

**MINUTES OF THE JOINT CITY COUNCIL AND  
COMMUNITY REDEVELOPMENT AGENCY BOARD MEETING  
APRIL 10, 2006**

Mayor/CRA Chairman Sascha Rizzo called the meeting to order at 8:15 p.m. Council/CRA Board members present were Vice Mayor Bob Brown, Councilman Jeff Flowers, Councilman Bob Miller, Councilman Bill Taulbee, and CRA Board member John Lowndes. Also present were CRA Director Verl Emrick, City Clerk Donna Williams, and City Attorney Cliff Shepard.

**PUBLIC HEARING**

None

**OLD BUSINESS**

None

**APPROVAL OF MINUTES**

A motion was made by Member Flowers to approve the minutes of the Joint Work Session of the Maitland City Council, Community Redevelopment Agency, Community Redevelopment Agency Advisory Board, Planning and Zoning Commission, and the Parks and Recreation Advisory Board of March 28, 2006. The motion was seconded by Member Taulbee and unanimously carried.

A motion was made by Councilman Flowers to approve the minutes of the Joint Work Session of the Maitland City Council, Community Redevelopment Agency, Community Redevelopment Agency Advisory Board, Planning and Zoning Commission, and the Parks and Recreation Advisory Board of March 28, 2006. The motion was seconded by Councilman Taulbee and unanimously carried.

**DECISION/ACTION ITEMS**

**Discussion/Decision: Redevelopment Proposal – Development Agreement - The Village at Lake Lily**

Mr. Emrick gave an overview of the Development Review Committee, Planning and Zoning Commission and CRA Advisory Board recommendations on this item.

Jon Wood, Vice President, Morgan Group, gave a slide presentation on this project. John Cunningham, ACI, discussed the architecture and landscape architecture. Chris Lathrop, Dix-Lathrope, gave an overview of the landscape plans for the project. Cliff Tate, Engineer, Kimley Horn & Associates, Inc., gave a summary of the traffic study for the project. Darren LaCoste, Civil Engineer, Harris Civil Engineers, talked about the development impacts to the surrounding utilities, water and sewer, and stormwater.

Mayor/Chairman Rizzo opened the public period.

Gus Bobes, Jr., 621 Dommerich Drive, stated he was in support of this project.

Bill Kahn, 603 Chickapee Trail, stated he was not in support of this project.

Louise Elliott, 220 Minnehaha Road, stated she was not in support of this project.

Jim Hancock, 1680 Shawnee Trail, stated he had worked with the Maitland Historical Society for nine years and supported their future plans for improvement. He stated he was in support of this development.

Natt Reifler, 931 South Trotters Drive, stated he would be in favor of this development if it had a lower density.

Bev Reponen, 1503 The Oaks, stated she had read the development agreement and referenced pages she had concerns with. She also expressed concern that Lake Lily would become a stormwater retention pond.

Steve Beumer, 581 Arapaho Trail, stated he owned 1061 South Orlando Avenue which would be the future site of Port City Java. He stated he joined with the Morgan Group and supported this development.

Bill Randolph, 331 White Oak Circle, stated he was in support of this development.

Ed Hampden, 604 Lake Sybelia Drive, stated this development could be reduced to 300 condo units and still be beneficial to the developer and better for the City.

Elizabeth Schneider Peele, 885 Town Circle, resident and Chairman of the Parks and Recreation Advisory Board, stated it was an excellent project that would be a benefit to the community if there were a reduction in density.

Joan Randolph, 331 White Oak Circle, noted that this development would consist of four stories and be across the street from a nine story structure and the Moorings which has two six-story buildings with offices to the north with three stories. She expressed concern that without this development, this area would become a strip center. She stated she was in support of this project.

Rex Beech, 1672 Indian Dance Court, stated he was opposed to this project.

Lorrie Weathers, 610 North Lake Sybelia Drive, stated that a compromise could be made where the project could move forward with less density. She stated the residents were not against development, they were just looking for conscientious and responsible development with less density.

Lonnie Knabel, 1805 King Arthur Circle, questioned if the development could be reduced to 100 upscale residential condominiums and 150 upscale residential apartments and remain at three stories.

Jean Thornton, 872 Town Circle, stated she was opposed to this development because of density.

Bruce Grossman, 350 West Ventris Avenue, stated his support of approval of this project with some modifications.

Joan Matthews, 690 Dommerich Drive, stated she was opposed to this project.

Dale McDonald, 108 Tangelo Court, resident and member of Planning and Zoning Commission, stated he was in support of this development.

Phil McCall, 121 Lake Avenue, stated he was in support of this development.

Aaron Leavitt, owner of Aaron's Country Store, 1011 South Orlando Avenue, explained that if this project did not move forward, he would not sell this property again as he is unable to find a new location for his business. He noted this may be the only chance for the City to have a development like this in this area as the other sellers may be reluctant to enter into an agreement that involved multiple parcels.

