

**MINUTES  
TOWN COMMISSION SPECIAL MEETING  
TUESDAY, MAY 7, 2019  
7:00 P.M.**

**CALL TO ORDER:**

Mayor Stark called the meeting to order at 7:01 p.m.

The Pledge of Allegiance was recited, and the Invocation given.

**ROLL CALL:**

COMMISSIONERS PRESENT:                      Commissioner McMullen  
   Commissioner Polland  
   Commissioner Ramos  
   Vice Mayor Satterfield  
   Mayor Stark

COMMISSIONERS ABSENT:                      None

**EX PARTE COMMUNICATION:**

None

The Town Manager withdrew the Zoning item Ordinance 2019-04 from the Agenda.

**CONSENT AGENDA**

Minutes – April 23, 2019 – Town Commission Regular Meeting

**MOTION** was made by Vice Mayor Satterfield, seconded by Commissioner Polland, to approve the Consent Agenda as presented.

AYE: McMullen, Polland, Ramos, Satterfield, Stark

NAY: None

**SPECIAL BUSINESS:**

- a. **PUBLIC HEARING, FIRST READING, ORDINANCE 2019-03 - AN ORDINANCE OF THE TOWN OF OAKLAND, FLORIDA, CHANGING THE TOWN'S FUTURE LAND USE PLAN MAP DESIGNATION OF ITS COMPREHENSIVE PLAN FROM "RURAL" (ORANGE COUNTY COMPREHENSIVE PLAN) TO "MIXED USE ACTIVITY CENTER" IN THE TOWN OF OAKLAND'S COMPREHENSIVE PLAN, FOR PROPERTY GENERALLY LOCATED WEST OF THE FLORIDA TURNPIKE, SOUTH OF STATE ROAD 50/WEST COLONIAL DRIVE AND EAST OF ORANGE AVENUE WITH PARCEL IDENTIFICATION NUMBERS 30-22-27-2392-00-011 AND 30-22-27-4180-00-030, WITH AN APPROXIMATE SIZE OF 11.3 ACRES; MAKING FINDINGS, AND PROVIDING FOR CONFLICTS, SEVERABILITY, AND FOR AN EFFECTIVE DATE.**

The Town Clerk read the Ordinance as titled above.

Mayor Stark reported that she has received a written objection that was sent to the Town Attorney. She turned it over to the Town Clerk for the record. Commission has also received a letter from Westmont Construction that will also be placed in the record.

Town Planner Marder gave a presentation. He pointed out that this Ordinance is to change the land use from rural Orange County to Mixed Use Activity Center Town of Oakland. If this Ordinance is approved, he will send copies to several agencies, including the Department of Economic Opportunity (DEO).

Commissioner Pollard asked if the Planning and Zoning Board made any changes.

Town Attorney Vose stated that Planning and Zoning did not have a second hearing on this. So, there are no changes.

Mayor Stark asked if findings and conclusions were all validated by Staff.

The Town Planner confirmed that they were.

The Public Hearing was opened.

Tim McKeachern of LIV stated that the last time they were in front of the Town Commission was last August for annexation. He provided a slide presentation. He pointed out that there would be access to the development from two locations on State Road 50. They will be preserving all the trees on the lake. Five acres will be retained by the English's. The plan is for three-story apartments and two-story carriage homes. The rental rates will start at \$1,300.00 and go to over \$2,000.00 per month.

Matt Smith of 2105 Park Avenue N. in Winter Park, Attorney for LIV, stated that there has been a lot of public input, which is why the project has had many changes. He provided a presentation.

Chris Russo, Traffic Engineer for LIV explained the traffic studies and the road and traffic situation for this project.

Mr. McKeachern informed everyone that they have committed to making five improvements.

Commissioner Ramos addressed Mr. Smith commenting that he knew Mr. Smith has a lot of experience with luxury apartments. He wanted to know the cost to build them and what benefits the value is based on.

Mr. McKeachern answered that the approximate cost to build is \$125,000.00 per unit. He stated that the benefits would be approximately \$168,000.00 to \$170,000.00 per unit assessed.

