



LAKE MARY CITY COMMISSION

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

**Regular Meeting
AGENDA
THURSDAY, MARCH 03, 2016 7:00 PM**

- 1. Call to Order**
- 2. Moment of Silence**
- 3. Pledge of Allegiance**
- 4. Roll Call**
- 5. Approval of Minutes: February 18, 2016**
- 6. Special Presentations**
- 7. Citizen Participation - This is an opportunity for anyone to come forward and address the Commission on any matter relating to the City or of concern to our citizens. This also includes: 1) any item discussed at a previous work session; 2) any item not specifically listed on a previous agenda but discussed at a previous Commission meeting or 3) any item on tonight's agenda not labeled as a public hearing. Items requiring a public hearing are generally so noted on the agenda and public input will be taken when the item is considered.**
- 8. Unfinished Business**

- A. Ordinance No. 1538 - Small Scale Future Land Use Amendment for .38 acres of property located at the southeast corner of Lake Mary Boulevard and Longwood-Lake Mary Road from no designation to RCOM, Restricted Commercial; Oaks at Lake Mary LTD, Stephen Coover, applicant - Second Reading (Public Hearing) (Steve Noto, City Planner)**
- B. Ordinance No. 1539 - Rezone .38 acres of property located at the southeast corner of Lake Mary Boulevard and Longwood-Lake Mary Road from no designation to C-1 General Commercial; Oaks at Lake Mary LTD, Stephen Coover, applicant - Second Reading (Public Hearing) (Quasi-Judicial) (Steve Noto, City Planner)**

9. New Business

- A. Final Plat for Twelve Oaks at Lake Mary (Public Hearing) (Steve Noto, City Planner)**

10. Other Items for Commission Action

11. City Manager's Report

A. Items for Approval

- a. None**

B. Items for Information

- a. None**

C. Announcements

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

1 MINUTES OF THE LAKE MARY CITY COMMISSION WORK SESSION held February
2 18, 2016, 6:00 P.M., Lake Mary City Commission Chambers, 100 North Country Club
3 Road, Lake Mary, Florida.
4

5 The work session was called to order by Mayor David Mealor at 6:02 P.M.
6

7 Mayor David Mealor	Jackie Sova, City Manager
8 Commissioner Gary Brender	Carol Foster, City Clerk
9 Deputy Mayor George Duryea	Dianne Holloway, Finance Director
10 Commissioner Sidney Miller	John Omana, Community Development Dir.
11 Commissioner Jo Ann Lucarelli	Steve Noto, City Planner
12	Tom Tomerlin, Economic Development Mgr.
13	Bruce Paster, Public Works Director
14	Bryan Nipe, Parks & Recreation Director
15	Deb Barr, Senior Programs Manager
16	Steve Bracknell, Police Chief
17	Frank Cornier, Fire Chief
18	Mary Campbell, Deputy City Clerk
19	

20 Items for Discussion
21

22 1. Wilbur Avenue Signal Update
23

24 Ms. Sova apologized for the late moment work session. She didn't know at the last
25 meeting but wanted to proceed with the Wilbur Avenue item. The County Engineer is
26 leaving and she would like to get this further in process while he is still there because
27 the County has offered to do the engineering for it and we would rather not lose any
28 momentum in that regard. As the County Traffic Engineering has begun looking at this,
29 they have warned us of some reality regarding that intersection.
30

31 Mr. Paster said staff did a traffic study and one of the recommendations was placing a
32 traffic signal at the intersection of Wilbur and Country Club. He talked with Charlie
33 Wetzal with Seminole County Traffic Engineering and he agreed to design a traffic
34 signal for the City. He did a draft design and came up with two options. One option is
35 to put the signal up with the road as is, one lane in each direction. He showed another
36 draft of a signal having a left-hand turn on Country Club. Going east or west on Wilbur
37 you have a place to stage on Country Club. He recommended that and signal efficiency
38 would be greatly improved. It would actually make it worse if you don't install turn lanes.
39

40 Mr. Paster showed the proposed layout. The red line is the City right-of-way. The blue
41 line would be the proposed road. We need to move the curb on the west side six feet.
42 To the north you have the church so going six feet over is not an issue. Even the
43 sidewalk is far enough back. On the south where Bella Beauty Bar currently is, we have
44 nine parking spaces and we will have to lose those nine parking spaces. He
45 recommended adding a sidewalk. The sidewalk comes up to the flooring place and it

1 stops in the alleyway. There is no sidewalk for the Bella Beauty bar; it is just parking.
2 To make it more of a standard city right-of-way with a sidewalk with a curb, some minor
3 stormwater modifications would have to be made.
4

5 Mr. Paster said his recommendation would be to do this. As far as the parking spaces,
6 there are nine parking spaces to the north of the building. The size of that building is
7 approximately 3,000 square feet. With our Downtown Development Code, 3,000
8 square feet requires nine parking spaces. It is not creating something that would be
9 against code. The nine spaces to the north can service the whole 3,000 square feet.
10 What we are losing is nine parking spaces off of Country Club which in the long run
11 might make that safer. He did not recommend adding more spaces on Country Club.
12

13 Mr. Paster said the County just designed the traffic signal with the mast arm and lights.
14 If we decide to move the road six feet over, we would hire a consultant to do the plans
15 for curb, sidewalk, and stormwater modifications. We'll take the County's plan and add
16 that to it.
17

18 Deputy Mayor Duryea asked the effect on Country Club Road and Crystal Lake Avenue.
19 It's getting to be really dangerous. He asked if it would hurt or help.
20

21 Mr. Paster said part of the original study looked at all of these intersections. The hope
22 is that people coming down Old Lake Mary Road cutting through town would rather go
23 down Wilbur where there is a signal for safer means to get onto the road and back up
24 on Crystal.
25

26 Commissioner Brender asked the cost.
27

28 Mr. Paster said the lights will be the bigger chunk of this. The road work might be
29 \$50,000 but would be \$200,000 when all is said and done.
30

31 Deputy Mayor Duryea asked if there was anything they could do in the area they were
32 about to tear up to make it look better and enhance it in some way.
33

34 Mr. Paster said that was a whole other project but if you look at Sav-A-Ton there is no
35 real sidewalk but is just paving. In the past we have put in islands. What we could do in
36 front of Bella Beauty Bar is take out the asphalt between the curb and the sidewalk and
37 put in sod. That would definitely enhance that area. On Sav-A-Ton we don't have a lot
38 of room between the pavement and right-of-way line. We could rip up some asphalt
39 and put in a normal entry into the gas station with some landscaping.
40

41 Mayor Mealor suggested a big planter with a tree or something that is somewhat
42 permanent. You have the west side where you have some
43 enhancements/improvements. Maybe come over to Sav-A-Ton or the area of Versini's
44 and just stagger so there is a visual and as you're driving you see something that is
45 relatively attractive that takes your eye away from this non-descript area.

1
2 Commissioner Miller clarified that we are creating two left-turn lanes on Country Club
3 Road and a traffic signal. He asked what that fixed.
4
5 Mayor Mealor said it fixes the stacking.
6
7 Commissioner Miller said it didn't fix the stacking coming towards Lake Mary Boulevard.
8
9 Mayor Mealor said only to the degree if we put a light in. The issue is if you watch
10 people coming down and somebody wants to turn left on Wilbur coming from the Events
11 Center, it can be problematic.
12
13 Commissioner Miller said at 5:00 in the afternoon because of oncoming traffic. He
14 asked the Mayor if that was what he was saying.
15
16 Ms. Sova said it's problematic all morning too. Anywhere between 7:00 A.M. and 9:00
17 A.M.
18
19 Mayor Mealor said sometimes he wants to turn left on Wilbur when heading north to the
20 Events Center. If he looks back and there are five or six cars behind him and some
21 coming he won't do it. He will go up and wait for the first opportunity.
22
23 Commissioner Miller said what the Mayor is saying is his stopping northbound causes it
24 to back up towards Lake Mary Boulevard.
25
26 Mayor Mealor answered affirmatively.
27
28 Commissioner Brender said the stacking problem is going to get worse because we're
29 putting the light in whereas now you may be able to squeeze one car through without a
30 light.
31
32 Mayor Mealor said this is the outcome of when we looked at the roundabout. We tried
33 to look at a number of traffic calming and because of right-of-way, costs and a number
34 of other issues, he felt this was the best option at the time. It was over \$1 million.
35
36 Mr. Paster said the realignment, roundabouts and everything else was over \$1 million
37 and it wouldn't solve all the issues. This won't solve all the issues but is a big step
38 forward and a lot less costly. The traffic light does provide traffic calming.
39
40 Deputy Mayor Duryea said it stops the traffic from Wilbur going south. You still have to
41 contend with the stacking problem that goes all the way up through Wilbur in the
42 morning. The light is not going to help that situation at all.
43
44 Mr. Paster said it is not going to help the Boulevard.
45

1 Commissioner Lucarelli said instead of Crystal Lake they take Wilbur instead to get out
2 on the Boulevard.

3
4 Mr. Paster said we have a lot of people crossing to avoid this intersection. At the
5 Boulevard there is a lot of cross traffic coming north.

6
7 Commissioner Miller said this would encourage people to circumvent Lake Mary
8 Boulevard and Country Club Road and put more traffic through residential because now
9 they have a traffic light. They get off at McLean's office and come out.

10
11 Deputy Mayor Duryea said or go to Fifth Street to Lake Mary Boulevard.

12
13 Mayor Mealor said the quickest they could turn coming in to bypass is Seventh Street
14 and some come to Fifth.

15
16 Commissioner Miller said you can go in at McLean's and work your way through.

17
18 Mayor Mealor said not really. You can come here and go out at McLean's but you can't
19 enter at McLean's because there is no access. The closest access is Seventh. When
20 we talked about doing some widening or how we were going to handle this, he thought
21 this was a reasonable alternative. The only thing we can hope for if we do this,
22 hopefully because of the convenience of the flow, is that people will be taking Wilbur
23 and not coming down Crystal Lake because it really does stack and is problematic.

24
25 Commissioner Brender said Crystal Lake is a problem too. Depending on how the light
26 is timed and how long the green or red is, we may be able to create enough delay that
27 people making a left from Crystal Lake onto Country Club Road can have a break in
28 traffic. Sometimes trying to make that left is next to impossible.

29
30 Mr. Paster said that is a good point. When this light is red it will enable you to get out.
31 We are doing another project on Crystal right now. We are putting a sidewalk on the
32 north side of Crystal to get people from Station House Apartments to the Downtown
33 area. As part of that project will be a right-hand turn onto Crystal in front of the ice
34 cream store. There is not a lot of room for stacking—only about three or four cars—but
35 there is plenty of right-of-way. That will help the stacking.

36
37 Mayor Mealor said it is better to go to Wilbur to get the left. He said staff is seeking
38 direction and asked the Commission what they thought.

39
40 Commissioner Miller said we are spending \$200,000 making a small fix.

41
42 Mayor Mealor said as opposed to \$1 million and uncertainty. We have to do something
43 and this is the first step. There will be no ideal solution.

