



CITY COMMISSION AGENDA
REVISED 3/25/2013*
CITY HALL COMMISSION CHAMBERS
300 W. Plant Street

REGULAR MEETING

MARCH 27, 2014

6:30 P.M.

CALL TO ORDER

Determination of a Quorum
Invocation and Pledge of Allegiance

1. **APPROVAL OF MINUTES**

Regular Meeting of March 13, 2014

2. **FIRST READING AND PUBLIC HEARING OF PROPOSED ORDINANCE**

A. **Ordinance 14-12:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING THE CITY OF WINTER GARDEN FISCAL YEAR 2013-2014 BUDGET; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE; **staff is requesting postponement** – City Manager Bollhoefer

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

A. **Ordinance 14-13:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS APPROXIMATELY 0.22 ± ACRES LOCATED AT 450 WEST STORY ROAD AT THE SOUTHWEST CORNER OF WEST STORY ROAD AND FOSTER 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

B. **Ordinance 14-14:** 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 0.22 ± ACRES OF LAND LOCATED AT 450 WEST STORY ROAD AT THE SOUTHWEST CORNER OF WEST STORY ROAD AND FOSTER AVENUE FROM ORANGE COUNTY LOW DENSITY RESIDENTIAL TO CITY LOW DENSITY RESIDENTIAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

C. **Ordinance 14-15:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA REZONING APPROXIMATELY 0.22 ± ACRES OF REAL PROPERTY GENERALLY LOCATED AT 450 WEST STORY ROAD AT THE SOUTHWEST CORNER OF WEST STORY ROAD AND FOSTER AVENUE FROM ORANGE COUNTY R-2 RESIDENTIAL DISTRICT TO CITY R-2 RESIDENTIAL DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE – Community Development Director Williams

D. **Ordinance 14-16:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS APPROXIMATELY 1.75 ± ACRES LOCATED AT 13100 WEST COLONIAL DRIVE ON THE SOUTH SIDE OF WEST COLONIAL DRIVE, EAST OF 5TH STREET AND WEST OF 9TH STREET 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 14-17:** 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 1.75 ± ACRES LOCATED AT 13100 WEST COLONIAL DRIVE ON THE SOUTH SIDE OF WEST COLONIAL DRIVE, EAST OF 5TH STREET AND WEST OF 9TH STREET FROM ORANGE COUNTY COMMERCIAL TO CITY COMMERCIAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

F. **Ordinance 14-18:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA REZONING APPROXIMATELY 1.75 ± ACRES LOCATED AT 13100 WEST COLONIAL DRIVE ON THE SOUTH SIDE OF WEST COLONIAL DRIVE, EAST OF 5TH STREET AND

WEST OF 9TH STREET FROM ORANGE COUNTY C-3 COMMERCIAL DISTRICT TO CITY C-2 ARTERIAL COMMERCIAL DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE – Community Development Director Williams

4. **REGULAR BUSINESS**

- A. Recommendation to approve bids and award contract for South Woodland Street and East Tremaine Street Project to T. D. Thomson Construction Company in the amount of \$438,298.30, which includes a 10 percent contingency - Assistant Director of Public Services Operations Kelley
- B. Recommendation to approve investment package for renovating blighted property at 426 W. Plant Street and authorize the City Manager to execute any necessary agreements with the property owner – Economic Development Director Gerhartz
- C. *Recommendation to approve authorizing the City Manager to execute a contract with HVS Consulting and Valuation to conduct a market feasibility study on two potential sites at a cost not to exceed \$25,000 - Economic Development Director Gerhartz
- D. *Recommendation to approve swapping City owned land at 270 W. Plant Street with 252 W. Plant Street Partnership for their land at 252 W. Plant Street and paying for the additional incurred costs (*postponed 3/13/2014*) - City Manager Bollhoefer

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

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

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

8. **MATTERS FROM MAYOR AND COMMISSIONERS**

ADJOURN to a Regular Meeting on April 10, 2014 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.

	<p>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.</p>		<p>Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained at the meeting from the Information Technology Department (407) 656-4111 x5455.</p>
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CITY OF WINTER GARDEN

CITY COMMISSION REGULAR MEETING MINUTES

March 13, 2014

A **REGULAR MEETING** of the Winter Garden City Commission was called to order by Mayor Rees at 6:30 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 Kent Makin, Robert Olszewski and Colin Sharman

Absent: Commissioner Bob Buchanan

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, Fire Chief John Williamson, Police Chief George Brennan, Building Official Skip Lukert, Economic Development Director Tanja Gerhartz, Recreation Director Jay Conn, and West Orange Times Reporter Peter M. Gordon

1. **APPROVAL OF MINUTES**

Motion by Commissioner Makin to approve regular meeting minutes of February 27, 2014 as submitted. Seconded by Commissioner Olszewski and carried unanimously 4-0.

2. **PRESENTATION**

Mayor Rees read and presented Proclamation 14-03 to Fire Chief John Williamson honoring him on his retirement. Chief Williamson came forward and shared some of his experiences and his appreciation for the City of Winter Garden.

3. **GENERAL ELECTION RESULTS**

A. **Resolution 14-02:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA, DECLARING THE RESULTS OF THE ELECTION HELD ON MARCH 11, 2014 FOR MAYOR/COMMISSIONER DISTRICT 5 AND COMMISSIONER DISTRICT 1 AND AUTHORIZING ISSUANCE OF CERTIFICATES

City Clerk Golden read the official election totals as supplied by the Orange County Canvassing Board and attached to the resolution.

Motion by Commissioner Olszewski to approve Resolution 14-02. Seconded by Commissioner Sharman and carried unanimously 4-0.

4. **OATH OF OFFICE**

A. **Commissioner District 1 and Mayor/Commissioner District 5 as elected on March 11, 2014**

City Clerk Golden administered the Oath of Office to Kent Makin, Commissioner District 1 and John Rees, Mayor/Commissioner District 5 as elected on March 11, 2014.

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

- A. **Ordinance 14-13:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS APPROXIMATELY 0.22 ± ACRES LOCATED AT 450 WEST STORY ROAD AT THE SOUTHWEST CORNER OF WEST STORY ROAD AND FOSTER 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
- B. **Ordinance 14-14:** 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 0.22 ± ACRES OF LAND LOCATED AT 450 WEST STORY ROAD AT THE SOUTHWEST CORNER OF WEST STORY ROAD AND FOSTER AVEUNE FROM ORANGE COUNTY LOW DENSITY RESIDENTIAL TO CITY LOW DENSITY RESIDENTIAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE
- C. **Ordinance 14-15:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA REZONING APPROXIMATELY 0.22 ± ACRES OF REAL PROPERTY GENERALLY LOCATED AT 450 WEST STORY ROAD AT THE SOUTHWEST CORNER OF WEST STORY ROAD AND FOSTER AVENUE FROM ORANGE COUNTY R-2 RESIDENTIAL DISTRICT TO CITY R-2 RESIDENTIAL DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinances 14-13, 14-14, and 14-15 by title only. Community Development Director Williams stated that this is a voluntary annexation and a request for initial comprehensive plan designation and zoning. The applicant wishes to be in the City and obtain City services. This has been reviewed by staff and the Planning and Zoning Board; both recommend approval of all three ordinances.

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

Motion by Commissioner Makin to approve Ordinances 14-13, 14-14, and 14-15 with the second reading and public hearing being scheduled for March 27, 2014. Seconded by Commissioner Sharman and carried unanimously 4-0.

- D. **Ordinance 14-16:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS APPROXIMATELY 1.75 ± ACRES LOCATED AT 13100 WEST COLONIAL DRIVE ON THE SOUTH SIDE OF WEST

COLONIAL DRIVE, EAST OF 5TH STREET AND WEST OF 9TH STREET 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 14-17:** 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 1.75 ± ACRES LOCATED AT 13100 WEST COLONIAL DRIVE ON THE SOUTH SIDE OF WEST COLONIAL DRIVE, EAST OF 5TH STREET AND WEST OF 9TH STREET FROM ORANGE COUNTY COMMERCIAL TO CITY COMMERCIAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE
- F. **Ordinance 14-18:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA REZONING APPROXIMATELY 1.75 ± ACRES LOCATED AT 13100 WEST COLONIAL DRIVE ON THE SOUTH SIDE OF WEST COLONIAL DRIVE, EAST OF 5TH STREET AND WEST OF 9TH STREET FROM ORANGE COUNTY C-3 COMMERCIAL DISTRICT TO CITY C-2 ARTERIAL COMMERCIAL DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinances 14-16, 14-17, and 14-18 by title only. Community Development Director Williams stated that this is a voluntary annexation and a request for a comprehensive plan designation and zoning. The property is known as the R. D. King property, which has been closed for redevelopment and they wish to receive City services to facilitate redeveloping the property. This item has been reviewed by staff and the Planning and Zoning Board; both recommend approval of all three ordinances.

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

Motion by Commissioner Olszewski to approve Ordinances 14-16, 14-17, and 14-18 with the second reading and public hearing being scheduled for March 27, 2014. Seconded by Commissioner Makin and carried unanimously 4-0.

6. **REGULAR BUSINESS**

- A. **Recommendation to approve bids and award contract for Woodlark Well #2 project to A. C. Schultes of Florida, Inc. in the amount of \$1,036,167.00, which includes a ten percent contingency**

Assistant City Manager of Public Services Cochran stated that on February 5, 2014, the City received bids for the Woodlark Well #2 project. The Woodlark well is located on the north side of Emerald Ridge, just off of Stoneybrook Parkway. He noted that there is one existing well and one existing tank. He indicated that should anything happen to either the tank or the well, the south side of the City would be in dire straits for drinking

water. He noted that tonight's item addresses the bid for the second well, with the bid for the second tank to come in about a month.

He noted that the low bid for well #2 is A. C. Shultes of Florida, Inc. with a bid of \$941,970. The City's engineer has submitted a letter of recommendation establishing them as the most responsive and lowest qualified bidder. Staff requests approval for the \$941,970 with a ten percent contingency for a total of \$1,036,167.00.

Mayor Rees asked if staff was confident in their bid because they are about 18 percent lower than the next lowest bid, with the other three being close. Mr. Cochran responded that this was a question that staff had and the engineers checked with the contractor's references, which all came back with positive comments.

Commissioner Sharman noted there was a mathematical error made by one of the bidder's. Mr. Cochran responded that this is not uncommon with bids. He noted that it is the responsibility of our engineer to thoroughly review bid totals and make those corrections.

Motion by Commissioner Olszewski to approve the bids and award contract for Woodlark Well #2 project to A. C. Schultes of Florida, Inc. in the amount of \$1,036,167.00, which includes a ten percent contingency. Seconded by Commissioner Sharman and carried unanimously 4-0.

B. Recommendation to approve bids and award contract for Lift Station #23 improvements to US Water Services Corporation in the amount of \$419,770.41, which includes a ten percent contingency

Assistant City Manager of Public Services Cochran stated that this bid is for lift station #23, which everyone knows as the lift station on Ninth Street. City staff has worked to solve the odor problems by building our own odor control system. He noted that it is homemade and may need rebuilding at some point. Odor control was included in the specifications for this project.

Mr. Cochran stated that US Water Services Corporation was the lowest bid submitted with the odor control system at \$381,609.46. Our engineer did check references and recommends them as the lowest responsive and responsible bidder. Staff recommends including a ten percent contingency bringing the total contract cost to \$419,770.40.

Commissioner Olszewski asked how long it will take for this project from start to completion. Mr. Cochran responded that it is planned to be started as soon as possible within up to 30 days after the approval for them to get started on the work. He noted that the first bidder had bid too low for staff to be confident that they could complete the job. In the meantime, this bidder was allowed to withdraw and staff purchased his materials and they are available for use in this project. This will allow the project to begin within at least 60 days.

Commissioner Olszewski again asked about the timeframe. Mr. Cochran noted that he believes it to be within 90 to 120 days. Commissioner Olszewski expressed his concerns about it being close to the heat of summer, which makes him nervous about a possible smell factor. Mr. Cochran explained some of the process.

Motion by Commissioner Olszewski to approve bids and award contract for Lift Station #23 improvements to US Water Services Corporation in the amount of \$419,770.41, which includes a ten percent contingency. Seconded by Commissioner Sharman and carried unanimously 4-0.

