



LAKE MARY CITY COMMISSION

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

**Regular Meeting
AGENDA**

THURSDAY, SEPTEMBER 08, 2016 7:00 PM

- 1. Call to Order**
- 2. Moment of Silence**
- 3. Pledge of Allegiance**
- 4. Roll Call**
- 5. Approval of Minutes: August 18, 2016**
- 6. Special Presentations**
 - A. Mosquito Control Program - Zika Virus Update - Gloria Eby, Principal Environmental Scientist, Lake Management & Mosquito Control Programs, Seminole County Watershed Management Division and Donna J. Walsh, Acting Health Officer, Community and Population Health Division, Florida Department of Health in Seminole County**
- 7. Citizen Participation - This is an opportunity for anyone to come forward and address the Commission on any matter relating to the City or of concern to our citizens. This also includes: 1) any item discussed at a previous work session; 2) any item not specifically listed on a previous agenda but discussed at a previous Commission meeting**

or 3) any item on tonight's agenda not labeled as a public hearing. Items requiring a public hearing are generally so noted on the agenda and public input will be taken when the item is considered.

8. Unfinished Business

9. New Business

A. Traffic Enforcement Agreement for Woodbridge Subdivision (Jackie Sova, City Manager)

B. Preliminary Planned Unit Development (PUD) for Waterside II, a proposed 9-lot single family residential subdivision, located at the southeast corner of W. Lake Mary Blvd. and Stillwood Ln.; ZDA Land Investments, LLC., Allan Goldberg, applicant (Public Hearing) (Quasi Judicial) (Steve Noto, City Planner)

C. Ordinance No. 1547 - Final Planned Unit Development (PUD) for Waterside II, a proposed 9-lot single family residential subdivision, located at the southeast corner of W. Lake Mary Blvd. and Stillwood Ln.; ZDA Land Investments, LLC., Allan Goldberg, applicant - First Reading (Public Hearing) (Quasi Judicial) (Steve Noto, City Planner)

D. Preliminary Subdivision Plan for Waterside II, a proposed 9-lot single family residential subdivision, located at the southeast corner of W. Lake Mary Blvd. and Stillwood Ln.; ZDA Land Investments, LLC., Allan Goldberg, applicant (Public Hearing) (Quasi Judicial) (Steve Noto, City Planner) NOTE: THIS ITEM WILL BE HEARD BUT NO ACTION IS TO BE TAKEN UNTIL SECOND READING OF THE FINAL PUD

E. Ordinance No. 1548 - Proposed FY 2016/2017 Millage Rate - First Reading (Public Hearing) (Jackie Sova, City Manager) AND Ordinance No. 1549 - Proposed FY 2016/2017 Budget - First Reading (Public Hearing) (Jackie Sova, City Manager)

10. Other Items for Commission Action

11. City Manager's Report

A. Items for Approval - none

B. Items for Information - none

C. Announcements

12. Mayor and Commissioners Report - 3

13. City Attorney's Report

14. Adjournment

THE ORDER OF ITEMS ON THIS AGENDA IS SUBJECT TO CHANGE

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

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

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

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

UPCOMING MEETINGS: September 22, 2016

1 MINUTES OF THE LAKE MARY CITY COMMISSION MEETING held August 18, 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 7:02 P.M.
9

10 2. Moment of Silence
11

12 3. Pledge of Allegiance
13

14 4. Roll Call
15

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

28 5. Approve of Minutes: July 28, 2016
29

30 **Motion was made by Commissioner Lucarelli to approve the minutes of the July**
31 **28, 2016, meeting, seconded by Commissioner Brender and motion carried**
32 **unanimously.**
33

34 6. Special Presentations
35

36 There were no special presentations at this time.
37

38 7. Citizen Participation – This is an opportunity for anyone to come forward and
39 address the Commission on any matter relating to the City or of concern to our
40 citizens. This also includes: 1) any item discussed at a previous work session;
41 2) any item not specifically listed on a previous agenda but discussed at a
42 previous Commission meeting; or 3) any item on tonight’s agenda not labeled as
43 a public hearing. Items requiring a public hearing are generally so noted on the
44 agenda and public input will be taken when the item is considered.
45

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

1
2 8. Unfinished Business

3
4 There was no unfinished business at this time.

5
6 9. New Business

7
8 A. Request for wall material waiver for property located at 1695 West Lake Mary
9 Boulevard; Brian Montes, applicant (Steve Noto, City Planner)

10
11 Mr. Noto showed a location map of the subject property on the overhead located at
12 1695 West Lake Mary Boulevard. The applicant is building a new home on the site and
13 as part of the construction project is requesting to build a 7-foot tall privacy wall along
14 the front property line. He is requesting that it not be constructed of brick as required by
15 Chapter 158; however, Chapter 158 does have a waiver process in order to build a
16 different type of wall with landscaping and other types of buffering as we have allowed
17 in the past.

18
19 Mr. Noto said in the packet is a site plan of the property as well as a rendering of what
20 the applicant is looking to construct. The proposal is similar to proposals we have
21 received in the past from Mr. Good, Mr. Evans, Mr. Shaw and Mr. Aziz all who live along
22 Lake Mary Boulevard in that specific area. They all requested wall waivers and they
23 included landscaping, vines and other types of improvements along the wall. We have
24 all seen their improvements along the Boulevard for a number of years.

25
26 Mr. Noto said we anticipate this wall to be constructed very quickly if approved this
27 evening. The home is almost complete so Mr. Montes is looking to move on to this part
28 of the construction, receive his CO and move in.

29
30 Mr. Noto said staff has reviewed this against the findings of fact outlined in Chapter 158
31 and we find that the proposed wall waiver is compatible with the surrounding area and is
32 consistent with the Lake Mary Code of Ordinances. We are recommending approval
33 with three conditions as provided in Chapter 158: (1) the wall be architecturally
34 consistent with the principal structure as well as color; (2) the wall be landscaped with
35 ground covers and hedges that are a minimum of 24 inches tall upon planting and that
36 there be vines covering the wall; (3) the wall and column design be consistent with the
37 submitted plans. He noted the applicant was present.

38
39 Commissioner Brender said as he recalled with a previous one of these, he asked if we
40 had some kind of assurance that the wall would be maintained. Part of the reason we
41 have brick walls is because you don't have to do a lot to it. With block and stucco the
42 stucco falls off, especially if there is ivy on it. He asked if we had done that in the past.

43
44 Mr. Noto said he didn't recall. The last one we had was from Mr. Aziz and his is well
45 covered with vines and other landscaping. He said he would go back and see if we
46 have any maintenance agreements and if so we will work with the applicant on that.

1
2 Commissioner Brender said he was concerned if it's not covered in ivy and the stucco
3 starts falling off. The whole point of this is to be a no maintenance required type of wall.
4 He understood it would fit with the house if he uses block and stucco but at the same
5 time we look for a special circumstance then we can ask for the maintenance to be
6 done on it.

7
8 Mr. Noto said he is proposing vines. The condition we put in there was to be consistent
9 with the other requests.

10
11 **Motion was made by Commissioner Lucarelli to approve the wall material waiver**
12 **for property at 1695 West Lake Mary Boulevard with the three conditions outlined**
13 **in the staff report, seconded by Deputy Mayor Duryea and motion carried**
14 **unanimously.**

15
16 **CONDITIONS:**

- 17
18 **1. The wall be architecturally consistent with the principal structure as well as**
19 **color.**
20 **2. The wall be landscaped with ground covers and hedges that are a minimum**
21 **of 24 inches tall upon planting and that there be vines covering the wall.**
22 **3. The wall and column design be consistent with the submitted plans.**

23
24 B. Construction work between 10:00 P.M. and 5:00 A.M. at The Oaks Shopping
25 Center Phase III; Chuck Woide, Project Coordinator with Blue Ox
26 Construction, applicant (Steve Noto, City Planner)

27
28 Mr. Noto said we are having some construction activity at The Oaks Shopping Center.
29 They are filling in the retention pond at the northwest corner of the site and expanding
30 the pond that is in back of the site. There is no building construction that is going to
31 happen. They are just preparing for future development by filling in that pond in the
32 front.

33
34 Mr. Noto said when we had a pre-construction meeting at the end of July, the
35 contractors let us know that they needed to do some intense work within the parking lot
36 that would require shutting down the lot so they could do underground work. We know
37 how busy that plaza is and just the thought of a closed down parking lot with detours
38 and other types of MOT devices would cause an issue during the regular working day.
39 We directed the applicant to provide a request for a waiver from the noise ordinance in
40 order to do construction between 10:00 P.M. and 5:00 A.M. They provided that letter
41 and is part of the packet.

42
43 Mr. Noto said on the bottom of Page 1 of the staff report we have highlighted two
44 issues. This request would help reduce the risk of accidents and eliminate safety
45 concerns for patrons during the normal business hours and it eliminates the need for the
46 contractor to close large portions of the parking lot. The point is it is maintaining safety

1 throughout the site. In talking with the contractor since they have submitted this letter,
2 they are looking to start this work next week. They would do the work a couple of days
3 during the week, not do it over the weekend, and then the following week it would be
4 every day. They do not plan on leaving it open and dangerous. As they go along and
5 do the work they will repave the lot to keep it as safe as possible during the working
6 hours.

7
8 Mr. Noto said on Page 2 of the memo, Section 91.17 states that the Commission shall
9 balance the desires of the applicant, the community, and other persons of not granting
10 the special event exemption against the adverse impacts on the health, safety, and
11 welfare of those affected.

12
13 Mr. Noto said given the short timeframe and given the safety aspects, staff is
14 recommending approval of the exemption to the work hours of 10:00 P.M. to 5:00 A.M.
15 He noted the contractors were present.

16
17 Deputy Mayor Duryea said he was under the impression that the retention pond was
18 built for the runoff for Lake Mary Boulevard.

19
20 Mr. Noto said it was previously owned by the County and was recently acquired by The
21 Oaks landowner. That is the reason they had to expand the size of the pond in the
22 southeast corner of the site so all that extra retention would drain into the back of the
23 site. They had their plans reviewed by the County as well to ensure that those
24 conditions were taken care of as part of their improvements.

25
26 Deputy Mayor Duryea said so the County approved the retention and they went through
27 St. Johns.

28
29 Mr. Noto answered affirmatively. They did all the required permitting.

30
31 Commissioner Brender said we are talking about a two week construction.

32
33 Mr. Noto said two weeks for this part of the construction.

34
35 Commissioner Brender said no building for now.

36
37 Mr. Noto said that is correct.

38
39 Commissioner Brender said the nearest houses are on Seminole.

40
41 Mr. Noto said Seminole and on Washington.

42
43 **Motion was made by Commissioner Brender to approve the exemption to the**
44 **work hours of 10:00 P.M. to 5:00 A.M. for one week's time with the specific week**
45 **to be coordinated with City staff and staff of Blue Ox Construction, seconded by**
46 **Commissioner Lucarelli and motion carried unanimously.**

1
2 C. Resolution No. 984 – Amending FDOT Traffic Signal Maintenance and
3 Compensation Agreement (Bruce Paster, Public Works Director)
4

5 The City Attorney read Resolution No. 984 by title only.
6

7 Mr. Paster said this agreement relates to the signal at U.S. 17-92 and Weldon
8 Boulevard. It is the only state signal the City maintains. As part of the agreement,
9 FDOT reimburses the City \$4,500 which is planned for Fiscal Year 2016-17.
10

11 Mr. Paster said the amendment was a result of discussions between FDOT Central
12 Office and the local maintaining agency groups. The edits appear to favor the local
13 maintaining agencies. For example some of the maintenance items responsibilities
14 were from the maintaining agencies to FDOT. It is very favorable to the City.
15

16 Mr. Paster said we are requesting the Commission approve Resolution No. 984
17 authorizing the City Manager to execute the amendment.
18

19 **Motion was made by Commissioner Brender to approve Resolution No. 984**
20 **authorizing the City Manager execute the Amendment to the FDOT Traffic Signal**
21 **Maintenance and Compensation Agreement, seconded by Commissioner**
22 **Lucarelli and motion carried unanimously.**
23

24 D. School Resource Officer Agreement with the School Board
25

26 Ms. Sova said as we discussed briefly at budget, this year the Seminole County
27 Schools have decided they need a full time police officer in all schools and that they
28 would pay 50% of that cost. We currently have one full time Community Service Officer
29 doing the Resource Officer work and a part timer. That wasn't sufficient any longer so
30 the part timer has moved into Community Services and we have assigned a full time
31 police officer to our schools. The alternative to this was to have deputies in the schools.
32 She thought very strongly that the City of Lake Mary wanted our own officers in the
33 schools. Even though they are countywide schools our citizens expected to see City of
34 Lake Mary uniforms in these two schools. This agreement is to cover that cost to have
35 the County pay us 50% back for the cost of two police officers. That does include all
36 their equipment including a car each year.
37

38 Ms. Sova asked the Commission to authorize the Mayor to execute the 2016/2017
39 School Resource Officer Agreement with the School Board.
40

41 Mayor Mealar thanked Ms. Sova. He knew she has met with the Chair of the School
42 Board and there was concern about the wording and the request. That was quickly
43 corrected to our benefit. He thanked her for her work on that.
44

1 **Motion was made by Commissioner Lucarelli to authorize the Mayor to execute**
2 **the 2016/2017 School Resource Officer Agreement with the School Board,**
3 **seconded by Commissioner Brender and motion carried unanimously.**

4
5 10. Other Items for Commission Action

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

8
9 11. City Manager's Report

10
11 A. Items for Approval

12
13 a. Federal Fiscal Year 2016 Edward Byrne Memorial Justice Assistance
14 Grant (JAG) Program

15
16 Ms. Sova said the first item is the Federal Fiscal Year 2016 Edward Byrne Memorial
17 Justice Assistance Grant (JAG) Program we have every year. This year our split
18 between the County and the cities is for \$15,501 each. Our intent is to use that money
19 for Kevlar helmets for the protection of our police officers and purchasing some active
20 vehicle alarms to prevent the movement or smashing of car windows. The name of this
21 project is Protecting Our Defenders.

22
23 Ms. Sova requested the Commission approve the distribution of funds from the Edward
24 Byrne Memorial Justice Assistance Grant Program and authorize the mayor to sign.

25
26 **Motion was made by Commissioner Brender to approve the distribution of funds**
27 **from the Edward Byrne Memorial Justice Assistance Grant Program and**
28 **authorize the Mayor to sign the letters, seconded by Commissioner Lucarelli and**
29 **motion carried unanimously.**

30
31 b. Surplus Items from various departments

32
33 Ms. Sova said next are surplus items from various departments. We made a collection
34 of all the items we have available to be disposed of at this time. She requested the
35 Commission to authorize her to dispose of these items after being declared surplus.

36
37 **Motion was made by Deputy Mayor Duryea to declare items listed in the staff**
38 **report surplus and authorize the City Manager to dispose of, seconded by**
39 **Commissioner Lucarelli and motion carried unanimously.**

40
41 B. Items for Information

42
43 a. Update on Station Point project

44
45 Ms. Sova said we have an update of the Station Point project. There are renderings in
46 the agenda packet. She noted Mr. Mahnken was present. This is about a 5,000 square

1 foot, one story commercial building with updated access and parking and landscaping
2 and a pedestrian connection to the SunRail platform. It is currently in the DRC process
3 but if anyone has any questions for our planning group or Mr. Mahnken now would be
4 the time.

5
6 Ms. Reischmann cautioned the Commission that this is going to be a quasi-judicial
7 matter that the Commission will consider so this should be more of a quick update.

8
9 b. Amount of Increase in revenues due to economic incentives

10
11 c. Monthly Department Reports

12
13 C. Announcements

14
15 Ms. Sova said we are asking folks to join our officers from the police department at
16 Coffee with a Cop from 9:00 A.M. to 10:30 A.M. at the Lake Mary McDonald's on
17 August 24th. It's an opportunity to have a free coffee on McDonald's.

18
19 Ms. Sova said for the month of July the fire department transported a total of 133
20 patients to area hospitals, 50 of which went to our new Florida Hospital ER. We felt that
21 was worth noting.

22
23 Ms. Sova said there will be free SunRail try the train tickets distributed to one of our
24 largest employers, Deloitte. The tickets will be offered in cooperation with SunRail to
25 allow employees to try the train for a week beginning August 22nd. That's also to point
26 out the Uber program that we are partnering with.

27
28 Ms. Sova said our Parks & Rec Department is participating in a service project in
29 partnership with the Florida Parks & Rec Association with Gotsneakers and
30 SolesforSouls. We are collecting used sneakers during the month of August and
31 sending them to charities for people who don't have shoes on their own. The final date
32 to contribute to the Events Center is Wednesday, August 31st. There are 27 or 28 pairs
33 of shoes and the goal is 50. They are working with a couple of our corporate offices.

34
35 Ms. Sova said all non-emergency offices will be closed on Monday, September 5th in
36 observance of Labor Day. Waste Pro will have their normal collection schedule.

37
38 Ms. Sova said the City will be holding its 9-11 ceremony on Sunday, September 11th at
39 6:30 P.M. at the Police Department.

40
41 Mayor Meador said under Items for Information, subset b., he asked if that was
42 something that would be talked about at a later time.

43
44 Ms. Sova said we are going to do a presentation along with the budget at the next
45 meeting.

1 12. Mayor and Commissioners' Reports – 2

2
3 Deputy Mayor Duryea had no report at this time.

4
5 Commissioner Lucarelli said she, Deputy Mayor Duryea and the Mayor were at the
6 artists reception. It was a great turn out and some good artists and works of art.

7
8 Commissioner Lucarelli said she had a meeting with a lady that she would update the
9 Commission on later. It is domestic violence related. She thought it was a good
10 potential program for us to think about doing to help out with defeating domestic
11 violence in the community. She will keep the Commission updated on that.

12
13 Commissioner Lucarelli said we had an arts festival meeting and we're just plugging
14 along and will keep the Commission updated.

15
16 Mayor Mealor asked if this is the year they are moving the festival to the spring.

17
18 Commissioner Lucarelli answered affirmatively. It will be the first weekend in March
19 next year.

20
21 Commissioner Brender said we had some conversations with the School Board
22 regarding the stormwater fees. He asked the status of that.

23
24 Ms. Sova said we got informed by the School Board that they shouldn't have to pay us
25 and the ponds on their school properties were doing the job. All the city managers met
26 with the School Board and tried to explain to them why that wasn't sufficient and they
27 said they would study it. The results of their study were that their ponds are sufficient.
28 They aren't paying anything.

29
30 Commissioner Brender asked if there was any condition for argument between the
31 elected officials.

32
33 Ms. Sova said there are court rulings that are not in our favor as a city and that's what
34 they are relying on.

35
36 Mayor Mealor said it was his oversight because he didn't report on that but that was an
37 item discussed at length at the Mayors and Managers meeting over several meetings.
38 It pretty much was the consensus that based on what the City Manager just shared
39 balancing out effort versus outcome and we felt we've got a great working relationship
40 with them in a number of other areas.

41
42 Commissioner Brender said the Mayors and Managers is like your own little club and he
43 liked to be informed about what's brought up there. CALNO was talking about it a
44 couple of months ago and there was some discussion about bringing it back up but now
45 that he's heard this they are a little late.

1 13. City Attorney's Report

2
3 Ms. Reischmann had no report but wanted to let the Commission know that she missed
4 the last meeting because of the Municipal Attorney Seminar in Naples. At the next
5 meeting she is swearing in new commissioners in Casselberry and would miss that
6 meeting too.

7
8 Mayor Meador thanked the representative of the St. Johns River Water Management
9 District for being with us this evening.

10
11 14. Adjournment

12
13 There being no further business, the meeting adjourned at 7:28 P.M.

14
15
16
17
18 _____
19 David J. Meador, Mayor

Mary Campbell, Deputy City Clerk

20
21
22 ATTEST:

23
24
25
26 _____
27 Carol A. Foster, City Clerk



MEMORANDUM

DATE: September 8, 2016

TO: Mayor and City Commission

FROM: Steve Bracknell, Chief of Police

VIA: Jackie Sova, City Manager

SUBJECT: Traffic Enforcement Agreement for Woodbridge Subdivision (Jackie Sova, City Manager)

I received the attached agreement requesting traffic law enforcement on private roads for the Woodbridge Lakes subdivision.

Because the roads are private, the City does not have the authority to enforce traffic regulations. The Woodbridge Lakes Homeowners' Association has prepared the attached agreement to allow the Police Department to enforce traffic standards. In exchange for the City's enforcement activities, the City retains the prescribed revenues from the fines and any penalties imposed by traffic citations in accordance with applicable statutes. The City has similar agreements with Crystal Reserve and Fountain Parke.

