



# Development Review Committee Regular Meeting

## Agenda

**October 2, 2024 @ 2:00 PM**

City Hall Commission Chambers  
401 S. Park Avenue

### welcome

Agendas and all backup material supporting each agenda item are accessible via the city's website at [cityofwinterpark.org/meetings/](http://cityofwinterpark.org/meetings/) and include virtual meeting instructions.

### assistance & appeals

Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's Office ([407-599-3277](tel:407-599-3277)) at least 48 hours in advance of the meeting.

"If a person decides to appeal any decision made by the Board with respect to any matter considered at this hearing, a record of the proceedings is needed 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." (F.S. 286.0105).

### please note

Times are projected and subject to change.

**1. Call to Order****2. Consent Agenda**

- a. Approve the minutes of May 22, 2024. 1 minute

**3. Public Comments (for items not on the agenda): Three minutes allowed for each speaker****4. Public Hearings (Public participation and comment on these matters must be in person.)**

- a. **Request of Benjamin Partners, LTD for:** A Resolution of The City Commission of The City of Winter Park, Florida, adopting the Fourth Amendment to the Amended and Restated Development Order for the Ravaudage Development as originally adopted on November 10, 2014, providing for, conflicts, severability and effective date. 15 minutes
- b. **Request of Benjamin Partners, LTD for:** An amendment to the Ravaudage Planned Development boundary, to include 1251 Lewis Drive, and additional associated entitlements of 9,937 square feet of commercial and three (3) residential units. 5 minutes
- c. **Request of Benjamin Partners, LTD for:** Development Plan Approval to construct a four (4) story 38,350-square foot mixed-use building consisting of retail, extended stay hotel units and residential along with a Development Plan modification of the previously approved McCallister parking garage/commercial liner building to a free-standing parking garage of 441 parking spaces, at the southwest corner of Benjamin Avenue and Morgan Stanley Avenue, within the Ravaudage Planned Development. 20 minutes

**5. Staff Updates****6. Board Comments****7. Adjournment**



# Development Review Committee

# agenda item 2.a

**item type**

Consent Agenda

**meeting date**

October 2, 2024

**prepared by**

Mary Bush, Administrative Coordinator III

**approved by****subject**

Approve the minutes of May 22, 2024.

**motion | recommendation****background****alternatives | other considerations****fiscal impact****attachments**

1. Draft Development Review Committee Regular Meeting Minutes



# Development Review Committee Regular Meeting Minutes

**May 22, 2024 at 10:00 AM**

City Hall Commission Chambers  
401 S. Park Avenue

## **Present**

Senior Planner/Zoning Official John Harbilas, Director of Parks and Recreation Jason Seeley, Assistant City Manager Michelle del Valle, Assistant Director of Public Works/City Engineer Don Marcotte, Assistant Building Official Ashley Ong

## **Absent**

Director of Building, Permitting Services and Code Compliance Gary Hiatt, Director of Public Works Charles Ramdatt

## **Staff Present**

Director of Planning and Zoning Allison McGillis, Planner I Corinna Lundgren, Administrative Coordinator Mary Bush

### **1. Call to Order**

Chairman Harbilas called the meeting to order at 10:02 a.m.

### **2. Consent Agenda**

- a. Approve the minutes of December 20, 2023.

Motion made by Don Marcotte, seconded by Michelle del Valle, to approve the December 20, 2023 meeting minutes.

The motion carried unanimously by a 5-0 vote.

### **3. Public Comments (for items not on the agenda): Three minutes allowed for each speaker**

No one from the public wished to speak. The public hearing was closed.

### **4. Public Hearings (Public participation and comment on these matters must be in person.)**

- a. Request of Hotel Ravaudage, LLC for: Development Plan Approval to construct a four-story, 25,600-square foot, 44-room expansion to be attached to the southern end of existing Marriott Springhill Suites located at 1127 N. Orlando Avenue within the Ravaudage PD.

Mrs. McGillis provided a summary of the item. She noted that the expansion would be attached to the existing hotel and would replace a portion of the existing parking lot to the south. She also noted that the proposed addition is required to be set back at least 15 feet from the planned development boundary, and it meets that requirement. She added that the four-story addition will be the same height as the existing hotel, which is about 50 feet to the top of the roof. She then reviewed the applicant's proposed elevations which match the existing hotel. She indicated that staff recommended the condition that faux windows be added on either side of the proposed hallway windows on the southern façade of the addition.

Staff recommendation was for approval with the following conditions:

- That additional rows of faux windows are added on either side of the proposed hallway windows on the southern façade of the building. If the events center vertical construction is underway before the Certificate of Occupancy is issued for the hotel expansion, then the faux windows are not required.
- That any back of house items like the electric meter connections, transformer/switch gear, metering, rooftop mechanical equipment, etc. be effectively screened from the rights-of-way surrounding the site.

A brief discussion with the committee ensued about whether the parking garage had already been approved and if it would be built before the expansion.

The applicant, Dan Bellows of Hotel Ravaudage LLC, addressed the committee. He noted that there was plenty of code-compliant parking for the expansion and the proposed adjacent event space. He added that a previously approved parking garage planned for the site would be built to also serve other future projects.

The committee asked the applicant to speak about their order of operations for all the proposed projects on the parcel. Mr. Bellows indicated that the parking garage was planned to be built first, but if that could not happen, the hotel addition would be built first and then the event space. After that, the Bank of the Ozarks would be built and then the project at 1071 N. Orlando Avenue. A brief discussion then ensued about the applicant combining two lots for the request.

No one from the public wished to speak. The public hearing was closed.

**Motion made by Michelle del Valle, seconded by Jason Seeley, for Development Plan Approval to construct a four-story, 25,600-square foot, 44-room expansion to be attached to the southern end of existing Marriott Springhill Suites located at 1127 N. Orlando Avenue within the Ravaudage PD.**

- **That additional rows of faux windows are added on either side of the proposed hallway windows on the southern façade of the building. If the events center vertical construction is underway before the Certificate of Occupancy is issued for the hotel expansion, then the faux windows are not required.**
- **That any back of house items like the electric meter connections, transformer/switch gear, metering, rooftop mechanical equipment, etc. be effectively screened from the rights-of-way surrounding the site.**

**The motion carried unanimously by a 5-0 vote.**

- b. Request of 1117 N. Orlando Ave., LLC for: Development Plan Approval to construct a two-story, 8,409-square foot event/meeting center with roof-top venue to primarily run in conjunction with the Marriott Springhill Suites located at 1117 N. Orlando Avenue within the Ravaudage PD.

Mrs. McGillis provided a summary of the item. She noted that the event center would be set forward slightly but would still meet the 15-foot setback requirement for the planned development. She also noted that the building would be three stories and slightly shorter than the adjacent hotel addition. She indicated that the first floor of the event center would have a kitchen, restrooms, a bar and seating areas; the second floor would have all seating and a banquet hall; the third floor would have a bar area and a small enclosed portion for restrooms and storage; and there would be an outdoor area and stair tower on the rooftop. She also indicated that the event center would have 180 seats with 45 parking spaces required, and the parking would be provided by the surrounding surface lots or the future parking garage on the site.

Staff recommendation was for approval with the following condition:

- That any back of house items like the electric meter connections, transformer/switch gear, metering, rooftop mechanical equipment, etc. be effectively screened from the rights-of-way surrounding the site.

Discussion ensued about how the occupancy loads and parking will be controlled or capped. Mr. Bellows addressed the committee and noted that the event center's 180 seats were self-imposed, and the primary event space would be the second floor of the building and the rooftop would be half under air and the other half a terrace. He also noted that he currently has three-times code-compliant parking and the event center would not be an unlimited occupancy building.

No one from the public wished to speak. The public hearing was closed.

**Motion by Jason Seeley, seconded by Ashley Ong, for Development Plan Approval to construct a two-story, 8,409-square foot event/meeting center with roof-top venue to primarily run in conjunction with the Marriott Springhill Suites located at 1117 N. Orlando Avenue within the Ravaudage PD.**

- **That any back of house items like the electric meter connections, transformer/switch gear, metering, rooftop mechanical equipment, etc. be effectively screened from the rights-of-way surrounding the site.**

**The motion carried unanimously by a 5-0 vote.**

**5. Staff Updates**

**6. Committee Comments**

**7. Adjournment**

The meeting adjourned at 10:28 a.m.

ATTEST:

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/s/ Mary Bush, Recording Secretary



# Development Review Committee

# agenda item 4.a

## item type

Public Hearings (Public participation and comment on these matters must be in person.)

## meeting date

October 2, 2024

## prepared by

Allison McGillis, Director of Planning and Zoning

## approved by

Allison McGillis, Director of Planning and Zoning

## subject

**Request of Benjamin Partners, LTD for:** A Resolution of The City Commission of The City of Winter Park, Florida, adopting the Fourth Amendment to the Amended and Restated Development Order for the Ravaudage Development as originally adopted on November 10, 2014, providing for, conflicts, severability and effective date.

## motion | recommendation

Staff recommendation is for approval of the request with the modifications as presented in the background.

## background

The applicant, master developer for the Ravaudage Planned Development (PD), is requesting to amend the PD Development Order (DO) to add a new entitlements category into the Project Building Program table for Affordable Housing Units, and to allow the conversion of unused hotel rooms into residential units using the Equivalency Matrix included in the DO (refer to page 18 of the attached DO) as an administrative approval granted by the Development Review Committee (DRC).

## Affordable Housing Request:

In 2023, the Live Local Act was approved as a comprehensive, statewide, attainable housing strategy, designed to increase the availability of affordable housing opportunities for Florida's residents, who desire to live within the communities they serve. The Act is vague in how it affects PDs like Ravaudage, which already have a set amount of residential entitlements. In early 2024, the city adopted its own Live Local Ordinance to help clarify some of the vagueness of the Act, and determined that the land use Ravaudage has (Orange County PD, OC PD) is a commercial land use and can be a candidate for a Live Local project. For this request, the master developer is requesting to amend the DO for affordable housing units following some of what Live Local allows, but in a slightly modified fashion, which means this is not a true Live Local Act request/project.

Ravaudage currently has entitlements for 14.76 dwelling units per acre (du/ac) for the PD, which is less than the maximum permitted elsewhere in the city at 17 du/ac. The master developer is requesting to gain additional residential entitlements (2.24 du/ac) into their DO to match the same 17 du/ac allowed citywide. Included in the request is splitting the added units into two buckets: 40% of the units at or below 120% of the median adjusted gross annual income (AMI) for Orange County, Florida based on number of occupants, and 10% of the units at 120-140% AMI.

17 du/ac – 14.76 du/ac = 2.24 du/ac x 50.6 ac (size of Ravaudage) = 113 additional units  
 40% of the units at or below 120% AMI = 45 units  
 10% of the units at 120-140% AMI = 11 units  
 50% of units at market rate = 57 market rate

While not offered by the applicant, staff is recommending that in exchange for increasing the residential units, there should be a reduction in the office entitlements of 54,828 square feet, following the Equivalency Matrix conversion math included in the DO (1,000 square feet of office for every 2.061 du), to make sure that there is the same traffic generation within the PD as originally anticipated.

In addition, staff feels that apartments at the 120-140% AMI are, in practice, essentially market rate units. Based on the April 2024 HUD Income Limits and Rent Limits data for Orange County this would be in the range of \$2,607 to \$3,041 a month for a two-bedroom unit. The three major apartment buildings in Winter Park/Ravaudage (Paseo/Juno/Bainbridge) are charging \$2,700 to \$2,900 a month for a two-bedroom unit. Therefore, staff is recommending that 50% of the additional units (56) be limited to at or below 120% AMI and the remainder be market rate (57).

As recommended by staff, the following changes would be made to the Project Building Program table and added to the DO text:

<b>CATEGORY</b>	<b>ENTITLEMENTS</b>
RESIDENTIAL	678 622 UNITS <sup>1</sup>
COMMERCIAL	565,541 SF
OFFICE	811,427 866,255 SF
HOTEL	320 ROOMS
AFFORDABLE HOUSING UNITS <sup>2</sup>	56 UNITS

1: UNIT COUNT REFLECTS 10% LAND USE INCREASE WHICH WAS CALCULATED USING THE EQUIVALENCY MATRIX BY CONVERTING 24,745 SQUARE FEET OF OFFICE ENTITLEMENTS INTO 51 ADDITIONAL RESIDENTIAL UNITS.

2: THESE UNITS ARE LIMITED TO AT OR BELOW 120% OF THE MEDIAN ADJUSTED GROSS ANNUAL INCOME (AMI) FOR ORANGE COUNTY, FLORIDA.

F. As a condition of approval for any project brought to DRC containing affordable housing units, prior to any site or building permits for the project being requested or obtained, the applicant (and the property owner, if different from the applicant) must execute and have

recorded in the public records of Orange County, Florida, an Affidavit of Commitment and Restrictive Covenants. Such Affidavit of Commitment and Restrictive Covenants shall: (i) have terms acceptable to the city, (ii) run with and be binding upon the land for no less than thirty (30) years from the issuance of a certificate of occupancy for the last principal structure of the project (iii) be enforceable by the city; (iv) detail the affordable housing and project conditions and restrictions required by the DO and conditioned by DRC; (v) provide for monitoring, and compliance requirements; and (vi) provide for the city's enforcement remedies. Mortgage holders will be required to execute and record a subordination of their lien interest to such Affidavit of Commitment and Restrictive Covenants prior to or simultaneously with the recording of the Affidavit of Commitment and Restrictive Covenants. The city will provide the monitoring and compliance forms upon submittal of the application, deemed complete and sufficient.

### **Hotel Conversion Request:**

Secondly, part of this request is to allow the conversion of unused hotel rooms into residential units using the Equivalency Matrix included in the DO (refer to page 18 of the attached DO) as an administrative approval granted by the Development Review Committee (DRC).

Currently, Ravaudage has utilized 126 rooms for the Marriot with approved plans for another 44-room expansion coming soon, and 102 rooms for the Hilton for a total of 272 rooms accounted for. This leaves 48 rooms remaining that could be converted using the Equivalency Matrix to 57 residential units (1.195 residential units for every hotel room). While the primary purpose of a hotel room is temporary lodging rather than permanent residence, the overlap in features and services makes them quite similar in many respects. As evident from the equivalency matrix, the residential units also generate less trips/traffic than the hotel units which is why they translate to more residential units than hotel rooms.

While not offered by the applicant, staff feels that these hotel conversions should be made at the same 50/50 split of affordable housing units and market rate units as the first part of this request. This ensures that the conversion equally benefits both general residential (market rate) and affordable housing needs. To accomplish this, the following text would be added to the DO:

G. Hotel rooms to residential unit conversions may be granted administratively by DRC using the Equivalency Matrix at a 50/50 split into the "Residential" and "Affordable Housing Units" categories of the Project Building Program table. For example: if 10 units are requested to be converted at 1.195 units for every hotel room, that equates to 11 units (fractional units do not count) then the "Residential" bucket would be allocated first with 6 units, and the other 5 units would go to the "Affordable Housing Units" bucket.

Overall, accounting for the 468 residential units already built, the result of this request would yield 132 new market rate units and 56 affordable housing units. Also, the potential for converting 48 hotel rooms to 29 additional market rate units (161 total) and 28 additional affordable housing units (84 total).

## **alternatives | other considerations**

### **fiscal impact**

### **attachments**

1. livelocal DRC app 10.02.2024
2. Current DO - Third Amendment to Amended and Restated DO - Ravaudage

# DRC Meeting Application



who to contact: **Allison McGillis, Assistant Planning Director** ph 407.599.3665 fax 407.599.3499  
amcgillis@cityofwinterpark.org 401 S. Park Ave. Winter Park, FL 32789

Submittal Date: September 9, 2024 Tentative DRC Date: October 2, 2024

Project Name: Ravaudage Planned Development

Project Address: Ravaudage PD Development Order Modification Live Local


### Request Type:

- Concept Plan or Preliminary Plan
- Change Determination - Previously Approved Plan Revision / Development Order Modification
- Final Plan Submittal
- Preliminary Review Item / DRC Discussion Item

Project Type:  Commercial  Office  Residential  Mixed-Use

**PLEASE SPECIFY BELOW, IN DETAIL, YOUR REQUEST FOR CONSIDERATION BY THE DRC**  
( OR ATTACH LETTER)

Request to update the development order residential building program schedule .see attached.

Applicant/ Authorized Agent: Dan Bellows Phone: 407-620-3005 Email: W1454@aol.com  
Signature:  Address: PO Box 350 Winter Park, FI 32790  
Owner: \_\_\_\_\_ Phone: \_\_\_\_\_ Email: \_\_\_\_\_  
Signature: \_\_\_\_\_ Address: \_\_\_\_\_

### Fee Payment Schedule

All DRC application fees are paid to the Planning Department located on the second floor of City Hall, 401 S. Park Avenue, Winter Park, FL 32789. All Checks are to be made payable to the City of Winter Park.

- Concept Plan or Preliminary Plan —\$300.00**
- Final Plan Submittal / Development Order Modification — \$500.00**
- Plan Revision / Preliminary Review Item / Staff Discussion — \$200.00**

### REQUIRED BACKUP MATERIALS

Please consult with planning staff at the required pre-application conference.  
One hard-copy 11 by 17 and electronic plan set (PDF) of required backup materials.

## DRC REQUEST OCTOBER 2, 2024

1. Request to increase the residential density from 14.76 DU/ACRE to 17 DU/ACRE.  
 $17 \text{ DU/ACRE less } 14.76 \text{ DU/ACRE} = 2.24 \times 50 \text{ ac} = 112 \text{ additional units.}$
2. Request to Increase the residential unit count by 112 units with the following restrictions:  
 Of the 112 additional units 40% shall be restricted to 120% of AMI and 10% restricted to 140% AMI. New total: 734 units DU

**PROPOSED CHANGES TO THE BUILDING PROGRAM:**

CATEGORY	ENTITLEMENTS
RESIDENTIAL	622/734 UNITS <sup>1</sup>
COMMERCIAL	565,541 SQUARE FEET
OFFICE	866,255 SQUARE FEET
HOTEL	320 ROOMS

<sup>1</sup> UNIT COUNT REFLECTS 10% LAND USE INCREASE WHICH WAS CALCULATED USING THE EQUIVALENCY MATRIX BY CONVERTING 24,745 SQUARE FEET OF OFFICE ENTITLEMENTS INTO 51 ADDITIONAL RESIDENTIAL UNITS.

3. Request to allow Hotel room to residential conversions administratively with DRC approval to utilize the approved Equivalency Matrix to convert Hotel rooms to residential units. Applicant currently has 92 unused hotel room credits. Applicant is currently approved to use 44 of these units for an expansion of the Marriott SHS leaving 48 available hotel room credits. The Matrix allows for a conversion of 1.195 residential units for each hotel room conversion.

WIDTH, OR AS APPROVED BY THE CITY OF WINTER PARK PUBLIC WORKS DEPARTMENT.

22. USE OF THE EQUIVALENCY MATRIX (SHOWN BELOW) THAT CHANGES ANY USE BY 10% OR GREATER (INDIVIDUALLY OR IN THE AGGREGATE) SHALL BE DEEMED A SUBSTANTIAL CHANGE TO THE PD. EQUIVALENCY MATRIX IS SHOWN BELOW. NOTE: PROJECT HAS UTILIZED THE 10 % USE INCREASE FOR RESIDENTIAL UNITS.

**RAVAUDAGE PD  
Equivalency Matrix**

Change From:		Change to Land Use:				ITE Land Use	
Land Use	Size	Apartment	Hotel	General Office	Commercial	Trip Rate (1)	Code
Apartment	1 DU		0.837 Room	0.485 SF	0.136 SF	0.59 Trips/DU	220
Hotel	1 Room	1.195 DU		0.579 SF	0.162 SF	0.70 Trips/Room	310
Office	1,000 SF	2.061 DU	1.726 Room		0.280 SF	1.21 Trips/1,000 SF	710
Commercial	1,000 SF	7.372 DU	6.171 Room	3.576 SF		4.32 Trips/1,000 SF	820

(1) Conversion factors based on PM Peak Hour Peak Direction Trip Generation Rates from ITE 8<sup>th</sup> Edition Trip Generation Report, 2008.

Example: To convert 10,000 SF of Office space to equivalent Apartment, Hotel or Commercial:

- To Apartment:  $(10,000 / 1,000) \times 2.061 = 20.61$  DU. Use 21
- To Hotel:  $(10,000 / 1,000) \times 1.726 = 17.26$  Rooms. Use 17
- To Shopping Center:  $(10,000 / 1,000) \times 0.280 = 2.796$  KSF. Use 2,800 SF

To check if equivalent Land Use is the same:

- 10,000 SF Office =  $(10,000 / 1,000) \times 1.21 = 12.08$  PM Peak Hour Trips. Use 12
- Apartment:  $21 \times 0.59 = 12.31$  PM Peak Hour Trips. Use 12
- Hotel:  $17 \times 0.70 = 11.90$  PM Peak Hour Trips. Use 12
- Shopping Center:  $(2,800 / 1,000) \times 4.32 = 12.10$  PM Peak Hour Trips. Use 12

**RAVAUDAGE PD**

**Estimated Trip Generation for Representative Land Use (1)**

Land Use	Size		ITE Land Use Code (2)	Trip Generation Rates			
				Daily	PM Peak Hour		
					Total	Enter	Exit
Apartment	489	DU	220/E	6.31	<b>0.59</b>	0.38	0.21
Hotel	320	Room	310/R	8.92	<b>0.70</b>	0.34	0.36
General Office	891,000	SF	710/E	8.07	<b>1.21</b>	0.21	1.00
Commercial	323,100	SF	820/E	45.05	<b>4.32</b>	2.12	2.20

(1) Trip Generation Rates from 8<sup>th</sup> Edition of ITE Trip Generation Report, 2008.

(2) E = Fitted Curve Equation, or R = Average Trip Rate

Note: Trip Generation rates in bold face used for calculating Equivalency matrix.

23. THE DEVELOPER WILL CONTRIBUTE A PROPORTIONATE SHARE OF THE COSTS FOR INTERSECTION TRAFFIC SIGNALIZATION TECHNOLOGY UPGRADES THROUGH THE PHASING

Prepared by and Return to:  
City Clerk  
City of Winter Park  
401 S. Park Avenue  
Winter Park, FL 32789

Attachment 'A'

**THIRD AMENDMENT TO AMENDED AND RESTATED DEVELOPMENT ORDER  
(RAVAUDAGE)**

THIS THIRD AMENDMENT TO AMENDED AND RESTATED DEVELOPMENT ORDER (the "THIRD Amendment") is made and entered into this 9<sup>th</sup> day of December, 2020, by and between the **City of Winter Park**, a municipal corporation of the State of Florida (the "City"), 401 Park Avenue South, Winter Park, Florida 32789 and **BENJAMIN PARTNERS, LTD.**, a Florida limited partnership (referred to as "Developer" and "Owner"), P.O. Box 350, Winter Park, FL 32790; **CENTRAL FLORIDA STOCK INVESTORS, LLC**, a Florida corporation, of **P.O. Box 350, Winter Park, FL 32790**; and **GARMET, LTD.**, a Florida limited partnership, of 222 South Pennsylvania Ave., Ste. 200, Winter Park, FL 32789 (excluding the City, the foregoing parties, including the Developer are herein collectively referred to as "Owners").

**WHEREAS**, the City and Owners (or their predecessors in title) previously entered into that certain Amended and Restated Development Order (Ravaudage) approved by City of Winter Park Resolution No. 2148-14 adopted on November 10, 2014, which is recorded at Official Records Book 10938, Page 3602, et. seq., Public Records of Orange County, Florida, as further amended by that certain First Amendment to Amended and Restated Development Order (Ravaudage) approved by City of Winter Park Resolution No. 2188-17 adopted on July 24, 2017, which is recorded at Official Records Document number 20170499479, et. seq., Public Records of Orange County, Florida, as further amended by that certain Second Amendment to Amended and Restated Development Order (Ravaudage) approved by City of Winter Park Resolution No. 2211-18 adopted on October 22, 2018, which is recorded at Official Records Document number 20180635392, et. seq., Public Records of Orange County, Florida. ("Amended and Restated Development Order"); and

**WHEREAS**, the City and Owners desire to further amend the Amended and Restated Development Order as set forth in this Third Amendment; and

**WHEREAS**, the City finds that this Third Amendment is consistent with the City and County Comprehensive Plans, the Orange County Zoning Code, and is in the best interests of the citizens of Winter Park.

**NOW, THEREFORE**, for and in consideration of the terms and conditions of this Second Amendment, the mutual covenants set forth herein, and for other good and valuable consideration, the City and Owners agree to the following conditions:

1. Recitals. The above recitals are true and correct and form a materials part of this Third Amendment.
2. Amendment. The Amended and Restated Development Order is hereby amended as set forth in the strike-through and underline version of the Amended and Restated Development Order attached hereto as **Attachment "1"** (~~strike-through~~ language are deletions; underlined language is being added).
3. Ratification. All other provisions of the Amended and Restated Development Order, except as modified herein, shall remain in full force in effect.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed as of the day and year first above written.

Signed, sealed and delivered in the presence of:

CITY OF WINTER PARK, FLORIDA, a municipal corporation of the State of Florida

[Signature]  
Name: Kim Breland

By: [Signature]  
Steve Leary, Mayor

[Signature]  
Name: JUANITA GRANT

ATTEST:  
By: [Signature]  
Rene S. Cranis, City Clerk

Date: 1/7/2021

STATE OF FLORIDA  
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me by physical presence this 7<sup>th</sup> day of JANUARY, 2021, by Steve Leary, Mayor of THE CITY OF WINTER PARK, FLORIDA, a municipal corporation, on behalf of the corporation. He (She)  is personally known to me or  has produced \_\_\_\_\_ as identification.

(NOTARY SEAL)



[Signature]  
Notary Public Signature  
JUANITA GRANT  
(Name typed, printed or stamped)

GARMET, LTD., a Florida limited partnership

By: Welbourne Ave. Corp., its General Partner

By: Robert Saltsman  
Robert P. Saltsman, President

Date: 12/29/2020

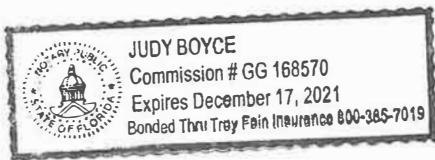
Lynnda Boyce  
Name: LYNDA BOYCE

JUDY BOYCE  
Name: JUDY BOYCE

STATE OF FLORIDA  
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me by physical presence this 29<sup>th</sup> day of December, 2020, by Robert P. Saltsman, President of Welbourne Ave., Corp, a Florida corporation, the General Partner for Garmet Ltd, a Florida limited partnership, who  is personally known to me or  has produced \_\_\_\_\_ as identification.

(NOTARY SEAL)



Judy Boyce  
Notary Public Signature

Judy Boyce  
(Name typed, printed or stamped)

Central Florida Stock Investors, LLC a Florida corporation

Linda Boyce  
Name: LYNDA BOYCE

By: Robert Saltsman  
Robert Saltsman, Manager

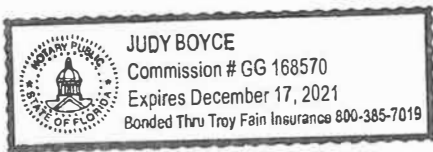
JUDY BOYCE  
Name: Judy Boyce

Date: 12/29/2020

STATE OF FLORIDA  
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me by physical presence this 29<sup>th</sup> day of December, 2020, by Robert Saltsman, Manager, Central Florida Stock Investors, LLC, a Florida corporation, who  is personally known to me or  has produced \_\_\_\_\_ as identification.

(NOTARY SEAL)



Judy Boyce  
Notary Public Signature

Judy Boyce  
(Name typed, printed or stamped)

BENJAMIN PARTNERS, LTD., a Florida limited partnership

By: BENNETT AVE. COMPANY, INC., a Florida corporation, its General Partner

Name: Carmen A. Barber

Name: Kevin White

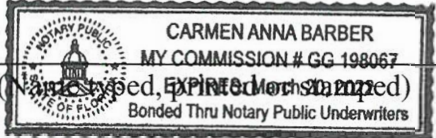
By: [Signature]  
Daniel B. Bellows, President

Date: 12/28/2020

STATE OF FLORIDA  
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me by physical presence this 28<sup>th</sup> day of December, 2020, by Daniel B. Bellows, President, of Bennett Ave. Company, Inc., a Florida corporation, the General Partner of Benjamin Partners, Ltd., a Florida limited partnership, who  is personally known to me or  has produced \_\_\_\_\_ as identification.

(NOTARY SEAL)

[Signature]  
Notary Public Signature  


**AMENDED AND RESTATED DEVELOPMENT ORDER  
(RAVAUDAGE)**

THIS AMENDED AND RESTATED DEVELOPMENT ORDER (the "Amended Order") is made and entered into this \_\_\_\_ day of December, 2020, by and between the **City of Winter Park, Florida**, a political subdivision of the State of Florida (the "City"), 401 Park Avenue South, Winter Park, Florida 32789 and **BENJAMIN PARTNERS, LTD.**, a Florida limited partnership (referred to as "Developer" and "Owner"), of P.O. Box 350, Winter Park, FL 32790; **CENTRAL FLORIDA STOCK INVESTORS, LLC**, a Florida corporation, of **P.O. Box 350, Winter Park, FL 32790**; and **GARMET, LTD.**, a Florida limited partnership, of 222 South Pennsylvania Ave., Ste. 200, Winter Park, FL 32789 (excluding the City, the foregoing parties, including the Developer are herein collectively referred to as "Owners").

**WITNESSETH:**

**WHEREAS**, the property that is the subject of this Amended Order is generally located at Lee Road and U.S. 17-92 in Winter Park, Florida, and is described in attached Exhibit A (the "Property"), and the development on the Property is known as Ravaudage; and

**WHEREAS**, the City and Developer previously entered into an Annexation Agreement dated April 19, 2012 and recorded in O.R. Book 10363, Page 1250 et seq, Public Records of Orange County, Florida, and in Section 5, the parties agreed to accept the Developer's prior Development Order with Orange County dated May 24, 2011, to govern the development of Ravaudage with a few modifications, as noted in the Annexation Agreement; and

**WHEREAS**, the City agreed to maintain the County Comprehensive Plan designation on the Property, Orange County PD zoning, and pursuant to Fla. Stat. 171.062, to follow the Orange County Subdivision and Zoning Code to regulate development on the Property; and

**WHEREAS**, the Developer has requested certain amendments to the Original Order, which have been approved by the City's Development Review Committee at public hearings, and by the City Commission at public hearings, as required by the Orange County Zoning Code, and those amendments are reflected in this Amended Order; and

**WHEREAS**, the Original Order will continue to govern those parcels which are no longer owned by the Developer, which consist of the parcel at 1251 Lee Road, Winter Park, Florida, with a Parcel ID No. 01-22-29-3712-01-010, the parcel at 1035 N. Orlando Avenue, Winter Park, Florida, with a Parcel ID No. 01-22-29-3712-01-131, the parcel at 1006 Lewis Drive, Winter Park, Florida, with a Parcel ID No. 01-22-29-3712-02-150, the parcel at 1101 Lewis Drive, Winter Park, Florida, with a Parcel ID No. 01-22-29-2712-06-170, and the Amended and Restated Development Order as approved by Resolution No. 2148-14 will continue to govern the parcel at 1060 Lewis Drive, Winter Park, Florida with a Parcel ID No. 01-22-29-3712-07-031; and

**WHEREAS**, this Amended Order was previously amended by the First and Second Amendments to Amended and Restated Development Order (Ravaudage) approved by City of Winter Park Resolution No. 2188-17 adopted on July 24, 2017, which is recorded at Official Records Document number 20170499479, et. seq., Public Records of Orange County, Florida, and the form of this Amended Order reflects those previous amendments; and

**WHEREAS**, the City finds that this Third Amended Order is consistent with the City and County Comprehensive Plans, the Orange County Zoning Code, and is in the best interests of the citizens of Winter Park.

