



**For More Information, Contact:**

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**PLANNING & ZONING BOARD**

To: Jerry Carris  
James Dunn  
James Gentry  
Kent Horsley  
Mark Maciel  
Mac McKinney  
Rohan Ramlackhan

CC: Mike Bollhoefer, City Manager  
Dan Langley, City Attorney  
Ed Williams, Planning Consultant  
Dolores Key, Econ. Dev. Director  
Tim Wilson, Community  
Development Director  
Bill Wharton, Principal Planner  
Regina McGruder-Jones, Planner II  
Brandon Byers, Planner II

RE: Agenda – December 7, 2009 - 6:30 PM  
Commission Chambers, City Hall  
300 West Plant Street, Winter Garden

- 
1. Call to Order
  2. Roll Call and Determination of Quorum
  3. Approval of minutes from the November 2, 2009 meeting – Attachment 1

**Variances & Special Exception Permits (All Public Hearing)**

4. 1500 Daniels Road – Attachment 2
5. 910 Carter Road – Attachment 3

**Annexations, Rezoning, & Comprehensive Plan Amendments (All Public Hearings)**

6. 13000 W. Colonial Drive – Attachment 4
7. Update to Comprehensive Plan – Capital Improvement Element (Ordinance 10-06) – Attachment 5

**Miscellaneous (All Public Hearings)**

8. 1301 E. Bay Street (Bay Street Church of God) – Attachment 6

Note: §286.0105, Florida Statutes, states that if a person decides to appeal any decision by a board, agency, or commission with respect to any matter considered at a meeting or hearing, he or she will need a record of the proceedings and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act (ADA), if any person with a disability, as defined by the ADA, needs special accommodation to participate in this proceeding, then not later than two business days prior to the proceeding, he or she should contact the City Clerk's Office at 407-656-4111 extension 2254.



**Motion by Mac McKinney to approve the Special Exception Permit. Seconded by James Dunn, the motion carried unanimously 6-0.**

The City Code states that, “A variance may be granted from land development regulations by the planning and zoning board if the planning and zoning board concludes that literal enforcement of the provisions of land development regulations would result in either practical difficulties (for setback and parking provisions) or unnecessary hardships (for all other land development regulations) for the property at issue.” The code also lists the following criteria that have to be addressed before a variance can be approved Underlined are Staff’s comments concerning this particular petition.

(a) *Granting the variance will not cause or allow interference with the reasonable enjoyment of adjacent or nearby property owners or negatively impact the standard of living of the citizens of the city;*

The property to the west is zoned PCD. Currently, the front buildings abutting Winter Garden – Vineland Road have been constructed. The property to the south is zoned C-2. The property to the north is the Florida Turnpike. The structure will be located adjacent to the wetlands and retention pond on the southern parcel. Granting this variance should not negatively affect the adjacent property owners. The main structure will be located at least 20’ from the rear and side property lines. By locating the structures in a commercial area, it will minimize the impact on any residential uses and provide a necessary benefit to the existing and future residents of Winter Garden.

(b) *The variance will allow a reasonable use of the property, which use is not out of character with other properties in the same zoning category;*

The City intends to utilize eastern portion of the property for recreational uses. The rear portion will be used for the Reclaimed Pumping Facility. This variance will maximize the amount of land needed for the tank and its auxiliary uses.

(c) *In the context presented, strict compliance with the land development regulation will not further any legitimate city objective or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under this criteria if the variance were denied;*

The City has placed other public facilities in the residential zoning districts when it has not impacted adjacent residential uses. Granting this variance should allow greater benefit than relocating the facility to another location. This parcel is the ideal location for this facility along Daniels Road.

(d) *The granting of the variance is consistent with the city's comprehensive plan; and*

The granting of this variance is consistent with the Comprehensive Plan. The Comprehensive Plan requires the City to provide reclaimed water service as part of its Wekiva Amendments.

(e) *The variance requested is the minimum variance that will make reasonable use of the land, building, or structure or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under these criteria if the variance were denied.*

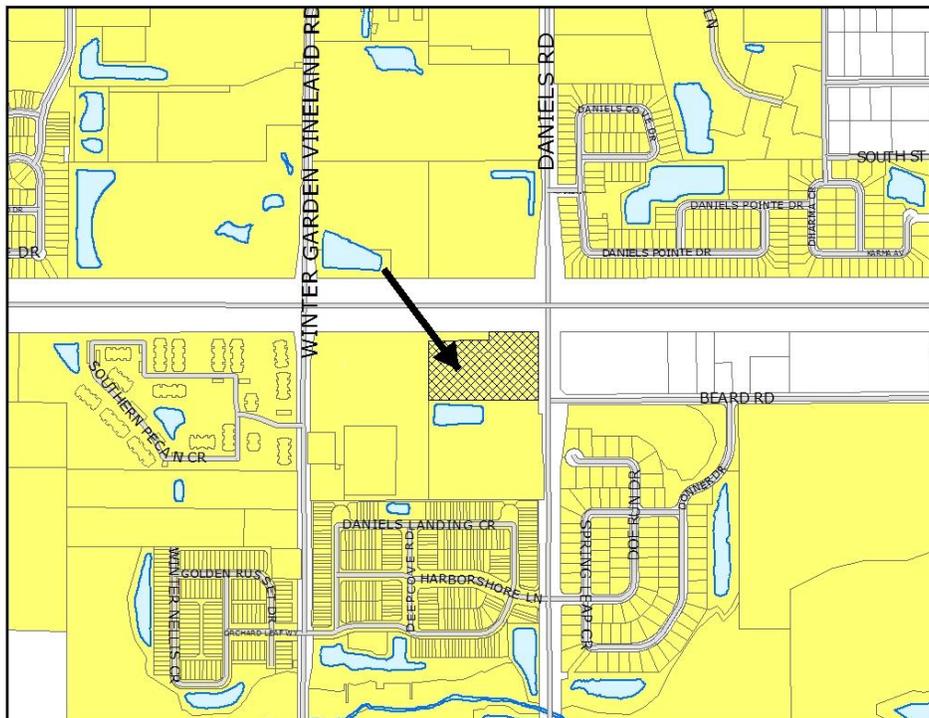
The variance requested is the minimum to make reasonable use of the land given the constraints of the site and the desire of the City to make the reclaimed water facility viable for the residents of the City.

**Staff Recommendation:**

Staff recommends approval of the 30 foot rear yard setback variance, the 30 foot side yard setback variance, and a special exception permit to allow a 52 foot tall storage tank, for property located at 1500 Daniels Road in Winter Garden, Florida.

**Next Step:** If P& Z Board approves, commence construction.

**1500 Daniels Road**



**THE CITY OF WINTER GARDEN**  
**CITY PLANNING AND ZONING BOARD AGENDA ITEM**  
**ATTACHMENT 3 (Public Hearing)**

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**Date:** December 4, 2009                      **Meeting Date:** December 7, 2009  
**Subject:** 910 Carter Road (Lighthouse Outdoor Storage)  
**Issue:** Request for a Special Exception Permit to allow the property owner outside display and storage of boats and recreational vehicles on site for 910 Carter Road.

