



LAKE MARY CITY COMMISSION

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

**Regular Meeting
AGENDA
THURSDAY, APRIL 07, 2016 7:00 PM**

- 1. Call to Order**
- 2. Moment of Silence**
- 3. Pledge of Allegiance**
- 4. Roll Call**
- 5. Approval of Minutes: March 17, 2016**
- 6. Special Presentations**
 - A. Lt. Mike Biles, Lake Mary Police Department**
 - B. Update on School Board - Tina Calderone, Chairman**
 - C. Proclamation - North American Occupational Safety and Health Week and Occupational Safety and Health Day**
- 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. 1540 - Final Planned Unit Development for Griffin Farm at Midtown, 114 Longwood Lake Mary Road - Second Reading (Public Hearing) (quasi-judicial) (Steve Noto, City Planner)

9. New Business

A. Resolution No. 980 - Renaming Third Street to South Third Street (Wendy Niles, Fire Marshal)

B. Request from Feather's Edge Phase II for a \$6,410.60 Neighborhood Beautification Grant (Steve Noto, City Planner)

10. Other Items for Commission Action - None

11. City Manager's Report

A. Items for Approval

a. Request approval of Emergency Purchase Order for City Hall parking lot repair

b. Lake Mary Events Center Catering Services (RFP# 16-02)

c. Surplus Item - Large Format Scanner and Stand

B. Items for Information

a. None

C. Announcements

12. Mayor and Commissioners Report - (2)

A. Appointments to Historical Commission and Elder Affairs Commission

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: April 21, 2016

1 MINUTES OF THE LAKE MARY CITY COMMISSION MEETING held March 17, 2016,
2 7:00 P.M., Lake Mary City Commission Chambers, 100 North Country Club Road, Lake
3 Mary, Florida.

4
5
6 1. Call to Order
7

8 The meeting was called to order by Mayor David Mealor at 7:00 P.M.
9

10 2. Moment of Silence
11

12 3. Pledge of Allegiance
13

14 4. Roll Call
15

16 Mayor David Mealor
17 Commissioner Gary Brender
18 Deputy Mayor George Duryea
19 Commissioner Sidney Miller
20 Commissioner Jo Ann Lucarelli
21

Jackie Sova, City Manager
Carol Foster, City Clerk
Dianne Holloway, Finance Director
John Omana, Community Development Dir.
Steve Noto, City Planner
Tom Tomerlin, Economic Development Mgr.
Bryan Nipe, Parks & Recreation Director
Bruce Paster, Public Works Director
Colin Morgan, Deputy Police Chief
Bruce Fleming, Sr. Code Enforcement Officer
Joe Landreville, Deputy Fire Chief
Katie Reischmann, City Attorney
Mary Campbell, Deputy City Clerk

22
23
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28
29
30 5. Approval of Minutes: March 3, 2016
31

32 **Motion was made by Commissioner Brender to approve the minutes of the March**
33 **3, 2016, meeting, seconded by Commissioner Lucarelli and motion carried**
34 **unanimously.**
35

36 6. Special Presentations
37

38 A. FY 2015 Comprehensive Annual Financial Report – McDirmit Davis &
39 Company, LLC
40

41 Ms. Holloway said we have McDirmit Davis with us tonight. We are a little late getting it
42 done this year mainly due to a new GASB pronouncement that was implemented this
43 year. It has to do with pension accounting. We had a lot more notes and disclosures to
44 put on our financial statements this year.
45

1 Tammy Campbell of McDirmit Davis & Company, 934 North Magnolia Avenue, Orlando,
2 Florida, came forward. She said we are here to present the results of the 2015 audit.
3 The 2014 report received a certificate of achievement and the 2015 report will also be
4 presented for the same Certificate of Achievement for Excellence in Financial
5 Reporting.

6
7 Ms. Campbell said our independent auditor's report is an unmodified opinion which is
8 the best opinion you can get. Our audit reports in the Other Reports section state that
9 the City is in compliance with laws and regulations of contracts. Our management letter
10 also states that there are no current year or prior year findings, noting that we found
11 good internal controls in our testing that we did.

12
13 Ms. Campbell said as far as a summary of activity, the City's assets at the end of the
14 year exceeded liabilities by \$93.9 million. This was a decrease in that position of \$1.5
15 million from the prior year. This decrease is related to the new pension accounting
16 standards which now require you to book an unfunded portion of the City's net pension
17 liability on the balance sheet. That was a \$1.6 million decrease to beginning that
18 position. Current year activity resulted in \$226,000 increase in that position. Note 5.F.
19 shows more detail on those pension plans.

20
21 Ms. Campbell said the largest portion of the City's net position, which is \$60.3 million or
22 64.2%, reflects the investment of capital assets, net of related debt. That is essentially
23 the amount of capital assets the City has invested in. Note 5.D. shows the detail of
24 those capital assets.

25
26 Ms. Campbell said in the fund financial statements, fund balance of the General Fund
27 decreased \$268,000 which was planned. The projected decrease in the budget was
28 \$2.7 million so it was a much smaller decrease in what was budgeted. That position in
29 the Water & Sewer Fund increased almost \$200,000. Stormwater increased about
30 \$6,000. Both of these funds had increased revenues during 2015. Overall it is a
31 continued healthy picture of the City.

32
33 Mayor Mealor asked if the team will receive the excellence in financial reporting award.

34
35 Ms. Campbell said for 2015 they are going to submit the report and our anticipation is
36 that they will receive it.

37
38 Mayor Mealor said we have received that report since 1992 and so much of that credit
39 went to Ms. Sova when she was Finance Director and for Ms. Holloway to come in and
40 take that to the next level speaks volumes about you and your team.

41
42 **Motion was made by Commissioner Lucarelli to accept the audit, seconded by**
43 **Commissioner Miller and motion carried unanimously.**

44
45 7. Citizen Participation – This is an opportunity for anyone to come forward and
46 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. New Business

10
11 A. Site Plan with variances for a 10,750 square foot building located at Lot 8 of
12 Williston Park, Focus Performing Arts Studio, Inc.; Jenny Clifton, applicant
13 (Public Hearing) (quasi-judicial) (Steve Noto, City Planner)
14

15 Mr. Noto showed an aerial of the subject property on the overhead. He said this item
16 was recently before the Commission for conditional use approval for a private recreation
17 facility at this site for the Focus Performing Arts Studio. This is the last step in the
18 public hearing phase for the project. It is for a 10,750 square foot building at Lot 8 of
19 the Williston Park plat.
20

21 Mr. Noto showed the proposed site plan on the overhead. He said access to the site
22 will be off of Williston Park Point. In working with the applicant and engineer you can
23 see the site is designed that if you enter from Williston Park Point, you have the ability
24 to circulate around the site so you can drop off your child or other students that would
25 be attending the center. That way we don't have backup on Williston Park Point. There
26 will be a lot of classes going on throughout the day so we are very pleased with this
27 type of design that will allow a large amount of stacking.
28

29 Mr. Noto said the Williston Park plat has something of a master stormwater system
30 similar to the larger PUDs and DRIs in the City. You can see some of the stormwater
31 structures going to the left of the page. That is the dry pond that the site will be
32 emptying into.
33

34 Mr. Noto said one of the things we had to deal with on this site is the landscape buffers.
35 The site is zoned M-1A and it's adjacent to residential zoning separated by a right-of-
36 way. The code requirement for the landscape buffer is 45 feet. Traditional uses for M-
37 1A are manufacturing and industrial type buildings. The landscape buffer is designed to
38 protect the neighborhoods that are adjacent. This is more of a commercial building.
39 The landscape buffers for C-1 and PO are more appropriate for this type of design. On
40 Pages 3 and 4 of the staff report we went into some detail as to why staff is supporting
41 their request for the landscape variance. He put the landscape plan on the overhead.
42 The variance is just for the eastern buffer. In lieu of a 45-foot buffer they will be
43 providing a 30.7-foot wide buffer. They will be providing 22 understory trees in lieu of
44 29 and there will be no wall. There are some overhead power lines in this area so we
45 are working with the applicant to ensure whatever canopy trees are planted do not
46 conflict with the overhead power lines otherwise we can work with them on understory.

1 That is something we have become sensitive to given the maintenance work that has
2 been done around the City over the last couple of years. We are trying to avoid issues
3 in the future.

4
5 Mr. Noto said getting a landscape variance is different than your setback variances or
6 other types of variances. That has to do with inconsistent land use and zoning
7 classifications, unique parcel sizes and layouts. This M-1A zoning being separated by
8 the wide Rinehart Road right-of-way, not to mention in front of Woodbridge Lakes there
9 is also a wide stormwater pond area. There is over 400 feet between this property line
10 and the next single-family house property to the east. We are very comfortable with the
11 landscape variance as proposed and requested.

12
13 Mr. Noto said the Planning & Zoning Board heard this item at their regular February 23,
14 2016, meeting and voted unanimously 5 – 0 to recommend approval of the proposed
15 site plan with variances.

16
17 Mr. Noto said staff is recommending approval. We have three conditions as outlined in
18 the staff report on Page 4. He noted the applicant was present.

19
20 Commissioner Brender said he saw in the reading the site requires a minimum of nine
21 parking spaces and is providing 43.

22
23 Mr. Noto said that was correct. He said it was different for private recreation facilities or
24 commercial uses that are not retail. You have to have one space for every two
25 employees on the largest shift and one space for a company vehicle. The way it was
26 designed they provided more. If we relied on our standard parking code they are still
27 above that minimum.

28
29 Commissioner Brender said they feel 43 is a good number for staff and whoever would
30 be driving in for classes.

31
32 Mr. Noto answered affirmatively.

33
34 Mayor Mealor asked if anyone wanted to speak in reference to this site plan. No one
35 came forward and the public hearing was closed.

36
37 **Motion was made by Commissioner Brender to approve the site plan and**
38 **variances with the three conditions from staff, seconded by Commissioner**
39 **Lucarelli and motion carried by roll-call vote: Commissioner Brender, Yes;**
40 **Deputy Mayor Duryea, Yes; Commissioner Miller, Yes; Commissioner Lucarelli,**
41 **Yes; Mayor Mealor, Yes.**

42
43 Mayor Mealor said the applicant, Jenny Clifton, later tonight you are going to hear about
44 what we are trying to create in this community. Several of us when we ran in the late
45 80's and early 90's talked about trying to create a community where our children when
46 they became adults would want to come back. The fact that Ms. Clifton has grown up in

1 this community, she has gone to school in this community, has had a successful
2 business in this community, and now is building in this community. All we can say is
3 thank you, congratulations, best wishes. We will stand ready to work with you in any
4 way that we can.

5
6 B. Request to reduce Code Enforcement Lien on property located at 253
7 Seminole Avenue – Bigler Stouffer, applicant (Bruce Fleming, Sr. Code
8 Enforcement Officer)

9
10 Mayor Meador announced that he visited the site that was under the item just previously
11 discussed and his decision was based on the information presented.

12
13 Mayor Meador said his understanding is there was an issue, it was noted, the person
14 had 30 days to respond and they responded on the 31st day. He asked if that was
15 correct.

16
17 Bruce Fleming, Sr. Code Enforcement Officer, came forward. Mr. Fleming said that was
18 correct.

19
20 Mayor Meador said we have a lien issue. The lien was issued on the 31st day. It was
21 corrected on the 31st day. He asked the Commission if they wanted to make a decision
22 on an applicant that he felt acted in good faith. Our ordinances say 30 days. It was
23 done on the 31st day. This has been accruing. He asked if he was correct.

24
25 Mr. Fleming answered negatively. The Code Enforcement Board held a hearing on the
26 City of Lake Mary vs. Bigler Stouffer case at 253 Seminole Avenue on September 15,
27 2009. The board found that the property owner, Mr. Stouffer, had violated the City
28 Code by failure to secure an unsafe structure at the subject property. The property
29 owner was required to make all repairs cited in the notice of violation or demolish the
30 structure within 30 days of the hearing or pay a fine of \$100 per day for each day the
31 violation continued. Code Enforcement conducted a subsequent inspection of the
32 property on November 17, 2009, and found that the property was in compliance.
33 However, the property had remained in violation of the board's order for 31 days and
34 accumulated a fine of \$3,100.00. He said Mr. Stouffer contacted us on March 4, 2016,
35 seeking a reduction of the outstanding lien. The current outstanding lien on this
36 property is \$3,100.00 in fines, \$808.56 in interest, and \$55.00 for filing fees for a grand
37 total of \$3,963.56. This property remains in compliance with the board's order of
38 September 15, 2009; therefore, consideration of abatement of this lien should require
39 payment in full within 30 days of this meeting.

40
41 Commissioner Miller asked the state of the dwelling now. He asked if it was occupied,
42 foreclosed, or what.

43
44 Mr. Fleming said the property is not foreclosed. The property is owned by Mr. Stouffer.
45 The structure was demolished and the lot has been maintained and there have been no
46 code issues since the November 17, 2009, date of compliance.

1
2 Bigler Stouffer, applicant, came forward. He said it was just brought to his attention that
3 was still out and is why it has taken six years. We are here tonight requesting a
4 reduction. We were trying to sell the property. This was going in parallel with what was
5 happening. We were trying to do a 1031 exchange with the gentleman. We had some
6 challenges with the City clarification as far as whether it was PO versus residential and
7 then that property has no access off of Seminole Avenue and there is no access off
8 Sixth Street. Sixth Street doesn't exist there because of the lift station.

9
10 Mr. Stouffer said as soon as he got the original notification of this, we went out and got
11 a proposal on March 17, 2009. We were prepared to tear it down but were waiting on
12 the City to see what we've got with access, which was denied.

13
14 Commissioner Lucarelli said for clarification, Mr. Stouffer is saying in 2009 he asked for
15 some kind of permission for access.

16
17 Mr. Stouffer said he has asked for access on multiple occasions. He has had three
18 opportunities to sell that property but because of the access issues we haven't been
19 able to sell it. Originally in '95 he got Matt West to give him clarification on that prior to
20 buying it.

21
22 Commissioner Lucarelli said it seems like there was some kind of breakdown in
23 communication. If we are partially at fault she thought there should be some kind of
24 abatement on the lien. She asked where was the breakdown and was it half and half.

25
26 Mr. Fleming said the issues Mr. Stouffer is referring to as to the access to get onto the
27 property and the zoning for the property are totally separate issues from the code
28 enforcement issue. The code enforcement issue deals with an unsafe structure on the
29 property that he needed to have removed or repaired.

30
31 Commissioner Lucarelli asked when that issue began.

32
33 Mr. Fleming said the hearing was on September 15, 2009. Thirty days from then is
34 when it needed to be in compliance. It came into compliance on November 17, 2009.

35
36 Commissioner Lucarelli said it was brought into compliance on the 31st day. She
37 questioned why there wasn't any communication within that 30-day period to say I'm
38 working on it, it's going to be done. She said it seems like there was a communication
39 issue.

40
41 Commissioner Brender asked Mr. Fleming to give some guidance on any past
42 experience that he has had with this kind of situation. We have at times kept the
43 interest. He asked Mr. Fleming if he had any guidance for them.

1 Mr. Fleming said staff has no objections to the abatement offered by the Commission.
2 We have no objection to accommodating the property owner with whatever the
3 Commission decides is most appropriate to resolve this issue.

4
5 Commissioner Miller asked Mr. Fleming if he believed he had followed all the guidelines
6 and followed all of our practices and was fair in imposing the fines.

7
8 Mr. Fleming said absolutely. The board was clear in its order. The board indicated that
9 the owner should contact staff when it is in compliance for a re-inspection but that never
10 occurred.

11
12 Commissioner Miller said we have had this discussion two or three times since he had
13 been on the Commission about waiving fines of this type. It was usually involved in
14 foreclosures and the bank was coming in saying they wanted to sell the house and in
15 order to sell the place they needed us to waive the fees. This is a little different from
16 that but it is sort of similar in that why do we assess the fees in the first place if when
17 people come in and say how about waiving the fees. We want to be good guys so we
18 start trying to figure out how to do it even though Mr. Fleming followed every practice to
19 the letter. Our employee has done his job exactly as we have directed him to.

20
21 Mr. Stouffer said in fairness, Bruce (Fleming) was fair with this throughout the process
22 and communicated. Sometimes demolition takes longer. They actually met out there
23 on day 31.

24
25 Commissioner Miller asked if during this time Bruce (Fleming) knew demolition was
26 going on and we continued the fine.

27
28 Mr. Stouffer said that was in 2009. He said he was sure he informed Mr. Fleming of his
29 intentions but really could not recall that.

30
31 Mayor Meador said the situation really does deal with something that is an ongoing issue
32 of negligence. What we are showing here is for whatever the concern was it was
33 corrected. He said he talked to every code enforcement class taught in the State of
34 Florida. No one holds Mr. Fleming in higher regard than he does and he is put in the
35 most difficult of circumstances because he has no choice. There is no gray area in
36 what he is asked to do. He appreciated Mr. Stouffer recognizing that Mr. Fleming was
37 just trying to do his job. He is a gentleman and is put in the worst possible situation yet
38 he is the one who is asked to help us maintain the standards that separate this
39 community from many others. We don't want in any way to undermine that activity.
40 This is one of those things that happened in 2009, corrected within a reasonable period
41 of time, and that dollar thing has been rolling over and has been brought to the attention
42 of the people and how do we correct it. He didn't know that \$3,950.00 is the correct
43 way to recognize this particular situation.

1 Commissioner Lucarelli said she didn't want to set a precedent and have other people
2 think they can just get it written off. We have always tried to cover staff costs,
3 expenses, and fees. She said at least get those expenses we incurred.

4
5 Ms. Sova said the hard costs we have are \$55.00 in filing fees.

6
7 Commissioner Brender said the interest is the accumulated interest over the last seven
8 years.

9
10 Mr. Fleming said that is correct.

11
12 Commissioner Brender said he was at a loss as to why seven years has gone by.

13
14 Mr. Stouffer said the real estate company called him and said it was something he
15 needed to pay attention to and there were some monies in escrow. As a business
16 owner in the community he appreciated Bruce's operations in this process.

17
18 **Motion was made by Commissioner Lucarelli to reduce the code enforcement lien**
19 **to the interest of \$808.56 and filing fee of \$55.00 for a total of \$863.56.**

20
21 Commissioner Miller said he wasn't agreeable to that. We have had this discussion
22 before when they came in and asked us to reduce the fee by 90%. People kind of know
23 if code enforcement puts fines on you they can come before the Commission and we
24 don't enforce it. He didn't like being the bad guy but it should have been fixed when he
25 had the problem and it should have been handled long ago. He said he was not in favor
26 of a token fee.

27
28 Commissioner Brender said you have to recall that we do have these fines for reasons
29 and sometimes they have stuck. Sometimes they have stuck in very large numbers.
30 We tend to be forgiving, particularly with banks and foreclosed properties because we
31 are interested in getting those "off the books" but at the same time you have got to have
32 the fines and have got to maintain some kind of honesty where people realize that we
33 are not just going to give them all away. If we start doing that we might as well not even
34 have any fines. He said he was amenable to taking the interest and the \$55.00 cost.

35
36 **Motion seconded by Commissioner Brender and motion carried 3 – 2 by roll-call**
37 **vote: Deputy Mayor Duryea, No; Commissioner Miller, No; Commissioner**
38 **Lucarelli, Yes; Commissioner Brender, Yes; Mayor Mealor, Yes.**

39
40 Mayor Mealor thanked Mr. Fleming for the job he does. He is put in the most difficult
41 situations and respected what he was asked to do.

42
43 Ms. Reischmann asked if they intended for that to be as stated in the recommendation
44 to be paid within 30 days or it bounces back to its full amount. She asked if that was
45 agreeable.

1 **Amended motion was made by Commissioner Lucarelli to reduce the code**
2 **enforcement lien to the interest of \$808.56 and filing fee of \$55.00 for a total of**
3 **\$863.56 if paid within thirty (30) days. Motion seconded by Commissioner Brender**
4 **and motion carried 3 – 2 by roll-call vote: Deputy Mayor Duryea, No;**
5 **Commissioner Miller, No; Commissioner Lucarelli, Yes; Commissioner Brender,**
6 **Yes; Mayor Mealor, Yes.**

7
8 C. Resolution No. 979 – Update the ICMA-RC – General Employee Money
9 Purchase Plan (401) to comply with Internal Revenue Service (IRS)
10 Regulations (Dianne Holloway, Finance Director)

11
12 The City Attorney read Resolution No. 979 by title only.

13
14 Ms. Holloway said this is a housekeeping item. Every six years the plan needs to be
15 reviewed. We are making some legislative and some text changes to the document to
16 keep it in compliance with the IRS. She asked the Commission to adopt the resolution
17 and approve the City Manager to execute the agreement.

18
19 **Motion was made by Commissioner Lucarelli to approve Resolution No. 979 and**
20 **authorize the City Manager to execute the adoption agreement, seconded by**
21 **Commissioner Brender and motion carried unanimously.**

22
23 9. Unfinished Business

24
25 Mayor Mealor said we will read and present Ordinance No. 1532 and Ordinance No.
26 1533 simultaneously and vote on them separately.

27
28 A. Ordinance No. 1532 – Expedited State Review Comprehensive Plan
29 Amendment (Text) to the City's Comprehensive Plan creating the MUMT
30 (Mixed Use Midtown) Future Land Use category; Griffin interests, LLC &
31 Piloian Property Holdings, LLC, applicants – Second Reading (Public
32 Hearing) (Steve Noto, City Planner)

33
34 The City Attorney read Ordinance No. 1532 by title only on second reading.

35
36 The City Attorney read Ordinance No. 1533 by title only on second reading.

37
38 Mr. Omana provided some opening comments. He said he would not talk about the
39 PUD process, the subdivision process, and the way the entitlements would be vested in
40 this process. He said he would love to but Mr. Noto would handle that. He said he
41 would not discuss economics or the investment put into this project by the applicants, or
42 the potential benefits of such an investment in terms of jobs and economic growth. As
43 much as he would want to talk about that he would defer that to Dr. Tomerlin.

44
45 Mr. Omana said what he was going to talk about are two concepts and would keep it
46 simple. He would focus on two important items he believed were associated with this

1 project. The first is opportunity and the second is innovation. Let's focus on
2 opportunity. As you read through the staff reports and the documentation and detail that
3 Dr. Tomerlin and Mr. Noto are going to elaborate on, you see that this is a very well
4 thought out and laid out project. It incorporates mixed use, internal capture and things
5 of that nature. He was thinking the other night of what would happen if the City
6 Commission denied this project. The thought that occurred to him was it would stay
7 within its existing land use designation of restricted commercial and commercial. He
8 thought to himself what does that in turn do. The conclusion he came to was this would
9 leave the door wide open for potential development of big box users, convenience
10 stores, and gas stations on this property. The reason he came to that conclusion is that
11 it's very clear that its existing land use designation is restricted commercial and
12 commercial which per our comprehensive plan is consistent with C-1 and C-2 zoning
13 districts which allows those big box users, the gas stations of the world, and the
14 convenience stores of the world. That's one scenario.

15
16 Mr. Omana said he was thinking what happens if the City Commission approves this
17 project. From a planning standpoint he thought a good thing would happen because
18 you would be taking a very important sector of the City and a very important corner of
19 the City and applying the internal capture concept that you have embraced over the
20 years and have very well applied as a land use control in the City. It would also provide
21 the regulatory table and a framework for the organized development of a state of the art
22 mixed use project.

23
24 Mr. Omana said to put it simply, if you deny it that leaves the door open for gas stations
25 and big box users. If you approved it, you have a state of the art mixed use
26 development. Another way he looked at it is what would happen if under the scenario
27 that you did approve it, somebody came along and plucked these 35 acres out of the
28 City and threw it out into the ocean. Could that project be self-sustaining. He said he
29 could argue yes because you have the residential component, the commercial
30 component, the open space component, and you could have like a city within a city type
31 of characteristics. The flip side of that coin is if you didn't approve it and took that same
32 acreage and plucked it out of the ground and threw it in the ocean and it was a big box
33 user with a bunch of gas stations and a convenience store, would that be self-
34 sustaining. He said in his opinion no. That addresses the issue of opportunity.

35
36 Mr. Omana said the second factor is innovation. A lot of people say there is a lot of
37 density, square footage, the impact, high buildings. We go back to the issue of setting
38 that regulatory table. Take for instance what the Commission has done in the
39 Downtown. You created the Downtown Master Plan, you assigned the DDD land use
40 designation, you created the TDR program, you created flexibility in design and land
41 development standards that have made the Downtown what it is today, and we are very
42 excited about its future. By creating and approving the MUMT land use designation, as
43 a matter of legislative process that is a policy you are making. We believe by creating
44 that MUMT, you are adding an additional framework for the advancement of the City's
45 land use layout and its characteristics. We believe that by creating a MUMT is going to
46 complement what you've done here in DDD. We believe that innovation is going to

1 create interaction and the two will feed off each other. We believe that will be for the
2 betterment of the City and further promote quality land use development via quality land
3 use development controls.

4
5 Mr. Omana said he wanted to share some of the thoughts we have looked into and
6 discussed internally. He turned the presentation over to Dr. Tomerlin at this time. After
7 his presentation we will turn it over to Mr. Noto who will get into the specifics of the
8 process, the developer's agreement, and the zoning matters associated with this
9 project.

10
11 Dr. Tom Tomerlin, Economic Development Manager, came forward. He said he wanted
12 to accomplish a couple of things. He wanted to show that we put some thought into this
13 project from two perspectives: why it fits within the City and how it fills a need within the
14 City.

15
16 Dr. Tomerlin showed a flier that the Metro Orlando Economic Development Commission
17 sent out (copy attached). Two out of five of the emblems located there are located
18 within the City of Lake Mary (Deloitte and Verizon). What is a neat statistic is that the
19 Orlando EDC covers a metropolitan area of four counties with 2.3 million people within
20 those four counties. The City of Lake Mary is a little city of 16,000 people that holds .7
21 of 1% of the entire population of that region, but according to this data we have
22 captured 20% of the jobs. That points that the City of Lake Mary is jobs heavy. We
23 have a lot of jobs here which is a great thing to have. The total job count is about
24 11,000 jobs. If we count nothing more than Deloitte and Verizon, we are knocking on
25 the door of 20% of the jobs over the past three years.

26
27 Dr. Tomerlin showed the "Quick Facts" on the overhead (copy attached). He said this is
28 something we have on our website. It is just laying out the basic demographics within
29 the City of Lake Mary. The population is knocking on the door of 16,000 people, about
30 5,900 housing units, and an employee base of about 32,000 that locate within the City
31 and work with a Lake Mary address. He said he wouldn't say there was anything
32 sacred about these numbers but to put a perspective on are we jobs heavy, are we
33 housing heavy. If you wanted to put a metric to that, if you divided the number of jobs
34 by the number of housing units, the City of Lake Mary has a ratio of 5.45 jobs per
35 housing unit within the City of Lake Mary. He looked at data from the Bureau of Labor
36 Statistics as well as a demographic program called Demographics Now, which is
37 available free at the library, and the nation as a whole that jobs to housing ratio is 1.1.
38 We are at 5.4, the nation as a whole is 1.1, and it's a good thing to have. As an
39 economic development professional, it's dream conditions.

40
41 Dr. Tomerlin said that is not to say the City of Lake Mary is not growing in population.
42 He showed a table of the population growth on the overhead of the seven cities in
43 Seminole County (copy attached). We are not the largest city but we have the fastest
44 rate of growth from the ten-year census that occurred in 2010 up to the population
45 estimates of 2015. At 15.1% we have surpassed all the other cities in Seminole County.
46 He said he was pretty certain we are the fastest growing within that entire metro area.

1 It's not to say we are adding jobs at a very fast clip but we are also adding population to
2 the City.

3
4 Dr. Tomerlin said the next thing he wanted to share is to talk about how that population
5 looks. He showed a graph of population comparisons (copy attached). The colors are
6 age cohorts throughout the City. The City of Lake Mary is in orange. It is the percent of
7 people that reside within certain age brackets. The blue line is the United States and
8 the gray line is the State of Florida. The thing to point out is where do you see big
9 deviations of orange from the other two lines with the U.S. being blue and the State of
10 Florida being gray. The over representation is the age bracket 45 to 54. You have a lot
11 of Tom Tomerlins and John Omanas. You don't have a lot of Steve Notos which is the
12 age bracket 20 to 34. Why is that important? An example is Deloitte. Deloitte is new to
13 town and is going to grow to 1,000 employees. All signs indicate they are going to
14 continue to grow. Their target employee is to hire someone with a newly minted
15 Bachelor's Degree in Computer Science. They hire from UCF and from throughout the
16 state and country. Their target is someone who is newly minted with a Bachelor's
17 Degree in Computer Science. That's someone in that age group.

18
19 Dr. Tomerlin said one of the things we like to talk about in economic development is
20 there are a lot of ripple effects. There is this multiplier effect when you have something
21 like a Deloitte or Verizon come to town. Some of those multiplier effects involve having
22 those people reside within the community, purchase a house, rent an apartment, and
23 make all their purchases locally in the retail establishments and send their kids to the
24 schools. With these two age cohorts, the City of Lake Mary is lower than both the State
25 of Florida and the nation. We are underrepresented. No emergency but it is an under
26 representation of those age cohorts. Those age cohorts are important. Nationwide
27 that's 84 million people. That's why everyone talks about the millennial. That is the age
28 group that is going to make up the workforce and is already dominating the workforce
29 with that kind of population within it.

30
31 Dr. Tomerlin said he wanted to talk about how it fills a need. We think this additional
32 housing supply that this project is going to do is not going to get us anywhere near that
33 1.1 jobs per housing unit that the nation has but it might help decrease that 5.45. It will
34 get us into more balance which is a good thing. It's not going to get us down to that 1.1
35 level which is balanced because that is what it is at the national level but it's going to
36 help that imbalance a little bit. He agreed we are not in a vacuum in the City of Lake
37 Mary and what happens all around us affects us but from the perspective of this city and
38 the decisions this city makes, adding additional housing stock is not a mistake for the
39 City. We're not an island but for the City we could use more housing.