**NOW, THEREFORE**, for and in consideration of the terms and conditions of this Amended Order, the mutual covenants set forth herein, and for other good and valuable consideration, the City and Developer agree to the following conditions:

1. Recitals. The above recitals are true and correct and form a materials part of this Amended Order
2. THE DEVELOPMENT SHALL CONFORM TO THE RAVAUDAGE PD LAND USE PLAN DATED JULY 24, 2017 AND ANY AMENDMENT AND/OR MODIFICATIONS THEREOF AND ATTACHED HERETO AS EXHIBIT B AND SHALL COMPLY WITH ALL APPLICABLE FEDERAL, STATE AND COUNTY LAWS, ORDINANCES AND REGULATIONS, EXCEPT TO THE EXTENT THAT ANY APPLICABLE COUNTY LAWS, ORDINANCES OR REGULATIONS ARE EXPRESSLY WAIVED OR MODIFIED BY ANY OF THESE CONDITIONS, ACCORDINGLY, THE PD MAY BE DEVELOPED IN ACCORDANCE WITH THE USES, DENSITIES AND INTENSITIES DESCRIBED IN SUCH LAND USE PLAN, SUBJECT TO THOSE USES, DENSITIES AND INTENSITIES CONFORMING WITH THE RESTRICTIONS AND REQUIREMENTS FOUND IN THE CONDITIONS OF APPROVAL AND COMPLYING WITH ALL APPLICABLE FEDERAL, STATE AND COUNTY LAWS, ORDINANCE AND REGULATIONS, EXCEPT TO THE EXTENT THAT ANY APPLICABLE COUNTY LAWS, ORDINANCES OR REGULATIONS ARE EXPRESSLY WAIVED OR MODIFIED BY ANY OF THESE CONDITIONS. IF THE DEVELOPMENT IS UNABLE TO ACHIEVE OR OBTAIN DESIRED USES, DENSITIES OR INTENSITIES, THE CITY IS NOT UNDER ANY OBLIGATION TO GRANT ANY WAIVERS OR MODIFICATIONS TO ENABLE THE DEVELOPER TO ACHIEVE OR OBTAIN THOSE DESIRED USES, DENSITIES OR INTENSITIES. IN THE EVENT OF A CONFLICT OR INCONSISTENCY BETWEEN A CONDITION OF APPROVAL OF THIS ZONING AND THE LAND USE PLAN DATED JULY 24, 2017 THE CONDITION OF APPROVAL SHALL CONTROL TO THE EXTENT OF SUCH CONFLICT OR INCONSISTENCY.
3. THIS PROJECT SHALL COMPLY WITH, ADHERE TO, AND NOT DEVIATE FROM OR OTHERWISE CONFLICT WITH ANY VERBAL OR WRITTEN PROMISE OR REPRESENTATION MADE BY THE APPLICANT (OR AUTHORIZED AGENT) TO THE BOARD OF COUNTY COMMISSIONERS AT THE PUBLIC HEARING WHERE THIS DEVELOPMENT WAS APPROVED, WHERE SUCH PROMISE OR REPRESENTATION, WHETHER ORAL OR WRITTEN, WAS RELIED UPON BY THE BOARD IN APPROVING THE DEVELOPMENT, COULD HAVE REASONABLY BEEN EXPECTED TO HAVE BEEN RELIED UPON BY THE BOARD IN APPROVING THE DEVELOPMENT, OR COULD HAVE REASONABLY INDUCED OR OTHERWISE INFLUENCED THE BOARD TO APPROVE THE DEVELOPMENT. FOR PURPOSES OF THIS CONDITION, A "PROMISE" OR "REPRESENTATION" SHALL BE DEEMED TO HAVE BEEN MADE TO THE BOARD BY THE APPLICANT (OR AUTHORIZED AGENT) IF IT WAS EXPRESSLY MADE TO THE BOARD AT A PUBLIC HEARING WHERE THE DEVELOPMENT WAS CONSIDERED OR APPROVED.
4. OUTDOOR SALES, STORAGE, AND DISPLAY SHALL BE ALLOWED TO INCLUDE SPECIAL EVENT SALES, KIOSKS, (TEMPORARY AND PERMANENT) SPECIAL OUTDOOR SALES, FOOD TRUCK EVENTS AND OUTDOOR GARDEN SALES IN CONFORMANCE WITH THE CITY REGULATIONS GOVERNING SUCH EVENTS AND ACTIVITIES.
5. SIGNAGE SHALL COMPLY WITH THE MASTER SIGNAGE PLAN TO BE SUBMITTED AND REVIEWED PRIOR TO DEVELOPMENT PLAN APPROVAL.
6. A WAIVER FROM SECTION 34-209, WHICH REQUIRES A 6-FOOT HIGH MASONRY WALL TO SEPARATE RESIDENTIAL SUBDIVISIONS FROM ADJACENT ROADWAYS, IS GRANTED AS THIS IS AN URBAN TOWN CENTER IN-FILL PROJECT.

7. THE FOLLOWING RELATES TO THE PROJECT BUILDING PROGRAM:

CATEGORY	ENTITLEMENTS
RESIDENTIAL	622 UNITS <sup>1</sup>
COMMERCIAL	565,541 SQUARE FEET
OFFICE	866,255 SQUARE FEET
HOTEL	320 ROOMS

<sup>1</sup> UNIT COUNT REFLECTS 10% LAND USE INCREASE WHICH WAS CALCULATED USING THE EQUIVALENCY MATRIX BY CONVERTING 24,745 SQUARE FEET OF OFFICE ENTITLEMENTS INTO 51 ADDITIONAL RESIDENTIAL UNITS.

- A. MULTI-FAMILY PROJECTS SHALL PROVIDE EITHER AT LEAST 10% OF THE MULTI-FAMILY RESIDENTIAL UNITS BUILT TO BE CERTIFIED AFFORDABLE HOUSING OR PAY A FEE IN LIEU OF THE REQUIREMENT INTO THE CITY'S AFFORDABLE HOUSING TRUST FUND AT \$0.50/SQUARE FOOT FOR THE MULTI-FAMILY SQUARE FOOTAGE OR TO A NON-PROFIT AFFORDABLE HOUSING ENTITY TO PROVIDE FOR USE WITHIN THE CITY, SUBJECT TO APPROVAL BY CITY STAFF.
  - B. ASSISTED LIVING/MEMORY CARE FACILITIES ARE PERMITTED WITHIN THE ORANGE COUNTY PD COMMERCIAL/OFFICE LAND USES, AND DEVELOPER MAY UTILIZE OFFICE AND/OR COMMERCIAL ENTITLEMENTS FOR THIS USE.
  - C. IF ANY INDIVIDUAL BLOCK LENGTH EXCEEDS 600 FEET, THE BLOCK SHALL INCORPORATE A 20 FOOT PEDESTRIAN WALKWAY THAT INCLUDES A 10 FOOT PAVED CROSSWALK, LANDSCAPING AND LIGHTING. A BLOCK'S OVERALL PERIMETER MAY NOT EXCEED 2,400 FEET, UNLESS INTERRUPTED BY PEDESTRIAN WALKWAYS, LANDSCAPING AND DRIVEWAYS.
  - D. MAXIMUM RESIDENTIAL DENSITY IS 14.76 DU/ACRE (BASED ON ACERAGE INCLUDING RIGHT-OF-WAY VACATION) AND MINIMUM RESIDENTIAL FLOOR AREA PER UNIT IS 500 SQUARE FEET UNDER HEAT AND AIR.
  - E. MAXIMUM HEIGHTS ARE DETERMINED BY THE MAXIMUM HEIGHT MAP INCLUDED WITHIN EXHIBIT "B".
8. RESERVED.
9. THE FOLLOWING WAIVERS FROM THE BIG BOX DEVELOPMENT STANDARDS ARE GRANTED:
- A. A WAIVER IS GRANTED FROM SECTION 38-1234(3) (F) (2) TO ALLOW BIG BOX DEVELOPMENT ONE (1) STORY AND LESS THAN 200,000 SF SHALL HAVE 5% OPEN SPACE (WITH RESTRICTIONS) WITHIN ITS LOT, IN LIEU OF 25% GIVEN THE URBAN VILLAGE LAYOUT OF THIS PLAN, BIG BOX DEVELOPMENT SHALL PROVIDE WITHIN ITS BUILDING LOT 5% OF THE GROSS AREA FOR OPEN SPACE USES (PLAZAS, POCKET PARKS, GREEN AREAS, ETC.).
  - B. A WAIVER IS GRANTED FROM SECTION 38-79 (153) (B) TO ALLOW BIG BOX DEVELOPMENTS TO HAVE MAXIMUM 1.00 FAR IN LIEU OF 0.23 FAR.

- C. A WAIVER IS GRANTED FROM SECTION 38-79.(153)(C) TO ALLOW A DETAILED TRAFFIC STUDY AT THE DEVELOPMENT PLAN STAGE IN LIEU OF PROPOSED BIG BOX DEVELOPMENT APPLICATION AT THE LAND USE PLAN STAGE.
- D. A WAIVER IS GRANTED FROM SECTION 38-79 (153)(E) TO ALLOW BIG BOX DEVELOPMENTS TO DESIGNATE AT LEAST TWO (2) VEHICLE PARKING SPACES FOR LOCAL LAW ENFORCEMENT WITHIN THE APPLICABLE PARKING STRUCTURES IN LIEU OF PROVIDING REFERENCED PARKING SPACES ADJACENT TO THE PRINCIPAL STRUCTURE.
- E. A WAIVER IS GRANTED FROM SECTION 38-79 (153)(G) TO ALLOW OFF- STREET STRUCTURED PARKING SERVICING THE BIG BOX NOT TO BE SUBDIVIDED INTO MULTIPLE “SUB-LOTS” WITH UNINTERRUPTED (EXCEPT AT CROSSWALKS) LANDSCAPED PEDESTRIAN SIDEWALK PATHWAYS IN LIEU OF OFF-STREET SERVICING THE PROJECT SHALL BE SUBDIVIDED INTO MULTIPLE “SUB-LOTS” WITH UNINTERRUPTED (EXCEPT AT CROSSWALKS) LANDSCAPED PEDESTRIAN PATHWAYS.
- F. A WAIVER IS GRANTED FROM SECTION 38-79 (153)(I) TO ALLOW BIG BOX USES WITH OFF-STREET STRUCTURED PARKING SHALL PROVIDE ZERO (0) ROADWAY “STACKING” BEFORE THE FIRST TURN WITHIN THE PARKING STRUCTURE IN LIEU OF 200’ OFF THE ROADWAY BEFORE THE FIRST TURN WITHIN THE PARKING LOT AS LONG AS ACCESS TO THE PARKING STRUCTURE IS FROM AN INTERNAL ROAD AND ACCESS TO THE PARKING STREET IS LOCATED A MINIMUM OF 200’ FROM US 17-92 AND/OR LEE ROAD.
- G. A WAIVER IS GRANTED FROM SECTION 38-79 (153)(K) TO ALLOW NO PAVEMENT OR PART OF ANY VERTICAL STRUCTURE ASSOCIATED WITH THE REAR OR SIDE OF A BIG BOX DEVELOPMENT SHALL BE LOCATED CLOSER THAN 85’ IN LIEU OF 200’ FROM THE NEAREST PROPERTY LINE OF ANY ADJACENT SINGLE-FAMILY RESIDENTIALLY ZONED PROPERTY. ADDITIONALLY, ONE (1) LANDSCAPE SEPARATION BUFFERS SHALL BE PROVIDED WITHIN A 10’ PLANTING STRIP IN LIEU OF TWO (2) AND 200’. THIS WAIVER SHALL APPLY TO THE FOLLOWING PARCELS: 01-22-29-3712- 06-i 00 AND 01-22-29-3712-06-170 WHICH FRONT LEWIS DRIVE.
- H. A WAIVER IS GRANTED FROM SECTION 38-79 (153)(K) TO ALLOW NO PAVEMENT OR PART OF ANY VERTICAL STRUCTURE ASSOCIATED WITH THE REAR OR SIDE OF A BIG BOX DEVELOPMENT SHALL BE LOCATED CLOSER THAN 25’ IN LIEU OF 200’ FROM THE NEAREST PROPERTY LINE OF ANY ADJACENT SINGLE-FAMILY RESIDENTIALLY ZONED PROPERTY. ADDITIONALLY, ONE (1) LANDSCAPE SEPARATION BUFFERS SHALL BE PROVIDED IN LIEU OF TWO (2). A SETBACK OF ZERO (0) (NO BUFFER, WALL OR LANDSCAPE BUFFER) SHALL BE GRANTED WITH PROPERTY OWNER LETTER OF CONSENT. THIS WAIVER SHALL APPLY TO THE FOLLOWING PARCEL ONLY: 01-22-29-3712-06-010.

10. THE FOLLOWING WAIVERS FROM THE PD COMMERCIAL CODE ARE GRANTED:

- A. A WAIVER FROM SECTION 38-1272(A) (1) IS GRANTED TO ALLOW THE MAXIMUM IMPERVIOUS AREA FOR INDIVIDUAL LOTS / DEVELOPMENT PODS SHALL BE 85% IN LIEU OF 70%. THE OVERALL PROJECT SHALL PROVIDE FOR 15% OPEN SPACE (WITH RESTRICTIONS) AND A MASTER STORM WATER SYSTEM.

- B. A WAIVER FROM SECTION 38-1234(3) (C) IS GRANTED TO ALLOW OVERALL PROJECT OPEN SPACE TO BE 15% (WITH RESTRICTIONS) IN LIEU OF 25%, EXCEPT FOR A BIG BOX SITE.
- C. A WAIVER FROM SECTION 38-1272 (A) (3) IS GRANTED TO ALLOW INTERNAL REAR AND SIDE SETBACKS (NOT FRONTING ON RIGHT-OF-WAY) SHALL BE ZERO (0), IN LIEU OF 10'.

WHERE ADJACENT TO PROJECT RESIDENTIAL USES, THE SETBACK SHALL BE ZERO (0) IN LIEU OF 25'.

A MINIMUM 15' BUILDING SETBACK SHALL BE MAINTAINED ALONG BENNETT AVENUE, IN LIEU OF 30' (WITH A MAXIMUM SETBACK OF 25'), WITH THE EXCEPTION OF BLOCK E BETWEEN MORGAN STANLEY AVENUE AND GLENDON PARKWAY SHALL BE PERMITTED A 6' BUILDING SET BACK SO LONG AS A MINIMUM OF A 10' SIDEWALK EXISTS WITH ON STREET PARKING AND THE BUILDING IS LIMITED TO THREE-STORIES IN HEIGHT.

BUILDING SETBACKS FOR ALL INTERIOR/EXTERIOR STREETS SHALL BE A MAXIMUM OF 15' IN LIEU OF 30' WITH A MINIMUM OF ZERO (0') FEET FROM BACK OF SIDEWALK. THIRD AND FOURTH STORIES MUST BE SET BACK ON STREET FRONTAGES EQUAL TO THEIR HEIGHT OF A ONE FOOT SETBACK FOR EACH ONE FOOT HEIGHT OF THE RESPECTIVE THIRD AND FOURTH STORIES. ALL OTHER RIGHTS-OF-WAY SHALL HAVE A MAXIMUM SETBACK OF 10'. NO BUILDING SHALL ENCROACH INTO THE RIGHT-OF-WAY. THIS CONDITION APPLIES TO BUILDINGS WITH A MAXIMUM HEIGHT OF FOUR STORIES.

BUILDING SETBACKS ALONG ARTERIALS (LEE ROAD AND ORLANDO AVENUE - US 17/92) SHALL BE 15' IN LIEU OF 40' (WITH A MAXIMUM SETBACK OF 25'). PD PERIMETER SETBACK IS 15' UNLESS OTHERWISE WAIVED.

- D. A WAIVER FROM SECTION 38-1272 (A) (5) IS GRANTED TO ALLOW A MAXIMUM BUILDING HEIGHT UP TO EIGHT (8) STORIES, (100' PLUS 15' OF ARCHITECTURAL ENHANCEMENTS) AS DETAILED IN EXHIBITS FROM THE LAND USE PLAN LABELED: "SHEET A-2 MAXIMUM HEIGHT ZONES AND SHEET A-5 BUILDING SETBACKS," IN LIEU OF A MAXIMUM HEIGHT OF 50', 35' IF WITHIN 100' OF RESIDENTIAL.
- E. THE DEVELOPMENT SHALL RETAIN FLEXIBILITY TO ALLOW HEIGHT TRANSITIONS THROUGHOUT THE PROJECT TO BE DETERMINED ON THE INDIVIDUAL PROJECT BASIS. EXHIBIT B, AS MODIFIED SHALL BE USED TO ESTABLISH THE HEIGHTS AND NO BUILDING HEIGHT SHALL EXCEED EIGHT (8) STORIES.
- F. NO BUILDING SHALL EXCEED FOUR (4) STORIES IN HEIGHT WITHIN A 200' SETBACK ALONG ORLANDO AVENUE AND LEE ROAD.
- G. IF THE APPLICANT SEEKS TO INCREASE THE HEIGHT OF A BUILDING IN THE DEVELOPMENT, AS REFLECTED ON THE MAXIMUM HEIGHT MAP INCLUDED IN EXHIBIT B, THE APPLICANT MUST PROPOSE TO LOWER THE HEIGHT OF ANOTHER BUILDING IN THE DEVELOPMENT OF THE SAME SCALE AND TO THE SAME EXTENT AS THE BUILDING WITH THE HEIGHT INCREASE. ANY HEIGHT INCREASE MUST BE APPROVED BY THE CITY COMMISSION.

11. THE FOLLOWING WAIVERS FROM PD RESIDENTIAL CODE ARE GRANTED:

- A. A WAIVER IS GRANTED FROM SECTION 38-1254(1) IS GRANTED TO ALLOW BUILDING SETBACKS ALONG THE PD BOUNDARY TO BE A MINIMUM OF 15' IN LIEU OF 25' (WITH A MAXIMUM SETBACK OF 25'); WITH THE EXCEPTION THAT THE PD BOUNDARY BETWEEN THE MAITLAND AND WINTER PARK CITY LIMITS SHALL BE PERMITTED TO BE ZERO ALONG THE SOUTH SIDE OF MONROE AVE AND WITHIN BLOCK K.
- B. A WAIVER IS GRANTED FROM SECTION 38-1254 (2)(C) TO ALLOW BUILDING SETBACKS FROM LEE ROAD AND ORLANDO AVENUE (US 17/92) TO BE A MINIMUM OF 15' IN LIEU OF 50' (WITH A MAXIMUM SETBACK OF 25').
- C. A WAIVER IS GRANTED FROM SECTION 38-1254 (2) (E) TO ALLOW BUILDING SETBACKS FOR ALL INTERIOR/EXTERIOR (ALL OTHER R-O-W'S) STREETS TO BE A MINIMUM OF 0' IN LIEU OF 20' (WITH A MAXIMUM SETBACK OF 25'). THIRD AND FOURTH STORIES MUST BE SET BACK ON STREET FRONTAGES EQUAL TO THEIR HEIGHT OF A ONE FOOT SETBACK FOR EACH ONE FOOT HEIGHT OF THE RESPECTIVE THIRD AND FOURTH STORIES. THE MINIMUM SETBACK OF 0' SHALL APPLY TO BACK OF SIDEWALK WITH A MINIMUM SIDEWALK WIDTH OF 10'. THIS CONDITION APPLIES TO BUILDINGS WITH A MAXIMUM HEIGHT OF FOUR STORIES.
- D. SUBJECT TO REVIEW AND APPROVAL BY THE DEVELOPMENT REVIEW COMMITTEE, ARCHITECTURAL FEATURES (E.G. LOGGIA, COLUMN, AWNING, ARCHES, OR SIMILAR IMPROVEMENTS) WHICH DO NOT IMPEDE VEHICULAR OR PEDESTRIAN TRAVEL, DO NOT CAUSE DANGEROUS CONDITIONS, DO NOT CAUSE UTILITY CONFLICTS OR INTERFERE WITH RIGHT-OF-WAY IMPROVEMENTS MAY BE PERMITTED. ANY PROPOSED RIGHT-OF-WAY ENCROACHMENTS SHALL ALSO BE REVIEWED AND COMMENTED ON BY THE PUBLIC WORKS AND UTILITY DEPARTMENTS AND SHALL BE CONDITIONED UPON THE CITY'S AND DEVELOPER'S (OR APPROPRIATE PROPERTY OWNER'S) EXECUTION OF A RIGHT-OF-WAY ENCROACHMENT AGREEMENT WITH TERMS ACCEPTABLE TO THE CITY.

12. THE FOLLOWING WAIVERS FOR PARKING FACILITIES ARE GRANTED:

- A. A WAIVER FROM SECTION 38-1230(A) IS GRANTED TO ALLOW PARKING AREAS (STRUCTURED PARKING, AND SURFACE PARKING) MAY BE LOCATED UP TO 350' FROM THE USES THEY SERVE IN LIEU OF PARKING LOCATED WITHIN 150'.
- B. A WAIVER FROM SECTION 38-1477 IS GRANTED TO ALLOW PARKING AREAS (STRUCTURED AND/OR SURFACE PARKING) TO BE LOCATED UP TO 350' FROM THE PRINCIPAL USE ON A SEPARATE LOT IN LIEU OF PARKING PROVISION ON THE SAME LOT (PRINCIPAL USE) OR WITHIN 300' FROM THE PRINCIPAL ENTRANCE AS MEASURED ALONG THE MOST DIRECT PEDESTRIAN ROUTE.

13. THE FOLLOWING WAIVERS FROM SECTION 38-1258 (MULTI-FAMILY COMPATIBILITY) ARE GRANTED:

- A. A WAIVER FROM SECTION 38-1258(A) IS GRANTED TO ALLOW MULTIFAMILY BUILDINGS OF TWO (2) STORIES TO BE LOCATED WITHIN 5' TO 55'; FOUR (4) STORIES TO BE LOCATED BETWEEN 55' AND 80'; AND FIVE (5) TO EIGHT (8) STORY BUILDINGS TO BE LOCATED 80' IN LIEU OF 1 STORY LIMIT WITHIN 100' OF SINGLE-FAMILY ZONED PROPERTY.

- B. A WAIVER FROM SECTION 38-1258(B) IS GRANTED TO ALLOW MULTIFAMILY BUILDINGS OF EIGHT (8) STORIES TO BE LOCATED AT 80' FROM SINGLE-FAMILY ZONED PROPERTY, IN LIEU OF MULTI-FAMILY BUILDINGS LOCATED BETWEEN 100' AND 150' WITH A MAXIMUM OF 50% OF THE BUILDINGS BEING THREE (3) STORIES (NOT TO EXCEED 40') WITH THE REMAINING BUILDINGS BEING 1 OR 2 STORIES IN HEIGHT.
- C. A WAIVER FROM SECTION 38-1258(C) IS GRANTED TO ALLOW MULTIFAMILY BUILDINGS OF EIGHT (8) STORIES AND 100' IN HEIGHT (PLUS 15' FOR ARCHITECTURAL FEATURES, ELEVATOR TOWERS, AND COMMUNICATION ANTENNAE) AT 80' FROM PROPERTY LINE OF SINGLE FAMILY ZONED PROPERTY IN LIEU OF 3 STORIES AND 40' IN HEIGHT AND WITHIN 100' AND 150' OF SINGLE FAMILY-ZONED PROPERTY.
- D. A WAIVER FROM SECTION 38-1258(D) IS GRANTED TO ALLOW MULTIFAMILY BUILDINGS OF EIGHT (8) STORIES AND 100' IN HEIGHT (PLUS 15' FOR ARCHITECTURAL FEATURES, ELEVATOR TOWERS, AND COMMUNICATION ANTENNAE) IN LIEU OF BUILDINGS IN EXCESS OF 3 STORIES AND 40'.
- E. A WAIVER FROM SECTION 38-1258(E) IS GRANTED TO ALLOW PARKING AND OTHER PAVED AREAS OF MULTI-FAMILY DEVELOPMENT TO BE LOCATED 5' FROM ANY SINGLE FAMILY ZONED PROPERTY IN LIEU OF 25'. A 5' LANDSCAPE BUFFER SHALL BE PROVIDED IN LIEU OF 25'.
- F. A WAIVER FROM SECTION 38-1258 (F) IS GRANTED TO ALLOW NO MASONRY, BRICK OR BLOCK WALL TO BE CONSTRUCTED IN LIEU OF A 6' WALL WHENEVER A MULTI-FAMILY DEVELOPMENT IS LOCATED ADJACENT TO SINGLE FAMILY ZONED PROPERTY.
- G. A WAIVER FROM SECTION 38-1258(G) IS GRANTED TO ALLOW DIRECT MULTI-FAMILY ACCESS TO ANY RIGHT-OF-WAY SERVING PLATTED SINGLE FAMILY ZONED PROPERTY IN LIEU OF ACCESS TO ONLY COLLECTOR OR ARTERIAL ROADS.
- H. A WAIVER FROM SECTION 38-1258(I) IS GRANTED TO ALLOW URBAN/PEDESTRIAN FEATURES (SIDEWALKS, STREET FURNITURE, STREET TREES, ETC; REFER TO URBAN FORM: INTERNAL STREET DESIGN ELEMENTS) IN LIEU OF FENCING AND LANDSCAPE WHENEVER A SINGLE FAMILY ZONED PROPERTY IS LOCATED ACROSS THE RIGHT-OF-WAY.
- I. A WAIVER FROM SECTION 38-1258(J) IS GRANTED TO ALLOW A SEPARATION OF ZERO (0) BETWEEN MULTI-FAMILY, OFFICE, COMMERCIAL BUILDINGS (WITHOUT WINDOWS OR OTHER OPENINGS), IN LIEU OF 20' FOR FIRE PROTECTION PURPOSES; AND A SEPARATION OF 10' FOR BUILDINGS WHERE DOORS, WINDOWS AND OTHER OPENINGS IN THE WALL OF A LIVING UNIT BACK UP TO A WALL OF ANOTHER BUILDING WITH SIMILAR OPENINGS, IN LIEU OF A MINIMUM SEPARATION OF 30' FOR 2 STORY BUILDINGS AND 40' FOR 3 STORY BUILDINGS.
- J. A WAIVER FROM SECTION 38-1234(3) (A) (2) IS GRANTED TO ALLOW 15% (WITH RESTRICTIONS) OPEN SPACE IN LIEU OF 25% EXCEPT FOR BIG BOX AREA.

14. THE FOLLOWING WAIVERS FROM CH. 31.5 (SIGNAGE REGULATIONS) ARE GRANTED:

- A. A WAIVER FROM SECTION 31.5-126 (A) IS GRANTED TO ALLOW A NEW 14' X 48' BILLBOARD WITH (LIQUID CRYSTAL DISPLAY) LCD TECHNOLOGY IN A PD IN EXCHANGE FOR THE REMOVAL OF THREE (3) EXISTING 14' X 48' BILLBOARDS. THE NEW STRUCTURE BILLBOARD SHALL BE PERMITTED TO BE CONSTRUCTED UPON THE REMOVAL OF EXISTING BILLBOARDS #1 AND #2. THE NEW BILLBOARD SHALL BE LOCATED ON LEE ROAD. BILLBOARD #3 SHALL BE REMOVED WITHIN TWO (3) YEARS OF APPROVAL OF THIS PD.
- B. A WAIVER IS GRANTED FROM SECTION 31.5-126(K)(1) TO ALLOW A BILLBOARD WITH A ZERO FOOT R-O-W SETBACK IN LIEU OF THE REQUIRED 15' FRONT PROPERTY LINE SETBACK.
- C. A WAIVER IS GRANTED FROM SECTION 31.5-126 (H) TO ALLOW 672 (14' X 48') SQUARE FOOT ALLOWABLE COPY AREA IN LIEU OF THE MAXIMUM 400 SQUARE FEET.
- D. A WAIVER IS GRANTED FROM SECTION 31.5-5 TO ALLOW THE BILLBOARD TO ADVERTISE RAVAUDAGE PROJECT DEVELOPMENT ADVERTISEMENTS AND MARKETING MATERIAL ON BILLBOARD #3 UNTIL IT IS REMOVED.

15. SECTION 4 OF THE ANNEXATION AGREEMENT ATTACHED HERETO AS EXHIBIT C SHALL GOVERN.

- A. THE INTERNAL STREET NETWORK SHALL CONSIST OF A STREET GRID SYSTEM THAT IS FLEXIBLE TO ACCOMMODATE AND SUPPORT A VARIETY OF URBAN LAND USES. THE GRID SYSTEM SHALL EMPHASIZE PEDESTRIAN USES AND ACTIVITIES, HUMAN-SCALE STREETS AND BUILDING FACADES.
- B. THE STREET GRID SYSTEM SHALL CONSIST (AT A MINIMUM) OF: TWO (2) NORTH-SOUTH CORRIDORS TO BE LOCATED FROM LEE ROAD TO MONROE AVENUE. BENNETT AVENUE IS TO REMAIN WITH AN ADDITIONAL STREET PARALLEL TO BENNETT AVENUE AND ORLANDO AVENUE AND TWO (2) EAST-WEST CORRIDORS CONNECTING ORLANDO AVENUE AND BENNETT AVENUE. ALL INTERNAL STREETS MAY BE RELOCATED AND RECONFIGURED.
- C. THE PROPOSED LAND USES ARE INTERCHANGEABLE ON ANY BLOCK DUE TO THE UNDERLYING URBAN DEVELOPMENT FRAMEWORK AND GRID SYSTEM.
- D. BENNETT AVENUE SHALL REMAIN A NORTH-SOUTH MAJOR MOBILITY CORRIDOR FROM LEE ROAD TO ITS TERMINUS AT MONROE AVENUE. WHERE BENNETT AVENUE MEETS OR EXECUTIVE DRIVE MAY MUST BE REALIGNED TO CREATE A FULL ACCESS MEDIAN CUT WITH EXECUTIVE DRIVE. LEE ROAD, THE DEVELOPER SHALL AT DEVELOPER'S EXPENSE CAUSE TO BE CONSTRUCTED, A T-INTERSECTION. AS DETERMINED TO BE THE PREFERRED INTERSECTION BY FDOT AND THE CITY TRAFFIC ENGINEER. THE INTERSECTION SHALL BE DESIGNED TO BE SIGNALIZED AT A TIME WHEN A WARRANT STUDY IS APPROVED BY FDOT, AND SHALL PROVIDE SAFE PEDESTRIAN CROSSING. BENNETT AVENUE MAY BE REALIGNED TO CONNECT WITH GEM LAKE DRIVE TO THE NORTH.

16. COORDINATION WITH (CENTRAL FLORIDA REGIONAL TRANSPORTATION AUTHORITY) LYNX (CENTRAL FLORIDA REGIONAL TRANSPORTATION AUTHORITY) LYNX HAS LISTED AS A PRIORITY IN ITS 2010 TRANSIT DEVELOPMENT PLAN A TRANSFER STATION IN THIS GENERAL LOCATION. (CENTRAL FLORIDA REGIONAL TRANSPORTATION AUTHORITY) LYNX ROUTES 1, 9, 14, 102 AND 443 ALL CURRENTLY COMPLETE TRANSFERS AT WEBSTER AVENUE AND DENNING DRIVE ON SURFACE STREETS. THEREFORE, (CENTRAL FLORIDA REGIONAL TRANSPORTATION AUTHORITY) LYNX HAS EXPRESSED A DESIRE FOR A DEDICATED SUPER STOP OR TRANSFER FACILITY WITH EASY INGRESS AND EGRESS FOR (CENTRAL FLORIDA REGIONAL TRANSPORTATION AUTHORITY) LYNX BUSES WITHIN THE PROJECT SITE. IN ADDITION, (CENTRAL FLORIDA REGIONAL TRANSPORTATION AUTHORITY) LYNX IS CURRENTLY CONSIDERING PREMIUM TRANSIT SERVICE (BRT AND/OR EXPRESS BUS SERVICE) ALONG U.S.17/92 (ORLANDO AVENUE). THEREFORE, COORDINATION PRIOR TO APPROVAL OF THE MASTER TRANSPORTATION PLAN AND (PRELIMINARY SUBDIVISION PLAN) PSP OR (DEVELOPMENT PLAN) DP IS REQUIRED TO PROVIDE FOR THE NEEDED SUPER STOP OR TRANSFER STATION AND PEDESTRIAN CONNECTIVITY.
- A. COORDINATION WITH THE MASTER DEVELOPER IS ENCOURAGED TO PROVIDE A BUS TRANSFER STATION STOP WITH PEDESTRIAN ACTIVITY AT SUCH TIME THAT A SUNRAIL STATION IS CONSIDERED AS PART OF THE OVERALL DEVELOPMENT PLAN.
- B. THE DEVELOPER HAS AGREED TO PROVIDE A BIKE SHARE LOCATION ON THE RAVAUDAGE SITE BY THE COMPLETION OF THE DEVELOPMENT'S SECOND RESIDENTIAL PROJECT.
17. THE SELLING OF ANY PARCEL OF LAND SHALL CARRY THE REQUIREMENT THAT ANY AND ALL REQUIRED IMPROVEMENTS AND ASSOCIATED MITIGATION AS IDENTIFIED FROM THE STUDIES DEFINED IN CONDITION 15 SHALL BE CARRIED FORWARD AS MITIGATION IN PROPORTION TO THE PARCEL(S) IMPACTS AS A PERCENTAGE OF THE TOTAL SITE IMPACTS IDENTIFIED IN THE STUDIES. THE SPECIFIC METHODOLOGY AND PROCEDURE TO CALCULATE THE PERCENTAGE OF PROPORTIONAL IMPACTS SHALL BE DEVELOPED AND AGREED UPON BY ALL PARTIES AS PART OF THE STUDIES CONDUCTED AS THE REQUIREMENTS OF CONDITION 15.
18. THE FOLLOWING EDUCATION CONDITION OF APPROVAL SHALL APPLY:
- C. DEVELOPER SHALL COMPLY WITH ALL PROVISIONS OF THE CAPACITY ENHANCEMENT AGREEMENT ENTERED INTO WITH THE ORANGE COUNTY SCHOOL BOARD AS OF 1/25/2011.
- D. UPON THE COUNTY'S AND CITY'S RECEIPT OF WRITTEN NOTICE FROM (ORANGE COUNTY PUBLIC SCHOOLS) OCPS THAT THE DEVELOPER IS IN DEFAULT OR BREACH OF THE CAPACITY ENHANCEMENT AGREEMENT, THE CITY SHALL IMMEDIATELY CEASE ISSUING BUILDING PERMITS FOR ANY RESIDENTIAL UNITS IN EXCESS OF THE 204 RESIDENTIAL UNITS ALLOWED PRIOR TO THE ZONING APPROVAL. THE CITY SHALL AGAIN BEGIN ISSUING BUILDING PERMITS UPON (ORANGE COUNTY PUBLIC SCHOOLS) OCPS'S WRITTEN NOTICE TO THE COUNTY AND CITY THAT THE DEVELOPER IS NO LONGER IN BREACH OR DEFAULT OF THE CAPACITY ENHANCEMENT AGREEMENT. THE DEVELOPER AND ITS SUCCESSOR(S) AND/OR ASSIGN(S) UNDER THE CAPACITY ENHANCEMENT AGREEMENT SHALL INDEMNIFY AND HOLD THE COUNTY AND CITY

HARMLESS FROM ANY THIRD PARTY CLAIMS, SUITS, OR ACTIONS ARISING AS A RESULT OF THE ACT OF CEASING THE CITY'S ISSUANCE OF RESIDENTIAL BUILDING PERMITS.

