



city commission agenda

March 9, 2020
3:30 PM
Commission
Chambers

mayor & commissioners

seat 1
Gregory Seidel

seat 2
Sarah Sprinkel

Mayor
Steve Leary

seat 3
Carolyn Cooper

seat 4
Todd Weaver

welcome

Welcome to the City of Winter Park City Commission meeting. The agenda for regularly scheduled Commission meetings is posted in City Hall the Tuesday before the meeting. Agendas and all backup material supporting each agenda item are available in the City Clerk's office or on the city's website at cityofwinterpark.org.

meeting procedures

Persons desiring to address the Commission MUST fill out and provide the City Clerk a yellow "Request to Speak" form located by the door. After being recognized by the Mayor, persons are asked to come forward and speak from the podium, state their name and address, and direct all remarks to the Commission as a body and not to individual members of the Commission, staff or audience.

Citizen comments at 5 p.m. and each section of the agenda where public comment is allowed are limited to three (3) minutes. The yellow light indicator will remind you that you have one (1) minute left. Large groups are asked to name a spokesperson. The period of time is for comments and not for questions directed to the Commission or staff for immediate answer. Questions directed to the City Commission will be referred to staff and should be answered by staff within a reasonable period of time following the date of the meeting. Order and decorum will be preserved at all meetings. Personal, impertinent or slanderous remarks are not permitted. Thank you for participating in your city government.

agenda

*times are projected and
subject to change

1. Meeting Called to Order

2. Invocation

Pastor Ed Garvin, Calvary Assembly of God

Pledge of Allegiance

3. Approval of Agenda

4. Mayor's Report

5. City Manager's Report

a. City Manager's Report

1 minute

6. City Attorney's Report

7. Non-Action Items

8. Citizen Comments | 5 p.m. or soon thereafter

(if the meeting ends earlier than 5:00 p.m., the citizen comments will be at the end of the meeting)
(Three (3) minutes are allowed for each speaker)

9. Consent Agenda

- a. Approve minutes of February 24, 2020** 1 minute
- b. Appoint Leif Bouffard as alternate member on the South Seminole North Orange County Wastewater Transmission Authority** 1 minute

10. Action Items Requiring Discussion

11. Public Hearings

- a. Request of Sydgan Corp. for:** 60 minutes
 - Ordinance to amend the Comprehensive Plan Future Land Use Element Policy Text within the Hannibal Square Neighborhood Planning Area. (1)
 - Ordinance to amend the Future Land Use Map from Single Family and Low Density Residential to Commercial on 0.97-acres of the combined subject property located southwest of the Pennsylvania and Symonds Avenue intersection. (1)
 - Ordinance to amend the Official Zoning Map from Single Family (R-1A) and Low Density Residential (R-2) to Commercial (C-3) on 0.97-acres of the combined subject property located southwest of the Pennsylvania and Symonds Avenue intersection. (1)
 - Conditional Use approval to construct a three-story hotel of 140 rooms with associated restaurant and ballroom/meeting space on properties at the southwest corner of Symonds and Pennsylvania Avenues including Developer's Agreement, 3rd Amendment.
- b. Resolution - General Obligation Bonds, Series 2020** 5 minutes
- c. Request of the City of Winter Park for:** 120 minutes
This public hearing will be held at 5:00 p.m. or thereafter.
 - Ordinance - Amending Chapter 58 "Land

Development Code" Article I, and the "Comprehensive Plan" to adopt new goals, objectives and policies of the future land use element to establish the Orange Avenue Overlay District. (2)

- Ordinance - Amending Chapter 58 "Land Development Code" Article III, "Zoning" to adopt a new zoning district Section 58-83 Overlay Districts (OD). (2)

d. Request of Rollins College for:

60 minutes

This public hearing will be held at 5:00 p.m. or thereafter.

- Ordinance to amend the Comprehensive Plan Future Land Use Map designation of Office to Institutional at 200 E. New England and 203 E. Lyman Avenues (2)
- Ordinance to amend the official Zoning Map to change from Office (O-1) to Institutional (PQP) on the properties at 200 E. New England and 203 E. Lyman Avenues (2)
- Conditional Use approval to maintain the existing 4-story Lawrence Center office building and to build a new 3-story, 31,000 square foot Rollins Museum and a new 2-story, 44,500 square foot Crummer Graduate School of Business building, on the properties at 200 E. New England and 203 E. Lyman Avenues including a Community Benefit Agreement.

e. Request of Hill/Grey Seven LLC for:

10 minutes

This public hearing will be held at 5:00 p.m. or thereafter.

- Ordinance to amend the Comprehensive Plan Future Land Use Map from Medium Density Residential (R-3) to Parking Lot (PL) on the property at 472 Broadview Avenue. (2)
- Ordinance to amend the Official Zoning Map to change from Medium Density Residential (R-3) to Parking Lot (PL) on the property at 472 Broadview Avenue. (2)
- Conditional Use approval to construct 24,000 square feet of two-story commercial buildings on the properties at 415 S. Orlando Avenue and 336 and 434 Grove Avenue including Unity of Title and Binding Lot Agreement.

12. City Commission Reports

Appeals and Assistance

"If a person decides to appeal any decision made by the Commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings, and that, for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based." (F.S. 286.0105)

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



city commission **agenda item**

item type	Invocation	meeting date	3/9/2020
prepared by	City Clerk	approved by	
board approval	final vote		
strategic objective			

subject

Pastor Ed Garvin, Calvary Assembly of God

motion / recommendation

background

alternatives / other considerations

fiscal impact



city commission **agenda item**

item type	City Manager's Report	meeting date	3/9/2020
prepared by	Budget and Performance Measurement	approved by	
board approval	final vote		
strategic objective			

subject

City Manager's Report

motion / recommendation

background

alternatives / other considerations

fiscal impact

ATTACHMENTS:

Description

90-day report

CIP Report

Upload Date

3/3/2020

3/3/2020

Type

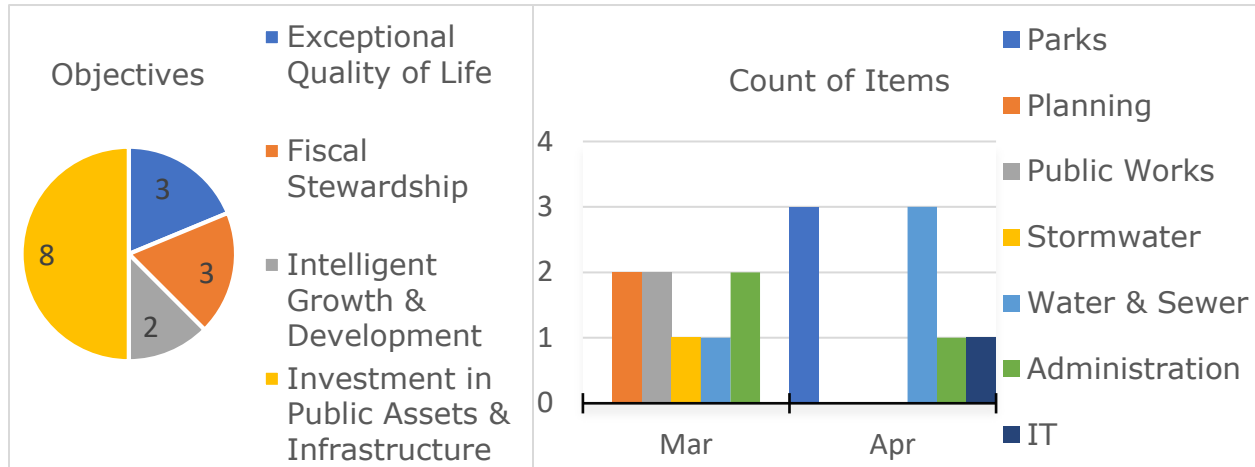
Backup Material

Backup Material



90-Day Report

This outline provides a timetable for issues and items that are planned to come before the commission over the next three months as well as the status of initiatives that do not have any determined completion date. These are estimates and will be updated on a monthly basis.



Upcoming Commission Items

Title 1: Exceptional Quality of Life

Item	Description	Item Department	Item Date
Post Office Acquisition	A counteroffer to the Letter of Intent was sent to the USPS on January 28, 2020. The USPS has sent a counter offer which City staff and the City Attorney are evaluating. Will go to Commission for consideration in March.	Public Works	Mar
Phelps Park Playground Renovation	Presentation of playground renovation and redesign at Phelps Park.	Parks	Apr

Item	Description	Item Department	Item Date
Tree Preservation Ordinance	Ordinance was introduced to PRAB on November 22nd with no action taken and request for additional time to review and possible work-session for detailed explanation by staff. Tree Ordinance will be presented to Planning and Zoning in March, and presented to Commission in April.	Parks	Apr

Title 2: Fiscal Stewardship

Item	Description	Item Department	Item Date
Charter Review Advisory Committee	Information regarding the 11 ballot questions adopted in November are available on the City's website beginning in January. The voters will decide on the charter amendments on March 17th. City staff and City Attorney are preparing for transition.	Administration	Mar
Parks Maintenance & Swoope Site	The Parks Master Plan includes the development of a central maintenance facility to serve the Golf Course, Cemetery, and Central Park, at the old Swoope Water Plant site. Staff will bring recommendations from Economic Development, Parks, and Golf Course boards regarding staff suggestions for buildout of the site in cooperation with expansion of the cemetery and removal of a shed in Central Park.	Parks	Apr
CRA Agency Meeting	Review of staff suggested capital funding proposal timeline over the remaining life of the CRA, based on CRA Agency funding allocations.	Administration	Apr

Title 3: Intelligent Growth & Development

Item	Description	Item Department	Item Date
Planning Public Hearings	Property 1390 Orange Ave current O-1 rezoning future land use to PR for open space and recreation.	Planning	Mar

Item	Description	Item Department	
Micro Mobility	City staff is working with the City Attorney to create a framework for the introduction and implementation of micro-mobility (scooters, electric bikes, etc). Staff is exploring locations where micro-mobility devices may be appropriate, but will ensure that areas with high pedestrian activity will be protected.	Planning	Mar

Title 4: Investment in Public Assets & Infrastructure

Item	Description	Item Department	Item Date
Ravadauge Development Agreement	Developing agreement with master developer for design/construction of the alignment of Bennet Avenue and Executive drive as required by the Ravadauge Development Agreement. Anticipate this proposed agreement coming to the City commission in March for consideration.	Public Works	Mar
Seminole County Ditch Drainage Improvement	The hydraulic model has been updated. Seminole County has agreed to participate in the project. Attorneys are preparing the interlocal agreement.	Stormwater	Mar
Sewer Capacity	Purchase of additional sewer capacity at Altamonte Springs.	Water & Sewer	Mar
Traffic Signal Improvement	Proposal to wirelessly link all traffic signals in Winter Park to allow for centralized control and monitoring to build a foundation for smart city traffic improvements. Draft proposal expected in early March, with proposal to Commission in Mar/Apr.	Administration	Mar
City Fiber Network	Contract for buildout of the City's private fiber network in response to ITN. Master design and inventory of existing assets is currently being finalized.	IT	Apr
Consumptive Use Permit	Request approval for a CUP 5 year analysis report.	Water & Sewer	Apr

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Item	Description	Item Department	
Wastewater Interlocal Capital Contribution Payment	Finalize approval to the City of Orlando for waste water plant upgrades.	Water & Sewer	Apr
Wastewater Interlocal Contract	Renewal of Conserv II sewer treatment contract with Orlando.	Water & Sewer	Apr

Additional Items of City Interest

Title 5: Exceptional Quality of Life

Item	Description	Item Department	
Agenda Management Program	In coordination with the Accessibility Requirements, the City is upgrading to an ADA compliant agenda management program.	IT	
Launch of redesigned cityofwinterpark.org	The Communications and IT departments presented a preview of the 2020 redesign of the city's website, cityofwinterpark.org at the end of February. The redesign is focused on meeting ADA compliance and enhanced user-experience. The launch of the new site is expected in April/May 2020.	Communication	
MLK Park Plan	City has contracted professional services through Dix-Hite to conduct review of MLK master plan, assessment of neighborhood connectivity with MLK Park and Library/Event Center, and provide suitable options for replacement of Shady Park spray feature. CRA has ability to address some improvements at this site with potential funding as part of the CRA CIP.	Parks	

Item	Description	Item Department
Public Art for I-4	Design selection by the Public Art Advisory Board was approved by the City Commission and the winning company, RLF, will finalize construction costs and options to bring the project in at the \$150k budget. This public art project, paid for by FDOT, is planned to be installed at the NE corner of W. Fairbanks and I-4.	Administration

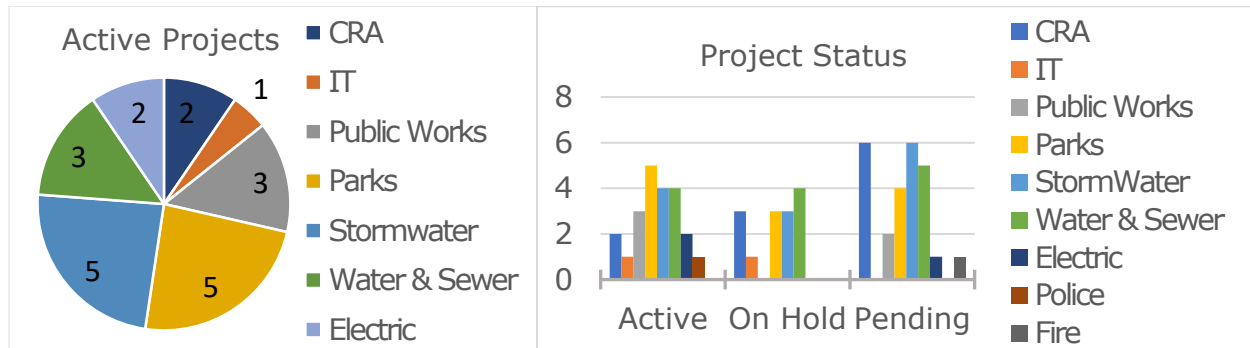
Title 6: Investment in Public Assets & Infrastructure

Item	Description	Item Department
17/92 Corridor	Staff is currently working with FDOT Arterial Team to assess needs and scope for model development and funding needs. CRA has reserved funds for this project. FDOT hopes to have 60% plans designed by Feb 2020. The city will work with FDOT on design and other associated improvements such as coordinating of utility undergrounding, landscaping, and water & sewer improvements, over the next couple months. The corridor traffic modeling effort is underway with data collection.	CRA
Electric Undergrounding	Miles of Undergrounding performed Project G: 4.1 miles 85% complete. Project H: 2.5 miles 95% complete. Project I: 6.9 miles 5% complete. TOTAL so far for FY 2020: 2 miles	Electric
Fairbanks Transmission	End of June 2020 is the estimated completion date for the Fairbanks project from Duke transmission contractors. Distribution and transmission work due to be complete by the end of March. Poles are scheduled to be removed 30 days after the completion by transmission contractors.	Electric

Item	Description	Item Department
Lakemont Avenue	Scope to be determined. Work to be tentatively performed by new transportation planner position in conjunction with the Public Works and Planning Departments.	Public Works
Lakes Health Analysis	The Natural resources division of Parks (where lakes management now resides) along with Public Works are preparing a presentation detailing historic and existing lake water quality along with previously implemented improvement projects and proposed future projects for information and discussion. It will illustrate excellent, good and impaired water quality criteria and where the City lakes rank accordingly.	Parks
Parks and Recreation Bike Path and Green Spaces Plan	Will be part of the overall Transportation Master Plan being performed by the Planning and Public Works Departments.	Public Works



This report is updated monthly to monitor active capital projects occurring throughout the city and to provide information about recently completed projects. These are aligned with the city's strategic objectives and covers any project where implementation is currently underway.



Active Projects with Tasks

Title 1: Exceptional Quality of Life Objective

Project	Project Tasks	Division
Bicycle & Pedestrian Improvement	Construction of sidewalk on Dundee is underway. Soliciting interest from property owners to install sidewalks on Garden Dr.	Public Works
Cady Way Pool Improvements	Working on fencing installation, landscaping, and backflow prevention improvements.	Parks
Field & Tennis Lighting	Replacement of field lighting at baseball fields 4&5 in Ward Park experienced delays by contractor. Expected completion by mid-March. City has been working with Babe Ruth to provide adequate temporary lighting while we await completion.	Parks
Library	Implementing signed GMP. Construction to begin late February pending permits.	Public Works
Mini Park Restorations	Kraft Azalea lane Arch restoration scheduled for March.	Parks
Showalter Improvements	Scope of work to improve sound quality is completed, and work is beginning shortly.	Parks
Winter Park Sports Complex	Continuing restoration of the area between Ward Park and the Center for Health and Wellbeing. Pond beautification to begin in April.	Parks

Title 2: Fiscal Stewardship Objective

Project	Project Tasks	Division
ERP Software Project	Last phase of system migration is underway.	IT

Title 3: Intelligent Growth & Development Objective

Project	Project Tasks	Division
CRA Small Projects	Parking sensors on the 4th floor of the Park Place Garage are deployed, working on digital signage in cooperating with the Morse Genius Foundation.	CRA
New York Streetscape	Restriping to begin in March to be completed before the Art Festival.	CRA
Solar for Water Plant Rooftop	Solar panels on the Aloma Water Plant are installed, connection to the grid will take about 3 months according to Duke Energy.	Water & Sewer

Title 4: Investment in Public Assets & Infrastructure

Project	Project Tasks	Division
Alum Station Upgrades	Last phase of telemetry being installed at Lake Mizell.	Stormwater
Arbor Park Drainage Imp	Phase one construction: drain work on Oneco Ave. underway.	Stormwater
Electric Undergrounding Project	Project G 82% complete & H 90% complete. I is now underway.	Electric
Facility Capital Improvements	Receiving quotes for HVAC in Building 10, new roof for cemetery building, and Welcome Center air conditioning improvements.	Public Works
Fairbanks Underground Project	Distribution and transmission work being completed by Duke Energy. Project completion expected in June.	Electric
I-4 Ultimate Project	Betterment is being negotiated at Grenada.	Water & Sewer
Mead Garden Wetland Tree	Ongoing replanting of trees in wetlands.	Stormwater
Meter Data Management Upgrade	Implementation of new cloud based software and integration with Tyler will take 8 to 12 months.	Water & Sewer
Sharon Place Drainage Improvements	Installation of inlets underway.	Stormwater
Stormwater Rehab	Improvements to the Mayflower ditch this March.	Stormwater

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Major Non-City ROW Work

TECO Gas

The utility will be working in Winter Park for the next several months to locate, repair, and replace gas mains along Palmer Ave and side streets. Their work is estimated to complete this summer 2020.

Recently Completed Projects

Parks & Recreation

The Parks Department completed the Ward/Loch Lomond capital project this past October 2019. The project connected the Cady Way Trail to the St. Andrews Trail to promote connectivity and safety for bicycle and pedestrian trails. This project meets the city's Exceptional Quality of Life strategic objective.



Water & Sewer



The Water & Wastewater Department completed the water system upgrade at the Lakemont Heights subdivision. The project meets its strategic objective of Investment in Public Assets & Infrastructure.

The Water & Wastewater Department also completed installation of a force main at I4 and Kennedy as part of the I4 Ultimate capital project. The project continues in cooperation with FDOT.

Public Works

The Public Works Department activated rail road Crossing Quite Zones. Safety improvements to crossing infrastructure and signage allows the trains to pass through the city without honking their horns. The project promotes the city's strategic objective by enhancing investment in public assets and improving quality of life.



Stormwater



The Stormwater Department completed Phase 1 of its Kings Way at Fawsett Rd. project which included the site survey and design. Phase Two will include a purchase and installation of the new CDS unit to improve stormwater drainage.

The Stormwater Department replaced the CDS at Highland Rd Outfall project to improve stormwater drainage. Additional improvements are being assessed to complete the project.

IT

The IT Department completed the hardware upgrade to its core routers and servers. The upgrade improves the safety, speed of computing, and increases storage to meet its strategic objective of Fiscal Stewardship for efficient and effective city services.

Fire

The Fire Department purchased a new Fire Engine to replace a unit that was 14 years old and was nearing the end of its front run life. Maintenance costs were becoming a concern and the new engine is much more efficient. Allowing the continuation of the Fire Department to provide exceptional fire service throughout the city serving the public health and safety strategic objective.



city commission **agenda item**

item type	Consent Agenda	meeting date	3/9/2020
prepared by	Assistant City Manager	approved by	
board approval	final vote		
strategic objective			

subject

Approve minutes of February 24, 2020

motion / recommendation

background

alternatives / other considerations

fiscal impact

ATTACHMENTS:

Description

Minutes of February 24, 2020

Upload Date

3/3/2020

Type

Backup Material



City Commission Regular Meeting Minutes

February 24, 2020 at 3:30 p.m.

City Hall, Commission Chambers
401 S. Park Avenue | Winter Park, Florida

Present

Mayor Steve Leary
Commissioner Sarah Sprinkel
Commissioner Carolyn Cooper
Commissioner Todd Weaver

City Manager Randy Knight
City Attorney Kurt Ardaman
City Clerk Rene Cranis

Absent

Commissioner Greg Seidel

1. Meeting called to order

Mayor Leary called the meeting of the Winter Park City Commission to order at 3:32 p.m.

2. Invocation and Pledge of Allegiance

Director of Building and Permitting Services George Wiggins provided the invocation followed by the Pledge of Allegiance.

3. Approval of Agenda

Mayor Leary advised that Public Hearing Item (d) has been pulled from the agenda.

Motion made by Commissioner Cooper to approve the agenda; seconded by Commissioner Sprinkel and carried unanimously with a 4-0 vote. Commissioner Seidel was absent.

4. Mayor's Report

5. City Manager's Report

6. City Attorney's Report

Attorney Ardaman provided an update on the pending litigation by City of Pensacola relating to arbor regulations.

7. Non-Action Items

b. Preview: Re-design of the city's official website, cityofwinterpark.org

Director of Communications Clarissa Howard provided the history of the city's website, updates, branding and city seal and provided statistics on users, access and popular content. She stated the primary reason for updating the website at this time is to comply with ADA regulations and reviewed the changes with an intended release date of Spring 2020.

Commissioner Cooper commended staff on their work to make the website ADA compliant.

- a. Discussion of growing interest of Micromobility users and companies wanting to expand into Winter Park.

Director of Planning and Community Development Bronce Stephenson gave a presentation on Micromobility which includes scooters and bikes. The City has received requests to allow scooters and mobile bar in the Central Business District (CBD) which are not allowed by city code. Staff has denied the request to allow scooters on sidewalks within the CBD applying the same regulations that prohibit bicycles on the sidewalks in the CBD. He explained that state regulations are becoming less restrictive in allowing bicycles on public sidewalks.

Attorney Ardaman stated they have been working with staff to draft an ordinance to address Micromobility. He stated the current code does not address Micromobility devices such as motorized scooters. He suggested that comments be provided to Bronce to draft an ordinance.

Commissioner Cooper provided information on Micromobility efforts and regulations and said she feels that there is not a location within the CBD that would allow for safe operation. She spoke in favor of a ban until regulations are in place.

Commissioner Weaver stated he has tried scooters and electric bikes and said he feels they are unsafe for a number of reasons including decreased line of sight and usage of cell phones during operation.

Commissioner Sprinkel expressed her concern for safety city-wide particularly when these devices are used by children in neighborhoods and near schools and parks.

Attorney Ardaman responded to questions stating that unless the use is regulated, the city has no authority except pursuant to state law. He recommended that regulations be adopted sooner than later. Statute differentiates between motorized and human-powered vehicles and between personal and commercial use/rental. He provided information on cities that have banned these types of vehicles and stated the Statute does not allow scooters on sidewalks unless the city allows them on sidewalks. The city only has the authority to prohibit them on heavily traveled streets not just on any street. He suggested that a moratorium may not be needed if the regulations cannot be adopted within the time period of a moratorium.

After additional discussion, consensus was to draft an ordinance with regulations without a moratorium.

8. Citizen Comments

Heard after 5:00 p.m.

9. Consent Agenda

- a. Approve the minutes of February 10, 2020
- b. Approve the following piggyback agreements:
 - 1. CFE Corp.: Extension of Seminole County contract #CC-0559-15/RTB - Minor Construction Projects Less Than \$2,000,000; Not to exceed \$750,000.
 - 2. Electric Supply of Tampa: Extension of Gainesville Regional Utilities contract #2015-002-A - Wire & Cable; not to exceed \$675,000.

3. Flowers Chemical Laboratories: City of Naples contract #RFP 18-026 - Lab Testing Services; not to exceed \$120,000.
4. Mechanical Services of Central Florida: Seminole County contract #RFP-603619-19/TLR - HVAC Repairs, Maintenance & Replacement Services; not to exceed \$100,000 (FY20).
- c. Approve the following contract items:
 1. Geosyntec Consultants; Singhofen & Associates: Amendment to renew RFQ-4-2017 - Continuing Professional Stormwater Management & Design Services; as-needed basis.
 2. Comprehensive Engineering Services: Amendment to renew RFQ-6-2017 - Continuing Professional Transportation Planning & Engineering Services; as-needed basis.
 3. Universal Engineering Sciences; Terracon Consultants: Amendment to renew RFQ-10-2018 - Continuing Professional Geotechnical & Environmental Consulting Services; as-needed basis.
 4. Ovation Construction; Johnson-Laux Construction: Amendment to renew RFQ-11-2018 - Repair & Construction Services; not to exceed \$2,000,000.
 5. Winter Park Scenic Boat Tour: Lease and license agreement to replace the current franchise agreement expiring this year; the city shall maintain its 5% share of gross revenue derived from boat tour fees.
 6. Florida Municipal Power Agency: amended and restated power purchase agreement between FMPA and Nexterra's Pointsett Solar; the amended agreement shall result in a price reduction of approximately 14.6% from the previously agreed upon price, which will directly benefit the city.
 7. Duke Energy Florida: amended and restated network integration transmission services agreement. There shall be no fiscal impact to the city as a result of this amendment.

Motion made by Commissioner Sprinkel to approve the Consent Agenda; seconded by Mayor Leary. There were no public comments. Motion carried unanimously with a 4-0 vote. Commissioner Seidel was absent.

10. Action Items requiring Discussion

a. I-4 Ultimate Art Endowment

Assistant Director of Communications Craig O'Neil, liaison to the Public Art Advisory Board, gave a presentation on the endowment for which the city received \$150,000 for the acquisition and installation for a public art piece to be installed along Fairbanks Avenue at the east-bound entrance to I-4. He recognized members of the Advisory Board and presented their recommendation for "Rhythmic Colors" by Rogers, Lovelock and Fritz (RLF).

Jocelynn White, RLF, provided the history of RLF and their projects within the city.

Steve Purcell, RLF, reviewed the background of their design, elements, construction, materials, ground cover and lighting options. He showed renderings of the visual effect of the art as traffic enters the eastbound on-ramp to I-4.

Commissioner Weaver said he likes the idea and is looking forward to its completion.

Commissioner Cooper asked how this location was selected. Mr. O'Neil stated this is the only available easement near I-4 appropriate for this project. Austin Reeves, Chairman of the Public Art Advisory Board, added that the proximity of the artwork is limited to the I-4 area.

Commissioner Sprinkel said she feels it is beautiful and is looking forward to seeing it.

In response to questions, Mr. O'Neil stated that the city would be responsible for maintenance; however, funds have not been allocated. Public Works Director Troy Attaway stated that the design team continues to refine the project to stay within budget and that the city has not budgeted funds to contribute toward any cost overruns. Mr. Purcell explained the process for powder recoating which will require that the pieces be taken down as needed.

Mayor Leary suggested expanding this concept to other exits for synergy and expressed his appreciation of design.

Motion made by Commissioner Sprinkel to move forward within the budget of \$150,000; seconded by Commissioner Cooper. There were no public comments. **Upon a roll call vote, Mayor Leary and Commissioners Sprinkel, Cooper and Weaver voted yes. Motion carried unanimously with a 4-0 vote. Commissioner Seidel was absent.**

11. Public Hearings

- a. **RESOLUTION 2227-90** - A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, DESIGNATING THE PROPERTY AND BUILDINGS LOCATED AT 1057 MINNESOTA AVENUE AS A HISTORIC RESOURCE ON THE WINTER PARK REGISTER OF HISTORIC PLACES AND PROVIDING FOR ADDITIONAL BUILDINGS SUBJECT TO APPROVAL OF THE HISTORIC PRESERVATION BOARD.

Attorney Ardaman read the resolution by title.

Principal Planner Jeff Briggs reviewed this request to designate this property with a bungalow and accessory cottage built in 1920 on the Winter Park Register of Historic Places. He added that there will be new structures on the property, which will be compatible with the architecture of the existing buildings but the plan preserves these 1920 buildings versus a complete tear-down and rebuild.

Jacob Johnson, applicant, was present to answer questions.

Motion made by Commissioner Weaver to approve the resolution; seconded by Commissioner Sprinkel. There were no public comments. **Upon a roll call vote, Mayor Leary and Commissioners Sprinkel, Cooper and Weaver voted yes. Motion carried unanimously with a 4-0 vote. Commissioner Seidel was absent.**

b. Request of William Keegan for:

Subdivision approval to split the properties at 1760 and 1780 Bryan Avenue into three single-family lots, zoned R-1A. Variances are requested from the R-1A lot dimension standards.

Principal Planner Jeff Briggs reviewed this request to subdivide two properties on Bryan Avenue into three lots each with approximately 67 feet of frontage, 8 feet less than the required width, and lot sizes of approximately 8466 square feet, 34 square feet below the lot size requirement. He stated the proposed lot widths are slightly less (3.5 feet) than the average lot size in the neighborhood; however, there are 10 homes on Bryan Avenue with large widths and 10 homes with smaller lot widths than requested. He showed the layout of the properties and stated the neighbors support this request as it will eliminate these two homes currently used as rentals. The Planning and Zoning Board recommended approval with the following conditions which have been agreed to by the applicant:

1. That the final front elevations of the homes be of varied architectural styles to each other to provide diversity to the neighborhood.
2. That a new uniform six-foot vinyl privacy fence be installed along the rear of all three homes matching the existing color of the existing vinyl fence at 1781 Edwin Blvd.
3. That invasive landscape species along the rear property lines be removed and privacy landscaping be installed.
4. That ornamental trees be planted along the rear of the property to mitigate the fence.

Bill Cyr, buyer/builder, and William Keegan, applicant, were present to answer questions.

Commissioner Cooper stated she will be voting no because it fails the Comp Plan and Zoning tests.

Motion made by Commissioner Sprinkel to approve the subdivision request as presented; seconded by Mayor Leary.

Barry Laboda, 1765 Edwin Blvd, owner of the adjacent property, spoke in favor of the request as it will be an improvement to the existing rental homes. He expressed his appreciation of the applicant's consent to the conditions.

Mayor Leary asked Mr. Briggs to explain how this fails the tests as indicated by Commissioner Cooper. Mr. Briggs explained that lot sizes of the neighborhood are considered. In this case, the lot width is 3.5 feet less than the average of the neighborhood; and 34 square feet less than the minimum land area required. Staff and P&Z did not deem these to be significant differences and recommended approval.

Commissioner Cooper stated the code does not provide for a comparison of the same street frontage but for the surrounding neighborhood, which is why she is opposed to this request.

Commissioner Sprinkel said she believes this is highly supported by the neighborhood. Commissioner Weaver said that he could have supported this request if it failed only one test, but he cannot support the request as it fails both tests.

Mayor Leary said he feels this meets the purpose of the code which he feels is to ensure compatibility within the neighborhood.

Mr. Briggs advised that there is no waiting period for lot splits to reapply if there is a 2-2 vote. Mayor Leary offered the applicant the opportunity to pull his request until a full Commission is present. The applicant agreed. No action taken. The matter will be rescheduled for a future Commission meeting when all members are present.

c. Request of Hill/Grey Seven LLC for:

- Ordinance to amend the Comprehensive Plan Future Land Use Map from Medium Density Residential (R-3) to Parking Lot (PL) on the property at 472 Broadview Avenue. (1)
- Ordinance to amend the Official Zoning Map to change from Medium Density Residential (R-3) to Parking Lot (PL) on the property at 472 Broadview Avenue. (1)
- Conditional Use approval to construct 24,000 square feet of two-story commercial buildings on the properties at 415 S. Orlando Avenue and 336 and 434 Grove Avenue.

A simultaneous public hearing was held on these requests. Attorney Ardaman read the ordinances by title only.

Mr. Briggs reviewed the requests for Comp Plan amendment, rezoning and conditional use approval. This is the redevelopment of the property at 415 S. Orlando Avenue and two adjoining properties on Grove Avenue. In order to meet the parking requirements, the owners are under contract to purchase the property at 472 Broadview to use for parking, which requires the change from R-3 to parking lot (PL) designation. He showed maps of the area and current conditions of the properties. He reviewed the proposed site plan and landscape plan with 25% open space and a privacy wall adjacent to residential properties and along Broadview Avenue. He stated that the area residents requested a wall height of eight feet which the Planning and Zoning Board supported but recommended extending the wall by adding a 3.5-foot wall extension to the apex of the curve which would block headlights to the residential area.

Mr. Briggs stated that the applicant is requesting a variance of four parking spaces and the potential to add 12 seats in the restaurants. A second variance is requested for an additional five feet to the roof and visible height. At the Planning and Zoning meeting, the neighbors supported the project but expressed concern about cut-through traffic. Mr. Briggs stated that a subsequent meeting was held with the neighbors to discuss traffic concerns. He summarized the Planning and Zoning Board conditions of approval:

1. Extend 8-foot wall to the maximum degree that safety would allow with step-downs in height as the wall neared the curve just as necessary to shield headlights. At this point, a 42-inch tall wall shall be constructed.
2. Applicant to plant minimum 3-inch caliper shade trees and additional hedge row around the edges of the parking lot.

3. Per the City Attorney, to require a Development Agreement which provides for the consolidation of all of the parcels in a Unity of Title.
4. Implementation of a driveway configuration (pork chop) to preclude right turns out of the Broadview parking lot onto Grove Avenue in order to discourage cut-thru traffic.

Mr. Stephenson stated that a meeting was held with the neighbors to discuss their concerns and ideas to address cut-through traffic, speeding and traffic going the wrong way on one-way streets. He showed a map of traffic movement and solutions which includes placement of temporary bollards (planters) on Killarney Drive to eliminate cut-through traffic. Another suggestion is to put a small parklet at the intersection of Broadview, Grove and Dallas Avenues that would create two different traffic flows to prevent cut-through traffic to Killarney and create two-way traffic through the area with an exit to Fairbanks Avenue. The neighbors acknowledged the additional difficulty they will experience getting into the area but are looking forward to reduced cut-through traffic. He stated there would be temporary barriers and signage during a trial period and that no roads will be vacated.

Commissioner Cooper asked for the proposed trial period. Mr. Stephenson stated that it will likely be six months. Mayor Leary stated that a future commission can make changes if necessary.

Mr. Stephenson stated that Condition #4 would not apply due to this traffic solution that was created after the Planning and Zoning Board meeting.

Commissioner Sprinkel commended staff and neighborhood on finding a solution to reduce cut-through traffic.

Mayor Leary disclosed that he met with applicant, their attorney and received comments from neighborhood residents.

Commissioner Sprinkel stated that she met with the applicant.

Commissioner Cooper stated that she met with applicant and neighbors.

Commissioner Weaver stated that he met with the applicant, neighbors and city staff.

In response to questions by Commissioner Cooper, Mr. Stephenson stated that the small park will be located within the right-of-way but without abandonment of the roads. Commissioner Cooper stated she feels it is problematic to not go through a process for road closures and feels there should be a clear process for addressing closure of public roads. However, she supports moving forward with this request.

Commissioner Weaver thanked staff for coordinating the meeting with neighbors.

Rebecca Wilson, attorney representing applicant, stated that the applicant is moving their operations from Oviedo. She reviewed the existing site and building plans showing the setbacks, building height and exterior. She stated that curb cuts will be reduced to only one on 17-92 and on Grove. She stated that one building looks like two stories but will have increased floor to ceiling interior height which is preferred by high-end restaurants anticipated to occupy this building. She reviewed current and proposed trip generation, which will be

reduced with this project. She listed the sustainability plans for improved stormwater retention, solar panels, LED parking lights, electric car charging stations and bike racks, and improved insulation. She commended staff on their efforts to address the neighbors' concerns

Ms. Wilson responded to questions stating the setback along 17-92 is 15 feet between the greenspace and the buildings excluding the five-foot sidewalk within the FDOT right-of-way which results in a 20-foot setback from 17-92. She added that the setback of the wall from property line is five feet but will be more than ten feet with landscaping.

In response to questions by Commissioner Cooper, Mr. Stephenson stated the distance between shade trees is 50 feet which exceeds code and allows for healthy growth. He added that there will also be shrubs and understories.

Motion made by Commissioner Weaver to approve the ordinances on first reading and the conditional use request with the Planning and Zoning Board Conditions 1-3; seconded by Commissioner Sprinkel.

David Sutphin, 350 Killarney Drive commended city staff for working with the neighborhood and stated they are generally very supportive but implementation of the traffic plan is key. This is intelligent growth and the first time that 80% of the neighborhood were in favor of a proposed traffic plan.

Commissioner Weaver expressed his support for the rezoning which aligns with city code. He stated he was concerned about the ceiling height which has been addressed by the applicant in their agreement to a solar panel system.

Mayor Leary asked for confirmation that the motion includes Planning and Zoning Board recommendations 1-3 (eliminating #4). Commissioners Weaver and Sprinkel confirmed.

Upon a roll call vote to approve the Comp Plan Amendment, Mayor Leary and Commissioners Sprinkel, Cooper and Weaver voted yes. Motion carried unanimously with a 4-0 vote. Commissioner Seidel was absent.

Upon a roll call vote to approve the rezoning ordinance, Mayor Leary and Commissioners Sprinkel, Cooper and Weaver voted yes. Motion carried unanimously with a 4-0 vote. Commissioner Seidel was absent.

Upon a roll call vote to approve the Conditional Use request with conditions 1-3, Mayor Leary and Commissioners Sprinkel, Cooper and Weaver voted yes. Motion carried unanimously with a 4-0 vote. Commissioner Seidel was absent.

d. Request of Sydgan Corp. for:

- Ordinance to amend the Comprehensive Plan Future Land Use Element Policy Text within the Hannibal Square Neighborhood Planning Area. (1)
- Ordinance to amend the Future Land Use Map from Single Family and Low Density Residential to Commercial on 0.97-acres of the combined subject property located southwest of the Pennsylvania and Symonds Avenue intersection. (1)

- Ordinance to amend the Official Zoning Map from Single Family (R-1A) and Low Density Residential (R-2) to Commercial (C-3) on 0.97-acres of the combined subject property located southwest of the Pennsylvania and Symonds Avenue intersection. (1)
- Conditional Use approval to construct a three-story hotel of 140 rooms with associated restaurant and ballroom/meeting space on properties at the southwest corner of Symonds and Pennsylvania Avenues.

Postponed to March 9, 2020 at applicant's request.

- e. **ORDINANCE 3165-20** AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, PROVIDING FOR THE ANNEXATION OF APPROXIMATELY 2.06 +/- ACRES OF REAL PROPERTY GENERALLY LOCATED SOUTH OF MONROE AVENUE, NORTH OF ELVIN AVENUE, EAST OF BENNETT AVENUE AND WEST OF ORLANDO AVENUE, AND HAVING ORANGE COUNTY TAX PARCEL IDENTIFICATION NUMBERS 01-22-29-3712-15- 010, 01-22-29-3712-16-072, 01-22-29-3712-16-070, 01-22-29-3712-16-092 AND 01-22-29-3712-16-091 AND CERTAIN PORTIONS OF THE LEWIS DRIVE AND BENNETT AVENUE PUBLIC RIGHTS-OF-WAY AS MORE SPECIFICALLY DESCRIBED HEREIN INTO THE MUNICIPAL BOUNDARIES OF THE CITY OF WINTER PARK; REDEFINING THE CITY BOUNDARIES TO GIVE THE CITY OF WINTER PARK JURISDICTION OVER SAID PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (Second Reading)

Attorney Ardaman read the ordinance by title.

Motion made by Commissioner Sprinkel adopt the ordinance on second reading; seconded by Commissioner Cooper.

There were no public comments.

Commissioner Weaver asked whether these lots would be used primarily for stormwater. Mr. Stephenson explained that this was the location under the previous plan. Mr. Weaver suggested adding a condition that 50% of the land area, not including streets, be designated as stormwater retention.

Dan Bellows, Benjamin Partners, provided the history of the improvements made including installing new sanitary sewer, potable water, stormwater, on-street parking, sidewalks, decorative lighting, and underground electric. He questioned why he should restrict his ability to develop the property by giving up 50% of the land to accommodate stormwater. He asked for the flexibility to work with staff to design stormwater plan.

Discussion followed on the previous plans addressing stormwater retention. Mr. Stephenson pointed out that this annexation is the first step, which will follow with Comp Plan and zoning designation, tentatively scheduled to come before the Commission in April. He added that the plan will be reviewed by the Development Review Committee.

Upon a roll call vote Mayor Leary and Commissioners Sprinkel, Cooper and Weaver voted yes. Motion carried unanimously with a 4-0 vote. Commissioner Seidel was absent.

8. Citizen Comments

Sabrina Bernat, Executive Director of Winter Park Public Library, distributed copies of their March event guide and January highlights which includes activities, early voting and various statistics on events, items checked out, visitors and new membership.

- f. **ORDINANCE 3164-20** AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 62, "OFFENSES AND MISCELLANEOUS PROVISIONS" WITHIN DIVISION 2, "NOISE AND DISTURBANCE CONTROL", SECTION 62-97, PROVIDING FOR NOISE CONTROLS RELATED TO OUDOOR LIVE MUSIC TO APPLY CITYWIDE; PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE. (Second Reading)

Attorney Ardaman read the ordinance by title.

Principal Planner Jeff Brigs explained that the ordinance was revised from first reading based on Commission comments at first reading regarding frequency of events and includes imposition of earlier ending times when frequency of live music is more than once every two months.

Mayor Leary asked if this has been communicated to the resident that spoke at the previous commission meeting. Mr. Knight stated that staff will reach out to the resident.

It was confirmed that this change was discussed at the first reading.

Motion made by Commissioner Sprinkel to adopt the ordinance as revised on second reading; seconded by Mayor Leary.

Discussion ensued on the whether this change is substantive and requires another public hearing. The City Attorney advised that the change was directed by the City Commission at the first reading so it was not a new substantial change at the second reading.

There were no public comments.

Upon a roll call vote, Mayor Leary and Commissioners Sprinkel, Cooper and Weaver voted yes. Motion carried with a 4-0 vote. Commissioner Seidel was absent.

Mayor Leary excused himself and turned the meeting over to Commissioner Sprinkel at 5:32 p.m.

12. City Commission Reports:

Commissioner Seidel - Absent

Commissioner Weaver - No report

Commissioner Cooper

- Suggested that the city code be reviewed for setbacks for street-front dining, approving rezoning of R-3 properties to parking lots, and affordable housing.
- Stated that the Casa Feliz Parlor Series on Frank Lloyd Wright is February 25th at City Hall.

- Advised that Winter Park Land Trust annual meeting on February 27th at 6:00 p.m. at the Farmer's Market.
- State the League of Cities is holding its civics education program on March 19th in Winter Park.
- Suggested holding resident focus groups on city's new website.
- Suggested implementing Robert's Rules of Order for Commission meetings and moving items to future meetings at 11 p.m.
- Suggested holding regular work sessions.
- Stated that she is struggling with density transfers on Orange Avenue Overlay, not as much as the receiving properties but the sending properties and the entitlements that remain.
- Asked that a process be developed for making changes to city roads.

Commissioner Sprinkel

- Stated a resident asked if there is a place to land a helicopter in Winter Park. It was noted that there are no designated locations, but permits can be obtained for a special event.
- Suggested that regulation of noise from blowers be kept in the forefront due to the number of noise complaints.
- Reminded that as she serves on Library Board and a replacement will need to be appointed.
- Expressed her pleasure to hear of the activities at the Library.
- Said she is thrilled with the State's response to the Orange Avenue Overlay and she feels that the process worked. She stated that she believes redevelopment is a way for stormwater improvements and lighting.
- Spoke in favor of scheduled work sessions on specific items.
- Suggested consideration for starting meetings later for the benefit of working residents.

Mayor Leary - Left the meeting at 5:32

The meeting adjourned at 5:44 p.m.

Mayor Steve Leary

ATTEST:

City Clerk Rene Cranis, CMC



city commission **agenda item**

item type	Consent Agenda	meeting date	3/9/2020
prepared by	City Manager	approved by	City Manager
board approval	N/A final vote		
strategic objective	Investment in Public Assets and Infrastructure, Fiscal Stewardship		

subject

Appoint Leif Bouffard as alternate member on the South Seminole North Orange County Wastewater Transmission Authority

motion / recommendation

Appoint Leif Bouffard as the alternate City of Winter Park representative to SSNOCWTA.

background

The City of Winter Park is a member of the South Seminole North Orange County Wastewater Transmission Authority (SSNOCWTA) which is the sewage transmission authority for part of Seminole County and the cities of Casselberry, Maitland and Winter Park. By state statute, each member entity is to appoint a representative and alternate to SSNOCWTA. The representative and alternate must live in the city limits of the jurisdiction he or she is representing.

Randy Knight is the Winter Park representative and Kyle Dudgeon was the alternate but he moved out of the city limits. Leif Bouffard, Facilities and Special Projects Manager meets the criteria for being appointed and is being recommended by the City Manager to be the alternate.

alternatives / other considerations

Any city resident can be appointed. In Winter Park it has usually been an employee. Some other entities have an elected official as either their representative or alternate and one city has a non-employee and non-elected citizen.

fiscal impact

None.



city commission agenda item

item type	Public Hearings	meeting date	3/9/2020
prepared by	Planning	approved by	City Manager, City Attorney
board approval	yes final vote		
strategic objective	Exceptional Quality of Life, Intelligent Growth and Development		

subject

Request of Sydgan Corp. for:

- Ordinance to amend the Comprehensive Plan Future Land Use Element Policy Text within the Hannibal Square Neighborhood Planning Area. (1)
- Ordinance to amend the Future Land Use Map from Single Family and Low Density Residential to Commercial on 0.97-acres of the combined subject property located southwest of the Pennsylvania and Symonds Avenue intersection. (1)
- Ordinance to amend the Official Zoning Map from Single Family (R-1A) and Low Density Residential (R-2) to Commercial (C-3) on 0.97-acres of the combined subject property located southwest of the Pennsylvania and Symonds Avenue intersection. (1)
- Conditional Use approval to construct a three-story hotel of 140 rooms with associated restaurant and ballroom/meeting space on properties at the southwest corner of Symonds and Pennsylvania Avenues including Developer's Agreement, 3rd Amendment.

motion / recommendation

Staff and P&Z Board recommendation is for approval of this four-part request subject to the terms of the Third Development Agreement Amendment and the following conditions:

1. That any ground signage be limited to the same size (square footage) and height of the Alford Inn monument sign.
2. That the applicant work with Urban Forestry and Public Works to add additional on-street parking along Pennsylvania Avenue.
3. That the project provides the required bike parking per code and add two electrical vehicle charging stations to either the existing parking garage or added surface parking spaces.
4. The dedication to the city of the 0.79-acre pond/park, the stormwater capacity that the city is gaining, along with the landscaping/irrigation and maintenance by the applicant agreement.
5. Agreement that the parking garage shall be shared by the hotel and office users.
6. That four affordable or workforce housing units be constructed within City limits or pay fee-in-lieu in the amount of \$400,000.00 (\$100,000.00 per unit) to the Affordable and Workforce Housing Trust Fund, prior to the Certificate of Occupancy

of the hotel project.

7. That the Comprehensive Plan Policy 1-H-6 be modified to only say non-residential land uses and zoning on the north side of Symonds Avenue between Capen Avenue and Pennsylvania Avenue be deemed to be in conflict with the Comprehensive Plan.

8. That Comprehensive Plan Policy 1-H-7 be removed since it is a duplicate of Policy 1-H-6.

background

The applicant represents the owners of the 4.84 acres of properties located at 655 West Morse Boulevard and 656, 660, 664, 672, and 710 Symonds Avenue, and is requesting the following four approvals:

1. To change the Comprehensive Plan Future Land Use element text policies, as the current policies would not permit the land use/rezonings requested;
2. To change the Comprehensive Plan Future Land Use map from Single-Family and Low Density residential on 0.97 acres of the site to Commercial;
3. To change the Zoning Map from R-1A and R-2 on 0.97 acres of the site to C-3; and
4. Conditional Use approval to build a new three-story, 115,000 square foot, 140 room hotel with associated dining and ballroom/meeting space.

Historical Summary of Requests at this Property

This combined property is located within the Community Redevelopment Agency (CRA) area. When the CRA was established in 1994, one of the primary goals was to encourage the redevelopment of West Morse Boulevard. The redevelopment of Morse Boulevard began in earnest in 1999 on this subject property at 655 West Morse Boulevard with the redevelopment of the now existing office buildings and parking garage at the northwest corner of Morse Boulevard and Pennsylvania Avenue. The zoning requested and granted for that development was C-2 (Central Business District), as allowed in the Hannibal Square Neighborhood Commercial area in the Comprehensive Plan. A Development Agreement was executed in November 2000 and there were two subsequent amendments in November 2007 and February 2012 (attached for reference).

In the initial Development Agreement, the City had approved rezoning of some residential land and rezoning the subject property to C-2, and in return the City gained certain commitments. One was that the development along the frontage of Morse Boulevard would be no higher than two stories. The second commitment was that residential development would occur on the vacant land to the rear (north) along Symonds Avenue prior to any development on the corner of the subject property zoned for commercial use at Pennsylvania Avenue and Symonds Avenue.

In 2016, the applicant successfully rezoned 9,575 square feet of R-2 property along Symonds Avenue to C-3, and received a preliminary Conditional Use approval for a three-story hotel project of 120 rooms (approximately 80,000 square feet in size), utilizing the existing three-story parking garage that was built with excess capacity. This approval also included using the existing onsite office building for the hotel use. Following this approval, a large employer moved into the existing office building, so this preliminary Conditional Use approval for a hotel never moved forward.

As part of this new Conditional Use request, there is an additional Development Agreement Amendment needed (discussed below). This request also includes additional hotel rooms (140 total) as well as extends into R-1A and R-2 land owned by the applicant.

Comprehensive Plan Future Land Use Element Policy Text Changes

The first part of this application is to request three Comprehensive Plan Future Land Use policy text changes within the Hannibal Square Neighborhood Planning Area. These requested text changes will allow consideration of the other three items that are part of this application. The following are the relevant Comprehensive Plan policies for consideration of this application:

Policy 1-H-1: Discourage Non-Residential Encroachments into Residential Sections. The City shall discourage non-residential and medium or high-density residential future land use amendments into single family and low-density residential areas of this neighborhood planning area and shall deem land use changes from single family residential to low or medium density residential or to a non-residential designation to be in conflict with this Comprehensive Plan policy and shall not be permitted unless otherwise provided for in the Comprehensive Plan.

As a follow-up policy to the “unless otherwise provided for” clause in Policy 1-H-1, the following Policy 1-H-2, allows for the consideration of non-residential rezonings and land use amendments if the loss of housing or housing potential is compensated for through the provision of housing or negotiated fees in lieu of housing, paid to the Affordable and Workforce Housing Trust Fund, as shown below.

Policy 1-H-2: If Non-Residential Zonings Are Approved, Compensation Required for Lost Housing. In situations where a change to non-residential Comprehensive Plan Amendment is approved, in this planning area, the loss of housing or housing potential must be compensated for through the provision of housing or negotiated fees in lieu of housing, paid to the Affordable and Workforce Housing Trust Fund.

The Commission has previously approved a proposal to the north at 301 North Pennsylvania Avenue that allowed for non-residential land use in a designated residential area, but the provisions outlined in Policy 1-H-2 were met, with compensation provided in the form of a new house provided to the Hannibal Square Community Land Trust.

Policy 1-H-6: Non-Residential Use on Certain Segments of Comstock Avenue, New England Avenue & Symonds Avenue. Non-residential land uses and zoning on Comstock Avenue between Denning Drive and the Railroad, on New England Avenue between Denning Drive and Pennsylvania Avenue and on Symonds Avenue between Capen Avenue and Pennsylvania Avenues shall be deemed to be in conflict with the Comprehensive Plan.

Policy 1-H-7: Non-Residential Use on Certain Segments of New England Avenue & Symonds Avenue. Non-residential land uses and zoning on New England Avenue between Denning Drive and Pennsylvania Avenue and on Symonds

Avenue between Capen Avenue and Pennsylvania Avenues shall be deemed to be in conflict with the Comprehensive Plan.

In an alternative approach that could provide a benefit to the entire Hannibal Square Neighborhood Planning Area and meet the intent of the Comprehensive Plan for creation of affordable or workforce housing, the applicant is proposing the text amendments listed below. The underlined text is proposed by the applicant to be added to the existing policy and the strike-through text is policy language to be removed. These additions/deletions provide the opportunity for an approval of their request. Staff notes that Policy 1-H-7 is a duplicate of Policy 1-H-6. Therefore, as part of this request, staff is recommending that Policy 1-H-7 be removed.

Policy 1-H-2: If Non-Residential Zonings Are Approved, Compensation Required for Lost Housing. In situations where a change to non-residential Comprehensive Plan Amendment is approved, in this planning area, the loss of housing or housing potential must be compensated for through providing substantial infrastructure improvements with regional benefit, or by donating park land for the regional benefit to the planning area, or the provision of housing or negotiated fees in lieu of housing, paid to the Affordable and Workforce Housing Trust Fund.

Policy 1-H-6: Non-Residential Use on Certain Segments of Comstock Avenue, New England Avenue & Symonds Avenue. Non-residential land uses and zoning on Comstock Avenue between Denning Drive and the railroad, on New England Avenue between Denning Drive and Pennsylvania Avenue ~~and on Symonds Avenue between Capen Avenue and Pennsylvania Avenues~~ shall be deemed to be in conflict with the Comprehensive Plan.

~~**Policy 1-H-7: Non-Residential Use on Certain Segments of New England Avenue & Symonds Avenue.** Non-residential land uses and zoning on New England Avenue between Denning Drive and Pennsylvania Avenue and on Symonds Avenue between Capen Avenue and Pennsylvania Avenues shall be deemed to be in conflict with the Comprehensive Plan.~~

With the proposed addition of the text to Policy 1-H-2 and removing the references to Symonds Avenue in Policy 1-H-6, the applicant is proposing to construct a regional stormwater retention/open space park area of 0.79 acres to be dedicated to the City, and perpetually maintained by the property owner. The applicant is proposing this area to be constructed as a dry stormwater retention area, meaning that it will stay dry with the exception of holding water during large rain events, with controlled release of the stormwater to again allow the area to be used as open space park area. Stormwater areas designed as dry retention are often used as passive recreation park space, making effective use of green open space areas to meet quality of life and infrastructure needs. The applicant will preserve a 36-inch caliper Oak and a 48-inch caliper Oak tree and will plant new Oak and Cypress Trees along with additional landscaping along the perimeter areas of the retention area to provide shade and create an open space park atmosphere.

As mentioned earlier, this project is located within the CRA boundary, and the idea of a regional retention area is mentioned as an area of opportunity in the CRA Plan (see attached). The specific text in the CRA Plan mentions that the City should engineer

this regional retention area, however, in this case the applicant is designing the area in coordination with the Public Works Department. The applicant is then constructing and maintaining the retention area/open space park area and will dedicate this land to the City. Any preservation of green open space and preservation of large trees that are a part of our tree canopy are always beneficial to the community.

Regarding the deletions to Policy 1-H-7, this would create the opportunity for non-residential development, but with the creation and dedication of the retention area/open space park area, there is a definitive line where any non-residential development of the applicant's property would stop.

Additionally, Policy 1-H-2 would require compensation for the non-residential use of residentially designated areas. To meet the intent of Comprehensive Plan policy for residential compensation, the applicant is required to provide four affordable or workforce housing units, to be constructed within the City of Winter Park or pay fee-in-lieu in the amount of \$400,000.00 (\$100,000.00 per unit) to the Affordable and Workforce Housing Trust Fund, prior to the Certificate of Occupancy of the hotel project.

The Winter Park Land Development Code provides the following definitions for affordable and workforce housing:

Affordable housing means a dwelling unit, with regard to a unit for sale, which costs less than 80 percent of the median price of the single-family homes sold the previous year in the Orlando metropolitan area; and with regard to a unit for rent, one which rents monthly for less than 80 percent of the median monthly cost of similar sized units for the previous year in the Orlando metropolitan area and for which the purchaser's or renter's income or combined family income does not exceed 80 percent of the median family income for the Orlando metropolitan area.

Workforce housing means a dwelling unit, with regard to a unit for sale, which costs less than 120 percent of the median price of the single-family homes sold the previous year in the Orlando metropolitan area; and with regard to a unit for rent, one which rents monthly for less than 120 percent of the median monthly cost of similar sized units for the previous year in the Orlando metropolitan area, and for which the purchaser's or renter's income or combined family income does not exceed 120 percent of the median family income for the Orlando metropolitan area.

Comprehensive Plan Future Land Use Map and Zoning Map Changes

Currently on the combined 4.84-acre subject property are two existing office buildings fronting on Morse Boulevard, and a two-story, three-level parking garage. Of this 4.84-acre combined site, 2.7 acres are designated Commercial (C-2), 0.22 acres are designated Commercial (C-3), 1.81 acres designated Single Family (R-1A) or Low Density Residential (R-2), and the remaining 0.11 acres are zoned Office (O-1). The applicant is seeking to rezone and amend the Future Land Use designations of 0.97 acres of residentially designated land to Commercial (C-3). The retention area/open space park area will be designated as park space upon dedication to the City.

Conditional Use Review for the Hotel Project

The applicant is requesting Conditional Use approval of a three-story, 115,000 square foot, 140 room, hotel with associated dining and ballroom/meeting space. As will be outlined in the Development Agreement Amendment, the Floor Area Ratio

(FAR) utilized will be the aggregate of only the land with current commercial zoning (C-2 & C-3). The C-2 land (117,612 square feet) permits a FAR of 200%, or 235,224 square feet. The C-3 land (9,579 square feet) permits a FAR of 50% for a hotel, or 4,790 square feet. This creates 240,102 square feet of available FAR. Once the existing office buildings (41,653 square feet, or 17% FAR) located at 655 West Morse Boulevard is subtracted, 198,449 square feet of FAR remain. The hotel proposes to use 115,000 square feet (or 48% FAR), and when subtracted from the remaining FAR, 83,449 square feet now remain. This leaves 83,449 square feet (35%) of unused aggregate FAR on the site. This means that, if the rezoning and land use amendments are approved, the applicant is using only the FAR entitlements that exist today. Therefore, the only necessity for the rezoning of the 0.97 acres of land to C-3 would be to allow the property to be used as a hotel. Where the rezoning to C-3 would create an additional 19,013 square feet of commercial FAR in a typical rezoning application, this new Commercial FAR will not be counted or utilized now or in the future as will be stipulated in the new Amended Development Agreement. Though the parking garage was not calculated in the FAR at the time that the property originally developed and therefore would not be counted towards FAR now, the 83,449 of remaining aggregate FAR on the site would accommodate the approximately 64,000 square foot garage and the entire development would remain under the allowable aggregate FAR.

Setbacks are proposed at 10 feet from Pennsylvania Avenue and 10 to 12 feet along Symonds Avenue, which meets the code requirements for C-3 and C-2 land, and is consistent with the nearby C-3 and C-2 projects. However, this allows the hotel along Symonds to be closer to the street versus the 25 feet setback required for R-2 development. The building height is within the maximums permitted by Commercial codes, proposed at 37.8 feet. Additional height for the rooftop mechanical screening architectural elements are proposed at a maximum of 45 feet. As was approved in the previous Conditional Use request for this hotel, the applicant is requesting a variance from the third story requirements for C-2 and C-3, which require third stories to be terraced and stepped back.

These hotel plans have been reviewed by all city departments via our Technical Advisory Committee.

Parking Analysis

The plans propose a small parking lot of 40 spaces. This is to provide opportunities for parking for the hotel staff, service and deliveries, and other accessory parking needs. The remainder of the parking needed for the hotel guests will be within the existing parking garage onsite. The hotel will mostly, if not entirely, utilize valet parking for the hotel guests, via the Pennsylvania Avenue frontage. Staff is recommending that the applicant work with the Urban Forestry Department (in an effort to save the existing street trees) and Public Works Department to create additional parallel spaces along Pennsylvania to help with staging for the valet.

The existing office building requires one space for each 333 square feet, or 125 spaces. The hotel use per the city's code requires that a hotel provide parking for the cumulative uses in the building based on one space for each hotel room (140 spaces for 140 rooms), one space for each 4 seats in the restaurant/bar (140 seats proposed requires 35 spaces), one space for each 250 square feet of meeting/ballroom room

area (9,229 square feet requires 37 spaces). The total parking required for the hotel and accessory uses is 212 spaces. The combined hotel and office uses create a parking requirement of 337 spaces. The existing parking garage has 269 spaces and with the 40 new spaces proposed, the entire project has 309 parking spaces. This leaves a deficit of 28 parking spaces. However, the applicant is complying with the parking requirements by utilizing the city's recent parking code updates that includes the Urban Land Institute's Methodology for Shared Parking Exclusions. This is based on time of day usage for the hotel functions and office. See attached Hotel Parking Analysis Report for a breakdown of this shared parking analysis that shows at all times of day, there will be excess parking needed for these uses.

Stormwater Retention Area Analysis

As previously mentioned, the applicant is proposing a 0.79-acre regional retention area/park, which will handle the stormwater retention requirements per code for the hotel project. Based on the attached analysis of the stormwater capacity of the retention area, this retention area will allocate 19.8% of its capacity to the existing development on the site, 17.4% to the proposed hotel, 13.2% to off-site developments within the area that are owned by the applicant (338 West Morse Boulevard and 301 West New England Avenue), which leaves the remaining 43.9% of the capacity of the retention area to be utilized by the city for regional stormwater improvements. This capacity equates to over 12 acres of regional stormwater capacity and treatment per the city's stormwater calculations. The leftover 5.7% of the retention capacity is then reserved for the retention area itself. The applicant has worked closed with the city's Public Works Department and the St. John's River Water Management District to create the plans for this regional retention area, which is in the drainage basin for Lake Mendocino, where any additional stormwater retention and treatment is beneficial.

Traffic Analysis

The applicant has provided a Traffic Analysis via a trip generation report (attached). This report analyzed the trips associated with the existing office development and the development potential of the site with existing zoning versus the proposed hotel use and existing office use. The report concluded that this proposed combined office/hotel use will generate 1,012 daily trips, 2,354 fewer daily trips than if the site was built out to maximum office/retail potential.

Development Agreement

The applicant is proposing a Third Development Agreement amendment. This Agreement will contain important provisions for:

1. Providing the Conditional Use entitlements for the hotel, along with any conditions of approval.
2. The dedication to the city of the 0.79-acre retention area/park, the stormwater capacity that the city is gaining, along with the landscaping/irrigation and maintenance by the applicant agreement.
3. Agreement that the parking garage shall be shared by the hotel and office users.
4. Amending the requirement from the original Development Agreement for four residential units along Symonds Avenue to four affordable or workforce housing units to be constructed within City limits or pay fee-in-lieu in the amount of \$400,000.00 (\$100,000.00 per unit) to the Affordable and Workforce Housing Trust Fund, prior to the Certificate of Occupancy of the hotel project.

Staff/ P&Z Board Analysis and Recommendation

The main review criteria for the Comprehensive Plan/Zoning Map amendments and Conditional Uses is the context and compatibility with the adjacent area. The eastern and southern portions of this property are within the area of the city where the C-2 zoning is permitted and allows up to 200% FAR. This project meets the CRA Plan goals of creating regional infrastructure, open park space and employment opportunities. A hotel project similar to the current proposal was also previously approved, and provided less area-wide benefit. Additionally, the combined development on the property would be well under the current allowable FAR and would not propose to use any additional FAR proposed by the rezoning. The architecture, landscaping and open space park area would all create substantial aesthetic upgrades to the area. By ensuring that the affordable or workforce housing is created for the Winter Park community, this project meets the Comprehensive Plan goal.

Planning & Zoning Board Minutes from February 4, 2020:

- CPA #20-02; RZ #20-02 & CU #20-03 Request of Sydgan Corp. for: (1) Ordinance to amend the Comprehensive Plan Future Land Use Element Policy Text, (2) Ordinance to amend the Future Land Use Map from Single Family and Low Density Residential to Commercial on 0.97-acres of the combined subject property, (3) Ordinance to amend the Official Zoning Map from Single Family Residential (R-1A) and Low Density Residential (R-2) to Commercial (C-3) on 0.97-acres of the combined subject property, and (4) Conditional Use approval to construct a three-story hotel of 140 rooms with associated restaurant and ballroom/meeting space on properties at the southwest corner of Symonds and Pennsylvania Avenues.

Senior Planner Allison McGillis explained that the item was a four-part request for the combination of properties measuring 4.84 acres bounded by Morse Blvd. on the South, North Pennsylvania Avenue on the East and Symonds Avenue on the North. Items included in the applicant's request were:

1. Change the Comprehensive Plan Future Land Use Element Text Policies within the Hannibal Square neighborhood land planning area.
2. Change the Comprehensive Plan Future Land Use Map from Single Family and Low Density Residential on .97 acres of the combined site to Commercial.
3. Change the Zoning Map from R-1A and R-2 on the same .97 acres of the site to C-3
4. Conditional Use request to build a new three-story, 115,000 square foot, 140 room hotel with the standard associated dining and meeting room space area.

Mrs. McGillis presented maps that showed the existing future land use and zoning of the subject properties and the properties surrounding it. She noted that the combined property was within the CRA area. She explained that when the CRA was established in 1994, one of the main goals of the CRA plan was to redevelop west Morse Boulevard which began in 1999 with the property where the existing two-story, three-level parking garage and office buildings that front on Morse Boulevard and a portion of Pennsylvania Avenue are located. She reminded the Board that in 2016 the applicant successfully

rezoned a portion of the site to Commercial and received a Conditional Use approval for a three-story, 120 room hotel. After the request was approved, the owners of the property leased the corner office building to Holiday Retirement which used a lot of the property that would have been used for that hotel project, consequently, the Conditional Use request did not move forward. Presently the applicant has requested to build construct the hotel along Symonds Avenue to include more of the R-1A and R-2 land and contain an additional twenty rooms.

Mrs. McGillis stated that the first part of the request included changes to Comprehensive Plan policies in Hannibal Square neighborhood planning area. She explained that the requested text changes would allow consideration of the other three items that were part of the application and read relevant Comprehensive Plan policies for consideration of the application.

Mrs. McGillis read a policy that stated, "We shall discourage non-residential encroachments into residential sections in this planning area" and noted the end the policy which states, "should not be approved unless otherwise provided for in the Comprehensive Plan".

As a follow up to that policy, policy 1-H-2 states, "if non-residential zonings are approved, compensation is required for the lost housing through the provision of housing or negotiated fees in lieu of housing, paid to the City's Affordable Workforce Housing Trust Fund."

Mrs. McGillis read two additional policies relevant to the request. In summary, 1-H-6 states we shall not allow non-residential uses along Symonds Avenue, as well as on Comstock Avenue between Denning Drive and the Railroad, on New England Avenue between Denning Drive and Pennsylvania Avenue. She noted that 1-H-7 was an exact copy of 1-H-6 and had been mistakenly added to the Comprehensive Plan. Staff was adding on to the request and recommending that 1-H-7 be removed completely because it was covered in 1-H-6, and was not necessary. She presented a slide indicating the applicant's request for 1-H-6 to remove mention of Symonds Avenue and Staff's request to remove 1-H-7 since it was not relevant and covered in 1-H-6. Also mentioned, in terms of the "unless otherwise provided for" clause in Comprehensive Plan policy 1-H-2, the applicant is requesting that text saying that "as a benefit to the entire Hannibal Square planning area that the loss of housing can be compensated for by providing substantial infrastructure improvements with regional benefits or by donating park land for the regional benefit of the planning area". With that added text, the applicant is proposing to meet all of the "unless otherwise provided for" requirements in the new 1-H-2 policy. The applicant is planning to construct a regional stormwater retention area which would also work as open park space that measures 0.97 acres in size. She explained the retention area could also be used as open park space because the applicant was proposing the land be constructed as a dry storm water retention area, meaning most of the time the area would be dry land where people could recreate with the exception of heavy rain events, but would return to dry land. She noted that a goal of the CRA Plan is to provide regional stormwater retention to the CRA area and this retention area was an opportunity to do so. Based on the size of the storm water retention area and total capacity of the water than can be held in it, 19.8 percent of the volume would go toward existing development on the site (parking garage and existing office buildings), 17 percent would go toward the hotel, 13.2 percent would be utilized for offsite development owned by the applicant on Morse Boulevard and New England Avenue, 5.7 percent would be reserved for the retention area itself, and the

remaining 43.9 percent would be dedicated to the City, by the applicant, for regional storm water retention, which would equate to over 12 acres of regional storm water that the City could divert to the retention area. The retention area and park will be completely constructed, designed, landscaped and maintained by the applicant. Mrs. McGillis presented renderings of the retention area and park area to the Board. Mrs. McGillis stated that the applicant is committed to constructing four affordable workforce housing units within the City, or to contributing a fee in lieu of affordable workforce housing units in the amount of \$400,000 (\$100,000 per unit) prior to the Certificate of Occupancy of the hotel.

Mrs. McGillis then summarized the zoning changes requested by the applicant. She stated that 2.7 acres of the combined site are designated Commercial (C-2), 0.22 acres are designated Commercial (C-3), 1.81 acres is designated Single Family (R-1A) or Low Density (R-2) and the remaining 0.11 acres is designated Office (O-1). She presented a map showing the 0.97 acres that is part of the applicant's request to rezone and amend the Future Land Use from (R-1A) and (R-2) land to Commercial (C-3) as well as the proposed site plan for the hotel with the retention area and park area and existing office buildings and parking garage.

Mrs. McGillis reviewed the Floor Area Ratio calculations for the project. The C-2 land (117,612 square feet) permits a FAR of 200%, or 235,224 square feet. The C-3 land (9,579 square feet) permits a FAR of 50% for a hotel, or 4,790 square feet which creates 240,102 square feet of available FAR. Once the existing office buildings (41,653 square feet, or 17% FAR) located at 655 West Morse Boulevard is subtracted, 198,449 square feet of FAR remain. The hotel proposes to use 115,000 square feet (or 48% FAR), and when subtracted from the remaining FAR, 83,449 square feet would remain which leaves 83,449 square feet (35%) of unused aggregate FAR on the site. She noted that the applicant was only using the Floor Area Ratio from the existing (C-2) and (C-3) land even though the request is to rezone the property along Symonds Avenue to (C-3), the applicant would not utilize that FAR for the project. The only need for the rezoning of the land is to allow the property to be used as a hotel.

Mrs. McGillis moved on to review parking requirements for the project. The required parking per code states that all of the separate uses of the hotel be counted to get the required number of parking spaces. Based on the number of hotel rooms, 140 spaces would be required, based on restaurant and bar space of 140 seats, 35 spaces would be required, based on meeting space and ballroom area, 37 spaces would be required and the existing square footage of the office spaces would require 125 spaces for a total of 337 spaces. The existing parking garage has 269 spaces and the applicant proposed 40 new surface parking spaces on the property which would be used for temporary parking, employee parking, etc. Hotel parking would be handled through valet parking on Pennsylvania Avenue. Mrs. McGillis stated that there was a deficit of 28 spaces, but the applicant was meeting the City's updated parking requirements by utilizing Urban Land Institute shared parking analysis. This is based on time of day usage for the hotel functions and office.

In terms of traffic, Mrs. McGillis explained that the combined, existing office and proposed hotel would generate 1,012 daily trips which is 2,354 fewer trips than what could be built to the maximum office/retail potential of what exists on the site presently.

She provided various elevations of the hotel and noted that only variance in the

request was for the third-story setback as the applicant was providing any setback to the third-story.

Mrs. McGillis summarized by stating that the overall Staff recommendation was approval of the request subject to the Development Agreement and the following conditions:

1. That any ground signage be limited to the same size (square footage) and height of the Alford Inn monument sign.
2. That the applicant work with Urban Forestry and Public Works to add additional on-street parking along Pennsylvania Avenue.
3. That the project provides the required bike parking per code and add two electrical vehicle charging stations to either the existing parking garage or added surface parking spaces.
4. The dedication to the city of the 0.79-acre retention area/park, the stormwater capacity that the city is gaining, along with the landscaping/irrigation and maintenance by the applicant agreement.
5. Agreement that the parking garage shall be shared by the hotel and office users.
6. That four affordable or workforce housing units be constructed within City limits or pay fee-in-lieu in the amount of \$400,000.00 (\$100,000.00 per unit) to the Affordable and Workforce Housing Trust Fund, prior to the Certificate of Occupancy of the hotel project.

Mrs. McGillis answered questions from the Board regarding affordable workforce housing, how the change in boundaries and zoning district might affect the CRA plan for the area, how the stormwater would be conveyed into the retention area, the 2016 City Commission hotel project approval and the original development agreement for the number of affordable housing units proposed as part of the project approval, in-depth discussion ensued.

Applicant Dan Bellows, Sydgan Corporation representing DWFG Ltd and CRDI related entities on the property, addressed the Board. He stated that he appreciated the Board's time and consideration and was present to answer any questions from the board. He answered questions regarding the stormwater retention area functionality and maintenance, and resident support for the project. The Board asked Mr. Bellows what his plans were for affordable workforce housing and whether he intended to contribute to the fund or self-perform. Mr. Bellows explained that the intent and desire was to self-perform and stated he was very excited to show the City what he could do with building workforce housing. He stated that he felt he could build a more quality product with façade and with more superior building materials than what had been used to date, yet still meet the criteria for affordable housing. He stated that he felt that affordable housing should be spread throughout the City as opposed to being limited to one area. There was further discussion between Mr. Bellows and the Board regarding the appropriate number hotel beds would be appropriate for the City.

Mr. Bellows requested the opportunity to respond to any concerns resulting from residents during public comment.

The Board heard public comment from:

Sally Frederick, 600 West Swoope Avenue, Winter Park, FL; Beth Fox 647 Callahan Street, Winter Park, FL; Carlos Posada, 720 Pansey Avenue, Winter Park, FL, spoke in favor of the request stating that the hotel would be a great asset to the neighborhood by providing visitors a place to stay in close proximity to family members, business and activities in the City.

Kent Kursten; 654 W. Canton Avenue, Winter Park, FL; Clover Hardaway 599 Huntington Avenue, Winter Park, FL; Lee Rambeau 1359 Chapman Circle, Winter Park, FL; Laura Barbero-Buffa, 721 Depugh Street, Winter Park, FL, spoke in opposition of the request citing concerns that the hotel was too big for the area and worries that commercial business were encroaching into the Hannibal Square residential area. There were also concerns that the affordable housing units should be built in the Hannibal Square area as opposed to building them in Ravaudage. No one else from the public wished to speak. The public hearing was closed.

Mr. Bellows responded to concerns regarding the affordable housing units and how they related to the Comprehensive Plan. In addition, he answered questions regarding the shared parking agreement developed between the hotel and Holiday Retirement.

An extensive discussion ensued between the Board and Staff regarding ways to prevent commercial uses and block structure changes from continuing to encroach into the Hannibal Square residential area and specifically Symonds Avenue as it pertains to Comprehensive Plan Policy 1-H-6. There was further discussion regarding stormwater treatment for the area, the affordable housing trust fund and how the City can protect the area from further non-residential encroachment. Some of the solutions discussed pertained to the designation of historic neighborhoods in Hannibal Square as an act of protection for the area. They discussed only limited the northern portion of Symonds Avenue from non-residential encroachment. After discussion, the Board recommended that the language in Comprehensive Plan Policy 1-H-6, not strike out the area north of Symonds Avenue. The Board also discussed Chapter 163 and the CRA Plan and discussed consistency between the CRA Plan and Comprehensive Plan. In relation to affordable housing, it was the position of the Board that the affordable units be built versus the fee in lieu option.

Motion made by Laura Walda, seconded by Chuck Bell, for an Ordinance to amend the Comprehensive Plan Future Land Use Element Policies as follows:

- 1. To delete Comprehensive Plan Policy 1-H-7, as it is duplicative of Policy 1-H-6.**
- 2. Amend Comprehensive Plan Policy 1-H-6 to only say non-residential land uses and zoning on the north side of Symonds Avenue between Capen Avenue and Pennsylvania Avenue be deemed to be in conflict with the Comprehensive Plan.**

Motion carried with a 7-0 vote.

Motion made by Laura Walda, seconded by Chuck Bell, for an Ordinance to amend the Future Land Use Map from Single Family (R-1A) and Low Density Residential (R-2) to Commercial (C-3) on 0.97-acres of the combine subject property.

Motion carried with a 7-0 vote.

Motion made by Laura Walda, seconded by Chuck Bell, for an Ordinance to amend the Office Zoning Map from R-1A and R-2 to C-3 on 0.97-acres of the combined subject property.

Motion carried with a 7-0 vote.

Motion made by Laura Walda, seconded by Chuck Bell, for Conditional Use approval to construct a three-story hotel of 140 rooms with associated restaurant and ballroom/meeting space on properties at the southwest corner of Symonds and Pennsylvania Avenues with the following

conditions:

1. That any ground signage be limited to the same size (square footage) and height of the Alford Inn monument sign.
2. That the applicant work with Urban Forestry and Public Works to add additional on-street parking along Pennsylvania Avenue.
3. That the project provides the required bike parking per code and add two electrical vehicle charging stations to either the existing parking garage or added surface parking spaces.
4. The dedication to the city of the 0.79-acre retention area/park, the stormwater capacity that the city is gaining, along with the landscaping/irrigation and maintenance by the applicant agreement.
5. Agreement that the parking garage shall be shared by the hotel and office users.
6. That four affordable or workforce housing units be constructed within City limits or pay fee-in-lieu in the amount of \$400,000.00 (\$100,000.00 per unit) to the Affordable and Workforce Housing Trust Fund, prior to the Certificate of Occupancy of the hotel project.

Motion carried with a 7-0 vote.

alternatives / other considerations

N/A

fiscal impact

N/A

ATTACHMENTS:

Description	Upload Date	Type
Ordin - Comp Plan	2/24/2020	Ordinance
Ordin - Zoning	2/24/2020	Ordinance
Backup Materials	2/24/2020	Backup Material
Development Agreement - 3rd Amendment	3/2/2020	Backup Material
Citizen Letters	2/24/2020	Backup Material

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE I "COMPREHENSIVE PLAN" FUTURE LAND USE ELEMENT TEXT POLICIES TO ENABLE THE APPROVAL OF COMMERCIAL FUTURE LAND USE ON PORTIONS OF LOTS 2, 3 AND 4, BLOCK H OF CAPEN'S ADDITION TO WINTER PARK SUBDIVISION ON SYMONDS AVENUE, AND TO AMEND THE "COMPREHENSIVE PLAN" FUTURE LAND USE MAP TO CHANGE FROM SINGLE-FAMILY AND LOW DENSITY RESIDENTIAL FUTURE LAND USE DESIGNATION TO A COMMERCIAL FUTURE LAND USE DESIGNATION ON PORTIONS OF LOTS 2, 3 AND 4, BLOCK H OF CAPEN'S ADDITION TO WINTER PARK SUBDIVISION ON SYMONDS AVENUE, MORE PARTICULARLY DESCRIBED HEREIN PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, Section 163.3184, Florida Statutes, establishes a process for adoption of comprehensive plans or plan amendments amending the future land use designation of property; and

WHEREAS, this Comprehensive Plan amendment meets the criteria established by Chapter 163 and 166, Florida Statutes; and pursuant to and in compliance with law, notice has been to the public by publication in a newspaper of general circulation to notify the public of this proposed Ordinance and of public hearings to be held; and

WHEREAS, the Winter Park Planning and Zoning Board, acting as the designated Local Planning Agency, has reviewed and recommended adoption of the proposed Comprehensive Plan amendment, having held an advertised public hearing on February 4, 2020, provided for participation by the public in the process, and rendered its recommendations to the City Commission; and

WHEREAS, the Winter Park City Commission has reviewed the proposed Comprehensive Plan amendment and held advertised public hearings on February 24, 2020 and March 9, 2020, and provided for public participation in the process in accordance with the requirements of state law and the procedures adopted for public participation in the planning process.

WHEREAS, words with single underline shall constitute additions to the original text and strike through text shall constitute deletions to the original text.

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

SECTION 1. That Chapter 58 "Land Development Code", Article I, "Comprehensive Plan", is hereby amended by modifying and amending Future Land Use Policy 1-H-1, Policy 1-6-H, and removing Policy 1-H-7 of the Future Land Use

Element, Planning Area H – Hannibal Square Neighborhood Planning Area to read as shown below:

Policy 1-H-2: If Non-Residential Zonings Are Approved, Compensation Required for Lost Housing. In situations where a change to non-residential Comprehensive Plan Amendment is approved, in this planning area, the loss of housing or housing potential must be compensated for through providing substantial infrastructure improvements with regional benefit, or by donating park land for the regional benefit to the planning area, or the provision of housing or negotiated fees in lieu of housing, paid to the Affordable and Workforce Housing Trust Fund.

Policy 1-H-6: Non-Residential Use on Certain Segments of Comstock Avenue, New England Avenue & Symonds Avenue. Non-residential land uses and zoning on Comstock Avenue between Denning Drive and the railroad, on New England Avenue between Denning Drive and Pennsylvania Avenue and on Symonds Avenue between Capen Avenue and Pennsylvania Avenues shall be deemed to be in conflict with the Comprehensive Plan.

~~**Policy 1-H-7: Non-Residential Use on Certain Segments of New England Avenue & Symonds Avenue.** Non-residential land uses and zoning on New England Avenue between Denning Drive and Pennsylvania Avenue and on Symonds Avenue between Capen Avenue and Pennsylvania Avenues shall be deemed to be in conflict with the Comprehensive Plan.~~

SECTION 2. That Chapter 58 “Land Development Code”, Article I, “Comprehensive Plan” Future Land Use Plan map is hereby amended so as to change the Future Land Use map designation of Single-Family and Low Density Residential to Commercial on the west half of lots 2, 3 and 4, less the south 25 feet thereof, and less the north 149.47 feet of the west 33.81 feet of lot 4, Block H of Capen’s addition to Winter Park subdivision on Symonds Avenue, measuring 0.97 acres, as shown on Exhibit “A” to this Ordinance.

SECTION 3. Severability. If any Section or portion of a Section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Ordinance.

SECTION 4. Conflicts. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

SECTION 5. Effective Date. An amendment adopted under this paragraph does not become effective until 31 days after adoption. If timely challenged, an amendment may not become effective until the state land planning agency or the Administration Commission enters a final order determining that the adopted small scale development amendment is in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administrative Commission, this amendment may nevertheless be made effective by the adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this _____ day of _____, 2020.

Mayor

Mayor Steve Leary

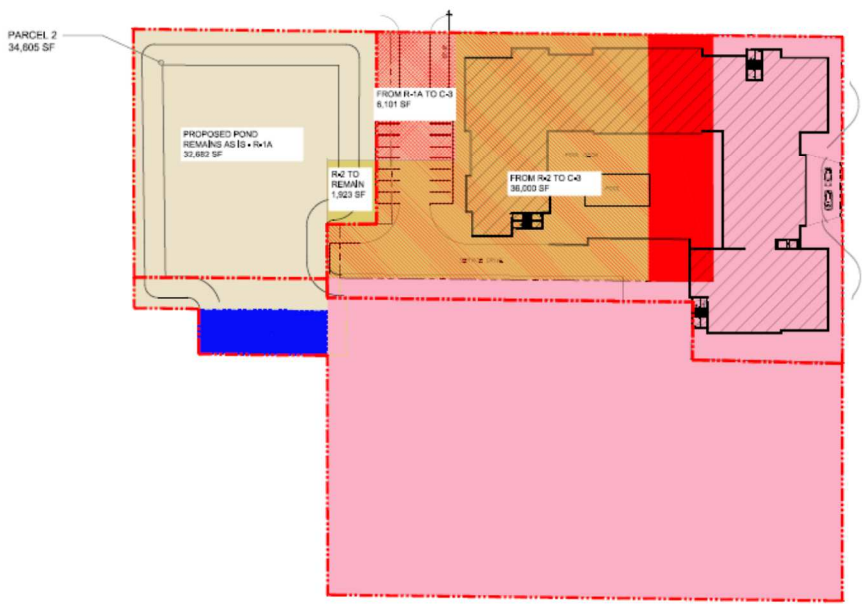
Attest:

City Clerk

Exhibit "A"

NOT FOR CONSTRUCTION

- ZONING LEGEND
- C-2
 - C-3
 - R-2
 - R1A
 - OI



FINFROCK
FINFROCK DESIGN, LLC

PROPOSED CHANGE IN ZONING
BOUTIQUE HOTEL
WINTER PARK, FL
2019-12-06 | G0.7

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" TO AMEND THE "OFFICIAL ZONING MAP" TO CHANGE FROM SINGLE-FAMILY (R-1A) AND LOW DENSITY RESIDENTIAL (R-2) DISTRICT ZONING TO COMMERCIAL (C-3) ZONING ON PORTIONS OF LOTS 2, 3 AND 4, BLOCK H OF CAPEN'S ADDITION TO WINTER PARK SUBDIVISION ON SYMONDS AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the owners of lots 2, 3 and 4, Block H of Capen's addition to Winter Park subdivision on Symonds Avenue have requested a zoning map amendment consistent with the amended Comprehensive Plan, and such municipal zoning meets the criteria established by Chapter 166, Florida Statutes and pursuant to and in compliance with law, notice has been given to Orange County and to the public by publication in a newspaper of general circulation to notify the public of this proposed Ordinance and of public hearings to be held; and

WHEREAS, the Planning and Zoning Board of the City of Winter Park has recommended approval of this Ordinance at their February 4, 2020 meeting; and

WHEREAS, the City Commission of the City of Winter Park held a duly noticed public hearing on the proposed zoning change set forth hereunder and considered findings and advice of staff, citizens, and all interested parties submitting written and oral comments and supporting data and analysis, and after complete deliberation, hereby finds the requested change consistent with the City of Winter Park Comprehensive Plan and that sufficient, competent, and substantial evidence supports the zoning change set forth hereunder; and

WHEREAS, the City Commission hereby finds that this Ordinance serves a legitimate government purpose and is in the best interests of the public health, safety, and welfare of the citizens of Winter Park, Florida.