Doug Kinson, Mayor-elect, 1151 Covewood Trail, stated he liked the project and that his concern had always been with density. He stated he had reviewed the City's CDP and white paper with the City Attorney. He stated that after review of these documents, he concluded that none of them stated directly that the City can overlay entitlements of twenty residential units per acre across entire CRA and then transfer those rights to another property. He stated that the development documents needed to be more specifically defined so as to be more in line with what the citizens of Maitland expect, and this project should not be approved until then. He did note that a vote on this project could not be delayed because of the real estate agreement. He requested that the Board members do what is in the best interest of the City's residents.

Mayor/Chairman Rizzo closed the public period.

Mayor/Chairman Rizzo requested that the City Clerk submit for the record any correspondence she received regarding this item.

Mayor/Chairman Rizzo called for a recess at 10:45 p.m. and reconvened the meeting at 10:55 p.m.

After discussion, Mayor/Chairman Rizzo requested that Mr. Shepard make the following modifications to the development agreement:

1. Page 1: Insert survey and legal description for Exhibit B.
2. Page 1, Line 33: ...attached hereto and made a part hereof (the entirety of which shall be termed herein the "Property"); and
3. Page 16, Line 20: ...credit for the Public Infrastructure in a form and in an amount to be approved by...
4. Page 18, Line 30: a) The Developer shall close on ~~all properties~~ the Property in the Project...
5. Page 19, Line 24: ...Such transfer shall be ~~affected~~ effected...
6. Page 20, Line 10: ~~City agrees~~ The following are conditions to...
7. Page 20, Line 20: add following sentence: Within six (6) months of the Effective Date, Developer shall notify City whether the lease is terminated satisfactorily, failing which it is automatically waived as a condition of Developer's performance;
8. Page 20, Lines 23 and 24: c) Developer shall have submitted application for and obtained City's approval of the Site Plan permit for the Project; ~~which approval City represents is the only license, permit and/or approval required from City, excepting site clearing and building permits;~~
9. Page 27, Line 7: c) City and CRA may terminate this Agreement at any time, by appropriate action of the City Council and CRA, without cost or penalty to the City or CRA, ...
10. Page 27, delete Lines 13 – 16. add: ii) Developer fails to timely notify City of lease termination as required in paragraph 8.b) above.
11. Exhibit I – Public Infrastructure – **The LR3PTS Has Four Purposes** ...During a heavy storm event, the CDS unit effluent water flow will flow at a ~~signification~~ significant velocity. Last sentence next page – it will raise the lakes PH, not lower. Insert Figure 6-11 Lake Lily Drainage Basin page 6-33 of the City's Stormwater/Lakes Management Plan to be added to Exhibit I and referenced in the text.

A motion was made by Member Brown to table this project until the new Council can give it more consideration for a project consistent with City plans and avoid another possible date with courts. Member Miller seconded the motion and the motion did not carry by roll call: Brown-aye; Flowers-nay; Lowndes-nay; Miller-aye; Taulbee-nay; Rizzo-nay.

Member Lowndes asked Mr. Wood to respond to the possibility of lowering the density for this project.

Mr. Wood explained that due to the costs to be incurred for relocation of several businesses, purchase of Qwik Stop tenant lease, cleanup of groundwater soil contamination on three properties, off-site improvements, City contributions and rising construction costs, it would not be possible to lower the density.

**Motion - CRA**

A motion was made by Member Flowers to approve the Development Agreement - The Village at Lake Lily, consistent with the findings and conditions incorporated in the Planning and Zoning Commission Recommendation Report dated April 6, 2006 and the additional eleven modifications Mayor/Chairman Rizzo requested Mr. Shepard to make to the agreement. Member Taulbee seconded the motion and the motion carried by roll call: Brown-nay; Flowers-aye; Lowndes-aye; Miller-nay; Taulbee-aye; Rizzo-aye.

**Motion – City Council**

A motion was made by Councilman Flowers to approve Development Agreement - The Village at Lake Lily, consistent with the findings and conditions incorporated in the Planning and Zoning Commission Recommendation Report dated April 6, 2006 and the additional eleven modifications Mayor/Chairman Rizzo requested Mr. Shepard to make to the agreement. Councilman Taulbee seconded the motion and the motion carried by roll call: Brown-nay; Flowers-aye; Miller-nay; Taulbee-aye; Rizzo-aye.

**PUBLIC PERIOD**

Mayor/Chairman Rizzo opened the public period. There being no one who wished to speak, Mayor/Chairman Rizzo closed the public period.

**ADJOURNMENT**

There being no further business to come before the joint meeting, Mayor/Chairman Rizzo adjourned the meeting at approximately 12:42 p.m.

CITY OF MAITLAND

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Mayor/Chairman

ATTEST:

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Donna L. Williams, City Clerk

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Verl Emrick, CRA Director

Attachments: Letter dated April 6, 2006 from Neal Gwin; emails to Donna Williams, City Clerk, with attachments from residents as follows: dated April 5, 2006 from Christine Hausheer, Bill Conroy, Charles and Sandy Lucas, Kenneth Rugh, and Jane and Jack Varley; dated April 6, 2006 from Nancy Rudner and Barbara Earle, dated April 9, 2006 from Richard and Laurie Wack and Joe and Anne Michalak; dated April 10, 2006 from Bev Reponen, Louise Elliott, Stephanie Henley, David Johnson, and Elizabeth Harbin.