- E. DEVELOPER, OR ITS SUCCESSOR(S) AND/OR ASSIGN(S) UNDER THE CAPACITY ENHANCEMENT AGREEMENT, AGREES THAT IT SHALL NOT CLAIM IN ANY FUTURE LITIGATION THAT THE COUNTY'S AND CITY'S ENFORCEMENT OF ANY OF THESE CONDITIONS ARE ILLEGAL, IMPROPER, UNCONSTITUTIONAL, OR A VIOLATION OF DEVELOPER'S RIGHTS.
- F. ORANGE COUNTY AND CITY SHALL BE HELD HARMLESS BY THE DEVELOPER AND ITS SUCCESSOR(S) AND/OR ASSIGN(S) UNDER THE CAPACITY ENHANCEMENT AGREEMENT, IN ANY DISPUTE BETWEEN THE DEVELOPER AND (ORANGE COUNTY PUBLIC SCHOOLS) OCPS OVER ANY INTERPRETATION OR PROVISION OF THE CAPACITY ENHANCEMENT AGREEMENT. AT THE TIME OF (DEVELOPMENT PLAN/PRELIMINARY SUBDIVISION PLAN) DP/PSP, DOCUMENTATION SHALL BE PROVIDED FROM (ORANGE COUNTY PUBLIC SCHOOLS) OCPS THAT THIS PROJECT IS IN COMPLIANCE WITH THE CAPACITY ENHANCEMENT AGREEMENT.

19. THE FOLLOWING CONDITIONS OF APPROVAL WERE COORDINATED WITH ADJACENT JURISDICTIONS:

- A. SEE EXHIBIT C FOR MODIFICATIONS REGARDING TRAFFIC FACILITIES. WHEN THE PROJECT REACHES OR EXCEEDS 151,000 SQUARE FEET, THE DEVELOPER SHALL AT THEIR EXPENSE, COMPLETE A TRAFFIC SIGNAL WARRANT STUDY WITHIN SIX MONTHS OF ISSUANCE OF CERTIFICATES OF OCCUPANCY FOR SAID BUILDINGS AND SEEK FLORIDA (DEPARTMENT OF TRANSPORTATION) DOT APPROVAL FOR THE FIRST TRAFFIC LIGHT. IF THE PROPOSED TRAFFIC SIGNAL MEETS THE WARRANTS AND IS APPROVED BY FLORIDA (DEPARTMENT OF TRANSPORTATION) DOT, THEN THE DEVELOPER SHALL, AT THEIR EXPENSE, INSTALL THE FIRST TRAFFIC LIGHT SUBJECT TO THE (DEPARTMENT OF TRANSPORTATION) DOT PERMIT AND CONDITIONS, IF THE TRAFFIC VOLUMES OR OTHER CONDITIONS DO NOT WARRANT THE FIRST TRAFFIC LIGHT AND IT IS NOT APPROVED BY FLORIDA (DEPARTMENT OF TRANSPORTATION) DOT, THEN THE PROJECT MAY CONTINUE TO PROCEED WITH ADDITIONAL EXPANSIONS BUT THE TRAFFIC SIGNAL WARRANT STUDY SHALL BE UPDATED ANNUALLY, AT DEVELOPER EXPENSE AND DEVELOPER SHALL SEEK FLORIDA (DEPARTMENT OF TRANSPORTATION) DOT APPROVAL. AT THE TIME THEN WHEN THE FIRST TRAFFIC SIGNAL IS APPROVED BY FLORIDA (DEPARTMENT OF TRANSPORTATION) DOT, THE DEVELOPER SHALL THEN, AT THEIR EXPENSE, INSTALL THE FIRST TRAFFIC LIGHT SUBJECT TO (DEPARTMENT OF TRANSPORTATION) DOT PERMIT AND CONDITIONS. WHEN THE PROJECT REACHES OR EXCEEDS 490,000 SQUARE FEET, THE DEVELOPER SHALL AT THEIR EXPENSE, COMPLETE A TRAFFIC SIGNAL WARRANT STUDY WITHIN SIX MONTHS OF ISSUANCE OF CERTIFICATES OF OCCUPANCY FOR SAID BUILDINGS AND SEEK FLORIDA (DEPARTMENT OF TRANSPORTATION) DOT APPROVAL FOR THE SECOND TRAFFIC LIGHT. IF THE SECOND PROPOSED TRAFFIC SIGNAL MEETS THE WARRANTS AND IS APPROVED BY FLORIDA (DEPARTMENT OF TRANSPORTATION) DOT, THEN THE DEVELOPER SHALL, AT THEIR EXPENSE, INSTALL THE SECOND TRAFFIC LIGHT SUBJECT TO THE (DEPARTMENT OF TRANSPORTATION) DOT PERMIT AND CONDITIONS. IF THE TRAFFIC VOLUMES OR OTHER CONDITIONS DO NOT WARRANT THE SECOND TRAFFIC LIGHT AND IT IS NOT APPROVED BY FLORIDA (DEPARTMENT OF TRANSPORTATION) DOT, THEN THE PROJECT MAY CONTINUE TO PROCEED WITH ADDITIONAL EXPANSIONS BUT THE TRAFFIC SIGNAL

WARRANT STUDY SHALL BE UPDATED ANNUALLY FOR AT LEAST THREE CONSECUTIVE YEARS THEREAFTER, AT DEVELOPER EXPENSE AND DEVELOPER SHALL SEEK FLORIDA (DEPARTMENT OF TRANSPORTATION) DOT APPROVAL FOR THE SECOND TRAFFIC LIGHT. AT THE TIME THE SECOND TRAFFIC SIGNAL IS APPROVED BY FLORIDA (DEPARTMENT OF TRANSPORTATION) DOT, THE DEVELOPER SHALL, AT THEIR EXPENSE INSTALL THE SECOND TRAFFIC LIGHT SUBJECT TO (DEPARTMENT OF TRANSPORTATION) DOT PERMIT AND CONDITIONS. FOR BOTH TRAFFIC LIGHTS, THE DEVELOPER, AT THEIR SOLE COST, SHALL BE RESPONSIBLE FOR THE INSTALLATION OF AN ENHANCED MAST ARM SIGNALIZED INTERCONNECTED INTERSECTION, AS WELL AS THE LANEAGE IMPROVEMENTS NECESSARY.

B. FOR SITE ACCESS PURPOSES, THE INTERSECTION OF GLENDON PARKWAY AND US 17-92 MUST NOT DEAD END INTO A COMMERCIAL, RESIDENTIAL OR OFFICE DEVELOPMENT, AND MUST CONNECT, TO AN INTERNAL ROADWAY WHICH CONNECTS TO EITHER BENNETT AVENUE, MONROE AVENUE OR LEE ROAD. AT THE TIME OF THE TRAFFIC SIGNAL INSTALLATION AT GLENDON PARKWAY, THE DEVELOPER SHALL PAY FOR THE COST OF THE CLOSURE OF PERTINENT MEDIANS ON US 17-92, AS DETERMINED BY (FLORIDA DEPARTMENT OF TRANSPORTATION) FDOT.

C. FOR SITE ACCESS PURPOSES, ~~AT THE PROPOSED INTERSECTION OF BENNETT AVENUE AND LEE ROAD REALIGNED WITH EXECUTIVE DRIVE, THE NORTHERN LEG OF THIS INTERSECTION MUST BE REALIGNED TO CONNECT AND ALIGN STRAIGHT WITH EXECUTIVE DRIVE OR, IN THE ALTERNATIVE, EXECUTIVE DRIVE MUST BE REALIGNED TO CONNECT AND ALIGN STRAIGHT WITH BENNETT DRIVE (“ROAD REALIGNMENT”). ONE OF THE PURPOSES OF THE ROAD REALIGNMENT IS TO FACILITATE A FOUR LEG SIGNALIZED INTERSECTION AT THE REALIGNED BENNETT DRIVE/EXECUTIVE DRIVE INTERSECTION WITH LEE ROAD. THE DEVELOPER SHALL, AT DEVELOPER’S EXPENSE, CAUSE THE DESIGN, PERMITTING AND CONSTRUCTION OF THE ROAD REALIGNMENT A MODIFIED T-INTERSECTION AT THE INTERSECTION OF BENNETT AVENUE AND LEE ROAD AS DETERMINED TO BE THE PREFERRED INTERSECTION BY FDOT AND THE CITY TRAFFIC ENGINEER, AND SHALL CONVEYANCE TO THE CITY OF ANY RIGHT-OF-WAY PROPERTY NEEDED FOR THE SAME. THE COMPLETION OF THE INTERSECTION IMPROVEMENTS SHALL OCCUR ON OR BEFORE AUGUST 31, 2022 REGARDLESS OF WHETHER A TRAFFIC SIGNAL IS WARRANTED BY FDOT AT THE BENNETT AVENUE/LEE ROAD INTERSECTION PRIOR TO THAT TIME. TO OCCUR ON OR BEFORE, AUGUST 30, 2020, UNLESS AN EXTENSION IS GRANTED BY THE CITY COMMISSION FOR GOOD CAUSE SHOWN. THE REALIGNED BENNETT AVENUE ROADWAY INTO THE PROJECT MUST NOT DEAD END INTO A COMMERCIAL, RESIDENTIAL OR OFFICE DEVELOPMENT, AND MUST CONNECT, TO AN INTERNAL ROADWAY WHICH CONNECTS TO MONROE AVENUE OR US 17-92.~~

~~ON OR BEFORE EARLIER OF DECEMBER 31, 2020, ANY FURTHER SITE PLAN APPROVALS OR OTHER DEVELOPMENT ORDERS NOT ALREADY APPROVED BY THE CITY PRIOR TO DECEMBER 9, 2020 OR COMMENCEMENT OF PERMITTING AND CONSTRUCTION OF THE INTERSECTION IMPROVEMENTS THE ROAD REALIGNMENT, THE DEVELOPER SHALL ENTER INTO A ROAD CONSTRUCTION AGREEMENT WITH THE CITY OF WINTER PARK IN A FORM ACCEPTABLE TO THE CITY SETTING FORTH THE TERMS AND CONDITIONS FOR THE DESIGN, PERMITTING, CONSTRUCTION AND COMPLETION OF THE ROAD REALIGNMENT INTERSECTION IMPROVEMENTS, AND RELATED UTILITY RELOCATIONS AND RIGHT-OF-WAY CONVEYANCES, INCLUDING WITHOUT LIMITATION, SETTING~~

FORTH DEADLINES CONCERNING THE SAME. THE DESIGN, PERMITTING, CONSTRUCTION AND COMPLETION OF THE INTERSECTION IMPROVEMENTS AND RIGHT-OF-WAY CONVEYANCES MUST BE PERFORMED IN COMPLIANCE WITH THE TERMS AND CONDITIONS OF SUCH ROAD CONSTRUCTION AGREEMENT, INCLUDING THE DEADLINES SET FORTH THEREIN.

THE DEVELOPER SHALL CAUSE, AT DEVELOPER'S EXPENSE AND AT NO CHARGE TO THE CITY, TO BE CONVEYED TO THE CITY OF WINTER PARK IN FEE SIMPLE, FREE AND CLEAR OF ALL LIENS AND ENCUMBRANCES EXCEPT FOR MATTERS ACCEPTABLE TO THE CITY, RIGHT-OF-WAY LANDS NEEDED FOR ~~THE ROAD REALIGNMENT INTERSECTION IMPROVEMENTS~~ IN ORDER TO ~~CONNECT~~ CREATE THE T-INTERSECTION DESIGN FOR THE BENNETT AVENUE AND WITH EXECUTIVE DRIVE ACROSS AND SOUTH OF LEE ROAD INTERSECTION. ~~THE REALIGNED PORTION OF BENNETT DRIVE AND/OR EXECUTIVE DRIVE RIGHT-OF-WAY TO BE DETERMINED AT THE TIME OF DESIGN APPROVAL BY THE CITY OF WINTER PARK.~~ THE CITY IS NOT OBLIGATED TO VACATE AND ABANDON ANY PORTION OF THE EXISTING BENNETT DRIVE ~~AND EXECUTIVE DRIVE~~ RIGHTS-OF-WAY AS THE RESULT OF THE INTERSECTION IMPROVEMENTS AND RELATED RIGHT-OF-WAY CONVEYANCES ~~ROAD REALIGNMENT.~~

THE DEVELOPER'S FAILURE TO MEET DEADLINES REQUIRED UNDER THIS SECTION OR IN THE ROAD CONSTRUCTION AGREEMENT MAY RESULT IN A HOLD ON PROCESSING AND APPROVAL OF ADDITIONAL DEVELOPMENT ORDERS AND PERMITS FOR THE RAVAUDAGE PROJECT.

- D. THE DEVELOPER MUST CLOSE THE 11 EXISTING PRIVATE PROPERTY CURB CUTS / DRIVEWAYS ON US 17-92 OR TRAFFIC SIGNAL WARRANT STUDY MUST ASSUME SUCH CLOSURE.
- E. BENJAMIN PARTNERS HAS OBTAINED OWNERSHIP OF THE SINGLE FAMILY PARCELS SOUTH OF MONROE AND THE LAND HAS BEEN CLEARED OF ALL STRUCTURES. THE CITY OF MAITLAND PROVIDED A LETTER DATED APRIL 30, 2018 STATING NO OBJECTION TO A NEW WAIVER MODIFICATION REQUEST TO ALLOW A ZERO FOOT SETBACK BETWEEN THE MAITLAND AND WINTER PARK CITY LIMITS BOUNDARY ALONG THE SOUTH SIDE OF MONROE AVE AND WITHIN BLOCK K. FOR THOSE PROPERTIES LOCATED EAST OF BENNETT AVENUE, ADJACENT TO THE RESIDENTIAL PROPERTY WITHIN THE CITY OF WINTER PARK, A BUILDING SETBACK OF 15 FEET IS TO BE PROVIDED FROM THE EASTERN RIGHT-OF-WAY LINE OF BENNETT AVENUE, WITH THE EXCEPTION OF BLOCK E BETWEEN MORGAN STANLEY AVENUE AND GLENDON PARKWAY SHALL BE PERMITTED A 6' BUILDING SETBACK FROM THE BENNETT AVE EASTERN RIGHT OF WAY LINE SO LONG AS A MINIMUM OF A 10' SIDEWALK EXISTS WITH ON STREET PARKING.
20. ANY PETITION TO VACATE SHALL HAVE A CONDITION THAT WILL IDENTIFY THAT THE APPLICANT MAY PROVIDE A RIGHT-OF-WAY STRIP FOR LEE ROAD AND/OR ORLANDO AVENUE TO THE COUNTY OR (FLORIDA DEPARTMENT OF TRANSPORTATION) FDOT AT NO COST UPON REQUEST BY THE COUNTY OR (FLORIDA DEPARTMENT OF TRANSPORTATION) FDOT. A RIGHT-OF-WAY AGREEMENT MAY BE REQUIRED AS PART OF ANY FUTURE DEVELOPMENT PLAN OR PRELIMINARY SUBDIVISION PLAN.
21. INTERNAL TRAFFIC LANES SHALL BE 12 (TWELVE) FEET IN WIDTH WITH ON STREET PARKING AND THE PARKING LANES SHALL BE 8 ½ (EIGHT AND ONE-HALF) FEET IN

WIDTH, OR AS APPROVED BY THE CITY OF WINTER PARK PUBLIC WORKS DEPARTMENT.

22. USE OF THE EQUIVALENCY MATRIX (SHOWN BELOW) THAT CHANGES ANY USE BY 10% OR GREATER (INDIVIDUALLY OR IN THE AGGREGATE) SHALL BE DEEMED A SUBSTANTIAL CHANGE TO THE PD. EQUIVALENCY MATRIX IS SHOWN BELOW. NOTE: PROJECT HAS UTILIZED THE 10 % USE INCREASE FOR RESIDENTIAL UNITS.

**RAVAUDAGE PD  
Equivalency Matrix**

Change From:		Change to Land Use:				ITE Land Use	
Land Use	Size	Apartment	Hotel	General Office	Commercial	Trip Rate (1)	Code
Apartment	1 DU		0.837 Room	0.485 SF	0.136 SF	0.59 Trips/DU	220
Hotel	1 Room	1.195 DU		0.579 SF	0.162 SF	0.70 Trips/Room	310
Office	1,000 SF	2.061 DU	1.726 Room		0.280 SF	1.21 Trips/1,000 SF	710
Commercial	1,000 SF	7.372 DU	6.171 Room	3.576 SF		4.32 Trips/1,000 SF	820

(1) Conversion factors based on PM Peak Hour Peak Direction Trip Generation Rates from ITE 8<sup>th</sup> Edition Trip Generation Report, 2008

Example: To convert 10,000 SF of Office space to equivalent Apartment, Hotel or Commercial:

- To Apartment:  $(10,000 / 1,000) \times 2.061 = 20.61$  DU Use 21
- To Hotel:  $(10,000 / 1,000) \times 1.726 = 17.26$  Rooms Use 17
- To Shopping Center:  $(10,000 / 1,000) \times 0.280 = 2.796$  KSF Use 2,800 SF

To check if equivalent Land Use is the same:

- 10,000 SF Office =  $(10,000 / 1,000) \times 1.21 = 12.08$  PM Peak Hour Trips Use 12
- Apartment:  $21 \times 0.59 = 12.31$  PM Peak Hour Trips Use 12
- Hotel:  $17 \times 0.70 = 11.90$  PM Peak Hour Trips Use 12
- Shopping Center:  $(2,800 / 1,000) \times 4.32 = 12.10$  PM Peak Hour Trips Use 12

**RAVAUDAGE PD**

**Estimated Trip Generation for Representative Land Use (1)**

Land Use	Size		ITE Land Use Code (2)	Trip Generation Rates			
				Daily	PM Peak Hour		
					Total	Enter	Exit
Apartment	489	DU	220/E	6.31	<b>0.59</b>	0.38	0.21
Hotel	320	Room	310/R	8.92	<b>0.70</b>	0.34	0.36
General Office	891,000	SF	710/E	8.07	<b>1.21</b>	0.21	1.00
Commercial	323,100	SF	820/E	45.05	<b>4.32</b>	2.12	2.20

(1) Trip Generation Rates from 8<sup>th</sup> Edition of ITE Trip Generation Report, 2008

(2) E = Fitted Curve Equation, or R = Average Trip Rate

Note: Trip Generation rates in bold face used for calculating Equivalency matrix

23. THE DEVELOPER WILL CONTRIBUTE A PROPORTIONATE SHARE OF THE COSTS FOR INTERSECTION TRAFFIC SIGNALIZATION TECHNOLOGY UPGRADES THROUGH THE PHASING

OF THE PROJECT. THESE UPGRADES WILL APPLY TO SIGNIFICANTLY AFFECTED INTERSECTIONS BASED ON A MUTUAL DETERMINATION BY THE DEVELOPER'S TRAFFIC ENGINEER AND THE CITY'S TRANSPORTATION TRAFFIC ENGINEER AND A MAXIMUM WILL BE DETERMINED.

[SIGNATURE PAGES OF AMENDED AND RESTATED DEVELOPMENT ORDER NOT SHOWN]

EXHIBIT "A"

WINTER PARK AMENDED DEVELOPMENT ORDER LEGAL DESCRIPTION:

A PORTION HOME ACRES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK "M", PAGE 97, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, AND A PART OF SECTION 1, TOWNSHIP 22 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST ¼ OF SECTION 1, TOWNSHIP 22 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA; RUN SOUTH 01°40'06"W 30.01 FEET TO THE INTERSECTION OF THE SOUTH RIGHT OF WAY LINE OF MONROE AVENUE AND THE CENTERLINE OF BENNETT AVENUE; SAID POINT BEING THE POINT OF BEGINNING; THENCE CONTINUE S01°40'06"W ALONG THE CENTERLINE OF AFORESAID BENNETT AVENUE A DISTANCE OF 100.96 FEET TO THE POINT OF INTERSECTION OF SAID CENTERLINE OF BENNETT AVENUE AND THE WESTERLY EXTENSION OF THE SOUTH LINE OF LOT 2, BLOCK "O", HOME ACRES, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK M, PAGE 97 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN N90°00'00"E A DISTANCE OF 143.71 FEET TO THE SOUTHEAST CORNER OF SAID LOT 2; THENCE N00°22'31"E ALONG THE EAST LINE OF SAID LOT 2 A DISTANCE OF 12.00 FEET TO THE NORTHWEST CORNER OF LOT 14, BLOCK "O", OF SAID HOME ACRES; THENCE N90°00'00"E ALONG THE NORTH LINE OF SAID LOT 14, THE NORTH LINE OF LOT 6, BLOCK "P", AND THE NORTH LINE OF LOT 11, BLOCK "P", SAID HOME ACRES, A DISTANCE OF 431.30 FEET TO THE NORTHEAST CORNER OF SAID LOT 11, BLOCK "P", SAID POINT LYING ON THE WEST LINE OF LEWIS DRIVE; THENCE S00°05'24"W ALONG SAID WEST LINE A DISTANCE OF 360.00 FEET TO THE INTERSECTION OF SAID WEST LINE OF LEWIS DRIVE WITH THE WESTERLY EXTENSION OF THE NORTH LINE OF LOT 10, BLOCK "K", SAID HOME ACRES, THENCE, THENCE N90°00'00"E ALONG SAID WESTERLY EXTENSION A DISTANCE OF 70.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 10, BLOCK "K", SAID POINT BEING ON THE EAST RIGHT OF WAY LINE OF AFORESAID LEWIS DRIVE; THENCE S00°05'24"W ALONG THE EAST RIGHT OF WAY LINE OF LEWIS DRIVE A DISTANCE OF 200.00 FEET TO THE SOUTHWEST CORNER OF LOT 7, BLOCK K; THENCE N90°00'00"E ALONG THE SOUTH LINE OF SAID LOT 7 A DISTANCE OF 132.50 FEET TO THE NORTHWEST CORNER OF LOT 15, BLOCK K; THENCE S00°05'24"W ALONG THE WEST LINE OF SAID LOT 15 A DISTANCE OF 50.00 FEET; THENCE N90°00'00"E ALONG THE SOUTH LINE OF SAID LOT 15 AND EASTERLY EXTENSION THEREOF, A DISTANCE OF 182.50 FEET TO THE EAST RIGHT OF WAY LINE OF BENJAMIN AVENUE; THENCE S00°05'24"W ALONG SAID EAST RIGHT OF WAY LINE OF BENJAMIN AVENUE A DISTANCE OF 255.00 FEET TO A POINT ON THE NORTH LINE OF GLENDON PARKWAY AS IT NOW EXISTS; THENCE N90°00'00"E ALONG SAID NORTH RIGHT OF WAY LINE A DISTANCE OF 187.50 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF ORLANDO AVENUE (STATE ROAD 15 & 600); SAID POINT BEING A POINT ON A CURVE HAVING A RADIUS OF 5676.65 FEET, A CENTRAL ANGLE OF 02°43'16" AND A CHORD THAT BEARS S01°16'50"E; THENCE RUN SOUTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 269.61 FEET TO THE POINT OF TANGENCY; THENCE RUN S00°04'48"W ALONG SAID WESTERLY RIGHT OF WAY LINE A DISTANCE OF 803.10 FEET TO THE INTERSECTION OF SAID WESTERLY RIGHT OF WAY LINE WITH THE NORTHERLY RIGHT OF WAY LINE OF LEE ROAD; (STATE ROAD NO. 438); THENCE RUN ALONG SAID NORTHERLY RIGHT OF WAY LINE THE FOLLOWING COURSES AND DISTANCES: S67°42'20"W, 36.68 FEET; S89°45'12"W, 124.55 FEET; S81°01'12"W, 34.71 FEET; N00°04'22"W, 11.27 FEET; S89°45'12"W, 385.00 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF LEWIS DRIVE; THENCE N00°04'22"W ALONG SAID RIGHT OF WAY OF LEWIS DRIVE A DISTANCE OF 213.88 FEET TO THE NORTHEAST CORNER OF LOT 7, BLOCK C, HOME ACRES; THENCE S90°00'00"W ALONG THE NORTH LINE OF SAID LOT 7 A DISTANCE OF 132.50 FEET TO THE NORTHWEST CORNER OF SAID LOT 7; THENCE S00°04'22"E ALONG THE EAST LINE OF SAID LOT 7, BLOCK C, A DISTANCE OF 50.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 7; THENCE S90°00'00"W ALONG THE NORTH LINE OF LOT 19, BLOCK C, A DISTANCE OF 132.50 FEET TO THE EAST RIGHT OF WAY LINE OF LOREN AVENUE; THENCE S00°04'22"E ALONG SAID EAST RIGHT OF WAY LINE A DISTANCE OF 165.02 FEET TO A POINT ON AFORESAID LEE ROAD; THENCE S89°45'12"W ALONG SAID EAST LINE A DISTANCE OF 50.00 FEET TO THE WEST RIGHT OF WAY LINE OF SAID LOREN AVENUE; THENCE N00°04'22"W ALONG SAID WEST RIGHT OF WAY LINE A DISTANCE OF 115.23 FEET TO THE NORTHEAST CORNER OF LOT 5, BLOCK D, HOME ACRES; THENCE S90°00'00"W ALONG THE NORTH LINE OF LOT 5, BLOCK D, A DISTANCE OF 51.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 5; THENCE S00°04'22"E ALONG THE WEST LINE OF SAID LOT 5, A DISTANCE OF 115.45 FEET TO A POINT ON AFORESAID NORTH RIGHT OF WAY LINE OF LEE ROAD; THENCE S89°45'12"W, 257.52 FEET TO THE POINT OF INTERSECTION OF THE NORTH LINE OF LEE ROAD AND THE WEST RIGHT OF WAY LINE OF BENNETT AVENUE; THENCE NORTHERLY ALONG SAID WEST RIGHT OF WAY LINE A DISTANCE OF 1,434 FEET MORE OR LESS; TO THE NORTHEAST CORNER OF PARK GREEN; ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 10, PAGE 90, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN

N89°58'47"W A DISTANCE OF 491.91 FEET; THENCE N00°07'54"E A DISTANCE OF 186.84 FEET; THENCE S89°56'22"E A DISTANCE OF 191.75 FEET; THENCE N00°07'54"E A DISTANCE OF 320.55 FEET; THENCE N89°53'51"E A DISTANCE OF 49.46 FEET; THENCE N00°12'06"E A DISTANCE OF 103.89 FEET TO THE SOUTH RIGHT OF WAY LINE OF AFORESAID MONROE AVENUE; THENCE N90°00'00"E ALONG SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 295.57 FEET TO THE POINT OF BEGINNING.

LESS THE FOLLOWING:

LOTS 10, 11 AND 17, BLOCK "F", AND VACATED RIGHT OF WAY NORTH OF LOTS 10 AND 11, AND EAST OF LOT 11; HOME ACRES ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK "M", PAGE 97, IN THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

LOT 1, BLOCK "H", HOME ACRES ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK "M", PAGE 97, IN THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

LOTS 11, 12 AND 16, BLOCK "L", AND VACATED RIGHT OF WAY EAST OF LOT 16, BLOCK "L"; AND THE NORTH 1/2 OF LOT 13, BLOCK "L", HOME ACRES ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK "M", PAGE 97, IN THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

ALSO LESS:

A PORTION HOME ACRES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK "M", PAGE 97, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE WEST RIGHT OF WAY LINE OF BENJAMIN AVENUE, WITH THE NORTHERLY RIGHT OF WAY LINE OF STATE ROAD NO. 438 (LEE ROAD), AS SHOWN ON THE STATE OF FLORIDA, STATE ROAD DEPARTMENT RIGHT OF WAY MAP, SECTION 75190-2502, SHEET 34 OF 42; THENCE RUN N.00°04'22"W. ALONG SAID WEST RIGHT OF WAY LINE OF BENJAMIN AVENUE, A DISTANCE OF 21.00 FEET FOR A POINT OF BEGINNING; THENCE RUN N.00°04'22"W. DISTANCE OF 143.39 FEET; THENCE RUN N.89°45'12"E. A DISTANCE OF 137.00 FEET; THENCE S.00°04'22"E. A DISTANCE OF 143.39 FEET; THENCE RUN S.89°45'12"W. A DISTANCE OF 137.00 FEET TO THE POINT OF BEGINNING.

ALSO LESS:

A PORTION OF BLOCK "A", HOME ACRES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK "M", PAGE 97, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE WEST RIGHT OF WAY LINE OF STATE ROAD NO. 15 & 600, (ORLANDO AVENUE) PER STATE ROAD DEPARTMENT RIGHT OF WAY MAP, SECTION NO. 75030-2205 & 75030-2502, WITH THE SOUTH RIGHT OF WAY LINE OF KINDEL AVENUE, ACCORDING TO THE AFOREMENTIONED PLAT, THENCE RUN N89°50'56"W ALONG SAID SOUTH RIGHT OF WAY LINE OF KINDEL AVENUE A DISTANCE OF 6.00 FEET; THENCE RUN S00°04'04"W ALONG A LINE LYING 6.00 FEET WEST OF (BY PERPENDICULAR MEASUREMENT) AND PARALLEL WITH AFORESAID WEST RIGHT OF WAY LINE OF STATE ROAD NO. 15 AND 600, A DISTANCE OF 92.96 FEET; THENCE RUN N89°55'56"W A DISTANCE OF 15.58 FEET FOR A POINT OF BEGINNING; THENCE RUN S00°04'04"W A DISTANCE OF 178.00 FEET; THENCE N89°55'56"W A DISTANCE OF 78.09 FEET; THENCE N00°04'04"E A DISTANCE OF 178.00 FEET; THENCE S89°55'56"E A DISTANCE OF 78.09 FEET TO THE POINT OF BEGINNING.