C. Recommendation to approve Change Order #4 increasing the contract amount for E. Plant Street Segment 2 by \$600,722.77 to cover the cost of improvements to Segment 4

Assistant City Manager of Public Services Cochran stated that the City Manager has spoken to him regarding this item and wishes to pull this and bring it back at a later date with some renderings of what the roadway will look like.

Motion by Commissioner Sharman to POSTPONE this item as requested by staff. Seconded by Commissioner Makin and carried unanimously 4-0.

City Manager Bollhoefer noted that the Plant Street project is ahead of schedule and DeWitt is doing a good job; he has had no complaints.

D. Recommendation to approve revisions to the Community Development Block Grant Purchasing Policy and Minority Enterprise Policy

Economic Development Director Gerhartz stated that this item is a revision to a policy the City Commission adopted a few months back. She noted that the Community Development Block Grant (CDBG) regulations that the City Commission previously adopted must meet State and Federal guidelines. She noted that the purchasing policy changes are required by the State and are shown in red. Any purchase over \$1,000 has to follow their process.

Ms. Gerhartz updated the City Commission on the current CDBG process noting that applications have been submitted. The Consultant for the City is going through their due diligence process to determine which of the applications meet the criteria. Staff is hopeful to award some grants by the end of spring.

Commissioner Olszewski asked the number of applicants that applied. Ms. Gerhartz estimated more than 30. Commissioner Olszewski asked about expectations of how many would actually be awarded. Ms. Gerhartz responded that it would be based on the amount allocated for each home and guesses 12 to 15.

Motion by Commissioner Olszewski to approve the revisions submitted by staff to the Community Development Block Grant Purchasing Policy and Minority

Enterprise Policy. Seconded by Commissioner Sharman and carried unanimously 4-0.

E. **Recommendation to approve entering into an agreement with the Orange County School Board to continue the School Resource Officer Program**

Police Chief Brennan stated that this item is the agreement for the Orange County School Board School Resource Officer services between Orange County Public Schools and the Winter Garden Police Department for the school year of 2013 – 2014. He noted that this is extremely late coming due to contract negotiations, but we did realize a 25 percent increase in fees over last year.

Motion by Commissioner Makin to approve entering into an agreement with the Orange County School Board to continue the School Resource Officer Program. Seconded by Commissioner Sharman and carried unanimously 4-0.

F. **Recommendation to approve swapping City-owned land at 270 W. Plant Street with the 252 W. Plant Street Partnership for their land at 252 W. Plant Street and paying for the additional incurred costs**

City Manager Bollhoefer stated that staff would like to postpone this item until the next meeting to get additional information.

Motion by Commissioner Makin to POSTPONE this item as requested by staff. Seconded by Commissioner Sharman and carried unanimously 4-0.

G. **Resolution 14-03:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA, APPOINTING A MAYOR PRO-TEM

City Attorney Ardaman read Resolution 14-03 by title only. Mayor Rees stated that he feels that Commissioner Bob Buchanan has done a good job as Mayor Pro-Tem and asked the Commission if they want to reappoint him. If not, the appointment can be postponed. He is sure Commissioner Buchanan would like to continue as Mayor Pro-Tem.

Motion by Commissioner Olszewski to approve Resolution 14-03 appointing Commissioner Buchanan as Mayor Pro-Tem. Seconded by Commissioner Makin and carried unanimously 4-0.

7. **MATTERS FROM PUBLIC**

David Kassander, 15155 Ovation Drive, Winter Garden, Florida, congratulated the Mayor and the Commissioner of District 1 on their being re-elected. He also thanked the City Manager for his efforts in getting a crosswalk between Tilden and Belle Meade for the Foundation Academy so quickly.

City Manager Bollhoefer recognized Assistant City Manager of Public Services Cochran as having getting it done and stated that he has never seen Orange County do anything that fast in his entire career.

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 Makin thanked everyone for coming out and for the support he received during the election. He thanked City staff for all that they do.

Commissioner Olszewski congratulated Commissioner Makin and Mayor Rees on their re-election. He thanked City staff for their hard work.

Commissioner Sharman thanked those that were re-elected for their service stated. He stated that what he likes is that even though they have different opinions, they respect each other and work through them. He believes the citizens would agree the City Commission is doing a good job for them and reflects on all the hard work accomplished by City staff.

Mayor Rees stated that the City Commission always brags on City staff and noted that this election showed how good a job they do out in the public.

The meeting was adjourned at 7:16 p.m. At the request of Commissioner Sharman, Mayor Rees reopened the meeting for item he had.

Commissioner Sharman asked that the City Clerk to bring back to the next meeting term limits for the Canvassing Board, as has been done for other boards.

The meeting was re-adjourned at 7:16 p.m.

APPROVED:

Mayor John Rees

ATTEST:

City Clerk Kathy Golden, CMC

THE CITY OF WINTER GARDEN
CITY COMMISSION AGENDA ITEM

From: Michael Bollhoefer, City Manager

Date: March 21, 2014

Meeting Date: March 27, 2014

Subject: Interim Budget Ordinance 14-12

Issue: The interim budget was advertised on 3/13/14 for first reading. The interim budget has been postponed and staff will re-advertise.

Recommended action: Motion to postpone, staff will re-advertise.

THE CITY OF WINTER GARDEN
CITY COMMISSION AGENDA ITEM

From: Ed Williams, Community Development Director

Via: City Manager Mike Bollhoefer

Date: March 19, 2014

Meeting Date: March 27, 2014

Subject: 450 West Story Road (Annexation FLU Amendment & Zoning)
Maria Rios
Ordinance 14-13
Ordinance 14-14
Ordinance 14-15
PARCEL ID# 22-22-27-9188-01-031

Issue:

The applicant is requesting Annexation, Zoning, and Future Lands Use designation on property located at 450 West Story Road.

Discussion:

The City encourages infill of its jurisdictional limits through voluntary annexation of enclaves. The subject property makes up a 0.22 ± acre enclave located at 450 West Story Road. 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 Zoning of R-2. (See attached Staff Report).

Recommended Action:

Staff recommends approval of Ordinance 14-13, Ordinance 14-14 and Ordinance 14-15.

Attachment(s)/References:

Location Map
Ordinance 14-13
Ordinance 14-14
Ordinance 14-15
Staff Report

Legend



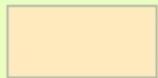
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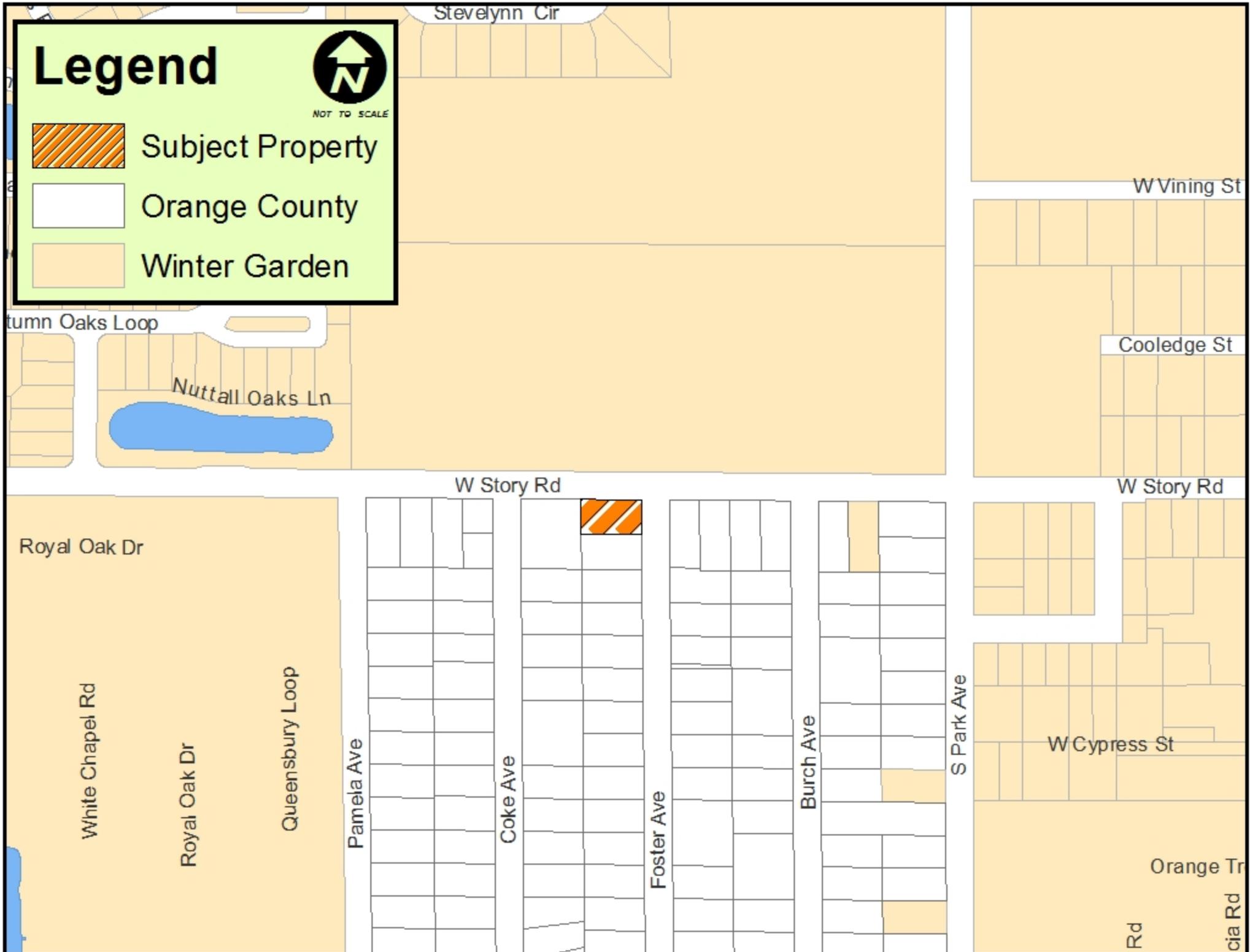
Subject Property



Orange County



Winter Garden



ORDINANCE 14-13

AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS APPROXIMATELY 0.22 ± ACRES LOCATED AT 450 WEST STORY ROAD AT THE SOUTHWEST CORNER OF WEST STORY ROAD AND FOSTER 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 0.22 ± acres located at 450 West Story Road, at the southwest corner of West Story Road and Foster 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: _____, 2014.

SECOND READING AND PUBLIC HEARING: _____, 2014.

ADOPTED this _____ day of _____, 2014, 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

PARCEL ID#: 22-22-27-9188-01-031

The North 74.00 feet of Lots 3 and 4, Block A, WESTCHESTER PLACE, according to the plat thereof, as recorded in Plat Book Q, Page 141, Public Records of Orange County, Florida, being more particularly described as follows: Begin at the Northeast corner of Lot 4, Block A, WESTCHESTER PLACE, according to the plat thereof, as recorded in Plat Book Q, Page 141, Public Records of Orange County, Florida, thence run South 01°01'00" East along the East line of said Lot 4, Block A, 74.01 feet; thence run North 90°00'00" West 130.00 feet to the West line of Lot 3, Block A, of said WESTCHESTER PLACE; thence run North 01°01'00" West along said West line, 74.01 feet to the Northwest corner of said Lot 3, Block A; thence run North 90°00'00" East 130.00 feet to the Point of Beginning.

Containing 0.221 acres, more or less.

ORDINANCE 14-14

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 0.22 ± ACRES OF LAND LOCATED AT 450 WEST STORY ROAD AT THE SOUTHWEST CORNER OF WEST STORY ROAD AND FOSTER AVEUNE 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 0.22 ± acres of land located at 450 West Story Road at the southwest corner of West Story Road and Foster 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 14-13, 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: _____, 2014.

SECOND READING AND PUBLIC HEARING: _____, 2014.

