



## **LAKE MARY CITY COMMISSION**

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

**Regular Meeting  
AGENDA  
THURSDAY, JULY 09, 2015 7:00 PM**

- 1. Call to Order**
- 2. Moment of Silence**
- 3. Pledge of Allegiance**
- 4. Roll Call**
- 5. Approval of Minutes: June 18, 2015**
- 6. Special Presentations**
- 7. Citizen Participation - This is an opportunity for anyone to come forward and address the Commission on any matter relating to the City or of concern to our citizens. This also includes: 1) any item discussed at a previous work session; 2) any item not specifically listed on a previous agenda but discussed at a previous Commission meeting or 3) any item on tonight's agenda not labeled as a public hearing. Items requiring a public hearing are generally so noted on the agenda and public input will be taken when the item is considered.**
- 8. Unfinished Business**

**9. New Business**

- A. Minor Site Plan revision for Homewood Suites by Hilton, 755 Currency Circle, Homewood Suites by Hilton Lake Mary/Kimberly Hayden Corporation, applicant (Public Hearing) (Steve Noto, Deputy City Planner)**
- B. Preliminary Subdivision Plan approval for Twelve Oaks at Lake Mary, 330 Washington Street, Patrick Knight, applicant (Public Hearing) (Steve Noto, Deputy City Planner)**
- C. Resolution No. 967 - Paylocity Corporation be approved as a Qualified Target Industry (QTI) Business, and Approval of Expenditures as Required Local Financial Support for this State Administered Incentive (Tom Tomerlin, Economic Development Director)**
- D. Interlocal Agreement with Seminole County to construct a turn lane on Lake Mary Boulevard at Palmetto Street (Bruce Paster, Public Works Director)**

**10. Other Items for Commission Action**

**11. City Manager's Report**

- A. Items for Approval**
  - a. Metroplan Annual Funding Agreement**
- B. Items for Information**
  - a. 4955 CR 46A 7-Eleven Pedestrian Usage Update**
  - b. Anderson Lane Update**
  - c. Sign Code - Case Law Update**

**12. Mayor and Commissioners Report - (4)**

- A. Appointments to the Planning and Zoning Board (postponed 6/18/15)**

**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: July 23, 2015**

1 MINUTES OF THE LAKE MARY CITY COMMISSION MEETING held June 18, 2015,  
2 7:00 P.M., Lake Mary City Commission Chambers, 100 North Country Club Road, Lake  
3 Mary, Florida.

4  
5  
6 1. Call to Order  
7

8 The meeting was called to order by Deputy Mayor George Duryea at 7:02 P.M. He said  
9 he was standing in for the Mayor, and standing in for the City Manager is John Omana  
10 who is our Community Development Director.

11  
12 2. Moment of Silence  
13

14 3. Pledge of Allegiance  
15

16 4. Roll Call  
17

18 Mayor David Mealor - Absent  
19 Commissioner Gary Brender  
20 Deputy Mayor George Duryea  
21 Commissioner Sidney Miller  
22 Commissioner Jo Ann Lucarelli

Jackie Sova, City Manager – Absent  
Carol Foster, City Clerk  
Dianne Holloway, Finance Director  
John Omana, CDD/Acting City Mgr.  
Gary Schindler, City Planner  
Steve Noto, Deputy City Planner  
Bruce Paster, Public Works Director  
Tom Tomerlin, Economic Dev. Mgr.  
Bryan Nipe, Parks & Recreation Dir.  
Steve Bracknell, Police Chief  
Katie Reischmann, City Attorney  
Mary Campbell, Deputy City Clerk

23  
24  
25  
26  
27  
28  
29  
30  
31 5. Approval of Minutes: June 4, 2015  
32

33 **Motion was made by Commissioner Brender to approve the minutes of the June 4,**  
34 **2015, meeting, seconded by Commissioner Lucarelli and motion carried**  
35 **unanimously.**  
36

37 6. Special Presentations  
38

39 A. Police Department's Community Service Award – Jerry and Laura Cutchens,  
40 residents  
41

42 Chief Bracknell said today we have an opportunity to present a community service award  
43 to some citizens that assisted us in a very difficult and violent felony crime that occurred  
44 within our city. We are truly blessed to have Mr. and Mrs. Cutchens here.  
45

1 Chief Bracknell said on March 11<sup>th</sup> at 7:45 A.M., a female was approached by an unknown  
2 male near the wooded area on International Parkway near Heathrow Park Lane. The  
3 male proceeded to ask the young woman some questions and then battered her and  
4 attempted a sexual battery on the woman. The woman was able to fight off the male and  
5 he fled the area. Lake Mary residents Jerry and Laura Cutchens heard the commotion  
6 and saw the male fleeing. They reported the incident to the Colonial Grande Lake Mary  
7 maintenance personnel who happened to be in the area servicing the apartments. The  
8 Cutchens further assisted the woman by staying with her and helping attend to her injury.  
9 The suspect was caught moments later, arrested and promptly taken to jail. Due to their  
10 actions and willingness to get involved, they were able to help the citizen in need and  
11 capture the suspect. The City of Lake Mary and the Lake Mary Police Department thank  
12 them for their selfless efforts in assisting us in solving this crime.

13  
14 Chief Bracknell presented the Cutchens with certificates that read: For your willingness  
15 to get involved in your community and help a crime victim in need resulting in the arrest  
16 of the suspect.

17  
18 Chief Bracknell presented the Cutchens with a plaque that read: The City of Lake Mary  
19 Police Department Community Service Award to Jerry and Laura Cutchens for your  
20 willingness to get involved in your community helping a crime victim in need and  
21 participating in the criminal justice process which led to the arrest of the suspect. Thank  
22 you from the City of Lake Mary Police Department.

23  
24 Chief Bracknell said we are truly blessed to have citizens that do get involved. He thought  
25 one of the other special things that we enjoy in Lake Mary is when our citizens see  
26 something they say something. We really appreciate it.

27  
28 Deputy Mayor Duryea thanked Mr. and Mrs. Cutchens for coming. We and the citizens  
29 appreciate your steadfastness.

30  
31 B. Central Florida Expressway Authority's Visioning and Master Plan – Glenn  
32 Pressimone-Nathan Silva

33  
34 Nathan Silva, 482 South Keller Road, Orlando, Florida, came forward. He thanked the  
35 Commission for allowing him to give his presentation on the Central Florida Expressway  
36 Authority and their vision and master planning effort.

37  
38 Mr. Silva said in June of last year, the governor signed new legislation that transformed  
39 the Orlando/Orange County Expressway Authority, an agency that had been around since  
40 1963, into the new Central Florida Expressway Authority. That legislation did several  
41 things but wanted to highlight three of the major items.

42  
43 Mr. Silva said first they expanded the makeup of the board. The old authority have five  
44 members and the new board has nine members, six of which are now elected officials  
45 made up of the Mayor of Orange County, Mayor of the City of Orlando, and one county

1 commissioner from each of the four counties: Lake, Seminole, Osceola, and Orange.  
2 The current Seminole County representative is Commissioner Brenda Carey.

3  
4 Mr. Silva said it also expanded the jurisdiction of the Authority beyond Orange County.  
5 Now the Authority has authorization to do work in Lake, Seminole, and Osceola Counties  
6 as well. Historically the Orlando/Orange County Expressway Authority mainly did toll  
7 roads and expressways. The new legislation gives them the authorization to get more  
8 involved in multi-modem projects like rail, transit, etc. These are projects they can do  
9 within their existing rights-of-way.

10  
11 Mr. Silva said there are six facilities that make up the Expressway Authority's system (he  
12 showed a list on the overhead). All these projects are within the boundaries of Orange  
13 County. The 417 and 429 extended to other counties but only these segments within  
14 Orange County are part of the Expressway Authority system. They are made up of lots  
15 of toll plazas, etc. On an annual basis they collect about 326 million transactions which  
16 equates to a little over \$300 million annually. He showed a graph of where that \$300  
17 million goes. A little over half of it is used to pay debt service on outstanding bonds that  
18 were used to build the expressway system. A little under 20% of that is used for the  
19 routine operation, maintenance and administration of the Authority itself. That leaves  
20 about 20% of cash to be used for new projects or be committed for future bond sales.

21  
22 Mr. Silva showed a chart of who is using the Authority's system based on the E-Pass and  
23 Sun Pass transponders. Over 40% are from Orange County and just under 15% are  
24 registered to residents of Seminole County.

25  
26 Mr. Silva said the Authority is in the middle of developing their first long-range master plan  
27 and going into the visioning process. This master plan will set the Authority's policy on  
28 where they will invest their dollars in the future and then it will phase down into their five-  
29 year work program that they adopt each year. The master plan has four major elements  
30 that identify projects that they will invest in to maintain and improve their existing system  
31 such as roadway widening, resurfacing, and interchange improvements. They will have  
32 a section on their revenue and tolling program. This includes not just their tolling policies  
33 but also technologies that they will look into for future toll collections. It will have a section  
34 on potential expansion projects. Completion of the beltway has always been everybody's  
35 expansion project with funding finally coming in for the Wekiva Parkway. With actual  
36 construction of that starting, the Authority is looking for that next major expansion project  
37 in Central Florida. The Authority now has authorization to get involved in more multi-  
38 modal projects. That section of the master plan will identify programs they may consider  
39 getting involved in.

40  
41 Mr. Silva said the population in Florida recently became No. 3 in the country behind Texas  
42 and California. Within the seven counties that make up Central Florida we have over 4  
43 million in population today and that population is projected to grow to over 5.5 million by  
44 2040. The purpose of this master plan is to identify projects and programs the Authority  
45 will invest in to help meet the transportation needs that come with this population growth.  
46 The Authority always welcomes input and suggestions from the local communities, county

1 commissions and city councils. We have been giving this presentation to various  
2 organizations around Central Florida for the last couple of months and we have created  
3 a survey. He had hard copies of the survey but it is also online. The Authority is genuinely  
4 interested in receiving input from the local community and getting ideas and views of what  
5 the Authority's role should be in the future.  
6

7 Mr. Silva showed the master plan schedule on the overhead. For the last several months  
8 we have been out in the community doing presentations like this garnering input from the  
9 local community. At the August board meeting the Authority is going to take all that  
10 information and set the vision and policies to help guide it for the next 25 years. Ultimately  
11 as we go through the evaluation and processes we will have a draft plan by the end of  
12 the year.  
13

14 Mr. Silva showed the website for the survey on the overhead: [CFX.2040.sgizmo.com/s3](http://CFX.2040.sgizmo.com/s3).  
15 It will be active until about the middle of July if the Commission would like to direct staff  
16 to go on. It is about 11 questions so the survey is not very time consuming. It will really  
17 help the Authority in identifying what the local community wants them to be doing and  
18 where they need to be investing that money.  
19

20 Deputy Mayor Duryea said they have no capital projects in mind and are just at the  
21 planning stage. He asked if that was correct.  
22

23 Mr. Silva said the last master plan was adopted in 2006 and it had a 2030 horizon. That  
24 was the last one of the Orlando/Orange County Expressway Authority which was a  
25 different agency with different makeup. We have a master plan but all the projects  
26 identified in there are coming to fruition. This will set the stage for this new expressway  
27 authority.  
28

29 Commissioner Brender said he sat for quite some time as Chairman of the Seminole  
30 County Expressway Authority so has kept in touch with the Wekiva Parkway. There has  
31 been a great deal of consideration back and forth about the 417 south of the bridge. While  
32 that is going on I-4 is going on. He asked if that was in discussion as part of this planning  
33 function.  
34

35 Mr. Silva said the section of 417 in Orange County is the Authority's. The section of 417  
36 in Seminole County is under the ownership, operation and control of the Florida Turnpike  
37 Enterprise. They have projects to widen the section to eight lanes with managed lanes  
38 in the middle. Other than what is public knowledge he didn't have more information.  
39

40 Commissioner Brender said the Wekiva Parkway (Western Beltway) got some additional  
41 monies. He asked if that moved the timeline for that project.  
42

43 Mr. Silva said the Expressway Authority had applied for a TIFIA (Transportation,  
44 Infrastructure, Finance and Innovation Act) loan. The Authority has five segments of the  
45 Wekiva Parkway and they already had in their work program the first two segments that  
46 would take it from where it ends at 441 today up to Kelly Park Road which is about a four

1 mile section. By them getting the TIFIA loan it allowed them to accelerate the other three  
2 sections so all of the Authority's sections will be open to traffic by January 2018. That is  
3 for the Expressway Authority. DOT is responsible for the east/west section. He didn't  
4 know if they had been able to advance that project. He thought that was still projected to  
5 open in 2020 or 2021.

6  
7 Commissioner Brender said the one thing he hears about more than anything in regards  
8 to SunRail as far as the multi-modal part is long before we expand to Deland or Poinciana  
9 we should be expanding to the Orlando International Airport. He asked if that was going  
10 to be under this.

11  
12 Mr. Silva said we have had conversations just like this as well as small group  
13 conversations with staff of SunRail, the Department of Transportation, and the Greater  
14 Orlando Aviation Authority on topics just like that. That is something that will be  
15 discussed. The legislation passed last year that created the CFX specifically said multi-  
16 modal projects within their existing right-of-way. SunRail is perpendicular to the 528, 408,  
17 etc. As of right now technically they can't get involved in that but things change over the  
18 years. The major east/west multi-modal project we have been involved in is with All  
19 Aboard Florida which is the intercity rail that will go to Miami. That is within the 528.

20  
21 Deputy Mayor Duryea thanked Mr. Silva for his presentation.

22  
23 7. Citizen Participation - This is an opportunity for anyone to come forward and  
24 address the Commission on any matter relating to the City or of concern to our  
25 citizens. This also includes: 1) any item discussed at a previous work session; 2)  
26 any item not specifically listed on a previous agenda but discussed at a previous  
27 Commission meeting; or 3) any item on tonight's agenda not labeled as a public  
28 hearing. Items requiring a public hearing are generally so noted on the agenda  
29 and public input will be taken when the item is considered.

30  
31 No one came forward at this time and citizen participation was closed.

32  
33 8. Unfinished Business

34  
35 There was no unfinished business at this time.

36  
37 9. New Business

38  
39 A. Preliminary Subdivision Plan approval for Crystal Reserve Subdivision, 150  
40 Crystal Drive, Pulte Homes Corporation, applicant (Public Hearing) (Gary  
41 Schindler, City Planner) (quasi-judicial)

42  
43 Mr. Schindler said this is a preliminary subdivision and only requires approximately 30%  
44 engineering. We have been working diligently with the applicant. In 2008 the  
45 Commission saw another subdivision on this property called Lake Crystal Woods. Both  
46 of them have 16 homes. This is part of the Fountain Parke PUD and it said it would have

1 a maximum of 16 homes. In 2008 it was called Lake Crystal Woods and it came about  
2 the time the economy crashed and just went away. The preliminary subdivision is the first  
3 of three steps. The next step would be fully engineered plans and that will go to the  
4 Planning & Zoning Board. There will be a final plat that will go to P&Z as a recommending  
5 body and then back to the Commission for final approval. Tonight we are taking the first  
6 step and that is the preliminary subdivision.  
7

8 Mr. Schindler said this does comply with the developer's agreement for Fountain Parke.  
9 It will involve the improvement of Crystal Drive from north of the Crystal Center up to the  
10 intersection of Gehr and Crystal Drive. That will be built to full City cross section  
11 standards, sidewalks on both sides, internal sidewalks on the subdivision street, the street  
12 will be private and will be gated. We do not own or maintain private streets. Because it  
13 is gated it will be a private street.  
14

15 Mr. Schindler said it does not trip the threshold for a transportation study. That threshold  
16 is 300 trips a day or 50 peak hour. We also said we need to know whether or not a signal  
17 is going to be warranted at the intersection of Lake Mary Boulevard and Crystal Drive.  
18 We went to the County and they said they would do a warrant study and came back and  
19 said it doesn't warrant it. We were not happy with that but it does not warrant a traffic  
20 signal at the intersection. Because it doesn't warrant a traffic signal we don't have a  
21 rational nexus to require a contribution towards such a signal.  
22

23 Mr. Schindler said currently the property has access to potable water and they will be  
24 extending sanitary sewer northward along Crystal Drive up to the intersection of Gehr and  
25 Crystal. They will also be putting in laterals for the properties along Crystal Drive and  
26 there at the intersection. They are proposing landscape and irrigation in the common  
27 areas. They are proposing a six-foot high precast wall that will go on the east side along  
28 Crystal Drive on the south side and on the west side north between Crystal Drive and the  
29 Forest. When the Commission reviewed the project previously you were very adamant  
30 that there be concurrence with the Forest regarding the look of the wall. There is that  
31 condition for the final subdivision plan that they must work with the Forest to come up with  
32 an agreeable wall section.  
33

34 Mr. Schindler said he was told that the final subdivision plan will have a stop bar at the  
35 intersection of Crystal Drive with Gehr and there will be a stop sign. That will make the  
36 road much safer.  
37

38 Mr. Schindler said under findings of fact, staff finds the preliminary subdivision plan is  
39 consistent with the Comprehensive Plan, Code of Ordinances, and the Fountain Parke  
40 PUD. There are seven conditions. At the Planning & Zoning Board staff presented five  
41 conditions and the Planning & Zoning Board added Conditions No. 6 and No. 7. They did  
42 that at their regular May 26, 2015, meeting and was recommended for approval 4-0.  
43

44 Deputy Mayor Duryea said the original PUD included the property to the south.  
45

1 Mr. Schindler answered affirmatively and is still part of the PUD. That property is  
2 designated as office use. It is 2.2 acres.  
3  
4 Deputy Mayor Duryea said the comp plan for this property is low density residential. What  
5 is being proposed is more dense than that.  
6  
7 Mr. Schindler said it may be but it complies with the adopted developer's agreement of  
8 up to 16 dwelling units.  
9  
10 Deputy Mayor Duryea questioned if that was something that went away with the original  
11 approval.  
12  
13 Mr. Schindler answered negatively. The developer's agreement carries on because of  
14 the fact that it was built upon with the multi-family and it continues to be enforced.  
15  
16 Commissioner Brender said there is a cut on Lake Mary Boulevard and Middle Street but  
17 does not line up to that.  
18  
19 Mr. Schindler said it does not but there is a cut. If you were traveling south on Crystal  
20 you would be able to turn left on Lake Mary Boulevard. If you were going east on Lake  
21 Mary Boulevard you could make a left and go north.  
22  
23 Commissioner Lucarelli said she had a concern. It says in the staff report that you want  
24 a letter from St. Johns saying that two ponds aren't needed. If you've two basins and  
25 you're only putting in one pond covering one of those basins then where is the water from  
26 the other basin going.  
27  
28 Mr. Schindler said the pond is being sized to accommodate the runoff from the entire  
29 development.  
30  
31 Commissioner Lucarelli said basins usually flow in opposite directions and questioned  
32 how they were getting everything over to one side.  
33  
34 Mr. Schindler said they are constructing the stormwater system so the basin goes into the  
35 stormwater system and we have been told there is a kinder and gentler St. Johns now.  
36 We want some documentation. Based upon the review by Ms. Danielle Koury who is our  
37 stormwater engineer, it appears that this pond works well.  
38  
39 Commissioner Brender asked if that was going to work for the office park too.  
40  
41 Mr. Schindler answered negatively. The office park will have to have its own stormwater  
42 system. During the final subdivision review process we want some documentation.  
43  
44 Deputy Mayor Duryea asked if anyone wanted to speak for or against this project.  
45

1 Frank Sabatino, 1810 Valley Wood Way, Lake Mary, Florida, came forward. He said he  
2 had a question on Crystal. He missed where the improvements are going to be. He  
3 asked if that was from Lake Mary Boulevard to the entrance.  
4

5 Mr. Schindler said when the Crystal Center was built, which is on the north side of Lake  
6 Mary Boulevard between Crystal Drive and Wilson, they had to improve Crystal Drive  
7 from Lake Mary Boulevard to the north property line. This development will pick up that  
8 improvement from the north property line of the Crystal Center and will go up and will  
9 include the intersection of Gehr Lane.

10  
11 Commissioner Brender said from Gehr Lane south we are a standard City road.

12  
13 Mr. Schindler said it will be. Right now it is only cold mix. There will be sidewalks,  
14 pavement with two 12-foot wide travel lanes, curb and gutter. It will be a City standard  
15 cross section.

16  
17 Deputy Mayor Duryea asked if that goes into the retention pond.

18  
19 Mr. Schindler answered affirmatively. They had to size it to accommodate the runoff from  
20 the road.

21  
22 Luke Classon, 2300 Maitland Center Boulevard, came forward. He said he was the civil  
23 engineer and engineer of record for this project representing Pulte Homes. He thanked  
24 the Commission. Staff has been more than accommodating returning phone calls and  
25 meeting with us. The report they did was very thorough. He said coming from an  
26 engineer that deals with multiple municipalities and counties it is not as common as you  
27 would think. He thanked the Commission for running a good staff and thanked staff for a  
28 good job on the report. It's a breath of fresh air to see that.

29  
30 Mr. Classon said density was brought up. The total gross density is 2.7, 16 lots over 5.9  
31 acres. It is a 2.7 which does fall into the low density residential classification.

32  
33 Mr. Classon said Commissioner Lucarelli mentioned the basins. Currently the site has a  
34 high point basin in the middle of the site. We had a pre-app with St. Johns. We have had  
35 a lot of coordination with them. They don't mind us combining in one pond as long as we  
36 match the pre-development rate for whichever basin we are choosing, which is the north  
37 basin. We have sized the pond and it does function.

38  
39 Deputy Mayor Duryea asked if all the entitlements of the original development agreement  
40 go with this.

41  
42 Ms. Reischmann answered affirmatively. It runs with the land.

43  
44 No one else came forward and the public hearing was closed.  
45

1 Ms. Reischmann pointed out there are seven conditions. She asked if they were all still  
2 valid.

3  
4 Mr. Schindler answered affirmatively.

5  
6 Ms. Reischmann asked if staff was supporting the two P&Z conditions.

7  
8 Mr. Schindler answered affirmatively.

9  
10 Ms. Reischmann said if this is approved the motion would be to approve with the seven  
11 conditions outlined in the staff report.

12  
13 Mr. Schindler noted that those conditions affect the final engineering plan. Staff supports  
14 all seven.

15  
16 **Motion was made by Commissioner Brender to approve the Preliminary**  
17 **Subdivision Plan for Crystal Reserve Subdivision subject to the seven conditions**  
18 **outlined in the staff report, seconded by Commissioner Miller and motion carried**  
19 **by roll-call vote: Commissioner Brender, Yes; Commissioner Miller, Yes;**  
20 **Commissioner Lucarelli, Yes; Deputy Mayor Duryea, Yes.**

21  
22 B. Palmetto Street Turn Lane and Lake Mary Boulevard Sewer Construction  
23 (Bruce Paster, Public Works Director)

24 a. Resolution No. 965 – Amending 2015 Budget

25  
26 The City Attorney read Resolution No. 965 by title only.

27  
28 Mr. Paster said this is our latest sewer project. The area just east of the SunRail station  
29 is currently on septic tanks. This has been planned for many years and has now come  
30 to fruition. We will be adding a sewer line on Lake Mary Boulevard from Palmetto Street  
31 to High Street. It will be a gravity sewer line down the median. We will put a lift station  
32 on the corner of the SunRail property at the intersection of Palmetto and Lake Mary  
33 Boulevard. The lift station will pump wastewater up Palmetto to a dry line we put in under  
34 the tracks with the EPOCH project and we will tie into it.

35  
36 Mr. Paster said the second portion of the project is for safety reasons. We will be putting  
37 in a right turn lane on Palmetto, widening that so there will be two lanes coming off of  
38 Palmetto from the SunRail station. We will also be adding a sidewalk on Palmetto from  
39 Lake Mary Boulevard up to the existing sidewalk by the entrance of the SunRail station.

40  
41 Mr. Paster said in order to accomplish all this we re-appropriated some funds in the 2015  
42 budget. All funds are coming out of the Water & Sewer Fund for this project.

43  
44 Deputy Mayor Duryea asked if this had already gone out for bid.

45

1 Mr. Paster said it has gone out for bid and Pospiech Contracting was the most responsible  
2 bidder in the amount of \$958,000. There is a bid tab. We had four respondents for this  
3 project.

4  
5 Deputy Mayor Duryea said so we need a budget amendment because we haven't  
6 budgeted enough for this item.

7  
8 Mr. Paster said that is correct. We budgeted for the design and wasn't sure what the  
9 construction costs would be so we held off budgeting the full amount knowing that we had  
10 plenty of funds in the Water & Sewer Fund to fund the project. We appropriated funds  
11 from fund balance and impact fees to fund this project.

12  
13 Commissioner Brender questioned if we were okay doing a turn lane out of the Water &  
14 Sewer Fund.

15  
16 Ms. Holloway answered negatively. The turn lane, road work and sidewalk work will be  
17 done from the Capital Projects Fund. We currently have some projects we are not moving  
18 forward on right now so we are going to reallocate those funds to the road project part.  
19 We will be doing the sewer lift station and force main from the Water & Sewer Fund using  
20 impact fees and fund balance.

21  
22 Commissioner Brender asked about the light.

23  
24 Mr. Holloway said the light has been done and paid for.

25  
26 Deputy Mayor Duryea asked if this significantly affected our fund balance.

27  
28 Ms. Holloway said in 301 we are neutral. We are just reallocating funds for other projects  
29 to this project for the road. That was already covered with the General Fund transfer that  
30 was budgeted this year. We are not increasing any type of a transfer.

31  
32 **Motion was made by Commissioner Miller to authorize the City Manager to enter**  
33 **into an agreement with Pospiech Contracting, Inc. in an amount not to exceed**  
34 **\$958,000 for the Palmetto Street Turn Lane and Lake Mary Boulevard Sewer**  
35 **Project, and approve Resolution No. 975 amending the 2015 budget. Seconded by**  
36 **Commissioner Lucarelli and motion carried unanimously.**

37  
38 C. Resolution No. 966 – Adopting the 2015-2020 Seminole County Local  
39 Mitigation Strategy Plan (Danielle McKee Koury, Stormwater/Professional  
40 Engineer)

41  
42 The City Attorney read Resolution No. 966 by title only.

43  
44 Danielle Koury, Stormwater/Professional Engineer, came forward. She said this is the  
45 Local Mitigation Strategy Plan we adopted about ten years ago. Seminole County, Lake

1 Mary and our sister cities did an update to this plan to keep current and resubmitted it to  
2 the state. The resolution is to adopt this update to the plan.

3  
4 Deputy Mayor Duryea said this is like a catastrophe strategy.

5  
6 Ms. Koury said mitigation to those catastrophes. We try to plan ahead. With hurricanes  
7 we would have projects that we could get funding for to put hurricane shutters up. We  
8 are trying to mitigate the hazard before it happens.

9  
10 Commissioner Miller said he went on the website and read this when the original agenda  
11 came out. He believed it was 240 pages and about as comprehensive as anything that  
12 he has ever seen. It seems to be well written and well planned.

13  
14 Ms. Koury said that is thanks to Seminole County and their staff.

15  
16 Commissioner Brender said it covers every conceivable thing you think could ever go  
17 wrong.

18  
19 **Motion was made by Commissioner Brender to approve Resolution No. 966,**  
20 **seconded by Commissioner Lucarelli and motion carried unanimously.**

21  
22 10. Other Items for Commission Action

23  
24 There were no items to discuss at this time.

25  
26 11. City Manager's Report

27  
28 A. Items for Approval

29  
30 There were no items for approval at this time.

31  
32 Mr. Omana said the Commission rescheduled the Commission meetings in July to the 9<sup>th</sup>  
33 and 23<sup>rd</sup> with work sessions prior to each starting at 5:30 P.M.

34  
35 Mr. Omana said all non-emergency offices will be closed Friday, July 3<sup>rd</sup>, in observance  
36 of Independence Day.

37  
38 Mr. Omana said the Farmer's Market will be closed on Saturday, July 4<sup>th</sup>.

39  
40 B. Items for Information

41 a. Monthly Department Reports

42  
43 12. Mayor and Commissioners' Reports – 3

44  
45 Deputy Mayor Duryea had no report at this time.

1 Commissioner Lucarelli said she attended CLEO and there was a good turnout.

2  
3 Commissioner Brender said CALNO is off for the next two months. No July or August  
4 meetings. We will get back together at the County in September doing some kind of  
5 legislative update.