40
41 Dr. Tomerlin said this location of Midtown which is newly created is aptly named. It is in
42 the middle of town. It is in the middle of our employment centers associated with I-4.
43 It's close to our Downtown area. We think it will have a positive influence on SunRail
44 access. We are beginning to talk about ways we can connect someone that might want
45 to visit—arrive at the SunRail Station rather than depart. Arrive here and visit this site.

1 Dr. Tomerlin outlined some construction costs associated with the project. Construction
2 costs are not market value and not even taxable value because the land value isn't in
3 there. The apartments is \$55 million of construction costs and will result in 15
4 permanent jobs which are basically the management and maintenance of the
5 apartments. The residential component is \$30 million worth of construction. The retail
6 component is \$20 million worth of construction but will result in about 400 permanent
7 jobs. In total there are about 2,000 temporary construction jobs that will be created as
8 a result of this project—retail, apartments, and residential components. In total this is
9 about \$105 million of construction costs and we expect the market value and taxable
10 value to be in excess of that.

11
12 Dr. Tomerlin said Steve Noto will present the planning details. He said he just wanted
13 to give a big picture overview of how it fits a need within the City as well as some of the
14 project numbers.

15
16 Mr. Noto said the two items we are talking about, Ordinances 1532 and 1533, the
17 Commission unanimously approved the transmittal of these items to the State DEO in
18 September. What we have done since then is get into the gears of the final PUD. The
19 state review of comp plan amendments is a lot different than it was a few years ago. We
20 sent this to the DEO and the other reviewing agencies. The only real comment we
21 received back was from FDOT who asked for more clarification on the internal capture
22 numbers after the item was adopted. At this point we want to make the adoption
23 happen within the six-month timeframe that they gave us to have the item adopted.
24 Otherwise we have to go back to step one.

25
26 Mr. Noto said tonight we have a text amendment and a map amendment. The text
27 amendment would create the text for the Mixed Use/Midtown category. It will amend
28 Table 1 in the Future Land Use Element creating a couple of design standards relating
29 to the required open space. There is text putting a cap on the number of residential
30 units that can be developed within the Mixed Use/Midtown similar to the HIP-TI land use
31 category that we have for Colonial Center.

32
33 Mr. Noto said when these items came before the Commission in September, the
34 development program wasn't drilled down just yet. The request was for a maximum of
35 500 residential units. What is before you this evening is a lower density. We are
36 looking at 265 apartments and a maximum of 150 single family or townhome units. We
37 have seen the overall residential units go from 500 to 415. That text has been amended
38 as part of the ordinance and will be adopted as such if the items are approved this
39 evening.

40
41 Mr. Noto said the other item is the map amendment. He showed the existing land use
42 map on the overhead. He pointed out the restricted commercial on the north side of the
43 site and the commercial on the southern part of the site. Both land uses allow for C-1,
44 C-2, and PO type uses, with the more intense being on the southern part of the site. He
45 said if Ordinance No. 1533 is approved tonight, the whole site goes to Mixed
46 Use/Midtown. He showed that land use map on the overhead.

1
2 Mr. Noto said if both ordinances are approved, tomorrow we will start preparation of the
3 adoption paperwork to the state. As outlined in the ordinances there are opportunities
4 regarding the effective date. We will be preparing the change to the land use map and
5 the change will occur for this part of the project to the subject properties.
6

7 Mr. Noto said one item that isn't in the text for the comp plan change is a max on the
8 square footage for retail. As he gets into more detail when we get to final PUD, that
9 square footage has also gone down from what it was when it was before the
10 Commission in the fall.

11
12 Mayor Mealor clarified that Ordinance No. 1532 is to create a MUMT Mixed
13 Use/Midtown and Ordinance No. 1533 is to change the restricted commercial and
14 commercial properties to a designation of MUMT.

15
16 Mr. Noto said that was correct.

17
18 Deputy Mayor Duryea asked if he was correct that this comprehensive land use change
19 does not vest anybody in anything. It is just a designation.
20

21 Mr. Noto said that was correct. In the text the top layer of the cake would allow for that
22 maximum density as outlined in the text as well as up to 415 residential units, but it
23 does not allow them to go around and build that. That is the final PUD we will speak
24 about in a few moments.
25

26 Mayor Mealor asked if anyone wanted to speak in reference to Ordinance No. 1532
27 and/or Ordinance No. 1533. No one came forward and the public hearings were closed.
28

29 **Motion was made by Commissioner Miller to approve Ordinance No. 1532 on**
30 **second reading, seconded by Commissioner Lucarelli and motion carried by roll-**
31 **call vote: Commissioner Miller, Yes; Commissioner Lucarelli, Yes; Commissioner**
32 **Brender, Yes; Deputy Mayor Duryea, Yes; Mayor Mealor, Yes.**
33

- 34 B. Ordinance No. 1533 – Expedited State Review Comprehensive Plan
35 Amendment (Map) to the City's Comprehensive Plan revising the Future
36 Land Use Designation from COM (Commercial) and RCOM (Restricted
37 Commercial) to MUMT (Mixed Use Midtown) for Griffin Farm Town Center, +/-
38 34.52 acres of property located at the southwest corner of West Lake Mary
39 Boulevard and Longwood-Lake Mary Road, 114 Longwood-Lake Mary Road;
40 Griffin Interests, LLC & Piloian Property Holdings, LLC, applicants - Second
41 Reading (Public Hearing) (Steve Noto, City Planner)
42

43 Ordinance No. 1533 was read by title only, presented and a public hearing held under
44 Item A.
45

1 **Motion was made by Commissioner Lucarelli to approve Ordinance No. 1533 on**
2 **second reading, seconded by Commissioner Miller and motion carried by roll-call**
3 **vote: Commissioner Lucarelli, Yes; Commissioner Brender, Yes; Deputy Mayor**
4 **Duryea, Yes; Commissioner Miller, Yes; Mayor Mealor, Yes.**

5
6 10. Other Items for Commission Action

7
8 A. Ordinance No. 1540 – Final Planned Unit Development for Griffin Farm at
9 Midtown, 114 Longwood-Lake Mary Road – First Reading (Public Hearing)
10 (quasi-judicial) (Steven Noto, City Planner)

11
12 The City Attorney read Ordinance No. 1540 by title only on first reading.

13
14 Ms. Reischmann suggested we swear in witnesses.

15
16 Mayor Mealor asked anyone who plans to address the Commission related to this item
17 to stand.

18
19 Ms. Reischmann swore in the witnesses.

20
21 Mr. Noto showed the 30% engineered plan for the Griffin Farm at Midtown project on
22 the overhead. He said he would walk the Commission through the development. He
23 would take them from the west to the east, talk about the development program as it
24 relates to the buildings that are proposed, some of the transportation improvements and
25 other parts of the project that we reviewed.

26
27 Mr. Noto said there are essentially two chapters to this project. We anticipate that both
28 chapters will begin at the same time. The first phase is the north phase, Lots 1 through
29 5. Lots 1 through 5 consist of up to 150,000 square feet of commercial space, a three
30 level 600-space parking garage, and two apartment buildings totaling 265 apartment
31 units. Pages 2 and 3 go into great detail as to what you would anticipate to see through
32 Lots 1 through 5 and that goes beyond into Pages 4 and 5 of the staff report.

33
34 Mr. Noto said the commercial part of the project is up to 150,000 square feet. What is
35 on the overhead is just under 120,000 square feet. When we were speaking about the
36 comprehensive plan he mentioned a decrease in residential units. There has also been
37 a decrease in commercial space. This is just the 30% engineered plan; they have up to
38 150,000 square feet of commercial entitlements potentially to deal with if the ordinance
39 is approved on first reading and second reading. There is some flexibility built in to
40 increase some of the commercial square footage.

41
42 Mr. Noto said starting from the western part of the site and starting with Building A,
43 which is the furthest to the left on the overhead and moving to the east, these are all
44 commercial buildings. Building A is a drive-thru restaurant and bank. When we saw
45 drive-thru we had immediate concerns with the use. We worked very closely with the
46 development team on all aspects of this project including the developer's agreement.

1 We got into a lot of detail as to some of the language that was going in there. As it
2 relates to Building A, on Page 3 of the PUD agreement we came up with some
3 language on how to ensure certain uses didn't occur. He read the language: "One
4 restaurant with a drive-thru is permitted as long as the restaurant is either a coffee shop
5 with drive-thru, donut shop with drive-thru, or deli with a drive-thru." You can
6 understand what we were trying to get at when we came up with the language with the
7 applicant.

8
9 Mr. Noto said moving to the right you can see four commercial buildings. Building D is a
10 proposed grocer. He said he would allow the applicant to get into greater detail as far
11 as the users. There is some language and graphics in the PUD agreement where you
12 have an idea of who that is. We have potential restaurant users going to the right. You
13 might see a few funky looking shapes and a lot of circles at the corner. We are excited
14 about this part of the project because this is the entry feature into the Midtown district
15 that you have created through the land use amendments. The final details are being
16 worked out but you can look forward to seeing fountains, large amount of trees,
17 decorative trees, decorative landscaping, decorative lighting—just some high quality
18 amenities that will be greeting people as they move west and east along Lake Mary
19 Boulevard and moving north along Longwood-Lake Mary Road creating an impact at
20 the corner of this site. That will interact with the public spaces and the plaza space in
21 that corner with some of the potential restaurant users to create a nice activity corner for
22 the rest of the development.

23
24 Mr. Noto said we will now work our way to the south and then back to the west. We
25 have three retail buildings that front Longwood-Lake Mary Road and then we find
26 ourselves located at the two apartment buildings. He showed a graphic from the
27 landscape plan where you can get an idea of some of the amenities that are being
28 looked at within the courtyards of the apartment buildings. They are putting a lot of
29 detail into what could be done in these plaza areas of the apartment buildings. Included
30 in the PUD agreement is a rendering of what the apartment building may look like. He
31 showed a rendering on the overhead. This is a proposed five-story building. To the
32 right is the parking garage.

33
34 Mr. Noto said he would show a separate graphic of what that parking garage will look
35 like. This view is looking south. After you've turned in from Lake Mary Boulevard and
36 are driving down Grand Boulevard within the development, you are surrounded by on-
37 street parking, street trees, the retail buildings on your right and left, and all the
38 additional amenities, this is the view of the parking garage you will see. What we are
39 excited about with this garage is that there is proposed retail space on the eastern side
40 which really helps to break up the façade. There is already a lot of articulation planned
41 on the parking garage itself. You can see in the far left corner a little cube. That is to
42 represent the apartment building. The apartment will not look like that but that is to
43 show their place holder in the development.

44
45 Deputy Mayor Duryea said he didn't see any retention ponds or open space area
46 calculations.

1
2 Mr. Noto said the open space calculations for impervious/pervious is taken as a gross
3 amount for the entire 35-acre project. We made very sure that they met the comp plan
4 requirement of no greater than 65% impervious space. He said he has already talked
5 about the northeast corner of the site where they have the plaza and a lot of pavers will
6 be used there. We have in the developer's agreement that those pavers be there
7 forever because that helps with the calculations.

8
9 Mr. Noto said if you go to the south, Lot 6 is the future single family/townhome part of
10 the project. To the far left is Tract B which is where a stormwater pond will be. Below
11 that is Tract C and is a conservation tract. There are wetlands on the site, and Soldiers
12 Creek is to the south of the subject property. We ran into some Chapter 160 issues as
13 far as setbacks go, the 25 and 75 for a total of 100 feet. That is why you see the
14 additional call outs for setbacks in that part of the site. They identified in the PUD that is
15 conservation and will never be touched period.

16
17 Mr. Noto said as far as stormwater for the north of the site, they have proposed
18 underground storage and exfiltration. Below the pavement is where they will be holding
19 all the stormwater. They have a maintenance agreement built into the PUD and they
20 will need to work with our Public Works Department for ongoing maintenance of the
21 underground storage and exfiltration system.

22
23 Commissioner Miller said the ongoing management of that stormwater system is the
24 responsibility of Griffin Farm.

25
26 Mr. Noto said that was correct.

27
28 Mr. Noto said moving from the two apartment buildings and the parking garage, there is
29 a commercial building adjacent to the parking garage. At this time it is proposed to be a
30 private gym. He will allow the applicant to get into greater detail about that.

31
32 Mr. Noto said Phase 2 is to the south. We expect this entire 35-acre project to be under
33 construction at one time. You will have one developer at the north. The developer,
34 Unicorp, builds and owns their apartment projects. They will be building that entire front
35 phase. The south phase will be a separate single family developer that will be doing a
36 max of 150 single family/townhome development. It could be less than that going back
37 to what he mentioned earlier about the decrease in overall residential density. That's
38 what will happen on Lot 6. The design and layout will be before you in the future in the
39 form of the preliminary subdivision plan. That is why you see it as a blank rectangle.
40 They haven't designed it, and we are putting together the entitlements. Tracts B and C
41 show the stormwater and the conservation area. That will be part of their entitlement
42 package if approved on April 7th.

43
44 Mr. Noto said he would now roll into the transportation review aspect of the project and
45 would start from the south. The design of Lot 6 has not been finalized. We had two
46 directives to the developer and the applicant with regards to access to this site. First is

1 no lining up with Washington Avenue. They show a full access on the southern part of
2 Lot 6. There is no connection to Washington Avenue. That will be one of the two main
3 access points to Lot 6. There is also an access point further to the north at the end of
4 the Grand entrance to the site. He pointed out the access points on the exhibit. It will be
5 a gated community. One thing we will be looking at as part of the design, especially the
6 entrance adjacent to Longwood-Lake Mary Road, is the gate is set back an appropriate
7 distance so we don't have people who can't get in stacking on Longwood-Lake Mary
8 Road and give them the ability to do a U turn without all the traffic getting back out onto
9 the arterial roadway. That is something we will be working with them on when the
10 preliminary and final subdivision plans come in and we get the final engineering.

11
12 Commissioner Brender asked if there were any turn lane plans.

13
14 Mr. Noto said for this part of the project not at this point. The applicant is looking at
15 Longwood-Lake Mary Road with the County as it relates to a potential widening to four
16 lanes. It is something that is not part of the Final PUD. It is a concept they are looking
17 at. The turn lanes come into play when we get to Lake Mary Boulevard.

18
19 Commissioner Brender said 150 units with ten trips a day is 1,500 trips. He wondered if
20 they should be looking at a right turn lane into the townhome project. It would give more
21 stacking for the gate access.

22
23 Mr. Noto said we have a representative from Seminole County with us this evening, Mr.
24 Chad Smith, who has helped us greatly with this project.

25
26 Mr. Noto said moving to the north, access to the commercial portion of the site you have
27 an access point that is aligned with the entrance to The Oaks. This is a left in, right
28 in/right out. If you are moving northbound on Longwood-Lake Mary Road you can turn
29 left into the site. If you are moving southbound on Longwood-Lake Mary Road you can
30 turn right into the site and the only way out at this section is to go southbound on
31 Longwood-Lake Mary Road.

32
33 Commissioner Miller asked if the townhomes would be gated.

34
35 Mr. Noto answered affirmatively.

36
37 Mr. Noto said moving to Lake Mary Boulevard, he started from the west. Something we
38 are very excited about is the median cut adjacent to the post office. Currently it is full
39 movement. If you are coming from the post office you can go northbound to go west,
40 you can turn right. If you're going westbound you can go through into the post office. It
41 has been a public safety issue for many years. With this proposal you can see the
42 proposed signal further to the east. These two improvements work in concert whereas
43 by creating a concrete area in front of the post office access adjacent to Crystal Drive,
44 you can now only turn left into Crystal Drive if you're driving eastbound and can only
45 turn into the post office if you are driving westbound. To leave the post office you have
46 to turn right and go to the new signal and do a U turn.

1
2 Mr. Noto said our second directive was no lining up with Wilson Drive. Their main
3 access point is to the east of Wilson and there is a traffic separator that is to be placed
4 on Wilson Drive. He emphasized if you're going southbound on Wilson, you're turning
5 right and that's it.

6
7 Mr. Noto said there are a number of proposed turn lanes as part of the new signal for
8 eastbound traffic and westbound traffic. These are the improvements that were settled
9 upon as part of the review. We had our own consultant review a traffic study, the
10 County reviewed the traffic study with their staff, and no widening of either roadway is
11 required. As mentioned we are looking at potential four laning on Longwood-Lake Mary
12 Road. That is a concept being reviewed by the County, the applicant, and the City at
13 this point. We will get into more detail as we get into the preliminary and final
14 subdivision phases.

15
16 Deputy Mayor Duryea said as it stands right now, this project is not going to have any
17 adverse effect on Lake Mary Boulevard or Longwood-Lake Mary Road.

18
19 Mr. Noto said that is correct based on the improvements proposed. These
20 improvements were part of the discussion of how do we avoid adverse impacts on the
21 Boulevard. We do something like this.

22
23 Deputy Mayor Duryea said these two lights are going to be pretty close together.

24
25 Mr. Noto said they would be close together. One item we talked about at P&Z is the
26 syncing and the technology of the signals. That is something the County will be putting
27 great focus on to ensure if one is green the other is green, etc. and that they work in
28 concert.

29
30 Commissioner Brender said he noticed on the plans the proposed grocery Building D.
31 Originally in the plan that was more to the south where that parking lot was.

32
33 Mr. Noto said that is correct. The change is based on the user. Back in the fall the
34 overall design was a little bit different. We got to a point where they resubmitted this
35 design and our first question was what happened to Building D and why did it go so far
36 north. Because of the user they are attempting to get they had specific requirements for
37 visibility. They needed to be on the Boulevard. One great thing about this project, and
38 it is outlined in the PUD agreement, is that all four facades of these buildings will look
39 like the front. There will be articulation on all sides. One of the nice things about this
40 design is you have the building fronting the Boulevard. If you go to your traditional
41 commercial strip development the public only sees one side of the building which is the
42 front because the back is for loading and everything else. That's not the case in this
43 development. The "back" of every building is facing the parking. It's key for the
44 developer that all the facades of these buildings look like the front. That's when we get
45 into the additional signage needs and requirements that are outlined in the PUD
46 agreement for two of the buildings.

1
2 Mr. Noto said the parking garage is 600 spaces. Overall they are providing over 1,000
3 parking spaces. Based on the breakout of uses they are required to have just over 950
4 and at this point they are providing 1,022. There is on-street parking along Tract A
5 which is the entry boulevard and you have the surface parking lots adjacent to the
6 commercial uses.

7
8 Mr. Noto said this is a rezoning request. The current zoning of all 35 acres is A-1
9 Agriculture and the request is to change to PUD. On Pages 8, 9, 10 and 11 you have a
10 breakdown of the different findings we had to review to change from A-1 to PUD. We
11 have four findings for the PUD itself and four separate findings for a rezone. In the City
12 we have a number of PUD developments (Timacuan, Colonial Center, Heathrow,
13 Primera). A few of those PUDs have the components of what the land development
14 code was looking for with PUDs which is a mixture of uses. The innovative land use
15 techniques where you have the internal capture part of the development trying to keep
16 everybody included in the development, it helps with traffic impacts, it helps with people
17 walking around, and all sorts of other items that we look at as part of PUDs. We have
18 those four findings and we've outlined how each finding was met based upon the design
19 that has been given to us.

20
21 Mr. Noto said on Pages 9 through 11 we have descriptions of the need of the change,
22 the effect of the change, similar land in the City, and the relationship to the
23 comprehensive plan. The comprehensive plan was just amended to allow this type of
24 development. The comprehensive plan has now set the policy that this is the type of
25 project you will have in the Mixed Use/Midtown. A minimum of 25 acres is required,
26 being adjacent to major arterial roadways, being adjacent to available mass transit, and
27 designed as a walkable community. He said he already mentioned the innovative land
28 development techniques such as the mixed uses and the clustered development. This
29 design hits all the check boxes for the PUD rezone and the rezone in general we have
30 outlined in the staff report.

31
32 Mr. Noto said the Planning & Zoning Board heard this item at their regular March 8,
33 2016, meeting and voted unanimously 5 – 0 to recommend approval of the proposed
34 preliminary and final PUD. He emphasized for clarity that this is also the preliminary
35 PUD. Typically we don't get this type of detail for a preliminary PUD but is just a bubble
36 plan and they combined their processes for that. The P&Z had a number of
37 recommendations and suggestions for staff to look into with the applicant. We have
38 outlined them in the staff report and our plan of action is to continue talking through
39 them with the applicant. When we come before you for second reading on April 7th we
40 will have those remaining details massaged into the PUD agreement and we will go into
41 greater detail of what we were able to include based on the P&Z recommendations and
42 whatever recommendations the Commission may have based on tonight's hearing.

43
44 Mr. Noto said at P&Z we had members of the Banyan Point community here. He has
45 included for the record the letter they provided to the P&Z and staff as part of your
46 package.

1
2 Mr. Noto said staff has found that the request for preliminary and final planned unit
3 development and PUD agreement for Griffin Farm at Midtown is consistent with the
4 City's Land Development Code which includes Sections 154.61(D)(2)(d) and
5 154.27(A)(2) and the City of Lake Mary Comprehensive Plan. We are recommending
6 approval. He noted the applicant was present.

7
8 Ms. Reischmann asked Mr. Noto's qualifications for giving this testimony.

9
10 Mr. Noto said he was a graduate of the University of Central Florida with a Bachelor's
11 Degree in Public Administration, a Minor in Urban Regional Planning, a Graduate
12 Degree/Master's Degree in Public Administration with a Graduate Certificate in Urban
13 Regional Planning, and a certified member of the American Institute of Certified
14 Planners. He stated he had approximately nine years of experience.

15
16 Deputy Mayor Duryea asked where has a project of this magnitude been done that has
17 used the exfiltration system.

18
19 Mr. Noto said the closest project we have to this magnitude in the City with this mixture
20 of uses would be Colonial Center. They have a master stormwater system. In the
21 region he was unsure where they use exfiltration on a project of this size. Who may
22 know the answer is the developer or the developer's engineer.

23
24 Chuck Woodall of Unicorn National Developments came forward and gave a
25 PowerPoint presentation. He said he thought staff has done a great job. We have
26 worked with them on several meetings and dozens of phone calls. We have met with
27 each member of the Commission about this project. We believe this has been a
28 collaborative effort. We listened to the Commission's input as well as staff's input and
29 they have also heard what we've had to say. We worked really hard together. We are
30 excited about the project and think it is going to be a great project in the City of Lake
31 Mary.

32
33 Mr. Woodall said we wanted to create a project that would be walkable and would focus
34 on internal capture. It would be one of those projects that once you came home at the
35 end of the day you didn't want to leave. It would be a place to go work out, grocery
36 shop, eat, you could go to a restaurant, you could go to a bar, and you would have
37 public spaces to hang out with your friends.

38
39 Mr. Woodall said for the architecture we decided we didn't want to go down the same
40 path of typical stucco. Most of the architecture around the City and around Central
41 Florida is a lot of stucco. We wanted to introduce new materials. You will see metal
42 roofs, brick, some stucco, and some siding. As we started on our vision process for this
43 project we said it has been this big farm so let's try to have fresh, modern farm
44 architecture. You can see the people are walking on pavers and not concrete and the
45 architecture is fresh and new and a little bit different, but yet still modern and feels and
46 looks good. You will see that carried throughout. We have various roof heights,

1 awnings on the buildings, mixture of materials, and a generally great feeling place
2 where you would want to be and hang out.

3
4 Mr. Woodall said as they start to look at the site plan he would start with the grocer.
5 Whenever we do a project we have to have an anchor. If you don't have an anchor in
6 the project you can't draw the best of tenants. We got an offer right off the bat from
7 Walmart Neighborhood Grocery but that wasn't in the flavor of the type of development
8 that we build. We try to build a high-end development and something special and a little
9 different, so we sought after a tenant that was a little organic and more special. You've
10 got Publix and you've got big grocery stores. The reason this grocery store was brought
11 up to the corner is because it is half the size of Publix and they wanted a road presence.
12 They also understood that even though this is where they are going to be looked at this
13 is where they are going to be entered. That's why we decorate all the facades and is
14 why we need signage on the facades. We have a signed Letter of Intent with Earth
15 Fare and we expect them to be our grocery.

16
17 Mayor Meador said Earth Fare corporate headquarters is in North Carolina. Their
18 website is very impressive. He thought that is the type of corporate neighbor that will
19 draw.

20
21 Mr. Woodall said we are excited to have them. There is a process they're going through
22 right now. We have already been through the first two stages with approval. The CEO
23 signed off on the Letter of Intent and signed off on the location. Today they were here
24 so we are hopeful we will get a call tomorrow that says we are excited to move forward
25 with the lease on this.

26
27 Mr. Woodall said we use a landscape architect that is phenomenal and is out of
28 Georgia. He said he had been doing this for 20 years and they are the best he had
29 come across. We have 30 to 40-foot sidewalks that allow you to create benches and
30 landscaping within the sidewalk and great outdoor experiences. We wanted to take this
31 corner and make it something special as you come into this intersection. We have
32 designed a fountain feature and we designed landscape around it. Our hardscape plan
33 shows benches and other things that accent the corner that make it a place of beauty.
34 As you come down Longwood-Lake Mary you will see we have it tree lined, we have it
35 tree lined on the inside, we will have beautiful streetlights, and it will be a beautiful place
36 to walk and be and hang out. Also coming down this road (which isn't shown on the
37 drawing), the entire boulevard will be brick. We do that because it is traffic calming and
38 it creates the feel of a mixed use walkable environment. The sides of the road are lined
39 with street trees and we also have a nice sidewalk along Lake Mary Boulevard.
40 Everything we are designing is to bring people in. You get them when they come here
41 to stay here. The architecture is going to be complementary to everything else we are
42 doing.

43
44 Mr. Woodall showed some renderings of townhomes. He said he was using these
45 examples of townhomes but staff has met with our homebuilder David Weekley Homes
46 and the elevations and product they have is a lot nicer than this. These were the only

1 pictures they had to show tonight. As they come through in their process you will see
2 exactly what they are doing. As nice as these look they don't give enough credit to the
3 type of project that will be built in the back. We're not here for that tonight but wanted to
4 give the Commission a flair of the product in the back and it is going to be very high
5 end.
6

7 Mr. Woodall said as Dr. Tomerlin very well pointed out, the group of people in that 25 to
8 35 to 40-year-old range function differently now. Everyone uses iPads, they have more
9 collaborative spaces and are not box cubicle offices. The whole environment is
10 changing. What we try to do with all our projects we build today is try to design to the
11 current market. We create cafes inside and places to sit around and everything is Wi-
12 Fi. We create great pool areas that look like resorts. It attracts the younger generation.
13 We just finished a project in Windermere and we found out it attracts people our ages.
14 People have come to our projects saying this is such a cool place. I have a \$500,000
15 home I have to maintain and have to have a yard guy and deal with pests and paint and
16 am going to sell my house. We had a doctor sell his house and move into our project
17 because he loved the resort style lifestyle. We build our apartments almost like high-
18 end hotels with air conditioned interior corridors and trash chutes. You don't have to do
19 anything. We create these great environments and find out not only are we attracting
20 that younger group but are attracting all different age groups. The projects have been
21 very well received. The products we are using on this are brick, stone, metal accent
22 roofs and trying to create a great looking architecture. We finish our buildings all the
23 way around.
24

25 Mr. Woodall showed a rendering of the parking garage. He said the rendering didn't do
26 it justice. The retail out front is completely finished just like the rest of the buildings. We
27 have retail at the lower floor of the parking garage to mask the parking garage. We
28 create windows and nice stairwells and things in the parking garage so you really
29 wouldn't notice it was a parking garage unless you pulled into it. We don't want the
30 presence of a garage yet we want the necessity of having the cars there. We pay a lot
31 of attention to that.
32

33 Mayor Mealor said all of them know Dr. Hawkins, the chair of the P&Z Board, and to get
34 a positive comment out of him sometimes is highlighted in the minutes. He said he had
35 never seen a parking garage rendering as beautiful as what was submitted to them last
36 week.
37

38 Mr. Woodall said it cost an extra million dollars to make it look like that. In the grand
39 scheme of a \$100 million project it makes a lot of sense.
40

41 Commissioner Brender asked if the garage was three levels or four.
42

43 Mr. Woodall said the garage is three levels above grade. It is the ground floor and three
44 stories (four levels).
45

1 Mr. Woodall said on the infiltration system, he has to say every project we do. We have
2 one in Horizons West, we just finished Trader Joe's in Winter Park that as an
3 underground infiltration system in it. Fifteen years ago he built Winter Park Terrace with
4 an underground infiltration system. Winter Park Village has an underground infiltration
5 system. We are building another project in Winter Park called Lakeside Crossing with
6 an underground infiltration system. He built The Fountains which is a high-end project
7 on Sand Lake Road with underground infiltration. Delaggio is a beautiful project that
8 has both a retention area along with an underground infiltration system. They are very
9 common products that we use every day and they work very successfully.

10
11 Mr. Woodall said on the traffic, for the residential we only have 150 peak hour trips. We
12 expect a substantial amount of those trips to come from Lake Mary Boulevard. People
13 coming from the west from I-4 would make the movement straight into the gates of the
14 townhome project. We expect 60% to 70% of the traffic will come in this way. The
15 improvements we are doing on Lake Mary Boulevard are a condition of our CO. We
16 think we correct a lot of issues that exist on Lake Mary Boulevard. This project is
17 almost 50% of the trips that we could have on it. If we were to develop it out based on
18 the current entitled commercial components we would create double the trips we are
19 creating so we are actually creating about half the trips. We are doing intersection
20 improvements to mitigate those trips we are creating.

21
22 Mr. Woodall said we think it is a great project and asked the Commission for approval.
23 When we come through with the final we will have final landscape plans and thought the
24 Commission would be excited over it. He thanked the Commission for their time and
25 was available to answer questions.

26
27 Commissioner Brender asked if it would make more sense to have a drive-thru closer to
28 the main road.

29
30 Mr. Woodall said our goal was to have outdoor seating and we don't want somebody to
31 come in and make an immediate movement to have to turn here and possibly back up
32 that movement. The type of people we are talking to are Panera, TooJay's and things
33 like that. The entrance is so important to us. We went to our grocery and asked them if
34 they could do an outdoor café and we are developing that as well. We are trying to
35 frame the entrance with a more architectural feel instead of a drive-thru feel.

