



AGENDA
CITY COMMISSION AND
COMMUNITY REDEVELOPMENT AGENCY
REVISED AGENDA 1/20/2015*
CITY HALL COMMISSION CHAMBERS
300 W. Plant Street

REGULAR MEETING

JANUARY 22, 2015

6:30 p.m.

CALL TO ORDER

Determination of a Quorum

Moment of Silence and Pledge of Allegiance

1. **APPROVAL OF MINUTES**

Regular Meeting of January 8, 2015

2. **PRESENTATIONS**

A. Local government revenue sources (*postponed 1/8/2015*) - City Manager Bollhoefer

B. Emergency Medical Services - City Manager Bollhoefer

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

A. **Ordinance 15-16:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING ORDINANCE 14-37, THE CITY OF WINTER GARDEN FISCAL YEAR 2014-2015 BUDGET TO CARRY FORWARD PRIOR YEAR APPROPRIATIONS; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE **with the second reading and public hearing being scheduled for February 12, 2015** – Finance Director Zielonka

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

A. **Ordinance 15-04:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, REZONING APPROXIMATELY 23.64 ± ACRES OF CERTAIN REAL PROPERTY GENERALLY LOCATED ON THE NORTH, SOUTH, EAST, AND WEST CORNERS OF THE INTERSECTION OF MARSH ROAD AND WILLIAMS ROAD AT 17416, 17451, 17500, AND 17501 MARSH ROAD AND 2002 WILLIAMS ROAD, FROM CITY NO ZONING (NZ) TO CITY URBAN VILLAGE PLANNED UNIT DEVELOPMENT (UVPUD); DESCRIBING THE DEVELOPMENT AS THE FOUR CORNERS UVPUD; PROVIDING FOR CERTAIN UVPUD REQUIREMENTS; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE **subject to the conditions in the staff report** (*postponed on 1/8/2015*) - Community Development Director Williams

B. **Ordinance 15-11:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING DIVISIONS 3, 4 AND 5 OF ARTICLE II, CHAPTER 42 OF THE CITY OF WINTER GARDEN CODE OF ORDINANCES; PROVIDING FOR INCREASED IMPACT FEES FOR POLICE PROTECTION, FIRE AND RESCUE AND RECREATION IMPACT

FEES; PROVIDING FOR SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE–
Finance Director Zielonka

C. **Ordinance 15-13:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS APPROXIMATELY 0.907 ± ACRES LOCATED AT 933 CARTER ROAD ON THE EAST SIDE OF CARTER ROAD, SOUTH OF EAST STORY ROAD AND NORTH OF WEST COLONIAL DRIVE 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

Ordinance 15-14: 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 0.907 ± ACRES LOCATED AT 933 CARTER ROAD ON THE EAST SIDE OF CARTER ROAD, SOUTH OF EAST STORY ROAD AND NORTH OF WEST COLONIAL DRIVE FROM ORANGE COUNTY LOW DENSITY RESIDENTIAL TO CITY MULTI OFFICE INDUSTRIAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

Ordinance 15-15: AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, REZONING APPROXIMATELY 0.907 ± ACRES LOCATED AT 933 CARTER ROAD ON THE EAST SIDE OF CARTER ROAD, SOUTH OF EAST STORY ROAD AND NORTH OF WEST COLONIAL DRIVE FROM ORANGE COUNTY A-1 RURAL DISTRICT TO CITY I-2 GENERAL INDUSTRIAL DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE – Community Development Director Williams

D. **Ordinance 15-17:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, REZONING APPROXIMATELY 0.16 ± ACRES LOCATED AT 120 EAST MAPLE STREET AT THE SOUTHWEST CORNER OF EAST MAPLE STREET AND CHARLES STREET FROM CITY R-2 RESIDENTIAL DISTRICT TO CITY C-3 PROFESSIONAL OFFICE DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE – Community Development Director Williams

E. **Ordinance 15-18:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, REZONING APPROXIMATELY 0.49 ± ACRES LOCATED AT 360 WEST PLANT STREET AT THE SOUTHEAST CORNER OF WEST PLANT STREET AND SOUTH CENTRAL AVENUE FROM CITY R-NC RESIDENTIAL NEIGHBORHOOD COMMERCIAL DISTRICT TO CITY C-1 CENTRAL COMMERCIAL DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE– Community Development Director Williams

5. **REGULAR BUSINESS**

A. Recommendation to provide \$100,000.00 to purchase projectors and equipment for use by the Garden Theatre and the community under a Special Use Agreement – Economic Development Director Gerhartz

B. Consider condemning and demolishing building located at 230 11th Street, Winter Garden, Florida; Owner of record is Donald Rodgers – Code Enforcement Manager Pash

C. Recommendation to authorize the purchase of a 2015 Ford F550 Service Truck for the Water and Reuse Distribution Division for \$54,347.00, as budgeted - Assistant City Manager of Public Services – Cochran

- D. Recommendation to approve bids and award contract for the Southwest Reuse Phase 2, CR545 Reuse Water Main Expansion Project to T. D. Thomson for \$425,436.00 that includes a 10 percent contingency - Assistant City Manager of Public Services – Cochran
- E. *Recommendation to authorize the City Manager to sign a Letter of Intent to transfer \$250,000.00 impact fee credits to develop the northwest corner of Dillard Street and SR 50 – City Manager Bollhoefer

Dispense as the City Commission and convene as the Community Redevelopment Agency

- F. Recommendation to reduce downtown parking garage levels and use the savings to obtain the warehouse behind Edgewater Hotel to expand and enhance the parking at that location – City Manager Bollhoefer
- G. *Recommendation to appoint George Spigener to fill seat vacated by Ron Sikes on the Community Redevelopment Agency Advisory Board (CRAAB) with his term scheduled to expire June 30, 2017 – CRAAB Chairman Cappleman

Adjourn as the Community Redevelopment Agency and reconvene as the City Commission

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

7. MATTERS FROM CITY ATTORNEY – Kurt Ardaman

- A. Discussion on opening ceremonies

8. MATTERS FROM CITY MANAGER – Mike Bollhoefer

- A. Proposed ordinance distancing packaged liquor stores

9. MATTERS FROM MAYOR AND COMMISSIONERS

- A. Discussion on the number of members on the Planning and Zoning Board and staggered terms (*postponed 11/13/2014, 12/11/2014, and 1/8/2015*)

ADJOURN to a Regular Meeting on February 12, 2015 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.

Persons in attendance at the City Commission meeting are invited to stand during the moment of silence and Pledge of Allegiance. However, such invitation shall not be construed as a demand, order, or any other type of command. No person in attendance at the meeting shall be required to participate in or rise for any moment of silence that is offered or to rise for or recite the Pledge of Allegiance. You may remain seated within the City Commission Chambers or exit the City Commission Chambers and return upon completion of the moment of silence or Pledge of Allegiance if you do not wish to participate in or witness same in accordance with Resolution 14-05.

	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 Department (407) 656-4111 x5455.
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CITY OF WINTER GARDEN

CITY COMMISSION REGULAR MEETING MINUTES

January 8, 2015

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. A Moment of Silence and Pledge of Allegiance were given.

Present: Mayor John Rees, Commissioners Bob Buchanan, Kent Makin, and Colin Sharman

Absent: Commissioner Robert Olszewski

Also Present: City Manager Mike Bollhoefer, City Attorney Kurt Ardaman, City Clerk Kathy Golden, Assistant City Manager - Public Services Don Cochran, Assistant City Manager - Administrative Services Frank Gilbert, Ed Williams, Finance Director Laura Zielonka, Fire Chief Matt McGrew, Police Chief George Brennan, Economic Development Director Tanja Gerhartz, and Recreation Director Jay Conn

1. **APPROVAL OF MINUTES**

Motion by Commissioner Buchanan to approve regular meeting minutes of December 11, 2014. Seconded by Commissioner Sharman and carried unanimously 4-0.

At this time, Mayor Rees recognized two of our own Winter Garden resident first responders killed in the line of duty in 2014; Orange County Sheriff Deputy Scott Pine and Windermere Police Officer Robert German. Mayor Rees asked all the first responders present to approach the dais. Mayor Rees read **Proclamation 15-01** recognizing all first responders by proclaiming January 5th through the 9th, 2015 as **Florida First Responder Appreciation Week**.

2. **PRESENTATION** on local government revenue sources was postponed by the City Manager until the next Commission meeting.

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

A. **Ordinance 15-11:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING DIVISIONS 3, 4 AND 5 OF ARTICLE II, CHAPTER 42 OF THE CITY OF WINTER GARDEN CODE OF ORDINANCES; PROVIDING FOR INCREASED IMPACT FEES FOR POLICE PROTECTION, FIRE AND RESCUE AND RECREATION IMPACT FEES; PROVIDING FOR SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 15-11 by title only. City Manager Bollhoefer explained that in Florida the primary way to ensure that development pays for itself is through impact fees. Impact fees allow the State of Florida avoid implementing a state

income tax and allows communities to keep their taxes lower. Without sufficient impact fees to cover new infrastructure, we would be forced to raise taxes or lower services provided. He gave some examples of our upcoming needs.

Mr. Bollhoefer stated staff is recommending increasing our impact fees. He noted that the study was performed by a very reputable company. The last time the impact fees were raised was ten years ago. He also noted that five years ago the City was able to lower our super impact fee. He noted that even with this raise of these impact fees of Fire, Police and Recreation the City's impact fees are still significantly lower than what they were five years ago. He noted that these fees are significantly lower than other communities. Three letters were provided from developers who actually agree that this is good for their communities. Mr. Bollhoefer noted that there has been no opposition to this item. Staff recommends moving forward with the impact fees, which will pay for the infrastructure, ensuring that those responsible will pay for what is needed.

Ms. Zielonka added that the impact rate study was included for the City Commission's review.

Commissioner Buchanan asked when these would actually take effect. Ms. Zielonka replied that she believes March 30th. Mr. Bollhoefer stated that there is a statutory requirement for when they are passed and when they can be enacted. Commissioner Makin indicated it would be March 1, 2015. Commissioner Buchanan stated that he thought there may be a lot of building going on between now and March.

Mayor Rees stated that he thinks the City Commission realizes that new development needs to pay for itself.

Motion by Commissioner Sharman to approve Ordinance 15-11 with the second reading and public hearing being scheduled for January 22, 2015. Seconded by Commissioner Makin.

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

Motion carried unanimously 4-0.

- B. **Ordinance 15-13:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS APPROXIMATELY 0.907 ± ACRES LOCATED AT 933 CARTER ROAD ON THE EAST SIDE OF CARTER ROAD, SOUTH OF EAST STORY ROAD AND NORTH OF WEST COLONIAL DRIVE 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

Ordinance 15-14: 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 0.907 ± ACRES LOCATED AT 933 CARTER ROAD ON THE EAST SIDE OF CARTER ROAD, SOUTH OF EAST STORY ROAD AND NORTH OF WEST COLONIAL DRIVE FROM ORANGE COUNTY LOW DENSITY RESIDENTIAL TO CITY MULTI OFFICE INDUSTRIAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

Ordinance 15-15: AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, REZONING APPROXIMATELY 0.907 ± ACRES LOCATED AT 933 CARTER ROAD ON THE EAST SIDE OF CARTER ROAD, SOUTH OF EAST STORY ROAD AND NORTH OF WEST COLONIAL DRIVE FROM ORANGE COUNTY A-1 RURAL DISTRICT TO CITY I-2 GENERAL INDUSTRIAL DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinances 15-13, 15-14, and 15-15 by title only. Community Development Director Williams stated that this is a voluntary request for annexation, comprehensive plan designation, and rezoning. It has been reviewed by staff and the Planning and Zoning Board who both recommend approval. He stated that as shown on the maps, this is an industrial area and a lot of the auto auction properties are adjacent to it. Staff feels that it is consistent and compatible with the City's rules and regulations and the character of the area, and would recommend approval.

Commissioner Sharman asked about the applicants primary reasons for wanting to come into the City. Mr. Williams replied for services; sewer, water, fire and police protection.

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

Motion by Commissioner Makin to approve Ordinances 15-13, 15-14, and 15-15 with the second reading and public hearing being scheduled for January 22, 2015. Seconded by Commissioner Sharman and carried unanimously 4-0.

- C. **Ordinance 15-17:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, REZONING APPROXIMATELY 0.16 ± ACRES LOCATED AT 120 EAST MAPLE STREET AT THE SOUTHWEST CORNER OF EAST MAPLE STREET AND CHARLES STREET FROM CITY R-2 RESIDENTIAL DISTRICT TO CITY C-3 PROFESSIONAL OFFICE DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 15-17 by title only. Community Development Director Williams stated that this application was due to a Scriveners error. Staff had the proper land use designation for the existing office use but it did not have the correct zoning. The applicants have come in for some improvements and staff identified that

there was an issue. Staff is processing this change to make it consistent with the comprehensive plan and the use of the property; approval is recommended.

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

Motion by Commissioner Buchanan to approve Ordinance 15-17 with the second reading and public hearing being scheduled for January 22, 2015. Seconded by Commissioner Sharman and carried unanimously 4-0.

- D. **Ordinance 15-18:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, REZONING APPROXIMATELY 0.49 ± ACRES LOCATED AT 360 WEST PLANT STREET AT THE SOUTHEAST CORNER OF WEST PLANT STREET AND SOUTH CENTRAL AVENUE FROM CITY R-NC RESIDENTIAL NEIGHBORHOOD COMMERCIAL DISTRICT TO CITY C-1 CENTRAL COMMERCIAL DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 15-18 by title only. Community Development Director Williams stated that this property is next (west) to City Hall. He noted that the applicant is also the owners of the new market that purchased this house and want it rezoned to develop it with a similar type of business. It is proposed to be a three-story structure for retail and office to tie in with their other project.

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

Motion by Commissioner Makin to approve Ordinance 15-18 with the second reading and public hearing being scheduled for January 22, 2015. Seconded by Commissioner Sharman and carried unanimously 4-0.

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

- A. **Ordinance 15-04:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, REZONING APPROXIMATELY 23.64 ± ACRES OF CERTAIN REAL PROPERTY GENERALLY LOCATED ON THE NORTH, SOUTH, EAST, AND WEST CORNERS OF THE INTERSECTION OF MARSH ROAD AND WILLIAMS ROAD AT 17416, 17451, 17500, AND 17501 MARSH ROAD AND 2002 WILLIAMS ROAD, FROM CITY NO ZONING (NZ) TO CITY URBAN VILLAGE PLANNED UNIT DEVELOPMENT (UVPUD); DESCRIBING THE DEVELOPMENT AS THE FOUR CORNERS UVPUD; PROVIDING FOR CERTAIN UVPUD REQUIREMENTS; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 15-04 by title only and recommended that this item be continued until next meeting at 6:30 p.m.

Motion by Commissioner Buchanan to POSTPONE Ordinance 15-04 until January 22, 2015 at 6:30 p.m. Seconded by Commissioner Makin and carried unanimously 4-0.

- B. **Ordinance 15-05:** 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 740 SOUTH PARK AVENUE ON THE WEST SIDE OF SOUTH PARK AVENUE, NORTH OF JACKSON STREET AND SOUTH OF WEST STORY 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 15-06:** 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 740 SOUTH PARK AVENUE ON THE WEST SIDE OF SOUTH PARK AVENUE, NORTH OF JACKSON STREET AND SOUTH OF WEST STORY ROAD FROM ORANGE COUNTY LOW DENSITY RESIDENTIAL TO CITY LOW DENSITY RESIDENTIAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE
- D. **Ordinance 15-07:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, REZONING APPROXIMATELY 0.22 ± ACRES OF REAL PROPERTY GENERALLY LOCATED AT 740 SOUTH PARK AVENUE ON THE WEST SIDE OF SOUTH PARK AVENUE, NORTH OF JACKSON STREET AND SOUTH OF WEST STORY ROAD 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 15-05, 15-06 and 15-07 by title only. Community Development Director Williams stated that this request is by the property owner Adrian Galvan who is a former City employee. It is located in Burch's quarters and he is requesting annexation, comprehensive plan designation, and rezoning. It is consistent with the City's designations in that area, it has been reviewed by staff and the Planning and Zoning Board and approval is recommended.

Mayor Rees asked if the City will continue to do these one at a time or could it be done by a block at time. Mr. Williams responded that until we get to a certain size, we cannot take the whole block. Staff is working with the County to take in several of the larger areas, but this one (area) is still over the size requirement where we could take it adversely.

There was discussion on how the neighborhoods would need a vote of 50 percent plus one to annex; the only ones being done are if those that front a main street on the main

road. Mr. Bollhoefer stated that we cannot do any of these individual annexations within the community because it makes it too complicated for Fire and Police. Mayor Rees noted that we have already done two. Mr. Bollhoefer responded that those were done before we had the policy. We are going to go into the area again and work on getting the vote to annex in the entire neighborhood.

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

Motion by Commissioner Buchanan to adopt Ordinances 15-05, 15-06 and 15-07. Seconded by Commissioner Sharman and carried unanimously 4-0.

- E. **Ordinance 15-08:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS APPROXIMATELY 0.52 ± ACRES LOCATED AT 502 WINTER GARDEN VINELAND ROAD ON THE WEST SIDE OF WINTER GARDEN VINELAND ROAD, NORTH OF HIGH TIDE DRIVE AND SOUTH OF BRADFORD CREEK BOULEVARD 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
- F. **Ordinance 15-09:** 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 0.52 ± ACRES LOCATED AT 502 WINTER GARDEN VINELAND ROAD ON THE WEST SIDE OF WINTER GARDEN VINELAND ROAD, NORTH OF HIGH TIDE DRIVE AND SOUTH OF BRADFORD CREEK BOULEVARD FROM ORANGE COUNTY RURAL TO CITY LOW DENSITY RESIDENTIAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE
- G. **Ordinance 15-10:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, REZONING APPROXIMATELY 0.52 ± ACRES LOCATED AT 502 WINTER GARDEN VINELAND ROAD ON THE WEST SIDE OF WINTER GARDEN VINELAND ROAD, NORTH OF HIGH TIDE DRIVE AND SOUTH OF BRADFORD CREEK BOULEVARD FROM ORANGE COUNTY A-1 AGRICULTURAL DISTRICT TO CITY R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinances 15-08, 15-09 and 15-10 by title only. Community Development Director Williams stated that this is a property owner request that is an out parcel at the frontage of part of the Bradford Creek subdivision. The property owner has come in and requested to do similar development and similar approvals to that subdivision. Staff and the Planning and Zoning Board have reviewed it and recommend approval.

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

Motion by Commissioner Sharman to adopt Ordinances 15-08, 15-09 and 15-10. Seconded by Commissioner Buchanan and carried unanimously 4-0.

- H. **Ordinance 15-12**: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING SECTION 74-106 OF THE CODE OF ORDINANCES OF THE CITY OF WINTER GARDEN TO CLARIFY THE LANGUAGE IN REGARDS TO THE REMOVAL AND IMPOUNDING OF ILLEGALLY PARKED, ABANDONED OR DISABLED VEHICLES; PROVIDING FOR CODIFICATION; PROVIDING FOR CONTROL IN EVENT OF CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 15-12 by title only. Police Chief Brennan stated he is requesting two minor changes to (City Code) Section 74-106 to remove some ambiguity in one area and redundant language in another area.

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

Motion by Commissioner Sharman to adopt Ordinance 15-12. Seconded by Commissioner Buchanan and carried unanimously 4-0.

5. **REGULAR BUSINESS**

- A. **Recommendation to declare vehicles and equipment as surplus and authorize the City Manager to sell or dispose items listed**

Assistant City Manager-Administrative Services Gilbert stated that this is an authorization to dispose of vehicles and equipment that have reached their full life. The list of equipment has been included in the agenda packet.

Commissioner Makin asked how the items are disposed. Mr. Gilbert stated that there are various methods depending on the item; some may be sent to the auction, some are sent to Gov.deals, and others with no value at all will be disposed of as trash.

Motion by Commissioner Buchanan to declare vehicles and equipment as surplus and authorize the City Manager to sell or dispose items listed. Seconded by Commissioner Sharman and carried unanimously 4-0.

- B. **Request authorization to demolish City owned buildings at 1101 E. Plant Street for \$11,300.00**

Community Development Director Williams stated the buildings were formally commercial buildings at the corner of Hennis and Plant. The City purchased this property for additional right-of-way for Plant Street widening. The road is now complete

and, it is a good time to get that property cleaned up by demolishing the buildings that have no functional use, and make the property possibly available for sale. He noted that with the buildings gone it will be a developable lot. The buildings are currently up against the road frontage with no parking in front. There is room in the rear and the lot is about a one-half acre in size, which will make it a nice commercial development at some point.

Commissioner Sharman stated that the City will probably be able to recoup the cost of demolition when we sell the property. Mr. Williams agreed and most of the money the City spent on the condemnation to get the right-of-way. He noted that this is one the few properties that we will probably not get everything back. The City took their parking and after that they would not have been able to get any use out of the buildings.

Motion by Commissioner Sharman to authorize the demolition of City-owned buildings at 1101 E. Plant Street for \$11,300.00. Seconded by Commissioner Makin and carried unanimously 4-0.

C. Recommendation to approve Oakland Park Phase 2A Right-of-Way Maintenance Agreement

Community Development Director Williams stated staff is asking approval of the standard agreement for the homeowner's association to maintain signage and landscaping. Some of the amenities in the right-of-way have been cleaned up or embellished. Staff recommends approval of the maintenance agreement.

Motion by Commissioner Buchanan to approve Oakland Park Phase 2A Right-of-way Maintenance Agreement. Seconded by Commissioner Sharman and carried unanimously 4-0.

D. Recommendation to authorize the City Manager to enter into an election agreement with the Orange County Supervisor of Elections for the 2015 election(s)

City Clerk Golden stated for that for the City Commission's consideration is the agreement with Orange County Supervisors of Elections Office for the contract to conduct our upcoming election. She noted that this is the standard contract entered into by all the cities; nothing has substantially changed.

Motion by Commissioner Buchanan to authorize the City Manager to enter into an election agreement with Orange County Supervisor of Elections for the 2015 election(s). Seconded by Commissioner Sharman and carried unanimously 4-0.

6. MATTERS FROM PUBLIC

Ken Howell, 375 Douglas Way, Winter Garden, Florida, addressed the decision to remove the opening prayer from City Commission meetings approximately three months ago. He stated that it disturbed and offended him that one individual was allowed to dictate changing the long standing prayer at the opening of our council meetings and thinks it is shameful. He

shared that he was told by City staff that the City Attorney was still looking into this issue. He asked if it really takes three months to look into this matter and handle it appropriately.

He shared that the American Center of Law and Justice provided information on Supreme Court ruling and read other rulings supporting this issue. He also shared that a search of “Freedom of Prayer” on Bing would give the entire proceeding of the Supreme Court and their ruling. In closing, he read a freedom prayer by Abraham Lincoln.

David Kassander, 15155 Ovation Drive, Winter Garden, Florida, recognized City staff and Assistant City Manager for Public Services Cochran for the work done in front of his subdivision on Tilden Road. The improvements make the area safer for the students. He noted that a crosswalk, sign, and streetlights have been installed. He stated his appreciation for helping keep the children safe in their area.

7. **MATTERS FROM CITY ATTORNEY** – There were no items.

8. **MATTERS FROM CITY MANAGER**

Speed Limit on CR 535 near Florida Hospital

Mr. Bollhoefer noted that through the process of approving Florida Hospital, one of the items that came up for discussion frequently was the speed limit on the old CR 535. He stated that staff would like to move forward to change the speed limit on CR 535 to 35 mph for the entire length of the road. Commissioner Sharman shared that he thought this was a good idea for consistency. *No objections were noted.*

Blues and BBQ on February 28, 2015

Mr. Bollhoefer noted that the City will be having the Blues and BBQ on February 28, 2015 and asked the City Commission for permission to serve beer and wine as has been done in the past. He noted that the designated area will be completely barricaded off at the pavilion.

Motion by Commissioner Buchanan to approve the selling of beer and wine at the Blues and BBQ event of February 28, 2015. Seconded by Commissioner Sharman and carried unanimously 4-0.

Emergency Medical Services Study

Mr. Bollhoefer noted that staff would like to bring this item up for discussion and possibly a decision at the next meeting. He asked everyone to please review the study previously provided and be prepared to discuss. There is a wealth of information in this study regarding fire departments.

Commissioner Sharman noted that at first glance it appears that it is favorable to doing something in-house. Mr. Bollhoefer responded that our primary issue is whether we would break even or make money on the service and he thinks that the study clearly shows that.

Liquor Package Stores

Mr. Bollhoefer stated that he has had a request from a constituent regarding implementing Orange County's law that only allows liquor package stores every 5,000 linear feet. He noted that if the City Commission desires to do so, staff would bring back an ordinance to be considered.

Commissioner Sharman asked if there are any within that distance today. Mr. Bollhoefer stated they would be grandfathered in.

Mayor Rees noted that as of right now, they could be any distance apart. Mr. Bollhoefer noted that Orange County's rule is 5,000 linear feet. He also noted that the City Commission could do the same thing for bars. Mr. Ardaman shared that the Florida Supreme Court has ruled, that because alcohol is such a highly regulated industry, local governments have the authority to actually prohibit alcohol sales. Given that ruling, the Florida Supreme Court has ruled that the 5,000 linear feet separation between package stores is constitutional and the Orange County rule is specifically a valid law. Mr. Bollhoefer stated staff would like to bring an initial draft ordinance for review at the next meeting if there are no objections. *No objections were noted.*

9. **MATTERS FROM MAYOR AND COMMISSIONERS**

A. **Discussion on the number of members on the Planning and Zoning Board and staggered terms** *(This item was not discussed.)*

Commissioner Buchanan addressed bringing up issues before they become a problem and asked if there has been any discussion about drones. Mr. Bollhoefer answered yes, this is an issue that he believes will be heavily debated, but it is so new there is not a lot of law to tell us what will happen with drones. Commissioner Buchanan asked if there is anything that could be done. Mayor Rees asked the City Attorney to look into seeing where this issue is heading.

Commissioner Sharman thanked Mr. Williams for reaching out to the developer that is potentially going to build in front of the Belle Meade subdivision and engaging in a conversation that will help the residents with some of their entrance concerns.

Mayor Rees thanked the downtown historic district as he received a lot of positive comments.

The meeting adjourned at 7:18 p.m.

APPROVED:

Mayor John Rees

ATTEST:

City Clerk Kathy Golden, CMC

DRAFT

ORDINANCE 15-16

AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING ORDINANCE 14-37, THE CITY OF WINTER GARDEN FISCAL YEAR 2014-2015 BUDGET TO CARRY FORWARD PRIOR YEAR APPROPRIATIONS; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, on September 25, 2014, the City Commission of the City of Winter Garden, Florida, adopted Ordinance 14-37 appropriating and allocating all revenue and funds of the City of Winter Garden, Florida for the tax year beginning October 1, 2014 and ending September 30, 2015;

WHEREAS, the City Commission has decided to amend the City of Winter Garden, Florida Budget for the tax year beginning October 1, 2014 and ending September 30, 2015 to provide for budget carryovers from the preceding budget year;

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

SECTION 1: That the sum of \$25,478,157 to be appropriated as follows:

REVENUES

General Fund	\$ 540,913
CRA	6,475,000
Local Option Gas Tax Fund	480,777
General Impact Fee Fund	15,159
Transportation Impact Fee Fund	5,236,028
Utilities Operating Fund	2,737,779
Utilities Impact Fee Fund	7,394,694
Utilities Renewal & Replacement	2,168,216
Stormwater Fund	425,591
Trailer City Fund	4,000
	<u> </u>
	\$25,478,157

EXPENDITURES

General Fund	\$ 540,913
CRA	6,475,000
Local Option Gas Tax Fund	480,777
General Impact Fee Fund	15,159
Transportation Impact Fee Fund	5,236,028
Utilities Operating Fund	2,737,779
Utilities Impact Fee Fund	7,394,694
Utilities Renewal & Replacement	2,168,216
Stormwater Fund	425,591
Trailer City Fund	4,000
	<u> </u>
	\$25,478,157

SECTION 2: Detail for the aforementioned totals is attached as Exhibit 1, which shall be incorporated in the Ordinance. Should any portion of this Ordinance be held invalid, then such portions as are not declared to be invalid shall remain in full force and effect.

SECTION 3: This Ordinance shall become effective upon its adoption at the second reading and public hearing.

READ FIRST TIME: _____

READ SECOND TIME AND PUBLIC HEARING HELD: _____

APPROVED:

Mayor/Commissioner John Rees

ATTEST:

Kathy Golden, City Clerk

**City of Winter Garden
Carry Forward Budget
Ordinance 15-16**

Exhibit 1

<u>Account Number</u>	<u>Project</u>	<u>Account Description</u>	<u>Amount</u>	<u>Item Description</u>
<u>General Fund</u>				
001-0213-399.99-99		Use of Fund Balance	540,913	<i>To balance revenues/expenditures</i>
		Total Revenues	540,913	
Executive:				
001-0213-512.61-00	01076	Land	19,615	<i>848 E. Plant Street</i>
001-0213-512.63-00	13040	Improvements Other Than Buildings	170,682	<i>City Hall Parking Addition</i>
Information Tech:				
001-0225-513.63-00	14002	Improvements Other Than Buildings	100,000	<i>Fiber Internet Connection</i>
Police:				
001-0521-521.64-00		Machinery and Equipment	28,749	<i>Replacement computer laptops</i>
001-0530-521.62-00		Buildings	20,895	<i>Add two dispatch work stations for additional dispatchers</i>
001-0530-521.64-00		Machinery and Equipment	97,059	<i>Consoles for the addition of dispatch services for the City of Ocoee</i>
Fire:				
001-0622-522.62-00	13004	Buildings	14,098	<i>Concrete apron repair</i>
001-0623-522.62-00	13004	Buildings	3,545	<i>Concrete apron repair</i>
Streets:				
001-0741-541.63-00	13011	Improvements Other Than Buildings	75,000	<i>Dillard St Improv - SR 50 > Plant St Design/Engineering</i>
Parks and Recreation:				
001-0775-572.63-00	13006	Improvements Other Than Buildings	11,270	<i>Sidewalk/Access Modifications</i>
		Total Expenditures	540,913	
<u>CRA Fund</u>				
120-0213-384.00-00		Other Sources / Debt Proceeds	6,000,000	<i>Downtown Phase IV</i>
120-0213-399.99-99		Use of Fund Balance	475,000	
		Total Revenues	6,475,000	
120-0213-522.63-00	13011	Improvements Other Than Buildings	400,000	<i>Dillard St Improvements</i>
120-0213-522.63-00	13012	Improvements Other Than Buildings	6,000,000	<i>Downtown Phase IV</i>
120-0213-522.63-00	13013	Improvements Other Than Buildings	25,000	<i>Downtown Way-Finding Signs</i>
120-0213-552.82-00		Aids to Private Organizations	50,000	<i>Plant Street Market Façade Grant</i>
		Total Expenditures	6,475,000	
<u>Local Option Gas Tax Fund</u>				
160-0741-399.99-99		Use of Fund Balance	480,777	<i>To balance revenues/expenditures</i>
		Total Revenues	480,777	
160-0741-541.63-00	04009	Improvements Other Than Buildings	76,347	<i>Tremaine St (Main > Dillard)</i>
160-0741-541.63-00	05051	Improvements Other Than Buildings	5,536	<i>S Highland (Smith to R/R tracks)</i>
160-0741-541.63-00	10009	Improvements Other Than Buildings	318,525	<i>Vineland (SR50 to Palmetto)</i>
160-0741-541.63-00	13015	Improvements Other Than Buildings	80,369	<i>N Dillard - Surprise> Division</i>
		Total Expenditures	480,777	
<u>General Impact Fee Fund</u>				
170-0521-399.99-99		Use of Fund Balance	15,159	
		Total Revenues	15,159	
170-0521-521.64-00		Machinery and Equipment	15,159	<i>Purchase computer laptops</i>
		Total Expenditures	15,159	

**City of Winter Garden
Carry Forward Budget
Ordinance 15-16**

Exhibit 1

<u>Account Number</u>	<u>Project</u>	<u>Account Description</u>	<u>Amount</u>	<u>Item Description</u>
<u>Transportation Impact Fee Fund</u>				
174-0741-399.99-99		Use of Fund Balance	5,236,028	To balance revenues/expenditures
Total Revenues			5,236,028	
174-0741-541.63-00	08005	Improvements Other Than Buildings	864,654	Marsh Rd (CR 545>Hckry Hmk)
174-0741-541.63-00	09041	Improvements Other Than Buildings	340,380	SR 50 Median Landscaping
174-0741-541.63-00	10022	Improvements Other Than Buildings	74,914	Stoneybrook West Py/Windermere Rd Intersection
174-0741-541.63-00	12026	Improvements Other Than Buildings	538,502	Plant St/Avalon Intersection
174-0741-541.63-00	13017	Improvements Other Than Buildings	495,300	Stoneybrook Round-about
174-0741-541.63-00	13018	Improvements Other Than Buildings	2,698,769	CR 545 South/Tilden Intersection
174-0741-541.63-00	13043	Improvements Other Than Buildings	150,000	Lulu Ck/Stormwater Landscaping
174-0741-541.63-00	13049	Improvements Other Than Buildings	207,297	E Crown Pt/Fullers Cross Intersection
174-0741-541.63-00	14009	Improvements Other Than Buildings	74,745	Sunridge Blvd Four Laning
174-0741-599.99-99		Carryforward Fund Balance	(208,533)	To balance revenues/expenditures
Total Expenditures			5,236,028	
<u>Utilities Operating Fund</u>				
410-2116-399.99-99		Use of Fund Balance	2,737,779	To balance revenues/expenditures
Total Revenues			2,737,779	
410-2113-581.91-00		Inter-Fund Transfers Out	2,168,216	To Fund Renewal and Replacement Projects
410-2116-533.63-00	11004	Improvements Other Than Buildings	300,000	Palmetto Elevated Tank Painting
410-2116-533.63-00	13015	Improvements Other Than Buildings	8,395	N Dillard - Surprise> Division
410-2116-533.63-00	13044	Improvements Other Than Buildings	300,000	Johns Lake Wtrside Util U/S
410-2117-535.63-00	13019	Improvements Other Than Buildings	424,514	WWTP Headwrks/Odor Control
410-2126-533.63-00	11001	Improvements Other Than Buildings	33,130	Midget Place (Surprise to Palm)
410-2126-533.63-00	12022	Improvements Other Than Buildings	22,391	Flex-Net Installation
410-2126-533.63-00	13015	Improvements Other Than Buildings	8,395	N Dillard - Surprise> Division
410-2127-535.63-00	12037	Improvements Other Than Buildings	91,192	Lift Station 23 Rehabilitation
410-2113-590.90-00		Transfer to Fund Balance	(618,454)	To balance revenues/expenditures
Total Expenditures			2,737,779	
<u>Utilities Impact Fee Fund</u>				
411-2116-399.99-99		Use of Fund Balance-Water	6,735,900	To balance revenues/expenditures
411-2117-399.99-99		Use of Fund Balance-Sewer	658,794	To balance revenues/expenditures
Total Revenues			7,394,694	
411-2117-535.63-00	13019	Improvements Other Than Buildings	631,726	WWTP Headwrks/Odor Control
411-2126-533.63-00	04009	Improvements Other Than Buildings	8,280	Tremaine (Main>Dillard)
411-2126-533.63-00	05051	Improvements Other Than Buildings	25,000	S Highland (Smith to R/R tracks)
411-2126-533.63-00	10009	Improvements Other Than Buildings	29,245	Vineland (SR50 to Palmetto)
411-2126-533.63-00	10016	Improvements Other Than Buildings	61,000	Roper Rd East-Water
411-2126-533.63-00	10017	Improvements Other Than Buildings	50,000	Roper Rd East-Reuse
411-2126-533.63-00	11008	Improvements Other Than Buildings	1,129,761	Woodlark Well #2
411-2126-533.63-00	13021	Improvements Other Than Buildings	242,557	Fullers Cross Water Main Ext.
411-2126-533.63-00	14010	Improvements Other Than Buildings	1,993,095	Woodlark Water Storage #2
411-2126-533.63-00	14015	Improvements Other Than Buildings	3,196,962	Southwest Reuse Phase II
411-2127-535.63-00	10009	Improvements Other Than Buildings	27,068	Vineland (SR50 to Palmetto)
Total Expenditures			7,394,694	

**City of Winter Garden
Carry Forward Budget
Ordinance 15-16**

Exhibit 1

<u>Account Number</u>	<u>Project</u>	<u>Account Description</u>	<u>Amount</u>	<u>Item Description</u>
<u>Utilities Renewal & Replacement Fund</u>				
412-2116-381.41-00		Inter-Fund Transfer In	2,168,216	<i>To balance revenues/expenditures</i>
		Total Revenues	2,168,216	
412-2126-533.63-00	13011	Improvements Other Than Buildings	700,000	<i>Dillard St Improv - SR 50> Plant St</i>
412-2127-535.63-00	04009	Improvements Other Than Buildings	17,600	<i>Tremaine St (Main > Dillard)</i>
412-2127-535.63-00	11001	Improvements Other Than Buildings	42,700	<i>Midget Place (Surprise to Palm)</i>
412-2127-535.63-00	12014	Improvements Other Than Buildings	681,926	<i>9th St Gravity Sewer Mn Replace</i>
412-2127-535.63-00	13011	Improvements Other Than Buildings	700,000	<i>Dillard St Improv - SR 50> Plant St</i>
412-2127-535.63-00	13015	Improvements Other Than Buildings	25,990	<i>N Dillard - Surprise> Division</i>
		Total Expenditures	2,168,216	
<u>Stormwater Fund</u>				
420-2218-399.99-99		Use of Fund Balance	425,591	
		Total Revenues	425,591	
420-2618-538.63-00	04009	Improvements Other Than Buildings	18,860	<i>Tremaine St (Main > Dillard)</i>
420-2618-538.63-00	09013	Improvements Other Than Buildings	176,442	<i>Lake Cove Point Underdrain</i>
420-2618-538.63-00	10009	Improvements Other Than Buildings	109,708	<i>Vineland (SR50 to Palmetto)</i>
420-2618-538.63-00	11001	Improvements Other Than Buildings	40,800	<i>Midget Place (Surprise to Palm)</i>
420-2618-538.63-00	13015	Improvements Other Than Buildings	23,920	<i>N Dillard - Surprise> Division</i>
420-2618-538.63-00	14011	Improvements Other Than Buildings	17,707	<i>Stormwater R&R Improvements</i>
420-2618-538.63-00	14019	Improvements Other Than Buildings	50,000	<i>Stoneybrook West Drainage Parcel 16</i>
420-2618-599.99-99		Transfer to Fund Balance	(11,846)	
		Total Expenditures	425,591	
<u>Trailer City Fund</u>				
450-3657-399.99-99		Use of Fund Balance	4,000	
		Total Revenues	4,000	
450-3657-539.63-00	14012	Improvements Other Than Buildings	4,000	<i>Trailer City Entrance Improvements</i>
		Total Expenditures	4,000	
		Grand Total	25,478,157	

THE CITY OF WINTER GARDEN
CITY COMMISSION AGENDA ITEM

From: Ed Williams, Community Development Director

Via: City Manager Mike Bollhoefer

Date: January 16, 2015

Meeting Date: January 22, 2015

Subject: 17500, 17501, 17416, & 17451 Marsh Road & 2002 Williams Road
Four Corners
Urban Village Planned Unit Development Rezoning
PARCEL ID# 06-23-27-4284-08-410
PARCEL ID# 06-23-27-4288-08-330
PARCEL ID# 06-23-27-4288-08-302
PARCEL ID# 06-23-27-4288-08-304
PARCEL ID# 06-23-27-4288-08-310

Issue:

The applicant is requesting to rezone 23.64± acres of land from No Zoning to Urban Village Planned Unit Development (UVPUD).

Discussion:

The applicant proposes to rezone the 23.64± acre site to allow residential, commercial, and mixed-use development. The property is considered part of the Village Center within the Comprehensive Plan's Urban Village Future Land Use designation and the Sixth Amendment to the Restated Interlocal Agreement for Joint Planning Area between Orange County and the City of Winter Garden. According to the aforementioned documents, commercial and mixed uses are permitted within the Village Center subject to certain buffer restrictions- please see attached Staff Report.

Recommended Action:

Staff recommends approval and adoption of Ordinance 15-04, subject to the Conditions of the attached Staff Report.