6  
7 Commissioner Miller said he met with Dr. Tomerlin, Metro Orlando EDC, and Tim Gomez,  
8 the CEO of Dixon Ticonderoga this week. They were extremely complimentary of the  
9 economic development team enabling them to make this move and stay here. The CEO  
10 said he was serious about being in Macon and we made it possible for them to stay here  
11 and are quite pleased with where they are. The museum isn't going to be open and  
12 available for another year but the facility is going to be really interesting, even the  
13 furniture. They have what looks like custom built furniture for the CEO's office. It is going  
14 to be a very interesting company to have in our city.

15  
16 Deputy Mayor Duryea said he got an e-mail from the City Clerk that the Florida League  
17 of Cities meeting in August is in Orlando. Those who are going or need some kind of  
18 authorization from her should get with her.

19  
20 13. City Attorney

21  
22 Ms. Reischmann said the Governor signed the private property rights new cause of action  
23 statute creating a new cause of action. It creates a new cause of action now against  
24 governments. The new cause of action will be for any government that offers up a  
25 compromised deal with a developer that is considered a prohibited exaction. A prohibited  
26 exaction is something not roughly proportional with the impact of the development. There  
27 are attorneys' fees associated with it even if the developer does not prevail monetarily. If  
28 they get a positive verdict they can still get attorneys' fees even if they get no money. It's  
29 hard to tell the impact of it. Just like it was with Bert Harris it may impact how cities  
30 negotiate with developers that we are going to be a lot more circumspect, a lot less willing  
31 to throw out (what about this, what about that), and instead just sticking to the facts and  
32 the typewritten list of here's what you can do, here's what we can do. It's hard to say at  
33 this point.

34  
35 Deputy Mayor Duryea asked the City Attorney to write and send each of them how she  
36 thinks this is going to change the way we do business. We typically negotiate in  
37 developer's agreements, conditional uses and so forth and would like to know if he could  
38 say anything anymore.

39  
40 Mr. Omana said under Item 12-A, we have the appointment/reappointment to the Police  
41 Pension Board of Trustees and the Planning & Zoning Board. Per the memorandum from  
42 the City Clerk, we have the narrative text indicating what transpired at the Planning &  
43 Zoning Board. Mr. Wickham was the alternate member but is no longer on the board for  
44 missing three consecutive meetings; therefore, there is a vacancy on that board.  
45 Commissioner Duryea's term on the Police Pension Board expires on June 28, 2015, and  
46 has expressed his willingness to continue serving. Considering the factors outlined in the

1 memo, the recommendation is to reappoint Commissioner Duryea to the Police Pension  
2 Board of Trustees for a two-year term and appoint a resident to serve the remainder of  
3 the term as the alternate member on the Planning & Zoning Board which expires  
4 December 21, 2015.

5  
6 **Motion was made by Commissioner Lucarelli to reappoint Commissioner George**  
7 **Duryea to the Police Pension Board of Trustees, seconded by Commissioner Miller**  
8 **and motion carried 3 – 0 (Commissioner Duryea abstained).**

9  
10 Deputy Mayor Duryea said we have this situation with an alternate for the Planning &  
11 Zoning Board. He considered that very important because those are the people who  
12 really get down into the mud. He asked the Board's pleasure.

13  
14 Commissioner Miller said he was remiss and had not done his homework on this.

15  
16 **Motion was made by Commissioner Miller to postpone the appointment to the**  
17 **Planning & Zoning Board to the July 9, 2015, Commission meeting, seconded by**  
18 **Commissioner Lucarelli and motion carried unanimously.**

19  
20 Commissioner Lucarelli said we picked our poster for the arts festival and can be found  
21 on their website [www.lakemaryheathrowarts.com](http://www.lakemaryheathrowarts.com). Linda Amundsen is going to be our  
22 poster artist. We voted on a poster for this year. We are entertaining an agreement with  
23 Cox Radio. We are excited about the changes this year and having Cox Media as a  
24 media partner. There is going to be some heavy promotion on a lot of local radio stations.  
25 They will have a radio personality on site to help negotiate better fees with the stage.  
26 They are saving us a ton of money and giving us a bigger bang for our buck. Bryan Nipe  
27 did the site plan and some of that will be reworked with the new construction out there.  
28 We have to reconfigure a few things. We're excited about this year. It is moved to the  
29 second weekend in November (14<sup>th</sup> & 15<sup>th</sup>). A lot of the new changes coming up will be  
30 much better.

31  
32 Commissioner Miller said he had a process question regarding the appointment of the  
33 Planning & Zoning person. The process would be one of them would nominate one of  
34 those candidates we think is the best candidate at the next meeting. He asked if we had  
35 their telephone numbers and was it okay to call the ones who have applied.

36  
37 Ms. Reischmann answered affirmatively.

38  
39 Ms. Reischmann said the U.S. Supreme Court handed out a decision today on striking  
40 down a city sign code which could have a lot of implications.

41  
42 Deputy Mayor Duryea asked the City Attorney if she was saying we are going to get the  
43 billboard people back.

44  
45 Ms. Reischmann answered affirmatively. We could have some potential lawsuits there,  
46 finding sign codes to be content based, and applying strict scrutiny to and in this case,

1 directional sign distinctions that the city made in its directional signs. It's a very tough  
2 standard to meet for any city code. There is concern that a lot of sign codes are in  
3 jeopardy.

4  
5 Deputy Mayor Duryea asked if that was something the Community Development Director  
6 is looking at and how this is going to affect us.

7  
8 Mr. Omana said we will be.

9  
10 Commissioner Lucarelli questioned who was behind that and was it the billboard  
11 companies. We have to have some kind of regulation or your city will look like a trash  
12 pile of crazy, obnoxious signs everywhere.

13  
14 Ms. Reischmann said that is what one of the justices said that either you go with a trash  
15 pile or you have these strict guidelines that are pure time, place, and manner. The goal  
16 is you don't have to read the sign to be able to regulate it. That's almost impossible. You  
17 can't have a sign code that you don't have to read a sign to regulate it. The goal is to  
18 have one category of temporary signs and one category of permanent signs and no  
19 mention of political signs, construction signs that every sign code in the nation has. It's a  
20 tough standard but we are going to have to live with it.

21  
22 14. Adjournment

23  
24 There being no further business, the meeting adjourned at 8:00 P.M.

25  
26  
27  
28  
29 \_\_\_\_\_  
George Duryea, Deputy Mayor

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

30  
31  
32  
33 ATTEST:

34  
35  
36  
37 \_\_\_\_\_  
Carol A. Foster, City Clerk



## MEMORANDUM

DATE: July 9, 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: Minor Site Plan revision for Homewood Suites by Hilton, 755 Currency Circle, Homewood Suites by Hilton Lake Mary/Kimberly Hayden Corporation, applicant (Public Hearing) (Steve Noto, Deputy City Planner)

**APPLICANT:** Homewood Suites by Hilton Lake Mary

**REFERENCES:** City Comprehensive Plan, Code of Ordinances, Development Review Committee, File 1996-SP-15

**REQUEST:** The applicant is requesting a site plan revision to allow use of the conference rooms by registered and non-registered guests at its 755 Currency Circle location.



### **DISCUSSION:**

**Location:** The 2.75 acre property is located on the west side of Currency Circle, abutting I-4. The subject property has PUD, Planned Unit Development, zoning, and COM, Commercial, Future Land Use. The subject property is also part of Tract A of Primera Phase I.

**History:** On October 1, 1996, staff received a site plan application for the Homewood Suites Hotel at Primera, an 85,161 sq. ft., 5-story hotel, located at 755 Currency Circle. It was the first site plan request for a hotel in Primera. There was a variance request as part of the site plan with regards to parking. At that time, City code required 142 spaces to be provided on site (one parking space per hotel room, one space per each employee on the largest shift, and one space for each six people that a conference/gathering room is designed to accommodate). The applicant proposed 122. Their justification was that it was a limited-service hotel, it did not have a restaurant/bar, and the limited conference room space was only for registered guests.

The project was heard by the Planning & Zoning Board on November 12, 1996. The Board unanimously recommended approval of the site plan, along with the variance. The justification for the variance approval was “the fact this is a limited-use hotel with no restaurant or bar and only minimal meeting facilities of less than 2,000 sq. ft.”. Staff noted at this meeting that a code amendment was recommended to the City’s parking requirements to better reflect the needs of hotels in the region. Additionally, the applicant did go on record stating that the meeting rooms were to be used only by guests of the hotel.

The project was subsequently heard by the City Commission on December 5, 1996. The City Commission, on a 3-2 vote, approved the site plan with variance, *with the condition that the conference rooms be used only by registered guests of the hotel*. Staff noted at this meeting that a code amendment had been heard by the Planning & Zoning Board prior to this meeting that would have nullified the need for a variance request. However, the Code amendment was not adopted until after the site plan was approved with the one condition.

On January 23, 1997, the City Commission, on a 4-1 vote, approved Ordinance No. 823. This ordinance amended the parking code to exempt parking requirements for meeting spaces at hotels that are less than 2,000 sq. ft. in size. Staff at that time noted on the record that “if the ordinance is passed, the variance for Homewood Suites is a moot point”. Current staff would like to point out that that statement was only partially accurate. While the variance may have been a moot point, the site plan was approved by the City Commission with the condition that the meeting rooms be used by registered guests only. *The adoption of Ordinance No. 823 did not nullify that condition.*

On March 11, 2015, staff received a zoning verification letter request from The Planning & Zoning Resource Corporation. Among other things, the letter requested zoning compliance information for Homewood Suite Lake Mary, located at 755 Currency Circle. Per standard operating procedure, staff reviewed file 1996-SP-15 to research the approval of the site. It was at that time staff noted the condition of approval and began additional research to ensure that the condition was still being met. This research involved reviewing the Homewood Suites website and speaking with their staff. At that time, it was determined the original condition of approval, that the meeting rooms being used for registered guests only, was no longer being met. Upon further discussion with the General Manager of the hotel, it was determined that while at one time Homewood Suites did not rent out meeting rooms to those who didn’t stay at the hotel, modern business practices would not allow for such a policy.

As a result, the hotel had in fact been renting out meeting room space to non-hotel guests for a number of years. It was also their understanding that the hotel had been in compliance for over 15 years.

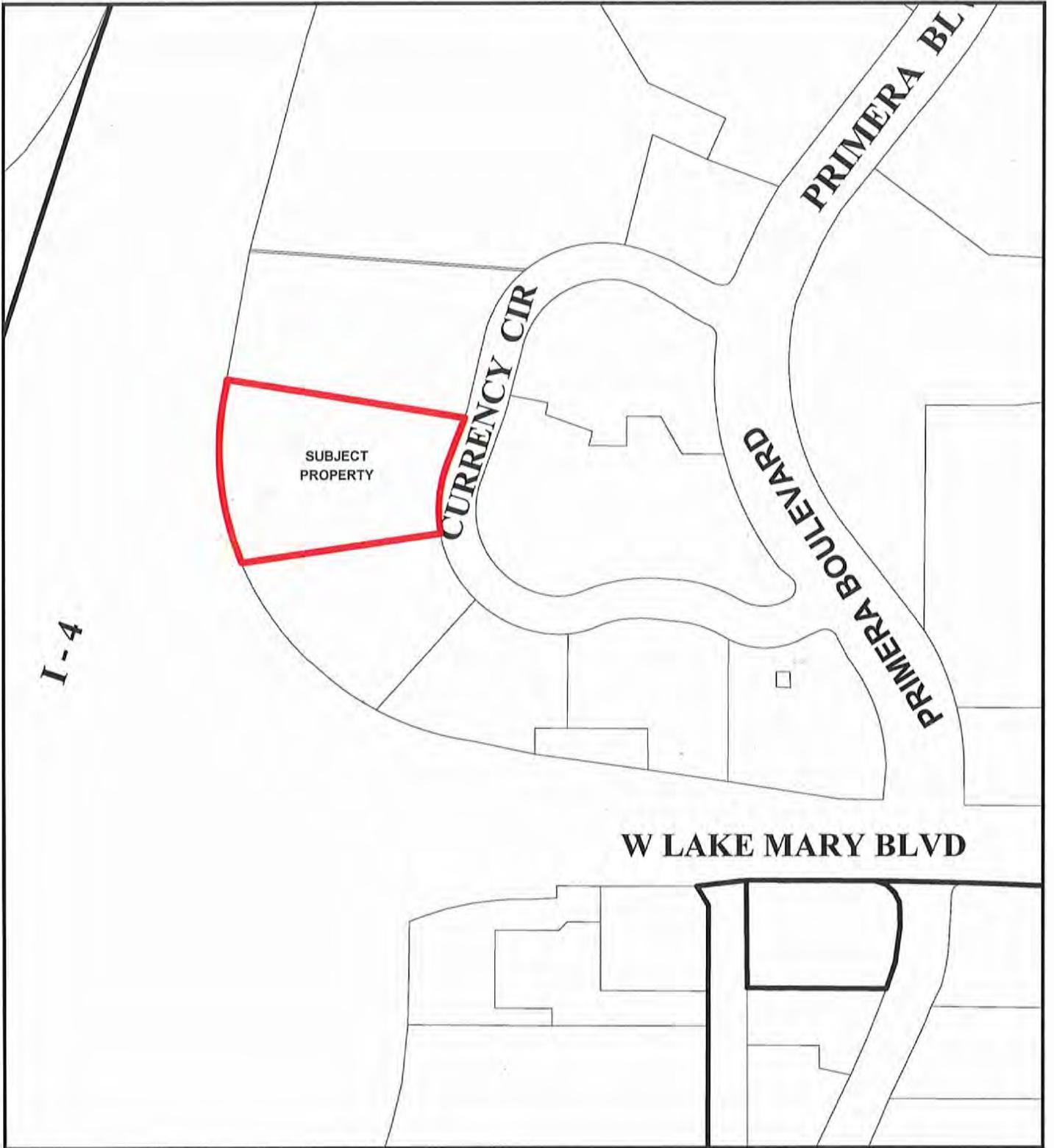
Based on staff's research, it was concluded that a site plan modification was needed to remove the original condition of the 1996 site plan. It is important to note that the hotel *does* meet the requirements of the City's parking code without the condition of approval. The current parking standard requires 1.05 parking spaces per room. There are additional requirements if there is a restaurant and meeting/conference room space exceeding 2,000 sq. ft. That said, for a 112 room hotel with less than 2,000 sq. ft. of meeting/conference room space, 118 spaces are required on site. The site currently has 122. If the original condition of approval is removed, the site will be in compliance with zoning.

**PLANNING AND ZONING BOARD:** At their regular June 9 , 2015 meeting, the Planning and Zoning Board unanimously recommended approval, 4-0, of the Site Plan Revision for the Homewood Suites by Hilton located at 755 Currency Circle.

**FINDING OF FACT:** Staff recommends that the site plan modification requested be approved, removing the original condition that the meeting/conference rooms be limited to registered guests only.

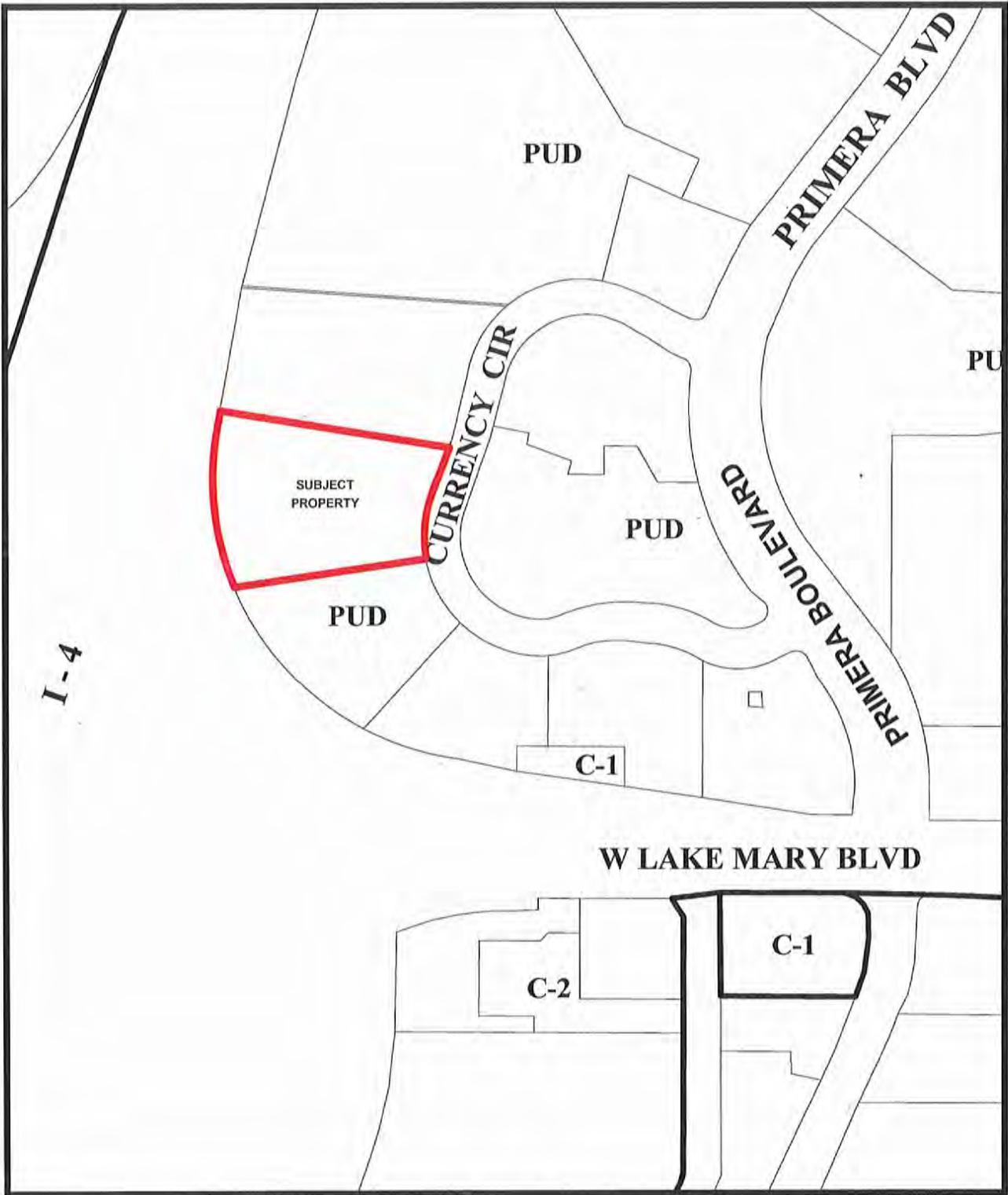
**ATTACHMENTS:**

- Location Map
- Zoning Map
- Future Land Use Map
- Site Plan
- Applicant Request Letter
- June 9, 2015 Planning & Zoning Board Minutes



# LOCATION MAP 755 CURRENCY CIRCLE



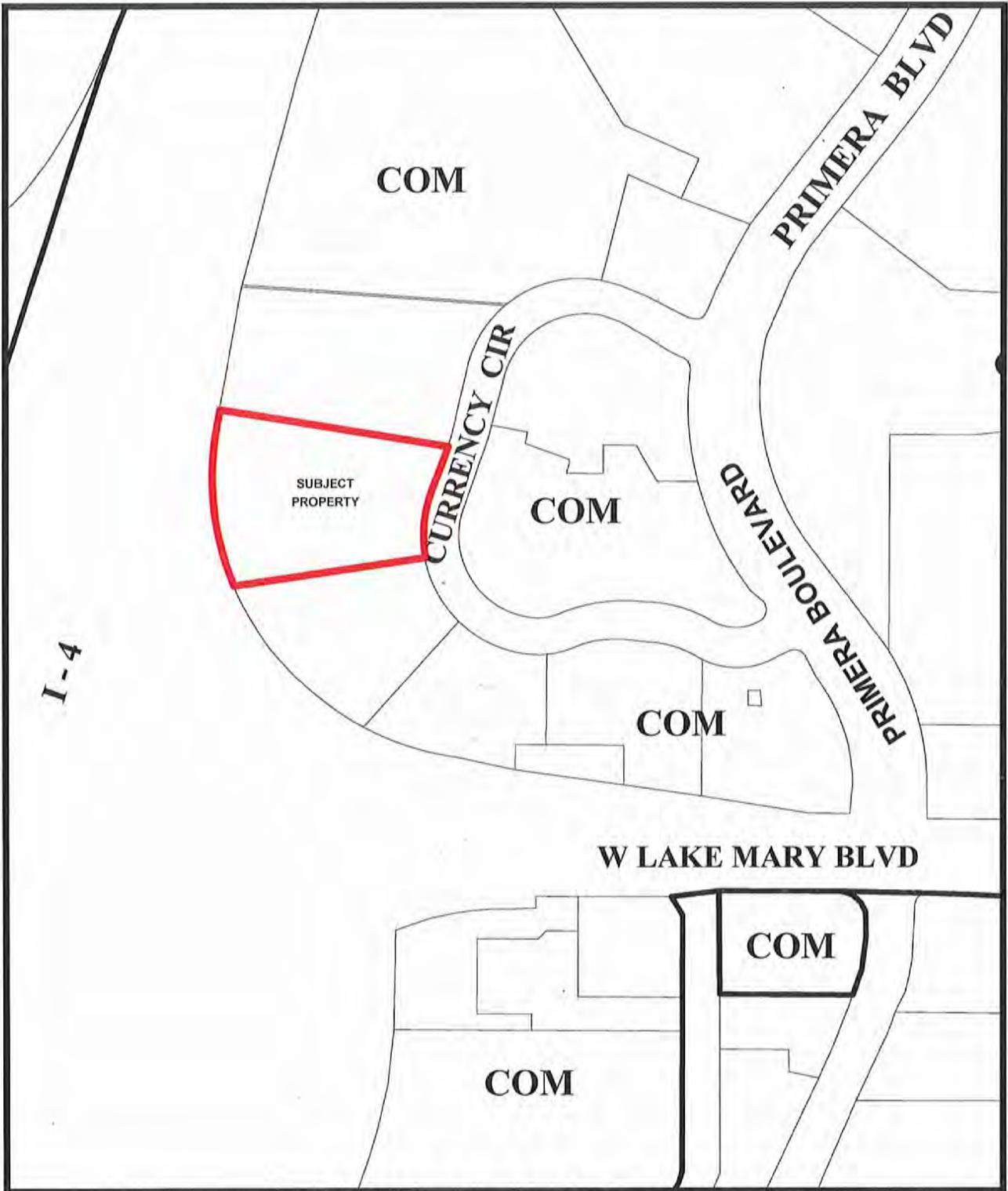


## Zoning Map



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





### Future Land Use Map



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







Lake Mary

April 7, 2015

Stephen Noto, AICP  
Deputy City Planner  
City of Lake Mary  
Community Development Department  
Planning and Zoning Division  
911 Wallace Ct.  
Lake Mary, FL 32746

Dear Mr. Noto,

Thank you for taking time to speak with me concerning the original site plan approval for the Homewood Suites by Hilton Lake Mary. We too, are eager for resolution. Our ownership, HSLM, LLC, purchased this hotel in June, 2012, with the assumption that business being conducted for the previous 15 years was in compliance.

It is industry standard that hotels rent meeting space to clients, both guests and non-guests of the hotel. This is nothing unique to our hotel. At the time of conception, Homewood Suites by Hilton- Lake Mary was the first hotel project in the Primera land tract and the city acknowledged this was their first experience with a hotel as well. Over the years we have had many more businesses, restaurants and hotels opening in the area with greater volume than ours. We have remained consistent in our meeting room occupancy levels.

The Homewood Suites by Hilton is currently in compliance with Lake Mary's parking requirements. We have much smaller meeting space than many of our neighbors. We anticipate approximately the same volume of business that we have had for the last several years, so there is no expected change in parking space requirements. I have been the General Manager of the hotel for six years, and during that time have never experienced any parking issues where we have needed overflow parking beyond our current capacity.

We believe the current business practice of our hotel is most beneficial for Homewood Suites by Hilton Lake Mary and the City of Lake Mary. With this in mind, we respectfully request that the original site plan approval be amended to allow non-guest usage of meeting space, as are all other hotels in the area.

I look forward to hearing from you soon.

Sincerely,

Kimberly Hayden,  
General Manager, Homewood Suites by Hilton Lake Mary

cc: Ron Franklin,  
HSLM, LLC

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1 IX. New Business

- 2  
3 A. 2015-SP-03: Recommendation to the City Commission regarding a Minor Site  
4 Plan revision/modification for Homewood Suites, 755 Currency Circle, Lake  
5 Mary, Florida; Applicant: Homewood Suites by Hilton Lake Mary/Kimberly  
6 Hayden (Public Hearing)  
7

8 Stephen Noto, Deputy City Planner, presented Item A. and the related  
9 Memorandum (Staff Report). A document entitled Architectural Site Plan  
10 attached to the Staff Report was on the overhead projector. He said, this item  
11 before the Board is very unique; something we haven't come across in awhile, if  
12 ever. There is no site work proposed as a part of this Site Plan modification.  
13 The request has everything to do with history. Back in March of this year, staff  
14 received a zoning verification letter request from a company in Oklahoma. Staff  
15 receives these requests frequently, usually when there is a large sale of property  
16 going on. The purpose of these types of letters is to confirm that zoning, land  
17 use and what is on the property is in compliance with the City's zoning code.  
18 Nine times out of ten they are in compliance and there are no issues. As far as  
19 this request goes, there was an issue. When staff receives these zoning  
20 verification letter requests, we pull up the files we have; if there is a Site Plan,  
21 Conditional Use, what-have-you. We see what the approval is for. We contact  
22 the property owner and make sure the same thing is going on, and, again, most  
23 of the time, it's fine and we move on and send the letter saying it's in compliance.  
24

25 Mr. Noto stated, Homewood Suites was approved by the City Commission back  
26 in 1996. It was the first hotel in Primera to be approved and before the City's  
27 existing parking regulations were adopted. The hotel was approved with one City  
28 Commission condition; that the meeting rooms be rented out to those folks who  
29 stay in the hotel only and could not be rented out to non-registered guests of the  
30 hotel. Nowadays, that never happens. The standard practice is if you have  
31 meeting space in your hotel, you are going to rent it to anybody; weddings,  
32 meetings, conventions; whatever it may be, you will do it. That being said, we  
33 reached out to Homewood Suites just to see if they were still meeting the  
34 condition and they weren't. They were renting it out. I mean, that was the  
35 standard practice. I will point out that when they were approved in '96, that  
36 wasn't how they were doing business. The intent was the meeting spaces would  
37 be rented out only to guests. They put that on the record and there was no  
38 issue.  
39

40 Mr. Noto said, times have changed. It's been almost 20 years since their  
41 approval and the hotel industry has changed. So, what was needed to be done  
42 was to come back through the process. What I want to point out is it's a 112-  
43 room hotel, five stories tall. If they were to come before you today with this same

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1 Site Plan layout, same number of rooms, meeting space, all of that, they would  
2 meet the parking requirements in today's code. Ironically, there was a code  
3 amendment done for parking after City Commission approval about a month  
4 later. If they would have just waited a month, there would have been no  
5 variance. They had a variance request as part of their Site Plan. They were  
6 required to have 140 parking spaces. They were asking for 122. The variance  
7 was approved, but had they just waited a month, or if staff would have held it up  
8 a month, there would have been no issue and they would have been able to sail  
9 along.

10  
11 Mr. Noto stated, we are here this evening to start the ball rolling in the public  
12 hearing process to clean this up. It would go to the City Commission in the July  
13 cycle, and if they approve it, they could remove the condition and would then be  
14 operating in compliance with their original approval and within City Code.

15  
16 Mr. Noto concluded his presentation by saying that staff is recommending  
17 approval.

18  
19 Juan (John) A. Omana, Jr., Community Development Director, announced this  
20 item is quasi-judicial in nature; that a Quasi-Judicial Sign-In Sheet (see attached)  
21 was located at the back of the chambers for any interested party to sign in order  
22 to be kept abreast of this matter.

23  
24 Chairman Hawkins requested the Applicant come forward and address the  
25 Board.

26  
27 John Marks, Applicant Representative/Regional Director of Operations  
28 representing Pinnacle Hotel Management and resident of St. Pete Beach,  
29 Florida, came forward in favor of the proposed Minor Site Plan revision. He said  
30 that they own the subject property and was present tonight with their General  
31 Manager, Kim Hayden, who has always done a terrific job for them at the  
32 property.

33  
34 Chairman Hawkins asked, do you have anything further to add to Mr. Noto's  
35 presentation?

