



# COMMISSION AGENDA

## ITEM 100

December 13, 2010  
Meeting

CONSENT	
INFORMATIONAL	<b>X</b>
PUBLIC HEARING	
REGULAR	

MGR.  /DEPT   
Authorization

**REQUEST:** Community Development Department is advising the City Commission of the status of various current planning projects.

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**SYNOPSIS:** The City Commission has been asked to be kept informed of the status of all development projects in the City. This agenda item is an update to the Commission on the status of current planning projects and any events/changes since the last City Commission meeting. **New information is highlighted.**

### CONSIDERATIONS:

The projects listed below are those with some consistent activity, although not every project has additional activity for every update report. For a project maps and information on the school generation rates in the City, please go to the <http://www.winterspringsfl.org/item100>. The number to the left of the project name in this report corresponds to the number on the City Map showing the location of the project. Items listed below that have changed since the last updates are shown in bold type. Items which have not and do not appear likely to generate any change are periodically dropped from this agenda item with prior notice to the City Commission.

- **(1) SJRWMD – Solary Canal (formerly Minter) Site** - Staff review was held on August 25, 2008. The site plan was reviewed at the September 3, 2008 P&Z Board meeting and the conditional use was reviewed at the September 4, 2008 BOA meeting. Both site plan and first reading for the rezoning were approved at the September 22, 2008 Commission meeting. The Conditional Use Permit and second reading/adoption of the rezoning (Ord. No. 2008-12) were held at the October 13, 2008 City Commission meeting. Public Works provided an informational up-date of the status of the Solary Canal Stormwater Treatment Area project to the Commission at its March 23, 2009 meeting. A pre-bid was held April 16, 2009 with bids due April 29, 2009. The low bidder was Briar Corporation at \$1.23 million. Briar Corporation backed out of the process because they were unwilling to hold their price for 90 days. An update project was provided at the December 14, 2009 City Commission meeting. A contract was awarded to the 2<sup>nd</sup> lowest bidder, Wal-Rose. Staff met with Wal-rose on March 31, 2010. Construction commenced on Monday, April 19, 2010. Construction was

scheduled for completion in December 2010, **but is now scheduled for March or April 2011.**

- **(3A) Mann Site (Ladybird Academy)** – Preliminary engineering plans for the 7,500 S.F. Ladybird Academy Daycare received a unanimous vote for approval at the October 7, 2008 P&Z Board meeting and was approved, subject to conditions, at the October 27, 2008 City Commission meeting. The Applicant submitted for final engineering approval on April 6, 2009. The final engineering/site plan and aesthetic revisions were approved at the August 10, 2009 Commission, along with a Development Agreement/Notice of Zoning Restriction modification. A pre-construction meeting was held on October 15, 2009. The properties to the north will be designated as recipient site for trees donated in fulfillment of arbor permit obligations. Staff has talked with representatives of the subject project and the pending Civil Suit in Orange County between Ladybird Academy SBW, Inc. and Ladybird Inc. does not affect this project. The subject project will be privately owned and operated. A certificate of occupancy was issued October 22, 2010. **The facility was opened on November 29, 2010, upon receipt of final state certification. This item will be deleted from future Item 100 reports.**
- **(8) Oviedo Marketplace** –The plan for Section B of Parcel 14, comprised of a 77 unit condominium project, was submitted on September 25 and was reviewed at the October 21, 2008 staff review. Staff received correspondence on December 1, stating that the applicant was considering developing 58 residential units and using the southerly 2.5 acres (separated from the rest of the site by wetlands) for self-storage. On August 10, 2009, the Commission agreed with the applicant's request to allow a 100,000 SF storage facility within the DRI/PUD. At its October 12, 2009 meeting the Commission approved an implementation agreement authorizing the indoor personal storage and approved the concept of substituting either 184 independent living units, 318 assisted living facility beds, or some combination of these on the remaining portion of Parcel 14. Staff met with the applicant on January 28 to address development of the storage facility. A site plan for the storage facility was submitted on February 17, 2010 and was addressed at the March 16 staff review. Staff worked with the City Attorney to determine a number of issues regarding the site (e.g. master plan, buffer, setbacks, and signage). The applicant is currently working on the plat for Parcel 14 and anticipates coming back with the Master Plan. The applicant is still working on a replat for Parcel 14 and a redetermination of the wetland boundary with the SJRWMD. The applicant has requested a meeting (held on July 20, 2010) to discuss the final wording for the Development Agreement for this project. The applicant's unofficial request to excavate an additional pond to provide fill for on-site development **was** discussed at the August 17 staff review. Staff is working, in conjunction with the City Attorney, to finalize language for the DA as well as to finalize the process for moving forward with the Stor Kwik facility and the initial site plan for the ILF/ACLF facility. The Applicant, staff, and the City Attorney have finalized DA language that is undergoing final review by all parties. Initial reviews have yielded only two minor text items that need to be negotiated. The City Attorney is finalizing the DA language and the applicant has indicated that they are in negotiations with an ILF/ACLF company for the last portion of the Parcel 14 site. **All parties have finalized their review of the Implementation**