Commissioner Ramos asked what the Developer what they are going to do with the site wall and asked the Developer to describe "passive recreation." He also wanted to know how long LIV keeps their properties.

Mr. McKeachern stated that the existing wall is not on the property and they have no control over it. He explained that "passive recreation" would include a possible gazebo and picnic tables. He responded that they generally keep their properties seven (7) to ten (10) years.

Commissioner Polland asked if there is plenty of school space.

Mr. McKeachern answered that the schools all have plenty of space.

Mayor Stark is requesting further analysis on schools.

Vice Mayor Satterfield agreed that he would like to see more information on schools as well.

Mr. McKeachern that the numbers they have shown the Commission are provided by Orange County.

Vice Mayor Satterfield asked how the Developer came up with a traffic count of 64 and 65 vehicles.

Mr. McKeachern stated that the Traffic Engineer did a Traffic Study and that is the number of vehicles came about.

Mayor Stark reminded everyone that the Commission is only hearing the Comprehensive Plan Amendment at this meeting.

Vice Mayor Satterfield wanted to know how Orange Avenue and its residents will be impacted by this project.

Mr. McKeachern stated that there will be improvements to the road.

Commissioner McMullen stated that he lives in the area of this proposed project and he is concerned about traffic. He wanted to hear from the Town's Traffic Engineer. He also asked Mr. McKeachern what states they projects in, and if there were any like this one.

Mr. McKeachern told him what states they are in and responded that they do have other projects like this one.

Mayor Stark asked the Developer to provide the Commission with a list of their projects. She commented that Highway 50 is a State road and the Town does not control it. She asked if the existing wall belongs to Duke Energy.

Mr. McKeachern stated that it probably belongs to Florida Department of Transportation (FDOT) and Duke Energy.

Mayor Stark asked the Developer if this project would have underground utilities.

Mr. McKeachern stated that it would have underground utilities.

Commissioner Polland asked if there would be retaining walls.

Mr. McKeachern stated that there would be walls and fences.

Joe Roviario of Pine Street in Orlando is the Town Traffic Engineer. He stated that he reviewed the Traffic Studies and concurred with them with some changes. Highway 50 is a Level F

highway west of the Turnpike and Level D east of the Turnpike. The traffic on Highway 50 is not all generated by the Town. A lot of vehicles are passing through going to other areas. We are below the 3% traffic impact. The majority of the traffic will be heading east. The existing turn lane is sufficient as it is. The number of trips reported are averages.

Commissioner Ramos asked if U-turns are allowed at Highway 50 and Oakland Avenue.

Most of the audience members thought that U-turns were prohibited in that area.

Commissioner Polland asked if it would really be 1,500 trips in and out per day.

Mr. Roviario confirmed that it would be approximately 1,500 trips per day and suggested adding right turn lanes.

Mayor Stark called a short recess at 8:22 p.m.

Mayor Stark reconvened the meeting at 8:31 p.m.

Ernie Marsh of 17682 Deer Isle Circle reported that he is speaking for several people. He commented that the Deer Island residents volunteer at the Charter School and at the Heritage Festival. He handed the Mayor a petition with 300 signatures on it, stating that over half of the signatures are from Oakland residents. Johns Lake is one of the most pristine lakes in Central Florida. He suggested that the Town hear other options for development on that property. He went on to quote some of the Town's Planning and Zoning Board members from another paper that he had handed out.

Mayor Stark asked Mr. Marsh to move on and his document will be added to the record.

Mr. Marsh handed out pictures of traffic and asked the Town Commission to reject, hold, or get more information for other options.

Ray Pearce of 2 Orange Avenue stated that he lives next door to Gary English. He asked how Khalil Bin Laden was able to obtain a permit for the wall and fence if it was not on his property. He commented that people earning a wage of approximately \$21.00 per hour were not going to live in an apartment. Traffic is stacked up at Highway 50 and Orange Avenue at 6:00 in the mornings. He lives on the border of Orange and Lake County, so there are two garbage trucks that come down that road; one for each county. He stated that he would have to look at the apartments and asked the Town Commission to turn down multi-family use.

John Dolezar of 51 Remington Road stated that everything looks beautiful in the Developer's presentation, but it does not look like it belongs in Oakland. These changes are not in the best interest of Oakland's infrastructure. The lake is fragile, and he is against this project.

