

CITY COMMISSION
CITY OF WILDWOOD, FLORIDA
REGULAR MEETING
DECEMBER 12, 2011 – 7:00 P.M.
CITY HALL COMMISSION CHAMBER

The City Commission of the City of Wildwood, Florida met in Regular session December 12, 2011 at 7:00 p.m.

Present were: Mayor Wolf, Commissioners Bivins, Allen and Strickland. Also present were: Interim City Manager Jacobs, City Attorney Blair, Assistant City Clerk Roberts, Police Chief Reeser, Development Services Director Peavy, Parks & Recreation Coordinator Hargrove, Utility Director Phillips, Human Resource Coordinator Cox and AVT Law. Commissioner Clark was out due to illness.

The meeting was called to Order followed by an invocation and Pledge of Allegiance to the American Flag.

1. TIMED ITEMS AND PUBLIC HEARINGS

- a. PUBLIC HEARING – 2nd FINAL READING Ordinance No. O2011-18 – A request for amendment to Ordinance #622 concerning the PUD zoning on the Wildwood Springs development as outlined in this ordinance No. O2011-18 (Attachments – Staff Recommends Approval) (quasi-judicial hearing)

Ordinance O2011-18 was introduced and read by title only. DSD Peavy and Dean Barbarree were sworn in.

DSD Peavy reported this Ordinance brings the PUD zoning on the Wildwood Springs development into compliance with DCA's ARDO. Opened for Public Hearing. No comments received.

Motion by Commissioner Bivins, second by Commissioner Allen that Ordinance No.O2011-18: An Ordinance Of The City Of Wildwood Granting A Request For A Planned Development Pursuant To Section 8.6 Of The Land Development Regulations; For Certain Property Within The City Of Wildwood, Florida; Owned By Wildwood Springs, LLC; Providing For Severability; Providing For Codification; And Providing For An Effective Date: be adopted on second final reading. Motion carried by unanimous vote.

- b. TIMED ITEM Discussion/Request for approval of SP 1104-01 Final Plat for Oxford Professional Park subject to the Declaration of Covenants and Restrictions to be recorded with the subject plat (Attachments – Staff Recommends Approval)

DSD Peavy noted that the plat copy included in the packet includes the existing IMRT Center. The remainder of the plat has the additional lots. When the site was designed, it shared the parking and utilities.

Motion by Commissioner Allen, second by Commissioner Bivins that SP1104-01 Final Plat Oxford Professional Park be approved subject to the Declaration of Covenants and Restrictions to be recorded with the subject plat. Motion carried by unanimous vote.

c. TIMED ITEM Request for SP 1103-03 Site Plan approval for a 191 bed Independent Living Facility (ILF) (Providence ILF) in the Turkey Run zoning district, with Development Master Plan by Providence One Partners and based on the P&Z Board/Special Magistrate's favorable recommendation subject to approval, exemption or permitting of the project by all agencies of competent jurisdiction (Attachments – Staff Recommends Approval)

DSD Peavy reported that SP 1103-03 went before the Special Magistrate December 6, 2011. Commissioner Allen asked if any changes are planned for CR 462. DSD Peavy indicated none are required of the developer, however the County does have plans for improvements to CR 462.

Motion by Commissioner Allen, second by Commissioner Strickland to approve SP 1103-03 for a 191 bed Independent Living Facility (ILF) (Providence ILF) in the Turkey Run zoning district, with Development Master Plan by Providence One Partners and based on the P&Z Board/Special Magistrate's favorable recommendation subject to approval, exemption or permitting of the project by all agencies of competent jurisdiction. Motion carried by unanimous vote.

2. REPORTS AND PUBLIC INPUT

- SPECIAL PRESENTATION: Deanna Cox, Human Resources to present City Manager recommendations from ICMA (Packets to be presented to Mayor/Commission at meeting)

ICM Jacobs reported that all the background research has not been completed on the top eight applicants the Range Riders selected. HRC Cox asked whether the Commission would want the binders to begin review without the background research, or wait until the research is complete on the remaining three of the eight. Mayor Wolf noted his preference would be to wait and schedule a workshop to review them. Commissioner Allen suggested that if a workshop is held the Commission might want to look at all 24. Commission asked that the research be completed on the eight and provided along with copies of the remaining applications to the Commission for review at a workshop.