ADOPTED this _____ day of _____, 2014, 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

PARCEL ID#: 22-22-27-9188-01-031

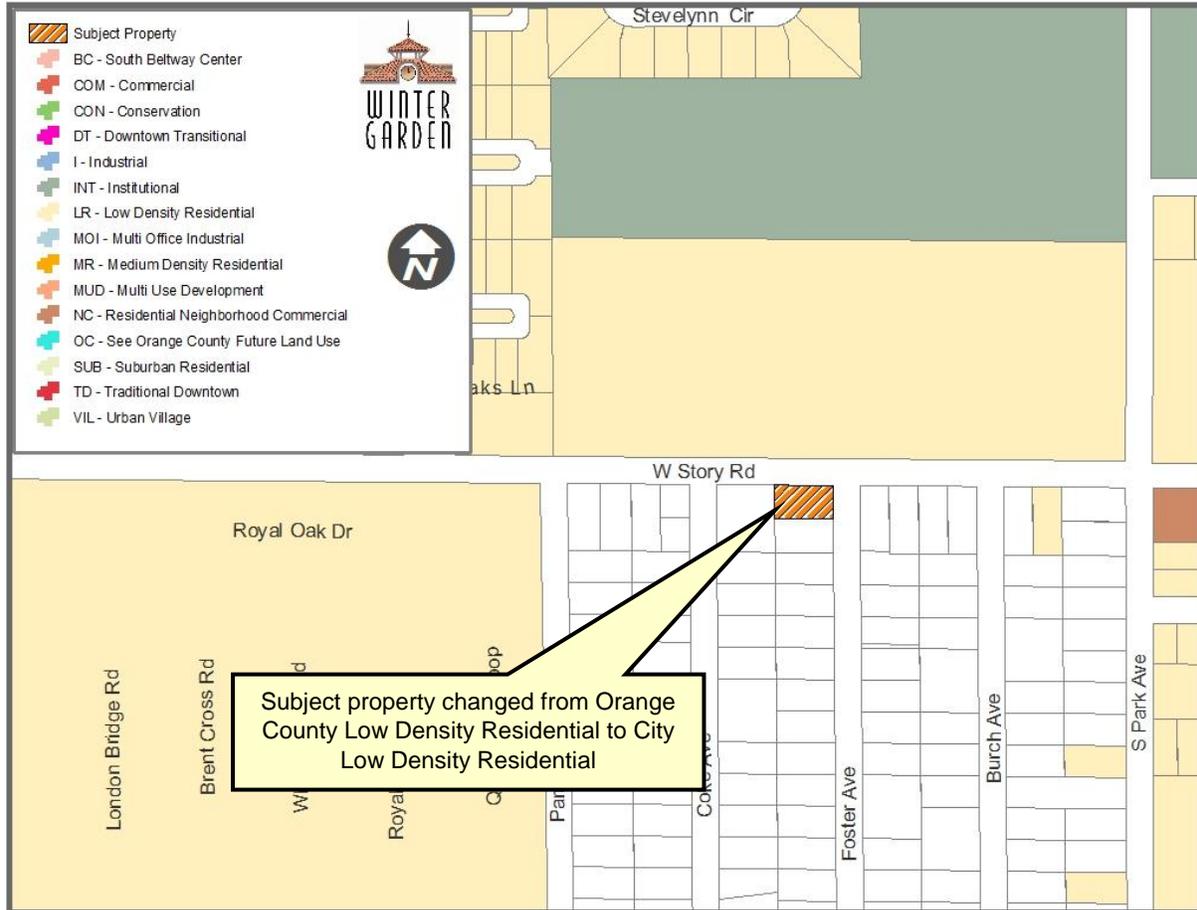
The North 74.00 feet of Lots 3 and 4, Block A, WESTCHESTER PLACE, according to the plat thereof, as recorded in Plat Book Q, Page 141, Public Records of Orange County, Florida, being more particularly described as follows: Begin at the Northeast corner of Lot 4, Block A, WESTCHESTER PLACE, according to the plat thereof, as recorded in Plat Book Q, Page 141, Public Records of Orange County, Florida, thence run South 01°01'00" East along the East line of said Lot 4, Block A, 74.01 feet; thence run North 90°00'00" West 130.00 feet to the West line of Lot 3, Block A, of said WESTCHESTER PLACE; thence run North 01°01'00" West along said West line, 74.01 feet to the Northwest corner of said Lot 3, Block A; thence run North 90°00'00" East 130.00 feet to the Point of Beginning.

Containing 0.221 acres, more or less.

ATTACHMENT "B"

FUTURE LAND USE MAP

450 West Story Road



ORDINANCE 14-15

AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA REZONING APPROXIMATELY 0.22 ± ACRES OF REAL PROPERTY GENERALLY LOCATED AT 450 WEST STORY ROAD AT THE SOUTHWEST CORNER OF WEST STORY ROAD AND FOSTER AVENUE FROM ORANGE COUNTY R-2 RESIDENTIAL DISTRICT TO CITY R-2 RESIDENTIAL DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owner of that certain real property generally described as 0.22 ± acres of land located at 450 West Story Road at the southwest corner of West Story Road and Foster Avenue, and legally described in Section 1 of this ordinance has petitioned the City to rezone said property from Orange County R-2 Residential District to the City’s R-2 Residential District zoning classification, therefore;

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

SECTION 1: Rezoning. After due notice and public hearing, the zoning classification of real property legally described on ATTACHMENT “A,” is hereby rezoned from Orange County R-2 Residential District to City R-2 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 14-14 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: _____, 2014.

SECOND READING AND PUBLIC HEARING: _____, 2014.

ADOPTED this _____ day of _____, 2014, 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

PARCEL ID#: 22-22-27-9188-01-031

The North 74.00 feet of Lots 3 and 4, Block A, WESTCHESTER PLACE, according to the plat thereof, as recorded in Plat Book Q, Page 141, Public Records of Orange County, Florida, being more particularly described as follows: Begin at the Northeast corner of Lot 4, Block A, WESTCHESTER PLACE, according to the plat thereof, as recorded in Plat Book Q, Page 141, Public Records of Orange County, Florida, thence run South 01°01'00" East along the East line of said Lot 4, Block A, 74.01 feet; thence run North 90°00'00" West 130.00 feet to the West line of Lot 3, Block A, of said WESTCHESTER PLACE; thence run North 01°01'00" West along said West line, 74.01 feet to the Northwest corner of said Lot 3, Block A; thence run North 90°00'00" East 130.00 feet to the Point of Beginning.

Containing 0.221 acres, more or less.

CITY OF WINTER GARDEN

PLANNING & ZONING DIVISION

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

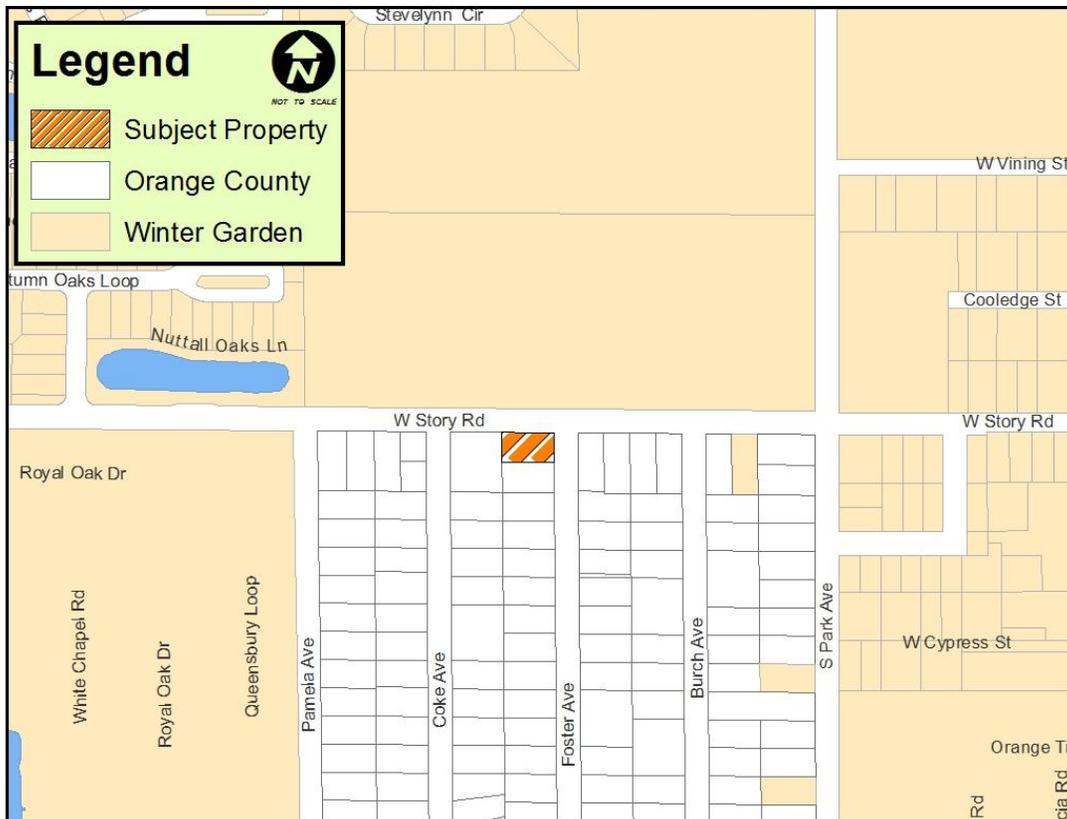
STAFF REPORT

TO: PLANNING AND ZONING BOARD
PREPARED BY: STEVE PASH, SENIOR PLANNER
DATE: FEBRUARY 27, 2014
SUBJECT: ANNEXATION – ZONING – FLU AMENDMENT
450 WEST STORY ROAD (0.22 +/- ACRES)
PARCEL ID #: 22-22-27-9188-01-031
APPLICANT: MARIA RIOS

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 450 West Story Road and is approximately 0.22 ± 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 rezoning the property to R-2 Residential District.

In accordance with the City's Comprehensive Plan, permitted uses within the Low Density Residential land use include single family homes and churches and schools. The zoning classifications that are consistent with the Low Density Residential land use designation include 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 house.

ADJACENT LAND USE AND ZONING

The property located to the north is a City Park (Veterans Park), zoned C-2 and located in the City. The properties located to the east, south, and west are developed with single family homes, zoned R-2 and located in Orange County.

PROPOSED USE

The owner is proposing to annex the property and keep the existing structure.

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

City Staff recommends approval of the proposed Ordinances. 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.