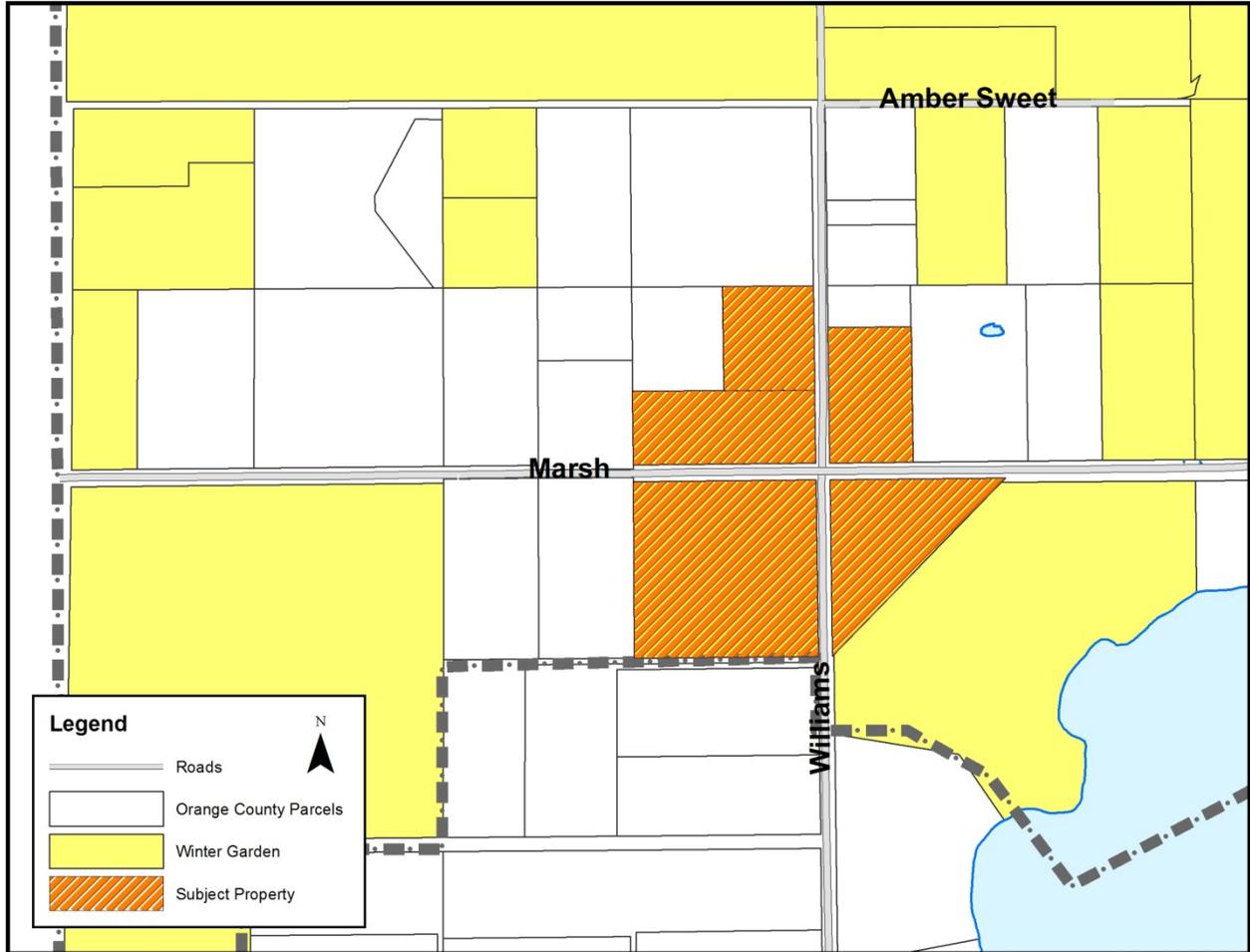
Attachment(s)/References:

Location Map
Ordinance 15-04
Staff Report

LOCATION MAP

Ordinance 15-04

Four Corners UVPUD



ORDINANCE 15-04

AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, REZONING APPROXIMATELY 23.64 ± ACRES OF CERTAIN REAL PROPERTY GENERALLY LOCATED ON THE NORTH, SOUTH, EAST, AND WEST CORNERS OF THE INTERSECTION OF MARSH ROAD AND WILLIAMS ROAD AT 17416, 17451, 17500, AND 17501 MARSH ROAD AND 2002 WILLIAMS ROAD, FROM CITY NO ZONING (NZ) TO CITY URBAN VILLAGE PLANNED UNIT DEVELOPMENT (UVPUD); DESCRIBING THE DEVELOPMENT AS THE FOUR CORNERS UVPUD; PROVIDING FOR CERTAIN UVPUD REQUIREMENTS; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Owner(s) of real property generally described as approximately 23.64 ± acres of certain real property generally located on the north, south, east, and west corners of the intersection of Marsh Road and Williams Road at 17416, 17451, 17500, and 17501 Marsh Road and 2002 Williams 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 NZ to City 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 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

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

SECTION 1: Rezoning. After due notice and public hearing, the zoning classification of the Property, as described in Exhibit “A” attached hereto, is hereby rezoned from City NZ to City UVPUD in the City of Winter Garden, Florida subject to the following conditions, provisions and restrictions:

- a. **Preliminary Plan-** All development on the Property must substantially conform to the requirements identified in the Four Corners Urban Village Planned Unit Development Preliminary Plan attached hereto as Exhibit “B.” Should any conflict be found between this Ordinance and the Four Corners 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 development on the Property must comply with the general zoning requirements of the Urban Village Planned Unit Development Zoning District.
- 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. **Permitted, Special Exception, and Prohibited Uses**

1. Low Density Residential Zone

- a. **Permitted Uses** – The Permitted Uses allowed in this zone within the subject property are as follows:
 - Residential Dwelling Units including single-family and multi-family housing in accordance with the density requirements of this zone.
 - Public Parks and Recreation Facilities
 - Retention Areas
- b. **Prohibited Uses and Structures**– The Prohibited Uses and Structures in this zone within the subject property are as follows:
 - Commercial Uses
 - Apartment Complexes
 - Communication Towers
 - House trailers in vacant lots or residential yards
 - Any structure or use of a nature not specifically or provisionally permitted in this division.

2. Mixed Use Zone

- a. **Permitted Uses** - The Permitted Uses allowed in this zone within the subject property are as follows:
 - All uses permitted in the Low Density Residential Zone.
 - Retail Stores and shops of a neighborhood convenience.
 - Dry Cleaning and Laundry Facilities
 - Bakeries and neighborhood food service

- establishments
- Drug Stores and Sundries
- Professional Offices and Studios
- Personal Services
- Laboratories and Clinics
- Live / Work Units
- Upper-Story Residential Dwelling Units
- Nursing Homes
- Civic Facilities

b. Special Exception Uses and Structures – The Special Exception Uses and Structures in this zone within the subject property are as follows:

- Outdoor Sales Displays
- Fuel sales (only one location is permitted within this UVPUD)
- Buildings with drive thru lanes with a maximum one such building per quadrant. Lanes may not face Marsh Road or Williams Road and there may be no direct access to either road.
- All types of businesses in buildings not of standard construction or without restroom facilities

c. Prohibited Uses and Structures – The Prohibited Uses and Structures in this zone within the subject property are as follows:

- Manufacturing and industrial activities, transportation terminals, storage warehousing and other activities of a similar nature.
- Apartment Complexes
- All uses not specifically or provisionally permitted in this division; any use not in keeping with a low-density commercial character.
- Communication Towers
- Schools / Daycares

e. Design Criteria/Architectural Standards-

1. Low Density Residential Zone:

a. Architectural Review - Elevations of the front and rear building exposures and any side building exposures visible from a public right-of-way must be provided and approved as part of the site plan approval process.

b. Lot Size- Minimum lot width shall be 75 feet for detached housing units and 24 feet for attached housing units.

c. Density- Maximum residential density permitted in this zone shall be 3 dwelling units per acre.

d. Building Height- Maximum building height shall be 35 feet.

e. Minimum Living Area- Minimum living area for each residential unit shall be 1,500 square feet for detached housing units and 1,300 square feet for attached housing units.

f. Signage- All signage shall be reviewed and permitted by the City of Winter Garden. Electronic message centers are prohibited.

g. Setbacks and Required Yards-

i. All residential development shall be set back no less than 100 feet from the limits of Unincorporated Orange County parcels located outside the JPA 6 Expansion Area.

ii. Side yard setbacks shall be no less than 7.5 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; rear yard setback shall be no less than 25 feet; and front yard setback shall be no less than 25 feet with the exception of homes with 5 foot recessed garage or side loaded garage which shall maintain a 20 foot front yard setback. Any landscaping or fencing installed within the setback areas shall be designed and constructed so as not to interfere with any easement function.

2. Mixed Use Zone:

a. Architectural Standards- All commercial buildings and sites shall adhere to the Four Corners Urban Village Planned Unit Development Commercial Design Guidelines, attached hereto as Exhibit "C".

b. Architectural Review- Elevations of all four building exposures must be provided and approved as part of the site plan

approval process. The elevations must be compliant with the general architectural design criteria identified in Exhibit "C".

c. Landscape Design - Unless specifically identified or allowed in Exhibit "C", all commercial sites shall be required to adhere to the landscape design standards for specified commercial corridors in accordance with Chapter 118, Article X, Division 3 of the City of Winter Garden Code of Ordinances.

d. Density- Maximum residential density permitted in this zone shall be 12 dwelling units per acre.

e. Commercial Floor Area Ratio (FAR) & Maximum Area- Non-residential uses may not exceed a FAR of 0.30. The maximum area of commercial space permitted within this UVPUD shall be 90,000 square feet for retail uses and 80,000 for professional office uses not to exceed a combined total of 115,000 square feet.

f. Building Height- Maximum building height shall be 40 feet, not to exceed two stories.

g. Signage- All signage shall be reviewed and permitted by the City of Winter Garden. Unless specifically identified or allowed in Exhibit "C", all signs for commercial uses shall comply with the City of Winter Garden's commercial sign standards in accordance with Chapter 102, Article III, Division 3 of the City of Winter Garden Code of Ordinances. Electronic message centers are prohibited.

h. Cross Access Corridors- Use of cross-access corridors and driveways is required for commercial properties located adjacent to Marsh Road and Williams Road.

i. Setbacks and Lot Standards-

i. All commercial development shall be set back no less than 500 feet from the limits of Unincorporated Orange County parcels located outside the JPA 6 Expansion Area.

ii. All commercial and mixed-use buildings shall be set back no less than 50 feet adjacent to Marsh Road and 25 feet adjacent to Williams Road. All residential buildings shall be set back no less than 50 feet adjacent to Marsh Road and 25 feet adjacent to Williams Road.

- iii. One story commercial buildings shall be set back no less than 50 feet when located adjacent to a residential parcel. Two story commercial buildings shall be set back no less than 100 feet when located adjacent to a residential parcel. Within this UVPUD boundary, the buffers between single family residential lots and commercial buildings shall be as described above.
- iv. Distances between structures in this zone shall comply with the Urban Village Planned Unit Development requirements in accordance with Chapter 118, Article V, Division 2, Subdivision II.
- v. Setbacks:
 - a. Commercial structures, Mixed-Use structures, and Multi-Family Residential units: Internal side yard setbacks shall be no less than 10 feet; Corner side yard setbacks shall be no less than 20 feet; rear yard setbacks shall be no less than 15 feet; and front yard setback shall be no less than 20 feet.
 - b. Single Family Residential Uses: All single-family residential uses shall comply with the setback requirements of the Low Density Residential Zone.

f. 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 (which may be within the 25% Wekiva Study Area Open Space) 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.

g. Setback and Buffer Areas

Permitted uses within all setback and buffer areas include retention, passive recreation, and landscape areas.

h. Lighting

a. Site Lighting

Unless specifically identified or allowed in Exhibit “C”, all external site lighting for buildings, parking areas and pedestrian walkways shall comply with the lighting design standards, requirements, and regulations pertaining to specified commercial corridors within the City of Winter Garden in accordance with Chapter 118, Article X, Division 4.

b. Street Lighting

All lighting provided along public and private streets shall comply with the requirements pertaining to construction and installation of public improvements in accordance with Appendix A, Article II, Section 2.09.

c. Dark-Sky Requirement

All light fixtures shall adhere to dark-sky requirements. Fixtures shall be full cutoff casting zero light above 90 degrees.

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

1. Extension of utility lines, sized to accommodate the Project, to proposed development will be at the developer’s expense in accordance with Chapter 78, Article VI of the City of Winter Garden Code of Ordinances.
2. A master utilities analysis is required to be provided to the City for review prior to approval of preliminary plat and may include an upsizing agreement with the City.
3. Permits or exemptions are required from SJRWMD (stormwater) and FDEP (water, wastewater, NPDES) prior to construction.
4. Provide flow calculations for Utility Department verification of water and sewer impact fees. Final plans will not be approved for construction until utility impact fees have been paid and FDEP permits have been issued.
5. No fill or runoff will be allowed to discharge onto adjacent properties without the necessary easements; existing drainage patterns shall not be altered. Provide erosion control plan prior to issuance of building permit. Site construction shall adhere to the City of Winter Garden erosion and sediment control requirements as contained in Chapter 106 – Stormwater of the City of Winter Garden Code of Ordinances.

6. Once the plans are approved, a preconstruction meeting is required prior to any commencement of construction. The applicant shall pay all engineering review and inspection fees at the preconstruction meeting prior to construction. Provide certified engineer's cost estimate or executed construction contract as basis of inspection fees (2.25%).
7. The City of Winter Garden is not authorizing or approving drainage discharges onto private property or property owned or controlled 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. Maintenance of project-related on-site or off-site drainage improvements will be the responsibility of the Owner, not the City.
8. Providing positive drainage within the site is the responsibility of the Design Engineer. The City will not maintain any portion of the on-site drainage systems or parking lot(s).
9. If approval is granted by the City of Winter Garden, it does not grant authority to enter, construct or otherwise alter the property of others, nor does it waive any permits that may be required by federal, state, regional, county, municipal or other agencies that may have jurisdiction.
10. Required buffer areas and setbacks from currently-mapped Karst features are shown on Exhibit "B". These areas shall be maintained in compliance with the Wekiva Protection Act and the City of Winter Garden Comprehensive Plan. One access on Williams Road through the north part of the Karst buffer is permitted to be constructed for access to the northeastern parcel.

SECTION 2: *General Requirements.*

- a. **Development Agreement-** A Development Agreement must be approved and recorded prior to adoption of this rezoning ordinance. The Development Agreement shall include, but is not limited to, fair-share costs for intersection improvements, utilities, right-of-way dedication, water tank site dedication, transportation/roadway system, design standards, impact fees, stormwater, signage, and schools.
- b. **Stand Alone Clause-** If the development is phased, 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.

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: _____, 2015.

SECOND READING AND PUBLIC HEARING: _____, 2015.

ADOPTED this _____ day of _____, 2015, 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 A (ORB 4452, PG 4660)

THE N 395 FEET OF THE E 1/2 OF LOT 30H AND THE N 395 FEET OF THE W 1/2 OF LOT 30H, LAKE AVALON GROVES REPLAT, PLAT BOOK H, PAGE 81, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA. ALL IN SECTION 6, TOWNSHIP 23 SOUTH, RANGE 27 EAST.

PARCEL B (PER PROPERTY APPRAISER WEBSITE)

LAKE AVALON GROVES REPLAT H/81 W1/2 OF LOT 30-H (LESS N 371 FT) & E1/2 OF LOT 30-H (LESS 371 FT).

PARCEL C

LOT 33H, LAKE AVALON GROVES, AS RECORDED IN PLAT BOOK H, PAGE 81 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA

PARCEL D (ORB 3308, PG 1285)

THE SOUTH ONE QUARTER OF TRACT 17-D, AND THE SOUTH ONE-HALF OF TRACT 18-D, AND ALL OF TRACT 41-H, OF LAKE AVALON GROVES, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK H, PAGE 24, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

PARCEL E (ORB 2937, PG 479)

THE WEST 4.37 ACRES OF LOT 31, BLOCK H, LAKE AVALON GROVES, AS RECORDED ON PLAT BOOK H, PAGE 81, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, LESS: BEGIN AT THE NORTHWEST CORNER OF LOT 31-H, LAKE AVALON GROVES, AS RECORDED IN PLAT BOOK H, PAGE 81, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, THEN RUN SOUTH ALONG THE WESTERN BOUNDARY OF SAID LOT 31-H, A DISTANCE OF 148 FEET, THEN RUN EAST PARALLEL TO THE NORTHERN BOUNDARY OF SAID LOT 31-H, A DISTANCE OF 295 FEET, THEN RUN NORTH AND PARALLEL WITH THE WESTERN BOUNDARY OF SAID LOT A DISTANCE OF 148 FEET TO THE NORTH LINE OF SAID LOT THEN RUN WEST ALONG SAID NORTH LINE 295 FEET, MORE OR LESS TO THE POINT OF BEGINNING.

URBAN VILLAGE PLANNED UNIT DEVELOPMENT PRELIMINARY PLAN

A URBAN VILLAGE PUD IN THE CITY OF WINTER GARDEN, FLORIDA

FOUR CORNERS

PARCEL ID. NUMBERS: 06-23-27-4288-08-302,
06-23-27-4288-08-304, 06-23-27-4288-08-310,
06-23-27-4288-08-330, 06-23-27-4288-08-410

NOVEMBER 2014

PROJECT DESCRIPTION

A NEIGHBORHOOD CENTER WITH COMMERCIAL, OFFICE, CIVIC AND MUNICIPAL USES.

LEGAL DESCRIPTION

PARCEL A (ORB 4452, PG 4660)

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OWNER/APPLICANT

MAURICE M. BOYD
P.O. BOX 979
WINTER GARDEN, FLORIDA 34760
PHONE: (407) 656-1333

ENGINEER/SURVEY/ENVIRONMENTAL

DEWBERRY-BOWYER-SINGLETON
520 SOUTH MAGNOLIA AVE.
ORLANDO, FLORIDA 32801
PHONE: (407) 843-5120
CONTACT: SCOTT STEARNS, P.E.

GEOTECHNICAL ENGINEER

UNIVERSAL ENGINEERING SCIENCES, INC.
3532 MAGGIE BOULEVARD
ORLANDO, FLORIDA 32811
PHONE: (407) 423-0504
CONTACT: ARAVIND RANGASWAMY, M.S., P.E.

TRAFFIC ENGINEER

LUKE TRANSPORTATION ENGINEERING CONSULTANTS, INC.
29 EAST PINE STREET
ORLANDO, FLORIDA 32828
PHONE: (407) 423-8055
CONTACT: J. ANTHONY LUKE, P.E.

LANDSCAPE ARCHITECT

DEWBERRY-BOWYER-SINGLETON
520 SOUTH MAGNOLIA AVE.
ORLANDO, FLORIDA 32801
PHONE: (407) 843-5120
CONTACT: MICHAEL C. HOLBROOK, L.A.

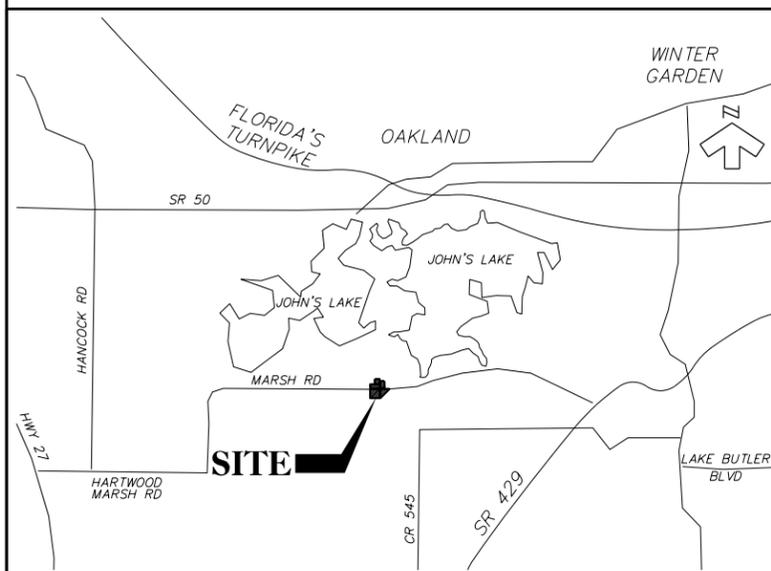
TABLE OF CONTENTS

SHEET NO.	DESCRIPTION
1	COVER SHEET
2	URBAN VILLAGE PUD PRELIMINARY PLAN
3	URBAN VILLAGE TYPICAL SECTIONS
4	BOUNDARY SURVEY & EXISTING CONDITIONS PLAN

THIS IS TO CERTIFY THAT THE ROADWAY CONSTRUCTION PLANS AND SPECIFICATIONS AS CONTAINED HEREIN WERE DESIGNED TO APPLICABLE STANDARDS AS SET FORTH IN THE "MANUAL OF UNIFORM MINIMUM STANDARDS FOR DESIGN, CONSTRUCTION AND MAINTENANCE FOR STREETS AND HIGHWAYS" AS PREPARED BY FLORIDA DEPARTMENT OF TRANSPORTATION.

PREPARED FOR
STANDARD PACIFIC OF FLORIDA

44 WEST NEW ENGLAND AVENUE
SUITE 200
WINTER PARK, FLORIDA 32789
CONTACT: STEPHEN POLACHEK
PHONE: (407) 645-6542



SITE LOCATION



FLORIDA
WINTER GARDEN
FOUR CORNERS PUD
CORPORATE OFFICE - 520 SOUTH MAGNOLIA AVENUE - ORLANDO, FLORIDA 32801
407-843-5120 - ENGINEERING BUSINESS - 1221
halfsize.tbl

REVISIONS	DESCRIPTION	DATE	BY

CONTRACTOR "AS-BUILT'S" hereby state that these "As-Built's" were furnished to the Engineer under my direct supervision and have been reviewed and believe them to be in compliance with my knowledge of what was actually observed on site observations of the construction.
Contractor's Name: _____
Engineer: _____
Not valid without the signature and the original raised seal of a Florida Registered Engineer.

DATE	AUGUST 2014
DESIGNED	SKH
CHECKED	MSS
SCALE	N/A
PROJECT NO.	EDW03/FOUR CORNERS/PUD
FILE NAME	EDW03-FCover
SHEET	1 OF 4

11/25/2014

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**BOWYER
SINGLETON**

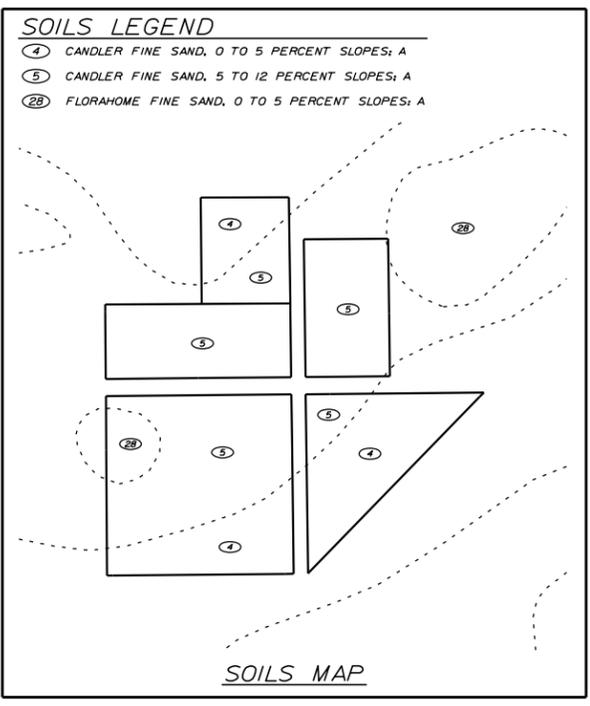
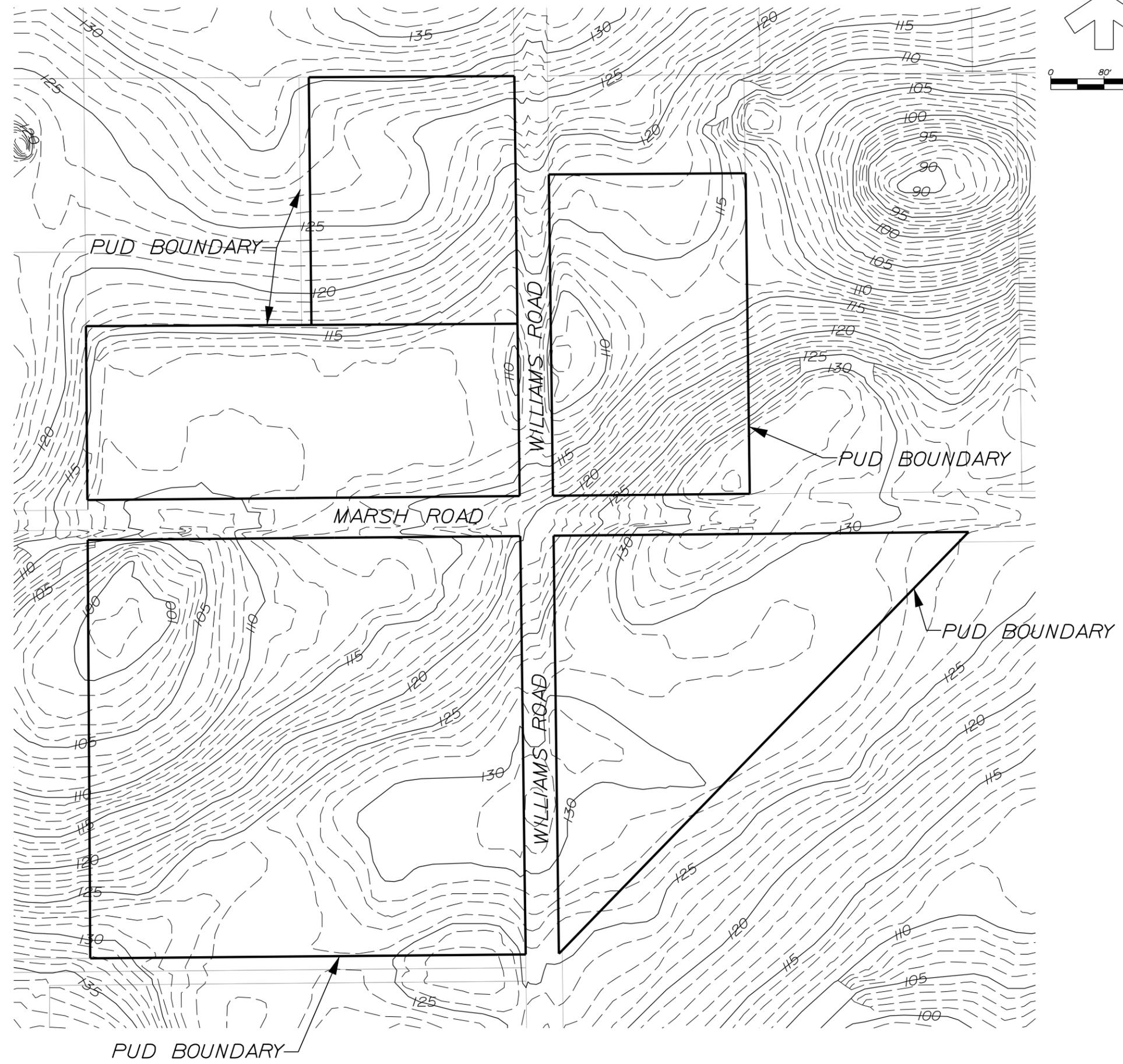
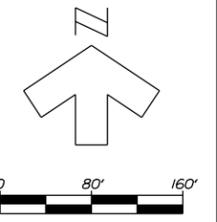
FLORIDA
**BOUNDARY SURVEY & EXISTING
 CONDITIONS PLAN**
 FOUR CORNERS PUD

CORPORATE OFFICE - 520 SOUTH MAGNOLIA AVENUE - ORLANDO, FLORIDA 32801
 407-545-5120 - ENGINEERING BUSINESS - 1221

DATE	BY	DESCRIPTION

CONTRACTOR "AS-BUILT'S" were furnished hereby state that these "As-Built's" were furnished under my direct supervision have reviewed these "As-Built's" and believe them to be in compliance with my knowledge of what was actually observed upon site observations of the construction.
 Contractor's Name _____
 Engineer _____
 Not valid without the signature and the original raised seal of a Florida Registered Engineer.

DATE	AUGUST 2014
DESIGNED	SKH
CHECKED	MSS
SCALE	1" = 80'
PROJECT NO.	EDWD3/FOUR CORNERS/PD
FILE NAME	EDWD3-F Existing
SHEET	4 OF 4



11/25/2014

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Exhibit C to Ordinance 15-04
Four Corners Urban Village Planned Unit Development (UVPUD) -UV PUD Commercial Design
Standards (revised October 2014)

1. Project Overview

Located at the intersection of Marsh Road and Williams Road, the “Four Corners” urban development plan is intended to provide a mixture of neighborhood commercial and residential uses. The project objective of the development is to develop a variety of buildings with similar architectural style, a maximum of two stories, with ample open space providing a neighborhood pedestrian friendly environment. Potential development is divided in to two zones as depicted in the attached Preliminary Plan (Exhibit 1). All four parcels include at least a portion of the Mixed Use Zone with allowance of commercial and residential uses. The commercial uses are intended to support the project’s residential development as well as those located in nearby projects. A Low Density zone on the southern parcels is intended to act as a transitional use closer to adjacent residential areas. Site standards are located with City Ordinance 15-04. Access to the development will be from both Marsh Road and Williams Road.

Development Program - All development within the “Four Corners” properties must substantially comply with the Preliminary Plan including buffering and building setbacks (Exhibit 1) and comply with City Ordinance 15-04.

Site Plan Requirements – Site plan is conceptual and is for zoning purposes only. Any new development on the subject properties must submit a detailed site plan and concurrency study.

2. Architectural Character

Design Criteria – The overall commercial architectural design of the “Four Corners” development will have to substantially comply with the following set of design principals and as depicted within artist rendition of “Florida Vernacular” shown in the architectural study sheet (Exhibit 2). Final elevations associated with specific site plans will be subject to change by the end user provided the architectural theme is consistent, standard of quality is maintained and architectural standards are achieved and approved by the City.

A consistent and compatible standard will be applied to all buildings. The purpose of these standards is to plan for a variety of building type compatible and similar to but not identical. The following outline of massing, finishes, treatments, colors and use of materials are representative of a theme and a level of “quality” to be maintained throughout the development.

Although these architectural standards do not specifically address residential design standards, residential development should be stylistically harmonious with the commercial standards. Residential standards will be assessed separately during the subdivision review process.

Varying Building Massing -

- A. Vary massing of all building façades visible to pedestrians and/or vehicles along major internal and external circulation routes.
- B. Special architectural features such as cupolas, clock towers or ornamental portions of parapet walls may exceed the building height limit by 20' provided they comprise no more than 1/3 the length of the building.
- C. Landscaping and planting beds along the building frontage are to be incorporated to enhance varying massing.

Roof Treatments

- A. Roof shapes and building accents shall be consistent and meet all code requirements for the City's Urban Village PUD.
- B. A recognizable "top" should include one or more of the following: cornice treatments, roof overhangs with brackets, stepped parapets, richly textured materials (tile or masonry treatment), and different colored but complimentary materials.

Building Projections and Recesses

- A. Special architectural features, such as bay windows, awnings and canopies are, required. Projection should not obstruct walkways, but may project up to 3' into the front setback.
- B. Building exteriors should provide shelter from sun and rain. Porticos, awnings, arcades and overhangs are particularly appropriate at pedestrian walkways.
- C. Garden structures such as trellises and arbors should be provided between buildings to provide pedestrian connections, seating, and gathering spaces.

Entryways and Arcades

- A. Primary pedestrian entries should be clearly expressed and be recessed or framed by a sheltering element, such as an awning, arcade, porch or portico.
- B. The building's first floor may be recessed from the front setback for the purpose of an arcade. Minimum height of the arcade space should be 10' and the minimum width of the arcade space should be 8'.
 - Each Commercial Building will provide a consistent architectural style, color, façade treatment.
 - All exterior walls of a building should be articulated with a consistent style and complimentary materials. Buildings should use consistent materials and details on all sides that front public streets and major internal circulation routes.

Building Articulation and Theming

- A. A consistent architectural theme (as depicted in Exhibit 2) should be utilized to unify the development, including complimentary colors, finished materials and textures.
- B. Buildings shall be designed to avoid large, uninterrupted façades. No wall facing a street or connecting walkway shall have a blank, uninterrupted façade that exceeds 10' in length.
- C. Ornamental architectural details are required to enhance the overall theme of the development. A minimum of two of the following design details are to be applied for each building frontage using some combination of the following for each building:
 - Planters along public walkways
 - Balconies on the second or third floors
 - Decorative bulkheads
 - Shutters
 - Awnings for windows or balconies
 - Decorative cornice
- D. Store fronts: Display windows should encompass a minimum of 40% and a maximum of 80% of a storefront's lineal frontage.
- E. The non-fronting side of building should carry over a consistent architectural treatment from the storefront.
- F. Ornamental architectural details and window treatments should be utilized to unify the front and non-fronting sides of the buildings.

Retail Lighting

- A. Lighting shall comply with the design standards, requirements, and regulations pertaining to specified commercial corridors within the City of Winter Garden in accordance with Chapter 118, Article X, Division 4.
- B. Free standing light poles may have a light color consistent with themed architecture.
- C. Decorative poles, globes, and other light fixtures that are of a high design quality are encouraged when consistent with the overall building architecture.
- D. Parking lot lighting shall follow City code standards with a maximum of 30 feet pole height including base.
- E. All lighting shall follow "dark-sky" requirements.

Signage and Monuments

- A. Signage will be consistent for each project.
- B. Provide opportunity for community monuments signage/Arrival Signage.
- C. Retail and Office Signage shall utilize ground mounted monuments, with multi-tenant graphics and be ground-lit or have internal lighting.
- D. Community Signage Standards – to meet and exceed the City's requirements and to create a sense of entry into the City of Winter Garden (from the West).

- E. All signage shall be consistent with the established architectural standards and themes.

Landscaping

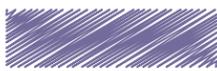
Unless otherwise stated the development shall follow the City's Landscape Code, Article X, division 3, Landscape Design Standards , **(Sec. 118-1421)** requiring all landscaping be designed and located to provide a logical, consistent, and attractive pattern of landscaping that softens the as-built environment, provides visual relief, separates different land uses, eliminates or minimizes potential nuisances or adverse impacts such as dirt, litter, or noise and assists in reducing air pollution hazards.

- A. Incorporate "Florida Friendly" Landscape material into the Commercial and Office Development, to minimize irrigation needs.
- B. All stormwater facilities should be generally designed as landscape amenities utilizing "Low Impact Development" techniques where practical.

Development Zones

-  Low Density Residential Zone
-  Mixed Use Zone

Buffer Zones

-  Karst Feature / Buffer
-  Rural Settlement Buffer

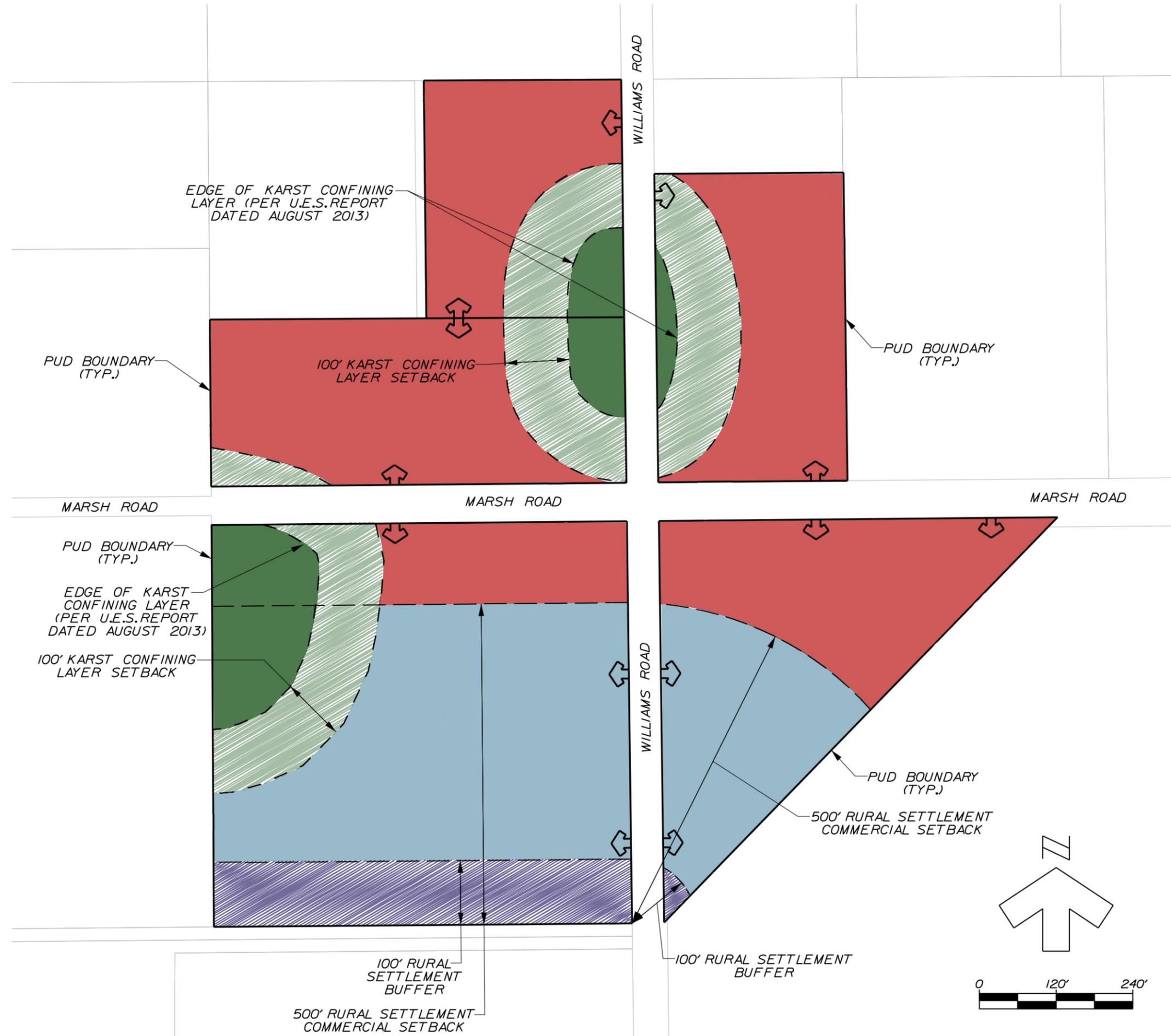
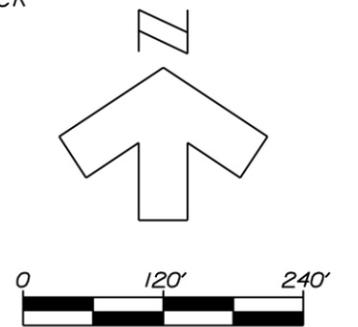


Exhibit 1
Preliminary Plan
Four Corners UVPUD





TYPICAL 1 STORY RETAIL BUILDING CHARACTER



TYPICAL 2 STORY MEDIUM SIZE RETAIL BUILDING CHARACTER



TYPICAL 2 STORY LARGE SIZE RETAIL/COMMERCIAL BUILDING CHARACTER

CITY OF WINTER GARDEN

PLANNING & ZONING DIVISION

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

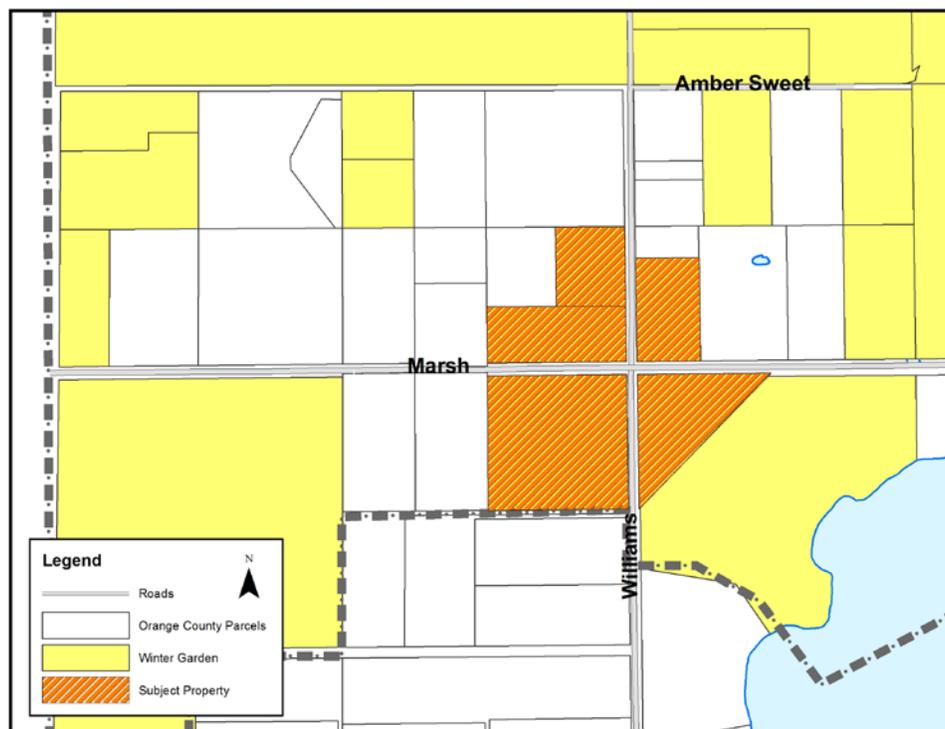
STAFF REPORT

TO: PLANNING AND ZONING BOARD
PREPARED BY: KELLY CARSON, PLANNER II
DATE: NOVEMBER 26, 2014
SUBJECT: REZONING (ORDINANCE 15-04)
Marsh Road (23.64+/- ACRES)
Parcel ID# 06-23-27-4284-08-410 **Parcel ID# 06-23-27-4288-08-304**
Parcel ID# 06-23-27-4288-08-330 **Parcel ID# 06-23-27-4288-08-310**
Parcel ID# 06-23-27-4288-08-302

APPLICANT: STANDARD PACIFIC OF FLORIDA
MAURICE M. BOYD, MCKINNON CORP & MCKINNON GROVES, LLLP

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 at the north, south, east, and west corners of Marsh Road and Williams Road, is approximately 23.64 ± 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 23.64± 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 (Ord. 07-34). The subject property is designated Urban Village on the Future Land Use Map of the Comprehensive Plan.

EXISTING USE

A portion of the subject property is currently being used for agricultural purposes including orange groves. The parcel on the northwest quadrant of Marsh Road and Williams Road currently contains two warehouse structures that are used for agricultural support. The balance of the subject property, the majority of which is on the northeast side of Marsh Road and Williams Road, consists of vacant unimproved land which is not used for a specific agricultural purpose and does not contain any structures.

ADJACENT LAND USE AND ZONING

The three properties located to the north of the subject property are all located in Unincorporated Orange County and zoned A-1. One property contains a Single Family residence, another is unimproved vacant land, and the third has been used for a landscaping business. There are two properties to the east of the subject property. One contains a single family residence, is zoned A-1, and is located in Unincorporated Orange County. The other property is located within the City of Winter Garden municipal limits, is zoned UVPUD, and consists of vacant land that is slated to be developed with single family homes as part of the Waterside on Johns Lake subdivision. The property to the south is zoned A-1 in unincorporated Orange County and contains a single-family residential structure. The two properties to the west of the subject property both contain single family residential structures, are zoned A-1, and are located in Unincorporated Orange County.

The surrounding properties to the north, east, and 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 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.

The surrounding properties to the south are not within the JPA expansion area, but are located within the Avalon Rural Settlement Area in unincorporated Orange County. As stipulated by the Sixth Amendment to the Restated Interlocal Agreement for Joint Planning Area between Orange County and the City of Winter Garden, buffering and density limitations must be exercised where properties located within the JPA expansion area adjoin properties that are located in the Avalon rural settlement.

PROPOSED USE

The applicant proposes to develop the 23.64 ± acre site into an urban village planned unit

development (UVPUD). Currently, no development has been proposed for the subject property, but the rezoning will permit both residential and commercial uses in specified zones. Residential development will be permitted within 100 feet of the rural settlement boundary to the south, while commercial, residential, and mixed uses will be permitted within 500 feet of the rural settlement boundary, subject to the limitations of the Comprehensive Plan and the Sixth Amendment to the Restated Interlocal Agreement for Joint Planning Area between Orange County and the City of Winter Garden. Development is also limited by two on-site karst features and their respective buffers.

COMMUNITY MEETING

On November 20, 2014, a community meeting was held in the City Commission Chambers to discuss the proposed UVPUD rezoning with surrounding property owners. Many attendees were supportive of the project, but there were a number of concerns. The major concerns voiced by attendees included the potential for increased traffic on Marsh and Williams Road, the potential for increased traffic on roads within the rural settlement, the addition of street and site lighting affecting evening light levels, the potential for increased trespassing onto adjacent landowners' properties, and the character of commercial signage. There were also concerns about specific permitted uses including apartment complexes. City staff addressed these concerns by explaining the current plans for nearby road improvements that will ultimately drive traffic away from the rural settlement, by amending the Ordinance to prohibit apartment complexes and electronic message signs, and by requiring a 6' masonry wall along the southern boundary of the UVPUD to block access to the adjacent rural settlement properties.

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 existing potable water and reclaimed water flow pressure of the City's utility system within the Urban Village Area is insufficient to support the development of the subject property. Design, permitting and construction of reuse and potable water pumping stations/storage tanks is vital to support the development of the Urban Village Area, including the subject property. A site has been identified as an appropriate location for the tanks and its access point. The Developer will convey the tanks site to the City within 30 days from the effective date of Ordinance 15-04.

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. At such time that the property is developed, all necessary utility lines (water, sewer, and reclaimed water) will be extended and connections made to serve the development of the property, all extension and connection costs shall be borne by the property owner.

