

CITY COUNCIL AGENDA

REGULAR MEETING

Monday, January 06, 2020

6:30 PM

CITY HALL

CALL TO ORDER

ORDER OF BUSINESS

CEREMONIAL ITEMS AND PRESENTATIONS

1. Recognition of Hagerty High School Girls Volleyball Team for Winning the 2019 State Champions.
2. Recognition of Oviedo High School Lions Swim and Dive Team for Winning the 2019 State Champions.

APPROVAL OF MINUTES

3. Approval of Minutes for the December 2, 2019, Regular Sessions.

PUBLIC COMMENT

This is the time for the public to come forward with any comments they may have on any subject related to City business not listed under Public Hearings. Complete a request to speak form and provide it to the City Clerk prior to the meeting.

State your Name and Address for the record.

Please Limit Your Comments to 3 Minutes or Less.

4. Citizen Comment.

CONSENT AGENDA

5. Census 2020 Proclamation.
6. Resolution No. 3868-20, Right-of-Way Vacate for O.O.T.P. LLC.

7. Resolution No. 3869-20, Support for Lake Jesup Restoration and the Saint John's River Water Management District's Innovative Technology Grant Application.
8. Resolution No. 3870-20, Additional Funds for Round Lake Park Mural.
9. Resolution No. 3871-20, Amendment to Architectural Design Order No. 046-19 OOTP Lot 3B Building B (Michael Collard Properties, Inc.).

PUBLIC HEARINGS

10. Ordinance No. 1689, Security Related Concerns and Privacy Matters which Necessitate Protection.
11. Resolution 3867-20, Second Amendment to the Fourth Amended and Restated Substantial Deviation Development Order for the Oviedo Marketplace Development of Regional Impact (DRI).

FIRST READING OF ORDINANCES

12. None.

RESOLUTIONS

13. Resolution No. 3872-20, Amendment to Round Lake Park Final Design.

DISCUSSION ITEMS

14. Committee Assignments for City Council Members.

CITY MANAGER'S REPORT

City Manager Bryan Cobb

CITY ATTORNEY'S REPORT

COMMUNICATIONS AND REPORTS

- Deputy Mayor Bob Pollack
- Council Member Jeff Chudnow
- Council Member Judith Dolores Smith
- Mayor Megan Sladek
- Council Member Keith Britton

FUTURE MEETING DATES

- Monday, January 13, 2020, 6:00 p.m. Work Session
- Tuesday, January 21, 2020, 6:30 p.m. Regular Session

- Monday, February 3, 2020, 5:30 p.m. CRA Governing Board
- Monday, February 3, 2020, 6:30 p.m. Regular Session
- Monday, February 17, 2020, 6:30 p.m. Regular Session

ADJOURNMENT

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, ANY PERSON DESIRING TO APPEAL ANY DECISION MADE BY THE CITY COUNCIL, WITH RESPECT TO ANY MATTER CONSIDERED AT ANY MEETING OR HEARING, WILL NEED A RECORD OF THE PROCEEDINGS AND MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE WHICH INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. This record is not provided by the City of Oviedo.

ALL SERVICES, PROGRAMS AND ACTIVITIES OF THE CITY OF OVIEDO ARE OFFERED AND SOLICITED WITHOUT REGARD TO RACE, COLOR, NATIONAL ORIGIN, AGE, SEX, RELIGION, DISABILITY OR FAMILY STATUS. FOR INFORMATION REGARDING THE CITY'S TITLE VI NONDISCRIMINATION POLICY, PLAN AND PROCEDURES PLEASE VISIT WWW.CITYOFOVIEDO.NET.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT, PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE CITY CLERK AT 407-971-5500 AT LEAST 48 HOURS IN ADVANCE OF THE MEETING.

AGENDA
MEMORANDUM

TO: Honorable Mayor and City Council Members

FROM: Bryan Cobb, City Manager

DATE: January 6, 2020

SUBJECT: Recognition of Hagerty High School Girls Volleyball Team for Winning the 2019 State Champions

Introduction: This is a request for City Council to recognize Hagerty High School Girls Volleyball Team for winning the 2019 FHSAA Class 7A State Championship.

Background: The Hagerty High School Girls Volleyball Team participated in this year's Seminole Athletic Conference and took 4th Place in the District. Not to be defeated, the Team rallied together and took 1st Place in the Region. At the State level, the Team again took the Number 1 spot and became the State Champions with a 3-0 sweep of Palm Beach Gardens.

The Hagerty High School Girls Volleyball Team finished 7th Place out of 100 Teams at the Nike Tournament of Champions in Phoenix, Arizona. Congratulations to Jessica Buis, Alina Carillo, Sydney Conley, Madison Coates, Audrey Douglas, Alondra Garcia, Emily Lawrence, Kyla Mullen, Olivia Price, Samantha Smith, Brooke Stephens, Nyasha Mafarachisi, assistant coaches Mike Hitt and Tawni Small, and head coach Juanita Hitt.

Head Coach Juanita Hitt and Senior Sydney Conley have been selected as the Class 7A Coach and Player of the Year, respectively, by the Florida Dairy Farmers.

Budget Impact: There is no budget impact associated with recognizing the Hagerty High School Girls Volleyball Team for winning the 2019 FHSAA Class 7A State Championship.

