



LAKE MARY CITY COMMISSION

**Lake Mary City Hall
100 N. Country Club Road**

**Regular Meeting
AGENDA**

THURSDAY, JANUARY 15, 2015 7:00 PM

- 1. Call to Order**
- 2. Moment of Silence**
- 3. Pledge of Allegiance**
- 4. Roll Call**
- 5. Approval of Minutes: December 18, 2014**
- 6. Special Presentations**
- 7. Citizen Participation**
- 8. Unfinished Business**
- 9. New Business**
 - A. Request for Preliminary 12 lot Subdivision Plan Approval for Twelve Oaks at Lake Mary with a variance, 330 Washington Avenue; Daly Design Group, applicant (Public Hearing) (Steve Noto, Deputy City Planner)**

- B. Resolution No. 957 - Project Dixon Ticonderoga Company be approved as a Qualified Target Industry (QTI) Business (Tom Tomerlin, Economic Development Manager)**
- C. Request for a \$5,000 Neighborhood Beautification Grant for the Lake Mary Landings subdivision (Steve Noto, Deputy City Planner)**
- D. Resolution No. 958 - Amending Fees for use of Skakeboard/Bike Park at the Sports Complex (Radley Williams, Recreation Chief)**

10. Other Items for Commission Action

11. City Manager's Report

A. Items for Approval

- a. Zoll Monitors/Defibrillators**
- b. Lake Mary Events Center catering agreement extensions**
- c. Surplus of outdated/non-functioning Police radios**
- d. Public Works equipment canopy**

B. Items for Information

- a. Monthly department reports**

12. Mayor and Commissioners Report - (3)

13. City Attorney's Report

14. Adjournment

THE ORDER OF ITEMS ON THIS AGENDA IS SUBJECT TO CHANGE

Per the direction of the City Commission on December 7, 1989, this meeting will not extend beyond 11:00 P. M. unless there is unanimous consent of the Commission to extend the meeting.

PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE CITY ADA COORDINATOR AT LEAST 48 HOURS IN ADVANCE OF THE MEETING AT (407) 585-1424.

If a person decides to appeal any decision made by this Commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Per State Statute 286.0105.

NOTE: If the Commission is holding a meeting/work session prior to the regular meeting, they will adjourn immediately following the meeting/work session to have dinner in the Conference Room. The regular meeting will begin at 7:00 P. M. or as soon thereafter as possible.

UPCOMING MEETINGS: February 5, 2015

1 MINUTES OF THE LAKE MARY CITY COMMISSION MEETING held December 18,
2 2014, 7:00 P.M., Lake Mary City Commission Chambers, 100 North Country Club Road,
3 Lake Mary, Florida.

4
5 1. Call to Order

6
7 The meeting was called to order by Mayor David Mealor at 7:02 P.M.

8
9 2. Moment of Silence

10
11 3. Pledge of Allegiance

12
13 4. Roll Call

14
15 5. Approval of Minutes: December 4, 2014

16
17 **Motion was made by Commissioner Miller to approve the minutes of the**
18 **December 4, 2014, meeting, seconded by Commissioner Lucarelli and motion**
19 **carried unanimously.**

20
21 6. Special Presentations

22
23 A. Appointment of Fire Chief (Jackie Sova, City Manager)

24
25 Ms. Sova asked the Commission to approve the appointment of our next Fire Chief,
26 Frank Cornier. Frank has been with the City of Orlando for the past 22-1/2 years. He
27 comes highly recommended. His references are outstanding, his work experience is
28 outstanding and his own fire chief told her that he loved the Lake Mary community so
29 much himself that he wished he had come here. We are excited to have Frank. We
30 had panel interviews with five of us including Seminole County's Fire Chief and Winter
31 Park's Fire Chief who also represented the Central Florida Fire Chiefs Association. We
32 also had a meet and greet with the firefighters so they could meet these candidates and
33 talk to them and then they turned in their comments. She was so proud of the
34 comments these people made. They took a vested interest in what was going on and
35 she couldn't be happier with the result.

36
37 Ms. Sova asked the Commission to approve the appointment of Frank Cornier to begin
38 February 2, 2015. He will be in before then getting acquainted and getting prepared to
39 be at work full time. His annual starting salary will be \$100,000.

40
41 **Motion was made by Commissioner Brender to appoint Frank Cornier as Fire**
42 **Chief, seconded by Deputy Mayor Duryea and motion carried unanimously.**

43
44 Frank Cornier came forward. What a great privilege and honor to be here tonight. It is
45 overwhelming because it is like an early Christmas gift and really appreciated it. He
46 wanted to let the Commission know they have a fantastic city here, the process vetted

1 by Ms. Sova was excellent. He said he got the family feel because she brought
2 everybody into the whole process and it was a great process. He wasn't sure what was
3 going to happen but the way it worked out it was a great experience. He met most of
4 the city family during those nights before. It is a great honor and looked forward to
5 working with you and working hard for the City of Lake Mary.
6

7 Mr. Cornier introduced his son and daughter, Frank and Elsa, his girlfriend Jessica and
8 Elsa's boyfriend Alex.
9

10 Mayor Mealor said Mr. Cornier is joining a remarkable team. Ms. Sova put together an
11 incredible array of talent. We like where we are but the most important thing is where
12 we are going and how do we elevate. He thanked Mr. Cornier for taking on that
13 challenge.
14

15 7. Citizen Participation 16

17 Debbie Robison, 100 Smathers Lane, came forward. She asked the City to look into
18 locating and paving Anderson Lane. The City has prided itself on not having any more
19 dirt roads in the City when they did all the work but forgot one road. We would like to be
20 inclusive with the City.
21

22 No one else came forward and citizen participation was closed.
23

24 8. Unfinished Business 25

26 There was no unfinished business to discuss at this time.
27

28 9. New Business 29

- 30 A. Ordinance No. 1522 – Expedited state review comprehensive plan
31 amendment to the City's Comprehensive Plan revising the Future Land Use
32 Designation from OFF (Office) and RCOM (Restricted Commercial) to HDR
33 (High Density Residential) for a +/- 19.79 acres located at the southwest
34 corner of Anderson Lane and Rinehart Road – First Reading (Public Hearing)
35 (Steve Noto, Senior Planner)
36

37 The City Attorney read Ordinance No. 1522 by title only on first reading.
38

39 Mr. Omana said Mr. Noto would be handling the technical discussion and merits of the
40 case. He wanted to touch upon some procedural aspects of our process as it relates to
41 comprehensive plans. As the item stated it is an expedited state review of a
42 comprehensive plan. The Commission's action tonight will not vest or provide any
43 vested rights to any representations or potential development plans that may be brought
44 up, shown, or elaborated on. There is no vesting tonight. It is strictly a transmittal
45 hearing to consider the land use amendment under Ordinance No. 1522.
46

1 Mr. Noto said he would speak about the history of the properties we will be talking about
2 tonight. The subject properties are outlined in the dark black on the overhead. These
3 properties have been before the Commission numerous times over the last 10 to 14
4 years. The Commission has seen land use amendments and rezonings for these
5 parcels and it has been divided up a number of different ways. He put up the zoning
6 map to give a better idea of what he means by that. The properties that are abutting
7 Rinehart Road currently are zoned PO Professional Office and the properties to the
8 west of that have C-1 General Commercial zoning. The land uses are currently Office
9 abutting Rinehart and Restricted Commercial to the west. Years ago the western
10 properties were rezoned from A-1 to C-1 and a future land use amendment was run
11 concurrently with that from Low Density Residential to Restricted Commercial. The
12 properties that are currently zoned PO Professional Office used to be zoned R-3 which
13 is a multi-family zoning district and the land use was changed from Low Density
14 Residential to Office.

15
16 Mr. Noto said shortly after the zoning was changed there were multiple site plans that
17 came forth in the early 2000's for a three-story office building. Those plans have since
18 expired. There is also a developer's agreement that went along with that that stated
19 multiple things, the most important of which was that the uses be professional office in
20 nature. That also expired. One of the stipulations was that development was to occur
21 within ten years. That did not happen so that developer's agreement is no longer in
22 effect.

23
24 Mr. Noto showed the future land use map on the overhead. We are talking about land
25 use policy. When we look at land use amendments or any issues related to the
26 comprehensive plan, we review them against the policies that are outlined in the comp
27 plan. We don't review anything in the Land Development Code so we are not talking
28 about setbacks and things of that nature. We are strictly talking about legislative action
29 and policy driven decisions by the City Commission.

30
31 Mr. Noto said one of the tricky things is that land use maps have so many colors so
32 things can get confusing. He pointed out the subject properties. The darker blue is the
33 office future land use and the shaded red area is restricted commercial to the west. To
34 the north is commercial through Primera, low density residential to the south, as you
35 keep going south you can see through Feather's Edge we have medium density and
36 high density residential, and at Lake Mary Boulevard commercial. There are similar
37 land uses on the east side of Rinehart Road. He pointed out the lighter blue that is not
38 office but public/semi-public. Adjacent to Rinehart Road you have the school and the
39 other piece is the preserved area that has the PUD that says there will be no
40 development.

41
42 Mr. Noto said what is before the Commission this evening is to change the future land
43 use of the subject properties to High Density Residential. In the comprehensive plan
44 future land use policy 1.4, high density residential is defined as a land use designated to
45 provide for multiple family uses such as apartments, condominiums, duplexes, patio or
46 cluster homes at a maximum density of nine dwelling units per acre. The intensity of

1 this district requires that it be located where there is convenient access to collector
2 and/or arterial roadways and have adequate public and commercial services. This
3 district may serve as a transitional use between non-residential uses and residential
4 uses of lesser intensity. When we look at proposed land use changes, one of the main
5 things we look at is the land uses in the area. As it is stated in the growth policy, HDR
6 is typically used for transition from commercial to a lower density residential use. To the
7 north we see commercial in Primera. To the south we have lower density residential
8 and a little bit of office, and then medium high residential to the south of that. There is a
9 somewhat similar land use pattern to the east. It abuts Rinehart Road and is very close
10 to Lake Mary Boulevard.

11
12 Mr. Noto said we don't look at the land development code when we review policy
13 matters so we are strictly looking at what policies in the comprehensive plan a request
14 like this would fall in line with. We have outlined the HDR land use.

15
16 Mr. Noto said another segment of this project that is key is the rezoning which is not
17 before the Commission this evening and is being reviewed separately. There would
18 come a point in this process that if approved tonight this submittal package would be
19 sent to the state through their state review process. They would have a certain number
20 of days to send a letter back to us with any comments, concerns or otherwise and it
21 would then be adopted by the City Commission. That adoption would not occur until the
22 rezoning was ready to go. In this case it would be PUD. The HDR land use proposed
23 cannot be approved with the underlying zoning of C-1 and PO as it does not comply
24 with Table GOP-1 in the future land use element. One of the zoning districts that HDR
25 is compatible with is PUD. That is what they are proposing separate from this item.
26 That would come before the Commission later if this item is approved this evening.

27
28 Mr. Noto said on Page 3 of the staff report you see an outline of different services and
29 facilities that we review as part of requested land use amendments: potable water, solid
30 waste, drainage, parks, etc. We review those against data and information we receive
31 from Seminole County and data we have in-house. There are certain things that
32 haven't been reviewed yet because they come later in the process such as a traffic
33 study. Right now the applicant has not settled completely on how many units they
34 would have. The current proposal is 81 units spread over ten acres. The entire project
35 area is 20 acres. Only half of that is usable because of Lake Emma which is not
36 developable.

37
38 Mr. Noto said as outlined in the staff report we have found that there is adequate supply
39 of water, waste, the drainage will be reviewed by our Engineering Department, parks
40 level of service is adequate and school concurrency was reviewed by the School Board.
41 One thing about school concurrency, that whole process has been changed by the state
42 much like the Department of Community Affairs is now the Department of Economic
43 Opportunity. How they review school issues is a little bit different. They have reviewed
44 this as a max density type project. They will continue to have review ability if this
45 project was to move forward through rezoning, subdivision, and things of that nature.

46

1 Mr. Noto said the Planning & Zoning Board heard this item at their October 14, 2014,
2 meeting and voted unanimously 3-0 to recommend that the City Commission approve
3 the transmittal of the comprehensive plan amendment. "Transmittal" is a key phrase. If
4 approved tonight, they would not change their land use tomorrow or tonight. It would
5 have to come back later at second reading as part of the approved state process.
6

7 Mr. Noto said we have one minor change in the ordinance and that is regarding the
8 effective date language. He read the change into the record: **This ordinance shall not
9 become effective until 31 days after the state land planning agency notifies the
10 local government that the plan amendment package is complete. If timely
11 challenged an amendment does not become effective until the state land planning
12 agency or the Administration Commission enters the final order determining the
13 adopted amendment to be in compliance.**
14

15 Mr. Noto said staff is recommending approval of the transmittal to the Department of
16 Economic Opportunity for the proposed future land use amendments to the City of Lake
17 Mary Comprehensive Plan from Office and Restricted Commercial to High Density
18 Residential. The item before the Commission is strictly policy related having to do with
19 similar land uses in the area and the policies outlined in the comprehensive plan.
20

21 Mr. Noto stated the applicant and representatives are here if the Commission has any
22 questions and staff is available for questions and comments.
23

24 Ms. Reischmann said at P&Z there was some confusion about this being labeled
25 expedited state review. That is what the state calls this kind of review. It is a large
26 scale comprehensive plan. It is not like staff selected to go an expedited route. This is
27 the standard route for large scale comprehensive plan changes.
28

29 Deputy Mayor Duryea said he was not a proponent of high density but would prefer fee
30 simple high density than apartments. He asked Mr. Noto if he had any idea how this
31 was going to lay out.
32

33 Mr. Noto said the current proposal is for townhomes (attached single family). They are
34 not planning apartments at this point. The layout of the community is still under review.
35 They are in a concept plan at this point. That is something that is an ongoing document
36 that is still not finalized. That would come before the Commission at a later commission
37 hearing.
38

39 Deputy Mayor Duryea said if we approved this comprehensive land use, it doesn't
40 preclude anything from being there that would be allowed there.
41

42 Mr. Noto said that was correct. In order to get residential, a land use amendment of
43 some sort to allow residential has to occur first. Otherwise they would be Professional
44 Office and Commercial as it is today.
45

46 Deputy Mayor Duryea said it could easily be apartments too.

1
2 Mr. Omana said here is where the beauty of the process comes in. Where you have the
3 comprehensive plan amendment which is before you, you also have the opportunity to
4 go concurrent. Although the items are separate, they are related. In one hand you
5 have your comprehensive plan amendment and in the other hand you have the PUD.
6 When those come back together on second reading, we as the city have the ability and
7 would be in the driver's seat as to what may or may not go on that property under the
8 PUD agreement because the PUD agreement is what will dictate the type of specific
9 uses whether it is fee simple, detached, apartments, or any of the categories that are
10 outlined in the comprehensive plan. At the end of the day if the Commission approves
11 the comp plan amendment, it may allow a variety of residential uses but we are able to
12 specify and control that under the PUD document. That's where our safety net comes
13 in.

14
15 Mayor Mealar said we are looking at a policy related decision making process. This is
16 about policy. You can talk about a PUD and we can guide or direct that process but the
17 reality is if this policy is implemented then the person coming forward has a right to
18 bring any project forward that meets that definition. He asked if that was correct.

19
20 Mr. Omana answered affirmatively. They have the ability to come forward and present
21 their project under the PUD arena, which is quasi-judicial, and we have the ability as the
22 city to be able to critique that and to address any concerns we may have.

23
24 Commissioner Brender said he understood that once we rezone this it becomes high
25 density residential land use. We have apartments in the City that are nine units per
26 acre. We have indicated by comments thus far that none of us are too keen on
27 apartments for that particular property. Once we rezone a property he understood that
28 any applicant under high density residential plans can come in and just do it. They don't
29 have to ask for a PUD. He asked if that was correct.

30
31 Mr. Noto said at this point the only other zoning that they could utilize to do that would
32 be R-3. At this point the applicant is requesting a PUD. We would not get to a point
33 where the future land use would be changed without this concurrent rezoning.

34
35 Commissioner Brender said if we say yes to the high density residential, the applicant is
36 agreeing that they will be coming in with a PUD.

37
38 Mr. Noto said at this point the PUD is already under review and it is not apartments.

39
40 Commissioner Brender said it's not signed.

41
42 Mr. Noto said that was correct so if that is something you would like to put on the record
43 the applicant is here tonight. When they have the opportunity to speak that is
44 something that they could address that apartments will not be on the table.

45

1 Commissioner Brender said once this comes back to us then we will be looking at a
2 PUD document.

3
4 Mr. Noto said that was correct. If this were to be transmitted it will be transmitted before
5 Christmas. Between that point and before the adoption hearing, you would see the
6 preliminary PUD which is the conceptual document. That's where you can add more
7 landscaping, bigger setbacks, wider streets. All those design elements can be voiced at
8 that point. When the adoption hearing occurs is when you would have the final PUD
9 which is where you have the developer's agreement that states what the setbacks are,
10 what the uses are and things of that nature.

11
12 Commissioner Brender said if somebody acquires this property from the current
13 applicant and they want to build apartments six months from now, can we sit here and
14 say no?

15
16 Mr. Noto answered affirmatively. They would be required to do a PUD or otherwise.
17 There would still be the ability to say no to apartments.

18
19 Commissioner Lucarelli said in reviewing what she sees as far as the future land use,
20 she didn't see that high density fits in with what we have planned out for future land use
21 that is controlling the character of that area. She said she was not agreeable to high
22 density. It doesn't fit the character, the intent or the nature of that area.

23
24 Commissioner Miller said staff has spent a lot of time making us feel like we're not really
25 making a decision tonight and thought that they were. We are making a decision to
26 change the zoning.

27
28 Mr. Noto said it is the future land use category. You would be changing it from
29 Commercial and Office to High Density Residential to transmit to the state.

30
31 Commissioner Miller said he went out and took a look at the property this week and as
32 far as the residents there are concerned, this is probably a better zoning than the
33 current zoning. The reason he believed that is as far as their peace of mind and where
34 they are, they are going to be in better situation with high density residential than they
35 would be with commercial and professional office in there. He also thought that if the
36 developer would take the time to keep a buffer and make sure he has an appropriate
37 size of his development, this can be an asset to that area instead of a liability. That was
38 his opinion after having looked at it. In one part of his mind he was in favor of making
39 this change but in the first map staff was showing a property that was C-1 in the same
40 collected area. This area is fenced in and walled in with the lake and walls around it so
41 what you are looking at is an enclosed area. When you come down Anderson Lane
42 those are homes and there is one there that is C-1 and is about a five-acre plot. He
43 asked what to do with C-1 in back of this when we are doing what we are doing.

44
45 Deputy Mayor Duryea said that was part of Primera.

46

1 Mr. Noto said those are individually owned properties.
2
3 Commissioner Miller asked about the one on the left.
4
5 Mr. Noto said those have homes on them. They are C-1 zoning but have single-family
6 homes.
7
8 Commissioner Miller asked what we were going to do about them when we do this.
9
10 Mr. Noto said as part of this project that is separate. If the Commission wishes to direct
11 staff to work with those owners on some type of process we can do that but they are
12 completely separate from the project that is before you this evening.
13
14 Mayor Meador said based on past experience we have been advised that we need to
15 discuss only the item that is before us; however, since we are talking about policy he
16 thought his comments were germane.
17
18 Commissioner Miller said he wasn't sure why it is expedited.
19
20 Mayor Meador said that is just a term. When Community Affairs was done away with the
21 terminology and phraseologies were modified and that is the preferred term.
22
23 Ms. Reischmann said since we are uncomfortable with the fact that we're at this stage
24 of planning and we don't really feel comfortable with HDR without limitation, it may be
25 possible to ask the developer to commit to a couple of basic matters that would give
26 some comfort to the Commission as we go through the process such as commitment to
27 fee simple title for the units and a commitment to a certain density limitation. Despite the
28 fact that they don't have their plans yet that is something possible that we could get on
29 the record. This was if they do sell the property it would be in place. Even though this
30 is first reading and we are not bound to make the same decision at second reading, if
31 we find that the PUD does not work out somehow we certainly are not bound. The
32 intention is that your decision at second reading would be based on public input and so
33 forth and that you wouldn't just make a yes vote tonight totally blind. You would have to
34 have some idea of what you want to go there and what you want to see and not
35 necessarily to this particular applicant. Perhaps this might be a good time to ask the
36 applicant for a couple of basic commitments.
37
38 Commissioner Brender said he was comfortable with that if the applicant is. It gives us
39 some kind of directionality that can be talked about. This goes back to the question of
40 high density versus what else could possibly be there. He said he lives a quarter mile
41 south of that area. We are in a position where we have a situation where there is
42 nothing in the way of commercial property that's going to fit in there. He had concerns
43 about whether or not you are going to get 81 units out onto Rinehart Road with a right
44 in/right out. When you throw in the kind of density and the kind of development a
45 commercial use would imply, there's no way. The only other possible choice is to go

1 with low density residential which means you are going to put in eight or ten homes. He
2 asked if that was a fair guess.

3
4 Mr. Noto said around that.

5
6 Commissioner Brender said considering the cost of the property he wasn't sure
7 anybody was going to be in the mood for that. This is one of those things where we are
8 stuck with high density but would like some guarantees attached to it to make sure that
9 it stays with what is being discussed here tonight.

10
11 Mr. Omana asked for a clarification on that agreement. He asked if that would be a 163
12 developer's agreement or a non-163 developer's agreement.

13
14 Ms. Reischmann said a non-163 developer's agreement. Just a very simple
15 commitment agreement.

16
17 David Evans of Evans Engineering, 719 Irma Avenue, Orlando, Florida 32803, came
18 forward on behalf of Mattamy Homes. He said with him tonight are some of the
19 developers and representatives. He said Mr. Dick Fess would like to have a couple of
20 words at the end of the presentation.

21
22 Mr. Evans said some of the things being discussed tonight are hitting home with him as
23 well. We have been working with the City over eight months on the proposed plan. The
24 land use portion of that is the first step in proposing a development on this piece of
25 property unless we want to do the restricted commercial or commercial application like it
26 already has. Knowing this process we have brought in site plans—specifically
27 townhomes—to the City since day one. That is what the developer does. They build
28 projects all over Orlando and it is kind of interesting. Typically what we and other
29 jurisdictions do is we don't always have a builder on board for the actual units when we
30 come to the city for a comp plan change. A developer will bring a piece of property and
31 change the land use and will go out and look for a builder and market the property and
32 try to come in with somebody. In this particular case the builder is who we are
33 employed by and they are the ones proposing the application. They build townhomes
34 and single family homes and is all they do. The Loch Low Lake in Sanford is a project
35 he did for them and those townhome units are almost identical to the ones we are
36 proposing there. We have brought elevations and site plans. We have worked with the
37 City on relief of the property. We have worked with stormwater management on Lake
38 Emma itself and we got some interesting ideas on how to deal with that. We had two
39 community meetings already on the proposed application. In a community meeting it
40 doesn't do much to take a land use change map like Mr. Noto brought up. It is more
41 applicable to bring a site plan and show them what you are doing so we did. Elevations,
42 sections and all the kinds of interesting things that we have already been planning on
43 the property so we are way down the road from a comp plan change with the PUD
44 application and we are ready for that any time. We are willing to commit to that and
45 that's what we are going to do tonight.

1 Mr. Evans said relative to the comp plan change, he thought the high density residential
2 designation here is a misnomer. High density residential in a lot of jurisdictions takes
3 you up to 20 or 30 units per acre. Apartments are generally developed greater than
4 nine units per acre. Townhomes are typically in the range of eight to ten units per acre.
5 The high density residential is a little bit different sounding in this particular format than
6 what we are actually proposing. We are proposing something comparable to all other
7 townhome projects in the vicinity like the one he mentioned down the street or in other
8 jurisdictions. It requires the high density residential designation in the City of Lake Mary
9 because that's how your split works. Medium density is six caps and high density would
10 be nine caps. We can't do six for the townhome project so we have to choose your high
11 density residential designation.

12
13 Mayor Meador said the City Attorney mentioned something that may give Commissioner
14 Brender some comfort. He asked Mr. Evans if he was in a position to speak for the
15 applicant in terms of what she had mentioned.

16
17 Mr. Evans said what he understood they are proposing is a separate agreement
18 because you can't condition a land use change that would codify an agreement
19 between the applicant or the type of development that will be proposed on this property
20 subject to a land use adoption hearing. That is something we can work on between
21 now and...

22
23 Mayor Meador said if then propositioned.

24
25 Mr. Evans said we can do that. If that suits the Commission then we are fine with that.
26 We are coming back with the PUD so we are going to have a PUD zoning application
27 before you adopt the comp plan.

28
29 Commissioner Miller said the discussion was about whether these are apartments or
30 condos.

31
32 Mr. Evans said neither. Fee simple single family attached homes. Each person owns
33 the unit. It's not a condo. There is going to be a HOA that maintains the property and
34 the grounds, but every single one of them is individually owned.

35
36 Commissioner Brender asked if we could get more specific on the townhome design.
37 He asked Mr. Evans if he would break out estimates for pricing, are they Georgetown
38 designs, 15 feet wide and 50 feet long. He asked Mr. Evans if he could be more
39 specific with that.

40
41 Mr. Evans said subject to the comp plan hearing that we are under he knew everyone
42 didn't want to hear all the specific details of a site plan or building. We have been
43 working with Mattamy Homes for many years. They are out of Canada and are the
44 largest builder in Canada. They are in eight states now and are growing and in the
45 United States as well so they are in Florida to stay. They do a very articulated beautiful
46 townhome. Their styles and designs are specific to the buyer so the buyer can choose

1 inside the unit itself how it will function—where the dining room is, where the living room
2 is, how the bedrooms work. Just like a custom home. It is a townhome that is custom.
3 Their units vary from 20 and on the ends close to 30 feet wide. The end units have a
4 side door that goes into the side of the building and the middle units go in from the front.
5 They have two and one-car garages depending on where they are in the units. The
6 garage or the balconies or the front porches are articulated in the building so they are
7 not flat faced. They have different elevations going in and out, different colors and
8 architectural treatments on the buildings. He thought Commissioner Brender would love
9 these units when he sees them.

10
11 Randy Smathers, 845 Anderson Lane, came forward and spoke in opposition. Tonight
12 was supposed to be about future land use and we kind of side barred into some other
13 stuff.

14
15 Mayor Mealor said we are discussing a policy decision and is why some of the
16 questions are germane.

17
18 Randy Smathers said he understood. He said he had lived on this road a long time. In
19 1998 we were approached by a developer like this who wanted to build commercial. He
20 had a big site plan done, came to the Commission, and it was approved that was going
21 to be a commercial development. They were going to put a health and wellness center
22 and a couple of other buildings on there. We as families had earnest money deposited,
23 sold under contract and allowed the zoning to be changed. We have lived with that C-1
24 zoning since that day. What it did was marry those two pieces of property together.
25 Since that day we have been led to believe that's the way these properties would be
26 addressed in the future. Now they changed the future land use of that piece of property
27 in the front to residential (shown in brown on the map). That is going to put a gold
28 colored island in the back that we are now going to be separated from. We will have
29 Anderson Lane which is a dirt road. It has some right-of-way issues but they seem to
30 be able to be resolved. It still creates a commercial enclave on Rinehart Road that does
31 not exist. He thanked Commissioners Miller and Lucarelli for noticing that right off the
32 bat and bringing that point forward. We are going to do something here that is not done
33 on Rinehart Road. That needs to be addressed. This project needs to take into
34 consideration that you are going to create a C-1 enclave of 13 acres. What are you
35 going to do with it then? How will you plan for the future of that?