**Agreement and this Agreement has been scheduled for consideration by the City Commission at their December 13, 2010 Regular Meeting.**

- **(10) Sonesta Pointe (AKA Winter Springs Village)** – Preliminary plans for approximately 436 town-homes on 40 acres within the Town Center were received from Engle Homes on July 2, 2004, and were approved as a concept plan at its August 9, 2004, meeting and refined it at its September 27, 2004 meeting. The City Attorney noted that the concept plan, as proposed, would require a development agreement or special exception or both. The 40 acres had been acquired without platting. The applicant has hired a new design team and met with staff on May 31 and July 8, 2005 to summarize outstanding issues. On August 29, 2005, staff received an aesthetic review package. The state required a letter from the City's Local Planning Agency, stating that crossing the Cross-Seminole Trail with underground utility lines is consistent with the City's Comprehensive Plan (approved at the December 6, 2005 LPA/P&Z meeting). The aesthetic review was approved at the August 28, 2006 Commission meeting. A final engineering plan was resubmitted on September 20, 2006 and was reviewed at the October 3, 2006 staff review. A request for an early work permit was heard at the September 25, 2006 meeting, but a decision was deferred until more information is provided regarding specimen tree preservation. The applicant withdrew the early work permit request. The applicant resubmitted for an early work permit and provided the additional information requested by the Commission. This permit was approved by the Commission at the November 13, 2006 City Commission meeting. The final engineering plans and the Development Agreement were approved at the December 11, 2006, Commission meeting, but the development agreement was not executed or recorded. A revised concept plan featuring 289 total units, incorporating 114 single family detached units with 72 duplex units, 103 townhomes, 2-car garages, and 260 on-street parking spaces ( the 260 is excluding the Tuskawilla Road on-street parking) was approved at the May 14, 2007 Commission meeting. The Sonesta team met with staff on June 27, 2007, addressing lowering the overall site elevation and lowering some units to less than the prescribed 2' minimum elevation above the adjacent sidewalk. A revised aesthetic review package was approved at the August 13, 2007 Commission meeting. Final engineering plans were received on August 20, 2007 and were addressed at a special September 11, 2007 staff review. Staff reviewed an electronic revision to the plans and advised the applicant of the necessary procedures to finalize the plan changes. Staff and Dover Kohl & Partners reviewed and provided preliminary comments to the applicant's informal concept plan for the site that includes various single-family detached units, including front-loaded garages. At its April 28, 2008 meeting, the Commission approved a site development permit for limited clearing on the property in those areas permitted for wetland mitigation. The concept plan was addressed at the May 18, 2010 staff review meeting and received conditional approval at the June 14, 2010 Commission meeting. Renewal of the early work permit was approved at the May 24, 2010 City Commission meeting and staff is awaiting an executed copy of the agreement. Meetings were conducted on June 22, 2010 and June 25, 2010 to discuss the early work permit, modifications of the concept plan to eliminate the existing deviations, and the landscape plan details. The 4-lot plat and a final engineering plans package were submitted and were discussed at the August 17, 2010 staff review. Early work has commenced. On October 19, 2010, final

engineering and aesthetic review materials were resubmitted to staff and were reviewed at the November 2, 2010 staff review meeting. On November 3, 2010, Commissioner Brown, the City Manager, and the Community Development Director met with the St. Johns Landing HOA regarding Sonesta Pointe. Engineering met with the Sonesta team again on November 4, 2010. The applicant met with the Tuskawilla Trace HOA on November 3, 2010 and will be setting up a meeting with the St. John's Landing HOA as soon as possible. **Staff and the applicant remain in negotiations on review items. The City Manager continues his extensive efforts to set up a meeting with the St. John's Landing HOA to discuss the wall issue, the buffer area, and other items referenced by the HOA in their correspondence to the City.**