Strategic Impact: Support civic pride and community participation.

Recommendation: It is recommended that the City Council recognize the Hagerty High School Girls Volleyball Team for winning the 2019 FHSAA, Class 7A State Championship.

Prepared by: Dru D. Boulware, Director of Recreation & Parks

AGENDA
MEMORANDUM

TO: Honorable Mayor and City Council Members

FROM: Bryan Cobb, City Manager

DATE: January 6, 2020

SUBJECT: Recognition of Oviedo High School Lions Swim and Dive Team for Winning the 2019 State Champions

Introduction: This is a request for City Council to recognize the Oviedo High School Lions Swim and Dive Team for winning the 2019 State Championship.

Background: The Oviedo Lions Swim and Dive team had a record-breaking year. Both the Boys' and Girls' teams went undefeated for the entire season winning all duals, Conference, District, Region, and the State Championships. In the process, the team broke 10 out of 11 girls school records and 7 out of 11 boys records.

In addition to the team State Championship the Lions also had the following four (4) individual State Champions:

Gabby Donahue - 100 back 54.4

200 Medley relay - Gabby Donahue, Sarah Beth Cathcart, Abby Gibbons, Kaylin Herbet 1:42.45

200 free relay - Abby Gibbons, Jaden Herbet, Kaylin Herbet, Izzy Bishop 1:33.68

400 free relay - Sarah Bath Cathcart, Gabby Donahue, Izzy Bishop, Jaden Herbet 3:24.71

This was the first time since 1995 that the Boys' Team won the Championship scoring 214 points, 37 points over the 2nd Place Team. The Girls' Team won the Championship scoring 333 points, 135 points over 2nd Place Team. Both Teams are coached by Charlie Rose.

Budget Impact: There is no budget impact associated recognizing the Oviedo High School Lions Swim and Dive Teams for winning the 2019 State Championship.

Strategic Impact: Support civic pride and community participation.

Recommendation: It is recommended that the City Council recognize the Oviedo High School Lions Swim and Dive Teams for winning the 2019 State Championship.

Prepared by: Dru D. Boulware, Director of Recreation & Parks

WHEREAS, every ten years, as mandated by the U.S. Constitution, all persons living in the United States of America are called upon to participate in the census. As the foremost method of gathering information about our Nation, the census plays a crucial role in helping us to maintain our democratic form of government; and

WHEREAS, the City of Oviedo is committed to ensuring that every resident is counted, and an accurate census helps to ensure that the rights and needs of every person are recorded and recognized as we shape public policies, programs, and services; and

WHEREAS, more than \$400 billion per year in federal and state funding is allocated to states and communities based, in part, on census data; and

WHEREAS, census data determines the apportionment of seats in the U.S. House of Representatives, as well as the redistricting of state legislatures, county governments, and voting districts; and

WHEREAS, census data determines the apportionment of seats in the U.S. House of Representatives, as well as the redistricting of state legislatures, county governments, and voting districts; and

NOW THEREFORE, I, Megan Sladek, Mayor of the City of Oviedo, Florida, do hereby proclaim that the City Council of the City of Oviedo

“supports the U.S. Census Bureau’s efforts to ensure a full and accurate count in 2020”
in the City of Oviedo, Florida and across the Nation.

IN WITNESS WHEREOF, I hereunto have set my hand and caused the Seal of the City of Oviedo to be affixed this 6th day of January, 2020.

AGENDA
MEMORANDUM

TO: Honorable Mayor and City Council Members

FROM: Bryan Cobb, City Manager

DATE: January 6, 2020

SUBJECT: Resolution No. 3868-20, Right-of Way Vacate – O.O.T.P., LLC

Introduction: This is a request for City Council approval to close, vacate, and abandon a portion of the public right-of-way (ROW) on Mike Roberto Way, and a portion of public ROW on City Walk Lane to accommodate proposed awnings attached to commercial development.

Discussion: On October 22, 2019, O.O.T.P., LLC submitted a request to vacate a portion of public ROW located north of Mike Roberto Way containing 250 square feet (Awning Area #1), and a portion of public ROW located west of City Walk Lane containing 184 square feet (Awning Area #2) and 221 square feet (Awning Area #3) to accommodate proposed awnings attached to commercial development. A legal description and sketch depicting the exact locations of the subject ROW is included as Exhibit “1” to Resolution No. 3868-20.

The request to vacate was distributed to various departments within the City and there were no internal objections. Notices were also sent to the adjoining property owners, asking that interested parties appear and be heard. Because there are no franchised utilities within the proposed vacate areas, review by the franchised utility companies was not needed.

The Public Works Director reviewed all data and determined that closing, vacating, and abandoning the portions of ROW will not operate to the detriment of the City or the public and recommends approval; provided that the City of Oviedo retain the vacated ROW as an exclusive sidewalk and utility easement with rights to include, but not be limited to, the perpetual right to enter upon the easement area at any time deemed necessary to construct, lay, reconstruct, operate, maintain, modify and/or repair sidewalks and utilities. A copy of the easement document is provided as an attachment to this memo.

Budget Impact: Aside from nominal legal costs, there are no budgetary impacts to the City arising from the vacation of the portions of ROW.

Strategic Impact: Continue to pursue and support economic development of Oviedo on the Park.

Recommendation: It is recommended that City Council adopt Resolution No. 3868-20.

Attachments: 1. Sidewalk and Utility Easement

2. Vacate Request Form

Prepared by: Brenda King, Project Administrator

Reviewed by: Susan Sheikh, Operational Resources Manager

Bobby Wyatt, Public Works Director

AGENDA

MEMORANDUM

TO: Honorable Mayor and City Council Members

FROM: Bryan Cobb, City Manager

DATE: January 6, 2020

SUBJECT: Resolution No. 3869-20, Support for Lake Jesup Restoration and the Saint John's River Water Management District's Innovative Technology Grant Application.

Introduction: This is a request for City Council to express its support for Lake Jesup Restoration and the Saint Johns River Water Management District's application for the 2019 Innovative Technology Grant administered the Florida Department of Environmental Protection (FDEP).

Discussion: Lake Jesup is the largest lake in Seminole County reaching thirteen (13) miles in length and encompassing 16,000 acres in open water and flood plains. The lake itself is roughly 10,000 acres. Lake Jesup is part of the St. Johns River waterway. It connects to the St. Johns River at the north end by a narrow strait. It is a resource for recreation, and home to bald eagles, box turtles, wood storks, manatees and sandhill cranes. In the middle of Lake Jesup is Bird Island, a 30-acre piece of land home to numerous wading birds including egrets and herons. Its watershed drains 87,000 acres in Seminole and Orange counties. The combination of restricted water flow between the lake and the St. Johns River, urban and agricultural stormwater runoff, legacy wastewater discharges and remaining septic tanks, has propelled algae growth, lowered oxygen levels and killed fish.

The FDEP has determined Lake Jesup to be impaired - not meeting water quality standards - because of high nitrogen and phosphorus levels. In May 2010, FDEP adopted a Basin Management Action Plan (BMAP), developed alongside twenty (20) local and regional partners to identify projects and activities necessary to restore the lake's water quality. The BMAP sets a 15-year timeline organized into three (3) five-year phases targeting a total phosphorous reduction of 19,621 pounds per year.

In 2017, the City conducted a letter-writing campaign in hopes to reinvigorate efforts to restore Lake Jesup. As a result, Senator David Simmons, has become heavily engaged on the issue and brought stakeholders from around the State to address the problem. This, along with the 2018 election of Governor Ron Desantis, who's platform includes increasing State resources to improve surface water quality across the state, has led increased momentum for such lake restoration projects.

Subsequently, City staff was contacted by the Saint Johns River Water Management District (SJRWMD) with a request that the City express its support to their grant application for the

FDEP's Innovative Technology Grant. The purpose of the grant is to bring fourth innovative technologies or projects which may prevent, combat or clean-up Harmful Algae Blooms in freshwater or estuary systems.

SJRWMD proposes a research project to demonstrate an innovative alga harvesting technology to accelerate the restoration of Lake Jesup. The objective of this pilot project is to further demonstrate a successful innovative alga harvesting technology that showed effectiveness in 2018 (Florida Emergency Response Actions) and in 2019 (USACE HABITATS/ Lake Okeechobee) can be utilized to substantially and cost-effectively remove the key nutrients (Phosphorus and Nitrogen) that fuel algae growth in Lake Jesup.

Current water quality conditions in Lake Jessup indicate that the Best Management Practices and source control mitigation measures, while substantial and crucial to the long-term recovery and health of the lake, have not substantially improved the water quality conditions. The root cause of lake's continued water quality problem is by and large attributed to the legacy nutrients still contained within the lake sediments and surrounding soils.

To remove legacy nutrients, the SJRWMD proposes to conduct a 1-year research project to determine the feasibility and scalability of using the innovative algae harvesting technology to remove the remaining legacy nutrients in the lakes' water column. The algae harvesting technology being proposed removes key nutrients that fuel algae growth by physically removing the algae cells from the water column. The process consolidates the algae cells into a dense biomass which can be used in the production of various marketable products that may eventually help offset restoration costs. The processed water is visually crystal clear and can be returned directly back to the lake.

Budget Impact: There is no budget impact from approving Resolution No. 3869-20.

Strategic Impact: Continue to sustain programs and efforts to conserve natural resources.

Recommendation: It is recommended that City Council adopt Resolution No. 3869-20.

Prepared by: Patrick Kelly, Assistant City Manager

AGENDA
MEMORANDUM

TO: Honorable Mayor and City Council Members

FROM: Bryan Cobb, City Manager

DATE: January 6, 2020

SUBJECT: Resolution No. 3870-20, Additional Funds for Round Lake Park Mural

Introduction: This is a request for City Council to approve additional funds for the execution of the Round Lake Park mural design as recommended by the Public Arts Board.

Discussion: On October 15, 2018, the City of Oviedo adopted Resolution No. 3637-18 approving a Call to Artist to request proposals for a mural design to be painted in Round Lake Park celebrating the Black History in Oviedo. On January 7, 2019, City Council approved the final design as recommended by the Public Arts Board. The approved budget for the execution of the Round Lake Park mural was a stipend of \$1,000.00 for the purchase, use and painting of the artwork, and a maximum of \$2,000.00 to cover the materials for the execution of the mural by the artist, adding to a total of \$3,000.00. The budget, however, did not foresee the cost of a lift rental and the cost of the final plaque for the mural.

The following table shows the funds allocated to the Round Lake Park mural and the associated expenses. The mural material was bought by the Recreation and Parks Department, based on a list provided by the artist. The lift was also rented by the Recreation and Parks Department. The second half of the artist stipend will be paid at the time of the execution of the mural. The mural plaque has not been purchased. The plaque for the Round Lake Park mural is expensive because it contains the legend of the historic figures displayed on the mural.

Round Lake Park Mural		
Funds Allocated	Expenses description	Expenses amount
\$ 3,000.00	Artist 1/2 pay (paid)	\$(500.00)
	Material - Amazon (paid)	\$(678.31)
	Material – SPARC (paid)	\$(577.19)
	Material - Home Depot (paid)	\$(288.02)
	Rental lift (paid)	\$(560.00)
	Artist 1/2 pay (to be paid)	\$(500.00)
	Plaque (to be paid)	\$(1,865.96)
	Plaque post (to be paid)	\$(100.00)

Round Lake Park Mural		
Funds Allocated	Expenses description	Expenses amount
	Sub-Total	\$(5,069.48)
Balance		\$(2,069.48)

At its December 11, 2019, meeting, the Public Arts Board recommended that the City Council allocate additional funds to cover the expenses of the mural execution in the amount of \$2,070.00. Any available balance that may be left on the project will revert back to the Public Arts Fund.

Budget Impact: The Public Arts Fund has enough funds to cover the additional costs of the execution of the mural and its associated plaque.

Strategic Impact: Foster and maintain a strong sense of community identity and of place as part of the Community Character strategic goal.

Recommendation: It is recommended that City Council adopt Resolution No. 3870-20.

- Attachments:
1. List of material and equipment costs provided by the Recreation and Parks Department
 2. Estimate for the Mural's plaque

Prepared by: Teresa Correa, Development Services Director

AGENDA
MEMORANDUM

TO: Honorable Mayor and City Council Members

FROM: Bryan Cobb, City Manager

DATE: January 6, 2020

SUBJECT: Resolution No. 3871-20, Amendment to Architectural Design Order No. 046-19 OOTP Lot 3B Building B (Michael Collard Properties, Inc.)

Introduction: This is a request for the City Council to approve an amendment to Architectural Design Order (ADO) No. 046-19 for OOTP Lot 3B Building A.

Discussion: The proposed development is located on the south side of Center Lake Lane and west side of City Walk Lane. The total land area is approximately one point zero four (1.04) acres. The applicant is Michael Collard on behalf of Michael Collard Properties, Inc. The property owner is O.O.T.P. LLC. The architect of record is Bryan Fisher from Fisher and Associates, LLC.

Per LDC Section 2.5 (A)(18), the City Council shall have final approval authority to issue Architectural Design Orders associated with a Site Development Order or Building Permit application associated with a Mixed Use Development, Multifamily Development, Townhome Development, Office Development, and Commercial Development in all zoning districts.

The subject property is designated as Downtown Mixed Use (MUD) on the City's Future Land Use Map and New Downtown District Village Core (MUD-VC) on the City's Official Zoning Map and is part of the Oviedo on the Park plat. The applicant proposes to develop two (2) buildings on the property. Building A is a multi-tenant building named Food Factory. Building B is a micro-brewery named Sanford Brewing Company. ADO No. 046-19 relates to Building B, a building with approximately 3,570 square feet of conditioned area and 3,571 square feet of unconditioned area (patios).

On August 19, 2019, City Council adopted Resolution No. 3791-19, approving ADO No. 046-19 for the OOTP Lot 3B, Building B (Sanford Brewing Company). On November 22, 2019, the applicant re-submitted the architectural plans for Staff's review with proposed modifications to Building B. The revisions did not alter the architectural character of the building. However, the proposed modifications affect all the elevations. Thus, an amendment to the ADO is required. Attachment 5 shows the elevations previously approved side by side with the proposed elevations for each façade orientation. The same architectural style is being proposed with the same materials and scale, but the individual elevations differ from the previously approved plans.

Staff reviewed the amended architectural design of the proposed building according to the standards of the City’s Land Development Code (LDC) Article VIII, Architectural and Urban Design Standards and the Comprehensive Plan. The project consists of a two-story building with distinct masses, two patios, and entrances well-defined with a corner element. The building is finished with brick, stucco, wood and decorative metal panels. Colored elevations of the proposed building are provided in Attachment 3. A set of 3D renderings of the proposed building is provided in Attachment 4.

The Applicant did not request any deviation to the Code with the previously approved plans and is not requesting any deviations to the LDC minimum architectural standards with the proposed plans.

On November 18, 2020, City Council approved the site development order/final engineering plans for OOTP Lot 3. A copy of the approved site plan is provided in Attachment 2. Staff recommends approval of Amended ADO No. 046-19.

Budget Impact: There is no impact to the budget as a result of the approval of the proposed Amended Architectural Design Order No. 046-19.

Strategic Impact: The proposed development of OOTP Lot 3B Building “B” ADO is consistent with the Economic and Vitality strategic goal.

Recommendation: It is recommended that City Council adopt Resolution No. 3871-20.