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

SECTION 1. Official Zoning Map Amendment. That Chapter 58 "Land Development Code", Article III, "Zoning" and the Official Zoning Map is hereby amended so as to change the zoning designation of Single-Family (R-1A) and Low Density Residential (R-2) to Commercial (C-3) District zoning on the west half of lots 2, 3 and 4, less the south 25 feet thereof, and less the north 149.47 feet of the west 33.81 feet of lot 4,, Block H of Capen's addition to Winter Park subdivision on Symonds Avenue, measuring 0.97 acres, as shown on Exhibit "A" to this Ordinance.

SECTION 2. Severability. If any Section or portion of a Section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Ordinance.

SECTION 3. Conflicts. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

SECTION 4. Effective Date. This Ordinance shall become effective upon the effective date of Ordinance _____. If Ordinance _____ does not become effective, then this Ordinance shall be null and void.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this _____ day of _____, 2020.

Mayor Steve Leary

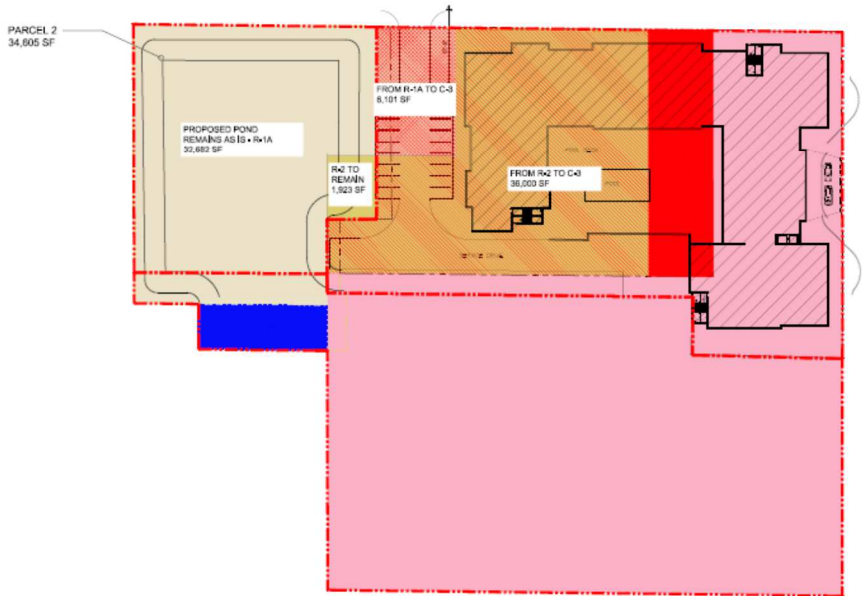
Attest:

City Clerk

Exhibit "A"

NOT FOR CONSTRUCTION

- ZONING LEGEND
- C-2
 - C-3
 - R-2
 - R1A
 - OI



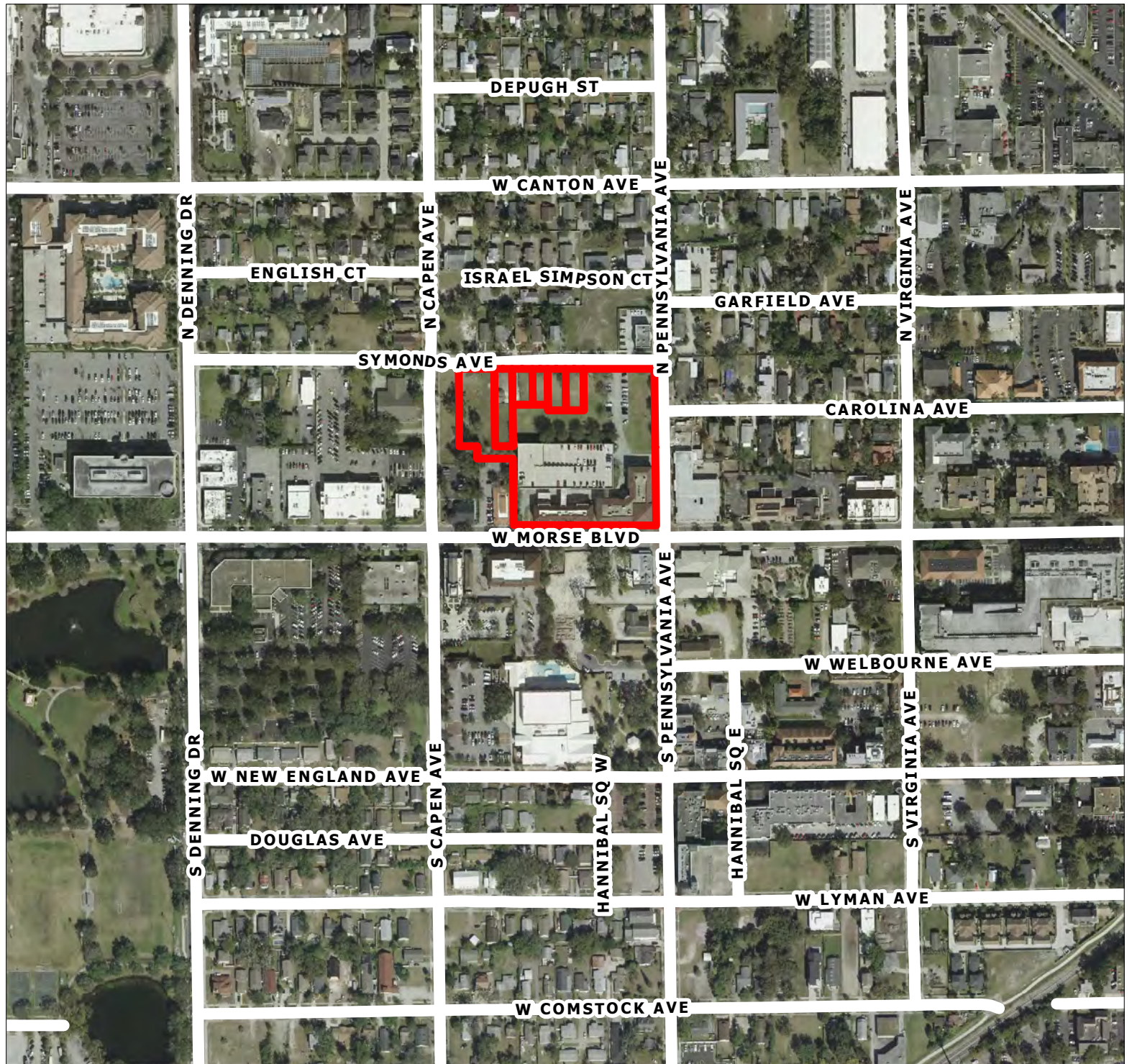
FINFROCK
FINFROCK DESIGN, LL

PROPOSED CHANGE IN ZONING
BOUTIQUE HOTEL
WINTER PARK, FL
2019-12-06 | G0.7



LOCATION MAP Hotel Project at Morse and Symonds

City of Winter Park
Florida



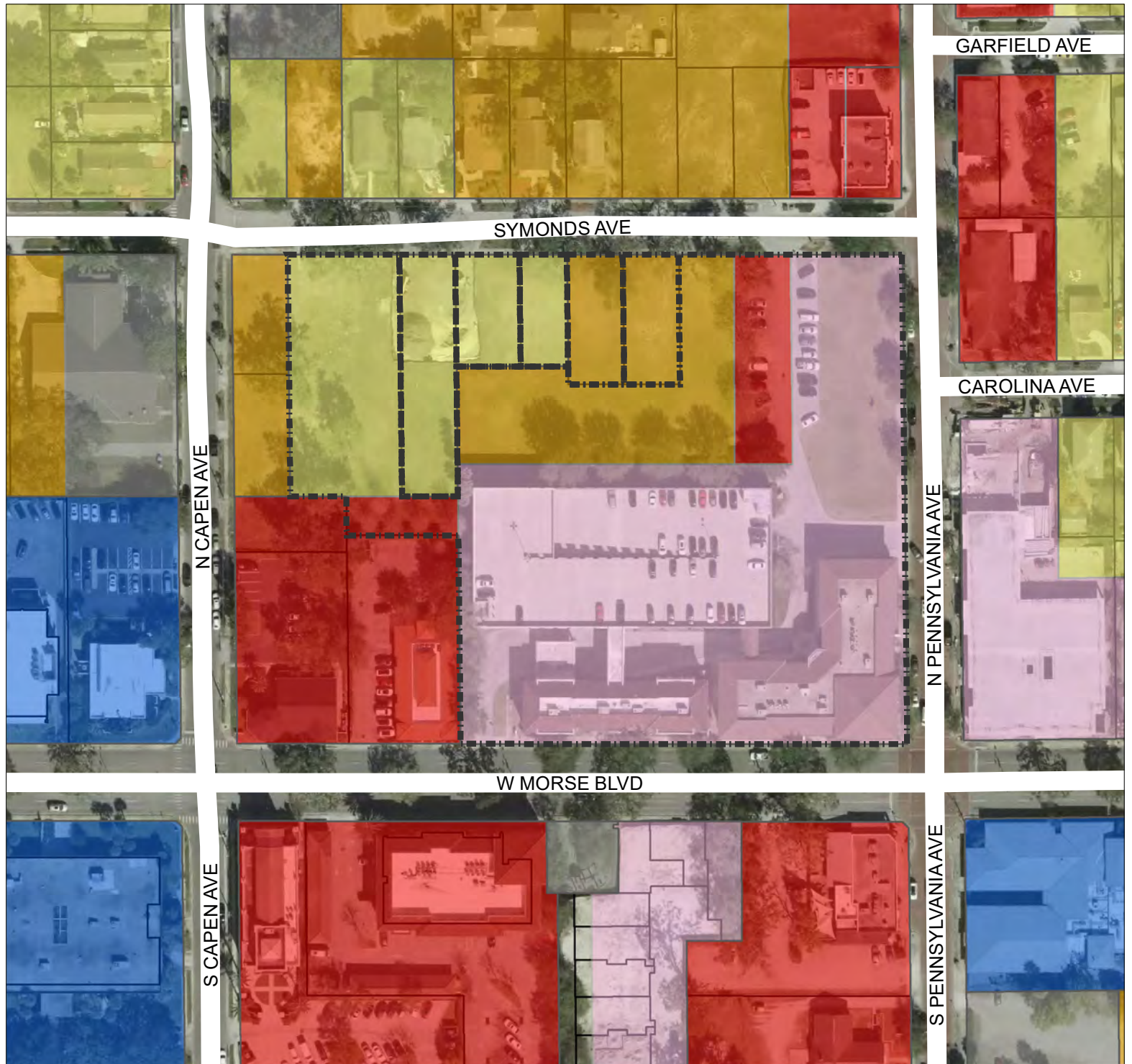


FUTURE LAND USE Hotel Project at Morse and Symonds

City of Winter Park
Florida

Future Land Use

- Central Business District
- Commerce
- Office Professional
- Institutional
- Medium Density Residential
- Low Density
- Single Family





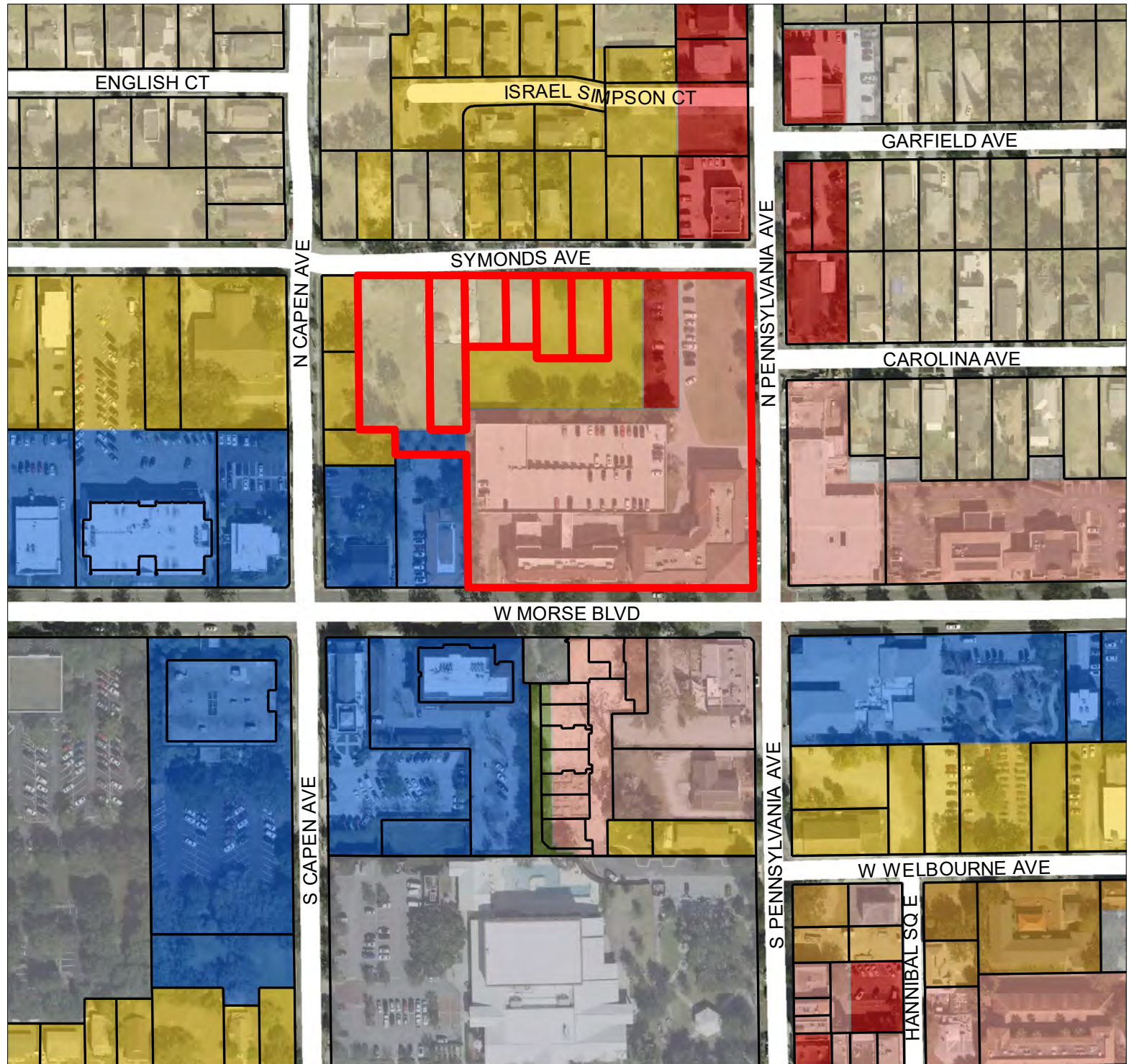
ZONING

Hotel Project at Morse and Symonds

City of Winter Park
Florida

Legend

- C-2
- C-3
- C-3A
- O-1
- PL
- PQP
- PR
- R-1A
- R-2
- R-3



HOTEL AT PENN

PRELIMINARY CONDITIONAL USE MODIFICATION
01/24/2020



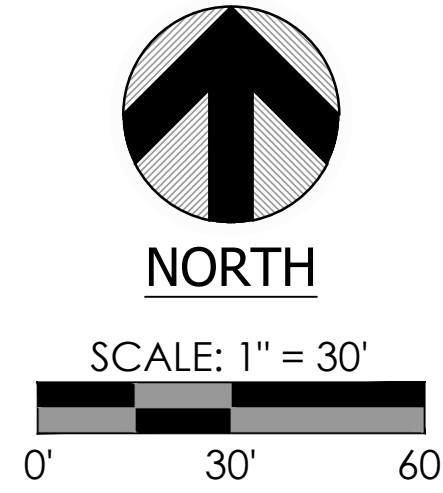
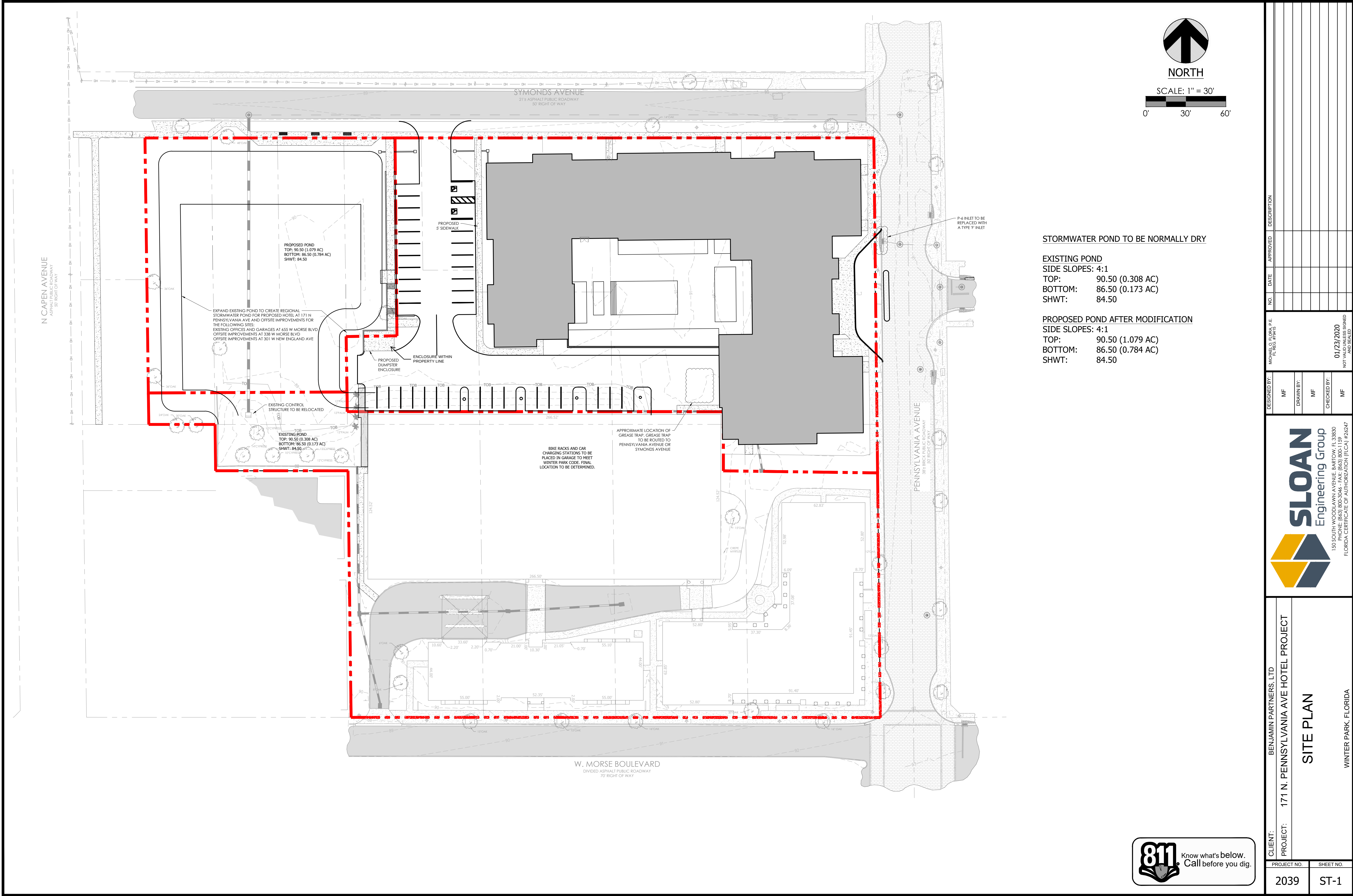
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15-317

FINFROCK
FINFROCK DESIGN, INC.

COVER

BOUTIQUE HOTEL

WINTER PARK, FL | GO
01/24/20



STORMWATER POND TO BE NORMALLY DRY

EXISTING POND
SIDE SLOPES: 4:1
TOP: 90.50 (0.308 AC)
BOTTOM: 86.50 (0.173 AC)
SHWT: 84.50

PROPOSED POND AFTER MODIFICATION
SIDE SLOPES: 4:1
TOP: 90.50 (1.079 AC)
BOTTOM: 86.50 (0.784 AC)
SHWT: 84.50

CLIENT: BENJAMIN PARTNERS, LTD.		PROJECT: 171 N. PENNSYLVANIA AVE HOTEL PROJECT		SHEET NO. ST-1	
PROJECT NO. 2039		SHEET NO. ST-1			
DESIGNED BY: MF		DRAWN BY: MF		CHECKED BY: MF	
MICHAEL O. FLORIN, P.E. FL REG. #19415		01/23/2020		NOT VALID UNLESS SIGNED AND SEALED	
SLOAN Engineering Group 150 SOUTH WOODLAWN AVENUE, BARTOW, FL 33850 FLORIDA CERTIFICATE OF AUTHORIZATION (FICA) #26247					
SITE PLAN					
WINTER PARK, FLORIDA					



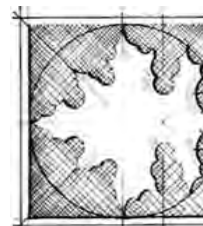
Date:	1/24/2020
Drawn by:	KMD/RT
Reviewed by:	CH
Job Number:	50197
Revision:	Date:

MDM BOUTIQUE HOTEL

Winter Park, Florida

WFG, LTD.

P.O. Box 350, Winter Park, FL 32790; 407-644-3151



DIX.HITE

+ PARTNERS

1501 W. MORSE AVENUE

LONGWOOD, FLORIDA 32759

TEL 407.667.1777

FAX 407.667.1777

CODE LANDSCAPE PLANS

TREE SAVE AND REMOVAL PLAN

Sheet Number:

LA5.10

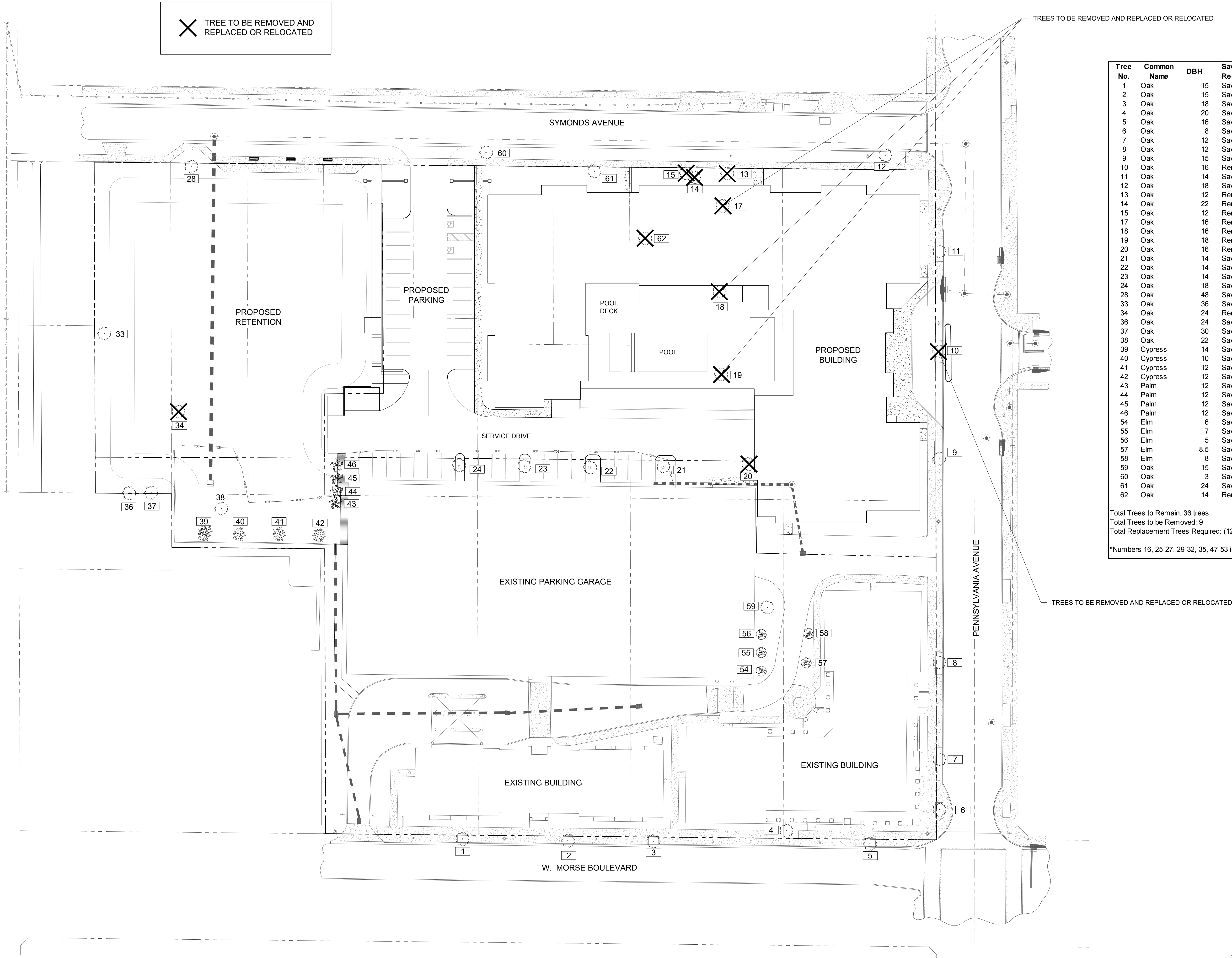
Tree No.	Common Name	DBH	Save/Remove	Replacement Required
1	Oak	15	Save	N/A
2	Oak	15	Save	N/A
3	Oak	18	Save	N/A
4	Oak	20	Save	N/A
5	Oak	16	Save	N/A
6	Oak	8	Save	N/A
7	Oak	12	Save	N/A
8	Oak	12	Save	N/A
9	Oak	15	Save	N/A
10	Oak	16	Remove	1
11	Oak	14	Save	N/A
12	Oak	18	Save	N/A
13	Oak	12	Remove	1
14	Oak	22	Remove	2
15	Oak	12	Remove	1
17	Oak	16	Remove	1
18	Oak	16	Remove	1
19	Oak	18	Remove	1
20	Oak	16	Remove	1
21	Oak	14	Save	N/A
22	Oak	14	Save	N/A
23	Oak	14	Save	N/A
24	Oak	18	Save	N/A
28	Oak	48	Save	N/A
33	Oak	36	Save	N/A
34	Oak	24	Remove	2
36	Oak	24	Save	N/A
37	Oak	30	Save	N/A
38	Oak	22	Save	N/A
39	Cypress	14	Save	N/A
40	Cypress	10	Save	N/A
41	Cypress	12	Save	N/A
42	Cypress	12	Save	N/A
43	Palm	12	Save	N/A
44	Palm	12	Save	N/A
45	Palm	12	Save	N/A
46	Palm	12	Save	N/A
54	Elm	6	Save	N/A
55	Elm	7	Save	N/A
56	Elm	5	Save	N/A
57	Elm	8.5	Save	N/A
58	Elm	8	Save	N/A
59	Oak	15	Save	N/A
60	Oak	3	Save	N/A
61	Oak	24	Save	N/A
62	Oak	14	Remove	1

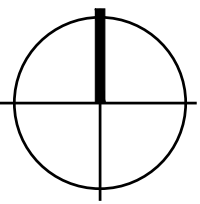
Total Trees to Remain: 36 trees

Total Trees to be Removed: 9

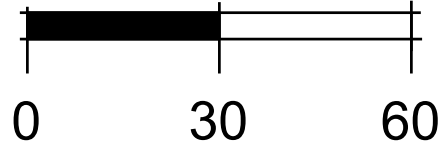
Total Replacement Trees Required: (12) 3" Trees Required

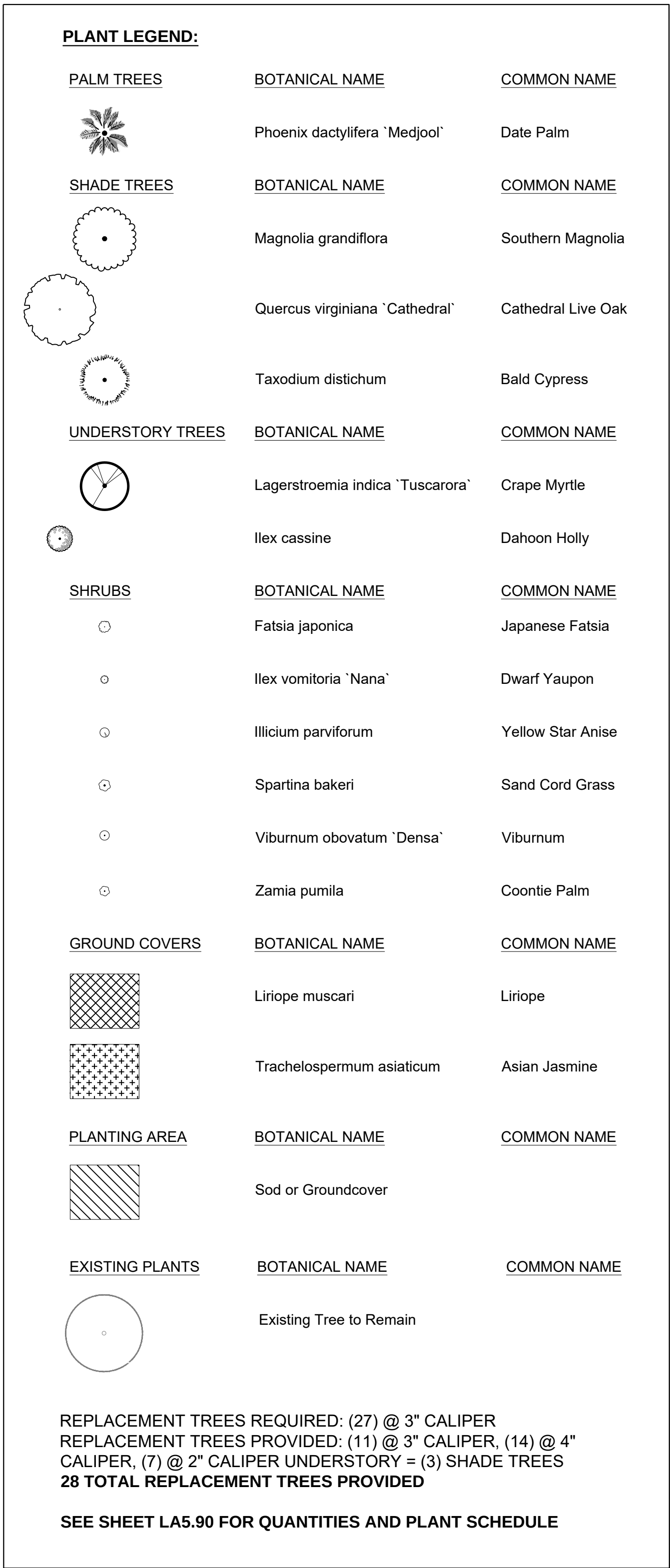
*Numbers 16, 25-27, 29-32, 35, 47-53 intentionally left off list.



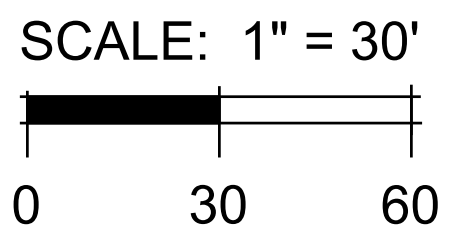


SCALE: 1" = 30'



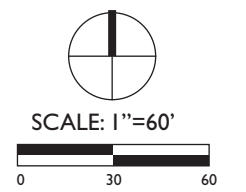
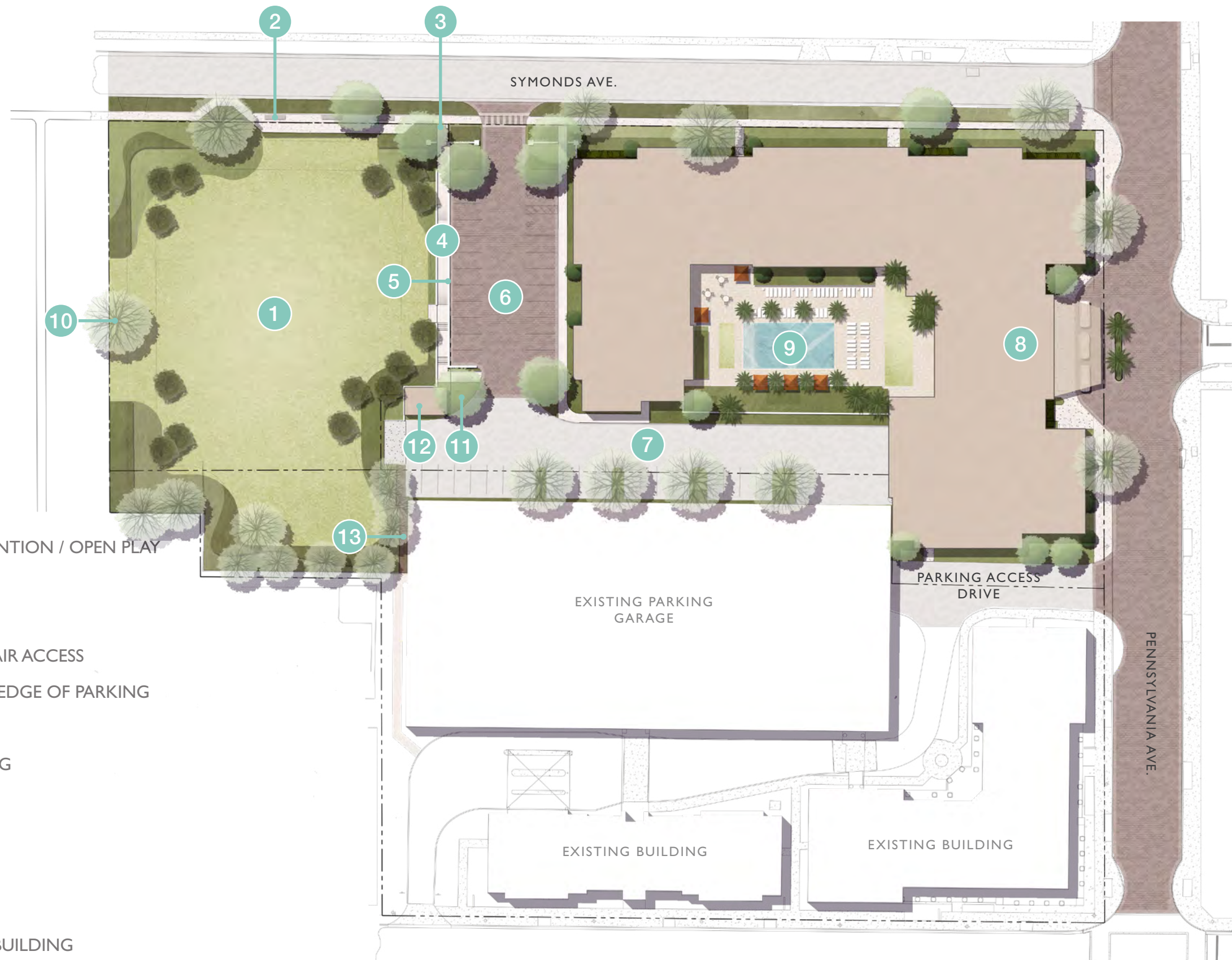


**ALL NEW LANDSCAPE TO BE 100%
IRRIGATED WITH AN AUTOMATIC
SYSTEM.**



KEY:

- 1 PROPOSED PARK / RETENTION / OPEN PLAY
- 2 PARK BENCHES
- 3 PARK ACCESS
- 4 SLOPED SIDEWALK / STAIR ACCESS
- 5 WALL AND RAILING AT EDGE OF PARKING
- 6 PROPOSED PARKING
- 7 SERVICE DRIVE / PARKING
- 8 HOTEL ENTRY
- 9 POOL
- 10 EXISTING TREE, TYP.
- 11 PROPOSED TREE, TYP.
- 12 PROPOSED DUMPSTER BUILDING
- 13 PROPOSED BOARDWALK CONNECTION



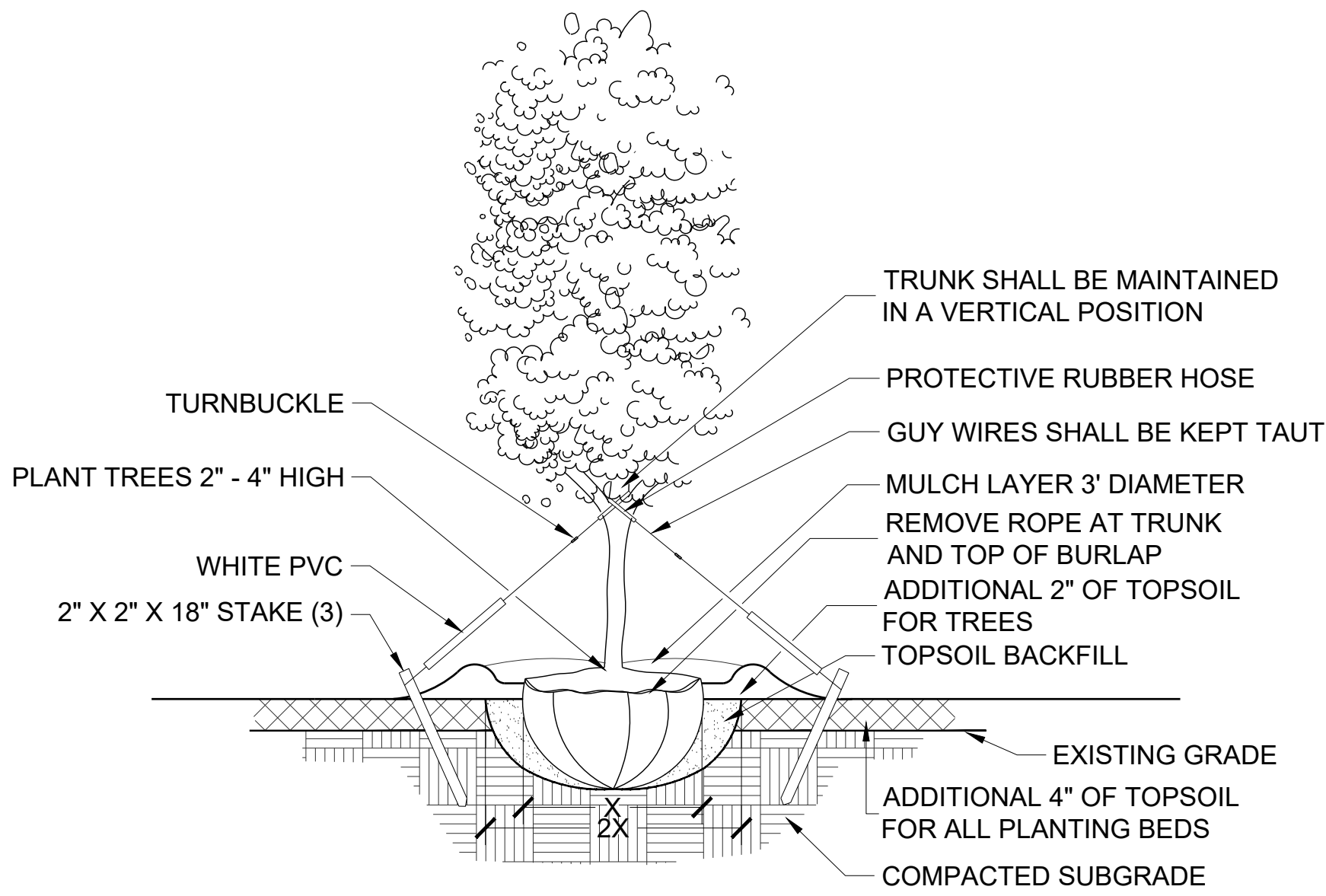
MDM HOTEL | Site Plan

Finrock

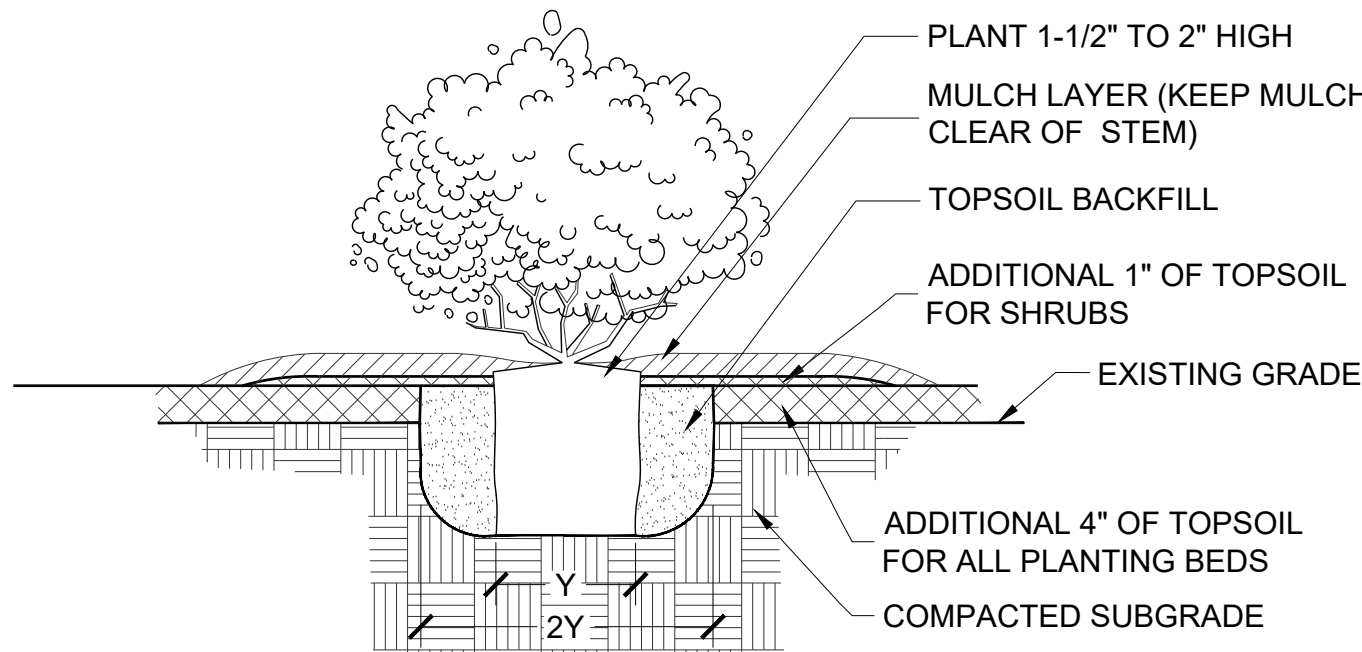
January 24, 2020

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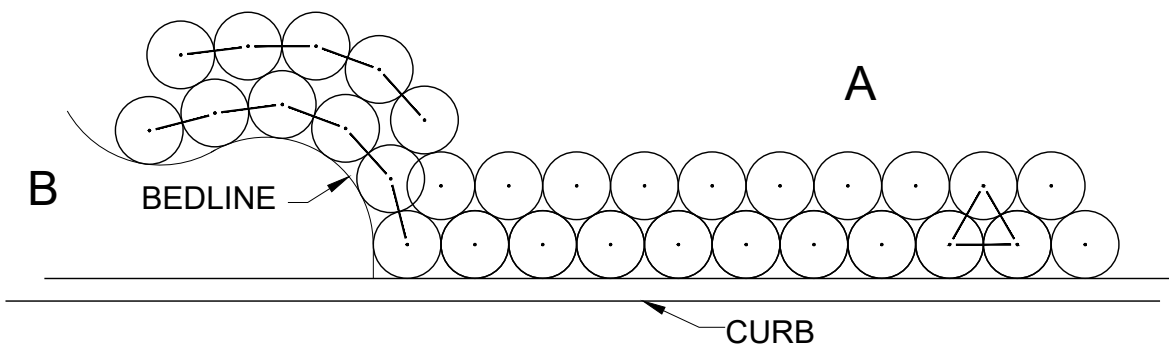




TYPICAL TREE PLANTING
CROSS SECTION - N.T.S.



TYPICAL SHRUB PLANTING
CROSS SECTION - N.T.S.



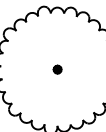
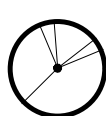
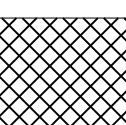
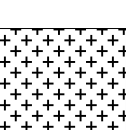
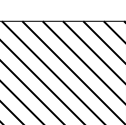
- A** SHRUBS AND GROUNDCOVERS ADJACENT TO STRAIGHT EDGES SHALL BE TRIANGULAR - SPACED IN ROWS PARALLEL TO THE STRAIGHT EDGE.
- B** SHRUBS AND GROUNDCOVERS ADJACENT TO CURVED EDGES SHALL BE PLANTED IN ROWS PARALLEL TO THE CURVED EDGE. CURVED EDGES TO BE VERY SMOOTH RADII.

TYPICAL SHRUB LAYOUT
PLAN - N.T.S.

LANDSCAPE NOTES

- CONTRACTOR IS EXPECTED TO CARRY OUT ALL REPSONSIBILITIES SET FORTH IN THESE LANDSCAPE NOTES AND IN THE LANDSCAPE SPECIFICATIONS. THEY WILL BE STRICTLY ENFORCED BY THE OWNER/L.A.
- ALL PLANT MATERIAL SHALL BE FLORIDA #1 OR BETTER ACCORDING TO THE CURRENT NURSERY GRADES AND STANDARDS.
- ALL PLANT BEDS SHALL BE DRESSED WITH 3" LAYER OF MULCH. ALL OTHER AREAS SHALL RECEIVE SOD (SEE PLAN FOR TYPE).
- CONTRACTOR SHALL VERIFY ALL EXISTING UTILITIES PRIOR TO INSTALLATION.
- ALL PLANTS SHALL MEET SIZE, CONTAINER, AND SPACING SPECIFICATIONS. ANY MATERIAL NOT MEETING SPECIFICATIONS SHALL BE REMOVED AND REPLACED AT THE CONTRACTOR'S EXPENSE.
- CONTRACTOR SHALL BE RESPONSIBLE TO RECEIVE THE LANDSCAPE ARCHITECT'S APPROVAL OF ALL PLANT BED LAYOUTS AND TREE LOCATIONS PRIOR TO INSTALLATION. IF PLANT MATERIAL IS INSTALLED PRIOR TO LANDSCAPE ARCHITECT'S APPROVAL, CONTRACTOR WILL BE SUBJECT TO RELOCATING THE MATERIAL AT THE LANDSCAPE ARCHITECT'S REQUEST AND THE CONTRACTOR'S OWN EXPENSE.
- ALL SHRUBS SHALL BE PLANTED 1-1/2" AND TREES 2-1/2" ABOVE GRADE. CONTRACTOR SHALL BE RESPONSIBLE FOR PROPER PLANT HEALTH IN ON-SITE SOILS.
- CONTRACTOR SHALL PERFORM SOIL TESTING PRIOR TO CONSTRUCTION I) TO DETERMINE NUTIRIENT STATUS AND PH OF SOIL AND 2) TO DETERMINE THE SOIL TEXTURE IN THE TOP 6" - 12" OF SOIL, AND THEN AMEND THE SOIL BASED ON THE RESULTS OF THE TESTS. SEE THE LANDSCAPE SPECIFICATIONS FOR MORE INFORMATION.
- CONTRACTOR SHALL BE RESPONSIBLE FOR FINE GRADING. GRADING SHALL BE SUBJECT TO THE APPROVAL OF THE LANDSCAPE ARCHITECT.
- REFER TO SPECIFICATIONS FOR ADDITIONAL REQUIREMENTS.
- CONTRACTOR SHALL SUBMIT UNIT PRICES FOR ALL BID ITEMS
- SOIL SHALL BE FREE FROM LIME ROCK AND CONSTRUCTION DEBRIS.
- IN THE EVENT OF A CONFLICT BETWEEN QUANTITIES REPRESENTED ON THE PLAN VS. QUANTITIES SHOWN ON THE PLANT LIST, THE PLAN SHALL CONTROL.
- CONTRACTOR SHALL MAINTAIN TREES IN A STRAIGHT AND PLUMB POSITION FOR ONE YEAR. CONTRACTOR SHALL STAKE ALL TREES IF REQUIRED BY THE JURISDICTION.
- PRIOR TO REMOVAL OF ANY TREES, THE TREES TO BE RETAINED SHALL HAVE PROTECTIVE TREE BARRIERS.
- LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR THEIR OWN TAKE OFFS AND QUANTITIES. THE QUANTITIES ON THE PLANT LIST SERVE ONLY AS A GUIDE TO THE OWNER AND L.A. THIS INCLUDES SOD AND MULCH QUANTITIES OF WHICH THE CONTRACTOR SHALL BE HELD TO BID QUANTITIES.
- SUCCESSFUL BIDDER SHALL LOCK UP ALL MATERIALS IMMEDIATELY AFTER CONTRACT ASSIGNMENT. PLANTS SHALL BE HELD DURING THE PERIOD FROM CONTRACT TO INSTALLATION TO ALLOW ADDITIONAL GROWTH. ALL PLANTS WILL BE REQUIRED TO BE FULL AND HEALTHY. CONTRACTOR SHALL ARRANGE FOR PLANT APPROVAL PRIOR TO DELIVERY, EITHER BY SAMPLES, PHOTOS, OR NURSERY VISITS.
- CONTRACTOR SHALL BE RESPONSIBLE FOR WARRANTY OF HEALTH OF PLANTS IN ON-SITE SOILS. IF, DURING DIGGING, CONTRACTOR DISCOVERS WATER-LOGGED, CLAYEY, COMPACTED OR SIMILARLY POORLY DRAINED SOILS, IT SHOULD BE BROUGHT TO THE ATTENTION OF OWNER/LANDSCAPE ARCHITECT FOR REMEDIAL ACTION.
- CONTRACTOR SHALL ANTICIPATE THE FIRST FIVE FEET AROUND BUILDING PERIMETER WILL BE COMPACTED AND FOUNDATION BEDS SHOULD BE TILLED AND IMPROVED TO SUSTAIN VIGOROUS, HEALTHY PLANT GROWTH.

PLANT_SCHEDULE

PALM TREES	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT	
	PD	10	Phoenix dactylifera 'Medjool' 12' CT., SPECIMEN, MATCHED	Date Palm	FG	
SHADE TREES	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT	
	MG	4	Magnolia grandiflora 12' HT X 5' SPRD.; LOW WATER USE ZONE	Southern Magnolia	3" CAL.	
	QV	7	Quercus virginiana 'Cathedral' 12' HT. X 5' SPRD.; LOW WATER USE ZONE	Cathedral Live Oak	3" CAL.	
	TD	14	Taxodium distichum 12-14' HT. X 5' SPRD.; LOW WATER USE ZONE	Bald Cypress	4" CAL.	
UNDERSTORY TREES	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT	
	LT	2	Lagerstroemia indica 'Tuscarora' STANDARD, 10' HT. X 4-5' SPRD.; MEDIUM WATER USE ZONE	Crape Myrtle	2" CAL.	
	IC	5	Ilex cassine 10 HT. X 4' SPRD.; MEDIUM WATER USE ZONE	Dahoon Holly	2" CAL.	
SHRUBS	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT	SPACING
	FJ	35	Fatsia japonica 24" ht., full and lush; MEDIUM WATER USE ZONE	Japanese Fatsia	3 gal	42" o.c.
	IN	192	Ilex vomitoria 'Nana' 15" ht., full; LOW WATER USE ZONE	Dwarf Yaupon	3 gal	30" o.c.
	IP	200	Illicium parviflorum 24-30" ht. x 18-24" sprd.; LOW WATER USE ZONE	Yellow Star Anise	3 gal	36" o.c.
	SB	52	Spartina bakeri 18" ht., full; LOW WATER USE ZONE	Sand Cord Grass	3 gal	42" o.c.
	VD	105	Viburnum obovatum 'Densa' 15-18" ht., full; LOW WATER USE ZONE	Viburnum	3 gal	36" o.c.
	ZP	23	Zamia pumila 18-24" ht. x 24-30" sprd.; full and lush; LOW WATER USE ZONE	Coontie Palm	7 gal	36" o.c.
GROUND COVERS	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT	SPACING
	LM	319	Liriope muscari Full and lush; LOW WATER USE ZONE	Liriope	1 gal	15" o.c.
	TA	4,313	Trachelospermum asiaticum LOW WATER USE ZONE	Asian Jasmine	4"pot	12" o.c.
PLANTING AREA	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT	SPACING
	GC	19,413 sf	Sod or Groundcover Area to be planted with sod or groundcover		-	

Date:	1/24/2020
Drawn by:	KMD/RT
Reviewed by:	CH
Job Number:	50197
Revision:	Date:

MDM BOUTIQUE HOTEL
Winter Park, Florida

WFG, LTD.
P.O. Box 350, Winter Park, FL 32790; 407-6443151

DIX.HITE

+ PARTNERS
100 WOODBURN AVENUE
LONGWOOD, FLORIDA 32705
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CODE LANDSCAPE PLANS

LANDSCAPE DETAILS, NOTES, AND PLANT LIST

Sheet Number:
LA5.60

LANDSCAPE SPECIFICATIONS

PART 1 - GENERAL
1.01 WORK INCLUDED

- A. THE WORK INCLUDED IN THIS SECTION CONSISTS OF FURNISHING,PLANTING, WATERING, FERTILIZING AND MULCHING ALL PLANTS AND LAWN AREAS OF THE SPECIES, SIZE AND QUALITY IN THE LOCATIONS INDICATED ON THE DRAWINGS OR AS DISCUSSED WITH THE LANDSCAPE ARCHITECT.

1.02 DELIVERY, STORAGE AND HANDLING

- A. TRANSPORTATION AND INSPECTION: PLANT TRANSPORTATION SHALL COMPLY WITH ALL FEDERAL AND STATE REGULATIONS.

1.03 GUARANTEE

- A. THE LANDSCAPE CONTRACTOR SHALL GUARANTEE ALL PLANTING WORK FOR A PERIOD OF SIX MONTHS AND ALL SOD FOR THREE MONTHS AFTER THE DATE OF FINAL ACCEPTANCE. DURING THIS PERIOD, THE LANDSCAPE CONTRACTOR SHALL CONTINUE THE OBSERVATION OF PLANTS AND GUARANTEED WORK. THE LANDSCAPE CONTRACTOR SHALL SUBMIT MONTHLY OBSERVATION REPORTS TO THE OWNERS WITH A COPY TO THE LANDSCAPE ARCHITECT DURING THE GUARANTEE PERIOD. THE PURPOSE OF THESE REPORTS IS TO STATE ANY MAINTENANCE DEFICIENCIES OBSERVED. IT IS THE LANDSCAPE CONTRACTOR'S RESPONSIBILITY TO REPORT THESE TO PROTECT HIS GUARANTEE. FAILURE TO SUBMIT REPORTS ELIMINATES ANY CLAIMS THAT THE GUARANTEE IS NOT VALID DUE TO IMPROPER MAINTENANCE BY THE OWNER.
- B. REPLACEMENT OF DEFECTIVE PLANTS: ANY DEAD PLANTS OR PLANTS SHOWING INDICATION OF PROBABLE NO-SURVIVAL OR LACK OF HEALTH AND VIGOR, OR WHICH DO NOT EXHIBIT THE CHARACTERISTICS TO MEET SPECIFICATIONS, SHALL BE REPLACED WITHIN TWO WEEKS OF NOTICE FROM OWNER OR LANDSCAPE ARCHITECT. ALL REPLACEMENT PLANTS SHALL BE FURNISHED/INSTALLED AT NO ADDITIONAL COST TO THE OWNER AND SHALL BE GUARANTEED FOR SIX MONTHS. ALL REPLACEMENTS SHALL MEET ORIGINAL SPECIFICATIONS.
- C. THE LANDSCAPE CONTRACTOR SHALL NOTIFY THE OWNER AND LANDSCAPE ARCHITECT TEN DAYS PRIOR TO THE END OF THE GUARANTEE PERIOD AND SUCH GUARANTEE SHALL BE EXTENDED UNTIL NOTIFICATION IS RECEIVED.
- D. AT THE END OF THE GUARANTEE PERIOD, ALL PLANTS THAT ARE DEAD OR UNSATISFACTORY SHALL BE REPLACED WITHIN TWO WEEKS.

1.04 JOB CONDITIONS

- A. PROTECTION: THE LANDSCAPE CONTRACTOR SHALL PROTECT ALL MATERIALS AND WORK AGAINST INJURY FROM ANY CAUSES AND SHALL PROVIDE AND MAINTAIN ALL NECESSARY SAFEGUARDS FOR THE PROTECTION OF THE PUBLIC. HE SHALL BE HELD RESPONSIBLE FOR ANY DAMAGE OR INJURY TO PERSON OR PROPERTY THAT MAY OCCUR AS A RESULT OF THE NEGLIGENCE IN THE PROSECUTION OF THE WORK.
- B. EXISTING CONDITIONS:
- THE LANDSCAPE CONTRACTOR SHALL EXERCISE CARE IN DIGGING AND OTHER WORK SO AS NOT TO DAMAGE EXISTING WORK, INCLUDING UNDERGROUND PIPES AND CABLES, AND THE PIPES AND HYDRANTS OF WATERING SYSTEMS. SHOULD SUCH OVERHEAD OR UNDERGROUND OBSTRUCTIONS BE ENCOUNTERED WHICH INTERFERE WITH PLANTING, THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR THE IMMEDIATE REPAIR OF ANY DAMAGE CAUSED BY HIS WORK. (SEE SECTION 3.01)
 - SHOULD ANY OBJECTIONABLE MATERIAL, SUCH AS OLD CONCRETE, BRICKS OR OTHER DEBRIS BE ENCOUNTERED DURING PLANTING OPERATIONS, THEY SHALL BE REMOVED FROM THE SITE BY THE LANDSCAPE CONTRACTOR.
 - THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR PROPER PLANT GROWTH IN EXISTING ON-SITE SOILS. PRIOR TO COMMITMENT OF PLANT SHIPMENTS, THE LANDSCAPE CONTRACTOR SHALL EXAMINE THE SOILS IN ALL AREAS OF WORK BY CONDUCTING SOIL TESTS AND FILLING TEST HOLES WITH WATER TO DETERMINE IF SOIL CHEMISTRY AND DRAINAGE ARE SATISFACTORY. ANY UNSATISFACTORY CONDITIONS SHALL BE BROUGHT TO THE IMMEDIATE ATTENTION OF THE LANDSCAPE ARCHITECT FOR POSSIBLE CORRECTIVE ACTION OR PLANT MATERIAL SUBSTITUTIONS. THE OWNER/LANDSCAPE ARCHITECT RESERVES THE RIGHT TO MAKE CHANGES OR SUBSTITUTIONS IN PLANT TYPE OR QUANTITIES FOR THE PURPOSES OF INSURING PROPER PLANT GROWTH.
 - PRIOR TO WORK, LANDSCAPE CONTRACTOR SHALL BECOME FULLY FAMILIAR WITH THE SITE AND THE WORK OF ALL OTHER TRADES, INCLUDING HARDSCAPE AND GRADING, IN ORDER TO UNDERSTAND THE FULL EXTENT OF THE WORK.

1.05 QUALITY CONTROL

- A. THE LANDSCAPE ARCHITECT / OWNER SHALL HAVE THE RIGHT, AT ANY STAGE OF THE OPERATIONS, TO REJECT ANY AND ALL WORK AND MATERIAL THAT, IN HIS/HER OPINION, DO NOT MEET THE REQUIREMENTS OF THESE SPECIFICATIONS.
- B. ALL PLANTING SHALL BE PERFORMED BY PERSONNEL FAMILIAR WITH PLANTING PROCEDURE AND UNDER THE SUPERVISION OF A QUALIFIED PLANTING FOREMAN.
- C. ALL WORK SHALL COMPLY WITH APPLICABLE CODES AND REGULATIONS.
- D. THE WORK SHALL BE COORDINATED WITH OTHER TRADES TO PREVENT CONFLICTS.

1.06 QUANTITIES

- A. IN THE EVENT OF A CONFLICT BETWEEN QUANTITIES SHOWN ON THE PLANT LIST AND PLANS, THE PLANS SHALL CONTROL.

PART 2 - PRODUCTS
2.01 MATERIALS

A. GENERAL:

- NOMENCLATURE: ALL TREES, SHRUBS AND PLANTS SHALL BE TRUE TO NAME AS ESTABLISHED BY THE AMERICAN JOINT COMMITTEE ON HORTICULTURAL NOMENCLATURE PUBLICATION "STANDARD PLANTS NAMES". THE DESIGNATED AUTHORITY FOR THE IDENTIFICATION OF ALL MATERIAL SHALL BE THE TWO PUBLICATIONS OF L.H. BAILEY, "HORTUS III" AND "MANUAL OF CULTIVATED PLANTS", AND ALL SPECIMENS SHALL BE TRUE TO TYPE, NAME, ETC., AS DESCRIBED THEREIN.

GRADE STANDARDS AND QUALITY: ALL PLANTS SHALL BE NURSERY GROWN, AND SHALL COMPLY WITH ALL REQUIRED INSPECTION, GRADING STANDARDS AND PLANT REGULATIONS AS SET FORTH BY ANSI Z60.1-2004 "AMERICAN STANDARD FOR NURSERY STOCK".

- THE MINIMUM GRADE FOR ALL TREES AND SHRUBS SHALL BE ANSI Z60.1-2004 UNLESS OTHERWISE INDICATED AND ALL PLANTS SHALL BE SOUND, HEALTHY AND VIGOROUS, WELL BRANCHED AND DENSELY FOLIATED WHEN IN LEAF. THEY SHALL HAVE HEALTHY, WELL-DEVELOPED ROOT SYSTEMS AND SHALL BE FREE OF DISEASE AND INSECT PESTS, EGGS OR LARVAE.
- MEASUREMENTS: THE MINIMUM ACCEPTABLE SIZE OF PLANTS, MEASURED AFTER PRUNING, WITH BRANCHES IN NORMAL POSITIONS, SHALL CONFORM TO THE SPECIFIED SIZES AS SHOWN ON THE PLANS. SIZES SPECIFIED ARE MINIMUM STANDARDS. PLANTS SHALL BE EQUAL TO OR LARGER THAN ALL CATEGORIES (HEIGHT, SPREAD, CALIPER) OF SIZE SPECIFICATION. SUBSTANTIAL DEVIATIONS FROM THESE MEASUREMENTS MUST BE APPROVED BY LANDSCAPE ARCHITECT. CALIPER OF TREE TRUNKS SHALL BE MEASURED ONE FOOT ABOVE ROOTBALL FOR TREES OVER 6 INCHES IN CALIPER, AND SHALL BE MEASURED 6 INCHES ABOVE THE ROOT BALL FOR TREES UNDER 6 INCHES IN CALIPER.
- PLANT PROTECTION: PLANTS SHALL BE PROTECTED UPON ARRIVAL AT THE SITE, BY BEING THOROUGHLY WATERED, KEPT MOIST, AND PROPERLY MAINTAINED UNTIL PLANTED.

- B. PLANT MATERIALS: WITH REFERENCE TO METHOD OF CULTIVATION, ROOT SYSTEM STATUS, ETC., PLANTS FOR LANDSCAPING SHALL BE CLASSIFIED UNDER THE FOLLOWING DESIGNATIONS:

- BALLED AND BURLAPPED: PLANTS SO CLASSIFIED SHALL BE DUG WITH FIRM NATURAL ROOT BALLS OF EARTH COMING FROM SINGULAR CLIMATIC AND SOIL CONDITIONS AS THOSE ON PROJECT SITE AND OF SUFFICIENT DIAMETER AND DEPTH TO INCLUDE MOST OF THE FIBROUS ROOTS. THE ROOT BALL OF THESE PLANTS SHALL BE PROPERLY WRAPPED WITH BURLAP SACK MATERIAL AND REMAIN PROTECTED AND WET UNTIL THEY ARE PLANTED. THE PLANTS SHALL BE HANDLED ONLY BY THE EARTH BALL AND NOT BY THE PLANT ITSELF. ALL BALLED AND BURLAPPED PLANTS WHICH CANNOT BE PLANTED IMMEDIATELY UPON DELIVERY SHALL BE SET ON THE GROUND AND SHALL BE WELL PROTECTED WITH SOIL, WET SOIL, WET MOSS, OR OTHER ACCEPTABLE MATERIAL. THE PLANTS SHALL BE SET WITH THE BURLAP COVER INTACT AND WITH THE BURLAP SHOWING, UNTIL INSPECTION. AT FINAL INSPECTION THE BURLAP MAY BE CUT AWAY TO GROUND LEVEL AND THEN COMPLETELY COVERED WITH SOIL. BURLAP: SHALL BE PURE BURLAP, ORGANIC FIBER WITH THE ABILITY TO DECOMPOSE.
- CONTAINER GROWN PLANTS:
 - CONTAINER GROWN PLANTS SHALL HAVE BEEN GROWN IN CONTAINERS LARGE ENOUGH AND FOR SUFFICIENT TIME FOR THE ROOT SYSTEM TO HAVE DEVELOPED WELL ENOUGH TO HOLD ITS SOIL TOGETHER FIRM AND WHOLE. NO PLANTS SHALL BE LOOSE IN THE CONTAINER. PLANTS THAT HAVE BECOME ROOT BOUND OR FOR WHICH THE TOP SYSTEM IS TOO LARGE FOR THE SIZE OF THE CONTAINER, WILL NOT BE ACCEPTABLE.
 - ALL CONTAINERS SHALL BE CUT AND OPENED FULLY, IN A MANNER SUCH AS WILL NOT DAMAGE THE ROOT SYSTEM. CONTAINER GROWN PLANTS SHALL NOT BE REMOVED FROM THE CONTAINER UNTIL IMMEDIATELY BEFORE PLANTING, WHEN ALL DUE CARE SHALL BE TAKEN TO PREVENT DAMAGE TO THE ROOT SYSTEM.
- BARE ROOT PLANTS: NO BARE ROOT PLANTS SHALL BE USED, UNLESS SPECIFIED.
- GROW BAG PLANTS: NO GROW-BAG PLANTS SHALL BE USED.

C. PLANTING MATERIALS:

- TOPSOIL:
 - SOIL CHARACTERISTICS:
TOPSOIL SHALL BE FRABLE SANDY LOAM, TYPICAL OF CULTIVATED TOPSOIL LOCALLY, CONTAINING AT LEAST 5 PERCENT

OF DECAYED ORGANIC MATTER (HUMUS). IT SHALL OCCUR AS ON-SITE NATURAL TOPSOIL WITH GOOD CHARACTERISTICS OR BE TAKEN FROM A WELL DRAINED, ARABLE SITE. IT SHALL BE REASONABLY FREE OF WEEDS, SUBSOIL, STONES, CLOUDS, STICKS, ROOTS OR OTHER OBJECTIONABLE EXTRANEIOUS MATTER OR DEBRIS. IT SHALL NOT CONTAIN TOXIC MATERIALS AND SHALL HAVE ACIDITY RANGE OF PH 6.0 TO 7.0. TOPSOIL FROM NUT GRASS INFESTED AREAS WILL NOT BE ACCEPTABLE. CLAYEY SOIL FROM POND EXCAVATIONS WILL NOT BE ACCEPTABLE.

- SOIL TESTING:
LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR PLANT HEALTH AND SURVIVAL IN ON-SITE SOILS. SEVERAL WEEKS PRIOR TO SCHEDULED LANDSCAPE INSTALLATION, LANDSCAPE CONTRACTOR SHALL COLLECT SOIL SAMPLES FROM THE SITE FOR SOIL PH AND FERTILITY TESTING. ALLOW ENOUGH TIME FOR TESTING FACILITY TO PERFORM THEIR TESTS, GENERATE THEIR RESULTS AND RECOMMENDATIONS, AND ENOUGH TIME TO AMEND THE SOIL, IF NECESSARY, BASED ON THE RECOMMENDATIONS OF THE TESTING FACILITY. ALSO PRIOR TO LANDSCAPE INSTALLATION, THE LANDSCAPE CONTRACTOR SHALL EVALUATE THE ON-SITE SOIL'S ABILITY TO DRAIN.

- SOIL PH AND FERTILITY TESTING:
SOIL TESTING SHALL BE PERFORMED AND ANALYZED BY A STATE-REGISTERED TESTING FACILITY (THE UNIVERSITY OF FLORIDA'S INSTITUTE OF FOOD AND AGRICULTURAL SCIENCES (IFAS) PROVIDES THIS TESTING SERVICE FOR A NOMINAL FEE). THE RESULTS OF THE TESTS SHALL BE FORWARDED TO THE OWNER/L.A. FOR REVIEW. THE RECOMMENDATIONS FROM THE TESTING FACILITY FOR FERTILIZER AND SOIL AMENDMENTS SHALL TAKE PRECEDENCE OVER THE FERTILIZER RATES AND ANALYSES IN THIS SECTION. SOIL TESTING IS THE RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR AND SHALL BE PERFORMED PRIOR TO LANDSCAPE INSTALLATION.

- SOIL DRAINAGE EVALUATION:
WELL-DRAINED SOILS ARE REQUIRED FOR NEW LANDSCAPES TO SURVIVE. IT IS THE CONTRACTOR'S RESPONSIBILITY TO EVALUATE THE ON-SITE SOILS TO DETERMINE THE ABILITY TO DRAIN PROPERLY. SOILS WITH TOO MUCH CLAY HOLD WATER AND CAUSE PROBLEMS FOR PLANT SURVIVAL. CONTRACTOR SHALL VISUALLY INSPECT THE SITE FOR SIGNS OF POORLY DRAINED SOILS (STANDING WATER, SURFACE CRACKING, HARD TO THE TOUCH, ETC.) AND DIG TEST HOLES. CONTRACTOR SHALL WRITE A REPORT DEMONSTRATING THEIR FINDINGS AND ALERT THE OWNER/L.A. IF ANY EVIDENCE OF POORLY-DRAINED SOILS ARE DISCOVERED.

- DESIRED PARTICLE SIZE DISTRIBUTION IN TOP 6"-12" OF SOIL:

- COARSE SAND (0.5-2mm)/MEDIUM SAND (0.25-0.5mm): MINIMUM OF 60% (BY WEIGHT) OF PARTICLES SHALL FALL WITHIN THIS RANGE (#60 SIEVE).
- FINE SAND (0.15-0.25mm): MAXIMUM OF 20% (BY WEIGHT) OF PARTICLES SHALL FALL WITHIN THIS RANGE (#100 SIEVE).
- VERY FINE SAND (0.075-0.15mm): MAXIMUM OF 5% (BY WEIGHT) OF PARTICLES SHALL FALL WITHIN THIS RANGE (#200 SIEVE).
- SILT (0.037-0.075mm): MAXIMUM OF 5% (BY WEIGHT) OF PARTICLES SHALL FALL WITHIN THIS RANGE (#400 SIEVE).
- CLAY (LESS THAN 0.037mm): MAXIMUM 3% OF PARTICLES (BY WEIGHT) SHALL FALL WITHIN THIS RANGE (PAN).

- INFILTRATION OR PERCOLATION RATE OF SOIL: DESIRED LEVEL IS 2" PER HOUR.

- SOIL PREPARATION: PRIOR TO PLACING MIX AND BACKFILL, OR COMMENCING WITH PLANTING, ROTOTILL ANY OR ALL AREAS THAT HAVE BEEN PREVIOUSLY COMPACTED OVER 90 PERCENT FOR OTHER CONSTRUCTION PURPOSES.

- FERTILIZER: FERTILIZER SHALL BE A COMPLETE BALANCED BLEND FORMULA, OF WHICH PART OF THE ELEMENTS SHALL BE DERIVED FROM ORGANIC SOURCES. IT SHALL CONTAIN NITROGEN, PHOSPHORUS AND POTASSIUM AS WELL AS RECOMMENDED AMOUNTS OF SUCH AS MAGNESIUM, IRON, COPPER, ZINC, BORON, AND MANGANESE IN SULFATE FORM. NITROGEN SHALL BE APPLIED OVER ALL TURF, SHRUB AND TREE AREAS AT A RATE OF 1 1/2 POUNDS PER 1,000 SQUARE FEET. THE COMPLETE FERTILIZER ANALYSIS SHALL BE APPROVED BY THE LANDSCAPE ARCHITECT.

- MULCH: PINE STRAW MULCH SHALL BE CLEAN, BRIGHT AND FREE OF WEEDS, MOSS, STICKS AND OTHER DEBRIS.

- WATER: SUITABLE WATER FOR THE IRRIGATION OF THE NEW PLANTINGS DURING THE PROGRESS OF CONSTRUCTION SHALL BE PROVIDED AND PAID FOR BY THE LANDSCAPE CONTRACTOR, WHO SHALL ALSO FURNISH ADEQUATE WATERING EQUIPMENT.

- STAKES AND TIES: STAKES AND TREE TIES SHALL BE PROVIDED IN ACCORDANCE WITH THE REQUIREMENTS OF PARAGRAPH 3.02.B HEREINAFTER.

PART 3 - EXECUTION

3.01 PREPARATION

A. UNDERGROUND OBSTRUCTIONS:

- THE LANDSCAPE CONTRACTOR, PRIOR TO CONSTRUCTION, SHALL VERIFY ALL UTILITIES.
- UPON REQUEST FROM THE LANDSCAPE CONTRACTOR, THE OWNER SHALL PROVIDE PLANS SHOWING LOCATIONS OF UNDERGROUND UTILITIES AND/OR WILL ASSIST THE LANDSCAPE CONTRACTOR IN SECURING UNDERGROUND LOCATIONS FROM OTHER PUBLIC UTILITY COMPANIES, SUCH AS TELEPHONE, ELECTRICITY, ETC.
- IN THE EVENT THAT ROCK, UNDERGROUND CONSTRUCTION WORK, UTILITY LINES OR OBSTRUCTION OUT OF THE ORDINARY ARE ENCOUNTERED IN ANY PLANT PIT EXCAVATION, ALTERNATIVE LOCATIONS SHALL BE SELECTED BY THE LANDSCAPE ARCHITECT. WHERE LOCATIONS CANNOT BE CHANGED AND THE OBSTRUCTIONS MAY BE REMOVED, THE OBSTRUCTIONS SHALL BE REMOVED TO A DEPTH OF NOT LESS THAN 3-FEET BELOW GRADE AND NO LESS THAN 6-INCHES BELOW BOTTOM OF BALLS OR ROOTS WHEN PLANT IS PROPERLY SET AT THE REQUIRED GRADE.

B. EXCAVATION OF PLANTING BEDS AND/OR PLANT HOLES:

- WHERE EXCAVATION ENCOUNTERS MATERIAL WHICH ARE SUITABLE FOR PLANT GROWTH, THE PLANT HOLE EXCAVATIONS SHALL BE ROUGHLY CYLINDRICAL IN SHAPE, WITH THE SIDES APPROXIMATELY VERTICAL. PLANTS SHALL BE CENTERED IN THE HOLE, WITH THE TRUNK LOCATION AS SHOWN IN THE DRAWINGS. BOTTOMS OF THE HOLES SHALL BE UNDISTURBED NATURAL SUBGRADE PREVENTING THE TREE FROM SETTLING.

- PROTECTION OF EXISTING TREES: THE LANDSCAPE CONTRACTOR SHALL PROTECT EXISTING TREES FROM DAMAGE. WHERE DAMAGE DOES OCCUR, THE LANDSCAPE CONTRACTOR SHALL REMOVE THE DAMAGED TREE, THEN REPLACE IT IN KIND AND SIZE IN ACCORDANCE WITH THE INSTRUCTION OF THE LANDSCAPE ARCHITECT AND THE APPROPRIATE SPECIFICATIONS, ALL AT NO ADDITIONAL COST TO THE OWNER.

- GRADES: IT SHALL BE THE RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR TO FINISH (FINE) GRADE ALL LANDSCAPE AREAS ELIMINATING ALL SURFACE IRREGULARITIES, DEPRESSIONS, STICKS, STONES AND OTHER DEBRIS TO THE SATISFACTION OF THE LANDSCAPE ARCHITECT. NO PLANT MATERIAL SHALL BE PLANTED UNTIL FINAL GRADE HAS BEEN ESTABLISHED, ENSURING POSITIVE DRAINAGE, COMPACTED TO THE REQUIRED DEPTH, AND APPROVED BY THE LANDSCAPE ARCHITECT.

3.02 PLANTING

A. SETTING OF PLANTS:

- WHEN LOWERING INTO THE HOLE, THE PLANT SHALL REST ON A PREPARED HOLE BOTTOM SUCH THAT THE ROOTS ARE LEVEL WITH, OR SLIGHTLY ABOVE, THE LEVEL OF THEIR PREVIOUS GROWTH AND SO ORIENTED SUCH AS TO PRESENT THE BEST APPEARANCE. THE LANDSCAPE CONTRACTOR, WHEN SETTING PLANTS IN HOLES, SHALL MAKE ALLOWANCES OF ANY ANTICIPATED SETTLING OF THE PLANTS. IF WET CONDITIONS ARE ANTICIPATED, PLANTS SHALL BE SET 2 INCHES TO 3 INCHES HIGHER THAN NORMAL.
- THE BACKFILL SHALL BE MADE WITH NATIVE TOPSOIL, AND SHALL BE FIRMLY RODDED AND WATERED-IN, SO THAT NO AIR POCKETS REMAIN. THE QUANTITY OF WATER APPLIED IMMEDIATELY UPON PLANTING SHALL BE SUFFICIENT TO THOROUGHLY MOISTEN ALL OF THE BACKFILLED EARTH. PLANTS SHALL BE KEPT IN A MOISTENED, BUT NOT SATURATED, CONDITION FOR THE DURATION OF THE ESTABLISHMENT PERIOD.

- STAKING AND GUYING: IT IS THE RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR TO MAINTAIN ALL PLANTS IN A PLUMB, UPRIGHT POSITION UNTIL THE END OF THE GUARANTEE PERIOD. STAKING SHALL BE THE OPTION OF THE LANDSCAPE CONTRACTOR, ALTHOUGH ALL DAMAGED PLANTS RESULTING FROM THE LACK OF PROPER STAKING AND GUYING SHALL BE REPLACED BY THE LANDSCAPE CONTRACTOR AT NO EXPENSE TO THE OWNER. ALL THREE GUY WIRES SHALL BE FLAGGED WITH YELLOW SAFETY RIBBON.

C. PRUNING:

- BROKEN OR DAMAGED ROOTS SHALL BE CUT OFF SMOOTHLY AND THE TOPS OF ALL TREES SHALL BE PRUNED IN A MANNER COMPLYING WITH STANDARD HORTICULTURAL PRACTICE. AT THE TIME PRUNING IS COMPLETED, ALL REMAINING WOOD SHALL BE ALIVE. ALL CUT SURFACES OF 1-INCH OR MORE IN DIAMETER, ABOVE THE GROUND, SHALL BE TREATED WITH AN APPROVED COMMERCIAL TREE PAINT. FINE PRUNING FOR TREE SHAPE AND APPEARANCE SHALL BE DONE ONLY UNDER THE DIRECTION OF THE LANDSCAPE ARCHITECT.
- AT THE END OF THE GUARANTEE PERIOD, AT LEAST 80 PERCENT OF THE WOOD REMAINING SHALL BE ALIVE.

- MULCHING: WITHIN ONE WEEK AFTER THE PLANTING, MULCH MATERIAL SHALL BE UNIFORMLY APPLIED TO A MINIMUM LOOSE THICKNESS OF 2 1/2-INCHES OVER THE ENTIRE AREA OF THE BACKFILLED HOLE OR BED. THE MULCH SHALL BE MAINTAINED CONTINUOUSLY IN PLACE UNTIL THE TIME OF FINAL INSPECTION.

- WATERING: THE LANDSCAPE CONTRACTOR SHALL CONTINUE WATERING FOR AS LONG AS IS NECESSARY TO PROPERLY ESTABLISH THE NEW PLANTINGS. CARE SHALL BE TAKEN TO PREVENT STAINING OF NEW CONSTRUCTION WHERE TEMPORARY WELL WATER IS USED.

- PEST CONTROL: PRIOR TO FINAL ACCEPTANCE, OCCURRENCE OF SCALES, BORERS, FOLIAR FEEDERS, APHIDS, MITES, LEAF-SPOT AND DIEBACK, NEMATODES AND CANKER-PRODUCING FUNGI, SHALL BE TREATED WITH APPROPRIATE PESTICIDE.

- ALL PLANTS SHALL RECEIVE THE SPECIFIED FERTILIZER PRIOR TO FINAL ACCEPTANCE

3.03 BERMING

- FILL DIRT SHALL BE LOCALLY OBTAINED MATERIAL FROM NATURALLY DRAINED SOURCES, FREE FROM DRY, ORGANIC DEBRIS, STONES LARGER THAN 1-INCH DIAMETER AND OTHER MATERIALS HARMFUL TO SUCCESSFUL DRAINAGE AND PLANT GROWTH. SOIL SHALL BE WELL MIXED AND CONTAIN NO MORE THAN 25 PERCENT MUCK.

- GRADE AREAS INDICATED WITH UNIFORM LEVELS OR SLOPES WITH NO MORE THAN 4:1 MAXIMUM SLOPE. BERMS SHALL BE GENTLY ROLLING AND PARABOLIC.

- REPAIR AND RE-ESTABLISH GRADES IN SETTLED, ERODED, RUTTED, OR OTHERWISE DAMAGED AREAS.

3.04 SODDING

- THE SOD SHALL BE OF FIRM, TOUGH TEXTURE HAVING A COMPACT GROWTH OF GRASS WITH GOOD ROOT DEVELOPMENT. IT SHALL CONTAIN NO BERMUDA GRASS, WEEDS OR ANY OTHER OBJECTIONABLE VEGETATION. THE SOIL EMBEDDED IN THE SOD SHALL BE GOOD CLEAN EARTH, FREE FROM STONES AND DEBRIS. THE SOD SHALL BE FREE FROM FUNGUS, VERMIN AND OTHER DISEASES. FINAL TURF SHALL HAVE NO AREA GREATER THAN 6 SQUARE INCHES OF UNSODDED AREA.

- SOLID SOD SHALL BE LAID WITH CLOSELY ABUTTING JOINTS WITH A ROLLED EVEN SURFACE. IT SHALL BE THE RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR TO BRING THE SOD EDGE IN A NEAT, CLEAN MANNER TO THE EDGE OF ALL PAVING AND SHRUB AREAS. AFTER THE SOD IS LAID, A TOP DRESSING OF CLEAN SAND WILL BE EVENLY APPLIED OVER THE ENTIRE SURFACE AND THOROUGHLY WASHED IN, IF DETERMINED NECESSARY. PEG SOD ON SLOPES AS REQUIRED TO PREVENT SLIPPAGE. FERTILIZE ALL SOD: 1 POUND NITROGEN PER 1,000 SQUARE FEET.

3.05 FIELD QUALITY CONTROL

A. MAINTENANCE PRIOR TO FINAL ACCEPTANCE:

- MAINTENANCE SHALL BEGIN IMMEDIATELY AFTER EACH PLANT IS PLANTED AND SHALL CONTINUE UNTIL FINAL ACCEPTANCE. PLANTS SHALL BE WATERED, MULCHED, WEEDED, PRUNED, SPRAYED, FERTILIZED, CULTIVATED AND OTHERWISE MAINTAINED AND PROTECTED FOR THE PERIOD OF TIME STATED ABOVE. SOD SHALL BE MOWED, IF REQUIRED.
- SETTLED PLANTS SHALL BE RESET TO PROPER GRADE POSITION, PLANTING SAUCER RESTORED AND DEAD MATERIAL REMOVED. GUYS SHALL BE TIGHTENED AND REPAIRED.
- DEFECTIVE WORK SHALL BE CORRECTED AS SOON AS POSSIBLE AFTER IT BECOMES APPARENT AND WEATHER AND SEASON PERMIT. UPON COMPLETION OF PLANTING, THE LANDSCAPE CONTRACTOR SHALL REMOVE FROM THE SITE EXCESS SOIL AND DEBRIS, AND REPAIR ANY DAMAGE TO STRUCTURES, ETC., RESULTING FROM PLANTING OPERATIONS.
- THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR PROTECTION AGAINST MECHANICAL DAMAGE. THIS SHALL INCLUDE PROVIDING PROTECTION FROM VEHICLES, INCLUDING THE POSTING OF APPROVED WARNING SIGNS AND BARRICADES, AS NEEDED. THE LANDSCAPE CONTRACTOR SHALL REPAIR, RESTORE OR REPLACE ANY PLANTS OR PLANTING AREAS WHICH MIGHT BECOME DAMAGED AS A RESULT OF ANY NEGLIGENCE BY THE LANDSCAPE CONTRACTOR IN COMPLYING WITH THESE REQUIREMENTS. AS A SPECIFIC REQUIREMENT OF THESE CONDITIONS, THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR ASSURING THAT ALL PLANTS AT THE TIME OF FINAL ACCEPTANCE, EXHIBIT THE CHARACTERISTICS AND QUALIFICATIONS REQUIRED FOR THE GRADE OF PLANT AS ORIGINALLY SPECIFIED.
- THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY ADDITIONAL WATERING REQUIRED IF IRRIGATION PROVES TO BE INADEQUATE FOR FRESHLY PLANTED MATERIAL.
- EXCEPT AS OTHERWISE SPECIFIED, THE LANDSCAPE CONTRACTOR'S WORK SHALL CONFORM TO ACCEPTED HORTICULTURAL PRACTICES AS USED IN THE TRADE.

B. FINAL ACCEPTANCE:

- UPON COMPLETION OF ALL WORK, INCLUDING MAINTENANCE, THE LANDSCAPE CONTRACTOR SHALL ARRANGE FOR A FINAL REVIEW. THE LANDSCAPE WORK MAY BE REVIEWED FOR ACCEPTANCE IN PARTS, PROVIDED THE WORK COMPRISES OF ONE FULL UNIT OR AREA OF SUBSTANTIAL SIZE.
- DATE OF FINAL ACCEPTANCE SHALL MARK THE BEGINNING OF THE GUARANTEE PERIOD.

- GUARANTEE REVIEW: AT THE END OF THE GUARANTEE PERIOD, REVIEW OF PLANTS WILL BE MADE BY THE LANDSCAPE ARCHITECT UPON WRITTEN NOTICE REQUESTING SUCH REVIEW, SUBMITTED BY THE LANDSCAPE CONTRACTOR AT LEAST TEN DAYS BEFORE THE ANTICIPATED WALK-THRU. ALL DEFECTS DISCOVERED SHALL BE REPAIRED OR REPLACED BY THE LANDSCAPE CONTRACTOR.