36
37 Margarita Torres, 117 Pine Circle Drive, came forward and spoke in opposition. She
38 submitted a statement to the City Attorney (attached). Mayor and City Commission, I
39 submit to you that this recommendation before you tonight be rejected and amended
40 and brought back to you. The reason being is that the applicant shown which is
41 requesting the change to Lake Mary's Comprehensive Plan is Mattamy Homes. Its
42 president signed the application, which is Exhibit A, and Mattamy Homes is the potential
43 buyer of the subject property and not the vested owner of this subject property this
44 evening. According to the application, the owner is FBA Land Holdings, LLC. Even this
45 information is incomplete. The owner of record with the Seminole County Appraiser is
46 FBA Land Holdings, LLC in care of Metropolitan Creditors Trust. According to Dick

1 Fess during the Planning & Zoning Board meeting of October 14, 2014, Elevation
2 Development is the owner of this property. That is on Page 20, Lines 17, 18, 28 and 29
3 and is Exhibit B. Does anyone know who the real owner of this property is? How can
4 such an important process be implemented in such a cavalier manner?
5

6 Ms. Torres said as for Mattamy, a non-owner of the subject Lake Mary property, a non-
7 taxpaying entity, it does not have standing to request changes on something as critical
8 as Lake Mary's Comprehensive Plan or a land use amendment on property it doesn't
9 even own. Why are Lake Mary taxpayers subsidizing this non-taxpaying entity's
10 application and the city services it calls upon like this Commission? Mattamy is
11 proposing land use changes that will negatively affect the property owners and
12 taxpayers who subsidize this adventure simply to line Mattamy's pockets. Do we get
13 some of the \$1,500 application fee for our time? In the quote that follows, even
14 Chairman Hawkins emphasized the primacy of the landowner in this process.
15 Chairman Hawkins said "they are the landowners and as landowners they have rights to
16 develop their land according to the ordinances in the State of Florida, City of Lake Mary
17 and the County of Seminole." That is Page 20, Lines 1 to 3 on Exhibit B.
18

19 Ms. Torres asked if she could similarly apply for the subject property and the Smathers
20 property to change back to A-1 Residential. I think not. At least I am a taxpayer. I
21 requested the current recommendation be rejected upon this fatal inaccuracy of
22 ownership of the subject land. Naturally the vested current owner may make a new
23 application, start the process over by fulfilling the necessary due diligence, and bring it
24 back before the Planning & Zoning Board and then the Commission for review.
25

26 Ms. Torres said lastly she would like to point out that the timing of this meeting during
27 the peak of the holiday season limits public participation. As a result I would suggest
28 the Commission not construe anyone's absence as approval of this project. Thank you
29 very much.
30

31 Jeff Lemon, 116 Pine Circle Drive, came forward and spoke in opposition. He said he
32 had lived here since 1997. He thanked the Commission for their time. At the P&Z
33 meeting there were specific parameters as to what we could address—setbacks,
34 elevations, PUDs.
35

36 Mayor Mealar said that is not part of the discussion this evening. Not part of the
37 decision-making process.
38

39 Mr. Lemon said last time he had to stay within the parameters of land use compatibility.
40

41 Mayor Mealar said in fairness to you we know the sensitivity of this issue. You have
42 heard the questioning of the Commission and the direction from the City Attorney. We
43 are very sensitive to the long-term implications. Technically that is beyond the
44 boundaries but if we are talking about a true public policy decision making process then
45 those types of things are probably fairer than some of the standards.
46

1 Mr. Lemon said he would stick with land use and compatibility only. The
2 recommendation before you tonight must be rejected because if one fails to address
3 compatibility directly with us the neighbors or the comprehensive plan. There is nothing
4 within the memorandum itself that addresses those specifically. It talks about drainage,
5 traffic, schools, and everything but the words compatibility nor the words comprehensive
6 plan come into play in the actual memorandum and that's all we have to go on. In
7 addition to that he suggested it relies on some non-transparent, non-conforming
8 definitions that are confusing and don't lend to a solid legal document.

9
10 Mr. Lemon said he would address compatibility first as that is within our scope as it
11 pertains to land use and zoning. While high density residential and low density
12 residential abutments exist in Lake Mary, there are none which co-exist lakeside to this
13 degree on Lake Emma. There is no comparable precedent for compatibility to this high
14 density/low density relationship. We are brought together by a common asset, the lake.
15 Lake Emma Townhomes is the precedent and tonight is the time to consider that
16 precedent and its compatibility.

17
18 Mr. Lemon said he looked through the Lake Mary City Code and Comprehensive Plan
19 and could not find a definition for compatibility but he was just a layman. He jumped on
20 the Internet and went to Florida State Statutes and Florida State Statute 163.164(9)
21 known as the Community Planning Act defines compatibility and he quoted:
22 "Compatibility means a condition in which land uses or conditions can co-exist in
23 relative proximity to each other in a stable fashion over time such that no use or
24 condition is unduly negatively impacted directly or indirectly by another use or
25 condition." He said "in a stable fashion over time" are the words he wanted to refer to.

26
27 Mr. Lemon showed Lake Emma via Google Earth as of January 2014. It is struggling
28 after a dry winter. Let's overlay the project as the builder presented to the homeowners.
29 The footprint dominates the ecosystem. The good news is after plenty of rain Lake
30 Emma looks pretty great today. This makes clear that these two uses—at the bottom
31 low density residential and at the top high density residential—cannot co-exist in a
32 stable fashion over time. The development in high density uses must by law retain ten
33 acres of rainfall. This sensitive lake will thus be destabilized and deprived of its source.
34 Over time and with any deprivation whatsoever you can see the difference. He showed
35 a shot on the overhead of when the lake was dry and when it is filled up. The shot filled
36 up was taken this morning. With any deprivation the current lakeside homeowners on
37 Lake Emma will see their assets literally evaporate, un-replenished creating the direct
38 undue negative impacts of declining property values and encroachment on their
39 pleasure that other water rights provide for. Therefore, according to the Florida State
40 Statutes the two uses of high density residential and low density residential are
41 incompatible—not generally as Mr. Noto alludes in his documents but in this case. This
42 recommendation must be rejected. By the way, drainage does not address water
43 retention and refreshment.

44
45 Mr. Lemon said he thought the City agrees with the state's intent. Chapter 154.12 of
46 the Lake Mary City Code which quotes "shall apply to all lakefront property" seeks along

1 with our Commission and through its consequences to ensure that all lakefront
2 residents contribute to our common asset. We have community support on this protest.
3 Please accept our petition. He submitted to the City Attorney the petition (attached).

4
5 Mr. Lemon said at the October 14th P&Z meeting, Mr. Noto said HDR is not compatible
6 with C-1 zoning or with Office PO. He alluded to that tonight relying instead on looking
7 at the PUD. He believed Mr. Miller asked about the importance of the decision tonight
8 as opposed to deferring it downstream to the PUD coming back and considering the
9 vote tonight as a standalone. Since we are not allowed to consider the PUD tonight, we
10 are not allowed to consider setbacks, elevations or anything of that nature then what we
11 are stuck with is this compatible or is it not. According to the comprehensive plan, as of
12 tonight high density residential is not compatible with Commercial Office and would
13 state that based on the specific situation and state statutes that these two uses LDR
14 and HDR are not in this case compatible. Long ago the Commission itself when
15 approving the current Office zoning recognized this incompatibility and the unfavorable
16 nature of high density residential. He stated he would have to quote Commissioner
17 Brender who said: "We have done you a favor by zoning this commercial. At least it is
18 not high density residential".

19
20 Mr. Lemon said regarding transparency, under proposed land use in the memorandum
21 (he submitted to the City Attorney and is attached), the recommendation references "the
22 construction of attached single family homes". This is not transparent. It is word salad.
23 It is inconsistent with the comprehensive plan and Chapter 154.09 of the City Code,
24 neither of which contains a dwelling definition for "attached single family" nor does it
25 exist as a descriptor anywhere in the code. The recommendation gives neither the
26 Planning & Zoning Board a couple of months ago and the City Commission and us
27 tonight a lawful criterion to deliberate upon. It's like our transparency further requires
28 rejection of the recommendation. Failing rejection he would call upon the Commission
29 for transparency sake to require that all entries of attached single family homes be
30 struck from the recommendation and all its associated documents and replace with any
31 code compliant dwelling definition that we already have such as dwelling single family,
32 dwelling multi-family, dwelling multiple dwelling use, or dwelling two family or duplex,
33 and have the revised recommendation brought back before you at a future date to
34 ensure consistency with code. He thanked the Commission for their time.

35
36 Judy Lynch, 110 Pine Circle Drive, came forward and spoke in opposition. She said
37 she was a native Floridian and was born and raised here. She has been a realtor for
38 more than 13 years. At the time when she was looking for a home in and around Lake
39 Mary, she found a short sale, little Florida house built in 1954 and that is on this lake.
40 She drove around, drove down the private dirt road on Anderson and looked at the
41 zoning. What she found was she could live with what the zoning is because she liked
42 Lake Mary and liked what has been done with Lake Mary and like that you care about
43 the trees, the land, the shrubs and everything that goes into that. Being a realtor she is
44 not totally anti-growth. She sells condos, townhomes, and single-family residences.
45 When she hears the words townhome or condo that means to her rental property

1 because when most people who buy under \$250,000, unless there is some kind of
2 restrictions in the HOA, they turn them and make them rental properties.

3
4 Ms. Lynch said this is a beautiful project and didn't doubt that the builder does quality
5 work. She just thinks it is the wrong project for this land use. She didn't know how
6 many of the Commission goes up and down Rinehart Road at rush hour. We on Pine
7 Circle Drive have to make a U-turn at Crystal Lake Elementary. Thankfully her job is
8 the other direction in the morning and it's all backed up. Eighty-some units times two
9 cars is 160. Her circle has 13 houses and we have a little drive out in and out and you
10 still take your life in your hands. You are not talking about lights or any of that stuff yet
11 nor are you talking about how much and how close to our lake. She has lived there 2-
12 1/2 years and on the lake the water now is high. The lake level is up 20 to 25 feet.
13 These are all things you guys have to consider down the road. The land use is not what
14 you guys need right here. Maybe another project in Lake Mary but the words high
15 density are very scary to her. This is the house she wants to live in, wants to retire in,
16 and doesn't want to look at condos or something else that could happen if you change
17 the zoning. She asked the Commission to consider that.

18
19 Tim Kazee, 112 Pine Circle Drive, came forward and spoke in opposition. He stated he
20 lived with his wife and two children (two months old and a two year old). He thanked
21 the Commission for the community they live in. It is great. He has been here a few
22 years and it is beautiful and a nationally recognized community and understood how
23 much time, effort, and intelligent decision making goes into that.

24
25 Mr. Kazee said this is a difficult discussion for him to have. He is a lawyer but finds
26 himself in uncharted territory dealing with this and have a new-found appreciation for
27 what it is that you all do. It is difficult because of how drastically he perceives this as
28 affecting him and his family. We are lakefront and have rights he thought would be
29 affected by a project that comes in. He starts off his mornings either running on his
30 treadmill overlooking the lake which would now be a project, or trying to cross the street
31 at 6:00 or 6:30 in the morning to get on the other side of Rinehart to enjoy the new
32 paved path. Even at that hour of the day he has a difficult time getting across to run.

33
34 Mr. Kazee said he was a lawyer but didn't understand all of this. He looked at what this
35 was being rezoned as a Planned Unit Development. As he looked at Lake Mary Code
36 Section 154.61 it says the purpose of this district is as follows and Item No. 1 says to
37 provide for planned residential communities containing a variety of residential structures
38 and a diversity of building arrangements with complimentary and compatible
39 commercial or industrial uses or both. The plan that was up there previously is anything
40 but a variety of residential structures and a diversity of building arrangements. It is about
41 as cookie cutter as you can get. It is done intentionally and it makes sense to have as
42 much density as you can. That is what high density residential is about. If we are
43 looking at the definition, he asked about three or four weeks ago that this be reviewed
44 by the City Attorney for comment. Maybe it was done; he didn't know but if it's not then
45 he wondered why it wasn't. To echo what Ms. Torres said, standing which he fully
46 agreed with and would also raise that issue. Do you have discretion?

1
2 Mayor Meador said it is semantics. Variety is just that. This is one type presented. The
3 term variety doesn't mean that you are going to have a variety within a given activity or
4 plan. He said he got what Mr. Kazez was saying but thought that was a stretch there.
5 In terms of this type of project, the term variety is relevant. In terms of what you are
6 seeking is not in keeping.

7
8 Mr. Kazez said he appreciated the back and forth and thought this is what it should be
9 about but do respectfully disagree. He thought a variety of residential structures and a
10 diversity of building arrangements is just that. Having it blocked out like that is not a
11 variety of residential structures and a diversity of building arrangements. For the record
12 he cited 1000 Friends of Florida, Inc. versus Palm Beach County. That is a Fourth
13 District Court of Appeals decision from 2011. In that decision they were looking at how
14 to interpret a comprehensive plan and it said the courts apply the same rules of
15 construction to a comprehensive plan that they would apply to other statutes. The court
16 went on to discuss as a fundamental rule of statutory interpretation courts should avoid
17 readings that would render part of a statute meaningless. Applying that same logic to
18 this it would render this meaningless to say a PUD is to provide for a variety of
19 residential structures and a diversity of building arrangements and then allow this
20 project. He thought that would be the stretch in calling this a PUD.

21
22 Mr. Kazez touched on the traffic issue. As others have pointed out, it is concerning him
23 and tried to cross that road in the morning. He tried to get home in the evening and
24 have been stuck at that light at Lake Mary Boulevard and Rinehart Road trying to make
25 that left-hand turn. You wait a long time. He was later tonight than he anticipated just
26 trying to turn right out of his house. Nothing could be more incompatible than putting
27 high density residential directly in an elementary school zone. That is what you are
28 being asked to do. In terms of health, safety and welfare, you have kids during peak
29 rush hour, if you put this community in people leaving and coming presumably during
30 school hours where you have busloads of kids that are trying to get into the school or
31 his kids if they go to school there trying to cross the street to get to school. He asked if
32 he would then have to drive them and add to the traffic that is already there. It was his
33 understanding there had been a traffic study done but not submitted for the
34 Commission's consideration. Why is that? It seems odd. He understood it may not be
35 appropriate for this phase and is not required at this phase but if it is done isn't that the
36 kind of information that you would want before you make a decision about compatibility.
37 In this case he would submit it is required because the applicant bears the burden to
38 prove that this is compatible and hasn't seen it at this point. He thanked the
39 Commission for their time, hearing him out, and for their patience.

40
41 Debbie Robison, 100 Smathers Lane, came forward and spoke in opposition. She said
42 her head was spinning with the comments here and there. She thanked Commissioner
43 Miller for coming out. She said she was the first house on the road and would be
44 looking directly at a two to three-story townhome, fee simple. Who cares what it is
45 called. It is a massive structure right out my front window. She would much rather look
46 at what she is looking at now which is the backside of the commercial buildings in

1 Primera. It is constantly mowed, one and two stories, they go home in the evenings and
2 are not there on the weekends. In reference to you taking our perspective and saying
3 this could be a positive for us I think is a big negative. We have seen the conceptual
4 plans and they are as cookie cutter as you can get. There is nothing special about
5 them. They are not your 1980's condo because in 1980 we charged \$80,000 for
6 condos. We didn't charge \$200,000 for condos like you do now or fee simple
7 townhomes. It is the typical project. You drive in, you got this and that, two to three
8 story buildings, people parking on the streets, and you have a high density amount of
9 people in a concentrated amount of land. There is nothing special about this conceptual
10 plan. You could pick it up and put it in any city that you wanted to. It is very cookie
11 cutter.

12
13 Ms. Robison said getting back to the comp plan it is interesting that the City would move
14 forward creating an enclave on the future land use of this particular area that is going to
15 be isolated—the 15 acres that's left back there. What is the City going to do about that?
16 We want to talk about the future, we want to talk about future planning. What is the City
17 going to do with that? Somebody mentioned if the front piece went single family
18 because that is an alternative to be more consistent, the going price they are paying is
19 about \$200,000 an acre and people will buy the land for that price to put a single family
20 house on this particular land because of the zip code. They will pay that kind of price
21 for a single family house here. Even if you decide the high density is not right,
22 commercial is not right, you're thinking nobody will pay that for single family residential
23 because they will pay that kind of price for land in the zip code and then build a single
24 family house on it. My thing is it is inconsistent, it creates huge problems that you guys
25 are going to have to deal with in the future, the enclave, and what are you going to do
26 with that.

27
28 Mayor Mealor said when you hear the chime go off normally we limit the public hearing
29 section to a certain time. We are waiving that this evening because of the history of this
30 particular project.

31
32 Suzanne Lemon, 116 Pine Circle Drive, came forward and spoke in opposition.
33 She said she had been jotting some notes down. Commissioner Brender said tonight
34 that LDR is desirable but that property prices were prohibitive so what we have is all we
35 have. She said LDR can work here. Look at all the mansions lining Lake Mary
36 Boulevard. That can happen here too. She opposed this rezoning because it will jam
37 into our lake and it won't be good for our property values.

38
39 Dick Fess, 106 Pine Circle Drive, came forward and spoke in favor. He said his house
40 is on the curve about the fifth lot in. This is not a lake. It is a big retention pond. They
41 closed the last spring when they built Primera. It is a lake when there is a lot of rain.
42 This is not going to hurt the lake; however, we are not talking about that problem now.
43 We are talking about zoning. There is already high density residential in the
44 neighborhood and there is high density residential on the lake. He built the nursing
45 home on Sun Drive that's high density residential. There is high density residential at
46 Feather Edge. You've got the Forest that is high density. You've got the apartments

1 across the street that are high density. You've got Timacuan. Behind Publix is high
2 density residential. I defy anyone saying that is a cookie cutter through presentations we
3 have had. Staff said high density residential is the transitional zoning between single-
4 family residential to commercial. If this were commercial and would remain that you talk
5 about traffic. Maybe the tax collector would like to move there and then see what
6 you've got on Rinehart Road. This is a down zoning. It lessens the burden on the City
7 services and quality of life and tax benefit. Fee simple, two story. We are going to work
8 on a product that may have a third story but that's down the road.

9
10 Mr. Fess said the owner is MetLife. It is under contract to Elevation Development.
11 Elevation Development works with Mettamy Homes. They are taking it. They are
12 taking it based on if they can get the right zoning. It is a standard transaction and
13 counselor could tell everybody that's standard in what it is. They will stipulate to the
14 non-163 development and will stipulate that any conveyance to anyone else will have
15 that stipulation in it. Nobody is going to get out of anything. He said living on the lake
16 he didn't want commercial or more office on that. He liked the HDR. Nobody is
17 guaranteeing the view. You can't tell people that they can't develop their property.
18 Everybody has rights. This is the process. We are going through the process. He
19 thought it was a great transition from Primera to the office that is going to be on the front
20 back to the residential again because there is a 1-1/2 acre lot there at the stoplight that
21 goes into the school that is still office. You go from single family to office, the high
22 density to commercial/restricted commercial. It is a great transition and the way to have
23 it. He agreed with staff's presentation on it and agreed with their recommendation. He
24 has lived on that street 15 years and has lived in Lake Mary more than that. He has sat
25 there (on the Commission) and knew it was not an easy decision. He thanked the
26 Commission for their consideration.

27
28 Roger Smathers, 835 Anderson Lane, came forward and spoke in opposition. He
29 disagreed with what Mr. Fess had to say. The lake itself, which is basically a retention
30 pond because the lake was killed years ago, could be a natural buffer. If you put the
31 residential on that side of the lake where they want to propose to put it then you've got
32 that enclave and you've got to deal with that somehow. How are you going to deal with
33 that? They had a developer agreement for the last guy that was going to develop that
34 whole piece of property. What happened to that? Who is to say this next agreement
35 won't turn out the same way. We all know how that happens. To create the enclave
36 and to create the traffic coming out on Rinehart Road. If Commissioner Miller came out
37 there when the school was letting in and out it's a nightmare. He could not see how you
38 are going to dump that many people out into a school zone twice a day unless they
39 want to put into the developer's agreement that anybody that buys a townhome in there
40 can only go south on Rinehart. Maybe they can include that because they are going to
41 have to try to turn around in the school zone, cross three lanes of traffic, get in line, turn
42 around and then go the other way. They are all going to be piling down on Rinehart and
43 Lake Mary Boulevard with everybody on Pine Circle Drive, Feather Edge, and
44 everybody else. Now you are creating a bottleneck beyond belief down there to try to
45 turn it around. It's just going to be ugly.

1 Roger Smathers said I would rather look at Primera than townhomes. After living out
2 there since I built my house a long time ago I would rather you put commercial offices
3 on that front piece of property and leave me alone back there. I would much rather see
4 that there. They are much better neighbors. They are gone at night, it is quiet and is
5 like being out in the country like Lake Mary used to be on weekends and nights. It is
6 absolutely beautiful. That is all going to change if you put that up front. With the
7 enclave, the traffic, and Anderson Lane, that whole agreement last time when that guy
8 was going to develop it, so many people ended up with property on that Anderson. I
9 don't know how many people can own a right-of-way. There are so many and come to
10 find out the City actually owns some of it so maybe it should be paved. If you are going
11 to allow them to create an enclave then the City needs to seriously look at taking over
12 Anderson Lane. Do what you have to do to take it over. I know eminent domain is a
13 nasty word but that's how we got the piece of property we are standing on. It will be a
14 useless piece of property, nobody lives there, and it's actually worthless other than a
15 road so why don't we make it a true road. That is going to solve the issue of the
16 enclave. If you are insisting on putting that part up front then you need to fix Anderson
17 Lane so the back piece can be usable. It creates way too many issues. We have
18 always lived under the assumption that the front piece and back piece was all going to
19 go together. Primera, more offices, the lake is a natural buffer to the people on Pine
20 Circle Drive. It would be a more natural fit than whatever we are going to be. High
21 density residential or low density residential is just too crazy. It makes no sense. He
22 stated he was opposed to it.

23
24 Vicki Hamilton, 110 Pine Circle Drive, came forward and spoke in opposition. She said
25 she wanted to go on record as supporting her neighbors and not being for the high
26 density residential. She said she was curious and asked if anyone on the Commission
27 lived on a lake.

28
29 Mayor Meador answered affirmatively.

30
31 Ms. Hamilton said we feel we would be giving up the retention pond. The reason she
32 moved there was to be on that retention pond but we call it lake. She hoped the
33 Commission would support their side of this issue.

34
35 Jeff Lemon, 116 Pine Circle Drive, returned to the podium. He said he wanted to
36 correct Mr. Fess. We do live on a lake. A lake is defined by City ordinance in 154.09.
37 If anyone has water that is over two acres and has water in it year round. Our lake has
38 drawn down to a few gallons in a five-year drought but it has always had water in it. So
39 it is not a retention pond legally. It is a lake so let's learn our code.

40
41 No one else came forward and the public hearing was closed.

42
43 Mayor Meador thanked everyone for the manner in which the information was presented.
44 We know there has been a history of this area.

45

1 Deputy Mayor Duryea asked how our ordinances relating to lakefront property affect this
2 particular property.

3
4 Ms. Reischmann said Commissioner Duryea asked how the code provisions regarding
5 lakefront property affect this decision. As was noted by staff when you make a land use
6 decision you are to make it based on your comprehensive plan policies rather than your
7 land development code so you don't truly get to your land code. You keep a focus on
8 more general policy issues like what do you think about the traffic in this area generally,
9 what do you think about what you would like to see ten years down the road for this
10 area generally, and the ways you want to keep your lakes improving but not anything
11 specific that's required under the land development code.

12
13 Commissioner Miller said he wanted to clarify something he said earlier when he talked
14 about high density residential being the better zoning for that area. My perspective was
15 based on people living there and homes not based on the fact that it was zoned
16 commercial. My comment was if you are going to live here adjacent to something, you
17 are probably better off with living with high density residential than you would be with
18 that converting to commercial and that was a lower land use than what was there
19 before.

20
21 Commissioner Miller said in listening to the comments, one of the questions he had was
22 on ownership and thought Mr. Fess addressed that. He asked the City Attorney if she
23 was satisfied with that.

24
25 Ms. Reischmann said that is a very typical arrangement that the contract purchaser has
26 the owner's agency to apply. She was assuming that staff was satisfied with the agency
27 document.

28
29 Commissioner Miller said the other point he had was one of compatibility. If we convert
30 this to HDR then everything else in the enclave is C-1 so we have just created
31 something that may not be compatible. He asked if he was reading that right or not.

32
33 Mayor Mealor asked Mr. Omana to address Commissioner Miller's concern.

34
35 Mr. Omana said the property to the west has a restricted commercial land use
36 designation as opposed to a zoning district designation. If the item before you is
37 subsequently approved then you would have the issue of the high density residential
38 adjacent to the restricted commercial which then triggers a number of issues within our
39 land development code to address the compatibility issue. As to the issue of the
40 enclave, when the project first came in that was one of the questions he had. He asked
41 at that time if this encompassed the whole thing. The reason he asked that question
42 was 14 years ago three boxes were plopped on his desk when he came back to the City
43 and was asked to figure this out because there were a lot of different players at the
44 time. In his review of the documents, agreements, and site plans that expired there was
45 no evidence of unity of title or control tying it all together. So in my asking the question
46 what does the petition before you this evening involve and when told it involves the area

1 outlined in yellow one of my concerns was the area in the back—how was that
2 potentially going to be serviced, what are the implications from a land use standpoint,
3 what are the implications with respect to access. One of the things I wanted to make
4 sure was that it was not landlocked. In this particular case it is not landlocked.

5
6 Mr. Omana said with respect to comprehensive plan issues on unity of title, we have no
7 mandates that say if you are leaving something behind like this one you are then
8 mandated to put it all together. We don't have such language in our comprehensive
9 plan and that could lead to a constitutional issue and we're not getting into that.

10
11 Mr. Omana said bottom line that question was asked when the petition came in as to
12 what could potentially happen in the back. He said he didn't have a crystal ball but
13 somebody could come in with a comp plan amendment for a variety of uses. That's for
14 the market to dictate.

15
16 Commissioner Miller said that didn't sound like an answer. The land use now looks
17 compatible. When we do this it looks incompatible. He thought what Mr. Omana was
18 saying was somebody else will come in and buy the other land and will change that land
19 use. He asked Mr. Omana if that was what he just said.

20
21 Mr. Omana answered affirmatively. It would be market conditions that would dictate.
22 He said he was just giving a little case history on the project.

23
24 Deputy Mayor Duryea said this particular property has two future land uses.

25
26 Mr. Omana said that was correct.

27
28 Deputy Mayor Duryea asked if we were looking at changing both the office and
29 restricted commercial or just the restricted commercial.

30
31 Mr. Omana said we are looking at changing both of them.

32
33 Deputy Mayor Duryea said they could conceivably be residences on Rinehart Road or
34 backed up to or whatever.

35
36 Mr. Omana answered affirmatively.

37
38 Deputy Mayor Duryea said he knew this was not applied for but asked if it was possible
39 to put this on medium density residential.

40
41 Mr. Omana said anything is possible. Let's say you went to medium density residential.
42 The dictating factor would be if I am a developer and given the buildable acreage there
43 is that going to be enough to yield me something that will make me money and meet my
44 bottom line.

1 Deputy Mayor Duryea said that was not his concern at this point. It's not our place to
2 ensure profitability; it is to ensure compatibility and what's good for the City in general.
3 He thought the potential for restricted commercial was a whole lot more dangerous than
4 having a residential designation. How that fits in with this and the fact there is a lake
5 there, the setbacks and all of that is going to be another boondoggle.
6

7 Commissioner Brender said we are talking policy. The Smathers property is owned by
8 the Smathers family and didn't think they are going anywhere any time soon. Obviously
9 any kind of purchase of that property in however many years out and recognizing that
10 everything is for sale and you are just trying to figure out the price, what would we do
11 with that. Once we make this high density do we come in ten or 20 years from now and
12 say since high density is next door and that was built 20 years ago we are going to do
13 high density there now. If we develop this as high density I don't see any way that area
14 could possibly go commercial because it is half a mile off of Rinehart Road and who is
15 going to drive in there to get to it. He asked what else could go there.
16

17 Mr. Omana said he thought that was a reasonable assessment. In terms of the
18 commercial you could always put office. Whether somebody wants to be way in the
19 back with office is not a decision for me to make.
20

21 Commissioner Brender asked if there was a possibility of bringing office in from
22 Primera.
23

24 Mr. Omana said that would involve potentially the amendment to the DRI and
25 amendment to the PUD.
26

27 Commissioner Lucarelli asked if Anderson Lane was private.
28

29 Mr. Omana said part of the research that has been done and presented to us is that we
30 own approximately 25 feet of it. The other 25 feet is owned by numerous individuals
31 and entities.
32

33 Commissioner Brender said so it is a 50-foot right-of-way.
34

35 Mr. Omana said it was a 50-foot right-of-way.
36

37 Commissioner Lucarelli said her concern regarding the enclave issue if we are going to
38 allow a high density townhome community then that needs to become a paved road all
39 the way back to their homes whether it be ending in a cul-de-sac or whatever. It is kind
40 of complicated back there and was looking at it on Google Earth. She was concerned
41 with negatively affecting their property value. Commercial usually yields a higher value
42 and was not sure how that compares with high density. Somebody is going to have to
43 come in and assemble those properties and buy all those properties if they wanted to
44 put high density back there. She was not saying that's not possible but it's harder and
45 more complicated, and the same thing with commercial. They would all be having to
46 sell their homes all at the same time for someone to come in or else if they got a big

1 chunk it could be one office at a time. It's just kind of weird. She stated concern of
2 negatively impacting their property values considering the current land use, future use.
3 She thought if we are going to allow something like that to require they do roadway
4 improvements and thought that should be taken back to them.