RECOMMENDATION:

Request Commission authorize Mayor to execute agreement for Traffic Law Enforcement on Private Roads for the Woodbridge Lakes subdivision.

Attachments

Devlin, Butch

From: Devlin, Butch
Sent: Thursday, August 25, 2016 4:35 PM
To: Devlin, Butch
Subject: Agreement for traffic law enforcement

Jackie good morning,

Please find the agreement for traffic law enforcement on private roads from Woodbridge Lakes of Lake Mary. Per our discussion I've added a few items on the last page.

I have also submitted and noted our areas with the greatest issues.

We may want to put the electronic sign up in the community that tickets will start being issued.

As always , thank you for all you do!!!

Thank you
Butch Devlin

*Thank you
Butch
Cobi*

FAX 407 565-1498

ATTN: JACKIE SOVA

AGREEMENT FOR TRAFFIC LAW ENFORCEMENT ON PRIVATE ROADS

This Agreement for enforcement of the traffic laws of the state on private roads located in the gated community of **WOODBIDGE LAKES** is entered into by and between the **CITY OF LAKE MARY**, Florida, (hereinafter "City") a municipal corporation and political subdivision of the State of Florida, and **WOODBIDGE LAKES HOMEOWNERS ASSOCIATION, INC.** (hereinafter "Owner") a Florida not-for-profit corporation, organized under the laws of the State of Florida.

WITNESSETH:

WHEREAS, Owner owns fee simple title to all the private roadways lying within a gated community known as **WOODBIDGE LAKES** (hereinafter "Private Roads") more specifically described in Exhibit "A" which is attached thereto and incorporated herein; and

WHEREAS, pursuant to state statute, City does not have the traffic law enforcement jurisdiction over Private Roads such as those owned by the Owner; and

WHEREAS, *Florida Statutes*, Section 316.006(2)(b), provides that a municipality may exercise jurisdiction over any Private Road or roads if the municipality and the party owning such roads provide, by written agreement approved by the governing body of the municipality, for municipal traffic control jurisdiction over the road or roads encompassed by such agreement; and

WHEREAS, the Owner wants the City to enforce the traffic laws upon the Private Roads of said Owner; and

WHEREAS, the City is willing to exercise traffic law enforcement upon the Private Roads; and

NOW THEREFORE, in consideration of the covenants and conditions herein, the City and the Owner hereby agree as follows:

1. The above recitals are true and correct, and are incorporated herein by reference and form a material part of this Agreement.

2. **Jurisdiction.** The City agrees to exercise jurisdiction over enforcement of the traffic laws upon the Private Roads pursuant to the terms and

conditions expressed in *Florida Statutes*, Section 316.006(2)(b). The City shall be solely responsible for the means and methods of enforcement including the scheduling of patrols and the use of radar or other methods of enforcement.

3. **Signage.** The Owner shall establish the speed limit for the Private Roads and shall be responsible for posting the speed limits and other necessary traffic regulations by appropriate DOT approved signage along said roads.

4. **Authority in Addition to Existing Authority.** The City's exercise of traffic law enforcement pursuant to the Agreement shall be in addition to the authority presently exercised by the City over Private Roads and nothing herein shall be construed to limit or remove any such authority. The City agrees to continue to provide such police and fire services as are required by law.

5. **City to Retain Revenues.** All revenue from the fines, costs and penalties imposed by the traffic citations issued for violation of traffic laws on Private Roads shall be apportioned in the manner set forth in applicable statutes.

6. **Liability not Increased.** Neither the existence of the Agreement nor anything contained herein shall give rise to any greater liability on the part of the City than that which the City would ordinarily be subjected to when providing its normal police service.

7. **Indemnification.** To the fullest extent permitted by law, the Owner shall indemnify, defend, and hold the City harmless from any loss, costs, damage or expense, including attorneys' fees, for any action arising out of, related to, or stemming from, either directly or indirectly, the maintenance, repair and/or reconstruction of any road, road drainage or signage. To ensure its ability to fulfill its obligation under this paragraph, the Owner shall maintain General Liability insurance in the minimum amount of One Million Dollars (\$1,000,000.00), and shall file with the City current certificates of the required insurance providing a thirty (30) day advance written notice of cancellation. Such insurance shall, (a) name the City as an additional insured as it relates to activities other than law enforcement activities or police duties conducted pursuant to this contract and (b) be issued by companies authorized to do business under the laws of the State of Florida and acceptable to the City. For purposes of liability, the City is protected by sovereign immunity in accordance with State law. This Agreement shall not constitute a waiver of immunity by the City nor the City's consent to such waiver thereof as to a matter to which such immunity would apply, except to the limited extent set forth in Section 768.28, *Florida Statutes*.

8. **Road Maintenance.** Neither the existence of this Agreement nor anything contained herein shall impose any obligation or duty upon the City to

provide maintenance on and/or drainage of the Private Roads. The maintenance, repair and construction or reconstruction of all Private Roads, drainage and signage within the gated community of **WOODBIDGE LAKES** shall at all times be solely and exclusively the responsibility of the Owner.

9. Term. The term of this Agreement shall be for one year, commencing on the date of the execution by the last of the two parties signing hereto, and this Agreement shall thereafter automatically continue for successive one year terms unless terminated by any party by thirty (30) days written notice to the other parties, or immediately, at the option of the City, in the event any of the terms, covenants or conditions of this Agreement have been violated.

10. Entire Agreement. This Agreement, including all exhibits attached hereto, constitutes the entire understanding and agreement between the parties and may not be changed, altered, or otherwise modified except when reduced to writing and executed in the same manner with approval by the Board of City Commissioners.

11. Notice. All notices to be given shall be in writing and sent by certified mail, return receipt requested, to the following addresses:

As to City: Jacqueline B. Sova, City Manager
P.O. Box 958445
Lake Mary, FL 32795-8445

Copy to: Steve Bracknell, Police Chief
P.O. Box 958445
Lake Mary, FL 32795-8445

As to the Owner: WOODBRIDGE LAKES Homeowners'
Association, Inc.
6972 Lake Gloria Boulevard
Orlando, FL 32809
(407) 781-5763

12. Assignments. None of the parties shall assign this Agreement, or any interest arising herein, without the written consent of the other party.

13. Independent Contractor. The relationship of the Owner to the City is that of independent contractor and not that of employee. No statement contained in this Agreement shall be construed so as to find Owner an employee of the City, and Owner shall be entitled to none of the rights, privileges or benefits of City employees.

14. Conflict of Interest. Owner agrees that it will not engage in any action that would create a conflict of interest in the performance of its obligations pursuant to the Agreement with the City or which would violate or cause others to

violate the provisions of Part III, Chapter 112, Florida Statute, relating to ethics in government.

15. Attorney's Fees. The prevailing party in any action to enforce the Agreement shall be entitled to recover from the other party all attorney fees, paralegal fees, and costs expended in connection with enforcing this Agreement, at trial and for any appeal, whether litigation is undertaken or not.

Miscellaneous:

- a) *Agreement runs with the land.* This Agreement shall run with the property described herein and shall inure to the benefit of the parties and shall be binding upon the parties hereto and their successors in interest.
- b) *Applicable Law.* This Agreement shall be construed, controlled and interpreted according to the laws of the State of Florida.
- c) *Severability.* If one or more provisions contained in this Agreement shall, for any reason, be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision hereof and this Agreement shall be construed as if such invalid, illegal or unenforceable provision had not been contained herein.
- d) *Recording.* This Agreement may be recorded in the Public Records of Seminole County, Florida.
- e) *Counterparts.* This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which shall together constitute one and the same instrument.

IN WITNESS WHEREOF, the parties have executed this Traffic Law Enforcement Agreement for **WOODBIDGE LAKES HOMEOWNERS ASSOCIATION, INC.**, on the dates indicated below.

City of Lake Mary, a Florida Municipal Corporation

BY:
Print Name:
As its Mayor

ATTEST:

BY:
Print Name:
As its City Clerk
Date:

**WOODBIDGE LAKES Homeowners Association,
Inc., a Florida Corporation**

BY:
Print Name *FRANCIS X DEWITT JR*
As its: *President*
Date: *8/25/16*

WITNESS:

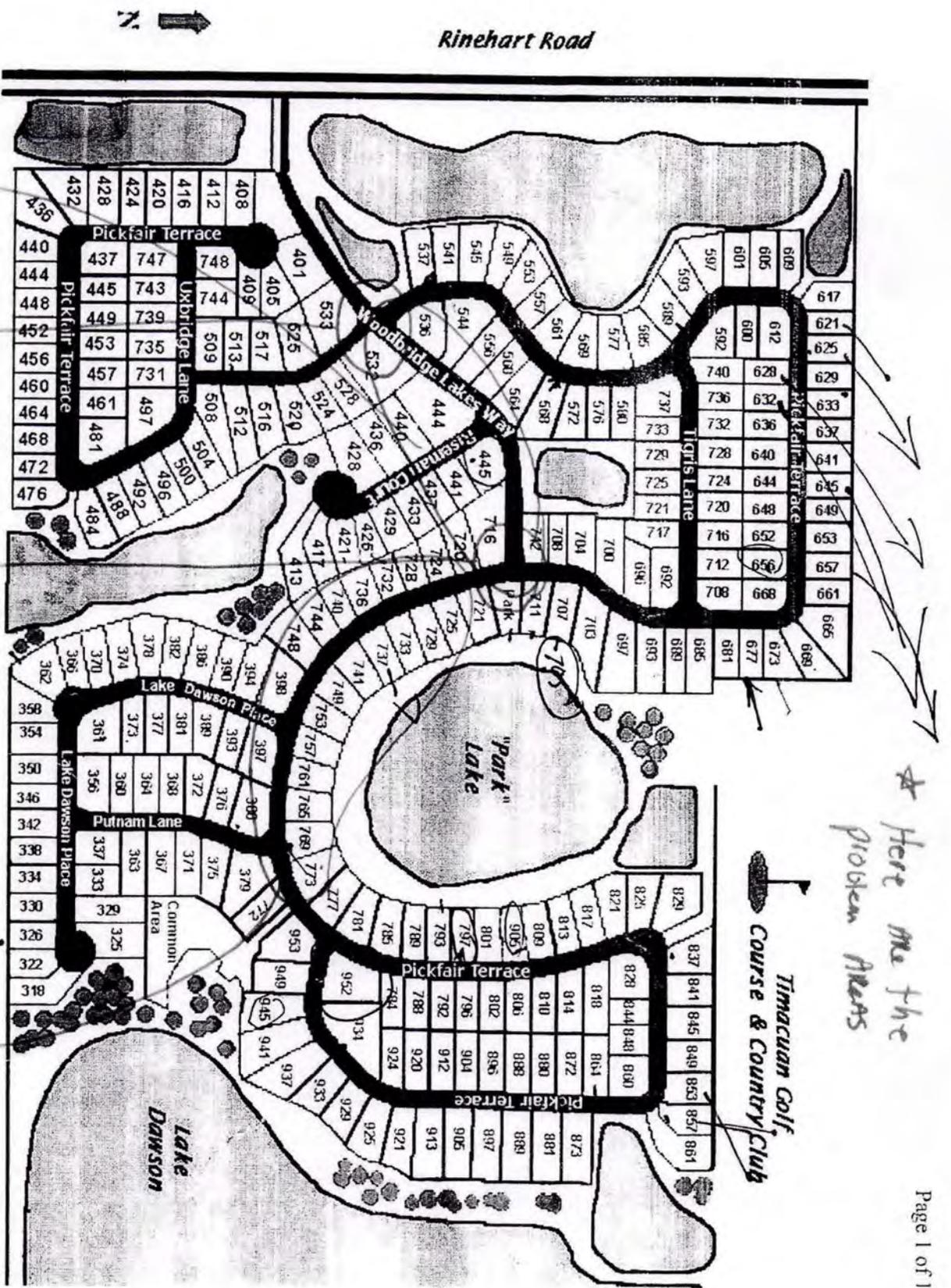
Robin L. Martin
(Sign) *Robin L. Martin*
(Print Name)

Jennifer L. O'Neill
(Sign) *JENNIFER L. O'NEILL*
(Print Name)

To be enforced
★ - Speed in excess of 30 mph
- Running of stop signs throughout community

Thank you
Francis X Dewitt Jr

EXHIBIT "A"



h
www.woodbridgelakes.com/images/woodbridgelakes.jpg

7/28/2012



MEMORANDUM

DATE: September 8, 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: Preliminary Planned Unit Development (PUD) for Waterside II, a proposed 9-lot single family residential subdivision, located at the southeast corner of W. Lake Mary Blvd. and Stillwood Ln.; ZDA Land Investments, LLC., Allan Goldberg, applicant (Public Hearing) (Quasi Judicial) (Steve Noto, City Planner)

APPLICANT: ZDA Land Investments, LLC. Mr. Allan Goldberg.

REFERENCES: City Comprehensive Plan, Code of Ordinances, Development Review Committee, proposed Waterside II Development and PUD Agreement.

REQUEST: The applicant proposes to subdivide the subject property into 9 single-family residential lots. The project has been reviewed as a Preliminary and Final Planned Unit Development (PUD) as well as a Preliminary Subdivision Plan. There is one set of plans that has been designed as a 30% engineered plan in order to comply with the minimum engineering standards of the Final PUD and Preliminary Subdivision Plan ordinances. Note that no action will be taken on the Preliminary Subdivision Plan at this meeting.



The item is being presented as part of the package, but no action is needed until the September 22, 2016 meeting due to the Final PUD needing to be approved first.

DISCUSSION:

Location and History: The subject property is located at the southeast corner of W. Lake Mary Blvd., and Stillwood Ln. and contains +/- 13.22 acres. The property is currently vacant.

Zoning

NW City of Sanford Multi-Family	N City of Sanford Multi-Family/AG	NE City of Sanford Multi-Family/RCOM
W PUD/A-1	SITE A-1*	E City of Sanford Ag
SW R-1AA	S R-1AA	SE City of Sanford Ag

Future Land Use

NW City of Sanford MDR	N City of Sanford MDR	NE City of Sanford MDR
W LDR	SITE LDR	E City of Sanford Public/Semi Public
SW LDR	S LDR	SE City of Sanford Public/Semi Public

***Staff Note:** On March 6, 2008, the City Commission adopted Ordinance No. 1282, establishing the Big Lake Mary Overlay zoning district. The regulations of the Big Lake Mary overlay zoning district apply to the subject property, as well as all properties to the west (until the railroad tracks). To the extent that it does not conflict with the proposed PUD Agreement, the provisions of the Big Lake Mary overlay zoning district apply to the subject property.

PRELIMINARY/FINAL PUD PLAN AND PRELIMINARY SUBDIVISION PLAN: The applicant chose to combine the Preliminary and Final PUD and Preliminary Subdivision Plan into one document. Chapter 154.61 (E) outlines that a Preliminary PUD Plan is essentially a concept plan that does not require any engineering details. Chapter 154.61 (F), however, outlines that a Final PUD Plan shall have 30% engineering details. As a result, the proposed plan provides 30% engineering detail.

The purpose of the preliminary subdivision plan is to provide complete and accurate representation of technical data and preliminary engineering drawings in a manner as to allow complete review and evaluation of the proposed development and its impact upon both the site and surrounding areas. The submittal requirements for a preliminary subdivision plan are outlined in Chapter 155.21. It is generally a 30% engineered plan, which is the same requirement of the Final PUD Plan. As a result of this, the proposed plan provides 30% engineering detail.

As previously mentioned, the 13.22 acre property is proposed to be subdivided into 9 lots. The proposed minimum lot size is 40,000 sq. ft., which complies with the Big Lake Mary Overlay Zoning District (LM Overlay) requirement outlined in Chapter 154.90.

The Future Land Use Category of the site is LDR, which allows up to 2.5 units per acre, or 33 lots. With the subject property being part of the LM Overlay, the allowed density is actually 1.09 units per acre, or 14 lots. However, by proposing 9-lots, the applicant is developing at less than 1 unit per acre.

The smallest lot is Lot 8 at 40,120 sq. ft. The largest lot is Lot 9 at 86,133 sq. ft. The remaining 7 lots range in size from 40,232 to 50,091. The applicant proposes the following setbacks:

Front Yard: 25'
Side Yard (Interior Lots): 20' combined, minimum 8' each side.
Rear Yard: 30'
Corner Lots: Lot 1 from Lake Mary Blvd.:20'. Lot 5 from Jerusalem Pt.: 10'. Lot 6 from S. Stillwood Ln.: 10'.

The only difference between the proposed setbacks and the LM Overlay is the front yard setback. The LM Overlay requires 40' or 60' front yard setbacks, depending on the depth of the lot, for buildings that are constructed adjacent to the right-of-way of Lake Mary Blvd. With the proposed subdivision, the only Lot that this impacts is Lot 1. Lot 1 is unique from almost all other lots within the LM Overlay due to it being a corner lot, and also not having its main access from Lake Mary Blvd. A majority of the lots within the LM Overlay are long and narrow, have access from Lake Mary Blvd., and aren't situated on a corner. As a side note, none of the proposed lots are on Big Lake Mary.

In addition to the 30' rear yard setback, the applicant is proposing a 25' undisturbed wetland buffer easement adjacent to Lots 1-4, and 9.

Addressing and Access Roadways – Seminole County Addressing, which is part of the Office of Emergency Management, is a review partner within the City's Development Review Committee (DRC). As such, County Addressing staff receives a copy of all development proposals and provides comments related to site addressing. Upon receiving the Waterside II plan, County Addressing staff contacted the City's public safety staff to relay concerns related to the addressing of the Waterside II project. The issue revolved around the fact that Stillwood Ln. does not have directional in front of it (ex: W. Stillwood Ln., S. Stillwood Ln.), even though a segment of Stillwood Ln. goes west, and another segment goes south. City staff had a number of in-depth discussions internally, with the applicant, and with County Addressing staff, to try and resolve this issue since it was going to be exacerbated due to the Waterside II project. The resulting direction of those meetings, which was ultimately the decision of Seminole County E-911, was that all properties along Stillwood Ln. would be re-addressed. This would provide for an appropriate directional without having to provide new numerical ranges for all properties in the area. A graphic that was done by Seminole County staff is attached to this staff report for informational purposes. New street signs are planned to be installed by the applicant on September 8, 2016. This addressing synopsis is provided for informational purposes.

The site will have primary access from Stillwood Ln. via the existing curb cut on Lake Mary Blvd. Lots 6-9 will have access from Stillwood Ln., and a new roadway that has been approved with the name of Jerusalem Pt. Portions of Stillwood Ln. will be improved. The northern-most portion, which is adjacent to Lot 1, will be improved to a 28' wide roadway. After approximately 115', the roadway will narrow to 24'. At the point where Stillwood forks to the west and to the south, the southern segment will be widened to 20'. Lastly, the final +/- 180', which is 12' wide, will be paved per an agreement with the adjoining property owner.

The eastern median within the Lake Mary Blvd. right-of-way will be trimmed back to align with the expanded Stillwood Ln. roadway width. A Seminole County permit is required for that work.

Environmental: An environmental study was completed by the applicant and subsequently reviewed by the City's consultant, CPH. A number of gopher tortoises were observed on site. As a result, the applicant will have to coordinate with the Florida Fish and Wildlife Conservation Commission prior to development of the subject property and comply with their regulations and requirements. No other issues were identified.

Landscaping/Site Clearing and Construction – No additional landscape buffers are required as the surrounding zoning districts are all residential in nature. There are no historic trees on site.

This development will be constructed differently than the first Waterside project. That project was a result of a lawsuit, and many of the specific designs and outcomes were a result of that. For example, each lot was designed to have its own independent stormwater pond that was to be constructed when each home was built. Typically, a subdivision has a master pond that is constructed when all other infrastructure is built. The former example is what will be done for Waterside II. Along the eastern boundaries of Lots 1-4, a portion of the northern boundary of Lot 9, the southern boundaries of Lots 6-8, and the northeast corner of Lot 5, is the stormwater infrastructure for the entire subdivision.

This stormwater infrastructure will be built while all other infrastructure is built for the project. In addition, each building pad area will be cleared and prepared for construction so that the appropriate elevations are achieved to maximize the stormwater design as early as possible. As a condition of approval, each lot will be seeded so that they aren't just dirt in the event development does not occur.

Perimeter Wall/Signage: There will be no additional signage as a result of this development. A perimeter wall, similar in design to the wall built for the first Waterside project, will be built along the northern boundary of the project area, 174' east of the western most point of Lot 1. This is shown in detail on Sheet ST-1 of the plans. The wall won't go the full limits of the northern boundary adjacent to Lake Mary Blvd. due to changes in elevation and wetland issues.

Seminole County Public Schools – A School Impact Analysis was provided in 2014 when the project was submitted as an 8-lot subdivision. At the time of submittal for Final Subdivision, a School Capacity Availability Letter of Determination (SCALD) will be obtained.