44
45 **It was the consensus of the Commission to move forward with the project.**

1
2 2. Senior Center/Wallace Court Use of Space
3

4 Ms. Sova said this is an idea that comes from her. She thought it might be cheaper to
5 do because of some firewalls. Wallace Court was built at a time when we were
6 booming. There is a considerable amount of extra space and it is paid for. There
7 doesn't seem to be any reason to leave a bunch of empty offices stacked with boxes
8 and not going ahead and make some room for the Senior Center. If this is approved we
9 are going to do some parking changes, employee parking changes, and equipment
10 storage changes to create a few more parking spots. The effort is to expand some
11 space without creating a whole lot more simultaneous activities because we already
12 have jammed up parking. We all know how popular our Senior Center is. We think we
13 can increase the space and increase the effectiveness and not make the parking
14 situation worse.
15

16 Ms. Sova said because the rooms on the sides are so full of records, the administrative
17 secretary in Community Development left us and the work got absorbed very well. She
18 will be refilling that position with a Document Imaging Specialist. We have the
19 equipment to do the imaging but nobody has the time. We will be looking for somebody
20 with a library type mentality. There was a lot of scanning done by the inspectors when
21 work was slow. We are quality control checking that work. Carol and Sue are doing
22 that at City Hall. We are learning a lot about imaging and how effective we can be. We
23 have got to get it done. We are pretty far behind.
24

25 Mr. Nipe said we have our Senior Programs Manager, Deb Barr, present who has done
26 a bang up job the last several years at our Senior Center. He showed the general
27 layout of Wallace Court on the overhead (copy attached). The majority of it is taken up
28 by Fire and Community Development. He said Kathy Gehr has an office in Community
29 Development located at the bottom left of the layout and an office for her assistant, Lisa
30 Starr. He pointed out Public Works over to the top right and the Senior Center.
31

32 Mr. Nipe said the Senior Center is currently made up of a large activity area, a computer
33 room, a small activity area, as well as Deb's office, a kitchen, and restrooms. He
34 pointed out the boundaries for the Senior Center, much of which are firewalls because it
35 is an activity center and the building permitting requires firewalls all the way up to the
36 truss. That is something we have to deal with if any type of expansion is approved.
37

38 Mr. Nipe showed the proposal on the overhead. To the bottom of the layout we have
39 the existing activities area and we are looking at expanding over to the left to usurp
40 some of that. Those are one storage room and one office. At the bottom is existing
41 storage for the Senior Center. That would push out a little more and will allow Deb to
42 create a larger space there and make better use of an air wall to the right to keep that
43 separated. We have maybe two larger rooms in that area. To the left above the activity
44 room you see storage has been created for the activities for those programs. Above
45 that taking over a lot of storage are files dating back to the 80's and 90's and are taking

1 over some of that area and creating a small activity room that can be programmed a
2 number of ways. Above that is crafts, a storage room to the left for crafts, a computer
3 room to the right, Deb's office to the right of that and the manager's office. We create a
4 welcome counter so the lobby becomes an open space and more welcoming as people
5 come in.
6

7 Mr. Nipe said Deb liked the way the Community Center is laid out. As you walk into our
8 Community Center you are welcomed by the counter to the right and that leads into the
9 office. When activities are going on, a lot of times Deb is pulled away because she is
10 right there in the mix of things. Her current office is where the proposed library and
11 resource center would be. We have a ton of books that have been donated through the
12 years but there is also a need for additional space for resources when an older adult
13 comes to our center and needs information about insurance, healthcare, transportation
14 and anything like that can be housed in that area.
15

16 Mr. Nipe said we think there are some good ideas. We have spoken with T. Gray
17 Frazier and he has helped us come up with some probable costs for construction and
18 engineering. Construction would be around \$190,000 and that is very conservative
19 knowing we have to take out a firewall and create a new one. The design fee is 10% to
20 20% for a total construction cost of \$210,000.
21

22 Deputy Mayor Duryea asked how Community Development and Fire Department feel
23 about you stealing their space.
24

25 Mr. Nipe said in looking at the layout, to the top of the design are crafts and Deb's office
26 and storage to the left, a few offices and conference rooms.
27

28 Mr. Paster said it is a conference room and two storage spaces.
29

30 Mr. Omana said we also concur with the layout. We are aggressively pursuing the
31 records program and we'll realign that in another part of the building. We have no
32 personnel on that side.
33

34 Commissioner Brender asked if we were okay with any future person.
35

36 Mr. Omana answered affirmatively.
37

38 Ms. Sova said there is a ton of extra space beyond this.
39

40 Commissioner Miller asked about the restrooms.
41

42 Mr. Nipe said the restrooms in the Senior Center will be moved. Public Works still has
43 restrooms, and Community Development and the Fire Department.
44

1 Mayor Mealor said he couldn't tell you how many compliments he gets about the Senior
2 Center. This is a very positive step and is creative.
3
4 Commissioner Miller said his thought is the destruction and the construction on the very
5 good operation that we have now. To do this is not something we do in a day or two
6 days. It is a lengthy process and you are knocking down a bunch of walls and it's also
7 kind of nasty. To keep the Senior Center up while you do this is going to be a real
8 challenge. He asked if it would be shut down.
9
10 Mr. Nipe said we may be able to do some of it in phases and keep some of the center
11 open at the same time. When we get into the big work, especially the firewall work, he
12 and Jackie have talked about a lot of the programs moving to the Community Center
13 whenever possible. Having a lot of advance communication with the users. There will
14 be disruption.
15
16 Deb Barr, Senior Programs Manager said we are looking to do this during the summer.
17 Our slowest time is in the summer.
18
19 Deputy Mayor Duryea asked where we are going to get the money.
20
21 Ms. Sova said if we want to do this, we have over \$200,000 left over from the road
22 paving program. We will be forthcoming with a budget amendment. That would be the
23 primary place. We could hold off and budget it for next year. If we want to proceed this
24 year that would be her recommendation.
25
26 Deputy Mayor Duryea said we want to do it when we have the least amount of
27 interference.
28
29 Ms. Sova said we could do it in the summer of 2017 or the summer of 2016.
30
31 Mayor Mealor said if we could do a transfer the sooner the better. He said he didn't
32 think we had anything on the horizon that would be problematic in terms of unexpected
33 costs other than the storms. He asked if there was any objection with staff moving
34 forward with this proposal.
35
36 Commissioner Brender interjected and do the transfer of funds.
37
38 Ms. Sova said we will bring forward a budget amendment.
39
40 Mayor Mealor said we have guesstimates of \$210,000 to \$225,000.
41
42 Deputy Mayor Duryea said that was conservative.
43
44 Mr. Nipe said there will be times where you have contractors that are higher for
45 government services. We are going to go in and wherever we can get creative, we will

1 work with our GC. If our electrician can pull some wires and our AC guy can come in
2 and do some duct work, we will get creative and save money wherever we can.
3
4 Mayor Mealor said to think about the wellness center and some of the other activities
5 we have taken on ourselves. We have gotten better at some of that.
6
7 Commissioner Brender asked if we would need any other furnishings.
8
9 Ms. Barr said we will need some tables and equipment. We discussed that with T.
10 Gray.
11
12 Mr. Nipe said not furnishings but flooring and things like that.
13
14 Commissioner Miller said the flooring going into the activity center, we are good with
15 what we've got now and it will be more of the same.
16
17 Mr. Nipe answered affirmatively.
18
19 Mayor Mealor asked if there were any objections.
20
21 There were no objections from the Board.
22
23 Ms. Sova said we have had meetings about this. We are already talking about how to
24 optimize the parking and grab a few more spaces.
25
26 Mayor Mealor asked Ms. Barr if she was comfortable with what she was hearing.
27
28 Ms. Barr said she was and thought it was a great idea and was glad the Commission
29 was on board with it.
30
31 There being no further business, the work session adjourned at 6:35 P.M.
32

1 MINUTES OF THE LAKE MARY CITY COMMISSION MEETING held February 18,
2 2016, 7:00 P.M., Lake Mary City Commission Chambers, 100 North Country Club Road,
3 Lake Mary, Florida.

4
5 1. Call to Order

6
7 The meeting was called to order by Mayor David Mealor at 7:08 P.M.

8
9 2. Moment of Silence

10
11 3. Pledge of Allegiance

12
13 4. Roll Call

14
15 Mayor David Mealor Jackie Sova, City Manager
16 Commissioner Gary Brender Carol Foster, City Clerk
17 Deputy Mayor George Duryea Dianne Holloway, Finance Director
18 Commissioner Sidney Miller John Omana, Community Development Dir.
19 Commissioner Jo Ann Lucarelli Steve Noto, City Planner
20 Tom Tomerlin, Economic Development Mgr.
21 Bruce Paster, Public Works Director
22 Bryan Nipe, Parks & Recreation Director
23 Steve Bracknell, Police Chief
24 Frank Cornier, Fire Chief
25 Katie Reischmann, City Attorney
26 Mary Campbell, Deputy City Clerk
27

28 5. Approval of Minutes: February 4, 2016

29
30 **Motion was made by Commissioner Brender to approve the minutes of the**
31 **February 4, 2016, meeting, seconded by Commissioner Lucarelli and motion**
32 **carried unanimously.**

33
34 Mayor Mealor recognized the liaisons from the Forest. He thanked the Forest
35 community for their feedback on the housing going in.

36
37 Mayor Mealor said we have a boy scout present from Troop 854, Keegan Maer, who is
38 working on his Eagle Scout badge. Mr. Maer is a junior at Lake Mary High School. He
39 said if he had a project any member of the Commission will work with him if needed. He
40 extended congratulations for a remarkable accomplishment.

41
42 6. Special Presentations

43
44 A. Convergys – Veterans Job Fair Hiring Program

1 Audrey Hardin and Ilea Hristov came forward. Mr. Hristov distributed a flyer (copy
2 attached). Ms. Hardin said we are honored to be here to talk about Convergys and the
3 efforts we have in the community right now. She didn't think you would find a better
4 company that embodies long-term longevity as far as working is concerned. When we
5 mentioned start with Convergys, stay with Convergys and grow with Convergys we
6 simply do mean that in the most profound manner. We are located in 32 countries and
7 are in every major state in the United States. Our focal point today and as it is always is
8 to the citizens of Seminole County. For the month of April we are looking to staff all of
9 our lines of business with veterans—people who have served our country well and know
10 what it means to partake in something long term and has a benefit associated with it. In
11 our efforts to do so we partnered with various community outreach programs and you
12 allowed us to speak tonight regarding that platform. Convergys is a long standing
13 company in the community. We have over 2,500 employees and we are looking to
14 grow that number. Our ability to grow that number with veterans associated with what
15 we do is very profound to us and it's a partnership we are looking and hoping will last
16 long term.

17
18 Mr. Hardin said we have several lines of businesses that we partner with so an
19 individual who comes aboard and works with Convergys will start with a salary of
20 \$12.00 an hour up to \$22.50 an hour. We are looking to staff the positions that are
21 paying between \$18.00 an hour and \$22.50 an hour long term, full benefits package,
22 with veterans. Your graciousness in allowing us to get the message out is most
23 appreciated. We are hoping that this moment of time that we are taking will bode us
24 long term.

25
26 Ms. Hardin said she would allow Ilea an opportunity for the platform to speak as he is
27 the Senior Hiring Manager for this initiative. This initiative will take place throughout the
28 entire month of April.

29
30 Ilea Hristov said with Convergys we not only offer job opportunities for veterans but for
31 everyone. We have the long term career growth. We have opportunities in diverse
32 industries from technology to automotive to finance industries to customer service to
33 telecommunications. The opportunity is tremendous. He said he had been with
34 Convergys over 7-1/2 years. It was his first job after college and have a tremendous
35 experience with his career with Convergys. He is pleased to be part of the team and
36 now to invite and offer and match candidates to great careers where they can grow.

37
38 Mayor Mealor said we truly appreciate it. He said Commissioner Brender as a retired
39 naval officer and he as a veteran appreciate this outreach initiative. It's very important.
40 The fact that you are a company with a true international footprint speaks volumes. He
41 thanked Ms. Hardin and Mr. Hristov for their commitment to the community and are
42 pleased to have them as corporate neighbors.

