



**CITY COMMISSION AGENDA
CITY HALL COMMISSION CHAMBERS
300 W. Plant Street**

REGULAR MEETING

JULY 11, 2013

6:30 P.M.

CALL TO ORDER

Determination of a Quorum

Invocation and Pledge of Allegiance

1. **APPROVAL OF MINUTES**

Regular Meeting of June 27, 2013

2. **PUBLIC HEARING MATTER**

A. Appeal of Planning and Zoning Board's denial of a variance request to reduce the 10-foot side yard setback to 6.86 feet and to reduce the minimum 10-foot wide landscaping around the building to no more than 50 percent landscaping around the building at 1089 Walker Street; Applicants George L. and Maria P. Bori (AutoZone parts store CPH Engineers, Inc.) (*postponed in 2013 on April 11, May 23, June 13, June 27*) – Community Development Director Williams

3. **FIRST READING AND PUBLIC HEARING OF PROPOSED ORDINANCES**

A. **Ordinance 13-32**: AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, REZONING APPROXIMATELY 81 ± ACRES OF CERTAIN REAL PROPERTY GENERALLY LOCATED NORTH OF EAST FULLERS CROSS ROAD, EAST OF LAKE APOPKA AND WEST OF EAST CROWN POINT ROAD AT 315 EAST FULLERS CROSS ROAD, FROM SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1) TO PLANNED UNIT DEVELOPMENT (PUD); PROVIDING FOR CERTAIN PUD REQUIREMENTS AND DESCRIBING THE DEVELOPMENT AS THE HIGHLAND GROVES PUD; PROVIDING FOR NON-SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE **with the second reading and public hearing being scheduled for July 25, 2013** – Community Development Director Williams

B. **Ordinance 13-33**: AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS APPROXIMATELY 32.884 ± ACRES LOCATED NORTH OF THE INTERSECTION OF NORTH FULLERS CROSS ROAD AND EAST FULLERS CROSS ROAD INTO THE CITY OF WINTER GARDEN FLORIDA; REDEFINING THE CITY BOUNDARIES TO GIVE THE CITY JURISDICTION OVER SAID PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

C. **Ordinance 13-34**: AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA AMENDING THE FUTURE LAND USE MAP OF THE WINTER GARDEN COMPREHENSIVE PLAN BY CHANGING THE LAND USE DESIGNATION OF REAL PROPERTY GENERALLY DESCRIBED AS 32.884 ± ACRES LOCATED NORTH OF THE INTERSECTION OF NORTH FULLERS CROSS ROAD AND EAST FULLERS CROSS ROAD FROM ORANGE COUNTY RURAL/AGRICULTURAL TO CITY CONSERVATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE **with the second reading and public hearing being scheduled for July 25, 2013** – Community Development Director Williams

D. **Ordinance 13-35**: AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS APPROXIMATELY 1.0 ± ACRES LOCATED AT 1288 NORTH WEST CROWN POINT ROAD, ON THE WEST SIDE OF NORTH WEST CROWN POINT ROAD, NORTH OF MACY DU LANE, SOUTH OF EAST FULLERS CROSS ROAD, AND WEST OF THIRD AVENUE INTO THE

CITY OF WINTER GARDEN FLORIDA; REDEFINING THE CITY BOUNDARIES TO GIVE THE CITY JURISDICTION OVER SAID PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

- E. **Ordinance 13-36:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA AMENDING THE FUTURE LAND USE MAP OF THE WINTER GARDEN COMPREHENSIVE PLAN BY CHANGING THE LAND USE DESIGNATION OF REAL PROPERTY GENERALLY DESCRIBED AS 1.0 ± ACRES LOCATED AT 1288 NORTH WEST CROWN POINT ROAD ON THE WEST SIDE OF NORTH WEST CROWN POINT ROAD, NORTH OF MACY DU LANE, SOUTH OF EAST FULLERS CROSS ROAD, AND WEST OF THIRD AVENUE FROM ORANGE COUNTY LOW DENSITY RESIDENTIAL TO CITY LOW DENSITY RESIDENTIAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE
- F. **Ordinance 13-37:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA REZONING APPROXIMATELY 1.0 ± ACRES LOCATED AT 1288 NORTH WEST CROWN ON THE WEST SIDE OF NORTH WEST CROWN POINT ROAD, NORTH OF MACY DU LANE, SOUTH OF EAST FULLERS CROSS ROAD, AND WEST OF THIRD AVENUE FROM ORANGE COUNTY A-1 CITRUS/AGRICULTURAL DISTRICT TO CITY R-1 RESIDENTIAL DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE **with the second reading and public hearing being scheduled for July 25, 2013** – Community Development Director Williams
- G. **Ordinance 13-38:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS APPROXIMATELY 8.24 ± ACRES LOCATED AT 12552 STONEYBROOK WEST PARKWAY, ON THE SOUTH SIDE OF STONEYBROOK PARKWAY, EAST OF LAKE ROBERTS LANDING DRIVE, AND WEST OF SCARLETT SAGE COURT INTO THE CITY OF WINTER GARDEN FLORIDA; REDEFINING THE CITY BOUNDARIES TO GIVE THE CITY JURISDICTION OVER SAID PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE
- H. **Ordinance 13-39:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA AMENDING THE FUTURE LAND USE MAP OF THE WINTER GARDEN COMPREHENSIVE PLAN BY CHANGING THE LAND USE DESIGNATION OF REAL PROPERTY GENERALLY DESCRIBED AS 8.24 ± ACRES LOCATED AT 12552 STONEYBROOK WEST PARKWAY, ON THE SOUTH SIDE OF STONEYBROOK PARKWAY, EAST OF LAKE ROBERTS LANDING DRIVE, AND WEST OF SCARLETT SAGE COURT FROM ORANGE COUNTY RURAL/AGRICULTURAL TO CITY LOW DENSITY RESIDENTIAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE
- I. **Ordinance 13-40:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA REZONING APPROXIMATELY 8.24 ± ACRES LOCATED AT 12552 STONEYBROOK WEST PARKWAY, ON THE SOUTH SIDE OF STONEYBROOK PARKWAY, EAST OF LAKE ROBERTS LANDING DRIVE, AND WEST OF SCARLETT SAGE COURT FROM ORANGE COUNTY A-1 CITRUS/AGRICULTURAL DISTRICT TO CITY R-1 RESIDENTIAL DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE **with the second reading and public hearing being scheduled for July 25, 2013** – Community Development Director Williams
- J. **Ordinance 13-41:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA REZONING APPROXIMATELY 78.3 ± ACRES OF CERTAIN REAL PROPERTY GENERALLY LOCATED EAST OF WILLIAMS ROAD AND WEST OF AVALON ROAD(CR 545) ON THE NORTH AND SOUTH SIDE OF MARSH ROAD, AT 16303 MARSH ROAD, FROM NO ZONING (NZ) TO URBAN VILLAGE PLANNED UNIT DEVELOPMENT (UVPUD); PROVIDING FOR CERTAIN UVPUD REQUIREMENTS AND DESCRIBING THE DEVELOPMENT AS THE CROOKED LAKE PRESERVE URBAN VILLAGE PUD; PROVIDING FOR NON-SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE **with the second reading**

and public hearing being scheduled for July 25, 2013 – Community Development Director Williams

K. **Ordinance 13-44:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, REZONING CERTAIN REAL PROPERTY GENERALLY DESCRIBED AS APPROXIMATELY 0.27± ACRES OF LAND LOCATED AT 55 NORTH DILLARD STREET, FROM R-2 (RESIDENTIAL DISTRICT) TO C-1 (CENTRAL COMMERCIAL DISTRICT); PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE **with the second reading and public hearing being scheduled for July 25, 2013 – Community Development Director Williams**

4. **REGULAR BUSINESS**

- A. Recommendation to approve a site plan for 15080 W. Colonial Drive located at Shoppes at Avalon with conditions – Community Development Director Williams
- B. Recommendation to approve bids and award contract to Ortega Industrial Contractors, Inc. for Crest Avenue wastewater treatment and pumping improvement project not to exceed \$2,261,736.10 which includes a 10 percent contingency – Assistant City Manager for Public Services – Cochran
- C. Recommendation to approve the West Orange High School Homecoming Parade on October 5, 2013 from 1:00 – 2:00 p.m. – Parks and Recreation Director Conn
- D. Recommendation to approve waiving fees and closing Plant St. to accommodate the Spring Fever in the Garden Festival on April 5 & 6, 2014 – Parks and Recreation Director Conn
- E. Recommendation to approve setting the proposed millage rate at 4.2500 mills for Fiscal Year 2013/2014 – City Manager Bollhoefer

5. **MATTERS FROM CITIZENS** (*Limited to 3 minutes per speaker*)

6. **MATTERS FROM CITY ATTORNEY** – Kurt Ardaman

7. **MATTERS FROM CITY MANAGER** – Mike Bollhoefer

- A. Orange County ordinance on scraping metals of stolen property

8. **MATTERS FROM MAYOR AND COMMISSIONERS**

ADJOURN to a Regular Meeting on July 25, 2013 at 6:30 p.m. in City Hall Commission Chambers, 300 W. Plant Street, 1st floor

NOTICE: In accordance with Florida Statutes 286.0105, if any person decides to appeal any decision made by said body with respect to any matter considered at such meeting, he/she will need a record of the proceedings and, for that purpose, he/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. The City of Winter Garden does not prepare or provide such record.

	Those needing assistance to participate in any of these proceedings should contact the City Clerk's Office at least 48 hours in advance of the meeting (407) 656-4111 x2254.		Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained at the meeting from the Information Technology Director.
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CITY OF WINTER GARDEN

CITY COMMISSION REGULAR MEETING MINUTES

June 27, 2013

A **REGULAR MEETING** of the Winter Garden City Commission was called to order by Mayor Rees at 6:00 p.m. at City Hall, 300 West Plant Street, Winter Garden, Florida. The invocation and Pledge of Allegiance were given.

Present: Mayor John Rees, Commissioners Bob Buchanan, Kent Makin (*arrived at 6:22 p.m.*), Robert Olszewski and Colin Sharman

Also Present: City Manager Mike Bollhoefer, City Attorney Kurt Ardaman, City Clerk Kathy Golden, Assistant to City Manager - Public Services Don Cochran, Assistant to City Manager – Administrative Services Frank Gilbert, Community Development Director Ed Williams, Finance Director Laura Zielonka, Police Chief George Brennan, Building Official Skip Lukert, Economic Development Director Tanja Gerhartz, Recreation Director Jay Conn, and West Orange Times Reporter Kelsey Tressler

Mayor Rees welcomed everyone and acknowledged that Ocoee Mayor Scott Vandergrift was in attendance.

1. **APPROVAL OF MINUTES**

Motion by Commissioner Olszewski to approve the regular meeting minutes of June 13, 2013 as submitted. Seconded by Commissioner Buchanan and carried unanimously 4-0.

2. **PRESENTATIONS**

A. **Community Redevelopment Area Advisory Board (CRAAB)**

CRAAB Chairman Larry Cappleman acknowledged those members of the advisory board that were in attendance. He noted that the CRA is approximately two-thirds finished. In ten years the board will have completed its 30 years (2023) and will sunset. Mr. Cappleman gave a PowerPoint presentation on the board's purpose, history, past projects, current status, and the direction they are going. He requested the City Commission's feedback.

The following CRAAB members addressed the City Commission:

John Kirby stated that in his opinion, the money has been very well spent in the CRA and has contributed to the rebirth of the downtown area that helps everyone.

Sandy Shupp stated she thinks that entertaining the idea of a new downtown garage will be a great help to downtown and will take us to the next level.

Ron Sikes stated the list of projects the CRAAB has submitted is long and asked for the City Commission to prioritize the projects because there is more expense than there is funding. He perceives that the CRA can't do them all; they all have merit.

Charles Roper stated that we now have a huge economic engine and the CRAAB has looked at what, out of the listed projects, will keep that economic engine going. When the CRA sunsets in 10 years, we will need our own tax revenue base to continue doing the projects we are now doing downtown. We need to expand in order to provide services that businesses need to be able to grow our tax base; so when the CRA is no longer here, we have a good strong tax base to support businesses and residents.

Mayor Rees asked if the CRAAB was going to try and prioritize the list. Mr. Cappleman responded that the CRAAB has already narrowed it down to infrastructure for downtown being the most affective return on investment of the CRA funds. He stated there will still be funds available to do other projects and named a few.

Commissioner Makin arrived during Mr. Cappleman's presentation.

Commissioner Olszewski commended the CRAAB for all their efforts. He noted there are seven districts depicted on the presentation and the focus has been on one district and he understands the need for infrastructure; but there are other important areas, as the one he represents, when looking at the definition of what is a CRA is for. He emphasized that the other six areas deserve focus as well.

Mr. Cappleman completely agreed with Commissioner Olszewski. He gave some examples of their efforts in East Winter Garden and agreed there is more to be done.

Commissioner Buchanan asked how the CRAAB decides on where they focus. Mr. Cappleman responded they look to staff and with their own experiences and discussions as a board.

B. Parking Garage

Community Development Director Williams shared that the downtown area has become very successful. He noted items such as the hard work and investment of the businesses, the infrastructure investments the City has made in items such as the Pavilion, farmer's market, theatre, and interactive fountain. He noted that the parking downtown can be very scarce. In order to continue the success of our downtown, the parking needs to be addressed. Mr. Williams displayed a map and offered options for accommodating four parking locations and various structure styles.

Mr. Williams stated that the process to get a structure or additional lots is going to be at least a year long process. Staff is asking that the City Commission allow staff to get a design build consultant to help staff come up with the criteria and to get a proposal out for a facility that would be the most appropriate location and style. Then it could be brought back to the City Commission.

City Manager Bollhoefer noted that the key point is the matter of timing. If the goal is to build a parking garage next summer, the process would have to be started now. Initially, the process is to select a design build project manager, which is a two month process. He

noted that all of the businesses were consulted and agreed the summertime for construction would have the least negative impact on them because it is the slowest time for businesses.

Mayor Rees noted that he feels everyone is in agreement that parking is needed downtown but the most important decision and biggest challenge is the location in order to preserve the small town image. He'd like the pros and cons presented for each area proposed so they can weigh in on the decision.

Mr. Williams noted that the City may at some point need two or possibly three structures and explained that there is a proposal for a retail and residential facility at the corner of Dillard and Plant and if residential is on the second and third floors, the only way parking can be accommodated will be with a parking structure.

Commissioner Olszewski wanted to clarify that the decision tonight is not for picking a site or budgeting items, but to allow a study for the design. Mr. Williams responded yes. Commissioner Olszewski asked Mr. Williams what, in his professional opinion, would be the estimated cost for the citizens to have a parking garage in downtown Winter Garden. Mr. Williams replied that it could run between six and eight million dollars depending on the architectural style. Commissioner Olszewski noted that Mr. Williams stated in his presentation that the City does not have a problem today and he wholeheartedly agrees with that statement. Commissioner Olszewski asked what's been done as a City to look for other alternatives when it comes to parking. He noted that there was mention of parking areas that sit empty and wanted to know if there is something the City could do to encourage parking along Plant Street rather than invest six to eight million dollars. Mr. Williams responded no; the City will have to invest that kind of money whether it is a parking garage or buying land and building parking lots. He suggested this will no longer be Winter Garden if you have to buy that much land for parking lots. The most efficient means would be in the parking structure and leave the excess land for development.

City Manager Bollhoefer shared how he went to each downtown business and their biggest issue is parking and they receive complaints from their customers. He thinks the key thing people are looking for when parking is how convenient it is to where they are spending their money. He is asking the Commission to give staff the go ahead to move forward with the bid documents to hire the design build project manager who creates the design criteria standards.

Commissioner Olszewski stated that he knows the vision for the future is to have a parking garage and tonight he is comfortable with getting a design to see what it would mean for the City of Winter Garden. From his standpoint, he would like to hear from developers and those planning on building and what it would mean if we provide them with parking. He stated he has not heard anything from any citizen or resident on this issue that would cause us to invest upwards of \$8 million dollars.

Motion by Commissioner Buchanan to direct staff to begin the process to develop plans for a parking garage in the downtown area. Seconded by Commissioner Makin and carried unanimously 5-0.

C. Tri-City Partnership recommendation for economic development services

Economic Development Director Gerhartz stated that staff is requesting approval to hire a consultant so we can begin work on our Tri-City Partnership. She stated that over the last year the City has been working diligently to lay a good foundation for our three cities and for our region. She noted that Russ Wagner, with the City of Ocoee, was present representing the Tri-City Partnership. Ms. Gerhartz stated that David Moon with the City of Apopka was not available but has provided a letter of support for a recommendation. Ms. Gerhartz stated that a request for qualifications was sent out and 21 firms responded with information. She noted that four firms were interviewed, one withdrew, leaving only three firms. Ms. Gerhartz stated that the cities would like to move forward with Angelou Economics which ranked number one. She stated that staff recommends Angelou Economics to perform Phase 1 of the scope of work. Staff feels that both of the top two firms have the in-house capacity to complete all of the work for Phase 1. Staff is asking permission to negotiate with the first firm but also give the City Manager the authority to negotiate with the second firm, Boyette Strategic Partners, should negotiations with the first firm fail. Ms. Gerhartz noted that as the City gets into this process, especially Phase II, it is the Tri-City partnership's intention to use local firms, wherever possible, to complete some of the Phase 2 work.

Mr. Olszewski asked with all the local talent available why it was the committee's decision to not have any local firms represented on their final list. Ms. Gerhartz responded that of the 21 firms there was only a handful that had national experience. The firm they ranked number one has completed four hundred of these studies. She added that a lot of the packets they received represented a consortium of consultants. It is a patchwork of those who can meet the scope of work. They were looking for a firm that could provide all of activities of phase 1 within the single firm.

Motion by Commissioner Buchanan to approve the Tri-City Partnership Selection Committee recommendation as submitted (see Exhibit A). Seconded by Commissioner Sharman and carried unanimously 5-0.

3. LITIGATION MATTER

A. Recommendation by the City Manager and City Attorney that the City Commission approve a Settlement Agreement between the City of Winter Garden, Ivan and Mala Lindsay, Waterside at John's Lake, LLC, McKinnon Corporation and McKinnon Groves, LLP

City Attorney Ardaman noted that the revised agenda outlines the settlement for this item. It resolves all of the litigation which includes multiple pieces, not just local litigation, but appeals and administrative proceedings. This is a win-win and the City does not have to put out any money to make this settlement happen. Approval of the settlement is recommended.

Motion by Commissioner Olszewski to approve the settlement agreement between the City of Winter Garden Ivan and Mala Lindsay, Waterside at John's Lake, LLC, McKinnon Corporation and McKinnon Groves, LLP as submitted. Seconded by Commissioner Makin and carried unanimously 5-0.

4. PUBLIC HEARING MATTER

A. Appeal of Planning and Zoning Board's denial of a variance request to reduce the 10-foot side yard setback to 6.86 feet and to reduce the minimum 10-foot wide landscaping around the building to no more than 50 percent landscaping around the building at 1089 Walker Street; Applicants George L. and Maria P. Bori (AutoZone parts store CPH Engineers, Inc.

Community Development Director Williams stated that they were unable to address trucks access issues sufficiently to get support of the project from our traffic engineer. The appellant is requesting the matter be put on the July 11, 2013 agenda.

Motion by Commissioner Sharman to postpone this matter until July 11, 2013 at 6:30 p.m. Seconded by Commissioner Makin and carried unanimously 5-0.

5. SECOND READING AND PUBLIC HEARING OF PROPOSED ORDINANCES

A. Ordinance 13-27: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA AMENDING CHAPTER 118, ARTICLE IV, DIVISION 8, SECTIONS 118-532, 118-533 AND 118-534 OF THE CODE OF ORDINANCES OF THE CITY OF WINTER GARDEN CONCERNING PERMITTED USES AND STRUCTURES, PERMITTED ACCESSORY USES AND STRUCTURES AND SPECIAL EXCEPTIONS WITHIN THE C-1 (CENTRAL COMMERCIAL DISTRICT) ZONING DISTRICT; AMENDING CHAPTER 118, ARTICLE IV, DIVISIONS 9 & 10, SECTIONS 118-579 & 118-629 OF THE CODE OF ORDINANCES CONCERNING THE SPECIAL EXCEPTION USES IN THE C-2 (ARTERIAL COMMERCIAL DISTRICT) AND C-3 (PROFESSIONAL OFFICE DISTRICT) ZONING DISTRICTS; AMENDING CHAPTER 118, ARTICLE I, SECTION 118-7 OF THE CODE OF ORDINANCES REGARDING THE NOTICE REQUIREMENTS FOR AMENDING CHAPTER 118, APPEALS AND PUBLIC HEARINGS; PROVIDING FOR CODIFICATION, CONTROL IN EVENT OF CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 13-27 by title only. Community Development Director Williams highlighted staff's suggested changes as underlined in the ordinance as submitted. Staff recommended approval of the changes.

Mayor Rees asked about educational facilities as accessory use to a church as related to the kindergarten through 12 schools. Mr. Williams responded that anything K-12 would have to do a special exception due to the parking requirements and traffic issues. It is best that the City have more scrutiny of that particular use.

Commissioner Sharman noted that he received two emails from Steven Jett and asked if this person is the litigant. Mr. Ardaman responded no, this is not the party named in the lawsuit.

Mayor Rees opened the public hearing.

Jay Cummings, 112 N. Lakeview Avenue, Winter Garden, Florida, stated that he is the litigant. Mr. Cummings stated that he was present to oppose the change in the zoning code that concerns columbarium at churches. He stated that a year ago the City Commission approved the special exemption permit to allow the United Methodist Church to erect a columbarium on its property. He stated that they filed a judicial challenge to the City's decision and it has been in the courts since that time. He noted that this ordinance proves to them that the City was not correct in following the law when they approve it. The proposed change in the zoning code allows columbaria at churches; it still violates the comprehensive plan. He stated that the City of Winter Garden's Comprehensive Land Use policies 1-2.3.2 and 1-2.13.11 and goal 1-2 states that incompatible and/or undesirable uses should not be permitted. Winter Garden's future land use element policy 1-2.3.2 dictates that single family residential areas shall be protected from the encroachment of incompatible use. The Winter Garden future land use element policy 1-2.13.11 instructs the City Commission to prevent potential undesirable land uses from establishing in or adjacent to existing neighborhoods.

Mr. Cummings spoke to some churches who no longer allow columbaria and similar installations on their property. They have found that if they must close a parish/church these properties are not saleable, are idle and can't get rid of them. He noted that in the long run it would not be good for the church, the neighborhood, and the City of Winter Garden.

Stephen Jett, 205 N. Lakeview Avenue, Winter Garden, Florida, stated that he was present to voice his opposition to the proposed Ordinance 13-27 as it is written, specifically the portion referring to the columbarium. He stated that it would appear that this ordinance is to mitigate the lawsuit in which the City is now involved. He suggested that the City talk to the litigants and save the City some money. He noted that he thinks this ordinance gives churches carte blanche to build whatever they want anywhere on their property. He stated the Commission keeps asking the wrong question; could we do this, but should be asking should we do this.

Deborah Arnold, 205 N. Lakeview Avenue, Winter Garden, Florida, stated that the proposed Ordinance 13-27 as it is currently written in effect undermines Ordinance 10-05 which was created to preserve the historic center of Winter Garden, particularly the residential area. She noted that the First Methodist Church on Lakeview Avenue is the only church affected by this ordinance. To build the planned columbarium with no requirement of buffering a view from the public road or the adjacent property is an unreasonable imposition upon the residential neighbor. She spoke of the black granite niches, plantings, which are shown but can be removed with no consequences. The new

ordinance places no limitations on the columbarium. The private activity of housing human remains in a structure is a new activity in this historic area. She noted that this historic residential neighborhood could be shielded by relocating the entrance of the planned columbarium and/or using a solid surface gate such as wood. She asked that the niches of the columbarium be buffered from view of the public road and/or adjacent property before passing this new ordinance.¹

Mayor Rees closed the public hearing.

Commissioner Olszewski asked City Attorney Ardaman if the City Commission's approval on this issue a year ago that permitted the building of the columbarium followed the law. Mr. Ardaman replied yes.

Commissioner Olszewski asked Mr. Ardaman if with the proposed ordinance before the City Commission would also be following the law under the jurisdiction of our City Charter. Mr. Ardaman responded certainly, the City is not prevented from modifying its code merely because it may be involved in litigation. In fact, he believes that this will bring litigation to a prompt close. This is something that local governments do that is certainly a benefit to the City and the taxpayers. This ordinance does not just do that but addresses some other problems with the ordinance. This is a clarification in his mind.

Commissioner Olszewski asked the City Manager if this ordinance gives the church carte blanche to do whatever they want with the design on their property. Mr. Bollhoefer deferred the question to Mr. Williams. Mr. Williams stated the ordinance does not give them carte blanche, but the right to have a columbarium after they get building permits and provide the necessary information so buffering, landscaping, lighting, and parking are addressed.

There was discussion that the City is not at the point of discussing the details of the aesthetics because we are not yet at the building permit level.

Motion by Commissioner Buchanan to adopt Ordinance 13-27. Seconded by Commissioner Makin.

Commissioner Sharman stated that he would like a condition added that the City can require that the columbarium not be visible. Mr. Williams replied yes, this can be accomplished. When the building permit comes in we can make sure that the plans show a solid closed gate with the fountain still in place for when the gate is open.

Motion carried unanimously 5-0.

- B. **Ordinance 13-28:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS APPROXIMATELY 5.826 ± ACRES LOCATED AT 17925 MARSH ROAD ON THE NORTH SIDE OF MARSH ROAD,

WEST OF WILLIAMS ROAD AT THE WEST BOUNDARY OF ORANGE COUNTY INTO THE CITY OF WINTER GARDEN FLORIDA; REDEFINING THE CITY BOUNDARIES TO GIVE THE CITY JURISDICTION OVER SAID PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

- C. **Ordinance 13-29:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA AMENDING THE FUTURE LAND USE MAP OF THE WINTER GARDEN COMPREHENSIVE PLAN BY CHANGING THE LAND USE DESIGNATION OF REAL PROPERTY GENERALLY DESCRIBED AS 5.826 ± ACRES LOCATED AT 17925 MARSH ROAD ON THE NORTH SIDE OF MARSH ROAD, WEST OF WILLIAMS ROAD AT THE WEST BOUNDARY OF ORANGE COUNTY FROM ORANGE COUNTY VILLAGE TO CITY URBAN VILLAGE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE –

City Attorney Ardaman read Ordinances 13-28 and 13-29 by title only. Community Development Director Williams stated that this is a voluntary request for annexation and future land use designation. This has been reviewed by the Planning and Zoning Board and staff. This request is consistent with the other requests the City has had in the area. Staff recommends approval of both ordinances.

Mayor Rees opened the public hearing; hearing and seeing none, he closed the public hearing.

Motion by Commissioner Makin to adopt Ordinances 13-28 and 13-29. Seconded by Commissioner Olszewski and carried unanimously 5-0.

- D. **Ordinance 13-30:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS APPROXIMATELY 5.9 ± ACRES LOCATED NORTH OF THE INTERSECTION OF NORTH FULLERS CROSS ROAD AND EAST FULLERS CROSS ROAD INTO THE CITY OF WINTER GARDEN FLORIDA; REDEFINING THE CITY BOUNDARIES TO GIVE THE CITY JURISDICTION OVER SAID PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE
- E. **Ordinance 13-31:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA AMENDING THE FUTURE LAND USE MAP OF THE WINTER GARDEN COMPREHENSIVE PLAN BY CHANGING THE LAND USE DESIGNATION OF REAL PROPERTY GENERALLY DESCRIBED AS 5.9 ± ACRES LOCATED NORTH OF THE INTERSECTION OF NORTH FULLERS CROSS ROAD AND EAST FULLERS CROSS ROAD FROM ORANGE COUNTY RURAL/AGRICULTURAL TO CITY LOW DENSITY RESIDENTIAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinances 13-30 and 13-31 by title only. Community Development Director Williams stated that this is a voluntary annexation and request for future land use designation. He noted that the map shows that it is adjacent to the

property that is under consideration for a planned unit development. There was a potential for a conflict between the two properties. The larger property's owner has decided to purchase this property and annex it to become part of theirs, which will not result in any additional units on the property.

Mayor Rees opened the public hearing; hearing and seeing none, he closed the public hearing.

Motion by Commissioner Makin to adopt Ordinances 13-30 and 13-31. Seconded by Commissioner Sharman and carried unanimously 5-0.

6. **REGULAR BUSINESS**

A. **Recommendation to authorize the police department to trade in two, old and obsolete, portable radios as a \$1,500 credit towards the purchase of two new mobile radios**

Police Chief Brennan stated that he was seeking authorization to dispose of two old Motorola MTS-2000 portable radios, which have been obsolete for several years. Motorola is allowing these items as trade-ins as a credit of \$750 per radio for the purchase of two mobiles; for a \$1,500 total credit.

Motion by Commissioner Olszewski to authorize the Police department to trade in two, old and obsolete portable radios as a \$1,500 credit towards the purchase of two new mobile radios. Seconded by Commissioner Buchanan and carried unanimously 5-0.

B. **Recommendation to approve the 2013 MusicFest to be held on Plant Street on October 4, 5 and 6, 2013 to include blocking Plant Street from Woodland Street to Highland Avenue, serving of alcohol, waiving event fees, and providing city staff as necessary**

Parks and Recreation Director Conn stated that this is the annual request from the Winter Garden Heritage Foundation for their 8th Annual MusicFest in the downtown area and mirrors the last several years as far as the hours and the nature of the event. They intend on having a couple of stages downtown. They are also requesting to serve alcohol and this is an event that the City has historically allowed to be held throughout the downtown area. He noted that there has been major success in the past years and staff recommends approval.

Motion by Commissioner Makin to approve the 2013 MusicFest to be held on Plant Street on October 4, 5, and 6, 2013 to include blocking Plant Street from Woodland Street to Highland Avenue, serving of alcohol, waiving fees, and providing city staff as necessary. Seconded by Commissioner Olszewski and carried unanimously 5-0.

City Manager Bollhoefer asked Parks and Recreations Director Conn to give a briefing on the upcoming 4th of July events. Mr. Conn stated that it begins at 5:30 p.m. with the

fireworks starting at 9:15 p.m., the kid's parade will start at 10:00 a.m., and the breakfast starts at 8:00 a.m.

C. Appointments to the Election Canvassing Board; two regular members, first and second alternates for a one year term

City Clerk Golden stated that this is the annual appointment for the Canvassing Board members and there is an election scheduled in 2014 for Districts 1 and 5. In addition to the current members there are three additional residents interested in appointment. She noted that it is important that the City Commission designate the appointments as regular, and first and second alternate.

Commissioner Olszewski asked City Attorney Ardaman if one of members is the spouse of a candidate, would this open the City up to anything. Mr. Ardaman responded that if that happens then we can look at it, but at this point that is not a consideration for appointment. Mr. Ardaman noted that this issue would be reviewed if and when it should arise.

Motion by Commissioner Olszewski to appoint to the Canvassing Board Andy Bruns and Moraima "Mimi" Ortiz as regulars, with Sherrie Jackson as 1st Alternate and Lee Douglas as 2nd Alternate. Seconded by Commissioner Makin and carried unanimously 5-0.

7. **MATTERS FROM CITIZENS** – There were no items.
8. **MATTERS FROM CITY ATTORNEY** – There were no items.
9. **MATTERS FROM CITY MANAGER** – There were no items.

10. MATTERS FROM MAYOR AND COMMISSIONERS

Commissioner Buchanan asked Police Chief to address the issue of how many air conditioners are being stolen for scrap because he was recently made aware of how often this is occurring. Chief Brennan stated that he did not have a number or percentage but this is a problem that is prevalent not only in the City of Winter Garden but throughout Orange County and our bordering counties. Chief Brennan shared some commercial and residential locations where this has happened. Commissioner Buchanan stated that he has had conversations with County Commissioner Scott Boyd concerning this issue and evidently the County has an ordinance that he would like the City Commission to look into to make it more difficult for businesses to just take in scrap metals with no scrutiny. Mr. Bollhoefer noted that he would bring the County ordinance to the next meeting.

Commissioner Olszewski thanked City staff and the Community Redevelopment Agency Advisory Board for their efforts.

Andy Bruns, 3 Palm Drive, Winter Garden, Florida, spoke of recent events in Trailer City whereby storm winds blew aluminum around that did damage to his truck. He stated he

wanted to thank City staff member Gary, Fire, and Police for their quick assistance. He thanked the City Manager for his direction and asked him to get the message to staff.

The meeting adjourned at 7:37 p.m.

APPROVED:

Mayor John Rees

ATTEST:

City Clerk Kathy Golden, CMC

DRAFT

EXHIBIT A

AGENDA ITEM

From: Tanja Gerhartz, Economic Development Director

Via: Mike Bollhoefer, City Manager

Date: June 21, 2013

Meeting Date: June 27, 2013

Subject: RFQ for Economic Development Services for the Tri Cities Partnership - Selection Committee Recommendation

Discussion: The Request for Qualifications (RFQ) for Economic Development Services selection committee has reviewed all twenty-one submittals. Four firms were chosen for interviews. The firms chosen were: Angelou Economics (Austin, Texas), Avalanche Consulting (Austin, Texas), Boyette Strategic Partners (Little Rock, Arkansas) and Garner Economics (Atlanta, Georgia).

Garner Economics requested to be withdrawn from the process after the interviews. After much consideration and due diligence, the committee ranked the firms interviewed to perform all or portions of the services outlined in the scope of work as follows:

1. Angelou Economics
2. Boyette Strategic Partners
3. Avalanche Consulting

The committee unanimously recommends the services of Angelou Economics to perform all or parts of the scope of work. The Cities of Apopka and Ocoee participated as part of the selection committee and the decision was unanimous. The selection committee was very impressed with the experience and qualifications of the firm being recommended. Angelou Economics demonstrated significant experience with economic development strategic planning for similar municipal and regional clients. Also, the President of the firm, Angelos Angelou stated that he would personally manage the work for the Tri Cities Partnership.

The top two firms have the capacity to complete Phase I tasks in-house. If, for whatever reason, the City is unable to reach an agreement with Angelou Economics, the City, on behalf of the Tri Cities Partnership, would begin negotiations with Boyette Strategic Partners. The third firm, Avalanche Consulting, was going to use a sub consultant to manage the project that did not possess the qualifications and experience of the other firms and project managers.

The City reserves the right on behalf of the Tri Cities Partnership to select a firm from the Request for Qualifications to perform implementation work tasks during Phase 2.

SCOPE OF WORK

The City of Winter Garden, acting as agent for the Tri Cities Partnership, intends to hire an economic development consultant team to serve as a continuing services provider to conduct studies and help formulate strategies which will promote the Tri City area as a viable location for new and expanded workforce creation. The tasks highlighted below indicate the initial scope of services to be addressed. Each consultant, in their response, should identify how they would undertake each of these tasks and offer recommendations for any other work tasks that may be necessary

over time. All or parts of the following work tasks shall be completed over a two year period. Additional work tasks may be added and the City and the consultant shall agree upon fees to be charged.

- Assist in formulating an Economic Development Strategy for the Tri-City Partnership
- Prepare a work program in six-month timeframes.
- Validate the Industry Cluster Analysis that was completed and provide further refinement of the Industry Clusters and potential niches.
- Develop an inventory of the Tri City Partnership's assets and liabilities as they relate to economic development, including interviews with local businesses
- Provide recommendations for an organizational structure for long term growth
- Analysis and recommendations regarding workforce and education issues.
- Site selection and business recruitment services
- Prepare and submit a budget for the anticipated services.
- Labor market analysis
- Evaluation and development strategies for business parks or commerce centers
- Marketing, branding and website services. (Phase 2)
- Attend meetings as requested.

SELECTION CRITERIA

Submittal packages will be reviewed and evaluated by a selection committee and a short list of qualified firms may be invited to make a formal presentation. Submittal packages will be reviewed and evaluated in accordance with the following criteria:

1. References
2. Experience with similar projects
3. Qualifications of project team and past performance
4. Ability to meet schedules and budget requirements
5. Project workload of the firm
6. Location of the office and proximity to the City of Winter Garden
7. Response to the Scope of Work

Recommended Action:

Recommend approval of the ranking and authorize the City Manager to negotiate a contract with Angelou Economics for all or portions of Phase I for an amount not to exceed \$90,000. Authorize the City Manager to negotiate a contract with the second firm, Boyette Strategic Partners, as needed to complete Phase I of the scope of work. Each City has budgeted \$30,000 for FY 2013-14.

Attachments/References:

Request for Qualifications for the Tri Cities Partnership
Submittals are available upon request
RFQ Summary

THE CITY OF WINTER GARDEN
CITY COMMISSION AGENDA ITEM

From: Ed Williams, Community Development Director

Via: City Manager Mike Bollhoefer

Date: July 5, 2013

Meeting Date: July 11, 2013

Subject: 315 East Fullers Cross Road
HIGHLAND GROVES SUBDIVISION (PUD)
ORDINANCE 13-32
PARCEL ID# 11-22-27-0000-00-003

Issue: The applicant is requesting to rezone an 81 +/- acre property located at 315 East Fullers Cross Road from R-1 (Single-Family Residential District) to PUD (Planned Unit Development).

Discussion:

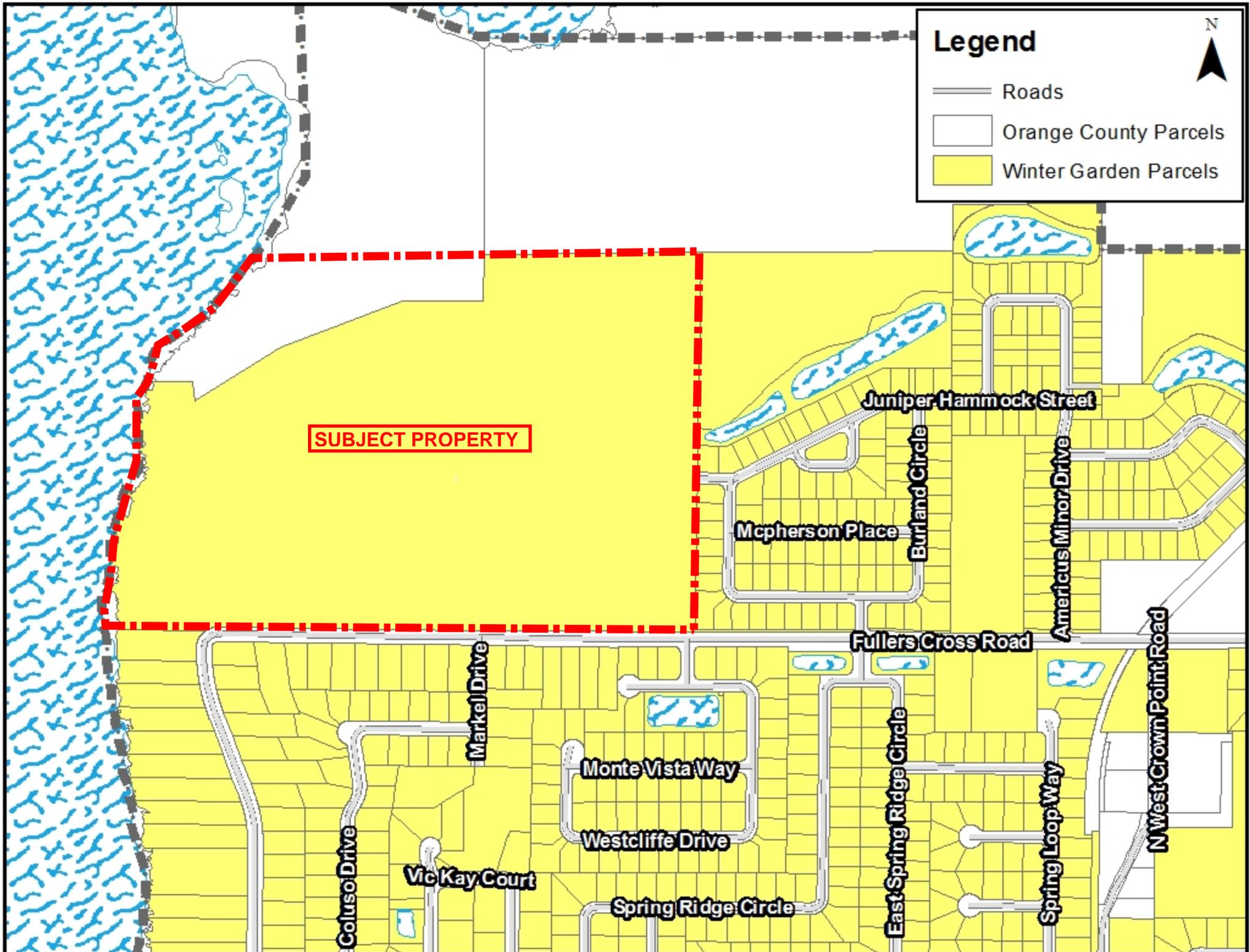
The applicant proposes to develop the property with 186 single-family homes with lot sizes ranging from 75' x 115' to 100' x 115' at a density of 2.29 dwelling units per acre.

Recommended Action:

Staff recommends approval of the proposed rezoning to PUD.

Attachment(s)/References:

Location Map
Ordinance13-32
Staff Report



Legend

- Roads
- Orange County Parcels
- Winter Garden Parcels



SUBJECT PROPERTY

Juniper Hammock Street

Mcpherson Place

Fullers Cross Road

Monte Vista Way

Westcliffe Drive

Spring Ridge Circle

Vic Kay Court

Coluso Drive

Markel Drive

Burland Circle

Americus Minor Drive

East Spring Ridge Circle

Spring Loop Way

N West Crown Point Road

ORDINANCE 13-32

AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, REZONING APPROXIMATELY 81 ± ACRES OF CERTAIN REAL PROPERTY GENERALLY LOCATED NORTH OF EAST FULLERS CROSS ROAD, EAST OF LAKE APOPKA AND WEST OF EAST CROWN POINT ROAD AT 315 EAST FULLERS CROSS ROAD, FROM SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1) TO PLANNED UNIT DEVELOPMENT (PUD); PROVIDING FOR CERTAIN PUD REQUIREMENTS AND DESCRIBING THE DEVELOPMENT AS THE HIGHLAND GROVES PUD; PROVIDING FOR NON-SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Owner(s) of real property generally described as approximately 81 ± acres of certain real property generally located north of East Fullers Cross Road on east of Lake Apopka and west of East Crown Point Road at 315 East Fullers Cross Road in Winter Garden, Florida, being more particularly described on Exhibit "A" attached hereto and incorporated herein by this reference (the "Property"), desire to rezone their property from City R-1 to City PUD, and

WHEREAS, further, the City Commission finds that based on competent, substantial evidence in the record, the rezoning approved by this Ordinance meets all applicable criteria for rezoning; and

WHEREAS, after public notice and due consideration of public comment, the City Commission of the City of Winter Garden hereby finds and declares the adoption of this Ordinance and the proposed development of the Property is consistent with the City of Winter Garden Comprehensive Plan, and the City of Winter Garden Code of Ordinances; therefore,

BE IT ENACTED BY THE CITY OF WINTER GARDEN, FLORIDA:

SECTION 1: Rezoning. The above "Whereas" clauses constitute findings by the City Commission. After due notice and public hearing, the zoning classification of the Property, as described in Exhibit "A" attached hereto, is hereby rezoned from Single-Family Residential District (R-1) to Planned Unit Development (PUD) in the City of Winter Garden, Florida subject to the following conditions, provisions and restrictions:

- a. **Conceptual Plan-** All development on the Property must substantially conform to the requirements identified in the Highland Groves Subdivision PUD Development Plan attached hereto as Exhibit "B." Should any conflict be found between this Ordinance and the Highland Groves Subdivision PUD Development Plan attached hereto as Exhibit "B", then the standards and conditions established by this Ordinance shall control.

- b. Zoning-** Unless specifically noted elsewhere in Exhibit “B” attached hereto, all residential development on the Property must comply with the general zoning requirements of the R-1 Single Family Residential District for any structures, including but not limited to swimming pools, screen rooms accessory structures and buildings that are developed on the Property.
- c. Design Criteria/Architectural Standards-**
1. **Lot Size-** Minimum lot width shall be 75 feet.
 2. **Building Height-** Maximum building height shall be 35 feet, not to exceed 2 stories.
 3. **Minimum Living Area-** Minimum living area for each residential unit shall be 1,500 square feet.
 4. **Signage-** All signage shall be reviewed and permitted by the City of Winter Garden. All proposed signage, with the exception of street signs, traffic signs and signs identifying the conservation area shall be submitted for review and approval as part of the subdivision construction plans for the Property.
 5. **Setbacks and Required Yards-**
 - a. **Front yard:** 25 feet
 - b. **Rear yard:** 20 feet, except lakefront lots which shall require 30 feet.
 - c. **Side yard:** 7.5 feet
 - d. **Corner/Street Side yard:** 15 feet
 - e. **Pool (side and rear) setback:** 5 feet
 6. **Residential Design Criteria-** All development on the Property must maintain the same general design criteria and architectural characteristics as the Building Elevations and typical interior floor plans attached hereto as Exhibit “C”.
 7. Swimming pools must meet all requirements of the City Code of Ordinances. Encroachments into drainage and/or utility easements will not be permitted. Applications for swimming pools will be reviewed on an individual basis.
 8. **Common Recreation and Open Space-** The Property is located within the Resource Protection Overlay, and in compliance with the City of Winter Garden Comprehensive Plan Future Land Use Element Policies 1-3.1.7 and 1-3.1.8 no less than 25% Wekiva Study

Area Open Space shall be provided.

None of the 25% Wekiva Study Area Open Space shall be chemically treated with pesticides to establish sensitive natural habitat.

To the greatest extent possible, 5% of the developable area of the Property shall be set aside for passive, dry-land recreational use. In the event that this requirement cannot be met wholly or in part, then a financial contribution in accordance with Chapter 110, Article V, Division 2 of the City Code of Ordinances shall be made to the City Recreation Fund to fulfill the requirement.

- d. Staff Conditions-** All development on the Property must comply with the following conditions:
1. Provide approvals from FFWCC prior to construction that gopher tortoise activity on the Property has been addressed.
 2. Provide muck delineation overlay on the final construction plans to ensure that areas containing organic soils near the lake shoreline will not fall on building lots without the muck being removed.
 3. The Property shall be platted in accordance with Chapter 110, City Code. A homeowners' association ("HOA") shall be created to maintain the subdivision common property and community subdivision infrastructure prior to recording the first plat. A declaration binding on the Property shall be executed and recorded containing the provisions required by Chapter 110, City Code.
 4. Walls and landscaping shall be located within a landscape and wall tract, to be maintained by the HOA; wall and landscape tract shall be outside of the existing right-of-way.
 5. If gated, streets shall be private and owned and maintained by the HOA. While portions of the right-of-way may be dedicated to the City, maintenance of special pavements, landscaping, hardscaping, etc. shall be performed by the HOA under a right-of-way maintenance agreement in a form acceptable to the City.
 6. All proposed easements shall be 30' minimum width for sanitary, water and stormwater; improvements shall be centered within the easement. Common areas not abutting right-of-way shall include a tract (not easement) for access and maintenance.
 7. At the developer's expense, utilities shall be installed and extended in accordance with Section 78-2, City Code. Minimum 8" potable water (internal), 8" reuse water, and minimum 6" sanitary force main are required. Utilities shall be extended the full property frontage

along public rights-of-way per Code; extending the 16" water main on Fullers Cross Road shall be addressed in the Developer's Agreement; Water and Reuse lines shall be looped and connected into the existing stub outs in Fullers Crossing. Reuse main shall connect at both Fullers Crossing (internal) and be extended on Fullers Cross Road to connect to the existing stub out approximately 640 feet east of the entrance to loop the system. Force main shall be 6"; all internal water mains shall be 8" minimum.

8. Minimum 5 foot wide utility and drainage easements shall be provided on each side lot line; 10' drainage and utility easements required adjacent to right-of-way.
9. Street lighting shall be pursuant to City Code, including frontage on Fullers Cross Road, meeting dark skies requirements (Code Section 118-1536(k)). Submit street lighting plan from Progress Energy prior to preconstruction meeting.
10. All irrigation on the site shall be designed to be supplied by reclaimed water (minimum 8" internal main size).
11. Permits from SJRWMD and FDEP (water, wastewater and NPDES) are required prior to issuance of site or building permits.
12. Sidewalks internal to the development shall be constructed adjacent to all lands not containing building lots prior to final acceptance. This shall include all retention, conservation, lift station, or recreation tracts, abutting roadways, pedestrian walkways, etc. Sidewalks external to the development shall be constructed upon final completion.
13. Boat docks, piers, and any other shoreline improvements are subject to the approval and permitting processes of the City of Winter Garden and the Florida Department of Environmental Protection. All lakefront lots are not guaranteed boat docks, piers, or any other shoreline improvements, each lakefront lot will be reviewed individually based on lot configuration and other physical characteristics.
14. The Owner is responsible for meeting all provisions of ADA and Florida Accessibility Code.
15. All work shall conform to City of Winter Garden standards and specifications.
16. The City of Winter Garden will inspect private site improvements only to the extent that they connect to City owned/maintained systems (roadways, drainage, utilities, etc.). It is the responsibility of the Owner and Design Engineer to ensure that privately owned and maintained systems are constructed to the intended specifications. The City is not responsible for the operation and maintenance of

privately owned systems, to include, but not be limited to, roadways, parking lots, drainage, stormwater ponds or on-site utilities.

17. The Owner's/Developer's Contractor is responsible for the notification, location and protection of all utilities that may exist within the project limits.
18. No fill or runoff will be allowed to discharge onto adjacent properties; existing drainage patterns shall not be altered. The applicant should note that if approval is granted, the City of Winter Garden is not granting rights or easements for drainage from, or onto, property owned by others. Obtaining permission, easements or other approvals that may be required to drain onto private property is the Owner/Developer's responsibility. Should the flow of stormwater runoff from, or onto adjacent properties be unreasonable or cause problems, the City will not be responsible and any corrective measures required will be the responsibility of the Owner. Site construction shall adhere to the City of Winter Garden erosion and sediment control requirements as contained in Chapter 106 - Stormwater. If approval is granted by the City of Winter Garden, it does not waive any permits that may be required by federal, state, regional, county, municipal or other agencies that may have jurisdiction.
19. After final plan approval, a preconstruction meeting will be required prior to any commencement of construction. The applicant shall provide an erosion control and street lighting plan at the preconstruction meeting and shall pay all engineering review and inspection fees prior to construction. Inspection fees in the amount of 2.25% of the cost of all site improvements shall be paid prior to issuance of site or building permits.

SECTION 2: *General Requirements.*

- a. **Developer's Agreement-** A Developer's Agreement shall be drafted, approval obtained and recorded prior to approval of Preliminary Plat of the Property and prior to the issuance of any site or building permits. The Developer's Agreement shall include, but is not limited to the following: project phasing, utilities upsizing, right-of-way conveyances and adherence to all City Codes and Standards.
- b. **Stand Alone Clause-** Each phase of development of the Property must operate as an individual unit in that each particular phase will be able to stand-alone in the event that no other phase is developed.
- c. **Land Development Approvals and Permits-** This Ordinance does not require the City to issue any permit or approval for development, construction, preliminary plat, final plat, building permit, or other matter by

the City relating to the Property or the project or any portion thereof. These and any other required City development approvals and permits shall be processed and issued by the City in accordance with procedures set forth in the City's Code of Ordinances and subject to this Ordinance.

- d. **Amendments-** Minor amendments to this Ordinance will be achieved by Resolution of the City Commission of the City of Winter Garden. Major amendments to this Ordinance will require approval of the City Commission of the City of Winter Garden by Ordinance.
- e. **Expiration-** Expiration of this PUD shall be governed in accordance with Section 118-830, City of Winter Garden Code of Ordinances. Time extensions may be granted in accordance with Section 118-829, City of Winter Garden Code of Ordinances.

SECTION 3: Zoning Map. The City Planner is hereby authorized and directed to amend the Official Winter Garden Zoning Map in accordance with the provisions of this ordinance.

SECTION 4: Non-Severability. Should any portion of this Ordinance be held invalid, then the entire Ordinance shall be null and void.

SECTION 5: Effective Date. This Ordinance shall become effective upon adoption at its second reading.

FIRST READING AND PUBLIC HEARING: _____, 2013.

SECOND READING AND PUBLIC HEARING: _____, 2013.

ADOPTED this _____ day of, _____, 2013, by the City Commission of the City of Winter Garden, Florida.

APPROVED:

JOHN REES, Mayor/Commissioner

ATTEST:

KATHY GOLDEN, City Clerk

Exhibit "A"

LEGAL DESCRIPTION

That part of Government Lots 1 and 2 of Section 11, Township 22 South, Range 27 East, Orange County, Florida described as:

Begin at a point 3 chains South of the NE corner of said Section 11, thence West 345 feet, thence S 68°40' W 558 feet, thence S 58° W 534.8 feet, thence S 9°21' W 565.23 feet, thence S 07 1/2° E to a point 1353.7 feet West of the Section line and the center line of the road extended West, thence East 1353.7 feet, thence North along the section line 1423 feet to the point of beginning.

AND

That part lying West of Government Lots 1 and 2 of Section 11, Township 22 South, Range 27 East, Orange County, Florida, described as:

Begin at a point 1007 feet North and 1353.7 feet West of the SE corner of Government Lot 2, thence along original high water line the following 3 calls: run N 7° W 377 feet, thence N 09°21' E 565.23 feet along said high water line, thence N 58° E 131 feet along high water line, thence N 7°W 77 feet, thence S 89° W 120 feet more or less to the waters of Lake Apopka, thence Southwesterly along waters of Lake Apopka 1085 feet more or less to point due West of the point of beginning, thence East to the point of beginning. Less the following: Begin at the NE corner of Lot 1, Block A, Magnolia Wood, according to the plat thereof as recorded in Plat Book V, Page 91, Public Records of Orange County, Florida, thence Northeasterly along right-of-way 40.12 feet, thence West 390 feet more or less to Lake Apopka, said point being Point A, Begin again at the Point of Beginning, thence West along the North lot line of said Lot 1, 364 feet more or less to Lake Apopka, thence Northerly along Lake Apopka 30 feet more or less to aforesaid Point A, in Section 11, Township 22 South, Range 27 East, Orange County, Florida.

AND

Begin at the Northwest corner of Section 12, Township 22 South, Range 27 East, Orange County, Florida and run East along Section line 14.03 chains, thence South parallel to the West Section line 24.58 chains to the North line of a street, thence West 14.03 chains to the West line of the Section, thence North along the West line 24.57 chains to the Point of Beginning. Less road right-of-way on South as contained in Deed Book 390, Page 388, Public Records of Orange County, Florida.

AND

North 5.9 acres of Government Lot 1 in Section 11, Township 22 South, Range 22 East.

Exhibit "B"

COVER PAGE

PLANNED UNIT DEVELOPMENT PRELIMINARY PLAN

Highland Groves

REVISED MAY 2013

(13 PAGES - ATTACHED)

DEVELOPMENT PLAN / PRELIMINARY SUBDIVISION PLAN
HIGHLAND GROVES

CITY OF WINTERGARDEN, FLORIDA

FOR

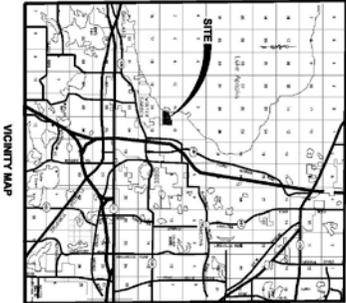
AMERICAN LAND INVESTMENTS OF CENTRAL FLORIDA, L.L.C.