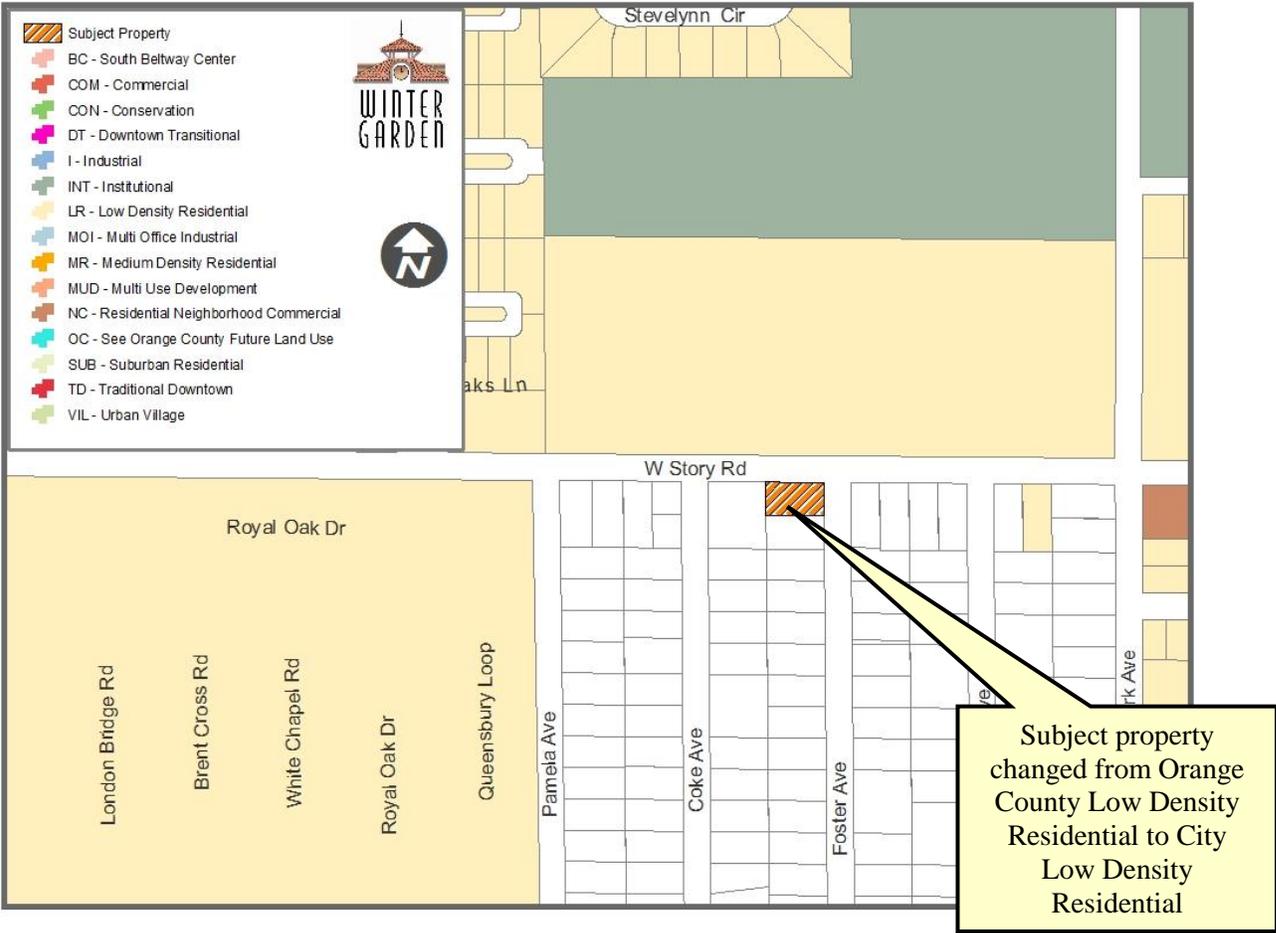
MAPS

AERIAL PHOTO

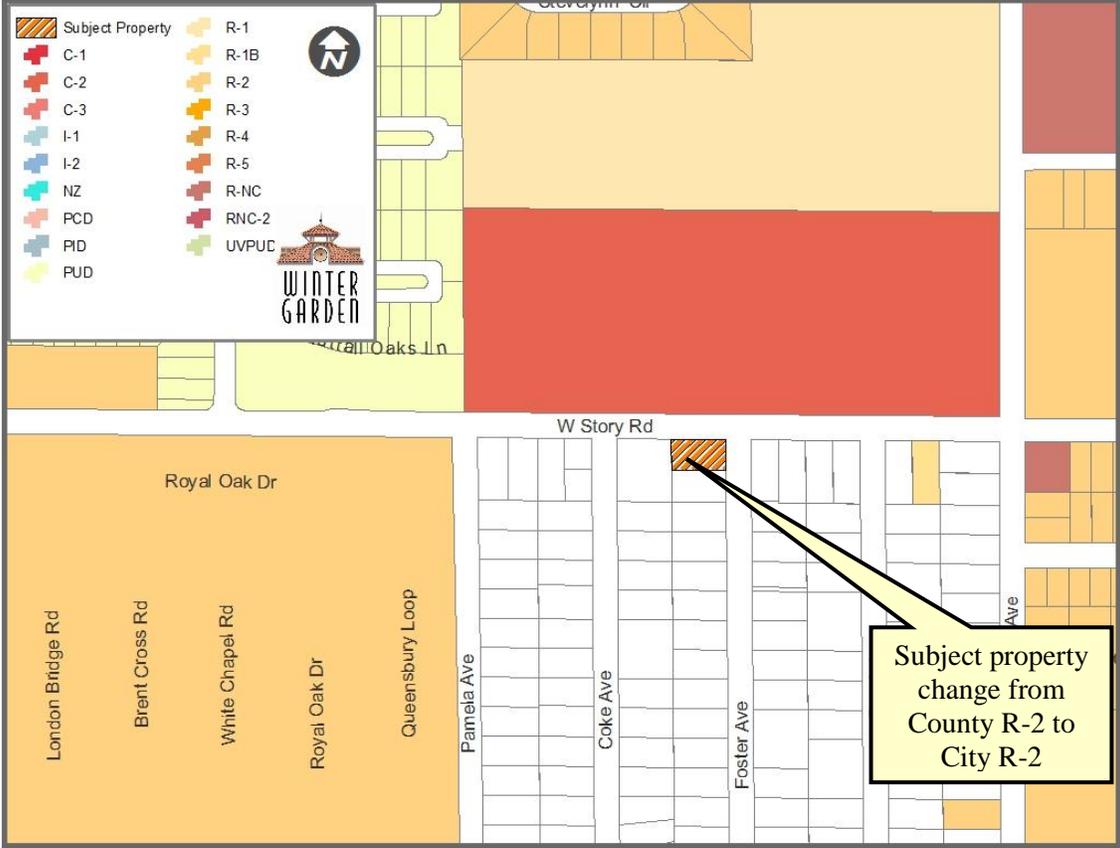
450 West Story Road



FUTURE LAND USE MAP
450 West Story Road



ZONING MAP
450 West Story 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: March 19, 2014

Meeting Date: March 27, 2014

Subject: 13100 West Colonial Drive (Annexation FLU Amendment & Zoning)
Lake Butler Groves, Inc.
Ordinance 14-16
Ordinance 14-17
Ordinance 14-18
PARCEL ID#26-22-27-8108-00-060

Issue: The applicant is requesting Annexation, Zoning, and Future Lands Use designation on property located at 13100 West Colonial Drive.

Discussion: The City encourages infill of its jurisdictional limits through voluntary annexation of enclaves. The subject property makes up a 1.75 ± acre enclave located at 13100 West Colonial Drive. 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 Commercial, and Zoning of C-2. (See attached Staff Report).

Recommended Action: Staff recommends approval of Ordinance 14-16, Ordinance 14-17 and Ordinance 14-18.

Attachment(s)/References:

Location Map
Ordinance 14-16
Ordinance 14-17
Ordinance 14-18
Staff Report

Legend



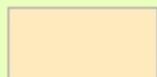
NOT TO SCALE



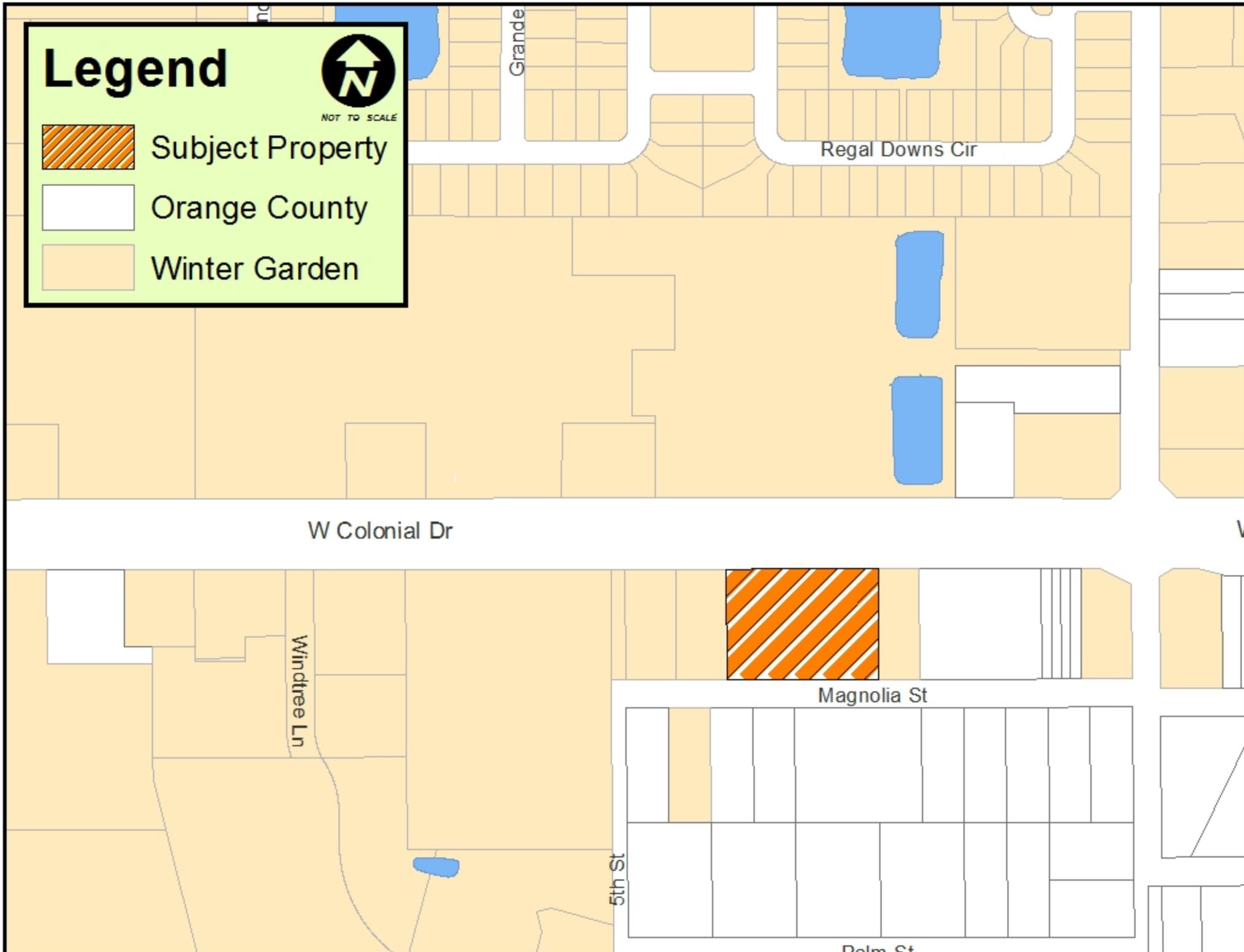
Subject Property



Orange County



Winter Garden



ORDINANCE 14-16

AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS APPROXIMATELY 1.75 ± ACRES LOCATED AT 13100 WEST COLONIAL DRIVE ON THE SOUTH SIDE OF WEST COLONIAL DRIVE, EAST OF 5TH STREET AND WEST OF 9TH STREET 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 1.75 ± acres located on the south side of West Colonial Drive, east of 5th Street and west of 9th Street 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: _____, 2014.

SECOND READING AND PUBLIC HEARING: _____, 2014.

ADOPTED this _____ day of _____, 2014, 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

PARCEL ID#: 26-22-27-8108-00-060

BEGIN AT THE SOUTHWEST CORNER OF SAID LOT 6; THENCE N89°41'00"W ALONG THE SOUTH LINE OF SAID LOTS 6, 7 AND 8, A DISTANCE OF 324.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 8; N00°00'48"E ALONG THE WEST LINE OF SAID LOT 8, A DISTANCE OF 235.00 FEET TO A POINT ON A LINE LYING 45 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF SAID LOTS 6, 7 AND 8; THENCE LEAVING SAID WEST LINE S89°41'00"E, A DISTANCE OF 324.00 FEET TO A POINT ON THE EAST LINE OF SAID LOT 6; THENCE S00°00'48"W ALONG SAID EAST LINE, A DISTANCE OF 235.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.75 ACRES MORE OR LESS.

ORDINANCE 14-17

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 1.75 ± ACRES LOCATED AT 13100 WEST COLONIAL DRIVE ON THE SOUTH SIDE OF WEST COLONIAL DRIVE, EAST OF 5TH STREET AND WEST OF 9TH STREET FROM ORANGE COUNTY COMMERCIAL TO CITY COMMERCIAL; 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 1.75 ± acres of land located at 13100 West Colonial Drive on the south side of West Colonial Drive, east of 5th Street and west of 9th Street, 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 Commercial to City Commercial; 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 Commercial 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 14-16, 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: _____, 2014.

SECOND READING AND PUBLIC HEARING: _____, 2014.