43
44 7. Citizen Participation – This is an opportunity for anyone to come forward and
45 address the Commission on any matter relating to the City or of concern to our

1 citizens. This also includes: 1) any item discussed at a previous work session;
2 2) any item not specifically listed on a previous agenda but discussed at a
3 previous Commission meeting; or 3) any item on tonight's agenda not labeled as
4 a public hearing. Items requiring a public hearing are generally so noted on the
5 agenda and public input will be taken when the item is considered.
6

7 No one came forward at this time and citizen participation was closed.
8

9 8. Unfinished Business

10
11 A. Ordinance No. 1536 – Amending Firefighters' Pension Ordinance Providing
12 for Purchase of Prior Military Service at any time Prior to Retirement –
13 Second Reading (Public Hearing) (Dianne Holloway, Finance Director)
14

15 The City Attorney read Ordinance No. 1536 by title only on second reading.
16

17 Ms. Holloway stated she had nothing further to add.
18

19 Mayor Mealor asked if anyone wanted to speak in reference to Ordinance No. 1536. No
20 one came forward at this time and the public hearing was closed.
21

22 **Motion was made by Commissioner Lucarelli to approve Ordinance No. 1536 on**
23 **second reading, seconded by Commissioner Brender and motion carried by roll-**
24 **call vote: Commissioner Brender, Yes; Deputy Mayor Duryea, Yes;**
25 **Commissioner Miller, Yes; Commissioner Lucarelli, Yes; Mayor Mealor, Yes.**
26

27 B. Ordinance No. 1537 – Amending Section 50.142, Sewer Impact Fee, and
28 Section 53.31(A), Rates and Charges, to correct scrivener's errors (no
29 change in rates) – Second Reading (Public Hearing) (Dianne Holloway,
30 Finance Director)
31

32 The City Attorney read Ordinance No. 1537 by title only on second reading.
33

34 Ms. Holloway stated she had nothing further.
35

36 Mayor Mealor asked if anyone wanted to speak in reference to Ordinance No. 1537. No
37 one came forward at this time and the public hearing was closed.
38

39 **Motion was made by Commissioner Brender to approve Ordinance No. 1537 on**
40 **second reading, seconded by Commissioner Lucarelli and motion carried by roll-**
41 **call vote: Deputy Mayor Duryea, Yes; Commissioner Miller, Yes; Commissioner**
42 **Lucarelli, Yes; Commissioner Brender, Yes; Mayor Mealor, Yes.**
43

44 9. New Business
45

1 A. Ordinance No. 1538 – Small Scale Future Land Use Amendment for .38
2 acres of property located at the southeast corner of Lake Mary Boulevard and
3 Longwood-Lake Mary Road from no designation to RCOM, Restricted
4 Commercial; Oaks at Lake Mary LTD, Stephen Coover, applicant – First
5 Reading (Public Hearing) (Steve Noto, City Planner)
6

7 The City Attorney read Ordinance No. 1538 by title only on first reading.
8

9 Mayor Mealor asked Mr. Noto if he would like to take up Ordinance No. 1539 at this
10 time.
11

12 Mr. Noto answered affirmatively.
13

14 The City Attorney read Ordinance No. 1539 by title only on first reading.
15

16 Mr. Noto said this is a cleanup item. He showed the future land use map on the
17 overhead. In working with the applicant, they are looking to do some improvements to
18 their property and come to find out this rectangle they own has no zoning or land use
19 designation. The designations they are proposing are consistent with the corridor. The
20 proposed land use is RCOM. On the land use map the pink indicates the RCOM
21 corridor along Lake Mary Boulevard. From a zoning perspective the red indicates C-1
22 General Commercial and is the designation they are looking at for their zoning. It will be
23 consistent with the area and consistent with the Code of Ordinances and
24 Comprehensive Plan.
25

26 Mr. Noto said the Planning & Zoning Board heard both of these requests at their regular
27 January 26, 2016, meeting and voted unanimously to recommend approval of the
28 rezoning request and the land use amendment.
29

30 Mr. Noto said staff is recommending approval of both items. The land use amendment
31 is a small scale amendment and with the new state legislation there is no state review
32 between the first and second readings so both of these items will be before the
33 Commission at the next meeting for final approval.
34

35 Commissioner Brender said he remembered that somebody wanted to put up a small
36 office building. He asked if this was the same lot.
37

38 Mr. Noto said it was the same lot. At this point we have no development plans that we
39 are reviewing but at one time we were looking at a small office there.
40

41 Mayor Mealor asked if anyone would like to speak in reference to Ordinances Nos.
42 1538 and/or 1539. No one came forward at this time and the public hearings were
43 closed.
44

1 **Motion was made by Commissioner Lucarelli to approve Ordinance No. 1538 on**
2 **first reading, seconded by Commissioner Miller and motion carried by roll-call**
3 **vote: Commissioner Miller, Yes; Commissioner Lucarelli, Yes; Commissioner**
4 **Brender, Yes; Deputy Mayor Duryea, Yes; Mayor Mealor, Yes.**

5
6 B. Ordinance No. 1539 – Rezone .38 acres of property located at the southeast
7 corner of Lake Mary Boulevard and Longwood-Lake Mary Road from no
8 designation to C-1 General Commercial; Oaks at Lake Mary LTD, Stephen
9 Coover, applicant – First Reading (Public Hearing) (Steve Noto, City Planner)

10
11 Ordinance No. 1539 was read by title only, presented and a public hearing held under
12 Item A.

13
14 **Motion was made by Commissioner Brender to approve Ordinance No. 1539 on**
15 **first reading, seconded by Commissioner Lucarelli and motion carried by roll-call**
16 **vote: Commissioner Lucarelli, Yes; Commissioner Brender, Yes; Deputy Mayor**
17 **Duryea, Yes; Commissioner Miller, Yes; Mayor Mealor, Yes.**

18
19 C. Conditional Use Approval for a Private and Retail Recreational Facility, Focus
20 Performing Arts Studio, located at Lot 8 in Williston Park; Jenny Clifton,
21 applicant (Public Hearing) (Quasi-Judicial) (Steve Noto, City Planner)

22
23 Mr. Noto said on the overhead is the location map for the subject property. Rinehart
24 Road is where the purple line is drawn and Wallace Court is the other purple line. This
25 is Lot 8 of the Williston Park Point plat. It is currently vacant and sits at the southwest
26 corner of Rinehart and Williston Park.

27
28 Mr. Noto said this is a bit unique. We usually bring conditional use requests for sites
29 that have a building on them. We are currently reviewing the site plan and that goes
30 along with this conditional use. There are parts of the conditional use requirements that
31 rely on buffering, parking, and things of that nature. What he will get to in the
32 presentation is how we went about reviewing that with the proposal and how that
33 interacts with the conditional use request this evening.

34
35 Mr. Noto said the Focus Performing Arts Studio will be made up of a dance studio and a
36 karate studio. Both of those studios exist in the City already and they are joining
37 together and expanding. We have some existing small business activity going from the
38 Lake Mary Boulevard corridor to the Rinehart Road corridor. In the past we have had
39 requests come before you for these types of uses in the M-1A zoning. Most recently it
40 was the D1 Sports. Their current facility was at the end of the cul-de-sac of Williston
41 Park and are now moving to Skyline Drive. We have seen this type of request happen a
42 lot over the last few years where folks would be doing karate studios, workout studios
43 and such in the M-1A taking advantage of these larger buildings that exist today.

1 Mr. Noto said in the second page of the staff report we provided a description of the two
2 businesses. They are looking to grow. They are looking to construct a 10,760 square
3 foot building with the associated site improvements, parking and such. Both facilities
4 have provided their projected hours of operation, number of students and employees.
5 We take those numbers and review them with the different findings of fact for the
6 conditional use. The specifics of the hours and the number of employees are outlined in
7 the three paragraphs under the description on Page 2 of the staff report.

8
9 Mr. Noto said he mentioned we were reviewing the site plan. That will come before you
10 in the March cycle. The exhibit on the overhead will help us put the pieces together of
11 how we reviewed our findings against what they proposed. What is before the
12 Commission tonight is the request for the actual use and we have outlined the
13 parameters in the staff report. We are currently reviewing this site plan for the building.
14 There are a couple of landscape variances that go along with it and the direction we
15 chose to take on this was take the parameters that they gave us—number of students,
16 employees, etc.—and apply it to the site plan that we are reviewing with the
17 understanding that if the conditional use is approved by the Commission, that in no way
18 guarantees this site plan to be approved when it comes before you at a later date. We
19 are very comfortable at this time with where the site plan is in review. It will go to P&Z
20 next Tuesday and will come before the Commission in the March cycle.

21
22 Mr. Noto said we took the site plan proposed and we measured their proposed number
23 of students, employees, proposed traffic flow, landscaping and there are a couple of
24 variances involved; however, we felt comfortable with that variance we will present later
25 given Rinehart Road and the surrounding uses. The six findings of fact we usually
26 review against existing sites, the proposed site worked very well with the use that is
27 proposed.

28
29 Mr. Noto said the Planning & Zoning Board heard this item at their regular January 26,
30 2016, meeting and voted unanimously 5–0 to recommend approval of the conditional
31 use. They will hear the site plan with variances on Tuesday.

32
33 Mr. Noto said staff has found that the applicant has met all seven findings of fact and we
34 are recommending approval. He noted the applicant was present.

35
36 Mayor Mealor asked if anyone wanted to speak in reference to this request. No one
37 came forward at this time and the public hearing was closed.

38
39 **Motion was made by Commissioner Lucarelli to approve the conditional use for a**
40 **private and retail recreational facility, Focus Performing Arts Studio at Lot 8 in**
41 **Williston Park, seconded by Commissioner Miller and motion carried by roll-call**
42 **vote: Commissioner Brender, Yes; Deputy Mayor Duryea, Yes; Commissioner**
43 **Miller, Yes; Commissioner Lucarelli, Yes; Mayor Mealor, Yes.**

1 Mayor Mealor thanked the applicant for their willingness to invest in the City of Lake
2 Mary.

3
4 10. Other Items for Commission Action

5
6 There were no items to discuss at this time.

7
8 11. City Manager's Report

9
10 A. Items for Approval

11
12 a. Expenditure from Law Enforcement Trust Fund

13
14 Ms. Sova said this is an expenditure from the Law Enforcement Trust Fund.
15 Expenditures from the Law Enforcement Trust Fund require Commission approval. This
16 is to purchase additional lockboxes to continue our Lockbox Program. This program
17 allows an effective way to gain access to homes in an emergency, allowing residents to
18 maintain their home security. These lockboxes can be opened by the police or EMS.
19 The program is targeted for citizens who are at least 55 or who have a serious medical
20 condition. These lockboxes cost \$18.95 each and would like to purchase an additional
21 48 for a total expenditure of \$909.60.

22
23 Ms. Sova requested the Commission authorize the purchase of 48 Shurlock lockboxes
24 not to exceed \$909.60.

25
26 **Motion was made by Commissioner Brender to approve the expenditure from the**
27 **Law Enforcement Trust Fund for the purchase of 48 Shurlock lockboxes in an**
28 **amount not to exceed \$909.60, seconded by Commissioner Lucarelli and motion**
29 **carried unanimously.**

30
31 b. Surplus Item –Speed Measurement Devices and Printers

32
33 Ms. Sova said this is two sets of surplus items: speed measurement equipment and
34 printers for the Police Department. These have all exceeded their useful life and
35 requested the Commission declare them surplus and authorize her to dispose of.

