



LAKE MARY CITY COMMISSION

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

**Regular Meeting
AGENDA
THURSDAY, AUGUST 06, 2015 7:00 PM**

- 1. Call to Order**
- 2. Moment of Silence**
- 3. Pledge of Allegiance**
- 4. Roll Call**
- 5. Approval of Minutes: July 23, 2015**
- 6. Special Presentations**
 - A. Special Recognition to City Employees of the 2nd and 3rd Quarters: Jean McCarthy, Lida Mansfield, Jill Alvarez, Sue Baumbach, Barbara Nuzzo, and Cheryl Walker - Finance Department**
 - B. Seminole State College Student Team: Parks and Recreation Survey**
- 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. Resolution No. 969 - Authorizing the Submission of a Grant Application of the Florida Recreation Development Assistance Program Grant Application Heritage Park (Gunnar Smith, Recreation Supervisor/Events Center Manager)

B. Ordinance No. 1526 - Rezoning from Planned Unit Development (PUD) to PUD (Revision to adopted Rinehart Place Final PUD), related to the proposed development of a Florida Hospital emergency medical facility, 950 Rinehart Road, Kimley-Horn & Associates, Inc./Jonathan Martin, P.E. for Adventist Health System/Sunbelt, Inc., applicant - First Reading (Public Hearing) (quasi-judicial) (John Omana, Community Development Director) (Postponed 5/21/15, 6/4/15)

10. Other Items for Commission Action

11. City Manager's Report

A. Items for Approval

a. Surplus item - ice machine/cuber

B. Items for Information

12. Mayor and Commissioners Report

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: August 20, 2015

1 MINUTES OF THE LAKE MARY CITY COMMISSION WORK SESSION held July 23,
2 2015, 5:30 P.M., Lake Mary City Commission Chambers, 100 North Country Club Road,
3 Lake Mary, Florida.

4
5 Mayor David Mealor Jackie Sova, City Manager
6 Commissioner Gary Brender Carol Foster, City Clerk
7 Deputy Mayor George Duryea Dianne Holloway, Finance Director
8 Commissioner Sidney Miller John Omana, Community Development Dir.
9 Commissioner Jo Ann Lucarelli Dave Dovon, Assistant Public Works Dir.
10 Bryan Nipe, Parks & Recreation Director
11 Tom Tomerlin, Economic Development Mgr.
12 Wanda Broadway, Human Resources Mgr.
13 Steve Bracknell, Police Chief
14 Joe Landreville, Deputy Police Chief
15 Frank Cornier, Fire Chief
16 Mary Campbell, Deputy City Clerk
17

18 The work session was called to order by Mayor David Mealor at 5:35 P.M.

19
20 ITEM FOR DISCUSSION

21
22 I. Proposed FY 2016 Budget
23

24 Ms. Sova said we will start with the General Fund. She is recommending that we maintain
25 our tax rate of 3.5895. In the General Fund there are not many changes. Some of the
26 notable changes are we are deleting one planning position. The workload dictates that
27 we should do that at this time as we have a vacancy coming up. We cut an inspector
28 position that has been vacant more than a year. We have funds available for the
29 consulting service that we have used in the past should we need to use those services.
30 There is a part-time position in the Community Center budget that will be offset by
31 revenues. The reason we have to add the part-time position is the American Care Act.
32 These people get up to the 30 hours a week point then they become eligible for benefits
33 and that gets very expensive. It takes more part-time people under the American Care
34 Act to keep everybody under the number of hours.
35

36 Ms. Sova said revenue-wise the ad valorem revenues are going to jump to \$6,760,000
37 which is a 6.2% increase from 2015. Based on property taxes a couple of the big
38 construction items was the Verizon building and part of the Station House project.
39 Franchise fees and utility taxes are up moderately to \$6,194,000. Telecommunication
40 taxes are a bit of an issue. By the time we get to the final budget the state has issued
41 estimates and they predicted a low number. Licenses and permits we project coming
42 down notwithstanding the Griffin Farms project. We are not sure when that is going to
43 come in and what those fees are going to be at this point. We have gone conservative
44 and not planned on that money. Fines and forfeitures are stable. Intergovernmental
45 revenues are up a bit. Charges for services is the Events Center and the Community
46 Center and the charges are pretty stable.

1
2 Deputy Mayor Duryea said the 2014 actual and the 2016 budget is about half as much
3 for licenses and permits. He thought we had some things in the works.

4
5 Ms. Sova said that's the Griffin Farms. We budgeted conservatively. With the project not
6 coming in for five months, if they don't pull all the permits at once we don't know exactly
7 when that money is going to come. Some of it could cross over into 2017.

8
9 Deputy Mayor Duryea asked the estimated revenue for something like that.

10
11 Ms. Sova said for fees and licenses we are talking \$350,000.

12
13 Commissioner Miller asked if they paid that before they put a shovel in the ground.

14
15 Ms. Sova said they have to pay site permit fees and impact fees before they put a shovel
16 in the ground.

17
18 Commissioner Brender said we won't collect taxes until 2018.

19
20 Deputy Mayor Duryea said that doesn't make up the \$3 million deficit.

21
22 Ms. Sova asked if he was looking at the \$17 million down to \$12 million, the \$17 million
23 is the fund balance at the beginning of 2014.

24
25 Ms. Holloway showed the analysis of the General Fund on the overhead starting with
26 2010 actuals and comparing them to the proposed 2016. Our revenues are pretty much
27 the same but expenditures are up. We are talking seven years. This slide breaks down
28 the transfers to other funds in the General Fund as well as our economic incentives.
29 Coming down to the bottom line is in Fiscal Year '10 we had a \$50 million fund balance.
30 In '11 \$15 million, we went up in '12 to \$16 million, '13 to \$17 million, and '14 went down
31 to \$15 million. In budget '16 we were looking at a \$12.5 million fund balance going into
32 the budget process. We did some projections of revenues and expenditures and thought
33 we would come out on top. She thought we would end up at the end of the year in General
34 Fund with about \$14.5 million.

35
36 Mayor Mealor said that was quite a difference.

37
38 Ms. Sova said we only spend about 95% of what we budget.

39
40 Deputy Mayor Duryea said what he was referring to was on Page 4 and it had to do with
41 total funds available. The actual 2014 was \$35 million and the 2016 budget is \$30 million.
42 That's \$5 million we have to take out of fund revenue.

43
44 Ms. Sova said our fund balance is down. Expenditures are higher than current revenues.
45 Our total revenues in the General Fund are at the same level we were ten years ago. Our
46 total revenues are at the same level we were at six years ago. We can't say the same

1 thing about expenditures—they keep going up and some of our construction projects are
2 coming to a conclusion. We have road work. A lot of the roads we are repaving were
3 built in these new housing developments. The roads were put in by the developers and
4 now we are out there maintaining them. There are some things happening expenditure-
5 wise.

6
7 Commissioner Brender asked about the \$1.8 million for Station House.

8
9 Ms. Sova said all that has been spent. We were over reserve and we had to do some of
10 this stuff.

11
12 Ms. Holloway said we have been budgeting conservatively. We estimate high on some
13 things but are not going to spend that much.

14
15 Deputy Mayor Duryea said some day he thought small governments with excess
16 revenues the state will reach in and say we want those since you're using them.

17
18 Ms. Sova said the legislature talked about that a few years ago. We were funded over
19 100% for a while and we are down from that. The Community Center, Downtown projects,
20 stepping it up on paving. A lot of this is our millage rate. We have the lowest millage rate
21 in the County. We are able to do all this, have some reserves, and have that low millage
22 rate.

23
24 Mayor Meador said there are a lot of amenities to why we have what we have right now.
25 Just simply look around us.

26
27 Commissioner Miller asked the impact if we raised the millage rate but continued to be
28 the lowest one.

29
30 Deputy Mayor Duryea said one of the things that makes this place attractive is the fact
31 that we have the lowest millage rate. Even raising it a little bit isn't worth the hassle. It's
32 not that much money we get back.

33
34 Commissioner Miller said for example, Altamonte Springs is 100% sewer. There is
35 nobody on septic tank in Altamonte Springs. We are 50%. We are not doing all the
36 recovery we need to do on reclaimed water. While we are a great place to live, we are a
37 little behind the times.

38
39 Deputy Mayor Duryea said behind the times is an opinion.

40
41 Mayor Meador said he was told the system he put in his new home that cost a lot of money
42 is every bit as effective, if not more so, than sewer.

43
44 Commissioner Miller said he agreed with the Mayor 100% but could give enough
45 anecdotal data that says that people don't maintain that system until it breaks. If you
46 maintain your system exactly as you should, it will be equally as good and probably less

1 risk than having the County and the City doing sewer for you. People don't know they
2 have septic tanks. There are 321 homes in the Hills of Lake Mary. We will do a door-to-
3 door poll today and ask those people how they like their sewer service. They all think
4 they are on sewer but they are on septic tanks. They don't realize it until their drain field
5 is full of feces. He said he was like that too. He doesn't fix problems until they break.
6 That's kind of what septic tanks do.

7
8 Mayor Meador said the point is well taken. As we change our community, we are bringing
9 sewer in. That's important and is a policy decision. People want to invest in this
10 community and they believe in this Commission. The gentleman that was here last
11 meeting said this should be a textbook for the Florida League of Cities on how a group
12 should operate. Any time a rumor gets out that we are going to increase taxes or are
13 going to put a burden on somebody for additional expense, it has the potential to take
14 something that is very good and start to erode. We have always avoided that in this
15 community by working together.

16
17 Commissioner Miller said to fix the problem will cost us close to \$100 million. There are
18 2,200 homes on septic tanks at \$40,000 per home comes to today's dollars of \$88 million.
19 If we did a million dollars a year it would be 88 years. To fix this problem is almost
20 impossible but for us to sit here now in this environment today and say we don't think it's
21 a problem, we don't think we need more reclaimed water—we do need more reclaimed
22 water because 60% of the water we use goes on our St. Augustine lawn. The only way
23 to get extra water for that is reclaimed water. You can't keep sucking it out of the aquifer.
24 We have enjoyed growth and enjoyed a good time but there is a point where we are
25 making things worse for the next generation and the generations after.

26
27 Deputy Mayor Duryea said sooner or later the state is going to come in and say anybody
28 that has a property within a certain distance of a water body or wetland is going to have
29 to have sanitary sewer. He would not be opposed to raising the stormwater fees so that
30 in the future there is some revenues there in a way it is not killing everybody. If we put
31 a sewer in his neighborhood where there are half acre properties, everybody is going to
32 get irate because of the cost and the low density. The bad thing about a sewer is you
33 give the development community the opportunity to increase density.

34
35 Commissioner Brender said nothing new is going to happen without sewer but going back
36 is the hard part. When he got on the Commission he told people we are going to pave
37 the roads. Back then 40% of Lake Mary was paved and 60% was not. We are 100%
38 paved minus a couple of houses here and there. Did it take 20 years? Yes. We are
39 going to have to approach the sewer. We should be trying to hook up just like we are on
40 the other side of the railroad tracks by Palmetto. Fifteen years ago the Commission voted
41 unanimously to never bring sewer to the other side of the railroad tracks because nobody
42 wanted any development. We are going to get there and thought we could get there
43 within the budget numbers. If Commissioner Miller is talking about all at once or on a ten-
44 year plan, we are not going to find \$8.8 million.

45

1 Commissioner Miller said what the Mayor said about his septic system is 100% right.
2 Maintain it perfectly it may be better than being on the sewer because there is no risk of
3 the City or County screwing it up. The state legislature has been entertaining a bill to hold
4 the landowners harmless and trying to fix all the septic tanks around springs that are
5 polluting the aquifer. If you drive down Markham Woods Road it would include a bunch
6 of people who have really nice homes. David Simmons is fighting a battle there and is
7 losing. He said he didn't know how to fix it.

8
9 Mayor Meador said we are taking incremental steps and thought it was the right way to do
10 it. The point is well taken and it is frustrating.

11
12 Ms. Sova said the City Attorney has asked for a rate increase and the continuing CPI but
13 not more than 3% and that has an estimated \$10,000 impact. We use those attorneys
14 very conservatively. It has been several years since the City Attorney had a rate increase.

15
16 Ms. Sova said on Page 21, the General Administrative budget, is the one where anything
17 that doesn't have another place falls to. We have moved the vehicle that we had for this
18 budget to the Water & Sewer budget because we go the post office for the water and
19 sewer payments. It is a bit tight and did not plan for an overall pay plan change next year.
20 We did a very thorough one this year.

21
22 Ms. Sova said our contributions include economic incentives, CRA payment, and
23 transportation assistance for the Senior Intervention Group. The Neighborhood
24 Beautification Grant began at \$25,000. We have had several and have one is on the
25 table at Crystal Ridge. About three years ago they called her and asked her to take their
26 HOA because it was in such bad shape. Steve Noto is working with them on the
27 beautification grant. Staff is also looking into maybe changing part of this for some
28 Downtown beautification. Paylocity is done, Digital Risk is done. The Verizon payment
29 is due next year at \$168,750, Deloitte at \$170,000, FARO at \$2,250 and Dixon
30 Ticonderoga at \$1,250.

31
32 Ms. Sova said on Page 26 is where we can see our Planner position dropped off. Our
33 current Deputy City Planner will become the City Planner and that is Steve Noto.

34
35 Mayor Meador said at the East Central Florida Regional Planning Council meeting
36 yesterday, Mr. Noto and our team was singled out for the excellent work they do.

37
38 Ms. Sova said on Page 28 in the building department is where we see the Building
39 Inspector come off. There is money in contracted services if we run short and need some
40 inspections. We did that a few years ago and it worked out well.

41
42 Ms. Sova said the Police Department budget is the same number of personnel.

43
44 Deputy Mayor Duryea asked to go back to Page 35. He questioned why Maintenance
45 Contracts were up.

1 Ms. Holloway explained we consolidated. Some were sitting in utilities. We made the
2 appropriate reductions.

3
4 Ms. Sova said the Police Department budget is down a bit.

5
6 Ms. Sova said in the Fire Department budget there is an increase and most of that is
7 attributed to vehicle rental because they have new vehicles. Fire Prevention jumps up a
8 bit because we changed a part-time position to full-time to keep our inspections up to
9 date. We have a progressive and aggressive fire prevention program. We have very
10 strong fire prevention laws. All of our buildings over 5,000 S.F. are sprinkled.

11
12 Ms. Sova said on Page 60, the Public Works budget drops \$9,000, a lot of that owing to
13 professional services, attorney's fees, all the way to the water fund. We are negotiating
14 and working with FDEP regarding the Siemens property. We settled ten years ago about
15 the contaminated water issue and got the money to build our aeration towers and got
16 some annual maintenance fees. There is a clause to reopen it in ten years and it is here.
17 Last year we budgeted some legal fees. She and Bruce (Paster) met with FDEP last
18 week and they wanted to know our position and where we are with that. They heard us
19 loud and clear that we want more money from here forward, this is taking longer than
20 what was presented, that is 15 years ago now, and it is costing more than we thought.

21
22 Deputy Mayor Duryea said he remembered we immediately put in the aerators. They
23 sent some inspectors down and they hung out for a while. He thought there was some
24 super fund that they could flood the land.

25
26 Ms. Sova said the responsible parties and FDEP never entered into a final order. It has
27 kind of been out there all these years. When we talked to FDEP last week there have
28 been several big meetings with the responsible parties regarding the site. All those
29 people said the City is out of that. We had five attorneys from Tallahassee on the phone,
30 the City had two attorneys in the room, there was Bruce and I, and two local reps from
31 DEP. The City has hired a firm and we are very concerned about the public water supply
32 and very concerned about getting paid.

33
34 Deputy Mayor Duryea said this should have been taken care of years ago.

35
36 Ms. Sova said it certainly should have and there has been an additional chemical found.
37 Our aerator will take care of that but we want our annual operating costs.

38
39 Commissioner Miller said he thought both property owners had been given the go ahead
40 to develop that property with a provision that they not sink any wells or take any water off
41 that property. The property owners are clear and can use their property and develop it.

42
43 Ms. Sova said not totally. They can with some restrictions. She said she was worried
44 about our public water supply and getting paid back what it costs us to use the motors,
45 replace the motors, replace the elements for filtration inside those aerators, and the power
46 to run those aerators. When we settled ten years ago it was greatly underestimated.

1
2 Deputy Mayor Duryea asked if we could kick this down the road a bit and call John Mica's
3 office and ask if he could help us.

4
5 Mayor Meador said he thought we could call Senator David Simmons particularly since
6 this is aligned to a generic area that he is very involved, very engaged and very educated
7 about. He recommended the City Manager draft a letter and reach out to him. He asked
8 the City Manager to draft a letter with their signatures and copy John Mica.

9
10 Ms. Sova said Streets and Sidewalks creep up a little bit each year. We also had some
11 additional contractual services related to signalization.

12
13 Deputy Mayor Duryea asked if we were covering the cost of lighting in the special lighting
14 districts.

15
16 Ms. Sova said not even close. We have very few special lighting districts and the City
17 pays for the standard 30-foot pole and mercury light, or \$9.36 each, or we pay that
18 comparable amount towards the upgraded lights. The street lighting districts will charge
19 for upgrading the lights. Seminole County, Casselberry and some other places assess
20 for all the lights.

21
22 Ms. Sova said mostly the Parks & Recreation budget carries on the Parks and Events
23 Center Coordinator personnel budget and she moved it to the Events Center. Facilities
24 Maintenance she gets the same number and they are doing a great job. She increased
25 the budget for repair and maintenance of buildings. Some of our facilities are getting
26 beyond the ten-year point. We did a lot of new facilities at once and things are starting to
27 happen to them. The Events Center continues to do well. The Community Center is
28 where we are adding a part-time rec assistant. It will be covered by fees. Summer camp
29 is doing great and the tuition is covering its costs. The Senior Center continues to do
30 well. The Tennis Center budget is about the same.

31
32 Mayor Meador complimented the City Manager for upping the budget for repairs. He
33 recalled for this building we had to basically patch it and it was very expensive. He
34 thought it should have been handled differently at that time. That's an investment.

35
36 Ms. Sova said the Special Revenues Fund is specific purpose funds. They are collected
37 and spent in a restricted manner. The first is the Police Second Dollar Education Fund
38 and traffic ticket money that has to be spent on training. We are starting to use a little
39 more.