3.06 ADJUSTMENT AND CLEANING

- CLEANING UP THE SITE: UPON COMPLETION OF ANY LANDSCAPE PROJECT, THE LANDSCAPE CONTRACTOR MUST THOROUGHLY CLEAN UP THE PROJECT SITE. IN ADDITION TO REMOVING ALL EQUIPMENT, UNUSED MATERIALS, DELETERIOUS MATERIAL, AND SURPLUS EXCAVATED MATERIAL, THE LANDSCAPE CONTRACTOR SHALL FINE GRADE ALL DISTURBED AREAS AND THE AREAS ADJACENT TO THE NEW PLANTINGS TO PROVIDE A NEAT AND UNIFORM SITE. ALL DAMAGED OR ALTERED EXISTING STRUCTURES, AS A RESULT OF THE LANDSCAPE WORK, SHALL BE CORRECTED.

Date:	1/24/2020
Drawn by:	KMD/RT
Reviewed by:	CH
Job Number:	50197
Revision:	Date:



MDM BOUTIQUE HOTEL
Winter Park, Florida

WFG, LTD.

P.O. Box 350, Winter Park, FL 32790; 407-644-3151

DIX-HITE
+ PARTNERS
100 WOODBINE AVENUE
LONGWOOD, FLORIDA 32750
TEL 407.667.1777
FAX 407.667.1777

CODE LANDSCAPE PLANS

LANDSCAPE SPECIFICATIONS

Sheet Number:

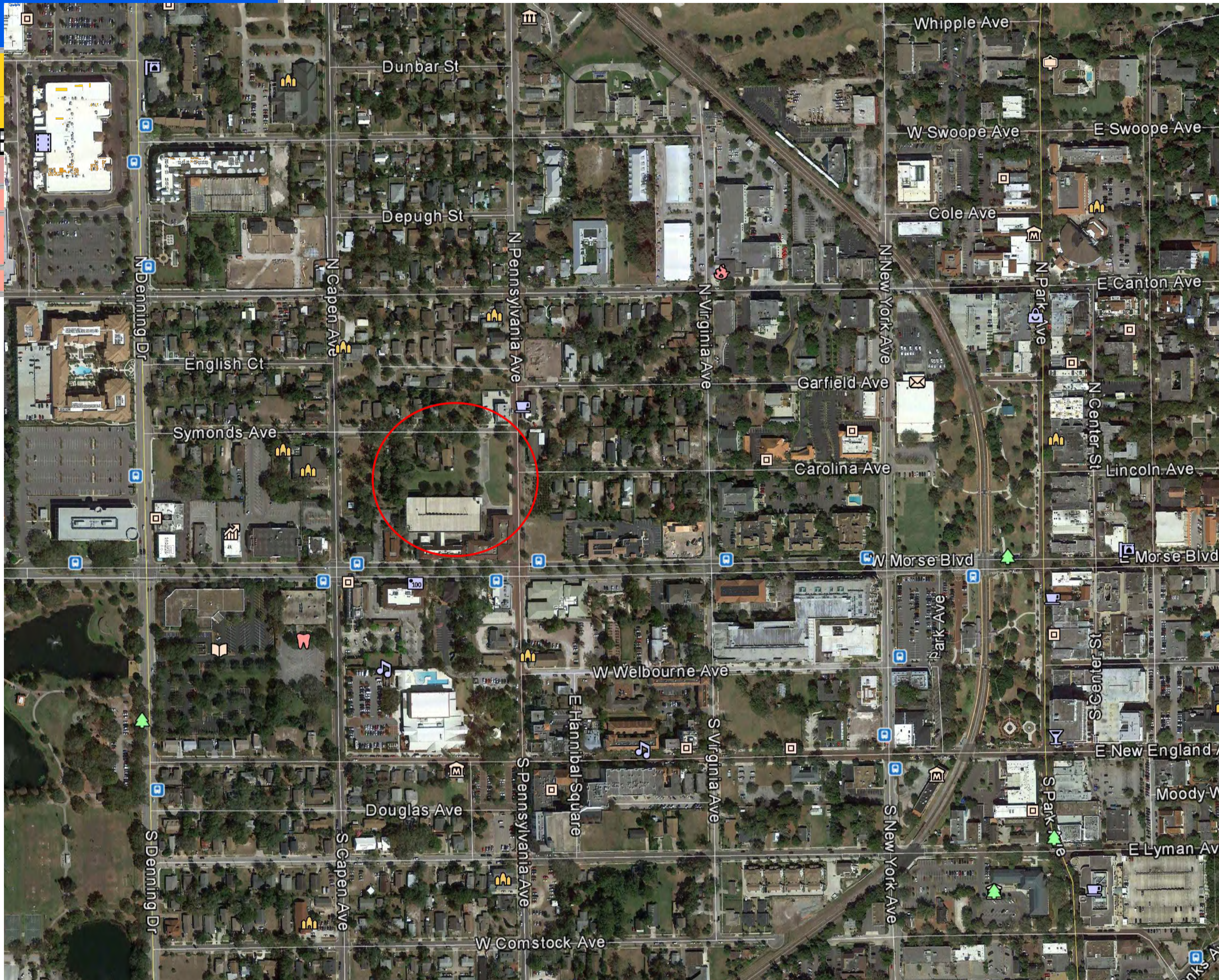
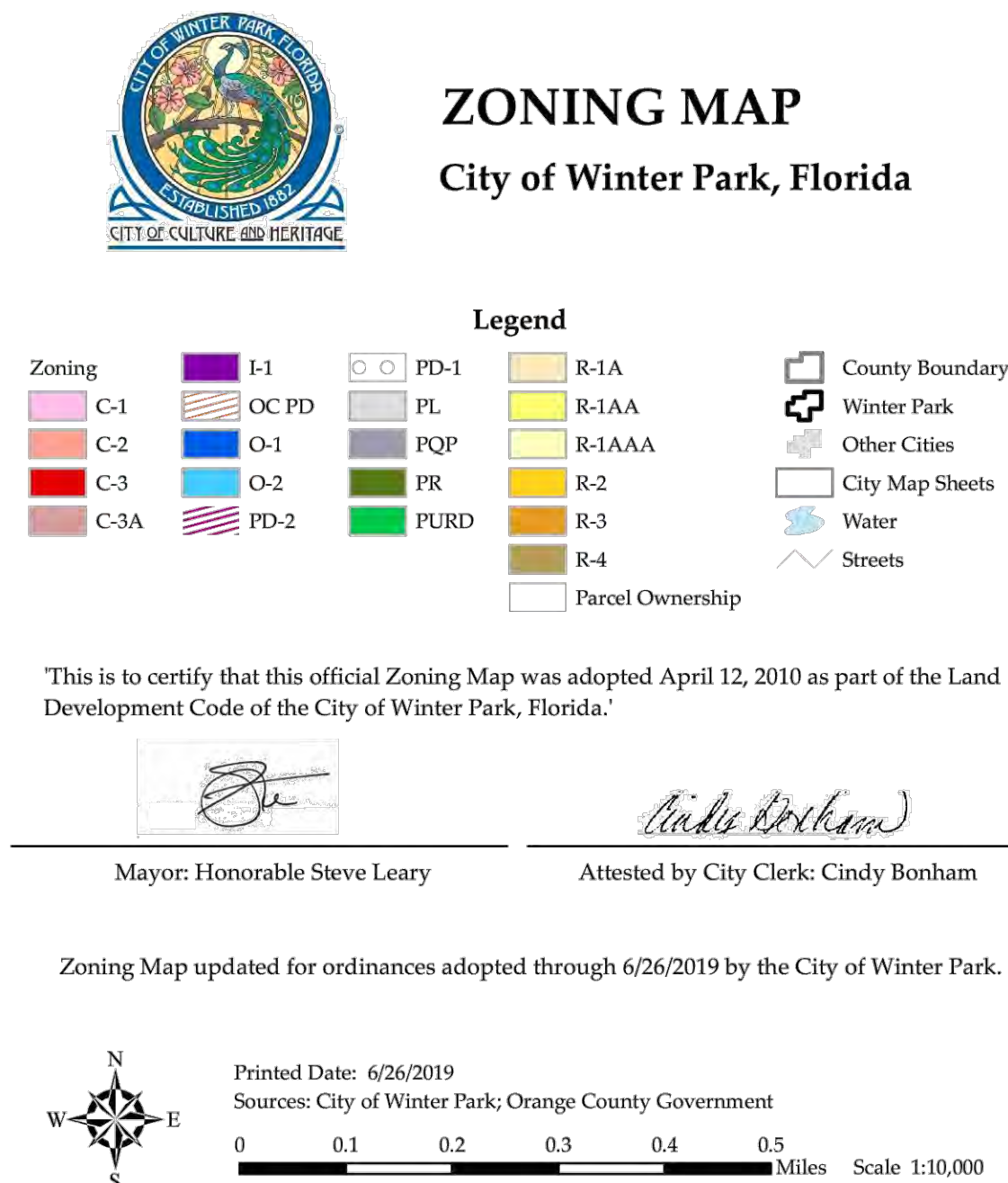
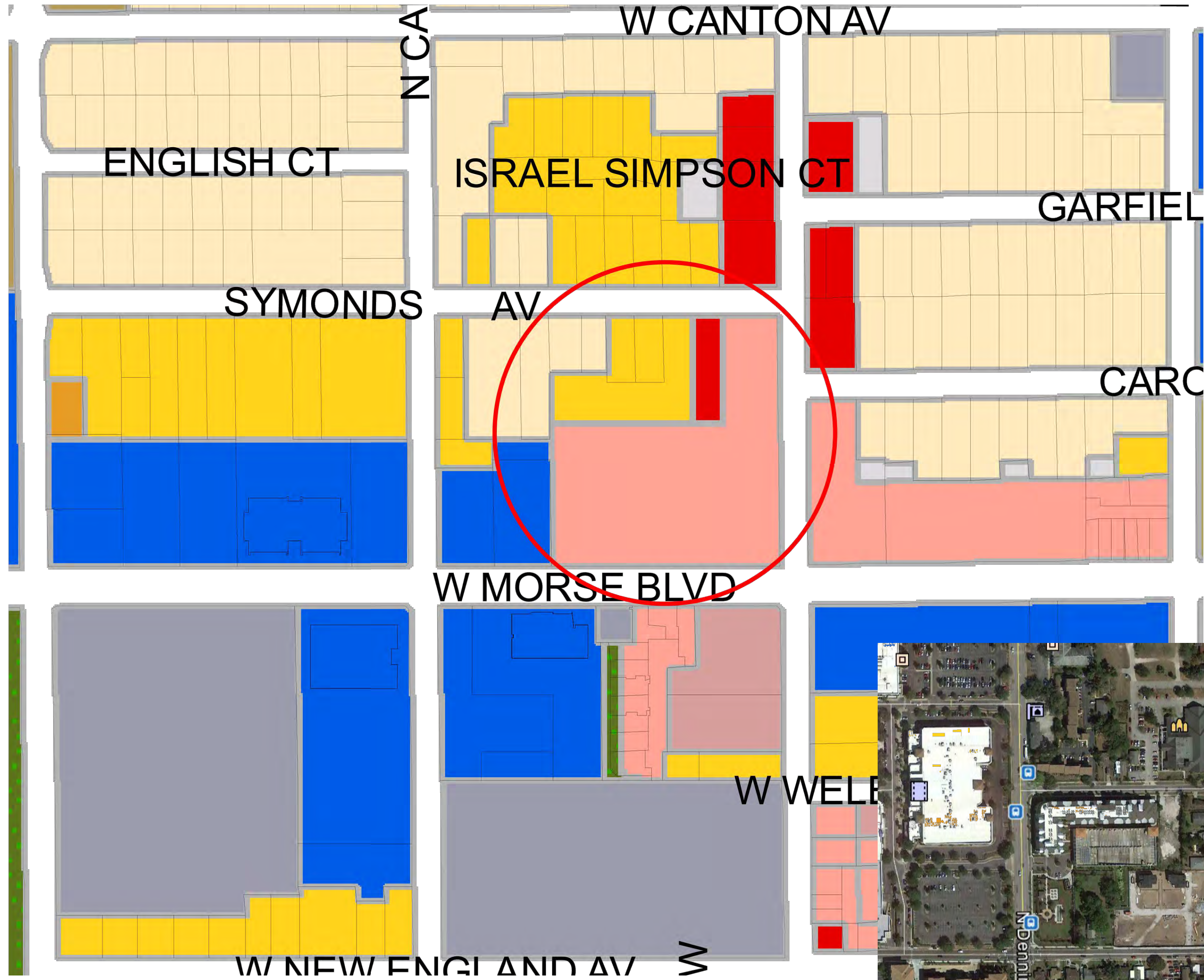
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15-317-11



FINFROCK
FINFROCK DESIGN, LLC.



ZONING: C-2
MAX HEIGHT: 40ft

MIN SETBACKS:
Front: 0 ft
Side: No requirement
Rear: 10 ft
MAX. FAR: 200%

ZONING: C-3
MAX HEIGHT: 40ft

MIN SETBACKS:
Front: 0 ft
Side: 15 ft
Rear: 10 ft
MAX. FAR: 45%

ZONING: R-2
MAX HEIGHT: 30ft

MIN SETBACKS:
Front: 25 ft
Side: 10 ft
Rear: 10 ft - one story
Rear: 25 ft - two story
MAX. FAR: 55%

ZONING: R-1A
MAX HEIGHT: 30ft

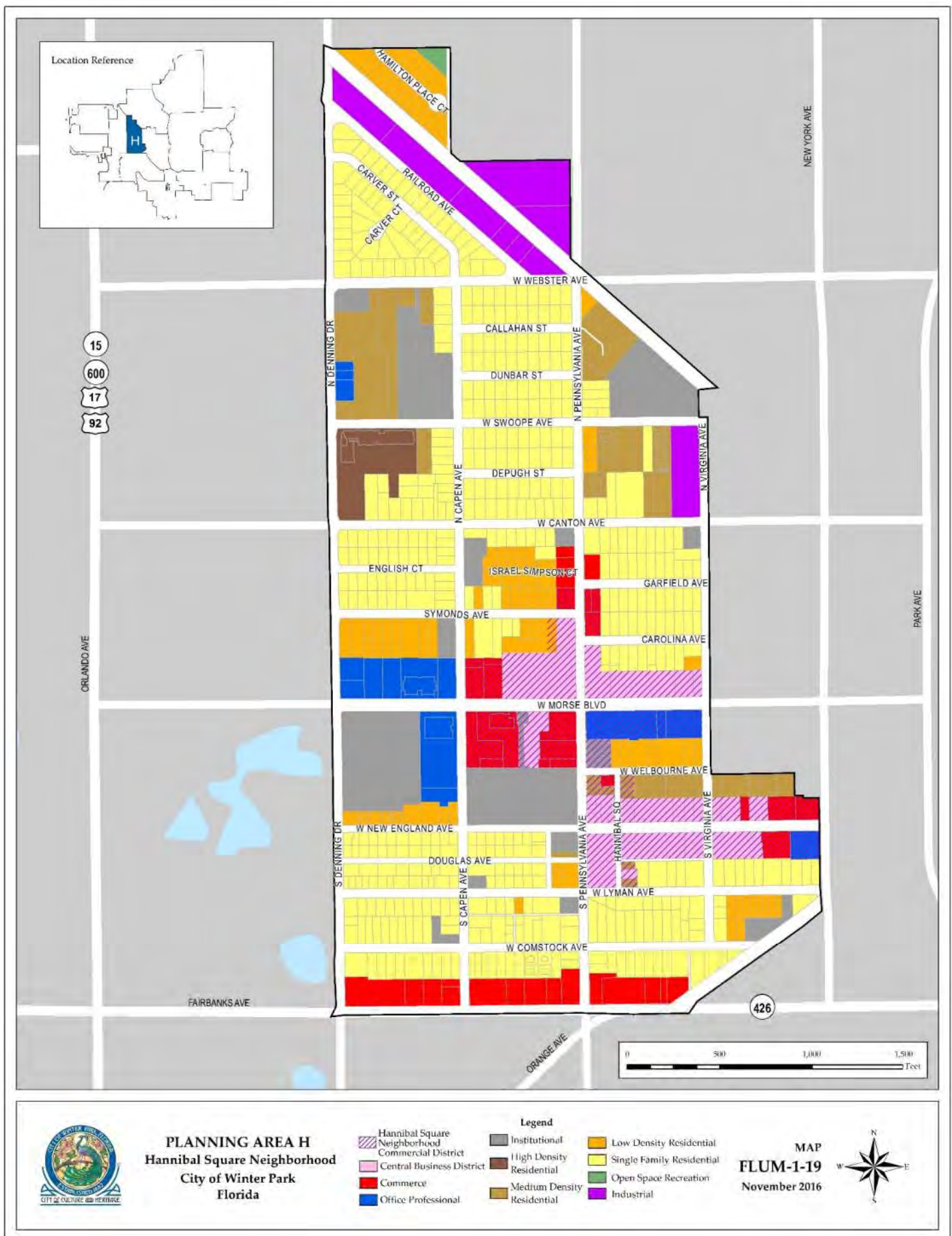
MIN SETBACKS:
Front: 25 ft
Side: 7.5 ft - 1st story
Side: 10 ft - 2nd story
Rear: 25 ft - 1st story
Rear: 35 ft - 2nd story
MAX. FAR: 33%

SITE ANALYSIS

BOUTIQUE HOTEL

WINTER PARK, FL | G0.2B
2020-01-24

NOT FOR CONSTRUCTION

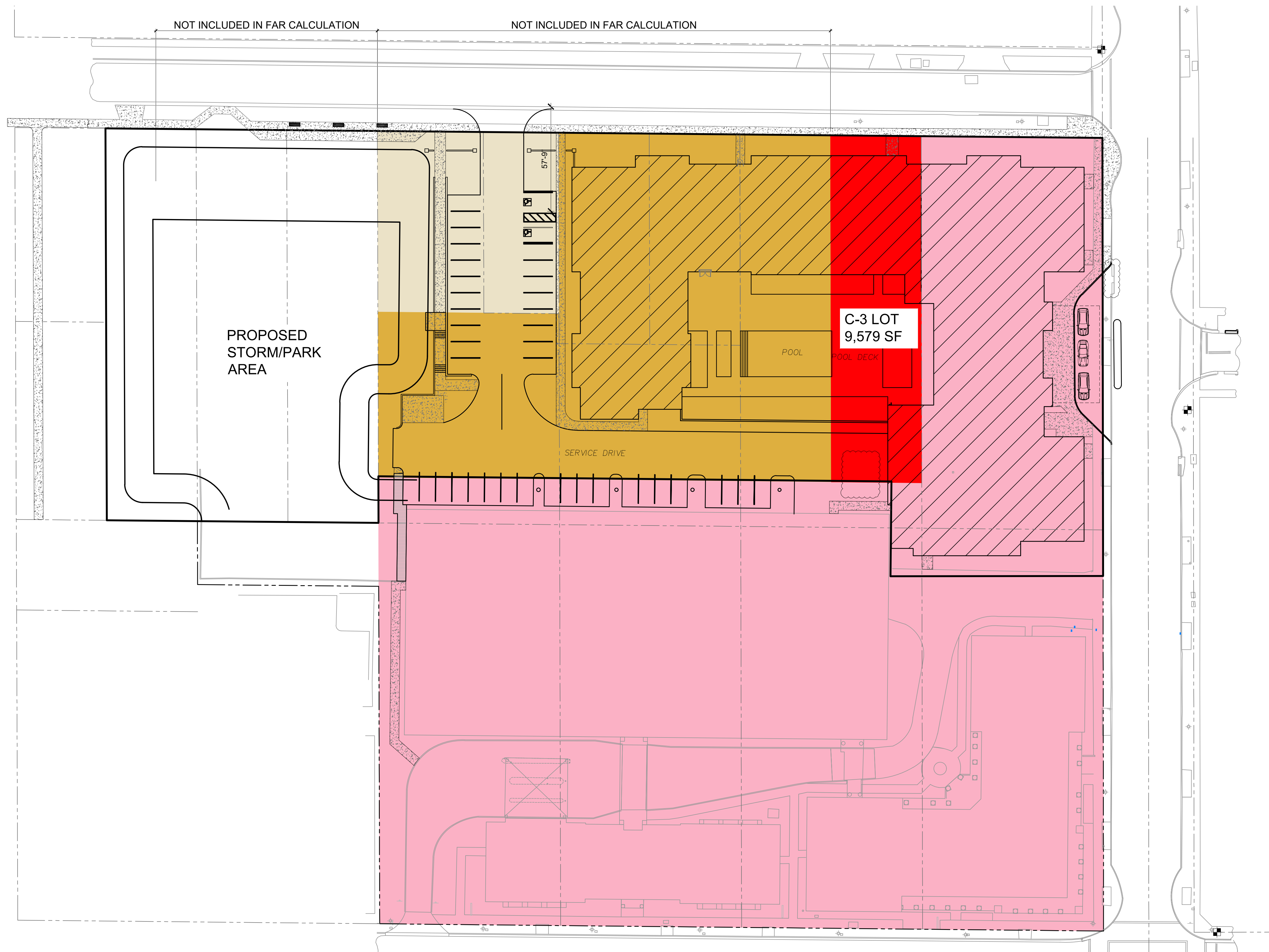


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15-317-11



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FINFROCK DESIGN, LLC.



SITE FAR

ZONING LEGEND

- C-2
- C-3
- R-2
- R1A

EXISTING C-2 AREA = 117,656 SF
FAR = 117,656 SF X 2 = 235,312 SF

EXISTING C-3 AREA = 9,579 SF
FAR = 9,579 SF X .50 = 4,790 SF

EXISTING ENTITLED FAR
C-2 = 235,312 SF
C-3 = 4,790 SF

TOTAL = 240,102 SF

EXISTING PROJECT AREA FAR:
655 W. MORSE BLVD. - 13,936 SF
631 W. MORSE BLVD. - 27,717 SF
41,653 SF

PROPOSED NEW FAR IN PROJECT AREA:
171 N. PENNSYLVANIA AVE - 115,000 SF

* TOTAL EXISTING & PROPOSED FAR:
156,653 SF

EXISTING C-2 & C-3 ENTITLED FAR:
240,102 SF
* LESS 156,653 SF
83,449 SF UNUSED FAR

OPTION 1 FAR CALCULATIONS BASED ON THE AGREGATE OF EXISTING C-2/C-3 ZONING

BOUTIQUE HOTEL

WINTER PARK, FL | G0.4
2020-01-24

NOT FOR CONSTRUCTION

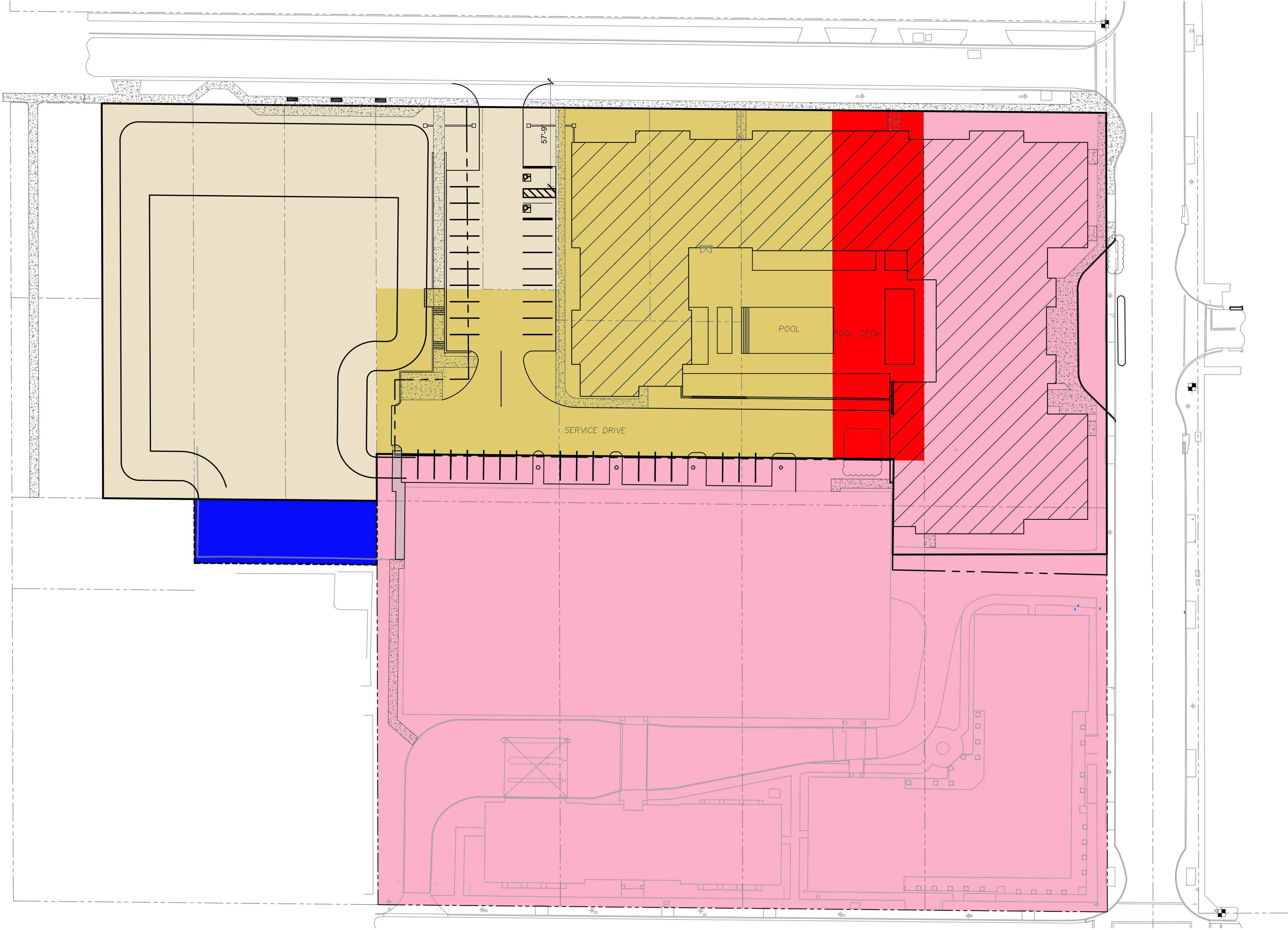
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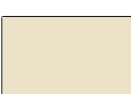


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FINFROCK DESIGN, LLC.

SITE FAR



ZONING LEGEND

-  C-2
-  C-3
-  R-2
-  R1A
-  OI

EXISTING ZONING

BOUTIQUE HOTEL

WINTER PARK, FL | G0.6
2020-01-24

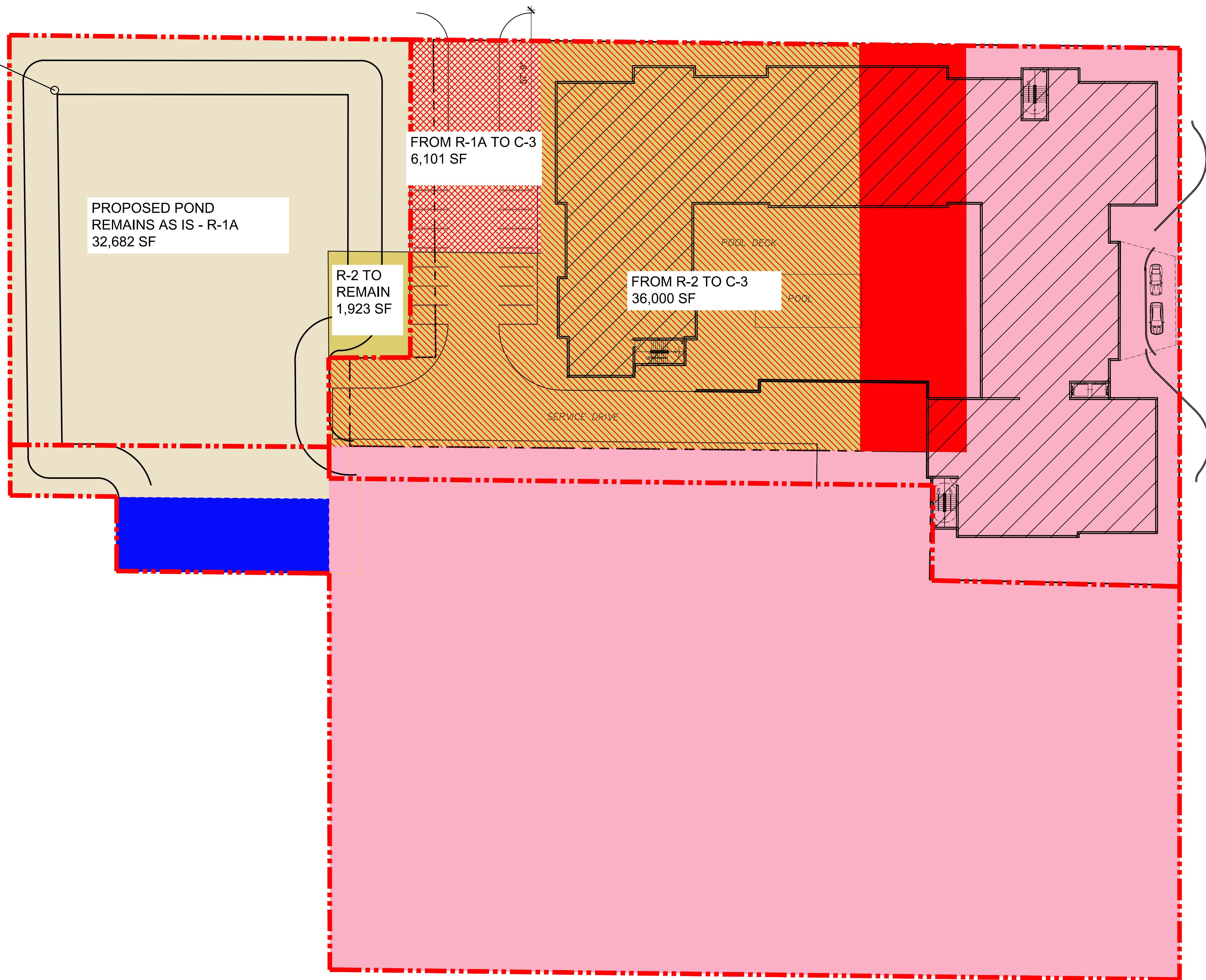
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15-317-11



FINFROCK
FINFROCK DESIGN, L.L.C.

PARCEL 2
34,605 SF



ZONING LEGEND

- C-2
- C-3
- R-2
- R1A
- OI

PROPOSED CHANGE IN ZONING

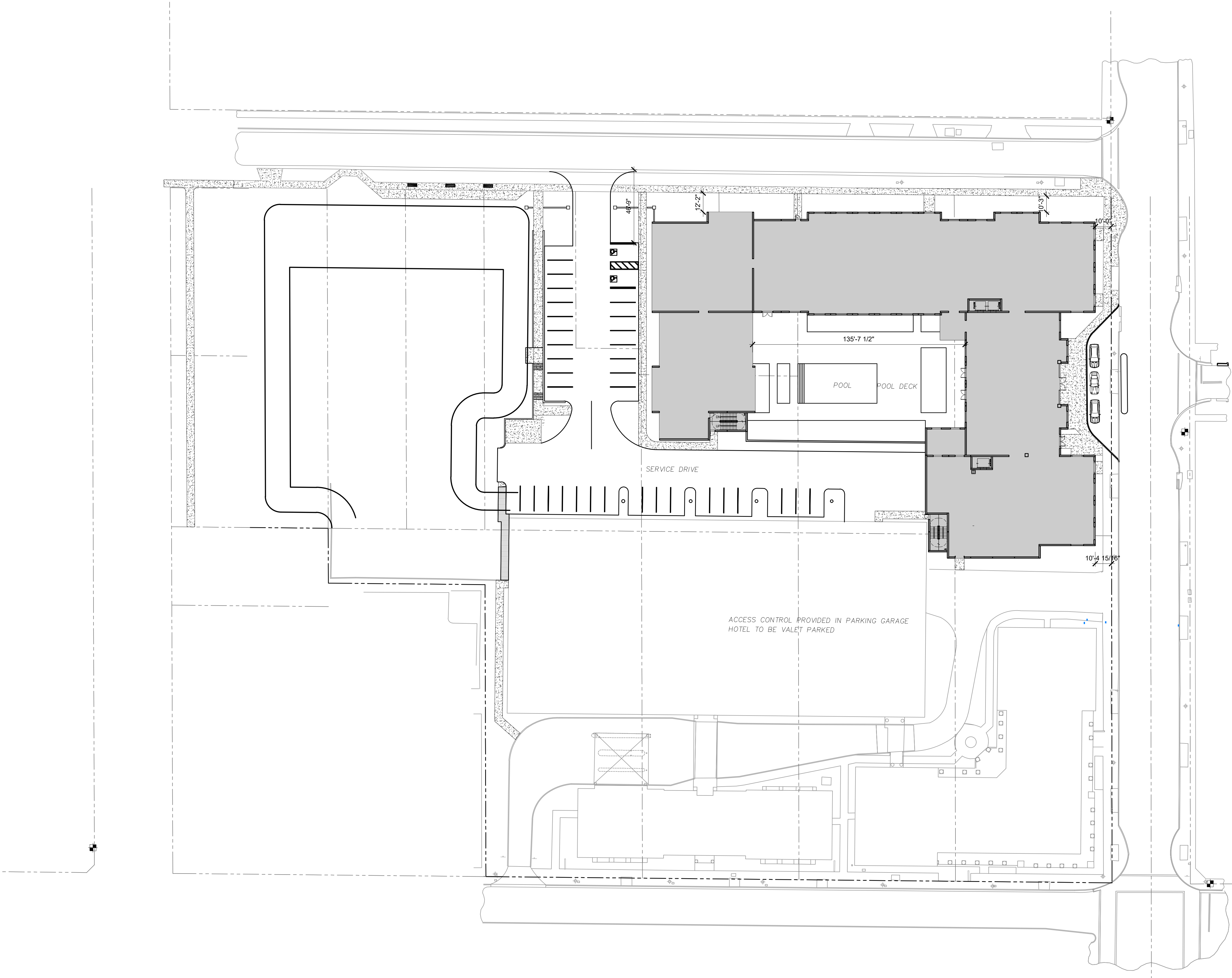
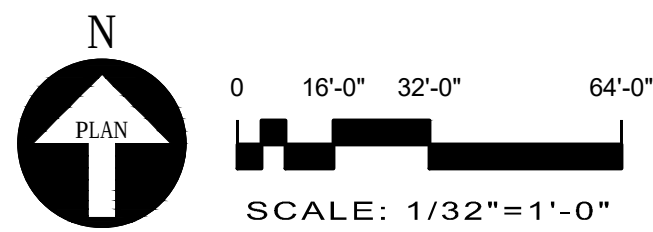
BOUTIQUE HOTEL

WINTER PARK, FL | G0.7
2019-12-06

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15-317-11



EXISTING PARKING GARAGE SCHEDULE

BUILDING	STALLS
631 W. MORSE BLVD	140 **
655 W. MORSE	61
NON ALLOCATED SPACES	68
	269

**SHARED PARKING WITH HOTEL

EXISTING PARKING GARAGE SPACES PROVIDED	269
NEW SURFACE PARKING STALLS	40
TOTAL	309

PARKING REQUIREMENTS - WINTER PARK CODE OF ORDINANCES,
CH. 58, SEC. 58-86

USE	AREA / ROOM	PARKING REQUIRED PER SF OR ROOM	REQUIRE D SPACES
HOTEL	140	1 SPACE PER ROOM	140
RESTAURANT	2,867	140 SEATS/ 4	35
MEETING ROOMS	9,229	1 SPACE/ 250	37
HOTEL PARKING SPACES REQUIRED			212

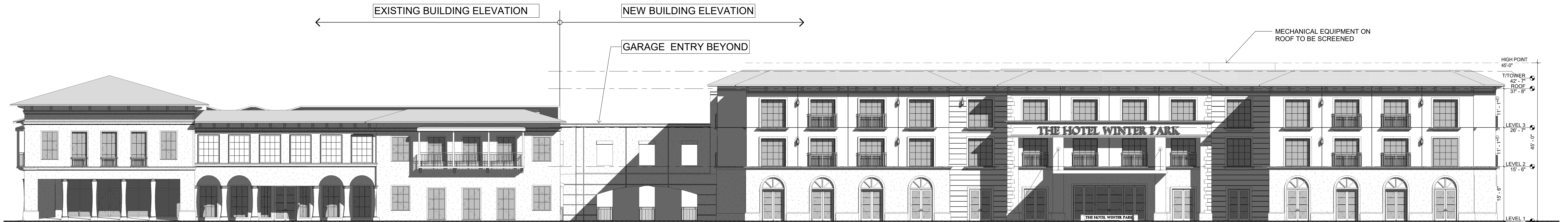
OFFICE (EXISTING)	41,653	1 SPACE/ 333	125
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ARCHITECTURAL SITE PLAN

BOUTIQUE HOTEL

WINTER PARK, FL | G1.0
2020-01-24

NOT FOR CONSTRUCTION



2 EAST ELEVATION - PENNSYLVANIA AVE
3/32" = 1'-0"



1 NORTH ELEVATION - SYMONDS AVE
3/32" = 1'-0"

1/24/2020 11:14:47 AM
15-317

FINFROCK
FINFROCK DESIGN, INC.

BUILDING ELEVATIONS
BOUTIQUE HOTEL
WINTER PARK, FL
01/24/2020 | G1.2-



N. PENNSYLVANIA AVENUE



SYMONDS AVENUE

FACADES

BOUTIQUE HOTEL

WINTER PARK, FL
2020/01/24

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N. PENNSYLVANIA AVE. ENTRANCE PERSPECTIVE

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N. PENNSYLVANIA AVE. ENTRANCE PERSPECTIVE

BOUTIQUE HOTEL

WINTER PARK, FL

2020/01/24

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N. PENNSYLVANIA AVE. & SYMONDS AVE. PERSPECTIVE

BOUTIQUE HOTEL

WINTER PARK, FL
2020/01/24

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PARK RENDERING

BOUTIQUE HOTEL

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PARK RENDERING

BOUTIQUE HOTEL

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2020/01/30

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BOUTIQUE HOTEL

WINTER PARK, FL
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PARK RENDERING

BOUTIQUE HOTEL

WINTER PARK, FL
2020/01/30

TIPTON ASSOCIATES INCORPORATED

TRAFFIC/TRANSPORTATION/CIVIL ENGINEERING

December 11, 2019



W.F.G., LTD.
PO Box 350
Winter Park, FL 32790

Re: Winter Park Boutique Hotel
171 N. Pennsylvania Ave., Winter Park, FL
Trip Generation Calculations

Dear Dan:

As requested, Tipton Associates Incorporated (TAI) has accomplished trip generation calculations for the existing office on this site plus two development options for the vacant C-2/C-3 zoned property based upon the following development options.

Development Option No. 1:
41,653 SF of office (existing)
138,914 SF of additional office
59,535 SF of retail

Development Option No. 2:
41,653 SF of office (existing)
140-room business hotel

The results of these trip generation calculations are provided on the attached Table 1. This table indicates that the construction of a 140-room business hotel on the vacant C-2/C-3 zoned property will generate 2,354 fewer daily trips than currently allowable retail/office land use. Should you have any questions or require any additional information, please do not hesitate to contact me.

Sincerely,

TIPTON ASSOCIATES INCORPORATED

William F. Tipton, P.E.
Date: 12/11/19
FL Reg. No. 190646012
Cert. of App. No. 00001548

760 MAGUIRE BOULEVARD ORLANDO, FL 32803-3751
407.894.2055 • 1.800.447.9836 • FAX 407.896.9949

WWW.TIPTONAI.COM

TABLE 1

TRIP GENERATION

Agency Packet Page 983

DEVELOPMENT OPTION NO. 1

ITE CODE	LAND USE	GLA/GFA UNITS	DAILY TRIPS			A.M. PEAK HOUR				P.M. PEAK HOUR			
			TOTAL	PRIMARY	PASS-BY	TOTAL	INBOUND		OUTBOUND	TOTAL	INBOUND		OUTBOUND
							PRIMARY	PASS-BY			PRIMARY	PASS-BY	
810	OFFICE	180,657	1,883	1,883	0	196	169	0	27	0	32	0	168
820	RETAIL	59,535	2,247	1,483	764	56	35	0	21	0	72	37	78
	TOTAL		4,130	3,366	764	252	204	0	48	0	104	37	246

DEVELOPMENT OPTION NO. 2

ITE CODE	LAND USE	GLA/GFA UNITS	DAILY TRIPS			A.M. PEAK HOUR				P.M. PEAK HOUR			
			TOTAL	PRIMARY	PASS-BY	TOTAL	INBOUND		OUTBOUND	TOTAL	INBOUND		OUTBOUND
							PRIMARY	PASS-BY			PRIMARY	PASS-BY	
312	BUSINESS HOTEL	140 ROOMS	558	558	0	55	23	0	32	0	25	0	20
710	OFFICE	41,653	454	454	0	66	57	0	9	0	8	0	42
	TOTAL		1,012	1,012	0	121	80	0	41	0	33	0	62

DEVELOPMENT OPTION NO. 2 - OPTION NO. 1

ITE CODE	LAND USE	GLA/GFA UNITS	DAILY TRIPS			A.M. PEAK HOUR				P.M. PEAK HOUR			
			TOTAL	PRIMARY	PASS-BY	TOTAL	INBOUND		OUTBOUND	TOTAL	INBOUND		OUTBOUND
							PRIMARY	PASS-BY			PRIMARY	PASS-BY	
				-2,354			-124		-7		-71		-184



December 11, 2019

City of Winter Park
401 S Park Ave.
Winter Park, FL 32789

Re: Morse & Penn Winter Park Hotel ULI Shared Parking Analysis

To Whom It May Concern:

Please see the tables below for the calculation for the required on-site parking, provided parking, and associated parking demand ratios table for the ULI Shared Parking Analysis.

REQUIRED PARKING - PHASE 1 OPTION 1				
	USE	RATE	S.F./UNITS	TOTAL STALLS
OFFICE	OFFICE	1/333	41,653	125
HOTEL BUSINESS	HOTEL	1	89	89
HOTEL LEISURE	HOTEL	1	51	51
HOTEL CONFERENCE BANQUET	HOTEL	1/250	9,229	37
HOTEL RESTAURANT	HOTEL	1/4 seats	140 seats	35
TOTAL REQUIRED PARKING				337

PROVIDED PARKING	
	TOTAL STALLS
GARAGE PARKING	269
SITE PARKING	40
TOTAL PROVIDED PARKING	309

PARKING DEMAND RATIOS - WEEKDAY																						
	MAX REQUIRED	TIME OF DAY																				
		5:00 AM	6:00 AM	7:00 AM	8:00 AM	9:00 AM	10:00 AM	11:00 AM	12:00 PM	1:00 PM	2:00 PM	3:00 PM	4:00 PM	5:00 PM	6:00 PM	7:00 PM	8:00 PM	9:00 PM	10:00 PM	11:00 PM	12:00 AM	1:00 AM
OFFICE	125	3%	30%	75%	95%	100%	100%	90%	90%	100%	100%	90%	25%	10%	7%	3%	1%					
HOTEL BUSINESS	89	95%	90%	80%	70%	60%	60%	55%	55%	60%	60%	65%	70%	75%	75%	80%	85%	95%	100%	100%		
HOTEL LEISURE	51	95%	95%	90%	80%	70%	70%	65%	65%	70%	70%	75%	80%	85%	85%	90%	95%	95%	100%	100%		
HOTEL CONFERENCE BANQUET	37	0%	0%	30%	60%	60%	60%	65%	65%	65%	65%	65%	100%	100%	100%	100%	100%	50%				
HOTEL RESTAURANT	35	0%	10%	30%	10%	10%	5%	100%	100%	33%	10%	10%	30%	55%	60%	70%	67%	60%	40%	30%		

		SHARED PARKING ACCUMULATION - WEEKDAY																				
	MAX REQUIRED	TIME OF DAY																				
		5:00 AM	6:00 AM	7:00 AM	8:00 AM	9:00 AM	10:00 AM	11:00 AM	12:00 PM	1:00 PM	2:00 PM	3:00 PM	4:00 PM	5:00 PM	6:00 PM	7:00 PM	8:00 PM	9:00 PM	10:00 PM	11:00 PM	12:00 AM	1:00 AM
OFFICE	125.0	0.0	3.8	37.5	93.8	118.8	125.0	125.0	112.5	112.5	125.0	125.0	112.5	62.5	31.3	12.5	8.8	3.8	1.3	0.0	0.0	0.0
HOTEL BUSINESS	89.0	0.0	84.6	80.1	71.2	62.3	53.4	53.4	49.0	49.0	53.4	53.4	57.9	62.3	66.8	66.8	71.2	75.7	84.6	89.0	89.0	0.0
HOTEL LEISURE	51.0	0.0	48.5	48.5	45.9	40.8	35.7	35.7	33.2	33.2	35.7	35.7	38.3	40.8	43.4	43.4	45.9	48.5	48.5	51.0	51.0	0.0
HOTEL CONFERENCE BANQUET	37.0	0.0	0.0	0.0	11.1	22.2	22.2	22.2	24.1	24.1	24.1	24.1	24.1	37.0	37.0	37.0	37.0	37.0	18.5	0.0	0.0	0.0
HOTEL RESTAURANT	35.0	0.0	0.0	3.5	10.5	3.5	3.5	1.8	35.0	35.0	11.6	3.5	3.5	10.5	19.3	21.0	24.5	23.5	21.0	14.0	10.5	0.0
REQUIRED PARKING	0	137	170	232	248	240	238	254	254	250	242	236	213	198	181	187	188	174	154	151	0	
PROPOSED PARKING	309	309	309	309	309	309	309	309	309	309	309	309	309	309	309	309	309	309	309	309	309	
OVER/UNDER PARKED		309	172	139	77	61	69	71	55	55	59	67	73	96	111	128	122	121	135	155	158	309

Please do not hesitate to contact us if you have any further questions or comments.

Sincerely,

FINFROCK

William Finfrock

President

407.293.4000 o

wfinfrock@finfrock.com

December 10, 2019

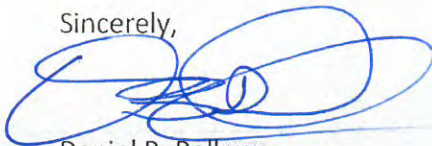
Mr. Bronce Stephenson, Planning Director
City of Winter Park
401 Park Avenue South
Winter Park, Fla 32789

Re: Employment opportunities within walking distance of the Hannibal Square community

Dear Mr. Stephenson,

The proposed Boutique Hotel to be located at 171 N. Pennsylvania ave Winter Park, Fla will create approximately 65-70 jobs in the Hannibal Square district of the City of Winter Park, totaling approximately \$2,500,000 in salaries and benefits annually. Jobs will be diverse, and will range in salaries and benefits from \$30,000 to over \$100,000 per year. Opportunities for career advancement within hotels are commonplace and are expected at this property. Types of careers include Housekeeping, Food preparation including Executive and Sous Chef positions, Food Service, Hotel General Management, Accounting/Night auditing, Maintenance/Engineering, Event planning, Valet positions and other miscellaneous Hospitality related positions.

Sincerely,



Daniel B. Bellows
Sydgan Corporation

**REQUEST FOR FUTURE LAND USE/ZONING CHANGE, DEVELOPMENT AGREEMENT AMENDMENT THREE
AND CONDITIONAL USE MODFICATION TO THE CITY OF WINTER PARK'S COMPREHENSIVE
DEVELOPMENT PLAN FOR THE HOTEL PROJECT AT 655 W MORSE BLVD WINTER PARK, FLA**

SUBMITTED BY:

SYDGAN CORPORATION

P.O BOX 350

WINTER PARK, FLORIDA 32790-0350

407-644-3151

SUBMITTED TO:

CITY OF WINTER PARK PLANNING DEPARTMENT

401 PARK AVENUE SOUTH WINTER PARK, FLA 32789

PREPARED AND SUBMITTED ON BEHALF OF:

WFG, LTD, A FLORIDA LIMITED PARTNERSHIP c/o

WELBORNE AVENUE CORPORATION, ITS GENERAL PARTNER

and

CRDI, LLC, A FLORIDA LIMITED LIABILITY COMPANY

SUBMITTAL DATE: NOVEMBER 6, 2019

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EXHIBIT LA5.10: TREE SAVE AND REMOVAL PLAN

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EXHIBIT G0.6: EXISTING ZONING

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EXHIBIT G1.2: Building elevations

EXHIBIT FACADES: N. Pennsylvania Ave, Symonds Ave

EXHIBIT PERSPECTIVES: N. Pennsylvania Avenue

EXHIBIT PERSPECTIVES: N. Pennsylvania Avenue & Symonds Ave

EXHIBIT PERSPECTIVES: N. Pennsylvania Avenue Entrance

EXHIBIT PERSPECTIVES: Symonds Ave

SECTION 1: INTRODUCTION

The Applicant hereby respectfully submits the following application to amend the City's Comprehensive Development Plan (CDP), amend the development agreement regarding 655 W. Morse Blvd as last amended February 13, 2012 and a conditional use modification **in** order to construct a three story, 140 room full-service hotel (Refer to Exhibit 9 for proposed map).

Subject parcels:

- Parcel 1: W F G, Ltd
 06-22-30-1168-08-095
 655 W. Morse Blvd Winter Park, Fla 32789
 4.10 acres
- Parcel 2: CRDI, LLC
 06-22-30-1168-08-033
 656 Symonds Avenue Winter Park, Fla 32789
 .13 acres
- Parcel 3: CRDI, LLC
 06-22-30-1168-08-031
 660 Symonds Avenue Winter Park, Fla 32789
 .13 acres
- Parcel 4: CRDI, LLC
 06-22-30-1168-08-040
 664 Symonds Avenue Winter Park, Fla 32789
 .10 acres
- Parcel 5: W F G, Ltd
 06-22-30-1168-08-041
 672 Symonds Avenue Winter Park, Fla 32789
 0.13 acres
- Parcel 6: W F G, Ltd
 06-22-30-1168-08-051
 710 Symonds Avenue Winter Park, Fla 32789
 0.25 acres

Total Land Area: 4.84 acres +/-

The Applicant has provided a proposed amendment three to the existing development agreement for 655 W. Morse Blvd Winter Park that also provides for a regional Stormwater treatment pond and passive community park with the City of Winter Park. (Pond/Park .79 acres).

The subject parcels are located within the jurisdictional limits of the City of Winter Park, Florida.

Respective Future Land Use designations and zonings are:

Parcel 1: C2, C3, R2, R1A

Parcel 2: R2

Parcel 3: R2

Parcel 4: R1A

Parcel 5: R1A

Parcel 6: R1A

Refer to Exhibit G0.2B, G0.4, G0.6and G0.7.

SECTION 2: BACKGROUND/COMPATIBILITY

Growth Management Plans through their Future Land Use Elements and Maps attempt to ensure that the character and location of land uses create smooth and orderly transitions, avoid incompatible uses and establish the regulatory framework for orderly growth, economic development and place-making opportunities.

Given the City's unique location within the Central Florida and Metropolitan Orlando region, the City must continue to promote quality infill development by enhancing and improving existing neighborhoods with adequate infrastructure, minimizing land use conflicts and accommodating higher densities and intensities in a contextual fashion.

The subject parcels are uniquely positioned between the Downtown CBD District and adjacent to Hannibal Square Neighborhood Commercial District in Winter Park, Florida.

The subject parcels currently house two (2) office buildings totaling 41,653 SF, a 269 space parking garage on a portion of Parcel 1 and vacant land on parcels 2,3,4,5 and 6. The parcels are bounded by vacant church land to the west, Symonds avenue with residential and office to the north, Pennsylvania with a commercial funeral home and office to the east, office and parking garage to the south. The following table provides a detailed description of the surrounding uses and zonings:

<u>LOCATION</u>	<u>EXISTING USES</u>	<u>EXISTING ZONING</u>
Subject site	Office, parking garage	C2, C3, R2, R1A
North	Residential, Office	C3, R1A
South	Office	C2
East	Funeral Home, Office	C3, C2
West	Vacant Land	R2

COMPATIBILITY WITH SURROUNDING LAND USES

North: To the north lies five (5) single family homes and five (5) vacant lots and one office/retail building. The subject amendment would enhance the property values of the adjoining use while strengthening neighborhood as a whole.

East: Uses to the east consist of restaurant, commercial, office. The parcels are separated by Pennsylvania avenue. The proposed amendment uses are compatible with the adjoining uses.

South: Uses to the south consist of commercial, office, parking garage. The proposed amendment uses are compatible with the adjoining uses.

West: Uses to the west consist of vacant land. The proposed amendment uses would not negatively impact the adjoining uses.

SECTION 3: FRAMEWORK FOR GROWTH

INFILL
CONSISTENCY
COMPATIBILITY
CONNECTIVITY
CONTEXT
MIXED USE

These six growth/development parameters can be described as urban strategies that promote efficient use of infrastructure, compact development, and proper transitional uses.

The Applicant's vision is to develop an infill Hotel project with elements to include: hotel rooms, meeting space, retail and a restaurant.

The proposed hotel development:

- Will not require an expansion of the Urban Service Area
- Will not create or contribute to urban sprawl
- Lies adjacent to the CBD
- Is located contiguous to and within existing development where infrastructure and services are available
- Lies within two blocks of the sun rail station.
- Will provide public electric car charging stations.
- Will provide for the reuse of rain water for irrigation.

COMPREHENSIVE PLAN, FUTURE LAND USE ELEMENT,

Applicant proposes the text modification as follows:

Policy 1-H-2: If Non-Residential zonings are approved, compensation required for lost housing In situations where a change to non-residential comprehensive plan amendment is approved, in this planning area, the loss of housing or housing potential must be compensated for through the provision of housing or negotiated fees **or donation of public infrastructure to serve the housing needs**, in lieu of housing, paid to the affordable and workforce housing trust fund.

(See proposed Development agreement amendment three paragraph five)

POLICY 1-H-6 is ~~hereby amended~~ as follows:

Policy 1-H-6: Non-Residential Use on Certain Segments of Comstock Avenue, New England Avenue & ~~Symonds Avenue~~ Non-residential land uses and zoning on Comstock Avenue between Denning Drive and the Railroad, on New England Avenue between Denning Drive and Pennsylvania Avenue ~~and on Symonds Avenue between Capen Avenue and Pennsylvania Avenues~~ shall be deemed to be in conflict with the Comprehensive Plan.

POLICY 1-H-7 is ~~hereby amended~~ as follows:

Policy 1-H-7: Non-Residential Use on Certain Segments of New England Avenue & ~~Symonds Avenue~~ Non-residential land uses and zoning on New England Avenue between Denning Drive and Pennsylvania Avenue ~~and on Symonds Avenue between Capen Avenue and Pennsylvania Avenues~~ shall be deemed to be in conflict with the Comprehensive Plan.

It is the applicant's position that the city already foresaw special circumstances along this section of Symonds ave as stated in the below policy:

POLICY 1 – H – 13: Special circumstances for 446 W. Swoope Ave. and on Symonds between Capen and Pennsylvania ave Notwithstanding policy 1-H-1 above, there exists and isolated property at 446 W. Swoope ave surrounded by medium density residential future land use that may be considered for a change to that designation and single family properties on Symonds Avenue between Capen and Pennsylvania Avenue in a street section otherwise designated as low density residential that may be permitted a similar future land use.

SECTION 4: POTENTIAL COMMUNITY ECONOMICAL IMPACT

The proposed Boutique Hotel to be located at 171 N. Pennsylvania ave Winter Park, Fla will create approximately 65 - 70 jobs in the Hannibal Square district of the City of Winter Park, totaling approximately \$2,500,000 in salaries and benefits annually. Jobs will be diverse, and will range in salaries and benefits from \$30,000 to over \$100,000 per year. Opportunities for career advancement within hotels are commonplace and are expected at this property. Types of careers include Housekeeping, Food preparation including Executive and Sous Chef positions, Food Service, Hotel General Management, Accounting/Night auditing, Maintenance/Engineering, Event planning, Valet positions and other miscellaneous Hospitality related positions.

This project will significantly increase the ad valorem tax base for the CRA as well.

SECTION 5: PROVISION OF PUBLIC SERVICES

FUTURE LAND USE

The current Future Land Use for the subject site is: Hannibal Square Neighborhood Commercial District, Commerce, Low Density Residential and Single Family Residential. The subject Application requests a comp plan amendment of 36,000 sq ft of low density residential to commerce and 6,101 sq ft of single family residential to commerce.

ZONING

Current zoning categories are C2, C3 (Commercial), RS-2 (multi family) ,R1A (Single Family). Proposed rezone of the properties will be R2 and R1A to C3. The current C2 and C3 shall remain AS-IS.

FIRE AND POLICE PROTECTION

The City of Winter Park provides both Fire and Police protection to the parcels. The nearest fire station is located at 500 N. Virginia Avenue less than one mile from the subject property this is consistent with the adopted level of service. The City of Winter Park Police Department located at 500 N. Virginia Avenue, is less than one mile from the subject property this is consistent with the adopted level of service.

PROPERTY ACCESS

The subject parcels are accessed off Pennsylvania and Symonds Avenue.

STORMWATER/DRAINAGE

Stormwater management will be designed to meet the requirements of the City and the St. Johns River Water Management District (SJRWMD). The applicant proposes to donate .79 acres of land to the city of Winter Park to provide for a shared storm water pond with excess capacity to serve an additional 12.4 acres of city right of way storm water runoff.

RECREATION

The applicant proposes to donate .79 acres of land to the city of Winter Park to provide for a shared storm water pond that will be able to be used as a passive community park between rain events.

SECTION 6: PROPOSED AMENDENDED DEVELOPMENT AGREEMENT THREE

(SEE ATTACHED DRAFT)

SECTION 7: LOT COMBINATION AND SPLIT APPROVAL

Applicant requests approval to combine and split the parcels per the attached sketch and descriptions New parcels, 1, 2 and 3.

BOOKER & ASSOCIATES, P.A.
ATTORNEYS AT LAW

KIM C. BOOKER
kbooker@bookerandassoc.com

1019 TOWN CENTER DRIVE, SUITE 201
ORANGE CITY, FLORIDA 32763
PHONE (386) 774-6552
FAX (386) 774-5997

December 12, 2019

City of Winter Park
Bronce Stephenson, Director
Planning Department
401 Park Ave. South
Winter Park, FL. 32789

Re: W.F.G, Ltd and CDRI, LLC. ("Applicants") 656, 660, 664, 672, 710 Symonds, and 655 Morse Blvd; Request made pursuant to 163.3187, Small Scale Amendment; Proposed amendment to the Conditional Use Permit for W.F.G., Ltd. ("Hotel Project"); amend the Comprehensive Plan policies and Future Land Use Map; and Amend the Zoning Map

Dear Mr. Stephenson:

In furtherance of the public interest and needs of the citizens of Winter Park, my client, W.F.G., Ltd. has agreed to donate approximately .79 acres of land ("Pond") valued at \$1,600,000.00 for the purpose of creating stormwater capacity for 12.756 acres of public right of way ("Donation"). In addition, the Applicants shall create sufficient capacity for and shall retain a stormwater easement to use said Pond for the benefit of properties located at 655 and 338 W. Morse Boulevard, 171 N. Pennsylvania Avenue, 314, 313, 309 and 301 W. New England Avenue and 316, 308 and 262 W. Welbourne Avenue, at Applicant's sole discretion and consent. This Donation will also protect from the discharge of pollutants into the local lakes by allowing the treatment of runoff. This Pond will be located on Symonds Avenue within an area designated for residential development. In addition, this regional stormwater Pond will be privately maintained, at no costs to the City, other than the costs of the design and construction of the connections to allow the runoff to travel into the Pond. Furthermore, the surrounding area along the edge of the Pond will be utilized as a passive community park and recreation area for the nearby residential and commercial neighborhoods with attractive walkways and landscaping. This Donation will significantly benefit the residents of the surrounding neighborhoods by providing a capital improvement at a fraction of the typical costs to the City and will enhance the overall area by providing additional green space that may be utilized by the residents.

As a consequence of the enlargement of the regional Pond to accommodate the City's stormwater runoff, the property owned by W.F.G., Ltd. between the existing Hotel Project and the Pond is no longer suitable for residential land uses. All of the parcels are owned by W.F.G., Ltd and CRDI, LLC, which are related entities under common ownership. Accordingly, W.F. G., Ltd, ("Applicant") seeks to modify the Conditional Use Permit to extend to the area between the Pond as follows:

1. Increase the size of the Hotel to 115,000 square feet from 70,000 square feet (increase by 45,000 square feet)

2. Increase the number of rooms to 140 from 120 (increase by 20 rooms)
3. Reduce the restaurant size to 2867 from 4000 square feet (decrease of 1,133 square feet)
4. Increase meeting room to 9228 square ft from 4900 square ft (increase of 4,298 square feet)
5. Agree to delete the residential building requirements since a portion of the residential parcels are being used for the regional stormwater Pond and passive park; and allow the Applicant to pay an affordable housing fee or elect to construct work force housing within the city limits on other property for two residential units which construction shall be commenced before the CO is issued on the Hotel Project.

In addition, the Applicant proposes to make the following changes to the Comprehensive Plan, Future Land Use Element:

1. ORDINANCE NO. ____-20: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE I, "COMPREHENSIVE PLAN" FUTURE LAND USE MAP SO AS TO CHANGE THE FUTURE LAND USE DESIGNATION OF LOW DENSITY RESIDENTIAL TO COMMERCIAL ON ALL OF LOT 3 EXCEPT THE SOUTH 25 FEET THEREOF, AND ALL OF LOT 4 EXCEPT THE SOUTH 25 FEET THEREOF, AND THE WEST HALF OF LOT 2, ALL LYING IN BLOCK H OF CAPEN'S ADDITION TO WINTER PARK SUBDIVISION ON SYMONDS AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

2. ORDINANCE NO. ____-20: AN ORDINANCE AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE III, "ZONING AND THE OFFICIAL ZONING MAP SO AS TO CHANGE THE LOW DENSITY RESIDENTIAL (R-2) DISTRICT ZONING TO COMMERCIAL (C-3) DISTRICT ZONING ON ALL OF LOT 3 EXCEPT THE SOUTH 25 FEET THEREOF AND ALL OF LOT 4 EXCEPT THE SOUTH 25 FEET THEREOF, AND THE WEST HALF OF LOT 2, ALL LYING IN BLOCK H OF CAPEN'S ADDITION TO WINTER PARK SUBDIVISION ON SYMONDS AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

3. Propose to amend the COMPREHENSIVE PLAN, FUTURE LAND USE ELEMENT, POLICY 1-H-6 as follows:

Policy 1-H-6: Non-Residential Use on Certain Segments of Comstock Avenue, New England Avenue & Symonds Avenue Non-residential land uses and zoning on Comstock Avenue between Denning Drive and the Railroad, on New England Avenue between Denning Drive and Pennsylvania Avenue ~~and on Symonds Avenue between Capen Avenue and Pennsylvania Avenues~~ shall be deemed to be in conflict with the Comprehensive Plan.

4. Propose to amend the COMPREHENSIVE PLAN, FUTURE LAND USE ELEMENT, POLICY 1-H-7 ~~is hereby amended~~ as follows:

Policy 1-H-7: Non-Residential Use on Certain Segments of New England Avenue & ~~Symonds Avenue~~ Non-residential land uses and zoning on New England Avenue between Denning Drive and Pennsylvania Avenue ~~and on Symonds Avenue between Capen Avenue and Pennsylvania Avenues~~ shall be deemed to be in conflict with the Comprehensive Plan.

5. Propose to amend the COMPREHENSIVE PLAN, FUTURE LAND USE ELEMENT POLICY 1-H-2 as follows:

Policy 1-H-2: If Non-Residential Zonings Are Approved, Compensation Required for Lost Housing In situations where a change to non-residential Comprehensive Plan Amendment is approved, in this planning area, the loss of housing or housing potential must be compensated for through the provision of housing or negotiated fees or donation of public infrastructure to serve the housing needs, in lieu of housing, paid to the Affordable and Workforce Housing Trust Fund.

The purpose of this amendment is to allow the contribution or donation of the regional stormwater Pond as partial compensation in lieu of housing as it will provide significant and material benefits to the City for the treatment of runoff, creating a regional storage capacity for public roads and protect the City's lakes from the discharge of pollutants.

6. Modify the Conditional use approval to construct a three story building of approximately 115,000 square feet in size to include a proposed hotel with 140 rooms, a 2867 square foot restaurant, meeting rooms of 9228 square feet, a swimming pool amenity and landscaped gardens utilizing an existing 3 level parking garage, and providing for certain exceptions and for the approval of a Developer's Agreement, if required. The FAR and ISR shall be an aggregate of the C-2 and C-3 zoning designations for all contiguous land owned by the Applicant.

7. The following policies support the expansion of the Pond, as a Capital Improvement (regional stormwater facility) and the promotion of the public health and welfare by allowing the runoff to be treated before it enters the neighboring lakes and waterways:

a) **Future Land Use Element: Policy 1-H-2:** If Non-Residential Zonings Are Approved, Compensation Required for Lost Housing In situations where a change to non-residential Comprehensive Plan Amendment is approved, in this planning area, the loss of housing or housing potential must be compensated for through the provision of housing or negotiated fees in lieu of housing, paid to the Affordable and Workforce Housing Trust Fund.

b) **Future Land Use Element: Policy 1-5.3.1:** Criteria for Managing Encroachment of Nonresidential Uses into Established Residential Neighborhoods. The City shall require that any change in land use designation from residential to nonresidential comply with all of the following:

1. That this change shall not be a precedent toward other similar applications for change requesting similar land use as a matter of equity or fairness;
2. That the change can be demonstrated to be in the best interests of the City at large;
3. That the change can be demonstrated to be in the best interests of the adjacent residential area;
4. That residential use of the property is no longer a viable use.

c) Policy 1-5.3.2: Protect Single Family & Low-Density Residential Property from Parking Garages. The City shall prohibit above grade parking garages within 100 feet of a single family or low-density residential property.

Clearly, the change will not be a precedent for future changes, the Donation of the regional Pond is in the best interest of the City at large due to the public benefits being provided to the regional stormwater system and the protection of City lake from pollutants being discharged from the roads. The neighborhood is benefitting from the services being provided by the Pond as well as the creation of a neighborhood park and recreational area. Finally, the residential uses between the proposed Pond and the previously approved 120 room Hotel are no longer viable as said lots abut the proposed hotel and a regional stormwater Pond and the existing parking garage is within 100 feet from the residential uses. As a consequence of the proximity of the existing parking garage to the residential uses, said lots are no longer suitable for residential and contrary to the Comprehensive plan policy. Moreover, the City approved a zoning change on the south 25 feet of the subject lots on November 28, 2000 changing the zoning from R-2 to C-2, establishing a precedent for the suitability and compatibility of this commercial zoning classification. Accordingly, Symonds right of way creates a more logical transition point for the residential uses. Symonds Avenue creates a natural buffer to the residential uses across the street and is a more practical and rationale location for low density residential uses.

d) Capital Improvements Element- OBJECTIVE 7-1.2: Coordination of Land Use, Public Facilities & Fiscal Management Decisions The City shall coordinate land use decisions and available or projected fiscal resources with a Schedule of capital improvements which maintains adopted level of service standards and which meets the existing and future facility needs.

The Donation of the Pond meets this objective by allowing the City to increase the level of services provided for stormwater runoff for the roads with little costs. The long- term savings to the City for the maintenance costs of the regional stormwater facility is also a significant benefit to the City and increases the level of services that can be provided in other areas of the City.

e) Recreation and Open Space Element - Policy 6-1.1.7: Neighborhood Park- The City shall provide park space within each designated service area in the City of Winter Park.

The Donation of the Pond creates a passive park and recreational area for the residents of the City.

f) **Public Facilities Element - Policy 4-4.1.5:** Reduce Localized Flooding & Pollutant Discharge to Lakes through the Stormwater Utility Capital Improvement Plan. The City's Stormwater Utility CIP includes a continuous program of capital funding to implement drainage improvement projects to reduce localized flooding. The City's CIP also includes water quality projects to reduce pollutants by reducing nutrient loads from stormwater runoff that discharges directly into lakes and drainage wells. This is accomplished by retrofitting the drainage systems to include solids removal technologies and stormwater retention or detention to allow percolation into the ground. These CIP projects shall be implemented through methodologies equivalent to the standards referenced in Policies 4-4.1.1 and 4-4.1.2.

Furthermore, the Donation of the Pond allows the City to implement a drainage improvement project to reduce localized flooding and implement a water quality project to reduce pollutants by reducing nutrient loads from the stormwater runoff that discharges directly into lakes and drainage wells.

Lastly, the increase in the tax revenues for the City will be significant and a hotel will provide important advantages and benefits to the local businesses in the Hannibal Square area of Winter Park. The additional meeting rooms will create space that may be utilized by the local community as well as the nearby visitors wanting a unique location to provide educational or business meetings. The extension of the Hotel Project onto the adjacent lots, Donation to the City of the regional Pond and creation of a passive community park and recreational area, will provide substantial benefits to the City by creating a beautiful hotel for visitors to the City, creating more green space, capturing pollutants from the stormwater runoff from the local roadways and increasing capacity for stormwater runoff for the City.

Please let me know if you have any questions regarding the foregoing comments.

Sincerely,

Booker & Associates, P.A.

By: 

Kim C. Booker, Attorney at Law

cc: Daniel Bellows

CRA PLAN AND IMPLEMENTATION

includes the completion of the Morse streetscape program. The bulk of the streetscape work should be paid for by private development of the existing blocks through a special assessment.

There are several additional opportunities that should be reviewed for each of these three areas that could be useful in stimulating private development. They include having the City's engineering department analyze the possibility of shared stormwater retention areas for each corridor or a combination of corridors. This would allow developers to gain some additional density and at the same time develop larger contiguous open areas. The next would be to review the parking requirements for each of these areas in relation to on-street versus off-street parking requirements. Since the idea is to create pedestrian-oriented commercial areas, parking should not become a burden or focal point. Finally, the CRA or City should develop design standards for these corridors that generally define the character that is desired. This should include provisions for such things as canopies, backyard or sideyard parking, and screening of nonpublic areas. A Merchants Association for this entire area should be encouraged to promote communication and business opportunities.

While the primary focus of this redevelopment plan has been on the supply side, it is necessary to devote some attention to strategies and methods to attract appropriate new businesses to the redevelopment area. For the success of the redevelopment effort is

SURFACE WATER MANAGEMENT SYSTEM REPORT

FOR

710 Symonds Ave Regional Pond

LOCATED AT:

**710 Symonds Ave
Winter Park, Florida 32790**

PREPARED FOR:

**WFG, LTD
P.O. Box 350
Winter Park, FL 32790**

PREPARED BY:



**Florida Certificate of Authorization (FLCA) #26247
150 South Woodlawn Avenue
Bartow, Florida 33830
863-800-3046**

Michael O. Flora, P.E.
Florida Registration #79415
Sloan Engineering Group, Inc.
P.O. Box 253
Bartow, Florida 33831
Certificate of Authorization #26247
(863) 800-3046

This item has been electronically signed and sealed by the engineer on the date indicated hereon using a SHA authentication code. Printed copies of this document are not considered signed and sealed and the SHA authentication code must be verified on any electronic copies.

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CHAPTER 1

Stormwater Management Design Summary

1.1 Narrative

Sloan Engineering Group (SEG) is proposing a major modification to the existing SJRWMD ERP 42-095-64093-1 to expand the existing pond for use as a regional/join-use pond with the City of Winter Park. The pond will be expanded to serve a combination of onsite existing development, onsite future development, offsite future development, and offsite existing city roadways. No development is proposed (other than the pond expansion) as part of this ERP modification; however, the pond is being design for the future improvements to be completed by various entities at a later date.

This project encompasses the following existing SJRWMD Permit No's:

- 42-095-64093-1 **←To be modified**

1.2 References and Resources

The following references and resources were used for this design:

- SJRWMD ERP Applicant Handbook Volume II
- State of Florida Department of Transportation Drainage Manual
- City of Winter Park Land Development Code
- TR-55 Urban Hydrology for Small Watersheds
- FEMA Flood Model Data (refer to Appendix B.1)
- ICPR Version 3.10

1.3 Datum Reference

All elevations shown in the project stormwater calculations refer to the NAVD 1988 datum.

1.4 Floodplain

According to FEMA Flood Insurance Rate Map (FIRM) #12095C0255F, this project is not within any flood zones.

1.5 Model Input Parameters

1.5.1 Time of Concentration/Curve Numbers

Per the FDOT Drainage Manual, a minimum time of concentration of 10 minutes was used for the project area post development condition. Composite curve numbers were created using procedures set forth in the TR-55 manual. Soil conditions were analyzed using the Geotech Report, site observations, and the USDA web soil survey.

1.5.2 Drainage Basins

Pre-development basin "A" was established in coordination with the City of Winter Park and the applicant and is a representation of the existing improvements over the project area.

The post-development drainage basins for the site were broken down by outparcel or right of way for the contributing areas to the pond. The following post-development basins are provided:



Basin 100 Proposed pond expansion
Basin 200 Proposed Hotel At 171 N Pennsylvania Ave
Basin 300 Existing Offices and Garages At 655 W Morse Blvd
Basin 400 Existing City Roads
Basin 500 Offsite Improvements At 338 W Morse Blvd
Basin 600 Offsite Improvements At 301 W New England Ave

See Appendix A for detailed Basin Maps.

1.5.3 Seasonal High Water Elevation

The seasonal high water table elevation used in the storm water calculations was determined by the previous permit, ERP 42-095-64093-1 to be elevation 84.50 NAVD 88. By site observations made, this elevation appears to be correct.

1.5.4 Tailwater Determination

Existing discharge is conveyed through a 54" pipe located along Symonds Ave. A doghouse manhole is proposed over the existing pipe that will be fitted with an internal weir. This will divert runoff from the existing city roads into the pond.

For modeling purposes, the tail water node "Outfall" was set as a time/stage node at elevation 85.75' which simulates a completely surcharged 54" pipe.

1.5.5 Rainfall Amounts

The stormwater model utilizes the below rainfall amounts as seen below:

1-day/25-year:	8.6"
1-day/100-year:	11.5"
1-day/Mean Annual:	4.5"

1.6 Drainage Design Methodology

1.6.1 Water Quality

1.6.1.1 Required/Provided Volume

The SJRWMD Applicant Handbook states that the required water quality treatment volume for Dry Detention is to be:

- (a) 0.5" over the basin area, plus
- (b) Greater of: 0.5" over the basin area or 1.25" over impervious area

See Chapter 2.1 for specific treatment volume calculations for each basin. See Chapter 2.2 for stage-storage calculations that show the provided water quality treatment in Pond 100.

1.6.1.2 Impaired Water Requirements

The project drainage discharges to the Lake Virginia Drain waterbody (WBID 2997Z) which is not identified as an impaired water therefore additional water quality treatment is not required.



1.6.2 Water Quantity

The 1-day/25-year, 1-day/100-year, and 1-day Mean Annual rainfall events were used to analyze the Pond 100 discharge and flood stages. The post-development discharge rate will be less than that of the pre-development discharge rate.

1.6.2.1 Discharge Rate

See below for rate comparison entering the *Tailwater* node and Chapter 2.3 for calculations.

Condition	1-day/25-year	1-day/100-year	Mean Annual
Pre-Development	45.96 cfs	66.19 cfs	17.92 cfs
Post-Development	35.00 cfs	53.42 cfs	7.80 cfs

1.6.2.2 Maximum Staging

Condition	1-day/25-year	1-day/100-year	Mean Annual
Pond 100	89.74'	90.23'	88.80'

1.7 Erosion Control Measures

Prior to any construction, silt fences will be installed along the perimeter of the project area to protect against adverse water quality impact during construction. Vegetative cover will be established as soon as possible on all disturbed areas. These areas will be stabilized before any pause of construction.

1.8 Operation and Maintenance

The permittee will operate and maintain the stormwater management facilities as designed by the engineer. They will have the grassed areas mowed as necessary. Any debris or trash accumulated in the storm system will be collected and disposed of properly. All control structures will be promptly inspected following storm events.

1.9 Utilities

Potable water and sanitary sewer will be provided by the City of Winter Park.



