the right is Fourth Street and  
16 the buildings Mr. Shaw has constructed. He pointed out the 78-foot Seminole Avenue  
17 right-of-way. Part has been vacated in the past, not only recently for the pedestrian  
18 plaza but for the white buildings constructed a couple of years ago. You have the three  
19 residences that are still constructed and people still live there. You could turn north on  
20 Fifth, you would turn into this right-of-way area and have the opportunity to park in any  
21 of the parking spaces. You would travel east and when you get to the turn would have  
22 the opportunity to go back west and find a spot or leave or cut through and use the  
23 existing road behind Mr. Shaw's buildings to get onto Lakeview, Fourth, etc.

24  
25 Mr. Noto said if this were to be done while the folks still live in those residences it would  
26 give the opportunity to still get into their driveways and by having the parking in the  
27 center you wouldn't have to worry about getting into an engineering problem as far as  
28 blocking their driveways and having people right in front of their yard. As far as  
29 pedestrians are concerned, this proposal has a sidewalk in between the parking areas  
30 so pedestrians that not only park but come from Fifth Street could traverse safely in  
31 between, use the crosswalk and get right into the pedestrian plaza that will be built  
32 between the southernmost building and the white building where Nico Globos is at.

33  
34 Mr. Noto said internally we worked up a second conceptual. This was something the  
35 GIS Coordinator worked up and is not engineered but just a thought we had in basically  
36 making this a cul-de-sac with parking abutting the right-of-way on both sides. It will be  
37 up to the engineers to make these things work. We have highlighted the three lots  
38 where some of the drainage improvements that have been done on Seminole would be  
39 rerouted.

40  
41 Mr. Noto said we are just looking for Commission direction. He noted Mr. Shaw was  
42 present to discuss this further.

43  
44 Deputy Mayor Brender said those three lots we own would carry all the water for this.  
45

1 Mr. Noto said they would have to and Mr. Shaw is handling the St. Johns permit. We  
2 have had some discussions and there are some properties in that permit that Mr. Shaw  
3 doesn't own that can be taken out to make up for some of the capacity.  
4  
5 Deputy Mayor Brender asked if it was the sense that we need all three of those  
6 properties for that.  
7  
8 Mr. Noto answered affirmatively.  
9  
10 Commissioner Duryea asked what we paid for those properties. Mr. Litton said  
11 \$38,000.  
12  
13 Commissioner Duryea asked what it would cost to do all that infrastructure.  
14  
15 Mr. Noto said and additional \$170,000 on top of what the City is already doing for the  
16 Fourth Street improvements which is roughly \$400,000.  
17  
18 Mr. Litton interjected that \$27,500 of that is engineering. It is Mr. Shaw's request that  
19 we pay for the engineering. Once we get the engineering then Mr. Shaw will take that  
20 product to St. Johns for the modifications.  
21  
22 Commissioner Duryea said that is \$200,000 for how many spaces.  
23  
24 Mr. Noto said between 50 and 60.  
25  
26 Terry Shaw of Shaw Construction, 386 Pine Tree Road, came forward. He said the  
27 price is good because we got the land so cheap. The beauty of it is that it's not just the  
28 parking we are gaining, it's the stormwater we are gaining for not just some of the things  
29 we've done but for Fourth Street, Lakeview, and Crystal. We are picking all those City  
30 roads and having a stormwater program. We have talked to homeowners about buying  
31 one lot and they want \$150,000. The City is getting a great deal for \$200,000 getting  
32 land, stormwater and everything. Everybody for the last two or three years have been  
33 parking on his land for the Farmer's Market and events and there's not enough parking.  
34 The City now has to start putting in parking. Up front we put in parking. He paid  
35 another \$20,000 to increase the pipe size behind the buildings he was building right  
36 now for future development. This is important for the sports bar. To them that was one  
37 of the criteria but this is not about just that. This is about our Downtown because we  
38 have to get parking.  
39  
40 Commissioner Duryea said Mr. Shaw is saying that not only will this take the runoff from  
41 Seminole and it was calculated to run up that way from Mr. Shaw's original construction  
42 but will help with Fourth Street and Lakeview too.  
43  
44 Mr. Shaw said we have designed in this next phase that parking will be put in halfway  
45 down Crystal. We're making that transition down Crystal. This is helping us do that.  
46 His goal is to be building where the pond is now and turning down Crystal hopefully

