

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

4
5
6 1. Call to Order

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

9
10 2. Moment of Silence

11
12 3. Pledge of Allegiance

13
14 4. Roll Call

15
16 Mayor David Mealor Jackie Sova, City Manager
17 Commissioner Gary Brender Carol Foster, City Clerk
18 Deputy Mayor George Duryea Dianne Holloway, Finance Director
19 Commissioner Sidney Miller John Omana, Community Development Dir.
20 Commissioner Jo Ann Lucarelli Steve Noto, City Planner
21 Tom Tomerlin, Economic Development Mgr.
22 Bryan Nipe, Parks & Recreation Director
23 Bruce Paster, Public Works Director
24 Colin Morgan, Deputy Police Chief
25 Bruce Fleming, Sr. Code Enforcement Officer
26 Joe Landreville, Deputy Fire Chief
27 Katie Reischmann, City Attorney
28 Mary Campbell, Deputy City Clerk
29

30 5. Approval of Minutes: March 3, 2016

31
32 **Motion was made by Commissioner Brender to approve the minutes of the March**
33 **3, 2016, meeting, seconded by Commissioner Lucarelli and motion carried**
34 **unanimously.**

35
36 6. Special Presentations

37
38 A. FY 2015 Comprehensive Annual Financial Report – McDirmit Davis &
39 Company, LLC

40
41 Ms. Holloway said we have McDirmit Davis with us tonight. We are a little late getting it
42 done this year mainly due to a new GASB pronouncement that was implemented this
43 year. It has to do with pension accounting. We had a lot more notes and disclosures to
44 put on our financial statements this year.

1 Tammy Campbell of McDirmit Davis & Company, 934 North Magnolia Avenue, Orlando,
2 Florida, came forward. She said we are here to present the results of the 2015 audit.
3 The 2014 report received a certificate of achievement and the 2015 report will also be
4 presented for the same Certificate of Achievement for Excellence in Financial
5 Reporting.
6

7 Ms. Campbell said our independent auditor's report is an unmodified opinion which is
8 the best opinion you can get. Our audit reports in the Other Reports section state that
9 the City is in compliance with laws and regulations of contracts. Our management letter
10 also states that there are no current year or prior year findings, noting that we found
11 good internal controls in our testing that we did.
12

13 Ms. Campbell said as far as a summary of activity, the City's assets at the end of the
14 year exceeded liabilities by \$93.9 million. This was a decrease in that position of \$1.5
15 million from the prior year. This decrease is related to the new pension accounting
16 standards which now require you to book an unfunded portion of the City's net pension
17 liability on the balance sheet. That was a \$1.6 million decrease to beginning that
18 position. Current year activity resulted in \$226,000 increase in that position. Note 5.F.
19 shows more detail on those pension plans.
20

21 Ms. Campbell said the largest portion of the City's net position, which is \$60.3 million or
22 64.2%, reflects the investment of capital assets, net of related debt. That is essentially
23 the amount of capital assets the City has invested in. Note 5.D. shows the detail of
24 those capital assets.
25

26 Ms. Campbell said in the fund financial statements, fund balance of the General Fund
27 decreased \$268,000 which was planned. The projected decrease in the budget was
28 \$2.7 million so it was a much smaller decrease in what was budgeted. That position in
29 the Water & Sewer Fund increased almost \$200,000. Stormwater increased about
30 \$6,000. Both of these funds had increased revenues during 2015. Overall it is a
31 continued healthy picture of the City.
32

33 Mayor Meador asked if the team will receive the excellence in financial reporting award.
34

35 Ms. Campbell said for 2015 they are going to submit the report and our anticipation is
36 that they will receive it.
37

38 Mayor Meador said we have received that report since 1992 and so much of that credit
39 went to Ms. Sova when she was Finance Director and for Ms. Holloway to come in and
40 take that to the next level speaks volumes about you and your team.
41

42 **Motion was made by Commissioner Lucarelli to accept the audit, seconded by**
43 **Commissioner Miller and motion carried unanimously.**
44

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

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

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

9 8. New Business

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

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

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

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

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

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

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

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

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

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

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

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

31
32 Mr. Noto answered affirmatively.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

30
31 Commissioner Lucarelli asked when that issue began.