5
6 Commissioner Brender said they are not accessing off of Anderson Lane.

7
8 Mr. Omana said that is correct.

9
10 Commissioner Brender said this development is backing up to it but is not touching.

11
12 Mayor Mealar said the first gentleman to speak was Randy Smathers who just retired
13 from 34 years in public safety and thanked him for that.

14
15 Mayor Mealar asked the spokesperson for the Smathers family to come forward. This
16 issue is before us right now. It is two parcels. We have a request before us. The City
17 is looking at Rinehart in terms of an enterprise zoned for economic development. We
18 have the north end anchored by Florida Hospital. We have a lot of opportunities and a
19 lot of interest being generated in that quadrant. The very first question he had for staff
20 is what are you going to do with the property to the west once this is done. The last
21 thing we want to see is another HDR coming in here which would be compatible if this
22 transmittal request is forwarded. He said he wasn't asking Mr. Smathers to speak for all
23 the family but ideally what would the Smathers family like to see in terms of future land
24 use for your property.

25
26 Randy Smathers came forward. He said we have had this discussion many times and
27 we have not opposed any development. I am the last property on Anderson Lane. I
28 wish I had paid more attention to the expanding of the Live Oak Animal Hospital
29 because now it has some kind of pet thing going on there that is very noisy but we are
30 dealing with it. We don't oppose development. We understand development is coming.
31 We have not opposed over the years to all the development around us. His
32 grandparents used to own most of the red square that you see (on the exhibit) on
33 Primera Boulevard. We understood this.

34
35 Randy Smathers said what we want is a very simple thing. We have sold our properties
36 three times, written contracts and thrown this money in the bank. What has happened
37 after that was not of our doings. The developers walked. That is our biggest concern
38 right now. We would go under contract right now for HDR or commercial as long as it is
39 fair market value in price. We have been offered so far 25 to 30 cents on the dollar and
40 that is not comprehensible. He said he had a beautiful home and welcomed anyone at
41 any time. The developers have been to his home. It is 3,000 S.F. under roof, 2,000
42 S.F. under air, granite countertops and he loved his Lake Mary lifestyle. He just retired
43 from the fire department and wanted to live in Lake Mary a long time. He walks his
44 grandkids to school every morning. Ya'll have brought a great community to me and
45 why would I want to leave. If I do want to leave I want to be able to go somewhere else
46 in the City of Lake Mary and replace what we've got. We all share the same feelings.

1 We want to live in the City and we are not opposed to development of any kind. We just
2 want to replace what we have as like as we can. It is a very simple thing. Those values
3 are not there. We feel that moving it to this high density residential and splitting these
4 two parcels will completely destroy the land values of those properties. A bigger project
5 put on there to encompass all 34 acres that would be about 24 buildable would be
6 better suited. They could bring in some different structure of homes and a better quality
7 of home. It would give them more lakeside homes to sell. There is a better project that
8 could go on the property and it would be all inclusive and all the City of Lake Mary
9 would win. We wouldn't win, we would just replace because what we have we can only
10 replace. We would never replace that lifestyle. It's a little piece of paradise.

11
12 Mr. Smathers said there is a little misconception. Anderson Lane is not part of the
13 project. Anderson Lane has 25 feet, two 12-foot strips that were deeded to the City, a
14 25-foot strip that is in dispute now that actually belongs to a landowner that bought that
15 first product to walk on back in 2000. He kept that 25-foot strip. The other 25-foot strip
16 that goes from the last property out to Anderson is the one in dispute and is just going to
17 be left as a 25-foot island that no one is going to build on because they can't find title to
18 it or it is broken up to 10, 12 or 15 property owners. There is actually a 75-foot roadway
19 so it will take some energy to make that into a road but it can be done and we would
20 support that too.

21
22 Commissioner Miller said his interpretation of what Mr. Smathers said was keep
23 everything the way it is and wait for someone to come in and buy all 34 acres and
24 develop it that way. He asked if that was what he heard him say.

25
26 Mayor Mealor said he did.

27
28 Commissioner Miller said that is not one of the options we have.

29
30 Mayor Mealor said in our economic development package the City is undertaking how
31 we maximize the investment and the land that we have in this community and at the
32 same time maintain the standards. If this transmittal is submitted, there is one thing that
33 will not happen and believed Chairman Hawkins emphasized it on several occasions.
34 The Lake is not going to be jeopardized. There are setbacks and protection standards
35 in place. While they are looking at the potential of eight units per acre it may be less
36 when you look at setbacks and other things. We have a request for a transmittal
37 submission to change to HDR. In terms of what we are going to be in a community and
38 how we are going to market the Rinehart Road corridor, the only thing he would ask is
39 what is it that we want this area to look like in ten years and we're working backwards.

40
41 Commissioner Brender said he was undecided. He is a resident of that area in Feather
42 Edge II. He understood fully what Mr. Lemon and Mr. Kazee were saying. He has to
43 deal with exactly what they deal with. We come out on the same place but they could at
44 least make a U-turn at Crystal Lake and he has to go to Lake Mary Boulevard. He
45 understood those problems. Don't let the term scare you to death because there are
46 high density residential units that are 50 units per acre. That is high density. You can

1 go to Sanford and look at 25, 30 and 35 units per acre. We are talking eight or nine. In
2 the end high density residential is a far less use than any kind of commercial that you
3 could put in there. It is fair less of a traffic generator than any kind of commercial that
4 would go in there. He would usually support any kind of down zoning. This is a down
5 zoning but at the same time we do have some serious traffic problems. Right now
6 making a U-turn at Lake Mary Boulevard does take a while. It usually takes two traffic
7 lights. There is no way you are going to do it at Crystal Lake Elementary, especially in
8 the morning and at 2 or 3 in the afternoon. He had serious concerns about the traffic
9 but that isn't up for discussion at this time. That will be up for discussion next time. If
10 we put a 34-acre commercial property in there he would not imagine what a right in/right
11 out only on Anderson Lane is going to look like. We're probably not going to put a light
12 there because it is so close to Primera Boulevard. If we do commercial, if we do any
13 kind of higher density commercial or if we do office, it is going to generate more cars,
14 more traffic than high density residential is going to bring. He said he was admitting his
15 quandary.

16
17 Mayor Mealor said there is a request for a transmittal to the Department of Economic
18 Opportunity for the proposed future land use amendments to the City of Lake Mary
19 Comprehensive Plan from Office and Restricted Commercial to High Density
20 Residential.

21
22 Commissioner Miller said he initially expressed some surprise that we had an urgent
23 need to do this and that it was expedited. A lot of discussion has taken place tonight.
24 He said he didn't have a good decision in his mind about what they should do about
25 this. It would not trouble him to table this for a future meeting.

26
27 **Motion was made by Commissioner Miller to table this item to a future meeting.**

28
29 Commissioner Brender said as a point of order we need a motion to postpone and not
30 table. Table it would be brought up again tonight. Postpone would be to another night.

31
32 Mayor Mealor said he knew what Commissioner Miller was doing and knew how they
33 were struggling with this. What we are going to do it just put off the inevitable and we
34 are going to come back in here and hear the same concerns. He thought they had
35 been articulated beautifully in the P&Z minutes and thought they had been articulated
36 beautifully this evening. We owe it to both the applicant and the residents to make a
37 decision on this item.

38
39 Deputy Mayor Duryea said he would be in favor of residential zoning but medium
40 density.

41
42 Mayor Mealor said that is not the request. He asked Deputy Mayor Duryea if he was
43 denying the transmittal. He asked if he was not supporting the transmittal request.

44
45 Deputy Mayor Duryea answered affirmatively.

46

1 Mayor Mealor said we understand Commissioner Miller's comments and he understood
2 Deputy Mayor Duryea's comments. We have Ordinance No. 1522 before us to submit.

3
4 **Motion dies due to lack of a second.**

5
6 Mayor Mealor asked the pleasure of the board on this request for a transmittal to the
7 Department of Economic Opportunity.

8
9 Deputy Mayor Duryea said if this proposal is voted out, he asked if there was any
10 statutory limit to it coming back before us.

11
12 Ms. Reischmann answered negatively. She and Mr. Omana discussed that and it would
13 only apply to zoning and not to land use.

14
15 Mayor Mealor said if this transmittal request is not approved, he recommended the next
16 time this comes before us the entire parcel be considered based on the comments we
17 have had so that an enclave is not created.

18
19 **Motion was made by Deputy Mayor Duryea to deny Ordinance No. 1522 on first**
20 **reading, seconded by Commissioner Lucarelli and motion carried by roll-call**
21 **vote: Commissioner Brender, No; Deputy Mayor Duryea, Yes; Commissioner**
22 **Miller, Yes; Commissioner Lucarelli, Yes; Mayor Mealor, Yes.**

23
24 B. Resolution No. 954 – Utility and Sidewalk Easement Agreement for Lot 5 of
25 Washington Estates (Steve Noto, Senior Planner)

26
27 The City Attorney read Resolution No. 954 by title only.

28
29 Mr. Noto requested to present Items B and C together.

30
31 The City Attorney read Resolution No. 955 by title only.

32
33 Mr. Noto said we discovered through the restarting of the development of this project
34 earlier last year there were a couple of lots where the right-of-way encroached upon the
35 private properties. We brought before the Commission one of those lots a month or two
36 ago. These are the remaining two lots. He pointed out on the aerial on Lot 5 where the
37 roadway encroaches upon that piece of property. Resolution No. 954 is for Lot 5. He
38 noted the property owner was present. That would give the City utility and sidewalk
39 easements along the front part of that property. Lot 2 is just a utility easement. This is
40 in the event the City needs to go in and do some work. Staff recommends approval.

41
42 **Motion was made by Commissioner Brender to approve Resolution No. 954,**
43 **seconded by Commissioner Lucarelli and motion carried unanimously.**

44
45 C. Resolution No. 955 – Utility Easement Agreement for Lot 2 of Washington
46 Estates (Steve Noto, Senior Planner)

1
2 Resolution No. 955 was read by title only and presented under Item B.

3
4 **Motion was made by Commissioner Brender to approve Resolution No. 955,**
5 **seconded by Commissioner Lucarelli and motion carried unanimously.**
6

7 D. Resolution No. 956 – Pay Plan Update (Jackie Sova, City Manager)

8
9 The City Attorney read Resolution No. 956 by title only.

10
11 Ms. Sova said in our 2015 budget we have \$150,000 allocated for pay plan updates.
12 We haven't done a thorough pay plan study in a few years. We have made small
13 individual adjustments. Over the past several years some of the entities around us,
14 specifically in the past two years that we have used as our market study area, have
15 done 3% per year two years back to back. That has taken some of our market ranges
16 out of step with these other cities. We try to stay in the middle—not behind, not below.
17 It did require several adjustments. The two largest ones were our police officers and
18 firefighters. Those are two big categories encompassing nearly half of our employees.
19 She has asked for a 2% pay range adjustment as well as all those employees to receive
20 2% of their salaries.
21

22 Ms. Sova said there are three title changes. We are recommending a Staff Assistant to
23 Senior Staff Assistant in Police Services; a Senior Staff Assistant to Administrative
24 Assistant in Public Works; and Senior Planner to Deputy City Planner for Community
25 Development.
26

27 Ms. Sova said we also have to move Pay Grade 10 to the minimum wage. We only
28 have one employee in that category. There are a whole group of pay grade changes.
29 There is one that is three grades and that is the Police Department Accreditation
30 Coordinator. That one was really way off and needed a better adjustment than these
31 other jobs.
32

33 Ms. Sova said what this pay plan does is it encompasses all the funding that is
34 available. We worked very hard at this. Wanda Broadway in HR spent a lot of time
35 gathering the information that we needed and studying all these positions. She asked
36 the Commission to approve these recommendations and adopt Resolution No. 956.
37

38 Deputy Mayor Duryea commended Ms. Sova and her staff for putting this together. It is
39 a lot of work. When you look at 2% you don't think that is a lot but in the current state of
40 affairs if that is what we can do then that is what we can do.
41

42 Ms. Sova said it is and everyone is still eligible for up to 3% based on their scores for
43 their merit pay.
44

45 **Motion was made by Deputy Mayor Duryea to approve Resolution No. 956,**
46 **seconded by Commissioner Lucarelli and motion carried by roll-call vote: Deputy**

1 **Mayor Duryea, Yes; Commissioner Miller, Yes; Commissioner Lucarelli, Yes;**
2 **Commissioner Brender, Yes; Mayor Meador, Yes.**

3
4 E. Appointments/Reappointments to Advisory Boards

5
6 Mayor Meador said this is pretty straight forward. He asked Ms. Sova to walk them
7 through it. It only requires two actions on our part.

8
9 Ms. Sova said it does. For the Elder Affairs Commission there are three terms: Melvin
10 Cohen, Michael Bley and Jan Dennen. For the Historical Commission for three-year
11 terms: Jim Thompson was a no, Jan Jernigan and there is a vacant seat. They have a
12 few vacancies and don't have a quorum to be able to make recommendations for new
13 appointments so Bryan Nipe has recommended the Commission appoint Mike Fojo and
14 Sue Warren to vacant seats for three-year terms. For Parks & Recreation for two-year
15 terms: Thomas Lackey, Lynette Swinsky and James Buck. There is also a vacant seat
16 due to a resignation. Michael Gaudio has submitted an application. Bryan Nipe has
17 spoken with him and he is recommending he be appointed to fill the unexpired term
18 ending December 31, 2015. For Planning & Zoning: Joe Schofield and Robert Hawkins.
19 Fire & Police Pension Boards for two-year terms: Jeff Koltun and Louis DiPaolo who are
20 the fifth members of those boards and in accordance with State Statute is a ministerial
21 duty for the Commission to reappoint them.

22
23 **Motion was made by Commissioner Lucarelli to reappoint Jeff Koltun to the Fire**
24 **Pension Board and Louis DiPaolo to the Police Pension Board, seconded by**
25 **Commissioner Miller and motion carried unanimously.**

26
27 Mayor Meador said the next request is to appoint Mr. Mark Fojo and Ms. Sue Warren to
28 the Historical Commission and Mr. Michael Gaudio to the Parks & Recreation Board.

29
30 **Motion was made by Commissioner Lucarelli to appoint Mark Fojo and Sue**
31 **Warrant to the Historical Commission and Michael Gaudio to the Parks &**
32 **Recreation Advisory Board, seconded by Commissioner Brender and motion**
33 **carried unanimously.**

34
35 10. Other Items for Commission Action

36
37 There were no items to discuss at this time.

38
39 11. City Manager's Report

40
41 A. Items for Approval

42 1. Elder Affairs Commission 2015 Shred-A-Thon event location

43
44 Ms. Sova said this is a request for the Commission to authorize the City Manager to
45 execute a lease agreement for the parking facility at 660 Century Point for the 2015

1 Shred-A-Thon event. It is the same lot we have used before. Elder Affairs has
2 negotiated this lease agreement with Rinehart Ridge, Inc.

3
4 **Motion was made by Deputy Mayor Duryea to authorize the City Manager to**
5 **execute a lease agreement with Rinehart Ridge, Inc. for the parking facility at 660**
6 **Century Point for the 2015 Shred-A-Thon event, seconded by Commissioner**
7 **Brender and motion carried unanimously.**

8
9 2. City Sidewalk Program: Amendment of Public Works Purchase Order for
10 Castille Company, Inc.

11
12 Ms. Sova said this is the City Sidewalk Program to amend the Public Works Purchase
13 Order for Castille Company. This purchase order needs to be expanded from \$30,000
14 to \$50,000 and her signature authority ends at \$35,000. She asked the Commission to
15 authorize her to approve a change order in the amount of \$20,000 to the Castille
16 Company.

17
18 Deputy Mayor Duryea asked if we were increasing the scope of that job.

19
20 Ms. Sova said it is additional work. When we looked at sidewalks that need to be
21 replaced we have already spent the \$30,000 we thought it was going to take initially.
22 This company is one of the few that will do this work and can meet all the requirements
23 that we have as a city such as all the insurance and other items. It is hard to find
24 someone that will do these small jobs and meet all our requirements. They work with
25 several of the cities and the County and we fell early in the year this year into October to
26 get all of our work done. Now we need to get back on their schedule.

27
28 **Motion was made by Commissioner Lucarelli to authorize the City Manager to**
29 **approve a change order to the purchase order to Castille Company, Inc. for an**
30 **additional \$20,000, seconded by Commissioner Miller and motion carried**
31 **unanimously.**

32
33 Ms. Sova said the traffic light at Palmetto and Lake Mary Boulevard should be
34 completed over the holidays.

35
36 Ms. Sova said Waste Pro is beginning the process of the transition. They will be mailing
37 postcards to residents soon about electing what size of garbage cans that they want. It
38 will be a non-election type of postcard. If you like the size cans you have then you don't
39 have to answer. If you want to change you will have to answer.

40
41 Commissioner Miller asked if these were like the ones we have now.

42
43 Ms. Sova answered affirmatively. They are going to be different colors. The green will
44 be the garbage can and Pepsi blue will be the recycling. You can have two 96's or two
45 64's. The standard delivery will be a 96 garbage like we have now and a 64 recycle
46 can. These cans will be the property of the City. They will have a RFID tag on them.

1 Electronically we will have software and we will know where the trucks are and where
2 they have picked up. We will know where the cans are and who they belong to. This
3 will be an interesting turnover. All the new cans will be delivered during the last week of
4 February. Hopefully what will happen is the final collection in February Waste
5 Management will empty the cans and a truck will follow to collect those cans then cans
6 will be delivered so we don't have duplicate cans everywhere. These things are big and
7 nobody wants four of them.

8
9 Commissioner Brender said we need to make sure we put out the word.

10
11 Ms. Sova said we are already starting with the website and have put out a FAQ. This is
12 going to take a lot of communication.

13
14 Ms. Sova said all non-emergency offices will be closed on December 25th and
15 December 26th as well as January 1st and 2nd. Waste Management will not collect solid
16 waste or recycling on Christmas or New Year's Day but will be on the following
17 Saturday.

18
19 Ms. Sova reminded everyone we have canceled our first meeting in January.

20
21 Ms. Sova said discarded holiday trees can be placed at the curb during regular yard
22 waste days each Wednesday in January.

23
24 Ms. Sova said she would like to schedule a Strategic Planning Session for the first
25 quarter of next year. We have a couple of topics we need to address, one of them
26 being the Police Pension Plan, a request for plan improvement. She said she would like
27 to look at the General Employees' Pension Plan. She has an option to present that will
28 reduce the cost which means in turn that all the employees will have more money in
29 their accounts. That would include the 457 as well. We want to look at our mid-town
30 planning sections and some of the properties there and take a look at what future land
31 uses we would like to see in those areas and what we see as highest and best uses.
32 We have had a question about what we could do about annexation and staff could
33 present information regarding that. She asked if Carol (Foster) could work with them
34 and get something scheduled.

35
36 Mayor Meador said the new Florida Statutes that requires all municipal elected officials
37 to do the ethics training, have we talked about scheduling. He thought it was a four-
38 hour training. He asked if we were working on how that may be scheduled, maybe in a
39 group setting or something along that line.

40
41 Ms. Reischmann said the League actually has the training. You can't take it before
42 January but they have the training online and believed that is how you set it up. She
43 sent the information on registration to the City Manager and City Clerk.

44
45 Mayor Meador said the other thing is the certification that will need to be submitted to the
46 Supervisor or Elections. Just make sure we have that template and you can walk us

1 through that process so there is no oversight. We won't draw attention to ourselves that
2 way.

3
4 Ms. Sova said as long as we can work on Strategic Planning she was finished with her
5 report. She was looking at February or March. There were no objections from the
6 Board.

7
8 12. Mayor and Commissioners' Reports

9
10 Deputy Mayor Duryea said he was going to bring up the issue of ethics but our
11 esteemed Mayor did. He said he had a number of different licenses and was ethics out.

12
13 Deputy Mayor Duryea said the City looks great.

14
15 Commissioner Miller said Mayor Meador asked him to work on a project with Dr.
16 Tomerlin. On December 9th Dr. Tomerlin convened a meeting that consisted of
17 representatives from Seminole State College, University of Central Florida, he and Dr.
18 Tomerlin, Randy Berridge of the High Tech Corridor was there and three people from
19 Seminole State. The topic of discussion is what is going to happen within the Rinehart
20 Corridor and what can we do in a planning mode to facilitate. There have been some
21 subsequent meetings that Dr. Tomerlin has had with the principals that were there. We
22 have some things moving and one of the things being talked about is the concept of the
23 next big thing that comes out. We want to be prepared for it with our land use but we
24 also want to have Seminole State and UCF to partner and to work with the corporations
25 that are going to be the next big thing so that we can support that and have that in our
26 city. He was sure Dr. Tomerlin would give a more detailed report as he moves ahead.
27 The issue immediately became in the meeting to expand it to be much bigger than just
28 us. They wanted to add lots of Seminole County properties, but Dr. Tomerlin handled
29 that in a very judicious way. Another person in the meeting was Bill Kercher who is
30 going to help develop plans for this.

31
32 Mayor Meador thanked Commissioner Miller for his willingness to serve as the
33 commission liaison on that effort and thought his background would serve us well.

34
35 Commissioner Miller said Dr. Tomerlin is excellent in preparing the statement to get the
36 group started and then to manage it to keep it as on track as we can possibly keep it.

37
38 Commissioner Lucarelli said what a great staff we have. All the departments do an
39 awesome job for the City. That's what makes us the great city that we are that
40 everyone admires and looks up to. She thanked everyone and wished them and their
41 families a Merry Christmas and healthy, happy new year.

42
43 Commissioner Lucarelli said she attended a Tri-County League of Cities meeting. There
44 was a strategic planning meeting and she gave the City Manager a hard copy of her
45 binder and scanned it and e-mailed it to the City Clerk to send to the Commission. She
46 encouraged them to read through it. It has some good strategy suggestions for

1 advocacy. It lists out the issues that the League is going to be getting behind this year
2 for their legislative agenda. There are also some handouts she copied and scanned
3 that show all the committee assignments, who is on what committee, and a list of the
4 freshmen coming in. One of the issues we talked about in our SWOT Analysis was
5 focusing on the freshmen and getting them up to speed, meeting with them, bringing
6 them to our city, tour the city, let them meet staff and see what's going on in your
7 community. Whenever there is an issue like a communications services tax, we need to
8 hit them hard on what we use that money to pay for and if they reduce or cut it how is
9 that going to impact us but also go a step further and put faces to that. Not our faces
10 but our citizens' faces. It may reduce our debt reduction ability but we may have to
11 raise taxes and who is that going to impact. She said she would keep the Commission
12 up to date but we need to be unified and one voice. There are some sample letters.
13 Kathy Till does an amazing job training them and they see how effective it is.

14
15 Commissioner Brender said he attended the DARE graduation at Lake Mary Prep.
16 DARE is going away next year and we are going to be adopting the County program.

17
18 Commissioner Brender said with Commissioner Miller and the Mayor we managed to
19 light the first menorah candle for the Chabad organization. It was very well attended
20 and it blends in beautifully with all the holiday lights we have.

21
22 Commissioner Brender said CALNO is January 7th. He explained to Commissioner
23 Miller this was the Council of Local Governments and consists of an elected official from
24 each of the seven cities, the County, and School Board and if he wanted to meet up to
25 get a feel or background on everything that goes on it is a good place to go and he may
26 want to attend.

27
28 Commissioner Brender wished everyone Merry Christmas.

29
30 Mayor Meador thanked staff and the City for hosting the Seniors Intervention Group
31 luncheon this past week. It was a beautiful event and a great outreach effort on behalf
32 of so many different groups.

33
34 Mayor Meador said he was glad Commissioner Lucarelli mentioned staff because tonight
35 was a very difficult issue. We put staff in a situation where we create the policy but the
36 reality is they operate under the guidelines that we give them. He thought they did an
37 exceptional job presenting information. He felt the decision rendered this evening was
38 better simply because of the quality of input from staff and commended them. He knew
39 it was not easy and they are put in a difficult situation but we are better for it.

40
41 13. City Attorney

42
43 Ms. Reischmann said Orange County had a scathing about the lady with the dog that
44 didn't get her records. The Fifth DCA slayed Orange County about delaying turning
45 over copies of public records. They actually provided them but they didn't give her
46 copies quick enough. She wanted the Commission to be aware this is a huge issue

1 with the courts. Please try not to text but if you do text be sure you save your texts and
2 forward those e-mails to your City e-mail account so we don't have any issues like this.

3
4 Ms. Reischmann wished everyone Happy Holidays.

5
6 Commissioner Miller announced he has decided to retire from Florida Business
7 Interiors. Always he had to worry when Juan (Omana), Steve (Noto) and Gary
8 (Schindler) were talking at Planning & Zoning and was he getting anywhere near ethics.
9 After going through Attorney Reischmann's ethics sermon he decided that sitting in this
10 chair he had best just get out. Effective January 31, 2015, he is fully retired.

11
12 14. Adjournment

13
14 There being no further business, the meeting adjourned at 9:25 P.M.

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19 _____
20 David J. Mealor, Mayor

Mary Campbell, Deputy City Clerk

21
22
23 ATTEST:

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25
26
27 _____
28 Carol A. Foster, City Clerk



MEMORANDUM

DATE: January 15, 2015

TO: Mayor and City Commission

FROM: Stephen J. Noto, AICP
Deputy City Planner

THRU: John Omana, Community Development Director

VIA: Jackie Sova, City Manager

SUBJECT: Request for Preliminary 12 lot Subdivision Plan Approval for Twelve Oaks at Lake Mary with a variance, 330 Washington Avenue; Daly Design Group, applicant (Public Hearing) (Stephen Noto, Deputy City Planner)

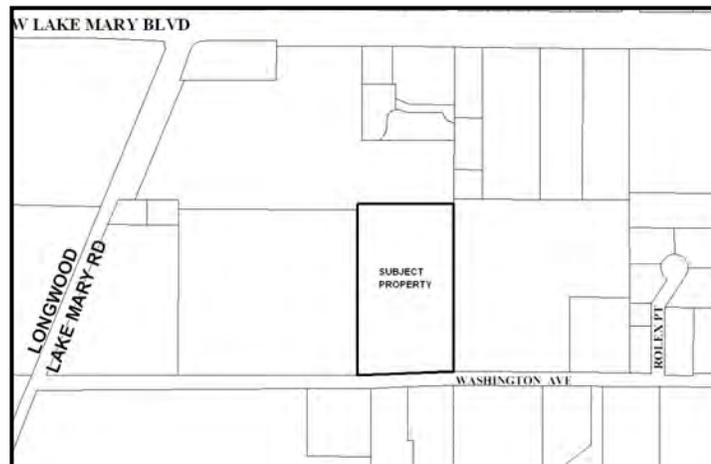
APPLICANT: Daly Design Group

REFERENCE: Development Review Committee, City Comprehensive Plan, Code of Ordinances.

REQUEST: The applicant is requesting preliminary subdivision approval for a 12-lot single family residential subdivision.

DISCUSSION:

Location: The subject property is located east of Longwood Lake Mary Road, on the north side of Washington Avenue. StarChild Academy is to the west, and The Oaks Shopping Plaza is to the north.