- **(11) JDC Calhoun I.** City records indicate the following businesses are locating or have located in the JDC Calhoun Town Center:

City staff has compiled an ownership map for Phase I of the Town Center. This map has been made available electronically for reference purposes. Staff is arranging a meeting with the new management company to discuss landscape and hardscape maintenance, irrigation system repair and maintenance as well as overall site maintenance. Staff met with two of the management/leasing companies on December 8, 2009 to discuss the current status of the Town center/lease amounts/recent tenant losses, and plans for moving the Town Center forward. Staff received an e-mail list from the tenant meeting and has updated the tenants on all relevant information regarding the management and final ownership of the various sections of the Town Center. Staff was working with Transwestern (management company) to locate Verizon Wireless Services at the western end of Building 11, but Verizon withdrew. Staff had a meeting on January 19, 2010 with a representative of Business Capital Solutions Group regarding marketing of the Town Center. This representative is also contacting the management companies for the Town Center properties. Staff understands that the transfer occurred on March 16, 2010. Mosaic Restaurant has opened in the former Beef O'Brady's location. The Hidden Harbor Seafood and Lobster Feast is scheduled to open in early July in the former Gian Carlo's location. Staff had a meeting with representatives of Kee Wee Entertainment on July 2, 2010 to discuss initial plans for a family entertainment complex and restaurant in Building #1 of the Town Center. D'Tails is leaving the Town Center for a new location, with a larger floorplan, near Red Bug Road. Staff is working with a prospective new buyer for Buildings 4 and 17 to resolve a small encroachment issue on Building 4. After much "back and forth", Kee Wee Entertainment appears to have settled on the old Eckerd's building at the intersection of SR 434 and SR 419 for their entertainment complex and restaurant. Senor Tequila Mexican Grill has opened in the previous Beef O'Brady's location. Hidden Harbor is open for business in the space in Building No. 1 vacated by Gian Carlo's. **The request by ISIS for the City to vacate approximately 6 square feet of the Tuskawilla Road right-of-way was approved at the November 15, 2010 City Commission meeting. Transwestern has been negotiating a plan to remove the bank drive-thru facility and to replace it with more parking and an additional sidewalk along the east side of Cliff Rose Drive.**

**(13) Town Center Phase II** - Staff met with IBEW and 5<sup>th</sup> / 3<sup>rd</sup> Bank representatives on August 28, 2008 to discuss a possible lot split and the location of a branch bank on a parcel located along the north side of SR 434, just east of the McDonald's. Staff met Atwell-Hicks Development Consultants representatives on September 24, 2008 to discuss lot split, infrastructure, and site design issues associated with the proposed bank. A lay-out sketch was provided to staff on October 3, 2008. This sketch and cursory staff comments have been forwarded to Dover Kohl and Partners for further review. Staff met again with representatives of 5<sup>th</sup>/3<sup>rd</sup> Bank and the IBEW to look at proposals for the site design. Another proposal was sent via e-mail to staff and has been reviewed by staff. Comments were sent to the applicant on December 30, 2008. The FDOT has denied the turn lane request of the 5<sup>th</sup>/3<sup>rd</sup> Bank team. City staff met with the development team on February 2, 2009 to discuss the left turn lane issue. Additional discussions with FDOT will be scheduled regarding the turn lane and possible access from Tuskawilla Road, behind the McDonald's site. Staff met with representatives of Lochrane Engineering and the IBEW's attorney on March 12, 2009 to discuss details of the Phase II Implementation Agreement. Staff and the City Attorney met with representatives of the IBEW on December 7, 2009 about possible modifications to the Implementation Agreement. Agenda Item 601 on the January 25, 2010 City Commission meeting addressed the proposed changes to the Phase 2 Implementation Agreement. The Commission voted to table the item and take it to a special meeting which on February 11, 2010 at 6 PM. At the Special Commission meeting on February 11, 2010, the Commission voted to negotiate a new implementation agreement with the IBEW, preserving certain items contained in the current agreement and allowing the IBEW more flexibility to market the property for new development. Any new proposals must adhere to the Town Center Code and will be subject to review and approval of the City Commission. Staff met in April with developer representatives interested in placing three businesses on the northeast corner of SR 434 and Tuskawilla Road. Staff had another meeting with this developer in May 2010 to attempt to modify the site plan to meet the Town Center Code requirements. Staff has not met with the developer on the northeast corner property since May 2010. We will continue to monitor. No word from the IBEW on the remainder of the Phase II property. The representative for the developer that had proposed a site plan for the northeast corner of SR 434 and Tuskawilla Road has requested a meeting to discuss certain design criteria for the Town Center. At its September 27, 2010 meeting, the Commission authorized payment to Winter Springs Holdings in the amount of \$247,561.80 for Michael Blake Boulevard.