36
37 **Motion was made by Commissioner Lucarelli to declare two Pro Laser III units**
38 **(Serial #PL21159 & #PL22721) and associated equipment and two Zebra 420**
39 **printers (Serial #XXRC06-06-5033 & #XXRCj123800040) surplus and authorize the**
40 **City Manager to dispose of. Seconded by Commissioner Miller and motion carried**
41 **unanimously.**

42
43 B. Items for Information

44
45 a. Monthly Department Reports – December & January

1
2 C. Announcements
3

4 Ms. Sova reminded everyone the Lake Mary Little League Opening Day ceremony is
5 this Saturday, February 20th from 9:00 A.M. to 10:00 A.M. They asked us who will be
6 there to arrive at 8:15 A.M.
7

8 Ms. Sova reminded everyone the Car Show Spring Series will be held this Sunday in
9 Central Park from 11:00 A.M. to 2:00 P.M. We are expecting over 100 cars on display.
10

11 12. Mayor and Commissioners' Reports
12

13 Mayor Mealor said we have requests for appointments to the Parks & Recreation
14 Advisory Board and the Elder Affairs Commission. The Parks & Rec Board is
15 recommending that Mr. Nicholas Carlin be appointed.
16

17 **Motion was made by Commissioner Miller to appoint Nicholas Carlin to the Parks**
18 **& Recreation Advisory Board, seconded by Commissioner Brender and motion**
19 **carried unanimously.**
20

21 Mayor Mealor said for the Elder Affairs Commission it was recommended to appoint Ms.
22 Kathryn Kellgren.
23

24 **Motion was made by Commissioner Miller to appoint Kathryn Kellgren to the**
25 **Elder Affairs Commission, seconded by Commissioner Lucarelli and motion**
26 **carried unanimously.**
27

28 Mayor Mealor thanked Mr. Carlin and Ms. Kellgren for their willingness to serve.
29

30 Mayor Mealor said yesterday under Florida Hospital's Kids' Urgent Care we did a
31 wonderful ribbon cutting. This is urgent care after hours seven days a week, no waiting,
32 board certified physicians, pharmacy. For young moms and parents with teenage
33 children that is a facility that will be a welcome addition to our community. He had the
34 pleasure of meeting the head physician and the team assigned to Florida Hospital Lake
35 Mary. They are very enthusiastic. That will be an incredible addition to our community
36 and quality of life. He welcomed them to the City of Lake Mary.
37

38 Commissioner Lucarelli said it was nice to see everyone at the luncheon today.
39

40 Commissioner Lucarelli said we have everyone in Parks & Rec doing a great job getting
41 ready for Family Fun Day. She showed the new flyer. It will be Saturday, April 2nd from
42 9:00 A.M. to 2:00 P.M. at Central Park. There will be food trucks, DJ, entertainment,
43 games, and bounce houses. We already have Florida Hospital as a sponsor as well as
44 Primrose, Nightlight Pediatrics, Insight Federal Credit Union, and there are more
45 coming. It is a free event.

1
2 Commissioner Brender said he attended the State of the County. He thought the tone
3 was good.
4
5 Deputy Mayor Duryea asked the status of the Griffin property. He has been getting a lot
6 of questions about that.
7
8 Mr. Omana said the project is going through the DRC process and we are preparing a
9 timeline for the upcoming hearings. Possibly we are looking at this coming forward in
10 the March cycle.
11
12 Deputy Mayor Duryea asked if the project has gone through the County and St. Johns.
13
14 Mr. Omana said we are coordinating the project with Seminole County with their
15 engineering office. Since there is no technical design under 100% engineered
16 requirement, there is no need to go for the full permitting analysis at this point since we
17 are only dealing with the PUD and rezoning part.
18
19 Commissioner Miller said he attended the State of the County today.
20
21 Commissioner Miller said he attended a briefing with FDOT and a few other people with
22 the Department of Transportation on Beyond I-4 Ultimate. There were two items of
23 interest. There are two things you should begin to understand. One is called the
24 Double Diamond Interchange which is going to be very popular. It is a way of using
25 traffic signals to make left turns efficient like right turns are. It is a way of making the
26 intersections more efficient by handling left turns better.
27
28 Commissioner Miller said the other thing about that session that is important is the
29 change they are recommending for the Lake Mary Boulevard exit. What they are
30 recommending is an exit coming off of Interstate 4 behind Gander to Lake Emma Road.
31 There would also be an entryway from there as well so you could leave there going
32 south or north but you could exit off I-4 into there. The value of that information is when
33 you look at their traffic congestion numbers for the intersection of Lake Emma, Lake
34 Mary Boulevard, and Primera, it is probably one of the worst intersections in the County
35 as far as the timing to get traffic through there. This will alleviate that. It's 20 years
36 away at best. The appeal we made to them and to the County was for some help to try
37 to expedite that exit and if there was any way to move that up in the process. It would
38 benefit the City if they moved it forward.
39
40 Mayor Meador said the City Manager and staff have been talking about the possibility of
41 expediting that process through sales tax money and other things.
42
43 Commissioner Brender said we are hosting CALNO next month on March 2nd. It will be
44 in the Commission Chambers. CALNO is the Council of Local Governments in
45 Seminole County. We'll be hosting at 5:30 if you want to do the food trucks for

1 WineART Wednesday and 6:00 for the meeting. We will be discussing Beyond I-4
2 Ultimate. It is interesting to note the flyover at 17/92 and 436 was originally scheduled
3 for 2028 and is now complete. He thought with cooperation from the other cities and
4 some push, Beyond I-4 doesn't need to be 20 years hence. It is an open meeting.

5
6 13. City Attorney's Report
7

8 Ms. Reischmann said the Florida Tax Watch put out the predatory public records
9 request which is amazing reading, particularly about the Town of Goldstream. They
10 have 1,000 residents and a budget of \$5.8 million. They had 2,000 public records
11 requests in two years. One individual made 400, one company made 500 and they
12 have 42 lawsuits. They budgeted \$1 million, reduced their hurricane reserve, and
13 raised their millage 40% just for the public records lawsuits. They cite examples of
14 requests for electronic versions of letterhead. They wanted to know all public records
15 on the police chief's desk on 7/15/14 at 11:12 A.M. This was some months after that.
16 Those kinds of ridiculous things. One non-profit has filed 140 public records in 27
17 counties in the last couple of years. Fifty percent were filed against private companies
18 that do business with the cities. A lot of engineering firms and those kinds of firms that
19 do business is where they try to catch you up. She said she was sure they were
20 following the League's articles on the senate. The senate bill has been modified
21 somewhat. It is going to have a provision that says that the judge must award
22 attorney's fees if the lawsuit is brought but they have to give them five days' notice.
23 There is an option for the judge if he knows the primary purpose is to harass or trick
24 then he or she cannot award and the city has to designate a records custodian to get
25 that benefit. She thought the Commission might want to take a look at the Tax Watch.

26
27 Commissioner Miller asked Ms. Reischmann if she was tracking what was going on in
28 the legislature with fracking. He read an article this week that said it's through the
29 House and the Senate has it now. What they are going to do is take away from cities
30 and counties the right to reject fracking.

31
32 Ms. Reischmann said they are going to preempt the field. There are maybe 30 bills now
33 that would preempt cities and counties. That's a big issue.

34
35 Commissioner Miller said given the tenuous nature of the aquifer and our water supply
36 that is crazy to even entertain fracking in the State of Florida.

37
38 Mayor Meador said he thought the Senate would treat that as they do the carry gun
39 legislation and just defer to common sense. Simply look at the states where it has
40 taken place and the impact on the water supply and other outfall. We just simply do not
41 have the luxury of allowing anything to impact the aquifer as sensitive as it is right now.
42 Just as it was said in this chamber in 1992, one of the most sensitive, long-term issues
43 to the State of Florida is the health of the aquifer and it is every bit as true today as it
44 was then and even more so.
45

1 14. Adjournment

2

3 There being no further business, the meeting adjourned at 7:45 P.M.

4

5

6

7

8 _____
David J. Mealar, Mayor

Mary Campbell, Deputy City Clerk

9

10

11

12 ATTEST:

13

14

15

16 _____
Carol A. Foster, City Clerk



MEMORANDUM

DATE: March 3, 2016

TO: Mayor and City Commission

FROM: Stephen J. Noto, AICP
City Planner

THRU: John Omana, Community Development Director

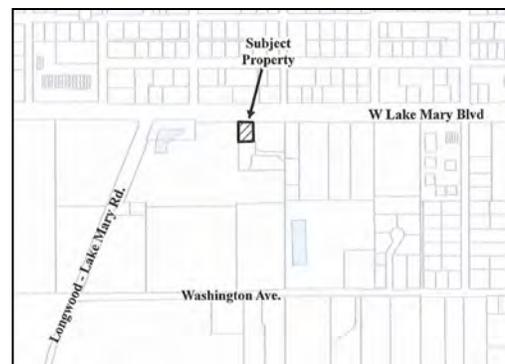
VIA: Jackie Sova, City Manager

SUBJECT: Ordinance No. 1538 - Small Scale Future Land Use Amendment for .38 acres of property located at the southeast corner of Lake Mary Boulevard and Longwood-Lake Mary Road from no designation to RCOM, Restricted Commercial; Oaks at Lake Mary LTD, Stephen Coover, applicant - Second Reading (Public Hearing) (Steve Noto, City Planner)

APPLICANT: Oaks at Lake Mary LTD., Mr. Stephen Coover

REFERENCE: City of Lake Mary Comprehensive Plan

REQUEST: The applicant requests a revision of the existing Future Land Use Map creating a Future Land Use category on the subject property to RCOM, Restricted Commercial. The subject property currently has no Future Land Use assigned to it.



The request is classified as a Small Scale Comprehensive Plan Amendment per the State Department of Economic Opportunity (DEO). As such, after the Planning & Zoning Board meeting, the item will be forwarded to the City Commission at which time they will either approve or deny the request via Ordinance. There is no transmittal to the State DEO prior to second reading of the Ordinance.

This information is provided for informational purposes as the City has not received a Small Scale Amendment request after the changes to the State Legislation for Comprehensive Plan Amendments.

DISCUSSION:

Location: The subject property is located east of the intersection of W. Lake Mary Blvd. and Longwood-Lake Mary Rd.

History: The subject property is currently vacant and was previously owned by Seminole County. Over time, the parcel was never assigned a zoning category or future land use designation. As a result, the applicant, who is now the owner of the property, is requesting to have a zoning designation assigned to the property. This will then allow the applicant to better market the property and prepare it for site improvements.

Zoning

NW PO	N PO	NW PO
W C-1	SITE None	W C-1
SW C-1	S C-1	SE C-1

Future Land Use

NW OFF	N OFF	NW OFF
W RCOM	SITE None	W RCOM
SW RCOM	S RCOM	SE RCOM

Proposed Land Use: The applicant is proposing a future land use category of RCOM, Restricted Commercial, for the subject property. This is consistent with all parcels on the south side of Lake Mary Blvd. from the Spring Hills facility, east to the railroad tracks, less Lake Mary Elementary. There is currently no site plan for the subject property.

FACILITIES AND SERVICES:

The City's Concurrency Management System (CMS) will ensure that levels of service will not be degraded beyond the adopted levels of service for all regulated public facilities at the time development of this parcel occurs. Full concurrency review does not occur at the Future Land Use Amendment review level as the proposed development plan is not complete – as such, the applicant has provided a Concurrency Review Deferral. Full concurrency review will occur when a site plan is submitted.

Potable Water, Sewer Service and Reuse Water

(Based on City of Lake Mary Water and Wastewater System Maps)

There is an existing 8” gravity sewer line and 20” water main within the Lake Mary Blvd. right-of-way (ROW) adjacent to the subject property, which includes a reuse water main, as well as a 4” sewer force main. There are multiple water gate valves within 8” mains adjacent to the subject property, as well as one fire hydrant just west of the subject property. When a site plan is submitted, a capacity analysis will be done at that time.