History: The subject property, which has one single-family home on it, is approximately 4.85 acres and is located east of Longwood Lake Mary Road, on the north side of Washington Avenue. Over the last seven years, the subject property has gone through multiple zoning reviews:

- June 2007: Rezoned from A-1 to RCE
- January 2009: Future Land Use amendment of RR to LDR
- January 2009: Rezoned from RCE to R-1A

ANALYSIS:

Zoning

NW C-1	N C-1	NE C-1
W A-1	SITE R-1A	E A-1
SW A-1	S RCE	SE A-1

Future Land Use

NW RCOM	N RCOM	NE RCOM
W RR	SITE LDR	E LMDR
SW RR	S RR	SE LMDR

Lots: The zoning of the subject property is R-1A, which requires minimum lot sizes of 10,890 sq. ft. The largest lot proposed is Lot 7 at 19,700 sq. ft., the smallest lot proposed is Lot 4 at 12,215 sq. ft. The average lot size is .34 acres.

The setbacks for each parcel will conform to the R-1A zoning district requirements: 25' front yard setback, 30' rear yard setback, 20' combined side yard setback with a minimum of 8' in one side yard. The minimum building floor area is 1,100 sq. ft.

The future land use designation of the subject property is LDR, Low Density Residential, which allows for up to 2.5 units per acre.

Access and Transportation: Access to the project will be from Washington Avenue. A 24' private right-of-way (ROW) section is being provided within. The applicant has requested a variance from providing an internal sidewalk, which is outlined below.

At the City Commission workshop of October 2, 2014, the City Commission made a policy decision that developers along Washington Avenue, generally west of Rolex Point, would not be required to provide a full improved ROW section as part of their required infrastructure improvements outlined in the Land Development Code. However, the City Commission did direct staff to require the first developer on the north side of Washington Avenue to provide a sidewalk within the Washington Avenue ROW to Longwood Lake Mary Road and Rolex Point. That being said, as a condition of approval, the applicant will be required to provide a minimum 5' wide sidewalk on the north side of Washington Avenue from Longwood Lake Mary Road to Rolex Point.

(Staff note: the cover sheet of the plans show a variance request from requiring roadway improvements along Washington Avenue. Due to the City Commission policy, that is not required).

A transportation study was not required as the project will not generate more than 50 peak hour trips or 300 average daily trips.

Stormwater Management and Utilities: A stormwater pond is proposed to be constructed on the southwest corner of the property adjacent to Lot 1. There are also 20' drainage easements proposed in the front of each lot for the construction of swales.

There is an existing 8" water main for potable water on Washington Avenue. Irrigation will be provided via a well as reclaim is not available in the area. There is sewer service available to the east at Washington Estates; the applicant will be connecting to that system and installing a lift station adjacent to the retention pond.

Environmental: There are no protected or endangered species on site. In the event the applicant encounters such a species during construction, the applicant will be required to coordinate with the relevant agencies and follow the relevant codes in order to address any issues that may arise.

Clearing and Tree Protection: The applicant is proposing to clear the areas where infrastructure improvements are needed. Mass clearing of the site will not occur.

The applicant has identified two historic trees that require removal. However, staff has identified four: One 36" Live Oak, one 21" Longleaf Pine and two 24" Longleaf Pines. The applicant has proposed to provide four replacement trees per historic tree. That said, staff will require eight additional replacement trees for the other two historic trees that were found. Action will be required by the Arbor Board prior to approval of the Final Subdivision Plan.

Seminole County Public Schools – A School Capacity Availability Letter of Determination (SCALD) was issued in 2009 with no conflicts.

REQUESTED VARIANCE:

STAFF NOTE: Just prior to the Planning and Zoning Board meeting of December 9, 2014, the applicant agreed to install sidewalks within the subdivision. Therefore, the variance that is outlined below is no longer required. It is provided within this staff report to be consistent with what was reviewed by the Planning and Zoning Board.

The applicant has applied for a variance to the following sections of the Code described below:

1. *Chapter 155, Appendix A, Section (D) – Minimum standards for right of way improvements which require a 4' internal sidewalk and a 50' right of way for local streets.*

(Staff note: A variance is not required for the 50' right-of-way for local streets. The applicant meets the dimensional requirements needed for

right-of-way improvements, i.e. pavement, drainage, etc. The variance is required just for the 4' wide internal sidewalk as sidewalks are required as part of the standard right-of-way section).

The applicant is justifying the variance request through the following hardships:

- The project is proposed as a “low impact project” utilizing principles of development which will allow the project to blend in with the existing rural character of this area of Lake Mary;
- The project is a 12 lot subdivision with a private road and a dead-end cul-de-sac;
- There is no possibility of through pedestrian traffic;
- The variance will serve the good of the community by:
 - Reducing the amount of impervious area
 - Reducing the number of trees to be removed
 - Reducing the long-term maintenance costs for the residents of the private community

Variance Criteria (Section 154.06):

In making a recommendation regarding the requested variance, the Planning and Zoning Board shall determine that all the following criteria have been met:

CRITERIA No. 1:	
<i>That a special condition and circumstance exists which is peculiar to the land, structures, or subdivision improvements involved, and which are not applicable to other lands, structures, or required improvements; and</i>	
FINDINGS OF FACT No. 1:	
Criteria met?	The 4.851 acre site is standard in size and elevation. While heavily wooded, the applicant is proposing to remove a minimum of 45 trees, four of which are historic. This does not include a number of trees that will be removed by future homeowners as part of the construction of the homes. At most two historic trees could possibly be saved by not providing sidewalks. Washington Estates, which is to the east, is similar in nature, and less dense, and was required to install sidewalks.
NO	

CRITERIA No. 2:	
<i>That the special conditions and circumstances do not result from the actions of the applicant; and</i>	
FINDINGS OF FACT No. 2:	
Criteria met?	The special conditions and circumstances that have been outlined by the applicant are development preferences not substantial hardships unique to the site.
NO	

CRITERIA No. 3:

That granting the variance requested would not confer on the applicant any special privilege that is denied by the provisions of this section to other lands, structures, or required improvements under similar conditions. No pre-existing conditions on neighboring lands which are contrary to the provisions of the section shall be considered grounds for the issuance of variances; and

FINDINGS OF FACT No. 3:

Criteria met?	Granting the variance would confer special privileges to the applicant. The applicant will be providing a sidewalk connection on the north side of Washington Avenue from Longwood Lake Mary Road to Rolex Point; providing internal sidewalks would provide connectivity for the future residents. Additionally, the Washington Estates project to the east, is similar in nature, and less dense, and was required to install sidewalks.
NO	

CRITERIA No. 4:

That literal interpretation of the provisions of the section would deprive the applicant of rights commonly enjoyed by other properties with similar conditions; and

FINDINGS OF FACT No. 4:

Criteria met?	Literal interpretation of the provisions of the section would not deprive the applicant of rights commonly enjoyed by other properties with similar conditions.
NO	

CRITERIA No. 5:

That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or other improvements; and

FINDINGS OF FACT No. 5:

Criteria met?	The requested variance is not the minimum required to make reasonable use of the property under the current future land use and zoning categories.
NO	

CRITERIA No. 6:

That the granting of the variance will be in harmony with the general intent and purpose of the ordinance will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

FINDINGS OF FACT No. 6:

Criteria met?	The granting of the variance is not in harmony with the general intent and purpose of the ordinance. Pedestrian connectivity in this area is improving, and not constructing a sidewalk within the proposed development would be counter-intuitive to the progress that is being made in pedestrian connectivity.
NO	Additionally, an absence of a sidewalk would require wheelchair users to use the street or adjacent grassed areas, which is not an acceptable surface for such use.

FINDINGS OF FACT No. 7: Staff finds that the applicant has not met all of the criteria as stated above to grant the requested variance. An internal sidewalk will be required as outlined in the conditions below. **STAFF NOTE: As a reminder, this variance is no longer required.**

PLANNING AND ZONING BOARD: At their regular December 9, 2014 meeting, the Planning and Zoning Board unanimously recommended approval, 5-0, of the Preliminary Subdivision Plan for Twelve Oaks at Lake Mary to be located at 330 Washington Avenue consistent with staff’s conditions, including a new Condition #7.

LEGAL DESCRIPTION: The South ½ of the East ¼ of the Northeast ¼ of the Northeast ¼ of Section 17, Township 20 South, Range 30 east, Seminole County, Florida, less the South 25 feet thereof for right-of-way.

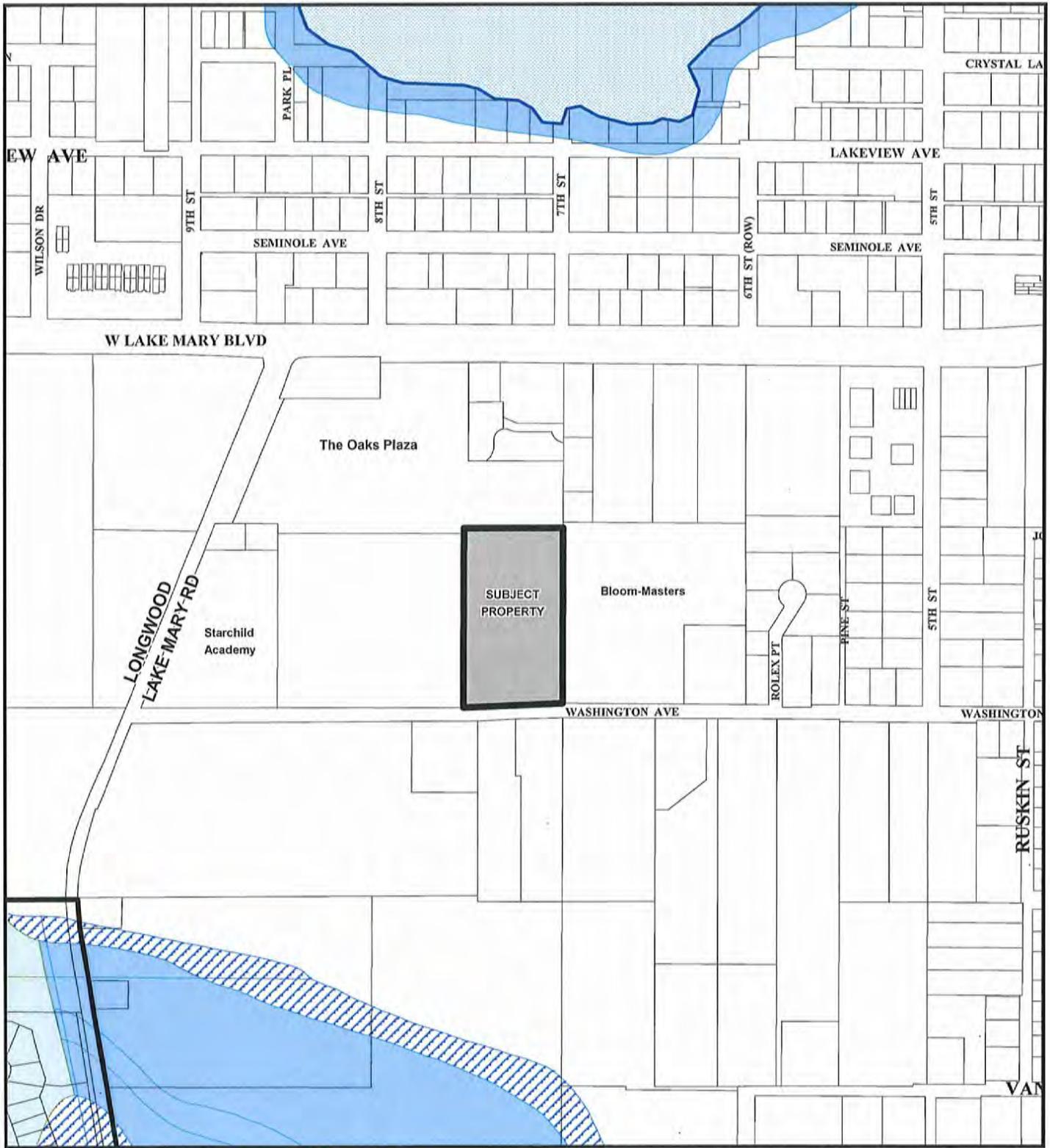
FINDINGS OF FACT: Staff finds that the request for Preliminary Subdivision is consistent with the relevant criteria of the City’s Preliminary Subdivision regulations, the City’s Code of Ordinances and Comprehensive Plan and recommends approval with the following conditions:

1. Arbor Board shall review the removal of the four historic trees prior to the approval of the Final Subdivision Plan.
2. A minimum 5’ wide sidewalk shall be provided on the north side of Washington Avenue from Longwood Lake Mary Road to Rolex Point, consistent with previous City Commission direction.
3. A minimum 4’ wide sidewalk shall be provided within the development.
4. At time of Final Subdivision, the applicant shall provide a pedestrian access easement for the internal sidewalk.
5. In the event the applicant encounters a protected/endangered species during construction, the applicant shall coordinate with the relevant agencies and comply with the relevant codes necessary to mitigate the situation.

6. Street sign elevation option “B” and aluminum fence elevation “A” shall be used as shown on Sheet PSP-4. The sign and fencing shall be installed in such a way as to not create a sight visibility issue.
7. At time of final subdivision, the Applicant shall enter into a Developer’s Agreement that shall, among other details, outline the timing of the construction of the internal sidewalks and include a bond requirement for said improvements. (This condition was read into the record at the Planning and Zoning Board meeting of December 9, 2014).

ATTACHMENTS:

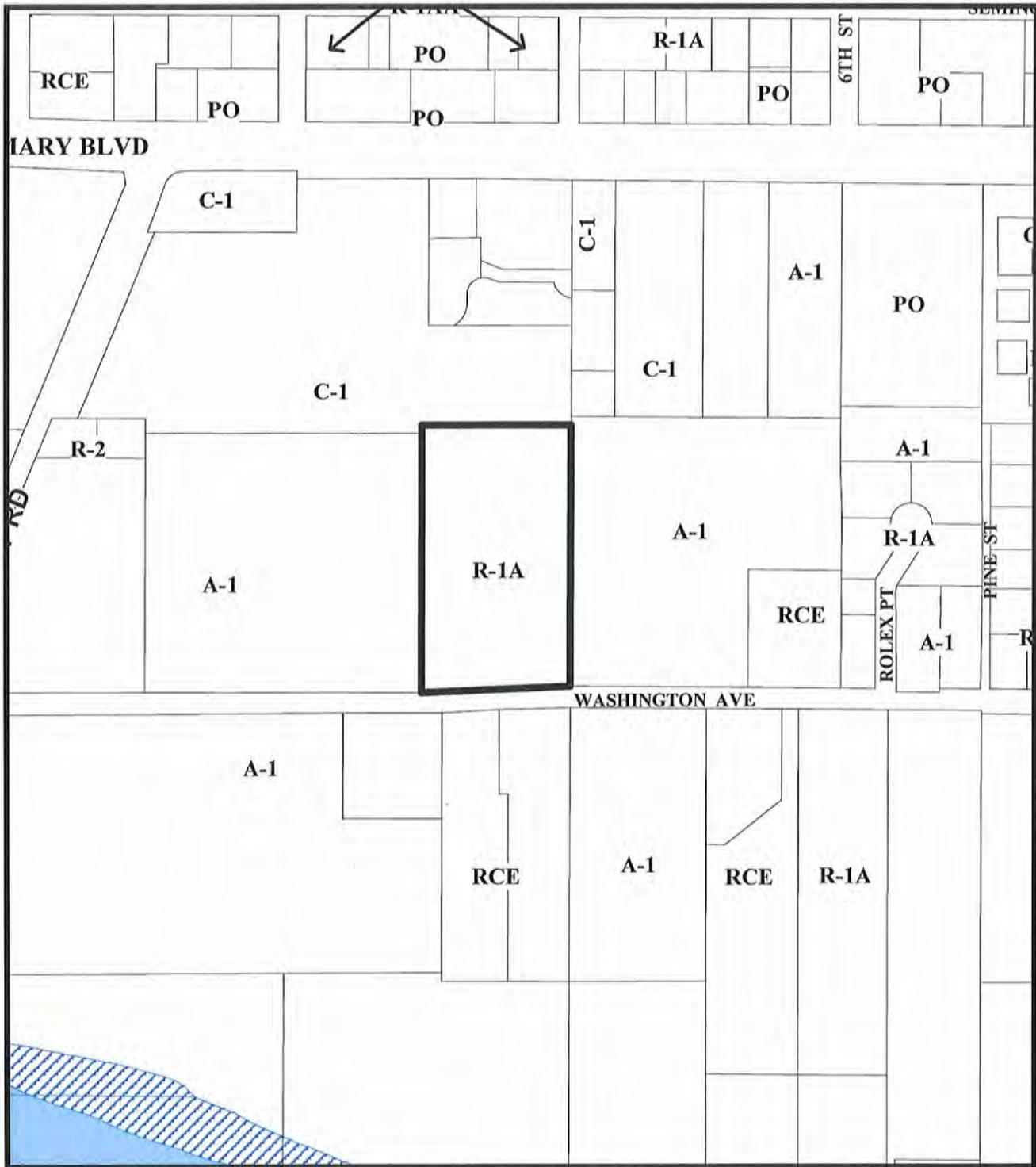
- Location Map
- Zoning Map
- Future Land Use Map
- Aerial Map
- 8.5” x 11” Sheet PSP-1
- December 9, 2014 Planning & Zoning Board Minutes
- Twelve Oaks at Lake Mary Preliminary Subdivision Plan



LOCATION MAP

Twelve Oaks at Lake Mary



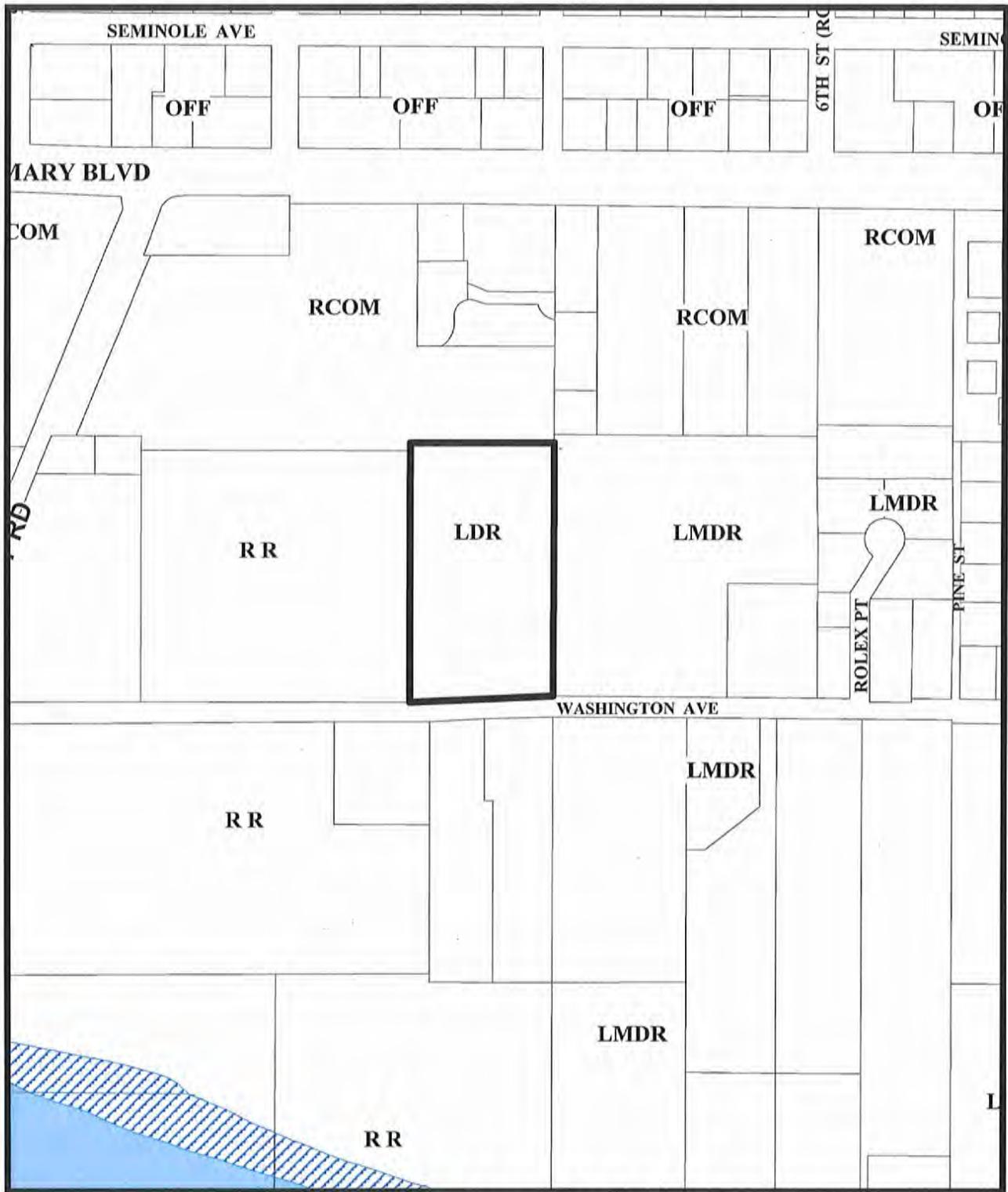


Zoning Map



LEGEND			
A-1	Agriculture	R-1AAA	Single Family
RCE	Rural Country Estate	R-M	Residential
R-1A	Single Family	R-2	One & Two Family
R-1AA	Single Family	R-3	Multiple Family
PUD	Planned Unit Development	PO	Professional Office
C-1	General Commercial	C-2	Commercial
M-1A	Light Industrial	M-2A	Industrial
DC	Downtown Center	GU	Government Use
SC PUD	Sem. Cnty PUD		





Future Land Use Map



RR Rural Residential	OFF Office	PUB Public / Semi-Public Lands
LDR Low Density Residential (Max 2.5 DU / Acre)	RCOM Restricted Commercial	DDD Downtown Development District
LMDR Low / Medium Density Residential (Max 4 DU / Acre)	COM Commercial	REC Recreation
MDR Medium Density Residential (Max 6 DU / Acre)	IND Industrial	SC PD Seminole County PD
HDR High Density Residential (Max 9 DU / Acre)	HIPTI High Intensity Planned Development	



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WASHINGTON AVE



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1 IX. New Business

2
3 A. 2009-PSP-02: Recommendation to the City Commission for a 12-lot
4 Preliminary Subdivision Plan (Twelve Oaks at Lake Mary) on property located at
5 330 Washington Avenue, Lake Mary, Florida; Applicant: Daly Design Group
6 (Public Hearing)
7

8 Chairman Hawkins announced this item is quasi-judicial in nature; that a Quasi-
9 Judicial Sign-In Sheet (see attached) was located at the back of the chambers for
10 any interested party to sign in order to be kept abreast of this matter.
11

12 Stephen Noto, Senior Planner, presented Item A. and the related Memorandum
13 (Staff Report). The Location Map attached to the Memorandum was on the
14 overhead projector. He stated, you will notice the file number of this project,
15 2009-PSP-02, is an old one. Actually, this project goes even further back than
16 2009 when the PSP was originally submitted. You will see in your Staff Report
17 there were rezonings as early as June of 2007. So, the Applicant/property owner
18 has been working at this for some time now. And, of course, we all know what
19 happened to the housing market. So, almost immediately after he submitted, the
20 project was put on hold. The market has now corrected itself to the point where
21 the Applicant is ready to move forward with developing this project.
22

23 Mr. Noto said, just a couple of quick things. You will see that the request
24 includes a variance. We had a discussion with the Applicant earlier this week,
25 yesterday, and late last week regarding the variance. The variance was from
26 including internal sidewalks (puts Sheet PSP-1, a page of the Preliminary
27 Subdivision Plan, on the overhead projector). You will notice that there are no
28 internal sidewalks. That requires a variance. Staff was not in support of that
29 variance; however, we were able to come to an agreement with the developer
30 that we will get to in further detail at the Final Subdivision Plan, which is still
31 several months out. There will be a developer's agreement that outlines how
32 those sidewalks will be installed. He's looking to do them piecemeal, if you will.
33 As development occurs, they will install the sidewalks. The last thing you want to
34 do is put in all the final infrastructure and then continue construction and have to
35 reconstruct everything after doing it the first time. So, since he will be installing
36 the sidewalks, the variance is no longer required. So, as I go through the Staff
37 Report and describe the subdivision to you, that is one item we don't have to
38 worry about any longer.
39

40 Mr. Noto stated, some quick history. As I mentioned, this project has been active
41 for a number of years. The last thing that occurred that had nothing to do with
42 this subdivision plan – there was a rezoning from Rural Country Estates to R-1A,
43 which allows for quarter-acre lots. That is, essentially, what is before you this

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1 evening; a 12-lot single-family residential subdivision. The minimum lot size is
2 .34 acres. This is not a PUD, so all the setbacks will conform with the R-1A
3 Zoning District requirements in the Land Development Code. You will see 25-
4 foot front yard setbacks, 30-foot rear yard setbacks, and a combined 20 on the
5 side with a minimum of 8' in one side yard. So, you can see, 8, 12, 9, 11 and 10,
6 10 in the side yard, which is common.

7
8 Mr. Noto said, I did receive a few phone calls from some of the neighbors asking
9 what type of development this is. And, just for the record, this is not a mobile
10 home park. That was one of the questions I was asked; if this was one. It is not.
11 This will be your typical single-family detached housing. In talking with the
12 Applicant, who is here this evening, we're looking at half-million-dollar homes
13 basically, similar to what was done at Pine Tree Terrace by MI Homes off
14 Evansdale Road earlier this year.

15
16 Mr. Noto stated, from process standpoint of the Preliminary Subdivision Plan, this
17 is the very first step in what is a somewhat lengthy process of subdivision. After
18 tonight's meeting, you are making a recommendation to the City Commission.
19 The City Commission will take a final action on the Preliminary Subdivision Plan
20 in January. After that meeting, there are still at least three more meetings; one
21 for the Final Subdivision Plan and two for the Final Plat. The Final Plat occurs at
22 the very end of the project almost after everything has been constructed. So,
23 those are hearings that are quite a ways out. The final subdivision would occur,
24 as long as this continues moving forward at a regular pace, sometime next year.

25
26 Mr. Noto said, so, I mentioned the internal sidewalks not being a part of the
27 variance request. I want to speak about the external sidewalks briefly. The City
28 Commission had a workshop – and this is outlined on page 2 of your Staff Report
29 – they had a workshop at the beginning of October regarding right-of-way
30 improvements on Washington Avenue. That has always been an issue for
31 discussion – the Rolex Point subdivision (Washington Estates), which is just
32 down the street from this one. There was lengthy discussion about how they
33 would be required to provide right-of-way improvements on Washington Avenue.
34 The Code states that you have to provide the full section, so sidewalks, drainage,
35 curbing, your typical urban cross-section. We received direction from the City
36 Commission several years back and again at the beginning of October that that
37 is not the type of improvements they want to see on Washington. That is a
38 unique area of the City where they are looking to keep that rural character. So,
39 what they charged us with, based on direction we received at the workshop, was
40 that as development occurs on Washington Avenue, if a developer comes in on
41 the north side of Washington like this evening, they will be required to only
42 provide sidewalks on the north side of Washington Avenue from their point of the
43 project west to Longwood-Lake Mary Road and east to Rolex Point. They don't

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want the roadway to be improved. They don't want curb and gutter. Sidewalks only. Also, if someone were to come in on the south side of Washington Avenue, which, at this point, we do not have any projects like that, they would be required to do the same; go west to Longwood-Lake Mary Road and east to wherever the right of way is not constrained. That continues to be an issue around the Rolex Point area. The right of way is not your typical 50-foot section. It jogs in and out. So, that is something we'll – we'll cross that bridge when we get to it with the south side. At least what we have here this evening, on the north side, the Applicant will be required to provide sidewalks on the north side of Washington Avenue to Longwood-Lake Mary Road and Rolex Point. There will not be curb and gutter or roadway improvements on Washington Avenue.