36
37 Ms. Reischmann asked for ex parte disclosures at this time.

38
39 Commissioner Brender said he met with the applicants, Mr. Morris on one or two
40 occasions, and took a phone call from Mr. Morris today. He said his decision would be
41 based on what's presented tonight.

42
43 Deputy Mayor Duryea said he met with Mr. Morris.
44

1 Commissioner Miller said he had a conversation with Mr. Morris yesterday and met with
2 the full team two months ago. He said they did listen because we were looking at 500
3 units before and are looking at 415 now. They are listening to the input we are giving.
4

5 Commissioner Lucarelli said she met with them a couple of months ago but hasn't had
6 any communications since then. She said she appreciated the reduction in density on
7 the residential and commercial. She said she lived right off of Washington. She liked
8 the development. Whatever goes there is going to impact Washington one way or
9 another. You can't stop it. That is something our law enforcement is going to have to
10 monitor. There is a lot of cut through and that is not going to stop. Hopefully we'll never
11 get in a situation where that needs a traffic light. She said she wished there was more
12 green space.
13

14 Mr. Woodall said we have been extremely mindful on Washington. We purposely made
15 sure entrances don't line up with that and tried to direct traffic away from that. There will
16 be some but we have minimized it.
17

18 Mr. Woodall said on the green space there is so much area and once you see our final
19 landscape plan he thought they would be very happy. That's very important to us and
20 landscape is a big deal for us.
21

22 Mayor Mealar said he was glad Commissioner Lucarelli brought up the issue of
23 Washington because that had come up during our earlier discussions as well as the
24 P&Z meeting. He was pleased to see Mr. Smith from the County Engineering
25 Department here this evening. As he understood it the County and our staff are looking
26 at some alternatives on Longwood-Lake Mary Road that have a potential of long term
27 benefit. Not just this project but Banyan Point and everything between the Boulevard
28 and Ronald Reagan.
29

30 Mayor Mealar said he met with the applicant, met with the applicant's representatives,
31 talked to Mr. Griffin with Griffin Interests, and walked the property on the west side
32 looking down just to try to get an understanding of what the renderings were.
33

34 Mayor Mealar asked if anyone wanted to speak in reference to Ordinance No. 1540. No
35 one came forward and the public hearing was closed.
36

37 **Motion was made by Commissioner Brender to approve Ordinance No. 1540 on**
38 **first reading with the notations from staff, seconded by Commissioner Miller and**
39 **motion carried by roll-call vote: Commissioner Brender, Yes; Deputy Mayor**
40 **Duryea, Yes; Commissioner Miller, Yes; Commissioner Lucarelli, Yes; Mayor**
41 **Mealar, Yes.**
42

43 Mayor Mealar said this has been an ongoing process and every one of them told Mr.
44 Woodall the same message. This is a first for us and thought long term it has
45 tremendous impact not just for our community but for the greater area. He thanked

1 them for their investment in the community. He thanked the Griffin family for working
2 with them. If there is any way we can be helpful, staff stands ready.

3
4 Randy Morris stated from the audience there has been remarkable work between the
5 County staff and the City staff.

6
7 Mayor Meador said he thought that relationship is only going to get better.

8
9 11. City Manager's Report

10
11 Ms. Sova asked the Commission to schedule a work session for April 7th at 6:00 P.M. to
12 discuss mobility alternatives. We would like to talk about the Uber program happening
13 in Altamonte Springs, a bike plan and other mobility alternatives.

14
15 Commissioner Miller said he would miss that meeting.

16
17 There were no objections from the Board.

18
19 Ms. Sova said the splash pad at Trailblazer Park will be open from 10:00 A.M. to 6:00
20 P.M. beginning tomorrow through March 27th for spring break. After that it will be open
21 weekends only through May 1st and then will open full time for the summer.

22
23 Ms. Sova said summer camp is returning June 6th through July 29th at the Community
24 Center. Registration for residents begins April 1st through April 15th followed by open
25 registration on April 18th. The program is available for children age 6 to 11 years old.
26 The fee is \$100 per session for Lake Mary residents and \$125 for non-residents.

27
28 Ms. Sova said Lynx is proposing to extend Link 45 north on International Parkway all
29 the way to 46A. They are going to discuss that at their March 24th board meeting at
30 1:00 P.M. This is an item staff has worked on and asked Lynx about many times over
31 the past several years. When the Verizon building came along we spent a lot of time
32 talking to Lynx about this item.

33
34 Ms. Sova said we have an opening on the Parks & Recreation Advisory Board. You
35 must be a registered elector of the City of Lake Mary. You can find a board
36 appointment form on our website www.lakemaryfl.com.

37
38 Ms. Sova asked Commissioner Lucarelli to bring us up to date on Family Fun Day in her
39 report.

40
41 12. Mayor and Commissioners' Reports – (1)

42
43 Mayor Meador said the City has been very engaged in the past with Relay for Life. On
44 April 29th the American Cancer Society will be hosting the Relay for Life for Seminole
45 County at Central Park. The opening ceremonies are 6:00 P.M. on April 29th.

1 Mayor Mealor said the issue we had come before us this evening on the reduction of
2 the code enforcement lien. He said he felt badly that he responded the way he did to
3 Mr. Fleming and has talked to him about this. He said he gets frustrated because there
4 has to be a better way to handle that process. Here is a gentleman in 2009 in October
5 is cited and in November of 2009 the situation is corrected and seven years later
6 coming before us and putting us in a most difficult situation. He asked to direct our City
7 Manager get together with staff and attorney and see if there is a better way to
8 communicate. He didn't think it was right for government to let that clock be running on
9 people that don't even know that interest is being accumulated against them.

10
11 Commissioner Miller said he had a lien against his property and is why he's here. He
12 can't sell it until he clears that charge.

13
14 Mayor Mealor said for seven years that interest has been accruing. There has got to be
15 a better way to communicate that process and to clarify. He was asking if the
16 Commission was in agreement that we direct through our City Manager a way to
17 reevaluate how we handle that situation.

18
19 Ms. Sova said there is no reason why we can't send an annual notice even if it includes
20 an interest update.

21
22 Commissioner Miller said people are going to ignore it anyway.

23
24 Mayor Mealor said he thought by putting them on notice and it rolls then it's the easiest
25 decision in the world. No, we will not reconsider the lien. Pay up or move on. Right
26 now it's unfair the way it is presented. It gives the wrong impression of how we serve
27 our citizens.

28
29 Deputy Mayor Duryea said he thought you were assuming that everyone who comes in
30 this situation as this gentleman did doesn't know what the rules are. He was sure Bruce
31 Fleming tells these people you have to take care of this or else it will keep
32 accumulating.

33
34 Ms. Sova said she thought the guy took care of the situation.

35
36 Commissioner Miller said people know when they have a lien on their property.

37
38 Ms. Sova said not necessarily.

39
40 Mayor Mealor said he thought there was a fairer way. All he is asking is can we ask
41 through our City Manager to reevaluate the way we handle that situation.

42
43 Ms. Sova said it didn't happen in this case but we have had instances where liens have
44 slipped through the title process and properties have changed hands and then
45 somebody comes in to open a water account or something and we say there is a lien.
46 These are new buyers who are totally shocked. We have had that happen a few times,

1 especially when we had liens on the properties in Lake Mary Woods. Also Zone 8, the
2 old paving project behind the school there are a few houses back there that have not
3 paid. She believed Finance was still sending an annual invoice to those folks. The
4 people in Zone 8 are well aware. She didn't think there would be any problem with
5 getting the list from Code Enforcement and having the same type of letter sent to those
6 folks. That guy would have gotten six or seven letters by now.

7
8 Commissioner Miller said they wait until the property values go up. That property is now
9 worth a lot more than it was two or three years ago. Now he is in the process of trying
10 to sell his property and wants to get the lien off so he can sell his property.

11
12 Mayor Meador said he was not aware of it until the bank notified him. He said it puts us
13 and Mr. Fleming in Code Enforcement in a very difficult situation. It brings us here
14 where we don't have a consistent message. This is probably the only item where we
15 don't speak in one voice or at least reach consensus. He didn't think it was a good use
16 of their time. If there are standards and they are noticed annually and they come in
17 here and they've ignored it then request denied.

18
19 Commissioner Lucarelli said her concern is that we have let it go for seven years. She
20 asked where the action was on our part like a reminder. It was the fault of both parties.

21
22 Commissioner Brender said it is a difficult discussion to have when you are on a dais in
23 the open and trying to figure it out. We have to have fines but at the same time we try
24 to be fair.

25
26 Mayor Meador said he thought there was a fairer way but didn't know what it is.

27
28 Ms. Reischmann said the Commission has always focused on compliance and not a
29 moneymaking business. That's the whole point of code enforcement. There is a
30 difference between properties where people bring the property into compliance and the
31 lien accrues interest because they forget that they have a lien. They forget to come
32 back in and seek a reduction. She didn't think anyone in her memory has ever come
33 here seeking a reduction and the Commission saying there is a lot of money we can
34 get. She thought it had always been that we just want our costs covered. Her concern
35 was the administrative difficulty in weeding out the ones that are still out of compliance
36 so the liens need to keep running. Notifying them is a good idea. There is going to be
37 two classes of people and you only want the ones that have come into compliance to be
38 able to seek a reduction.

39
40 Commissioner Miller said generally they have an opportunity to come into compliance
41 before there is ever a fine. We give them a period of time to come into compliance.

42
43 Ms. Reischmann said she believed Chapter 162 in the Florida Statutes is extremely
44 liberal in providing massive amounts of notice such that these things don't get taken
45 care of timely. You could have in your neighborhood a nuisance property and because

1 we've got all these multiple layers of notices it can take forever to get that cleared up. A
2 lot of cities have tossed 162 because of the time it takes to notice everybody.

3
4 Mayor Meador said if there is no objection we will have Ms. Sova and staff look at that.

5
6 Commissioner Brender said he attended the Tourist Development Council. At the last
7 CALNO meeting he was appointed the representative from CALNO to the Tourist
8 Development Council. Today he was appointed Vice Chairman of the Tourist
9 Development Council. They meet every two months and he will be reporting as he gets
10 familiar with what's going on. The Seminole County Sports Complex is a big part of the
11 discussion right now and the number of room nights that they are talking about being
12 generated. They have 68 events planned between the time it opens in May until
13 December. These are sometimes three and four-day events. There are only five
14 weekends open for the rest of this year. It's amazing how many room nights are being
15 generated. He said he would keep the Commission up to date.

16
17 Deputy Mayor Duryea congratulated staff for wearing green today. He wished
18 everybody a Happy St. Patrick's Day.

19
20 Deputy Mayor Duryea said he voted for the issue that was before us tonight but was not
21 convinced of the traffic element.

22
23 Mayor Meador said we had Mr. Smith from the County Engineering Department here this
24 evening and he is trying to get a meeting with our staff the latter part of this month or
25 April. That is one of the discussion points. It is an ongoing concern.

26
27 Commissioner Miller said he attended the Timacuan Homeowners' meeting along with
28 quite a few staff members, Commissioner Brender and Mayor Meador. We had the floor
29 for 45 minutes of their meeting with City discussions. He thought it was very positive.

30
31 Mayor Meador said it helps too that Commissioner Miller is part of that group and
32 engages with them. They know there is a conduit to the City.

33
34 Commissioner Miller said he was quite impressed with Mr. Paster's business approach
35 that he takes to his job and what he has been able to do. He said Chief Bracknell gave
36 a very good presentation too.

37
38 Mayor Meador said that group is always so gracious to us and it is nice to be included.

39
40 Commissioner Lucarelli said last night she attended the Lake Mary-Heathrow Festival of
41 the Arts meeting. Bryan (Nipe) came briefly before running off to Timacuan. She is
42 excited about a lot of new changes. It's going to be moving to a spring festival so we
43 won't have one this year. It will be in 2017. We have a team kicking butt on social
44 media website modifications. It's going to be blasting off soon. We are pleased and
45 excited about those changes and will keep the Commission posted.

1 Commissioner Lucarelli said Family Fun Day is Saturday, April 2nd, from 9:00 A.M. to
2 2:00 P.M. She is thankful for all the hard work that Parks & Rec, Police, Fire and
3 everybody has been putting into it. They are doing a great job with the layout. They are
4 trying to spread it out and incorporate the Farmer's Market more so it doesn't look like
5 two separate events but rather one whole event. The dunk tank will be back. If anyone
6 wanted to be there to be introduced and say a couple of words as we open it up that will
7 be at 11:00 A.M. but be here by 10:45 A.M.

8
9 Commissioner Lucarelli said yesterday she got accepted to the Seminole State Alumni
10 Leadership Team.

11
12 13. City Attorney

13
14 Ms. Reischmann said the public records bill did not pass. There is a medical marijuana
15 bill pending with the Governor to expand that program more. The licenses for the
16 nurseries will be moved up to July.

17
18 14. Adjournment

19
20 There being no further business, the meeting adjourned at 9:15 P.M.

21
22
23
24
25 _____
26 David J. Mealor, Mayor

27
28
29 _____
30 Mary Campbell, Deputy City Clerk

31
32
33 ATTEST:

34 _____
Carol A. Foster, City Clerk



**Lake Mary, Florida
Office of the Mayor
Proclamation**

- Whereas,* the residents of the City of Lake Mary value safe and healthful workplaces for all of our citizens; and
- Whereas,* the majority of workplace injuries and fatalities are preventable; however, more than 4,600 workers die each year from job related injuries and millions more suffer occupational injuries and illnesses; and
- Whereas,* businesses spend \$62 billion a year on the costs of the most disabling workplace injuries tied to occupational injuries, healthcare and illnesses; and
- Whereas,* safer organizations enjoy increased productivity, higher employee satisfaction and a better reputation, while recording less lost time and lower workers' compensation and healthcare costs; and
- Whereas,* during the week of May 1-7, 2016, North American Occupational Safety and Health Week (NAOSH), the American Society of Safety Engineers members, the Occupational Safety and Health Administration (OSHA) and corporate/association partners representing thousands of businesses will mobilize in an effort to increase employer, employee and public awareness of being safe at work to encourage safe practices and to help companies and organizations enhance their workplace safety efforts; and
- Whereas,* on May 4, 2016, occupational safety and health professionals will be recognized on Occupational Safety and Health Professional Day for their commitment to protect people, property and the environment at work in their communities.

NOW, THEREFORE, through the authority vested in me as Mayor of the City of Lake Mary, Florida, I, David J. Mealor, do hereby proclaim May 1, 2016, through May 7, 2016, as:

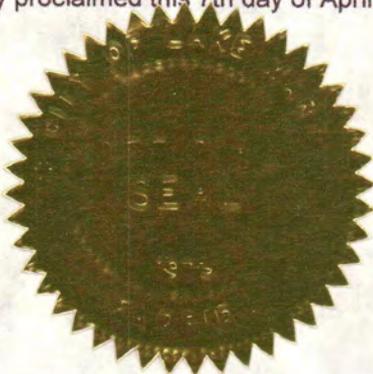
"NAOSH WEEK"

and Wednesday, May 4, 2016, as:

"OCCUPATIONAL SAFETY AND HEALTH PROFESSIONAL DAY"

in Lake Mary and encourage all industries, organizations, community leaders, employers and employees to support activities designed to increase awareness of the importance of safe workplaces for all.

Duly proclaimed this 7th day of April, A.D., 2016.



CITY OF LAKE MARY, FLORIDA

By: _____
DAVID J. MEALOR, MAYOR



MEMORANDUM

DATE: April 7, 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. 1540 - Final Planned Unit Development for Griffin Farm at Midtown, 114 Longwood Lake Mary Road - Second Reading (Public Hearing) (quasi-judicial) (Steve Noto, City Planner)

APPLICANT: Piloian Property Interests, LCC & Griffin Interests, LLC.

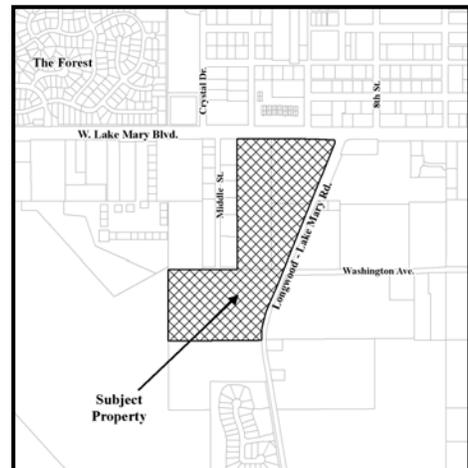
REFERENCES: City Comprehensive Plan, Code of Ordinances, Development Review Committee, proposed Griffin Farm at Midtown PUD Agreement.

REQUEST: The applicant proposes to rezone the subject properties to PUD for the construction of the Griffin Farm at Midtown project.

DISCUSSION:

Location and History: The subject properties are located at the southwest corner of W. Lake Mary Blvd., and Longwood Lake Mary Rd. and contain +/- 34.52 acres. The properties are currently used as residential and agricultural uses. In September 2015, the applicant applied for a Future Land Use amendment for the subject properties to Mixed Use Midtown (MUMT).

Economic Development: The Griffin Farm at Midtown project will produce a substantial economic impact within the City. The scale of the project suggests that the



identity of 'midtown' will be largely defined by this mixed use development. Indeed, this was the intent of the Mixed Use Midtown (MUMT) land use designation attached to the property. In addition to meeting the MUMT's overarching planning goals, the project will create new jobs and build new market value for the community. More specifically, an estimate of direct impacts follow:

- The Apartments will generate \$55 million in construction costs and create about 1,000 temporary construction jobs plus 15 permanent jobs;
- The Residential will generate \$30 million in construction costs and create about 400 temporary construction jobs;
- The Retail will generate \$20 million in construction costs and create about 500 temporary construction jobs plus 400 permanent jobs.

The new market value built by this project will certainly exceed the aggregate \$105 million dollars in construction costs outlined in these bullet points. Moreover, these numbers only present a perspective on direct impacts, the project will result in a much larger economic impact within the community in the form of multiplier effects. For example, indirect and induced impacts will occur as the site's retail uses buy inputs from local companies and hired workers spend their wages in the community.

Surrounding Designations:

Zoning

NW PO/C-1	N PO	NE PO
W C-1/ Sem. Cty.	SITE A-1	E C-1/R-2/ A-1
SW Sem. Cty.	S Sem. Cty.	SE A-1

Future Land Use

NW OFF/ RCOM	N OFF	NE OFF/RCOM/ RR
W COM/ RCOM	SITE COM/ RCOM	E RCOM/RR
SW Sem. Cty.	S Sem. Cty.	SE RR

PUD PLAN: The subject property has a pending Future Land Use category change to Mixed Use Midtown (MUMT) which will allow for a mixed-use, high density project. As such, the proposed Final PUD plan and associated PUD Agreement proposes the following mix of uses:

- Lots 1-3
 - Commercial, not to exceed 150,000 sq. ft.
 - § There is 119,640 sq. ft. of commercial space planned. This is a reduction of over 30,000 sq. ft. from the original request.
 - Lot 3 will include a 3-story, four-level, 600 space parking garage.
 - Adjacent to Lots 1-3 will be a walkable pedestrian plaza and gateway monument feature. The gateway feature will be located at the NE corner of the site. This area will consist of a mixture of shade trees, landscape garden spaces, and a water feature.
 - The uses specifically permitted in these lots are similar to what is permitted in the C-1 zoning district, and are further outlined in the PUD Agreement.

- Lots 4-5
 - Residential apartments, 265 units
 - § The original planning for the development called for 300 residential apartment units. As a result of the additional engineering work that was done between the Comprehensive Plan submittal stage and the present, the applicant found that the original maximum of 300 units would not work on the site.
 - § Building A, the western-most building, calls for 112 units. Building B, the eastern-most building, calls for 153 units.
- Lot 6
 - Up to 150 attached or detached single family residential units, under fee-simple ownership. The original plan called for up to 200 single family residential units. Much like the apartments, due to engineering design, and what the future developer is looking to accomplish, a lower number of units are proposed. See Tract C below to read about additional setback requirements due to the location of Soldier's Creek.
- Tract A
 - The main entry gateway into the development, which will include on-street parallel parking.
- Tract B
 - Stormwater for Lots 4-6. This stormwater pond will also have a fountain.
- Tract C
 - Conservation tract adjacent to Lot 6 to be dedicated to the City. This area is also part of the 25' buffer and 75' setback due to Soldier's Creek. The Developer is proposing the following language in the PUD Agreement regarding the setbacks:
 - § "The Environmental Buffer Zone as defined by Code will not be impacted. No building or structure is permitted within the 75' setback from the Environmental Buffer Zone. Paving within the 75' setback from the Environmental Buffer Zone shall not exceed 25% of the area contained within the 75' setback. Mitigation for pavement impacts within the 75' setback shall be directly proportionate to the impacts and shall be achieved through landscape enhancement. Enhancement shall include planting of Florida native species and shall be detailed in the landscape plan. The Developer will have perpetual maintenance responsibility for Tract B and C until turned over to the homeowners association." It shall be noted that any runoff that occurs will need to be directed away from the Conversation Tract's and to the appropriate stormwater infrastructure.
 - As noted, while encroachment will not occur within the 25' buffer, which is closest to the wetlands, the proposed PUD Agreement allows for *some* paving to occur within the 75' setback. At this time, the level of encroachment is unknown as a subdivision plan has not been submitted for this part of the project. At that time, however, mitigation plans will be required as outlined above, as provided in the proposed PUD Agreement.
- Tracts D and E
 - These areas consist of the building setbacks, landscape buffers, and pedestrian plaza areas adjacent to W. Lake Mary Blvd. The landscaping in

this area will consist of Live Oak trees within planters, ornamental trees in plazas and at entrance drives, and enhancement building foundation landscaping. Further landscaping enhancement is proposed adjacent to Building 'A' to help buffer the proposed drive-thru lane. Adjacent to Buildings 'E' and 'F', patio seating is provided for.

To reemphasize, over 100 dwelling units, and 30,000 sq. ft. of commercial space, were removed from the original plan that was discussed during the Comprehensive Plan review phase. While 150,000 sq. ft. of commercial space is still permitted via the Developer's Agreement, the Final PUD plan shows just under 120,000 sq. ft.

Commercial Buildings and Parking Garage – The following information is provided as an outline for the buildings that are proposed within Lots 1-3:

- Buildings A, B, C, D, E, F, G, H, J
 - These buildings are adjacent to W. Lake Mary Blvd.
 - § Building A is the western-most building and is proposed as a 5,420 sq. ft. restaurant/bank with drive-thru. The proposed building setback is approximately 40'. While the drive-thru is setback 25' from the property line, the landscaping was designed as to provide an enhanced buffer, blocking the stacked cars from view from W. Lake Mary Blvd. The minimum height of the hedges are not provided on the plan. One of the conditions of approval will be that those hedges be a minimum of 4' tall upon planting, and shown on the future Preliminary and Final Subdivision Plans.
 - § Building B is proposed as 7,500 sq. ft. and is adjacent to the main entrance of the plaza, east of Building A. The proposed setback is 30'. While this building is the closest to W. Lake Mary Blvd., the landscape design also calls for significant buffering adjacent to both the W. Lake Mary Blvd. right-of-way, and entrance roadway.
 - § Building C is setback over 300' from W. Lake Mary Blvd., and is accessible from two curb cuts from the main entrance. Per the PUD Agreement, this building is currently proposed as a 38,000 sq. ft. 24-Hour Fitness.
 - § Building D is setback approximately 35' from W. Lake Mary Blvd. According to the PUD Agreement, the proposed use is a 25,000 sq. ft. Earth Fare grocer. Like Buildings A and B, this building will be buffered by a significant amount of foundation landscape as well as live oak trees within planters.
 - § Buildings E and F have been designed with patio space adjacent to W. Lake Mary Blvd., which places their setbacks between 70' – 80'. Building E is 7,500 sq. ft. and Building F is 7,000 sq. ft.
 - § Buildings G – J make up a total of 21,890 sq. ft. These buildings are adjacent to Longwood Lake Mary Rd. and the second access point into the plaza.
 - § All of the aforementioned buildings have access to over 400 surface parking spaces, as well as the 600 space parking garage.
 - The Parking Garage is south of Building C, and is buffered by the 7,330 sq. ft. Building K. The garage is proposed to be 4-levels, no higher than

62' (32' 8" to the load bearing wall), with 600 spaces. The garage will have a direct connection to Multi-Family Building A.

Multi-Family Buildings – The two multi-family buildings are generally located in the middle of the project. Both buildings are proposed to be 5-stories, no higher than 60'. The western building will have 112 units, and the eastern building will have 153 units. Parking is available on-street, in the parking garage, and within the surface lots. Both buildings will be connected via breezeway. Building A will have a pool amenity area, and Building B will have a courtyard. The minimum square footage for an apartment unit is 600 square feet.

Landscaping – The PUD agreement goes in to great detail outlining the specifics of each buffer requirement. Generally, the buffer widths and number of plantings per buffer is consistent with the City's land development code. The proposed buffers are as follows:

- North Buffer/Lake Mary Blvd. (included in this buffer is a 15' streetscape buffer).
- Minimum average width is 25'.
- Live Oak trees will be provided every 50' on center in planter cut-outs.
- Ornamental trees will be planted in adjacent plaza areas and entrance drives.
- Parking will be screened by hedgerows.
- Building foundations will be screened with foundation landscaping/decorative pots.
- Western Buffer:
 - Minimum average width is 10'.
 - For every 100 linear feet, two canopy trees and three understory trees will be provided. In addition, a 2' tall hedge row will be provided.
- Eastern Buffer:
 - Minimum average width is 25'.
 - For every 100 linear feet, two canopy trees and three understory trees will be provided. In addition, a 2' tall hedge row will be provided.
 - Where power lines are in conflict, understory trees will be planted in lieu of canopy trees at a ratio of 3:1.
- Lot 6
 - This section of the project will have a separate landscaping plan as part of the preliminary and final subdivision review.

Full landscape plans will be provided as part of the Preliminary and Final Subdivision process.

Environmental – An environmental review was completed for the site. No endangered species were found on site. In addition, the wetlands and sensitive areas of the site were noted, and have been addressed as part of the proposed plan.

Open Space – The site will have multiple areas of open space. Tract C is a conservation tract. Tracts D and E are adjacent to Lake Mary Blvd. and act as landscape buffers, and also include the entry feature at the NE corner of the site. As a whole, the project does not exceed 65% impervious area.

Lighting – Lighting plans were not provided as part of the Final PUD plans. That being said, all site lighting will be shown as part of the future Preliminary and Final Subdivision Plans and meet the requirements of Section 154.22. As noted in the PUD Agreement, “All parking lot lighting fixtures shall be consistent with respect to their physical attributes. The specific design shall be established by the type of parking lot lighting fixture constructed or installed in or on the first of the lots to receive site development plan approval”.

Parking – The parking requirements have been broken out by use. A ratio of 4 per 1,000 sq. ft. has been used for the commercial section of the site. For the apartments, a ratio of 1.8 per dwelling unit was utilized. Based on the square footages proposed, as well as 265 apartment units, 955 parking spaces are required; 1,022 are being provided. The parking lot adjacent to Buildings D-J has 275 spaces; the parking lot adjacent to Buildings A-C has 99 spaces. The main entrance road has 48 spaces. Lastly, the parking garage has 600 spaces.

On Lot 6, each home will have a 2-car garage, with no driveway parking (similar to the Fountain Parke community), as well as 1 space for every 4 homes. It is anticipated that there will be alleyways throughout this section of the project. That said, no parking will be permitted within the alleys.

Signage – A majority of the signage proposed for the site will meet the City’s sign code. The PUD Agreement requires all building facades to match the front. That said, two of the commercial users, 24-Hour Fitness and Earth Fare, require additional wall signage over and above what City code allows. As a result, within the PUD Agreement are two exhibits outlining what both users require for wall signage. It is the intent of the applicant to allow these two variations and no others.

Transportation – The site is accessed by two County roadways, W. Lake Mary Blvd., and Longwood Lake Mary Rd. City staff, along with the applicant, has been coordinating with Seminole County throughout the review process to understand what may be required as part of the development. The following changes are proposed within the W. Lake Mary Blvd. ROW:

- A new traffic signal at the entrance to the site, west of the intersection at Longwood Lake Mary Rd. With this signal will come additional turn lanes, and an extension to the existing left turn lane on W. Lake Mary Blvd. The applicant will be entering into a Traffic Signal Maintenance Agreement with Seminole County as a result.
 - A re-configuration of the existing median cut adjacent to the Post Office will also occur. Instead of allowing thru and turning movements, traffic flow will be restricted to a left-turn for eastbound drivers, and a left-turn for westbound drivers. This will result in improved safety as drivers leaving the Post Office will have the ability to utilize the new traffic signal.
- On Longwood Lake Mary Rd., adjacent to The Oaks Plaza entrance, the movement allowed is a right-in/right-out, and left-in only. There is also a proposed ROW dedication shown adjacent to Building J which will assist the County for future improvements.
- There will be no access points aligned with Washington Ave. or Wilson Dr.
- A future access point will be provided for Lot 6, likely south of Washington Ave.

A full traffic study was completed by TPD, Inc. and was reviewed by both the City and County consultant. This study, along with the site design, was the impetus for the improvements outlined above. At this time, no other improvements within the ROW's are proposed or anticipated. That being said, the County will continue to be a reviewing partner for the remainder of the project, which includes the Preliminary and Final Subdivision review. Having said that, the County did provide the following direction:

- The applicant will provide the full funding required and will oversee the design and construction of a traffic signal at the proposed entrance on Lake Mary Blvd. The applicant will also enter into a Traffic Signal Maintenance Agreement with Seminole County. The turn lane lengths for this proposed intersection will be based on FDOT's design standards and the required queue lengths will be determined from the final traffic analysis performed at final site plan design.
- The applicant will provide the full funding required and will oversee the design and construction of modifications to the intersection of Lake Mary Blvd and Crystal Drive/Post Office entrance. These modifications include converting the full median opening to a directional median opening that would only allow eastbound and westbound left turning movements. The turn lane lengths for this proposed intersection will be based on FDOT's design standards and the required queue lengths will be determined from the final traffic analysis performed at final site plan design.
- The applicant will dedicate sufficient property along Longwood Lake Mary Rd. in order to accommodate the proposed conceptual improvements shown in the attached plan. The limits of the proposed dedication are from approximately 120' south of the entrance to the Oaks Shopping Plaza to approximately 60' north of the intersection with Washington Ave. The applicant will need to submit a plan to the County for approval during the final engineering stage of the project that depicts the proposed property dedication. The County would be open to considering options to minimize the impacts to the proposed development such as shifting the alignment, etc.