Randy Anderson of 17728 Deer Isle Circle stated that this development greatly affects his property. He is the HOA president for Deer Island.

Michael Leo of 13436 Lake Blvd. stated that he looks onto this property from his house. The most intensive land use is being proposed on this Agricultural piece of property. He did not like the comments regarding the land and retaining walls. He objects to this project.

Patty Therrien of 317 Largovista Drive in Johns Landing stated that she specializes in transportation drainage. The site plan does not include the turning lanes that are proposed. They will have to relocate five transmission poles at \$100,000.00 each to make the road improvements work. She made many comments against the project.

David Stimmell of 80 Millholland stated that the things that were being brought up had nothing to do with apartments. He commented that people who do not live in the Town are telling the Town what to do. The Town has implemented Design Districts. He stated that this is a great use for this property.

Juan Bocardo of 17541 Deer Isle Circle said that he used to work for the Illinois Department of Transportation. He shared the fact that they had a lot of false positives on vehicle counts in Traffic Studies. They would have to physically count vehicles to get it correct.

Hilgardt Lamprecht of 912 Johns Pointe Drive pointed out that they pay more taxes than Deer Island. He is pro-development because it will lower their taxes. He stated that it was a beautiful project and was in favor of economic growth.

Mr. Pearce asked the Commission if they would reduce the taxes.

Mayor Stark answered that she cannot make that broad of a commitment, but they would lower them if they could.

Robert Traver of 1701 Magnolia Point Blvd. commented that kids cannot cross Highway 50 safely to go to the park.

Mike Dinkel of 17615 Deer Isle Circle spoke about something that someone had said earlier regarding a time that Deer Island was asked to annex into the Town of Oakland and Deer Island voting unanimously against it. Mr. Dinkel said that that was a false statement. He pointed out that there is a 130 million-dollar value comes with Deer Island. He told Commission that if they vote for apartments, they may never have a chance of annexing Deer Island.

Alexandra Valente of 303 E. Oakland Avenue was concerned about the trees. Oakland is about "Among the Oaks." She wanted to know what trees the Developer was going to remove. She was also concerned that apartments do not participate in recycling.

Anthony Valente of 303 E. Oakland Avenue was concerned about "Passive Recreation" because people tend to be messy. He said that trash will be in the lake and as soon as start something it opens the door to more.

Gary English, owner of the subject property, stated that Oakland has always been inclusive. Deer Island is only about Deer Island. He lived in Deer Island for 16 years. They only care about themselves. Annexation into Oakland was brought up at Deer Island and it was voted down. The Deer Island residents will never see the apartments from their homes. He reported that Duke Energy just purchased a 35-foot easement from him so they could move the utilities. He said that he thought the Commission should approve it.

Commissioner Ramos asked Planner Marder what the impact would be to Johns Lake.

Planner Marder responded that it is addressed in the Development Agreement and there are stipulations to protect the lake.

Mayor Stark reminded everyone that this meeting is about the Comprehensive Plan Amendment, not apartments.

Commissioner Ramos asked the Developer what they are going to do about soundproofing.

Mr. McKeachern responded that these will be luxury apartments and they will have a spec that is used. Also, the quality of people that they get for these types of apartments makes a difference.

Commissioner Ramos also had concerns of retaining walls and storm drainage.

Public Works Director Parker spoke up that the Town has requirements for drainage. Walls will be kept at a minimum height.

Commissioner Ramos had further questions for the Developer including what would be done for a school bus turn around.

Mr. Smith with LIV stated that it would be a requirement.

Vice Mayor Satterfield pointed out that there will need to be a very good road at the Orange Avenue area. He asked if there would be turn lane in that location.

Mr. McKeachern confirmed that there would be a turn lane and that they have made a commitment to the Town regarding the improvements and they will do them.

Commissioner McMullen said that there are a lot of unknowns.

Mayor Stark stated that there are still some questions that need to be answered. She is looking at density. We want to do what is best for the Town. She said that she is pro diverse housing and the Town already has some multi-family homes coming.