36  
37 Mr. Marks answered, no. It just seems very unusual, the whole circumstance. I  
38 mean, I have been in business for 37 years and have never seen this before.  
39 Hotel meeting facilities are usually always available for a number of different  
40 reasons and we're not doing anything that would be considered unusual. So, we  
41 appreciate your consideration.  
42

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

**MOTION:**

**Member Schofield moved to recommend approval to the City Commission the request by Homewood Suites by Hilton Lake Mary/Kimberly Hayden regarding a Minor Site Plan revision/modification for Homewood Suites, 755 Currency Circle, Lake Mary, Florida, consistent with staff's Finding of Fact listed in the Staff Report removing the original condition that the meeting/conference rooms be limited to registered guests only. Member York seconded the motion, which carried unanimously 4-0.**

Chairman Hawkins announced that this item will move forward to the City Commission's July cycle.

**QUASI-JUDICIAL SIGN-IN SHEET**  
6/9, 2015  
**PLANNING AND ZONING BOARD MEETING**  
**(please print)**

**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** \_\_\_\_\_

**Name** \_\_\_\_\_ **Phone No.** \_\_\_\_\_

**Address** \_\_\_\_\_

**Item of Interest** \_\_\_\_\_



## MEMORANDUM

DATE: July 9, 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: Preliminary Subdivision Plan approval for Twelve Oaks at Lake Mary, 330 Washington Street, Patrick Knight, applicant (Public Hearing) (Steve Noto, Deputy City Planner)

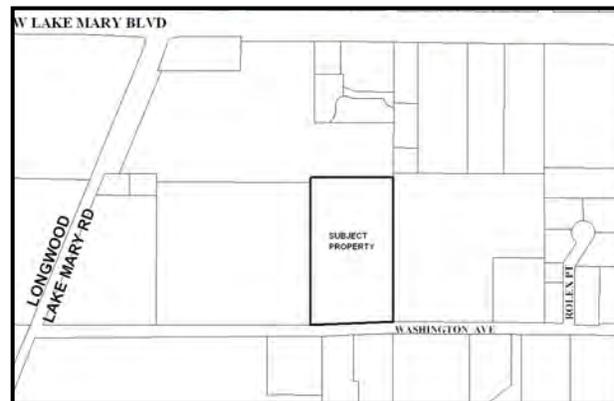
**APPLICANT:** Patrick J. Knight

**REFERENCE:** Development Review Committee, City Comprehensive Plan, Code of Ordinances, 2009-PSP-02.

**REQUEST:** The applicant is requesting preliminary subdivision approval for a 12-lot single family residential subdivision. This project was reviewed by both the Planning & Zoning Board and City Commission within the last seven months. It is back for review due to a number of layout and engineering changes that occurred, which required re-review by staff and the Boards.

### **DISCUSSION:**

**Location:** The subject property is located east of Longwood Lake Mary Road, on the north side of Washington Avenue.



**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
- January 2015: Preliminary Subdivision Plan approved for 12 single-family lots

**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 proposed project is still a 12-lot single-family home subdivision. Due to the additional engineering that was done after the original PSP approval, the applicant made multiple changes to the layout of the subdivision that required a re-review at the PSP level. Below is a comparative table:

	<b>Original Plan</b>	<b>Updated Plan</b>
Total Number of Lots	12	12
Smallest Lot	12,215 sq. ft.	11,333 sq. ft.
Largest Lot	19,700 sq. ft.	17,332 sq. ft.
Average Lot Size	.34 acres	.32 acres

The changes in smallest/largest lot and average lot size are due to the need for a second stormwater pond.

The zoning of the subject property is R-1A, which requires minimum lot sizes of 10,890 sq. ft. 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. The proposed right-of-way (ROW) section includes 10' wide travel lanes, an 11' wide swale located on the individual lots, a 4' sidewalk, and a driveway. On lots 1-3, and 9-11, the sidewalks are located further inside the lots than on lots 4-8, and 12. As a result, the applicant will be providing a minimum 20' setback to the garage door from the edge of sidewalk on lots 1-3, and 9-11. This is to ensure that there is a clear path on the sidewalks.

At the City Commission workshop on 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 providing a minimum 5' wide sidewalk on the north side of Washington Avenue from Longwood Lake Mary Road to Rolex Point. A transportation study was not required as the project will not generate more than 50 peak hour trips or 300 average daily trips. The subdivision will be gated.

**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 three historic trees that require removal: a 21", 22", and 24" Longleaf Pine. The applicant has proposed to provide four replacement trees per historic tree. Action will be required by the Arbor Board prior to approval of the Final Subdivision Plan.

**Environmental** (*No changes were made from the original approval*): 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.

**Seminole County Public Schools** (*No changes were made from the original approval*): An updated School Capacity Availability Letter of Determination (SCALD) was issued in March 2015.

**Stormwater Management and Utilities:** There are two stormwater ponds that will service the subdivision, one is noted as "Tract 'B'" (.44 acres) and the other is noted as "Tract 'D'" (.17 acres). Additionally, there are swales throughout the subdivision to assist with drainage and storage. The design of the swales will be reviewed further as part of the Final Subdivision Plan.

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 within the Washington Estates subdivision; the applicant will be connecting to that system via a force main and installing a lift station adjacent to the retention pond in Tract 'B'. As noted on sheet PSP-2, the sewer connection shall not occur on Lot 1 of the Washington Estates subdivision.

**PLANNING AND ZONING BOARD:** At their regular June 9 , 2015 meeting, the Planning and Zoning Board unanimously recommended approval, 4-0, of the Preliminary Subdivision Plan for Twelve Oaks at Lake Mary to be located at 330 Washington Avenue consistent with staff's conditions.

**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.

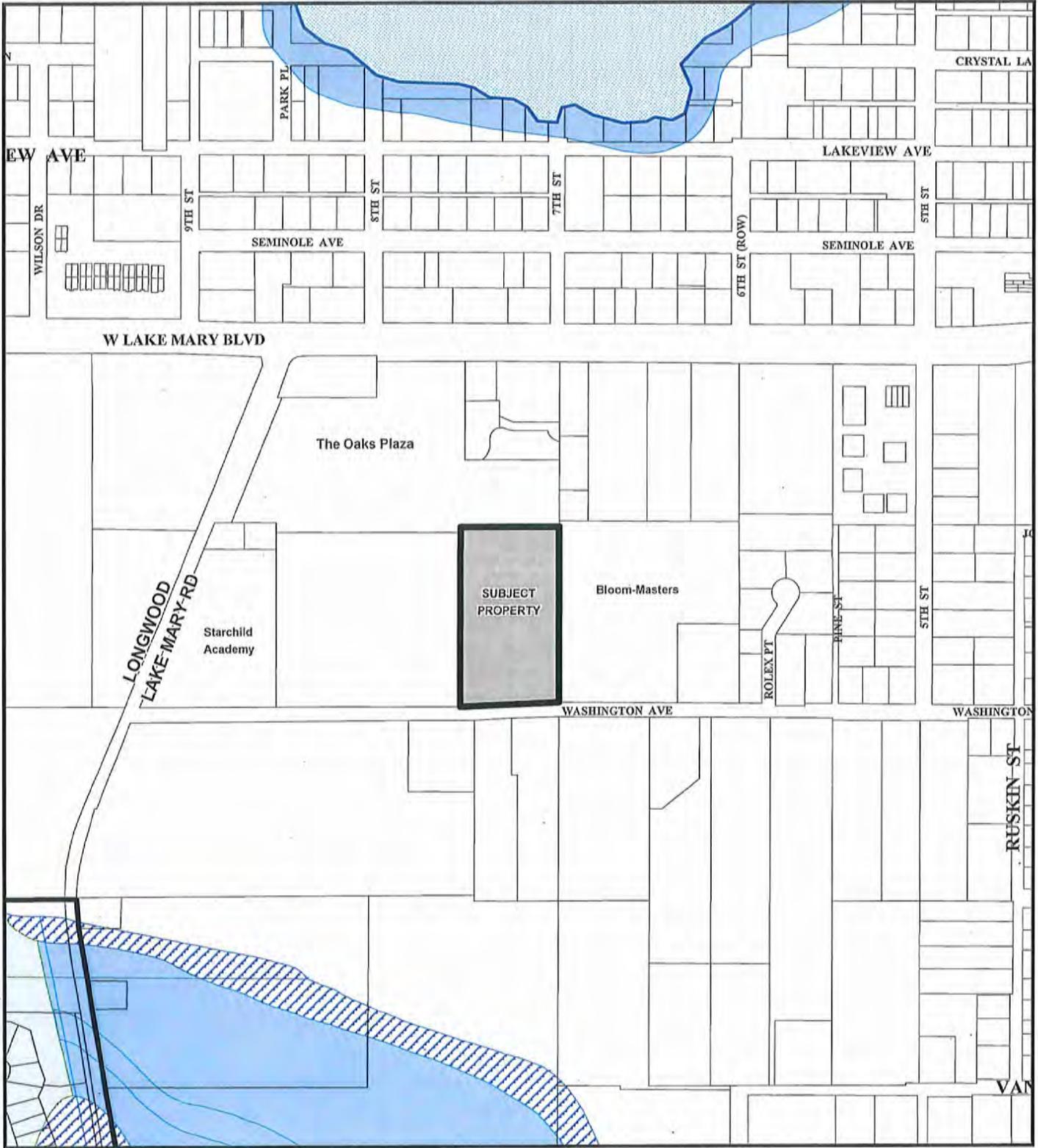
**FINDINGS OF FACT:** Staff finds that the request for Preliminary Subdivision is consistent with the relevant criteria of the City's Preliminary Subdivision regulations, the City's Code of Ordinances and Comprehensive Plan and recommends approval with the following conditions:

1. Arbor Board shall review the removal of the three historic trees prior to the approval of the Final Subdivision Plan.
2. At time of Final Subdivision, the applicant shall provide a pedestrian access easement for the internal sidewalk.
3. 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.
4. The street trees shall be relocated on each individual lot as to not interfere with the proposed internal sidewalk.
5. The applicant shall provide street lighting within the subdivision.
6. The HOA and easement documents shall include provisions for the HOA to maintain the swales on the individual lots in the event the homeowner fails to maintain them.
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 is from the original PSP approved by the City Commission)
8. The Developer's Agreement shall establish the 20' setback from the back of sidewalk to the garage wall for lots 1-3, and 9-11.

**STAFF NOTE:** Based on additional review, conditions 7 and 8 will not be included as part of staff's recommendation. They were left in the report so as to be consistent with the report that was reviewed by the Planning & Zoning Board.

**ATTACHMENTS:**

- Location Map
- Zoning Map
- Future Land Use Map
- Aerial Map
- 8.5" x 11" Original PSP Plan
- 8.5" x 11" Updated PSP Plan
- Twelve Oaks at Lake Mary Preliminary Subdivision Plan
- June 9, 2015 Planning & Zoning Board Minutes

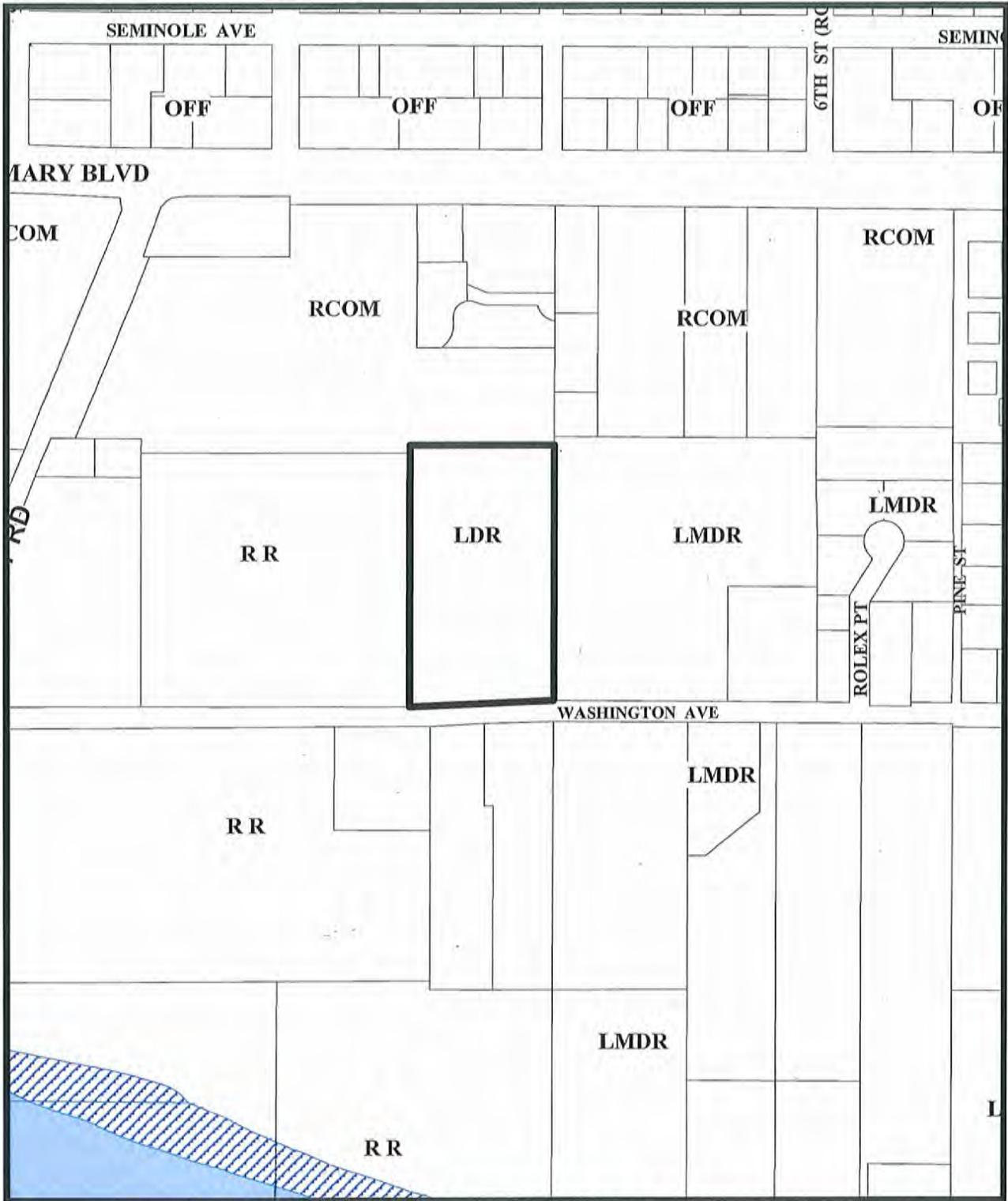


# LOCATION MAP

## Twelve Oaks at Lake Mary







## Future Land Use Map



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



3005

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330

WASHINGTON AVE



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1 B. 2015-PSP-02: Recommendation to the City Commission regarding Preliminary  
2 Subdivision Plan approval for Twelve Oaks at Lake Mary, 330 Washington  
3 Street, Lake Mary, Florida; Applicant: Patrick Knight (Public Hearing)  
4

5 Stephen Noto, Deputy City Planner, presented Item B. and the related  
6 Memorandum (Staff Report). A reduced copy attached to the Staff Report of the  
7 Preliminary Subdivision Plan (PSP) with "Original" written at the top was on the  
8 overhead projector. He stated, you may recall in late 2014, this item was before  
9 you as a PSP. On the overhead is the original PSP, a twelve-lot subdivision, off  
10 Washington Avenue, which was approved by the City Commission in January, then  
11 they started moving forward with additional engineering. Typically, after you get  
12 your PSP approved, you would move forward to Final Subdivision Plan (FSP), they  
13 would come before the Planning and Zoning (P&Z) Board, and would start  
14 construction. However, as they started doing additional engineering work for the  
15 site, they found they needed to make some site adjustments due to additional  
16 impervious area they were going to put in with the sidewalk, plus some other issues  
17 that came up. They came to staff and said, we have some changes. What do we  
18 need to do? We said, what are those changes exactly? (Mr. Noto put another  
19 reduced copy attached to the Staff Report of the PSP with "Updated" written at the  
20 top on the overhead projector.) While they are not largely significant, it was just  
21 enough to where we thought we really need to go back before the PSP process  
22 before we head to FSP. It is still a 12-lot subdivision. All the lots meet the  
23 minimum requirements. You can see on page 2 of your Staff Report a little matrix  
24 that shows the differences. The smallest lot has gone from 12,215 square feet to  
25 11,333 square feet. The largest lot has gone from 19,700 square feet to 17,332  
26 square feet. The average lot size is still right around 1/3 of an acre. So, that  
27 certainly exceeds the minimum lot size of 1/4 of an acre.  
28

29 Mr. Noto said, if you look on the overhead here (referring to "Updated" PSP  
30 document shown earlier), I will quickly point out some of the changes. The first  
31 obvious change is they have added a second stormwater retention pond at the  
32 southeast corner of the project. The western pond had to be redesigned a little bit  
33 bigger. As a result of those two ponds, all the lot sizes had to be adjusted just a  
34 little bit. But, as I said, the minimum lot size of the R-1A Zoning District is still being  
35 met.  
36

37 Mr. Noto stated, they are adding a sidewalk within the subdivision (puts Sheet PSP-  
38 1 of the PSP plan on the overhead projector). You can see how the sidewalk runs  
39 adjacent to the swales that are in the front of the lots. One thing we pointed out to  
40 them while we were reviewing the PSP was that on some of these lots, the  
41 sidewalk is further in the property, which didn't really make staff too comfortable  
42 knowing that people would potentially be parking their cars in the middle of these  
43 sidewalks. It kind of defeats the purpose of having a sidewalk within a subdivision.

DRAFT

1 So, what they have agreed to do, which will be put into the developer's agreement  
2 as part of the FSP, is they are going to have a 20-foot setback from where the  
3 garages are of these homes to the edge of the sidewalk on the inside of the lot.  
4 That way, you will be able to park your car in your driveway and not be blocking the  
5 path of the sidewalk.

6  
7 Mr. Noto said, they are taking out a few historic trees and saving quite a few as  
8 well. The trees that have to come out will go before the City Tree Board before the  
9 FSP is approved, which staff is working that scheduling out.

10  
11 Mr. Noto stated, you will also see they have a call-out for a gate. There will be  
12 private infrastructure within the subdivision, so there will be an HOA, and they have  
13 already started doing the engineering for the sidewalk that will go down to  
14 Longwood-Lake Mary Road and Rolex Point on the north side of Washington  
15 Avenue. It will be potable water with an irrigation well for irrigation. They will be  
16 connecting to sewer. There is a manhole to the east within Rolex Point that they  
17 are currently working on the engineering to have that connection point done.

18  
19 Mr. Noto concluded his presentation by saying, we are recommending approval  
20 with eight conditions. Numbers 7 and 8 deal with the developer's agreement,  
21 having to do with the timing of the sidewalk construction and that 20-foot setback.  
22 Some of the other conditions are just notes about providing an easement for  
23 pedestrian connectivity within, going to the City Tree Board, and then relocating  
24 some of the street trees so they don't interfere with that internal sidewalk. As the  
25 trees mature over time, since this will be a privately-run subdivision, we don't want  
26 to run into a situation where the roots start to crack the sidewalk and we have a  
27 maintenance issue somewhere down the road. They will be providing street  
28 lighting within the subdivision as well. This would go before the City Commission in  
29 the July cycle, and I would anticipate the FSP coming back before the P&Z  
30 probably sometime in August.

31  
32 Juan (John) A. Omana, Jr., Community Development Director, announced this item  
33 is quasi-judicial in nature; that a Quasi-Judicial Sign-In Sheet (see attached) was  
34 located at the back of the chambers for any interested party to sign in order to be  
35 kept abreast of this matter.

36  
37 Mr. Omana questioned Mr. Noto who will be the eventual developer and whether or  
38 not they indicated the square footages of the homes, pricing, and things of that  
39 nature.

40  
41 Mr. Noto responded, the eventual developer is David Weekley Homes, and the  
42 average sales price is \$500,000 with 3,000-4,000 square-foot homes on 1/3 of an  
43 acre lots. There was some confusion at the original PSP hearing back in

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1 December. Some folks thought this may be a mobile home park. It is not. This will  
2 be a single-family-type project.

3  
4 Chairman Hawkins requested the Applicant come forward and address the Board.

5  
6 David Stokes, P.E., Applicant Representative with Madden, Moorhead & Glunt,  
7 Inc., 431 E. Horatio Ave., S. 260, Maitland, Florida 32751, came forward and  
8 addressed the Board in favor of the proposed PSP. He said that Developer Pat  
9 Knight wasn't able to be present for this hearing, but he was present in case the  
10 Board had any questions about the proposed project.

11  
12 Chairman Hawkins asked Mr. Stokes if he had anything further to add to Mr.  
13 Noto's presentation.

14  
15 Mr. Stokes replied, no. He did a great job. We are really thrilled to have him as  
16 part of your staff.

17  
18 Chairman Hawkins opened the hearing to public comment. Hearing none, he  
19 closed that portion and entertained board discussion and/or a motion.

20  
21 **MOTION:**

22  
23 **Member Schofield moved to recommend approval to the City Commission**  
24 **the request by Patrick Knight regarding a Preliminary Subdivision Plan for**  
25 **Twelve Oaks at Lake Mary, 330 Washington Street, Lake Mary, Florida,**  
26 **consistent with staff's Findings of Fact listed in the Staff Report and subject**  
27 **to the following eight conditions. Member York seconded the motion, which**  
28 **carried unanimously 4-0.**

29  
30 **CONDITIONS:**

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1. Arbor Board shall review the removal of the three historic trees prior to the approval of the Final Subdivision Plan.
  2. At time of Final Subdivision, the Applicant shall provide a pedestrian access easement for the internal sidewalk.
  3. 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.
  4. The street trees shall be relocated on each individual lot as to not interfere with the proposed internal sidewalk.
  5. The Applicant shall provide street lighting within the subdivision.

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- 6. The HOA and easement documents shall include provisions for the HOA to maintain the swales on the individual lots in the event the homeowner fails to maintain them.
- 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 is from the original PSP approved by the City Commission).
- 8. The Developer's Agreement shall establish the 20-foot setback from the back of the sidewalk to the garage wall for lots 1-3 and 9-11.

Chairman Hawkins announced this item will move forward to the City Commission's July cycle.

**QUASI-JUDICIAL SIGN-IN SHEET**  
6/9, 2015  
**PLANNING AND ZONING BOARD MEETING**  
(please print)



**Name** \_\_\_\_\_ **Phone No.** \_\_\_\_\_

**Address** \_\_\_\_\_

**Item of Interest** \_\_\_\_\_

**Name** \_\_\_\_\_ **Phone No.** \_\_\_\_\_

**Address** \_\_\_\_\_

**Item of Interest** \_\_\_\_\_

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**Item of Interest** \_\_\_\_\_



## MEMORANDUM

DATE: July 9, 2015

TO: Mayor and City Commission

FROM: Tom Tomerlin, Economic Development Manager

VIA: Jackie Sova, City Manager

SUBJECT: Resolution No. 967 - Paylocity Corporation be approved as a Qualified Target Industry (QTI) Business, and Approval of Expenditures as Required Local Financial Support for this State Administered Incentive (Tom Tomerlin, Economic Development Director)

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### **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. In cases where a project locates into a City, the County and City have traditionally split the 20 percent local financial support required by the program.

### **DESCRIPTION OF THE PROJECT:**

Paylocity Corporation is headquartered in the Midwest, but they are an existing Lake Mary business that will create new jobs in the City. The company provides cloud-based solutions to help businesses with their payroll and human resource functions. Paylocity Corporation plans to create 176 new jobs over the next five years, at an average annual wage that is greater than the Seminole County average. Most of these new jobs will be in computer related services, data analytics, and technology professions.

Paylocity is growing and will need to add new staff to their Lake Mary and/or Illinois facilities. The company is also evaluating other states for growing its footprint. This tax refund incentive is intended to have Paylocity expand to the greatest extent possible within the City of Lake Mary, Florida.

This QTI is attached to 176 new jobs being created within the City. The project will result in the lease of an additional 35,000 square feet in the Primera Office Park. The project is expected to result in a total capital investment of approximately \$16 million, when including the value of the lease.

In 2012, Paylocity was the recipient of a local Jobs Growth Incentive (JGI) Award in the amount of \$166,000. This incentive was for the creation of 83 new jobs in three years, and the City contributed 50%, or \$83,000. The company has exceeded this job creation goal and currently employs 150 workers in Lake Mary. Moreover, the firm has exceeded its capital investment goals. Paylocity Corporation is now a publicly traded company and continues to anticipate growth in its core services. This will be the second job growth incentive sought by Paylocity, this time under the State administered QTI program.

#### Funding Explanation

Paylocity Corporation 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); plus
- 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, or \$1,000 per new full time job. The total tax refund available to Paylocity is equal to \$880,000 (176 jobs x \$5,000/job). The State of Florida typically carries 80% of the incentive. The Local Financial Support for these 176 new full-time jobs is \$176,000 (176 jobs x \$1,000/job). The Mayor and City Commission is being asked to authorize a 50% local match of \$88,000 (or \$500/job) for this QTI incentive.

Seminole County will consider participation in this incentive as part of its review process. The County is anticipated to be an equal funding partner for an additional \$88,000. Together, the County and City's local match of \$176,000 will make up the full 20% Local Financial Support necessary under the program. In order for Paylocity to be approved as a qualified applicant for the QTI program, the Mayor and City Commission must adopt a Resolution recommending the company for the program, and affirming a commitment to fund the required Local Financial Support. The payout schedule for the City's LFS will be distributed across an eight year period in accordance with a payout schedule approved by the State of Florida.

#### **DISCUSSION:**

This project is the result of several months of business retention and attraction efforts. As stated, the company could create many of these new jobs in Illinois, Florida, or elsewhere. Paylocity currently employs 150 employees at their Lake Mary facility. The company employs 1,220 employees worldwide. Although this incentive is geared toward an additional 176 new hires, this QTI helps make a statement regarding the importance of retaining and growing an existing employer.

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 1.5 years. This timeframe includes the leasehold value. Excluding the value of the lease, the project is expected to make approximately \$1.0 million in capital investment, and the return timeframe associated with just that capital expenditure would be much longer. This does not consider the tremendous capital investment already in place by Paylocity within the City.

While these numbers present a perspective on fiscal impacts, the project will result in a much larger economic impact within the community in the form of multiplier effects. For example, indirect and induced impacts will occur as the company buys inputs from local companies and hired workers spend their wages in the community.

Last, the evaluation of this project should recognize the company's good track record of exceeding performance benchmarks as part of its first (JGI) incentive.

**RECOMMENDATION:**

That the City Commission approve and execute the attached resolution recommending Paylocity Corporation for the Qualified Target Industry incentive and approve the expenditure of \$88,000 as Local Financial Support toward the incentive, an amount representing 10% of the total tax refund.

**ATTACHMENTS:**

- Paylocity Corporation QTI Resolution

**RESOLUTION NO. 967**

**REGARDING THE QUALIFIED TARGET INDUSTRY TAX REFUND PROGRAM; RECOMMENDING PAYLOCITY CORPORATION BE APPROVED AS A QUALIFIED TARGET INDUSTRY (QTI) BUSINESS PURSUANT TO SECTION 288.106, FLORIDA STATUTES; PROVIDING FOR LOCAL FINANCIAL SUPPORT TO THE QTI AWARD AMOUNT; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the business under consideration is Paylocity Corporation; and

**WHEREAS**, Paylocity Corporation is currently located in the City of Lake Mary and intends to further expand within the City of Lake Mary, Florida; and

**WHEREAS**, Paylocity Corporation will invest up to \$1,000,000 in the City of Lake Mary including the purchase of tangible personal property and improvements to real property; and

**WHEREAS**, Paylocity Corporation will create a minimum of one hundred and seventy six (176) new, high-level jobs over a five (5) year period beginning in 2015, with an annual average wage equal to at least 115% of the average annual wage of \$40,763 for Seminole County according to the State of Florida Incentive Average Wage Requirements effective January 1, 2015; and

**WHEREAS**, Enterprise Florida, Inc. has determined that Paylocity Corporation 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 \$88,000, which represents a ten percent (10%) match of the QTI per job award of \$5,000/job for 176 new jobs, providing Paylocity Corporation with important financial support pursuant to Section 288.106, Florida Statutes; and

**WHEREAS**, Seminole County will consider providing an additional \$88,000 which is a ten percent (10%) match of the QTI per job award, and together with the City of Lake Mary meeting a QTI local financial participation amount of 20%, and providing Paylocity Corporation 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 Paylocity Corporation be approved as a QTI Business pursuant to Section 288.106, Florida Statutes;
2. The cash commitment of local financial support for the Qualified Target Industry Tax Refund Program exists from the City of Lake Mary for Paylocity Corporation totaling an amount not to exceed EIGHTY EIGHT THOUSAND (\$88,000); with an equivalent level of local financial support anticipated from Seminole County; 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 9<sup>th</sup> day of July 2015.