CHAPTER 2

Calculations

2.1 Curve Numbers

Pre-Development

Curve Number Calculation

710 Symonds Ave Regional Pond, SEG Job #2039-1

A. Basin: A

B. Total Area (ac): 11.254

C. Curve Number:

Cover Type	Condition	Soil Group	CN	Area	Product
<i>Pervious Areas</i>					
OpenSpace	Good	A	39	3.740	145.860
<i>Impervious Areas</i>					
Impervious	Stormwater TOB	A	100	0.000	0.000
Impervious	Building/Misc.	A	100	1.747	174.700
Impervious	Pavement/Conc.	A	98	5.767	565.166

Sum: 11.254 885.726

Total impervious area =	7.514
% DCIA for contributing area =	66.77%

Weighted Curve Number: $\frac{885.726}{11.254} = 79$

Notes:

* All information is referenced from TR-55, Urban Hydrology for Small Watersheds, Second Edition, June 1986

- 1 Poor condition (cover <50% or heavily grazed)
- 2 Fair condition (cover 50% to 75% or not heavily grazed)
- 3 Good condition (cover >75% or lightly grazed)
- 4 Roadway cover types include right-of-way
- 5 Open Space cover types include lawns, parks, golf courses, etc.
- 6 Pasture cover types include grasslands or ranges



Post-Development

Curve Number Calculation

710 Symonds Ave Regional Pond, SEG Job #2039-1

A. Basin: 100

B. Total Area (ac): 0.958

C. Curve Number:

Cover Type	Condition	Soil Group	CN	Area	Product
<i>Pervious Areas</i>					
OpenSpace	Good	A	39	0.499	19.461
<i>Impervious Areas</i>					
Impervious	Stormwater TOB	A	100	0.459	45.900
Impervious	Building/Misc.	A	100	0.000	0.000
Impervious	Pavement/Conc.	A	98	0.000	0.000

Sum: 0.958 65.361

Total impervious area =	0.000
% DCIA for contributing area =	0.00%

Weighted Curve Number: $\frac{65.361}{0.958} = 68$

Notes: Regional pond basin

Req Online TV = (0.5" over basin or 1.25" over imp area) + 0.5" over basin =

0.080 ac-ft

* All information is referenced from TR-55, Urban Hydrology for Small Watersheds, Second Edition, June 1986

- 1 Poor condition (cover <50% or heavily grazed)
- 2 Fair condition (cover 50% to 75% or not heavily grazed)
- 3 Good condition (cover >75% or lightly grazed)
- 4 Roadway cover types include right-of-way
- 5 Open Space cover types include lawns, parks, golf courses, etc.
- 6 Pasture cover types include grasslands or ranges



Curve Number Calculation

710 Symonds Ave Regional Pond, SEG Job #2039-1

A. Basin: 200

B. Total Area (ac): 1.759

C. Curve Number:

Cover Type	Condition	Soil Group	CN	Area	Product
<i>Pervious Areas</i>					
OpenSpace	Good	A	39	0.176	6.860
<i>Impervious Areas</i>					
Impervious	Stormwater TOB	A	100	0.000	0.000
Impervious	Building/Misc.	A	100	1.583	158.310
Impervious	Pavement/Conc.	A	98	0.000	0.000

Sum: 1.759 165.170

Total impervious area =	1.583
% DCIA for contributing area =	90.00%

Weighted Curve Number: $\frac{165.170}{1.759} = 94$

Notes: Future hotel at 171 N Pennsylvania Ave (90% impervious)

Req Online TV = (0.5" over basin or 1.25" over imp area) + 0.5" over basin =

0.238 ac-ft

* All information is referenced from TR-55, Urban Hydrology for Small Watersheds, Second Edition, June 1986

- 1 Poor condition (cover <50% or heavily grazed)
- 2 Fair condition (cover 50% to 75% or not heavily grazed)
- 3 Good condition (cover >75% or lightly grazed)
- 4 Roadway cover types include right-of-way
- 5 Open Space cover types include lawns, parks, golf courses, etc.
- 6 Pasture cover types include grasslands or ranges



Curve Number Calculation

710 Symonds Ave Regional Pond, SEG Job #2039-1

A. Basin: 300

B. Total Area (ac): 2.129

C. Curve Number:

Cover Type	Condition	Soil Group	CN	Area	Product
<i>Pervious Areas</i>					
OpenSpace	Good	A	39	0.382	14.898
<i>Impervious Areas</i>					
Impervious	Stormwater TOB	A	100	0.000	0.000
Impervious	Building/Misc.	A	100	1.747	174.700
Impervious	Pavement/Conc.	A	98	0.000	0.000

Sum: 2.129 189.598

Total impervious area =	1.747
% DCIA for contributing area =	82.06%

Weighted Curve Number: $\frac{189.598}{2.129} = 89$

Notes: Existing office and gargage at 655 W Morse Blvd

Req Online TV = (0.5" over basin or 1.25" over imp area) + 0.5" over basin =

0.271 ac-ft

* All information is referenced from TR-55, Urban Hydrology for Small Watersheds, Second Edition, June 1986

- 1 Poor condition (cover <50% or heavily grazed)
- 2 Fair condition (cover 50% to 75% or not heavily grazed)
- 3 Good condition (cover >75% or lightly grazed)
- 4 Roadway cover types include right-of-way
- 5 Open Space cover types include lawns, parks, golf courses, etc.
- 6 Pasture cover types include grasslands or ranges



Curve Number Calculation

710 Symonds Ave Regional Pond, SEG Job #2039-1

A. Basin: 400

B. Total Area (ac): 6.408

C. Curve Number:

Cover Type	Condition	Soil Group	CN	Area	Product
<i>Pervious Areas</i>					
OpenSpace	Good	A	39	0.641	24.991
<i>Impervious Areas</i>					
Impervious	Stormwater TOB	A	100	0.000	0.000
Impervious	Building/Misc.	A	100	5.767	576.720
Impervious	Pavement/Conc.	A	98	0.000	0.000

Sum: 6.408 601.711

Total impervious area =	5.767
% DCIA for contributing area =	90.00%

Weighted Curve Number: $\frac{601.711}{6.408} = 94$

Notes: Existing City Roads (90% impervious)

Req Offline TV = 0.5" over basin or 1.25" over imp area =

0.601 ac-ft

* All information is referenced from TR-55, Urban Hydrology for Small Watersheds, Second Edition, June 1986

- 1 Poor condition (cover <50% or heavily grazed)
- 2 Fair condition (cover 50% to 75% or not heavily grazed)
- 3 Good condition (cover >75% or lightly grazed)
- 4 Roadway cover types include right-of-way
- 5 Open Space cover types include lawns, parks, golf courses, etc.
- 6 Pasture cover types include grasslands or ranges



Curve Number Calculation

710 Symonds Ave Regional Pond, SEG Job #2039-1

A. Basin: 500

B. Total Area (ac): 1.036

C. Curve Number:

Cover Type	Condition	Soil Group	CN	Area	Product
<i>Pervious Areas</i>					
OpenSpace	Good	A	39	0.104	4.040
<i>Impervious Areas</i>					
Impervious	Stormwater TOB	A	100	0.000	0.000
Impervious	Building/Misc.	A	100	0.932	93.240
Impervious	Pavement/Conc.	A	98	0.000	0.000

Sum: 1.036 97.280

Total impervious area =	0.932
% DCIA for contributing area =	90.00%

Weighted Curve Number: $\frac{97.280}{1.036} = 94$

Notes: Future improvements at 338 W Morse Blvd (90% impervious)

Req Online TV = (0.5" over basin or 1.25" over imp area) + 0.5" over basin =

0.140 ac-ft

* All information is referenced from TR-55, Urban Hydrology for Small Watersheds, Second Edition, June 1986

- 1 Poor condition (cover <50% or heavily grazed)
- 2 Fair condition (cover 50% to 75% or not heavily grazed)
- 3 Good condition (cover >75% or lightly grazed)
- 4 Roadway cover types include right-of-way
- 5 Open Space cover types include lawns, parks, golf courses, etc.
- 6 Pasture cover types include grasslands or ranges



Curve Number Calculation

710 Symonds Ave Regional Pond, SEG Job #2039-1

A. Basin: 600

B. Total Area (ac): 0.300

C. Curve Number:

Cover Type	Condition	Soil Group	CN	Area	Product
<i>Pervious Areas</i>					
OpenSpace	Good	A	39	0.030	1.170
<i>Impervious Areas</i>					
Impervious	Stormwater TOB	A	100	0.000	0.000
Impervious	Building/Misc.	A	100	0.270	27.000
Impervious	Pavement/Conc.	A	98	0.000	0.000

Sum: 0.300 28.170

Total impervious area =	0.270
% DCIA for contributing area =	90.00%

Weighted Curve Number: $\frac{28.170}{0.300} = 94$

Notes: Future improvements at 301 W New England (90% impervious)

Req Online TV = (0.5" over basin or 1.25" over imp area) + 0.5" over basin =

0.041 ac-ft

* All information is referenced from TR-55, Urban Hydrology for Small Watersheds, Second Edition, June 1986

- 1 Poor condition (cover <50% or heavily grazed)
- 2 Fair condition (cover 50% to 75% or not heavily grazed)
- 3 Good condition (cover >75% or lightly grazed)
- 4 Roadway cover types include right-of-way
- 5 Open Space cover types include lawns, parks, golf courses, etc.
- 6 Pasture cover types include grasslands or ranges



2.2 Water Quality

Retention Stage-Storage & Treatment Elevation
710 Symonds Ave Regional Pond, SEG Job #2039-1

Pond: 100

	Elevation	Area (ft ²)	Area (ac)
Top	90.50	20,000	0.459
Control	86.50	10,000	0.230

STAGE (ft)	DEPTH (ft)	VOLUME (ft ³)	VOLUME (ac-ft)
86.50	0.00	0	0.000
87.50	1.00	35,739	0.820
88.50	2.00	74,751	1.716
89.00	2.50	95,563	2.194
89.50	3.00	117,325	2.693
90.50	4.00	163,056	3.743

	ft ³	ac-ft
Req. Treatment Vol:	59,694	1.370

Min Req. Treatment Elev: 88.11 ft

	ft ³	ac-ft
Provided Treatment Vol:	64,998	1.492

Weir Design Elev: 88.25 ft

Notes: **Total TV req= 1.370 ac-ft**



Nodes
A Stage/Area
V Stage/Volume
T Time/Stage
M Manhole

Basins
O Overland Flow
U SCS Unit CN
S SBUH CN
Y SCS Unit GA
Z SBUH GA

Links
P Pipe
W Weir
C Channel
D Drop Structure
B Bridge
R Rating Curve
H Breach
E Percolation
F Filter
X Exfil Trench



Simulation	Node	Group	Time hrs	Stage ft	Warning Stage ft	Surface Area ft2	Total Inflow cfs	Total Outflow cfs	Total Vol In af	Total Vol Out af
DRAWDOWN	POND 100	BASE	0.00	88.11	90.50	39181	0.00	0.00	0.0	0.0
DRAWDOWN	POND 100	BASE	1.01	87.78	90.50	38200	0.00	1.72	0.0	0.1
DRAWDOWN	POND 100	BASE	2.01	87.65	90.50	37818	0.00	1.12	0.0	0.2
DRAWDOWN	POND 100	BASE	3.01	87.56	90.50	37541	0.00	0.87	0.0	0.3
DRAWDOWN	POND 100	BASE	4.01	87.48	90.50	37310	0.00	0.72	0.0	0.3
DRAWDOWN	POND 100	BASE	5.01	87.42	90.50	37096	0.00	0.62	0.0	0.4
DRAWDOWN	POND 100	BASE	6.01	87.36	90.50	36909	0.00	0.55	0.0	0.4
DRAWDOWN	POND 100	BASE	7.01	87.31	90.50	36741	0.00	0.49	0.0	0.5
DRAWDOWN	POND 100	BASE	8.01	87.26	90.50	36589	0.00	0.45	0.0	0.5
DRAWDOWN	POND 100	BASE	9.01	87.22	90.50	36448	0.00	0.41	0.0	0.6
DRAWDOWN	POND 100	BASE	10.01	87.18	90.50	36319	0.00	0.38	0.0	0.6
DRAWDOWN	POND 100	BASE	11.01	87.14	90.50	36198	0.00	0.36	0.0	0.6
DRAWDOWN	POND 100	BASE	12.01	87.11	90.50	36084	0.00	0.33	0.0	0.6
DRAWDOWN	POND 100	BASE	13.01	87.08	90.50	35977	0.00	0.31	0.0	0.7
DRAWDOWN	POND 100	BASE	14.01	87.05	90.50	35876	0.00	0.30	0.0	0.7
DRAWDOWN	POND 100	BASE	15.01	87.02	90.50	35780	0.00	0.28	0.0	0.7
DRAWDOWN	POND 100	BASE	16.01	86.99	90.50	35689	0.00	0.27	0.0	0.7
DRAWDOWN	POND 100	BASE	17.01	86.96	90.50	35601	0.00	0.25	0.0	0.8
DRAWDOWN	POND 100	BASE	18.01	86.94	90.50	35518	0.00	0.24	0.0	0.8
DRAWDOWN	POND 100	BASE	19.01	86.92	90.50	35438	0.00	0.23	0.0	0.8
DRAWDOWN	POND 100	BASE	20.01	86.89	90.50	35361	0.00	0.22	0.0	0.8
DRAWDOWN	POND 100	BASE	21.01	86.87	90.50	35288	0.00	0.21	0.0	0.8
DRAWDOWN	POND 100	BASE	22.01	86.85	90.50	35217	0.00	0.21	0.0	0.9
DRAWDOWN	POND 100	BASE	23.01	86.83	90.50	35148	0.00	0.20	0.0	0.9
DRAWDOWN	POND 100	BASE	24.01	86.81	90.50	35082	0.00	0.19	0.0	0.9
DRAWDOWN	POND 100	BASE	25.01	86.79	90.50	35018	0.00	0.18	0.0	0.9
DRAWDOWN	POND 100	BASE	26.01	86.77	90.50	34957	0.00	0.18	0.0	0.9
DRAWDOWN	POND 100	BASE	27.01	86.75	90.50	34897	0.00	0.17	0.0	0.9
DRAWDOWN	POND 100	BASE	28.01	86.73	90.50	34839	0.00	0.17	0.0	1.0
DRAWDOWN	POND 100	BASE	29.01	86.72	90.50	34783	0.00	0.16	0.0	1.0
DRAWDOWN	POND 100	BASE	30.01	86.70	90.50	34728	0.00	0.16	0.0	1.0
DRAWDOWN	POND 100	BASE	31.01	86.68	90.50	34675	0.00	0.15	0.0	1.0
DRAWDOWN	POND 100	BASE	32.01	86.67	90.50	34624	0.00	0.15	0.0	1.0
DRAWDOWN	POND 100	BASE	33.01	86.65	90.50	34574	0.00	0.14	0.0	1.0
DRAWDOWN	POND 100	BASE	34.01	86.64	90.50	34525	0.00	0.14	0.0	1.0
DRAWDOWN	POND 100	BASE	35.01	86.63	90.50	34478	0.00	0.14	0.0	1.0
DRAWDOWN	POND 100	BASE	36.01	86.61	90.50	34432	0.00	0.13	0.0	1.1
DRAWDOWN	POND 100	BASE	37.01	86.60	90.50	34387	0.00	0.13	0.0	1.1
DRAWDOWN	POND 100	BASE	38.01	86.58	90.50	34343	0.00	0.12	0.0	1.1
DRAWDOWN	POND 100	BASE	39.01	86.57	90.50	34300	0.00	0.12	0.0	1.1
DRAWDOWN	POND 100	BASE	40.01	86.56	90.50	34258	0.00	0.12	0.0	1.1
DRAWDOWN	POND 100	BASE	41.01	86.55	90.50	34217	0.00	0.12	0.0	1.1
DRAWDOWN	POND 100	BASE	42.01	86.53	90.50	34177	0.00	0.11	0.0	1.1
DRAWDOWN	POND 100	BASE	43.01	86.52	90.50	34138	0.00	0.11	0.0	1.1
DRAWDOWN	POND 100	BASE	44.01	86.51	90.50	34100	0.00	0.11	0.0	1.1
DRAWDOWN	POND 100	BASE	45.01	86.50	90.50	34064	0.00	0.00	0.0	1.1
DRAWDOWN	POND 100	BASE	46.01	86.50	90.50	34064	0.00	0.00	0.0	1.1
DRAWDOWN	POND 100	BASE	47.01	86.50	90.50	34064	0.00	0.00	0.0	1.1
DRAWDOWN	POND 100	BASE	48.01	86.50	90.50	34064	0.00	0.00	0.0	1.1
DRAWDOWN	POND 100	BASE	49.01	86.50	90.50	34064	0.00	0.00	0.0	1.1
DRAWDOWN	POND 100	BASE	50.01	86.50	90.50	34064	0.00	0.00	0.0	1.1
DRAWDOWN	POND 100	BASE	51.01	86.50	90.50	34064	0.00	0.00	0.0	1.1
DRAWDOWN	POND 100	BASE	52.01	86.50	90.50	34064	0.00	0.00	0.0	1.1
DRAWDOWN	POND 100	BASE	53.01	86.50	90.50	34064	0.00	0.00	0.0	1.1
DRAWDOWN	POND 100	BASE	54.01	86.50	90.50	34064	0.00	0.00	0.0	1.1
DRAWDOWN	POND 100	BASE	55.01	86.50	90.50	34064	0.00	0.00	0.0	1.1
DRAWDOWN	POND 100	BASE	56.01	86.50	90.50	34064	0.00	0.00	0.0	1.1
DRAWDOWN	POND 100	BASE	57.01	86.50	90.50	34064	0.00	0.00	0.0	1.1
DRAWDOWN	POND 100	BASE	58.01	86.50	90.50	34064	0.00	0.00	0.0	1.1
DRAWDOWN	POND 100	BASE	59.01	86.50	90.50	34064	0.00	0.00	0.0	1.1
DRAWDOWN	POND 100	BASE	60.01	86.50	90.50	34064	0.00	0.00	0.0	1.1
DRAWDOWN	POND 100	BASE	61.01	86.50	90.50	34064	0.00	0.00	0.0	1.1
DRAWDOWN	POND 100	BASE	62.01	86.50	90.50	34064	0.00	0.00	0.0	1.1
DRAWDOWN	POND 100	BASE	63.01	86.50	90.50	34064	0.00	0.00	0.0	1.1
DRAWDOWN	POND 100	BASE	64.01	86.50	90.50	34064	0.00	0.00	0.0	1.1
DRAWDOWN	POND 100	BASE	65.01	86.50	90.50	34064	0.00	0.00	0.0	1.1
DRAWDOWN	POND 100	BASE	66.01	86.50	90.50	34064	0.00	0.00	0.0	1.1
DRAWDOWN	POND 100	BASE	67.01	86.50	90.50	34064	0.00	0.00	0.0	1.1
DRAWDOWN	POND 100	BASE	68.01	86.50	90.50	34064	0.00	0.00	0.0	1.1
DRAWDOWN	POND 100	BASE	69.01	86.50	90.50	34064	0.00	0.00	0.0	1.1
DRAWDOWN	POND 100	BASE	70.01	86.50	90.50	34064	0.00	0.00	0.0	1.1
DRAWDOWN	POND 100	BASE	71.01	86.50	90.50	34064	0.00	0.00	0.0	1.1
DRAWDOWN	POND 100	BASE	72.01	86.50	90.50	34064	0.00	0.00	0.0	1.1
DRAWDOWN	POND 100	BASE	72.02	86.50	90.50	34064	0.00	0.00	0.0	1.1

=====
===== Nodes =====
=====

Name: GROUND Base Flow(cfs): 0.000 Init Stage(ft): 84.500
Group: BASE Warn Stage(ft): 84.500
Type: Time/Stage

TOP OF EXISTING PIPE

Time(hrs)	Stage(ft)
0.00	84.500
999.00	84.500

Name: POND 100 Base Flow(cfs): 0.000 Init Stage(ft): 88.110
Group: BASE Warn Stage(ft): 90.500
Type: Stage/Volume

Stage(ft)	Volume(af)
86.500	0.0000
87.500	0.8200
88.500	1.7160
89.000	2.1940
89.500	2.6930
90.500	3.7430

=====
===== Percolation Links =====
=====

Name: PERC-100 From Node: POND 100 Flow: Both
Group: BASE To Node: GROUND Count: 1

Surface Area Option: Vary based on Stage/Area Table
Vertical Flow Termination: Horizontal Flow Algorithm
Aquifer Base Elev(ft): 74.500 Perimeter 1(ft): 1210.000
Water Table Elev(ft): 84.500 Perimeter 2(ft): 1364.000
Ann Recharge Rate(in/year): 0.000 Perimeter 3(ft): 1956.000
Horiz Conductivity(ft/day): 37.000 Distance 1 to 2(ft): 50.000
Vert Conductivity(ft/day): 24.000 Distance 2 to 3(ft): 100.000
Effective Porosity(dec): 0.417 Num Cells 1 to 2: 10
Suction Head(in): 4.170 Num Cells 2 to 3: 10
Layer Thickness(ft): 0.000

=====
===== Routing Simulations =====
=====

Name: DRAWDOWN Hydrology Sim:
Filename: \\Peserver1\orange\Engineering\2039-WFG Ltd- 171 N Pennsylvania Ave Hotel\Eng Design\Drainage\DRAWDOWN.I32

Execute: Yes Restart: No Patch: No
Alternative: No

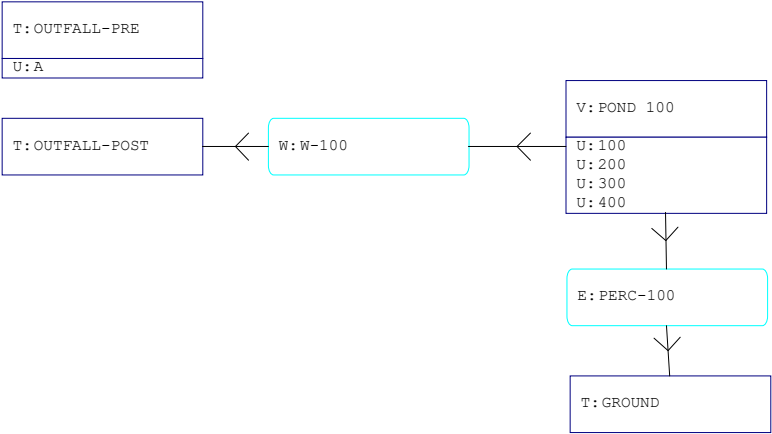
Max Delta Z(ft): 1.00 Delta Z Factor: 0.00500
Time Step Optimizer: 10.000
Start Time(hrs): 0.000 End Time(hrs): 72.00
Min Calc Time(sec): 0.5000 Max Calc Time(sec): 60.0000
Boundary Stages: Boundary Flows:

Time(hrs)	Print Inc(min)
999.000	60.000

Group	Run
BASE	Yes

2.3 Water Quantity/Flood Routing

- Nodes
A Stage/Area
V Stage/Volume
T Time/Stage
M Manhole
- Basins
O Overland Flow
U SCS Unit CN
S SBUH CN
Y SCS Unit GA
Z SBUH GA
- Links
P Pipe
W Weir
C Channel
D Drop Structure
B Bridge
R Rating Curve
H Breach
E Percolation
F Filter
X Exfil Trench



Name	Simulation	Max Stage ft	Warning Stage ft	Max Delta Stage ft	Max Surf Area ft2	Max Inflow cfs	Max Outflow cfs
GROUND	100YR24HR	86.50	86.50	0.0000	0	5.15	0.00
GROUND	25YR24HR	86.50	86.50	0.0000	0	5.15	0.00
GROUND	MEAN	86.50	86.50	0.0000	0	5.15	0.00
OUTFALL-POST	100YR24HR	85.75	85.75	0.0000	0	53.42	0.00
OUTFALL-POST	25YR24HR	85.75	85.75	0.0000	0	35.00	0.00
OUTFALL-POST	MEAN	85.75	85.75	0.0000	0	7.80	0.00
OUTFALL-PRE	100YR24HR	85.75	85.75	0.0000	0	66.19	0.00
OUTFALL-PRE	25YR24HR	85.75	85.75	0.0000	0	45.96	0.00
OUTFALL-PRE	MEAN	85.75	85.75	0.0000	0	17.92	0.00
POND 100	100YR24HR	90.23	90.50	0.0050	46255	72.96	56.31
POND 100	25YR24HR	89.74	90.50	0.0050	45154	53.45	37.63
POND 100	MEAN	88.80	90.50	0.0050	41662	25.84	9.69


```

=====
==== Basins =====
=====

      Name: 100          Node: POND 100          Status: Onsite
      Group: BASE       Type: SCS Unit Hydrograph CN

      Unit Hydrograph: Uh256          Peaking Factor: 256.0
      Rainfall File:          Storm Duration(hrs): 0.00
      Rainfall Amount(in): 0.000      Time of Conc(min): 10.00
      Area(ac): 0.958              Time Shift(hrs): 0.00
      Curve Number: 68.00          Max Allowable Q(cfs): 999999.000
      DCIA(%): 0.00

-----

      Name: 200          Node: POND 100          Status: Onsite
      Group: BASE       Type: SCS Unit Hydrograph CN

      Unit Hydrograph: Uh256          Peaking Factor: 256.0
      Rainfall File:          Storm Duration(hrs): 0.00
      Rainfall Amount(in): 0.000      Time of Conc(min): 10.00
      Area(ac): 1.759              Time Shift(hrs): 0.00
      Curve Number: 94.00          Max Allowable Q(cfs): 999999.000
      DCIA(%): 0.00

-----

      Name: 300          Node: POND 100          Status: Onsite
      Group: BASE       Type: SCS Unit Hydrograph CN

      Unit Hydrograph: Uh256          Peaking Factor: 256.0
      Rainfall File:          Storm Duration(hrs): 0.00
      Rainfall Amount(in): 0.000      Time of Conc(min): 10.00
      Area(ac): 2.129              Time Shift(hrs): 0.00
      Curve Number: 89.00          Max Allowable Q(cfs): 999999.000
      DCIA(%): 0.00

-----

      Name: 400          Node: POND 100          Status: Onsite
      Group: BASE       Type: SCS Unit Hydrograph CN

      Unit Hydrograph: Uh256          Peaking Factor: 256.0
      Rainfall File:          Storm Duration(hrs): 0.00
      Rainfall Amount(in): 0.000      Time of Conc(min): 10.00
      Area(ac): 6.408              Time Shift(hrs): 0.00
      Curve Number: 94.00          Max Allowable Q(cfs): 999999.000
      DCIA(%): 0.00

-----

      Name: A            Node: OUTFALL-PRE        Status: Onsite
      Group: BASE       Type: SCS Unit Hydrograph CN

      Unit Hydrograph: Uh256          Peaking Factor: 256.0
      Rainfall File:          Storm Duration(hrs): 0.00
      Rainfall Amount(in): 0.000      Time of Conc(min): 10.00
      Area(ac): 11.254             Time Shift(hrs): 0.00
      Curve Number: 79.00          Max Allowable Q(cfs): 999999.000
      DCIA(%): 0.00

=====
==== Nodes =====
=====

```

```
=====
Name: GROUND          Base Flow(cfs): 0.000      Init Stage(ft): 86.500
Group: BASE           Warn Stage(ft): 86.500
Type: Time/Stage
```

Time(hrs)	Stage(ft)
0.00	86.500
999.00	86.500

```
-----
Name: OUTFALL-POST    Base Flow(cfs): 0.000      Init Stage(ft): 85.750
Group: BASE           Warn Stage(ft): 85.750
Type: Time/Stage
```

TOP OF EXISTING 54" PIPE

Time(hrs)	Stage(ft)
0.00	85.750
999.00	85.750

```
-----
Name: OUTFALL-PRE     Base Flow(cfs): 0.000      Init Stage(ft): 85.750
Group: BASE           Warn Stage(ft): 85.750
Type: Time/Stage
```

TOP OF EXISTING PIPE

Time(hrs)	Stage(ft)
0.00	85.750
999.00	85.750

```
-----
Name: POND 100        Base Flow(cfs): 0.000      Init Stage(ft): 86.610
Group: BASE           Warn Stage(ft): 90.500
Type: Stage/Volume
```

Stage(ft)	Volume(af)
86.500	0.0000
87.500	0.8200
88.500	1.7160
89.000	2.1940
89.500	2.6930
90.500	3.7430

```
=====
==== Weirs =====
Name: W-100           From Node: POND 100
Group: BASE           To Node: OUTFALL-POST
Flow: Both            Count: 1
Type: Vertical: Mavis Geometry: Rectangular
```

Span(in): 72.00
Rise(in): 999.00
Invert(ft): 88.250
Control Elevation(ft): 88.250

TABLE

Bottom Clip(in): 0.000
Top Clip(in): 0.000
Weir Discharge Coef: 3.200
Orifice Discharge Coef: 0.600

=====
 Percolation Links
 =====

Name: PERC-100 From Node: POND 100 Flow: Both
 Group: BASE To Node: GROUND Count: 1

Surface Area Option: Vary based on Stage/Area Table
 Vertical Flow Termination: Horizontal Flow Algorithm
 Aquifer Base Elev(ft): 74.500 Perimeter 1(ft): 1210.000
 Water Table Elev(ft): 84.500 Perimeter 2(ft): 1364.000
 Ann Recharge Rate(in/year): 0.000 Perimeter 3(ft): 1956.000
 Horiz Conductivity(ft/day): 37.000 Distance 1 to 2(ft): 50.000
 Vert Conductivity(ft/day): 24.000 Distance 2 to 3(ft): 100.000
 Effective Porosity(dec): 0.417 Num Cells 1 to 2: 10
 Suction Head(in): 4.170 Num Cells 2 to 3: 10
 Layer Thickness(ft): 0.000

=====
 Hydrology Simulations
 =====

Name: 100YR24HR
 Filename: \\Peserver1\orange\Engineering\2039-WFG Ltd- 171 N Pennsylvania Ave Hotel\Eng Design\Drainage\100YR24HR.R32

Override Defaults: Yes
 Storm Duration(hrs): 24.00
 Rainfall File: Flmod
 Rainfall Amount(in): 11.50

Time(hrs)	Print Inc(min)
30.000	60.00

Name: 25YR24HR
 Filename: \\Peserver1\orange\Engineering\2039-WFG Ltd- 171 N Pennsylvania Ave Hotel\Eng Design\Drainage\25YR24HR.R32

Override Defaults: Yes
 Storm Duration(hrs): 24.00
 Rainfall File: Flmod
 Rainfall Amount(in): 8.60

Time(hrs)	Print Inc(min)
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Name: MEAN
 Filename: \\Peserver1\orange\Engineering\2039-WFG Ltd- 171 N Pennsylvania Ave Hotel\Eng Design\Drainage\MEAN.R32

Override Defaults: Yes
 Storm Duration(hrs): 24.00
 Rainfall File: Flmod
 Rainfall Amount(in): 4.50

Time(hrs)	Print Inc(min)
30.000	60.00

=====
 Routing Simulations
 =====

Name: 100YR24HR Hydrology Sim: 100YR24HR

Filename: \\Peserver1\orange\Engineering\2039-WFG Ltd- 171 N Pennsylvania Ave Hotel\Eng Design\Drainage\100YR24HR.I32

Execute: Yes Restart: No Patch: No
Alternative: No

Max Delta Z(ft): 1.00 Delta Z Factor: 0.00500
Time Step Optimizer: 10.000
Start Time(hrs): 0.000 End Time(hrs): 30.00
Min Calc Time(sec): 0.5000 Max Calc Time(sec): 60.0000
Boundary Stages: Boundary Flows:

Time(hrs)	Print	Inc(min)
30.000	60.000	

Group	Run
BASE	Yes

Name: 25YR24HR Hydrology Sim: 25YR24HR
Filename: \\Peserver1\orange\Engineering\2039-WFG Ltd- 171 N Pennsylvania Ave Hotel\Eng Design\Drainage\25YR24HR.I32

Execute: Yes Restart: No Patch: No
Alternative: No

Max Delta Z(ft): 1.00 Delta Z Factor: 0.00500
Time Step Optimizer: 10.000
Start Time(hrs): 0.000 End Time(hrs): 30.00
Min Calc Time(sec): 0.5000 Max Calc Time(sec): 60.0000
Boundary Stages: Boundary Flows:

Time(hrs)	Print	Inc(min)
30.000	60.000	

Group	Run
BASE	Yes

Name: MEAN Hydrology Sim: MEAN
Filename: \\Peserver1\orange\Engineering\2039-WFG Ltd- 171 N Pennsylvania Ave Hotel\Eng Design\Drainage\MEAN.I32

Execute: Yes Restart: No Patch: No
Alternative: No

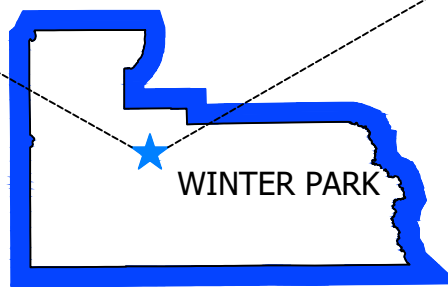
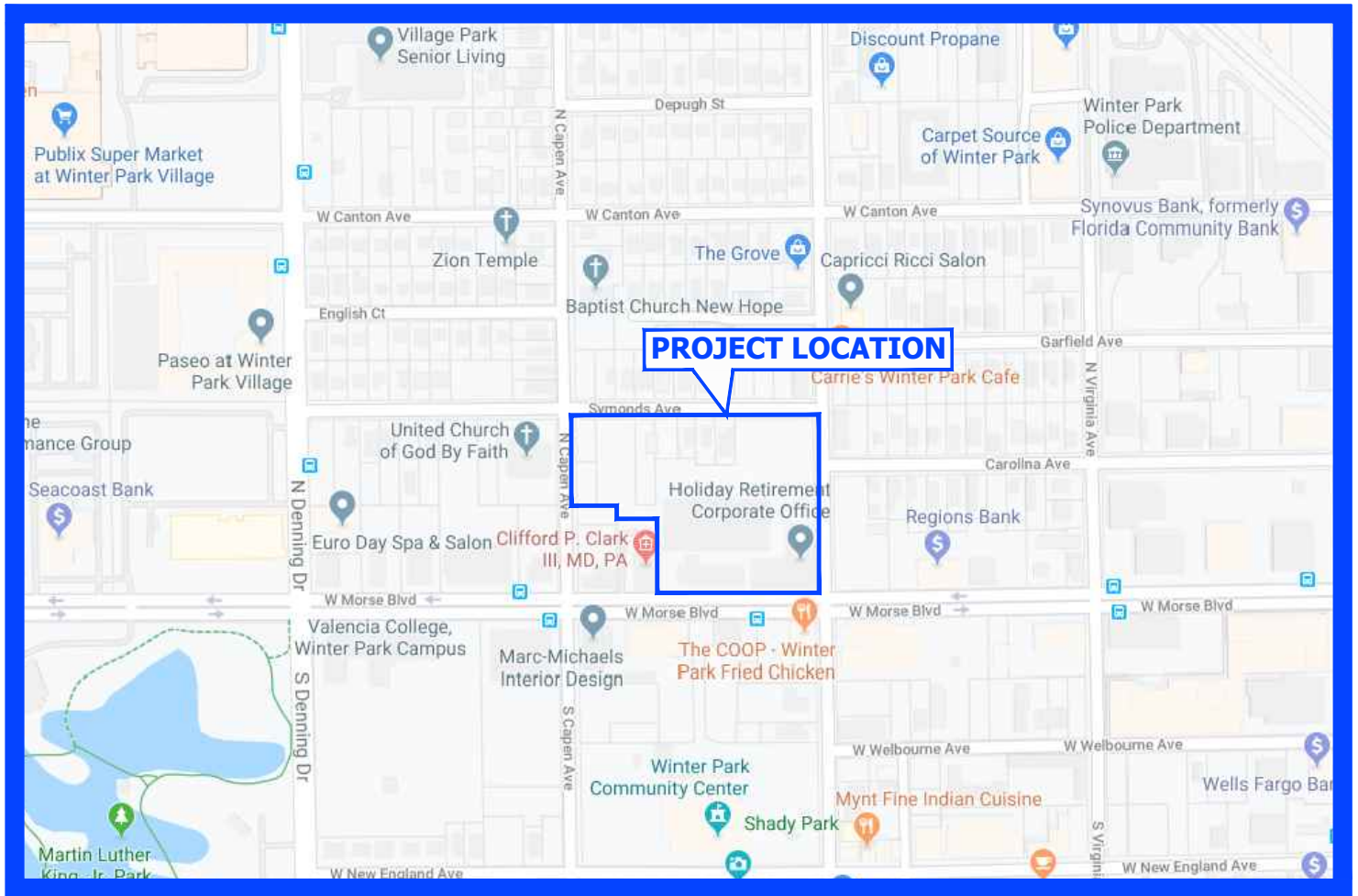
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Time Step Optimizer: 10.000
Start Time(hrs): 0.000 End Time(hrs): 30.00
Min Calc Time(sec): 0.5000 Max Calc Time(sec): 60.0000
Boundary Stages: Boundary Flows:

Time(hrs)	Print	Inc(min)
999.000	60.000	

Group	Run
BASE	Yes

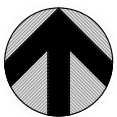
APPENDIX A

Maps



WINTER PARK

ORANGE COUNTY



NORTH

SCALE: N.T.S.



SLOAN
Engineering Group

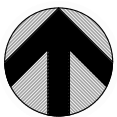
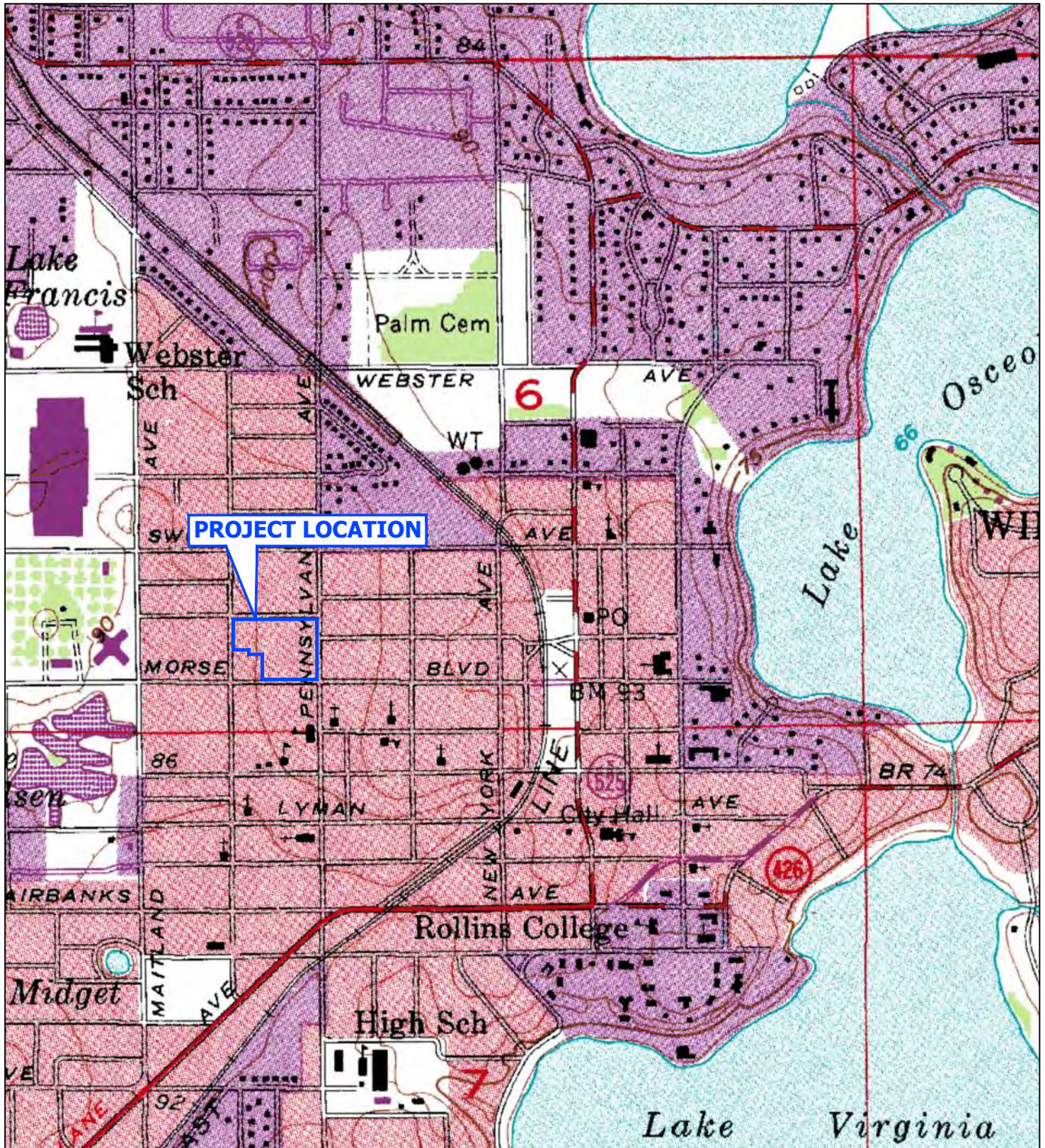
150 SOUTH WOODLAWN AVENUE, BARTOW, FL 33830
PHONE: (863) 800-3046 - FAX: (863) 800-1159
FLORIDA CERTIFICATE OF AUTHORIZATION (FLCA) #26247

PROJECT NAME
Section 06, Township 22S, Range 30E

VICINITY MAP
MAP A

SLOAN ENGINEERING GROUP, INC.

JOB # 2039



NORTH

SCALE: 1"=1,000'



SLOAN
Engineering Group

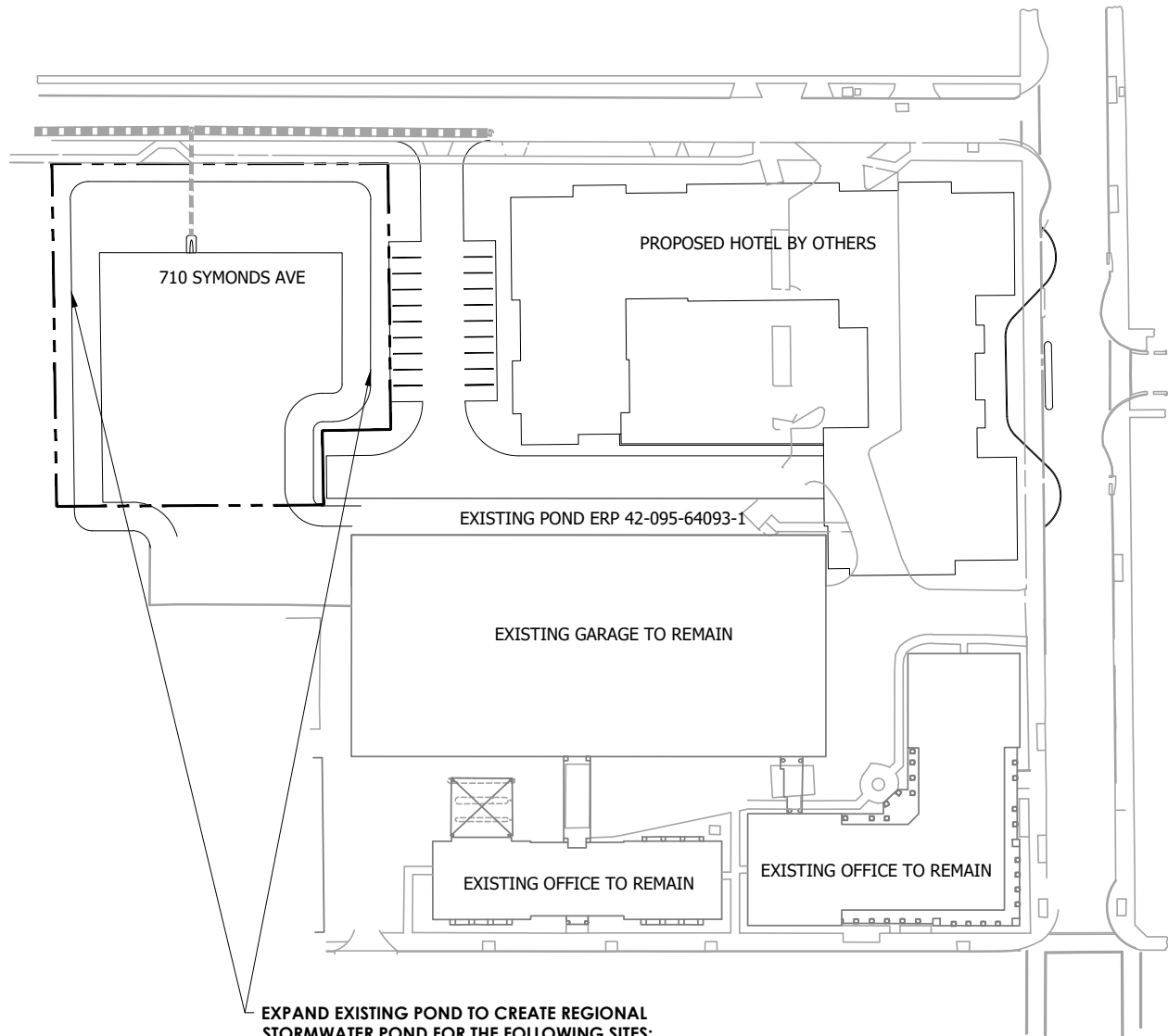
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FLORIDA CERTIFICATE OF AUTHORIZATION (FLCA) #26247

PROJECT NAME
Section 06, Township 22S, Range 30E

USGS QUAD MAP
MAP B

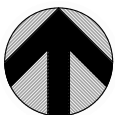
SLOAN ENGINEERING GROUP, INC.

JOB # 2039



**EXPAND EXISTING POND TO CREATE REGIONAL
STORMWATER POND FOR THE FOLLOWING SITES:**

- BASIN 200 PROPOSED HOTEL AT 171 N PENNSYLVANIA AVE
- BASIN 300 EXISTING OFFICES AND GARAGES AT 655 W MORSE BLVD
- BASIN 400 EXISTING CITY ROADS
- BASIN 500 OFFSITE IMPROVEMENTS AT 338 W MORSE BLVD
- BASIN 600 OFFSITE IMPROVEMENTS AT 301 W NEW ENGLAND AVE



NORTH

SCALE: 1"=50'



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Engineering Group

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PROJECT NAME
Section 06, Township 22S, Range 30E

**REDUCED SITE PLAN
MAP C**

SLOAN ENGINEERING GROUP, INC.

JOB # 2039

Hydrologic Soil Group—Orange County, Florida



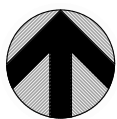
USDA Natural Resources Conservation Service

Web Soil Survey National Cooperative Soil Survey

1/21/2020 Page 1 of 4

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
48	Tavares fine sand-Urban land complex, 0 to 5 percent slopes	A	2.2	37.1%
55	Zolfo-Urban land	A	3.7	62.9%

USDA Natural Resources Conservation Service Web Soil Survey National Cooperative Soil Survey



NORTH
SCALE: N.T.S.



SLOAN
Engineering Group

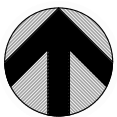
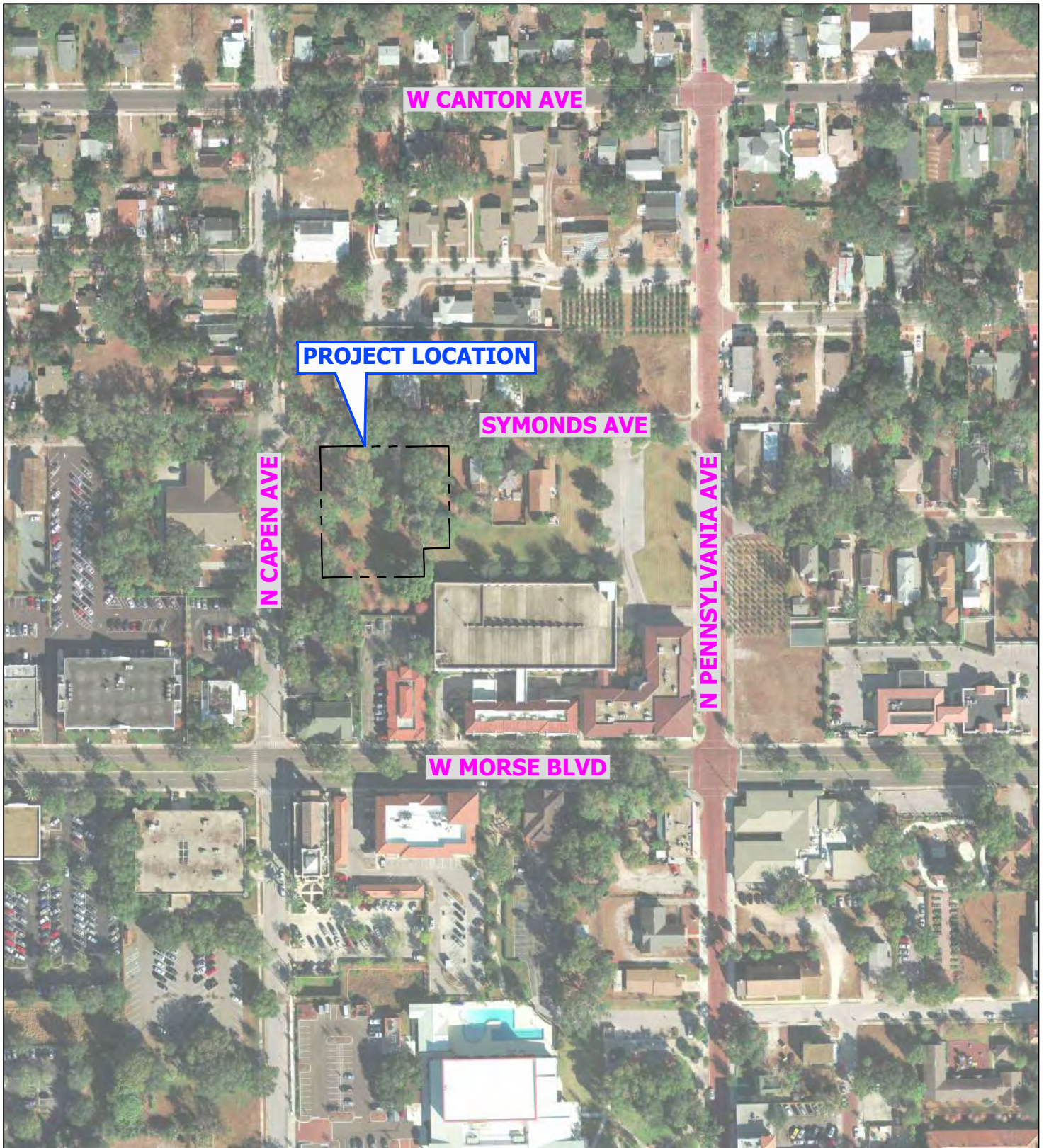
150 SOUTH WOODLAWN AVENUE, BARTOW, FL 33830
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FLORIDA CERTIFICATE OF AUTHORIZATION (FLCA) #26247

PROJECT NAME
Section 06, Township 22S, Range 30E

SOILS MAP
MAP D

SLOAN ENGINEERING GROUP, INC.

JOB # 2039



NORTH

SCALE: 1"=50'



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Engineering Group

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PROJECT NAME
Section 06, Township 22S, Range 30E

**AERIAL PHOTO
MAP E**

SLOAN ENGINEERING GROUP, INC.

JOB # 2039

National Flood Hazard Layer FIRMette

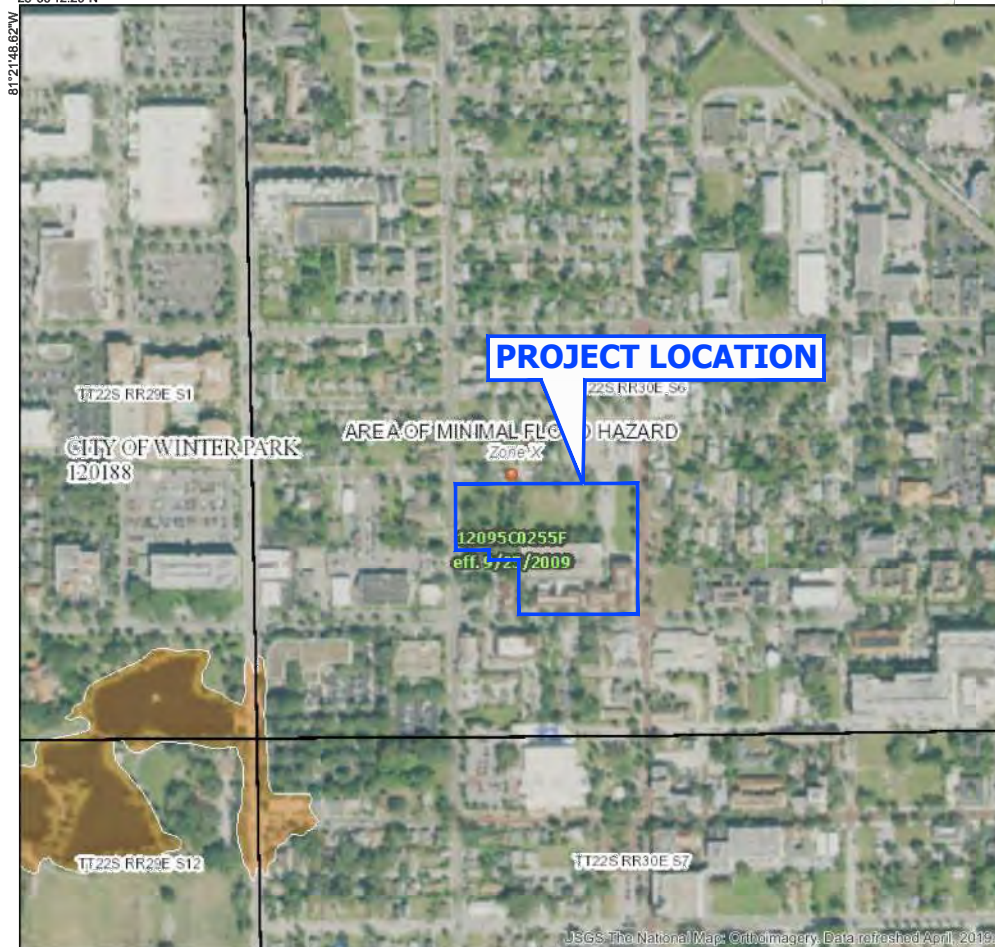


Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, X, AH, AR
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes, Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
GENERAL STRUCTURES		Area of Undetermined Flood Hazard Zone D
		Channel, Culvert, or Storm Sewer
OTHER FEATURES		Levee, Dike, or Floodwall
		Cross Sections with 1% Annual Chance Water Surface Elevation
MAP PANELS		20.5
		17.5
OTHER FEATURES		Coastal Transect
		Base Flood Elevation Line (BFE)
OTHER FEATURES		Limit of Study
		Jurisdiction Boundary
OTHER FEATURES		Coastal Transect Baseline
		Profile Baseline
OTHER FEATURES		Hydrographic Feature
		Digital Data Available
MAP PANELS		No Digital Data Available
		Unmapped

28°36'12.29"N

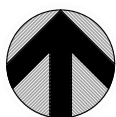


The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 1/22/2020 at 4:51:38 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



NORTH
SCALE: N.T.S.



SLOAN
Engineering Group

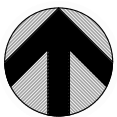
150 SOUTH WOODLAWN AVENUE, BARTOW, FL 33830
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PROJECT NAME
Section 06, Township 22S, Range 30E

FEMA FLOOD
MAP F

SLOAN ENGINEERING GROUP, INC.

JOB # 2039



NORTH
SCALE: N.T.S.



SLOAN
Engineering Group

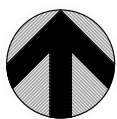
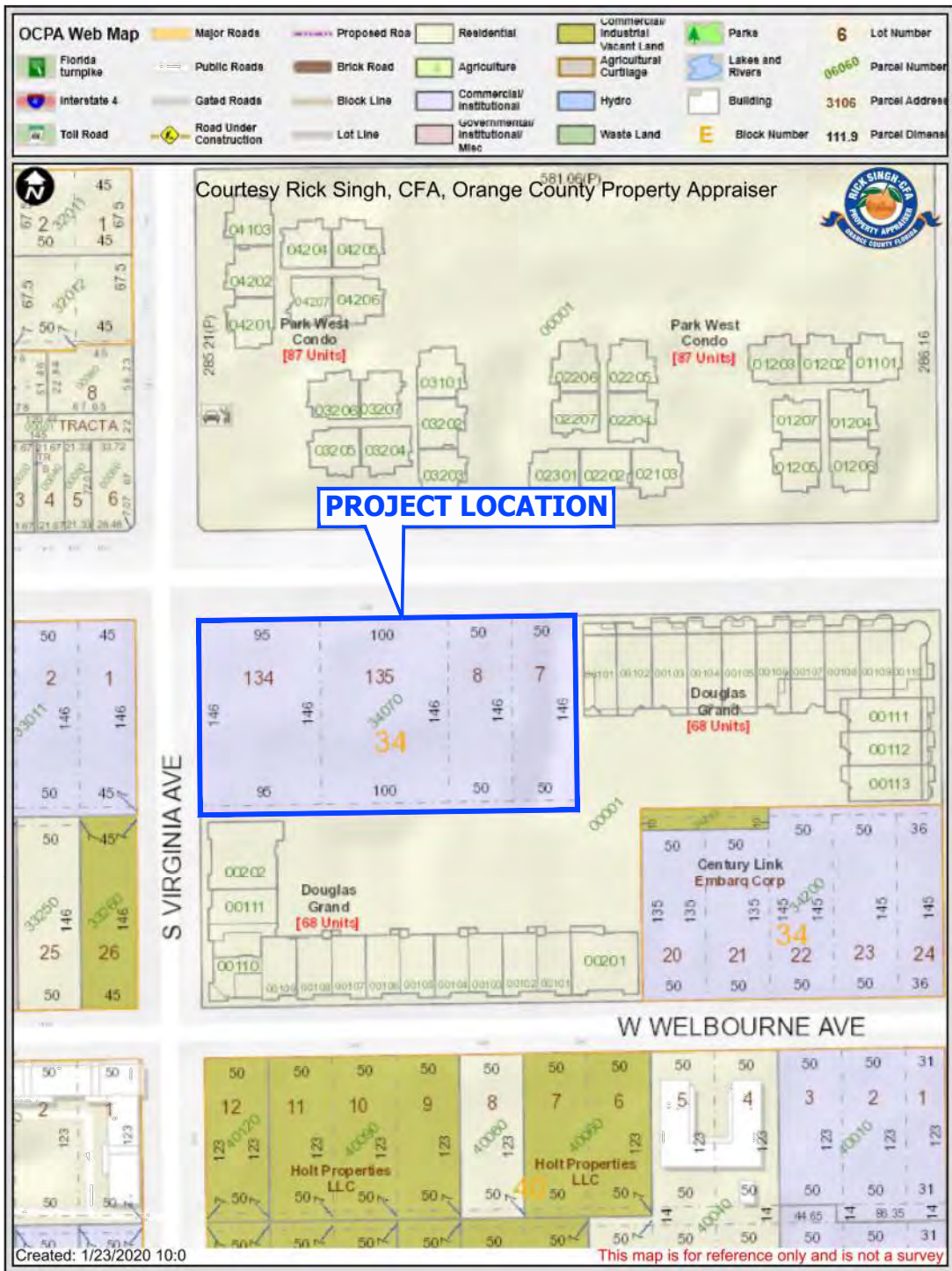
150 SOUTH WOODLAWN AVENUE, BARTOW, FL 33830
PHONE: (863) 800-3046 - FAX: (863) 800-1159
FLORIDA CERTIFICATE OF AUTHORIZATION (FLCA) #26247

PROJECT NAME
Section 06, Township 22S, Range 30E

POST-DEVELOPMENT BASIN MAP
MAP G

SLOAN ENGINEERING GROUP, INC.

JOB # 2039



NORTH
SCALE: N.T.S.



SLOAN
Engineering Group

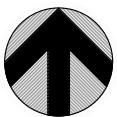
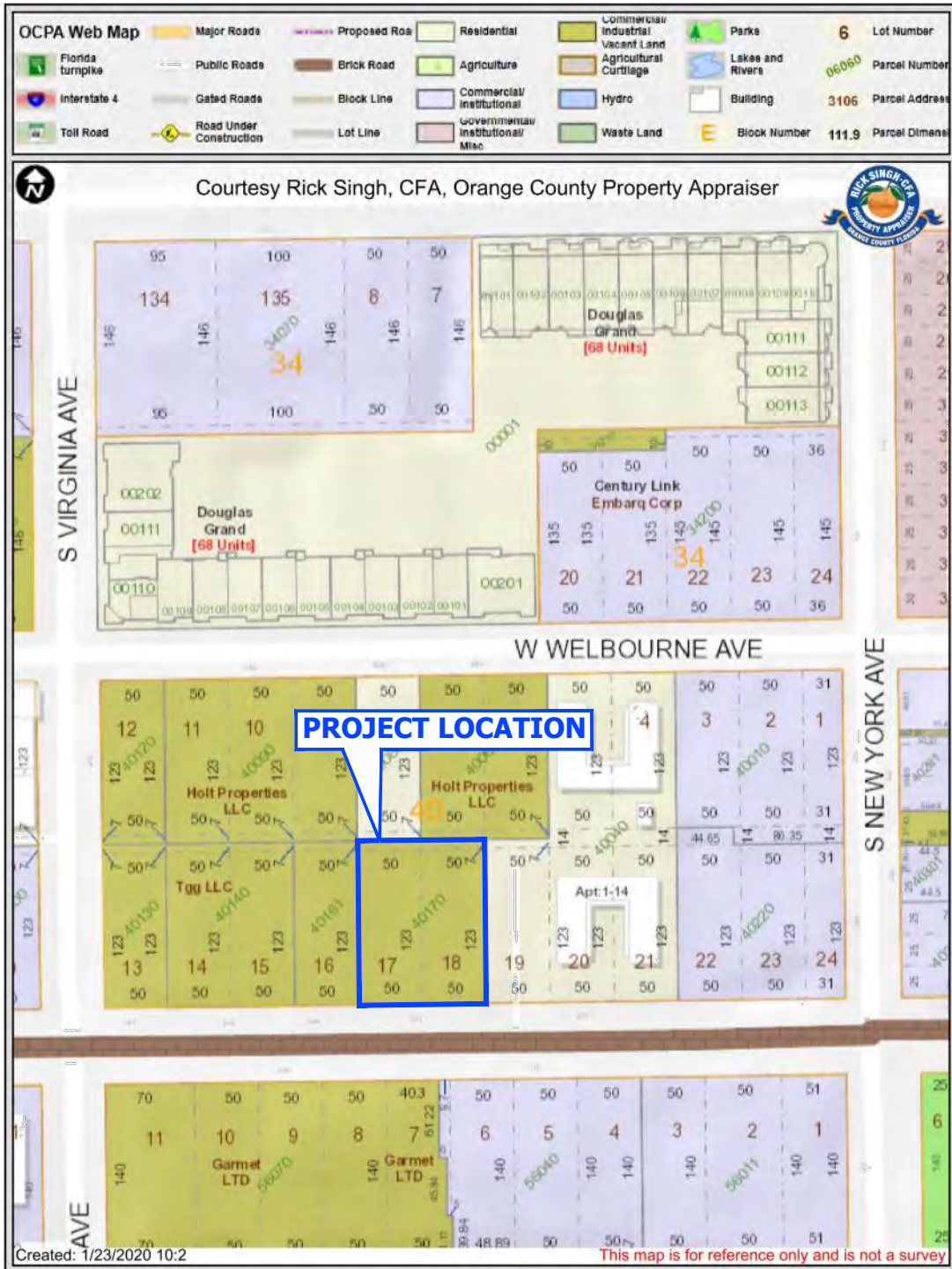
150 SOUTH WOODLAWN AVENUE, BARTOW, FL 33830
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PROJECT NAME
Section 06, Township 22S, Range 30E

OFFSITE BASIN 500
MAP H

SLOAN ENGINEERING GROUP, INC.

JOB # 2039



NORTH

SCALE: N.T.S.



SLOAN
Engineering Group

150 SOUTH WOODLAWN AVENUE, BARTOW, FL 33830
PHONE: (863) 800-3046 - FAX: (863) 800-1159
FLORIDA CERTIFICATE OF AUTHORIZATION (FLCA) #26247

PROJECT NAME
Section 06, Township 22S, Range 30E

OFFSITE BASIN 600
MAP I

SLOAN ENGINEERING GROUP, INC.

JOB # 2039

APPENDIX B

Supporting Documentation

B.1 Geotechnical Report



UNIVERSAL

ENGINEERING SCIENCES

GEOTECHNICAL EVALUATION

WEST MORSE AND PENNSYLVANIA DEVELOPMENT
WINTER PARK, FLORIDA

PROJECT NO. 10850-001-01
REPORT NO. 98754

Prepared For:

W.F.G., Ltd
P.O. Box 350
Winter Park, Florida 32790

Prepared By:

Universal Engineering Sciences
3532 Maggie Boulevard
Orlando, Florida 32811
(407) 423-0504

64093-1
2/29/00

February 10, 2000

Consultants in: Geotechnical Engineering • Environmental Sciences • Construction Materials Testing • Threshold Inspections
Offices in: Orlando • Gainesville • Riviera Beach • Rockledge • Daytona Beach • Punta Gorda • St. Augustine • Jacksonville • Ocala • Tampa



UNIVERSAL ENGINEERING SCIENCES

Consultants in: Geotechnical Engineering • Threshold Inspection
Environmental Sciences • Construction Materials Testing

February 10, 2000

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• Daytona Beach
• West Palm Beach
• Jacksonville
• Ocala
• Tampa
• Debary

W.F.G., Ltd
P.O. Box 350
Winter Park, FL 32790

Attention: Mr. Daniel B. Bellows

Reference: Geotechnical Exploration
West Morse and Pennsylvania Development
Winter Park, Florida
Project No. 10850-001-01
Report No. 98754

Dear Mr. Bellows:

Universal Engineering Sciences has completed the subsurface investigation for the proposed West Morse and Pennsylvania Development in Winter Park, Florida. The scope of our investigation was planned in conjunction with and authorized by, you.

This report contains the results of our investigations, an engineering interpretation of these with respect to the project characteristics described to us, and recommendations for groundwater control, foundation design, pavement design, and site preparation.

We appreciate the opportunity to have worked with you on this project and look forward to a continued association. Please do not hesitate to contact us if you should have any questions, or if we may further assist you as your plans proceed.

Respectfully submitted,

UNIVERSAL ENGINEERING SCIENCES, INC.

David W. Dickens
Project Engineer

Bruce H. Woloshin, P.E.
P.E. No. 36734
Manager, Geotechnical Engineering

DWD/BHW:clc

cc: Client (1)
Parking Structure Group (1)
Holder Engineering (5)

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1.0 INTRODUCTION

1.1 GENERAL

In this report, we present the results of the subsurface investigation of the site for the proposed West Morse and Pennsylvania Development in Winter Park, Florida. We have divided this report into the following sections:

- SCOPE OF SERVICES - Defines what we did
- FINDINGS - Describes what we encountered
- RECOMMENDATIONS - Describes what we encourage you to do
- LIMITATIONS - Describes the restrictions inherent in this report
- SUMMARY - Reviews the material in this report
- APPENDICES - Presents support materials referenced in this report.

2.0 SCOPE OF SERVICES

2.1 PROJECT DESCRIPTION

We understand from you that this project will consist of constructing four 2-story buildings ranging from 4,000 to 12,000 square feet per floor as well as a 3-story parking garage. We have been provided with a preliminary site plan by Meyer-Greenson-Paullin dated November 11, 1999 indicating the proposed project layout. Universal Engineering Sciences has previously performed a geotechnical exploration at this site. We used the borings from that exploration to supplement our current borings for the buildings and retention pond.

We understand from telephone conversations from Mr. Stan Jones with Parking Structure Group, Inc. that the parking garage will have maximum column and wall loads of 537 kips and 14.94 kips per foot, respectively. Also, Mr. Jones sent a facsimile with detailed loading of the columns and walls. Further, we understand that the garage will need a minimum soil bearing pressure of 3,000 pounds per square foot. Also, we were supplied with detailed loading information from Brad Bishop with Bishop Engineering. He stated that Buildings 1, 3, and 4 will have maximum column and wall loads of 75 kips and 5 kips per foot, respectively, and that the covered walkway will have a maximum column load of 50 kips. Further, we have assumed that no more than 2 feet of fill material will be placed on top of existing grades as part of future development.



Based on conversations with Mark Holder with Holder Engineering, a retention pond located in the approximate north central portion of the parking garage that extends north, out of the garage and wraps around the garage to the west. Based on the final grade of the footings supplied by Mr. Stan Jones, the foundation of the north wall of the parking garage is set on a silty confining layer. The continuous footing planned for this area, will not provide lateral infiltration of groundwater at the retention pond from the inside portion of the pond to the exterior portion of the pond. If the wall foundations are raised above the confining layer, it will result in excessive settlement. Based on these considerations, we recommend the north wall of the parking garage be re-designed with individual column footings set at the confining layer to allow for maximum infiltration of the groundwater.

Our recommendations are based upon the above considerations. If any of this information is incorrect or if you anticipate any changes, inform Universal Engineering Sciences so that we may review our recommendations.

The site is located in Section 6, Township 22 East, Range 30 South, better located at the intersection of West Morse Boulevard and Pennsylvania Avenue in Winter Park, Florida. A general location map of the project area appears in Appendix A: Site Location Map.

2.2 PURPOSE

The purposes of this investigation were:

- to investigate the general subsurface conditions at the site;
- to interpret and review the subsurface conditions with respect to the proposed construction; and
- to provide geotechnical engineering recommendations for foundation design, pavement design, site preparation, and stormwater parameters.

This report presents an evaluation of site conditions on the basis of traditional geotechnical procedures for site characterization. The recovered samples were not examined, either visually or analytically, for chemical composition or environmental hazards. Universal Engineering Sciences would be pleased to perform these services, if you desire.

Our investigation was confined to the zone of soil likely to be stressed by the proposed construction. Our work did not address the potential for surface expression of deep geological conditions, such as sinkhole development related to karst activity. This evaluation requires a more extensive range of field services than performed in this study. We will be pleased to conduct an investigation to evaluate the probable effect of the regional geology upon the proposed construction, if you desire.



2.3 FIELD INVESTIGATION

The subsurface conditions were investigated with 15 soil borings advanced to depths of 15 to 30 feet, while performing the Standard Penetration Test.

We performed the Standard Penetration Test in each of the borings according to the procedures of ASTM D-1586, with continuous sampling performed above a depth of 10 feet, to detect slight variations in the soil profile at shallow depths. The basic procedure for the Standard Penetration Test is as follows: A standard split-barrel sampler is driven into the soil by a 140-pound hammer falling 30 inches. The number of blows required to drive the sampler 1-foot, after seating 6 inches, is designated the penetration resistance, or N-value; this value is an index to soil strength and consistency.

A site survey was not available for our field investigation. We were supplied with a Site Plan prepared by Meyer Gresson Paullin, dated November 11, 1999. Our drilling located the borings from the site plan and obvious landmarks. Consider the indicated locations and depths to be approximate.

Jar samples of the soils encountered will be held in our laboratory for your inspection for 60 days and then discarded, unless we are notified otherwise.

2.4 LABORATORY INVESTIGATION

The soil samples recovered from the soil test borings were returned to our laboratory and then an engineer visually examined and reviewed the field descriptions. We selected representative soil samples for laboratory testing consisting of 8 wash No. 200 sieve analysis and 4 constant head permeability test.

We performed these tests to aid in classifying the soils and to help to evaluate the general engineering characteristics of the site soils. See Appendix B: Boring Logs and Description of Testing Procedures, for further data and explanations.



3.0 FINDINGS

3.1 SURFACE CONDITIONS

From the site specific topographic information provided, and from our site explorations, it is apparent that the site is generally flat. Vegetation on the site consisted primarily of grass.

We examined U.S.G.S. topographic quadrangle maps and the USDA Soil Conservation Service Soil Survey of Orange County for relevant information about the site. A review of the Orange County Soils Survey indicates the presence of Tavares-Urban land complex, 0 to 5 percent slopes and Zolfo-Urban land complex as the native surficial soils over the subject site. According to the Soils Survey, the seasonal high groundwater for Tavares-Urban land complex, 0 to 5 percent slopes in undrained areas exists at 40 to 80 inches for more than 6 months, and it recedes to a depth of more than 80 inches during extended dry periods. According to the Soils Survey, the seasonal high groundwater for Zolfo-Urban land complex in undrained areas exists at 24 to 40 inches for 2 to 4 months and is at a depth of 10 to 24 inches during periods of high rainfall. It recedes to a depth of 60 inches during extended dry periods.

3.2 SUBSURFACE CONDITIONS

The boring locations and detailed subsurface conditions are illustrated in Appendix B: Boring Location Plan and Boring Logs. The classifications and descriptions shown on the logs are generally based upon visual characterizations of the recovered soil samples and a limited number of laboratory tests. Also, see Appendix B: Soils Classification Chart, for further explanation of the symbols and placement of data on the Boring Logs.

Table 1: General Soil Profile, summarizes the soil conditions encountered by the borings performed.



TABLE 1:
General Soil Profile

<u>Typical Depth (ft.)</u>	<u>Soil Descriptions</u>
0 - 6.0	Very loose to medium dense, light to dark gray and brown to dark brown SAND [SP]
6.0 - 20	Very loose to medium dense, light to dark gray and brown to dark brown SAND with various silt contents to gray to brown clayey SAND [SP, SP-SM, SM, SC]
20 - 30*	Loose to dense, light to dark gray and brown to dark brown SAND with various silt contents [SP, SP-SM, SM]

* Termination of Deepest Boring

[] Bracketed Text Indicates: Unified Soil Classification

Please note at boring B-13 from 26 to 30 feet we encountered a light reddish brown to reddish-brown in color, slightly cemented silty sand, classified as hardpan. Hardpan typically has a very low permeability. Although we did not encounter hardpan in any other boring location, there is the possibility that it may exist elsewhere. We encountered groundwater at depths ranging from 7 to 11 feet below grade at the boring locations after the groundwater had stabilized.



4.0 RECOMMENDATIONS

4.1 GENERAL

The following recommendations are made based upon a review of the attached soil test data, our understanding of the proposed construction, and experience with similar projects and subsurface conditions. If the structural loadings, building locations, or grading plans change from those discussed previously, we request the opportunity to review and possibly amend our recommendations with respect to those changes.

Additionally, if subsurface conditions are encountered during construction which were not encountered in the borings, report those conditions immediately to us for observation and recommendations.

In this section of the report, we present our detailed recommendations for groundwater control, building foundations, pavements, site preparation, stormwater parameters and construction related services.

4.2 GROUNDWATER CONTROL

The groundwater table will fluctuate seasonally depending upon local rainfall. The rainy season in Central Florida is normally between June and September. Based upon our review of U.S.G.S. data, Orange County Soils Survey, and regional hydrogeology, our best estimate for the seasonal high groundwater table would be between ground surface to approximately 5.5 to 9.5 feet below the existing grades at the boring locations. The existing and estimated seasonal high water levels at each boring location appear in Appendix B: Boring Logs.

It should be noted that the estimated seasonal high water levels do not provide any assurance that groundwater levels will not exceed these estimated levels during any given year in the future. Should the impediments to surface water drainage be present, or should rainfall intensity and duration, or total rainfall quantities, exceed the normally anticipated rainfall quantities, groundwater levels might once again exceed our seasonal high estimates. We recommend positive drainage be established and maintained on the site during construction. We further recommend permanent measures be constructed to maintain positive drainage from the site throughout the life of the project.

We recommend all foundation designs, pavement designs, and stormwater retention analyses incorporate the seasonal high groundwater conditions.



Temporary dewatering, likely consisting of pumping, rim and feeder ditches, and wellpoints, might become necessary, in the course of filling to the desired grades. We recommend that the contract documents provide for determining the depth to the groundwater table just prior to construction, and for any required remedial dewatering. Dewatering may become necessary in order to obtain density of the compacted surfaces during construction. If problems occur in obtaining density, we recommend that the groundwater table be maintained at least 24 inches below all earthwork and compaction surfaces.

4.3 BUILDING FOUNDATIONS

4.3.1 Office Buildings

Overall, the subsurface conditions encountered at the site are suitable for support of the proposed office buildings and covered walkway with traditional shallow spread footings.

4.3.2 Garage

The subsurface conditions encountered at the three-story parking garage are not suitable for support with traditional shallow spread footings without special remedial measures. The soil conditions encountered generally indicate the need to use deep foundations such as driven piles, stone columns, auger cast piles, or cast in place displacement piles. Due to the magnitude of the column and wall loads, use of traditional shallow foundations in this area would result in excessive settlements. All methods of subsurface improvement mentioned above are effective in improving the existing subsurface conditions and/or supporting the foundations. Basically, the type of soil improvement you select will be dependent on cost, time, and/or site constraints.

Based on similar projects we have performed in the past, specifically, we recommend vibro-replacement of the soils within the footing influence depth, using stone backfill (i.e. stone columns). We do not recommend the use of sand backfill at this site because of the high fines content of the natural soils. Costs for the vibro-replacement activities are often balanced with the decreased size of foundations with higher allowable bearing capacity.

Vibro-replacement involves densifying the soils throughout the influence zone of the footing by injecting a slender probe into the underlying soils. The "vibroprobe" is jetted to the desired depth with or without the aid of water, then slowly withdrawn, densifying the overlying soils as it is withdrawn. The voids created by densifying the soil are typically backfilled, with stone in this case, as vibro-replacement continues, resulting in "stone columns." Vibro-replacement has a lesser effect on the top 5 feet of soil due to the relative lack of confining pressures; therefore, surface compaction would still be necessary. A maximum allowable bearing pressure of 5,000 psf may be expected. However, the specialty earthwork contractor who performs the work typically determines the necessary spacing of vibroprobe points to achieve this bearing capacity.



We recommended the vibro-replacement method over excavation/recompaction or piles foundations. Over excavation/recompaction will not be suited for this site because of the proximity of existing buildings. Also, dewatering of the area to a significant depth could be very costly. Excavation/recompaction activities could undermine the existing stability and structural integrity of these areas. Piles were not selected because of the expense.

4.3.3 Foundation Details

Provided the soils are improved in accordance with the site preparation recommendations, including vibro-replacement for the garage, outlined in the Site Preparation Section of this report, we recommend that the proposed parking garage be supported on conventional, shallow spread foundations. The following parameters may be used for foundation design.

4.3.3.1 Bearing Pressure

The maximum allowable net soil bearing pressure for shallow foundations should not exceed 2,500 pounds per square foot (psf) for Buildings 1, 3, and 4 except for the parking garage which the allowable net bearing pressure for shallow spread foundations should not exceed 5,000 pounds per square foot (psf), in conjunction with vibro-replacement. Net bearing pressure is defined as the soil bearing pressure at the base of the foundation in excess of the natural overburden pressure. The foundations should be designed based upon the maximum load that could be imposed by all loading conditions.

4.3.3.2 Foundation Size

The minimum widths recommended for any isolated column footing and continuous wall footing are 24 inches and 18 inches, respectively. Even though the maximum allowable soil bearing pressure may not be achieved, these width recommendations should control the size of the foundations.

4.3.3.3 Bearing Depth

The foundations should bear at a depth of at least 18 inches below the exterior final grades. We recommend stormwater and surface water be diverted away from the building exterior, both during and after construction to reduce the possibility of erosion beneath the exterior footings.

4.3.3.4 Bearing Material

The foundations may bear on either the compacted suitable natural soils or compacted structural fill. The bearing level soils, after compaction should have compaction to at least 95 percent of the maximum dry density of the bearing soils as determined by ASTM D-1557 (Modified Proctor), to the depth described subsequently in the Site Preparation section of the report. In addition to compaction the bearing soils must exhibit stability and be free of "pumping" conditions.



4.3.3.5 Settlement Estimates

Post-construction settlement of the structure will be influenced by several interrelated factors, such as (1) subsurface stratification and strength/compressibility characteristics of the bearing soils to a depth of approximately twice the width of the footing; (2) footing size, bearing level, applied loads, and resulting bearing pressures beneath the foundation; (3) site preparation and earthwork construction techniques used by the contractor, and (4) external factors, including but not limited to vibration from offsite sources and groundwater fluctuations beyond those normally anticipated for the naturally-occurring site and soil conditions which are present.

Our settlement estimates for the structure are based upon the use of successful adherence to the site preparation recommendations presented later in this report. Any deviation from these recommendations could result in an increase in the estimated post-construction settlement of the structure.

Due to the sandy nature of the surficial soils following the compaction operations, we expect a significant portion of settlement to be elastic in nature and occur relatively quickly, on application of the loads, during and immediately following construction. Using the recommended maximum bearing pressure, the assumed maximum structural loads, and the field and laboratory test data which we have correlated into the strength and compressibility characteristics of the improved subsurface soils, we estimate the total settlements of the structure to be 1-inch or less.

Differential settlement result from differences in applied bearing pressures and the variations in the compressibility characteristics of the subsurface soils. For the building pads prepared as recommended, we anticipate the differential settlement of less than ½-inch.

4.3.3.6 Floor Slabs

Following completion of the site preparation procedure outlined in the "Site Preparation" section of this report, the native soils underlying the building areas should be suitable for slab-on-grade support. We recommend using a modulus of subgrade reaction of 125 pounds per cubic inch for soil-structure designs for slab-on-grade concrete floors. Finally, we recommend using a sheet vapor barrier such as visqueen beneath the building slab on grade to help control moisture migration through the slab.

4.4 PAVEMENTS

4.4.1 General

We recommend using a flexible pavement section on this project. Flexible pavements combine the strength and durability of several layer components to produce an appropriate and cost-effective combination of available materials.



4.4.2 Layer Components

For preliminary pavement designs, we recommend using a three-layer pavement section consisting of stabilized subgrade, base course, and surface course placed on top of existing subgrade or a compacted embankment.

Because traffic loadings are commonly unavailable, we have generalized our pavement design into two groups. The group descriptions and the recommended component thicknesses are presented in Table 2: Pavement Component Recommendations. The structural numbers in Table 2 are based on a structural number analysis with the stated estimated daily traffic volume for a 15-year placement design life. For loading conditions greater than those presented in Table 2, we recommend you have a complete pavement design performed based on projected traffic data.

TABLE 2:
Pavement Component Recommendations

Traffic Group	Structural Number	Component Thickness (inches)		
		Stabilized Subgrade	Base Course	Surface Course
Parking lots – light duty	1.8	8	6	1.0
Parking lots – heavy duty	2.4	10	8	1.5

Parking lots-light duty: auto parking areas; over eighty cars; light panel and pickup trucks; average gross weight of 4,000 pounds

Parking lots-heavy duty: access driveways, delivery truck areas; twenty trucks or less per day; average gross vehicle weight of 25,000 pounds

4.4.3 Stabilized Subgrade

We recommend that subgrade materials be compacted in place according to the requirements in the "Site Preparation" section of this report. Further, stabilize the subgrade materials to a minimum Limerock Bearing Ratio (LBR) of 40 percent or Florida Bearing Value (FBV) of 50 psi, as specified by Florida Department of Transportation (FDOT) requirements for Type B or Type C Stabilized Subgrade.



The stabilized subgrade can be imported material or a blend of on-site soils and imported materials. If a blend is proposed, we recommend that the contractor perform a mix design to find the optimum mix proportions.

Where soil-cement base courses are used, some jurisdictions have approved pavement designs in which compacted subgrade is used in lieu of stabilized subgrade. In such cases, stabilized subgrade typically is provided beneath full-depth curbs only. An advantage in deleting the stabilized subgrade is a reduction in the tendency of groundwater to "perch" on the less-pervious subgrade materials, particularly where full-depth curbs are not provided. Our primary recommendation remains that stabilized subgrades be provided in conjunction with full-depth curbs, since compacted subgrades consisting of "clean" sand lack stability, and do not contribute to the structural number of the pavement.

Finally, please note that stabilized subgrade remains a requirement in any case where limerock base course is used.

4.4.4 Base Course

We recommend the base course be either limerock or soil-cement.

Limerock should have a minimum LBR of 100 percent and should be mined from an FDOT approved source. Place limerock in maximum 6-inch lifts and compact each lift to a minimum density of 95 percent of the Modified Proctor maximum dry density.

For a soil-cement base, we recommend the contractor perform a soil-cement design with a minimum seven-day strength of 300 pounds per square inch (psi) on the materials he intends to use. Place soil-cement in maximum 6-inch lifts and compact in place to a minimum density of 95 percent of the Standard Proctor maximum dry density according to specifications in ASTM D-558.

Place and finish the soil-cement according to Portland Cement Association requirements. Final review of the soil-cement base course should include manual "chaining" and/or "soundings" seven days after placement. Shrinkage cracks will form in the soil-cement mixture and you should expect reflection cracking on the surface course.

Perform compliance testing for either limerock or soil-cement to a depth of 1-foot at a frequency of one test per 10,000 square feet, or at a minimum of two test locations, whichever is greater.

4.4.5 Surface Course

In light duty areas where there is occasional truck traffic, but primarily passenger cars, we recommend using an asphaltic concrete, FDOT Type S-III, which has a stability of 1,000 pounds.

In heavy duty areas, where truck traffic is predominant, we recommend using as asphaltic concrete, FDOT Type S-III or S-I, which has a minimum stability of 1,500 pounds.



Asphaltic concrete mixes should be a current FDOT approved design of the materials actually used. Test samples of the materials delivered to the project to verify that the aggregate gradation and asphalt content satisfies the mix design requirements. Compact the asphalt to a minimum of 95 percent of the Marshall design density.

After placement and field compaction, core the wearing surface to evaluate material thickness and to perform laboratory densities. Obtain cores at frequencies of at least one core per 3,000 square feet of placed pavement or a minimum of two cores per day's production.

In parking lots, for extended life expectancy of the surface course, we recommend applying a coal tar emulsion sealer at least six months after placement of the surface course. The seal coat will help to patch cracks and voids, and protect the surface from damaging ultraviolet light and automobile liquid spillage. Please note that applying the seal coat prior to six months after placement may hinder the "curing" of the surface course, leading to its early deterioration.

4.4.6 Effects of Groundwater

One of the most critical influences on the pavement performance in Central Florida is the relationship between the pavement subgrade and the seasonal high groundwater level.

Many roadways and parking areas have been destroyed as a result of deterioration of the base and the base/surface course bond. Regardless of the type of base selected, we recommend that the seasonal high groundwater and the bottom of the base course be separated by at least 12 inches.

4.4.7 Curbing

We recommend that curbing around the landscaped sections adjacent to the parking lots and driveways be constructed with full-depth curb sections. Using extruded curb sections which lie directly on top of the final asphalt level, or eliminating the curbing entirely, can allow migration of irrigation water from the landscape areas to the interface between the asphalt and the base. This migration often causes separation of the wearing surface from the base and subsequent rippling and pavement deterioration.

4.4.8 Construction Traffic

Light duty roadways and incomplete pavement sections will not perform satisfactorily under construction traffic loadings. We recommend that construction traffic (construction equipment, concrete trucks, sod trucks, garbage trucks, moving vans, dump trucks, etc.) be re-routed away from these roadways or that the pavement section be designed for these loadings.



4.5 RETENTION POND PARAMETERS

In order to evaluate the permeability characteristics, we performed a total of four constant head laboratory permeability tests on representative soil samples retrieved from the surficial sand layer and from previous geotechnical exploration and laboratory testing. Further, based on the two SPT borings performed at the proposed retention pond area, the average estimated seasonal high groundwater table is at 5.5 to 8.5 feet below the ground surface.

The permeability tests resulted in the hydraulic conductivity values ranging from 4.2 to 21.7 feet per day. Based on the subsurface conditions encountered, we recommend using the top of the silty sand layer below the surficial sands as the assumed depth to "aquitard" or base of aquifer. Based on the soil borings at these locations, the average base of the aquifer may be assumed at a depth of about 8.5 feet below the ground surface.

4.6 SITE PREPARATION

We recommend normal, good practice site preparation procedures. These procedures include: stripping the site of vegetation, proof-rolling and proof-compacting the subgrade, and filling to grade with engineered fill.

A more detailed synopsis of this work is as follows:

1. If required, perform remedial dewatering prior to any earthwork operations.
2. Strip the proposed construction limits of any remaining grass, roots, topsoil, construction debris to be removed and other deleterious materials within and 10 feet beyond the perimeter for the proposed building.
3. Proof-roll the subgrade with a heavily loaded, rubber-tired vehicle under the observation of a Universal Engineering Sciences geotechnical engineer or his representative. Proof-rolling will help locate any zones of especially loose or soft soils not encountered in the soil test borings. Then undercut, or otherwise treat these zones as recommended by the engineer. For the parking garage vibro-densify the soils throughout the influence zone of the footing by vibro-replacement techniques (stone columns) to the desired depth of 15 feet. Care should be taken when operating vibratory compaction equipment within the vicinity of any existing structures or temporary construction embankments to avoid damage to said structures. Furthermore, it is especially important to follow appropriate OSHA safety standards.



4. Vibro-replacement has a lesser effect on the top 5 feet of soil due to the relative lack of confining pressures; therefore, surface excavation and re-compaction would still be necessary. Proof-roll the subgrade with a heavily loaded, rubber-tired vehicle under the observation of a Universal Engineering Sciences geotechnical engineer or his representative. Proof-rolling will help locate any zones of especially loose or soft soils not encountered in the soil test borings. Then undercut, or otherwise treat these zones as recommended by the engineer. Due to the fines content of the soils to be excavated and the proposed subgrade soils, we recommend that you protect them from surface water runoff and precipitation when not working the soils. This is because the relatively high fines contents of these soils tends to make the soils retain moisture for longer periods of time, thus increasing the necessary drying time and hindering earthwork activities.
5. Proof-compact the subgrade from the surface by a large vibratory roller (a 15- to 20-ton roller, for example), until you obtain a minimum density of 95 percent of the Modified Proctor maximum dry density (ASTM D-1557), to a depth of 3 feet below the base of the foundations in the building limits.
6. Test the subgrade for compaction at a frequency of not less than one test per 2,500 square feet per foot of depth improvement in the building area.
7. Place fill material, as required. The fill should consist of "clean," fine sand with less than 5 percent soil fines. You may use fill materials with soil fines between 5 and 10 percent, but strict moisture control may be required. Place fill in uniform 10- to 12-inch loose lifts and compact each lift to a minimum density of 95 percent of the Modified Proctor maximum dry density.
8. Perform compliance tests within the fill at a frequency of not less than one test per 2,500 square feet per lift in the building areas, or at a minimum of two test locations, whichever is greater.
9. Test all footing cuts for compaction to a depth of 2 feet. Additionally, we recommend you test one out of every four column footings, and one test per every 200 lineal feet of wall footing.

Using vibratory compaction equipment at this site may disturb adjacent structures. We recommend you monitor nearby structures before and during proof-compaction. If disturbance is noted, halt vibratory compaction and inform Universal Engineering Sciences immediately. We will review the compaction procedures and evaluate if the compactive effort results in a satisfactory subgrade, complying with our original design assumptions.



4.7 CONSTRUCTION RELATED SERVICES

We recommend the owner retain Universal Engineering Sciences to perform construction materials tests and observations on this project. The geotechnical engineering design does not end with the advertisement of the construction documents. The design is an on-going process throughout construction. Because of our familiarity with the site conditions and the intent of the engineering design, we are most qualified to address problems that might arise during construction in a timely and cost-effective manner.



5.0 LIMITATIONS

During the early stages of most construction projects, geotechnical issues not addressed in this report may arise. Because of the natural limitations inherent in working with the subsurface, it is not possible for a geotechnical engineer to predict and address all possible problems. An Association of Engineering Firms Practicing in the Geosciences (ASFE) publication, "Important Information About Your Geotechnical Engineering Report" appears in Appendix C, and will help explain the nature of geotechnical issues.

Further, we present documents in Appendix C: Constraints and Restrictions, to bring to your attention the potential concerns and the basic limitations of a typical geotechnical report.



6.0 SUMMARY

In summary, we understand that you propose to construct four 2-story buildings ranging from 4,000 to 12,000 square feet per floor as well as a 3-story parking garage and retention area. We have performed field and laboratory investigations to provide geotechnical engineering recommendations for groundwater control, foundation design, pavement design, site preparation, and stormwater parameters.

The soils encountered consist of a surficial layer of very loose to medium dense, light to dark gray and brown to dark brown sand extending to 6 feet. Below 6 feet, we encountered very loose to medium dense, light to dark gray and brown to dark brown sand with various silt contents to gray to brown clayey sand extending to 20 feet. Below 20 feet, we encountered loose to dense, light to dark gray and brown to dark brown sand with various silt contents to the depth of termination of 30 feet. At the time of our investigation, groundwater was encountered to a depth of 7 to 11 feet below grade at the test boring locations. The estimated seasonal high groundwater table is estimated to be 5.5 to 9.5 feet below land surface at existing grades.

We recommend the proposed office structures Buildings 1, 3, and 4 and the covered walkway be supported on conventional, shallow spread foundations bearing on engineered fill or compacted native soils with an allowable soil bearing pressure of 2,500 psf.

We recommend the proposed parking garage structure be supported on conventional, shallow spread foundations bearing on engineered fill or improved native soils with the vibro-densification method with an allowable soil bearing pressure of 5,000 psf.

Pavements should be designed as a function of the anticipated traffic loadings. We recommend using a three-layer pavement section consisting of stabilized subgrade, base course, and a surface course. All pavement designs should incorporate the effects of groundwater, irrigated landscape areas, and construction traffic.

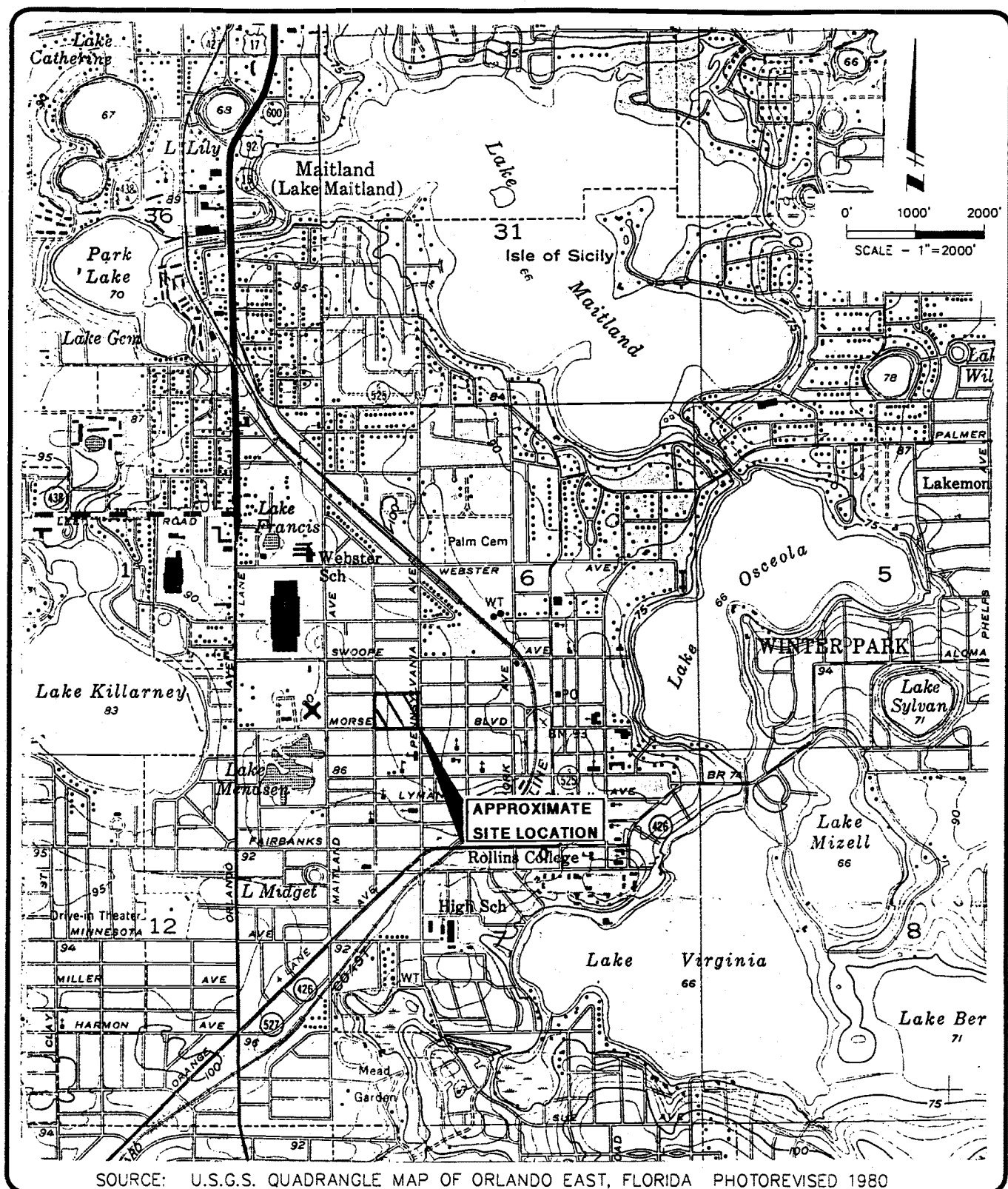
Permeability tests performed in the proposed retention indicate the surficial soils have a K value of 4.2 to 21.7 feet per day.