Solid Waste

(Based on the information from Seminole County Comprehensive Plan, Solid Waste Element)

As of 2008, Seminole County operates two solid waste facilities – the Osceola Road Landfill (landfill) and the Central Transfer Station (transfer station). The landfill is located in the northeastern corner of the County and provides disposal and recycling facilities serving the entire County, both unincorporated and municipal. The transfer station, located at the center of the County's urban area, provides a point from which to move the majority of the County's solid waste to the landfill or other contracted waste management and recycling facilities. As of 2006, the landfill and the transfer station are projected to meet the County's needs beyond the 2025 planning horizon based on current regulations, disposal techniques, and operational policies. At the time of development, the impact of the proposed development upon the landfill will be determined and staff will ensure that adequate capacity exists. Coordination with the City's waste provider, Waste Pro, will also be required.

Drainage

(Based on Chapter 155, Appendix C of the Lake Mary Code of Ordinances)

The subject property is located in an open drainage basin with positive outfall. For drainage basins which have a positive outfall, the City requires that for post-development conditions, the post-development peak discharge rate of the twenty-five (25) year frequency, twenty-four (24) hour duration storm must not exceed the pre-development peak discharge rate unless the project area consists of Type A soils (as described by the U.S.D.A Soil Conservation Service). In areas of Type A soils, the total volume of runoff from the 25 year, 24 hour post-development storm event must be retained. When a site plan is submitted, a capacity analysis and drainage review will be done at that time.

Parks

(Based upon the City of Lake Mary Comprehensive Plan)

The LOS standards for City parks are based upon residential population and impacts from new residential development. No residential development will be constructed on the subject property as a result of this land use amendment.

Roadways

(Based on Seminole County Traffic Counts and adopted City of Lake Mary Comprehensive Plan)

The subject property would be serviced by either a curb cut from Lake Mary Blvd., or an internal cut from the Oaks at Lake Mary Shopping Center. There is currently no development plan in review, therefore, impacts to the surrounding roadway system cannot be calculated. When a site plan is submitted, a capacity analysis will be done at that time.

School Concurrency

(Based on adopted City of Lake Mary Comprehensive Plan)

A School Concurrency Capacity Analysis is not required as there are no residential uses permitted under the proposed land use.

RECOMMENDATION: Staff has reviewed the above referenced application and recommends approval of the request to amend the City's Future Land Use Map to allow for the subject property to have a RCOM, Restricted Commercial, Future Land Use Designation.

PLANNING AND ZONING BOARD: At their regular January 26, 2016, meeting the Planning and Zoning Board unanimously recommended approval, 5-0, of the requested land use amendment of no designation to RCOM, Restricted Commercial.

ATTACHMENTS:

- Ordinance No. 1538
- Location Map
- Future Land Use Map
- Zoning Map
- Aerial
- January 26, 2016 Planning & Zoning Board Meeting Synopsis

ORDINANCE NO. 1538

AN ORDINANCE OF THE CITY OF LAKE MARY, FLORIDA, AMENDING THE COMPREHENSIVE PLAN FOR THE CITY OF LAKE MARY, FLORIDA; PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION FROM NO DESIGNATION TO RESTRICTED COMMERCIAL (RCOM) FOR PROPERTY LOCATED EAST OF THE INTERSECTION OF WEST LAKE MARY BOULEVARD AND LONGWOOD-LAKE MARY ROAD; PROVIDING FOR SEVERABILITY, CONFLICTS, AND EFFECTIVE DATE.

WHEREAS, Section 163.3161 et seq., Florida Statutes established the Community Planning Act; and

WHEREAS, Section 163.3184, Florida Statutes, establishes a process for adoption of comprehensive plans or plan amendments; and

WHEREAS, Oaks at Lake Mary LTD., as applicant for the owner of property described in Section 1 ("Subject Property"), is desirous of amending the Future Land Use Element of the City of Lake Mary's Comprehensive Plan from no designation to RCOM (Restricted Commercial); and

WHEREAS, on January 26, 2016, the City of Lake Mary Planning and Zoning Board held a public hearing and recommended that the City Commission approve the proposed amendment to the City of Lake Mary Comprehensive Plan Future Land Use Map; and

WHEREAS, the Comprehensive Plan amendment adopted by this Ordinance complies with the requirements of the Community Planning Act, as well as other applicable law, and is consistent with the City's Comprehensive Plan.

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

SECTION 1. Future Land Use Amendment: The portion of the Future Land Use Plan Element referenced as the Future Land Use Map of the Comprehensive Plan of the City of Lake Mary, Florida, is hereby amended to reflect a redesignation of certain real

property with the following Seminole County Parcel Identification Number: 17-20-30-300-0310-0000.

The redesignation shall be from no designation to RCOM (Restricted Commercial).

SECTION 2. Severability. If any section, part of a section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason, held or declared to be unconstitutional, inoperative or void, such holding of invalidity shall not affect the remaining portions of this Ordinance and it shall be construed to have been the legislative intent to pass this Ordinance without such unconstitutional, invalid or inoperative parts therein, and the remainder of this Ordinance, after the exclusion of such part or parts, shall be deemed to be held valid as if this ordinance had been adopted without such unconstitutional, invalid and inoperative part therein and if this Ordinance or any provision thereof, shall be held inapplicable to any person, group of persons, property, kind of property, circumstances, or set of circumstances, such holding shall not affect the application thereof to any other person, property or circumstances.

SECTION 3. Conflicts. All ordinances or resolutions or parts of ordinances or resolutions in conflict herewith are hereby repealed to the extent of any conflict.

SECTION 4. Effective Date. This ordinance may not become effective until 31 days after adoption. If challenged within 30 days after adoption, small scale development amendments may not become effective until the state land planning agency or the Administrative Commission, respectively issues a final order determining that the adopted small scale development is in compliance.

PASSED AND ADOPTED this 3rd day of March 2016.

FIRST READING: February 18, 2016

SECOND READING: March 3, 2016

CITY OF LAKE MARY FLORIDA

DAVID J. MEALOR, MAYOR

ATTEST:

CITY CLERK, CAROL A. FOSTER

FOR THE USE AND RELIANCE OF THE CITY OF LAKE MARY ONLY
APPROVED AS TO FORM AND LEGALITY:

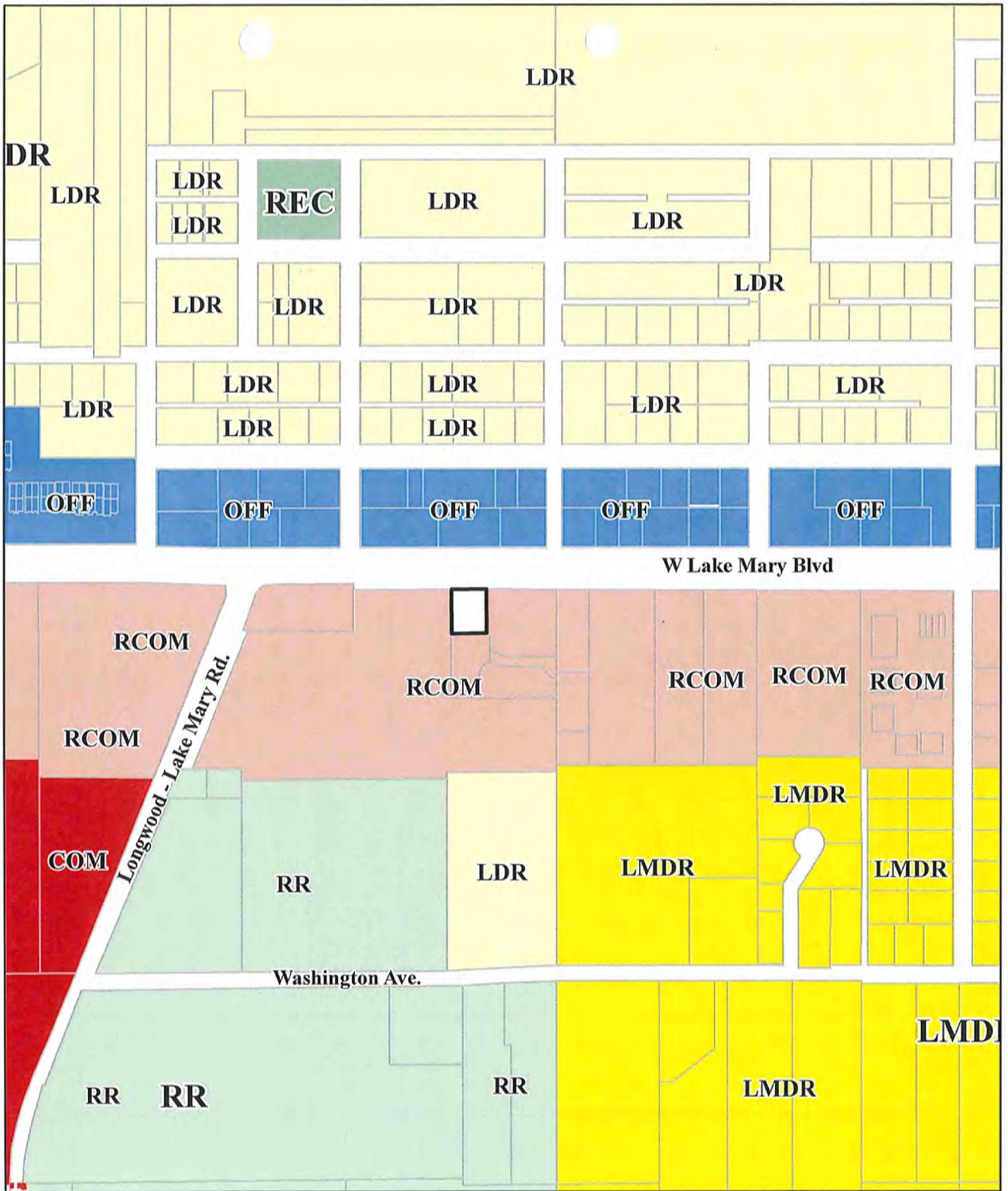
CITY ATTORNEY, CATHERINE D. REISCHMANN



Location Map

The Oaks at Lake Mary Shopping Center
Lake Mary Blvd.