These points have been outlined in the PUD Developer's Agreement, with changes made to the third bullet point:

- The Developer may be required to dedicate property along Longwood Lake Mary Rd. in order to accommodate possible future improvements. The Developer will submit a plan to the County for approval during the final engineering stage of the project that depicts the proposed property dedication, if necessary. The County has indicated to the City that it is open to considering options to minimize the impacts to the proposed development such as shifting the alignment, etc.

As previously mentioned, this will continue to be reviewed as part of the Preliminary and Final Subdivision plans.

Trash – The site will be serviced by multiple dumpster locations throughout the site. Trash pickup for Tract 6 will be worked out during the Preliminary and Final Subdivision process.

Water/Sewer, and Stormwater – Water and sewer connections will be made into existing facilities in the adjacent ROW's. New lines will be run under the new entrance road noted at Tract A. Stormwater will be facilitated by underground exfiltration for Lots 1-3. Lots 4-6 will utilize retention ponds located on Lot 6. A joint maintenance agreement will be required between the owners of Lots 4-6.

PUD FINDINGS: Section 154.61 (D) (2) (d) of the City's Code of Ordinances states that the City Commission shall make the following findings:

1. That there is substantial compliance with the purpose of the Planned Unit Development District and the preliminary development plan.
 - a. **Staff Note:** The request is in compliance in that the purpose of the district is to provide for planned residential communities containing a variety of residential structures and a diversity of building arrangements, with complementary and compatible commercial or industrial uses or both; planned commercial centers with complementary and compatible residential or industrial uses or both; or planned industrial parks with complementary and compatible residential or commercial uses or both, developed in accordance with an approved final development plan.
2. That the phase of development in question can exist as an independent unit capable of creating an environment of substantial desirability and stability.
 - a. **Staff Note:** The first phase of the development includes everything north of Lot 6. Staff does anticipate Lot 6 to be developed in a similar timeframe as the remaining development area.
3. That existing or proposed utility services and transportation systems are adequate for the population densities proposed.
 - a. **Staff Note:** As outlined in the staff report, the utility services and transportation system are adequate for the proposed population densities.
4. That the preliminary engineering plans as required by the City Engineer have been approved.
 - a. **Staff Note:** The development program has been reviewed by the Development Review Committee (DRC), which includes the City Engineer. The item would not be before you if the entire DRC did not find the plan in compliance.

REZONING: All rezoning requests shall be reviewed in light of the provisions of Section 154.27(A) (2) of the City's Code of Ordinances.

Determination of Items and Findings of Fact: 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:

The applicant provided a justification/need statement for the creation of the Mixed Use Midtown (MUMT) land use designation and map change. Several of the points made in those statements carry over to the request for the rezoning:

- Near build-out conditions for residential uses.
- The City's FLU policy encouraging innovative land development techniques such as mixed uses and cluster development.
- Proximity to the Downtown and SunRail Station.
- Promotion of multi-modal transportation options.
- The mixed-use requirements of this development will promote residential infill development, reduce urban sprawl, and promote bicycle/pedestrian trips for recreation and shopping.

As a whole, the proposed PUD is in compliance with a number of policies of the Comprehensive Plan which promote many of the City's goals as it relates to unique, mixed-use, high quality development.

ITEM No. 2:

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

FINDINGS OF FACT No. 2:

The land is currently used for A-1, Agricultural, uses. Therefore, like most rezoning requests, the proposal is a change from the current use of the property. The effect of the change has been measured through the review of the changes to the Comprehensive Plan, including the creation of the Mixed Use Midtown (MUMT) land use designation. Through the creation of the MUMT designation, the City has created policy to promote internal capture of traffic and pedestrian trips to help in mitigating the overall traffic impacts of larger mixed use developments. Having said that, the applicant has been coordinating with City staff and Seminole County staff on the traffic impacts of this development. The required improvements and mitigation strategies have been outlined in the Transportation section of this staff report. Please note that of the performance standards required of the MUMT land use designation, location of LYNX facilities as well as access to major roadways are included. This project is also located less than a mile from the City's downtown core and SunRail Station.

The applicant is proposing a landscape plan that includes a number of quality plantings in and around the site. This also includes an "entry-feature" type design at the corner of W. Lake Mary Blvd. and Longwood Lake Mary Rd. In addition, while a number of buildings are fronting W. Lake Mary Blvd., the applicant has planned for taller hedge plantings than what the City code requires, as well as foundation landscaping and planter boxes. This will help buffer the buildings as well as create a one of a kind pedestrian plaza space common for large mixed use developments.

As previously mentioned in this report, Tract C is being designated as Conservation. This is due to the wetlands associated with Soldier's Creek. Significant buffering is being provided as well as enhanced landscaping, which will be reviewed during the Final Engineering stage.

It is staff's opinion that the impacts of this development have been adequately mitigated through creative design, infrastructure improvements (i.e. turn-lane improvements), and landscape buffering.

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:

In the general area, there is no undeveloped land with PUD zoning. In the City, there are a number of tracts within the Colonial Center PUD, Rinehart Place PUD, and Primera PUD's that have remaining entitlements. However, all three PUD's continue to be under development.

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 this chapter [Chapter 154 – Zoning Code] and the comprehensive plan.

FINDINGS OF FACT No. 4:

This request is in direct relationship of the proposed changes to the City's Comprehensive Plan (i.e. the creation of the Mixed Use Midtown – MUMT – and FLU Map amendment of RCOM/COM to MUMT for the subject properties). The MUMT designation has a number of performance standards and promotes the development of mixed-use/internal capture development, such as this PUD that is being requested. As such, the proposed changes will further the purpose of Chapter 154 as well as the Comprehensive Plan.

FINDINGS OF FACT: Staff finds that the request for Preliminary and Final Planned Unit Development and PUD Agreement for Griffin Farm at Midtown is consistent with the City's Land Development Code, which includes sections 154.61 (D)(2)(d) and 154.27 (A)(2), and the City of Lake Mary Comprehensive Plan, and recommends approval.

PLANNING AND ZONING BOARD: At their regular March 8, 2016, meeting the Planning and Zoning Board voted unanimously, 5-0, to recommend approval of the proposed Preliminary and Final PUD. In addition, the Planning & Zoning Board made the following recommendations to be looked at:

- Clarify total amount of signage requested by Earth Fare and 24-Hour Fitness.
- Ensure the Final Engineering Plans account for proper turning radii for tractor trailers.
- Request the developer enter into a Traffic Enforcement Agreement with the Police Department.

- Adjust the total square footage of commercial space in the PUD Agreement to be equal to the PUD plan.
- Include regulations for temporary signage.
- Review the westbound left turn lane on W. Lake Mary Blvd. entering the site for length and stacking.
- Explore the possibility of parking restrictions for the apartment tenants to just the parking garage.

In addition, members of the Banyan Pointe community, south of the subject properties, submitted a letter into the record regarding the project. That letter is attached for your information.

Staff Note: The above recommendations were not conditions of approval. Staff is still looking into these requests with the Applicant. That said, any changes made will be presented at the Second Reading of Ordinance 1540, on April 7, 2016.

ATTACHMENTS:

- Ordinance No. 1540
- PUD Developer's Agreement
- Location Map
- Zoning Map
- Future Land Use Map
- Aerial
- March 8, 2016, Planning & Zoning Board Meeting Synopsis
- Banyan Pointe Letter

ORDINANCE NO. 1540

AN ORDINANCE OF THE CITY OF LAKE MARY, FLORIDA REZONING CERTAIN LANDS WITHIN THE CITY OF LAKE MARY, LOCATED AT THE SOUTHWEST CORNER OF WEST LAKE MARY BOULEVARD AND LONGWOOD LAKE MARY ROAD, HEREIN DEFINED FROM THE PRESENT CITY ZONING CLASSIFICATION OF A-1, AGRICULTURE, TO PUD, PLANNED UNIT DEVELOPMENT, PURSUANT TO THE TERMS OF THE FLORIDA STATUTES; PROVIDING FOR CONFLICTS, SEVERABILITY AND EFFECTIVE DATE.

WHEREAS, Piloian Property Interests, LCC & Griffin Interests, LLC., Applicant, has petitioned the City of Lake Mary, Florida, to rezone the following described properties located within the City of Lake Mary, Florida, which are currently in a zoning classification of A-1, Agriculture; and

WHEREAS, the City Commission of the City of Lake Mary, Florida, held a duly noticed public hearing 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's 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 it to be in the public interest of the citizens of Lake Mary, Florida, and in order to promote the health and general welfare of the citizens of Lake Mary, Florida, to rezone the subject property to PUD, Planned Unit Development; and

WHEREAS, the Planning and Zoning Board recommended approval of this rezoning at its March 8, 2016, meeting; and

WHEREAS, the City finds that said requested zoning classification is in conformity with present zoning classifications of other properties in the same 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 properties from their present A-1, Agriculture, zoning district to the PUD, Planned Unit Development zoning district:

SEE EXHIBIT “A” OF ATTACHMENT “A” FOR LEGAL DESCRIPTION

Section 2. This rezoning action is subject to the conditions provided for and agreed to in the PUD Agreement attached hereto as Attachment “A” 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: March 17, 2016

SECOND READING: April 7, 2016

PASSED AND ADOPTED this 7th day of April, 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 REISCHMANN, CITY ATTORNEY

This instrument was prepared by
Dwight Saathoff, Esq.
Griffin Farms at Midtown, LLC
7940 Via Dellagio Way Suite 200
Orlando, FL 32819

Return to:
City Clerk
City of Lake Mary
P.O. BOX 958445
Lake Mary, FL 32795-8445

GRIFFIN FARM AT MIDTOWN PUD AGREEMENT

THIS GRIFFIN FARM AT MIDTOWN PUD AGREEMENT (this “**Agreement**”) is made and entered into this ___ day of _____, 20___, (the “Effective Date”) by and between the **CITY OF LAKE MARY**, a municipality organized and existing under the laws of the State of Florida, whose address for purposes of this Agreement is Post Office Box 958445, Lake Mary, FL 32795-8445 (the “**City**”), and **GRIFFIN FARM AT MIDTOWN LLC.**, a Florida Limited Liability Company, whose address for purposes of this Agreement is 7940 Via Dellagio Way, Suite 200, Orlando, FL 32819 (the “**Developer**”).

RECITALS

*(Capitalized terms not defined in this Agreement shall have the meanings ascribed thereto in the Lake Mary City Code. References in this Agreement to lots are intended to correspond to the lots designated as such on the Final PUD Plan, **EXHIBIT “B”**.)*

WHEREAS, the Developer is the owner of the property that is the subject of this Agreement, located in Lake Mary, Florida, as set forth in the legal description attached hereto as **EXHIBIT “A”** and by reference incorporated herein (the “**Property**”); and

WHEREAS, the Property has an MUMT Future Land Use, and PUD zoning. This Agreement, which is not a statutory development agreement, is required for property zoned PUD; and

WHEREAS, the City Planning and Zoning Board considered the Final PUD Plan, attached as EXHIBIT “B” and included herein, for the Developer’s proposed mixed-use, planned unit development named “Griffin Farm at Midtown” (the “Development” or the “Project”) during its regularly scheduled meeting on _____, 20___ and determined that the plan is consistent with the Comprehensive Plan and substantially conforms to the applicable provisions of the City Code; and

WHEREAS, following the receipt of the City Planning and Zoning Board’s recommendations, the City Commission reviewed the Final PUD Plan during its _____, 20___ public hearing. At that hearing, the City Commission approved the Final PUD Plan as well as this Agreement; the City Commission’s approval is evidenced by that certain Ordinance No. _____ adopted by the City Commission on _____ 20___; and

WHEREAS, this Agreement is intended to provide detailed development standards applicable to the Final PUD Plan; and.

WHEREAS, additional conditions of approval may also be included within the minutes of relevant meetings of the Planning and Zoning Board, and the City Commission. Furthermore, any representations or promises made by the Developer during the zoning review and approval process for the Development (whether oral or in writing) shall also be additional conditions of approval if deemed appropriate by the City; and

WHEREAS, the Developer shall develop the Property only as specified in the approved Final PUD Plan consistent with all conditions and requirements of City Commission approval.

NOW, THEREFORE, for and in consideration of the mutual promises contained herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

- A. Recitals. The above recitals are true and correct, form a material part of this Agreement, and are incorporated herein.
- B. Planned Unit Development (PUD). The Property is hereby declared to be a planned unit development in accordance with section 154.61 of the City Code to allow diversification of uses, structures, and open space in a manner compatible with permitted land uses and in accordance with the Final PUD Plan. The Final PUD Plan, **EXHIBIT "B"**, is an integral part of this Agreement and governs the development of the Property. However, this Agreement does not limit the City's police power in any way.
- C. Land Uses and Other Restrictions. The land uses within the Final PUD Plan shall be restricted to the permitted uses set forth in this section of the Agreement. This Agreement does not include any conditional uses.
 1. Lots 1 through 3 - Commercial.
 - a. The total commercial square footage to be developed shall not exceed 150,000 square feet.
 - b. Permitted uses for Lots 1 through 3 are:
 - i. General office uses.
 - ii. Restaurants, delicatessens and establishments for the retail sales of prepared foods, including establishments which serve alcohol for the consumption on premises.
 - iii. Retail sales establishments including, but not limited to, grocery stores, bakeries, hardware stores, florists, gift shops, department stores, drug stores, and other similar businesses.
 - iv. Child care centers.
 - v. Personal service establishments.
 - vi. Banks and financial institutions with drive-thru facilities.

- vii. Shopping centers.
- viii. Pharmacies with drive-thru facilities, except for those dispensing medical or recreational marijuana.
- ix. Health and fitness clubs, which may be open for use on a 24 hours per day/7 days per week basis.
- x. One restaurant with a drive-thru is permitted as long as the restaurant is either a coffee shop w/drive-thru, donut shop w/drive-thru, deli w/drive-thru.
- xi. Bars, cocktail lounges.
- xii. Private retail and recreational facilities including bowling alleys, miniature golf, gymnasiums.
- xiii. Parking Garage subject to the following restrictions and requirements (parking garage shall be located on Lot 3 only).
 - 1. 600 9' x 18' parking spaces with 24' two-way drive aisles.
 - 2. Maximum 3 story building (4 levels of parking including the rooftop parking).
 - 3. The parking garage on Lot 3 may contain up to 25% compact spaces (i.e. no more than 150 spaces).

c. Prohibited uses within the Commercial classification are:

- i. Theaters and drive-in theaters.
- ii. Nursing homes.
- iii. Animal hospitals/veterinary clinics.
- iv. Funeral Homes.
- v. Convenience stores.
- vi. Automobile service stations.
- vii. Package stores or liquor stores.
- viii. Hotels or motels.

- ix. Pawn shops; check cashing businesses.
 - x. Catalog showrooms.
 - xi. Auto repairs.
 - xii. Home improvement stores/building supply stores with outside storage.
 - xiii. Hospitals.
 - xiv. Massage parlors.
 - xv. Flea markets.
- d. A property owners' association will be created prior to platting to maintain the stormwater systems and common areas on Lots 1-3. The City must review and approve the covenants, conditions and restrictions prior to recordation for consistency with the Final PUD Plan.

2. Lots 4 and 5 - Apartments.

- a. Permitted uses for Lots 4 and 5 are:
 - 1. Rental offices for rental of units on Lots 4 and 5. Such offices may be located within a residential unit or in any other structure intended to service the occupants of the dwelling units such as a clubhouse.
 - 2. A maximum of 265 residential dwelling units is permitted, resulting in a maximum gross residential density of 53 du/acre.
 - 3. Minimum building set-backs from lot lines shall be 25'.
 - 4. Minimum square footage air conditioned space for an apartment: 600.
- b. All uses except those listed in 2(a) are prohibited.

3. Lot 6.

- a. Access to Lot 6 must be gated. The gate internal to the Project will be generally located at the southerly terminus of the main

access driveway from Lake Mary Blvd. between lots 4 and 5 on the north boundary of Lot 6. Lot 6 shall also have a secondary, gated access to Longwood Lake Mary Road. The gate will be depicted on the Preliminary Subdivision Plan/Final Subdivision Plan for Lot 6 and will be located setback from the road in order to avoid backup of vehicles onto Longwood Lake Mary Road. The final location of the gate is subject to City review and comment.

- b. Permitted uses for Lot 6 are:
 - i. A maximum of 150 detached or attached residential fee simple single family dwelling units, resulting in a maximum gross residential density of 11.48 du/acre (includes 17.42 gross acres combined contained in Lot 6 and Tracts B and C). Duplexes are not permitted.
 - ii. Clubhouse and recreation amenities for the use of Lot 6 residents only.
 - iii. Sales offices for the Lot 6 units. Such sales offices may be located within a residential unit or the clubhouse.
- c. The permitted uses in Lot 6 shall be developed in accordance with the site development standards applicable to Lot 6 as identified in this Agreement and the Final PUD Plan, including, but not limited to, the following:
 - i. No on-street parking shall be permitted along any alley.
 - ii. Internal streets: Lot 6 internal streets shall be minimum 40' wide right-of-way consisting of (i) minimum 20' wide two-way roadway (two 10' travel lanes) as measured from face of curb to face of curb for City type "A" curb and gutter; (ii) City type A curb and gutter on both sides of pavement; (iii) optional 8' wide parallel parking on one side as reassured from face of curb to travel lane; (iv) 4' wide sidewalk on both sides – the sidewalk can abut the City type "A" curb if adjacent to parallel parking.
 - 1. The above engineering standards are subject to review during the Preliminary and Final Subdivision Plans for Lot 6 and do not override any issues that may arise from Public Safety, Engineering, or other reviewing agencies.
 - iii. Attached townhomes:
 - 1. Minimum dwelling unit lot width, 20 feet
 - 2. Minimum dwelling unit lot area, 1,200 feet
 - 3. Minimum building setbacks:
 - a. front yard, 0 feet

- b. side yard, 0 feet
- c. rear yard, 0 feet
- 4. Minimum buildings separation, 10 feet
- 5. Minimum square footage of each unit: 1,200
- 6. 2 and 3 story units allowed

iv. Detached dwelling units:

- 1. Minimum lot width, 28 feet
 - 2. Minimum lot area, 1,820 feet
 - 3. Minimum setbacks:
 - a. front yard, 5 feet
 - b. side yard, 3 feet
 - c. rear yard, 5 feet
 - 4. Minimum square footage of each unit: 1,500
 - 5. 2 and 3 story units allowed
- d. The streets will be private. Developer shall enter into an agreement with the Police Department regarding enforcement of on-street parking.
- e. Garbage collection shall be provided to each individual residential dwelling unit. With the exception of the clubhouse facility, garbage dumpster usage is prohibited. Individual garbage cans shall be kept within each lot's private garage: the covenants, conditions and restrictions shall provide for code enforcement of this obligation.
- f. All uses except those listed in 3.b. are prohibited.
- g. A homeowners' association will be formed prior to platting, and will be responsible to maintain all common areas and the retention ponds. The City must review and approve the covenants, conditions and restrictions prior to recordation. The covenants, conditions and restrictions must provide that units cannot be rented for period less than seven (7) months.

4. Tract C - Conservation.

Tract C shall be primarily used and maintained for conservation purposes only. Permitted and prohibited uses shall be governed by and subject to any permits issued by the environmental permitting agencies with jurisdiction over these areas. A conservation easement over Tract C shall be granted by the Developer in favor of the City and the St. Johns River Water Management District with enforcement rights granted to the St. Johns River Water Management District and the City (the "Conservation Easement"). The Conservation Easement shall conform to the requirements of Section 704.06, Florida Statutes (2015), and shall be recorded prior to the first certificate of

occupancy issuance for any habitable structure on Lot 6. The Environmental Buffer Zone as defined by City Code will not be impacted. No building or structure is permitted within the 75-foot setback from the Environmental Buffer Zone. Paving within the 75-foot setback from the Environmental Buffer Zone shall not exceed 25% of the area contained within the 75-foot setback. Mitigation for pavement impacts within the 75-foot setback shall be directly proportionate to the impacts and shall be achieved through landscape enhancement. Enhancement shall include planting of Florida native species. The Developer will have perpetual maintenance responsibility for Tract C until turned over to the homeowners association. The following improvements are permitted within the 75' setback; vehicular right-of-way & roadway, parking spaces, sidewalks & pedestrian trails, recreation equipment, park furniture, landscape, hardscape. It is understood that no inhabitable buildings are allowed to be built within this area. Additional plantings will be provided within the 75' setback to mitigate for impacts to the setback area. Details regarding the additional plantings will be submitted to the City as part of the Preliminary Subdivision Plan for Lot 6.

- D. Master Plat. The Developer shall be responsible for platting the master plat of the Property within the PUD. This Agreement is not any type of plat approval.
- E. Plaza on Lots 1-3. A walkable plaza with a gateway monument feature shall be constructed at the northeast corner of the Project, as shown on the copy of the Final PUD Plan attached hereto as **EXHIBIT "B"**. Opportunities for dining, seating and entertaining shall be provided within the plaza. A combination of shade trees, landscape garden spaces and a water feature shall be incorporated into the plaza.
- F. Streets and Access. Access to the Property will not align with Washington Avenue or Wilson Drive. The primary access off Lake Mary Boulevard shall be a full, signalized access and shall comply with Seminole County requirements. On-site road improvements shall be provided by the developers of the various lots in advance of or simultaneously with the development of each such lot. Vehicular circulation within the PUD shall include the following:

- 1. Internal Alleys.

- a. Two-way traffic shall be permitted on alleys that are 20 feet or greater in width. Alley width shall be measured from face of curb to face of curb for a City type "A" curb and gutter and from back of curb to back of curb for City type "C" curbs. Only one-way traffic shall be permitted on alleys that are less than 20 feet in width.
- b. Internal alleys shall include either a City type "A" curb and gutter or a City type "C" curb.

2. Reverse Curves. No minimum distance shall be required between reverse curves; however, the distance provided shall be sufficient to accommodate emergency vehicles.
3. Plans Review. The above engineering standards are subject to review during the Preliminary and Final Subdivision Plans and do not override any issues that may arise from Public Safety, Engineering, or other reviewing agencies.

G. Sidewalks. All sidewalks in the Project shall be built in accordance with City Code, with the exception of sidewalks constructed in Lots 4, 5 and 6 where sidewalks shall be four (4) feet in width. Pervious pavers may be used in the construction of sidewalks and any such pavers installed in connection with construction of the Project shall only be replaced with pervious pavers when damaged or in need of replacement in the future.

H. Parking Standards.

1. Off-street parking spaces (not including the ones constructed as part of the parking garage on Lot 3) shall each contain a minimum net area of 144 SF with a minimum width of 8 feet, and a minimum length of 18 feet.
2. Lots 1-5 Required Parking Calculations
 - a. Lot 1 = 61,390 SF. (1SP/250 SF) = 246
 - b. Lot 2 = 50,920 SF. (1 SP/250 SF) = 204
 - c. Lot 3 = 7,330 SF. (1 SP/250 SF) = 29
 - d. Lots 4 & 5 = 264 DU (1.8 SP/DU) = 476

Total Spaces Required = 955

3. Lots 1-5 Provided Parking
 - a. Regular Spaces (surface and garage spaces) = 1,010 Spaces
 - b. Handicap Spaces = 12 Spaces

Total Spaces Provided = 1,022 Spaces as shown on the Final PUD Plan

4. Lot 6 Required Parking
 - a. Each home will have a 2 car garage (no driveway parking) and 1 off-street parking space (likely parallel parking) for every 4 homes, the final location of which will be reviewed as part of the Preliminary and Final Subdivision Plans submitted for the project.

I. Easements. Cross access and parking easements will be provided throughout Lots 1-3, and for the benefit of Lots 4 and 5, to allow flow throughout the Project, with the exclusion of Lot 6, which will be gated.

J. Future Development. All development within the Project shall comply with all applicable federal, state, County and City laws, ordinances and regulations which are incorporated herein by reference, except to the extent of a conflict with this Agreement, in which case this Agreement will govern. Development shall be governed by the following additional conditions:

1. Final PUD Plan. The Final PUD Plan shall be amended periodically and submitted to the City for approval to show development of individual parcels or tracts, drainage incident thereto, any additional roadways, utility lines, or other amenities which are proposed to be added from time to time.

2. Architectural Standards.

a. All buildings and accessory structures on Lots 1-3 and Lots 4 and 5, respectively, shall be developed consistent with a common architectural theme. The common architectural theme shall be established by harmoniously coordinating the general appearance of all buildings and accessory structures within a Lot. For purposes of this Agreement, general appearance includes, but is not limited to, exterior wall finishes, roof styles, slopes and materials colors, building articulations, and architectural details.

b. All structures within the Project shall complement one another and shall convey a sense of quality and permanence.

c. All site lighting shall comply with City Code.

d. Rear of building designs for buildings constructed on Lots 1 – 5 shall be compatible with front and side elevations. The elevations of the parking garage, the commercial buildings and the apartments shall be consistent with the renderings of the conceptual elevations attached hereto as Exhibit “C.” Facades of sides exposed to view shall be completed to match the front façade having the main entrance to the building. In this regard, wall signs are permitted on each of such sides. Wall signage for the 24 Hour Fitness building, as shown on Exhibit “D”, is permitted on the east and north sides and each sign shall not exceed 293 square feet. Wall signage for Earth Fare is shown on Exhibit “E”, which is to be a similar square footage as 24 Hour Fitness. The design of the Town Center portion of the project is one that allows for multiple frontages of buildings. As such, both the 24 Hour Fitness and Earth Fare uses are permitted additional signage bonuses as a result of similar architecture on all facades as well as frontages on public right-of-way, internal parking islands, and pedestrian ways.

e. Mechanical equipment within the Property shall be screened from view from any adjacent lots or property. Roof-mounted mechanical equipment shall be screened from view by a mansard roof, a parapet wall or similar architectural appurtenance that is a minimum of 110% of the height of the equipment.

- f. All parking lot lighting fixtures shall be consistent with respect to their physical attributes. The specific design shall be established by the type of parking lot lighting fixture constructed or installed in or on the first of the lots to receive site development plan approval.
- g. One (1) temporary sign total is permissible for Lots 1 – 5. One (1) temporary sign is permissible for Lot 6.

- 3. Individual Lot Plans and Approvals. Each developer of a Lot shall submit preliminary and final site or subdivision plans, as applicable, for approval to the City, and development of an individual Lot shall be governed by the then existing land development code of the City, except where in conflict with this Agreement. The gross impervious surface ratio is 65/35 which shall be maintained for the Property as a whole and not necessarily on each Lot individually. Each Lot owner will need to ensure the ratio is not exceeded as a result of development on that Lot. Utility requirements shall be addressed by each Lot developer at the time of preliminary and final site or subdivision plan submittal.
- 4. Height. Maximum height of structures, as measured from the finished floor elevation, to be developed within the Project shall be limited to the following:

	<u>Land Use</u>	<u>Maximum Load-Bearing (a/k/a roof truss bearing top floor) Height Allowed</u>
Lots 1 and 2	Commercial	45'
Lots 4 and 5	Apartment	60'
Lot 6	Medium Density Residential	50'
Lot 3	Parking Garage (including commercial space, if any, incorporated into the garage structure)	62'

- 5. Building Setbacks. The minimum building setback for the perimeter boundaries of the Property are 25'. There are no minimum building setbacks applicable to internal Lot lines.

K. Landscaping and Landscape Buffers. Landscaping and landscape buffers shall be provided in accordance with the Final PUD Plan, **EXHIBIT "B"**.

- 1. The landscape buffer along Lake Mary Boulevard and Longwood Lake Mary Road is 15'. Landscaping along Lake Mary Boulevard will include the following improvements:

- a. Live Oak street trees planted a maximum of 50' on center. Ornamental trees will be planted in adjacent plaza areas and entrance drives.
 - b. Parking along Lake Mary Boulevard will be opaquely screened by a combination of buildings and/or four (4) foot tall hedgerows four (4) foot tall upon planting.
 - c. Building foundations along Lake Mary Boulevard will consist of a combination of planter cuts for street trees and accent plantings, enhanced hardscape/landscape areas, and decorative pots at building entrances.
 - d. The streetscape sidewalk layout will run from the back of curb along Lake Mary Boulevard to the storefronts for the purpose of creating a walkable streetscape environment.
2. Landscape buffers may be installed in adjacent plaza areas or entrance drives to satisfy landscape criteria and to maintain sight visibility clearances along roadways.
3. Internal landscape minimum requirements shall include:
4.
 - a. 10% of the vehicular use areas must be landscaped.
 - b. One (1) canopy tree for every: 25 parking spaces or fraction thereof.
 - c. One (1) understory tree for every 25 parking spaces or fraction thereof.
 - d. All parking islands shall be planted with groundcover and shrubs.
5. Landscape islands shall be a minimum of one hundred eighty (180) square feet including curbing.
6. Building A on Lot 2 is the location of the one permitted drive thru lane and the north and west sides of said lane shall be planted with the following buffer: for every 100 linear feet or fraction thereof, two (2) canopy trees, two (2) understory trees and a hedgerow four (4) foot tall upon planting must be provided.
7. The 10 foot landscape buffer along the west side of the Property will consist of the following: for every 100 linear feet or fraction thereof, two (2) canopy trees, three (3) understory trees and a two (2) foot tall hedge must be provided.
8. The landscape buffer along the east side of Lot 6 will consist of the following: For every 100 linear feet or fraction thereof two (2) canopy trees, three (3) understory trees and a two (2) foot tall hedge must be provided. Where power lines are in conflict, understory trees may be substituted for canopy trees.
9. The loading area at the grocery store shall be planted with a six (6) foot tall evergreen ten (10) feet on center.