1 when EPOCH is putting up these beautiful apartments and we are going to start coming  
2 together.  
3  
4 Commissioner Lucarelli asked if the residents there had seen this and if they were okay  
5 with it.  
6  
7 Mr. Shaw said he hasn't talked to them but they had approached the City to buy their  
8 land but they weren't able to come to an agreement. The City needs parking lots but  
9 can't afford to buy land and making this a million dollar project.  
10  
11 Mayor Mealor asked if there were any objection to the proposed plan of using Seminole  
12 for parking with some to be determined configuration. There were no objections from  
13 the Board.  
14  
15 A homeowner in the audience objected.  
16  
17 Mr. Litton asked if there was any problem using his authority to authorize the  
18 engineering services to get this before St. Johns for the modifications with the  
19 understanding if they don't approve it then we wasted the money. He said he didn't  
20 think that would be a problem.  
21  
22 Commissioner Duryea said since the residents want to stay there, he would like the City  
23 to investigate a way to make them happy—put up a hedge or wall or whatever—so they  
24 don't feel like we are throwing a bunch of cars in their front yard.  
25  
26 There being no further business, the work session adjourned at 6:43 P.M.  
27



1  
2 Mayor Mealor presented to Steve Towler a Medal of Valor and Purple Heart; to Officer  
3 Travis Carraway a Purple Heart; and Sgt. Kevin Pratt a Medal of Honor for outstanding  
4 service to Lake Mary citizens.

5  
6 B. Update on Broadmoor Road Traffic Issues – Deputy Police Chief Morgan  
7

8 Deputy Chief Morgan said we have done a traffic count and have all the figures that tell  
9 who is coming and going. He expressed concern that traffic had not decreased at all.  
10 Broadmoor still suffers the same traffic conditions they have had for many years and the  
11 traffic counts bear that out. As we look through the traffic count and try to determine  
12 what is happening on Broadmoor we have now determined the times of the week and  
13 the days. The biggest thing that hit him was that 88% of the 4,600 cars are traveling on  
14 Broadmoor between 7:00 in the morning until 6:00 in the evening. That traffic is going  
15 to the college.

16  
17 Deputy Chief Morgan said he was contacted by the County because the County wanted  
18 to begin a brand new study of that whole area to determine the effect and cause of that  
19 traffic and where it's coming from and where it's going. They liked the idea we  
20 presented to them about controlling the intersection at the college at Broadmoor but  
21 they wanted some traffic counts. We stood there and did hand counts to find out how  
22 much traffic goes to Broadmoor and which way do they turn when they get to the  
23 college. We found the majority of the traffic was turning left in the mornings. Coming  
24 into Broadmoor they are turning left. From 7:30 to 8:30 in the evening there were 92  
25 left-hand turns and 9 right-hand turns. The next day there were 96 left-hand turns and  
26 13 right-hand turns. In the morning the traffic that is coming there is going to the college  
27 and is turning left which is stationary at the college for a period of time. The traffic that  
28 leaves goes in different directions. The majority of the traffic in the evenings is making  
29 right-hand turns off First Street onto Broadmoor so coming from the back parking lot up  
30 to Broadmoor and making a right-hand turn and that's when they are exiting the parking  
31 lot. That tells us that the traffic is the school's.

32  
33 Deputy Chief Morgan said he had spoken to some school officials and they are not over  
34 eager to control that intersection. He said Mr. Bevis from Traffic Control at the County  
35 is going to do the study, however, he just got a call tonight that the County wants to  
36 severely curtail that study because of the cost. The cost was \$13,000 to study the  
37 whole area surrounding the college including Weldon, County Road, and College Road  
38 coming in. He said he wasn't sure what "scaling back" means. They knew our  
39 intersection would cost around \$500 just to study what was coming into the college from  
40 Broadmoor. He said Mr. Bevis is going back to his supervisor to see what "curtail"  
41 means and it may mean there could still be a study.

42  
43 Deputy Chief Morgan said the company has done a study and he included those in his  
44 staff memo. Broadmoor received 4,948 cars in their study. He said he was at an  
45 impasse other than a meeting with the former Mayor and the people he listed and try to  
46 come to some kind of resolution. He said he didn't have the authority to make a lot of

1 decisions other than bringing that meeting together and see if we can have resolutions  
2 brought to the Commission and the college. Sanford doesn't really want to be too much  
3 involved. He said he didn't know what that means either.

4  
5 VII. Unfinished Business

6  
7 A. Ordinance No. 1427 - Zoning Text Amendment revising § 155.43, Vacating of  
8 Rights of Way and Easements – Second Reading (Public Hearing)  
9 **(postponed 9/8/11)**

10  
11 The City Attorney read Ordinance No. 1427 by title only on second reading.

12  
13 Mr. Noto said we made some minor changes to Exhibit A based on input from the City  
14 Attorney and have no further comments.

15  
16 Mayor Meador asked if anyone wanted to speak in reference to Ordinance No. 1427. No  
17 one came forward and the public hearing was closed.