ADOPTED this _____ day of _____, 2014, 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

PARCEL ID#: 26-22-27-8108-00-060

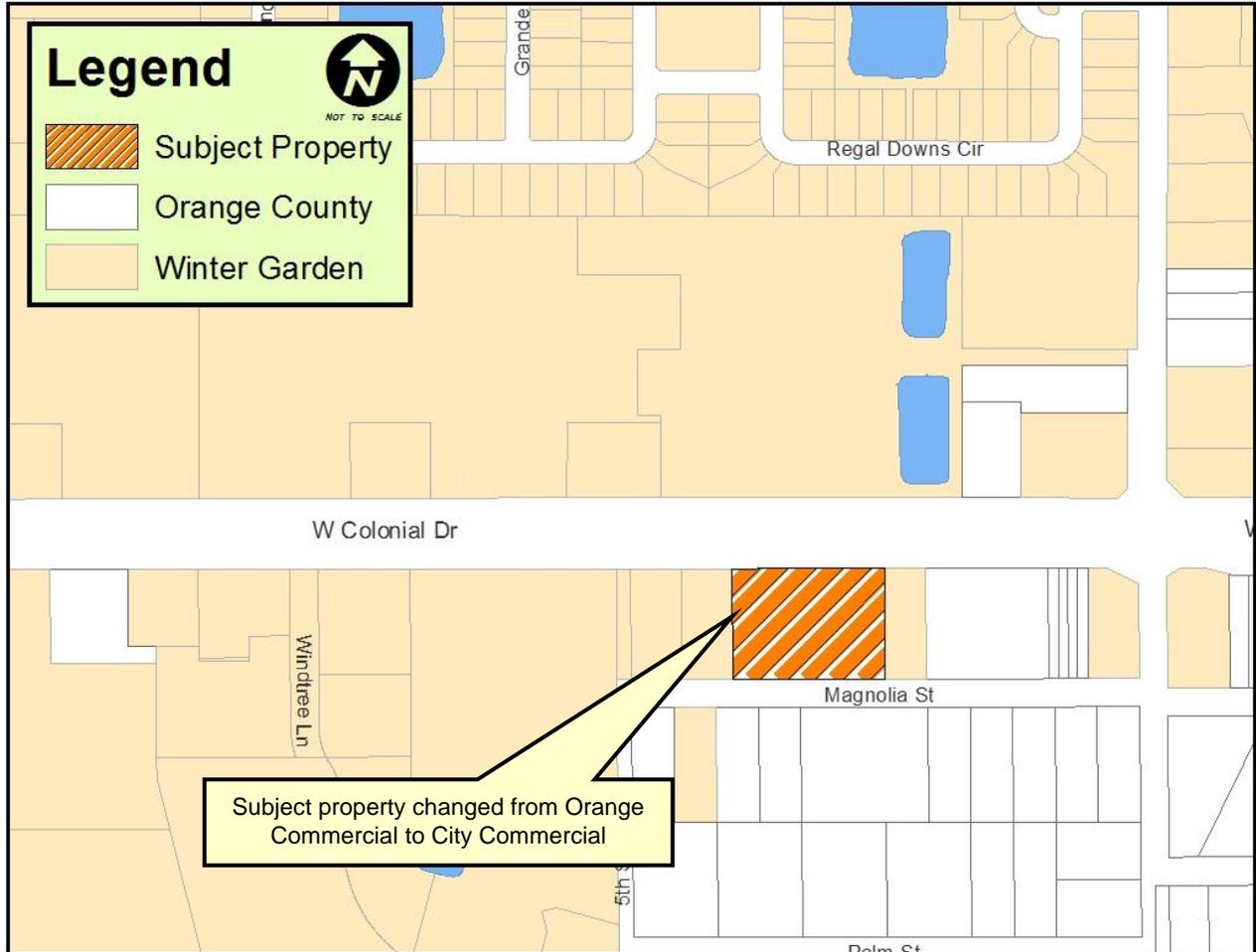
BEGIN AT THE SOUTHWEST CORNER OF SAID LOT 6; THENCE N89°41'00"W ALONG THE SOUTH LINE OF SAID LOTS 6, 7 AND 8, A DISTANCE OF 324.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 8; N00°00'48"E ALONG THE WEST LINE OF SAID LOT 8, A DISTANCE OF 235.00 FEET TO A POINT ON A LINE LYING 45 FEET SOUTH OF AND PARALLEL TO THE NORHT LINE OF SAID LOTS 6, 7 AND 8; THENCE LEAVING SAID WEST LINE S89°41'00"E, A DISTANCE OF 324.00 FEET TO A POINT ON THE EAST LINE OF SAID LOT 6; THENCE S00°00'48"W ALONG SAID EAST LINE, A DISTANCE OF 235.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.75 ACRES MORE OR LESS.

ATTACHMENT "B"

FUTURE LAND USE MAP

13100 West Colonial Drive



ORDINANCE 14-18

AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA REZONING APPROXIMATELY 1.75 ± ACRES LOCATED AT 13100 WEST COLONIAL DRIVE ON THE SOUTH SIDE OF WEST COLONIAL DRIVE, EAST OF 5TH STREET AND WEST OF 9TH STREET FROM ORANGE COUNTY C-3 COMMERCIAL DISTRICT TO CITY C-2 ARTERIAL COMMERCIAL DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owner of that certain real property generally described as 1.75 ± acres of land located on the south side of West Colonial Drive, east of 5th Street and west of 9th Street, and legally described in Section 1 of this ordinance has petitioned the City to rezone said property from Orange County C-3 Commercial District to the City's C-2 Arterial Commercial 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 C-2 Arterial Commercial 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 C-3 Commercial District to City C-2 Arterial 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 simultaneously upon the effective date of Ordinance 14-17 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: _____, 2014.

SECOND READING AND PUBLIC HEARING: _____, 2014.

ADOPTED this _____ day of _____, 2014, 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

PARCEL ID#: 26-22-27-8108-00-060

BEGIN AT THE SOUTHWEST CORNER OF SAID LOT 6; THENCE N89°41'00"W ALONG THE SOUTH LINE OF SAID LOTS 6, 7 AND 8, A DISTANCE OF 324.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 8; N00°00'48"E ALONG THE WEST LINE OF SAID LOT 8, A DISTANCE OF 235.00 FEET TO A POINT ON A LINE LYING 45 FEET SOUTH OF AND PARALLEL TO THE NORHT LINE OF SAID LOTS 6, 7 AND 8; THENCE LEAVING SAID WEST LINE S89°41'00"E, A DISTANCE OF 324.00 FEET TO A POINT ON THE EAST LINE OF SAID LOT 6; THENCE S00°00'48"W ALONG SAID EAST LINE, A DISTANCE OF 235.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.75 ACRES MORE OR LESS.

CITY OF WINTER GARDEN

PLANNING & ZONING DIVISION

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

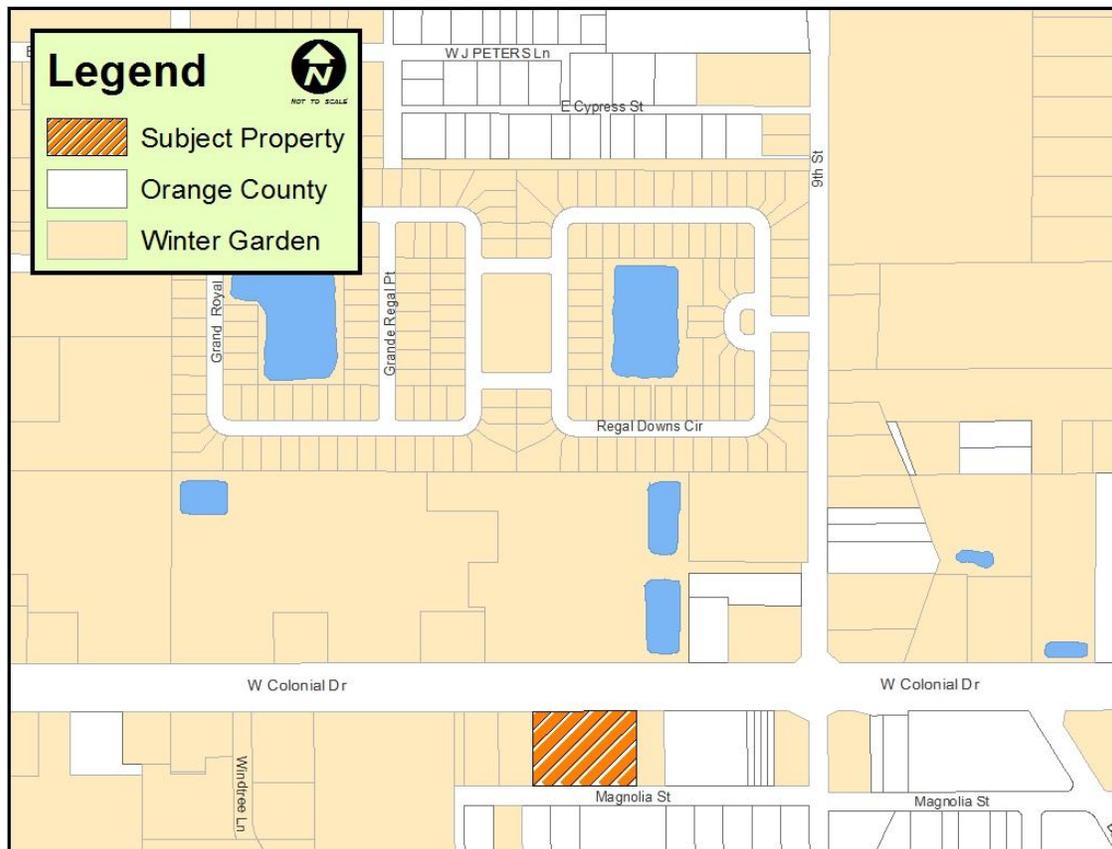
STAFF REPORT

TO: PLANNING AND ZONING BOARD
PREPARED BY: STEVE PASH, SENIOR PLANNER
DATE: FEBRUARY 26, 2014
SUBJECT: ANNEXATION – ZONING – FLU AMENDMENT
13100 WEST COLONIAL DRIVE (1.75 +/- ACRES)
PARCEL ID #: 26-22-27-8108-00-060
APPLICANT: LAKE BUTLER GROVES, INC.

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 13100 West Colonial Drive and is approximately 1.75 ± 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 Commercial, and rezoning the property to C-2 Arterial Commercial District. This property is also within the West State Road 50 Overlay, which has additional development standards.

The subject property is located within the West State Road 50 Commercial Activity Center which allows for the following land use categories: Commercial, Medium Density Residential, Industrial, and Multi Use Development. The majority of the properties located within the West State Road 50 Commercial Activity Center are designated Commercial on the Future Land Use Map, with the only exceptions being several apartment complexes and a senior living facility on the south side of the road at the western edge of the city limits which are designated Medium Density Residential on the Future Land Use Map and total about 35 acres of land.

In accordance with the City's Comprehensive Plan, permitted uses within the Commercial land use include retail, service, and professional activities. The zoning classifications that are consistent with the Commercial land use designation include C-1, C-2, C-3, C-4, PCD, 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 two commercial office buildings and a warehouse.

ADJACENT LAND USE AND ZONING

The properties located to the north are developed with a retail/commercial shopping center (Kmart), zoned C-2, and located in the City. The property located to the east is developed with an Animal Hospital and Veterinary Clinic, zoned C-2 and located in the City. The properties to the south are developed with single-family homes, zoned A-1 and located in the County. The property to the west is developed with a commercial building, zoned C-2, and located in the City.

PROPOSED USE

The applicant intends to annex the property, demolish all of the existing buildings, and submit for Site Plan Review to develop the property with a new auto parts retail store.

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.