40
41 Deputy Mayor Duryea asked if a new hire could be trained with that money or is it for
42 additional training for existing officers.

43
44 Ms. Sova said it is for additional training for existing officers but doubted there was a
45 restriction for the new.

46

1 Chief Bracknell said there is not. If we had a candidate and we wanted to put him through
2 the academy we could do that, but there are so many folks out there that have already
3 paid for themselves.

4
5 Ms. Sova said the Law Enforcement Trust Funds are confiscated funds. We don't really
6 budget the forfeiture funds. We don't budget to bust people. We get the money when we
7 get it. On Page 96 is the federal portion. In Police Impact Fees they are looking to replace
8 some defibrillators. In Fire Impact Fees we're not looking to spend anything.

9
10 Deputy Mayor Duryea asked when our next big purchase is.

11
12 Ms. Sova said a fire engine next year. It is a replacement vehicle at \$550,000. One way
13 for a discount is to pay for it in advance. We are checking out that option.

14
15 Ms. Sova said in Public Works Impact Fees we have no capital plans. In Recreation
16 Impact Fees they would like a landscape trailer. We are ready to go with Heritage Park
17 and would like to do more than just the first phase. We are in the process of applying for
18 a FRDAP grant in the amount of \$200,000. In the Cemetery Fund we have been doing
19 work getting it cleaned up and some landscaping done and will maybe get some benches.

20
21 Ms. Sova said on Pages 108 and 109 is very exciting. On October 1st we will pay our last
22 payment (Series 2007 Refunding Revenue Note). That will drop expenditures down
23 considerably. The transfers will go from \$632,000 down to \$336,000.

24
25 Ms. Sova said in Capital Projects, Page 114 shows the current year list. This includes
26 Crystal Lake Avenue beautification, sidewalks and lighting, and basically getting things
27 cleaned up from the Station House. We own one of those big parcels of land that is
28 vacant and we also have a park there. The team is taking a look at that.

29
30 Deputy Mayor Duryea asked if it was premature thinking about the stormwater and things.

31
32 Ms. Sova said for the stairstep parks, we are taking that into consideration. We are
33 concerned about putting something in and having to take it out. It makes this a little bit of
34 a twist to clean up and do something. It might cause us to do something across the road.
35 SunRail enhancements we are continuing to get finished up.

36
37 Mayor Mealor asked the status of the Maeken property.

38
39 Mr. Omana said they are still working with the FDOT platform staff on the engineering.
40 Once they do that they will come back in.

41
42 Deputy Mayor Duryea asked who takes care of the grass.

43
44 Mr. Nipe said we maintain all the landscape and irrigation on site and all the trash through
45 contractor and staff. Everything structural is the County. The train itself is State.

46

1 Ms. Sova said the next item is a carryforward and is signal and beautification at Wilbur
2 and Country Club. The traffic study is in its final stages of review. This is our annual
3 computer replacements and money for some network upgrades. In police there is
4 \$20,000 for laptops and \$7,200 for radio replacements. The fire department has applied
5 for several grants and we funded our matching share should we get those grants. We
6 budgeted hose and appliance replacement and a records management system. That
7 should pay off in labor time for employees. Also wireless routers for emergency response
8 vehicles, replacement thermal imaging cameras, the breathing apparatus, and for our
9 inspectors the mobile eyes inspection software.

10
11 Ms. Sova said in Streets & Sidewalks is our annual street resurfacing and parking lot
12 rehab. The Community Center parking lot should wrap up and put the sidewalk in. It has
13 been delayed due to replacing power poles; we can't put the sidewalk in until they finish
14 their project. We have a project share of \$171,000 for the turn lane at Palmetto. The
15 sewer portion is in our Sewer Fund. Fifty thousand is additional money this year for
16 sidewalk and curb replacement. Street lighting additions we have \$14,000 carried
17 forward and bumped it up \$20,000 to make it \$34,000 and have a reserve for Evansdale.
18 We did get a section of Cardinal Oaks this year.

19
20 Mayor Mealor said for street repaving he was glad to see streets identified that need it.
21 We had a situation at Lakeview and Seminole where we had calls several times for low
22 overhangs. He asked if it would be worthwhile to have us in the older more established
23 neighborhoods look at canopies and see what may need to be taken out as a proactive
24 measure prior to storms and those types of things.

25
26 Ms. Sova said she would talk to Bruce (Paster) about that.

27
28 Mayor Mealor said the older residents are concerned because they aren't sure if the tree
29 is in the right-of-way. The massive oak limbs are scary to them.

30
31 Ms. Sova said another thing we have learned is the new garbage trucks are a few feet
32 taller than the old ones and we are having some limb problems in some neighborhoods.

33
34 Mayor Mealor said Public Works on Lakeview between Fifth and Sixth, the work they did
35 there a couple of people complimented me. They cleaned it up. They like the work we
36 do.

37
38 Ms. Sova said the cost of some of our facilities are the Municipal Center HVAC. These
39 buildings are run 24/7 and are ten years old. Part of the Municipal Complex got air
40 conditioning this year and this will be the other half next year. The Police Department
41 was built in 2000. At the Sports Complex our batting cages haven't had significant work
42 since they were installed. The soccer field fence will get us a long way. Station 33 needs
43 a new roof. We had an expert, T. Gray Frazier, inspect every single roof and this is the
44 one he said absolutely had to happen. It is leaking and we are starting to get interior
45 damage. There is a carryover project for Central Park design that is a feature at Fourth
46 Street and the Boulevard.

1
2 Ms. Sova said Pages 242 and 243 is the five-year perspective for capital projects.
3
4 Deputy Mayor Duryea asked about the fire engine.
5
6 Ms. Sova said that was in Vehicle Maintenance. Pages 186, 187 and 188 is the vehicle
7 list. The fire engine is on 187. We allocate the cost annually for each department and
8 save the money to replace these vehicles. It works very well. Public Works is working
9 on a program where we are going to start pooling some of our administrative vehicles so
10 we can start reducing the total quantity of vehicles.
11
12 Ms. Sova said to jump back to the Water & Sewer Fund on Page 147. Water sales are
13 stable, sewer income has gone down a bit, and reclaimed water sales are stable. Page
14 160 shows the projects for next year. The high service pump is for the water plant.
15
16 Deputy Mayor Duryea asked if we had diesel backup.
17
18 Ms. Sova answered affirmatively.
19
20 Deputy Mayor Duryea asked if it was sufficient to maintain a certain pressure that the fire
21 people can be assured the sprinkler system is going to work.
22
23 Mr. Dovan answered affirmatively.
24
25 Ms. Sova said other projects include \$787,000 for the sewer at Palmetto and Lake Mary
26 Boulevard, water treatment plant, and there is money for sewer and reuse. There is a
27 good chance that Griffin Farms will use the connection at Lake Mary Boulevard.
28
29 Deputy Mayor Duryea said regarding the Stormwater Utility Fund he asked if we did a
30 survey.
31
32 Ms. Sova said we did. We asked for a rate increase and heard the word “no” very loudly.
33 We were saved by the penny sales tax.
34
35 Deputy Mayor Duryea asked if that was something they wanted to discuss. He asked
36 when we increased that.
37
38 Ms. Sova said two years ago.
39
40 Deputy Mayor Duryea said it looks like we have a decrease in fund balance. He thought
41 they should be breaking even.
42
43 Ms. Sova said we show in the five-year plan on Page 311 that in 2019 it gets sketchy.
44 The reason we were able to stay stable here is we moved some projects over to the
45 Penny Sales Tax Fund. Those projects aren’t going to be able to happen for several
46 years because it has to be collected first. This year we are going to do some street

1 resurfacing with that money and am moving it forward and get it done early in this year.
2 We are noticing roadway project costs going up. She wants to get a jump on getting that
3 bid on the street and get ahead of some of those cost escalations. Our next project after
4 that with the penny sales tax is Rinehart Road. That's how we were able to offset what
5 was going on with some of the utility funds.
6

7 Mayor Mealor said what we need to do if costs start to creep up is start educating our
8 citizens as to what we are doing and why we are doing it. When we have presented a
9 solid case they have never not supported us. He said he would look at the 2017-2018
10 window for that discussion. If they know what that money is going for and there is a
11 defined benefit for them long term they will support it.
12

13 Ms. Sova asked if anyone felt the need for another workshop before the next meeting.
14 The Board did not feel the need for another meeting.
15

16 There being no further business, the work session adjourned at 6:50 P.M.

DRAFT

1 MINUTES OF THE LAKE MARY CITY COMMISSION MEETING held July 23, 2015, 7:00
2 P.M., Lake Mary City Commission Chambers, 100 North Country Club Road, Lake Mary,
3 Florida.

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1. Call to Order

The meeting was called to order by Mayor David Mealor at 7:17 P.M.

2. Moment of Silence

3. Pledge of Allegiance

4. Roll Call

- | | |
|-------------------------------|---|
| Mayor David Mealor | Jackie Sova, City Manager |
| Commissioner Gary Brender | Carol Foster, City Clerk |
| Deputy Mayor George Duryea | Dianne Holloway, Finance Director |
| Commissioner Sidney Miller | John Omana, Community Development Dir. |
| Commissioner Jo Ann Lucarelli | Dave Doan, Assistant Public Works Dir. |
| | Bryan Nipe, Parks & Recreation Director |
| | Tom Tomerlin, Economic Development Mgr. |
| | Wanda Broadway, Human Resources Mgr. |
| | Steve Bracknell, Police Chief |
| | Joe Landreville, Deputy Police Chief |
| | Frank Cornier, Fire Chief |
| | Katie Reischmann, City Attorney |
| | Mary Campbell, Deputy City Clerk |

5. Approval of Minutes: July 9, 2015

Motion was made by Commissioner Brender to approve the minutes of the July 9, 2015, meeting, seconded by Commissioner Lucarelli and motion carried unanimously.

6. Special Presentations

A. Proclamation – 80th Anniversary of Social Security

The City Attorney read a proclamation proclaiming that on Friday, August 14, 2015, the City of Lake Mary joins the Nation in celebrating the 80th anniversary of the signing of the Social Security Act.

Mayor Mealor presented the proclamation to Nancy Dzamba, Manager of the Lake Mary Social Security Office.

1
2 Ms. Dezamba thanked the Council for inviting her today and for the City Clerk's Office for
3 the professional, responsive service received in coordinating this event.
4

5 Ms. Dezamba said when President Franklin Delano Roosevelt signed the Social Security
6 Act into law in 1935, he had a simple vision to keep older Americans out of the poor house
7 after a lifetime of work. The promise has evolved yet it remains. The Social Security
8 Administration still keeps a simple vision but on a grander scale to keep older Americans,
9 people with disability, wounded veterans, and the children and spouses of disabled
10 workers out of poverty by giving them a financial safety net and in some cases the
11 opportunity to regain the ability to provide for themselves. The truth is we now touch more
12 lives than ever and we touch each life more often.
13

14 Ms. Dezamba said what started as a retirement program in 1935 was expanded several
15 times to include survivor benefits, disability benefits, Medicare and supplemental security
16 income. Since 1935 Social Security has paid out more than \$15 trillion in benefits while
17 maintaining one of the lowest administrative cost in government at less than 1.3%.
18

19 Ms. Dezamba said when the first Social Security retirement check was issued in 1940 it
20 was for \$22.54. Today the average monthly benefit amount is \$1,328.00. To give an
21 idea of the importance of Social Security locally, we pay almost \$250 million a year to
22 50,000 residents of Seminole County. As the agency moves forward we will continue to
23 provide the kind, exceptional service the American public expects and deserves. Whether
24 it is through our online services, our new MySSA account, or face-to-face service in our
25 local office, we remain committed to maintaining President Roosevelt's vision. She
26 thanked the Commission for this honor and wished everyone continued success.
27

28 7. Citizen Participation – This is an opportunity for anyone to come forward and
29 address the Commission on any matter relating to the City or of concern to our
30 citizens. This also includes: 1) any item discussed at a previous work session; 2)
31 any item not specifically listed on a previous agenda but discussed at a previous
32 Commission meeting; or 3) any item on tonight's agenda not labeled as a public
33 hearing. Items requiring a public hearing are generally so noted on the agenda
34 and public input will be taken when the item is considered.
35

36 No one came forward at this time and citizen participation was closed.
37

38 Mayor Mealor welcomed the representatives of the Forest.
39

40 8. Unfinished Business
41

42 There was no unfinished business at this time.
43

44 9. New Business
45

1 A. Resolution No. 968 – Urban County Requalification Agreement (Jackie Sova,
2 City Manager)
3

4 The City Attorney read Resolution No. 968 by title only.
5

6 Ms. Sova requested the Commission approve the resolution and authorize the Mayor to
7 execute the agreement.
8

9 **Motion was made by Commissioner Miller to approve Resolution No. 968 and**
10 **authorize the Mayor to execute the agreement, seconded by Deputy Mayor Duryea**
11 **and motion carried unanimously.**
12

13 Commissioner Brender questioned if we had any community development grants.
14

15 Ms. Sova said we don't have the demographics to qualify for a community development
16 block grant but one of the items is an emergency provision that might apply to a resident.
17 She would hate to not make this available should somebody need it.
18

19 B. Fiscal Year 2016 Budget Message – Setting of Proposed Operating millage
20 Rate, Current Year Rolled Back Rate, and date, Time and Place of Tentative
21 Budget Hearing (Jackie Sova, City Manager)
22

23 Ms. Sova said in accordance with State law and pursuant to City Charter, I am pleased
24 to present for your consideration the proposed annual operating budget for Fiscal Year
25 2015/2016, including the five-year plan through Fiscal Year 2019/2020.
26

27 Ms. Sova said this past year has seen the City continue on a path of solid growth. This
28 forward momentum has been supported by City investments made in past years. Virtually
29 all City departments have seen an active year and all signs are pointing to a sustained
30 growth in Fiscal Year 2015/2016. This budget proposal represents a commitment
31 towards continued strategic financial planning to meet the City's current and future goals
32 of providing city services that enhance the quality of life and maximize economic
33 opportunity. A focus of this budget is an acknowledgement that our future quality of life
34 and economic opportunity depend upon actions we make in the present. This past year's
35 economic development stories highlight that our current success was a product of past
36 investments.
37

38 Ms. Sova said Deloitte Consulting chose Lake Mary to house its technology delivery
39 center for computer and IT consulting. This facility has already been ramped up ahead
40 of schedule and currently employs approximately 1,000 employees in high value jobs.
41 The City's past actions to plan and invest in the high tech corridor made this latest
42 announcement possible. Other economic development examples over the past year
43 include Dixon Ticonderoga and FARO Technologies.
44

45 Ms. Sova said the SunRail has completed its first year of service and the Lake Mary
46 Station has consistently been the most active stop in Seminole County. The investment

1 in SunRail made possible the Station House apartment homes. The Station House is a
2 high-end Lake Mary residential community that is just a five-minute walk to downtown's
3 unique shops and eateries. Our continued attention and investment in Lake Mary's
4 downtown is also represented by our current plans for Heritage Park. Heritage Park will
5 be dedicated to the people who have served our community and country in the past,
6 present, and future. In partnership with the Lake Mary Trailblazers, the City will seek
7 grant funds and other revenues to make this park a showcase for our CAPRA accredited
8 parks system.

9
10 Ms. Sova said the connection between today's choices and tomorrow's benefits are
11 unfolding today. The 35-acre Griffin property at the intersection of Lake Mary Boulevard
12 and Longwood-Lake Mary Road is currently being planned for future development. This
13 area has recently been referred to as the City's Midtown and this project called Griffin
14 Farms will represent what that means in real terms. The development of this site has
15 every opportunity to represent a showcase mixed use project.

16
17 Ms. Sova said in short this document serves as a foundation from which to build upon our
18 community's quality of life and economic opportunity.

19
20 Ms. Sova said the budget is designed to provide the reader with a comprehensive and
21 informative document that includes the policy directives of the Commission. The budget
22 is a plan that provides management with the necessary tools to analyze, diagnose, and
23 evaluate how well appropriated funds are converted into the services desired by our
24 citizens. The budget is presented with a five-year plan encompassing all categories of
25 revenue generation and expenditures including personnel, operating, and capital costs.
26 Following the budget message is a Budget in Brief that is a comprehensive review of all
27 components of revenues, expenditures and fund balances highlighted by a total proposed
28 Fiscal Year 2016 budget at 7.08% more than the 2015 budget at a total of \$33,983,586
29 for all funds combined. This is an increase of \$2,246,111 from last year. For 2016 we
30 propose to hold the ad valorem millage rate at 3.5895, the same as last year, reflecting a
31 total increase of 6.84% yielding \$432,647 more dollars in ad valorem tax revenues.

32
33 Ms. Sova said some of the projects continuing into next year will be the completion of the
34 State House Apartments and all of the amenities around them; Deloitte Consulting,
35 130,000 S.F. of Class A office space; Central Parc at Heathrow, professional offices
36 including come eateries; Dixon Ticonderoga, 14,670 S.F. of Class A office space; nine
37 single-family homes at Pine Tree Terrace; six homes at Waterside; and Lake Mary
38 Pediatrics at the corner of Lake Mary Boulevard and Country Club Road.

39
40 Ms. Sova said with economic incentives the City currently has five program obligations.
41 After proof of fulfillment of their obligations, Axiom Healthcare is eligible for a \$3,000
42 payment; Verizon up to \$168,750; Deloitte's first payment up to \$170,000; FARO
43 Technologies and Dixon Ticonderoga at \$2,250 and \$1,250 respectively.

44
45 Ms. Sova said the final payment of the Series 2007 Refund Revenue Note will be made
46 on October 1st. Funding for this year was reduced from \$623,580 to \$336,928.

1
2 Ms. Sova said for Capital Projects we have carryforward projects close to \$1.8 million.
3 Eighty-five percent of these dollars are committed to completing development activities
4 such as the SunRail enhancements, the downtown entry feature, the Palmetto Street turn
5 lane and Lake Mary Boulevard sewer project, signal and beautification enhancements at
6 Wilbur and Country Club Road, and Crystal Lake Avenue beautification. Additional
7 projects are the Emma Oaks sidewalk and Central Park improvements.