**(13-A)Town Parke Apartments** – The 10.32 acre site is located on the south side of SR 434, between the Mobil station and the pedestrian bridge. A conceptual site plan for 201 (was 204) residential apartment units (1-4 BR) with 413 (was 388) parking spaces was submitted to the City on February 26, 2009 and was addressed at staff review on March 19. The City Arborist and the applicant's landscape architect conducted a site inspection for March 4, 2009. Revised plans were submitted on March 30 and were addressed at staff review on April 7, 2009. Further revised plans were received on April 10 and were approved as a concept review by the Commission on April 27, 2009. The concept approval was re-heard at a May 18, 2009 special meeting and was approved subject to a negotiated Development Agreement with specific

stipulations. Further discussion ensued at the special May 26, 2009 Commission meeting regarding crime statistics for high density housing areas. Staff has had no recent communications with the applicant for this development. *The Chronicle* Jan. 28-Feb. 3, 2010) stated that a lawsuit between Atlantic Housing Partners and the City of Oviedo, regarding language in a development agreement which required owner-occupied residential units, at site at SR 434 and Chapman Road, was dismissed by U.S. District Judge Anne Conway. The applicant's engineer met with staff on March 1, 2010, to address how to proceed. Staff is responding to various questions from the applicant's consultants at this time. Staff met with the applicant's landscape architects, Foster Conant, on April 20. Combined preliminary and final engineering plans were submitted on May 05, 2010 and were addressed at the May 25 staff review. Aesthetic review plans were addressed at the June 8 staff review. Staff met with the architect on June 30, 2010 to discuss building architecture. Staff received a submittal on July 9, 2010 for a second review of the engineering, a draft DA (w/o payment), and a financial analysis. Staff review for the site plan and aesthetic review was held on August 3, 2010. The first public meeting for the citizens to meet with the developer was held on August 12, 2010. After meeting with the citizens, the applicant has scaled back the proposal to provide fewer units and only include persons age 55 and older. A submittal was received on September 2 for the September 21, 2010 staff review. The applicant's team met with citizens, again on September 14, 2010. A September 24 re-submittal was reviewed at the October 5, 2010 staff review and an October 13, 2010 P&Z meeting. The P&Z Board considered the special exception requests and the final engineering site plan and recommended both be denied. The applicant's team met with staff regarding the aesthetic review on October 19, 2010. The special exceptions, final engineering site plan, and development agreement were all unanimously denied at the October 25, 2010 Commission meeting. **(This item may be removed from the January 2011 Item 100 Agenda.)**