Commissioner Ramos made the comment that he did not think that the Town is well-balanced. He would like the Town to be well-balanced.

Mayor Stark made it clear to everyone that this is a very difficult decision for the Commission.

Commissioner Polland agreed and commented that we will have to expand our water system again.

Vice Mayor Satterfield agreed that it is one of the hardest decisions they have had to make.

**MOTION** was made by Commissioner Ramos, seconded by Vice Mayor Satterfield, to approve **FIRST READING** of **ORDINANCE 2019-03** AN ORDINANCE OF THE TOWN OF OAKLAND, FLORIDA, CHANGING THE TOWN'S FUTURE LAND USE PLAN MAP DESIGNATION OF ITS COMPREHENSIVE PLAN FROM "RURAL" (ORANGE COUNTY COMPREHENSIVE PLAN) TO "MIXED USE ACTIVITY CENTER" IN THE TOWN OF OAKLAND'S COMPREHENSIVE PLAN, FOR PROPERTY GENERALLY LOCATED WEST OF THE FLORIDA TURNPIKE, SOUTH OF STATE

ROAD 50/WEST COLONIAL DRIVE AND EAST OF ORANGE AVENUE WITH PARCEL IDENTIFICATION NUMBERS 30-22-27-2392-00-011 AND 30-22-27-4180-00-030, WITH AN APPROXIMATE SIZE OF 11.3 ACRES; MAKING FINDINGS, AND PROVIDING FOR CONFLICTS, SEVERABILITY, AND FOR AN EFFECTIVE DATE.

AYE: McMullen, Ramos, Satterfield

NAY: Polland, Stark

**MOTION passed with a vote of - 3 in Favor; 2 Opposed**

- b. **ORDINANCE 2019-04** – AN ORDINANCE OF THE TOWN OF OAKLAND, FLORIDA, CHANGING THE TOWN'S OFFICIAL ZONING MAP DESIGNATION FROM A-1, AGRICULTURE (ORANGE COUNTY) TO PUD, PLANNED UNIT DEVELOPMENT IN THE TOWN OF OAKLAND, FOR PROPERTY GENERALLY LOCATED WEST OF THE FLORIDA TURNPIKE, SOUTH OF STATE ROAD 50/WEST COLONIAL DRIVE AND EAST OF ORANGE AVENUE WITH PARCEL IDENTIFICATION NUMBERS 30-22-27-2392-00-011 AND 30-22-27-4180-00-030, WITH AN APPROXIMATE SIZE OF 11.3 ACRES; DESIGNATING THE DESIGN DISTRICT OF "URBAN CORRIDOR", MAKING FINDINGS, PROVIDING FOR A DEVELOPMENT AGREEMENT, AND PROVIDING FOR CONFLICTS, SEVERABILITY, AND FOR AN EFFECTIVE DATE.

**This Ordinance has been withdrawn for this meeting and will be heard at a later date.**

**MAYOR & COMMISSION REPORTS:**

Commissioner McMullen reported that the Wine & Dine event was great.

Vice Mayor Satterfield reported that the Gala was a great event.

Commissioner Ramos agreed and said he will be attending the State of the County on May 16.

Mayor Stark reported that the Florida League of Cities will be coming up. She reminded that they all need 4 hours per year of Ethics training. A time capsule was opened at the Orlando Health event. She said it was a nice event.

The Town Clerk asked if anyone was planning to attend the Chamber Luncheon on May 22. Town Manager Koontz will be recognized as a graduate of the West Orange Leadership program.

Vice Mayor Satterfield asked to be registered for it.

Commissioner McMullen said he would let her know later because he is doing some travelling at that time.

Town Manager Koontz reported that the Town is being funded by CDBG for a \$600,000.00 grant. Also, the bids for Wastewater are in.

Alexandra Valente asked Commissioner Ramos what kind of things he wanted to have in the Town.

Commissioner Ramos told her that he would like to see some restaurants and some commercial businesses.

**ADJOURNMENT**

There being no further business, Commissioner McMullen adjourned the meeting at 9:43 p.m.

TOWN OF OAKLAND:

  
KATHY STARK, MAYOR

ATTEST:

  
KIMBERLY GAY, TOWN CLERK