We recommend good practice site preparation procedures to prepare the subgrade to support the structures and pavements.

We hope this report meets your needs and discusses the problems associated with the proposed development. We would be pleased to meet with you and discuss any geotechnical engineering aspects of the project.



APPENDIX A



UNIVERSAL
ENGINEERING SCIENCES

GEOTECHNICAL EXPLORATION REPORT WEST MORSE, PENNSYLVANIA WINTER PARK, FLORIDA

U.S.G.S. SITE PLAN LOCATION MAP

DRAWN BY: M.E.T.

DATE: 01/31/00

CHECKED BY: JND

DATE: 2/3/00

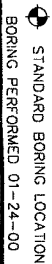
SCALE: AS SHOWN

PROJECT NO: 10850-001-01

REPORT: 98754

PAGE NO: **A-1**

APPENDIX B



PAGE NO: B-1	 UNIVERSAL ENGINEERING SCIENCES	GEOTECHNICAL EXPLORATION REPORT WEST MORSE, PENNSYLVANIA WINTER PARK, FLORIDA		FOR: WFG, LTD		
		BORING LOCATION PLAN		DRAWN BY: M.E.T.		DATE: 01/31/00
				CHECKED BY: DWT		DATE: 2/3/00
				REPORT NO: 98754		SCALE: AS SHOWN
PROJECT NO: 10850-001-01						



UNIVERSAL ENGINEERING SCIENCES BORING LOG

PROJECT NO.: 10850-001-01

REPORT NO.: 98754

PAGE: B-2.1

PROJECT: GEOTECHNICAL EXPLORATION REPORT
WEST MORSE, PENNSYLVANIA
WINTER PARK, FLORIDA

BORING DESIGNATION: **B-1**
SECTION: 6

TOWNSHIP: 22 S
RANGE: 30 E

SHEET: **1 of 1**
DATE STARTED: 1/24/00
DATE FINISHED: 1/24/00

CLIENT: WFG, LTD

LOCATION: SEE BORING LOCATION PLAN

REMARKS:

G.S. ELEVATION (ft):

WATER TABLE (ft): 9.5

DATE OF READING: 01/24/00

EST. W.S.W.T. (ft): 8.0

DATE STARTED: 1/24/00

DATE FINISHED: 1/24/00

DRILLED BY: UES-ORLANDO

TYPE OF SAMPLING: ASTM D-1586

DEPTH (FT.)	S A M P L E	BLOWS PER 6" INCREMENT	N (BLOWS/ FT.)	W.T.	S Y M B O L	DESCRIPTION	-200 (%)	MC (%)	ATTERBERG LIMITS		K (FT./ DAY)	ORG. CONT. (%)
									LL	PI		
0						Very loose, light brown SAND; with fine roots [SP]						
		2-2-2	4									
		2-1-2	3			--No roots						
5		2-2-3	5			---Loose, very light brown fine to light gray						
		4-5-4	9			---Light gray						
		4-3-3	6	▽		Loose, dark brown fine silty SAND [SM]						
		2-1-2	3	▽		---Very loose, shade dark						
10												
						Dense, medium brown clayey fine SAND [SC]						
15		17-21-25	46				19	17				
						---Shade light						
20		15-20-20	40			BORING TERMINATED AT 20.0 FEET						
25												
30												
35												
40												
45												



UNIVERSAL ENGINEERING SCIENCES BORING LOG

PROJECT NO.: 10850-001-01

REPORT NO.: 98754

PAGE: B-2.2

PROJECT: GEOTECHNICAL EXPLORATION REPORT
WEST MORSE, PENNSYLVANIA
WINTER PARK, FLORIDA

BORING DESIGNATION: **B-2**SHEET: **1 of 1**

SECTION: 6

TOWNSHIP: 22 S

RANGE: 30 E

CLIENT: WFG, LTD

G.S. ELEVATION (ft):

DATE STARTED: 1/24/00

LOCATION: SEE BORING LOCATION PLAN

WATER TABLE (ft): 9.8

DATE FINISHED: 1/24/00

REMARKS:

DATE OF READING: 01/24/00

DRILLED BY: UES-ORLANDO

EST. W.S.W.T. (ft): 8.4

TYPE OF SAMPLING: ASTM D-1586

DEPTH (FT.)	S A M P L E	BLOWS PER 6" INCREMENT	N (BLOWS/ FT.)	W.T.	S Y M B O L	DESCRIPTION	-200 (%)	MC (%)	ATTERBERG LIMITS		K (FT./ DAY)	ORG. CONT. (%)
									LL	PI		
0						MUCK						
		4-4-2	6			Loose, light brown fine SAND						
		2-2-2	4			--Very loose, seams of orange						
5		3-3-4	7									
		5-5-5	10			--Light gray/seams of orange						
		5-4-4	8	▽		Loose, brown silty fine SAND [SM]						
10		3-4-6	10	▽		Loose, gray brown fine SAND [SP]						
						Loose, dark brown silty fine SAND [SM]						
15		3-3-2	5									
						Medium dense, brown clayey fine SAND [SC]						
20		13-11-8	19			BORING TERMINATED AT 20.0 FEET						
25												
30												
35												
40												
45												



UNIVERSAL ENGINEERING SCIENCES BORING LOG

PROJECT NO.: 10850-001-01

REPORT NO.: 98754

PAGE: B-2.4

PROJECT: GEOTECHNICAL EXPLORATION REPORT
WEST MORSE, PENNSYLVANIA
WINTER PARK, FLORIDA

CLIENT: WFG, LTD

LOCATION: SEE BORING LOCATION PLAN

REMARKS:

BORING DESIGNATION: **B-4**
SECTION: 6 TOWNSHIP: 22 S

SHEET: **1 of 1**
RANGE: 30 E

G.S. ELEVATION (ft): DATE STARTED: 1/24/00
WATER TABLE (ft): 10.5 DATE FINISHED: 1/24/00
DATE OF READING: 01/24/00 DRILLED BY: UES-ORLANDO
EST. W.S.W.T. (ft): 9.0 TYPE OF SAMPLING: ASTM D-1586

DEPTH (FT.)	S A M P L E	BLOWS PER 6" INCREMENT	N (BLOWS/ FT.)	W.T.	S Y M B O L	DESCRIPTION	-200 (%)	MC (%)	ATTERBERG LIMITS		K (FT./ DAY)	ORG. CONT. (%)
									LL	PI		
0						Loose, light brown fine SAND [SP]						
		4-3-3	6									
		3-2-2	4			---With seams of orange						
5		2-3-2	5			---Shade light						
		4-4-4	8									
		3-3-4	7			---Gray medium brown						
		4-4-3	7									
10						Loose, dark brown fine SAND; with silt [SP-SM]						
15		8-8-9	17			Medium dense, dark brown silty fine SAND [SM]						
20		13-8-10	18			BORING TERMINATED AT 20.0 FEET						
25												
30												
35												
40												
45												



UNIVERSAL ENGINEERING SCIENCES BORING LOG

PROJECT NO.: 10B50-001-01

REPORT NO.: 9B754

PAGE: B-2.5

PROJECT: GEOTECHNICAL EXPLORATION REPORT
WEST MORSE, PENNSYLVANIA
WINTER PARK, FLORIDA

CLIENT: WFG, LTD

LOCATION: SEE BORING LOCATION PLAN

REMARKS:

BORING DESIGNATION: **B-5** SHEET: **1 of 1**
SECTION: 6 TOWNSHIP: 22 S RANGE: 30 E

G.S. ELEVATION (ft): DATE STARTED: 1/24/00
WATER TABLE (ft): 10.0 DATE FINISHED: 1/24/00
DATE OF READING: 01/24/00 DRILLED BY: UES-ORLANDO
EST. W.S.W.T. (ft): 8.5 TYPE OF SAMPLING: ASTM D-1586

DEPTH (FT.)	S A M P L E	BLOWS PER 6" INCREMENT	N (BLOWS/ FT.)	W.T.	S Y M B O L	DESCRIPTION	-200 (%)	MC (%)	ATTERBERG LIMITS		K (FT./ DAY)	ORG. CONT. (%)
									LL	PI		
0						Loose, light brown fine SAND [SP]						
		3-3-3	6									
		2-1-2	3				4	4				
5		2-3-3	6			Very light gray brown/mottled, with red orange						
		3-3-4	7									
		4-4-4	8									
		3-3-3	6			Dark gray brown						
10												
						Very loose, dark brown silty SAND [SM]						
15		1-1-1	2									
						Medium dense, brown SAND; with silt [SP-SM]						
20		3-5-7	12									
						Dark gray brown						
25		8-10-10	20									
						Brown						
30		5-7-10	17			BORING TERMINATED AT 30.0 FEET						
35												
40												
45												



UNIVERSAL ENGINEERING SCIENCES BORING LOG

PROJECT NO.: 10850-001-01

REPORT NO.: 98754

PAGE: B-2.6

PROJECT: GEOTECHNICAL EXPLORATION REPORT
WEST MORSE, PENNSYLVANIA
WINTER PARK, FLORIDA

BORING DESIGNATION: **B-6** SHEET: **1 of 1**
SECTION: 6 TOWNSHIP: 22 S RANGE: 30 E

CLIENT: WFG, LTD

G.S. ELEVATION (ft):

DATE STARTED: 1/24/00

LOCATION: SEE BORING LOCATION PLAN

WATER TABLE (ft): 11.0

DATE FINISHED: 1/24/00

REMARKS:

DATE OF READING: 01/24/00

DRILLED BY: UES-ORLANDO

EST. W.S.W.T. (ft): 9.5

TYPE OF SAMPLING: ASTM D-1586

DEPTH (FT.)	S A M P L E	BLOWS PER 6" INCREMENT	N (BLOWS/ FT.)	W.T.	S Y M B O L	DESCRIPTION	-200 (%)	MC (%)	ATTERBERG LIMITS		K (FT./ DAY)	ORG. CONT. (%)
									LL	PI		
0						Loose, light brown fine SAND [SP]						
		3-3-2	5									
		2-1-1	2									
5		2-3-3	6			---Light gray						
		3-3-4	7									
		3-4-4	8			---Light brown, with seams of orange						
10		3-2-1	3			Very loose, dark brown silty fine SAND [SM]						
15		3-4-4	8									
						---Medium dense						
20		7-8-9	17			BORING TERMINATED AT 20.0 FEET						
25												
30												
35												
40												
45												



UNIVERSAL ENGINEERING SCIENCES BORING LOG

PROJECT NO.: 10850-001-01

REPORT NO.: 98754

PAGE: B-2.7

PROJECT: GEOTECHNICAL EXPLORATION REPORT
WEST MORSE, PENNSYLVANIA
WINTER PARK, FLORIDA

BORING DESIGNATION: **B-7**
SECTION: 6

TOWNSHIP: 22 S

SHEET: **1 of 1**
RANGE: 30 E

CLIENT: WFG, LTD

LOCATION: SEE BORING LOCATION PLAN

REMARKS:

G.S. ELEVATION (ft):

DATE STARTED: 1/24/00

WATER TABLE (ft): 9.0

DATE FINISHED: 1/24/00

DATE OF READING: 01/24/00

DRILLED BY: UES-ORLANDO

EST. W.S.W.T. (ft): 7.5

TYPE OF SAMPLING: ASTM D-1586

DEPTH (FT.)	S A M P L E	BLOWS PER 6" INCREMENT	N (BLOWS/ FT.)	W.T.	S Y M B O L	DESCRIPTION	-200 (%)	MC (%)	ATTERBERG LIMITS		K (FT./ DAY)	ORG. CONT. (%)
									LL	PI		
0						Loose, light brown fine SAND; with roots [SP]						
		3-2-3	5									
		3-3-3	6			--Shade lighter						
5		3-4-4	8									
		3-2-3	5			Loose, gray brown silty SAND; with trace of clay [SM]						
		2-3-3	6			---Shade darker no clay						
10		3-4-3	7									
						Medium dense, very dark brown to black SAND; with silt [SP-SM]						
15		4-7-8	15									
						Medium dense, brown silty SAND [SM]						
20		6-7-9	16									
						--Dense						
25		11-15-21	36									
						Medium dense, brown SAND [SP]						
30		7-9-12	21			BORING TERMINATED AT 30.0 FEET						
35												
40												
45												



UNIVERSAL ENGINEERING SCIENCES BORING LOG

PROJECT NO.: 10850-001-01

REPORT NO.: 9B754

PAGE: B-2.8

PROJECT: GEOTECHNICAL EXPLORATION REPORT
WEST MORSE, PENNSYLVANIA
WINTER PARK, FLORIDA

BORING DESIGNATION: **B-8** SHEET: **1 of 1**
SECTION: 6 TOWNSHIP: 22 S RANGE: 30 E

CLIENT: WFG, LTD
LOCATION: SEE BORING LOCATION PLAN
REMARKS:

G.S. ELEVATION (ft): DATE STARTED: 1/24/00
WATER TABLE (ft): 9.3 DATE FINISHED: 1/24/00
DATE OF READING: 01/24/00 DRILLED BY: UES-ORLANDO
EST. W.S.W.T. (ft): 7.8 TYPE OF SAMPLING: ASTM D-1586

DEPTH (FT.)	S A M P L E	BLOWS PER 6" INCREMENT	N (BLOWS/ FT.)	W.T.	S Y M B O L	DESCRIPTION	-200 (%)	MC (%)	ATTERBERG LIMITS		K (FT./ DAY)	ORG. CONT. (%)
									LL	PI		
0						Loose, mixed gray fine SAND; with trash [SP]						
		3-3-3	6									
		3-2-2	4			--Very loose, very light brown						
5		3-4-6	10			--Loose, light gray						
		4-5-6	11			--Shade darker						
		5-5-5	10	▽								
		3-3-3	6	▽		Loose, darker brown silty SAND [SM]						
10												
						--Medium dense						
15		4-5-6	11									
20		7-7-8	15			BORING TERMINATED AT 20.0 FEET						
25												
30												
35												
40												
45												



UNIVERSAL ENGINEERING SCIENCES BORING LOG

PROJECT NO.: 10850-001-01

REPORT NO.: 98754

PAGE: B-2.9

PROJECT: GEOTECHNICAL EXPLORATION REPORT
WEST MORSE, PENNSYLVANIA
WINTER PARK, FLORIDABORING DESIGNATION: **B-9**
SECTION: 6 TOWNSHIP: 22 SSHEET: **1 of 1**
RANGE: 30 E

CLIENT: WFG, LTD

LOCATION: SEE BORING LOCATION PLAN

REMARKS:

G.S. ELEVATION (ft):

DATE STARTED: 1/24/00

WATER TABLE (ft): 9.0

DATE FINISHED: 1/24/00

DATE OF READING: 01/24/00

DRILLED BY: UES-ORLANDO

EST. W.S.W.T. (ft): 7.5

TYPE OF SAMPLING: ASTM D-1586

DEPTH (FT.)	S A M P L E	BLOWS PER 6" INCREMENT	N (BLOWS/ FT.)	W.T.	S Y M B O L	DESCRIPTION	-200 (%)	MC (%)	ATTERBERG LIMITS		K (FT./ DAY)	ORG. CONT. (%)
									LL	PI		
0						Loose, light brown fine SAND [SP]						
		3-3-3	6									
		1-2-3	5			---Very light brown/light gray						
5		3-3-3	6			---Light gray						
		2-2-2	4			---Very loose, gray brown						
		2-3-3	6									
		2-2-3	5									
10												
15		3-6-8	14			Medium dense, dark brown silty fine SAND [SM]						
20		13-16-22	38			Dense, medium brown fine SAND; with silt [SP-SM]						
						BORING TERMINATED AT 20.0 FEET						
25												
30												
35												
40												
45												



UNIVERSAL ENGINEERING SCIENCES BORING LOG

PROJECT NO.: 10850-001-01

REPORT NO.: 98754

PAGE: B-2.10

PROJECT: GEOTECHNICAL EXPLORATION REPORT
WEST MORSE, PENNSYLVANIA
WINTER PARK, FLORIDA

BORING DESIGNATION: **B-10** SHEET: **1 of 1**
SECTION: 6 TOWNSHIP: 22 S RANGE: 30 E

CLIENT: WFG, LTD

G.S. ELEVATION (ft):

DATE STARTED: 1/24/00

LOCATION: SEE BORING LOCATION PLAN

WATER TABLE (ft): 8.3

DATE FINISHED: 1/24/00

REMARKS:

DATE OF READING: 01/24/00

DRILLED BY: UES-ORLANDO

EST. W.S.W.T. (ft): 6.8

TYPE OF SAMPLING: ASTM D-1586

DEPTH (FT.)	S A M P L E	BLOWS PER 6" INCREMENT	N (BLOWS/ FT.)	W.T.	S Y M B O L	DESCRIPTION	-200 (%)	MC (%)	ATTERBERG LIMITS		K (FT./ DAY)	ORG. CONT. (%)
									LL	PI		
0						Loose, light brown fine SAND [SP]						
	X	3-3-4	7			---Shade lighter						
	X	3-4-3	7									
5	X	3-3-4	7									
	X	2-3-3	6	▽		---Gray brown						
	X	1-0-0	0	▽		Very loose, shade darker silty SAND [SM]						
	X	0-1-0	1			---Very dark brown to black						
10												
						---Dense, mixed brown						
15	X	12-17-20	37									
						Loose, brown SAND; with silt [SP-SM]						
20	X	3-3-5	8									
						---Shade darker, no silt						
25	X	2-3-3	6									
30	X	2-2-3	5			BORING TERMINATED AT 30.0 FEET						
35												
40												
45												

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UNIVERSAL ENGINEERING SCIENCES BORING LOG

PROJECT NO.: 10850-001-01

REPORT NO.: 98754

PAGE: B-2.11

PROJECT: GEOTECHNICAL EXPLORATION REPORT
WEST MORSE, PENNSYLVANIA
WINTER PARK, FLORIDA

BORING DESIGNATION: **B-11** SHEET: **1 of 1**
SECTION: 6 TOWNSHIP: 22 S RANGE: 30 E

CLIENT: WFG, LTD

LOCATION: SEE BORING LOCATION PLAN

REMARKS:

G.S. ELEVATION (ft):

DATE STARTED: 1/24/00

WATER TABLE (ft): 8.8

DATE FINISHED: 1/24/00

DATE OF READING: 01/25/00

DRILLED BY: UES-ORLANDO

EST. W.S.W.T. (ft): 6.3

TYPE OF SAMPLING: ASTM D-1586

DEPTH (FT.)	S A M P L E	BLOWS PER 6" INCREMENT	N (BLOWS/ FT.)	W.T.	S Y M B O L	DESCRIPTION	-200 (%)	MC (%)	ATTERBERG LIMITS		K (FT./ OAY)	ORG. CONT. (%)
									LL	PI		
0						Loose, light brown fine SAND [SP]						
		2-2-3	5									
		2-2-3	5			---Light gray/seams of orange						
5		3-3-3	6			---Light gray, with shade of brown/seams of orange						
		3-3-3	6	▽								
		2-2-3	5	▽		Loose, medium brown fine SAND; with silt [SP-SM]						
		3-4-3	7									
10												
15		7-9-9	18			Medium dense, dark brown clayey fine SAND [SC]						
						Loose, medium brown silty fine SAND [SM]						
20		4-4-5	9									
						BORING TERMINATED AT 20.0 FEET						
25												
30												
35												
40												
45												



UNIVERSAL ENGINEERING SCIENCES BORING LOG

PROJECT NO.: 10850-001-01

REPORT NO.: 98754

PAGE: B-2.12

PROJECT: GEOTECHNICAL EXPLORATION REPORT
WEST MORSE, PENNSYLVANIA
WINTER PARK, FLORIDA

BORING DESIGNATION:
SECTION: 6

B-12
TOWNSHIP: 22 S

SHEET: **1 of 1**
RANGE: 30 E

CLIENT: WFG, LTD

G.S. ELEVATION (ft):

DATE STARTED: 1/24/00

LOCATION: SEE BORING LOCATION PLAN

WATER TABLE (ft): 7.0

DATE FINISHED: 1/24/00

REMARKS:

DATE OF READING: 01/25/00

DRILLED BY: UES-ORLANDO

EST. W.S.W.T. (ft): 5.5

TYPE OF SAMPLING: ASTM D-1586

DEPTH (FT.)	S A M P L E	BLOWS PER 6" INCREMENT	N (BLOWS/ FT.)	W.T.	S Y M B O L	DESCRIPTION	-200 (%)	MC (%)	ATTERBERG LIMITS		K (FT./ DAY)	ORG. CONT. (%)
									LL	PI		
0						Very loose, brown fine SAND [SP]					7.5	
		3-2-2	4				5	5			4.2	
		2-1-3	4			---Very light brown to light gray						
5		3-4-3	7			Loose, gray SAND; with silt [SP-SM]	8	8				
		2-3-3	6			Loose, gray brown fine SAND [SP]						
		3-3-3	6									
		3-4-5	9			Loose, dark brown silty fine SAND [SM]						
10												
						Medium dense, medium brown fine SAND [SP]						
15		6-7-7	14			BORING TERMINATED AT 15.0 FEET						
20												
25												
30												
35												
40												
45												



UNIVERSAL ENGINEERING SCIENCES BORING LOG

PROJECT NO.: 10850-001-01

REPORT NO.: 98754

PAGE: B-2.13

PROJECT: GEOTECHNICAL EXPLORATION REPORT
WEST MORSE, PENNSYLVANIA
WINTER PARK, FLORIDA

BORING DESIGNATION: **B-13** SHEET: **1 of 1**
SECTION: 6 TOWNSHIP: 22 S RANGE: 30 E

CLIENT: WFG, LTD

G.S. ELEVATION (ft):

DATE STARTED: 1/24/00

LOCATION: SEE BORING LOCATION PLAN

WATER TABLE (ft): 10.0

DATE FINISHED: 1/24/00

REMARKS:

DATE OF READING: 01/25/00

DRILLED BY: UES-ORLANDO

EST. W.S.W.T. (ft): 8.5

TYPE OF SAMPLING: ASTM D-1586

DEPTH (FT.)	S A M P L E	BLOWS PER 6" INCREMENT	N (BLOWS/ FT.)	W.T.	S Y M B O L	DESCRIPTION	-200 (%)	MC (%)	ATTERBERG LIMITS		K (FT./ DAY)	ORG. CONT. (%)
									LL	PI		
0						Loose, light gray brown fine SAND [SP]						
	X	2-3-4	7									
	X	2-2-3	5			---Shade lighter						
5	X	2-3-3	6									
	X	3-4-4	8									
	X	3-4-5	9	▽								
10	X	4-5-4	9	▽		---Loose, gray brown	4	9				
	X	4-3-4	7			Loose, gray brown silty SAND [SM]						
15												
						---Medium dense, very dark gray brown to black						
20	X	7-8-10	18									
25	X	9-12-16	28									
						---Very dense, shade gray {hardpan}						
30	X	20-60-40	100/9"			BORING TERMINATED AT 30.0 FEET						
35												
40												
45												



UNIVERSAL ENGINEERING SCIENCES BORING LOG

PROJECT NO.: 10850-001-01

REPORT NO.: 98754

PAGE: B-2.14

PROJECT: GEOTECHNICAL EXPLORATION REPORT
WEST MORSE, PENNSYLVANIA
WINTER PARK, FLORIDA

BORING DESIGNATION: **B-14**SHEET: **1 of 1**

SECTION: 6

TOWNSHIP: 22 S

RANGE: 30 E

CLIENT: WFG, LTD

G.S. ELEVATION (ft):

DATE STARTED: 1/24/00

LOCATION: SEE BORING LOCATION PLAN

WATER TABLE (ft): 8.0

DATE FINISHED: 1/24/00

REMARKS:

DATE OF READING: 01/25/00

DRILLED BY: UES-ORLANOO

EST. W.S.W.T. (ft): 6.5

TYPE OF SAMPLING: ASTM O-1586

DEPTH (FT.)	S A M P L E	BLOWS PER 6" INCREMENT	N (BLOWS/ FT.)	W.T.	S Y M B O L	DESCRIPTION	-200 (%)	MC (%)	ATTERBERG LIMITS		K (FT./ OAY)	ORG. CONT. (%)
									LL	PI		
0						Medium dense, light brown fine SAND [SP]						
	X	7-7-5	12									
	X	6-6-7	13			---Light gray						
5	X	5-7-5	12			---Gray brown						
	X	6-5-4	9	▽		---Very loose, dark brown	4	15			14.4	
	X	2-1-1	2	▽		Very loose, dark brown silty SAND [SM]	4	20			17.3	
	X	1-1-2	3			---Very loose, seams shade light						
10												
						---Medium dense, medium brown						
15	X	16-15-13	28									
						Medium dense, light brown fine SAND; with silt [SP-SM]						
20	X	9-9-9	18									
						Medium dense, brown silty fine SAND [SM]						
25	X	4-4-8	12									
30	X	9-11-12	23			Medium dense, brown fine SAND [SP]						
						BORING TERMINATED AT 30.0 FEET						
35												
40												
45												



UNIVERSAL ENGINEERING SCIENCES BORING LOG

PROJECT NO.: 10850-001-01

REPORT NO.: 98754

PAGE: B-2.15

PROJECT: GEOTECHNICAL EXPLORATION REPORT
WEST MORSE, PENNSYLVANIA
WINTER PARK, FLORIDA

BORING DESIGNATION: **B-15** SHEET: **1 of 1**
SECTION: 6 TOWNSHIP: 22 S RANGE: 30 E

CLIENT: WFG, LTD

G.S. ELEVATION (ft):

DATE STARTED: 1/24/00

LOCATION: SEE BORING LOCATION PLAN

WATER TABLE (ft): 8.0

DATE FINISHED: 1/24/00

REMARKS:

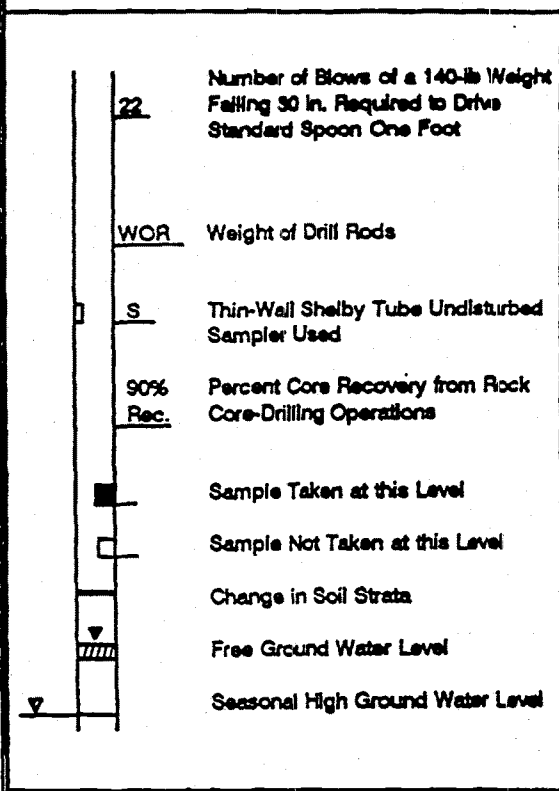
DATE OF READING: 01/25/00

DRILLED BY: UES-ORLANDO

EST. W.S.W.T. (ft): 6.5

TYPE OF SAMPLING: ASTM D-1586

DEPTH (FT.)	SAMPLE	BLOWS PER 6" INCREMENT	N (BLOWS/ FT.)	W.T.	SYMBOL	DESCRIPTION	-200 (%)	MC (%)	ATTERBERG LIMITS		K (FT./ DAY)	ORG. CONT. (%)
									LL	PI		
0						Loose, light gray brown fine SAND [SP]						
		3-3-4	7									
		2-3-3	6									
5		4-4-6	10			---Shade lighter						
		4-4-5	9	▽		---Gray brown						
		3-3-4	7	▽		Loose, shade darker SAND; with silt [SP-SM]						
10		2-2-3	5									
						Medium dense, dark brown silty SAND [SM]						
15		2-2-10	12									
						---Lighter						
20		5-4-5	9			BORING TERMINATED AT 20.0 FEET						
25												
30												
35												
40												
45												

SYMBOLS

UNIFIED CLASSIFICATION SYSTEM

MAJOR DIVISIONS			GROUP SYMBOLS	TYPICAL NAMES
COARSE-GRAINED SOILS More than 50% retained on No. 200 sieve*	GRAVELS 50% or more of coarse fraction retained on No. 4 sieve	CLEAN GRAVELS	GW	Well-graded gravels and gravel-sand mixtures, little or no fines
			GP	Poorly graded gravels and gravel-sand mixtures, little or no fines
		GRAVELS WITH FINES	GM	Silty gravels, gravel-sand-silt mixtures
			GC	Clayey gravels, gravel-sand-clay mixtures
	SANDS More than 50% of coarse fraction passes No. 4 sieve	CLEAN SANDS	SW	Well-graded sands and gravelly sands, little or no fines
			SP	Poorly graded sands and gravelly sands, little or no fines
		SANDS WITH FINES	SM	Silty sands, sand-silt mixtures
			SC	Clayey sands, sand-clay mixtures
FINE-GRAINED SOILS 50% or more passes No. 200 sieve*	SILTS AND CLAYS Liquid limit 50% or less	ML	Inorganic silts, very fine sands, rock flour, silty or clayey fine sands	
		CL	Inorganic clays of low to medium plasticity, gravelly clays, sandy clays, silty clays, lean clays	
		OL	Organic silts and organic silty clays of low plasticity	
	SILTS AND CLAYS Liquid limit greater than 50%	MH	Inorganic silts, micaceous or diatomaceous fine sands or silts, elastic silts	
		CH	Inorganic clays of high plasticity, fat clays	
		OH	Organic clays of medium to high plasticity	
	Highly Organic Soils		PT	Peat, muck and other highly organic soils

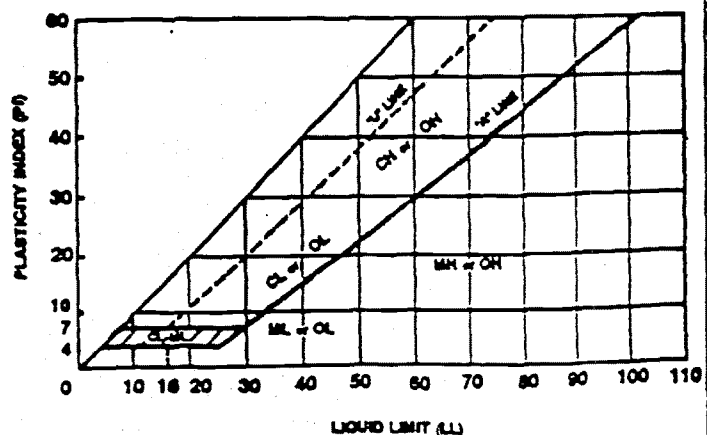
* Based on the material passing the 3-in. (75-mm) sieve.

**RELATIVE DENSITY
(sand-silt)**

Very Loose - Less Than 4 Blows/Ft.
 Loose - 4 - 10 Blows/Ft.
 Medium - 10 to 30 Blows/Ft.
 Dense - 30 to 50 Blows/Ft.
 Very Dense - More Than 50 Blows/Ft.

**CONSISTENCY
(clay)**

Very Soft - Less Than 2 Blows/Ft.
 Soft - 2 to 4 Blows/Ft.
 Medium - 4 to 8 Blows/Ft.
 Stiff - 8 to 15 Blows/Ft.
 Very Stiff - 15 to 30 Blows/Ft.
 Hard - More Than 30 Blows/Ft.

PLASTICITY CHART


DESCRIPTION OF LABORATORY TESTING PROCEDURES

WASH 200 TEST

The Wash 200 test is performed by passing a representative soil sample over a No. 200 sieve and rinsing with water. The percentage of the soil grains passing this sieve is then calculated.

LABORATORY PERMEABILITY TEST, CONSTANT-HEAD (ASTM D-2434)

The constant-head laboratory permeability test is performed by placing the soil sample in a tube and sealing the soil sample on both ends with a porous disk. The tube and soil sample are then sealed and the soil sample is saturated. Once the soil sample has been saturated, a constant-head water supply is run through the sealed soil sample. A pair of manometer tubes is used to measure the pressure head change through the soil. Once the manometer tubes indicate steady-state flow, test measurements of pressure head difference, quantity of flow and time of flow are made. The data recovered from this test are then used to calculate Darcy's Coefficient of Permeability (k) of the soil.

APPENDIX C

Important Information About Your Geotechnical Engineering Report

Subsurface problems are a principal cause of construction delays, cost overruns, claims, and disputes.

The following information is provided to help you manage your risks.

Geotechnical Services Are Performed for Specific Purposes, Persons, and Projects

Geotechnical engineers structure their services to meet the specific needs of their clients. A geotechnical engineering study conducted for a civil engineer may not fulfill the needs of a construction contractor or even another civil engineer. Because each geotechnical engineering study is unique; each geotechnical engineering report is uniquely prepared for the client. No one except you should rely on your geotechnical engineering report without first confiding with the geotechnical engineer who prepared it. And no one-not even you-should apply the report for any purpose or project except the one originally contemplated.

A Geotechnical Engineering Report is Based on A Unique Set of Project Specific Factors

Geotechnical engineers consider a number of unique project specific factors when establishing the scope of a study. Typical factors include: the client's goals, objectives, and risk management preferences; the general nature of the structure involved, its size, and configuration; the location of the structure on the site; and other planned or existing site improvements, such as access roads, parking lots, and underground utilities. Unless the geotechnical engineer who conducted the study specifically indicates otherwise, do not rely on a geotechnical engineering report that was:

- not prepared for you,
- not prepared for your project
- not prepared for the specific site explored, or
- completed before important project changes were made.

Typical changes that can erode the reliability of an existing geotechnical engineering report include those that affect:

- the function of the proposed structure as when it's changed from a parking garage to an office building, or from a light industrial plant to a refrigerated warehouse,

- elevation, configuration, location, orientation, or weight of the proposed structure,
- composition of the design team, or
- project ownership

As a general rule, always inform your geotechnical engineer of project changes-even minor ones-and request an assessment of their impact. Geotechnical engineers cannot accept responsibility or liability for problems that occur because their reports do not consider developments of when they were not informed.

Subsurface Conditions Can Change

A geotechnical engineering report is based on conditions that existed at the time the study was performed. Do not rely on a geotechnical engineering report whose adequacy may have been affected by the passage of time; by man-made events, such as construction on or adjacent to the site; or by natural events such as flood, earthquakes, or groundwater fluctuations. Always contact the geotechnical engineer before applying the report, to determine if it is still reliable. A minor amount of additional testing or analysis could prevent major problems.

Most Geotechnical Findings Are Professional Opinions

Site exploration identified subsurface conditions only at those points where subsurface tests are conducted or samples are taken. Geotechnical engineers review field and laboratory data and then apply their professional judgement to render an opinion about subsurface conditions throughout the site. Actual subsurface conditions may differ-sometimes significantly-from those indicated in your report. Retaining the geotechnical engineer who developed your report to provide construction observation is the most effective method of managing the risks associated with unanticipated conditions.

A Report's Recommendations Are Not Final

Do not over rely on the construction recommendations included in your report. Those recommendations are not final, because geotechnical engineers develop them principally from judgement and opinion. Geotechnical engineers can finalize their recommendations only by observing actual subsurface conditions revealed during construction. The geotechnical engineer who developed your report cannot assume responsibility or liability for the report's recommendations if that engineer does not perform construction observation.

A Geotechnical Engineering Report is Subject to Misinterpretation

Other design team members' misinterpretation of geotechnical engineering reports has resulted in costly problems. Lower that risk by having your geotechnical engineer confer with appropriate members of the design team after submitting the report. Also, retain your geotechnical engineer to review pertinent elements of the design team's plans and specifications. Contractors can also misinterpret a geotechnical engineering report. Reduce that risk by having your geotechnical engineer participate in prebid and preconstruction conferences, and by providing construction observation.

Do Not Redraw the Engineer's Logs

Geotechnical engineers prepare final boring and testing logs based upon their interpretation of field logs and laboratory data. To prevent errors or omissions, the logs included in a geotechnical engineering report should never be redrawn for inclusion in architectural or other design drawings. Only photographic or electronic reproduction is acceptable, but recognize that separating logs from the report can elevate risk.

Give Contractors a Complete Report and Guidance

Some owners and design professionals mistakenly believe they can make contractors liable for unanticipated subsurface conditions by limiting what they provide for bid preparation. To help prevent costly problems, give contractors the complete geotechnical engineering report, but preface it with a clearly written letter of transmittal. In that letter, advise contractors that the report was not prepared for purposes of bid development and that the report's accuracy is limited;

encourage them to confer with the geotechnical engineer who prepared the report (a modest fee may be required) and/or conduct additional study to obtain the specific types of information they need or prefer. A prebid conference can also be valuable. Be sure contractors have sufficient time to perform additional study. Only then might you be in a position to give contractors the best information available to you, while requiring them to at least share some of the financial responsibilities stemming from unanticipated conditions.

Read Responsibility Provisions Closely

Some clients, design professionals, and contractors do not recognize that geotechnical engineering is far less exact than other engineering disciplines. This lack of understanding has created unrealistic expectations that have led to disappointments, claims, and disputes. To help reduce such risks, geotechnical engineers commonly include a variety of explanatory provisions in their reports. Sometimes labeled "limitations," many of these provisions indicate where geotechnical engineer's responsibilities begin and end, to help others recognize their own responsibilities and risks. Read these provisions closely. Ask questions. Your geotechnical engineer should respond fully and frankly.

Geoenvironmental Concerns Are Not Covered

The equipment, techniques, and personnel used to perform a geoenvironmental study differ significantly from those used to perform a geotechnical study. For that reason, a geotechnical engineering report does not usually relate any geoenvironmental findings, conclusions, or recommendations; e.g., about the likelihood of encountering underground storage tanks or regulated contaminants. Unanticipated environmental problems have led to numerous project failures. If you have not yet obtained your own geoenvironmental information, ask your geotechnical consultant for risk management guidance. Do not rely on an environmental report prepared for someone else.

Rely on Your Geotechnical Engineer for Additional Assistance

Membership in ASFE exposes geotechnical engineers to a wide array of risk management techniques that can be of genuine benefit for everyone involved with a construction project. Confer with your ASFE-member geotechnical engineer for more information.

ASFE

PROFESSIONAL
FIRMS PRACTICING
IN THE GEOSCIENCES

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IIGER06983.5M

CONSTRAINTS AND RESTRICTIONS

WARRANTY

Universal Engineering Sciences has prepared this report for our client for his exclusive use, in accordance with generally accepted soil and foundation engineering practices, and makes no other warranty either expressed or implied as to the professional advice provided in the report.

UNANTICIPATED SOIL CONDITIONS

The analysis and recommendations submitted in this report are based upon the data obtained from soil borings performed at the locations indicated on the Boring Location Plan. This report does not reflect any variations which may occur between these borings.

The nature and extent of variations between borings may not become known until excavation begins. If variations appear, we may have to re-evaluate our recommendations after performing on-site observations and noting the characteristics of any variations.

CHANGED CONDITIONS

We recommend that the specifications for the project require that the contractor immediately notify Universal Engineering Sciences, as well as the owner, when subsurface conditions are encountered that are different from those present in this report.

No claim by the contractor for any conditions differing from those anticipated in the plans, specifications, and those found in this report, should be allowed unless the contractor notifies the owner and Universal Engineering Sciences of such changed conditions. Further, we recommend that all foundation work and site improvements be observed by a representative of Universal Engineering Sciences to monitor field conditions and changes, to verify design assumptions and to evaluate and recommend any appropriate modifications to this report.

MISINTERPRETATION OF SOIL ENGINEERING REPORT

Universal Engineering Sciences is responsible for the conclusions and opinions contained within this report based upon the data relating only to the specific project and location discussed herein. If the conclusions or recommendations based upon the data presented are made by others, those conclusions or recommendations are not the responsibility of Universal Engineering Sciences.

CHANGED STRUCTURE OR LOCATION

This report was prepared in order to aid in the evaluation of this project and to assist the architect or engineer in the design of this project. If any changes in the design or location of the structure as outlined in this report are planned, or if any structures are included or added that are not discussed in the report, the conclusions and recommendations contained in this report shall not be considered valid unless the changes are reviewed and the conclusions modified or approved by Universal Engineering Sciences.

USE OF REPORT BY BIDDERS

Bidders who are examining the report prior to submission of a bid are cautioned that this report was prepared as an aid to the designers of the project and it may affect actual construction operations.

Bidders are urged to make their own soil borings, test pits, test caissons or other investigations to determine those conditions that may affect construction operations. Universal Engineering Sciences cannot be responsible for any interpretations made from this report or the attached boring logs with regard to their adequacy in reflecting subsurface conditions which will affect construction operations.

STRATA CHANGES

Strata changes are indicated by a definite line on the boring logs which accompany this report. However, the actual change in the ground may be more gradual. Where changes occur between soil samples, the location of the change must necessarily be estimated using all available information and may not be shown at the exact depth.

OBSERVATIONS DURING DRILLING

Attempts are made to detect and/or identify occurrences during drilling and sampling, such as: water level, boulders, zones of lost circulation, relative ease or resistance to drilling progress, unusual sample recovery, variation of driving resistance, obstructions, etc.; however, lack of mention does not preclude their presence.

WATER LEVELS

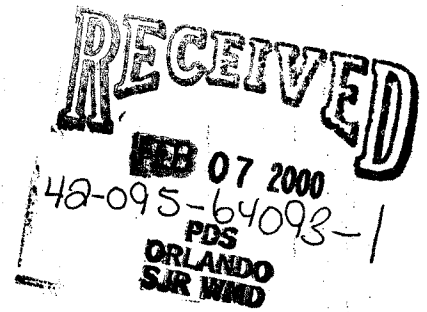
Water level readings have been made in the drill holes during drilling and they indicate normally occurring conditions. Water levels may not have been stabilized at the last reading. This data has been reviewed and interpretations made in this report. However, it must be noted that fluctuations in the level of the groundwater may occur due to variations in rainfall, temperature, tides, and other factors not evident at the time measurements were made and reported. Since the probability of such variations is anticipated, design drawings and specifications should accommodate such possibilities and construction planning should be based upon such assumptions of variations.

LOCATION OF BURIED OBJECTS

All users of this report are cautioned that there was no requirement for Universal Engineering Sciences to attempt to locate any man-made buried objects during the course of this exploration and that no attempt was made by Universal Engineering Sciences to locate any such buried objects. Universal Engineering Sciences cannot be responsible for any buried man-made objects which are subsequently encountered during construction that are not discussed within the text of this report.

TIME

This report reflects the soil conditions at the time of investigation. If the report is not used in a reasonable amount of time, significant changes to the site may occur and additional reviews may be required.



**STORMWATER CALCULATIONS
FOR
MORSE-PENN OFFICE BUILDING PROJECT
WINTER PARK, FLORIDA**

**PREPARED BY
HOLDER ENGINEERING CORP.
P.O. BOX 161726
ALTAMONTE SPRINGS, FL. 32716
PH: 407-889-2917**

[Handwritten signature]
02-04-00



old Engineering Corporation

civil engineers / surveyors

Post Office Box 161726
Tampa Springs, Florida 32716

(407) 889-2917

2-3-00

MORSE / PENN

DETERMINATION OF "CN" NUMBER

Land Area: 2.81 Ac

Existing Conditions: PREVIOUS RESIDENTIAL LOTS - 30% IMP.

LAND USE	AREA	%	CN	PRODUCT
BUILDINGS	}	30	98	3430
ASPHALT, CONC, ETC				
OTHER				
OPEN AREAS		70	49	1940
TOTAL	122378	100		6370 - CN=64

Tc = 20 min.

Post Developed Conditions:

LAND USE	AREA	%	CN	PRODUCT
BUILDINGS	62847	51.35	98	5032
ASPHALT, CONC., ETC.	30760	25.14	98	2464
OTHER				
OPEN AREAS	28771	23.51	49	1152
TOTAL	122378	100		8648 - CN=87

Tc = 10 min

REQUIRED RETENTION: 1.25" X IMP AREA + 0.5" X TOTAL AREA

$$\frac{1.25}{12} \times 93607 + \frac{0.5}{12} \times 122378 =$$

$$9750 + 5099 = 14849 \text{ CF}$$

18064 CF PROVIDED TO WEIR ELEV. 88.5



H. J. Morse & Co. Engineering Corporation

civil engineers / surveyors

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Altamonte Springs, Florida 32716

(407) 889-2917

02-03-00

MORSE / PENN

STAGE - STORAGE CALCULATIONS

AREA BELOW GARAGE FLOOR "

ELEVATION	AREA SF	INC. VOLUME CF	SUM VOLUME CF	DISCHARGE CFS
86.5	5400	0	0	0
87.5	5640	5520	5520	0
88.5	5880	5760	11280	0
89.0	6000	2970	14250	1.1
89.5	6120	3030	17280	3.3
90.5	6360	6240	23520	6.0

1' WEIR @ ELEVATION 88.5

$$Q = 3.33 L H^{3/2}$$

L =

H =



H. J. H. Engineering Corporation

civil engineers / surveyors

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Altamonte Springs, Florida 32716

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02-03-00

MORSE PENN

STAGE - STORAGE CALCULATIONS

AREA ALONG NORTH SIDE OF GARAGE

ELEVATION	AREA SF	INC. VOLUME CF	SUM VOLUME CF	DISCHARGE CFS
86.5	825	0	0	0
87.5	1520	1173	1173	0
88.5	2200	1860	3033	0
89.0	2725	1230	4263	1.1
89.5	3245	1493	5758	3.3
90.5	3350	3298	9056	6.0

1' WEIR @ ELEVATION 88.5

$$Q = 3.33 L H^{3/2}$$

L =

H =



Holder Engineering Corporation

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MORSE / PENN

STAGE - STORAGE CALCULATIONS
AREA WEST OF GARAGE

ELEVATION	AREA SF	INC. VOLUME CF	SUM VOLUME CF	DISCHARGE CFS
86.5	1295	0	0	0
87.5	1842	1568	1568	0
88.5	2524	2183	3751	0
89.0	2911	1359	5110	1.1
89.5	3298	1552	6662	3.3
90.5	3686	3492	10154	6.0

WEIR @ ELEVATION 88.5

$Q = 3.33 L H^{3/2}$

L =

H =



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MORSE PENN

STAGE - STORAGE CALCULATIONS

TOTAL COMBINED 3 AREAS

ELEVATION	AREA SF	INC. VOLUME CF	SUM VOLUME CF	DISCHARGE CFS
86.5	0	0	0 AF	0
87.5			8261-0.190	0
88.5			18064-0.415	0
89.0			23624-0.542	1.1
89.5			29699-0.682	3.3
90.5			42730-0.981	6.0

1' WEIR @ ELEVATION 88.5

$$Q = 3.33 L H^{3/2}$$

L =

H =

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PRE-MORSE-PENNA DEVELOPMENT

BASIN NAME A-10
NODE NAME NA-10

UNIT HYDROGRAPH UH256
PEAKING FACTOR 256.

RAINFALL FILE FLMOD
RAIN AMOUNT (in) 8.60
STORM DURATION (hrs) 24.00

AREA (ac) 2.81
CURVE NUMBER 61.00
DCIA (%) .00
TC (mins) 20.00
LAG TIME (hrs) .00
BASIN STATUS ONSITE

BASIN	QMX (cfs)	TMX (hrs)	VOL (in)	NOTES
A-10	5.53	12.18	3.91	

ALLOWABLE

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BASIN	MAX FLOW (cfs)	MAX TIME (hrs)	VOLUME (ins)
A-10	5.53	12.18	3.91

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TIME	A-10
.00	.00
.25	.00
.50	.00
.75	.00
1.00	.00
1.25	.00
1.50	.00
1.75	.00
2.00	.00
2.25	.00
2.50	.00
2.75	.00
3.00	.00
3.25	.00
3.50	.00
3.75	.00
4.00	.00
4.25	.00
4.50	.00
4.75	.00
5.00	.00
5.25	.00
5.50	.00
5.75	.00
6.00	.00
6.25	.00
6.50	.00
6.75	.00
7.00	.00
7.25	.00
7.50	.00
7.75	.00
8.00	.00
8.25	.00
8.50	.00
8.75	.00
9.00	.01
9.25	.02
9.50	.03
9.75	.05
10.00	.08
10.25	.11
10.50	.15
10.75	.20
11.00	.26
11.25	.32
11.50	.52
11.75	1.62
12.00	4.36
12.25	5.39
12.50	4.36
12.75	3.24
13.00	2.51

13.25	1.94
13.50	1.50

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TIME	A-10
13.75	1.16
14.00	.93
14.25	.81
14.50	.74
14.75	.68
15.00	.63
15.25	.59
15.50	.57
15.75	.53
16.00	.50
16.25	.48
16.50	.46
16.75	.44
17.00	.42
17.25	.41
17.50	.41
17.75	.38
18.00	.36
18.25	.36
18.50	.36
18.75	.34
19.00	.32
19.25	.32
19.50	.33
19.75	.32
20.00	.31
20.25	.29
20.50	.28
20.75	.27
21.00	.27
21.25	.27
21.50	.26
21.75	.26
22.00	.26
22.25	.26
22.50	.26
22.75	.25
23.00	.24
23.25	.24
23.50	.23
23.75	.22
24.00	.21

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POST-MORSE-PENN DEVELOPMENT

BASIN NAME A-10
NODE NAME NA-10

UNIT HYDROGRAPH UH256
PEAKING FACTOR 256.

RAINFALL FILE FLMOD
RAIN AMOUNT (in) 8.60
STORM DURATION (hrs) 24.00

AREA (ac) 2.81
CURVE NUMBER 87.00
DCIA (%) .00
TC (mins) 10.00
LAG TIME (hrs) .00
BASIN STATUS ONSITE

BASIN	QMX (cfs)	TMX (hrs)	VOL (in)	NOTES
A-10	13.37	12.04	7.03	

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BASIN	MAX FLOW (cfs)	MAX TIME (hrs)	VOLUME (ins)
A-10	13.37	12.04	7.03

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TIME	A-10
.00	.00
.25	.00
.50	.00
.75	.00
1.00	.00
1.25	.00
1.50	.00
1.75	.00
2.00	.00
2.25	.00
2.50	.00
2.75	.00
3.00	.01
3.25	.02
3.50	.03
3.75	.04
4.00	.06
4.25	.08
4.50	.09
4.75	.11
5.00	.12
5.25	.13
5.50	.15
5.75	.16
6.00	.17
6.25	.20
6.50	.22
6.75	.24
7.00	.25
7.25	.29
7.50	.31
7.75	.32
8.00	.34
8.25	.38
8.50	.41
8.75	.47
9.00	.50
9.25	.54
9.50	.57
9.75	.65
10.00	.69
10.25	.83
10.50	.90
10.75	1.10
11.00	1.20
11.25	1.30
11.50	2.16
11.75	6.64
12.00	12.98
12.25	9.87
12.50	5.98
12.75	3.29
13.00	2.03

13.25	1.51
13.50	1.36

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TIME	A-10
13.75	1.15
14.00	1.07
14.25	.96
14.50	.91
14.75	.81
15.00	.77
15.25	.73
15.50	.71
15.75	.65
16.00	.63
16.25	.59
16.50	.57
16.75	.54
17.00	.53
17.25	.52
17.50	.52
17.75	.46
18.00	.44
18.25	.46
18.50	.47
18.75	.42
19.00	.39
19.25	.41
19.50	.42
19.75	.40
20.00	.39
20.25	.35
20.50	.34
20.75	.33
21.00	.33
21.25	.33
21.50	.33
21.75	.33
22.00	.33
22.25	.33
22.50	.33
22.75	.30
23.00	.29
23.25	.29
23.50	.28
23.75	.26
24.00	.24

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CONTROL PARAMETERS

=====

START TIME: .00
END TIME: 24.00

TO TIME (hours)	SIMULATION INC (secs)	PRINT INC (mins)
100.00	150.00	15.00

RUNOFF HYDROGRAPH FILE: DEFAULT
OFFSITE HYDROGRAPH FILE: DEFAULT
BOUNDARY DATABASE FILE: NONE

NOTE:

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NODE NAME	NODE TYPE	INI STAGE (ft)	X-COOR (ft)	Y-COOR (ft)	LENGTH (ft)	STAGE (ft)	AR/TM/STR (ac/hr/af)
NA-10	STRG	86.500	.000	.000	.000	86.500	.000
						87.500	.190
						88.500	.415
						89.000	.542
						89.500	.682
						90.500	.981
NA-11	TIME	85.000	.000	.000	.000	85.000	100.000

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>>REACH NAME : RNA-10
FROM NODE : NA-10
TO NODE : NA-11
REACH TYPE : RECTANGULAR WEIR/GATE/ORIFICE, VILLEMONTÉ EQ.
FLOW DIRECTION : POSITIVE AND NEGATIVE FLOWS ALLOWED
CREST EL. (ft): 88.500 CREST LN. (ft): 1.000 OPENING (ft): 999.000
WEIR COEF.: 3.000 GATE COEF.: .600 NUMBER OF ELEM.: 1.000
NOTE:

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REACH SUMMARY

=====

INDEX	RCHNAME	FRMNODE	TONODE	REACH TYPE
1	RNA-10	NA-10	NA-11	RECTANGULAR WEIR/GATE/ORIFICE, VILLEMONT EQ

25YR24HR8.6"
12-28-99

NODAL MIN/MAX/TIME CONDITIONS REPORT

NODE ID	PARAMETER	<-- MINIMUMS -->		<-- MAXIMUMS -->	
		VALUE	TIME (hr)	VALUE	TIME (hr)
NA-10	STAGE (ft):	86.50	2.75	89.96	12.50
	VOLUME (af):	.00	2.50	.82	12.50
	RUNOFF (cfs):	.00	2.50	12.98	12.00
	OFFSITE (cfs):	.00	24.00	.00	24.00
	OTHER (cfs):	.00	24.00	.00	24.00
	OUTFLOW (cfs):	.00	11.75	5.30	12.50
NA-11	STAGE (ft):	85.00	24.00	85.00	24.00
	VOLUME (af):	.00	11.75	1.17	24.00
	RUNOFF (cfs):	.00	24.00	.00	24.00
	OFFSITE (cfs):	.00	24.00	.00	24.00
	OTHER (cfs):	.00	11.75	5.30	12.50
	OUTFLOW (cfs):	.00	24.00	.00	24.00

5.53 ALLOWABLE

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NODAL MAXIMUM CONDITIONS REPORT

=====

NODE ID	STAGE (ft)	VOLUME (af)	<----- RUNOFF (cfs)	INFLOW OFFSITE (cfs)	-----> OTHER (cfs)	OUTFLOW (cfs)
NA-10	89.96	.82	12.98	.00	.00	5.30
NA-11	85.00	1.17	.00	.00	5.30	.00

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 12-28-99

REACH FLOW/STAGE/VELOCITY REPORT

=====

REACH ID: RNA-10

FROM NODE ID: NA-10

TO NODE ID: NA-11

TIME (hrs)	FLOW (cfs)	U/S STG (ft)	D/S STG (ft)	U/S VEL (fps)	D/S VEL (fps)	AVG VEL (fps)
0.00	0.00	86.50	85.00	N/A	N/A	N/A
0.25	0.00	86.50	85.00	N/A	N/A	N/A
0.50	0.00	86.50	85.00	N/A	N/A	N/A
0.75	0.00	86.50	85.00	N/A	N/A	N/A
1.00	0.00	86.50	85.00	N/A	N/A	N/A
1.25	0.00	86.50	85.00	N/A	N/A	N/A
1.50	0.00	86.50	85.00	N/A	N/A	N/A
1.75	0.00	86.50	85.00	N/A	N/A	N/A
2.00	0.00	86.50	85.00	N/A	N/A	N/A
2.25	0.00	86.50	85.00	N/A	N/A	N/A
2.50	0.00	86.50	85.00	N/A	N/A	N/A
2.75	0.00	86.50	85.00	N/A	N/A	N/A
3.00	0.00	86.50	85.00	N/A	N/A	N/A
3.25	0.00	86.50	85.00	N/A	N/A	N/A
3.50	0.00	86.50	85.00	N/A	N/A	N/A
3.75	0.00	86.51	85.00	N/A	N/A	N/A
4.00	0.00	86.51	85.00	N/A	N/A	N/A
4.25	0.00	86.52	85.00	N/A	N/A	N/A
4.50	0.00	86.53	85.00	N/A	N/A	N/A
4.75	0.00	86.54	85.00	N/A	N/A	N/A
5.00	0.00	86.55	85.00	N/A	N/A	N/A
5.25	0.00	86.57	85.00	N/A	N/A	N/A
5.50	0.00	86.58	85.00	N/A	N/A	N/A
5.75	0.00	86.60	85.00	N/A	N/A	N/A
6.00	0.00	86.62	85.00	N/A	N/A	N/A
6.25	0.00	86.64	85.00	N/A	N/A	N/A
6.50	0.00	86.66	85.00	N/A	N/A	N/A
6.75	0.00	86.69	85.00	N/A	N/A	N/A
7.00	0.00	86.71	85.00	N/A	N/A	N/A
7.25	0.00	86.74	85.00	N/A	N/A	N/A
7.50	0.00	86.77	85.00	N/A	N/A	N/A
7.75	0.00	86.81	85.00	N/A	N/A	N/A
8.00	0.00	86.84	85.00	N/A	N/A	N/A
8.25	0.00	86.88	85.00	N/A	N/A	N/A
8.50	0.00	86.93	85.00	N/A	N/A	N/A
8.75	0.00	86.97	85.00	N/A	N/A	N/A
9.00	0.00	87.03	85.00	N/A	N/A	N/A
9.25	0.00	87.08	85.00	N/A	N/A	N/A
9.50	0.00	87.14	85.00	N/A	N/A	N/A
9.75	0.00	87.21	85.00	N/A	N/A	N/A
10.00	0.00	87.28	85.00	N/A	N/A	N/A
10.25	0.00	87.36	85.00	N/A	N/A	N/A
10.50	0.00	87.46	85.00	N/A	N/A	N/A
10.75	0.00	87.56	85.00	N/A	N/A	N/A

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REACH FLOW/STAGE/VELOCITY REPORT

=====

REACH ID: RNA-10

FROM NODE ID: NA-10

TO NODE ID: NA-11

TIME (hrs)	FLOW (cfs)	U/S STG (ft)	D/S STG (ft)	U/S VEL (fps)	D/S VEL (fps)	AVG VEL (fps)
11.00	.00	87.66	85.00	N/A	N/A	N/A
11.25	.00	87.78	85.00	N/A	N/A	N/A
11.50	.00	87.93	85.00	N/A	N/A	N/A
11.75	.00	88.34	85.00	N/A	N/A	N/A
12.00	1.46	89.12	85.00	N/A	N/A	N/A
12.25	4.17	89.75	85.00	N/A	N/A	N/A
12.50	5.30	89.96	85.00	N/A	N/A	N/A
12.75	5.06	89.92	85.00	N/A	N/A	N/A
13.00	4.31	89.77	85.00	N/A	N/A	N/A
13.25	3.56	89.62	85.00	N/A	N/A	N/A
13.50	2.96	89.49	85.00	N/A	N/A	N/A
13.75	2.48	89.38	85.00	N/A	N/A	N/A
14.00	2.11	89.29	85.00	N/A	N/A	N/A
14.25	1.83	89.22	85.00	N/A	N/A	N/A
14.50	1.61	89.16	85.00	N/A	N/A	N/A
14.75	1.43	89.11	85.00	N/A	N/A	N/A
15.00	1.29	89.07	85.00	N/A	N/A	N/A
15.25	1.17	89.03	85.00	N/A	N/A	N/A
15.50	1.07	89.00	85.00	N/A	N/A	N/A
15.75	.98	88.98	85.00	N/A	N/A	N/A
16.00	.91	88.95	85.00	N/A	N/A	N/A
16.25	.84	88.93	85.00	N/A	N/A	N/A
16.50	.78	88.91	85.00	N/A	N/A	N/A
16.75	.74	88.89	85.00	N/A	N/A	N/A
17.00	.69	88.88	85.00	N/A	N/A	N/A
17.25	.66	88.86	85.00	N/A	N/A	N/A
17.50	.63	88.85	85.00	N/A	N/A	N/A
17.75	.60	88.84	85.00	N/A	N/A	N/A
18.00	.57	88.83	85.00	N/A	N/A	N/A
18.25	.55	88.82	85.00	N/A	N/A	N/A
18.50	.53	88.82	85.00	N/A	N/A	N/A
18.75	.52	88.81	85.00	N/A	N/A	N/A
19.00	.50	88.80	85.00	N/A	N/A	N/A
19.25	.48	88.79	85.00	N/A	N/A	N/A
19.50	.47	88.79	85.00	N/A	N/A	N/A
19.75	.46	88.78	85.00	N/A	N/A	N/A
20.00	.44	88.78	85.00	N/A	N/A	N/A
20.25	.43	88.77	85.00	N/A	N/A	N/A
20.50	.42	88.77	85.00	N/A	N/A	N/A
20.75	.40	88.76	85.00	N/A	N/A	N/A
21.00	.39	88.76	85.00	N/A	N/A	N/A
21.25	.38	88.75	85.00	N/A	N/A	N/A
21.50	.37	88.75	85.00	N/A	N/A	N/A
21.75	.37	88.75	85.00	N/A	N/A	N/A

25YR24HR8.6"
12-28-99

REACH FLOW/STAGE/VELOCITY REPORT
=====

REACH ID: RNA-10

FROM NODE ID: NA-10

TO NODE ID: NA-11

TIME (hrs)	FLOW (cfs)	U/S STG (ft)	D/S STG (ft)	U/S VEL (fps)	D/S VEL (fps)	AVG VEL (fps)
22.00	.36	88.74	85.00	N/A	N/A	N/A
22.25	.36	88.74	85.00	N/A	N/A	N/A
22.50	.35	88.74	85.00	N/A	N/A	N/A
22.75	.35	88.74	85.00	N/A	N/A	N/A
23.00	.34	88.73	85.00	N/A	N/A	N/A
23.25	.33	88.73	85.00	N/A	N/A	N/A
23.50	.32	88.73	85.00	N/A	N/A	N/A
23.75	.31	88.72	85.00	N/A	N/A	N/A
24.00	.30	88.72	85.00	N/A	N/A	N/A

PONDS - Version 2.26
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Written By Devo Seereeram, Ph.D., P.E.
And Robert D. Casper

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Holder Engineering Corporation

Retention Pond Recovery Analysis

I. Job Information

Job Name: MORSE-PENN
Engineer: HOLDER
Date: 02-03-00

II. Input Data

Equivalent Pond Length, [L] (ft):	450.00
Equivalent Pond Width, [W] (ft):	15.00
Pond Bottom Elevation, [PB] (ft above datum):	86.50
Porosity Of Material Within Pond, [p] (%):	100.00
Base Of Aquifer Elevation, [B] (ft above datum):	82.50
Water Table Elevation, [WT] (ft above datum):	84.50
Horizontal Saturated Hydraulic Conductivity, [Kh] (ft/day)	19.50
Fillable Porosity of Aquifer, [n] (%):	26.00
Vertical Unsaturated Infiltration, [Iv] (ft/day):	13.00
Runoff Volume, [V] (cubic feet)	18064.00
Percent Recovery Of Runoff Volume, [PV] (%)	100.00

III. Results

UNSATURATED FLOW

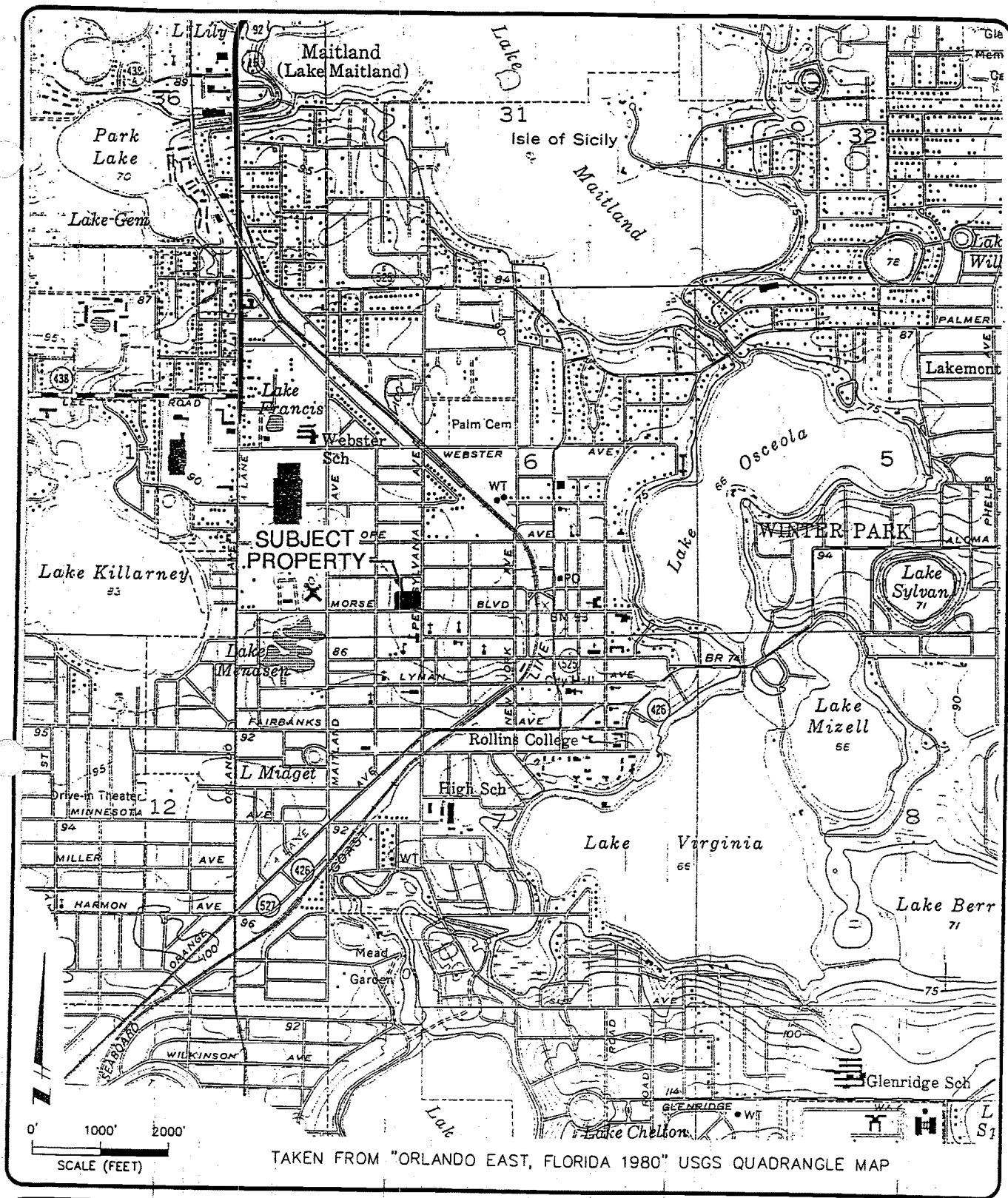
Recovery Time From Unsaturated Flow, [T1] (days):	0.0400
Recovered Volume From Unsaturated Flow, [V1] (ft ³):	3510.00

SATURATED FLOW

Recovery Time From Saturated Flow, [T2] (days):	1.4794
Recovered Volume From Saturated Flow, [V2] (ft ³):	14554.00
Maximum Radius Of Influence, [R] (ft):	53.70
Maximum Driving Head, [Hmax] (ft):	4.156
Minimum Driving Head, [Hmin] (ft):	2.000

TOTAL

Total Recovery Time, [T] (days):	1.5194
Total Recovered Volume, [V] (ft ³):	18064.00

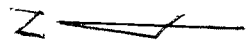


UNIVERSAL
ENGINEERING SCIENCES

GEOTECHNICAL EXPLORATION
PROPOSED TWO STORY BUILDING
MORSE BOULEVARD AT PENNSYLVANIA AVENUE
WINTER PARK, FLORIDA

SITE LOCATION MAP

DRAWN BY: K.K.	DATE: 1/8/98	CHECKED BY: <i>Alston</i>	DATE: 19 Jan 98
SCALE: AS SHOWN	PROJECT NO: 19628-002-01	REPORT NO: 1137	PAGE NO: A-1



SCALE
1" = 300'

NOVEMBER
1983
PHOTO



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After Recording Return to:

Jeffrey Briggs, Planning Manager
City of Winter Park
401 Park Avenue
Winter Park, FL 32789
(407) 599-3440

Orange County Tax Parcel #	06-22-30-1168-08-095;
	06-22-30-1168-08-033;
	06-22-30-1168-08-031;
	06-22-30-1168-08-040;
	06-22-30-1168-08-041
	06-22-30-1168-08-051

DEVELOPER’S AGREEMENT – THIRD AMENDMENT

THIS DEVELOPER’S AGREEMENT – THIRD AMENDMENT (“Agreement”) entered into and made as of the _____ day of _____, 2020 by and between the **CITY OF WINTER PARK, FLORIDA**, 401 S. Park Avenue, Winter Park, Florida, 32789 (hereinafter referred to as the “City”), and **W. F. G. LTD.**, a Florida limited partnership, whose address is Attention: c/o Sydgan Corp., Post Office Box 350, Winter Park, Florida 32790, and **CRDI, LLC** (“CRDI”) whose address is Attention: c/o Sydgan Corp., Post Office Box 350, Winter Park, Florida 32790 (herein collectively referred to as the “Developer”).

RECITALS

WHEREAS, in November of 2000 the City granted a conditional use permit to the Developer for the purpose of developing the property described on **Exhibit “A”** attached hereto (hereinafter referred to as “Property”) and entered into a Developer’s Agreement concerning the conditions of said conditional use permit approval;

WHEREAS, the City and Developer desire to amend the existing Developer’s Agreement dated November 28, 2000; as amended by Developer’s Agreement Amendment One dated November 26, 2007; and as amended by Developer’s Amendment Two dated February 13, 2012;

WHEREAS, on or about May 23, 2005 the City approved a modification of the conditional use permit to allow the parking garage to be five levels and approved a two-year extension of the conditional use permit through May 23, 2007;

WHEREAS, on or about April 27, 2007, the City again approved an extension of the conditional use permit through May 23, 2008 because the parties believed the City’s Comprehensive Plan would be approved by that date and the development would proceed according to the terms of the Development Agreement and the Comprehensive Plan, and

WHEREAS, to memorialize the modification to the conditional use permit the Developer and the City entered into the Developer’s Agreement Amendment One dated November 26, 2007, amending the original Developer’s Agreement dated November 28, 2000 to provide that the parking garage shall not exceed 5 levels and to allow the Developer the right to request to add a

third floor to the commercial buildings according to the terms that amendment, however those conditional use approvals for the parking garage incorporated into Developer's Agreement Amendment One have expired and that Amendment One and the development approvals thereunder are no longer in force and effect;

WHEREAS, on February 13, 2012, the City Commission approved a modification of the conditional use permit as a consequence of a settlement agreement which was memorialized into a Developer's Agreement Amendment Two dated February 23, 2012, to memorialize the condition precedent to expanding the parking garage from 3 levels to 5 levels, which required as a condition precedent the commencement of residential construction of a duplex unit located at 620 Symonds Avenue or residential development on 712 and 726 Symonds Avenue; however those revised conditional use approvals incorporated into Amendment Two have expired and that the Amendment Two and the development approvals thereunder are no longer in affect; and

WHEREAS, Developer desires to continue the development of the Property with a 140-room hotel with a restaurant and meeting rooms, stormwater retention and other improvements ("Hotel Project") as described in the site plan attached hereto as **Exhibit "B"** ("Site Plan");

WHEREAS, Developer has applied for and on _____, 2020 the City Commission approved a comprehensive plan amendment and rezoning of a portion of the Property from R-1A and R-2 to C-3 and a conditional use permit approval modification, all of which are subject to the conditions set forth herein ("Project Approvals");

WHEREAS, as more specifically described herein, the Developer has agreed to donate, in fee simple ownership, approximately 0.79 acres of land to the City located near the intersection of Capen Avenue and Symonds Avenue for use as a community park and regional stormwater retention for the purpose of providing stormwater capacity for approximately 12.756 acres of public right of way or land area and allowing said runoff to be treated before it enters into Lake Island stormwater system;

WHEREAS, further, the Developer and/or its assigns has agreed to install and maintain any and all landscaping/irrigation and maintain the Retention/Park Property (as defined below) and the improvements thereon in perpetuity;

WHEREAS, the Retention/Park Property, based upon its size and design, will be classified and treated as a passive recreational park, which shall benefit the City and its neighboring residents as an open space and recreational area;

WHEREAS, as specified herein, Developer will retain a non-exclusive stormwater easement upon the stormwater pond to be constructed by Developer upon said Retention/Park Property for the benefit of the Property and such other parcels set forth on Exhibit "C"(hereinafter referred to as the Retained Parcels"), which were specifically part of the stormwater design, calculations and capacity of the Retention/Park Property.

NOW, THEREFORE, in consideration of the terms and conditions set forth herein, the parties agree as follows:

SECTION 1. REGIONAL POND/PARK.

Developer, at its expense, shall cause the design, permitting, installation and construction of a regional stormwater retention (“Regional Retention”), on-site drainage connections, landscaping and park improvements (“Retention/Park Improvements”) upon the approximately 0.79 acres of land located at 710 Symonds Avenue currently owned by Developer, and as more particularly described on **Exhibit “D”** attached hereto (“Retention/Park Property”). The Retention/Park Improvements shall be designed, landscaped and constructed consistent with the concept drawings attached hereto as **Exhibit “E,”** and the Regional Retention shall provide excess stormwater storage capacity for at least 12.756 acres of public right of way or land area within the City of Winter Park, which will constitute a public benefit for the citizens of Winter Park by creating a mechanism to treat the stormwater runoff before it enters Lake Island stormwater system. The Retention/Park Improvements shall be completed prior to any certificates of occupancy for the Project buildings being received. The City shall have the right to withhold certificates of occupancy for the Hotel Project unless and until the Retention/Park Improvements shall deemed completed by the City’s Public Works Department, which will not be unreasonably withheld.

Developer and City agree to work together to allow the City, at the City’s expense, to design and construct off-site drainage connections and to make such connections between the Regional Retention and the City’s offsite stormwater improvements (“City’s Drainage Connections”) so that the City may use the excess storage capacity in the Regional Retention. Such design and construction of the City’s Drainage Connections by the City are intended to be completed simultaneously with Developer’s design and construction of the Retention/Park Improvements.

After the Developer’s completion of construction and the City’s inspection approval of the Retention/Park Improvements and prior to Developer’s receipt of any certificates of occupancy for the Hotel Project, Developer shall, at no charge, donate and convey to the City in fee simple ownership via special warranty deed, free and clear of all mortgages, liens and encumbrances (except the Stormwater Easement as defined herein) the Retention/Park Property and the Pond/Park Improvements thereon. The conveyance of the Retention/Park Property will be subject to a reservation of a perpetual, non-exclusive stormwater drainage easement (“Stormwater Easement”), with terms and conditions acceptable to the City and consistent with this Agreement, for the benefit of accepting the conveyance and treatment of stormwater runoff from the Property as intended to be developed under the Project Approvals and as developed pursuant to previously issued development orders and permits. The City shall own and have the right to use and assign any excess stormwater capacity (amount exceeding the 56.1% of the storage capacity allocated for the Retained Parcels) in the Regional Retention constructed upon the Retention/Park Property. The Stormwater Easement shall provide for the Developer and its successors and assigns in interest in the Property, at their expense, to maintain, repair and replace, in perpetuity, the Retention/Park Improvements, subject to the City’s superior ownership rights, including without limitation, the right to allow public access and use of the park improvements upon the Retention/Park Property. The Stormwater Easement shall grant the City the right, but not the obligation, to maintain and repair the Retention/Park Improvements in the event that Developer or its successors and assigns

defaults in its maintenance and repair responsibilities and have the right to charge the cost for the same as a lien against the Property and the Developer and its successors and assigns in interests.

The Developer shall, at least thirty (30) days prior to the conveyance of the Retention/Park Property to the City, provide to the City a boundary survey of the Retention/Park Property certified to the City and a current attorney's opinion of title or a current title commitment or property information report from a title company, evidencing that fee simple title to the Retention/Park Property is free and clear of all mortgages, liens and encumbrances except for those matters acceptable to the City. The cost and expenses related to the conveyance of the Retention/Park Property including the cost of title work and survey shall be borne solely by the Developer. Real property taxes on the Retention/Park Property shall be prorated as of the day before the City's acceptance of the conveyance of the same, and the prorated amount of such real property taxes attributable to the Developer shall be paid and escrowed by the Developer in accordance with the provisions of Section 196.295, Florida Statutes; provided, however, that if the conveyance occurs between November 1 and December 31, then Developer shall be responsible for real property taxes for the entire year. Developer and other grantors, if any, shall comply with the disclosure requirements of Section 286.23, Florida Statutes, with respect to the conveyance of the Retention/Park Property to the City. Neither the Developer nor Developer's successors and assigns nor any other person or entity shall be entitled to any impact fee credits or other compensation of any kind for, on account of, or with respect to the required conveyance of the Retention/Park Property to the City.

SECTION 2. SHARED FAR AND SITE PLAN.

The Property shall be developed as shown on the site plan attached hereto as **Exhibit "B"** ("Site Plan"). The FAR for the Hotel Project shall be an aggregate FAR for all existing C-3 and C-2 zoning currently allowed on the Property, less the existing office buildings located at 655 W. Morse Boulevard. The parking garage, as currently constructed as of the date of this Agreement, is exempt from the FAR calculation because it was approved and constructed prior to the changes in the ordinance. This represents a transfer of 115,000 square feet from the C-2 portion of the site and the C-3 portion of the site to the Hotel Project. The FAR shall be first applied to the existing office buildings located at 655 W. Morse Boulevard and then to the Hotel Project. The remaining FAR may be allocated to future development, if any, on 655 W. Morse Boulevard, Winter Park subject to the applicable standard development order review and approval process. The aggregate FAR is allocated as set forth on **Exhibit "E"** attached hereto and incorporated herein by this reference.

SECTION 3. EXTENSION OF CONDITIONAL USE PERMIT.

The Conditional Use Permit for the Hotel Project, as amended on _____, 2020, is hereby extended to May 14, 2023.

SECTION 4. SHARED PARKING.

The parking within the parking garage ("Parking Garage") developed on the Property shall be shared by the Hotel Project and the existing and future development at 655 W. Morse Boulevard. The parking within the Parking Garage and the overall site shall be allocated as set forth on **Exhibit "F"** attached hereto and incorporated herein.

SECTION 5. ADMINISTRATIVE LOT SPLITS/COMBINATION.

Proposed lot splits, lot boundary adjustments or lot combinations within the Project boundaries may be administratively approved by the City's Director of Planning upon submittal of sketch and legal descriptions prepared by a licensed surveyor of the proposed boundaries of each proposed lot and title opinion or title certification evidencing ownership, mortgage and lien information along with joinder and consents to the proposed lot split, lot boundary adjustments and/or lot combinations from all fee property owners and mortgage holders. The proposed lot boundaries must be consistent with the Hotel Project approvals and previously approved development upon the Property.

SECTION 6. AFFORDABLE HOUSING UNITS.

In lieu of construction of residential units as set forth in the original Developer's Agreement dated November 28, 2000, as a condition of the Conditional Use Permit as modified, Developer agrees that Developer shall, at its expense, either: (i) pay to the City total sum of \$400,000 for the City's affordable and workforce housing trust fund with such amount being paid in full prior to issuance of any building permits for the Hotel Project; or (ii) cause the construction of four (4) dwelling units for affordable or workforce housing within the City of Winter Park) and shall cause the preparation, execution and recording of deed restrictions enforceable by the City (and other parties as the City may require) and with terms and conditions acceptable to the City, to ensure operation, maintenance, use, transfer, rental and sale of such dwelling units for affordable or workforce housing for a period of time of not less than twenty (20) years ("Affordable/Workforce Housing Condition"). If the Developer chooses to construct four affordable or workforce housing units to satisfy the Affordable/Workforce Housing Condition, then the Developer shall: (i) deliver to the City a cash escrow of \$400,000 prior to issuance of any building permits for the Hotel Project as security for the Developer's completion of the affordable or workforce housing units; (ii) submit proposed deed restrictions to the City staff to review and approve (or reject) as the means of implementation and enforcement to insure that the four dwelling units qualify as affordable and workforce housing both in sale and rental cost as well as in conformance with the income guidelines for the owners/residents as adopted by Orange County; and (iii) Developer shall deliver to the City certified statements verifying all rent rolls and sales prices for the subject four (4) dwelling units on the 1st day of February each year and if any dispute arises, the City may engage a third party, mutually approved by the City and Developer, in the business of and with experience and qualifications in the verification and monitoring of affordable and workforce housing projects to annually certify and verify that the occupants of said units meet the income guidelines for affordable or workforce housing and that all tenant expenses (rent/utilities, etc.) for such units are derived solely from the income of the occupants. If Developer elects to build the four (4) dwelling units as set forth in option (ii), upon the issuance of the certificate of occupancy for all four (4) dwelling units, the cash escrow in the amount of \$400,000 being held by the City hereunder shall be released to the Developer. Failure meet the requirements of this section shall constitute a defacto violation of the Conditional Use approval of the Hotel Project and this Agreement and subject the Hotel Project and the Developer and its successors and assigns to code enforcement fines as may be established by the City Code Compliance Board and to other remedies available to the City. Further, prior to the issuance of any certificates of

occupancy for the Hotel Project, Developer shall cause any mortgage and lien upon the applicable dwelling units intended to be affordable or workforce housing to be subordinated to the affordable housing deed restrictions.

SECTION 7. AGREEMENT TO BE BINDING.

This Agreement, including any and all supplementary orders and resolutions, together with the approved development plan, the master sign plan, and all final site plans, shall be binding upon the Developer and their successors and assigns in title or interest. The provisions of this Agreement and all approved plans shall run with the Property and shall be administered in a manner consistent with Florida Statutes and local law.

SECTION 8. ENFORCEMENT

This Agreement may be enforced by specific performance by either party. In no event shall the City be liable for monetary damages arising out of or concerning this Agreement. In the event that enforcement of this Agreement by the City becomes necessary, and the City is successful in such enforcement, the Developer shall be responsible for all costs and expenses, including attorney's fees, whether or not litigation is necessary, and if necessary, both at trial and on appeal, incurred in enforcing or ensuring compliance with the terms and conditions of this Agreement, which costs, expenses and fees shall also be a lien upon the Property superior to all others. In addition to the foregoing, the City shall be permitted without notice to immediately withhold the issuance of certificates of occupancy and building permits associated with the Project in the event Developer is in violation of any provision of this Agreement until such violation is cured to the City's satisfaction. Any time a requirement or condition is required prior to a certificate of occupancy, the City shall have the right to withhold the certificate of occupancy until such requirement or condition is satisfied. Further, a violation of any condition of approval for a Conditional Use approval or other development order relating to the Subject Property shall be a violation of the City Code of Ordinances. If Developer fails to timely pay the City any monies due pursuant to this Agreement, after written notice by City to Developer, the City may record a Notice of Lien against the Property in the amount owed to the City. Interest on unpaid overdue sums shall accrue at the rate of eighteen percent (18%) compounded annually or at the maximum rate allowed by law if lower than 18%. A copy of such Notice of Lien shall also be delivered to Developer in the same manner as required under this Agreement for delivery of written notices. The recorded Notice of Lien shall constitute a lien upon the Property and the lien may be foreclosed upon for the benefit of the City any time after fifteen (15) days after the Notice of Lien has been recorded in the public records. City may foreclose the lien in accordance with the procedures established in Chapter 702, Florida Statutes, or successor or other statute providing for lien foreclosure procedures. Developer may obtain a release from the lien by paying the amount stated in the lien, plus accrued interest, plus attorney's fees and costs incurred by the City in filing and collecting upon the lien.

SECTION 9. GOVERNING LAW; VENUE

This Agreement shall be governed by and construed in accordance with the laws of the State of Florida. The exclusive venue for purpose of litigation in any action to construe or enforce

the provisions of this Agreement shall be in a court of competent jurisdiction in and for Orange County, Florida.

SECTION 10. RECORDING

This Agreement shall be recorded, at Developer's expense, among the Public Records of Orange County, Florida no later than fourteen (14) days after full execution. Notwithstanding the foregoing, the same shall not constitute any lien or encumbrance on title to the Property and shall instead constitute record notice of governmental regulations, which regulates the use and enjoyment of the Property.

SECTION 11. TIME IS OF THE ESSENCE

Time is hereby declared of the essence as to the lawful performance of all duties and obligations set forth in this Agreement.

SECTION 12. SEVERABILITY

If any part of this Agreement is found invalid or unenforceable in any court, such invalidity or unenforceability shall not affect the other parts of this Agreement, if the rights and obligations of the parties contained herein are not materially prejudiced and if the intentions of the parties can be affected. To that end, this Agreement is declared severable.

SECTION 13. DEVELOPMENT PERMITS

Nothing herein shall limit the City's authority to grant or deny any development permit applications or requests subsequent to the effective date of this Agreement. The failure of this Agreement to address any particular City, County, State and/or Federal permit, condition, term or restriction shall not relieve Developer or the City of the necessity of complying with the law governing said permitting requirement, condition, term or restriction. Except as is expressly authorized by the City or as such is granted herein, nothing in this Agreement shall constitute or be deemed to constitute or require the City to issue any approval by the City of any rezoning, Comprehensive Plan amendment, variance, special exception, final site plan, preliminary subdivision plan, final plat or subdivision plan, building permit, grading, stormwater drainage, engineering, or any other land use or development approval. These and any other required City development approvals and permits shall be processed and issued by the City in accordance with procedures with respect to same as otherwise set forth in the City's Code of Ordinances and subject to any conditions of approval thereof. This Agreement is approved under the City's home rule authority and is not a statutory development agreement under Chapter 163, Florida Statutes.

SECTION 14. SUBORDINATION/JOINDER

Developer represents and warrants to City that it is the fee simple owner of the Property. Unless otherwise agreed to by the City, all liens, mortgages and other encumbrances not satisfied or released of record, must be subordinated to the terms of this Agreement or the lienholder join in this Agreement. It shall be the responsibility of the Developer to promptly obtain the said subordination or joinder, if necessary, in form and substance acceptable to the City Attorney, prior to the City's execution of the Agreement.