18  
19 **Motion was made by Commissioner Duryea to approve Ordinance No. 1427 on**  
20 **second reading, seconded by Deputy Mayor Brender and motion carried by roll-call**  
21 **vote: Deputy Mayor Brender, Yes; Commissioner Duryea, Yes; Commissioner**  
22 **Lucarelli, Yes; Mayor Meador, Yes.**

23  
24 Mayor Meador said Items B and C will be read simultaneously, will be discussed as a  
25 group, but will be voted on individually.

26  
27 B. Ordinance No. 1432 - 2011/2012 Final Millage Rate - Second Reading  
28 (Public Hearing)

29  
30 The City Attorney read Ordinance No. 1432 and Ordinance No. 1433 by title only on  
31 second reading.

32  
33 Mr. Litton said tonight completes the FY 2012 budget process for the City of Lake Mary.  
34 The procedure is the same as it was on September 8<sup>th</sup> where you shall again hear any  
35 public comments via simultaneous public hearings, set the final millage, and adopt the  
36 FY 2012 budget by separate ordinances. The millage rate adopted tonight cannot  
37 exceed the proposed levy of 3.6355 mills, which was set two weeks ago and is the rate I  
38 am recommending. This equates to a minus 5.88% change in millage from the rolled  
39 back rate of 3.8625 as calculated by the Seminole County Property Appraiser. This levy  
40 complies with all provision of Florida law and does not constitute a tax increase.

41  
42 Mr. Litton said for the 11<sup>th</sup> year in a row, our levy will be the lowest of all Seminole  
43 County cities when you also include the Fire MSTU for Altamonte and Winter Springs. I  
44 am proposing no increase in rates for fees or services next year.

1 Mr. Litton said the value of a mill is projected to represent \$1,647,416 in FY 2012, at the  
2 95% collection rate which is the figure we use in budget projections. This compares to  
3 \$1,748,950 in FY 2011. General Fund Revenues are projected to go down an overall  
4 \$1,055,580, with carry-forward Fund Balance at the end of FY 2012 now estimated to  
5 be \$13,003,788. General Fund Debt Service for 2012 is \$667,287 with all other funds,  
6 including Water and Sewer being debt free.

7  
8 Mr. Litton said the total General Fund budget for 2012 is projected at \$17,370,631. As a  
9 part of full disclosure, the proposed operating expenditures for the City are 5.6% less  
10 than last year's total. There are no new personnel proposed in this document, but one  
11 full-time fire inspector position has been split into two part-time positions to assist with  
12 training/public education. We also know building activity is picking up and there is a  
13 possibility of having to add more inspectors and plans reviewers at some time during  
14 the year to maintain the current level of service but the good news is that always pays  
15 for itself.

16  
17 Mr. Litton said overall, personnel costs constitute some 70% of the bottom line for all  
18 funds when including capital projects. We have funded a 1% pay plan increase for all  
19 employees with one or more years of service and no promotional increases of more  
20 than 5% during 2011 effective October 3rd. We have also included monies to make all  
21 employees eligible for a 1% merit increase on their respective eligibility date. Total cost  
22 for these pay increases will not exceed \$250,235 including benefits.

23  
24 Mr. Litton said we are again showing the City's payment to the 17-92 CRA of \$63,114  
25 which is down from last year's number of \$54,608 as a result of property value decline.  
26 We are currently committed to the CRA through the Fall of 2017.

27  
28 Mr. Litton said as he stated during first reading, our existing stormwater fee structure  
29 can remain intact for at least another year since we did get \$2.5+ million and hopefully  
30 an additional \$1.8 million from the County via the Second Generation One Cent Sales  
31 Tax for transportation-related projects including the Sand Pond/Skyline Drive road  
32 project. The latter amount is not included in this budget but can be used to offset the  
33 majority of our transportation-related expenses including resurfacing and cold mix  
34 maintenance estimated at some \$450,000.

35  
36 Mr. Litton said in General Fund Capital Projects, we estimate \$673,810 in carry-forward  
37 monies. New monies include \$30,000 for Downtown beautification and \$200,000 for  
38 land acquisition, as well as Phase I costs associated with the upgrades to our radio  
39 system as dictated by the FCC and done in conjunction with Seminole County.

40  
41 Mr. Litton said in Special Revenue Funds, we have budgeted \$16,800 for training from  
42 the Police Second Dollar Education Fund. From the Law Enforcement Trust Fund, we  
43 have \$7,500 for the D.A.R.E. Program and \$3,000 in operating. The Commission will  
44 also designate annual donations during the year to eligible organizations from a fund  
45 balance of \$282,808. In Recreation Impact fees there is an allocation of \$10,000 for the  
46 Heritage Park study, and \$11,205 for Events Center scheduling software. From Police

1 Impact Fees, an expenditure of \$25,285 which includes a radio antenna for the police  
2 station costing \$15,285; and \$10,000 for technology advances that will assist in the  
3 efficiency and effectiveness of the services they render. We have no expenditures from  
4 the Fire Impact Fee Fund. From Public Works Impact Fees, we have budgeted \$42,000  
5 for a mini excavator which is used for digging up as well as laying pipe. In the  
6 Cemetery Fund, we will complete the landscaping and irrigation along with benches,  
7 lighting, etc. once the columbariums are purchased which will be on your next agenda  
8 for approval.