8
9 Ms. Sova said other new capital projects include street resurfacing in the amount of
10 \$1,665,000. This is the bi-annual paving we do in recognition that the combined years
11 provide a significant savings. This project is heavily funded by the One-Cent Sales Tax.
12 The Fire Department has many end of life high dollar equipment items that need to be
13 replaced. Twenty-one of their self-contained breathing apparatus are 14 years old and
14 are no longer in compliance. They are a critical component of our life safety protection
15 equipment for our firefighters. These will come at a price tag of \$150,000. Hose and
16 appliance for the existing fire engines needs to be replaced and these will be transferred
17 from older units when the new unit that is going to be purchased is put in place. The Fire
18 Department also has hardware and software purchases for a records management
19 system and Mobile Eyes for the inspections department. These combined are \$36,290.

20
21 Ms. Sova said as our buildings and facilities are aging we have begun to see requests for
22 costly maintenance items. We are going forward with a roof for Station 33, air conditioning
23 replacements in two buildings, some wall covering and carpet replacement. The
24 proposed budget includes close to \$200,000 in 2016 for facilities improvements and over
25 \$1 million in the five year capital plan.

26
27 Ms. Sova said for personnel we will continue to award our employees with merit increases
28 based on performance. Individual department budgets allow for up to a 3% increase
29 calculated through the annual evaluation process. Individual merits are calculated on a
30 point scale utilized consistently amongst all departments. In the Building Department we
31 have eliminated one of the Code Compliance Inspector positions. It has been vacant and
32 the decrease in the current workload does not project that we would fill the position. We
33 have contracted assistance should we need it. The City Planner in Community
34 Development is retiring at the first of the fiscal year. The Deputy City Planner will be
35 promoted and due to a reduced workload, the Deputy position will be eliminated.

36
37 Ms. Sova said a new part-time Rec Assistant has been added to Parks & Recreation
38 assigned to the Community Center. This position will be fully funded by offsetting
39 revenues. During 2015 an agreement was approved for the Police Department to assign
40 a full-time officer to the DEO Task Force and the replacement is authorized beginning
41 2016, funded by Federal Forfeitures.

42
43 Ms. Sova said employee benefits begin July 1st each year. With the rising cost of
44 healthcare and the unusually high claims, our costs increased 9.1% for this year. It is still
45 below the area trend of 10.9%. Employee/employer contributions were recalculated with
46 the City absorbing 75% of this cost.

1
2 Ms. Sova said in the Vehicle Replacement Fund, the current vehicle replacements are
3 153 vehicles and large motorized equipment. Seventeen items are scheduled for
4 replacement this year, the largest of which is a new fire truck at \$550,000. The Fiscal
5 Year 2015/2016 proposed budget continues to create opportunities for Lake Mary
6 residents and businesses. It prioritizes government services that will continue to enhance
7 quality of life and economic opportunity for our community stakeholders. This was
8 achieved with a total budget of 6.45% over last year, despite the fire engine and the health
9 insurance increase. Longer term the City will need to remain vigilant in restraining
10 expenditures while simultaneously finding traditional and innovative ways to grow
11 revenue. The budget document is presented in a conservative manner while providing a
12 steadfast commitment to deliver a high level of quality services to our community. Our
13 employees are dedicated to providing sensible, cost effective delivery systems. They are
14 beyond a doubt second to none and I truly appreciate them throughout this budget
15 process and certainly appreciate Ms. Holloway very much.
16

17 Ms. Sova said we scheduled our budget work session for July 23rd and at 5:30 we
18 reviewed the budget. In accordance with Florida Statutes, the action required by the
19 Commission tonight is to establish a proposed millage rate for Fiscal 2015/2015, which I
20 recommend at 3.5895 mills and is the same as the current fiscal year, set the rolled-back
21 rate at 3.4826 mills, and schedule the first public hearing for September 3, 2015, at 7:00
22 P.M. in the Commission Chambers.
23

24 **Motion was made by Commissioner Lucarelli to set the millage rate at 3.5895 mills,**
25 **the rolled-back rate at 3.4826, and schedule the first public hearing for September**
26 **3, 2015, at 7:00 P.M. in the Commission Chambers, seconded by Commissioner**
27 **Brender and motion carried unanimously.**
28

29 10. Other Items for Commission Action
30

31 There were no items to discuss at this time.
32

33 11. City Manager's Report
34

35 a. Surplus of electronic equipment/chairs
36

37 Ms. Sova said the first item is the surplus of electronics and chairs. We have several
38 pieces of electronic equipment that have used up their useful life. The Police Department
39 is getting 15 new office chairs. She requested the Commission declare all these items
40 surplus and allow her to dispose of as appropriate.
41

42 **Motion was made by Commissioner Brender to declare the electronics and chairs**
43 **outlined in the staff report surplus and authorize the City Manager to dispose of,**
44 **seconded by Commissioner Lucarelli and motion carried unanimously.**
45

1 Ms. Sova requested to schedule a work session on August 20th at 5:00 P.M. to rank the
2 consulting engineers who responded to our RFQ.

3
4 **Motion was made by Commissioner Lucarelli to schedule a work session on**
5 **August 20, 2015, 5:00 P.M., to rank the consulting engineers, seconded by**
6 **Commissioner Brender and motion carried unanimously.**

7
8 Ms. Sova said the Parks & Recreation Department will hold a public meeting on Monday,
9 August 3rd, at 5:30 P.M. in the Commission Chambers to discuss the City applying for a
10 grant under the Florida Recreation Development Assistance Program (FRDAP) during
11 the 2016 funding cycle for development of Heritage Park. The applications are due
12 August 14, 2015.

13
14 Ms. Sova said our back to school supply drive is going on through August 10th. Donations
15 needed include backpacks with no wheels, pencils, colored pencils, block and cap
16 erasers, glue sticks, two-pocket folders, three-ring binders. The list is on our website at
17 www.lakemaryfl.com. Supplies can be dropped off at the Police Department, City Hall,
18 and the Senior Center.

19
20 Ms. Sova announced that Tom Tomerlin will be Acting City Manager during her absence.

21
22 Mayor Meador wished Ms. Sova the very best and they all will be with her in thought.

23
24 B. Items for Information

25
26 a. Monthly Department Reports

27
28 12. Mayor and Commissioners' Reports – 1

29
30 Mayor Meador had no report at this time.

31
32 Commissioner Brender said he attended the meeting with the Seminole County
33 Community Alliance for Children. We went over the quarterly reports from the various
34 caregivers. Numbers are always shocking and always rising. This last quarter we had
35 1,358 investigated acts against children in Seminole County. We keep telling ourselves
36 we are actually in good shape relative to places like Orange and some other counties in
37 the state. The community based care and the caregivers out there, the Alliance does a
38 good job of overseeing these different groups to make sure we're not doubling up on
39 something to essentially do what we can to intercept and keep children safe.

40
41 Deputy Mayor Duryea had no report at this time.

42
43 Commissioner Miller had no report at this time.

44
45 Commissioner Lucarelli had no report at this time.

1 13. City Attorney's Report

2

3 Ms. Reischmann had no report at this time.

4

5 14. Adjournment

6

7 There being no further business, the meeting adjourned at 7:42 P.M.

8

9

10

11

12 _____
David J. Meador, Mayor

Mary Campbell, Deputy City Clerk

13

14

15

16 ATTEST:

17

18

19

20

21 _____
Carol A. Foster, City Clerk

DRAFT



MEMORANDUM

DATE: August 6, 2015

TO: Mayor and City Commission

FROM: Gunnar Smith, Recreation and Events Center Manager

THROUGH: Bryan Nipe, Director of Parks and Recreation

VIA: Jackie Sova, City Manager

SUBJECT: Resolution 969 – Authorizing the Submission of the Florida Recreation Development Assistance Program (FRDAP) Grant Application for Heritage Park

The Parks and Recreation Department is applying for the 2015 Florida Recreation Development Assistance Program Grant to help support development of Heritage Park. One of the requirements is that the City either have Heritage Park in its Comprehensive Plan or resolve to fund the project if the grant is awarded. The attached resolution has been drafted to address the requirement.

RECOMMENDATION:

Request Commission adopt Resolution 969 authorizing the submission of the grant application for Heritage Park.

RESOLUTION NO. 969

A RESOLUTION OF THE CITY OF LAKE MARY, FLORIDA, AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR THE FLORIDA RECREATION DEVELOPMENT ASSISTANCE PROGRAM (FRDAP) TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR FEDERAL FISCAL YEAR 2015; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Lake Mary, Florida, desires to submit an application to the Florida Department of Environmental Protection for a Florida Recreation Development Assistance Program (FRDAP) Grant to benefit the local residents; and

WHEREAS, there is a present and growing need for interpretive historical opportunities among persons of all ages within the City of Lake Mary, Florida, corporate limits and among those visiting the area; and

WHEREAS, the City recognizes this need for additional recreational opportunities; and

WHEREAS, meeting the increasing demand for interpretive historical and recreational opportunities can best be met with the development of the City of Lake Mary's Heritage Park.

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

1. That the City of Lake Mary hereby authorizes the filing of an application for a Florida Recreation Development Assistance Program (FRDAP) Grant; and
2. That the Mayor of the City of Lake Mary is hereby authorized to execute all documents required in connection with the filing of said application to be submitted by August 11, 2015.

3. That as part of the application for the Florida Recreation Development Assistance Program (FRDAP) Grant, the Capital Improvements Element of the Comprehensive Plan of the City of Lake Mary, Florida, will be amended to include the development of Heritage Park if the grant is approved.

4. This Resolution shall take effect immediately upon passage and adoption.

Passed and adopted this 6th day of August, 2015.

CITY OF LAKE MARY, FLORIDA

MAYOR, DAVID J. MEALOR

ATTEST:

CITY CLERK, CAROL A. FOSTER



MEMORANDUM

DATE: August 6, 2015

TO: Mayor and City Commission

FROM: Gary Schindler, City Planner

THRU: John Omana, Community Development Director

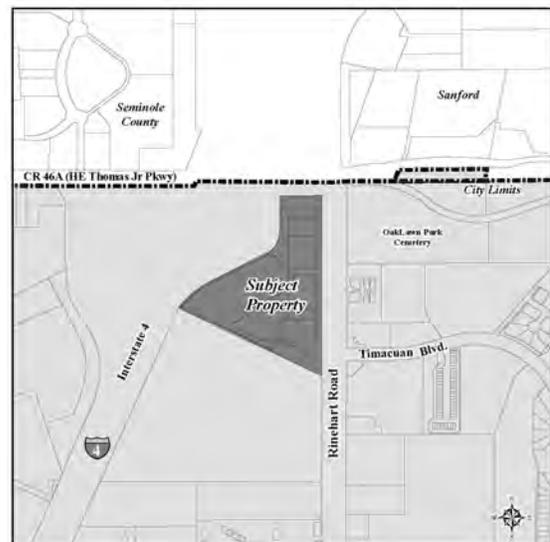
VIA: Jackie Sova, City Manager

SUBJECT: Ordinance No. 1526 - Rezoning from Planned Unit Development (PUD) to PUD (Revision to adopted Rinehart Place Final PUD), related to the proposed development of a Florida Hospital emergency medical facility, 950 Rinehart Road, Kimley-Horn & Associates, Inc./Jonathan Martin, P.E. for Adventist Health System/Sunbelt, Inc., applicant - First Reading (Public Hearing) (quasi-judicial) (John Omana, Community Development Director) (Postponed 5/21/15, 6/4/15)

APPLICANT: Kimley-Horn Associates, Inc. for Adventist Health System/Sunbelt Inc.

REFERENCE: City Code of Ordinances, Comprehensive Plan & Rinehart Place PUD

REQUEST: The applicant requests an amendment to the approved Rinehart Place Planned Unit Development Agreement, which is recorded in O.R. Book 6390, Pages 1746 - 1803, of the Public Records of Seminole County, Florida, through a First Amendment to the Rinehart Place PUD Agreement for Lots 3, 4A and 4B, and 7, to allow Applicant to construct a free standing emergency medical facility. The proposed amendments are as follows:



First Amendment to Master Development Agreement for Rinehart Place PUD

1. Section 2 - A copy of the overall site plan is included as a new Exhibit "G".
2. Section 4 –The length of the PUD Agreement is revised from 10 years to 30 years.
3. Section 5 – Include a new Exhibit "H" that outlines specific policies and protocols regarding the Florida Hospital emergency vehicles, including, without limitation, access routes within the PUD Property.
4. Subsection 13(c)(3)(iv) - Wall signage on the east and south sides of the proposed emergency center shall be allowed, up to 250 sq. ft. for each sign.
5. Subsection 16(j) – A sentence is added to the existing text that reads, "For Lot 4, the free-standing Emergency Department building height shall not exceed forty-five (45) feet; provided that building architectural features may be up to sixty (60) feet in height."
6. Section 30 is revised to show the current list of owners & lenders.
7. Subsection 34, Prohibited Uses – Item (e), Medical and healthcare facilities that utilize the services of emergency vehicles or helicopter operations, except in conjunction with the freestanding Emergency Department as specifically allowed under the permitted use provision of this PUD.
8. Subsection 34, Prohibited Uses – Item (f) – Hospitals and other medical and/or healthcare related facilities with hospital beds.
9. Exhibit D, Permitted C-1 & C-2 Uses - Deletes "Hospitals" as a Permitted Use in subsection (v); and adds two uses : (v) Medical and healthcare related facilities without hospital beds that are related to, affiliated with and/or licensed under an offsite hospital(s); and (x)Free-standing Emergency Department not exceeding 20,000 square feet in size, along with emergency helicopter operations and emergency vehicles used only in conjunction with said free-standing Emergency Department, and with said free-standing Emergency Department, emergency vehicle access and helicopter landing pad at the locations depicted on the overall site plan attached hereto as Exhibit "G".
10. Existing Exhibit (E), Lot Development Information, is deleted and replaced with a new Exhibit (E) that is attached to the First Amendment as Exhibit E-1 and incorporated herein.

DISCUSSION:

Location: The subject property is located at the southwest corner of Rinehart Rd. and County Road 46A, across from the Oaklawn Cemetery.

Description: The Lots in question are part of a 23.58 acre site which is partially developed. Lot 1 is developed as ABC Fine Wine and Spirits. Lot 2 is developed as Centennial Bank. Lots 3 contain an unfinished retail building. Lot 4A contained an unfinished building, but it has recently been demolished. Lot 4B is undeveloped. Lot 5 is developed as a CVS Pharmacy. Lot 6 is undeveloped. Lot 7 contains the foundations and unfinished shells of several office buildings.

History: In March 1994, the City Commission approved a rezoning of the Subject Property from M-1A to C-1 & C-2 for the Timacuan Office Park development. A Development Agreement was also approved.

In 1999, the City Commission approved a site plan for the property to develop two (2) office buildings, a bank, a hotel, and a restaurant. However, the site plan expired.

The applicant was required to submit revised preliminary and final PUD plans. The most significant revision was that a hotel was omitted from the plan and replaced with offices. In February 2003, the City Commission approved the revised Preliminary PUD plan, showing 80,000 square feet of commercial development on Lots 1 – 7 and 180,000 square feet of office on Lot 8.

In July 2003, the City Commission approved the rezoning for the Rinehart Place PUD for the subject property. The approved Developer's Agreement provided for a July 15, 2004 deadline for certain actions to be completed. Because those actions were not completed, the Developer's Agreement expired.

In April 2005, the City Commission reviewed the revised Final PUD for Rinehart Place. The Final PUD proposed up to 80,000 square feet of commercial development on Lots 1 - 7 and up to 180,000 square feet of office for Lot 8. Although Lot 8 was identified as being offices, the Final PUD did not depict how it would be developed.

In April 2005, the City Commission approved a revision to the Final PUD for Rinehart Place showing 3 northbound and 3 southbound lanes on Rinehart Road. Also, 6,171 is the maximum number of vehicle trips that could be generated at full development. This number assumes a total of 65,000 square feet of professional office and a total of 65,000 square feet of medical office on Lot 7.

In June, 2006, the City Commission approved a revision to the Final PUD for Rinehart Place, as follows:

- The number of lots was reduced from 8 to 7 lots.
- The total square footage of office space for Lot 7 was reduced from 180,000 to 130,000.
- The revised Final PUD also showed the proposed internal development of Lot 7.
- Lots 1 - 6 were proposed for commercial development; however, the total square footage was increased from 65,574 to 79,820.
- The overall square footage was increased from 195,574 to 209,820.
- The mix of uses for Lots 1 – 6 changed. The revised PUD showed a 14,820 square foot pharmacy with drive-through windows.
- The PUD shows the third southbound through lane on Rinehart Road, from CR 46A to Timacuan Boulevard.

In 2006, a site construction permit was issued and work commenced. Additionally, building permits were issued for Lots 1, 2, 3, 4, 5 & 7. Buildings were completed on Lots 1, 2 & 5. Lots 3 & 4A have partially completed retail buildings, but the building on Lot 4A was recently demolished. On Lot 7, several foundations and shells for office buildings have been started; however, these buildings remain unfinished. During the economic recession, the development went into receivership and all work ceased.

In 2013, Adventist Health Systems/Sunbelt Inc. purchased Lots 3, 4A, 4B & 7 and approached the City about developing part of it into an emergency center. Adventist Health Systems/Sunbelt Inc. is still working on plans for Lot 7.

On May 21, 2015, the Lake Mary City Commission voted to continue this item to the August 6, 2015 City Commission meeting, at the request of the applicant.

Zoning:

NW I-4	N Sanford (PD)	NE Sanford (PD)
W I-4	SITE PUD	E A-1 & PUD
SW M-1A & I-4	S M-1A	SE PUD & PO

Future Land Use:

NW I-4	N I-4 High Intensity	NE Ind/ Comm
W I-4	SITE COM	E RCOM
SW IND & I-4	S IND	SE COM

Lots 4 & 7

Uses: The proposed development of Lots 4A and 4B includes a free-standing emergency medical facility, a helipad in conjunction with the emergency department on Lot 7 & emergency vehicle access.