SECTION 15. NOTICE

Any notices required or permitted under this Agreement shall be addressed to the City, Owners and the Developer at the addresses listed in the first paragraph of this Agreement, or at such other addresses designated in writing by the party to receive notice. Notices shall be either: (i) personally delivered (including without limitation, delivery by UPS, Federal Express or other commercial courier service), in which case they shall be deemed delivered on the date of delivery; or (ii) sent by certified mail, return receipt requested, in which case they shall be deemed delivered on the date shown on the receipt unless delivery is refused or intentionally delayed by the addressee, in which event they shall be deemed delivered on the date of deposit in the U.S. Mail.

SECTION 16. MISCELLANEOUS

a. Nothing contained in this Agreement nor in any instruments executed pursuant to the terms of this Agreement shall be construed as a waiver or attempted waiver by the City of its home rule authority, police power, zoning authority and sovereign immunity under the Constitution and laws of the State of Florida or any other privilege, immunity or defense afforded to the City or the City's officials, officers, employees and agents under the law.

b. This Agreement is entered into voluntarily by the Developer without duress and after full review, evaluation and consideration by the Developer. Developer is represented by counsel, or alternatively, has been afforded an opportunity to retain counsel for review of this Agreement.

c. The captions or section headings of this Agreement are provided for convenience only and shall not be deemed to explain, modify, amplify or aid in the interpretation, or meaning of this Agreement.

d. City and Developer are not partners and this Agreement is not a joint venture and nothing in this Agreement shall be construed to authorize the Developer to represent or bind the City to matters not expressly authorized or provided in this Agreement.

e. None of the parties shall be considered the drafter of all or any portion of this Agreement for the purposes of interpreting all or any portion of this Agreement, it being recognized that all parties have contributed substantially and materially to the preparation of this Agreement.

SECTION 17. REMAINING PROVISIONS.

All other provisions of the Developer's Agreement governing the Property not expressly modified or changed herein, shall remain in full force and effect.

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

Signed, sealed and delivered
in the presence of :

CITY OF WINTER PARK, FLORIDA
A municipal corporation

Signature

Print Name

Signature

Print Name

By:_____

Steve Leary, Mayor

Date Executed:_____

STATE OF FLORIDA
COUNTY OF ORANGE

Acknowledged before me by means of ☐ physical presence or ☐ online notarization this day of _____ 2020, by _____ Mayor of the City of Winter Park, Florida, a municipal corporation, who is personally known to me or has produced _____ (type of identification) as identification and he acknowledged that he executed the above document for the City.

Notary Public, State of Florida

Print, Type or Stamp Commissioned Name of
Notary Public

Developer

W.F.G. LTD.,
a Florida limited partnership

Signature

Print Name

Signature

Print Name

By:_____

Title:_____

Date Executed:_____

CRDI, LLC.,
a Florida limited liability company

Signature

Print Name

Signature

Print Name

By: _____

Title: _____

Date Executed: _____

STATE OF FLORIDA
COUNTY OF ORANGE

Acknowledged before me by means of ☐ physical presence or ☐ online notarization this ____ day of _____ 2020, by _____, W.F.G. LTD, who is personally known to me or has produced _____ (type of identification) as identification.

Notary Public, State of Florida

Print, Type or Stamp Commissioned Name of
Notary Public

STATE OF FLORIDA
COUNTY OF ORANGE

Acknowledged before me by means of ☐ physical presence or ☐ online notarization this ____ day of _____ 2020, by _____ CRDI, LLC., who is personally known to me or has produced _____ (type of identification) as identification and he acknowledged that he executed the above document for the City.

Notary Public, State of Florida

Print, Type or Stamp Commissioned Name of
Notary Public

s:\aka\clients\winter park\planning and cra w600-26037\hotel penn\third amendment to hotel at penn dev. agreement dl 02-24-2020.docx

SCHEDULE OF EXHIBITS

EXHIBIT “A”	Legal Description of the Property
EXHIBIT “B”	Hotel Site Plan
EXHIBIT “C”	Retained Parcels
EXHIBIT “D”	Retention/Park Property Description
EXHIBIT “E”	Retention Improvements
EXHIBIT “F”	FAR Allocations
EXHIBIT “G”	Shared Parking Allocation

EXHIBIT "A"

SKETCH OF DESCRIPTION THIS IS NOT A SURVEY		
Retained Parcel 1		
DESCRIPTION: A PORTION OF LOTS 2 THROUGH 6, AND LOTS 8 THROUGH 12, BLOCK 'H', CAPENS ADDITION TO WINTER PARK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK A, PAGE 95, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE SOUTHEAST CORNER OF LOT 12, BLOCK H, OF SAID CAPENS ADDITION TO WINTER PARK; SAID POINT BEING A POINT ON THE WEST RIGHT-OF-WAY LINE OF PENNSYLVANIA AVENUE; THENCE N89°59'04"W, ALONG THE NORTH RIGHT-OF-WAY LINE OF WEST MORSE BOULEVARD, A DISTANCE OF 399.65 FEET TO THE SOUTHWEST CORNER OF LOT 9; THENCE, DEPARTING SAID RIGHT-OF-WAY LINE, N00°43'44"W, ALONG THE WEST LINE OF LOT 9, A DISTANCE OF 186.31 FEET; THENCE, S89°59'39"W, A DISTANCE OF 99.98 FEET TO A POINT ON THE WEST LINE LOT 8; THENCE, ALONG SAID WEST LINE, N00°39'18"W, A DISTANCE OF 35.00 FEET TO THE SOUTHEAST CORNER OF LOT 6; THENCE, ALONG THE SOUTH LINE OF LOT 6, S89°59'39"W, A DISTANCE OF 50.06 FEET; THENCE, DEPARTING SAID SOUTH LINE, N00°45'40"W, A DISTANCE OF 23.77 FEET; THENCE N89°43'15"E, A DISTANCE OF 150.00 FEET TO A POINT ON THE WEST LINE OF LOT 4; THENCE, ALONG SAID WEST LINE, S00°43'44"E, A DISTANCE OF 14.83 FEET; THENCE S89°59'09"E, A DISTANCE OF 284.06 FEET; THENCE S00°00'51"W, A DISTANCE OF 44.68 FEET; THENCE S89°14'13"E, A DISTANCE OF 116.48 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF PENNSYLVANIA AVENUE; THENCE, ALONG SAID WEST RIGHT-OF-WAY LINE, S00°38'34"E, A DISTANCE OF 184.78 FEET TO THE POINT OF BEGINNING. SAID LANDS CONTAINING 94,181 SQUARE FEET (2.16 ACRES) MORE OR LESS.		
SURVEYOR'S NOTES: 1. The lands as shown hereon lie within Section 6, Township 22 S., Range 30 E., Orange County, Florida. 2. This is not a survey. 3. Bearings shown hereon are assumed relative to the north right-of-way line of West Morse Boulevard; Said bearing being N89°59'04"W assumed.		
SHEET 1 OF 2		
HLSM, LLC Henrich-Luke-Swaggerty-Menard Professional Surveyors & Mappers Licensed Business No. 7276 302 Lake Oaks Boulevard Casselberry, Florida 32707 P. (407) 847-7546 Survey@HLSM.US F. (407) 952-7166	Job No: <u>J-645</u> Date: <u>10/16/19</u> Drawn By: <u>JJR</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

SKETCH OF DESCRIPTION

THIS IS NOT A SURVEY

PENNSYLVANIA AVENUE
(50' RIGHT-OF-WAY PER PLAT)
S00°38'34"E 184.78'

POINT OF BEGINNING
SE CORNER
OF LOT 12
BLOCK H

WEST MORSE BOULEVARD
(70' RIGHT-OF-WAY PER PLAT)
N89°59'04"W 399.65'

BLOCK H

LOT 1
LOT 12

LOT 2 NOT INCLUDED
LOT 11

LOT 3 NOT INCLUDED
LOT 10

LOT 4 NOT INCLUDED
LOT 9

LOT 5 NOT INCLUDED
LOT 8

LOT 6 NOT INCLUDED
LOT 7

LOT 8 NOT INCLUDED

94,181 ± SQUARE FEET
2.16 ± ACRES

LINE	BEARING	LENGTH
L1	N00°39'18"W	35.00'
L2	S89°59'39"W	50.06'
L3	N00°45'40"W	23.77'
L4	S00°43'44"E	14.83'
L5	S00°00'51"W	44.68'

SHEET 2 OF 2

HLSM, LLC

Hennrich-Luke-Swaggerty-Merend
Professional Surveyors & Mappers

Licensed Business No. 7276

302 Live Oaks Boulevard
Casselberry, Florida 32707
P. (407) 547-7348
F. (407) 882-7188

Survey@HLSM.US

Job No: J-645

Date: 10/16/2019

Drawn By: JWR

Scale: 1"=60'

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

SEE SHEET 1 OF 2
FOR SIGNATURE & SEAL

SKETCH OF DESCRIPTION
THIS IS NOT A SURVEY

Proposed Pond/Park Parcel 2

DESCRIPTION:

A PORTION OF LOTS 4 THROUGH 6, BLOCK 'H', CAPENS ADDITION TO WINTER PARK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK A, PAGE 95, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF LOT 6, BLOCK H, OF SAID CAPENS ADDITION TO WINTER PARK, THENCE N89°59'05"E, ALONG THE SOUTH RIGHT-OF-WAY LINE OF SYMOND'S AVENUE, A DISTANCE OF 44.44 FEET TO THE POINT OF BEGINNING; THENCE, CONTINUE ALONG SAID SOUTH RIGHT-OF-WAY LINE, N89°59'05"E, A DISTANCE OF 188.81 FEET; THENCE DEPARTING SAID SOUTH RIGHT-OF-WAY LINE, S00°33'34"E, A DISTANCE OF 149.47 FEET; THENCE S89°09'25"W, A DISTANCE OF 38.38 FEET TO A POINT ON THE EAST LINE LOT 5; THENCE, ALONG SAID EAST LINE S00°53'55"E, A DISTANCE OF 41.88 FEET; THENCE, DEPARTING SAID EAST LINE, S89°43'15"W, A DISTANCE OF 150.00 FEET; THENCE N00°45'40"W, A DISTANCE OF 192.60 FEET TO THE POINT OF BEGINNING

SAID LANDS CONTAINING 34,606 SQUARE FEET (0.79 ACRES) MORE OR LESS.

SURVEYOR'S NOTES:

1. The lands as shown herein lie within Section 6, Township 22 S., Range 30 E., Orange County, Florida.
2. This is not a survey.
3. Bearings shown herein are assumed relative to the south right-of-way line of Symonds Avenue; Said bearing being N89°59'05"E assumed.

SHEET 1 OF 2

HLSM, LLC
Henrich-Luke-Swaggerty-Menard
Professional Surveyors & Mappers
Licensed Business No. 7276
302 Live Oaks Boulevard
Casselberry, Florida 32707
P. (407) 847-7346
Survey@HLSM.US F. (407) 982-7166

Job No: J-545
Date: 10/15/19
Drawn By: JWR

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

William F. Menard
Professional Surveyor & Mapper
Florida Registration #5625

SKETCH OF DESCRIPTION
THIS IS NOT A SURVEY

LOT 4
NOT INCLUDED

S00°33'34"E 149.47'

LOT 4

L1

L2

EAST LINE
LOT 5

LOT 5
34,606 ± SQUARE FEET
0.79 ± ACRES
BLOCK 'H'

N89°59'05"E 188.81'
SOUTH RIGHT-OF-WAY LINE

SYMOND'S AVENUE
(50' RIGHT-OF-WAY PER PLAT)

POINT OF BEGINNING

N89°59'05"E 44.44'

POINT OF COMMENCEMENT
NW CORNER
OF LOT 6
BLOCK H

CAPEN AVENUE
(50' RIGHT-OF-WAY PER PLAT)

LOT 6
NOT INCLUDED

N00°45'40"W 192.60'

S89°43'15"W 150.00'
LOT 5
NOT INCLUDED

S89°43'15"W 150.00'
LOT 6
NOT INCLUDED

LINE TABLE		
LINE	BEARING	LENGTH
L2	S89°09'25"W	38.38'
L3	S00°53'55"E	41.88'

SHEET 2 OF 2

SKETCH OF DESCRIPTION
THIS IS NOT A SURVEY

Proposed Parcel 3

DESCRIPTION:

A PORTION OF LOTS 1 THROUGH 4, BLOCK 'H', CAPENS ADDITION TO WINTER PARK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK A, PAGE 95, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF LOT 1, BLOCK H, OF SAID CAPENS ADDITION TO WINTER PARK; THENCE S00°38'34"E ALONG THE WEST RIGHT-OF-WAY LINE OF PENNSYLVANIA AVENUE, A DISTANCE OF 253.14 FEET; THENCE N89°14'13"W, A DISTANCE OF 116.48 FEET; THENCE N00°00'51"E, A DISTANCE OF 44.68 FEET; THENCE N89°59'09"W, A DISTANCE OF 284.06 FEET; THENCE N00°43'44"W, A DISTANCE OF 56.71 FEET; THENCE N89°09'25"E, A DISTANCE OF 38.25 FEET; THENCE N00°33'34"W, A DISTANCE OF 149.47 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SYMONDS AVENUE; THENCE, ALONG SAID RIGHT-OF-WAY LINE, N89°59'05"E, A DISTANCE OF 361.61 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING 82,279 SQUARE FEET (1.89 ACRES) MORE OR LESS.

SURVEYOR'S NOTES:

1. The lands as shown hereon lie within Section 8, Township 22 S., Range 30 E., Orange County, Florida.
2. This is not a survey.
3. Bearings shown hereon are assumed relative to the south right-of-way line of Symonds Avenue; Said bearing being N89°59'05"E assumed.

SHEET 1 OF 2

HLSM, LLC
Henrich-Luke-Swagerty-Menard
Professional Surveyors & Mappers
Licensed Business No. 7276
302 Ute Oaks Boulevard
Casselberry, Florida 32707
Survey@HLSM.US P: (407) 647-7346
F: (407) 882-7166

Job No: J-645
Date: 10/16/19
Drawn By: JWR

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

EXHIBIT "B"



MDM HOTEL | Site Plan

Finrock

December 9, 2019



EXHIBIT “C”

1. Hotel Project; and
2. 338 W. Morse Boulevard,
3. 171 N. Pennsylvania Avenue,
4. 314, 313, 309 and 301 W. New England Avenue;
5. 316, 308 and 262 W. Welbourne Avenue*

(*These properties are not owned by the applicant/developer, but were specifically part of the stormwater design for the Park/Stormwater Area and the available capacity. Use of the Retention/Park Property by these parcels which are not part of the Property defined by this Agreement for stormwater drainage shall be subject to Developer’s written consent and subject to the review and approval by the City. These parcels will not be included in the initial Stormwater Easement, thus as a precondition to use of the Retention/Park Property by these parcels, an agreement will need to be reached with the Developer and the City approving of the same).

EXHIBIT "D"

SKETCH OF DESCRIPTION THIS IS NOT A SURVEY

Proposed Pond/Park Parcel 2

DESCRIPTION:

A PORTION OF LOTS 4 THROUGH 6, BLOCK "H", CAPENS ADDITION TO WINTER PARK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK A, PAGE 95, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF LOT 6, BLOCK H, OF SAID CAPENS ADDITION TO WINTER PARK, THENCE N89°59'05"E, ALONG THE SOUTH RIGHT-OF-WAY LINE OF SYMOND'S AVENUE, A DISTANCE OF 44.44 FEET TO THE POINT OF BEGINNING; THENCE, CONTINUE ALONG SAID SOUTH RIGHT-OF-WAY LINE, N89°59'05"E, A DISTANCE OF 188.81 FEET; THENCE DEPARTING SAID SOUTH RIGHT-OF-WAY LINE, S00°33'34"E, A DISTANCE OF 149.47 FEET; THENCE S89°09'25"W, A DISTANCE OF 38.38 FEET TO A POINT ON THE EAST LINE LOT 5; THENCE, ALONG SAID EAST LINE S00°53'55"E, A DISTANCE OF 41.88 FEET; THENCE, DEPARTING SAID EAST LINE, S89°43'15"W, A DISTANCE OF 150.00 FEET; THENCE N00°45'40"W, A DISTANCE OF 192.60 FEET TO THE POINT OF BEGINNING

SAID LANDS CONTAINING 34,606 SQUARE FEET (0.79 ACRES) MORE OR LESS.

SURVEYOR'S NOTES:

1. The lands as shown hereon lie within Section 6, Township 22 S., Range 30 E., Orange County, Florida.
2. This is not a survey.
3. Bearings shown hereon are assumed relative to the south right-of-way line of Symonds Avenue; Said bearing being N89°59'05"E assumed.

SHEET 1 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 F. (407) 982-7166

Job No: J-645
 Date: 10/16/19
 Drawn By: JJR

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

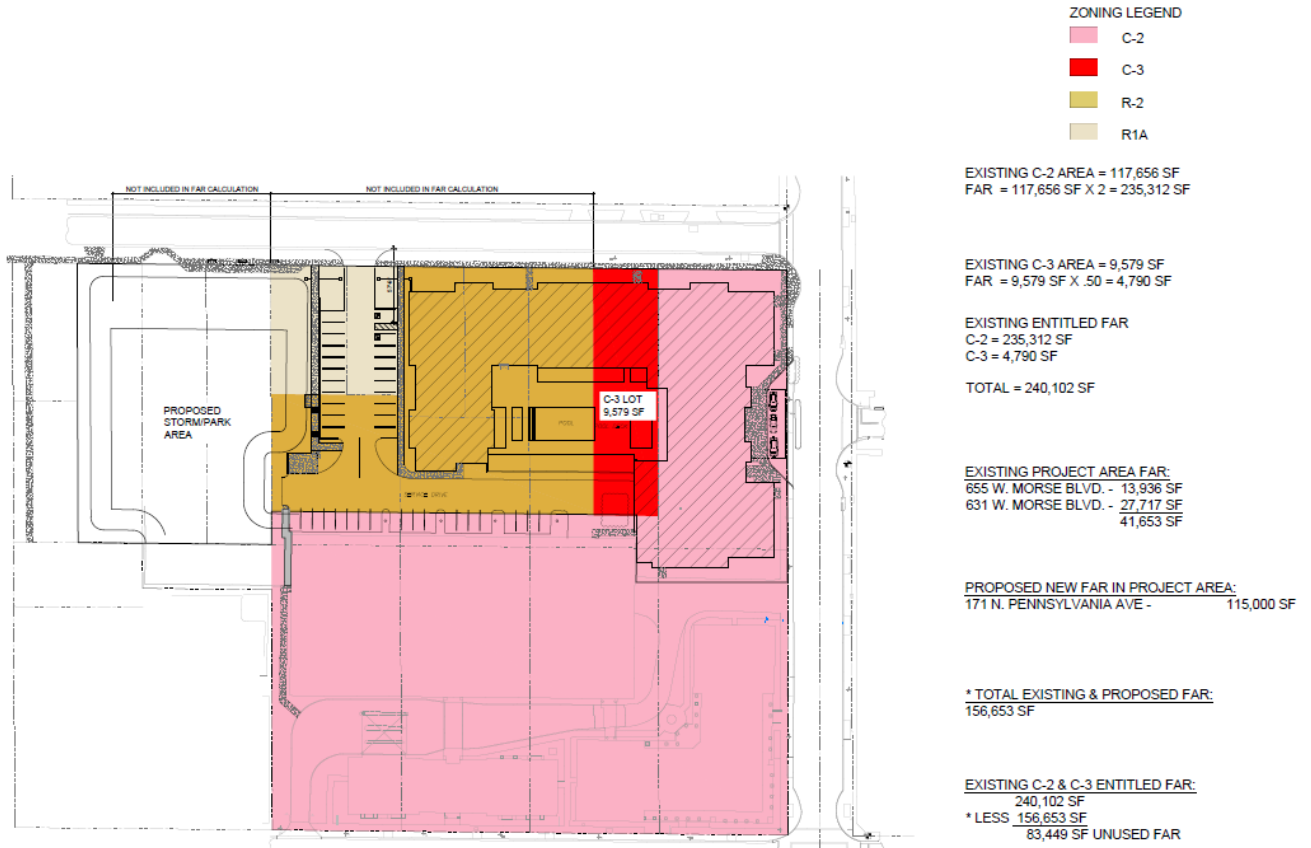
\\SERVER01\Projects\Capens Addition to winter park block H\cap (JCS # 10000 5003) .fig

[illegible]

22



EXHIBIT "F"



OPTION 1 FAR CALCULATIONS BASED ON THE AGREGATE OF EXISTING C-2/C-3 ZONING

BOUTIQUE HOTEL

WINTER PARK, FL
2020-01-24 | G0.4

EXHIBIT “G”

REQUIRED PARKING - PHASE 1 OPTION 1				
	USE	RATE	S.F./UNITS	TOTAL STALLS
OFFICE	OFFICE	1/333	41,653	125
HOTEL BUSINESS	HOTEL	1	89	89
HOTEL LEISURE	HOTEL	1	51	51
HOTEL CONFERENCE BANQUET	HOTEL	1/250	9,229	37
HOTEL RESTAURANT	HOTEL	1/4 seats	140 seats	35
TOTAL REQUIRED PARKING				337

PROVIDED PARKING	
	TOTAL STALLS
GARAGE PARKING	269
SITE PARKING	40
TOTAL PROVIDED PARKING	309

PARKING DEMAND RATIOS - WEEKDAY																						
	MAX REQUIRED	TIME OF DAY																				
		5:00 AM	6:00 AM	7:00 AM	8:00 AM	9:00 AM	10:00 AM	11:00 AM	12:00 PM	1:00 PM	2:00 PM	3:00 PM	4:00 PM	5:00 PM	6:00 PM	7:00 PM	8:00 PM	9:00 PM	10:00 PM	11:00 PM	12:00 AM	1:00 AM
OFFICE	125		3%	30%	75%	95%	100%	100%	90%	90%	100%	100%	90%	50%	25%	10%	7%	3%	1%			
HOTEL BUSINESS	89		95%	90%	80%	70%	60%	60%	55%	55%	60%	60%	65%	70%	75%	75%	80%	85%	95%	100%	100%	
HOTEL LEISURE	51		95%	95%	90%	80%	70%	70%	65%	65%	70%	70%	75%	80%	85%	85%	90%	95%	95%	100%	100%	
HOTEL CONFERENCE BANQU	37		0%	0%	30%	60%	60%	60%	65%	65%	65%	65%	65%	100%	100%	100%	100%	100%	50%			
HOTEL RESTAURANT	35		0%	10%	30%	10%	10%	5%	100%	100%	33%	10%	10%	30%	55%	60%	70%	67%	60%	40%	30%	

SHARED PARKING ACCUMULATION - WEEKDAY																						
	MAX REQUIRED	TIME OF DAY																				
		5:00 AM	6:00 AM	7:00 AM	8:00 AM	9:00 AM	10:00 AM	11:00 AM	12:00 PM	1:00 PM	2:00 PM	3:00 PM	4:00 PM	5:00 PM	6:00 PM	7:00 PM	8:00 PM	9:00 PM	10:00 PM	11:00 PM	12:00 AM	1:00 AM
OFFICE	125.0	0.0	3.8	37.5	93.8	118.8	125.0	125.0	112.5	112.5	125.0	125.0	112.5	62.5	31.3	12.5	8.8	3.8	1.3	0.0	0.0	0.0
HOTEL BUSINESS	89.0	0.0	84.6	80.1	71.2	62.3	53.4	53.4	49.0	49.0	53.4	53.4	57.9	67.3	66.8	66.8	71.2	75.7	84.6	89.0	89.0	0.0
HOTEL LEISURE	51.0	0.0	48.5	48.5	45.9	40.8	35.7	35.7	33.2	33.2	35.7	35.7	38.3	40.8	43.4	43.4	45.9	48.5	48.5	51.0	51.0	0.0
HOTEL CONFERENCE BANQUET	37.0	0.0	0.0	0.0	11.1	22.2	22.2	22.2	24.1	24.1	24.1	24.1	24.1	37.0	37.0	37.0	37.0	37.0	18.5	0.0	0.0	0.0
HOTEL RESTAURANT	35.0	0.0	0.0	3.5	10.5	3.5	3.5	1.8	35.0	35.0	11.6	3.5	3.5	10.5	19.3	21.0	24.5	23.5	21.0	14.0	10.5	0.0
REQUIRED PARKING		0	137	170	232	248	240	238	254	254	250	242	236	213	198	181	187	188	174	154	151	0
PROPOSED PARKING		309	309	309	309	309	309	309	309	309	309	309	309	309	309	309	309	309	309	309	309	309
OVER/UNDER PARKED		309	172	139	77	61	69	71	55	55	59	67	73	96	111	128	122	121	135	155	158	309

January 28, 2020

Mayor and City Commissioner

Planning Board Members

401 Park Avenue South

Winter Park, Fla 32789

Re: 655 W. Morse Blvd/171 N. Pennsylvania ave

Boutique Hotel Project

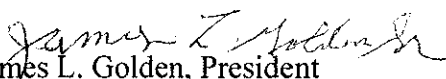
Dear Mayor and Commissioners,

I, the owner of the property located at 210 N. Pennsylvania ave Ave Winter Park, Fla have reviewed the proposal for the Winter Park Boutique Hotel at the corner of Pennsylvania Avenue and Symonds Avenue. I am supportive of the proposed hotel. It will aesthetically enhance Pennsylvania and Symonds Avenue and create new jobs within the community. The height, use and size of the building are appropriate for this block.

I encourage the City to grant approval of this project.

Sincerely,

Goldens Funeral Home, Inc


James L. Golden, President

January 28, 2020

Mayor and City Commissioner

Planning Board Members

401 Park Avenue South

Winter Park, Fla 32789

Re: 655 W. Morse Blvd/171 N. Pennsylvania ave

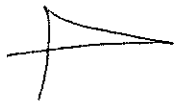
Boutique Hotel Project

Dear Mayor and Commissioners,

I, the owner of the property located at 723 Symonds Ave Winter Park, Fla have reviewed the proposal for the Winter Park Boutique Hotel at the corner of Pennsylvania Avenue and Symonds Avenue. I am supportive of the proposed hotel. It will aesthetically enhance Pennsylvania and Symonds Avenue and create new jobs within the community. The height, use and size of the building are appropriate for this block.

I encourage the City to grant approval of this project.

Sincerely,

A handwritten signature in black ink, appearing to be 'Zane L. Williams', with a stylized, elongated horizontal stroke.

Az Holdings Wp, LLC

Zane L. Williams, Mgr

January 28, 2020

Mayor and City Commissioner

Planning Board Members

401 Park Avenue South

Winter Park, Fla 32789

Re: 655 W. Morse Blvd/171 N. Pennsylvania ave

Boutique Hotel Project

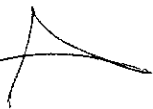
Dear Mayor and Commissioners,

I, the owner of the property located at 631 Symonds Ave Winter Park, Fla have reviewed the proposal for the Winter Park Boutique Hotel at the corner of Pennsylvania Avenue and Symonds Avenue. I am supportive of the proposed hotel. It will aesthetically enhance Pennsylvania and Symonds Avenue and create new jobs within the community. The height, use and size of the building are appropriate for this block.

I encourage the City to grant approval of this project.

Sincerely,

Az Holdings Wp, LLC



Zane L. Williams

January 28, 2020

Mayor and City Commissioner

Planning Board Members

401 Park Avenue South

Winter Park, Fla 32789

Re: 655 W. Morse Blvd/171 N. Pennsylvania ave

Boutique Hotel Project

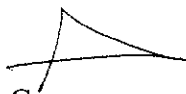
Dear Mayor and Commissioners,

I, the owner of the property located at 645 Symonds Ave Winter Park, Fla have reviewed the proposal for the Winter Park Boutique Hotel at the corner of Pennsylvania Avenue and Symonds Avenue. I am supportive of the proposed hotel. It will aesthetically enhance Pennsylvania and Symonds Avenue and create new jobs within the community. The height, use and size of the building are appropriate for this block.

I encourage the City to grant approval of this project.

Sincerely,

Az Holdings Wp, LLC

A handwritten signature in black ink, appearing to be 'Zane L. Williams', written over a horizontal line.

Zane L. Williams

January 28, 2020

Mayor and City Commissioner

Planning Board Members

401 Park Avenue South

Winter Park, Fla 32789

Re: 655 W. Morse Blvd/171 N. Pennsylvania ave

Boutique Hotel Project

Dear Mayor and Commissioners,

I, the owner of the property located at 621 Symonds Ave Winter Park, Fla have reviewed the proposal for the Winter Park Boutique Hotel at the corner of Pennsylvania Avenue and Symonds Avenue. I am supportive of the proposed hotel. It will aesthetically enhance Pennsylvania and Symonds Avenue and create new jobs within the community. The height, use and size of the building are appropriate for this block.

I encourage the City to grant approval of this project.

Sincerely,

Az Holdings Wp, LLC

A handwritten signature in black ink, appearing to be 'Zane L. Williams', written over the printed name.

Zane L. Williams, Mgr

January 28, 2020

Mayor and City Commissioner

Planning Board Members

401 Park Avenue South

Winter Park, Fla 32789

Re: 655 W. Morse Blvd/171 N. Pennsylvania ave

Boutique Hotel Project

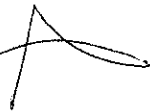
Dear Mayor and Commissioners,

I, the owner of the property located at 271 N. Pennsylvania ave Ave Winter Park, Fla have reviewed the proposal for the Winter Park Boutique Hotel at the corner of Pennsylvania Avenue and Symonds Avenue. I am supportive of the proposed hotel. It will aesthetically enhance Pennsylvania and Symonds Avenue and create new jobs within the community. The height, use and size of the building are appropriate for this block.

I encourage the City to grant approval of this project.

Sincerely,

Z Building, LLC

A handwritten signature in black ink, appearing to be 'Zane L. Williams', written over the printed name 'Z Building, LLC'.

Zane L. Williams, Mgr

January 28, 2020

Mayor and City Commissioner

Planning Board Members

401 Park Avenue South

Winter Park, Fla 32789

Re: 655 W. Morse Blvd/171 N. Pennsylvania ave

Boutique Hotel Project

Dear Mayor and Commissioners,

I, Zane Williams having a beneficial interest of the property located at 733 Symonds Ave Winter Park, Fla through a fully executed contract for sale and purchase have reviewed the proposal for the Winter Park Boutique Hotel at the corner of Pennsylvania Avenue and Symonds Avenue. I am supportive of the proposed hotel. It will aesthetically enhance Pennsylvania and Symonds Avenue and create new jobs within the community. The height, use and size of the building are appropriate for this block.

I encourage the City to grant approval of this project.

Sincerely,

A handwritten signature in black ink, appearing to be 'Zane Williams', with a stylized, sweeping flourish.

Zane Williams

January 28, 2020

Mayor and City Commissioner

Planning Board Members

401 Park Avenue South

Winter Park, Fla 32789

Re: 655 W. Morse Blvd/171 N. Pennsylvania ave

Boutique Hotel Project

Dear Mayor and Commissioners,

I, owner of the property located at 653 Symonds Ave Winter Park, Fla have reviewed the proposal for the Winter Park Boutique Hotel at the corner of Pennsylvania Avenue and Symonds Avenue. I am supportive of the proposed hotel. It will aesthetically enhance Pennsylvania and Symonds Avenue and create new jobs within the community. The height, use and size of the building are appropriate for this block.

I encourage the City to grant approval of this project.

Sincerely,

A handwritten signature in black ink, appearing to read "Stark Trust", written over a horizontal line.

STARK TRUST

January 28, 2020

Mayor and City Commissioner

Planning Board Members

401 Park Avenue South

Winter Park, Fla 32789

Re: 655 W. Morse Blvd/171 N. Pennsylvania ave

Boutique Hotel Project

Dear Mayor and Commissioners,

I, the owner of the property located at 731 W. Morse Blvd Winter Park, Fla have reviewed the proposal for the Winter Park Boutique Hotel at the corner of Pennsylvania Avenue and Symonds Avenue. I am supportive of the proposed hotel. It will aesthetically enhance Pennsylvania and Symonds Avenue and create new jobs within the community. The height, use and size of the building are appropriate for this block.

I encourage the City to grant approval of this project.

Sincerely,

Winter Park Family Dentistry


Dr. R. Mark Matar, DMD

January 28, 2020

Mayor and City Commissioner

Planning Board Members

401 Park Avenue South

Winter Park, Fla 32789

Re: 655 W. Morse Blvd/171 N. Pennsylvania ave

Boutique Hotel Project

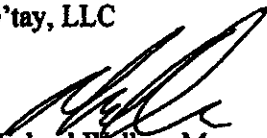
Dear Mayor and Commissioners,

I, the owner of the property located at 531 W. Morse Blvd Winter Park, Fla have reviewed the proposal for the Winter Park Boutique Hotel at the corner of Pennsylvania Avenue and Symonds Avenue. I am supportive of the proposed hotel. It will aesthetically enhance Pennsylvania and Symonds Avenue and create new jobs within the community. The height, use and size of the building are appropriate for this block.

I encourage the City to grant approval of this project.

Sincerely,

O'tay, LLC



Michael Welker, Mgr

January 28, 2020

Mayor and City Commissioner

Planning Board Members

401 Park Avenue South

Winter Park, Fla 32789

Re: 655 W. Morse Blvd/171 N. Pennsylvania ave

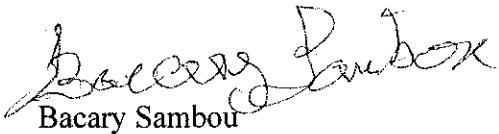
Boutique Hotel Project

Dear Mayor and Commissioners,

I, the owner of the property located at 663 Symonds Ave Winter Park, Fla have reviewed the proposal for the Winter Park Boutique Hotel at the corner of Pennsylvania Avenue and Symonds Avenue. I am supportive of the proposed hotel. It will aesthetically enhance Pennsylvania and Symonds Avenue and create new jobs within the community. The height, use and size of the building are appropriate for this block.

I encourage the City to grant approval of this project.

Sincerely,


Bacary Sambou

January 28, 2020

Mayor and City Commissioner

Planning Board Members

401 Park Avenue South

Winter Park, Fla 32789

Re: 655 W. Morse Blvd/171 N. Pennsylvania ave

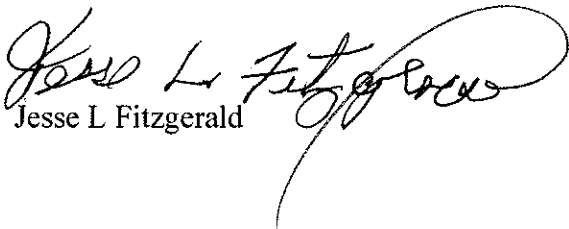
Boutique Hotel Project

Dear Mayor and Commissioners,

I, the owner of the property located at 691 Symonds Ave Winter Park, Fla have reviewed the proposal for the Winter Park Boutique Hotel at the corner of Pennsylvania Avenue and Symonds Avenue. I am supportive of the proposed hotel. It will aesthetically enhance Pennsylvania and Symonds Avenue and create new jobs within the community. The height, use and size of the building are appropriate for this block.

I encourage the City to grant approval of this project.

Sincerely,


Jesse L Fitzgerald

January 28, 2020

Mayor and City Commissioner

Planning Board Members

401 Park Avenue South

Winter Park, Fla 32789

Re: 655 W. Morse Blvd/171 N. Pennsylvania ave

Boutique Hotel Project

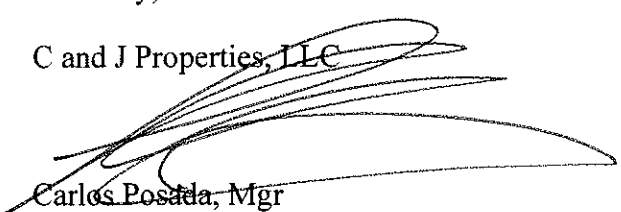
Dear Mayor and Commissioners,

I, the owner of the property located at 240 N. Pennsylvania ave Ave Winter Park, Fla have reviewed the proposal for the Winter Park Boutique Hotel at the corner of Pennsylvania Avenue and Symonds Avenue. I am supportive of the proposed hotel. It will aesthetically enhance Pennsylvania and Symonds Avenue and create new jobs within the community. The height, use and size of the building are appropriate for this block.

I encourage the City to grant approval of this project.

Sincerely,

C and J Properties, LLC



Carlos Posada, Mgr

January 28, 2020

Mayor and City Commissioner

Planning Board Members

401 Park Avenue South

Winter Park, Fla 32789

Re: 655 W. Morse Blvd/171 N. Pennsylvania ave

Boutique Hotel Project

Dear Mayor and Commissioners,

I, the owner of the property located at 300 N. Pennsylvania Ave Winter Park, Fla have reviewed the proposal for the Winter Park Boutique Hotel at the corner of Pennsylvania Avenue and Symonds Avenue. I am supportive of the proposed hotel. It will aesthetically enhance Pennsylvania and Symonds Avenue and create new jobs within the community. The height, use and size of the building are appropriate for this block.

I encourage the City to grant approval of this project.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ivan Castro', with a stylized, cursive script.

Ivan Castro

January 28, 2020

Mayor and City Commissioner

Planning Board Members

401 Park Avenue South

Winter Park, Fla 32789

Re: 655 W Morse Blvd/171 N Pennsylvania ave
Boutique Hotel Project

Dear Mayor and Commissioners,

I, the owner of the property located at 311 N. Pennsylvania Ave Winter Park, Fla have reviewed the proposal for the Winter Park Boutique Hotel at the corner of Pennsylvania Avenue and Symonds Avenue. I am supportive of the proposed hotel. It will aesthetically enhance Pennsylvania and Symonds Avenue and create new jobs within the community. The height, use and size of the building are appropriate for this block.

I encourage the City to grant approval of this project.

Sincerely,



Frank and Jannie Baker

January 28, 2020

Mayor and City Commissioner

Planning Board Members

401 Park Avenue South

Winter Park, Fla 32789

Re: 655 W. Morse Blvd/171 N. Pennsylvania ave

Boutique Hotel Project

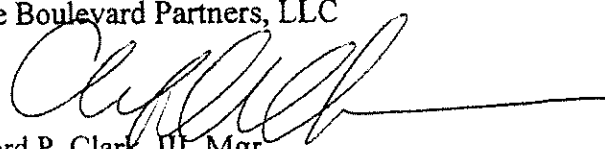
Dear Mayor and Commissioners,

I, the owner of the property located at 701 W. Morse Blvd Winter Park, Fla have reviewed the proposal for the Winter Park Boutique Hotel at the corner of Pennsylvania Avenue and Symonds Avenue. I am supportive of the proposed hotel. It will aesthetically enhance Pennsylvania and Symonds Avenue and create new jobs within the community. The height, use and size of the building are appropriate for this block.

I encourage the City to grant approval of this project.

Sincerely,

Morse Boulevard Partners, LLC


Clifford P. Clark, III, Mgr



Mayor Leary
Winter Park City Commission
401 Park Ave South
Winter Park, Fla 32789

February 21st, 2020

Re: 655 W. Morse Blvd Proposed 140 room three story Hotel

Dear Mayor Leary,

On behalf of my wife Michelle and myself, I would like to have our support of the hotel at Pennsylvania relayed to the City of Winter Park Commission. We will be out of town for the City Council Meeting on March 9th that will have this development on the agenda, so we will not be able to attend in person.

We have been longtime residents of Winter Park and have our business office in downtown Winter Park. As we have recently become empty nesters, we have decided to downsize our family home and have purchased a new-build townhouse at 670 W. Morse, which is currently under construction and across the street from the proposed hotel development.

We were attracted to our W. Morse townhouse development because of the convenient walkable proximity to Park Avenue as well as my office at 227 W. New England Avenue. In addition, at the time of our purchase, there was another hotel in the same northwest quadrant of Morse and Pennsylvania under consideration with the City. There is great appeal of being able to walk to these potential hotel amenities (i.e., restaurant, bar) much as the Alford has become a local attraction for a lot of Winter Park residents. In addition, we have always hosted holiday events for our families and having this hotel in close proximity would make these traditions easier on all our out of town family members. Needless to say, when the plans for that hotel were shelved, we were very disappointed.

I know we are just one household but felt compelled enough to voice our support for this project as we feel it will create a level of vibrancy to this up and coming intersection of our town and from my experience as a hotel owner/operator, I know that downtown Winter Park is underserved for hotel rooms with walking distance to the many downtown amenities and attractions our city offers. We are very excited about the prospects of this development and hope the Commission feels compelled to approve the requested zoning changes necessary to permit this use.

Respectfully,

Two handwritten signatures in blue ink. The first signature is 'Patrick' and the second is 'Michelle Olson'.

Patrick and Michelle Olson
President, Prince Bush Hotels



Rebecca Talbert
3024 Northwood Blvd
Winter Park, FL, 32789
RTalbertArchitect@gmail.com
February 17, 2020

RE: CPA #20-02; RZ #20-02 & CU #20-03: Request of the Sydgan Corp. for the hotel project at 655 W. Morse Blvd.

Dear Mayor and Commissioners:

I am writing to express my general opposition to the proposed changes in land use designations of Single Family (R-1A) and Low Density Residential (R-2) to Commercial (C-3), particularly in the Westside neighborhood. Soon there will be no residential lots left in this part of the city.

Specifically, I am opposed to the following requested changes:

1. **Policy 1-H-2: If Non-Residential Zonings Are Approved, Compensation Required for Lost Housing.** In situations where a change to non-residential Comprehensive Plan Amendment is approved, in this planning area, the loss of housing or housing potential must be compensated for through providing substantial infrastructure improvements with regional benefit, or by donating park land for the regional benefit to the planning area, or the provision of housing or negotiated fees in lieu of housing, paid to the Affordable and Workforce Housing Trust Fund.

The applicant is asking to be able to add language allowing future developers to provide “park land” in lieu of fees paid into the housing trust fund. Affordable housing is a critical need throughout the region and paying into the fund when non-residential zoning changes are approved should not be optional, but required, in addition to any other proposed improvements. The “park land” Sydgan is proposing is a retention pond that is required for their property regardless and shouldn’t be considered an accessible public green space.

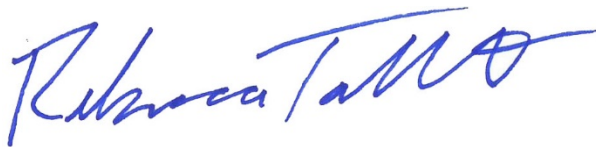
I also feel any replacement affordable housing required to be provided should be for sale, not rental units, built within the same neighborhood to minimize displacement of residents instead of proposed “anywhere within city limits”. (See applicant’s Third Development agreement item #4)

2. Conditional Use Review for the Hotel Project

Because the Commercial zoning would allow for shallower setbacks and higher maximum elevations than the Residential zoning along Symonds, I feel the hotel should be required to maintain the upper story building setbacks to be more compatible with the residential properties across Symonds. This street will also become the service access for the hotel, adding noise and truck traffic, further reducing the residential feel along Symonds.

I urge you to not allow any changes to the Comprehensive Plan that would open the door for further reduction of our City's housing stock and allow developers to avoid supporting affordable housing initiatives when zoning changes are allowed.

Sincerely,

A handwritten signature in blue ink, appearing to read "Rebecca Talbert", with a stylized flourish at the end.

Rebecca Talbert



city commission **agenda item**

item type	Public Hearings	meeting date	3/9/2020
prepared by	Finance	approved by	City Manager, City Attorney
board approval	N/A final vote		
strategic objective	Fiscal Stewardship		

subject

Resolution - General Obligation Bonds, Series 2020

motion / recommendation

Approve resolution authorizing the issuance of \$2,095,000 in General Obligation Bond, Series 2020.

background

In 2016, the voters of Winter Park approved a ballot measure authorizing the issuance of up to \$30,000,000 for the construction of a new library and events center. This resolution authorizes the issuance of the remaining bonds that were not issued in 2017.

To obtain financing for the additional authorized bonds, the City's financial advisor, PFM, distributed a request for proposal (RFP) on February 3, 2020 to a list of local, regional and national financial institutions to identify the institution that could provide the City with a fixed rate, term loan at the lowest overall borrowing cost, pursuant to certain conditions as determined by the City. The City received seven proposals in response to the RFP.

Based on PFM's review and discussions with the City staff and Bond Counsel, it was determined that SunTrust/Truist provided the best combination of interest rate and terms most favorable to the City. SunTrust/Truist offered a fixed interest rate through final maturity of 2.01%.

The 2020 bond is structured to have the same final maturity date of 2037 as the original 2017 bonds.

alternatives / other considerations

fiscal impact

Average annual debt service will be about \$157,000 over the next seventeen years which will be funded by voted debt service millage. For a home with \$300,000 taxable value, the cost will be about \$8/year.

ATTACHMENTS:

Description	Upload Date	Type
Recommendation memo from PFM	3/2/2020	Cover Memo
Resolution - General Obligation Bond, Series 2020	3/2/2020	Cover Memo



February 21, 2020

Recommendation Memorandum

To: Wes Hamil, Finance Director
From: Jay Glover, Managing Director – PFM Financial Advisors LLC
Re: General Obligation Bond, Series 2020 – Recommendation Memorandum

PFM Financial Advisors LLC (“PFM”) was engaged by the City of Winter Park, Florida (the “City”) to serve as financial advisor for the City’s proposed issuance of a General Obligation Bond, Series 2020 (the “2020 Bond”) to finance a portion of the cost of construction of a new library and event center. Based on the size of the 2020 Bond (not to exceed \$2,095,000), low cost of issuance, and recent aggressive bids received from banks for comparable transactions, PFM recommended the City pursue a privately placed direct bank loan, which in today’s market was expected to be an efficient and cost effective method of financing.

At the City’s direction, PFM distributed a request for proposals (“RFP”) on February 3, 2020 to a list of local, regional and national financial institutions to identify the institution that could provide the City with a fixed rate, term loan at the lowest overall borrowing cost, pursuant to certain conditions as determined by the City. Prior to the submittal deadline (2:00 pm on February 19, 2020) the City received seven (7) proposals from the following institutions: Capital One, CenterState, JP Morgan, Pinnacle Public Finance/Bank United, Sterling National Bank, Synovus and SunTrust/Truist. A summary of each proposal is included as **Exhibit A**.

Based on PFM’s review and discussions with the City staff and Bond Counsel, it was determined that SunTrust/Truist provided the best combination of interest rate and terms most favorable to the City. SunTrust/Truist offered a fixed interest rate through final maturity of 2.01%. The interest rate is held through a closing date on or before March 16, 2020, thus eliminating any risk associated with rising interest rates. The City is recommending the 2020 Bond include a make whole call provision, which would eliminate the ability to refund the 2020 Bond in the future for debt service savings. The increase in interest rate to include a par call option is not being recommended given the historically low interest rate.

Based on the interest rate and acceptable terms and conditions provided in their proposal, PFM recommends selecting SunTrust/Truist as the loan provider for the 2020 Bond. We anticipate bringing the Resolution to the City Commission for consideration at the March 9, 2020 meeting. If you have any questions please feel free to contact me at 407-406-5760 or gloverj@pfm.com.



Exhibit A

Summary of Proposals



City of Winter Park, Florida
General Obligation Bond, Series 2020
RFP Summary

	Capital One Public Funding	CenterState	JPMorgan	Pinnacle Public Finance
Contact Information	Jaci Bretz Vice President 866.617.2337 jaci.bretz@capitalone.com	Bill Mang Senior Vice President 321.280.5777 bmang@centerstatebank.com	Scott Ricker Executive Director 407.236.5398 scott.ricker@jpmorgan.com	Blair Swain Senior Vice President 480.419.3634 BSwain@BankUnited.Com
Tax-Exempt, Non-Bank Qualified Interest Rate	2.550%	2.180%	Make Whole Call: 1.86% 7/1/2023 par call: 2.15% 7/1/2025 par call: 2.06% 7/1/2030 par call: 1.92%	2.690%
Final Maturity	7/1/2037	7/1/2037	7/1/2037 Mandatory Tender Date: 7/1/2035	7/1/2037
Rate Set Calculation	Fixed	Fixed	Indicative	Fixed
Rate Locked to Closing, or Date to be Set	3/20/2020	3/25/2020	Subject to change daily until a written rate lock letter is executed	3/18/2020
Prepayment Provisions	No call until 7/1/29, then in whole at par on any interest payment date	1% fee for the first 3 years, at par in whole thereafter	See Interest rate above	Beginning July 1, 2030 the loan is prepayable in whole at par
Legal/Other Fees	\$0	\$3,000	\$8,500	\$5,000
Other Conditions & Notes	a) CAFR due as soon as available b) Closing is anticipated to take place on 3/16/2020 c) Term Sheet Expiration: 2/26/20; once accepted: 3/20/20 d) Subject to final credit approval	a) Late Fee: 5% b) Default Rate: 3% + Interest Rate c) CAFR due within 270 days of fiscal year end d) Budget due within 60 days of adoption e) Acceleration for payment default f) Gross up language in the event of taxability	a) Default Rate: Base Rate + 4% (Base Rate is higher of (i) Prime Rate and (ii) 2.5% plus 1 month LIBOR b) Extension of Tender Date: within sole discretion of the Purchaser c) CAFR due within 180 days of fiscal year end d) Gross-up language in the event of taxability e) Acceleration for event of default	a) CAFR due within 210 days of fiscal year end b) Gross up language in the event of taxability (3.41%)



City of Winter Park, Florida
General Obligation Bond, Series 2020
RFP Summary

	Sterling National Bank	SunTrust (Truist)	Synovus
Contact Information	Mark A. Cargo Managing Director 704.287.4493 mcargo@snb.com	Brian Orth Senior Vice President 407.237.6764 brian.orth@suntrust.com	Rafael Borrero Government Solutions Group 305.669.6334 rafaelborrero@synovus.com
Tax-Exempt, Non-Bank Qualified Interest Rate	2.400%	2.010%	2.500%
Final Maturity	7/1/2037	7/1/2037	7/1/2037
Rate Set Calculation	Fixed	Fixed	Fixed
Rate Locked to Closing, or Date to be Set	3/16/2020 if accepted by 2/28/2020	3/16/2020	3/31/2020
Prepayment Provisions	Years 1-4: No Call Years 5-8: 101% Thereafter: 100%	Make Whole or 10-year par call: +2 bps	Prepayable in whole or in part anytime at par
Legal/Other Fees	None	\$6,500	\$5,500
Other Conditions & Notes	a) Subject to final credit approval b) Proposal Expiration: 2/28/2020	a) CAFR due within 270 days of fiscal year end b) Budget due within 30 days of adoption c) Default Rate: Lesser of 18% or maximum allowable by law d) Gross up language in the event of taxability e) Lender to debit a deposit account maintained by Borrower with Truist	a) CAFR due within 270 days of fiscal year end b) Budget due within 45 days within adoption c) Default Rate: lesser of 5% over the Bank's Prime Rate or the maximum legal rate at the time of default d) Gross up language in the event of taxability due to actions or inactions of the City

RESOLUTION NO. _____-20

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, AUTHORIZING THE ISSUANCE IN AN AGGREGATE PRINCIPAL AMOUNT OF A NOT TO EXCEED \$2,095,000 GENERAL OBLIGATION BOND, SERIES 2020 FOR THE PURPOSE OF FINANCING A PORTION OF THE COSTS OF THE ACQUISITION AND CONSTRUCTION OF THE WINTER PARK LIBRARY AND EVENTS CENTER AND RELATED IMPROVEMENTS IN THE CITY; PROVIDING THAT SUCH BONDS SHALL BE PAYABLE FROM AD VALOREM TAXATION; PROVIDING FOR THE LEVY OF NECESSARY AD VALOREM TAXES; PROVIDING FOR THE TERMS AND DETAILS OF SAID BOND; MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; AUTHORIZING A NEGOTIATED SALE OF SUCH BOND; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA:

ARTICLE I

AUTHORITY, DEFINITIONS AND FINDINGS

SECTION 1.01 AUTHORITY. This Resolution is adopted pursuant to the Florida Constitution and the provisions of Chapter 166, Sections 100.201-100.351, Florida Statutes, the Charter of the City of Winter Park, Florida (the "Issuer"); Ordinance No. 3020-15 (the "Bond Ordinance"); other applicable provisions of law (hereinafter collectively referred to as the "Act"); and a majority vote of the electors of the Issuer on March 15, 2016. This Resolution is supplemental to the Bond Ordinance.

SECTION 1.02 DEFINITIONS. Unless the context otherwise requires, the terms defined in this Section shall have the meanings specified in this Section. Terms not otherwise defined in this Section shall have the meanings specified in the Bond Ordinance. Words importing singular number shall include the plural number in each case and vice versa, and words importing persons shall include firms and corporations.

"Bond Ordinance" shall mean Ordinance No. 3020-15 of the Issuer.

"Bond Registrar" shall mean the City Clerk of the Issuer, who shall maintain the registration books of the Issuer and be responsible for the transfer and exchange of the Series 2020 Bond, and who shall also be the paying agent for the Series 2020 Bond.

"Bond Year" shall mean the annual period ending on a Series 2020 Bond principal maturity date.

"Business Day" shall mean any day other than a Saturday, Sunday or day on which banking institutions within the State of Florida are authorized or required by law to remain closed.

"City Manager" shall mean the City Manager of the Issuer or, in his absence, the Assistant City Manager of the Issuer.

"Code" shall mean the Internal Revenue Code of 1986, as amended.

"Commission" shall mean the City Commission of the City of Winter Park, Florida.

"Default Rate" shall mean the lesser of (i) 18% per annum and (ii) the maximum lawful rate.

"Event of Default" shall mean the occurrence and continuance of one or more of the following events:

(a) payment of the principal of the Series 2020 Bond is not made when the same shall become due and payable; or

(b) payment of any installment of interest on the Series 2020 Bond is not made when the same shall become due and payable; or

(c) the Issuer shall default in the due and punctual performance of any other of the covenants, conditions, agreements and provisions contained in the Series 2020 Bond or this Resolution and such default shall continue for thirty (30) days from the earlier of (a) after written notice shall have been received by the Issuer from the Bondholder specifying such default and requiring the same to be remedied or (b) when notice was required to be given by the Issuer pursuant to Section 2.02 hereof; provided, however, that if, in the reasonable judgment of the Bondholder, the Issuer shall proceed to take such curative action which, if begun and prosecuted with due diligence, cannot be completed within a period of thirty (30) days, then such period shall, upon the written consent of the Bondholder, be increased to such extent as shall be necessary to enable the Issuer to diligently complete such curative action; provided further, however, that in no event shall the cure period exceed sixty (60) days; or

(d) any representation or warranty made in writing by or on behalf of the Issuer in this Resolution or the Series 2020 Bond shall prove to have been false or incorrect in any material respect on the date made or reaffirmed; or

(e) the Issuer admits in writing its inability to pay its debts generally as they become due, or files a petition in bankruptcy or makes an assignment for the benefit of its creditors, declares a financial emergency or consents to the appointment of a receiver or trustee for itself or shall file a petition or answer seeking reorganization or any arrangement under the federal bankruptcy laws or any other applicable law or statute of the United States of America or any state thereof or the involuntary appointment of a receiver or trustee for

the Issuer, where such event continues for at least sixty (60) days undismissed or undischarged.

"Event of Taxability" means the occurrence after the date hereof of a final decree or judgment of any Federal court or a final action of the Internal Revenue Service determining that interest paid or payable on all or a portion of the Series 2020 Bond is or was includable in the gross income of a Purchaser for Federal income tax purposes; provided, that no such decree, judgment, or action will be considered final for this purpose, however, unless the Issuer has been given written notice and, if it is so desired and is legally allowed, has been afforded the opportunity at the Issuer's own expense to contest the same, either directly or in the name of any Purchaser, and until the conclusion of any appellate review, if sought. An Event of Taxability does not include and is not triggered by a change in law by Congress that causes the interest to be includable under Purchaser's gross income. For all purposes the of this definition, the effective date of any Event of Taxability will be the first date as of which interest is deemed includable in the gross income of the registered owner of the Series 2020 Bond.

"Finance Director" shall mean the Finance Director of the Issuer, any Assistant Finance Director, or his or her designee.

"Financial Advisor" shall mean PFM Financial Advisors LLC, its successors and assigns, or such other entity then serving as financial advisor to the Issuer.

"Holder" or **"Bondholder"** or any similar term shall mean the owner of any such Series 2020 Bond as shown on the registration books of the Issuer maintained by the Bond Registrar.

"Interest Rate" shall mean a per annum rate equal to 2.01%, prior to the occurrence of an Event of Taxability, and upon an Event of Taxability shall mean the Taxable Rate. Notwithstanding the foregoing, however, after, and during the continuance of, an Event of Default, "Interest Rate" shall mean the Default Rate.

"Issuer" shall mean the City of Winter Park, Florida.

"Permitted Investments" shall mean investments permitted by applicable law and the written investment policy of the Issuer.

"Purchaser" shall mean STI Institutional & Government, Inc., and its successors and assigns.

"Record Date" shall mean the 15th day of the month immediately preceding any interest payment date for the Series 2020 Bond.

"Series 2020 Bond" shall mean, the General Obligation Bond, Series 2020, herein authorized to be issued.

"Taxable Period" shall mean the period of time between (a) the date that interest on the Series 2020 Bond is deemed to be includable in the gross income of the owner thereof for federal income tax purposes as a result of an Event of Taxability, and (b) the date of the Event of Taxability and after which the Series 2020 Bond bears interest at the Taxable Rate.

"Taxable Rate" shall mean the interest rate per annum that shall provide the Purchaser with the same after-tax yield that the Purchaser would have otherwise received had the Event of Taxability not occurred, taking into account the increased taxable income of the Purchaser as a result of such Event of Taxability. The Purchaser shall provide the Issuer with a written statement explaining the calculation of the Taxable Rate, which statement shall, in the absence of manifest error, be conclusive and binding on the Issuer.

SECTION 1.03 FINDINGS. It is hereby ascertained, determined and declared that:

A. Article VII, Section 12 of the Florida Constitution provides that upon approval by a majority vote of the electors, municipalities may issue bonds payable from ad valorem taxation to finance capital projects authorized by law.

B. Pursuant to Ordinance No. 3020-15 enacted by the City Commission on November 23, 2015 (the "Bond Ordinance"), an election was held on March 15, 2016 to determine if the electors of the Issuer approved of the issuance of not exceeding \$30,000,000 of general obligation bonds of the Issuer for the purpose of financing a portion of the costs of the acquisition and construction of certain capital improvements in the City to include a new library and event center consisting of library facilities, civic meeting and gathering facilities and related parking structure, and all purposes incidental thereto and the demolition and removal of the existing civic center (collectively, the "Project"), payable from ad valorem taxes on all the taxable property within the Issuer (the "Bond Referendum"). The Bond Referendum was duly held and conducted in all respects according to law and a majority of electors casting a ballot voted in favor of the issuance of such bonds for such purpose.

C. On July 3, 2017, the Issuer issued its \$25,500,000 General Obligation Bonds, Series 2017 (the "Series 2017 Bonds") to finance a portion of the Project.

D. Additional funds will be necessary to complete the Project.

E. It serves a paramount public purpose and is in the best interest of the Issuer and the general public to issue its General Obligation Bond, Series 2020 in an aggregate principal amount not to exceed \$2,095,000 (the "Series 2020 Bond") from the unissued amount previously authorized by the Bond Referendum and the Bond Ordinance to finance a portion of the costs of the Project.

F. Ad valorem taxes levied by the Issuer in accordance with this Resolution should be sufficient to pay all principal of an interest and redemption premium, if any, on the Series 2020 Bond to be issued hereunder, as the same become due, and to make all required deposits or payments required by this Resolution.

G. The full faith, credit and unlimited taxing power and the ad valorem taxes of the Issuer are expected to be sufficient to pay principal of and interest on the Series 2020 Bond.

H. Upon the advice of PFM Financial Advisors LLC, the Issuer's Financial Advisor (the "Financial Advisor"), and in light of the current interest rate market, the Issuer deems it to be in its best interest to issue the Series 2020 Bond for the purposes described herein.

I. On February 3, 2020, the Issuer issued a Request for Proposals and upon the advice of the Financial Advisor the response of the Purchaser has been deemed most favorable to the Issuer.

J. The issuance of the Series 2020 Bond and its sale to the Purchaser will serve a public purpose and in all respects conforms to the provisions and requirements of the Act.

K. The Purchaser will provide the Issuer with a disclosure statement containing disclosure and truth-in-bonding statements as required by Section 218.385, Florida Statutes.

L. Because of the characteristics of the Series 2020 Bond, prevailing and anticipated market conditions, and taking into account the advice of the Financial Advisor, it is in the best interest of the Issuer to accept the offer of the Purchaser to purchase the Series 2020 Bond, at a negotiated sale upon the terms and conditions outlined herein, as determined by the City Manager in accordance with the terms hereof.

SECTION 1.04 RESOLUTION TO CONSTITUTE CONTRACT. In consideration of the acceptance of the Series 2020 Bond authorized to be issued hereunder by those who shall hold the same from time to time, this Resolution and the Bond Ordinance shall be deemed to be and shall constitute a contract between the Issuer and such Bondholder. The covenants and agreements herein set forth to be performed by the Issuer shall be for the equal benefit, protection and security of the legal Holders of such Series 2020 Bond, all of which shall be of equal rank and without preference, priority or distinction of any of the Series 2020 Bond over any other thereof, except as expressly provided therein and herein.

ARTICLE II

DESCRIPTION, DETAILS AND FORM OF SERIES 2020 BOND

SECTION 2.01 AUTHORIZATION OF SERIES 2020 BOND. There is hereby authorized to be issued the "City of Winter Park, Florida General Obligation Bond, Series 2020," as shall be designated by the Issuer, in an aggregate principal amount not to exceed Two Million Ninety-Five Thousand Dollars (\$2,095,000). The Series 2020 Bond is issued for the principal purpose of financing a portion of the Project and paying certain costs of issuance incurred with respect to the Series 2020 Bond.

SECTION 2.02 DESCRIPTION OF SERIES 2020 BOND. The Series 2020 Bond shall be dated, shall be issued in denominations of \$100,000, plus integral multiples of \$1 in excess thereof, shall bear interest at the Interest Rate, payable at such times, and shall mature in such years and amounts; all as shall be set forth in the Series 2020 Bond. Interest on the Series 2020 Bond shall be calculated on the basis of a 360-day year of twelve 30-day months.

In any case in which interest is due or the maturity date of the Series 2020 Bond or the date fixed for the redemption of the Series 2020 Bond shall be other than a Business Day, then payment of interest, principal or redemption price need not be made on such date but may be made on the next succeeding Business Day, with the same force and effect as if made on the due date, and no

interest on such payment shall accrue for the period after such due date if payment is made on such next succeeding Business Day.

Except as otherwise provided herein, upon the occurrence of an Event of Taxability and for as long as the Series 2020 Bond remains outstanding, the Interest Rate on the Series 2020 Bond shall be converted to the Taxable Rate and this adjustment shall survive payment on this Series 2020 Bond until such time as the federal statute of limitations under which the interest on the Series 2020 Bond could be declared taxable under the Code shall have expired. In addition, upon an Event of Taxability, the Issuer shall, immediately upon demand, pay to the Purchaser (or prior holders, if applicable) (i) an additional amount equal to the difference between (A) the amount of interest actually paid on the Series 2020 Bond during the Taxable Period and (B) the amount of interest that would have been paid during the Taxable Period had the Series 2020 Bond borne interest at the Taxable Rate, and (ii) an amount equal to any interest, penalties and additions to tax (as referred to in Subchapter A of Chapter 68 of the Code) owed by the Purchaser as a result of the Event of Taxability (the "Additional Amount").

The Holder shall promptly notify the Issuer in writing of any adjustments pursuant hereto. Such adjustments shall become effective as of the effective date of the event causing such adjustment. Adjustments pursuant hereto may be retroactive. The Holder shall provide to the Issuer in writing the Additional Amount, if any, due to such Holder as a result of an adjustment pursuant hereto. Notwithstanding any provision hereto the contrary, in no event shall the interest rate on the Series 2020 Bond exceed the maximum rate permitted by law.

The Series 2020 Bond shall be issued in fully registered form without coupons; shall be issued as a current interest paying Series 2020 Bond; shall be payable in lawful money of the United States of America; and shall bear interest from its date, payable by direct debit of an account maintained by Issuer with Truist Bank or other direct electronic payment to the Bondholder acceptable to the Issuer and Holder.

The Series 2020 Bond shall be issued in certificated form and registered in the name of the Purchaser.

The Series 2020 Bond may only be transferred, in whole or in part, to an "accredited investor" within the meaning of Rule 501 of the Securities Act of 1933, as amended (the "Securities Act") or a "qualified institutional buyer" within the meaning of Rule 144A promulgated under the Securities Act and shall bear a legend to such effect at the top of the first page thereof. Notwithstanding the foregoing, the Holder, in its sole discretion, shall have the right to assign all or a portion of the Series 2020 Bond to an affiliate of the Holder.

The Issuer shall within five (5) days after it acquires knowledge thereof, notify the Holder in writing at its notice address upon the happening, occurrence, or existence of any Event of Default, and any event or condition which with the passage of time or giving of notice, or both, would constitute an Event of Default, and shall provide the Holder, with such written notice, a detailed statement by a responsible officer of the Issuer of all relevant facts and the action being taken or proposed to be taken by the Issuer with respect thereto. Regardless of the date of receipt of such notice by the Holder, such date shall not in any way modify the date of occurrence of the actual Event of Default.

SECTION 2.03 EXECUTION OF SERIES 2020 BOND. The Series 2020 Bond shall be executed in the name of the Issuer by its Mayor or Vice Mayor (collectively, the "Mayor"), and the corporate seal of the Issuer or a facsimile thereof shall be affixed thereto or reproduced thereon and attested by its City Clerk or Deputy City Clerk (collectively, the "City Clerk"). The authorized signatures for the Mayor and City Clerk shall be either manual or in facsimile. The Certificate of Authentication of the Bond Registrar shall appear on the Series 2020 Bond, and no Series 2020 Bond shall be valid or obligatory for any purpose or be entitled to any security or benefit under this Resolution unless such certificate shall have been duly executed on such Series 2020 Bond. The authorized signature for the Bond Registrar shall be either manual or in facsimile; provided, however, that at least one of the above signatures, including that of the authorized signature for the Bond Registrar, appearing on the Series 2020 Bond shall at all times be a manual signature. In case any one or more of the officers who shall have signed or sealed the Series 2020 Bond shall cease to be such officer of the Issuer before the Series 2020 Bond so signed and sealed shall have been actually sold and delivered, such Series 2020 Bond may nevertheless be sold and delivered as herein provided and may be issued as if the person who signed or sealed such Series 2020 Bond had not ceased to hold such office. The Series 2020 Bond may be signed and sealed on behalf of the Issuer by such person as at the actual time of the execution of such Series 2020 Bond shall hold the proper office, although at the date of such Series 2020 Bond such person may not have held such office or may not have been so authorized.

SECTION 2.04 NEGOTIABILITY. The Series 2020 Bond shall be and have all the qualities and incidents of a negotiable instrument under the laws of the State of Florida, and each successive Holder, in accepting any of the Series 2020 Bond, shall be conclusively deemed to have agreed that such Series 2020 Bond shall be and have all of the qualities and incidents of negotiable instruments under the laws of the State of Florida.

SECTION 2.05 REGISTRATION. The Issuer, as Bond Registrar, shall be responsible for maintaining the books for the registration and transfer of the Series 2020 Bond.

Upon surrender to the Bond Registrar for transfer or exchange of any Series 2020 Bond, duly endorsed for transfer or accompanied by an assignment or written authorization for exchange, whichever is applicable, duly executed by the Bondholder or his attorney duly authorized in writing, the Bond Registrar shall deliver in the name of the Bondholder or the transferee or transferees, as the case may be, a new fully registered Series 2020 Bond of authorized denominations and of the same maturity and interest rate and for the aggregate principal amount which the Bondholder is entitled to receive.

Any Series 2020 Bond presented for transfer, exchange, redemption or payment (if so required by the Issuer) shall be accompanied by a written instrument or instruments of transfer or authorization for exchange, in form and with guaranty of signature satisfactory to the Issuer, duly executed by the Bondholder or by his duly authorized attorney.

The Issuer may require payment from the Bondholder or transferee of a sum sufficient to cover any tax, fee or other governmental charge (other than those imposed by the Issuer) that may be imposed in connection with any exchange or transfer of the Series 2020 Bond. Such charges and expenses shall be paid before any new Series 2020 Bond shall be delivered.

Interest on and principal installments for the Series 2020 Bond shall be paid to the Bondholders whose names appear on the books of the Bond Registrar as of 5:00 p.m. (eastern time) on the Record Date.

A new Series 2020 Bond delivered upon any transfer or exchange shall be a valid obligation of the Issuer, evidencing the same debt as the Series 2020 Bond surrendered, and shall be entitled to benefits hereof to the same extent surrendered, shall be secured by this Resolution and entitled to all of the security as the Series 2020 Bond surrendered.

The Issuer and the Bond Registrar may treat the Holder of the Series 2020 Bond as the absolute owner thereof for all purposes, whether or not such Series 2020 Bond shall be overdue, and shall not be bound by any notice to the contrary.

SECTION 2.06 DISPOSITION OF SERIES 2020 BONDS PAID OR REPLACED. Whenever any Series 2020 Bond shall be delivered to the Bond Registrar for cancellation, upon payment of the principal amount thereof, or for replacement, transfer or exchange, such Series 2020 Bond shall, after cancellation, either be retained by the Bond Registrar for a period of time specified in writing by the Issuer, or at the option of the Issuer, shall be destroyed by the Bond Registrar in accordance with the laws of the State of Florida, and counterparts of a certificate of destruction evidencing such destruction shall be furnished to the Issuer.

SECTION 2.07 SERIES 2020 BONDS MUTILATED, DESTROYED, STOLEN OR LOST. In case any Series 2020 Bond shall become mutilated, or be destroyed, stolen or lost, the Issuer, acting as the Bond Registrar, may in its discretion issue and deliver a new Series 2020 Bond of like tenor as the Series 2020 Bond so mutilated, destroyed, stolen, or lost, in exchange and substitution for such mutilated Series 2020 Bond, upon surrender and cancellation of such mutilated Series 2020 Bond or in lieu of and substitution for the Series 2020 Bond destroyed, stolen or lost, and upon the Bondholder furnishing proof of his ownership and the loss thereof (if lost, stolen or destroyed). Any Series 2020 Bond so surrendered shall be cancelled by the Bond Registrar.

Any such duplicate Series 2020 Bond issued pursuant to this Section shall constitute an original contractual obligation on the part of the Issuer, whether or not the lost, stolen or destroyed Series 2020 Bond shall be at any time found by anyone; and such duplicate Series 2020 Bond shall be entitled to equal and proportionate benefits and rights as to lien, source and security for payment, pursuant to this Resolution from the funds, as hereinafter pledged, to the same extent as all other Series 2020 Bonds issued under this Resolution.

SECTION 2.08 PROVISIONS FOR PREPAYMENT. The Series 2020 Bond may be pre-paid in whole or in part on any Business Day subject to the terms set forth in the Series 2020 Bond and upon at least two Business Days' prior written notice to the Purchaser specifying the amount of prepayment.

SECTION 2.09 FORM OF SERIES 2020 BOND. The text of the Series 2020 Bond, together with the Certificate of Authentication of the Bond Registrar, shall be substantially of the following tenor, with such omissions, insert ions and variations as may be necessary or desirable

and authorized or permitted by this Resolution or any subsequent resolution adopted prior to the issuance thereof; or as may be necessary to comply with applicable laws, rules and regulations of the United States Government and the State of Florida in effect upon the issuance thereof:

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THIS BOND MAY ONLY BE TRANSFERRED, IN WHOLE OR IN PART, TO A HOLDER CERTIFYING THAT SUCH HOLDER IS AN "ACCREDITED INVESTOR" WITHIN THE MEANING OF RULE 501 OF REGULATION D PROMULGATED UNDER THE SECURITIES ACT OF 1933, AS AMENDED OR A "QUALIFIED INSTITUTIONAL BUYER" WITHIN THE MEANING OF RULE 144A PROMULGATED UNDER THE SECURITIES ACT OF 1933, AS AMENDED.

No. _____

\$ _____

**UNITED STATES OF AMERICA
STATE OF FLORIDA
COUNTY OF ORANGE
CITY OF WINTER PARK
GENERAL OBLIGATION BOND, SERIES 2020**

**RATE OF
INTEREST**

2.01%

(subject to adjustment as
provided in the Resolution)

**MATURITY
DATE**

July 1, 2037

**DATE OF
ORIGINAL ISSUE**

March ___, 2020

REGISTERED OWNER: STI INSTITUTIONAL & GOVERNMENT, INC.

KNOW ALL MEN BY THESE PRESENTS, that the City of Winter Park, Florida (the "City"), for value received hereby promises to pay to the Registered Owner designated above, or registered assigns, solely from the special funds hereinafter mentioned, on July 1 in the years and in the principal installments as follows:

<u>Years</u>	<u>Amounts</u>
2021	
2022	
2023	
2024	
2025	
2026	
2027	
2028	
2029	
2030	
2031	
2032	
2033	
2034	
2035	
2036	
2037	

and to pay interest hereon from the date of this bond or from the most recent interest payment date to which interest has been paid, whichever is applicable, until payment of such sum, at the rate per annum set forth above, payable on January 1, 2021, and semiannually thereafter on January 1 and July 1 in each year (or if any such date is not a business day, then on the next Business Day thereafter), by direct debit of an account maintained by the City at Truist Bank or other direct electronic payment to the Bondholder acceptable to the City and Registered Owner, on the registration books of the City. The principal of, premium, if any, and interest on this bond are payable in lawful money of the United States of America. No presentment shall be required for any payment on this bond except upon final maturity.

This bond is an authorized issue of bonds issued to finance a portion of the costs of the acquisition and construction of certain capital improvements in the City of Winter Park, Florida, to include a new library and events center consisting of library facilities, civic meeting and gathering facilities and related parking structure, and all purposes incidental thereto and the demolition and removal of the existing civic center (collectively, the "Project"), under the authority of and in full compliance with the Constitution and laws of the State of Florida.

This bond is issued pursuant to the Constitution of the State of Florida, Chapter 166, Florida Statutes, Section 100.201 – 100.351, Florida Statutes, and other applicable provisions of law, a majority vote of the electors of the Issuer on March 15, 2016, and Ordinance No. 3020-15 enacted by the City Commission of the Issuer on November 23, 2015, as amended and supplemented from time to time (the "Bond Ordinance") and Resolution No. ____ -20 duly adopted by the City Commission of the Issuer on March 9, 2020 (the "Resolution" and together with the Bond Ordinance, the "Bond Legislation"), and is subject to all the terms and conditions of said Bond Legislation.

This bond is payable from ad valorem taxes on all the taxable property within the Issuer, as provided in the Bond Legislation and herein. The Bond Legislation requires that in each year while the Series 2020 Bond is outstanding, there shall be levied and collected an ad valorem tax, without limitation as to rate or amount, on all taxable property within the Issuer (excluding homestead exemptions and other exemptions as heretofore or hereafter provided by applicable law), in an amount which will be sufficient to pay the principal of an interest on this bond as they become due.

For the prompt payment of the principal of and interest on this bond as the same shall become due, the full faith, credit and unlimited taxing power of the City of Winter Park, Florida is hereby irrevocably pledged.

It is hereby certified and recited that all acts, conditions and things required to happen, exist and be performed precedent to and in the issuance of this bond, have happened, exist and have been performed in due time, form and manner as required under the Constitution and the laws of the State of Florida applicable thereto; that the total indebtedness of said Issuer, including the issuance of this bond, does not exceed any constitutional or statutory limitation; and that provision has been made for the levy and collection of a direct annual ad valorem tax without limitation as to rate or amount upon all taxable property within the Issuer, sufficient to pay, together with other moneys available, if any, the principal of and interest on this bond as the same shall become due,

which tax shall be levied, assessed and collected at the same time, and in the same manner as other ad valorem taxes are levied, assessed and collected.

This bond may be transferred only upon the books of the City upon surrender thereof to the City with an assignment duly executed by the Registered Owner or his duly authorized attorney, but only in the manner, subject to the limitations and upon payment of a sum sufficient to cover any tax, fee or governmental charge (other than those of the City), if any, that may be imposed in connection with any such transfer, as provided in the Bond Ordinance. Upon any such transfer, there shall be executed in the name of the transferee, and the City shall deliver, a new registered bond or bonds of authorized denominations and in the same aggregate principal amount, maturity and interest rate as this bond.

In like manner, subject to such conditions and upon the payment of a sum sufficient to cover any tax, fee or governmental charge, if any, that may be imposed in connection with any such exchange, the Registered Owner of any bond or bonds may surrender the same (together with a written instrument of transfer satisfactory to the City duly executed by the Registered Owner or his duly authorized attorney) in exchange for an equal aggregate principal amount of fully registered bonds in authorized denominations and of the same maturity and interest rate as this bond.

It is hereby certified and recited that all acts, conditions and things required to exist, to happen and to be performed precedent to and in the issuance of this bond exist, have happened and have been performed in regular and due form and time as required by the Statutes and Constitution of the State of Florida applicable thereto; and that the issuance of this bond and of the issue of bonds of which this bond is one, does not violate any constitutional or statutory limitation.

This bond may be prepaid in whole or in part on any Business Day in accordance with the terms set forth on Schedule A attached hereto.

This bond is and has all the qualities and incidents of a negotiable instrument under the laws of the State of Florida.

This bond shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the Bond Ordinance until the certificate of authentication hereon shall have been executed by the City as Bond Registrar.

[SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF, the City of Winter Park, Florida, has issued this bond and has caused the same to be executed by its Mayor, and its corporate seal to be impressed, imprinted or otherwise reproduced hereon and attested by its City Clerk, all as of March ___, 2020.

CITY OF WINTER PARK, FLORIDA

(SEAL)

By _____
Mayor

ATTESTED:

By _____
City Clerk

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CERTIFICATE OF AUTHENTICATION OF BOND REGISTRAR

This bond is the bond described in the Bond Ordinance.

CITY OF WINTER PARK, FLORIDA

By _____
Mayor

Date of Authentication: March ____, 2020

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CERTIFICATE OF VALIDATION

This bond was one of a series of bonds which were validated by judgment of the Circuit Court of the Ninth Judicial Circuit of the State of Florida, in and for Orange County, Florida (Case No. 2016-CA-006063-O) rendered on December 7, 2016.

CITY OF WINTER PARK, FLORIDA

By _____
Mayor

The following abbreviations, when used in the inscription on the face of the within bond, shall be construed as though they were written out in full according to applicable laws or regulations:

TEN COM - as tenants in
common

UNIF GIF/TRANS MIN ACT - _____
(Cust.)

TEN ENT - as tenants by
the entireties

Custodian for _____
(Minor)

JT TEN - as joint tenants
with right of
survivorship and
not as tenants
in common

under Uniform Gifts/Transfers
to Minors Act of _____
(State)

Additional abbreviations may also be used though not in list above.

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ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers to

_____, (PLEASE INSERT NAME, ADDRESS AND SOCIAL SECURITY OR ASSIGNEE) the within bond and does OTHER IDENTIFYING NUMBER OF hereby irrevocably constitute and appoint _____ as his agent to transfer the bond with full power of on the books kept for registration thereof, substitution in the premises.

Dated: _____

NOTICE: The signature to this assignment must correspond with the name of the Registered Owner as it appears upon the face of the within bond in every particular, without alteration or enlargement or change whatever.

Signature guaranteed:

Signature guarantee by guarantor institution participating in Securities Transfer Agents Medallion Program, or in other guarantee program acceptable to Bond Registrar

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SCHEDULE A

Prepayments; Make Whole Premium. The Series 2020 Bond may be pre-paid in whole or in part on any Business Day subject to the terms of the Resolution and upon at least two Business Days' prior written notice to the Bondholder specifying the amount of prepayment. The City shall, at the time of any prepayment, whether optional or at any other time the Series 2020 Bond is paid earlier than its scheduled maturity, pay to the Bondholder the interest accrued to the date of prepayment on the principal amount being prepaid plus an additional fee or redemption premium equal to the present value of the difference between (1) the amount that would have been realized by the Bondholder on the prepaid amount for the remaining term of the loan at the ICE Benchmark Administration ("IBA") rate for fixed-rate payers in U.S. Dollar interest rate swaps for a term corresponding to the term of the Series 2020 Bond, interpolated to the nearest month, if necessary, that was in effect three Business Days prior to the issuance date of the Series 2020 Bond, and (2) the amount that would be realized by the Bondholder by reinvesting such prepaid funds for the remaining term of the loan at the IBA Index for rates for fixed-rate payers in U.S. Dollar interest rate swaps, interpolated to the nearest month, that was in effect three Business Days prior to the loan repayment date; both discounted at the same interest rate utilized in determining the applicable amount in (2). Should the present value have no value or a negative value, the City may prepay with no additional fee or redemption premium. Should the IBA no longer release rates for fixed-rate payers in U.S. Dollar interest rate swaps, the Bondholder may substitute the IBA Index for rates for fixed-payers in U.S. Dollar interest rate swaps with another similar index as determined by Truist Bank (or affiliate thereof). The Bondholder shall provide the City with a written statement explaining the calculation of the premium due, which statement shall, in absence of manifest error, be conclusive and binding. The application of such fee or prepayment premium is not intended to, and shall not be deemed to be, an increase in the Interest Rate. Any partial prepayment shall be applied as determined by the Bondholder in its sole discretion.

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ARTICLE III

ESTABLISHMENT OF FUNDS

SECTION 3.01 ESTABLISHMENT OF FUNDS. For so long as any of the principal of and interest on the Series 2020 Bond shall be outstanding and unpaid or until there shall have been set apart in the hereinafter defined Debt Service Fund, a sum sufficient to pay when due, the entire principal of the Series 2020 Bond remaining unpaid, together with interest accrued or to accrue thereon, the Issuer covenants with the Holder of the Series 2020 Bond as follows:

(A) Debt Service Fund. The Issuer covenants and agrees to establish a special fund to be designated "City of Winter Park, Florida General Obligation Bond, Series 2020, Debt Service Fund" (the "Debt Service Fund").

From the Debt Service Fund shall be paid each installment of interest on and principal of the Series 2020 Bond as they become due. No further payments shall be required to be made into the Debt Service Fund when the aggregate amount of moneys in the Debt Service Fund is at least equal to the aggregate principal amount of the Series 2020 Bond then outstanding, plus the amount of interest then due or thereafter to become due on such Series 2020 Bond then outstanding. At such time as the Series 2020 Bond is no longer outstanding, any moneys remaining in the Debt Service Fund may be transferred to the "general fund" of the Issuer and shall be used for any lawful purpose. Moneys on deposit in the Debt Service Fund may be invested in Permitted Investments or held in cash.

(B) Costs of Issuance Fund. The Issuer covenants and agrees to establish a special fund to be designated "City of Winter Park, Florida General Obligation Bond, Series 2020, Costs of Issuance Fund" (the "Costs of Issuance Fund").

The Issuer shall deposit from the proceeds of the sale of the Series 2020 Bond into the Costs of Issuance Fund an amount sufficient to pay the costs of issuance pursuant to invoices received and approved by the Issuer. Any moneys remaining in the Costs of Issuance Fund after six months from the date of issuance of the Series 2020 Bond shall be transferred to the Debt Service Fund.

(C) Project Fund. The Issuer covenants and agrees to establish a special fund to be designated "City of Winter Park, Florida General Obligation Bond, Series 2020, Project Fund" (the "Project Fund").

The Issuer shall deposit the remaining funds from the proceeds of the sale of the Series 2020 Bond into the Project Fund to pay the costs of the Project. Upon completion of the Project, any moneys remaining in the Project Fund shall be deposited into the Debt Service Fund. Moneys on deposit in the Project Fund may be invested in Permitted Investments or held in cash.

(D) Special Funds. Each of the funds and accounts herein established and created shall constitute trust funds for the purposes provided herein for such funds and accounts, respectively. All such funds shall be continuously secured in the manner by which the deposit of Issuer funds

are authorized to be secured by the laws of the State of Florida. Earnings on investments in funds and accounts created under this Resolution shall be retained in the funds and accounts from which such earnings derive.

The moneys required to be accounted for in each of the foregoing funds and accounts established herein may be deposited in a single bank account, and funds allocated to the various funds and accounts established herein may be invested in a common investment pool, provided that adequate accounting records are maintained to reflect and control the restricted allocation of the moneys on deposit therein and such investments for the various purposes of such funds and accounts as herein provided.

The designation and establishment of the various funds and accounts in and by this Resolution shall not be construed to require the establishment of any completely independent, self-balancing funds as such term is commonly defined and used in governmental accounting, but rather is intended solely to constitute an earmarking of certain revenues for certain purposes and to establish certain priorities for application of such revenues as herein provided.

ARTICLE IV

COVENANTS OF THE ISSUER

SECTION 4.01 LEVY OF AD VALOREM TAXES. For so long as the Series 2020 Bond is outstanding, the City Commission shall, each year, levy an ad valorem tax, without limitation as to rate or amount, on all taxable property within the Issuer (excluding homestead exemptions and other exemptions as heretofore or hereafter provided by applicable law) at least equal to the amounts required to be deposited into the Debt Service Fund for the ensuing Bond Year. Such tax shall be levied, assessed and collected at the same time and in the same manner as ad valorem taxes for the operating expenses of the Issuer and shall be in addition to all other taxes authorized to be levied by the Issuer. The Issuer covenants that it will not accept payment of taxes levied for operating expenses of the Issuer unless there shall be paid at the same time the taxes required by this Resolution.

All taxes levied pursuant to this Resolution, as collected, shall immediately be deposited into the Debt Service Fund and held in trust for the payment of the principal of and interest on the Series 2020 Bond as they become due and shall be expended for no other purpose.

SECTION 4.02 FINANCIAL REPORTS. A copy of the Issuer's annual audit and report shall be furnished to the Purchaser within 270 days of the end of the related Fiscal Year. A copy of the annual budget of the Issuer shall be provided to the Purchaser within thirty (30) days of adoption and such other additional information, reports or schedules (financial or otherwise) shall be provided as the Purchaser may reasonably request.

ARTICLE V

REMEDIES, TAX COVENANTS AND SALE

SECTION 5.01 REMEDIES. Upon the occurrence and during the continuance of an Event of Default, the Series 2020 Bond shall bear interest at the Default Rate and all payments made on the Series 2020 Bond during any such period shall be applied first to interest and then to principal. Issuer agrees that the Default Rate payable to Holder is a reasonable estimate of Holder's damages and is not a penalty. Upon the occurrence and during the continuance of an Event of Default, the Holder may proceed to protect and enforce its rights under the laws of the State of Florida or under this Resolution by such suits, actions or special proceedings in equity or at law, or by proceedings in the office of any board or officer having jurisdiction, either for the specific performance of any covenant or agreement contained herein or in aid or execution of any power herein granted or for the enforcement of any proper legal or equitable remedy, as the Holder shall deem most effective to protect and enforce such rights. Without limiting the generality of the foregoing, the Holder shall have the right to bring a mandamus action to require the Issuer to perform its obligations under this Resolution.