Stormwater – As previously mentioned, stormwater will be handled via three different pond areas. The ponds will be managed and maintained via drainage easements to be recorded during the platting process.

Transportation: The proposed development does not generate more than 300 average daily trips or 50 peak hour trips. No traffic study is required.

Utilities – The applicant will be connecting to the existing lift station that was built as part of the first Waterside project. A connection will be made to the existing 10" water main at the corner of Lake Mary Blvd. and Stillwood Ln., as well as the existing 6" reclaimed water main in generally the same location.

The Applicant shall coordinate with the City of Lake Mary and the City of Sanford in relation to the Utility Agreement that was entered into during the first Waterside project. This is due to the lift station being utilized for Waterside II. That agreement shall be modified and approved by the City of Lake Mary and the City of Sanford prior to the approval of the Final Subdivision Plan. In addition, the applicant is required to comply with all comments provided by the City of Sanford review staff.

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:

ITEM No. 1:

That there is substantial compliance with the purpose of the Planned Unit Development District and the preliminary development plan;

FINDINGS OF FACT No. 1:

The PUD zoning district lists seven purposes in Chapter 154.61. The Preliminary and Final PUD plan substantially complies with all seven purposes:

1. The design of the development provides for a planned residential community through the 9 lots which allow for unique building layouts and designs;
2. It is compatible with permitted land uses on abutting properties based on the minimum acreage and setback requirements;
3. A more efficient use of utilities and infrastructure is being utilized through the use of the existing lift station and minor expansion of Stillwood Ln.;
4. The final development plan will occur according to the limitations of use, design, density, coverage, and phasing since it is only 9-lots and not a larger mixed use, multi-phase development;
5. Preservation of natural amenities and environmental assets are occurring through the use of Tract A and a 25' undisturbed wetland buffer easement adjacent to Lots 1-4 and Lot 9.
6. Conventional zoning regulations would require Stillwood Ln. and the internal roadway to be a 50' wide right-of-way, in addition all of the lots would have to be 3 acres in size. By allowing lot sizes that are more consistent with the surrounding neighborhoods, and providing for narrower street widths, more open space areas are able to be provided for, as outlined in point 5 above (i.e. Tract A and the buffer easement).
7. The number of lots and the lot sizes proposed allow for the opportunity of unique site planning and aesthetically pleasing living through the application of linear retention, wetland buffers, existing infrastructure use, and environmental preservation.

ITEM No. 2:

That the phase of development in question can exist as an independent unit capable of creating an environment of substantial desirability and stability;

FINDINGS OF FACT No. 2:

This is proposed as a one phase development, therefore it can exist as an independent unit creating an environment of substantial desirability and stability.

ITEM No. 3:

That existing or proposed utility services and transportation systems are adequate for the population densities proposed;

FINDINGS OF FACT No. 3:

The proposed utility and transportation plans have been reviewed and are adequate for the proposed development. The proposed density is consistent with the surrounding utility and transportation network.

ITEM No. 4:

That the preliminary engineering plans as required by the City Engineer have been approved;

FINDINGS OF FACT No. 4:

The development program has been reviewed by the Development Review Committee (DRC), which includes the City Engineer. The Preliminary and Final PUD Plans have been reviewed concurrent with the Preliminary Subdivision Plans. City staff is recommending approval of that Preliminary Subdivision Plan.

PUD FINDINGS OF FACT: Staff finds that the request for Preliminary and Final Planned Unit Development for Waterside II is consistent with Section 154.61 (D) (2) (d) of the City's Code of Ordinances.

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:
Over the last two to three years, City staff has been paying close attention to the daytime population of the City compared to the nighttime population through coordination with the City's Economic Development Director. It has been determined that the City is very "jobs heavy" and that the need and demand for all types of housing is very high. According to the Census Bureau, the City's current population is 16,021, and there are 5,922 housing units. In the Housing Element of the Comprehensive Plan, original forecasts had the City's population at 14,044 in 2010, with 5,810 housing units. Staff has found that the City continues to trend upward in not only population, but also in the number of citizens that come from around the region to the City for work, and then leave the City afterwards. As a result, emphasis has been placed on continuing to support the Goals, Objectives, and Policies of the Future Land Use Element and the Housing Element which promote development plans that provide for housing that meets the demand of the local market and the needs of the City.

ITEM No. 2:
The effect of the change, if any, on the particular property and on surrounding properties;
FINDINGS OF FACT No. 2:
The subject property is currently vacant, so there will be an effect on surrounding properties. However, given that the proposed lots are similar in size and design as the surrounding neighborhoods, the impact will be minimal.

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, the original Waterside development is the only area 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:

The PUD request is in compliance with the Future Land Use category of the subject property, LDR (Low Density Residential). As mentioned in Finding of Fact No. 1, the proposal also assists in the furtherance of compliance with the Goals, Objectives, and Policies of both the Future Land Use Element and the Housing element.

REZONING FINDINGS OF FACT: Staff finds that the request for Preliminary and Final Planned Unit Development and PUD Agreement for Waterside II is consistent with 154.27(A) (2) of the City's Code of Ordinances.

PRELIMINARY SUBDIVISION PLAN FINDINGS OF FACT: Staff finds that the request for Preliminary Subdivision Plan for Waterside II is consistent with 155.12 of the City's Code of Ordinances.

PLANNING AND ZONING BOARD: At their regular August 9, 2016 meeting, the Planning and Zoning Board took the following actions:

- 2016-RZ-02: Preliminary PUD for Waterside II, the Planning and Zoning Board Recommended approval, 4-0.
- 2016-RZ-03: Final PUD for Waterside II, the Planning and Zoning Board Recommended approval, 4-0.
- 2016-PSP-04: Preliminary Subdivision Plan for Waterside II, the Planning and Zoning Board Recommended approval, 4-0, with the following conditions:
 1. Only access to the lots would be via the easements and the streets and not the FPL easement.
 2. The property under the FPL easement is to be owned and maintained by the HOA.
 3. The property under the retention pond which is now shown as Lot 5 would become part of Lot 9 and the property under the FPL easement which is now shown as Lot 9 would become an HOA tract.
 4. The FPL easement is to have a six-foot high fence of some type running along the western boundary to the southern border.

Staff Note: The applicant has taken these conditions into consideration. Condition #3 could not be met due to minimum lot size requirements not being met. As a result, Lot 9 does include a small segment of the FPL easement; however, that segment will be permanently fenced off.

STAFF RECOMMENDATION: Staff finds that the request for Preliminary and Final Planned Unit Development and Preliminary Subdivision Plan for Waterside II is consistent with the City's Land Development Code and Comprehensive Plan, and recommends approval with the following conditions:

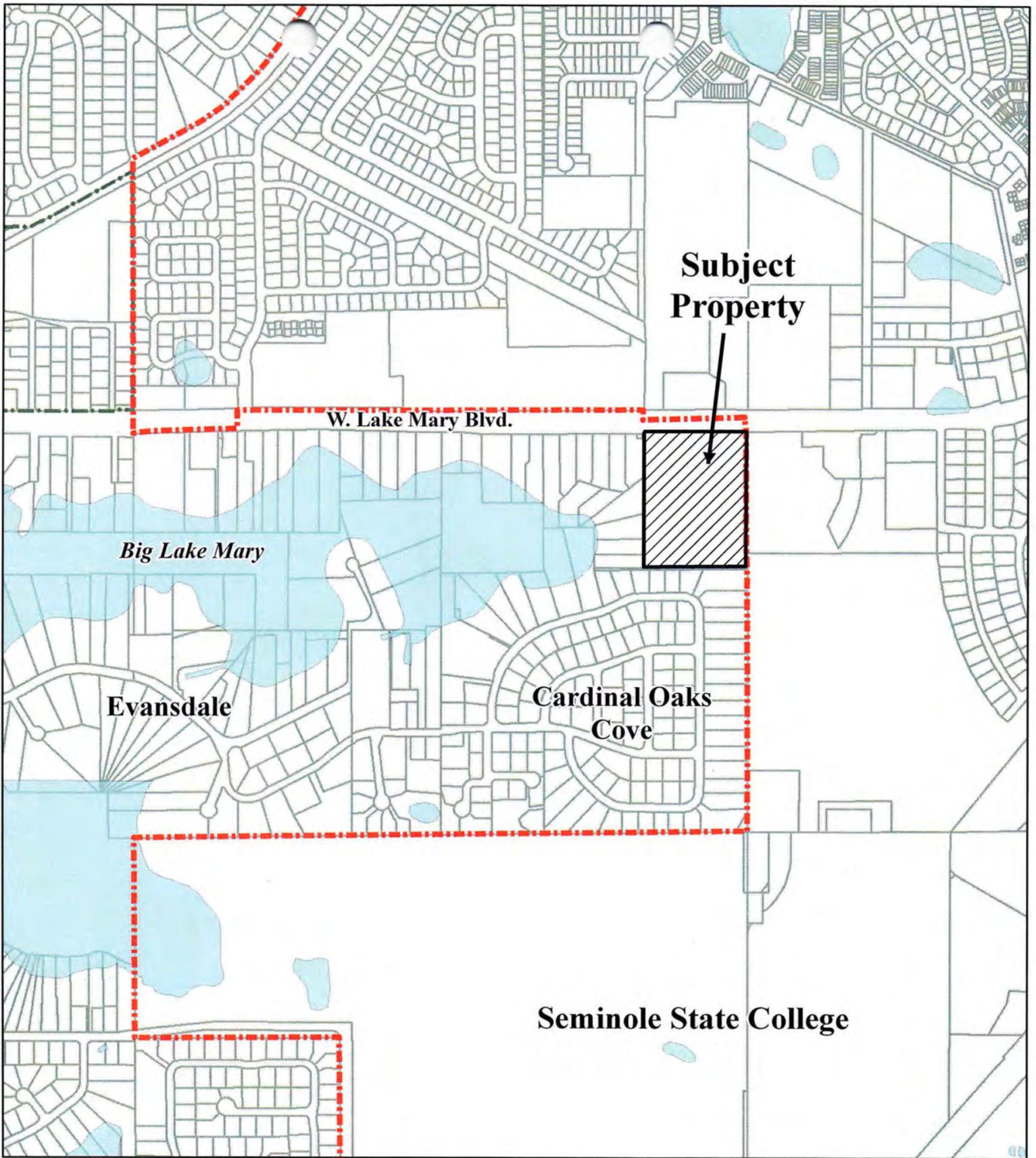
1. The applicant shall meet the requirements of the City of Sanford as it relates to the Utility Agreement and all other engineering related requirements.
2. Each lot shall be seeded upon clearing of the stormwater pond and building pad areas.
3. The final subdivision plan shall show sidewalks on at least one side of both Stillwood Ln. and Jerusalem Pt.

LEGAL DESCRIPTION: The South 899.84 feet of the North 924.84 feet of the East 1/2 of the Northwest 1/4 of the Northeast 1/4 of Section 15, Township 20 South, Range 30 East, Seminole County, Florida. Less and except that certain Trustee's Deed to Seminole County, Florida recorded in Official Records Book 2574, page 431, of the Public Records of Seminole County, Florida, more particularly described as follows:

A parcel of land lying in Section 15, Township 20 South, Range 30 East, Seminole County, Florida being more particularly described as follows: From a point of Reference being the Northeast corner of said Section 15; thence North 89°36'35" West along the North line of said Section 15 a distance of 1,316.65 feet; thence South 00°41'40" West, a distance of 30.00 feet to the Point of Beginning; thence South 00°41'40" West, a distance of 18.20 feet; thence North 89°56'53" West, a distance of 658.40 feet; thence North 00°40'42" East, a distance of 22.09 feet; thence South 89°36'35" East, a distance of 658.38 feet to the Point of Beginning.

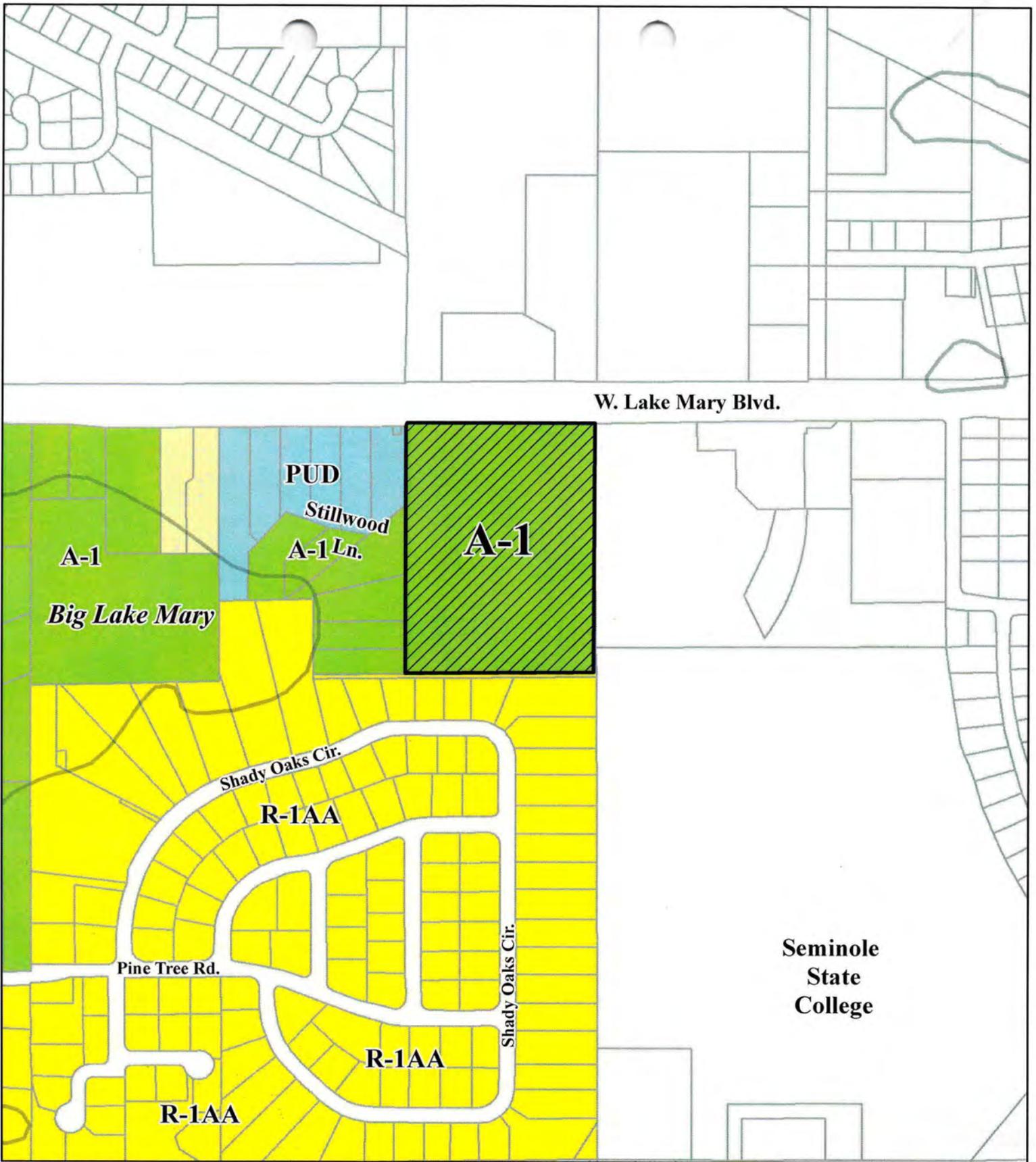
ATTACHMENTS:

- Location Map
- Zoning Map
- Future Land Use Map
- Aerial
- Addressing Graphic
- August 9, 2016 Planning & Zoning Board Minutes