ICM Jacobs noted that the previous direction of the Commission has been followed to this point and any change would have to come from the Commission. CA Blair noted that if the Commission was not going to follow the original procedure, then the Commission should look at all of the applications, so that no one can complain. Mayor Wolf noted that he would like to get someone who is working and is successful in a City. HRC Cox to provide the packets to the Commission Friday for review over the weekend.

By Common Consent the Commission scheduled a Workshop for Wednesday, December 21 at 6 p.m.

- a. City Manager
 - 1) FYI – Combined Employee & Volunteer Banquet Date set for: Friday, January 13, 2012 at 7:00 p.m. (No Attachments)

2) FYI - Budget Analysis Report for November 2011 (Attachments)

ICM Jacobs referred to the Notes which outline expenditures that have taken place in the first two months of the fiscal year, some of which would normally be spread over several months.

3) FYI – Wildwood Springs Community Development Notice of Public Hearing on February 14, 2012 at 11 a.m. at the Wildwood Community Center to adopt proposed Budget for 2012 (attachments)

ICM Jacobs – noted this is a requirement of Wildwood Springs Community Development. Mayor Wolf noted this is the first CDD in the City.

4) Reported that he would be on starting Tuesday after the Monday Christmas holiday until after new year.

b. City Attorney – none

c. City Clerk – none

d. Commission Members

1) Request by Wildwood Community Development, Inc. for Scrap Metal Items in MLK Park (Attachment – Commissioner Allen to address – Board Option)

Commission had questions about legality. P&RC Hargrove expressed concern regarding liability of persons going onto City property and being injured in the process of removing the items, would also like to have information on where the money goes. It is supposed to go toward MLK Day events.

By Common consent the Commission approved for CA Blair to draft a contract, once she is assured it is legal.

2) Commissioner Bivins commended Jason Hargrove on a job well done as the Parks & Recreation Coordinator, and that things turned around for recreation when he was hired.

3) Mayor Wolf requested that P&RC position discussion be added to the December 21 workshop. Noted it is tough for a person to handle scheduling and coming up with new recreation events while overseeing the planting of the flowers and maintenance of the ball fields. Perhaps there is a way to split this up and perhaps Jason has some suggestions. Perhaps the person who schedules and brainstorms and tries to put together these new things doesn't need to be a full time position. Then pay someone a little more that is a competent person doing all the ball fields. In response to a question from ICM Jacobs, HRC Cox indicated that three applications have been received and it closes on Friday.

- e. Public Forum (10 minute time limit)
 - 1) Robert Hannah, Wildwood Community Development Inc. Commended Jason Hargrove and expressed how proud he was to have served on the Parks & Recreation Committee under Jason. Told the Commission they made a wise choice when he was hired.
- f. Notes, Reports, and items for the file as attached

3. NEW BUSINESS – ACTION REQUIRED

a. MINUTES

- 1) Minutes of Regular Meeting held on November 14, 2011 (Attachments – Staff recommends approval)
- 2) Minutes of Regular Meeting held on November 28, 2011 (Attachments – Staff recommends approval)

Motion by Commissioner Allen, second by Commissioner Bivins to accept the Minutes of November 14 and November 28 as typed. Motion carried by unanimous vote.

b. ORDINANCES FIRST READING ONLY (READ ONLY – NO VOTE)

- 1) Ordinance No. O2011-20 an ordinance amending a zoning map amendment from Agricultural-10 (AG-10) to “Planned Development” (PD) zoning on the Landstone development based on accepting the P&Z Board/Special Magistrate’s favorable recommendation (Attachments – Staff recommends approval)

Ordinance O2011-20 was introduced and read by title only on first reading.

DSD Peavy – reported this ordinance would bring Landstone into compliance with their Restated Development Order and their Land Use.

c. RESOLUTIONS FOR APPROVAL: None

d. APPOINTMENTS: None

e. CONTRACTS AND AGREEMENTS

- 1) Discussion/Approval of Hawk Landing Transportation Proportionate Share Agreement requiring Developer’s payment of \$17,000 prior to build-out of project for the project’s impacts to the C-466/US 301 intersection improvement (Attachments – Staff Recommends Approval)

DSD Peavy – The Commission has approved the Site Plan for Hawk Landing. The approved Site Plan stipulates that improvements to County Road 466 and 301 intersection are required to mitigate the transportation impact of the project. The \$17,000 will be paid to Sumter County through the agreement in the packet. The developer will receive impact fee credits for that.