9  
10 Mr. Litton said in the Water and Sewer Fund, we anticipate total revenues of  
11 \$4,188,125, of which \$2,175,000 is water sales. New capital project monies included  
12 are \$309,000, which includes well #2 rehabilitation - \$150,000; plant component  
13 upgrades - \$25,000; commercial meter testing and repair - \$50,000; ground penetrating  
14 radar – \$29,000; trailer mounted diesel pump - \$20,000; lift station flow meters -  
15 \$20,000; lift station SCADA replacement - \$20,000; and lift station safety - \$10,000. As  
16 I mentioned during first reading, we may have to come back at a later time and ask for  
17 additional technical assistance related to lift station maintenance and safety issues  
18 which are currently under review by an outside company.

19  
20 Mr. Litton said in the Stormwater Utility Fund, we anticipate revenues of \$280,500 from  
21 stormwater fees and operating expenses of \$349,420. At the end of FY 2012 we  
22 estimate unrestricted net assets of \$337,522.

23  
24 Mr. Litton said the fleet maintenance program in your budget book shows all 137 pieces  
25 of rolling stock along with both their projected life expectancy and replacement costs  
26 through the year 2016. Estimated vehicle/equipment replacement costs for FY 2012  
27 are \$585,300. Total estimated income to this fund in FY 2012 is \$1,016,167.

28  
29 Mr. Litton said this budget process complies with all state and local requirements for  
30 adoption including disclosures. It is financially sound in all respects. I would now  
31 recommend you set the millage for Fiscal Year 2012 at 3.6355 mills (Ordinance #1432),  
32 and adopt the budget as presented tonight (Ordinance #1433) on second and final  
33 reading.

34  
35 Mayor Mealor asked if anyone wanted to speak in reference to the proposed millage  
36 rate and/or the budget. No one came forward and the public hearing was closed.

37  
38 **Motion was made by Deputy Mayor Brender to approve Ordinance No. 1432 on**  
39 **second reading, seconded by Commissioner Lucarelli and motion carried by roll-**  
40 **call vote: Commissioner Duryea, Yes; Commissioner Lucarelli, Yes; Deputy**  
41 **Mayor Brender, Yes; Mayor Mealor, Yes.**

42  
43 C. Ordinance No. 1433 - 2011/2012 Final Budget - Second Reading (Public  
44 Hearing)  
45

1 Ordinance No. 1433 was read by title only on second reading and a public hearing was  
2 held under Item B.

3  
4 **Motion was made by Commissioner Lucarelli to approve Ordinance No. 1433 on**  
5 **second reading, seconded by Deputy Mayor Brender and motion carried by roll-**  
6 **call vote: Commissioner Lucarelli, Yes; Deputy Mayor Brender, Yes;**  
7 **Commissioner Duryea, Yes; Mayor Mealor, Yes.**

8  
9 Mayor Mealor said Items D through M will be read in unison by the City Attorney, will be  
10 discussed as a group, but will voted on individually.

11  
12 D. Ordinance No. 1428 - Small scale land use amendment to the  
13 Comprehensive Plan from PUB (Public/Semi-Public) to DDD (Downtown  
14 Development District) for certain City property (City Hall & Police/Fire  
15 Substation) within the downtown - Second Reading (Public Hearing)

16  
17 The City Attorney read Ordinance Nos. 1428, 1429, 1430, 1431, 1434, 1436, 1437,  
18 1438, 1439, and 1440 by title only on second readings.

19  
20 Mr. Schindler said minor revisions were made pursuant to input from the City Attorney,  
21 otherwise, staff has nothing new to bring forward.

22  
23 Mayor Mealor asked if anyone wanted to speak in reference to Items D through M. No  
24 one came forward and the public hearings were closed.

25  
26 **Motion was made by Deputy Mayor Brender to approve Ordinance No. 1428 on**  
27 **second reading, seconded by Commissioner Lucarelli and motion carried by roll-**  
28 **call vote: Deputy Mayor Brender, Yes; Commissioner Duryea, Yes;**  
29 **Commissioner Lucarelli, Yes; Mayor Mealor, Yes.**

30  
31 E. Ordinance No. 1429 - Small scale land use amendment to the  
32 Comprehensive Plan from REC (Recreation)) to DDD (Downtown  
33 Development District) for Central Park and stair step parks, 6.37 +/- acres in  
34 the downtown - Second Reading (Public Hearing)

35  
36 Ordinance No. 1429 was read by title only and a public hearing held under Item D.