Proposed Building: Originally, Lot 4A was to be developed commercially. To this end, a 19,000 square foot building was started; however, it was never finished. The original commercial building on Lot 4A has been demolished and an 18,500 square foot emergency medical facility is proposed. The helipad is proposed to be located to the west of the emergency medical facility, on Lot #7; but it is not included as part of the initial construction of the emergency medical facility. Currently, this location is shown as an office building. Additionally, emergency vehicles entering and leaving Rinehart Place at the signalized intersection near CVS Pharmacy will be routed through Lot 7 to access the emergency facility from the west. The proposed First Amendment includes a new Exhibit "H" to the PUD Agreement entitled "Florida Hospital Emergency Vehicles Policies Lake Mary" that outlines specific policies and protocols regarding Florida Hospital emergency vehicles, including, without limitation, access routes within the PUD. The overall site plan to be attached as a new Exhibit "G" to the PUD Agreement, among other things, depicts (i) the location and size of the canopy at the northeast entrance to the free-standing Emergency Department, (ii) the one-way drive aisle for emergency vehicles at the south entrance to the free-standing Emergency Department, (iii) the emergency vehicle access to and from the signalized intersection at the south end of the PUD Property, and (iv) the location and wording of specific signage that directs emergency vehicles within the PUD Property.

Parking: Lots 4A & 4B currently have a total of 100 required parking spaces, based upon a total of 25,000 SF of floor area and 1 parking space per 250 square feet of building area. As proposed, the total building area for Lots 4A & 4B decreases from 25,000 SF to 18,500 SF, which decreases the number of required parking spaces from 100 to 74 parking spaces.

Transportation Impact: Based upon the following traffic reports, the proposed First Amendment to the Master Development Agreement and the proposed free-standing emergency medical facility does not create additional trips or impacts to the roadways beyond those approved in and contemplated by the PUD Agreement. Florida Hospital engaged J. Anthony Luke, P.E. of Luke Transportation Engineering Consultants to evaluate traffic issues, and on December 4, 2013, Mr. Luke provided his Methodology to the City. In early 2014, the City's traffic consultant, CPH, provided its written review of Mr. Luke's Methodology and concluded that "the proposed development matrix is consistent with the trips allocated for the development within the PUD agreement."

The maximum # of trips that may be generated by all development within the PUD remains at 6,171, based upon the prior approval of commercial development.

Per Section 154.61(D)(2)(d) – The City's Code of Ordinances state that the City Commission shall make the following findings:

1. The Adventist Health System/Sunbelt proposal for an emergency medical facility substantially complies with the purpose of the PUD district and the preliminary development plan.
2. The proposed Adventist Health System/Sunbelt proposal for an emergency medical facility can exist independently and is capable of creating an environment which is sustainable, desirable and stable.
3. The existing and proposed utilities and transportation network are adequate to serve the proposed Adventist Health System/Sunbelt emergency medical facility.
4. On April 28, 2015, the City's Planning and Zoning Board voted unanimously to approve the site plan for the proposed emergency medical facility.

REZONING: A revision to an adopted PUD is a rezoning from PUD to PUD. All rezonings shall be reviewed in light of the provisions of Section 154.27(2) of the City's Code of Ordinances.

Determination of Items and Findings of Fact: § 154.27(2) requires the Planning and Zoning Board to study, review, and provide a written recommendation for all proposed zoning amendments and changes to the City Commission. The four (4) items listed below are to be used to support the written recommendations:

ITEM No. 1:

The need and justification for the change;

FINDINGS OF FACT No. 1:

Need: The applicant proposes to develop an emergency medical facility, which would accommodate a variety of patient needs; however, it is not designed to be a trauma center and is not intended to provide in-patient care.

Justification: Currently, there is not an emergency medical facility within the City. The closest such facilities are located in either Sanford or Longwood. An emergency medical facility within the City would reduce the travel time required for area residents to access medical services.

ITEM No. 2:

The effect of the change, if any, on the particular property and on surrounding properties;

FINDINGS OF FACT No. 2:

- a. Because of the emergency vehicles utilizing Rinehart Road and the proposed emergency medical facility, the proposed revision to the Final PUD would have some potential impacts upon surrounding properties; however, Florida Hospital has addressed them through limited access routes within the PUD property as shown on the overall site plan, and through the FLORIDA HOSPITAL EMERGENCY VEHICLE POLICIES LAKE MARY that are included in the First Amendment to the PUD AGREEMENT. Additionally, there are substantial benefits from having access to an emergency medical facility in the City.
- b. There are two existing architectural features along Rinehart Road. The bank on the northeast corner of Rinehart Road and Timacuan Boulevard has a clock tower and there is an architectural feature in the Sterling Center that has the appearance of a lighthouse. Both the existing clock tower and the lighthouse are located much closer to residential development than the proposed spire on the emergency medical facility. In light of the fact that there are two existing architectural features in the area, it is staff's opinion that the proposed 60' spire will not impact surrounding properties.
- c. The proposed enhanced landscaping that was approved as part of the site plan will minimize any glare from the subject property on surrounding properties.
- d. In light of the fact that the proposed emergency medical facility will generate fewer trips than retail/commercial development, that there are two existing businesses that have architectural features and the proposed enhanced landscaping, it is staff's opinion that the proposed emergency medical facility will not impact the surrounding area.

ITEM No. 3:

The amount of undeveloped land in the general area and in the city having the same classification as that requested;

FINDINGS OF FACT No. 3:

General Area: Because the proposed rezoning would amend an existing PUD, the percentage of land zoned PUD is unchanged.

City Limits: Because the proposed rezoning would amend an existing PUD, the percentage of land zoned PUD is unchanged.

ITEM No. 4:

The relationship of the proposed amendment to the purpose of the city's comprehensive plan, with appropriate consideration as to whether the proposed change will further the purpose of the chapter [Chapter 154 – Zoning Code] and the comprehensive plan.

FINDINGS OF FACT No. 4:

Comprehensive Plan: The Future Land Use designation for the subject property is COM (Commercial). According to Table GOP-1 Future Land Use/Zoning Compatibility Chart of the Comprehensive Policy Plan PUD (Planned Unit Development) zoning category is consistent with the Commercial future land use designation. Property with a future land use designation of Commercial is designated for a variety of medical uses, which could include medical offices, out-patient surgery facilities and emergency medical facilities. Because of the direct access between the surrounding region and Lake Mary by way of Rinehart Road, Lake Mary Boulevard, CR 46A and Interstate 4, the proposed emergency medical facility would serve not only the City but also the adjacent areas of unincorporated Seminole County and the City of Sanford.

Chapter 154- Zoning Code: The requested PUD zoning for the subject property is compatible with adjacent zoning. There are significant areas of COM, RCOM and IND land use around the subject property.

Relationship to City Code: The request is consistent with the Comprehensive Plan and the City Code of Ordinances.

DEVELOPMENT AGREEMENT

The substantive issues contained in the First Amendment to the Development Agreement for Rinehart Place PUD are as follows: 1) revising the list of Permitted Uses to include Free-standing Emergency Department, Emergency Helicopter Operations & Emergency Vehicles for the lots in question; 2) the proposed 60' height of the architectural feature & 3) the 30 year duration of the PUD. The creation of an emergency medical facility within Rinehart Place provides a benefit to residents of the City of Lake Mary, the City of Sanford and adjacent areas of unincorporated Seminole County.

FINDINGS OF FACT No. 5:

Staff finds the proposed revision of the approved Final Development Plan, consisting of the First Amendment to Master Development Agreement for Rinehart Place PUD to be consistent with the Florida Statutes, City of Lake Mary Comprehensive Plan and City of Lake Mary Code of Ordinances with condition that, prior to the issuance of a CO for the emergency medical facility, the applicant must comply with following condition:

1. Prior to the issuance of a CO for the building on Lot 4A Rinehart Place, the developer shall improve the safety and aesthetics of Lot 7. This shall include demolishing and removing the building shells, both those erect and those lying on the ground. The developer shall also remove all construction materials, junk, and debris. The developer shall mow the area on a regular basis. The building slabs may remain; however, there shall not be any construction materials that extend above the plane of the slab.

PLANNING AND ZONING BOARD: At their regular April 28, 2015 meeting the P&Z voted unanimously (4 to 0) to recommend approval to the City Commission with the condition contained in the above FINDING OF FACT No. 5.

In a separate but related matter, the P&Z voted to conditionally approve the site plan for the emergency medical facility. One of the conditions is approval of the PUD rezoning by the City Commission.

ATTACHEMENTS:

- Ordinance/First Amendment
- Location map
- Land use map
- Zoning map
- Aerial photo
- Graphic of the revised canopy detail
- Building Setback Exhibit
- CPH memo regarding traffic impact
- Minutes

ORDINANCE NO. 1526

AN ORDINANCE OF THE CITY OF LAKE MARY, FLORIDA REZONING CERTAIN LANDS WITHIN THE CITY OF LAKE MARY, LOCATED IN THE SOUTHWEST QUADRANT OF THE INTERSECTION OF COUNTY ROAD 46A AND RINEHART ROAD, HEREIN DEFINED FROM THE PRESENT CITY ZONING CLASSIFICATIONS OF PUD, PLANNED UNIT DEVELOPMENT, TO PUD, PLANNED UNIT DEVELOPMENT, PURSUANT TO THE FIRST AMENDMENT TO THE PUD AGREEMENT AND THE TERMS OF THE FLORIDA STATUTES; PROVIDING CONFLICTS, SEVERABILITY AND EFFECTIVE DATE.

WHEREAS, Adventist Health Systems/Sunbelt, Inc., (“Owner”), has petitioned the City of Lake Mary, Florida, to rezone its property described in Attachment “A” located within the City of Lake Mary, Florida, which is currently in a zoning classification of PUD, Planned Unit Development, and which is part of Rinehart Place Planned Unit Development; and

WHEREAS, Adventist Health Systems/Sunbelt, Inc., has petitioned the City to amend the Rinehart Place Planned Unit Development Agreement (Rinehart Pace PUD), which was recorded in O.R. Book 6390, Pages 1746 – 1803, of the Public Records of Seminole County, Florida, through a First Amendment to the Rinehart Place PUD, Attachment “B”, affecting the Owner’s portion of the Planned Unit Development; and

WHEREAS, the Owner plans to operate an emergency medical facility on Owner’s portion of the PUD (the “Project”); and

WHEREAS, the Owner has held a series of community meetings to discuss the proposed Project with the neighboring property owners; and

WHEREAS, the Lake Mary Planning and Zoning Board recommended approval of the First Amendment to the Rinehart Place PUD Agreement at their April 28, 2015 meeting, finding it consistent with the City’s Comprehensive Plan, after hearing

testimony from Staff, citizens, representatives from various homeowners associations, and neighboring property owners; and

WHEREAS, Owner has requested continuances of two noticed City Commission meetings to consider the PUD amendment in order to allow for more dialogue with neighboring property owners, and has significantly revised the First Amendment since the draft was first presented to the City, consistent with input received; and

WHEREAS, Notice of the City Commission meeting to consider the First Amendment was provided on Saturday, July 18, 2015, and Saturday, August 1, 2015; and was also properly mailed to surrounding property owners including all owners in the PUD, before the first public hearing by the City Commission; and

WHEREAS, the City's PUD Agreement amendment process is consistent with the Attorney General's Opinion 2012032, which provides that the City's zoning power is circumscribed by the grant of power from the Legislature to local governments contained in Chapter 166, Florida Statutes, prohibiting a city from delegating its zoning power to private parties, even other owners within a PUD; and

WHEREAS, the City Commission of the City of Lake Mary, Florida, held two duly noticed public hearings on the proposed zoning change set forth herein and considered findings and advice of staff, citizens, and all interested parties submitting written and oral comments and supporting data and analysis, and after complete deliberation, hereby finds the requested change consistent with the City of Lake Mary Comprehensive Plan and that sufficient competent and substantial evidence supports the zoning change set forth herein; and

WHEREAS, the City Commission of the City of Lake Mary, Florida deems the rezoning and First Amendment to the PUD Agreement to be in the public interest of the

citizens of Lake Mary, Florida, and that it promotes the health and general welfare of the citizens of Lake Mary, Florida; and

WHEREAS, the City finds that said requested zoning classification and PUD Amendment are in conformity with present zoning classifications of other properties in the immediate area.

IT IS HEREBY ENACTED BY THE CITY OF LAKE MARY AS FOLLOWS:

Section 1. That the City Commission in order to promote the health and general welfare of the citizens of Lake Mary, Florida, and to establish the highest and best use of real property within the City of Lake Mary, Florida, hereby rezones the following described property from its present PUD, Planned Unit Development, zoning districts to the PUD, Planned Unit Development, zoning district:

See Attachment “A”

Section 2. This rezoning action is subject to the conditions provided for and agreed to in the PUD Agreement and the First Amendment to the PUD Agreement attached hereto as Attachment “B” and incorporated therein.

Section 3. That after the passage of this Ordinance, the Community Development Director is directed to officially change the zoning map of the City of Lake Mary indicating thereon the Ordinance number and date of that final passage to include the subject property within the above-described designated zoning district.

Section 4. All ordinances or resolutions or parts of ordinances or resolutions in conflict herewith are hereby repealed to the extent of any conflict.

Section 5. If any section, sentence, phrase, word or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence,

phrase, word, or portion of this Ordinance not otherwise determined to be invalid, unlawful, or unconstitutional.

Section 6. This Ordinance shall become effective immediately upon its passage and adoption.

FIRST READING: August 6, 2015

SECOND READING: August 20, 2015

PASSED AND ADOPTED this 20th day of August, 2015.

ATTEST:

CITY OF LAKE MARY, FLORIDA

CAROL A. FOSTER, CITY CLERK

DAVID J. MEALOR, MAYOR

FOR THE USE AND RELIANCE OF THE
CITY OF LAKE MARY ONLY.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

CATHERINE REISCHMANN, CITY ATTORNEY

ATTACHMENT "A"

LOTS 3, 4A, 4B, and 7, RINEHART PLACE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 75, PAGES 1 THROUGH 8, INCLUSIVE, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

Tax Identification Numbers:

06-20-30-520-0000-0030

06-20-30-520-0000-04A0

06-20-30-520-0000-04B0

06-20-30-520-0000-0070

ATTACHMENT "B"

Prepared by:
Gary Schindler
Planning Dept.
City of Lake Mary
P.O. Box 958445
Lake Mary, FL 32795-8445
Return to:
City Clerk
City of Lake Mary
P.O. Box 958445
Lake Mary, FL 32795-8445

**FIRST AMENDMENT TO
MASTER DEVELOPMENT AGREEMENT FOR
RINEHART PLACE PLANNED UNIT DEVELOPMENT (PUD)
FOR CERTAIN SPECIFIC PROPERTY**

This First Amendment to Master Development Agreement for Rinehart Place Planned Unit Development (PUD) For Certain Specific Property ("**First Amendment**") is made as of the ____ day of _____, 2015 (the "**Effective Date**") by and between **ADVENTIST HEALTH SYSTEM/SUNBELT, INC.**, a Florida not-for-profit corporation, doing business as Florida Hospital ("**Florida Hospital**"), of 550 E. Rollins Street, 6th Floor, Orlando, FL 32804, and the **CITY OF LAKE MARY, FLORIDA**, a Florida municipal corporation (the "**City**"), of P.O. Box 958445, Lake Mary, FL 32795-8445. Florida Hospital and the City may be referred to in this First Amendment individually as a "**Party**", or collectively as the "**Parties.**"

Background Facts:

A. Florida Hospital is the owner in fee simple of certain real property within the Rinehart Place Planned Unit Development (the "**PUD**") as more particularly described in **Exhibit "A-1"** attached hereto and incorporated herein by this reference (the "**Property**"), to which this First Amendment applies.

B. Florida Hospital's predecessor in title to the Property, Regions Bank, and the City entered into that certain Master Development Agreement for Rinehart Place Planned Unit Development (PUD) having an effective date of August 29, 2006 (the "**Agreement**"). The fully executed Agreement is attached as Exhibit "B" to the City's Ordinance No. 1204 and recorded August 31, 2006 in Official Records Book 6390, pages 1746-1803, Public Records of Seminole County, Florida. The Property is a part of the real property described in Exhibit "A" attached to the Agreement.

C. The Parties now desire to amend the Agreement as more particularly set forth in this First Amendment as to the Property.

Agreement:

NOW, THEREFORE, for and in consideration of the mutual covenants and promises made in this First Amendment, and for other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

1. The Recitals set forth above are true and correct and are incorporated herein by this reference.

2. Capitalized terms used but not defined in this First Amendment will have the definitions set forth in the Agreement.

3. Section 2 of the Agreement is hereby modified by adding a final sentence as follows and by adding a new Exhibit "G" to the Agreement, which is attached hereto as Exhibit "B-1" and incorporated herein by this reference:

2. DEVELOPMENT PLAN.

Development of the PUD Property shall be controlled by the terms of this Agreement, and, to the extent not in conflict with this Agreement, the City's Land Development Code, including any Planned Unit Development (PUD) regulations contained therein. In the event of a conflict between this Agreement and the City's Land Development Code, this Agreement shall govern. This Agreement supersedes and replaces the Prior PUD Agreement in its entirety. The Developer has designated the PUD Property as "Rinehart Place" subject to the acquisition of the PUD Property by the Developer.

The PUD Property shall generally be developed as depicted on the final Rinehart Place PUD (collectively known as the "Final PUD"), which shows population densities, building intensities and height. The parties acknowledge that compliance with the City Land Development Code may necessitate modifications of the Final PUD. Such modifications and any minor modifications to the Final PUD, which are not in conflict with either the textual provisions of this Agreement or any City ordinance not in conflict with this Agreement, shall be deemed minor and may be approved without formal amendment of this Agreement. Such modifications shall require the City's written approval. If the Developer is not satisfied with resolution of any problem or decision by the City regarding such modification, the Developer may appeal the decision to the Planning Commission; appeals from the decisions of the Planning Commission may be made to the City Commission. A copy of the overall site plan is attached hereto as Exhibit "G". The overall site plan, among other things, depicts (i) the location and size of the canopy at the northeast entrance to the free-standing Emergency Department, (ii) the one-way drive aisle for emergency vehicles at the south entrance to the free-standing Emergency Department, (iii) the emergency vehicle access to and from the signalized intersection at the south end of the PUD Property, and (iv) the location and wording of specific signage that directs emergency vehicles within the PUD Property.

4. Section 4 of the Agreement is hereby deleted and replaced with the following:

The duration of this Agreement shall be for a term of thirty (30) years from the date the City Commission of the City executes the First Amendment to the Rinehart Place Planned Unit Development (PUD).