Motion by Commissioner Strickland, second by Commissioner Allen to approve the Hawk Landing Transportation Proportionate Share Agreement. Motion carried by unanimous vote.

f. FINANCIAL

1) Bills for Approval (Attachments – Staff Recommends Approval)

Motion by Commissioner Bivins, second by Commissioner Allen to pay the bills. Motion carried by unanimous vote.

g. GENERAL ITEMS FOR CONSIDERATION

1) Discussion/Approval for Wildwood Community Development, Inc.'s request for \$2000 annual contribution to hold a MLK Day Parade and use MLK Park for a Special Event on Monday, January 16, 2012 from 9 AM – 8 PM (Attachments – Staff Recommends Approval)

ICM Jacobs reported that the \$2000 was budgeted for the MLK event. Noted that in the past the check was made to BW City Ministries as the sponsor, but the Wildwood Community Development Inc. is a 501c organization.

Motion by Commissioner Allen, second by Commissioner Bivins to grant the request for \$2000 annual contribution to hold a MLK Day Parade and use MLK Park for a Special Event on Monday, January 16, 2012 from 9 AM – 8 PM. Motion carried by unanimous vote.

2) Discussion/Approval for Mayor to execute the pre-application documents for new \$123,000 USDA Federal Assistance Community Facilities matching funds grant for the purchase of three new Police vehicles and the equipment to equip them; City match is \$30,750 (25%) & USDA covers \$92,250 (75%) (Attachments – Staff Recommends Approval)

Motion by Commissioner Bivins, second by Commissioner Strickland to authorize execution of the pre-application documents for \$123,000 USDA Federal Assistance Community Facilities. Motion carried by unanimous vote.

3) Request from H. Lewis Kellom, Executive Director of Homes in Partnership for a letter of support from the City of Wildwood to include with a Technical Assistance Grant they are applying for through the USDA Rural Housing Agency (Attachments – Staff Recommends Approval)

Motion by Commissioner Bivins, second by Commissioner Strickland to provide a letter of support for HIP to include with a Technical Assistance Grant they are applying for through the USDA Rural Housing Agency. Motion carried by unanimous vote.

- 4) Discussion/Approval of request from Oxford Crossings for a two-year PUD Extension (Attachments – Staff Recommends Approval)
- 5) Discussion/Approval of request from Wildwood Crossings for a two-year PUD Extension (Attachments – Staff Recommends Approval)

Motion by Commissioner Allen, second by Commissioner Bivins to approve the request from Oxford Crossings for a two-year PUD Extension and from Wildwood Crossings for a two-year PUD Extension. Motion carried by unanimous vote.

- 6) Discussion of potential development on the 301/466, LLC property (O'Dell North) by Mid-Florida Properties, LLC (Attachments)

DSD Peavy referred to the Executive Summary provided to the Commission noting that the development group does not feel they can work through the issues that came up during meetings with staff and still have a feasible development on the 301/466, LLC property. The current zoning is mixed use and would require a PUD and Land Use does not provide for strictly residential which the group is requesting. This is only one issue that will have to be addressed for the development to go forward.

Mayor Wolf expressed that he would not want this development to get away from the City.

Marty Dzuro, representing Mid-Florida Properties explained that with commercial development along 44, with a hospital and other medical offices, new residents will be looking for single family detached, single story homes, with safe streets for children to play and ride bikes. The proposed design provides those options and minimizes cut through traffic. The design with dedicated streets, small but sufficient recreation area will keep the homeowners' fees down. Noted that City staff did a good job in providing ideas for changes to some of the requirements that prohibit this type of development. Some things that still need to address is the mixed housing types, interconnections to private properties, sidewalks, and dedication of roads and multimodal pathways, open space requirements, small reduction in front and rear setbacks. In order for the developer to proceed with the project they need to be confident that the Commission supports the land uses, design district and zoning changes that are needed. Without that confidence the development cannot go forward. They do not want to lose the opportunity to provide this type of housing and feels the City would not want to lose the development. Here to show some of the things to get through and possibly work to amend some of the Comp Plan policies, and some of the design district policies and perhaps rezoning to allow a project to continue.