5535 OSPREY ISLE LANE
 ORLANDO, FL 32819
 PH (407)-963-8386

TAX PARCEL NUMBERS:
 11-22-27-0000-00-003
 11-22-27-0000-00-002

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2	TOPG AND BOUNDARY SURVEY
3	SYMBOLS AND ABBREVIATIONS
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5	SITE PLAN
6	THRU 8
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VICINITY MAP

- DEVELOPERS:**
 AMERICAN LAND INVESTMENTS
 OF CENTRAL FLORIDA, L.L.C.
 5535 OSPREY ISLE LANE
 ORLANDO, FLORIDA 32819
 PHONE: 407-963-8386
- ENGINEERING CONSULTANT:**
 CIVIL DESIGN GROUP, INC.
 10151 UNIVERSITY BLVD
 ORLANDO, FLORIDA 32836
 PHONE: 407-878-3998
- SURVEYORS:**
 PEHA UNIVERSITY SURVEY
 10151 UNIVERSITY BLVD
 ORLANDO, FLORIDA 32836
 PHONE: 407-306-3989
- ENVIRONMENTAL CONSULTANT:**
 ECOLOGICAL CONSULTING SOLUTIONS, INC.
 10000 WINDYBROOK DRIVE
 LONGWOOD, FLORIDA 32779
 PHONE: 407-869-9434
- GEOTECHNICAL CONSULTANT:**
 AARONTEV ENGINEERING, INC.
 4000 ST JOHN'S PARKWAY
 SUITE 300
 ORLANDO, FLORIDA 32834
 PHONE: 407-330-7763
- TRAFFIC CONSULTANT:**
 TRANSPORTATION PLANNING & DESIGN, INC.
 535 WENDELLS DRIVE, SUITE 200
 WINTERGARDEN, FLORIDA 32927
 PHONE: 407-628-8905

CDI CIVIL DESIGN GROUP
 CONSULTING ENGINEERS & ARCHITECTS
 ORLANDO, FLORIDA

REGISTERED PROFESSIONAL ENGINEER
 LICENSE NO. 12574
 REGISTERED PROFESSIONAL ARCHITECT
 LICENSE NO. 12574
 REGISTERED PROFESSIONAL SURVEYOR
 LICENSE NO. 12574

DATE: 11/11/11
 SHEET 1 OF 11

ABBREVIATIONS

A	AREA	AREA	AREA
B	BUILDING	BUILDING	BUILDING
C	CITY	CITY	CITY
D	DRIVE	DRIVE	DRIVE
E	EXISTING	EXISTING	EXISTING
F	FOUNDATION	FOUNDATION	FOUNDATION
G	GRASS	GRASS	GRASS
H	HIGHWAY	HIGHWAY	HIGHWAY
I	IMPROVEMENT	IMPROVEMENT	IMPROVEMENT
J	JOB	JOB	JOB
K	KITCHEN	KITCHEN	KITCHEN
L	LANDSCAPE	LANDSCAPE	LANDSCAPE
M	MATERIAL	MATERIAL	MATERIAL
N	NOTE	NOTE	NOTE
O	OPEN	OPEN	OPEN
P	PAVEMENT	PAVEMENT	PAVEMENT
Q	QUANTITY	QUANTITY	QUANTITY
R	REAR	REAR	REAR
S	SEWER	SEWER	SEWER
T	TERRACE	TERRACE	TERRACE
U	UTILITY	UTILITY	UTILITY
V	VALLEY	VALLEY	VALLEY
W	WATER	WATER	WATER
X	EXHIBIT	EXHIBIT	EXHIBIT
Y	YARD	YARD	YARD
Z	ZONING	ZONING	ZONING

EXISTING SYMBOLS

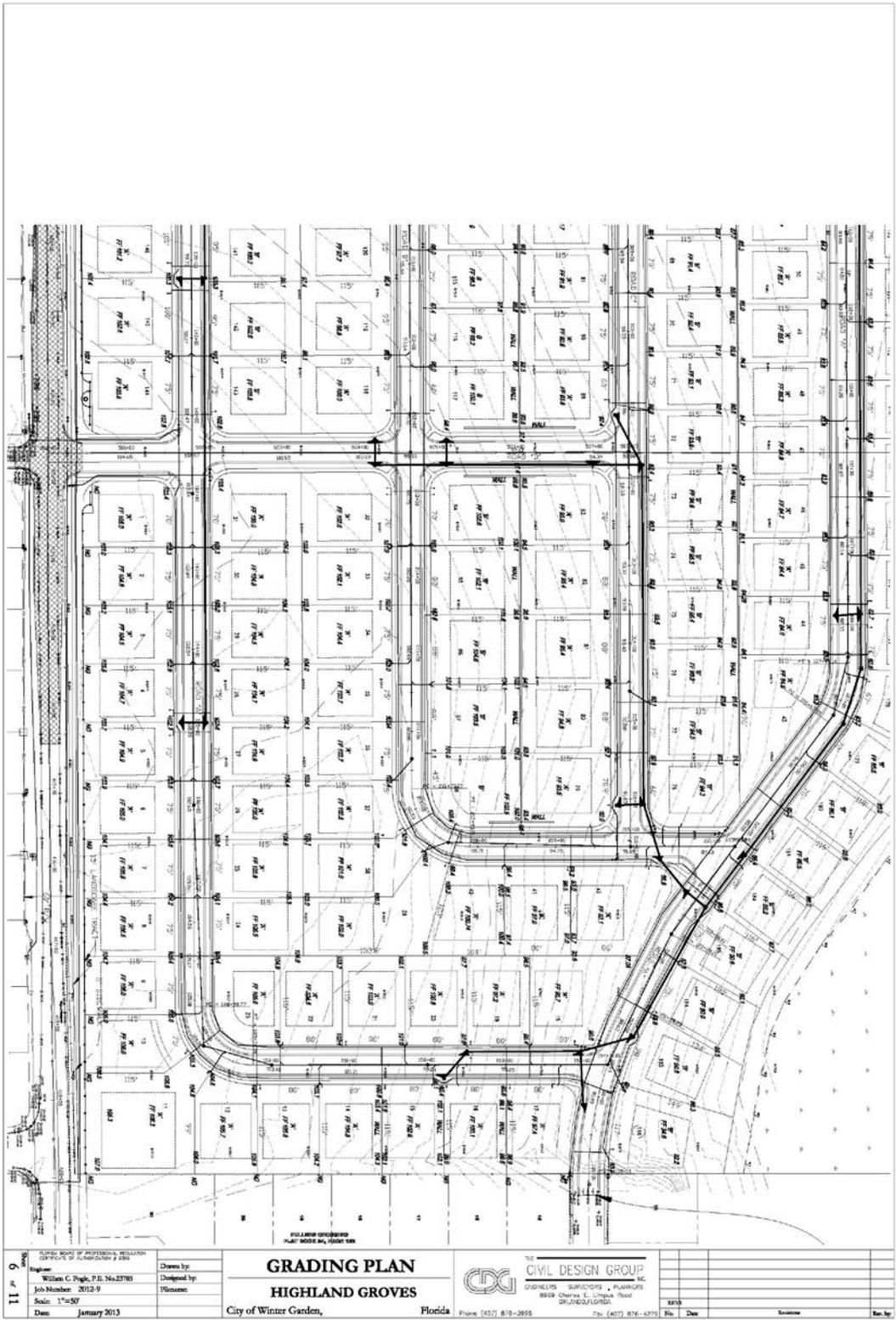
	EXISTING WATER LINE
	EXISTING SEWER LINE
	EXISTING STORM DRAIN
	EXISTING UTILITY
	EXISTING STRUCTURE
	EXISTING PAVEMENT
	EXISTING CURB
	EXISTING SIDEWALK
	EXISTING DRIVEWAY
	EXISTING FENCE
	EXISTING WALL
	EXISTING GATE
	EXISTING DOOR
	EXISTING WINDOW
	EXISTING ROOF
	EXISTING FOUNDATION
	EXISTING FOOTING
	EXISTING PIER
	EXISTING COLUMN
	EXISTING BEAM
	EXISTING JOIST
	EXISTING RAFTER
	EXISTING TRUSS
	EXISTING GIRDER
	EXISTING POST
	EXISTING PILE
	EXISTING ANCHOR
	EXISTING NUT AND BOLT
	EXISTING WELD
	EXISTING REINFORCEMENT
	EXISTING MESH
	EXISTING FABRIC
	EXISTING MEMBRANE
	EXISTING INSULATION
	EXISTING VAPOR BARRIER
	EXISTING AIR BARRIER
	EXISTING SOUND BARRIER
	EXISTING FIRE BARRIER
	EXISTING SOUND BREAK
	EXISTING FIRE BREAK
	EXISTING WIND BREAK
	EXISTING SNOW BREAK
	EXISTING ICE BREAK
	EXISTING DEBRIS BREAK
	EXISTING ROOT BREAK
	EXISTING ANIMAL BREAK
	EXISTING VEHICLE BREAK
	EXISTING PEDESTRIAN BREAK
	EXISTING BICYCLE BREAK
	EXISTING WHEELCHAIR BREAK
	EXISTING STROLLER BREAK
	EXISTING BABY CHAIR BREAK
	EXISTING GOLF BAG BREAK
	EXISTING TENNIS RACKET BREAK
	EXISTING BASEBALL BAT BREAK
	EXISTING SOFTBALL BAT BREAK
	EXISTING BASEBALL GLOVE BREAK
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	EXISTING SOFTBALL GLOVE BAG BREAK
	EXISTING BASEBALL CAP BAG BREAK
	EXISTING SOFTBALL CAP BAG BREAK

PROPOSED SYMBOLS

	PROPOSED WATER LINE
	PROPOSED SEWER LINE
	PROPOSED STORM DRAIN
	PROPOSED UTILITY
	PROPOSED STRUCTURE
	PROPOSED PAVEMENT
	PROPOSED CURB
	PROPOSED SIDEWALK
	PROPOSED DRIVEWAY
	PROPOSED FENCE
	PROPOSED WALL
	PROPOSED GATE
	PROPOSED DOOR
	PROPOSED WINDOW
	PROPOSED ROOF
	PROPOSED FOUNDATION
	PROPOSED FOOTING
	PROPOSED PIER
	PROPOSED COLUMN
	PROPOSED BEAM
	PROPOSED JOIST
	PROPOSED RAFTER
	PROPOSED TRUSS
	PROPOSED GIRDER
	PROPOSED POST
	PROPOSED PILE
	PROPOSED ANCHOR
	PROPOSED NUT AND BOLT
	PROPOSED WELD
	PROPOSED REINFORCEMENT
	PROPOSED MESH
	PROPOSED FABRIC
	PROPOSED MEMBRANE
	PROPOSED INSULATION
	PROPOSED VAPOR BARRIER
	PROPOSED AIR BARRIER
	PROPOSED SOUND BARRIER
	PROPOSED FIRE BARRIER
	PROPOSED SOUND BREAK
	PROPOSED FIRE BREAK
	PROPOSED WIND BREAK
	PROPOSED SNOW BREAK
	PROPOSED ICE BREAK
	PROPOSED DEBRIS BREAK
	PROPOSED ROOT BREAK
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	PROPOSED SOFTBALL GLOVE BAG BREAK
	PROPOSED BASEBALL CAP BAG BREAK
	PROPOSED SOFTBALL CAP BAG BREAK

LEGEND

	CONCRETE
	CEMENTITIOUS MATERIAL
	MASONRY
	STONE
	BRICK
	BLOCK
	TILE
	CARPET
	WOOD FLOOR
	TILE FLOOR
	STONE FLOOR
	BRICK FLOOR
	BLOCK FLOOR
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	STONE FLOOR



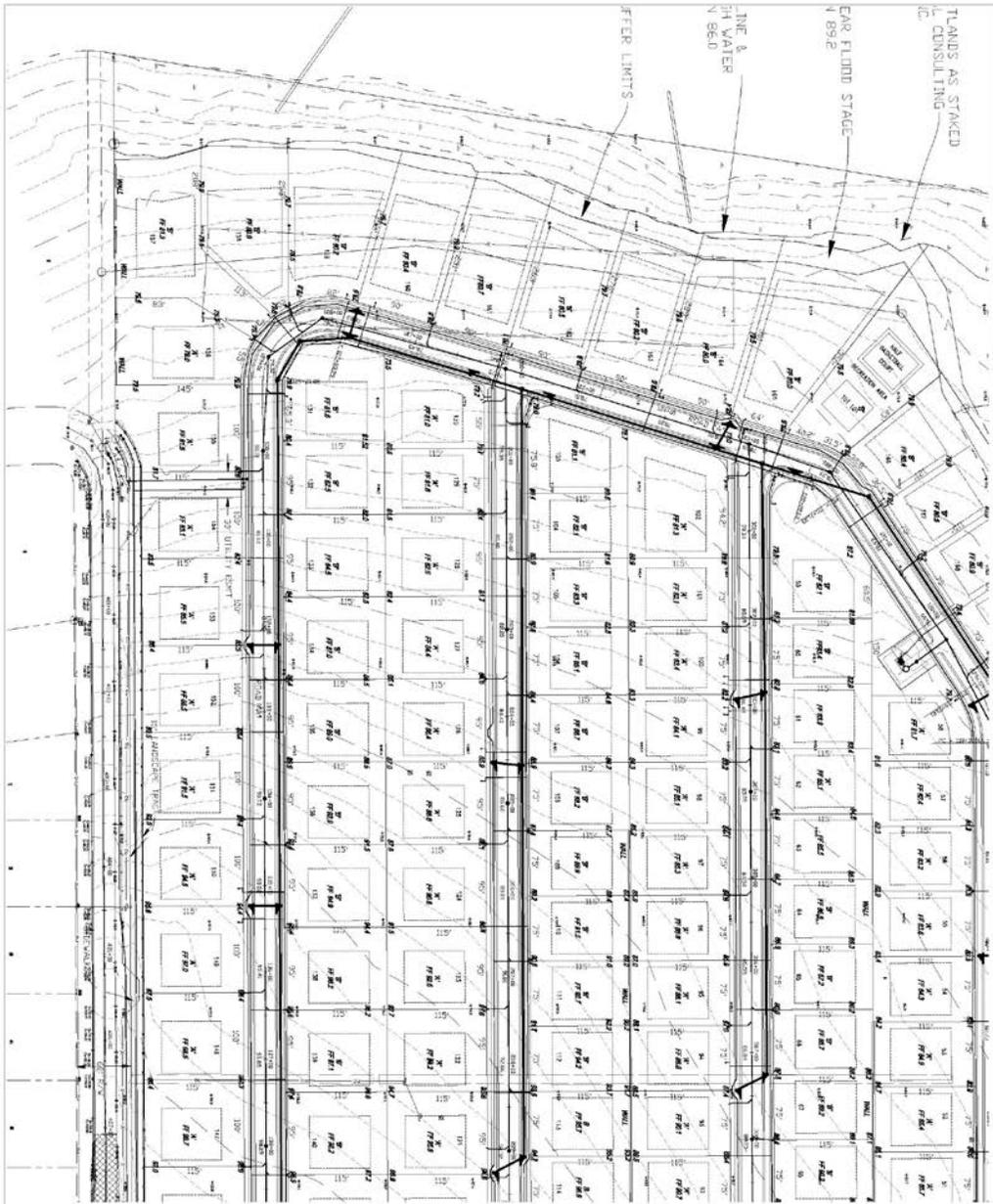
11 of 9
 OFFICE: BOARD OF PROFESSIONAL REGULATION
 DEPARTMENT OF ADMINISTRATION & FINANCE
 Engineer: William C. Pugh, P.E. No. 23785
 Job Number: 2012-9
 Scale: 1"=50'
 Date: January 2013

Drawn by:
 Designed by:
 Plotted:

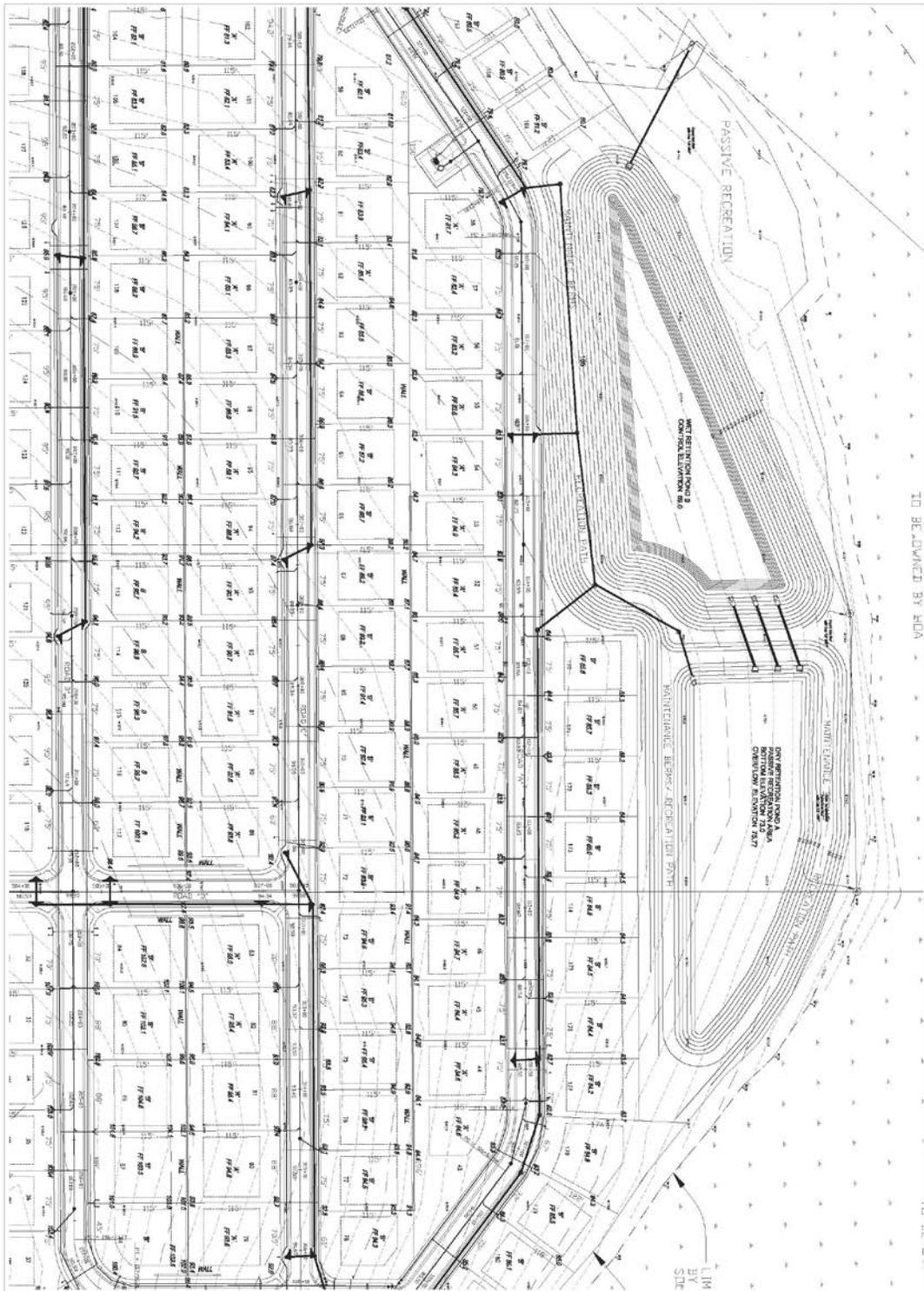
GRADING PLAN
HIGHLAND GROVES
 City of Winter Garden, Florida

CIVIL DESIGN GROUP
 ENGINEERS - SURVEYORS - PLANNERS, INC.
 8859 Chryse L. Limpa Road
 ORLANDO, FLORIDA

No.	Date	Revisions	Rev. by

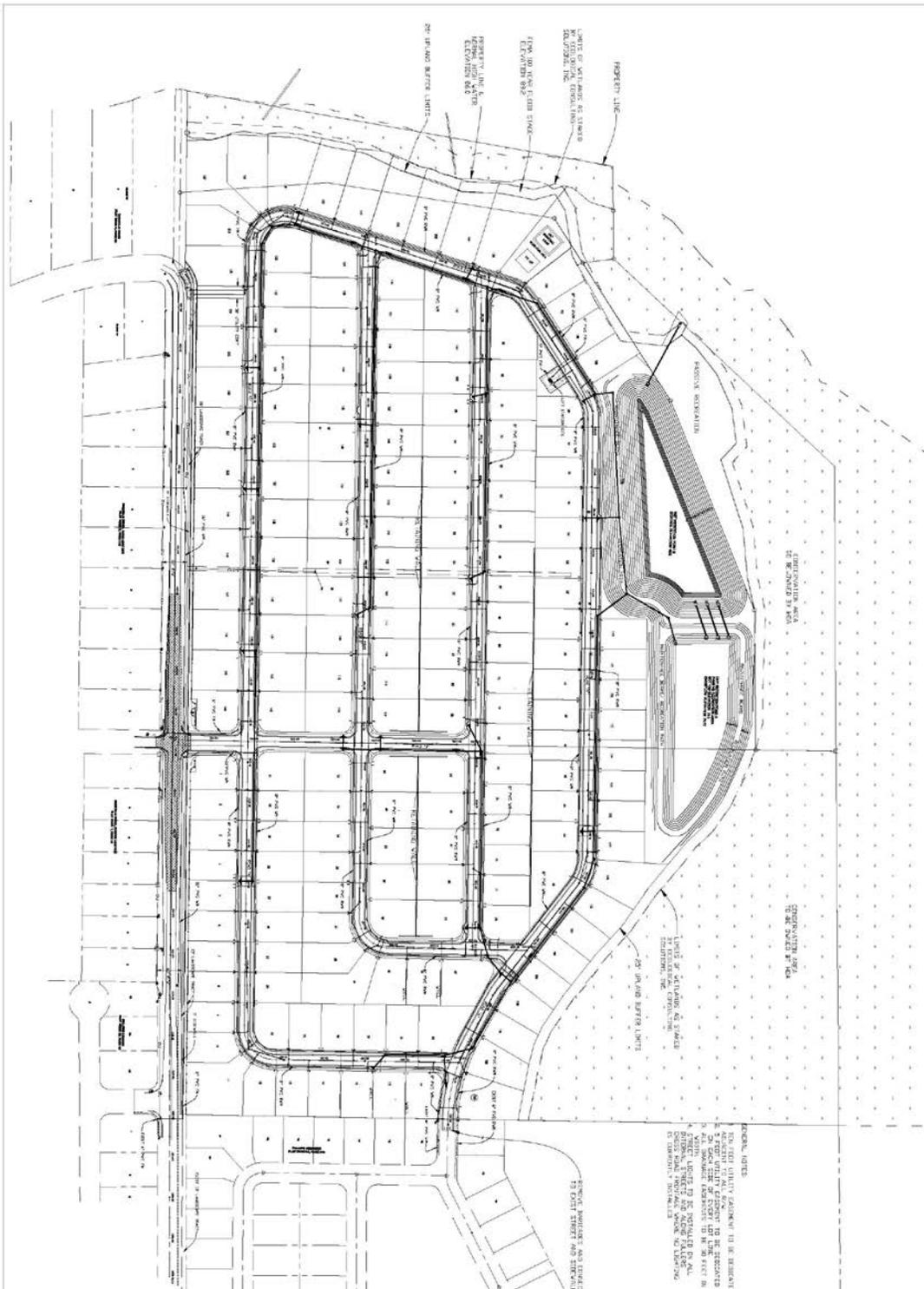


SHEET 7 OF 11	DESIGNER William C. Ziegler, P.E. No. 23785	DESIGNER William C. Ziegler, P.E. No. 23785	GRADING PLAN HIGHLAND GROVES City of Winter Garden, Florida	 CIVIL DESIGN GROUP ENGINEERS SURVEYORS PLANNERS 8698 Charles E. Longue Pointe ORLANDO, FLORIDA	DATE January 2013	DRAWN BY JKH	CHECKED BY WCL	APPROVED BY WCL	TITLE GRADING PLAN	SCALE 1"=30'	PROJECT NO. 2012-0	SHEET NO. 7 OF 11
	DATE January 2013	DESIGNER William C. Ziegler, P.E. No. 23785										



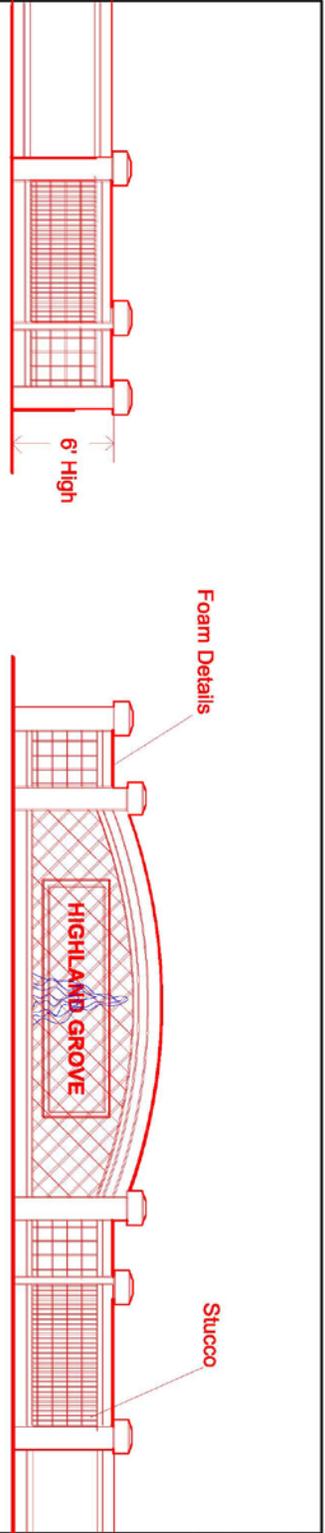
TO BE OWNED BY HOA

SHEET NO. 8 OF 11	PROJECT: HIGHLAND GROVES PREPARED BY: WILSON C. POGG, P.E. No. 23785 JOB NUMBER: 2012-9 SCALE: 1"=40' DATE: JANUARY 2013	DRAWN BY: DESIGNED BY: PLANNED:	GRADING PLAN HIGHLAND GROVES City of Winter Garden, Florida	CIVIL DESIGN GROUP ENGINEERS, ARCHITECTS, PLANNERS 8869 Charles E. Smith Road GRANDBLUE, FLORIDA Phone: (407) 875-3388 Fax: (407) 876-4279	REVISIONS: NO. DATE REVISIONS BY
	LHM BY SIDE				



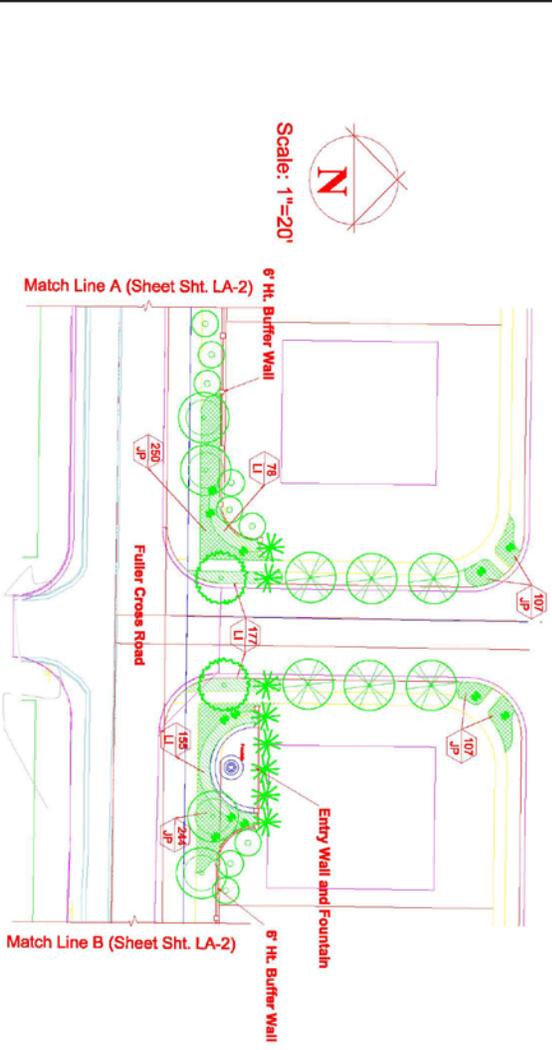
10 of 11	FLORIDA BOARD OF PROFESSIONAL REGULATION DIVISION OF ARCHITECTURE & ENGINEERING Engineer: William C. Rogie, P.E. No. 33786 Job Number: 2012-9 Scale: 1"=100' Date: January 2013	Drawn by: Designed by: File name:	UTILITY MASTER PLAN HIGHLAND GROVES City of Winter Garden, Florida	 CIVIL DESIGN GROUP ENGINEERS SURVEYORS PLANNERS 5568 Charles E. City Park Road ORLANDO, FLORIDA	Phone (407) 876-2396 Fax (407) 678-0276	No. Date Revision Rev. by
	<p>GENERAL NOTES:</p> <p>1. THE UTILITY LAYOUT IS TO BE INSTALLED IN ACCORDANCE WITH THE CITY OF WINTER GARDEN SPECIFICATIONS AND THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) SPECIFICATIONS FOR ROAD AND STRUCTURE CONSTRUCTION.</p> <p>2. THE UTILITY LAYOUT IS TO BE INSTALLED IN ACCORDANCE WITH THE CITY OF WINTER GARDEN SPECIFICATIONS AND THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) SPECIFICATIONS FOR ROAD AND STRUCTURE CONSTRUCTION.</p> <p>3. THE UTILITY LAYOUT IS TO BE INSTALLED IN ACCORDANCE WITH THE CITY OF WINTER GARDEN SPECIFICATIONS AND THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) SPECIFICATIONS FOR ROAD AND STRUCTURE CONSTRUCTION.</p> <p>4. THE UTILITY LAYOUT IS TO BE INSTALLED IN ACCORDANCE WITH THE CITY OF WINTER GARDEN SPECIFICATIONS AND THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) SPECIFICATIONS FOR ROAD AND STRUCTURE CONSTRUCTION.</p> <p>5. THE UTILITY LAYOUT IS TO BE INSTALLED IN ACCORDANCE WITH THE CITY OF WINTER GARDEN SPECIFICATIONS AND THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) SPECIFICATIONS FOR ROAD AND STRUCTURE CONSTRUCTION.</p>					

DRAFT



Entry Wall and Fountain

Scale: NTS



Entry Landscape

Symbol	Quantity	Latin Name	Common Name	Specifications
Groundcover	410	Liriodendron tulipifera	Bottle Grass	1 gal. 15" c.
JP	708	Juniperus procumbens	Parsons Juniper	12 1/2' spid. 1 gal. 15" c.
Understory Trees	89	Ligustrum lucidum	Crape Myrtle	Waffle-tunk, 6-8' ht. no bloom
Canopy Trees	16	Quercus virginiana	Live Oak	12-15' ht., 6-8' spid.
	16	Quercus laevis	Live Oak	4' DBH, 12-15' ht., 6-8' spid.
	15	Acer rubrum	Red Maple	12-15' ht., 6-8' spid.
	6	Magnolia grandiflora	Southern Magnolia	4'DBH, 12-15' ht., 6-8' spid.
Other	8	Washingtonia robusta	Washingtonia Palm	Trunk height 10-12'
	12	Cyperus alternifolius	Sage Palm	5 Gal.
Sod	TBD	Stenotaphrum secundatum	St. Augustine	Sold
Sod	TBD	Paspalum paspalum	Emile Grass	Sold

Note: Any discrepancies in quantities between the plant list and plans, the plans prevail.

Landscape Plan

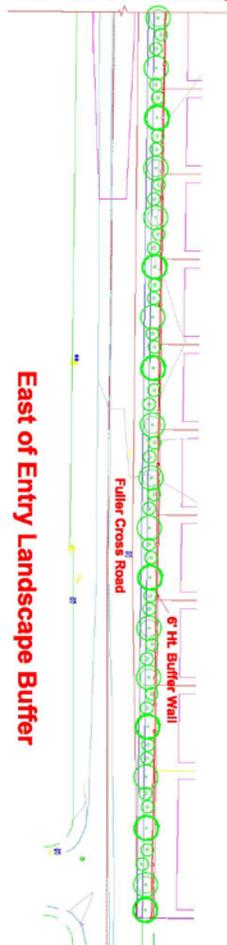
Prepared by Bruce K. Andersen
 Fla. Reg. Landscape Architect No. 821

American Land Development 3911 Orange Lake Drive Orlando, FL 32817	Highland Grove, Winter Garden, FL.	Original Feb. 17, 2013 Revision	Sht. No. LA-1 of 2
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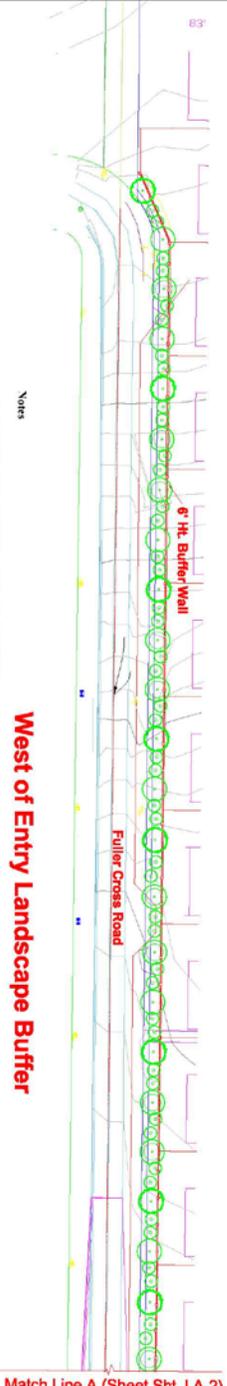
DRAFT



Match Line B (Sheet Sht. LA-2)



East of Entry Landscape Buffer



West of Entry Landscape Buffer

Match Line A (Sheet Sht. LA-2)

Notes

1. All plants shall be graded Florida No. 1 or better. All plants shall be graded Florida No. 1 or better. At minimum, use the following standards: Standard of Agriculture, Nursery Plants, Parts 1 & 2; Fla. Dept. of Agriculture.
2. An earthen saucer shall be formed around the perimeter of the planting pit for the retention of irrigation water.
3. Planting pits shall be backfilled with a planting medium consisting of 1/3 clean washed builder's sand and 2/3 amended peat, well mixed with 6-8-6 50% organic fertilizer, with minor elements at the rate of 2 pounds of fertilizer for each cubic yard of soil mix.
4. All planting beds shall be covered with a 2" layer of mulch.
5. All overhead irrigation systems shall be installed by an automatic underground irrigation system designed to provide a minimum 1" coverage per week. A rain sensor will be included to turn the system off in times of sufficient rainfall in order to conserve irrigation water.
6. All trees will be staked and guyed to prevent being blown over in high winds.

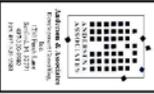
Prepared by Bruce K. Andersen
Fla. Reg. Landscape Architect No. 821

Landscape Plan

Original
Feb. 17, 2013
Revision

Highland Grove, Winter Garden, Fl.

American Land Development
3911 Orange Lake Drive
Orlando, Fl. 32817



Sht. No.
LA-2
of 2

Exhibit "C"

COVER PAGE

BUILDING ELEVATIONS AND TYPICAL FLOOR PLANS

Highland Groves

(8 PAGES - ATTACHED)

THE DEL RIO



ELEVATION C



ELEVATION D



ELEVATION E



ELEVATION F



ELEVATION G

Rev 5/8/12

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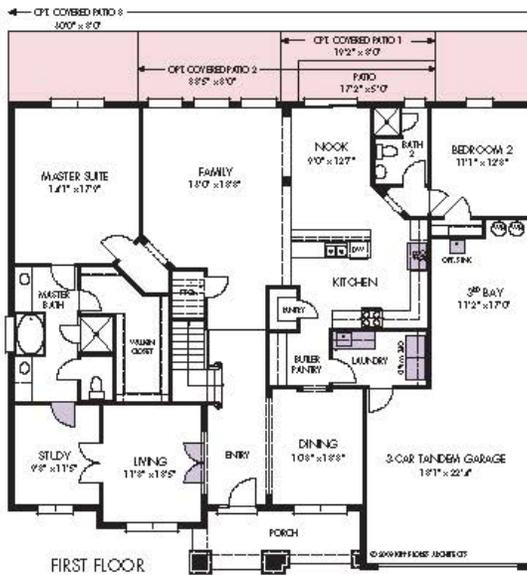
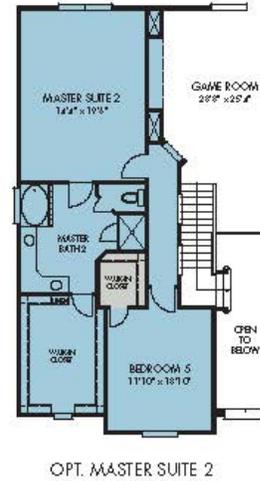
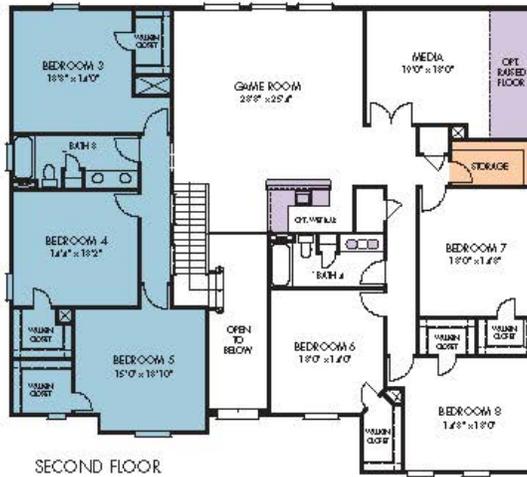
Artist Conception. Rendering may not depict final color.



This floor plan rendering is an artist's conceptual rendering intended to provide a general overview. It does not constitute actual plans and specifications for any home and may depict decorative options, upgrades, finishes and amenities that are not included as part of the home and/or may not be available for all lots and/or in all communities. The floor plan rendering is not to be drawn to scale. Any dimensions on the floor plan rendering are approximate and actual dimensions may vary. Plans and specifications are subject to change without notice. Homes may be constructed with a floor plan that is the reverse of the floor plan rendering. Plans are copyrighted and/or otherwise subject to intellectual property rights of Maritage and/or others and cannot be reproduced or copied without Maritage's prior written consent.



THE DEL RIO



PLAN 5111
 8 Bedroom • 4 Bath
 Study • Living Room
 Game Room & Media Room
 Opt. 2nd Master Suite Upstairs
 Opt. Bath #5 • 3-Car Garage

Square Footage

Main Floor	5,107 sq. ft.
Porch	117 sq. ft.
Garage	618 sq. ft.
Total	5,842 sq. ft.

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THE KERRVILLE



ELEVATION C



ELEVATION D



ELEVATION E



ELEVATION F



ELEVATION G

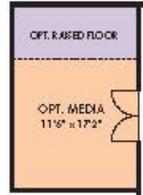
Rev 5/8/12

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Artist Conception. Rendering may not depict final color.

 Floorplan rendering is an artist's conceptual rendering intended to provide a general overview. It does not constitute actual plans and specifications for any home and may depict elevations, options, upgrades, features, and amenities that are not included as part of the home and/or may not be available for all lots and/or in all communities. The floorplan rendering may not be drawn to scale. Any dimensions on the floorplan rendering are approximate and actual dimensions may vary. Plans and specifications are subject to change without notice. Homes may be constructed with a floorplan that is the reverse of the floorplan rendering. Plans are copyrighted and/or otherwise subject to intellectual property rights of Meritage and/or others and cannot be reproduced or copied without Meritage's prior written consent. 

THE KERRVILLE



OPT. MEDIA

PLAN 4161

- 6 Bedroom • 4 Bath
- Study • Living Room
- Dining Room • Game Room
- Opt. Media & Bedroom 7
- 3-Car Garage



OPT. BEDROOM 7

Square Footage

Main Floor	4,163 sq. ft.
Porch	130 sq. ft.
Garage	606 sq. ft.
Total	4,899 sq. ft.

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THE PALERMO



ELEVATION C



ELEVATION D



ELEVATION E

Rev 5/8/12

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Artist Conception. Rendering may not depict final color.



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DRAFT

THE PALERMO

PLAN 3082

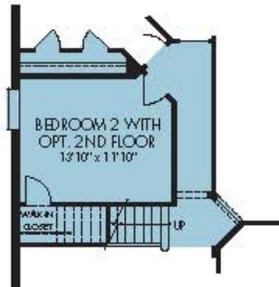
4 Bedroom • 3 Bath • Study/Opt. Bedroom 6
 Opt. Game Room/Bedroom 5 • 3-Car Garage

Square Footage

Main Floor	3,017 sq. ft.
Second Floor	687 sq. ft.
Porch	48 sq. ft.
Covered Patio	138 sq. ft.
Garage	622 sq. ft.
Total	4,512 sq. ft.



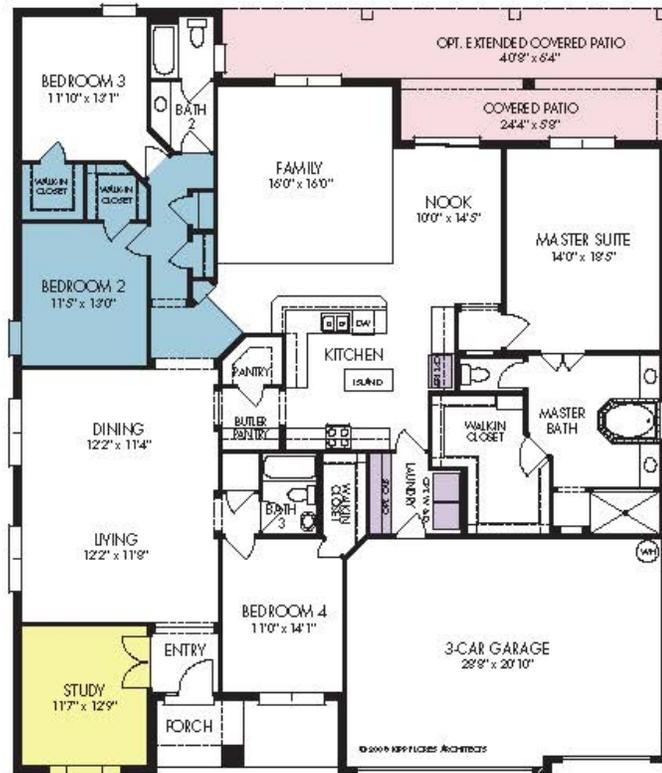
OPT. SECOND FLOOR



STAIRS W/ OPT. SECOND FLOOR



OPT. BEDROOM 6



MAIN FLOOR

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THE WIMBERLEY



ELEVATION C



ELEVATION D



ELEVATION E



ELEVATION F



ELEVATION G

Rev 5/8/12

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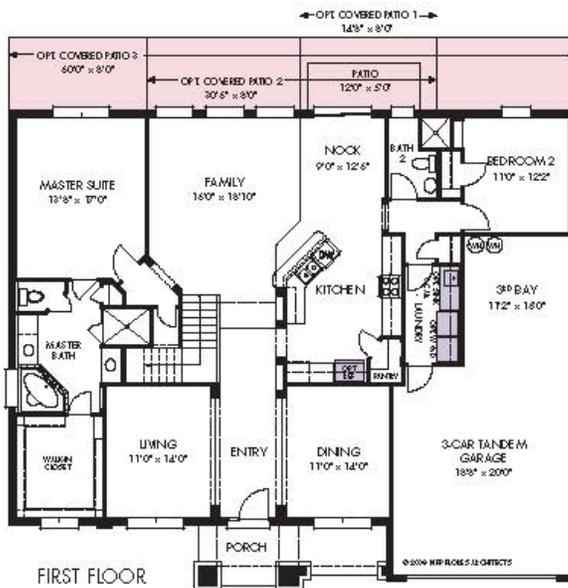
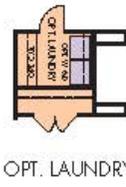
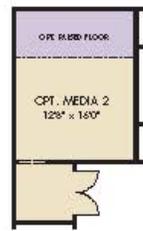
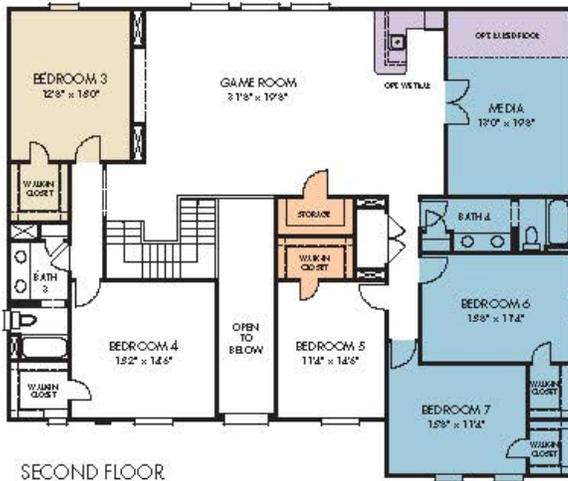
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THE WIMBERLEY



PLAN 4700

- 7 Bedroom • 4 Bath
- Living Room • Dining Room
- Game Room & Media Room
- Opt. 2nd Master Suite Upstairs
- 3-Car Garage

Square Footage

Main Floor	4,700 sq. ft.
Porch	117 sq. ft.
Garage	607 sq. ft.
Total	5,424 sq. ft.

www.meritagehomes.com

CITY OF WINTER GARDEN

PLANNING & ZONING DIVISION

300 West Plant Street - Winter Garden, Florida 34787-3011 • (407) 656-4111

STAFF REPORT

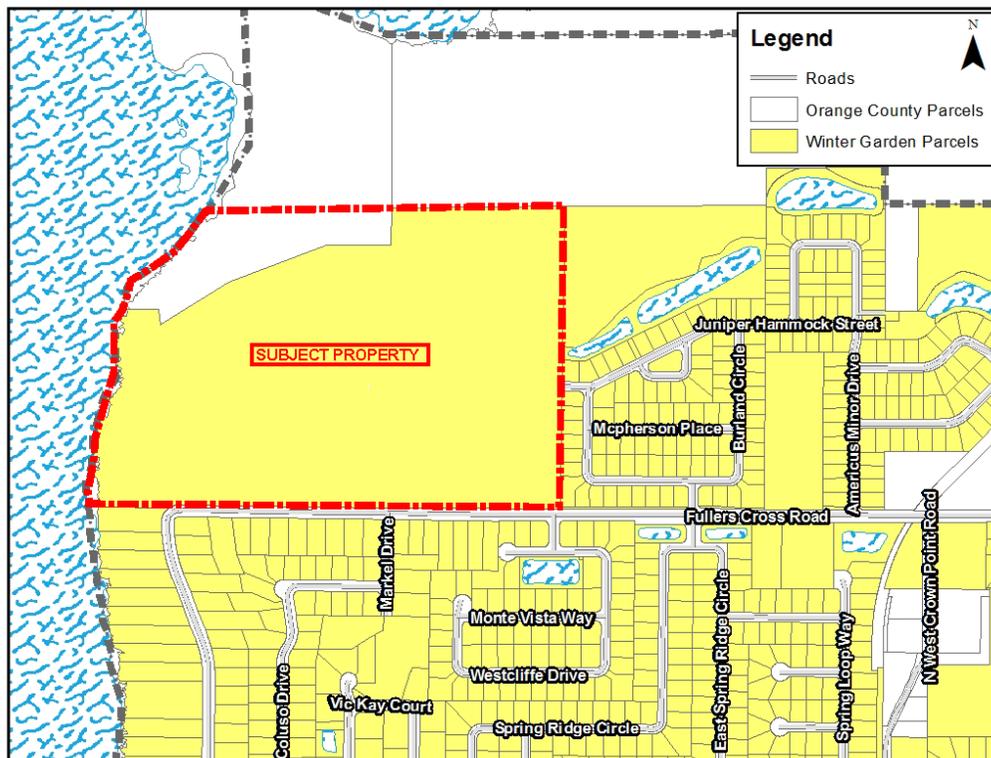
TO: PLANNING AND ZONING BOARD
PREPARED BY: LAURA SMITH, SENIOR PLANNER
DATE: JUNE 28, 2013
SUBJECT: REZONING – HIGHLAND GROVES SUBDIVISION
315 East Fullers Cross Road (81+/- ACRES)
PARCEL ID # 11-22-27-0000-00-003

APPLICANT: L.F. Roper Trust

INTRODUCTION

The purpose of this report is to evaluate the proposed project for compliance with the City of Winter Garden Code of Ordinances and Comprehensive Plan.

The subject property, located on the north side of Fullers Cross Road, east of Lake Apopka and west of E. Crown Point Road, is approximately 81± acres. The map below depicts the location of the subject property within the City of Winter Garden municipal limits.



The applicant is requesting to rezone 81± acres of land. The subject property is located within the City of Winter Garden municipal limits, and carries the zoning designation R-1 (Single Family Residential). The subject property is designated LR- Low Density Residential on the Future Land Use Map of the City's Comprehensive Plan (see attached map).

EXISTING USE

The subject property is primarily used for agricultural purposes (citrus grove) and contains a pump house and fenced in storage area related to the agricultural activity.

ADJACENT LAND USE AND ZONING

The property located on the northwest side of the subject property is in the process of being annexed into the City of Winter Garden and proposed to be incorporated into the proposed PUD in the future, however presently it is unimproved vacant land located in un-incorporated Orange County with A-2 Zoning. The property located on the northeast side of the subject property is owned by the City of Ocoee and is also unimproved vacant land located in un-incorporated Orange County with A-2 Zoning. The properties located to the south are single family residential homes within the City of Winter Garden with R-1 Zoning. The property to the east is Fullers Crossing a single family residential community in the City of Winter Garden zoned R-1B. The subject property is bordered on the west by Lake Apopka.

PROPOSED USE

The applicant proposes to develop the 81 ± acre site into a residential planned unit development containing 186 single-family dwelling units ranging in size from 75'x115' to 100'x115'. The proposed lot size mixture is:

Lot Size	# of lots
100'x115'	13
95'x115'	24
90'x115'	9
80'x115'	12
75'x115'	128

The proposed subdivision will be a non-gated community with gross density proposed at 2.29 dwelling units per acre, the LR-Low Density Residential Future Land Use Designation allows up to 6 dwelling units per acre. The proposed subdivision will contain an active recreational park (tot-lot and ½ basketball court) and a passive recreation area (walking trails and open space) and 14.2+/- acres of wetlands preserved for conservation.

The proposed use will contain a minimum lot width that is the same as the minimum lot width in the Fullers Crossing Subdivision located on the east side of the subject property, however the minimum lot area will be larger than the minimum lot area in the Fullers Crossing Subdivision. The housing type will be similar to that built in the surrounding subdivisions and other single family lots located along Fullers Cross Road.

PUBLIC FACILITY ANALYSIS

Potable Water, Reclaimed Water, and Wastewater Services

The proposed residential development will be served by and required to connect to City of Winter Garden water, wastewater, and reclaimed water which are available and have adequate capacity to serve the proposed residential development. At such time that the property is developed, all necessary utility lines will be extended and connections made, all extension and connection costs shall be borne by the property owner.

Stormwater

The stormwater retention/detention facilities designed to service the proposed development will meet or exceed the LOS Standards stated in Policy 4-1.1.1 of the Public Facilities Element included in the City of Winter Garden Comprehensive Plan. In addition, the stormwater facilities will be designed in accordance with St. Johns River Water Management District and City of Winter Garden requirements.

Common Recreation and Open Space

The proposed residential development is located within the Wekiva Study Area Resource Protection Overlay, and in accordance with the City of Winter Garden Comprehensive Plan Future Land Use Element Policies 1-3.1.7 and 1-3.1.8 no less than 25% Wekiva Study Area Open Space shall be provided. None of the 25% Wekiva Study Area Open Space shall be chemically treated with pesticides to establish sensitive natural habitat.

To the greatest extent possible, 5% of the developable area of the Property shall be set aside for passive, dry-land recreational use. In the event that this requirement cannot be met wholly or in part, then a financial contribution in accordance with Chapter 110, Article V, Division 2 of the City Code of Ordinances shall be made to the City Recreation Fund to fulfill the requirement.

The proposed development will have 20.35 +/- acres of open space, consisting of Wekiva Study Area Open Space and 3.30 +/- acres set aside for active and passive recreational use.

All of the common recreation and open space will be maintained by a homeowner's association and available to the residents. The developer shall establish a homeowner's association in accordance with Chapter 720, Florida Statutes and having governing documents in compliance with Chapter 110 of the City of Winter Garden Code of Ordinances.

Environment

The subject property is located within the Wekiva Study Area Resource Protection Overlay. The developers are required to provide a minimum of 25% of the gross developable area as Wekiva Open Space as stated in Policies 1-3.1.7 and 1-3.1.8 of the Future Land Use Element included in the City of Winter Garden Comprehensive Plan.

The proposed development will provide for protection of the 14.20 wetland area located along the northeast portion of the property and will identify the area as conservation with notification signage.

Lake Apopka shoreline protection and additional wetland protection will be provided in the form of a 25 foot upland buffer from the Normal High Water Line and wetland boundary.

Transportation

The City has coordinated with Orange County to take over the intersection of Fullers Cross Road and East Crown Point Road and will be conducting a warrant study for a traffic light to be installed at that intersection to alleviate the existing traffic congestion and minimize the impact of the additional trips generated by the proposed development. The applicant has agreed to pre-pay road impact fees for the proposed development to fund the signalization of the intersection.

The proposed development will be limited to a single access point on Fullers Cross Road and will connect to the existing cross-access point located within the Fullers Corssing Subdivision to the east of the subject property.

Other Services

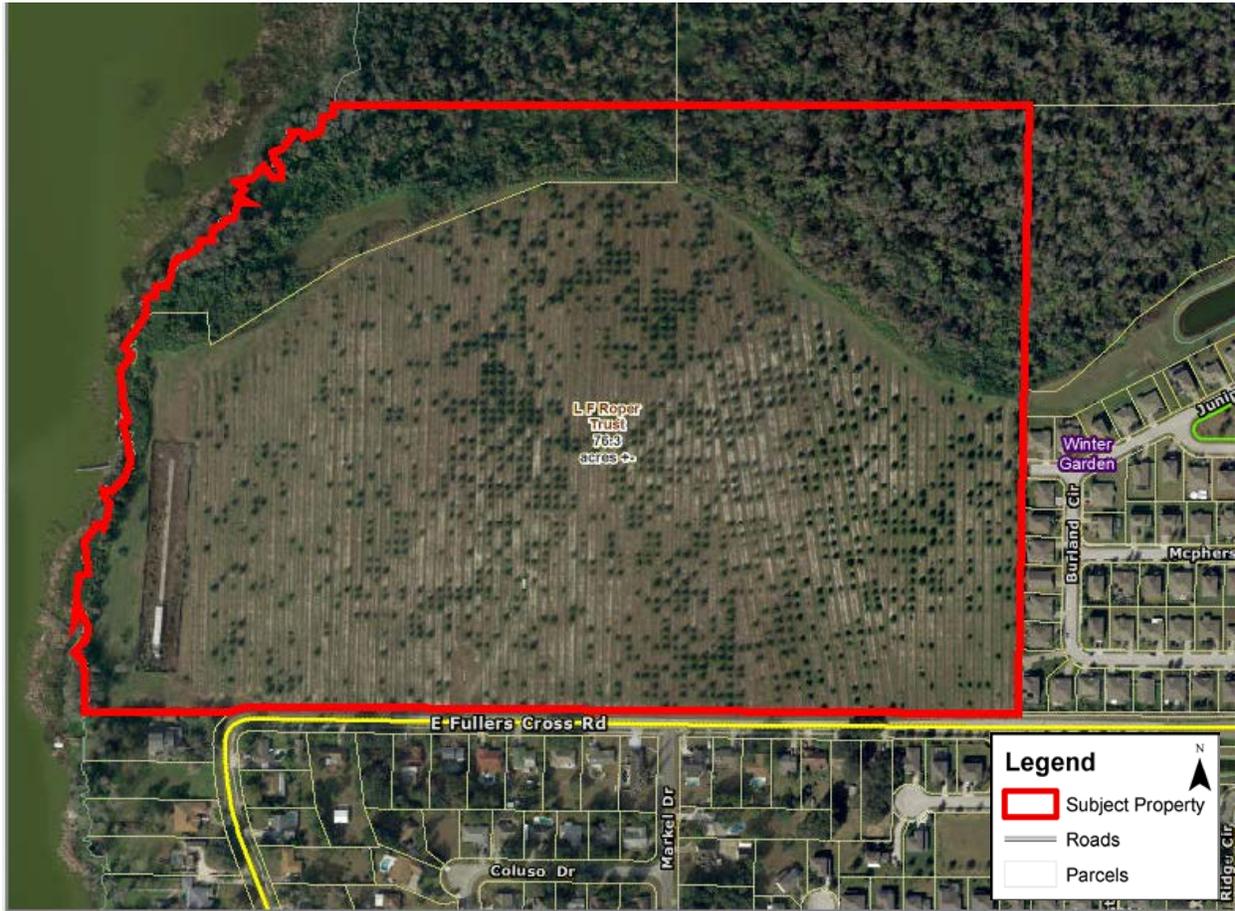
The City will provide garbage collection, police protection, and all other services regularly provided to City of Winter Garden residents including building permits. The property will be served by both Orange County Fire and Rescue and the City of Winter Garden Fire Department under the First Response System.