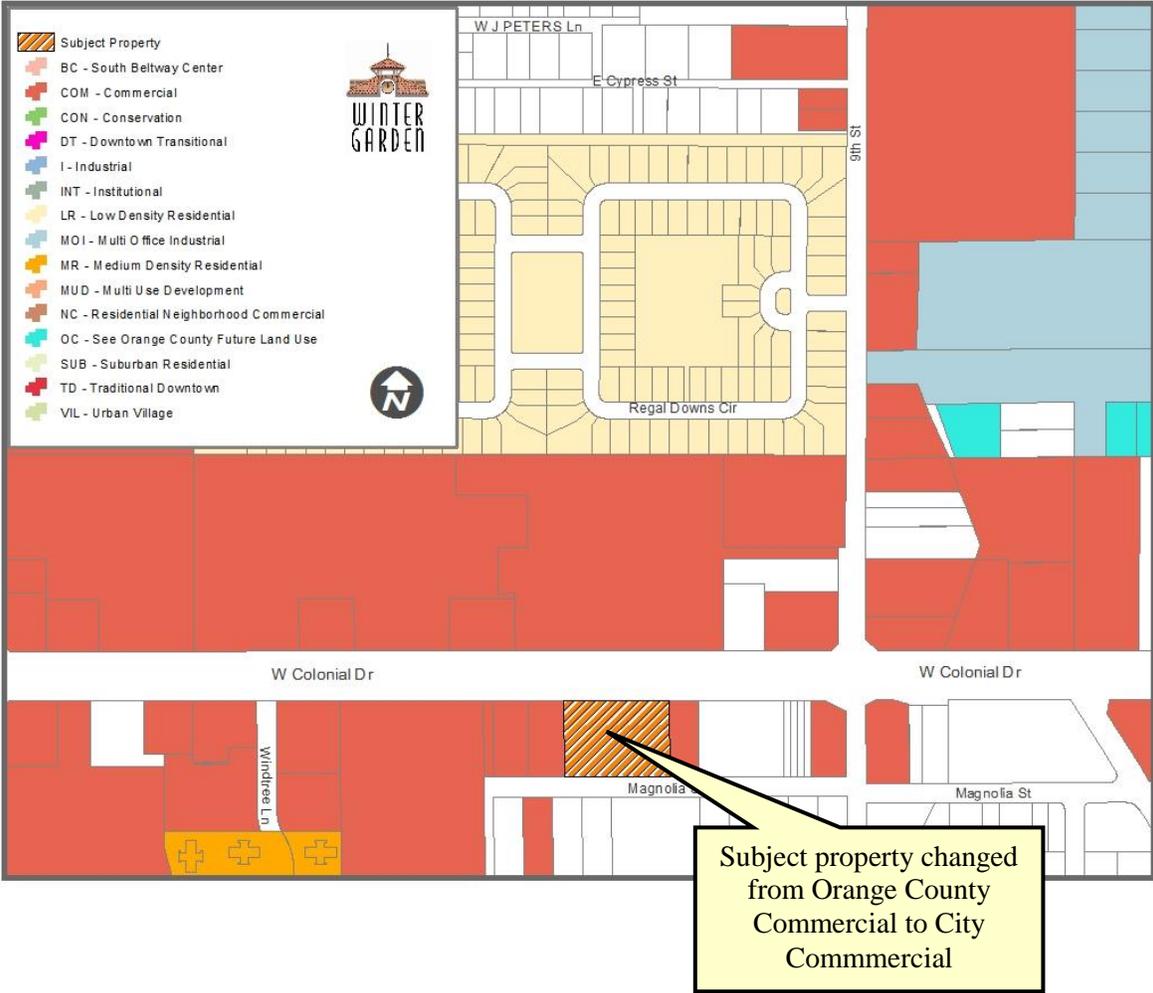
MAPS

AERIAL PHOTO

13100 West Colonial Drive



FUTURE LAND USE MAP
13100 West Colonial Drive



ZONING MAP
13100 West Colonial Drive



END OF STAFF REPORT

THE CITY OF WINTER GARDEN
CITY COMMISSION AGENDA ITEM

From: Don Cochran, Assistant City Manager – Public Services

Via: Mike Bollhoefer, City Manager

Date: March 18, 2014 **Meeting Date:** March 27, 2014

Subject: Approve Bids for the South Woodland and East Tremaine Street Project

Issue: On January 22, 2014, the City of Winter Garden received bids for the South Woodland and East Tremaine Street Project, consisting of utility and road improvements.

Listed below are the three lowest responsive and responsible bidders:

T. D. Thomson Construction Co.	\$398,453.00
DeWitt Excavating, Inc.	\$492,032.39
C. E. James, Inc.	\$512,622.00

Through the bidding process, T. D. Thomson Construction Co. appears to be the overall lowest qualified bidder.

The engineer's letter of recommendation concurs that T. D. Thomson Construction Co. is the most responsive and lowest qualified bidder.

Recommended Action:

Approve the bids and award the contract for the South Woodland and East Tremaine Street Project to T. D. Thomson Construction Co. in the amount of \$398,453.00, with a 10% contingency, bringing the total contract price to \$438,298.30.

Attachments/References:

- Engineer's Letter of Recommendation
- Bid Tabulation Form

CITY OF WINTER GARDEN

Engineering Department

300 West Plant Street - Winter Garden, Florida 34787-3011

(407) 656-4111 - FAX (407) 877-2363

MEMORANDUM

TO: CITY COMMISSION VIA MICHAEL BOLLHOEFER, CITY MANAGER
FROM: DON COCHRAN, ASSISTANT CITY MANAGER FOR PUBLIC SERVICES
 ARTHUR R. MILLER, III, PE, PLS – CITY ENGINEER
DATE: JANUARY 31, 2014
SUBJECT: REVIEW OF BIDS – RECOMMENDATION OF AWARD
 SOUTH WOODLAND/EAST TREMAINE PROJECT - CITY PN 11-002

The City received bids for this project on January 22nd, with four of the six contractors that had purchased bid packages and attended the mandatory pre-bid meeting submitting. Based on our recommendation, we are asking the Commission to award the bid at this time so construction can commence as soon as possible. The tabulated bid amounts for the lowest three bids are summarized below:

<u>Company</u>	<u>Unit Price Base Bid</u> (Tabulated)
Engineer's Estimate (including Addendum #1)	\$450,000.00
T.D. Thomson Construction Co., Inc.	\$398,453.00
DeWitt Excavating, Inc.	\$492,032.39
C.E. James, Inc.	\$512,622.00

We feel that the bids were competitive, and were less than the Engineer's estimated cost for the project. We have attached the bid tabulation for the three lowest bidders for your review. After reviewing the proposal submitted by T.D. Thomson Construction Co., Inc., we have found all documentation to be in order (bid form signed, bid guarantee, etc.) and that their qualifications indicate that they can perform the project within the time frames specified.

We also recommend that a contingency amount of 10% be approved in addition to the Contractor's Unit Price bid. This will allow construction to continue without delays if Staff approves additional work within the contingency amount that exceeds the original scope. This is a Unit Price contract. Payment will be based on the actual quantity of materials installed according to the unit price bid.

In summary, we recommend that the project be awarded to T.D. Thomson Construction Co., Inc., at a price not to exceed \$438,298.30 (Base bid + 10% contingency), and ask the Commission's approval for the City to enter into a contract with them. Execution of the contract will be contingent upon all requirements being met (i.e. insurance, bond, etc.).

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

END OF MEMORANDUM

Attachments (Bid Tabulations)

BID TABULATION
CITY OF WINTER GARDEN
S. WOODLAND/E. TREMAINE PROJECT - JANUARY 22, 2014
PN 11-002

ITEM NO.	ITEM	QUANT.	UNIT	T.D. THOMSON		DEWITT EXC.		C.E. JAMES	
				UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	MOBILIZATION	1	LS	\$45,000.00	\$45,000.00	\$21,050.00	\$21,050.00	\$50,000.00	\$50,000.00
2	MAINTENANCE OF TRAFFIC	1	LS	\$7,000.00	\$7,000.00	\$9,260.00	\$9,260.00	\$17,500.00	\$17,500.00
3	TEMP EROSION & SEDIMENT CONTROL (INCLUDING SWPPP & NPDES PERMIT)	1	LS	\$4,500.00	\$4,500.00	\$9,950.00	\$9,950.00	\$3,500.00	\$3,500.00
4	TEMPORARY DEWATERING (INCLUDING FDEP PERMIT)	1	LS	\$1,200.00	\$1,200.00	\$1,320.00	\$1,320.00	\$3,000.00	\$3,000.00
5	REMOVE, SALVAGE AND TRANSPORT BRICKS TO CITY PUBLIC WORKS YARD & STACK	1,570	SY	\$10.00	\$15,700.00	\$5.00	\$7,850.00	\$20.00	\$31,400.00
6	CLEARING & GRUBBING (INCLUDING ALL DEMOLITION AND PAVEMENT REMOVAL)	3,170	SY	\$12.00	\$38,040.00	\$10.00	\$31,700.00	\$5.60	\$17,752.00
7	EXCAVATE/REMOVE/DISPOSE SOIL	850	CY	\$9.00	\$7,650.00	\$5.50	\$4,675.00	\$10.00	\$8,500.00
8	SELECT IMPORT BACKFILL MATERIAL (INCLUDING 18" LAYER UNDER SUBBASE)	850	CY	\$10.00	\$8,500.00	\$9.13	\$7,760.50	\$12.00	\$10,200.00
9	GRADING	3,170	SY	\$3.00	\$9,510.00	\$5.00	\$15,850.00	\$6.00	\$19,020.00
10	6" COMPACTED SUBGRADE (UNDER SIDEWALKS)	145	SY	\$2.00	\$290.00	\$5.00	\$725.00	\$5.00	\$725.00
11	10" BASE (SOIL CEMENT OR CONC. FINES)	2,225	SY	\$18.00	\$40,050.00	\$12.64	\$28,124.00	\$20.00	\$44,500.00
12	12" COMPACTED SUBGRADE	2,225	SY	\$2.50	\$5,562.50	\$0.75	\$1,668.75	\$6.00	\$13,350.00
13	BRICK PAVEMENT (CITY SUPPLIED BRICK OR AS SALVAGED BY CONTR.)	2,225	SY	\$15.00	\$33,375.00	\$31.56	\$70,221.00	\$25.00	\$55,625.00
14	2" S-3 ASPHALTIC CONCRETE PAVEMENT	315	SY	\$25.00	\$7,875.00	\$27.60	\$8,694.00	\$16.00	\$5,040.00
15	4" THICK CONCRETE SIDEWALK	145	SY	\$28.00	\$4,060.00	\$29.72	\$4,309.40	\$34.00	\$4,930.00
16	6" THICK CONCRETE DRIVEWAY	162	SY	\$36.00	\$5,832.00	\$37.17	\$6,021.54	\$40.00	\$6,480.00
17	HANDICAP RAMP (COMPLETE)	3	EA	\$600.00	\$1,800.00	\$2,012.00	\$6,036.00	\$850.00	\$2,550.00
18	4" THICK #57 STONE	36	SY	\$25.00	\$900.00	\$20.65	\$743.40	\$12.00	\$432.00
19	PAVEMENT MARKINGS & SIGNAGE	1	LS	\$2,500.00	\$2,500.00	\$2,208.00	\$2,208.00	\$1,500.00	\$1,500.00
20	3' WIDE CONC. VALLEY GUTTER	70	LF	\$36.00	\$2,520.00	\$18.12	\$1,268.40	\$18.00	\$1,260.00
21	DROP CURB (MIAMI CURB)	492	LF	\$19.00	\$9,348.00	\$13.46	\$6,622.32	\$16.00	\$7,872.00
22	FDOT TYPE 'F' CURB	581	LF	\$19.00	\$11,039.00	\$15.19	\$8,825.39	\$17.00	\$9,877.00
23	6" X 10" FLUSH VERTICAL CURB	604	LF	\$15.00	\$9,060.00	\$12.11	\$7,314.44	\$16.00	\$9,664.00
24	12" X 10" FLUSH HEADER CURB	132	LF	\$16.00	\$2,112.00	\$13.30	\$1,755.60	\$18.00	\$2,376.00
25	SOD RESTORATION	615	SY	\$3.50	\$2,152.50	\$2.70	\$1,660.50	\$4.00	\$2,460.00
	SANITARY								
26	DEMO EXISTING SANITARY SEWER MAIN	396	LF	\$9.00	\$3,564.00	\$30.00	\$11,880.00	\$6.00	\$2,376.00
27	DEMO EXISTING SANITARY SEWER MANHOLE & CAP WATER SERVICE	1	EA	\$1,000.00	\$1,000.00	\$1,250.00	\$1,250.00	\$480.00	\$480.00
28	8" PVC GRAVITY SANITARY (SDR 26)	396	LF	\$26.00	\$10,296.00	\$30.96	\$12,260.16	\$85.00	\$33,660.00
29	6" PVC SERVICE LATERAL (SDR 26)(INCLUDING CLEANOUTS)	100	LF	\$30.00	\$3,000.00	\$29.43	\$2,943.00	\$30.00	\$3,000.00
30	SANITARY MANHOLE (4' DIA.)	1	EA	\$2,900.00	\$2,900.00	\$2,675.00	\$2,675.00	\$2,250.00	\$2,250.00