Prior to any board approvals, a Developer's Agreement detailing the obligations of the developer associated with the proposed UVPUD is required. The Developer's Agreement must address, but is not limited to the following: potable water, sewer and reclaimed water utilities extension and oversizing requirements, proportionate fair share contribution for intersection improvements, conveyance of right-of-way, conveyance of water tank site, other off-site public infrastructure improvements, lift station, and impact fees.

- (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 will be limited to a gross residential density of 3 dwelling units per acre within the Low Density Residential Zone within 500 feet of the rural settlement boundary to the south and 12 residential dwelling units within the Mixed Use Zone north of the 500 foot buffer, which is 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 Mixed Use Zone, which allows both residential and commercial uses, will be limited to a floor area ratio of 0.3 and a maximum 90,000 square feet for retail uses and 80,000 for professional office uses not to exceed a combined total of 115,000 square feet of commercial space. This is consistent with both JPA 6 and the Comprehensive Plan policy for the Urban Village FLU.

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 on John's Lake, Hickory Hammock, Avalon Reserve, Stoneybrook West, Carriage Pointe, Stone Creek, Belle Meade, Avamar Crossings, Alexander Ridge, and Carriage Ponte Reserve.

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

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.

In order to support the development of the Four Corners UVPUD and other properties in the Urban Village Area and to accommodate the background traffic, it is necessary to widen and improve the intersection of Marsh Road and Williams Road. The Developer will convey the approximately 1.37 +/- acres of land from the Subject Property needed for the widening and extension of North Williams Road which is necessary to accommodate the intersection improvements and utilities serving the UVPUD development. A study by the City was conducted to identify the proposed developments' traffic impact on the Marsh Road and Williams Road intersection and such study has determined that the Subject Property and the adjacent developments will have a significant traffic impact said intersection. A portion of the costs of the design, engineering, permitting, installation, construction, provision and completion of the intersection improvements shall be borne by the Developer. Based on the cost estimate, the proportionate share payment for the project and subject property is agreed to be \$240,000.00. These fair share costs will be paid as each project develops as a percentage of the project's proposed building square footage of the total development potential of the property. 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 or Williams Road. With the development of the adjacent properties and construction of the roundabout, traffic counts on Marsh Road have decreased.

- (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. As stated above, the proposed UVPUD project will be limited to a gross residential density of 3 dwelling units per acre within the Low Density Residential Zone within 500 feet of the rural settlement boundary to the south and 12 residential dwelling units within the Mixed Use Zone north of the 500 foot

buffer, which is 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 Mixed Use Zone, which allows both residential and commercial uses, will be limited to a floor area ratio of 0.3 and a maximum 90,000 square feet for retail uses and 80,000 for professional office uses not to exceed a combined total of 115,000 square feet of commercial space. This is consistent with both JPA 6 and the Comprehensive Plan policy for the Urban Village FLU.

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 on John's Lake Hickory Hammock, Avalon Reserve, Stoneybrook West, Carriage Pointe, Stone Creek, Belle Meade, Avamar Crossings, Alexander Ridge, and Carriage Ponte Reserve.

- (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 will include open space/recreational areas in accordance with City Code requirements for common recreation and open space. The property will also comply with the open space and recreation requirements of the Wekiva Resource Protection Overlay, providing no less than 25% Wekiva Study Area Open Space. The karst features, rural settlement buffers, and the vast majority of the 100' karst feature confining layer setbacks will be preserved in a natural, vegetated state. Two cross access connection points are being provided on Williams Road and two are being provided on Marsh Road to ensure multiple points of entry/exit to the subject property.

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

The proposed UVPUD project provides for a 100 foot buffer from the confining layer of the karst feature located on the property and meets the environmental standards of the Wekiva Study Area. To the greatest extent possible, stormwater management features will be designed as landscape amenities.

- (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. As specific development projects are proposed, they must comply with the recreation and open space requirements of City Code. 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 proposed to be met to the greatest extent possible, and payment by the developer into the city recreational fund will make up for any shortfall.

Stormwater management for the proposed UVPUD project will be provided in on-site 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.

- (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 must comply with the Wekiva Study Area Open Space requirements.

- (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.

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.

The Developer will, prior to development of any portion of the Subject Property, pursue the design, permitting, installation and construction of a reclaimed water main from the existing point of connection on Marsh Road and extend west to the Subject Property consistent with the City Code requirements.

- (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 minimum 75' wide lots for detached residential structures and 24' wide lots for attached residential structures. Architectural elevations will be reviewed at that time ensuring there is an adequate mix of housing products with features including enhanced architectural treatments, front porches, and recessed garages. Commercial structures within the mixed-use zone must comply with specific

development and architectural requirements, as outlined in an exhibit as part of the UVPUD ordinance.

The proposed UVPUD project incorporates the following features which are of benefit to the general public: 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 and the widening and improving of the intersection of Marsh Road and Williams Road. Additionally, the project as proposed provides protection and substantial buffering from the neighboring karst feature as well as buffering from the rural settlement properties to the south.

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

As development is proposed, plans will be reviewed to ensure the proposals include a variety of open spaces that are inclusive, pedestrian friendly, and meet all requirements of City Code, the Comprehensive Plan, and of JPA 6.

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

A variety of architectural requirements have been incorporated into the commercial building standards in the proposed UVPUD project including requirements for architectural character, varying building massing, roof treatments, building projections and recesses, entryways and arcades, building articulation and theming, retail lighting, signage and monuments, and landscaping.

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

The UVPUD proposal is part of the village center, which is permitted by the Comprehensive Plan and JPA 6 to have a maximum of 115,000 square feet of commercial uses outside the 500' rural settlement buffer. Permitted non-residential uses within this mixed-use zone are retail stores and shops of a neighborhood convenience, dry cleaning and laundry facilities, bakeries and neighborhood food service establishments, drug stores and sundries, professional office & studios, professional services, laboratories and clinics, live/work units, and civic facilities. One fuel sales establishment is permitted in this UVPUD by Special Exception. Buildings with drive-thru lanes are permitted by Special Exception provided there is a maximum one such building per quadrant and lanes may not face Marsh Road or Williams Road and there may be no direct access to either road.

URBAN VILLAGE PLANNED UNIT DEVELOPMENT INTENT & 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 will include cross access connections to the parcels within 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;

The proposed UVPUD features a multi-purpose trail along the property frontage on Marsh Road. Proposed UVPUD will include recreation amenities that meet the requirements of the City's Code of Ordinances for open space & recreational facilities.

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

Right-of-way will be dedicated to the City to facilitate roadway improvements at the intersection of Marsh Road and Williams Road.

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

The proposed UVPUD preserves all karst features, the 100' rural settlement buffer, and the vast majority of the 100' karst feature confining layer buffer. Because of this, much of the site will remain in a natural state.

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

The proposed UVPUD allows for a mix of uses within the mixed-use zone. Permitted uses within this zone include detached and attached residential units, retail stores and shops of a neighborhood convenience, dry cleaning and laundry facilities, bakeries and neighborhood food service establishments, drug stores and sundries, professional office & studios, professional services, laboratories and clinics, live/work units, upper-story residential dwelling units, nursing homes, and civic facilities.

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

The subject property is located within the urban village. The commercial component of the development will be reviewed in light of this requirement, ensuring there will be a focus center.

- (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.

Community open space/recreation areas will be required to be provided in the form of a park or central feature within ¼ mile walking distance of any proposed residential units.

- (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 UVPUD allows for a wide variety of residential and mixed uses within the mixed-use zone including attached and detached housing units, live/work units, and upper story residential units. The low density residential zone allows for both attached and detached housing 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 parcels within the subject property.

- (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 parcels within the subject property.

- (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 will comply with the Wekiva Study Area Resource Protection Overlay requirements as stipulated in the City's Comprehensive Plan. The proposed UVPUD will meet 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 3 dwelling units per acre within the low density residential zone and 12 dwelling units per acre within the mixed-use zone. The maximum FAR for commercial development within the mixed-use zone will be 0.3.

- (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 will incorporate 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 extend lines for and 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.

The proposed UVPUD, which is located within the village center, allows for mixed uses including live/work units and upper story residential units, which will be permitted in compliance with the requirements stipulated within the UVPUD zoning district.

- (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 preclude the development of "granny flats", which will be permitted in compliance with the requirements stipulated within the UVPUD zoning district.

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.

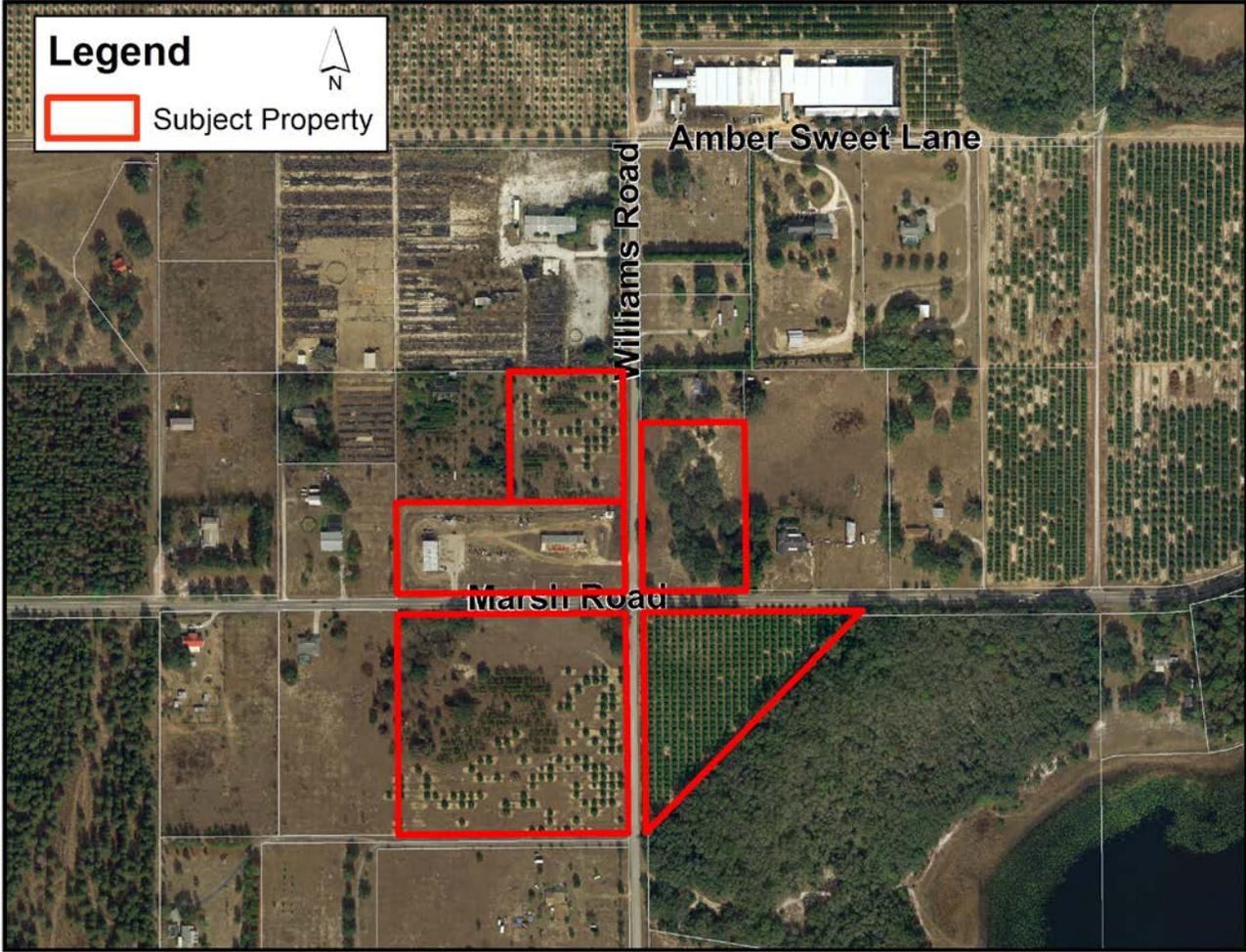
SUMMARY

City Staff recommend approval of the proposed Ordinance 15-04. 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

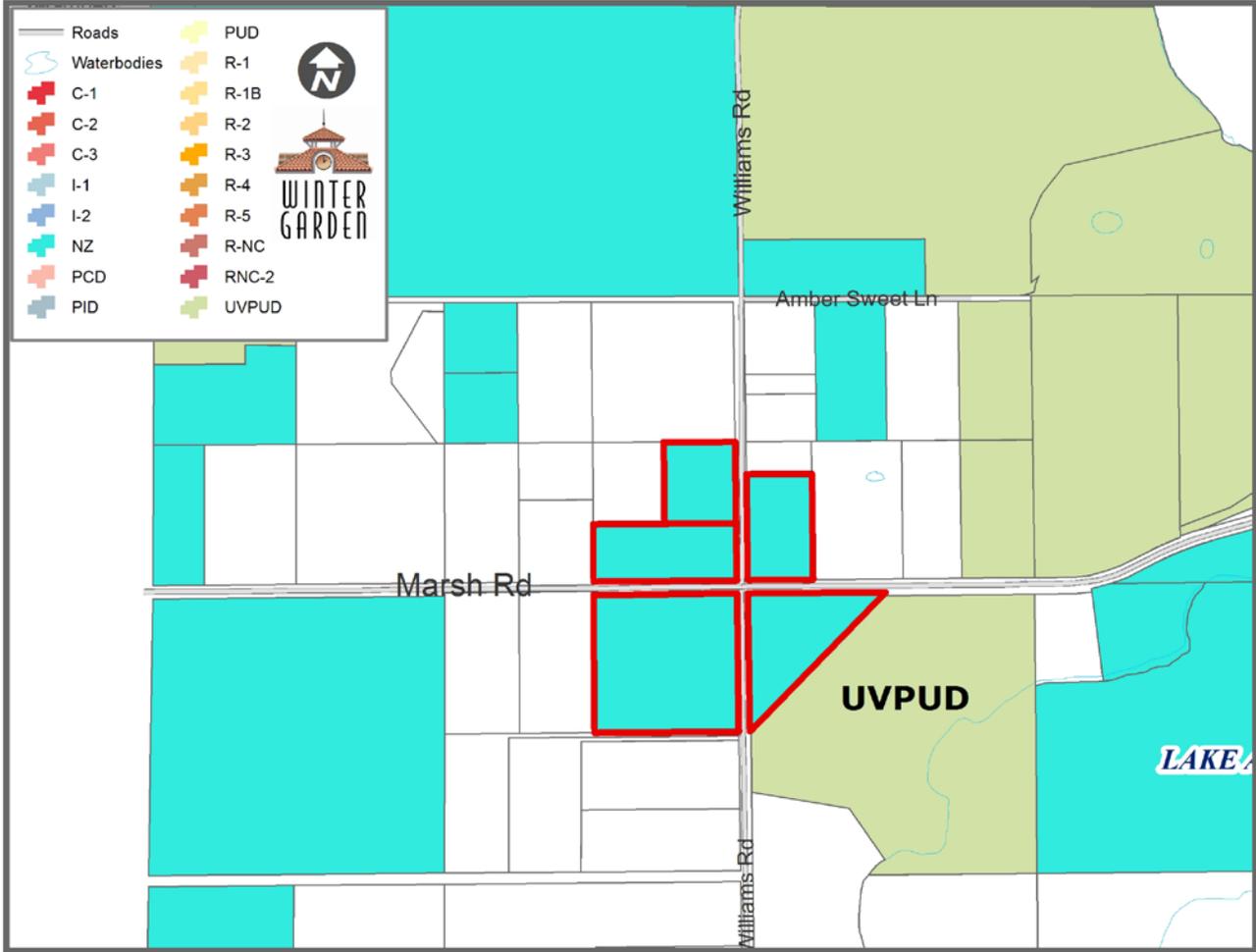
the area.

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.

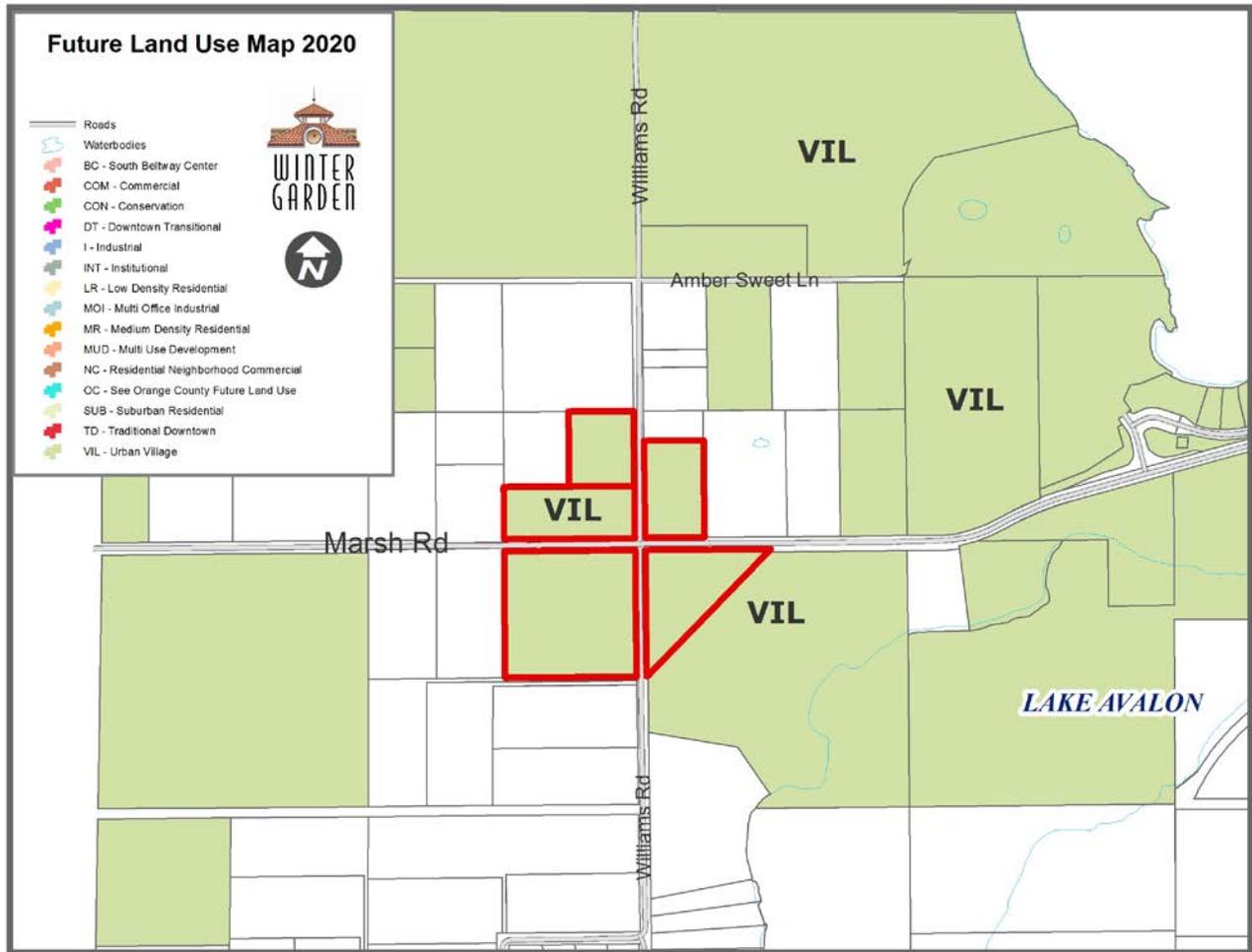
AERIAL PHOTO
17500 Marsh Road



ZONING MAP
17500 Marsh Road



FUTURE LAND USE MAP
17500 Marsh Road



END OF STAFF REPORT

THE CITY OF WINTER GARDEN
CITY COMMISSION AGENDA ITEM

From: Laura Zielonka via Michael Bollhoefer, City Manager

Date: January 16, 2015

Meeting Date: January 22, 2015

Subject: **Ordinance 15-11**

Issue: Impact fees are put in place to ensure that the current tax payers will not be responsible for additional capital costs required as a result of new development. Impact fees are charged to new residential and commercial development in order to fund those costs necessitated by new growth.

The current impact fees for police protection, fire protection, and recreation were adopted in 2004 pursuant to Ordinance No 04-17. Since the implementation of these fees 10 years ago, several aspects of the City have changed, including the capital requirements needed to maintain excellent levels of service. The City's consultant, PRMG recently conducted a municipal services impact fee study. Based on their analysis and findings, PRMG recommends that the impact fees be adjusted in order to meet the City's capital requirement for the services to serve new development.

This ordinance amends the current municipal impact fees to ensure that the new development provides the adequate funding to purchase necessary capital and not put the burden on the current tax payers of the City.

Recommended action: Staff recommends adoption of Ordinance 15-11.

Attachments/References: Ordinance 15-11
Municipal Impact Fee Study

ORDINANCE NO. 15-11

AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING DIVISIONS 3, 4 AND 5 OF ARTICLE II, CHAPTER 42 OF THE CITY OF WINTER GARDEN CODE OF ORDINANCES; PROVIDING FOR INCREASED IMPACT FEES FOR POLICE PROTECTION, FIRE AND RESCUE AND RECREATION IMPACT FEES; PROVIDING FOR SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, the City of Winter Garden (“City”) has established impact fees for police protection, fire and rescue and recreation as set forth in Chapter 42, Article II, Divisions 3, 4 and 5 of the City of Winter Garden Code of Ordinance; and

WHEREAS, the City’s consultant PRMG recently conducted a municipal services impact fee study and based on their analysis and findings recommended that the police protection, fire and rescue and recreation impact fees should be adjusted as set forth in this Ordinance; and

WHEREAS, the City accepts the findings and recommendations of said municipal services impact fee study and desires to adjust said impact fees accordingly; and

WHEREAS, the impact fees imposed herein are based upon the most recent and localized data available; and

WHEREAS, the original need, intent and purpose for the enactment of the police protection, fire and rescue and recreation impact fees still exists and are in the best interest of the health, safety and welfare of the citizens of the City.

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

Section I. **Recitals.** The above recitals are true and correct and constitute legislative findings of the City Commission.

Section II. **Recreation Impact Fee Amendment.** Section 42-100(a) of Chapter 42, Article II, Division 3, of the City of Winter Garden Code of Ordinances is hereby amended change the recreational impact fee schedule as follows (words that are ~~stricken out~~ are deletions; words that are underlined are additions; sections and provisions not included are not being amended):

(a) The recreation impact fee is hereby charged to each applicant by the city and shall be due and payable at the time of issuance of a building permit for the construction of any structure to be used for a residential use, and shall be determined in accordance with the following schedule:

	Structure	As of <u>3/1/2015</u> 8/1/2004	As of 11/1/2004
(1)	Single-family, per unit	\$495.50 <u>\$1,300.00</u>	\$671.00
(2)	Multi-family, per unit	441.50 <u>\$1,159.00</u>	598.00
(3)	Mobile home	333.00 <u>\$874.00</u>	451.00

Section III. Police Impact Fee Amendment. Section 42-145(a) of Chapter 42, Article II, Division 4, of the City of Winter Garden Code of Ordinances is hereby amended change the police impact fee schedule as follows (words that are ~~stricken out~~ are deletions; words that are underlined are additions; sections and provisions not included are not being amended):

(a) The following police impact fees are hereby charged to each applicant by the city and shall be due and payable at the time of issuance of a building permit for the construction of any structure to be used for a residential or nonresidential use, and shall be determined in accordance with the following schedule:

	Structure	As of <u>3/1/2015</u> 8/1/2004	As of 11/1/2004
(1)	Residential, per residential dwelling unit	\$195.00 <u>\$339.00</u>	\$260.00
(2)	Nonresidential, per square foot	0.35 <u>\$0.65</u>	0.50

Section IV. Fire Impact Fee Amendment. Section 42-185(a) of Chapter 42, Article II, Division 5, of the City of Winter Garden Code of Ordinances is hereby amended change the fire impact fee schedule as follows (words that are ~~stricken out~~ are deletions; words that are underlined are additions; sections and provisions not included are not being amended):

(a) The following fire impact fees are hereby charged to the applicant by the city and shall be due and payable at the time of issuance of a building permit for the construction of any structure to be used for a residential or nonresidential use in each district and shall be determined in accordance with the following schedule:

	Structure	As of <u>3/1/2015</u> 8/1/2004	As of 11/1/2004
(1)	Residential, per residential dwelling unit	\$252.50 <u>\$491.00</u>	\$340.00
(2)	Nonresidential, per square foot	0.35 <u>\$0.85</u>	0.64

Section V. Severability. In the event of a conflict or conflicts between this Ordinance and other ordinances, this Ordinance controls to the extent of the conflict.

Section VI. Codification. Sections II, III and IV of this Ordinance shall be codified and made a part of the City of Winter Garden Code of Ordinances; that the Sections and exhibits of this Ordinance may be renumbered or relettered to accomplish such intention, if adopted; the word “Ordinance” may be changed to “Section”, “Article”, or other appropriate word.

Section VII. Effective Date. After adoption this Ordinance shall become effective on **March 1, 2015.**

FIRST READING AND PUBLIC HEARING:

DECEMBER 11, 2014.

SECOND READING, PUBLIC HEARING AND ADOPTION:

JANUARY 8, 2015.

APPROVED:

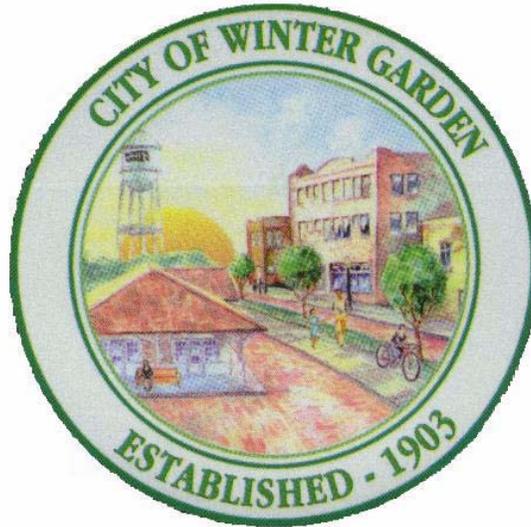
CITY OF WINTER GARDEN

ATTESTED:

JOHN REES, Mayor/Commissioner

KATHY GOLDEN, City Clerk

CITY OF WINTER GARDEN, FLORIDA



MUNICIPAL IMPACT FEE STUDY

-DRAFT 1-

October 2014



Public Resources Management Group, Inc.
Utility, Rate, Financial and Management Consultants



October 24, 2014

PRMG #1075-16

Honorable Mayor and Members of the
City Commission
City of Winter Garden
300 West Plant Street
Winter Garden, FL 34787

Subject: **Municipal Services Impact Fee Study**

Ladies and Gentlemen:

We have completed our study of Municipal Impact Fees for police services, fire and rescue services, and recreation services for the City of Winter Garden (the "City") and have summarized the results of our analysis, assumptions, and conclusions in this report, which is submitted for your consideration. This report summarizes the basis for the proposed impact fees for the municipal services in order to provide funds to meet the City's capital expenditure requirements for such services required to serve new development.

During the course of the study, it was determined that the proposed impact fees should meet a number of goals and objectives. These goals and objectives dealt primarily with fee sufficiency and level. Specifically, the major objectives considered in this study included:

- The Impact Fees should be sufficient to fund the projected capital requirements associated with providing service to new development;
- The Impact Fees should not be used to fund level of service deficiencies related to capital needs of the City, if any; and
- The Impact Fees should be based upon reasonable level of service standards established by the City and are similar to industry standards.

The proposed Municipal Services Impact Fees presented in this report should meet the above goals and objectives as identified by the City. As such, based on information provided by the City and the assumptions and considerations reflected in this report, Public Resources Management Group, Inc. considers the proposed fees to be cost-based, reasonable, and representative of the capital funding requirements necessary to provide capacity to serve new development.

Honorable Mayor and Members of the
City Commission
October 24, 2014
Page 2

We appreciate the cooperation and assistance given to us by the City and its staff in the completion of the study.

Very truly yours,

Public Resources Management Group, Inc.

Henry L. Thomas
Vice President

Shawn A. Ocasio
Senior Rate Analyst

HLT/sao

CITY OF WINTER GARDEN, FLORIDA
MUNICIPAL SERVICES IMPACT FEE STUDY

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CITY OF WINTER GARDEN, FLORIDA
MUNICIPAL SERVICES IMPACT FEE STUDY

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CITY OF WINTER GARDEN, FLORIDA
MUNICIPAL SERVICES IMPACT FEE STUDY

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**EXECUTIVE SUMMARY
AND
RECOMMENDATIONS**

**CITY OF WINTER GARDEN, FLORIDA
MUNICIPAL SERVICES IMPACT FEE REPORT**

EXECUTIVE SUMMARY AND RECOMMENDATIONS

EXECUTIVE SUMMARY

The purpose of an impact fee is to assign, to the extent practical, growth-related capital costs to new development responsible for such costs. To the extent population growth and associated development requires capital costs to provide municipal services, equity and modern capital funding practices suggest the assignment of such cost to those new residents or commercial development responsible for such costs. The City of Winter Garden (the "City") has recognized this capital funding strategy as being an appropriate method of funding the growth-related capital requirements of the City. The City has, in the past, adopted impact fees for the following municipal services:

- Police Protection Services;
- Fire Rescue Services; and
- Recreation Services.

This report addresses the municipal services associated with police protection, fire protection, and recreational services (collectively, the "Municipal Services Impact Fees"). The current impact fees for police protection, fire protection, and recreation were adopted pursuant to Ordinance No. 04-17 by the City Commission on August 12, 2004. Since the implementation of these fees, several aspects of the City have changed, including changes in capital needs required to maintain such levels of service. As a result of these changes and the fact that the fees have not been evaluated in several years, the City retained Public Resources Management Group, Inc. (PRMG) to review and develop proposed fees, as appropriate.

Based on the subsequent discussions in this section, the following table summarizes the City's existing and proposed impact fees for the single-family residential classification as follows:

Proposed Residential Impact Fees		
	<u>Existing</u>	<u>Proposed</u>
Police Protection	\$260	\$339
Fire and Rescue	340	491
Recreation	671	1,300
Total	<u>\$1,271</u>	<u>\$2,130</u>

The existing and proposed fees shown above for recreation services are only charged to residential properties, while fees for police and fire rescue services are also charged to non-residential properties. The non-residential fees are based on the estimated level of service requirements for each new property. A detailed discussion on impact fees for both residential and non-residential properties is provided for in subsequent sections of this study report.

The following is a summary of the findings and conclusions developed during our investigation, analyses, and preparation of the report.

1. The existing Municipal Services Impact Fees were made effective by the City approximately ten years ago. The police and fire fees are currently applied to two distinct customer classes: i) residential; and ii) non-residential (e.g., commercial and industrial). The following is a summary of the currently effective Municipal Services Impact Fees:

Municipal Service Impact Fee	Adopting Ordinance		Residential (per dwelling unit) [*]	Non-Residential (per sq. ft.)
	No.	Adoption Date		
Police Protection	04-17	8/12/04	\$260.00	\$0.50
Fire Protection/EMS Services	04-17	8/12/04	340.00	0.61
Recreation	04-17	8/12/04	<u>671.00</u>	<u>N/A</u>
Total			<u>\$1,271.00</u>	<u>\$1.11</u>

[*] Amounts shown reflect single-family residential units only.
N/A – Fees not applicable for this municipal service.

2. The police and fire impact fees are charged to both residential and non-residential properties. The current application methodology applies the fees per dwelling unit for the residential class and per square feet for the non-residential classes (referred to in this report as the Equivalent Impact Fee Units). The recreation impact fee is charged to residential properties only, because the benefit is generally ascribed only to residents. The current application of the recreation impact fee is based on the type of dwelling unit (single family, multi-family or mobile home) and the average number of persons per household for these housing types. The utilization of these units for the application of police, fire and recreation fees is common and is used to some degree by all local governments surveyed. No changes to this application method are proposed for the police, fire and recreation fees.
3. The permanent residential population of the City is based on estimates developed using Census data and growth estimates provided by City staff and is estimated at 37,172 in 2013 and projected to be approximately 48,000 by 2030 (or “Build-Out”), for an average annual growth rate of 1.52%. The estimated total number of households is expected to increase from 14,635 (based on 2.54 persons per household based on today’s population) to 18,898 for a net gain of 4,263 households during the forecast period from 2013 through 2030.
4. Based on discussions with the City it has been estimated that an additional 1,245,332 square feet of non-residential development will be constructed during the forecast period reflected in this study.
5. The level of service standard used for the development of the police services impact fee is the number of full-time officers per 1,000 of population. This standard is commonly used in the establishment of police services impact fees and, for the City, the target level is 2.00 full time officers per 1,000 residents. This standard is generally consistent with the standards referenced in published state and national guidelines (e.g., Florida Department of Law Enforcement), and is comparable to staffing level ratios for other Florida

communities. The actual level of service being provided today is 2.02 full-time officers per 1,000 population based on current population estimates and police department staffing. Based on the costs attributable to growth as outlined in Section 3, the proposed impact fees for this function are as follows:

	Police Protection Services Impact Fee [*]	
	Residential (unit)	Non-residential (sq. ft.)
Proposed Fee	<u>\$339.00</u>	<u>\$0.65</u>

[*] Derived from Table 3-6 of report.

- The level of service standard used for the development of the fire protection services impact fee is the maintenance of first response time of six (6) minutes or less per fire and rescue alarm. The capital costs included in the fee were recognized in order to maintain this response standard and were predicated on discussions with the City and facilities required to maintain this standard. In staffing the required facilities and corresponding equipment the response standard can be calculated recognizing the number of full-time firefighters relative to the service population. Our analysis recognizes a standard of approximately 1.53 full-time firefighters per 1,000 people which is comparable to the service requirements delineated by the National Fire Protection Association. Based on the costs attributable to growth as outlined in Section 4, the proposed impact fees for this function are as follows:

	Fire Rescue Services Impact Fee [*]	
	Residential (unit)	Non-residential (sq. ft.)
Proposed Fee	<u>\$491.00</u>	<u>\$0.85</u>

[*] Derived from Table 4-6 in this report.

- Municipalities typically adopt recreation facilities standards for recreation planning purposes as part of the comprehensive planning process. These standards deal with the types of recreation facilities the City provides for its residents. Typically such standards include a factor related to the land area established for parks and recreation. The City's adopted level of service related to land area is currently 5.0 acres per 1,000 population. The recreation services impact fee proposed herein was predicated on the cost of parkland, facilities, and activities (ball fields, basketball courts, picnic facilities, etc.) required to meet the recreational standards as adopted by the City. These standards and their costs are outlined in Section 5 of this report. Based on the expected costs of these facilities and activities, and the population of the City for which they serve, the following summarizes the proposed recreational impact fees for the recognized housing types:

Recreation Services Impact Fee [*]	
Residence Type	Proposed Fee
Single-Family	\$1,300.00
Multi-Family	\$1,159.00
Mobile Home	\$874.00

[*] Derived from Table 5-7 in this report.

8. The change in impact fee levels from the existing rates to the proposed fees for the residential classification is shown below:

Municipal Services Impact Fee	Residential (per dwelling)			
	Existing	Proposed	Difference	Percent Increase
Police Protection	\$260.00	\$339.00	\$79.00	30.38%
Fire Rescue	340.00	491.00	151.00	44.41%
Recreation	<u>671.00</u>	<u>1,300.00</u>	<u>629.00</u>	<u>93.74%</u>
Total	<u>\$1,271.00</u>	<u>\$2,130.00</u>	<u>\$859.00</u>	<u>67.58%</u>

9. The change in impact fee levels from the existing fees to the proposed fees for the non-residential classification is shown below:

	Non-residential (per square foot)			
	Existing	Proposed	Difference	Percent
Police Protection	\$0.50	\$0.65	\$0.15	30.00%
Fire Rescue	0.61	0.85	0.24	39.34%
Recreation	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
Total	<u>\$1.11</u>	<u>\$1.50</u>	<u>\$0.39</u>	<u>35.14%</u>

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INTRODUCTION

SECTION 1
INTRODUCTION

1.1 INTRODUCTION

The City of Winter Garden (the "City") is located in the western portion of Orange County (the "County") on the southern shores of Lake Apopka and encompasses approximately 17 square miles. The municipal services addressed in this impact fee study include police protection services and fire rescue services, and parks and recreational services. Based on the published Census in 2010, the City's permanent population was 34,568. Based on historical growth trends and discussions with the City, the current estimated population is 37,172 as of 2013. It is anticipated that the City will have additional growth over the next 15+ years with the City's population reaching 48,000 with approximately 18,898 housing units by 2030 (the "Forecast Period"). In addition to housing, the City anticipates commercial development to continue in order to support the additional residents. In order to meet this anticipated growth and development and to maintain current levels of service, the City will be required to fund capital improvements to serve such development.

1.2 AUTHORIZATION

PRMG was authorized by the City to evaluate and develop police protection services, fire rescue services, and recreational services impact fees pursuant to a letter agreement between the City and PRMG. The scope of work for this project, as defined in the letter agreement, was to:

1. For each service, review and analyze the capital requirements of the City that are needed to meet the level of service standards for the municipal function. This analysis includes a review of: i) the existing and future capital facility and equipment inventory of each specific municipal function; ii) service area population and development demographics and estimated future needs; and iii) the types of services provided by class of customers.
2. Where appropriate, develop a fee to be charged to new development in order to recover the capital costs associated with providing municipal services. This analysis includes the apportionment of costs among customer classifications, and the development of a fee per equivalent billing unit.
3. Develop a comparison of the impact fees and associated billing attributes for similar charges imposed by other neighboring jurisdictions.
4. Prepare a report that documents our analyses, assumptions, and conclusions for consideration by the City Manager and City Council.

1.3 CRITERIA FOR IMPACT FEES

The purpose of an impact fee is to assign, to the extent practical, growth-related capital costs to the new development that benefits from the capital facilities and related expenditures. To the extent new population growth and associated development imposes identifiable capital costs related to municipal services, equity and modern capital funding practices suggest the assignment of such costs to those new residents or commercial development responsible for such costs rather than the existing population base. Generally, this practice has been labeled as "growth paying its own way."

Within the State of Florida, a recently adopted statute authorizes the use of impact fees. The statute was generally developed based on case law before the Florida courts and broad grants of power including the home rule power of Florida counties and municipalities. Section 163.31801 of the Florida Statutes was created on June 14, 2006, and amended in 2009 and 2011. This section is referred to as the "Florida Impact Fee Act." Within this section, the Legislature finds that impact fees are an important source of revenue for local government to use in funding the infrastructure necessitated by new growth. Section 163.31801 of the Florida Statutes, as amended, further provides that an impact fee adopted by ordinance of a county or municipality or by resolution of a special district must, at a minimum:

1. Require that the calculation of the impact fee be based on the most recent and localized data;
2. Provide for accounting and reporting of impact fee revenues and expenditures in a separate accounting fund;
3. Limit administrative charges for the collection of impact fees to actual costs;
4. Require that notice be provided no less than ninety (90) days before the effective date of an ordinance or resolution imposing a new or increased impact fee; and
5. Requires an affidavit addressed to the Auditor General that the utility has complied with this statute.

This section is further reinforced through existing Florida case law and the Municipal Home Rule Powers Act that grants Florida municipalities the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal services, as limited by legislation or as prohibited by state constitution or general law. Florida courts have ruled that the Municipal Home Rule Powers Act grants the requisite power and authority to establish valid impact fees. The authority for Florida governments to implement valid system impact fees is further granted in the Florida Growth Management Act of 1985^[1].

[1] The Act allows for impact fees under land use regulation by stating:

"This section shall be construed to encourage the use of innovative land development regulations which include provisions such as the transfer of development right, incentive and inclusionary zoning, planned-unit development, impact fees, and performance zoning."—Florida Statutes, Sec. 163.3202(3).

The initial precedent for impact fees in Florida was set in the Florida Supreme Court decision, *Contractors and Builders Association of Pinellas Authority v. The City of Dunedin, Florida*. In this case, the Court's ruling found that an equitable cost recovery mechanism, such as impact fees, could be levied for a specific purpose by a Florida municipality as a capital charge for services. An impact fee should not be considered as a special assessment or an additional tax. A special assessment is predicated upon an estimated increase in property value as a result of an improvement being constructed in the vicinity of the property. Alternatively, impact fees are not related to the value of the improvement to the property, but rather to the property's use of the public facility and the capital cost thereof.

Until property is put to use and developed, there is no burden upon servicing facilities and the land use may be entirely unrelated to the value or assessment basis of the underlying land. Impact fees are distinguishable from taxes primarily in the direct relationship between the amount charged and the measurable quantity of public facilities or service capacity required. In the case of taxation, there is no requirement that the payment be in proportion to the quantity of public services consumed since tax revenue can be expended for any legitimate public purpose.

Based on Section 163.31801 of the Florida Statutes and existing Florida case law, certain conditions are required to develop a valid impact fee. Generally, it is our understanding that these conditions involve the following issues:

1. The impact fee must meet the "dual rational nexus" test. First, impact fees are valid when a reasonable impact or rationale exists between the anticipated need for additional capital facilities and the growth in population. Second, impact fees are valid when a reasonable association, or rational nexus, exists between the expenditure of the impact fee proceeds and the benefits accruing to the new development from those proceeds.
2. The system of fees and charges should be set up so that there is not an intentional windfall to existing users.
3. The impact fee should only cover the capital cost of construction and related costs thereto (engineering, legal, financing, administrative, etc.) for capacity expansions or other additional capital requirements that are required to serve growth. Therefore, expenses due to rehabilitation or replacement of a facility serving existing customers (e.g., replacement of a capital asset) or an increase in the level of service should be borne by all users of the facility (i.e., existing and future users). Likewise, increased expenses due to operation and maintenance of that facility should be borne by all users of the facility.
4. The City should maintain an impact fee resolution that explicitly restricts the use of impact fees collected. Therefore, impact fee revenue should be set aside in a separate account, and separate accounting must be made for those funds to ensure that they are used only for the lawful purposes described above.

Based on the criteria above, impact fees which will be developed in subsequent sections herein:
i) will include only the cost of the capital facilities necessary to serve new customer growth;

ii) will not reflect renewal and replacement costs associated with capital assets that serve existing users; and iii) will not include any costs of operation and maintenance of the facilities.

1.4 IMPACT FEE METHODS

There are several different methods for the calculation of an impact fee. The calculation is dependent on the type of fee being calculated (e.g., water, police services, recreational services, transportation, etc.), cost and engineering data available, and the availability of other local data such as household and population projections, current levels of service, and other related items. The proposed Municipal Services Impact Fees reflected in this report are predominately based on two separate methods. These two methods are: i) the improvements-driven method; and ii) the standards-driven approach. Both methods have been utilized in the development of impact fees for local governments in Florida.

The improvements-driven method is an approach that utilizes a specific list of planned capital improvements over a period of time. For example, the fee may correspond to the level of capital improvements that have been identified in the capital improvements element of the Comprehensive Plan or capital improvement budget of the local government. The standards-driven method does not utilize the cost of improvements based on specific capital budget needs but rather on the theoretical cost of the improvements to the City's capital facilities for incremental development. For example, the standards-driven method for a transportation impact fee would consider the theoretical cost of a mile of a new road by the trip capacity of a mile of road to establish the cost per trip. The primary difference between the two methodologies is how the capital costs, which must be recovered from the application of the fee, are calculated.