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

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

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

44

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

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

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

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

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

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

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

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

44

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

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

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

9
10 Mr. Fleming said that is correct.

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

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

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

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

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

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

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

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

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

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

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

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

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

22
23 9. Unfinished Business

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

15
16 Mr. Noto said that was correct.

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

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

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

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

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

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

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

5
6 10. Other Items for Commission Action

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

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

13
14 Ms. Reischmann suggested we swear in witnesses.

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

18
19 Ms. Reischmann swore in the witnesses.

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

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

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

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

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

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

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

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

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

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

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

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

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

25
26 Mr. Noto said that was correct.

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

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

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

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

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

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

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

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

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

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

34
35 Mr. Noto answered affirmatively.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

44

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

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

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

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

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

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

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

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

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

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

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

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

8
9 11. City Manager's Report

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

14
15 Commissioner Miller said he would miss that meeting.

16
17 There were no objections from the Board.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

37
38 Ms. Sova said not necessarily.

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

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

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

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

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

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

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

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

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

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

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

1 we've got all these multiple layers of notices it can take forever to get that cleared up. A
2 lot of cities have tossed 162 because of the time it takes to notice everybody.
3
4 Mayor Meador said if there is no objection we will have Ms. Sova and staff look at that.
5
6 Commissioner Brender said he attended the Tourist Development Council. At the last
7 CALNO meeting he was appointed the representative from CALNO to the Tourist
8 Development Council. Today he was appointed Vice Chairman of the Tourist
9 Development Council. They meet every two months and he will be reporting as he gets
10 familiar with what's going on. The Seminole County Sports Complex is a big part of the
11 discussion right now and the number of room nights that they are talking about being
12 generated. They have 68 events planned between the time it opens in May until
13 December. These are sometimes three and four-day events. There are only five
14 weekends open for the rest of this year. It's amazing how many room nights are being
15 generated. He said he would keep the Commission up to date.
16
17 Deputy Mayor Duryea congratulated staff for wearing green today. He wished
18 everybody a Happy St. Patrick's Day.
19
20 Deputy Mayor Duryea said he voted for the issue that was before us tonight but was not
21 convinced of the traffic element.
22
23 Mayor Meador said we had Mr. Smith from the County Engineering Department here this
24 evening and he is trying to get a meeting with our staff the latter part of this month or
25 April. That is one of the discussion points. It is an ongoing concern.
26
27 Commissioner Miller said he attended the Timacuan Homeowners' meeting along with
28 quite a few staff members, Commissioner Brender and Mayor Meador. We had the floor
29 for 45 minutes of their meeting with City discussions. He thought it was very positive.
30
31 Mayor Meador said it helps too that Commissioner Miller is part of that group and
32 engages with them. They know there is a conduit to the City.
33
34 Commissioner Miller said he was quite impressed with Mr. Paster's business approach
35 that he takes to his job and what he has been able to do. He said Chief Bracknell gave
36 a very good presentation too.
37
38 Mayor Meador said that group is always so gracious to us and it is nice to be included.
39
40 Commissioner Lucarelli said last night she attended the Lake Mary-Heathrow Festival of
41 the Arts meeting. Bryan (Nipe) came briefly before running off to Timacuan. She is
42 excited about a lot of new changes. It's going to be moving to a spring festival so we
43 won't have one this year. It will be in 2017. We have a team kicking butt on social
44 media website modifications. It's going to be blasting off soon. We are pleased and
45 excited about those changes and will keep the Commission posted.
46

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

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

11
12 13. City Attorney

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

17
18 14. Adjournment

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

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David J. Meador, Mayor

Mary Campbell, Deputy City Clerk

ATTEST:

Carol A. Foster, City Clerk