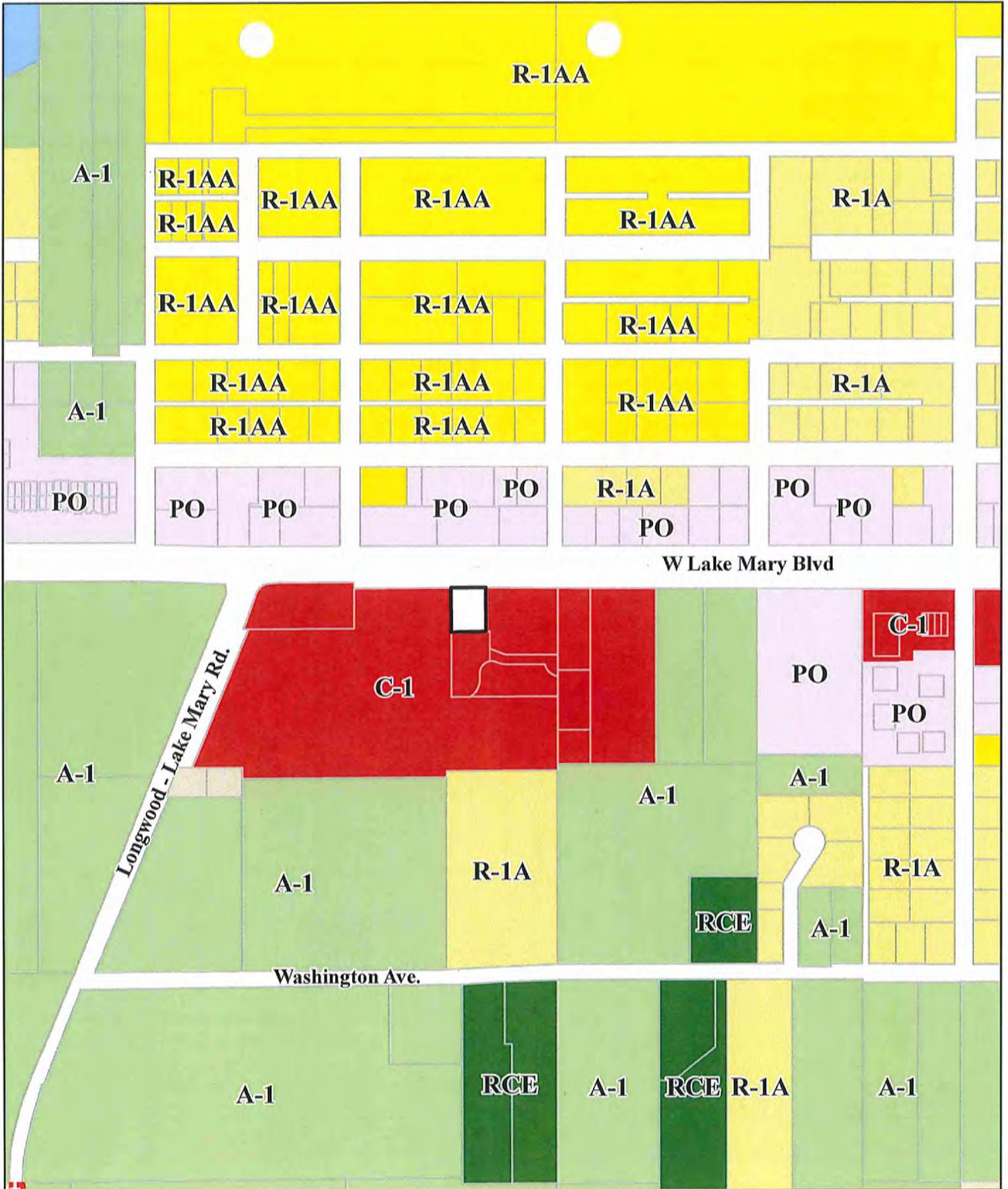




Future Land Use Map

The Oaks at Lake Mary Shopping Center





Zoning Map

The Oaks at Lake Mary Shopping Center



W. Lake Mary Blvd.



City staff and the applicant, or the agent for the applicant, will make their presentations first, followed by questions from the Planning and Zoning Board members. After the presentations from staff and the applicant, the Chairman will open the public hearing portion of the meeting to allow interested parties to speak for or against the item being considered. The public is instructed to keep their presentation factual, not be redundant, and to direct all comments to the Board, not to the applicant or to staff. From time to time, it may become necessary for the Chairman to limit the time that speakers may have. If a time limit is to be imposed, it will be announced at the time that the Public Hearing is opened. If a speaker wishes to be heard for the record but does not have any new information regarding the item being considered, the speaker shall give his/her name and address for the record and state that they agree with the presentation made by a previous speaker, giving the specific name of the person. When the Chairman believes that no additional information is forthcoming, the Chairman shall close the public hearing portion of the meeting.

VIII. Old Business

None

IX. New Business

- A. 2015-RZ-06: Recommendation to the Mayor and City Commission for a rezone of .38 acres of property located east of the intersection of West Lake Mary Boulevard and Longwood-Lake Mary Road from no designation to C-1, General Commercial. Applicant: Oaks at Lake Mary LTD., Mr. Stephen Coover (Public Hearing)

MOTION:

Justin York moved to approve 2015-RZ-06, recommendation to the Mayor and City Commission for a rezone of .38 acres of property located east of the intersection of West Lake Mary Boulevard and Longwood-Lake Mary Road from no designation to C-1, General Commercial, seconded by Sam Aycoth and motion carried unanimously 5-0.

- B. 2015-LU-03: Recommendation to the Mayor and City Commission for a Small Scale Future Land Use Amendment for .38 acres of property located east of the intersection of West Lake Mary Boulevard and Longwood-Lake Mary Road from no designation to RCOM, Restricted Commercial. Applicant: Oaks at Lake Mary LTD., Mr. Stephen Coover (Public Hearing)

MOTION:

Sam Aycoth moved to approve 2015-LU-03, recommendation to the Mayor and City Commission for a Small Scale Future Land Use Amendment for .38 acres of property located east of the intersection of West Lake Mary Boulevard and Longwood-Lake Mary Road from no designation to RCOM, Restricted Commercial, seconded by Steven Gillis and motion carried unanimously 5-0.

- C. 2015-CU-03: Recommendation to the Mayor and City Commission regarding a request for a Conditional Use for a Private and Retail Recreational Facility, Focus Performing Arts Studio, in the M-1A, Office and Light Industrial, zoning district located at Lot 8 in Williston Park. Applicant: Focus Performing Arts Studio, Ms. Jenny Clifton (Public Hearing)

MOTION:

Colleen Taylor moved to approve 2015-CU-03, recommendation to the Mayor and City Commission regarding a request for a Conditional Use for a private and retail recreational facility, Focus Performing Arts Studio, in the M-1A, Office and Light Industrial, zoning district located at Lot 8 in Williston Park, including the seven findings of fact. Seconded by Justin York and motion carried unanimously 5-0.

- D. 2015-SP-07: Request for Site Plan approval for the construction of a five level parking garage on an existing site located at 1001 Heathrow Park Lane. Applicant: CBRE, Ms. Sandy Chace (Public Hearing)

MOTION:

Sam Aycoth moved to approve 2015-SP-07, request for Site Plan approval for the construction of a five level parking garage on an existing site located at 1001 Heathrow Park Lane subject to working with staff and getting confirmation that the entire east side of the structure will be planted with southern magnolias so when mature will hide the garage as much as possible from I-4 and the three findings of fact. Seconded by Justin York and motion carried unanimously 5-0.

X. Community Development Director's Report

Mr. Omana said on January 7th the Commission approved the D1 Sports conditional use and the Terry Shaw site plan on Crystal Lake Avenue.

Mr. Omana said we had a meeting with Chris Mahnken and his folks and we are awaiting submittal of their site plan. They were able to resolve some issues with respect to layout and setbacks.

XII. Reports of Other Members



MEMORANDUM

DATE: March 3, 2016

TO: Mayor and City Commission

FROM: Stephen J. Noto, AICP
City Planner

THRU: John Omana, Community Development Director

VIA: Jackie Sova, City Manager

SUBJECT: Ordinance No. 1539 - Rezone .38 acres of property located at the southeast corner of Lake Mary Boulevard and Longwood-Lake Mary Road from no designation to C-1 General Commercial; Oaks at Lake Mary LTD, Stephen Coover, applicant - Second Reading (Public Hearing) (Quasi-Judicial) (Steve Noto, City Planner)

APPLICANT: Oaks at Lake Mary LTD., Mr. Stephen Coover

REFERENCE: City Code of Ordinances and Comprehensive Plan

COORDINATION: Development Review Committee

REQUEST: The applicant is requesting a rezoning of the subject property to C-1, General Commercial. The subject property does not currently have a zoning designation or a future land use category assigned to it.

DISCUSSION:

Location: The subject property is located east of the intersection of W. Lake Mary Blvd. and Longwood-Lake Mary Rd.

History: The subject property is currently vacant and was previously owned by Seminole County. Over time, the parcel was never assigned a zoning category or future land use designation. As a result, the applicant, who is now the owner of the property, is

requesting to have a zoning designation assigned to the property. This will then allow the applicant to better market the property and prepare it for site improvements.

Zoning

NW PO	N PO	NE PO
W C-1	SITE none	E C-1
SW C-1	S C-1	SE C-1

Future Land Use

NW OFF	N OFF	NE OFF
W RCOM	SITE none	E RCOM
SW RCOM	S RCOM	SE RCOM

CRITERIA FOR REZONING:

Need: **The applicant proposes to rezone the property for office use.**

- A. **Justification:** The property is currently vacant and does not have a zoning designation. In order for the site to be developed, a zoning category and future land use category is required. The site was recently purchased from the County, therefore, there is a high chance of development in the future.
- B. **Effect of Change In and Around Area:** The proposed C-1 zoning is consistent with the area, as shown in the attached zoning map.
- C. **Amount of Similar Zoned Land and Comparable Undeveloped Land in Area:** Of the 16 properties within a 300' buffer of the property, 7 have C-1 zoning. The remaining 9 properties have PO, Professional Office, zoning.
- D. **Relationship to Comprehensive Plan:** The proposed Future Land Use (FLU) designation of the property is RCOM (Restricted Commercial). The RCOM designation is consistent with the area, and the proposed zoning of C-1 is consistent with the RCOM FLU category.

Compatibility to City Code: The requested C-1 zoning district is compatible with the City's Comprehensive Plan & the Code of Ordinances.

PLANNING AND ZONING BOARD: At their regular January 26, 2016 meeting, the Planning and Zoning Board unanimously recommended approval, 5-0, of the requested rezoning of .38 acres of property located east of the intersection of W. Lake Mary Blvd. and Longwood-Lake Mary Rd., from no designation, to C-1, General Commercial.

FINDINGS OF FACT: The above referenced findings of fact A through D are determined to support the requested rezoning of the subject property from none to C-1, General Commercial, by establishing consistency and compatibility.

LEGAL DESCRIPTION: SEC 17, TWP 20S, RGE 30E, W 100 FT OF E 330FT OF S 191 FT OF N 230 FT OF NE ¼ (LESS N 52 FT FOR RD).

ATTACHMENTS:

- Ordinance No. 1539
- Location Map
- Land Use Map
- Zoning Map
- Aerial
- January 26, 2016 Planning & Zoning Board Meeting Synopsis

ORDINANCE NO. 1539

AN ORDINANCE OF THE CITY OF LAKE MARY, FLORIDA AMENDING THE CITY OF LAKE MARY OFFICIAL ZONING MAP BY REZONING CERTAIN PROPERTY WITHIN THE CITY OF LAKE MARY, CONSISTING OF +/- .38 ACRES, LOCATED EAST OF THE INTERSECTION OF WEST LAKE MARY BOULEVARD AND LONGWOOD-LAKE MARY ROAD, MORE FULLY DESCRIBED HEREIN, FROM NO PRESENT ZONING CLASSIFICATION, TO C-1, GENERAL COMMERCIAL, PURSUANT TO THE TERMS OF THE FLORIDA STATUTES; PROVIDING FOR CONFLICTS, SEVERABILITY AND EFFECTIVE DATE.

WHEREAS, Oaks at Lake Mary LTD., applicant, has petitioned to rezone the above referenced property, within the City of Lake Mary, Florida, which currently has no zoning classification or Future Land Use designation; and

WHEREAS, the City Commission of the City of Lake Mary, Florida, deems it 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, to rezone the above described subject property to C-1, General Commercial; and

WHEREAS, the proposed C-1, General Commercial, zoning district is compatible with the proposed RCOM, Restricted Commercial land use designation, which is being processed concurrently with this rezoning request; and

WHEREAS, at their regular January 26, 2016, meeting the City of Lake Mary Planning and Zoning Board voted unanimously to recommend the proposed C-1 zoning designation.

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 to C-1, General Commercial:

SEC 17 TWP 20S RGE 30E W 110FT OF E 330FT OF S 191 FT OF N 230 FT
OF NE ¼ (LESS N 52FT FOR RD).