Both methodologies have their advantages and disadvantages. The advantages associated with the improvements-driven method include the following:

- i. Based solely on budgeted capital improvements, thus providing a cost based relationship between the level of fee and need.
- ii. The use of fees can be shown to be attributable to growth based on the capital improvement plan utilized in the analysis as opposed to capital deficiencies in the system.

There are several disadvantages associated with the improvements-driven method. Some of the disadvantages include the following:

- i. Fee may be based on an intermediate range forecast of capital improvements (e.g., five years) which may not reflect the true level of needs since major capital improvements may be beyond the time frame of the capital forecast.
- ii. The fee does not take into account unused capacity at existing facilities which should be allocated to the new users of the facilities.

- iii. The forecast of capital improvements required for new development is still an estimate of cost and is subject to revisions and updates.
- iv. It may be difficult to apportion the cost of specific improvements among present deficiencies, growth, and excess capacity.

With respect to the standards-driven method of determining impact fees, there also exist certain advantages and disadvantages. The advantages include the following:

- i. Fee is based on a defined level of service and type of facility, and it may be easier to determine the standard cost of the capital facilities associated with such level.
- ii. Provides governments with more flexibility in the use of the collected fees in that they can identify future capital needs in advance of establishing the specific capital budget.
- iii. The development of the fee does not require a detailed projection of future capital improvements and associated costs.

There are also disadvantages associated with the standards-driven method. The disadvantages include:

- i. The capital costs for the impact fee are not associated with anticipated or current capital needs as identified by the City's capital budget, thus increasing the potential of not providing a clear relationship between the fee and its use.
- ii. The development of the standard cost for capital facilities is based primarily on engineering, planning, and financial judgment, although this may be somewhat mitigated by the level of service standards included in the Comprehensive Planning Process.

The proposed impact fees herein for the municipal services are primarily based on the application of the improvement-driven method based on the capital facilities required to provide services and meet the City's service level standards. A more complete discussion of the methods used for the determination of the impact fees is presented in Sections 3 through 5.

1.5 SUMMARY OF REPORT

In addition to Section 1, this report has been subdivided into four (4) other sections. The following is a brief discussion of the remaining sections included in this report.

Section 2 - *Existing Impact Fees and Service Area.* This section of the report provides a general discussion of the residential and non-residential land use characteristics. Also presented in this section is the forecast of the residential dwelling units and non-residential development, which is necessary in the design of the impact fees for the municipal services.

- Section 3 - *Police Protection Services Impact Fee.* Included in this section is a discussion of the development of the proposed impact fee for police services. Included in this section is a discussion of the capital requirements associated with providing police services, the methodology for the determination of the proposed fees, assumptions utilized in the design of the fees, and other factors associated with the fee determination.
- Section 4 - *Fire Rescue Services Impact Fee.* This section provides a discussion of the development of the proposed impact fee for fire protection services. Included in this section is a discussion of the capital requirements associated with providing fire protection services, the methodology for the determination of the proposed fees, assumptions utilized in the design of the fees, and other factors associated with the fee determination.
- Section 5 - *Recreation Impact Fee.* Included in this section is a discussion of the development of the recreation impact fee. It includes a discussion on the capital requirements associated with providing parks and recreation facilities to the City's residents, the methodology for the determination of the proposed fees, assumptions utilized in the design of the fees, and other factors associated with the fee determination.

1.6 ACKNOWLEDGMENTS

This report was prepared with the cooperation and assistance of the staff of the City of Winter Garden.



EXISTING IMPACT FEES AND SERVICE AREA

SECTION 2
EXISTING IMPACT FEES AND SERVICE AREA

2.1 GENERAL

This section provides a general discussion on the fees that are currently in effect and on the current service area, including population and housing statistics and other demographic information related to land use. Additionally, a discussion of the anticipated growth in population and associated growth in residential dwelling units and non-residential development is also contained in this section.

2.2 EXISTING FEES

The City adopted the Municipal Services Impact Fees that are currently in effect by ordinance. Each ordinance provides, among other things, for the intent and purpose of each fee, time of payment and fees to be charged, impact fee reductions for offsetting contributions, and certain other provisions. A brief discussion of the respective ordinances is presented below:

1. Police Protection Service: The City adopted the current police impact fees pursuant to the passage of Ordinance No. 04-17, Division 4, Sec. 42-141, (the "Police Impact Fee Ordinance") on August 12, 2004 which then became effective on November 1, 2004. The current police impact fees have been in effect for almost ten years. The Police Impact Fee Ordinance recognizes two classes of service (development or land use) which includes residential and non-residential. As defined in the Police Impact Fee Ordinance, a residential structure shall mean each single-family dwelling unit and each dwelling unit of a condominium, duplex, triplex, mobile home, modular housing, manufactured home, apartment or multiple dwelling structure designated as a separate housing unit for one or more persons, whether temporarily or permanently utilized or designed or intended to be utilized for human habitation.

With respect to non-residential structures, this includes any building which fully encloses space for the occupancy by persons or their activities other than residential dwellings including, but not limited to, professional buildings, commercial buildings, industrial buildings, warehouse, public assembly buildings or institutional buildings except for churches, public schools, and governmental buildings.

The current police impact fees for each class of service are summarized below:

	<u>Police Impact Fee</u>
Residential	\$260.00 per residential unit
Non-Residential	\$0.50 per square foot

The fees are uniformly applied to all new development occurring within the City (no separate fees by "service zone"). The fees are due prior to the issuance of a building permit or for the construction of any other structure to be used for a residential or non-residential use.

2. Fire Protection Service: The City adopted the current fire impact fees pursuant to the passage of Ordinance No. 04-17, Division 5, Sec. 42-181, (the "Fire Impact Fee Ordinance") on August 12, 2004 which then became effective on November 1, 2004. The current fire impact fees have been in effect for almost ten years. The existing Fire Impact Fee Ordinance is consistent with provisions of the Police Ordinance regarding: i) definition and associated classes of services for fee application; ii) rate structure (charge per equivalent unit); and iii) payment of impact fees. The fire impact fees for each class of service are summarized below:

	Fire Impact Fee
Residential	\$340.00 per residential dwelling unit
Non-Residential	\$0.61 per square foot

3. Recreation: The City adopted the current recreation impact fees pursuant to the passage of Ordinance No. 04-17, Division 3, Sec. 42-96, (the "Recreation Impact Fee Ordinance") on August 12, 2004 which then became effective on November 1, 2004. The recreation impact fees have also been in effect for almost ten years. Except for the applicability of the fee, all provisions regarding the payment of the fees, applicable rate structure, and use of the fees are consistent with the provisions contained in the Police and Fire Ordinances. Since recreational services typically only benefit the residential class, there is no fee charged to non-residential structures or development. Furthermore, this fee is further differentiated by type of residence since it directly relates to serving City residents and different types of dwelling units, on average, have a different number of persons per household (e.g. multi-family and mobile home dwelling units typically have smaller household sizes than single family dwelling units). The current fees for recreation services applied to new development are summarized below:

	Recreation Impact Fee
Single-Family	\$671.00 per residential dwelling unit
Multi-Family	\$598.00 per residential dwelling unit
Mobile Home	\$451.00 per residential dwelling unit

2.3 POPULATION AND DEVELOPMENT FORECAST

To develop the Municipal Services Impact Fees, a forecast of the population of the City was developed in order to: i) have an appropriate planning horizon to ensure that capital improvement needs and costs are apportioned over a suitable growth segment; ii) link level of service requirements to the capital facility plan; and iii) identify any deficiencies in existing capital facilities related to the level of service standards and current population served.

As shown on the following table, the estimated total population as of 2013 is 37,172. Based on information provided by the City, it is estimated that the total population will exceed 41,000 residents by the year 2020, growing to approximately 48,000 by Build-Out. Thus, the population growth anticipated by the City is expected to be approximately 1.52% on an average annual basis through Build-Out.

**Table 2-1
Population and Residential Dwelling Unit Projections [1]**

Year	Total Population	Total Dwelling Units
2000	14,351	5,861
2010	34,568	13,260
2013	37,172	14,635
2015	38,307	15,081
2020	41,298	16,259
Build-Out	48,000	18,898

[1] Amounts based on the Census estimates and discussions with the City.

[2] Dwelling Units based upon an estimate of 2.54 persons per household provided by the City.

Based on the assumption of continued development and discussions with the City the following estimates of anticipated non-residential development were used for the purposes of this report:

**Table 2-2
Estimated Commercial Development (sq. ft.) [1]**

Estimated Net Change in Building Space (sq. ft.)	
2013 – 2030 (Build-Out)	1,245,332

[1] Estimated of net change in building space based on discussions with the City.

To the extent the projections materially change in the future development of the City or in relation to the type of developments, or if the City is able to receive additional data regarding the non-residential development characteristics within the City, then it would be beneficial for the City to re-evaluate the impact fees developed in this report. This is one reason why it is prudent for the City to review the level of impact fees periodically.

Section 2
City of Winter Garden
Municipal Impact Fee Study

List of Tables

Table	Description
2-1	Population Detail and Housing Elements

Table 2-1
City of Winter Garden
Municipal Impact Fee Study

Population Detail and Housing Elements [1]

Line No.	Fiscal Year	Annual Average Rate	Total Population	Total Units	Avg. Pop. per Unit
1	2000		14,351	5,861	2.45
2	2010	9.19%	34,568	13,260	2.61
3	2013	2.45%	37,172	14,635	2.54
4	2015	1.52%	38,307	15,081	2.54
5	2020	1.52%	41,298	16,259	2.54
6	Build-Out	1.52%	48,000	18,898	2.54

Footnotes

- [1] Based on the 2000 and 2010 U.S. Censuses and estimates for 2013 as obtained from the Bureau of Economic and Business Research.



**POLICE PROTECTION
SERVICES
IMPACT FEE**

SECTION 3
POLICE PROTECTION SERVICES IMPACT FEE

3.1 GENERAL

This section provides a discussion of the development and design of the impact fee for police protection services. Included in this section is a discussion of the level of service requirements, capital costs included in the fee determination, and the design of the impact fee for police services to be applied to new development within the City.

3.2 LEVEL OF SERVICE REQUIREMENTS

In the evaluation of the capital facility needs for providing municipal services such as police protection, a level of service (LOS) standard should be developed. Pursuant to Section 163.3164, Florida Statutes, the "level of service" means an indicator of the extent or degrees of service provided by, or proposed to be provided by a facility based on and related to the operational characteristics of the facility. Level of service shall indicate the capacity per unit of demand for each public facility or service. Essentially, the level of service standards are established in order to ensure that adequate facility capacity will be provided for future development and for purposes of issuing development orders or permits, pursuant to Section 163.3202(2)(g) of the Florida Statutes. As further stated in the Administrative Code, each local government shall establish a LOS standard for each public facility located within the boundary for which such local government has authority to issue development orders or permits.

In developing the level of service standard for police protection services, the number of police officers and attendant equipment, base facilities and vehicle costs are typically predicated on a population standard. Specifically, the general standard used in the development of the capital costs for police protection services is the number of police officers required to service each population increment of 1,000 people. This standard is commonly used by such entities, as the Federal Bureau of Investigation, Department of Justice, the Florida Department of Law Enforcement and other public agencies in resource planning and development of staffing needs. Based on information provided by the City's Police Department, there currently are 75 full-time sworn officers to serve an estimated 2013 population of 37,172 permanent residents resulting in a current level of service 2.02 full-time sworn officers per 1,000 population served. Based on information provided by the Police Department, the targeted level of service is 2.00 officers per 1,000 population, and this standard is considered a reasonable LOS for police services when compared to similar sized cities in the southern United States. Therefore, based on current staffing levels, there is no deficiency relative to the target LOS. The City's targeted level of service is comparable with police staffing averages as follows:

- The Federal Bureau of Investigation, U.S. Department of Justice, Uniform Crime Report that indicated an average achieved standard of 2.4 police officers and 1 support personnel per 1,000 inhabitants for population areas in the Southern United States.

- The Florida Department of Law Enforcement recognizes a state average of 2.35 officers and 0.8 support personnel per 1,000 population.

Each full time sworn officer requires a complement of personnel equipment, vehicles and other capital equipment and base facilities, as follows:

Personnel Equipment:

- Each sworn officer must be equipped with uniforms, weapons, and other relevant personal equipment to perform his/her duties. A few of the basic issue items include:
 1. Service weapon;
 2. Ballistic (protective) vest;
 3. Handcuffs and baton;
 4. Taser; and
 5. Portable radio.

Vehicles and Other Equipment:

- The department maintains a fleet of patrol and administrative vehicles to provide police protection services to the City. Generally, each vehicle must be equipped with communications, detection/surveillance, and defense equipment. Other essential equipment includes radar units, crime prevention trailer, generators, and special weapons. The cost of vehicles and equipment needs have been included in the impact fee calculation.

Base Facilities:

- The City's existing police headquarters currently accommodates the City's 75 officers and 17 supporting civilian and administrative staff members. The existing facility will be rehabilitated and upgraded in order to accommodate new patrol officers over the forecast period. These upgrades will allow the expanded facility to be able to further service new future growth.

As discussed above, the City has made existing investments in police protection services, and plans to make future investments that will serve new development. Tables 3-2 and 3-3 at the end of this section provide a listing of the existing and planned equipment, vehicles, and facilities, respectively. Before consideration of grant revenues, the combined capital investment totals approximately \$7.9 million as shown in Table 3-5.

3.3 RESOURCE NEEDS ANALYSIS

Currently, the Police Department's level of service standard requires seventy-four (74) full-time patrol officers. Based on the assumed level of service standard (2.0 officers per 1,000 population) and population projections for the City, it is anticipated that the City will need a police force of 96 sworn full-time patrol officers to provide police protection services by 2030. This represents an increase of twenty-two (22) patrol officers over the existing staffing level as shown below:

Personnel Description	Number of Employees	
	Current LOS	Anticipated [*]
Full-Time Patrol Officers	74	96

[*] Derived from Table 3-5. Personnel assumed at a population of 48,000 based on a level of service of 2.0 full-time patrol officers per 1,000 population.

The proposed impact fees are based on the direct capital cost to equip and provide vehicles, headquarters, and other equipment costs for a full-time patrol officer. In the development of the capital cost required to serve new development, cost parameters were recognized as shown in Table 3-5. The parameters include the costs of directly equipping the next increment of police protection services (i.e., a full-time patrol officer). These capital costs would include personnel equipment, vehicles, communication equipment, and other support related equipment and machinery. A final parameter deals with the cost recovery of the headquarters required to house patrol officers and support staff and includes investment in the land, buildings, and furnishings allocable to the police service function.

Tables 3-2 and 3-3 provide a breakdown of the individual cost items. Table 3-4 summarizes the estimated capital costs to equip a full-time patrol officer for the City recognizing the parameters described above. In addition to the \$7.9 million in existing and planned equipment, vehicles, and facilities, this study further considered cost free capital, or grants received by the police department in consideration of the net costs allocable to the impact fees. As shown in Table 3-5, the City has received approximately \$85,269 in grant revenues for capital (operating grant revenues do not apply in this case) resulting in a lower projected cost per officer. The estimated capital cost including credit for cost free capital of an additional full-time patrol officer is \$102,458, including the cost of vehicles, other related equipment, and allocated headquarters costs. The following is a summary of the estimated capital cost required to equip and support a full-time patrol officer:

Summary of Capital Costs [1]		
	Average Cost per Officer	Total Projected Cost [2]
Machinery and Equipment	\$5,469	\$411,555
Major Vehicles	33,997	2,542,902
Other Capital Equipment & Facilities	63,880	4,979,231
Subtotal	\$103,346	\$7,933,688
Grant Adjustments	(\$888)	(\$85,269)
Total Allocated Costs	\$102,458	\$7,848,419

[1] Derived from Table 3-5.

[2] Total projected costs assuming 74 officers for recoupment of existing assets and 96 officers in total for future assets.

3.4 DESIGN OF POLICE SERVICES IMPACT FEE

The method used to determine the police services impact fee was based upon a four-step process. Tables 3-5 and 3-6 summarize the results of the approach. The following is a brief description of the method used in this study.

- Development of Total Capital Need - Based on population projections, level of service standards, and the capital costs per police officer. This amount is the total allocated capital cost to serve the projected population growth.
- Allocation of Costs to Customer Class - This step allocates capital costs incurred for equipping new police officers to the residential and non-residential customer classes. The allocation is based on the number of service calls made by the Police Department, a parameter used as the nexus or link between need and cost.
- Development of Equivalent Impact Fee Units - This step estimates the number of equivalent impact fee units that are projected to be added to the City. This is the number of units that the City must provide municipal services. For the residential class, the equivalent unit is a dwelling unit (residence) and for the non-residential class, the equivalent unit is the square footage of the development.
- Calculation of Cost per Equivalent Impact Fee Unit - Once the total capital costs allocated to future development are estimated, the per customer equivalent impact fee units were determined, and the cost per equivalent unit was calculated.

Police Services Impact Fee Assumptions

The development of the police services impact fees required a number of assumptions. The major assumptions used in the development of the proposed impact fees as shown on Tables 3-2 through 3-6 are as follows:

1. In the development of the capital costs required to equip a full-time police officer, the identifiable capital costs of providing police protection services through the year 2030 were allocated to establish the cost of serving the next incremental full-time police officer. The costs were allocated to the next increment of service (one full-time sworn officer) based on the following allocation parameters:
 - a. The direct cost of equipping one full-time patrol officer (e.g., personnel equipment) was allocated based on actual investments made by the City shown in Table 3-2. The new officers are not required to contribute to basic issue equipment, and it is the City's current policy to capitalize those costs greater than \$750.
 - b. Based on discussions with the City, the current service level of patrol and administrative vehicles to a full-time patrol officer is considered reasonable for the purpose of this study. Additionally, it is assumed that other mission-essential equipment, including radar units, generators, and special weapons, although not easily assignable per patrol officer, would be acquired in relation to the number of new patrol officers. The existing inventory levels for these items per patrol officer are therefore projected to remain constant. As illustrated in Table 3-5, the following represents the estimated costs for existing and future equipment needs as allocated per full-time patrol officer:

Police Vehicle and Equipment Costs

Machinery and Equipment per Officer	\$5,469
Major Vehicles per Officer	33,997
Grants	(888)
Total	\$38,578

- c. Based on discussions with City staff, the existing police headquarters facility will be rehabilitated and upgraded to accommodate existing and new patrol officers as shown in Table 3-3. The total existing and future facility costs per new patrol officer are presented in Table 3-5 and are summarized below as follows:

Police Facilities Cost

Existing Facilities Cost per Patrol Officer	\$52,422
Proposed Facilities Cost per Patrol Officer	11,458
Total Facilities Cost per Patrol Officer	\$63,880

- In the development of the capital costs per patrol officer, it was assumed that the targeted level of service will be maintained by the City over the forecast period. This level of service includes only the amount of full-time patrol officers to serve the general population of the City. As previously mentioned, the level of service assumed in this study is 2.0 full-time patrol officers per 1,000 of population.
- The estimated incremental cost of providing for a full-time police officer was allocated between the residential and non-residential customer classifications based on the number of service calls made by the Police Department during Fiscal Year 2013. The allocation is summarized below:

	Number of Service Calls			
	Total	Residential	Non-Residential	Traffic/Other
Fiscal Year 2013				
Number of Calls	33,233	19,224	10,771	3,238
Percent (%)	100.0%	57.85%	32.41%	9.74%

For the purposes of this study, all traffic and other calls were assigned to the customer classes based on the percent relationship of the specifically identified service calls for such classes.

Based on the average number of service calls for the Fiscal Year 2013 period as shown above, the number of calls allocated to each class of customer was assumed for the forecast period as follows:

Residential	64.09%
Non-Residential	35.91%

- The residential equivalent impact fee units represent the net change in the number of dwelling units to be constructed in the City during the planning period of this report (i.e., through the year 2030). The increase in total residential dwelling units for the period 2013

through 2030 was estimated to be 4,263 units. This forecast was based on the City's population projections and the estimated average number of persons per dwelling unit of 2.54 persons per household.

- The non-residential equivalent impact fee units represent the net change in the square footage of non-residential development assumed to be constructed during the planning period of this study (i.e., through the year 2030). Based on the existing the level of development for the non-residential class relative to the residential development, it was estimated that approximately 1,245,332 square feet additional non-residential development (including public uses) will occur which will be subject to the payment of impact fees.

Impact Fee Calculation

Based on the above-referenced assumptions, the allocated cost of capital facilities, and the population and land use projections of the City, the police services impact fees for the residential and non-residential customer classifications were developed. As shown in Table 3-6 at the end of this section, the cost per equivalent impact fee unit by customer classification was determined as follows:

	<u>Total Department</u>	<u>Residential [1]</u>	<u>Non-Residential [1]</u>
Allocated Costs of Incremental Full-Time Police Officer	\$102,458		
Additional Full-Time Police Officers Required through 2030	22		
Incremental Capital Facilities Allocable to Growth through 2030 [2]	\$2,254,076	\$1,444,637	\$809,439
Incremental Equivalent Impact Fee Unit		4,263 dwelling units	1,245,332 sq. ft.
Cost per Equivalent Impact Fee Unit		<u>\$338.88</u>	<u>\$0.650</u>

[1] Derived from Table 3-3.

[2] Allocation of costs between Residential and Non-Residential based on percentage of calls for service as shown on Table 3-4.

As can be seen above, the police services impact fee per equivalent impact fee unit (by class of customer) was estimated to be as follows:

	<u>Fee per Equivalent Impact Fee Unit</u>
Residential	\$339.00 per Dwelling Unit
Non-residential	\$0.65 per Square Foot

Taking into account the methodology used for the determination of the fee and the estimates associated with determining the capital requirements, it appears that the proposed impact fee utilizing the City's LOS standard appears reasonable. It should be noted that in the development of the fee per equivalent impact fee unit, no credits associated with developer land dedication or other similar activities have been recognized.

In the development of the cost per equivalent impact fee unit, it was determined that the rate should continue to be applied on a "per dwelling unit" basis for the residential class and a "per square footage" of development for the non-residential class. These factors are used throughout the state as the equivalent impact fee unit for fee determination. The use of these equivalency factors was based on discussions with the City and the fact the City currently uses these parameters for the application of existing fees, comparisons of fee applicability provisions of neighboring jurisdictions, and promotion of administrative simplicity. For the residential class, the City directed PRMG to maintain the application of the fees based on the number of dwelling units served, without differentiation as to type of residence (single-family, multi-family, mobile home, etc.). For the non-residential class, it is proposed that the fee would continue to be predicated on the square footage of new commercial construction or development which generally equates to the link between size of facility and police protection services (based on number of employees, traffic, and general services). Many jurisdictions attempt to breakdown the non-residential sector into various categories based on a variety of parameters, including service calls, trip generation statistics that relate to specific land use, and other factors. The City does not maintain sufficient data relative to the types of land uses associated with non-residential development within the City that is required to allocate costs among the various types of development. Additionally, based on discussions with the City, a review of the rate methodology used by other neighboring jurisdictions and to maintain administrative simplicity dealing with the adoption of the new fees, the total non-residential square footage relationship was considered reasonable and appropriate.

3.5 IMPACT FEE COMPARISONS

In order to provide the City additional information about the proposed impact fees, a comparison of the proposed fees for the City and those charged by other neighboring jurisdictions was prepared. Table 3-7 at the end of this section summarizes the impact fees for police protection services charged by other communities with the proposed rates of the City.

Also, as shown in Table 3-7 for other communities, the fees charged to the residential class are applied using a "per dwelling unit" basis, which is consistent with the recommended fee applicability provisions of the City's proposed fees. For the non-residential class and, as previously discussed, the fees are applied on the basis of the amount of square foot of facility development.

Section 3
City of Winter Garden
Police Protection Services Impact Fee Analysis

List of Tables

<u>Table</u>	<u>Description</u>
3-1	Summary of Existing Personnel
3-2	Inventory of Existing Capital Equipment, Vehicles and Facilities
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3-4	Allocation of Service Calls Among Customer Classes
3-5	Summary of Capital Costs to Provide Police Protection Services
3-6	Design of Police Protection Services Impact Fee
3-7	Police Services Impact Fee Comparison

Table 3-1
City of Winter Garden
Police Protection Services Impact Fee Analysis

Summary of Existing Personnel

Line No.	Description	Budgeted Staff [1]	Actual Staff [2]	Difference to Actual	LOS Staff Level [3]
Personnel					
1	Administrative Officers	12.0	12.0	0.0	12.0
2	Patrol Officers	59.0	63.0	4.0	62.0
3	Total Sworn Officers	<u>71.0</u>	<u>75.0</u>	<u>4.0</u>	<u>74.0</u>
4	Civilian and Administrative [3]	23.0	17.0	(6.0)	17.0
5	Total Personnel	<u><u>94.0</u></u>	<u><u>92.0</u></u>	<u><u>(2.0)</u></u>	<u><u>91.0</u></u>

Footnotes:

- [1] Per Police Department organizational chart data as shown in the City in the Fiscal Year 2014 Budget.
- [2] Civilian and Administrative Personnel at a full-time equivalency as provided by the City.
- [3] Based on Police Department Level of Service of 2.00 officers per thousand of population

Table 3-2
City of Winter Garden
Police Protection Services Impact Fee Analysis

Inventory of Existing Capital Equipment, Vehicles and Facilities

Line No.	Description	Historical Cost [1]
1	Machinery and Equipment	\$381,555
2	Major Vehicles (83 Vehicles - Includes Laptops in Patrol Cars)	\$2,424,456
3	Other Capital Equipment and Facilities	
4	<u>Land, Buildings & Furnishing</u>	<u>Historical Cost [1]</u>
5	Land, Building & Engineering	\$2,220,831
6	Office Equipment and Furniture	85,033
7	Computer Systems and Software	1,573,367
8	Total Other Police Department Equipment and Facilities	<u>\$3,879,231</u>
9	Total Existing Capital Equipment, Vehicles and Facilities	<u><u>\$6,685,242</u></u>

Footnotes:

[1] Amounts reflected as provided by the City as of April 30, 2014.

Table 3-3
City of Winter Garden
Police Protection Services Impact Fee Analysis

Inventory of Proposed Capital Equipment, Vehicles and Facilities

Line No.	Description	Current Cost [1]
1	Machinery and Equipment - Laptops (12)	\$30,000
2	Major Vehicles - Marked Vehicles (6)	\$199,860
3	Basis Adjustment for Replacement [2]	(81,413)
4	Total Major Vehicles Basis Adjustment	<u>\$118,447</u>
5	Other Capital Equipment and Facilities	
6	<u>Land, Buildings & Furnishing</u>	<u>Current Cost [1]</u>
7	Station Rehabilitation and Upgrade	\$1,000,000
8	Building & Engineering - Roof Repair and HVAC	36,836
9	Repair Adjustment [3]	(36,836)
10	Office Equipment and Furniture	0
11	Computer Systems and Software - Dispatch Consoles	100,000
12	Total Other Police Department Equipment and Facilities	<u>\$1,100,000</u>
13	Total Proposed Capital Equipment, Vehicles and Facilities	<u><u>\$1,248,447</u></u>

Footnotes:

- [1] Amounts as provided by City staff.
- [2] Amount represents an adjustment to the City's assets that discounts 3 of the new vehicle purchase costs by an estimate of the original vehicle costs thereby reflecting the net adjustment to the total fixed assets.
- [3] Amount represents an adjustment to the City's assets that discounts the projected repair costs by an estimate of the original asset costs thereby reflecting the net adjustment to the total fixed assets.

Table 3-4
City of Winter Garden
Police Protection Services Impact Fee Analysis

Allocation of Service Calls Among Customer Classes

Line No.	Description	Number of Calls For Service		
		Total [1]	Residential	Commercial
<u>Fiscal Year 2013</u>				
1	Number of Calls	29,995	19,224	10,771
2	Percent (%)	100.00%	64.09%	35.91%
3	Allocated Traffic / Other	3,238	2,075	1,163
4	Percent (%)	100.00%	64.09%	35.91%
5	Total Allocated Calls	33,233	21,299	11,934
6	Percent (%)	100.00%	64.09%	35.91%

[1] Amounts based on information provided by the City of Winter Garden Police Department.

Table 3-5
City of Winter Garden
Police Protection Services Impact Fee Analysis

Summary of Capital Costs to Provide Police Protection Services

Line No.	Description	Total Cost [1]	Total Personnel Requirements [2]	Average Cost per Personnel
<u>Recoupment Costs [3]</u>				
1	Machinery & Equipment	\$381,555	74	\$5,156
2	Major Vehicles	2,424,456	74	32,763
3	Other Capital Equipment & Facilities	3,879,231	74	52,422
4	Total Recoupment Costs	<u>\$6,685,242</u>		<u>\$90,341</u>
<u>Proposed Capital Additions [4]</u>				
5	Machinery & Equipment	\$30,000	96	\$313
6	Major Vehicles	118,447	96	1,234
7	Other Capital Equipment & Facilities	1,100,000	96	11,458
8	Total Proposed Costs	<u>\$1,248,447</u>		<u>\$13,005</u>
<u>Additional Cost or Adjustments [5]</u>				
9	Borrowing Costs	\$0	96	\$0
10	Less Historical and Proposed Future Capital Grants [6]	(85,269)	96	(888)
11	Total Additional Costs or Adjustments	<u>(\$85,269)</u>		<u>(\$888)</u>
12	Total Capital Costs	<u><u>\$7,848,419</u></u>		<u><u>\$102,458</u></u>

Footnotes:

[1] Total estimated capital costs in Tables 3-2 and 3-3.

[2] Future needs are calculated as follows:

Projected Population at Buildout	48,000
Target LOS per 1,000 population	2.00
Total Rescue Personnel Required at Buildout (2030)	<u>96</u>
Total Existing Police Personnel (LOS)	<u>74</u>
Total Additional Personnel Required to Serve Growth	<u>22</u>

[3] Amounts derived from Table 3-2.

[4] Amounts derived from Table 3-3.

[5] Amounts reflect credit for historical grant projected grants for equipment needs.

[6] Amounts based on information provided by the City.

Table 3-6
City of Winter Garden
Police Protection Services Impact Fee Analysis

Design of Police Protection Services Impact Fee

Line No.	Description	Total System	Residential	Non-Residential
1	Total Allocated Cost Per Full Time Officer	\$102,458		
2	Additional Officers Required to Serve Population Needs through Buildout	22		
3	Total Capital Costs [1]	\$2,254,076		
4	Less: Funds From Other Sources	\$0		
5	Total Capital Costs Recovered From Impact Fees	\$2,254,076		
Allocation to Customer Classes				
6	Percent of Calls for Service [2]		64.09%	35.91%
7	Allocated Costs		\$1,444,637	\$809,439
Total Equivalent Impact Fee Units [3]				
8	Residential Dwelling Units		4,263	
9	Square Feet of Commercial Development			1,245,332
10	Cost per Equivalent Impact Fee Unit		\$338.88	\$0.650
11	Rounded Fee		\$339.00	\$0.65

Footnotes:

- [1] Derived from Table Table 3-4. Reflects projected LOS requirements for 22 additional police officers at a capital cost of \$102,458 per Officer.
- [2] Based on information provided by the City's Police Department and shown on Table 3-5.
- [3] Amounts shown represent net increase in total residential dwelling units and non-residential construction (square feet) anticipated to be constructed by Buildout consistent with the capital expenditure projections for police protection services.

	Residential	Non-residential [a]
Total Res. Units/Sq. Ft. of Develop - Buildout (2030)	18,898	N/A
Total Res. Units/Sq. Ft. of Develop - FY 2013	14,635	N/A
Difference (Anticipated Growth)	4,263	1,245,332

[a] Amount shown based on an estimate of approximately 300 sq. ft. of commercial development for every 1 unit of residential development.

**Table 3-7
City of Winter Garden
Police Protection Services Impact Fee Analysis**

Police Services Impact Fee Comparison [1]

Line No.	Description	Residential			Non-Residential (\$ per square foot)
		Single Family	Multi-Family	Mobile Home	
City of Winter Garden					
1	Existing	\$260.00	\$260.00	\$260.00	\$0.50 per sq. ft.
2	Proposed	339.00	339.00	339.00 [2]	
<u>Other Florida Government Agencies:</u>					
3	City of Apopka	N/A	N/A	N/A	N/A
4	City of Clermont	\$381.00	\$381.00	\$381.00 [2]	\$0.964 per sq. ft.
5	City of Edgewater	150.66	100.10	82.55	\$0.1197 - \$0.3354 per sq. ft. [3]
6	City of Eustis	137.98	98.64	90.03	\$0.01523 - \$1.53667 per sq. ft. [3]
7	City of Kissimmee	N/A	N/A	N/A	N/A
8	City of Lakeland	591.00	445.00	275.00	\$0.024 - \$0.832 per sq. ft. [3]
9	City of Lake Mary	165.00	N/A	N/A	\$0.082 per gross sq. ft.
10	City of Lake Wales	463.00	406.00	N/A	\$0.020 - \$0.190 per sq. ft. [3]
11	City of Leesburg	186.00	186.00	186.00	\$0.155 per sq. ft.
12	City of Minneola	N/A	N/A	N/A	N/A
13	City of Mount Dora	294.13	764.73	N/A	\$0.07059 - \$1.01769 per sq. ft. [3]
14	City of Ocoee [4]	501.04	N/A	N/A	\$0.33 per sq. ft.
15	City of St. Cloud	715.00	565.00	N/A	\$1.384 per sq. ft.
16	City of Tavares [5]	215.37	163.87	108.86	\$0.00819 - \$1.02419 per sq. ft. [3]
17	City of Winter Haven	300.97	N/A	N/A	\$0.3952 per sq. ft.
18	Other Florida Governmental Agencies' Average	\$341.76	\$345.59	\$187.24	

Footnotes:

- [1] Unless otherwise noted, amounts shown reflect impact fees in effect June 2014. This comparison is intended to show comparable charges for similar service for comparison purposes only and is not intended to be a complete listing of all rates and charges offered by each listed municipality.
- [2] Based upon the City's existing ordinance and procedures, one new mobile home is charged as one single family dwelling unit.
- [3] Reflects the lowest and highest rate per square feet.
- [4] Impact fees temporarily reduced to 50% of the amounts shown from January 3, 2013 until January 1, 2014.
- [5] Impact fees were waived until June 30, 2013. Beginning July 1, 2013, they are set to increase in six month increments until July 1, 2014, when the full impact fees will become effective again.



**FIRE RESCUE
SERVICES IMPACT FEE**

SECTION 4
FIRE RESCUE SERVICES IMPACT FEE

4.1 GENERAL

This section provides a discussion of the development and design of the impact fee for fire rescue services. Included in this section is a discussion of the level of service requirements, capital costs, included as the basis for the determination of the fee, and the design of the fee to be applied to new growth within the City.

4.2 LEVEL OF SERVICE REQUIREMENTS

The City's fire department utilizes guidelines recommended by the National Fire Protection Association (NFPA) and the Insurance Service Organization (ISO) in assessing its level of service needs. It is the department's intent to maintain staffing levels that provide services to all developed areas within the City limits in and be able to respond to service calls for fire protection and Emergency Medical Support (EMS) services within the time specified by the NFPA. The NFPA has developed other guidelines for the evaluation of a Fire Department's response capability, which are summarized as follows:

Evaluation of Response Capability

High Hazard Occupancies (Schools, hospitals, nursing homes, explosive plants, refineries, high-rise buildings, and other high-life hazard or large fire potential occupancies)

At least 4 pumpers, 2 ladder trucks, 2 chief officers, and other specialized apparatus, as may be needed to cope with the combustibles involved; not less than 24 firefighters and 2 chief officers.

Medium Hazard Occupancies (Apartments, offices, mercantile and industrial occupancies not normally requiring extensive rescue or firefighting forces)

At least 3 pumpers, 1 ladder truck, 1 chief officer, and other specialized apparatus, as may be needed or available; not less than 16 firefighters and 1 chief officer.

Low Hazard Occupancies (One, two, or three family dwellings and scattered small businesses and industrial occupancies.)

At least 2 pumpers, 1 ladder truck, 1 chief officer, and other specialized apparatus, as may be needed or available; not less than 12 firefighters and 1 chief officer.

Continued on following page.

Evaluation of Response Capability (cont'd.)

Rural Operations (Scattered dwellings, small businesses, and farm buildings)

At least 1 pumper with a large water tank (500 or more gallons), one mobile water supply apparatus (1,000 gallons or larger) and such other specialized apparatus, as may be necessary to perform effective, initial firefighting operations; at least 6 firefighters and 1 chief officer.

Additional Alarms

At least the equivalent of that required for Rural Operations for second alarms; equipment, as may be needed according to the type of emergency and capabilities of the Fire Department. This may involve the immediate use of mutual aid companies until local forces can be supplemented with additional off-duty personnel.

Based on the occupancies described above, recognizing that the City has no significant number of multi-story buildings (e.g., condominiums) hospitals, or large fire potential occupancies located within the City, it appears that the City should plan its firefighting capabilities towards a medium hazard occupancy level. In order to meet the service standards required of the community for responding to fire and rescue alarms, the City and Orange County (through the Orange County Fire Rescue Services Division) entered into an Interlocal Agreement for Fire Rescue and Communication Services in 1994 (the "Interlocal Agreement"). The purpose of the Interlocal Agreement was to initiate action leading to a regional first response program for fire and rescue services in West Orange County. The City also maintains an automatic joint response services agreement with the City of Ocoee Fire Department in order to achieve acceptable response time standards. Based upon recent fire call data for Fiscal Years 2012 and 2013, the City's Fire Department been able to maintain a five-minute response time standard within its jurisdiction.

In determining the needed facilities and equipment to provide adequate fire protection and emergency medical services for the City's future population, PRMG conducted a general review of the City's fire protection/emergency medical service capital needs in order to identify existing and future needs. The City presently operates three fire service stations that are located strategically within the corporate limits of the City's service area. In addition, there are two other emergency management service stations located near and in close proximity to the City which are owned by Orange County, and provide assistance to Winter Garden. For the purposes of this report, it is anticipated that the contractual emergency response management program will be maintained by the City with Orange County in order to reduce overall costs to the City while still meeting required LOS response times.

Generally, the level of service standard for fire protection services and emergency medical services is based on response times in a first alarm situation. The City of Winter Garden is committed to maintaining standards in compliance with NFPA 1710 which requires a First-unit maximum response time of four minutes ninety percent of the time and a maximum Initial Full Assignment response time of eight minutes ninety percent of the time. Another method commonly used in the determination of needs deals with the number of firefighters per 1,000

population. Existing Fire Department resources are currently not considered adequate by the Fire Department to provide the LOS under current development conditions. The existing number of personnel and projected staffing needs are currently under evaluation. Currently, the City's fire department budget includes the following personnel:

	<u>Currently Budgeted Firefighter Personnel</u>
Fire Chief	1
Deputy Fire Chief	1
Fire Inspector	1
Administrative Support	1
Battalion Chief	3
Fire Lieutenant	9
Firefighter/EMT's	<u>30</u>
Subtotal	46
Est. Share of Dispatchers	<u>3</u>
Total Personnel	<u>49</u>

Based on discussion with staff, the staffing needs of future fire stations, intended to meet the fire protection needs of the City through build-out, will require an increase in the total number of firefighter/EMS personnel to seventy three full-time personnel.

For the purposes of the development of impact fees for fire protection service, the projected staffing levels required through build-out, which are consistent with planned capital facilities (e.g. fire stations) were recognized as the target level of service for fire protection services and the basis of fee calculation in this report. Essentially, the level of service that would result from these staffing levels was recognized in estimating the total costs applicable to growth. As previously discussed, the Fire Department has identified a need for additional facilities and firefighter/EMS personnel to stay in compliance with NFPA 1710 standards given the projected rate of growth of the City through build-out. Assuming the addition of sixteen firefighters to meet this concern, the LOS based on the projected build-out population of 48,000 residents is 1.53 firefighters per 1,000 population. Based on discussions with staff, this LOS is more appropriate than the existing LOS for the existing population, currently at 1.24 firefighters per 1,000 population.

4.3 RESOURCE NEEDS ANALYSIS

The proposed impact fees are based on the costs associated with major capital facilities that service the City's first alarm service area. The capital cost parameters include allocations for personnel equipment, vehicles, other direct firefighting and emergency medical equipment, and fire station and headquarter facilities. Personnel protection equipment such as helmets and bunker coats and trousers are mission-essential, and these costs are included in fee determination since the City capitalizes equipment charges greater than \$750.

Table 4-2 reflects the existing facilities and equipment required to maintain the City's level of service and Table 4-3 provides the proposed facilities and equipment to maintain such standards through 2030. As shown on Table 4-5, this study recognizes \$12.2 million in existing and

planned equipment, vehicles, and facilities. This table goes on to summarize the net costs on a per rescue personnel basis. As can be seen below, approximately \$12,242,546 in total capital investments will have been made in order to provide fire services within the City's emergency management response area through 2030:

	Estimated Capital Costs Amount [*]
Capital Recoupment Costs – Existing Facilities	\$7,540,718
Capital Costs – Proposed Facilities	4,701,828
Total Capital Costs Recognized	\$12,242,546

[*] Derived from Table 4-5.

4.4 DESIGN OF FIRE RESCUE SERVICES IMPACT FEE

The method used to determine the fire protection services impact fee was based upon the same four step process as was described for the determination of the police impact fee. Tables 4-5 and 4-6 at the end of this section summarize the results of the approach. The following is a brief description of the method used in this study.

- Development of Total Capital Need - Based on population projections, level of service standards, and allocated capital costs per firefighter. This amount is the capital cost to serve the projected population growth.
- Allocation of Costs to Customer Class - This step allocates the identifiable capital costs incurred to maintain the recommended LOS requirements to the customer classes. The allocation was based on the number of service calls made by the Fire Department, which is the parameter used as the link between benefit and cost.
- Development of Equivalent Impact Fee Units - This step develops the estimated number of equivalent impact fee units, which are anticipated to be added to the City, and for which the City must provide additional municipal services. For the residential class, the equivalent unit is a dwelling unit (residence) and for the non-residential class, the equivalent unit is the square footage of the development.
- Calculation of Cost per Equivalent Impact Fee Unit - Once the total capital costs allocable to the future growth of the City and the per customer equivalent impact fee units were determined, the cost per equivalent unit was calculated.