ADDED LAND AREA – PER ORDINANCE NO: 2957-14  
970 LOREN AVENUE  
1000 LOREN AVENUE  
1008 LOREN AVENUE

1306 LOREN AVENUE  
1141 LOREN AVENUE  
1313 LOREN AVENUE

ADDED LAND AREA – PER ORDINANCE NO: 3022-15  
1531 LEE ROAD  
1325 LEWIS DRIVE

ADDED LAND AREA – PER RESOLUTION NO: 2223-19  
1308 LOREN AVE  
1501 LEE ROAD

ADDED LAND AREA – PER RESOLUTION NO: 2237-20  
0.84 ACRES) OF THE LEWIS DRIVE AND BENNETT AVENUE PUBLIC RIGHTS-OF-WAY  
/308/312/322 MONROE AVENUE  
1396 BENNETT AVENUE

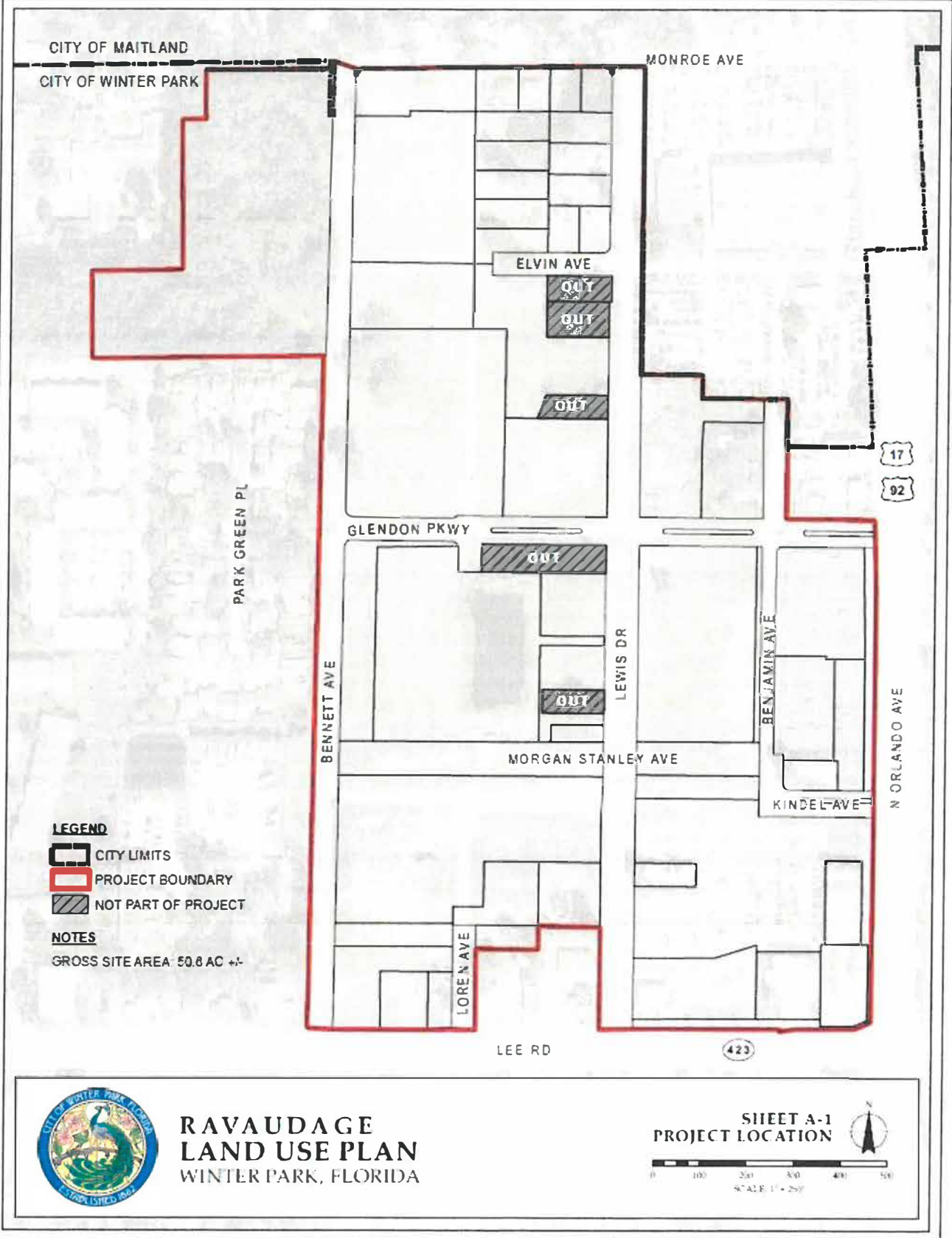
ALL OF THE ABOVE DESCRIBED PROPERTY CONTAINS 50.646.7 ACRES MORE OR LESS.

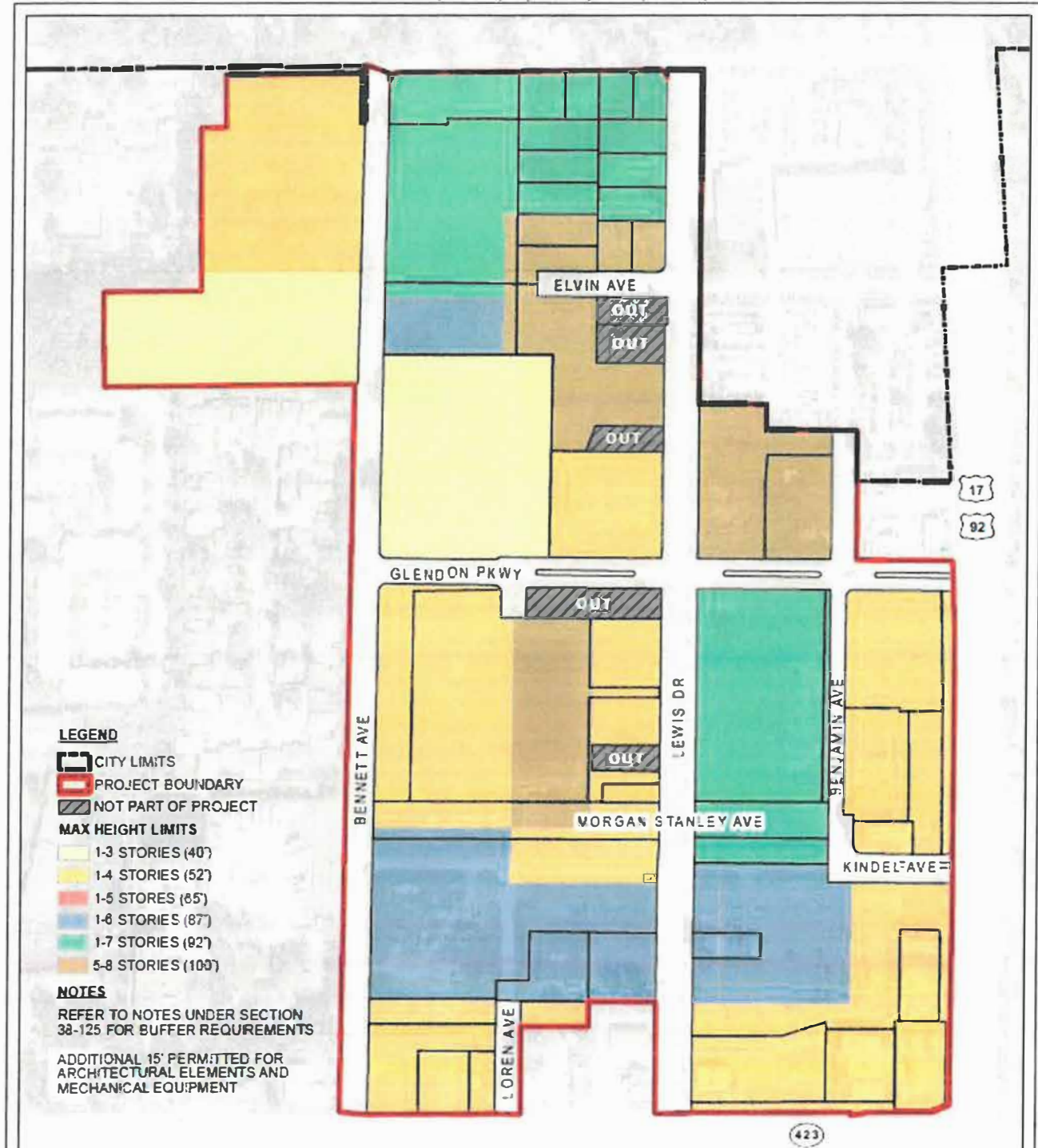
EXHIBIT "B"

RAVAUDAGE LAND USE PLAN

SEE ATTACHED MAP SERIES

NOTE: IN CASES OF CONFLICT BETWEEN THE FOLLOWING LAND USE PLAN MAP SERIES AND THE DEVELOPMENT ORDER, THE TEXT OF THE AMENDED AND RESTATED DEVELOPMENT ORDER SHALL PREVAIL





**LEGEND**

- CITY LIMITS
- PROJECT BOUNDARY
- NOT PART OF PROJECT
- MAX HEIGHT LIMITS**
- 1-3 STORIES (40')
- 1-4 STORIES (52')
- 1-5 STORIES (65')
- 1-6 STORIES (87')
- 1-7 STORIES (92')
- 5-8 STORIES (100')

**NOTES**

REFER TO NOTES UNDER SECTION 38-125 FOR BUFFER REQUIREMENTS

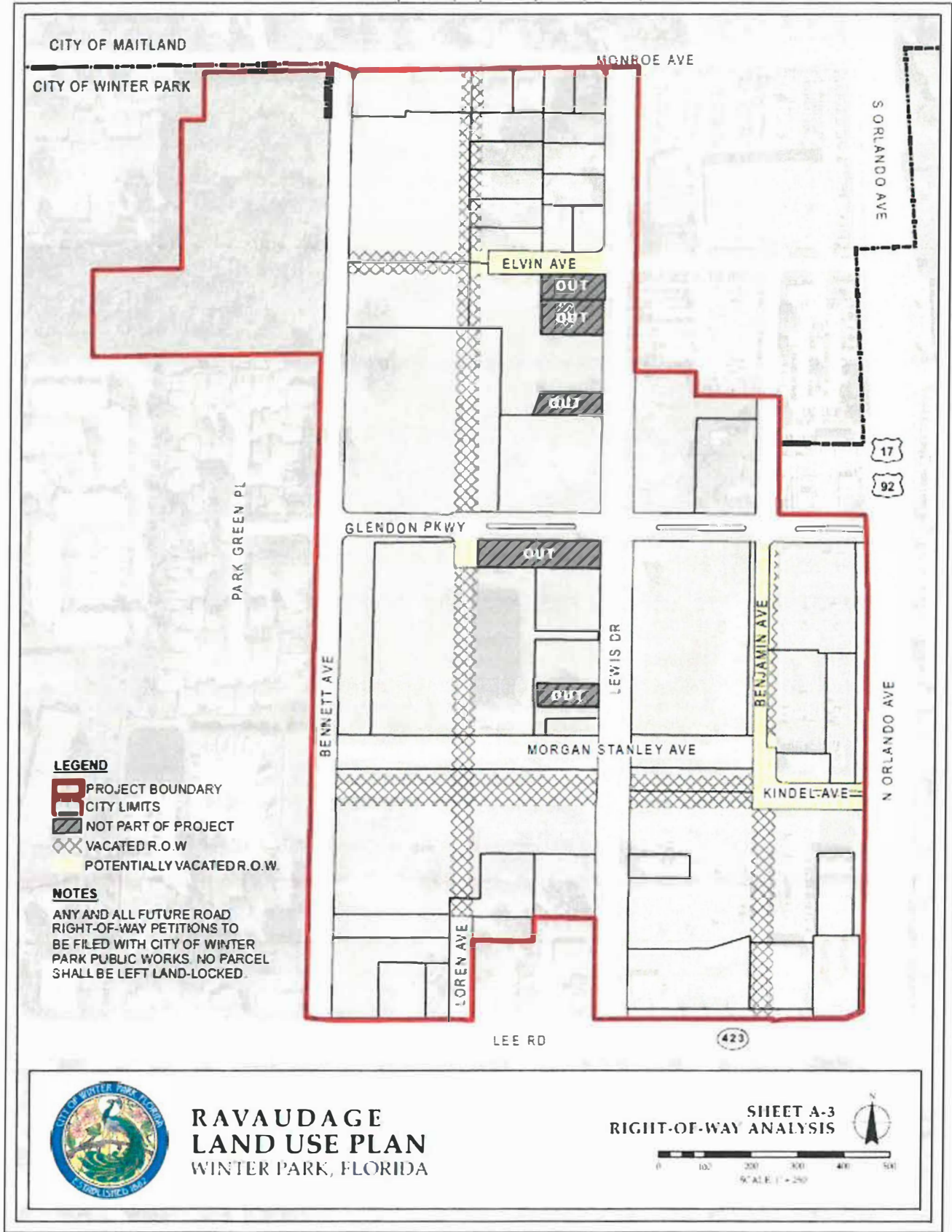
ADDITIONAL 15' PERMITTED FOR ARCHITECTURAL ELEMENTS AND MECHANICAL EQUIPMENT

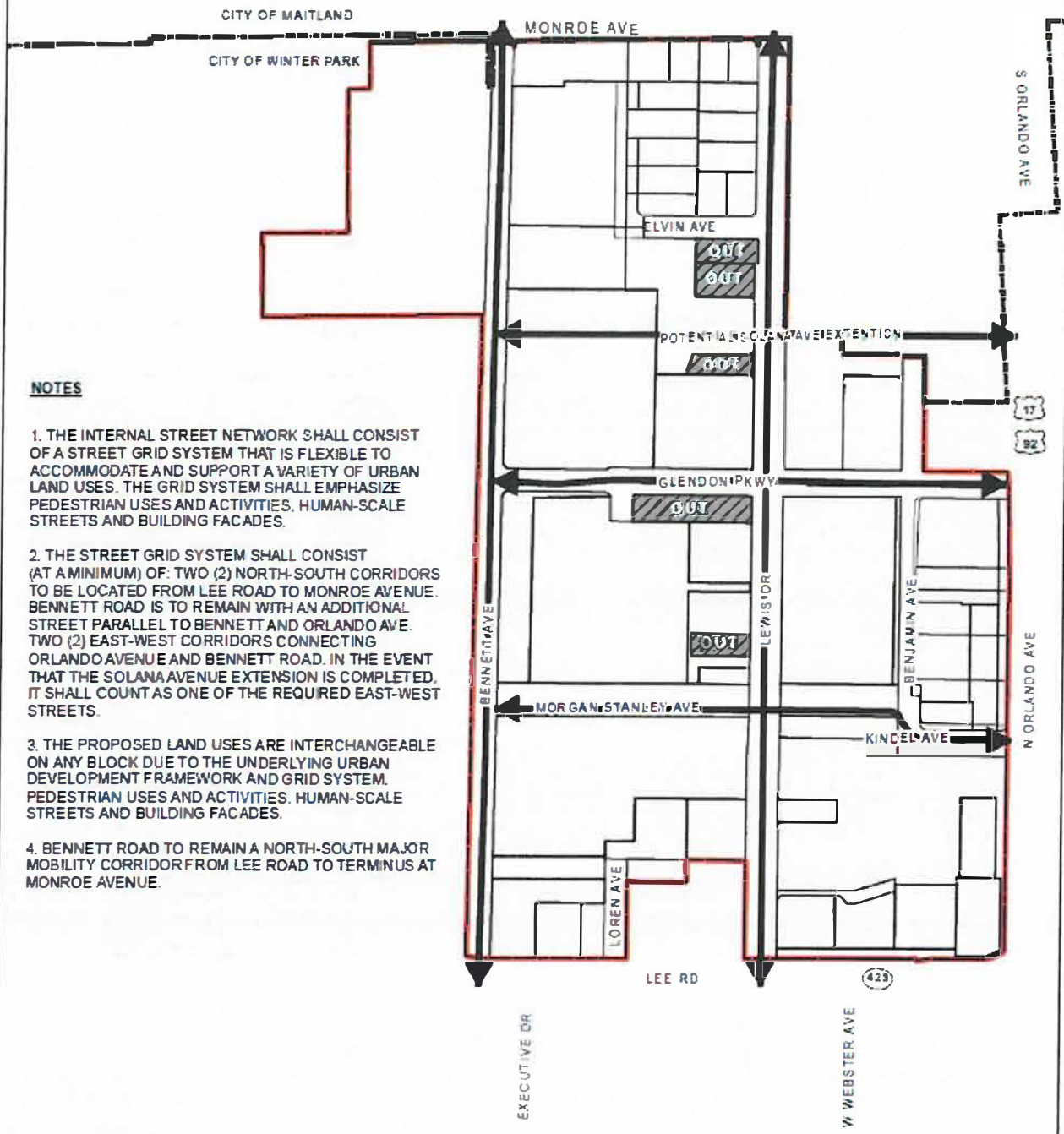


**RAVAUDAGE  
LAND USE PLAN**  
WINTER PARK, FLORIDA

SHEET A-2  
MAXIMUM HEIGHT ZONES

SCALE 1" = 200'





**NOTES**

1. THE INTERNAL STREET NETWORK SHALL CONSIST OF A STREET GRID SYSTEM THAT IS FLEXIBLE TO ACCOMMODATE AND SUPPORT A VARIETY OF URBAN LAND USES. THE GRID SYSTEM SHALL EMPHASIZE PEDESTRIAN USES AND ACTIVITIES, HUMAN-SCALE STREETS AND BUILDING FACADES.
2. THE STREET GRID SYSTEM SHALL CONSIST (AT A MINIMUM) OF: TWO (2) NORTH-SOUTH CORRIDORS TO BE LOCATED FROM LEE ROAD TO MONROE AVENUE. BENNETT ROAD IS TO REMAIN WITH AN ADDITIONAL STREET PARALLEL TO BENNETT AND ORLANDO AVE. TWO (2) EAST-WEST CORRIDORS CONNECTING ORLANDO AVENUE AND BENNETT ROAD. IN THE EVENT THAT THE SOLANA AVENUE EXTENSION IS COMPLETED, IT SHALL COUNT AS ONE OF THE REQUIRED EAST-WEST STREETS.
3. THE PROPOSED LAND USES ARE INTERCHANGEABLE ON ANY BLOCK DUE TO THE UNDERLYING URBAN DEVELOPMENT FRAMEWORK AND GRID SYSTEM. PEDESTRIAN USES AND ACTIVITIES, HUMAN-SCALE STREETS AND BUILDING FACADES.
4. BENNETT ROAD TO REMAIN A NORTH-SOUTH MAJOR MOBILITY CORRIDOR FROM LEE ROAD TO TERMINUS AT MONROE AVENUE.

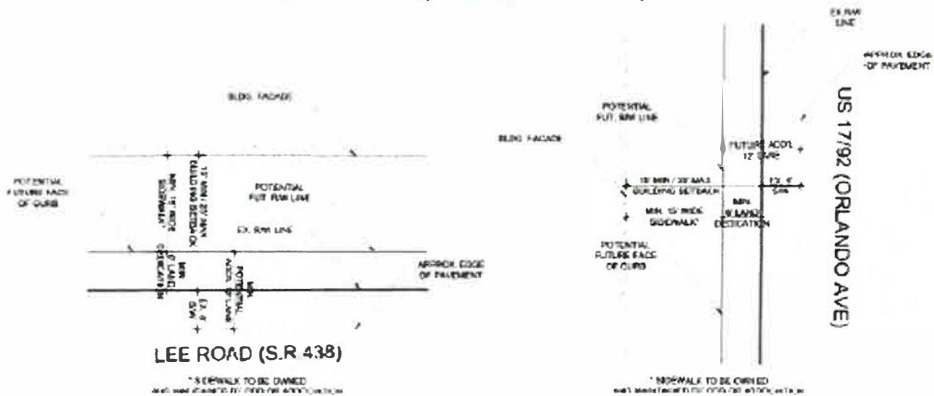


**RAVAUDAGE  
LAND USE PLAN  
WINTER PARK, FLORIDA**

**SHEET A-3  
ULTIMATE STREET GRID**

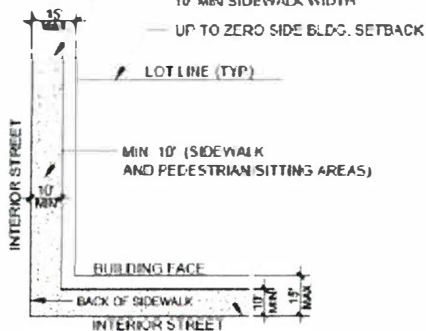


**BUILDING SETBACKS FROM LEE ROAD AND U.S. 17/92 (ORLANDO AVENUE)**



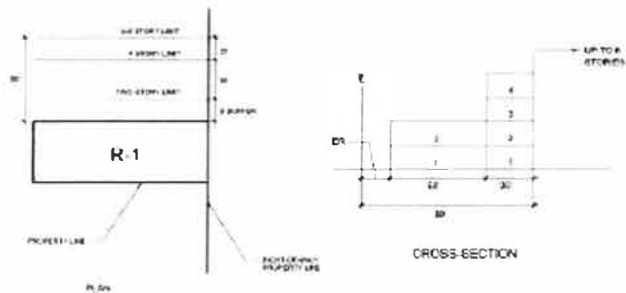
**INTERIOR STREET SETBACKS**

0-15' BUILDING SETBACK FROM BACK OF SIDEWALK  
10' MIN SIDEWALK WIDTH



NOTE  
MAXIMUM FACADE  
SETBACK OF 15'

**BUILDING SETBACKS ABUTTING SINGLE FAMILY RESIDENTIAL LOT NOT PART OF THE RAVAUDAGE PD**



**RAVAUDAGE  
LAND USE PLAN  
WINTER PARK, FLORIDA**

**SHEET A-5  
BUILDING SETBACKS**

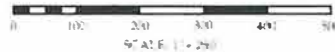


EXHIBIT "C"  
[Section 4 of the Annexation Agreement]

**Section 4. Development Conditions Regarding Traffic Facilities.**

- a. Project development shall require new traffic lights onto US 17-92 and Lee Road. It shall be at the option of the Developer or a Community Development District ("CDD" ) which may be formed, which traffic light to construct first. When the project reaches or exceeds 151,000 square feet, the Developer or CDD shall at their expense, complete a traffic signal warrant study within six months of issuance of certificates of occupancy for said buildings and seek Florida DOT approval for the first traffic light. If the proposed traffic signal meets the warrants and is approved by Florida DOT, then the, Developer or CDD shall, at their expense, install the first traffic light subject to the DOT permit and conditions. If the traffic volumes or other conditions do not warrant the first traffic light and it is not approved by Florida DOT, then the Project may continue to proceed with additional expansions but the traffic signal warrant study shall be updated annually, at Developer or CDD's expense, and Developer or CDD shall seek Florida DOT approval. At the time then when the first traffic signal is approved by Florida DOT, the Developer or CDD shall then, at their expense, install the first traffic light subject to DOT permit and conditions. When the Project reaches or exceeds 490,000 square feet, the Developer or CDD shall at their expense, complete a traffic signal warrant study within six months of issuance of certificates of occupancy for said



buildings and seek Florida DOT approval for the second traffic light. If the second proposed traffic signal meets the warrants and is approved by Florida DOT, then the Developer or CDD shall, at their expense, install the second traffic light subject to the DOT permit and conditions. If the traffic volumes or other conditions do not warrant the second traffic light and it is not approved by Florida DOT, then the Project may continue to proceed with additional expansions but the traffic signal warrant study shall be updated annually for at least three consecutive years thereafter, at Developer's or CDD's expense and Developer or CDD shall seek Florida DOT approval for the second traffic light. At the time the second traffic signal is approved by Florida DOT, the Owners, Developer, or CDD shall, at their expense, install the second traffic light subject to DOT permit and conditions. For both traffic lights, the Developer or CDD, at their sole cost, shall be responsible for the installation of an enhanced mast arm signalized interconnected intersection, as well as the laneage improvements necessary.

- b. For site access purposes at the proposed intersection of Solana Avenue and US 17-92 the western extension of Solana Avenue into the Project must not dead end into a commercial, residential or office development, and must connect, to an internal roadway which connects to either Bennett Avenue, Monroe Avenue or Lee Road. At the time of the traffic signal installation at Solana



Avenue, the Developer or CDD shall pay for the cost of the closure of all medians on US 17-92, with the exception of Dixon Avenue, from Park Avenue to Lee Road, subject only to FDOT approval for any median closure.

- c. For site access purposes at the proposed intersection of Bennett Avenue and Lee Road, the northern leg of this intersection must be realigned to connect and align with Executive Drive. The realigned roadway into the Project must not dead end into a commercial, residential or office development, and must connect, to an internal roadway which connects to Monroe Avenue or US 17-92.
- d. The Developer or CDD must close the 11 existing private property curb cuts/driveways on US 17-92 or traffic signal warrant study must assume such closure.

**Section 5. Development Conditions Regarding Private Buildings and the Property.**

- a. The City and Owners agree to accept and be governed by the Orange County PD and Commercial Future Land Use designation(s) on the Property and the Orange County PD zoning designations and all other applicable provisions of the Orange County Land Development Code. The City and Owners agree to accept and be governed by the specific approvals of PD future land use and PD zoning, as have been granted by Orange County, including all waivers and conditions thereto which are included as a part of this Agreement as Exhibit "C".





# Development Review Committee

# agenda item 4.b

## item type

Public Hearings (Public participation and comment on these matters must be in person.)

## meeting date

October 2, 2024

## prepared by

Allison McGillis, Director of Planning and Zoning

## approved by

Allison McGillis, Director of Planning and Zoning

## subject

**Request of Benjamin Partners, LTD for:** An amendment to the Ravaudage Planned Development boundary, to include 1251 Lewis Drive, and additional associated entitlements of 9,937 square feet of commercial and three (3) residential units.

## motion | recommendation

Staff recommendation is for approval.

## background

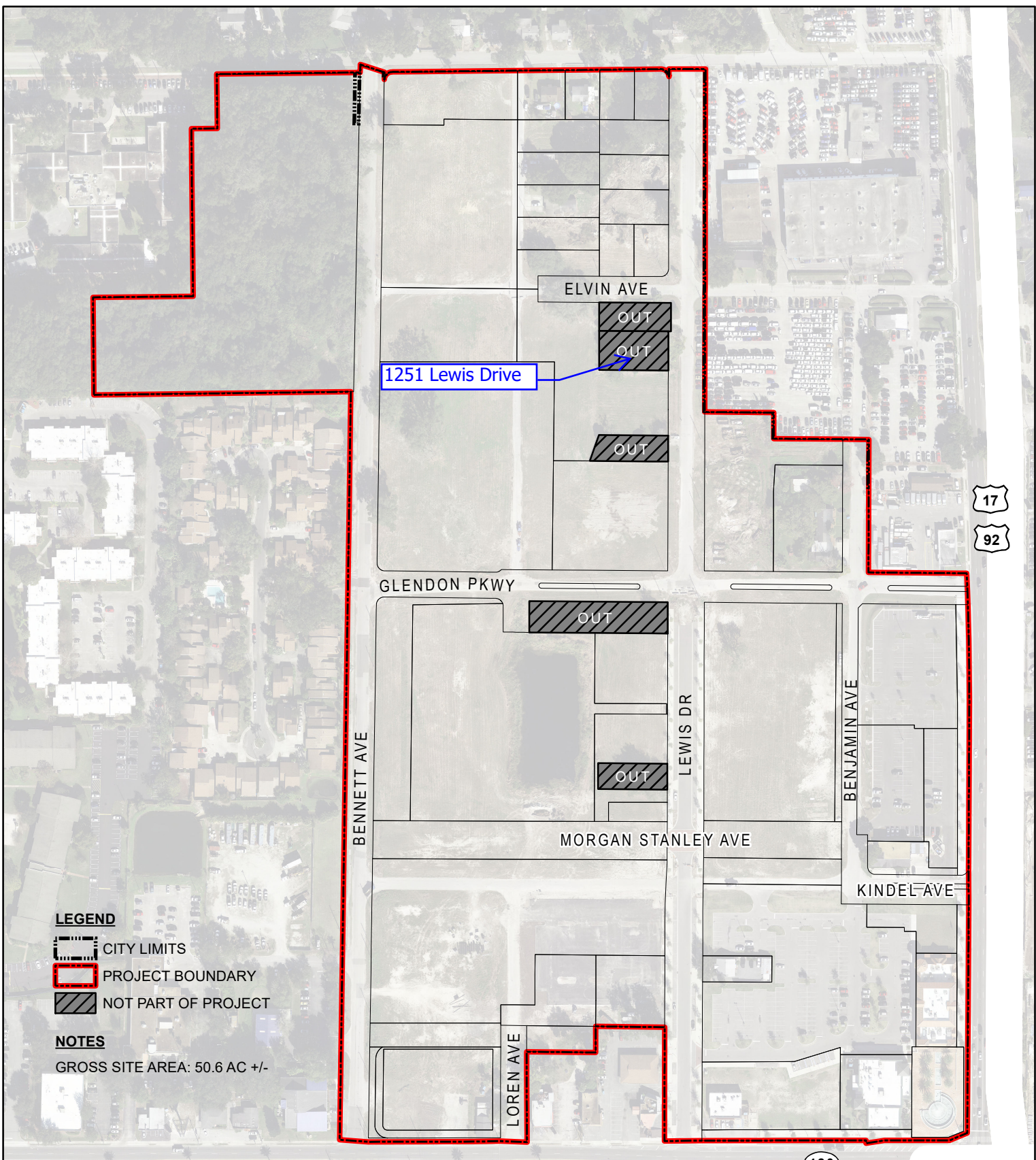
The applicant, or master developer for the Ravaudage Planned Development (PD), has purchased 1251 Lewis Drive, which is bounded by the Ravaudage PD Boundary (see attached map). The applicant is requesting to add this property into the Ravaudage PD. This addition would result in added entitlements of 9,937 square feet of commercial and three (3) residential units. This application also requires Planning & Zoning Board and City Commission approval for the future land use amendment and rezoning necessary to accomplish this request.

## alternatives | other considerations

## fiscal impact

## attachments

1. Project Location Map
2. 1251 Lewis Drive DRC app 10.02.2024



**LEGEND**

- CITY LIMITS
- PROJECT BOUNDARY
- NOT PART OF PROJECT

**NOTES**

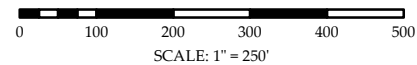
GROSS SITE AREA: 50.6 AC +/-

423



**RAVAUDAGE  
LAND USE PLAN  
WINTER PARK, FLORIDA**

**SHEET A-1  
PROJECT LOCATION**



# DRC Meeting Application



**who to contact** Allison McGillis, Assistant Planning Director ph 407.599.3665 fax 407.599.3499  
 amcgillis@cityofwinterpark.org 401 S. Park Ave. Winter Park, FL 32789

**Submittal Date:** September 9, 2024 **Tentative DRC Date:** October 2, 2024

**Project Name:** Ravaudage Planned Development

**Project Address:** 1251 Lewis Drive Winter Park, FL 32789

**Request Type:**

- Concept Plan or Preliminary Plan
- Change Determination - Previously Approved Plan Revision / Development Order Modification
- Final Plan Submittal
- Preliminary Review Item / DRC Discussion Item

**Project Type:**  Commercial  Office  Residential  Mixed-Use

**PLEASE SPECIFY BELOW, IN DETAIL, YOUR REQUEST FOR CONSIDERATION BY THE DRC**  
 ( OR ATTACH LETTER)

Adding 1251 Lewis Drive into the PD and up dating the associated entitlements.

3.36 residential units

9,937.5 sq ft of Commercial FAR

Applicant/ Authorized Agent: Dan Bellows Phone: 407-620-3005 Email: W1454@aol.com

Signature:  Address: PO Box 350 Winter Park, Fla 32790

Owner: \_\_\_\_\_ Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Signature: \_\_\_\_\_ Address: \_\_\_\_\_

**Fee Payment Schedule**

All DRC application fees are paid to the Planning Department located on the second floor of City Hall, 401 S. Park Avenue, Winter Park, FL 32789. All Checks are to be made payable to the City of Winter Park.

**Concept Plan or Preliminary Plan —\$300.00**

**Final Plan Submittal / Development Order Modification — \$500.00**

**Plan Revision / Preliminary Review Item / Staff Discussion — \$200.00**

**REQUIRED BACKUP MATERIALS**

Please consult with planning staff at the required pre-application conference.  
 One hard-copy 11 by 17 and electronic plan set (PDF) of required backup materials.

## DRC REQUEST OCTOBER 2, 2024

**1251 Lewis Drive:** Add to the Ravaudage Planned development.

**Lot Size:** 75' x 132.5' = 9,937.5 sq ft

**INCREASE IN ENTITLEMENTS:** (Residential 3.36 units)

43,560/14.76 units to the ac = 2,951.21  
sq ft.

9,937.5/2,951.21 = 3.36 additional units

(Commercial FAR 9,937.5 sq ft)

Lot size 9,937.5 sq ft @ 100% FAR =  
9,937.5 sq ft





# Development Review Committee

# agenda item 4.c

## item type

Public Hearings (Public participation and comment on these matters must be in person.)

## meeting date

October 2, 2024

## prepared by

Allison McGillis, Director of Planning and Zoning

## approved by

Allison McGillis, Director of Planning and Zoning

## subject

**Request of Benjamin Partners, LTD for:** Development Plan Approval to construct a four (4) story 38,350-square foot mixed-use building consisting of retail, extended stay hotel units and residential along with a Development Plan modification of the previously approved McCallister parking garage/commercial liner building to a free-standing parking garage of 441 parking spaces, at the southwest corner of Benjamin Avenue and Morgan Stanley Avenue, within the Ravaudage Planned Development.