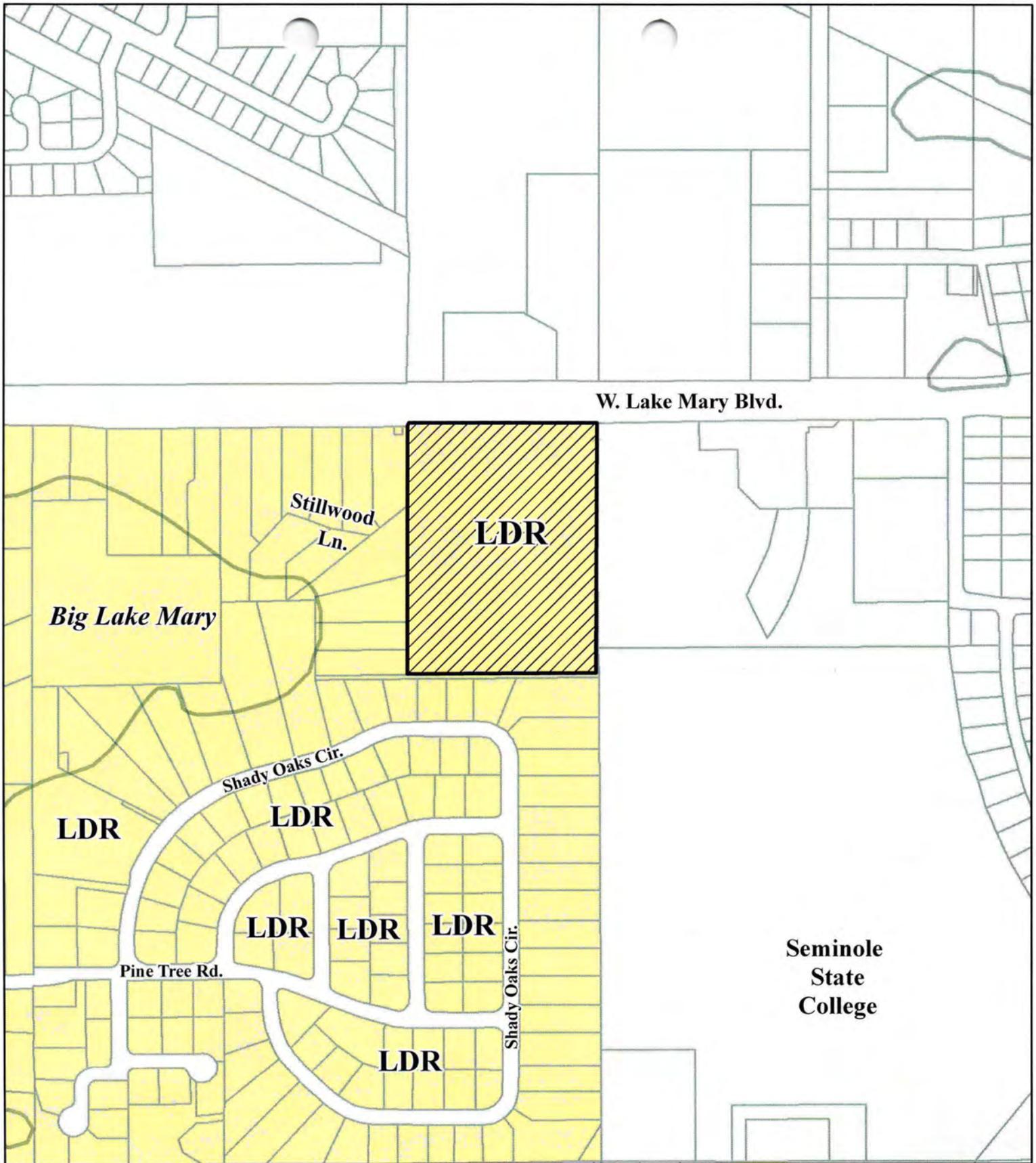
Location Map
Waterside II





Zoning Map
Waterside II

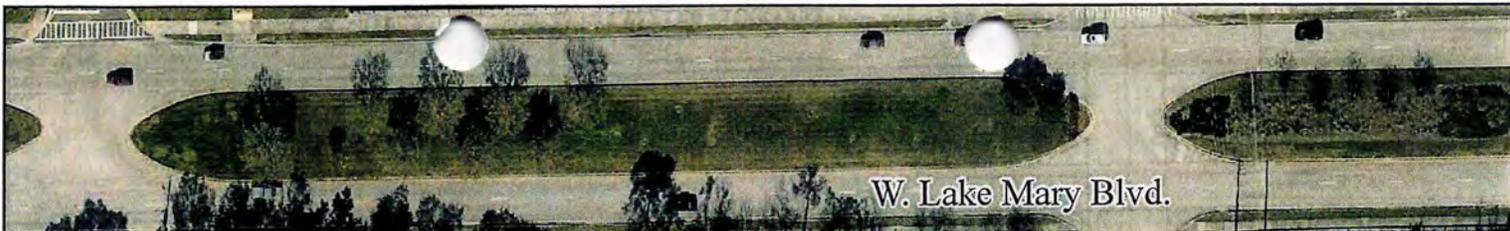




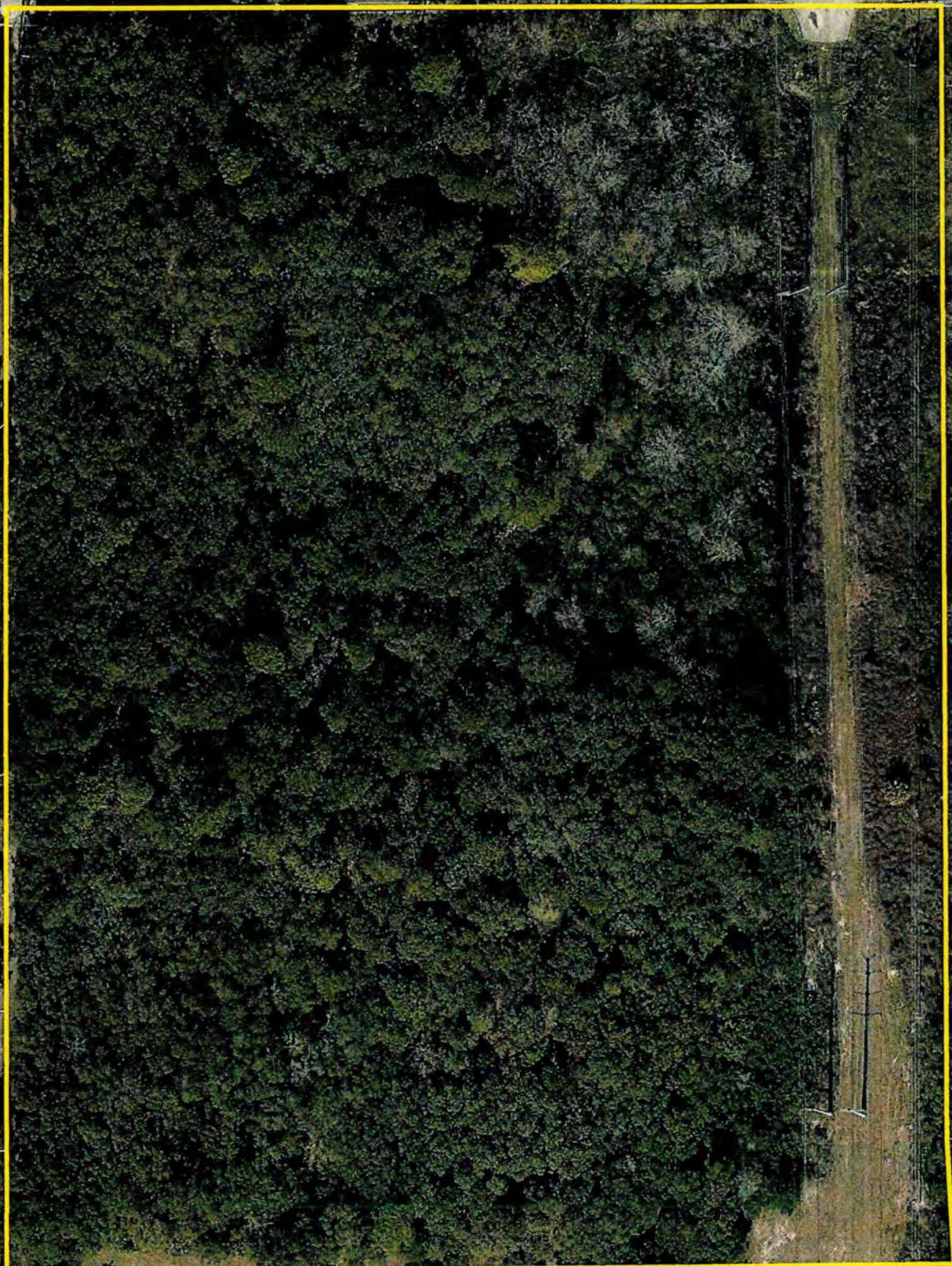
Future Land Use Map

Waterside II





W. Lake Mary Blvd.



1 B. 2016-RZ-02, 2016-RZ-03, and 2016-PSP-04: Recommendation to the Mayor
2 and City Commission regarding a request for a Preliminary and Final Planned
3 Unit Development (PUD) and a Preliminary Subdivision Plan for Waterside II,
4 a proposed 9-lot single family residential subdivision located at the southeast
5 corner of West Lake Mary Boulevard and Stillwood Lane. Applicant: ZDA
6 Land Investments, LLC, Mr. Allan Goldberg (Public Hearing – Quasi Judicial)
7

8 Mr. Noto said for the three file names just read off we will do separate motions for each
9 one. He clarified that 2016-RZ-02 and 2016-RZ-03 are rezoning requests of A-1
10 Agricultural to PUD.
11

12 Mr. Noto showed the location map on the overhead. This is the 13-acre property at the
13 very eastern portion of the city limits. To the west is Waterside Phase I, Stillwood Lane,
14 and some of the other development projects that have occurred over Lake Mary
15 Boulevard.
16

17 Mr. Noto showed the combined preliminary/final PUD plan and preliminary subdivision
18 plan on the overhead. The reason they are combined is the preliminary PUD plan is
19 just a concept plan. This is more detailed than what you would see with a preliminary
20 PUD. The final PUD and preliminary subdivision plan requires 30% engineering. The
21 plans you have received are 30% engineering. From this stage they would submit the
22 final engineering plan and final subdivision which is 100% engineered.
23

24 Mr. Noto said the request is to rezone the property to PUD Planned Unit Development
25 and the preliminary subdivision plan and final PUD showing a 9-lot subdivision. The
26 minimum lot size required for this parcel is 40,000 square feet. That is due to the Big
27 Lake Mary overlay that was adopted by the City many years ago. This project complies
28 with that minimum lot size of 40,000 square feet. The A-1 zoning category requires lots
29 of three acres in size. We don't see many three-acre properties in this direct vicinity.
30 The land use category is LDR which is Low Density Residential and allows up to 2-1/2
31 units per acre. As a whole they could attempt to squeeze 33 lots out of this parcel.
32 Over the years we have gotten calls from developers that wanted to do apartment
33 projects and townhome projects. Due to a number of reasons, zoning and land use
34 regulations being part of that, those projects did not pan out. What we are left with is
35 this 9-lot subdivision which comes in at less than one unit per acre based on the layout
36 being proposed.
37

38 Mr. Noto said the smallest lot will be Lot 8 which is at the southeast corner of the project
39 which is just over 40,000 square feet. The largest lot is Lot 9 located at the southeast
40 corner of the project area. There is a large FPL easement that eats up the entire
41 eastern boundary of the property area. Lot 9 is big but their buildable area is going to
42 be constrained to where he circled in the red.
43

44 Mr. Noto said there are some wetland areas on the project site. As part of the
45 developer's agreement they are proposing a 25-foot undisturbed buffer that would run
46 adjacent to Lots 1 to 4 and then the northern part of Lot 9. The stormwater ponds run

1 parallel to Stillwood Lane. They are in the rear lot area of Lots 1 through 4. There is a
2 pond area at the northeast corner of Lot 5, the northern part of Lot 9, and more
3 stormwater area on the rear of Lots 6, 7 and 8.
4

5 Mr. Noto said there is a big difference between Waterside I and Waterside II. Aside
6 from the fact that the City had to deal with a lawsuit with Waterside I around ten years
7 ago, those lots were developed with individual stormwater ponds on them. That is how
8 the project was approved and is how the project was permitted. The subdivision
9 occurred and as individual homebuilders came in it was their responsibility to build a
10 stormwater pond on that parcel. The stormwater ponds were not built as part of the
11 overall infrastructure for Waterside I. That caused some problems during construction
12 because it was left up to the homebuilders to build the ponds and to grade the lots at
13 the same time. They were occurring at different times and different lots. It was as the
14 market went along. We talked with the developer about that and we said we don't want
15 that to happen again. It doesn't happen too often with residential subdivisions.
16 Typically a developer will have a large parcel and will do one stormwater pond, do that
17 when they do the infrastructure and be done with it. What happened with Waterside I
18 was a little different due to the lawsuit and some other constraints of the project area.
19

20 Mr. Noto said some of the members were not on the Board when Sandhill Cove came
21 through but Chairman Hawkins and Member Taylor may recall Sandhill Cove off Linda
22 Lane is a similar project in that they built stormwater behind the lots and had swales
23 along the front. The stormwater will be built when the site construction permit is issued
24 so when all the infrastructure goes in and the improvements to Stillwood Lane they
25 would go ahead and build the stormwater pond areas, will build the swales in front of
26 Lots 1 through 5, to prepare the homebuilders to have a lot that is ready to be built
27 upon. They don't have to worry about different elevations being done, don't have to
28 worry about adding stormwater ponds or taking stormwater away. It will be ready to go.
29 We expect that to help how the neighbors are impacted by this development when the
30 individual homes are built.
31

32 Mr. Noto said along the north side of the project area, for Waterside I they have a
33 decorative wall that runs parallel to Lake Mary Boulevard. That type of wall design will
34 be continued. It won't go all the way to the east. There are some severe elevation
35 changes and then the wetland area so there is not going to be any construction
36 occurring in that general vicinity anyway. Where there will be a home you will have that
37 decorative wall.
38

39 Mr. Noto said for Waterside I a lift station was built. A lot of coordination was had with
40 the City of Sanford. Sewer connections will be made to that lift station and the
41 appropriate amendments are going to be made to those prior agreements between the
42 developer and the City of Sanford.
43

44 Mr. Noto said we have a number of findings in the staff report. This report is a
45 combination of three different processes. Two of those processes, the final PUD and
46 preliminary subdivision, have their own findings of fact. This is also a rezoning so we

1 have a number of pages of findings that we had to go through with the Code to ensure
2 this request complied with City Code and the Comprehensive Plan. That starts on Page
3 5 where we have the PUD findings. There were four findings of fact we had to review
4 as part of the request. In some you can see that all of the requirements were met. He
5 pointed out finding of fact No. 1 had seven sub-findings that the applicant had to meet in
6 order for us to find that the request was consistent with code. The findings range from
7 things having to deal with unique layouts and unique development designs that would
8 improve the neighborhood and be consistent with the neighborhood and how
9 conventional zoning would require a design that would not work in this area. You can
10 see in sub-finding No. 6 we entered some language saying when you have the lot sizes
11 consistent with the surrounding neighborhoods such as Waterside I and the
12 development to the south it allows for a more unique design with Stillwood Lane.
13 Instead of having to be a 50-foot right-of-way it can be closer to 20 and 30 feet wide.
14

15 Mr. Noto said going into Page 6, 7 and part of 8 we have the rezoning findings of fact.
16 Those have to do with the need and justification of change, how it impacts the
17 surrounding properties, and compliance with the Comprehensive Plan. The PUD
18 zoning district lines up with just about every land use category we have in our
19 Comprehensive Plan. This piece of property has LDR Low Density Residential land use
20 and how the PUD is structured is in compliance with the Comp Plan.
21

22 Mr. Noto said he would briefly talk about Finding No. 1 as far as the need and
23 justification. For years we have been looking at housing needs of the City. He touched
24 on the fact that our population from 8:00 A.M. to 5:00 P.M. almost triples because so
25 many people are coming in for work. We find we have a 2-1/2 ratio of jobs to housing.
26 We are trying to find that balance and we find that projects like this really fill up quickly.
27 Not only is Waterside I filling up quickly we have two other projects we are doing
28 inspections on Washington Avenue and off Crystal Drive. The need for housing is
29 definitely there and we are finding the market responding well.
30

31 Mr. Noto said as opposed to the rezoning findings of fact and the PUD findings of fact,
32 the preliminary subdivision findings of fact is just that it is consistent with Chapter
33 155.12 of the City's Code.
34

35 Mr. Noto said how the process works from here is the Board is making a
36 recommendation on each item: 2016-RZ-02, 2016-RZ-03, and 2016-PSP-04 to the
37 Mayor and City Commission. There will be two readings of 2016-RZ-03. That is the
38 final PUD developer's agreement. That will be an ordinance and is why there are two
39 readings. The Commission will also act on 2016-PSP-04. All of this will be occurring in
40 the September cycle. From there the applicant would submit his final subdivision plan
41 and it would come back before you at a later date.
42

43 Mr. Noto said for the PUD findings of fact, staff finds the request for the preliminary and
44 final planned unit development for Waterside II is consistent with Section 154.61 (D) (2)
45 (d) of the City's Code of Ordinances. We are recommending approval of the PUD.
46

1 Mr. Noto said as it relates to the rezoning, we found the request to rezone from A-1 to
2 PUD did comply with Section 154.27 (A) (2) of the City's code of Ordinances.
3
4 Mr. Noto said we found the preliminary subdivision plan is consistent with Chapter
5 155.12 of the Code of Ordinances.
6
7 Mr. Noto said we are recommending approval of both rezones and the preliminary
8 subdivision plan.
9
10 Mr. Noto said the main access is on Stillwood Lane. That is how Waterside I and the
11 residents of Stillwood Lane access their property. If you recall for Waterside I there is an
12 access easement for all to use. Certain parts of Stillwood will be widened at different
13 degrees as you go from the north to the south. There is a certain amount of paving
14 being added in certain areas dependent upon how much pavement exists. For
15 example, the northern part of Stillwood Lane in the middle of that circle you can see
16 there is a little less pavement being added. As you move south is the 20-foot wide
17 section that is being paved. That will act as improved access for the current residents
18 of Stillwood and the future access for those on Lots 3, 4, 5, 6, 7, 8 and 9.
19
20 Chairman Hawkins asked if the southern little tail of Stillwood was paved.
21
22 Mr. Noto said it is improved but this pavement will help it and widen it. They are adding
23 a 12-foot paved section so it goes approximately five feet wide to 17. That's through a
24 separate agreement with the residents of those lots. It will be paved.
25
26 Chairman Hawkins said it seemed that the plans showed it as dirt.
27
28 Mr. Noto said the 12-foot section will be paved. He asked the applicant if the remaining
29 section is going to be paved or left as is on the west side of the property line.
30
31 Mr. Goldberg answered from the audience it would remain dirt.
32
33 Mr. Noto said there would be a dirt segment and then the 12-foot of pavement on the
34 east side of the property line.
35
36 Chairman Hawkins said the dirt part is not on their property.
37
38 Mr. Noto said that is correct.
39
40 Mr. Noto said we have three conditions. We are recommending approval based on the
41 findings and have three conditions outlined on Page 8 of the staff report.
42
43 Chairman Hawkins said he was fine with the wall not going down into the wetlands.
44 Sidewalks aren't depicted. He said Mr. Noto stated a sidewalk was to be placed on one
45 side or the other of Stillwood Lane.
46

1 Mr. Noto said Condition 3 says the final subdivision plan shall show sidewalks on at
2 least one side of both Stillwood Lane and Jerusalem Point. We will at least have it on
3 one side. We wanted to see how the engineering works out.

4
5 Chairman Hawkins said he thought it should be on the east side because adjacent to
6 Lot 2 you've got a driveway there so it doesn't make sense to cross it over. He asked if
7 there was any problem with changing that to the east side of Stillwood.

8
9 Mr. Goldberg answered from the audience that was fine.

10
11 Chairman Hawkins said he lives in Cardinal Oaks Cove just to the south of here. We
12 have historically and currently have problems with people utilizing the power line
13 easement for the running of businesses from the back of their homes. Two things he
14 was not happy with about this plan and that is he didn't believe that Lot 9 should own
15 any of the power line easement. He strongly felt that the subdivision ought to own all
16 the property in the power line easement because it shouldn't be up to the owner of Lot 9
17 to deal with the power line company and the power line easement. It should be up to
18 the subdivision to do that. The second thing is along that regard is he believes this
19 subdivision should erect and maintain a fence between the power line and the
20 subdivision. That is from personal experience with Cardinal Oaks Cove. Property 9 is
21 the one that is L shaped. Cut off 9 to not include the power line easement.

22
23 Mr. Noto said he thought they could work with that but we have to be sure Lot 9 is a
24 minimum of 40,000 square feet. If the Board will allow some flexibility to meet that
25 minimum lot size we will work with the applicant to see what can be done.

26
27 Chairman Hawkins said he firmly believed that the onus to maintain the power line
28 easement should be property owner 9's responsibility or conversely for them to be able
29 to use the power line easement as their personal property. In other words put a gate
30 and fence and clear that land and cut it.

31
32 Mr. Noto said he asked Mr. Goldberg if FPL was required to maintain the easement
33 area and he said yes. There may also be some restrictions in their easement. Let's
34 assume if Lot 9 were to stay in its current configuration, it is likely that easement area
35 includes language that says you cannot have fences or other types of improvements to
36 allow for FPL to maintain and access their easement.

37
38 Chairman Hawkins said his point is property owner 9 could utilize that easement for
39 their own personal whatever within the boundaries of whatever is being set. That is the
40 problem with Cardinal Oaks Cove. The people along the power line own part of that
41 easement and have been using it to run trucks in and out to the back of their property.
42 That's why he is strongly in favor of a 6-foot chain link fence north to south on property
43 9. Reconfigure this a bit however you want to do it. The lots are plenty big enough.
44 Besides that this would be a very nice subdivision with nice homes. He was strongly in
45 favor of it after going through what we went through in Waterside I.

1 Member Taylor had a question about how it is set up. This is 2016-RZ-02 and RZ-03
2 and are separate amendments.

3
4 Mr. Noto said RZ-02 is the preliminary PUD requirements which provide a concept plan.
5 That goes to the City Commission as the concept plan but the plan itself shown on the
6 overhead is the concept plan, the final PUD, and the preliminary subdivision.

7
8 Member Taylor said for voting purposes she was trying to figure out their titles.

9
10 Mr. Noto said RZ-02 is the preliminary planned unit development, RZ-03 is the final
11 planned unit development, and PSP-04 is the preliminary subdivision plan.

12
13 Member Taylor asked Mr. Noto if he said there was a rezoning request from A-1 to PUD
14 or is that sustained within that.

15
16 Mr. Noto said it is part of RZ-03. You also have a copy of the developer's agreement
17 that will be going forward to the City Commission so if you have any comments on that
18 please let us know.

19
20 Allan Goldberg, Manager of ZDA Land Investments, LLC, 100 South Virginia Avenue,
21 Winter Park, Florida, came forward. He said he concurred with staff's recommendations
22 and the three additional considerations they have provided.

23
24 Mr. Goldberg said to address the concern on Lot 9, if we eliminate the additional
25 property that's on the power line easement, Lot 9 doesn't meet the minimum
26 requirements of 40,000 square feet. Because of the concern about driving from the
27 south side of the easement into those lots he suggested we put language in the
28 declarations that can be approved by the City Council only allowing access to those lots
29 on the easements that are provided so that the HOA wouldn't allow any direct access
30 from the power easement.

31
32 Chairman Hawkins asked Mr. Goldberg if he wanted to put a chain link north to south.

33
34 Mr. Goldberg said he didn't want to put a chain link fence in this community period.

35
36 Chairman Hawkins said with all due respect, what you are suggesting will not work
37 based on personal and HOA experience with Cardinal Oaks Cove. He said he would
38 like you to work something else out. He said that was his request.

39
40 Mr. Goldberg said if we are not allowed to use that property in the calculation of acreage
41 for Lot 9, it won't exist. It is not a minimum of 40,000 square feet.

42
43 Mr. Noto asked if another type of fence material would be acceptable.

44
45 Chairman Hawkins said whatever; just something prohibitive. Just a 6-foot high fence
46 from the retention pond south. He didn't think it needed to go further north.