**(14-A) Magnolia Park** – Staff met with the design team on April 14, 2009 to provide initial comments on the trail land swap, site, and building design, for the amphitheater with its changing rooms and rest rooms, in preparation for formal submittals. Staff met with the consultants on May 14, 2009 to discuss the landscaping, lighting, and sound components of the design. Additional discussions were held on May 29, 2009 regarding the lighting and sound designs. Staff has received the 60% plans on July 31, 2009 and addressed these plans at the September 1, 2009 staff review. Aesthetic Review of this project was conducted as part of the October 6, 2009 staff review meeting. Staff is awaiting the resubmittal of the aesthetic review documents in response to the October 6, 2009 review. Final staff reviews of the aesthetics and final engineering were held on December 8, 2009. Staff awaits the final engineering and aesthetic plan re-submittal for the City Commission. Also, the trail swap is being delayed because the State wants to bundle the Magnolia Park Trailhead and the Bart Phillips trail right-of-way dedication along SR 419 together. Staff is working to resolve these items. The final engineering/site plan and aesthetic review received Commission approval at the March 22, 2010 Commission. The Lien Satisfaction Agreement has been executed by the both Bart Phillips and the City and will be forwarded to the City Attorney for recordation and processing for the purpose of moving forward on the various dedications for right-of-way and the swapping of trail right-of-way with the

Magnolia Park Amphitheater site. Discussions are underway between Mr. Phillips, the CSX railroad, Seminole County, and the State Office of Greenways and Trails regarding the CSX railroad crossing and the trail property swap. Seminole County is working with CSX Railroad on the swap and City Staff is meeting with the County on their request for some survey work. Seminole County is making application for an easement to cross the CSX railroad with the Cross Seminole Trail. The County submitted the application for the trail to cross in the industrial park to CSX on 7/23/10. They expect a response within 60 days. The land swap application is on hold at the Office of Greenways and Trails pending receipt of the railroad crossing permit from CSX. Seminole County notified staff on October 13, 2010 that they had received a verbal confirmation that the permit application had cleared the CSX safety group (an important hurdle). The permit is currently in the CSX engineering group, which focuses on technical issues. **As of December 3, 2010, staff had no additional updates for this item.**

**(19) Grandeville at Town Center (f/k/a Villa Grande)** – Staff is working with the applicant to finalize revisions to the permit plans and to finalize the address assignments for the units. A pre-construction meeting and permit issuance should be forthcoming in the next few weeks. Staff met with the applicant on September 29, 2008 to finalize the methodology for building valuation to be used in assessing the appropriate building permit fees. The applicant reports renegotiating materials prices (in light of recent price declines) in preparation for submitting for a construction permit to do the site/civil construction and obtaining building permits. The applicant met again with staff on December 23, 2008 and announced that, due to the international financial crisis, they were suspending the project indefinitely. The applicant has asked for contact information for another developer who approached the City with a proposal for an “independent living” facility for seniors. Staff met with the applicant on February 27 and again on April 16, 2009 to discuss options for modifying the proposal to 144 age-restricted apartments utilizing a site plan similar to the one previously approved. Further discussions relative to the final design and economic development incentives for this project were scheduled for June 9, 2009, but were re-scheduled for June 16, 2009. The applicant is currently working on financing for this project and the City is continuing consideration of potential economic development incentives. Staff is working with the applicant to finalize the financial package and to finish the write up to be used in marketing the project. Staff provided a letter on September 28, 2009 detailing the existing project status. This letter will be used as part of the financial package for the project. Staff met with the project representative on October 19, 2009 to discuss the schedule for consideration/approval of the project modifications as related to the conversion of the project to age-restricted apartments. Staff met with the applicant on January 26, 2010 once again to address applicable City and county impact fees. Staff has also provided local demographic and recent activity information on the Town Center to assist the developer with their HUD application. The applicant has maintained contact with staff regarding the project. As of May 14, 2010, the developer has stated that HUD is running 90-120 days late with their invitations. The developer expects to hear from HUD within the next 50-75 days and has indicated that they will need expedited services from the City once this invitation is received. The Developer spoke to staff on July 14, 2010 and indicated that they were two (2) weeks away from a

decision by HUD relative to their financing. If the financing is approved, they will need to finalize all approval with 120 days. Staff spoke to the developer on August 16, 2010 and confirmed that they are still waiting to hear from HUD. **Another call from the Developer in Mid November indicated that HUD is running late with their actions on projects and, therefore, the developer is still waiting to hear from HUD on financing for this project.**