Fire Protection Services Impact Fee Assumptions

The development of the fire protection services impact fees required several assumptions. The major assumptions used in the development of the proposed impact fees as shown on Tables 4-2 through 4-6 are as follows:

1. In the development of the capital costs required to equip a full-time firefighter, the identifiable capital costs of providing fire rescue services through the year 2030 were allocated to establish the average cost of serving each full-time firefighter. The costs were

allocated to the increment of service (one full-time firefighter) based on the following allocation parameters:

- a. The direct cost of equipping one full-time firefighter (e.g., personnel equipment) was allocated based on actual investments made by the City shown in Table 4-2. The new firefighters are not required to contribute to basic issue equipment, and it is the City's current policy to capitalize those costs greater than \$750.
- b. Based on discussions with the City, the service level of fire rescue vehicles allocated to the number of full-time firefighters is considered reasonable for the purpose of this study. Additionally, it is assumed that other mission-essential equipment, not easily assignable per firefighter, would be acquired in relation to the number of new firefighters. The existing inventory levels for these items per patrol officer are therefore projected to remain constant. As illustrated in Table 4-5, the following represents the estimated costs for equipment needs as allocated per full-time firefighter:

Fire Vehicle and Equipment Costs	
Machinery and Equipment per Officer	\$10,795
Major Vehicles per Officer	58,497
Total	\$69,292

- c. Based on discussions with City staff, certain existing facilities will be expanded and other additional facilities will be constructed for new firefighters as shown in Table 4-3. The total existing and future facility costs per new firefighter are presented in Table 4-5 and are summarized below as follows:

Fire Facilities Cost	
Existing Facilities Cost per Firefighter	\$76,724
Proposed Facilities Cost per Firefighter	50,685
Total Facilities Cost per Patrol Officer	\$127,409

2. In the development of the capital costs per firefighter, it was assumed that the targeted level of service will be maintained by the City over the forecast period. This level of service includes the amount of full-time patrol officers to serve the general population of the City. As previously mentioned, the level of service estimated in this study is 1.53 full-time firefighters per 1,000 of population.
3. The estimated incremental cost of providing for a full-time firefighter was allocated between the residential and non-residential customer classifications based on the number of service calls made by the Fire Department during Fiscal Years 2012 and 2013. The allocation is summarized below:

Fiscal Year 2012-2013	Number of Calls for Service		
	Total	Residential	Non-Residential
Number of Calls	8,386	5,578	2,808
Percent (%)	100.0%	66.52%	33.48%

- The residential equivalent impact fee units represent the net change in the number of dwelling units to be constructed in the City during the planning period of this report (i.e., through the year 2030). The increase in total residential dwelling units for the period 2013 through 2030 was estimated to be 4,263 units. This forecast was based on the City's population projections and the estimated average number of persons per dwelling unit of 2.54 persons per household.
- The non-residential equivalent impact fee units represent the net change in the square footage of non-residential development assumed to be constructed during the planning period of this study (i.e., through the year 2030). Based on the existing the level of development for the non-residential class relative to the residential class, it was estimated that approximately 1,245,332 square feet additional non-residential development (including public uses) will occur which will be subject to the payment of impact fees.

Impact Fee Calculation

Based on the above-referenced assumptions, the cost capital facilities considered necessary to maintain the level of service requirements, and the population and land use projections of the City, the fire rescue services impact fees for the residential and non-residential customer classifications were determined. As shown in Table 4-6 at the end of this section, the cost per equivalent impact fee unit by customer classification was determined as follows:

	Residential [*]	Non-Residential [*]
Total Allocated Capital Costs	\$2,093,390	\$1,053,826
Total Equivalent Impact Fee Units	4,263 dwelling units	1,245,332 sq. ft.
Cost per Equivalent Impact Fee Unit	\$491.06	\$.846

[*] Derived from Table 4-6.

As can be seen above, the fire rescue services impact fee unit (by class of customer) was estimated to be as follows:

	Fee (Rounded) per Equivalent Impact Fee Unit
Residential	\$491.00 per Dwelling Unit
Non-Residential	\$0.85 per Square Foot

Taking into account the methodology used for the determination of the fee and the estimates associated with determining the capital requirements, the proposed impact fees utilizing the City's LOS standard are reasonable. It should be noted that in the development of the fee per

equivalent impact fee unit, no credits associated with developer land dedication or other similar activities have been recognized.

In the development of the cost per equivalent impact fee unit, it was determined that the rate should continue to be applied on a "per dwelling unit" basis for the residential class and a "per square footage" of development for the non-residential class. These factors are used throughout the state as the equivalent impact fee unit for fee determination. The use of these equivalency factors was based on discussions with the City and the fact the City currently uses these parameters for the application of existing fees, comparisons of fee applicability provisions of neighboring jurisdictions, and promotion of administrative simplicity. For the residential class, the City directed PRMG to maintain the application of the fees based on the number of dwelling units served, without differentiation as to type of residence (single-family, multi-family, mobile home, etc.). For the non-residential class, it is proposed that the fee would continue to be predicated on the square footage of new commercial construction or development which generally equates to the link between size of facility and police protection services (based on number of employees, traffic, and general services). Many jurisdictions attempt to breakdown the non-residential sector into various categories based on a variety of parameters, including service calls, trip generation statistics that relate to specific land use, and other factors. The City does not maintain sufficient data relative to the types of land uses associated with non-residential development within the City that is required to allocate costs among the various types of development. Additionally, based on discussions with the City, a review of the rate methodology used by other neighboring jurisdictions and to maintain administrative simplicity dealing with the adoption of the new fees, the total non-residential square footage relationship was considered reasonable and appropriate.

4.5 IMPACT FEE COMPARISONS

In order to provide the City additional information about the proposed impact fees, a comparison of the proposed fees for the City and those charged by other neighboring jurisdictions was prepared. Table 4-7 at the end of this section summarizes the impact fees for fire rescue services charged by other communities with the proposed rates of the City. As can be seen in the comparison, the proposed fees of the City are generally higher on average when compared with similar fees charged by other communities. Reasons for this difference may be due to: i) the general characteristics of the City relative to residential and commercial development; ii) density of the area; and iii) the need of the City to construct new future facilities to meet growth where other cities may be recovery embedded (historical) costs of such facilities. iv) policy decisions to fund less than the fully allocated cost of serving new growth. No analysis of the derivation of the fees charged by the other communities was performed in this study due to the limitation of the study's scope.

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Also, as shown in Table 4-7 for other communities, the fees charged to the residential class are applied using a "per dwelling unit" basis, which is consistent with the recommended fee applicability provisions of the City's proposed fees. For the non-residential class and, as previously discussed, the fees are applied on the basis of the amount of square foot of facility development.

Section 4
City of Winter Garden
Fire Rescue Services Impact Fee Analysis

List of Tables

<u>Table</u>	<u>Description</u>
4-1	Summary of Existing Personnel
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4-4	Allocation of Service Calls Among Customer Classes
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4-6	Design of Fire Rescue Services Impact Fee
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Table 4-1
City of Winter Garden
Fire Rescue Services Impact Fee Analysis

Summary of Existing Personnel

Line No.	Description	Current Staff [1]	Total Staff Planned [2]	Allocation to Future Officers	
				Allocation Basis	Achieved LOS [3]
Personnel					
1	Fire Chief	1.00	1.00		
2	Deputy Fire Chief	0.00	1.00		
3	Fire Inspector	1.00	1.00		
4	Administrative Assistant & Staff Assistant	1.00	1.00		
5	Battalion Chief	3.00	3.00		
6	Fire Lieutenant	9.00	9.00		
7	Firefighter / Paramedic or EMT	29.00	30.00		
8	Total Personnel	<u>44.00</u>	<u>46.00</u>	Per 1,000 Population	1.24
Support					
9	Estimated Share of Orange County Dispatchers [4]	3.00	3.00		
10	Volunteers	0.00	0.00		
11	Total Support	<u>3.00</u>	<u>3.00</u>		
<u>Total</u>					
12	Firefighter/Rescue Division	<u>47.00</u>	<u>49.00</u>		

Footnotes:

- [1] Per personnel listing as obtained from City Staff.
- [2] As obtained from the City's preliminary FY 2014 Budget.
- [3] Target Level of Service of 1.53 Officers per 1,000 people per the NFPA Fire Survey as of 2012 for a Southern City with a population between 25,000 and 49,999.
- [4] As dispatching services are provided under contract by Orange County (O.C.) to various municipalities, the City's share of dispatcher costs are a function of the proportion of calls that relate to Winter Garden. An estimate of such allocation is provided below:

Description	Amount
Total Orange County Dispatchers	8
Annual Dispatcher Salary and Benefit Costs	\$53,475
Total Annual Orange County Dispatcher Costs	\$427,802
Winter Garden Share of Annual Dispatcher Costs	\$156,464
Total Annual Orange County Dispatcher Costs	\$427,802
Winter Garden % of Total Orange County Dispatcher Costs	36.57%
Estimated Allocation of Orange County Dispatchers (Rounded)	<u>3.00</u>

Table 4-2
City of Winter Garden
Fire Rescue Services Impact Fee Analysis

Inventory of Existing Capital Equipment, Vehicles & Facilities

Line No.	Description	Historical Cost [1]
1	Machinery and Equipment	\$596,329
2	Major Vehicles and Firefighting Equipment	
3	98 Fire Truck Pumper Body	\$199,987
4	99 Chassis New Fire Truck	29,470
5	99 F550 Rescue Vehicle	58,986
6	Ford Explorer 2000	21,492
7	Ford '02 F550 Brush Truck	59,000
8	2002 Crown Vic [Red]	21,163
9	Pumper Fire Truck	251,900
10	2001 Ford Expedition-Cmnd	23,043
11	2006 Ford Expedition-Chf	27,950
12	2006 Ford Expedition-Bc	31,743
13	Alumacraft Boat & Trailer	5,000
14	2006 Ferrara Fire Engine	304,789
15	1999 Freightliner Ambulance	20,000
16	Inferno Ladder Truck 07 V68	868,258
17	2008 GMC Ambulance	199,959
18	Ember Fire Engine FY14	448,355
19	Total Vehicles and Firefighting Equipment	\$2,571,096
20	Other Capital Equipment and Required Facilities	
21	<u>Land, Buildings & Furnishing</u>	<u>Historical Cost [1]</u>
22	Land	\$154,597
23	Buildings	3,936,165
24	Office Equipment and Furniture	28,686
25	Computer Systems and Software	253,845
26	Total Other Fire Department Equipment and Required Facilities	\$4,373,293
27	Total Existing Capital Equipment, Vehicles & Facilities	\$7,540,718

Footnotes:

[1] Amounts reflected as provided by the City as of April 30, 2014.

Table 4-3
City of Winter Garden
Fire Rescue Services Impact Fee Analysis

Inventory of Proposed Capital Equipment, Vehicles & Facilities

Line No.	Description	Current Cost [1]
Machinery and Equipment		
1	SCBA 45 min.	\$950
2	RIT Cylinder	1,050
3	Ventilation Saw	1,200
4	Light Conversion Brush Truck	1,300
5	Roll Rack Hose Cart	1,800
6	Hose Tester	2,100
7	RIT Pak II	3,100
8	Hose Storage Racks (2)	4,828
9	Extractor / Washer	8,000
10	Total Machinery and Equipment	\$24,328
11 Major Vehicles and Firefighting Equipment		
12	Fire Engine - Station #24 (Palmetto)	\$517,500
13	Fire Engine - Southwest Station	460,000
14	Total Major Vehicles and Firefighting Equipment	\$977,500
15 Other Capital Equipment and Required Facilities		
16	<u>Land, Buildings & Furnishing</u>	
17	Fire Station - #23 Hennis Road	\$1,200,000
18	Fire Station - Southwest Station	2,500,000
19	Bay Lighting Upgrade	4,500
20	Concrete Apron Repair - Stations 22 & 23	17,643
21	Repair Adjustment [2]	(22,143)
22	Total Other Fire Department Equipment and Required Facilities	\$3,700,000
23	Total Proposed Capital Equipment, Vehicles & Facilities	\$4,701,828

Footnotes:

[1] Amounts reflected as provided by the City.

[2] Amount represents an adjustment to the City's assets that discounts the projected repair costs by an estimate of the original station costs thereby reflecting the net adjustment to the total fixed assets.

Table 4-4
City of Winter Garden
Fire Rescue Services Impact Fee Analysis

Allocation of Service Calls Among Customer Classes

Line No.	Description	Number of Calls For Service		
		Total	Residential	Commercial
<u>Fiscal Years 2012 & 2013</u>				
1	Number of Calls [1]	8,386	5,578	2,808
2	Percent (%)	100.00%	66.52%	33.48%

Footnotes:

[1] Amounts based on information provided by the City of Winter Garden Fire Department.

Table 4-5
City of Winter Garden
Fire Rescue Services Impact Fee Analysis

Summary of Capital Costs to Provide Fire Rescue Services

Line No.	Description	Total Cost [1]	Total Personnel Requirements [2]	Average Cost per Personnel
<u>Recoupment Costs [3]</u>				
1	Machinery & Equipment	\$596,329	57	\$10,462
2	Major Vehicles & Fire Fighting Equipment	2,571,096	57	45,107
3	Other Capital Equipment & Facilities	4,373,293	57	76,724
4	Total Recoupment Costs	<u>\$7,540,718</u>		<u>\$132,293</u>
<u>Proposed Capital Additions [4]</u>				
5	Machinery & Equipment	\$24,328	73	\$333
6	Major Vehicles & Fire Fighting Equipment	977,500	73	13,390
7	Other Capital Equipment & Facilities	3,700,000	73	50,685
8	Total Proposed Costs	<u>\$4,701,828</u>		<u>\$64,408</u>
<u>Additional Cost or Adjustments</u>				
9	Miscellaneous Adjustments	\$0	73	\$0
10	Total Additional Costs or Adjustments	<u>\$0</u>		<u>\$0</u>
11	Total Capital Costs	<u><u>\$12,242,546</u></u>		<u><u>\$196,701</u></u>

Footnotes:

[1] Total estimated capital costs in Tables 4-2 and 4-3.

[2] Future needs are calculated as follows:

Projected Population at Buildout	48,000
Target LOS per 1,000 population	1.53
Total Rescue Personnel Required in Buildout	<u>73</u>
Total Existing Rescue Personnel (LOS)	<u>57</u>
Total Additional Personnel Required to Serve Growth	<u>16</u>

[3] Amounts derived from Table 4-2.

[4] Amounts derived from Table 4-3.

Table 4-6
City of Winter Garden
Fire Rescue Services Impact Fee Analysis

Design of Fire Protection Services Impact Fee

Line No.	Description	Total System	Residential	Non-Residential
1	Total Allocated Cost Per Full Time Firefighter [1]	\$196,701		
2	Additional Firefighters Required to Serve Population Needs through Buildout	16		
3	Total Capital Costs	\$3,147,216		
4	Less: Funds From Other Sources	\$0		
5	Total Capital Costs Recovered From Impact Fees	\$3,147,216		
Allocation to Customer Classes				
6	Percent of Calls for Service [2]		66.52%	33.48%
7	Allocated Costs		\$2,093,390	\$1,053,826
Total Equivalent Impact Fee Units [3]				
8	Residential Dwelling Units		4,263	
9	Square Feet of Commercial Development			1,245,332
10	Cost per Equivalent Impact Fee Unit		\$491.06	\$0.846
11	Rounded Fee		\$491.00	\$0.85

Footnotes:

- [1] Derived from Table 4-5. Reflects projected LOS requirements for 16 additional Firefighters/EMS personnel at a capital cost of \$196,701 per Firefighter.
- [2] Based on information provided by the City's Fire Department.
- [3] Amounts shown represent net increase in total residential dwelling units and non-residential construction (square feet) anticipated to be constructed by buildout consistent with the capital expenditure projections for fire protection services.

	Residential	Non-residential [a]
Total Res. Units/Sq. Ft. of Develop - Buildout	18,898	N/A
Total Res. Units/Sq. Ft. of Develop - FY 2013	14,635	N/A
Difference (Anticipated Growth)	4,263	1,245,332

[a] Amount shown based on an estimate of approximately 300 sq. ft. of commercial development for every 1 unit of residential development.

Table 4-7
City of Winter Garden
Fire Rescue Services Impact Fee Analysis

Fire Rescue Services Impact Fee Comparison [1]

Line No.	Description	Residential			Non-Residential (\$ per square foot)
		Single Family	Multi-Family	Mobile Home	
City of Winter Garden					
1	Existing	\$340.00	\$340.00	\$340.00	\$0.61 per sq. ft.
2	Proposed	491.00	491.00	491.00 [2]	
<u>Other Florida Government Agencies:</u>					
	City of Apopka	N/A	N/A	N/A	N/A
3	City of Clermont	\$462.00	\$462.00	\$462.00 [2]	\$0.781 per sq. ft.
4	City of Edgewater	330.51	143.77	330.51	\$0.0116 - \$0.241 per sq. ft. [3]
5	City of Eustis	146.72	104.88	95.73	\$0.01619 - \$1.634 per sq. ft. [3]
6	City of Kissimmee	N/A	N/A	N/A	N/A
7	City of Lakeland	349.00	263.00	163.00	\$0.014 - \$0.491 per sq. ft. [3]
8	City of Lake Mary	175.00	N/A	N/A	\$0.129 per gross sq. ft.
9	City of Lake Wales	593.00	520.00	N/A	\$0.010 - 1.01 per sq. ft. [3]
10	City of Leesburg	207.00	207.00	207.00	\$0.1174 per sq. ft.
11	City of Minneola	390.00	244.00	152.00	\$0.023 - \$0.025 per sq. ft. [3]
12	City of Mount Dora	437.29	225.27	N/A	\$0.0265 - \$2.23943 per sq. ft. [3]
13	City of Ocoee [4]	636.00	N/A	N/A	\$0.47 per sq. ft.
14	City of St. Cloud	549.00	359.00	N/A	\$0.719 per sq. ft.
15	City of Tavares [5]	402.78	306.46	203.58	\$0.01532 - \$1.91538 per sq. ft. [3]
16	City of Winter Haven	483.90	N/A	N/A	\$0.1614 per sq. ft.
17	Other Florida Governmental Agencies' Average	\$397.09	\$283.54	\$230.55	

Footnotes:

- [1] Unless otherwise noted, amounts shown reflect impact fees in effect June 2014. This comparison is intended to show comparable charges for similar service for comparison purposes only and is not intended to be a complete listing of all rates and charges offered by each listed municipality.
- [2] Based upon the City's existing ordinance and procedures, one new mobile home is charged as one single family dwelling unit.
- [3] Reflects the lowest and highest rate per square feet.
- [4] Impact fees temporarily reduced to 50% of the amounts shown from January 3, 2013 until January 1, 2014.
- [5] Impact fees were waived until June 30, 2013. Beginning July 1, 2013, they are set to increase in six month increments until July 1, 2014, when the full impact fees will become effective again.



RECREATION IMPACT FEE

SECTION 5
RECREATION IMPACT FEE

5.1 GENERAL

This section provides a discussion of the development and design of the impact fee for recreation services. Included in this section is a discussion of adopted level of service (LOS) standards, facility requirements and related capital costs included as the basis for the fee determination, and the design of the fee to be applied to new growth within the City.

5.2 DEFINITION OF RECREATIONAL FACILITIES

The Department of Natural Resources ("DNR") has identified seven classifications or categories of parks. The seven classifications are: i) Equipped Play Area and Tot Lot; ii) Neighborhood Park; iii) Community Park; iv) Urban Open Space; v) Urban-District Park; vi) Regional Park; and vii) Beach Access Site. Based on the summary of existing City owned and operated parks, as shown on Table 5-1, Urban-District parks, Regional Parks, and Beach Access Sites are not applicable to the City. There are specific site guidelines for the recreational classifications which are basically directed towards size, accessibility, and population requirements. The following is a discussion of the site guidelines, as identified by the DNR:

- Equipped Play Area and Tot Lot - These recreational areas generally consist of open areas with play apparatus for school age or pre-school children. Usually, these areas range in size from 1/4 to one acre and serve neighborhoods of between 500 and 2,500 people. Recommended facilities include playground equipment, benches and picnic tables, landscaping and open space.
- Neighborhood Park - These recreational areas generally consist of a variety of facilities designed for the specific needs of the neighborhood. This park is usually considered as a "walk-to" park, where access is directed towards the local residents of the neighborhood. The park is usually designed to serve a radius of up to 1/2 mile and has a size ranging from five to ten acres (i.e., approximately two acres per 1,000 people). Recommended facilities include playground equipment, recreational buildings, multi-purpose courts, sports fields, picnic areas, and open space.
- Community Park - These recreational areas are considered "ride-to" parks and are located on major collector or arterial streets. This type of park is designed to serve the needs of four to six neighborhoods or, generally, a radius of up to three miles. It is recommended that this type of park be a minimum of twenty acres based on a standard of two acres per 1,000 population. Just as the Neighborhood Park is designed to serve the needs of the neighborhood, a Community Park is designed to meet the needs of the surrounding community. Recommended facilities may include swimming pools, ball fields, tennis courts, playground equipment, multi-purpose courts, recreational buildings, sports fields, and other associated equipment. Also, the park should include allowances for open space,

adequate parking, and landscaping. The facilities included in the Neighborhood Park may also be included in a Community Park.

- Urban Open Space - These areas are landscaped or natural open areas usually located within built-up areas and may serve a variety of population sizes based on the size of the open space. The principal function of these areas is to provide a buffer to congested environments. Facilities for this type of park may include benches, commemorative structures, trails, and paths.

The foregoing recreational facilities may also be classified into two categories: resource-based and activity-based. Resource-based sites and facilities are defined as those centered around particular natural resources. These sites provide opportunities for activities such as picnics, hiking, water sports, fishing or just exploring nature. Activity-based recreational sites and facilities are defined as those developed for the enjoyment of particular commercial or non-commercial activities. These sites include facilities for basketball, baseball, football, soccer, golf, tennis, amusement parks, arcades, water parks, and community or senior citizen centers.

As can be seen above, the two types of recreational areas that best meet the needs of the City are the Neighborhood Park and Community Park. Due to the size of the City of Winter Garden, these recreational areas appear to adequately meet the recreational requirements of the population. Additionally, these parks are designed for user groups of all ages and not just a specific age group.

5.3 LEVEL OF SERVICE STANDARDS

Since the adoption of the Comprehensive Plan in 1991, and as further evidenced by the 2010 re-adoption and amendment, the City has had an adopted specific level of service standard for recreational facilities. The standard only addresses the open space or park land component of providing recreational service. As referenced in the in the City's Comprehensive Plan, the City has adopted a level of service standard for recreational space of five (5) acres per 1,000 residents. The City currently owns and maintains an extensive inventory of parks. Additionally, the residents of the City have access to a number of recreational facilities and open-space acres that are not entirely owned by the City but are being considered in determining the current LOS for recreation. A summary of the City owned and operated parks is shown on Table 5-1 at the end of this section. Based on the City's population estimate for 2013 and the recreational open space LOS, the City has a current surplus in the amount of open space of approximately 142 acres, as shown below:

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Description	Amounts
2013 Population	37,172
Open Space LOS	5 acres per 1,000 population
Required Acres	185.86 acres
Current Open Space [*]	<u>327.96 acres</u>
Current Surplus	<u>142.10 acres</u>

[*] Provided by the City and shown on Table 5-1.

Based on the type of parks located within the City, the majority of the recreational open space of the City's parks are considered community parks. As shown below, this classification accounts for approximately 91% of the total City owned acreage that is dedicated to parks within the City:

Classification [*]	Acres	Percent
Community	298.50	91.0%
Neighborhood	20.36	6.2%
Other Open Space	<u>9.10</u>	<u>2.8%</u>
Total	<u>327.96</u>	<u>100.0%</u>

[*] Provided by the City and shown on Table 5-1.

The higher percentage for the Community Park classification is reasonable, since these parks are usually larger in order to provide complete recreational facilities to all age groups of the City and include such facilities as baseball, soccer, basketball, tennis, and football facilities, which require a large land area. Also, these parks usually have on-site parking, which further contributes to the required land area for a Community Park.

With respect to the recreational facilities, the City has not adopted LOS standards for specific parks and recreational facility improvements. However, based on discussions with the City, the City has acknowledged the general facilities standards for user oriented outdoor recreational facilities that are linked to population consistent with the City's LOS standard for recreational open space. These standards are based on guidelines for resource based outdoor recreation as developed by the Florida Department of Environmental Protection (FDEP), Division of Recreation and Parks, as published in Outdoors Recreation in Florida – 2000. This document was formally adopted by the FDEP on February 5, 2002 as the official outdoor recreation plan for the state of Florida (the "FDEP Plan"). These standards appear to be primarily applicable to the community park classification. A summary of the general standards identified in the FDEP Plan, which is typically relied upon in the City's planning efforts for providing recreational services, and the current surpluses or deficiencies in such facilities is summarized on Table 5-4 at the end of this section. As shown on Table 5-4, the standard for the various recreational facilities varies a great deal depending on the type of facility, the cost of the facility, and the availability for use by the City's residents (e.g., a pool can accommodate a greater number of residents than a tennis court at any particular time). As can be seen on Table 5-2 and based on the inventory of facilities compiled by the City, generally the City has in place sufficient recreational facilities to meet the existing population needs (there is no significant deficiency or

surplus in facilities with the exception of tennis and volleyball courts where moderate deficiencies exist). It appears, based on the comparison of the required facilities using the general level of service standards identified in the FDEP Plan that the City has adequately met the recreational needs for the existing population of the City, and that it relies on the FDEP Plan for general recreational facility planning. As such, the use of the existing facilities, which essentially match the population needs, (per the various LOS standards) will serve as a good proxy for the identification of the cost to service the future residents of the City.

5.4 DESIGN OF RECREATION IMPACT FEE

The method used to determine the impact fee is based on the capital cost of recreation services. This method which was used to determine the recreational facilities component of the recreation impact fee was based upon an allocation process to assign costs between existing and future residents. Table 5-6 at the end of this section summarizes the results of the approach. The following is a brief description of the method used in this study:

- Development of Total Capital Need – Based on the City's estimated capital costs of developing existing and future park facilities, population projections, and recommended LOS requirements, the total estimated cost to serve existing residents is developed which needs to be recovered from future growth (a "Buy-in Approach").
- Development of Equivalent Impact Fee Units – This step develops the estimated number of equivalent impact fee units, to calculate a rate per equivalent unit. This municipal service is applicable only to the residential class and the equivalent unit is considered to be one (1) resident (per resident application).
- Calculation of Cost per Development – Once the total capital costs allocable to each future resident are determined, the cost per development unit was calculated, or the impact fee unit per dwelling (residence).

Recreation Impact Fee Assumptions

In the development of the recreation impact fees, several assumptions were required. The major assumptions used in the development of the impact fees are as follows:

1. The development of the cost for the recreation facilities impact fees was based on the City's current inventory of parks and recreational activities, the current service standards for recreational facilities and activities, and the City's estimated capital costs to develop future facilities and activities.
2. As indicated in Table 5-6, the City has identified existing needs totaling \$19,024,622 which includes a credit for grants and other sources of cost free capital which reduced the burden by \$2,261,167. The total needs were primarily based primarily on actual investments made by the City, which should be recouped from future residential growth.

Impact Fee Calculation

Based on the above-referenced assumptions, the recreation impact fee was determined as follows:

Net Investment – Open Space [1]	\$3,229,639
Existing Open Space	<u>327.96</u>
Existing Cost Per Acre	\$9,848
Open Space Requirement for Existing Residents (Acres)	<u>185.86</u>
Total Capital Cost to Provide Open Spaces	\$1,830,349
Total Capital to Provide Recreation Facilities [2]	11,460,412
Total Capital Costs to Provide Recreation Activities and Equipment	<u>5,733,861</u>
Total Capital Costs Allocable to Exiting Residents	\$19,024,622
Total Cost Allocated to Fee	\$19,024,622
Existing Housing Units	<u>14,635</u>
Proposed Rate per Housing Unit	<u><u>\$1,300.00</u></u>

[1] Amount was reduced by approximately \$1.0 million in grant revenues for land.
[2] Amount was reduced by approximately \$1.2 million in grant revenues for facilities.

In the development of the cost per equivalent impact fee unit, it was determined that the rate should be applied on a "per dwelling unit" basis for the residential class. This factor is used throughout the state as the equivalent impact fee unit for fee determination, as shown in Table 5-6. The use of these equivalency factors was based on discussions with the City and the fact the City currently uses these application parameters for the existing fees, comparisons of fee applicability provisions of neighboring jurisdictions, and promotion of administrative simplicity. For the residential class, it is proposed that the rates continue to be based on the number of dwelling units served, recognizing differences as to type of residence (single-family, multi-family, mobile home, etc.) and the average persons per household for these types of dwelling units in the City. Pursuant to the Recreation Impact Fee Ordinance, the City has quantified differences in household occupancy characteristics. It is recommended that the current application of the City's existing recreational fees, which differentiate by the type of dwelling unit, be continued. Based on the existing per dwelling unit demographics, as reflected in the Recreation Impact Fee Ordinance, the proposed fees would be as follows:

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	<u>Estimated Household Size</u>	<u>Impact Fee</u>
Net Average Impact Fee		\$1,300.00
Net Average Impact Fee		\$1,300.00
Average Persons Per Household		2.54
Rate Per Person		511.81
Rates Per Dwelling Unit (rounded)		
Single-Family	2.54 [*]	\$1,300.00
Multi-Family	2.26 [*]	\$1,159.00
Mobile Home	1.71 [*]	\$874.00

[*] Based on relationships contained in the Recreation Impact Fee Ordinance.

Based on the estimated occupancy relationships per dwelling unit as shown above, the recommended fees would be as follows:

<u>Residence Type</u>	<u>Fee Amounts</u>
Single-Family	\$1,300.00
Multi-Family	\$1,159.00
Mobile Home	\$874.00

5.5 IMPACT FEE COMPARISONS

In order to provide the City additional information about the proposed impact fees, a comparison of the proposed fees for the City and those charged by other neighboring jurisdictions was prepared. Table 5-8 at the end of this section summarizes the impact fees for recreational services charged by other communities with the proposed rates of the City. As can be seen in the comparison, the proposed fees of the City are somewhat higher than the average of those charged by other communities.

Also, as shown in Table 5-8 for other communities, the fees charged to the residential class are applied using a "per dwelling unit" basis, which is consistent with the recommended fee applicability provisions of the City's proposed fees. Additionally, many cities have adjusted the fees for the residential class to recognize differences in the number of persons per household, which would be consistent with the LOS standards for recreational services (i.e., facilities per 1,000 population).

Section 5
City of Winter Garden
Parks and Recreation Impact Fee Analysis

List of Tables

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5-3	Existing Open-Space Needs
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5-5	Summary of Capital Projects to Improve & Expand Recreation Services
5-6	Design of Recreation Impact Fee
5-7	Impact Fee Allocation
5-8	Parks and Recreation Impact Fee Comparison

Table 5-1
City of Winter Garden
Parks and Recreation Impact Fee Analysis

Inventory of City Parks and Recreational Facilities [1]

Line No.	Facility Classification	Acres	Facilities
1	Community Parks:	298.50	
2	Downtown Pavilion and Interactive Fountain	1.94	Picnic Pavilions Swimming Pool / Fountain Restrooms
3	Newton Park	8.52	General Play Ground Picnic Pavilions Swimming Pool Restrooms
4	Braddock Park	22.00	General Play Ground Baseball / Softball Field Soccer Field Concession Stand Restrooms
5	Little League Complex and Walker Football Field	14.98	Baseball / Softball Field Football Field Concession Stand Restrooms
6	Veteran Park (City and Radio Portion)	26.03	General Play Ground Tennis Courts Basketball Courts Picnic Pavilions Baseball / Softball Field Soccer Field Volleyball Courts Restrooms
7	Chapin Station and Neighborhood Park	8.08	Tennis Courts Basketball Courts Picnic Pavilions
8	Tucker Ranch Park	208.60	General Play Ground Baseball / Softball Field Restrooms
9	Jessie Brock Community Center Park	8.35	Community Center Exercise Trail Restrooms
10	Neighborhood Parks:	20.36	
11	Bradford Park	11.97	Picnic Pavilions Restrooms
12	Maple St. Park	1.59	General Play Ground Picnic Pavilions Racquetball Wall Soccer Field

Table 5-1
City of Winter Garden
Parks and Recreation Impact Fee Analysis

Inventory of City Parks and Recreational Facilities [1]

Line No.	Facility Classification	Acres	Facilities
			Skate Ramp Restrooms
13	Zanders Park & Boulder Pool	1.30	General Play Ground Basketball Courts Picnic Pavilions Swimming Pool Restrooms
14	Warrior Park	5.19	Open Space
15	Main St. Triangle	0.31	Open Space Benches
16	Open Space:	9.10	
17	Lulu Creek Trail	6.61	Open Space / Trails
18	West Orange Trail (Plant St. Segment)	2.49	Open Space / Trails
<u>Summary of Acreage</u>			
19	Community Parks	298.50	
20	Neighborhood Parks	20.36	
21	Open Space	9.10	
22	Total Acres Owned by City	<u><u>327.96</u></u>	

Footnotes

[1] Inventory as provided by the City.

Table 5-2
City of Winter Garden
Parks and Recreation Impact Fee Analysis

Summary of Existing City Investments in Parks and Recreation

Line No.	Description	Acquisition Cost	Asset Category	Asset Category Allocated Amounts					Total
				Land	Building	Activity	Equipment	Excluded	
Fixed Assets									
Land									
1	Garden AV Pool	\$125,000	Land	\$125,000	\$0	\$0	\$0	\$0	\$125,000
2	City Dock	7,000	Land	7,000	0	0	0	0	7,000
3	Klondike-B-Ball CT-P	12,626	Land	12,626	0	0	0	0	12,626
4	W O Jaycees Park-Playground	23,270	Land	23,270	0	0	0	0	23,270
5	Little League Field & Building	76,577	Land	76,577	0	0	0	0	76,577
6	Land	149,690	Land	149,690	0	0	0	0	149,690
7	Survey	500	Land	500	0	0	0	0	500
8	Appraisal	1,250	Land	1,250	0	0	0	0	1,250
9	Land	140,205	Land	140,205	0	0	0	0	140,205
10	Right Of Way (W. Orange)	212,464	Land	212,464	0	0	0	0	212,464
11	Singh Property - 2/3	194,070	Land	194,070	0	0	0	0	194,070
12	907 Klondike	462	Land	462	0	0	0	0	462
13	208 Center Street	6,534	Land	6,534	0	0	0	0	6,534
14	637 Vineland /Senior Center	152,755	Land	152,755	0	0	0	0	152,755
15	Warrior Park [Ocoee]	535,113	Land	535,113	0	0	0	0	535,113
16	Dillard Elem School-Purch	512,315	Land	512,315	0	0	0	0	512,315
17	Warrior Park @ Windermere Rd	438	Land	438	0	0	0	0	438
18	Tucker Ranch Property	2,117,744	Land	2,117,744	0	0	0	0	2,117,744
19	Land Total	\$4,268,012		\$4,268,012	\$0	\$0	\$0	\$0	\$4,268,012
Buildings									
20	Little League Field/Walke	\$10,000	Building	\$0	\$10,000	\$0	\$0	\$0	\$10,000
21	Old Fire Station	47,286	Building	0	47,286	0	0	0	47,286
22	Playground, Tennis & Handball	3,000	Activity	0	0	3,000	0	0	3,000
23	Pool	5,400	Activity	0	0	5,400	0	0	5,400
24	Walker Field	16,285	Activity	0	0	16,285	0	0	16,285
25	Garden Ave/ Pool	82,652	Activity	0	0	82,652	0	0	82,652
26	Boat Ramp / Restrooms	16,557	Building	0	16,557	0	0	0	16,557
27	Pool Restoration/Klondike	10,634	Building	0	10,634	0	0	0	10,634
28	Pool Restoration	6,000	Building	0	6,000	0	0	0	6,000
29	Pool Restoration/Klondike	2,542	Building	0	2,542	0	0	0	2,542
30	Pool Restoration	10,894	Building	0	10,894	0	0	0	10,894
31	B-Ball Court/Klondike	25,829	Activity	0	0	25,829	0	0	25,829
32	Fence	960	Building	0	960	0	0	0	960
33	Softball Field	22,023	Activity	0	0	22,023	0	0	22,023
34	Varsity Court Softball Fi	39,730	Activity	0	0	39,730	0	0	39,730
35	Christmas Decorations	7,369	Building	0	7,369	0	0	0	7,369
36	Office Building	62,987	Building	0	62,987	0	0	0	62,987
37	Storage Shed	6,663	Building	0	6,663	0	0	0	6,663
38	2 Elevated Aluminum Bleacher	8,300	Building	0	8,300	0	0	0	8,300
39	4 Dugout Roofs	1,200	Building	0	1,200	0	0	0	1,200
40	Batting Cages	1,200	Building	0	1,200	0	0	0	1,200
41	Dugouts	1,200	Activity	0	0	1,200	0	0	1,200
42	Boat Dock Design	2,110	Building	0	2,110	0	0	0	2,110
43	2 Aluminum Bleachers	1,853	Building	0	1,853	0	0	0	1,853
44	2 Shelters - Shuffleboard	3,050	Activity	0	0	3,050	0	0	3,050
45	Boat Dock & Ramp	32,921	Building	0	32,921	0	0	0	32,921
46	Fence-Football Field	4,600	Building	0	4,600	0	0	0	4,600
47	Park Ave Landscape	62,153	Building	0	62,153	0	0	0	62,153
48	Recreation Equip./Klondike	15,077	Activity	0	0	15,077	0	0	15,077
49	Planning/Design/Bradford	5,598	Building	0	5,598	0	0	0	5,598
50	Klondike Pool Project	10,000	Activity	0	0	10,000	0	0	10,000
51	Chain-link Fence Replacement	2,546	Building	0	2,546	0	0	0	2,546
52	Fence & Gate/Klondike	2,200	Building	0	2,200	0	0	0	2,200
53	Life Guard Stand/Klondike	506	Building	0	506	0	0	0	506
54	Basketball/Maple Street	1,860	Activity	0	0	1,860	0	0	1,860
55	Boat Dock & Ramp Complete	11,125	Building	0	11,125	0	0	0	11,125
56	4 Dugout Roofs	2,280	Building	0	2,280	0	0	0	2,280
57	Poles & Lights - Pop Warn	27,618	Building	0	27,618	0	0	0	27,618
58	Field - Walker	66,598	Activity	0	0	66,598	0	0	66,598
59	Planning & Paving/Bradford	60,347	Building	0	60,347	0	0	0	60,347
60	Fence/Bradford Park	1,900	Building	0	1,900	0	0	0	1,900
61	Fence/Walker	1,350	Building	0	1,350	0	0	0	1,350
62	Storage Building/Walker	771	Building	0	771	0	0	0	771
63	Improvements-Bradford Par	59,346	Building	0	59,346	0	0	0	59,346
64	Building Transferred From	6,355	Building	0	6,355	0	0	0	6,355
65	Fencing	2,190	Building	0	2,190	0	0	0	2,190
66	Concession Stand	32,840	Building	0	32,840	0	0	0	32,840
67	Resurface 4 Tennis Courts	3,985	Building	0	3,985	0	0	0	3,985
68	Concrete Slab/Bradford Pa	2,295	Building	0	2,295	0	0	0	2,295
69	Pavilion	1,378	Building	0	1,378	0	0	0	1,378
70	Resurface Shuffleboard Ct	2,425	Building	0	2,425	0	0	0	2,425
71	Crushed Shell Walkway	891	Building	0	891	0	0	0	891
72	Picnic Tables/Benches	3,910	Building	0	3,910	0	0	0	3,910
73	Cypress Mulch	1,300	Building	0	1,300	0	0	0	1,300

Table 5-2
City of Winter Garden
Parks and Recreation Impact Fee Analysis

Summary of Existing City Investments in Parks and Recreation

Line No.	Description	Acquisition Cost	Asset Category	Asset Category Allocated Amounts					Total
				Land	Building	Activity	Equipment	Excluded	
74	Recreation Office Surprise	24,570	Building	0	24,570	0	0	0	24,570
75	5 Lights Tennis/Basketball	3,050	Activity	0	0	3,050	0	0	3,050
76	Klondike Lights	614	Building	0	614	0	0	0	614
77	Title Search/Pier	770	Building	0	770	0	0	0	770
78	Mulch	2,218	Building	0	2,218	0	0	0	2,218
79	Exterior Wood & Interior	17,747	Building	0	17,747	0	0	0	17,747
80	Reroof Maint Bldg./Baseball	2,455	Building	0	2,455	0	0	0	2,455
81	Resurface Basketball Ct	3,077	Building	0	3,077	0	0	0	3,077
82	Bathroom Stalls & Urinals	4,049	Building	0	4,049	0	0	0	4,049
83	Electrical/Klondike	1,489	Building	0	1,489	0	0	0	1,489
84	Farnsworth Pool Deck	1,810	Building	0	1,810	0	0	0	1,810
85	Resurface Pool/Klondike	19,240	Building	0	19,240	0	0	0	19,240
86	Grant-Pier	64,251	Building	0	64,251	0	0	0	64,251
87	Light Practice Area	5,792	Activity	0	0	5,792	0	0	5,792
88	Landscape Walker Complex	16,018	Building	0	16,018	0	0	0	16,018
89	Klondike Pool Roof	1,024	Building	0	1,024	0	0	0	1,024
90	Pool Restoration	43,881	Building	0	43,881	0	0	0	43,881
91	Hobo Room Roof	6,964	Building	0	6,964	0	0	0	6,964
92	Sidewalk	132,413	Building	0	132,413	0	0	0	132,413
93	12 X 12 Shelter W Crown P	4,680	Building	0	4,680	0	0	0	4,680
94	12 X 12 Shelter W Crown P	4,680	Building	0	4,680	0	0	0	4,680
95	24 X 44 Shelter W Crown P	4,680	Building	0	4,680	0	0	0	4,680
96	Shuffleboard Lights	2,482	Building	0	2,482	0	0	0	2,482
97	Renovations/Klondike	132,501	Building	0	132,501	0	0	0	132,501
98	Tennis Court/Wcrown Pt	30,741	Activity	0	0	30,741	0	0	30,741
99	Large Pavilion - Jj Tayl	2,700	Building	0	2,700	0	0	0	2,700
100	Small Pavilion	750	Building	0	750	0	0	0	750
101	Bridges/W. Crown Pt	8,695	Building	0	8,695	0	0	0	8,695
102	Basketball Court/W Crown	13,141	Activity	0	0	13,141	0	0	13,141
103	Restroom Renovations	22,455	Building	0	22,455	0	0	0	22,455
104	Grading/W Crown Pt	2,320	Building	0	2,320	0	0	0	2,320
105	Solar Lights/W Crown Pt	4,876	Building	0	4,876	0	0	0	4,876
106	Sidewalk & Curb	13,716	Building	0	13,716	0	0	0	13,716
107	12 X 12 Shelter	3,257	Building	0	3,257	0	0	0	3,257
108	12 X 12 Shelter	3,257	Building	0	3,257	0	0	0	3,257
109	12 X 12 Shelter	3,257	Building	0	3,257	0	0	0	3,257
110	12 X 12 Shelter	3,257	Building	0	3,257	0	0	0	3,257
111	12 X 12 Shelter Veterans	3,253	Building	0	3,253	0	0	0	3,253
112	12 X 12 Shelter Veterans	3,253	Building	0	3,253	0	0	0	3,253
113	12 X 12 Shelter Veterans	3,253	Building	0	3,253	0	0	0	3,253
114	24 X 44 Shelter Newton Pa	13,177	Building	0	13,177	0	0	0	13,177
115	24 X 44 Shelter Veterans	13,000	Building	0	13,000	0	0	0	13,000
116	Concession Stand	5,000	Building	0	5,000	0	0	0	5,000
117	Fence	694	Building	0	694	0	0	0	694
118	Gazebo	18,300	Building	0	18,300	0	0	0	18,300
119	Irrigation System	9,805	Building	0	9,805	0	0	0	9,805
120	Pool Pump	11,305	Building	0	11,305	0	0	0	11,305
121	Lighting + Mulch	867	Building	0	867	0	0	0	867
122	Sidewalk	16,420	Building	0	16,420	0	0	0	16,420
123	Basketball Ct Lighting	3,820	Building	0	3,820	0	0	0	3,820
124	Little League Fence	1,063	Building	0	1,063	0	0	0	1,063
125	Sidewalk Newton Park	8,234	Building	0	8,234	0	0	0	8,234
126	Irrigation System	1,225	Building	0	1,225	0	0	0	1,225
127	Electrical Work	5,241	Building	0	5,241	0	0	0	5,241
128	Parking Lot Veterans	20,084	Building	0	20,084	0	0	0	20,084
129	Boat Landing	19,890	Building	0	19,890	0	0	0	19,890
130	Shuffleboard Courts	19,373	Activity	0	0	19,373	0	0	19,373
131	Senior League Irrigation	5,800	Building	0	5,800	0	0	0	5,800
132	Nets And Fences	10,366	Building	0	10,366	0	0	0	10,366
133	Newton Park Boat Basin Re	80,595	Building	0	80,595	0	0	0	80,595
134	Jaycee Park Playground	5,523	Building	0	5,523	0	0	0	5,523
135	Fountain - Maple St. Park	1,992	Building	0	1,992	0	0	0	1,992
136	Fountain - Veterans Park	1,992	Building	0	1,992	0	0	0	1,992
137	Fountain - Zanders Park	1,992	Building	0	1,992	0	0	0	1,992
138	Shed-Aluminum, 8X10	1,280	Building	0	1,280	0	0	0	1,280
139	Practice Field Lights	6,353	Building	0	6,353	0	0	0	6,353
140	Newton Park Drainage	11,493	Building	0	11,493	0	0	0	11,493
141	Park Lighting	5,990	Building	0	5,990	0	0	0	5,990
142	Drinking Fountains	4,686	Building	0	4,686	0	0	0	4,686
143	Ada Improvements	2,831	Building	0	2,831	0	0	0	2,831
144	Public Works Entrance	30,588	Building	0	30,588	0	0	0	30,588
145	Chain-link Fence-Klondike	1,380	Building	0	1,380	0	0	0	1,380
146	Chain-link Fence-Veteran's	3,876	Building	0	3,876	0	0	0	3,876
147	Resurface Tennis/Bball Ct	33,286	Building	0	33,286	0	0	0	33,286
148	Park Restroom Partitions	5,101	Building	0	5,101	0	0	0	5,101
149	Slide - Insurance Pmt	(1,796)	Building	0	(1,796)	0	0	0	(1,796)
150	Fence - Maple Skate Park	3,830	Building	0	3,830	0	0	0	3,830
151	Resurface Tennis/Bball Ct	8,204	Building	0	8,204	0	0	0	8,204
152	Paint Restrooms-Parks	1,285	Building	0	1,285	0	0	0	1,285
153	Downtown Hardscape	4,800	Building	0	4,800	0	0	0	4,800