37  
38 **Motion was made by Commissioner Lucarelli to approve Ordinance No. 1429 on**  
39 **second reading, seconded by Deputy Mayor Brender and motion carried by roll-**  
40 **call vote: Commissioner Duryea, Yes; Commissioner Lucarelli, Yes; Deputy**  
41 **Mayor Brender, Yes; Mayor Mealor, Yes.**

42  
43 F. Ordinance No. 1430 - Small scale land use amendment to the  
44 Comprehensive Plan from REC (Recreation)) to DDD (Downtown  
45 Development District) for various City properties within the downtown -  
46 Second Reading (Public Hearing)

1 Ordinance No. 1430 was read by title only on second reading and a public hearing was  
2 held under Item D.

3  
4 **Motion was made by Deputy Mayor Brender to approve Ordinance No. 1430 on**  
5 **second reading, seconded by Commissioner Duryea and motion carried by roll-**  
6 **call vote: Commissioner Duryea, Yes; Commissioner Lucarelli, Yes; Deputy**  
7 **Mayor Brender, Yes; Mayor Mealor, Yes.**

8 G. Ordinance No. 1431 - Small scale land use amendment to the  
9 Comprehensive Plan From PUB (Public) to DDD (Downtown Development  
10 District) for City owned properties in the downtown - Second Reading  
11 (Public Hearing)

12 Ordinance No. 1431 was read by title only on second reading and a public hearing was  
13 held under Item D.

14 **Motion was made by Deputy Mayor Brender to approve Ordinance No. 1431 on**  
15 **second reading, seconded by Commissioner Duryea and motion carried by roll-**  
16 **call vote: Commissioner Lucarelli, Yes; Deputy Mayor Brender, Yes;**  
17 **Commissioner Duryea, Yes; Mayor Mealor, Yes.**

18 H. Ordinance No. 1434 - Rezoning from GU (Government Use) to DC  
19 (Downtown Centre) for the City of Lake Mary Events Centre, 260 N. Country  
20 Club Road, and for 7 properties located on the south side of West Grand Bend  
21 Avenue – Second Reading (Public Hearing)

22 Ordinance No. 1434 was read by title only on second reading and a public hearing was  
23 held under Item D.

24 **Motion was made by Commissioner Lucarelli to approve Ordinance No. 1434 on**  
25 **second reading, seconded by Deputy Mayor Brender and motion carried by roll-call**  
26 **vote: Commissioner Duryea, Yes; Commissioner Lucarelli, Yes; Deputy Mayor**  
27 **Brender, Yes; Mayor Mealor, Yes.**

28 I. Ordinance No. 1436 - Rezoning of City-owned property from A-1 (Agriculture)  
29 to Downtown Centre (DC) for two cemetery properties – Second Reading  
30 (Public Hearing)

31 Ordinance No. 1436 was read by title only on second reading and a public hearing was  
32 held under Item D.

33 **Motion was made by Commissioner Duryea to approve Ordinance No. 1436 on**  
34 **second reading, seconded by Deputy Mayor Brender and motion carried by roll-call**  
35 **vote: Deputy Mayor Brender, Yes; Commissioner Duryea, Yes; Commissioner**  
36 **Lucarelli, Yes; Mayor Mealor, Yes.**

1

2 J. Ordinance No. 1437 - Rezoning of City-owned property from PO (Professional  
3 Office) and C-1 (General Commercial) to Downtown Centre (DC) for one of  
4 the Stair-Step Parks' properties – Second Reading (Public Hearing)

5 Ordinance No. 1437 was read by title only on second reading and a public hearing was  
6 held under Item D.

7 **Motion was made by Commissioner Lucarelli to approve Ordinance No. 1437 on**  
8 **second reading, seconded by Deputy Mayor Brender and motion carried by roll-call**  
9 **vote: Commissioner Duryea, Yes; Commissioner Lucarelli, Yes; Deputy Mayor**  
10 **Brender, Yes; Mayor Mealor, Yes.**

11 K. Ordinance No. 1438 - Rezoning of a portion of the Stair-Step Parks system  
12 from R-1A (Residential Single-Family Dwelling) to Downtown Centre (DC),  
13 1.57 +/- acres – Second Reading (Public Hearing)

14 Ordinance No. 1438 was read by title only on second reading and a public hearing was  
15 held under Item D.

16 **Motion was made by Deputy Mayor Brender to approve Ordinance No. 1438 on**  
17 **second reading, seconded by Commissioner Duryea and motion carried by roll-call**  
18 **vote: Commissioner Lucarelli, Yes; Deputy Mayor Brender, Yes; Commissioner**  
19 **Duryea, Yes; Mayor Mealor, Yes.**