## motion | recommendation

Staff recommendation is for approval with the following conditions:

1. Prior to a Certificate of Occupancy for the parking garage, the proposed oak trees to screen the southern portion of the garage are planted, and must be at least 8 inches in diameter at the time of planting.
2. If the permit has not been issued for the 1320 Morgan Stanley Avenue building prior to the Certificate of Occupancy for the parking garage, then parking garage's northern elevation shall be revised/enhanced to include added architectural details, EFIS/precast moldings and trim, aluminum railings and a landscaping detail similar to the southern elevation.
3. Both buildings must incorporate the required bicycle parking spaces per Orange County codes.
4. The applicant shall provide either at least 10% of the multi-family residential units built to be certified affordable housing or pay a fee in lieu of the requirement into the city's affordable housing trust fund at \$0.50/square foot for the multi-family square footage or to a non-profit affordable housing entity to provide for use within the city, subject to approval by city staff.
5. A pickleball court and/or shuffle board court be added to the recreation plan to satisfy the active recreation requirement. If placed on the top of the parking garage, there shall be a shade structure provided for the court(s) that is architecturally compatible, and contains similar colors and materials to the parking garage.
6. All back of house items like the electric meter connections, transformer/switch gear, metering, etc. be effectively screened from the rights-of-way surrounding both

buildings.

## **background**

In October 2022, this project site at the southwest corner of Benjamin Avenue and Morgan Stanley Avenue received approval for a four-level parking garage with 483 spaces and an attached retail/commercial liner building of 12,041-square feet.

This revised development plan request is to divide the two components into separate buildings. Fronting on Morgan Stanley Avenue, the proposal is for a four-story 38,350-square foot, mixed-use building consisting of 7,145-square feet of commercial on the first floor, 13 extended-stay hotel units on the second floor, eight apartments on the third floor, and eight apartments on the fourth floor (total of 16). There will then be a 20 to 25-foot break between this four-story building and the revised free-standing parking garage that will be occupied with artificial turf, seating, and other outdoor amenities.

The previously approved enclosed pedestrian bridge is no longer part of the parking garage request. The revised parking garage will still be four-levels with 441 spaces (reduced from 483). The parking garage will be accessible from the Lewis Drive to the west and from the east within the existing parking lot behind Ale House.

The parking requirement for the mixed-use project is 61 spaces, which will be provided within the parking garage.

Architecturally, unlike the original plan, the garage will be visible from only three sides, as the mixed-use building to the north will screen its northern elevation. The visible sides of the garage will feature window framing and "Juliet" railings, as shown in the attached renderings. Where ventilation is required, the spandrel sections of the garage will be screened by oak trees, which will be planted at the time of construction. Staff is proposing a condition of approval regarding the trees. The architecture of the mixed-use building will be similar to the Bainbridge apartments to the west, with a Mediterranean influence, and be compatible with the surrounding area.

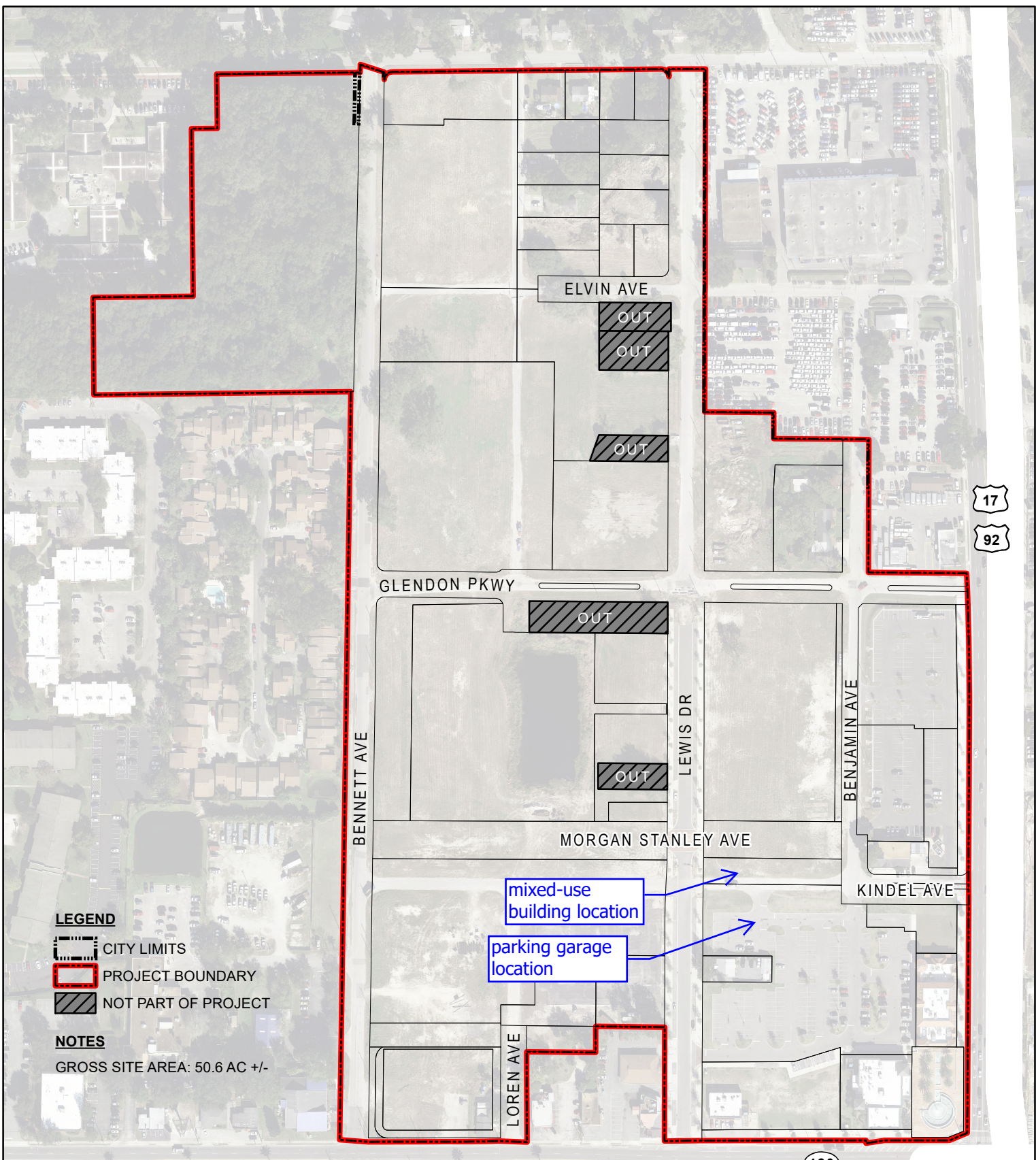
The mixed-use building will contain 16 apartment units, which, according to the DO, requires 3,659 square feet of recreation space (based on a requirement of 2.5 acres per 1,000 residents). This must be equally divided into active and passive recreation areas, each requiring 1,830 square feet. The applicant proposes 6,220 square feet for active recreation and 2,481 square feet for passive recreation, as detailed in the attached recreation plan. A portion of the active recreation space (4,740 square feet) includes a "fitness circuit" surrounding the mixed-use building and parking garage, but staff believes this sidewalk/setback area does not qualify as active recreation. The applicant has agreed to add a shuffleboard or pickleball court on the top floor of the parking garage to meet the square footage requirements for active recreation. Staff is recommending a condition to address this. Therefore, with the added court, the proposed recreation plan satisfies the requirements.

## **alternatives | other considerations**




### **fiscal impact**

### **attachments**

1. Project Location Map
2. 1320 Moran Stanley Avenue Mixed use building DRC application for 10.02.2024
3. DRC application for 10.02.2024 Meeting McCalliser garage 441 stalls 2024 09 09 DRC Application Garage
4. e23-2058-7\_McCPG RENDERINGS\_2024-09-18



**LEGEND**

-  CITY LIMITS
-  PROJECT BOUNDARY
-  NOT PART OF PROJECT

**NOTES**

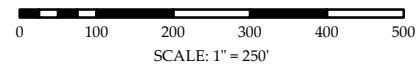
GROSS SITE AREA: 50.6 AC +/-

423



**RAVAUDAGE  
LAND USE PLAN  
WINTER PARK, FLORIDA**

**SHEET A-1  
PROJECT LOCATION**



# DRC Meeting Application



who to  
contact

**Allison McGillis, Assistant Planning Director**  
amcgillis@cityofwinterpark.org

ph 407.599.3665 fax 407.599.3499  
401 S. Park Ave. Winter Park, FL 32789

**Submittal Date:** September 9, 2024

**Tentative DRC Date:** October 2, 2024

**Project Name:** 1320 Morgan Stanley Avenue Mixed use building

**Project Address:** 1320 Morgan Stanley Avenue Winter Park, Fla 32789 Ravaudage PD

### Request Type:

- Concept Plan or Preliminary Plan  
 Change Determination - Previously Approved Plan Revision / Development Order Modification  
 Final Plan Submittal  
 Preliminary Review Item / DRC Discussion Item

**Project Type:**  Commercial  Office  Residential  Mixed-Use

**PLEASE SPECIFY BELOW, IN DETAIL, YOUR REQUEST FOR CONSIDERATION BY THE DRC**  
( OR ATTACH LETTER)

Site plan approval for a Four (4) story 38,350 sq ft Mixed use building

Ground level: Retail 7,145 sq ft

Second level: Hotel keys 13 extended stay

Third and Fourth levels: 8 apt units per floor total 16

Applicant/  
Authorized Agent: Dan Bellows Phone: 407-620-3005 Email: W1454@aol.com

Signature:  Address: PO Box 350 Winter Park, FI 32790

Owner: \_\_\_\_\_ Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Signature: \_\_\_\_\_ Address: \_\_\_\_\_

### Fee Payment Schedule

All DRC application fees are paid to the Planning Department located on the second floor of City Hall, 401 S. Park Avenue, Winter Park, FL 32789. All Checks are to be made payable to the City of Winter Park.

**Concept Plan or Preliminary Plan —\$300.00**

**Final Plan Submittal / Development Order Modification — \$500.00**

**Plan Revision / Preliminary Review Item / Staff Discussion — \$200.00**

### REQUIRED BACKUP MATERIALS

Please consult with planning staff at the required pre-application conference.

One hard-copy 11 by 17 and electronic plan set (PDF) of required backup materials.

## DRC REQUEST OCTOBER 2, 2024

**Project address:** 1320 Morgan Stanley Avenue.

**Project:** Mixed use Retail, Hotel, Apartment Building.

**Lot Size:** 60' x 264.02' = 15,841.20 sq ft.

**Stories:** Four (4).

**Building Height:** 54' including mansard.

**Garbage:** Provided for within Southeast corner of adjacent parking garage.

**Development Program:** **Retail:** 7,145 sq ft/333 = 22 parking spaces

**Hotel Keys:** 13 Rooms. Code is 1 for 1 ½ but providing 1 for 1 with 13 parking spaces.

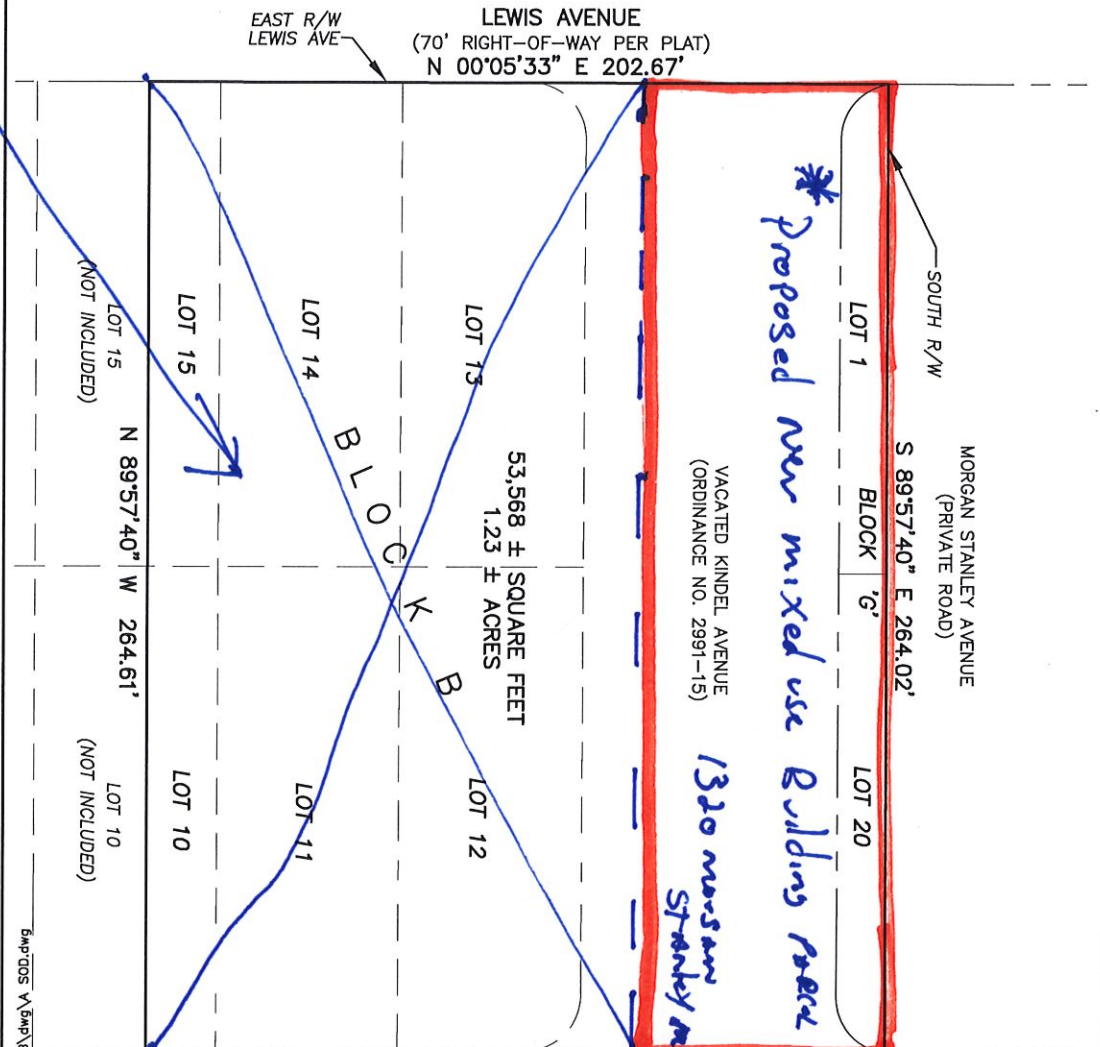
**Apartments:** <sup>Total</sup> 16 units) 2 – studios @ 1.25 = 2.5  
parking spaces.      6 – 1 Bdrm @ 1.25 = 7.5  
parking spaces.      8 – 2 Bdrm @ 2 = 16  
parking spaces.

**Total Parking:** 61 parking spaces provided

SKETCH OF DESCRIPTION  
(THIS IS NOT A SURVEY)



*Remains Free Standing Garage.*



*\* Lot split of approx 60' x 264' from existing 1320 Morgan Stanley Ave*

\\server\Public\Documents\Projects\Ravaudage - Block B\dwg\A\_SOD.dwg

- LEGEND:**
- NO. NUMBER
  - ORB OFFICIAL RECORD BOOK
  - PG PAGE
  - P.O.B. POINT OF BEGINNING
  - P.O.C. POINT OF COMMENCEMENT
  - R/W RIGHT-OF-WAY

SHEET 2 OF 2

**HLSM, LLC**  
Henrich-Luke-Swaggerty-Menard  
Professional Surveyors & Mappers  
Licensed Business No. 7276  
302 Live Oaks Boulevard  
Casselberry, Florida 32707  
P. (407) 647-7346  
Survey@HLSM.US

Job No:	0-019
Date:	2/19/24
Drawn By:	JJR
Scale:	1"=40'

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

SEE SHEET 1 OF 2 FOR SIGNATURE & SEAL

**SKETCH OF DESCRIPTION  
(THIS IS NOT A SURVEY)**

**DESCRIPTION:**

A PORTION OF LOTS 10 THROUGH 15, BLOCK 'B', AND A PORTION OF LOTS 1 & 20, BLOCK 'G', TOGETHER WITH A VACATED PORTION OF KINDEL AVENUE, HOME ACRES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK "M", PAGE 97, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

COMMENCE AT THE INTERSECTION OF THE WEST LINE OF STATE ROAD NO. 15 & 600 AND THE SOUTH RIGHT OF WAY LINE OF KINDEL AVENUE; THENCE, N89°50'56"W, A DISTANCE OF 244.05 FEET TO THE POINT OF BEGINNING; THENCE, S00°04'22"W, A DISTANCE OF 119.33 FEET; THENCE, N89°57'40"W, A DISTANCE OF 264.61 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF LEWIS AVENUE; THENCE, N00°05'33"E, ALONG SAID EAST RIGHT OF WAY LINE A DISTANCE OF 202.67 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF MORGAN STANLEY AVENUE; THENCE, S89°57'40"E, ALONG SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 264.02 FEET; THENCE, S00°04'22"E, A DISTANCE OF 83.34 FEET TO THE POINT OF BEGINNING.

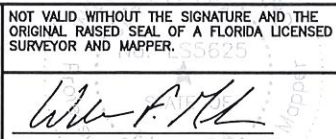
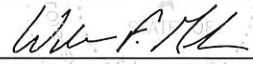
SAID LANDS CONTAINING 1.23 ACRES (53,568 SQUARE FEET) MORE OR LESS.

**SURVEYOR'S NOTES:**

1. The lands as shown hereon lie within Section 01, Township 22 S., Range 29 E., Orange County, Florida.
2. Bearings shown hereon are assumed relative to the southern right of way line of Kindel Avenue; said bearing being N89°50'56"W.
3. This is not a survey.

SHEET 1 OF 2

\\server\Public\Documents\Projects\Ravaudage - Block B\dwg\A\_SOD.dwg

<p><b>HLSM, LLC</b>                  Henrich-Luke-Swaggerty-Menard  <i>Professional Surveyors &amp; Mappers</i>                  Licensed Business No. 7276                  302 Live Oaks Boulevard                  Casselberry, Florida 32707                  P. (407) 647-7346                  Survey@HLSM.US</p>	Job No: <u>0-019</u> Date: <u>2/19/24</u> Drawn By: <u>JJR</u> Scale: <u>1"=40'</u>	NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.  William F. Menard Professional Surveyor & Mapper Florida Registration #5625
		



**RAVAUDAGE WINTER PARK**

**1320 MORGAN STANLEY AVE MIXED USE LINER BUILDING & MODIFIED GARAGE**

DRC APPLICATION PACKAGE

09.06.2024

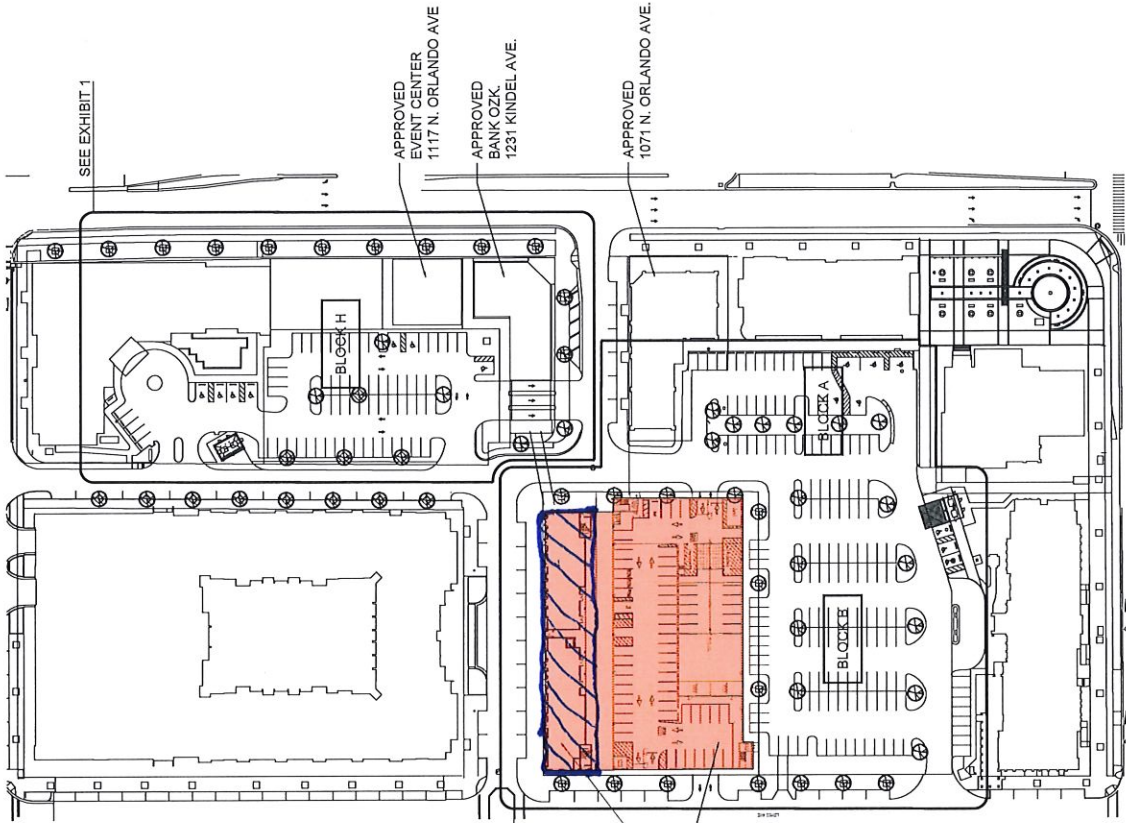
**PARKING MATRIX**

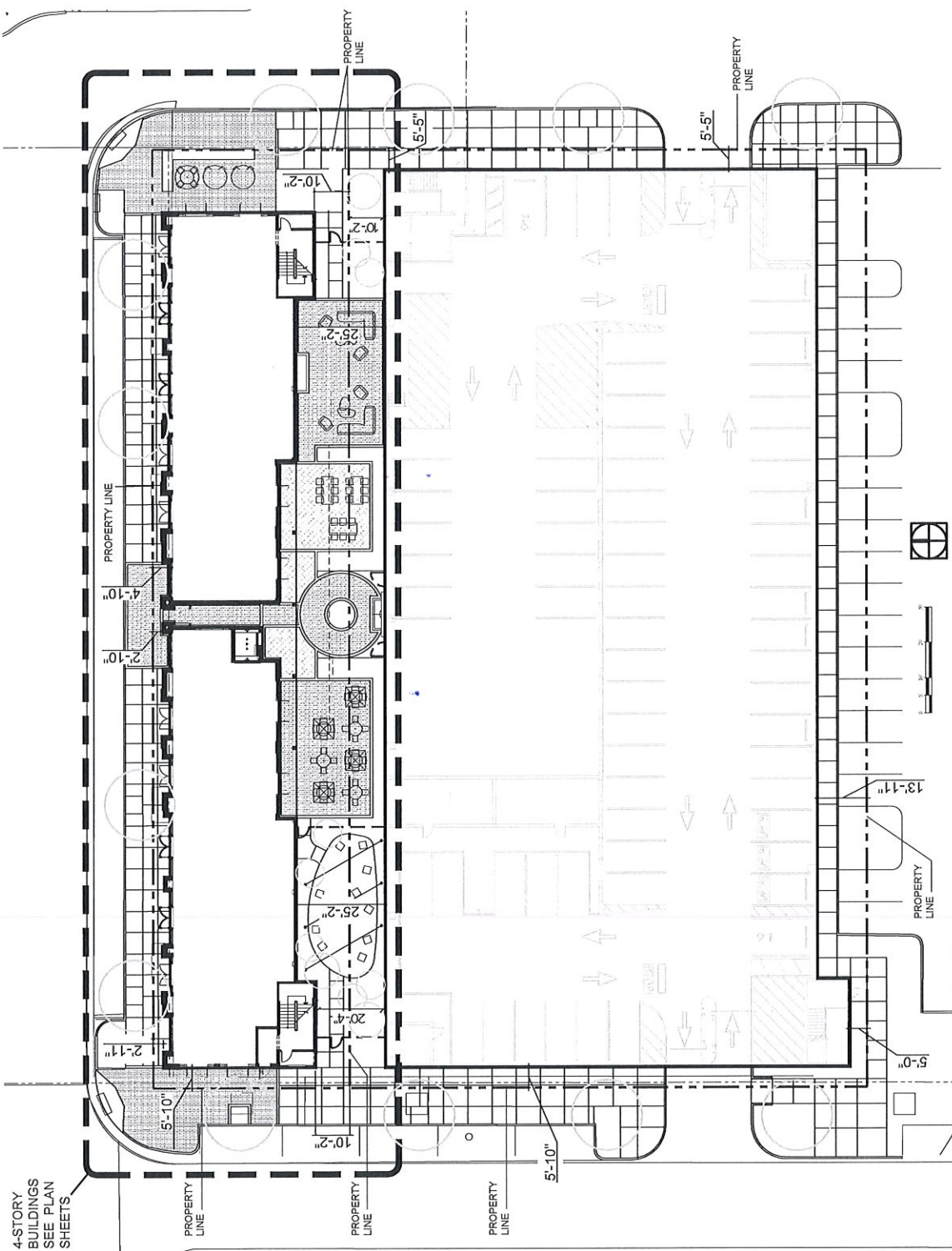
REQUIRED PARKING		PROVIDED PARKING	
1251 LEE RD: ALE HOUSE	75	1127 N. ORLANDO AVE: MARRIOTT SHS SURFACE PARKING	5
1275 LEE RD: HILTON	96	STANDARD HANDICAP	4
1035 N. ORLANDO AVE: MIX USE BUILDINGS	111	TOTAL	9
1071 N. ORLANDO AVE: PROPOSED MIX USE	81	1136 BENJAMIN AVE: SURFACE PARKING	56
1231 KINDEL AVE: BANK OZK	56	STANDARD HANDICAP	2
1320 MORGAN STANLEY AVE: RETAIL/APTS/HOTEL	60	TOTAL	58
1117 N. ORLANDO AVE: EVENT CENTER	45	BLOCK B McCALLISTER PARKING GARAGE	441
1127 N. ORLANDO AVE: MARRIOTT SHS EXISTING	84	BLOCK A & B SURFACE PARKING	147
1127 N. ORLANDO AVE: PROPOSED 44 ROOM MARRIOTT SHS EXPANSION	30	STANDARD HANDICAP	8
TOTAL	638	TOTAL	155
		TOTAL PARKING	683

\* AS OF 10/2/24 NO ON STREET CREDITS HAVE BEEN USED ALONG KINDEL, BENJAMIN, MORGAN STANLEY, OR LEWIS DR BETWEEN LEE RD & GLENDON PARKWAY

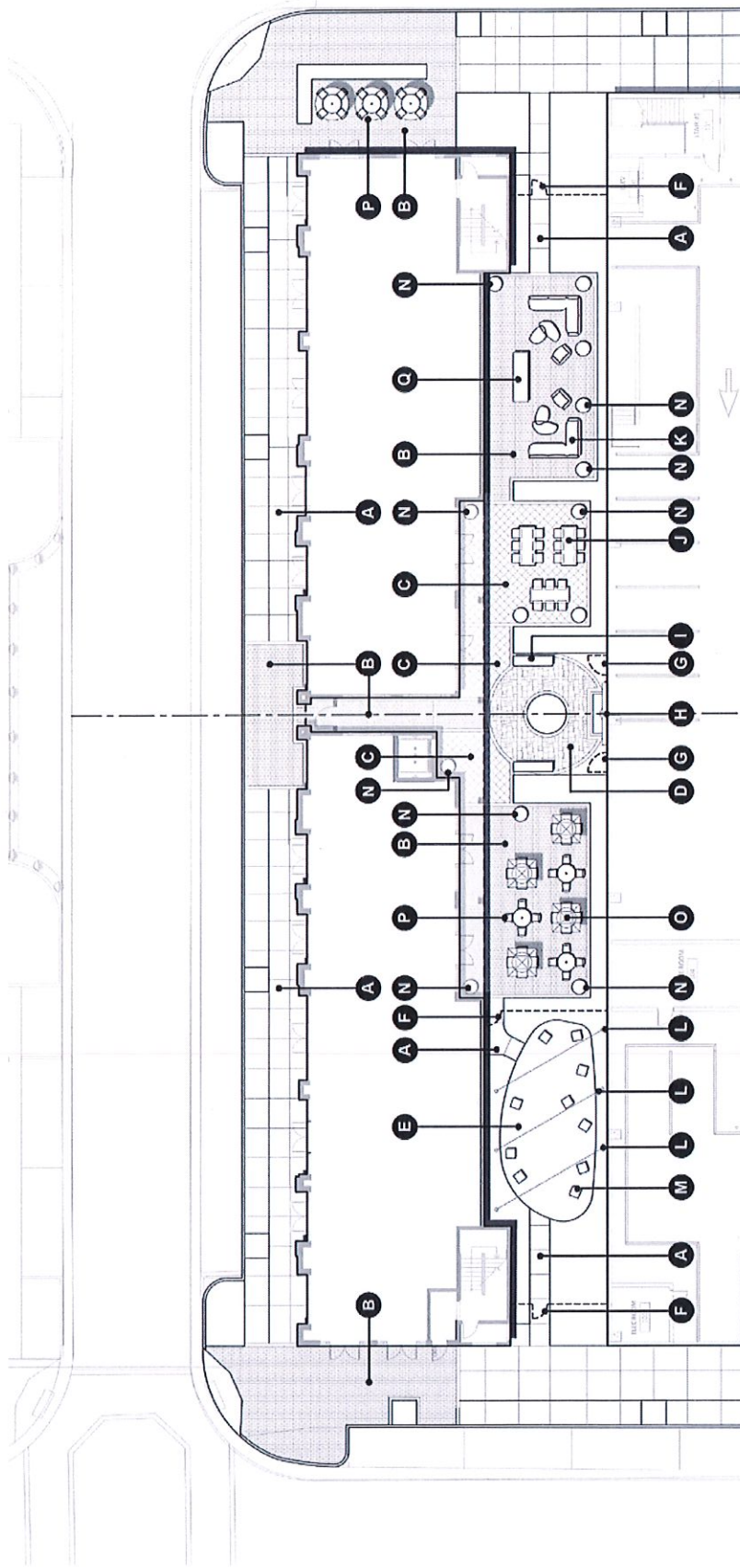
**1320 MORGAN STANLEY AVE  
RETAIL/APTS/HOTEL**

REQUIRED PARKING	SPACES
RETAIL: 7,145 SF/333 =	22
HOTEL KEYS: 13 ROOMS =	13
APTS:	
STUDIOS (1 SP) x 2 UNITS =	2
1 BDRM (1.25 SP) x 6 UNITS =	7.5
2 BDRM (2 SP) x 8 UNITS =	16
TOTAL:	60.5