**Table 5-2
City of Winter Garden
Parks and Recreation Impact Fee Analysis**

Summary of Existing City Investments in Parks and Recreation

Line No.	Description	Acquisition Cost	Asset Category	Asset Category Allocated Amounts					Total
				Land	Building	Activity	Equipment	Excluded	
154	Senior Field Lights	97,663	Building	0	97,663	0	0	0	97,663
155	Softball Field Fence	12,225	Building	0	12,225	0	0	0	12,225
156	Veterans Park Tennis Crts	20,715	Building	0	20,715	0	0	0	20,715
157	Maple Street Park Restroom	43,541	Building	0	43,541	0	0	0	43,541
158	Park Material Storage Bin	11,000	Building	0	11,000	0	0	0	11,000
159	Klondike Park Restrooms	330	Building	0	330	0	0	0	330
160	Parks Equipment Complex	118,113	Building	0	118,113	0	0	0	118,113
161	Parks Office Roof Repair	13,070	Building	0	13,070	0	0	0	13,070
162	Downtown Hardscape	6,056	Building	0	6,056	0	0	0	6,056
163	Bouler Pool Improvements	236,589	Building	0	236,589	0	0	0	236,589
164	Shuffleboard Court Roof	4,058	Building	0	4,058	0	0	0	4,058
165	Air Conditioner Unit	3,200	Building	0	3,200	0	0	0	3,200
166	637 Vineland /Senior Ctr	34,592	Building	0	34,592	0	0	0	34,592
167	Warrior Park @ Windermere Rd	24,631	Building	0	24,631	0	0	0	24,631
168	Maple St Park Fence	21,785	Building	0	21,785	0	0	0	21,785
169	Walker Field Restrooms	139,765	Building	0	139,765	0	0	0	139,765
170	Farnsworth Pool Refinish	113,595	Building	0	113,595	0	0	0	113,595
171	Athletic Field Windscreen	1,866	Building	0	1,866	0	0	0	1,866
172	Klondike St/Zanders Park	567,404	Building	0	567,404	0	0	0	567,404
173	Gates-Outgoing Card Read	235	Building	0	235	0	0	0	235
174	Braddock Park Ss @ Cem	3,492,590	Building	0	3,492,590	0	0	0	3,492,590
175	Jessie Brock Cmnty Ctr	2,516,354	Building	0	2,516,354	0	0	0	2,516,354
176	Braddock Park Underdrains	34,690	Building	0	34,690	0	0	0	34,690
177	Gdn Theater 160 W Plant	1,452,791	Building	0	1,452,791	0	0	0	1,452,791
178	Farmers' Mkt Park/Fountn	2,015,419	Building	0	2,015,419	0	0	0	2,015,419
179	Lulu Creek Trail	357,172	Activity	0	0	357,172	0	0	357,172
180	Softball Nets-Braddock	8,972	Building	0	8,972	0	0	0	8,972
181	Scorekp Shelter-Braddock	10,900	Building	0	10,900	0	0	0	10,900
182	Lighting-J Brock Com Ctr	48,744	Building	0	48,744	0	0	0	48,744
183	Splash Pad Shade Cover	30,558	Building	0	30,558	0	0	0	30,558
184	Tucker Ranch House Rehab	34,906	Building	0	34,906	0	0	0	34,906
185	Zanders Park Fence	2,180	Building	0	2,180	0	0	0	2,180
186	Goal Net	2,485	Building	0	2,485	0	0	0	2,485
187	Chapin Station Park	6,490	Building	0	6,490	0	0	0	6,490
188	Athletic Ct Resurface	23,245	Building	0	23,245	0	0	0	23,245
189	Park Signage	20,850	Building	0	20,850	0	0	0	20,850
190	Farnsworth Pool Shade	14,935	Building	0	14,935	0	0	0	14,935
191	Concrete Pole 70Ft	17,795	Building	0	17,795	0	0	0	17,795
192	Building Total	\$13,405,174		\$0	\$12,683,202	\$721,972	\$0	\$0	\$13,405,174
Machinery and Equipment									
193	11 Picnic Tables W/6 Bench	\$3,552	Activity	\$0	\$0	\$3,552	\$0	\$0	\$3,552
194	1000 Watt Sportslighter	3,748	Equipment	0	0	0	3,748	0	3,748
195	Wee Dump Trailer 1632	2,175	Equipment	0	0	0	2,175	0	2,175
196	4 X 2 Gator	4,255	Equipment	0	0	0	4,255	0	4,255
197	Bleachers	1,666	Activity	0	0	1,666	0	0	1,666
198	Gooseneck Basketball Pole	762	Activity	0	0	762	0	0	762
199	Kubota Front Mower	11,435	Equipment	0	0	0	11,435	0	11,435
200	Sign	1,961	Equipment	0	0	0	1,961	0	1,961
201	Swing Set	900	Activity	0	0	900	0	0	900
202	Bleachers	3,254	Activity	0	0	3,254	0	0	3,254
203	Burglary Protection Safe	0	Equipment	0	0	0	0	0	0
204	Imfkid Builder	4,248	Activity	0	0	4,248	0	0	4,248
205	Imfbehive Climber	1,339	Activity	0	0	1,339	0	0	1,339
206	Imf Kid Builder	16,939	Activity	0	0	16,939	0	0	16,939
207	1996 Chevy 3500 Quad	22,176	Equipment	0	0	0	22,176	0	22,176
208	Bleachers	4,616	Activity	0	0	4,616	0	0	4,616
209	Post/Hanger 1 Trash Can	960	Equipment	0	0	0	960	0	960
210	Signs/Sport Complex	944	Activity	0	0	944	0	0	944
211	97 Fleetside Chevy 1500Pu	15,925	Equipment	0	0	0	15,925	0	15,925
212	Golf Cart(Gator 4X2)	5,473	Equipment	0	0	0	5,473	0	5,473
213	All Star Bleacher	1,505	Activity	0	0	1,505	0	0	1,505
214	1998 Chevy Truck #81	0	Equipment	0	0	0	0	0	0
215	Bleachers	4,000	Activity	0	0	4,000	0	0	4,000
216	Play Ground	31,959	Activity	0	0	31,959	0	0	31,959
217	Gator 4X2	4,449	Equipment	0	0	0	4,449	0	4,449
218	Generator	993	Equipment	0	0	0	993	0	993
219	Chevy Silverado 00 V202	16,338	Equipment	0	0	0	16,338	0	16,338
220	Chevy Silverado 2000 #98	0	Equipment	0	0	0	0	0	0
221	Veteran's Park Sign	2,600	Equipment	0	0	0	2,600	0	2,600
222	Chevy Silverado 2000	16,254	Equipment	0	0	0	16,254	0	16,254
223	Jaycee Park Playground	47,294	Activity	0	0	47,294	0	0	47,294
224	Water Trailer	2,169	Equipment	0	0	0	2,169	0	2,169
225	Gator Util Vehicle	4,463	Equipment	0	0	0	4,463	0	4,463
226	2002 Dodge Ram P/U	20,450	Equipment	0	0	0	20,450	0	20,450
227	Flag Pole-Satin Finish	1,038	Equipment	0	0	0	1,038	0	1,038
228	Tractor - John Deere 4600	17,477	Equipment	0	0	0	17,477	0	17,477
229	Loader Attachment	2,899	Equipment	0	0	0	2,899	0	2,899

Table 5-2
City of Winter Garden
Parks and Recreation Impact Fee Analysis

Summary of Existing City Investments in Parks and Recreation

Line No.	Description	Acquisition Cost	Asset Category	Asset Category Allocated Amounts					Total
				Land	Building	Activity	Equipment	Excluded	
230	Mower Attachment	2,930	Equipment	0	0	0	2,930	0	2,930
231	Tiller Attachment	2,426	Equipment	0	0	0	2,426	0	2,426
232	93 Club Car Carryall	3,250	Equipment	0	0	0	3,250	0	3,250
233	Chevrolet Truck	16,666	Equipment	0	0	0	16,666	0	16,666
234	Kubota 21 Hp Mower	9,000	Equipment	0	0	0	9,000	0	9,000
235	Utility Lift Vehicle	18,591	Equipment	0	0	0	18,591	0	18,591
236	2004 Chevy Silverado 4Wd	15,320	Equipment	0	0	0	15,320	0	15,320
237	Skateboard Ramps	7,000	Activity	0	0	7,000	0	0	7,000
238	2005 Chevy Passenger Van	22,755	Equipment	0	0	0	22,755	0	22,755
239	Toro Workman 2100	7,259	Equipment	0	0	0	7,259	0	7,259
240	Toro Rahn Groomer For Wor	2,403	Equipment	0	0	0	2,403	0	2,403
241	Skateboard Ramps	8,602	Activity	0	0	8,602	0	0	8,602
242	2005 Ford Taurus	12,802	Equipment	0	0	0	12,802	0	12,802
243	Lifeguard Chair 1	917	Activity	0	0	917	0	0	917
244	Lifeguard Chair 2	917	Activity	0	0	917	0	0	917
245	Lifeguard Chair 3	917	Activity	0	0	917	0	0	917
246	Lifeguard Chair 4	925	Activity	0	0	925	0	0	925
247	Portable Stage	73,318	Activity	0	0	73,318	0	0	73,318
248	Lifeguard Chair 5	1,664	Activity	0	0	1,664	0	0	1,664
249	Lifeguard Chair 6	1,664	Activity	0	0	1,664	0	0	1,664
250	2006 Chevy Express Van	25,151	Equipment	0	0	0	25,151	0	25,151
251	2006 Chevy Van	18,404	Equipment	0	0	0	18,404	0	18,404
252	Shuffleboard Courts	22,699	Activity	0	0	22,699	0	0	22,699
253	Lifeguard Chair - Tall	1,610	Activity	0	0	1,610	0	0	1,610
254	Bleacher-Tipn Roll 1 Of 3	1,429	Activity	0	0	1,429	0	0	1,429
255	Bleacher-Tipn Roll 2 Of 3	1,429	Activity	0	0	1,429	0	0	1,429
256	Bleacher-Tipn Roll 3 Of 3	1,429	Activity	0	0	1,429	0	0	1,429
257	Lightning Protect System	25,744	Equipment	0	0	0	25,744	0	25,744
258	Environmental Sign	2,835	Equipment	0	0	0	2,835	0	2,835
259	Slide - Spiral Dark Blue	1,686	Activity	0	0	1,686	0	0	1,686
260	4Hp Sprayer - 50 Gallon	2,171	Equipment	0	0	0	2,171	0	2,171
261	Aerator	4,837	Equipment	0	0	0	4,837	0	4,837
262	Groundmstr Mower W/Shade	23,909	Equipment	0	0	0	23,909	0	23,909
263	Rahn Groomer (Workman)	1,750	Equipment	0	0	0	1,750	0	1,750
264	Workman Util Vehicle	9,192	Equipment	0	0	0	9,192	0	9,192
265	Vm Ware	6,472	Equipment	0	0	0	6,472	0	6,472
266	Hp Proliant DL380	10,535	Equipment	0	0	0	10,535	0	10,535
267	Windows Ent Srvr Trueup	2,129	Equipment	0	0	0	2,129	0	2,129
268	Triple Crown Trailer-16'	1,682	Equipment	0	0	0	1,682	0	1,682
269	Honda Push Vacuum	879	Equipment	0	0	0	879	0	879
270	Spray Unit-50 Gallon	2,800	Equipment	0	0	0	2,800	0	2,800
271	Desk L Mahogany R Rtn	2,427	Equipment	0	0	0	2,427	0	2,427
272	J Deere Tractor W/ Loader	21,880	Equipment	0	0	0	21,880	0	21,880
273	Aerator 686 [Red]	6,720	Equipment	0	0	0	6,720	0	6,720
274	Ice Machine	1,370	Equipment	0	0	0	1,370	0	1,370
275	Mondovap 2400 Steamer	3,227	Equipment	0	0	0	3,227	0	3,227
276	Edge-R Rite li	1,482	Equipment	0	0	0	1,482	0	1,482
277	Bench-6' Cast/Steel	1,029	Activity	0	0	1,029	0	0	1,029
278	Bench-6' Cast/Steel	1,029	Activity	0	0	1,029	0	0	1,029
279	Baseball Foul Pole	1,165	Activity	0	0	1,165	0	0	1,165
280	Equipment Shed	3,788	Equipment	0	0	0	3,788	0	3,788
281	Christmas Tree	22,426	Equipment	0	0	0	22,426	0	22,426
282	Score Board-Little League Park	3,000	Activity	0	0	3,000	0	0	3,000
283	Jd Gator Motorized Cart	7,996	Equipment	0	0	0	7,996	0	7,996
284	Spreader Motorized	2,705	Equipment	0	0	0	2,705	0	2,705
285	Swing Set	7,221	Activity	0	0	7,221	0	0	7,221
286	Slides For Playground	8,380	Activity	0	0	8,380	0	0	8,380
287	Scoreboard 1 Wireless-Vet Park	3,516	Activity	0	0	3,516	0	0	3,516
288	Scoreboard 2 Wireless-Vet Park	3,516	Activity	0	0	3,516	0	0	3,516
289	Bleachers-Football Field	50,993	Activity	0	0	50,993	0	0	50,993
290	J D Gator Util Vehicle	7,571	Equipment	0	0	0	7,571	0	7,571
291	Turf Vacuum	9,900	Equipment	0	0	0	9,900	0	9,900
292	Infrastructure Total	\$829,647		\$0	\$0	\$329,028	\$500,619	\$0	\$829,647
293	PARKS AND RECREATION TOTAL	\$18,502,834		\$4,268,012	\$12,683,202	\$1,051,001	\$500,619	\$0	\$18,502,834

Footnotes

[1] Inventory as provided by the City and in service as of April 30, 2014.

Table 5-3
City of Winter Garden
Parks and Recreation Impact Fee Analysis

Existing Open-Space Needs

Line No.	Facility Classification	City Open Space Standards [1]			Existing City Facilities [2]			To City Standards	
		Acres	Per	Population	Total Acres	Per	2013 Population	Required	Surplus / (Deficiency)
1	Overall Open-space - Parkland Requirements	5.00	[3]	1,000	119.36		37,172	185.86	(66.50)
2	Tucker Ranch Park	5.00	[3]	1,000	208.60		37,172	185.86	22.74
3	Total	5.00	[3]	1,000	327.96		37,172	185.86	142.10

Footnotes

- [1] As provided in the City's Parks and Recreation Master Plan.
- [2] Inventory and Classification as provided by the City and as provided in detail in Table 5-1.
- [3] The City's standard is to provide approximately 5 Acres per 1,000 residents.

Table 5-4
City of Winter Garden
Parks and Recreation Impact Fee Analysis

Existing Activity Facility Needs

Line No.	Facility Classification	City Activity Guidelines [1]			Existing City Activities [2]			To City Standards	
		Standard	Per	Population	Standard	Per	2013 Population	Required	Surplus / (Deficiency)
1	Baseball/Softball	1.0		5,000	8.0		37,172	7.4	0.6
		Field							
2	Tennis	1.0		2,000	6.0		37,172	18.6	(12.6)
		Court							
3	Basketball	1.0		5,000	8.0		37,172	7.4	0.6
		Court							
4	Volleyball	1.0		6,000	2.0		37,172	6.2	(4.2)
		Court							
5	Exercise / Parcourse Trails	1.0		15,000	12.0		37,172	2.5	9.5
		Area							
6	Playground	1.0		10,000	6.0		37,172	3.7	2.3
		Area							
7	Football / Soccer	1.0		6,000	5.0		37,172	6.2	(1.2)
		Field							
8	Swimming Pool	1.0		25,000	2.0		37,172	1.5	0.5
		Pool							

Footnotes

[1] User and resource based facility guidelines from 2006 Parks and Recreation Master Plan.

[2] As provided by the City.

Table 5-5
City of Winter Garden
Parks and Recreation Impact Fee Analysis

Summary of Capital Projects to Improve & Expand Recreation Services

Line No.	Description	Project Cost [1]	Total Service Population [2]	2013 Population	Total Amount Allocated to Existing
<u>5 Year Parks and Recreation CIP</u>					
1	Newton Park Pier Replacement	\$180,000	48,000	37,172	\$139,395
2	Adjustment for Newton Park Pier Replcmt. [3]	(\$80,595)	48,000	37,172	(62,414)
2	Tucker Ranch Heritage Park	450,000	48,000	37,172	348,488
3	Lulu Creek Trail Extension	260,000	48,000	37,172	201,348
4	Utility Vehicle	7,400	48,000	37,172	5,731
5	Toro Sand Pro	9,000	48,000	37,172	6,970
6	New Ball Fields - Land	2,000,000	48,000	37,172	1,548,833
7	New Ball Fields - Fields	500,000	48,000	37,172	387,208
8	Sub-total	<u>\$3,325,805</u>			<u>\$2,575,559</u>
9	Additional CIP Needs	\$2,074,700	48,000	37,172	\$1,606,682
10	Total Capital Improvements	<u><u>\$5,400,505</u></u>			<u><u>\$4,182,241</u></u>

Footnotes:

- [1] Amounts provided by City staff, which represent improvements and upgrades to existing facilities and construction of new facilities which will serve existing and future residents of the City.
- [2] Amount based on the City's estimated build-out population as discussed in Section 2 of this report.
- [3] Amount represents an adjustment to the City's assets that discounts the new pier purchase costs by an estimate of the original pier cost thereby reflecting the net adjustment to the total fixed assets.

Table 5-6
City of Winter Garden
Parks and Recreation Impact Fee Analysis

Design of Recreation Impact Fee

Line No.	Description	Basis	Amount
<u>Capital Costs to Provide Open-Space</u>			
1	Existing City Investment in Open Space [1]	\$4,268,012	
2	Less Grant Funded Assets [2]	(1,038,377)	
3	Net City Investment in Open Space	\$3,229,635	
4	Existing Open Space (Acres) [3]	327.96	
5	Existing Average Cost per Acre	\$9,848	
6	Open Space Requirement for Existing Residents (Acres) [3]	185.86	
7	Total Capital Cost to Provide Open Spaces		\$1,830,349
<u>Capital Costs to Provide Recreation Facilities</u>			
8	Existing City Investment in Recreation Facilities [1]	\$12,683,202	
9	Miscellaneous Credits	(1,222,790)	
10	Total Capital Cost to Provide Recreation Facilities		\$11,460,412
<u>Capital Costs to Provide Recreation Activities & Equipment</u>			
12	Existing City Investment in Recreation Activities [1]	\$1,551,620	
13	Required Adjustments by City to Cure Deficiencies [4]	0	
14	Proposed Facilities to Serve Existing Residents [5]	4,182,241	
15	Total Capital Cost to Provide Recreation Activities & Equipment		\$5,733,861
16	Total Capital Costs Allocable to Existing Residents		\$19,024,622
17	Less Other Funding Sources [6]		\$0
18	Total Cost Allocated to Existing Residents		\$19,024,622
19	Existing Housing Units [7]		14,635
20	Proposed - Rounded Rate per Unit		<u>\$1,300.00</u>

Footnotes

- [1] Amount derived from Table 5-2.
- [2] Amount reflects grants received by the City.
- [3] Amount derived from Table 5-3.
- [4] Amount derived from Table 5-5.
- [5] Planned projects as provided by City staff, which are derived from Table 5-6.
- [6] Amount reflects all other funding sources & grants as reported by the City.
- [7] Amount based on the existing population and Housing unit detail from 2013 as shown on Table 2-1.

Table 5-7
City of Winter Garden
Parks and Recreation Impact Fee Analysis

Impact Fee Allocation

Line No.	Housing Type	Proposed Impact Fee	Weighting Factor [2]	Existing Impact Fee (SF)	Increase / (Decrease)
1	Single Family	\$1,300.00	1.00	\$671.00	\$629.00
2	Multi Family	1,159.00	0.89	598.00	561.00
3	Mobile Home	874.00	0.67	451.00	423.00

Footnotes

[1] Derived from Table 5-7.

Table 5-8
City of Winter Garden
Parks and Recreation Impact Fee Analysis

Parks and Recreational Services Impact Fee Comparison [1]

Line No.	Description	Residential			Effective Date
		Single Family	Multi-Family	Mobile Home	
City of Winter Garden [2]					
1	Existing	\$671.00	\$598.00	\$451.00	2004
2	Proposed	1,300.00	1,159.00	874.00	
<u>Other Florida Government Agencies:</u>					
3	City of Apopka	\$241.05	\$241.05	\$241.05	2013
4	City of Clermont [2]	1,988	1,487	1,487	2014
5	City of Edgewater	612.11	434.92	451.03	2009
6	City of Eustis	599.27	428.38	390.93	2004
7	City of Kissimmee	1,200.00	985.29	867.06	2005
8	City of Lakeland	2,707.00	2,123.00	1,317.00	2010
9	City of Lake Mary	335.00	N/A	N/A	2008
10	City of Lake Wales	948.00	832.00	N/A	2013
11	City of Leesburg	358.00	358.00	358.00	2008
12	City of Minneola	222.00	171.00	177.00	2014
13	City of Mount Dora	2,773.28	1,391.69	N/A	2013
14	City of Ocoee [3]	1,560.00	N/A	N/A	2012
15	City of St. Cloud	1,362.00	1,093.00	N/A	2008
16	City of Tavares [4]	439.99	335.68	221.89	2007
17	City of Winter Haven	980.23	N/A	N/A	2014
18	Other Florida Governmental Agencies' Average	\$1,088.40	\$823.42	\$612.33	

Footnotes:

- [1] Unless otherwise noted, amounts shown reflect impact fees in effect June 2014. This comparison is intended to show comparable charges for similar service for comparison purposes only and is not intended to be a complete listing of all rates and charges offered by each listed municipality.
- [2] Amounts shown assume single family homes with three bedrooms, multi-family dwelling with two bedrooms, and mobile homes with two bedrooms.
- [3] Impact fees temporarily reduced to 50% of the amounts shown from January 3, 2013 until January 1, 2014.
- [4] Impact fees were waived until June 30, 2013. Beginning July 1, 2013, they are set to increase in six month increments until July 1, 2014, when the full impact fees will become effective again.

THE CITY OF WINTER GARDEN
CITY COMMISSION AGENDA ITEM

From: Ed Williams, Community Development Director

Via: City Manager Mike Bollhoefer

Date: January 15, 2015

Meeting Date: January 22, 2015

Subject: 933 Carter Road
Adrian Galvan
Ordinance 15-13
Ordinance 15-14
Ordinance 15-15
PARCEL ID # 24-22-27-0000-00-015

Issue: The applicant is requesting Annexation, Future Lands Use designation, and Zoning on property located at 933 Carter Road.

Discussion:

The City encourages infill of its jurisdictional limits through voluntary annexation of enclaves. The City encourages infill of its jurisdictional limits through voluntary annexation of enclaves. The subject property makes up a 0.907 ± acre enclave located on the east side of Carter Road, south of East Story Road and north of West Colonial Drive. The applicant has requested Annexation into the City, Initial Zoning of I-2, and Amendment to the Future Land Use Map of the City's Comprehensive Plan to designate the property as Multi Office Industrial (See attached Staff Report).

Recommended Action:

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

Attachment(s)/References:

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

Marys Park Pl

Carter Rd

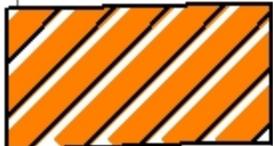
Legend



 Subject Property

 Orange County

 Winter Garden



W Colonial Dr

ORDINANCE 15-13

AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS APPROXIMATELY 0.907 ± ACRES LOCATED AT 933 CARTER ROAD ON THE EAST SIDE OF CARTER ROAD, SOUTH OF EAST STORY ROAD AND NORTH OF WEST COLONIAL DRIVE 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 0.907 ± acres located at 933 Carter Road on the east side of Carter Road, south of East Story Road and north of West Colonial Drive 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: _____, 2015.

SECOND READING AND PUBLIC HEARING: _____, 2015.

ADOPTED this _____ day of _____, 2015, 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#: 24-22-27-0000-00-015

DESCRIPTION:

BEGIN AT A POINT S88°35'30"W 350.23 FEET AND S00°01'30"E 364.00 FEET FROM THE NORTHEAST CORNER OF THE SOUTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 24, TOWNSHIP 22 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, RUN THENCE S88°35'30"W 290.00 FEET, THENCE S00°01'30"E 152.00 FEET, THENCE N88°35'30"E 290.00 FEET, THENCE N00°01'30"W 152.00 FEET TO THE POINT OF BEGINNING. (LESS THE WEST 30 FEET FOR ROAD RIGHT OF WAY)

CONTAINS 39,508 SQUARE FEET OR 0.907 ACRES MORE OR LESS

ORDINANCE 15-14

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 0.907 ± ACRES LOCATED AT 933 CARTER ROAD ON THE EAST SIDE OF CARTER ROAD, SOUTH OF EAST STORY ROAD AND NORTH OF WEST COLONIAL DRIVE FROM ORANGE COUNTY LOW DENSITY RESIDENTIAL TO CITY MULTI OFFICE INDUSTRIAL; 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 approximately 0.907 ± acres located at 933 Carter Road on the east side of Carter Road, south of East Story Road and north of West Colonial Drive, 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 Multi Office Industrial; 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 Multi Office Industrial 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 15-13, 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: _____, 2015.

SECOND READING AND PUBLIC HEARING: _____, 2015.

ADOPTED this _____ day of _____, 2015, 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#: 24-22-27-0000-00-015

DESCRIPTION:

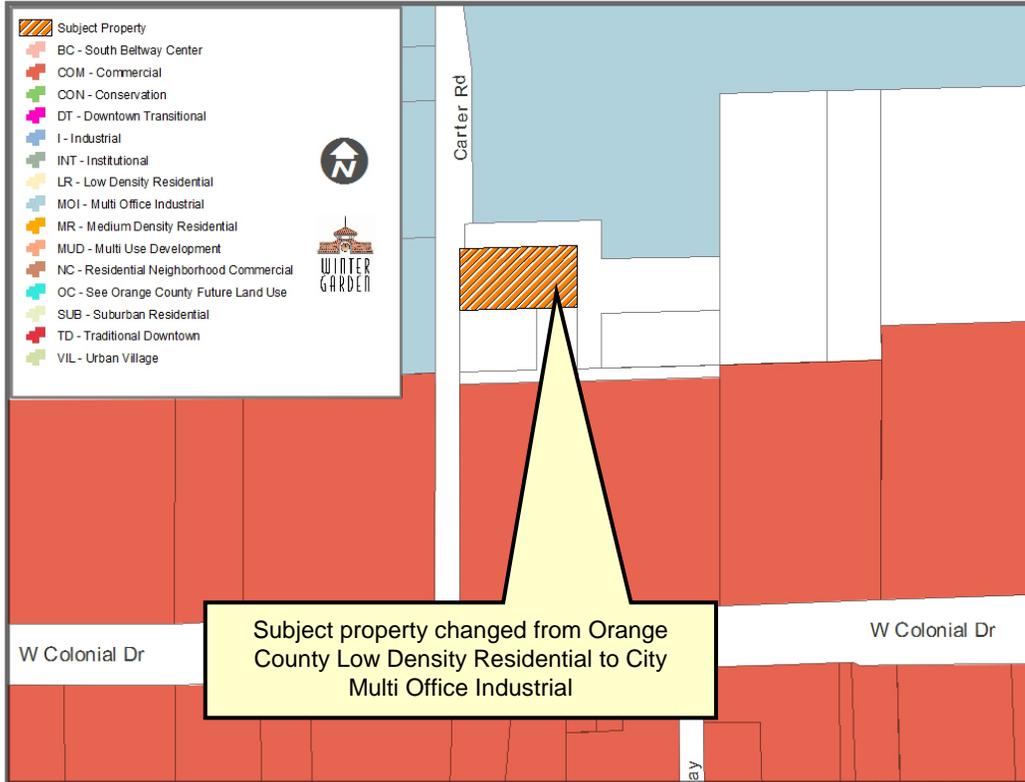
BEGIN AT A POINT S88'35'30"W 350.23 FEET AND S00'01'30"E 364.00 FEET FROM THE NORTHEAST CORNER OF THE SOUTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 24, TOWNSHIP 22 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, RUN THENCE S88'35'30"W 290.00 FEET, THENCE S00'01'30"E 152.00 FEET, THENCE N88'35'30"E 290.00 FEET, THENCE N00'01'30"W 152.00 FEET TO THE POINT OF BEGINNING. (LESS THE WEST 30 FEET FOR ROAD RIGHT OF WAY)

CONTAINS 39,508 SQUARE FEET OR 0.907 ACRES MORE OR LESS

ATTACHMENT "B"

FUTURE LAND USE MAP

955 Carter Road



ORDINANCE 15-15

AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA REZONING APPROXIMATELY 0.907 ± ACRES LOCATED AT 933 CARTER ROAD ON THE EAST SIDE OF CARTER ROAD, SOUTH OF EAST STORY ROAD AND NORTH OF WEST COLONIAL DRIVE FROM ORANGE COUNTY A-1 RURAL DISTRICT TO CITY I-2 GENERAL INDUSTRIAL DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owner of that certain real property generally described as 0.907 ± acres located at 933 Carter Road on the east side of Carter Road, south of East Story Road and north of West Colonial Drive, and legally described in Section 1 of this ordinance has petitioned the City to rezone said property from Orange County A-1 Rural District to the City’s I-2 General Industrial 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 I-2 General Industrial 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 Rural District to City I-2 General Industrial 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 15-14 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: _____, 2015.

SECOND READING AND PUBLIC HEARING: _____, 2015.

ADOPTED this _____ day of _____, 2015, 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#: 24-22-27-0000-00-015

DESCRIPTION:

BEGIN AT A POINT S88°35'30"W 350.23 FEET AND S00°01'30"E 364.00 FEET FROM THE NORTHEAST CORNER OF THE SOUTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 24, TOWNSHIP 22 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, RUN THENCE S88°35'30"W 290.00 FEET, THENCE S00°01'30"E 152.00 FEET, THENCE N88°35'30"E 290.00 FEET, THENCE N00°01'30"W 152.00 FEET TO THE POINT OF BEGINNING. (LESS THE WEST 30 FEET FOR ROAD RIGHT OF WAY)

CONTAINS 39,508 SQUARE FEET OR 0.907 ACRES MORE OR LESS

CITY OF WINTER GARDEN

PLANNING & ZONING DIVISION

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

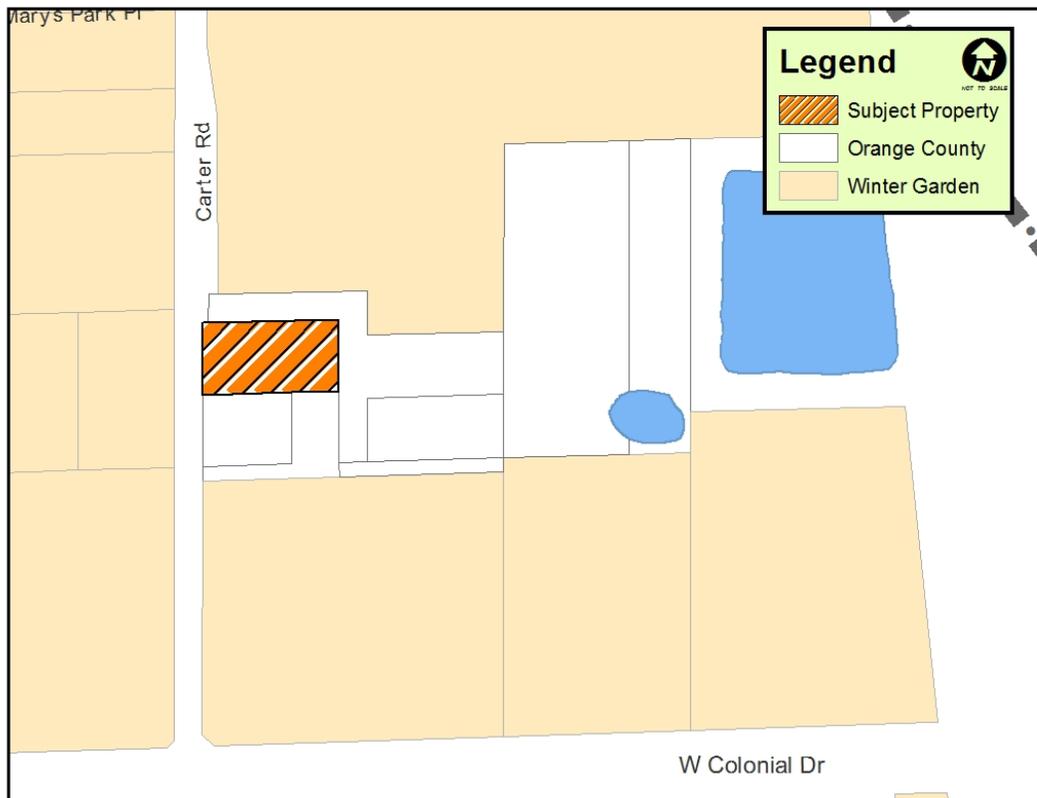
STAFF REPORT

TO: PLANNING AND ZONING BOARD
PREPARED BY: STEVE PASH, COMMUNITY DEVELOPMENT MANAGER
DATE: DECEMBER 29, 2015
SUBJECT: ANNEXATION – FLU AMENDMENT – ZONING
933 CARTER ROAD (0.907 +/- ACRES)
PARCEL ID #: 24-22-27-0000-00-015
APPLICANT: DUSTIN PROPERTIES II, LLC

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 933 Carter Road, on the east side of Carter Road south of East Story Road and north of West Colonial Drive and is approximately 0.907 ± 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 Multi Office Industrial, and rezoning the property to I-2 General Industrial District.

In accordance with the City’s Comprehensive Plan, properties designated with the Multi Office Industrial land use category are required to be developed at a floor area ratio not greater than 0.35 and up to a floor area ratio of 0.75 by development bonus in Activity Centers. Maximum building height is three stories and up to five stories by development bonus in activity centers. The Multi Office Industrial land use shall be located in the northeast area of the City. The Multi Office Industrial land use areas should be developed as planned office and industrial parks with extensive landscaping, coordinated parking, roadway connectors, and cross access. Permitted uses shall include office, research and development, distribution facilities, industrial, support office uses, warehousing, office showroom, support manufacturing, assembly uses, industrial, and support retail. Mixed-use development will be encouraged in this land use where mixed uses may occupy the same building or same parcel. Development shall provide transit and pedestrian-friendly design. Development may exceed the stated 0.5 floor area ratio only by development bonus, no development rights are guaranteed at intensities or densities above the stated permitted range. The zoning classifications that are consistent with Multi Office Industrial land use designation include C-2, C-3, C-4, I-1, I-2, PID, PUD, 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 currently contains one single family house.

ADJACENT LAND USE AND ZONING

The property located to the north is vacant on the southern end, but the northern portion is a paved parking lot of Manheim Auto Auctions, zoned I-2, and located in Winter Garden. The property located to the east is developed with a single family house, zoned A-1, and located in Orange County. The property to the south is developed with a single family house, zoned A-1, and located in Orange County. The property to the west is developed with a recreational vehicle storage parking lot, zoned I-2, and located in Winter Garden.

PROPOSED USE

The applicant intends to annex the property and sometime in the future construct a building to be used for an auto service business.

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.

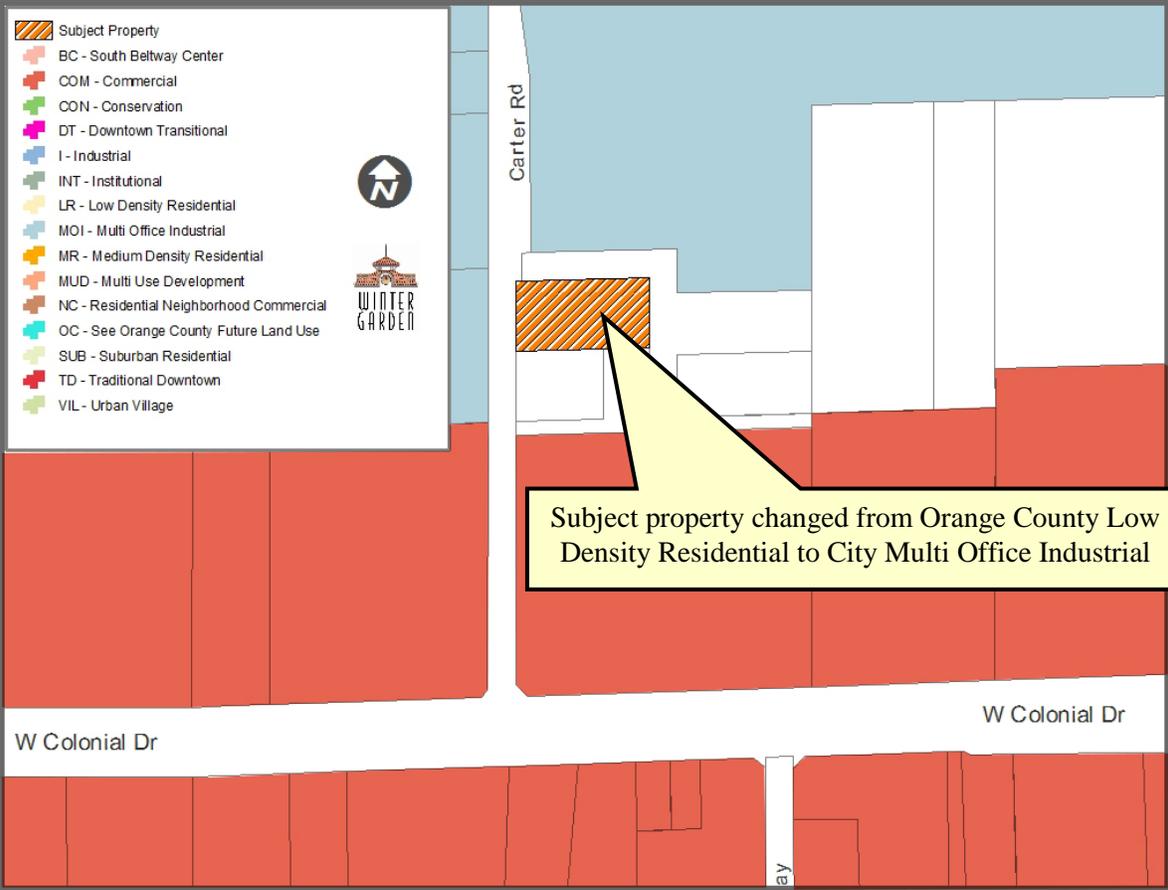
MAPS

AERIAL PHOTO

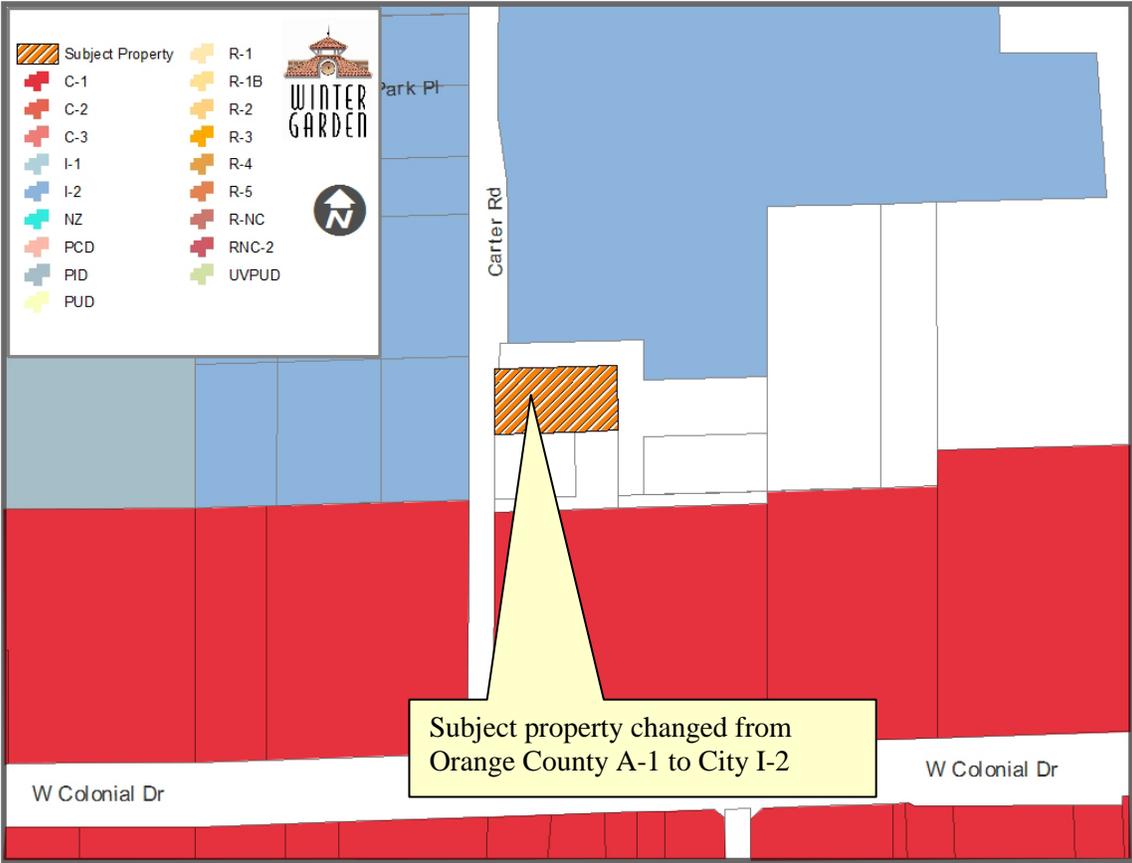
933 Carter Road



FUTURE LAND USE MAP
933 Carter Road



ZONING MAP
933 Carter 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: January 15, 2015

Meeting Date: January 22, 2015

Subject: 120 East Maple Street
J & S Production
Ordinance 15-17
PARCEL ID # 23-22-27-7948-02-010

Issue: The applicant is requesting Annexation, Future Lands Use designation, and Zoning on property located at 120 East Maple Street.