5. Section 5 of the Agreement is hereby modified by adding a final sentence as follows and by adding a new Exhibit "H" to the Agreement, which is attached hereto as Exhibit "C-1" and incorporated herein by this reference:

Permitted Uses allowed on the PUD Property shall be determined by individual lot. Revisions to the development standards and requirements herein will require amendment

attached to this First Amendment as Exhibit “C-1” and incorporated herein by this reference (other than the underlined language shown below, Section 5 of the Agreement remains unmodified):

Permitted Uses allowed on the PUD Property shall be determined by individual lot. Revisions to the development standards and requirements herein will require amendment to the PUD, except as provided in Section 2. Permitted Uses allowed on the PUD Property shall include: (a) those C-1 and C-2 (“Commercial”) uses listed in Exhibit “D”, which is attached and incorporated herein, and (b) any additional uses listed on the final PUD. The initial use and maximum square footage of building space for the initial use on a lot (“Initial Use”) shall be specified in the final PUD. In connection with the free-standing Emergency Department and the emergency vehicles in conjunction therewith, attached hereto and incorporated herein as Exhibit “H” are the Florida Hospital Emergency Vehicle Policies Lake Mary, which outline specific policies and protocols regarding the Florida Hospital emergency vehicles, including, without limitation, emergency vehicle access routes within the PUD Property.

6. Subsection 13(c)(1) of the Agreement is hereby modified by adding the language shown underlined below, as follows (other than the underlined language shown below, subsection 13(c)(1) of the Agreement remains unmodified):

Monument sign location: The PUD shall be allowed five (5) monument signs along Rinehart Road, including the shopping center monument sign referenced in Section 13(e) below. The signs shall be located within the signage easement area as depicted in the Final PUD. The site plan attached to this First Amendment as Exhibit “B-1” and to the Agreement as Exhibit “G” depicts (i) the currently existing monument sign in front of Lot 2 along Rinehart Road that is for the use and benefit of the owner of Lot 2, and currently contains signage for the “Centennial Bank”, provided that the owner of Lot 2 shall have the right to modify the design and construction of such sign, subject to the provisions and requirements set forth in the City’s Development Code and the Final PUD, and (ii) that the northern sign easement area in front of Lot 3 along Rinehart Road has been moved and relocated to the north to be in front of Lot 1 along Rinehart Road for the use and benefit of the owner of Lot 1, who has applied for a permit from the City for a sign for the current occupant of Lot 1, “ABC Fine Wine & Spirits”, provided that the owner of Lot 1 shall have the right to modify the design and construction of such sign after it is constructed, subject to the provisions and requirements set forth in the City’s Development Code and the Final PUD. With the exception of the shopping center monument sign referenced in Section 13(e) below, the maximum size of a monument sign shall be determined by two square feet of sign area for each front foot of building up to 116 square feet of additional sign area. The Developer shall have the authority to allocate the use of the monument signage among the Lot Owners.

7. Subsection 13(c)(3)(iv) of the Agreement is hereby modified by adding a final sentence at the end that is shown underlined below, as follows (other than the underlined language shown below, subsection 13(c)(3)(iv) of the Agreement remains unmodified):

Wall Signs. Buildings abutting Interstate 4 may have an additional fifty square feet of wall sign area to be utilized on the façade facing Interstate 4, subject to (a) above. Individual wall signs shall not exceed 200 square feet if facing Interstate 4. For all other building facades individual wall signs shall not exceed the maximum wall sign area as prescribed in Table 1 per the applicable zoning district. Specific to Lot 4 and in conjunction with the free-standing Emergency Department building, wall signs mounted on the exterior of the building shall face the south and east, and are not to exceed 250 square feet in total area.

8. Subsection 16(j) of the Agreement is hereby modified by adding a final sentence at the end that is shown underlined below, as follows (other than the underlined language shown below, subsection 16(j) of the Agreement remains unmodified):

Lot Building Heights. Commercial building heights shall not exceed forty-five feet. See Section 14(b) for lot building heights for Lot 7. For Lot 4, the free-standing Emergency Department building height shall not exceed forty-five (45) feet; provided, that building architectural features may be up to sixty (60) feet in height.

9. In Section 30 of the Agreement, the notice information for the "Owner" and the "Owner/Developer" is hereby deleted and replaced with the following:

To Owner:
(as to Lots 3, 4A, 4B and 7) Adventist Health System/Sunbelt, Inc.,
a Florida not-for-profit corporation
Attn: Legal Department
550 E. Rollins Street, 6th Floor
Orlando, FL 32804

With a copy to: Gray Robinson, P.A.
Attn: Borron J. Owen, Jr., Esq.
301 E. Pine Street, Suite 1400
Orlando, FL 32801
Telephone: (407) 244-5657
Facsimile: (407) 244-5690
E-Mail: borron.owen@gray-robinson.com

To Owner:
(as to Lot 1) B-1 Property Management, LLLP
a Florida limited liability limited partnership
6424 Pine Castle Blvd., Suite A
Orlando, FL 32809

With a copy to: Fishback Dominick
Attn: John F. Bennett, Esq.
1947 Lee Road
Winter Park, FL 32789
Telephone: (407) 262-8400
Facsimile: (407) 425-2863

To Owner:
(as to Lot 2) Centennial Bank,
an Arkansas banking corporation
620 Chestnut Street
Conway, AK 72032

To Owner:
(as to Lot 5) SCP 2009-C34-009 LLC,
a Delaware limited liability company
6200 NW 167th Street, Building B
Miami Lakes, FL 33014

With a copy to Lender:
(as to Lot 5)

Wells Fargo Bank Northwest, National Association,
as Trustee
Attn: Corporate Trust Services/Val T. Orton
299 South Main Street, 12th Floor
MAC: U1228-120
Salt Lake City, UT 84111
Facsimile: (801) 246-5053

To Owner:
(as to Lot 6)

American Momentum Bank
a Florida banking corporation
One Urban Centre
4830 West Kennedy Blvd., Suite 200
Tampa, FL 33609

10. Subsection 34(e) is hereby modified by adding the underlined language set forth below, as follows (other than the underlined language shown below, subsection 34(e) of the Agreement remains unmodified):

Medical and healthcare facilities that utilize the services of emergency vehicles or helicopter operations, except in conjunction with the free-standing Emergency Department as specifically allowed under the permitted use provisions of this PUD.

11. A new subsection 34(f) is hereby added to the Agreement, as follows:

Hospitals and other medical and/or healthcare related facilities with hospital beds.

12. Exhibit "D" to the Agreement is hereby deleted and replaced with the new Exhibit "D" that is attached to this First Amendment as Exhibit "D-1" and incorporated herein by this reference, which only applies to the Property referenced herein, and the common areas and easement areas.

13. Exhibit "E" to the Agreement is hereby deleted and replaced with the new Exhibit "E" that is attached to this First Amendment as Exhibit "E-1" and incorporated herein by this reference.

14. Except as modified by this First Amendment, the Parties ratify the terms of the Agreement. This First Amendment may be executed in any number of counterparts, each of which shall be deemed to be an original and all of which shall together constitute one and the same instrument. This First Amendment, signed and transmitted by facsimile or electronic mail, shall be deemed to be and shall be treated as an original document for all purposes, and shall be considered to have the same binding legal effect as an original signature on an original document. This First Amendment shall take effect as of the Effective Date.

IN WITNESS WHEREOF, the Parties have caused this First Amendment to be executed as of the day and year first written above.

[SIGNATURES ON FOLLOWING PAGES]

Signed, sealed and delivered
in the presence of:

**ADVENTIST HEALTH SYSTEM/ SUNBELT,
INC.,** a Florida not-for-profit corporation

Print Name: _____

By: _____
Name: Lars D. Houmann, Vice President

[CORPORATE SEAL]

Print Name: _____

STATE OF FLORIDA
COUNTY OF ORANGE

On this _____ day of _____, 2015, before me, the undersigned authority, personally appeared **LARS D. HOUMANN**, as Vice President of **ADVENTIST HEALTH SYSTEM/SUNBELT, INC.**, a Florida not-for-profit corporation, who acknowledged before me that he executed the foregoing instrument on behalf of the corporation and that he was authorized to do so.

AFFIX NOTARY STAMP

Signature of Notary Public

(Print Notary Name)

My Commission Expires: _____

Commission No.: _____

Personally known, or

Produced Identification

Type of Identification Produced: _____

Signed, sealed and delivered
in the presence of:

CITY OF LAKE MARY, a Florida municipal
corporation

Print Name: _____

By: _____

Name: _____

Title: _____

Print Name: _____

STATE OF FLORIDA
COUNTY OF SEMINOLE

On this ____ day of _____, 2015, before me, the undersigned authority, personally
appeared _____, as _____ of the **CITY OF
LAKE MARY, FLORIDA**, a Florida municipal corporation, who acknowledged before me that he/she
executed the foregoing instrument on behalf of the City of Lake Mary, Florida and that he/she was
authorized to do so.

Signature of Notary Public

(Print Notary Name)

My Commission Expires: _____

Commission No.: _____

Personally known, or

Produced Identification

Type of Identification Produced: _____

AFFIX NOTARY STAMP

EXHIBIT "A-1"

LOTS 3, 4A, 4B AND 7, RINEHART PLACE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 75, PAGES 1 THROUGH 8, INCLUSIVE, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

Tax Identification Numbers:

06-20-30-520-0000-0030

06-20-30-520-0000-04A0

06-20-30-520-0000-04B0

06-20-30-520-0000-0070

EXHIBIT B-1 & EXHIBIT G

EXHIBIT "C-1"

EXHIBIT "H"

FLORIDA HOSPITAL EMERGENCY VEHICLE POLICIES
LAKE MARY

All emergency vehicles owned by Florida Hospital and those subject to service contracts with Florida Hospital that access and/or depart from the Emergency Department shall adhere to the following policies:

1. Sirens may only be used for emergency transport of patients with emergent medical conditions (life threatening and/or time-sensitive pathology) as dictated and/or ordered by the sending and/or receiving physicians.
2. Emergency vehicles shall enter and exit Rinehart Place (the "Center") off of Rinehart Road at either (a) the middle entrance nearest the Emergency Department, or (b) the signalized intersection south of the Emergency Department near the CVS Pharmacy, subject to the driver's professional discretion and imperative to get the patient to medical care as quickly as possible.
3. Emergency vehicles entering the Center at the middle entrance nearest the Emergency Department shall proceed westerly along the drive aisle north of the Emergency Department, turn left (south) onto the drive aisle behind (west of) the Emergency Department, and then turn left (east) into the one-way covered driveway south of the Emergency Department at the emergency vehicle entrance to the Emergency Department, subject to the driver's professional discretion and imperative to get the patient to medical care as quickly as possible.
4. Emergency vehicles exiting the Center at the middle entrance nearest the Emergency Department shall either (a) reverse the course outlined in #3 above, or (b) proceed easterly out of the one-way covered driveway on the south end of the Emergency Department, turn left (north) in front of the Emergency Department, and then turn right (east) onto the middle drive aisle leading to Rinehart Road, subject to the driver's professional discretion and imperative to get the patient to medical care as quickly as possible.
5. Emergency vehicles entering the Center at the signalized intersection shall proceed along the following access routes to the Emergency Department, in order of preference and priority, subject to the driver's professional discretion and imperative to get the patient to medical care as quickly as possible: (a) First priority is the drive aisle south of the CVS Pharmacy, proceeding westerly south of the existing retention pond, and then northerly and easterly around the existing retention pond onto Lot 7 to the middle drive aisle in the Center, proceed easterly along the middle drive aisle, then turn right (south) onto the drive aisle behind the Emergency Department, and then turn left (east) into the one-way covered driveway south of the Emergency Department at the emergency vehicle entrance to the Emergency Department, and (b) Second priority is the outside (easterly) north-south drive aisle closest to Rinehart Road, proceeding to the middle drive aisle running north of the Emergency Department, turn left (west) onto the middle drive aisle, then turn left (south) onto the drive aisle behind the Emergency Department, and then turn left (east) into the one-way covered driveway south of the Emergency Department at the emergency vehicle entrance to the Emergency Department.
6. Emergency vehicles exiting the Center at the signalized intersection shall proceed along the following access routes from the Emergency Department, in order of preference and priority, subject to the driver's professional discretion and imperative to get the patient to medical care as quickly as possible, and subject to the rights of the owner of the CVS Pharmacy and the underlying real property: (a) First priority

is the one-way southbound drive aisle behind the CVS Pharmacy, and (b) Second priority is the reverse course of the route outlined in #5.a above.

7. Emergency vehicles shall not use sirens or horns while approaching or leaving the Center, except for emergency transport of patients with emergent medical conditions (life threatening and/or time-sensitive pathology) as dictated and/or ordered by the sending and/or receiving physicians.

8. Emergency vehicles shall not use sirens or horns for hospital-to-hospital transport of patients, except for emergency transport of patients with emergent medical conditions (life threatening and/or time-sensitive pathology) as dictated and/or ordered by the sending and/or receiving physicians.

9. Paramedics and EMT's shall be advised and made aware of the residential neighborhoods near the Emergency Department and Florida Hospital's continuing efforts to minimize the use of emergency vehicle sirens and horns, except for emergency transport of patients with emergent medical conditions (life threatening and/or time-sensitive pathology) as dictated and/or ordered by the sending and/or receiving physicians.

10. In the event of any conflict between the foregoing policies and protocols and applicable state law and/or regulations, the applicable state law and/or regulations shall control.

EXHIBIT "D-1"

EXHIBIT "D"

(PERMITTED C-1 and C-2 USES)

Permitted uses:

- (a) Any use permitted in the PO District.
- (b) General and medical office uses.
- (c) Retail sales establishments, such as bakeries, hardware stores, florists, gift shops, department stores, drug stores, and other similar businesses except for outdoor sales and flea markets.
- (d) Child care centers.
- (e) Dry cleaners with no on-site processing.
- (f) Personal service establishments.
- (g) Banks and financial institutions with drive-in facilities.
- (h) Adult congregate living facilities.
- (i) Nursing homes.
- (j) Community services and facilities.
- (k) Post offices.
- (l) Health clubs.
- (m) Pharmacies with drive-in business.
- (n) Drive-through businesses.
- (o) Film developing.
- (p) Shopping centers.
- (q) Convenience stores
- (r) Package stores or liquor stores (liquor stores, however, shall not be permitted to have cocktail lounges).
- (s) Hotels or motels.
- (t) Catalog showrooms.
- (u) Community services and facilities.

- (v) Medical and/or healthcare related facilities without hospital beds that are related to, affiliated with and/or licensed under an offsite hospital(s).
- (w) Restaurants/bars with on-site alcohol consumption sales that are less than or equal to fifty (50%) of total gross sales.
- (x) Free-standing Emergency Department not exceeding 20,000 square feet in size, along with emergency helicopter operations and emergency vehicles used only in conjunction with said free-standing Emergency Department, and with said free-standing Emergency Department, emergency vehicle access and helicopter landing pad at the locations depicted on the site plan attached hereto as Exhibit "G".

EXHIBIT "E-1"

EXHIBIT "E"

LOT DEVELOPMENT INFORMATION FOR THIS PHASE									
	LOT 1	LOT 2	LOT 3	LOT 4	LOT 5	LOT 6	LOT 7	TRACT A	
AREA IN ACRES	1.07	0.87	1.69	2.28	1.44	0.83	3.54	1.79	
AREA IN SQUARE FEET	46,430	36,409	73,828	99,213	62,561	36,247	326,350	51,746	
PERMITTED USES**	1	1	1	1	1	1	2		
ZONING	PUD	PUD	PUD	PUD	PUD	PUD	PUD	PUD	
BUILDING SQUARE FOOTAGE	0.000	7,500	19,000	18,500	14,820	3,500	150,000		
REQUIRED PARKING SPACES	40	30	76	88	60	14	520		
FRONT BUILDING SETBACK	30 FT	30 FT	90 FT	65 FT	90 FT	20 FT	0		
SIDE BUILDING SETBACKS N/S	0 FT	10 FT/10 FT/0 FT	0 FT	10 FT/10 FT/10 FT	10 FT/10 FT	0 FT/10 FT	0		
REAR BUILDING SETBACK	15 FT	15 FT	15 FT	15 FT	15 FT	15 FT	0		
FRONT LANDSCAPE BUFFER***	0 FT	0 FT	0 FT	0 FT	0 FT	0 FT	0		
SIDE LANDSCAPE BUFFER***	0 FT/0 FT	0 FT/0 FT	0 FT/0 FT	0 FT/0 FT	0 FT/0 FT	0 FT/0 FT	0		
REAR LANDSCAPE BUFFER***	0 FT	0 FT	0 FT	0 FT	0 FT	0 FT	0		
MAXIMUM BUILDING HEIGHT	45 FT	45 FT	45 FT	45 FT	45 FT	45 FT	56 FT/75 FT*		
PROPOSED IMPERVIOUS AREA	0.88 AC	0.82 AC	1.53 AC	1.98 AC	1.33 AC	0.88 AC	6.34 AC	0.42 AC	