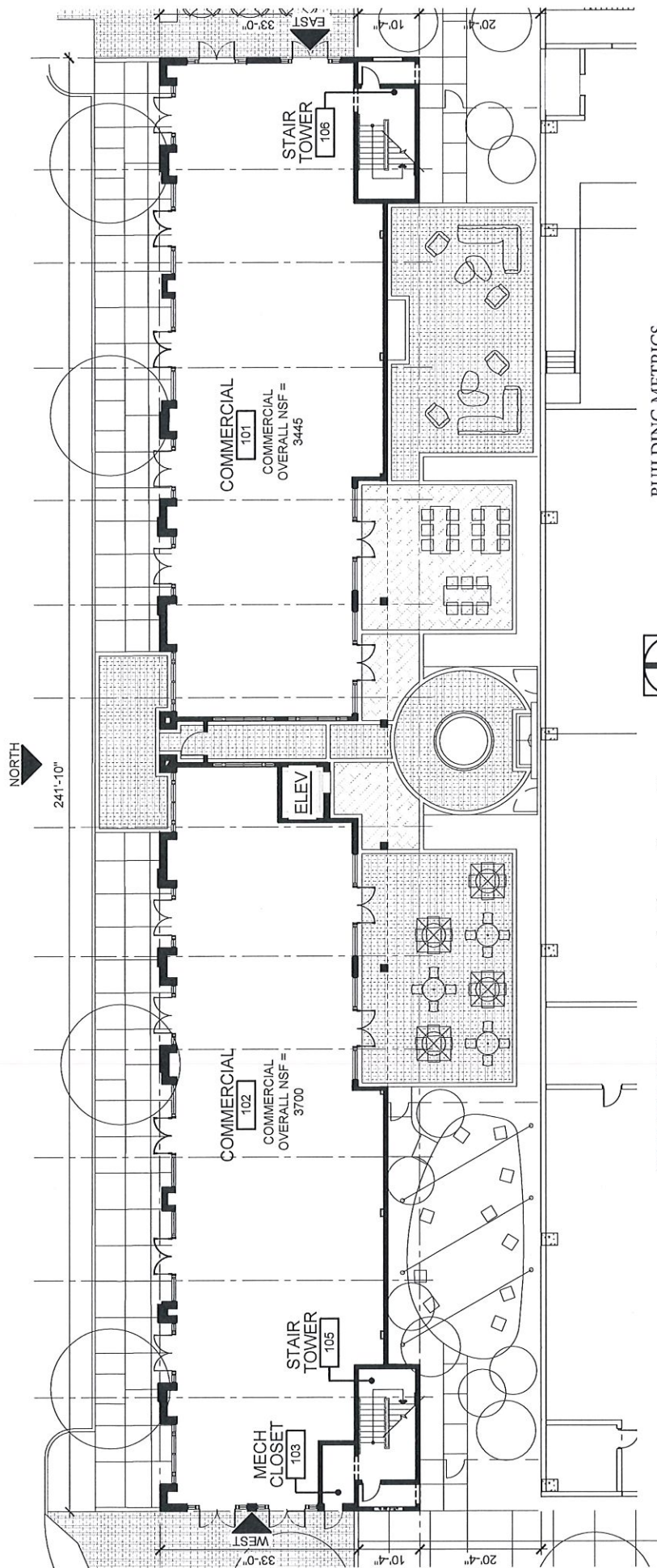
4-STORY BUILDINGS SEE PLAN SHEETS



- A** Concrete Walk
- B** Brick Paver
- C** Travertine Paver
- D** Granite Paver
- E** Synthetic Turf
- F** Security Fence w/ Gate
- G** Decorative Gate
- H** Water Feature
- I** Bench
- J** Dining Set (6 ppl)
- K** Outdoor Sectional Couch w/ Coffee Table
- L** Catenary Lighting
- M** Cube Seating
- N** Planter Pot
- O** Seating w/ Umbrella
- P** Seating w/ Shade Disc
- Q** Fire Place







1ST FLOOR PLAN  
COMMERCIAL FLOOR

**BUILDING METRICS**

- 1ST FLOOR NET RENTABLE LEASE AREA: 7,145 NSF
- 2ND FLOOR EXTENDED STAY HOSPITALITY: 13 UNITS
- 3RD & 4TH FLOOR MULTIFAMILY RESIDENTIAL:
  - STUDIO: 2
  - 1 BDRM: 6
  - 2 BDRM: 8
  - TOTAL: 16 UNITS

GROSS BUILDING AREA: 38,350 +/- SF

# Diagrammatic Recreation Plan

Passive Recreation Areas:  
Seating Areas (Benches)  
**793 SF**

Active Recreation Area 1:  
Synthetic Turf Area w/ Cornhole Boards  
**655 SF**

Passive Recreation Area:  
Seating Area  
**1,688 SF**

Active Recreation Area 3:  
Fitness Circuit  
**5' W x 948' L = 4,740 SF**

Active Recreation Area 2:  
Workout Station w/ 6 Pieces of Equipment  
**825 SF**

REQUIRED RECREATION AREA: 3,659 SF  
50% ACTIVE = 1,830 SF  
50% PASSIVE = 1,830 SF

PROVIDED RECREATION AREA:

**ACTIVE:**

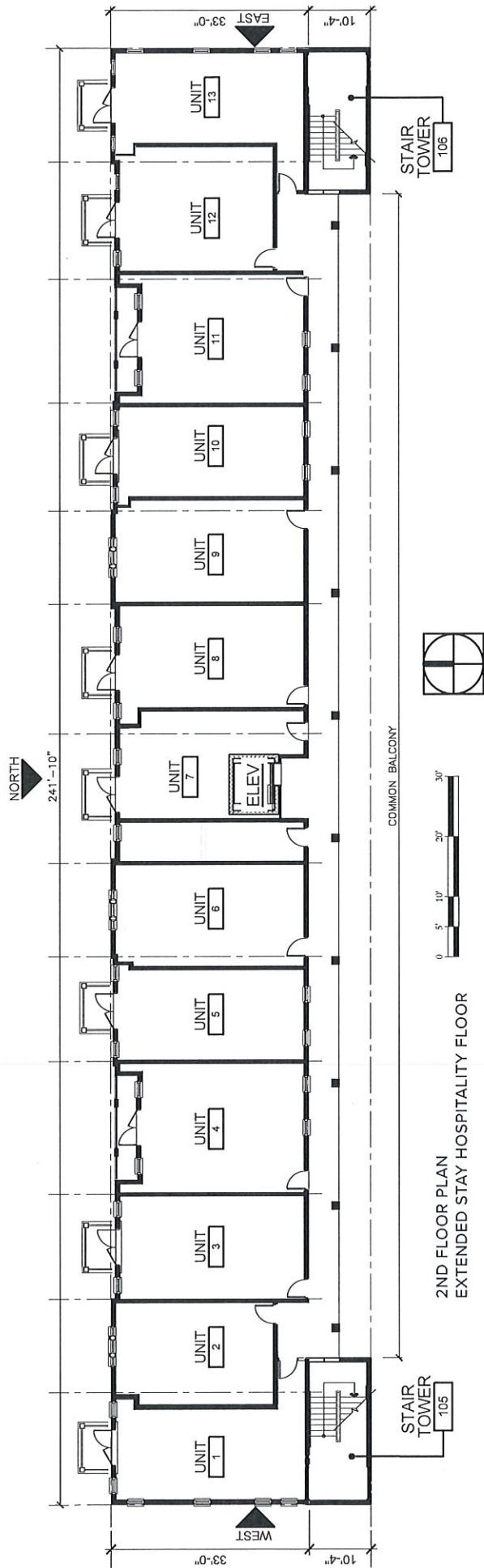
AREA 1 : 655  
AREA 2 : 825  
AREA 3 : 4,740

**TOTAL OF 6,220 SF**

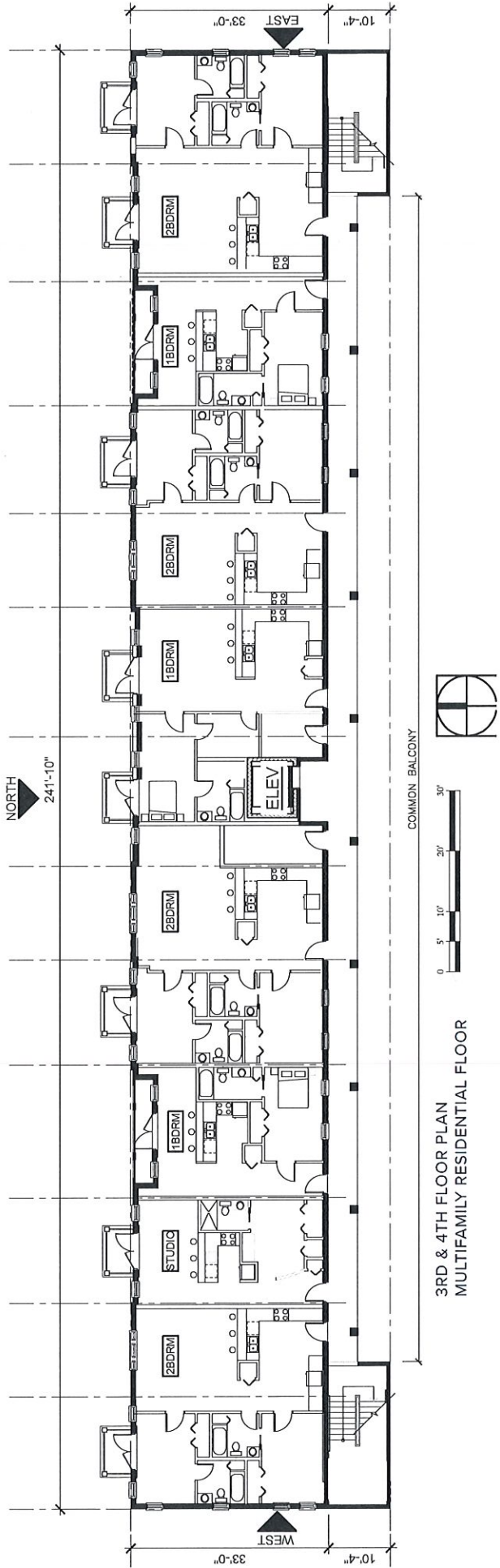
**PASSIVE:**

COURTYARD: 1,688 SF  
MORGAN STANLEY AVE: 793 SF

**TOTAL OF 2,481 SF**



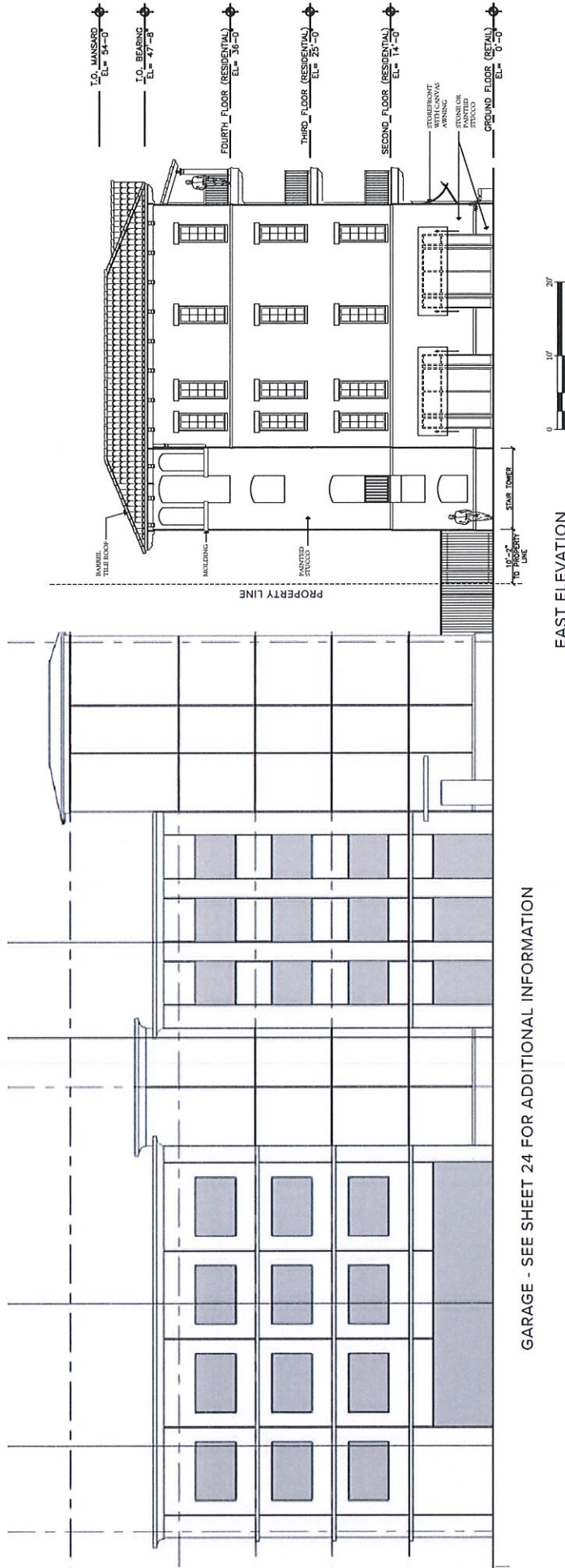
2ND FLOOR PLAN  
EXTENDED STAY HOSPITALITY FLOOR



3RD & 4TH FLOOR PLAN  
MULTIFAMILY RESIDENTIAL FLOOR

COMMON BALCONY





GARAGE - SEE SHEET 24 FOR ADDITIONAL INFORMATION

EAST ELEVATION



GARAGE - SEE SHEET 24 FOR ADDITIONAL INFORMATION

WEST ELEVATION

- ◆ T.O. MANSARD  
EL= 54'-0"
- ◆ T.O. BEARING  
EL= 47'-9"
- ◆ FOURTH FLOOR (RESIDENTIAL)  
EL= 35'-0"
- ◆ THIRD FLOOR (RESIDENTIAL)  
EL= 25'-0"
- ◆ SECOND FLOOR (RESIDENTIAL)  
EL= 14'-0"
- ◆ PORCH WITH GLASS AWNING  
STONE PORCH  
TERRACE
- ◆ GROUND FLOOR (RETAIL)  
EL= 0'-0"



FRONT ELEVATION ON MORGAN STANLEY AVE



VIEW FROM MORGAN STANLEY AND BENJAMIN AVE LOOKING SOUTHWEST



VIEW FROM MORGAN STANLEY AND LEWIS DR LOOKING SOUTHEAST

# DRC Meeting Application



who to  
contact

Allison McGillis, Assistant Planning Director

amcgillis@cityofwinterpark.org

ph 407.599.3665

fax 407.599.3499

401 S. Park Ave.

Winter Park, FL 32789

Submittal Date: September 9, 2024

Tentative DRC Date: October 2, 2024

Project Name: Ravaudage Planned Development McCallister Garage modification

Project Address: 1320 Monroe avenue Winter Park, Fl 32789

### Request Type:

- Concept Plan or Preliminary Plan
- Change Determination - Previously Approved Plan Revision / Development Order Modification
- Final Plan Submittal
- Preliminary Review Item / DRC Discussion Item

Project Type:  Commercial  Office  Residential  Mixed-Use

**PLEASE SPECIFY BELOW, IN DETAIL, YOUR REQUEST FOR CONSIDERATION BY THE DRC**  
( OR ATTACH LETTER)

Modification to prior DRC approval of a freestanding parking garage with 441 parking spaces

Applicant/  
Authorized Agent: Dan Bellows Phone: 407-620-3005 Email: W1454@aol.com

Signature:  Address: PO Box 350 Winter Park, Fla 32790

Owner: \_\_\_\_\_ Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Signature: \_\_\_\_\_ Address: \_\_\_\_\_

### Fee Payment Schedule

All DRC application fees are paid to the Planning Department located on the second floor of City Hall, 401 S. Park Avenue, Winter Park, FL 32789. All Checks are to be made payable to the City of Winter Park.

**Concept Plan or Preliminary Plan — \$300.00**

**Final Plan Submittal / Development Order Modification — \$500.00**

**Plan Revision / Preliminary Review Item / Staff Discussion — \$200.00**

### REQUIRED BACKUP MATERIALS

Please consult with planning staff at the required pre-application conference.

One hard-copy 11 by 17 and electronic plan set (PDF) of required backup materials.

## DRC REQUEST OCTOBER 2, 2024

**Project address:** 1320 Morgan Stanley Avenue.

**Project:** McCallister Parking Garage

**Lot Size:** 142' x 264.02' = 37,490.84 sq ft.

**Levels:** Grade plus Four (4) elevated.

**Parking Stalls:** 441

**Building Height:** 43' – 2" Top Level.

58' Top of Architectural Tower Elements.

**Garbage:** Common enclosed garbage facility within Southeast corner of garage. Shared with 1320 Morgan Stanley Mixed use building, existing 1035 N. Orlando Avenue mixed use building, proposed 1071 N. Orlando Avenue building.

**EV Charging Stations:** **None.** See attached Senate Bill 1084 preempting the regulation of electric vehicle charging stations to the state, prohibiting local governmental entities from enacting or enforcing such regulations.

The prior conditions of approval at the December 20, 2023 DRC approval shall remain EXCEPT for condition # 1 shall be deleted.

**New condition of Approval:** If the permit has not been pulled for the 1320 Morgan Stanley Avenue mixed use project prior to the request for CO of the parking garage, then applicant shall enhance the North elevation of the parking garage to include added architectural details, EFIS/Precast moldings and trim, Aluminum railings and a Landscaping detail similar to the South elevation.

# The Florida Senate

## CS/CS/SB 1084: Department of Agriculture and Consumer Services

GENERAL BILL by Fiscal Policy ; Appropriations Committee on Agriculture, Environment, and General Government ; [Collins](#)

Department of Agriculture and Consumer Services; Preempting the regulation of electric vehicle charging stations to the state; prohibiting local governmental entities from enacting or enforcing such regulations; providing that a pest control operator's certificate, a special identification card, and certain limited certifications for pesticide applicators, respectively, expire a specified length of time after issuance; authorizing the department to take disciplinary action against a person who swears to or affirms a false statement on certain applications, cheats on a required examination, or violates certain procedures under certain circumstances; authorizing Class "G" licensees to qualify for multiple calibers of firearms in one requalification class under certain circumstances; prohibiting the manufacture for sale, sale, holding or offering for sale, or distribution of cultivated meat in this state, etc.

**Effective Date:** except as otherwise provided

**Last Action:** 5/2/2024 - Chapter No. [2024-137](#)

**Bill Text:** [Web Page](#) | [PDF](#)

### Senate Committee References:

1. [Agriculture \(AG\)](#)
2. [Appropriations Committee on Agriculture, Environment, and General Government \(AEG\)](#)
3. [Fiscal Policy \(FP\)](#)

## Bill History

Date	Chamber	Action
12/27/2023	Senate	• Filed
1/4/2024	Senate	• Referred to Agriculture, Appropriations Committee on Agriculture, Environment, and General Government; Fiscal Policy



CITY OF WINTER PARK

401 Park Avenue South

Winter Park, Florida

32789-4386

[www.cityofwinterpark.org](http://www.cityofwinterpark.org)

**DEVELOPMENT REVIEW COMMITTEE**

January 4, 2024

Benjamin Partners, LTD  
Daniel Bellows  
Post Office Box 350  
Winter Park, Florida 32790

Dear Mr. Bellows,

On December 20, 2023, the Development Review Committee approved your development plan to construct a 483-space parking garage with 12,041-square feet of liner retail/commercial space, at the southwest corner of Benjamin Avenue and Morgan Stanley Avenue, within the Ravaudage Planned Development. **Approval was subject to the following conditions:**

- 1. That during construction, 22 spaces within the parking garage are outfitted with the electrical capacity and buried raceway, necessary to accommodate the hardwire installation for, at the minimum, a Level-2 vehicle charging station, and that prior to a Certificate of Occupancy, a minimum of 4 of the 22 spaces must be equipped with an actual Level 2 charging station. However, if the applicant provides additional information that Orange County would require less electrical vehicle infrastructure, then only 4 spaces must be equipped with an actual Level 2 charging station and the additional electrical capacity and buried raceway will not be required.**
- 2. That prior to a Certificate of Occupancy for the project, the proposed oak trees to screen the southern portion of the garage are planted and must be at least 8 inches in diameter at the time of planting.**
- 3. That the project incorporates the required bicycle parking spaces per Orange County codes.**
- 4. That any back of house items like the electric meter connections, transformer/switch gear, metering, etc. be effectively screened from the rights-of-way surrounding the site.**

The subject property described as Parcel ID# 01-22-29-3712-07-011 and the northern portion of Parcel ID# 01-22-29-3712-01-050 as recorded in the Public Records of Orange County, Florida.

Located at 1139 Benjamin Avenue & the northern portion of 1001 North Orlando Avenue Zoned: OC-PD

Please attach a copy of this approval notice when applying for the construction permit for this project.

If I can be of further assistance, please feel free to contact me.

Respectfully,

A handwritten signature in cursive script that reads "Allison McGillis".

Allison McGillis, AICP  
Director of Planning & Zoning  
amcgillis@cityofwinterpark.org



**RAVAUDAGE WINTER PARK**  
**1320 MORGAN STANLEY AVE MIXED USE LINER BUILDING & MODIFIED GARAGE**  
**DRC APPLICATION PACKAGE**  
09.09.2024

# PARKING MATRIX

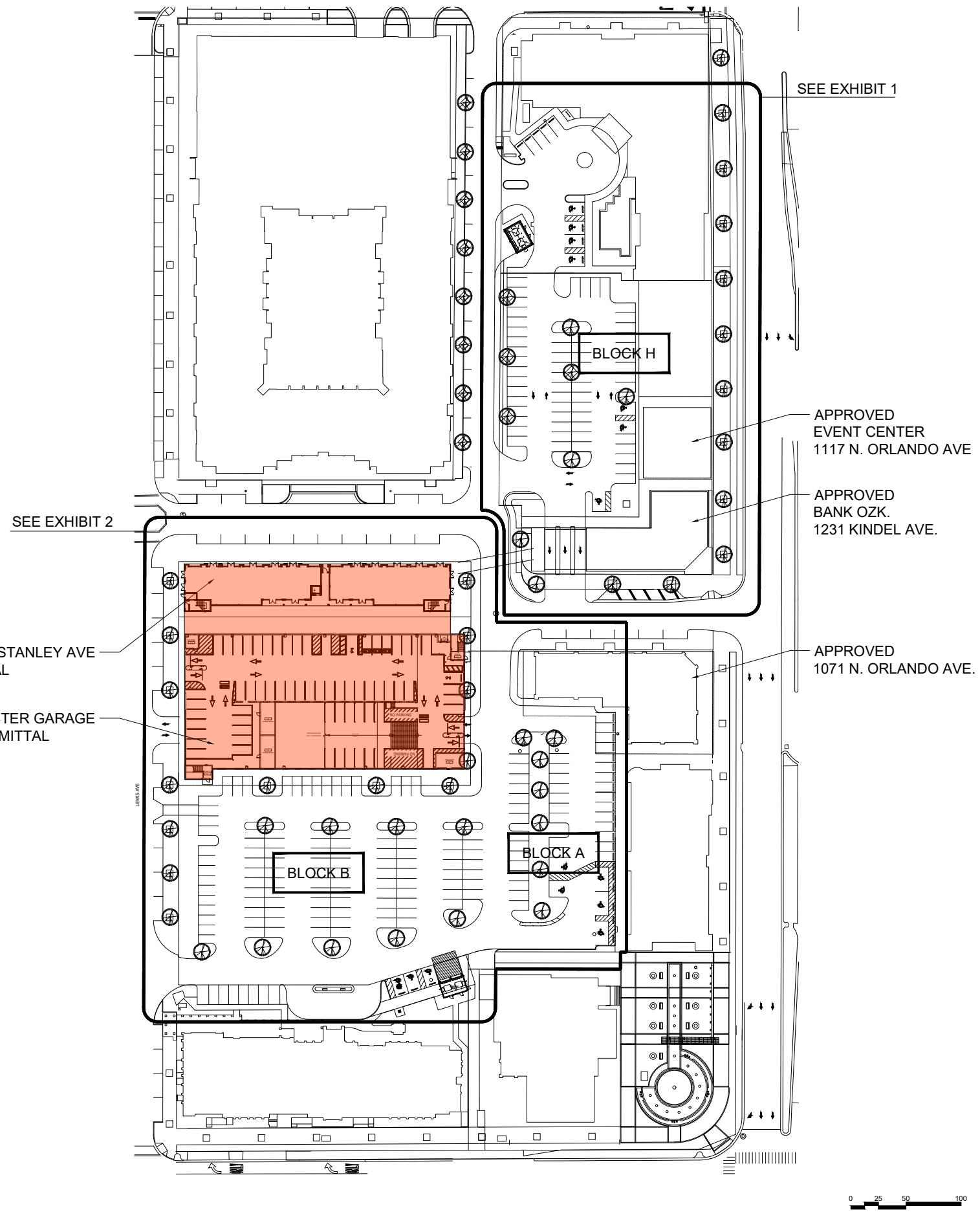
REQUIRED PARKING		PROVIDED PARKING	
1251 LEE RD: ALE HOUSE	75	1127 N. ORLANDO AVE: MARRIOTT SHS SURFACE PARKING	
1275 LEE RD: HILTON	96	STANDARD	5
1035 N. ORLANDO AVE: MIX USE BUILDINGS	111	HANDICAP	4
1071 N. ORLANDO AVE: PROPOSED MIX USE	81	-----	
1231 KINDEL AVE: BANK OZK	56	TOTAL	9
1320 MORGAN STANLEY AVE: RETAIL/APTS/HOTEL	60	1136 BENJAMIN AVE: SURFACE PARKING	
1117 N. ORLANDO AVE: EVENT CENTER	45	STANDARD	56
1127 N. ORLANDO AVE: MARRIOTT SHS EXISTING	84	HANDICAP	2
1127 N. ORLANDO AVE: PROPOSED 44 ROOM MARRIOTT SHS EXPANSION	30	-----	
		TOTAL	58
		BLOCK B MCCALLISTER PARKING GARAGE STALLS	441
		BLOCK A & B SURFACE PARKING	
		STANDARD	147
		HANDICAP	8
		-----	
		TOTAL	155
		TOTAL PARKING	663
TOTAL	638		

\* AS OF 10/2/24 NO ON STREET CREDITS HAVE BEEN USED ALONG KINDEL, BENJAMIN, MORGAN STANLEY, OR LEWIS DR BETWEEN LEE RD & GLENDON PARKWAY

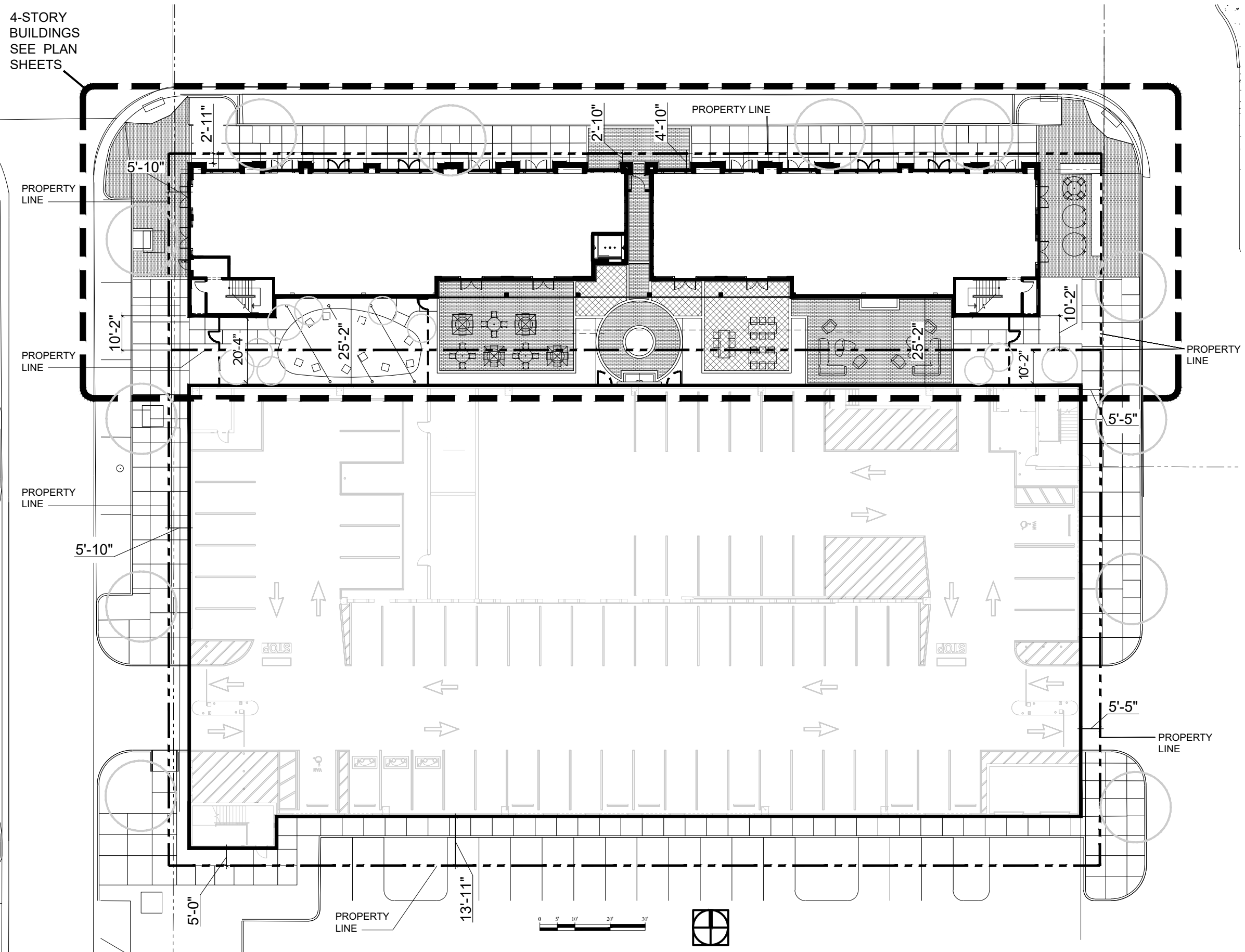
## 1320 MORGAN STANLEY AVE RETAIL/APTS/HOTEL

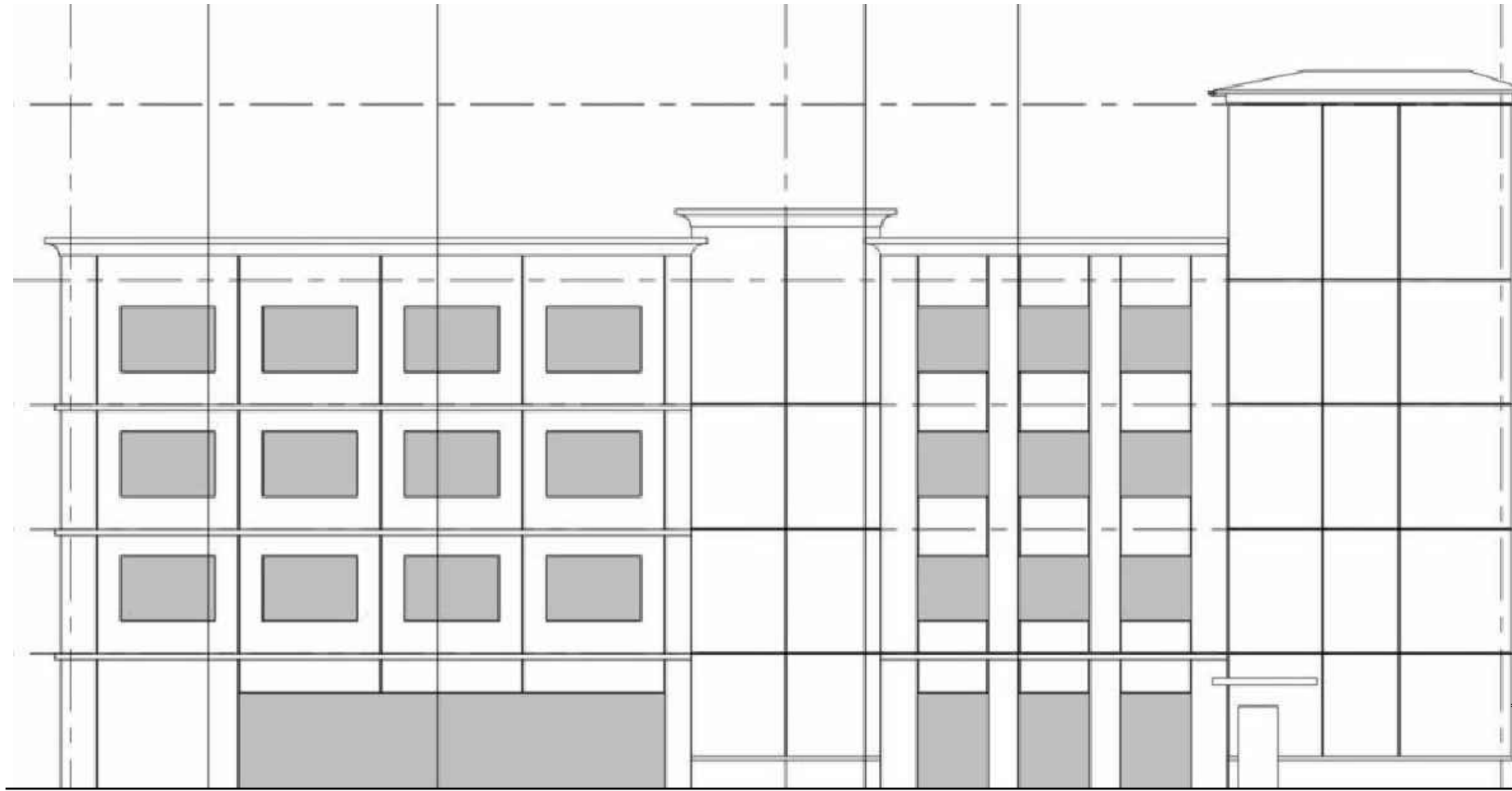
### REQUIRED PARKING SPACES

RETAIL: 7,145 SF/333 =	22
HOTEL KEYS: 13 ROOMS =	13
APTS:	
STUDIOS (1 SP) x 2 UNITS =	2
1 BDRM (1.25 SP) x 6 UNITS =	7.5
2 BDRM (2 SP) x 8 UNITS =	16
-----	
TOTAL:	60.5