- **Wagner's Curve (Charter School)** – Staff has met with representatives proposing the relocation of an existing charter school in Seminole County to this parcel. Concept plans for a charter school were submitted April 28, 2010 and was the topic of a work session with the applicant, Victor Dover, and staff on May 14, 2010. The designation of this parcel as a civic site, subject to conditions, occurred at the June 14, 2010 Commission meeting. The conceptual plan was approved with conditions at the June 28, 2010 Commission, along with the first public hearing for the special exception. The special exception was approved at the July 12, 2010 Commission meeting. The Commission approved the DA at its September 13, 2010 meeting. Staff met with the applicant's architectural team on October 21, 2010. The final engineering plans and aesthetic review package have been submitted and are under review by staff. **Final approval packages are scheduled to go before the Planning and Zoning Board on January 5, 2011 and the City Commission on January 24, 2011.**
- **Racetrack Gas Station** – On October 19, 2010, staff met with representatives of Racetrack gas stations, addressing their inquiry regarding the SW corner of the intersection of Winding Hollow Boulevard and SR 434. Staff had previously informed the applicant's attorney of the separation requirements of Section 20-418 of the City Code, which mandate at least a 350 foot separation between new gas stations and existing gas stations or residentially zoned property. At the meeting, the applicant was advised of the SR 434 New Development Overlay Zoning District development standards as well as the 20-418 separation requirements.
- **(23) Brighthouse** – The Brighthouse site plan for renovation of the 0.23 acre site on S. Moss Road has progressed thru staff review and is scheduled for a special April 28, 2010 Planning & Zoning Board meeting. The site plan, aesthetic review, and special permit were approved at the May 10, 2010 Commission meeting. Plan review for the building construction is underway as of May 31, 2010. Brighthouse applied for and was given a review of the building plans for the design professional only. The building permit was issued on September 15, 2010, shortly after the preconstruction conference. **This project is nearing the completion of construction.**

**(25) Bart Phillips/ 419 Auto & Metal** – On September 8, 2008, the Commission adopted Ord. No. 2008-11, which provided a restricted C-2 zoning for the 2 parcels containing approximately 9.04 acres along SR 434. A revised aesthetic review package for the perimeter wall was received December 19, 2008 and was approved at the January 26, 2009 City Commission meeting. Vacation of the Ginger Lane and part of the Old Sanford-Oviedo Road rights-of-way was approved at the February 9, 2009 City Commission meeting. Staff met with the applicant's team on March 2, 2009 to discuss the wall permit. A meeting was held with staff and the City Attorney on March 12,

2009 to discuss the Restrictive Rezoning and the Non-conforming use. Staff is processing the building permit application for the wall for approval, subject to conditions (e.g. recordation of easements and rezoning to either C-2 or restricted C-2). The applicant has made application to rezone the C-1 property along SR 419 to a non-restricted C-2 zoning in place of the restricted C-2 previously approved by the City Commission. The new rezoning request received a recommendation for approval at the June 3, 2009 Planning and Zoning Board meeting and Ordinance No. 2009-10 had first reading at the June 22, 2009 Commission meeting. Second and final reading for the rezoning of the property along SR 419 was approved on July 13, 2009. The Building permit for the first phase of the screen wall along the property's eastern boundary was issued on September 28, 2009. Staff has received a request for a waiver of the front setback along S.R. 419, behind the screen wall. A waiver for the front setback along SR 419, behind the 10-foot wall was approved by the City Commission on February 8, 2010. The City Attorney and staff took an ordinance to the Planning and Zoning Board in February 2010 with proposed text amendments regarding permitted uses in the City's I-1 Zoning District. The applicant indicated that, in addition to the "secondary metals recycling" operations in the proposed text amendment, he also wanted the allowance to do "recycling of non-hazardous materials". This addition was discussed during the Planning & Zoning Board meeting in February. First reading of the text amendment for the I-1 zoning district the City Commission was approved at the Commission's February 22, 2010 meeting. The applicant submitted a request for relief of the fines imposed by the Code Enforcement Board. The Code Enforcement Board recommended approval of the reduction of fine request at a special meeting on March 30, 2010. Second reading of Ordinance 2010-03 amending the list of permitted uses in the I-1 District and the City Commission's consideration of the Code Enforcement Lien Satisfaction Agreement received Commission approval at the April 12, 2010 City Commission meeting. On April 28, 2010, Mr. Philips paid \$500 necessary to satisfy the lien and submitted the executed Lien Satisfaction document. The Lien Satisfaction Agreement was recorded on May 10, 2010. City staff is working with the County on the trail swap. No permit applications have been received for the proposed wall. **The property owner is currently in negotiations with the SJRWMD on the 419 Auto & Metal project. As of December 3, 2010, staff had no additional updates relative to the trail ROW swap with the CSX Railroad (see Item 14-A above).**