31	CONNECT TO EXIST. MANHOLE	1	EA	\$2,000.00	\$2,000.00	\$4,059.00	\$4,059.00	\$600.00	\$600.00
	<u>WATER MAIN</u>								
32	DEMO EXISTING WATER MAIN	490	LF	\$10.00	\$4,900.00	\$15.00	\$7,350.00	\$6.00	\$2,940.00
33	8" PVC WATER MAIN (C-900, DR 18) (INCLUDING ALL FITTINGS)	537	LF	\$28.00	\$15,036.00	\$29.46	\$15,820.02	\$54.00	\$28,998.00
34	8" HDPE DIRECTIONAL BORE	50	LF	\$90.00	\$4,500.00	\$308.03	\$15,401.50	\$60.00	\$3,000.00
35	1" HDPE WATER SERVICE	78	LF	\$25.00	\$1,950.00	\$37.25	\$2,905.50	\$10.00	\$780.00
36	2" HDPE WATER SERVICE	10	LF	\$50.00	\$500.00	\$135.20	\$1,352.00	\$25.00	\$250.00
37	8" GATE VALVE	2	EA	\$2,000.00	\$4,000.00	\$1,339.00	\$2,678.00	\$1,600.00	\$3,200.00
38	CONNECT TO EXIST. 8" WATER MAIN (WET TAP)	2	EA	\$3,800.00	\$7,600.00	\$6,728.00	\$13,456.00	\$4,500.00	\$9,000.00
39	FIRE HYDRANT ASSEMBLY	1	EA	\$3,200.00	\$3,200.00	\$5,368.00	\$5,368.00	\$4,000.00	\$4,000.00
	<u>STORMWATER</u>								
40	CONNECT TO EXIST. DUAL 4" PVC	1	EA	\$900.00	\$900.00	\$2,697.03	\$2,697.03	\$900.00	\$900.00
41	6" PVC (SDR 26)	90	LF	\$29.00	\$2,610.00	\$47.77	\$4,299.30	\$15.00	\$1,350.00
42	6" CLEANOUTS	2	EA	\$300.00	\$600.00	\$154.88	\$309.76	\$150.00	\$300.00
43	18" RCP	304	LF	\$34.00	\$10,336.00	\$47.67	\$14,491.68	\$80.00	\$24,320.00
44	30" RCP	295	LF	\$43.00	\$12,685.00	\$62.16	\$18,337.20	\$99.00	\$29,205.00
45	FDOT TYPE '5' INLET W/ P BOTTOM	1	EA	\$3,200.00	\$3,200.00	\$5,093.00	\$5,093.00	\$3,200.00	\$3,200.00
46	FDOT TYPE '6' INLET W/P BOTTOM	1	EA	\$3,400.00	\$3,400.00	\$5,358.00	\$5,358.00	\$3,750.00	\$3,750.00
47	FDOT TYPE 'V' INLET W/P BOTTOM (INCLUDING STEEL PLATES)	3	EA	\$3,100.00	\$9,300.00	\$3,817.00	\$11,451.00	\$3,450.00	\$10,350.00
48	FDOT TYPE 'C' INLET	2	EA	\$2,500.00	\$5,000.00	\$2,220.00	\$4,440.00	\$2,300.00	\$4,600.00
49	ADJUST INLET TOP	1	EA	\$500.00	\$500.00	\$3,033.00	\$3,033.00	\$650.00	\$650.00
50	CONNECT TO EXISTING INLET	1	EA	\$900.00	\$900.00	\$3,766.00	\$3,766.00	\$950.00	\$950.00
51	INSTALL STREET LIGHT CONDUIT & BASES (CITY TO PROVIDE CONDUIT & BASES)	1	LS	\$9,000.00	\$9,000.00	\$53,745.00	\$53,745.00	\$9,000.00	\$9,000.00
	TABULATED BID AMOUNT				\$398,453.00		\$492,032.39		\$512,622.00
	TOTAL UNIT PRICE BID SUBMITTED				\$398,453.00		\$492,032.39		\$510,332.00

NOTE: HIGHLIGHTED CELLS INDICATE ERRORS IN BID VERSUS TABULATED AMOUNTS.

THE CITY OF WINTER GARDEN

AGENDA ITEM

From: Tanja Gerhartz, Economic Development Director

Via: Mike Bollhoefer, City Manager

Date: March 19, 2014

Meeting Date: March 27, 2014

Subject: Downtown Investment Package for 426 W. Plant Street – A Blighted Property in Disrepair with a Significant Crime Element

Discussion:

The City is supportive of the proposed renovation and reuse of 426 W. Plant Street. Currently, the property is blighted and vacant. There has been minimal maintenance and investment to this property for many years. But, more importantly, the renovation and reuse will alleviate the existing criminal element that has long been a threat to those who live and work near the property.

One of the deterring factors for redevelopment along West Plant Street has been the perception of crime that has been associated with the subject property. It is for this reason, that City staff is recommending an investment package for this project.

Plant Street Market LLC has the property under contract, with a closing date of no later than May 31, 2014. They propose to convert the 20 apartments into a microbrewery and an Artisan Market that may include a local farm store serving local products from Winter Garden, seafood market, artisan cheeses, bread company, juice bar, raw oyster bar, and gourmet tea room. The exact mix of stores has not yet been determined. They plan to remove the second floor and create a high ceiling effect to accommodate the brewery and market.

The City believes redeveloping the site for commercial uses will be beneficial to the Downtown District. Currently, Downtown is fully occupied and additional commercial space is needed. By converting the blighted apartment buildings to a commercial use will help expand the downtown district along West Plant Street and hopefully encourage further redevelopment and private investment. Depending upon the final design, this proposed renovation represents approximately \$2 million in private investment.

The City recommends providing the following assistance as part of an investment package that is consistent with Florida Statutes for a Brownfields District.

- 1) Provide public parking (55 spaces) adjacent to subject property.
- 2) Provide impact fee assistance (these will be more or less depending on the actual mix of uses/tenants). \$90,000

- 3) Permitting Fee Assistance. \$30,000
- 4) The City will offer expedited permitting to assist in bringing the building back online for leasing as quickly as possible.
- 5) The City will assist the owner in marketing the property and identifying tenants.

This assistance is subject to the property owner renovating the building as proposed, creating a microbrewery that will employ approximately 20 employees and creating 5,000 to 5,500 square feet of commercial space for lease. The subject use will create a destination and anchor for Downtown Winter Garden. Also, Plant Street Market LLC will also be requesting a facade grant at a later date and the building design still needs approval from the Architectural Review and Historic Preservation Board.

426 W. Plant Street: Existing Conditions



426 W. Plant Street – Proposed Renovations and Design Concepts



426 W. Plant Street – Proposed Renovations and Design Concepts



Recommendation:

Move to approve the investment package and authorize the City Manager to execute any necessary agreements with the property owner.

Attachments/References:

Plant Street Market Presentation

CITY *of* WINTER GARDEN, FLORIDA

Welcome to the

Plant Street Market

HISTORIC



Corner Main and Hendry Sts., Fort Myers, Fla.



*Dillard's
Orange grove, Winter Garden, Fla.*





CLASSIC





Community

EXCHANGE





STYLE



Conservatory



DECORATIVE

OUTDOORS





HANDCRAFTED



PASSION



TAPROOM



SOCIAL

THE CITY OF WINTER GARDEN

AGENDA ITEM

From: Tanja Gerhartz, Economic Development Director
Via: Mike Bollhoefer, City Manager
Date: March 24, 2014 **Meeting Date:** March 27, 2014
Subject: Hotel Feasibility Study

Discussion:

The City lacks hotel rooms to support businesses, special events, and trail activities. The City has spoken with experts in the hotel industry who recommended that the City complete a market feasibility study in order to recruit a hotel developer. The City received three quotes from highly recommended consulting firms. All three quotes were comparable. The City recommends using HVS Consulting & Valuation based on their experience and reputation. HVS Consulting & Valuation is an international firm with extensive experience and knowledge in the hotel industry. The firm will conduct a study on two sites within the City to determine the type of product and number of rooms that can be supported along the SR 50 corridor and East Plant Street corridor.

Recommended Action:

Move to approve authorizing the City Manager to execute contract with HVS Consulting & Valuation to conduct a market feasibility study on two potential sites at a cost not to exceed \$25,000.

About HVS Consulting & Valuation

HVS has provided consulting services and solutions for thousands of clients in all 50 states and more than 60 foreign countries for hotels, mixed-use, shared ownership and leisure assets. The firm also orchestrates major industry conferences and networking opportunities in various regions of the world. HVS is the industry's primary source of hotel sales data, research, market studies and educational information relating to the hospitality industry.

Established in 1980 by Chairman and Founder Steve Rushmore, MAI, FRICS, CHA, and now directed by President and CEO Stephen Rushmore, Jr, MAI, the company offers a comprehensive scope of services and specialized industry expertise to help you enhance the economic returns and value of your hospitality assets.

HVS Consulting & Valuation Services is the world's premier hotel consulting and valuation firm with offices in North America, Europe, Asia, South America and the Middle East. We enjoy an impeccable worldwide reputation for credibility, excellence and thoroughness. With a staff of more than 150 professionals, HVS has evaluated tens of thousands of lodging properties of all sizes.

Our database of hotel information – the largest in the world – combined with our broad insight and extensive experience, enables HVS Consulting & Valuation Services to produce well-documented appraisal reports with fully supported value conclusions to hold up under intense scrutiny and achieve their intended results. We have access to thousands of management agreements, franchise contracts, leases, mortgages and other related financial documents, allowing our team to provide thorough documentation for our conclusions.

- Whether you are an owner, developer, operator, investor, lender, industry association, convention and visitor bureau or public agency, **your project will attract the immediate attention** it deserves when accompanied by an HVS consulting report.
- We advise in the development of new hotels, and work with developers, architects and other development team members to conceptualize the optimal lodging product for a particular site.
- Our services include expert reviews of **property tax assessments** tailored to the hotel industry. An accurate, up-to-date valuation of a hotel's real property assessment takes current market conditions into account to help you make reductions in this costly expense category. Tax assessors may call on HVS in revaluation years to establish accurate, thorough assessments that lead to fewer appeals.
- Our professional staff of consulting and valuation associates has extensive experience in providing **expert analysis and testimony** on a wide variety of topics from **damages and management competency**, to **contracts and agreements** and hotel industry standards.
- We continuously monitor every major hotel market and track the latest economic trends.
- Our writings, teachings and innovative research demonstrate our internationally acknowledged expertise; we have published more than 500 articles in leading hotel journals and periodicals.
- **The unique needs of each client are met** because we structure our assignments to meet your timing needs and other requirements. We stand alone in our support for investors

and operators both who are new to this marketplace and to those who have vast experience in hospitality.

Our specialized valuation services include:

- Real estate tax assessment appeals and expert court testimony at certiorari proceedings
- Valuation prior to flotation or public offering of shares
- Appraisals for condemnation proceedings and related court testimony
- Expert valuation testimony for foreclosure and bankruptcy proceedings
- Estate, gift tax and partnership appraisals
- Quantification of damages from a loss in value
- Purchase price allocations among real estate, personal property, and intangibles to establish property tax basis and accounting records
- Valuations of hotel management and franchise companies
- Valuations of related hospitality facilities, including restaurants, casinos, timeshares and ski resorts

Additional services include:

- Feasibility studies on income and/or return on investment
- Valuations, market value estimates, investment value estimates and fractional interest valuations
- Development consulting and project management
- Market audits and promotional strategies
- Litigation support and expert testimony
- Physical asset assessment
- Management contract analysis and negotiation
- Operator selection and management company search
- Franchise evaluation and selection
- Financial damages estimates
- Sales and marketing package preparation
- Lease reviews and negotiations
- Strategic advice and company restructuring

Achieving Outstanding Results for You

Our associates have certified valuation training and on-site hotel operations experience to provide them with a working knowledge of how hotels work and should perform in their respective markets. Most have degrees in hotel management from top hotel schools. Our extensive consulting and valuation services draw upon our staff's broad insight and experience to produce well-documented appraisal reports with fully supported value conclusions.