Discussion:

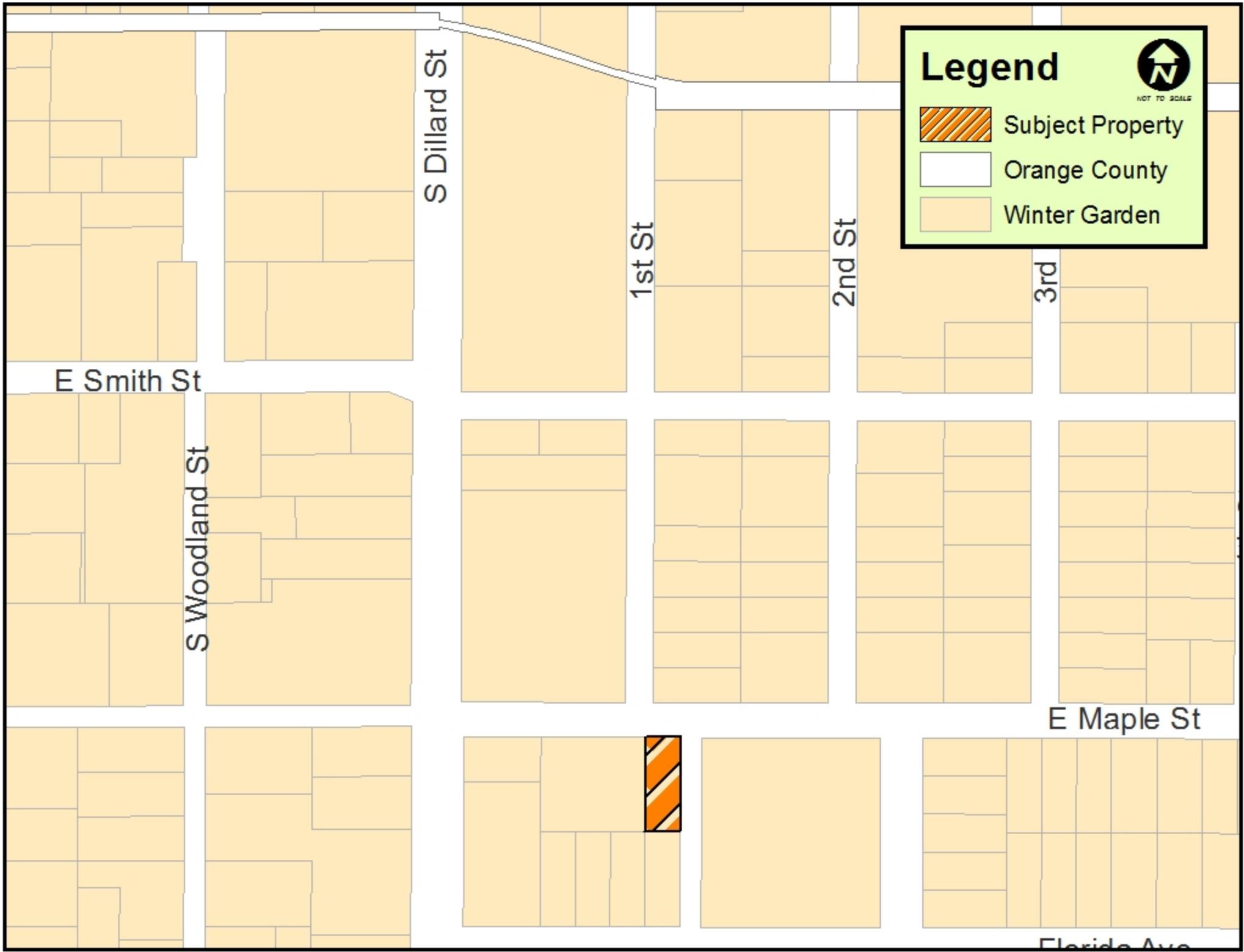
The City encourages infill of its jurisdictional limits through voluntary annexation of enclaves. The subject property consists of a 0.16 ± acre lot located at 120 East Maple Street at the southwest corner of East Maple Street and Charles Street. The R-2 zoned property currently contains an office building. The applicant is requesting to rezone the property to C-3 Professional Office District to be consistent with the existing Commercial FLU designation as well as the character of the surrounding area and the existing development. (See attached Staff Report).

Recommended Action:

Staff recommends approval of Ordinance 15-17.

Attachment(s)/References:

Location Map
Ordinance 15-17
Staff Report



Legend



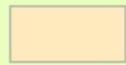
NOT TO SCALE



Subject Property



Orange County



Winter Garden



ORDINANCE 15-17

AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA REZONING APPROXIMATELY 0.16 ± ACRES LOCATED AT 120 EAST MAPLE STREET AT THE SOUTHWEST CORNER OF EAST MAPLE STREET AND CHARLES STREET FROM CITY R-2 RESIDENTIAL DISTRICT TO CITY C-3 PROFESSIONAL OFFICE DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owner of that certain real property generally described as 0.16 ± acres located at 120 East Maple Street at the southwest corner of East Maple street and Charles Street, and legally described in Section 1 of this ordinance has petitioned the City to rezone said property from R-2 Residential District to C-3 Professional Office 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-3 Professional Office 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 R-2 Residential District to C-3 Professional Office 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: _____, 2015.

SECOND READING AND PUBLIC HEARING: _____, 2015.

ADOPTED this _____ day of _____, 2015, 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#: 23-22-27-7948-02-010

DESCRIPTION:

Lot 1, Block B, SHADOW LAWN SUBDIVISION, according to the Plat thereof, as recorded in Plat Book L, Page 125, Public Records of Orange County, Florida, being more particularly described as follows: Begin at the Northeast corner of Lot 1, Block B, SHADOW LAWN SUBDIVISION, according to the Plat thereof, as recorded in Plat Book L, Page 125, Public Records of Orange County, Florida; thence run South 00°00'00" East 135.00 feet to the Southeast corner of said Lot 1; thence South 90°00'00" West 50.00 feet to the Southwest corner of said Lot 1; thence North 00°00'00" East 135.00 feet to the Northwest corner of said Lot 1; thence North 90°00'00" East 50.00 feet to the POINT OF BEGINNING.

Containing 0.155 acres, more or less.

CITY OF WINTER GARDEN

PLANNING & ZONING DIVISION

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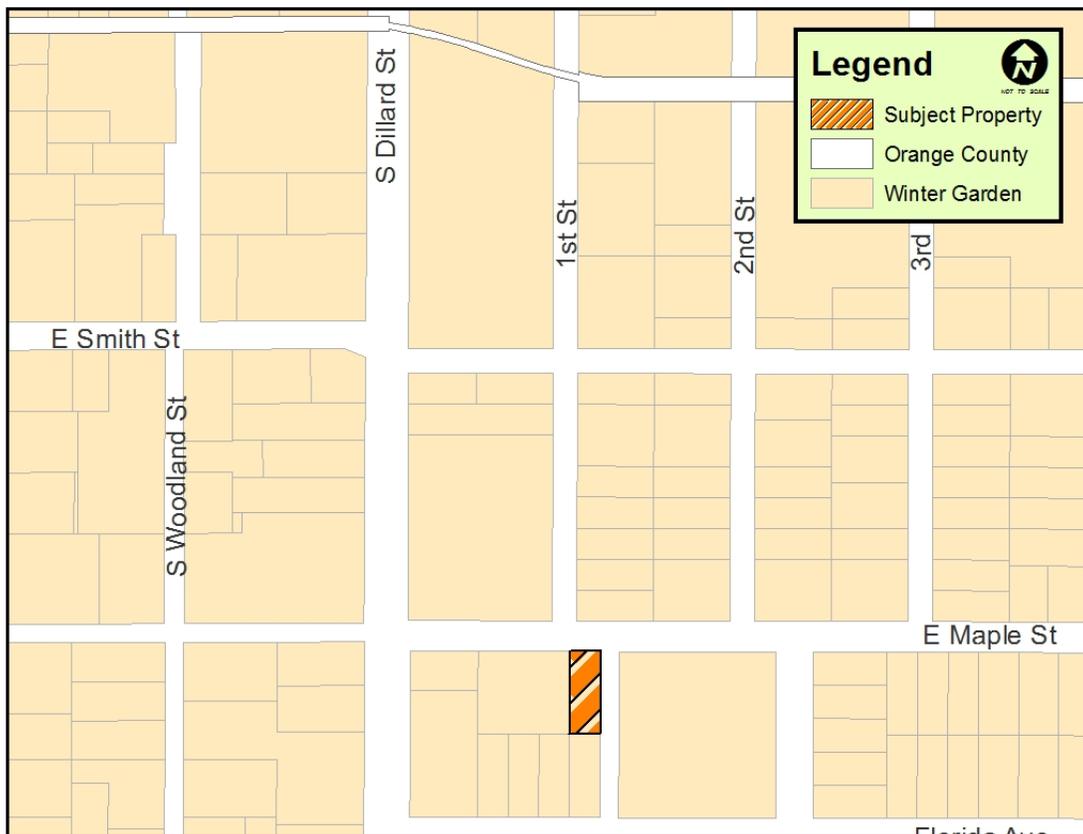
STAFF REPORT

TO: PLANNING AND ZONING BOARD
PREPARED BY: STEVE PASH, COMMUNITY DEVELOPMENT MANAGER
DATE: DECEMBER 29, 2014
SUBJECT: REZONING (R-2 to C-3)
120 E MAPLE STREET (0.16 +/- ACRES)
PARCEL ID #: 23-22-27-7948-02-010
APPLICANT: City of Winter Garden

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 120 East Maples Street and is approximately 0.16 ± acres. The map below depicts the subject property within the City's jurisdictional limits:



The property is located within the City of Winter Garden jurisdictional limits, is zoned R-2 Residential District, and has a Future Land Use Designation of Commercial. The applicant is now requesting to rezone the property to C-3 Professional Office District, which is consistent with the existing Commercial FLU designation.

EXISTING USE

The subject property contains a 1,760 square foot office building used as a book keeping, immigration, and notary service business. The property was recently reviewed and approved for a small scale site plan to install a parking lot and landscaping.

ADJACENT LAND USE AND ZONING

The properties located to the north of the subject property are zoned C-3 (Professional Office District) and R-2 (Residential District), located within the City of Winter Garden municipal limits, and have a three story office building on the C-3 property and a single family home on the R-2 property. The property located to the east of the subject site is zoned R-2, located in the City, and contains a City Park. The properties to the south of the subject property are zoned C-3, located in the City, and contain a child care facility. The property to the west of the subject property is zoned C-3, located in the City, and contains an office.

PROPOSED USE

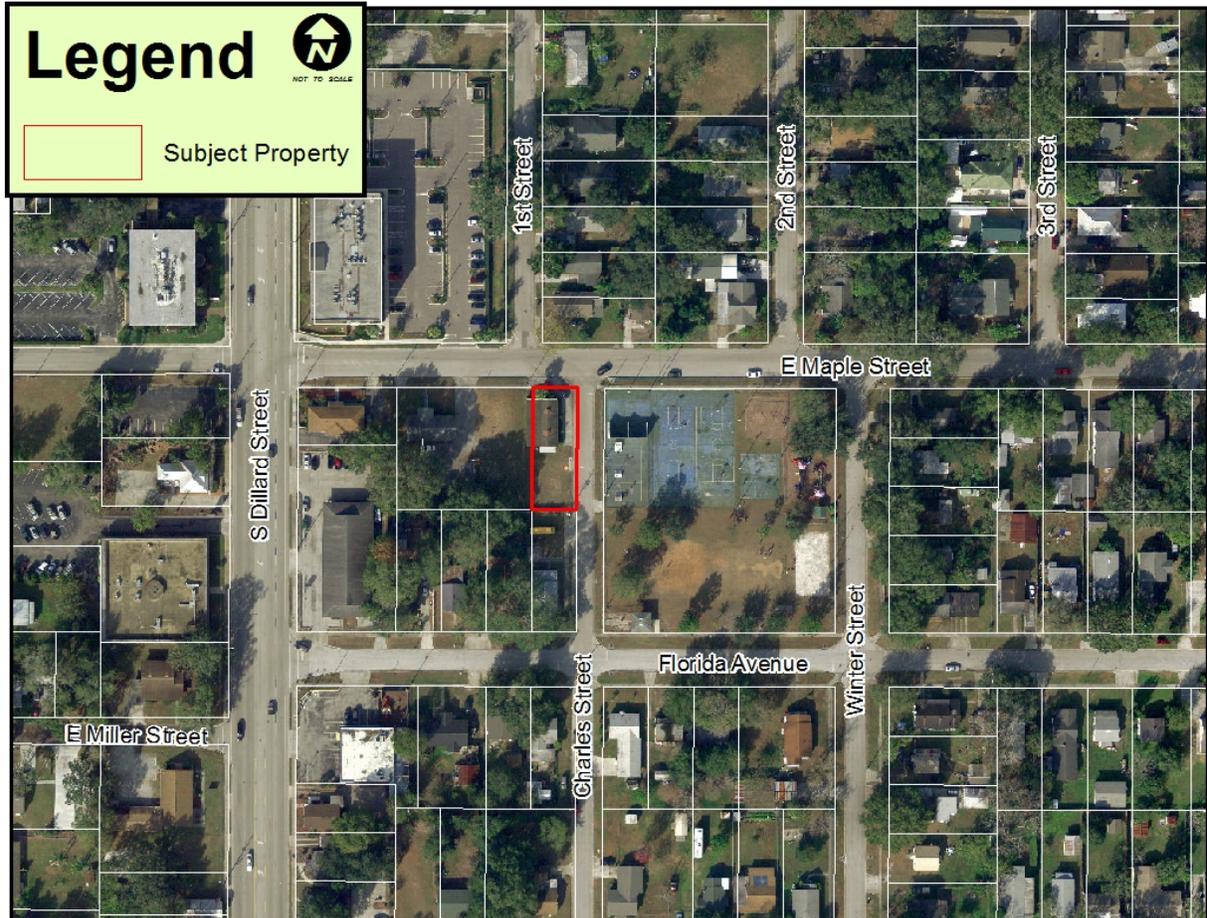
The subject site was previously approved for a Site Plan to construct a parking lot and add landscaping to an existing office building. After the work was completed and the owners applied for a building permit to install a sign, staff found that the property did not have the correct zoning designation. Upon further review, staff found that an error occurred when the Comprehensive Plan was amended in 2010 and the property was not rezoned. This rezoning is being done by the City of Winter Garden to correct an error on the official Zoning Map.

SUMMARY

City Staff recommends approval of the proposed Ordinance.

AERIAL PHOTO

120 EAST MAPLE STREET



ZONING MAP

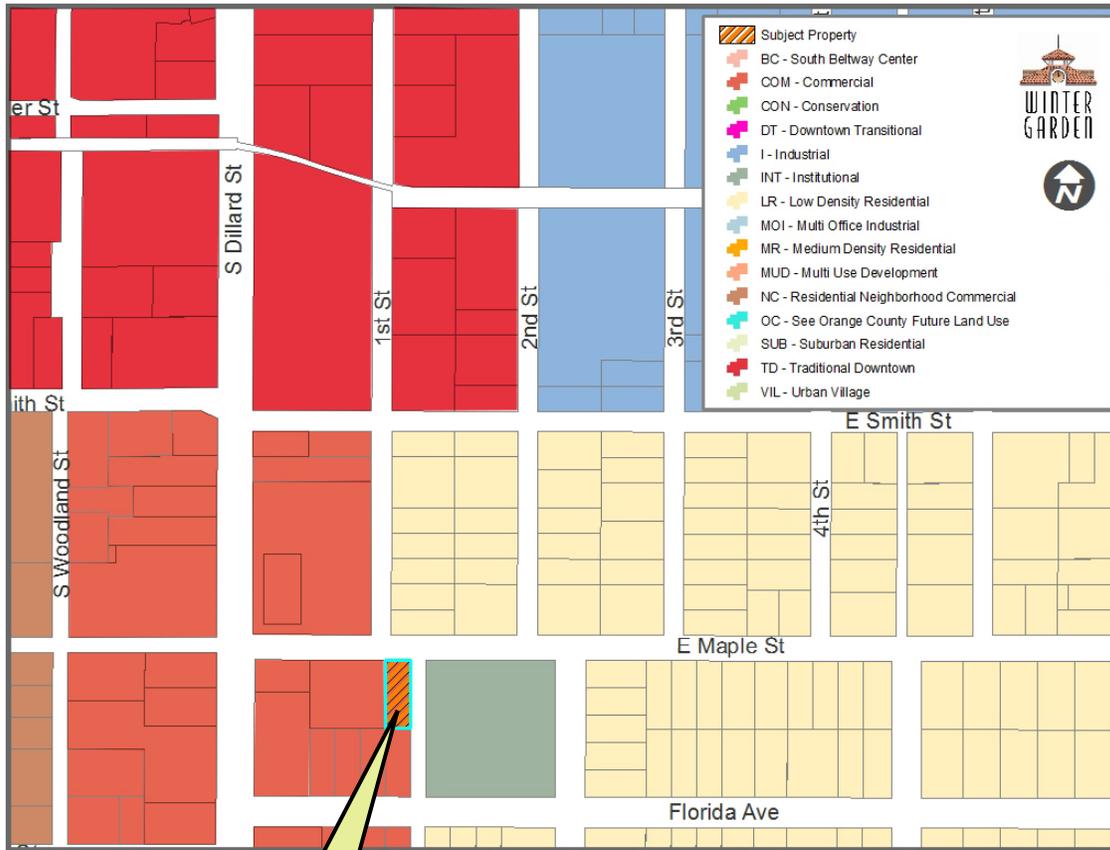
120 EAST MAPLE STREET



**Subject property change
from City R-2 to C-3**

FUTURE LAND USE MAP

120 EAST MAPLE STREET



**Subject property existing
Commercial FLU**

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: January 15, 2015

Meeting Date: January 22, 2015

Subject: 360 West Plant Street
Blue House Development, LLC
Ordinance 15-18
PARCEL ID # 23-22-27-2888-05-011

Issue: The applicant is requesting to rezone a 0.49 ± 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-NC (Residential Neighborhood Commercial District) to C-1 (Central Commercial District).

Discussion:

The proposed rezoning is consistent with the existing Future Land Use designation and the development on the surrounding properties (See attached Staff Report).

Recommended Action:

Staff recommends approval of Ordinance 15-18.

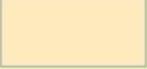
Attachment(s)/References:

Location Map
Ordinance 15-18
Staff Report



Legend

NOT TO SCALE

-  Subject Property
-  Orange County
-  Winter Garden



ORDINANCE 15-18

AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA REZONING APPROXIMATELY 0.49 ± ACRES LOCATED AT 360 WEST PLANT STREET AT THE SOUTHEAST CORNER OF WEST PLANT STREET AND SOUTH CENTRAL AVENUE FROM CITY R-NC RESIDENTIAL NEIGHBORHOOD COMMERCIAL DISTRICT TO CITY C-1 CENTRAL COMMERCIAL DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owner of that certain real property generally described as 0.49 ± acres located at 360 West Plant Street at the southeast corner of West Plant Street and South Central Avenue, and legally described in Section 1 of this ordinance has petitioned the City to rezone said property from R-NC Residential Neighborhood Commercial to C-1 Central 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-1 Central 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 R-NC Residential Neighborhood Commercial 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: _____, 2015.

SECOND READING AND PUBLIC HEARING: _____, 2015.

ADOPTED this _____ day of _____, 2015, 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#: 23-22-27-2888-05-011

DESCRIPTION: THE NORTH ½ OF THE FOLLOWING DESCRIBED PROPERTY: COMMENCING AT A POINT 13 CHAINS AND 35 LINKS WEST OF THE EAST BOUNDARY OF THE NW ¼ OF THE NW ¼ OF SECTION 23, TOWNSHIP 22 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA AND 7 CHAINS AND 7 LINKS NORTH OF THE SOUTH BOUNDARY OF SAME DESCRIBED FORTY ACRES, THENCE RUN EAST 7 RODS, THENCE NORTH TO THE RIGHT OF WAY OF TAVARES AND GULF R. R., THENCE WEST 7 RODS, THENCE SOUTH TO THE BEGINNING POINT, LESS THE EAST 15 FEET OF THE ABOVE DESCRIBED PROPERTY.

A/K/A

THE NORTH ½ LOT 1, BLOCK E, LESS THE EAST 15 FEET, MAP OR PLAT ENTITLED "FRIES PLAT OF WINTER GARDEN", AS RECORDED IN PLAT BOOK E, PAGE(S) 16, 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

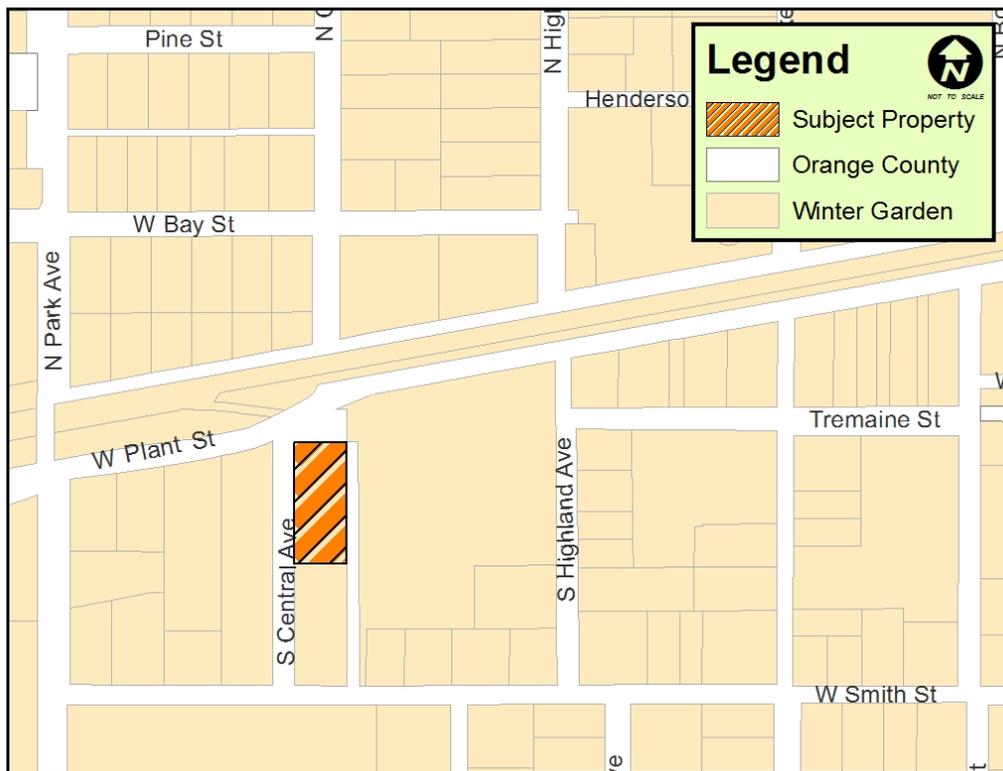
TO: PLANNING AND ZONING BOARD
PREPARED BY: STEVE PASH, COMMUNITY DEVELOPMENT MANAGER
DATE: DECEMBER 29, 2014
SUBJECT: REZONING
360 W. Plant Street (BLUE HOUSE DEVELOPMENT)
PARCEL ID # 23-22-27-2888-05-011

APPLICANT: Blue House Development, LLC

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 southeast corner of South Central Avenue and W. Plant Street at 360 W. Plant Street, is approximately 0.49 ± acres. The map below depicts the location of the subject property within the City of Winter Garden municipal limits:



The applicant recently purchased the property and is requesting to rezone the 0.49 ± 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-NC (Residential Neighborhood Commercial District) to C-1 (Central Commercial District).

EXISTING USE

The subject property contains a 1,184 square foot single family house built in 1941 and a 200 square foot accessory structure.

ADJACENT LAND USE AND ZONING

The properties located to the north of the subject property are single family residences, zoned R-2, and located in the City of Winter Garden. The property located to the east of the subject property is Winter Garden City Hall and zoned C-1. The property to the west of the subject property is zoned C-1 and is currently under construction building the Plant Street Market, which contains +/- 11,500 square foot retail building with a micro brewery and multiple shops. The property located to the south of the subject property is a city parking lot zoned R-NC.

PROPOSED USE

The new owners recently purchased the property and intend to demolish the existing house and develop a +/- 18,000 square foot retail/office building with a parking lot. The Building Official has inspected the house and determined that due to the amount of damage the house is in a state of disrepair and should be demolished to protect the public safety. The owners have submitted an application to the Architectural Review Historic Preservation Board to get approval to demolish the buildings and get approval of the proposed elevations for the new development. Once they have received approval from the ARHPB, they will need to submit for Site Plan Review and the proposed project will be reviewed by the Development Review Committee.

SUMMARY

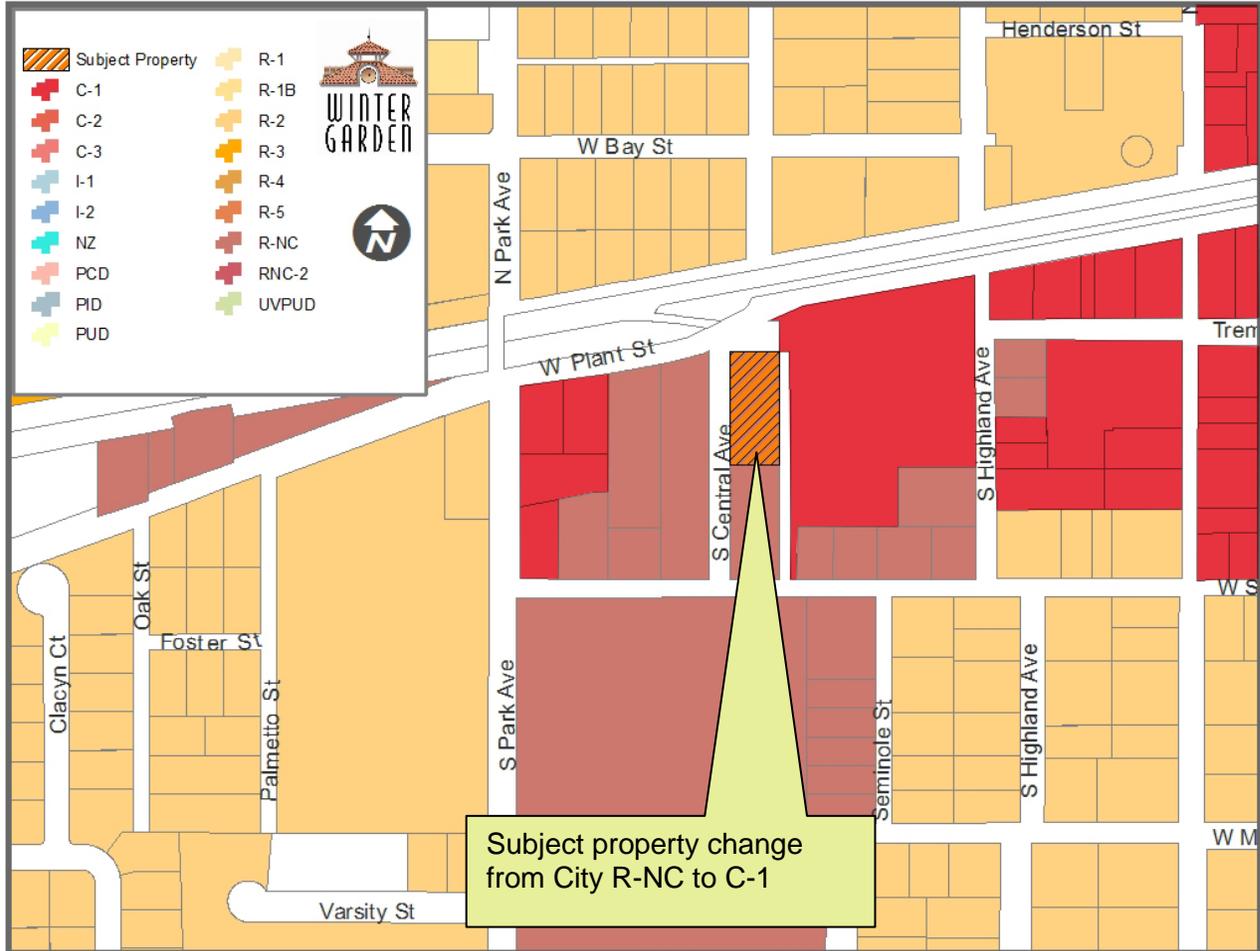
Staff recommends approval of Ordinance 15-18 to rezone the subject property from R-NC to C-1, which is consistent with the City's Comprehensive Plan and surrounding properties.

MAPS

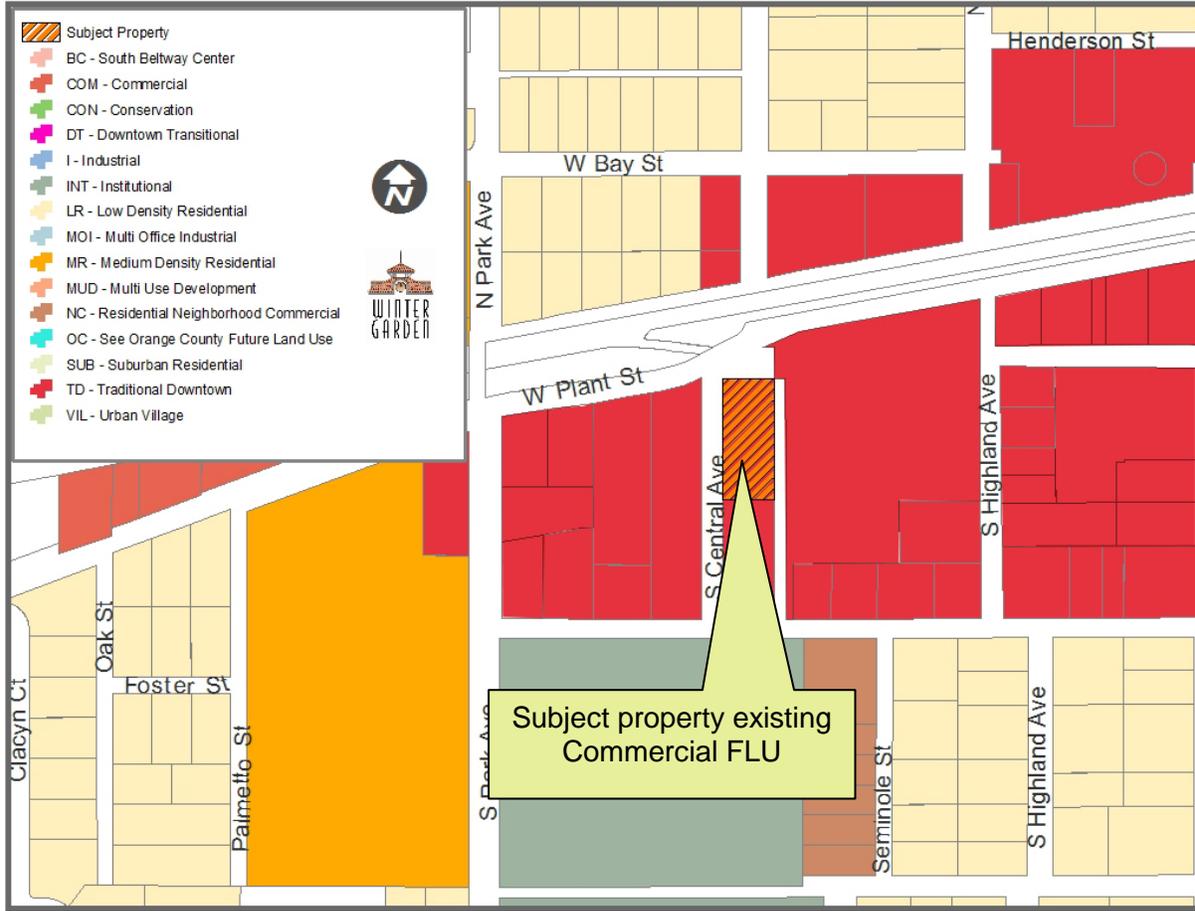
AERIAL PHOTO
360 W. Plant Street



ZONING MAP
360 W. Plant Street



FUTURE LAND USE MAP 360 W. Plant Street



PROPOSED SITE LAYOUT
360 W. Plant Street



RENDERING SUBMITTED TO ARHPB FOR REVIEW
360 W. Plant Street



END OF STAFF REPORT

The City of Winter Garden
City Commission Agenda Item

From: Mike Bollhoefer, City Manager

Date: January 16, 2015

Meeting Date: January 22, 2015

Subject: Proposal from the Winter Garden Digital Partnership

Issue: The City of Winter Garden has over 50 digital media and creative arts companies creating an economic cluster that bolsters the local economy. Many of these companies are working closely with the Garden Theatre on a digital mapping project that will enhance and transform future productions within the Theatre. The test project will be the spring production of Peter Pan. This group will utilize cutting edge technology that marries traditional theatre with dynamic, immersive animation. These companies are providing \$826,000 through in-kind services to bring about the transformation of the Garden Theatre. The Bond Foundation (\$25,000) and Florida Hospital (\$10,000) are providing funds for the project. Other financial partners include Duke Energy, Seacoast Bank and Insight Credit Union. Cash contributions total \$116,000.

In order for this project to move forward, specialized equipment must be purchased. The equipment includes projectors and animation screens, along with some other items. The largest cost is for the projectors and lenses which is estimated to cost \$104,127. The partnership is asking the City to provide gap funding totaling \$129,127.

Recommended Action: Staff recommends providing \$100,000 to purchase the equipment (projectors) with the understanding that the projectors are owned by the City and can be used for community projects and events. The City and Garden Theatre would enter into a use agreement for the projectors.

Attachments: Proposed Budget

Peter Pan Production Budget

CONFIRMED CASH COMMITMENTS		Total	
Garden Theatre		\$	75,000
Bond Foundation		\$	25,000
Florida Hospital		\$	10,000
Seacoast Bank		\$	2,500
Duke Energy		\$	2,500
Insight Credit Union		\$	1,000
TOTAL CASH COMMITMENTS		\$	116,000

CAPITAL INVESTMENTS	Total Cost	In-Kind	Cash Cost
Projectors and Lenses	\$ 450,000	\$ 345,873	\$ 104,127
Projectionable Surfaces*	\$ 75,000	\$ 35,000	\$ 40,000

PROJECT COSTS	Total Cost	In-Kind	Cash Cost
Animation	\$ 250,000	\$ 250,000	\$ -
Cabling	\$ 10,000	\$ 10,000	\$ -
Show Controls	\$ 70,000	\$ 70,000	\$ -
Servers	\$ 80,000	\$ 80,000	\$ -
Digital Scenic Design	\$ 5,000	\$ 5,000	\$ -
Playback and Bin Loop	\$ 10,000	\$ 10,000	\$ -
Animation Interns	\$ 5,000	\$ 5,000	\$ -
Mounting & Rigging	\$ 12,000	\$ 7,000	\$ 5,000
Projector Bulbs	\$ 15,000	\$ 9,000	\$ 6,000
Safety Cables	\$ 5,000	\$ -	\$ 5,000
Traditional Production Expenses	\$ 75,000		\$ 75,000
	\$ 1,062,000	\$ 826,873	\$ 235,127
Contingency			\$ 10,000
TOTAL PROJECT COSTS & INVESTMENTS			\$ 245,127

Net, GAP FUNDING REQUEST		\$	(129,127)
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*Philanthropic in-kind discussions in progress. Cost to GT may fluctuate.

THE CITY OF WINTER GARDEN
CITY COMMISSION AGENDA ITEM

From: Steve Pash, Code Enforcement Manager

Via: City Manager Mike Bollhoefer

Date: January 15, 2015 **Meeting Date:** January 22, 2015

Subject: **230 11th Street
Condemnation**

Issue: One of the buildings located at 230 11th Street previously caught fire and has been vacant for a number of years. Staff has inspected the property and determined that the building is dilapidated, decayed, and that it creates a safety hazard to surrounding properties.

Recommended Action:

Staff recommends condemnation of the building and moving forward with demolishing the building.

Attachment(s)/References:

Location Map
Notice of Condemnation
Memo to the Building Official
Summons

Legend



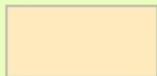
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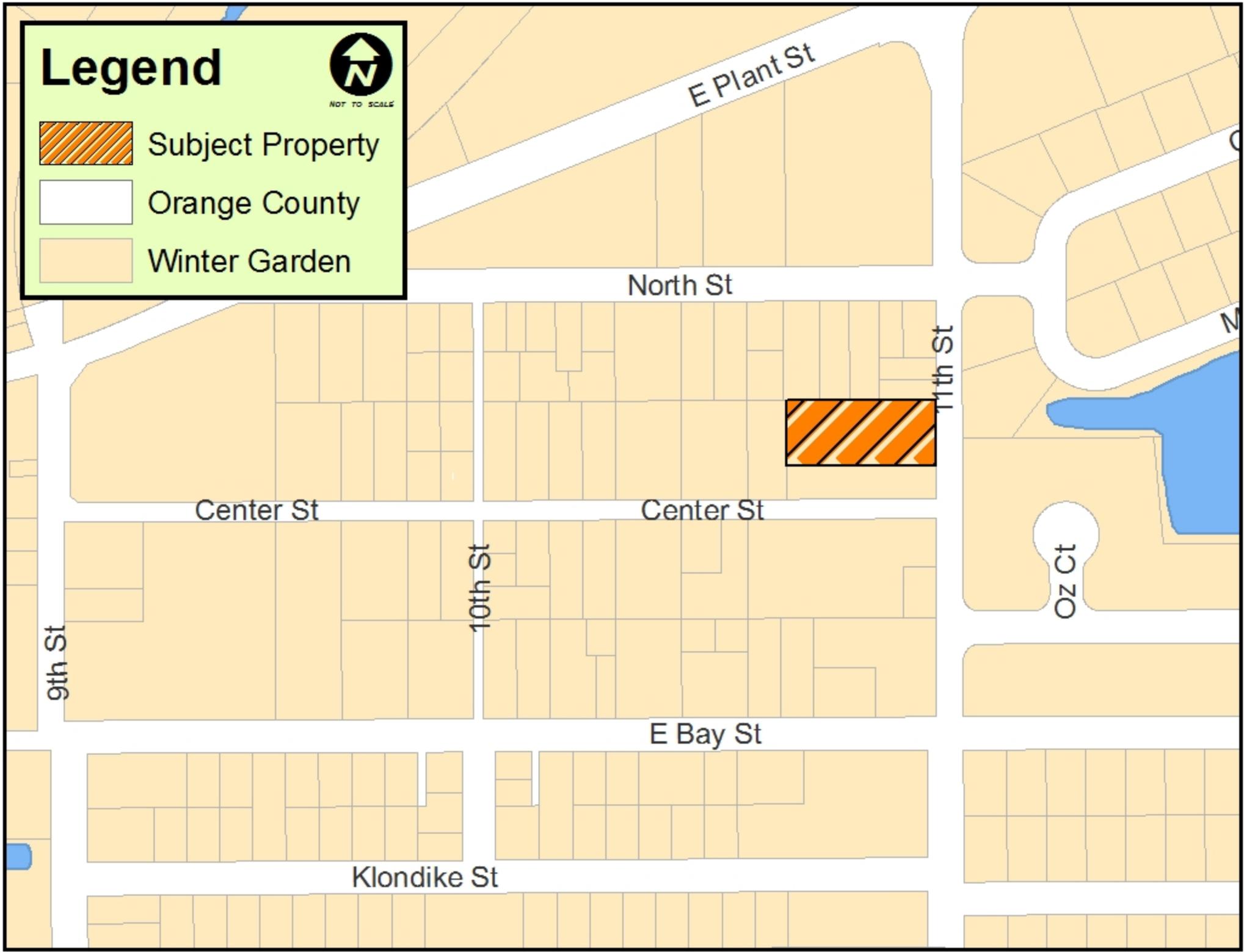
Subject Property



Orange County



Winter Garden





MEMORANDUM

Date: October 15, 2014
To: Mark Jones, Building Official
CC: Ed Williams, Community Development Director
From: Steve Pash, Code Compliance Manager

Subject: 230 11th Street – Condemnation
Code Case # 14-179

Street Address: 230 11th Street
Winter Garden, Florida 34787

Tax Parcel Identification No.: 13-22-27-5260-00-113

Legal Description: The North 100 feet of the South ½ of Lots 11 and 12, less the West 60 feet of Lot 11, Loveless Addition To Winter Garden, according to the plat thereof, recorded in Plat Book D, page 90, Public Records of Orange County, Florida.

Record Fee Owner Donald Rogers

Per Chapter 18, Division 5. Dilapidated, Dangerous, Decayed Structures and Appurtenances of the City Code, the Code Enforcement Department is making a recommendation to condemn the structures located at 249 Center Street.

The building is only a shell consisting of concrete block and has been in this state of disrepair for the past five years without any repair or reconstruction. The building is currently vacant, and the building is dilapidated, decayed, and creates a danger to surrounding properties.

Once the building is condemned, Code Enforcement plans to demolish the building.