In the enforcement of any remedy under this Resolution, to the extent permitted by law, a Holder shall be entitled to sue for, enforce payment of and receive any and all amounts then or during any default becoming due from the Issuer for principal, interest or otherwise under any of the provisions of this Agreement or of the Series 2020 Bond then unpaid, at the Default Rate, together with any and all costs and expenses of collection and of all proceedings hereunder and under the Series 2020 Bond (including, without limitation, reasonable legal fees in all proceedings, including administrative, appellate and bankruptcy proceedings), without prejudice to any other right or remedy of the Holder, and to recover and enforce any judgment or decree against the Issuer, but solely as provided herein and in the Series 2020 Bond, for any portion of such amounts remaining unpaid and interest, costs, and expenses as above provided, and to collect in any manner provided by law, the moneys adjudged or decreed to be payable.

SECTION 5.02. REMEDIES NOT EXCLUSIVE. No remedy herein conferred upon or reserved to a Holder is intended to be exclusive of any other remedy or remedies herein provided, and each and every such remedy shall be cumulative and shall be in addition to every other remedy given hereunder.

SECTION 5.03. WAIVERS, ETC. No delay or omission of a Holder to exercise any right or power accruing upon any default shall impair any such right or power or shall be construed to be a waiver of any such default or any acquiescence therein; and every power and remedy given by this Resolution to a Holder may be exercised from time to time and as often as may be deemed expedient.

A Holder may waive any default which in its opinion shall have been remedied before the entry of final judgment or decree in any suit, action or proceeding instituted by it under the provisions of this Resolution or before the completion of the enforcement of any other remedy under this Resolution, but no such waiver shall be effective unless in writing and no such waiver shall extend to or affect any other existing or any subsequent default or defaults or impair any rights or remedies consequent thereon.

SECTION 5.04 TAX EXEMPTION. The Issuer, at all times while the Series 2020 Bond and the interest thereon are outstanding, will comply with the requirements of the Internal Revenue Code of 1986, as amended, to the extent necessary to preserve the exemption from federal income taxation of the interest on the Series 2020 Bond. The Finance Director, or his designee, is authorized to make or effect any election, selection, choice, consent, approval or waiver on behalf of the Issuer with respect to the Series 2020 Bond as the Issuer is required to make or give under the federal income tax laws, for the purpose of assuring, enhancing or protecting favorable tax treatment or characterization of the Series 2020 Bond or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments of penalties thereon, or making payments in lieu thereof, or obviating such amounts or payments, as determined by such officer, or his designee. Any action of such officer, or his designee, in that regard shall be in writing and signed by the officer, or his designee.

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ARTICLE VI

MISCELLANEOUS PROVISIONS

SECTION 6.01 MODIFICATION OR AMENDMENT. No amendment of this Resolution, including defined terms used herein or of any ordinance or resolution amendatory hereof or supplemental hereto may be made without the consent in writing of the Holder; provided, however, that no modification or amendment shall permit a change in the maturity of the Series 2020 Bond or a reduction in the rate of interest thereon, or in the amount of principal obligation thereof, or affect the promise of the Issuer to pay the principal of and interest on the Series 2020 Bond as the same shall become due.

SECTION 6.02 SEVERABILITY OF INVALID PROVISIONS. If any one or more of the covenants, agreements or provisions herein contained shall be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such covenants, agreements or provisions shall be null and void and shall be deemed separable from the remaining covenants, agreements or provisions and shall in no way affect the validity of any of the other provisions hereof or of the Series 2020 Bond issued hereunder.

SECTION 6.03 DEFEASANCE. If, at any time, the Issuer shall have paid, or shall have made provision for the payment of, the principal, interest and redemption premiums, if any, with respect to the Series 2020 Bond, or any portion thereof, then, and in that event, the pledge of and lien on the ad valorem revenues in favor of the applicable Bondholders shall be no longer in effect. For purposes of the preceding sentence, deposit of sufficient cash and/or principal and interest of Federal Securities (the "Escrow Amounts") in irrevocable trust with a banking institution or trust company, for the sole benefit of the applicable Bondholder, to make timely payment of the principal, interest, and redemption premiums, if any, on the Outstanding Series 2020 Bond, shall be considered "provision for payment;" provided, however, that no defeasance shall occur unless (1) a report addressed to the Issuer and the Holder shall be prepared by a firm of nationally recognized certified public accountants verifying the sufficiency of the escrow established to pay the Series 2020 Bond in full on the maturity or redemption date (the "Verification"); provided that such report shall not be necessary in the event that Escrow Amounts are deposited in irrevocable trust with a banking institution or trust company, for the sole benefit of the applicable Bondholder in an amount sufficient without further investment to pay all principal, interest and redemption premiums, if any, on the Outstanding Series 2020 Bond and the Financial Advisor certifies as such to the Issuer; (2) an escrow deposit agreement between the Issuer and the escrow holder shall be executed and delivered; and (3) an opinion addressed to the Issuer and the Bondholder shall be rendered by nationally recognized bond counsel to the effect that the Series 2020 Bond is no longer Outstanding under this Resolution.

SECTION 6.04 GENERAL AUTHORITY. The Mayor, City Manager, and Finance Director of the Issuer, or any of them, are hereby authorized, in connection with the issuance and sale of the Series 2020 Bond and the transactions specified in the Series 2020 Bond documents, to do all things and to take any and all actions on behalf of the Issuer; to execute and deliver the

Series 2020 Bond documents; to provide disclosures concerning the Issuer; and to finalize and close the transactions specified in all such agreements or arrangements (including any amendments or modifications thereof), including, without limitation, the execution and delivery of any and all documents and instruments deemed appropriate by any of such officers, and the making of any appropriate statements, representations, certifications and confirmations on behalf of the Issuer, and in their respective capacities as officers thereof, necessary, appropriate or convenient to effectuate and expedite the issuance and delivery of the Series 2020 Bond, the consummation of the transactions specified by the Series 2020 Bond documents, and any and all of the covenants, agreements and conditions of the Issuer; the approval of the Issuer and all corporate power and authority for such actions to be conclusively evidenced by the execution and delivery thereof by any of such officers.

SECTION 6.05 MEMBERS OF THE CITY COMMISSION EXEMPT FROM PERSONAL LIABILITY. No recourse under or upon any obligation, covenant or agreement of this Resolution, or the Series 2020 Bond or for any claim based thereon or otherwise in respect thereof, shall be had against any Issuer official, officer or employee or any member of the Commission, as such, of the Issuer, past, present or future, either directly or through the Issuer it being expressly understood (a) that no personal liability whatsoever shall attach to, or is or shall be incurred by, any Issuer official, officer or employee or members of the Commission, as such, under or by reason of the obligations, covenants or agreements contained in this Resolution, or the Series 2020 Bond or implied therefrom, and (b) that any and all such personal liability, either at common law or in equity or by constitution or statute, of, and any and all such rights and claims against, any Issuer official, officer or employee or member of the Commission, as such, are waived and released as a condition of, and as a consideration for, the execution of this Resolution and the and the issuance of the Series 2020 Bond, on the part of the Issuer.

SECTION 6.06 APPLICABLE LAW AND VENUE. The Series 2020 Bond shall be governed by applicable federal law and the internal laws of the state of Florida. Unless applicable law provides otherwise, in the event of any legal proceeding arising out of or related to the Series 2020 Bond, the jurisdiction and venue shall be in Orange County, Florida.

SECTION 6.07 WAIVER OF JURY TRIAL. The Issuer knowingly, voluntarily, and intentionally waives any right it may have to a trial by jury, with respect to any litigation or legal proceedings based on or arising out of the this Resolution or the Series 2020 Bond, including any course of conduct, course of dealings, verbal or written statement or actions or omissions of any party which in any way relates to the Series 2020 Bond or this Resolution.

SECTION 6.08 REPEAL OF INCONSISTENT PROVISIONS. All resolutions or parts thereof in conflict with this Resolution are hereby repealed to the extent of such conflict.

SECTION 6.09 EFFECTIVE DATE. This Resolution shall take effect immediately upon its passage.

ADOPTED after reading by title at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, Florida, on this 9th day of March 2020.

CITY OF WINTER PARK, FLORIDA

(SEAL)

By _____
Mayor

ATTESTED:

By _____
City Clerk



city commission agenda item

item type	Public Hearings	meeting date	3/9/2020
prepared by	Planning	approved by	City Manager, City Attorney
board approval	final vote		
strategic objective	Exceptional Quality of Life, Intelligent Growth and Development, Investment in Public Assets and Infrastructure, Fiscal Stewardship, Public Health and Safety		

subject

Request of the City of Winter Park for:

This public hearing will be held at 5:00 p.m. or thereafter.

- Ordinance - Amending Chapter 58 "Land Development Code" Article I, and the "Comprehensive Plan" to adopt new goals, objectives and policies of the future land use element to establish the Orange Avenue Overlay District. (2)
- Ordinance - Amending Chapter 58 "Land Development Code" Article III, "Zoning" to adopt a new zoning district Section 58-83 Overlay Districts (OD). (2)

motion / recommendation

Staff recommends approval of the Ordinances creating the Orange Avenue Overlay District.

background

The City of Winter Park has discussed the possible redevelopment of Orange Avenue for many years, but little has been achieved. The City Commission made the creation of a Mixed-Use Overlay District a priority in the Comprehensive Plan and also directed staff to create a process that would bring forward a Mixed-Use Overlay District.

It is the intent of the Orange Avenue Overlay (OAO) District to provide enhanced standards to protect and promote the unique characteristics of the Orange Avenue area and create a distinct gateway into Winter Park. This Overlay District is used to create a sense of place established through specific architectural styles, streetscape design, open space areas, setbacks, site design, landscaping and other regulatory controls.

Placemaking

The concept of Placemaking has been a major component of the Orange Avenue Overlay creation. By using the community input that was provided as a part of the Vision Winter Park process, the process of updating the Comprehensive Plan, and from the Orange Avenue public input process, a vision for the area began to take

shape. Placemaking allows for a vision for an area to become a reality, creating spaces and places for social interaction and creating memorable experiences.

Process

What is unique about this process is that in the past, the City has relied on outside consultants to perform most of the large-scale planning initiatives. These processes don't always allow for as much public participation and there is a feeling in the community that by the time the draft document is presented, there is no real opportunity to change the language. Additionally, the work was performed by people who may not live and work in the community, and may not have the insight of those who know Winter Park best.

That is why this process has been so different. This process was done completely in-house, with City staff from various departments involved, but led by the City of Winter Park Planning and Community Development team. Many studies have been performed on Orange Avenue in the past, but no actual codes or actionable documents had been created. The desired outcome for this process was to finally create updates to codes and planning documents that would actually stimulate thoughtful development.

Though the Planning team has great insight into the community, staff wanted an implementable plan that would be developed by Winter Park, for Winter Park. Therefore, a process was created that would be guided by the public from the start to the finish.

Staff has worked with the Winter Park Community and members of the community who provided their input or serve their community as Board or Committee member. This Overlay process represents more than 15 months of collaboration.

Public Input

The input of the Winter Park community has been at the forefront of this planning initiative. A great deal of public input had been gathered by past studies and initiatives such as Vision Winter Park or the updating of the Comprehensive Plan, but staff would start again, with the first step being public input as a part of this Overlay process.

First Public Input Meeting

Staff advertised and held a public input meeting on March 25, 2019, at the Community Center. Rather than give a presentation on what staff hoped to accomplish, this session simply had attendees give their written input on a series of 16 questions and any other input they wished to provide. Approximately 150 citizens attended this meeting and significant input was provided.

Stakeholder (2nd) Public Input Meeting

A second public input meeting was held on April 4, 2019, that centered around gathering stakeholder input from the property owners who had properties within the Overlay area, though the public was also invited to attend. The meeting was held at the Welcome Center and after a brief introduction by staff, the attendees asked questions of staff and then were invited to once again provide their written input to the same questions from the first input meeting. Over 100 people attended this second input meeting.

Continued Input

To increase the amount of public input, staff created a survey from the questions created

for the public input meetings, and for 2 months, asked residents to access the survey from the City website and provide their input.

Additionally, staff created OrangeAve@cityofwinterpark.org, an email address that has remained active throughout the process to provide the public the opportunity to provide any and all input they would like.

It has remained the intent of staff to create a process that provided enough time for anyone who wanted to be involved, could be actively involved.

On top of public input meetings, staff has held meetings with stakeholders, property owners, neighborhood groups, condo associations, stakeholder groups and individual citizens throughout the months of the Overlay process. Altogether, staff met with groups or individuals that has consisted of hundreds of hours of additional opportunity to hear from the public about their vision for Orange Avenue.

Community Outreach

Staff continued to try to utilize creative approaches to get citizen input and to provide the public with as much education as possible about what the Orange Avenue Overlay process was about, and how they could continue to provide input. Press releases were created for each step of the Overlay process.

Informational Videos

In a unique approach to the Orange Avenue Overlay District planning initiative, staff created a number of informational videos that explained what some of the key topics were, to make sure that the public had a clear understanding of what the Overlay process was all about.

The first video was about Placemaking and how a community could cast a vision, and then make that vision become a reality. The second video was about Overlay Districts and how they could be a helpful planning tool. The video used everyday items to depict different elements of the built environment and how Overlay Districts can create positive change. The third video was about Mixed-Use. The video had a number of Orange Avenue Overlay Steering Committee members and Planning & Zoning Board members discussing their favorite mixed-use areas in Winter Park. The fourth video showed the public process and the public input that given throughout the Overlay process.

Orange Avenue Community Walkshop

Another unique opportunity that was created to invite the public to provide input, and to see the Orange Avenue area from the pedestrian viewpoint was the Orange Avenue Overlay Walkshop that was held on August 20, 2019. The walkshop invited everyone in the community to walk as a group throughout the area that was being considered, stopping at 10 different locations to have meaningful discussions and to share observations. Approximately 50 people attended the walkshop, and the attendees found it to be a worthwhile and new type of planning input opportunity.

Additional Public Outreach

On July 15, 2019, Planning Director Bronce Stephenson, presented the Overlay District process and plan to a sold-out crowd at Winter Park Chamber of Commerce event, Good Morning Winter Park. The presentation was also live streamed to social media audiences.

On October 3, 2019, Senior Planner Allison McGillis and Planning Director Bronze Stephenson presented the Overlay District to the Winter Park Land Trust. Staff has also held multiple discussions and meetings with various members of the Winter Park Land Trust.

On November 6, Senior Planner Allison McGillis and Planning Director Bronze Stephenson presented the Overlay District to the Government Affairs Committee of the Chamber of Commerce.

On December 2, 2019, Planning Director Bronze Stephenson presented the Overlay District language to the Winter Park Rotary Club.

On December 18, 2019, Planning staff held a public information meeting in the lobby of the Gateway Plaza building at 1201 Orlando Ave for property owners within the Orange Avenue Overlay area. Notice was sent to all property owners within the Overlay District and the public was welcomed to attend as well.

On December 21, 2019, staff had a booth at the Winter Park Farmers Market to be available to discuss the Orange Avenue Overlay District with anyone who has questions, concerns or suggestions. Staff was at the booth from 7AM until 1PM and had the opportunity to meet with dozens of community residents to discuss the Overlay.

Orange Avenue Overlay Steering Committee

Staff requested that the City Commission allow for the creation of a Steering Committee, to represent the public and to guide the development of the Overlay language.

Orange Avenue Overlay Steering Committee Roster:

The Steering Committee had a citizen appointed by the Mayor and each Commissioner, plus a representative from Boards and Committees that had close ties to the creation of an Overlay District. The Committee consisted of the following members:

- Phil Kean, AIA – Mayor Leary Appointee
- Sally Flynn – Vice-Mayor Seidel Appointee
- Michael Dick – Commissioner Cooper Appointee
- Lamont Garber – Commissioner Sprinkel Appointee
- Sheila De Ciccio – Commissioner Weaver Appointee
- Laura Turner, AICP – Planning & Zoning Board Representative
- Bill Sullivan – Vision Winter Park Representative
- Lambrine Macejewski – CRA Advisory Board Representative
- Ben Ellis, P.E. – Keep Winter Park Beautiful & Sustainable Board Representative
- Jill Hamilton Buss – Transportation Advisory Board Representative
- Bill Segal – Economic Development Advisory Board Representative

Over 26 weeks, the 11-member Steering Committee held a total of 13 meetings (including the walkshop), which invited the public to attend and allowed for public comment at each meeting. The Steering Committee covered a variety of topics over their extensive meeting schedule. The Committee voted on the following language that established their goals:

“The Steering Committee shall guide code language for the successful implementation of the Orange Avenue Overlay. The language shall incorporate the city’s Vision and Comprehensive Plan goals of creating a mixed-use district

and a gateway into Winter Park. The language shall enhance the Orange Avenue area identity and experience, while increasing safety and mobility. It shall provide enhanced and flexible development standards to create the opportunity for positive and sustainable public and private improvements and redevelopment of the area. The Committee shall make a recommendation of the draft language to the City Commission for final approval.”

Orange Avenue Overlay District

The attached Orange Avenue Overlay Report provides the information that would typically be discussed in a staff report, but due to the length of the document, staff would request that the Commission review the attachments. There is thorough analysis of the process, the public input provided, the Steering Committee process, the new codes proposed and the timeline of the process. Please refer to the attached Orange Avenue Overlay Report and the draft Ordinances that would create the Orange Avenue Overlay District and change the Comprehensive Plan in accordance with the Orange Avenue Overlay District. Commitment to Public Input, Education & Involvement.

Now that this Overlay process has reached its conclusion, there have been 19 publicly advertised meetings where the public was invited to attend, provide input, comment or ask questions. Staff has spent hundreds of hours meeting with the community and property owners in the Overlay area to fully understand and address the issues that have kept this area from reaching its full potential.

Additionally, there have been 2 publicly noticed worksessions open for the public to attend, held by the Planning & Zoning Board. Additionally, the City Commission has held 12 publicly noticed worksessions that were open for the public to attend.

Recommendations

At their final meeting on November 13, 2019, the Orange Avenue Overlay Steering Committee voted 8-2 to recommend approval of the Final Draft language, with minor changes that were discussed at the meeting. The major topic that all members of the Steering Committee could not agree upon was whether or not the City-owned Progress Point property should be developed, to what scale it should be developed, and whether or not it should be used as a park.

At their meeting on December 3, 2019, the Planning & Zoning Board voted unanimously to recommend approval of the Ordinances creating the Orange Avenue Overlay District. The meeting minutes and the comments made by P&Z members regarding their enthusiastic recommendation of this Overlay is attached.

Staff recommends approval of the Ordinances creating the Orange Avenue Overlay District.

At the January 13, 2020 and continuing to the January 16, 2020 Commission Meeting, the Commission heard a great deal of public input, held extensive discussion and made 43 amendments, with many of those amendments approved. The Commission then voted 3-2 to approve the 1st Reading of the Ordinances with the approved amendments.

Summary

This process has been a transformative way of creating a community-based planning process. This Overlay District was created as a result of the Comprehensive Plan calling for a new way of exploring the creation of a Mixed-Use Overlay District. This process was not driven by developers or in response to any sort of planned

development, instead it was based on the input of the Community and through the guidance of a Steering Committee, the Planning & Zoning Board, professional City staff and the City Commission. This process has included 15 months exploring the problems that have led to the economic stagnation of the Orange Avenue Overlay District. The findings and recommendations are based on solutions to problems that have hurt small businesses in the Orange Avenue area for many years and led to continued lack of revitalization. The Vision Winter Park Plan, the Sustainability Plan and the Comprehensive Plan have been the guides to creating a new way of looking at development in Winter Park and allowing for development bonuses to be earned, rather than simply given through rezoning or variance. The City and the Winter Park community worked together to create the vision for Orange Avenue. A vision that keeps traditional scale, creates a more walkable district, creates safety for all modes of transportation, assists small businesses, finds creative solutions to areawide issues, ensures high-quality development, creates more open space and brings connectivity to the area. The end result of this process will be the creation of the next great Place in Winter Park, one the community will be proud to call their own.

State Review & Changes Since 1st Reading Approval

Per State of Florida Requirements, City staff transmitted the Comprehensive Plan Ordinance approved at the 1st Reading to following Agencies:

- Florida Department of Economic Opportunity
- Florida Department of Environmental Protection
- Florida Department of Transportation - District 5
- St. Johns River Water Management District
- Orange County
- Florida Department of State – Bureau of Historic Preservation
- Florida Department of Education
- East Central Florida Regional Planning Council

After the review of the Comprehensive Plan Amendment, the City of Winter Park received no comments or concerns from any of the agencies.

After final review of the Ordinance language, staff made minor language tweaks to ensure that consistent language was used throughout the documents. Only clarifying language changes were made, no substantive changes were made to the Ordinances.

The redline versions of the Ordinances are attached. The Zoning Code Ordinance shows all changes made. The Comp Plan Ordinance language is all underlined (per State submittal requirement), but the changes made since State submittal are redlined.

alternatives / other considerations

fiscal impact

ATTACHMENTS:

Description	Upload Date	Type
OAo Comp Plan Ordinance Redline	3/2/2020	Backup Material
OAo Zoning Code Ordinance Redline	3/2/2020	Backup Material
1.13.20 Commission Memo	3/2/2020	Backup Material

COMP PLAN ORDINANCE FOR 2ND READING – 3.2.20

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE I, "COMPREHENSIVE PLAN" SO AS TO ADOPT NEW GOALS, OBJECTIVES AND POLICIES OF THE FUTURE LAND USE ELEMENT TO ESTABLISH THE ORANGE AVENUE OVERLAY DISTRICT; PROVIDING FOR CONFLICTS; SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, an eleven (11) member Orange Avenue Overlay Steering Committee was formed by City Commission Resolution, held twelve (12) advertised public meetings, and oversaw the language creating the Orange Avenue Overlay District and voted to recommend approval of the language to the Planning & Zoning Board and City Commission; and

WHEREAS, the Winter Park Planning and Zoning Board, acting as the designated Local Planning Agency, has reviewed and voted unanimously to recommend adoption of these proposed amendments to the Zoning Regulations portion of the Land Development Code, having held a public hearing, which was noticed to every property Citywide, on December 3, 2019; and

WHEREAS, the Winter Park City Commission has reviewed the proposed Comprehensive Plan amendment and held an advertised public hearing, which was noticed to every property Citywide, on January 13, 2020 and was continued to January 16, 2020 and will have a second advertised public hearing after review and compliance with any requested changes by required State Agencies, and provided for public participation in the process in accordance with the requirements of State law and the Comprehensive Plan; and

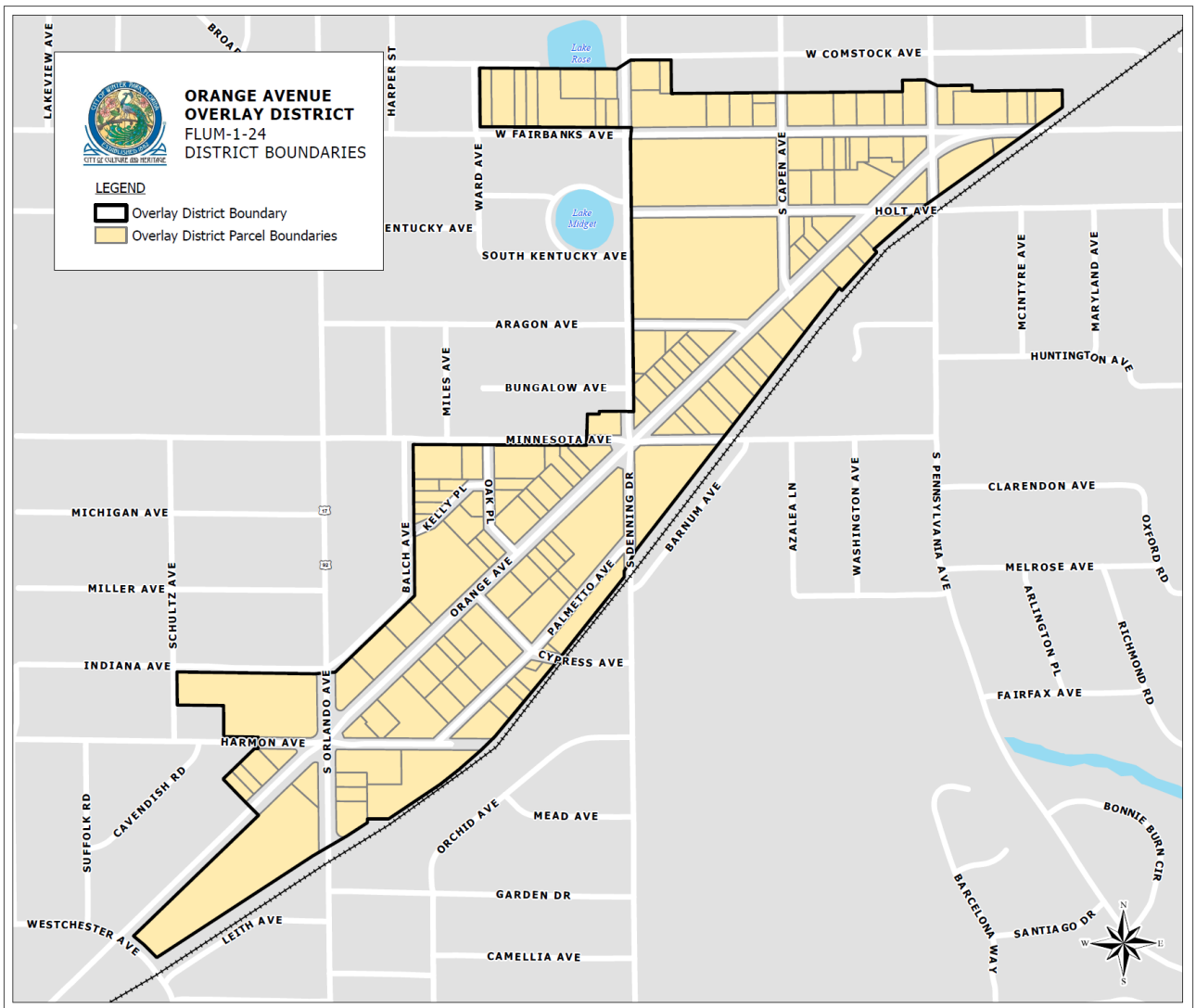
WHEREAS, the City Commission hereby finds that this Ordinance serves a legitimate government purpose and is in the best interests of the public health, safety, and welfare of the citizens of Winter Park, Florida.

NOW, THEREFORE, BE IT ENACTED BY THE CITY OF WINTER PARK, FLORIDA:

SECTION 1. Amendment. That Chapter 58 "Land Development Code", Article I "Comprehensive Plan" is hereby amended by adding to the Goals, Objectives and Policies in the Future Land Use Element to read as follows:

GOAL 1-8: Establishment of the Orange Avenue Overlay District. The City shall establish the Orange Avenue Overlay District in order to implement specific purposes, intents, and design standards, which shall be applied as additional standards to other regulations required by the City to an area defined as the Orange Avenue Overlay District.

OBJECTIVE 1-8.1: Orange Avenue Overlay District. The boundaries of the Orange Avenue Overlay District are identified in FLUM-1-24 and the Policies regarding this Overlay District shall be established as defined herein.



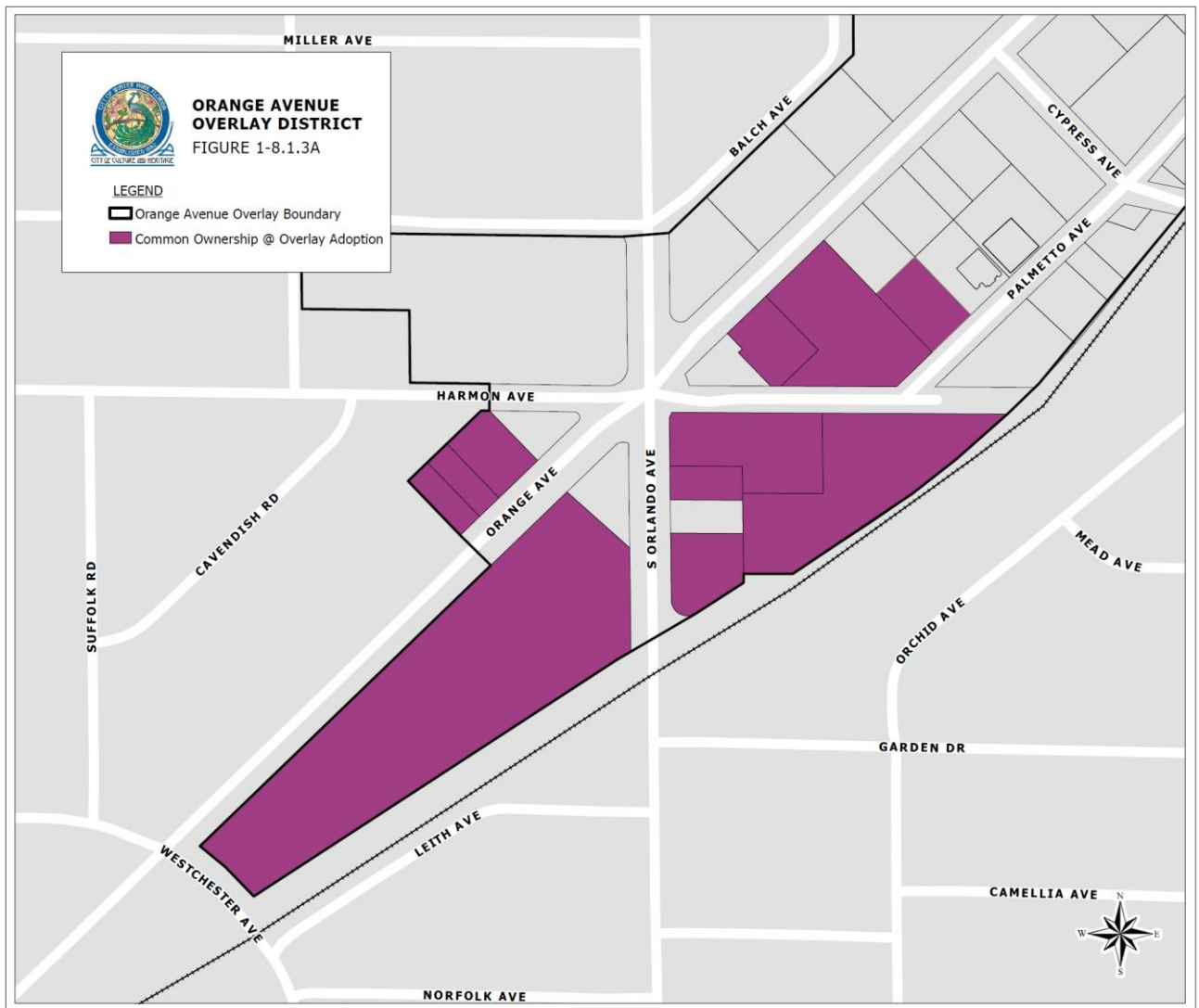
Policy 1-8.1.1: Conflicts and Inconsistencies. Where any Policies within this Comprehensive Plan, including any Planning Area Policies, are found to be in conflict with the Policies set forth for the Orange Avenue Overlay District, the following Policies found herein shall apply and shall supersede any language found to be in conflict.

Policy 1-8.1.2: Orange Avenue Overlay District Subareas. The Orange Avenue Overlay District Subarea Map, FLUM-1-25, shall delineate the different subareas and their specific development standards. Changes to the subarea map shall not be allowed. Each area has unique characteristics, issues and opportunities. The **base and maximum achievable Floor Area Ratio (FAR)**, height and residential densities for each subarea are defined below. A percentage-based upgrade system **is established** for **certain** properties within the Orange Avenue Overlay District to **possibly** earn additional **development entitlements, or (FAR) to be able to get to up to** their maximum achievable FAR, by providing certain public improvements and area-wide solutions is outlined in the Land Development Code.

- (4) Subarea D.
a. Base Floor Area Ratio: 100%
a.b. Maximum Achievable Floor Area Ratio: 150%
b.c. Maximum Height: 6 Stories
c.d. Maximum Residential Density: 17 units per acre
- (5) Subarea E.
a. Base Floor Area Ratio 60%
a.b. Maximum Achievable Floor Area Ratio: 80%
b.c. Maximum Height: 4 Stories
c.d. Maximum Residential Density: 17 units per acre
- (6) Subarea F.
a. Base Floor Area Ratio: 20%
a.b. Maximum Achievable Floor Area Ratio: 20%
b.c. Maximum Height: 2 Stories
c.d. Maximum Residential Density: Residential uses shall not be permitted.
- (7) Subarea G.
a. Base Floor Area Ratio: 45%
a.b. Maximum Achievable Floor Area Ratio: 45%
b.c. Maximum Height: 3 stories
c.d. Maximum Residential Density: 17 units per acre
- (8) Subarea H.
a. Base Floor Area Ratio: 0%
a.b. Maximum Achievable Floor Area Ratio: 0%
b.c. Maximum Height: N/A
c.d. Maximum Residential Density: Residential uses shall not be permitted.
- (9) Subarea I.
a. Base Floor Area Ratio: 60%
a.b. Maximum Achievable Floor Area Ratio: 125%
b.c. Maximum Height: 3 Stories
c.d. Maximum Residential Density: 17 units per acre
- (10) Subarea J.
a. Base Floor Area Ratio: 100%
a.b. Maximum Achievable Floor Area Ratio: 150%
b.c. Maximum Height: 3 Stories fronting on Fairbanks Avenue, and 4 Stories when located 100 feet back from Fairbanks Avenue right-of-way boundary.
c.d. Maximum Residential Density: 17 units per acre
- (11) Subarea K.
a. Base Floor Area Ratio: 60%
a.b. Maximum Achievable Floor Area Ratio: 80%
b.c. Maximum Height: 3 Stories
c.d. Maximum Residential Density: 17 units per acre

Policy 1-8.1.3: Subarea D Residential Density Transfers. At the time of the adoption of this OAO, the owner of properties within Subarea D or vacated rights-of-

way within Subarea D, shall be allowed to transfer the existing residential density entitlements, based on the maximum units per acre of the underlying zoning, from properties within the OAO that are under common ownership on the date of the first reading of the Ordinance, as reflected on the map below to this Subarea D, though not the square footage. Once the residential density entitlements are transferred from such other commonly-owned properties, no residential units can be constructed on the property from which the density transfers occurs, and the documents to be recorded in the Orange County Public Records memorializing this restriction shall be reviewed and approved by the City and thereafter recorded. Properties transferring units out are then not candidates for utilization of the development enhancement menu to earn the maximum additional FAR defined for the subarea, and are therefore capped at the base FAR (which is outlined in the Land Development Code) for said subarea in which they lie. No properties, other than those shown on the below map owned by Demetree Holdings or a substantially related affiliate shall be eligible for density transfer. The intent is to create nodes of intensity, allowing for residential uses, which are key to the successful creation of mixed-use districts and create development that can fund the needed parking and regional stormwater areas in the district. By clustering the intensity, there will be a reduction in overall massing and building heights throughout the OAO. Density Transfer shall only allow the transfer within Subarea D and currently entitled units into the defined Subarea D. This language shall not allow transfer of units into other Subareas. The map below depicts the properties within this Subarea D that qualify for this density transfer and the parcel ID's are listed for the properties shown

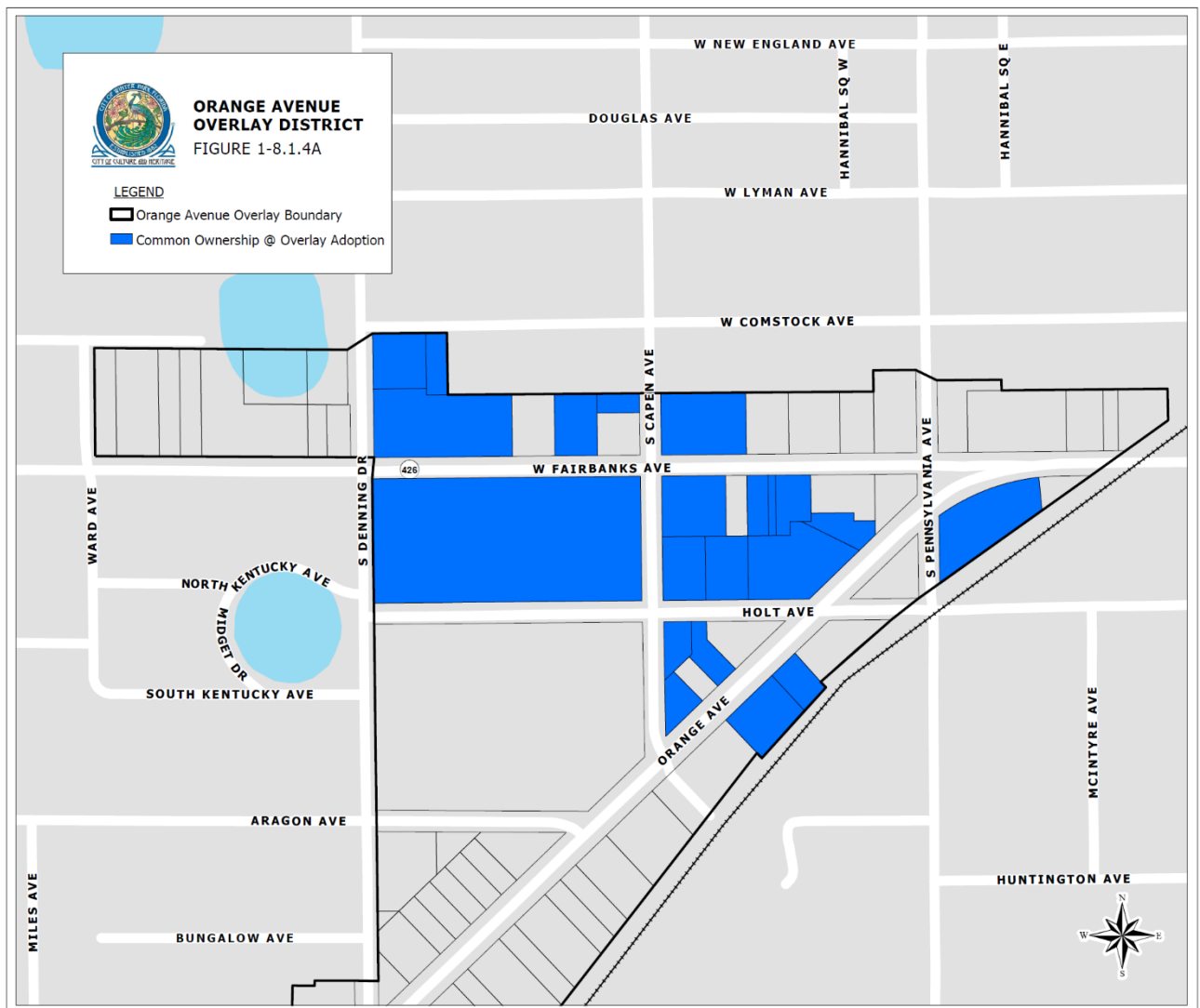


Orange County Parcel IDs that are owned by Demetree Global or a substantially related affiliate and permitted to transfer residential units to Subarea D:

12-22-29-6600-01-990, 12-22-29-7506-00-001, 12-22-29-7506-01-010, 12-22-29-7506-01-020, 12-22-29-7506-01-030, 12-22-29-6600-00-980, 12-22-29-6600-00-951, 12-22-29-6600-02-230, 12-22-29-6600-01-970, 12-22-29-6432-07-010, 12-22-29-6432-07-030, 12-22-29-6432-07-040, 12-22-29-6432-08-010, and 12-22-29-6600-01-460.

Policy 1-8.1.4: Subarea J Residential Density Transfers. At the time of the adoption of this OAO, the owner of the Subarea J property shall be allowed to transfer the existing residential density entitlements, based on the maximum units per acre of the underlying zoning, from properties within the OAO that are under common ownership on the date of the first reading of the Ordinance, as reflected on the below map to this Subarea J, though not the square footage. Once the residential density entitlements are transferred from other commonly-owned properties, no residential units can be constructed on the site from which the density transfers occur and documents to be recorded in the Orange County Public Records memorializing this restriction shall be reviewed and approved by the City and thereafter recorded. Properties transferring units out are then not candidates for utilization of the

development enhancement menu to earn the maximum additional FAR defined for the subarea and are therefore capped at the base FAR (which is outlined in the Land Development Code) for said subarea in which they lie. No properties, other than those shown on the below map owned by Holler Holdings or a substantially related affiliate, shall be eligible for density transfer. The intent is to create nodes of intensity, allowing for residential uses, which are key to the successful creation of mixed-use districts and create development that can fund the needed parking and regional stormwater areas in the district. By clustering the intensity, there will be a reduction in overall massing and building heights throughout the OAO. Density transfer shall only allow the transfer within Subarea J and currently entitled units into the defined Subarea J. The map below depicts the properties within this Subarea J that qualify for this density transfer and the parcel ID's are listed for the properties shown.



Orange County Parcel IDs that are owned by Holler Holdings or a substantially related affiliate and permitted to transfer residential units to Subarea J: 05-22-30-9400-92-020, 05-22-30-9400-72-060, 05-22-30-9400-72-052, 05-22-30-9400-72-070, 05-22-30-9400-72-110, 05-22-30-9400-72-121, 05-22-30-9400-73-071, 07-22-30-6512-91-052, 07-22-30-2824-00-010, 07-22-30-2824-00-021, 07-22-30-2824-00-

022, 07-22-30-6512-91-070, 07-22-30-6512-91-080, 07-22-30-2824-00-081, 07-22-30-2824-00-042, 07-22-30-6512-90-001, 07-22-30-0564-00-031, 07-22-30-0564-00-050, 07-22-30-3616-00-021, 07-22-30-3616-00-050, and 07-22-30-3616-00-062.

Policy 1-8.1.5: Meaningful Open Space Requirements. It is the intent of the OAO to ensure that the development and enhancement of properties includes the creation of meaningful, useable, accessible, green and beautiful open space that invites the public to relax, interact, recreate, unwind and stimulate social connection. Where properties are planned for redevelopment, meaningful open space and the design of structures around these open spaces is the most important consideration. At a minimum, each property 1.5 acres in size and above, or any project covering 1.5 acres, that is redeveloped shall provide a minimum of at least 25% meaningful open space, which is open to and available to the public. At least 65% of open-space areas provided shall be greenspace and 80% of the required open-space area shall be pervious or semi-pervious. Pervious areas such as retention ponds, parking lot islands or landscape planting areas around building bases shall not be counted as open space. Existing park space shall not count towards open space requirements. Open space shall be areas that are open and inviting to the public. Open space can include green areas, hardscape areas, semi-pervious areas, balcony or roof areas that are open to the public and other similar-type spaces. At least 90% of the open space shall be provided at ground level. ~~The intent is that each of these areas create the opportunity for social interaction, relaxation, recreation and reflection.~~

Policy 1-8.1.6: Floor Area Ratio for Parking Structures. Parking structures shall not count towards the floor area ratio (FAR) for any project/property within the Orange Avenue Overlay District, provided that the conditions listed within the Land Development Code are met for each structure. Parking structures that do not provide the requirements listed in the Land Development Code shall not be exempt from FAR calculations, and therefore must count the parking garage square footage towards their FAR calculations.

Policy 1-8.1.7: Variances and Special Exceptions. No variances to maximum number of stories, maximum allowable Floor Area Ratio, allowed uses, required open space or maximum residential density shall be granted. Variances to other development standards shall be considered, with sufficient showing of reasoning and hardship, as outlined in Section 58-92 of the Land Development Code.

Policy 1-8.1.8: Residential Uses within the Overlay District. The OAO shall not apply to existing residential uses. Protections of existing residential uses and structures shall be implemented. Properties currently used and developed as residential prior to the effective date of this section shall continue to be subject only to current Land Development Code standards and protections governing such properties' underlying zoning designation and not those set forth in the OAO, unless and until such properties redevelop. Any change of use or redevelopment on the existing residentially developed properties shall require compliance with OAO standards. In order to protect existing structures that are used as a residence, new non-residential or mixed use development within the OAO shall have its structures setback at least 35 feet from the property boundaries of parcels with existing residential structures used as a residence that are not intended to be part of the proposed development, unless a written consent can be obtained from owner(s) of

the affected existing residential structure(s) consenting to the waiver of such minimum setback requirement of this subsection. Parking garages shall be setback at least 100 feet from the property boundary of parcels used and developed as single-family or low-density residential.

SECTION 2. Vesting. In order to not adversely affect development projects that may be in process and for which expenditures have been made in reliance upon the existing code provisions, the City will allow certain developments to be subject to the underlying zoning of the property prior to the adoption of this Ordinance provided such development's site and building floor plans have been received and approved by the City prior to the effective date of this Ordinance. However, for any development project that received a conditional use approval from the City Commission prior to the effective date of this Ordinance, the expiration of that conditional use approval per Section 58-90 shall apply.

SECTION 3. Severability. If any Section or portion of a Section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Ordinance.

SECTION 4. Conflicts. To the extent any provision or provisions of this Ordinance conflict with the provision or provisions of other Ordinances, the provisions of this Ordinance control.

SECTION 5. Codification. Section 1 of this Ordinance shall be codified and made a part of the City of Winter Park Comprehensive Plan, and the sections of this Ordinance may be renumbered or re-lettered to accomplish this intention. The word "Ordinance" may be changed to "Section," "Article," or other appropriate word. The City Clerk is given liberal authority to ensure proper codification of this Ordinance, including the right to correct scrivener's errors.

SECTION 6. Effective Date. The Comprehensive Plan amendments provided for under this Ordinance and this Ordinance do not become effective until 31 days after adoption of this Ordinance. If timely challenged, this Ordinance and the comprehensive plan amendments may not become effective until the State Land Planning Agency or the Administration Commission enters a final order determining that the adopted amendments are in compliance.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this _____ day of _____, 2020.

Mayor Steve Leary

Attest:

City Clerk

LDC ORDINANCE FOR 2ND READING – 3.2.20

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" SO AS TO ADOPT A NEW ZONING DISTRICT SECTION 58-83 OVERLAY DISTRICT (OD); PROVIDING FOR CONFLICTS; SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, an eleven (11) member Orange Avenue Overlay Steering Committee was formed by City Commission Resolution and held twelve (12) advertised public meetings with public comment available, and oversaw the language creating the Orange Avenue Overlay District and voted to recommend approval of the language to the Planning & Zoning Board and City Commission; and

WHEREAS, the Winter Park Planning and Zoning Board, acting as the designated Local Planning Agency, has reviewed and recommended adoption of proposed amendments to the Zoning Regulations portion of the Land Development Code having held an advertised public hearing on December 3, 2019, and has recommended approval of this Ordinance to the City Commission; and

WHEREAS, the City Commission of the City of Winter Park held a duly noticed public hearing on this Ordinance set forth hereunder and considered findings and advice of staff, citizens, the Orange Avenue Overlay Steering Committee, the Planning & Zoning Board and all interested parties submitting written and oral comments and supporting data and analysis, and after complete deliberation, hereby finds the requested change consistent with the City of Winter Park Comprehensive Plan and that sufficient, competent, and substantial evidence supports the Land Development Code changes set forth hereunder; and

WHEREAS, Comprehensive Plan Policy 1-2.4.14, Mixed Use Designation directed. Within one year from the adoption of this Comprehensive Plan, the City will create a mixed use overlay or district for commercially designated parcels that would be intended to facilitate design and use flexibility to achieve pedestrian scale, innovative transit connectivity and maximizing open space within a commercially viable and architecturally desirable design. Complementary uses may include, but are not limited to retail, entertainment, office, civic and residential uses. The City shall also prepare companion land development code regulations that implement the proposed mixed use overlay or district simultaneously with any policy amendments related to this overlay or district. All policies related to this overlay or district will be subject to a Comprehensive Plan amendment.

WHEREAS, the City Commission hereby finds that this Ordinance serves a legitimate government purpose and is in the best interests of the public health, safety, and welfare of the citizens of Winter Park, Florida.

NOW, THEREFORE, BE IT ENACTED BY THE CITY OF WINTER PARK, FLORIDA:

SECTION 1. Amendment. That Chapter 58 "Land Development Code", Article III "Zoning" of the Code of Ordinances is hereby amended and modified by adopting Section 58-83 Overlay Districts (OD), as follows:

- (1) *Establishment of Overlay Districts.* The Winter Park City Commission may adopt an overlay districts as needed in order to implement specific purposes, intents, and design standards based upon the adopted Land Use Master Plan for the area being regulated, which shall be applied as additional standards to other regulations required by the City. Such overlay districts shall be made a part of this section of the Land Development Code. Upon adoption, the boundaries of such overlay districts shall be shown on the Winter Park Zoning Map.
- (2) *Applicability.*
 - (a) All projects located within an overlay districts shall adhere to the requirements of the Land Development Code, except to the extent provisions of the adopted overlay district replace, supersede, or provide different requirements.
 - ~~(a)~~(b) Where any Section or provisions of an overlay district adopted into the Land Development Code are found to be in conflict with or which overlay district Sections or provisions replace, supersede, or override other Sections or provisions of the Land Development Code, the relevant Sections and provisions in the adopted overlay district shall apply and control. Any overlay district acts as an additional layer of zoning over the base zoning district.
- (3) *Overlay Districts.* The provisions and regulations for any Overlay District within the City of Winter Park are outlined below.
 - (1) *Orange Avenue Overlay District.* It is the intent of the Orange Avenue Overlay District ("OAO") to provide enhanced standards to protect and promote the unique characteristics of the Orange Avenue area and create a distinct gateway into Winter Park. This OAO is used to create a sense of place established through specific architectural styles, streetscape design, open space areas, setbacks, site design, landscaping and other regulatory controls. The following provisions and regulations apply to all properties located within the OAO unless expressly provided otherwise.
 - a. *Location and boundaries.* The OAO boundaries are identified on the following map. The provisions and regulations found herein shall only apply to the properties located within this defined area. Each parcel of property within the OAO is identified by tax parcel identification number on the attached Exhibit "A", and each Parcel, in addition to retaining its underlying zoning classification (as modified by these OAO regulations and provisions), shall reflect on "OAO" designation on the City's zoning map.

Winter Park that promotes an environment of arts, healthy-living, cuisine, culture, heritage, social interaction, healthcare, local business, education, connectivity and community;

- (7) Create better connectivity to and the promotion of Mead Botanical Garden;
- (8) Meet the goals of the Community Redevelopment Agency (CRA) in the areas of the OAO that fall within the CRA boundary;
- (9) Protect and encourage development of an area that represents a significant opportunity for public and private investment, which is important to the long-term economic health of Winter Park;
- (10) Establish regulations that protect the investment of existing and new businesses from unattractive, unsustainable and non-compatible uses;
- (11) Ensure the area is visually pleasing and creates place that encourages community and is developed in a coordinated fashion;
- (12) Follow the principles of the Vision Winter Park, Comprehensive Plan and Sustainability Plan documents;
- (13) Encourage mixed-use development;
- (14) Give special attention to landscaping, architectural detail, meaningful open space, buffering, signage, lighting, and building setbacks;
- (15) Encourage architectural creativity, quality and variation to create a unique district with its own identity;
- (16) Promote the history of Winter Park and the Orange Avenue area, including the area known as Designers Row;
- (17) Keep the traditional scale within the OAO;
- (18) Create an Arts & Cultural Corridor;
- (19) Protect and promote Historic architecture, where it exists in the area; and
- (20) Attract new businesses, retain small businesses and encourage locally-owned businesses in the Orange Avenue area.

~~(21) Explore the implementation of a Transportation Impact Fee for new development in the OAO to fund the transportation infrastructure that are needed to address the existing and new transportation issues in the area.~~

- c. *Permitted Uses.* Any use not listed specifically as a ~~permitted~~allowed use herein shall be deemed to be prohibited in the OAO. The following uses shall be ~~permitted~~allowed by-right on any property within the OAO, unless otherwise specified within the subarea policies:

- (1) Antique Stores

- (2) Bars, taverns, cocktail lounges (with ~~or without~~ food sales)
- (3) Blueprinting, photocopying and printing offices
- (4) Boutique Hotel
- (5) Breweries/distilleries (with food sales)
- (6) Corner market, corner store (up to 5,000 square feet and excluding convenience store with associated fuel sales)
- (7) Dry Cleaning (Drop-Off Only, with off-site processing & no drive-thru)
- (8) Financial institutions, including banks, savings and loan associations and credit unions (with a maximum of 2 drive-thru lanes, which are screened from view)
- (9) Fine arts museums, fine arts instruction, dance instruction and music instruction
- (10) Fitness facility, exercise or health club (up to 5,000 square feet)
- (11) Food Halls
- (12) Government services
- (13) Grocer (not including convenience store), up to 10,000 square feet~~;~~
- (14) Health and wellness studios (up to 5,000 square feet)
- (15) Mixed-Use Development including any of the permitted uses listed herein
- (16) Nonprofit organization offices
- (17) Personal services (spa, barber shop, hair salon, nail salon, massage, cosmetic treatment)
- (18) Pet supply shop, pet grooming, pet daycare (provided that there shall be no outside kennels, pens or runs. No overnight or weekend boarding of animals)
- (19) Photography Studio
- (20) Professional offices (including medical and dental offices)
- (21) Recreational facilities up to 5,000 square feet
- (22) Residential uses such as condominiums, townhomes, apartments, lofts, studios. If more than 4 units is proposed as a part of any new development, remodel or addition, each of the units shall be a minimum of 750 square feet of living area. Excluding single-family detached homes~~;~~
- (23) Restaurants/Fast-Casual Dining/Fine-Dining
- (24) Retail businesses involving the sale of merchandise on the premises within enclosed buildings and excluding resale establishments or pawn shops (other than clothing resale stores), a maximum size of 10,000 square feet.

(25) Theater

(26) Uses customarily incidental and accessory to the permitted uses, including the repair of goods of the types sold in stores are permitted. Such repair must be carried on within a completely enclosed building, may not be carried on as a separate business, and provided further that there shall be no manufacturing, assembling, compounding, processing or treatment of products other than that which is clearly incidental and essential to the permitted uses.

d. *Conditional Uses.* The following uses shall be allowed only with approval of a Conditional Use on any property within the OAO, unless otherwise specified within subarea policies:

~~(1)~~ Bars, taverns, cocktail lounges (without food sales)

~~(2)~~ Breweries/distilleries (without food sales)

~~(1)(3)~~ Fitness facility, exercise or health club over 5,000 square feet, but less than 10,000 square feet

~~(2)(4)~~ Recreational facilities over 5,000 square feet, but less than 10,000 square feet

~~(3)(5)~~ Buildings or retail uses over 10,000 square feet in size.

e. *Prohibited Uses.* Without limiting the uses that are prohibited in the OAO, the following uses shall be prohibited in the OAO:

(1) Adult-oriented businesses

(2) Automotive-related businesses (i.e. auto sales, auto repair, auto rental, body shops, auto wash, auto audio, auto glass, auto tinting, auto parts sales)

~~Dry cleaning (including drop-off only)~~

(3) Fast food (with or without drive-thru)

(4) Gas stations/convenience stores

(5) Liquor stores

(6) Pawn shops/check cashing

(7) Tattoo parlors

(8) Vape/smoke shops

(9) Pain Management Clinics

(10) Medical Marijuana Dispensaries, Processing, Growing, etc.

~~(11)~~ Billboards

~~(11)(12)~~ Self-Storage/Mini-Storage

f. *Non-Conforming Uses.* Existing but non-conforming property~~ies~~ uses and properties, which existed as of the date the OAO became effective,

shall be allowed to continue in the same manner after the adoption of the OAO. However, such nonconforming uses and properties shall be subject to the provisions of this OAO when any of the conditions below occur. When any change as identified below occurs and the property owner seeks to continue the non-conforming use or non-conforming property, the owner must demonstrate that continuing such non-conformity is no more intensive or incompatible with the OAO requirements than what existed prior to the change and the change shall not significantly impair the safe and efficient flow of traffic within the subject area. The Planning Director or Building Official or their designee may require the property owner to provide a site-specific traffic study to determine the potential impacts of the proposed changes as part of the site development plan.

- (1) The principle use on the property is discontinued for a period of three (3) calendar months;
- (2) The structure is destroyed or significantly altered by sixty (60) percent or greater; or
- (3) Enlargements of any existing non-conforming structures and/or uses are made to the property that increases the gross square footage.

g. ~~Single-Family Residential Uses within the Overlay District.~~ The OAO shall not apply to existing ~~single-family~~ residential uses or structures developed prior to the effective date of this section, neighborhoods, or residential developments. Protections of existing ~~single-family~~ residential uses shall be implemented. Properties currently used as and developed as single-family residential prior to the effective date of this section shall continue to be subject only to current Land Development Code standards and protections governing such properties' underlying zoning designation and not those set forth in the OAO, unless and until such properties redevelop. Any change of use or redevelopment on the property shall require compliance with OAO standards. In order to protect existing structures that are used as a residence, new non-residential or mixed use development within the OAO shall have its structures setback at least 35 feet from the property boundaries of parcels with existing residential structures used as a residence that are not intended to be part of the proposed development, unless a written consent can be obtained from owner(s) of the affected existing residential structure(s) consenting to the waiver of such minimum setback requirement of this subsection. Parking garages shall be setback at least 100 feet from the property boundary of parcels used and developed as single-family or low-density residential.

h. *Landscaping Requirements.* Development and or redevelopment in the OAO shall comply with all landscaping requirements of other provisions of the Land Development Code and future corridor landscape plans, unless specifically addressed within the OAO. The opportunity to add

additional trees and the requirement of meaningful open space is addressed in later sections of this OAO.

i. *Architectural Standards.*

- (1) *Building Height.* To allow for flexibility in design, but preserving development standards that will reduce building massing. Buildings shall be measured in stories. Only floors visible on the exterior of the building shall be counted towards building height (ex. A 4-story building wraps around a 5-story interior parking garage, only the 4 stories would count as they are the only part visible).

The first floor of any building shall be allowed to be a maximum of 20 feet in height. ~~Interior M~~mezzanine, balcony or loft levels shall be allowed within the first story, as long as they do not cover more than 30% of the first-floor area and stay within the maximum 20-foot first floor height area. ~~Interior M~~mezzanines, balconies or lofts shall not be allowed above the first floor. Each floor above the first floor shall have a maximum height of 13 feet. Buildings shall be allowed to transfer unused floor heights to other floors, as long as the maximum cumulative height is not exceeded.

For multi-story buildings over two stories in height, there shall be terracing and/or additional setbacks to accomplish vertical articulation ~~is mandated~~ to create relief to the overall massing of the building facades, as discussed later in this chapter.

- (2) *Setbacks/Stepbacks*

For any building over two stories in height that is located along Orlando Avenue or Fairbanks Avenue that is built up to the allowable building line (established by setback or sidewalk requirement), each additional floor shall be setback a minimum of ten (10) feet, or shall be within the allowable envelope as depicted in the figures below. All setbacks are measured from the property line:

Figure 1 – Allowable Building Envelope Cross-Section:

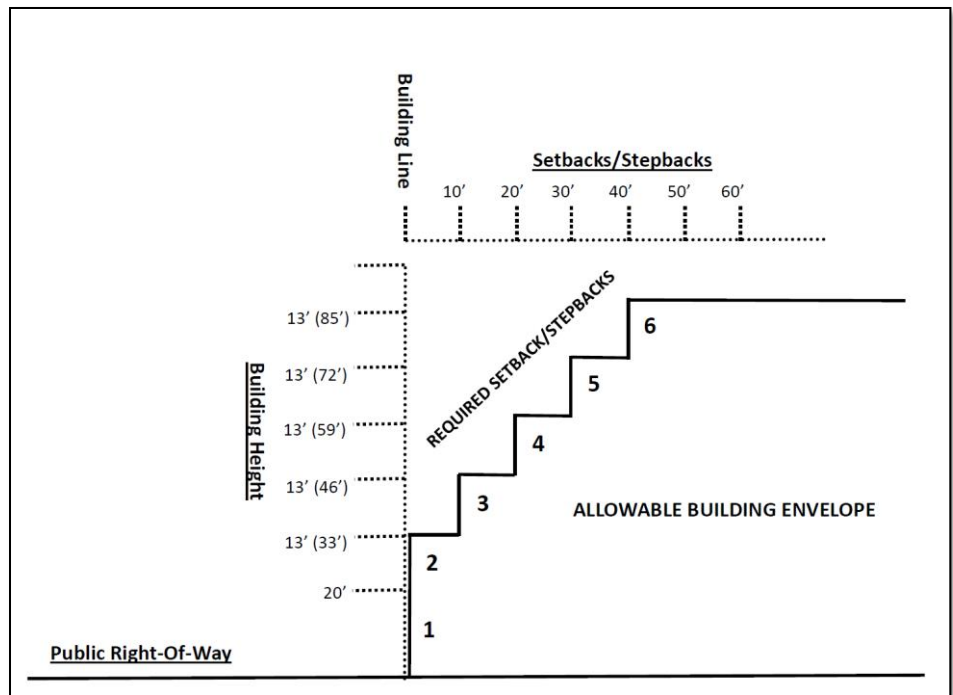


Figure 2 – Four Story Building Example:

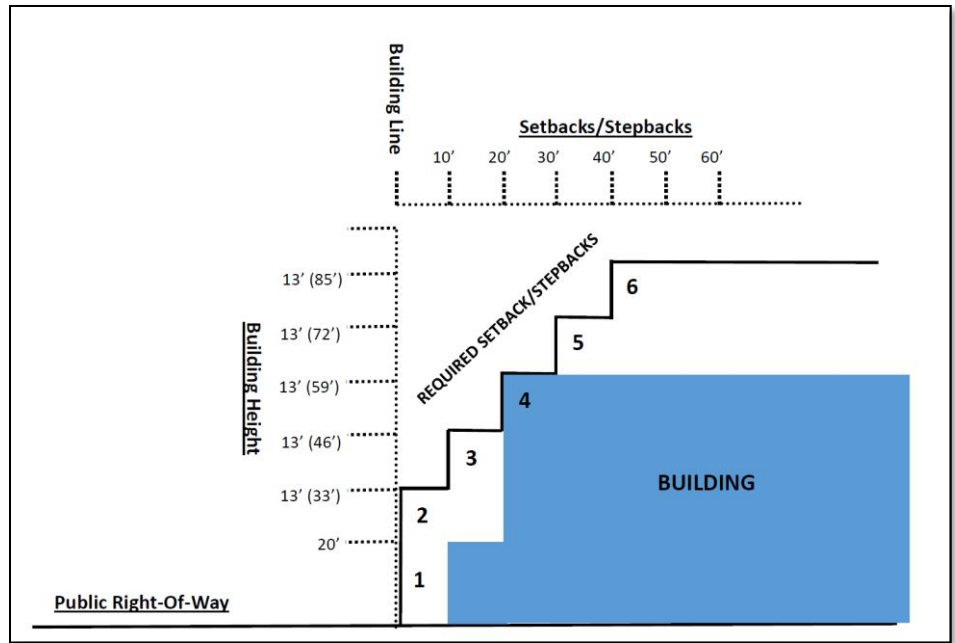


Figure 3 – Five Story Building Example:

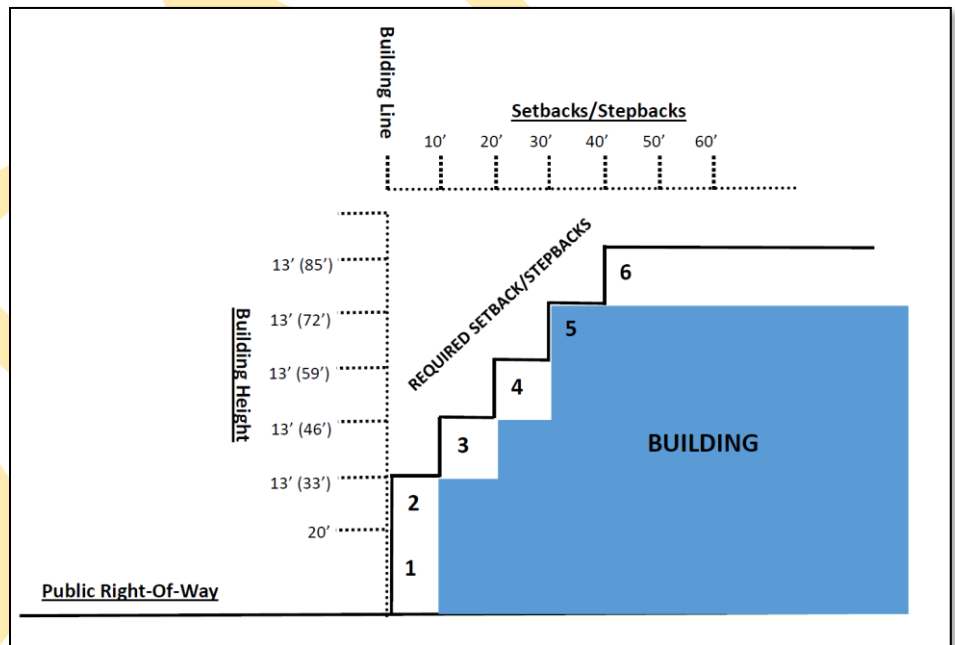
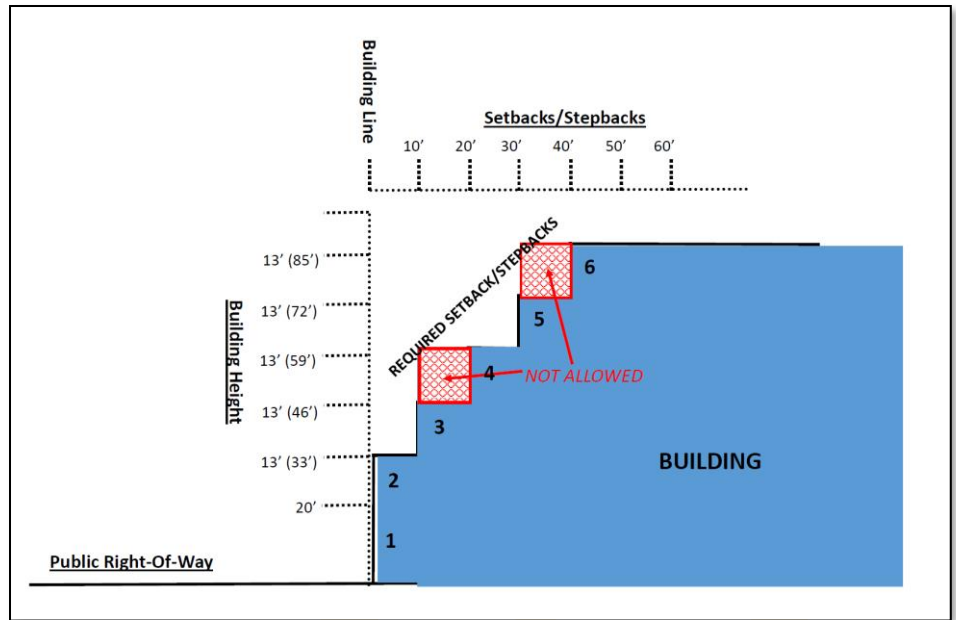


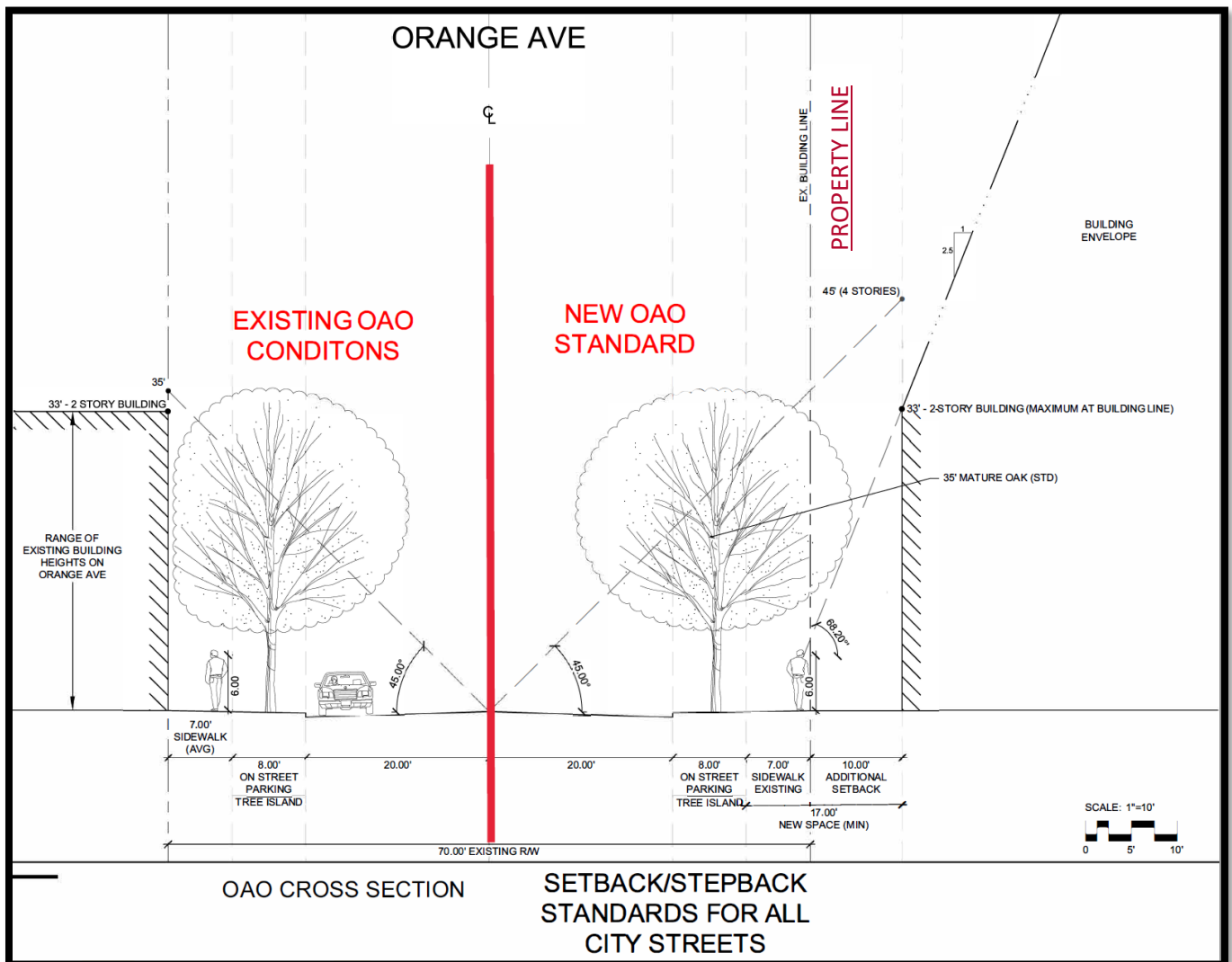
Figure 4 – Prohibited Building Example:



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For all properties not fronting on Orlando Ave or Fairbanks Avenue, the following cross-section shall depict the setback/stepback requirements:

Figure 5 – Typical Cross-Section for City Streets (All Streets Except Fairbanks Ave or Orlando Ave):



If a building is constructed within the allowable building envelope as depicted above, the first floor shall always be defined and articulated as addressed later in the OAO. Additionally, the building shall not exceed more than three stories of vertical wall without a setback/stepback, cornice, balcony or other major façade breakup, which shall create visual and massing relief. All walls shall provide some sort of articulation, material or color change, window, balcony, terrace or other visual breakup of the building façade at least every 50 feet, both vertically and horizontally.

Each subarea of the OAO may define additional required setbacks for that area that may differ from what is defined in this section. The defined building envelope depicted above shall be maintained, regardless of any setbacks.

All setbacks and/or stepbacks must provide space for the healthy development of shade tree crowns. The City Arborist shall review species selection to ensure compliance.

Building setbacks/stepbacks as defined herein shall not be required for properties abutting the railroad right-of-way. However, these rear facades shall provide some sort of articulation, material or color change, window, entryway or other breakup of the building façade at least every 50 feet, both vertically and horizontally.

- (2) *Corner Treatment.* Properties fronting on a street corner have two public facades, which gives the chance for special architectural treatment and detailing that will have the highest impact and visibility, at the corner location. To promote pedestrian safety, buildings placed on corner lots shall be setback to allow for line of sight for all modes of transportation, based on speeds and site conditions.
- (3) *Facades.* There shall be some sort of articulation, material or color change, window, entryway or other breakup of the building façade at least every 50 feet. Murals shall be allowed to contribute towards façade breakup.

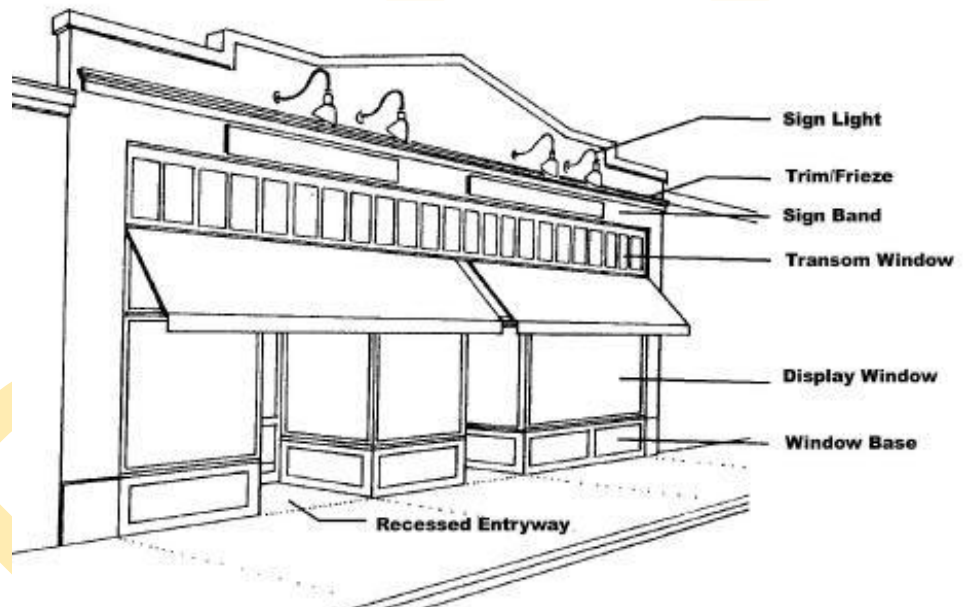
No building shall exceed more than 200 feet of horizontal length without separation. If a building is set back more than 50 feet from the roadway, this requirement shall not be required. For buildings setback less than 50 feet, no more than 100 horizontal feet of façade of the same architectural style shall be allowed, to achieve variation of building design.

The building façade should be constructed parallel to the street and are encouraged to be placed as close to the street as established setbacks permit, however it may be more appropriate for taller buildings to utilize greater setbacks/stepbacks, articulation or other architectural treatments to reduce visual massing. On low-rise buildings the different parts may be expressed through detailing at the building base and eave or cornice line.

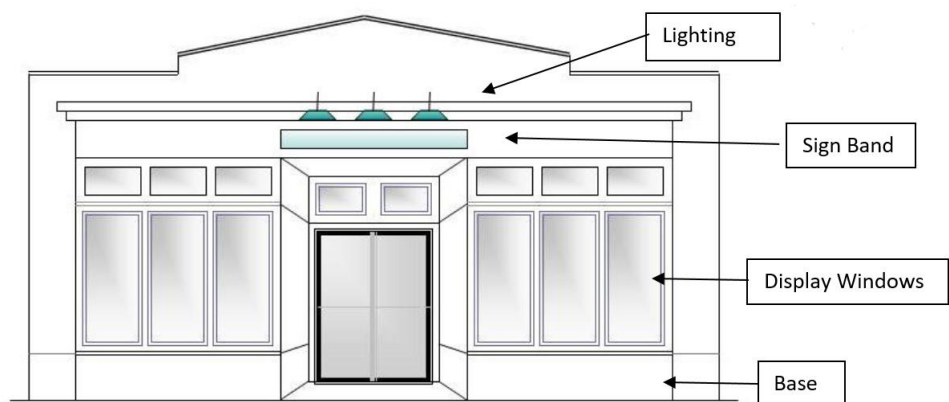
Commercial Façade Treatment Example 1:



Commercial Façade Treatment Example 2:



Commercial Façade Treatment Example 3:



- (4) *Additional Façade Treatment Requirements.* Roof lines, parapets and building heights shall be architecturally articulated and diverse in design form with adequately scaled and proportioned architectural treatments which complement the building's design.

The window, wall and roofing treatment should be of high-quality materials and consistent on both the front and the back of the building. Allowable building materials shall include brick, natural stone, glass, architectural metal, concrete, wood, or similar material with a longer life expectancy. Exterior Insulation and Finish System (EIFS) shall not be allowed. Stucco, hardiboard siding (or similar materials) or concrete block shall not exceed more than 50% of any façade. Detailing is encouraged to enhance the façade.

Structures shall be sited so as to create visual relationships with sidewalks, street alignments, trees, green space and neighboring businesses; create visual anchors at entries, provide interesting architectural perspectives featuring appropriate facade treatments and maximize the pedestrian relationship to the sidewalk. They shall also take into consideration the existing structures and be in unison with their scale and style.

- (5) *Lower Story Requirements.* The lower story of the building has the most immediate visual impact on the passerby. Traditionally, buildings along urban streets have a high proportion of glazing to solid wall surface, with higher floor to floor heights, on the first story. To maintain continuity with this treatment, buildings on Orange Avenue shall have 25% minimum glass on the first story and shall be allowed height up to 20 feet. The first floor shall be clearly defined and articulated from upper stories.

- (6) *Building Entrance.* Primary building entrances in the OAO shall be clearly defined, and shall be recessed or framed by a sheltering element such as an awning, arcade, overhang, or portico (in order to provide weather protection for pedestrians). Awnings are encouraged. Awning standards include:

- (a) Awnings for a building façade shall be of compatible color, look, shape, and height;
- (b) Awnings shall provide vertical clearance of no less than eight (8) feet above sidewalks; and
- (c) Awnings are not allowed to hang over vehicular traffic ways.

- (8) *Architectural Towers, Spires, Green Roof Features, Solar Panels, Penthouse Areas, Chimneys, Or Other Architectural Appendages.* Any architectural tower, spire, chimney, flag pole or other architectural appendage to a building shall conform to the underlying subarea height limit. However, when necessary to

meet the building code requirements, chimneys may exceed the height by the minimum required.

Architectural appendages, roof decks, solar panels, roof garden or green roof features, penthouse areas that do not exceed allowable FAR and are less than 5% of the overall building gross square footage, embellishments and other architectural features may be permitted to exceed the roof heights specified in that subarea, on a limited basis encompassing no more than 30 percent of the building roof length and area, up to ten feet of additional height upon approval of the City Commission, based on a finding that said features are compatible with adjacent projects.

(9) Mechanical Penthouses, Rooftop Mechanical and Air-Conditioning Equipment, Stair Tower Enclosures, Elevators and Parapets. Mechanical penthouses, mechanical and air-conditioning equipment, stair tower enclosures, or elevators on rooftops of buildings shall not exceed a total height of ten feet above the allowable building height. Any penthouses shall only be used for mechanical equipment to serve the building. Parapets, or mansard roofs serving as parapets, may extend a maximum of five feet above the height limit in the underlying zoning district unless other parapet heights are more restrictive for the respective underlying zoning district. In addition, mechanical equipment and air-conditioning equipment on rooftops shall be screened from view from ground level on all buildings in all zoning districts and shall be located to the maximum extent possible so that they are not visible from any street.

(9)(10) Architectural Review. In addition to meeting the architectural standards as set forth in this section, for developments requiring a conditional use approval, having a land area of more than 80,000 square feet, having more than 25 residential units, or having structures exceeding 35,000 gross square feet above grade, professionally prepared fully rendered 3-D digital architectural perspective images and elevations that show all sides of the proposed building(s), parking areas, parking structures and any other site improvement shall be submitted to and reviewed by and commented upon by a City retained professional architect or by a City established architectural review committee, consisting of two (2) Licensed Architects, a Licensed Landscape Architect and a Licensed Professional Engineer (only if the project involves a parking garage), to ensure high quality architecture consistent with the goals and objectives of the OAO. The comments and recommendations of such professional architect or architectural review committee shall be transmitted to the Planning and Zoning Board and City Commission for consideration in rendering a decision on the proposed conditional use sought for the proposed development.

j. *Parking Requirements & Access Management.*

- (1) *Parallel Orange Avenue Access.* Where Palmetto Drive, Vivian Drive and Harmon Drive provide secondary and primary access to properties within the OAO area, portions of these roadways may be considered to be closed, vacated or re-aligned, so long as a through access road, as approved by the City Commission, is maintained to allow vehicular access between Orlando Avenue and Denning Drive. A road that allows public through-access in perpetuity via recorded easement or a dedicated public street shall be allowed in-lieu of vacated streets, if approved by the City Commission. Any road shall be constructed at a minimum street width of 20 feet unobstructed and shall have unobstructed vertical clearance per National Fire Protection Act (NFPA) codes.
- (2) *Off-Street Parking Requirements.* Unless specifically provided within the OAO, parking spaces, parking management plans and parking leases shall be provided in accordance with the other Land Development Code requirements.
- (a) *General Business and Retail Commercial:* One parking space for each 333 square feet of gross floor space.
- (b) Office, Professional or Public Buildings: One parking space for each 333 square feet of gross floor space.
- ~~(b)~~(c) Medical Office: One parking space per 200 square feet of gross floor space.
- ~~(c)~~(d) Hotel: One parking space for each guest room shall be provided. Other ancillary uses in the hotel (restaurant, spa, retail, meeting space, etc.) shall only be required to provide parking at 50% of the off-street parking requirements defined in Section 58-86.
- ~~(d)~~(e) Restaurants, Food Service Establishments, Nightclubs, Taverns or Lounges: One space for every four seats.
- ~~(e)~~(f) Multi-family residential:
- (1) Each one-bedroom or studio unit shall be required to provide 1.25 dedicated parking spaces per unit.
- (2) Each two-bedroom unit shall be required to provide 1.5 dedicated spaces per unit.
- (3) Each three-bedroom or above unit shall be required to provide 2 dedicated parking spaces per unit.
- (3) *Off-street Parking Design.* Parking access to properties along Orange Avenue, Orlando Avenue and Fairbanks Avenue shall be from side streets if frontage is available on a side street. If side street frontage is not available, access from cross-access easements shall be utilized. If cross-access is not available, a driveway will be allowed from Orange Avenue, Orlando Avenue, or Fairbanks Avenue, providing the driveway and building gap surrounding it is minimized. Any new driveways or curb cuts along Fairbanks Avenue or Orlando Ave shall require FDOT coordination prior to submittal. Throughout the OAO, cross-access agreements are required, to reduce the number of curb

cuts and driveways. The intent is to maintain the building street wall without large voids for access driveways. The goal in this parking arrangement is to decrease the visibility of parking from the street as much as possible, by having parking behind the building and to reduce the turning movements with limited visibility across multiple lanes of traffic.

- (4) *Off-site Parking.* Required parking may be located within 750 feet of the building, or within the closest parking structure where excess parking is available for lease. In the event of new construction, addition, or change in intensity of use of the principal building or property being serviced by the remote parking lot, all existing parking spaces located on such remote lot shall be allocated to the existing building or principal use to meet the minimum requirements of this article, and any additional spaces may then be allocated to that portion of the building or property which is the subject of the new construction, addition, or change in intensity of use.
- (5) *Bicycle Parking Requirements.* Unless specifically provided within the OAO, bicycle Parking shall be required in accordance with other Land Development Code Standards. Where large projects provide parking garages, 20% of the required bike parking shall be provided onsite. The other 80% of required bike parking may be located within City right-of-way throughout the OAO. The City shall determine where the off-site parking shall be located.
- (6) *Parking Exclusion.* A parking exclusion shall apply only to existing square footage or floor space. Parking shall be provided as required by the OAO or other provisions of the Land Development Code, where not specifically addressed herein. The OAO shall apply for any net new building or net new floor space created by redevelopment, new construction, additions, alterations, or remodeling or for any change in use requiring additional parking such as an office or retail space conversion to restaurant. Existing parking spaces may be counted to satisfy this requirement only where such existing spaces are in excess of the parking space requirements of this section for any existing floor space.
- (7) *Floor Area Ratio for Parking Structures.* Parking structures shall not count towards the floor area ratio (FAR) for any property within the OAO, as long as all of the following conditions are met for each structure:
 - (a) Parking constructed shall allow for a minimum of 50% of the parking spaces to be shared-parking, meaning the parking spaces are available for lease at or below fair market value (based on area parking lease comps) -to other properties in the area that can utilize the parking during hours when the parking is not needed by the users of the property where the garage is located.

- (b) Provide for multi-property parking collectives. For smaller-scale garages, multiple property owners may create a collective where parking can be built on a property that can serve multiple properties that do not have adequate available parking.
- (c) Provide level-two electric vehicle charging stations for a minimum of 2% of all spaces within the structure.
- (d) Provide and construct parking spaces at least 10% above what is required to meet code minimum requirements. This excess parking must either be available for lease at or below fair market value (based on area parking lease comps) to properties in the area or shall be provided for free public parking.
- (e) Of the required 50% shared parking that is available (not leased or in use by the onsite businesses at the time), these spaces shall be made available to the general public for free on Saturday and/or Sunday mornings from 6:00 A.M. to 11:00 A.M. for community events in the OAO or for public events at Mead Botanical Garden.
- (f) Parking structures shall be screened at least 50% on all visible sides with green walls, living walls, ~~liner building~~, murals (that do not include advertising of any type), shade trees or vegetative screening, or other screening treatments.
- (f)(g) Subarea A properties shall get priority for parking garage spaces that are required to be available for lease. Parking spaces within parking garages shall also be eligible for purchase by other properties, preference of those purchase agreements shall be given to Subareas A and B.

Parking provided to accommodate residential units or hotel guests shall not be required to be shared or count towards the shared parking ratio requirement. Because these spaces will not be available for shared or public use, one (1) additional free parking space shall be required for each ten (10) spaces that are dedicated for hotel or residential use. These public spaces shall be maintained as 24-hour, free public parking and shall not count towards additional entitlement achievement.

Parking structures shall ~~not be required to provide setbacks from residential areas as outlined in other provisions of the Land Development Code, but shall~~ meet height, building setback, allowable building envelope area and screening requirements as outlined in the OAO.

Parking garages shall be set back from the Orange Avenue, Fairbanks Avenue or Orlando Avenue frontages and screened by liner buildings or other treatments as required in the OAO.

Parking should also be accessed from side streets to the maximum extent feasible. They shall also be designed in an architectural style that is compatible with its building counterpart and shall also conform to the City's parking garage design guidelines.