20 L. Ordinance No. 1439 - Rezoning of 0.59 +/- acres of City-owned properties  
21 within the Downtown from PO (Professional Office) to Downtown Centre (DC)  
22 – Second Reading (Public Hearing)

23 Ordinance No. 1439 was read by title only on second reading and a public hearing was  
24 held under Item D.

25 **Motion was made by Commissioner Lucarelli to approve Ordinance No. 1439 on**  
26 **second reading, seconded by Deputy Mayor Brender and motion carried by roll-call**  
27 **vote: Deputy Mayor Brender, Yes; Commissioner Duryea, Yes; Commissioner**  
28 **Lucarelli, Yes; Mayor Mealor, Yes.**

29 M. Ordinance No. 1440 - Recommendation to the City Commission regarding a  
30 rezoning of .95 acres of City-owned properties within the Downtown from C-1  
31 (General Commercial) to Downtown Centre (DC) – Second Reading (Public  
32 Hearing)

33 Ordinance No. 1440 was read by title only on second reading and a public hearing was  
34 held under Item D.

1 **Motion was made by Deputy Mayor Brender to approve Ordinance No. 1440 on**  
2 **second reading, seconded by Commissioner Duryea and motion carried by roll-call**  
3 **vote: Commissioner Duryea, Yes; Commissioner Lucarelli, Yes; Deputy Mayor**  
4 **Brender, Yes; Mayor Meador, Yes.**

5 VIII. New Business

6  
7 A. Request for Second Amendment to Pre-Annexation Agreement, Colonial  
8 Properties/Heathrow Phase II (Public Hearing) (postponed 9/8/11)  
9

10 Mr. Noto said last August staff came before the Commission with the first amendment to  
11 the Pre-Annexation Agreement for Colonial Properties. In 2006 when the City annexed  
12 the 46 acres from Colonial west of I-4 the pre-annexation was put into place and  
13 stipulated entitlements for Communities A and B as shown on the overhead.  
14

15 Mr. Noto said Community A and B were originally slated for fee simple townhomes. In  
16 2010 when we amended the pre-annexation agreement, PUD, and DRI the entitlements  
17 went from fee simple to a 232-unit rental community. Colonial has started construction  
18 on Community A. The site plan was reviewed and approved by the Planning & Zoning  
19 Board and they have started site work. They are asking to do the same change to the  
20 pre-annexation agreement for Community B which will be a 108-unit multi-family rental  
21 community. Along with what we did for Community A Colonial gave to the City roughly  
22 \$30,000 for a police vehicle. When we met with them for this project, we had some  
23 discussions and they have agreed to pay to the City roughly \$50,000 for a fire safety  
24 vehicle. That language will be worked into the PUD amendment which will come  
25 forward within the next couple of months. There will also be a scrivener's change to the  
26 DRI that will come forward with the PUD amendment. We won't have to do a full  
27 fledged NOPC due to the minor nature of the changes.  
28

29 Mr. Noto said the 108 units is not going to exceed what is set forth in the comp plan as  
30 far as maximum number of residential units in the DRI. This will essentially max out the  
31 residential portion of the DRI in the city limits. It would take some major changes to all  
32 the necessary agreements to add in more residential.  
33

34 Mr. Noto said staff recommends approval of the amendment with the supporting factors  
35 being the discouragement of urban sprawl, walkability and the infill development that  
36 was originally pushed when the DRI was brought into existence. He noted the applicant  
37 was present.  
38

39 Ken Wright of Shutts & Bowen came forward on behalf of Colonial Properties. The  
40 request is to amend the pre-annexation agreement to allow the currently approved 108-  
41 unit townhomes to be converted into rental units. The units are already permitted within  
42 the DRI and are not asking for any additional units. This does max out the residential  
43 component of the DRI.  
44

1 Mr. Wright showed on the board the previously approved phase that is under  
2 construction and is the plan that was on the overhead a moment ago. He pointed to a  
3 piece of property on the exhibit. He said you may ask why we did not bring that parcel  
4 in with what we are calling the Phase I parcel. This property was not in exclusive  
5 ownership of Colonial. The opportunity arose to pick this parcel up as opposed to  
6 allowing it to be sold to a third party.

7  
8 Mr. Wright said Mr. Ed Wright of Colonial was present. Colonial is committed to Lake  
9 Mary and Colonial Town Park and in order to live up to that commitment, they felt it  
10 would be in the best interest of Colonial, the Town Park, and Lake Mary if they  
11 maintained exclusive control over this site. They have obtained it back and are now  
12 seeking this request.