Section 2. 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 3. Severability. If any section, part of a section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holding of invalidity shall not affect the remaining portions of this Ordinance and shall be construed to have been the legislative intent to pass this Ordinance without such unconstitutional, invalid or inoperative parts therein, and the remainder of this Ordinance, after the exclusion of such part or parts, shall be deemed to be held valid as if this Ordinance had been adopted without such unconstitutional, invalid or inoperative part therein and if this Ordinance or any provision thereof, shall be held inapplicable to any person, group of persons, property, kind of property, circumstances, or set of circumstances, such holding shall not affect the application thereof to any other person, property or circumstances.

Section 4. Conflicts. This Ordinance shall not be construed to have the effect of repealing any existing Ordinances concerning the subject matter of this Ordinance, but the regulations herein shall be supplemental and cumulative; however, in the case of a direct conflict with a provision or provisions of any existing Ordinance the provision which is more restrictive and imposes higher standards or requirements shall govern.

Section 5. Effective Date. This ordinance shall become effective upon adoption.

PASSED AND ADOPTED this 3rd day of March 2016.

FIRST READING: February 18, 2016

SECOND READING: March 3, 2016

ATTEST:

Carol A. Foster, City Clerk

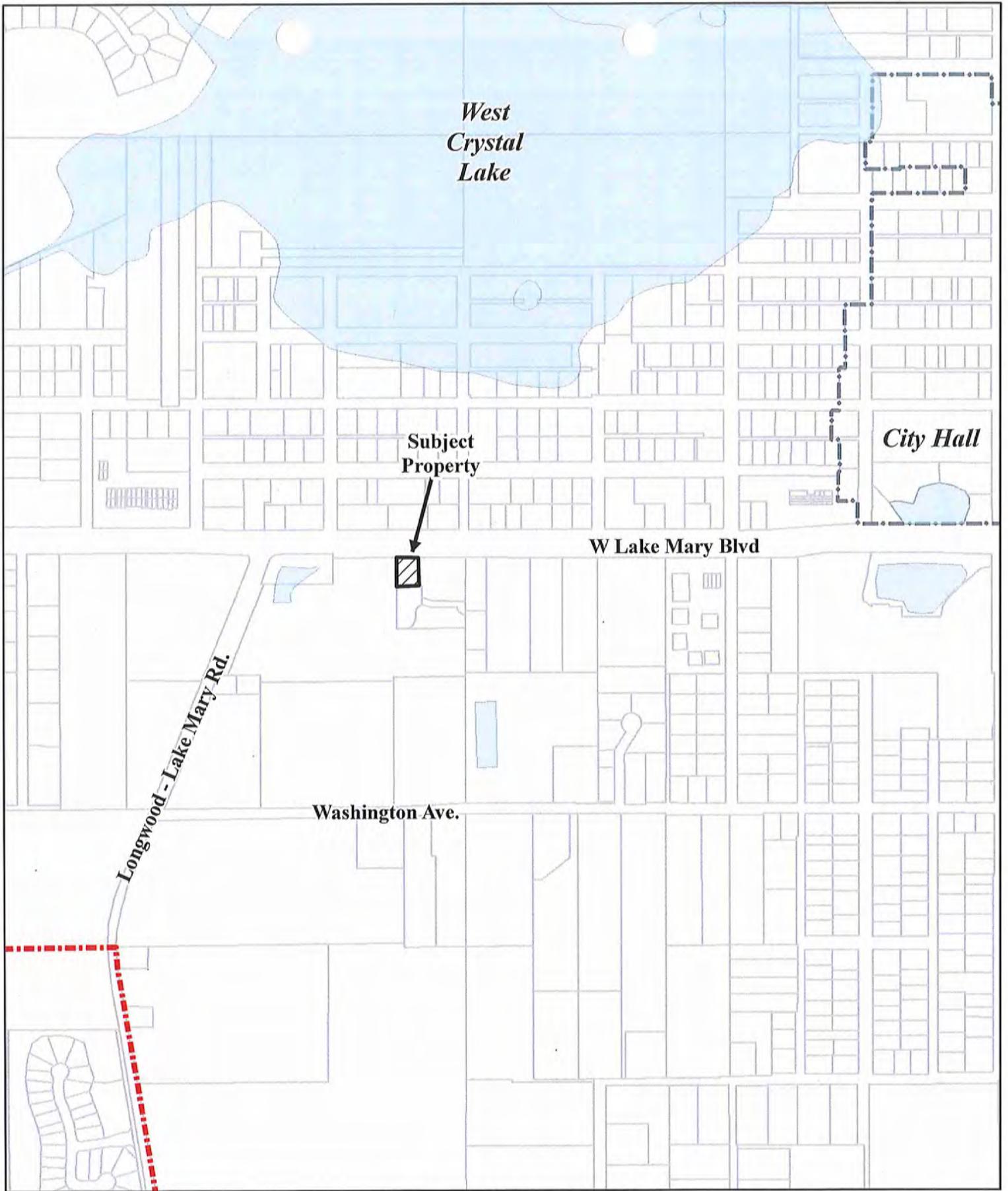
David J. Mealor, Mayor

CITY OF LAKE MARY, FLORIDA

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

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

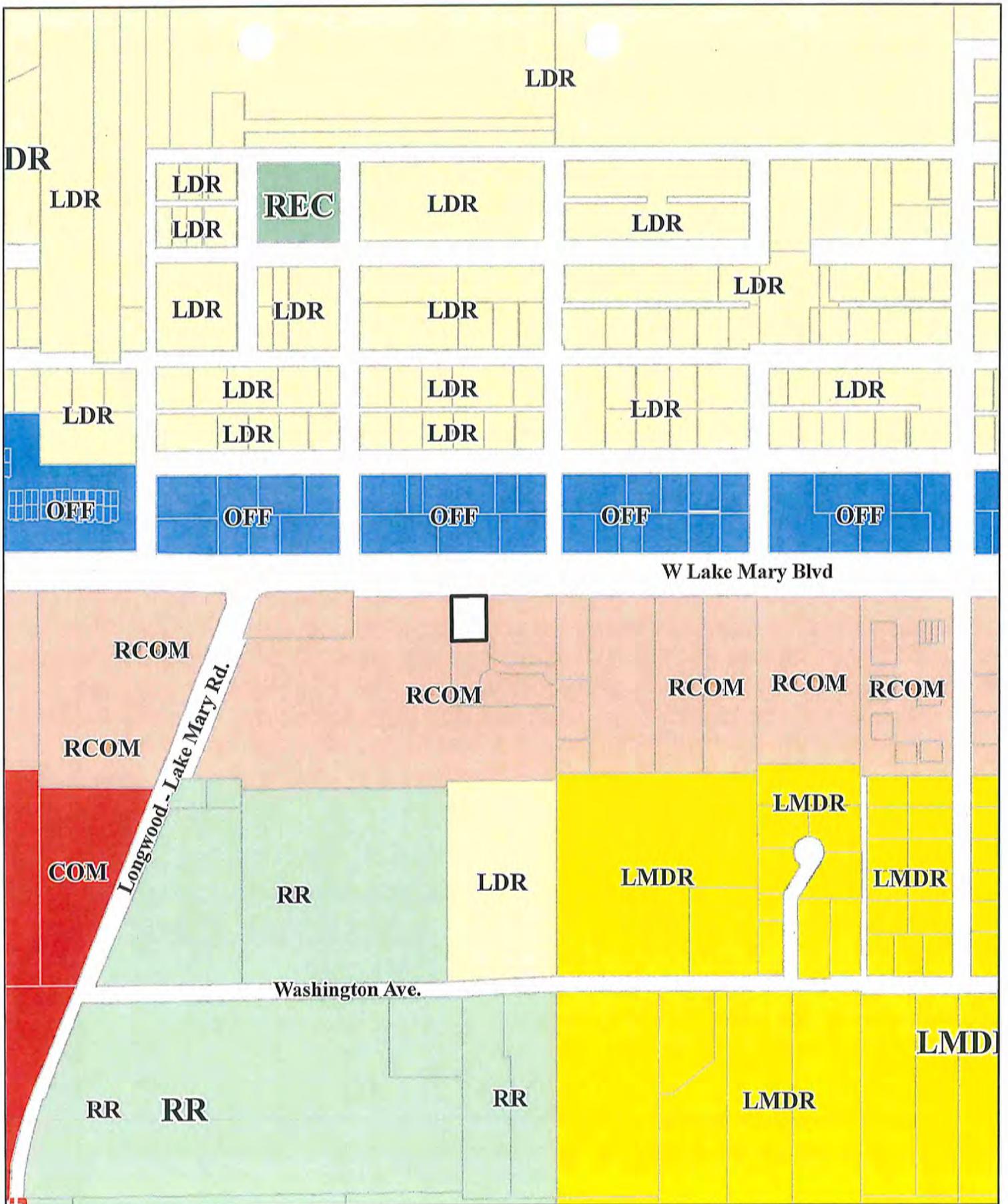
CATHERINE D. REISCHMANN, CITY ATTORNEY



Location Map

The Oaks at Lake Mary Shopping Center
Lake Mary Blvd.