**NOTICE OF CONDEMNATION
CITY OF WINTER GARDEN, FLORIDA**

Pursuant to Chapter 18, Art. II. of the Winter Garden Code of Ordinances, notice is hereby given to all persons having any interest or right, whether as owners, lienholders, or otherwise, in such real estate as described herein, that the City of Winter Garden Commission will hold a public hearing on **January 22, 2015 at 6:30 p.m.**, or as soon thereafter as possible in the City Commission Chambers at City Hall, located at 300 West Plant Street, Winter Garden, Florida, to determine whether an order of condemnation made by the city building inspector should be confirmed in all respects regarding the following property:

Street Address:	230 11 th Street Winter Garden, Florida 34787
Tax Parcel Identification No.:	13-22-27-5260-00-113
Legal Description:	The North 100 feet of the South ½ of Lots 11 and 12, less the West 60 feet of Lot 11, Loveless Addition To Winter Garden, according to the plat thereof, recorded in Plat Book D, page 90, Public Records of Orange County, Florida.
Record Fee Owner (Per Orange County Tax Collector)	Donald Rodgers

YOU ARE FURTHER NOTIFIED THAT AN INSPECTION OF THE AFORESAID PROPERTY HAS REVEALED CAUSE TO CONDEMN THE STRUCTURE(S) LOCATED THEREON AS SET FORTH IN SECTION 18, ART. II OF THE WINTER GARDEN CODE OF ORDINANCES FOR VIOLATIONS OF §§ 18-151, 18-155 & 18-159, WINTER GARDEN CODE OF ORDINANCES. All persons having any interest or right in the above-described property must appear before the Winter Garden City Commission at the public hearing to show cause, if any, why the order of condemnation made by the city building inspector should not be confirmed in all respects. Failure to protest the order of condemnation or to appear and show cause why the order of condemnation should not be confirmed shall result in all persons having any right or interest in the above-referenced being forever foreclosed and barred of claiming any damage because of the destruction of the property described in the condemnation order. For more information or to review the file, please contact Steve Pash with the City of Winter Garden, 300 W. Plant St., Winter Garden, Florida 34787; telephone number 407-656-4111 Ext. 2292.

Any persons with disabilities needing special accommodations should submit a written request to the Planning & Zoning Department, 300 W. Plant St., Winter Garden, FL 34787 or phone (407) 656-4111, Ext. 2312 at least 48 hours prior to each meeting. Any person wishing to appeal a decision of the Winter Garden City Commission must ensure that a verbatim record of the proceedings is made.



CITY OF WINTER GARDEN
COMMUNITY DEVELOPMENT DEPARTMENT
CODE ENFORCEMENT DIVISION
300 WEST PLANT STREET
WINTER GARDEN, FL 34787

P: 407.656.4111
F: 407.656.0839

WWW.WINTERGARDEN-FL.GOV

NOTICE OF CONDEMNATION

DATE ISSUED: December 30, 2014

WINTER GARDEN CODE ENFORCEMENT CASE#: 14-179

PROPERTY OWNER(S) NAME: Donald Rogers

MAILING ADDRESS: 559 Hernando Pl
Clermont, Florida 34715

RE: CITY OF WINTER GARDEN NOTICE OF CONDEMNATION

LEGAL DESCRIPTION: The North 100 feet of the South ½ of Lots 11 and 12, less the West 60 feet of Lot 11, Loveless Addition To Winter Garden, according to the plat thereof, recorded in Plat Book D, page 90, Public Records of Orange County, Florida.

STREET ADDRESS 230 11th Street
Winter Garden, FL 34787

TAX PARCEL ID # : 13-22-27-5260-00-113

DATE OF SERVICE:
HAND DELIVERED – DECEMBER 30, 2014
SENT VIA CERTIFIED MAIL RECEIPT
7014 0510 0000 6362 3417

DEAR PROPERTY OWNER(S):

YOU ARE HEREBY NOTIFIED THAT AN INSPECTION OF YOUR PROPERTY HAS REVEALED CAUSE TO CONDEMN THE STRUCTURES LOCATED THEREON AS SET FORTH IN ARTICLE II, SECTION 18 OF THE CODE OF ORDINANCES OF THE CITY OF WINTER GARDEN. VIOLATIONS OF THE FOLLOWING SECTIONS(S) OF THE WINTER GARDEN CODE OF ORDINANCES APPLY AS TO YOUR PROPERTY:

VIOLATION(S):

CHAPTER 18- DILAPIDATED, DANGEROUS, DECAYED STRUCTURES AND APPURTENANCES

SECTION 18-151. STANDARD CODE ADOPTED.

THERE IS ADOPTED BY THE CITY FOR THE PURPOSES OF ESTABLISHING RULES AND REGULATIONS PERTAINING TO OR IN ANY WAY RELATED TO ANY AND ALL BUILDINGS, STRUCTURES, ELECTRICAL, GAS, MECHANICAL OR PLUMBING SYSTEMS WHICH ARE UNSAFE, UNSANITARY, OR DO NOT PROVIDE ADEQUATE EGRESS, OR WHICH CONSTITUTE A FIRE HAZARD, OR ARE OTHERWISE DANGEROUS TO HUMAN LIFE, OR WHICH IN RELATION TO EXISTING USE, CONSTITUTE A HAZARD TO SAFETY OR HEALTH, ARE CONSIDERED UNSAFE BUILDINGS OR UNSAFE SERVICES SYSTEMS AS SET FORTH IN THE STANDARD UNSAFE BUILDING ABATEMENT CODE AS

NOTICE OF CONDEMNATION

PUBLISHED BY THE SBCCI, AND AS SUCH MAY BE AMENDED, MODIFIED OR UPDATED BY THE SBCCI (THE "ABATEMENT CODE"). THE ABATEMENT CODE IS ADOPTED AND FULLY INCORPORATED HEREIN AS IF FULLY SET OUT AT LENGTH IN THIS SECTION, SAVE AND EXCEPT SUCH PORTIONS ARE DELETED, ADDED, MODIFIED OR AMENDED IN THIS ARTICLE. ONE COPY OF THE ABATEMENT CODE IS ON FILE IN THE OFFICE OF THE BUILDING OFFICIAL. ALL SUCH UNSAFE BUILDINGS, STRUCTURES OR SERVICE SYSTEMS ARE HEREBY DECLARED ILLEGAL AND SHALL BE ABATED BY REPAIR AND REHABILITATION OR BY DEMOLITION IN ACCORDANCE WITH THE PROVISIONS OF THE ABATEMENT CODE, OR OTHER PROVISIONS OF THE BUILDING AND PROPERTY MAINTENANCE REGULATIONS OF THE CITY. ALL REPAIRS SHALL BE PERFORMED IN ACCORDANCE WITH THE FLORIDA BUILDING CODE.

SECTION 18-159. PUBLIC NUISANCES.

PUBLIC NUISANCES ARE DEFINED IN SECTION 18-155. WHEN NUISANCE CONDITIONS OR HAZARDS DEGENERATE OR CUMULATIVELY IMPACT ON STRUCTURES DWELLINGS, OR OTHER BUILDINGS REGULATED BY THIS CODE, TO THE EXTENT THAT REPAIR, REMOVAL, SECURING OR DEMOLITION IS NECESSARY FOR THE PUBLIC HEALTH, SAFETY AND WELFARE, THEN THE BUILDING OFFICIAL OR HIS DESIGNEE IS AUTHORIZED TO ORDER THE PROPERTY OWNER OR CITY AGENTS TO REPAIR, REMOVE, SECURE, VACATE OR DEMOLISH SUCH STRUCTURES ACCORDING TO PROCEDURES OUTLINED IN THE ABATEMENT CODE OR AS OTHERWISE PROVIDED FOR IN THE CODE. THESE POWERS ARE HEREBY DECLARED TO BE REMEDIAL AND ESSENTIAL FOR THE PUBLIC INTEREST, AND IT IS INTENDED THAT SUCH POWERS BE LIBERALLY CONSTRUED TO EFFECTUATE THE PURPOSES STATED HEREIN.

CHAPTER 18-155. CONDITIONS CONSTITUTING HAZARDS—NOTICE.

WHEN THERE MAY BE FOUND TO EXIST ANY CONDITION OF ANY BUILDING, LAND OR PREMISES OR ANY CONDITION IN, UPON OR ABOUT ANY BUILDING, LAND OR PREMISES WHICH CONSTITUTES OR IS LIKELY TO CONSTITUTE A FIRE HAZARD OR A HAZARD TO THE HEALTH, SAFETY OR WELFARE OF THE OCCUPANTS OR THE PUBLIC (I.E., A PUBLIC NUISANCE). . . .

REASONS FOR CONDEMNATION:

THE BUILDING IS ONLY A SHELL CONSISTING OF CONCRETE BLOCK AND HAS BEEN IN THIS STATE FOR THE PAST FIVE YEARS WITHOUT ANY REPAIR OR RECONSTRUCTION. THE BUILDING IS CURRENTLY VACANT, AND THE BUILDING IS DILAPIDATED, DECAYED, AND CREATES A DANGER TO SURROUNDING PROPERTIES.

DATE OF HEARING:

JANUARY 22, 2015

PURSUANT TO SECTION 18-157 OF THE CODE OF ORDINANCES OF THE CITY OF WINTER GARDEN, YOU ARE ENTITLED TO A HEARING ON THE CONDEMNATION TO BE HELD ON THE DATE STATED HEREIN. THE CITY COMMISSION SHALL HEAR THE CAUSES AND MAY SUSTAIN, REJECT OR MODIFY THE ACTION AND RECOMMENDATIONS OF THE OFFICER OR EMPLOYEE MAKING AND FILING THE NOTICE WITH RESPECT TO THE HAZARDOUS CONDITION AND SHALL ORDER THE REMOVAL, DESTRUCTION, OTHER DISPOSITION OR REPAIR OF ANY SUCH BUILDING OR SHALL ORDER SUCH OTHER MATTERS OR THINGS TO BE DONE AS MAY BE NECESSARY TO REMOVE OR CORRECT SUCH HAZARDOUS CONDITION, AND SHALL ORDER THAT SUCH BE DONE WITHIN SUCH TIME AS THE CITY COMMISSION MAY DETERMINE.

SINCERELY,

**STEPHEN PASH
CODE COMPLIANCE MANAGER**

SUMMONS AND NOTICE OF HEARING
NOTICE OF CONDEMNATION

CITY OF WINTER GARDEN,
a Florida Municipal Corporation,

Petitioner,

CASE NO.: 14-179

Address: 230 11th Street, Winter Garden, FL 34787

Date: December 30, 2014

vs.

Donald Rogers,

Respondents.

SUMMONS AND NOTICE OF HEARING

Donald Rogers
559 Hernando Pl
Clermont, Florida 34715

Re: City of Winter Garden Notice of Condemnation
230 11th Street, Winter Garden, FL
Parcel ID # 13-22-27-5260-00-113

YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, ON THE 22nd DAY OF JANUARY 2015, AT 6:30 P.M. AT THE CITY OF WINTER GARDEN COMMISSION CHAMBERS, 300 WEST PLANT STREET, WINTER GARDEN, FLORIDA 34787.

The purpose of the hearing is for the City Commission of the City of Winter Garden to make a determination regarding the condemnation of the property described herein. Upon investigation, it has been determined that the property violates provisions of the Code of Ordinances of the City of Winter Garden as set forth in the Notice of Condemnation served concurrently herewith.

You have the right to be represented by an attorney and to respond and present evidence and witnesses at the scheduled hearing. You may also have other rights as are set forth in the City of Winter Garden Code of Ordinances. Any person appealing a decision made by the City Commission of the City of Winter Garden must ensure that a verbatim record of the proceeding is made which includes the testimony and evidence upon which the appeal is made. The City of Winter Garden does not provide this record. Anyone requiring accommodations in order to participate under the Americans with Disabilities Act should contact the A.D.A. Coordination at 407-656-4111 five days prior to the hearing.

DATED on this 30th day of December, 2014.

City of Winter Garden
Community Development Department

By: _____
Its: _____

AFFIDAVIT OF SERVICE

STATE OF FLORIDA
COUNTY OF ORANGE

Service of Summons, Notice of Hearing, and Notice of Condemnation was made on Posted
on the building at 230 11th Street, Winter Garden, FL 34787 (resident, occupant, or owner's name)
(Age and Relationship to Respondent(s)), at 2:50 P.M., on December 30, 2014, by Thomas
Knappman.

N/A – Not Occupied
Respondent/Occupant Signature

Officer Signature
My signature validates proper service per
section 162.12, Florida Statutes.

Per section 162.12(c)-(d), Florida Statutes, valid service includes:

Leaving the notice at the Respondent's usual place of residence with any person residing therein
who is above 15 years of age and informing such person of the contents of the notice; or

In the case of commercial premises, leaving the notice with the manager or other person in charge.

THE CITY OF WINTER GARDEN
CITY COMMISSION AGENDA ITEM

From: Don Cochran, Assistant City Manager – Public Services
Via: Mike Bollhoefer, City Manager
Date: January 14, 2015 **Meeting Date:** January 22, 2015
Subject: Approve the Purchase of a 2015 Ford F550 Service Truck for the Water & Reuse Water Distribution Division
Issue: This is a piggyback purchase on a Pasco County bid (#IFB-RT-14-082).

This truck will be used as a service truck and is a larger truck for the purpose of pulling the directional drilling machine and trailer. Our existing service trucks are not large enough to carry this load without overloading the truck's towing capacity. The purchase of this truck was approved in the 2014–2015 CIP budget.

Recommended Action:

Move to approve the purchase of a 2015 Ford F550 service truck with a total purchase price of \$54,347.00.

Attachments/References:

Truck price from Bartow Ford and specifications from the City's Fleet Division.



November 23, 2014

City of Winter Garden

Mike Caines Spec # 15-1

Piggyback of Pasco Conty Bid# IFB-RT-14-082

F5G 2015 Ford F550 Regular Cab 4x2 141" Wheel Base 60" Cab to Axle	\$28,579.00
6.7 Diesel Engine	\$8,125.00
Automatic Transmission	\$185.00
660A XL Package Includes Split Bench 40/20/40 HD Vinyl, Rubber Floor Mat, Upfitter Switches, Standard AM/FM Stereo Radio with Clock, Air Conditioning	INCLUDED
90L Power Equipment Group (Includes Power Windows & Power Door Locks)	\$890.00
X8L 4.88 Rear Axle Ratio W/ Limited Slip Differential	\$355.00
18B Molded Black Cab Steps	\$315.00
68M 19,500# GVWR Package	\$1,150.00
535 High Capacity Trailer Tow System	\$345.00
TGB 225/70Rx19.5F BSW Tires Max Traction	\$210.00
67X Extra Heavy Suspension	\$120.00
942 Daytime Running Lights	\$40.00
52B Trailer Brake Controller	\$265.00
512 Full Side Spare & Wheel	\$350.00
3K 3rd Key	\$20.00
Upgrade to F5H	\$2,694.00
Warner Select II 9ft DRW Body to be Powder Coated White	\$8,285.00
Street Side Front Compartment shall have 2 Adjustable Rollout Trays w/ (20) dividers for trays	INCLUDED
S/S & C/S Horizontal shall have a full length shelf w/ (20) dividers for tray	INCLUDED
Street Side Rear Compartment shall have 3 Adjustable Shelves w/ (20) dividers for trays	INCLUDED
Curb Side Front Compartment shall have 3 Adjustable Rollout Trays w/ (20) dividers for trays	INCLUDED
Curb Side Rear Compartment shall have (4) J hooks (2) front and (2) rear for hanging of cords & ropes	INCLUDED
Curbside Rear Door shall have Handiwash with hot water and connected to ignition 12V	\$475.00
Steel 5 loop shovel holder located on the Curb Side of the interior bed. Each loop shall be 2" in Dia.10" on Center it shall be located 20" from the rear of the body and 6in from the top of the body. Securing bolts shall have reinforcing plate on inside of compartment	INCLUDED
Two (2) rear grab handles inside bed area at rear of body; (1) per side. Painted safety yellow	INCLUDED
One (1) Samlex SSW 2000 watt pure sine inverter. Mounted inside Street Side Front Inverter with provisions to turn unit on inside the cab	\$467.00
Spray In Liner inside of bed floor, walls and inside of tailgate	\$860.00
(1) 15A GFCI outlet on rear of body Curb Side	\$68.00
1 LED light located in each compartment controlled by a switch in cab, label COMP LIGHT	INCLUDED
Full deck plate step bumper with pintle hook and safety chain rings, Bumper shall be 15in depth with recess for Pintle hitch and hinged cover, reinforced with 20 Ton Pintle Hitch in the recess, (2)Chain rings located (1) on each side of pintle, All mounting is to be with grade 8 bolts	INCLUDED
7pin flat blade trailer wiring connect shall be recess mounted in the Bumper	\$29.00
All lights to be flush mount LED,(2) 4" recessed combination tail/stop/ turn lights installed, One (1) each side of rear of body panel, (2) 4" recessed back-up lights installed (1) each side of rear body panel, (2) Star DLS306A LED. (1) each side of rear body over wheelwell forward, programmed steady burn, connected to front turn signal, (2) red reflectors on rear.(1) amber & (1) red reflector on each side,(2) Star DLX4A amber LED. (1) on each side of rear body panel near top,(2) mounted in front grill,(1) on each side of rear body over wheelwell Rear, Connected to Upfitter Switch and labeled WARNING.	\$394.00
(1) Buyers Model 1492125 LED Work Light mounted on Curb Side top front of the body, Connected to Upfitter Switch and labeled WORK LIGHT	\$126.00

TOTAL PURCHASE AMOUNT PER UNIT

\$54,347.00

If you have any questions or need any additional information please feel free contact me anytime.

Sincerely Yours,
 Richard Weissinger
 Commercial Fleet Sales
 Bartow Ford Company
 Direct Line (813) 477-0052
 Fax (863) 533-8485

**2800 US Hwy North
 Bartow, Florida 33830**

**City of Winter Garden
Florida**

VEHICLE SPECIFICATIONS

DESCRIPTION: 2015 Ford F550 DRW 4WD Cab Chassis with 9ft. Service Body

CHASSIS SPECIFICATIONS:

- 2015 Ford F550 Model: F5H DRW 4X4
- 141" Wheelbase - 60" CA
- 19,500# GVWR
- (660A) XL Trim
- Rubber Floor Mat
- (90L) Power Equipment Group
- Seat, Split Bench 40/20/40 HD Vinyl
- 6.7L DI V8 Power Stroke Turbo-Diesel
- 6-Speed Automatic Transmission
- (X8L) 4.88 Rear Axle Ratio W/ Limited Slip Differential
- (TGB) 225/70Rx19.5F BSW Tires Max Traction
- Spare Tire and Wheel
- (572) Factory Air Conditioning
- (67X) Extra Heavy Suspension
- (535) High Capacity Trailer Tow System
- (91T) Tow Command System
- (52B) Integrated Trailer Brake Controller
- (942) Daytime Running Lights
- (18B) Molded Cab Assist Steps (Black)
- (Z1) Painted Factory Color Oxford White Clear coat
- Four Up-fitters Switches
- Standard AM/FM Stereo Radio with Clock
- DEF Tank mounted mid-ship inside frame rail
- Tinted Glass All Window
- Power Steering
- Power Brakes, 4-Wheel Disc
- Standard Cigarette Lighter, Auxiliary Power Point
- Standard Manual Trailer Tow Mirrors
- Standard AFT Fuel Tank - 40 Gallon Capacity
- Interval Windshield Wipers
- 1 Extra Key, 3 Total
- FIN#QE536

BODY SPECIFICATIONS:

1. 9FT SERVICE BODY

- A) Warner Select II 9ft DRW Body for a Ford F550 Cab Chassis
- B) Powder Coat White
- C) Rhino Line or Equivalent inside of bed; floor, walls and inside of tailgate.
- D) Street Side Front Compartment shall have 2 Adjustable Rollout Trays Vendor to provide twenty (20) dividers for trays.
- E) Street Side Horizontal shall have a full length shelf . Vendor to provide twenty (20) dividers for tray.
- F) Street Side Rear Compartment shall have 3 Adjustable Shelves. Vendor to provide twenty (20) dividers for trays.
- G) Curb Side Front Compartment shall have 3 Adjustable Rollout Trays. Vendor to provide twenty (20) dividers for trays.
- H) Curb Side Horizontal shall have a full length shelf . Vendor to provide twenty (20) dividers for trays.
- I) Curb Side Rear Compartment shall have 4 J hooks 2 front and 2 rear for hanging of cords and ropes.
- J) Curbside Rear Door shall have Handiwash with hot water option mount on it. Power should be connected to ignition 12V.
- K) There shall be a steel 5 loop shovel holder located on the Curb Side of the interior bed. Each loop shall be 2" in Diameter an 10" on Center it shall be located 20" from the rear of the body and 6in from the top of the body. Securing bolts shall have reinforcing plate on inside of compartment.
- L) Two (2) rear grab handles inside bed area at rear of body; (1) per side. Painted safety yellow
- M) One (1) Xantrex 2000 watt pure sine inverter. Mounted inside compartment Street Side Front Inverter must have provisions to turn unit on inside the cab.
- N) Install (1) 15A GFCI outlet on rear of body Curb Side.

2. COMPARTMENT LIGHTS

- A) 1 LED light located in each compartment controlled by a switch in cab, label COMP LIGHT.

3. BUMPER

- A) Full deck plate step bumper with pintle hook and safety chain rings.
- B) Bumper shall be 15in depth with recess for Pintle hitch and hinged cover.
- C) The bumper shall be reinforced and have a 20 Ton Pintle Hitch in the recess.
- D) Chain rings located 1 on each side of pintle
- E) **NOTE:** Pintle hook and Chain Rings must be mounted and braced to safely support a minimum capacity of 3000lb tongue weight and 30,000 tow weight. All mounting is to be with grade 8 bolts.

4. TRAILER BRAKE CONTROLLER AND WIRING

- A) Controller is factory installed .
- B) A 7pin flat blade trailer wiring connect shall be recess mounted in the pumper.

5. VEHICLE LIGHTING

- A) All lighting to DOT requirements.
- B) All lights to be flush mount LED.
- C) Two (2) 4 inch recessed combination tail/stop/ turn lights installed. One (1) each side of rear of body panel.
- D) Two (2) 4 inch recessed back-up lights installed. One (1) each side of rear body panel.
- E) Two (2) Star DLS306A LED Lights. One (1) each side of rear body over wheelwell forward, programmed steady burn, connected to front turn signal .
- F) Tag light to be installed
- G) Two (2) red reflectors on rear. One (1) amber and one (1) red reflector on each side.

6. WARNING LIGHTS

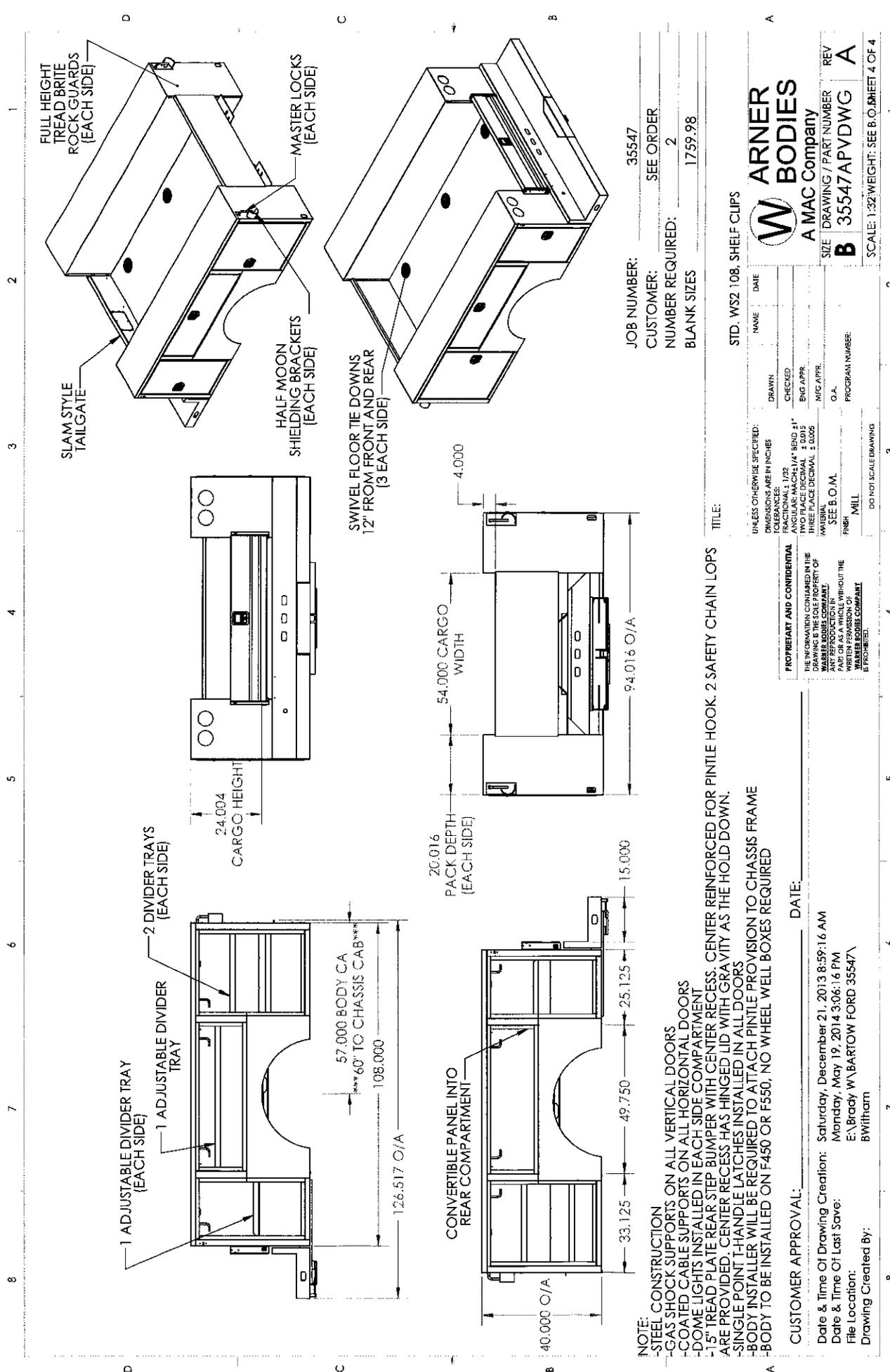
- A) Two (2) Star DLX4A amber LED flashers. 1 on each side of rear body panel near top.
- B) Two (2) Star DLX4A amber LED flashers to be mounted in front grill.
- C) Two (2) Star DLX4A amber LED flashers. 1 on each side of rear body over wheelwell Rear.
- D) Connected to Upfitter Switch and labeled WARNING

7. WORK LIGHTS

- A) One (1) Buyers Model 1492125 LED Work Light mounted on Curb Side top front of the body.
- B) Connected to Upfitter Switch and labeled WORK LIGHT

8. WIRING

- A) All wiring must meet or exceeds MVSS and SAE standards for automotive wiring.
 - B) All wire connectors to be twisted, soldered and taped or solderless compression type connectors to be used. Wedge type connectors **are not** acceptable.
 - C) Any wire passing through a panel or bulkhead to go through a grommet.
 - D) All wires to be in loom to protect from sharp edges. All wires to be secured with frame clips or brackets to prevent sagging of wire.
-



JOB NUMBER: 35547
 CUSTOMER: SEE ORDER
 NUMBER REQUIRED: 2
 BLANK SIZES 1759.98

STD. WSZ 108, SHELF CLIPS



SIZE B
 DRAWING / PART NUMBER 35547APVDWG
 REV A
 SCALE: 1:32 WEIGHT: SEE B.O. SHEET 4 OF 4

NAME	DATE
DRAWN	CHECKED
ENG APPR	MEG APPR
G.A.	PROGRAM NUMBER

UNLESS OTHERWISE SPECIFIED:
 DIMENSIONS ARE IN INCHES
 FRACTIONALS: 1/32
 DECIMALS: .0005
 ANGULARS: MACH 1/4" R50D 21"
 TOLERANCES: THREE PLACE DECIMAL .0005
 MATERIAL: SEE B.O.M.
 FINISH: MILL
 DO NOT SCALE DRAWING

NOTE:
 -STEEL CONSTRUCTION
 -GAS SHOCK SUPPORTS ON ALL VERTICAL DOORS
 -COATED CABLE SUPPORTS ON ALL HORIZONTAL DOORS
 -DOME LIGHTS INSTALLED IN EACH SIDE COMPARTMENT
 -1.5" TREAD PLATE REAR STEP BUMPER WITH CENTER RECESS. CENTER RECESS HAS HINGED LID WITH GRAVITY AS THE HOLD DOWN.
 -SINGLE POINT T-HANDLE LATCHES INSTALLED IN ALL DOORS
 -BODY INSTALLER WILL BE REQUIRED TO ATTACH PINTLE PROVISION TO CHASSIS FRAME
 -BODY TO BE INSTALLED ON F450 OR F550, NO WHEEL WELL BOXES REQUIRED

CUSTOMER APPROVAL: _____ DATE: _____

Date & Time Of Drawing Creation: Saturday, December 21, 2013 8:59:16 AM
 Date & Time Of Last Save: Monday, May 19, 2014 3:06:16 PM
 File Location: E:\Brady W\BARTOW FORD 35547\
 Drawing Created By: BWitham

THE CITY OF WINTER GARDEN
CITY COMMISSION AGENDA ITEM

From: Don Cochran, Assistant City Manager – Public Services
Via: Mike Bollhoefer, City Manager
Date: January 14, 2015 **Meeting Date:** January 22, 2015
Subject: Approve Bids and Award Contract for the Southwest Reuse Water Main Extension Phase 2 – CR545 Project
Issue: On December 9, 2014, the City received the following four bids for the Southwest Reuse Water Main Extension Phase 2 – CR545 project:

TD Thomson Construction	\$386,760.00
Stage Door II	\$410,600.00
TB Landmark	\$655,900.00
Tri-Sure Corp.	\$656,600.00

This new reuse water main will connect the existing reuse water line located on CR545 in the south to another existing reuse water main located to the north on SR50.

The engineer of record, Tetra Tech Engineering, has checked TD Thomson Construction's references, as well as the references for his subcontractors, and has recommended TD Thomson as the lowest responsive and qualified bidder, with a bid of \$386,760.00.

Staff recommends adding a 10% contingency to this bid, bringing the total project amount to \$425,436.00.

Recommended Action:

Recommend approving the bids and awarding a contract for the Southwest Reuse Water Main Extension Phase 2 – CR545 project to TD Thomson Construction, including a 10% contingency, for a total project amount of \$425,436.00.

Attachments/References:

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



January 9, 2015

Mr. Donald Cochran
Assistant City Manager – Public Services
City of Winter Garden
300 West Plant Street
Winter Garden, Florida 34787

**Subject: City of Winter Garden
Southwest Reuse Phase 2 – CR 545
Recommendation of Award**

Tt # 200-08490-12002

Dear Mr. Cochran:

We have reviewed the four (4) bids received for the above-referenced project submitted to the City of Winter Garden (City) on December 9, 2014. The bid prices received have been entered into the bid tabulation attached hereto. T.D. Thompson Construction was the apparent low bidder with a total bid of \$386,760, with Stage Door II, TB Landmark and Tri-Sure Corp. being the second, third, and fourth apparent lowest bidders at \$410,600, \$655,900, and \$656,600, respectively.

References provided by T.D. Thompson include a mixture of utility water/reclaimed water/wastewater pipeline and stormwater type projects. The most similar type projects were completed for the City; T.D. Thompson completed all the projects successfully and to the satisfaction of the City. The reference project most similar in size and scope to Southwest Reuse Phase 2 – CR 545 included utility improvements at the intersection of S.R. 50 and Avalon Road, the connection point for this project. T.D. Thompson's familiarity with the tie-in location at the intersection of S.R. 50 and Avalon Road will be an advantage to this project.

Southwest Reuse Phase 2 – CR 545 includes a significant length of reclaimed water main to be installed via directional drill. Unfamiliar with the directional drill subcontractor, identified on the bid response form as CSC, Tetra Tech requested references for review. T.D. Thomson informed Tetra that the pipe installed via directional drilling would be completed by BoreHawg, a directional drilling contractor the City and Tetra Tech are familiar with. BoreHawg has completed numerous projects of similar size and scope, including Fullers Cross Potable Water Main.

The consensus is that the projects performed by T.D. Thompson were completed to the satisfaction of the City and that T.D. Thompson is a quality contractor that would be capable to complete the project with BoreHawg as their directional drilling subcontractor.



Mr. Donald Cochran
January 9, 2015
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Based on the evaluation, our recommendation is that the project be awarded to T.D. Thompson in the amount of \$386,760.

If you have any questions or comments, please do not hesitate to call.

Very truly yours,

Tetra Tech

A handwritten signature in blue ink, appearing to read 'Jon D. Fox', written over the printed name.

Jon D. Fox, P.E.
Vice President

JDF/slh/08490-13003/con/bid/Rec of Award

C: Mike Kelley, P.E., City of Winter Garden
Craig Sandt, City of Winter Garden
Mike Saxton, P.E., Tetra Tech
Susan Hayse, Tetra Tech

Apparent Low Bidder



Bid Opening: December 9, 2014

Bid Item	Bid Item Name & Category	Total Quantity (A)	Unit	T.D. Thomson Construction		Stage Door II		TB Landmark		Tri-Sure Corp.	
				Unit Cost (B)	Item Cost (AxB)	Unit Cost (B)	Item Cost (AxB)	Unit Cost (B)	Item Cost (AxB)	Unit Cost (B)	Item Cost (AxB)
1	Mobilization and Demobilization	1	LS	\$ 47,000.00	\$ 47,000.00	\$ 30,000.00	\$ 30,000.00	\$ 60,000.00	\$ 60,000.00	\$ 100,000.00	\$ 100,000.00
2	General Requirements	1	LS	\$ 65,000.00	\$ 65,000.00	\$ 60,000.00	\$ 60,000.00	\$ 7,500.00	\$ 7,500.00	\$ 60,000.00	\$ 60,000.00
3	Indemnification	1	LS	\$ 6,000.00	\$ 6,000.00	\$ 100.00	\$ 100.00	\$ 1,000.00	\$ 1,000.00	\$ 10,000.00	\$ 10,000.00
4	Maintenance of Traffic	1	LS	\$ 5,500.00	\$ 5,500.00	\$ 40,000.00	\$ 40,000.00	\$ 14,000.00	\$ 14,000.00	\$ 25,000.00	\$ 25,000.00
5	Locate Utilities in Advance of Construction	1	LS	\$ 2,000.00	\$ 2,000.00	\$ 10,000.00	\$ 10,000.00	\$ 32,000.00	\$ 32,000.00	\$ 30,000.00	\$ 30,000.00
6	12-inch DI/PVC Pipe and Fittings	720	LF	\$ 48.00	\$ 34,560.00	\$ 70.00	\$ 50,400.00	\$ 259.00	\$ 186,480.00	\$ 100.00	\$ 72,000.00
7A	12-inch DIP Carrier Pipe w/ 24" Steel Casing	120	LF	\$ 175.00	\$ 21,000.00	\$ 150.00	\$ 18,000.00	\$ 560.00	\$ 67,200.00	\$ 400.00	\$ 48,000.00
7B	12-inch DIP Carrier Pipe w/City provided Steel Casing	120	LF	\$ 130.00	\$ 15,600.00	\$ 90.00	\$ 10,800.00	\$ 450.00	\$ 54,000.00	\$ 350.00	\$ 42,000.00
8	16-inch HDPE Directional Drill and Fittings	1,380	LF	\$ 125.00	\$ 172,500.00	\$ 125.00	\$ 172,500.00	\$ 144.00	\$ 198,720.00	\$ 170.00	\$ 234,600.00
9	12-inch Gate Valve	2	EA	\$ 2,800.00	\$ 5,600.00	\$ 3,100.00	\$ 6,200.00	\$ 3,000.00	\$ 6,000.00	\$ 2,500.00	\$ 5,000.00
10	Air Release Valve	2	EA	\$ 3,000.00	\$ 6,000.00	\$ 1,300.00	\$ 2,600.00	\$ 9,500.00	\$ 19,000.00	\$ 5,000.00	\$ 10,000.00
11	Connection to Existing Mains (Direct Connect)	2	EA	\$ 3,000.00	\$ 6,000.00	\$ 5,000.00	\$ 10,000.00	\$ 5,000.00	\$ 10,000.00	\$ 10,000.00	\$ 20,000.00
TOTAL BASE BID					\$ 386,760.00		\$ 410,600.00		\$ 655,900.00		\$ 656,600.00

The City of Winter Garden
City Commission Agenda Item

From: Mike Bollhoefer, City Manager

Date: January 20, 2015

Meeting Date: January 22, 2015

Subject: Letter of Intent for the Redevelopment of the Northwest Corner of Dillard Street and SR 50

Issue: City staff has been working with a developer and property owners to assemble a redevelopment project at the northwest corner of Dillard Street and SR 50. The City is currently working with Intram Development to potentially build a hotel(or office building), restaurant and a new gas station.

In order to move forward, one of the property owners is requesting transportation impact fee credits to complete the transaction. They are requesting \$250,000 in impact fee credits that can then be used on another property within the City. Currently, the City's ordinance does not allow for impact fee credits to be transferred. The City Commission would need to amend the Transportation Impact Fee Ordinance to allow for the transfer of impact fee credits for economic development projects. Once the ordinance is amended, the City would prepare an agreement outlining all the details of the impact fee transfer. Both of these items would need approval from the City Commission.

In the meantime, a Letter of Intent is needed so the developer and property owner have the necessary assurances to allow the project to move forward.

Recommendation: City staff is recommending that the City Commission authorize the City Manager to sign a Letter of Intent to allow the transfer of \$250,000 in impact fee credits.

Attachment: Draft Letter of Intent



January 16, 2015

LF Roper Trust
P.O. Box 770218
Winter Garden, FL 34777

City of Winter Garden

P: 407.656.4111

300 West Plant Street
Winter Garden, FL
34787
wintergarden-fl.gov

Letter of Intent for the Redevelopment Project at the northwest Corner of Dillard Street and SR 50/W Colonial Drive (See attached map)

The City has been working with a variety of developers and property owners to expedite the redevelopment of the northwest corner of Dillard Street and SR 50/W Colonial Drive. The primary goal of this redevelopment is the removal of the blighted hotel at 13603 W Colonial Drive. The City is currently working with Intram Development to potentially build a new hotel (or office building), restaurant and a new gas station at this site.

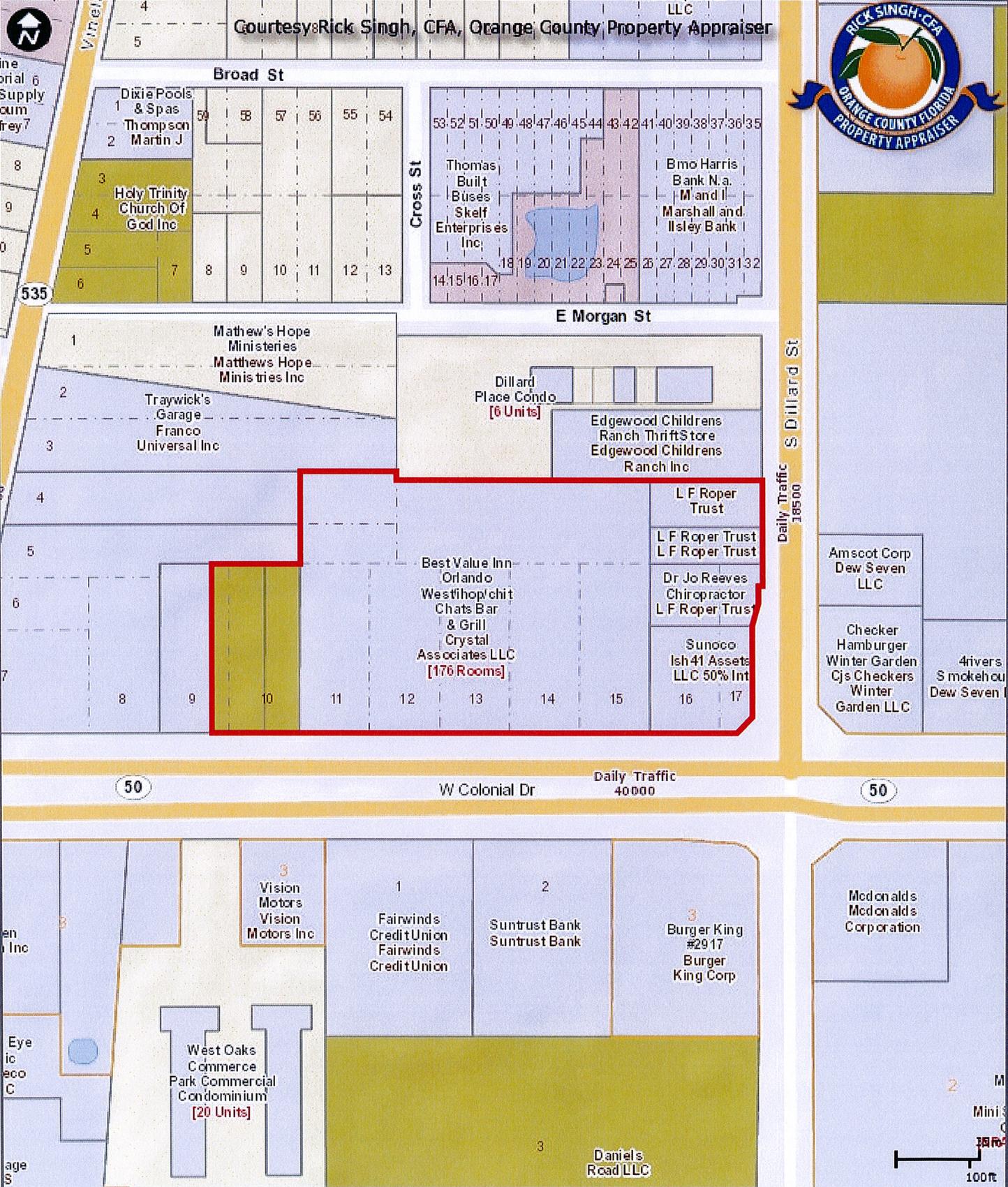
In order to facilitate this process, the City will transfer impact fees totaling \$250,000 from these properties to the LF Roper Trust to be used on any LF Roper Trust properties they decide to develop or redevelop, with the transfer to occur upon the City's approval of the redevelopment and demolition of the blighted hotel, all to be consistent with a City Code amendment.

Currently, the City's ordinance does not allow for impact fee credits to be transferred; thus, the City will amend the Impact Fee Ordinance to allow for this transfer. Once the ordinance is amended, the City would prepare an agreement outlining all the details of this impact fee transfer. Both of these items would need approval from the City Commission in March 2015.

Mike Bollhoefer
City Manager

OCPA Web Map

- Florida Turnpike
- Interstate 4
- Toll Road
- Major Roads
- Public Roads
- Gated Roads
- Road Under Construction
- Proposed Road
- Brick Road
- Rail Road
- Proposed SunRail
- Block Line
- Lot Line
- Residential
- Agriculture
- Commercial/Institutional
- Governmental/Institutional/Misc
- Commercial/Industrial/Vacant Land
- Agricultural/Curtilage
- Hydro
- Waste Land
- County Boundary
- Parks
- Golf Course
- Lakes and Rivers
- Building
- Hospital



THE CITY OF WINTER GARDEN

COMMUNITY REDEVELOPMENT AGENCY AGENDA ITEM

From: City Manager, Mike Bollhoefer

Date: 01/16/15

Meeting Date: 01/22/15

Subject: Downtown parking garage

Issue: To address current and future downtown parking needs, the Community Development Agency Advisory Board (CRAAB) voted to build a 4 level garage on the existing public parking lot south of Tremaine Street. After further review and analysis, staff believes it would be in the best interest of the city to reduce the number of levels to 3 levels and to use the money saved by this reduction to obtain the warehouse behind the Edgewater hotel, demolish the warehouse and expand and enhance the current parking lot on that site. Reducing the number of levels will result in a savings of \$2 million and reduce the construction time by approximately 25%.

Recommended action: Approve reducing the number of levels of the garage and using the savings to obtain the warehouse behind the Edgewater Hotel for the purposes of expanding and enhancing the current parking at that location.