1
2 Mr. Goldberg said you are requesting a 6-foot high fence and it can be polyvinyl.
3
4 Chairman Hawkins said whatever you want.
5
6 Mr. Goldberg said from the southern point of the retention pond to the southernmost
7 point of the property line.
8
9 Chairman Hawkins said to include the declarations you mentioned.
10
11 Mr. Goldberg said the calculation of Lot 9 is still a concern. If you put the fence along
12 the eastern portion of Lot 9, we don't have a 40,000 square foot lot.
13
14 Member Aycoth asked how big was Lot 9 as it is currently configured because it looks to
15 be about twice as big as 7 and 8.
16
17 Chairman Hawkins said the solution is to make Lot 9 part of the wetland. Make Lot 9 up
18 to 40,000 square foot and include whatever part of the wetland you want.
19
20 Mr. Goldberg asked if that was allowable under code.
21
22 Ms. Reischmann said she thought they would require some kind of fencing but still have
23 Lot 9 own under the power line and it would still count as part of their property but you
24 could require some sort of fencing in the covenants and restrictions as well. It wouldn't
25 eliminate the square footage of the lot.
26
27 Chairman Hawkins said he liked his idea better. He lives on Lake Mary and had an
28 acre lot and about a third of it is Lake Mary and is wetland. He didn't see what was
29 wrong with part of Lot 9 extending into the wetland.
30
31 Ms. Reischmann said they are going to have the HOA own the retention ponds and the
32 wetlands.
33
34 Chairman Hawkins said he just didn't like Lot 9 owning part of the power easement.
35
36 Mr. Goldberg said as a PUD we are allowed to have variances from specific codes
37 within the City and asked if the Board would allow Lot 9 to be less than 40,000 square
38 feet.
39
40 Mr. Noto said Lot 9 is 86,000 square feet as proposed. If you have Lot 9 take up less of
41 the easement, they will barely have any of the easement if at all, and we should still
42 meet 40,000 square feet. The reason for the 40,000 is we wanted to respect the Big
43 Lake Mary overlay requirement of the minimum 40,000 square foot lot. Right now as it
44 sits it is an 86,000 square foot lot with most of it unusable because of the easement.
45 We'll have to get the scale out and figure out where the actual 40,000 lands.
46

1 Chairman Hawkins asked Mr. Noto if he could do that at final subdivision.
2
3 Mr. Noto answered affirmatively.
4
5 Chairman Hawkins said he was okay with that.
6
7 Member Aycoth said that would seem to make sense because that would satisfy
8 Chairman Hawkins' concerns about access. If they own a piece they can't access then
9 who cares.
10
11 Member Taylor said control of the fence would belong to the HOA and the responsibility
12 for the unfenced portion of the easement would belong to the HOA. One of the other
13 concerns the Chairman brought up was the individual homeowner having to negotiate or
14 coordinate with FPL. This should be at a minimum an HOA responsibility. That
15 language you would be able to put either in the developer's agreement or the bylaws.
16
17 Mr. Goldberg said he would rather have the owner of the fences be the lot owners up to
18 the point of their property line rather than having the HOA responsible for the fence. It
19 is going to sit on those two individual lots.
20
21 Member Taylor said the concern for that is if the homeowner decides to take the fence
22 down.
23
24 Chairman Hawkins said the HOA needs to own, erect and maintain the fence.
25
26 Mr. Goldberg said so there needs to be a separate tract where the fence sits on their
27 lots.
28
29 Member Taylor said if the HOA owns the remainder of the easement then the HOA
30 would be within their right to coordinate with FPL to put the fence on that easement.
31
32 Mr. Goldberg said he wasn't sure which electric company owns that but wasn't sure
33 they were allowed to put up a fence on their property. It would have to be on the lot
34 side.
35
36 Member Taylor said there was a subdivision on 46A where we couldn't put a solid fence
37 and it had to be a wrought iron-type fence in between brick because that was on a utility
38 easement. It was a non-standard fence and the trees all go through it but it had to be
39 that way because of the utility easement.
40
41 Mr. Noto said there is a substantial easement that runs along Rinehart Road which is
42 pretty much the same as this one and it has its own regulations that each property
43 owner has to follow. He asked the Board to let him look into that and see what the
44 easement restricts and allows.
45

1 Chairman Hawkins said he didn't think there needs to be a separate tract because the
2 southern portion of old Lot 9 you are going to be able to put a fence not on Lot 8's
3 property or Lot 9's property necessarily but north south.
4
5 Mr. Goldberg said he was not trying to be difficult. He said he thought he had a good
6 feeling for what needs to be done there. If you put it on the lots the HOA can't own or
7 maintain a feature on somebody's lot.
8
9 Mr. Reischmann said they can with an easement. They can have an easement.
10
11 Chairman Hawkins asked what was wrong with extending Lot 9 into the wetland.
12
13 Mr. Goldberg said because the HOA has to maintain and own the wetland per the St.
14 Johns agreement.
15
16 Chairman Hawkins said "so"?
17
18 Mr. Goldberg said if Lot 9 is the owner of a portion of that wetland it can't be included in
19 the square footage of the lot.
20
21 Member Taylor asked if Lot 5 without the retention pond was over 40,000 square feet.
22
23 Mr. Goldberg answered affirmatively.
24
25 Member Taylor asked if the retention pond could belong to Lot 9 thereby making that
26 over 40,000 square feet.
27
28 Mr. Goldberg said it absolutely could. It came up to the wetland line.
29
30 Chairman Hawkins said let's do that. That way you can have the HOA put a fence north
31 to south. The HOA is going to own that piece of property east of that red line. They can
32 put the fence on that part of the property and maintain it.
33
34 Mr. Goldberg said he understood the intent and if the Board would allow him to work
35 with staff and the City Council they could get that done.
36
37 Chairman Hawkins said okay and make that little retention pond part of Lot 9.
38
39 Chairman Hawkins asked Mr. Goldberg if he had anything further to add and Mr.
40 Goldberg answered negatively.
41
42 Chairman Hawkins asked if anyone wanted to speak for or against these three items.
43
44 Lee Batenchuk, 227 Shady Oaks Circle, came forward. The wall that was built on Lake
45 Mary Boulevard are they going to continue that along our property lines on the south
46 side.

1
2 Chairman Hawkins answered negatively. There is not going to be a wall on the south
3 side of this property. He asked Mr. Noto if that was correct.
4
5 Mr. Noto said that is correct.
6
7 Ms. Batenchuk said so it will just be open the same way our properties appear.
8
9 Chairman Hawkins said unless the property owners of 6, 7 and 8 want to put a fence on
10 their property.
11
12 Ms. Batenchuk said there is a 25-foot easement off their property.
13
14 Mr. Noto said there is a 30-foot setback.
15
16 Chairman Hawkins said 30 feet off their property line is the closest their home could be.
17
18 Mr. Noto said they will likely be closer to the north because they might want a swimming
19 pool or some other ancillary structure.
20
21 Thomas Lake, 3830 Stillwood Lane, came forward. He asked if Stillwood would be
22 changed to West Stillwood immediately or is that upon approval of the development.
23
24 Mr. Noto said the date we have from the County is September 8th and is when the street
25 signs will be installed.
26
27 Mr. Lake said that is going to be a change no matter what.
28
29 Mr. Noto said it appears that way.
30
31 Mr. Lake asked if Lake Mary had been in touch with or working with Sanford or
32 Seminole County on the median problem at Lake Mary Boulevard entering onto
33 Stillwood Lane.
34
35 Mr. Noto said the applicant will need to get a right-of-way permit. There is a small
36 adjustment being made to the median so it lines up with the curb cut on Stillwood. He
37 will be required to get a right-of-way utilization permit from Seminole County as part of
38 the final engineering.
39
40 Mr. Lake said we have had a lot of flooding. The Waterside I, however the engineers
41 okayed it did not account for all the flooding that is going to happen. We've all lived out
42 there for 50 years and there has never been any flooding until the development got put
43 in. It was up to Carol Logan's doorstep. Johnny Thomas's beach was completely
44 eroded. He asked if there was any kind of guarantee that's not going to happen to us.
45 His whole family lives on 38, 30, 40 and 50.
46

1 Chairman Hawkins said all the water on this site will be contained within this site.
2
3 Mr. Lake said any kind of flow is going to go east. He asked if that was a guarantee we
4 are not going to raise the elevation so much that it is going to go down towards Lake
5 Mary.
6
7 Chairman Hawkins said if the properties to the west of Stillwood have drainage that
8 goes east, it could be a problem.
9
10 Mr. Noto said part of the issue with Waterside I is all the stormwater ponds are on the
11 southern side of those lots in their front yards. That's because the drainage headed
12 south towards the lake. The problem we had with Waterside I while it was under
13 construction is that the ponds weren't built when they should have been built when the
14 houses were going in. To try and alleviate that from happening again it is a construction
15 methods decision and engineering. You will notice that ponds Lots 1, 2, 3, 4, 5, and 9
16 are all to the east. That's because that is where the water flows. There should be no
17 water looping to the west as a result of this project.
18
19 Mr. Lake said the elevation will not be raised up.
20
21 Mr. Noto said because of the elevations and because we are making them put all the
22 stormwater structure in first as opposed to people raising concrete and doing all this
23 other work for a house when the stormwater pond is not there. It's going to be done
24 differently to avoid those problems.
25
26 Chairman Hawkins said the properties on the south of Jerusalem Point will have
27 retention in that long skinny pond because those properties the water flows south and
28 not east. He asked if that was correct.
29
30 Mr. Noto said that is correct.
31
32 Chairman Hawkins said the only problem that could arise as long as none of the
33 properties to the west of Stillwood water flows east, that's going to be a problem.
34
35 Mr. Goldberg said if you go north/south Stillwood is the crown of the property.
36 Everything on the east side goes east and everything on the west side goes west.
37 Nothing from the west side should go east because it falls toward Big Lake Mary.
38
39 Chairman Hawkins said that is what we don't want to happen.
40
41 Mr. Goldberg said that was correct. Topo-wise the crown is the high point.
42
43 Chairman Hawkins asked Mr. Lake if that answered his question.
44
45 Mr. Lake answered affirmatively.
46

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

2
3 Ms. Reischmann made a suggestion about the motion to simplify it and make sure we
4 get all the conditions. On RZ-02 and RZ-03 we make a motion without the conditions
5 with the understanding that the conditions under PSP-04 would be memorialized in the
6 PUD agreement or the CCRs. We will put all the conditions under PSP-04 for
7 inclusiveness so we don't have to figure out what should go in the PUD or what should
8 go in the CCRs, the CCRs being the covenants and restrictions of the HOA. Simply
9 have all the conditions listed under PSP-04.

10
11 Mr. Noto said all three items are quasi-judicial and there is a sign-up sheet in the back.

12
13 Member Taylor said she thought it looked like a good development and with some minor
14 tweaking will be a good addition.

15
16 **Colleen Taylor moved to approve 2016-RZ-02, recommendation to the Mayor and**
17 **City Commission regarding a Preliminary PUD for Waterside II, a proposed nine-**
18 **lot single family residential subdivision located at the southeast corner of West**
19 **Lake Mary Boulevard and Stillwood Lane with the four findings of fact, seconded**
20 **by Sam Aycoth and motion carried unanimously 4 - 0.**

21
22 **Colleen Taylor moved to approve 2016-RZ-03, recommendation to the Mayor and**
23 **City Commission regarding a Final PUD for Waterside II, a proposed nine-lot**
24 **single family residential subdivision located at the southeast corner of West Lake**
25 **Mary Boulevard and Stillwood Lane with the four findings of fact, seconded by**
26 **Sam Aycoth.**

27
28 Chairman Hawkins asked Mr. Noto if they needed to make any changes to the final
29 PUD based on our discussions about Lot 9.

30
31 Ms. Reischmann said when we list all the conditions of PSP-04 we indicate in there that
32 those changes are to be memorialized either within the PUD agreement or the
33 covenants and restrictions as appropriate despite the fact that we are making this
34 motion which is more general, but it is understood that some changes will be made. We
35 also have some tweaks to be made legally to the PUD agreement with the Board's
36 indulgence.

37
38 **Motion carried unanimously 4 - 0.**

39
40 **Colleen Taylor moved to approve 2016-PSP-04, recommendation to the Mayor and**
41 **City Commission regarding a Preliminary Subdivision Plan for Waterside II, a**
42 **proposed nine-lot single family residential subdivision located at the southeast**
43 **corner of West Lake Mary Boulevard and Stillwood Lane with three conditions of**
44 **staff with condition No. 3 being modified to show sidewalks on the east side of**
45 **Stillwood Lane and at least one side of Jerusalem Point and four conditions of**
46 **the Planning & Zoning Board:**

1
2 **STAFF CONDITIONS:**
3

- 4 1. The applicant shall meet the requirements of the City of Sanford as it
5 relates to the Utility Agreement and all other engineering related
6 requirements.
7 2. Each lot shall be seeded upon clearing of the stormwater pond and
8 building pad areas.
9 3. The final subdivision plan shall show sidewalks on the east side of
10 Stillwood Lane and at least one side of Jerusalem Point.
11

12 **PLANNING & ZONING BOARD CONDITIONS:**
13

- 14 4. Only access to the lots would be via the easements and the streets and not
15 the FPL easement.
16 5. The property under the FPL easement is to be owned and maintained by
17 the HOA.
18 6. The property under the retention pond which is now shown as Lot 5 would
19 become part of Lot 9 and the property under the FPL easement which is
20 now shown as Lot 9 would become an HOA tract.
21 7. The FPL easement is to have a six-foot high fence of some type running
22 along the western boundary to the southern border.
23

24 **Seconded by Sam Aycoth and motion carried unanimously 4 - 0.**
25

26 Chairman Hawkins asked when this would go to the City Commission.
27

28 Mr. Noto said in the September cycle.
29

30 X. Community Development Director's Report
31

32 Mr. Omana said since there was no City Commission meeting on August 4th he had no
33 report.
34

35 XI. Other Business
36

37 There was no other business to discuss at this time.
38

39 XII. Reports of Other Members
40

41 Chairman Hawkins said he sees we are getting a brick planter to the sign.
42

43 Chairman Hawkins asked staff to find out along Interstate 4 there are four temporary
44 signs, two are billboards and two are signs. These face I-4 as you are going from Lake
45 Mary east. They are in Primera. Two of them are 16' X 16' and are illegal. All of them
46 need to be one per parcel and need a permit.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

Mr. Noto said for the parking garage at Colonial, we did their final inspections recently and they provided more magnolias than required and they look good.

Chairman Hawkins said he noticed that and was hoping they will grow and fill out. In hindsight he wished they had made that façade on that side a little different.

Member Aycoth said on Rinehart Road in the Stirling Center, there are some very large trees there. They have not been trimmed in quite a while. They are at a point now where they are unruly as well as they block the visibility of the buildings. He asked if there was anything that can be done to address that.

Mr. Noto said he would look at the property maintenance code. Every now and then those trees get chopped up by the power company. He asked the Board to allow them to get with Bruce Fleming (Code Enforcement Officer).

Member Aycoth said he was concerned because they are now three stories tall. Several of those buildings are for sale or lease and they have been having a problem doing that because there is no visibility on Rinehart for signage with those trees there. They run from the bottom of the second floor at least to the top of the buildings.

XIV. Adjournment

Steven Gillis moved to adjourn, seconded by Sam Aycoth and motion carried unanimously.

There being no further business, the meeting adjourned at 7:22 P.M.

Robert Hawkins, Chairman

Mary Campbell, Deputy City Clerk



MEMORANDUM

DATE: September 8, 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. 1547 - Final Planned Unit Development (PUD) for Waterside II, a proposed 9-lot single family residential subdivision, located at the southeast corner of W. Lake Mary Blvd. and Stillwood Ln.; ZDA Land Investments, LLC., Allan Goldberg, applicant - First Reading (Public Hearing) (Quasi Judicial) (Steve Noto, City Planner)

APPLICANT: ZDA Land Investments, LLC. Mr. Allan Goldberg.

REFERENCES: City Comprehensive Plan, Code of Ordinances, Development Review Committee, proposed Waterside II Development and PUD Agreement.

REQUEST: The applicant proposes to subdivide the subject property into 9 single-family residential lots. The project has been reviewed as a Preliminary and Final Planned Unit Development (PUD) as well as a Preliminary Subdivision Plan. There is one set of plans that has been designed as a 30% engineered plan in order to comply with the minimum engineering standards of the Final PUD and Preliminary Subdivision Plan ordinances. Note that no action will be taken on the Preliminary Subdivision Plan at this meeting. The item is being presented as part of the package, but no action is needed until the September 22, 2016 meeting due to the Final PUD needing to be approved first.



DISCUSSION:

Location and History: The subject property is located at the southeast corner of W. Lake Mary Blvd., and Stillwood Ln. and contains +/- 13.22 acres. The property is currently vacant.

Zoning

NW City of Sanford Multi-Family	N City of Sanford Multi-Family/AG	NE City of Sanford Multi-Family/RCOM
W PUD/A-1	SITE A-1*	E City of Sanford Ag
SW R-1AA	S R-1AA	SE City of Sanford Ag

Future Land Use

NW City of Sanford MDR	N City of Sanford MDR	NE City of Sanford MDR
W LDR	SITE LDR	E City of Sanford Public/Semi Public
SW LDR	S LDR	SE City of Sanford Public/Semi Public

***Staff Note:** On March 6, 2008, the City Commission adopted Ordinance No. 1282, establishing the Big Lake Mary Overlay zoning district. The regulations of the Big Lake Mary overlay zoning district apply to the subject property, as well as all properties to the west (until the railroad tracks). To the extent that it does not conflict with the proposed PUD Agreement, the provisions of the Big Lake Mary overlay zoning district apply to the subject property.

PRELIMINARY/FINAL PUD PLAN AND PRELIMINARY SUBDIVISION PLAN: The applicant chose to combine the Preliminary and Final PUD and Preliminary Subdivision Plan into one document. Chapter 154.61 (E) outlines that a Preliminary PUD Plan is essentially a concept plan that does not require any engineering details. Chapter 154.61 (F), however, outlines that a Final PUD Plan shall have 30% engineering details. As a result, the proposed plan provides 30% engineering detail.

The purpose of the preliminary subdivision plan is to provide complete and accurate representation of technical data and preliminary engineering drawings in a manner as to allow complete review and evaluation of the proposed development and its impact upon both the site and surrounding areas. The submittal requirements for a preliminary subdivision plan are outlined in Chapter 155.21. It is generally a 30% engineered plan, which is the same requirement of the Final PUD Plan. As a result of this, the proposed plan provides 30% engineering detail.

As previously mentioned, the 13.22 acre property is proposed to be subdivided into 9 lots. The proposed minimum lot size is 40,000 sq. ft., which complies with the Big Lake Mary Overlay Zoning District (LM Overlay) requirement outlined in Chapter 154.90. The Future Land Use Category of the site is LDR, which allows up to 2.5 units per acre, or 33 lots. With the subject property being part of the LM Overlay, the allowed density is actually 1.09 units per acre, or 14 lots. However, by proposing 9-lots, the applicant is developing at less than 1 unit per acre.

The smallest lot is Lot 8 at 40,120 sq. ft. The largest lot is Lot 9 at 86,133 sq. ft. The remaining 7 lots range in size from 40,232 to 50,091. The applicant proposes the following setbacks:

Front Yard: 25'
Side Yard (Interior Lots): 20' combined, minimum 8' each side.
Rear Yard: 30'
Corner Lots: Lot 1 from Lake Mary Blvd.:20'. Lot 5 from Jerusalem Pt.: 10'. Lot 6 from S. Stillwood Ln.: 10'.

The only difference between the proposed setbacks and the LM Overlay is the front yard setback. The LM Overlay requires 40' or 60' front yard setbacks, depending on the depth of the lot, for buildings that are constructed adjacent to the right-of-way of Lake Mary Blvd. With the proposed subdivision, the only Lot that this impacts is Lot 1. Lot 1 is unique from almost all other lots within the LM Overlay due to it being a corner lot, and also not having its main access from Lake Mary Blvd. A majority of the lots within the LM Overlay are long and narrow, have access from Lake Mary Blvd., and aren't situated on a corner. As a side note, none of the proposed lots are on Big Lake Mary.

In addition to the 30' rear yard setback, the applicant is proposing a 25' undisturbed wetland buffer easement adjacent to Lots 1-4, and 9.

Addressing and Access Roadways – Seminole County Addressing, which is part of the Office of Emergency Management, is a review partner within the City's Development Review Committee (DRC). As such, County Addressing staff receives a copy of all development proposals and provides comments related to site addressing. Upon receiving the Waterside II plan, County Addressing staff contacted the City's public safety staff to relay concerns related to the addressing of the Waterside II project. The issue revolved around the fact that Stillwood Ln. does not have directional in front of it (ex: W. Stillwood Ln., S. Stillwood Ln.), even though a segment of Stillwood Ln. goes west, and another segment goes south. City staff had a number of in-depth discussions internally, with the applicant, and with County Addressing staff, to try and resolve this issue since it was going to be exacerbated due to the Waterside II project. The resulting direction of those meetings, which was ultimately the decision of Seminole County E-911, was that all properties along Stillwood Ln. would be re-addressed. This would provide for an appropriate directional without having to provide new numerical ranges for all properties in the area. A graphic that was done by Seminole County staff is attached to this staff report for informational purposes. New street signs are planned to be installed by the applicant on September 8, 2016. This addressing synopsis is provided for informational purposes.

The site will have primary access from Stillwood Ln. via the existing curb cut on Lake Mary Blvd. Lots 6-9 will have access from Stillwood Ln., and a new roadway that has been approved with the name of Jerusalem Pt. Portions of Stillwood Ln. will be improved. The northern-most portion, which is adjacent to Lot 1, will be improved to a 28' wide roadway. After approximately 115', the roadway will narrow to 24'.