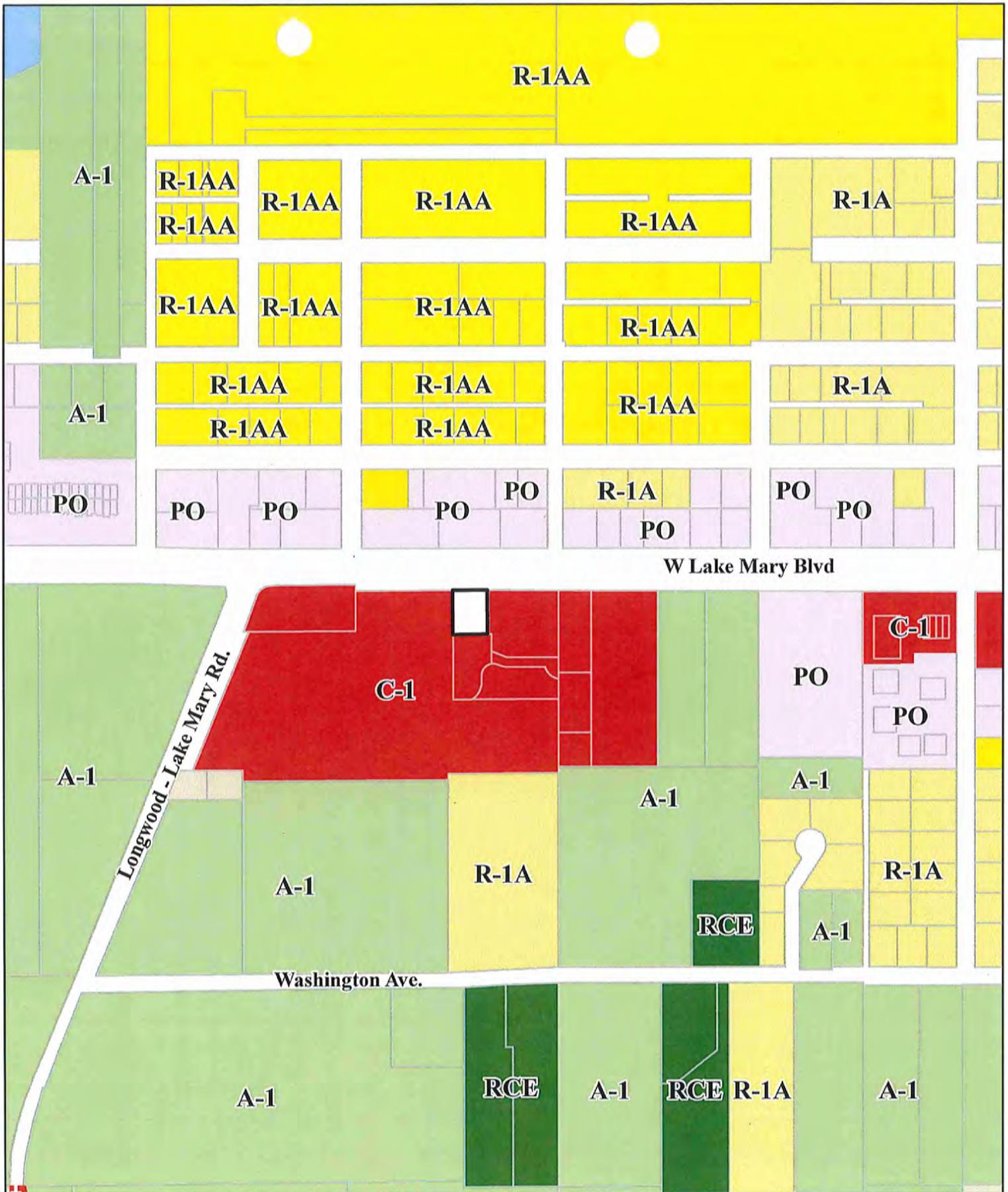




Future Land Use Map

The Oaks at Lake Mary Shopping Center





Zoning Map

The Oaks at Lake Mary Shopping Center



W. Lake Mary Blvd.



City staff and the applicant, or the agent for the applicant, will make their presentations first, followed by questions from the Planning and Zoning Board members. After the presentations from staff and the applicant, the Chairman will open the public hearing portion of the meeting to allow interested parties to speak for or against the item being considered. The public is instructed to keep their presentation factual, not be redundant, and to direct all comments to the Board, not to the applicant or to staff. From time to time, it may become necessary for the Chairman to limit the time that speakers may have. If a time limit is to be imposed, it will be announced at the time that the Public Hearing is opened. If a speaker wishes to be heard for the record but does not have any new information regarding the item being considered, the speaker shall give his/her name and address for the record and state that they agree with the presentation made by a previous speaker, giving the specific name of the person. When the Chairman believes that no additional information is forthcoming, the Chairman shall close the public hearing portion of the meeting.

VIII. Old Business

None

IX. New Business

- A. 2015-RZ-06: Recommendation to the Mayor and City Commission for a rezone of .38 acres of property located east of the intersection of West Lake Mary Boulevard and Longwood-Lake Mary Road from no designation to C-1, General Commercial. Applicant: Oaks at Lake Mary LTD., Mr. Stephen Coover (Public Hearing)

MOTION:

Justin York moved to approve 2015-RZ-06, recommendation to the Mayor and City Commission for a rezone of .38 acres of property located east of the intersection of West Lake Mary Boulevard and Longwood-Lake Mary Road from no designation to C-1, General Commercial, seconded by Sam Aycoth and motion carried unanimously 5-0.

- B. 2015-LU-03: Recommendation to the Mayor and City Commission for a Small Scale Future Land Use Amendment for .38 acres of property located east of the intersection of West Lake Mary Boulevard and Longwood-Lake Mary Road from no designation to RCOM, Restricted Commercial. Applicant: Oaks at Lake Mary LTD., Mr. Stephen Coover (Public Hearing)

MOTION:



MEMORANDUM

DATE: March 3, 2016

TO: Mayor and City Commission

FROM: Stephen J. Noto, AICP
City Planner

THRU: John Omana, Community Development Director

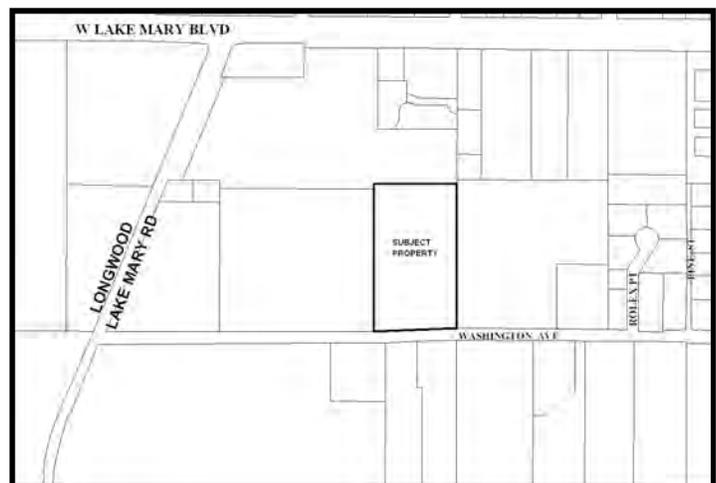
VIA: Jackie Sova, City Manager

SUBJECT: Final Plat for Twelve Oaks at Lake Mary (Public Hearing) (Steve Noto, City Planner)

APPLICANT: Allen & Company, Ms. Jenelle Schmidli.

REFERENCE: City Code of Ordinances, Comprehensive Plan, Florida Statutes Chapter 177.

REQUEST: The applicant proposes a Final Plat for the Twelve Oaks at Lake Mary subdivision. When complete, the existing lot will be divided into 12 single-family residential lots.



DISCUSSION:

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

History - The subject property, which has one single-family home on it, is approximately 4.85 acres and is located east of Longwood Lake Mary Road, on the north side of Washington Avenue. The Planning & Zoning Board approved the Final Subdivision on July 28, 2015. The site work is almost complete, and model home construction should begin shortly after the Final Plat is approved.

ANALYSIS: The final plat has been reviewed by the City's Surveyor Consultant and City Attorney. They have indicated that the plat and associated documents that have been provided are sufficient for approval.

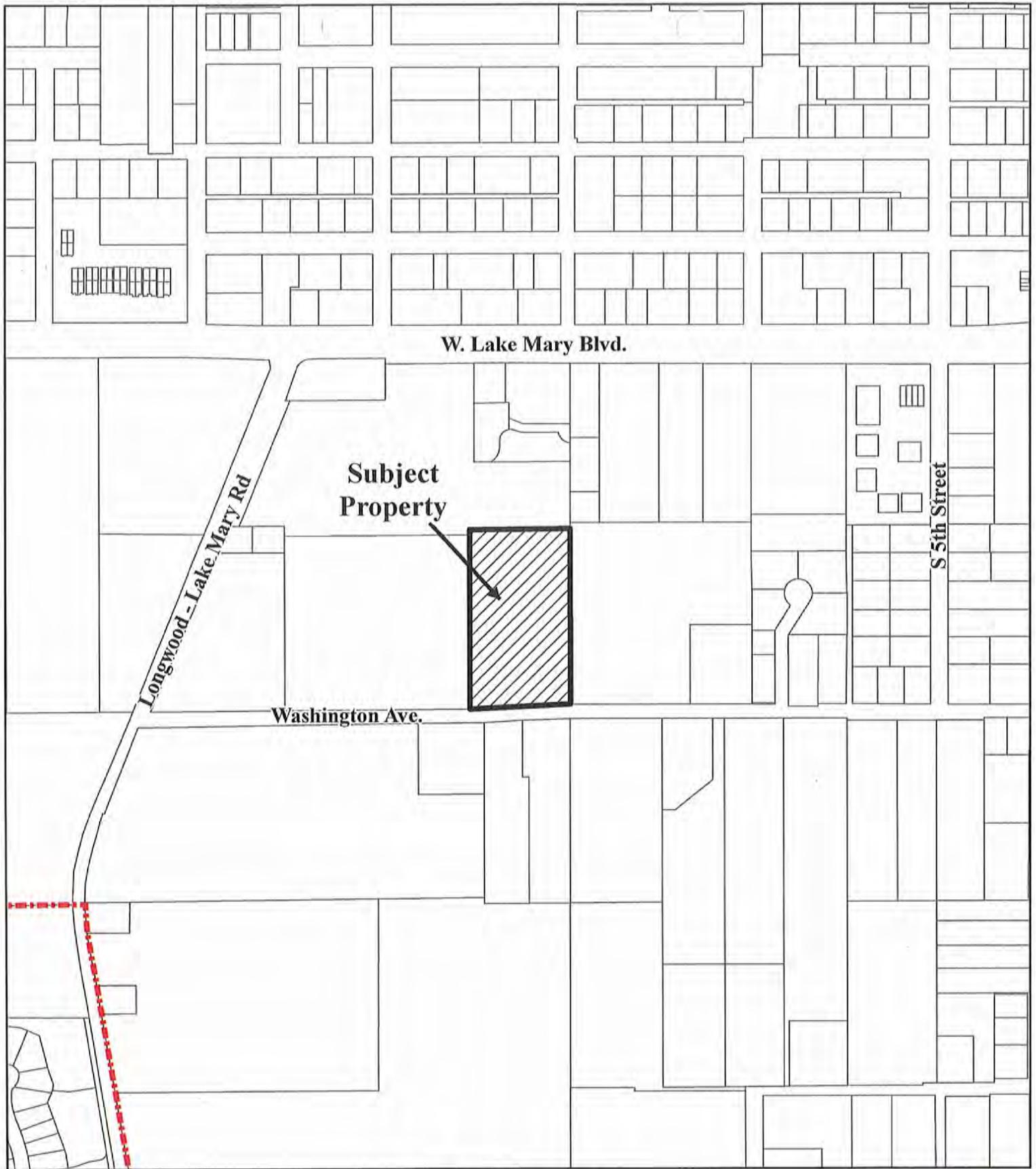
FINDINGS OF FACT: Staff finds that the final plat complies with the Code of Ordinances, Comprehensive Plan, and Chapter 177, Florida Statutes, with the following condition:

1. Prior to the recording of the plat the applicant shall reimburse the City for the costs of the consultant review and legal review. The costs of recording shall also be passed on to the applicant.

PLANNING AND ZONING BOARD: At their regular February 23, 2016 meeting, the Planning and Zoning Board voted, 5-0, to recommend approval of the proposed final plat for Twelve Oaks at Lake Mary with staff's condition.

ATTACHMENTS:

- Location Map
- Plat
- February 23, 2016 Planning & Zoning Board Meeting Synopsis



Location Map
Twelve Oaks Subdivision
330 Washington Ave.



City staff and the applicant, or the agent for the applicant, will make their presentations first, followed by questions from the Planning and Zoning Board members. After the presentations from staff and the applicant, the Chairman will open the public hearing portion of the meeting to allow interested parties to speak for or against the item being considered. The public is instructed to keep their presentation factual, not be redundant, and to direct all comments to the Board, not to the applicant or to staff. From time to time, it may become necessary for the Chairman to limit the time that speakers may have. If a time limit is to be imposed, it will be announced at the time that the Public Hearing is opened. If a speaker wishes to be heard for the record but does not have any new information regarding the item being considered, the speaker shall give his/her name and address for the record and state that they agree with the presentation made by a previous speaker, giving the specific name of the person. When the Chairman believes that no additional information is forthcoming, the Chairman shall close the public hearing portion of the meeting.

VIII. Old Business

None

IX. New Business

- A. 2015-FP-12: Recommendation to the Mayor and City Commission for a Final Plat for Twelve Oaks at Lake Mary. Applicant: Allen & Company, Ms. Jenelle Schmidli (Public Hearing)

MOTION:

Justin York moved to approve 2015-FP-12, recommendation to the Mayor and City Commission for a Final Plat for Twelve Oaks at Lake Mary with the finding of fact from staff and one condition, seconded by Steven Gillis and motion carried unanimously 5-0.

CONDITION:

1. **Prior to the recording of the plat the applicant shall reimburse the City for the costs of the consultant review and legal review. The costs of recording shall also be passed on to the applicant.**

B. 2015-SP-04: Recommendation to the Mayor and City Commission for a site plan with variances for a 10,750 square foot building located at Lot 8 of Williston Park. Applicant: Focus Performing Arts Studio, Inc., Ms. Jenny Clifton (Public Hearing)

MOTION: