

**CITY COUNCIL AGENDA
REGULAR MEETING
Monday, July 6, 2020
6:30 p.m.**

**City Hall
400 Alexandria Boulevard
Oviedo, Florida**

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.

CALL TO ORDER / ROLL CALL

**ORDER OF
BUSINESS**

COUNCIL BUSINESS

CEREMONIAL ITEMS AND PRESENTATIONS

1. **None.**

APPROVAL OF MINUTES

2. **Approval of Minutes for the June 1, 2020 Work Session and June 15, 2020 Regular Session.**

PUBLIC COMMENT

3. **Citizen Comment.**

CONSENT AGENDA

4. **Recreation and Parks Month Proclamation.**
5. **Resolution No. 3927-20, FDOT Amended and Restated Drainage Easement.**
6. **Resolution No. 3929-20, Lockwood LS Force Main Project Design.**
7. **Resolution No. 3930-20, Nelson & Co Amended and Restated Drainage Easement.**
8. **Resolution No. 3931-20, Confirmation of Executive Order 2020-008.**

PUBLIC HEARINGS

9. **None.**

FIRST READING OF ORDINANCES

10. None.

RESOLUTIONS

11. **Resolution No. 3928-20**, Dwell at Oviedo Preliminary Subdivision Plan and Site Development Order Final Engineering for Parcels 3, 4 and part of Parcels 1 and 2 (Phases 1A and 1B).

DISCUSSION ITEMS

12. None.

CITY MANAGER'S REPORT

CITY ATTORNEY'S REPORT

COMMUNICATIONS/REPORTS

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

FUTURE MEETING DATES

- Monday, July 20, 2020, 5:30 p.m. CRA Governing Board
- Monday, July 20, 2020, 6:30 p.m. Regular Session
- Monday, July, 27, 2020, 6:30 p.m. Special Session

Adjournment

PERSONS WITH A DISABILITY, SUCH AS A VISION, HEARING OR SPEECH IMPAIRMENT, OR PERSONS NEEDING OTHER TYPES OF ASSISTANCE, AND WHO WISH TO ATTEND CITY COUNCIL MEETINGS OR ANY OTHER BOARD OR COMMITTEE MEETING MAY CONTACT THE CITY CLERK IN WRITING, OR MAY CALL 407-971-5500 FOR INFORMATION REGARDING AVAILABLE AIDS AND SERVICES.

WHEREAS, parks and recreation programs are an integral part of communities throughout this country, including Oviedo, Florida and

WHEREAS, our parks and recreation are vitally important to establishing and maintaining the quality of life in our communities, ensuring the health of all citizens, and contributing to the economic and environmental well-being of a community and region; and

WHEREAS, parks and recreation programs build healthy, active communities that aid in the prevention of chronic disease, provide therapeutic recreation services for those who are mentally or physically disabled, and also improve the mental and emotional health of all citizens; and

WHEREAS, parks and recreation programs increase a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and

WHEREAS, parks and recreation areas are fundamental to the environmental well-being of our community; and

WHEREAS, parks and natural recreation areas improve water quality, protect groundwater, prevent flooding, improve the quality of the air we breathe, provide vegetative buffers to development, and produce habitat for wildlife; and

WHEREAS, our parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and

WHEREAS, the U.S. House of Representatives has designated July as Parks and Recreation Month; and

WHEREAS, the City of Oviedo recognizes the benefits derived from parks and recreation resources.

NOW THEREFORE, I, Megan Sladek, Mayor of the City of Oviedo, do hereby proclaim July 2020 as

Recreation and Parks Month

in the City of Oviedo, and extend greetings and best wishes to all.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal of the City of Oviedo, Florida this 6th day of July, 2020.

Megan Sladek

**AGENDA
MEMORANDUM**

TO: Honorable Mayor and City Council Members
FROM: Bryan Cobb, City Manager
DATE: July 6, 2020
SUBJECT: **Resolution No. 3927-20**, Amended and Restated Drainage Easement with FDOT

Introduction: This is a request to approve the Amended and Restated Drainage Easement Agreement between the City of Oviedo and the Florida Department of Transportation (FDOT) related to the Oviedo Regional Stormwater Pond (ORSP) project. The ORSP is also known as Solary Park.

Discussion: The City is the owner of properties located along Geneva Drive and East Franklin Street, designated as Parcels 118, 119, 808, 809 and 812. The properties are subject to drainage easements and other rights granted to or retained by FDOT pursuant to prior agreements entered into between the City and FDOT. These parcels constitute the ORSP property and are depicted within Exhibit 1 of Resolution 3927-20.

Because the ORSP project, which is currently under construction, will substantially change and modify the properties, and FDOT planning to construct certain road improvements relating to State Road 426 and County Road 419; also known as the SR426/County 419 Phase 2 Widening Project (SR 426 Project), which will drain to the ORSP, the City and FDOT intend to amend and restate the easements and other rights established under the prior easement agreements.

Resolution 3927-20 approves the Amended and Restated Drainage Easement Agreement between the City and FDOT which is provided as Exhibit 1.

Budget Impact: There is no budget impact associated with the approval of Resolution 3927-20.

Strategic Impact: The approval of Resolution 3927-20 is one of a series of actions that will culminate in the redevelopment of the Historic Downtown. Meeting future drainage requirements in a sustainable manner is a goal of the Natural and Built Systems Strategic Focus Area of the City's Strategic Plan.

Recommendation: It is recommended that City Council adopt Resolution No. 3927-20.

Prepared By: Bobby Wyatt, Public Works Director

**AGENDA
MEMORANDUM**

TO: Honorable Mayor and City Council Members
FROM: Bryan Cobb, City Manager
DATE: July 6, 2020
SUBJECT: **Resolution No. 3929-20**, Lockwood LS Force Main Project Design

Introduction: This is a request for City Council to approve a work order with Carollo Engineers, Inc. in the amount of \$152,307.75 for the design of the Lockwood LS Force Main Project.

Discussion: The City is been experiencing routine and ongoing operational challenges with the 16-inch wastewater force main on Lockwood Boulevard as well as the master lift station which serves approximately 2,300 residential parcels in the Twin Rivers, Little Creek and Riverside areas of Oviedo. The challenges include a lack of performance, excessive run times, excess wet well levels and the need to utilize backup pumping on a routine basis.

On April 1, 2019, City Council adopted Resolution No. 3712-19 approving a work order to Carollo Engineers, Inc. (Carollo) to perform an evaluation and Preliminary Design Report (PDR) for replacement of the Lockwood Master Lift Station. The PDR was completed in April and recommends replacement of the 16-inch wastewater force main along Lockwood Boulevard. A copy of the report is attached.

Both the lift station and the 16-inch force main on Lockwood Boulevard are legacy infrastructure purchased from Utilities, Inc. in 2010 as part of the private utility acquisition. Since that time, there have been several operational issues with the lift station, including failing pumps, as well as multiple occurrences of failures in the 16-inch force main. Due to the age, material and known issues with the force main, it is recommended that the force main be replaced. The project location is Lockwood Boulevard from LS50 near Ekana Drive to the tie-in which is located approximately 400 feet north of Long Branch Lane. A map designating the project location and limits is provided in Figure 1 of Carollo's proposal.

Carollo was awarded a continuing consultant contract in May of 2017 under RFQ No 17-19 and Resolution No. 3417-17. A copy of their Scope of Services and proposal in the amount of \$152,307.75 are included with the work order provided in Exhibit 1 of Resolution No. 3929-20. Carollo will complete the design within 18 months of the notice to proceed.

Budget Impact: A Budget Amendment is necessary to fund this project and is provided in Exhibit 2 of Resolution No. 3929-20.

Strategic Impact: Maintain Public Health Protections while ensuring that the infrastructure meets the capacity needs of the City.

Recommendation: It is recommended that City Council adopt Resolution No. 3929-20.

Attachment: Preliminary Design Report by Carollo

Prepared by: Susan Sheikh, Operational Resources Manager

Reviewed by: Bobby Wyatt, Public Works Director

**AGENDA
MEMORANDUM**

TO: Honorable Mayor and City Council Members
FROM: Bryan Cobb, City Manager
DATE: July 6, 2020
SUBJECT: **Resolution No. 3930-20**, Amended and Restated Drainage Easement Agreement – Nelson and Company

Introduction: This is a request for City Council to approve an Amended and Restated Drainage Easement Agreement granting drainage rights to the Oviedo Regional Stormwater Pond (ORSP) to Nelson and Company and its affiliates.

Discussion: The City is the owner of the land incorporating, and is currently constructing Solary Park; which is also known as the Oviedo Regional Stormwater Pond. The ORSP was designed to act as a regional hub for stormwater run-off from adjacent properties and major roadways within the area including State Roads 434 and 426, County Road 419, Oviedo Boulevard, Franklin Street and both the old and realigned portions of Geneva Drive.

Nelson and Company Incorporated (Nelson) and its affiliate members, Big Johns on Central, LLC, 71 Geneva Dr., LLC, 84 Geneva DR., LLC, 110 Geneva DR., LLC and Lake Pickett #1, LLC are the owners of land in the immediate vicinity of the ORSP and can benefit from the right to drain stormwater to the ORSP.

A previous drainage easement was executed between the City and Nelson, on December 27, 2016 (2016 Easement). The 2016 Easement was located within the limits of the new easement being proposed under Resolution 3930-20 and included rights for the City to reconfigure the drainage system and easement area as defined therein. Nelson has also agreed to the reconfiguration. Resolution 3930-20 will supersede and replace the 2016 Easement in its entirety.

Additionally, the City and Nelson entered into the City of Oviedo to Nelson & Company Drainage Easement Relating to Sweetwater Creek on October 3, 2003 (2003 Easement) which provided drainage rights from Nelson property to Sweetwater Creek. Resolution 3930-20 terminates the 2003 Easement.

Furthermore, the ORSP Property was previously improved with a stormwater treatment system (Franklin Street Pond) that currently receives stormwater drainage from Franklin Street and Oviedo Boulevard in accordance with plans approved by the Saint John's River Water Management District (SJRWMD) under permit # 4-117-86648-1 (Franklin Street Project) and from State Road 434 in accordance with the plans for Financial Project ID 415030-2-52-01 approved by SJRWMD under permit # 4-117-86648-3 (SR434 Project).

The ORSP is an expansion of the previously permitted Franklin Street Pond with additional hardscape improvements and was approved by SJRWMD under permit # 4-117-86648-5 (Regional Pond Permit). The ORSP design was approved by SJRWMD as a joint use pond accommodating the needs of the Franklin Street Project, the SR434 Project, the SR426 Project, and a “Future Development Area” of 21.91 acres, which includes the “Downtown Oviedo Basin” and the “Downtown Oviedo East Basin”. The Nelson and its affiliates’ properties are located within the Downtown Oviedo Basin and the Downtown Oviedo East Basin.

The Florida Department of Transportation (FDOT) is planning to construct certain road improvements relating to State Road 426/County Road 419 (SR426 Project) in accordance with the plans for Financial Project ID 415030-3-58-01 which are approved by the SJRWMD under permit # 4-117-86648-4 (Existing SR426 Plans”). Revisions to those plans were prepared by FDOT for Financial Project ID 415030-6-52-01 (SR426 Plans Update). The stormwater from the SR 426 Project and SR426 Plans Update is also planned to utilize the ORSP.

Accordingly, the City and FDOT have prepared an Amended and Restated Drainage Easement related to the use and maintenance of the ORSP (FDOT Amended and Restated Drainage Easement Agreement). The FDOT Amended and Restated Drainage Easement Agreement has also been included on City Council’s July 6, 2020 agenda for consideration as Resolution 3927-20. The FDOT Amended and Restated Drainage Easement Agreement assigns FDOT the use of a portion of the Total Directly Connected Impervious Area (DCIA) and Total Water Quality Volume (WQV) of the ORSP and retains the remainder of the Total DCIA and Total WQV for the use of the City and its assigns.

The Nelson Amended and Restated Drainage Easement, which replaces the 2016 Easement assigns the Nelson portion of the remainder of the Total DCIA and Total WQV retained by the City in accordance with the FDOT Amended and Restated Drainage Easement Agreement and also provides for upsizing of certain drainage structures servicing Nelson and Nelson expense.

Budget Impact: There is no budget impact associated with the approval of Resolution 3930-20.

Strategic Impact: The approval of Resolution 3930-20 is one of a series of actions that will culminate in the redevelopment of the Historic Downtown. Meeting future drainage requirements in a sustainable manner is a goal of the Natural and Built Systems Strategic Focus Area of the City’s Strategic Plan.

Recommendation: It is recommended that City Council adopt Resolution No. 3930-20.

Prepared by: Bobby Wyatt, Public Works Director

**AGENDA
MEMORANDUM**

TO: Honorable Mayor and City Council Members
FROM: Bryan Cobb, City Manager
DATE: July 6, 2020
SUBJECT: Resolution No. 3931-20, Confirmation of Executive Order 2020-008

Introduction: This is a request for the City Council to confirm Executive Order 2020-008 in accordance with Section 20-5(b) of the Code of Ordinances of the City of Oviedo, Florida.

Discussion: Section 20-5(b) of the Code of Ordinances of the City of Oviedo, Florida requires that “Any declaration of a state of emergency and all emergency regulations activated under the provisions of this chapter shall be confirmed by the City Council, by adoption of a Resolution, no later than at the next regular meeting of the City Council, unless the nature of the emergency renders a meeting of the City Council extremely impractical. Confirmation of the emergency declaration shall disclose the reasons for, anticipated impacts of, actions proposed and taken to manage the emergency and other pertinent data relating to the emergency requiring the declaration.”

Executive Order 2020-008 amends Section (b) of Executive Order 2020-001 (as modified and amended by Executive Orders 2020-002 and 2020-007) to read as follows regarding the conduct of Local Government Public Meetings:

1. If a public meeting, hearing or workshop is to be conducted or held, the City Council, City staff, board and/or agency members, as well as the general public are strongly encouraged to practice social distancing recommendations as published by the State of Florida and Seminole County, Florida. These include, but are not limited to, maintaining social distancing protocols, discouraging groups of people greater than fifty (50) persons from congregating, and utilizing technological means to view and/or participate in the meeting.
2. The public may participate in a meeting by submitting comments prior to the meeting which shall be read aloud by the Presiding Officer, or designee, of the meeting during the Public Comments portion of the meeting. Anyone wishing to submit comments to be read at the meeting should submit such comments via email, no later than 2:00 PM on the day of the meeting, to the City Clerk at bbarbour@cityofoviedo.net. Any person wishing to deliver comments personally at the meeting shall be allowed to do so, subject to the following restriction: capacity of the City Council Chambers will be limited to less than fifty (50) persons. Overflow seating will be provided in the City Hall Lobby and/or the City Hall Veranda with video monitors showing the proceedings. Meetings will also be streamed via communications media technology over the internet, and broadcast on Spectrum Channel 496. Those who wish to enter the Council Chambers to participate and make public comments will be given a

- number and allowed to enter one (1) person at a time in numerical order to give his/her comments. Following his/her comments, participants will be asked to return to his/her viewing area.
3. If a public meeting, hearing or workshop is to be conducted in accordance with responsible individual activity recommendations, the notice of the public meeting, hearing or workshop shall so state. The notice for public meetings, hearings, and workshops shall state how persons interested in participating may do so. Notice shall include posting notice of the public meeting, hearing or workshop on the City' s webpage, on the bulletin board located at City Hall, and by email to the media and others who have been placed on routine distribution lists. The procedures for the meeting should recite how public information and participation will be provided and recite that the public is to be provided sufficient opportunity to be heard in order to comply with relevant controlling law. As used herein, "communications media technology" means the electronic transmission of printed matter, audio, full-motion video, freeze-frame video, compressed video, and digital video by any method available.
 4. The City Clerk or Deputy City Clerk shall coordinate with the Assistant City Manager's Office and the Information Technology Department to ensure that all technical matters are coordinated prior to a public meeting, hearing or workshop being held. Such responsibility shall include, but not be limited to, choosing the platform or platforms that will be used and verifying that each platform will work appropriately during the conduct of the meeting as well as ensuring that all necessary equipment is available for usage. The only equipment that shall be required of the public for attendance is telephonic or internet access.
 5. The City Clerk or Deputy City Clerk shall coordinate compliance with the Federal Americans With Disabilities Act with the Assistant City Manager's Office, the Human Resources Department, and the Information Technology Department.
 6. The City Clerk or Deputy City Clerk shall coordinate with the Assistant City Manager's Office and the Information Technology Department to ensure that meetings are shared with the public in a timely manner after their conclusion.
 7. Nothing in this Executive Order shall be construed to diminish the right of the public to inspect public records under Chapter 119, Florida Statutes, and other provisions of controlling law.
 8. Limiting points of access to public meetings, hearings and workshops to places not normally open to the public is prohibited.

Executive Order No. 2020-008 amends the Executive Order No. 2020-001 (as amended by Executive Orders 2020-002 and 2020-007) consistent with the Governor's Executive Order No. 20-139, which initiated Phase 2 of the State's Re-opening Plan. The primary changes are to increase the maximum size of a group that can congregate without social distancing and the capacity of the Council Chamber from 10 to 50. Copies of Executive Order Nos. 2020-001, 2020-002, and 2020-007 are provided in Attachments 1, 2, and 3 respectively. A copy of the Governor's Executive Order 20-139 is provided in Attachment 4.

Budget Impact: There is no budget impact associated with the adoption of Resolution 3931-20.

Strategic Impact: Maintain public health protections. Ensure a high level of readiness to manage and recover from disasters. Maintain disaster preparedness readiness and disaster recovery plan. Provide leadership on critical local and regional issues.

Recommendation: It is recommended that City Council adopt Resolution No. 3931-20.

- Attachments:
1. Executive Order No. 2020-001
 2. Executive Order No. 2020-002
 3. Executive Order No. 2020-007
 4. Governor's Executive Order No. 20-139

**AGENDA
MEMORANDUM**

TO: Honorable Mayor and City Council Members

FROM: Bryan Cobb, City Manager

DATE: July 6, 2020

SUBJECT: **Resolution No. 3928-20**, Dwell at Oviedo Preliminary Subdivision Plan and Site Development Order Final Engineering, Number 520-20, for Parcels 3, 4 and part of Parcels 1 and 2 (Phases 1A and 1B) (Oviedo Luxury Living, Ltd.)

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

Introduction: This is a request for the City Council to approve a Preliminary Subdivision Plan (PSP) and Site Development Order Final Engineering (SDOFE) for Parcels 3, 4 and part of Parcels 1 and 2 (Phases 1A and 1B) of the Dwell at Oviedo. There was a prior development order in 2016 for this project, which expired. This project is for the same land and type of development, and has only minor changes, some of which are noted below. The total land area is approximately 25.36 acres. The subject property is located on the North side of Oviedo Mall Boulevard and on the west side of West Broadway Street (SR 426). The property owner is Oviedo Luxury Living Ltd. The Applicant is The Klein Company. The consultant is Madden, Moorhead & Stokes.

Discussion: Section 2.4(D)(1)(f) of the LDC states that the LPA shall review and make recommendations to City Council on applications for Preliminary Subdivision Plans and shall make written recommendations to the City Council to approve, approve with conditions, or deny the proposed PSP(s).

Compared to the expired, original 2016-approved plan, the following changes were noted, which do not cause compliance issues with the Dwell at Oviedo Development Non-statutory Agreement (NSDA) or the LDC:

1. Some modification to the wetland mitigation for Multi-family Phases 1A and 1B. Other wetlands' phases will be addressed per future development orders.
2. Mobility strategies were added, including bike racks, bike repair stations and a directional sign.

3. Multi-family units were increased from 296 to 300 units, which still complies with the Dwell at Oviedo NSDA. Related changes were made for the amount of parking, mini-park calculations, etc.
4. A maintenance building at the Northwest corner was removed.
5. The layout of the clubhouse and adjacent amenities was revised, and related open space and mini-park calculations were revised.
6. Replacement trees were recalculated, resulting in more trees on the site and a smaller City tree bank contribution.
7. Landscape tree and street tree counts were recalculated to ensure compliance.
8. The Phase 1A and 1B plans were expanded to include final engineering requirements.
9. Other minor changes to various sheets to accomplish the above.
10. LDC deviations noted below were refined and restated, and there is additional landscaping to mitigate for the deviations.

The subject property's future land use designation is Mixed Use (MU). Its zoning district is Planned Unit Development (PUD). The PUD is governed by the Dwell at Oviedo NSDA approved by Ordinance No. 1591 on October 6, 2014. The project was reviewed per the NSDA, the 2006 Land Development Code (LDC) and the 2025 Comprehensive Plan (Comp. Plan). Staff concluded that it complies with the NSDA, LDC, and Comp. Plan.