**Supplemental Material/Analysis:**

**Owner/Applicant:** Jerry Wise                      Email: [mercurylegend@aol.com](mailto:mercurylegend@aol.com)

**Zoning:** I-2

**FLU:** Industrial

**Summary:** Approval of the proposed special exception permit will allow the property owner to construct pavement, fencing, and landscaping for the outdoor storage of boats and recreational vehicles. This property previously received a special exception permit from the Planning and Zoning Board for this use on July 5, 2005. The minutes from that meeting are as follows:

*Senior Planner Randall presented the Board with a request for 910 Carter Road for a Special Exception Permit to allow the outdoor sales and display of motorized vehicles (boats) and site plan approval of an industrial/commercial facility. City Staff has reviewed the application and recommends approval with the conditions included in the agenda package.*

*Chairman Bedsole asked if the approval of the use would be specifically for the business owner. Senior Planner Randall explained that the approved use under Special Exception Permit would be for the site.*

*John Herbert, of American Civil Engineering, approached the Board and stated that they concur with City Staff recommendations.*

***Motion by Tina Aldrich to approve the Special Exception Permit and the Site Plan with City Staff conditions (see attached). Seconded by Jerry Carris, the motion carried unanimously 4-0.***

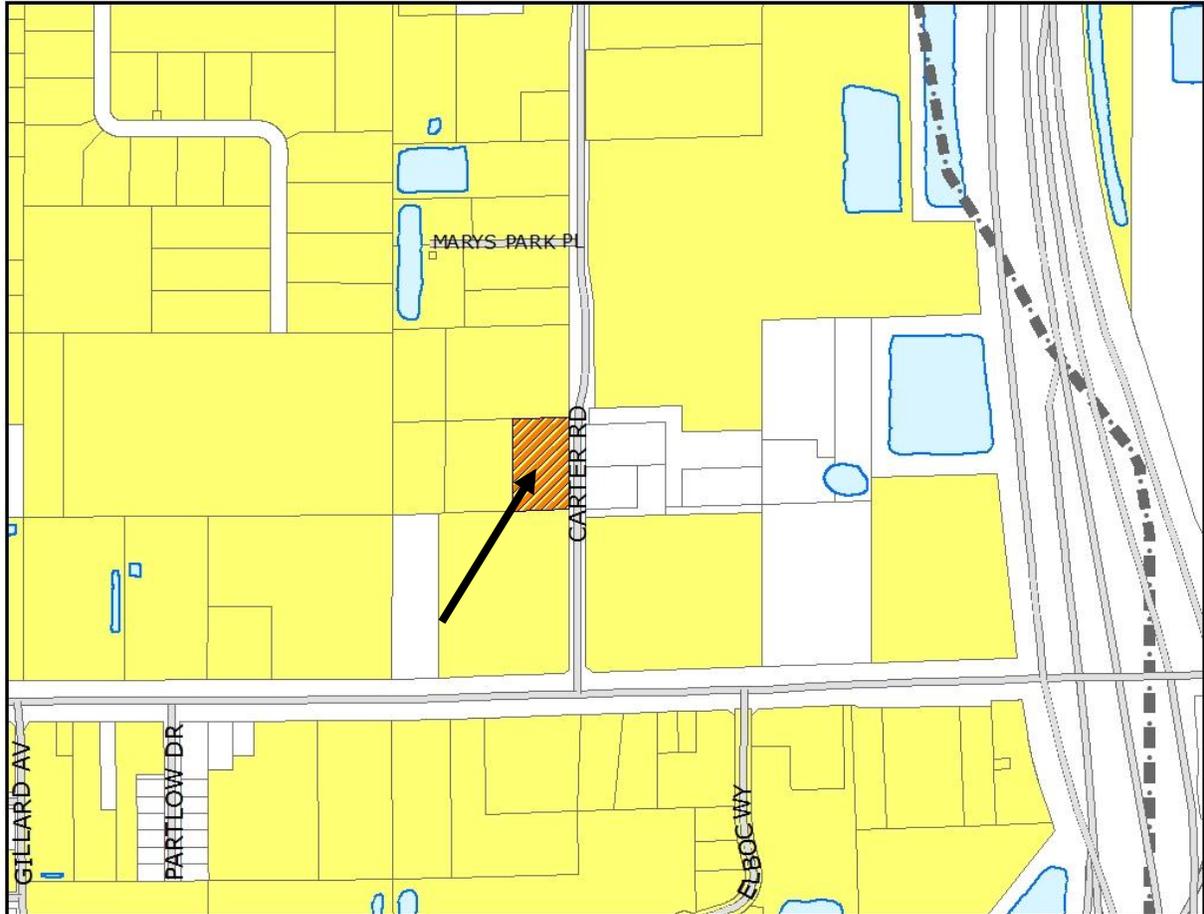
In 2005, the property owner contemplated the sale and service of boats. However, this special exception and associated site plan would only allow the storage of boats and recreational vehicles. Per the I-2 zoning district, outdoor display and storage requires a special exception permit.

**Staff Recommendation:**

Staff recommends approval of the Special Exception Permit for outside display and storage of boats and recreational vehicles, with the conditions in the Development Review Committee's memo of December 2, 2009.

**Next Step:** If P& Z Board approves, site plan approval from the City Commission on December 10, 2009.

**910 Carter Road**



**THE CITY OF WINTER GARDEN**  
**CITY PLANNING AND ZONING BOARD AGENDA ITEM**  
**ATTACHMENT 4 (Public Hearing)**

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**Date:** December 4, 2009                      **Meeting Date:** December 7, 2009

**Subject:** 13000 West Colonial Drive

**Issue:** Request for approval of Ordinance 10-02, annexation of 13000 West Colonial Drive, Ordinance 10-03, small-scale comprehensive plan amendment of 13000 West Colonial Drive from Orange County Commercial to City Commercial, and Ordinance 10-04, rezoning 13000 West Colonial Drive from Orange County C-3 to City C-2.

**Supplemental Material/Analysis:**

**Applicant:** Krystal Hospitality, LLC    Email: [yarntrading@usa.net](mailto:yarntrading@usa.net)

**Current Zoning:** Orange County C-3

**Proposed Zoning:** City C-2

**Existing FLU:** Orange County Commercial

**Proposed FLU:** City Commercial

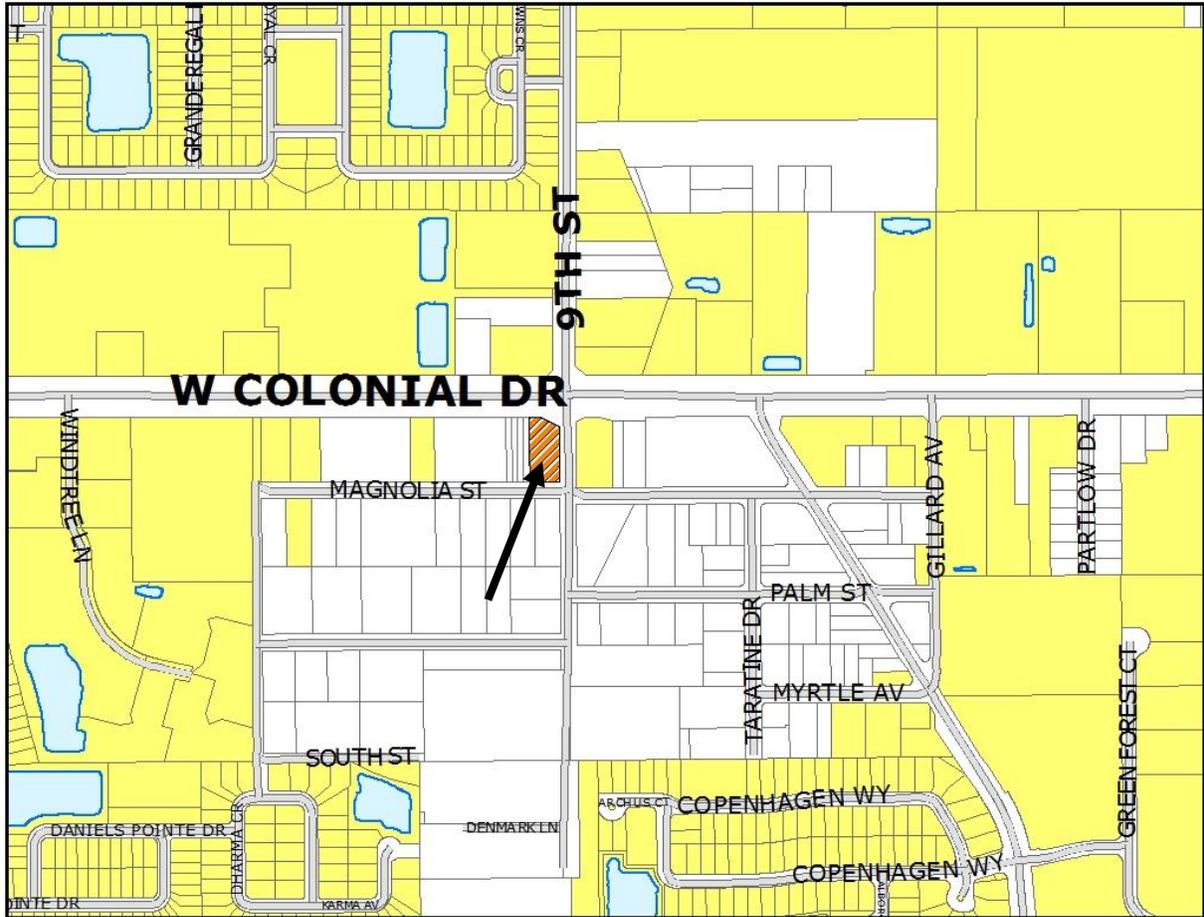
**Summary:** Please see the attached Staff Report for additional information regarding this project.

**Staff Recommendation:**

Staff recommends approval of Ordinance 10-02, annexation of 13000 West Colonial Drive, Ordinance 10-03, small-scale comprehensive plan amendment of 13000 West Colonial Drive from Orange County Commercial to City Commercial, and Ordinance 10-04, rezoning 13000 West Colonial Drive from Orange County C-3 to City C-2.

**Next Step:** A public hearing for the first reading of these Ordinances is scheduled for the City Commission on December 10, 2009.

**13000 W. Colonial Drive**



**THE CITY OF WINTER GARDEN**  
**CITY PLANNING AND ZONING BOARD AGENDA ITEM**  
**ATTACHMENT 5 (Public Hearing)**

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**Date:** December 4, 2009                      **Meeting Date:** December 7, 2009

**Subject:** Proposed text amendments to the Capital Improvement Element (CIE) of the Comprehensive Plan to update the 5-Year Schedule of Capital Improvements in accordance with the annual update as required by section 163.3177 of the Florida Statutes.

**Issue:**                      **Consistency with City Comprehensive Plan**

The proposed changes to the Capital Improvement Element are consistent with the other elements in the City’s Comprehensive Plan. This includes a finding that the policies, as amended, will support the designated levels of service for required public services and facilities.

**Summary:**                      **Background and Justification**

In 2005, the State Legislature enacted Senat Bill 360 (SB360) which created multiple requirements for Growth Management including requiring annual updates to local government Comprehensive Plan’s Capital Improvement Element.

For the 2009 annual update the City prepared a “Data and Analysis Report” that contained information on growth projections, capital improvement budgets for both a 5 year and 10 year time period (FY2009-FY2018). As the 2009 annual update adds a new ‘5<sup>th</sup>’ year to the Capital Improvement Schedule and only revises Policy 5.4 to reflect this change, the Data and Analysis Report from the 2008 update is relevant and valid and will be relied upon for this update.

The proposed changes have been prepared to fulfill the legislative requirements of Chapter 163.3177 of the Florida Statutes. The Capital Improvement Element is available in the Community Development Department for review. Ordinance 10-06 is attached and identifies the policy that is recommended to be changed along with the proposed Capital Improvement Schedule ofr 2009/2010 to 2013/2014.

**Staff Recommendation:**

That the Local Planning Agency (LPA) recommend approval of Ordinance 10-06 and the amendments to the Capital Improvements Element and find that the changes are consistent with the City’s Comprehensive Plan.

## ORDINANCE 10-06

AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA; AMENDING THE CITY OF WINTER GARDEN COMPREHENSIVE PLAN; BY ADOPTING AN AMENDMENT TO THE CAPITAL IMPROVEMENTS ELEMENT PURSUANT TO SUBSECTION 163.3177 (3) (b), FLORIDA STATUTES TO MAINTAIN A FINANCIAL FEASIBLE 5-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS; PROVIDING FOR CONFLICTS, SEVERABILITY, TRANSMITTAL AND EFFECTIVE DATE.

**WHEREAS**, the City is required, pursuant to Chapter 163.3177 (3) (b), Florida Statutes to adopt an annual update to the Capital Improvements Element; and

**WHEREAS**, on December 7, 2009, the City's Local Planning Agency (LPA), held a public hearing and made recommendations regarding the adoption of the proposed Amendments to the Capital Improvements Element; and

**WHEREAS**, the City Commission finds that this ordinance is consistent with the provisions in the Florida Statutes, which require the City to provide for adequate public facilities, including adequate public school facilities, to support anticipated growth within the City over the next five (5) years; and

**WHEREAS**, The City Commission has found that the proposed Capital Improvements Plan as updated this year to be consistent with the City's comprehensive plan and to meet all statutory and regulatory requirements;

**WHEREAS**, the City Commission finds that this ordinance implements the goals, objectives and policies necessary to achieve the annual update for the City's capital improvements as required by applicable law.

**NOW THEREFORE, BE IT ENACTED BY THE CITY OF WINTER GARDEN, FLORIDA, AS FOLLOWS:**

**Section I: Adoption:** The Comprehensive Plan is hereby amended to add the following Capital Improvement Element policies to read as follows:

Policy 5.4 : Five Year CIP: As part of the yearly budgeting process, the City shall develop and maintain a Five Year Capital Improvement Plan to plan for future improvements. This Five Year Plan shall reflect the needs identified in other elements of this comprehensive plan and be financially feasible. The ~~Chart~~ tables contained in Exhibit "A", attached hereto and incorporated herein, illustrates the current five (5) year Capital Improvement Plan for fiscal years 2009/2010 to 2013/2014.

Policy 6.6: The City hereby incorporates by reference the OCPS 10-Year Capital Outlay Plan for ~~2007-2008~~ 2009-2010 authored by Orange County Public Schools and adopted by the Orange County School Board on September

~~11, 2007~~ 8, 2009, which includes school capacity sufficient to meet anticipated student demands projected by OCPS.

**Section II: Exhibit Replacement:** Exhibit “A” affixed to this Ordinance is hereby adopted as part of Comprehensive Plan Capital Improvement Policy 5.4 and shall be the exhibit referenced in Policy 5.4. Exhibit “A” as adopted in Ordinance 08-55 is hereby repealed and replaced in its entirety by Exhibit “A” affixed to this Ordinance.

**Section III: Conflicts:** In the event of a conflict or conflicts between this ordinance and any other ordinances, this Ordinance controls.

**Section IV: Severability:** If any portion of this Ordinance is determined to be void, unconstitutional, or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

**Section V: Codification:** It is the intention of the City Commission of the City of Winter Garden that the Comprehensive Plan Amendment proposed by this Ordinance shall become and be made a part of the Comprehensive Plan of the City of Winter Garden. Goals, objectives, and policies of the Comprehensive Plan may be renumbered or reorganized for editorial and codification purposes and such renumbering or reorganization shall not constitute nor be considered a substantive change to the Comprehensive Plan Amendment as adopted. For solely organizational purposes, the City Clerk is hereby directed to ensure that appropriate numbers are affixed to the Goals, Objectives, and Policies in the Comprehensive Plan prior to Codification of the Comprehensive Plan Amendment.

**Section VI: Transmittal:** Within ten (10) working days after adoption of this Ordinance, the City Planning Department is directed to transmit this Comprehensive Plan Amendment to the Department of Community Affairs in accordance with Rule 9J-11.011(5) Florida Administrative Code.

**Section VII: Effective Date:** Pursuant to Rule 9J-11.011(10), F.A.C., the effective date of this plan amendment shall be the date a final order is issued by the Department of Community Affairs or Administration Commission finding the amendment in compliance in accordance with Section 163.3184 (1)(b), Florida Statutes, whichever is applicable. This amendment shall not be utilized as a basis for approving or issuing any development orders, development permits or land uses before such amendment has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Florida Department of Community Affairs, Division of Community Planning, Plan Processing Team. An adopted amendment whose effective date is delayed by law shall be considered part of the adopted plan until determined to be not in compliance by final order of the Administration Commission. Then, it shall no longer be part of the adopted plan unless the local government adopts a resolution affirming its effectiveness in the manner provided by law.

**FIRST READING AND PUBLIC HEARING:** December 10, 2009.

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2010, by the City Commission of the City of Winter Garden, Florida.

**APPROVED:**

\_\_\_\_\_  
JOHN REES, Mayor/Commissioner

**ATTEST:**

\_\_\_\_\_  
KATHY GOLDEN, City Clerk

# Exhibit "A"

## City of Winter Garden 5-Year Schedule of Capital Improvements 2009/2010 - 2013/2014 Table 1: Projects

Line No.	PROJECT NAME	Fund Source		2009/2010	2010/2011	2011/2012	2012/2013	2013/2014	Totals
1	<b>Parks and Recreation</b>								
2	Lulu Creek Trail	GO	PARKS AND REC	-	301,000	-	-	-	301,000
3	Tucker Ranch purchase	GO	PARKS AND REC	-	2,400,000	-	-	-	2,400,000
4	Veterans Park Playground Upgrade	GO	PARKS AND REC	-	67,200	-	-	-	67,200
5	Braddock Park Playground Expansion	GO	PARKS AND REC	-	140,000	-	-	-	140,000
6	J Brock Community Ctr Playground	GO	PARKS AND REC	-	220,000	-	-	-	220,000
7	Farnsworth Pool Renovations	GO	PARKS AND REC	-	325,000	350,000	585,000	345,000	1,605,000
8	<b>Park and Recreation Total</b>			<b>\$0</b>	<b>\$3,453,200</b>	<b>\$350,000</b>	<b>\$585,000</b>	<b>\$345,000</b>	<b>\$4,733,200</b>
9	<b>Roadway Improvements</b>								
10	CR 545 South	GIF	STREETS	-	9,000,000	-	-	-	9,000,000
11	Marsh Rd (545 to Hickory Hammock)	GIF	STREETS	-	1,000,000	3,250,000	-	-	4,250,000
12	Plant Street ROW - 9th Street to 429	GIF	STREETS	1,500,000	-	-	-	-	1,500,000
13	Plant Street Segment 2 (9th to W. Crown)	GIF	STREETS	2,600,000	-	-	-	-	2,600,000
14	Plant Street Segment 3 (W. Crown to 429)	GIF	STREETS	1,500,000	-	-	-	-	1,500,000
15	Roper Road (East Section)	GIF	STREETS	100,000	-	-	-	-	100,000
16	Sessions Road	GIF	STREETS	2,425,000	-	-	-	-	2,425,000
17	<b>Roadway: General Fund Impact Fee Sub-Total</b>			<b>8,125,000</b>	<b>10,000,000</b>	<b>3,250,000</b>	<b>-</b>	<b>-</b>	<b>21,375,000</b>
18	Dillard Street - Plant Street north to Tilden Street (Design & Construction)	LOGT	STREETS	49,600	331,000	-	-	-	380,600
19	Dillard Street - Tilden Street north to Verna Street (Design & Construction)	LOGT	STREETS	26,900	-	179,250	-	-	206,150
20	Dillard Street - Verna Street north to Division (Design & Construction)	LOGT	STREETS	26,900	-	-	179,250	-	206,150
21	Main Street - Story To Vining (Design & Construction)	LOGT	STREETS	20,850	139,000	-	-	-	159,850
22	Midget Place - Surprise to Palm (Design & Construction)	LOGT	STREETS	-	23,200	154,750	-	-	177,950
23	North Dillard - Surprise to Division (Design & Construction)	LOGT	STREETS	-	-	-	47,840	239,315	287,155
24	N Highland - Henderson to Newell (Design & Construction)	LOGT	STREETS	-	125,250	-	-	-	125,250
25	Palm Drive - Regal Place to Division (Design & Construction)	LOGT	STREETS	-	-	46,400	309,500	-	355,900
26	South Highland - Smith to R/R track (Design & Construction)	LOGT	STREETS	-	20,000	132,600	-	-	152,600
27	South Main - Smith to Tremaine (Design & Construction)	LOGT	STREETS	20,000	132,650	-	-	-	152,650
28	South Woodland Street - Smith to Tremaine (Design & Construction)	LOGT	STREETS	-	-	-	40,500	232,990	273,490

29	Tremaine Street - Main to Dillard (Design & Construction)	LOGT	STREETS	-	-	-	49,795	249,205	299,000
30	Vineland Rd - S.R. 50 to Palmetto Ave (Design & Construction)	LOGT	STREETS	54,250	361,500	-	-	-	415,750
31	Street Resurfacing	LOGT	STREETS	197,000	-	-	-	-	197,000
32	<b>Roadway: Local Option Gas Tax Sub-Total</b>			<b>395,500</b>	<b>1,132,600</b>	<b>513,000</b>	<b>626,885</b>	<b>721,510</b>	<b>3,389,495</b>
33	SR 50 (FDOT Item No. 239535-2) <sup>1</sup>	FDOT	ARRA	2,354,088	55,000	12,132,083	-	500,000	15,041,171
34	<b>Roadway Improvements Total</b>			<b>10,874,588</b>	<b>11,187,600</b>	<b>15,895,083</b>	<b>626,885</b>	<b>1,221,510</b>	<b>39,805,666</b>
35	<b>Stormwater Drainage</b>								
36	Crest Avenue/Lulu Creek Culvert Crossing (Design & Construction)	S	STORMWATER	-	31,400	258,750	-	-	290,150
37	Dillard Street - Plant Street north to Tilden Street (Design & Construction)	S	STORMWATER	16,000	107,000	-	-	-	123,000
38	Dillard Street - Tilden Street north to Verna Street (Design & Construction)	S	STORMWATER	10,125	-	67,500	-	-	77,625
39	Dillard Street - Verna Street north to Division (Design & Construction)	S	STORMWATER	10,125	-	-	67,500	-	77,625
40	Roper Drive Drainage Improvements	S	STORMWATER	75,000	-	-	-	-	75,000
41	Coluso Drive Drainage Improvements	S	STORMWATER	200,000	-	-	-	-	200,000
42	Lulu Creek	S	STORMWATER	-	1,500,000	-	-	-	1,500,000
43	Main Street - Story To Vining (Design & Construction)	S	STORMWATER	4,750	31,750	-	-	-	36,500
44	Midget Place - Surprise to Palm (Design & Construction)	S	STORMWATER	-	5,600	37,500	-	-	43,100
45	North Dillard - Surprise to Division (Design & Construction)	S	STORMWATER	-	-	-	11,960	59,570	71,530
46	N Highland - Henderson to Newell (Design & Construction)	S	STORMWATER	-	30,250	-	-	-	30,250
47	Palm Drive - Regal Place to Division (Design & Construction)	S	STORMWATER	-	-	9,375	62,500	-	71,875
48	South Highland - Smith to R/R track (Design & Construction)	S	STORMWATER	-	3,750	25,000	-	-	28,750
49	South Main - Smith to Tremaine (Design & Construction)	S	STORMWATER	5,000	33,500	-	-	-	38,500
50	South Woodland Street - Smith to Tremaine (Design & Construction)	S	STORMWATER	-	-	-	8,165	40,595	48,760
51	Tremaine Street - Main to Dillard (Design & Construction)	S	STORMWATER	-	-	-	9,430	47,035	56,465
52	Vineland Rd - S.R. 50 to Palmetto Ave (Design & Construction)	S	STORMWATER	7,500	50,250	-	-	-	57,750
53	<b>Stormwater Drainage Total</b>			<b>328,500</b>	<b>1,793,500</b>	<b>398,125</b>	<b>159,555</b>	<b>147,200</b>	<b>2,826,880</b>
54	<b>Solid Waste</b>								
55	Sideload Truck	SW	SOLID WASTE	175,240	-	-	-	-	175,240
56	Rearload Truck	SW	SOLID WASTE	198,978	-	-	-	-	198,978
57	<b>Solid Waste Total</b>			<b>374,218</b>	-	-	-	-	<b>374,218</b>
58	<b>Sanitary Sewer</b>								
59	Hennis Road Gravity Sewer	UIF-WW	COLLECTION	-	26,500	218,960	-	-	245,460
60	Utility Line Relocation SR 50 (Construction)	UIF-WW	COLLECTION	288,400	96,100	-	-	-	384,500

61	Vineland Rd - S.R. 50 to Palmetto Ave (Design & Construction)	UIF-WW	COLLECTION	26,300	131,400	-	-	-	157,700
62	Palm Drive - Regal Place to Division (Design & Construction)	UIF-WW	COLLECTION	-	-	11,600	77,450	-	89,050
63	Sessions Road	UIF-WW	COLLECTION	162,500	-	-	-	-	162,500
64	Crest Avenue WWTP Expansion	UIF-WW	WASTEWATER	-	-	-	-	2,500,000	2,500,000
65	Reclaimed Water PH 3	UIF-WW	WASTEWATER	-	-	-	-	3,900,000	3,900,000
66	<b>Sanitary Sewer: UIF-WW Sub-Total</b>			<b>477,200</b>	<b>254,000</b>	<b>230,560</b>	<b>77,450</b>	<b>6,400,000</b>	<b>7,439,210</b>
67	Crest Avenue/Lulu Creek Culvert Crossing (Design & Construction)	URR-WW	COLLECTION	-	13,450	77,280	-	-	90,730
68	Dillard Street - Plant Street north to Tilden Street (Design & Construction)	URR-WW	COLLECTION	10,625	70,800	-	-	-	81,425
69	Dillard Street - Tilden Street north to Verna Street (Design & Construction)	URR-WW	COLLECTION	5,750	-	38,500	-	-	44,250
70	Dillard Street - Verna Street north to Division (Design & Construction)	URR-WW	COLLECTION	5,750	-	-	38,500	-	44,250
71	Main Street - Story To Vining (Design & Construction)	URR-WW	COLLECTION	4,875	32,500	-	-	-	37,375
72	Midget Place - Surprise to Palm (Design & Construction)	URR-WW	COLLECTION	-	5,850	39,100	-	-	44,950
73	North Dillard - Surprise to Division (Design & Construction)	URR-WW	COLLECTION	-	-	-	12,995	64,975	77,970
74	N Highland - Henderson to Newell (Design & Construction)	URR-WW	COLLECTION	-	29,500	-	-	-	29,500
75	Palm Drive - Regal Place to Division (Design & Construction)	URR-WW	COLLECTION	-	-	11,000	73,150	-	84,150
76	South Highland - Smith to R/R track (Design & Construction)	URR-WW	COLLECTION	-	5,750	28,750	-	-	34,500
77	South Main - Smith to Tremaine (Design & Construction)	URR-WW	COLLECTION	4,163	32,000	-	-	-	36,163
78	South Woodland Street - Smith to Tremaine (Design & Construction)	URR-WW	COLLECTION	-	-	-	9,660	48,415	58,075
79	Tremaine Street - Main to Dillard (Design & Construction)	URR-WW	COLLECTION	-	-	-	8,800	50,370	59,170
80	Utility Line Relocation SR 50 (Construction)	URR-WW	COLLECTION	2,602,500	867,500	-	-	-	3,470,000
81	EMU Mixers	URR-WW	WASTEWATER	41,034	-	-	-	-	41,034
82	<b>Sanitary Sewer: URR-WW Sub-Total</b>			<b>2,674,697</b>	<b>1,057,350</b>	<b>194,630</b>	<b>143,105</b>	<b>163,760</b>	<b>4,233,542</b>
83	Pump, Trailer Mounted	U-WW	COLLECTION	36,514	-	-	-	-	36,514
84	Vactor, Sewer Jet/Vacuum Truck	U-WW	COLLECTION	305,000	-	-	-	-	305,000
85	<b>Sanitary Sewer: U-WW Sub-Total</b>			<b>341,514</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>341,514</b>
86	<b>Sanitary Sewer Total</b>			<b>3,493,411</b>	<b>1,311,350</b>	<b>425,190</b>	<b>220,555</b>	<b>6,563,760</b>	<b>12,014,266</b>
87	<b>Potable Water</b>								
88	Crest Avenue/Lulu Creek Culvert Crossing (Design & Construction)	UIF-W	DISTRIBUTION	-	4,700	26,968	-	-	31,668
89	Dillard Street - Plant Street north to Tilden Street (Design & Construction)	UIF-W	DISTRIBUTION	7,750	51,600	-	-	-	59,350
90	Dillard Street - Tilden Street north to Verna Street (Design & Construction)	UIF-W	DISTRIBUTION	4,400	-	29,375	-	-	33,775

91	Dillard Street - Verna Street north to Division (Design & Construction)	UIF-W	DISTRIBUTION	4,400	-	-	29,375	-	33,775
92	N Highland - Henderson to Newell (Design & Construction)	UIF-W	DISTRIBUTION	-	25,900	-	-	-	25,900
93	South Highland - Smith to R/R track (Design & Construction)	UIF-W	DISTRIBUTION	-	3,300	21,875	-	-	25,175
94	South Main - Smith to Tremaine (Design & Construction)	UIF-W	DISTRIBUTION	3,750	25,000	-	-	-	28,750
95	South Woodland Street - Smith to Tremaine (Design & Construction)	UIF-W	DISTRIBUTION	-	-	-	7,935	39,445	47,380
96	Tremaine Street - Main to Dillard (Design & Construction)	UIF-W	DISTRIBUTION	-	-	-	8,280	41,400	49,680
97	Utility Line Relocation SR 50 (Construction)	UIF-W	DISTRIBUTION	179,200	59,800	-	-	-	239,000
98	Vineland Rd - S.R. 50 to Palmetto Ave (Design & Construction)	UIF-W	DISTRIBUTION	10,500	70,200	-	-	-	80,700
99	Woodlark Water Storage Tank II	UIF-W	DISTRIBUTION	-	-	-	-	2,000,000	2,000,000
100	Woodlark Water Well #2	UIF-W	DISTRIBUTION	-	-	-	-	1,500,000	1,500,000
101	Sessions Road (Water & Reuse)	UIF-W	DISTRIBUTION	284,000	-	-	-	-	284,000
102	Conserv II Pipe - CR 545 (Reuse)	UIF-W	DISTRIBUTION	1,300,000	-	-	-	-	1,300,000
103	Roper Road (east section) Water	UIF-W	DISTRIBUTION	84,000	-	-	-	-	84,000
104	Roper Road (east section) Reuse	UIF-W	DISTRIBUTION	75,000	-	-	-	-	75,000
105	<b>Potable Water: UIF-W Sub-Total</b>			<b>1,953,000</b>	<b>240,500</b>	<b>78,218</b>	<b>45,590</b>	<b>3,580,845</b>	<b>5,898,153</b>
106	Utility Line Relocation SR 50 (Construction)	URR-W	DISTRIBUTION	1,731,000	577,000	-	-	-	2,308,000
107	<b>Potable Water: UIF-W Sub-Total</b>			<b>1,731,000</b>	<b>577,000</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>2,308,000</b>
108	Fusion Machine for HDPE Pipe	U-W	DISTRIBUTION	48,000	-	-	-	-	48,000
109	Main Street - Story To Vining (Design & Construction)	U-W	DISTRIBUTION	4,050	27,000	-	-	-	31,050
110	Midget Place - Surprise to Palm (Design & Construction)	U-W	DISTRIBUTION	-	4,600	30,750	-	-	35,350
111	North Dillard - Surprise to Division (Design & Construction)	U-W	DISTRIBUTION	-	-	-	8,395	41,975	50,370
112	<b>Potable Water: U-W Sub-Total</b>			<b>52,050</b>	<b>31,600</b>	<b>30,750</b>	<b>8,395</b>	<b>41,975</b>	<b>164,770</b>
113	<b>Potable Water Total</b>			<b>3,736,050</b>	<b>849,100</b>	<b>108,968</b>	<b>53,985</b>	<b>3,622,820</b>	<b>8,370,923</b>
114	<b>Trailer City Drainage</b>								
115	Trailer City Drainage	TC	TRAILER CITY	10,000	-	-	-	-	10,000
116	<b>Trailer City Drainage Total</b>			<b>10,000</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>10,000</b>
117	<b>TOTAL</b>			<b>\$18,816,767</b>	<b>\$18,594,750</b>	<b>\$17,177,366</b>	<b>\$1,645,980</b>	<b>\$11,900,290</b>	<b>\$68,135,153</b>

**Fund Source Codes:**

GO – General Fund  
GIF – General Fund Impact Fee  
LOGT – Local Option Gas Tax  
S – Stormwater Fund  
SW – Solid Waste Fund  
U-W – Utility Water  
U-WW – Utility Waste Water  
UIF-W – Utility Impact Fee Water  
UIF-WW – Utility Impact Fee Waste Water  
URR-W – Utility Renewal and Replacement Water  
URR-WW – Utility Renewal and Replacement Waste Water  
TC – Trailer City  
ARRA – American Recovery and Reinvestment Act (Stimulus Funds)

**Notes:**

1 – Source: FDOT Five Year Work Program 2010-2014

**City of Winter Garden**  
**5-Year Schedule of Capital Improvements**  
2009/2010 - 2013/2014

**Table 2: Expenditure Summary by Functional Category**

Category	Fiscal Year					Total
	2009/2010	2010/2011	2011/2012	2012/2013	2013/2014	
Parks and Recreation	0	3,453,200	350,000	585,000	345,000	4,733,200
Roadway	10,874,588	11,187,600	15,895,083	626,885	1,221,510	39,805,666
Stormwater	328,500	1,793,500	398,125	159,555	147,200	2,826,880
Solid Waste	374,218	0	0	0	0	374,218
Sanitary Sewer	3,493,411	1,311,350	425,190	220,555	6,563,760	12,014,266
Potable Water	3,736,050	849,100	108,968	53,985	3,622,820	8,370,923
Trailer City	10,000	0	0	0	0	10,000
<b>Total</b>	<b>\$18,816,767</b>	<b>\$18,594,750</b>	<b>\$17,177,366</b>	<b>\$1,645,980</b>	<b>\$11,900,290</b>	<b>\$68,135,153</b>

**Table 3: Fund Summary by Revenue Source**

Functional Category Revenue Source		Fiscal Year					Total
		2009/2010	2010/2011	2011/2012	2012/2013	2013/2014	
<b>Parks and Recreation</b>							
	General Fund	-	2,827,200	301,000	1,500,000	-	4,628,200
	<b>Sub-Total</b>	<b>-</b>	<b>2,827,200</b>	<b>301,000</b>	<b>1,500,000</b>	<b>-</b>	<b>4,628,200</b>
<b>Roadway</b>							
	Developer Contribution/CR 545 & Marsh Rd		10,000,000	3,250,000	-	-	13,250,000
	General Fund	-	-	-	-	-	-
	Transportation Impact Fee	8,125,000					8,125,000
	Local Option Gas Tax	395,500	1,132,600	513,000	626,885	721,510	3,389,495
	FDOT <sup>1</sup>	2,354,088	55,000	12,132,083	-	500,000	15,041,171
	<b>Sub-Total</b>	<b>10,874,588</b>	<b>11,187,600</b>	<b>15,895,083</b>	<b>626,885</b>	<b>1,221,510</b>	<b>39,805,666</b>
<b>Stormwater</b>							
	Stormwater Fund	328,500	1,793,500	398,125	159,555	147,200	2,826,880
	<b>Sub-Total</b>	<b>328,500</b>	<b>1,793,500</b>	<b>398,125</b>	<b>159,555</b>	<b>147,200</b>	<b>2,826,880</b>
<b>Solid Waste</b>							
	Solid Waste Fund	374,218	-	-	-	-	374,218
	<b>Sub-Total</b>	<b>374,218</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>374,218</b>
<b>Sanitary Sewer</b>							
	Utility Fund	-	-	-	-	-	-
	Utility Impact Fee	477,200	254,000	230,560	77,450	6,400,000	7,439,210
	Utility Renewal and Replacement	3,016,211	1,057,350	194,630	143,105	163,760	4,575,056
	<b>Sub-Total</b>	<b>3,493,411</b>	<b>1,311,350</b>	<b>425,190</b>	<b>220,555</b>	<b>6,563,760</b>	<b>12,014,266</b>
<b>Potable Water</b>							
	Utility Fund	52,050	31,600	30,750	8,395	41,975	164,770
	Utility Impact Fee	1,953,000	240,500	78,218	45,590	3,580,845	5,898,153
	Utility Renewal and Replacement	1,731,000	577,000	-	-	-	2,308,000
	<b>Sub-Total</b>	<b>3,736,050</b>	<b>849,100</b>	<b>108,968</b>	<b>53,985</b>	<b>3,622,820</b>	<b>8,370,923</b>
<b>Trailer City</b>							
	Trailer City	10,000	-	-	-	-	10,000
	<b>Sub-Total</b>	<b>10,000</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>10,000</b>
	<b>Total</b>	<b>\$18,816,767</b>	<b>\$17,968,750</b>	<b>\$17,128,366</b>	<b>\$2,560,980</b>	<b>\$11,555,290</b>	<b>\$68,030,153</b>

**Notes:**

1 – Source: FDOT Five Year Work Program 2010-2014

**5-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS**  
**ANNUAL UPDATE**  
**2009/2010 - 2013-2014**  
**DATA, INVENTORY, AND ANALYSIS**

**INTRODUCTION**

In 2008 the City prepared the annual update to the Capital Improvement Element by developing a comprehensive Data and Analysis Report that contained information on growth projections and capital improvement budgets for both a 5 year and 10 year time period (FY2009-FY2018). This update was adopted under Ordinance 08-55 (DCA No. 08CIE1). As this 2009/2010 annual update adds a new '5th' year to the Capital Improvement Schedule adding "maintenance projects" and adjusting the years that expenditures and revenues are expected to be available due to the condition of the economy and its affect on development, revenue projection and collection, the Data and Analysis Report from the 2008 update is considered 'fresh', relevant and valid and will be relied upon for this minor update.

**OVERVIEW**

The City has established level of service (LOS) standards for parks/recreation, potable water, waste water, solid waste, roadway/mass transit and stormwater/drainage. Each of these public facilities is reviewed throughout the year to determine if capacity is available for each facility to support approved development, as well as, new proposed development projects that are submitted to the City.

A summary of each public facility is provided here that briefly identifies the level of service (LOS) standard and any other critical information about the facility.

**Parks/Recreation**

The City has established a level of service (LOS) for City parks and recreation of 5 acres of parks and related facilities for each 1,000 residents in the City. Currently, the City has 214.6 acres of parks which exceeds both the current population need, but also the projected population need for parks. The City just completed Braddock Park, located in the southern section of the City, with tot lots, softball field, and multi-purpose recreational fields.