RELY ON OUR HOSPITALITY STRATEGIC ADVISORY AND SERVICES

NETWORK WITH LEADING INDUSTRY EXPERTS AT
OUR CONFERENCES AROUND THE GLOBE

BENEFIT FROM OUR EXCLUSIVE HVS RESEARCH AND DATA



HVS

**SUPERIOR RESULTS WITH UNRIVALLED
HOSPITALITY INTELLIGENCE.
EVERYWHERE.**



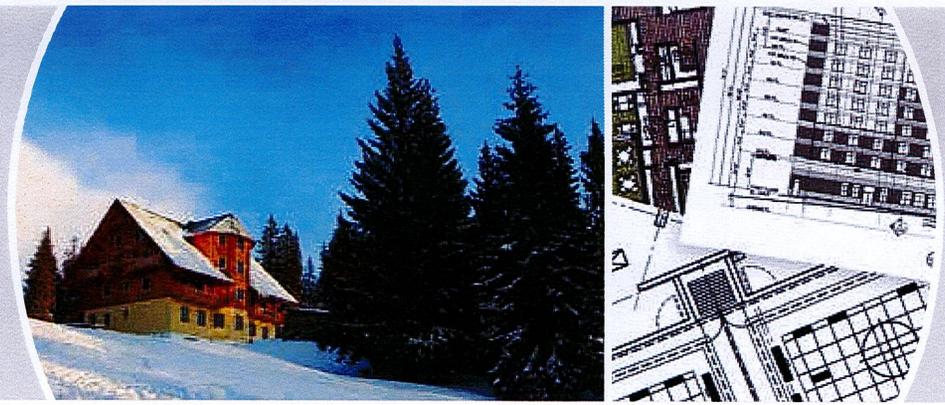
ACHIEVE SUCCESS FOR YOUR HOSPITALITY ASSETS

Do you strive to increase the value of your assets? Increase profitability? Lower expenses? Time your acquisitions and dispositions? Optimize your compensation structure? Perhaps you require litigation support, hotel management contract negotiation guidance, or brand determination in your part of the world? With HVS you receive cutting-edge insights and solutions for your hospitality-related challenges.

Network and build your business at our global symposiums and conferences. Rub shoulders with the world's leading authorities and industry experts. Benefit from the timely and reliable data exclusive to the HVS Research and Articles Library. Succeed with our strategic advisory and local market knowledge.

HVS

SERVICES & SOLUTIONS



CONSULTING AND VALUATION provides appraisals, market studies, feasibility studies and **strategy consulting** for single assets and portfolios of hotels worldwide as well as mixed-use developments.

Please refer to the list of Consulting & Valuation offices.

EXECUTIVE SEARCH is the premier executive search and advisory firm providing human capital consulting services to leaders of the hotel, restaurant, and gaming industries. This includes senior-level executive search, mid-management recruitment, compensation consulting, business strategy, performance management and psychometric assessments and surveys.

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INVESTMENT BANKING provides you with one-stop shopping for the hospitality industry's investment banking needs, including financing, investment sales, and capital advisory.

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DESIGN works around the globe and specializes in interior design, architecture, and project management for lodging industry.

JONATHAN NEHMER
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SHARED OWNERSHIP services provides strategic advice, and marketing and sales solutions relevant to vacation ownership, residence clubs, condo hotels, and mixed-use resort development.

KATHY CONROY (AMERICAS)
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HOTEL MANAGEMENT helps you maximize the return on hospitality investments with hotel management, asset management, operations and consulting, and special services such as receivership and strategies for repositioning your property or hotel company.

KIRBY PAYNE
kpayne@hvs.com, +1 401-625-5016

CONVENTION, SPORTS & ENTERTAINMENT FACILITIES provides you with the specialized expertise necessary to analyze and implement public facilities projects, including convention centers, headquarters hotels, arenas, fairgrounds, water parks, and museums.

TOM HAZINSKI
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ASSET MANAGEMENT offers a comprehensive range of strategic planning, asset oversight, operational and development consulting, franchise and management company evaluation and selection, and expert witness litigation support.

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SUSTAINABILITY services enables hospitality firms to identify cost-saving opportunities, enhance operational efficiency, and demonstrate a positive commitment to the environment—to guests, investors and other stake holders. Our core services include benchmarking, auditing, project implementation support, certification and strategic advisory.

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RISK MANAGEMENT specifically addresses the needs of hotel owners and operators looking to reduce their overall cost of risk. We provide insurance solutions specific to the hospitality industry. Our expertise includes property, casualty, and employee benefits.

JAMIE SHARPE
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PROPERTY TAX services meets the increasing demand of hotel owners seeking to control their property tax valuation and expense. If you are uncertain about the accuracy of your latest U.S. assessment, and need representation or support through the process, we invite you to discuss our specialized approach.

THOMAS DOLAN
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PARKING services helps you maximize the value and capture the full potential of hospitality parking assets.

MARK FISCHER
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GAMING services provides appraisals and market and financial feasibility studies with comprehensive analyses of market support and financial projections for casinos and ancillary operations.

SHANNON OKADA
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GOLF services provides appraisals, market and feasibility studies as well as litigation support for stand alone and mixed-use developments that include resort residential communities, mixed-use developments, membership clubs and golf facilities.

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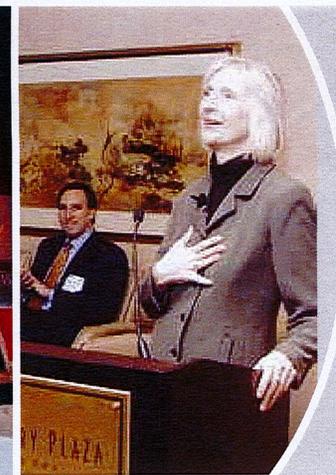
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NETWORKING & CONFERENCES



CHINA HOTEL INVESTMENT CONFERENCE (CHIC) is the most Influential Hotel Investment Conference in China. CHIC is widely recognized by industry leaders, owners, developers, investors, financiers and professionals from around the globe. Held in Shanghai and co-hosted by the China Tourism Academy, Beijing International Studies University and HVS, the annual event is an important platform for key industry players with an interest in China.

chinahotelconference.com

CARIBBEAN HOTEL INVESTMENT CONFERENCE & OPERATIONS SUMMIT (CHICOS) provides a two-day forum to address issues pertinent to the current needs of the Caribbean hospitality sector and to discuss the various complex but rewarding investment opportunities for hotel and resort development and acquisition in the region. HVS uses part of the proceeds from this conference for hospitality and tourism education and training of Caribbean residents.

hvschicos.com

HOTEL INVESTMENT CONFERENCE SOUTH ASIA (HICSA) is globally recognized as the premier conference to discuss the growth and investment opportunities both within and outside India. The conference attracts hoteliers, investors, bankers, developers, designers and architects, providing one of the largest and most popular networking events in South Asia.

hicsaconference.com

iCON focuses on hotel development, investor climate and current issues facing the industry in CIS countries and Georgia, including operations issues. iCON brings together international investors and operators as well as key decision makers of the region, governmental representatives and opinion leaders to address current opportunities and challenges.

iconhvs.com

INDONESIA HOSPITALITY & TOURISM INVESTMENT CONFERENCE (IHT)

is co-hosted by the Ministry of Tourism and Creative Economy, the Indonesia Investment Coordinating Board (BKPM), and HVS. IHT presents attendees with the opportunity to share market insights, new business ideas and industry products, and establish relationships with CEOs and industry leaders.

indonesiahospitalityconference.com

MEXICO HOTEL & TOURISM INVESTMENT CONFERENCE (MEXHIC) engages attendees in the many challenges and opportunities of the Mexican and Central American lodging landscape. This event provides a forum for interaction between market participants focused on defining market drivers and visualizing a path for sound industry growth.

www.mexhic.com

SOUTH AMERICAN HOTEL & TOURISM INVESTMENT CONFERENCE (SAHIC)

is ideal for those interested in hotel & tourism investment opportunities for the region. Attendees understand where the industry is heading, where the opportunities lie, and how to meet the right partners to build the partnerships that increase business opportunities in South America. The two-day annual event provides general sessions and dynamic networking express meetings that are available for attendees even before the conference begins.

www.sahic.com

HVS HOTEL MARKET CONNECTIONS is an HVS global event; seminars focusing on the local hospitality market are held in multiple cities around the world, all on the same day. Presentations include local valuation and feasibility trends, capital expenditure and supply and demand information, and much more—for each respective event destination.

www.hotelmarketconnections.com

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THE CITY OF WINTER GARDEN
CITY COMMISSION AGENDA ITEM

From: Michael Bollhoefer, City Manager

Date: March 25, 2014

Meeting Date: March 27, 2014

Subject: Land swap at 252 Plant Street

Issue: The City of Winter Garden currently owns the land adjacent to the old Planning and Zoning building located at 270 W. Plant Street. The 252 W. Plant Street Partnership owns the parcel in between this piece of land and the fountain, 252 W. Plant Street. Staff would like to swap the piece the City owns with the piece owned by the partnership and use the piece adjacent to the fountain as a small gateway park into the pavilion area.

The 252 W. Partnership group is agreeable to the swap; however, they want to be compensated for the additional costs they would incur because of this swap. The swap would necessitate entirely new architectural drawings because the City's land is smaller and is a different shape, thus the Partnership is asking to be reimbursed for the entire cost of redesigning the project. Attached are documents outlining the costs of the original design and the costs to redesign the project. Staff has negotiated an amount of \$117,000 in cash and \$18,000 in parking fee credits. The Partnership is agreeable to this amount.

Recommended action: Approve swapping the City owned land at 270 W. Plant Street with the 252 W. Plant Street Partnership for their land at 252 W. Plant Street and paying for the additional incurred costs.

252 W. Plant Street- Landswap With City of Winter Garden
 Itemization of Costs Toward Development of Existing Site
 3/19/2014

VENDOR	ITEM	DATE	COST
ORIGINAL DESIGN-2 STORY**			
CEMS Consulting	Site Boundary & Topo Survey	5/7/2004	\$1,200.00
CEMS Consulting	Site Boundary & Topo Survey	10/19/2004	\$780.00
Andrev Engineering	Geotechnical Eng. Report	5/7/2004	\$1,578.50
Kirby Engineering	Site and Landscape Plan		\$10,000.00
James A. Garritani, R.A.	Architect Fees		\$40,000.00
Schreeder, Wheeler	Atty-Condo Association Documents	9/21/2005	\$7,079.72
RE-DESIGN TO 3-STORY**			
Southern Building Services, Inc.	Design Build: Architect Fees	1/9/2007	\$16,820.69
Southern Building Services, Inc.	Design Build: Architect Fees	11/14/2006	\$4,917.46
Southern Building Services, Inc.	Design Build: Architect Fees	3/14/2007	\$105,008.81
Kirby Engineering	Site and Landscape Plan		\$10,000.00
City of Winter Garden	Bldg. Plan Review Fee	1/9/2007	\$6,015.00
City of Winter Garden	Site Plan Review Fee	4/16/2007	\$446.00
		TOTAL	\$203,846.18

NOTE: **ORIGINAL DESIGN Consisted of 2-story Building w/ On-site Parking
RE-DESIGN, per City Request, Consisted of 3-Story Building Covering Entire Lot

252 W. Plant Street- Landswap With City of Winter Garden
 Itemization of Costs Toward Development of New Site
 3/19/2014

VENDOR	ITEM	COST
Design Costs		
RC Stevens Construction	Design Build: Architect Fees	\$53,374.00
RC Stevens Construction	Design Build: Structural Engineer	\$13,521.00
RC Stevens Construction	Design Build: Mechanical & Electrical	\$22,299.00
RC Stevens Construction	Design Build: Site Plan	\$11,031.00
RC Stevens Construction	Design Build: Landscape Plan	\$3,558.00
RC Stevens Construction	Design Build: Contractor Fees	\$24,130.00
City Consultant	Site Boundary & Topo Survey	(See Note 1)
City Consultant	Geotechnical Eng. Report	(See Note 1)
Review & Permitting Fees		
City of Winter Garden	Site Plan Review Fee	(See Note 2)
City of Winter Garden	Bldg. Plan Review Fee	(See Note 2)
Attorney Fees		
South Milhausen	Contract Negotiation	\$5,000.00
South Milhausen	Closing, Due Diligence, Title Review, etc...	\$10,000.00
South Milhausen	Condo Docs	\$10,000.00
TOTAL		\$152,913.00

NOTE 1: To be Paid by City - City Consultants to provide These Services Per Propsed Agreement
 NOTE 2: City to Waive Review Fees per Proposed Agreement