10. Existing historic trees will be identified on the tree survey and landscape plan prior to final engineering plans, and tree replacement recompense will be provided in the event the tree cannot be saved, in accordance with City Code.

- L. Stormwater Systems. Lots 1, 2 and 3 will utilize an underground exfiltration system to be maintained by the property owners association for Lots 1-3. Lots 4, 5 and 6, will utilize a combination of the exfiltration system and the retention ponds located within Lot 6 to be maintained by written agreement between the Lot owners of Lots 5 and 6, and the homeowners' association for Lot 6. This joint maintenance agreement must be approved by the City. Tract B may include a retaining wall with a maximum height (i.e. the height of the exposed vertical face of the wall as measured from the pond control elevation to the top of the wall) of six (6) feet. This wall will also include a 4'-6' fence or railing. The fence/rail shall be buffered with a hedge row that is a minimum of 4' tall upon planting. The wall may be located within five (5) feet of the single family lots to be created in Lot 6 adjacent to Tract B.

- M. Indemnity and Hold Harmless. The Developer shall indemnify the City against and hold the City harmless from all losses, damages, costs, claims, suits, liabilities, expenses, attorney's fees and paralegals' fees (including those for legal services rendered at the appellate court level) arising from damage or claims for damages for personal injury, including death, as well as claims for property damage which may arise from the Developer or their respective contractors, agents or employees operating under this Agreement, or acts or omissions related to the development of the Property, whether such operations be by the Developer or by any of their respective contractors or subcontractors, agents or employees. Notwithstanding anything contained herein to the contrary, the Developer's indemnification and hold harmless obligations shall not bind or be assumed by a person or persons acquiring title to a unit in Lot 6. Within fifteen (15) days after the date on which a written request for a zoning confirmation letter is received from Developer or Developer's mortgagee, the City shall provide a zoning confirmation letter, signed by an officer or authorized agent of the City, and stating whether or not there is a default under this Agreement, whether or not the Property has been or is being developed consistent with this Agreement, and providing any other such information relating to this Agreement as may be reasonably requested. Any zoning confirmation letter delivered pursuant hereto may be relied upon by Developer, any prospective purchaser of the Property (or portion thereof) and any mortgagee or prospective mortgagee of the Property (or portion thereof), or any prospective assignee of any such mortgage.

- N. Duration. The duration of this Agreement shall be for a term of ten (10) years from the effective date of this Agreement. If development of the Property is not completed in accordance with the terms and conditions of this Agreement, and the applicable laws of the State of Florida, and the City of Lake Mary, Florida, within ten (10) years from the Effective Date of this Agreement, then and in that event, the terms of this Agreement shall be null and void and the City of Lake Mary shall not be precluded, prohibited or estopped from re-designating or rezoning all or any portion of the Property. This Agreement will become void if infrastructure work is not begun within three (3) years from the Effective Date.

- O. Description of Permits Needed. The following City of Lake Mary development permits are required for completion of development within the PUD, although this is not a comprehensive list:

1. A Preliminary Subdivision Plan (“Master PSP”) depicting and describing the Lots as shown on the Final PUD Plan;
2. Final subdivision/engineering plans;
3. A Final Plat consistent with the Master PSP and otherwise prepared in accordance with statutory requirements.
4. Site Construction Permit

- P. Third Party Beneficiaries. The provisions of this Agreement are for the exclusive benefit of the parties hereto, and their successors and assigns, and not for the benefit of other third parties, nor shall this Agreement be deemed to have conferred any rights, express or implied, upon any third party unless otherwise expressly provided for herein.
- Q. Public Facilities and Services. For purposes of concurrency management, no certificate of occupancy shall be issued for a habitable structure on Lots 1 - 6 unless and until completion of construction, and Seminole County acceptance or acknowledgment of said completion, of the off-site traffic signal at the Project main entrance on Lake Mary Boulevard, turn lane tapers, and any other off-site transportation improvements or requirements approved by both Seminole County and the City in connection with, and at the time of, the City Commission public hearing approving this Agreement. Subject to final Seminole County approval:
- a. The Developer will provide the full funding required and will oversee the design and construction of the traffic signal and it will also enter into a Traffic Signal Maintenance Agreement with Seminole County similar to the proposed attached example. The turn lane lengths for this proposed intersection will be based on FDOT’s design standards and the required queue lengths will be determined from the final traffic analysis performed at final site plan design.
 - b. The Developer will provide the full funding required and will oversee the design and construction of modifications to the intersection of Lake Mary Blvd and Crystal Drive/Post Office entrance. These modifications include converting the full median opening to a directional median opening that would only allow eastbound and westbound left turning movements. The turn lane lengths for this proposed intersection will be based on FDOT’s design standards and the required queue lengths will be determined from the final traffic analysis performed at final site plan design.
 - c. The Developer may be required to dedicate property along Longwood Lake Mary Rd in order to accommodate possible future improvements. The Developer will submit a plan to the County for approval during the final engineering stage of the project that depicts the proposed property dedication, if necessary. The County has indicated to the City that it is open to considering options to minimize the impacts to the proposed development such as shifting the alignment, etc.
- R. Compliance With All Other Laws, Ordinances and Regulations. Notwithstanding the terms of Paragraph S below, this Agreement shall not operate as a limitation upon the City of Lake Mary to require the Developer to comply with all applicable laws, ordinances, resolutions and regulations of either the United States, the State of Florida, Seminole County or the City of Lake Mary regulating the development of the Property in accordance with this Agreement to the extent that same are not specifically addressed or referenced herein, nor shall the failure of this Agreement to

address any particular requirement act to relieve the Developer from complying with any development requirement, condition, term, or restriction.

- S. Governing Law; Venue. This Agreement shall be governed by and construed in accordance with the laws of the State of Florida. The venue for purposes of litigation shall be the Eighteenth Judicial Circuit in Seminole County, Florida, or for federal actions, in Orlando, Florida.
- T. Time. Time is hereby declared to be of the essence as to the lawful performance of all duties and obligations set forth in this Agreement.
- U. Severability. If any provision of this Agreement or its application to any person, entity or circumstance is specifically held to be invalid or unenforceable by a Court of competent jurisdiction, the remainder of this Agreement and the application of the provisions hereof to other persons, entities, or circumstances shall not be affected thereby and, to that end, this Agreement shall continue to be enforced to the greatest extent possible consistent with law and the public interest.
- V. Recording. This Agreement shall be recorded in the Public Records of Seminole County, Florida no later than fourteen (14) days after the full execution hereof. All recording costs relating to this Agreement shall be paid by Developer.
- W. Binding on Successors and Assigns. Except for the exception for acquirers of units in Lot 6, this Agreement shall be binding upon, and shall inure to the benefit of, the successors or assigns of the parties, and shall run with the title to the Property and be binding upon any person, firm or corporation who may become the successor in interest, directly, or indirectly, to the Property.
- X. Notices. Any notice delivered with respect to this Agreement shall be in writing and be deemed to be delivered (whether or not actually received) when (i) hand delivered to the person(s) hereinafter designated, or (ii) upon deposit of such notice in the United States Mail, postage prepaid, certified mail, return receipt requested, addressed to the person at the address set forth opposite the party's name below, or such other address or to such other person as the party shall have specified by written notice to the other party delivered in accordance herewith.

If to Developer Griffin Farm at Midtown, LLC
7940 Via Dellagio Way Suite 200
Orlando, Florida, 32819
Attention: Amy Barnard
amyb@unicorpUSA.com

With a copy to: Akerman LLP
420 South Orange Avenue Suite 200
Orlando, Florida, 32801
Attention: Robert Poppell
robert.poppell@akerman.com

If to City: City of Lake Mary
Post Office Box 958445
Lake Mary, Florida 32795-8445
Attention: Ms. Jackie Sova, City Manager
snoto@lakemaryfl.com

With a copy to: City of Lake Mary
Post Office Box 958445
Lake Mary, Florida 32795-8445
Attention: John Omana
jomana@lakemaryfl.com

And to: Garganese, Weiss & D' Agresta, P.A.
Post Office Box 2873
Orlando, Florida 32802-2873
Attention: Catherine D. Reischmann, Esq.

(Signature blocks appear on following pages.)

Y. Representations of Developer.

1. The Developer hereby represents and warrants to the City that it is the owner of the Property in accordance with the title opinion or title certification provided by the Developer to the City issued by an attorney or title insurance company licensed to provide services in the State of Florida, said title opinion or certification showing all liens, mortgages, and other encumbrances not satisfied or released of record relative to the Property.
2. The Developer represents and warrants to the City that it has the power and authority to enter into and consummate the terms and conditions of this Agreement; that all acts, approvals, procedures, and similar matters required in order to authorize this Agreement have been taken, obtained, or followed, as the case may be; that this Agreement and the proposed performance of this Agreement by the Developer is not an ultra vires act; and that, upon the execution of this Agreement by the parties, this Agreement shall be valid and binding upon the parties hereto and their successors in interest.
3. The Developer hereby represents to the City that all required joinders and consents have been obtained and set forth in properly executed form on this Agreement.
4. Unless otherwise agreed to by the City, all liens, mortgages, and encumbrances not satisfied or released of record, must be subordinated to the terms of this Agreement. It is the responsibility of the Developer to ensure that said subordinations occur in a form and substance acceptable to the City Attorney prior to the City's execution of this Agreement.

Z. Defect in Agreement. Developer and successors are not required to consent to the City's curing an ambiguity or a formal defect or omission from this Agreement.

AA. Violation of this Agreement. The parties acknowledge that monetary damages for a breach of this Agreement would be inadequate to compensate the parties for the benefit of their bargain.

Accordingly, the parties expressly agree that in the event of a violation of this Agreement, the non-breaching party shall be entitled to receive specific performance. Nothing herein shall be deemed a waiver of the City's rights to seek enforcement of this Agreement or zoning approvals previously granted, to the extent otherwise authorized by law. Notwithstanding the foregoing, in the event there is a violation(s) or alleged violation(s) of the terms or conditions of this Agreement by the Developer, then the City shall serve written notice upon the Developer setting forth the manner in which Developer has violated the Agreement, and such notice shall include a demand that the violation(s) be cured within a stated reasonable time period. Violation of this Agreement by the Developer shall be deemed a nuisance *per se*. Should a court of competent jurisdiction find the Developer to be in breach of any provision of this Agreement or the PUD approval (in whole or in part), then the Developer shall be required to reimburse the City for its reasonable attorney fees and costs. Additionally, the City shall have the right to utilize stop work orders as appropriate for any violations. All of the remedies of the City under this Agreement, the City's Land Development Code, and state law shall be deemed to be cumulative.

BB. Fees. The Developer shall pay any and all applicable building permit, zoning, impact fees, and other fees to the City.

CC. Amendments to the Final PUD Plan. The Final PUD Plan and this Agreement may be amended in the future consistent with the City's Land Development Code and other applicable ordinances. Any individual person or entity seeking to develop a particular Lot may apply for amendment, as to that Lot without the consent of all of the other Lot owners.

IN WITNESS WHEREOF, the parties have caused this instrument to be executed by their duly authorized representatives as of the day and year first written above.

"CITY"

ATTEST:

CITY OF LAKE MARY

Carol A. Foster, City Clerk

By: _____
David J. Mealor, Mayor

DATE: _____

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

Catherine D. Reischmann
City Attorney

STATE OF FLORIDA
COUNTY OF SEMINOLE

The foregoing instrument was acknowledged before me this _____ day of _____, 2016, by David J. Mealor, Mayor of the City of Lake Mary, Florida, who is personally known to me.

Notary Public
Printed Name: _____
My Commission Expires: _____

“DEVELOPER”

GRIFFIN FARM AT MIDTOWN,
LLC, a Florida limited liability company,

By: CW FAMILY, LLLP, a Florida limited
liability partnership, Manager

By: CW FAMILY, LLC, a Florida limited
liability company, General Partner

Witness #1 Printed Name

Witness #2 Printed Name

By: _____

Printed Name: _____

Title: _____

Date: _____

STATE OF FLORIDA
COUNTY OF _____

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgements personally appeared _____, as _____ of CW FAMILY, LLC, Managing Member of Griffin Farm at Midtown, LLC, a Florida limited liability company, who first being duly sworn, says that he/she executed the foregoing instrument freely and voluntarily for the purposes stated therein.

WITNESS my hand and official seal this _____ day of _____, 20____.

Notary Public
Printed Name: _____
My Commission Expires: _____

Exhibit "A"
Legal Description

THE NORTHWEST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$ OF THE
NORTHEAST $\frac{1}{4}$ LYING WEST OF ROAD AND THE EAST $\frac{1}{2}$ OF
THE NORTHEAST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$ OF THE
NORTHEAST $\frac{1}{4}$, ALL LYING AND BEING IN SECTION 17,
TOWNSHIP 20 SOUTH, RANGE 30 EAST, SEMINOLE COUNTY,
FLORIDA.

AND

THAT PART OF THE NORTH $\frac{1}{2}$ OF THE SOUTHWEST $\frac{1}{4}$ OF THE
NORTHEAST $\frac{1}{4}$ LYING WEST OF THE LONGWOOD-LAKE MARY
ROAD, IN SECTION 17, TOWNSHIP 20 SOUTH, RANGE 30 EAST,
SEMINOLE COUNTY, FLORIDA.

AND

THE EAST $\frac{2}{5}$ OF THE WEST $\frac{5}{8}$ OF THE SOUTH $\frac{1}{2}$ OF THE
NORTH $\frac{1}{2}$ OF THE NORTHEAST $\frac{1}{4}$, WEST OF LONGWOOD-LAKE
MARY ROAD, IN SECTION 17, TOWNSHIP 20 SOUTH, RANGE 30
EAST, SEMINOLE COUNTY, FLORIDA.

AND

THE WEST $\frac{1}{2}$ OF THE EAST $\frac{1}{2}$ OF THE NORTHWEST $\frac{1}{4}$ OF
NORTHEAST $\frac{1}{4}$ OF SECTION 17, TOWNSHIP 20 SOUTH, RANGE
30 EAST, SEMINOLE COUNTY. (LESS THE NORTH 70 FEET
THEREOF)

ALL LESS AND EXCEPT ALL ROAD RIGHT OF WAYS.

Exhibit "C"

Conceptual Elevations:

C-1: Parking Garage

C-2: Commercial Buildings

C-3: Apartments

Exhibit "C-1"
Parking Garage



BUILDING PERSPECTIVES

GRIFFIN FARMS PARKING GARAGE

Enter address here | AI
03/01/16 | AI

FINFROCK
FINFROCK DESIGN, INC.

15-455



BUILDING PERSPECTIVES

GRIFFIN FARMS PARKING GARAGE

Enter address here | A2
03/01/16

FINROCK
FINROCK DESIGN, INC.

15-455



15-455

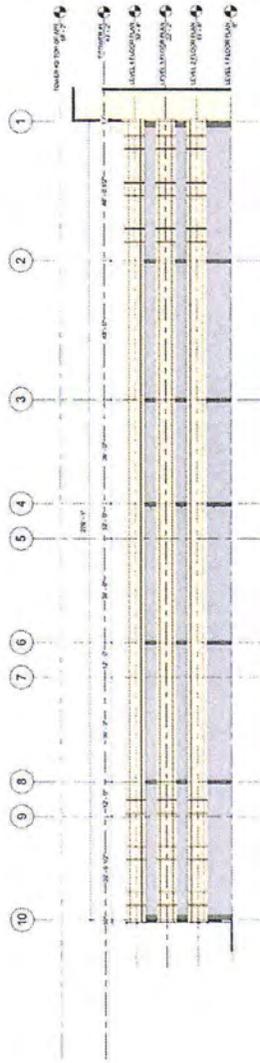
FINFROCK
FINFROCK DESIGN, INC.

BUILDING PERSPECTIVES

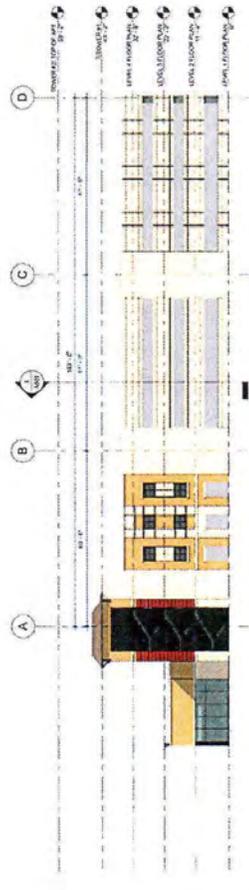
GRIFFIN FARMS PARKING GARAGE

Enter address here | A3
03/01/16

LEGEND:
 OPENING INDICATION



WEST ELEVATION / 1
 1/8" = 1'-0" A&S



NORTH ELEVATION / 2
 1/8" = 1'-0" A&S

NORTH AND WEST BUILDING ELEVATIONS

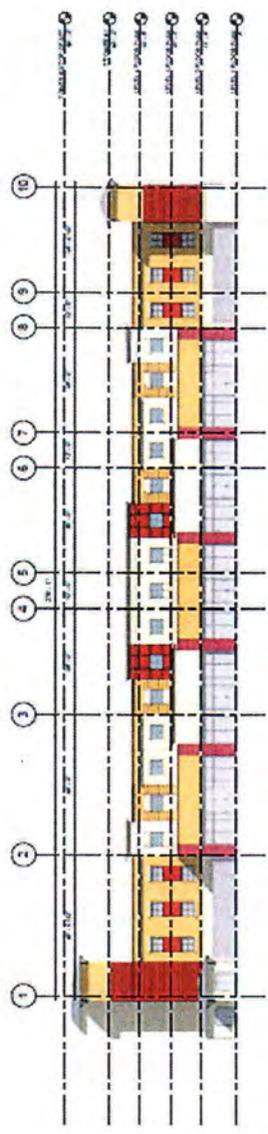
GRIFFIN FARMS PARKING GARAGE

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 2016.03.01

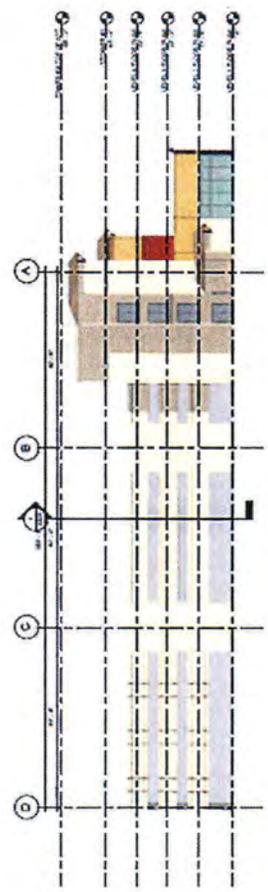
FINFROCK
 FINFROCK DESIGN, INC.

15-455

LEGEND:
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EAST ELEVATION 1



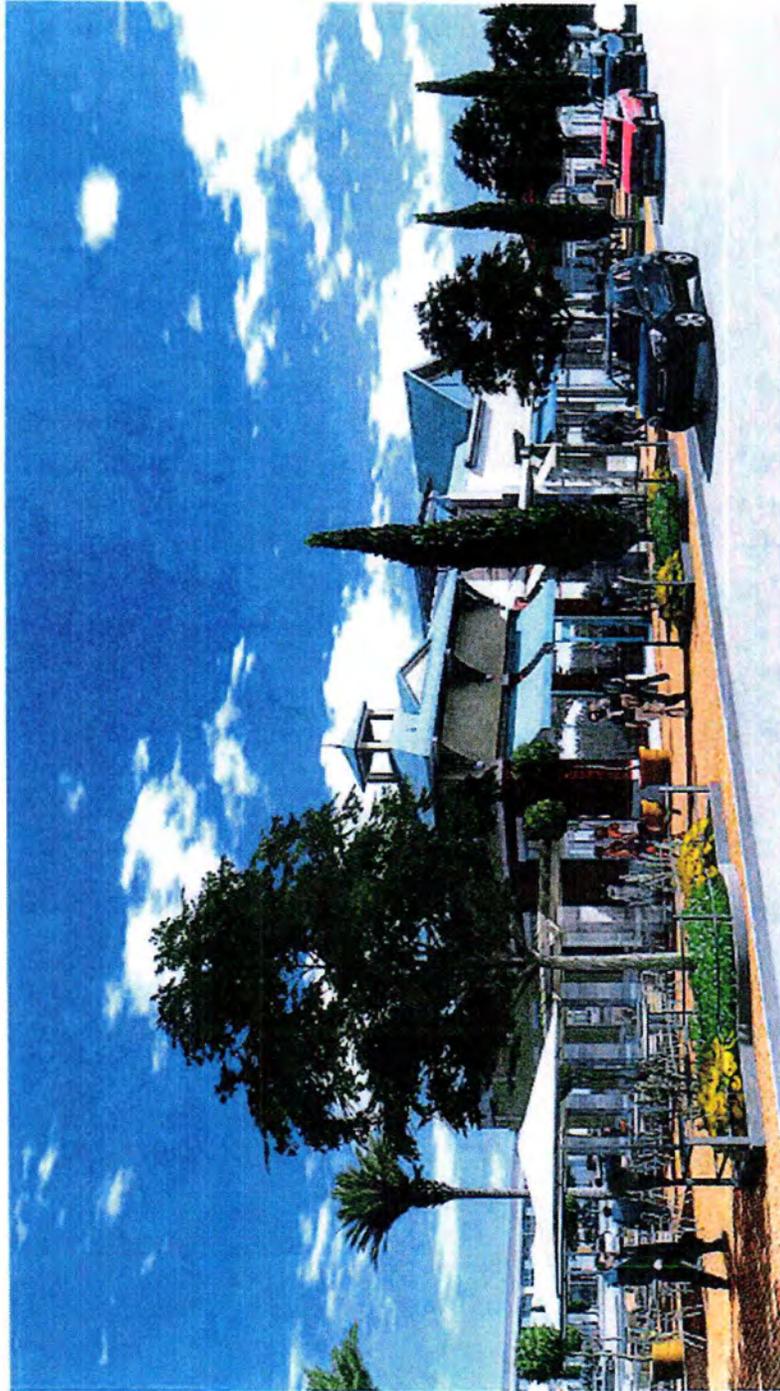
SOUTH ELEVATION 2

SOUTH AND EAST BUILDING ELEVATIONS
GRIFFIN FARMS PARKING GARAGE

Enter address here | A-402
 2016.03.01

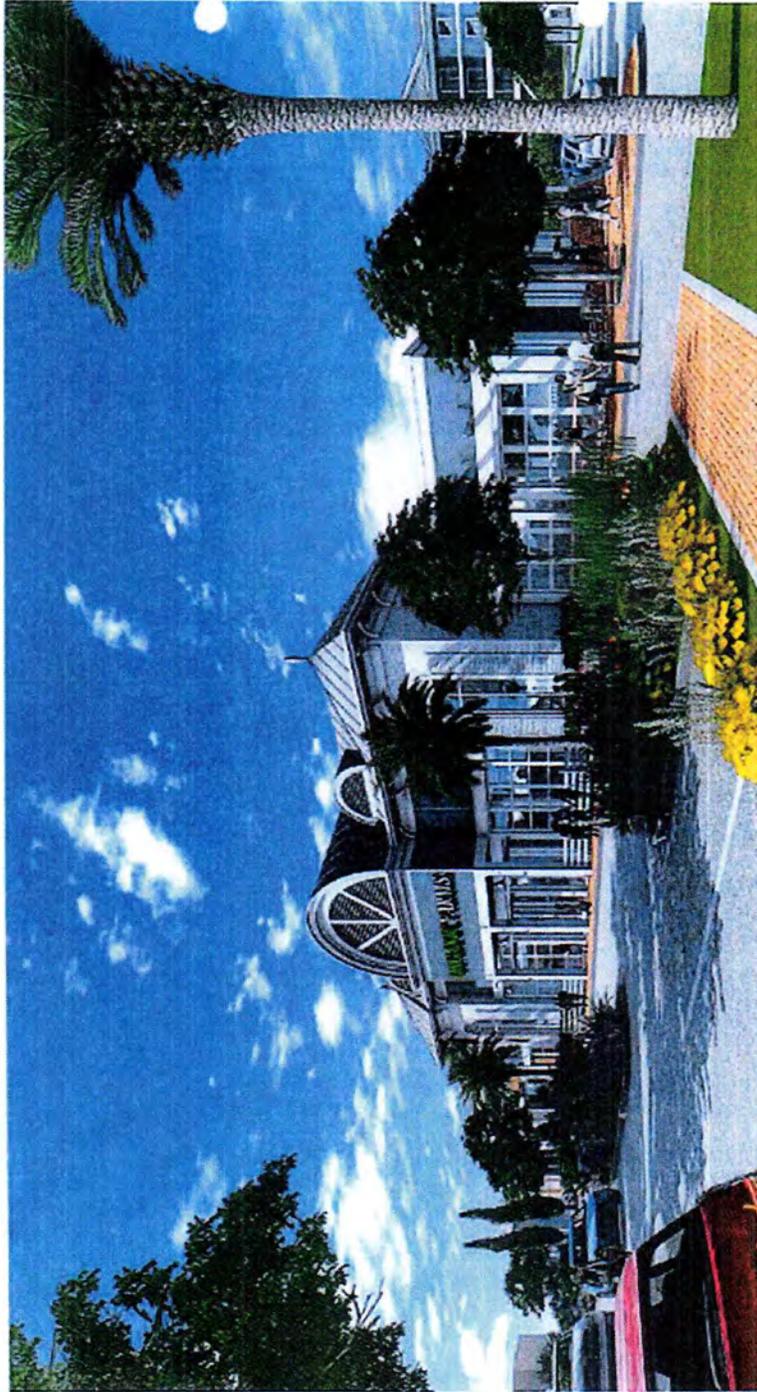
FINFROCK
 FINFROCK DESIGN, INC.