**Potable Water**

The City has 3 water treatment plants that provide potable water needs in the City. The level of service for potable water is 350 gallons per ERU per day. The adjusted projected water demand is estimated to be 2.354 million gallons per day (MGD) in 2018. The City has a maximum daily flow of 5.83 MGD according to our capacity utilization permit with St. Johns River Water Management District. Therefore; the City has excess capacity for potable water for the 10 year planning period. The City just completed the 10-Year Water Supply Facilities Work Plan and the resulting comprehensive plan amendments have been found in compliance by the Department of Community Affairs.

### **Sanitary Sewer**

The waste water treatment plant has a design capacity of 4 MGD and is estimated to have 3.199 MGD projected flow by 2018. The City will begin planning for expanding the capacity of the WWTF in FY2013/14 for future growth beyond 2018. The level of service for sewer is 250 gallons per ERU per day.

### **Reclaimed Water**

The City currently does not have a level of service for reclaimed water. However; the use of reclaimed water will be expanding in the next 10 years to up to 4.82 MGD per day by 2018. The use of reclaimed water provides the one most important way for water conservation to be achieved. The City completed a Reclaimed Water Master Plan in September of 2008 to guide the expansion of the reclaimed water service throughout the City.

### **Solid Waste**

The City operates the solid waste collection service for the City. Refuse collected by the City is taken to the Orange County Porter Transfer Station in the City of Ocoee where it is transferred and deposited in the County Landfill. The level of service for residential is 5.6lbs per day per residential unit. The growth projected for the City will generate 1.24 tons additional waste over the current amount that is transported to the landfill. In addition, the City has a comprehensive recycling program in place.

### **Roadways**

The City has a wide variety of types of road in the City including; local streets, collector roads (e.g. Plant Street) arterial roads (e.g. SR50), and limited access highways (e.g. Florida Turnpike, SR429). Level of services on these road areas are from LOS "D" to LOS "E". Several roadways under the City's responsibility are scheduled for improvements including Plant Street, CR 545 and Marsh Road.

### **Transit**

LYNX is the regional transit service operator for the Orlando metropolitan area. LYNX provides transit service on several major roads in the City including; SR50, Plant Street, Dillard Street, Park Avenue, and Daniels Road. The City is reviewing the final draft of the City Wide Transit Plan that among other things proposes a local circulator system throughout Winter Garden designed to both provide local mobility and to feed the regional transit system provided by LYNX. As this program is in the planning stages there are no funds/expenditures listed in the capital improvement schedule.

### **Stormwater / Drainage**

All new development in the City is required to provide a drainage design in conformance with City and State standards. The City has a detailed LOS for stormwater that is provided in the report that deals with both quantity and quality treatment. In addition, the City adopted the Wekiva Parkway and Protection Act requirements for the Wekiva Study Area requiring those properties that are included in the resource protection overlay to set aside greater open space, and design to a greater stormwater system.

## **PARKS**

The City of Winter Garden Comprehensive Plan has established an adopted level of service (LOS) of five (5) acres of parks, recreation and trails per one thousand residents in the incorporated are of the City.

The City has a wide variety of parks and recreation facilities that include;

- Ball fields
- Multi-purpose recreational fields
- Community pools
- Recreation centers
- Small neighborhood activity centers for children and adults
- West Orange Trail (a multi-purpose trail)
- Trail head facilities

In addition to these facilities, the City utilizes field and recreation areas at public schools and the use of private recreation areas through use agreements.

All of the facilities and areas add up to 214.66. With the projected population of 40,765 people through 2018, the City will have an excess of 10.835 acres of land for the projected population.

The City just completed 22 acre Braddock Park, located in the southern section of the City, with tot lots, softball fields, and multi-purpose recreational fields.

The City continues to work with developers and the Orange County School Board on providing park area or other recreation space for public use, particularly in the southwest area of the City. Additionally, the City has applied for a Florida Community Trust grant to purchase property known as the Tucker Ranch. This property, approximately 200 acres, would create a nature park and center on property between Johns Lake and CR 545, if acquired.

The City primarily uses impact fees to fund new park facilities. However; the use of private facilities has become more widespread, as well as, donation of park lands by developers and the City applying for and obtaining State grants for both land and facilities.

## **UTILITIES (WATER, SEWER, RECLAIMED)**

The City established a level of service (LOS) of 350 gallons of potable water per day per equivalent residential unit (gpd/ERU). This standard will be maintained while at the same time the City begins to expand the use of reclaimed water services. Once the City ramps up the use of reclaimed water, the consumption demand per capital will

decrease up to 33%. The City has three (3) water treatment plants that supply potable water for the City.

With respect to sanitary sewer, the City has established a level of service of 250 gallons of treatment per ERU per day. This standard was applied to the projected growth over the next 10 years and compared to the design capacity of the City waste water treatment plant. The current maximum design of the WWTF is 4.0 mgd. The projected growth through 2018 will create a total use demand for wastewater treatment at approximately 3.17 mgd. There will be an excess capacity of .83 mgd through 2018.

The City just completed the 10-Year Water Supply Facilities Work Plan and the resulting comprehensive plan amendments have been found in compliance by the Department of Community Affairs.

The City is expanding the use of reclaimed water during the 10 year planning period. The City will expand the use of reclaimed water to 4.82 MGD. This level of reclaimed water use will have the effect of having the same amount of potable water demand in 2018 after the projected growth has been accommodated. This will be a major accomplishment to reduce the potable demand by almost 32% for current and projected consumption levels. The City completed a Reclaimed Water Master Plan in September of 2008 to guide the expansion of the reclaimed water service throughout the City

### **Alternative Water Supply (AWS) Projects**

As feasible and permissible, the City of Winter Garden will consider implementing the following surface water AWS capital improvement projects, which will increase potable water supply capacity annually by approximately 1.8 mgd AADF, or greater during the next 20 years. Alternatively, the City may elect another alternative water supply project and coordinate with SJRWMD on the implementation of any such project. The intent of the City is to partner with Orange County Utilities on the selected projects:

- **Kissimmee River Basin (Lake Tohopekaliga) Potable water Supply Project**, an estimated 25 mgd AADF surface water potable supply project, planned to be developed and constructed by 2014 (CIS 1550; WUP #48-00134-W Condition 25; a KBWSP Project). The City of Winter Garden is participating collaboratively in this regional water supply development project, currently at the conceptual stage, with several other central Florida potable water suppliers. The final number of utility partners, exact supply available, and distribution among suppliers is yet to be determined. Funding for the project will be split among the suppliers, with additional cooperative funding from the State.
- **St. Johns River at State Road 46 Water Supply Project** (DWSP Project Number 64), an estimated 63 mgd AADF surface water potable supply project, is currently in the conceptual development phase. This project may be constructed outside of the planning horizon addressed by this Work Plan (post-2020). The City of Winter Garden is participating collaboratively to develop this regional water supply development project with several other central Florida potable water suppliers. The SJRWMD has facilitated several regional coordination meetings for this project. The City of Winter Garden's potential share of the yield from this project is not yet known.

## **SOLID WASTE**

The City's solid waste level of service is established at a maximum 5.6 pounds of refuse per day per person. The City has an agreement to utilize the Orange County landfill for both residential and non-residential. Refuse collected by the City is taken to the Orange County Porter Transfer Station in the City of Ocoee where it is transferred and deposited in the County Landfill in the northwest area of the county. The growth projected for the City will generate 1.24 tons additional waste over the current amount that is transported to the landfill. In addition, the City has a comprehensive recycling program in place to divert certain materials from the landfill.

The County completed a recent expansion that is expected to provide disposal capacity at the landfill to accommodate solid waste for the next 20 years. This expansion for both residential and commercial calculates to 51 tons of extra capacity available over the 10 year period through 2018.