CITY OF LAKE MARY, FLORIDA

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MAYOR, DAVID J. MEALOR

ATTEST:

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CITY CLERK, CAROL A. FOSTER

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

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CATHERINE REISCHMANN, CITY ATTORNEY



## MEMORANDUM

DATE: July 9, 2015

TO: Mayor and City Commission

FROM: Bruce Paster, P.E., Director of Public Works

VIA: Jackie Sova, City Manager

SUBJECT: Interlocal Agreement with Seminole County to construct a turn lane on Lake Mary Boulevard at Palmetto Street (Bruce Paster, Public Works Director)

---

**DISCUSSION** Seminole County has designed an additional westbound turn lane and median improvements along Lake Mary Boulevard at Palmetto Street. These improvements will enable the recently installed traffic signal to be placed into operation. Lake Mary is planning to perform utility work consisting of the addition of gravity sewer mains through this same intersection. Both parties have concluded it would be in the public's best interest to accomplish these improvements under a single construction project.

On June 18, 2015, you awarded the bid for the Palmetto Street Turn Lane and Lake Mary Boulevard Sewer Project to Pospiech Contracting, Inc. The attached Interlocal Agreement allows for the County to advance funds to the City to pay for the construction of the turn lane and median improvements on Lake Mary Boulevard. This will be accomplished via a change order to the City's contract with Pospiech. The Interlocal Agreement defines the responsibilities of each party as it relates to completing the subject improvements and any unused funds will be returned to the County.

**RECOMMENDATION:** Request Commission authorize Mayor to execute the attached Interlocal Agreement.

**INTERLOCAL AGREEMENT BETWEEN SEMINOLE COUNTY AND  
THE CITY OF LAKE MARY  
TO CONSTRUCT TURN LANE AND MEDIAN IMPROVEMENTS  
ON LAKE MARY BOULEVARD AT PALMETTO STREET**

**THIS INTERLOCAL AGREEMENT** is made and entered, by and between **SEMINOLE COUNTY**, a political subdivision of the State of Florida, whose address is Seminole County Services Building, 1101 East 1st Street, Sanford, Florida 32771, hereinafter referred to as the "COUNTY", and **CITY OF LAKE MARY** a municipal corporation, whose address is 100 North Country Club Road, Lake Mary, Florida 32746, hereinafter referred to as "CITY." COUNTY and CITY may sometimes be referred to in this Agreement individually as "Party" or collectively as the "Parties."

**WITNESSETH:**

**WHEREAS**, Lake Mary Boulevard at the intersection of Palmetto Street is a County Road; and



**WHEREAS**, COUNTY has been planning additional westbound turn lane and median improvements along Lake Mary Boulevard at Palmetto Street including: constructing a westbound left turn lane on Lake Mary Boulevard and also making median nose modifications so that the recently installed traffic signal can be put into operation; and

**WHEREAS**, CITY has been planning to perform utility work at this intersection and road work at Palmetto Street along the same area of COUNTY's proposed left turn lane and median improvements; and

**WHEREAS**, both CITY and COUNTY have concluded that it would be in the public interest to accomplish these improvements under a single construction project and contract (the "Joint Improvement Project"); and

**WHEREAS**, construction of the left turn lane and median improvements on Lake Mary Boulevard at Palmetto Street are depicted on the plans attached and incorporated in this Agreement as Exhibit "A;" and

**WHEREAS**, CITY's utility and road work is depicted on the plans described in Section 3(b) below; and

**WHEREAS**, CITY and COUNTY have determined that it is in their best interest and that of the public for COUNTY to advance COUNTY's total share of costs for all construction and construction related services of the Joint Improvement Project based upon a change order to CITY's contract, Bid No. 15-04, with Pospiech Contracting, Inc. (the "Construction Contract"); and

**WHEREAS**, CITY and COUNTY also have determined that it is in their best interest and that of the public for CITY to be responsible for procuring the construction and construction related services of the Joint Improvement Project; and

**WHEREAS**, this Agreement is authorized by the provisions of Chapters 125, 163 and 166, Florida Statutes (2014), and other applicable law.

**NOW, THEREFORE**, for and in consideration of the promises, mutual covenants and agreements contained herein by and between the Parties and for the mutual benefit of the COUNTY and CITY, and their respective citizens, the Parties agree as follows:

**Section 1. Recitals.** The foregoing recitals are true and correct and form a material part of this Agreement upon which the Parties have relied.

**Section 2. Purpose.** The purpose of this Agreement is to memorialize the respective obligations and responsibilities of the Parties in the design, permitting, and construction of the

Joint Improvement Project identified above and provide for the following work in the manner hereinafter set forth.

**Section 3. CITY Responsibilities.**

(a) CITY is responsible for procuring construction related services for the Joint Improvement Project.

(b) All construction work relating to the construction of the left turn lane and median improvements on Lake Mary Boulevard at Palmetto Street is to be accomplished according to the engineering plans, specifications and bid documents prepared by Atkins under COUNTY's direction (Capital Improvement Project No. 002514-01; the "County work"). All construction work relating to CITY's utility and road work is to be accomplished according to the engineering plans, specifications and bid documents dated February 2015 prepared by Inwood Consulting Engineers under the CITY's direction (the "City Work").

(c) CITY shall obtain a proposed change order under the Construction Contract for the Joint Improvement Project to cover the COUNTY work. The proposed change order will call for a separate amount for the County Work to be performed. CITY shall provide COUNTY the opportunity to review and approve the proposed change order prior to it being executed. CITY shall not execute any change order for the County Work without COUNTY's approval. CITY shall be responsible for executing the change order and shall notify COUNTY when the change order is executed.

(d) CITY shall manage and administer the performance of the Construction Contract, including the change order for the COUNTY work. CITY is not responsible for any errors or omissions in the engineering plans, specifications and bid documents prepared by Atkins.

(e) CITY shall hold the payment described in Section 4 below in a separate CITY account dedicated to the County Work, from which amounts CITY has the authority to make draws to pay the invoices of the contractor for the County Work.

(f) In the event CITY does not enter into a change order for the County Work under the Construction Contract that is acceptable to COUNTY within sixty (60) days of this Agreement, CITY shall refund COUNTY's payment described in Section 4 below in full within thirty (30) days following the end of this sixty (60) day period and immediately thereafter this Agreement will be terminated.

(g) After final completion and acceptance of the contractor's work, COUNTY will be entitled to receive signed and sealed as-built plans for the left turn lane and median improvements on Lake Mary Boulevard at Palmetto Street from the contractor through CITY.

(h) Within sixty (60) days of completion or abandonment of the project, CITY shall refund COUNTY's payment described in Section 4 below minus any draws that have already been made or are still due the contractor for the County Work.

(i) CITY is responsible for obtaining all permits in connection with the Joint Improvement Project.

**Section 4. COUNTY Responsibilities.**

(a) COUNTY shall advance to CITY the amount specified separately in the change order to perform the County Work. COUNTY shall pay CITY this amount for the County Work within forty-five (45) days of the date the change order specified in Section 3 above.

(b) COUNTY shall cooperate with CITY in CITY obtaining any necessary permits for the Joint Improvement Project.

**Section 5. Insurance Requirements.** Each Party shall maintain adequate insurance coverage to protect its own interests and obligations under this Agreement.

**Section 6. Indemnification.**

(a) COUNTY expressly acknowledges and accepts its responsibility under applicable law, and to the extent permitted by law, agrees to indemnify, defend and hold CITY harmless for loss, damage, or injury to persons or property, arising out of or resulting from COUNTY's activities under this Agreement, unless, however, such claim or demand arises out of or results from the negligence of CITY, its servants, agents, employees, or assigns. This provision is not to be construed as a waiver by COUNTY of its sovereign immunity, except to the extent waived pursuant to Section 768.28, Florida Statutes (2014), as this statute may be amended from time to time. To the extent COUNTY has contract employees or agents performing any work pursuant to this Agreement, COUNTY shall ensure the contractor has CITY added as additional insured to the contractor's insurance prior to the employee or agent performing any work pursuant to this Agreement.

(b) CITY expressly acknowledges and accepts its responsibility under applicable law, and to the extent permitted by law, agrees to indemnify, defend and hold COUNTY harmless for loss, damage, or injury to persons or property, arising out of or resulting from CITY's activities under this Agreement, unless, however, such claim or demand arises out of or results from the negligence of COUNTY, its servants, agents, employees, or assigns. This provision is not to be construed as a waiver by CITY of its sovereign immunity, except to the extent waived pursuant to Section 768.28, Florida Statutes (2014), as this statute may be amended from time to time. To the extent CITY has contract employees or agents performing any work pursuant to this Agreement, CITY shall ensure the contractor has COUNTY added as additional insured to the

contractor's insurance prior to the employee or agent performing any work pursuant to this Agreement.

(c) The principles of comparative negligence apply to loss, damage or injury as specified in subsections (a) and (b) above where the negligence of both CITY and COUNTY and their respective servants, agents, employees or assigns are involved.

(d) The parties further agree that nothing contained in this Agreement may be construed or interpreted as denying to any party any remedy or defense available to such parties under the laws of the State of Florida, nor as a waiver of sovereign immunity of COUNTY and CITY beyond the waiver provided for in Section 768.28, Florida Statutes (2014), as this statute may be amended from time to time.

(e) The waiver of any provision in this Agreement regarding insurance by either party will not constitute the further waiver of this  regarding indemnification or the waiver of any other provision of this Agreement.

**Section 7. Notice.** Any notice delivered with respect to this Agreement must be in writing and will be deemed to be delivered (whether or not actually received) when (i) hand delivered to the person(s) hereinafter designated, or (ii) upon deposit of such notice in the United States Mail, postage prepaid, certified mail, return-receipt requested, addressed to the person at the address set forth opposite the Party's name below, or such other address or to such other person as the Party may have specified by written notice to the other Party delivered in accordance with this Section:

**As to COUNTY:**  
County Engineer  
Seminole County Services Building  
1101 East 1st Street  
Sanford, FL 32771

**As to CITY:**  
City Engineer  
100 North Country Club Road  
Lake Mary, FL 32746

**Section 8. Governing Law.** The laws of the State of Florida govern the validity, enforcement and interpretation of this Agreement. Seminole County is the sole venue for any legal action in connection with this Agreement.

**Section 9. Parties Bound.** This Agreement is binding upon and inures to the benefit of CITY and COUNTY, and their successors and assigns.

**Section 10. Conflict of Interest.**

(a) Each Party agrees that it shall not engage in any action that would create a conflict of interest in the performance of its obligations pursuant to this Agreement with the other Party or which would violate or cause third parties to violate the provisions of Part III, Chapter 112, Florida Statutes (2014), as this statute may be amended from time to time, relating to ethics in government.

(b) Each Party hereby certifies that no officer, agent or employee of that Party has any material interest (as defined as over 5% in Section 112.312(15), Florida Statutes (2014), as the statute may be amended from time to time) either directly or indirectly, in the business of the other Party to be conducted here, and that no such person shall have any such interest at any time during the term of this Agreement.

(c) Pursuant to Section 216.347, Florida Statutes (2014), as this statute may be amended from time to time, the Parties hereby agree that monies, if any, received from the other Party pursuant to this Agreement will not be used for the purpose of lobbying the Legislature or any State or Federal agency.

(d) Each Party has the continuing duty to report to the other Party any information that indicates a possible violation of this Section.

**Section 11. Entire Agreement.**

(a) It is understood and agreed that the entire agreement of the Parties is contained in this Agreement, which supersedes all oral agreements, negotiations, and previous agreements between the Parties relating to the subject matter of this Agreement.

(b) Any alterations, amendments, deletions, or waivers of the provisions of this Agreement will be valid only when expressed in writing and duly signed by both Parties, except as otherwise specifically provided in this Agreement.

**Section 12. Dispute Resolution.** Either Party to this Agreement may notify the other Party that it wishes to commence formal dispute resolution with respect to any unresolved problem under this Agreement. The Parties  agree to submit the dispute to a Florida Bar Certified Circuit Court Civil Mediator for mediation, within sixty (60) days following the date of this notice. The Parties agree that, in the event that any dispute cannot be resolved by mediation, it may be filed as a civil action in the Circuit Court of the Eighteenth Judicial Circuit of Florida, in and for Seminole County, Florida which is the sole venue for any such civil action. The Parties further agree that any such action will be tried to the Court, and the Parties hereby waive the right to jury trial as to such action.

**Section 13. Effective Date/Term.** The Effective Date of this Agreement will be the date when the last party has properly executed this Agreement as determined by the date set forth immediately below the respective signatures of the parties. The term of this Agreement commences on the date of execution and continues until all the obligations set forth in this Agreement are completed.

**IN WITNESS WHEREOF**, the Parties hereto have made and executed this Agreement for the purposes herein expressed.

ATTEST:

CITY OF LAKE MARY

\_\_\_\_\_  
CAROL ANN FOSTER, City Clerk

By: \_\_\_\_\_  
DAVID MEALOR, Mayor

Date: \_\_\_\_\_

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
SEMINOLE COUNTY, FLORIDA

\_\_\_\_\_  
MARYANNE MORSE  
Clerk to the Board of  
County Commissioners of  
Seminole County, Florida.

By: \_\_\_\_\_  
BRENDA CAREY, Chairman



Date: \_\_\_\_\_

For the use and reliance of  
Seminole County only.

As authorized for execution by the Board of  
County Commissioners at its \_\_\_\_\_,  
2015, regular meeting.

Approved as to form and  
legal sufficiency.

\_\_\_\_\_  
County Attorney

DGS/dre  
06/16/15

Attachments:

Exhibit "A" – Turn Lane Addition Plans

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INDEX OF  
CONSTRUCTION PLANS

SHEET NO.	SHEET DESCRIPTION
1	KEY SHEET
2	SUMMARY OF PAY ITEMS
3	TYPICAL SECTION
4	GENERAL NOTES
5 - 8	ROADWAY PLANS
9 - 11	PAVEMENT MARKING PLANS
12	SIGNALIZATION PLAN

SEMINOLE COUNTY, FLORIDA  
ENGINEERING DIVISION

CONTRACT PLANS

PUBLIC WORKS DIRECTOR  
ANTOINE KHOURY, P.E.

COUNTY ENGINEER  
BRETT BLACKADAR, P.E.

LAKE MARY BOULEVARD AT  
SUN DRIVE, RAILROAD CROSSING  
AND PALMETTO STREET  
INTERSECTION IMPROVEMENTS



PROJECT LOCATION

SHOP DRAWINGS  
TO BE SUBMITTED TO:

ERIC ERICKSON  
100 E. FIRST ST.  
SANFORD, FLORIDA 32773  
(407) 665-5666

PLANS PREPARED BY:

**ATKINS**

482 SOUTH KELLER ROAD  
ORLANDO, FLORIDA 32810  
(407) 647-7275



PUBLIC WORKS DEPARTMENT  
ENGINEERING DIVISION

100 E. 1ST ST.  
SANFORD FLORIDA 32771  
TEL. 407-665-5674  
FAX. 407-665-5789

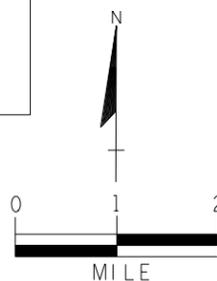
NOTE: THE SCALE OF THESE PLANS MAY HAVE  
CHANGED DUE TO REPRODUCTION.

ENGINEER OF RECORD: Matthew A. Taylor

P.E. NO. 56985

FISCAL YEAR	SHEET NO.
15	1

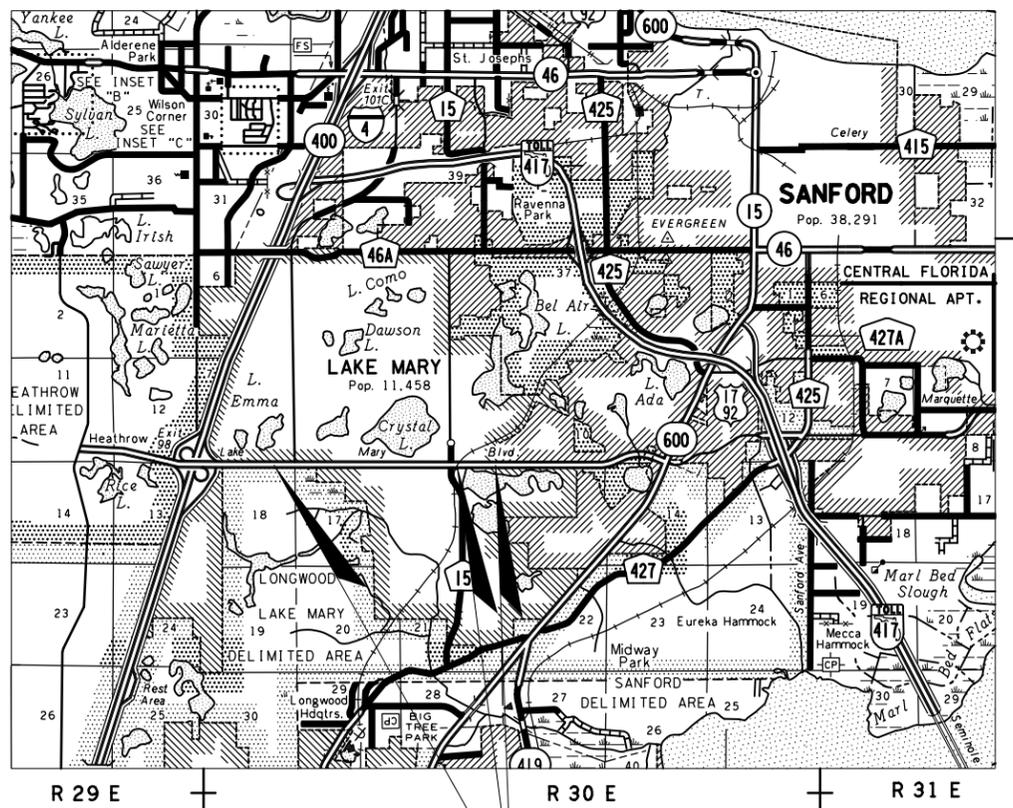
FINAL PLANS  
MARCH 2015



GOVERNING STANDARDS AND SPECIFICATIONS:  
FLORIDA DEPARTMENT OF TRANSPORTATION  
DESIGN STANDARDS DATED JANUARY 2013, AND  
STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE  
CONSTRUCTION DATED 2013,  
AS AMENDED BY CONTRACT DOCUMENTS.

KEY SHEET REVISIONS	
DATE	DESCRIPTION

CIP NO. 251401



PROJECT LOCATIONS

PROJECT MANAGER: ERIC ERICKSON

**SUMMARY OF PAY ITEMS**

ITEM NO.	DESCRIPTION	UNIT	LOCATION 1 SUN DRIVE		LOCATION 2 RAILROAD CROSSING		LOCATION 3 PALMETTO ST.		GRAND TOTAL	
			PLAN	FINAL	PLAN	FINAL	PLAN	FINAL	PLAN	FINAL
101-1	MOBILIZATION	LS	1		1		1		1	
102-1	MAINTENANCE OF TRAFFIC	LS	1		1		1		1	
102-99	CHANGEABLE VARIABLE MESSAGE SIGN (TEMPORARY)	ED	28		0		60		88	
104-18	INLET PROTECTION SYSTEM	EA	4		2		2		8	
110-1-1	CLEARING & GRUBBING	LS	1		1		1		1	
110-4	REMOVAL OF EXISTING CONCRETE PAVEMENT	SY	46		50		65		161	
120-1	REGULAR EXCAVATION	CY	63		0		80		143	
120-6	EMBANKMENT	CY	0		5		10		15	
160-4	TYPE B STABILIZATION (12")	SY	123		0		480		603	
285-709	OPTIONAL BASE, BASE GROUP 09	SY	97		0		463		560	
327-70-6	MILLING EXISTING ASPHALT PAVEMENT (1.5" AVG. DEPTH)	SY	0		0		436		436	
334-1-13	SUPERPAVE ASPHALTIC CONCRETE (TRAFFIC C)	TN	8.0		0.0		50.9		58.9	
337-7-33	ASPHALT CONCRETE FRICTION COURSE (TRAFFIC C) (RUBBER) (FC-12.5)	TN	6.0		0.0		74.2		80.2	
520-1-7	CONCRETE CURB & GUTTER (TYPE E)	LF	114		0		0		114	
520-1-10	CONCRETE CURB & GUTTER (TYPE F)	LF	0		200		50		250	
520-2-1	CONCRETE CURB (TYPE A)	LF	0		0		366		366	
522-1	SIDEWALK (CONCRETE) (4" THICK)	SY	0		0		41		41	
570-1-2	PERFORMANCE TURF (SOD)	SY	400		68		193		661	
999-10	SPRINKLER REPAIR (CONTACT LAKE MARY - 407-324-3090)	LS	1		1		1		1	

**PAY ITEM NOTES**

101-1 INCLUDES THE COST OF ALL ITEMS, NOT LISTED SEPARATELY, NEEDED FOR EROSION CONTROL. INCLUDES THE COST FOR CONSTRUCTION QUANTITY CONTROL TESTING FOR ANY OF THE FOLLOWING THAT ARE NECESSARY TO COMPLETE THE CONSTRUCTION OF THIS PROJECT: ASPHALT, CONCRETE, EARTHWORK. INCLUDES THE COST TO SAWCUT EXISTING PAVEMENT AT INTERFACE OF PAVEMENT REHABILITATION LIMITS. INCLUDES TEMPORARY DRAINAGE FOR THE COMPLETION OF THIS PROJECT. INCLUDES COST OF DEWATERING PERMIT, IF NEEDED.

110-1-1 INCLUDES, BUT NOT LIMITED TO, REMOVAL OF EXISTING PAVEMENT, AND TREES, AS REQUIRED TO CONSTRUCT THE PROJECT.

120-6; 334-1-13; 337-7-33 THE CONTRACTOR SHALL USE ONLY NON-VIBRATORY COMPACTION FOR ALL ACTIVITIES AND AREAS WHERE COMPACTION IS REQUIRED. INCLUDES THE COST OF TACK AND PRIME COAT. THE TACK MATERIALS RS-1 AND RS-2 ARE NOT PERMITTED FOR USE ON SEMINOLE COUNTY ROADS. UNLESS THE CONTRACT DOCUMENTS CALL FOR A SPECIFIC TYPE OR GRADE OF TACK COAT, USE RA500 MEETING THE REQUIREMENTS OF 916-2, HEATED TO A TEMPERATURE OF 250° TO 300° F OR UNDILUTED EMULSIFIED ASPHALT GRADES CRS-1H TRACKLESS TACK, OR NTSS-1HM MEETING THE REQUIREMENTS OF 916-4. HEAT CRS-1H OR NTSS-1HM TO A TEMPERATURE OF 140° TO 180° F. FOR NIGHT PAVING, USE RA-500 TACK COAT MEETING THE REQUIREMENTS OF 916-2 HEATED TO A TEMPERATURE OF 250° TO 300° F. THE ENGINEER MAY APPROVE CRS-1H OR NTSS-1HM FOR NIGHT PAVING IF THE CONTRACTOR DEMONSTRATES, AT THE TIME OF USE, THAT THE EMULSION WILL BREAK TO ALLOW PAVING IN A TIMELY MANNER. IN THE EVENT THAT TRACKING OF TACK OR PRIME OCCURS THEN THE CONTRACTOR SHALL REMOVE/SCRAPE OR REPAVE THE DAMAGED AREAS AS DIRECTED BY THE ENGINEER. NO WORK ON OTHER PROJECTS SHALL BE AUTHORIZED UNTIL THIS ISSUE IS RESOLVED.

102-1 INCLUDES ALL ITEMS AND LABOR NECESSARY FOR THE IMPLEMENTATION OF THE TRAFFIC CONTROL PLAN AS SPECIFIED IN THIS PLAN AND AS OTHERWISE REQUIRED BY THE CONTRACTOR. INCLUDES THE COST TO FURNISH AND MAINTAIN TEMPORARY RESTROOM FACILITIES TO BE USED DURING CONSTRUCTION. INCLUDES THE COST FOR THE CONTRACTOR TO CLEAN THE JOBSITE BY REMOVING ALL LOOSE AGGREGATE, ASPHALT AND MISCELLANEOUS CONSTRUCTION DEBRIS BEFORE LEAVING THE JOBSITE EACH DAY. FOLLOWING CONSTRUCTION, THE CONTRACTOR SHALL THOROUGHLY CLEAN AND SWEEP THE PROJECT TO ASSURE ALL DEBRIS HAS BEEN REMOVED.

**REVISIONS**

DATE	DESCRIPTION	DATE	DESCRIPTION

**ATKINS**

Matthew A. Taylor, P.E. P.E.# 56985  
482 South Keller Road Orlando, FL 32810  
(407) 647-7275 www.atkinsglobal.com  
Certificate of Authorization No. 24

**SEMINOLE COUNTY PUBLIC WORKS DEPARTMENT  
ENGINEERING DIVISION**

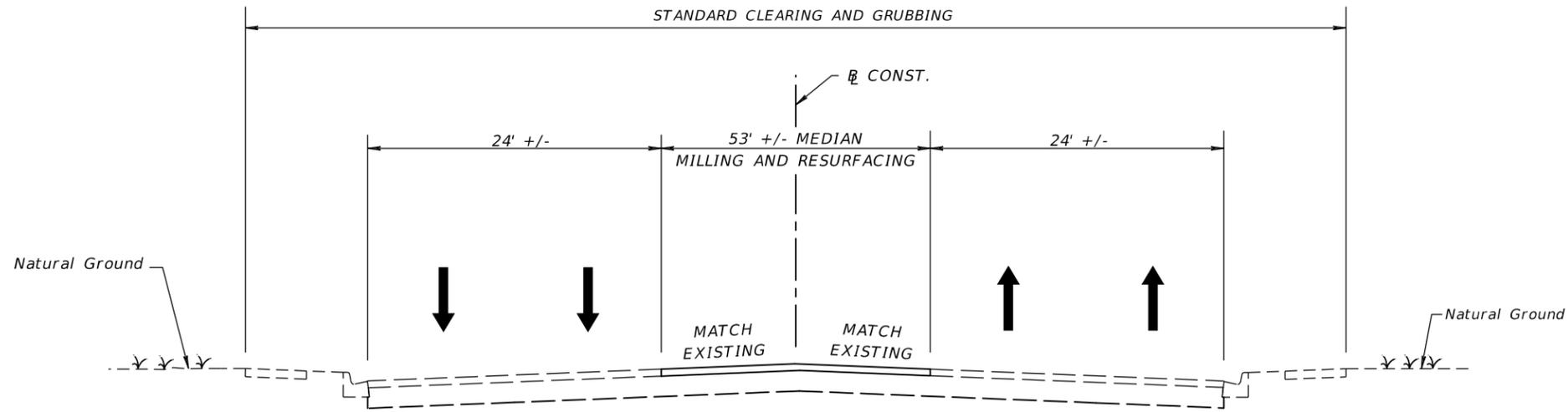
LAKE MARY BLVD.  
INTERSECTION IMPROVEMENTS

**SUMMARY OF PAY ITEMS**

SHEET  
NO.