Exhibit "C-2"
Commercial Buildings



Griffin Farms Town Center
Library | Amended Masterplan | Architecture | Planning | Interiors

Conceptual Rendering | 1
July 10, 2018 | August 11, 2018



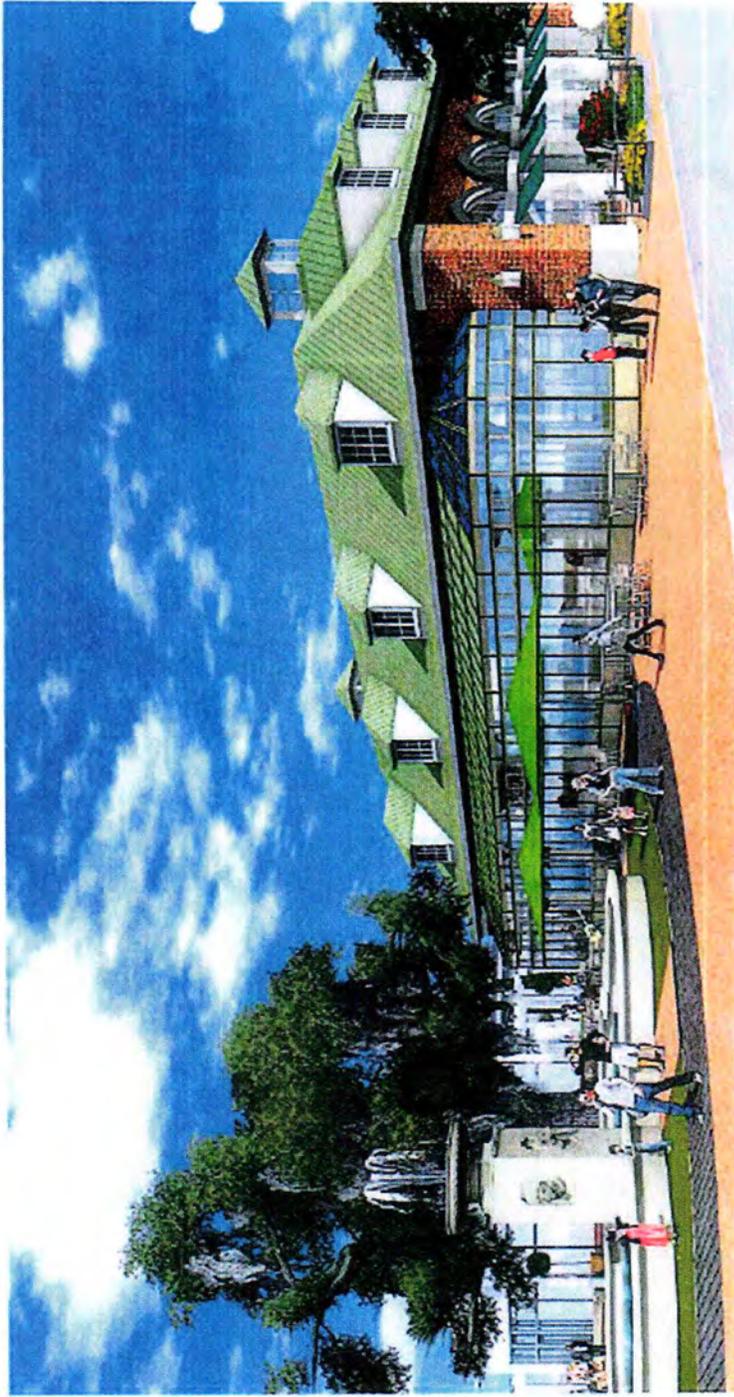
Griffin Farms Town Center

Henry | Denton | Alford Architects | Architecture | Planning | Interior Design

Conceptual Rendering

4

July 19, 2018 | August 11, 2018



Griffin Farms Town Center

GROUP | ARCHITECTURE | INTERIORS | PLANNING | LANDSCAPE

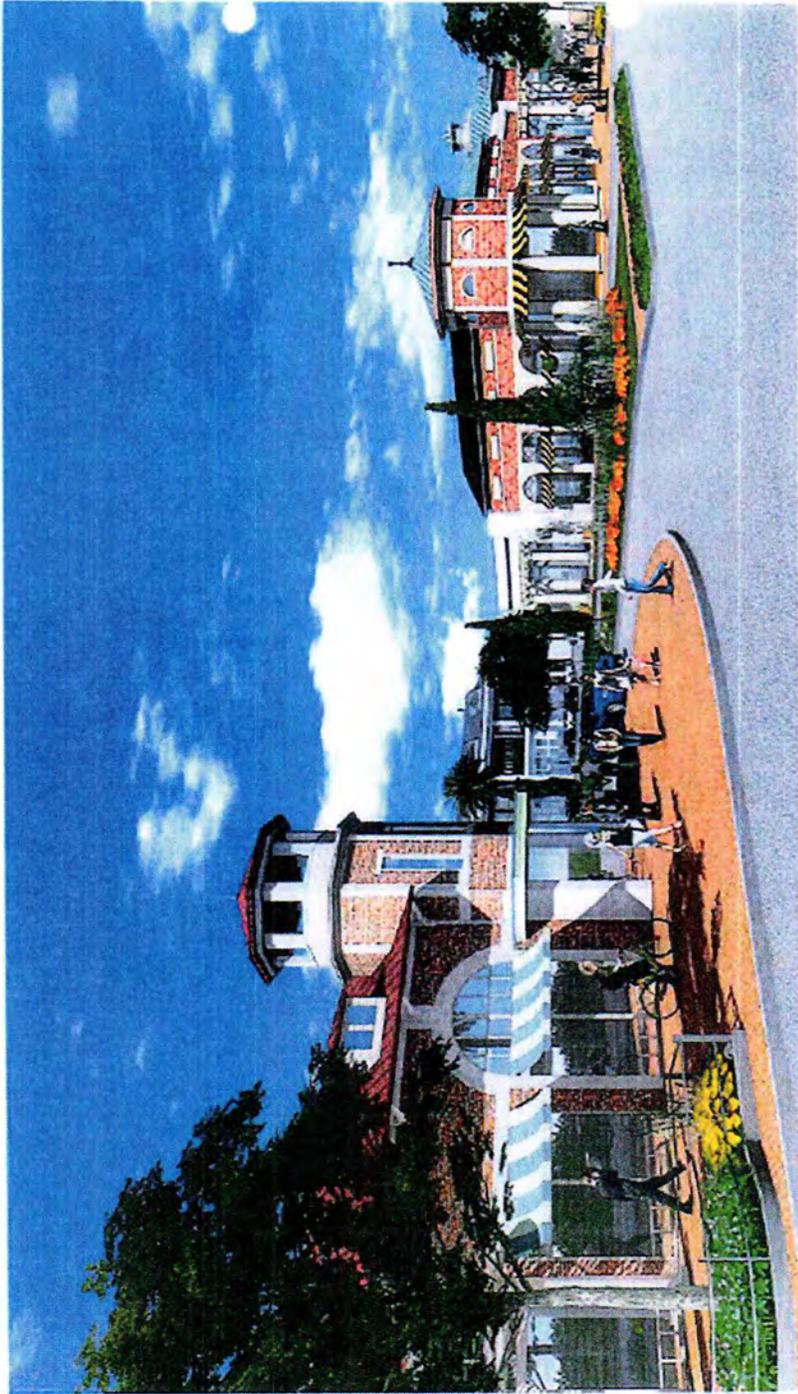
Conceptual Rendering

Lake Mary, Florida | August 15, 2014



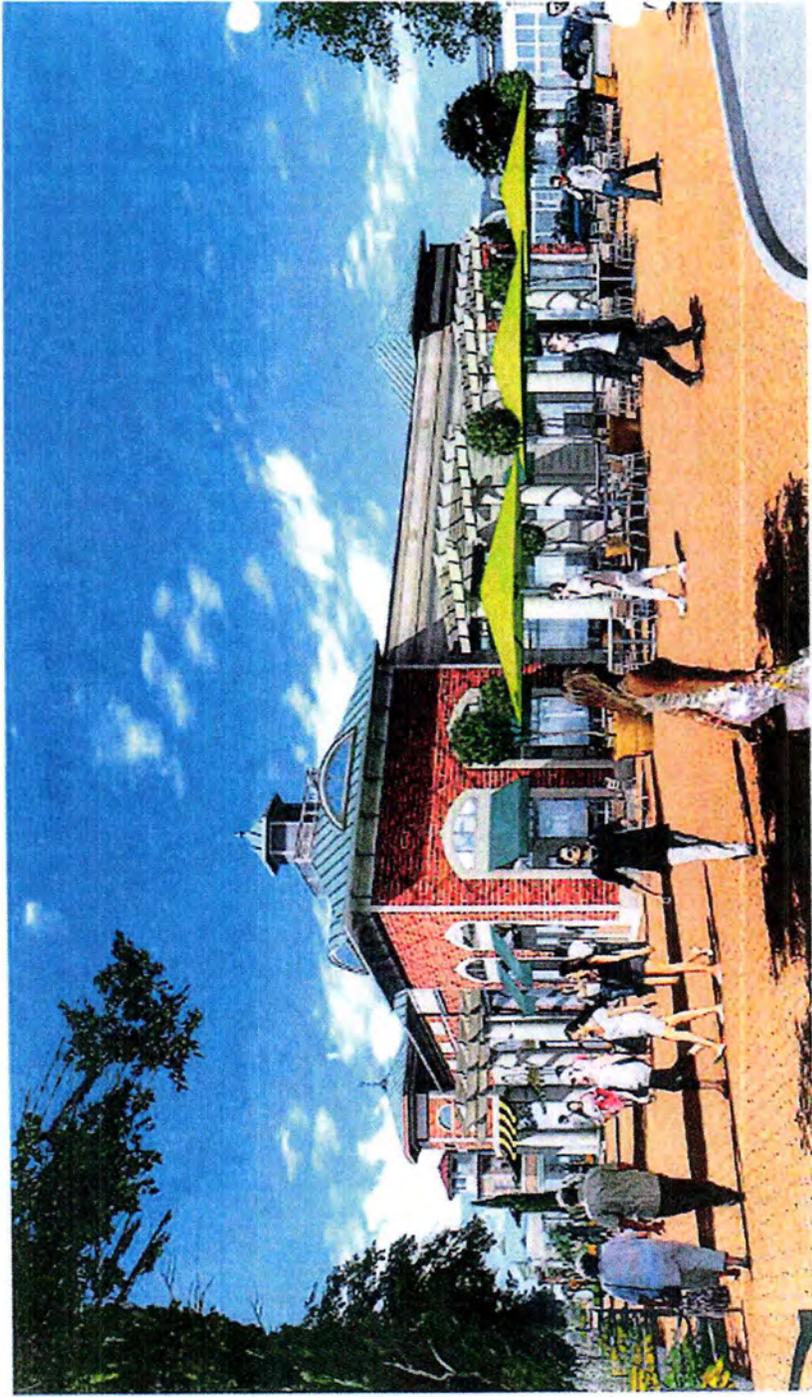
Griffin Farms Town Center
Concept - Rendering | Architecture/Interiors - Architecture - Planning - Interior Design

Conceptual Rendering | 6
1000 Vols. Review | August 14, 2014



Griffin Farms Town Center
DESIGN: SHOEN | ARCHITECT: HERRICK | INTERIOR: HERRICK

Conceptual Rendering | **7**
LISA VANS, PRINCIPAL | AUGUST 18, 2015

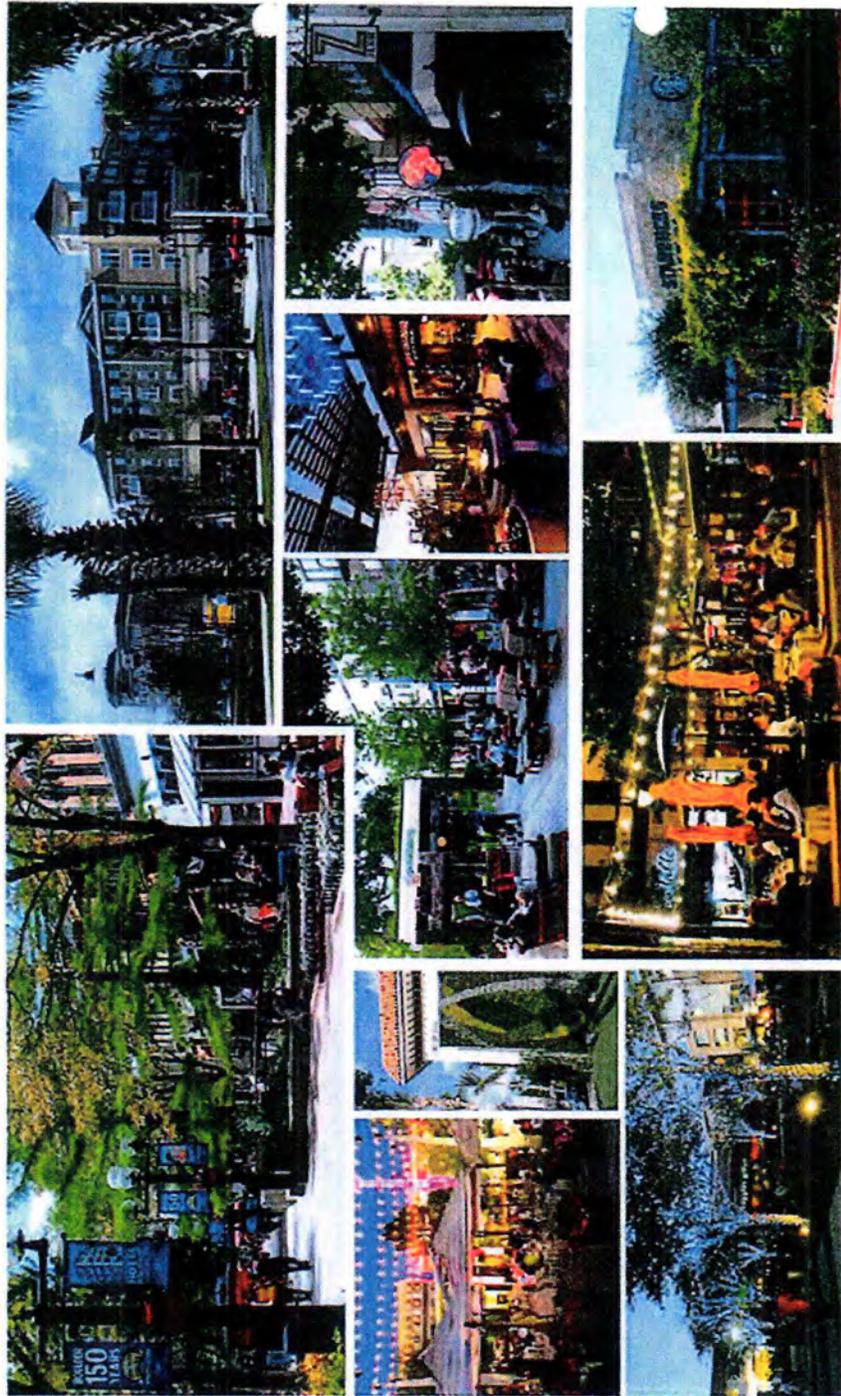


Griffin Farms Town Center

History - Development | Framework & Massing | Architecture - Planning - Urban Design

Conceptual Rendering 8

1400 Main Street | August 18, 2015



Griffin Farms Town Center

BRADY DESIGN | ARCHITECTURE | INTERIOR DESIGN | LANDSCAPE ARCHITECTURE

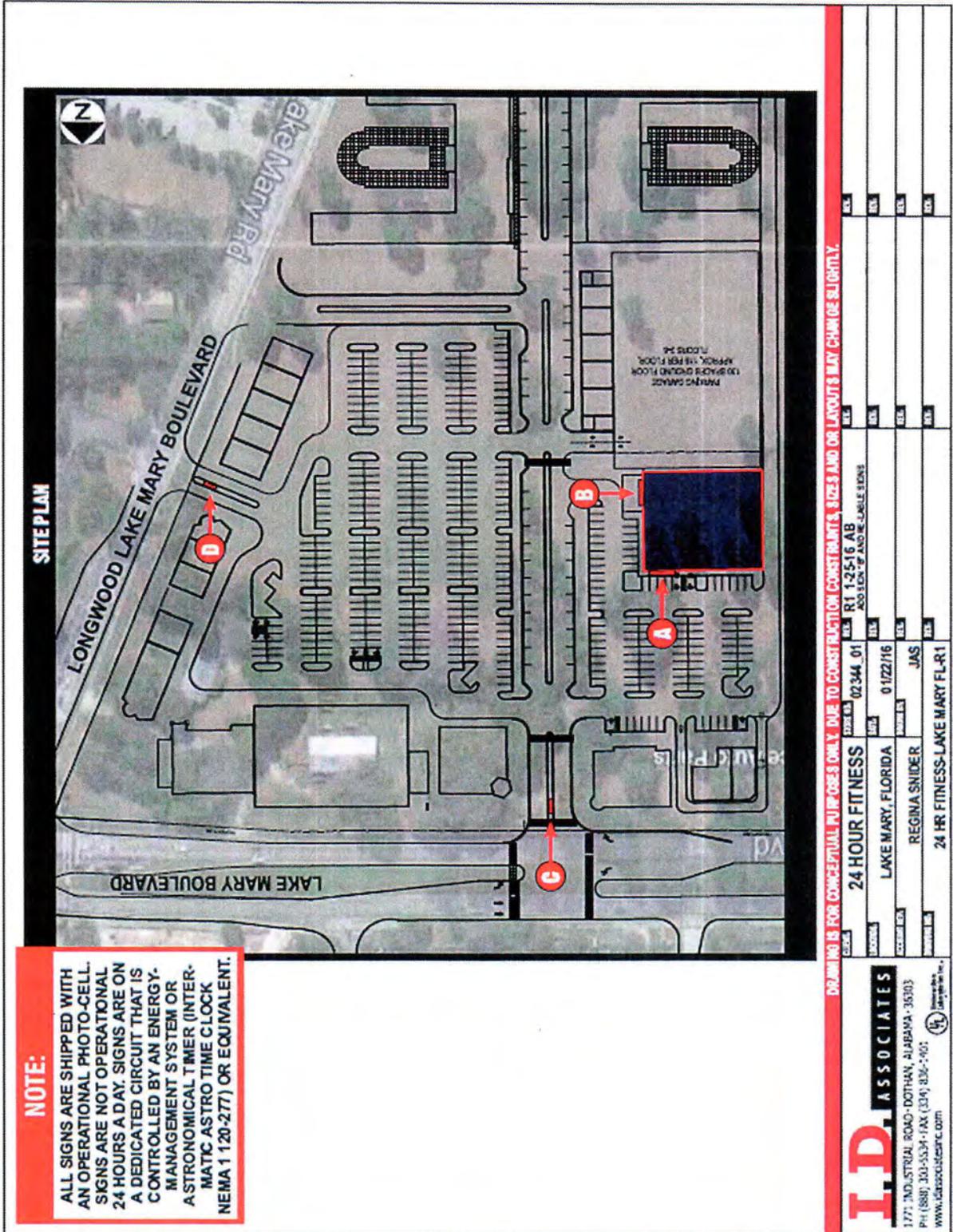
Conceptual Rendering | 9

LIVE YOUR IDEAS | August 18, 2014

Exhibit "C-3"
Apartments



Exhibit "D"
24 Hour Fitness – Signage Package



NOTE:

ALL SIGNS ARE SHIPPED WITH AN OPERATIONAL PHOTO-CELL. SIGNS ARE NOT OPERATIONAL 24 HOURS A DAY. SIGNS ARE ON A DEDICATED CIRCUIT THAT IS CONTROLLED BY AN ENERGY-MANAGEMENT SYSTEM OR ASTRONOMICAL TIMER (INTER-MATC ASTRO TIME CLOCK NEMA 1 120-277) OR EQUIVALENT.

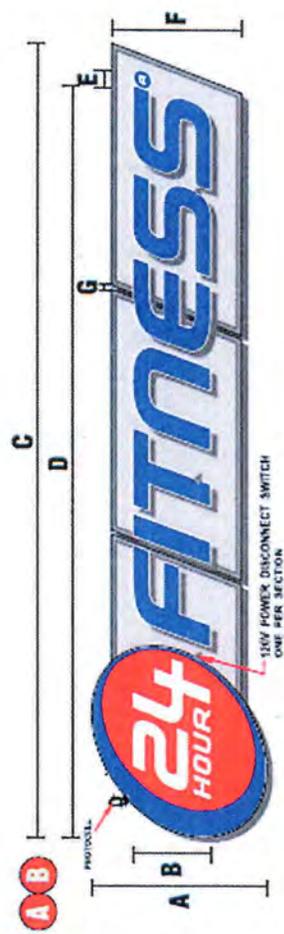
DRAWING IS FOR CONCEPTUAL PURPOSES ONLY. DUE TO CONSTRUCTION CONSTRAINTS, SIZES AND OR LAYOUTS MAY CHANGE SLIGHTLY.

I.D. ASSOCIATES
1771 INDUSTRIAL ROAD - DOTHAN, ALABAMA - 36303
PH: (888) 333-5534 - FAX: (334) 836-7401
www.idassociates.com

REGINA SMIDER
24 HR FITNESS-LAKE MARY FL-R1

CLASS	24 HOUR FITNESS	DATE	02/24/01	REV	
PROJECT	LAKE MARY, FLORIDA	SCALE	01/22/16	REV	
DESIGNER	REGINA SMIDER	PROJECT	JAS	REV	
DATE	24 HR FITNESS-LAKE MARY FL-R1			REV	

Buy! caulk all penetrations
 (ALL MOUNTING HARDWARE TO BE NON
 CORROSIVE)



A	B	C	D	E	F	G	BORDER	AIC=80-FL
5'-6"	2'-5 3/8"	25'-2"	23'-9 13/16"	6'-5 1/8"	4'-17 1/16"	1'-7 1/16"	1/2"	138.4
6'-0"	2'-8"	27'-5 9/16"	26'-0"	6'-7 7/8"	4'-6"	1'-1 1/2"	5/8"	164.8
6'-6"	2'-10 1/16"	29'-8 1/2"	28'-2"	7'-7 1/16"	4'-10 3/8"	1'-7 1/16"	3/4"	193.1
7'-0"	3'-1 3/8"	32'-0 5/8"	30'-4"	8"	5'-3"	1'-13 1/16"	7/8"	224.4
7'-6"	3'-4"	34'-4"	32'-6"	8 5/8"	5'-7 7/16"	2"	7/8"	257.5
8'-0"	3'-6 1/16"	36'-7 9/16"	34'-8"	9 3/16"	6'-0"	2'-3 1/16"	1"	293

COLORS:

PMS 30
 3M 30307
 BRISTOL BLUE

PMS 485
 3M 3530-03
 RED

3M 28-28-2Z
 PERFORATED
 VINYL

MATHYS
 810 SHEET
 ALUMINUM

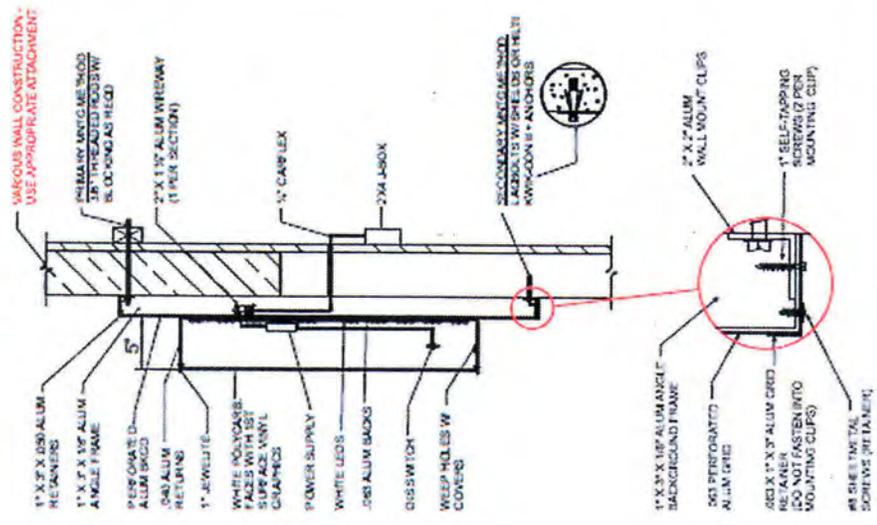
FABRICATION COLOR NOTES:

LETTER BACKS: .050" PRE-FINISHED ALUMINUM (BLACK)
 LOGO BACKS: RETURNS; FACED, RING, GUSSETS; .125" A
 LETTER RETURNS: .040" X .625" PRE-FINISHED ALUMINUM COIL (BLACK)
 TRIM CAP: 1" BLACK; .1" PAINT; SCREWS
 LOGO: FACED; RETAINERS; JET-RETING; SYSTEMA WITH .050" ALUM
 LETTER: FACE: 1.500" WHITE POLYCARBONATE; (DECORATE); 1ST;
 GRID: FRAME: 1.500" WHITE POLYCARBONATE; (DECORATE); 1ST;
 LEIS: 1.7000" WHITE; (SEE) ELECT; SHEET; FOR MANUFACTURER;
 POWER: SUPPLY: 1.60" WATT; MULT; VOLT; (SEE) ELECT; SHEET; FOR MFG

R 1/4" White Loxon w/ 3M 30307
 Bristol Blue Vinyl Reverse Wood,
 Mount Flush to Backer
 Panel (Non-illuminated)

WHITE OUTLINE:

Logo & Letters 3/8" & Less = 3/16" Border
 Logo & Letters 3/8" & Greater = 3/8" Border



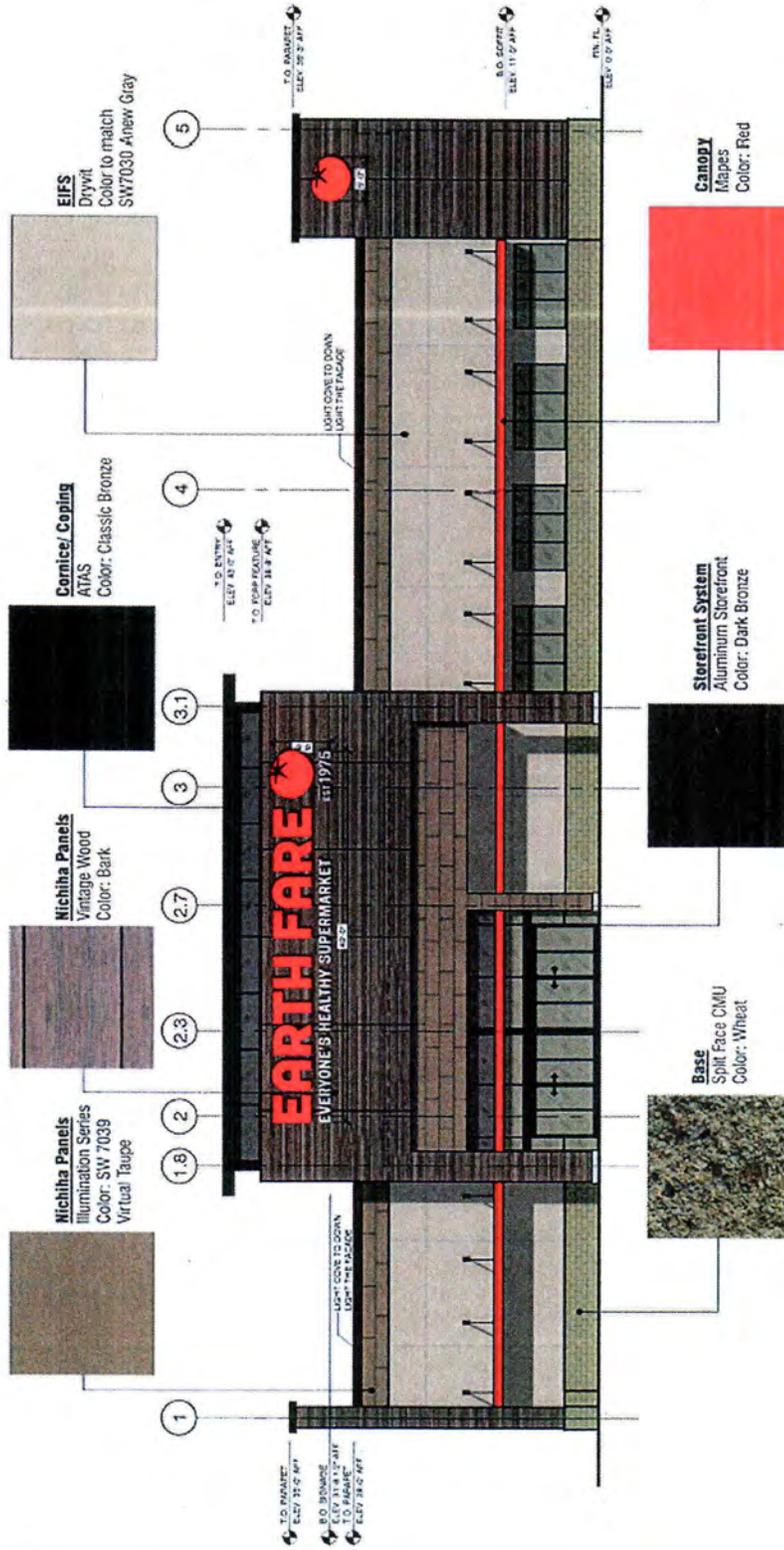
DRAWING IS FOR CONCEPTUAL PURPOSES ONLY. DUE TO CONSTRUCTION CONSTRAINTS, SIZES AND OR LAYOUTS MAY CHANGE SLIGHTLY.