13  
14 Mr. Wright showed the currently approved site plan for the townhomes and you can see  
15 the extent to which the design opens the site up and allows for open space,  
16 landscaping, etc. In order to maintain the same number of rental units and still provide  
17 for this open site plan, approximately 4 acres of what had previously been approved for  
18 the townhome development will be shifted over to an office site to the south. Under the  
19 current approvals without that change the site is about  $\pm$  4 acres. This is going to allow  
20 that 4-acre office site to now be 8 acres which will provide not only Colonial but the City  
21 another opportunity to have what will be an A Class office site that can accommodate a  
22 nice site plan, a good office building, parking and not be restricted by a 4-acre site. This  
23 is a win-win in that regard.

24  
25 Mr. Wright said every attempt has been made in the design to provide connectivity. At  
26 the recommendation of staff and a number of commissioners we will be highlighting the  
27 connectivity between the two phases for pedestrian access and lighting and providing  
28 attractive pavers/walkways and that kind of thing. The idea is go make these two  
29 parcels merge together as to one community.

30  
31 Mr. Wright said if the request is granted it will also allow both of these sites to be  
32 developed simultaneously. That will allow for a seamless development to get these  
33 buildings completed at approximately the same time.

34  
35 Mr. Wright said staff has indicated that Colonial previously agreed to a voluntary  
36 payment of \$32,000 for the earlier phase for a police vehicle. Recognizing the increase  
37 in demand for fire/rescue by adding these additional residential units, Colonial has  
38 agreed to a voluntary contribution of \$50,000 to be used for a City fire/rescue vehicle for  
39 a total contribution of \$82,000.

40  
41 Mr. Wright said this project has been designed from the beginning and will continue into  
42 this phase if the Commission allows it to be developed in a Lake Mary style  
43 development. Staff has reviewed a number of components that will be involved in this  
44 second phase and thought it was something the Commission will be proud of. Colonial  
45 is proud of this project and it is evidenced by the fact that Ed Wright is here tonight and  
46 will be flying back to Birmingham tomorrow. He felt it important to be here to show the

1 commitment that Colonial has to Lake Mary. We respectfully ask the Commission to  
2 amend the pre-annexation agreement to allow these multi-family units.

3  
4 Deputy Mayor Brender asked if this was planned to be held by Colonial and operated  
5 similar to Community A.

6  
7 Mr. Ken Wright answered affirmatively.

8  
9 Mayor Mealor asked if anyone wanted to speak in reference to this request. No one  
10 came forward and the public hearing was closed.

11  
12 **Motion was made by Commissioner Lucarelli to approve the second amendment**  
13 **to the pre-annexation agreement with Colonial Properties/Heathrow Phase II,**  
14 **seconded by Deputy Mayor Brender.**

15  
16 Commissioner Duryea asked if there was any fee simply residential in the Heathrow  
17 Business Center. Mr. Noto answered negatively.

18  
19 Commissioner Duryea said he didn't like it and would rather have fee simple property.

20  
21 **Motion carried by roll-call vote: Commissioner Lucarelli, Yes; Deputy Mayor**  
22 **Brender, Yes; Commissioner Duryea, No; Mayor Mealor, Yes.**

23  
24 **SIDE 2B**

25  
26 B. Ordinance No. 1441 - Establishing Early Voting for the City's November 8,  
27 2011, Election – First Reading (Public Hearing)

28  
29 The City Attorney read Ordinance No. 1441 by title only on first reading.

30  
31 Carol Foster, City Clerk, came forward. We are opting out of the requirement under  
32 Statute 101 and contracting with the Supervisor's office.

33  
34 Mr. Litton said the early voting dates will be Friday, November 4<sup>th</sup>, from 10:00 A.M. to  
35 6:00 P.M.; Saturday, November 5<sup>th</sup>, from 12 noon to 4:00 P.M.; and Sunday, November  
36 6<sup>th</sup>, from 12 noon to 4:00 P.M. The election will be on November 8<sup>th</sup> and the polls will be  
37 open from 7:00 A.M. to 7:00 P.M.

38  
39 Mayor Mealor asked if anyone wanted to speak in reference to Ordinance No. 1441. No  
40 one came forward and the public hearing was closed.

41  
42 **Motion was made by Deputy Mayor Brender to approve Ordinance No. 1441 on**  
43 **first reading, seconded by Commissioner Lucarelli and motion carried by roll-call**  
44 **vote: Deputy Mayor Brender, Yes; Commissioner Duryea, Yes; Commissioner**  
45 **Lucarelli, Yes; Mayor Mealor, Yes.**

1 IX. Other Items for Commission Action

2  
3 There were no other items for commission action at this time.