SUMMARY

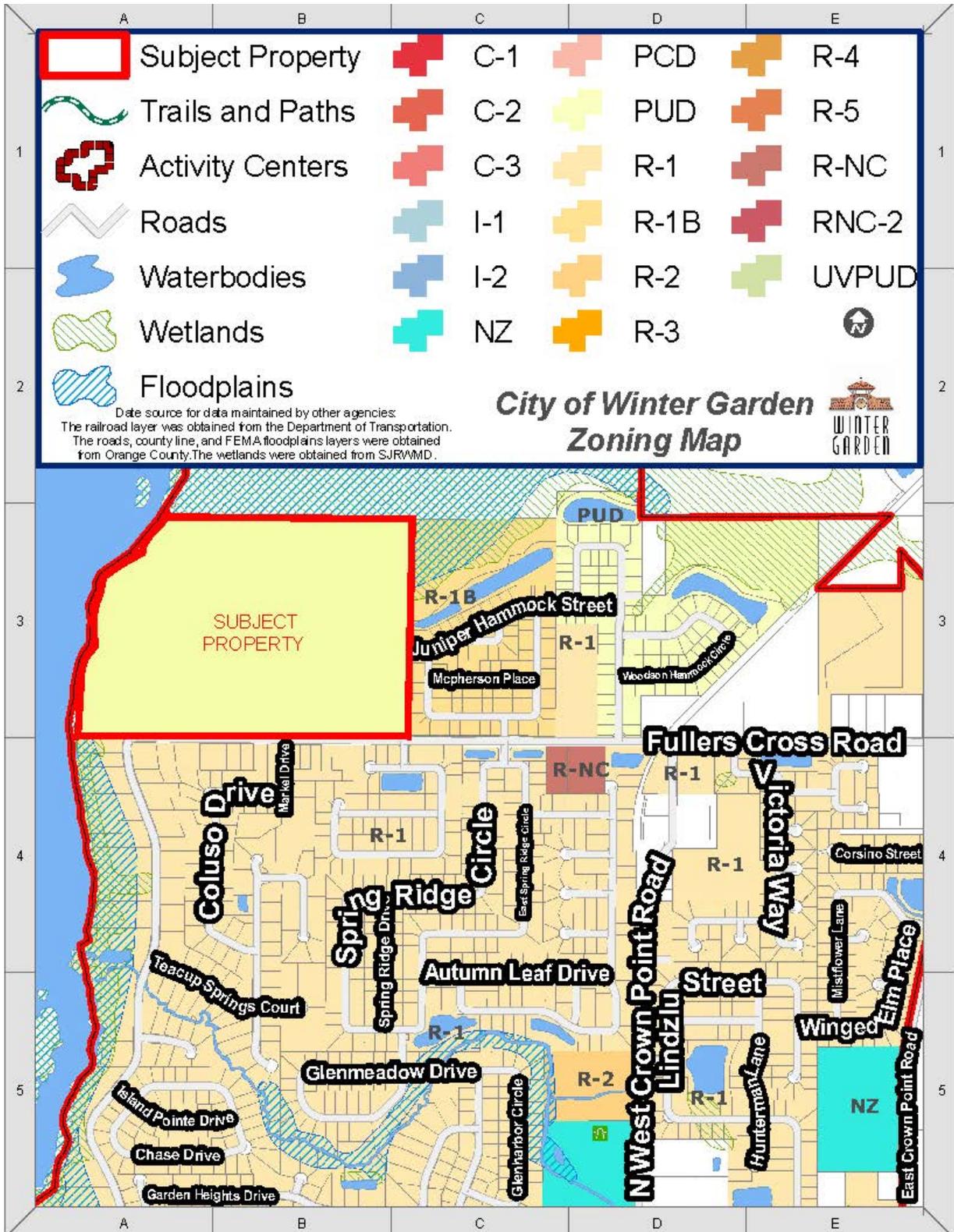
City Staff recommends approval of the proposed Ordinance, rezoning the subject property from City R-1 to City PUD is consistent with the Future Land Use Map of the City's Comprehensive. The proposed PUD is consistent with surrounding development in the area and is compatible with the uses in the surrounding area. The proposed development of the subject property is consistent with the goals, objectives and policies of the City's Comprehensive Plan and land development regulations.

MAPS

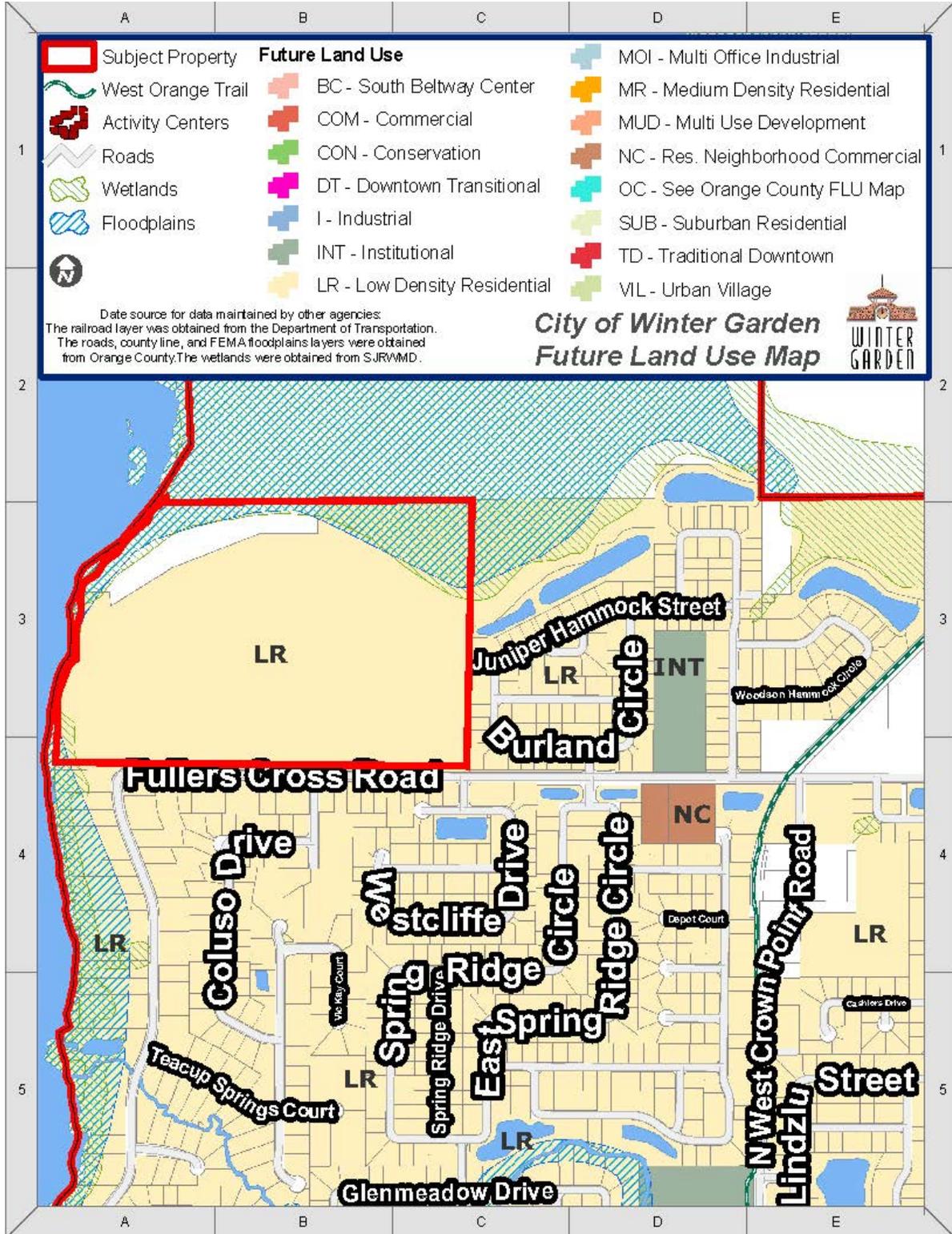
**AERIAL PHOTO
HIGHLAND GROVES SUBDIVISION**



ZONING MAP
HIGHLAND GROVES SUBDIVISION



**FUTURE LAND USE MAP
 HIGHLAND GROVES SUBDIVISION**



END OF STAFF REPORT

THE CITY OF WINTER GARDEN
CITY COMMISSION AGENDA ITEM

From: Ed Williams, Community Development Director

Via: City Manager Mike Bollhoefer

Date: July 5, 2013 **Meeting Date:** July 11, 2013

Subject: East Fullers Cross Road
Highland Groves II
Ordinance 13-33
Ordinance 13-34
Parcel ID # 02-22-27-0000-00-002

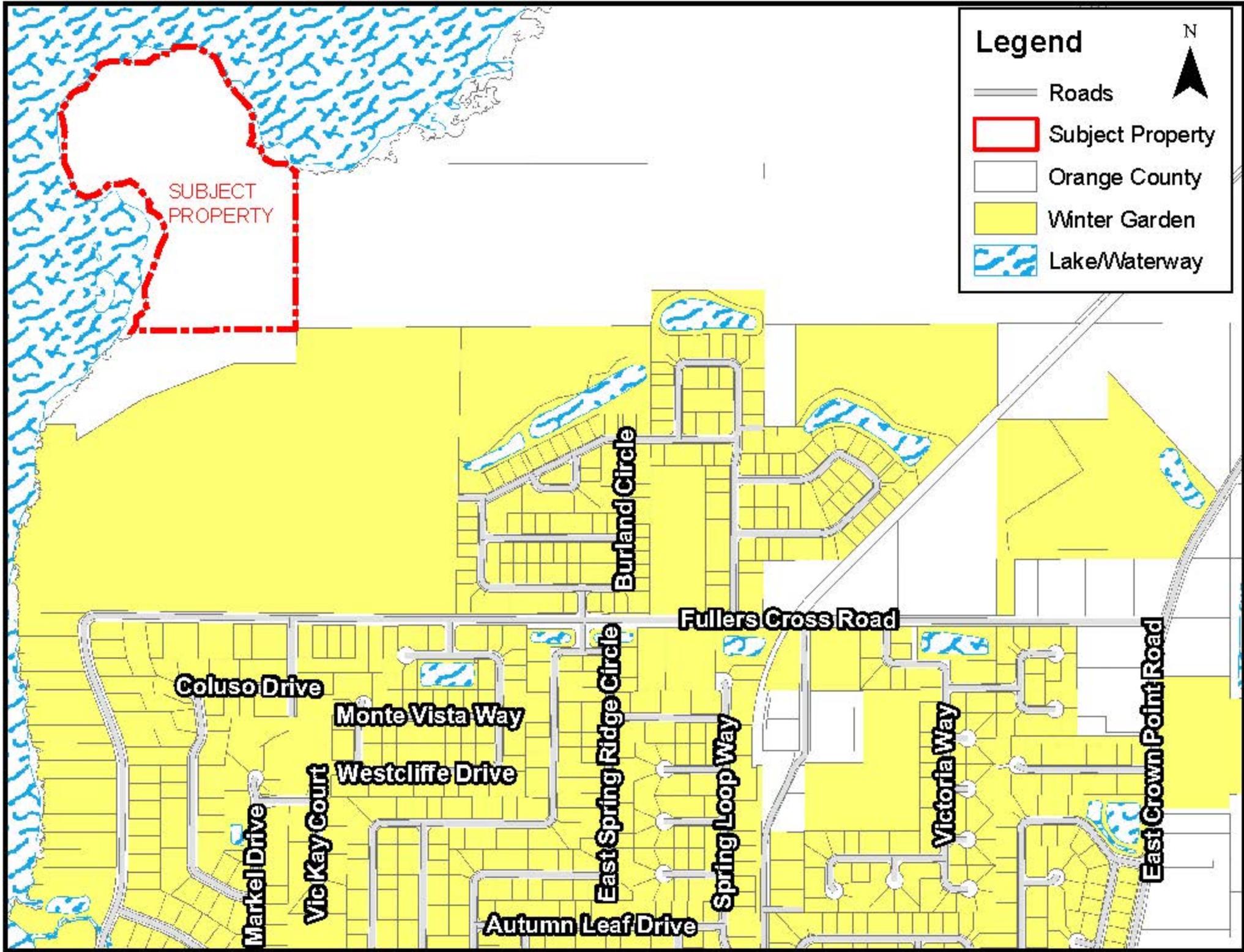
Issue: The applicant is requesting Annexation and Future Lands Use designation on property located north of the intersection on North Fullers Cross Road and East Fullers Cross Road.

Discussion:
The City encourages infill of its jurisdictional limits through voluntary annexation of enclaves. The subject property makes up a 32.884 ± acre enclave located north of the intersection of North Fullers Cross road and east Fullers Cross Road. The applicant has requested Annexation into the City and Amendment to the Future Land Use Map of the City's Comprehensive Plan to designate the property as Low Density Residential. The property will not have a zoning designation through this application, but the owners have submitted for a Planned Unit Development for the area to the south to develop the property with 186 single-family homes and this property will be included in the PUD. (See attached Staff Report).

Recommended Action:
Staff recommends approval of Ordinance 13-33 and Ordinance 13-34.

Attachment(s)/References:

Location Map
Ordinance 13-33
Ordinance 13-34
Staff Report



ORDINANCE 13-33

AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS APPROXIMATELY 32.884 ± ACRES LOCATED NORTH OF THE INTERSECTION OF NORTH FULLERS CROSS ROAD AND EAST FULLERS CROSS ROAD INTO THE CITY OF WINTER GARDEN FLORIDA; REDEFINING THE CITY BOUNDARIES TO GIVE THE CITY JURISDICTION OVER SAID PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owner of the land, generally described as approximately 32.884 ± acres located on the north of the intersection of North Fullers Cross Road and East Fullers Cross Road and legally described in Section 2 of this Ordinance, which land is reasonably compact and contiguous to the corporate limits of the City of Winter Garden, Florida (“City”), has, pursuant to the prerequisites and standards set forth in § 171.044, Fla. Stat., petitioned the City Commission for voluntary annexation;

WHEREAS, the petition for voluntary annexation referenced herein bears the signatures of all owners of the property or properties described in Section 2 of this Ordinance (*i.e.*, the property or properties to be annexed); and

WHEREAS, the City has determined that the property described in Section 2 of this Ordinance is located in an unincorporated area of the County and that annexation of such property will not result in the creation of an enclave.

BE IT ENACTED BY THE CITY OF WINTER GARDEN, FLORIDA:

SECTION 1: *Annexation.* That the City Commission through its Planning and Zoning Board has conducted an investigation to determine whether the described property meets the prerequisites and standards set forth in Chapter 171, Fla. Stat. and has held a public hearing and said petition and made certain findings.

SECTION 2: *Description of Area Annexed.* That, after said public hearing and having found such petition meets said prerequisites and standards, the property legally defined in ATTACHMENT “A” and graphically shown on the attached map shall be annexed into the City of Winter Garden, Florida.

SECTION 3: *Effect of Annexation.* That the City of Winter Garden, Florida, shall have all of the power, authority, and jurisdiction over and within the land as described in Section 2 hereof, and the inhabitants thereof, and property therein, as it does and have over its present corporate limits and laws, ordinances, and resolutions of said City shall apply and shall have equal force and effect as if all territory had been part of said City at

the time of the passage of such laws, ordinances, and resolutions.

SECTION 4: *Apportionment of Debts and Taxes.* Pursuant to § 171.061, Fla. Stat., the area annexed to the City shall be subject to all taxes and debts of the City upon the effective date of annexation. However, the annexed area shall not be subject to municipal ad valorem taxation for the current year if the effective date of the annexation falls after the City levies such tax.

SECTION 5: *Instructions to Clerk.* Within seven (7) days following the adoption of this Ordinance, the City Clerk or his/her designee is directed to file a copy of this ordinance, including ATTACHMENT "A" hereto, with the clerk of the circuit court and the chief administrative officer of Orange County as required by § 171.044(3), Fla. Stat.

SECTION 6: *Severability.* Should any portion of this Ordinance be held invalid, then such portions as are not declared invalid shall remain in full force and effect.

SECTION 7: *Effective Date.* This Ordinance shall become effective upon adoption at its second reading.

FIRST READING AND PUBLIC HEARING: _____, 2013.

SECOND READING AND PUBLIC HEARING: _____, 2013.

ADOPTED this _____ day of _____, 2013, by the City Commission of the City of Winter Garden, Florida.

APPROVED:

JOHN REES, Mayor/Commissioner

ATTEST:

KATHY GOLDEN, City Clerk

ATTACHMENT "A"

LEGAL DESCRIPTION

DESCRIPTION: (A PORTION OF PARCEL ID#02-22-27-0000-00-002)

Government Lot 1 of Section 2, Township 22 South, Range 27 East, Orange County, Florida described as follows:

Begin at the Southeast corner of Government Lot 1 of Section 2, Township 22 South, Range 27 East; thence run S89°33'43"W along the South line of said Government Lot 1 as shown on the Original Government Township Plat, dated May 18, 1882 a distance of 677.01 feet; thence run S44°50'29"W along the Southwesterly Meander Line of said Government Lot 1 a distance of 765.58 feet; thence run S89°36'28"W a distance of 164.84 feet to the Ordinary High Water Line of Lake Apopka; thence run along the Ordinary High Water Line of Lake Apopka the following courses and distances; N35°28'11"E 210.94 feet; N47°42'00"E 160.66 feet; N17°17'26"E 83.54 feet; N51°30'54"E 199.39 feet; N53°35'05"E 92.57 feet; N17°46'27"E 191.73 feet; N08°01'18"E 127.10 feet; N31°29'29"E 101.86 feet; N14°38'20"E 130.78 feet; N01°23'53"E 72.25 feet; N53°08'44"W 123.36 feet; N20°08'48"W 112.59 feet; N66°10'24"W 82.86 feet; S87°03'58"W 68.84 feet; S57°44'20"W 79.21 feet; S43°47'50"W 58.58 feet; N75°58'17"W 87.21 feet; N31°31'07"W 64.46 feet; N14°23'21"W 70.93 feet; N20°45'23"W 65.37 feet; N02°07'20"E 108.22 feet; N07°42'01"W 149.55 feet; N27°48'53"E 124.54 feet; N62°53'31"E 92.30 feet; N30°16'14"E 111.31 feet; N77°38'39"E 149.75 feet; S82°39'06"E 125.27 feet; N65°17'41"E 277.93 feet; S63°48'46"E 140.69 feet; S30°23'36"E 67.33 feet; S06°00'45"E 76.53 feet; S40°08'12"E 233.15 feet; S01°22'52"W 166.28 feet; S51°38'54"E 61.33 feet; S16°56'11"E 48.15 feet; S67°31'42"E 220.02 feet to the East line of said Government Lot 1; thence run S00°58'03"W along the East line of said Government Lot 1 a distance of 842.32 feet to the Point of Beginning.

Containing 1,432,468 square feet or 32.884 acres more or less.

ORDINANCE 13-34

AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA AMENDING THE FUTURE LAND USE MAP OF THE WINTER GARDEN COMPREHENSIVE PLAN BY CHANGING THE LAND USE DESIGNATION OF REAL PROPERTY GENERALLY DESCRIBED AS 32.884 ± ACRES LOCATED NORTH OF THE INTERSECTION OF NORTH FULLERS CROSS ROAD AND EAST FULLERS CROSS ROAD FROM ORANGE COUNTY RURAL/AGRICULTURAL TO CITY CONSERVATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on the 13th of June, 1991, the City Commission of the City of Winter Garden adopted Ordinance 91-16 which adopted a new Comprehensive Plan for the City of Winter Garden, and on the 24th of June, 2010, the City Commission of the City of Winter Garden adopted Ordinance 10-19 readopting and amending the Comprehensive Plan for the City of Winter Garden;

WHEREAS, the owner of that certain real property generally described as 32.884 ± acres located north of the intersection of North Fullers Cross Road and East Fullers Cross Road, and legally described in ATTACHMENT "A" (the "Property") has petitioned the City to amend the Winter Garden Comprehensive Plan to change the Future Land Use classification from Orange County Rural/Agricultural to City Conservation; and

WHEREAS, the City of Winter Garden's Local Planning Agency and City Commission have conducted the prerequisite advertised public hearings pursuant to Chapter 163, Florida Statutes, regarding the adoption of this ordinance; now, therefore,

BE IT ENACTED BY THE CITY OF WINTER GARDEN, FLORIDA:

SECTION I. *FLUM Amendment.* The City of Winter Garden hereby amends the Future Land Use Map of the City of Winter Garden Comprehensive Plan by designating the aforesaid Property to City Conservation as set forth in ATTACHMENT "B".

SECTION II. *Effective Date.* Provided that the Property described herein is annexed into the City of Winter Garden pursuant to Ordinance 13-33, this Ordinance shall become effective 31 days after adoption, unless the Ordinance is timely challenged pursuant to § 163.3187(5), Fla. Stat., in which case, the Ordinance shall not be effective until the state land planning agency or the Administrative Commission, respectively, issues a final order determining that the adopted Ordinance is in compliance.

SECTION III. Severability. Should any portion of this Ordinance be held invalid, then such portions as are not declared invalid shall remain in full force and effect.

FIRST READING AND PUBLIC HEARING: _____, 2013.

SECOND READING AND PUBLIC HEARING: _____, 2013.

ADOPTED this _____ day of _____, 2013, by the City Commission of the City of Winter Garden, Florida.

APPROVED:

JOHN REES, Mayor/Commissioner

ATTEST:

KATHY GOLDEN, City Clerk

ATTACHMENT "A"

LEGAL DESCRIPTION

DESCRIPTION: (A PORTION OF PARCEL ID#02-22-27-0000-00-002)

Government Lot 1 of Section 2, Township 22 South, Range 27 East, Orange County, Florida described as follows:

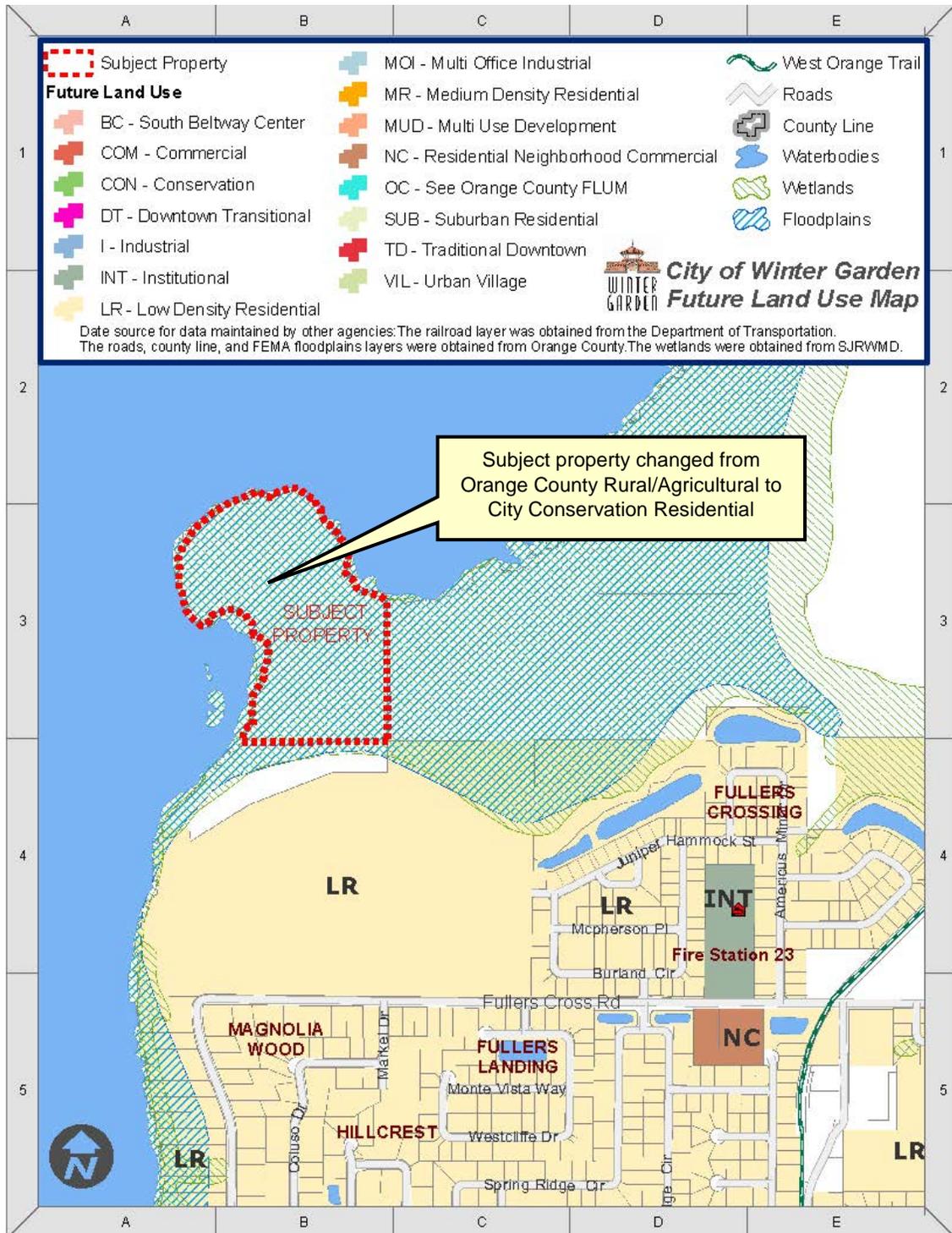
Begin at the Southeast corner of Government Lot 1 of Section 2, Township 22 South, Range 27 East; thence run S89°33'43"W along the South line of said Government Lot 1 as shown on the Original Government Township Plat, dated May 18, 1882 a distance of 677.01 feet; thence run S44°50'29"W along the Southwesterly Meander Line of said Government Lot 1 a distance of 765.58 feet; thence run S89°36'28"W a distance of 164.84 feet to the Ordinary High Water Line of Lake Apopka; thence run along the Ordinary High Water Line of Lake Apopka the following courses and distances; N35°28'11"E 210.94 feet; N47°42'00"E 160.66 feet; N17°17'26"E 83.54 feet; N51°30'54"E 199.39 feet; N53°35'05"E 92.57 feet; N17°46'27"E 191.73 feet; N08°01'18"E 127.10 feet; N31°29'29"E 101.86 feet; N14°38'20"E 130.78 feet; N01°23'53"E 72.25 feet; N53°08'44"W 123.36 feet; N20°08'48"W 112.59 feet; N66°10'24"W 82.86 feet; S87°03'58"W 68.84 feet; S57°44'20"W 79.21 feet; S43°47'50"W 58.58 feet; N75°58'17"W 87.21 feet; N31°31'07"W 64.46 feet; N14°23'21"W 70.93 feet; N20°45'23"W 65.37 feet; N02°07'20"E 108.22 feet; N07°42'01"W 149.55 feet; N27°48'53"E 124.54 feet; N62°53'31"E 92.30 feet; N30°16'14"E 111.31 feet; N77°38'39"E 149.75 feet; S82°39'06"E 125.27 feet; N65°17'41"E 277.93 feet; S63°48'46"E 140.69 feet; S30°23'36"E 67.33 feet; S06°00'45"E 76.53 feet; S40°08'12"E 233.15 feet; S01°22'52"W 166.28 feet; S51°38'54"E 61.33 feet; S16°56'11"E 48.15 feet; S67°31'42"E 220.02 feet to the East line of said Government Lot 1; thence run S00°58'03"W along the East line of said Government Lot 1 a distance of 842.32 feet to the Point of Beginning.

Containing 1,432,468 square feet or 32.884 acres more or less.

ATTACHMENT "B"

FUTURE LAND USE MAP

PARCEL ID#02-22-27-0000-00-002



CITY OF WINTER GARDEN

PLANNING & ZONING DIVISION

300 West Plant Street - Winter Garden, Florida 34787-3011 • (407) 656-4111

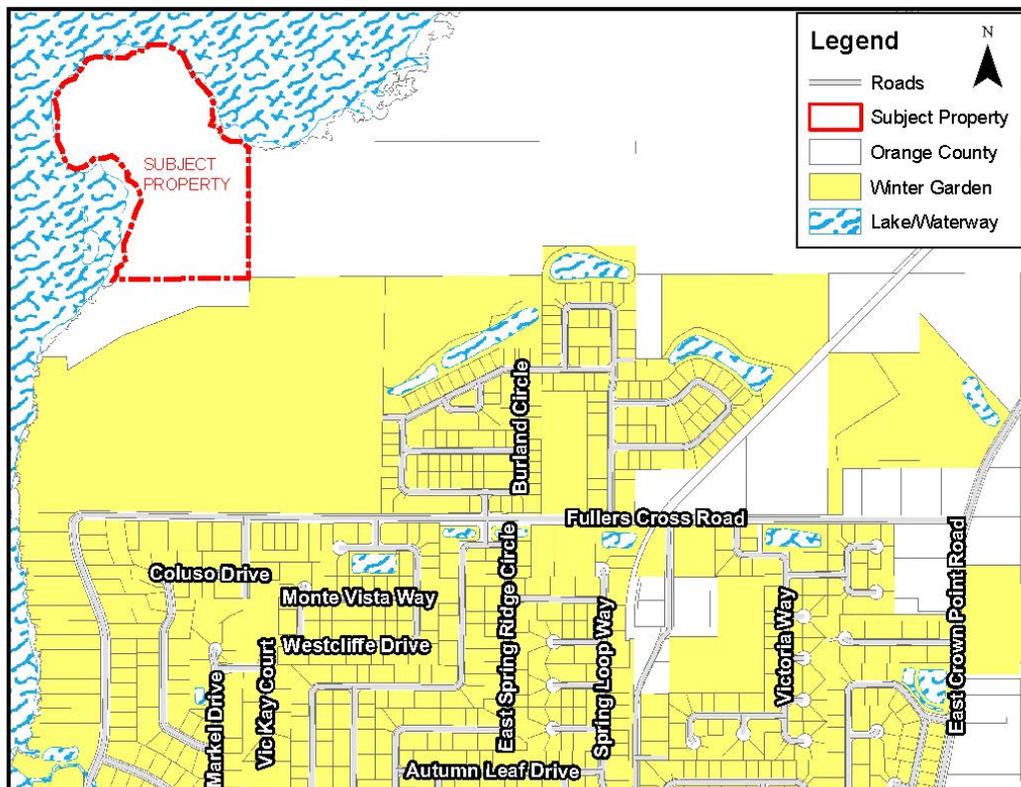
STAFF REPORT

TO: PLANNING AND ZONING BOARD
PREPARED BY: STEVE PASH, SENIOR PLANNER
DATE: JUNE 27, 2013
SUBJECT: ANNEXATION – FLU AMENDMENT
EAST FULLERS CROSS ROAD (32.884 +/- ACRES)
PORTION OF PARCEL ID #: 02-22-27-0000-00-002
APPLICANT: RAYMER MAQUIRE III

INTRODUCTION

The purpose of this report is to evaluate the proposed project for compliance with the City of Winter Garden Code of Ordinances and Comprehensive Plan.

The subject property is located north of the intersection of North Fullers Cross Road and East Fullers Cross Road and is approximately 32.884 ± acres. The map below depicts the proximity of the subject property to the City’s jurisdictional limits:



The applicant has requested annexation into the City and amendment to the Future Land Use Map (FLUM) of the City's Comprehensive Plan to designate the property as Conservation. At this time, no zoning will be applied to the property.

In accordance with the City's Comprehensive Plan, property assigned the Conservation land use designation shall be lands that are natural resources. It is the intent of this land use designation to provide for the long term protection and preservation of environmentally sensitive natural resources systems. Development shall be limited to passive recreation facilities such as boardwalk or conservation related facilities such monitoring facilities or educational trails. The developer of land adjacent to areas designated with the Conservation land use shall bear the burden of proof in determining that proposed development will not adversely impact conservation resources. The zoning classifications that is consistent with the Conservation classification is CON and INT.

The City endorses infill of its jurisdictional limits through voluntary annexation of enclaves. The elimination of enclaves through voluntary annexation furthers the goals, objectives, and policies of the City's Comprehensive Plan.

EXISTING USE

The subject property is wooded vacant land.

ADJACENT LAND USE AND ZONING

The property located to the north is Lake Apopka. The property located to the east is undeveloped wooded wetland, zoned A-2 and located in Orange County. The property to the south is an orange grove, zoned R-1 (currently being rezoned to PUD), and located in Winter Garden. The property to the west is Lake Apopka.

PROPOSED USE

The applicant intends to annex the property and keep it as a conservation tract.

PUBLIC FACILITY ANALYSIS

The City will provide garbage collection, police protection, and all other services regularly provided to City of Winter Garden residents including building permits. The property will be served by both Orange County Fire and Rescue and the City of Winter Garden Fire Department under the First Response System.

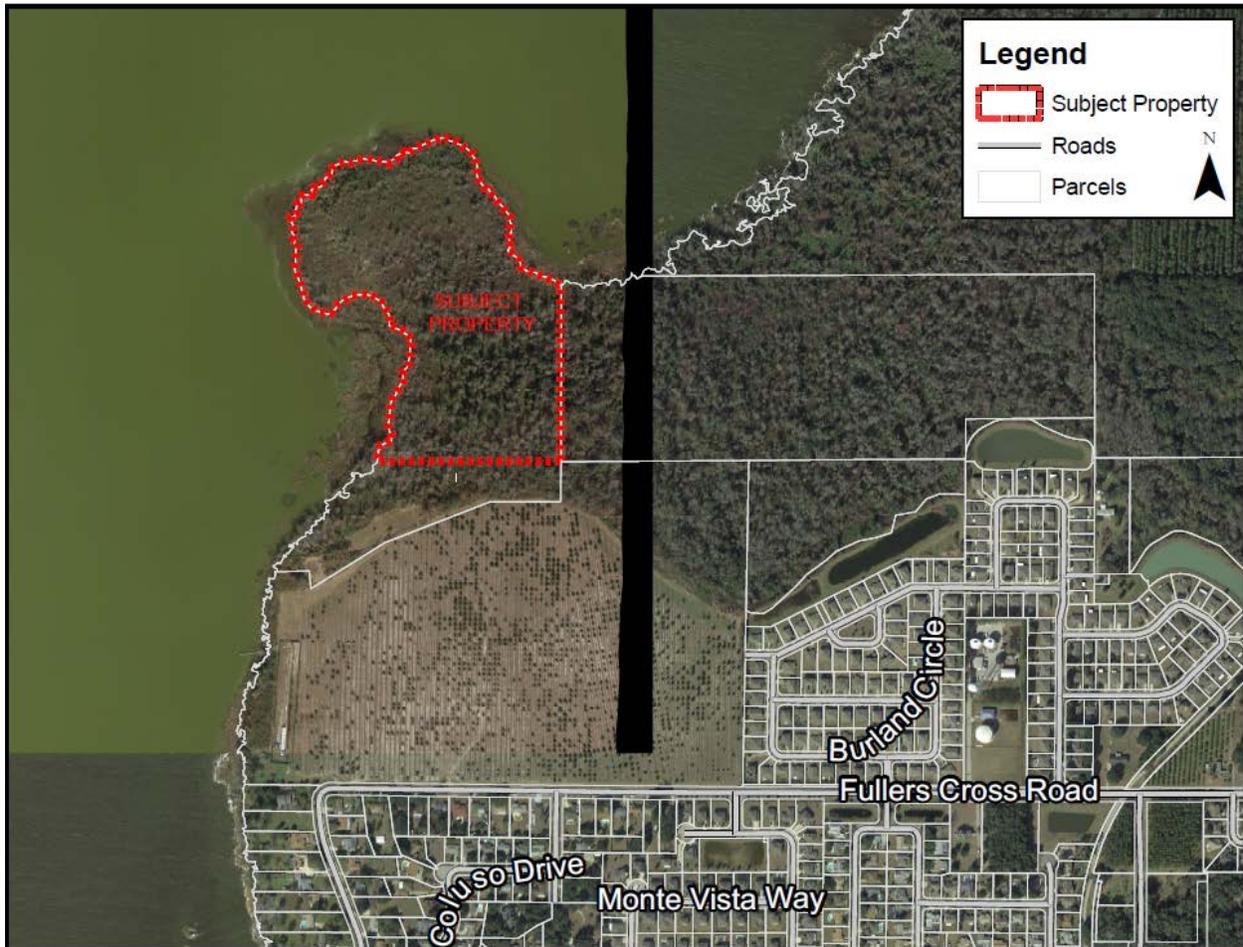
SUMMARY

Annexation will provide a more efficient delivery of services to the property and further the goals and objectives of the City of Winter Garden's Comprehensive Plan to eliminate enclaves. City Staff recommends approval of the proposed Ordinances.

MAPS

AERIAL PHOTO

East Fullers Cross Road (Highland Groves – North)

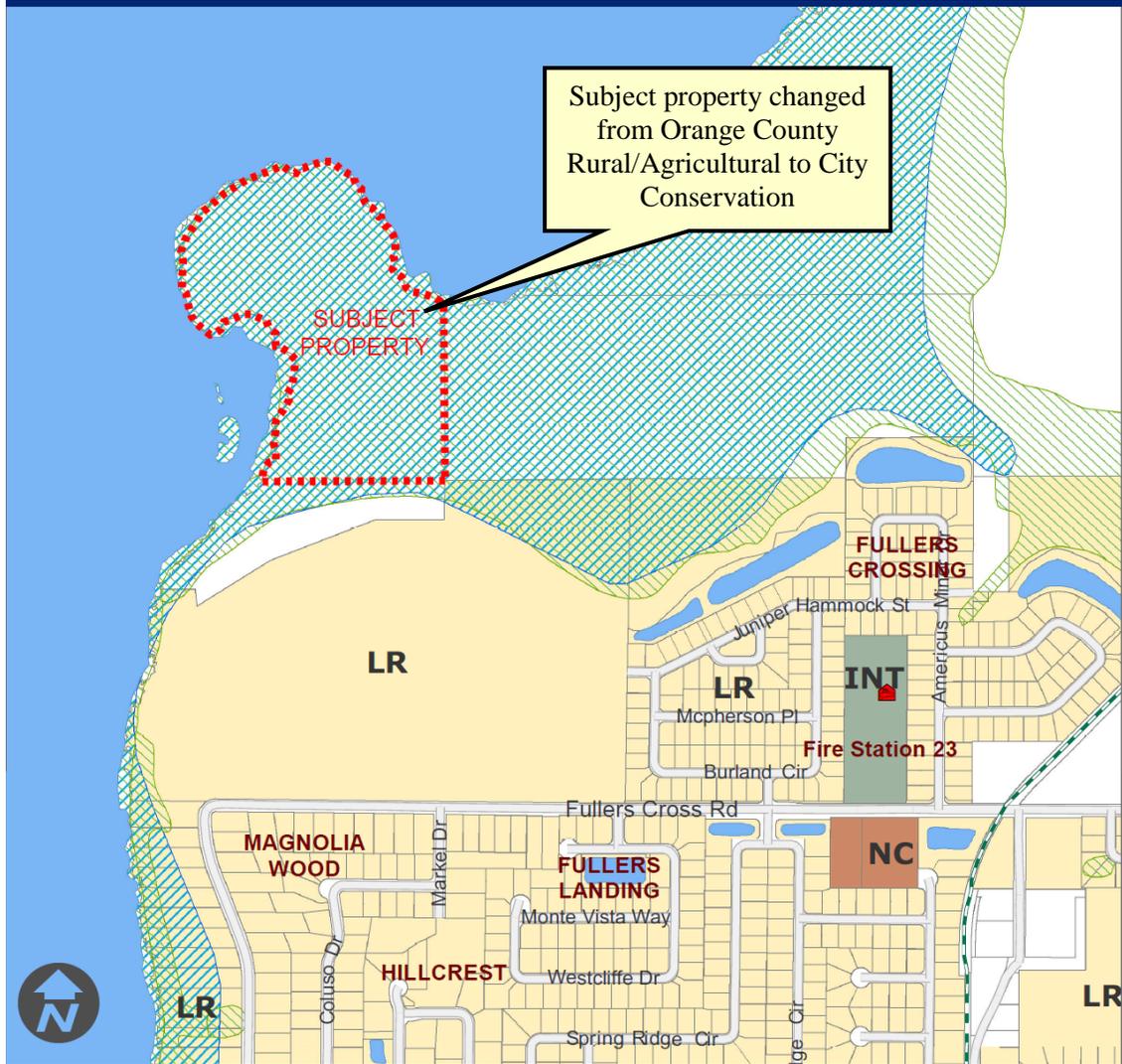


FUTURE LAND USE MAP
East Fullers Cross Road (Highland Groves - North)

 Subject Property	 MOI - Multi Office Industrial	 West Orange Trail
Future Land Use	 MR - Medium Density Residential	 Roads
 BC - South Beltway Center	 MUD - Multi Use Development	 County Line
 COM - Commercial	 NC - Residential Neighborhood Commercial	 Waterbodies
 CON - Conservation	 OC - See Orange County FLUM	 Wetlands
 DT - Downtown Transitional	 SUB - Suburban Residential	 Floodplains
 I - Industrial	 TD - Traditional Downtown	
 INT - Institutional	 VIL - Urban Village	
 LR - Low Density Residential		


City of Winter Garden
Future Land Use Map

Date source for data maintained by other agencies: The railroad layer was obtained from the Department of Transportation. The roads, county line, and FEMA floodplains layers were obtained from Orange County. The wetlands were obtained from SJRWMD.



END OF STAFF REPORT

THE CITY OF WINTER GARDEN
CITY COMMISSION AGENDA ITEM

From: Ed Williams, Community Development Director

Via: City Manager Mike Bollhoefer

Date: July 5, 2013 **Meeting Date:** July 11, 2013

Subject: 1288 NORTH WEST CROWN POINT ROAD
TINGIH HSU
ORDINANCE 13-35, ORDINANCE 13-36, AND ORDINANCE 13-37
PARCEL ID# 12-22-27-1840-24-010

Issue: The applicant is requesting Annexation, Future Land Use designation, and Zoning on property located at 1288 North West Crown Point Road.

Discussion:

The City encourages infill of its jurisdictional limits through voluntary annexation of enclaves. The subject property makes up a 1.0 ± acre enclave located on the west side of North West Crown Point Road, north of Macy Du Lane, south of East Fullers Cross Road, and west of Third Avenue. The applicant has requested Annexation into the City, Amendment to the Future Land Use Map of the City's Comprehensive Plan to designate the property as Low Density Residential, and R -1 Zoning (See attached Staff Report).

Recommended Action:

Staff recommends approval of Ordinance 13-35, Ordinance 13-36, and Ordinance 13-37 with the second reading scheduled for July 25, 2013.

Attachment(s)/References:

Location Map
Ordinance 13-35
Ordinance 13-36
Ordinance 13-37
Staff Report

Legend



NOT TO SCALE



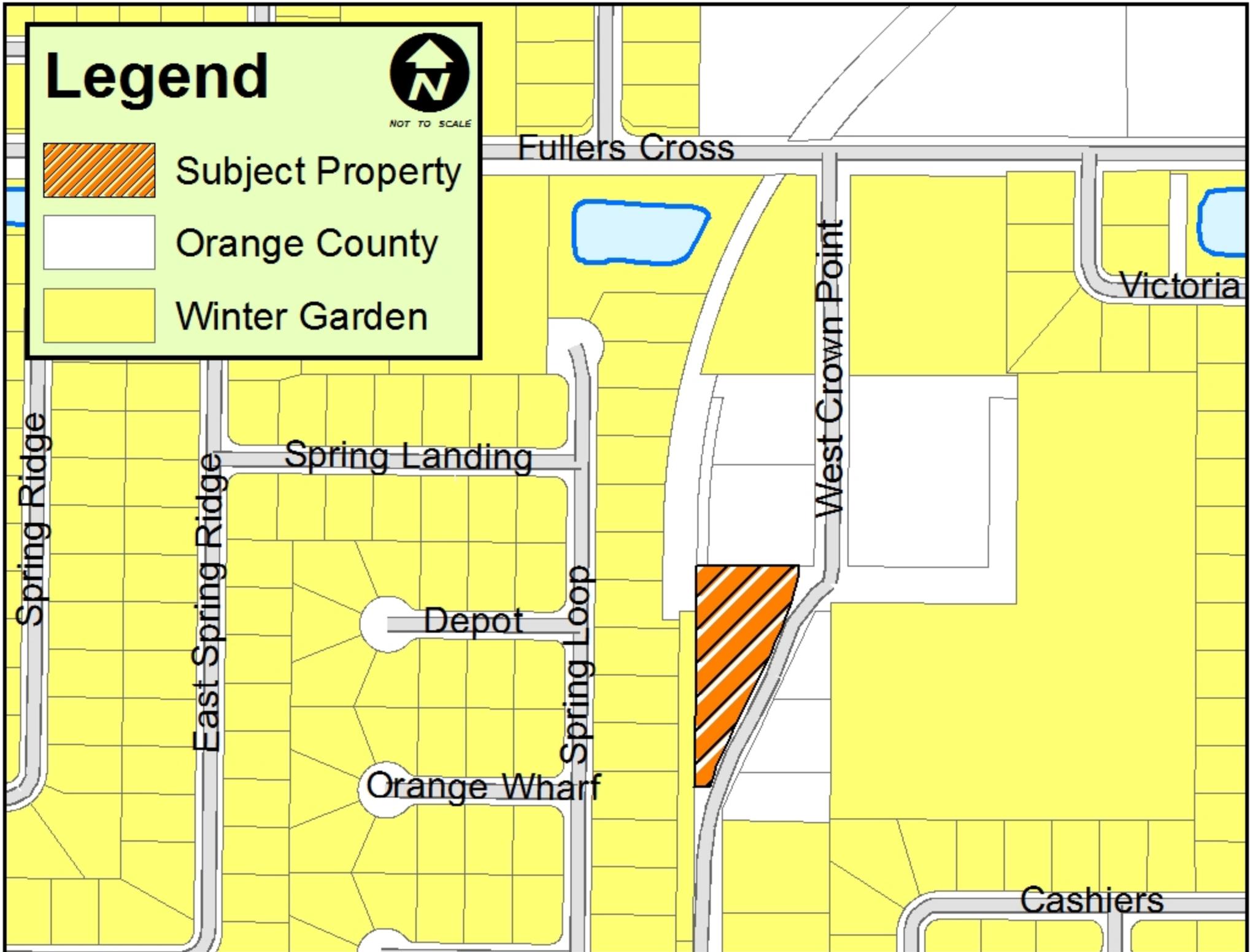
Subject Property



Orange County



Winter Garden



ORDINANCE 13-35

AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS APPROXIMATELY 1.0 ± ACRES LOCATED AT 1288 NORTH WEST CROWN POINT ROAD, ON THE WEST SIDE OF NORTH WEST CROWN POINT ROAD, NORTH OF MACY DU LANE, SOUTH OF EAST FULLERS CROSS ROAD, AND WEST OF THIRD AVENUE INTO THE CITY OF WINTER GARDEN FLORIDA; REDEFINING THE CITY BOUNDARIES TO GIVE THE CITY JURISDICTION OVER SAID PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owner of the land, generally described as approximately 1.0 ± acres located on the west side of North West Crown Point Road, north of Macy Du Lane, south of East Fullers Cross Road, and west of Third Avenue and legally described in Section 2 of this Ordinance, which land is reasonably compact and contiguous to the corporate limits of the City of Winter Garden, Florida (“City”), has, pursuant to the prerequisites and standards set forth in § 171.044, Fla. Stat., petitioned the City Commission for voluntary annexation;

WHEREAS, the petition for voluntary annexation referenced herein bears the signatures of all owners of the property or properties described in Section 2 of this Ordinance (*i.e.*, the property or properties to be annexed); and

WHEREAS, the City has determined that the property described in Section 2 of this Ordinance is located in an unincorporated area of the County and that annexation of such property will not result in the creation of an enclave.

BE IT ENACTED BY THE CITY OF WINTER GARDEN, FLORIDA:

SECTION 1: *Annexation.* That the City Commission through its Planning and Zoning Board has conducted an investigation to determine whether the described property meets the prerequisites and standards set forth in Chapter 171, Fla. Stat. and has held a public hearing and said petition and made certain findings.

SECTION 2: *Description of Area Annexed.* That, after said public hearing and having found such petition meets said prerequisites and standards, the property legally defined in ATTACHMENT “A” and graphically shown on the attached map shall be annexed into the City of Winter Garden, Florida.

SECTION 3: *Effect of Annexation.* That the City of Winter Garden, Florida, shall have all of the power, authority, and jurisdiction over and within the land as described in

Section 2 hereof, and the inhabitants thereof, and property therein, as it does and have over its present corporate limits and laws, ordinances, and resolutions of said City shall apply and shall have equal force and effect as if all territory had been part of said City at the time of the passage of such laws, ordinances, and resolutions.

SECTION 4: *Apportionment of Debts and Taxes.* Pursuant to § 171.061, Fla. Stat., the area annexed to the City shall be subject to all taxes and debts of the City upon the effective date of annexation. However, the annexed area shall not be subject to municipal ad valorem taxation for the current year if the effective date of the annexation falls after the City levies such tax.

SECTION 5: *Instructions to Clerk.* Within seven (7) days following the adoption of this Ordinance, the City Clerk or his/her designee is directed to file a copy of this ordinance, including ATTACHMENT "A" hereto, with the clerk of the circuit court and the chief administrative officer of Orange County as required by § 171.044(3), Fla. Stat.

SECTION 6: *Severability.* Should any portion of this Ordinance be held invalid, then such portions as are not declared invalid shall remain in full force and effect.

SECTION 7: *Effective Date.* This Ordinance shall become effective upon adoption at its second reading.

FIRST READING AND PUBLIC HEARING: _____, 2013.

SECOND READING AND PUBLIC HEARING: _____, 2013.

ADOPTED this _____ day of _____, 2013, by the City Commission of the City of Winter Garden, Florida.

APPROVED:

JOHN REES, Mayor/Commissioner

ATTEST:

KATHY GOLDEN, City Clerk

ATTACHMENT "A"

LEGAL DESCRIPTION

DESCRIPTION: (PARCEL ID#12-22-27-1840-24-010)

LEGAL DESCRIPTION: BEGIN AT THE SOUTHEAST CORNER OF LOT 5, BLOCK "13", TOWN OF CROWN POINT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK C, PAGE 33, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE S 25 08' 30" W, 260.68', THENCE S 89 49' 58" W, 5.19', THENCE S 00 37' 46" W, 11.30', S 25 08' 30" W, 161.47'; THENCE N 89 50' 20" W, BEGINNING. (LESS R/W TAKEN IN OR.BK.9805, PG. 4638)

THE ABOVE REFERENCED PROPERTY IS LOCATED IN ZONE 'X', AREA OF MINIMAL FLOODING, AS PER F.I.R.M., COMMUNITY PANEL NO. 12095C0205 F, ORANGE COUNTY, FLORIDA. MAP DATED SEPTEMBER 25, 2009.

ORDINANCE 13-36

AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA AMENDING THE FUTURE LAND USE MAP OF THE WINTER GARDEN COMPREHENSIVE PLAN BY CHANGING THE LAND USE DESIGNATION OF REAL PROPERTY GENERALLY DESCRIBED AS 1.0 ± ACRES LOCATED AT 1288 NORTH WEST CROWN POINT ROAD ON THE WEST SIDE OF NORTH WEST CROWN POINT ROAD, NORTH OF MACY DU LANE, SOUTH OF EAST FULLERS CROSS ROAD, AND WEST OF THIRD AVENUE FROM ORANGE COUNTY LOW DENSITY RESIDENTIAL TO CITY LOW DENSITY RESIDENTIAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on the 13th of June, 1991, the City Commission of the City of Winter Garden adopted Ordinance 91-16 which adopted a new Comprehensive Plan for the City of Winter Garden, and on the 24th of June, 2010, the City Commission of the City of Winter Garden adopted Ordinance 10-19 readopting and amending the Comprehensive Plan for the City of Winter Garden;

WHEREAS, the owner of that certain real property generally described as 1.0 ± acres located on the west side of North West Crown Point Road, north of Macy Du Lane, south of East Fullers Cross Road, and west of Third Avenue, and legally described in ATTACHMENT "A" (the "Property") has petitioned the City to amend the Winter Garden Comprehensive Plan to change the Future Land Use classification from Orange County Low Density Residential to City Low Density Residential; and

WHEREAS, the City of Winter Garden's Local Planning Agency and City Commission have conducted the prerequisite advertised public hearings pursuant to Chapter 163, Florida Statutes, regarding the adoption of this ordinance; now, therefore,

BE IT ENACTED BY THE CITY OF WINTER GARDEN, FLORIDA:

SECTION I. *FLUM Amendment.* The City of Winter Garden hereby amends the Future Land Use Map of the City of Winter Garden Comprehensive Plan by designating the aforesaid Property to City Low Density Residential as set forth in ATTACHMENT "B".

SECTION II. *Effective Date.* Provided that the Property described herein is annexed into the City of Winter Garden pursuant to Ordinance 13-35 this Ordinance shall become effective 31 days after adoption, unless the Ordinance is timely challenged pursuant to § 163.3187(5), Fla. Stat., in which case, the Ordinance shall not be effective until the state land planning agency or the Administrative Commission, respectively, issues a final order

determining that the adopted Ordinance is in compliance.

SECTION III. Severability. Should any portion of this Ordinance be held invalid, then such portions as are not declared invalid shall remain in full force and effect.

FIRST READING AND PUBLIC HEARING: _____, 2013.

SECOND READING AND PUBLIC HEARING: _____, 2013.

ADOPTED this _____ day of _____, 2013, by the City Commission of the City of Winter Garden, Florida.

APPROVED:

JOHN REES, Mayor/Commissioner

ATTEST:

KATHY GOLDEN, City Clerk

ATTACHMENT "A"

LEGAL DESCRIPTION

DESCRIPTION: (PARCEL ID#12-22-27-1840-24-010)

LEGAL DESCRIPTION: BEGIN AT THE SOUTHEAST CORNER OF LOT 5, BLOCK "13", TOWN OF CROWN POINT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK C, PAGE 33, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE S 25 08' 30" W, 260.68', THENCE S 89 49' 58" W, 5.19', THENCE S 00 37' 46" W, 11.30', S 25 08' 30" W, 161.47'; THENCE N 89 50' 20" W, BEGINNING. (LESS R/W TAKEN IN OR.BK.9805, PG. 4638)

THE ABOVE REFERENCED PROPERTY IS LOCATED IN ZONE 'X', AREA OF MINIMAL FLOODING, AS PER F.I.R.M., COMMUNITY PANEL NO. 12095C0205 F, ORANGE COUNTY, FLORIDA. MAP DATED SEPTEMBER 25, 2009.

ATTACHMENT "B"

FUTURE LAND USE MAP

PARCEL ID#12-22-27-1840-24-010



ORDINANCE 13-37

AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA REZONING APPROXIMATELY 1.0 ± ACRES LOCATED AT 1288 NORTH WEST CROWN ON THE WEST SIDE OF NORTH WEST CROWN POINT ROAD, NORTH OF MACY DU LANE, SOUTH OF EAST FULLERS CROSS ROAD, AND WEST OF THIRD AVENUE FROM ORANGE COUNTY A-1 CITRUS/AGRICULTURAL DISTRICT TO CITY R-1 RESIDENTIAL DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owner of that certain real property generally described as 1.0 ± acres of land located on the west side of North West Crown Point Road, north of Macy Du Lane, south of East Fullers Cross Road, and west of Third Avenue, and legally described in Section 1 of this ordinance has petitioned the City to rezone said property from Orange County A-1 Citrus Agricultural to the City’s R-1 Residential District zoning classification, therefore; and

WHEREAS, after public notice and due c onsideration of public comment, the City Commission of the City of Winter Garden hereby finds and declares the rezoning approved by this Ordinance is consistent with the City of Winter Garden Comprehensive Plan; and

WHEREAS, further, the City Commission finds that based on competent, substantial evidence in the record, the rezoning approved by this Ordinance meets all applicable criteria for rezoning the Property to R-1 Residential District contained within the City of Winter Garden Comprehensive Plan and the Code of Ordinances.