DSD Peavy – a couple of issues – the mix of housing types was required by DCA to get the City's 2035 Comp Plan approved. Now all the Statutes have been relaxed. Staff has discussed removing the mix of housing types and placing a

threshold on a mix of housing types, and just requiring a mix of housing type in planned development and not just straight zoning categories. Therefore believe the mix of housing types in this project can be overcome. The first thing is that the land use would need to be amended to low density residential. Have asked Mid-Florida to show the need for this type of housing. Staff was not in support of the change originally, but gave them the option of bringing to the City the need when no other development does. The vertical mix issue is not required in residential and is therefore not an issue at all. The interconnectivity is required in every development and is not something that staff recommends budgeting on. If interconnectivity is lost on this large of a property at this point, the interconnection will not be feasible anywhere else in that area. If the property, which spans from 301 to 209, is cut off, there will be no other way to get off the property. The interconnectivity was planned to relieve future congestion on 301.

Staff does not plan to remove the interconnectivity requirement from the Comp Plan, Land Use or Design Standards. Sidewalks are another issue that staff feels there is no room for negotiation. In all other development agreements, sidewalks have been required on both sides of the roads, which is a requirement of the design standards. Typically The Villages projects similar to this one have connection to the multimodal pathways that are provided by the Villages that their residents pay for. This project will not have that opportunity. They will not have the interconnection to commercial and other residential areas, so we would rely on the sidewalks on both sides of every road within the development to not only keep compliance with other projects the City has approved, but to keep in compliance with the design standards and provide safe places for the children to play. Another issue discussed was the City taking over the roads within the development, and Development Services has negotiated with several developers over what roads the City would take over, and the ones they will not take over. The City cannot afford to take over the maintenance of roads constructed by developers if the roads are not going to serve more than a private purpose. So cul de sacs, roads that go into a development but not through to another place, staff does not recommend accepting. That is not a policy at this time but will be. Currently it is negotiated. Staff recommends accepting the road from 301 to 209 and to 214. Recommends interconnectivity to the north also. Mayor Wolf asked if the north side would have a gate until such time as the property to the north is developed. DSD Peavy indicated there would be a gate, and staff would recommend accepting the north-south and east-west roads that go all the way through the projects.

Amenities were discussed with Mid-Florida and they were told there would have to be more than one. On the plan is a Pod of amenities, which may meet part of that requirement.

DSD Peavy – staff needs direction on the mix of use Comp Plan amendment. She explained that staff has done all they can without direction from the Commission or changes to the policies her staff has to follow.

Marty Dzuro – possibly the mix of use doesn't need to be eliminated but the policy amended to allow show of need for single family residential in future projects. Even in the retirement areas of the Villages they do sidewalks along the major roads, not necessarily on the minor roads. Has discussed with staff the City taking over the roads that connect to a County road. If the City doesn't take over the roads, the developer would construct the roads differently to reduce the cost and definitely not sidewalks. The homeowners would have to pay for the upkeep if the City didn't take over the roadways. Concerned that traffic on the small roads through the subdivisions where children are playing will increase because the drivers will look for the quickest route. Mayor Wolf expressed that extended the road to the north with a gate should not create a problem. Marty Dzuro – if the interconnectivity would be gated, that would be different, but that is not what he heard through discussion with staff.

Mayor Wolf – can see where sidewalks on both sides of the roads running “through”, and sidewalks to the recreation area.

Commissioner Allen – would like for staff to continue to work with Mid-Florida.

DSD Peavy noted the City is not required to limit Comp Plan Amendments. Plans to do a large scale and policy changes in February, but doesn't know if this project will be ready by then. Also, before staff is sent off to negotiate something they don't have the authority to negotiate, wants the Commission to know that staff does not have the authority to negotiate what the Commission has approved. Sidewalks on both sides of the road cannot be negotiated without the Commission telling staff to change the design standards. If directed to do so then every other project will be open to negotiation. This is a good project and it has a lot of nice expensive homes and staff doesn't want to see it lost. If the Commission wants to direct her to relax the sidewalk requirement in the Comp Plan, it will be not only for this project but for every other one. If the Commission wants her to go against the Comp Plan, Land Development Regulations, and Design Standard and relax the interconnectivity requirement, she will need direction on from the Commission. Not saying that gates are required or not required on interconnectivity roads. If they are going to be City roads that City residents use and part of the interconnectivity requirement, they cannot be locked or coded gates. They have to be through roads for everyone. The Parkwood Subdivision was brought up, and to let everyone know that was a County approved project brought into the City.

CA Blair – need to work with staff and talk about changes the City may want to make to the Comp Plan to help with larger projects of this type. Can think of some things that may make it available if certain other standards are met, and that is something that could be discussed with staff and the attorney bring back to the Commission as a recommendation. Don't think the problem can be solved. Can't say how the Commission would vote about at a hearing changing the zoning and the Comp Plan. That is something that will happen in the future. It

seems they came tonight to see if there is a possibility of changes in the future, and it seems that staff is already working on that.

Commissioner Strickland we have staff's recommendation, they have probably discussed it for hours. There are things in the recommendation that the Commission has agreed upon over and over and to toss it over for one development, he does not like that. Agrees that on 1, 2, and 3 it seems everyone has agreed there could be concessions. On 4, 5, and 6 are things that he feels there is no flexibility on. He is against negotiating those things. We set the precedent with Parkwood. Mayor Wolf asked if sidewalks are needed on both sides of the roadways in certain areas of the project? Believe we need to meet in the middle. The same issues will probably come up on the next item. Are five foot sidewalks needed on both sides of the roads on some of the small cul de sacs.

DSD Peavy – Mid-Florida came tonight to tell the Commission what the problems are and to see if there is any kind of consensus from the Commission to support what they will present to the Commission. There is no room for negotiation between staff and the developer at this time. Staff can move forward with the Land Use Change and the Zoning change with an application and worry about the sidewalk at the time we review the Site Plan. However, they need direction to know whether or not they are going to close on property.

CA Blair – suggest that staff works on the changes they are going to make to the Comp Plan and then the developer look at them and see if the changes will solve the problem.

Mayor Wolf – staff and the developer could discuss sidewalks so that every lot on a cul de sac does not have to have a sidewalk.

Steve Roy – expressed appreciation for all the input received from staff and the Commission. He noted that they are against a deadline of a due diligence period on the property. They are to here to find out what the Commission thinks of the project. They will seek an extension of the due diligence period to give more time for Marty and Melanie to work on this. Whatever the outcome want to be sure remain friends.

DSD Peavy suggested that a workshop be scheduled within the first weeks of January to discuss the questions that have come from developers and others, the suggested staff changes to the Comp Plan, and the suggestions to change to the design standards.

CA Blair suggested that part of that meeting be recommendations regarding treatment of larger developments. ICM Jacobs asked if the meeting should wait until discussion with the attorney. DSD Peavy indicated that changes to the Comp Plan have been working for six months. All the changes are outlined and ready to come to the Commission in late January for submission in February. CA Blair indicated the workshop should be before that.

CA Blair suggested that the workshop be between the first and second regular meetings of January, with date set during first meeting.

No action taken.

7) Discussion/Approval of Healthcare Properties Development Group, LLC's request to "Partner" with the COW in pursuing grants to fund water and sewer extensions and transportation access to proposed elder care facility on 38 acres CR 466A in return for 200-400 new jobs, pro-rated connection fees, cost of grant writing, compliance with grant program requirements and agree to indemnify the City against all losses (Attachments – Board Option)

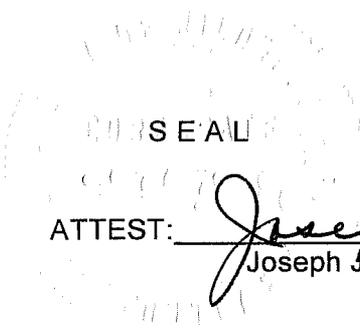
After a lengthy discussion regarding what has been requested by the City in order to provide the information requested by the Development Group and what is needed by the Development Group for the grant application to be filed by December 15 and including comments from DSD Peavy, Richard Busche of Kimley Horn, Dale Gilliland and Robert Kars of the Development Group, Tom Word the property owner, Jerry Glascon, Tom Wille of H&B Consulting Engineers, Danny Smith and UD Bruce Phillips, Mr. Phillips indicated a Master Plan is in place and the City can provide the information to the development group on Tuesday. Mayor Wolf asked that the information be provided.

4. ADJOURN:

Upon a motion by Commissioner Bivins, second by Commissioner Allen, the meeting was adjourned.

CITY COMMISSION
CITY OF WILDWOOD, FLORIDA

ATTEST:


Joseph Jacobs
Joseph Jacobs, City Clerk



Ed Wolf, Mayor