I.D. ASSOCIATES

1771 INDUSTRIAL ROAD-DOTHAN, ALABAMA - 36303
 PH (888) 303-5534-FAX (334) 836-7461
 www.idassociates.com

DATE	DESCRIPTION	BY	CHK
02/24/01	R1 1-25-16 AB	JAS	REL
01/22/16	LAKE MARY, FLORIDA	JAS	REL
	REGINA SNIDER	JAS	REL
	24 HR FITNESS LAKE MARY FL-R1	JAS	REL

Exhibit "E"
Earth Fare – Sample Elevation with Signage



7100 East Pleasant Valley Road, Suite 250
Cleveland, Ohio 44111
© 2014, 2015
216.324.1567
mgarchitecture.com

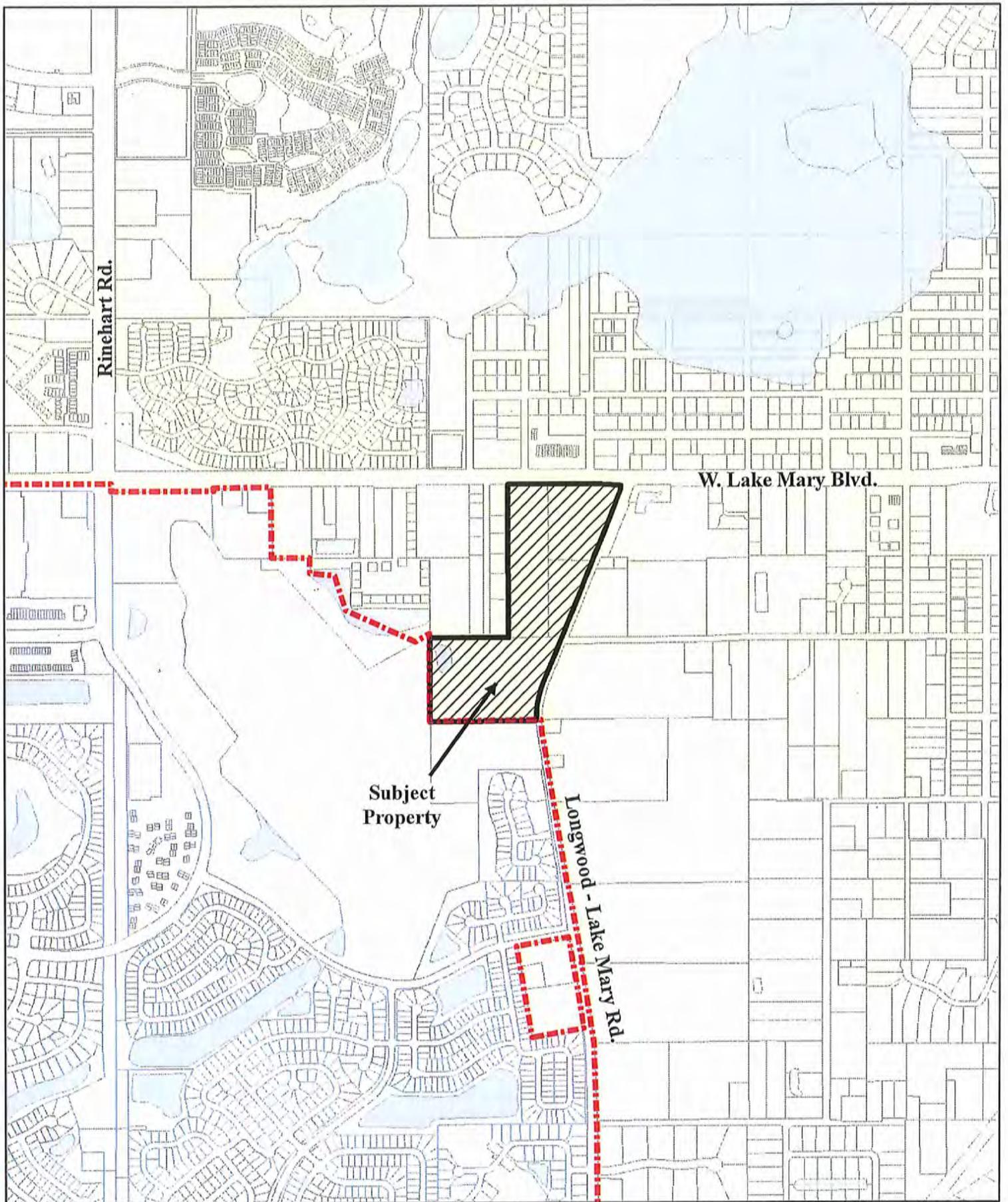
EARTH FARE PROTOTYPE - LH ENTRY
CITY, STATE

Earth Fare
220 Continuum Drive
Fletcher, NC 28732

ELEVATION RENDER

DATE: 10-22-2015
MCG JOB #: 14.517.01

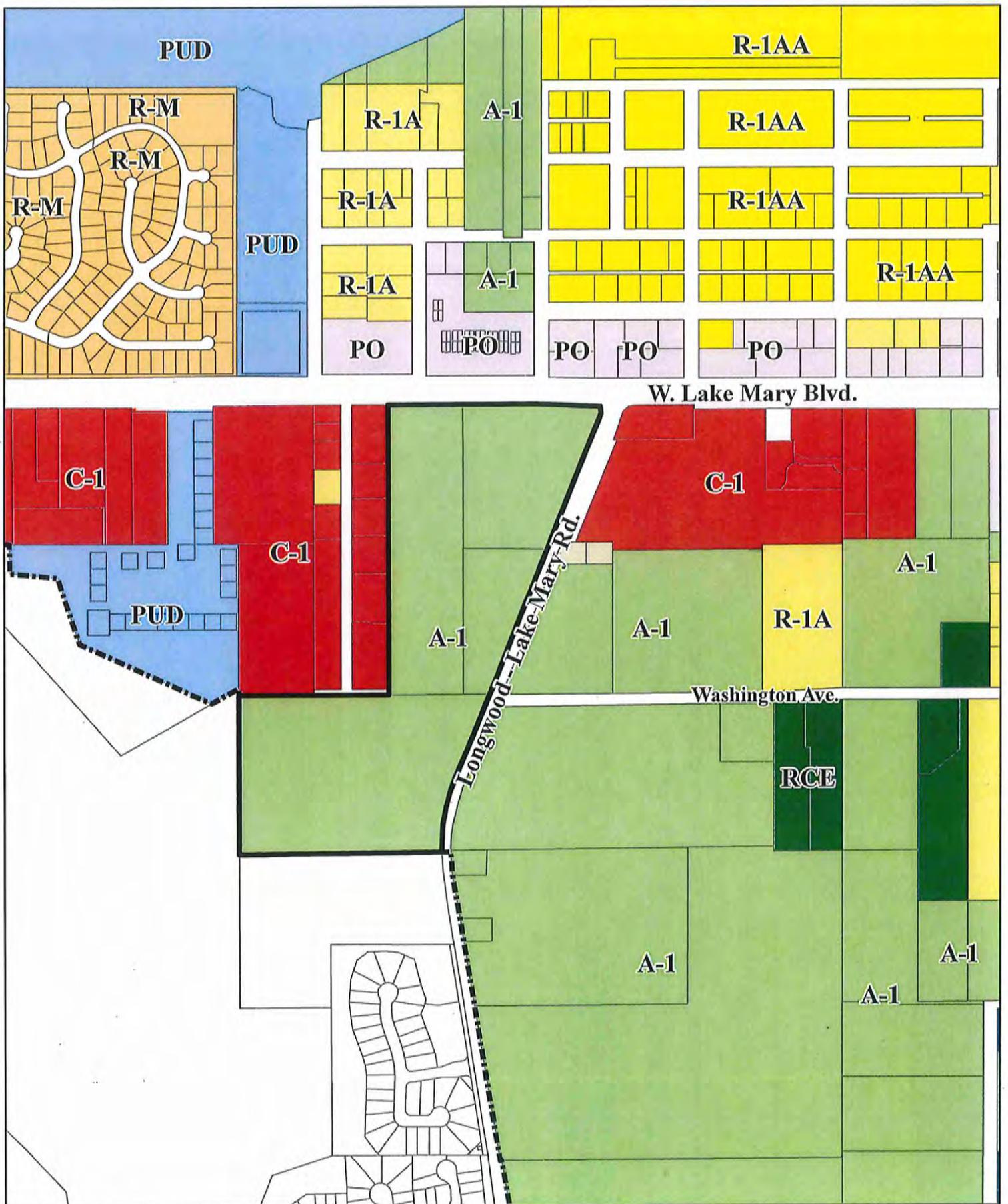
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Location Map

Griffin Farms at Midtown

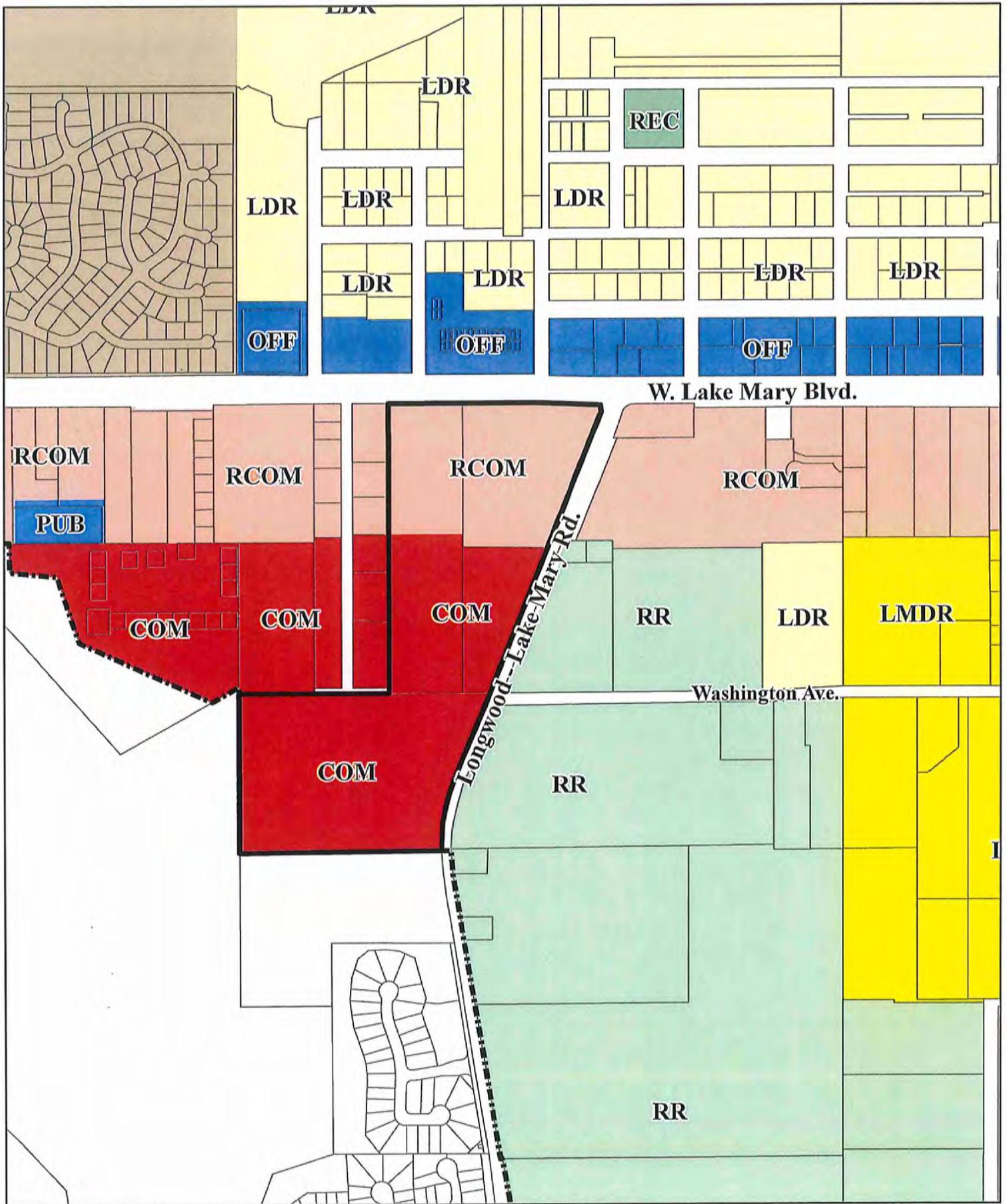




Zoning Map

Griffin Farms at Midtown

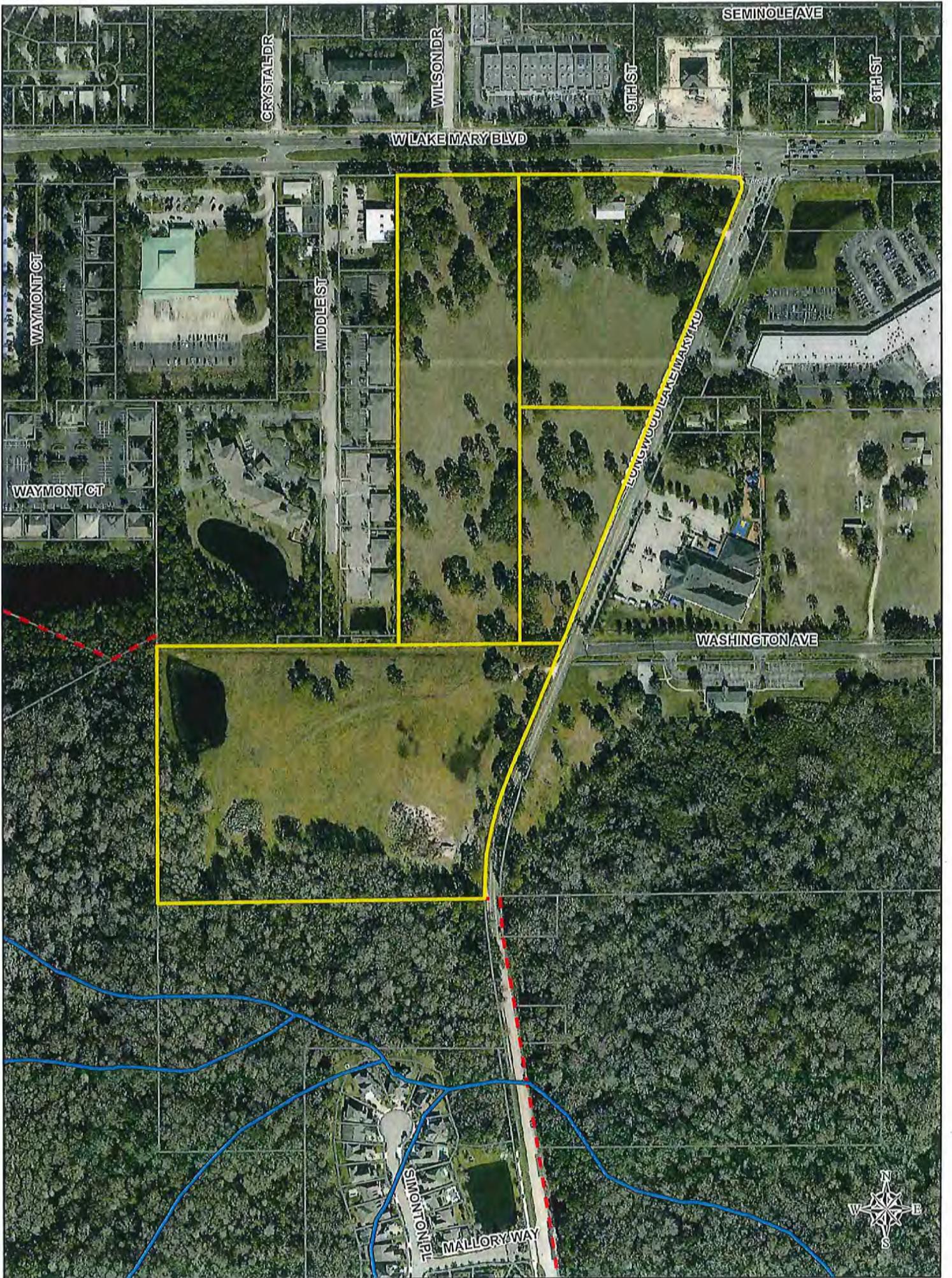




Future Land Use

Griffin Farms at Midtown





SEMINOLE AVE

CRYSTAL DR

WILSON DR

9TH ST

8TH ST

W LAKE MARY BLVD

WAYMONT CT

MIDDLE ST

LONGWOOD/LAKE MARY RD

WAYMONT CT

WASHINGTON AVE

SIMONTON PL

MALLORY WAY



PLANNING & ZONING BOARD

March 8, 2016

SYNOPSIS

I. Call to Order

The meeting was called to order by Chairman Robert Hawkins at 6:02 P.M.

II. Moment of Silence

III. Pledge of Allegiance

IV. Roll Call – Determination of a Quorum

Chairman Robert Hawkins
Vice Chairman Colleen Taylor
Member Justin York
Member Steven Gillis
Member Sam Aycoth
Alternate Member Scott Threlkeld

John Omana, Community Dev. Dir.
Steve Noto, City Planner
Mary Campbell, Deputy City Clerk

V. Approval of Planning & Zoning Board Minutes: February 23, 2016

Justin York moved to approve the Planning & Zoning Board minutes of February 23, 2016, as submitted, seconded by Steven Gillis and motion carried unanimously 5 – 0.

VI. Citizen Participation: This is an opportunity for anyone to come forward and address this Board on any matter relating to this Board or its actions. This also includes: 1) any item not specifically listed on a previous agenda but discussed at a previous board meeting or 2) 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.

No one came forward at this time.

VIII. Old Business

There was no old business to discuss at this time.

IX. New Business

- A. 2015-DP-05: Request for Site Plan approval for The Oaks at Lake Mary – Phase III/Retention Modifications. Applicant: Oaks at Lake Mary LTDE., Mr. Stephen J. LaFreniere (Public Hearing)

Vice Chairman Colleen Taylor moved to approve 2015-SP-05, request for Site Plan approval for Retention Pond Modifications at The Oaks Shopping Center, 3005 West Lake Mary Boulevard with the two findings of fact and including the finding of fact from the Planning & Zoning Board that prior to submission of a site construction permit, owner agrees to conduct the examination for the existence of historic trees. If any are identified, replacement trees shall be planted or monetary contributions made in accordance with code and prior City approval. Seconded by Steven Gillis and motion carried 4 – 1 (Chairman Hawkins voted no).

- B. 2015-RZ-03 and 2015-RZ-05: Recommendation to the Mayor and City Commission for a Preliminary and Final Planned Unit Development (PUD) for Griffin Farm at Midtown. Applicant: Piloian Property Holdings, LLC & Griffin Interests, LLC. Mr. Robert B. White, Jr., Esquire (Public Hearing)

Justin York moved to approve 2015-RZ-03 and 2015-RZ-05, request for Preliminary and Final Planned Unit Development (PUD) for Griffin Farm at Midtown located at 114 Longwood-Lake Mary Road, with the one finding of fact from staff including the developer's agreement for the PUD. Seconded by Sam Aycoth and motion carried unanimously 5 – 0.

X. Community Development Director's Report

Mr. Omana said at the March 3rd City Commission meeting the Commission approved the Twelve Oaks final plat. Also at that meeting they approved the small scale amendment and the rezoning for the small rectangular area at The Oaks Shopping Center.

XIII. Adjournment

There being no further business, the meeting adjourned at 8:38 P.M.

March 8th, 2016

Planning & Zoning Commission
City of Lake Mary
911 Wallace Court
Lake Mary, FL 32746

RE: Griffin Farms Mixed-Use PUD

Dear Members of the Commission,

On behalf of the board and residents of Bayan Pointe we would like to express the community's concern with the proposed development of the Griffin Farm property. Firstly, we would like to ask the commission and city staff why they felt that for such a proposed intense development there was no community meeting or distribution of details concerning the proposed use. Nothing in any of the notices sent by the city detailed important items such as maximum building heights, access points, setbacks, landscape buffers, commercial square footage, multi-family unit count, single-family residential unit count or traffic mitigation. Given the scale and intensity of the proposed use involving the community at a stage prior to a final hearing and approval would seem paramount.

The property is one of the last remaining large vacant parcels within the Lake Mary Boulevard corridor and the original Land Use would only provide for 34.5 acres of commercial development on a questionable functioning intersection. Given these facts one can conclude that a transition of uses and intensities from the Lake Mary Blvd frontage to the rural residential rear of the property would be consistent with the original intent of the Future Land Use Map and current development patterns as one heads south on Longwood-Lake Mary Rd. towards the high school.

The section of Lake Mary Blvd this property fronts is a heavily treed wide median portion with buildings setback well off the centerline of Lake Mary Blvd. consistent with the city's Gateway Corridor Overlay Ordinance. This project proposes to construct facing Lake Mary Blvd. with a 15' landscape buffer and a 25' building setback 35' less than required under the Gateway Ordinance. In addition to the setback the proposed building height on the commercial buildings is 45' again 10' higher than the Gateway Ordinance maximum height. One more fact to keep in mind is the city's code references building height to the tallest exterior bearing wall not the peak of the roof line so that height could increase another 5-10' on a building with a peaked roof. The question for the city is given the state of development and look of the corridor today why would we want to approve development standards that are so drastically different and inconsistent with the remainder of the corridor from Rinehart to County Club.

Heading south from the commercial area we start the supposed transition of intensity from commercial to multi-family residential. Along both the Longwood-Lake Mary Road and west boundary line the proposed plan shows a 15' landscape buffer and a 25'/35' building setback, but with a 60' max building height. The city's own R-3 zoning designation sets a maximum building height to 35' for multi-family buildings. Given this is a PUD request it is up to the Planning and Zoning Commission and City Commission to evaluate residential density and heights of structures based on the 6 criteria listed in 154.61 (C) (4) the first of which states that "compatibility with other zoning districts in the vicinity of the subject property, and with adapted city development plans and policies.". Based on this alone one has to question the validity of 60' building heights and 60 dwelling units/ac. in an area with a Rural Residential and Low Density Residential Land Use consisting of a church and larger single-family homes including the new Twelve Oaks single-family subdivision the city approved on Washington Ave. with 85' and 90' lots.

At the rear of the subject property the plan is vacant with the exception of the development standards listed under a section titled for Lot 6. The listed standards show a maximum building height of 50' with setbacks as varying from 0' to 10' the underlying intention being some form of townhome development standard. Again we have a question about the extreme building height given the city's codified definition. The 35' listed in all the city's straight zoned districts is more than sufficient to allow for 3-story townhomes with alley loaded product.

Overall we have to wonder why the intensity of the development is warranted in the area. Although we see clustered development in locations such as Orlando, Maitland, Winter Park, Sanford's Riverwalk and even Lake Mary's 4th St. area meet with mixed success what unique aspect of this property provides the draw that a mixed-use area needs to succeed. The commercial area offers typical uses such as a possible bank, your basic corner box restaurant and a mid-sized use anchor and other than the "New Penny Syndrome" what special characteristic does this site offer?

Walking is another aspect that provides viability for mixed-use areas. The ability to traverse easily to and from the site on the surrounding sidewalks and bike lanes can provide a draw but only when they're adequately integrated into the perimeter and surrounding roadways. The proposed plan doesn't provide for any improvements to the pedestrian sidewalks either on Lake Mary Blvd. or Longwood-Lake Mary Rd. Based on the landscape plan it would appear the intention is to leave the existing power poles along the Longwood-Lake Mary Rd. corridor along with holding the same sidewalk alignment and width. As anyone who has walked the sidewalk along the property frontage knows the sidewalk has multiple transitions and the proximity of the power poles reduces the

effective width of the sidewalk along almost the entire frontage on Longwood-Lake Mary Rd. One would hope that with a mixed-use development improvements would be made to improve the pedestrian mobility.

Additional traffic congestion based on the intensity is also a major concern of the association residents. The extreme density of the apartments and "single-family" lot will have significant impact on Longwood-Lake Mary Rd. The submitted plan shows a multiple improvements in the form of directional limitations, new median opening and a possible traffic signal approximately 1,400 feet west of the current signal at Longwood-Lake Mary and Lake Mary Blvd. Directional access onto Longwood-Lake Mary is shown within the commercial component of the plan and a full access onto Longwood-Lake Mary is shown near the southern boundary of the parcel. A major arterial roadway such as Lake Mary Blvd with a 45 mph speed limits suffers greatly when lights are spaced in such close proximity. Even with the county employing adaptive software in an attempt to mitigate queue times and lengths there is a physical limit to what a coordinated system can do based on available storage. Even ignoring the time that it will take to get traffic counts up to justify or warrant the signal once the signal is in place people will learn the path of least resistance. The introduction of an additional signal will only delay longer the travel time through the Longwood-Lake Mary intersection heading westbound and traffic will start to flow down Longwood-Lake Mary to Lake Way through the residential core looking for a quicker travel time to the west which already exists today during morning and afternoon rush hours. Traffic increases are enviable with development and can't completely be mitigated, however the question with regards to the proposed application is does allowing additional building heights reduced lot widths which both serve only to increase density make sense on a limited access corner. **Again given this is PUD application traffic alone is not a reason for denial, but does serve as a reason to set densities and building heights consistent with the surrounding area.**

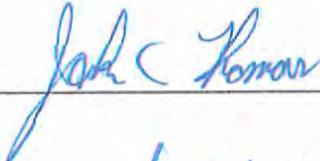
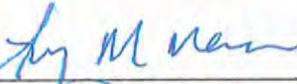
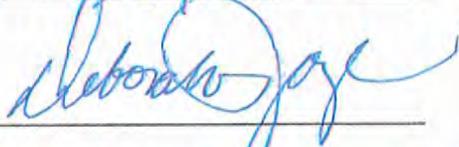
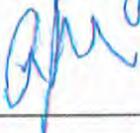
In conclusion the Bayan Pointe Homeowners are concerned not that the property is moving to development but that the proposed development doesn't blend well with the surrounding area. The rural residential land use property to the west and south the new 85' and 90' lots on Washington and the existing residential use heading down Longwood-Lake Mary Rd to the high school have set the character of the area. The homes and communities run the entire range of price points and size, but what they all have in common are the basic characteristics of lower density residential and uniform roof heights. In the end the HOA would like to see the city make the following changes to the proposed development standards:

- Set a maximum building height on the apartments to 3 stories or 35' consistent with the surrounding area
- Increase the apartment setback along Longwood-Lake Mary Rd. from 25' to 35' consistent with the setback shown for the western property line
- Set a maximum building height on Lot 6 to 3 stories or 35' consistent with surrounding area
- Improve the pedestrian sidewalk along the west side of Longwood-Lake Mary Rd. and provide an esthetic view from Longwood Lake-Mary Rd.
- Set the minimum lot width for single-family detached lots to 50'
- Limit access from the commercial and apartment area through the Lot 6 proposed full access on Longwood-Lake Mary Rd. to minimize west bound traffic from using the Longwood-Lake Mary to Lake Way
- Prohibit the change of Lot 6 development to condominiums or additional apartments in the future.
- Require the approval of the Lake Mary Blvd traffic improvements including the signal (when warranted) from Seminole County prior to issuance of any development permits by the city

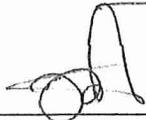
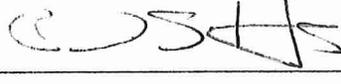
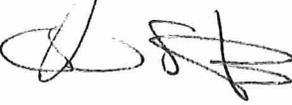
Finally we would ask that the city consider holding a community meeting for this project that gives residents the ability to ask question and learn the details of the project prior to the city approving the project since many residents have neither the time nor knowledge to understand what this request fully entails.

Sincerely,
The Banyan Pointe Homeowners Association, Inc.

Bayan Pointe Homeowners Association Griffin Farms Opposition Petition

Name	Address	Signature
1 Jason Rutland	3675 Simonton Place	
2	STEWART SMITH - 3676 Simonton PL.	
3	John Thomas 3660 Simonton Pl.	
4	Amy Marccone 3664 Simonton	
5	Deborah Jaze 3640 Simonton Pl.	
6	Cinnamon Owe 3632 Simonton Pl.	
7	Paul De 3632 Simonton Pl.	
8	Herb Seave 3620 Simonton Pl.	
9	MERYN ALFARO 3613 SIMONTON PL	
10	Andrew Chmelir 3622 Simonton Place	
11	Stacy Simmitt 3667 Simonton Pl.	
12	Mel N. O'Fly 3655 Simont PL	

Bayan Pointe Homeowners Association Griffin Farms Opposition Petition

Name	Address	Signature
13 Nisha Gandhi	3647 Simonton Pl	
14 MEHUL PATEL	3643 Simonton Pl	
15 Lisa Thompson	3601 Simonton Pl	
16 Neeru Wadhwa	3600 Simonton Pl.	
17 KEISTEN & PAUL Eisenbath	3608 Simonton Pl.	
18 Jackie Bittenbender Caric Staffs	(William) 3612 Simonton Place	
19 	3643 Simonton Place	
20		
21		
22		
23		
24		



MEMORANDUM

DATE: April 7, 2016

TO: Mayor and City Commission

FROM: Wendy Niles, Fire Marshal

THRU: Frank Cornier, Fire Chief

VIA: Jackie Sova, City Manager

SUBJECT: Resolution No. 980 - Renaming Third Street to South Third Street (Wendy Niles, Fire Marshal)

The Seminole County Addressing office is charged with overseeing and assigning addresses within the City limits via an interlocal agreement. Part of their responsibility is to review reports and systems for inconsistencies and to ensure addressing meets the requirements of the local ordinance(s). During a recent review it was found that Third Street was inconsistent in several databases; some have it listed as S. Third while others have it listed without the directional.

We were advised that a correction was needed, as this issue causes difficulty with GIS, mapping, and USPS. The potential is also there to cause confusion in emergency response and for the public to accurately locate.

The review showed that a majority of the homes were already using S. Third Street as their address, however, a survey letter was sent out to all the homeowners on the affected street requesting their feedback and preference on Third versus S. Third. Seminole County Addressing collected the results and provided the following: a majority of homeowners responded that they use and prefer to use S. Third Street, with the exception of three residents who were opposed.

After reviewing the overall issue and the possible resolutions, the recommendation is to change the street name from Third Street to S. Third Street. This option will mitigate the inconsistencies with the least impact to the residents. The property appraiser has the

majority of the addresses listed with the "South" indicator, and the post office uses the directional as well as most of the residents. The recommendation will, however, result in a name change to the plat and on the street signs.

Staff has prepared the attached Resolution to officially change the name from Third Street to S. Third Street. The County has notified residents along this roadway that you will officially take action on the change.

RECOMMENDATION:

Request Commission adopt Resolution No. 980 changing Third Street to S. Third Street.

RESOLUTION NO. 980

A RESOLUTION OF THE CITY OF LAKE MARY, FLORIDA, RENAMING THIRD STREET TO SOUTH THIRD STREET; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Third Street is located off of S. Country Club Road and is completely within the City limits of Lake Mary; and

WHEREAS, Seminole County's Office of Emergency Management has requested the City to rename Third Street to South Third Street to help eliminate confusion, facilitate improved emergency access and the ability of the public to locate the street; and

WHEREAS, the adoption of this Resolution will not result in any address changes for the affected property owners living on Third Street.

NOW, THEREFORE, BE IT RESOLVED that:

1. Third Street lying off of S. Country Club Road in the City of Lake Mary is hereby renamed to South Third Street.

EFFECTIVE DATE. This Resolution shall become effective immediately upon passage and adoption.

Passed and duly adopted at a regular meeting of the Lake Mary City Commission on the 7th day of April 2016.

CITY OF LAKE MARY, FLORIDA

MAYOR, DAVID J. MEALOR

Attest:

CITY CLERK, CAROL A. FOSTER



MEMORANDUM

DATE: April 7, 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: Request from Feather's Edge Phase II for a \$6,410.60 Neighborhood Beautification Grant (Steve Noto, City Planner)

BACKGROUND: The purpose of the Neighborhood Beautification Grant (NBG) Program is to promote the undertaking of activities by City neighborhoods to beautify their developments and to avoid blighted areas. The City Commission has approved project funding in the amount of \$25,000.00 per fiscal year, which would allow for organized neighborhood associations to apply to the City for monies to be used in executing a neighborhood beautification program. Promotion of high quality neighborhoods shows commitment by the City and its citizens in the areas of economic stability, exceptional quality of life, and community security. There is currently \$20,595.80 remaining for projects in this fiscal year.

DESCRIPTION OF PROJECT: Feather Edge Phase II was approved as its own subdivision in 2002. While there is joint access between Feather Edge Phase I and II, they each have their own HOA. On November 7, 2013, you approved a \$4,146.75 neighborhood grant for Feather Edge Phase II (the current applicant) for the three entry points into the subdivision. The grant program allows for multiple funding requests, as long as the requests aren't made in consecutive years.

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

Proposed Improvements: The project will accomplish the following goals:

- Removal of dead/dying shrubs/trees along Rinehart Road
- Installation of new sod and mulch
- Installation of new viburnum hedges, liriopse grasses, and Magnolia trees

A concept improvement graphic has been provided as Exhibit “F” of the application package. This landscape area of the Feather Edge Phase II acts as one of the many gateways throughout the City. In the past, gateway improvement type projects have been viewed favorably by the City Commission.

The specific area in question falls within the City right-of-way (ROW). When Feather Edge Phase II was originally developed, it was found that the landscaping was installed in the wrong areas. As a result, the developer was required to submit a ROW Utilization permit for the installation of the landscaping and indemnify the City. As such, staff will utilize that same process for plant installation as the legal framework of the ROW Utilization Permit will benefit the City.

The full application package has been found to be sufficient. The applicant was only able to acquire one bid for the landscaping work, however, staff is satisfied with the documentation provided. As outlined on Page One of Exhibit “A” the application package, the HOA has had a number of maintenance issues occur that has depleted funding availability for projects such as this one, however, the HOA is contributing its 5% share for the project (\$337.40). Staff will be coordinating with the applicant on which specific trees are to be removed prior to any work beginning.

FINDING OF FACT: Staff has found that the request for a Neighborhood Beautification Grant for the Feather Edge Phase II meets the requirements of the Neighborhood Beautification Program. Staff recommends approval of \$5,000.00 in grant funding. If you wish to approve a higher funding amount, staff recommends the following:

- That the board find that unique circumstances exist, via the list of significant allocation of homeowner funds shown on Page One of Exhibit “A” in the application package, that the landscape improvements are part of the entry gateway of Rinehart Road, and recommend total funding not to exceed \$6,410.60.