- **(26) Starlight Baptist Church** – Staff met with the applicant on September 18, 2008 to discuss building construction phasing. The applicant met with the Building Official on October 14, 2008 to discuss modifications to the building plans necessary to implement the phasing plan. A pre-construction conference was scheduled for December 2, 2008, but was cancelled. The architect has worked with the Building Official on a number of building design issues. The applicant has inquired about the initial phasing of the project. The first portion of the construction would involve the enclosing of the existing open basketball court building to serve as an interim meeting place during construction of the new sanctuary. The contractor and site engineer have renewed efforts to coordinate limited site work and enclosure of the covered basketball court with staff. A very limited plan was addressed at the October 20, 2009 staff review. Staff met with the consultant for this project on January 14, 2010. They are proposing to enclose the basketball court for an overflow facility as phase 1 of the

development. Staff is working with the developer on Development Agreement language requiring sidewalks on Bahama when the City paves that Road. The consultant indicated that the Church may be in a position to begin the construction on the first part of the new sanctuary by the summer of 2010. Staff is working with the applicant on the aesthetic review for the first phase of development. A limited (scaled back) site plan revision, comprised primarily of enclosing the 5,000 SF covered area, providing a more secluded bus parking area, a dumpster enclosure, water and sewer connections, and sidewalks along the adjacent ROWs was received and was addressed at the March 2 staff review. The aesthetic review and final engineering for Phase I of the project were approved at the April 26, 2010 Commission. A preconstruction conference was held on April 27, 2010. As of June 7, 2010, building plans are under review by the building department. The building department has completed their review of the construction plans and comments have been sent to the contractor for response. On July 28, 2010, staff received an electronic letter from the contractor, requesting the sidewalk requirement (comprehensive plan and development agreement) along Bahama Road be rescinded. Comments have been sent and received on the building permit. The second review comments from the fire department have been received and the permit is undergoing final review by the building division. **The building permit was issued on November 29, 2010, after the applicant secured the water permit from the FDEP and paid the water and sewer connection fees to the City.**

- **(28) Park Manor Academy** – Having obtained a conditional use and a waiver from the building setback requirements, the applicant has submitted a combined preliminary and final engineering plan submittal for the proposed 3,459 SF day care/pre-school facility with 13 parking spaces, located at the SE end of Excelsior Parkway. The project was addressed at the May 5, 2009 staff review. A plan resubmittal was received July 17, 2009 and has been reviewed by applicable staff. Staff awaits revised plans from the design engineer. A response to staff's comments was received on December 30, 2009. The final engineering/site plan (along with aesthetic review) was approved at the February 22, 2010 Commission. A preconstruction conference was held and site work commenced on March 25, 2010. Building plans have not been submitted as of July 2, 2010. No additional updates are available on this project.

Bus Stop Shelters      Lynx bus stop shelters are currently being installed along SR 434 within the City. Plans include nine (9) of these shelters within the City.

**FISCAL IMPACT:** There is no fiscal impact associated with this agenda item.

**COMMUNICATION EFFORTS:**

This Agenda Item has been forwarded to the Mayor and City Commission; City Manager; City Attorney/Staff; placed in Press Packets; placed in the City Hall (Lobby) City Commission Meeting binder; and is available on the City's Website, LaserFiche, and the City's Server. Additionally, information related to this Agenda Item has been sent to media/press representatives who have requested Agendas/Agenda Item information, all Homeowner's Associations on file with the City, all individuals who have requested Agendas/Agenda Item information, Department Directors; and also

posted outside City Hall; posted inside City Hall with additional copies available for the general public; and posted at five (5) different locations around the City.

**RECOMMENDATION:** The City Commission is being asked to review and accept the information in this agenda item.

**ATTACHMENTS:** None