BE IT ENACTED BY THE CITY OF WINTER GARDEN, FLORIDA:

SECTION 1: Rezoning. The above “Whereas” clauses constitute findings by the City Commission. After due notice and public hearing, the zoning classification of real property legally described on ATTACHMENT “A,” is hereby rezoned from Orange County A-1 Citrus Agricultural District to City R-1 Residential District in the City of Winter Garden, Florida.

SECTION 2: Zoning Map. The City Planner is hereby authorized and directed to amend the Official Winter Garden Zoning Map in accordance with the provisions of this ordinance.

SECTION 3: Non-Severability. Should any portion of this Ordinance be hel d invalid, then the entire Ordinance shall be null and void.

SECTION 4: Effective Date. This Ordinance shall become effective simultaneously upon the effective date of Ordinance 13-36 which is an amendment to the Future Land Use Map of the City of Winter Garden Comprehensive Plan that allows the property described herein to be zoned as provided in this Ordinance.

FIRST READING AND PUBLIC HEARING: _____ , 2013.

SECOND READING AND PUBLIC HEARING: _____ , 2013.

ADOPTED this _____ day of _____, 2013, by the City Commission of the City of Winter Garden, Florida.

APPROVED:

JOHN REES, Mayor/Commissioner

ATTEST:

KATHY GOLDEN, City Clerk

ATTACHMENT "A"

LEGAL DESCRIPTION

DESCRIPTION: (PARCEL ID#12-22-27-1840-24-010)

LEGAL DESCRIPTION: BEGIN AT THE SOUTHEAST CORNER OF LOT 5, BLOCK "13", TOWN OF CROWN POINT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK C, PAGE 33, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE S 25 08' 30" W, 260.68', THENCE S 89 49' 58" W, 5.19', THENCE S 00 37' 46" W, 11.30', S 25 08' 30" W, 161.47'; THENCE N 89 50' 20" W, BEGINNING. (LESS R/W TAKEN IN OR.BK.9805, PG. 4638)

THE ABOVE REFERENCED PROPERTY IS LOCATED IN ZONE 'X', AREA OF MINIMAL FLOODING, AS PER F.I.R.M., COMMUNITY PANEL NO. 12095C0205 F, ORANGE COUNTY, FLORIDA. MAP DATED SEPTEMBER 25, 2009.

CITY OF WINTER GARDEN

PLANNING & ZONING DIVISION

300 West Plant Street - Winter Garden, Florida 34787-3011 • (407) 656-4111

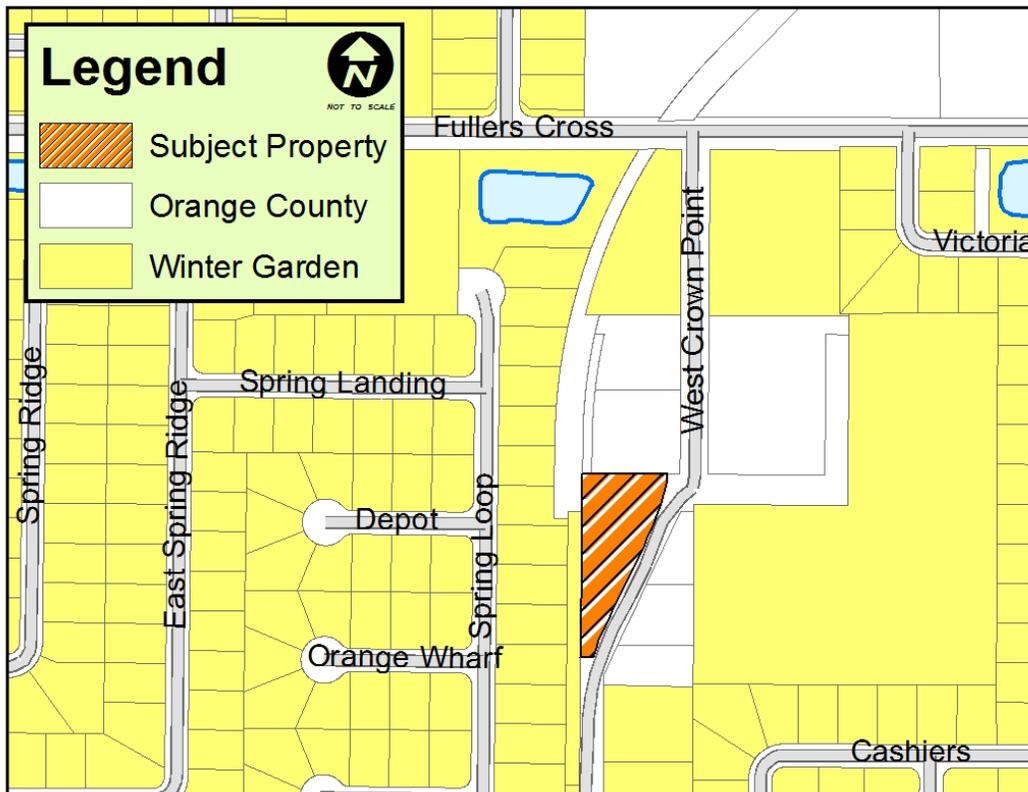
STAFF REPORT

TO: PLANNING AND ZONING BOARD
PREPARED BY: STEVE PASH, SENIOR PLANNER
DATE: JUNE 25, 2013
SUBJECT: ANNEXATION – ZONING – FLU AMENDMENT
1288 NORTH WEST CROWN POINT ROAD (1.0 +/- ACRES)
PARCEL ID #: 12-22-27-1840-24-010
APPLICANT: TINGIH HSU

INTRODUCTION

The purpose of this report is to evaluate the proposed project for compliance with the City of Winter Garden Code of Ordinances and Comprehensive Plan.

The subject property is located at 1288 North West Crown Point Road and is approximately 1.0 ± acres. The map below depicts the proximity of the subject property to the City's jurisdictional limits:



The property is located on the west side of North West Crown Point Road, north of Macy Du Lane, and south of East Fullers Cross Road and is located within the Joint Planning Area with the City of Winter Garden and Orange County.

The applicant has requested annexation into the City, amendment to the Future Land Use Map (FLUM) of the City's Comprehensive Plan to designate the property as Low Density Residential and an initial zoning of R-1.

In accordance with the City's Comprehensive Plan, permitted uses within the Low Density Residential land use include residential, and churches and schools are allowable uses via a Special Exception Permit. The zoning classifications that are consistent with the Low Density Residential classification are PUD, R-1A, R-1, R-2, R-1B, and INT.

The City endorses infill of its jurisdictional limits through voluntary annexation of enclaves. The elimination of enclaves through voluntary annexation furthers the goals, objectives, and policies of the City's Comprehensive Plan.

EXISTING USE

The subject property is currently developed with seven (7) single-family homes, two were built in 1930 and the other four in 1946.

ADJACENT LAND USE AND ZONING

The property located to the north is a single-family home, zoned A-1 and located in Orange County. The property located to the east is a single-family home, zoned A-1 and located in Orange County. The property to the south is a single-family home, zoned R-1 and located in the City. The properties to the west are developed with single-family houses, zoned R-1 and located in the City. R-1 is the predominant zoning in the City of Winter Garden.

PROPOSED USE

The applicant intends to annex the property, make numerous improvements to the houses, connect them to city water and sewer, and continue renting the homes.

PUBLIC FACILITY ANALYSIS

The City will provide garbage collection, police protection, and all other services regularly provided to City of Winter Garden residents including building permits. The property will be served by both Orange County Fire and Rescue and the City of Winter Garden Fire Department under the First Response System.

SUMMARY

Annexation will provide a more efficient delivery of services to the property and further the goals and objectives of the City of Winter Garden’s Comprehensive Plan to eliminate enclaves. City Staff recommends approval of the proposed Ordinances.

MAPS

AERIAL PHOTO

1288 North West Crown Point Road



FUTURE LAND USE MAP
1288 North West Crown Point Road



END OF STAFF REPORT

Legend



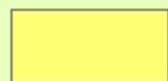
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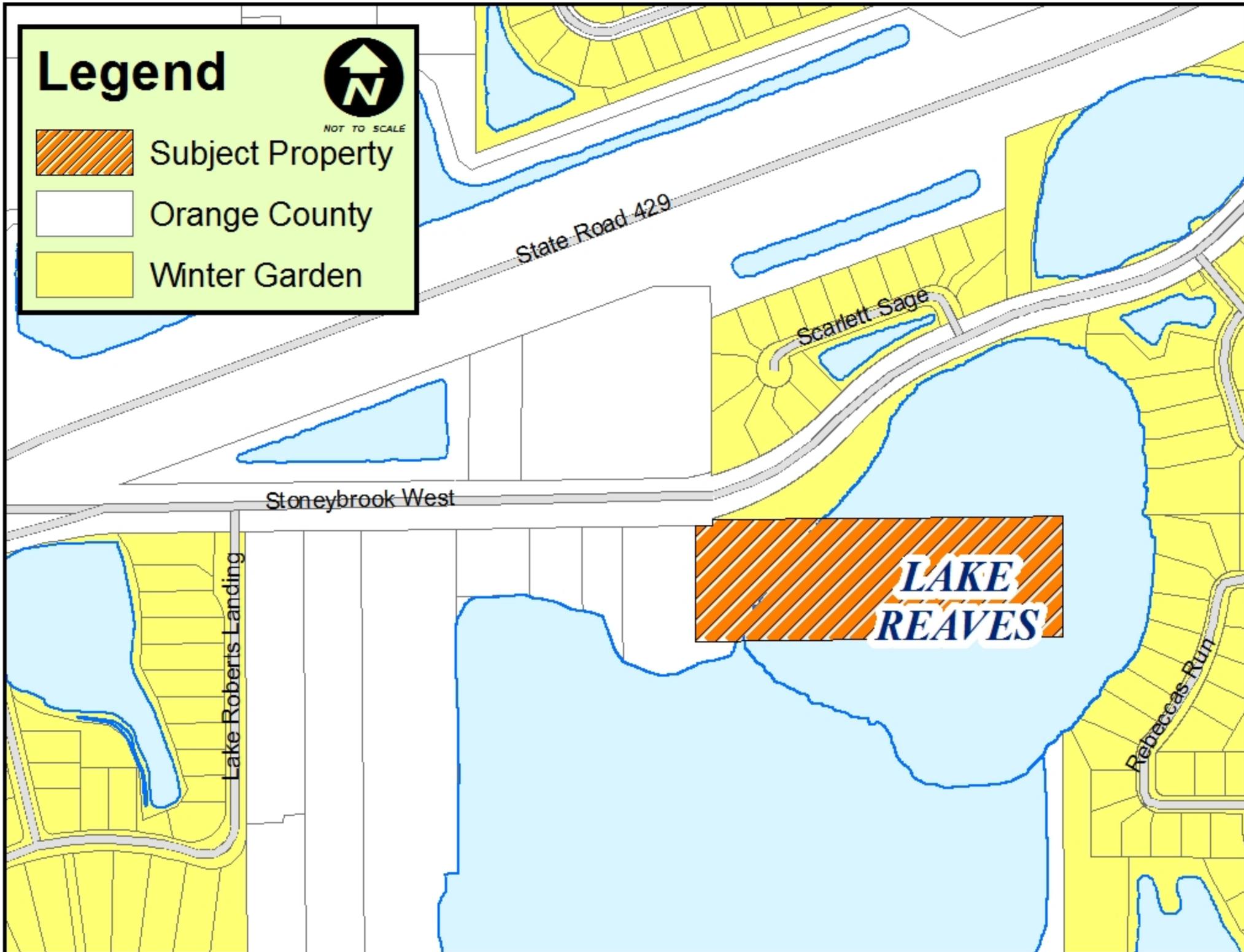
Subject Property



Orange County



Winter Garden



State Road 429

Scarlett Sage

Stoneybrook West

Lake Roberts Landing

Rebeccas Run

**LAKE
REAVES**

ORDINANCE 13-38

AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS APPROXIMATELY 8.24 ± ACRES LOCATED AT 12552 STONEYBROOK WEST PARKWAY, ON THE SOUTH SIDE OF STONEYBROOK PARKWAY, EAST OF LAKE ROBERTS LANDING DRIVE, AND WEST OF SCARLETT SAGE COURT INTO THE CITY OF WINTER GARDEN FLORIDA; REDEFINING THE CITY BOUNDARIES TO GIVE THE CITY JURISDICTION OVER SAID PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owner of the land, generally described as approximately 8.24 ± acres located at 12552 Stoneybrook West Parkway, east of Lake Roberts Landing Drive, and west of Scarlett Sage Court and legally described in Section 2 of this Ordinance, which land is reasonably compact and contiguous to the corporate limits of the City of Winter Garden, Florida (“City”), has, pursuant to the prerequisites and standards set forth in § 171.044, Fla. Stat., petitioned the City Commission for voluntary annexation;

WHEREAS, the petition for voluntary annexation referenced herein bears the signatures of all owners of the property or properties described in Section 2 of this Ordinance (*i.e.*, the property or properties to be annexed); and

WHEREAS, the City has determined that the property described in Section 2 of this Ordinance is located in an unincorporated area of the County and that annexation of such property will not result in the creation of an enclave.

BE IT ENACTED BY THE CITY OF WINTER GARDEN, FLORIDA:

SECTION 1: *Annexation.* That the City Commission through its Planning and Zoning Board has conducted an investigation to determine whether the described property meets the prerequisites and standards set forth in Chapter 171, Fla. Stat. and has held a public hearing and said petition and made certain findings.

SECTION 2: *Description of Area Annexed.* That, after said public hearing and having found such petition meets said prerequisites and standards, the property legally defined in ATTACHMENT “A” and graphically shown on the attached map shall be annexed into the City of Winter Garden, Florida.

SECTION 3: *Effect of Annexation.* That the City of Winter Garden, Florida, shall have all of the power, authority, and jurisdiction over and within the land as described in Section 2 hereof, and the inhabitants thereof, and property therein, as it does and have over its present corporate limits and laws, ordinances, and resolutions of said City shall

apply and shall have equal force and effect as if all territory had been part of said City at the time of the passage of such laws, ordinances, and resolutions.

SECTION 4: *Apportionment of Debts and Taxes.* Pursuant to § 171.061, Fla. Stat., the area annexed to the City shall be subject to all taxes and debts of the City upon the effective date of annexation. However, the annexed area shall not be subject to municipal ad valorem taxation for the current year if the effective date of the annexation falls after the City levies such tax.

SECTION 5: *Instructions to Clerk.* Within seven (7) days following the adoption of this Ordinance, the City Clerk or his/her designee is directed to file a copy of this ordinance, including ATTACHMENT "A" hereto, with the clerk of the circuit court and the chief administrative officer of Orange County as required by § 171.044(3), Fla. Stat.

SECTION 6: *Severability.* Should any portion of this Ordinance be held invalid, then such portions as are not declared invalid shall remain in full force and effect.

SECTION 7: *Effective Date.* This Ordinance shall become effective upon adoption at its second reading.

FIRST READING AND PUBLIC HEARING: _____, 2013.

SECOND READING AND PUBLIC HEARING: _____, 2013.

ADOPTED this _____ day of _____, 2013, by the City Commission of the City of Winter Garden, Florida.

APPROVED:

JOHN REES, Mayor/Commissioner

ATTEST:

KATHY GOLDEN, City Clerk

ATTACHMENT "A"

LEGAL DESCRIPTION

DESCRIPTION: (PARCEL ID#36-22-27-0000-00-032)

THAT PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 (LESS THE WEST 1278 FT THEREOF) AND THAT PART OF THE WEST 3/4 OF SOUTHWEST 1/4 OF SOUTHEAST 1/4 SEC 36-22-27 ALL LYING NORTHERLY AND EASTERLY OF THE FOLLOWING DESC LANDS: BEGIN AT SOUTHEAST CORNER OF SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION, THENCE RUN S88-42-04W 256.59 FT, THENCE N00-37-05W 1332.48 FT, THENCE N88-58-00E 208.7 FT, THENCE S00-37-05E 346 FT, THENCE N88-57-41E 49.48 FT, THENCE S00-31-27E 985.31 FT TO POINT OF BEGINNING & THE SOUTH 985.27 FT OF WEST 3/4 OF SOUTHWEST 1/4 OF SOUTHEAST 1/4 OF SEC 36-22-27 (REF DB 633/412 & ORB 4013/2199).

ORDINANCE 13-39

AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA AMENDING THE FUTURE LAND USE MAP OF THE WINTER GARDEN COMPREHENSIVE PLAN BY CHANGING THE LAND USE DESIGNATION OF REAL PROPERTY GENERALLY DESCRIBED AS 8.24 ± ACRES LOCATED AT 12552 STONEYBROOK WEST PARKWAY, ON THE SOUTH SIDE OF STONEYBROOK PARKWAY, EAST OF LAKE ROBERTS LANDING DRIVE, AND WEST OF SCARLETT SAGE COURT FROM ORANGE COUNTY RURAL/AGRICULTURAL TO CITY LOW DENSITY RESIDENTIAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on the 13th of June, 1991, the City Commission of the City of Winter Garden adopted Ordinance 91-16 which adopted a new Comprehensive Plan for the City of Winter Garden, and on the 24th of June, 2010, the City Commission of the City of Winter Garden adopted Ordinance 10-19 readopting and amending the Comprehensive Plan for the City of Winter Garden;

WHEREAS, the owner of that certain real property generally described as 8.24 ± acres located AT 12552 Stoneybrook West Parkway, on the south side of Stoneybrook West Parkway, east of Lake Roberts Landing Drive and west of Scarlett Sage Court, and legally described in ATTACHMENT "A" (the "Property") has petitioned the City to amend the Winter Garden Comprehensive Plan to change the Future Land Use classification from Orange County Rural/Agricultural to City Low Density Residential; and

WHEREAS, the City of Winter Garden's Local Planning Agency and City Commission have conducted the prerequisite advertised public hearings pursuant to Chapter 163, Florida Statutes, regarding the adoption of this ordinance; now, therefore,

BE IT ENACTED BY THE CITY OF WINTER GARDEN, FLORIDA:

SECTION I. *FLUM Amendment.* The City of Winter Garden hereby amends the Future Land Use Map of the City of Winter Garden Comprehensive Plan by designating the aforesaid Property to City Conservation as set forth in ATTACHMENT "B".

SECTION II. *Effective Date.* Provided that the Property described herein is annexed into the City of Winter Garden pursuant to Ordinance 13-38, this Ordinance shall become effective 31 days after adoption, unless the Ordinance is timely challenged pursuant to § 163.3187(5), Fla. Stat., in which case, the Ordinance shall not be effective until the state

land planning agency or the Administrative Commission, respectively, issues a final order determining that the adopted Ordinance is in compliance.

SECTION III. *Severability.* Should any portion of this Ordinance be held invalid, then such portions as are not declared invalid shall remain in full force and effect.

FIRST READING AND PUBLIC HEARING: _____, 2013.

SECOND READING AND PUBLIC HEARING: _____, 2013.

ADOPTED this _____ day of _____, 2013, by the City Commission of the City of Winter Garden, Florida.

APPROVED:

JOHN REES, Mayor/Commissioner

ATTEST:

KATHY GOLDEN, City Clerk

ATTACHMENT "A"

LEGAL DESCRIPTION

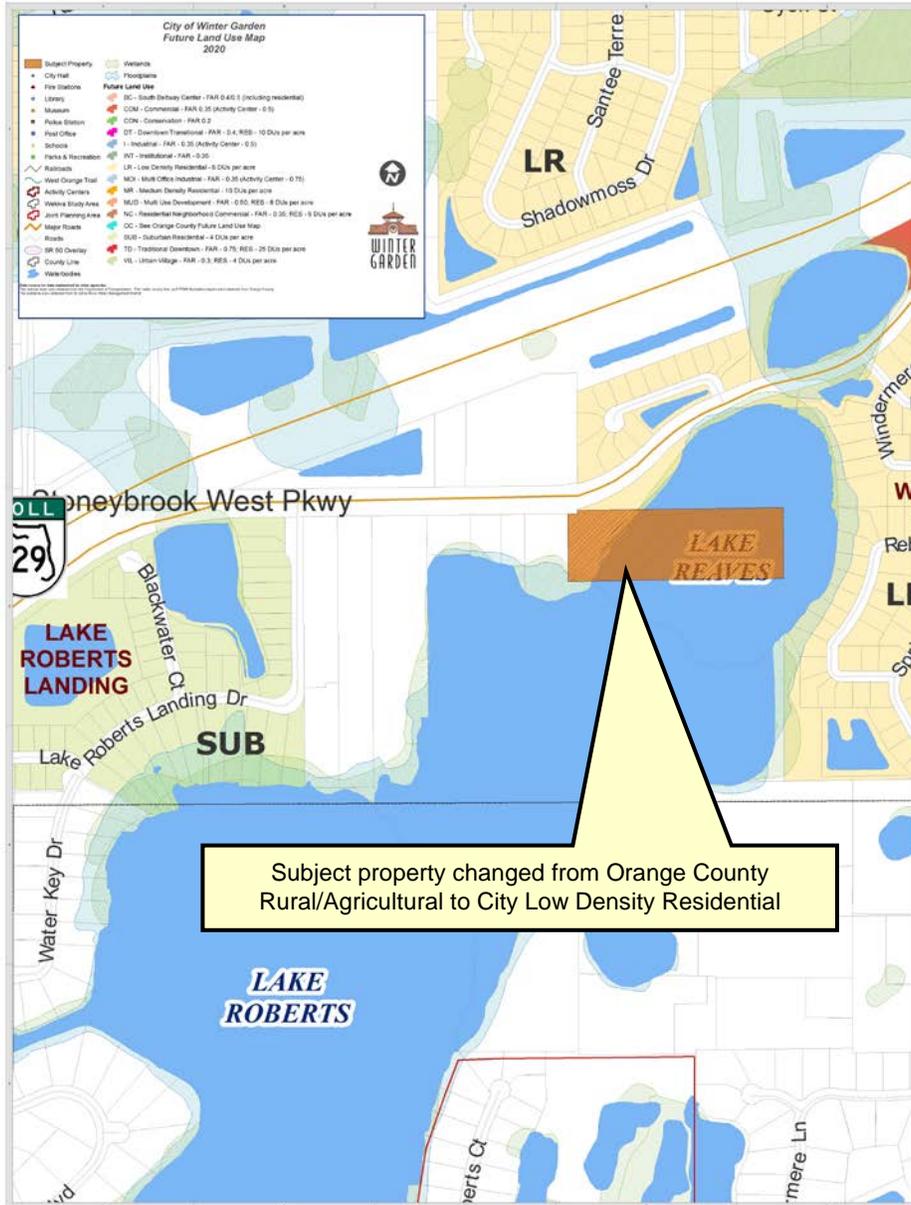
DESCRIPTION: (PARCEL ID#36-22-27-0000-00-032)

THAT PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 (LESS THE WEST 1278 FT THEREOF) AND THAT PART OF THE WEST 3/4 OF SOUTHWEST 1/4 OF SOUTHEAST 1/4 SEC 36-22-27 ALL LYING NORTHERLY AND EASTERLY OF THE FOLLOWING DESC LANDS: BEGIN AT SOUTHEAST CORNER OF SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION, THENCE RUN S88-42-04W 256.59 FT, THENCE N00-37-05W 1332.48 FT, THENCE N88-58-00E 208.7 FT, THENCE S00-37-05E 346 FT, THENCE N88-57-41E 49.48 FT, THENCE S00-31-27E 985.31 FT TO POINT OF BEGINNING & THE SOUTH 985.27 FT OF WEST 3/4 OF SOUTHWEST 1/4 OF SOUTHEAST 1/4 OF SEC 36-22-27 (REF DB 633/412 & ORB 4013/2199).

ATTACHMENT "B"

FUTURE LAND USE MAP

PARCEL ID#36-22-27-0000-00-032



ORDINANCE 13-40

AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA REZONING APPROXIMATELY 8.24 ± ACRES LOCATED AT 12552 STONEYBROOK WEST PARKWAY, ON THE SOUTH SIDE OF STONEYBROOK PARKWAY, EAST OF LAKE ROBERTS LANDING DRIVE, AND WEST OF SCARLETT SAGE COURT FROM ORANGE COUNTY A-1 CITRUS/AGRICULTURAL DISTRICT TO CITY R-1 RESIDENTIAL DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owner of that certain real property generally described as 8.24 ± acres located AT 12552 Stoneybrook West Parkway, on the south side of Stoneybrook West Parkway, east of Lake Roberts Landing Drive and west of Scarlett Sage Court, and legally described in Section 1 of this ordinance has petitioned the City to rezone said property from Orange County A-1 Citrus Agricultural to the City’s R-1 Residential District zoning classification, therefore; and

WHEREAS, after public notice and due consideration of public comment, the City Commission of the City of Winter Garden hereby finds and declares the rezoning approved by this Ordinance is consistent with the City of Winter Garden Comprehensive Plan; and

WHEREAS, further, the City Commission finds that based on competent, substantial evidence in the record, the rezoning approved by this Ordinance meets all applicable criteria for rezoning the Property to R-1 Residential District contained within the City of Winter Garden Comprehensive Plan and the Code of Ordinances.

BE IT ENACTED BY THE CITY OF WINTER GARDEN, FLORIDA:

SECTION 1: Rezoning. The above “Whereas” clauses constitute findings by the City Commission. After due notice and public hearing, the zoning classification of real property legally described on ATTACHMENT “A,” is hereby rezoned from Orange County A-1 Citrus Agricultural District to City R-1 Residential District in the City of Winter Garden, Florida.

SECTION 2: Zoning Map. The City Planner is hereby authorized and directed to amend the Official Winter Garden Zoning Map in accordance with the provisions of this ordinance.

SECTION 3: Non-Severability. Should any portion of this Ordinance be held invalid, then the entire Ordinance shall be null and void.

SECTION 4: Effective Date. This Ordinance shall become effective simultaneously upon the effective date of Ordinance 13-39 which is an amendment to the Future Land Use Map of the City of Winter Garden Comprehensive Plan that allows the property described herein to be zoned as provided in this Ordinance.

FIRST READING AND PUBLIC HEARING: _____, 2013.

SECOND READING AND PUBLIC HEARING: _____, 2013.

ADOPTED this _____ day of _____, 2013, by the City Commission of the City of Winter Garden, Florida.

APPROVED:

JOHN REES, Mayor/Commissioner

ATTEST:

KATHY GOLDEN, City Clerk

ATTACHMENT "A"

LEGAL DESCRIPTION

DESCRIPTION: (PARCEL ID#36-22-27-0000-00-032)

THAT PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 (LESS THE WEST 1278 FT THEREOF) AND THAT PART OF THE WEST 3/4 OF SOUTHWEST 1/4 OF SOUTHEAST 1/4 SEC 36-22-27 ALL LYING NORTHERLY AND EASTERLY OF THE FOLLOWING DESC LANDS: BEGIN AT SOUTHEAST CORNER OF SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION, THENCE RUN S88-42-04W 256.59 FT, THENCE N00-37-05W 1332.48 FT, THENCE N88-58-00E 208.7 FT, THENCE S00-37-05E 346 FT, THENCE N88-57-41E 49.48 FT, THENCE S00-31-27E 985.31 FT TO POINT OF BEGINNING & THE SOUTH 985.27 FT OF WEST 3/4 OF SOUTHWEST 1/4 OF SOUTHEAST 1/4 OF SEC 36-22-27 (REF DB 633/412 & ORB 4013/2199).

CITY OF WINTER GARDEN

PLANNING & ZONING DIVISION

300 West Plant Street - Winter Garden, Florida 34787-3011 • (407) 656-4111

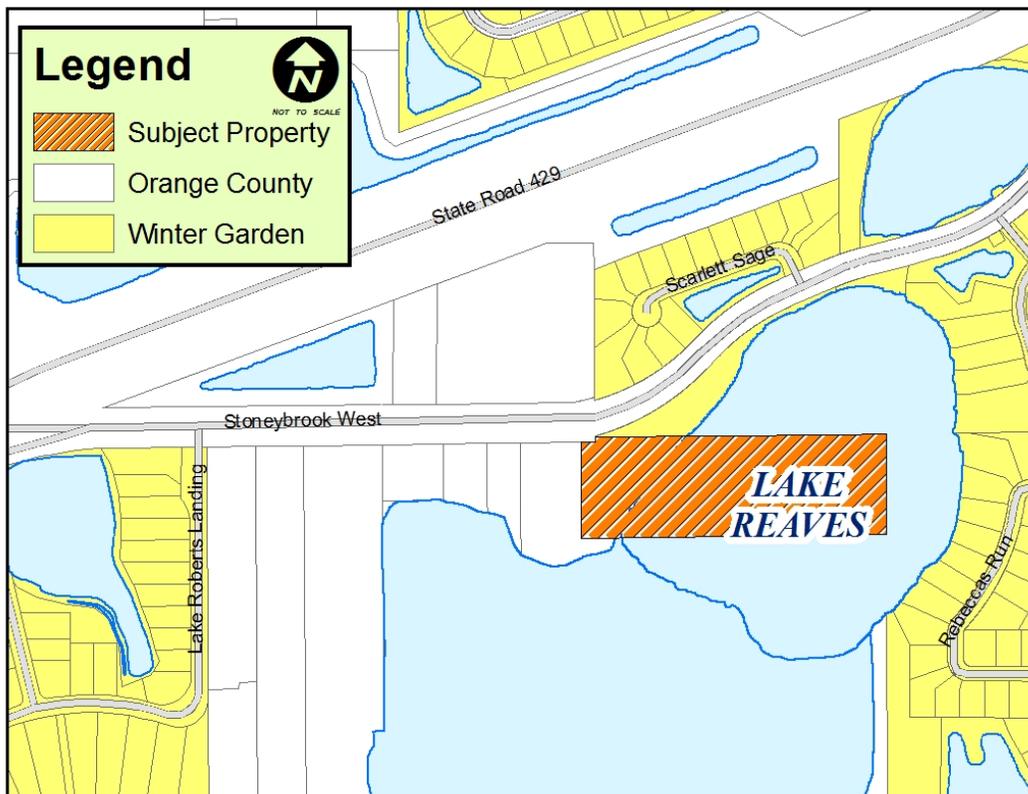
STAFF REPORT

TO: PLANNING AND ZONING BOARD
PREPARED BY: STEVE PASH, SENIOR PLANNER
DATE: JUNE 27, 2013
SUBJECT: ANNEXATION – ZONING – FLU AMENDMENT
12552 STONEYBROOK PARKWAY (8.24 +/- ACRES)
PARCEL ID #: 36-22-27-0000-00-032
APPLICANT: JASMATTIE LALL

INTRODUCTION

The purpose of this report is to evaluate the proposed project for compliance with the City of Winter Garden Code of Ordinances and Comprehensive Plan.

The subject property is located at 12552 Stoneybrook West Parkway and is approximately 8.24 ± acres. The map below depicts the proximity of the subject property to the City's jurisdictional limits:



The applicant has requested annexation into the City, amendment to the Future Land Use Map (FLUM) of the City's Comprehensive Plan to designate the property as Low Density Residential and an initial zoning of R-1.

In accordance with the City's Comprehensive Plan, permitted uses within the Low Density Residential land use include residential, and churches and schools are allowable uses via a Special Exception Permit. The zoning classifications that are consistent with the Low Density Residential classification are PUD, R-1A, R-1, R-2, R-1B, and INT.

The City endorses infill of its jurisdictional limits through voluntary annexation of enclaves. The elimination of enclaves through voluntary annexation furthers the goals, objectives, and policies of the City's Comprehensive Plan.

EXISTING USE

The subject property is currently developed with a single-family home and an out building.

ADJACENT LAND USE AND ZONING

The property located to the north is a single-family home, zoned R-1 and located in the City. The property located to the east is a single-family home, zoned R-1 and located in the City. The property to the south is wetlands that are owned by the property to the west, zoned A-1 and located in Orange County. The property to the west is developed with a single-family house, zoned A-1 and located in Orange County.

PROPOSED USE

The applicant intends to annex the property, connect to City sewer and water, and continue using it as their primary residence.

PUBLIC FACILITY ANALYSIS

The City will provide garbage collection, police protection, and all other services regularly provided to City of Winter Garden residents including building permits. The property will be served by both Orange County Fire and Rescue and the City of Winter Garden Fire Department under the First Response System.

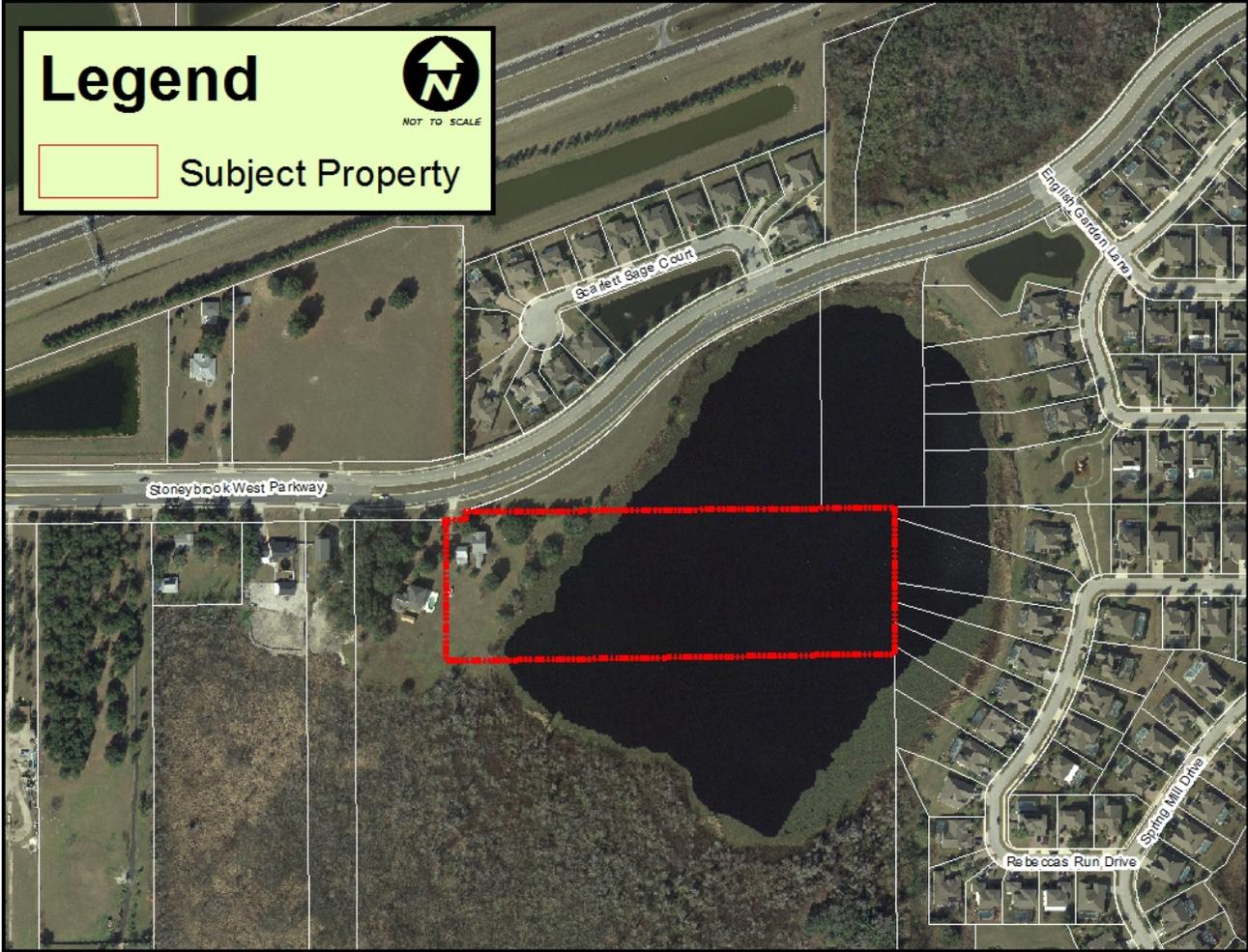
SUMMARY

Annexation will provide a more efficient delivery of services to the property and further the goals and objectives of the City of Winter Garden's Comprehensive Plan to eliminate enclaves. City Staff recommends approval of the proposed Ordinances.

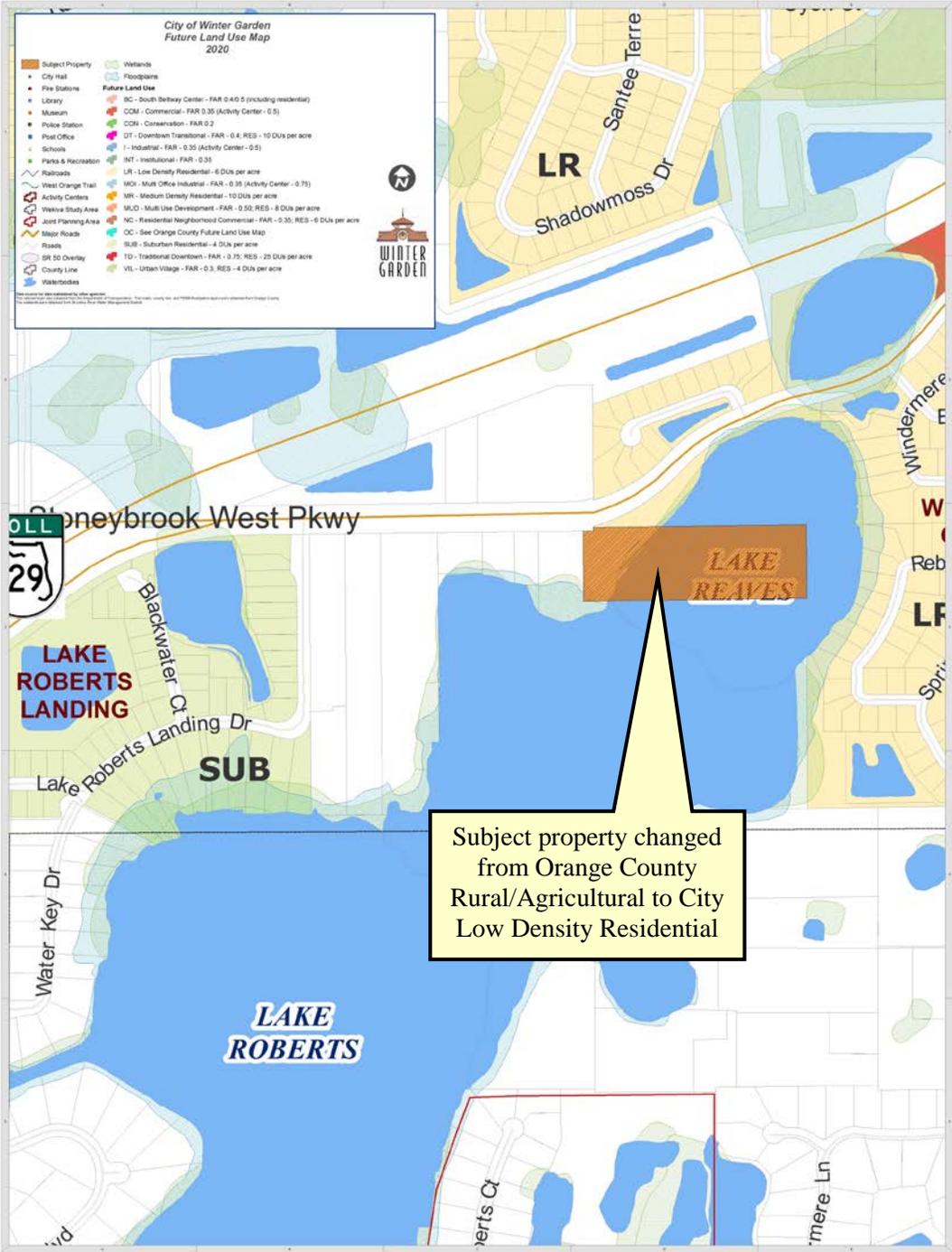
MAPS

AERIAL PHOTO

12552 Stoneybrook West Parkway



FUTURE LAND USE MAP
12552 Stoneybrook West Parkway



END OF STAFF REPORT

THE CITY OF WINTER GARDEN
CITY COMMISSION AGENDA ITEM

From: Ed Williams, Community Development Director

Via: City Manager Mike Bollhoefer

Date: July 5, 2013

Meeting Date: July 11, 2013

Subject: 16303 Marsh Road (REZONING – UVPUD)
CROOKED LAKE PRESERVE (UVPUD)
ORDINANCE 13-41
PARCEL ID# 05-23-27-0000-00-005 & 05-23-27-0000-00-008

Issue:

The applicant is requesting to rezone the 78.29± acre property located at 16303 Marsh Road from NZ (No Zoning) to UVPUD (Urban Village Planned Unit Development).

Discussion:

The applicant proposes to rezone the subject property from NZ to Urban Village Planned Unit Development (UVPUD) for development of a 140 dwelling unit single family residential development with lot sizes ranging from 60-90 feet wide at a density of 2.38 dwelling units per acre.

Recommended Action:

Staff recommends approval of the proposed rezoning subject to the conditions of the attached Staff Report with City Commission second reading of the proposed rezoning scheduled for July 25, 2013.

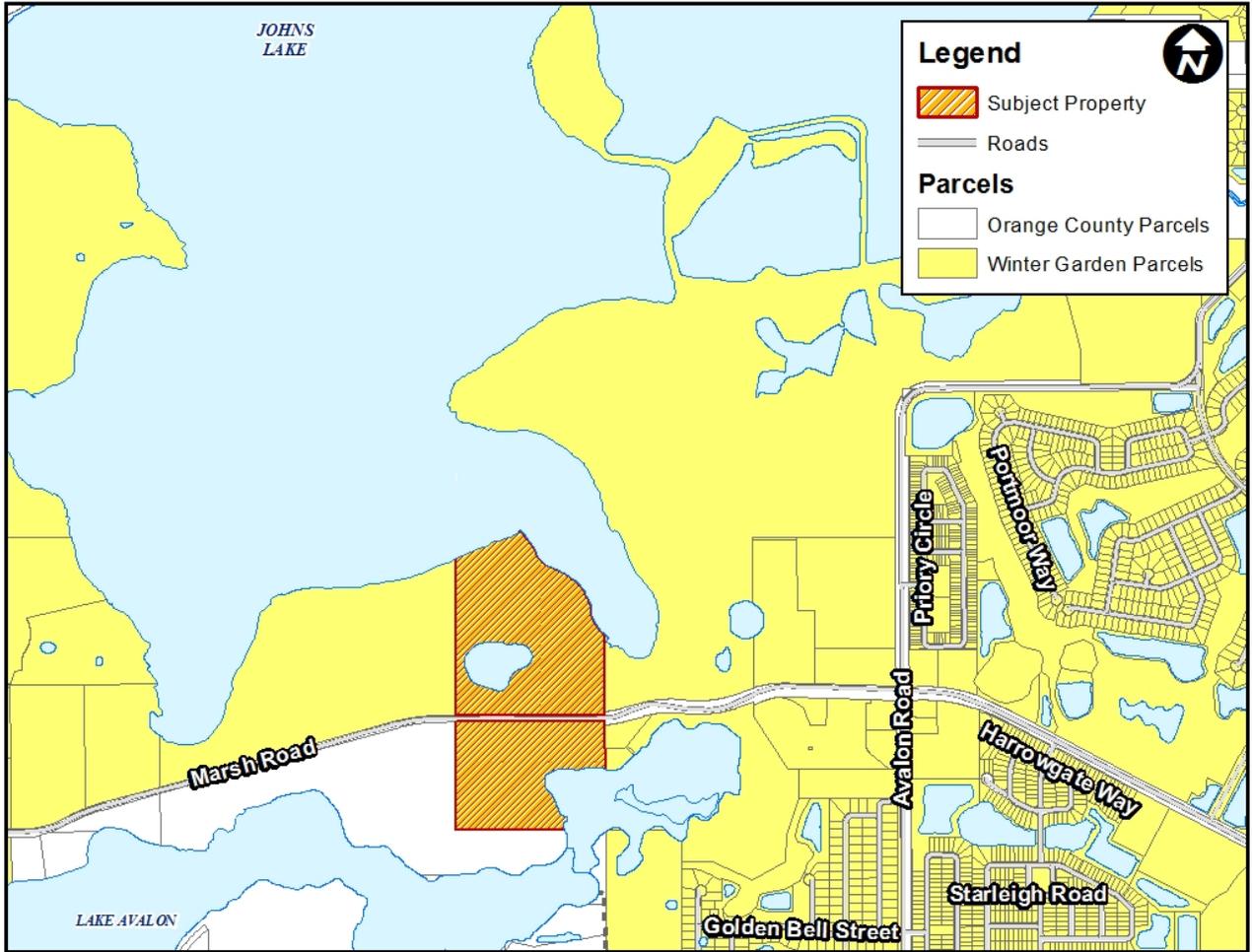
Attachment(s)/References:

Location Map
Ordinance13-41
Staff Report

LOCATION MAP

16303 Marsh Road

REZONING - UVPUD



ORDINANCE 13-41

AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA REZONING APPROXIMATELY 78.3 ± ACRES OF CERTAIN REAL PROPERTY GENERALLY LOCATED EAST OF WILLIAMS ROAD AND WEST OF AVALON ROAD (CR 545) ON THE NORTH AND SOUTH SIDE OF MARSH ROAD, AT 16303 MARSH ROAD, FROM NO ZONING (NZ) TO URBAN VILLAGE PLANNED UNIT DEVELOPMENT (UVPUD); PROVIDING FOR CERTAIN UVPUD REQUIREMENTS AND DESCRIBING THE DEVELOPMENT AS THE CROOKED LAKE PRESERVE URBAN VILLAGE PUD; PROVIDING FOR NON-SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Owner(s) of real property generally described as approximately 78.3 ± acres of certain real property generally located east of Williams Road and west of Avalon Road (CR 545) on the north and south side of Marsh Road, at 16303 Marsh Road in Winter Garden, Florida, being more particularly described on Exhibit “A” attached hereto and incorporated herein by this reference (the “Property”), desire to rezone their property from No Zoning (NZ) to Urban Village Planned Unit Development (UVPUD); and

WHEREAS, after public notice and due consideration of public comment, the City Commission of the City of Winter Garden hereby finds and declares the adoption of this Ordinance and the proposed UVPUD and development of the Property is consistent with the City of Winter Garden Comprehensive Plan, the Sixth Amendment to the Restated Interlocal Agreement for Joint Planning Area between Orange County and the City of Winter Garden, and the City of Winter Garden Code of Ordinances; and

WHEREAS, further, the City Commission finds that based on competent, substantial evidence in the record, the rezoning approved by this Ordinance meets all applicable criteria for rezoning the Property to Urban Village Planned Unit Development (UVPUD) contained within the City of Winter Garden Comprehensive Plan and the Code of Ordinances, therefore;

BE IT ENACTED BY THE CITY OF WINTER GARDEN, FLORIDA:

SECTION 1: *Rezoning.* The above “Whereas” clauses constitute findings by the City Commission. After due notice and public hearing, the zoning classification of the Property, as described in Exhibit “A” attached hereto, is hereby rezoned from No Zoning (NZ) to Urban Village Planned Unit Development (UVPUD) in the City of Winter Garden, Florida subject to the following conditions, provisions and restrictions:

- a. **Conceptual Plan-** All development on the Property must substantially conform to the requirements identified in the Crooked Lake Preserve Urban Village Planned Unit Development Preliminary Plan attached hereto as Exhibit "B." Should any conflict be found between this Ordinance and the Crooked Lake Preserve Urban Village Planned Unit Development Preliminary Plan attached hereto as Exhibit "B", then the standards and conditions established by this Ordinance shall control.
- b. **Zoning-** Unless specifically noted elsewhere in Exhibit "B" attached hereto, all residential development on the Property must comply with the general zoning requirements of the R-1 Single Family Residential District for any structures, including but not limited to swimming pools, screen rooms, accessory structures and buildings, that are developed on the Property. All uses not specifically permitted by this Ordinance are prohibited.
- c. **JPA-** Unless specifically noted elsewhere in Exhibit "B" attached hereto, all development of the Property must conform to the requirements of the Sixth Amendment to the Restated Interlocal Agreement for Joint Planning Area between Orange County and the City of Winter Garden dated January 24, 2007.
- d. **Design Criteria/Architectural Standards-**
1. **Lot Size-** Minimum lot width shall be 60 feet.
 2. **Building Height-** Maximum building height shall be 35 feet.
 3. **Minimum Living Area-** Minimum living area for each residential unit shall be 1,500 square feet for lots less than 90 feet wide and 2,000 square feet for lots greater than or equal to 90 feet wide.
 4. **Signage-** All signage shall be reviewed and permitted by the City of Winter Garden. All proposed signage, with the exception of street and traffic signs, shall be submitted for review and approval as part of the Development Agreement for the Property.
 5. **Setbacks and Required Yards-**
 - 60-89 foot wide lots: side yard setbacks shall be no less than 5 feet and shall be unobstructed by any mechanical equipment including, but not limited to, AC units, pool equipment, water filtration systems, gas tanks, propane tanks, and any other utility or service equipment; side yard setback on the street side of a corner lot shall be no less than 15 feet; rear yard setback shall be no less than 20 feet; and front yard setback shall be no less than 20 feet and no greater than 25

feet. Any landscaping or fencing installed within the 5 foot side yard setback shall be designed and constructed so as not to interfere with any easement function.

- 90 foot wide lots and larger: side yard setback shall be no less than 7.5 feet; side yard setback on the street side of a corner lot shall be no less than 15 feet; rear yard setback shall be no less than 30 feet; and front yard setback shall be no less than 25 feet. Any landscaping or fencing installed within the 7.5 foot side yard setback shall be designed and constructed so as not to interfere with any easement function.

6. Residential Design Criteria-

All development on the Property must maintain the same general design criteria and architectural characteristics as the Building Elevations attached hereto as Exhibit "C".

7. Common Recreation and Open Space-

The Property is located within the Resource Protection Overlay, and in compliance with the City of Winter Garden Comprehensive Plan Future Land Use Element Policies 1-3.1.7 and 1-3.1.8 will provide no less than 25% Wekiva Study Area Open Space.

To the greatest extent possible, 5% of the developable area of the Property shall be set aside for active, dry-land recreational use. In the event that this requirement cannot be met wholly or in part, then a financial contribution in accordance with Chapter 110, Article V, Division 2 of the City Code of Ordinances shall be made to the City Recreation Fund to fulfill the requirement.

e. Staff Conditions- All development on the Property must comply with the following conditions:

1. A minimum 25 foot wide landscape buffer shall be provided along all shared property boundary lines; the buffer shall be located within an easement to be granted to and maintained by the HOA to be created for this Project prior to plat approval. The landscape buffer easement shall remain open space and be unobstructed by any accessory structures, swimming pools, patios, fences, mechanical equipment including, but not limited to, AC units, pool equipment, water filtration systems, gas tanks, propane tanks, and any other utility or service equipment. The landscape buffer easement shall be shown on the plat and provisions incorporating the conditions of this paragraph shall be included in the Plat notes, Declaration of Covenants, Restrictions and Conditions and in the deed for each individual lot affected by the easement in a form acceptable to the

City Attorney.

2. At its expense, Owner shall permit, design and construct a round-a-bout on Marsh Road at the entry point to the Project. Size and configuration of roundabout on Marsh Road will be determined at time of final engineering; radius, number of lanes, etc. shall safely accommodate traffic and be reviewed by the City's round-a-bout Consultant. At Owner's expense and no cost to the City, Owner shall cause the conveyance of right-of-way to the City as may needed, as determined by the City, to accommodate the Marsh Road round-a-bout and such conveyance shall be free and clear of all encumbrances. No impact fee credits are to be given for such conveyance and road improvements, as this traffic improvement directly benefits the Project and mitigates impacts caused by the Project.
3. Minimum 5 foot wide utility and drainage easements shall be provided on each side lot line and dedicated to the City.
4. If gated, streets will be private and maintained by the HOA. While portions of the right-of-way may be dedicated to the City, maintenance of special pavements, landscaping, hardscaping, etc. shall be performed by the HOA under a right-of-way maintenance agreement. This would include the roundabout island. If street trees are allowed, the HOA will be responsible for their installation, maintenance and removal if necessary.
5. Docks shall comply with City of Winter Garden Ordinance 11-20 (as codified in Chapter 118 of the City Code) and other applicable code provisions.
6. Consistent with other development that the City has approved on the Marsh Road corridor, additional right-of-way conveyance may be required on Marsh Road for the round-a-bout, etc.
7. As shown, the proposed stormwater pond for Marsh Road/CR 545 is to be granted to the City as a drainage easement, to be constructed and maintained by the City.
8. Upon application for Preliminary Plat review, the building setbacks for each lot including specific details on what primary and auxiliary uses will be allowed such as pools, porches, patios, docks, etc. shall be identified.
9. All irrigation shall be designed to be supplied by reclaimed water (minimum 8 inch internal main size).
10. Typical Pavement Section & General Notes: Location and type of street trees will be reviewed with final engineering plans. If allowed, street trees will be the responsibility of the HOA, not the City, regardless if the project is gated/private or public.

11. All proposed easements shall be 30 foot minimum width for sanitary, water and storm; improvements shall be centered within the easement. Common areas not abutting right-of-way shall include a tract (not easement) for access and maintenance.
12. The 100 year flood boundary is shown in Exhibit "B" to encroach on many of the lots abutting Johns Lake. A LOMR shall be filed with FEMA as a condition of Final Plat approval for any areas requiring fill within the 100 year flood zone. Fill within the 100 year flood zone will only be allowed if compensating storage is provided.
13. The Owner is responsible for meeting all provisions of ADA and Florida Accessibility Code.
14. All work shall conform to City of Winter Garden standards and specifications.
15. The City of Winter Garden will inspect private site improvements only to the extent that they connect to City owned/maintained systems (roadways, drainage, utilities, etc.). It is the responsibility of the Owner and Design Engineer to ensure that privately owned and maintained systems are constructed to the intended specifications. The City is not responsible for the operation and maintenance of privately owned systems, to include, but not be limited to, roadways, parking lots, drainage, stormwater ponds or on-site utilities.
16. The Contractor is responsible for the notification, location and protection of all utilities that may exist within the project limits.
17. No fill or runoff will be allowed to discharge onto adjacent properties; existing drainage patterns shall not be altered. The City of Winter Garden is not granting rights or easements for drainage from, or onto, property owned by others. Obtaining permission, easements or other approvals that may be required to drain onto private property is the Owner/Developer's responsibility. Should the flow of stormwater runoff from, or onto adjacent properties be unreasonable or cause problems, the City will not be responsible and any corrective measures required will be the responsibility of the Owner. Site construction shall adhere to the City of Winter Garden erosion and sediment control requirements as contained in Chapter 106 - Stormwater. If approval is granted by the City of Winter Garden, it does not waive any permits that may be required by federal, state, regional, county, municipal or other agencies that may have jurisdiction.
18. After final engineering plan approval, a preconstruction meeting will be required prior to any commencement of construction. The applicant shall provide an erosion control and street lighting plan at the preconstruction meeting and shall pay all engineering review

and inspection fees prior to construction. Inspection fees in the amount of 2.25% of the cost of all site improvements shall be paid prior to issuance of the building permit.

19. The recent extension, installation and oversizing of water, sewer and reclaimed water mains along Marsh Road were done for the benefit of this Project and other proposed Projects along Marsh Road. Applicant shall be responsible for reimbursement of its proportionate fair share for the previous extension of water, sewer and reclaimed water mains along Marsh Road installed by the Waterside at John's Lake UVPUD development in the manner to be addressed by the Developer's Agreement, or by other agreement acceptable to the City Manager. Such reimbursement shall occur no later than prior to obtaining certificates of occupancy for any buildings/units for the project.