The Applicant proposes to subdivide the land into Parcels 1 through 6 and develop in Phase 1A a North-South right-of-way including the main access between and along Parcels 1, 2, 3 and 4 extending from Oviedo Mall Boulevard. Another East-West right-of-way will be developed in Phase 1A between and along Parcels 3 and 4 extending to S.R. 426 (West Broadway Street). The proposed rights-of-way will be 60' wide, with the exception that they narrow to the far North and East edges of the project. Future development of adjacent parcels not owned by the Applicant may be expected to widen and further develop those portions later. The 60' rights-of-way include street trees and parallel parking. Future development of Parcels 1, 2, 5 and 6, to include offices, a hotel and other future development, are not part of this Site Development Order. Future development on those parcels shall require additional Site Development Orders.

The Applicant proposes to develop Phases 1A and 1B on Parcels 3 and 4, encompassing 13.39 acres, with 300 Multi-family dwellings. The proposed Multi-family development will have 2 wet retention ponds with the larger pond bordered by walkways, a dog park, a tot lot and a club house with pool. Phase 1A includes detached garages along the East and North sides of Parcel 3. Phases 1A and 1B shall have street trees along Oviedo Mall Boulevard, parking island trees, and landscaped buffer yards at the perimeter. While the Multi-family development includes 402 landscape trees, replacement trees, street trees, and other landscaping, the Applicant will pay into the City tree bank the monetary equivalent of 20 replacement trees.

The project was reviewed against the applicable standards of the Development Agreement and the LDC for open space, landscape buffering, street trees, replacement trees, building setbacks, parking, lighting and other requirements. The project complies, except as to the four (4) deviations noted below.

The Applicant requests the following deviations to the LDC minimum standards:

1. LDC 8.5(b)(3)(c): A 65-parking-space deviation to the requirement that no surface parking shall be located in front of buildings on a local road (Oviedo Mall Boulevard), allowing 65 parking spaces out of the total 575 parking spaces to be located between the road and the building, an 11.3% deviation.
2. LDC Sec. 12.5(a)(2): A 16 large tree deviation to the requirement for a minimum 95 large trees in terminal/interior landscaped islands in the vehicular use area, resulting in 79 islands with large trees, a 16.8% deviation
3. LDC Sec. 12.5 (a)(2)(a): A reduction in width for 10 terminal/interior landscaped islands in the vehicular use area, otherwise required to be a minimum of 8 feet wide, out of the 95 required terminal/interior landscaped islands. This would result in 85 landscaped islands with the required minimum 8-foot width, and 10 landscaped islands reduced in width by amounts of between 1.05 feet and 5.85 feet, resulting in width deviations between 13.1% and 73.1% for the 10 landscaped islands.
4. LDC Sec. 12.5 (a)(2)(a): A 1-terminal/interior landscaped island deviation from the requirement for a minimum of 95 terminal/interior landscaped islands in the vehicular use area, resulting in 94 terminal/landscaped islands, a 1% deviation.

The Applicant submitted a letter with justification and mitigation for each of the above deviations. A copy of the letter is provided in Attachment 4. The letter shows that site design caused the deviations, and that additional landscaping was added to the substantial landscaping provided for the Multi-family project. Therefore, Staff recommends approval of the recommended deviations.

Environmental requirements have been satisfied. The PSP depicts several wetland areas. The Applicant will mitigate the wetlands on the Multi-family parcels, Phases 1A and 1B, offsite. Wetland mitigation formulas shall be applied to 1.61 acres of wetlands there, as indicated on Sheet LP-1. The non-multi-family future phases will need to have any potential wetland mitigation addressed via future Site Development Orders.

Transportation concurrency requirements have been satisfied. The Applicant also provided mobility strategies, including additional bicycle rack spaces, bike repair stations and a directional sign near the primary entrance for the Mall and the Cross Seminole Trail. Potable water and sewer service will be provided by the City of Oviedo. Solid waste capacity is available through Seminole County.

An Architectural Design Order for the Multi-family buildings and clubhouse was submitted and is under review. The Local Planning Agency considered Resolution No. 3928-20 at its June 16, 2020, meeting, and thereat, recommended approval.

Budget Impact: There is no impact to the budget as a result of the project.

Strategic Impact: Maintain and enhance neighborhood quality.

Recommendation: It is recommended that the City Council adopt Resolution No. 3928-20.

Attachments: 1. Location Map
 2. PSP Sheet
 3. Site Plan Sheet, Parcels 3 & 4, Multi-family Portion
 4. Applicant's Justification and Mitigation Letter for Deviations

Prepared by: J. Higbee, Development Review Manager

Reviewed by: Teresa Correa, Development Services Director