2

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**TYPICAL SECTION  
LAKE MARY BOULEVARD  
LOCATION 3 - PALMETTO ST.**

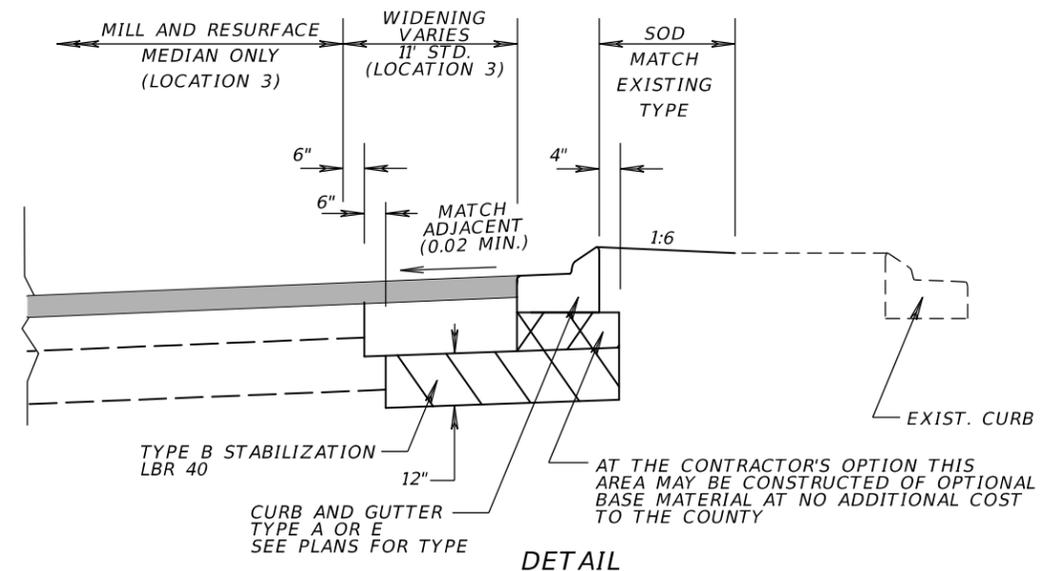
STA. 15+38.62 TO STA. 16+94.73

**MILLING**

MILL EXISTING ASPHALT PAVEMENT (1 1/2" AVG. DEPTH)

**RESURFACING**

FRICITION COURSE FC-12.5 (TRAFFIC C) (RUBBER) (FC-12.5) (1 1/2")



**DETAIL  
PAVEMENT WIDENING**

OPTIONAL BASE GROUP 09  
TYPE SP STRUCTURAL COURSE (TRAFFIC C)(2")  
FRICITION COURSE FC-12.5 (TRAFFIC C) (RUBBER) (1 1/2")

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REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION

**ATKINS**  
Matthew A. Taylor, P.E. P.E.# 56985  
482 South Keller Road Orlando, FL 32810  
(407) 647-7275 www.atkinsglobal.com  
Certificate of Authorization No. 24

**SEMINOLE COUNTY PUBLIC WORKS DEPARTMENT  
ENGINEERING DIVISION**  
LAKE MARY BLVD.  
INTERSECTION IMPROVEMENTS

**TYPICAL SECTION**  
SHEET NO. 3

## GENERAL NOTES

1. GRADES SHOWN ARE FINISHED GRADES.
2. B.M. DATUM IS NORTH AMERICAN VERTICAL DATUM OF 1988. (NAVD88)
3. EXISTING DRAINAGE STRUCTURES WITHIN CONSTRUCTION LIMITS SHALL REMAIN UNLESS OTHERWISE NOTED.
4. IT IS THE RESPONSIBILITY OF THE EXCAVATOR TO COMPLY WITH THE CURRENT STATE OF FLORIDA UNDERGROUND FACILITY DAMAGE PREVENTION AND SAFETY ACT AND/OR RELATED STATE LAW. THE FOLLOWING INFORMATION IS BEING PROVIDED BY SEMINOLE COUNTY IN AN EFFORT TO ASSIST THE EXCAVATOR BY LISTING UTILITIES THAT MAY PROVIDE SERVICE IN THE APPROXIMATE AREA OF PROPOSED CONSTRUCTION. THE EXCAVATOR SHOULD ASSUME OTHER UTILITIES THAT ARE NOT LISTED MAY PROVIDE SERVICE IN THE APPROXIMATE AREA OF PROPOSED CONSTRUCTION.

UTILITY OWNERS:

AT & T/ DISTRIBUTION  
DINO FARRUGGIO  
1120 S ROGERS CIR  
BOCA RATON, FL 33487  
954-249-0558

DUKE ENERGY  
SHARON DEAR  
452 E CROWN POINTE RD  
WINTER GARDEN, FL 33787  
407-905-3321

BRIGHTHOUSE NETWORKS, LLC  
MARVIN USRY  
3767 ALL AMERICAN BLVD  
ORLANDO, FL 32810  
407-532-8509

SEMINOLE COUNTY UTILITIES  
JIM MONAHAN  
500 WEST LAKE MARY BLVD.  
SANFORD, FL 32773  
407-665-2021

LEVEL 3 COMMUNICATIONS LLC  
NETWORK RELATIONS  
1025 ELDORADO BLVD  
BROOMFIELD, CO 80021  
877-366-8344 Ext: 2

FLORIDA PUBLIC UTILITIES CO  
GLENN PENDLETON  
450 S HWY 17/92  
DEBARY, FL 32713

MCI  
BRYAN LANTZ  
7701 E TELECOM PARKWAY  
TEMPLE TERRACE, FL 33637  
972-729-6322

CITY OF LAKE MARY PUBLIC WORKS  
TOM CONNELLY  
911 WALLACE CT  
LAKE MARY, FL 32746  
407-585-1412

5. ALL SURVEY CORNERS INDICATED ON THE PLANS SHALL BE REFERENCED AND CERTIFIED BY A REGISTERED PROFESSIONAL LAND SURVEYOR PRIOR TO COMMENCEMENT OF CONSTRUCTION. ALL CORNERS DESTROYED OR OBLITERATED BY CONSTRUCTION SHALL BE RESET AND SO CERTIFIED BY THE LAND SURVEYOR PRIOR TO COMPLETION OF THE PROJECT. CERTIFIED SKETCHES SHALL BE SUBMITTED TO:  
  
SEMINOLE COUNTY ROADS-STORMWATER DIVISION, SURVEY SECTION  
MR. GARY LEISE  
407-665-5647  
149 BUSH LOOP  
SANFORD, FL 32773
6. ANY NGVD-'29 OR NAVD-'88 MONUMENT WITHIN THE LIMITS OF CONSTRUCTION IS TO BE PROTECTED. IF IN DANGER OF DAMAGE, THE CONTRACTOR SHOULD NOTIFY THE COUNTY SURVEYOR AND:  
  
GEODETIC INFORMATION CENTER  
ATTN: MARK MAINTENANCE SECTION  
N/CG-162  
6001 EXECUTIVE BOULEVARD  
ROCKVILLE, MARYLAND 20852  
TELEPHONE: (301) 443-8319
7. ANY PUBLIC LAND CORNER WITHIN THE LIMITS OF CONSTRUCTION IS TO BE PROTECTED. IF A CORNER MONUMENT IS IN DANGER OF BEING DESTROYED AND HAS NOT BEEN PROPERLY REFERENCED, THE CONTRACTOR SHOULD NOTIFY THE COUNTY LOCATION SURVEYOR WITHOUT DELAY BY TELEPHONE.
8. N/A
9. DURING CONSTRUCTION, CONTRACTOR SHALL ADHERE TO THE REQUIREMENTS SET FORTH IN THE 2013 EDITION OF THE FDOT DESIGN STANDARDS AND THE LATEST EDITION OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD).
10. TEMPORARY DRAINAGE SHALL BE PROVIDED DURING CONSTRUCTION TO ELIMINATE ANY FLOODING OF PRIVATE PROPERTY AND MAINTAIN BASE FLOW IN CROSS DRAINS. COST OF TEMPORARY DRAINAGE TO BE INCLUDED IN PRICE BID FOR ITEM 101-1 MOBILIZATION
11. THE UTILITIES SHOWN ON THE PLANS ARE APPROXIMATE LOCATION ONLY AND ARE INTENDED ONLY TO SHOW THE UTILITIES LIKELY TO BE ENCOUNTERED DURING CONSTRUCTION. PRIOR TO CONSTRUCTION, ALL EXISTING UTILITIES, PUBLIC OR PRIVATE, SHALL BE LOCATED BY THE CONTRACTOR IN AREAS OF CONSTRUCTION AND OWNERS OF SAID MENTIONED UTILITIES NOTIFIED PRIOR TO COMMENCING WORK.

## EROSION CONTROL NOTES

12. ALL PRIVATE AND PUBLIC PROPERTY AFFECTED BY THE CONSTRUCTION WORK SHALL BE RESTORED TO A CONDITION EQUAL TO OR BETTER THAN THE EXISTING PRE-CONSTRUCTION CONDITION, UNLESS SPECIFICALLY EXEMPTED BY THE PLANS. COST TO BE INCIDENTAL TO OTHER CONSTRUCTION AND NO EXTRA COMPENSATION TO BE ALLOWED.
13. ALL MATERIALS, CONSTRUCTION, INSPECTIONS AND TESTS SHALL, AS A MINIMUM, CONFORM TO FDOT STANDARD SPECIFICATIONS DATED 2013, SUPPLEMENTS THERETO, AND TO SPECIAL PROVISIONS FOR THIS PROJECT.
14. ALL SHOP DRAWINGS MUST BE APPROVED BY SEMINOLE COUNTY PROJECT MANAGER, OR HIS DESIGNEE, PRIOR TO FABRICATION.
15. CONSTRUCTION SHALL INCLUDE REPLACING WITH MATCHING MATERIALS ALL DRIVEWAYS, WALKS, CURBS, ETC. THAT ARE DAMAGED OR REMOVED DUE TO CONSTRUCTION AND WORK SHALL BE COORDINATED WITH PROPERTY OWNERS.
16. ANY DRAINAGE PROBLEMS, CREATED BY CONSTRUCTION OR EXISTING BEFORE CONSTRUCTION, THAT ARE NOT ALLEVIATED SHOULD BE BROUGHT TO THE ATTENTION OF THE SEMINOLE COUNTY PROJECT MANAGER, OR HIS DESIGNEE.
17. ANY GRASSED AREA OUTSIDE THE IMMEDIATE CONSTRUCTION AREA DISTURBED BY THE CONTRACTOR WILL BE SODDED AT THE CONTRACTOR'S EXPENSE.
18. ONE WEEK PRIOR TO CONSTRUCTION THE CONTRACTOR IS TO OBTAIN A "R/W UTILIZATION PERMIT" FROM SEMINOLE COUNTY PUBLIC WORKS, ENGINEERING DIVISION, @ 100 E. 1ST STREET, SANFORD, FL 32771, TELEPHONE 407-665-5663. PERMIT FEE WILL BE WAIVED.
19. IRRIGATION LINES DAMAGED DURING CONSTRUCTION ARE TO BE CAPPED IMMEDIATELY AND REPORTED TO THE SEMINOLE COUNTY PROJECT MANAGER, OR HIS DESIGNEE. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO REPAIR AND/OR REPLACE THE DAMAGED IRRIGATION COMPONENTS TO PRE-CONSTRUCTION CONDITION.
20. ALL INLETS AND PIPES WITHIN THE CONSTRUCTION AREA SHALL BE CLEARED OF DEBRIS AND ERODED MATERIALS PRIOR TO COMPLETION OF THE PROJECT.
21. ANY MAILBOX CONFLICTING WITH THE CONSTRUCTION OF THE PROJECT SHALL BE RELOCATED BY THE CONTRACTOR IN ACCORDANCE WITH FDOT STD. INDEX NO. 532. NEW LOCATIONS TO BE COORDINATED WITH LOCAL POST OFFICE. REPLACEMENTS OF MAILBOXES SHALL HAVE MINIMUM 3" HIGH NUMBERS REPLACED ON BOTH SIDES OF THE MAILBOX, PER SEMINOLE COUNTY ORDINANCE 90.5 (6). PER USPS D041.2.4 IF THE BOX IS ON A DIFFERENT STREET FROM THE CUSTOMER'S RESIDENCE, THE STREET NAME AND HOUSE NUMBER SHALL BE INSCRIBED ON THE BOX ON BOTH SIDES. PAYMENT IS TO BE INCLUDED IN ITEM 110-1-1.
22. NO VIBRATORY COMPACTION SHALL BE USED ON THE PROJECT, INCLUDING ON EARTHWORK OR RECONSTRUCTION OUTSIDE THE ROADWAY SURFACE PAVING LIMITS.
23. PIPE JOINTS SHALL BE COVERED WITH FILTER FABRIC A MINIMUM OF 2 FEET IN WIDTH AND MEETING THE REQUIREMENTS OF INDEX 199, TYPE D-3 WITH AN AOS (SIEVE NUMBER) OF 40 TO 70.
24. CONTRACTOR TO OBTAIN ANY PERMITS NECESSARY FOR DEWATERING ACTIVITIES PRIOR TO BEGINNING CONSTRUCTION.
1. PROVIDE EROSION AND SEDIMENTATION CONTROL MEASURES CONSISTING OF STAKED SILT FENCES AND TURBIDITY BARRIERS AS INDICATED ON THE DRAWINGS. PROVIDE ADDITIONAL MEASURES AS NECESSARY UTILIZING GUIDELINES DOCUMENTED IN THE STATE OF FLORIDA EROSION AND SEDIMENT CONTROL - DESIGNER AND REVIEWER MANUAL, DATED JUNE 2007, (HTTP:// DOT.STATE.FL.US/RDESIGN/HYDRAULICS/FILES/ EROSION-SEDIMENT-CONTROL.PDF) TO AVOID ADVERSE IMPACTS TO JURISDICTIONAL AREAS (WETLANDS, WATER BODIES, AND UPLAND BUFFERS) AND OFF SITE LANDS AND WATER BODIES. MAINTAIN THESE MEASURES DAILY UNTIL FINAL ACCEPTANCE BY SEMINOLE COUNTY PROJECT MANAGER, OR HIS DESIGNEE, AND THEN REMOVE AND LEGALLY DISPOSE OF SAID MEASURES.
2. NO DISCHARGE OF CONTAMINANTS INTO ADJACENT WETLANDS, WATER BODIES, OR UPLAND BUFFERS WILL BE PERMITTED AT ANY TIME.
3. DAMAGE TO WETLANDS AND/OR UPLAND BUFFERS ADJACENT TO CONSTRUCTION AREAS SHALL BE PREVENTED BY DELINEATING THE LIMITS OF CONSTRUCTION, AND INSTALLING SEDIMENT BARRIERS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES, THEREBY RETAINING SEDIMENT WITHIN THE CONSTRUCTION AREA. CONTRACTOR WILL BE REQUIRED TO ADEQUATELY MAINTAIN THESE PROTECTION MEASURES AT ALL TIMES.
4. EROSION CONTROL SHALL BE MAINTAINED WITHIN CONSTRUCTION AREAS BY QUICKLY STABILIZING DISTURBED AREAS TO PREVENT THE RELEASE OF SEDIMENT. THIS SHALL BE ACCOMPLISHED USING GRASS COVER, TURBIDITY FENCES, AND OTHER MEANS ACCEPTABLE TO SEMINOLE COUNTY PROJECT MANAGER (OR HIS DESIGNEE), AND REGULATORY AGENCIES.
5. N/A
6. DURING CONSTRUCTION THE CONTRACTOR SHALL MODIFY OR RELOCATE THE SILT FENCE (WITH SEMINOLE COUNTY PROJECT MANAGER'S, OR HIS DESIGNEE'S, PRIOR APPROVAL) TO ALLOW FOR ITS ACCESS AND TO COMPLETE CONSTRUCTION. IT IS THE CONTRACTOR'S RESPONSIBILITY TO MAINTAIN ADEQUATE EROSION CONTROL AT ALL TIMES.
7. ALL EROSION PREVENTION AND CONTROL MEASURES MUST BE INSPECTED AND APPROVED BY THE SEMINOLE COUNTY PROJECT MANAGER, OR HIS DESIGNEE, AS REQUIRED, PRIOR TO ANY CONSTRUCTION ACTIVITIES. REMOVAL OF THESE SAME EROSION CONTROLS AND PREVENTION MEASURES MAY BE DONE ONLY AFTER AUTHORIZATION BY THE SEMINOLE COUNTY PROJECT MANAGER, OR HIS DESIGNEE, IS OBTAINED.
8. ALL SURFACE WATER DISCHARGE FROM SITE, INCLUDING DEWATERING DISCHARGE, SHALL MEET STATE WATER QUALITY STANDARDS (LESS THAN 29 NTU ABOVE BACKGROUND) PRIOR TO REACHING ANY WATERS OF THE STATE INCLUDING WETLANDS.
9. IN THE EVENT THAT THE EROSION PREVENTION AND CONTROL DEVICES SHOWN IN THESE DRAWINGS PROVE NOT TO BE EFFECTIVE, ALTERNATE METHODS FOR MAINTAINING STATE WATER QUALITY STANDARDS FOR DISCHARGE FROM THE CONSTRUCTION SITE WILL BE REQUIRED. ONE EFFECTIVE ALTERNATIVE METHOD INCLUDES THE INTRODUCTION OF ALUMINUM SULFATE (ALUM) INTO DISCHARGE FROM THE CONSTRUCTION SITE. PLEASE NOTE THAT ANY ALTERNATIVE EROSION PREVENTION AND CONTROL DEVICES MUST BE APPROVED BY THE SEMINOLE COUNTY PROJECT MANAGER, OR HIS DESIGNEE, PRIOR TO PLACEMENT.
10. ALL STORM DRAINAGE INLETS AND PIPES SHALL BE PROTECTED FROM SILT, SAND AND DEBRIS DURING CONSTRUCTION. ANY ACCUMULATION WITHIN THE STORM DRAINAGE PIPE SYSTEM SHALL BE REMOVED. STORM DRAINAGE SYSTEM SHALL BE CLEANED AND FREE OF DEBRIS PRIOR TO FINAL COMPLETION.

REVISIONS

DATE	DESCRIPTION	DATE	DESCRIPTION

## ATKINS

Matthew A. Taylor, P.E. P.E.# 56985  
482 South Keller Road Orlando, FL 32810  
(407) 647-7275 www.atkinsglobal.com  
Certificate of Authorization No. 24

### SEMINOLE COUNTY PUBLIC WORKS DEPARTMENT ENGINEERING DIVISION

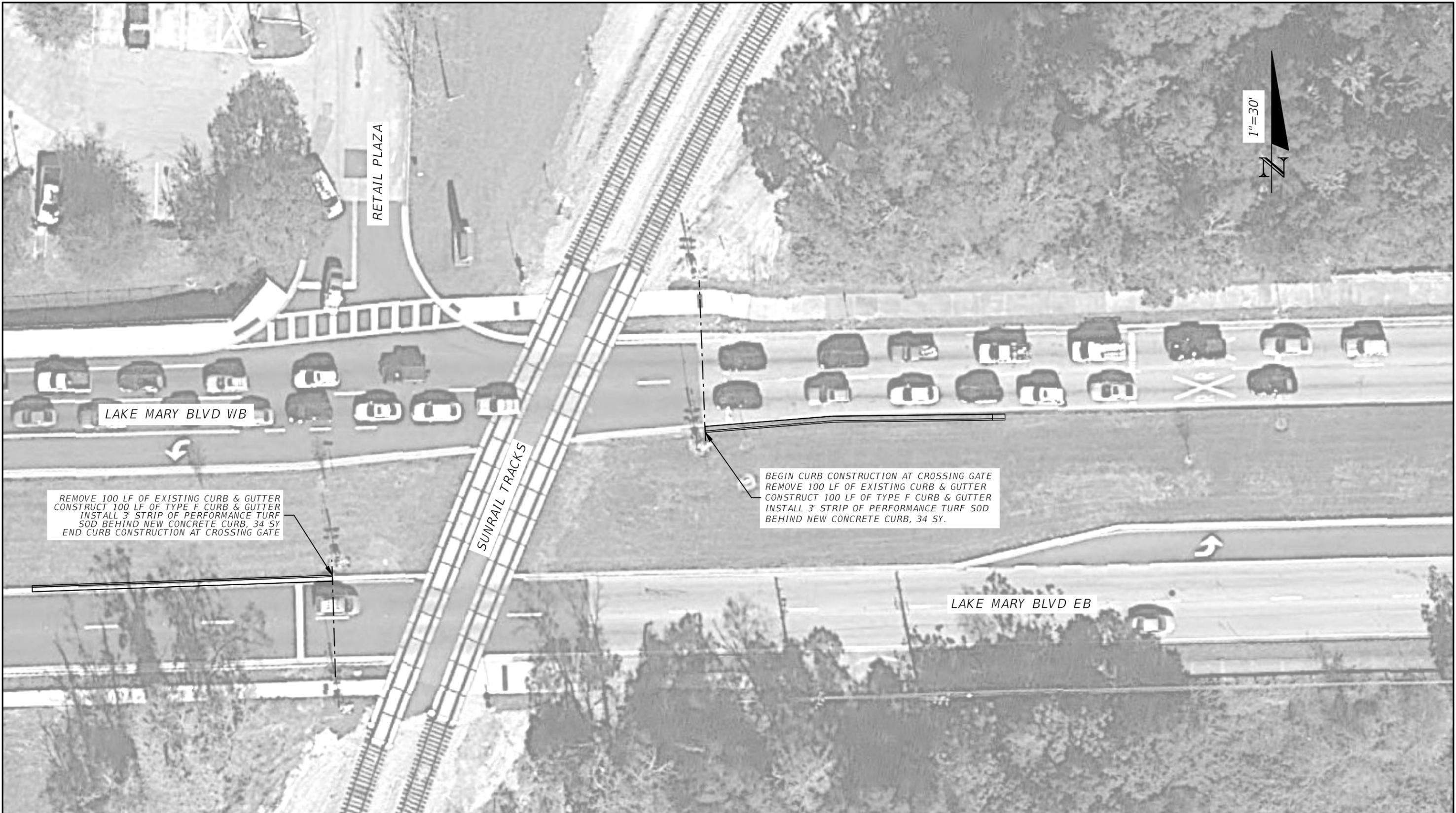
LAKE MARY BLVD.  
INTERSECTION IMPROVEMENTS

## GENERAL NOTES

SHEET  
NO.

4

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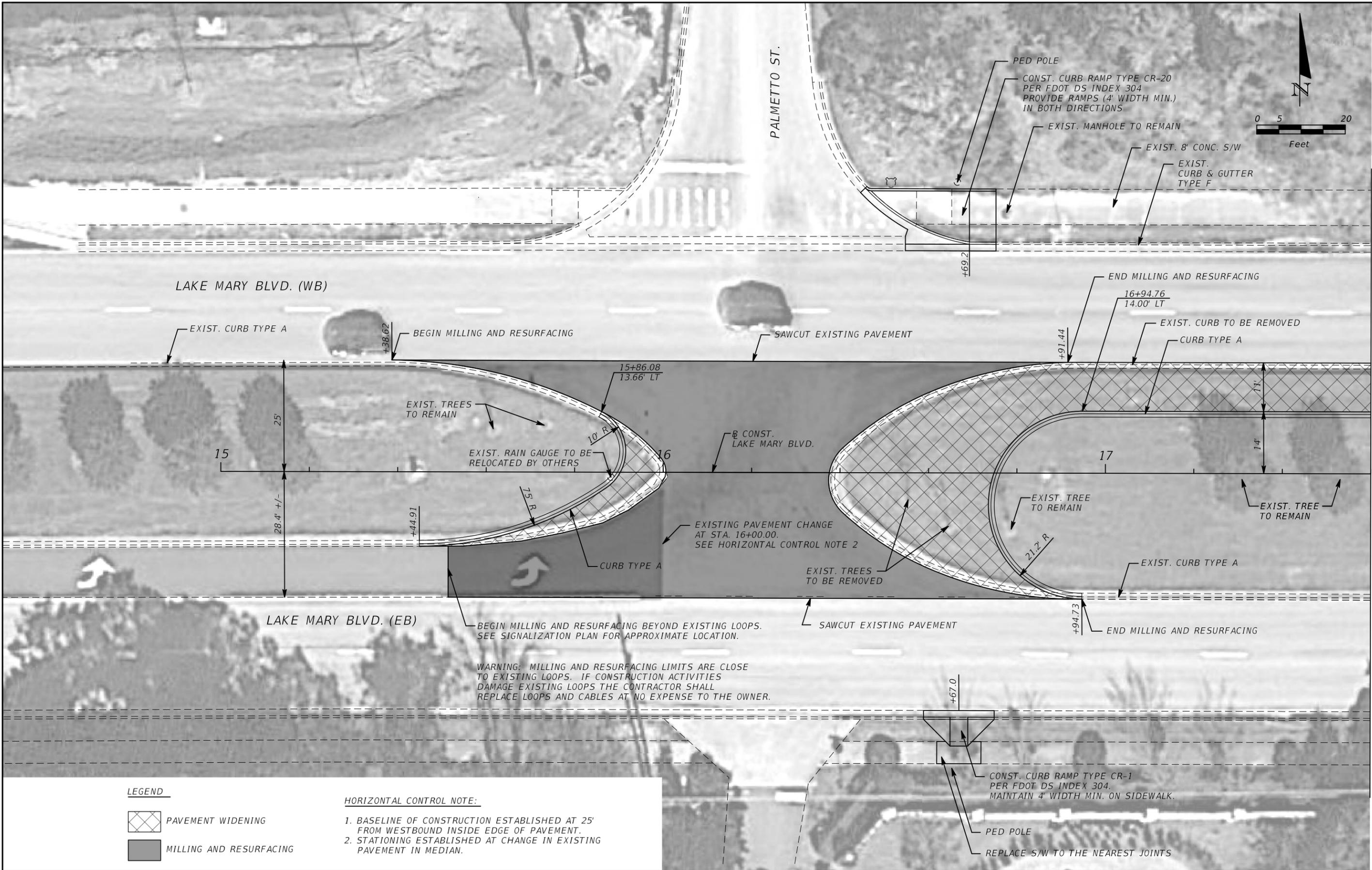
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 ENGINEERING DIVISION**

LAKE MARY BLVD.  
 INTERSECTION IMPROVEMENTS

**ROADWAY PLAN (1)  
 LOCATION 2**

SHEET  
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 6

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**LEGEND**

-  PAVEMENT WIDENING
-  MILLING AND RESURFACING

**HORIZONTAL CONTROL NOTE:**

1. BASELINE OF CONSTRUCTION ESTABLISHED AT 25' FROM WESTBOUND INSIDE EDGE OF PAVEMENT.
2. STATIONING ESTABLISHED AT CHANGE IN EXISTING PAVEMENT IN MEDIAN.

WARNING: MILLING AND RESURFACING LIMITS ARE CLOSE TO EXISTING LOOPS. IF CONSTRUCTION ACTIVITIES DAMAGE EXISTING LOOPS THE CONTRACTOR SHALL REPLACE LOOPS AND CABLES AT NO EXPENSE TO THE OWNER.