- Attachments:
1. Location Map
 2. Approved Site Plan
 3. Colored Façade Elevations
 4. 3D rendering
 5. Comparison between approved elevations and proposed elevations

Prepared by: Teresa Correa, Development Services Director

AGENDA
MEMORANDUM

TO: Honorable Mayor and City Council Members

FROM: Bryan Cobb, City Manager

DATE: January 6, 2020

SUBJECT: Ordinance No. 1689, Security Related Concerns and Privacy Matters which Necessitate Protection

Procedure: Call Up Item

Mayor asks Attorney to Read Ordinance by Title Only

City Manager Background

Applicant Comments

Public Hearing

Council Motion & Discussion

Council Action

Introduction: This is a request for City Council to approve an Ordinance relating to providing security for activities of the City that have security related concerns and privacy matters which necessitate protection.

Discussion: The proposed ordinance addresses matters that arise as a result of an event which occurred in 2014 when James McDonough visited Police Chief Al Rolle of Homestead, Florida. While in Police Chief Rolle's office, Mr. McDonough placed his cell phone on the Police Chief's desk and recorded a meeting. Police Chief Rolle testified that Mr. McDonough never warned him he was recording the meeting. In Florida, that action could have been a violation of Florida's "wiretapping" laws which require that all parties consent to being recorded. Police Chief Rolle contacted Miami-Dade County State Attorney Katherine Rundle who transmitted a letter to Mr. McDonough threatening to arrest him if he ever recorded the Police Chief like that again.

Mr. McDonough challenged Ms. Rundle in a lawsuit and won the right to record Chief Rolle in a Federal appeals court. Ms. Rundle appealed the decision to the United States Supreme Court which declined to hear her case.

The City has areas with which sensitive security and personal matters are discussed and within which records are processed containing matters that are either confidential or exempt from disclosure under Florida's Public Records Laws. In those areas, it would be a reasonable action

to regulate whether recording and photographing may occur and whether meetings are to be recorded.

Ordinance No. 1689 provides a means whereby such matters can be reasonably protected by providing that:

- (1). The City Manager may establish certain areas of the facilities and buildings of the City where an expectation of privacy or security is exhibited, expected and needed which necessity may be based upon matters such as those involving homeland security, financial security, the integrity of law enforcement or other public safety activities, the protection of personnel identifying information that can be used for implementing identity theft or other illicit purposes, legally founded privacy, cybersecurity, or as a result of related issues, matters or purposes which require.
- (2). With regard to areas of City facilities and buildings where an expectation of privacy or a security requirement has been determined to exist, the City Manager will cause such areas to be posted with signs and notices that indicate to the general public that it is prohibited to make audio recordings, make video recordings or engage in photography of any type or nature or to otherwise compromise the security based or privacy based information.
- (3). The City Manager will advise the City Council whenever establishing certain areas of City facilities and buildings where an expectation of privacy or security is exhibited, expected and needed.
- (4). A City employee may not record or photograph any other City employee(s) unless directed to do so by supervisory authority.
- (5). It will be prohibited and unlawful for any person to violate the provisions of Ordinance No. 1689. The City may proceed with any legal remedy or code enforcement process available to the City under controlling State law and the penalty provisions of Section 1-7 of the City Code shall be fully applicable.

Budget Impact: Ordinance No. 1689 not only protects the security interests of the City in many respects, but also provides legislative authority for such protections which should act as a deterrent to legal disputes and as a defense when such legal disputes arise thereby reducing the impact of legal costs upon the City. The cost of the required signage should have a minimal impact on the City's budget.

Strategic Impact: Ensures that the City operates in a fiscally sound and prudent manner and conserves and protects City property interests, revenues and resources and well as recognized and legitimate expectations of privacy.

Recommendation: It is recommended that City Council read Ordinance No. 1689 by title only, conduct a public hearing, and adopt Ordinance No. 1689.

Prepared by: Lonnie Groot, City Attorney's Office.

Reviewed by: Barbara Barbour, City Clerk.

AGENDA
MEMORANDUM

TO: Honorable Mayor and City Council Members

FROM: Bryan Cobb, City Manager

DATE: January 6, 2020

SUBJECT: Resolution No. 3861-20, Second Amendment to the Fourth Amended and Restated Substantial Deviation Development Order for the Oviedo Marketplace Development of Regional Impact (DRI).

Procedure: Call Up Item
City Manager Background
Applicant Comments
Public Hearing
Council Motion & Discussion
Council Action

Introduction: This is a request for the City Council to approve the Second Amendment to the Fourth Amended and Restated Substantial Deviation Development Order for the Oviedo Marketplace Development of Regional Impact (DRI) located approximately 1,300 feet north of Red Bug Lake Road and 300 feet west of SR 417.

Discussion: The subject property is part of the Oviedo Marketplace, formerly known as Oviedo Crossing, Development of Regional Impact. The total acreage located within the City is 242.40 acres. The subject amendment achieves the following: incorporates two new uses (senior adult multi-family housing and multi-family) into the equivalency matrix pertaining to the City's portion of the DRI and revises the development program for Tract 3 of Parcel 12. Tract 3 is 15.48 acres located approximately 1,300 feet north of Red Bug Lake Road and 300 feet west of SR 417. The property owner is Omall Development, LLP. The consultant is Hal Kantor with Lowndes, Drosdick, Doster, Kantor & Reed, P.A.