SECTION 2: *General Requirements.*

- a. **Development Agreement-** A Developer's Agreement shall be drafted, approval obtained and recorded prior to approval of Preliminary Plat of the Property. The Developer's Agreement shall address matters to include, but not limited to, developer's reimbursement for utility line extensions along Marsh Road, project phasing, the granting of a permanent drainage easement over, under and through Tract J (3.26 +/- acres) to the City of Winter Garden for the construction, operation and maintenance of a stormwater management system benefiting the Project and Marsh Road and C.R. 545 right-of-way improvements, round-a-bout and other right-of-way improvements and right-of-way conveyances, other public infrastructure improvements, lift station, internal utility lines, community subdivision infrastructure improvements requirements of Chapter 110, City Code, and impact fees. Owner shall cause mortgage lien holders to execute a joinder, consent and subordination of their lien interests to the Developer's Agreement for recording in the public records concurrently with the Developer's Agreement.
- b. **Stand Alone Clause-** Each phase of development of the Property must operate as an individual unit in that each particular phase will be able to stand-alone in the event that no other phase is developed.
- c. **Land Development Approvals and Permits-** This Ordinance does not require the City to issue any permit or approval for development, construction, preliminary plat, final plat, building permit, or other matter by the City relating to the Property or the project or any portion thereof. These and any other required City development approvals and permits shall be

processed and issued by the City in accordance with procedures set forth in the City's Code of Ordinances and subject to this Ordinance.

- d. **Amendments-** Minor amendments to this Ordinance will be achieved by Resolution of the City Commission of the City of Winter Garden. Major amendments to this Ordinance will require approval of the City Commission of the City of Winter Garden by Ordinance.
- e. **Expiration/Extension-** Expiration of this UVPUD shall be governed in accordance with Section 118-830, City of Winter Garden Code of Ordinances. Time extensions may be granted in accordance with Section 118-829, City of Winter Garden Code of Ordinances.

SECTION 3: Zoning Map. The City Planner is hereby authorized and directed to amend the Official Winter Garden Zoning Map in accordance with the provisions of this ordinance.

SECTION 4: Non-Severability. Should any portion of this Ordinance be held invalid, then the entire Ordinance shall be null and void.

SECTION 5: Effective Date. This Ordinance shall become effective upon adoption at its second reading.

FIRST READING AND PUBLIC HEARING: _____, 2013.

SECOND READING AND PUBLIC HEARING: _____, 2013.

ADOPTED this _____ day of _____, 2013, by the City Commission of the City of Winter Garden, Florida.

APPROVED:

JOHN REES, Mayor/Commissioner

ATTEST:

KATHY GOLDEN, City Clerk

Exhibit "A"

DESCRIPTION:

THE WEST ONE-HALF (1/2) OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 23 SOUTH, RANGE 27 EAST AS RECORDED IN THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, LESS MARSH ROAD.

CONTAINS 78.302 ACRES MORE OR LESS.

Exhibit "B"

COVER PAGE

URBAN VILLAGE PLANNED UNIT DEVELOPMENT PRELIMINARY PLAN

CROOKED LAKE PRESERVE

REVISED JUNE 2013

(4 PAGES - ATTACHED)

Exhibit "C"

COVER PAGE

TYPICAL BUILDING ELEVATIONS

CROOKED LAKE PRESERVE

(6 PAGES - ATTACHED)

Bailey
2,000 Sq.Ft.



Elevation A



Elevation B



Elevation C

Cumberland
2,581 Sq.Ft.



Elevation A



Elevation B



Elevation C

MADRID
2,754 Sq.Ft.



Elevation A



Elevation B



Elevation D

Rockford
2,997 Sq.Ft.



Elevation A



Elevation B



Elevation C

Astoria
3,098 Sq.Ft.



Elevation A



Elevation B



Elevation C

MONTCLAIR
3,467 Sq.Ft.



Elevation A



Elevation B



Elevation C

CITY OF WINTER GARDEN

PLANNING & ZONING DIVISION

300 West Plant Street - Winter Garden, Florida 34787-3011 • (407) 656-4111

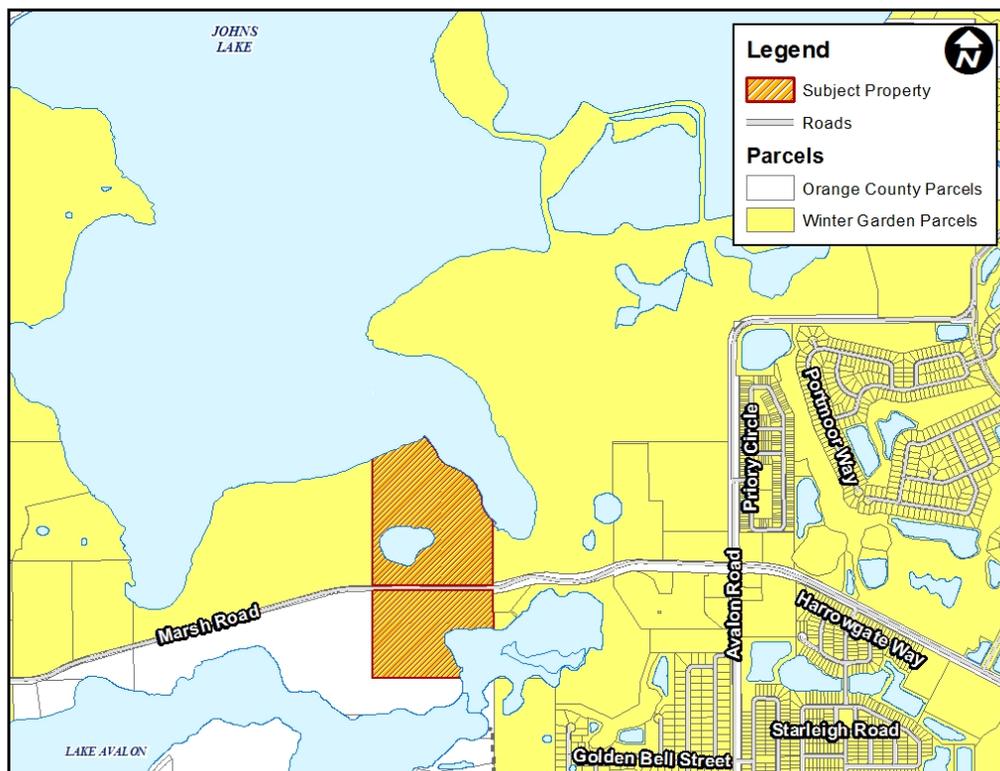
STAFF REPORT

TO: PLANNING AND ZONING BOARD
PREPARED BY: LAURA SMITH, SENIOR PLANNER
DATE: JUNE 28, 2013
SUBJECT: REZONING (UVPUD)
16303 Marsh Road (105.68+/- ACRES)
Parcel ID# 05-23-27-0000-00-005 & 05-23-27-0000-00-008

APPLICANT: Crooked Lake Holdings, LLC

INTRODUCTION

The purpose of this report is to evaluate the proposed project for compliance with the City of Winter Garden Land Development Regulations, Comprehensive Plan, and Future Land Use Map. The subject property, located on the north and south side of Marsh Road east of Williams Road and west of Avalon Road at 16303 Marsh Road, is approximately 78.29± acres. The map below depicts the location of the subject property within the City of Winter Garden municipal limits:



The applicant is requesting to rezone 78.29± acres of land. The subject property is located within the City of Winter Garden municipal limits, and carries the zoning designation NZ, which means that the property has not yet been zoned since it was annexed into the City of Winter Garden in September 2007. The subject property is designated Urban Village on the Future Land Use Map of the Comprehensive Plan.

EXISTING USE

The subject property is vacant unimproved land presently used for agriculture (timberland) and does not contain any structures.

ADJACENT LAND USE AND ZONING

The subject property is bordered on the north side by John's Lake. The property located to the east of the subject property is the Hickory Hammock residential subdivision currently under site construction which is zoned PUD in the City of Winter Garden. The property located to the west of the subject property on the north side of Marsh Road is the Waterside at John's Lake residential subdivision currently under site construction which is zoned UVPUD in the City of Winter Garden. The property located to the south and west of the subject property on the south side of Marsh Road is vacant unimproved land presently used for agriculture (timberland & citrus grove), this property was recently annexed into the City and is presently the subject of a Future Land Use Map Amendment to designate the property as Urban Village on the City's Future Land Use Map however until that amendment is adopted the property retains its Orange County Future Land Use Designation of Village.

The subject property and surrounding properties to the west are all located within the JPA expansion area as adopted by the Sixth Amendment to the Restated Interlocal Agreement for Joint Planning Area between Orange County and the City of Winter Garden. Additionally, the subject property as well as many of the surrounding properties (a total of 596 acres) were annexed into the City of Winter Garden by Ordinance 07-34. At the time the properties were annexed into the City they were not assigned zoning or future land use designation in the City of Winter Garden. Subsequently, as part of the EAR based amendments to the City's Comprehensive Plan which were adopted in 2010, the subject property and many of the surrounding properties (a total of 642.73 acres) were assigned a future land use designation of Urban Village on the Future Land Use Map of the City's Comprehensive Plan.

PROPOSED USE

The applicant proposes to develop the 78.29 ± acre site into an urban village planned unit development (UVPUD) of 140 single family dwelling units, with 3 recreational park areas, and open space areas.

APPROVAL CRITERIA

In accordance with the City's Comprehensive Plan and Land Development Regulations, a proposed planned unit development and its associated preliminary development plan may be approved only after competent, substantial evidence has been presented which allows the following determinations to be made: (staff conclusions/findings are underlined)

- (1) The proposed PUD is consistent with the land development regulations, comprehensive plan and the future land use map;

The proposed UVPUD is consistent with the land development regulations, comprehensive plan, and the future land use map. See other portions of this report concerning consistency with the land development regulations.

- (2) The proposed PUD will not substantially devalue or prevent reasonable use and enjoyment of the adjacent properties;

The proposed UVPUD project will not deprive or prevent adjacent property owners of any rights or abilities to enjoy or continue existing uses of their property or to develop their property in accordance with the city's land development regulations and comprehensive plan goals, objectives, and policies. Further, in accordance with land development regulations and the comprehensive plan, the proposed UVPUD will provide for adequate buffering against adjoining properties and rights-of-way in the form of either landscaping to create a visual screen and/or perimeter walls/fencing.

- (3) Adequate public infrastructure facilities and water and sewer service to support the development of the proposed PUD are available or an agreement or binding conditions have been established that will provide these facilities, improvements and services in a reasonable time frame;

The proposed UVPUD site has several dirt and/or gravel driveway points of transportation access at this time due to the predominantly agricultural use of the property. However, at such time as the property is developed as proposed by the applicant then additional transportation access would be provided in the form of a round-a-bout at the main entrance on Marsh Road, two (2) secondary access points will be provided to ensure cross access connections to the adjoining properties located to the west of the proposed development, and a cross connection on the east side of the property will be provided to connect the propose development with the Hickory Hammock PUD. All roadway improvements will be constructed at the owner's expense and in compliance with city concurrency standards for transportation, and be supported by a traffic study/analysis of the impact the proposed development will have on the roadway network. Traffic studies/analyses submitted with any proposed development are reviewed for accuracy and consistency with the goals, objectives, and policies of the City's comprehensive plan in addition to the City's vision for future growth and expansion.

The property is not currently a water or sewer customer of the City of Winter Garden; however water, sewer, and reclaimed utilities will be required for any new development of the property. All necessary utility lines (water, sewer, and reclaimed water) are presently being extended along the frontage of the subject property in conjunction with development of the Waterside at John's Lake UVPUD and Waterside at John's Lake Phase 2 UVPUD, and connections will be made to serve the development of the subject property, any and all extension and connection costs shall be borne by the property owner. At the present time there is capacity available within the City's water, wastewater and reclaimed water systems to support the proposed development.

Additionally, proposed UVPUD has provided for a 3.26 acre retention pond to be constructed on their property which will be dedicated to the City of Winter Garden to assist with stormwater management for the additional stormwater that will be generated from the intersection improvements at the intersection of Avalon Road and Marsh Road.

Prior to any approvals for preliminary plat or construction plans, a Developer's Agreement shall be drafted, approval obtained and recordation of the agreement. The Developer's Agreement shall address matters to include, but not limited to, developer's reimbursement for utility line extensions along Marsh Road, project phasing, the granting of a permanent drainage easement over, under and through Tract J (3.26 +/- acres) to the City of Winter Garden for the construction, operation and maintenance of a stormwater management system benefiting the Project and Marsh Road and C.R. 545 right-of-way improvements, round-a-bout and other right-of-way improvements and right-of-way conveyances, other public infrastructure improvements, lift station, internal utility lines, community subdivision infrastructure improvements requirements of Chapter 110, City Code, and impact fees. Owner shall cause mortgage lien holders to execute a joinder, consent and subordination of their lien interests to the Developer's Agreement for recording in the public records concurrently with the Developer's Agreement.

- (4) The proposed PUD will not allow a type or intensity of development that is premature or presently out of character in relationship to the surrounding area;

The proposed UVPUD project is consistent with the comprehensive plan's goals, objectives and policies for the Urban Village future land use designation and the UVPUD zoning criteria and land development regulations. The proposed UVPUD project features a gross density of 2.02 dwelling units per acre which is substantially lower than the maximum density of 4 dwelling units per acre permitted within the Urban Village future land use designation and in accordance with the Sixth Amendment to the Restated Interlocal Agreement for Joint Planning Area between Orange County and the City of Winter Garden. Additionally, the gross density of 2.02 dwelling units per acre for the proposed UVPUD project is substantially lower than the 10 dwelling units per acre that the previous Horizons West designation would allow.

The proposed UVPUD is not premature or presently out of character in relationship to the surrounding area. Using the Orange County Public Schools Concurrency Service Areas as an identification of the surrounding area, there are many residential and commercial developments within the surrounding area which have similar or greater density and/or intensity than the proposed UVPUD project. Some of the approved and/or constructed developments within the surrounding area which extends east beyond SR 429 include Waterside at John's Lake, Waterside at John's Lake Phase 2, Hickory Hammock, Avalon Reserve, Stoneybrook West, Carriage Pointe, Stone Creek, Belle Meade, Avamar Crossings, Alexander Ridge, and Carriage Ponte Reserve.

Recently the property located immediately to the west of the subject property was approved for rezoning to UVPUD, the project known as Waterside at John's Lake is permitted for up to 172 single family dwelling units and is approximately 75.94 +/- acres.

Additionally, numerous properties located to the west of the subject property, totaling over 60 acres are seeking annexation into the City of Winter Garden municipal limits.

- (5) The rezoning will not interfere with an adjacent property owner's reasonable expectation of use or enjoyment; and

Adjoining property owners to the south and west of the subject property either participated in the annexation and future land use designation of Urban Village for their properties in 2007 or have since been annexed into the City of Winter Garden and are in process to be designated Urban Village on the future land use map of the City's comprehensive plan. Adjoining property owners to the east of the subject property on the north side of Marsh Road were rezoned to PUD and approved for residential development at a density of 2.10 dwelling units per acre in 2006. The adjoining property owner to the east of the subject property on the south side of Marsh Road is the City of Winter Garden and the side will be used for stormwater management. In accordance with the City's comprehensive plan, the only zoning permitted within the Urban Village future land use designation is Urban Village Planned Unit Development or Institutional. Further, in accordance with land development regulations and the comprehensive plan, the proposed UVPUD will provide for adequate buffering against adjoining properties and rights-of-way in the form of either landscaping to create a visual screen and/or perimeter walls/fencing.

- (6) There is availability and adequacy of primary streets and thoroughfares to support traffic to be generated within the proposed PUD and the surrounding area, or an agreement or binding conditions have been established that will provide such transportation facilities to support said traffic in a reasonable time frame.

At such time as the property is developed as proposed by the applicant then additional transportation access would be provided in the form of a round-a-bout at the main entrance on Marsh Road, two (2) secondary access points will be provided to ensure cross access connections to the adjoining properties located to the west of the proposed development, and a cross connection on the east side of the property will be provided to connect the propose development with the Hickory Hammock PUD. The main entrance on Marsh Road will be constructed with the initial development of the subject property; cross access points will be constructed with the respective phase within which they are located. All roadway improvements will be constructed at the owner's expense and in compliance with city concurrency standards for transportation, and be supported by a traffic study/analysis of the impact the proposed development will have on the roadway network. Traffic studies/analyses submitted with any proposed development are reviewed for accuracy and consistency with the goals, objectives, and policies of the City's comprehensive plan in addition to the City's vision for future growth and expansion. The traffic analysis provided with the proposed UVPUD project indicates that the project will not lower the adopted level of service standard on Marsh Road.

Prior to any approvals for preliminary plat or construction plans, a Developer's Agreement shall be drafted, approval obtained and recordation of the agreement. The Developer's Agreement shall address matters to include, but not limited to, developer's reimbursement for utility line extensions along Marsh Road, project phasing, the granting

of a permanent drainage easement over, under and through Tract J (3.26 +/- acres) to the City of Winter Garden for the construction, operation and maintenance of a stormwater management system benefiting the Project and Marsh Road and C.R. 545 right-of-way improvements, round-a-bout and other right-of-way improvements and right-of-way conveyances, other public infrastructure improvements, lift station, internal utility lines, community subdivision infrastructure improvements requirements of Chapter 110, City Code, and impact fees. Owner shall cause mortgage lien holders to execute a joinder, consent and subordination of their lien interests to the Developer's Agreement for recording in the public records concurrently with the Developer's Agreement.

- (7) The degree of departure or conformity of the proposed PUD with surrounding areas in terms of character and density.

The proposed UVPUD project is consistent with the comprehensive plan's goals, objectives and policies for the Urban Village future land use designation and the UVPUD zoning criteria and land development regulations. The proposed UVPUD project features a gross density of 2.02 dwelling units per acre which is substantially lower than the maximum density of 4 dwelling units per acre permitted within the Urban Village future land use designation and in accordance with the Sixth Amendment to the Restated Interlocal Agreement for Joint Planning Area between Orange County and the City of Winter Garden.

The proposed UVPUD is not premature or presently out of character in relationship to the surrounding area. There are many residential and commercial developments within the surrounding area which have similar or greater density and/or intensity than the proposed UVPUD project. Some of the approved and/or constructed developments within the surrounding area which extends east beyond SR 429 include Waterside at John's Lake, Waterside at John's Lake Phase 2, Hickory Hammock, Avalon Reserve, Stoneybrook West, Carriage Pointe, Stone Creek, Belle Meade, Avamar Crossings, Alexander Ridge, and Carriage Ponte Reserve.

Recently the property located immediately to the west of the subject property was approved for rezoning to UVPUD, the project known as Waterside at John's Lake is permitted for up to 172 single family dwelling units and is approximately 75.94 +/- acres. Additionally, numerous properties located to the west of the subject property, totaling over 60 acres are seeking annexation into the City of Winter Garden municipal limits.

- (8) Compatibility of uses and improvements within the PUD and the relationship with surrounding existing or proposed developments.

The proposed UVPUD project integrates several elements that provide for cohesion between existing natural features/resources and the existing and proposed uses surrounding the property. The project includes construction of a 10 foot wide multi-purpose trail extending the length of the property frontage on Marsh Road to enhance pedestrian circulation as identified in the Sixth Amendment to the Restated Interlocal Agreement for Joint Planning Area between Orange County and the City of Winter Garden. The project includes three (3) open space/recreational parks two (2) of which will be located on the portion of the property located on the north side of Marsh road and one (1) of which will be located on the portion of the property located on the south side

of Marsh Road. Cross access connection points are being provided to the approved Waterside at John's Lake UVPUD located to the west of the property, the approved Hickory Hammock PUD located to the east of the subject property and the vacant property located to the south and west of the subject property on the south side of Marsh Road which was recently annexed into the City of Winter Garden to ensure multiple points of entry/exit to the subject property and provide property owners to the east, south and west of the subject property vehicular and pedestrian access through the subject property.

- (9) Prevention of erosion and degrading or enhancement of the surrounding areas.

The proposed UVPUD project, which borders John's Lake on the north side, will provide a 25 foot wetland buffer from the Normal High Water Line of John's Lake. Proposed UVPUD project also provides for a 100 foot buffer from the confining layer of the karst feature located north of Marsh Road on the west side of the subject property, meets the environmental standards of the Wekiva Study Area, and complies with the City's lake protection Ordinance provisions. No community docks or boat ramps are proposed to be located on Johns' Lake.

- (10) Provision for recreation facilities, surface drainage, flood control and soil conservation as shown in the preliminary development plan.

Recreational facilities are identified within the proposed UVPUD project to include a 10 foot wide multi-purpose trail along Marsh Road and three (3) open space/recreational parks two (2) of which will be located on the portion of the property located on the north side of Marsh road and one (1) of which will be located on the portion of the property located on the south side of Marsh Road. The recreational facilities proposed comply with the Wekiva Study Area Resource Protection Overlay requirements for passive recreation. Requirements for recreation areas stipulated by the City of Winter Garden subdivision standards are being met.

Stormwater management for the proposed UVPUD project will be provided in on-site master stormwater management areas to satisfy the City of Winter Garden, St. John's Water Management District and strict requirements of the Wekiva Study Area criteria. Additionally, proposed UVPUD has provided for a 3.26 acre retention pond to be constructed on their property which will be dedicated to the City of Winter Garden to assist with stormwater management for the additional stormwater that will be generated from the intersection improvements at the intersection of Avalon Road and Marsh Road.

- (11) The nature, intent and compatibility of any common open space, including the proposed method for the maintenance and conservation of the common open space.

The property on which the UVPUD project is proposed to be developed is located within the Wekiva Study Area Resource Protection Overlay as defined by the City's Comprehensive Plan, and therefore must comply with the Wekiva Study Area Open Space requirements as defined by the City's Comprehensive Plan Policies 1-3.1.7 & 1-3.1.8, which requires that a minimum of 25% of the developable area be Wekiva Study Area Open Space. Wekiva Study Area (WSA) Open Space is land area that remains

undisturbed or minimally disturbed such as trails and boardwalks, as part of a natural resource preserve or passive recreation area and includes land preserved for Conservation purposes. WSA Open Space may include dry retention, passive recreation, school playgrounds and buffers. Up to 50% of the WSA Open Space requirement may be met with dry stormwater retention areas. None of the 25% WSA Open Space may be chemically treated with pesticides or fertilizers. WSA Open Space shall not include setback areas, private yards, street right of way, parking lots, impervious surfaces or active recreation areas. The proposed UVPUD project complies with the Wekiva Study Area Open Space requirements; the gross developable area of the property is approximately 68.61 acres, the required Wekiva Study Area Open Space which will be provided on the property is 17.86 acres. All open space and recreational facilities will be owned and maintained by mandatory Home Owner's Association.

- (12) The feasibility and compatibility of the specified stage(s) or phase(s) contained in the preliminary development plan to exist as an independent development.

The proposed UVPUD project is not proposed to be developed in phases, however should the development be separated into phases, then each phase of development of the proposed UVPUD project must operate as an individual unit in that each particular phase will be able to stand-alone in the event that no other phase is developed.

- (13) The availability of existing or planned reclaimed water service to support the proposed PUD.

Reclaimed water capacity is available to serve the property on which the UVPUD is proposed to be developed from the City's existing reclaimed water lines which are presently being extended from the intersection of Avalon Road and Marsh Road in conjunction with the current construction and development activity of the Waterside at John's Lake UVPUD, Waterside at John's Lake Phase 2 UVPUD and Hickory Hammock PUD projects. At such time that the property is developed, all necessary utility lines (water, sewer, and reclaimed water) will be available and connections will be made to serve the development of the property, all extension and connection costs shall be borne by the property owner.

- (14) The benefits within the proposed PUD development and to the general public to justify the requested departure from standard land use requirements inherent in a PUD classification.

The proposed UVPUD includes 60 foot to 90 foot wide lot sizes. Lots will be designed to incorporate a variety of garage orientations including at least 40% of garages that are recessed 5 feet behind the primary façade of the structure or are side entry garages. Front porches will be incorporated into the designs of at least 50% of the residential units.

The proposed UVPUD project incorporates the following features which are of benefit to the general public and support the waivers and reductions requested above: construction of 10 foot wide multi-purpose trail along the site frontage on Marsh Road which provides for pedestrian circulation and access on Marsh Road, roadway improvements in the form of a round-a-bout at the main entrance to the proposed project which will slow and calm traffic on Marsh Road which has been a primary concern of the city and property owners adjacent to the subject property, and preservation of the John's Lake shoreline areas to enhance natural resources/features. The project as proposed provides open space in

excess of the standard subdivision requirements provides protection and substantial buffering from the neighboring karst feature as well as preservation and conservation of the John's Lake shorelines. Additionally, the project as proposed has provided for a 3.26 acre retention pond to be constructed on their property which will be dedicated to the City of Winner Garden to assist with stormwater management for the additional stormwater that will be generated from the intersection improvements at the intersection of Avalon Road and Marsh Road.

- (15) The conformity and compatibility of the proposed common open space, residential and/or nonresidential uses within the proposed PUD.

Nonresidential uses are not proposed within the UVPUD proposal for the project. The UVPUD proposal includes 140 single family residential dwelling units with 17.86 acres of open space area including 2.95 acres of recreation area. The recreation and open space areas are complementary and supportive to the residential component of the proposed UVPUD project. The project is a pedestrian friendly design and provides internal access to the future commercial core to be located near the intersection of Williams Road and Marsh Road.

- (16) Architectural characteristics of proposed residential and/or nonresidential development.

A variety of main entrance treatments have been incorporated into the residential units in the proposed UVPUD project including front porches, side entry/courtyard garages and recessed garage doors. Building elevations are provided within the Crooked Lake Preserve Urban Village Planned Unit Development Preliminary Development Plan.

- (17) A listing of the specific types of nonresidential uses to be allowed.

N/A; Nonresidential uses are not proposed within the UVPUD proposal for the project.

URBAN VILLAGE PLANNED UNIT DEVELOPMENT INTENT AND REQUIREMENTS

Development within the urban village future land use classification shall be designed based on an urban development pattern which encourages the formation of a suburban village. The standards and procedures of the urban village planned unit development are intended to promote flexibility of design and to permit planned diversification and integration of uses and structures, while retaining in the city commission the absolute authority to establish such limitations and regulations as it deems necessary to protect and promote the public health, safety and general welfare. Determining whether to require a mixture of residential and non-residential uses and a variety of housing types and lot sizes within individual urban village planned unit developments will be based on anticipated development patterns and size of property ownerships. Each individual urban village planned unit development will not be required to incorporate all uses permitted in the urban village planned unit development land use regulations.

Through the urban village planned unit development process, which may involve the approval of multiple UVPUDs, all development within the urban village future land use classification shall follow the general design principles of: (staff conclusions/findings are underlined)

- (1) creating a series of walkable residential neighborhoods;

Proposed UVPUD includes cross access connection to the properties located to the east and west of the subject property for vehicular and pedestrian access, additionally the proposed UVPUD features a multi-purpose trail along the property frontage on Marsh Road.

- (2) developing an integrated park and trail system to facilitate pedestrian travel and recreation;

Proposed UVPUD includes a series of three (3) recreational parks accessible through sidewalks which connect to properties located to the east and the west and the multi-purpose trail located along the property frontage on Marsh Road.

- (3) developing a comprehensive network of roads and traffic calming solutions to complement and support the existing Marsh Road infrastructure;

Proposed UVPUD provides for cross access connection to properties located to the east and west of the subject property and includes construction of a round-a-bout on Marsh Road at the main entrance.

- (4) establishing connectivity to natural systems while preserving wetlands and other natural resources and protecting water quality and quantity;

Proposed UVPUD incorporates shoreline preservation through wetland buffering along John's Lake to preserve and protect water quality in John's Lake.

- (5) creating a mixed-use character through the integration of a diversity of uses;

N/A; the proposed UVPUD does not provide for non-residential uses.

- (6) creating a focus center within the urban village

N/A; the proposed UVPUD will be part of the residential community surrounding a future commercial village center which will be located west of the subject property. A certain level of residential development must occur to support the commercial development.

- (7) The urban village planned unit development shall provide a compact integrated development pattern with a park or central feature located within a ¼ mile walking distance of the majority of residences in each neighborhood.

The proposed UVPUD includes three (3) open space/recreation areas, two (2) of which are centrally located within the northern portion of the UVPUD site and another centrally located within the southern portion of the UVPUD site.

- (8) To ensure adequate housing diversity, urban village planned unit development should generally contain a variety of housing types which may include both attached and detached housing product with ownership and rental opportunities, as well as live/work housing.

The proposed UVPUD will contain only single family detached residential units and does not include any live work units.

- (9) The street network shall be designed to create a hierarchy of interconnected streets and traffic calming solutions to allow travel through and between neighborhoods and beyond the urban village planned unit development. Roadway cross sections shall be designed to accommodate multiple modes of transportation.

The proposed UVPUD will provide cross access connections to properties located to the east and west, a round-a-bout at the main entrance on Marsh Road.

- (10) Emphasis shall be placed on pedestrian and bike paths and shall be incorporated in street cross sections and open spaces.

The proposed UVPUD includes a multi-purpose trail along Marsh Road and a fully integrated network of sidewalks which will connect and provide cross access between properties located to the east and west.

- (11) All development proposals within an urban village planned unit development shall, as determined by the city commission, be consistent with the requirements and/or guidelines of the Sixth Amendment to the Restated Interlocal Agreement for Joint Planning Area between Orange County and the City of Winter Garden (Dated January 24, 2007) as approved by the city commission, as such may be amended from time to time.

The proposed UVPUD is consistent with the Sixth Amendment to the Restated Interlocal Agreement for Joint Planning Area between Orange County and the City of Winter Garden.

- (12) All development within the urban village planned unit development shall comply with the Wekiva Parkway and Protection Act, and shall meet or exceed the standards of the Resource Protection Overlay as established by the City's Comprehensive Plan. In the event of a conflict or conflicts between the Urban Village Planned Unit Development zoning district and the Resource Protection Overlay, the Resource Protection Overlay shall control to the extent such conflict exists.

The proposed UVPUD complies with the Wekiva Study Area Resource Protection Overlay requirements as stipulated in the City's Comprehensive Plan. The proposed UVPUD meets the Wekiva Open Space requirements, stricter Wekiva drainage requirements and karst feature setbacks and buffering.

- (13) Maximum density in the urban village planned unit development for any neighborhood shall be four dwelling units per gross acre except in the village center where the density may be up to 12 dwelling units per gross acre. However, certain neighborhoods may use residential clustering while maintaining the overall maximum density for the neighborhood. Maximum intensity for non residential development is 0.3 floor area ratio.

The proposed UVPUD development plan will have a gross developable density of 2.02 dwelling units per acre.

- (14) Stormwater facilities within the urban village residential planned unit development shall generally be designed as amenities and low impact design (LID) techniques will be used where practical.

The proposed UVPUD incorporates stormwater facilities and ponds into the design of the community through placement of the facilities where they function as both visual features and buffers, while also meeting the stricter Wekiva Study Area requirements.

- (15) New development shall connect to City utilities, potable water, sanitary sewer, and reclaimed water when available.

The proposed UVPUD will make connection to city utilities, water, wastewater, and reclaimed water at the developer's expense.

- (16) Residential and nonresidential uses are allowed in the village center and may occupy the same building where nonresidential occupies the first floor with residential on the upper floors.

N/A; the proposed UVPUD is not located in the area that will be developed as the village and therefore will not have non-residential uses.

- (17) Accessory dwelling units, not to exceed 850 square feet, above garages shall be allowed for a maximum of 50% of the residential units in the urban village planned unit development. These additional accessory units shall not be counted towards the density.

The proposed UVPUD does not reference or include plans for accessory dwelling units.

Consistent with the goal of ensuring the entirety of lands designated with the urban village future land use designation develop in such a way as to meet the goals and policies of the comprehensive plan, the city commission shall have the flexibility in deciding whether to require a mixture of residential and non-residential uses and a variety of housing types and lot sizes within individual urban village planned unit developments based on anticipated development patterns.

The urban village planned unit development shall be located in the urban village future land use designation as defined in the city's comprehensive plan, or in such other areas as determined by city commission.

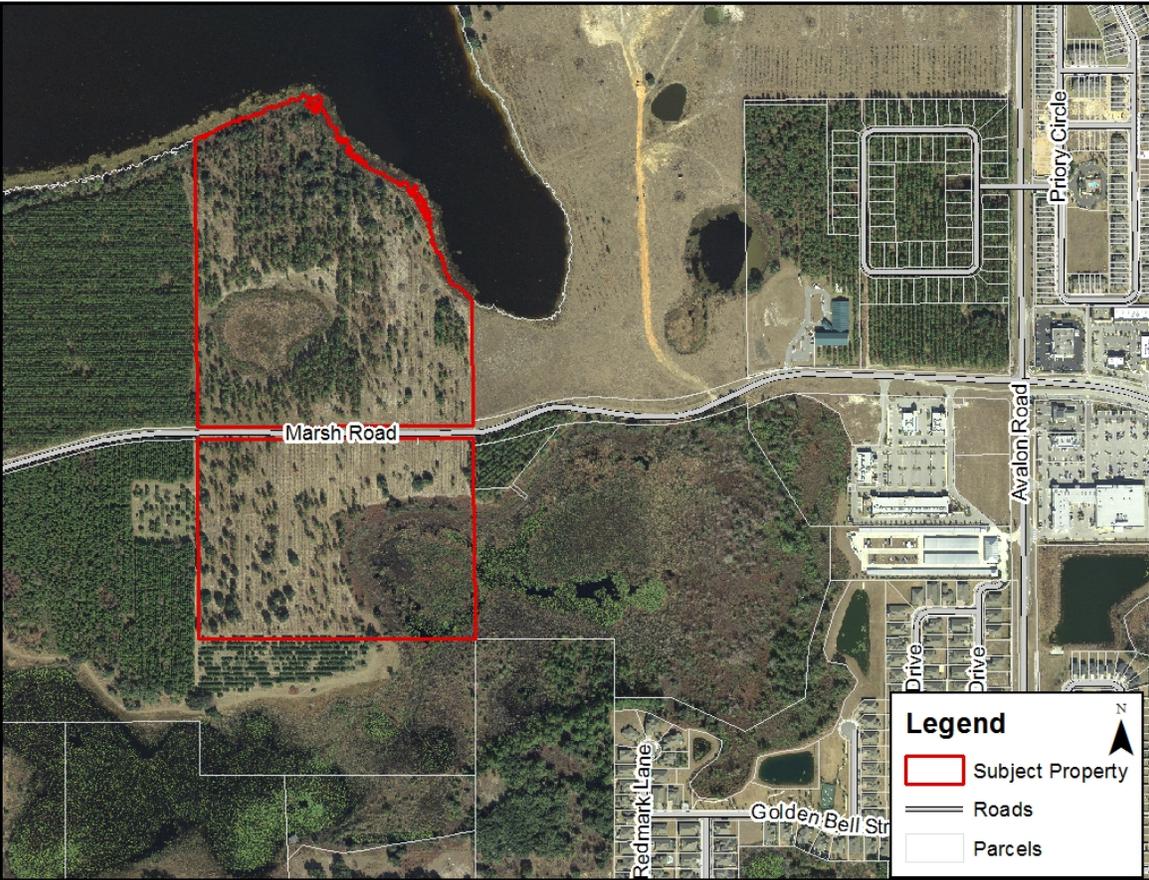
SUMMARY

City Staff recommend approval of the proposed Ordinance 13-41. Rezoning the subject property from City NZ to City UVPUD is consistent with the City's Comprehensive Plan, Future Land Use Map and land development regulations, and is consistent with the trend of development in the area.

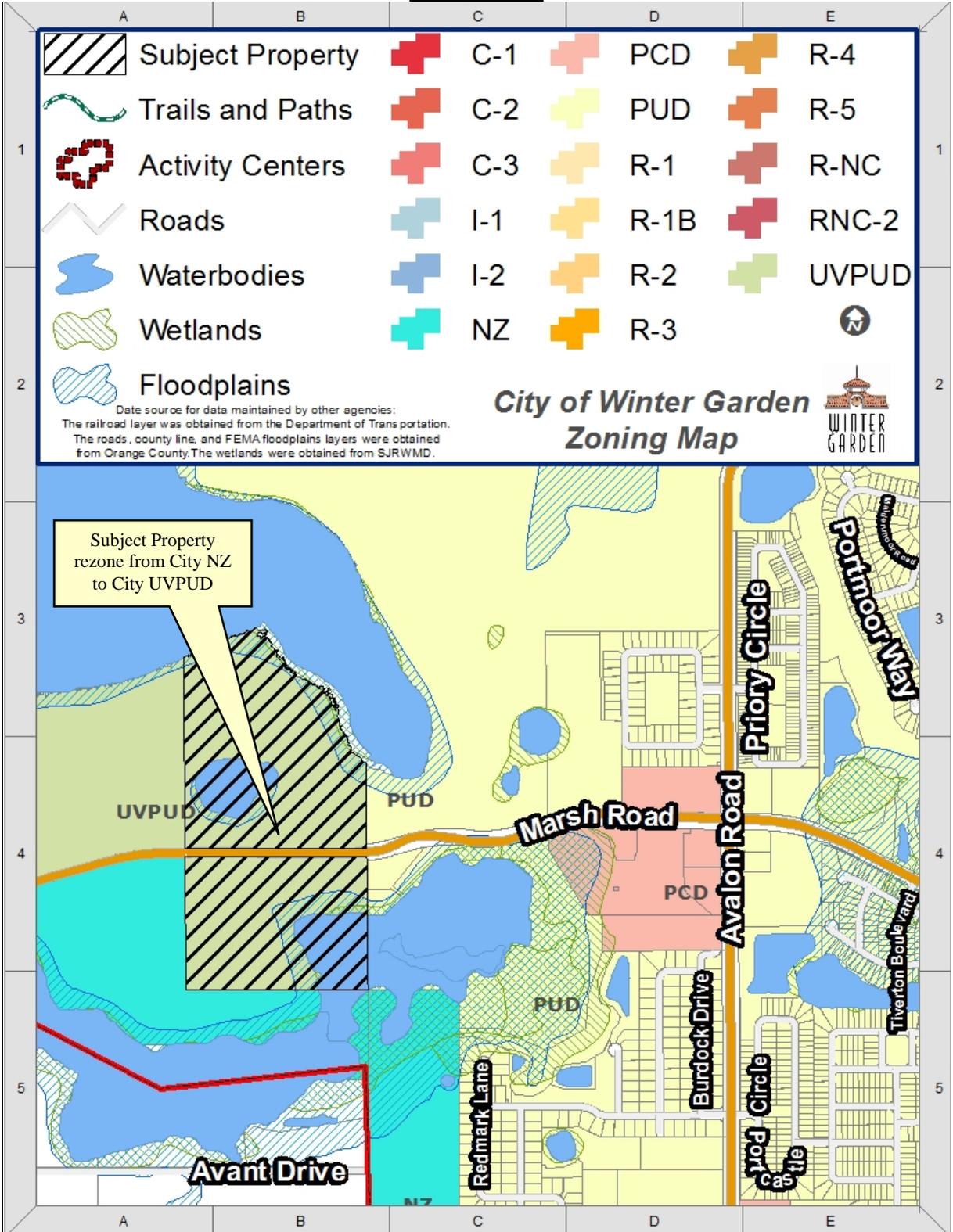
The proposed development of the subject property is consistent with the stipulations and guidelines of the Sixth Amendment to the Restated Interlocal Agreement for Joint Planning Area between Orange County and the City of Winter Garden which requires that rezoning applications or development plans for properties located within the JPA expansion area must be processed as Planned Unit Developments.

MAPS

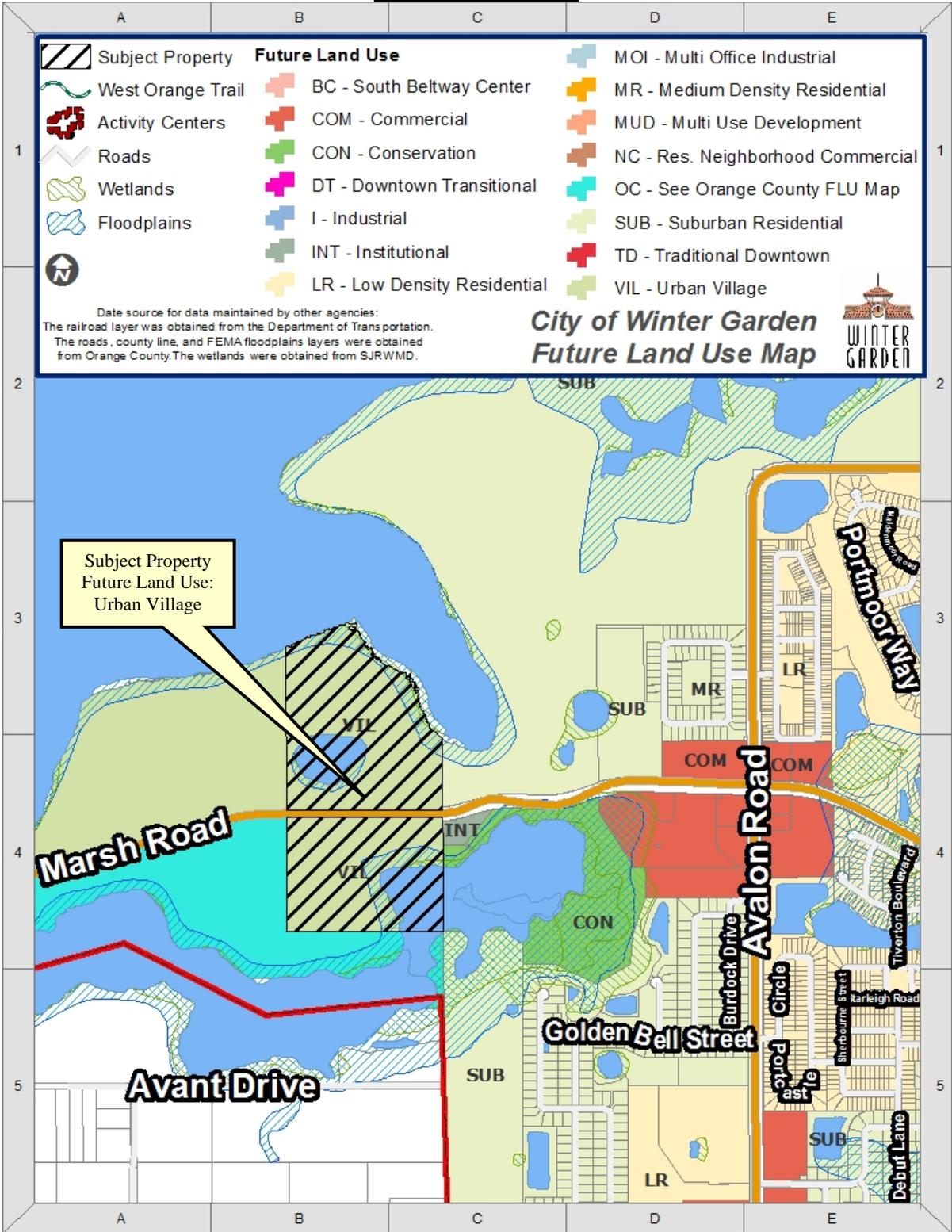
AERIAL PHOTO
16303 Marsh Road



ZONING MAP
Marsh Road



FUTURE LAND USE MAP
16303 Marsh Road



END OF STAFF REPORT

THE CITY OF WINTER GARDEN
CITY COMMISSION AGENDA ITEM

From: Ed Williams, Community Development Director

Via: City Manager Mike Bollhoefer

Date: July 5, 2013

Meeting Date: July 11, 2013

Subject: 55 North Dillard Street
WELLTRAX (REZONE)
ORDINANCE 13-44
PARCEL ID# 14-22-27-2088-00-070

Issue: The applicant is requesting to rezone their 0.27 ± acre property located at 55 N. Dillard Street from R-2 (Residential District) to C-1 (Central Commercial District).

Discussion:

The applicant is requesting to rezone their 0.27 ± acre property located at 55 N. Dillard Street from R-2 (Residential District) to C-1 (Central Commercial District). The request for rezoning is to eliminate the need for the special exception permit which was granted in 2006 for medical and wellness services in the R-2 Zoning District and allow for future expansion of the commercial and residential uses on the property. The City has recently amended the C-1 Zoning District to allow upper story residential as a permitted use which will allow the property to continue operating as it has been since 2006 and expand the facilities on the site without the need for any further special exception permit.

Recommended Action:

Staff Recommends approval of Ordinance 13-44 rezoning property located at 55 N. Dillard Street from R-2 (Residential District) to C-1 (Central Commercial District) subject to the conditions of the attached Staff Report with City Commission second reading scheduled for July 25, 2013.

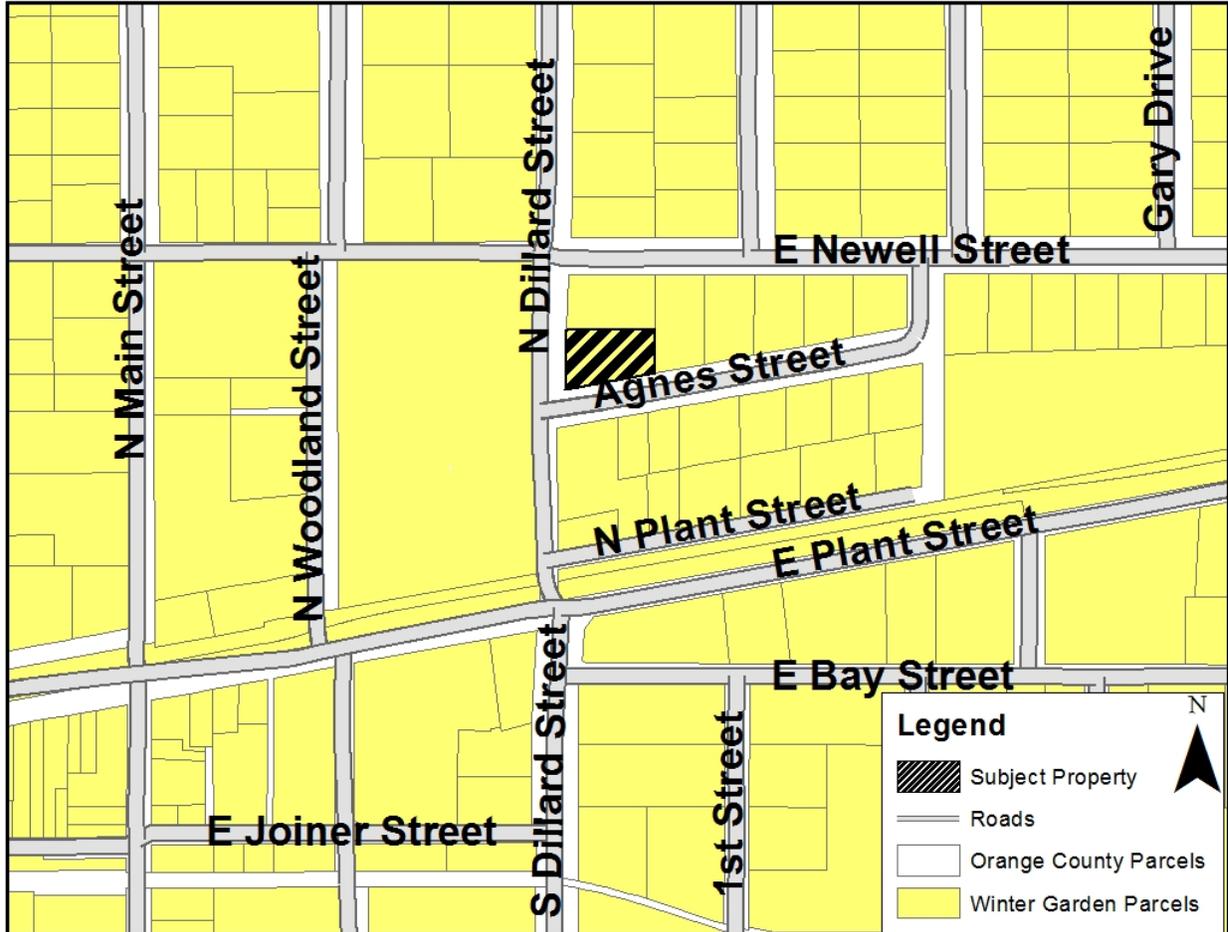
Attachment(s)/References:

Location Map
Ordinance13-44
Staff Report

LOCATION MAP

55 N Dillard Street

REZONING



ORDINANCE 13-44

AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, REZONING CERTAIN REAL PROPERTY GENERALLY DESCRIBED AS APPROXIMATELY 0.27± ACRES OF LAND LOCATED AT 55 NORTH DILLARD STREET, FROM R-2 (RESIDENTIAL DISTRICT) TO C-1 (CENTRAL COMMERCIAL DISTRICT); PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owner of that certain real property generally described as 0.27 ± acres of land located at 55 North Dillard Street, and legally described on Exhibit "A" of this ordinance has petitioned the City to rezone said property from R-2 Residential District to the C-1 Central Commercial District zoning classification; and

WHEREAS, after public notice and due consideration of public comment, the City Commission of the City of Winter Garden hereby finds and declares the rezoning approved by this Ordinance is consistent with the City of Winter Garden Comprehensive Plan; and

WHEREAS, further, the City Commission finds that based on competent, substantial evidence in the record, the rezoning approved by this Ordinance meets all applicable criteria for rezoning the Property to C-1 Central Commercial District contained within the City of Winter Garden Comprehensive Plan and the Code of Ordinances; therefore

BE IT ENACTED BY THE CITY OF WINTER GARDEN, FLORIDA:

SECTION 1: *Rezoning.* The above "Whereas" clauses constitute findings by the City Commission. After due notice and public hearing, the zoning classification of real property legally described on Exhibit "A," is hereby rezoned from R-2 Residential District to C-1 Central Commercial District in the City of Winter Garden, Florida.

SECTION 2: *Zoning Map.* The City Planner is hereby authorized and directed to amend the Official Winter Garden Zoning Map in accordance with the provisions of this ordinance.

SECTION 3: *Non-Severability.* Should any portion of this Ordinance be held invalid, then the entire Ordinance shall be null and void.

SECTION 4: *Effective Date.* This Ordinance shall become effective upon adoption at its second reading.

FIRST READING AND PUBLIC HEARING: _____, 2013.

SECOND READING AND PUBLIC HEARING: _____, 2013.

ADOPTED this _____ day of _____, 2013, by the City Commission of the City of Winter Garden, Florida.

APPROVED:

JOHN REES, Mayor/Commissioner

ATTEST:

KATHY GOLDEN, City Clerk

Exhibit "A"

LEGAL DESCRIPTION

PARCEL ID#: 14-22-27-2088-00-070

LOT 7, DILLARD SUBDIVISION NO. 3, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK R, PAGE 36 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

CITY OF WINTER GARDEN

PLANNING & ZONING DIVISION

300 West Plant Street - Winter Garden, Florida 34787-3011 • (407) 656-4111

STAFF REPORT

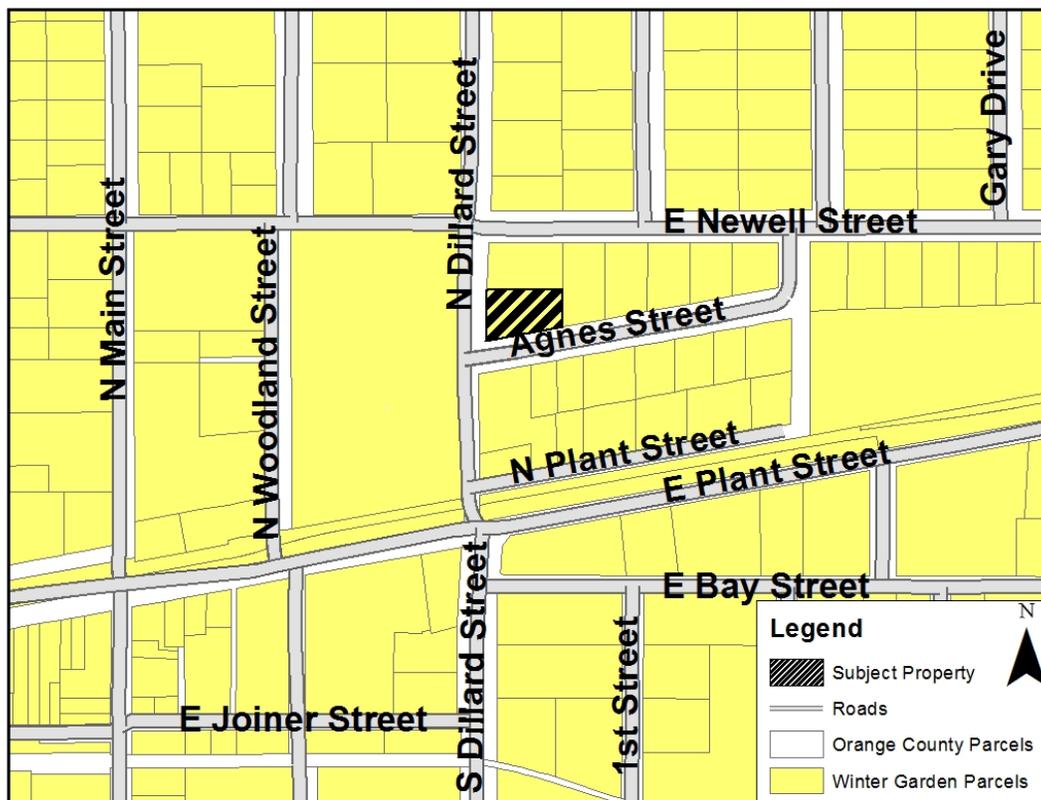
TO: PLANNING AND ZONING BOARD
PREPARED BY: LAURA SMITH, SENIOR PLANNER
DATE: JUNE 27, 2013
SUBJECT: REZONING
55 N. Dillard Street (WELLTRAX)
PARCEL ID # 14-22-27-2088-00-070

APPLICANT: Stephen D. Dunegan

INTRODUCTION

The purpose of this report is to evaluate the proposed project for compliance with the City of Winter Garden Code of Ordinances and Comprehensive Plan.

The subject property, generally located at the northeast corner of the intersection of N. Dillard Street and Agnes Street at 55 N. Dillard Street, is approximately .27± acres. The map below depicts the location of the subject property within the City of Winter Garden municipal limits:



The applicant is requesting to rezone .27± acre property which is located within the City of Winter Garden and carries a Future Land Use Designation of TD (Traditional Downtown) on the Future Land Use Map of the City's Comprehensive Plan from R-2 (Residential District) to C-1 (Central Commercial District).

EXISTING USE

The subject property was granted a Special Exception Permit in 2006 to operate a Clinic providing medical and wellness related services with an upper story apartment. The structure contains a 2,167 square foot upper story apartment and a 1,701 square foot first story commercial office space. The property also contains five standard parking spaces and one handicapped parking space for the commercial office space and a 2 car covered carport for the upper story apartment.

ADJACENT LAND USE AND ZONING

The properties located to the north and east of the subject property are single family residences zoned R-2 in the City of Winter Garden. The properties located to the south of the subject property include a commercial office/retail property zoned C-1 in the City of Winter Garden and a single family residence zoned R-2 in the City of Winter Garden. The property located to the west of the subject property is zoned R-2 and contains the First Baptist Church and associated uses.

PROPOSED USE

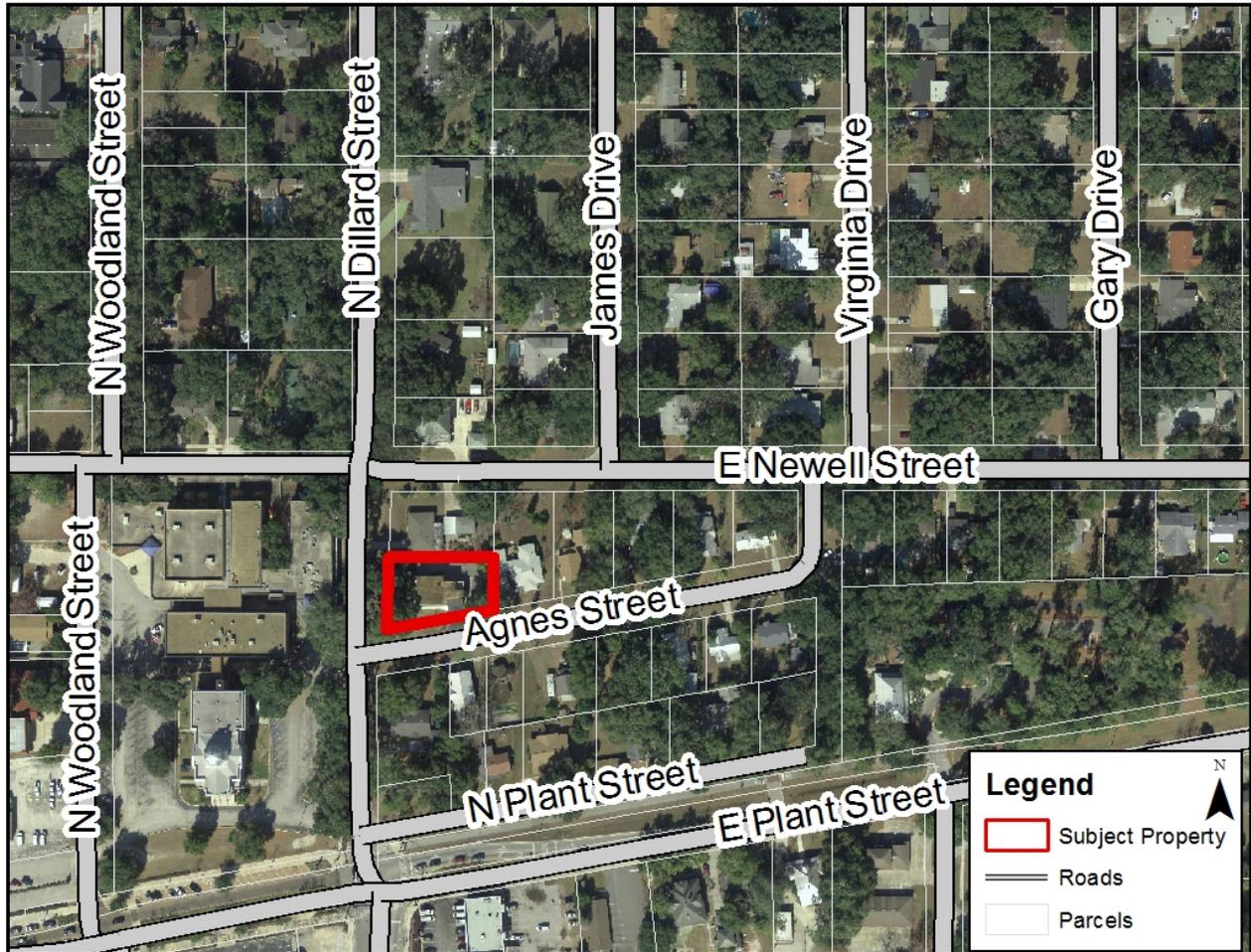
The applicant does not propose any changes to the existing use of the property at this time. The request for rezoning is to eliminate the need for the special exception permit which was granted in 2006 and allow for future expansion of the commercial and residential uses on the property. The City has recently amended the C-1 Zoning District to allow upper story residential as a permitted use which will allow the property to continue operating as it has been since 2006 and expand the facilities on the site without the need for any further special exception permit.

SUMMARY

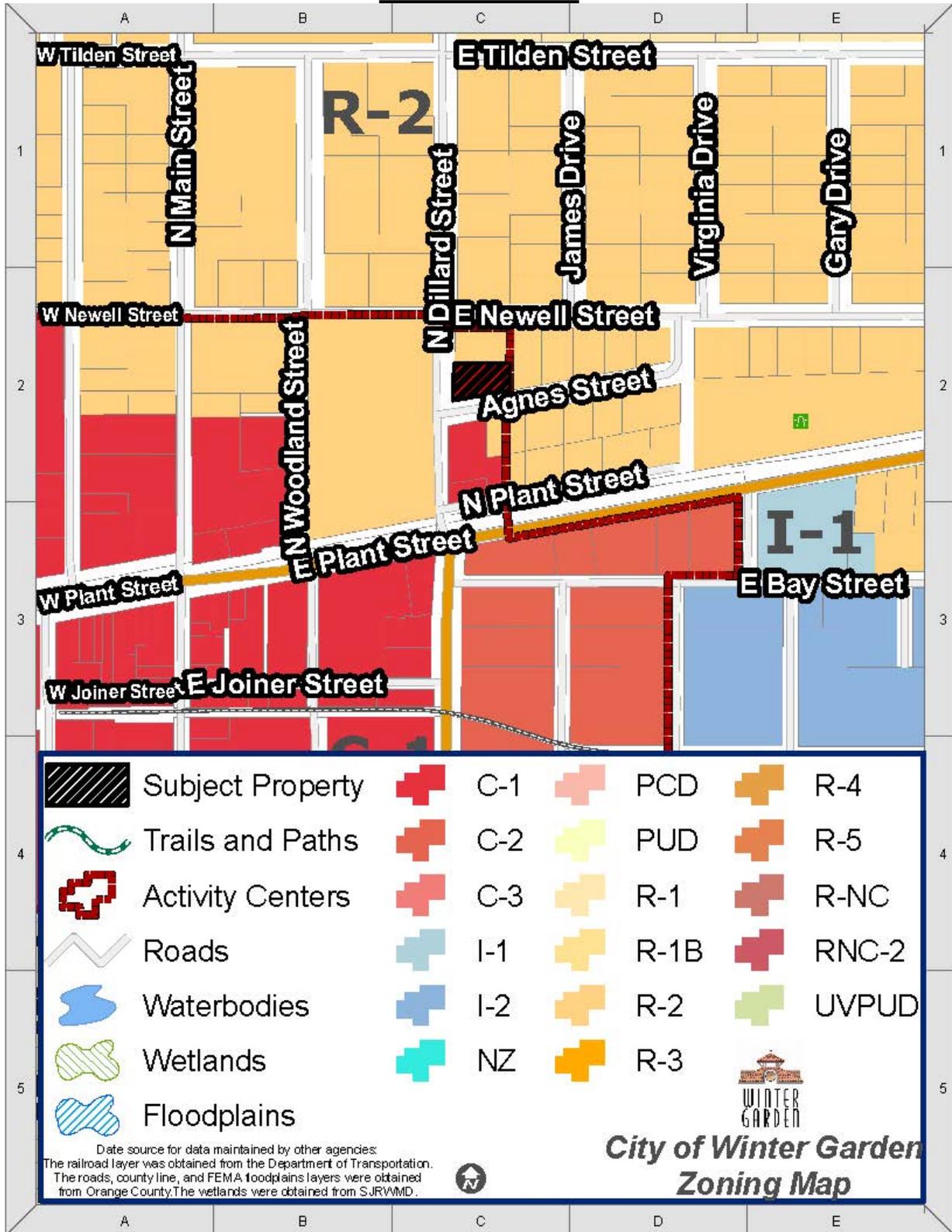
Staff recommends approval of the proposed Ordinance. Rezoning the subject property from R-2 to C-1 is consistent with the City's Comprehensive Plan and surrounding property uses, and the adjacent property owners should not be negatively impacted since the property is currently being used as a commercial and upper story residential facility.

MAPS

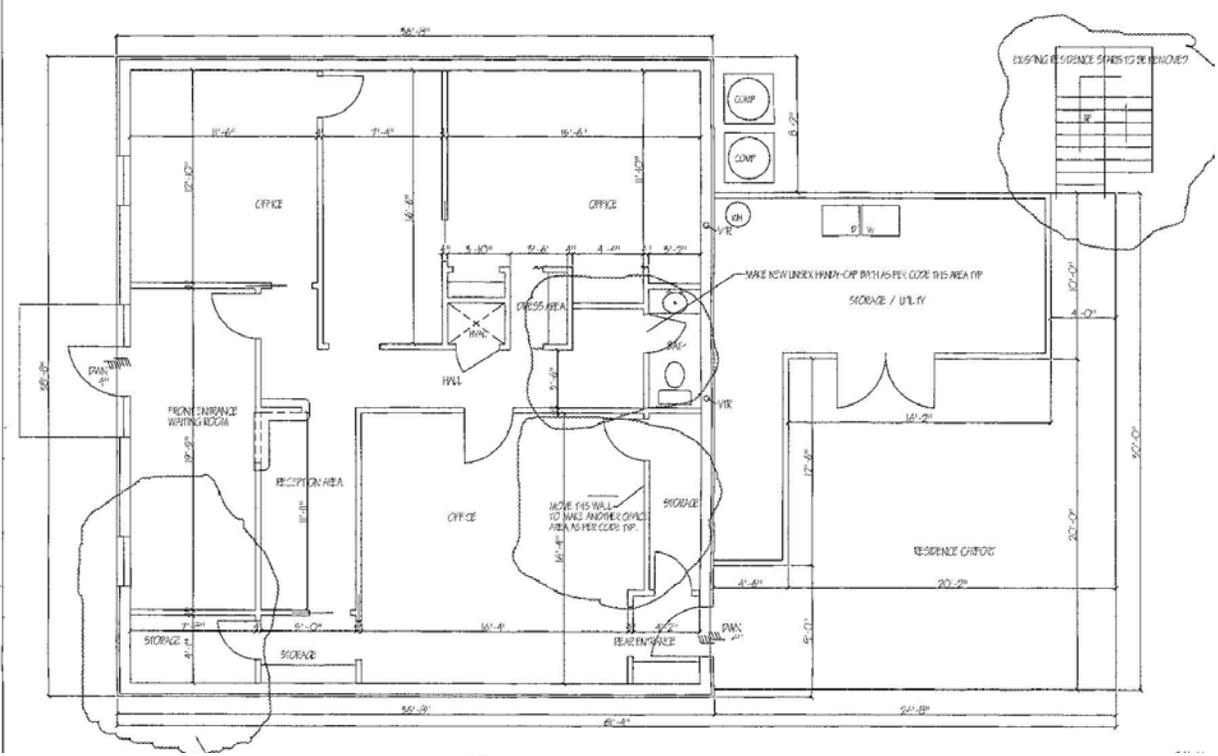
AERIAL PHOTO
55 N. Dillard Street



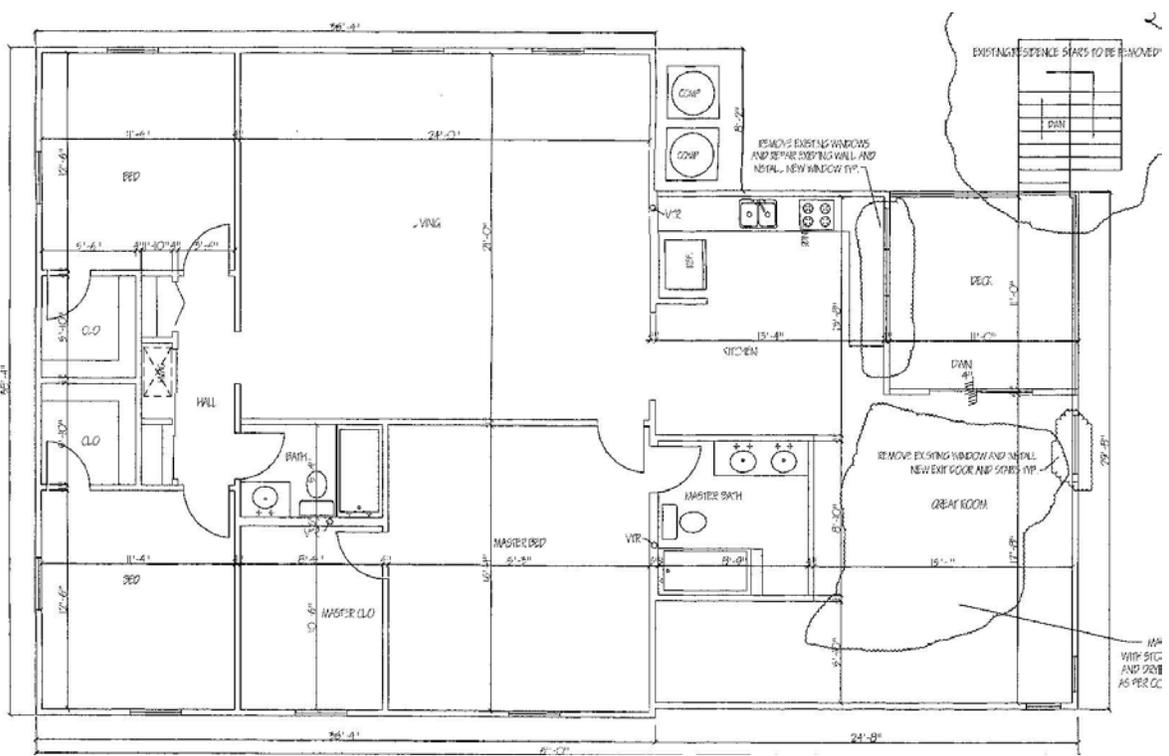
ZONING MAP
55 N Dillard Street



EXISTING 1ST FLOOR INTERIOR LAYOUT
55 N Dillard Street



EXISTING 2ND FLOOR INTERIOR LAYOUT
55 N Dillard Street



END OF STAFF REPORT

THE CITY OF WINTER GARDEN
CITY COMMISSION AGENDA ITEM

From: Ed Williams, Community Development Director

Via: City Manager Mike Bollhoefer

Date: July 5, 2013 **Meeting Date:** July 11, 2013

Subject: 15080 WEST COLONIAL DRIVE
SHOPPES AT AVALON
PARCEL ID# 28-22-27-0000-00-042

Issue: Site Plan Approval

Discussion:

The applicant is requesting Site Plan approval to build a 19,070 square foot commercial shopping center on property located at the southwest corner of West Colonial Drive and Avalon Road. The Development Review Committee has reviewed and recommended approval of the proposed site plan at the June 26, 2013 meeting.

Recommended Action:

Staff recommends approval of the proposed site plan subject to the conditions of the DRC report.

Attachment(s)/References:

Location Map
DRC Staff Report
Construction Plan

Legend



NOT TO SCALE



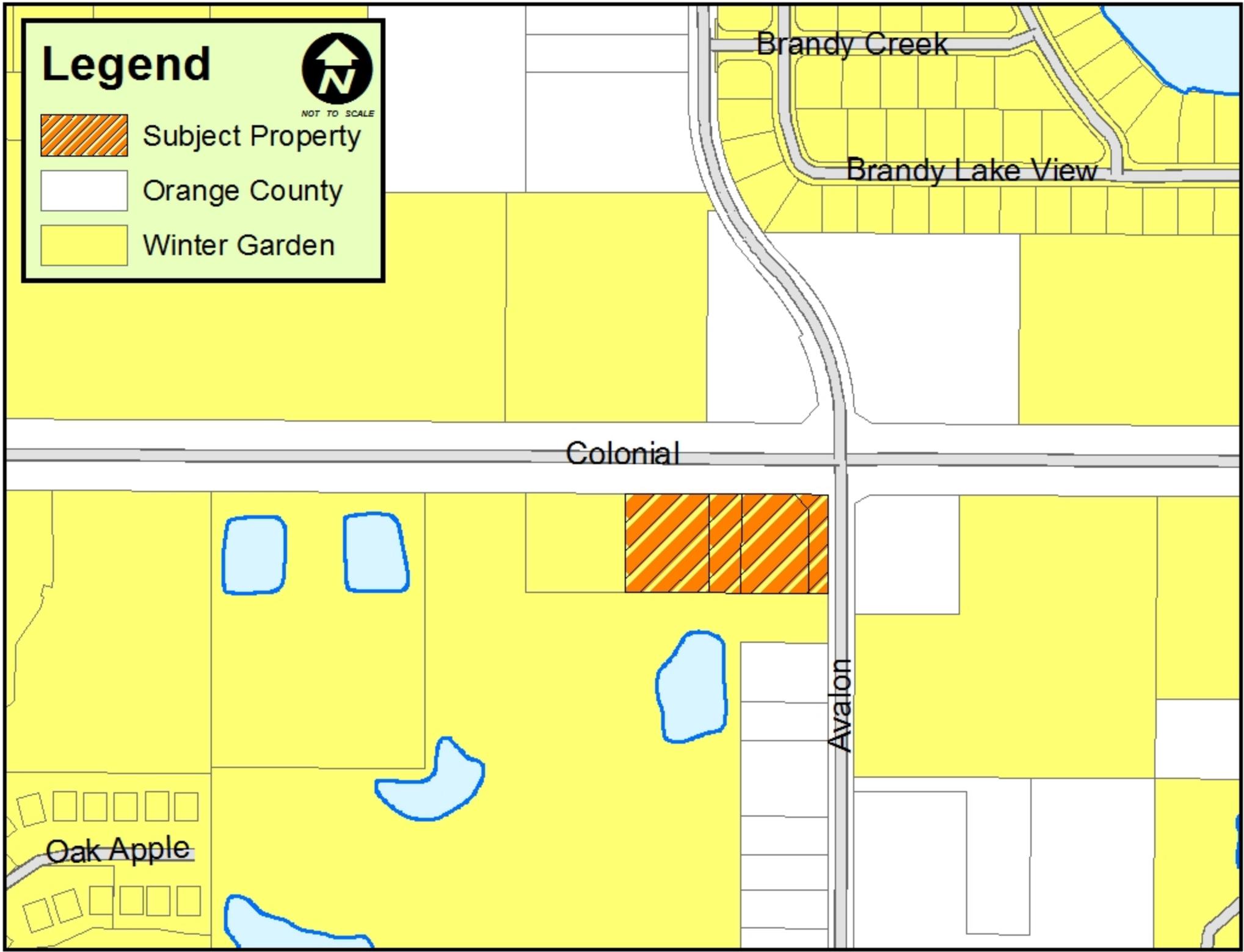
Subject Property



Orange County



Winter Garden



CITY OF WINTER GARDEN

DEVELOPMENT REVIEW COMMITTEE

300 West Plant Street - Winter Garden, Florida 34787-3011
(407) 656-4111

MEMORANDUM

TO: ED WILLIAMS, COMMUNITY DEVELOPMENT DIRECTOR
FROM: DEVELOPMENT REVIEW COMMITTEE
DATE: JANUARY 4, 2013
SUBJECT: SITE PLAN REVIEW
SHOPPES AT AVALON
15080 W. COLONIAL DRIVE

Pursuant to your request, we have reviewed the revised site plans dated 5/20/13 (received 6/04/13) for compliance with the City's stormwater and site requirements. These plans were submitted in response to our comments dated 12/20/12 and DRC meeting of 1/04/13. Please have the Applicant address the following comments in future submittals:

SITE SPECIFIC COMMENTS/CONDITIONS

1. Planning Department shall review and comment on proposed use, parking count, setbacks, open space, landscaping, buffering, lighting and signage, including SR 50 overlay requirements.
2. Cross-access easement to the property to the west has been shown; provide recorded copy prior to C O.
3. If the spreader swale outfall causes problems with the downstream property, it shall be corrected immediately. It shall replicate the pre-developed discharge flow and character along the southern boundary of the project.
4. Shallow PVC storm pipe: no more than 5% deflection will be allowed in the pipe after installation (as noted).
5. Sanitary force main: Orange County permit required for connection on Avalon Road.
6. Curbing is shown, and shall be constructed on all pavement edges adjacent to all landscape and planter areas.
7. Retaining walls, sign, etc. will require separate permit from the Building Department.
8. 5' wide concrete sidewalks shall be constructed along all street frontages pursuant to Code (as shown). Existing sidewalks will be checked at completion and any damaged sections shall be replaced.
9. All dumpsters shall be enclosed and shall provide 10' minimum inside clearance (as shown).
10. Irrigation meter shall be connected to reuse water main as shown.
11. Permit from SJRWMD is acknowledged; provide permit modification. Provide permits or exemptions from FDEP for water, wastewater and NPDES prior to issuance of site or building permits. Provide permit or exemption from FDOT for drainage, sidewalk in R/W and utility connections that may be within the FDOT R/W. Provide permit from Orange County for work within Avalon Road R/W (force main and underdrain connection).
12. On-site lighting will be required pursuant to City Code; dark skies lighting is required.

13. A portion of this site is adjacent to the SR 50 widening currently under construction. Plans appear to incorporate the widening plans for SR 50; FDOT permits for all work within the FDOT R/W shall be obtained prior to issuance of site or building permits.

STANDARD GENERAL CONDITIONS

14. The Owner is responsible for meeting all provisions of ADA and Florida Accessibility Code.
15. All work shall conform to City of Winter Garden standards and specifications.
16. Fencing, if proposed, shall meet all City requirements for height, type, etc. Chain link fencing shall be vinyl coated per Code. All construction shall conform to City of Winter Garden Standards, Specifications and Ordinances.
17. The City of Winter Garden will inspect private site improvements only to the extent that they connect to City owned/maintained systems (roadways, drainage, utilities, etc.). It is the responsibility of the Owner and Design Engineer to ensure that privately owned and maintained systems are constructed to the intended specifications. The City is not responsible for the operation and maintenance of privately owned systems, to include, but not be limited to, roadways, parking lots, drainage, stormwater ponds or on-site utilities.
18. The Contractor is responsible for the notification, location and protection of all utilities that may exist within the project limits.
19. After final plan approval, a preconstruction meeting will be required prior to any commencement of construction. The applicant shall provide an erosion control and street lighting plan at the preconstruction meeting and shall pay all engineering review and inspection fees prior to construction. Inspection fees in the amount of 2.25% of the cost of all site improvements shall be paid prior to issuance of the building permit.
20. No fill or runoff will be allowed to discharge onto adjacent properties; existing drainage patterns shall not be altered. The applicant should note that if approval is granted, the City of Winter Garden is not granting rights or easements for drainage from, or onto, property owned by others. Obtaining permission, easements or other approvals that may be required to drain onto private property is the Owner/Developer's responsibility. Should the flow of stormwater runoff from, or onto adjacent properties be unreasonable or cause problems, the City will not be responsible and any corrective measures required will be the responsibility of the Owner. Site construction shall adhere to the City of Winter Garden erosion and sediment control requirements as contained in Chapter 106 - Stormwater. If approval is granted by the City of Winter Garden, it does not waive any permits that may be required by federal, state, regional, county, municipal or other agencies that may have jurisdiction.
21. Additional comments may be generated at subsequent reviews.

PLANNING

22. The required six (6) foot high wall along the south property buffer yard needs to be indicated on the site plan. Your current plan refers to the architectural plans for details. Please add retaining wall with 6 foot high wall.

FIRE

23. No comment.

BUILDING

24. Separate submittals (application and construction plans) for Building permits are required for site improvements including;

- a. Dumpster enclosure.
- b. Retaining walls.
- c. Guard rails/fences.
- d. Electrical service/panel for the grinder

PUBLIC SERVICES

- 25. The reuse main where the 1” tap is being proposed does not currently have distribution pressure. Please connect to the potable water main. This connection will be switched over to reuse when it becomes available.
- 26. Please make a separate tap for the water meter and separate this from the fire line.
- 27. Please note that all on site utilities shall be privately owned and shall not be maintained by the City of Winter Garden

Additional comments may be generated at subsequent reviews.

Please review this information and contact our office with any questions. Thank you.

END OF MEMORANDUM

SITE CONSTRUCTION PLAN FOR FOR SHOPPES AT AVALON

January 20, 2010

Legal Description

Parcel 1:
The East 275 feet of the North 283 feet of the Northeast 1/4 of the Northeast 1/4 of Section 28, Township 22 South, Range 27 East, Orange County, Florida; less Road Right of Way.

Parcel 2:
The West 178 feet of the East 453 feet of the North 283 feet of the Northeast 1/4 of the Northeast 1/4 of Section 22 South, Range 22 South, Range 27 East, Orange County, Florida; less Road Right of Way.

Zoning Data

Zoning - C2
Front Building Setback (W. Colonial Dr.) - 50 feet
Rear Bldg Setback (South Prop. Line) - 20 feet
East Side Bldg Setback (Avalon Road) - 0 feet
West Side Bldg Setback - 0 feet

Proposed Site Data

Total Site Area = +/-1.84 Acres
Total Basin Area = 1.84 Acres
Total Pavement Area = 25,002 sf
Total Building Footprint Area = 19,070 sf
Total Impervious Area = 44,072 sf = 1.02 Acres = 55% (Less Than 70%)

Proposed Building Data

Gross Square Footage of Retail Sales = 19,070 sf

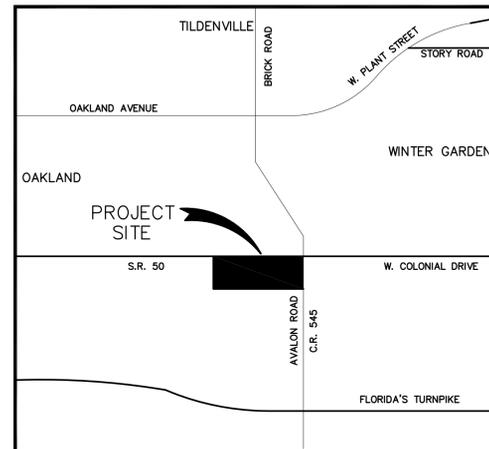
Parking Summary

Spaces Required
Total Spaces Required = 3 spaces per 1000 sf of Office = 19,070 sf x 3 spaces per 1000 sf = 58 Spaces
64 Total Paved Parking Spaces Will be Provided (3 will be Handicap).

FDOT STANDARDS INDEX	
TITLE	Index Number
Baled Hay or Strw Barriers, ...	102
Struct. Bottoms, Type J and P	200
Supplementary Details ...	201
Ditch Bottom Inlets Types D, ...	232
Side Drain Mitered End Section	273
Soil-Cement Rip-Rap	281
Curb & Curb and Gutter	300
Curb Cut Ramps	304

UTILITY NOTIFICATION

City of Winter Garden	407-656-4100
Bright House Network	(407) 532-8511
Century Link	407-814-5310
Sunshine	800-432-4770
Orange County Public Utilities	407-836-7221



LOCATION MAP

Parcel ID: 28-22-27-0000-00-038
Parcel ID: 28-22-27-0000-00-042
Parcel ID: 28-22-27-0000-00-049
Address 15020 W. Colonial Drive

OWNER:	NHSE BONITA, LLC 3100 John Young Parkway Orlando, FL 32804	407-291-9292 407-297-9292 (Fax)
ENGINEER:	Kirby Engineering, L.L.C. John Kirby, P.E. P. O. Box 770669	407-877-9400 407-877-9983 (Fax) jkgw1@earthlink.net
SURVEYOR:	SHANNON SURVEYING, INC. 499 NORTH S.R. 434 - SUITE 2153 ALTAMONTE SPRINGS, FLORIDA, 32714	(407) 774-8372
GEOTECHNICAL:	YOVAISH ENGINEERING SCIENCES, INC. 953 SUNSHINE LANE ALTAMONTE SPRINGS, FLORIDA, 32714	407-774-9383
LANDSCAPE ARCHITECT:	LANDSCAPE DYNAMICS RANDY BUCHANON	(407) 677-0677 (407) 677-0559 randy@landscapedynamics.com

GENERAL NOTES

- ALL CONSTRUCTION SHALL CONFORM TO THE CITY OF WINTER GARDEN STANDARDS AND SPECIFICATIONS AND TO THE FLORIDA DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION, MOST RECENT EDITIONS.
- UNLESS OTHERWISE NOTED, ALL DISTURBED AREAS SHALL BE SODDED UPON COMPLETION OF CONSTRUCTION.
- ALL PROPOSED GRADES SHOWN ARE FINISHED GRADES.
- THE CONTRACTOR SHALL PROVIDE POSITIVE DRAINAGE OF THE SITE AS INDICATED BY GRADES AND FLOW ARROWS.
- UTILITIES SHOWN WERE LOCATED FROM BEST AVAILABLE INFORMATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFICATION ALL UTILITY COMPANIES AND FOR THE LOCATION AND PROTECTION OF ALL UTILITIES THAT MAY EXIST.
- PRIOR TO CONSTRUCTION THE CONTRACTOR SHALL TAKE EXTREME PRECAUTION BY VERIFYING ALL ELEVATIONS, STRUCTURE LOCATIONS, PAVEMENT TIE-INS, CONNECTION TO EXISTING UTILITIES, CONNECTION TO EXISTING STORM STRUCTURES, ETC.... BASED ON THE FINDINGS THE CONTRACTOR MAY NEED TO MAKE ADJUSTMENTS IN ORDER TO MEET THE PLAN INTENT.
- THE CONTRACTOR IS RESPONSIBLE TO PROVIDE EROSION AND SEDIMENT CONTROL THROUGHOUT THE CONSTRUCTION PHASE WHICH SHALL INCLUDE, BUT NOT LIMITED TO THE PLACEMENT OF SILT FENCES, STACKED HAY BALES OR OTHER SIMILAR STRUCTURES ALONG THE PERIMETER OF THE SITE. THIS WORK SHALL CONFORM TO THE REQUIREMENTS OF THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT AND THE FLORIDA DEPARTMENT OF TRANSPORTATION AS OUTLINED IN F.D.O.T. STD. INDEX #102. THE CONTRACTOR SHALL PROVIDE AN EROSION PROTECTION PLAN.
- REMOVE ALL STRIPPINGS AND UNCLASSIFIED MATERIALS OFFSITE AND DISPOSE OF IN LEGAL MANNER.
- FILL TO BE PLACED AND COMPACTED TO A MINIMUM 98% MAXIMUM DENSITY (PER AASHTO T-180)
- JOHN KIRBY, CONSULTING ENGINEER, SHALL BE NOTIFIED IMMEDIATELY OF ANY PROBLEMS REQUIRING DEVIATION FROM THESE PLANS AND SPECIFICATIONS.
- ALL PAVEMENT SHALL BE GRADED TO OBTAIN A MINIMUM GRADE OF 0.50% AND SHALL DRAIN POSITIVELY TO AREAS INDICATED.
- CONTRACTOR SHALL PROVIDE AND COORDINATE PLACEMENT OF ANY REQUIRED UNDERGROUND CONDUITS NECESSARY FOR PLACEMENT OF UTILITIES (TELEPHONE, ELECTRIC, CABLE, ETC.) AND THE SPRINKLER SYSTEM.
- CONTRACTOR SHALL PROVIDE JOHN KIRBY, CONSULTING ENGINEER, WITH AS-BUILT INFORMATION ON THE FOLLOWING: LOCATIONS AND INVERTS OF ALL UTILITIES AND STORM STRUCTURES; AND PAVEMENT LOCATIONS AND GRADES.
- IF DEWATERING IS NECESSARY THE CONTRACTOR SHALL NOTIFY ST. JOHNS RIVER WATER MANAGEMENT DISTRICT TO DETERMINE IF A PERMIT WILL BE REQUIRED.
- THE EROSION & SEDIMENT CONTROL MEASURES DELINEATED ARE THE MINIMUM REQUIRED. ADDITIONAL CONTROLS SHALL BE UTILIZED AS NEEDED.
- TRENCH BACKFILL SHALL MEET FDOT REQUIREMENTS FOR CLEAN SELECT BACKFILL.
- ALL CONSTRUCTION ACTIVITY SHALL CONFORM TO THE STORMWATER MANAGEMENT ORDINANCE OF THE CITY OF WINTER GARDEN. SEE CHAPTER 106 OF THE CITY CODE.
- NOTE: NO HARD WOOD TREES MAY BE PLANTED OVER OR WITHIN 5 FEET OF UTILITY LINES. ONLY SOD MAY BE PLANTED OVER UTILITY LINES.
- NOTE: MEETING ALL PROVISIONS OF ADA AND THE FLORIDA ACCESSIBILITY CODE IS THE RESPONSIBILITY OF THE OWNER, DESIGN ENGINEER AND CONTRACTOR.
- NOTE: PRIOR TO ANY UNDERGROUND EXCAVATION, THE CONTRACTOR SHALL CONTACT SUNSHINE STATE ONE CALL OF FLORIDA (SSOCOF) AT (800) 432-4770 TO LOCATE ANY OR ALL UNDERGROUND UTILITIES WITHIN RIGHT-OF-WAYS OR PRIVATE PROPERTIES. (CHAPTER 556, F.S.)
- ALL ON-SITE UTILITIES SHALL BE PRIVATELY OWNED AND MAINTAINED

FIRE SERVICE	CITY OF WINTER GARDEN 171 E. PALMETTO STREET WINTER GARDEN, FL. 34787 TEL. (407) 656-4689
STORM WATER	CITY OF WINTER GARDEN 265 LAKEVIEW ROAD WINTER GARDEN, FL. 34787 TEL. (407) 656-2256
REUSE	CITY OF WINTER GARDEN 8 N. HIGHLAND AVENUE WINTER GARDEN, FL. 34787 TEL. (407) 656-4100
SANITARY SEWER	CITY OF WINTER GARDEN 8 N. HIGHLAND AVENUE WINTER GARDEN, FL. 34787 TEL. (407) 656-4100
WATER:	CITY OF WINTER GARDEN 8 N. HIGHLAND AVENUE WINTER GARDEN, FL. 34787 TEL. (407) 656-4100
POWER:	DUKE/ PROGRESS ENERGY 452 E. CROWN POINT ROAD WINTER GARDEN, FL 34787 (407) 905-3300
TELEPHONE:	CENTURY LINK P.O. BOX 770339 WINTER GARDEN, FL 34777-0339 407-814-5310
CABLE	MR. MARVIN USRY BRIGHT HOUSE NETWORK 844 MAQUIRE ROAD OCOCEE, FL. 34761 (407) 532-8511
GAS	LAKE APOPKA NATURAL GAS 1320 VINELAND ROAD WINTER GARDEN, FL. 34787 TEL. (407) 656-2734

INDEX OF SHEETS

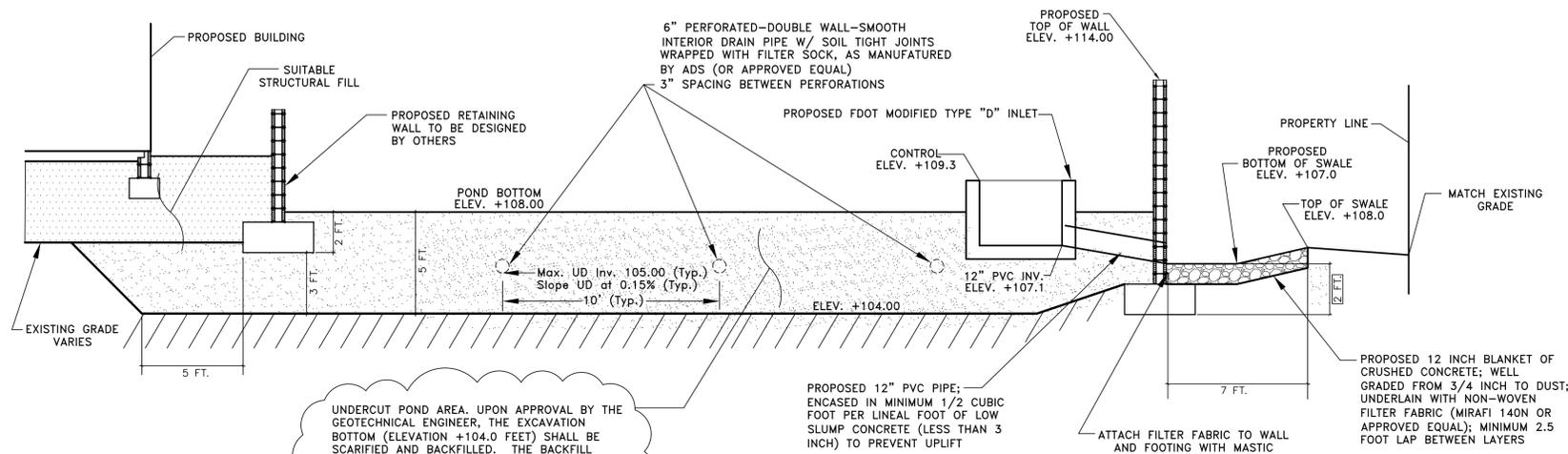
SHEET TITLE	No.
Cover Sheet	C1
Paving, Grading & Drainage Details	C2
Geometry & Striping Plan	C3
Paving, Grading & Drainage Plan	C4
Storm Water Pollution Prevention	C5
Utility Plan	C6
Lift Station Detail	C7
Landscape Plan	L1

KIRBY ENGINEERING, L.L.C. **JOHN R. KIRBY, P.E.**
P. O. BOX 770669 WINTER GARDEN, FL. 34777 (407) 877-9400
FBPE CERTIFICATE OF AUTHORIZATION # 9738

ELEVATION BASED ON ORANGE COUNTY BENCH MARK No. TP-8786
RAILROAD SPIKE IN UTILITY POLE, SW CORNER S.R. 50 AND S.R. 545.
ELEVATION = 110.56', N.G.V.D. 1929 DATUM.

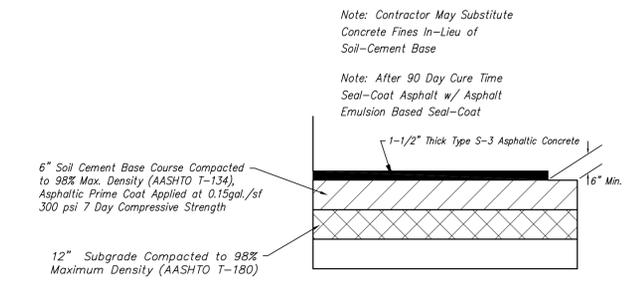
Revised 6/27/13

John R. Kirby, P.E.; Lic. No. 0041957

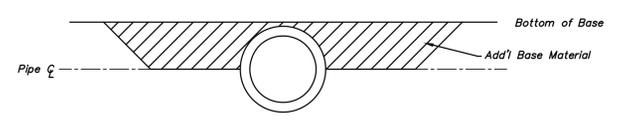


UNDERCUT POND AREA. UPON APPROVAL BY THE GEOTECHNICAL ENGINEER, THE EXCAVATION BOTTOM (ELEVATION +104.0 FEET) SHALL BE SCARIFIED AND BACKFILLED. THE BACKFILL SHALL BE COMPRISED OF ON-SITE CLEAN FINE SANDS WITH A REMODELED PERMEABILITY OF 7 FEET PER DAY OR GREATER WHEN COMPACTED TO A DENSITY OF 92 PERCENT OF THE SOILS MAXIMUM MODIFIED PROCTOR DENSITY VALUE (ASTM D-1557). THE BACKFILL MATERIAL SHALL HAVE A MAXIMUM FINES CONTENT OF 5 PERCENT PASSING THE U.S. NO. 200 SIEVE.

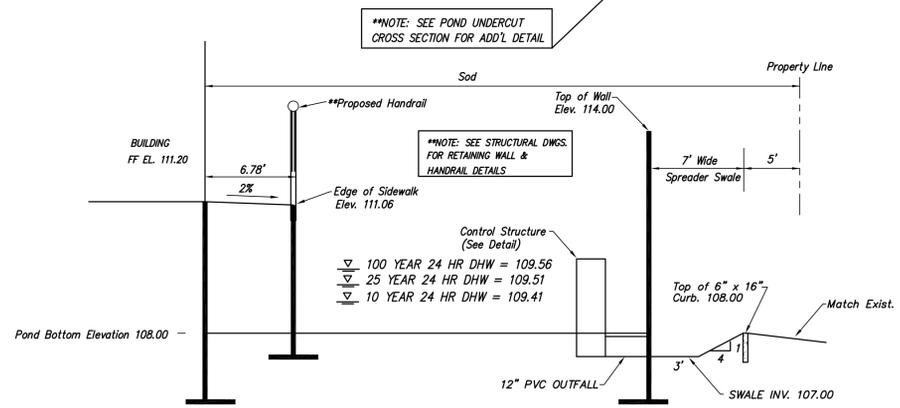
POND UNDERCUT CROSS SECTION BY YOVAISH ENGINEERING



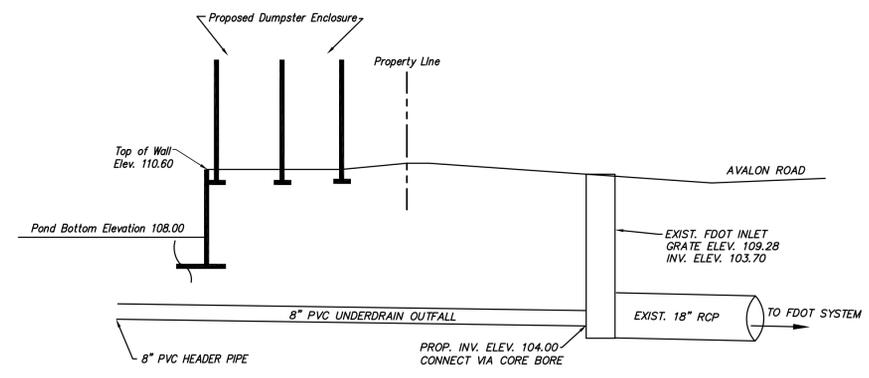
NORMAL PAVEMENT SECTION



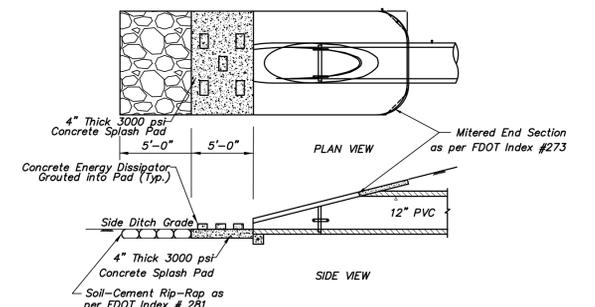
ADDITIONAL PVMT. BASE OVER STORM PIPE DETAIL



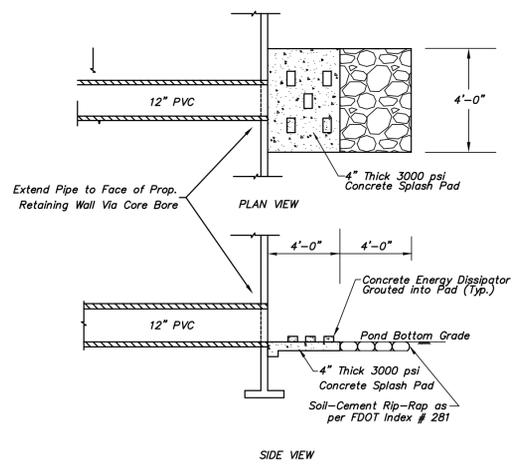
TYPICAL POND SECTION



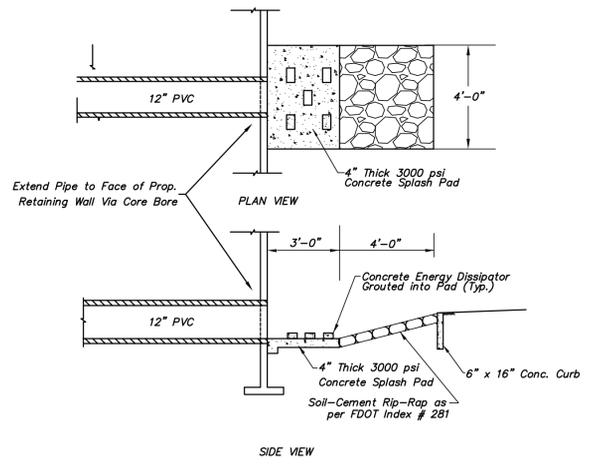
LONGITUDINAL SECTION 8" PVC UNDERDRAIN OUTFALL



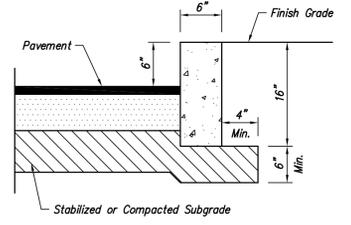
MODIFIED MITERED END SECTION



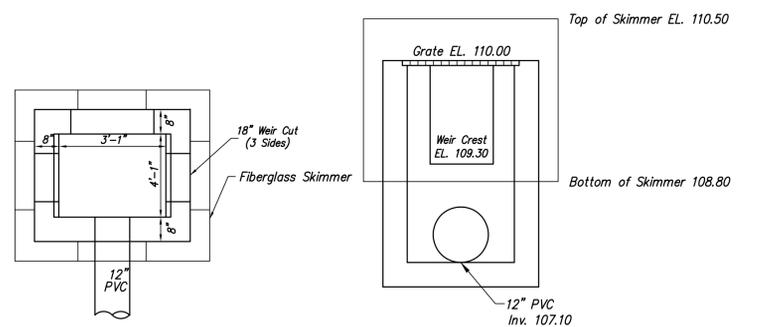
POND INFLOW PIPE DETAIL



POND OUTFALL PIPE DETAIL



6" x 16" CURB DETAIL



(Modified Type "D" Inlet) DISCHARGE STRUCTURE

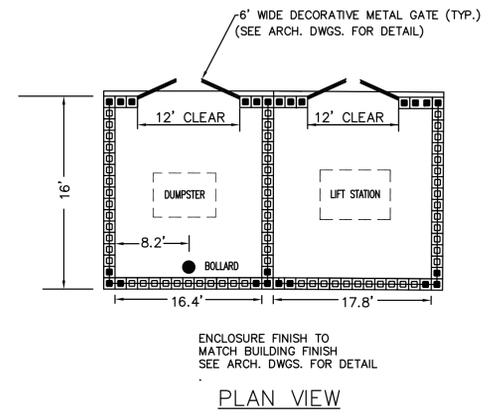
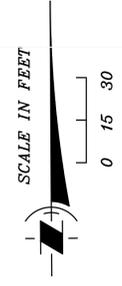
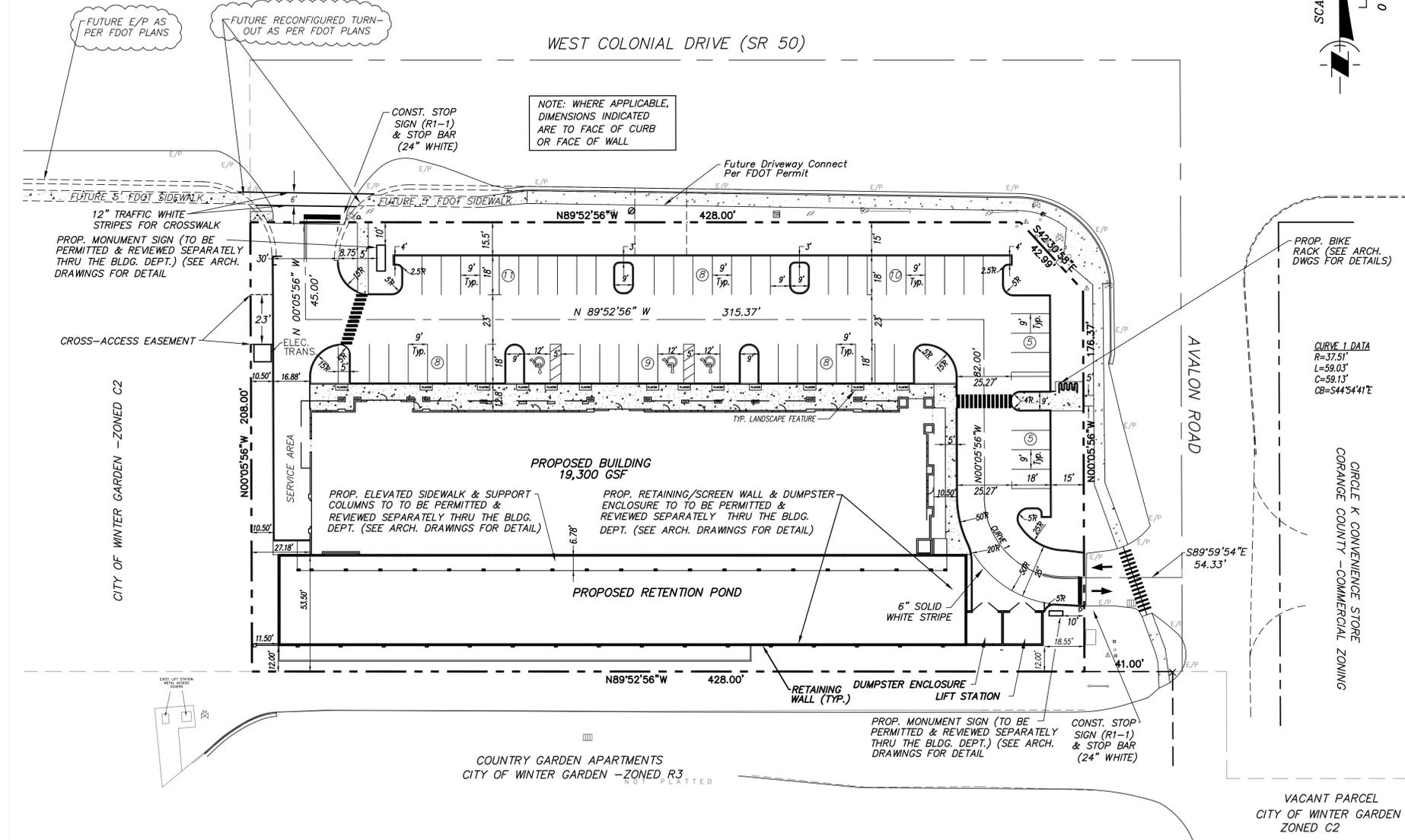
NO.	DATE	REVISIONS
1	5-27-11	ADDED LONG. SECT. FOR UD OUTFALL
2	4-19-12	REVISED AS PER 2-16-10 CWG - DRC
3	4-2-13	REVISED AS PER SRRMMD

PAVING, GRADING & DRAINAGE DETAILS FOR SHOPPES AT AVALON

KIRBY ENGINEERING, L.L.C.
 JOHN R. KIRBY, P.E.
 407-877-9400

JK	DESIGNED
JK	DRAWN
1/20/10	DATE
C2	SHEET

E:\Drawings\KIRBY\2004-07\Williams\Group\Williams Plan Base.dwg 06/28/2005 09:05:39 AM EDT



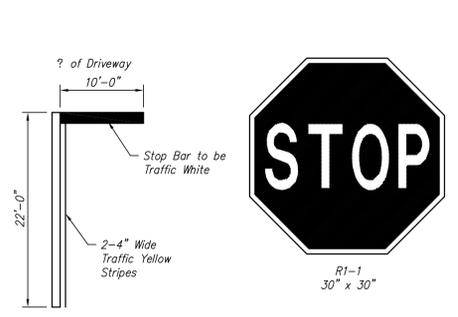
DUMPSTER/LIFT STATION ENCLOSURE DETAIL

N.T.S.

NOTE: ALL LANDSCAPING AND SITE WALLS OR ANY OTHER INCIDENTAL ITEMS SHALL MEET THE SITE DISTANCE REQUIREMENTS OF FDOT INDEX 546 AND 544.

NOTES

1. ALL SIGNAGE, PAVEMENT MARKINGS, AND STRIPING SHALL CONFORM TO FDOT INDEX # 17346.
2. ALL DISTURBED AREAS WITHIN FDOT & ORANGE COUNTY RIGHT OF WAY SHALL BE REGRADED AND RESODDED WITH ARGENTINE BAHIA SOD.
3. ALL PIPES, STRUCTURES, AND OTHER CONSTRUCTION WITHIN FDOT & ORANGE COUNTY RIGHT-OF-WAY SHALL BE IN ACCORDANCE WITH APPLICABLE FDOT ROADWAY DESIGN STANDARDS AND SPECIFICATIONS.
4. REDEFINE/RESHAPE THE SWALE AND SOD IN THOSE AREAS WHERE SWALE DOES NOT EXIST OR IS BUSTED.



STOP SIGN DETAIL
N.T.S.

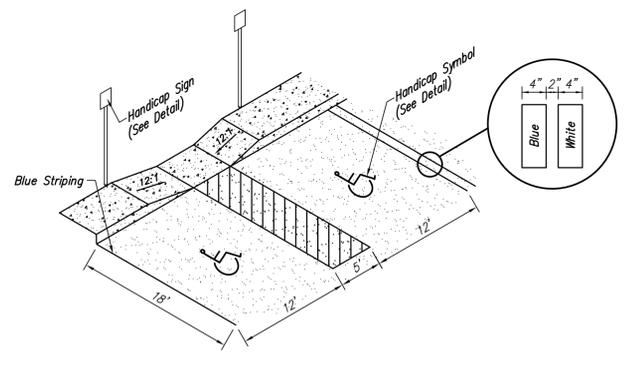


HANDICAPPED PARKING

NOTES:

1. ALL LETTERS ARE 1" SERIES "C"
2. TOP PORTION OF SIGN SHALL HAVE A REFLECTORIZED BLUE BACKGROUND WITH WHITE REFLECTORIZED LEGEND & BORDER
3. BOTTOM PORTION OF SIGN SHALL HAVE A REFLECTORIZED WHITE BACKGROUND WITH BLACK OPAQUE LEGEND & BORDER
4. ONE (1) HANDICAP SIGN REQUIRED FOR EACH HANDICAP PARKING SPACE
5. PER F.D.O.T. - INDEX NO. 17355
6. PROVIDE MOUNTED SIGN AT EACH HANDICAPPED PARKING SPACE (SEE PLAN FOR LOCATIONS). SETON NAME PLATE CORP. SA1222E 12" x 18" EMBOSSED STEEL OR EQUAL
7. PAINT SYMBOL & LETTERING ON PAVEMENT WITH THERMO PLASTIC PAINT.

HANDICAP SYMBOL & SIGN
N.T.S.



HANDICAP RAMP DETAIL
N.T.S.

LEGEND	
Prop. Concrete Sidewalk	

John R. Kirby, P.E.; Lic. No. 0041957

NO.	DATE	REVISIONS
1	4-19-12	REVISED AS PER 2-16-10 CWG-DRC & 2-7-12 Survey
2	5-16-13	REVISED AS PER 1-4-13 CWG-DRC

OVERALL & GEOMETRY PLAN
FOR
SHOPPES AT AVALON

KIRBY ENGINEERING, L.L.C.
JOHN R. KIRBY, P.E.
407-877-9400

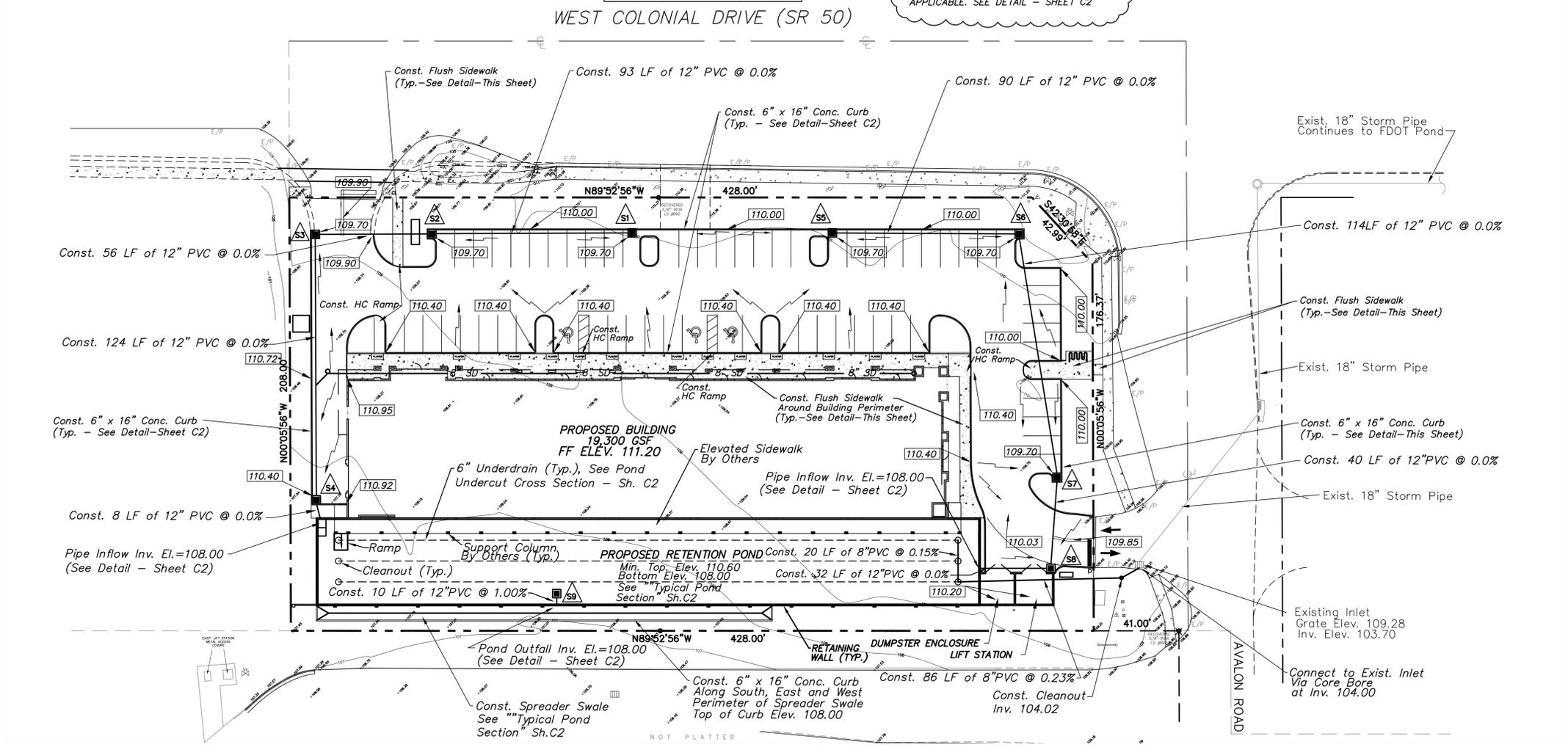
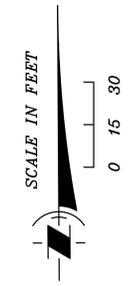
JK DESIGNED	1/20/10 DATE
JK DRAWN	C3 SHEET

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NOTE: WHERE APPLICABLE, PROP. ELEVS. INDICATED ARE AT BASE OF CURB / EDGE OF PAVEMENT.

ALL EXISTING SIDEWALKS ALONG SR 50 AND AVALON ROAD FRONTAGES WILL BE CHECKED AT COMPLETION AND ANY DAMAGED SECTIONS SHALL BE REPLACED IN KIND.

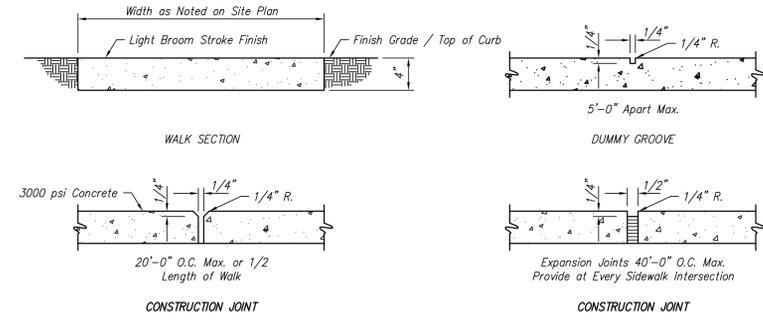
NOTE: EXTEND PAVEMENT BASE DOWN TO CENTERLINE OF ALL STORED PIPES WHERE APPLICABLE. SEE DETAIL - SHEET C2



PAVING, GRADING, AND DRAINAGE CONSTRUCTION NOTES

- UNLESS OTHERWISE NOTED, GENERAL PAVING & STORM CONST. DIVISIONS TO BE IN ACCORDANCE WITH FDOT STANDARDS & SPECS. CONSTRUCTION, 1991 EDITION & FDOT ROADWAY & DESIGN TRAFFIC STANDARDS, 1994 FOR ROAD & BRIDGE EDITION. SAID STANDARDS SPECIFICALLY INCLUDE:
- INDEX # 102-"PROTECTION AROUND INLETS OR SIMILAR STRUCTURES"
- EROSION AND WATER POLLUTION CONTROL TO BE PROVIDED IN ACCORDANCE WITH FDOT STANDARD INDEX NUMBER 102.
- CONTRACTOR TO ENSURE POSITIVE DRAINAGE OF ALL PAVEMENT AREAS TO INLET AS INDICATED.
- CONTRACTOR TO ABIDE BY THE REQUIREMENTS SET FORTH IN SJRWMD STORMWATER PERMIT NO. 42-095-117678-1
- NOTE: 8" SD = ROOF DRAIN HEADER WHICH IS TO BE DR 18 AT 1.00% MIN. SLOPE. SEE ARCH. DWGS. FOR CONTINUATION TO ROOF DOWNSPOUTS.
- NOTE: 12" PVC STORM PIPE TO BE DR 18. PVC STORM PIPE: NO MORE THAN 5% DEFLECTION WILL BE ALLOWED IN THE PIPE AFTER INSTALLATION.

	Const. Type "D" Inlet Grate Elev. 109.70 Invert Elev. 108.00		Const. Type "D" Inlet Grate Elev. 109.70 Invert Elev. 108.00
	Const. Type "D" Inlet Grate Elev. 109.70 Invert Elev. 108.00		Const. Type "D" Inlet Grate Elev. 109.70 Invert Elev. 108.00
	Const. Type "D" Inlet Grate Elev. 109.70 Invert Elev. 108.00		Const. Type "D" Inlet Grate Elev. 109.70 Invert Elev. 108.00
	Const. Type "D" Inlet Grate Elev. 110.40 Invert Elev. 108.00		Const. Mod. Type "D" Inlet Grate Elev. 110.00 Invert Elev. 107.10 (See Detail-Sheet C2)
	Const. Type "D" Inlet Grate Elev. 109.70 Invert Elev. 108.00		



FLUSH SIDEWALK DETAILS
N.T.S.

Existing Grade		+79.3
Prop. Concrete Sidewalk		
Existing Contours		109
Prop. Flow Arrow		
Prop. Grade Elev.		111.60

NO.	DATE	ADDED ADD'L INFO ON FOOT SYSTEM
1	5-27-10	
2	4-19-12	REVISED AS PER 2-16-10 CWG-DRC & 2-7-12 Survey
3	5-16-13	REVISED AS PER 1-4-13 CWG-DRC

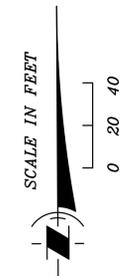
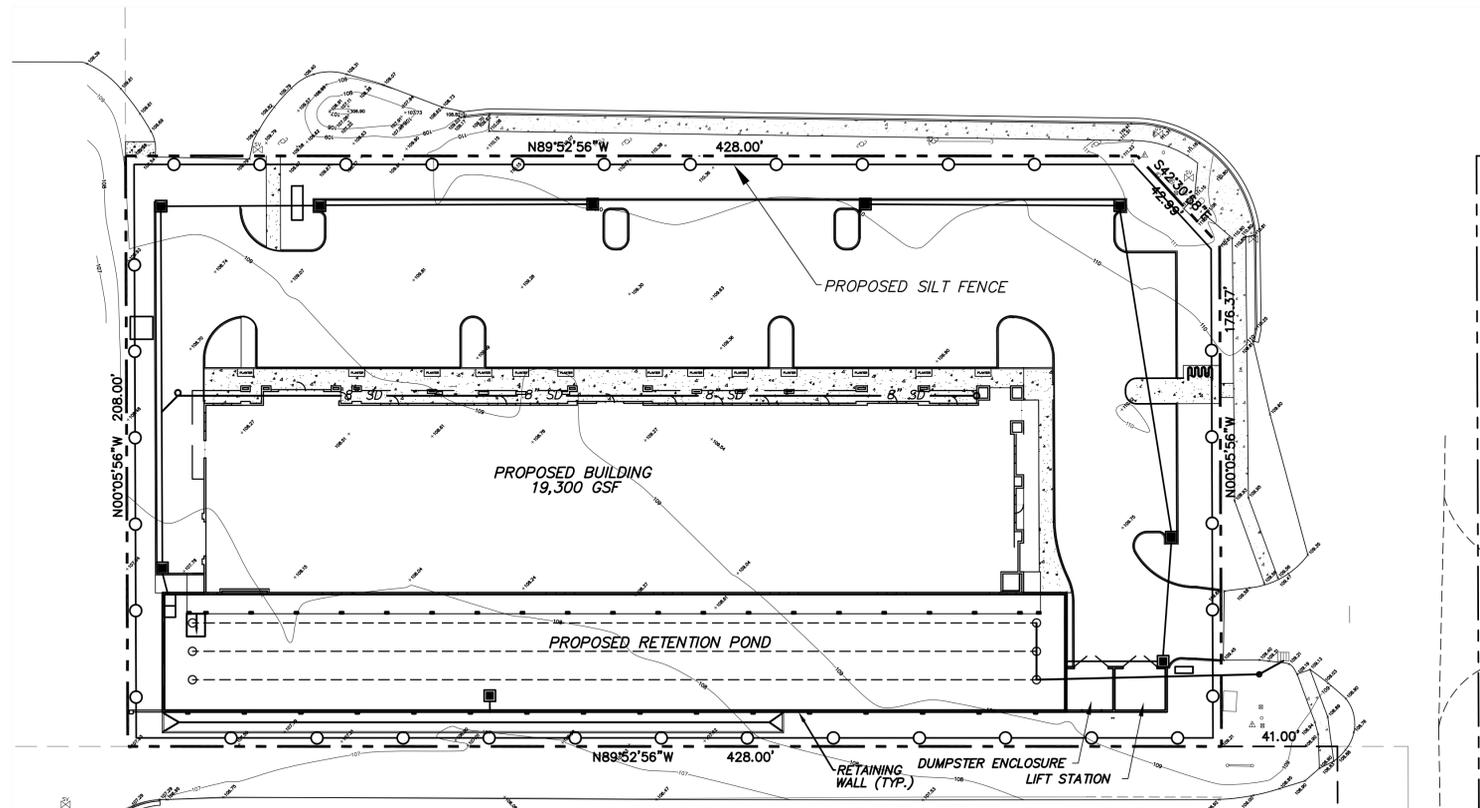
PAVING, GRADING & DRAINAGE PLAN FOR SHOPPES AT AVALON

KIRBY ENGINEERING, L.L.C.
JOHN R. KIRBY, P.E.
407-877-9400

JK DESIGNED
JK DRAWN
1/20/10 DATE
C4 SHEET

STORMWATER POLLUTION PREVENTION PLAN REQUIREMENTS (SWPPP)
62-621-300(4), F.A.C.

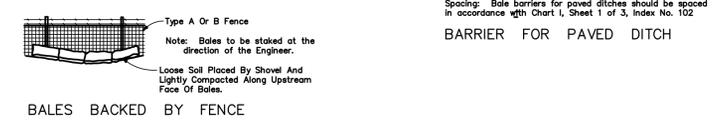
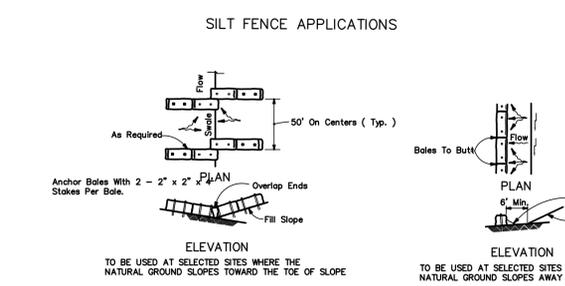
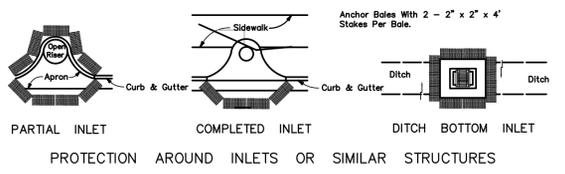
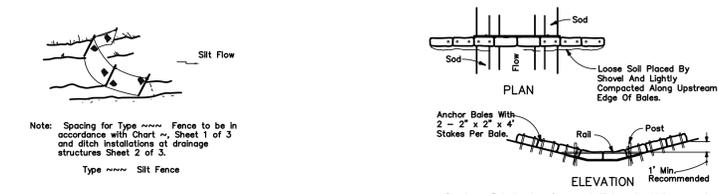
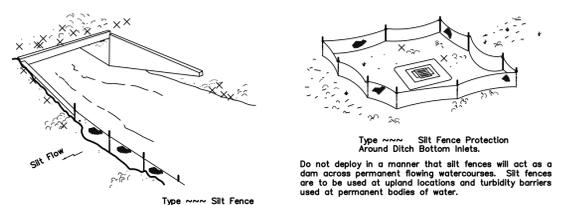
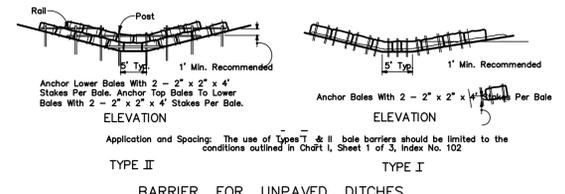
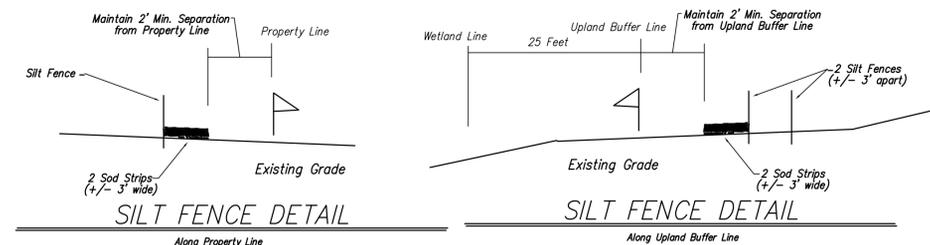
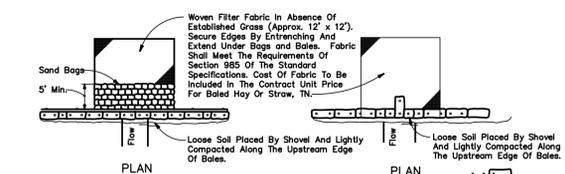
- Contractor shall file a FDEP Notice of Intent To Use Generic Permit For Stormwater Discharge From Large Construction Activities per F.A.C. 62-621-300
- Contractor shall provide City of Ocoee/St. Johns River Water Management District/Florida Department of Environmental Protection and any other applicable regulatory agency the contractor's stormwater pollution prevention plan (SWPPP) which shall reflect the order, means and methods by which the contractor proposes to apply best management practices to his construction process. The proposed SWPPP shall remain onsite and performed as approved.
- Contractor shall provide engineer, owner and Orange County EPD, City of Ocoee, and other applicable regulatory agencies an approved revised copy of the SWPPP from time to time whenever site conditions warrant per F.A.C. 62-621-300 and the permit conditions.
- CONTRACTOR SHALL PROVIDE:
 - Protection of preserved/conserved upland habitats during construction.
 - General and specific erosion control.
 - Protection of surface water quality during and after construction.
 - Control of wind erosion.
 - Sampling of drainage outfalls, recording of rainfall, record keeping on site, a trained inspector and all aspects of site monitoring per DEP Document No. 62-621-300(4)(a) effective October 22, 2000 F.A.C. 62-621-300.
 - Water Quality Testing
 - Runoff Sampling
 - Rainfall Data
 - Inspection and maintenance of BMP's (Best Management Practices)
- Contractor may utilize, but is not limited to the following best management practices. It should be noted that the measures identified on this plan are only suggest BMP's. The contractor shall provide pollution prevention and erosion control measures as specified in FDOT index #100 and as necessary for each specific application.
- GENERAL EROSION CONTROL:
 - General erosion control BMP's shall be employed to minimize soil erosion and potential lake/pond slope cave-ins. While the various techniques required will be site and plot specific, they should be employed as soon as possible during construction activities.
 - Cleared site development areas not continuously scheduled for construction activities shall be covered with hay or overseeded and periodically watered sufficient to stabilize the temporary groundcover.
 - All grass slopes constructed steeper than 4H:1V shall be sodded as soon as practical after their construction.
 - Where required to prevent erosion from sheet flow across bare ground from entering a lake or swale, a temporary sediment sump shall be constructed. The temporary sediment sump shall remain in place until vegetation is established on the ground draining to the sump.
- PROTECTION OF SURFACE WATER QUALITY DURING AND AFTER CONSTRUCTION:
 - Surface water quality shall be maintained by employing the following BMP's in the construction planning and construction of all improvements.
 - Where practical, stormwater shall be conveyed by swales.
 - Erosion control measures shall be employed to minimize turbidity of surface waters located downstream of any construction activity. While the various measures required will be site specific, they shall be employed as needed in accordance with the following:
 - In general, erosion shall be controlled at the furthest practical upstream location.
 - Stormwater inlets shall be protected during construction. Protection measures shall be employed as soon as practical during the various stages of inlet construction. Silt barriers shall remain in place until sodding ground inlets is complete.
 - Heavy construction equipment parking and maintenance areas shall be designed to prevent oil, grease, and lubricants from entering site drainage features including stormwater collection and treatment systems. Contractors shall provide broad dikes, hay bales or silt screens around, and sediment sumps within, such areas as required to contain spills of oil, grease or lubricants. Contractors shall be available, and shall use, absorbent filter pads to clean up spills as soon as possible after occurrence.
 - Silt barriers, any silt which accumulates behind the barriers, and any fill used to anchor the barriers shall be removed promptly after the end of the maintenance period specified for the barriers.
- CONTROL OF WIND EROSION:
 - Wind erosion shall be controlled by employing the following methods as necessary and appropriate:
 - Bare earth areas shall be watered during construction as necessary to minimize the transport of fugitive dust. It may be necessary to limit construction vehicle speed if bare earth has not been effectively watered. In no case shall fugitive dust be allowed to leave the site under construction.
 - As soon as practical after completion of construction, bare earth areas shall be vegetated.
 - At any time both during and after site construction that watering and/or vegetation are not effective in controlling wind erosion and/or transport of fugitive dust, other methods as are necessary for such control shall be employed. These methods may include erection of dust control fences.



EROSION & SEDIMENT CONTROL PLAN

- EROSION AND WATER POLLUTION CONTROL TO BE PROVIDED IN ACCORDANCE WITH FDOT STANDARD INDEX NUMBER 102.
- THE CONTRACTOR SHALL SUBMIT AN EROSION CONTROL PLAN FOR APPROVAL PRIOR TO SCHEDULING THE PRE-CONSTRUCTION MEETING.
- DURING CONSTRUCTION, THE CONTRACTOR SHALL TAKE ALL REASONABLE MEASURES TO INSURE AGAINST POLLUTING, SILTING OR DISTURBING TO SUCH AN EXTENT AS TO CAUSE AN INCREASE IN TURBIDITY TO THE EXISTING DRAINAGE SYSTEM AND ADJACENT WATER BODIES AND WETLANDS. CONTRACTOR SHALL BE RESPONSIBLE FOR COMPLYING WITH ALL PERMIT REQUIREMENTS RELATED TO SUCH MEASURES. METHODS MAY INCLUDE, BUT ARE NOT LIMITED TO, CONSTRUCTION OF TEMPORARY EROSION CONTROL STRUCTURES SUCH AS SEDIMENT BASINS, SEDIMENT CHECKS, SILT BARRIERS OR SILT SCREENS. ANY MEASURES SHOWN OR DETAILED IN THESE DRAWINGS SHALL BE CONSIDERED MINIMUMS AND SHALL NOT ALLEVIATE CONTRACTOR FROM THE RESPONSIBILITY TO IMPLEMENT ANY MEASURES NECESSARY TO PROVIDE PROTECTION.
- THE STORMWATER MANAGEMENT FACILITIES SHALL BE CONSTRUCTED DURING THE BEGINNING OF CONSTRUCTION.
- ALL DISTURBED AREAS SHALL BE SEEDED AND MULCHED, UNLESS INDICATED TO BE SODDED AFTER GRADING IS COMPLETED TO PREVENT EROSION.
- IT SHOULD BE NOTED THAT THE MEASURES DELINEATED HEREIN ARE THE MINIMUM REQUIRED, AND THAT ADDITIONAL CONTROLS ARE TO BE UTILIZED AS NEEDED, DEPENDENT UPON ACTUAL SITE CONDITIONS AND CONSTRUCTION OPERATIONS.

- SITE DATA**
- SITE AREA DISTURBED: +/- 1.8 ACRES
 - SITE LOCATION: SECTION 26, TOWNSHIP 22, RANGE 27
 - LOCATION: 15020 W. COLONIAL DRIVE, WINTER GARDEN, FLORIDA.
 - OUTFALL LOCATION (LATITUDE, LONGITUDE): 28° 33' 03"N, 81° 36' 30"W



NOTE: All "Bales" or "Hay Bales" indicated shall be Synthetic. Synthetic hay bales should be interlocking, have pre-made stake holes, are made of synthetic fibers (polypropylene, nylon, polyester) that meet the Environmental Protection Agency's TCLP standards, and produced into a filter medium with needle-punched fibers.

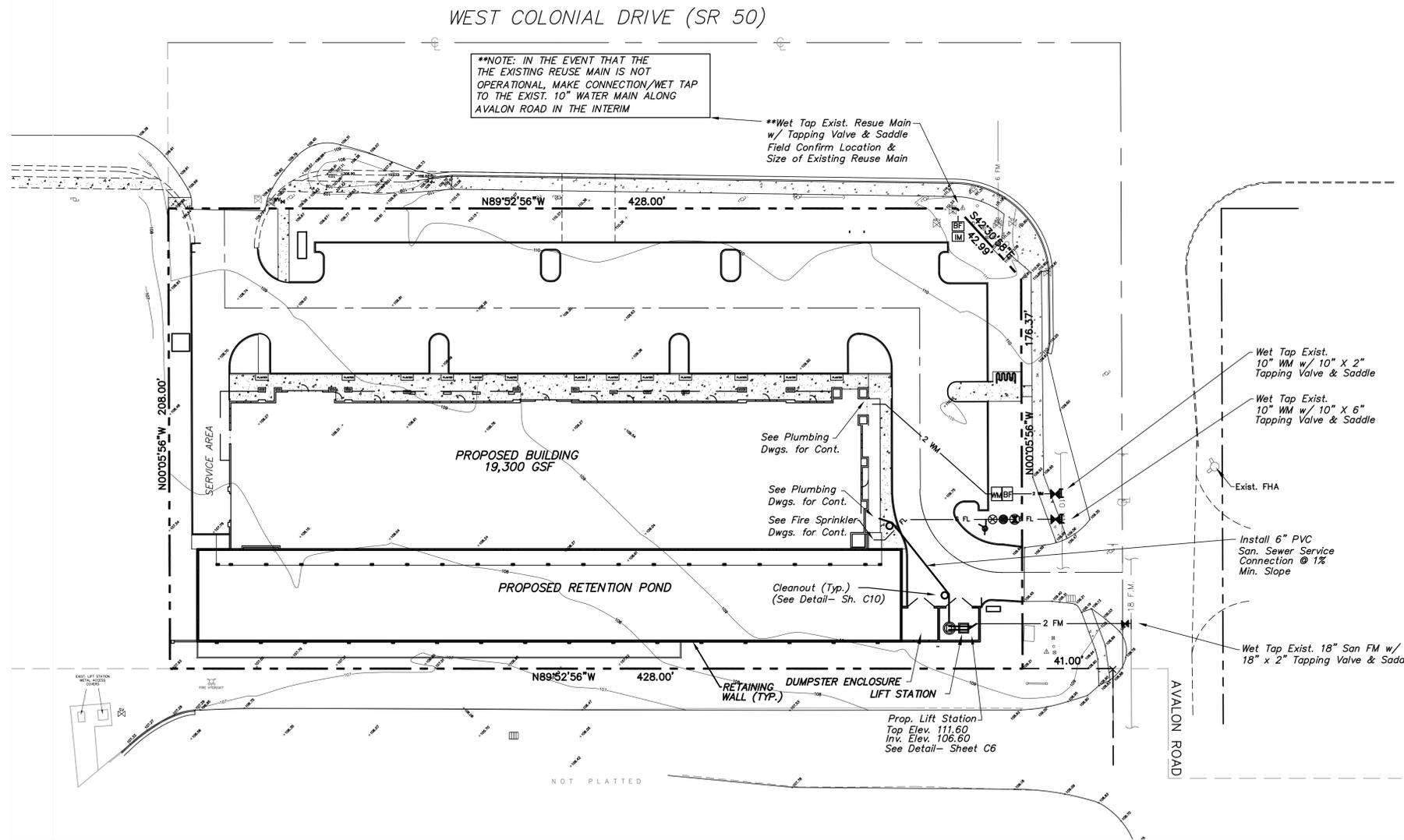
LEGEND	
Prop. Silt Fence	

NO.	DATE	REVISIONS

STORM WATER POLLUTION PREVENTION PLAN FOR SHOPPES AT AVALON

KIRBY ENGINEERING, L.L.C.
JOHN R. KIRBY, P.E.
 407-877-9400

JK	DESIGNED
JK	DRAWN
1/20/10	DATE
C5	SHEET



*** MAINTAIN A MIN. OF 6' SEPARATION BETWEEN OUTSIDE OF SANITARY & POTABLE WATER MAINS / SERVICES

WEST COLONIAL DRIVE (SR 50)

**NOTE: IN THE EVENT THAT THE EXISTING REUSE MAIN IS NOT OPERATIONAL, MAKE CONNECTION/WET TAP TO THE EXIST. 10" WATER MAIN ALONG AVALON ROAD IN THE INTERIM

**Wet Tap Exist. Reuse Main w/ Tapping Valve & Saddle Field Confirm Location & Size of Existing Reuse Main

Wet Tap Exist. 10" WM w/ 10" X 2" Tapping Valve & Saddle

Wet Tap Exist. 10" WM w/ 10" X 6" Tapping Valve & Saddle

Exist. FHA

Install 6" PVC San. Sewer Service Connection @ 1% Min. Slope

Wet Tap Exist. 18" San FM w/ 18" x 2" Tapping Valve & Saddle

Prop. Lift Station Top Elev. 111.60 Inv. Elev. 106.60 See Detail - Sheet C6

NOT PLATTED

NOTES

1. WATER SYSTEM CONSTRUCTION TO BE IN ACCORDANCE WITH CITY OF WINTER GARDEN STANDARDS & SPECS. WHICH INCLUDE:
 - A. CITY CODE - CHAPTER 78
 - B. CITY STANDARD DETAIL SHEETS
 - C. ORANGE COUNTY MANUAL OF STDS. & SPECS FOR WATER MAIN CONST.
2. NEW MAIN CONSTRUCTION SHALL NOT BE ALLOWED TO CONNECT TO THE CITY SYSTEM UNTIL BACTERIOLOGICAL AND PRESSURE TESTS ARE DONE. THE CONTRACTOR SHALL MAKE PROVISIONS TO ENSURE THAT THE EXISTING ACTIVE MAIN IS PROTECTED FROM BACKFLOW CONTAMINATION DURING FILLING, FLUSHING, TESTING AND MAINTAINING PRESSURE IN THE NEW PIPING, UNTIL A LETTER OF CLEARANCE IS OBTAINED FROM FDEP, BY UTILIZING A TYPICAL TEMPORARY JUMPER CONNECTION.
3. ALL MAINS & SERVICES SHALL BE HYDROSTATICALLY TESTED AT 150 PSI FOR TWO HOURS IN ACCORDANCE WITH CITY SPECS. & AWWA 605 & M23.
4. CONTRACTOR SHALL PROVIDE JOHN KIRBY, CONSULTING ENGINEER, WITH AS-BUILT INFORMATION ON THE WATER MAIN INCLUDING TEES, VALVES, AND BENDS.
5. GRIP RINGS, OR MEGA LUGS IN ACCORDANCE WITH CITY SPECIFICATIONS SHALL BE UTILIZED IF RESTRAINT IS NECESSARY. THRUST BLOCKING (AS PER CITY SPECS.) ALLOWED ONLY IF EITHER OF THE ABOVE IS NOT VIABLE.
6. THE CONTRACTOR/OWNER TO PAY ALL REQUIRED CONNECTION, IMPACT FEES, METER FEES, CONNECTION FEES ETC... PRIOR TO CONNECTING TO THE CITY WATER AND WASTEWATER SYSTEM.
7. CONTRACTOR TO PROVIDE ALL MATERIALS AND LABOR AS NECESSARY TO CONNECT TO THE CITY SYSTEM. ALL MATERIAL AND LABOR TO BE INSPECTED AND APPROVED BY CITY PERSONNEL.
8. CITY CROSS-CONNECTION CONTROL DEPARTMENT TO VERIFY AND INSPECT AND APPROVE BACKFLOW PREVENTION DEVICES AND CONNECTION TO THE CITY SYSTEM.
9. UTILITIES SHOWN WERE LOCATED FROM BEST AVAILABLE INFORMATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFICATION OF ALL UTILITY COMPANIES AND FOR THE LOCATION AND PROTECTION OF ALL UTILITIES THAT MAY EXIST.
10. DISINFECTION TO BE IN ACCORDANCE WITH AWWA C-651.
11. 1" PVC SHALL BE SCHEDULE 40 ASTM 1785 WITH THE NSF LOGO.
12. MATERIAL SPECIFICATIONS TO BE IN ACCORDANCE WITH AWWA C-906
13. ALL COPPER PIPE TO BE IN ACCORDANCE WITH AWWA C-800.
14. ALL POLYETHYLENE PIPE TO BE IN ACCORDANCE WITH AWWA C-901.
15. ALL DUCTILE IRON PIPE TO BE IN ACCORDANCE WITH AWWA C150/151.
16. SEE FDEP REQUIREMENTS FOR SPECIFIC MAIN SEPARATION REQUIREMENTS.
17. NOTE: PRIOR TO ANY UNDERGROUND EXCAVATION, THE CONTRACTOR SHALL CONTACT SUNSHINE STATE ONE CALL OF FLORIDA (SSOCOF) AT (800) 432-4770 TO LOCATE ANY OR ALL UNDERGROUND UTILITIES WITHIN RIGHT-OF-WAYS OR PRIVATE PROPERTIES. (CHAPTER 556, F.S.)

Additional Notes:

1. All Gravity San. Mains/Svcs. to be constructed of Green PVC (SDR 26).
2. 2" Sanitary Force Main must be Emdot Empire Green HDPEP (SDR 9).
3. All water mains 4" or greater to be constructed of blue PVC (SDR 18)(C900).
3. All water/ Irrig. mains or services less than 4" must be Emdot Empire Blue HDPEP (SDR 9).
4. See Fire Sprinkler Plans to Confirm Main Size for Fire Service.

** Fire Dept. Connection (FDC) Point of Service; Any Work Beyond This Point To Be Performed by a Licensed Fire Sprinkler Contractor

LEGEND	
Existing Grade	▽79.3
Prop. 2" Force Main	2 FM
Prop. San. Service	—
Prop. Fire Hydrant	⊕
Prop. 2" Water Meter & 2" Backflow Preventor	MMBF
Prop. Gate Valve	⊗
Prop. 6" Detector Check Valve Ass'y	⊗
** Fire Dept. Point of Connection	⊗
prop. Post Indicator Valve	●
Prop. 6" Water Main	6 WM
Prop. 6" Fire Line	6 FL
Prop. 2" Water Svc.	2 WM
Prop. 1" Irrig. Meter & 1" Backflow Preventor	IMBF



NO.	DATE	REVISIONS
1	4-19-12	REVISED AS PER 2-16-10 CWG - DRC
2	6-27-13	REVISED AS PER 6-26-13 CWG - DRC

UTILITY PLAN FOR SHOPPES AT AVALON

KIRBY ENGINEERING, L.L.C.
JOHN R. KIRBY, P.E.
407-877-9400

JK DESIGNED
JK DRAWN
1/20/10 DATE
C6 SHEET

CUSTOM PUMP & CONTROLS, INC.
PACKAGED FIBERGLASS PUMP LIFT STATIONS
PACKAGED FIBERGLASS VALVE BOXES
D.E.P. OR STANDARD CONTROL PANELS

JAX. (800) 940-3758 TAMPA (800) 940-3309
 FURNISH AND INSTALL A COMPLETE PRE-PACKAGE CUSTOM PUMP & CONTROL GRINDER PUMP STATION AS DESCRIBED BELOW

SPECIFICATIONS
 DESIGN CONDITIONS

MODEL	WG50	H.P.	5
VOLT		PHASE	1
DISCHARGE	2"	IMPELLER	5"
GPM	80	TDH	73

PUMP

THE PUMP SHALL BE A MYERS "SUPER-GRIND" AND HAVE AN INTEGRALLY BUILT IN GRINDER UNIT AND SUBMERSIBLE TYPE MOTOR. THE PUMP SHALL BE SUSPENDED IN THE BASIN BY TWO (2) 1-1/4" STAINLESS STEEL GUIDE RAILS AND QUICK DISCONNECT LIFT-OUT MOUNTING ASSEMBLY. SOLIDS SHALL BE FED IN AN UPFLOW DIRECTION TO THE GRINDER MECHANISM WITH NO OBSTRUCTIONS BELOW THE GRINDER INLET.

THE GRINDER UNIT SHALL BE CAPABLE OF CUTTING SOLID MATERIAL FOUND IN NORMAL DOMESTIC SEWAGE, INCLUDING REASONABLE AMOUNTS OF FOREIGN OBJECTS, SUCH AS WOOD, PLASTIC, GLASS, RUBBER, SANITARY NAPKINS, DISPOSABLE DIAPERS AND PANTY HOSE INTO A FINE SLURRY THAT WILL PASS FREELY THROUGH THE PUMP, SERVICE LINE AND FORCE MAIN.

MOTOR

THE PUMP MOTOR SHALL BE OF THE SUBMERSIBLE TYPE RATED FOR 3.5, 7-1/2 HORSEPOWER AT 3450 RPM. MOTOR SHALL BE SINGLE PHASE, OR THREE PHASE, 60 HERTZ. SINGLE PHASE MOTORS SHALL BE OF THE CAPACITOR START-CAPACITOR RUN TYPE FOR HIGH STARTING TORQUE.

THE STATOR WINDING SHALL BE THE OPEN TYPE WITH CLASS F INSULATION RATED FOR 105° C MAXIMUM OPERATING TEMPERATURE. THE WINDING HOUSING WILL BE FILLED WITH CLEAN DIELECTRIC OIL THAT WILL LUBRICATE BEARINGS, SEALS AND TRANSFER HEAT FROM THE WINDINGS TO THE OUTER SHELL. THE MOTOR STATOR IS TO BE PRESSED INTO THE MOTOR HOUSING FOR OPTIMUM CONCENTRICITY AND ALIGNMENT, AND MAXIMUM HEAT TRANSFER. THE MOTOR SHALL BE CAPABLE OF OPERATING FULL RANGE OF PERFORMANCE CURVE WITHOUT OVERLOADING MOTOR AND CAUSING ANY OBJECTIONAL NOISE OR VIBRATION.

THE MOTOR SHALL HAVE TWO BALL BEARINGS TO SUPPORT THE ROTOR; AN UPPER BALL BEARING TO ACCOMMODATE THRUST LOADS AND A LOWER BALL BEARING TO TAKE RADIAL LOADS. BALL BEARINGS SHALL BE DESIGNED FOR A LB-10 LIFE (50,000 HOURS).

A HEAT SENSOR THERMOSTAT AND OVERLOAD SHALL BE ATTACHED TO THE TOP END OF THE MOTOR WINDINGS AND SHALL STOP THE MOTOR IF THE MOTOR WINDING TEMPERATURE REACHES 200° F. THE HIGH TEMPERATURE SHUTOFF WILL CAUSE THE PUMP TO CEASE OPERATION. SHOULD A CONTROL FAILURE CAUSE THE PUMP TO RUN IN A DRY WET WELL, THE THERMOSTAT SHALL RESET AUTOMATICALLY WHEN THE MOTOR COOLS TO A SAFE OPERATING TEMPERATURE.

SEAL CHAMBER

THE MOTOR SHALL BE PROTECTED BY TWO (2) ROTARY SHAFT SEALS MOUNTED IN TANDEM WITH AN OIL FILLED CHAMBER SEPARATING THE SEALS. THE SEALS SHALL HAVE CARBON AND CERAMIC SEAL FACES DIAMOND LAPPED TO A TOLERANCE OF ONE LIGHT BAND. METAL PARTS AND SPRINGS FOR SEALS SHALL BE STAINLESS STEEL. AN ELECTRICAL SENSING PROBE SHALL BE MOUNTED IN THE SEAL CHAMBER TO DETECT ANY WATER LEAKAGE PAST THE LOWER SEAL.

GRINDER ASSEMBLY & CONSTRUCTION

THE GRINDER ASSEMBLY SHALL CONSIST OF A ROTATING RADIAL CUTTER AND A STATIONARY SHREDDING RING, AND SHALL BE MOUNTED DIRECTLY BELOW THE VOLUTE PASSAGE. THE ROTATING CUTTER SHALL BE THREADED ONTO THE STAINLESS STEEL SHAFT AND SHALL BE LOCKED WITH A SCREW AND WASHER. THE STATIONARY SHREDDING RING SHALL BE PRESSED INTO AN IRON HOODING FLANGE FOR EASY REMOVAL. THE FLANGE SHALL BE PROVIDED WITH TAPPED BACK-OFF HOLES SO THAT SCREWS CAN BE USED TO PUSH THE SHREDDING RING FROM THE HOUSING. BOTH THE RADIAL CUTTER AND SHREDDING RING SHALL BE REMOVABLE FROM THE OUTSIDE WITHOUT DISMANTLING PUMP. GRINDER ASSEMBLY SHALL BE OF SUCH CONSTRUCTION THAT NO CLEARANCE ADJUSTMENTS ARE REQUIRED WHEN ASSEMBLING. ALL GRINDING OF SOLES SHALL BE FROM THE ACTION OF THE RADIAL CUTTER AGAINST THE SHREDDING RING. THE RADIAL CUTTER AND SHREDDING RING SHALL BE OF #440 STAINLESS STEEL, HARDENED TO 58-60 ROCKWELL C.

PUMP IMPELLER

THE PUMP IMPELLER SHALL BE OF THE RECESSED TYPE TO PROVIDE AN OPEN UNOBSTRUCTED PASSAGE THROUGH THE VOLUTE FOR THE GROUND SOLIDS. THE IMPELLER SHALL BE CONSTRUCTED OF CAST IRON AND SHALL HAVE PUMP-OUT VAINES ON THE BACK SIDE OF THE IMPELLER TO KEEP SOLIDS FROM LOWER SEAL AND REDUCE PRESSURE AT THE SEAL FACES. IMPELLER SHALL BE THREADED ONTO THE STAINLESS STEEL SHAFT.

PUMP & MOTOR CASTINGS

ALL IRON CASTING SHALL BE OF HIGH TENSILE CAST IRON AND SHALL BE PROPERLY CLEANED, PRE-TREATED WITH CHROMIC RINSE, AND PAINTED WITH A HIGH QUALITY ENAMEL PAINT. ALL PUMP COMPONENTS THAT ARE NOT CAST IRON OR STAINLESS STEEL SHALL BE GALVANIZED OR PAINTED WITH BAKED-ON EPOXY. ALL FASTENERS SHALL BE #302 STAINLESS STEEL.

SERVICE

PUMPS, PARTS, AND SERVICE SHALL BE AVAILABLE FROM AN AUTHORIZED MANUFACTURER (MYERS) WARRANTY SERVICE STOCKING DISTRIBUTOR.

WET WELL

SHALL BE A FILAMENT WOUND FIBERGLASS BASIN USING A COMMERCIAL GRADE OF GLASS FIBER HAVING A COUPLING AGENT WHICH WILL PROVIDE A SUITABLE BOND BETWEEN THE GLASS REINFORCEMENT AND THE RESIN. THE LAMINATE SHALL CONSIST OF AN INNER SURFACE, AN INTERIOR LAYER, AND AN EXTERIOR LAYER OF LAMINATE BODY. THE INNER SURFACE SHALL BE FREE OF CRACKS AND COATING WITH A SMOOTH FINISH. SOME WARRINESS IS PERMISSIBLE AS LONG AS THE SURFACE IS SMOOTH AND FREE OF PITS. BETWEEN 0.02 AND 0.03 INCHES OF RESIN-RICH SURFACE SHALL BE PROVIDED. THE BASIN SHALL BE PROVIDED WITH AN ANTI-FLOATATION RING TO PREVENT RISING. WETWELL PVC SHALL BE AS PROVIDED BY CUSTOM PUMP & CONTROLS UTILIZING RESILIENT MOUNTING ASSEMBLIES TO ALLOW FOR VARIATIONS IN SETTING RING ALIGNMENTS AND CHANGES FROM BACKFILLING AFTER SETTING. ROSS CAST IN PIPE FITTINGS OR FIBERGLASS RIGID HUBS WILL NOT BE CONSIDERED EQUAL OR ACCEPTABLE.

INLET HUB

SHALL BE C.P.C. RESILIENT MOUNT SEALING SYSTEM, COMPLETE WITH GASKETS AND FLEXIBLE PIPE COUPLER, STAINLESS STEEL MOUNTING HARDWARE.

SIZE SHALL BE 4 INCHES 6 INCHES 8 INCHES 10 INCHES
 QUANTITY 4 INCHES 6 INCHES 8 INCHES 10 INCHES

VALVE BOX

SHALL BE C.P.C. MODEL V83242 FIBERGLASS VALVE BOX WITH U.S. FOUNDRY APS-150 ALUMINUM VALVE BOX COVER. VALVE BOX SHALL BE COMPLETELY PRE-PLUMBED USING ALL SCHEDULE 80 PVC PIPING AND FITTINGS, AND SHALL INCLUDE TWO (2) 2" SCHEDULE 80 PVC FLANGED BALL CHECK VALVES AND THREE (3) 2" SCHEDULE 80 PVC FLANGED GATE VALVES. ONE (1) 2" GATE VALVE IS SUPPLIED AS AN EMERGENCY PUMP-OUT. PVC PIPING IN VALVE BOX AND WET WELL SHALL BE CONNECTED AND HELD IN PLACE BY C.P.C. MODEL 32 RESILIENT MOUNT SEALING SYSTEM TO COMPENSATE FOR POSSIBLE UNEVEN SETTLING OF BASIN OR VALVE BOX. SYSTEM SHALL BE PRESSURE TESTED AT 150 P.S.I. PRIOR TO SHIPMENT.

ALUMINUM HATCH COVERS

SHALL BE FABRICATED FROM 1/4" ALUMINUM DIAMOND PLATE AND BUILT TO WITHSTAND A LOAD OF 150 LB. P.S.F. AND SHALL BE MANUFACTURED BY U.S. FOUNDRY, HALLIDAY, OR EQUAL. STAINLESS STEEL BOLTS, NUTS AND HINGES - LOCKING STAPLE.

FLOATS

SHALL BE S.I. ELECTRO SENSOR MASTER MECHANICAL FLOAT SWITCHES RATED AT 5 AMPS AT 120 OR 230V. NO MERCURY WILL BE ALLOWED IN WETWELL.

ACCESSORIES

- STAINLESS STEEL UPPER GUIDE BRACKETS
- STAINLESS STEEL CABLE RACK
- STAINLESS STEEL CABLE RACK
- STAINLESS STEEL LIFT CABLES - CHAIN

ANTI-FLOATATION

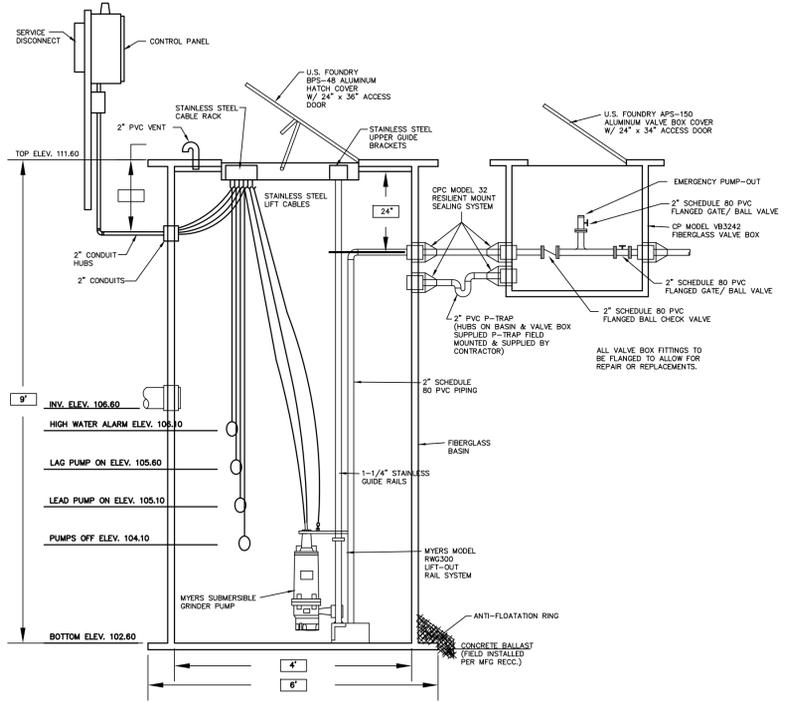
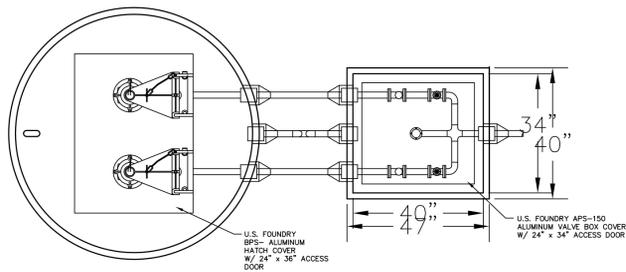
CONCRETE IS RECOMMENDED TO PREVENT FLOATATION OF THE FIBERGLASS BASIN. THE FOLLOWING LISTS THE CUBIC FEET REQUIRED FOR FOOT OF BASIN DEPTH.

BASIN DIAMETER	CUBIC FEET OF CONCRETE REQUIRED PER FOOT OF BASIN DEPTH
24"	2
30"	3.5
36"	5
48"	8.5
60"	12

FOR TECHNICAL ASSISTANCE, CONTACT CUSTOM PUMP & CONTROLS, INC., TAMPA, FL. AT 1-(800) 940-3309, OR CUSTOM PUMP & CONTROLS, INC., JACKSONVILLE, FL. AT 1-(800) 940-3750

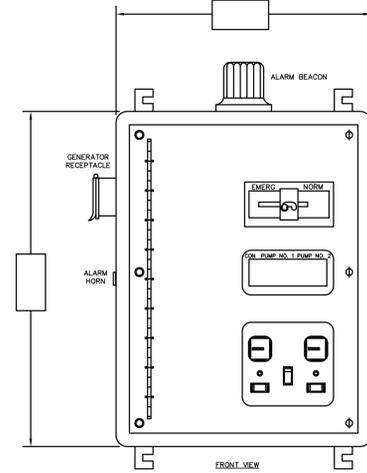
SYSTEM IS SOLD AS PACKAGE BY CUSTOM PUMP & CONTROLS, INC. AND AS INCORPORATED IN SYSTEM DESIGN BY ENGINEER. ANY CHANGES THAT MIGHT CAUSE RE-EVALUATION OF PROJECT DESIGN OR DRAWINGS COSTS WILL BE ASSESSED TO CONTRACTOR.

CUSTOM PUMP & CONTROLS, INC.
PACKAGED GRINDER PUMP STATIONS



ENCLOSURE MAT _____ FG. _____ SS _____ GPS _____
 H.P. _____ PHASE _____ VOLTAGE _____
 SERVICE SYSTEM 3 WIRE _____ 4 WIRE _____

* NOTE: CONTRACTOR TO FIELD VERIFY PHASE AND VOLTAGE



CONTROL PANEL
 PER D.E.P. REQUIREMENTS

SPECIFICATIONS FOR DUPLEX D.E.P. TYPE CONTROL PANEL

EACH PANEL SHALL CONTROL TWO _____ HP, _____ VOLT, _____ PHASE, 60 Hz PUMPS.

A NEUTRAL SHALL BE SUPPLIED TO THE PANEL FOR 120 VOLT CONTROL POWER.

PANEL ENCLOSURE

ENCLOSURE SHALL BE NEMA _____, FABRICATED FROM STAINLESS STEEL.

OUTER DOOR SHALL HAVE HINGES AND MEANS FOR PADLOCKING. INNER DEADFRONT DOOR SHALL BE 5052-132 ALLOY ALUMINUM. ALL MOUNTING HOLES SHALL BE DRILLED AND TAPPED. SELF TAPPING SCREW NOT ACCEPTABLE. ALL BOLTS, NUTS, LOCK WASHERS, AND MACHINE SCREWS SHALL BE STAINLESS STEEL.

THE FOLLOWING MAJOR COMPONENTS ARE REQUIRED:

- 1) MAIN BREAKER
- 2) EMERGENCY BREAKER AND GENERATOR RECEPTACLE-RUSSELL STOLL
- 3) PUMP BREAKERS
- 4) CONTROL CIRCUIT BREAKER
- 5) ALTERNATOR
- 6) HIGH LEVEL FLASHING ALARM LIGHT
- 7) HIGH LEVEL HORN ALARM WITH SILENCE - WHEN SILENCE LIGHT STAYS ON
- 8) LIGHTNING ARRESTOR
- 9) SURGE SUPPRESSOR
- 10) PHASE/UNDER VOLTAGE MONITORING RELAY IF 3 PHASE. UNDER VOLTAGE MONITORING RELAY IF SINGLE PHASE
- 11) NEMA RATED MOTOR STARTERS WITH OVERLOAD PROTECTION FOR ALL POWER LEGS
- 12) ELAPSE TIME METERS
- 13) CAPACITORS AND START-RELAYS AS APPROVED FOR MYERS PUMPS ON SINGLE PHASE SYSTEMS.

TYPICAL SEQUENCE OF OPERATION:

ON RISE LEVEL:

LOWEST FLOAT WILL CLOSE CIRCUIT TO RELAY. LEAD PUMP ON FLOAT CLOSES TO BRING LEAD PUMP ON. IF LEAD DOES NOT RESEAT AND CONTINUES TO RISE, THE LAG FLOAT WILL CLOSE AND BRING ON THE LAG PUMP. FURTHER RISING OF LEVEL IN WETWELL WILL CLOSE 4TH FLOAT (HIGH LEVEL) AND ACTIVATE THE HIGH LEVEL ALARM LIGHT AND HORN.

ON FALLING LEVEL:

ALL PUMPS WILL DE-ENERGIZE AT THE OPENING OF THE LOWEST (OFF) FLOAT

CONTROL CIRCUITRY WILL BE SUCH THAT NO FLOAT WILL DEPEND ON ANOTHER FLOAT FOR ITS CONTROL POWER.

CONTROL PANEL SCHEMATICS, IN PLASTIC LAMINATE, IS TO BE AFFIXED TO THE INSIDE OF THE OUTER DOOR.

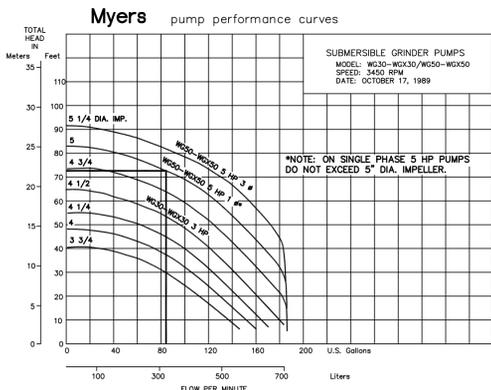
ALL WIRING SHALL BE NUMBERED.

IN THE EVENT THE PUMPS BEING FURNISHED REQUIRE SEAL FAILURE COMPONENTS AND INDICATION TO VALIDATE WARRANTY, THESE COMPONENTS SHALL BE FURNISHED AS REQUIRED.

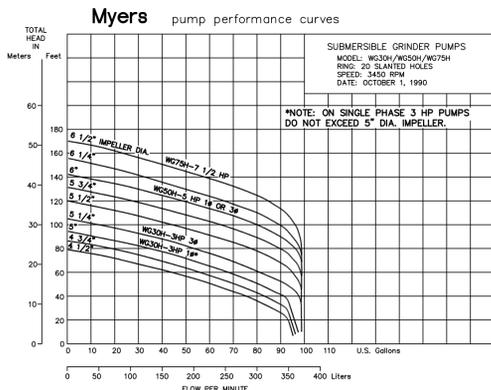
ALL COMPONENT LABELS SHALL BE OF THE LAZER PRINTED MYLAR PLASTIC LABELS.

A 24 HOUR EMERGENCY TELEPHONE CONTACT SHALL BE DISPLAYED BY THE OWNER.

PUMP PERFORMANCE CURVE



PUMP PERFORMANCE CURVE



NO.	DATE	REVISIONS
1	5-16-13	REVISED AS PER 1-4-13 CWG-DRG

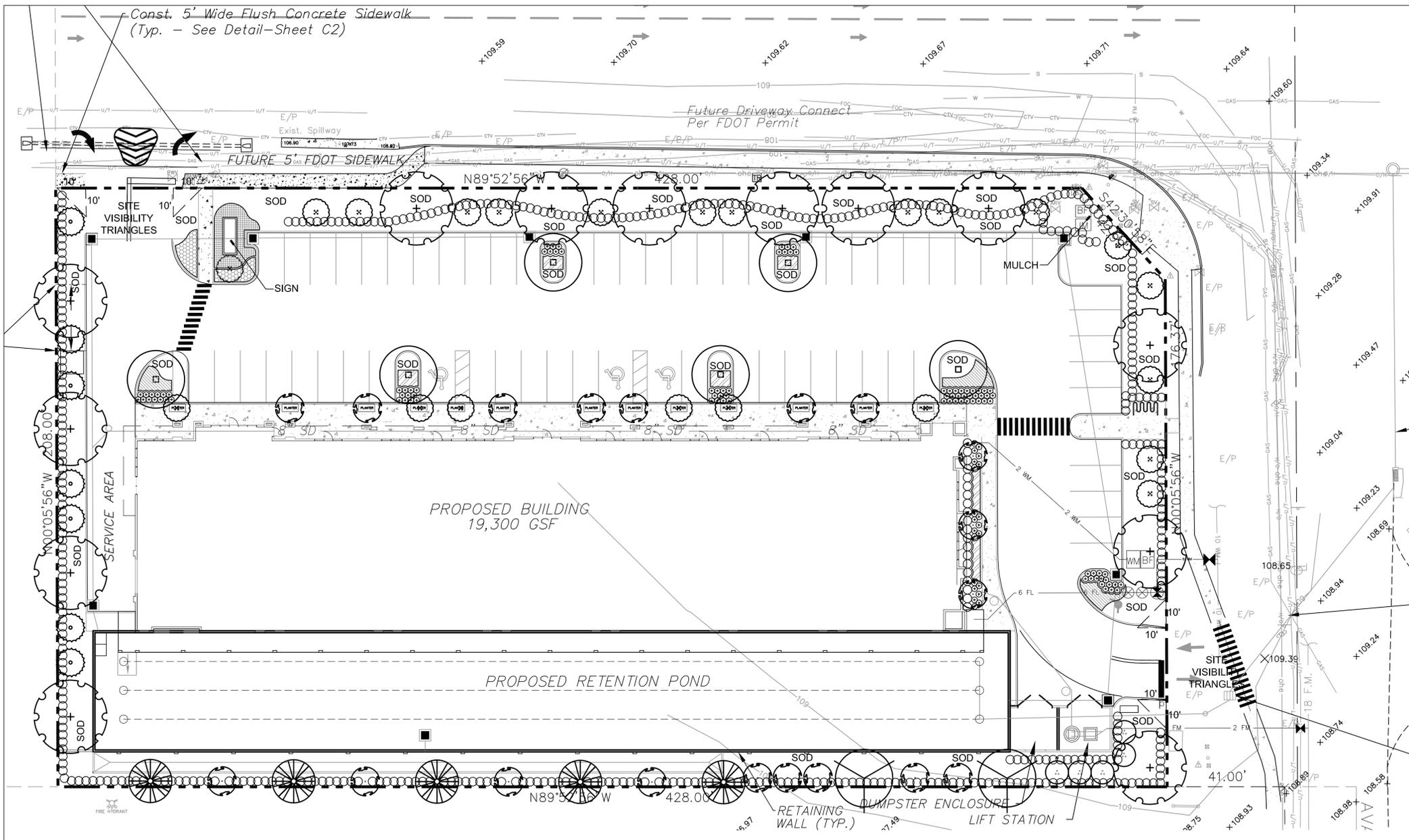
LIFT STATION DETAILS
 FOR
 SHOPPES AT AVALON

KIRBY ENGINEERING, L.L.C.
 JOHN R. KIRBY, P.E.
 407-877-9400

TOLERANCES (EXCEPT AS NOTED)	REVISIONS	CUSTOM PUMP & CONTROLS, INC. JACKSONVILLE-TAMPA, FLORIDA	
DECIMAL	NO.	DATE	BY
±	1		
FRACTIONAL	2		
±	3		
ANGULAR	4	CHK'D	DATE 3-25-93
±	5	TRACED	APP'D

John R. Kirby, P.E.; Lic. No. 0041957

JK
 DESIGNED
 JK
 DRAWN
 1/20/10
 DATE
 C7
 SHEET



PLANT SYMBOLS

TREES

- AR
- INS
- LI
- EJ
- MC
- MG
- QV
- PE

SHRUBS

- DV
- LJ

GROUNDCOVERS

- HH
- LC
- LM
- LMVG
- TA

GRAPHIC SCALE

(IN FEET)

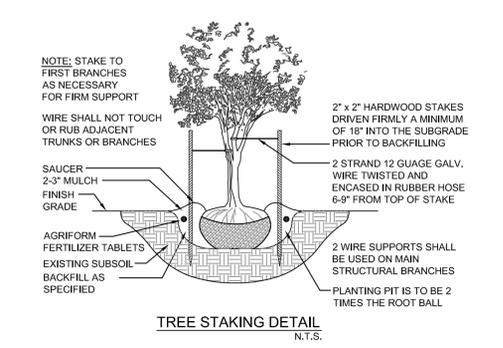
1 inch = 20 ft.

48 HOURS BEFORE YOU DIG CALL SUNSHINE

1-800-432-4770

IT'S THE LAW IN FLORIDA

FLORIDA LAW REQUIRES EXCAVATORS TO NOTIFY OWNERS OF UNDERGROUND FACILITIES NO LESS THAN TWO (2) DAYS PRIOR TO EXCAVATION



LANDSCAPE TABULATION

GENERAL REQUIREMENTS

Winter Garden Land Development Code
 Article IX. West State Road Overlay Commercial Development Standards
 Division 3. Landscape Design Standards

Landscape Adjacent to Street Right-of-Way
 Buffer Width = 15'
 Canopy Trees (3.5" Caliper, 13'-0" Height, 65 gallon, 2/100)
 Understory Trees (11'-0" Height, 30 gallon, 3/100)
 Shrubs (36" ht., 33/100)
 Groundcover (75% of Buffer)

North \pm 358.00' - 35.61' Impervious = 322.39'

Northeast \pm 42.99'

East \pm 176.37' - 32.00' Impervious = 144.37'

Landscape Adjacent to Contiguous Property
 Canopy Trees (2" Caliper, 12'-0" Height, 30 gallon, 2/100)
 Understory Trees (1.5-2" Caliper, 7'-0" Height, 15 gallon, 3/100)
 Shrubs (24" ht., 33/100)

West \pm 208.00'

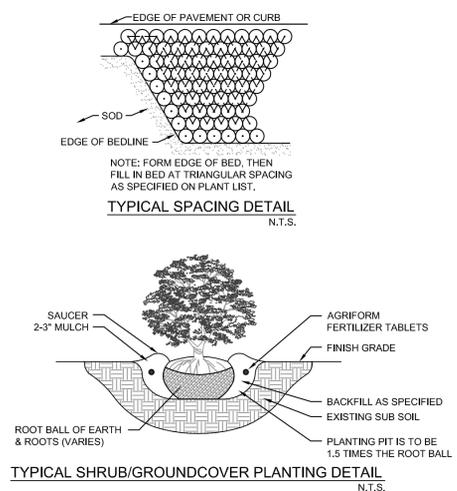
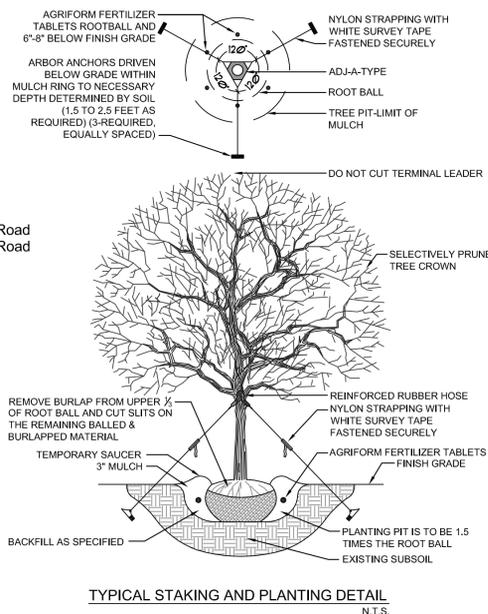
South \pm 387.00'

Parking Lot Landscaping
 Canopy Trees (2" Caliper, 12'-0" Height, 30 gal)
 64 Parking Spaces x 10% =
 Island Planting Area (1,754 sq.ft.) x 40% =

Trees / Shrubs Required	Trees / Shrubs Provided
6.45 Canopy	6
9.77 Understory	11
107 Shrubs	115
0.85 Canopy	0 *Due to Building Visibility to Road
1.30 Understory	2 *Due to Building Visibility to Road
14.33 Shrubs	15
2.89 Canopy	3
4.37 Understory	4
48 Shrubs	57

Trees / Shrubs Required	Trees / Shrubs Provided
4.16 Canopy	4
6.30 Understory	7
69 Shrubs	82
7.74 Canopy	8
11.7 Understory	12
129 Shrubs	145

Trees / Shrubs Required	Trees / Shrubs Provided
6.4 Canopy	6
701 sq.ft.	727 sq.ft.



Shoppes at Avalon Master Plant List

Count	SYM	BOTANICAL	COMMON	SPECIFICATIONS	T/S/GC
2	AR	Acer rubrum 'October Glory'	October Glory Red Maple	12' ht., 2" cal., 30 gal.	T
7	INS	Ilex opaca 'Nellie R. Stevens'	Nellie R. Stevens Holly	7' ht., 1.5-2" cal., 15 gal.	T
19	LI	Lagerstroemia indica 'Natchez'	Crape Myrtle	7' ht. x 4-5' spr., multi trk 2" cal.	T
22	EJ	Eriobotrya japonica	Loquat Tree	11' ht., 2" cal., 30 gal.	T
5	MC	Myrica cerifera	Wax Myrtle	7' ht. x 4-5' spr., 2" cal. full, field grown	T
6	MG	Magnolia grandiflora	Southern Magnolia	12' ht., 2" cal., 30 gal.	T
5	PE	Pinus elliotii	Slash Pine	12' ht., 2" cal., 30 gal.	T
13	QV	Quercus virginiana	Live Oak	13' ht., 3.5" cal., 65 gal.	T
465	LJ	Ligustrum japonica	Glossy Privet	36" ht. x 30-36" spr., 7 gal can, full	S
113	DV	Dietsa vegeta	African Iris	6-7 ppp. 3 gal. can, full 2' o.c.	GC
56	HH	Hemerocallis hybrid	Daylily	18-24" o.a. x 12-18" spr., 3 gal. can full 2' o.c.	GC
92	LC	Lantana camara 'Gold Mound'	Yellow Lantana	18-24" o.a. x 12-18" spr., 3 gal. can full 2' o.c.	GC
48	LM	Lantana montevidensis	Purple Lantana	18-24" o.a. x 12-18" spr., 3 gal. can full 2' o.c.	GC
54	LMVG	Liriope muscari 'Variegated Giant'	Aztec Grass	6-7 ppp. 3 gal. can, full 2.5' o.c.	GC
54	TA	Trachelospermum asiaticum	Dwarf Asian Jasmine	9-12" o.a. x 9-12" spr., 3 gal. can full 2' o.c.	GC
	SOD	Floritam	St. Augustine	Solid Sod Weed Free, Count by Contractor	Sod

LANDSCAPE ARCHITECT:
 Robert R. Buchanan, LA000932

LANDSCAPE DYNAMICS INC. Survey reserves ITS common law copyright and other property rights in these plans, drawings, and designs. These plans, drawings, and designs are not to be reproduced, copied, or used in any form or manner without the express written consent of LANDSCAPE DYNAMICS INC.

PH: 407-579-8111 - Email: rrb@landscape-dynamics.com

J. Wallace and Associates, Inc.
 4800 North Orange Blossom Trail
 Orlando, Florida 32810
 PHN: 407-291-9292
 FAX: 407-297-9292

LANDSCAPE DYNAMICS
 CONSTRUCTION CO., INC.
 LANDSCAPE ARCHITECTS AND PLANNERS

Shoppes at Avalon
 Winter Garden, Florida

REVISIONS
 04/18/12 Com.
 04/18/12 Com.
 04/18/12 Com.

DATE: 9/12/08
 JOB NUMBER: 2861
 DRAWN BY: JB/BB
 FILE: Landscape
 SCALE: 1" = 20'

NOTE: Failure to notify Landscape Architect of plan, detail, or specification discrepancies prior to construction makes contractor responsible for all costs incurred for construction changes, not the owner or his representative (Landscape Dynamics, Inc.). The owner must maintain the height of all plants within the "line-of-site" triangle area to a height of no greater than 24" above grade for shrubs and groundcover, and trees branching to lower than 7.2' above finish grade. To ensure clear site line views toward traffic, the owner, landscaping contractor, and/or the landscape maintenance company accepts full responsibility for maintaining these requirements.

THE CITY OF WINTER GARDEN
CITY COMMISSION AGENDA ITEM

From: Don Cochran, Assistant City Manager – Public Services

Via: Mike Bollhoefer, City Manager

Date: June 26, 2013 **Meeting Date:** July 11, 2013

Subject: Approve bids and award contract for the Crest Ave. Wastewater Treatment Plant Equalization Basin and Pumping Improvements project

Issue: On June 5, 2013, the City received bids for the Crest Ave. Wastewater Treatment Plant Equalization Basin and Pumping Improvements project. The project consists of constructing a 700,000-gallon tank and installing pumping equipment, which will be used to collect wastewater flow and distribute it consistently through the wastewater facility.

Four bids were received for this project. The three lowest qualified bidders are the following:

Ortega Industrial Contractors, Inc.	\$2,056,124.00
Garney Companies, Inc.	\$2,120,000.00
CenState Contractors, Inc.	\$2,204,000.00

CPH Engineers (the engineer of record) has contacted the references of each of the above contractors and recommends Ortega Industrial Contractors, Inc., as the lowest responsive and qualified bidder, with a bid in the amount of \$2,056,124.00. Staff recommends adding a 10% contingency, which brings the total project amount to \$2,261,736.40.

Recommended Action:

Staff recommends approving the bids and awarding a contract for the Crest Ave. Wastewater Treatment Plant Equalization Tank and Pumping Improvements project to Ortega Industrial Contractors, Inc., in the amount of \$2,056,124.00, including a 10% contingency, for a total project amount of \$2,261,736.40.

Attachments/References:

- Engineer’s letter of recommendation (including bid tabulation)



1117 East Robinson Street
Orlando, Florida 32801

Phone: 407.425.0452
Fax: 407.648.1036

www.cphengineers.com

June 12, 2013

Mr. Donald R. Cochran
Asst. to City Manager for Public Services
City of Winter Garden
300 West Plant Street
Winter Garden, Florida 34787

Re: Crest Avenue WWTP Flow Equalization Basin & Pumping Improvements
Engineer's Bid Review
CPH Project No. W7906.1

Dear Mr. Cochran:

After the bid opening, we were provided with copies of the bid packages from the City for all of the bidders on the above referenced project. Four (4) bids were received. In order of increasing total bid price, we have ranked the three lowest bidders using a combined total for the Base Bid.

Rank	Bidder	Total Bid
1	Ortega Industrial Contractors, Inc.	\$2,056,124.00
2	Garney Companies, Inc.	\$2,120,000.00
3	CenState Contractors, Inc.	\$2,204,000.00

In an effort to review previous related work, CPH Engineers has contacted three references each provided by the three lowest bidders. We also reviewed the bid packages for responsiveness according to the contract documents. We are attaching, for the City's use, a copy of the reference checklists. From the information provided, we believe that Ortega Industrial Contractors, Inc. has the experience and resources to construct the "Crest Avenue WWTP Flow Equalization Basin & Pumping Improvements" project.

Based on our review of the available data (bid package, previous work, trench safety statement, and bid bond), we have no objection to the City proceeding with the award of the bid to Ortega Industrial Contractors, Inc. in the amount of \$2,056,124.00.

Please note that we have not reviewed any financial data other than bonding capability, as we are not accounting professionals. The bonds and insurance as required by the specifications will be reviewed by the City prior to execution of the agreement between the two parties.

Please contact us if additional information is needed concerning the above.

Sincerely,
CPH ENGINEERS, INC.

Scott A. Breitenstein, P.E.
Vice President/Associate

J:\W7906.1\Civil\Documents\BID RECOMMENDATION LETTER.doc

REFERENCE CHECKLIST

**CITY OF WINTER GARDEN
CREST AVENUE WWTP FLOW EQUALIZATION BASIN & PUMPING IMPROVEMENTS
BID NUMBER 11-007**

Item	Reference for: Ortega Industrial Contractors, Inc.		
	No. 1	No. 2	No. 3
Project Name	DB Lee Reuse Production Expansion	Anastasia Island WWTP	Ridaught Landing WWTP Phase 3 Expansion
Owner	City of Melbourne	St. Johns County Utility	Clay County Utility Authority
Contact	John Eason, AECOM	Ted Hortenstein, CDM	Harry Kaufmann, III, PE, Mittauer & Assoc.
Address	3550 SW Corporate Parkway, Palm City 34990	8381 Dix Ellis Trail, Ste 400, Jacksonville 32256	580-1 Wells Road, Orange Park 32073
Phone Number	772-286-3883	904-731-7109	904-278-0030
Original Contract	\$4,610,000	\$17,911,800	\$7,920,520
Change Orders			
Final Contract	\$4,131,096.62	\$14,659,211.76	\$5,688,891.20 after owner purchased equipment
Completed on Schedule/Date	6/2013	8/10/2010	9/11/2009
Comments – Reference #2: Item 5. The County has special requirements about surveys throughout the job for record drawings at the end of the project and they did not comply.	<ol style="list-style-type: none"> 1. How was their quality of work? ❖ Very Good 2. Did the Contractor do most of the work or did the subcontract a lot of it? Electrical; Masonry; ground storage tank 3. Was the job finished on schedule? ❖ No – Some delays by City, some by Contractor 4. Were they generally cooperative? ❖ Yes 5. Did they constantly request “extras” to the contract? ❖ No 6. Were there any financial claims for unpaid bills through the subcontractors? ❖ No 7. Were pay request in accordance with work completed? ❖ Yes 8. Who was the Superintendent and did he do a good job? ❖ Craig Hannah; Yes 9. What is the overall evaluation of the company? ❖ 85% - Only because they were slow in getting paperwork done on time 	<ol style="list-style-type: none"> 1. How was their quality of work? ❖ OK 2. Did the Contractor do most of the work or did the subcontract a lot of it? ❖ Electrical, civil 3. Was the job finished on schedule? ❖ No 4. Were they generally cooperative? ❖ Generally 5. Did they constantly request “extras” to the contract? ❖ Deduct – See Comment to left 6. Were there any financial claims for unpaid bills through the subcontractors? ❖ No 7. Were pay request in accordance with work completed? ❖ Yes 8. Who was the Superintendent and did he do a good job? ❖ Paul Cattrell; Yes, but needed some supervision 9. What is the overall evaluation of the company? ❖ On a scale of 1-5 = 3 ½. Commented that they do good work if you stay on top of them 	<ol style="list-style-type: none"> 1. How was their quality of work? ❖ Good 2. Did the Contractor do most of the work or did the subcontract a lot of it? ❖ Electrical, Crom tank 3. Was the job finished on schedule? ❖ Yes 4. Were they generally cooperative? ❖ Yes 5. Did they constantly request “extras” to the contract? ❖ Engineer requested 6. Were there any financial claims for unpaid bills through the subcontractors? ❖ No 7. Were pay request in accordance with work completed? ❖ Yes 8. Who was the Superintendent and did he do a good job? ❖ Didn't remember; yes 9. What is the overall evaluation of the company? ❖ Very good. Would work with again.

REFERENCE CHECKLIST

**CITY OF WINTER GARDEN
CREST AVENUE WWTP FLOW EQUALIZATION BASIN & PUMPING IMPROVEMENTS
BID NUMBER 11-007**

Item	Reference for: Garney Companies, Inc. (Encore)		
	No. 1	No. 2	No. 3
Project Name	Phase 1 Public Access Reuse Storage & Pumping Facilities	County Road 535 Water Supply Facility	Winter Garden Sludge Dewatering Improvements
Owner	City of Winter Garden	Orange County BOCC	City of Winter Garden
Contact	William Marshall, P.E., AECOM (formerly Boyle Engineering)	Bill Hank	Rob Ern, Booth, Ern Straughan & Hiott
Address		9150 Curry Ford Road, Orlando 32825	350 N. Sinclair Avenue, Tavares 32778
Phone Number	321-230-2656	407-254-9786	352-343-8481
Original Contract			
Change Orders			
Final Contract	\$4,254,156	\$5,434,947	\$1,316,156
Completed on Schedule/Date	January 1, 2009	August 31, 2010	May 1, 2009
Comments	<ol style="list-style-type: none"> 1. How was their quality of work? ❖ Above Average 2. Did the Contractor do most of the work or did the subcontract a lot of it? <i>Electrical; I&C; Crom Tank</i> 3. Was the job finished on schedule? ❖ No- City issue 4. Were they generally cooperative? ❖ Yes 5. Did they constantly request "extras" to the contract? ❖ Some, but did not go over contract value 6. Were there any financial claims for unpaid bills through the subcontractors? ❖ No 7. Were pay request in accordance with work completed? ❖ Yes 8. Who was the Superintendent and did he do a good job? ❖ Don Trujillo; Yes 9. What is the overall evaluation of the company? ❖ Very Good 	<ol style="list-style-type: none"> 1. How was their quality of work? ❖ Good 2. Did the Contractor do most of the work or did the subcontract a lot of it? ❖ Site work 3. Was the job finished on schedule? ❖ Yes 4. Were they generally cooperative? ❖ Yes 5. Did they constantly request "extras" to the contract? ❖ Owner Requested 6. Were there any financial claims for unpaid bills through the subcontractors? ❖ No 7. Were pay request in accordance with work completed? ❖ Yes 8. Who was the Superintendent and did he do a good job? ❖ Biff; Yes 9. What is the overall evaluation of the company? ❖ 8 on a scale of 1-10 	<ol style="list-style-type: none"> 1. How was their quality of work? ❖ Great 2. Did the Contractor do most of the work or did the subcontract a lot of it? ❖ Screw piles; Electrical 3. Was the job finished on schedule? ❖ Yes 4. Were they generally cooperative? ❖ Yes 5. Did they constantly request "extras" to the contract? ❖ Owner Requested 6. Were there any financial claims for unpaid bills through the subcontractors? ❖ No 7. Were pay request in accordance with work completed? ❖ Yes 8. Who was the Superintendent and did he do a good job? ❖ Lynne McGibney; Yes 9. What is the overall evaluation of the company? ❖ Excellent. Would work with again.

REFERENCE CHECKLIST

**CITY OF WINTER GARDEN
CREST AVENUE WWTP FLOW EQUALIZATION BASIN & PUMPING IMPROVEMENTS
BID NUMBER 11-007**

Item	Reference for: CenState Contractors, Inc.		
	No. 1	No. 2	No. 3
Project Name	New Holly Hill WPF & Reclaim Storage & Repump Facility	Wastewater Treatment Plant Rehabilitation	Hickory Walk Water Treatment Plant
Owner	Polk County Utilities Department	City of Ormond Beach	Town of Dundee
Contact	Tom Perusits, PB Americas, Inc.	Brian Karmasin, CDM	Steve Elias
Address			
Phone Number	407-756-8136	407-660-2552	863-324-1112
Original Contract	\$5,540,177	\$3,651,979	\$3,152,600
Change Orders			
Final Contract	\$4,635,875	\$3,667,005	\$3,709,634
Completed on Schedule/Date	2/2012	Stated 6/2010 – Not Complete/Under Dispute	9/2011
Comments	<ol style="list-style-type: none"> 1. How was their quality of work? ❖ Very good 2. Did the Contractor do most of the work or did the subcontract a lot of it? Electrical, Crom tank 3. Was the job finished on schedule? ❖ Yes 4. Were they generally cooperative? ❖ Yes 5. Did they constantly request "extras" to the contract? ❖ Deduct 6. Were there any financial claims for unpaid bills through the subcontractors? ❖ No 7. Were pay request in accordance with work completed? ❖ Yes 8. Who was the Superintendent and did he do a good job? ❖ Didn't remember; Yes 9. What is the overall evaluation of the company? ❖ Very good. Easy to work with. Noted that the PCUD had very strict requirements regarding scheduling. 	<ol style="list-style-type: none"> 1. How was their quality of work? ❖ See Response #9 2. Did the Contractor do most of the work or did the subcontract a lot of it? ❖ Bypass pumps; coatings 3. Was the job finished on schedule? ❖ No – Project Under Dispute 4. Were they generally cooperative? ❖ Yes 5. Did they constantly request "extras" to the contract? ❖ Yes – Under Dispute 6. Were there any financial claims for unpaid bills through the subcontractors? ❖ Yes – Under Dispute 7. Were pay request in accordance with work completed? ❖ Yes 8. Who was the Superintendent and did he do a good job? ❖ Duane Hammond; no comment 9. What is the overall evaluation of the company? ❖ Because this project is currently under dispute, Mr. Kamasin was not allowed to give "subjective" responses. 	<ol style="list-style-type: none"> 1. How was their quality of work? ❖ Satisfactory 2. Did the Contractor do most of the work or did the subcontract a lot of it? ❖ Wells; part of buildings 3. Was the job finished on schedule? ❖ Yes 4. Were they generally cooperative? ❖ Yes 5. Did they constantly request "extras" to the contract? ❖ Owner requested 6. Were there any financial claims for unpaid bills through the subcontractors? ❖ No 7. Were pay request in accordance with work completed? ❖ Yes 8. Who was the Superintendent and did he do a good job? ❖ Ronnie; 6 out 10 on a scale of 1-10. He is no longer there 9. What is the overall evaluation of the company? ❖ On a scale of 1-10 = 9

THE CITY OF WINTER GARDEN
CREST AVENUE WWTF - FEB AND PUMPING IMPROVEMENTS
JOB NO. W7906.1
BID NO. 11-007

BID ITEM	DESCRIPTION	UNIT	QUANTITY	Ortega Industrial Contractors, Inc.		Garney Companies, Inc.		CenState Contractors, Inc.		TLC Diversified, Inc.,	
				UNIT PRICE	EXTENDED	UNIT PRICE	EXTENDED	UNIT PRICE	EXTENDED	UNIT PRICE	EXTENDED
1	Mobilization, Bonds, General Conditions	LS	1	\$40,000.00	\$40,000.00	\$160,300.00	\$160,300.00	\$172,140.00	\$172,140.00	\$80,000.00	\$80,000.00
2	Building Permit Fee	LS	1	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00
3	Flow Equalization Basin incl. walkway and stairs	LS	1	\$669,947.00	\$669,947.00	\$620,000.00	\$620,000.00	\$850,400.00	\$850,400.00	\$682,000.00	\$682,000.00
4	Muck Removal	CY	475	\$25.00	\$11,875.00	\$12.00	\$5,700.00	\$12.40	\$5,890.00	\$21.00	\$9,975.00
5	Submersible Pump Station	LS	1	\$278,183.00	\$278,183.00	\$230,000.00	\$230,000.00	\$203,460.00	\$203,460.00	\$260,000.00	\$260,000.00
6	Headworks Modifications	LS	1	\$87,990.00	\$87,990.00	\$26,000.00	\$26,000.00	\$38,670.00	\$38,670.00	\$20,000.00	\$20,000.00
7	Site Piping	LS	1	\$434,073.00	\$434,073.00	\$700,000.00	\$700,000.00	\$513,470.00	\$513,470.00	\$641,000.00	\$641,000.00
8	Site Paving	LS	1	\$79,488.00	\$79,488.00	\$60,000.00	\$60,000.00	\$60,640.00	\$60,640.00	\$66,000.00	\$66,000.00
9	Miscellaneous Site Work & Restoration	LS	1	\$164,805.00	\$164,805.00	\$5,000.00	\$5,000.00	\$44,900.00	\$44,900.00	\$65,000.00	\$65,000.00
10	Electrical and Instrumental	LS	1	\$274,763.00	\$274,763.00	\$300,000.00	\$300,000.00	\$301,430.00	\$301,430.00	\$300,000.00	\$300,000.00
11	Project Closeout	LS	1	\$5,000.00	\$5,000.00	\$3,000.00	\$3,000.00	\$3,000.00	\$3,000.00	\$2,000.00	\$2,000.00
TOTALS					\$2,056,124.00		\$2,120,000.00		\$2,204,000.00		\$2,135,975.00



CITY OF WINTER GARDEN
 PARKS & RECREATION DEPARTMENT
 310 NORTH DILLARD STREET
 WINTER GARDEN, FL 34787

PHONE: (407) 656-4155
 WWW.WINTERGARDEN-FL.GOV

WINTER GARDEN • A charming little city with a juicy past.

Official Use Only
 Date Received: _____
 Permit Fee Pd. on: _____ Init. _____

**CITY OF WINTER GARDEN
 SPECIAL EVENT APPLICATION – PUBLIC PROPERTY**

Per City Code Ch. 27, Art 1, Sec.3 "Special Events" are defined as any public assembly of 100 or more people in any park, sidewalk, alley, lake or other publically owned area. Completed applications should be submitted no less than 90 days prior to the first date of the proposed event. Events that require closure of any city street or are anticipated to have more than 500 people in attendance will require approval of the City Commission.

ORGANIZATION/GROUP: WOHS Student Council NON PROFIT CORP. _____ INDIV. _____

NAME OF EVENT: Homecoming Parade

CONTACT/REPRESENTATIVE: Peter Abatiello PHONE # (407) 595-6745

ALT. PHONE: (407) 802-8685 EMAIL: Peter.Abatiello@OCPS.net

EVENT LOCATION: Winter Garden City Hall PROPOSED DATES: October 5th 2013

HOURS: 1pm - 2pm ESTIMATED DAILY ATTENDANCE: _____

PLEASE CHECK ALL OF THE FOLLOWING THAT APPLY:

TYPE OF EVENT	EVENT DETAILS	EQUIPMENT AT EVENT
<input type="checkbox"/> FESTIVAL	<input type="checkbox"/> ADMISSION CHARGE/TICKET SALES	<input type="checkbox"/> AMPLIFIED SPEAKING/MUSIC
<input type="checkbox"/> EXHIBIT(S)	<input type="checkbox"/> ALCOHOL SERVED ¹	HOURS OF: _____
<input type="checkbox"/> CARNIVAL/CIRCUS/FAIR	<input type="checkbox"/> ALCOHOL SALES ²	<input type="checkbox"/> PORTABLE RESTROOMS
<input type="checkbox"/> GENERAL MEETING	<input type="checkbox"/> FIREWORKS/PYROTECHNICS	<input type="checkbox"/> SPORTS EQUIPMENT
<input checked="" type="checkbox"/> PARADE	<input type="checkbox"/> FOOD VENDORS: # OF _____	<input type="checkbox"/> STAGE/PROPS/PRODUCTION
<input type="checkbox"/> BLOCK PARTY OR PICNIC	<input type="checkbox"/> MERCHANDISE VENDORS: # OF _____	<input type="checkbox"/> TENTS: #OF & SIZE _____
<input type="checkbox"/> SPORTING EVENT/COMPETITION	<input checked="" type="checkbox"/> OPEN TO PUBLIC	<input type="checkbox"/> TEMPORARY EVENT SIGNAGE
<input type="checkbox"/> WEDDING/RECEPTION	<input checked="" type="checkbox"/> STREET/SIDEWALK CLOSURE-	<input type="checkbox"/> DUMPSTERS/RECEPTACLES
<input type="checkbox"/> REVIVAL	HOURS OF: <u>1pm - 2pm</u>	<input type="checkbox"/> INFLATABLE DEVICES
<input type="checkbox"/> OTHER: (EXPLAIN) _____	<input type="checkbox"/> CITY WATER USED	<input type="checkbox"/> COOKING EQUIP. USED.
_____	<input type="checkbox"/> EVENT HELD PREVIOUSLY	GAS _____ OPEN FLAME _____
_____	<input type="checkbox"/> CITY ELECTRIC USED	<input type="checkbox"/> OTHER: _____

¹ PLEASE NOTE THAT BEIRGARTENS OR ZONES WHERE ALCOHOL IS REQUESTED TO BE PERMITTED MUST BE CLEARLY IDENTIFIED ON THE EVENT SITE MAP.

² EVIDENCE OF PROOF OF PERMITTING THROUGH THE STATE OF FLORIDA DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION MUST BE PROVIDED TO CITY STAFF NO LATER THAN 30 DAYS PRIOR TO THE FIRST DAY OF THE PROPOSED EVENT.

PLEASE CAREFULLY REVIEW ALL OTHER POLICIES AND PROCEDURES ON PAGE 2 OF THIS APPLICATION



CITY OF WINTER GARDEN
PARKS & RECREATION DEPARTMENT
310 NORTH DILLARD STREET
WINTER GARDEN, FL 34787

PHONE: (407) 656-4155
WWW.WINTERGARDEN-FL.GOV

WINTER GARDEN • A charming little city with a juicy past.

CITY OF WINTER GARDEN SPECIAL EVENT POLICIES AND PROCEDURES

FOOD VENDING

THE DEPT. OF BUSINESS AND PROFESSIONAL REGULATION OF THE STATE OF FLORIDA REQUIRES THAT YOU NOTIFY THEIR DIVISION OF HOTELS AND RESTAURANTS NO LATER THAN THREE DAYS PRIOR TO ANY TEMPORARY EVENT WHERE FOOD WILL BE SOLD. ALL FOOD VENDORS MUST MEET MINIMUM SAFETY AND SANITATION REQUIREMENTS AND PAY A TEMPORARY EVENT LICENSING FEE IF THEY DO NOT ALREADY HOLD AN ANNUAL LICENSE WITH THE STATE OF FLORIDA. THE DIVISION OF HOTELS AND RESTAURANTS CAN BE REACHED AT 850-487-1395 OR VISIT http://www.myfloridalicense.com/dbpr/hr/licensing/GT_tempevents.html FOR MORE INFORMATION.

EVENT INSURANCE

IN MOST INSTANCES EVENT INSURANCE WILL BE REQUIRED WITH GENERAL LIABILITY COVERAGE OF AT LEAST 1,000,000. CITY STAFF RESERVES THE RIGHT TO REQUEST INCREASED LIMITS DEEMED NECESSARY FOR CERTAIN HIGH-RISK ACTIVITIES. INDIVIDUALS, GROUPS WITHOUT INSURANCE, OR GROUPS THAT DO NOT PRODUCE AN APPROPRIATE CERTIFICATE OF INSURANCE TWO WEEKS PRIOR TO THE EVENT DATE WILL BE REQUIRED TO PURCHASE INDIVIDUAL EVENT POLICIES THROUGH THE CITY INSURANCE CARRIER AT LIMITS DEEMED NECESSARY BY CITY STAFF. PRICES FOR APPROPRIATE POLICIES ARE ESTABLISHED BY THE INSURANCE BROKER AND ARE NON-NEGOTIABLE. IF PROPER INSURANCE IS NOT OBTAINED OR PAID FOR AT LEAST TWO WEEKS PRIOR TO THE SCHEDULED EVENT, THE CITY RESERVES THE RIGHT TO CANCEL THE EVENT REQUEST.

PERMIT FEES

EVENTS WITH 100-249 PEOPLE IN ATTENDANCE: \$250.00

EVENTS WITH OVER 250 PEOPLE IN ATTENDANCE: \$1,000.00

ADDITIONAL FEES

OTHER FEES WILL BE ASSESSED IF DEEMED NECESSARY BY CERTAIN APPLICABLE DEPARTMENTS. ALTHOUGH NOT AN EXHAUSTIVE LIST, FEES MAY BE ASSESSED FOR POLICE OFFICERS, POLICE SUPERVISORS, FIRE PROTECTION, EMT PERSONNEL, STREET BARRICADING, ELECTRIC USAGE, MAINTENANCE STAFF, TRASH RECEPTACLES & COLLECTION, OR ANY OTHER STAFF DEEMED NECESSARY TO BE ON-SITE DURING EVENT HOURS, ETC. BONDS OF UP TO \$5,000,000 MAY BE REQUIRED AT THE DISCRETION OF CITY STAFF FOR EVENTS WITH ATTENDANCE OVER 500 PEOPLE AND EVENTS HOSTING CERTAIN HIGH-RISK ACTIVITIES. ALL FEES MUST BE PAID IN FULL IN AT LEAST TWO WEEKS PRIOR TO THE EVENT DATE TO AVOID CANCELLATION.

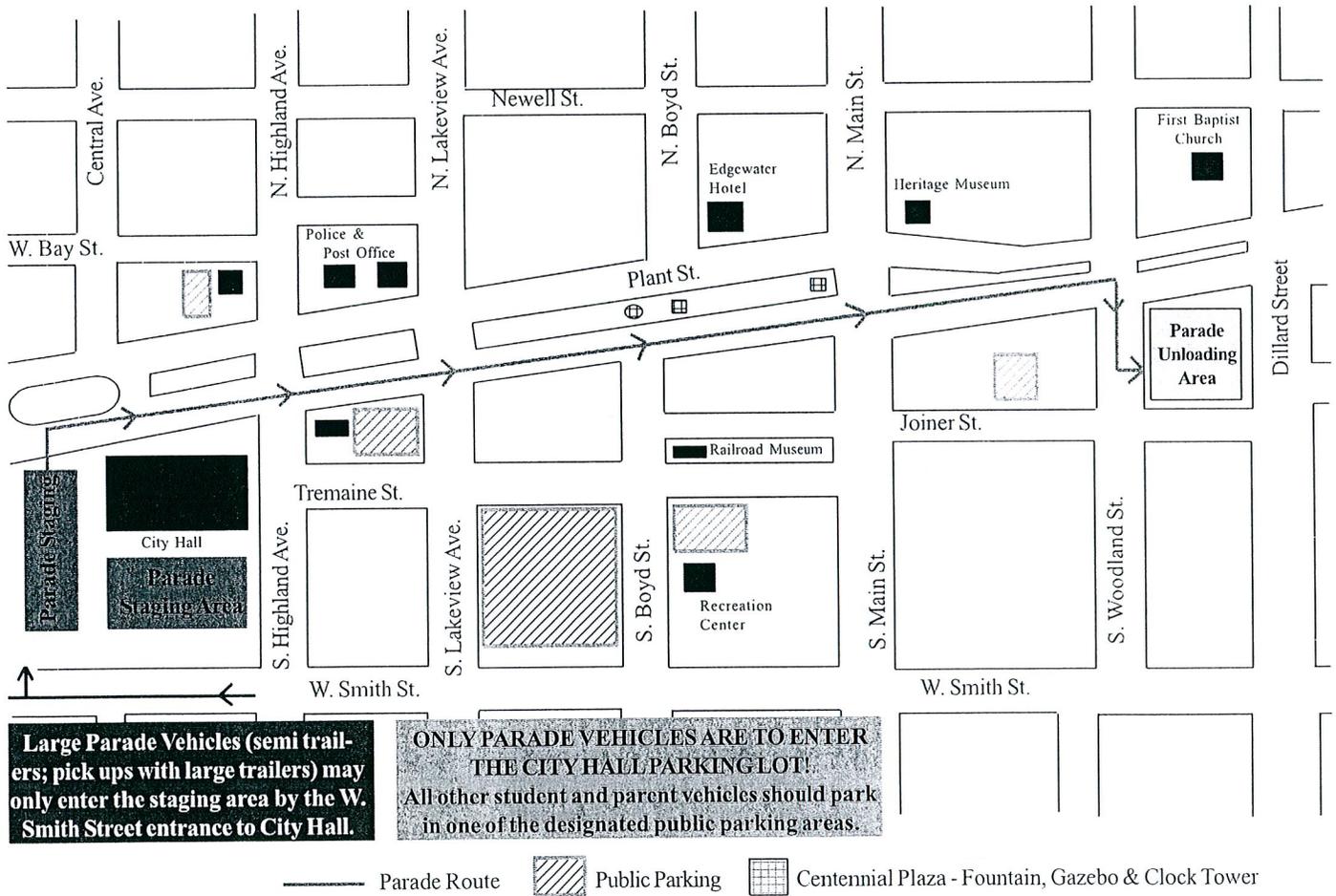
MISCELLANEOUS POLICIES

- EVENT ADVERTISING SHOULD NOT INCLUDE ANY REFERENCE OF ENDORSEMENT BY THE CITY OF WINTER GARDEN.
- ADMISSION FEES MAY NOT BE CHARGED FOR EVENTS TAKING PLACE ON PUBLIC PROPERTY.
- TEMPORARY EVENT SIGNAGE MUST MEET CITY CODE REQUIREMENTS. CONTACT W.G. CODE ENFORCEMENT FOR INFO.
- THERE ARE OTHER SPECIAL REQUIREMENTS FOR MOTION PHOTOGRAPHY PRODUCTION.
- THERE ARE SPECIAL REQUIREMENTS FOR FIREWORKS.
- ANY EVENT UTILIZING PLANT ST. AND EFFECTIVELY CLOSING THE WEST ORANGE TRAIL MUST NOTIFY ORANGE COUNTY PARKS AND RECREATION AT 407-654-1108.
- IF ANY PORTION OF A STATE ROAD IS TO BE CLOSED, A STATE D.O.T. REQUEST FORM MUST BE OBTAINED FROM THE WINTER GARDEN POLICE DEPT., COMPLETED AND RETURNED TO THE WGPD TO BE FILED WITH THE STATE OF FLORIDA. SUCH REQUESTS SHOULD BE SUBMITTED AT LEAST SIX WEEKS PRIOR TO THE EVENT DATE.

APPROVAL PROCESS

THE RECREATION, FIRE & POLICE DEPARTMENTS WILL REVIEW ALL REQUESTS AND FORWARD TO ADDITIONAL DEPARTMENTS AS NEEDED. YOU MAY BE CONTACTED TO PROVIDE FURTHER INFORMATION. YOU WILL BE NOTIFIED OF INITIAL APPROVAL, ADDITIONAL FEE REQUIREMENTS AND IF FURTHER COMMISSION APPROVAL WILL BE REQUIRED IN 2 TO 4 WEEKS.

2009 WOHS Homecoming Parade Nov. 5th - 5:00pm





Consumer's Certificate of Exemption

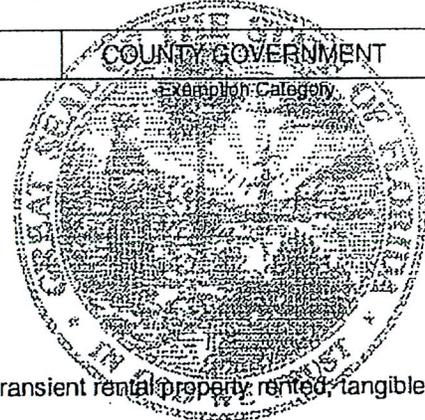
DR-14
R. 04/05

Issued Pursuant to Chapter 212, Florida Statutes

85-8012622264C-6	04/30/2010	04/30/2015	COUNTY GOVERNMENT
Certificate Number	Effective Date	Expiration Date	Exemption Category

This certifies that

ORANGE COUNTY SCHOOL BOARD
445 W AMELIA ST
ORLANDO FL 32801-1129



is exempt from the payment of Florida sales and use tax on real property rented, transient rental property rented, tangible personal property purchased or rented, or services purchased.



Important Information for Exempt Organizations

DR-14
R. 04/05

1. You must provide all vendors and suppliers with an exemption certificate before making tax-exempt purchases. See Rule 12A-1.038, Florida Administrative Code (FAC).
2. Your *Consumer's Certificate of Exemption* is to be used solely by your organization for your organization's customary nonprofit activities.
3. Purchases made by an individual on behalf of the organization are taxable, even if the individual will be reimbursed by the organization.
4. This exemption applies only to purchases your organization makes. The sale or lease to others by your organization of tangible personal property, sleeping accommodations or other real property is taxable. Your organization must register, and collect and remit sales and use tax on such taxable transactions. Note: Churches are exempt from this requirement except when they are the lessor of real property (Rule 12A-1.070, FAC).
5. It is a criminal offense to fraudulently present this certificate to evade the payment of sales tax. Under no circumstances should this certificate be used for the personal benefit of any individual. Violators will be liable for payment of the sales tax plus a penalty of 200% of the tax, and may be subject to conviction of a third degree felony. Any violation will necessitate the revocation of this certificate.
6. If you have questions regarding your exemption certificate, please contact the Exemption Unit of Central Registration at 850-487-4130. The mailing address is PO BOX 6480, Tallahassee, FL 32314-6480.



CITY OF WINTER GARDEN
 PARKS & RECREATION DEPARTMENT
 310 NORTH DILLARD STREET
 WINTER GARDEN, FL 34787
 PHONE: (407) 656-4155
 WWW.WINTERGARDEN-FL.GOV

PLEASE PROVIDE A GENERAL DESCRIPTION OF THE EVENT THAT INCLUDES ALL FEATURES BEING PROPOSED TO TAKE PLACE. ELABORATE ON ANY OF THE ABOVE CHECKED ITEMS IF NECESSARY: (USE BACK IF NECESSARY)

The event taking place is West Orange High School annual homecoming parade. We will have floats, a marching band, and cars. We would greatly appreciate for the fire department to be present along with two motorcycle police officers to help guide the parade.

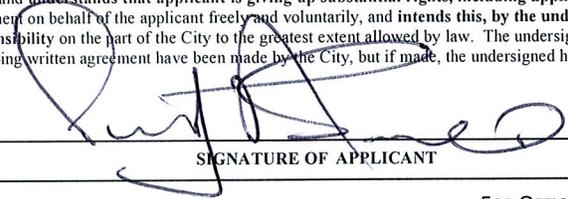
THE FOLLOWING SHOULD ACCOMPANY YOUR APPLICATION: (APPROVAL PROCESS WILL NOT BEGIN UNTIL THESE ARE SUBMITTED)

- COPY OF 501C-3 OR OTHER TAX EXEMPT STATUS CERTIFICATE (IF APPLICABLE)
- SITE PLAN INDICATING ALL AFFECTED AREAS, STREETS PROPOSING TO BE CLOSED, TEMPORARY POWER SOURCES TO BE INSTALLED, PORTABLE RESTROOM LOCATIONS, VENDOR PLACEMENT, PARADE ROUTE, ALCOHOL SERVING ZONES, OR ANY OTHER SIGNIFICANT FEATURES
- COPY OF APPLICANT'S INSURANCE CERTIFICATE NAMING THE CITY OF WINTER GARDEN AS ADDITIONALLY INSURED. (SEE NEXT PAGE FOR INDIVIDUALS AND GROUPS WITHOUT INSURANCE)
- SANITATION PLAN – PORTABLE RESTROOMS, TRASH COLLECTION AND RECEPTACLE PLAN, ETC.
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- SECURITY - OFF-DUTY OFFICERS SCHEDULED, SECURITY SERVICE UTILIZED, # OF EVENT STAFF IN ATTENDANCE, ETC.

In consideration of permission to use, today and on all future dates, the property, facilities, staff, equipment and services of any facility owned, leased, rented, and/or used by the City, the applicant does hereby release, waive, covenant not to sue, and discharge the City from all liability, responsibility and claims for personal injury, accidents, loss, illnesses, death, and property damage or loss arising from, related to, or in any way connected to participation in any of the listed Activities, including use of the City's facilities, premises, and equipment.

The applicant also agrees to INDEMNIFY AND HOLD the City HARMLESS from any and all claims, disputes, actions, suits, procedures, costs, expenses, damages, injuries, and liabilities, including attorney's fees (both at the litigation and appellate levels), relating to or arising from applicant's involvement in any of the Activities, and to reimburse the City for any such fees, costs and expenses incurred by the City. Participant further expressly agrees that the foregoing waiver, assumption of risks, indemnification and hold harmless provisions of this document are intended to be as broad and inclusive as is permitted by the laws of the State of Florida, and that if any portion thereof is held invalid or unenforceable, it is agreed that the balance shall remain and continue in full legal force and effect.

The undersigned has read these special event policies and procedures, waivers of liability, assumption of risks, and indemnity and hold harmless provisions, fully understands them, and understands that applicant is giving up substantial rights, including applicant's right to sue. The undersigned acknowledges that the undersigned is signing this document on behalf of the applicant freely and voluntarily, and intends this, by the undersigned's signature, to be a complete and unconditional release of all liability and responsibility on the part of the City to the greatest extent allowed by law. The undersigned further agree that no oral representations, statements or inducements apart from the foregoing written agreement have been made by the City, but if made, the undersigned has not, and will not, rely on such.



 SIGNATURE OF APPLICANT

5/22/13

 DATE

FOR OFFICE USE ONLY	
REC.: _____	SCHEDULED FOR MEETING OF: _____
PD: _____	
FIRE: _____	
PS: _____	OTHER: _____

THE CITY OF WINTER GARDEN
CITY COMMISSION AGENDA ITEM

From: *Jay Conn, Director, Parks and Recreation Department*

Via: City Manager Mike Bollhoefer

Date: July 5, 2013

Meeting Date: July 11, 2013

Subject: Recommendation to approve waiving fees and closing Plant St. to accommodate the Spring Fever in the Garden Festival on April 5 & 6, 2014.

Issue:

The Bloom and Grow Garden society has again requested to hold their 14th annual Spring Fever in the Garden Festival on April 5 and 6 in 2014. The festival is themed as a garden, art and wildlife event and attracts garden enthusiasts from around central Florida, the state and beyond. Event committee members select vendors with this theme in mind and program gardening demonstrations, a sidewalk chalk art contest, have entertainment and are proposing to add a new organic gardening and food area to this year's festival on S. Main St.

The festival has grown to be one of the signature events for Winter Garden and the greater West Orange County area. The garden society allows City representation on their planning committee to help assure that precautions are taken to provide a seamless experience for event patrons. Previous events have been well attended, organized, and taken place with very few incidents or disruptions to citizens or local businesses. The group has obtained permission to hold the festival and block Plant St. on these dates from the Downtown Winter Garden Merchants Guild.

The event has grown since its inception to require the following City Services:

- Police to monitor the event
- Fire personnel to man a first-aid station on-site
- Parks staff to drive carts throughout the festival to transport plants for a plant pick-up service
- Public Services staff to take care of emptying trash during the festival
- Facilities staff to be on-site to assist with electrical or other facilities issues

The group is a 501c-3 organization and is involved with several local charity projects to include landscaping homes for habitat for humanity, maintaining the "Path of Life" at Chapin Station Park in Winter Garden, and giving books to local schools among others.

The organization is asking that fees are waived for the event permit, that streets be blocked during this time and that staff fees be waived.

Recommended action:

Recommendation to approve the request to block Plant St. and waive event and staff fees to accommodate the 2014 Spring Fever in the Garden festival.

Attachments/References:

Event Application



CITY OF WINTER GARDEN
 PARKS & RECREATION DEPARTMENT
 310 NORTH DILLARD STREET
 WINTER GARDEN, FL 34787

PHONE: (407) 656-4155
 WWW.WINTERGARDEN-FL.GOV

WINTER GARDEN • A charming little city with a juicy past.

Official Use Only
 Date Received: _____
 Permit Fee Pd. on: _____ Init. _____

**CITY OF WINTER GARDEN
 SPECIAL EVENT APPLICATION – PUBLIC PROPERTY**

Per City Code Ch. 27, Art 1, Sec.3 "Special Events" are defined as any public assembly of 100 or more people in any park, sidewalk, alley, lake or other publically owned area. Completed applications should be submitted no less than 90 days prior to the first date of the proposed event. Events that require closure of any city street or are anticipated to have more than 500 people in attendance will require approval of the City Commission.

ORGANIZATION/GROUP: Bloom + Grow GARDEN SOCIETY NON PROFIT CORP. _____ INDIV. _____

NAME OF EVENT: SPRING FEVER IN THE GARDEN

CONTACT/REPRESENTATIVE: SUE CRABTREE PHONE # 407-656-6974

ALT. PHONE: 407-656-2099 EMAIL: suecrabtree@yahoo.com

EVENT LOCATION: HISTORIC GARDEN DOWNTOWN WINTER PROPOSED DATES: APRIL 5 + 6, 2014

HOURS: SAT 9:40 AM SUN 10:04 ESTIMATED DAILY ATTENDANCE: 20,000 SAT
15,000 SUN

PLEASE CHECK ALL OF THE FOLLOWING THAT APPLY:

TYPE OF EVENT	EVENT DETAILS	EQUIPMENT AT EVENT
<input checked="" type="checkbox"/> FESTIVAL	<input type="checkbox"/> ADMISSION CHARGE/TICKET SALES	<input checked="" type="checkbox"/> AMPLIFIED SPEAKING/MUSIC
<input type="checkbox"/> EXHIBIT(S)	<input type="checkbox"/> ALCOHOL SERVED ¹	HOURS OF: <u>BOTH DAYS</u>
<input type="checkbox"/> CARNIVAL/CIRCUS/FAIR	<input type="checkbox"/> ALCOHOL SALES ²	<input checked="" type="checkbox"/> PORTABLE RESTROOMS
<input type="checkbox"/> GENERAL MEETING	<input type="checkbox"/> FIREWORKS/PYROTECHNICS	<input type="checkbox"/> SPORTS EQUIPMENT
<input type="checkbox"/> PARADE	<input checked="" type="checkbox"/> FOOD VENDORS: # OF <u>20</u> ?	<input type="checkbox"/> STAGE/PROPS/PRODUCTION
<input type="checkbox"/> BLOCK PARTY OR PICNIC	<input checked="" type="checkbox"/> MERCHANDISE VENDORS: # OF <u>100</u>	<input checked="" type="checkbox"/> TENTS: # OF & SIZE <u>?</u>
<input type="checkbox"/> SPORTING EVENT/COMPETITION	<input checked="" type="checkbox"/> OPEN TO PUBLIC	<input checked="" type="checkbox"/> TEMPORARY EVENT SIGNAGE
<input type="checkbox"/> WEDDING/RECEPTION	<input checked="" type="checkbox"/> STREET/SIDEWALK CLOSURE-	<input checked="" type="checkbox"/> DUMPSTERS/RECEPTACLES
<input type="checkbox"/> REVIVAL	HOURS OF: <u>3 AM ON SAT</u>	<input type="checkbox"/> INFLATABLE DEVICES
<input type="checkbox"/> OTHER: (EXPLAIN) _____	<input checked="" type="checkbox"/> CITY WATER USED	<input checked="" type="checkbox"/> COOKING EQUIP. USED.
_____	<input checked="" type="checkbox"/> EVENT HELD PREVIOUSLY	GAS _____ OPEN FLAME _____
_____	<input checked="" type="checkbox"/> CITY ELECTRIC USED	OTHER: _____

¹ PLEASE NOTE THAT BEIRGARTENS OR ZONES WHERE ALCOHOL IS REQUESTED TO BE PERMITTED MUST BE CLEARLY IDENTIFIED ON THE EVENT SITE MAP.

² EVIDENCE OF PROOF OF PERMITTING THROUGH THE STATE OF FLORIDA DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION MUST BE PROVIDED TO CITY STAFF NO LATER THAN 30 DAYS PRIOR TO THE FIRST DAY OF THE PROPOSED EVENT.

PLEASE CAREFULLY REVIEW ALL OTHER POLICIES AND PROCEDURES ON PAGE 2 OF THIS APPLICATION

PLEASE ONLY GIVE EMAIL ADDRESS OUT TO PUBLIC - JAMES



CITY OF WINTER GARDEN
 PARKS & RECREATION DEPARTMENT
 310 NORTH DILLARD STREET
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PLEASE PROVIDE A GENERAL DESCRIPTION OF THE EVENT THAT INCLUDES ALL FEATURES BEING PROPOSED TO TAKE PLACE. ELABORATE ON ANY OF THE ABOVE CHECKED ITEMS IF NECESSARY: (USE BACK IF NECESSARY)

GARDEN, NATURE & WILDLIFE THEMED VENDORS,
 ALL APPROVED BY SELECTION COMM FROM BLOOM
 & GROW. STREET SET UP EARLY SAT AM. LIVE
 ENTERTAINMENT, RAFFLES GARDEN ART AUCTION,
 KIDZONE, ARTISTS & SIDEWALK CHALK ARTISTS. EVERY
 THING PLANNED & APPROVED BY SPRING FEVER COMM,
 SHUTTLE TO & FROM VETERAN'S PARK

THE FOLLOWING SHOULD ACCOMPANY YOUR APPLICATION: (APPROVAL PROCESS WILL NOT BEGIN UNTIL THESE ARE SUBMITTED)

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Susan K. Crabtree
 SIGNATURE OF APPLICANT

6-27-13
 DATE

FOR OFFICE USE ONLY	
REC.: _____	SCHEDULED FOR MEETING OF: _____
PD: _____	
FIRE: _____	
PS: _____	OTHER: _____

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: **OCT 27 2004**

BLOOM AND GROW GARDEN SOCIETY INC
PO BOX 97
OAKLAND, FL 34760

Employer Identification Number:
57-1184124
DLN:
17053253026014
Contact Person:
LORI PERRY ID# 31107
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
MAY 31
Public Charity Status:
509(a)(2)
Form 990 Required:
YES
Effective Date of Exemption:
DECEMBER 6, 2002
Contribution Deductibility:
YES
Advance Ruling Ending Date:
MAY 31, 2007

Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. During your advance ruling period, you will be treated as a public charity. Your advance ruling period begins with the effective date of your exemption and ends with advance ruling ending date shown in the heading of the letter.

Shortly before the end of your advance ruling period, we will send you Form 8734, Support Schedule for Advance Ruling Period. You will have 90 days after the end of your advance ruling period to return the completed form. We will then notify you, in writing, about your public charity status.

Please see enclosed Information for Exempt Organizations Under Section 501(c)(3) for some helpful information about your responsibilities as an exempt organization.

If you distribute funds to other organizations, your records must show whether they are exempt under section 501(c)(3). In cases where the recipient organization is not exempt under section 501(c)(3), you must have evidence the funds will be used for section 501(c)(3) purposes.

Letter 1045 (DO/CG)

THE CITY OF WINTER GARDEN
CITY COMMISSION AGENDA ITEM

From: Michael Bollhoefer, City Manager

Date: July 5, 2013

Meeting Date: July 11, 2013

Subject: Establish proposed millage rate for fiscal year 2013/2014

Issue: The Truth in Millage (TRIM) legislation timetable requires us to advise the Property Appraiser of the proposed millage rate by August 2, 2013. The following is submitted to assist you in making a decision:

1. The Gross Taxable Property Value for the coming year is projected at \$1,997,672,363. This represents a 5.26% increase in taxable value over the final fiscal year 2012/2013 value, an increase of \$99,742,988. Of this amount, \$36,232,229 was due primarily to new construction, additions, rehabilitative improvements.
2. One (1) mill will generate approximately \$1,917,765 in revenue (budgeting at 96% of the estimated amount levied).
3. The 2012/2013 fiscal year's budgeted Ad Valorem Tax Revenue (AVTR) is \$7,755,117. We should achieve the budgeted amount. We budgeted \$7,810,811 in fiscal year 2011/2012 and recorded \$7,822,525.
4. If the current millage rate of 4.2500 is adopted, the projected AVTR is calculated at \$8,150,503 (budgeting at 96% of the estimated amount levied).
5. The rolled-back rate of 4.1188 per \$1,000 would produce \$7,898,892, or \$251,611 less revenue than the 4.2500 rate.
6. Proposing a millage rate up to 5.7516 would require a majority vote of the Commission. Proposing a rate between 5.7516 and 6.3268 would require a two-thirds vote of the Commission. Any rate proposed in excess of 6.3268 would require a unanimous vote of the Commission or referendum of the voters.

7. The TRIM Act states that the millage rate established by the commission through a vote and provided to the Property Appraiser cannot be increased after August 2, 2013, unless each property owner is notified by mail; however, it may be lowered at either the first or second public budget hearing without any required notification. The millage rate propose by the commission will be sent to all property owners within Winter Garden directly after August 2, 2013.

Recommended Action: Motion to set the proposed millage rate for fiscal year 2013/2014 at the current rate of 4.2500 mills, set the first public hearing for September 12, 2013 at 6:30 p.m., and set the second public hearing for September 26, 2013 at 6:30 p.m.