At the point where Stillwood forks to the west and to the south, the southern segment will be widened to 20'. Lastly, the final +/- 180', which is 12' wide, will be paved per an agreement with the adjoining property owner.

The eastern median within the Lake Mary Blvd. right-of-way will be trimmed back to align with the expanded Stillwood Ln. roadway width. A Seminole County permit is required for that work.

Environmental: An environmental study was completed by the applicant and subsequently reviewed by the City's consultant, CPH. A number of gopher tortoises were observed on site. As a result, the applicant will have to coordinate with the Florida Fish and Wildlife Conservation Commission prior to development of the subject property and comply with their regulations and requirements. No other issues were identified.

Landscaping/Site Clearing and Construction – No additional landscape buffers are required as the surrounding zoning districts are all residential in nature. There are no historic trees on site.

This development will be constructed differently than the first Waterside project. That project was a result of a lawsuit, and many of the specific designs and outcomes were a result of that. For example, each lot was designed to have its own independent stormwater pond that was to be constructed when each home was built. Typically, a subdivision has a master pond that is constructed when all other infrastructure is built. The former example is what will be done for Waterside II. Along the eastern boundaries of Lots 1-4, a portion of the northern boundary of Lot 9, the southern boundaries of Lots 6-8, and the northeast corner of Lot 5, is the stormwater infrastructure for the entire subdivision.

This stormwater infrastructure will be built while all other infrastructure is built for the project. In addition, each building pad area will be cleared and prepared for construction so that the appropriate elevations are achieved to maximize the stormwater design as early as possible. As a condition of approval, each lot will be seeded so that they aren't just dirt in the event development does not occur.

Perimeter Wall/Signage: There will be no additional signage as a result of this development. A perimeter wall, similar in design to the wall built for the first Waterside project, will be built along the northern boundary of the project area, 174' east of the western most point of Lot 1. This is shown in detail on Sheet ST-1 of the plans. The wall won't go the full limits of the northern boundary adjacent to Lake Mary Blvd. due to changes in elevation and wetland issues.

Seminole County Public Schools – A School Impact Analysis was provided in 2014 when the project was submitted as an 8-lot subdivision. At the time of submittal for Final Subdivision, a School Capacity Availability Letter of Determination (SCALD) will be obtained.

Stormwater – As previously mentioned, stormwater will be handled via three different pond areas. The ponds will be managed and maintained via drainage easements to be recorded during the platting process.

Transportation: The proposed development does not generate more than 300 average daily trips or 50 peak hour trips. No traffic study is required.

Utilities – The applicant will be connecting to the existing lift station that was built as part of the first Waterside project. A connection will be made to the existing 10” water main at the corner of Lake Mary Blvd. and Stillwood Ln., as well as the existing 6” reclaimed water main in generally the same location.

The Applicant shall coordinate with the City of Lake Mary and the City of Sanford in relation to the Utility Agreement that was entered into during the first Waterside project. This is due to the lift station being utilized for Waterside II. That agreement shall be modified and approved by the City of Lake Mary and the City of Sanford prior to the approval of the Final Subdivision Plan. In addition, the applicant is required to comply with all comments provided by the City of Sanford review staff.

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:

ITEM No. 1:
That there is substantial compliance with the purpose of the Planned Unit Development District and the preliminary development plan;
FINDINGS OF FACT No. 1:
The PUD zoning district lists seven purposes in Chapter 154.61. The Preliminary and Final PUD plan substantially complies with all seven purposes: <ol style="list-style-type: none">1. The design of the development provides for a planned residential community through the 9 lots which allow for unique building layouts and designs;2. It is compatible with permitted land uses on abutting properties based on the minimum acreage and setback requirements;3. A more efficient use of utilities and infrastructure is being utilized through the use of the existing lift station and minor expansion of Stillwood Ln.;4. The final development plan will occur according to the limitations of use, design, density, coverage, and phasing since it is only 9-lots and not a larger mixed use, multi-phase development;5. Preservation of natural amenities and environmental assets are occurring through the use of Tract A and a 25’ undisturbed wetland buffer easement adjacent to Lots 1-4 and Lot 9.6. Conventional zoning regulations would require Stillwood Ln. and the internal roadway to be a 50’ wide right-of-way, in addition all of the lots would have to be 3 acres in size. By allowing lot sizes that are more consistent with the surrounding neighborhoods, and providing for narrower street widths, more open space areas are able to be provided for, as outlined in point 5 above (i.e. Tract A and the buffer easement).7. The number of lots and the lot sizes proposed allow for the opportunity of unique site planning and aesthetically pleasing living through the application of linear retention, wetland buffers, existing infrastructure use, and environmental preservation.

ITEM No. 2:

That the phase of development in question can exist as an independent unit capable of creating an environment of substantial desirability and stability;

FINDINGS OF FACT No. 2:

This is proposed as a one phase development, therefore it can exist as an independent unit creating an environment of substantial desirability and stability.

ITEM No. 3:

That existing or proposed utility services and transportation systems are adequate for the population densities proposed;

FINDINGS OF FACT No. 3:

The proposed utility and transportation plans have been reviewed and are adequate for the proposed development. The proposed density is consistent with the surrounding utility and transportation network.

ITEM No. 4:

That the preliminary engineering plans as required by the City Engineer have been approved;

FINDINGS OF FACT No. 4:

The development program has been reviewed by the Development Review Committee (DRC), which includes the City Engineer. The Preliminary and Final PUD Plans have been reviewed concurrent with the Preliminary Subdivision Plans. City staff is recommending approval of that Preliminary Subdivision Plan.

PUD FINDINGS OF FACT: Staff finds that the request for Preliminary and Final Planned Unit Development for Waterside II is consistent with Section 154.61 (D) (2) (d) of the City's Code of Ordinances.

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:

Over the last two to three years, City staff has been paying close attention to the daytime population of the City compared to the nighttime population through coordination with the City's Economic Development Director. It has been determined that the City is very "jobs heavy" and that the need and demand for all types of housing is very high. According to the Census Bureau, the City's current population is 16,021, and there are 5,922 housing units. In the Housing Element of the Comprehensive Plan, original forecasts had the City's population at 14,044 in 2010, with 5,810 housing units. Staff has found that the City continues to trend upward in not only population, but also in the number of citizens that come from around the region to the City for work, and then leave the City afterwards. As a result, emphasis has been placed on continuing to support the Goals, Objectives, and Policies of the Future Land Use Element and the Housing Element which promote development plans that provide for housing that meets the demand of the local market and the needs of the City.

ITEM No. 2:

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

FINDINGS OF FACT No. 2:

The subject property is currently vacant, so there will be an effect on surrounding properties. However, given that the proposed lots are similar in size and design as the surrounding neighborhoods, the impact will be minimal.

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, the original Waterside development is the only area 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:

The PUD request is in compliance with the Future Land Use category of the subject property, LDR (Low Density Residential). As mentioned in Finding of Fact No. 1, the proposal also assists in the furtherance of compliance with the Goals, Objectives, and Policies of both the Future Land Use Element and the Housing element.

REZONING FINDINGS OF FACT: Staff finds that the request for Preliminary and Final Planned Unit Development and PUD Agreement for Waterside II is consistent with 154.27(A) (2) of the City's Code of Ordinances.

PRELIMINARY SUBDIVISION PLAN FINDINGS OF FACT: Staff finds that the request for Preliminary Subdivision Plan for Waterside II is consistent with 155.12 of the City's Code of Ordinances.

PLANNING AND ZONING BOARD: At their regular August 9, 2016 meeting, the Planning and Zoning Board took the following actions:

- 2016-RZ-02: Preliminary PUD for Waterside II, the Planning and Zoning Board Recommended approval, 4-0.
- 2016-RZ-03: Final PUD for Waterside II, the Planning and Zoning Board Recommended approval, 4-0.
- 2016-PSP-04: Preliminary Subdivision Plan for Waterside II, the Planning and Zoning Board Recommended approval, 4-0, with the following conditions:
 1. Only access to the lots would be via the easements and the streets and not the FPL easement.
 2. The property under the FPL easement is to be owned and maintained by the HOA.
 3. The property under the retention pond which is now shown as Lot 5 would become part of Lot 9 and the property under the FPL easement which is now shown as Lot 9 would become an HOA tract.
 4. The FPL easement is to have a six-foot high fence of some type running along the western boundary to the southern border.

Staff Note: The applicant has taken these conditions into consideration. Condition #3 could not be met due to minimum lot size requirements not being met. As a result, Lot 9 does include a small segment of the FPL easement; however, that segment will be permanently fenced off.

STAFF RECOMMENDATION: Staff finds that the request for Preliminary and Final Planned Unit Development and Preliminary Subdivision Plan for Waterside II is consistent with the City's Land Development Code and Comprehensive Plan, and recommends approval with the following conditions:

1. The applicant shall meet the requirements of the City of Sanford as it relates to the Utility Agreement and all other engineering related requirements.
2. Each lot shall be seeded upon clearing of the stormwater pond and building pad areas.
3. The final subdivision plan shall show sidewalks on at least one side of both Stillwood Ln. and Jerusalem Pt.

LEGAL DESCRIPTION: The South 899.84 feet of the North 924.84 feet of the East 1/2 of the Northwest 1/4 of the Northeast 1/4 of Section 15, Township 20 South, Range 30 East, Seminole County, Florida. Less and except that certain Trustee's Deed to Seminole County, Florida recorded in Official Records Book 2574, page 431, of the Public Records of Seminole County, Florida, more particularly described as follows:

A parcel of land lying in Section 15, Township 20 South, Range 30 East, Seminole County, Florida being more particularly described as follows: From a point of Reference being the Northeast corner of said Section 15; thence North 89°36'35" West along the North line of said Section 15 a distance of 1,316.65 feet; thence South 00°41'40" West, a distance of 30.00 feet to the Point of Beginning; thence South 00°41'40" West, a distance of 18.20 feet; thence North 89°56'53" West, a distance of 658.40 feet; thence North 00°40'42" East, a distance of 22.09 feet; thence South 89°36'35" East, a distance of 658.38 feet to the Point of Beginning.

ATTACHMENTS:

- Ordinance No. 1547 (For 2016-RZ-03, Final PUD)
- PUD Developer's Agreement, as Attachment "A" of Ordinance No. 1547
- Location Map
- Zoning Map
- Future Land Use Map
- Aerial
- Addressing Graphic
- August 9, 2016 Planning & Zoning Board Minutes

ORDINANCE NO. 1547

AN ORDINANCE OF THE CITY OF LAKE MARY, FLORIDA REZONING CERTAIN LANDS WITHIN THE CITY OF LAKE MARY, CONSISTING OF APPROXIMATELY 13.22 ACRES, LOCATED AT THE SOUTHEAST CORNER OF WEST LAKE MARY BOULEVARD AND STILLWOOD LANE, 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, ZDA Land Investments, 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 August 9, 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: September 8, 2016

SECOND READING: September 22, 2016

PASSED AND ADOPTED this 22nd day of September, 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

ATTACHMENT "A"

Prepared by:
Allan Goldberg, Manager
ZDA at Sandpiper, LLC
100 S. Virginia Avenue #201
Winter Park, FL 32789

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

WATERSIDE II PLANNED UNIT DEVELOPMENT AGREEMENT

This Planned Unit Development Agreement (the "Agreement") is made and entered into as of the ____ day of _____, 2016 by and between **ZDA at Sandpiper, L.L.C. ("ZDA")**, a Delaware limited liability company with an address of 100 S. Virginia Ave., Unit 201, Winter Park, Florida 32789 (hereinafter "Developer") and **City of Lake Mary, Florida**, a municipal corporation with an address of 100 N. Country Club Road, Lake Mary, Florida 32746 (the "City").

RECITALS:

WHEREAS, on _____, the City approved Ordinance _____, rezoning relating to the 13.218 (+/-) acre site located at 1201 West Lake Mary Boulevard, Lake Mary, Florida, as more particularly described on Exhibit "A" attached hereto and made a part hereof (hereinafter referred to as the "Property" or the "Subdivision") to Planned Unit Development ("PUD") subject to the terms of the Agreement; and

WHEREAS, the Agreement grants the right to develop a 9 lot subdivision on the Property with certain conditions to protect the public (the "Original Project"); and

WHEREAS, ZDA is the Developer for Property; and

WHEREAS, this Agreement is entered into under the City's Home Rule Authority, is not a statutory development agreement under Fla. Stat. 163.3221, et seq., and is required for property zoned PUD.NOW, THEREFORE, in consideration of the mutual covenants and agreements hereinafter stated, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

AGREEMENT:

1. Recitals. The foregoing recitals are true and correct and are incorporated herein

by reference.

2. Planned Unit Development and Permitted Development Uses. The City shall review the final PUD and Development plan and other required submittals, provide information and input to the Developer, and respond to inquiries by the Developer in a good-faith and timely manner so as to facilitate the final approval of the PUD, and approval of the final Plat.

3. Development Uses.

(i) The Property shall be developed as a subdivision of up to 9 lots in accordance with the Preliminary Development Plan ("PDP") attached hereto and made a part hereof as Exhibit "B." All notations, including those regarding lot lines, setbacks, and, as set forth in the PDP are incorporated herein by reference and made a part hereof. The minimum lot sizes, and setbacks, and location of easements shall be as depicted on the PDP.

(ii) The minimum square footage of each residence shall be 2,500 square feet, excluding any detached guest house which is an authorized ancillary use, so long as said guest house is consistent with City Code, including setback requirements.

(iii) Clearing of all easement and retention areas and areas needed to mobilize for removal of cleared materials and equipment will be allowed during the initial infrastructure construction permit.

(iv) The PDP attached hereto depicts access to lots 1-9 from the 20 foot ingress/egress easements on the Property also known as a portion of Stillwood Lane. The Developer will construct a paved asphalt road, with one inch of subgrade, within the 20 foot easements. The pavement within the easements and the private roads will be maintained by the Waterside at Lake Mary Homeowners Association ("Homeowners Association").

(v) The Developer will construct a six (6) foot tall painted masonry precast wall along Lake Mary Boulevard. See Exhibit "C", as depicted on the PDP. Additionally, a six (6) foot fence, material to be selected by the Developer, will be installed along the eastern portion of Lots 8 & 9 as noted on the PDP. The property located under the Florida Power and Light easement adjacent to the eastern portion of Lots 8 and 9 will be owned and maintained in a separate tract by the Homeowners Association, and there will be no access to Lots 1-9 from the Florida Power and Light easement.

(vi) Retention/detention areas required to treat drainage from each lot, will be constructed during the initial infrastructure permit and will be maintained by the Homeowners Association.

(vii) Lot Setbacks:

Front – 25'

Rear – 30'

Side – 20' combined (8' minimum)

Corner - Lot 1 setback from Lake Mary Blvd - 20'

Lot 5 setback from Jerusalem Point -10'
Lot 6 Setback from S Stillwood Lane – 10'

4. Sewer. The Developer will connect the sewer system on the Property to the lift station on Tract A on the Plat of Waterside I, Plat Book 78, Page 13. The City has entered into a reciprocal utility agreement (the "Utility Agreement") with the City of Sanford pursuant to which the Property will be serviced by the City of Sanford wastewater system. The manner of connection, sewer tap fees, and customer service changes have been set forth in the Utility Agreement; provided, however, that the City shall not, with the exception of a one time administrative charge per lot (as provided by Code), levy any additional charges or fees in excess of those imposed by the City of Sanford. The sewer system located on the Property shall be owned and maintained by the Homeowners Association. The sewer system will be constructed and completed prior to the first home's Certificate of Occupancy.

5. Homeowners Association. The Waterside at Lake Mary Homeowners Association shall provide for the maintenance of all easements, and the Florida Power and Light easement, within the Property as depicted on the PDP; and for the purpose of regulating and enforcing subdivision restrictions. All ingress and egress easements and private roads shown on the PDP shall be maintained by the Homeowners Association as private roads subject only to use by third parties as are permitted or required by existing recorded easements.

6. Other Requirements. With the exception of the matters reflected on the PUD or in this Agreement, any issues not specifically addressed in this Agreement shall be subject to review through the City's standard review processes and shall reflect standards consistent with the City Code, as it may be from time to time amended.

7. Further City Commission Review and Additional Approvals. It is understood that in addition to approval of the PDP, the City must conduct other additional hearings to approve the rezoning of the Property, the final PUD, and the Plat. Further, in order for development of the lots to proceed, the City must review and approve final engineering plans for the Property and issue individual building permits. The failure of this Agreement to address a particular permit, condition, term or restriction shall not relieve the Developer from the necessity of complying with the law governing such permitting requirements, condition, terms or restrictions.

8. Comprehensive Plan. This Agreement is consistent with the City of Lake Mary Comprehensive Plan and shall be consistent with the land development regulations of the City of Lake Mary, Florida in effect at the time of this Agreement.

9. Term. The duration of this Agreement shall be for a term of 50 years from the effective date of this Agreement. If development of the Property is not completed in accordance with the final PUD and Plat, the terms and conditions of this Agreement and applicable state laws of the State of Florida within 10 years from the effective date of this Agreement, then in that event, the City of Lake Mary shall not be precluded, prohibited, or stopped from redesigning and/or rezoning all or any portion of the Property.

10. Binding Covenants. This Agreement shall run with the title to the Property and the benefits and burdens hereof shall inure to the benefit of all successors in interest to the parties hereto; provided, however, the provisions of this paragraph are not intended to imply or require the City's consent or joinder in mortgages encumbering the restrictions, execution or easements or any other instrument executed in connection with the development or sale of the Property.

11. Agreement. This Agreement may be amended by mutual consent of the parties of this Agreement or by their successors in interest pursuant to the public notice requirements of the City.

12. Definition of Terms. Except as defined herein, other terms shall have the meaning and definition as set forth in the City of Lake Mary Code of Ordinances in effect as of the date hereof.

13. Venue. This Agreement shall be governed by and construed in accordance with the laws of the State of Florida and the City of Lake Mary. The venue for purposes of litigation shall be Seminole County, Florida, or Orlando, Florida, if federal action.

14. Notice. Any notice of either party to the other shall be in writing, and shall be given and be deemed to have been duly given, if either delivered personally or mailed in a registered or certified postage paid envelope addressed to the addressee set forth below. Either party may, at any time, change the address for notices to such party by the delivery or mailing as aforesaid of a notice stating the change and setting forth the changed address:

To City: Jackie Sova, City Manager
City of Lake Mary
P.O. Box 958445
Lake Mary, FL 32795-8445

To Developer: ZDA at Sandpiper L.L.C.
Attn: Allan Goldberg, Manager
100 S. Virginia Avenue, Unit 201
Winter Park, FL 32789

15. Cooperation in the Event of Legal Challenge. In the event of any legal action instituted by a third party or other governmental entity or official challenging the validity of any provisions of this Agreement, the parties hereby agree to cooperate in defending such action and Developer shall reimburse the City for any legal expenses and costs incurred in defense of this Agreement.

16. Invalidity. If any sentence, phrase, paragraph, provision or portion of this Agreement is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portion thereto unless the same shall frustrate the intentions of either party hereto in entering into this Agreement.

17. Compliance with Laws. The failure of this Agreement to address a particular permit, condition, term, or restriction shall not relieve Developer of the necessity of complying with the law governing said permitting requirements, conditions, term, or restriction.

18. Recording. This Agreement shall be recorded by the City, at the Developer's expense, in the public records of Seminole County, Florida within fourteen (14) days after this Agreement is approved by the City Commission of the City and signed by all parties hereto.

19. No Representations. The City and Developer jointly and individually represent and warrant that they have freely and voluntarily entered into and executed this Agreement, and that they have not been induced to enter into and execute this Agreement by any warranty, representation, promise, covenant, or Agreement made by or on behalf of any other party hereto, except as specifically set forth herein.

20. Disclaimer of Third Party Beneficiaries. This Agreement is solely for the benefit of the formal parties to this Agreement and no right or cause of action shall accrue by reason hereof to or for the benefit of any third party not, a formal party hereto. Nothing in this Agreement, expressed or implied, is intended or shall be construed to confer upon or give any person or entity any right, remedy or claim under or by reason of this Agreement or any provisions or conditions hereof, other than the parties hereto and their respective representatives, successors and assigns.

21. Effective Date. This Agreement shall not be effective or binding on any party until this Agreement is approved by the City Commission of the City and signed by all parties hereto, and until recorded.

[signatures to follow]

WITNESSES:

ZDA at Sandpiper, L.L.C., a Delaware limited liability company

(print)

(print)

By: _____
Allan Goldberg, Manager

STATE OF FLORIDA
COUNTY OF SEMINOLE

The foregoing instrument was acknowledged before me this _____ day of _____, 2016, by Allan Goldberg, Manager of ZDA at Sandpiper L.L.C., who is personally known to me.