Mr. Noto stated, as far as infrastructure is concerned, the Applicant is proposing a – let's see. I saw it on here earlier and I believe this is the right sheet. They will have a well for irrigation. There is a sewer line to the east at Rolex Point. They are working through some issues with that now. That is something that will continue on as we get into the final subdivision process, but that is the plan; for sewer. There will not be septic. They will be utilizing potable water for each lot.

Mr. Noto said, there are also a number of historic trees throughout the site, and as is our standard practice, whichever historic trees are to be removed, that has to be reviewed by the arbor board. That is one of your conditions. I believe it's condition number 1 that says the arbor board shall review the removal of the four historic trees prior to approval of the Final Subdivision Plan and the Applicant will provide a certain number of replacement trees as a part of their removal.

Mr. Noto stated, as you go through your Staff Report, there are several pages regarding that variance that is no longer needed. So, having said that, we have your 12-lot subdivision, again, preliminary plan. So, if you have any comments, you want to see any design changes, now would be the time to bring it up. You will see the storm water pond is located at the southwest corner of the site, or you could say the northwest intersection of the internal roadway and Washington Avenue (circles in red on the overhead projector). There are some design features that are proposed towards the end of your large format plans, the monument signage and entry fencing. You can see condition no. 6 which outlines the type that the City prefers, which is the stone design of the sign and then the aluminum fencing that is shown on the plan.

Mr. Noto said, we do want to add a seventh condition of approval, and I have it in writing here. I will read it into the record. It goes back to the internal sidewalk no longer being a variance request. "At time of final subdivision, the Applicant shall enter into a Developer's Agreement that shall, among other details, outline the timing of the construction of the internal sidewalks and include a bond

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requirement for said improvements". So, we'll get to that developer's agreement when we get to the final subdivision. The intent is that we don't want to see lots 4, 5, 6 and 7 be developed first. There will be sidewalks here (indicating to overhead projector) and then nothing below that because that would certainly defeat the purpose of requiring sidewalks. There would be no connection. We will work with the Applicant to come up with some language to put in the developer's agreement, a bond amount, in the event that the development stops halfway through or something and the City needs to go ahead and install the sidewalk. Again, we'll work out all those details with the developer when we get to that point.

Juan (John) A. Omana, Jr., Community Development Director, interjected requesting Mr. Noto to describe, for the benefit of the Board and the members of the public, why the road snakes.

Mr. Noto complied explaining/saying, you will see the curvature of the road. There are two rather large trees in the area that I circled identified as Trees 2083 and 2084 on the landscape plan of the PSP. It is the developer's intent to try and save those trees. That is why the road jogs to the west like that, and that is a design feature that will continue to be looked at as we get to the final subdivision, if the trees can, in fact, be saved considering sidewalks will be installed and things of that nature. So, that may change as we move forward, but currently that is the proposed design of the roadway.

Chairman Hawkins interposed questioning, do you know what kind of trees they are and the health of them?

Mr. Noto responded, one of them is an oak tree. I believe it's 2084. The other is likely a pine. The health of them, at this point, I am not certain. The Applicant, in speaking with him earlier, is going to do some clearing work, just underbrush, so they can go through and take a look at all the trees and see what the health is of all of them and see if it is one of those situations where you want to save it, but if you consider the construction impacts, it may not be worth the extra effort. The trees may end up dying anyhow.

Chairman Hawkins asked, if that's the case, can we move the right of way on Lots 10 and 11 to the east to make room for a sidewalk? That dotted line?

Mr. Noto replied, right. Yes. We'll work with the Applicant on that.

Chairman Hawkins stated, and the second thing is that the plans didn't take into account about sidewalks is the developer has street trees where the sidewalks

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are going to go and that's not a good idea. He questioned, can we move all the street trees to the inside of the lots?

Mr. Noto answered, right. Yeah. The plans were put together prior to our agreement on the sidewalks. We have had these plans, I think – well, they resubmitted earlier in the month, but the design has been, more or less, the same for several years. So, now that we have kind of come to agreement on what to do with the sidewalks, the Final Subdivision Plan will show those modifications.

Chairman Hawkins interjected asking, other than the fence along Washington, are there going to be any fencing requirements on the other three sides?

Mr. Noto responded, the landscape code – when you have residential abutting residential, there are no requirements for walls, fences or things of that nature. I would anticipate, like we saw at Pine Tree Terrace, while there were no fences or walls proposed there, all of the lots ended up having fencing put in between them as separate fence permits. I would anticipate, if the Final Subdivision Plan doesn't show fencing, that we would be receiving fence permits on a lot-by-lot basis.

Chairman Hawkins questioned, to the north is the shopping center; isn't it?

Mr. Noto replied, yes. And there is a wall there currently.

Member York asked, where the Planet was?

Mr. Noto answered, yes. Correct. That's the Oaks at Lake Mary shopping center.

Mr. Noto concluded his presentation by saying, having said all that, staff finds that the request for a Preliminary Subdivision Plan is consistent with the relevant criteria of the City's preliminary subdivision regulations, the City's Code of Ordinances, and Comprehensive Plan and we do recommend approval with the seven conditions, six of which are in your Staff Report, and the seventh which I read into the record a few minutes ago.

Chairman Hawkins questioned, is that last page of the subdivision plan, is that part of this, or is that something – that's really a landscape plan, or is it just a tree survey?

Mr. Noto responded, that's a tree survey.

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Chairman Hawkins said, I'm sorry. I'm talking about PSP-4, which is a landscape plan. It's kind of premature for that to be a part of this; isn't it?

Mr. Noto replied, that's correct. Yes. And that is because it shows a combination of existing trees and then those proposed street trees that you mentioned. Many of those existing trees may be removed as part of the home construction. We will work with the developer on the street trees and locating them in such a way where the sidewalk is going to be installed. Then, the roots of the trees don't end up ruining the sidewalks.

Chairman Hawkins requested the Applicant come forward and address the Board.

Patrick Knight, 1900 E. Adams Drive, Maitland, Florida, came forward and addressed the Board in favor of the proposed Preliminary Subdivision Plan. He stated that he has owned the subject property since 2007; that he really didn't have a presentation but would be happy to answer questions.

Chairman Hawkins asked, are you okay with everything?

Mr. Knight replied, yes. Absolutely. It's been a great working relationship. I'm happy.

Chairman Hawkins opened the hearing to public comment. Hearing none, he closed that portion and entertained board discussion and/or a motion.

Chairman Hawkins commented, personally, I'm in favor of this the way it's been redone.

Vice Chairman Taylor commented, I'm glad staff was able to come up with an agreement with the developer. That's a positive thing.

Chairman Hawkins commented, we do need the sidewalks for public safety to and from Washington and down Washington.

MOTION:

Member Schofield moved to recommend approval to the City Commission the request by Daly Design Group for a 12-lot Preliminary Subdivision Plan (Twelve Oaks at Lake Mary) on property located at 330 Washington Avenue, Lake Mary, Florida, consistent with staff's Findings of Fact listed in the Staff Report and subject to the following seven conditions. Member York seconded the motion, which carried unanimously 5-0.

DRAFT

CONDITIONS:

1. Arbor Board shall review the removal of the four historic trees prior to approval of the Final Subdivision Plan.
2. A minimum 5' wide sidewalk shall be provided on the north side of Washington Avenue from Longwood-Lake Mary Road to Rolex Point consistent with previous City Commission direction.
3. A minimum 4' wide sidewalk shall be provided within the development.
4. At time of Final Subdivision, the Applicant shall provide a pedestrian access easement for the internal sidewalk.
5. In the event the Applicant encounters a protected/endangered species during construction, the Applicant shall coordinate with the relevant agencies and comply with the relevant codes necessary to mitigate the situation.
6. Street sign elevation option "B" and aluminum fence elevation "A" shall be used as shown on Sheet PSP-4. The sign and fencing shall be installed in such a way as to not create a sight visibility issue.
7. At time of final subdivision, the Applicant shall enter into a Developer's Agreement that shall, among other details, outline the timing of the construction of the internal sidewalks and include a bond requirement for said improvements.

Mr. Noto announced this item will move forward to the January 15, 2015, City Commission meeting.

QUASI-JUDICIAL SIGN-IN SHEET

12/9, 2014
P+2 MEETING
(please print)

Name Jackie Swook Phone No. 407 810 6794

Address 185 Rolex Pt

Item of Interest 2009-PSP-02

Name _____ Phone No. _____

Address _____

Item of Interest _____

Name _____ Phone No. _____

Address _____

Item of Interest _____

Name _____ Phone No. _____

Address _____

Item of Interest _____

Name _____ Phone No. _____

Address _____

Item of Interest _____

Name _____ Phone No. _____

Address _____

Item of Interest _____



MEMORANDUM

DATE: January 15, 2015

TO: Mayor and City Commission

FROM: Tom Tomerlin, Economic Development Manager

VIA: Jackie Sova, City Manager

SUBJECT: Resolution No. 957 - Project Dixon Ticonderoga Company be approved as a Qualified Target Industry (QTI) Business (Tom Tomerlin, Economic Development Manager)

BACKGROUND:

The State of Florida administers the Qualified Target Industry (QTI) Tax Refund incentive for companies that create high wage jobs in targeted high value-added industries. Qualified companies who create jobs in Florida receive tax refunds depending on the number of new jobs created, salary level, and certain other criteria. The local community where the company locates contributes 20 percent of the total tax refund.

DESCRIPTION OF THE PROJECT:

The Dixon Ticonderoga Company (DTC) can trace its company history to 1795. Since that time, Dixon Ticonderoga Company has been an industry leading manufacturer of writing instruments, art supplies, and other tools used for self-expression. DTC is a global supplier of education supplies, and this project involves its U.S. corporate headquarters.

This QTI is attached to 20 new headquarter jobs being created within the City. However, the company is expected to expand further as a result of acquisitions. The proposed relocation will involve a lease of approximately 14,676 square feet located within the City limits of Lake Mary. Locating to an existing facility will permit DTC to quickly move and consolidate its operations, and the property under consideration will permit the company to install signage visible to Interstate 4.

The average annual salary will be \$46,700, which is 117% of the 2014 annual average wage of \$40,015 for Seminole County, as listed in the State of Florida Incentive Average Wage Requirements which became effective on January 1, 2014. The project application was submitted in calendar year 2014. The project is expected to result in a total capital investment of \$1.5 million.

Funding Explanation

Dixon Ticonderoga Company is eligible for a \$5,000 tax refund per net new full-time job, as follows:

- \$3,000 per new job (Section 288.106(3)(b)1, Florida Statutes); and
- An additional \$2,000 per job based on the business being in a high-impact sector (Section 288.106(3)(b)4.a, Florida Statutes).

The QTI program requires Local Financial Support (LFS) in an amount equal to 20% of the annual tax refund. The total tax refund available to DTC is equal to \$100,000 (20 jobs x \$5,000/job). The Local Financial Support for the twenty (20) new full-time jobs is \$20,000 (20 jobs x \$1,000/job). The Mayor and City Commission is being asked to authorize a local match of \$10,000 for this QTI incentive. Seminole County is anticipated to be an equal funding partner for an additional \$10,000. Together, the County and City's local match will make up the required 20% Local Financial Support necessary under the program. In order for DTC to be approved as a qualified applicant for the QTI program, the City Commission must adopt a Resolution recommending the company for the program, and affirming a commitment to fund the required Local Financial Support.

Seminole County will consider approval of its share of the LFS at an upcoming Board of County Commissioners meeting.

DISCUSSION:

This project is the result of over 5 months of business retention and attraction efforts. The company was considering a wholesale move of its headquarters to the State of Georgia. Another noteworthy aspect of this project is the company's consideration of opening a company museum at their new facility. The company museum would feature exhibits and artwork relating to Dixon Ticonderoga.

The amount of time it will take the City to recover its contribution to the award, in the form of increased property tax revenue, is approximately two years. This return timeframe is fairly rapid. When considering all taxing jurisdictions (i.e., County/City/Schools), the return timeframe is substantially reduced to less than a year. While these numbers present a perspective on fiscal impacts, the project will result in a much larger economic impact for the community.

RECOMMENDATION:

Request Commission approve Resolution No. 957 recommending Dixon Ticonderoga Company for the Qualified Target Industry incentive and approve the expenditure of \$10,000 as Local Financial Support toward the incentive, an amount representing 10% of the total tax refund.

ATTACHMENTS:

- Dixon Ticonderoga Resolution

RESOLUTION NO. 957

REGARDING THE QUALIFIED TARGET INDUSTRY TAX REFUND PROGRAM; RECOMMENDING DIXON TICONDEROGA COMPANY BE APPROVED AS A QUALIFIED TARGET INDUSTRY BUSINESS PURSUANT TO SECTION 288.106, FLORIDA STATUTES; PROVIDING FOR LOCAL FINANCIAL SUPPORT IN THE FORM OF CASH EQUIVALENT TO THE QTI PER JOB AWARD AMOUNT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the business under consideration is Dixon Ticonderoga Company;
and

WHEREAS, Dixon Ticonderoga Company is currently located at 195 International Parkway, Lake Mary, Florida, and intends to lease a new facility in Seminole County, Florida; and

WHEREAS, Dixon Ticonderoga Company will invest up to \$1,500,000 in the City of Lake Mary including the purchase of tangible personal property and improvements to real property; and

WHEREAS, Dixon Ticonderoga Company will create a minimum of twenty (20) new, high-level jobs over a three (3) year period beginning in 2015, with an annual average salary of \$46,700, an amount greater than 115% of the 2014 annual average wage of \$40,015 for Seminole County according to the State of Florida Incentive Average Wage Requirements effective January 1, 2014; and

WHEREAS, Enterprise Florida, Inc. has determined that Dixon Ticonderoga Company, qualifies as a Qualified Target Industry Business pursuant to Section 288.106, Florida Statutes and is eligible to apply for the Qualified Target Industry Tax Refund; and

WHEREAS, the City of Lake Mary has committed to provide up to \$10,000 which is a ten percent (10%) match of the QTI per job award, and together with Seminole

County meeting the required QTI local participation amount of 20%, and providing Dixon Ticonderoga Company with important financial support pursuant to Section 288.106, Florida Statutes; and

WHEREAS, Seminole County is expected to provide up to \$10,000 which is a ten percent (10%) match of the QTI per job award, and together with the City of Lake Mary meeting the required QTI local financial participation amount of 20%, and providing Dixon Ticonderoga Company with important financial support pursuant to Section 288.106, Florida Statutes; and

WHEREAS, the grant of local participation is derivative of and dependent upon the monitoring and administration of the QTI program by the State of Florida.

NOW, THEREFORE BE IT RESOLVED by the City Commission of the City of Lake Mary, Florida, as follows:

1. The City of Lake Mary recommends Dixon Ticonderoga Company be approved as a QTI Business pursuant to Section 288.106, Florida Statutes;

2. The necessary cash commitment of local financial support for the Qualified Target Industry Tax Refund Program equally exists from Seminole County and the City of Lake Mary for Dixon Ticonderoga Company totaling an amount not to exceed TWENTY THOUSAND NO/100 DOLLARS (\$20,000.00); that this amount will be evenly split between the City of Lake Mary and Seminole County for a total payment of TEN THOUSAND NO/100 DOLLARS (\$10,000) by the City of Lake Mary; that this amount will be made available in accordance with the guidelines set forth by the Florida Department of Economic Opportunity with the stipulation that these funds are intended to represent the "local financial support" required by Section 288.106, Florida Statutes.

3. **EFFECTIVE DATE:** This Resolution shall take effect immediately upon passage and adoption.

PASSED AND ADOPTED this 15th day of January 2015.

CITY OF LAKE MARY, FLORIDA

MAYOR, DAVID J. MEALOR

ATTEST:

CITY CLERK, CAROL A. FOSTER

Approved as to form and legality for use
and reliance upon by the City of Lake
Mary, Florida.

CATHERINE REISCHMANN, CITY ATTORNEY



MEMORANDUM

DATE: January 15, 2015

TO: Mayor and City Commission

FROM: Stephen J. Noto, AICP
Deputy City Planner

THRU: John Omana, Community Development Director

VIA: Jackie Sova, City Manager

SUBJECT: Request for a \$5,000 Neighborhood Beautification Grant for the Lake Mary Landings subdivision (Steve Noto, Deputy City Planner)

BACKGROUND: The purpose of the Neighborhood Beautification Grant (NBG) Program is to promote the undertaking of activities by City neighborhoods to beautify their developments, and to avoid blighted areas. The City Commission has approved project funding in the amount of \$25,000 per fiscal year, which would allow for organized neighborhood associations to apply to the City for monies to be used in executing a neighborhood beautification program. Promotion of high quality neighborhoods shows commitment by the City and its citizens in the areas of economic stability, exceptional quality of life, and community security. There is currently \$25,000 remaining for projects in this fiscal year.

DESCRIPTION OF PROJECT: In 2011, the Developer of Lake Mary Landings, Morrison Homes, turned the HOA over to the homeowners of the community. Since that time, the HOA has had a number of issues arise with the irrigation system and, as a result, landscape maintenance. Over the last three months, the community has spent over \$10,000 on assorted repairs to the irrigation system. Most recently, a new issue has been found that impacts the irrigation of the plantings at the SE corner of Weldon Blvd. and Feldspar Way, which would cost another \$5,000. Due to the aforementioned issues, the community's irrigation budget has been exceeded by approximately \$22,000.

In addition to the monies spent on irrigation repairs, the community has also spent over \$6,500 on new fencing along the frontage of Weldon Blvd. (which has temporarily replaced dead plantings), as well as new hedges, as part of a beautification project. It was during that time that the new irrigation issues were discovered. As a temporary measure, the HOA's irrigation contractor has installed above ground wiring to act as a power conduit to the irrigation system zone at the SE corner of Weldon Blvd. and Feldspar Way.

As a result of the issues outlined above, the Lake Mary Landings HOA has requested grant funding in the amount of \$5,000 to repair the portion of the irrigation system that covers the front of the community, adjacent to Weldon Blvd., south of Feldspar Way. Approval of the funding would allow the community to maintain their new landscaping installed adjacent to Weldon Blvd., and avoid additional repairs not originally budgeted.

Discussion: This project qualifies within the NBG program as a Neighborhood Entry Beautification (NEB) Grant. Per the approved program, the maximum amount of funds that can be allotted for NEB requests is \$5,000.00 (the City Commission has the ability to approve funding above that amount on an as-requested basis). A minimum of 5% community contribution in the form of cash or in-kind services is required.

Proposed Improvements: The project will accomplish the following goals:

- Repair to the irrigation zone southeast of Weldon Blvd. and Feldspar Way.
- Provide irrigation to newly planted landscaping in the aforementioned irrigation zone.
- Allow for new plantings in areas where fencing was installed.

The applicant's preferred vendor is Servello and Son, Inc. This vendor is the most knowledgeable about all of the irrigation issues that are spread throughout the community. Because of this, at the time of application submittal, the applicant did not have two other bids as required by the Grant program. That being said, the applicant has been directed to try and acquire one more bid from another vendor. However, it is staff's position that because of the history of issues that the HOA has had with their irrigation system, it may better protect the City's investment to accept the one bid that has been submitted as that vendor knows the most about all of the complex issues within the community. In the event the applicant has received another bid after this staff report has been completed, staff will bring it to the Board's attention.

The project cost based upon the bid from Servello and Son, Inc. is \$5,000. Recently, the applicant has spent \$6,653 in fencing and landscaping to improve the area in question. As a result, the applicant has requested that those monies, along with an additional \$250, be utilized as their minimum 5% match. The standard match is 5%, or \$250 on \$5,000. Staff finds the proposed match is appropriate, based upon the issues that the applicant has outlined.

FINDING OF FACT: Staff has found that the request for a Neighborhood Beautification Grant for the Lake Mary Landings subdivision meets the requirements of the Neighborhood Beautification Program. Staff recommends approval of \$5,000 in grant funding.

PARKS AND RECREATION BOARD: At their January 5, 2015 meeting, the Parks and Recreation Board voted 6 to 0 to recommend approval of the \$5,000 Neighborhood Beautification Grant for the Lake Mary Landings subdivision.

ATTACHMENTS:

- Lake Mary Landings Neighborhood Beautification Grant Application Package
- January 5, 2015 Parks & Recreation Board Meeting Synopsis

CITY OF LAKE MARY NEIGHBORHOOD BEAUTIFICATION GRANT APPLICATION

CITY OF LAKE MARY
COMMUNITY DEVELOPMENT DEPT.

Applicant Org. Name: <u>LAKE MARY LANDINGS HOA</u> Project Team Leader: <u>DEBORAH TURNER</u> Address: <u>890 STONECHASE LANE</u> City/State/Zip: <u>LAKE MARY, FL 32746</u> E-Mail: <u>datcbs@bellsouth.net</u> Phone: <u>(407) 687-3964</u> Alt. Phone: <u>(407) 302-5434</u>	Alt. Contact: <u>TIM VAN WERT</u> Address: <u>439 CANYON STONE CIRCLE</u> City/State/Zip: <u>LAKE MARY, FL 32746</u> E-Mail: <u>rs2+vw@cfl.net.com</u> Phone: <u>(703) 300-0106</u> Alt. Phone: _____
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Grant Requested: Neighborhood Entry Beautification Community Beautification

Name of Neighborhood: LAKE MARY LANDINGS
 Location of Neighborhood (Roadway Boundaries): WELDON BOULEVARD E HWY 17/92
 Project Location (Address Required for Permitting): _____
 Has the Neighborhood Won Grant Funding in the Past? Yes No
 If Yes, When and How Much? _____

Brief Description of Project:
WELDON BOULEVARD BEAUTIFICATION PROJECT ENTAILS ENHANCING THE ENTRANCEWAY TO THE GATED COMMUNITY OF LAKE MARY LANDINGS AND THE ENTRY ROADWAY TO SEMINOLE STATE COMMUNITY COLLEGE FROM HIGHWAY 17/92

Grant Amount Requested: \$ <u>5,000.00</u>	Neighborhood Match Amount: \$ <u>250.00</u> <u>6,653.00</u> <small>(min. 5% of Grant Amount)</small>
#690300	

- REQUIRED ATTACHMENTS**
- | | |
|--|--|
| <ul style="list-style-type: none"> Three (3) quotes of all proposed work A complete budget showing total cost of project Photos of existing site conditions A clean site plan showing the location of all improvements | <ul style="list-style-type: none"> Notarized meeting minutes Project Action Team (PAT) contact information A completed GAP with Maintenance Agreement Other documentation specifically requested by staff First Step Meeting Synopsis |
|--|--|

THE ABOVE INFORMATION IS SOLELY PROVIDED FOR PURPOSES OF APPLYING FOR THE NEIGHBORHOOD BEAUTIFICATION GRANT (NBG) AND UNDERSTAND IT DOES NOT IMPLY APPROVAL. I CERTIFY THE ABOVE INFORMATION TRUE. I HAVE RECEIVED, READ, AND AGREE WITH THE NBG PACKAGE.	Signed: <u>Deborah A. Turner</u> Print Name: <u>DEBORAH TURNER</u> Title: <u>PRESIDENT</u> Date: <u>12/12/14</u>
---	---

RECEIVED

DEC 12 2014

CITY OF LAKE MARY
COMMUNITY DEVELOPMENT DEPT.

CITY OF LAKE MARY

NEIGHBORHOOD BEAUTIFICATION GRANT APPLICATION



EXHIBIT "A"

PROJECT DESCRIPTION, BACKGROUND AND REQUEST FOR GRANT NARRATIVE

PROJECT DESCRIPTION

Weldon Boulevard Beautification Project entails enhancing the entranceway to the gated community of Lake Mary Landings and the entry roadway to Seminole State Community College from Highway 17/92.

This project is comprised of planting new shrubs, installing intermittent twenty one (21) – sixteen feet sections of white fence and rewiring an abandoned irrigation zone which would serve as the water source to sustain the plants and other vegetation along Weldon Boulevard's south-side of the entranceway to Lake Mary Landings. The total cost of all components of this project is \$11,653.00.

BACKGROUND

The development of Lake Mary Landings began in 2004 by Morrison Homes (aka Taylor/Morrison). The turnover of the Homeowners Association from the developer to the homeowners occurred in 2011. Since that time, the homeowner Board of Directors of the HOA has experienced multiple challenges maintaining the landscaping of the development. Extensive funds have been expended for replacement of declined plant material throughout the community as well as extensive funds working on the inherited irrigation system.

After embarking upon the Weldon Boulevard Beautification Project which was to entail only planting of new shrubs and installing fences, it was discovered that a water source zone was not functioning. Thus, it is necessary to properly activate the irrigation zone which would serve as the water source.

As indicated previously, extensive funding has been expended for irrigation repairs. Within the last three months (September through November), over \$10,000 have been disbursed for repairing faulty valves, installation of a new pressure tank, locating and repairing mainline breaks, repairing stress breaks at T fittings, installing new solenoids, installation of a new irrigation clock, etc. Currently, the irrigation budget has been exceeded by approximately \$22,000.

REQUEST FOR GRANT

As a result of excess spending and unknown (near or far) future irrigation repairs, it will be an extreme financial hardship to expend operating funds of \$5,000 for the much needed work proposed to activate the nonfunctioning irrigation zone. Therefore, the Board of Directors of Lake Mary Landings is submitting this request for consideration of being awarded \$5,000 of the Neighborhood Beautification Grants which is administered by the City of Lake Mary.

EXHIBIT B

TOTAL COST OF PROJECT

Removal of declined material and planting of new shrubs	\$ 2,829.00
Installation of 21-sixteen feet sections of white fence	\$ 3,824.00
Rewiring nonfunctioning irrigation zone (See Exhibit C)	\$ 5,000.0
Total Cost	\$11,653.00

EXHIBIT C

"EXHIBIT C"



261 Springview Commerce Drive
DeBary, FL 32713
Phone: 386-753-1100
Fax: 386-753-1106

FIELD PROPOSAL

Date	#
11-24-14	25443

Landscape

Irrigation

Account 10-12-0159 Lk Mary Landing Ex-25-101

Address _____

Phone _____ Alternate Phone _____

Fax _____

Project

Scope of Work I spent the whole day Monday Trouble shooting issues for the wiring running to valves. We need to replace both the red wire and Blue valve wires from the back of Canyon Stone Circle #360 to 300 Canyon Stone Circle. I traced the wire and dug it up and found out that the wire most likely was struck by lightning in the past and destroyed wire. I tried to repair wire in many different areas and had no success. I had to run temporary wire above ground so that the system would water new plants. I also want to install grounding stations for new wire to prevent any future lightning strikes damaging wire. This proposal includes new wire and grounding stations where needed and wiring all valves between 2 points.

1000-ft 2 wire + special wire nuts (50) + labor + grounding Buds + trouble shooting + PVC parts +
grounding stations = 5,000.00

Relieve valve

The above prices, specifications and conditions are accepted. Not valid after 30 days.

Total 5000.00

All material is guaranteed to be as specified. All work to be completed in a professional manner according to standard practices. Any alteration or deviation from the above specifications will be executed only upon written authorization and billed accordingly. Servello & Son, Inc. is a drug free workplace and carries workers compensation insurance.

Servello & Son, Inc.

EXHIBIT D

PHOTOS OF EXISTING SITE CONDITIONS

One side of Entranceway Marquee with new plants and annuals	D-1
Segment of area of new plants installed	D-2
Segment of new 1-sixteen feet fence installed	D-3
Segments of rewiring needed and above ground wiring to provide water	D-4 through D-12



D-1



D-2



D-3

Main Identity

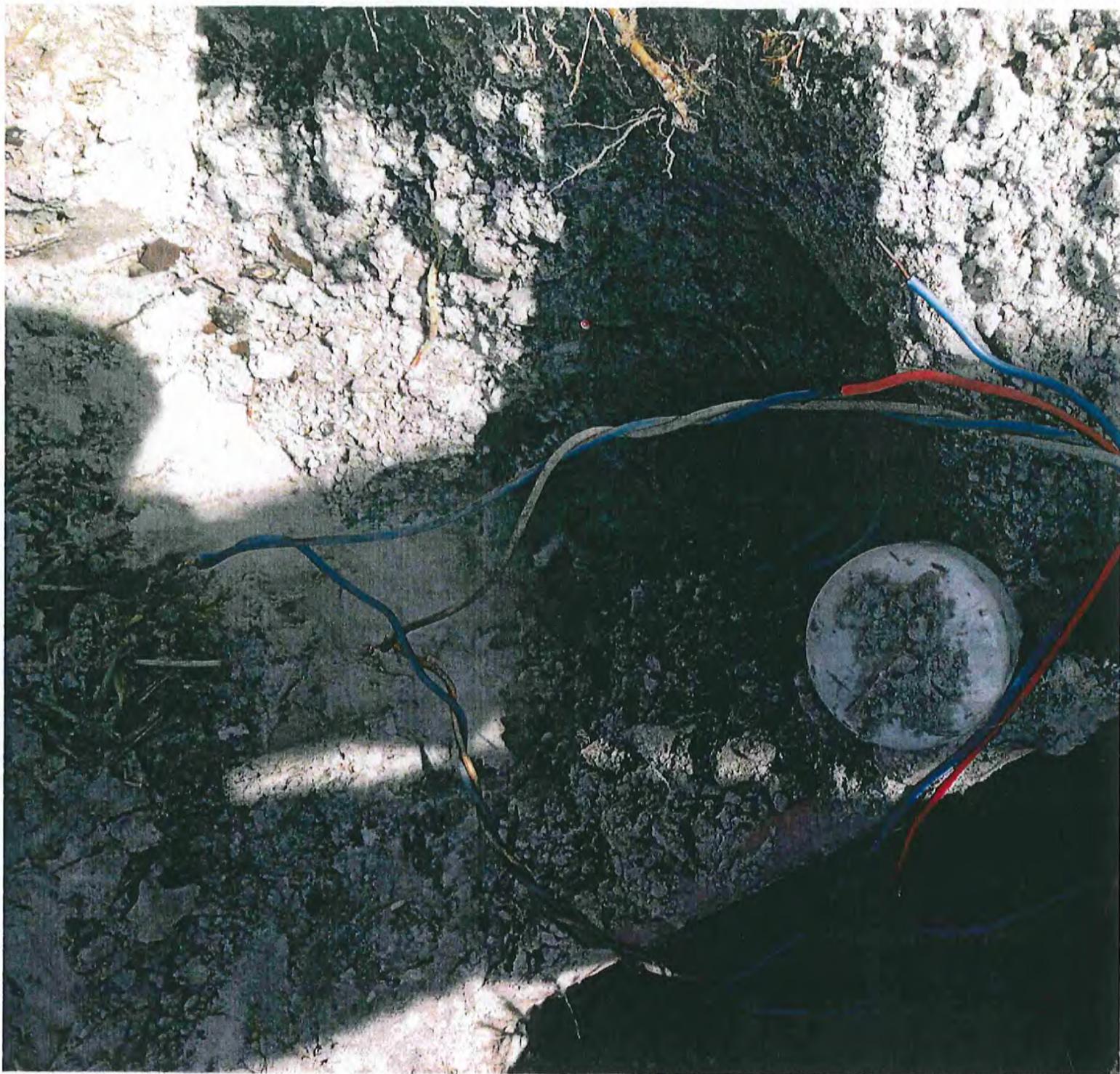
From: "Matt Jenkins" <mjenkins1821@cfl.rr.com>
To: <daicbs@bellsouth.net>
Sent: Wednesday, December 10, 2014 7:12 AM
Attach: image1.jpeg; image2.jpeg; image3.jpeg; image4.jpeg; image5.jpeg; image6.jpeg; image7.jpeg; image8.jpeg; image9.jpeg
Subject: Pics of irrigation low voltage wire that needs to be replaced.



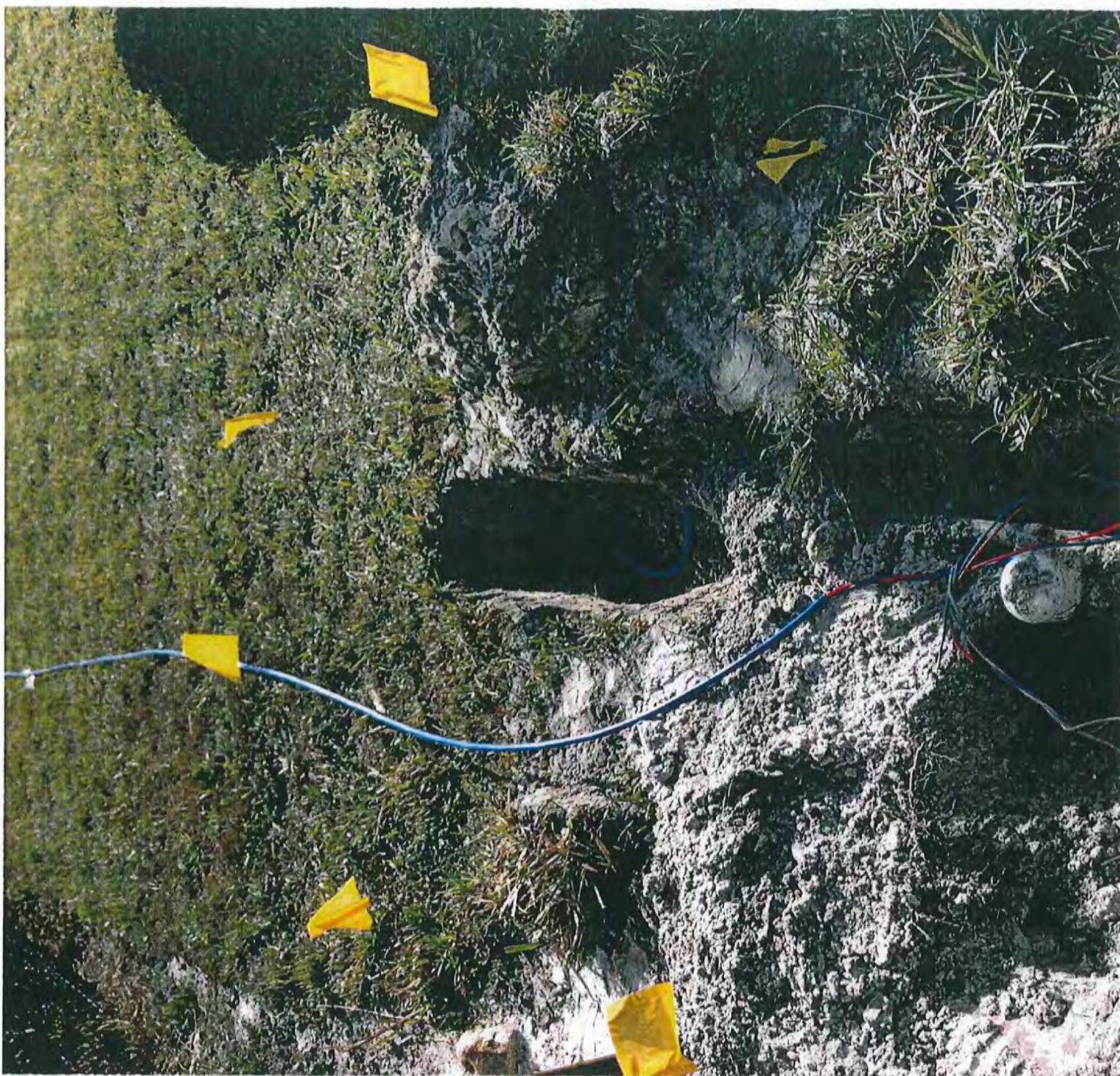
D-4



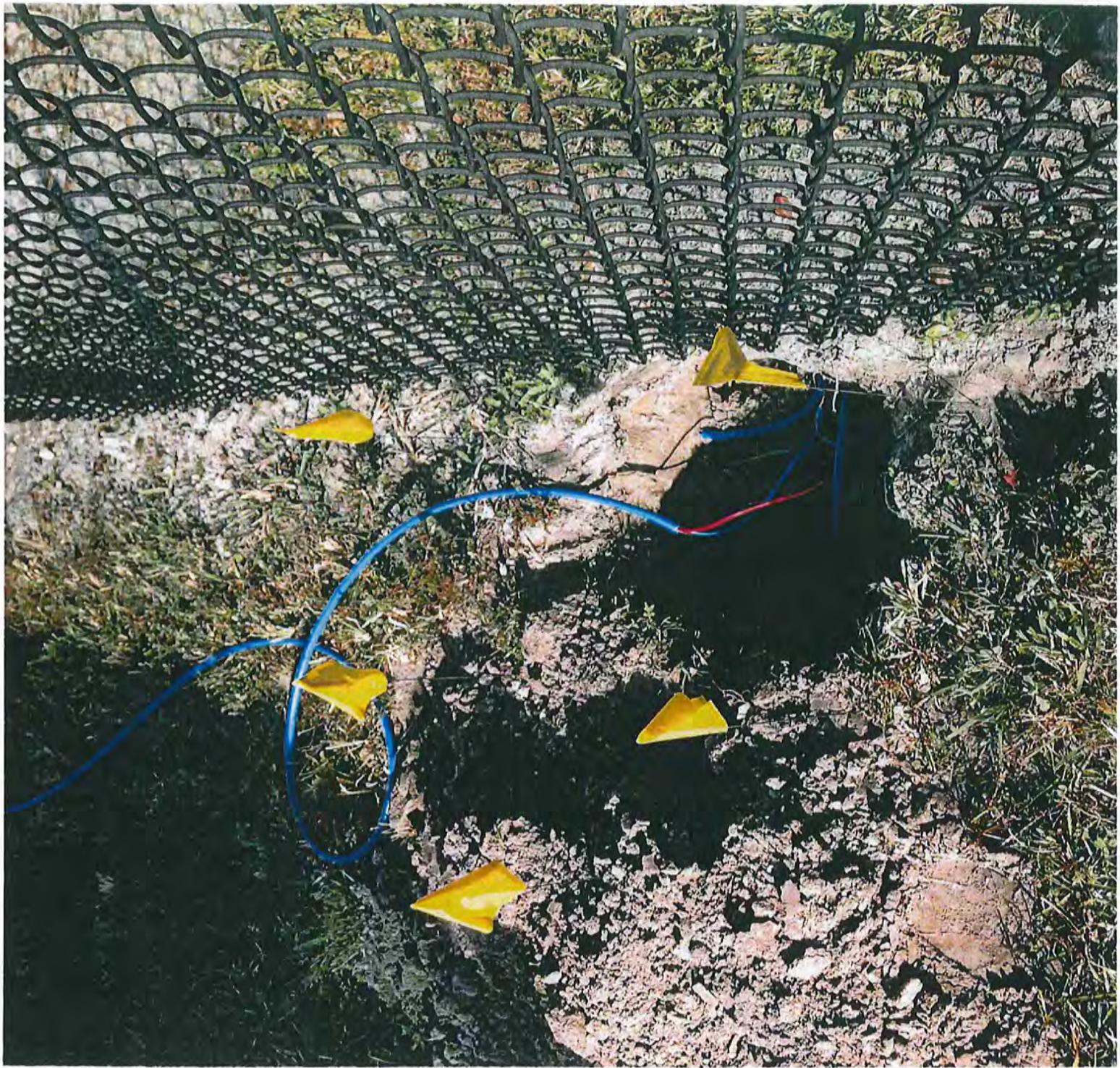
D-5



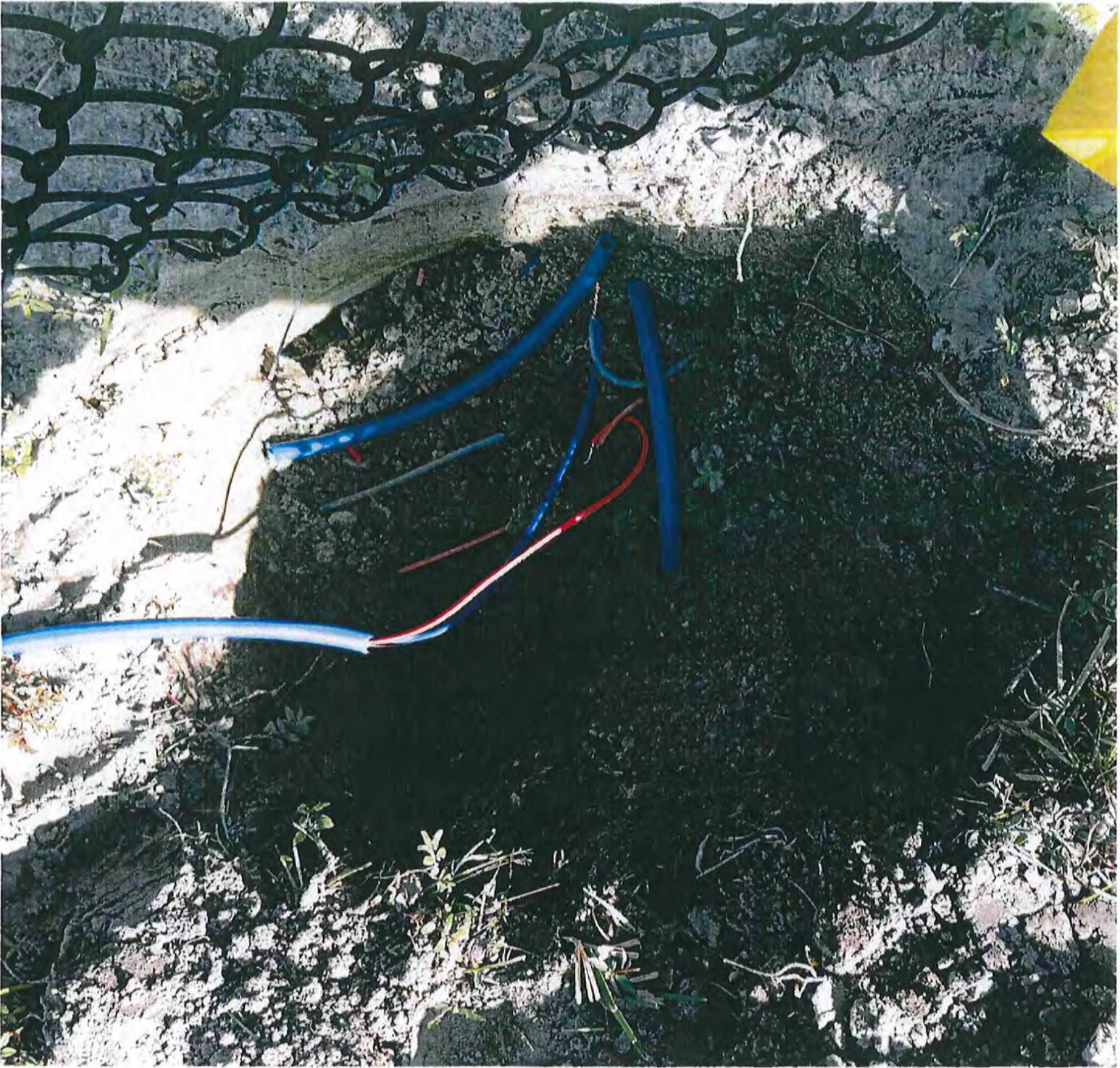
D-6



D-7



D-8



D-9



D-10



D-11



Sent from my iPhone

D-12

EXHIBIT E

LOCATION SITE PLAN OF IMPROVEMENTS
(Improvement Area is owned by HOA of Lake Mary Landings)

EXHIBIT "E"



EXHIBIT F

NOTARIZED MEETING MINUTES

**LAKE MARY TOWNHOMES
OWNERS' ASSOCIATION, INC.
6972 Lake Gloria Blvd.
Orlando, FL 32809**

Board of Director's Meeting Minutes

Tuesday, December 16th, 2014, 7:00 p.m.

Call to Order: Deborah called the meeting to order at 7:04 p.m.

Certification of Quorum: Members present were Rachel Rados, Philip Blake, Christopher Claps and Deborah Turner. Quorum established. Also present was Jamie Stevens, LCAM and Zaimelyn Rodriguez, LCAM of Leland Management.

Motion: Philip made a motion to approve the minutes from October 21st, 2014. The motion was seconded by Rachel. All in favor.

Joe Callo, Gate Committee gave update on the gates.

There was a discussion on having the fire ant mounds sprayed by the pond, by 590-690 Canyon Stone Circle, and along Weldon Blvd. Management to follow up with vendor.

Motion: Philip made a motion to have all the Oak trees trimmed on the community as long as the bid is under \$7,500 and the motion was seconded by Rachel. All in favor.

There was a discussion on having the landscapers look at dead and/or dying trees on the community and providing recommendations. Management to follow up with the landscapers.

Motion: Chris made a motion to submit an application to the City of Lake Mary Beautification Grant in the amount of \$5,000. The motion was seconded by Philip. All in favor.

2015 Meeting Schedule- Third Tuesday at 7:00 PM in the months of February, May, August, October (budget meeting), and December (annual meeting).

There was a discussion on making sure all Board members are responding to emails and making sure their contact information is up to date.

There was a discussion on posting meeting minutes on the website when they are approved.

The Board stated they will send meeting agendas to management at least one week prior to the meeting and management will send the typed agenda back to Board a few days before the meeting in order for the Board to post the Agenda by the mailboxes. The Board will add an agenda item that states the Board can speak on new topics as deemed necessary.

There was a discussion on contacting the City of Lake Mary to see if a permit would be required to add a storage closet to the men's restroom at the pool.

Motion: Philip made a motion to allow the President to approve proposals up to \$1,500 without the rest of the Boards approval. The Motion was seconded by Rachel. All in favor.

The Board asked that management have the floors at the mailboxes painted.

Management to follow up with the landscapers about the irrigation repairs and plant needing installed behind 590-610 Canyon Stone Circle.

Management to get a bid for mulching community with Cyprus mulch.

Management to get bid to lay rubber chips instead of mulch at the playground.

Motion: Chris made a motion to appoint Felix Rados to the Board. The motion was seconded by Rachel. All in favor.

Committee Reports: Tim is stepping down from the Social Committee.

Motion: Rachel made a motion to appoint Letizia Morales to the Social Committee. The motion was seconded by Chris. All in favor.

ARC: Nothing new to report.

Adjournment: A motion was made by Rachel to adjourn the meeting at 8:46 PM. Motion was seconded by Philip. Minutes prepared by Jamie Stevens, LCAM, Leland Management



Mary Carol Shaver

EXHIBIT G

PROJECT ACTION TEAM

Deborah Turner (Lead)	<u>datcbs@bellsouth.net</u>	890 Stonechase Lane
Timothy VanWert (Alternate)	<u>rs2tvw@cfl.rr.com</u>	439 Canyon Stone Circle
Stefan King	<u>stefanking_1999@yahoo.com</u>	845 Stonechase Lane
Letzia Morales	<u>liveinfloridausa@aol.com</u>	404 Canyon Stone Circle
Andrea Ohlson	<u>pizzacelery2@aol.com</u>	560 Canyon Stone Circle

EXHIBIT H

GRANT ACTION PLAN

The budget for the grant is \$5,000.

These funds will be utilized to cover the cost of the proposed work to activate the irrigation zone designated to water the south side entranceway area of Weldon Boulevard.

The work to be performed entails installing 1,000 feet of 10 gauge low voltage wire (two wire system).

The timeline for this work is estimated at two weeks from start to completion. At completion, this irrigation zone will be operating properly.

Completing this required project will dramatically improve/enhance all plant growth in the area which will result in an entranceway that is aesthetic to all.

Work to be completed:

- Running 1,000 feet of low voltage 2 wire;
- Trenching 1,000 feet to bury the wire;
- Running the new wire to all valves that run the irrigation for the area from the park to the entrance way and all along the roadway area (Weldon Boulevard and Feldspar Way);
- Installing six (6) grounding rods to the new wire to prevent any future damage from surges and/or lightning strikes;
- Using the proper wire nuts to prevent future corrosion to wire and/or valves and
- Adjusting all heads to make certain they are properly covering all areas

MAINTENANCE PLAN

Servello & Son, our current contractor, will provide a monthly Irrigation Maintenance Check (IMC). The IMC consists of review of the entire irrigation system to evaluate proper coverage, line breaks, valves, and the clock and rain sensor. Repairs under contract will be made immediately. Repairs requiring approval will be made upon receipt of approval authorization.

January 5, 2014 Parks and Recreation Board Meeting
6pm at City Hall Commission Chambers

Item # 2014-NBG-03

Recommendation to the City Commission for a \$5,000 Beautification Grant for Lake Mary Landings subdivision.

Community development staff presented to the board the application for Lake Mary Landings \$5,000 grant to fix the irrigation problem and in turn enhance the exterior of the subdivision.

Board discussed issues concerning proper foliage and irrigation, along with how much has the subdivision spent in the year 2014 on the interior areas. The board also discussed how much is left in the grant "pot" for this fiscal year.

After discussion board did come to a conclusion.

Motion was made by Robert Boardman and seconded by Robert Sebald to recommend to the City Commission the grant be awarded. The vote was unanimous.



MEMORANDUM

DATE: January 15, 2015

TO: Mayor and City Commission

FROM: Radley Williams, Recreation Chief

THRU: Bryan Nipe, Director of Parks and Recreation

VIA: Jackie Sova, City Manager

SUBJECT: Resolution No. 958 - Amending Fees for use of Skakeboard/Bike Park at the Sports Complex (Radley Williams, Recreation Chief)

Revenue and attendance at the Skate Park has been falling over the past few years, with Fiscal Year 14 revenue at a low point of \$3,198.32, compared to revenues of \$4,215.73 in FY 2013 and \$8,819.43 in FY 2012. In an attempt to improve attendance at the Skate Park and improve cost recovery, staff has researched and designed a new proposed fee structure.

The current fee structure is as follows:

- \$3 daily fee
- \$20 10-visit pass
- \$75 6-month pass

The proposed fee structure is as follows:

- \$2 daily fee
- \$20 annual pass

The proposed fee structure would reduce the daily fee by one dollar, putting it in line with our daily fee at the Splash Pad while also making the Skate Park more competitive with the free skate park in Longwood. In addition, the proposed fee structure replaces the 10-visit and 6-month pass options with a \$20 annual pass option. The proposed fee change was brought before the Parks and Recreation Advisory Board during their

January 5, 2015 meeting. The members voted in support of the new proposed fee structure.

Staff believes that making an affordable annual pass will increase revenues while at the same time increase park attendance. The annual pass essentially makes the park free for the user the remainder of the year, with the hope that skaters will be more inclined to frequent the park. Staff also believes that setting the annual pass at \$20 will entice first-time park users to purchase the annual pass during their first visit. Attached is a chart which highlights this assumption and illustrates the comparison between the fee structure during FY 2014 and the proposed fee structure.

RECOMMENDATION:

Request Commission approve Resolution No. 958 authorizing the fee structure proposed for the Skate Park and adopt said fees into the Code of Ordinances section 92.25.

Attached:

1. Skate Park Annual Pass Estimates

RESOLUTION NO. 958

A RESOLUTION OF THE CITY OF LAKE MARY, FLORIDA, AMENDING CHAPTER 92 OF THE CODE OF ORDINANCES ENTITLED "PARKS AND PLAYGROUNDS"; AMENDING FEES FOR SKATEBOARD/BIKE PARK; PROVIDING FOR CODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, revenue and attendance at the Skateboard/Bike Park has been falling over the past few years and in an attempt to improve attendance and cost recovery, staff feels it would be beneficial for the Commission to adopt a new fee structure; and

WHEREAS, Chapter 92 provides that fees may be amended by Resolution.

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION:

SECTION I. Chapter 92 of the Code of Ordinances is hereby amended as follows:

§ 92.11 SKATEBOARD/BIKE PARK.

Fee schedule for the use of the skateboard/bike park located at the Sports Complex. Applicable sales tax will be added.

Daily Pass	\$3 <u>\$2</u>
Six-Month Pass	\$75
Ten-Visit Punch Card	\$20
Annual Pass	<u>\$20</u>
Private Parties — on Saturdays and Sundays Only	
10:00 a.m. - 11:30 a.m.	\$75 plus applicable tax for 20 people or less
	<u>\$3 Daily fee</u> per person over 20 not to exceed a total of 40
6:30 p.m. - 8:00 p.m.	\$75 plus applicable tax for 20 people or less
8:00 p.m. - 8:30 p.m.	an additional \$25 plus applicable sales tax
8:30 p.m. - 9:00 p.m.	an additional \$25 plus applicable sales tax
	<u>\$3 Daily fee</u> per person over 20 not to exceed a total of 40

SECTION II. Codification – It is the intention of the City Commission that the provisions of this Resolution shall become and be made part of the Code of Ordinances of the City of Lake Mary, Florida and the word “resolution” may be changed to “section”, “article”, or other appropriate word or phrase and the sections of this resolution may be renumbered or relettered to accomplish such intention.

SECTION III. Effective Date – this Resolution shall take effect upon adoption.

Passed and adopted this 15th day of January 2015.

CITY OF LAKE MARY, FLORIDA

DAVID J. MEALOR, MAYOR

ATTEST:

CAROL A. FOSTER, CITY CLERK

Skate Park Annual Pass Estimates

New Sign-ups

October	2013	20
November	2013	24
December	2013	10
January	2014	19
February	2014	30
March	2014	38
April	2014	42
May	2014	7
June	2014	15
July	2014	8
August	2014	17
September	2014	14

244 new sign-ups in FY 2014

x \$20 *proposed annual pass fee*

\$4,880.00 *estimated pass revenue in FY 2014 **

\$3,198.32 actual Skate Park revenue in FY 2014

*This chart assumes that all new sign-ups at the Skate Park in FY 2014 purchased an annual pass. It does not account for skaters who had signed up prior to FY 2014 or for any Daily Fees that may have been collected. This estimate is also prior to any applicable tax being backed out of the annual fee.



CITY MANAGER'S REPORT

DATE: January 15, 2015
TO: Mayor and City Commission
FROM: Jackie Sova, City Manager
SUBJECT: City Manager's Report

ITEMS FOR COMMISSION ACTION:

1. Zoll Monitors/Defibrillators.
2. Lake Mary Events Center catering agreement extensions.
3. Surplus of outdated/non-functioning Police radios.
4. Public Works equipment canopy.

ITEMS FOR COMMISSION INFORMATION:

1. Monthly Department Reports.



CITY MANAGER'S REPORT

DATE: January 15, 2015
TO: Mayor and City Commission
FROM: Joe Landreville, Deputy Fire Chief
VIA: Jackie Sova, City Manager
SUBJECT: Zoll Monitors/Defibrillators

Background:

We are requesting to purchase two new X Series Zoll Monitors. They are needed to replace monitors that are greater than nine years old. The technology is outdated and unable to provide more precise lifesaving diagnostics and measures. We were unable to secure a grant for the purchase this year.

We had budgeted \$70,000.00 for this purchase. The cost of the monitors is \$65,632.80.

Requested Action:

Request Commission approve purchase of two new X Series Zoll Monitors from Zoll Medical Corporation, sole source, in an amount not to exceed \$65,632.80.

ZOLL

269 Mill Road
Chelmsford, Massachusetts 01824-4105
978-421-9653 (ext)
978-421-0025 (fax)
www.zoll.com

December 10, 2014

Scott Berner, EMS Chief
Lake Mary Fire Department
911 Wallace Court
Lake Mary, FL 32746-2177

Dear Chief Berner:

We appreciate your selection of ZOLL® products for Lake Mary Fire Department. This letter serves as confirmation that ZOLL® Medical Corporation at 269 Mill Road in Chelmsford, Massachusetts, is the sole manufacturer and source of X Series® Defibrillators for the EMS Market. ZOLL® or Zandra Evans, EMS Territory Manager, will not sell an X Series® Defibrillator to Lake Mary Fire Department through any vendor or dealer.

Should you have any questions or require additional information please contact me at 800-348-9011 x 9514.

Sincerely,



Heidi Eckhardt
Contracts Specialist



75748

ZOLL Medical Corporation

Worldwide HeadQuarters
269 Mill Rd
Chelmsford, Massachusetts 01824-4105
(978) 421-9655 Main
(800) 348-9011
(978) 421-0015 Customer Support
FEDERAL ID#: 04-2711626

TO: Lake Mary Fire Department

911 Wallace Court
Lake Mary, FL 32746-2177

Attn: **Scott Berner, EMS Chief**

email: sberner@lakemaryfl.com
Tel: 407-585-1470

QUOTATION 177457 V:4

DATE: December 10, 2014

TERMS: Net 30 Days

FOB: Destination

FREIGHT: Free Freight

ITEM	MODEL NUMBER	DESCRIPTION	QTY.	UNIT PRICE	DISC PRICE	TOTAL PRICE
1	601-2231011-01	<p>X Series ® Manual Monitor/Defibrillator \$14,995 with 4 trace tri-mode display monitor/ defibrillator/ printer, comes with Real CPR Help®, advisory algorithm, advanced communications package (Wi-Fi, Bluetooth, USB cellular modem capable) USB data transfer capable and large 6.5" (16.5cm) diagonal screen, full 12 ECG lead view with both dynamic and static 12-lead mode display.</p> <p>Accessories Included:</p> <ul style="list-style-type: none"> • Six (6) foot 3- Lead ECG cable • MFC cable • MFC CPR connector • A/C power adapter/ battery charger • A/C power cord • One (1) roll printer paper • 6.6 Ah Li-ion battery • Carry case • Declaration of Conformity • Operator's Manual • Quick Reference Guide <p>• One (1)-year EMS warranty</p> <p>Advanced Options: Real CPR Help Expansion Pack \$995 CPR Dashboard quantitative depth and rate in real time, release indicator, interruption timer, perfusion performance indicator (PPI) • See - Thru CPR artifact filtering</p> <p>ZOLL Noninvasive Pacing Technology: \$2,550</p>	2	\$40,020.00	\$32,816.40	\$65,632.80 †

This quote is made subject to ZOLL's standard commercial terms and conditions (ZOLL T's + C's) which accompany this quote. Any purchase order (P.O.) issued in response to this quotation will be deemed to incorporate ZOLL T's + C's. Any modification of the ZOLL T's + C's must be set forth or referenced in the customer's P.O. No commercial terms or conditions shall apply to the sale of goods or services governed by this quote and the customer's P.O unless set forth in or referenced by either document.

Page 1 Subtotal \$65,632.80

1. DELIVERY WILL BE MADE 60-90 DAYS UPON RECEIPT OF ACCEPTED PURCHASE ORDER.
2. PRICES WILL BE F.O.B. DESTINATION-FREE FREIGHT
3. PRICES QUOTED ARE VALID FOR 60 DAYS.
4. APPLICABLE TAX ADDITIONAL
5. ALL PURCHASE ORDERS ARE SUBJECT TO CREDIT APPROVAL BEFORE ACCEPTANCE BY ZOLL.
6. FAX PURCHASE ORDER AND QUOTATION TO ZOLL CUSTOMER SUPPORT AT 978-421-0015 OR EMAIL TO ESALES@ZOLL.COM.
7. ALL DISCOUNTS OFF LIST PRICE ARE CONTINGENT UPON PAYMENT WITHIN AGREED UPON TERMS.
8. PLACE YOUR ACCESSORY ORDERS ONLINE BY VISITING www.zollwebstore.com.

Zandra Evans
EMS Territory Manager
727-455-1484



CITY MANAGER'S REPORT

DATE: January 15, 2015

TO: Mayor and City Commission

FROM: Gunnar Smith, Events Center and Recreation Manager

THRU: Bryan Nipe, Parks and Recreation Director

VIA: Jackie Sova, City Manager

SUBJECT: Lake Mary Events Center catering agreement extensions

The current Lake Mary Events Center Catering Services Agreement (11-09) is set to expire on 1/31/15 with all eight (8) of the approved caterers. In accordance with Section III of the Agreements between the City of Lake Mary and each catering company both parties can mutually agree to extend the contracts for twelve (12) months, terminating January 31, 2016.

Under the current three (3) year contract the Lake Mary Events Center has had six hundred fifty nine (659) catered events by these approved caterers and received over \$170,000 in catering revenue. The revenue represents 10% of all sales of food and beverage during this contract period. The working relationship with each of the caterers has been exceptional and we have incurred virtually no problems with each one.

List of the 8 caterers offered the extension:

1. Arthur's Catering
2. Big City Catering
3. John Michael Events
4. River City Catering
5. 4 Rivers Central Kitchen
6. Levan's Catering
7. Cuisiniers Catering
8. Puff n Stuff Catering

Recommendation

Request Commission approve the Lake Mary Catering Services Extensions for twelve (12) months with each of the eight (8) current catering companies and authorize City Manager to execute extension.

Attachments

1. TERM FROM LAKE MARY EVENTS CENTER CATERING SERVICES AGREEMENT (11-09)
2. SAMPLE LAKE MARY EVENTS CENTER CATERING SERVICES EXTENSION

prices. Any violations of these requirements will be cause for termination of the Agreement.

III. TERM / SCHEDULE

1. Term: The period of this Agreement shall be for thirty-six (36) months, beginning on February 1, 2012, and ending on January 31, 2015. This Agreement may, by mutual written assent of the parties, be extended for two (2) additional twelve-month periods or portions thereof, up to a cumulative total of sixty (60) months.
2. Operating Schedule: The Caterer shall conduct its operation at the Lake Mary Events Center in accordance with the Center Use Policy attached to the RFP as RFP Attachment "E" and incorporated by reference herein.

IV. CONCESSION FEE, TAXES, PERMITS / LICENSES

1. Fees and Accounting:

A. User Fee: In exchange for the rights and privileges granted pursuant to this Agreement, and for each and every catered event held while this agreement is in effect, Caterer shall pay to the City a sum of money (hereinafter called "User Fee") equal to ten percent (10%) of Caterer's gross receipts from all food and beverage sales to the client. The server gratuity is not to be included as part of the user fee collection.

The User Fee shall be paid to the City whether the Caterer has collected from their client or not on a weekly basis each Friday for the prior week's (Monday-Sunday) catered events and shall be due and payable to the City of Lake Mary, Attention Lake Mary Events Center, 260 North Country Club Road, Lake Mary, FL 32746. Send along with the User Fee: 1) all invoices issued by the Caterer relative to such User Fee, 2) a completed financial report included herein as RFP Attachment "F" and 3) update of the upcoming weeks events. The User Fee shall not be due to City if Caterer has agreed to cater a City-sponsored event for a price equal to the Caterer's actual cost. "City sponsored event" shall mean events held at the Lake Mary Events Center, which have been specifically designated as "City events".

B. Gross Receipts: "Gross receipts from sales" shall mean the total sales of all food and beverages by Caterer in or upon any part of the Lake Mary Events Center. In addition, the gross food and beverage receipts from sales shall also include the total sales price of

CITY OF LAKE MARY, FLORIDA

LAKE MARY EVENTS CENTER CATERING SERVICES
CONTRACT EXTENSION AGREEMENT

The **CONTRACT EXTENSION AGREEMENT** made as of the _____ day of _____, 20____,

Between the Owner:

City of Lake Mary
P. O. Box 958445
Lake Mary, FL 32795-8445

And the Caterer:

ARTICLE ONE

In accordance with Section III of the Agreement for Lake Mary Events Center Catering Services dated January 13, 2012 between the City of Lake Mary and **Caterer's Name** both parties hereby mutually agree to extend the contract for twelve (12) months, terminating January 31, 2016. All terms and conditions of the original Agreement shall apply.

OWNER
For the City of Lake Mary

WITNESS:

JACQUELINE B. SOVA

Print Name

Dated: _____

Print Name

CATERER
Caterer's Name

WITNESS:

Print Name

Print Name

Dated: _____

Print Name



CITY MANAGER'S REPORT

DATE: January 15, 2015

TO: Mayor and City Commission

FROM: Suzanne Garfinkel, Communications/Support Services Supervisor

THRU: Steve Bracknell, Police Chief

VIA: Jackie Sova, City Manager

SUBJECT: Surplus of outdated/non-functioning Police radios

We are requesting approval to surplus the following sixty-six (66) mobile and portable radios that are outdated and non-functioning on the new digital radio system currently being utilized by the City and Seminole County.

<u>SERIAL NO.</u>	<u>LM ASSET</u>	<u>MODEL</u>
466AUQ1344	80	MTS 2000
466AUQ1356	81	MTS 2000
466AUQ1357	82	MTS 2000
466AUQ1348	83	MTS 2000
466AVC0104	176	MTS 2000
466AUQ1355	242	MTS 2000
466AUQ1343	568	MTS 2000
HLN1185E	598	SPECTRA ASTRO
466AVC0101	641	MTS 2000
466AVC0099	653	MTS 2000
466AVC0107	678	MTS 2000
466AYS5101	915	MTS 2000
466AYQ2022	972	MTS 2000
722AZU1113	1081	MCS 2000

722AAQ1310	1257	MCS 2000
466AAS3614	1279	MTS 2000
466AAS3615	1280	MTS 2000
722ABJ5765	1415	MCS 2000
722ABJ1029	1416	MCS 2000
722ABJ5765	1417	MCS 2000
722ABS2449	1462	MCS 2000
722AAC1839	1544	MCS 2000
722AAC1036	1545	MCS 2000
722AXQ0631	1662	MCS 2000
722CDG0453	1812	MCS 2000
722CDG0454	1813	MCS 2000
466AWC0817	10132	MTS 2000
466AWC0801	10135	MTS 2000
466AXN3329	10138	MTS 2000
466AWC0805	10139	MTS 2000
466AWC0809	10140	MTS 2000
466AWC0804	10150	MTS 2000
466AWC0795	10151	MTS 2000
466AWC0806	10152	MTS 2000
466AWC0821	10155	MTS 2000
466AWC0796	10162	MTS 2000
466AWC0800	10163	MTS 2000
466AWC0799	10164	MTS 2000
466AWC0818	10166	MTS 2000
466AWC0819	10167	MTS 2000
466AWC0811	10172	MTS 2000
466AWC0797	10174	MTS 2000
466AZC3366	10176	MTS 2000
466AAC2675	10241	MTS 2000
466CFK0383	NONE	MTS 2000
466CFM0748	NONE	MTS 2000
466CFM1434	NONE	MTS 2000
466CFM1437	NONE	MTS 2000
466CFM1440	NONE	MTS 2000
466CFM1444	NONE	MTS 2000
466CFM1453	NONE	MTS 2000
466CFM1454	NONE	MTS 2000
466CFM1455	NONE	MTS 2000
466CFM1456	NONE	MTS 2000
466CFM1460	NONE	MTS 2000
466CFM1461	NONE	MTS 2000
466CFM1463	NONE	MTS 2000

466CFM1464	NONE	MTS 2000
466CFM1467	NONE	MTS 2000
466CFM1470	NONE	MTS 2000
466CFM1474	NONE	MTS 2000
466ABQ1238	1451	MTS 2000 II
466ABQ1241	1452	MTS 2000 II
466AAS3613	1278	MTS2000
466ABQ1241	1452	MTS 2000
776ATE1193	UNK	MARATRAC

RECOMMENDATION:

Request Commission declare the above listed items surplus and authorize City Manager to dispose of same.



CITY MANAGER'S REPORT

DATE: January 15, 2015
TO: Mayor and City Commission
FROM: Bruce Paster, P.E., Director of Public Works
VIA: Jackie Sova, City Manager
SUBJECT: Public Works equipment canopy

DISCUSSION: In order to better store, protect and organize Public Works heavy equipment, trailers, mowers, pipe, and supplies we have designed a new 50-foot by 100-foot metal canopy to be located just west of the existing Public Works building at 435 Rinehart Road.

The City of Lake Mary advertised for bids for the Parking Area Canopy Addition as specified by our engineering consultant e/T Engineering Technologies, Inc. per City Bid 15-01. On December 23, 2014, we received submittals from the following firms:

A. G. Pifer Construction Co. Inc.	MCG Services LLC
E. O. Koch Construction Co.	Parkit Construction Inc.
Heinkel Construction Inc.	Shoemaker Construction Company Inc.
Marbek Construction Co.	Tagarelli Construction Inc.
Mark Construction Co.	

The most responsive and responsible bid (see attached bid summary) was received from Heinkel Construction Inc. with a base bid of \$143,640.00. Staff checked references provided and Heinkel is highly recommended for this type of work. The budgeted amount for this project is \$290,000.

RECOMMENDATION: Request Commission authorize City Manager to enter into an agreement with Heinkel Construction Inc. in an amount not to exceed \$143,640.00 for the Parking Area Canopy Addition construction project.



CITY OF LAKE MARY, FLORIDA

PARKING AREA CANOPY ADDITION, BID #15-01

Bids were opened at approximately 2:02 PM, Tuesday December 23, 2014 by Jill J. Alvarez, Purchasing Coordinator. Also present were Tom Tomerlin, Economic Development Manager and several vendor representatives.

	Vendor Name	Total bid
1	Tagarelli Construction Inc.	\$ 239,000.00
2	Shoemaker Construction Company Inc.	\$ 214,580.00
3	Parkit Construction Inc.	\$ 164,200.00
4	Heinkel Construction Inc.	\$ 143,640.00
5	E. O. Koch Construction Co.	\$ 178,490.00
6	Marbek Construction Co.	\$ 224,800.00
7	Mark Construction Co.	\$ 292,800.00
8	MCG Services LLC	\$ 134,361.73
9	A. G. Pifer Construction Co. Inc.	\$ 174,296.90

Bids will be evaluated for responsiveness and a recommendation will be made to the City Commission upon completion of said evaluation.



CITY MANAGER'S REPORT

DATE: January 15, 2015
TO: Mayor and City Commission
FROM: Bryan Nipe, Parks and Recreation Director
VIA: Jackie Sova, City Manager
SUBJECT: Parks and Recreation Update for December 2014

Community Center

- Rentals
 - 121 completed rentals to date since the May 1st opening.

- Programs
 - Zumba: 7 classes per week, in both mornings and evenings.
 - Averaging between 10-15 people per morning class.
 - Around 20 people for evening classes.
 - Yoga: Mondays at 11:00am, Tuesdays at 9:00am, Wednesdays at 11:00am and Thursdays at 9:00am.
 - Averaging between 3-5 people per class.
 - Tri-Balance Martial Arts: Classes held every Monday & Thursday 5:30pm-6:30pm.
 - Averaging between 10-12 participants per class.

Sports Complex – Fields Closed During December for Maintenance

- Field Rentals
 - Soccer Rentals
 - Multipurpose Field closed for maintenance and repair.
 - Available for rental starting January 5, 2015.

- Programs
 - Adult Softball – Monday (men's) & Wednesday (co-ed)
 - Monday night men's league to start January 5, 2015.
 - Wednesday night co-ed league to start January 7, 2015.

- Skate Park
 - December 2014 - 110 park users (11 new users)
 - December 2013 - 86 park users (10 new users)

Farmers Market

- | | |
|----------------------------------|--|
| Vendor Count | <ul style="list-style-type: none">• December 2014 = 90• December 2013 = 143 |
| Attendance Estimate (new metric) | <ul style="list-style-type: none">• December weekly average = 101• December total = 404 |

Event Center

- | | |
|--------------|---|
| Total Events | <ul style="list-style-type: none">• 83 total rentals year to date over 74 last year |
|--------------|---|

Tennis Center

- Memberships = 156 (152 in 2014)

Community Events

- The Elder Affairs Shred-A-Thon will be held in the Digital Risk Parking lot off of Wallace Court on January 31, 2015.
- WineART Wednesday – January 7, 2015

Senior Center

- All class schedules and descriptions can be found on the following web page: <http://www.lakemaryfl.com/lake-mary-senior-center/news/calendar-december-2014>
(407) 585-1466
- Seniors in our community are encouraged to check out the Aging Tree for opportunities to take a ride on SunRail from the Lake Mary Station for lunch in Winter Park. <http://www.agingtree.com/>
(386) 774-2446

MEMO

TO: Bryan Nipe, Director of Parks & Recreation

FROM: Sean Cabrera, Recreation Specialist

DATE: January 9, 2015



PARKS AND RECREATION MONTHLY ACTIVITY REPORT FOR THE MONTH OF: December 2014

EVENTS CENTER	Current Month	This Month Last YR	Current YTD	Previous YTD
non-revenue uses	2	12	4	33
rentals	26	20	83	74
revenue	\$ 43,932.97	\$ 38,834.05	\$ 144,720.05	\$ 136,092.41
expenses	\$ 33,996.03	\$ 27,701.90	\$ 109,092.35	\$ 95,306.11

SENIOR CENTER	Current Month	This Month Last YR	Current YTD	Previous YTD
classes	104	88	347	311
individual participants	1,870	1,295	6,143	5,161
revenue	\$ 2,379.12	\$ 1,442.72	\$ 4,177.76	\$ 4,693.67
expenses	\$ 7,453.44	\$ 7,322.89	\$ 21,483.56	\$ 23,525.00

COMMUNITY CENTER	Current Month	This Month Last YR	Current YTD	Previous YTD
classes	52	-	161	-
non-revenue uses	13	-	31	-
rentals	21	-	63	-
rental revenue	\$ 7,308.70	-	\$ 21,981.90	-
expenses	\$ 8,111.63	-	\$ 29,977.97	-

TENNIS CENTER	Current Month	This Month Last YR	Current YTD	Previous YTD
memberships	156	152		
revenue	\$ 1,508.15	\$ 1,793.00	\$ 3,055.50	\$ 3,382.00
expenses	\$ 7,036.51	\$ 2,482.87	\$ 12,774.44	\$ 11,144.36

OTHER REVENUES	Current Month	This Month Last YR	Current YTD	Previous YTD
Farmers Market	\$ 1,544.33	\$ 2,200.46	\$ 4,846.23	\$ 6,840.56
Skate Park	\$ 345.26	\$ 211.47	\$ 1,106.70	\$ 838.79
Splash Park	-	-	\$ 239.62	\$ 462.27
Park Rentals	\$ 595.00	\$ 125.00	\$ 919.06	\$ 225.00
Sports Complex	\$ 2,748.47	\$ 2,510.00	\$ 10,935.72	\$ 6,002.43
Leagues	\$ 3,900.00	\$ 3,575.00	\$ 4,300.00	\$ 4,225.00
Concession (Trailhead & Sports Comp.)	-	\$ 1,516.79	\$ 753.91	\$ 1,727.07
Summer Camp	-	-	-	-
TOTAL OTHER REVENUES	\$ 9,133.06	\$ 10,138.72	\$ 23,101.24	\$ 20,321.12



WORK ORDER EXPENSES

TYPE	Dec-14	YTD	Dec-13	YTD	Dec-14	YTD	Dec-13	YTD
LABOR	47%	50%	34%	38%	\$ 3,532.89	\$ 15,632.92	\$ 2,461.67	\$ 15,412.62
MATERIALS	20%	27%	50%	34%	\$ 1,496.63	\$ 8,694.23	\$ 1,878.35	\$ 9,440.76
CONTRACTOR	33%	23%	16%	28%	\$ 2,518.00	\$ 6,736.73	\$ 4,108.94	\$ 31,276.91
TOTALS	100%	100%	100%	100%	\$ 7,547.52	\$ 31,063.88	\$ 8,448.96	\$ 56,130.29

WORK ORDERS BY BUILDING

FACILITY	Dec-14	YTD	Dec-13	YTD
CITY HALL	9	33	11	154
COMMUNITY CENTER	9	14	0	29
EVENTS CENTER	5	11	5	98
EMPLOYEE HEALTH CLINIC	0	0	1	10
FLEET	3	7	0	20
FRANK EVANS MUSEUM	1	1	0	11
LIBERTY PARK	1	1	0	3
MUNICIPAL COMPLEX	9	17	7	79
PARKS BUILDING	2	3	0	34
POLICE DEPARTMENT	7	19	0	79
PUBLIC WORKS BUILDING	2	7	1	44
SPORTS COMPLEX	0	10	1	38
STATION #33	1	5	3	37
STATION #37	1	5	2	34
TENNIS CENTER	3	14	5	33
TRAILHEAD PARK	1	5	0	14
WATER TREATMENT PLANT	0	2	1	23
TOTALS	54	154	37	740

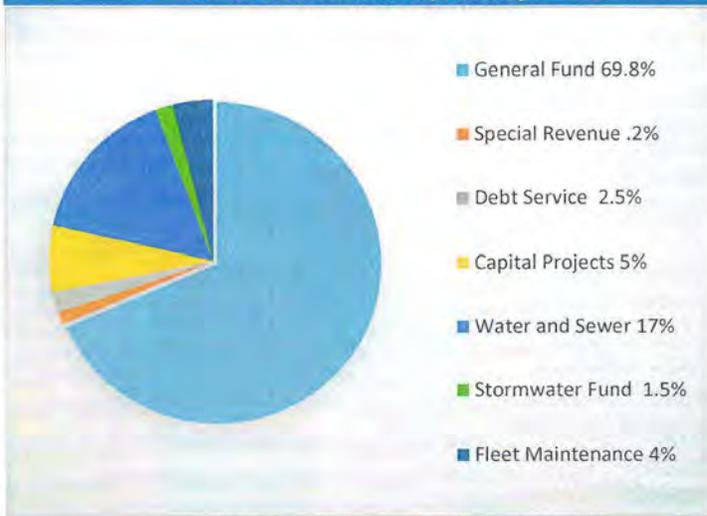
WORK ORDERS BY CATEGORY

FACILITY	Dec-14	YTD	Dec-13	YTD
APPLIANCES	6	11	1	36
DOORS - INT, EXT, & HARDWARE	4	8	3	55
ELECTRICAL	17	68	16	253
FIRE ALARM SYSTEMS	0	0	2	11
FIRE SPRINKLER SYSTEMS	0	0	0	0
HVAC	6	11	3	49
JANITORIAL	1	2	2	21
MISCELLANEOUS	2	15	3	106
PAINT - INTERIOR & EXTERIOR	0	2	0	5
PEST CONTROL	0	1	0	12
PLUMBING	5	10	7	72
PREVENTATIVE MAINTENANCE	13	23	0	117
SECURITY SYSTEMS	0	3	0	3
SEPTIC TANKS	0	0	0	0
VENDING	0	0	0	0
TOTALS	54	154	37	740

City of Lake Mary Budget Snapshot as of December 31, 2014

(25% of fiscal year elapsed)

Fiscal Year 2014 - 2015 Adopted Budget



General Fund Revenues

Revenues	Budget	Year-to-Date	%
Ad Valorem Taxes	\$ 6,327,960	\$ 5,640,540	89.1%
Franchise & Utility Taxes	6,077,242	985,469	16.2%
Business Tax Receipts	118,110	112,642	95.4%
Permits	833,645	302,240	36.3%
Fines & Forfeitures	72,074	28,600	39.7%
Intergovernmental	1,577,791	273,879	17.4%
Charges for Services	1,408,350	364,218	25.9%
Investment Income/Other	212,000	42,972	20.3%
Operating Transfers In	1,015,000	253,750	25.0%
Total Revenues	\$ 17,642,172	\$ 8,004,310	45.4%

General Fund Expenditures

Expenditures	Budget	Year-to-Date	%
City Commission	\$ 96,882	\$ 23,321	24.1%
City Manager	634,437	139,929	22.1%
City Attorney	95,000	10,295	10.8%
City Clerk	233,155	58,637	25.1%
General Government	1,098,953	180,415	16.4%
Risk Management	16,000	11,373	71.1%
Finance	514,731	126,675	24.6%
Information Systems	305,894	50,266	16.4%
Community Development	622,775	147,935	23.8%
Building	499,153	104,680	21.0%
Facilities Maintenance	390,739	71,182	18.2%
Police Operations	5,118,507	1,231,185	24.1%
Fire Combat	4,629,920	1,026,729	22.2%
Fire Prevention	374,775	76,320	20.4%
Support Services	946,119	203,945	21.6%
PW Admin & Engineering	246,365	53,759	21.8%
Streets/Sidewalks	502,699	118,475	23.6%
Parks & Recreation	1,766,449	391,064	22.1%
Events Center	443,838	109,092	24.6%
Community Center	124,242	29,978	24.1%
Senior Center	103,697	21,484	20.7%
Tennis Center	50,181	12,774	25.5%
Transfers Out	1,537,708	384,427	25.0%
Total Expenditures	\$ 20,352,219	\$ 4,583,940	22.5%
<i>Fund Balance Forward</i>	14,138,405	15,368,972	108.7%
Current Fund Balance	\$ 11,428,358	\$ 18,789,342	164.4%

Debt Service Funds

Revenues	Budget	Year-to-Date	%
Transfers In	\$ 632,208	\$ 158,052	25.0%
Expenditures			
PIRRB Series 2007	\$ 291,807	\$ 286,159	98.1%
PIRRN Series 2012	\$ 331,773	\$ 287,332	86.6%

Special Revenue Funds

Revenues	Budget	Year-to-Date	%
Impact Fees	\$ 28,400	10,831	38.1%
Cemetery Sales	4,000	2,000	50.0%
Fines & Forfeitures	7,250	1,391	19.2%
Investment Income/Other	4,200	842	20.0%
Total	\$ 43,850	\$ 15,064	34.4%

Expenditures

Expenditures	Budget	Year-to-Date	%
Training	\$ 23,000	\$ 12,352	53.7%
Operating & DARE	13,000	-	0.0%
Contributions	13,500	-	0.0%
Capital	133,410	10,630	8.0%
Heritage Park	185,000	-	0.0%
Cemetery Operations	7,225	764	10.6%
Total	\$ 375,135	\$ 23,746	6.3%

<i>Fund Balance Forward</i>	721,287	847,740	117.5%
Current Fund Balance	\$ 390,002	\$ 839,058	215.1%

Capital Projects Fund

Revenues	Budget	Year-to-Date	%
Investment Income	\$ 1,000	\$ -	-
Grants	-	-	0.0%
Intergovernmental/Other	434,000	6,425	1.5%
Transfers In	755,000	188,750	25.0%
Total	\$ 1,190,000	\$ 195,175	16.4%

Expenditures

Expenditures	Budget	Year-to-Date	%
Capital Projects	1,962,108	303,981	15.5%
Total	\$ 1,962,108	\$ 303,981	15.5%

<i>Fund Balance Forward</i>	1,176,112	1,020,717	86.8%
Current Fund Balance	\$ 404,004	\$ 911,911	225.7%

Water and Sewer Fund

Revenues	Budget	Year-to-Date	%
Water Sales	\$ 2,000,000	\$ 438,991	21.9%
Sewer Revenue	1,870,000	450,335	24.1%
Reclaimed Water	205,000	49,112	24.0%
Water Impact Fees	50,000	886	1.8%
Sewer Impact Fees	10,000	3,458	34.6%
Investment Income/Other	135,500	39,309	29.0%
Total	\$ 4,270,500	\$ 982,091	23.0%

Expenditures

Expenditures	Budget	Year-to-Date	%
Operating Expenses	1,612,648	341,241	21.2%
Capital Projects	703,000	44,602	6.3%
Wholesale swr/reclaimed	1,333,000	246,468	18.5%
Transfers Out	1,039,500	259,875	25.0%
Total	\$ 4,688,148	\$ 892,186	19.0%

<i>Beg Unrestrict Net Assets</i>	14,683,952	13,860,913	94.4%
Available Net Assets	\$ 14,266,304	\$ 13,950,818	97.8%

Stormwater Utility Fund

Revenues	Budget	Year-to-Date	%
Stormwater Fees	\$ 385,924	\$ 90,773	23.5%
Interest/Other	3,000	573	19.1%
Total	\$ 388,924	\$ 91,346	23.5%

Expenditures

Expenditures	Budget	Year-to-Date	%
Operating Expenses	332,183	38,799	11.7%
Capital Projects	190,000	1,122	0.6%
Total	\$ 522,183	\$ 39,921	7.6%

<i>Unrestricted Net Assets</i>	268,592	556,543	207.2%
Available Net Assets	\$ 135,333	\$ 607,968	449.2%

Fleet Maintenance Internal Service Fund

Revenues	Budget	Year-to-Date	%
Fleet Transfers & Income	\$ 1,090,103	\$ 211,696	19.4%
Expenditures			
Operating Costs	\$ 282,006	\$ 58,545	20.8%
Vehicle Purchases	\$ 888,500	\$ -	0.0%

City of Lake Mary, Florida
General Fund Revenues
As of December 31, 2014

Account Code	Description	2011 Actual	2012 Actual	2013 Actual	2014 Actual	2015 Budget	2015 Y-T-D	% FYTD
	Millage Rate	3.6355	3.6355	3.6355	3.6355	3.6355	3.5895	
311-10	Ad valorem tax	\$ 6,470,685	6,072,711	6,029,358	6,146,678	6,327,960	5,640,540	89.14%
	Franchise & Utility:							
313-10	Duke Energy - Franchise	1,283,358	1,224,950	1,128,047	1,146,509	1,134,190	186,379	16.43%
313-11	FP&L - Franchise	586,291	545,433	535,600	591,267	568,537	52,496	9.23%
313-40	Propane - Franchise	7,090	10,010	5,864	8,367	8,585	1,948	22.69%
313-70	Solid Waste - Franchise	402,902	419,745	428,368	441,060	442,491	107,282	24.25%
	Total Franchise	2,279,641	2,200,138	2,097,879	2,187,203	2,153,803	348,105	16.16%
314-10	Duke Energy - Utility	1,348,464	1,249,357	1,288,610	1,310,121	1,297,751	210,959	16.26%
314-11	FP&L - Utility	607,667	601,224	648,297	729,688	717,878	130,301	18.15%
314-20	Telecommunications	2,025,484	2,011,704	2,093,587	1,746,328	1,857,389	287,747	15.49%
314-80	Propane Gas - Utility	45,535	47,512	40,838	52,307	50,421	8,357	16.57%
	Total Utility	4,027,150	3,909,797	4,071,332	3,838,444	3,923,439	637,364	16.25%
	Total Franchise & Utility	6,306,791	6,109,935	6,169,211	6,025,647	6,077,242	985,469	16.22%
	Licenses and Permits:							
321-60	Business Tax Receipts	119,026	115,373	118,964	117,319	118,110	112,642	95.37%
322-10	Building Permits	501,449	851,192	1,543,828	864,080	720,524	241,547	33.52%
322-20	Electrical Permits	31,702	63,819	45,976	77,580	48,118	16,258	33.79%
322-30	Plumbing Permits	12,861	43,687	30,639	28,629	33,687	5,524	16.40%
322-40	Mechanical Permits	23,054	25,243	32,685	50,765	31,316	38,911	124.25%
	Total Licenses & Permits	688,092	1,099,314	1,772,092	1,138,373	951,755	414,882	43.59%
	Fines & Forfeitures:							
351-10	Court Fines	66,172	59,132	69,858	71,304	56,474	10,104	17.89%
351-30	False Alarm Fees	1,850	4,225	3,950	500	600	-	
351-50	Violation of Local Ordin.	12,901	7,810	33,586	47,850	15,000	18,496	123.31%
	Total Fines & Forfeitures	80,923	71,167	107,394	119,654	72,074	28,600	39.68%
	Intergovernmental:							
312-41	Local Option Gas Tax	204,746	224,965	249,978	250,577	258,107	41,881	16.23%
334-00	Grants	18,575	3,241	2,096	20,860	-	-	
335-12	State Rev. Share/Gas Tax	268,887	275,591	293,595	319,579	336,458	78,533	23.34%
335-14	Mobile Home License	35	108	114	71	60	23	38.33%
335-15	Alcoholic Beverage Lic.	20,566	9,829	5,572	20,052	12,000	-	
335-18	1/2 Cent Sales Tax	795,364	800,439	834,141	880,892	957,126	153,442	16.03%
	Firefighter Supplement	10,580	11,200	11,740	14,355	14,040	-	
	Total Intergovernmental	1,318,753	1,325,373	1,397,236	1,506,376	1,577,791	273,879	17.36%

City of Lake Mary, Florida
General Fund Revenues
As of December 31, 2014

Account Code	Description	2011 Actual	2012 Actual	2013 Actual	2014 Actual	2015 Budget	2015 Y-T-D	% FYTD
Charges for Services:								
341-80	County Business License	12,665	10,715	10,836	11,098	11,000	7,275	66.14%
341-21	Zoning Fees	25,615	21,798	22,074	20,334	17,000	3,166	18.62%
341-22	Site Plan Fees	6,400	3,200	10,200	12,849	8,000	1,600	20.00%
341-22	Developer Bonus	-	-	-	-	-	-	-
342-10	Police Services	71,190	63,065	57,744	50,067	45,000	11,878	26.40%
342-60	Rescue Transport Fees	657,144	609,044	597,065	513,365	590,000	147,440	24.99%
347-10	Community/Events Center Rent	499,973	513,448	489,532	533,740	520,000	144,720	27.83%
347-15	Community Center	-	-	-	21,147	50,000	21,982	43.96%
347-20	Summer Camp Fees	-	-	-	51,475	45,000	-	-
347-30	Farmers Market	36,838	31,379	29,719	23,107	25,000	4,846	19.38%
347-40	Skate Park Fees	16,296	8,819	4,221	3,198	4,000	1,107	27.68%
347-45	Splash Park Fees	23,504	24,274	22,811	25,760	24,000	240	1.00%
347-50	Park Rentals	675	630	1,082	783	850	919	108.12%
347-60	Sports Complex Rentals	24,658	27,330	29,288	30,620	30,000	10,936	36.45%
347-70	Softball Leagues	16,875	13,930	16,575	14,050	15,000	4,300	28.67%
347-80	Concession Revenues	5,444	679	2,435	7,326	7,500	754	10.05%
347-90	Tennis Center Revenues	52,204	50,231	40,729	23,364	16,000	3,055	19.09%
	Total Charges for Services	1,449,481	1,378,562	1,334,311	1,342,283	1,408,350	364,218	100.00%
Other:								
361-10	Interest	229,730	192,570	(1,038)	173,777	120,000	16,862	14.05%
363-10	Streetlighting	32,802	32,780	32,484	32,729	32,000	7,299	22.81%
364-00	Sale of Capital Assets	15815	51,917	388	701	-	697	-
369-00	Other Miscellaneous Rev.	113,923	160,060	126,900	151,663	60,000	18,114	30.19%
	Total Other Revenue	392,270	437,327	158,734	358,870	212,000	42,972	20.27%
Transfers In:								
381-00	Transfers from W&S	850,000	850,000	900,000	985,000	1,015,000	253,750	25.00%
381-00	Transfers from Cemetery FD	-	125,000	-	-	-	-	-
	Total Transfers In	850,000	975,000	900,000	985,000	1,015,000	253,750	25.00%
	Total General Fund Revenue	17,556,995	16,494,389	17,868,336	17,622,880	17,642,172	8,004,310	45.37%
	Carry-forward Fund Balance	15,145,583	15,066,183	16,369,093	15,368,972	14,138,405	14,138,405	100.00%
	Total Available	\$ 32,702,578	31,560,572	34,237,429	32,991,852	31,780,577	22,142,715	69.67%

FINANCE DEPARTMENT
MONTHLY REPORT
December 2014

Purchasing/AP Activity	Dec-14	FYTD	Dec-13	FYTD
Purchase Orders Encumbered	23	162	43	163
Bids/RFPs Processed	0	1	0	2
Express Purchase Orders Processed	13	45	18	31
Express P.O. - Average \$ Value	\$155		\$200	
Checks Issued to Vendors	211	715	191	385
P-Card Transactions	286	920	245	496
P-Card Average \$ Value	\$112		\$108	

Accounting/Payroll Activity				
Journal entries Prepared and Posted	37	132	51	89
Items Deposited	2,562	8,400	2,685	5,664
Deposited Items Returned	3	15	2	6
Credit/Debit Card transactions	520	1,529	410	828
Credit/Debit Card Sales	\$82,697	\$261,772	\$69,307	\$194,311
Employees Paid	589	1,527	582	960

Utilities Activity				
Utility Refund Checks	1	41	15	17
Utility Turn-offs for Non-payment	22	63	19	37
Door Hangers for Non-pay prepared	168	449	163	272
Delinquent Letters Mailed Out	359	1,055	395	744
Utility Service Complaints Handled	23	47	15	41
Garbage Service Complaints Handled	27	49	5	22
Existing Utility Accounts Closed	61	194	52	139
New Utility Accounts Opened	64	188	64	156
Utility Bank Draft Customers	1,147		1,063	
Electronic Utility Payments	1,226	3,413	1,177	2,286
Paperless Billing Customers	732		654	
Current Residential Water Customers	4,743		4,716	
Current Residential Sewer Customers	2,585		2,570	
Current Residential Garbage Customers	4,934		4,881	
Current Commercial Water Customers	449		446	
Current Commercial Sewer Customers	385		382	
Current Commercial Garbage Customers	242		238	

IT Activity				
Helpdesk tickets logged	137	353	88	216
Computer/Server/Network tickets	134	340	85	211
Cell Phone tickets	4	16	4	6
Helpdesk tickets resolved	138	356	89	219
Average resolution time (days)	1		1	
Intranet/Website Updates	6	18	7	19
Unique Website Visitors	15,659	48,638	11,065	27,234

Items of Interest During Reporting Period



Lake Mary Police Department

MONTHLY REPORT - DECEMBER 2014

	FY 2015 DEC	FY 2015 YTD	FY 2014 DEC	FY 2014 YTD
Monthly Call Volume	4,446	13,518	5,431	14,238
Response Times (in minutes)				
Priority 1	3.9		2.66	
Priority 2	7.89		3.38	
Priority 3	7.81		7.98	

UCR Crimes

Murders	0	0	0	0
Sex Offenses, Forcible	1	1	0	0
Robbery	0	1	1	1
Assault/Battery	14	24	6	16
Burglary	6	22	9	15
Theft, all other	13	45	18	48
Motor Vehicle Theft	0	1	2	2
Theft of Motor Vehicle Parts	3	5	2	4
Arson	0	0	0	0
D.U.I.	2	12	2	4

Total Arrests

Adults	32	100	29	75
Juveniles	1	9	2	14

Traffic Calls

Crashes	64	194	46	161
Criminal Citations	5	29	19	35
Citations- non criminal	181	659	320	899
Parking citations	3	15	3	22
K9 Deployments	8	31	18	31
Agency Assist; outside Jurisdiction	41	135	64	157

Alarms

Total	75	301	105	306
Business	39	175	76	203
Residential	36	126	29	103

Total Responses to

City Ordinance Violations	31	31	20	89
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Lake Mary Police Department-DECEMBER EVENTS

Patrol Division

LMPD's K-9 unit participated in Seminole State College's Pet-Palooza with K-9 demonstrations and a LMPD K-9 Team booth.

Boy's Town Santa Run-participated in Boy's Town dinner and Christmas activities.

Patrol Division members participated and assisted with Santa Parade, Holiday In The Park and provided traffic control for the SIG Seniors Christmas Luncheon.

Honor Guard

The Honor Guard participated in the following events in December: Heroes Memorial Groundbreaking Ceremony, Seminole County; Spring Hill Luncheon; Seniors Christmas Lunch; Funeral for Tarpon Springs Officer, Charles Kondek, killed in the line of duty.

Criminal Investigations Division

An arrest was made on a residential burglary case, and a capias submitted for larceny case.

LMPD hosted the quarterly multi-agency Sexual Abuse Response Team (SART).

11 Economic Crime cases assigned to Economic Task Force, now working 18 cases total.

Det. Umana instructed Women's Defensive Tactics class with Community Relations.

Det.'s Hernandez and Umana attended Crime Scene Management, Field Techniques Training.

CID attended training at the State Attorney's Office on Search and Seizure.

CID attended Intel Meetings with Lake, Volusia and Seminole Counties, along with CFIX, Safe-House and Multidisciplinary Team Meetings.

Community Relations Division

The Holiday Wish Event was an enormous success. 15 underprivileged children were chosen via letters of recommendation from churches, schools and residents, and taken shopping with LMPD Officers. Their families and those who recommended them came together to celebrate the event.

Shop with a Cop – 14 poster contest winners and their families met with LMPD to claim their reward and Shop With A Cop, thanks to Verizon Wireless.

SIG Christmas Luncheon- Assisted SIG in providing 240 low income seniors with a delicious Christmas Lunch and small gifts. The event ran smoothly and was successful due to the assistance of volunteers, many from LMPD.

Attended Ultimate I-4 Project meetings for Public Information Officers.

Gave a presentation to Hills of Lake Mary HOA.

CRD, Motors, K-9, SWAT, CID, Patrol, Parks and Rec. and Public Works all participated and presented at Crystal Lake Elementary's City Government Day, with all grade levels attending, the event was a great success!

Attended the Elder Affairs Commission Meeting and presented them with ways LMPD assists and aids our senior population.

Escorted Santa and Mrs. Claus for Holiday In The Park.

Attended Lake Mary Preparatory Academy's DARE Graduation.

Training and Awards

Sgt. Ronnie Gregory as Police Officer of the Quarter, and Police Officer of the Year 2014.

CE Officer Bruce Fleming was awarded the Civilian of the Year award.

Newly hired officers Cochran and Clark completed Phase 1 of Field Training.

LMPD is hosting "Evading Honesty" training, announcement sent to surrounding agencies.



MEMORANDUM

Date: January 15, 2015
TO: City Commission
FROM: Gary Schindler, City Planner *GMS*
THRU: John Omana, Community Development Director *JO*
VIA: Jackie Sova, City Manager
RE: December 2014 Planning and Development Activity

FY2014-2015 WORKLOAD DATA

	FY2014		FY2015	
	DEC	Total YTD	DEC	Total YTD
Land Use Amendments	0	0	0	0
Rezoning	0	3	0	0
Conditional Use	0	1	1	1
Subdivisions/Plat	1	2	0	1
Site Plans	1	2	0	1
Variances	1	1	0	0
Vacates	0	0	0	0
Annexations	0	0	0	0
DRI Development Agreement & Amendments	0	0	0	0
PUD Development Agreement & Amendments	0	0	0	0
Development Agreements, New	0	0	0	1
DRC Reviews	0	0	0	2
Home Occupation Review	1	11	1	12
Business License Review	6	69	9	100
Arbor Permits (non-development related)	10	41	11	33
Zoning Verification Letters	1	3	1	2
Site Permits Issued	0	4	0	2
Building Permits Review	26	91	27	106
Number of Pages Scanned	0	0	0	0

Significant Meetings & Issues:

- December 1 – Mtg to discuss proposed medical use at Oaks Shopping Center outparcel**
- December 3 – Station Pointe Mtg; MetroPlan Bicycle & Pedestrian Advisory Comm Mtg**
- December 5 – MetroPlan Transportation Technical Advisory Committee Mtg**
- December 8 – Station Pointe Status Mtg; Lake Mary Landings Grant Mtg**
- December 10 – MetroPlan Executive Committee Mtg**
- December 18 - Economic Development Packet Mtg at Lake Mary Life**



CITY MANAGER'S REPORT

DATE: January 5, 2015

TO: Mayor and City Commission

FROM: Bobbie Jo Keel, Permitting/Zoning Coordinator

THRU: John Omana, Community Development Director

VIA: Jackie Sova, City Manager

SUBJECT: December Monthly Report

BUILDING PERMITS ISSUED					BUILDING PERMIT VALUATIONS			
ACTIVITY - PERMIT TYPE	Dec-14	YTD	Dec-13	YTD	Dec-14	YTD	Dec-13	YTD
COMMERCIAL - NEW	0	1	18	20	\$ -	\$ 1,032,000	\$ -	\$ 624,599
COMMERCIAL - ALTERATION	4	29	0	29	\$ 635,659	\$ 8,653,357	\$ 8,791,468	\$ 11,724,775
RESIDENTIAL - NEW	1	11	7	9	\$ 240,000	\$ 2,655,214	\$ -	\$ 340,598
RESIDENTIAL - ALTERATION	0	30	18	37	\$ -	\$ 250,007	\$ 57,488	\$ 173,478
ELECTRICAL - NEW/ALTERATION	24	79	10	60	\$ 190,875	\$ 1,231,413	\$ 15,550,375	\$ 17,623,559
ELECTRICAL - TEMP/PREPOWER	7	24	30	44	\$ 700	\$ 4,260	\$ 1,400	\$ 3,100
MECHANICAL - NEW/ALTERATION	20	65	11	62	\$ 171,012	\$ 920,874	\$ 2,251,116	\$ 2,866,679
PLUMBING - NEW/ALTERATION	18	49	7	38	\$ 90,549	\$ 260,978	\$ 442,830	\$ 1,369,536
ROOFING - TILE, METAL & FLAT	0	8	15	38	\$ -	\$ 55,391	\$ 115,800	\$ 1,104,969
RE-ROOFING	22	78	1	33	\$ 635,116	\$ 2,140,475	\$ 180,564	\$ 586,412
SWIMMING POOL	0	4	3	7	\$ -	\$ 151,300.00	\$ 22,444	\$ 176,270.00
SCREEN ENCLOSURE	2	5	3	7	\$ 12,610	\$ 33,157	\$ 25,018	\$ 54,131
FENCE	5	22	2	12	\$ 10,276	\$ 41,340	\$ 6,225	\$ 32,998
SIGN	1	9	0	7	\$ 100	\$ 26,420	\$ 3,296	\$ 20,260
FOUNDATION ONLY	0	0	1	1	\$ -	\$ -	\$ -	\$ -
DEMOLITION	1	2	0	0	\$ 3,700	\$ 13,700	\$ 4,000	\$ 4,000
TOTALS	105	416	126	404	\$ 1,990,597	\$ 17,469,886	\$ 27,452,024	\$ 36,705,364

BUILDING INSPECTIONS PERFORMED				
TYPE	Dec-14	YTD	Dec-13	YTD
BUILDING	214	648	252	853
ELECTRICAL	116	274	113	312
MECHANICAL	42	116	42	194
PLUMBING	66	152	58	97
TOTALS	438	1190	465	1456

MAJOR PROJECTS

1. Fountain Parke
2. Station House
3. Central Parc
4. My Neighborhood Storage

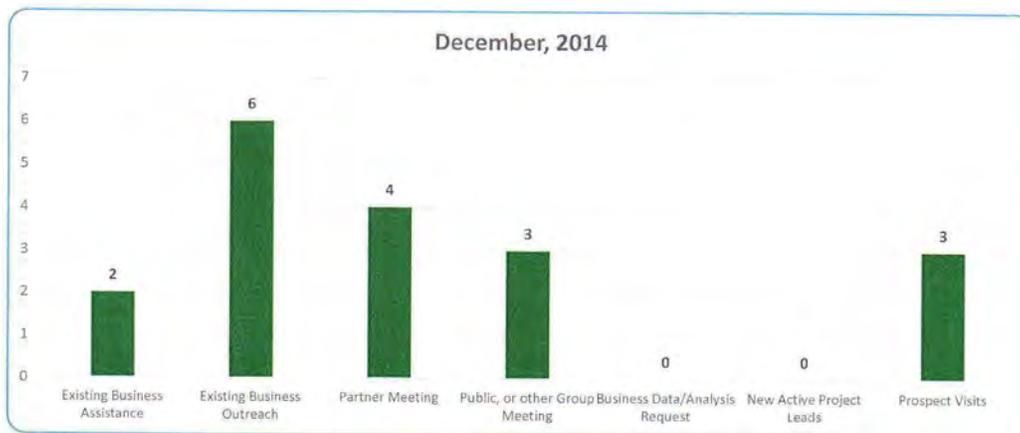
First Step Meetings

N/A

Activity Summary

City of Lake Mary, Economic Development Activity Summary December, 2014	
Activity Code	Explanation
Existing Business Assistance	Existing business assistance with problem, and follow-up
Existing Business Outreach	Existing business outreach meeting or interview
Partner Meeting	Meeting with Economic Development partners
Public, or other Group Meeting	Public Meetings, or other group meeting
Business Data/Analysis Request	Data and analysis request processed
New Active Project Leads	Meetings associated with new projects that develop into follow-up action or incentive
Prospect Visits	Meeting with business potentially interested in relocating or expanding in Lake Mary

Activity Count	December, 2014
Existing Business Assistance	2
Existing Business Outreach	6
Partner Meeting	4
Public, or other Group Meeting	3
Business Data/Analysis Request	0
New Active Project Leads	0
Prospect Visits	3
Total Count	18



Milestones:

Made significant strides to revise and update the Economic Development Booklet, called *Lake Mary Business Opportunities*. The document is at 95% completion.

Continue to explore partnerships and formulate a scope of services for an economic development assessment study geared toward Rinehart Road and other significant county land resources.



The diagram to the left shows a typical pattern associated with workflow from a local (city) economic development office. Note concentration on existing businesses.

City of Lake Mary -
Economic Development Activity Report

Activity Detail

**City of Lake Mary, Economic Development Activity Log
December, 2014**

Name	Date	Activity Code	Explanation
Tom	12/1/14	Prospect Visits	Meeting with HCA Healthcare regarding the potential for a new facility in Lake Mary.
Tom	12/1/14	Existing Business Assistance	Coordination meeting to work on Deloitte's Incentive Agreement.
Tom	12/2/14	Prospect Visits	Teleconference with real estate broker regarding potential development areas and activity in downtown Lake Mary.
Tom	12/2/14	Partner Meeting	Meeting with Winter Park Economic Development Staff to discuss SunRail and other cooperation opportunities.
Tom	12/3/14	Existing Business Outreach	Meeting with Station Pointe Developer and representatives to discuss development of the site.
Tom	12/4/14	Existing Business Outreach	Downtown Merchant meeting.
Tom	12/4/14	Public, or other Group Meeting	Lake Mary City Commission Meeting.
Tom	12/5/14	Existing Business Outreach	Meeting with CBRE Real Estate regarding Innovation Place property off Lake Emma Road.
Tom	12/8/14	Existing Business Outreach	Follow-up meeting with Station Pointe developer.
Tom	12/8/14	Public, or other Group Meeting	Participated in the SEDEN meeting (Seminole Economic Development and Education Network).
Tom	12/9/14	Existing Business Outreach	Seminole County Chamber - Lake Mary Coffee Club Meeting. Outreach with new businesses.
Tom	12/9/14	Partner Meeting	Meeting with economic development partners to discuss a potential study of the Rinehart Road Corridor. The study will assess the economic development potential of land associated with the corridor. Emphasis will be on large scale economic development projects, education partnerships, and identification of target opportunities.
Tom	12/10/14	Partner Meeting	Breakfast meeting between City and SSC.
Tom	12/11/14	Public, or other Group Meeting	US 17-92 Redevelopment Planning Agency meeting. Grant for the Math and Science Charter School, located in Lake Mary, recommended for approval.
Tom	12/12/14	Prospect Visits	Meeting with townhome developer interested in building in downtown area. This developer is also a new business owner in Lake Mary.
Tom	12/12/14	Existing Business Outreach	Outreach to businesses that contributed to the holiday toy drive. Toy pick-up and expression of thanks.
Tom	12/15/14	Existing Business Assistance	Follow-up meeting with Deloitte to discuss hiring and education partnerships to date.
Tom	12/17/15	Partner Meeting	Participated in the FDOT Visioning Workshop for their long run strategic plan.



City of Lake Mary
Fire Department
911 Wallace Court-Lake Mary, Florida 32746



Monthly Report

December 2014

Administration and Emergency Operations

We responded to 357 emergency alarms, had 168 transports, and logged over 824 hours of training during the month of December.

Emergency Operations personnel had an additional 79 public contacts for sharps boxes, blood pressures, child car seat installations, public relations, etc.

Officer skills assessments were successfully issued during the month of December 2014 and the 2015 professional development plan was published to the members.

Fire Prevention

Fire inspectors conducted 74 combined inspections and 42 plan reviews.

Activities included - fire inspector interview, assisted with Benefits Fair setup and take down, assisted with Santa Parade, assisted with new Chief interviews, site visits for several projects to resolve issues, public records requests.

Attended Pre-Con, contractor/project, Elder Affairs, after action/funeral meetings.

Conducted (3) 911 checks.

Public Education Events –

Fire Drill – 610 Crescent Executive Ct. – 300 in attendance

Fire Drill – 3300 Exchange Place – 350 in attendance

PUBLIC WORKS UPDATE

December 2014

Streets/Sidewalks – 432

1. Station House area parking, utility and road improvements substantial completion August 13th. Final Completion dependent upon Station House schedule (February).
2. Design of parking lot for Community Building complete, bid in January.
3. Rinehart Trail resurfacing complete.
4. Emma Oaks Trail sidewalk waiting on Duke transmission pole replacements.
5. Street pavement condition survey began in November.

Water Treatment – 434

12-month average daily water demand 2.95 million gallons (2% less than previous 12 months). CUP allowance 4.94 MGD. 12-month maximum day demand 5.46, plant capacity 9.99 MGD.

Water Distribution/Wastewater Collection – 435

1. Public Works Equipment Canopy bid December 23rd.
2. Meter Change-out Program – ongoing.
3. Continuing decommission of galvanized water mains downtown.
4. Lift station pump maintenance program – all stations have been repaired/modified; we are experiencing a 25% reduction in electric use over 2011.
5. Lake Mary Blvd/TOD sewer design being revised to add sidewalk and turn lane on Palmetto Ave, 95% design completed, in permitting phase.

	Dec-14	FYTD	Dec-13	FYTD
Work Orders Completed	15	78	23	74
Sidewalks Repaired (Feet)	10	250	1,020	1,340
Street Signs Installed	11	32	19	41
Streets Paved (Miles)	0	0.00	0	3
Paved Streets Maintained (Asphalt - Tons)	2.50	7.50	3.50	10
Millions Gallons Treated	85	276	89	280
New Water Meters Installed	5	7	1	16
Waterlines Installed (Feet)	0	0	0	160
Waterline Breaks Repaired	19	60	16	66
Meters Exchanged	19	64	41	114
Turn-On/Turn-Off (Customer Request)	125	382	116	404
Turn-Offs/Non-Payment	22	63	19	56
Water System Dist. Valves Exercised	0	5	30	90
Vehicle Preventative Maint. Inspections	48	148	47	144
Vehicles/Equipment Serviced	92	284	72	230

**CITY CLERK'S OFFICE MONTHLY REPORT
DECEMBER 2014**

	FY 2015		FY 2014	
	DEC. 14	YTD	DEC. 13	YTD
MINUTES PREPARED (SETS)	2	6	2	5
ORDINANCES CREATED	0	0	0	0
ORDINANCES PREPARED	0	1	0	1
RESOLUTIONS CREATED	0	0	0	0
RESOLUTIONS PREPARED	1	1	0	0
PROCLAMATIONS PREPARED	1	3	0	1
PUBLIC HEARING NOTICES PUBLISHED	0	3	0	1
OCCUPATIONAL LICENSES				
NEW	13	98	5	70
RENEWALS	35	286	37	204
TRANSFERS	1	17	2	12
REVENUE GENERATED	\$3,412.00	\$19,582.50	\$2,628.00	\$16,756.00
CITY ELECTIONS HELD	0	0	0	0
DOCUMENTS RECORDED	4	12	2	7
RECORDS DESTROYED (CUBIC FEET)	0	0	0	0

Human Resources

December 2014 Report

Employment	12/14	YTD	12/13	YTD
Applications received/acknowledged	20	162	0	13
New Hire Orientations	3	11	1	2
Resignations/Terminations	1	5	2	4
Current Vacancies (FT/PT Employment Opportunities)	4	18	1	3
Positions filled in house	1	1	0	4
Positions filled outside	3	11	1	2
Surveys Conducted/Completed	3	16	5	12
Employee Evaluations	4	35	9	44
Employee Verifications	7	17	3	11
Personnel Actions Initiated	23	85	22	81
Grievances Filed	0	2	0	1
Employee Insurance Assistance	3	4	4	12
Current Full Time Employees	178		175	
Current Part Time Employees	18		15	

Special Projects

Benefit Fair				
Pay Plan				

Insurance	12/14	YTD	12/13	YTD
On the Job Injuries - Medical Attention Required	1	1	0	3
On the Job Injuries - No Medical Attention Required	0	0	0	0
City Vehicle Accidents Reported - Under \$500	0	1	0	3
City Vehicle Accidents Reported - Over \$500	0	2	0	0
Loss/Damage Reports - Under \$500	1	2	1	3
Loss/Damage Reports - Over \$500	1	2	1	1
Damage to City Property by Others - Under \$500	0	0	0	0
Damage to City Property by Others - Over \$500	0	0	0	0
Liability/Claimant Incident Reports - Under \$500	0	0	0	1
Liability/Claimant Incident Reports - Over \$500	0	0	0	2
Special Hearings/Mediations	0	0	0	0