REVISIONS		REVISIONS	
DATE	DESCRIPTION	DATE	DESCRIPTION

**ATKINS**

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 482 South Keller Road Orlando, FL 32810  
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**SEMINOLE COUNTY PUBLIC WORKS DEPARTMENT**  
**ENGINEERING DIVISION**

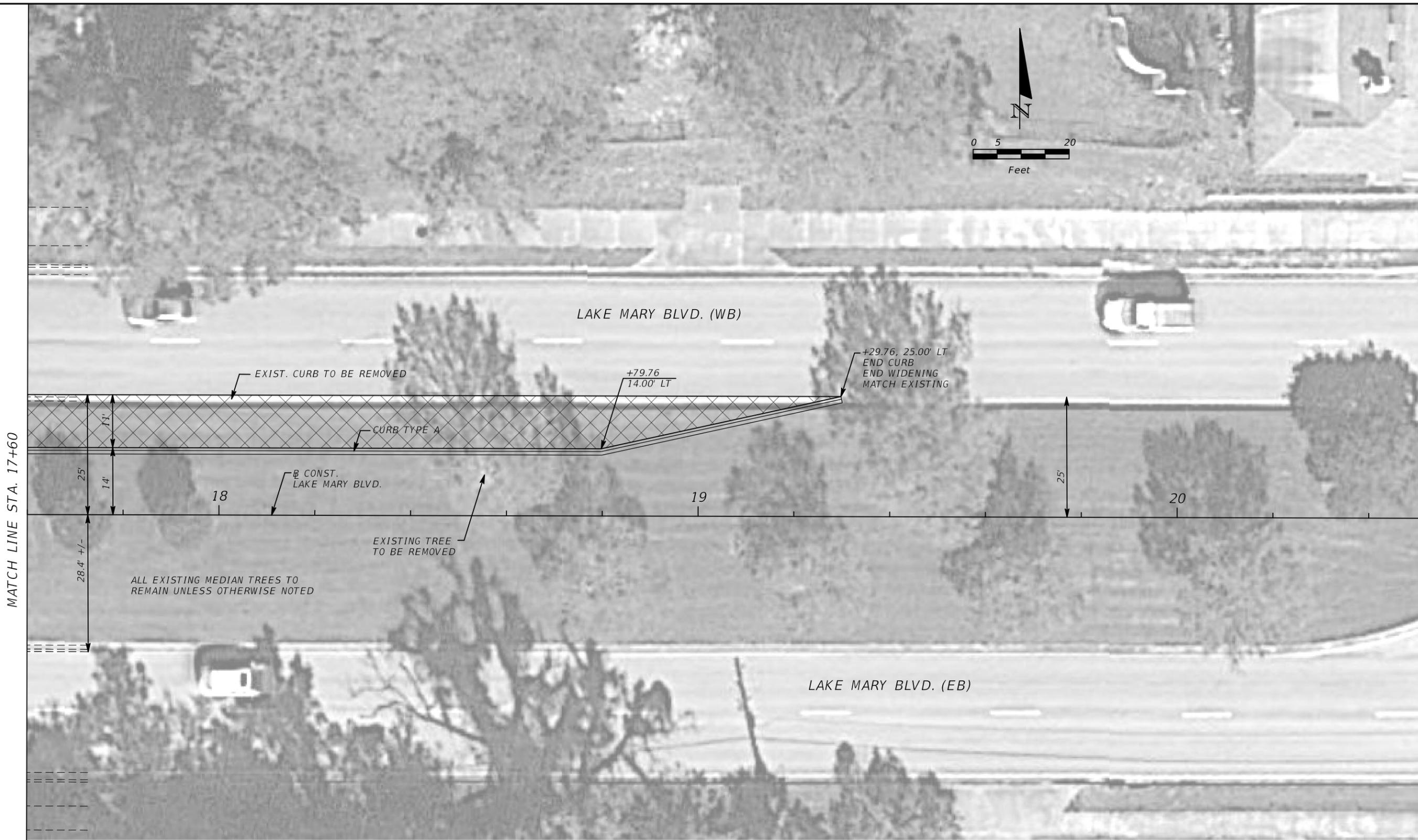
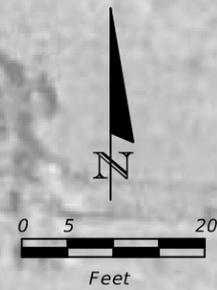
LAKE MARY BLVD.  
 INTERSECTION IMPROVEMENTS

**ROADWAY PLAN (2)**  
**LOCATION 3**

SHEET  
 NO.  
 7

MATCH LINE STA. 17+60

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**LEGEND**

PAVEMENT WIDENING

**HORIZONTAL CONTROL NOTE:**

1. BASELINE OF CONSTRUCTION ESTABLISHED AT 25' FROM WESTBOUND INSIDE EDGE OF PAVEMENT.
2. STATIONING ESTABLISHED AT CHANGE IN EXISTING PAVEMENT IN MEDIAN.

REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION

**ATKINS**

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 482 South Keller Road Orlando, FL 32810  
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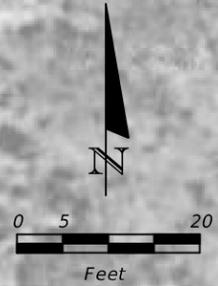
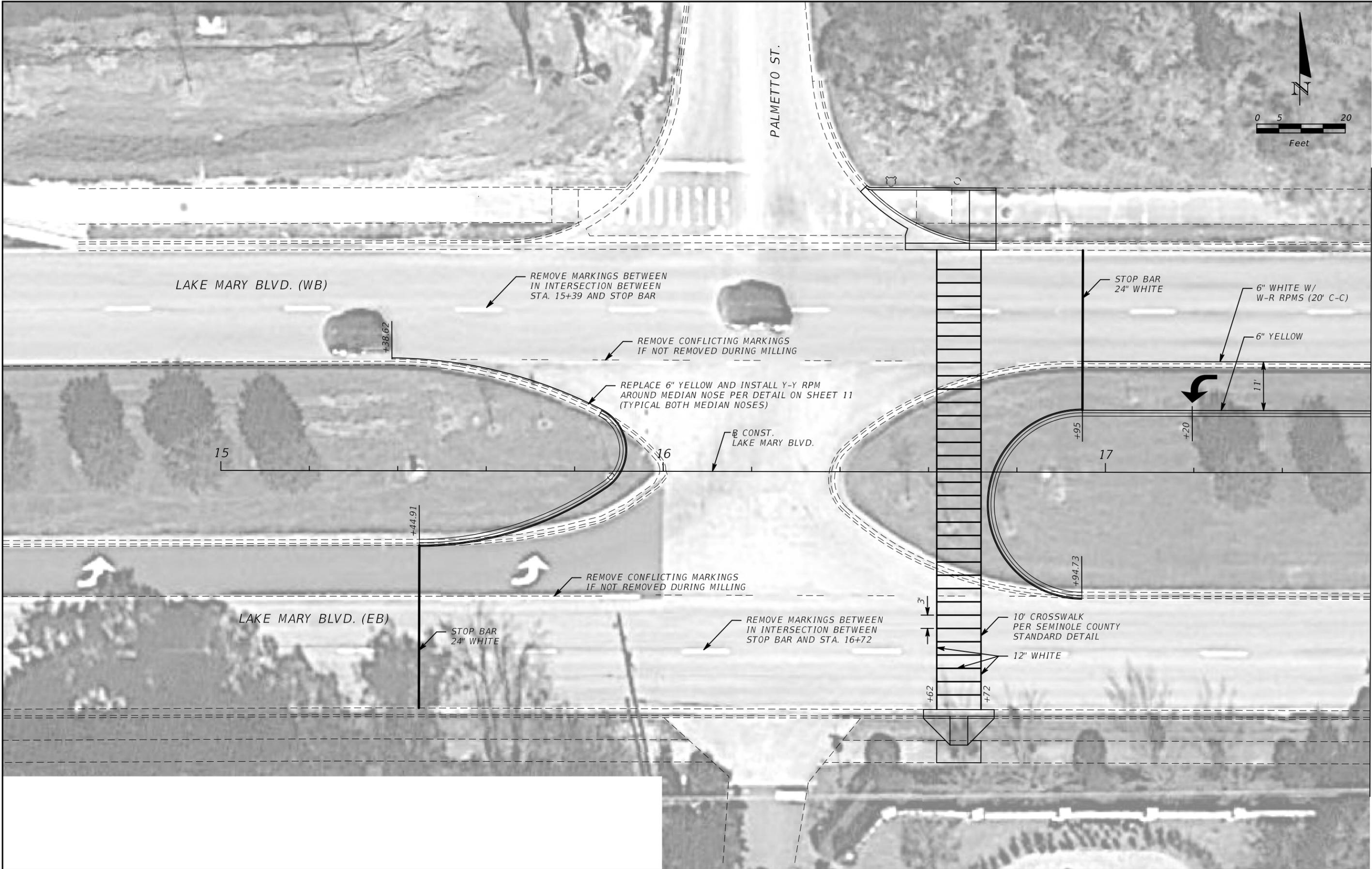
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**ENGINEERING DIVISION**

LAKE MARY BLVD.  
 INTERSECTION IMPROVEMENTS

**ROADWAY PLAN (3)**  
**LOCATION 3**

SHEET NO.
8

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MATCH LINE STA. 17+60

REVISIONS			
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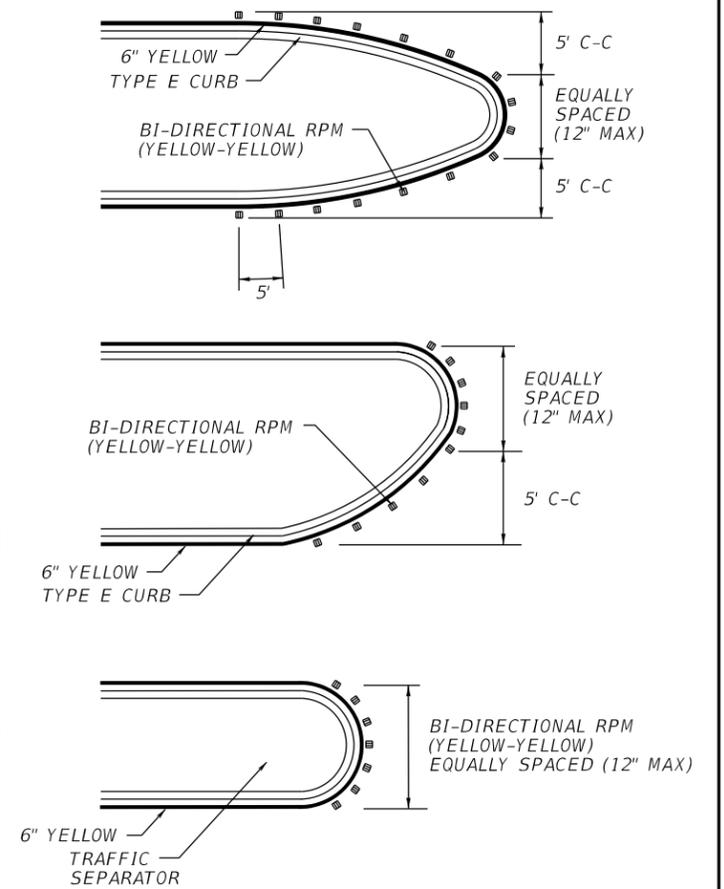
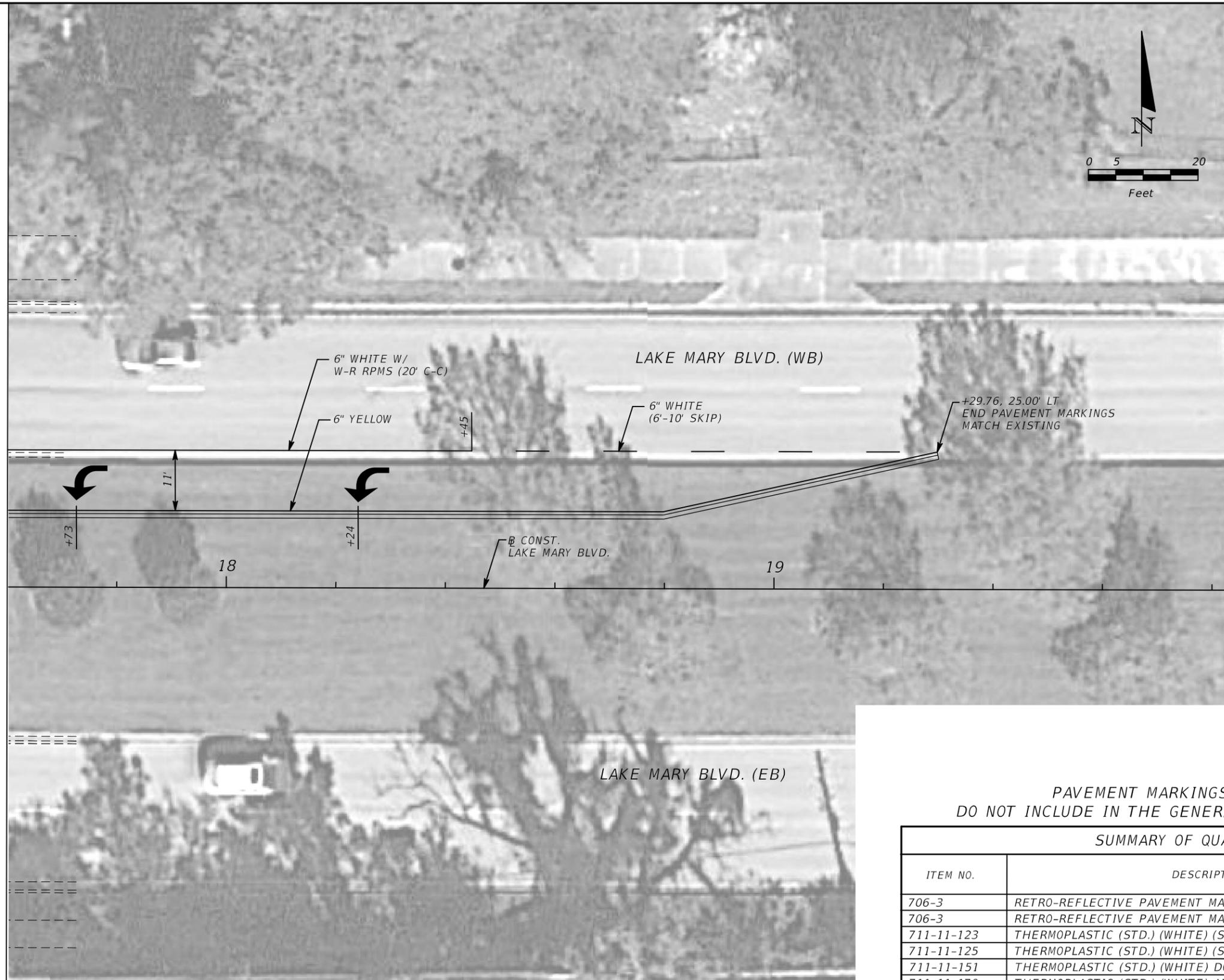
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**ENGINEERING DIVISION**  
 LAKE MARY BLVD.  
 INTERSECTION IMPROVEMENTS

**PAVEMENT MARKING PLAN (1)**  
**LOCATION 3**

SHEET NO.  
**10**

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MATCH LINE STA. 17+60



TYPICAL MEDIAN NOSE RPM PLACEMENT DETAIL

PAVEMENT MARKINGS WILL BE INSTALLED BY OTHERS.  
DO NOT INCLUDE IN THE GENERAL CONTRACTOR ROADWAY CONSTRUCTION BID

SUMMARY OF QUANTITIES - LOCATION 3

ITEM NO.	DESCRIPTION	UNIT	QUANTITY	
			PLAN	FINAL
706-3	RETRO-REFLECTIVE PAVEMENT MARKER (WHITE-RED)	EA	8	
706-3	RETRO-REFLECTIVE PAVEMENT MARKER (YELLOW-YELLOW)	EA	54	
711-11-123	THERMOPLASTIC (STD.) (WHITE) (SOLID) (12")	LF	537	
711-11-125	THERMOPLASTIC (STD.) (WHITE) (SOLID) (24")	LF	72	
711-11-151	THERMOPLASTIC (STD.) (WHITE) DOTTED/GUIDELINE/6-10 GAP EXT. (6")	LF	85	
711-11-170	THERMOPLASTIC (STD.) (WHITE) ARROWS	EA	3	
711-11-111	THERMOPLASTIC (STD.) (WHITE) (SOLID) (6")	NM	0.028	
711-11-211	THERMOPLASTIC (STD.) (YELLOW) (SOLID) (6")	NM	0.079	

REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION

**ATKINS**

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**SEMINOLE COUNTY PUBLIC WORKS DEPARTMENT**  
**ENGINEERING DIVISION**  
 LAKE MARY BLVD.  
 INTERSECTION IMPROVEMENTS

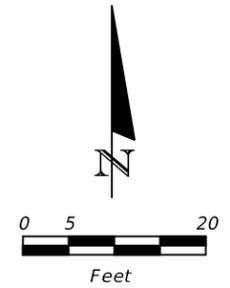
**PAVEMENT MARKING PLAN (2)**  
**LOCATION 3**

SHEET  
 NO.  
**11**

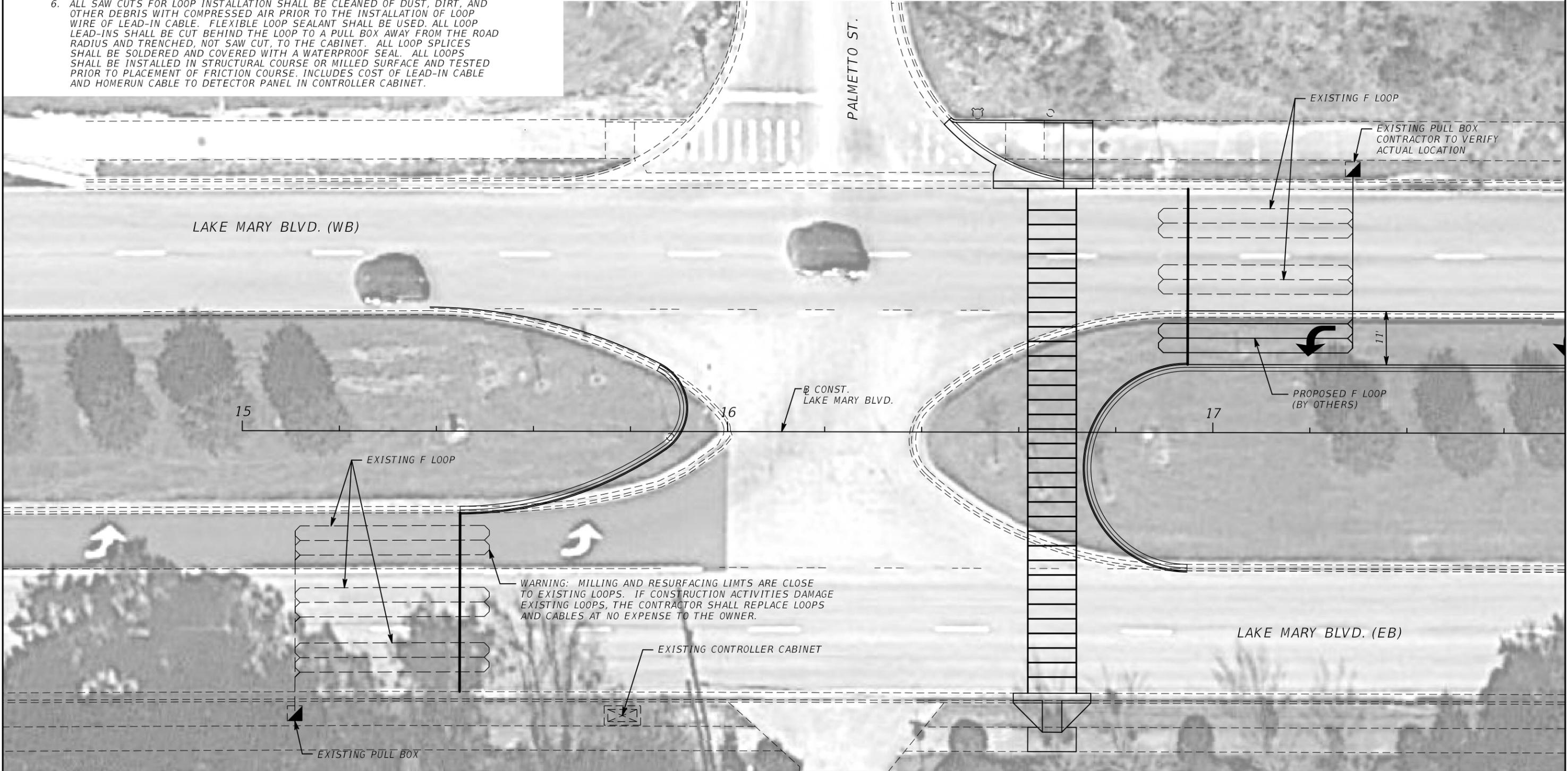
**SIGNALIZATION NOTES**

1. ALL LOOPS SHALL INCLUDE LEAD-IN AND HOME-RUN CABLE BACK TO DETECTOR PANEL IN CONTROLLER CABINET. CONTRACTOR SHALL REATTACH EXISTING LOOP CABLE TO DETECTOR CARD WITHIN CONTROLLER CABINET.
2. ALL LOOPS SHALL BE PLACED BELOW FINAL FRICTION COURSE. THIS DOES NOT APPLY TO LOOPS INSTALLED OUTSIDE LIMITS OF PAVING.
3. EXISTING CONDUIT AND PULL BOXES SHALL BE USED WHERE APPLICABLE.
4. CONTRACTOR IS RESPONSIBLE FOR FIELD VERIFICATION OF ALL EXISTING CONDUIT AND SIGNAL PULL BOXES.
5. LOOPS SHALL NOT BE OUT OF SERVICE LONGER THAN 7 DAYS.
6. ALL SAW CUTS FOR LOOP INSTALLATION SHALL BE CLEANED OF DUST, DIRT, AND OTHER DEBRIS WITH COMPRESSED AIR PRIOR TO THE INSTALLATION OF LOOP WIRE OF LEAD-IN CABLE. FLEXIBLE LOOP SEALANT SHALL BE USED. ALL LOOP LEAD-INS SHALL BE CUT BEHIND THE LOOP TO A PULL BOX AWAY FROM THE ROAD RADIUS AND TRENCHED, NOT SAW CUT, TO THE CABINET. ALL LOOP SPLICES SHALL BE SOLDERED AND COVERED WITH A WATERPROOF SEAL. ALL LOOPS SHALL BE INSTALLED IN STRUCTURAL COURSE OR MILLED SURFACE AND TESTED PRIOR TO PLACEMENT OF FRICTION COURSE. INCLUDES COST OF LEAD-IN CABLE AND HOMERUN CABLE TO DETECTOR PANEL IN CONTROLLER CABINET.

DETECTION LOOPS WILL BE INSTALLED BY OTHERS.  
DO NOT INCLUDE IN THE GENERAL CONTRACTOR ROADWAY CONSTRUCTION BID



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REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION

**ATKINS**

Matthew A. Taylor, P.E. P.E.# 56985  
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**SEMINOLE COUNTY PUBLIC WORKS DEPARTMENT**  
**ENGINEERING DIVISION**  
 LAKE MARY BLVD.  
 INTERSECTION IMPROVEMENTS

**SIGNALIZATION PLAN**  
**LOCATION 3**

SHEET NO.	12
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## CITY MANAGER'S REPORT

DATE: July 9, 2015  
TO: Mayor and City Commission  
FROM: Jackie Sova, City Manager  
SUBJECT: City Manager's Report

---

### **ITEMS FOR COMMISSION ACTION:**

1. Metroplan Annual Funding Agreement.

### **ITEMS FOR COMMISSION INFORMATION:**

1. 4955 CR 46A 7-Eleven Pedestrian Usage Update.
2. Anderson Lane Update.
3. Sign Code – Case Law Update.



## *CITY MANAGER'S REPORT*

DATE: July 9, 2015  
TO: Mayor and City Commission  
FROM: Jackie Sova, City Manager  
SUBJECT: Metroplan Annual Funding Agreement

---

As indicated by Commissioner Miller, each member who has voting membership on the Metroplan Orlando Board is requested to execute a Funding Agreement. The funding amount is based on population estimates within each local government's jurisdiction with the City's share being \$1,223.00. These funds will be used to support the functions necessary to achieve Metroplan Orlando's role in planning and funding the Orlando Urban Area Transportation System.

### **RECOMMENDATION:**

Request Commission authorize Mayor to execute City of Lake Mary/Metroplan Orlando (Urban Area Metropolitan Planning Organization) FY 2015-2016 Funding Agreement in an amount not to exceed \$1,223.00.



June 10, 2015

Honorable David Mealor  
Mayor  
City of Lake Mary  
100 N. Country Club Road  
Lake Mary, FL 32746

**Re: Annual Funding Agreement for FY2015/2016**

Dear Mayor Mealor:

Enclosed is the Annual Funding Agreement between the City of Lake Mary and MetroPlan Orlando for FY 2015/2016. The enclosed Funding Agreement is the standard agreement with all members who have voting membership on the MetroPlan Orlando Board. As a Municipal Advisory Committee (MAC) member, which now has voting membership on the MetroPlan Orlando Board, your amount is based on a total of \$25,000 prorated by population to all members of the MAC. The funding amount of \$1,223.00 is based on the most current data reported by the University of Florida Bureau of Economic and Business Research in their publication of Florida Estimates of Population and the prorated per capita assessment.

We have provided **two** copies of the Annual Funding Agreement. ***It is requested that both copies be executed as soon as possible. Please retain one copy for your records and return a copy to us.*** Your assistance with expediting this process is appreciated. As a reminder, you will be invoiced in two installments due on October 1, 2015 and April 1, 2016. No payment is due at this time.

We appreciate your support of the work we have underway to provide Central Florida with a world-class transportation system serving the needs of residents, businesses and visitors.

Sincerely,

Jason S. Loschiavo, CPA  
Director of Finance and Administration

Enclosures

Cc: Honorable Sid Miller, Commissioner (Letter Only)



**CITY OF LAKE MARY/METROPLAN ORLANDO (URBAN AREA METROPOLITAN PLANNING ORGANIZATION) FY 2015-2016 FUNDING AGREEMENT**

**THIS AGREEMENT**, is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2015, by and between the **CITY OF LAKE MARY**, a municipal corporation organized and existing under the laws of the State of Florida, whose address is 100 N. Country Club Road, Lake Mary, Florida 32746 (hereinafter referred to as the "CITY"), and the **Orlando Urban Area Metropolitan Planning Organization, d/b/a MetroPlan Orlando, A Regional Transportation Partnership**, a metropolitan planning organization, whose address is 315 East Robinson Street, Suite 355, Orlando, Florida 32801-1949 (hereinafter referred to as "METROPLAN ORLANDO").

**WITNESSETH**

**WHEREAS**, metropolitan planning organizations (MPOs) are the lead transportation planning agencies in urban areas throughout the United States; and

**WHEREAS**, the Moving Ahead for Progress in the 21<sup>st</sup> Century Act (MAP-21) provides MPOs with the authority and responsibility for transportation planning and funding; and

**WHEREAS**, the quality of life and economic vitality of our community depends on coordinating transportation issues and developing complementary plans and policies; and

**WHEREAS**, METROPLAN ORLANDO has the lead role in formulating regional transportation plans and programs and coordinating transportation issues among local entities and the Florida Department of Transportation (FDOT); and

**WHEREAS**, METROPLAN ORLANDO has adopted the following Mission Statement:

*To provide leadership in transportation planning by engaging the public and fostering effective partnerships.*

METROPLAN ORLANDO shall achieve this mission by:

- a. Preparing and maintaining up-to-date transportation plans;
- b. Setting priorities for investing transportation resources to implement adopted regional plans;
- c. Shaping and communicating a regional perspective on transportation issues;
- d. Competing nationally and statewide for additional financial resources;
- e. Building strong alliances with the business community and residents of the region;
- f. Coordinating planning efforts with federal, state, and local governments and other transportation agencies; and
- g. Recruiting and retaining top quality staff and consultants.

**WHEREAS**, the CITY desires to enter into this Agreement with METROPLAN ORLANDO to provide it with funding to support the functions necessary to achieve METROPLAN ORLANDO's role in planning and funding the Orlando Urban Area Transportation System.

**NOW, THEREFORE**, for and in consideration of the mutual covenants and agreements contained herein, and other good and valuable consideration, receipt and sufficiency of which are hereby acknowledged, the CITY and METROPLAN ORLANDO agree as follows:

**SECTION 1. RECITALS**. The CITY and METROPLAN ORLANDO hereby declare that the recitals set forth above are true and correct and incorporated herein.

**SECTION 2. REPORTING REQUIREMENTS**. METROPLAN ORLANDO agrees to provide the CITY, on a quarterly basis commencing October 1, 2015, a written operational report which will include an accounting of all Unified Planning Work Program Tasks for the quarter. The report shall identify each program task, the costs allocated to the task, and the percentage of the task completed. Each quarterly report shall be cumulative.

**SECTION 3. FISCAL YEAR 2015-2016 CITY FUNDING REQUIREMENTS**. The CITY agrees to allocate ONE THOUSAND TWO HUNDRED TWENTY-THREE DOLLARS (\$1,223.00) to METROPLAN ORLANDO from the CITY's Fiscal Year 2015-2016 budget, to be utilized by METROPLAN ORLANDO during its fiscal year ending June 30, 2016, in accordance with this Funding Agreement. Said funds shall be paid to METROPLAN ORLANDO on a semi-annual basis. The first payment of SIX HUNDRED ELEVEN AND 50/100 DOLLARS (\$611.50) shall be due and payable on October 1, 2015. The second payment of SIX HUNDRED ELEVEN AND 50/100 DOLLARS (\$611.50) shall occur on or before April 1, 2016. The funding provided to METROPLAN ORLANDO by the CITY is contingent upon funding by all local governments who are represented on the METROPLAN ORLANDO Board; such funding being equal to FIFTY CENTS (\$.50) per capita based, at time of budget adoption, on the latest available estimates of population within each local government's jurisdiction as provided by the Bureau of Economic and Business Research, University of Florida.

**SECTION 4. EFFECTIVE DATE, TERM**. The effective date of this Agreement shall be the date of signature by the last party to sign this Agreement. The terms of this Agreement shall commence on the effective date and terminate on September 30, 2016.