Notary Public – State of Florida
Print Name: _____
My Commission expires: _____

WITNESSES:

CITY OF LAKE MARY, FLORIDA

By: _____

David J. Mealor, Mayor

(print)

ATTEST:

By: _____

Carol A. Foster, City Clerk

(print)

Date: _____

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 – State of Florida
Print name: _____
My Commission expires:

EXHIBIT "A"

The South 899.84 feet of the North 924.84 feet of the East 1/2 of the Northwest 1/4 of the Northeast 1/4 of Section 15, Township 20 South, Range 30 East, Seminole County, Florida. Less and except that certain Trustee's Deed to Seminole County, Florida recorded in Official Records Book 2574, page 431, of the Public Records of Seminole County, Florida, more particularly described as follows:

A parcel of land lying in Section 15, Township 20 South, Range 30 East, Seminole County, Florida being more particularly described as follows: From a point of Reference being the Northeast corner of said Section 15; thence North $89^{\circ}36'35''$ West along the North line of said Section 15 a distance of 1,316.65 feet; thence South $00^{\circ}41'40''$ West, a distance of 30.00 feet to the Point of Beginning; thence South $00^{\circ}41'40''$ West, a distance of 18.20 feet; thence North $89^{\circ}56'53''$ West, a distance of 658.40 feet; thence North $00^{\circ}40'42''$ East, a distance of 22.09 feet; thence South $89^{\circ}36'35''$ East, a distance of 658.38 feet to the Point of Beginning.



MEMORANDUM

DATE: September 8, 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: Preliminary Subdivision Plan for Waterside II, a proposed 9-lot single family residential subdivision, located at the southeast corner of W. Lake Mary Blvd. and Stillwood Ln.; ZDA Land Investments, LLC., Allan Goldberg, applicant (Public Hearing) (Quasi Judicial) (Steve Noto, City Planner) NOTE: THIS ITEM WILL BE HEARD BUT NO ACTION IS TO BE TAKEN UNTIL SECOND READING OF THE FINAL PUD

APPLICANT: ZDA Land Investments, LLC. Mr. Allan Goldberg.

REFERENCES: City Comprehensive Plan, Code of Ordinances, Development Review Committee, proposed Waterside II Development and PUD Agreement.

REQUEST: The applicant proposes to subdivide the subject property into 9 single-family residential lots. The project has been reviewed as a Preliminary and Final Planned Unit Development (PUD) as well as a Preliminary Subdivision Plan. There is one set of plans that has been designed as a 30% engineered plan in order to comply with the minimum engineering standards of the Final PUD and Preliminary Subdivision Plan ordinances. Note that no action will be taken on the Preliminary Subdivision Plan at this meeting. The item is being presented as part of the package, but no action is needed until the September 22, 2016 meeting due to the Final PUD needing to be approved first.



DISCUSSION:

Location and History: The subject property is located at the southeast corner of W. Lake Mary Blvd., and Stillwood Ln. and contains +/- 13.22 acres. The property is currently vacant.

Zoning

NW City of Sanford Multi-Family	N City of Sanford Multi-Family/AG	NE City of Sanford Multi-Family/RCOM
W PUD/A-1	SITE A-1*	E City of Sanford Ag
SW R-1AA	S R-1AA	SE City of Sanford Ag

Future Land Use

NW City of Sanford MDR	N City of Sanford MDR	NE City of Sanford MDR
W LDR	SITE LDR	E City of Sanford Public/Semi Public
SW LDR	S LDR	SE City of Sanford Public/Semi Public

***Staff Note:** On March 6, 2008, the City Commission adopted Ordinance No. 1282, establishing the Big Lake Mary Overlay zoning district. The regulations of the Big Lake Mary overlay zoning district apply to the subject property, as well as all properties to the west (until the railroad tracks). To the extent that it does not conflict with the proposed PUD Agreement, the provisions of the Big Lake Mary overlay zoning district apply to the subject property.

PRELIMINARY/FINAL PUD PLAN AND PRELIMINARY SUBDIVISION PLAN: The applicant chose to combine the Preliminary and Final PUD and Preliminary Subdivision Plan into one document. Chapter 154.61 (E) outlines that a Preliminary PUD Plan is essentially a concept plan that does not require any engineering details. Chapter 154.61 (F), however, outlines that a Final PUD Plan shall have 30% engineering details. As a result, the proposed plan provides 30% engineering detail.

The purpose of the preliminary subdivision plan is to provide complete and accurate representation of technical data and preliminary engineering drawings in a manner as to allow complete review and evaluation of the proposed development and its impact upon both the site and surrounding areas. The submittal requirements for a preliminary subdivision plan are outlined in Chapter 155.21. It is generally a 30% engineered plan, which is the same requirement of the Final PUD Plan. As a result of this, the proposed plan provides 30% engineering detail.

As previously mentioned, the 13.22 acre property is proposed to be subdivided into 9 lots. The proposed minimum lot size is 40,000 sq. ft., which complies with the Big Lake Mary Overlay Zoning District (LM Overlay) requirement outlined in Chapter 154.90. The Future Land Use Category of the site is LDR, which allows up to 2.5 units per acre, or 33 lots. With the subject property being part of the LM Overlay, the allowed density is actually 1.09 units per acre, or 14 lots. However, by proposing 9-lots, the applicant is developing at less than 1 unit per acre.

The smallest lot is Lot 8 at 40,120 sq. ft. The largest lot is Lot 9 at 86,133 sq. ft. The remaining 7 lots range in size from 40,232 to 50,091. The applicant proposes the following setbacks:

Front Yard: 25'
Side Yard (Interior Lots): 20' combined, minimum 8' each side.
Rear Yard: 30'
Corner Lots: Lot 1 from Lake Mary Blvd.:20'. Lot 5 from Jerusalem Pt.: 10'. Lot 6 from S. Stillwood Ln.: 10'.

The only difference between the proposed setbacks and the LM Overlay is the front yard setback. The LM Overlay requires 40' or 60' front yard setbacks, depending on the depth of the lot, for buildings that are constructed adjacent to the right-of-way of Lake Mary Blvd. With the proposed subdivision, the only Lot that this impacts is Lot 1. Lot 1 is unique from almost all other lots within the LM Overlay due to it being a corner lot, and also not having its main access from Lake Mary Blvd. A majority of the lots within the LM Overlay are long and narrow, have access from Lake Mary Blvd., and aren't situated on a corner. As a side note, none of the proposed lots are on Big Lake Mary.

In addition to the 30' rear yard setback, the applicant is proposing a 25' undisturbed wetland buffer easement adjacent to Lots 1-4, and 9.

Addressing and Access Roadways – Seminole County Addressing, which is part of the Office of Emergency Management, is a review partner within the City's Development Review Committee (DRC). As such, County Addressing staff receives a copy of all development proposals and provides comments related to site addressing. Upon receiving the Waterside II plan, County Addressing staff contacted the City's public safety staff to relay concerns related to the addressing of the Waterside II project. The issue revolved around the fact that Stillwood Ln. does not have directional in front of it (ex: W. Stillwood Ln., S. Stillwood Ln.), even though a segment of Stillwood Ln. goes west, and another segment goes south. City staff had a number of in-depth discussions internally, with the applicant, and with County Addressing staff, to try and resolve this issue since it was going to be exacerbated due to the Waterside II project. The resulting direction of those meetings, which was ultimately the decision of Seminole County E-911, was that all properties along Stillwood Ln. would be re-addressed. This would provide for an appropriate directional without having to provide new numerical ranges for all properties in the area. A graphic that was done by Seminole County staff is attached to this staff report for informational purposes. New street signs are planned to be installed by the applicant on September 8, 2016. This addressing synopsis is provided for informational purposes.

The site will have primary access from Stillwood Ln. via the existing curb cut on Lake Mary Blvd. Lots 6-9 will have access from Stillwood Ln., and a new roadway that has been approved with the name of Jerusalem Pt. Portions of Stillwood Ln. will be improved. The northern-most portion, which is adjacent to Lot 1, will be improved to a 28' wide roadway. After approximately 115', the roadway will narrow to 24'. At the point where Stillwood forks to the west and to the south, the southern segment will be widened to 20'. Lastly, the final +/- 180', which is 12' wide, will be paved per an agreement with the adjoining property owner.

The eastern median within the Lake Mary Blvd. right-of-way will be trimmed back to align with the expanded Stillwood Ln. roadway width. A Seminole County permit is required for that work.

Environmental: An environmental study was completed by the applicant and subsequently reviewed by the City's consultant, CPH. A number of gopher tortoises were observed on site. As a result, the applicant will have to coordinate with the Florida Fish and Wildlife Conservation Commission prior to development of the subject property and comply with their regulations and requirements. No other issues were identified.

Landscaping/Site Clearing and Construction – No additional landscape buffers are required as the surrounding zoning districts are all residential in nature. There are no historic trees on site.

This development will be constructed differently than the first Waterside project. That project was a result of a lawsuit, and many of the specific designs and outcomes were a result of that. For example, each lot was designed to have its own independent stormwater pond that was to be constructed when each home was built. Typically, a subdivision has a master pond that is constructed when all other infrastructure is built. The former example is what will be done for Waterside II. Along the eastern boundaries of Lots 1-4, a portion of the northern boundary of Lot 9, the southern boundaries of Lots 6-8, and the northeast corner of Lot 5, is the stormwater infrastructure for the entire subdivision.

This stormwater infrastructure will be built while all other infrastructure is built for the project. In addition, each building pad area will be cleared and prepared for construction so that the appropriate elevations are achieved to maximize the stormwater design as early as possible. As a condition of approval, each lot will be seeded so that they aren't just dirt in the event development does not occur.

Perimeter Wall/Signage: There will be no additional signage as a result of this development. A perimeter wall, similar in design to the wall built for the first Waterside project, will be built along the northern boundary of the project area, 174' east of the western most point of Lot 1. This is shown in detail on Sheet ST-1 of the plans. The wall won't go the full limits of the northern boundary adjacent to Lake Mary Blvd. due to changes in elevation and wetland issues.

Seminole County Public Schools – A School Impact Analysis was provided in 2014 when the project was submitted as an 8-lot subdivision. At the time of submittal for Final Subdivision, a School Capacity Availability Letter of Determination (SCALD) will be obtained.

Stormwater – As previously mentioned, stormwater will be handled via three different pond areas. The ponds will be managed and maintained via drainage easements to be recorded during the platting process.

Transportation: The proposed development does not generate more than 300 average daily trips or 50 peak hour trips. No traffic study is required.

Utilities – The applicant will be connecting to the existing lift station that was built as part of the first Waterside project. A connection will be made to the existing 10” water main at the corner of Lake Mary Blvd. and Stillwood Ln., as well as the existing 6” reclaimed water main in generally the same location.

The Applicant shall coordinate with the City of Lake Mary and the City of Sanford in relation to the Utility Agreement that was entered into during the first Waterside project. This is due to the lift station being utilized for Waterside II. That agreement shall be modified and approved by the City of Lake Mary and the City of Sanford prior to the approval of the Final Subdivision Plan. In addition, the applicant is required to comply with all comments provided by the City of Sanford review staff.

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:

ITEM No. 1:

That there is substantial compliance with the purpose of the Planned Unit Development District and the preliminary development plan;

FINDINGS OF FACT No. 1:

The PUD zoning district lists seven purposes in Chapter 154.61. The Preliminary and Final PUD plan substantially complies with all seven purposes:

1. The design of the development provides for a planned residential community through the 9 lots which allow for unique building layouts and designs;
2. It is compatible with permitted land uses on abutting properties based on the minimum acreage and setback requirements;
3. A more efficient use of utilities and infrastructure is being utilized through the use of the existing lift station and minor expansion of Stillwood Ln.;
4. The final development plan will occur according to the limitations of use, design, density, coverage, and phasing since it is only 9-lots and not a larger mixed use, multi-phase development;
5. Preservation of natural amenities and environmental assets are occurring through the use of Tract A and a 25’ undisturbed wetland buffer easement adjacent to Lots 1-4 and Lot 9.
6. Conventional zoning regulations would require Stillwood Ln. and the internal roadway to be a 50’ wide right-of-way, in addition all of the lots would have to be 3 acres in size. By allowing lot sizes that are more consistent with the surrounding neighborhoods, and providing for narrower street widths, more open space areas are able to be provided for, as outlined in point 5 above (i.e. Tract A and the buffer easement).
7. The number of lots and the lot sizes proposed allow for the opportunity of unique site planning and aesthetically pleasing living through the application of linear retention, wetland buffers, existing infrastructure use, and environmental preservation.

ITEM No. 2:

That the phase of development in question can exist as an independent unit capable of creating an environment of substantial desirability and stability;

FINDINGS OF FACT No. 2:

This is proposed as a one phase development, therefore it can exist as an independent unit creating an environment of substantial desirability and stability.

ITEM No. 3:

That existing or proposed utility services and transportation systems are adequate for the population densities proposed;

FINDINGS OF FACT No. 3:

The proposed utility and transportation plans have been reviewed and are adequate for the proposed development. The proposed density is consistent with the surrounding utility and transportation network.

ITEM No. 4:

That the preliminary engineering plans as required by the City Engineer have been approved;

FINDINGS OF FACT No. 4:

The development program has been reviewed by the Development Review Committee (DRC), which includes the City Engineer. The Preliminary and Final PUD Plans have been reviewed concurrent with the Preliminary Subdivision Plans. City staff is recommending approval of that Preliminary Subdivision Plan.

PUD FINDINGS OF FACT: Staff finds that the request for Preliminary and Final Planned Unit Development for Waterside II is consistent with Section 154.61 (D) (2) (d) of the City's Code of Ordinances.

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:

Over the last two to three years, City staff has been paying close attention to the daytime population of the City compared to the nighttime population through coordination with the City's Economic Development Director. It has been determined that the City is very "jobs heavy" and that the need and demand for all types of housing is very high. According to the Census Bureau, the City's current population is 16,021, and there are 5,922 housing units. In the Housing Element of the Comprehensive Plan, original forecasts had the City's population at 14,044 in 2010, with 5,810 housing units. Staff has found that the City continues to trend upward in not only population, but also in the number of citizens that come from around the region to the City for work, and then leave the City afterwards. As a result, emphasis has been placed on continuing to support the Goals, Objectives, and Policies of the Future Land Use Element and the Housing Element which promote development plans that provide for housing that meets the demand of the local market and the needs of the City.

ITEM No. 2:

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

FINDINGS OF FACT No. 2:

The subject property is currently vacant, so there will be an effect on surrounding properties. However, given that the proposed lots are similar in size and design as the surrounding neighborhoods, the impact will be minimal.

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, the original Waterside development is the only area 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:

The PUD request is in compliance with the Future Land Use category of the subject property, LDR (Low Density Residential). As mentioned in Finding of Fact No. 1, the proposal also assists in the furtherance of compliance with the Goals, Objectives, and Policies of both the Future Land Use Element and the Housing element.

REZONING FINDINGS OF FACT: Staff finds that the request for Preliminary and Final Planned Unit Development and PUD Agreement for Waterside II is consistent with 154.27(A) (2) of the City's Code of Ordinances.

PRELIMINARY SUBDIVISION PLAN FINDINGS OF FACT: Staff finds that the request for Preliminary Subdivision Plan for Waterside II is consistent with 155.12 of the City's Code of Ordinances.

PLANNING AND ZONING BOARD: At their regular August 9, 2016 meeting, the Planning and Zoning Board took the following actions:

- 2016-RZ-02: Preliminary PUD for Waterside II, the Planning and Zoning Board Recommended approval, 4-0.
- 2016-RZ-03: Final PUD for Waterside II, the Planning and Zoning Board Recommended approval, 4-0.
- 2016-PSP-04: Preliminary Subdivision Plan for Waterside II, the Planning and Zoning Board Recommended approval, 4-0, with the following conditions:
 1. Only access to the lots would be via the easements and the streets and not the FPL easement.
 2. The property under the FPL easement is to be owned and maintained by the HOA.
 3. The property under the retention pond which is now shown as Lot 5 would become part of Lot 9 and the property under the FPL easement which is now shown as Lot 9 would become an HOA tract.
 4. The FPL easement is to have a six-foot high fence of some type running along the western boundary to the southern border.

Staff Note: The applicant has taken these conditions into consideration. Condition #3 could not be met due to minimum lot size requirements not being met. As a result, Lot 9 does include a small segment of the FPL easement; however, that segment will be permanently fenced off.

STAFF RECOMMENDATION: Staff finds that the request for Preliminary and Final Planned Unit Development and Preliminary Subdivision Plan for Waterside II is consistent with the City's Land Development Code and Comprehensive Plan, and recommends approval with the following conditions:

1. The applicant shall meet the requirements of the City of Sanford as it relates to the Utility Agreement and all other engineering related requirements.
2. Each lot shall be seeded upon clearing of the stormwater pond and building pad areas.
3. The final subdivision plan shall show sidewalks on at least one side of both Stillwood Ln. and Jerusalem Pt.

LEGAL DESCRIPTION: The South 899.84 feet of the North 924.84 feet of the East 1/2 of the Northwest 1/4 of the Northeast 1/4 of Section 15, Township 20 South, Range 30 East, Seminole County, Florida. Less and except that certain Trustee's Deed to Seminole County, Florida recorded in Official Records Book 2574, page 431, of the Public Records of Seminole County, Florida, more particularly described as follows:

A parcel of land lying in Section 15, Township 20 South, Range 30 East, Seminole County, Florida being more particularly described as follows: From a point of Reference being the Northeast corner of said Section 15; thence North 89°36'35" West along the North line of said Section 15 a distance of 1,316.65 feet; thence South 00°41'40" West, a distance of 30.00 feet to the Point of Beginning; thence South 00°41'40" West, a distance of 18.20 feet; thence North 89°56'53" West, a distance of 658.40 feet; thence North 00°40'42" East, a distance of 22.09 feet; thence South 89°36'35" East, a distance of 658.38 feet to the Point of Beginning.

ATTACHMENTS:

- Location Map
- Zoning Map
- Future Land Use Map
- Aerial
- Addressing Graphic
- August 9, 2016 Planning & Zoning Board Minutes



MEMORANDUM

DATE: September 8, 2016

TO: Mayor and City Commission

FROM: Jackie Sova, City Manager

SUBJECT: Ordinance No. 1548 - Proposed FY 2016/2017 Millage Rate - First Reading (Public Hearing) (Jackie Sova, City Manager) AND Ordinance No. 1549 - Proposed FY 2016/2017 Budget - First Reading (Public Hearing) (Jackie Sova, City Manager)

Tonight we begin the formal process of adopting the Fiscal Year 2016/2017 budget. To comply with the Truth-in-Millage Section 200.065, Florida Statutes, we must conduct public hearings to discuss the tentative millage rate and proposed budget.

The Florida Department of Revenue provides procedural guidance as to what substantive issues should be discussed at the public hearings to adopt a millage rate and budget. We must:

1. State that the proposed millage rate of 3.5895 mills is a tax increase of 3.57% from the rolled-back rate of 3.4658 mills.
2. Allow for public comments or questions about the tentative millage rate and proposed budget prior to adoption.
3. Adopt by **separate** vote Ordinance No. 1548 - the tentative millage rate **before** the tentative budget.
4. Adopt by **separate** vote Ordinance No. 1549 – the proposed budget.
5. Close the public hearing.

Discussion: The City Commission held a workshop on July 28, 2016, to discuss the tentative millage and proposed budget for FY 2016/2017. Following the workshop at a regular Commission meeting, the tentative millage rate was established. The proposed FY 2016/2017 city-wide budget is balanced at a total of \$31,574,139 and represents:

Establishing the ad valorem millage rate at 3.5895 mills, and the rolled-back (“forward”) rate that is estimated to yield approximately the same tax levy as FY 2016 is 3.4658 mills. The value of a mill in the city is calculated to be \$1,988,743 and ad valorem tax revenues are projected to be some \$7,138,594. The total General Fund budget is \$21,172,538 up 4.90% from the previous fiscal year.

The total Capital Improvement Budget is \$4,278,713, including approximately \$535,000 of carry forward projects. Projects include:

- The Wilbur Avenue Traffic Signal and Crystal Lake Avenue Sidewalk and Turn Lane Projects totaling \$335,000.
- The US 17-92/Weldon Boulevard – CRA Streetscape Project in the amount of \$355,470.
- A \$300,000 General Administrative Projects Reserve to make high-dollar repairs to our buildings and facilities for which we cannot determine the timing.
- The Senior Center Expansion.
- The design of Central Park Improvements including the 4th Street Entry Feature.

Planned are the purchase of a rescue at \$262,000 and a Caterpillar loader in the amount of \$200,000. Economic incentive payments scheduled this year total \$356,125.

Personnel changes include the addition of a new Staff Assistant in the Building Department and a new Senior Planner in Community Development. The City Engineer has been moved to Public Works and will be funded 50/50 between Stormwater and Public Works Administration. The GIS Specialist has also been moved to Public Works Administration. With the departure of the Support Services Supervisor, we will evaluate the structure of that division and make some internal accounting changes to better capture costs of the communications center and departmental support functions. The City’s two (2) School Resource Officers will now be in the schools full-time. The School Board will reimburse 50% of salaries and benefits and a part-time reserve officer was converted to full-time to help keep the Police Department fully staffed. In an effort to reduce overtime, the Fire Department will study adding part-time reserve firefighters. Up to a 3% merit increase has been budgeted and \$150,000 is set aside to address any pay plan inequities that may arise from a pay study.

The action required by the Commission tonight is to first adopt the millage rate at 3.5895 mills, the rolled-back rate at 3.4658 mills, and by separate vote adopt the Fiscal Year 2016/2017 budget.

ORDINANCE NO. 1548

AN ORDINANCE OF THE CITY OF LAKE MARY, FLORIDA, ESTABLISHING THE AD VALOREM RATE FOR THE CITY OF LAKE MARY, FLORIDA FOR THE FISCAL YEAR 2016/2017; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR CONFLICTS, SEVERABILITY AND EFFECTIVE DATE.

WHEREAS, the City of Lake Mary, Florida, is required by Chapter 200.065, Florida Statutes, to adopt an ad valorem tax millage rate pursuant to either a Resolution or an Ordinance; and

WHEREAS, said Resolution or Ordinance is required to state the percent, if any, by which the millage rate to be levied differs from the rolled-back rate, computed as the percentage change in the previous year's property tax revenue of the City.

IT IS HEREBY ENACTED BY THE CITY OF LAKE MARY, FLORIDA:

1. The City of Lake Mary, Florida, hereby adopts an Ad Valorem Rate to be levied for the Fiscal Year 2016/2017 beginning October 1, 2016, equal to 3.5895 mills, which is a 3.57 percent increase from the rolled-back rate of 3.4658 as certified by the Seminole County Property Appraiser.

2. That all ordinances or parts of ordinances in conflict herewith shall be and the same are hereby repealed.

3. If any section or portion of a section or subsection of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force or effect of any other section, portion of a section, subsection, or part of this Ordinance.

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

PASSED AND ADOPTED this 22nd day of September 2016.

FIRST READING: September 8, 2016

SECOND READING: September 22, 2016

CITY OF LAKE MARY, FLORIDA

MAYOR, DAVID J. MEALOR

ATTEST:

CITY CLERK, CAROL A. FOSTER

ORDINANCE NO. 1549

AN ORDINANCE OF THE CITY OF LAKE MARY, FLORIDA, ESTABLISHING THE BUDGET FOR THE CITY OF LAKE MARY FLORIDA, FOR THE FISCAL YEAR 2016/2017; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AMENDMENT BY RESOLUTION; PROVIDING FOR SEVERABILITY, AND EFFECTIVE DATE.

WHEREAS, the City of Lake Mary, Florida, must establish the Budget for the City of Lake Mary, Florida, for the ensuing Fiscal Year 2016/2017, beginning October 1, 2016; and

WHEREAS, the City Commission of the City of Lake Mary, Florida, has made a determination of the amounts of revenue available and the corresponding appropriations and expenditures for the Fiscal Year 2016/2017.

IT IS HEREBY ENACTED BY THE CITY OF LAKE MARY, FLORIDA:

1. That the approved budget for Fiscal Year 2016/2017, as attached hereto, is hereby declared to be adopted as the City of Lake Mary's Budget for the Fiscal Year 2016/2017.
2. That all ordinances or parts of ordinances in conflict herewith shall be and the same are hereby repealed.
3. This Ordinance may be amended by the City Commission from time to time by adoption of a Resolution to that effect.
4. If any section or portion of a section or subsection of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the

validity, force or effect of any other section, portion of a section, subsection, or part of this Ordinance.

5. This Ordinance shall take effect immediately upon passage and adoption.

PASSED AND ADOPTED this 22nd day of September 2016.

FIRST READING: September 8, 2016

SECOND READING: September 22, 2016

CITY OF LAKE MARY, FLORIDA

MAYOR, DAVID J. MEALOR

ATTEST:

CITY CLERK, CAROL A. FOSTER

NOTICE OF PROPOSED TAX INCREASE

The City of Lake Mary, Florida has tentatively adopted a measure to increase its property tax levy.

Last year's property tax levy:

A. Initially proposed tax levy.....	\$	<u>7,116,428</u>
B. Less tax reductions due to Value Adjustment Board and other assessment changes.....	\$	<u>(4,966)</u>
C. Actual property tax levy.....	\$	<u>7,121,424</u>

This year's proposed tax levy..... \$ 7,514,309

All concerned citizens are invited to attend a public hearing on the tax increase to be held on:

SEPTEMBER 22, 2016, 7:00 pm
at
CITY of LAKE MARY COMMISSION CHAMBERS
100 N. COUNTRY CLUB ROAD
LAKE MARY, FL 32746

A FINAL DECISION on the proposed tax increase and the budget will be made at this hearing.

PROPOSED BUDGET SUMMARY ALL FUNDS
CITY OF LAKE MARY, FLORIDA - FISCAL YEAR 2016 - 2017
THE PROPOSED OPERATING BUDGET EXPENDITURES OF THE CITY OF LAKE MARY ARE 7.3%
LESS THAN LAST YEARS TOTAL OPERATING EXPENDITURES.

ESTIMATED REVENUES	GENERAL FUND	SPECIAL REVENUE	DEBT SERVICE	CAPITAL PROJECTS	ENTERPRISE FUNDS	INTERNAL SERVICE	TOTAL ALL FUNDS
Millage Per \$1,000							
General Fund	3.5895						
Taxes:							
Ad Valorem Tax	\$ 7,138,594	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 7,138,594
Franchise & Utility Taxes	5,622,822	-	-	-	-	-	5,622,822
Licenses and Permits	809,500	-	-	-	-	-	809,500
Fines and Forfeitures	77,000	7,000	-	-	-	-	84,000
Intergovernmental	1,817,585	-	-	1,402,474	-	-	3,220,059
Charges for Services	1,646,500	29,500	-	-	4,854,000	1,238,172	7,768,172
Other	212,000	3,485	-	3,000	153,000	65,000	436,485
TOTAL SOURCES	17,324,001	39,985	-	1,405,474	5,007,000	1,303,172	25,079,632
Transfers In	1,200,000	-	335,807	970,000	-	290,000	2,795,807
Fund Balance/Reserves/Net Assets	13,050,138	456,364	295,466	888,339	14,280,571	2,374,792	31,345,670
TOTAL REVENUES, TRANSFERS & BALANCES	\$ 31,574,139	\$ 496,349	\$ 631,273	\$ 3,263,813	\$ 19,287,571	\$ 3,967,964	\$ 59,221,109
EXPENDITURES							
General Government	2,501,108	-	-	-	-	-	2,501,108
Finance	881,211	-	-	-	-	-	881,211
Building	502,188	-	-	-	-	-	502,188
Police	6,240,469	52,400	-	-	-	-	6,292,869
Fire	5,464,044	-	-	-	-	-	5,464,044
Public Works	970,335	-	-	-	-	-	970,335
Parks and Recreation/Facilities Maintenance	3,057,976	8,600	-	-	-	-	3,066,576
Water and Sewer Operating	-	-	-	-	3,465,665	-	3,465,665
Stormwater	-	-	-	-	294,567	-	294,567
Vehicle Maintenance	-	-	-	-	-	314,185	314,185
Health Insurance	-	-	-	-	-	340,291	340,291
Capital Projects	-	200,500	-	2,179,763	764,750	1,133,700	4,278,713
Debt Service	-	-	333,867	-	-	-	333,867
TOTAL EXPENDITURES	\$ 19,617,331	\$ 261,500	\$ 333,867	\$ 2,179,763	\$ 4,524,982	\$ 1,788,176	\$ 28,705,619
Transfers Out	1,555,207	-	-	-	1,240,600	-	2,795,807
Fund Balance/Reserves/Net Assets	10,401,601	234,849	297,406	1,084,050	13,521,989	2,179,788	27,719,683
TOTAL APPROPRIATED EXPENDITURES	\$ 31,574,139	\$ 496,349	\$ 631,273	\$ 3,263,813	\$ 19,287,571	\$ 3,967,964	\$ 59,221,109
TRANSFERS, RESERVES & BALANCES							

The tentative, adopted, and/or final budgets are on file in the office of the above mentioned taxing authority as a public record.



FY 2016/2017 Budget

- Workshop July 28, 2016 – Tentative Millage Rate Established = **3.5895**
- Rolled Back Rate = **3.4658**
- City-Wide balanced Budget = **\$31,574,139**

- **3.5895** Millage Rate – Same as last year
- Rolled Back Rate – Millage Rate that yields same tax levy as last year **3.4658**
- Value of one Mill in City = **\$1,988,743**
- Ad-Valorem Tax Revenues FY 2016 = **\$7,138,594**
- Total General Fund Budget = **\$21,172,538** (Up 4.90% from last year)

Capital Improvements Budget

- Wilbur Ave. Traffic Signal/Crystal Lk. Ave. Sidewalk-Turn Lane **\$335,000**
- US 17-92/Weldon Boulevard – CRA Streetscape Project **\$355,470**
- **\$300,000** General Administrative Projects Reserve for high-dollar repairs to buildings and facilities for which we cannot determine the timing
- The Senior Center Expansion
- Central Park Design and Improvements & 4th Street Entry Feature.
- Purchase of rescue at **\$262,000**
- Purchase of Caterpillar loader at **\$200,000**

Personnel Changes

- New Staff Assistant - Building Department
- Senior Planner - Community Development
- City Engineer moved to Public Works –
 - funded 50/50 between Stormwater and Public Works Administration
- GIS Specialist moved to Public Works Administration
- Evaluate Structure of Support Services Division
 - better capture costs of the communications center and departmental support functions
- City's two (2) School Resource Officers will now be in the schools full-time
 - School Board reimburse 50% of salaries/benefits
 - Part-time reserve officer converted to full-time help keep the Police Department fully staffed
- Effort to reduce overtime, Fire Department will study adding part-time reserve firefighters
- Up to a 3% merit increase has been budgeted and \$150,000 is set aside to address any pay plan inequities that may arise from a pay study

Economic incentive payments scheduled this
year total **\$356,125**

Returns to City --
From Participation in Economic Development
Incentives

Outstanding Economic Development Projects Awarded with Participation from 2013 - Current

	Date of Award	Name of Company	Type	Jobs	Average Wage	Capital Investment	New Payroll	Square Feet (approx)	Total Incentive Amount (City)
QTI	2/28/2013	Verizon	New	1000	\$ 42,000	\$ 50,000,000	\$ 42,000,000	220,000	\$1,125,000
QTI	12/8/2015	Axium Healthcare Pharmacy	Expansion	225	\$ 46,877	\$ 25,000,000	\$ 10,547,325	150,000	\$112,500
QTI	9/22/2015	Jeunesse, LLC	Expansion	150	\$ 46,880	\$ 27,150,000	\$ 7,032,000	150,000	\$75,000
QTI	8/25/2015	Paylocity Corporation	Expansion	176	\$ 47,000	\$ 16,000,000	\$ 8,272,000	35,000	\$88,000
JGI	4/14/2015	Deloitte Consulting LLP & Affiliates	New	1000	\$ 60,520	\$ 22,200,000	\$ 60,520,000	130,000	\$850,000
QTI	3/24/2015	FARO Technologies, Inc.	Expansion	51	\$ 61,145	\$ 749,000	\$ 3,118,395		\$30,600
QTI	3/10/2015	Dixon Ticonderoga Company	Expansion	20	\$ 46,700	\$ 1,500,000	\$ 934,000	25,000	\$10,000
			Totals	2,622		\$ 142,599,000	\$ 132,423,720	710,000	\$2,291,100

$$\text{Capital Investment Multiplier} = \frac{\text{Cap. Inv.}}{\text{City Award}} =$$
$$\frac{\$142,599,000}{\$2,291,100} = 62.2x$$

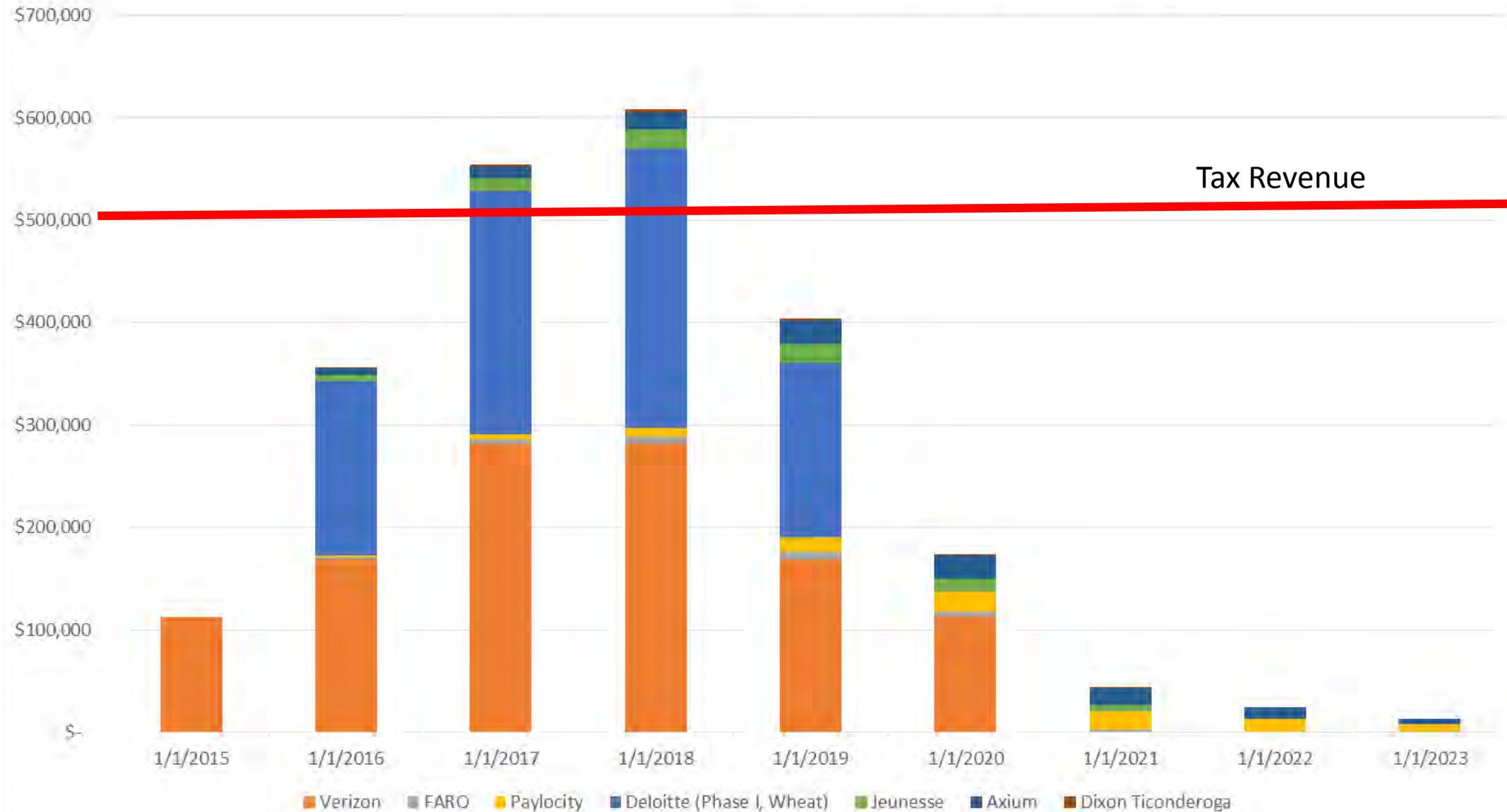
(every dollar spent on incentives brings \$62 in private capital investment)

Ad-Valorem Tax Revenue

City Millage = 3.5895

	Name of Company	Capital Investment	Total Incentive Amount (City)	Tax Revenue	ROI Years to pay off incentive
QTI	Verizon	\$ 50,000,000	\$ 1,125,000	\$ 179,475	6.3
QTI	Axium Healthcare Pharmacy	\$ 25,000,000	\$ 112,500	\$ 89,738	1.3
QTI	Jeunesse, LLC	\$ 27,150,000	\$ 75,000	\$ 97,455	0.8
QTI	Paylocity Corporation	\$ 16,000,000	\$ 88,000	\$ 57,432	1.5
JGI	Deloitte Consulting LLP & Affiliates	\$ 22,200,000	\$ 850,000	\$ 79,687	10.7
QTI	FARO Technologies, Inc.	\$ 749,000	\$ 30,600	\$ 2,689	11.4
QTI	Dixon Ticonderoga Company	\$ 1,500,000	\$ 10,000	\$ 5,384	1.9
		\$ 142,599,000	\$2,291,100	\$ 511,859	4.5

Economic Development Project Payouts, Lake Mary

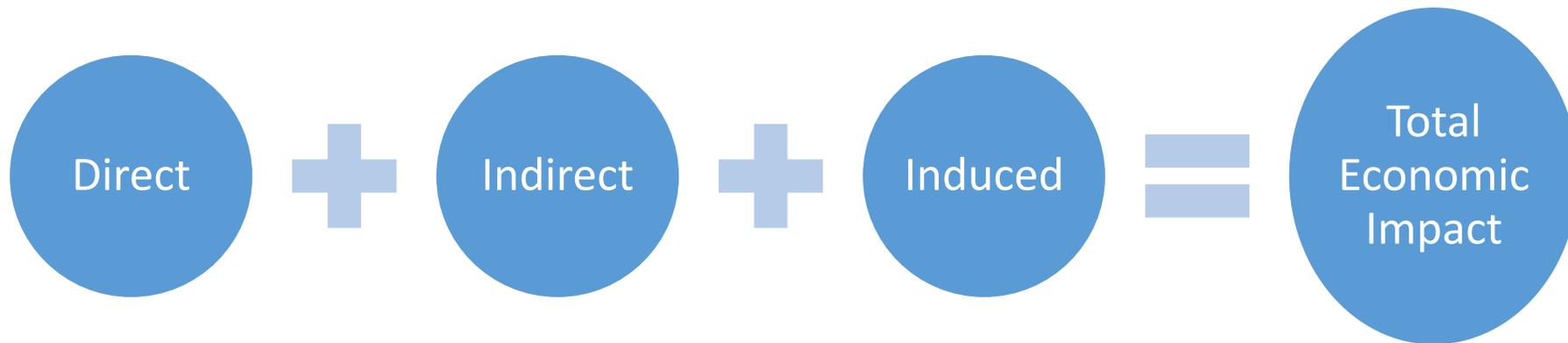


Projects Won, No Incentives

<u>Type</u>	<u>Project Name</u>	<u>Full-Time New Jobs</u>	<u>Average Annual Wage (AAW)</u>	<u>% Compare to County AAW</u>	<u>Capital Investment</u>	<u>Square Footage</u>	
N/A	Florida Blue <i>No Code Name</i>	180	\$ 35,792	86%		30,500	In addition to the 180 new, full-time employees at the new call center, located at 701 International Parkway, they will add 100 seasonal, contracted workers as well.
N/A	World Traveler <i>Hotels Pro</i>	25	\$ 46,877	115%	\$ 53,000	4,000	New business to Seminole County in Lake Mary; Regional headquarters for travel wholesaler, providing back office operations (sales, contract management, customer support)
N/A	Project RCA <i>Internal Institute of Auditors</i>	22	\$ 46,877	115%	\$ 16,272,230	57,000	Expansion within Seminole County in Lake Mary; Nonprofit financial services professional association
		227	\$ 43,182	105%	\$ 16,325,230	91,500	
		TOTAL	AVG	AVG	TOTAL	TOTAL	

Adding 100 target sector jobs ...

Impact Type	Employment	Labor Income	Value Added	Output
Direct Effect	100	\$6,529,443	\$8,616,779	\$18,748,386
Indirect Effect	65	\$3,267,540	\$5,239,955	\$8,994,455
Induced Effect	73	\$3,112,044	\$5,616,171	\$9,478,989
Total Effect	238	\$12,909,027	\$19,472,905	\$37,221,830



Data from UCF

Action required by the Commission tonight:

- First adopt the millage rate at **3.5895** mills, the rolled-back rate at **3.4658** mills (Ord No. 1548)
- Second, by separate vote, adopt the Fiscal Year 2016/2017 budget (Ord No. 1549)