DRI's were established and reviewed according to Florida State Statute Chapter 380. Effective April 9, 2018, the statutory provisions in Chapter 380, Florida Statutes, related to developments of regional impact were amended to eliminate the review process regarding changes to existing DRIs. Amendments to development orders for existing DRIs are now considered by the local governments that issued the development orders, without state and regional review, pursuant to their local development review procedures.

The subject amendment proposes to modify the Development Order to include demolishing the existing 180,000 square foot vacant department store and replacing it with 175 multifamily residential units for age restricted occupancy and 250 multifamily units for unrestricted occupancy, reducing the amount of retail square footage, and to include hotel use for 124 Hotel Units all such modifications to be made on Tract 3 of Parcel 12.

The amendment also proposes to amend the adopted Trip Equivalency Matrix. The amendment incorporates both multifamily and senior adult housing into the Equivalency Matrix, which affects the City’s portion of the DRI. The traffic impact of 175 multifamily residential units for age restricted occupancy and 250 multifamily units for unrestricted occupancy and hotel use for 124 Hotel Units are equivalent to the traffic impact of 51,150 square feet of commercial use. The conversion will not result in any increased trip generation. The remainder 128,850 square feet of entitlements are vested with the Development Order for future development.

The Second Amendment to the Fourth Amended and Restated Substantial Deviation Development Order for the Oviedo Marketplace DRI proposes the following changes: (additions are shown with underline and deletions are shown with strikethrough)

Development Order

A. Page 4, (1) Project’s Summary of Approved/Proposed Development Table: Incorporates the proposed 175 Residential (age restricted) dwelling units, 250 Residential (unrestricted) dwelling units and 124 Hotel units into the Table, reduces the entitlements from the former Macy’s department store and redistributes it to the proposed uses.

The Project’s Summary of Approved/Proposed Development as found in Section II, paragraph 15 of the Fourth Restated DO shall be deleted and replaced with the following:

Land Use by Phase	Development Program	Acreage	Parking Spaces
PHASE 1a and 1b			
Retail Services	250,197 SF	29.1	2,200
Office ¹	126,800 SF	12.9	300
PHASE 2			
Retail Services	1,240,000 <u>1,060,000SF³</u> (Parcel 12, Tracts 1,2,&4, Parcel 16, and Parcel 17)	101.4 <u>85.92</u>	7,300 <u>6230</u>
Multi-Screen Movie Theater	N/A ⁴	N/A	N/A
Hospital/Office ²	104,981 SF	15.6	650
PHASE 3			
Retail Services	345,400 SF	15.4	1,450
Office	79,000 SF	7.5	300
Hospital ⁵	0 to 120 Beds	-	240
Residential (Single Family)	184 DU	23.6	NA
<u>Residential (Unrestricted)</u>	<u>250 DU</u>	<u>15.48</u>	<u>413*</u> <u>and</u>

Land Use by Phase	Development Program	Acreage	Parking Spaces
			<u>13 bike spaces</u>
<u>Residential (Age Restricted)</u>	<u>175 DU</u>		<u>219*</u> <u>and</u> <u>9 bike spaces</u>
<u>Hotel</u>	<u>124 Units</u>		<u>124</u>
<u>Remainder Retail Services from demolished structure</u>	<u>128,850 SF</u>		<u>541</u>

* Minimum number of parking spaces required. Developer may provide additional spaces.

1. Includes a hospital related wellness center.
 2. Includes, but not limited to, Office, Clinical Facilities, and up to 120 bed hospital
 3. Phase 2 includes a Regional Shopping Center with approximately 1,200,000 SF of gross leasable area. This is approximately equivalent to 1,450,000 SF of gross floor area. It also includes Parcel 16 (4.2 acres and 30,000 SF), and Parcel 17 (1.2 acres and 10,000 SF). The 180,000 GLA structure located on Parcel 12, Tract 3, shall be demolished. The proposed redevelopment is equivalent to 51,150 square feet or retail use, which is the ADT equivalent of the reduction in traffic impact as a result of the redevelopment of that portion of Parcel 12 as legally described on Exhibit B. Transportation mitigation requirements for the 180,000 square foot structure have been met as required.
 4. A portion of the Regional Shopping Center may include a multi-screen movie theater. Said theater shall contain not more than 30 screens and shall contain less than 6000 permanent seats. Parking for said theater shall be part of and shall not expand the parking for the Regional Shopping Center. Definitions contained in the ITE Trip Generation Report for regional shopping centers include movie theaters. Converting shopping center space to movie theater space shall be based on a conversion ratio of 1.0 gross leasable square feet of shopping center space to 1.0 square feet of movie theater space.
 5. The hospital structure for 120 beds may contain approximately 170,000 square feet. The 120-bed hospital may be exchanged with office/clinical use in Phase 2 based upon traffic impact with a like amount of development transferred into Phase 3.
- B. Page 5 Total Program Land Use Table: Incorporates the proposed 175 Residential (age restricted) dwelling units, 250 Residential (unrestricted) dwelling units and 124 Hotel units into the Table, reduces the entitlements from the former Macy’s department store and redistributes it to the proposed uses.