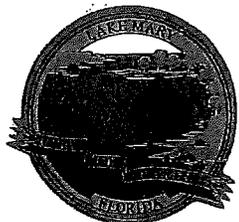
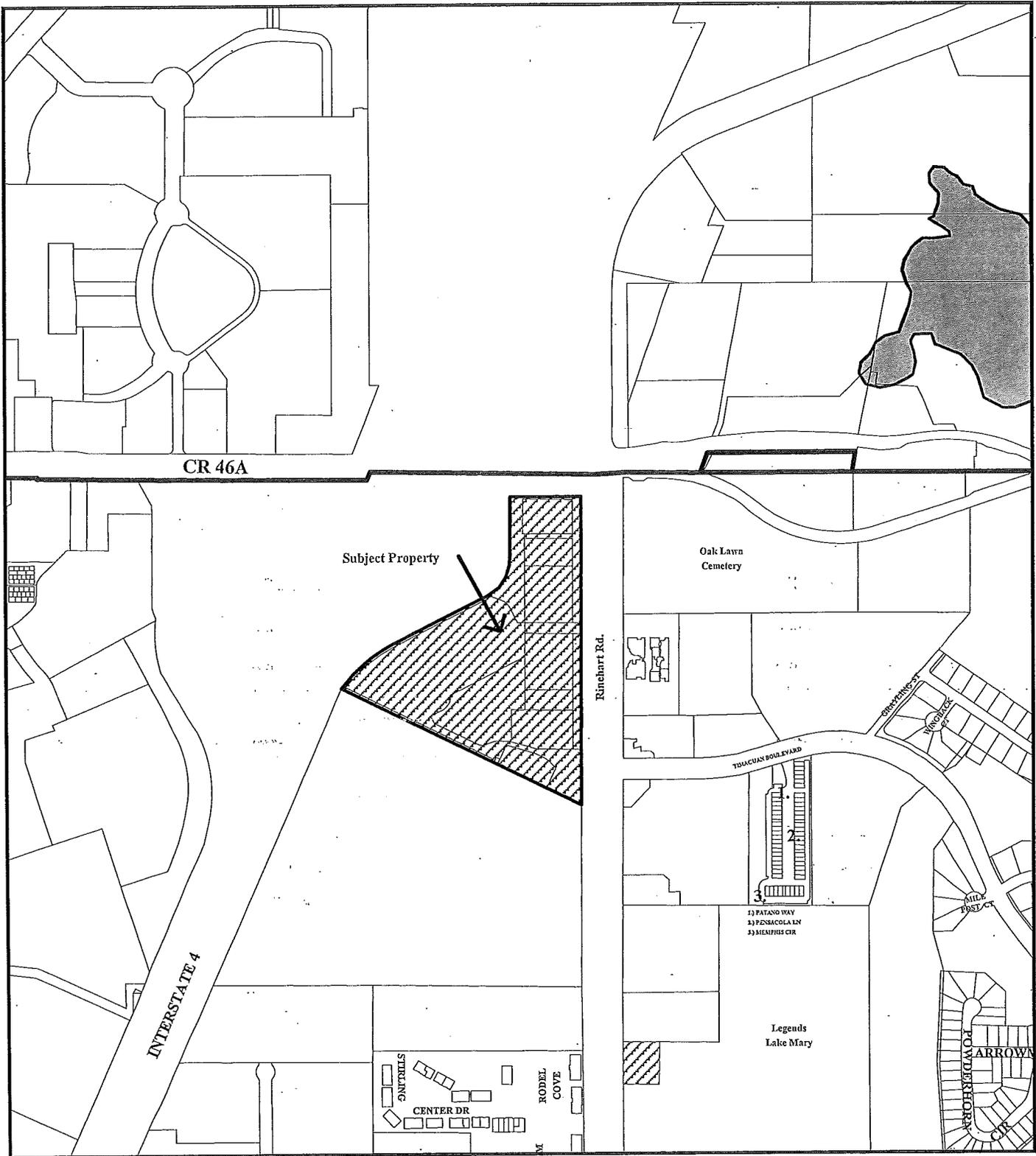
1.98

LOT DEVELOPMENT INFORMATION FOR THIS PHASE									
	TRACT B	TRACT C	TRACT D	TRACT E	TRACT F	TRACT G	TRACT H	TRACT I	TOTAL
AREA IN ACRES	0.62	2.91	0.62	0.38	0.82	1.37	0.01	23.58	
AREA IN SQUARE FEET	27,129	126,686	26,940	16,349	35,621	60,816	600	1,026,945	
PERMITTED USES**	1	1	1	1	1	1	1	1	
ZONING	PUD								
BUILDING SQUARE FOOTAGE	--	--	--	--	--	--	--	--	
REQUIRED PARKING SPACES	--	--	--	--	--	--	--	--	
FRONT BUILDING SETBACK	--	--	--	--	--	--	--	--	
SIDE BUILDING SETBACKS N/S	--	--	--	--	--	--	--	--	
REAR BUILDING SETBACK	--	--	--	--	--	--	--	--	
FRONT LANDSCAPE BUFFER***	--	--	--	--	--	--	--	--	
REAR LANDSCAPE BUFFER***	--	--	--	--	--	--	--	--	
MAXIMUM BUILDING HEIGHT	--	--	--	--	--	--	--	--	
PROPOSED IMPERVIOUS AREA	0.01 AC	0.24 AC	0.00 AC	0.01 AC	0.18 AC	0.02 AC	0.01 AC	14.56 AC	

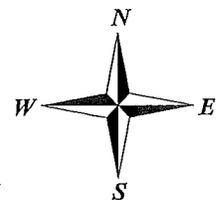
* OFFICE BUILDING HEIGHTS SHALL NOT EXCEED 55 FT WITH THE EXCEPTION OF ONE STRUCTURE, FRONTING TRACTS A, B, C, D, E, F, G, AND H PROVIDED SITES ARE 4, WHICH SHALL NOT EXCEED 75 FT. LANDSCAPE BUFFERS, UTILITY EASEMENTS, DRAINAGE EASEMENTS AND CROSS ACCESS EASEMENTS IN THEIR ENTIRETY.

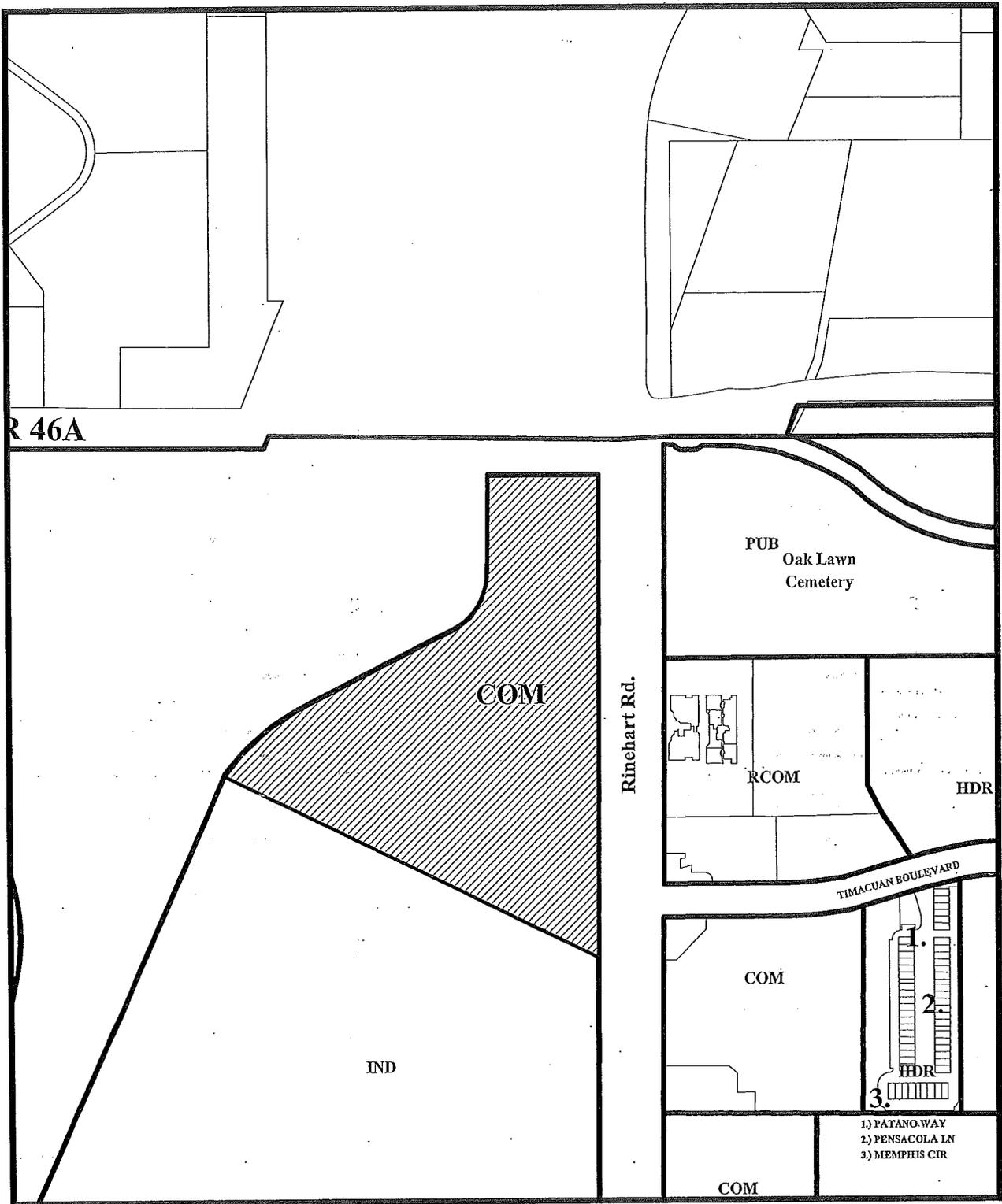
** PERMITTED USES:
 1 - COMMERCIAL
 2 - OFFICE

AS TO THE PROPERTY (LOT 4), COMMERCIAL BUILDING HEIGHTS SHALL NOT EXCEED 45 FT; PROVIDED THAT BUILDING ARCHITECTURAL FEATURES MAY BE UP TO 60 FT IN HEIGHT.



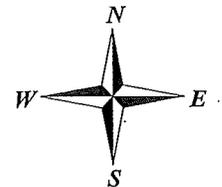
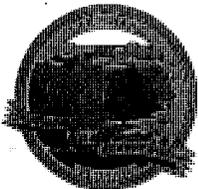
Location Map Rinehart Place

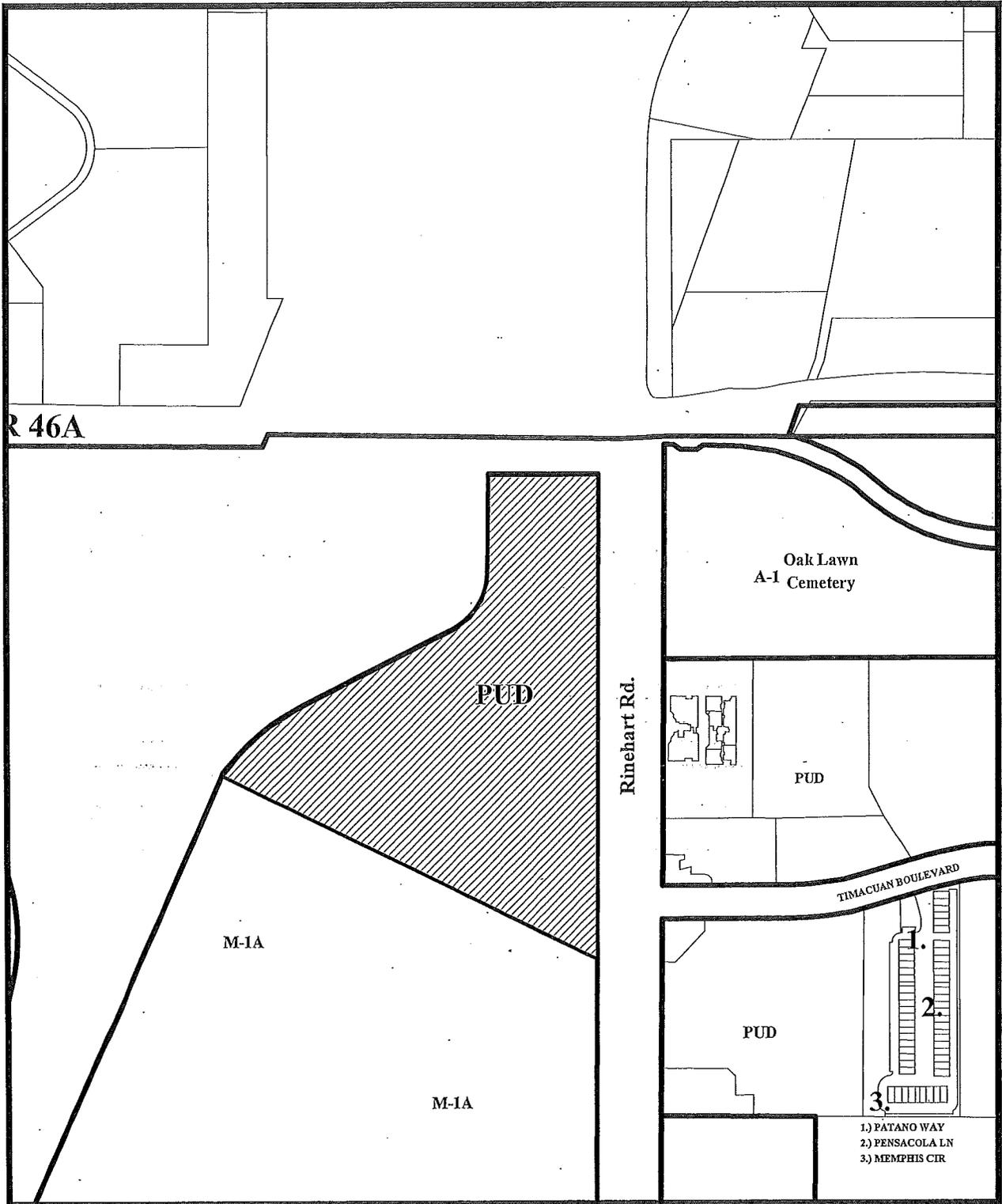




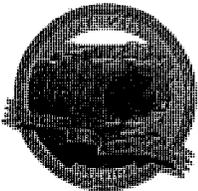
Future Land Use Map

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

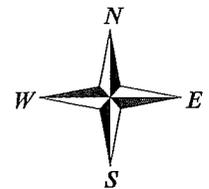




Zoning Map



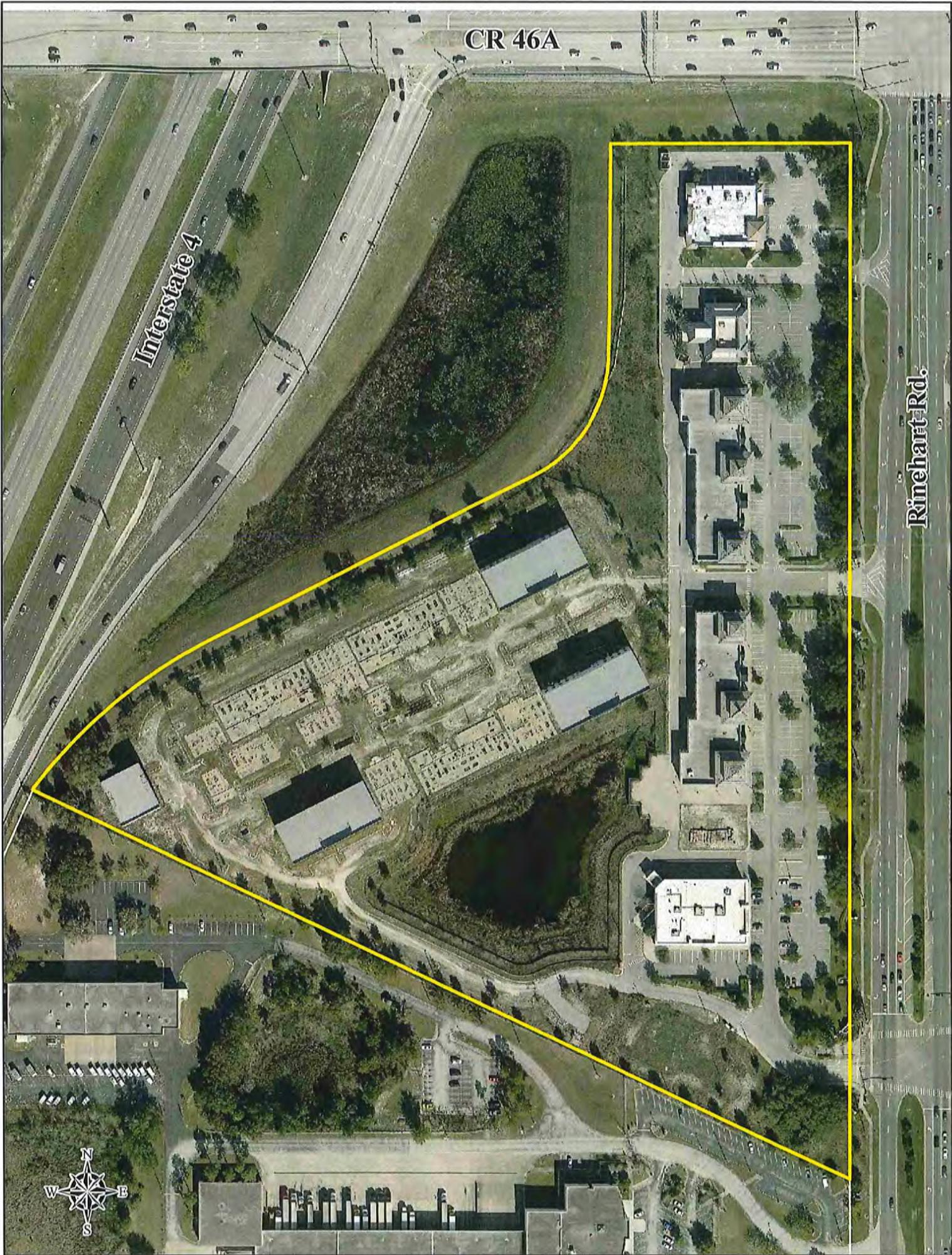
A-1 Agriculture	R-1AAA Single Family	PUD Planned Unit Development	M-1A Light Industrial
RCE Rural Country Estate	R-M Residential	PO Professional Office	M-2A Industrial
R-1A Single Family	R-2 One & Two Family	C-1 General Commercial	DC Downtown Center
R-1AA Single Family	R-3 Multiple Family	C-2 Commercial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