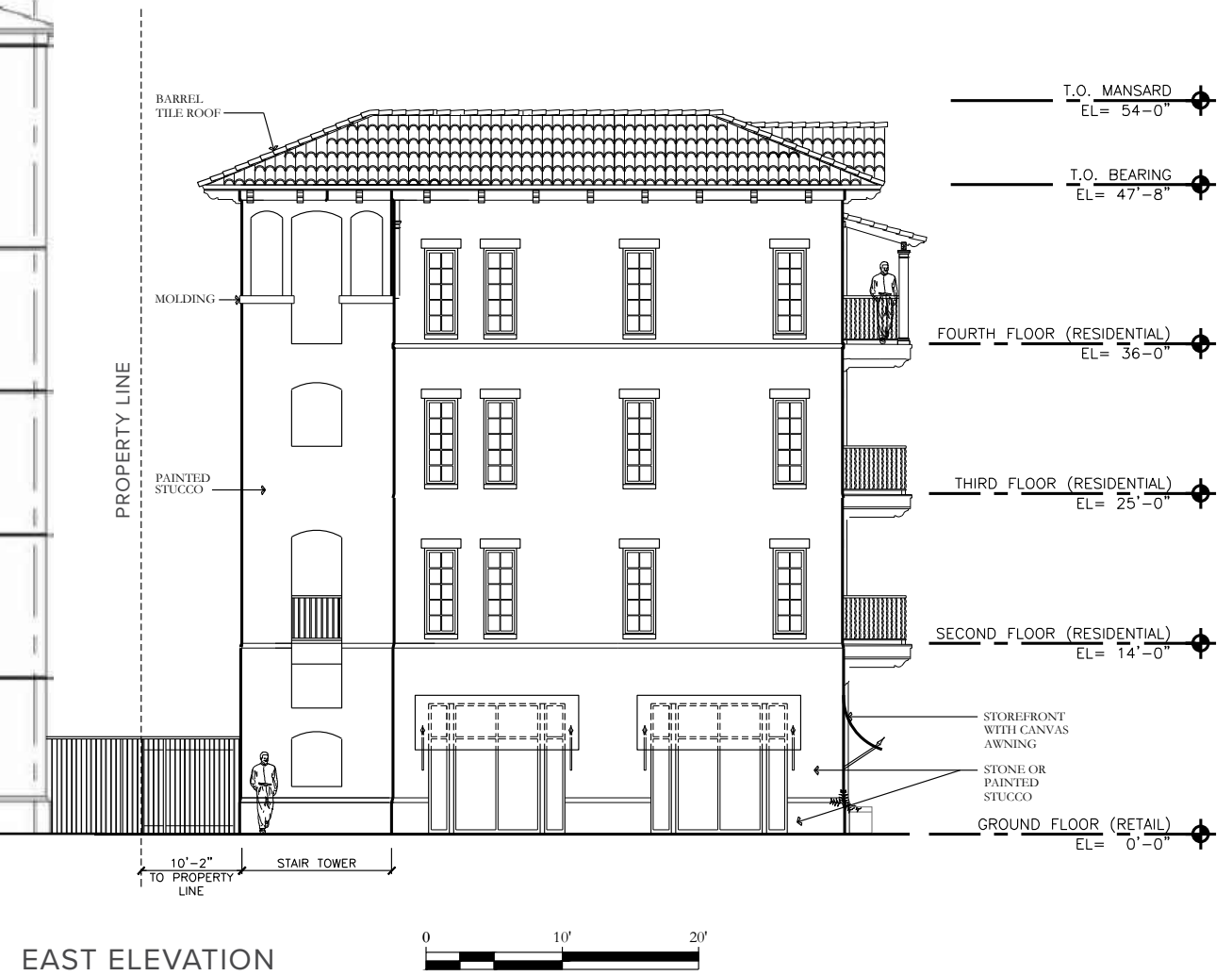


4-STORY BUILDINGS  
SEE PLAN SHEETS

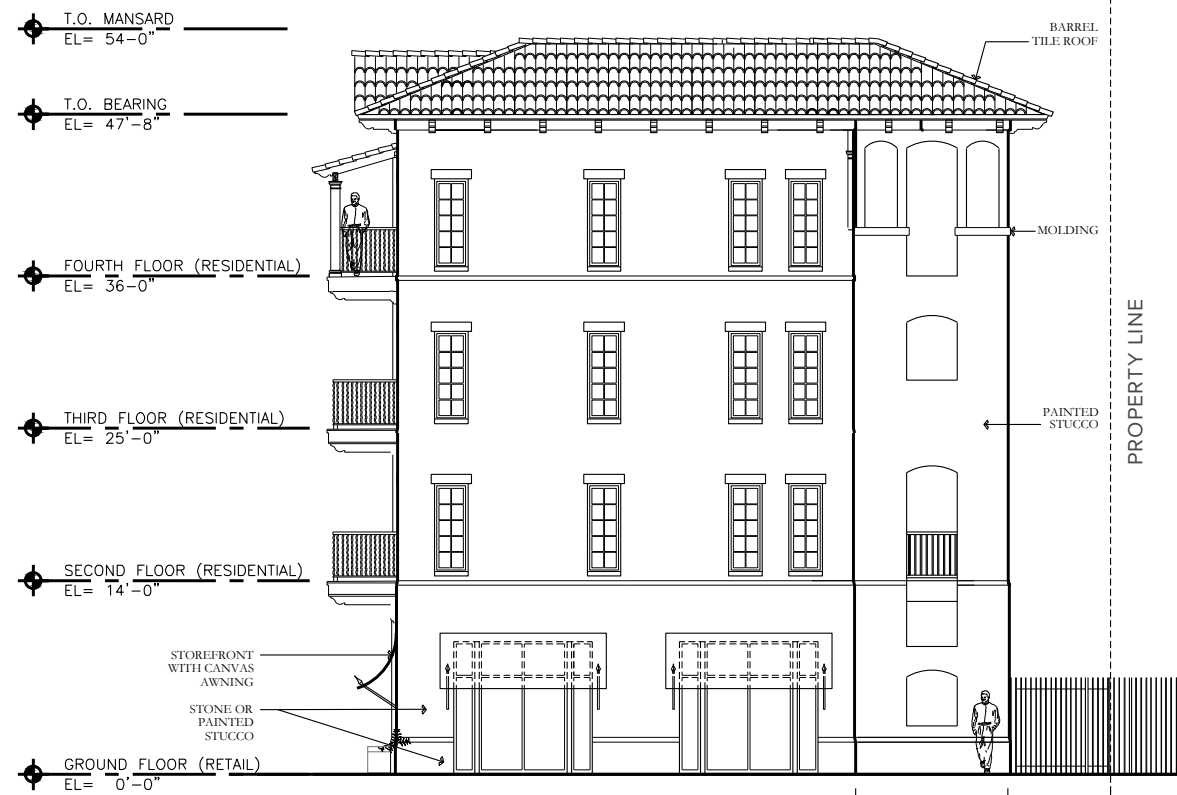




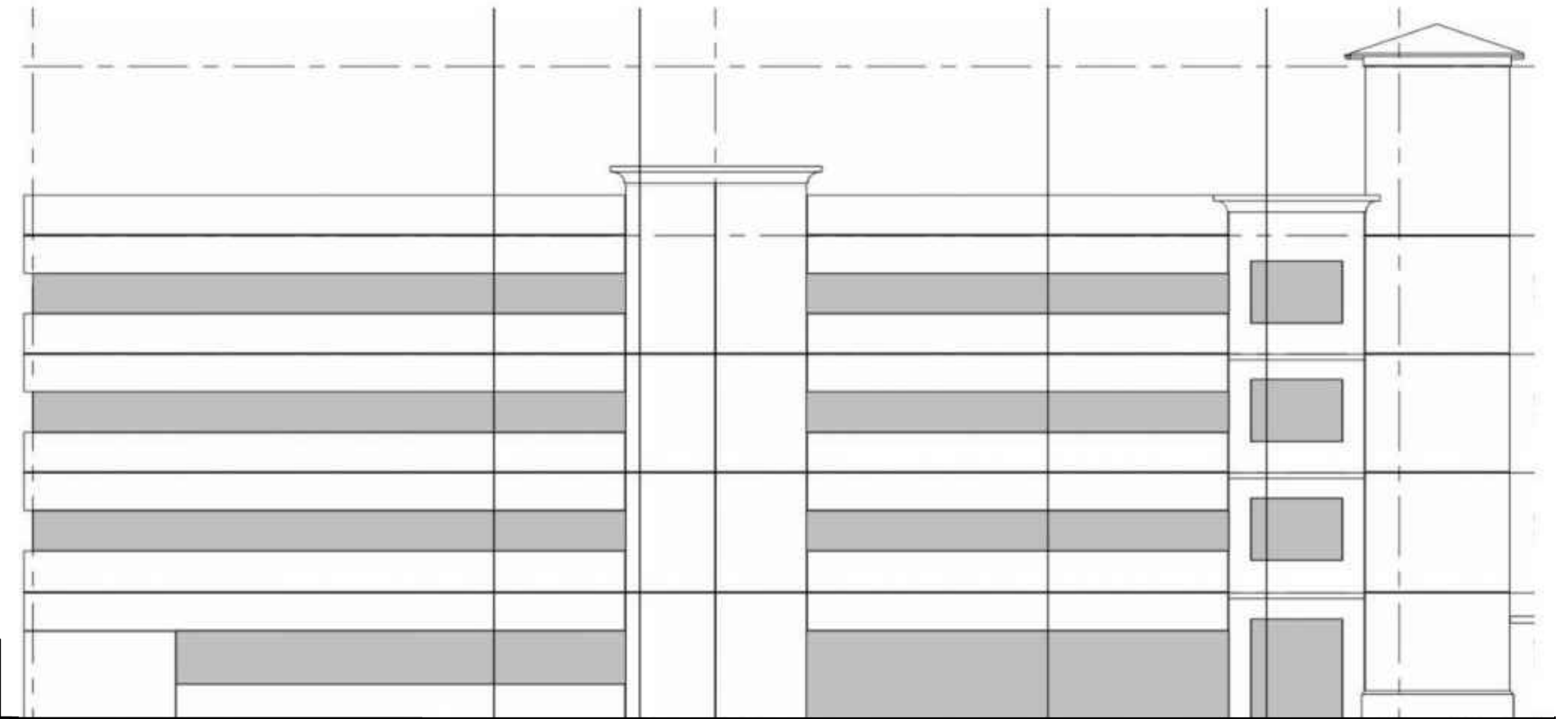
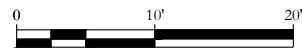
GARAGE - SEE SHEET 24 FOR ADDITIONAL INFORMATION



EAST ELEVATION



WEST ELEVATION



NEW GARAGE

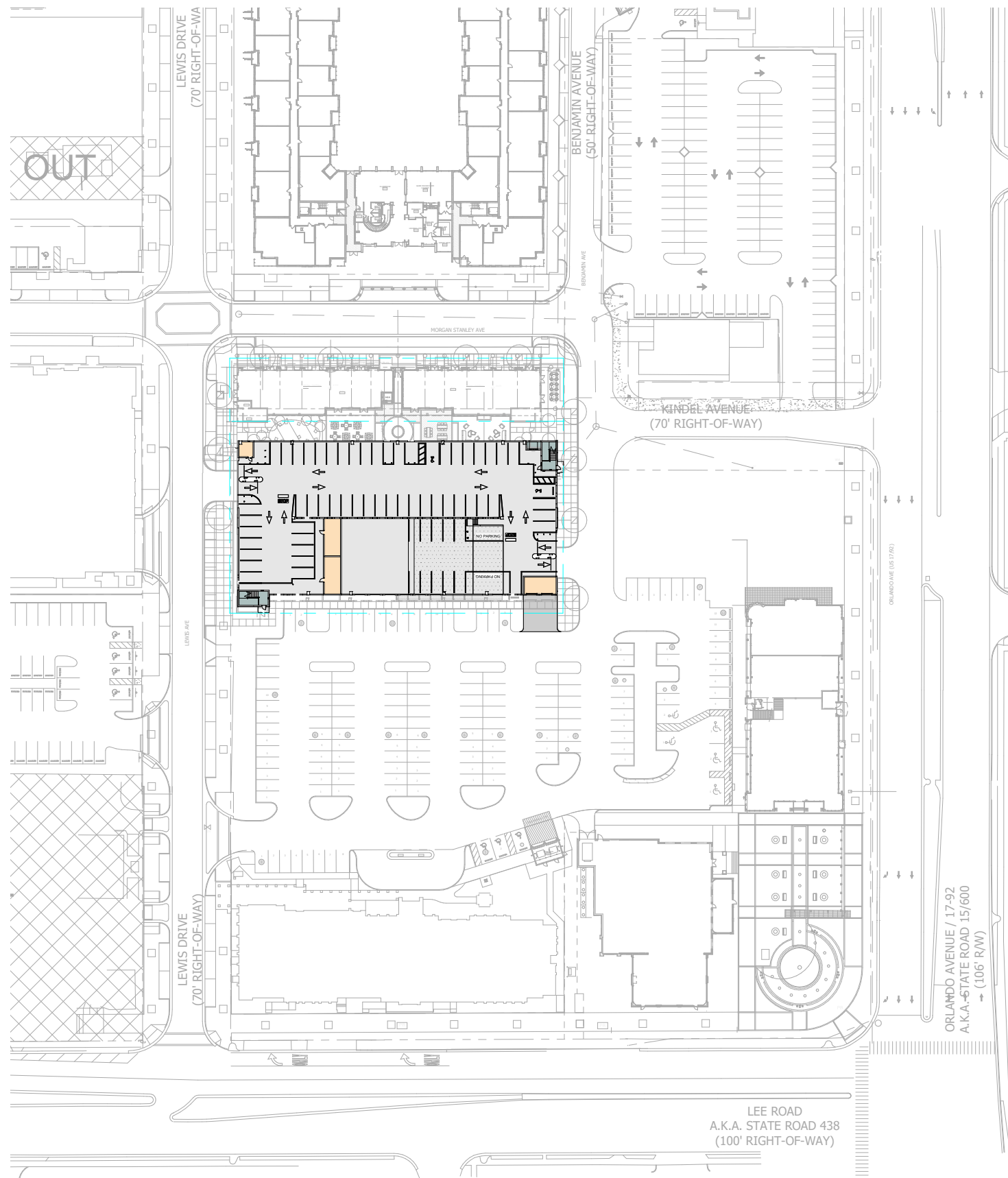
GARAGE - SEE SHEET 24 FOR ADDITIONAL INFORMATION



VIEW FROM MORGAN STANLEY AND BENJAMIN AVE LOOKING SOUTHWEST



VIEW FROM MORGAN STANLEY AND LEWIS DR LOOKING SOUTHEAST



LEVEL 1 ROOM SCHEDULE				
NAME	NUMBER	OCC.	LEVEL	AREA
ELEV	10		LEVEL 1	64 SF
STAIR #1	101		LEVEL 1	248 SF
STAIR #2	102		LEVEL 1	259 SF
ELEC ROOM	103		LEVEL 1	127 SF
TRASH ROOM	106		LEVEL 1	403 SF
STORAGE ROOM	107		LEVEL 1	380 SF
STORAGE ROOM	108		LEVEL 1	380 SF

LEVEL 1 AREA CALCULATIONS		
OCC.	LEVEL	AREA
BOH	LEVEL 1	1,354 SF
GARAGE	LEVEL 1	29,111 SF
VERTICAL CIRCULATION	LEVEL 1	673 SF
		31,139 SF

LEVEL 2 AREA CALCULATIONS		
OCC.	LEVEL	AREA
GARAGE	LEVEL 2	30,656 SF
VERTICAL CIRCULATION	LEVEL 2	694 SF
		31,350 SF

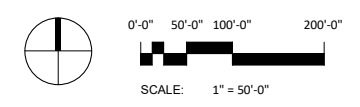
LEVEL 3 AREA CALCULATIONS		
OCC.	LEVEL	AREA
GARAGE	LEVEL 3	30,673 SF
VERTICAL CIRCULATION	LEVEL 3	658 SF
		31,331 SF

LEVEL 4 AREA CALCULATIONS		
OCC.	LEVEL	AREA
GARAGE	LEVEL 4	30,656 SF
VERTICAL CIRCULATION	LEVEL 4	694 SF
		31,350 SF

LEVEL 5 AREA CALCULATIONS		
OCC.	LEVEL	AREA
GARAGE	LEVEL 5	27,766 SF
VERTICAL CIRCULATION	LEVEL 5	629 SF
		28,395 SF

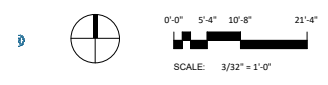
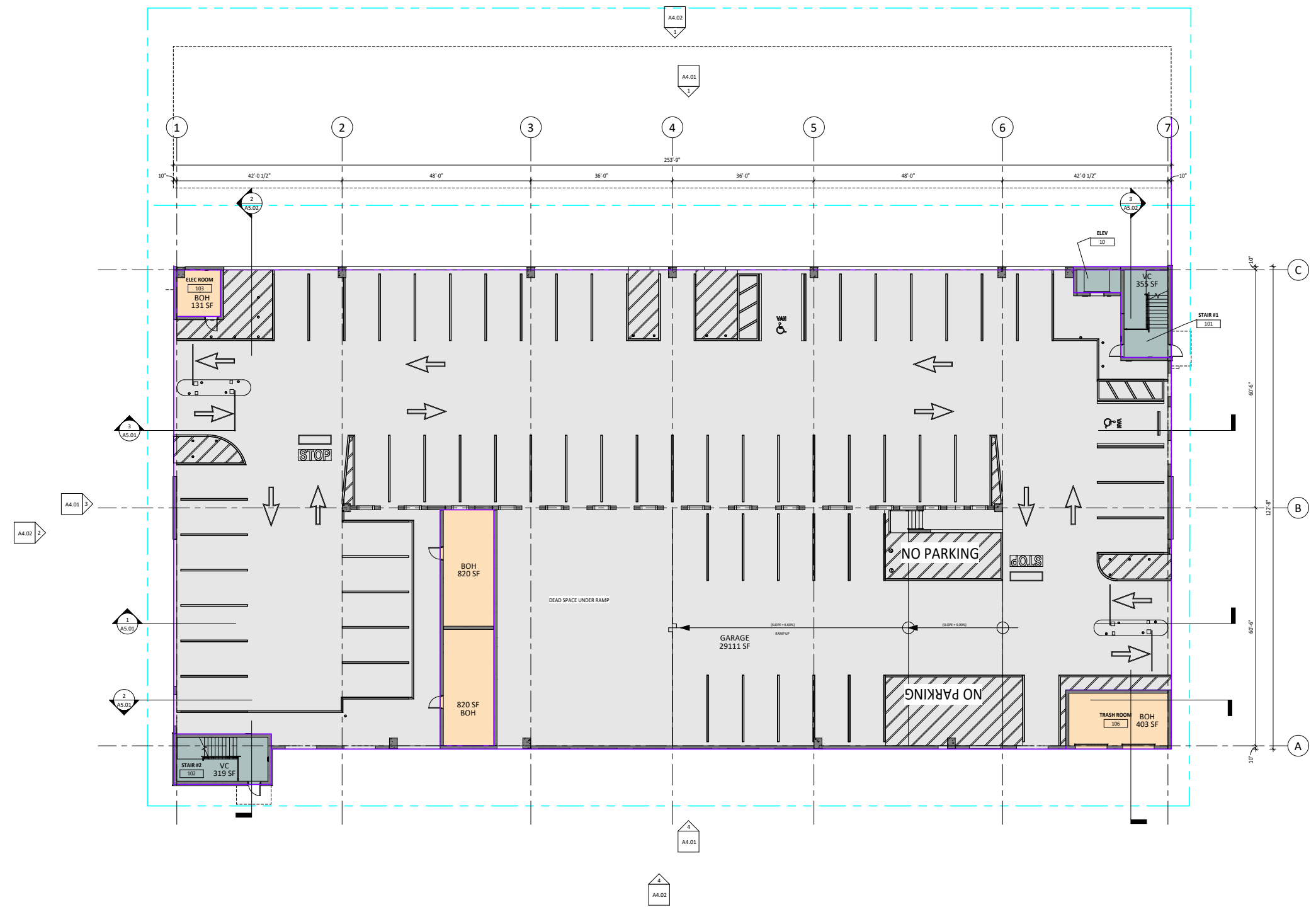
PD - CAR COUNT - BY LEVEL						
FLOOR	WIDTH	LENGTH	STANDARD	ACCESSIBLE	ACCESSIBLE-VAN	EV COUNT
<b>LEVEL 5</b>						
LEVEL 5	9' - 0"	18' - 0"	82	0	0	0 82
LEVEL 5	12' - 0"	18' - 0"	0	2	0	0 2
			82	2	0	0 84
<b>LEVEL 4</b>						
LEVEL 4	9' - 0"	18' - 0"	95	0	0	0 95
LEVEL 4	12' - 0"	18' - 0"	0	2	0	0 2
			95	2	0	0 97
<b>LEVEL 3</b>						
LEVEL 3	9' - 0"	18' - 0"	95	0	0	0 95
LEVEL 3	12' - 0"	18' - 0"	0	2	0	0 2
			95	2	0	0 97
<b>LEVEL 2</b>						
LEVEL 2	9' - 0"	18' - 0"	95	0	0	0 95
LEVEL 2	12' - 0"	18' - 0"	0	2	0	0 2
			95	2	0	0 97
<b>LEVEL 1</b>						
LEVEL 1	9' - 0"	18' - 0"	64	0	0	0 64
LEVEL 1	12' - 0"	18' - 0"	0	0	2	0 2
			64	0	2	0 66
<b>TOTAL PARKING COUNT: 441</b>			<b>431</b>	<b>8</b>	<b>2</b>	<b>0 441</b>

SITE SURFACE STALL	
	EXISTING
STANDARD	147
ADA	8
TOTAL SURFACE	155



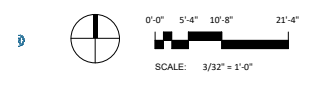
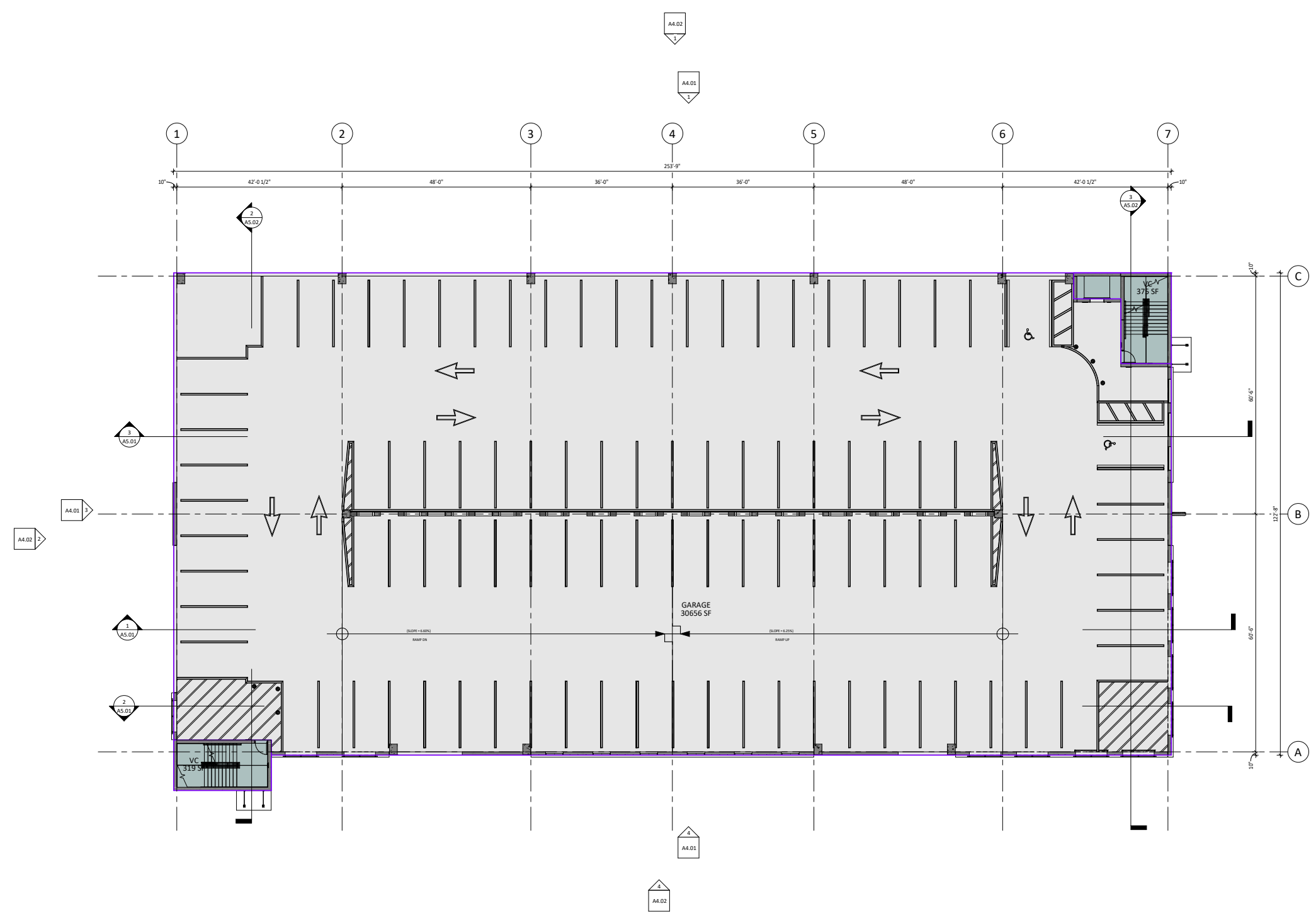
**ARCHITECTURAL SITE PLAN**  
 McCALLISTER  
 WINTER PARK, FLORIDA | 09/09/2024 | **A1.00**

**LEGEND:**  
 PRECAST CONC. [Symbol]  
 STUD WALL PARTITION [Symbol]  
 CMU PARTITION [Symbol]



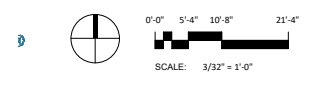
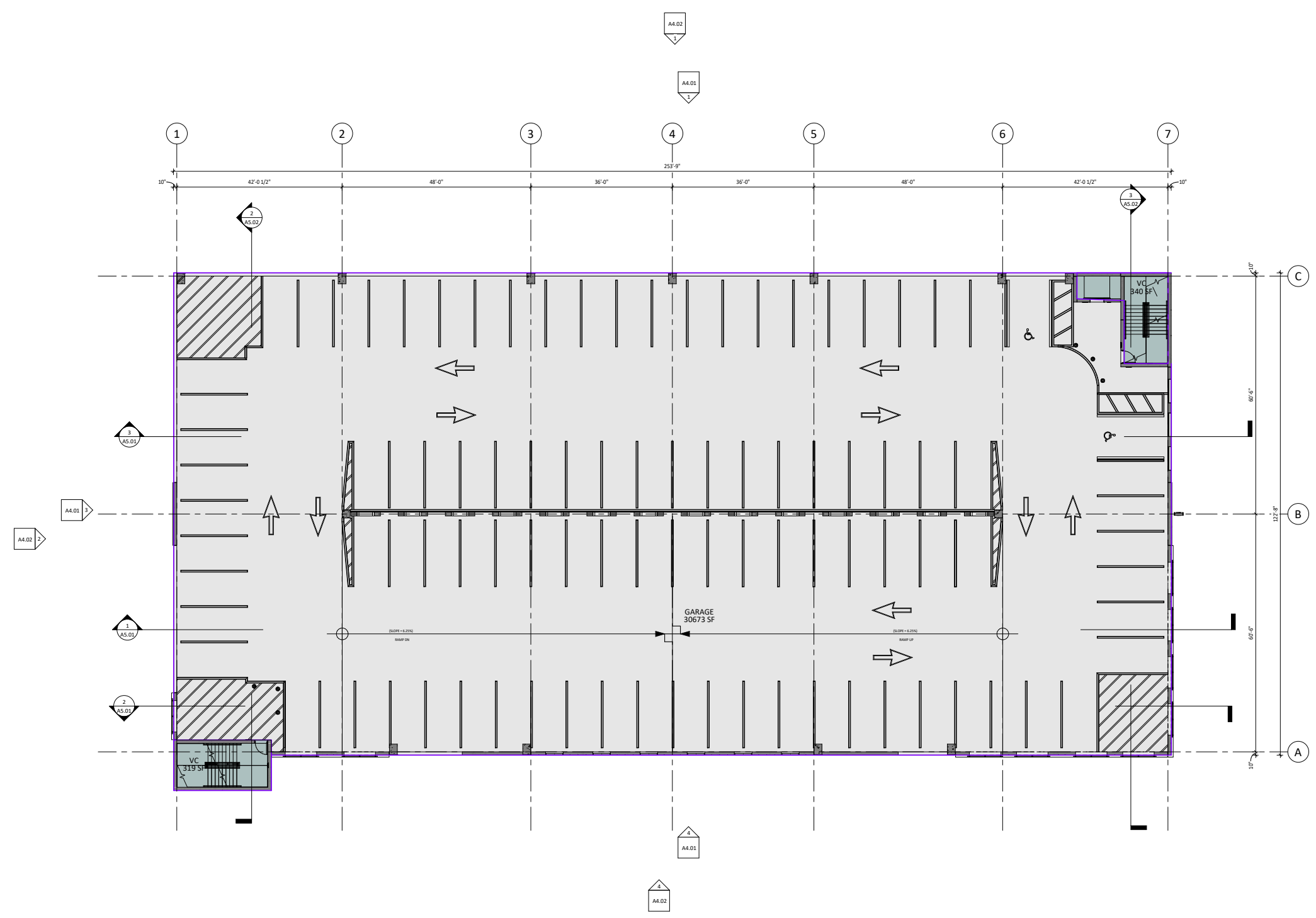
**LEVEL 1 FLOOR PLAN**  
 McCALLISTER  
 WINTER PARK, FLORIDA | 09/09/2024 | **A1.01**

**LEGEND:**  
 PRECAST CONC. [Symbol]  
 STUD WALL PARTITION [Symbol]  
 CMU PARTITION [Symbol]



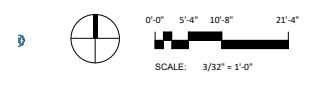
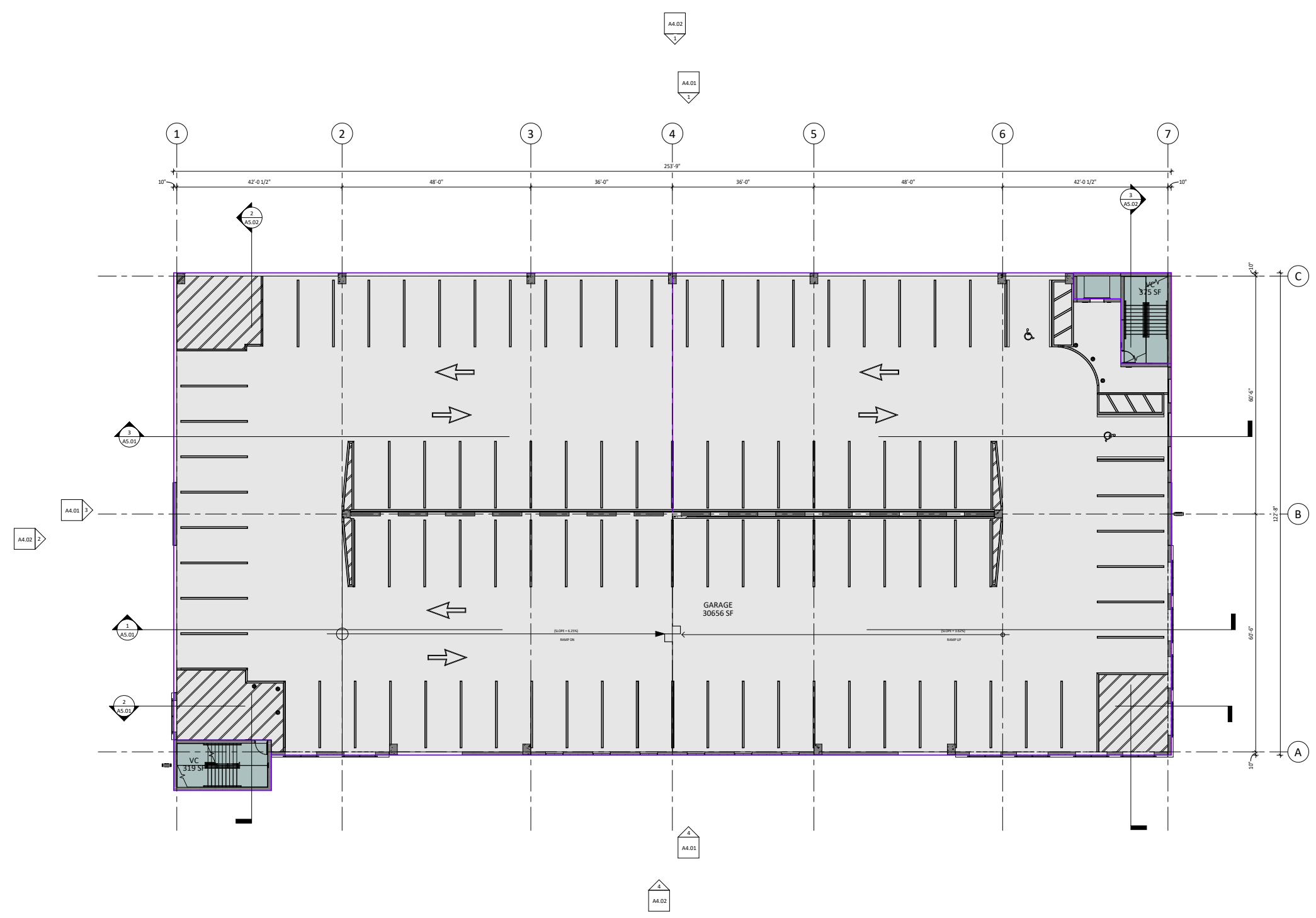
**LEVEL 2 FLOOR PLAN**  
 McCALLISTER  
 WINTER PARK, FLORIDA | 09/09/2024 | **A1.02**