## **Transportation: Roadways and Mass Transit**

### **Roadways**

The City of Winter Garden contains a variety of public roadways that range from local roads to collector roads to arterial roadways and up to limited access expressways. The City established an adopted level of service depending on the type of roadway.

Collector roads that have either restricted rights-of-way and/or have higher traffic volumes generally have a level of service (LOS) "E" standard. Examples of collector roads that have this LOS are, Plant Street, Story Road, Park Avenue, Main Street, and Beulah Road.

Arterial roadways generally have a LOS "D" standard. A prime example is State Road (SR) 50 an arterial that runs east/west through the center of the City and serves as one of the major gateways into and through the City.

Limited access expressways include SR 429 (Daniel Webster Western Beltway) and SR 91 (the Florida Turnpike). The Western Beltway is a limited-access facility that runs north-south along the eastern edge of the City and then curves westward along the southern portion of the City. The Turnpike runs parallel and south of SR50. Both have an LOS "D" standard.

Within the City SR 50 is currently a five-lane facility with a continuous left turn lane. Stimulus funding provided through the American Recovery and Reinvestment Act of 2009 has advanced the improvements to SR 50 and construction is scheduled for 2010 to widen the roadway to six lanes.

Currently, SR 438/Plant Street is a 2 lane road and is programmed for intersection improvements and widening to 4 lanes from 9<sup>th</sup> street to East Crown Point Road. There is an Interlocal Agreement with the City and the Florida Department of Transportation (FDOT) that transferred ownership and maintenance responsibility of Plant Street to the City of Winter Garden.

The City is in the final stages of accepting ownership and maintenance responsibility from FDOT for SR 537/Dillard Street. By accepting responsibility for these two roadways, the City can schedule improvements sooner than may be accomplished by FDOT.

Current and projected roadway conditions are provided in Tables 3 and 4 below.

### **De Minimus Statement For 2009**

In accordance with section 163.3180 of the Florida Statutes the City reports, for 2009, the City has not approved any projects based on a de minimus impact on facilities or services. All projects that have received approval either were redevelopment with no net new trips, or were fully reviewed for concurrency.

### **Transit**

Existing public transit services for the Orlando metropolitan area is provided by the Central Florida Regional Transportation Authority, also known as LYNX. Recently two fixed route services that served Winter Garden were eliminated due to financial and patronage reasons. The one remaining route will sunset in July of 2010.

The City commissioned a transit analysis by Planning Innovations, Inc. This Citywide Transit Plan report is in the final draft stages and is intended to evaluate regional and local transit service options within the City. This local service may be coordinated with LYNX or can be an independent program operated and maintained by the City. Any local service can act as a feeder system into the LYNX regional system, making regional service to Winter Garden more attractive to LYNX again.

### **STORMWATER / DRAINAGE**

The City of Winter Garden has multi-tiered standards for stormwater management.

The sufficiency of the drainage system for private development projects is defined by two (2) use standards:

1. Flood control (Volume and rate-of-run-off from the site) and,
2. Water quality (reduction in the pollutant load of the run-off)

The City has incorporated the established level of service standard in the development regulations and subdivision regulations. The defined LOS standards are:

- On-site retention: Retain the first ½ inch of run-off.
- Storm Event: 25 year/24 hour
- Quantity: Post development stormwater run-off flow rates, quantities, peaks and velocities shall be equal or less than predevelopment run-off.
- Quality: Conform to State water quality standards as set forth by Policy, Chapter 1740 F.A.C.

The above LOS standards as applied through the development regulations reduce flooding potential by requiring peak discharge from a developed site to not exceed that from a site in an undeveloped condition. Pollution abatement is accomplished by requiring specific retention detention and filtering capabilities for drainage facilities. Furthermore, the City's LOS standard includes protection for surface water bodies by

requiring no reduction in water quality created by development run-off in accordance with State rules and standards.

The City has no large areas that experience flooding problems. Any flooding that does occur after receiving extreme rainfall in a 24-72 hour period is isolated and remote and limited to older areas of the City, areas near rural section roadways that have ditches filled with stormwater or areas surrounding natural wetlands.

The City manages stormwater management in several ways;

- The City uses stormwater fees collected with the utility accounts to correct problems older areas of the City;
- Make drainage improvements in conjunction with roadway improvements;
- Create master retention area for designated areas of the City, such as, the Historic Downtown area.

Examples of the above categories include City improvements to Dillard Street, north of Plant Street, Plant Street drainage improvements in conjunction with the pending roadway improvements and the master stormwater retention pond that is designed and about to be constructed in the Historic Downtown area near Dillard Street.

The City has a current stormwater utility fee that primarily funds the City stormwater improvements as standalone projects. When stormwater is improved in conjunction with roadway improvements, the funding for the roadway pays for the drainage component of the cost of the roadway improvement.

The City, in April 2008, adopted the stormwater requirements for the Little Wekiva Protection Act. The most important distinguishing factors are the small amount of type "A" soils that exist in the Winter Garden Planning area and that less than 10% of the land area is classified as a resource protection area. Those areas that are classified a resource protection area through the adopted overlay map, must meet the more stringent retention/detention stormwater requirements, more stringent open space requirements and greater restrictions on the number and type of permitted uses.

The standards for non-Wekiva study stormwater requirements are:

- That the detention capacity is sufficient to ensure that post development run-off flow rates, quantities; peaks and velocities shall be equal or less than pre-development run off for 25 years, 24 hour storm events and;
- water quality of run-off shall conform to state water policy

The standards for Wekiva Study Area stormwater (resource protection overlay) are:

- The stormwater management system in the resource protection overly shall provide retention of the total run-off generated by the 25 year frequency, 24 hour duration event from the developed site.
- Sites with no positive outfall, as determined by the City Engineer, shall be required to retain the total run-off of the 100 year storm.

The City will also be coordinating with SJRWMD, the City of Orlando, Orange County, and other local governments to develop a master stormwater management plan. The master plan will address the following issues:

- Existing problems and deficiencies
- Projects to meet long-range needs
- Priorities to address existing deficiencies
- Measures to address redevelopment
- Schedule to complete needed improvements
- Feasibility of stormwater reuse and establish a water reuse and irrigation program
- Requirements for inspection and maintenance of facilities
- Funding implementation of Master Stormwater Plant and Maintenance Programs

After review of the plan, the City has established an action plan to meet the necessary and appropriate requirements. More specifically, the City is in the process of acquiring parcels along Lulu Creek to improve drainage deficiencies. One of the properties targeted to be acquired would extend the West Orange Trail adjacent to Lulu Creek to Newton Park.

## **PUBLIC SCHOOLS**

The Orange County School Board adopted its 5-Year Capital Outlay Plan on September 8, 2009. This plan contemplates an elementary and middle school to serve the Winter Garden area in year 2012 if future student projections hold true. The City adopts this Plan through the amendment to Policy 6.6 in the Capital Improvement Element of the City's comprehensive plan.

## **5-YEAR CAPITAL IMPROVEMENT SCHEDULE**

The 5-year schedule of capital improvements presented in Ordinance 10-06 includes not only capacity enhancing projects but projects to maintain and/or upgrade existing facilities. Due to the economic conditions and the affect on revenue projections and collections project dates within the schedule are subject to revisions. Table 1 lists projects and costs, Table 2 lists the expenditure summary by functional category and Table 3 is a summary of the funds by revenue source.

**THE CITY OF WINTER GARDEN**  
**CITY PLANNING AND ZONING BOARD AGENDA ITEM**  
**ATTACHMENT 6 (Public Hearing)**

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**Date:** December 4, 2009                      **Meeting Date:** December 7, 2009

**Subject:** 1301 E. Bay Street (Bay Street Church of God) Variances and Special Exception Permit

**Issue:** This item was tabled from the November 2, 2009 Planning and Zoning Board meeting. Staff requests this item be tabled to the January 4, 2010 meeting.