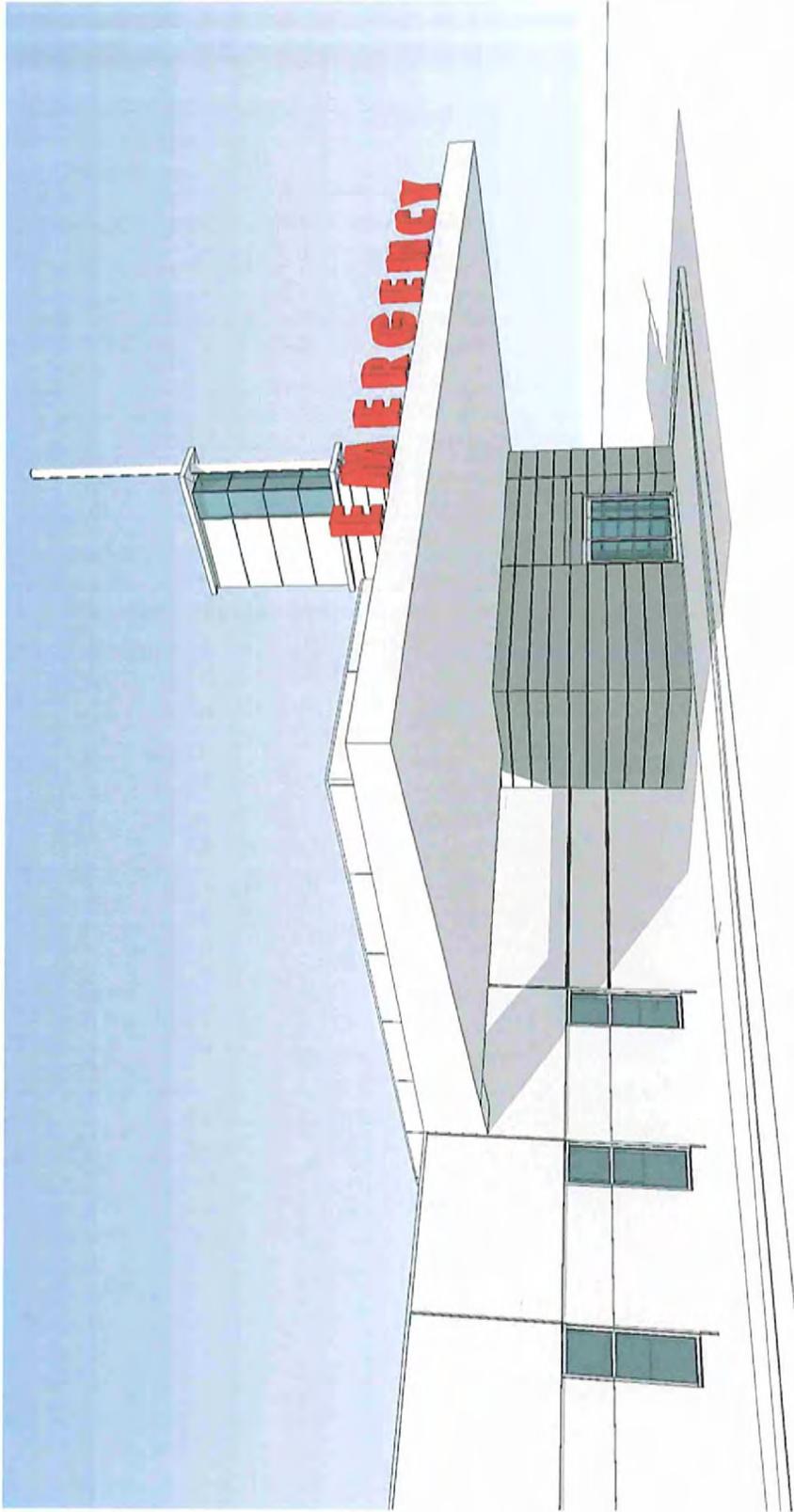


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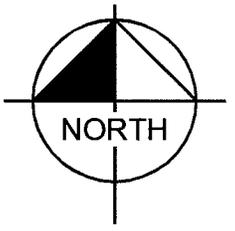
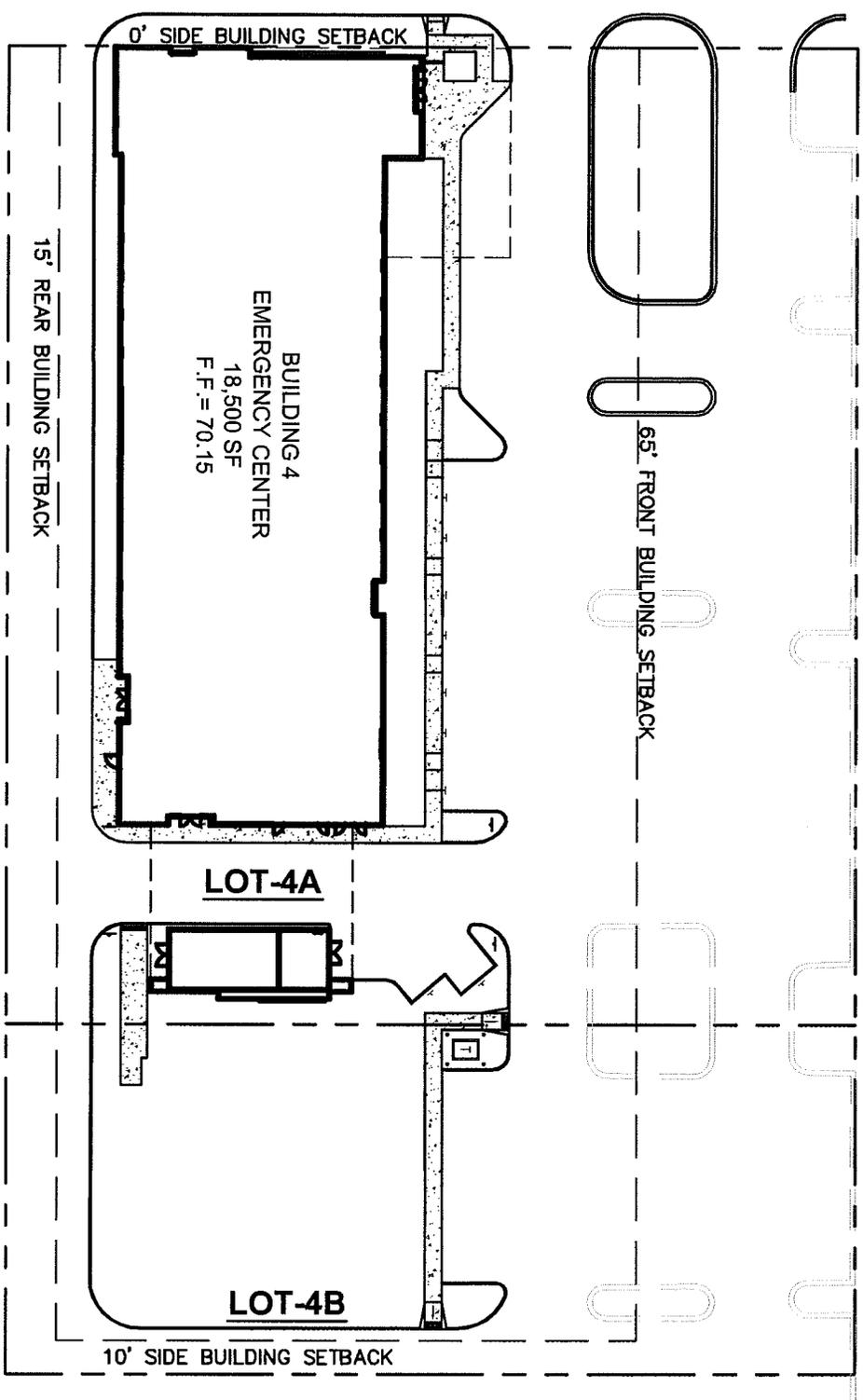
Interstate 4

Rinehart Rd.





BUILDING SETBACK EXHIBIT



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1 VIII. New Business

- 2
- 3 A. 2015-RZ-01: Recommendation to the City Commission regarding a proposed
- 4 revision to the adopted Rinehart Place Final Planned Unit Development (PUD),
- 5 from PUD to PUD, related to the proposed development of a Florida Hospital
- 6 emergency medical facility, 950 Rinehart Road, Lake Mary, Florida; Applicant:
- 7 Kimley-Horn & Associates, Inc./Jonathan Martin, P.E., for Adventist Health
- 8 System/Sunbelt, Inc. (Public Hearing)
- 9
- 10 B. 2015-SP-02: Request for Site Plan approval for a Florida Hospital emergency
- 11 medical facility on Lot 4A of the adopted Rinehart Place Final Planned Unit
- 12 Development (PUD), 950 Rinehart Road, Lake Mary, Florida; Applicant:
- 13 Kimley-Horn & Associates, Inc./Jonathan Martin, P.E., for Adventist Health
- 14 System/Sunbelt, Inc. (Public Hearing)
- 15

16 Juan (John) A. Omana, Jr., Community Development Director, addressed

17 housekeeping items and protocol. He explained that these are two separate but

18 related items; that, procedurally, the amendment to the PUD will go to the City

19 Commission at two separate readings, and the Planning and Zoning Board will

20 be the terminal board for the Site Plan. He emphasized that if the Board elects to

21 approve these two items, what staff will do is proceed with the Final PUD to the

22 City Commission with the understanding that the Site Plan won't become

23 effective until such time that the Final PUD is approved; that in order for the Site

24 Plan to go through, the Final PUD is needed to be approved by the City

25 Commission.

26

27 Mr. Omana respectfully requested, as far as the public hearings are concerned,

28 that the Board receive comments separately since, technically, they are two

29 separate items.

30

31 Mr. Omana then announced these items are quasi-judicial in nature; that Quasi-

32 Judicial Sign-In Sheets (see attached) were located at the back of the chambers

33 for any interested party to sign in order to be kept abreast of these matters.

34

35 Jackie Sova, City Manager, said that she doesn't come before the Board that

36 often; that she usually waits for these items to come before the City Commission,

37 but these items tonight are unique in that this type of facility is new to Florida but

38 very popular in other states. She stated that staff has worked very hard for

39 several months now bringing this together. She informed the Board that present

40 tonight is Lake Mary Fire Chief Frank Cornier. She said she has met with two of

41 the HOAs, and the City has offered to meet with a third HOA, but they have been

42 unable to get it on their schedule; that possibly the City will meet with them in the

43 future. She stated that the City has spoken with a substantial amount of citizens,

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nearly 200, about this issue, and she had been the principal one at one of those meetings. She requested a commitment from Florida Hospital, providing this development goes forward, that by the time the City issues a CO for the building itself, to provide the City with an answer, as well as addressing this issue tonight, as to what the Applicant intends on doing with the existing vacant structures that are either laying on the ground or partially erected towards the back of the site.

Gary Schindler, City Planner, proceeded to present Item A. (PUD Amendment/Rezoning) and the related Memorandum (Staff Report) to the Board. The Location Map attached to the Staff Report was on the overhead projector. It is noted that Stephen Noto, Deputy City Planner, was putting documents on the overhead projector while Mr. Schindler was speaking. He explained what type of medical facility this will be; THAT IT WILL NOT BE A PLACE TO GET A PHYSICAL. He said that if you have a medical major emergency and you go to this facility for treatment, they are going to stabilize you, and if you need continued, multiple-day care, they are going to ship you out, which is one of the reasons why there is a heliport. He stated that they will not be equipped, nor will they have the facility, for overnight patients since this will not be a hospital but a triage center where you can get emergency medical care for most medical emergencies, but, in the long run, the more serious emergencies are going to be stabilized and then transported. He said this facility is intended to be everything that Centra Care is, those type of facilities, and more.

Mr. Schindler explained that the PUD has two parts; one is the First Amendment to Master Development Agreement for Rinehart Place PUD and then there is a change to the Master Plan (Master Plan put on overhead projector). He pointed out on the overhead originally where the heliport was proposed, but stated there was a lot of concern with its location being there and was decided to be moved to the west side of the proposed building, more buffered from the residential areas and less intrusive.

Mr. Schindler brought the Board's attention to the second page of the Staff Report under 5., Subsection 34, Prohibited Uses, where this section has been deleted regarding medical facilities that utilize the services of emergency vehicles. He also brought to the Board's attention immediately below that under 6., Exhibit D, Permitted C-1 & C-2 Uses, where the Applicant is proposing to add three specific uses, i.e., a free-standing emergency department, emergency helicopter operations, and emergency vehicles.

Mr. Schindler then discussed the height of the facility. He said the Applicant is proposing 45' high for the building (diagram entitled Florida Hospital FSED Lake Mary put on the overhead projector) and the architectural feature may be as high as 60'.

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Mr. Schindler stated that the Applicant is requesting a zero building setback to the north, but the rest of what is incorporated in the First Amendment is more housekeeping than anything else.

Mr. Schindler brought up concerns of noise, visual impact, and the structures (tilt walls) on Lot 7. He said that he believed the City has a commitment that, prior to the issuance of a CO of the proposed building on Lot 4A, those structures will be demolished and it will be cleared ground. He encouraged Mr. Owen to come forward to the podium and confirm that for the record.

Borron J. Owen, Jr., with the law firm of Gray Robinson, P.A., 301 E. Pine Street, S. 1400, Orlando, Florida 32801, came forward representing Florida Hospital and addressed the Board in favor of both the proposed PUD Amendment and Site Plan. He confirmed that Florida Hospital agrees that prior to issuance of a CO for the emergency department up front, they will demolish all of the buildings (tilt walls) that are currently existing onsite. He stated that the front two buildings will have to be torn down for the emergency department and they will take the back buildings down as well. He said that they may leave the slabs in the back because they are not sure what they are going to do, but they will at least take them down to the slabs and keep the grass cut. He stated that they may try to utilize some of the slabs because it gets more expensive trying to remove slabs; that they thought the offensive piece was really the buildings (tilt walls in the back) themselves. He said that they will work with staff when they go through the demolition permit phase.

Mr. Omana offered that if that is going to be a condition, that that will be a condition under both the PUD and the Site Plan.

Mr. Schindler showed graphics, as a result of working with the architect, representing the distance from the proposed emergency department to six residential communities addressing the concern of visual impact. He said that these show what you are going to see from the north end of the building where the architectural feature is going to be located, but this does not take into account the landscaping and the buildings that exist between them. The graphics depict as if there is nothing in between them, just bare earth and nothing to obstruct the view. The first graphic, Timacuan Bell, was put on the overhead projector followed by Timacuan Townhomes, Timacuan (off of Grayling), Legends Apartments, Woodbridge Lakes, and Manderley. He stated that this proposed architectural feature is going to be 10' taller than the architectural feature at Stirling Center, which is 50' tall, since this proposed architectural feature is proposed up to 60' tall (diagram entitled Florida Hospital FSED Lake Mary put back on the overhead projector). He commented that he thought it is not going to be any great visual impact that some people are concerned about.

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Mr. Schindler next invited Lake Mary Fire Chief Frank Cornier to come to the podium and discuss the issue of noise from the sirens on the emergency vehicles.

Frank Cornier, Fire Chief, City of Lake Mary, came forward. He said there are two Lake Mary rescue units (Wallace Court and Crystal Lake Avenue), plus rescue units from Sanford and Seminole County, that would probably be using this facility. He stated that currently the hospitals the City uses mostly are Central Florida Regional, South Seminole in Longwood and Florida Altamonte. He said that the City would probably use this proposed facility regularly unless it was a critical matter, then they would go to the three hospitals they use and maybe even into Orlando. He stated that as far as approaching the proposed hospital, their sirens wouldn't usually be on because they wouldn't be transporting a critical situation to this proposed facility, and leaving this facility they wouldn't have their sirens and lights on going back to one of the fire stations unless it would be because they got an emergency call leaving the proposed hospital to another location. He mentioned that Florida Hospital has their own private ambulance with their own protocols, but he believed they would pretty much follow the same standards as the City as far as using lights and sirens coming in and out.

Mr. Schindler said that the Master Plan shows (Master Plan put back on overhead projector) that the existing 19,000 square-foot building will be demolished and in its place a building constructed of 18,500 square feet, which will require fewer parking spaces and less impact traffic-wise, certainly not violating the threshold of 6,171 trips, which is the maximum number of trips that can be developed on this property without triggering a new traffic study. He stated that as the back portion, Lot 7, develops, staff will continue to monitor the trips, and if the Applicant crosses the threshold of 6,171 trips, they will be advised they need a new traffic study.

Mr. Schindler addressed the four rezoning criteria listed in the Staff Report. He informed the Board this is technically a rezoning in that it will go from PUD to PUD; that this is not the first time the Board has seen this type of application and been asked to act upon it. He relayed to the Board that if they have any specific questions about the criteria, staff is here to answer them; that staff believes this rezoning meets all the criteria.

Mr. Schindler then read aloud into the record Finding of Fact No. 5 listed on page 7 of the Staff Report as follows: Staff finds the proposed revision of the approved Final Development Plan consisting of the First Amendment to Master Development Agreement for Rinehart Place PUD and a revised Master Plan to

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1 be consistent with Florida Statutes, City of Lake Mary Comprehensive Plan, and
2 City of Lake Mary Code of Ordinances.

3
4 Mr. Schindler reminded the Board that if this item is recommended for approval, it
5 will be subject to the condition that prior to the issuance of a CO for the building
6 on Lot 4A Rinehart Place, the developer shall improve the safety and aesthetics
7 of Lot 7. This shall include demolishing and removing the building shells, both
8 those erect and those lying on the ground. The developer shall also remove all
9 construction materials, junk, and debris. The developer shall mow the area on a
10 regular basis. The building slabs may remain; however, there shall not be any
11 construction materials that extend above the plane of the slab.

12
13 Mr. Omana added that the City would want the circulation configuration of that
14 back lot to be provided in the event somebody needs to get back there to include
15 tilt wall components that were laid out on some of the parking areas and aisles of
16 the subject area. He said, "so, when the City says clean up, it's saying clean up
17 those things blocking the access ways and parking areas to include construction
18 equipment/debris".

19
20 Chairman Hawkins pointed out that for it to be safe is going to take a lot of work
21 because it's going to have to be all graded to where it's even with the top of the
22 foundation because there are footwalls and foundations that aren't level with the
23 ground.

24
25 Mr. Omana agreed that the grading issue would be another question that would
26 have to be looked at.