LEGEND:  
 PRECAST CONC. [Hatched Box]  
 STUD WALL PARTITION [Dashed Line]  
 CMU PARTITION [Cross-hatched Box]

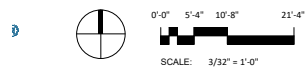
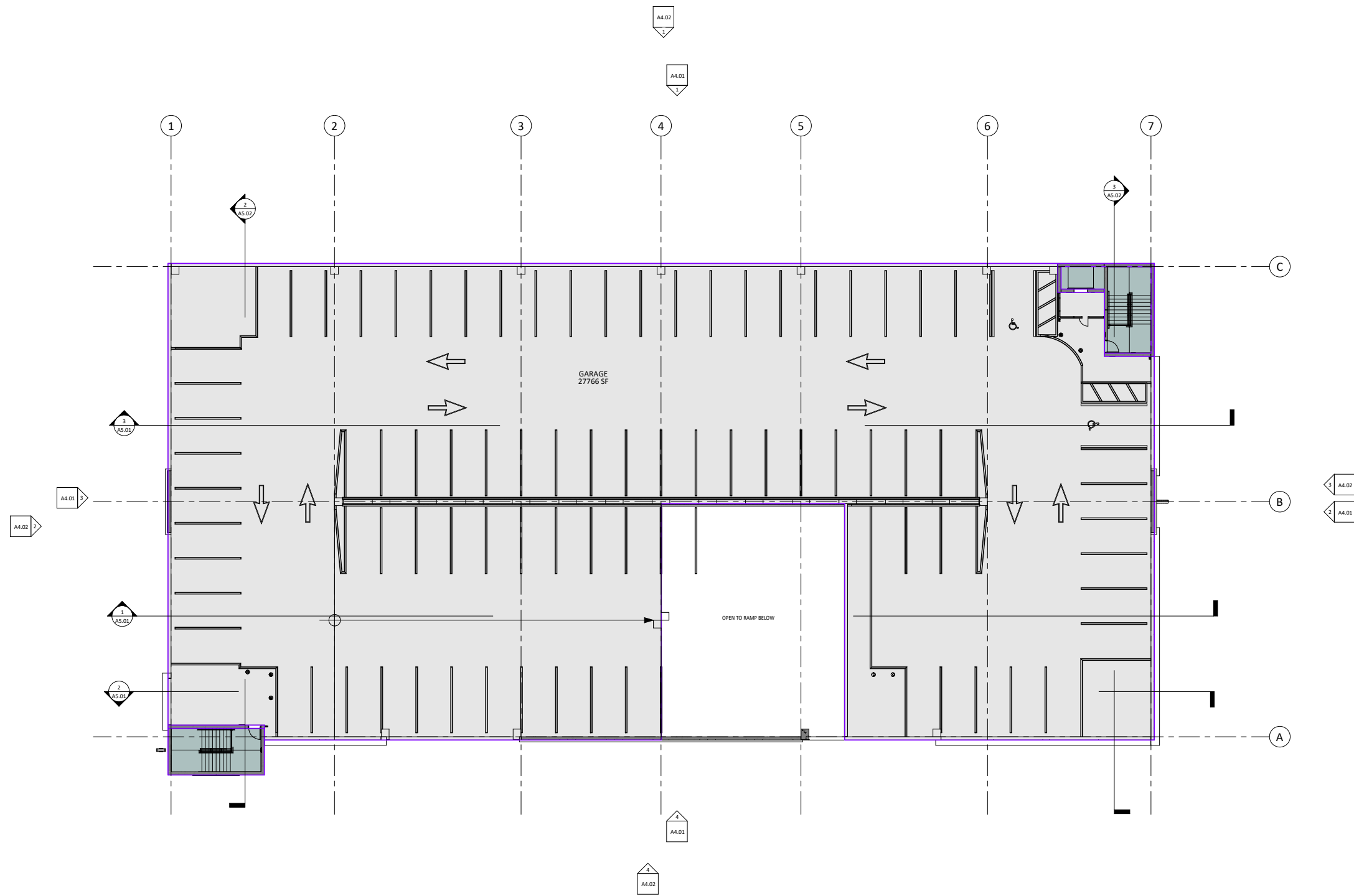


**LEVEL 3 FLOOR PLAN**  
 McCALLISTER  
 WINTER PARK, FLORIDA | 09/09/2024 | **A1.03**

LEGEND:  
 PRECAST CONC. [Hatched pattern]  
 STUD WALL PARTITION [Thin solid line]  
 CMU PARTITION [Cross-hatched pattern]

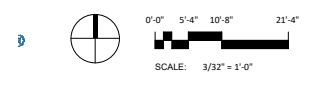
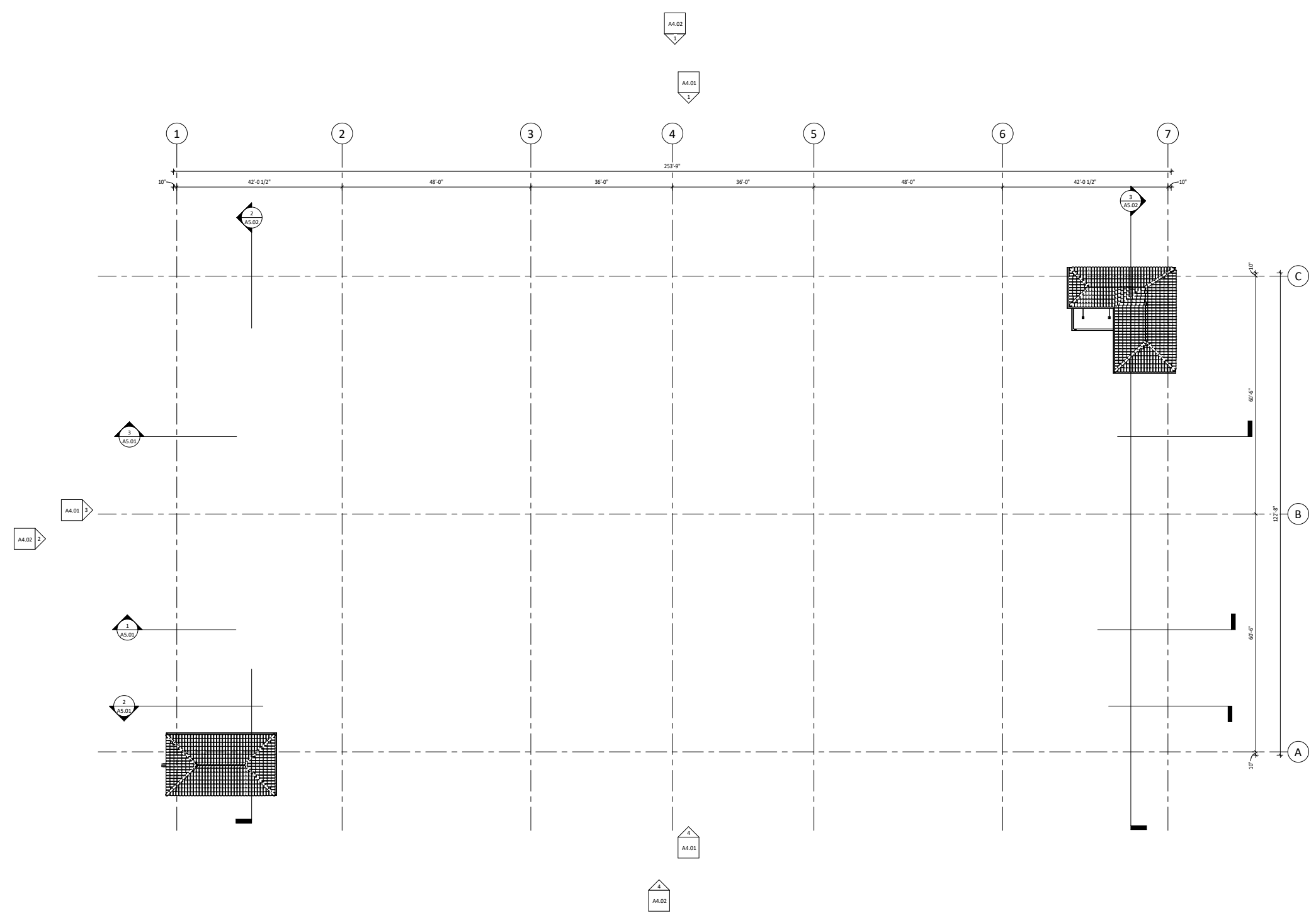


**LEVEL 4 FLOOR PLAN**  
 McCALLISTER  
 WINTER PARK, FLORIDA | 09/09/2024 | **A1.04**

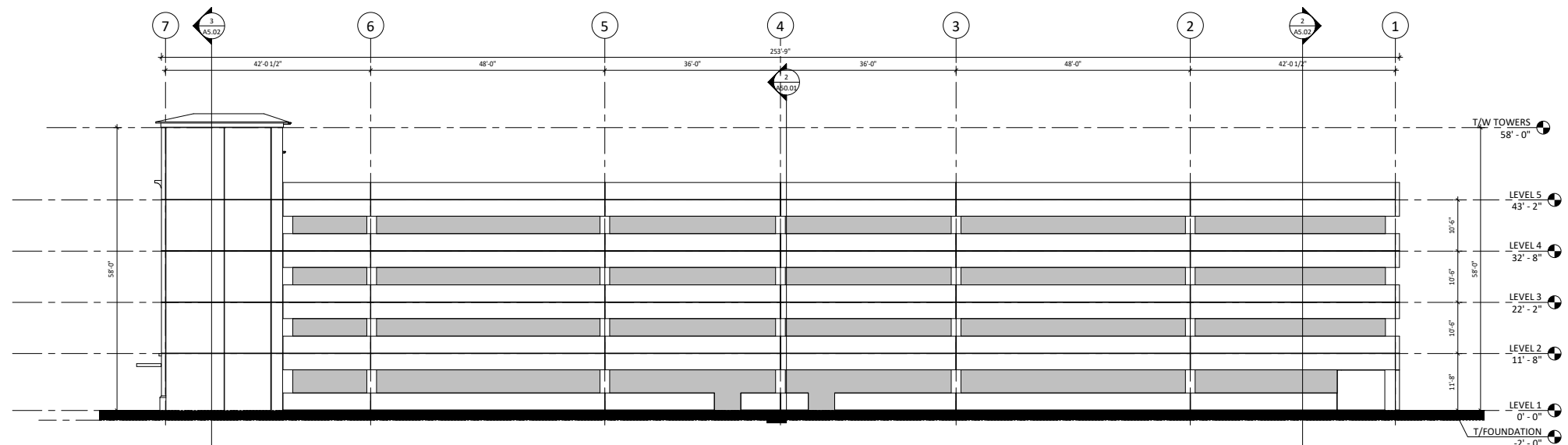


**LEVEL 5 FLOOR PLAN**  
 McCALLISTER  
 WINTER PARK, FLORIDA | 09/09/2024 | **A1.05**

**LEGEND:**  
 PRECAST CONC. [Symbol]  
 STUD WALL PARTITION [Symbol]  
 CMU PARTITION [Symbol]

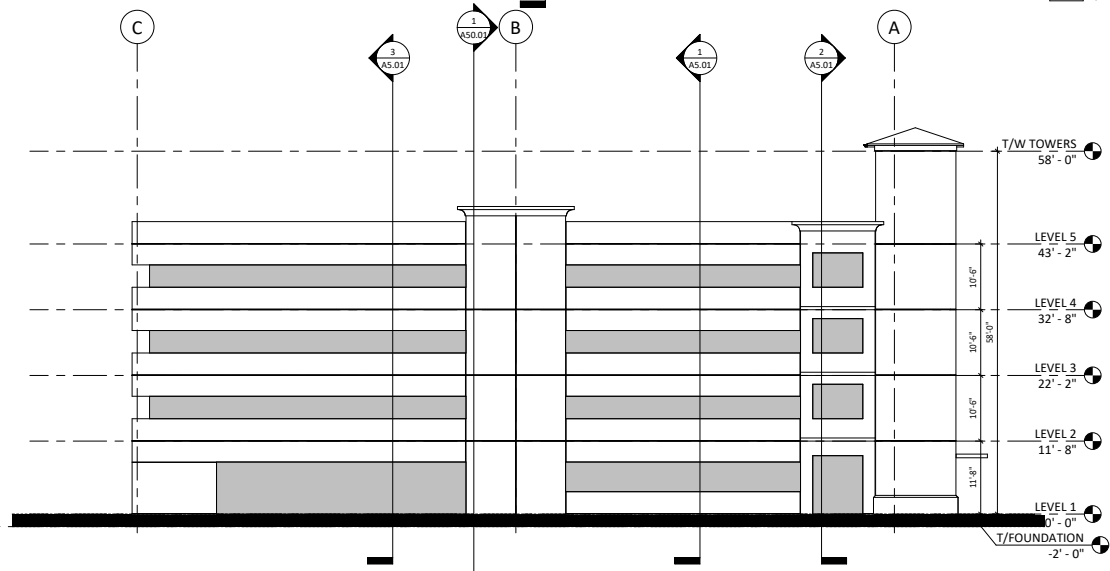


**T/ TOWER PLAN**  
 McCALLISTER  
 WINTER PARK, FLORIDA | 09/09/2024 | **A1.06**

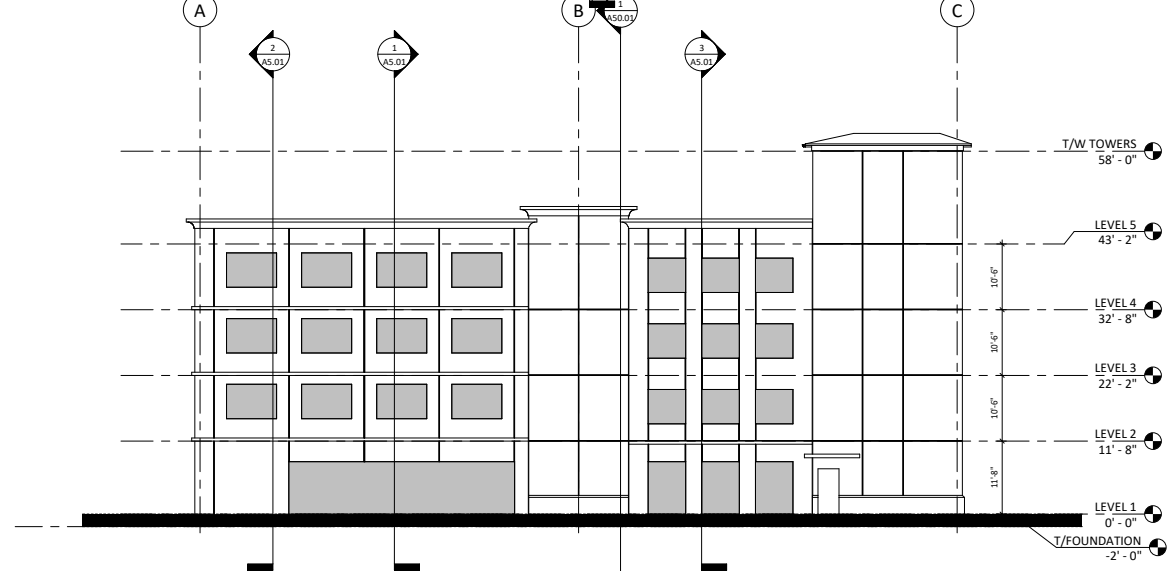


1 NORTH BUILDING ELEVATION - PRECAST  
A4.02 3/32" = 1'-0"

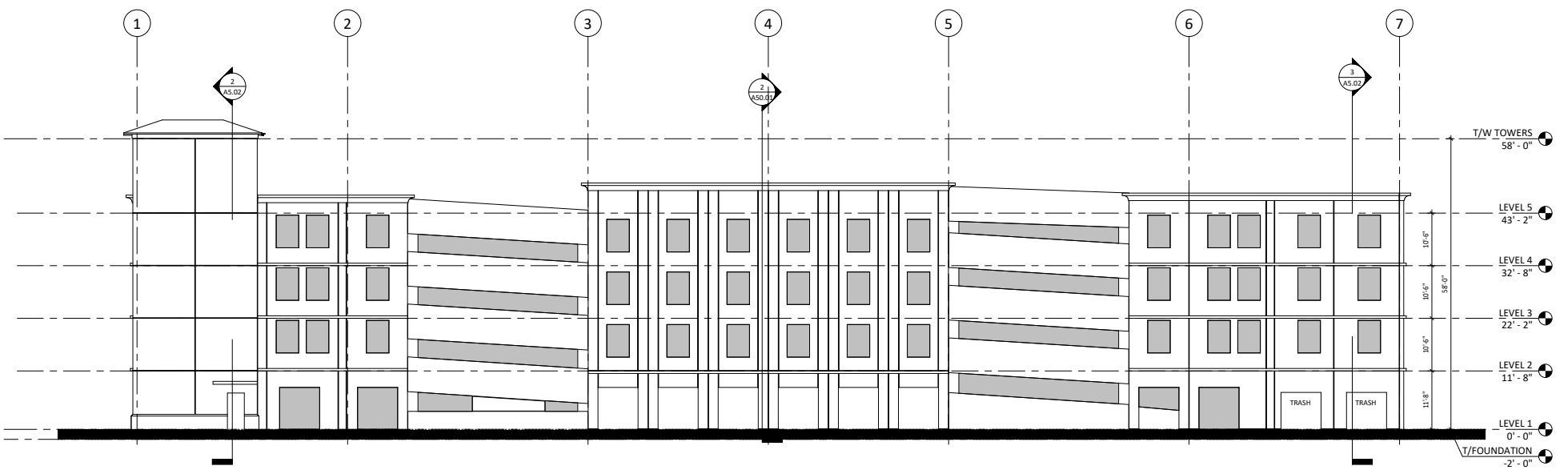
LEGEND:  
OPENING IN PRECAST



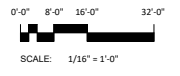
2 WEST BUILDING ELEVATION - PRECAST  
A4.02 3/32" = 1'-0"

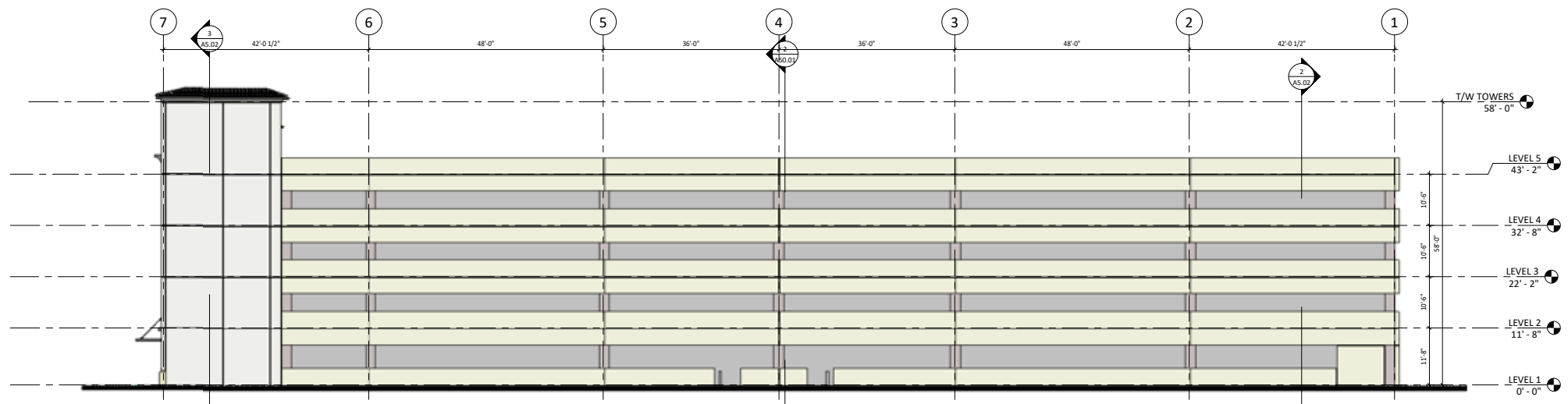


3 EAST BUILDING ELEVATION - PRECAST  
A4.02 3/32" = 1'-0"

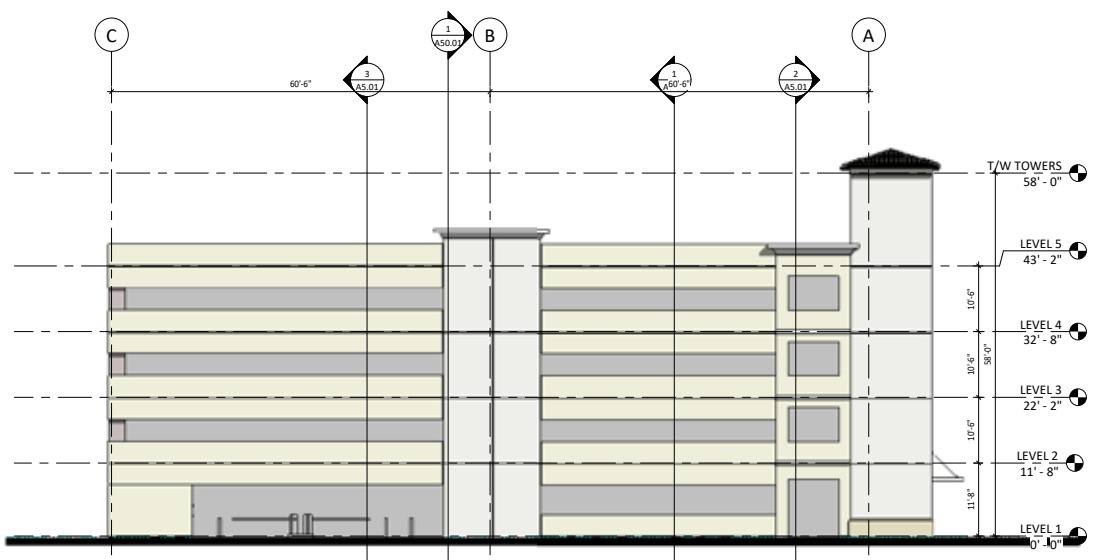


4 SOUTH BUILDING ELEVATION - PRECAST  
A4.02 3/32" = 1'-0"





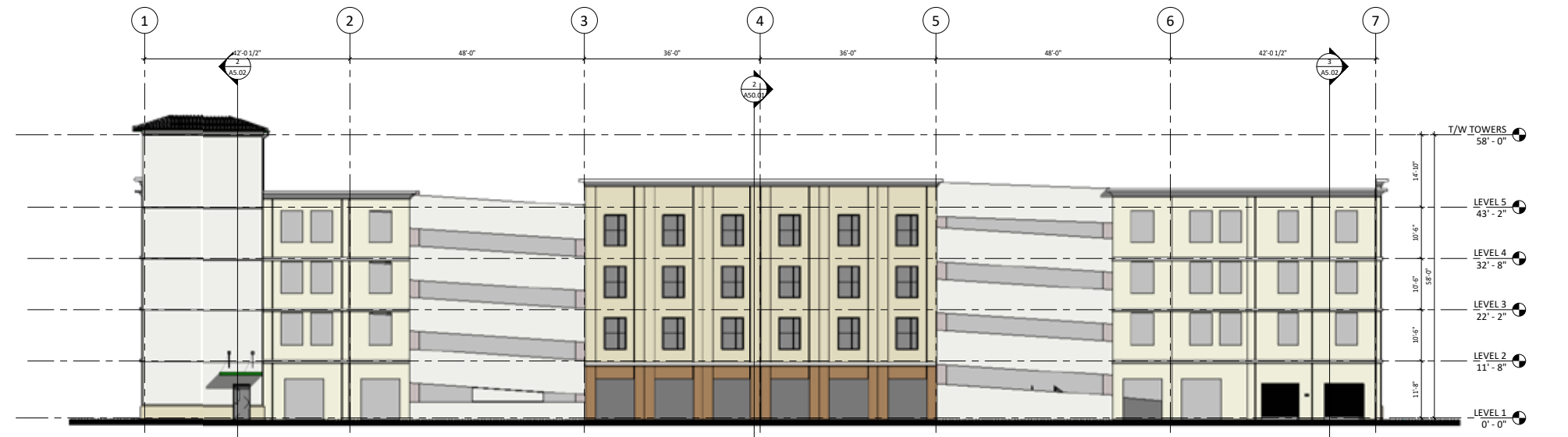
1 NORTH BUILDING ELEVATION  
A4.01 3/32" = 1'-0"



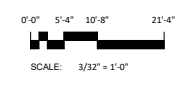
3 WEST BUILDING ELEVATION  
A4.01 3/32" = 1'-0"



2 EAST BUILDING ELEVATION  
A4.01 3/32" = 1'-0"



4 SOUTH BUILDING ELEVATION  
A4.01 3/32" = 1'-0"





SOUTHEAST CORNER PERSPECTIVE



SOUTHWEST CORNER PERSPECTIVE



NORTHWEST CORNER PERSPECTIVE



NORTHEAST CORNER PERSPECTIVE



NORTHWEST AERIAL PERSPECTIVE



SOUTHWEST AERIAL PERSPECTIVE



NORTH BUILDING ELEVATION



WEST BUILDING ELEVATION



EAST BUILDING ELEVATION



SOUTH BUILDING ELEVATION



SOUTHEAST CORNER PERSPECTIVE

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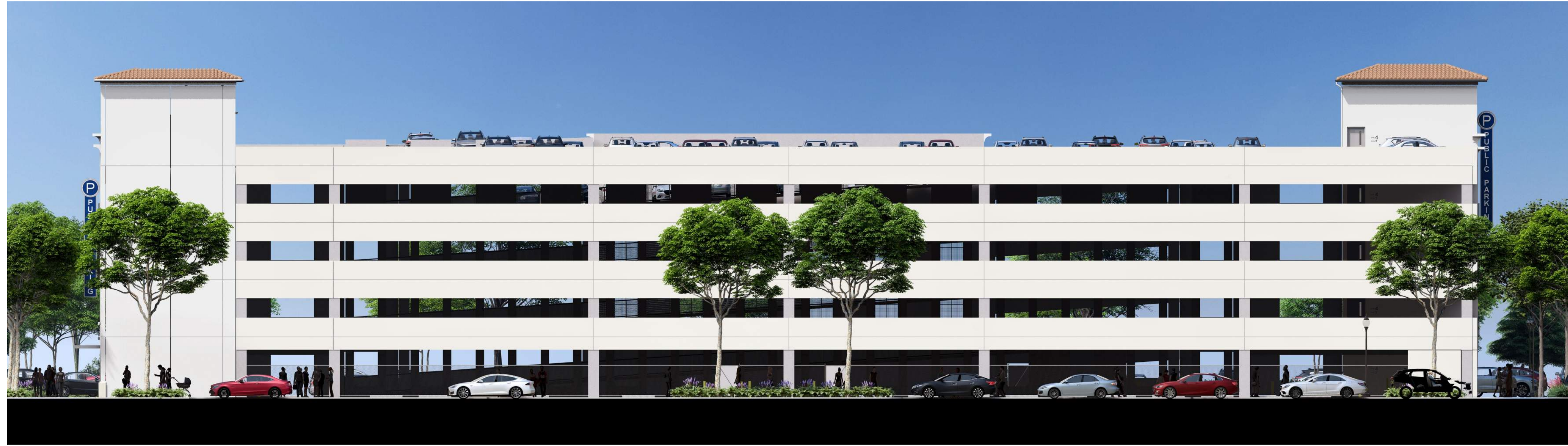
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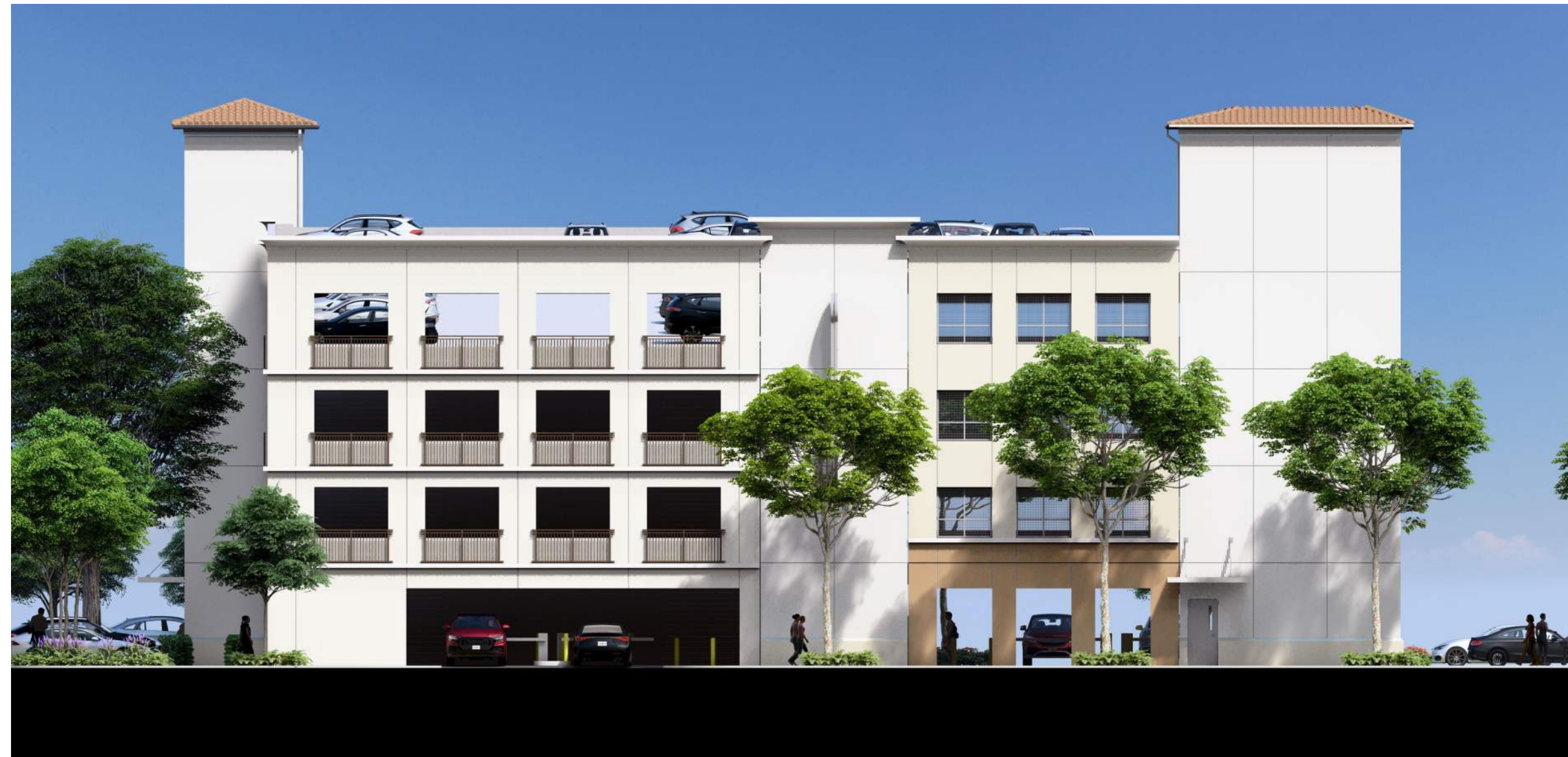


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