**SECTION 5. INTERPRETATION**. The headings contained in this Agreement are for reference purposes only and will not affect in any way the meaning or interpretation of this Agreement.

**SECTION 6. NEGOTIATIONS**. The parties to this Agreement acknowledge that all terms of this Agreement were negotiated at arms length and that this Agreement and all documents executed in connection herewith were prepared and executed without undue influence exerted by any party or upon any party. Further, this Agreement was drafted jointly by all parties, and no parties are entitled to the benefit of any rules of construction with respect to the interpretation of any terms, conditions, or provisions of this Agreement in favor of or against any person or party who drafted this Agreement.

**SECTION 7. MISCELLANEOUS**

- A. This Funding Agreement constitutes the entire agreement between the parties with respect to the specific matters contained herein and supersedes all previous discussions, understandings, and agreements, written or oral, between the parties hereto. Any amendments to or waivers of the provisions herein shall be made by the parties in writing. No other agreement, oral or otherwise, regarding the subject matter of this Funding Agreement shall be deemed to exist or to bind either party hereto.
- B. If any sentence, phrase, paragraph, provision or portion of this Funding Agreement is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed an independent provision and such holding shall not affect the validity of the remaining portions hereof.
- C. The parties hereby acknowledge that they have freely and voluntarily entered into this Funding Agreement and that each party has been given the opportunity to receive the advice of independent legal counsel for all negotiations in connection with this Funding Agreement.

**SECTION 8. CONTROLLING LAWS**

- A. This Funding Agreement and the provisions contained herein shall be construed, controlled, and interpreted according to the laws of the State of Florida and all duly adopted ordinances, regulations, and policies of the CITY now in effect and those hereinafter adopted.
- B. The location for settlement of any and all lawsuits, claims, controversies, or disputes, arising out of or relating to any part of this Funding Agreement, or any breach thereof, shall be Orange County, Florida.
- C. The parties to this Funding Agreement agree to comply with all applicable Federal, State, and local laws, ordinances, rules and regulations pertaining to this Agreement.

**SECTION 9. BINDING NATURE OF AGREEMENT.** This Agreement shall be binding only between the CITY and METROPLAN ORLANDO.

**SECTION 10. NOTICES.** All notices, consents, approvals, waivers and deletions which any party shall be required or shall desire to make or give under this Agreement shall be in writing and shall be sufficient only when mailed by certified mail, first class postage affixed, addressed as follows:

<b>CITY:</b>	Commissioner City of Lake Mary 100 N. Country Club Road Lake Mary, FL 32746
<b>METROPLAN ORLANDO:</b>	Executive Director MetroPlan Orlando 315 East Robinson Street, Suite 355 Orlando, FL 32801-1949

**SECTION 11. AUDIT AND RECORDKEEPING PROCEDURES.** METROPLAN ORLANDO shall keep and maintain all records related to this Funding Agreement and the services rendered pursuant to this Funding Agreement for the period required by the State of Florida General Records Schedule GS1-L for Local Government Agencies or other applicable State law, whichever is greater. Said records shall be made available to the public for inspection, examination and copying pursuant to the terms of Chapter 119, Florida Statutes. If any litigation, claim or audit is commenced, said records shall be maintained until all litigation, including appeals, claims or audits have been concluded or resolved.

IN WITNESS WHEREOF, the parties have hereunto executed this Agreement as of the day and year first above written.

**METROPLAN ORLANDO**

By: Harold W. Barley

Print Name: Harold W. Barley

Title: Executive Director

Date: 6/16/15

ATTEST:

Beno G. Toller

(CORPORATE SEAL)

**CITY OF LAKE MARY**

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_



## CITY MANAGER'S REPORT

DATE: July 9, 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: 4955 CR 46A 7-Eleven Pedestrian Usage Update

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**BACKGROUND:** On July 17, 2014, the City Commission reviewed the site plan for the 7-Eleven located at 4955 CR 46A. As part of the discussion on the project, there were concerns about the pedestrian connectivity to the site from the north and south sides of CR 46A. As a result, one of the conditions of approval was “a pedestrian count be conducted within six to nine months of CO and if warranted applicant to work with Seminole County and install an enhanced crosswalk similar to the one at the Westin”.

The study was completed and submitted to City and County staff on May 29, 2015, by Raysor Transportation Consulting. Counts were performed from 6:00am to 9:00pm on Wednesday, May 13, 2015, and Saturday, May 15, 2015. For both dates combined, there was an average usage of less than 1 pedestrian an hour. The consultant concluded that the pedestrian activity was “relatively low”.

Staff is currently awaiting additional feedback and comments from Seminole County regarding any potential improvements that may be required based on the information provided in the study. However, at this time, it does not appear that any additional improvements, including but not limited to Rapid Rectangular Flashing Beacons, would be warranted.

**RECOMMENDATION:** This item is presented as an “informational item”. No further action is required by the City Commission.

**ATTACHMENTS:**

- Pedestrian Count Documentation
- Reduced Site Plan



May 29, 2015

Mike Bryan  
Director of Development Services  
Interplan, LLC.  
604 Courtland Street, Suite 100  
Orlando, Florida 32804

**Subject: 7-Eleven Store No. 37092 -- 4955 County Road 46A, Sanford, Florida  
Pedestrian Count Documentation**

Dear Mr. Bryan,

At your request we have obtained counts of pedestrian activity in the vicinity of 7-Eleven store number 37092, located at 4955 County Road 46A, Sanford, Florida. Specifically, pedestrian counts were performed for those pedestrians crossing County Road 46A within the area from the apex of County Road 46A westward to a point approximately 200 feet west of the 7-Eleven building. Counts were performed of pedestrian crossings within this area, both using and not using the cross walk. The counts were performed from 6:00 am to 9:00 pm on Wednesday, May 13, 2015 and Saturday, May 15, 2015. The periods of data collection were coordinated with City of Lake Mary and Seminole County staff.

Tabulations of the pedestrian counts are provided in Attachment "A", and indicate that on Wednesday, May 13, 2015, from 6:00 am to 9:00 pm, a total of 22 pedestrians were observed to cross eastbound County Road 46A within the study area and a total of 8 pedestrians were observed to cross westbound County Road 46A within the study area. On Saturday, May 15, 2015, from 6:00 am to 9:00 pm, a total of 30 pedestrians were observed to cross eastbound County Road 46A within the study area and a total of 12 pedestrians were observed to cross westbound County Road 46A within the study area.

On Wednesday, May 13, 2015, the maximum number of pedestrians observed to cross eastbound County Road 46A in any one hour was found to be 6, with an average hourly number of pedestrian crossings of 1.5; and the maximum number of pedestrians observed to cross westbound County Road 46A in any one hour was found to be 2, with an average hourly number of pedestrian crossings of 0.6.

On Saturday, May 15, 2015, the maximum number of pedestrians observed to cross eastbound County Road 46A in any one hour was found to be 11, with an average hourly number of pedestrian crossings of 2.1; and the maximum number of pedestrians observed to cross westbound County Road 46A in any one hour was found to be 5, with an average hourly number of pedestrian crossings of 0.8.

Based on the current pedestrian count data as documented herein, it is our opinion that the level of pedestrian activity crossing County Road 46A in the vicinity of the subject 7-Eleven site is relatively low.

If you should have any questions regarding the materials discussed herein, please feel free to contact me.

Sincerely,

**RAYSOR Transportation Consulting**

Michael D. Raysor, P.E., PTOE  
President

# ATTACHMENT "A"

## 7-Eleven Store #37092

4955 County Road 46A

### Eastbound CR-46A

Wednesday, May 13, 2015

Time Start	Crossing to North		Crossing to South		Total
	Used Crosswalk	Did Not Use Crosswalk	Used Crosswalk	Did Not Use Crosswalk	
6:00 AM	0	0	1	0	1
6:15 AM	0	0	0	0	0
6:30 AM	0	0	0	0	0
6:45 AM	0	0	0	0	0
7:00 AM	0	0	0	0	0
7:15 AM	0	0	0	0	0
7:30 AM	0	0	0	0	0
7:45 AM	0	1	0	0	1
8:00 AM	0	0	0	0	0
8:15 AM	0	0	0	0	0
8:30 AM	1	1	0	0	2
8:45 AM	0	0	0	0	0
9:00 AM	0	0	0	0	0
9:15 AM	0	0	0	0	0
9:30 AM	0	0	0	0	0
9:45 AM	0	0	0	0	0
10:00 AM	0	0	0	0	0
10:15 AM	0	0	0	0	0
10:30 AM	0	0	0	0	0
10:45 AM	0	0	0	0	0
11:00 AM	0	0	0	0	0
11:15 AM	0	0	0	0	0
11:30 AM	0	0	0	0	0
11:45 AM	0	0	0	0	0
12:00 PM	0	0	0	0	0
12:15 PM	0	0	0	1	1
12:30 PM	0	0	0	0	0
12:45 PM	0	0	0	0	0
1:00 PM	0	0	0	0	0
1:15 PM	0	0	0	0	0
1:30 PM	0	0	0	0	0
1:45 PM	0	0	0	1	1
2:00 PM	1	0	1	2	4
2:15 PM	0	0	0	0	0
2:30 PM	0	0	0	0	0
2:45 PM	1	0	0	0	1
3:00 PM	0	0	0	0	0
3:15 PM	0	0	0	0	0
3:30 PM	0	1	0	0	1
3:45 PM	0	0	0	0	0
4:00 PM	0	0	0	0	0
4:15 PM	0	0	0	0	0
4:30 PM	0	0	0	0	0
4:45 PM	0	0	0	0	0
5:00 PM	0	0	0	0	0
5:15 PM	0	0	0	0	0
5:30 PM	0	0	0	0	0
5:45 PM	0	0	0	0	0
6:00 PM	0	0	0	0	0
6:15 PM	1	1	0	0	2
6:30 PM	0	0	0	0	0
6:45 PM	0	0	1	0	1
7:00 PM	0	0	0	0	0
7:15 PM	0	1	0	0	1
7:30 PM	0	0	0	1	1
7:45 PM	2	0	2	0	4
8:00 PM	0	0	0	0	0
8:15 PM	0	1	0	0	1
8:30 PM	0	0	0	0	0
8:45 PM	0	0	0	0	0
<b>TOTAL</b>	<b>6</b>	<b>6</b>	<b>5</b>	<b>5</b>	<b>22</b>

### Westbound CR-46A

Wednesday, May 13, 2015

Time Start	Crossing to North		Crossing to South		Total
	Used Crosswalk	Did Not Use Crosswalk	Used Crosswalk	Did Not Use Crosswalk	
6:00 AM	0	0	0	0	0
6:15 AM	0	0	0	0	0
6:30 AM	0	0	0	0	0
6:45 AM	0	0	0	0	0
7:00 AM	0	0	0	0	0
7:15 AM	0	0	0	0	0
7:30 AM	0	0	0	0	0
7:45 AM	0	0	0	0	0
8:00 AM	1	0	0	0	1
8:15 AM	0	0	0	0	0
8:30 AM	1	0	0	0	1
8:45 AM	0	0	0	0	0
9:00 AM	0	0	0	0	0
9:15 AM	0	0	0	0	0
9:30 AM	0	0	0	0	0
9:45 AM	0	0	0	0	0
10:00 AM	0	0	0	0	0
10:15 AM	0	0	0	0	0
10:30 AM	0	0	0	0	0
10:45 AM	0	0	0	0	0
11:00 AM	0	0	0	0	0
11:15 AM	1	0	1	0	2
11:30 AM	0	0	0	0	0
11:45 AM	0	0	0	0	0
12:00 PM	0	0	0	0	0
12:15 PM	0	0	0	0	0
12:30 PM	0	0	0	0	0
12:45 PM	0	0	0	0	0
1:00 PM	0	0	0	0	0
1:15 PM	0	0	0	0	0
1:30 PM	0	0	0	0	0
1:45 PM	0	0	0	0	0
2:00 PM	0	0	0	0	0
2:15 PM	0	0	0	0	0
2:30 PM	0	0	0	1	1
2:45 PM	0	0	0	0	0
3:00 PM	0	0	0	0	0
3:15 PM	0	0	0	0	0
3:30 PM	0	0	0	1	1
3:45 PM	0	0	0	0	0
4:00 PM	0	0	0	0	0
4:15 PM	0	0	0	0	0
4:30 PM	0	0	0	0	0
4:45 PM	0	0	0	0	0
5:00 PM	0	0	1	0	1
5:15 PM	0	0	0	0	0
5:30 PM	0	0	0	0	0
5:45 PM	0	0	0	0	0
6:00 PM	0	0	0	0	0
6:15 PM	0	0	0	0	0
6:30 PM	0	0	0	0	0
6:45 PM	0	0	0	0	0
7:00 PM	0	0	0	0	0
7:15 PM	0	0	0	0	0
7:30 PM	0	0	0	0	0
7:45 PM	0	0	0	0	0
8:00 PM	0	0	0	1	1
8:15 PM	0	0	0	0	0
8:30 PM	0	0	0	0	0
8:45 PM	0	0	0	0	0
<b>TOTAL</b>	<b>3</b>	<b>0</b>	<b>2</b>	<b>3</b>	<b>8</b>

# ATTACHMENT "A"

## 7-Eleven Store #37092

4955 County Road 46A

### Eastbound CR-46A

Saturday, May 16, 2015

Time Start	Crossing to North		Crossing to South		Total
	Used Crosswalk	Did Not Use Crosswalk	Used Crosswalk	Did Not Use Crosswalk	
6:00 AM	0	0	0	0	0
6:15 AM	0	0	0	0	0
6:30 AM	0	0	0	0	0
6:45 AM	0	0	0	0	0
7:00 AM	0	0	0	0	0
7:15 AM	0	0	0	0	0
7:30 AM	0	0	0	0	0
7:45 AM	0	0	0	0	0
8:00 AM	0	1	0	1	2
8:15 AM	0	0	0	0	0
8:30 AM	0	0	0	0	0
8:45 AM	0	0	0	0	0
9:00 AM	0	0	0	0	0
9:15 AM	2	0	2	0	4
9:30 AM	4	0	0	0	4
9:45 AM	0	0	2	1	3
10:00 AM	0	0	0	0	0
10:15 AM	0	0	0	0	0
10:30 AM	0	0	0	0	0
10:45 AM	0	0	0	0	0
11:00 AM	0	0	0	0	0
11:15 AM	0	0	0	0	0
11:30 AM	0	0	0	0	0
11:45 AM	0	0	0	0	0
12:00 PM	0	0	0	0	0
12:15 PM	0	0	0	0	0
12:30 PM	0	0	0	1	1
12:45 PM	0	0	0	0	0
1:00 PM	0	0	0	0	0
1:15 PM	0	0	0	0	0
1:30 PM	0	0	0	0	0
1:45 PM	0	0	0	0	0
2:00 PM	0	0	0	0	0
2:15 PM	4	0	4	0	8
2:30 PM	0	0	0	0	0
2:45 PM	0	0	0	0	0
3:00 PM	0	0	0	0	0
3:15 PM	0	0	0	0	0
3:30 PM	1	0	1	0	2
3:45 PM	0	0	0	0	0
4:00 PM	0	1	0	0	1
4:15 PM	0	0	0	1	1
4:30 PM	0	0	0	0	0
4:45 PM	0	0	0	0	0
5:00 PM	0	0	0	0	0
5:15 PM	0	0	0	0	0
5:30 PM	0	0	0	0	0
5:45 PM	0	0	0	0	0
6:00 PM	0	0	0	0	0
6:15 PM	2	0	0	0	2
6:30 PM	0	0	2	0	2
6:45 PM	0	0	0	0	0
7:00 PM	0	0	0	0	0
7:15 PM	0	0	0	0	0
7:30 PM	0	0	0	0	0
7:45 PM	0	0	0	0	0
8:00 PM	0	0	0	0	0
8:15 PM	0	0	0	0	0
8:30 PM	0	0	0	0	0
8:45 PM	0	0	0	0	0
<b>TOTAL</b>	<b>13</b>	<b>2</b>	<b>11</b>	<b>4</b>	<b>30</b>

### Westbound CR-46A

Saturday, May 16, 2015

Time Start	Crossing to North		Crossing to South		Total
	Used Crosswalk	Did Not Use Crosswalk	Used Crosswalk	Did Not Use Crosswalk	
6:00 AM	0	0	0	0	0
6:15 AM	0	0	0	0	0
6:30 AM	0	0	0	0	0
6:45 AM	0	0	0	0	0
7:00 AM	0	0	0	0	0
7:15 AM	0	0	0	0	0
7:30 AM	0	0	0	0	0
7:45 AM	0	0	0	0	0
8:00 AM	0	0	0	0	0
8:15 AM	0	0	0	0	0
8:30 AM	0	0	1	0	1
8:45 AM	1	0	0	0	1
9:00 AM	0	0	0	0	0
9:15 AM	0	0	2	0	2
9:30 AM	2	0	0	0	2
9:45 AM	0	0	0	0	0
10:00 AM	0	0	0	0	0
10:15 AM	0	0	0	0	0
10:30 AM	0	0	0	0	0
10:45 AM	0	0	0	0	0
11:00 AM	0	0	0	0	0
11:15 AM	0	0	0	0	0
11:30 AM	0	0	0	0	0
11:45 AM	0	1	0	0	1
12:00 PM	0	0	0	0	0
12:15 PM	0	0	0	0	0
12:30 PM	0	1	0	0	1
12:45 PM	0	0	0	0	0
1:00 PM	0	0	0	0	0
1:15 PM	0	0	0	0	0
1:30 PM	0	0	0	0	0
1:45 PM	0	0	0	0	0
2:00 PM	0	0	0	0	0
2:15 PM	0	0	0	0	0
2:30 PM	0	0	0	0	0
2:45 PM	0	0	0	0	0
3:00 PM	0	0	0	0	0
3:15 PM	0	0	0	0	0
3:30 PM	0	0	0	0	0
3:45 PM	0	0	0	0	0
4:00 PM	1	0	0	0	1
4:15 PM	0	0	0	0	0
4:30 PM	0	0	0	0	0
4:45 PM	0	0	0	0	0
5:00 PM	0	0	0	1	1
5:15 PM	0	0	0	0	0
5:30 PM	0	0	0	0	0
5:45 PM	0	0	0	0	0
6:00 PM	1	0	1	0	2
6:15 PM	0	0	0	0	0
6:30 PM	0	0	0	0	0
6:45 PM	0	0	0	0	0
7:00 PM	0	0	0	0	0
7:15 PM	0	0	0	0	0
7:30 PM	0	0	0	0	0
7:45 PM	0	0	0	0	0
8:00 PM	0	0	0	0	0
8:15 PM	0	0	0	0	0
8:30 PM	0	0	0	0	0
8:45 PM	0	0	0	0	0
<b>TOTAL</b>	<b>5</b>	<b>2</b>	<b>4</b>	<b>1</b>	<b>12</b>





## CITY MANAGER'S REPORT

DATE: July 9, 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: Anderson Lane Update

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**BACKGROUND:** On December 18, 2014, the City Commission reviewed an application from Mattamy Homes for a comprehensive plan amendment of +/- 19.79 acres to allow for High Density Residential (HDR) land use. One of the issues that was discussed at the public hearing was the ownership status of Anderson Lane and possible consolidation of the Smathers land into the land holdings to the east. Staff was requested to do additional research to determine the ownership patterns and what could be done to improve the right-of-way (ROW) to service such a consolidation.

Attached to this memo is a survey showing a rough breakdown of the research that staff did to better understand the ownership patterns. In short, there were a number of warranty deeds done in the 1950's that divided the land area between multiple owners. There was also a vacate of the plat of Interstate Industrial Park, less the north half of the Anderson Lane ROW. As a result of the aforementioned deeds and vacates, the northern 50' of Anderson Lane is +/- 1,099' in length and the southern 25' is +/- 530' in length. The total width is 75', with multiple owners. The ownership is as follows, broken down in 25' width increments from the northern most point:

- First 25', 50/50 split between City of Lake Mary and unknown/unplatted
- Second 25': Lake Emma Pines, LLC
- Third 25': Polley Family (first 445' feet in length from Rinehart Road), and Lake Emma Pines, LLC (remaining 80' in length)

Based on this information, the City owned portion of the Anderson Lane ROW is now only 12.5' wide.

Staff has a survey on file as part of the Mattamy Homes project, which shows an existing dirt drive jogging through all three ownership areas, including the unknown/unplatted section as well as the property north of Anderson Lane, which is owned by the Primera POA.

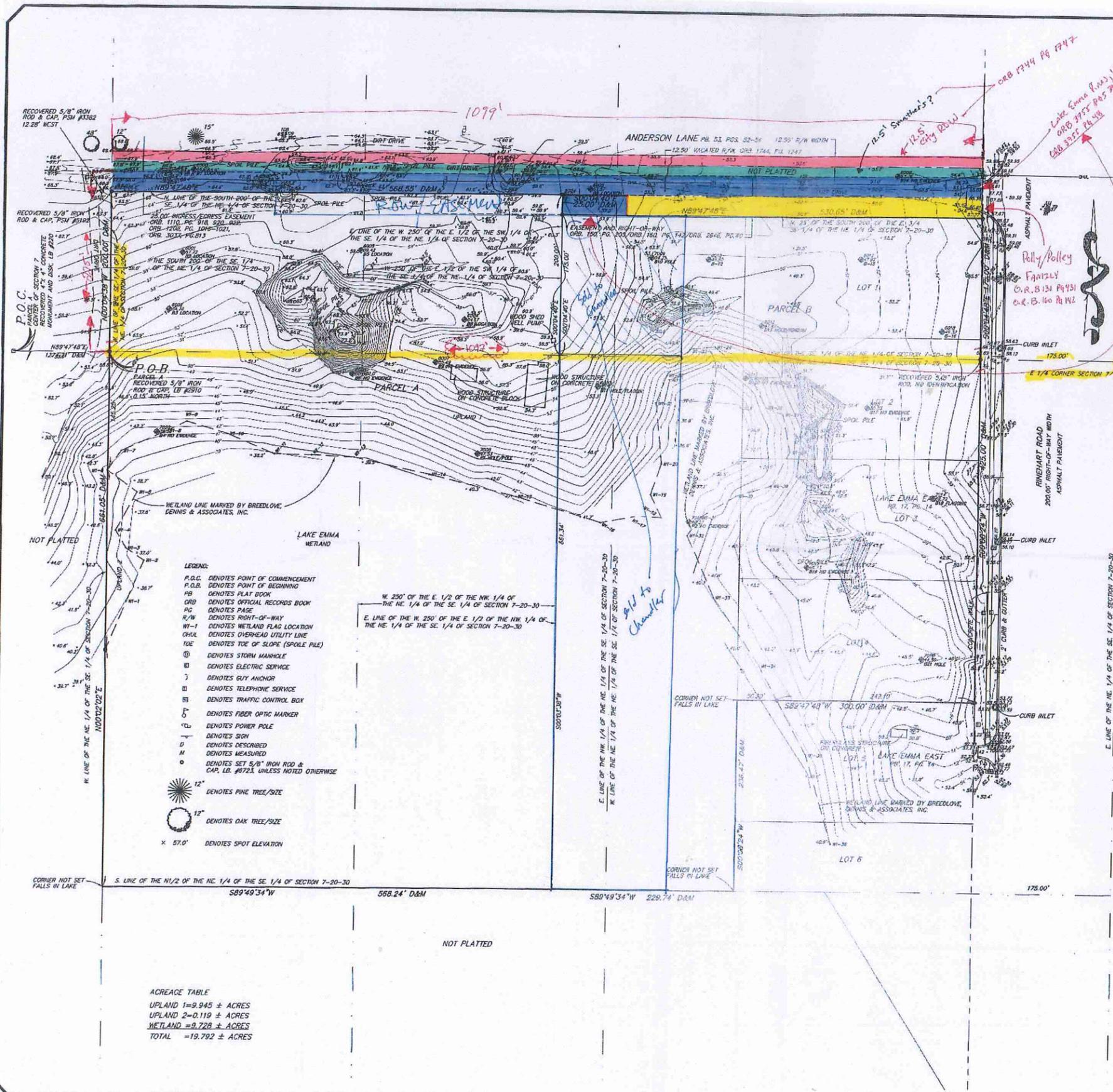
Previous discussion about the dirt drive was that the City should bring it up to City standards. If the City were to undertake such an activity, it is possible that an eminent domain action would be necessary as the dirt road is not exclusively on City ROW. It is staff's understanding that the other two parties that own parcels where the dirt road is located, Lake Emma Pines, LLC and the Polley Family, would be open to discussing the need for eminent domain and would not object to such an action. It should be noted, however, that part of the dirt road does encroach into land owned by the Primera POA. Therefore, a redesign of the layout of the road would be needed to keep it within the boundaries of the ROW. Overall, there appear to be opportunities to create an access road utilizing the Anderson Lane ROW. The final product will be a function of the type of project density and intensity, design and legal procedures.

As of this date, staff has met with representatives of the Smathers family regarding development proposals involving the "consolidation" of lands, but nothing has materialized nor have applications been submitted to the City.

**RECOMMENDATION:** Staff presents this material as an "informational item" at this time. As stated, there is no development program being reviewed by staff. However, should a development proposal come in, we will share this research with the applicant and assess what type of design is best, given the issues outlined in this memo.

**ATTACHMENTS:**

- Anderson Lane ROW Research Map



**LEGAL DESCRIPTION:**  
 THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF SEMINOLE, STATE OF FLORIDA, AND IS DESCRIBED AS FOLLOWS:

**PARCEL A:**  
 A PART OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 AND A PART OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 7, TOWNSHIP 20 SOUTH, RANGE 30 EAST, SEMINOLE COUNTY, FLORIDA, COMPOSED OF TAX PARCEL 14 AS DESCRIBED IN OFFICIAL RECORDS BOOK 3037 AT PAGE 874, TAX PARCEL 14B AS DESCRIBED IN OFFICIAL RECORDS BOOK 3081 AT PAGE 874, TAX PARCEL 14C AS DESCRIBED IN OFFICIAL RECORDS BOOK 3081 AT PAGE 880, TAX PARCEL 15 AS DESCRIBED IN RECORDS BOOK 3846 AT PAGE 45, ALL OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 COMMENCE AT THE CENTER OF SECTION 7, TOWNSHIP 20 SOUTH, RANGE 30 EAST, RUN THENCE NORTH 89°47'48" EAST A DISTANCE OF 1274.21 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 7 AND THE POINT OF BEGINNING OF THE LANDS HEREIN DESCRIBED; THENCE NORTH 00°04'30" WEST, ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 7, A DISTANCE OF 200.00 FEET; THENCE NORTH 89°47'48" EAST, ALONG THE NORTH LINE OF THE SOUTH 200 FEET OF THE SOUTHWEST 1/4 OF SECTION 7, A DISTANCE OF 568.55 FEET TO THE EAST LINE OF THE WEST 200.00 FEET OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 7, A DISTANCE OF 200.00 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 7, A DISTANCE OF 661.34 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 1/2 OF SECTION 7, A DISTANCE OF 661.34 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST 1/4 OF SECTION 7, A DISTANCE OF 661.34 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST 1/4 OF SECTION 7, A DISTANCE OF 661.34 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST 1/4 OF SECTION 7, A DISTANCE OF 661.34 FEET TO THE POINT OF BEGINNING.

**PARCEL B:**  
 LOTS 1, 2, 3 AND 4, LAKE EMMA EAST SUBDIVISION, PLAT BOOK 17, PAGE 14, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, AND OF PARCEL 17, LEGALLY DESCRIBED AS THE SOUTH 200 FEET OF THE EAST 1/2 OF SOUTHWEST 1/4 OF THE NORTHEAST 1/4, SECTION 7, TOWNSHIP 20 SOUTH, RANGE 30 EAST, LESS WEST 250 FEET THEREOF, AND LESS EAST 475 FEET THEREOF, AND EAST 3/4 OF NORTH 1/2 OF SECTION 7, TOWNSHIP 20 SOUTH, RANGE 30 EAST, LESS WEST 250 FEET THEREOF AND LESS EAST 475 FEET THEREOF, LESS THE NORTH 25 FEET OF THE SOUTH 200 FEET OF THE EAST 3/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 7, TOWNSHIP 20 SOUTH, RANGE 30 EAST, LESS THE WEST 250 FEET THEREOF AND LESS EAST 475 FEET THEREOF.