ATTACHMENTS:

- Feather Edge Phase II Neighborhood Beautification Grant Application Package

RECEIVED
FEB 15 2016
CITY OF LAKE MARY
COMMUNITY DEVELOPMENT DEPT

Feather Edge II – A Condominium
c/o Specialty Management of Co. of Central Florida
882 Jackson Avenue
Winter Park, FL 32789
February 15, 2016

Mr. Stephen Noto, Planner
City of Lake Mary
Community Development Department
Planning & Zoning Division
911 Wallace Court
Lake Mary, FL 32746

Re: Application for Neighborhood Beautification Grant (NBG)
Feather Edge II Condominium
Fiscal Year 2016

Via e-mail – snoto@lakemaryfl.com

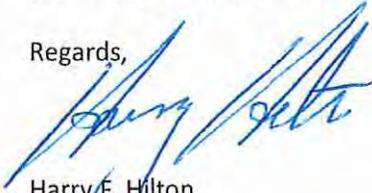
Dear Mr. Noto:

In accordance with the City of Lake Mary's permit and development assistance program, enclosed are the items needed for submission of the initial First Step Process for a Neighborhood Beautification Grants (NBG) to be considered for the 2016 fiscal budget. Attached please find the following for your review, approval and/or processing as follows:

1. A completed NBG Application attached as Exhibit "A" including Project Narrative on Page One and a Detailed Eligibility on Page Two.
2. One (1) quotes for the proposed work, attached as
 - a. Ultimate Image as Exhibit "B" Quote #1 and Budget, and
 - b. No other bids – difficult to get other bids for no work.
3. Exhibit "B" – Quote #1 represents the Budget for the grant.
4. Photos of existing areas – attached as Exhibit "C"
5. A clean site plan showing locations of improvements to be made as Exhibit "D".
6. Notarized minutes of the Board of Directors meeting authorizing this request attached as Exhibit "E".
7. Member of Project Action Team (PAT) – included in narrative in NBG Application on Exhibit "A", Page Two.
8. A completed Grant Action Plan (GAP) – attached as Exhibit "F" along with renderings showing areas.

Please contact me for any additional information needed to complete this processing. Thank you for your time, attention, and consideration of this matter.

Regards,



Harry F. Hilton
Board Member
Feather Edge II – A Condominium

Encls – As Stated

Cc: Cathy Wasson, Specialty Management
Board of Directors – Feather Edge Condominium Association

EXHIBIT "A" – PAGE ONE

EXHIBIT "A" – PAGE TWO

EXHIBIT "B" – QUOTE #1 AND BUDGET

EXHIBIT "C" – EXISTING AREAS

EXHIBIT "D" – SITE PLAN INDICATING AREAS OF IMPROVEMENT

EXHIBIT "E" – APPROVED BOARD OF DIRECTORS MEETING

EXHIBIT "F" – GRANT ACTION PLAN

EXHIBIT "A"

NEIGHBORHOOD BEAUTIFICATION GRANT (NBG)

PAGE 1 – PROJECT NARRATIVE

PAGE 2 - ELIGIBILITY

EXHIBIT "A"

Project Narrative and Request for Grant

Feather Edge II – A Condominium

Re: Application and Request for a Neighborhood Entry Beautification Grant (NBG)

Amount of Request: \$6,748.00

Amount of Contribution by Association: \$337.40(Required 5% contribution)

Fiscal Year: 2016

Name of Project: Feather Edge II Condominium

Located at the NE Corner of Rinehart Road and Sun Drive in the City Limits of Lake Mary, Seminole County, FL with odd number only addresses including:

101 – 129 Lake Emma Cove Drive and

103-107, and

151-159 Feather Edge Loop

Total Number of Units – 23

Original Construction – Started in 2003

Significant Allocation of Homeowner Association Funds since inception:

- Had to redo irrigation system after developer turned over association – pump replaced, irrigation lines repaired and replaced, installed rust proofing system in 2005-2007.
- Established increased reserves and redid landscaping two times from 2008-2010 and the process is ongoing as a result of non-guaranteed work.
- Participated in replacing entrance signs in 2012 – per agreement with FEI.
- Had to repaint structures sooner than anticipated due to developer substandard finish without sealing buildings in 2012.
- Had to replace the fire prevention system as it had been malfunctioning on a continual basis since installation – every time it rained, system would automatically call – thereby creating a charge for every visit.
- 2013 – Must participate in repair, replace, and resealing of all interior road network resulting in depletion of reserves. Prior agreement with Feather Edge I by original developer.
- 2013 – Had a city water line break whereby one of the large trees at the Rinehart entrance had to be cut down and very small (3 - 3 gallon) replacements thereby leaving an unsightly telephone substation.
- 2014 – Had to participate with FEI for repaving of entire subdivision.

PAGE ONE

February 2016

EXHIBIT "A"

ELIGIBILITY REQUIREMENT:

- Serve a public purpose – the request will significantly upgrade the Rinehart Road areas and aesthetics. The areas being improved is adjacent to one of the “gateway” entrances to the City of Lake Mary – along the Rinehart corridor intersecting with Lake Mary Boulevard. Pictures are attached as Exhibit “C” as to how the area are visible today and do not present an image that neither the Association nor the City could be proud of. So, we believe, the grant will enable us to upgrade and beautify the city routes along Rinehart Road. The renderings are attached as Exhibit “F” showing what the surrounding areas will look like after completion of the proposed grant monies.
- Attached as Exhibit “E” are authorized and notarized meeting minutes of the Board of Directors (BOD) of Feather Edge Condominium Association, dated September 22, 2015.
- Contained within this narrative and as required by this eligibility section is the need for the project as all of the current work is in disrepair and because of previous much needed costly repairs on behalf of this small association, it is a financial hardship.
- Project Action Team (PAT) consists of five (5) residents as outlined below:
Harry Hilton – 101 Lake Emma Cove Drive – Phone 407.923.2555 – Lead
Justin Kasman – 105 Feather Edge Loop – Phone 407.375.4878 – Alternate
Greg Brown – 103 Lake Emma Cove Drive – Phone 386.299.2785
Gary Brender – 113 Lake Emma Cove Drive – Phone 407.463.9931
Cathy Wasson – Property Management – Phone 407.647.2622
- A Grant Action Plan (GAP) is attached as Exhibit “F” outlining how the project will be completed in the required 6 month timeline – the required five (5) year maintenance plan will be included as a requirement for our contracted landscape vendor.
- The project will be located in 2 distinct areas with all improvements located within the confinements of the designated common areas of the Feather Edge Homeowner Association. (Entrances at both Sun and Rinehart, are at corner of Sun and Rinehart, and brick wall along the Sun Drive corridor from entrance to the corner of Sun and Rinehart) See Exhibit “D”.

PLEASE NOTE THE FOLLOWING:

- This project is not part of our regular budget, but a special request, the ongoing maintenance will become part of our regular budget with our contractor vendor providing this service.
- There are no gifts of appreciation, nor work without receipts, no food is included, and all of the work does not include any reimbursement for purchases made prior to receiving this funding.
- The project consists of the following improvements:
Landscaping, including shrubbery, ground plants, irrigation, mulching, and tree trimming.

EXHIBIT "B"

QUOTES AND BUDGET:

1. ULTIMATE IMAGE - \$6,748.00

QUOTE #1 – REPRESENTS BUDGET



3310 CURRYVILLE ROAD
 CHULUOTA, FL 32766
 PHONE 407-704-1852
 UILC@EARTHLINK.NET

Estimate

Date	Estimate #
11/24/2015	2545

Name / Address
FEATHEREDGE CONDO HOA C/O SPECIALTY MGMT.INC. 882 JACKSON AVE. WINTER PARK, FL. 32789

Project

Description	Qty	Cost	Total
THIS IS A PROPOSAL TO REMOVE ALL UNDER PERFORMING TREES AND SHRUBS ALONG RINEHART RD AND REPLACE WITH NEW HEALTHY TREES AND SHRUBS TO HELP WITH APPEARANCE OF COMMUNITY AS WELL AS CREATE A NATURAL BUFFER FROM THE ROADWAY		1,600.00	1,600.00
FLORATAM ST AUGUSTINE SOD INSTALLED BY THE 400 SQ FT PALLET TO REPLACE WHERE TREES WERE REMOVED AND FILLED IN	1	350.00	350.00
7 GAL VIBURNUM V/O TO FILL IN VOIDS THROUGH COMMUNITY	11	24.00	264.00
1 GAL LIROPE	36	6.50	234.00
PREMIUM BROWN CYPRESS MULCH INSTALLED BY THE CUBIC YARD FOR ENTRIES AND ROADWAY AREAS ALONG RHINEHART	30	50.00	1,500.00
65 GALLON BRACKEN BEAUTY MAGNOLIA DELIVERY INSTALLATION AND LANDFILL FEES	6	375.00	2,250.00
		550.00	550.00
This is an estimate, no work will be completed until approval is provided. Thank you		Total	\$6,748.00

Phone #	Fax #	E-mail
407-704-1852	321-296-7121	uilc@earthlink.net

EXHIBIT "C"

PHOTO'S OF EXISTING AREAS



Rinehart Road Looking Towards Lake Mary Boulevard





Corner of Rinehart & Sun Drive



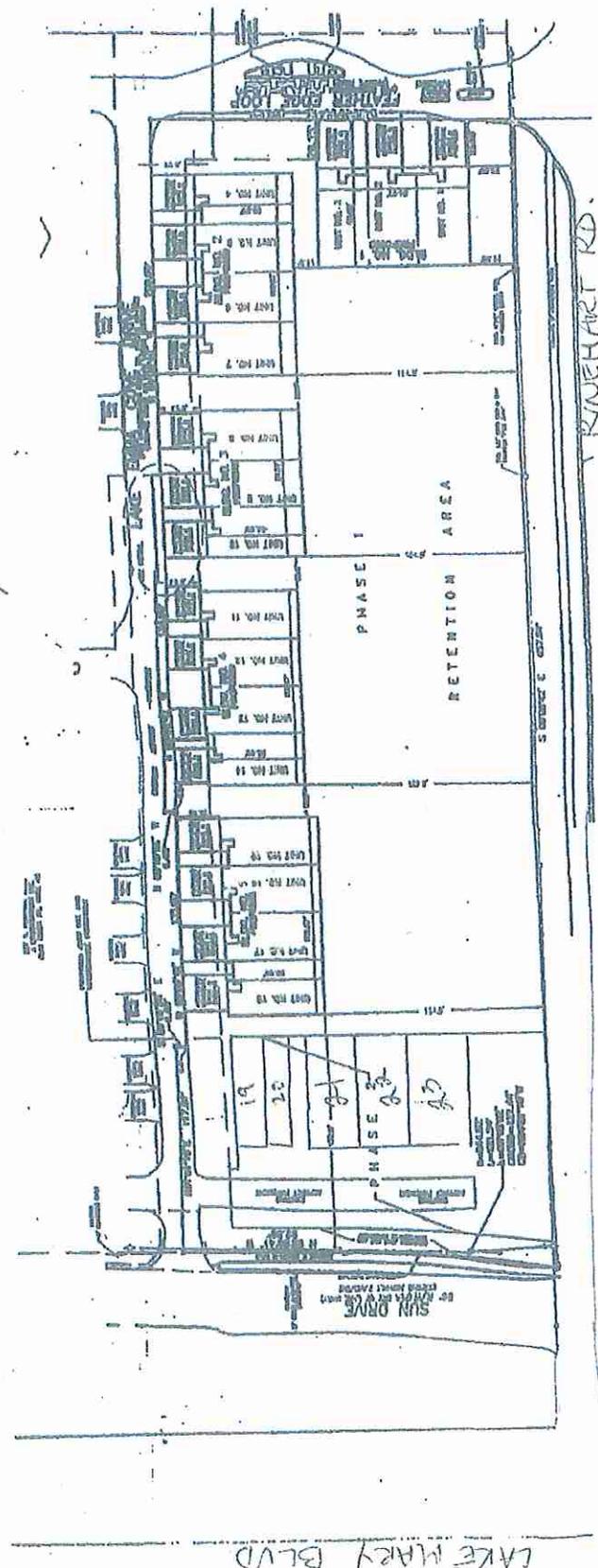
Sun Drive Looking Towards Rinehart

LEGAL DESCRIPTION:

A portion of Lot 1, Feather Elk, a Condominium Lot, according to the plat herein as recorded in Plat Book 25, Page 45 of the Public Records of Stanislaus County, Riverside, also being a portion of Section 7, Township 23 South, Range 30 East, being more particularly described as follows:

COMMENCE at the Northern corner of the Southeast 1/4 of said Section 7; thence run North 87°19'57" East, 774.02 feet along the Southeast Right of Way line of Pine Creek Drive, of Lake Elmer Corp., according to the plat herein as recorded in Plat Book 3, Page 67, of the Public Records of Stanislaus County, Riverside, thence South 89°09'47" East, 200.00 feet along the Westerly Right of Way line of Mountain Road to the POINT OF BEGINNING; thence continue South 89°09'47" East, 857.24 feet along a curved Westerly Right of Way line to a point on the Northerly Right of Way line of Sun Drive and a point on a curve commencing Southward, being a radius of 244.02 feet, a central angle of 88°19'45" and a chord of 127.14 feet thence North 84°51'10" West thence Northerly along the arc of said curve and Northerly Right of Way line, 127.54 feet to a point of beginning; thence continue along said Northerly Right of Way line, North 85°39'44" East, 92.85 feet thence North 87°09'47" East, 117.57 feet thence South 89°19'57" East, 5.45 feet thence North 89°09'47" East, 134.99 feet thence South 89°19'57" East, 4.95 feet thence North 89°09'47" East, 300.00 feet thence South 89°19'57" East, 305.00 feet to the POINT OF BEGINNING.

Containing 3.395 acres more or less.



FEATHER EDGE II, A CONDOMINIUM

A REPLAT OF A PORTION OF FENNER EDGE, A CONDOMINIUM LOT, AS RECORDED IN
 PLAT BOOK 26, PAGE 45, SEMINOLE COUNTY, FLORIDA
 ALSO BEING A PORTION OF SECTION 7, TOWNSHIP 20 SOUTH, RANGE 30 EAST
 CITY OF LAKE MARY, SEMINOLE COUNTY, FLORIDA

LEGAL DESCRIPTION:

A portion of Lot 1, Fenner Edge, a Condominium Lot, according to the plat thereof as recorded in Plat Book 26, Page 45 of the Public Records of Seminole County, Florida, also being a portion of Section 7, Township 20 South, Range 30 East, being more particularly described as follows:

COMMENCE at the Northwest corner of the Southeast 1/4 of the Southeast 1/4 of said Section 7; thence run North 89°19'56" West, 175.02 feet along the Southerly Right of Way line of Pine Circle Drive, of Lake Mary Cove, according to the plat thereof as recorded in Plat Book 8, Page 67, of the Public Records of Seminole County, Florida; thence South 89°19'56" East, 200.00 feet along the Southerly Right of Way line of Fenner Road to the POINT OF BEGINNING; thence continue South 89°19'56" East, 857.54 feet along said Southerly Right of Way line to a point on the Northerly Right of Way line of San Mateo and a point on a curve concave Southerly, having a radius of 844.02 feet, a central angle of 89°19'56" and a chord of 121.41 feet; thence North 89°19'56" West thence Northerly along the arc of said curve and Northerly Right of Way line, 121.54 feet to a point of tangency; thence continue along said Northerly Right of Way line, North 89°19'56" West, 82.85 feet; thence North 89°19'56" West, 117.87 feet; thence South 89°19'56" East, 6.45 feet; thence North 89°19'56" West, 135.00 feet; thence North 89°19'56" East, 6.45 feet; thence North 89°19'56" West, 124.90 feet; thence South 89°19'56" East, 1.50 feet; thence North 89°19'56" West, 62.10 feet; thence South 89°19'56" East, 4.95 feet; thence North 89°19'56" West, 200.00 feet to POINT OF BEGINNING.

Containing 3.905 acres more or less.

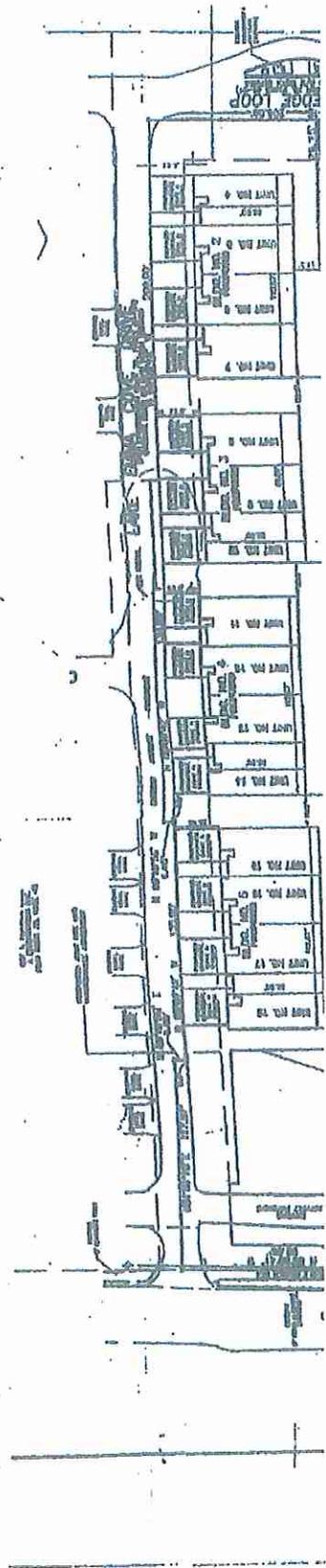


EXHIBIT "E"

NOTARIZED MINUTES FROM BOARD OF DIRECTORS AUTHORIZING
APPLICATION, DATED SEPTEMBER 22, 2015

Feather Edge 2 Condominium Association
Board of Directors Meeting Minutes
9/22/2015

Call to Order:

- at 6:45 pm
- by Gary Brender

Verification of Quorum:

- 3 of 3 Board Members in attendance.
- Gary Brender, Harry Hiltou, Jr., Justin Kasman

Proof of Notice

- Notice provided in accordance with Florida Statutes
-

OLD BUSINESS

• **Discussion: Drainage Issues:**

Gary met with city stormwater engineer, Danielle Khoury, and she advised ponds are in good shape. Recent improvements to downspouts have eliminated some of the runoff causing erosion damage.

• **Discussion: Roof Cleaning:**

Reviewed cost of roof cleaning on a per unit basis. Cathy will contact vendor to see what cost would be and if they can do this over a period of time.

NEW BUSINESS

• **Discussion: Landscape Issues:**

Cathy obtained proposal for hollies from Ultimate Image. There would be 5 to replace.

Small dead trees on Rinehart Rd. will be removed.

Irrigation sensors need to be checked.

Remove all hedges that are dead and don't replace.

Prune all healthy shrubs in yards as needed.

Trim back plants that touch the buildings.

Walk the property to find out cause of sod dying out in some yards, healthy in others. May decide to get bids for landscape services.

Holly trees may be replaced at a later date after other landscape issues are addressed.

• **Discussion: 2016 Budget**

Reviewed draft of the 2016 budget. Board agrees to raise monthly assessment to \$280, and put additional funds into roofing reserve.

Emergency Reserve is not required and should be an operating expense. Reserve accounts will be designated on new budget at Paving, Painting and Roofs. Cathy will write a letter to explain the increase to send with Budget meeting notice.

• **Motion:**

Harry will pursue a landscape grant from the City of Lake Mary for continued improvements along Rinehart Rd.

- By: Gary Brender
- 2nd by: Justin Kasman
- Vote: Unanimous by Members Present

• **Discussion:**

Board/Budget Meeting will be held on December 7, 2015 at 7:00 pm.



Feather Edge 2 Condominium Association
Board of Directors Meeting Minutes
9/22/2015

Notary

• Action Item:

Submitted by Cathy Wasson:

Cathy Wasson

The foregoing instrument was acknowledged before me this 22 day of SEPT, 2015
by CATHY WASSON who is personally known to me.

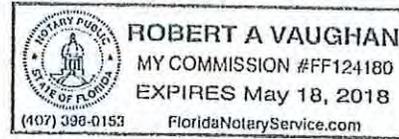
Notary Signature

Robert A. Vaughan

Print

BOB VAUGHAN

Notary Stamp



Adjournment:

- Motion to adjourn at 7:40 pm by Gary Brender
- 2nd by Harry Hilton, Jr.
- Vote: Unanimous by Members Present



EXHIBIT "F"

GRANT ACTION PLAN

A GRANT ACTION PLAN FOR SIX (6) MONTHS – REMOVE ALL UNDERPERFORMING VEGETATION ALONG RINEHART ROAD AND REPLACE WITH HEALTHY NEW TREES AND SHRUBS TO CREATE A NATURAL APPEARANCE BUFFER PER RENDERING BELOW:



MONTH ONE – APPLY FOR PERMIT, IF NECESSARY

MONTH TWO – REPAIR AND REPLACE IRRIGATION LINES AS NEEDED

MONTH THREE – TRIM TREES AND OTHER VEGATATION AS NECESSARY

MONTH FOUR – INSTALL PLANTS AND MULCHING

MONTH FIVE – COMPLETE ANY UNFINISHED WORK



CITY MANAGER'S REPORT

DATE: April 7, 2016
TO: Mayor and City Commission
FROM: Jackie Sova, City Manager
SUBJECT: City Manager's Report

ITEMS FOR COMMISSION ACTION:

1. Request approval of Emergency Purchase Order for City Hall parking lot repair.
2. Lake Mary Events Center Catering Services (RFP #16-02).
3. Surplus Item – Large Format Scanner and Stand.

ITEMS FOR COMMISSION INFORMATION:

1. None



CITY MANAGER'S REPORT

DATE: April 7, 2016

TO: Mayor and City Commission

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

VIA: Jackie Sova, City Manager

SUBJECT: Request approval of Emergency Purchase Order for City Hall parking lot repair

DISCUSSION: The City Hall employee/customer parking lot located on the east side of City Hall is a 50 space concrete parking facility. Due to age and tree root intrusion the concrete is significantly cracked and several areas are critically uneven. Public Works has been in the process of obtaining quotes for repairs for approximately 6 weeks. On March 23rd, a City employee was injured while working in the area when he tripped over a raised edge of concrete in the parking lot. Due to the continued possibility and liability of additional injuries that could be caused by the uneven surface, the City Manager closed this section of the parking lot.

Public Works has removed the most damaged and uneven areas of the parking lot and begun the process of replacing the concrete, or approximately 40% of the existing surface. Castille Company, Inc. has been contracted, on an emergency basis, to replace the concrete in that area for \$40,859. The City has an existing contract with Castille for curb and sidewalk replacement based on a City of Maitland contract.

In consideration that the closing of a portion of the parking lot has been quite disruptive for employees and visitors alike, a quote was obtained in the amount of \$58,231 for Castille Company to replace the remaining area of the parking lot at this time, bringing the total cost of replacing the entire parking lot to \$99,090. The parking lot replacement was budgeted for FY 2017 in an amount of \$175,000. With Public Works performing the demolition work the City is able to save significantly on this project.

Finance will be bringing forth a budget amendment in the future to cover the costs of the work performed in FY 2016.

RECOMMENDATION: Request Commission authorize the emergency Purchase Order to Castille Company, Inc., in the amount of \$40,859, and additionally authorize the City Manager to execute a Purchase Order in an amount not to exceed \$58,231 for the replacement of concrete in the remaining areas of the City Hall employee/customer parking lot.



CITY MANAGER'S REPORT

DATE: April 7, 2016
TO: Mayor and City Commission
FROM: Gunnar Smith, Recreation Supervisor/Events Center Manager
THRU: Bryan Nipe, Director of Parks and Recreation
VIA: Jackie Sova, City Manager
SUBJECT: Lake Mary Events Center Catering Services (RFP# 16-02)

Proposals from RFP #16-02 were received on February 26, 2016. The intent of the RFP was to choose up to eight (8) companies to supply catering services at the Lake Mary Events Center.

All eight (8) of the current catering companies on the Events Center's required list re-applied and three (3) were new respondents. Each proposal was independently reviewed and scored by each member of the Selection Committee using the evaluation criteria listed below.

Evaluation Criteria:

1. Letters of reference from similar public and/or private venues.
2. Proposers' demonstrated plan to market the Events Center.
3. Completion of company capability questionnaire.
4. Proposers' menus and pricing comparison.

5. Proposers' record of performance at similar venues for 200 + guests.
6. Proposers' plan of operation at the Events Center.
7. Proposers' ability to manage and market food and beverage services.
8. Proposers' responsiveness to proposal related to the scope of work.

Ranking by the Selection Committee:

1. Arthur's Catering
2. Big City Catering
3. Puff N Stuff Catering
4. River City Catering
5. John Michael Catering
6. Cuisiniers Catering
7. Levan's Catering
8. Magic Occasions
9. 4 Rivers Smokehouse
10. Tim Webber Events

The submission from Hard Rock Orlando/Shakers Bar Catering was removed because it was determined that it did not meet the criteria of the RFP.

Based on the aforementioned, all five (5) Selection Committee members recommend that the top eight (8) scored catering companies that met the RFP criteria be awarded catering contracts for exclusive food service at the Lake Mary Events Center. Because the ninth ranked company, 4 Rivers Smokehouse, has been a caterer at the Events Center for the last three (3) years, has demonstrated a unique ability to meet the needs of many of our corporate clients, and has also been popular for weddings, staff is recommending to retain them as the 9th selected caterer.

Recommendation

Request Commission authorize City Manager to enter into agreements with the top nine (9) caterers chosen. Those caterers are: Arthur's Catering, Big City Catering, Puff N Stuff Catering, River City Catering, John Michaels Catering, Cuisiniers Catering, Levan's Catering, Magic Occasions, and 4 Rivers Smokehouse.



CITY MANAGER'S REPORT

DATE: April 7, 2016
TO: Mayor and City Commission
FROM: John Omana, Community Development Director
VIA: Jackie Sova, City Manager
SUBJECT: Surplus Item - Large Format Scanner and Stand

The Community Development Department has the following item to be considered for surplus:

Vidar Surveyor 600E Large Format Scanner and Stand - Asset #010740 – Municipal Services Complex. The scanner is not working and has reached the end of its useful life. Upon assessment, it was determined that due to the age of the machine and the cost to repair, it would not be worth fixing.

RECOMMENDATION:

Request Commission declare above-referenced scanner and stand surplus and authorize City Manager to dispose of same.



MEMORANDUM

DATE: April 7, 2016

TO: Mayor and City Commission

FROM: Carol Foster, City Clerk

VIA: Jackie Sova, City Manager

SUBJECT: Appointment to Historical Commission and Elder Affairs Commission

At the Historical Commission meeting held March 8, 2016, the Commission recommended you appoint Elizabeth Randall to their board to fill an unexpired term. A copy of her Board Appointment Form is attached.

Additionally, at their meeting of March 14, 2016, the Elder Affairs Commission recommended you appoint Ingrid Blomgren to fill an unexpired term. A copy of her Board Appointment Form is also attached.

RECOMMENDATION: Request Commission appoint Ms. Randall to the Historical Commission. Her term will expire December 31, 2016. Also, that you appoint Ms. Blomgren to the Elder Affairs Commission to fill an unexpired term which ends December 31, 2018.



City of Lake Mary

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[Home](#) > [Board Appointment Application Online Form](#) > [Submissions](#) > Submission #18021

Submission #18021

Submission information

Form: [Board Appointment Application Online Form](#)
Submitted by Anonymous
Monday, February 29, 2016 - 8:53am
108.254.25.108

Name:

Elizabeth Randall

Home Phone:

407-620-5651

Home Address:

1480 Oberlin Terrace, Lake Mary

Business:

Educator, writer

Business Phone:**Business Address:**

SCPS

Email Address:

elizrand@hotmail.com

Brief Resume of Education & Experience:

I have lived in Lake Mary for 14 years and my daughter attended all of the public schools in Lake Mary. I work as a teacher in Seminole County Public Schools, most recently at Lyman for seven years, and today as a virtual teacher for Seminole County Virtual Schools. I hold a Master's degree in Education and I am the published author of four books, two with The History Press, based in South Carolina. My husband, Bob Randall, participates in the Lake Mary Local Artists show with the Lake Mary Museum. I also have seven years experience serving on the Board of Adjustment in Winter Springs.

Are you a registered voter?:

Yes

Are you a resident of Lake Mary?:

Yes

Do you own property in Lake Mary?:

Yes

Do you hold a public office?:

No

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

No

Are you employed by the City of Lake Mary?:

No

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

No

If Yes, please provide information.:

Check Boards you are interested in:

- ELDER AFFAIRS
- HISTORICAL COMMISSION

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

I have seven years of experience serving on a city board in Winter Springs. I am a long time resident and an active community member. I also completed Leadership Seminole years ago, and I used to be a member of the Seminole County Chamber of Commerce.

Signature:

Elizabeth Randall

Source URL: <http://www.lakemaryfl.com/node/2474/submission/18021>



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[Home](#) > [Board Appointment Application Online Form](#) > [Submissions](#) > Submission #18336

Submission #18336

Submission information

Form: [Board Appointment Application Online Form](#)
Submitted by Anonymous
Sunday, March 6, 2016 - 4:15pm
142.196.65.193

Name:

Ingrid Blomgren

Home Phone:

407-330-2509

Home Address:

112 Springhurst Circle

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

iblomgren@cfl.rr.com

Brief Resume of Education & Experience:

Licensed Nursing Home Administrator
MBA, Health Care Administration

30 years experience working in senior living - corporate level; nursing home and assisted living administrator

Complete resume available upon request

Are you a registered voter?:

Yes

Are you a resident of Lake Mary?:

Yes

Do you own property in Lake Mary?:

Yes

Do you hold a public office?:

No

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

No

Are you employed by the City of Lake Mary?:

No

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

No

If Yes, please provide information.:

Check Boards you are interested in:

ELDER AFFAIRS

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

30 years experience working in senior living and long term care

Signature:

Ingrid Blomgren

Source URL: <http://www.lakemaryfl.com/node/2474/submission/18336>