Total Program Land Use	Development Program	Acreage	Parking Spaces
Retail Services	1,835,597 <u>1,655,597</u> SF	146.7 <u>131.22</u>	10,950 <u>9,880</u>
Multi-Screen Movie Theater	N/A	N/A	N/A
Office	205,800 SF	20.4	600
Hospital/Office	104,981 SF 0 to 120 Beds	15.6	650 240
Residential (Single Family)	184 DU	23.6	NA
<u>Residential (Unrestricted)</u>	<u>250 DU</u>	<u>15.48</u>	<u>413*</u> and <u>13 bike spaces</u>
<u>Residential (Age Restricted)</u>	<u>175 DU</u>		<u>219*</u> and <u>9 bike spaces</u>
<u>Hotel</u>	<u>124 Units</u>		<u>124</u>
<u>Remainder Retail Services from demolished structure</u>	<u>128,850 SF</u>		<u>541</u>
Stormwater Ponds/Borrow Pits		48.6	
Wetland Conservation		89.3	
Canals and Canal Easements		20.2	
Open Space		36.0	
Right-of-Way		30.8	
TOTAL		431.2	12,440 <u>12,667</u>

C. Page 6, Summary of Land Use: Incorporates the proposed 175 Residential (age restricted) dwelling units, 250 Residential (unrestricted) dwelling units and 124 Hotel units into the Table,

reduces the entitlements from the former Macy's department store and redistributes it to the proposed uses.

Land Use	Parcel	Acreage	Development Program	Parking Spaces
PHASE 2				
Retail Services (Commercial)	12 <u>(Tracts 1,2,&4)</u>	95.0 <u>79.52</u>	1,200,000 <u>1,020,000</u> SF	7,150 <u>6,080</u>
Multi-Screen Movie Theater			N/A	N/A
PHASE 3				
Retail Services (Commercial/Office)	16	4.2	30,000 SF	200
Residential (Single Family)	13A/36	22.3	184 DU	N/A
<u>Residential (Unrestricted)</u>	<u>12</u> <u>(Tract 3)</u>	<u>15.48</u>	<u>250 DU</u>	<u>413*</u> <u>and</u> <u>13 bike spaces</u>
<u>Residential (Age Restricted)</u>			<u>175 DU</u>	<u>219*</u> <u>and</u> <u>9 bike spaces</u>
<u>Hotel</u>			<u>124 units</u>	<u>124</u>
<u>Remainder Retail from demolished structure</u>			<u>128,850 SF</u>	<u>541</u>
Retail Services (Commercial)	13B	3.3	185,400 SF	1,200
Office			20,000 SF	
Retail/Office	15	7.5	59,000 SF	250
Hospital/Office	27	15.6	104,981 SF 0-120 Bed	650

Land Use	Parcel	Acreage	Development Program	Parking Spaces
Open Space – Uplands	-	13.3		
Open Space – Stormwater Ponds	-	33.6		
Open Space – Wetland Conservation	-	17.7		
Open Space – Canals and Canal Easements	-	14.2		
Right-of-Way	-	15.7		
TOTAL		242.4	1,435,400 <u>1,443,250 SF</u> 180 DU <u>434 DU</u> <u>175 DU</u> <u>124 Hotel Units</u> 0-120 Beds	9,450 <u>9,677</u>
Residential (Unrestricted)				
Residential (Age Restricted)				

D. Oviedo Marketplace Master Development Plan (Exhibit “C”): Incorporates the proposed 175 Residential (age restricted) dwelling units, 250 Residential (unrestricted) dwelling units and 124 Hotel units into the various Tables.

Transportation: The subject amendment amends the Trip Equivalency Matrix to incorporate the proposed multifamily dwelling units and senior adult multifamily dwelling units. The proposed 250 apartments, 175 active adult units, and 124 hotel rooms are cumulatively equivalent to 51,150 square feet of retail space. The impacts from the remainder 128,850 square feet (180,000sf- 51,150 sf) are vested. The proposed conversion from retail to multifamily, senior adult multifamily, and hotel uses will not generate additional trips. The City’s Transportation Consultant reviewed the traffic analysis and determined that no additional trips will be created as a result of the proposed amendment.

Seminole County Public Schools School Impact Analysis: Seminole County Public School District staff evaluated the proposed increase in residential density and concluded that the students generated at the three (3) Concurrency Service Area (CSA) levels would be able to be accommodated without exceeding the adopted levels of service (LOS) for each CSA by school type, or there is capacity to meet LOS as allowed by interlocal agreement. Any planned

expansions/additions in the current five-year capital plan would provide additional student capacity to relieve the affected schools is reflected in this review.

Type	CSA Schools	Enrollment	Capacity	Students Generated by Project	Programmed 3 year Additions	Prior Reserved Capacity	Remaining Capacity
Elem	Keeth	645	721	0	0	111	(35)
	Layer	522	714	0	0	13	179
	Rainbow	782	726	45	0	7	(108)
	Sterling Park	827	970	0	0	90	53
Middle	Indian Trails	1246	1444	17	0	61	120
	South Seminole	1156	1255	0	0	43	56
	Tuskawilla	1086	1250	0	0	75	89
High	Hagerty	2419	2683	0	0	20	244
	Oviedo	2474	2826	22	0	54	276

With the addition of 250 multifamily unrestricted units, it is estimated that 45 students will attend Rainbow Elementary School, 17 students will attend Indian Trails Middle School and 22 students will attend Oviedo High School.