27
28 Mr. Owen came back to the podium expressing that Florida Hospital is excited
29 about being in Lake Mary and the opportunity to provide a stand-alone
30 emergency department to address the health care needs of the Lake Mary
31 community and are concerned about safety (people hiding or lurking), health,
32 being a good neighbor, and achieving all of their goals in Lake Mary as they have
33 at other locations; however, he stressed that their application currently before the
34 Board is solely for a stand-alone emergency department up at the front of the
35 property. He stated that once they get concrete plans for Lot 7, Florida Hospital
36 will come back to the City and will examine what will happen there, but the
37 property in the back is not intended to be a hospital because there is not enough
38 land. He reiterated that Florida Hospital will commit to take down the structures,
39 to include taking the tilt walls lying in the parking lot, or wherever, away, keep the
40 grass mowed and keep it safe and clear since they want people that come to this
41 emergency department to feel safe and does not want any criminal activity
42 occurring in the back. He said that it would be hard to commit to grade Lot 7 or
43 bring dirt in because, again, they are not proposing any construction there. He

1 stated that their offer is because Florida Hospital recognizes what's happening in
2 the back and wants to change that and be a good neighbor. He said that Florida
3 Hospital has owned all of the undeveloped property since late 2013; that their
4 original plan was to have this facility finished and operational by the end of 2015.
5 He stated that Florida Hospital wants people to drive by and say that's the new
6 Florida Hospital facility, not what's that dump in the back because that is not how
7 they want to be perceived. He hoped this would help with the commitment.

8
9 Mr. Schindler informed the Board that if, in the future, Florida Hospital did want to
10 build a hospital in the back, they would have to come back and amend the PUD
11 again. He clarified/reiterated that what is currently before the Board is not a
12 hospital but an emergency medical facility that is going to be open seven days a
13 week, 24 hours a day; that there will not be patients staying over for extended
14 days because those type of patients will be transported to another facility where
15 they can get that particular kind of care.

16
17 Mr. Schindler proceeded to present Item B. (Site Plan) and the related
18 Memorandum (Staff Report) to the Board. He said this involves approval for a
19 proposed 18,500 square-foot emergency medical facility on Lot 4A that's already
20 partially constructed, dried in. He stated that staff previously dealt with Sam
21 Snead's Chef Desmond for months, but the property went into receivership (the
22 state of being held by a receiver, especially in cases where a company cannot
23 meet its financial obligations). He said that Florida Hospital is going to come in
24 and demolish the existing building/shell where Sam Snead's restaurant was
25 going to be except that the new facility will not be quite as large, and there is
26 going to be a porte-cochere at the north end that is going to extend out into what
27 is now the western drive aisle and parking spaces, so that when someone comes
28 to the proposed facility, they can load and unload passengers without having to
29 get into the weather. He stated this is why we are eliminating a few of the
30 existing parking spaces, but because this overall footprint is smaller, we end up
31 with more than enough parking spaces and there is still the area in back. He
32 said that, at this point, staff is not concerned about the parking spaces or the
33 overall number of trips or peak-hour impact because an emergency medical
34 facility has a very different peak hour than retail, office, or restaurant.

35
36 Mr. Schindler stated that the amount of pervious area is not being increased; in
37 fact, it will be decreased. He said that the stormwater facility is intact; that it was
38 designed for a 19,000 square-foot building, and since this is proposed at 18,500,
39 it is more than adequate. He stated that the parking spaces are sufficient. He
40 said that there is no change in utilities; that they are going to have City water,
41 City sewer, and reuse water. He said there are a few minor landscaping issues,
42 but they can be easily corrected as a condition. He stated that the outdoor
43 lighting is not going to change. He reminded the Board that staff has already

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1 done a final inspection on this facility and it passed; that Community
2 Development, engineering, and Public Works have all looked at this and said the
3 Applicant met all commitments/concerns, and now an 18,500 square-foot
4 building is being proposed at 500 square feet smaller than what is there now.
5

6 Mr. Schindler concluded his presentation by reading aloud the Findings of Fact
7 listed on page 5 of the Staff Report, as follows: Staff finds the proposed Site
8 Plan for an 18,500 square-foot emergency medical facility meets all relevant
9 development standards of the Rinehart Place PUD and the City Code of
10 Ordinances. He then reviewed the first three conditions associated with the Site
11 Plan (see below under motion). He noted that the first condition is the same
12 condition under the PUD Amendment that was just heard, and the first and third
13 conditions came in after the agenda packets were distributed. As far as the
14 second condition, he stated that this is only for the canopy trees that are shown
15 in the parking lot; that all of the other landscape plantings are not required and,
16 therefore, they do not have to meet City code.
17

18 Chairman Hawkins requested Mr. Noto blow up the square on the master plan on
19 the overhead projector. He wanted to ensure that the porte-cochere is going to
20 be high enough for visiting delivery trucks. After seeing the Applicant's
21 representative nod affirmatively, Mr. Schindler said to let the record reflect that
22 Florida Hospital says, yes, that a semi, or other delivery trucks, can access the
23 14-foot height of the porte-cochere. He stated, however, that he would imagine
24 that there would be signage directing delivery trucks away from the emergency
25 room.
26

27 Chairman Hawkins commented that ingress and egress is being blocked by
28 putting that porte-cochere there. He said because there are going to be delivery
29 trucks, he would request that the Applicant agrees to eliminate the landscape
30 island to the east of the porte-cochere to allow ingress and egress to that parking
31 lane to the middle entrance.
32

33 Mr. Owen agreed/committed to what would be the fourth condition (see below
34 under motion).
35

36 Jennifer Stickler with Kimley-Horn and Associates, Inc., 3660 Maguire Blvd., S.
37 200, Orlando, Florida 32803, came forward in favor of the proposed Site Plan
38 and also agreed to the fourth condition.
39

40 Chairman Hawkins stated that really what he was interested in is having a dual
41 entrance there.
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Mr. Owen agreed to making those changes in the drawings prior to this going to City Commission.

Mr. Omana suggested making the changes at the time of site construction permit so things can be consistent and the City Commission can review these same documents at their level.

Mr. Owen agreed to that as well.

Mr. Omana suggested adding a sentence at the end of the first condition to the effect of "this condition is also enumerated in the PUD Amendment" (see motion below).

Vice Chairman Taylor asked Mr. Schindler what other expressed concerns of the public there are besides noise and traffic.

Mr. Schindler answered, visual impact. He said that he believed staff has addressed this, but what he has shown the Board does not take into account the landscaping, etc., between.

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

Mr. Owen returned to the podium and the third condition was further discussed. He decided he did not want to come back in the future before the P&Z for Site Plan approval for a helipad and accepted the third condition. He concluded, requesting the Board recommend approval to the City Commission of the PUD Amendment and Site Plan and that their whole crew was present if the Board or public had any questions.

Vice Chairman Taylor questioned Mr. Owen if there is any data that he possesses from other similar Florida Hospital facilities about emergency vehicle trips per day on average that require lights, sirens, or helicopters that can address the citizens' concerns.

Mr. Owen answered affirmatively. He stated that their experience has been that helicopter traffic is minimal, maybe a few a week; that their helicopter would not be bringing patients to the proposed facility but would be transporting from the proposed facility to other hospitals depending upon care. He said the helicopter is the best transporter and would only be used as needed due to the health necessity of the patient. He stated that the same goes for ambulances; that they would be used for patient transport only to other hospitals when the physician requires it, medical necessity, or when the life of the patient is in need. He said

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that trauma victims will not be picked up and brought to the proposed facility, and this will be minimal just like the helicopter. He stated that most of the patients at the proposed facility will be drive-in patients.

Fire Chief Cornier came back to the podium and added that, just for Lake Mary, there will be approximately 20-30 emergency vehicles per month coming into the proposed facility. He said he couldn't speak for other surrounding jurisdictions.

Mr. Schindler commented that that adds up to one to two ambulances per day.

Member Fitzgerald questioned Ms. Stickler, once the ambulances drop off, where will the ambulances go to leave the facility, especially if they are going north?

Ms. Stickler responded, right where Lot 4A is, there's a driveway through there (indicating to overhead projector). It can come around and back through that driveway and can turn right back around to go north.

Mr. Schindler asked, but the ambulance will unload at the south end of the building and not at the porte-cochere at the north end because that is for the general public?

Ms. Stickler answered affirmatively.

Mr. Schindler added to that saying that the emergency ambulance is at the south end where there is also a porte-cochere, and the rectangle under Lot 4A is a mechanical area. He said the idea is to separate the public from emergency vehicles. You are either going to go to the light at Timacuan and make a left turn or you will go on Rinehart Road to the light and make a U-turn.

Member Fitzgerald questioned, the parking won't be directional?

Mr. Schindler replied, no. It's a 90-degree angle.

Chairman Hawkins opened the hearing to public comment regarding both the PUD Amendment and the Site Plan.

Francis Devlin, President of Woodbridge Lakes HOA (276 homes), 668 Pickfair Terrace (Woodbridge Lakes Unit 1), Lake Mary, Florida 32746, came forward. He stated that since there will no longer be retail on this site, it cannot become a tax-revenue-generating project for the City to pay for police and fire, and since this is proposed to be a four-story building, it will place an additional strain on the City's firefighters' ability to serve without a tower truck. He said that even though the City has a mutual-aid agreement with City of Sanford and Seminole County,

1 the firefighters currently have to wait for a mutual- aid vehicle/tower truck to
2 arrive if they are at the Marriott Hotel or Verizon building. He stated that he knew
3 for a fact that you will not be able to lift those tilt walls up off of a slab once it's
4 been there for seven years because of the condensation and everything else.
5 He said that their/Woodbridge Lakes HOA's recommendation, as a group, is they
6 would love to have all of those slabs removed because they have been looking at
7 this property for over seven years. He also offered up a group recommendation
8 to bring the ambulances through the rear of the facility because they are
9 concerned about congestion and bottle-necking, especially since Florida Hospital
10 isn't sure what they are going to do with the remainder of the subject property in
11 the back. He also expressed concern of what the rear of the property will look
12 like since there is no plan in place. He stated that Woodbridge Lakes is already
13 challenged with the sirens reverberating off of the lake as rescue vehicles exit
14 Wallace Court and enter onto Rinehart Road. He said that he agrees with the
15 delivery truck situation. He stated that if you were to buy a foreclosed home in
16 Woodbridge Lakes, you would be required to bring it up to the standard of the
17 community and he believed that the City Commission should hold Florida
18 Hospital to the same standard, and if these tilt walls are dropped down to slabs,
19 there is no use for those existing slabs; that you cannot rebuild on those existing
20 slabs. He expressed that he didn't want this to be about money; that their
21 community wants the City Commission to do what's right for the citizens of Lake
22 Mary and bring the subject property up to an overall safe, clean, and aesthetically
23 pleasing development. He also suggested lighting the back of the property if
24 there are going to be working roads back there.

25
26 Alfred Cann, 358 Lake Dawson Place (Woodbridge Lakes Unit 2A), Lake Mary,
27 Florida 32746, came forward. In an effort to not be redundant, he expressed that
28 he totally agrees with everything Mr. Devlin just said. He added that the slabs
29 are going to have to be addressed sooner or later and his community would like
30 them addressed NOW.

31
32 Dianne Crissey, 560 Pickfair Terrace (Woodbridge Lakes Unit 1), Lake Mary,
33 Florida 32746, came forward and said that she was in opposition to both
34 applications before the Board. She stated that she didn't believe this type of
35 facility belongs in the midst of three residential communities (Woodbridge Lakes,
36 Timacuan, and Manderley) and would not be an asset.

37
38 Richard Burnham, 450 Chickee Court (Timacuan Unit 15), Lake Mary, Florida
39 32746, came forward. He said that he is on the HOA Board for Timacuan and he
40 just wanted to make it clear that Ms. Crissey does not speak for Timacuan. He
41 stated that Timacuan residents have met with Florida Hospital representatives
42 but they have not taken a vote yet.

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1 James Heeren, 788 Pickfair Terrace (Woodbridge Lakes Unit 2B), Lake Mary,
2 Florida 32746, came forward. He also expressed that he totally agrees with
3 everything Mr. Devlin just said; that he appreciates Florida Hospital's plans but
4 would like to see a few changes to them.

5
6 Herbert Stover, 933 Pickfair Terrace (Woodbridge Lakes Unit 2B), Lake Mary,
7 Florida 32746, came forward. He also expressed that he totally agrees with
8 everything Mr. Devlin just said.

9
10 Lori Grane, 433 Riseman Court (Woodbridge Lakes Unit 1), Lake Mary, Florida
11 32746, came forward. She said her biggest concern is unrelated but has to do
12 with the future widening of Rinehart Road in that all those beautiful trees and
13 landscaping in the median would be lost, but she thought the proposed
14 development will be a nice addition and certainly an upgrade to what is currently
15 there.

16
17 Eric Garcia, 569 Pickfair Terrace (Woodbridge Lakes Unit 1), Lake Mary, Florida
18 32746, came forward. He also expressed that he totally agrees with everything
19 Mr. Devlin just said.

20
21 Karin White, 549 Pickfair Terrace (Woodbridge Lakes Unit 1), Lake Mary, Florida
22 32746, came forward. She also expressed that she totally agrees with
23 everything Mr. Devlin just said and echoed Ms. Grane's concerns about the
24 future widening of Rinehart Road.

25
26 Andrew Goodman, Vice President of Woodbridge Lakes HOA, 464 Pickfair
27 Terrace (Woodbridge Lakes Unit 1), Lake Mary, Florida 32746, came forward.
28 He also expressed that he totally agrees with everything Mr. Devlin just said.

29
30 Catherine Garcia, 569 Pickfair Terrace (Woodbridge Lakes Unit 1), Lake Mary,
31 Florida 32746, came forward. She also expressed that she totally agrees with
32 everything Mr. Devlin just said, that she is very grateful that Florida Hospital is
33 coming, and sees it as an asset if it means saving a loved one. She stated that
34 since Florida Hospital's theme is let's live to 100 years, she suggested some kind
35 of 5-K run or educational information about what to do to live to that magic
36 number of 100 and, therefore, giving back to the community to make it better and
37 healthier.

38
39 Monique Cutnaw, 929 Pickfair Terrace (Woodbridge Lakes Unit 2B), Lake Mary,
40 Florida 32746, came forward. She also expressed that she totally agrees with
41 everything Mr. Devlin just said. She requested a better explanation on how all
42 the sirens are going to work in terms of when they might be heard and what the
43 rules are concerning when they would be used and the hours. She also

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wondered if there was a standard for not only Florida Hospital using sirens but the other emergency vehicles.

Fire Chief Cornier answered that the sirens are going to be utilized when there is a life-threatening emergency or when they are responding to an emergency, but when they leave the Wallace Court fire station after 10 o'clock p.m., they do not use the sirens on Wallace Court; that once they get onto Rinehart Road and they have to move traffic, they utilize the sirens. He said he couldn't predict what time of the day sirens will be used.

Mr. Owen came back to the podium emphasizing that the widening of Rinehart Road is not a part of this application.

Hearing no further public comment, Chairman Hawkins closed that portion on both items and entertained board discussion and/or a motion.

Chairman Hawkins commented that he believed that Lot 7 will be fenced in and secured and certainly much more pleasing than it looks now.

Vice Chairman Taylor commented that she thought it was economically viable. She felt it was appropriate for them to offer to take the tilt walls down and would be a great improvement from what is there now.

Chairman Hawkins commented that we are moving in "a direction" rather than "no direction".

Member Fitzgerald commented that it seems that it's just too ambiguous/too incomplete to him for Florida Hospital to say they're going to clean it up and make it look a little bit nicer.

Mr. Schindler assured Member Fitzgerald that he felt very certain that the City Commission is going to push this issue to make sure they are happy with what the commitment is regarding Lot 7.

Member Schofield asked Mr. Schindler if staff knows if those foundations on Lot 7 will become unusable if the tilt walls are torn down.

Mr. Schindler responded that he could not answer that since that would be an engineering question; that a structural engineer would have to make that determination, and there is no one on City staff that is qualified to address that.

MOTION:

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1 **Sheet L101 is revised to indicate the plantings within the parking lot and**
2 **that such plantings shall have a minimum height of fifteen (15) feet and a**
3 **minimum width of three and one half (3.5) inches at caliper.**

- 4 **3. Prior to the issuance of a site construction permit, the Applicant will**
5 **provide a sheet that shows an engineered drawing of the proposed**
6 **helipad on Lot 7 (west of the building and not south of the building) that**
7 **is in compliance with the proposed master plan.**
8 **4. Planning and Zoning Board recommends that the Applicant agrees to**
9 **eliminate the landscape island to the east of the porte-cochere to allow**
10 **ingress and egress to that parking lane to the middle entrance.**

11
12 Mr. Omana announced that these two items will move forward to the City
13 Commission for first reading on May 21, 2015, and second reading on June 4,
14 2015.

15
16 Mr. Schindler announced that unless the master plan is approved by the City
17 Commission on two readings, the Site Plan approval is moot.

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QUASI-JUDICIAL SIGN-IN SHEET
4/28, 2015
PLANNING AND ZONING BOARD MEETING
(please print)

Name Richard Read Phone No. 407-314-7030

Address 5387 Glenlake Place Sanford FL 32771

Item of Interest 2015-RZ-01 & 2015-SP-02

Name _____ Phone No. _____

Address _____

Item of Interest _____

Name _____ Phone No. _____

Address _____

Item of Interest _____

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Item of Interest _____

QUASI-JUDICIAL SIGN-IN SHEET
4/28, 2015
PLANNING AND ZONING BOARD MEETING
(please print)

Name Eelinda Benitez Phone No. 407 302-3778
Address 557 Pickfair Terrace Lake Mary FL 32746
Item of Interest Noise and Traffic

Name _____ Phone No. _____

Address _____

Item of Interest _____

Name _____ Phone No. _____

Address _____

Item of Interest _____

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Name _____ Phone No. _____

Address _____

Item of Interest _____

Name _____ Phone No. _____

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Item of Interest _____



CITY MANAGER'S REPORT

DATE: August 6, 2015
TO: Mayor and City Commission
FROM: Jackie Sova, City Manager
SUBJECT: City Manager's Report

ITEMS FOR COMMISSION ACTION:

1. Surplus item – ice machine/cuber.



CITY MANAGER'S REPORT

DATE: August 6, 2015
TO: Mayor and City Commission
FROM: Bryan Nipe, Director of Parks and Recreation
VIA: Jackie Sova, City Manager
SUBJECT: Surplus item - ice machine/cuber

The Parks and Recreation Department has the following item to be considered for surplus:

Ice Machine/Cuber- Hoshizaki KM-25BAF Asset # 010257 – Events Center

The ice machine is not working and has reached the end of its useful life. The City's Electrician assessed the ice machine and has determined that due to the age of the machine and the cost to repair, it would not be worth fixing.

RECOMMENDATION:

Request Commission declare ice machine/cuber surplus and authorize City Manager to dispose of same.