**SURVEYOR'S NOTES:**  
 BEARINGS SHOWN HEREON ARE ASSUMED AND BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 20 SOUTH, RANGE 30 EAST, BEING N 89°47'48" E.  
 THERE MAY BE EASEMENTS AND RESTRICTIONS OF RECORD AND/OR PRIVATE AGREEMENTS NOT FURNISHED TO THIS SURVEYOR OR SHOWN ON THIS BOUNDARY SURVEY THAT MAY AFFECT PROPERTY RIGHTS AND/OR LAND USE RIGHTS OF THE SUBJECT PROPERTY.  
 THERE MAY BE ENVIRONMENTAL ISSUES AND/OR OTHER MATTERS REGULATED BY VARIOUS DEPARTMENTS OF FEDERAL STATE OR LOCAL GOVERNMENTS AFFECTING THE SUBJECT PROPERTY NOT SHOWN ON THIS SURVEY.  
 THIS SURVEY WAS PERFORMED FOR THE SOLE AND EXCLUSIVE BENEFIT OF THE ENTITIES LISTED HEREON AND SHALL NOT BE RELIED UPON BY ANY OTHER ENTITY OR INDIVIDUAL WHOEVER.  
 THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.  
 UNDERGROUND UTILITIES AND IMPROVEMENTS WERE NOT LOCATED, UNLESS SHOWN HEREON.  
 LAST DATE OF FIELD SURVEY: 6-21-14  
 DELINEATION OF THE WETLANDS SHOWN HEREON WERE MARKED IN THE FIELD BY BREEDLOVE, DENNIS & ASSOCIATES, INC AND LOCATED IN THE FIELD BY THIS FIRM.  
 ADJOINING PARCEL OWNER AND RECORDING INFORMATION DELINEATED HEREON WAS OBTAINED FROM THE SEMINOLE COUNTY PROPERTY APPRAISER'S PUBLIC ACCESS SYSTEM.  
 ELEVATIONS SHOWN HEREON ARE RELATIVE TO THE SEMINOLE COUNTY SURVEY SECTION ENGINEERING DIVISION DEPARTMENT OF PUBLIC WORKS DATUM AND ARE BASED ON THE FOLLOWING BENCHMARKS:  
 BM 3907501: P.K. NAIL & DISK IN TOP OF CURB OF CONC. OUTFALL AT SE CORNER OF SUN BANK PARKING AREA, 18± W. OF FIRE HYDRANT AND AT BACK OF WALK. BANK IS AT THE NE CORNER OF SUN DR. AND LAKE MARY BLVD. ELEVATION = 48.170 NAVD 83.  
 BM 3312901: P.K. NAIL & SEMINOLE COUNTY DISK STAMPED 333-29-01 AT THE NE CORNER OF A DRAIN INLET 140' S. OF C/L OF SUN DR. AND 80' W. OF THE C/L OF RINEHART RD. ELEVATION = 44.366 NAVD 83.  
 WE HAVE EXAMINED THE FURNISHED COMMITMENT TO INSURE TITLE, FAST FILE NO. NCS-628408-ORL, PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY, EFFECTIVE DATE: MAY 30, 2014. THOSE INSTRUMENTS INCLUDED IN "SCHEDULE B SECTION 2", OF THE COMMITMENT HAVE BEEN EXAMINED AND ARE REFLECTED HEREON TO THE EXTENT THEY AFFECT THE LANDS SURVEYED. THERE ARE EXCEPTIONS THAT AFFECT THE LANDS SHOWN HEREON BUT CANNOT BE SHOWN, THEY ARE BLANKET IN NATURE.  
**TITLE EXCEPTIONS:**  
 12. RIGHT-OF-WAY EASEMENT GRANTED TO SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY BY INSTRUMENT RECORDED IN OFFICIAL RECORDS BOOK 865, PAGE 1613, (AS TO TAX PARCELS 14, 14A AND 14B) AFFECTS THE LANDS SHOWN HEREON BUT CANNOT BE SHOWN, BLANKET IN NATURE.  
 13. THE TERMS, PROVISIONS AND CONDITIONS CONTAINED IN THAT CERTAIN RESOLUTION RECORDED IN OFFICIAL RECORDS BOOK 1396, PAGE 1997, (PARCEL B), UNABLE TO DETERMINE IF THE EXCEPTION AFFECTS THE LANDS SHOWN HEREON, LEGAL DESCRIPTION WAS NOT ATTACHED TO THE DOCUMENT.  
 14. THE TERMS, PROVISIONS AND CONDITIONS CONTAINED IN THAT CERTAIN COOPERATION AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 1868, PAGE 15 AS AFFECTED BY RESOLUTION NO. 268 RECORDED IN OFFICIAL RECORDS BOOK 1868, PAGE 12, (PARCEL B), AFFECTS THE LANDS SHOWN HEREON BUT CANNOT BE SHOWN, BLANKET IN NATURE.  
 THERE MAY BE DOCUMENTS RECORDED IN THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, THAT WOULD AFFECT THE LANDS SHOWN HEREON THAT HAVE NOT BEEN PROVIDED TO THE SURVEYOR.  
 THIS SURVEY IS CERTIFIED TO: FIRST AMERICAN TITLE INSURANCE COMPANY; MATTHEW (JACKSONVILLE) PARTNERSHIP A FLORIDA GENERAL PARTNERSHIP AND GOODBOE, DOWNING & BELL, P.A.  
 THE LANDS SHOWN HEREON HAVE ACCESS FROM RINEHART ROAD, A PUBLIC DEDICATED RIGHT-OF-WAY AND THAT CERTAIN ACCESS-EGRESS EASEMENT RECORDED IN ORB 1110, PG. 920, OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 20 SOUTH, RANGE 30 EAST, ALSO THAT CERTAIN EASEMENT AND RIGHT-OF-WAY RECORDED IN ORB 150, PG. 205, ORB 189, PG. 142, ORB 2046, PG. 40 DERIVED AS THE NORTH 25' OF THE EAST 890' OF THE SOUTH 200' OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 20 SOUTH, RANGE 30 EAST ALL RECORDED IN THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.  
 WE HEREBY CERTIFY THAT THE LEGAL DESCRIPTIONS SHOWN HEREON, PROVIDED BY THE CLIENT, ARE CONTIGUOUS TO EACH OTHER WITH NO GAPS, CORES OR OVERLAPS.



16 EAST PLANT STREET  
 WINTER GARDEN, FLORIDA 34787  
 407 654-5355/FAX 407 654-5356

**BOUNDARY & TOPOGRAPHIC SURVEY**  
 OF  
**LAKE EMMA PARCEL**  
 SECTION 7, TOWNSHIP 20 SOUTH, RANGE 30 EAST  
 SEMINOLE COUNTY, FLORIDA

FOR:  
 MATTHEW HOMES

FOR THE LICENSED BUSINESS #1723 BY  
 JAMES L. HOFFMAN, P.S.M. #6833

REVISIONS	DATE

CG # 20140164  
 DATE: JULY 20, 2014  
 SCALE: 1" = 60 FEET  
 CALG BY: SJJ  
 FIELD BY: BJR  
 DRAWN BY: SEJ  
 CHECKED BY: LR

RECEIVED  
 SEP 16 2014  
 CITY OF LAKE MARY  
 COMMUNITY DEVELOPMENT DEPT.



## CITY MANAGER'S REPORT

DATE: July 9, 2015  
TO: Mayor and City Commission  
FROM: Catherine D. Reischmann, Esq.  
VIA: Jackie Sova, City Manager  
SUBJECT: Sign Code - Case Law Update

---

In *Reed v. Town of Gilbert*, in a unanimous decision, the Court overturned Gilbert's sign code, with one Justice stating that it did not even pass the "laugh" test. This case did not involve a challenge to a complete prohibition on a type of sign. Rather, the challenge was to the disparate treatment of three types of noncommercial signs. The primary reason for the ruling was that the Town's code placed stricter restrictions on temporary directional signs to non-profit events than on other kinds of temporary signs, which were allowed to stand for longer durations, or forever. The directional signs could only be 6 square feet and could only stand for 12 hours; "free expression" or "ideological" signs could be 20 square feet and stand forever; political/election signs could be up to 32 square feet and be up for five months. Essentially, the Town decided that directional speech was less valuable than political speech, which was less valuable than free expression speech. The Court found these were content based restrictions because you had to read the sign to know how the sign was regulated. The Court applied its highest level of scrutiny to the Gilbert code because it found that Gilbert's sign code was "content" based, and found the Town did not have sufficient justification to make these content based restrictions. The Court refused to consider the fact that the Town did not have "bad motives" and did not intend to squelch a particular viewpoint in making these distinctions. While the Town properly applied time, place and manner restrictions to these three types of noncommercial signs, the Town treated the three differently based on their content.

The Court indicated that cities can still regulate signs to resolve concerns about traffic safety and aesthetics by regulating size, building materials, lighting, moving parts,

portability, and postings on public property, so long as the City does so in a consistent non-content based manner. The Court also suggested that a narrowly tailored ordinance aimed at protecting pedestrian and driver safety by treating warning signs on private property or signs directing traffic more favorably than other types of content might survive the Court's strict scrutiny test. Three concurring Justices provided a list of other sign rules that they believed would pass muster, if narrowly tailored: rules distinguishing between on-premises and off-premises, and time restrictions on signs advertising a one-time event. It's not clear if the majority would agree, at least as to the special event signs.

This case may have made it all the way to the Supreme Court because of a lack of the exercise of prosecutorial discretion in bringing the code enforcement action against the Arizona church, and in failing to try to settle it. The Court cited to the fact that the Church repeatedly attempted to work things out with the Town, but the Town would show "no leniency". The signs at issue were only posted for a short time on Sundays, were small, and simply pointed the way to the church service.

Even if this case is more a lesson in the lack of exercise of prosecutorial discretion than anything else, cities' risk of sign challenges has increased. We do know political signs must be treated identically to free expression signs or wayfinding signs, in terms of time, place and manner regulations. As much as possible, there should be one category of "temporary" signs, and one set of rules for all of them.

Cities can take comfort in the Court's recent decision in *Walker v. Texas Div., Sons of Confederate Veterans*, which upheld the government's right to determine the content of government speech. This decision, coupled with the favorable references in *Reed* to the government's right to prohibit speech on government property, provide support for cities to begin or continue to prohibit all private speech on government property.

It is immediately clear that code enforcement and permit staff should be very cautious in dealing with sign issues from now on.

## MEMORANDUM

TO: City of Lake Mary Staff

FROM: Catherine D. Reischmann, Esq.

DATE: June 29, 2015

RE: Sign Code / Case Law Update

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The Court indicated that cities can still regulate signs to resolve concerns about traffic safety and aesthetics by regulating size, building materials, lighting, moving parts, portability, and postings on public property, so long as the City does so in a consistent non-content based manner. The Court also suggested that a narrowly tailored ordinance aimed at protecting pedestrian and driver safety by treating warning signs on private property or signs directing traffic more favorably than other types of content might survive the Court's strict scrutiny test. Three concurring Justices provided a list of other sign rules that they believed would pass muster, if narrowly tailored: rules distinguishing between on-premises and off-premises, and time restrictions on signs advertising a one-time event. It's not clear if the majority would agree, at least as to the special event signs.

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It is immediately clear that code enforcement and permit staff should be very cautious in dealing with sign issues from now on.



## MEMORANDUM

DATE: July 9, 2015

TO: Mayor and City Commission

FROM: Carol Foster, City Clerk

VIA: Jackie Sova, City Manager

SUBJECT: Appointments to the Planning and Zoning Board (postponed 6/18/15)

---

Joe Schofield and Sean Fitzgerald have submitted their resignations from the Planning & Zoning Board, one due to moving outside the city and the other due to work. Additionally, David Wickham who was the alternate member on the Planning and Zoning Board was removed from the board in accordance with our ordinance for missing 3 consecutive meetings. While he could have asked to be reappointed, he chose not to at this time due to conflicts. Therefore, there are 3 vacancies.

In response to soliciting volunteers via our home page, our monthly utility bill insert and announcing at your meeting, we received the attached Board Appointment Information Forms from residents interested in serving.

### **RECOMMENDATION:**

The Commission appoint a resident to serve the remainder of Mr. Schofield's term on the Planning and Zoning Board which expires December 31, 2017, appoint a resident to serve the remainder of Mr. Fitzgerald's term which expires December 31, 2016, and appoint a resident to serve the remainder of Mr. Wickham's term as alternate which expires December 31, 2015.

CITY OF LAKE MARY  
BOARD APPOINTMENT INFORMATION FORM

(please print)

1. NAME: Sam Aycoth HOME PHONE: 407.716.9518
2. HOME ADDRESS: 4300 Messina Drive, Lake Mary, FL 32746
- E-MAIL ADDRESS: Saycoth@aol.com
3. BUSINESS: FL Blue BUSINESS PHONE: 407.833.7734
4. BUSINESS ADDRESS: 610 Crescent Executive Court, Lake Mary, FL 32746
5. BRIEF RESUME OF EDUCATION AND EXPERIENCE: BA Bus. Administration; BA Economics; 25 Years in management rolls with Aetna, Toms of Maine, Novartis Pharmaceuticals and FL Blue
6. ARE YOU A REGISTERED VOTER? YES  NO
7. ARE YOU A RESIDENT OF THE CITY? YES  NO
8. DO YOU OWN PROPERTY IN THE CITY? YES  NO
9. DO YOU HOLD A PUBLIC OFFICE? YES  NO
10. ARE YOU EMPLOYED BY THE CITY? YES  NO
11. HAVE YOU BEEN CONVICTED OF A MISDEMEANOR OR FELONY, EXCLUDING CIVIL TRAFFIC INFRACTIONS? YES  NO   
(IF YES, PLEASE PROVIDE INFORMATION—USE SEPARATE SHEET. **NOTE: DUI'S and revoked licenses are NOT "civil traffic infractions" and must be reported.**)
12. HAVE YOU PREVIOUSLY SERVED ON A CITY BOARD? YES  NO   
If yes, which one(s)? \_\_\_\_\_
13. PLEASE CHECK THE BOARD(S) YOU ARE INTERESTED IN SERVING ON:  
 BOARD OF ADJUSTMENT\* MUST BE A QUALIFIED ELECTOR OF LAKE MARY  
 CODE ENFORCEMENT BOARD\* MUST BE A RESIDENT OF LAKE MARY  
 ELDER AFFAIRS COMMISSION UP TO 3 MEMBERS MAY BE RESIDENTS OF UNINCORPORATED Lake Mary  
 FIREFIGHTER'S PENSION (Trustees)\* 2 MEMBERS ARE ELECTED BY MEMBERS OF THE PLAN. THE COMMISSION APPOINTS 2 RESIDENTS OF LAKE MARY AND THE 4 MEMBERS ELECT A 5TH MEMBER WHO IS NOT REQUIRED TO RESIDE IN LAKE MARY  
 HISTORICAL COMMISSION NO RESIDENCY REQUIREMENT  
 LOCAL PLANNING AGENCY\* MUST BE A QUALIFIED ELECTOR OF LAKE MARY  
→  PLANNING AND ZONING BOARD\* MUST BE A QUALIFIED ELECTOR OF LAKE MARY  
 POLICE PENSION (Trustees)\* 2 MEMBERS ARE ELECTED BY MEMBERS OF THE PLAN. THE COMMISSION APPOINTS 2 RESIDENTS OF LAKE MARY AND THE 4 MEMBERS ELECT A 5TH MEMBER WHO IS NOT REQUIRED TO RESIDE IN LAKE MARY  
**\*REQUIRES FILING FINANCIAL DISCLOSURE FORM IF APPOINTED.**
14. What qualifications would you bring to this Board(s) if appointed? Currently serve of Fountain Parke HOA (2 years)  
30 plus years of problem solving and risk benefit analysis

Pursuant to City Code, service on City boards is at the pleasure of the City Commission. Board members may be removed with or without cause upon motion and majority vote of the City Commission. Applicant, by his/her signature below, waives any right under F.S. Section 112.501 to removal for cause and a hearing before removal.

SIGNATURE: Samuel H. Aycoth

DATE: 5/26/2015

All Boards must function in accordance with Florida Laws regarding GOVERNMENT IN THE SUNSHINE. Return completed form to: City of Lake Mary, P. O. Box 958445, Lake Mary, FL 32795-8445, or drop it off at City Hall, 100 N. Country Club Road (entrance on Lakeview Avenue). If you submitted a form within the past year and still desire to be considered for an appointment, please call the City Clerk's Office at 407-585-1423.

CITY OF LAKE MARY  
BOARD APPOINTMENT INFORMATION FORM

(please print)

- 1. NAME: Jeffrey C. Bales HOME PHONE: 407 323 1805
- 2. HOME ADDRESS: 113 Linda Lane Lake Mary, Fl. 32746
- E-MAIL ADDRESS: jcbales@aol.com
- 3. BUSINESS: Gibraltar Real Estate Services, LLC BUSINESS PHONE: 407 862 6004
- 4. BUSINESS ADDRESS: 2350 S. US 17-92 Suite 1000 Longwood Fl. 32750
- 5. BRIEF RESUME OF EDUCATION AND EXPERIENCE: Please see attached

- 6. ARE YOU A REGISTERED VOTER? YES  NO
- 7. ARE YOU A RESIDENT OF THE CITY? YES  NO
- 8. DO YOU OWN PROPERTY IN THE CITY? YES  NO
- 9. DO YOU HOLD A PUBLIC OFFICE? YES  NO
- 10. ARE YOU EMPLOYED BY THE CITY? YES  NO
- 11. HAVE YOU BEEN CONVICTED OF A MISDEMEANOR OR FELONY,  
EXCLUDING CIVIL TRAFFIC INFRACTIONS? YES  NO

(IF YES, PLEASE PROVIDE INFORMATION--USE SEPARATE SHEET. NOTE: DUI'S and revoked licenses are NOT "civil traffic infractions" and must be reported.)

- 12. HAVE YOU PREVIOUSLY SERVED ON A CITY BOARD? YES  NO
- If yes, which one(s)? Lake Mary Local Planning Agency

- 13. PLEASE CHECK THE BOARD(S) YOU ARE INTERESTED IN SERVING ON:
  - BOARD OF ADJUSTMENT\* MUST BE A QUALIFIED ELECTOR OF LAKE MARY
  - CODE ENFORCEMENT BOARD\* MUST BE A RESIDENT OF LAKE MARY
  - ELDER AFFAIRS COMMISSION UP TO 3 MEMBERS MAY BE RESIDENTS OF UNINCORPORATED Lake Mary
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  - HISTORICAL COMMISSION NO RESIDENCY REQUIREMENT
  - LOCAL PLANNING AGENCY\* MUST BE A QUALIFIED ELECTOR OF LAKE MARY
  - PARKS & RECREATION ADVISORY BOARD MUST BE A QUALIFIED ELECTOR OF LAKE MARY
  - PLANNING AND ZONING BOARD\* MUST BE A QUALIFIED ELECTOR OF LAKE MARY
  - POLICE PENSION (Trustees)\* 2 MEMBERS ARE ELECTED BY MEMBERS OF THE PLAN. THE COMMISSION APPOINTS 2 RESIDENTS OF LAKE MARY AND THE 4 MEMBERS ELECT A 5TH MEMBER WHO IS NOT REQUIRED TO RESIDE IN LAKE MARY

\*REQUIRES FILING FINANCIAL DISCLOSURE FORM IF APPOINTED.

- 14. What qualifications would you bring to this Board(s) if appointed? Please see attached

Pursuant to City Code, service on City boards is at the pleasure of the City Commission. Board members may be removed with or without cause upon motion and majority vote of the City Commission. Applicant, by his/her signature below, waives any right under F.S. Section 112.501 to removal for cause and a hearing before removal.

SIGNATURE: *Jeffrey C. Bales*

DATE: 10/24/2014

All Boards must function in accordance with Florida Laws regarding GOVERNMENT IN THE SUNSHINE. Return completed form to: City of Lake Mary, P. O. Box 958445, Lake Mary, FL 32795-8445, or drop it off at City Hall, 100 N. Country Club Road (entrance on Lakeview Avenue). If you submitted a form within the past year and still desire to be considered for an appointment, please call the City Clerk's Office at 407-585-1423.

113 Linda Ln  
Lake Mary, FL 32746

Phone (407) 330-8162  
E-Mail JCBales@aol.com

## Jeffrey C. Bales

### ***Career Strengths***

In the past 40 years, I have used my organizational and communication skills to succeed. From college graduation until 1997, I was co-owner and general manager of Sanford Motor Company, an authorized Jeep dealership. Managing people, time and expectations were my strongest attributes in this position. Upon the sale of the dealership, I entered the real estate profession and found new challenges to meet. Learning a new business and succeeding became a mission. I undertook advanced training and certification to advance my professionalism. Additionally, I co-own and manage a citrus grove and co-own a real estate investment company.

I strive to rise to each new challenge with a combination of intellectual curiosity and drive. I use past experience to fuel future success.

### ***Employment History***

#### **General Manager/Co-Owner**

1974 – July 1997 Sanford Motor Company  
Vehicle Sales and Service

July 1997 - October 2008 Re/MAX Realty Resources, Lake Mary, FL  
Residential & Vacant Land Real Estate Sales

October 2008 – Present Gibraltar Real Estate Services, LLC  
Residential & Vacant Land Real Estate Sales

#### **Vice President/Co-Owner**

January 1992 – Present Lake Jessup Groves  
Citrus Groves and Sales

#### **Vice President/Co-Owner**

July 2010 to Present Gibraltar Property Group Inc., Longwood, FL  
Residential & Vacant Land Real Estate Sales

### ***Education***

June 1970 – Seminole High School Graduate, Sanford, FL  
June 1974 – University of Florida Graduate, Gainesville, FL

### ***Professional Affiliations***

Certified Residential Specialist, Accredited Buyers Representative, Graduated Real Estate Institute, E-Pro and Real Estate Cyber Society. Served from 2006 – 2009 Board of Directors Orlando Regional Realtor Association and 2006 – 2014 Lake Mary Local Planning Agency.

CITY OF LAKE MARY  
BOARD APPOINTMENT INFORMATION FORM

(please print)

1. NAME: STEVEN GILLIS HOME PHONE: 407-463-2598<sup>2598</sup>
2. HOME ADDRESS: 175 WASHINGTON AVENUE  
E-MAIL ADDRESS: ELVISGILLIS1@AOL.COM
3. BUSINESS: INFRASTRUCTURE ENGINEER BUSINESS PHONE: 888-451-6822
4. BUSINESS ADDRESS: 400 W. SR 434 STE 1016 OVIEDO FL 32765
5. BRIEF RESUME OF EDUCATION AND EXPERIENCE: I HAVE BEEN IN THE CIVIL ENGINEERING FIELD FOR 25 YEARS.
6. ARE YOU A REGISTERED VOTER? YES  NO
7. ARE YOU A RESIDENT OF THE CITY? YES  NO
8. DO YOU OWN PROPERTY IN THE CITY? YES  NO
9. DO YOU HOLD A PUBLIC OFFICE? YES  NO
10. ARE YOU EMPLOYED BY THE CITY? YES  NO
11. HAVE YOU BEEN CONVICTED OF A MISDEMEANOR OR FELONY, EXCLUDING CIVIL TRAFFIC INFRACTIONS? YES  NO   
(IF YES, PLEASE PROVIDE INFORMATION--USE SEPARATE SHEET. NOTE: DUI'S and revoked licenses are NOT "civil traffic infractions" and must be reported.)
12. HAVE YOU PREVIOUSLY SERVED ON A CITY BOARD? YES  NO   
If yes, which one(s)? CITY OF OVIEDO P2A BOARD FOR 7 YRS
13. PLEASE CHECK THE BOARD(S) YOU ARE INTERESTED IN SERVING ON:

- BOARD OF ADJUSTMENT\* MUST BE A QUALIFIED ELECTOR OF LAKE MARY
- CODE ENFORCEMENT BOARD\* MUST BE A RESIDENT OF LAKE MARY
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- \*REQUIRES FILING FINANCIAL DISCLOSURE FORM IF APPOINTED.

14. What qualifications would you bring to this Board(s) if appointed? I SERVED ON THE PLANNING & ZONING BOARD FOR THE CITY OF OVIEDO FOR 7 YRS BEFORE RESIGNING BECUASE MOVING TO LAKE MARY.

Pursuant to City Code, service on City boards is at the pleasure of the City Commission. Board members may be removed with or without cause upon motion and majority vote of the City Commission. Applicant, by his/her signature below, waives any right under F.S. Section 112.501 to removal for cause and a hearing before removal.

SIGNATURE: Steven Gillis

DATE: 6-07-2015

All Boards must function in accordance with Florida Laws regarding GOVERNMENT IN THE SUNSHINE. Return completed form to: City of Lake Mary, P. O. Box 958445, Lake Mary, FL 32795-8445, or drop it off at City Hall, 100 N. Country Club Road (entrance on Lakeview Avenue). If you submitted a form within the past year and still desire to be considered for an appointment, please call the City Clerk's Office at 407-585-1423.



# City of Lake Mary

*"City of Lakes"*

Published on *Lake Mary, FL* (<http://www.lakemaryfl.com>)

[Home](#) > [Board Appointment Application Online Form](#) > [Submissions](#) > Submission #11691

## Submission #11691

### Submission information

Form: [Board Appointment Application Online Form](#)

Submitted by Anonymous

Tuesday, May 26, 2015 - 5:14pm

108.215.69.64

**Name:**

Scott Threlkeld

**Home Phone:**

407 535-2500

**Home Address:**

135 Crystal Drive, Lake Mary, FL 32746

**Business:**

retired

**Business Phone:****Business Address:****Email Address:**

scottthrelkeld@att.net

**Brief Resume of Education & Experience:**

Engineering - Siemens Energy, Orlando, 10 years.

Bachelor of Music, Temple University.

Volunteer - Lake Mary Senior Center, craft corner

**Are you a registered voter?:**

Yes

**Are you a resident of Lake Mary?:**

Yes

**Do you own property in Lake Mary?:**

Yes

**Do you hold a public office?:**

No

**Have you ever served on a City Board in Lake Mary?:**

No

**Are you employed by the City of Lake Mary?:**

No

**Have you ever been convicted of a misdemeanor or felony, excluding civil traffic violations?:**

No

**If Yes, please provide information.:**

**Check Boards you are intersted in:**

→ PLANNING & ZONING BOARD \*\*

**What qualifications do you bring to the Board(s) if appointed?:**

I love Lake Mary and am interested in keeping it a wonderful place to live and work. I have extensive knowledge of reading complex technical drawings

**Signature:**

Scott Martin Threlkeld

**Source URL:** <http://www.lakemaryfl.com/node/2474/submission/11691>



# City of Lake Mary

"City of Lakes"

Published on *Lake Mary, FL* (<http://www.lakemaryfl.com>)

[Home](#) > [Board Appointment Application Online Form](#) > [Submissions](#) > Submission #11621

## Submission #11621

### Submission information

Form: [Board Appointment Application Online Form](#)

Submitted by Anonymous

Saturday, May 23, 2015 - 3:44pm

71.46.220.147

**Name:**

Keith Petrochko

**Home Phone:**

(570) 239-9566

**Home Address:**

755 Silver Cloud Circle, Apt 203

**Business:**

KMP Law, PLLC

**Business Phone:**

(855) 956-7529

**Business Address:****Email Address:**

KeithPetrochko@gmail.com

**Brief Resume of Education & Experience:**

Undergraduate Degree- Pennsylvania State University

Juris Doctor- Florida A&M University College of Law

Lake Mary business owner

**Are you a registered voter?:**

Yes

**Are you a resident of Lake Mary?:**

Yes

**Do you own property in Lake Mary?:**

No

**Do you hold a public office?:**

No

**Have you ever served on a City Board in Lake Mary?:**

No

**Are you employed by the City of Lake Mary?:**

No

**Have you ever been convicted of a misdemeanor or felony, excluding civil traffic violations?:**

No

**If Yes, please provide information.:****Check Boards you are intersted in:**

- CODE ENFORCEMENT BOARD \*\*
- ELDER AFFAIRS
- FIREFIGHTER'S PENSION (Trustees) \*\*
- PARKS & RECREATION ADVISORY BOARD
- • PLANNING & ZONING BOARD \*\*
- POLICE PENSION BOARD (Trustees) \*\*

**What qualifications do you bring to the Board(s) if appointed?:**

I am a licensed attorney, meaning I am adept at research and not scared to put long hours in. I also love my adopted home of Lake Mary.

Feel free to contact me to discuss my qualifications.

**Signature:**

Keith Petrochko

Source URL: <http://www.lakemaryfl.com/node/2474/submission/11621>