4  
5 X. Citizen Participation

6  
7 Joanne Counelis, 136 East Alma Avenue, came forward. She said there is a Special  
8 Olympics in Casselberry this Saturday and the next weekend would be swimming at  
9 Sebastian, Florida.

10  
11 Mayor Meador wished Ms. Counelis the best in her competition.

12  
13 Ms. Counelis asked the Commission not to forget SunRail and we need bus service  
14 every day including holidays and weekends.

15  
16 No one else came forward and citizen participation was closed.

17  
18 XI. Reports

19  
20 A. City Manager

21  
22 1. Request Commission appoint Ms. Forlano to fill vacant seat on Elder Affairs  
23 Commission

24  
25 Mr. Litton said this is a request for an appointment to the Elder Affairs Commission. Ms.  
26 Carson resigned and the Elder Affairs Commission has recommended the City  
27 Commission appoint Eileen Forlano to take Ms. Carson's place.

28  
29 **Motion was made by Deputy Mayor Brender to appoint Eileen Forlano to the Elder**  
30 **Affairs Commission to fill the remainder of Ms. Carson's term, seconded by**  
31 **Commissioner Lucarelli and motion carried unanimously.**

32  
33 Mr. Litton invited everyone to stop by the Lake Mary Museum beginning October 6<sup>th</sup> to  
34 see the Halloween costume exhibit. Admission is free. The museum is located at 158  
35 North Country Club Road and is open Thursday evenings from 6:30 to 8:30 and on  
36 Saturdays from 10:00 A.M. to 2:00 P.M. or by appointment by calling 407-585-1481.

37  
38 B. Mayor

39 1. Proclamation – Providing for November 8, 2011, Election

40  
41 Mayor Meador said in accordance with Section 34.03 of the Code of Ordinances, he  
42 read a proclamation proclaiming Tuesday, November 8, 2011, as the date for the City of  
43 Lake Mary General Municipal Election. The polls will be open between the legal hours  
44 voting, 7:00 A.M. to 7:00 P.M. on November 8, 2011. Voting on November 8, 2011,  
45 shall be held at Lake Mary City Hall Commission Chambers, 100 North Country Club  
46 Road, Lake Mary, Florida. Early voting will be offered at the Seminole County

1 Supervisor of Elections Office, 1500 East Airport Boulevard, Sanford, Florida, on the  
2 following days: Friday, November 4, 2011, from 10:00 A.M. to 6:00 P.M. Saturday,  
3 November 5, 2011, from 12 P.M. to 4:00 P.M. Sunday, November 6, 2011, from 12:00  
4 P.M. to 4:00 P.M. The Election Board for the November 8, 2011, election shall be  
5 appointed by the Supervisor of Elections for Seminole County. The purpose of this  
6 election is to elect a City Commissioner for Seat 3 for a one-year term.

7  
8 C. Commissioners (1)

9  
10 Deputy Mayor Brender had no report at this time.

11  
12 Commissioner Duryea had no report at this time.

13  
14 Commissioner Lucarelli said she attended a breakfast for Habitat for Humanity and one  
15 for Community Based Care of Central Florida. They are doing a great job taking over  
16 what DCF used to not do so great.

17  
18 Commissioner Lucarelli said she attended a Lake Mary Council meeting with the  
19 Chamber and on October 20<sup>th</sup> from 7:30 A.M. to 9:00 A.M. they are going to host a Meet  
20 the Candidates for the candidates running for Seat 3. It is tentatively at the Hyatt but  
21 would send an e-mail when she had more definite information on that.

22  
23 Commissioner Lucarelli said she attended a grand opening for Stella Tagliavore's Lake  
24 Mary Art Studio Gallery. There was a great turnout with a lot of artists there. She said  
25 she attended a session at the League of Cities on how culture helps build a community  
26 so we are talking to artists to get an artist guild going and as we redevelop incorporate  
27 art into that.

28  
29 Commissioner Lucarelli said she attended the Elder Affairs Commission. A resident of  
30 the community discovered a group that in the past tried to get into Lake Mary to offer  
31 alternative transportation. It is a fee based service for those who can pay. She is  
32 talking with Lynx and has hooked up with Zach Hudson as well and will handle that  
33 though a senior intervention group.

34  
35 Commissioner Lucarelli reminded everyone that November 5<sup>th</sup> and 6<sup>th</sup> was the Lake  
36 Mary/Heathrow Arts Festival.

37  
38 D. City Attorney

39  
40 Ms. Reischmann had no report at this time.

41  
42 XII. Adjournment

43  
44 There being no further business, the meeting adjourned at 8:10 P.M.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13

\_\_\_\_\_  
David J. Mealar, Mayor

\_\_\_\_\_  
Mary Campbell, Deputy City Clerk

ATTEST:

\_\_\_\_\_  
Carol A. Foster, City Clerk