The original Fourth Amended and Restated Substantial Deviation Development Order is provided in Attachment 3, and the First Amendment to the Fourth Amended and Restated Substantial Deviation Development Order is provided in Attachment 4. The Assistant City Attorney reviewed the Second Amendment to the Fourth Amended and Restated Substantial Deviation Development Order for the Oviedo Marketplace Development of Regional Impact (DRI) and identified no concerns relative to content and accuracy. Staff recommends approval. The Local Planning Agency conducted a public hearing on December 3, 2019, and thereat, recommended approval of the Second Amendment to the Fourth Amended and Restated Substantial Deviation Development Order for the Oviedo Marketplace Development of Regional Impact (DRI).

Budget Impact: There are no budgetary impacts arising from approval of Resolution No. 3861-20.

Strategic Impact: Promote diversification of the local economy.

Recommendation: It is recommended that the City Council conduct a public hearing and adopt Resolution No. 3861-20.

Attachments: 1. Location Map

2. City’s Transportation Consultant, VHB Trip Generation

3. Fourth Amended and Restated Substantial Deviation Development Order

4. First Amendment to the Fourth Amended and Restated Substantial Deviation Development Order

Prepared by: Debra Pierre, Planning Manager

Reviewed by: Teresa Correa, Development Services Director

AGENDA
MEMORANDUM

TO: Honorable Mayor and City Council Members

FROM: Bryan Cobb, City Manager

DATE: January 6, 2020

SUBJECT: RESOLUTION No. 3872-20, Amendment to Round Lake Park Final Design

Procedure: Call Up Item
City Manager Background
Artist Presentation
Public Comment - Request to Speak Forms submitted prior to beginning of meeting.
Council Motion & Discussion
Council Action

Introduction: This is a request for City Council to approve an amendment to the final design for the Round Lake Park mural.

Discussion: On October 15, 2018, the City of Oviedo adopted Resolution No. 3637-18 approving a Call to Artist to request proposals for a mural design to be painted in Round Lake Park celebrating the Black History in Oviedo. On January 7, 2019, City Council adopted Resolution No. 3683-19 approving the final design for Round Lake Park mural as recommended by the Public Arts Board (PAB). On January 21, 2019, the City unveiled the winning design during the Martin Luther King Celebration at Round Lake Park.

On February 13, 2019, the artist, Mr. Xavier Moss, attended the Public Arts Board meeting, whereat, PAB members discussed and supported the idea of trying to include additional women on the mural. Though there was consensus to incorporate additional women in the mural, the PAB members did not approve a motion to formally recommend such an amendment to City Council. Mr. Moss did additional research and found enough documentation highlighting the contribution to Mrs. Gladys Homes Smith to the history of Oviedo. Therefore, he proposes an amendment to the approved Round Lake Park mural design to incorporate Mrs. Smith and other minor changes. The original design is provided in Attachments 1 and 2. A copy of the proposed amended mural design is provided in Attachments 3 and 4. Staff supports the proposed amended mural design and recommends approval.

Budget Impact: There is no budget impact on the amendment of the Round Lake Park Mural design.

Strategic Impact: Foster and maintain a strong sense of community identity and of place as part of the Community Character strategic goal.

Recommendation: It is recommended that City Council adopt Resolution No. 3872-20.

- Attachments:
1. Original Round Lake Park Mural design
 2. Original Round Lake Park Mural design key
 3. Proposed Round Lake Park Mural design
 4. Proposed Round Lake Park Mural design key

Prepared by: Teresa Correa, Development Services

AGENDA
MEMORANDUM

TO: Honorable Mayor and City Council Members

FROM: Bryan Cobb, City Manager

DATE: January 6, 2020

SUBJECT: Committee Assignments for City Council Members

Introduction: This is a request for City Council to make various committee assignments for FY 2019-20.

Discussion: Each year, subsequent to the municipal election, the City Council is given the opportunity to review and change, if needed, its appointments to the various inter-local committees where the City is a participant. Members of Council currently serve in a variety of roles. The City Council needs to select its representatives to these various assignments.

It is recommended that the City Council appoint its representatives to the following:

- Council of Local Governments in Seminole County (CALNO);
- Tri-County League of Cities;
- Seminole County Community Services Block Grant Advisory Board;
- An alternate member for the METROPLAN Municipal Advisory Committee.
- Seminole County Chamber of Commerce;
- Envision Seminole;
- Seminole Community Alliance;
- Oviedo Winter Springs Chamber of Commerce;
- Parks and Recreation Advisory Committee;
- ION Committee;
- UCF Foundation Board;
- Friends of Lake Jessup; and
- Public School Facilities Planning Committee

A list of current committee representatives is attached. A representative will need to be appointed to each of the committees on which former Mayor Persampiere and former Council Member Henken represented the City Council.

Budget Impact: There is no budgetary impact associated with the committee appointments.

Recommendation: It is recommended that the City Council appoint its representatives to the committees listed above.

Attachment: Committee List with Current Assignments

Prepared by: Barbara Barbour, City Clerk