Parking structures on the north side of Fairbanks Avenue shall not be ~~exempt from parking garage FAR~~allowed. Parking structures west of Orlando Avenue shall not be exempt from FAR for structures greater than 2 levels (ground +1).

Parking structures that do not provide the requirements listed above shall not be exempt from FAR calculations.

k. Public Notice ~~and~~ Hearing Requirements.

(1) City-wide notice, as defined in Section 58-89, shall ~~not~~ be required for any proposed development within the OAO that requires Conditional Use approval, having a land area of more than 80,000 square feet, a building of more than 35,000 square feet or having more than 25 residential units. Requests that meet the criteria for city-wide notice, as defined in Section 58-89, within the OAO shall be required to send notice to all properties within the OAO and all properties within 1,000 feet of the boundary of the OAO. All Conditional Use requests within the OAO shall be required to send public notice to all properties within 1,000 feet of the subject property, post signage on the property and publish notice in a newspaper of local circulation.

~~(1)~~(2) For any proposed development within the OAO that requires a conditional use approval, having a land area of more than 80,000 square feet, a building of more than 35,000 square feet or having more than 25 residential units, there must be at least two (2) public hearings before the city commission on the proposed conditional use conducted at least ten (10) days apart prior to approval of such conditional use. If the city commission denies the required conditional use at the first public hearing such shall be the final decision of the city commission and a second public hearing is not required.

~~k.l.~~ Meaningful Open Space Requirements. It is the intent of the OAO to ensure that the development and enhancement of properties includes the creation of meaningful, useable, accessible, green and beautiful open space that invites the public to relax, interact, recreate, unwind and stimulate social connection. Where properties are planned for redevelopment, meaningful open space and the design of structures around these open spaces is the most important consideration. At a minimum, each property 1.5 acres in size and above, or any project covering 1.5 acres, that is redeveloped shall provide at least 25% meaningful open space, which is open to and available to the public. At least ~~50~~65% of open-space areas provided shall be greenspace and

80% of open space areas shall be pervious or semi-pervious. Pervious areas such as retention ponds, parking lot islands or landscape planting areas around building bases shall not be counted as open space. Existing park space shall not count towards open space requirements. Open space shall be areas that are open and inviting to the public. Open space can include green areas, hardscape areas, semi-pervious areas, balcony or roof areas that are open to the public and other similar-type spaces. At least 90% of the open space shall be provided at ground level. The intent is that each of these areas create the opportunity for social interaction, relaxation, recreation and reflection.

l.m. *Signage Requirements.* Signage within the OAO ~~with frontage along Orange Avenue~~ shall comply with the following requirements:

- (1) Each occupant shall be permitted a maximum of two signs indicating the business, commodities, service or other activity sold, offered or conducted on the premises. Where one occupancy has two signs, only the following combinations of sign types shall be permitted: One wall or canopy sign; one projecting sign and one wall or canopy sign; one canopy sign and one under-canopy sign. These signs shall also comply with the applicable provisions of Sections 58-125 through 58-128.
- (2) Projecting signs on properties or buildings within the OAO shall be limited to an area of each face of 20 square feet and shall have a minimum clearance of seven feet.
- (3) The maximum copy area of canopy signs shall be two square feet per linear foot of canopy front and sides. These signs should also comply with applicable provisions of Section 58-128.
- (4) Signs attached to the underside of a canopy (under-canopy signs) shall have a copy area no greater than six square feet, with a maximum letter height of nine inches, subject to a minimum clearance of seven feet from the sidewalk.
- (5) OAO properties may not have digital, electronic, and/or internally-illuminated signs, such as backlit plastic, acrylic or glass. Front lighting of signs is encouraged. External illumination must be provided by a light source that is installed to prevent direct light from shining onto the street or adjacent properties. Flashing or moving lights are not permitted. Backlit halo-type opaque sign lettering is permitted; however, the light color must be white or subdued and muted such as a pastel shade. Sign faces and sides may not be translucent and must be an opaque material such as metal or wood.
- (6) Ground signs or monument signs (excluding pole and pylon signs) are only permitted within the Subareas C, D, E, I, J and K. Ground signs within these subareas are limited to 30 square feet in size, and shall be located as to prevent interference with pedestrian and vehicular traffic. The design and location of such signs shall be subject to the approval of the Planning and Community

Development director and/or Building Department director via a sign location and design plan to ensure that the sign does not interfere with pedestrian traffic, parking or does not create excessive signage in one area.

~~m.n.~~ *Sidewalk Design and Utilization.*

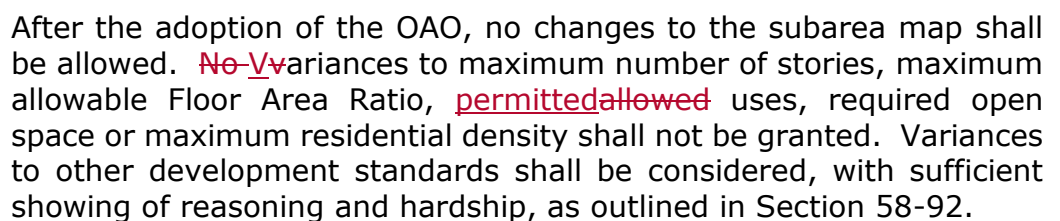
~~(2)(3)~~ All buildings, parking areas, public spaces, amenity features, and adjoining developments of similar use shall be linked with sidewalks. Sidewalks shall be provided along public streets that provide access to the development. A minimum 17-foot sidewalk is to be provided along Orange Avenue. Fairbanks Avenue and Orlando Avenue shall provide sidewalks at least ten feet wide with a minimum 2-foot landscape buffer along the back of curb, between the roadway and sidewalk. If sufficient right-of-way is not available, the building may need to be set back to accommodate these wider sidewalks and the additional space required to create the required sidewalks as defined herein shall be dedicated to public access through easement. Sidewalks shall be constructed in accordance with the standards for sidewalks set forth in City of Winter Park Engineering Standards and constructed at the sole cost of the developer.

~~(3)(4)~~ Restaurants and cafes with seating within the public right-of-way shall be subject to the regulations contained in Chapter 90, Article VI - Sidewalk Cafes, of the Winter Park code of Ordinances.

o. Display of Merchandise Outside of Commercial Buildings. Only properties within the OAO with frontages along Orange Avenue are allowed one display of merchandise to be located outside of a commercial business exclusive of beautification elements such as plants (that are not for sale). This display must be placed within two feet of the front wall or window of the building. This display must not block or impede pedestrian traffic or be placed on the public sidewalk and at least six feet of clear sidewalk width must remain for pedestrian traffic. This display must be no more than six feet in height and no more than two feet in width. The display must be safely secured and removed under windy conditions. The display must be removed when the business is not open. An outside display is not permitted if the business chooses to place an outdoor portable sign.

~~n.p.~~ *Transportation Infrastructure Proportionate Fair Share.*
Development and redevelopment within the OAO requiring a conditional use approval shall pay a proportionate fair share of the estimated cost necessary to fund the design, engineering, permitting and construction of those transportation projects within or proximate to the OAO that are impacted by such development or redevelopment projects that utilize additional entitlements provided under the OAO. The owner and developer of a project shall enter into a proportionate fair share agreement with the city, with terms and conditions acceptable to the city, as part of conditional use approval. The city

Orange Avenue Overlay District Subareas and Standards for Development. The subarea map depicted below delineates the different subareas of the OAO and the specific standards, requirements and opportunities for each subarea. Each subarea has unique characteristics, issues and opportunities.



The standards detailed in the OAO are the maximum density and intensity parameters potentially permitted in each respective subarea. These maximum standards are not an entitlement and are not achievable in all situations. Many factors may limit the achievable FAR including limitations imposed by the maximum height, physical limitations imposed by property dimensions and natural features as well as compliance with applicable code requirements such as, but not limited to parking, setbacks, lot coverage and design standards.

Parcels to be developed or redeveloped within Subareas C, D, I & J shall contain at least 25% of the Cumulative Gross Floor Area as Mixed-Use, ensuring that no single-use developments occur that may not create the vibrant mixed-use district that is desired.

(1) *Subarea A.* In order to allow for the remodeling and renovation of the buildings within this subarea and to enhance the OAO, these properties shall not be required to comply with those Land Development Code standards listed below, as long as additional square footage is not added to the buildings. If additional square footage is added, as to parking requirements, the properties shall be required only to provide the required parking for the new net square footage of the property. Any additional impervious surface created shall meet all City of Winter Park stormwater requirements for the new impervious area. All remodels, renovations or reconstructions that are allowed to remain as legally non-conforming under other Land Development Code requirements, shall still be required to meet applicable building and life safety codes as determined by the City Building Official and Fire Official. If the use of the building is changed (i.e. office conversion to café), parking shall be provided as required by Code.

(a) *Exemptions.* The following Land Development Code Requirements shall not be required to be met for renovation or remodel of existing structures that will maintain the existing use, size and conditions of the property:

1. Floor Area Ratio (to the extent existing structure already exceeds FAR)
2. Minimum Parking Requirements
3. Stormwater Retention (but a minimum of 10 cubic feet of stormwater treatment and storage shall be created)
4. Impervious Surface Percentage
5. Setbacks
6. Landscaping
7. Height (no increase in stories)

(b) *Reconstruction of Buildings.* Given the age of buildings within Subarea A, the properties within this subarea shall be allowed to reconstruct the same building footprint (and square footage) when the building on the site is completely

demolished, regardless of non-conforming status, on the site without being required to meet all development standards. Reconstruction of buildings shall be required to provide stormwater retention and the sidewalk widths as described herein. All building and life safety codes shall be met with all reconstruction.

(c) *Subarea A Development Standards:*

1. Base Floor Area Ratio: 45%
2. Maximum Achievable Floor Area Ratio: 65%
3. Maximum Height: 2 Stories for any properties abutting Orange Avenue, and 3 stories for all other properties within the subarea.
4. Maximum Impervious Coverage: 85%
5. Setbacks: None, except front setbacks must allow for at least a 17-foot wide sidewalk along Orange Avenue. Fairbanks Avenue and Orlando Avenue shall each be designed to provide for a 10-foot wide sidewalk with a minimum 2-foot landscape buffer on the back of curb. Where the building requires an additional setback to achieve the required sidewalk, the area shall be dedicated as a public access easement. Additionally, all building setbacks shall be measured from the property line and shall meet the requirements as depicted ~~of~~ in Section 3.1.i.2
6. Maximum Residential Density: 17 units per acre

(2) *Subarea B.*

(a) *Subarea B Development Standards:*

1. Base Floor Area Ratio: 45%
2. Maximum Achievable Floor Area Ratio: 60%
3. Maximum Height: 2 stories at front setback line and at rear setback line. Structures may increase to 3 stories if the 3rd floor is set back an additional 10 feet from front and rear setback lines. 3rd floors shall only allow residential uses.
4. Maximum Impervious Coverage: 85%
5. Setbacks:
 - a. Street: 20 feet. Front setbacks must allow for at least a 10-foot wide sidewalk and 2-foot landscape buffer area on the back of curb along Fairbanks Avenue. Additionally, all building setbacks shall be measured from the property line and shall meet the requirements as depicted ~~in Section of~~ in Section 3.1.i.2
 - b. Side: 0
 - c. Rear: 30
 - d. Third stories shall require an additional 10-foot setback from the front and rear setbacks.
6. Maximum Residential Density: 17 units per acre

- (b) *Additional Development Regulations.* For properties within this Subarea B with an underlying zoning of single-family residential, these properties shall only be used for residential use or open space.

(3) Subarea C.

(a) *Subarea C Development Standards:*

1. Base Floor Area Ratio: 60%
2. Maximum Achievable Floor Area Ratio: ~~125~~60%
3. Maximum Height: 4 Stories
4. Maximum Impervious Coverage: 85%
5. Setbacks: 0 front setback along Orange Avenue, Denning Drive, or Palmetto Avenue, except front setbacks must allow for at least a 17-foot wide sidewalk. Where the building requires an additional setback to achieve a 17-foot sidewalk, the area shall be dedicated as a public access easement. Additionally, all building setbacks shall be measured from the property line and shall meet the requirements as depicted in Section of 3.1.i.2
6. Maximum Residential Density: 17 units per acre

~~(b) *Required Development Enhancements.* In order to be eligible for any Development Enhancement Bonuses, any future development of property within Subarea C shall include the following item(s) from the Development Enhancement Menu: CT.1~~

~~(e)~~(b) *Intersection and Open Space Viewshed.* Due to the unique shape of Subarea C and proximity to a unique intersection, this additional requirement creating a viewshed shall apply. The viewshed area is banded by the lines described as follows: Start where the property lines of Subarea C meet at the intersection of Denning Drive and Orange Avenue; then travel 150 feet southwest along Orange Avenue's southeast right of way line; thence easterly to the point on the west boundary of South Denning Drive that is 150 feet south of the starting point; then north along the west boundary of South Denning Drive to the starting point ("viewshed"). This viewshed shall be an open space area not available for the construction of structures or storage or placement of equipment, material or items otherwise allowed in the OAO. This viewshed is in addition to other setback requirements for Subarea C.

~~(d)~~(c) *Road Closures.* Closing and vacation of the Palmetto Avenue right-of-way—may be considered~~shall be encouraged~~, subject to City Commission approval, as the street bisects the property and creates limited development opportunities of the site. Driveways that allow public

through-access may be allowed in-lieu of vacated streets, if deemed necessary. Closed and vacated right-of-way shall be entitled at the same level as the subarea it falls within.

(d) Additional Development Requirements.

A monument sign at least 3 feet in height and 5 feet in width, set in a landscaped bed, shall be required to be provided at the intersection of Denning Drive, Minnesota Drive and Orange Avenue, which directs the public to Mead Botanical Garden. The City shall approve the design and location of the sign.

1. 1.5 acres of park space oriented towards Denning Drive shall be preserved, including the required linear park space for the rail trail as outlined in CT.1 of the Development Enhancement Menu.

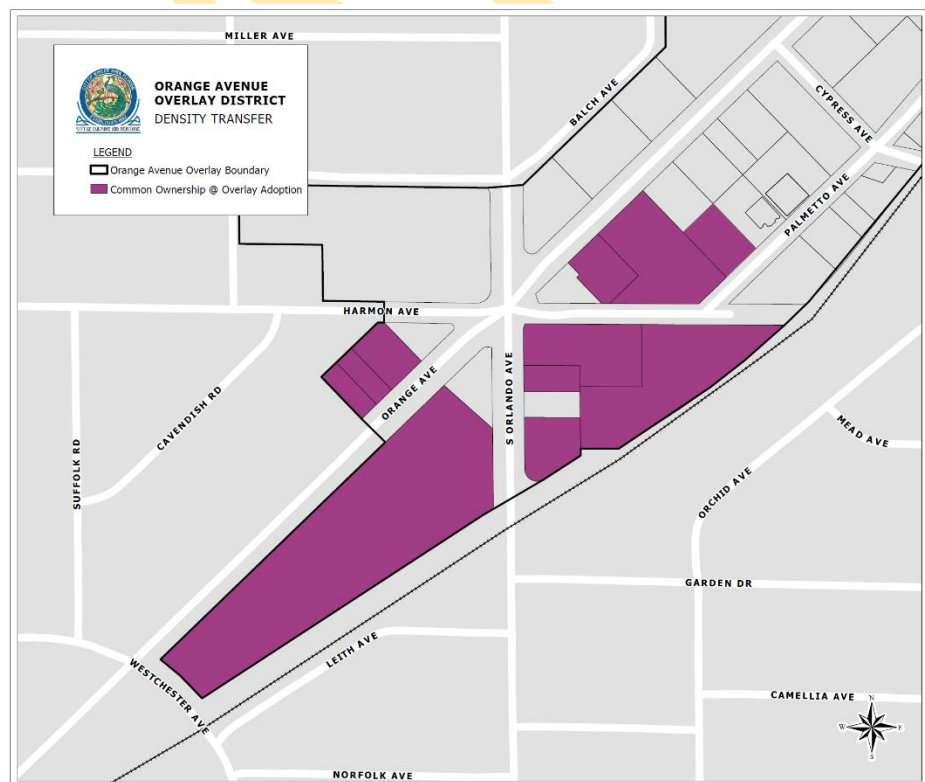
(4) Subarea D.

(a) Subarea D Development Standards:

1. Base Floor Area Ratio: 100%
2. Maximum Achievable Floor Area Ratio: ~~200~~150%
3. Maximum Height: ~~7-6~~ Stories
4. Maximum Impervious Coverage: 75%
5. Setbacks:
 - a. Street: 20 feet along Orlando Ave. Setbacks must allow for at least a 10-foot wide sidewalk and 2-foot landscape buffer area on the back of curb along Orlando Avenue., 0 feet along Orange Avenue-except front setbacks must allow for at least a 17-foot wide sidewalk. Additionally, all building setbacks shall be measured from the property line and shall meet the requirements as depicted in Section of 3.1.i.2
 - b. Rear: 20
6. Maximum Residential Density: 17 units per acre

- (b) *Density Transfer.* At the time of the adoption of this OAO, the owner of properties within Subarea D or vacated rights-of-way within Subarea D, shall be allowed to transfer the existing residential density entitlements, based on the maximum units per acre of the underlying zoning, from properties within the OAO that are under common ownership on the date of the first reading of the Ordinance, as reflected on the map below to this Subarea D, though not the square footage. Once the residential density entitlements are transferred from such other commonly-owned properties, no residential units can be constructed on the property from which the density transfers occurs, and the documents to be recorded in the Orange County Public Records memorializing this restriction shall be reviewed and approved by the City and thereafter recorded.

Properties transferring available residential units to Subarea D are then not eligible for utilization of the development enhancement menu to earn additional FAR and are therefore capped at the base FAR for said Subarea in which they lie. No properties, other than those shown on the below map owned by Demetree Holdings or a substantially related affiliate shall be eligible for density transfer. The intent is to create nodes of intensity, allowing for residential uses, which are key to the successful creation of mixed-use districts and create development that can fund the needed parking and regional stormwater areas in the district. By clustering the intensity, there will be a reduction in overall massing and building heights throughout the OAO. Density Transfer shall only allow the transfer within Subarea D and currently entitled units into the defined Subarea D. This language shall not allow transfer of units into other Subareas. The map below depicts the properties within this subarea that qualify for this density transfer and the parcel ID's are listed for the properties shown.



Orange County Parcel IDs that are owned by Demetree Global or a substantially related affiliate and permitted to transfer residential units to Subarea D:
12-22-29-6600-01-990, 12-22-29-7506-00-001, 12-22-29-7506-01-010, 12-22-29-7506-01-020, 12-22-29-7506-

01-030, 12-22-29-6600-00-980, 12-22-29-6600-00-951, 12-22-29-6600-02-230, 12-22-29-6600-01-970, 12-22-29-6432-07-010, 12-22-29-6432-07-030, 12-22-29-6432-07-040, 12-22-29-6432-08-010, and 12-22-29-6600-01-460.

- (c) *Required Development Enhancements.* In order to be eligible for any Development Enhancement Bonuses, any future development of the property within Subarea D shall include the following item(s) from the Development Enhancement Menu: CT.1
- (d) *Road Closures.* Closing and vacation of the Harmon Avenue or Vivian Avenue right-of-way ~~may be considered~~shall be encouraged, subject to City Commission approval, as the street bisects the property or creates limited development of the site. Private driveways that allow public through-access shall be allowed in-lieu of vacated streets, if necessary. Closed and vacated right-of-way shall be entitled at the same level as the subarea it falls within.

(5) *Subarea E.*

(a) *Subarea E Development Standards.*

1. Base Floor Area Ratio: 60%
2. Maximum Achievable Floor Area Ratio: 80%
3. Maximum Height: Maximum 4 Stories.
4. Maximum Impervious Coverage: 85%
5. Setbacks:
 - a. Street: 20 feet. Setbacks must allow for at least a 10-foot wide sidewalk and 2-foot landscape buffer area along Orlando Avenue. Additionally, all building setbacks shall be measured from the property line and shall meet the requirements as depicted in Section of 3.1.i.2
 - b. Side: 5 feet
 - c. Rear: 20 feet. If abutting residential, shall be a minimum of 20 feet or equal to building height, whichever is greater.
6. Maximum Residential Density: 17 units per acre

- (b) *Road Closures.* Closing and vacation of the Vivian Avenue right-of-way—~~may be considered~~shall be encouraged, subject to City Commission approval, as the street essentially serves as a private driveway and parking lot extension for a single property. Driveways that allow public through-access shall be allowed in-lieu of vacated streets. Closed and vacated right-of-way shall be entitled at the same level as the subarea it falls within.

(6) Subarea F.

(a) *Subarea F Development Standards:*

1. Base Floor Area Ratio: 20%
2. Maximum Achievable Floor Area Ratio: 20%
3. Maximum Height: 2 Stories
4. Maximum Impervious Coverage: 50%
5. Setbacks: 20 feet. Setbacks must allow for at least a 17-foot wide sidewalk. Where the building requires an additional setback to achieve a 17-foot sidewalk, the area shall be dedicated as a public access easement. Additionally, all building setbacks shall be measured from the property line and shall meet the requirements as depicted in Section of 3.1.i.2
6. Maximum Residential Density: No Residential Uses Allowed

- (b) *Additional Subarea Requirements:* This area shall not be used for any other future purpose than public space, recreation, open sports/recreation facilities, including ancillary structures, or the parking needed to support these uses. No offices, classrooms, residences or other college uses shall be allowed on the property.

(7) Subarea G.

(a) *Subarea G Development Standards:*

1. Base Floor Area Ratio: 45%
2. Maximum Achievable Floor Area Ratio: 45%
3. Maximum Height: 3 Stories
4. Maximum Impervious Coverage: 85%
5. Setbacks: 20 feet. Setbacks must allow for at least a 10-foot wide sidewalk and 2-foot landscape buffer area along Orlando Avenue. Additionally, all building setbacks shall be measured from the property line and shall meet the requirements as depicted in Section of 3.1.i.2
6. Maximum Residential Density: 17 Units/Acre

Additional Development Requirements. This Subarea G represents an opportunity to expand Martin Luther King Jr., Park and to create an increased greenway connection to Mead Botanical Garden and other areas of the city. It is the intent of the City of Winter Park to acquire these properties for the extension of Martin Luther King, Jr. Park and to provide for transportation improvements. Any properties acquired by the City of Winter Park shall be dedicated as parkland or towards transportation improvements.

(8) Subarea H.

(a) *Subarea H Development Standards:*

1. Base Floor Area Ratio: 0%
2. Maximum Achievable Floor Area Ratio: 0%
3. Maximum Height: N/A
4. Maximum Impervious Coverage: N/A
5. Setbacks: N/A
6. Maximum Residential Density: N/A

(9) Subarea I.

(a) *Subarea I Development Standards:*

1. Base Floor Area Ratio: 60%
2. Maximum Achievable Floor Area Ratio: 125%
3. Maximum Height: 3 Stories
4. Maximum Impervious Coverage: 75%
5. Setbacks: 0 front setback, except front setbacks must allow for at least a 17-foot wide sidewalk. Where the building requires an additional setback to achieve a 17-foot sidewalk, the area shall be dedicated as a public access easement. Additionally, all building setbacks shall be measured from the property line and shall meet the requirements as depicted in Section of 3.1.i.2
6. Maximum Residential Density: 17 units per acre

(b) *Required Development Enhancements.* In order to be eligible for any Development Enhancement Bonuses, any future development of the property within Subarea I shall include the following item(s) from the Development Enhancement Menu: CT.7. The City of Winter Park shall determine the area required to be dedicated for intersection improvements.

(c) *Intersection and Open Space Viewshed.* Due to the unique shape of the property and proximity to a unique intersection, this additional requirement creating a viewshed shall apply. The viewshed area is bounded by the lines described as follows: start where the property lines of Subarea I meet at the intersection of Denning Drive and Minnesota Avenue; then travel 50 feet east along Minnesota Avenue's southern right of way line; thence south westerly to the point on the east boundary of S. Denning Drive that is 30 feet south of the starting point; then north to the starting point ("viewshed"). This viewshed shall be an open space area not available for the construction of structures or storage or placement of equipment, material or items otherwise allowed in the OAO. This viewshed is in addition to other setback requirements for Subarea I.

(10) Subarea J.

(a) *Subarea J Development Standards:*

1. Base Floor Area Ratio: 100%
2. Maximum Achievable Floor Area Ratio: ~~200~~150%

3. Maximum Height: 3 Stories fronting on Fairbanks Avenue, and 4 Stories when located 100 feet back from Fairbanks Avenue right-of-way boundary.~~5 Stories~~
 4. Maximum Impervious Coverage: 75%
 5. Setbacks: 20 feet Street Setback. Setbacks must allow for at least a 10-foot wide sidewalk and 2-foot landscape buffer area at the back of curb along all adjacent streets. Additionally, all building setbacks shall be measured from the property line and shall meet the requirements as depicted ~~in Section of~~ 3.1.i.2
 6. Maximum Residential Density: 17 units per acre
- (b) *Required Development Enhancements:* In order to be eligible for any Development Enhancement Bonuses, any future development of the property within Subarea J shall include the following item(s) from the Development Enhancement Menu: CT.7. The City of Winter Park shall determine the area required to be dedicated for intersection improvements and the required land may be property under common ownership located offsite from Subarea J.
- (c) *Road Closures.* Closing and Vacation of either the South Capen Avenue or Holt Avenue rights-of-way—may be considered~~shall be encouraged~~, subject to City Commission approval, given that these roads are not heavily trafficked and mainly serve only the subject property in this area. If these streets are closed, they shall remain open to the public and be used only for pedestrian or bicycle access, and may not be used towards open space requirements for the adjacent properties.
- (d) *Density Transfer.* At the time of the adoption of this OAO, the owner of the Subarea J property shall be allowed to transfer the existing residential density entitlements, based on the maximum units per acre of the underlying zoning, from properties within the OAO that are— under common ownership on the date of the first reading of the Ordinance, as reflected on the below map to this Subarea J, though not the square footage. Once the residential density entitlements are transferred from other commonly-owned properties, no residential units can be constructed on the site from which the density transfers occur and documents to be recorded in the Orange County Public Records memorializing this restriction shall be reviewed and approved by the City and thereafter recorded. Properties transferring available residential units to Subarea J are then not eligible for utilization of the development enhancement menu to earn additional FAR and are therefore capped at the base FAR for said Subarea in which they lie. No properties, other than those shown on the below map owned by Holler Holdings or a substantially related affiliate,

(11) Subarea K.

(a) *Subarea K Development Standards:*

1. Base Floor Area Ratio: 60%
2. Maximum Achievable Floor Area Ratio: 80%
3. Maximum Height: Maximum 3 Stories.
4. Maximum Impervious Coverage: 85%
5. Setbacks:
 - a. 0 front setback along Orange Avenue, except front setbacks must allow for at least a 17-foot wide sidewalk. Where the building requires an additional setback to achieve a 17-foot sidewalk, the area shall be dedicated as a public access easement. Additionally, all building setbacks shall be measured from the property line and shall meet the requirements as depicted in Section 3.1.i.2
 - b. Side: 5 feet
 - c. Rear: 20 feet. If abutting residential, shall be a minimum of 20 feet or equal to building height, whichever is greater.
6. Maximum Residential Density: 17 units per acre

P.R. *Orange Avenue Overlay District Development Enhancements/Bonuses.* Enhanced development entitlements shall be considered for the OAO, but shall be earned, rather than simply granted.

- (1) *Percentage-Based Development Enhancement Menu.* A percentage-based upgrade system for properties within the OAO is hereby established. For properties to obtain additional development entitlements (FAR) beyond what is provided in the relevant subarea or underlying zoning, the following provisions and Tables are established.

Property owners or developers may use any combination of the Development Enhancement Menu to obtain up to the Maximum Achievable Floor Area Ratio. Certain subareas shall require certain Enhancements to be met. Each development enhancement utilized shall be required to be designed and shown on any development plans submitted for development of a property. Off-site improvements shall require plan submittal for the area where the improvements are proposed. Any enhancement or improvement shall be designed by a licensed professional (Architect, Civil Engineer, Landscape Architect, Structural Engineer, etc) as determined by staff.

The following OAO Development Enhancement Menu was created to address the wide-ranging issues affecting the Orange Avenue area, while meeting the goals of the Comprehensive Plan, the Vision Winter Park plan and the Winter Park Sustainability Plan. To ensure that the intent of the Development Enhancement Menu

is met, any project that utilizes this menu shall be reviewed by the Planning & Community Development Director or their designee in order to determine whether and to what extent an increase in FAR is allowed.

Table 1: Orange Avenue Overlay District Development Enhancement Menu – Sustainability Category

Category Number	Enhancement	Description & Potential Bonus	Enhancement Achievement Maximums	Maximum FAR Increase
S.1	<i>Shared Electric Vehicle On-Site</i>	1% Entitlement Bonus for Each Shared Electric Vehicle On-Site.	Max 2 Vehicle Credit	2%
S.2	<i>Green Roof</i>	At least 50% of the total surface area of the principal building's roof is a green roof constructed in accordance with ASTM green building standards.	10%	10%
S.3	<i>Renewable Energy</i>	For Each Percentage of the Total Electricity Used On the Property That Is Generated Onsite, a 1% Entitlement Increase Shall Be Granted.	10%	10%
S.4	<i>Recycling</i>	Recycling Receptacles provided for each use on the site building and large collection receptacle placed in the dumpster area of the site.	2%	2%
S.5	<i>Rainwater Reuse</i>	At least 75% of rain water from the roofs of structures is captured and recycled for landscape irrigation.	5%	5%

Table 2: Orange Avenue Overlay District Development Enhancement Menu – Infrastructure & Stormwater Category

Category Number	Enhancement	Description & Potential Bonus	Enhancement Achievement Maximums	Maximum FAR Increase
IS.1	<i>Stormwater Retention Beyond Code Minimum Requirements</i>	Each 1% of additional water quality treatment and stormwater retention capacity, beyond what is required to accommodate development of a site provided (that can feasibly receive off-site stormwater) shall earn a 1% entitlement bonus. The calculation shall be based on the retention required on the site to meet City and St. Johns requirements. Vaulting, Underground Storage or Raingarden Areas Shall Be Allowed.	Max 25% Entitlements Bonus	25%

Table 3: Orange Avenue Overlay District Development Enhancement Menu – Arts & Culture Category

Category Number	Enhancement	Description & Potential Bonus	Enhancement Achievement Maximums	Maximum FAR Increase
AC.1	<i>Public Art</i>	Each Public Art Installation Shall Earn 1% Entitlement Bonus	Max 5 Locations	5%
AC.2	<i>Gateway Feature</i>	Creation of signage, art or other type of gateway feature that welcomes people to Winter Park.	5%	5%
AC.3	<i>Space For Non-Profit Arts & Cultural Organizations</i>	For each 1,000 square feet of space that is built specifically and solely for non-profit arts and cultural facilities, a 1% entitlement bonus shall be granted. The space provided for these non-profit users shall not count towards the FAR of the site. The space shall only be rented to Arts & Cultural organizations with non-profit 501.C.3 status, in perpetuity. Parking shall also be provided and shared parking is encouraged. The rents charged shall not exceed 80% of the median rents charged	Max 15% Entitlement Bonus	15%

		for similar properties in the area. The rents shall not increase more than 3% per year.		
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Table 4: Orange Avenue Overlay District Development Enhancement Menu – Parking Category

Category Number	Enhancement	Description & Potential Bonus	Enhancement Achievement Maximums	Maximum FAR Increase
P.1	<i>Public Parking</i>	Each 5 Dedicated Public Parking Spaces, Which Remain Free for Public Parking at All Times, Shall Earn a 1% Entitlement Bonus	Max 10% Entitlement Bonus	10%
P.2	<i>Screening of Parking Structures</i>	Parking structures shall be screened at least 50% on all visible sides with green walls, living walls, murals (that do not include advertising of any type), shade trees or vegetative screening, or other screening treatments. This enhancement is in addition to the requirements for FAR exemption.	10%	10%

Table 5: Orange Avenue Overlay District Development Enhancement Menu – Miscellaneous Category

Category Number	Enhancement	Description & Potential Bonus	Enhancement Achievement Maximums	Maximum FAR Increase
M.1	<i>5G Small Cell Facilities Placed On Building</i>	Each 5G Small Cell Placement on Structure Earns 1% Entitlement Bonus	Max 5 Locations	5%
M.2	<i>Workforce Housing Provided</i>	Each Unit Provided at Orange County Workforce Housing Standards Shall Earn a 0.5% Entitlement Increase	Max 20 Units	10%

Table 6: Orange Avenue Overlay District Development Enhancement Menu – Meaningful Open Space Category

Category Number	Enhancement	Description & Potential Bonus	Enhancement Achievement Maximums	Maximum FAR Increase
OS.1	<i>Open Space Beyond Minimums</i>	Each 1/4 acre (10,890 square feet) of additional dedicated open space available to the public beyond the required minimum shall earn a 5% Entitlement Bonus, or 20% per acre.	20%	20%
OS.2	<i>Shade Tree Planting</i>	Each 50-inches of Shade Tree Caliper Planted Onsite Beyond Minimum Requirements Shall Earn 1% Entitlement Bonus. Species Shall Be City Arborist Approved and Planted with Irrigation. A minimum 5" caliper tree shall be required.	Max 500-Inch Tree Caliper Bonus	10%
OS.3	<i>Tree Fund Donation</i>	Payment may be made into the City of Winter Park Tree Replacement Trust Fund, so that meaningful trees can be planted throughout the City to maintain and grow our tree canopy. For each donation of \$10,000 to the Tree Replacement Trust Fund, a 1% Entitlement Increase Shall Be Granted.	Maximum \$50,000 Donation	5%
OS.4	<i>Mead Garden Improvements</i>	Donation to Mead Botanical Garden Improvements/Restoration/Enhancements Shall Earn a 1% Entitlement Increase for Each \$10,000 Donation. The Funds Shall Only Be Used for Capital Improvements or Enhancements in Mead Botanical Garden.	Max \$100,000.00 Donation	10%

Category Number	Enhancement	Description & Potential Bonus	Enhancement Achievement Maximums	Maximum FAR Increase
OS.5	<i>Donation of Land for Parks</i>	For each 5,000 square feet of land donated to the City of Winter Park for park space (which is accepted by the City Commission as meaningful and useful park land), shall earn an additional 1% Entitlement Increase.	Maximum 20%	20%
OS.6	<i>Martin Luther King, Jr. Park Expansion</i>	Donation to the City of Winter Park, Park Acquisition Fund Shall Earn a 1% Entitlement Increase for Each \$10,000 Donation. Funds Shall Only Be Used for the Acquisition of Additional Park Land. The Funds Shall Only Be Used For the Acquisition of the Area Identified as Subarea "G" herein, to expand Martin Luther King, Jr. Park.	Max \$100,000.00 Donation	10%
OS.7	<i>Social Connection Amenities</i>	Provide amenities, that support community interaction and are open to the general public, creating third places:	Max Based on Type	—
		Yard games (life-size chess/checkers, bocce ball, bean-bag toss, walking labyrinth)		3 earns 1%
		Multi-Generational Play Areas		3%
		Fountain/splash pad/water feature		3%
		Stage areas for music/art performance		2%
		Dedicated Standalone Public Restrooms (not a part of a business onsite)		2%
		Public seating/gathering spaces of significant size (street furniture, seating walls, outdoor furniture, fire pits)		2%

Table 7: Orange Avenue Overlay District Development Enhancement Menu – Connectivity & Transportation Category

Category Number	Enhancement	Description & Potential Bonus	Enhancement Achievement Maximums	Maximum FAR Increase
CT.1	<i>Rail-Trail Construction & Easement</i>	Option A - Provide Dedicated Utility & Public Access Easement of a Minimum of 20 feet and Construction of Rail-Trail with a 12-foot Trail Width, to match regional trail widths and 4-foot planting strip along each side within said 20 foot easement, earns 1% Entitlement Bonus for each 50 linear feet of trail, with decorative light pole (as selected by City of Winter Park to match other areas of town) & shade or understory tree of minimum 5" caliper (as selected by Urban Forestry) with irrigation for every 50 feet of railroad frontage. The trail and easement shall connect from the property line where the rail enters, to the property line where the rail exits. The trail shall be designed to align with existing or future trail locations and the design of the trail shall be determined on the site plan when a project is submitted for consideration	Max 20%	20%

Category Number	Enhancement	Description & Potential Bonus	Enhancement Achievement Maximums	Maximum FAR Increase
		Option B - Provide Dedicated Utility & Public Access Easement of a Minimum of 23 feet and Construction of Rail-Trail with a 15-foot Trail Width to meet and exceed regional trail widths and 4-foot planting strip along each side within said 23 foot easement, earns 1% Entitlement Bonus, with decorative light pole (as selected by City of Winter Park to match other areas of town) & shade or understory tree (as selected by Urban Forestry) for every 50 feet of railroad frontage. The trail and easement shall connect from the property line where the rail enters, to the property line where the rail exits. The trail shall be designed to align with existing or future trail locations and the design of the trail shall be determined on the site plan when a project is submitted for consideration	Max 25%	25%
CT.2	Off-Site Trails	Donation to the Construction of Bike/Pedestrian Trails. Due to the unique circumstances and properties in each area, every section of future trail will have challenges and opportunities. Because no two areas are the same, it is preferable to have developers pay into a trails fund, with design and installation provided by the City. Each \$10,000 donation shall earn a 1% entitlement bonus.	Max \$100,000 donation	10%
CT.3	Denning Drive Mobility Extension	Complete Extension of Denning Drive from Orange Ave to Mead Botanical Garden, Minimum 12' Wide Multi-Use Paved Path With Decorative Lighting, and Shade Tree in Grate with Irrigation Every 50 feet, with Required ADA Crossings & Signage on E side of Denning Drive	25%	25%
CT.4	Rideshare Dedicated Curb	Each 24 feet of marked and dedicated rideshare curb in front of the building shall earn a 0.5% Entitlement Bonus	2 Dedicated Spaces	1%
CT.5	Bicycle/Pedestrian Repair Facilities & Rest Areas	Provide bicycle/pedestrian amenities that are available to the community near any Bike Trail facility. One of each of these facilities shall be allowed to locate in one or more of the following locations: Rail Trail area as defined in this chapter, In Martin Luther King, Jr. Park along a bike trail, Along the new Bike Path connecting to Mead Botanical Garden, or along the Denning Drive bicycle facilities. Each location shall require the following elements under a covered roof or shade area: Bicycle Fix-It Stations with bike lift, air pump and tools; water fountain and water bottle filling; bike rack; trash and recycling receptacles; and a bench.	2% per location, Max 3 locations per development. Can be located off-site	6%
CT.6	Covered Transit Stops	Bench, Trash Receptacle, Recycling Receptacle and Covered Area Provided for Transit Users At a Stop on a Bus Route	1%	1%
CT.7	Land Donation for Transportation Improvements	Each 100 square feet of land dedicated to the City of Winter Park or FDOT as right-of-way for needed transportation improvements, shall earn a 1% Entitlement Bonus	Max 25%	25%

4.5. Definitions.

- (a) *Affordable Housing:* Affordable housing means a dwelling unit, with regard to a unit for sale, which costs less than 80 percent of the median price of the single-family homes sold the previous year in the Orlando metropolitan area; and with regard to a unit for rent, one which rents monthly for less than 80 percent of the median monthly cost of similar sized units for the previous year in the Orlando metropolitan area and for which the purchaser's or renter's income or combined family income does not exceed 80 percent of the median family income for the Orlando metropolitan area.
- (b) *Boutique Hotel:* A boutique hotel is largely characterized by its smaller size, personalized service and local personality, which can vary dramatically depending on where the property is located. They cater to the individual, providing very personalized, intimate service. These properties are designed to blend into the community and reflect the neighborhoods and cultures around them.
- (c) *Building Story:* Building story means a section of a building between the surface of a floor and the floorplate of the floor above it.
- (d) *Common Ownership or Commonly Owned:* Properties shall be deemed to be under "common ownership" or "commonly owned" if the properties are owned by the same entity or affiliated entities with substantially similar control and management.
- (e) *Density Transfer:* The ability to transfer existing underlying zoning density entitlements from one property to another as specifically outlined only in Subareas D or J and the transfer maps for those subareas. The property has to be commonly owned and is subject to the provisions of the OAO. Once residential entitlements are transferred from other commonly-owned properties, no residential units can be constructed on the site from which transfers occur.
- (f) *EIFS:* Exterior Insulation and Finish System. A non-load bearing exterior wall cladding system consisting of a thermal insulation board, adhesively and/ or mechanically attached to the substrate, base coat with reinforced fiberglass mesh and a textured finish coat.
- (g) *Fast Casual Restaurant:* Fast casual restaurants offer consumers freshly-prepared, higher-quality food in an informal setting, with counter service to keep things speedy.
- (h) *Floor Area Ratio (FAR):* The gross floor area divided by the land area of the building site excluding land areas across a public

street under the same ownership. The gross floor area ratio is the square footage of the building or buildings on the property (and contiguous properties being used in connection with such building(s)) divided by the area of such property in square feet. This mathematical expression (gross floor area ÷ land area = floor area ratio) shall determine the maximum building size permitted.

- (i) *Food Hall:* Unlike food courts made up of fast food chains, food halls typically mix local artisan restaurants, butcher shops and other food-oriented boutiques under one roof.
- (j) *Green Roof:* A green roof or living roof is a roof of a building that is partially or completely covered with vegetation and a growing medium, planted over a waterproofing membrane. It may also include additional layers such as a root barrier and drainage and irrigation systems. Green roofs serve several purposes for a building, such as absorbing rainwater, providing insulation, creating a habitat for wildlife, increasing benevolence and decreasing stress of the people around the roof by providing a more aesthetically pleasing landscape, and helping to lower urban air temperatures and mitigate the heat island effect.
- (k) *Green Wall/Living Wall:* Living walls or green walls are self-sufficient vertical gardens that are attached to the exterior or interior of a building. They differ from green façades (e.g. ivy walls) in that the plants root in a structural support which is fastened to the wall itself. The plants receive water and nutrients from within the vertical support instead of from the ground.
- (l) *Impervious Area:* Impervious Areas are man-made areas that cannot absorb water from rain or snow. Impervious Area Examples: Roofs; Roads; Sidewalks; Driveways; Parking Lots.
- (m) *Meaningful Open Space:* Privately -owned property that is not a part of the inside of a building. These areas are intended to provide for the use and benefit of the general public, and are legally accessible by the general public. These areas are accessible and designed for outdoor living, gathering, landscaping, recreation, pedestrian activity, meaningful, useable, accessible, green and beautiful open space that invites the public to relax, interact, recreate, unwind and stimulate social connection. Open space shall not be retention ponds, parking lot islands or landscape planting areas around building bases. Meaningful opens spaces are areas that are open and inviting to the public. Open space can include green areas, hardscape areas, semi-pervious areas, balcony or roof areas that are open to the public and other similar-type spaces. The intent is that each of these areas create the opportunity for social interaction, relaxation, recreation and reflection.

- (n) *Mixed-Use:* Mixed-use development combines two or more types of land use into a building or set of buildings that are physically and functionally integrated and mutually supporting. This can be some combination of residential, commercial, industrial, office, institutional, or other land uses. The form of mixed-use development can be vertical or horizontal. Vertical mixed-use occurs when different uses inhabit the same building and sit atop one another, such as residential or office uses over ground floor retail. Horizontal mixed-use occurs when uses are placed next to each other, such as an apartment building that is adjacent to offices, restaurants, or retail shops. Mixed-use areas often create the main street/downtown, activity center, or commercial corridor of a local community, district, or neighborhood. They frequently involve stacking uses – residential or office above retail, for example, in low or midrise buildings, but are predominately made up of a variety of individual buildings arranged around streets and around public squares or other open spaces.
- (o) *Multi-Generational Play Area:* Instead of focusing exclusively on children, these playgrounds broaden their scope to include equipment, activities and amenities for those older than age 12—and perhaps significantly older—so that anyone who visits the playground, regardless of age or ability, can find something there they enjoy.
- (p) *Multi-Modal Transportation:* This concept is that all modes of transportation should have equality and there shouldn't be the typical hierarchy where private automobiles have more opportunities at the cost of pedestrians, cyclists, public transportation users and handicapped persons.
- (q) *Overlay District:* An area where certain additional requirements are mapped upon an underlying zoning district(s). The district modifies or supplements the underlying zoning regulations and allows for flexibility in design and the ability to apply more area specific requirements including, but not limited to, architecture, height, setbacks, use, open space, landscaping, historic preservation, floor area ratio, parking, public improvements, access, stormwater, etc. In the instance of conflicting requirements, the stricter shall apply.
- (r) *Percentage-Based Development Enhancement:* In exchange for the ability to obtain additional development entitlements above those currently allowed by the underlying zoning and the OAO, certain public improvements and area-wide solutions will be required by those who develop or redevelop properties and the requirements for Development Enhancement Bonuses must be met. Property owners or developers may use any combination of the Development Enhancement Menu to earn their way up to the Maximum Achievable Floor Area Ratio.

- (s) *Pervious Area:* A pervious surface is a surface that allows the percolation of water into the underlying soil. Pervious surfaces include grass, mulched groundcover, planted areas, vegetated roofs, permeable paving as well as porches and decks erected on pier foundations that maintain the covered lot surface's water permeability.
- (t) *Placemaking:* As both an overarching idea and a hands-on approach for improving a neighborhood, city, or region, placemaking inspires people to collectively reimagine and reinvent public spaces as the heart of every community. Strengthening the connection between people and the places they share, placemaking refers to a collaborative process by which we can shape our public and private realm in order to maximize shared value. More than just promoting better urban design, placemaking facilitates creative patterns of use, paying particular attention to the physical, cultural, and social identities that define a place and support its ongoing evolution. With community-based participation at its center, an effective placemaking process capitalizes on a local community's assets, inspiration, and potential, and it results in the creation of quality public spaces that contribute to people's health, happiness, and well-being.
- (u) *Public Improvements:* Any drainage facility, roadway, parkway, pedestrian way, off-street parking area, lot improvements, sidewalk, bike lane, park, public facility, pedestrian crossing, boulevard or other facility which benefits the public.
- (v) *Residential Density:* Measured in dwelling units per gross acre. Maximum densities determine the number of apartment, townhome, condominium or other multifamily units allowed.
- (w) *Walkability:* A measure of how well streets are designed to incorporate pedestrian scale elements and to create equal access for pedestrians. A walkable area has health, environmental, and economic benefits. It keeps pedestrians interested, safe and engaged with the built environment around them. With community-based participation at its center, an effective placemaking process capitalizes on a local community's assets, inspiration, and potential, and it results in the creation of quality public spaces that contribute to people's health, happiness, and well-being.
- (x) *Workforce Housing:* A dwelling unit, with regard to a unit for sale, which costs less than 120 percent of the median price of the single-family homes sold the previous year in the Orlando metropolitan area; and with regard to a unit for rent, one which rents monthly for less than 120 percent of the median monthly cost of similar sized units for the previous year in the Orlando metropolitan area, and for which the purchaser's or renter's

income or combined family income does not exceed 120 percent of the median family income for the Orlando metropolitan area.

SECTION 2. Vesting. In order to not adversely affect development projects that may be in process and for which expenditures have been made in reliance upon the existing code provisions, the City will allow certain developments to be subject to the underlying zoning of the property prior to the adoption of this Ordinance provided such development's site and building floor plans have been received and approved by the City prior to the effective date of this Ordinance. However, for any development project that received a conditional use approval from the City Commission prior to the effective date of this Ordinance, the expiration of that conditional use approval per Section 58-90 shall apply.

SECTION 3. Severability. If any Section or portion of a Section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Ordinance.

SECTION 4. Conflicts. To the extent any provision or provisions of this Ordinance conflict with the provision or provisions of other Ordinances, the provisions of this Ordinance control.

SECTION 5. Codification. Section 1 of this Ordinance shall be codified and made a part of the City of Winter Park Land Development Code, and the sections of this Ordinance may be renumbered or relettered to accomplish this intention. The word "Ordinance" may be changed to "Section," "Article," or other appropriate word. The City Clerk is given liberal authority to ensure proper codification of this Ordinance, including the right to correct scrivener's errors.

SECTION 6. Effective Date. This Ordinance shall become effective upon the comprehensive plan amendments provided for under Ordinance _____ become effective. If Ordinance _____ does not become effective, then this Ordinance shall be null and void.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this _____ day of _____, 2020.

Mayor Steve Leary

Attest:

City Clerk



city commission agenda item

item type	Public Hearings	meeting date	1/13/2020
prepared by	Planning	approved by	City Manager, City Attorney
board approval	yes final vote		
strategic objective	Exceptional Quality of Life, Intelligent Growth and Development, Investment in Public Assets and Infrastructure, Fiscal Stewardship, Public Health and Safety		

subject

Request of the City of Winter Park for:

- Ordinance - Amending Chapter 58 "Land Development Code" Article I, "Comprehensive Plan" to adopt new goals, objectives and policies of the future land use element to establish the Orange Avenue Overlay District. (1)
- Ordinance - Amending Chapter 58 "Land Development Code" Article III, "Zoning" to adopt a new zoning district Section 58-83 Overlay Districts (OD). (1)

motion / recommendation

See Below

background

The City of Winter Park has discussed the possible redevelopment of Orange Avenue for many years, but little has been achieved. The City Commission made the creation of a Mixed-Use Overlay District a priority in the Comprehensive Plan and also directed staff to create a process that would bring forward a Mixed-Use Overlay District.

It is the intent of the Orange Avenue Overlay (OAO) District to provide enhanced standards to protect and promote the unique characteristics of the Orange Avenue area and create a distinct gateway into Winter Park. This Overlay District is used to create a sense of place established through specific architectural styles, streetscape design, open space areas, setbacks, site design, landscaping and other regulatory controls.

Placemaking

The concept of Placemaking has been a major component of the Orange Avenue Overlay creation. By using the community input that was provided as a part of the Vision Winter Park process, the process of updating the Comprehensive Plan, and from the Orange Avenue public input process, a vision for the area began to take shape. Placemaking allows for a vision for an area to become a reality, creating

spaces and places for social interaction and creating memorable experiences.

Process

What is unique about this process is that in the past, the City has relied on outside consultants to perform most of the large-scale planning initiatives. These processes don't always allow for as much public participation and there is a feeling in the community that by the time the draft document is presented, there is no real opportunity to change the language. Additionally, the work was performed by people who may not live and work in the community, and may not have the insight of those who know Winter Park best.

That is why this process has been so different. This process was done completely in-house, with City staff from various departments involved, but led by the City of Winter Park Planning and Community Development team. Many studies have been performed on Orange Avenue in the past, but no actual codes or actionable documents had been created. The desired outcome for this process was to finally create updates to codes and planning documents that would actually stimulate thoughtful development.

Though the Planning team has great insight into the community, staff wanted an implementable plan that would be developed by Winter Park, for Winter Park. Therefore, a process was created that would be guided by the public from the start to the finish.

Staff has worked with the Winter Park Community and members of the community who provided their input or serve their community as Board or Committee member. This Overlay process represents more than 15 months of collaboration.

Public Input

The input of the Winter Park community has been at the forefront of this planning initiative. A great deal of public input had been gathered by past studies and initiatives such as Vision Winter Park or the updating of the Comprehensive Plan, but staff would start again, with the first step being public input as a part of this Overlay process.

First Public Input Meeting

Staff advertised and held a public input meeting on March 25, 2019, at the Community Center. Rather than give a presentation on what staff hoped to accomplish, this session simply had attendees give their written input on a series of 16 questions and any other input they wished to provide. Approximately 150 citizens attended this meeting and significant input was provided.

Stakeholder (2nd) Public Input Meeting

A second public input meeting was held on April 4, 2019, that centered around gathering stakeholder input from the property owners who had properties within the Overlay area, though the public was also invited to attend. The meeting was held at the Welcome Center and after a brief introduction by staff, the attendees asked questions of staff and then were invited to once again provide their written input to

the same questions from the first input meeting. Over 100 people attended this second input meeting.

Continued Input

To increase the amount of public input, staff created a survey from the questions created for the public input meetings, and for 2 months, asked residents to access the survey from the City website and provide their input.

Additionally, staff created OrangeAve@cityofwinterpark.org, an email address that has remained active throughout the process to provide the public the opportunity to provide any and all input they would like.

It has remained the intent of staff to create a process that provided enough time for anyone who wanted to be involved, could be actively involved.

On top of public input meetings, staff has held meetings with stakeholders, property owners, neighborhood groups, condo associations, stakeholder groups and individual citizens throughout the months of the Overlay process. Altogether, staff met with groups or individuals that has consisted of hundreds of hours of additional opportunity to hear from the public about their vision for Orange Avenue.

Community Outreach

Staff continued to try to utilize creative approaches to get citizen input and to provide the public with as much education as possible about what the Orange Avenue Overlay process was about, and how they could continue to provide input. Press releases were created for each step of the Overlay process.

Informational Videos

In a unique approach to the Orange Avenue Overlay District planning initiative, staff created a number of informational videos that explained what some of the key topics were, to make sure that the public had a clear understanding of what the Overlay process was all about.

The first video was about Placemaking and how a community could cast a vision, and then make that vision become a reality. The second video was about Overlay Districts and how they could be a helpful planning tool. The video used everyday items to depict different elements of the built environment and how Overlay Districts can create positive change. The third video was about Mixed-Use. The video had a number of Orange Avenue Overlay Steering Committee members and Planning & Zoning Board members discussing their favorite mixed-use areas in Winter Park.

The fourth video showed the public process and the public input that given throughout the Overlay process. That video will become available after the January 13, 2020 City Commission meeting.

Orange Avenue Community Walkshop

Another unique opportunity that was created to invite the public to provide input, and to see the Orange Avenue area from the pedestrian viewpoint was the Orange Avenue Overlay Walkshop that was held on August 20, 2019. The walkshop invited everyone in the community to walk as a group throughout the area that was being considered, stopping at 10 different locations to have meaningful discussions and to share observations.

Approximately 50 people attended the walkshop, and the attendees found it to be a worthwhile and new type of planning input opportunity.

Additional Public Outreach

On July 15, 2019, Planning Director Bronce Stephenson, presented the Overlay District process and plan to a sold-out crowd at Winter Park Chamber of Commerce event, Good Morning Winter Park. The presentation was also live streamed to social media audiences.

On October 3, 2019, Senior Planner Allison McGillis and Planning Director Bronce Stephenson presented the Overlay District to the Winter Park Land Trust. Staff has also held multiple discussions and meetings with various members of the Winter Park Land Trust.

On November 6, Senior Planner Allison McGillis and Planning Director Bronce Stephenson presented the Overlay District to the Government Affairs Committee of the Chamber of Commerce.

On December 2, 2019, Planning Director Bronce Stephenson presented the Overlay District language to the Winter Park Rotary Club.

On December 18, 2019, Planning staff held a public information meeting in the lobby of the Gateway Plaza building at 1201 Orlando Ave for property owners within the Orange Avenue Overlay area. Notice was sent to all property owners within the Overlay District and the public was welcomed to attend as well.

On December 21, 2019, staff had a booth at the Winter Park Farmers Market to be available to discuss the Orange Avenue Overlay District with anyone who has questions, concerns or suggestions. Staff was at the booth from 7AM until 1PM and had the opportunity to meet with dozens of community residents to discuss the Overlay.

Orange Avenue Overlay Steering Committee

Staff requested that the City Commission allow for the creation of a Steering Committee, to represent the public and to guide the development of the Overlay language.

Orange Avenue Overlay Steering Committee Roster:

The Steering Committee had a citizen appointed by the Mayor and each Commissioner, plus a representative from Boards and Committees that had close ties to the creation of an Overlay District. The Committee consisted of the following members:

- Phil Kean, AIA – Mayor Leary Appointee
- Sally Flynn – Vice-Mayor Seidel Appointee
- Michael Dick – Commissioner Cooper Appointee
- Lamont Garber – Commissioner Sprinkel Appointee
- Sheila De Ciccio – Commissioner Weaver Appointee
- Laura Turner, AICP – Planning & Zoning Board Representative
- Bill Sullivan – Vision Winter Park Representative
- Lambrine Macejewski – CRA Advisory Board Representative

- Ben Ellis, P.E. – Keep Winter Park Beautiful & Sustainable Board Representative
- Jill Hamilton Buss – Transportation Advisory Board Representative
- Bill Segal – Economic Development Advisory Board Representative

Over 26 weeks, the 11-member Steering Committee held a total of 13 meetings (including the walkshop), which invited the public to attend and allowed for public comment at each meeting. The Steering Committee covered a variety of topics over their extensive meeting schedule. The Committee voted on the following language that established their goals:

"The Steering Committee shall guide code language for the successful implementation of the Orange Avenue Overlay. The language shall incorporate the city's Vision and Comprehensive Plan goals of creating a mixed-use district and a gateway into Winter Park. The language shall enhance the Orange Avenue area identity and experience, while increasing safety and mobility. It shall provide enhanced and flexible development standards to create the opportunity for positive and sustainable public and private improvements and redevelopment of the area. The Committee shall make a recommendation of the draft language to the City Commission for final approval."

Orange Avenue Overlay District

The attached Orange Avenue Overlay Report provides the information that would typically be discussed in a staff report, but due to the length of the document, staff would request that the Commission review the attachments. There is thorough analysis of the process, the public input provided, the Steering Committee process, the new codes proposed and the timeline of the process. Please refer to the attached Orange Avenue Overlay Report and the draft Ordinances that would create the Orange Avenue Overlay District and change the Comprehensive Plan in accordance with the Orange Avenue Overlay District.

Commitment to Public Input, Education & Involvement

Now that this Overlay process has reached its conclusion, there have been 19 publicly advertised meetings where the public was invited to attend, provide input, comment or ask questions. Staff has spent hundreds of hours meeting with the community and property owners in the Overlay area to fully understand and address the issues that have kept this area from reaching its full potential.

Additionally, there have been 2 publicly noticed worksessions open for the public to attend, held by the Planning & Zoning Board. Additionally, the City Commission has held 12 publicly noticed worksessions that were open for the public to attend.

Recommendations

At their final meeting on November 13, 2019, the Orange Avenue Overlay Steering Committee voted 8-2 to recommend approval of the Final Draft language, with minor changes that were discussed at the meeting. The major topic that all members of the Steering Committee could not agree upon was whether or not the City-owned Progress Point property should be developed, to what scale it should be developed,

and whether or not it should be used as a park.

At their meeting on December 3, 2019, the Planning & Zoning Board voted unanimously to recommend approval of the Ordinances creating the Orange Avenue Overlay District. The meeting minutes and the comments made by P&Z members regarding their enthusiastic recommendation of this Overlay is attached.

Staff recommends approval of the Ordinances creating the Orange Avenue Overlay District.

Summary

This process has been a transformative way of creating a community-based planning process. This Overlay District was created as a result of the Comprehensive Plan calling for a new way of exploring the creation of a Mixed-Use Overlay District. This process was not driven by developers or in response to any sort of planned development, instead it was based on the input of the Community and through the guidance of a Steering Committee, the Planning & Zoning Board, professional City staff and the City Commission. This process has included 15 months exploring the problems that have led to the economic stagnation of the Orange Avenue Overlay District. The findings and recommendations are based on solutions to problems that have hurt small businesses in the Orange Avenue area for many years and led to continued lack of revitalization. The Vision Winter Park Plan, the Sustainability Plan and the Comprehensive Plan have been the guides to creating a new way of looking at development in Winter Park and allowing for development bonuses to be earned, rather than simply given through rezoning or variance. The City and the Winter Park community worked together to create the vision for Orange Avenue. A vision that keeps traditional scale, creates a more walkable district, creates safety for all modes of transportation, assists small businesses, finds creative solutions to area-wide issues, ensures high-quality development, creates more open space and brings connectivity to the area. The end result of this process will be the creation of the next great Place in Winter Park, one the community will be proud to call their own.

alternatives / other considerations

N/A

fiscal impact

N/A

ATTACHMENTS:

Description	Upload Date	Type
P&Z Minutes	1/7/2020	Backup Material
Orange Avenue Report	1/7/2020	Backup Material
OAO COMP PLAN ORDINANCE	1/10/2020	Backup Material
OAO ZONING CODE ORDINANCE	1/8/2020	Backup Material



Planning and Zoning Board Minutes

December 3, 2019 at 4:30 p.m.

City Hall, Commission Chambers
Regular Meeting

Minutes from OAO

- CPA #19-04 Request of the City of Winter Park To: Amend Chapter 58, Land Development Code, Article I, "Comprehensive Plan" so as to adopt new Goals, Objectives, and Policies of the Future Land Use element to establish the Orange Avenue Overlay District.
- ZTA #19-05 Request of the City of Winter Park To: Amend Chapter 58 "Land Development Code", Article III, "Zoning Regulations" so as to adopt a new zoning district Section 58-83 Overlay Districts (OD).

Planning Director Bronce Stephenson took a moment before his presentation to ask for a show of hands from the public attending the meeting if they had participated in any of the meetings conducted throughout the Orange Avenue Overlay process. A great number of hands were raised and Mr. Stephenson commended those persons for their participation. Mr. Stephenson then recognized the Orange Avenue Overlay Steering Committee members for their service contribution to the process as well as members of Staff for their involvement.

Mr. Stephenson stated that the Overlay Language and each new revision had been available for public review for months and focused his presentation on the work sessions and individual meetings with the Planning and Zoning board members. He stated that he wanted to focus on the process that had taken place over the last year. He noted that the process was not the result of a developer application or applications on file. Mr. Stephenson stated that the process was an initiative defined in the Comprehensive Plan and read the related policy:

Policy 1-2.4.14: Mixed Use Designation

Within one year from the adoption of this Comprehensive Plan, ***the City will create a mixed use overlay or district for commercially designated parcels that would be intended to facilitate design and use flexibility to achieve pedestrian scale, innovative transit connectivity and maximizing open space within a commercially viable and architecturally desirable design...***

Mr. Stephenson stated that aside from the portion of the policy related to the one-year timeframe, the initiative had been accomplished. He stated that he was proud of the work that was achieved and explained that with the assistance of the Community, Staff was able to create a product designed by Winter Park that rather than using an outside consultant. He stated that the Overlay report contained approximately four pages of items from the Comprehensive Plan that directed the process such as increasing connectivity, creating architectural standards and removing inappropriate uses from the area.

Mr. Stephenson noted that another important directive was to create a gateway into Winter Park and stated that the Orange Avenue Overlay area had the potential to be a beautiful gateway into Winter Park and was kept at the forefront during the process. In addition, he stated that the Vision Winter Park process was at the front of every decision made and two of the Vision Winter Park committee members were members of the Orange Avenue Overlay Steering Committee. He reiterated that the Comprehensive Plan and Vision Winter Park were

the guiding documents and principals used along with extensive input received throughout the process.

Mr. Stephenson stated that Orange Avenue had been a topic of discussion for many years with a number of studies and analyses performed but because no opportunities for redevelopment of the area stemmed from those studies, Staff decided to take a different direction with the process.

Mr. Stephenson stated that extensive and continued public input had been the backbone of the process and reviewed the numerous ways in which staff received information from the public:

Open Public Input Meetings, Orange Avenue Survey, Orange Avenue email address OrangeAve@cityofwinterpark.org for any and all public input, Individual Meetings, Orange Avenue Overlay Steering Committee, meetings with EDAB, TAB, CRAAB, KWPB&S, P&Z and City Commission, Orange Avenue Walkshop and Citywide Public Notice and subsequent public hearings at Planning & Zoning and City Commission.

Mr. Stephenson explained that the Orange Avenue Overlay Steering Committee met every two weeks over the course of 6 months to discuss issues afflicting Orange Avenue Overlay. The Committee held panel discussions with neighboring residents, small-business owners, large land-owners and larger business owners in the area to discuss hear their concerns. In addition, the Committee reviewed extensive public input and worked to create solutions to the problems that have led to over a decade of economic stagnation and decline of the area. Mr. Stephenson presented a planning video that documented the public process and explained that throughout the process, there was a commitment to public involvement and education. He noted that by the time the Overlay process was complete, there would be 19 meetings where the public was invited to attend, provide input or ask questions. Additionally, two Planning & Zoning Board work sessions and two City Commission meetings will have been held and open for the public to attend.

In an effort to assist with any misinformation the public may have received about the process, Mr. Stephenson moved on to discuss the facts of the Overlay process:

- The Overlay process and subsequent language created were not related to any development applications, developer requests, or plans for development of any property.
- The Overlay process was the result of the adopted Comprehensive Plan, which called for the creation of a Mixed-Use Overlay District. The City Commission directed staff to pursue this Overlay Process.
- The language created was not created by developers. It was created by the Winter Park community.
- The primary objective has been to solve the issues that have led to over a decade of economic stagnation. The protection and creation of redevelopment opportunities of small businesses have been at the forefront of this process
- Currently, the Overlay Area has approximately 1,100 units that are allowed by right. If the Overlay was approved, there would be the same number of units.
- With the Overlay District, there would be no more dwelling units created. There is no increase in gross density in the area.
- Despite what had been reported, the small-scale character of Orange Avenue has been promoted and protected throughout the process to the highest extent possible.
- Additional entitlements of square footage must be earned by new development. The way to earn the additional entitlements is through the construction of public improvements, park

space improvements, trails and connectivity, more trees to increase the urban canopy, and other public improvements.

- Despite what had been misrepresented repeatedly through social media and mass email, the process was not hurried in any way. The City Commission was aware of the 12 month+ timeline and had been updated on the progress of the process twice a month in the City Commission packets.
- This process included several months of public input opportunities, public meetings, public input, neighborhood meetings, public presentations, educational videos and much more.
- This process is the culmination of more than 14 months of work by City staff, a Steering Committee and community input.
- Citywide Notice was sent to all Winter Park households. The Citywide notice has been in households for over a month and the information has been available for review and input throughout the process.
- There was no “push” to try to get this process done during the holidays and public hearings would be held by P&Z on December 3 and by the City Commission on January 13, 2020.

Mr. Stephenson provided information on the upcoming Orange Avenue Overlay meeting schedule.

- On December 18, 2019, staff would hold a public information meeting in the lobby of the Gateway Plaza building at 1201 Orlando Ave for property owners within the Orange Avenue Overlay area. Notice was sent to all property owners within the Overlay District and the public is welcome to attend as well.
- On December 21, 2019, staff will have a booth at the Winter Park Farmers Market to be available to discuss the Orange Avenue Overlay District with anyone who has questions, concerns or suggestions. Staff will at the booth from 7AM until 1PM.
- P&Z Public Hearing December 3, 2019.
- City Commission Public Hearing January 13, 2020.

Mr. Stephenson stated that at their 12th and final meeting on November 13, 2019, The Orange Avenue Steering Committee voted 8-2 to recommend approval of the Orange Avenue Overlay District.

Mr. Stephenson noted that the issues that the Steering Committee members did not agree on were whether or not Progress Point should be developed, at what scale or whether the area should be made into a park, and what other opportunities could be explored for the property. Additionally, one Committee member did not agree with some of the language in the Overlay document and felt it did not fit with some of the guiding documents that were a part of the process.

Mr. Stephenson stated that Staff recommendation was for approval of the Ordinances to create the Orange Avenue Overlay District and to amend the Comprehensive Plan to reflect the language of the Orange Avenue Overlay District.

There were no questions for Staff. The Board opened the floor for public comment.

The Board heard public comment from:

Steve Goldman, 2009 Venetian Way, Winter Park, FL addressed the Board and stated that he was representing the views for the Winter Park Land Trust. He commended Mr. Stephenson’s efforts with the process and stated that it was important to have strong community support with the process. He talked about the importance of green space for the area and the need for an inviting entrance to Mead Garden.

Sheila De Ciccio, 1630 Laurel Road, Winter Park, FL addressed the Board. She explained that she was a member of the Orange Avenue Overlay Steering Committee and noted concerns related to the Progress Point property. She discussed concerns related to the maximum height requirement and increased traffic. Additionally, Mrs. De Ciccio stated that she felt the City should not sell Progress Point, but find a use for the property that would benefit the residents of Winter Park such as a theater district or food court.

Phil Anderson, 1621 Roudelay Lane, Winter Park, FL addressed the Board. He urged the Board to delay the vote on the Ordinance and discussed concerns related to parking deficit, stormwater treatment, traffic safety, loss of on-street parking. Additionally, Mr. Anderson felt that the best use of Progress Point would be to solve parking and stormwater needs for businesses in the area.

Lamont Garber, 1071 Lakeview Drive, Winter Park, FL addressed the Board and explained that he was a member of the Orange Avenue Overlay Steering Committee and that throughout the meetings, the Committee members did a lot of due diligence and took the time to understand concerns of the area. Mr. Garber talked about the benefit the Overlay would have on the area by enlisting the help of the three major landowners to provide infrastructure solutions for the area such as drainage, parking, right of ways, and most importantly, improvements the obsolete structures along Orange Avenue.

Bill Segal, 1820 Windsor Drive, Winter Park, FL, addressed the Board and explained that he was a member of the Orange Avenue Overlay Steering Committee. He talked about his experiences driving on Orange Avenue over the years and recounted the lack of life or vibrancy in the area. Mr. Segal stated that he was thrilled about the effort to rehabilitate the area and explained that the Committee received a great amount of public input throughout the process. He stated that he was happy about the new walkway into Mead Garden, the addition of walk/bike paths and most importantly, the opportunities the Overlay would allow the small business owners to improve their properties and stated that he felt the document had great balance. Lastly, Mr. Segal stated the need for the Board and City Commission to take an in-depth look at the Progress Point property.

Thomas A. Thomas, 1302 Orange Avenue, Winter Park, FL addressed the Board stated that his office moved onto Orange Avenue in November of 1997 and talked about ongoing traffic issues in the area throughout the years. He stated that with the new process, he would like to see the parking issues resolved in the area and speed limits enforced.

Jennifer Crotty, 1152 Harmon Avenue, Winter Park, FL addressed the Board and stated that she was a small business owner in the area. She stated that after listening to the stories of other business owners in the area fighting to get issues resolved over the years, she believed the Overlay was the best solution for fixing the problems in the area and stated she was in favor of the Overlay.

Ruth Heine, 2358 Summerfield Road, Winter Park, FL recognized the time and effort the Committee put into preparing the proposal for submission to the Planning and Zoning Board and City Commission. Mrs. Heine expressed concerns related to traffic and stated that she would like to see Progress Point used as greenspace for the area. Additionally, Mrs. Heine stated that she would like to see renderings of what the area would look like with the changes in the Overlay and asked the Board to give the process more time.

Jill Hamilton Buss, 1935 Oakhurst Avenue, Winter Park, FL addressed the Board and stated that she was a member of the Orange Avenue Overlay Steering Committee as well as the Transportation Advisory Board. She read quotes related to walkability and transportation and explained that even though the transportation portion of the Overlay was set aside, much of what the Committee focused on was related to transportation, connectivity, pedestrian and bicyclist safety, widening of sidewalks, many things that make a place walkable and bikeable. She noted that throughout the process, the Committee met with residents, small and large

business owners and she was very impressed with the amount of involvement from the community. She stated that she felt the entire process was well thought out and she was in favor of the Ordinance.

Cynthia Hasenau, 111 Longbranch Road, Winter Park, FL addressed the Board. Ms. Hasenau stated that she was the Executive Director of Mead Botanical Garden and stated that the Garden was in a public/private partnership with City. She stated that she had attended a number of meetings regarding the Overlay and was struck by the continued balance, openness, thoughtfulness and willingness to learn from the Committee members. She talked about greenspace, successful commerce for the area and connectivity and spoke in favor of the Ordinance.

David Daly, 1307 Lindenwood Lane, Winter Park, FL addressed the Board and expressed concerns related to existing traffic conditions and wondered what impact the Overlay would have on traffic in the area.

Bonnie Ferguson, 700 Melrose Avenue, Winter Park, FL addressed the Board. She stated that she's lived in Winter Park since 1960 and reiterated Mr. Daly's concerns regarding the impact the Overlay would have on traffic. Mrs. Ferguson also expressed concerns about stormwater retention and greenspace in the area. She stated that she believed in the process, appreciated all of the public input and effort made during the process and felt that Progress Point should remain a City-owned property.

Judith Meyers, PO Box 554, Winter Park, FL, addressed the Board and stated that she has been a resident of Winter Park since 1969. Ms. Meyers expressed concerns related to traffic conditions on Orange Avenue and throughout the City. She voiced concerns that the Overlay would add to the already poor traffic conditions and stated she was opposed to the Ordinance.

Wade Miller, 1520 Glencoe Road, Winter Park, FL, addressed the Board. He stated that he attended a number of the Orange Avenue Overlay Steering Committee meetings and stated that he was impressed by the process. He stated that if every task force could accomplish what the Steering Committee achieved on every project in the City, Winter Park would continue to be an incredible place and talked about the positive impact the Overlay would have on Winter Park. He stated that the process was a positive moment for Winter Park and he would like to see the process continue.

Jeanne Wall, 2110 Lake Drive, Winter Park, FL, addressed the Board. Mrs. Wall stated that she appreciated the time and effort of everyone involved in the process. She voiced concerns related to the increased traffic, parking, and maximum height requirements, signage and uses such as massage in the Overlay area. She asked that the Board delay voting on the Ordinance and take more time to review the process before moving forward.

Bart Johnson, 1214 Turner Road, Winter Park, FL addressed the Board and stated that he and his wife have lived in Winter Park for 30 years. Mr. Johnson commended the Committee and Staff for their efforts with the process. He stated that he read most of the documents related to the Overlay was largely in favor of the majority of what the Committee was trying to accomplish, such as placemaking, purpose and Vision themes. He conveyed concerns related to the impact the Overlay would have on already poor traffic conditions in the area and asked the Board to take those concerns into consideration.

Dr. Peter Lemiux, 5309 Cypress Reserve Place (business at 1185 Orange Avenue), Winter Park, FL, addressed the Board. Dr. Lemiux explained that he been a business owner on Orange Avenue for the past 30 years and enjoyed hearing the conversations regarding the potential improvements to Orange Avenue. He explained that his biggest concerns were related to parking and stormwater drainage. He stated that he was hopeful that the Progress Point property would be constructively utilized to solve the problems afflicting the area. He stated that the business owners are the fuel for the economy for Orange Avenue and he would hate to

see changes that would prohibit the businesses from flourishing. Lastly, Dr. Lemieux thanked Staff and the Orange Avenue Overlay Steering Committee for listening to the concerns of the small business owner and stated he was in support of the Ordinance.

Jeffrey Blydenburgh, 204 Genius Drive, Winter Park, FL, addressed the Board. He thanked Staff and the Orange Avenue Overlay Steering Committee for their efforts and talked about the Vision Winter Park being a guiding document for the Orange Avenue Overlay process. He discussed the FAR requirements for the area and stated that the proposed scales were not densification for the area. Mr. Blydenburgh went on to state that he felt the Progress Point property should be used as an open space for the area. Lastly, he thanked the Committee and Staff for their hard work and asked the Board to support the Ordinance.

Leon Huffman, 350 Olulu Avenue, Winter Park, FL, addressed the Board. Mr. Huffman thanked Staff and the Committee for their participation in the process. He expressed concerns that the Orange Avenue Overlay Ordinance would change the scale, maximum height requirements and density restrictions that were adopted in the Comprehensive Plan in 2017 and asked the Board to consider those concerns.

Pat McDonald, 2348 Summerfield Road, Winter Park, FL, addressed the Board. She stated that the Orange Avenue Overlay was probably the most important decision Planning and Zoning would ever make for the City of Winter Park because the Overlay would serve as a model for all corridor redevelopment in the City. Ms. McDonald said that she and other citizens needed more time to read the Overlay document and asked the Board to delay their vote to give the citizens an opportunity to be fully informed about all aspects of the Orange Avenue Overlay and have all of their questions answered.

Mary R. Randall, 1000 S. Kentucky Avenue, Winter Park, FL, addressed the Board. Mrs. Randall expressed concerns results related to increased traffic and meeting notice requirements. She asked the Board to delay their vote and to consider those concerns.

Guy Colado, 327 Beloit Avenue, Winter Park, FL, addressed the Board. Mr. Collado stated that he was the developer and part-owner of one of the properties within the Overlay. He voiced issues related to garage FAR and building height requirements and that Staff and the Board address his concerns.

Bill Sullivan, 1362 Richmond Road, Winter Park, FL, addressed the Board and explained that he was a member of the Orange Avenue Overlay Steering Committee, had been a member of Vision Winter Park and was a current business owner on Orange Avenue. Mr. Sullivan explained how the Committee addressed issues related to parking and stormwater drainage issues and expressed concern that if the process were delayed the area would continue to suffer from blight.

Michael "Micky" Grindstaff, 300 S. Orange Avenue, Winter Park, FL, addressed the Board on behalf of Demetree Global, which owns the gateway parcels at 17-92, and Orange Avenue and is also a 19 year resident of Winter Park. Mr. Grindstaff stated that Demetree Global was very much in favor of the Overlay and asked the Board to consider changing two sections of the Overlay language that related to the Demetree Global properties:

1. To move a piece of property in Area A to Area D due to common ownership
2. To adjust RailTrail sidewalk connection square footage numbers and language related to enhancement C.2.1.

John Beck, 451 N. Interlachen Avenue, Winter Park, FL, addressed the Board. Mr. Beck expressed concerns related to traffic, density, and accidents in the City. He stated that the Ordinance should be to put to a vote by the citizens of Winter Park.

Frank Hamner, 405 Balmoral Road, Winter Park, FL, addressed the Board and stated that he had been a resident for over 30 years and has represented the Holler Properties for over 20

years. Mr. Hamner stated that he attended all but two of the Orange Avenue Overlay Steering Committee meetings and commended Staff and the Committee members for their hard work. He talked about the unique structure of the Overlay process and discussed the in-depth effort made by Staff and the Committee to include public input. Mr. Hamner stated that any delay in moving the Ordinance forward to the City Commission would be a disservice to the amount of time the Committee had put into the process. He implored the Board to support the hard work of the committee and stated that it could not have been a better process.

Michelle Heatherly, 940 W. Canton Avenue, Winter Park, FL, addressed the Board and stated that she was a Winter Park resident as well as a representative of Demetree Global and commended Staff and the Committee for their investment of time and hard work on the Orange Avenue Overlay process. She stated that she was in agreement with Mr. Grindstaff and Mr. Hamner that the process had been a very collaborative process with a lot of public input. Ms. Heatherly stated that the City has an opportunity to create a beautiful gateway entrance into Winter Park with a welcoming sense of arrival that would transform the entire corridor into a walkable vibrant thriving place full of activity for residents, businesses and visitors. She stated that she had attended all of the Orange Avenue Overlay Steering Committee meetings, walkshop, public input meetings and listened to various panels and felt that the Overlay provided an opportunity to help solve some of the problems in the Corridor including shared parking, stormwater retention and meaningful open space. Lastly, Ms. Heather stated that as a resident she excited for the Overlay and Demetree Global was in full support of the process.

No one else wished to speak. The public hearing was closed.

The Board asked Mr. Stephenson to address concerns expressed during public comment. Mr. Stephenson thanked the community for their participation during the meeting and went on to address concerns voiced by the residents. Mr. Stephenson addressed concerns:

Progress Point - Mr. Stephenson explained that no applications have been received for any projects related to Project Point. The property is owned by the City and the City Commission will decide on development for the property.

Parking solutions - Mr. Stephenson stated that the Ordinance includes a detailed parking solution for the Orange Avenue Overlay area and reviewed the shared parking criteria.

Traffic Study - Mr. Stephenson stated that the Ordinance contains an extensive traffic study, which includes portions of the 17-92 traffic study and Orange Avenue west of 17-92 traffic, a study being discussed by DOT and noted that DOT was working on solutions for the intersection of 17-92 and Fairbanks Avenue, and Orange Avenue and Harmon Avenue.

Stormwater - Mr. Stephenson explained that a thorough analysis of the area had been conducted and briefly discussed explained the stormwater treatment plan.

Police Dept., Fire Dept., Public Works and Electric Utilities - Mr. Stephenson explained that all departments were involved with the process. He explained that Staff met with each department to discuss and ensure that each had the capacity to serve new development of varying scales.

Utility easement modification on the Rail Trail - Mr. Stephenson stated that the 20-foot easement was required for utilities and the best location for those easements was along the trail. He stated that certain utilities require separation from other utilities and explained that a 12-foot easement did not allow enough space for Fiber, Water, Electric and Sewer, etc., thus, a 20-foot easement was the minimum that should be allowed. Mr. Stephenson noted that Staff would be opposed to reducing the easement.

The Board asked Mr. Stephenson to address comments made by Mr. Colado that FAR allowances on the west side of Orange Avenue were different than the east side. Mr. Stephenson explained that the FAR allowances were the same on both sides of Orange Avenue; he explained that the FAR was the same for Area E, which is adjacent to 17-92. He explained that the difference on

the West Side parking garages would count toward FAR because there was no shortage of parking on the west side of 17-92. He explained that parking was strategically placed in that area so that it did not encroach into residential neighborhoods.

An extensive discussion ensued regarding the 20-foot easement reduction request and Staff's opposition to the reduction. The Board and Staff discussed the current location of utilities, stormwater drainage at Palmetto Avenue and the Rail-Trail access easement, development incentives for people connections. The Board and Staff discussed the possibility of an alternative for the portion of the easement related to the property in Area D. Mr. Stephenson stated that the language that reads, "The trail shall be built along the entire property line adjacent to the rail" could be changed to "The trail shall extend the entire length of the property". Mr. Stephenson noted that a 12-foot trail should be the minimum constructed for a striped trail with landscape buffers on either side. Mr. Stephenson stated that Staff would support P&Z in the reduction, but strongly request that the Board keep the width and location of the trail remain as outlined in the enhancement matrix.

Discussion ensued regarding shared parking-related and ULI (Urban Land Institute) standards. The Board asked Mr. Stephenson if the City had a recognized standard for shared parking relative to the ULI standard or another standard other than the term shared parking. Mr. Stephenson explained that the shared parking standard was adopted by the City along with the 750-foot walkshed and modified parking requirements for retail restaurant and office in the CBD (Central Business District), Park Avenue and Hannibal Square. He noted that at that time, the language only included properties directly fronting on Orange Avenue, but with the Ordinance language, the entire Overlay area would be included. He reiterated that the City uses ULI for shared parking analysis, as it is a nationally recognized standard.

Further discussion ensued regarding development intensity concerns reflected during public comment. The Board and Staff discussed Floor Area Ratio analysis for the Overlay area and the allowable square footage under the current zoning.

There were no further questions for Staff.

Board member Laura Turner thanked all of the committee members and staff for their participation in the process. She stated she was a professional planner by trade and education and outreach was an important component of what she does with public projects. She stated that the process was one of the most intense and collaborative efforts she'd seen urged fellow P&Z members to support the document, including changes made during the work session. She stated that and while there are some unanswered questions, the document provides the framework for the future land use component of the district.

Board member Adam Bert stated that he was in favor of the Ordinance. He stated that the Overlay area was stagnant and blighted and in the present economic climate, there was no reason for the area not to be productive. He noted concerns made by residents during public comment and stated that he felt overall, the Overlay would be a benefit to the residents and small businesses in the area as well as the entire City. He commended Mr. Stephenson for his efforts and dedication in the process and noted Mr. Stephenson's previous experience in creating an Overlay district in the Red Bud District of Owasso, Oklahoma.

Board member Chuck Bell stated that he has been a planner for 40 years and worked all over the world. He stated that the self-initiated planning process is rare and should be a model going forward in the City. He stated that normally an outside consultant would be brought in to create the processes developed by the Committee and Staff. He reiterated that the document was a framework that progressively looks at zoning in a way that is much more thought out in order to guide the vision of what the area should be. He commended Staff and the Committee for their efforts with the process and supports the Ordinance.

Board member Dr. Owen Beitsch stated that he also was a professional planner. He commended Staff and the Committee for their accomplishment with the process. He stated that the word framework was very important, as there were suggestions that the Planning and Zoning board attempted to put into a broader set of changes. He stated that because it was a framework some things would not work exactly as drafted and it should be expected that the Ordinance would change over time. He talked about the lack of functionality in the area in its current condition and stated that the changes outlined in the Ordinance were significant enough that the benefits outweigh any shortfalls. He stated that he was in support of the Ordinance and urged his fellow board members to support it as well.

Vice-chair Ray Waugh echoed his fellow board members' sentiments and noted the efforts made with the process had been thoughtful and very thorough. He addressed issues related to stormwater retention, traffic and the watershed radius. He talked about connectivity, nodes of development and shared parking benefits that would be achieved with the framework created from the Ordinance. Mr. Waugh addressed parking study concerns for the area and stated that every development application would go through the same process and the Ordinance is the framework of the Overlay which would allow those applications to get into the process.

Board member Laura Walda stated that it had been a great experience to be a part of the process and to see how serious everyone on the Committee had taken their roles and provided a diverse array of opinions. She stated that the Committee had come up with a product that created the best framework that could be put together and she was pleased to be a part of the project.

Board member Christian Swann stated that an Overlay was by no way an entitlement of any kind and stated that each project submitted would be scrutinized. He stated that the document served as a great balance of progressive and exciting new development over time, but maintaining the ambiance that one feels when arriving in Winter Park. He stated that as a resident, he felt the Ordinance would be a great basis and could be replicated in different corridors throughout Winter Park and Greater Orlando. He urged his fellow board members to support and motion to approve the Ordinance.

Chairman Johnston stated that he was a businessperson who focused on profit and loss. He stated that he believed the public/private partnership that would be put in place would allow the free market to step in and invest capital and assume the risk that the government could not. He talked about the lack of development along Orange Avenue and the Progress Point property and stated that there was a need for the private development market to work with the City to improve conditions in the area. Mr. Johnston stated that the Ordinance was a framework to guide development and felt the Ordinance should be moved on to the City Commission.

Motion made by Adam Bert, seconded by Laura Turner to approve CPA #19-04 Request of the City of Winter Park to amend Chapter 58, Land Development Code, Article I, "Comprehensive Plan" so as to adopt new Goals, Objectives, and Policies of the Future Land Use element to establish the Orange Avenue Overlay District.

Motion carried unanimously with a 7-0 vote.

Motion made by Laura Turner, seconded by Owen Beitsch to approve ZTA #19-05 Request of the City of Winter Park to amend Chapter 58 "Land Development Code", Article III, "Zoning Regulations" so as to adopt a new zoning district Section 58-83 Overlay Districts (OD) with the following amendments:

- 1. Page 17 - Meaningful Open Space: Modified changes to say, "Existing park space shall not count toward required open space" taking out references to sidewalk and potential rights-of-way as counting towards open space requirements.**

2. Page 21 - Variances: Add reference to variance criteria defined in other sections for the land development code, specify specific chapter in which variances are contained as was recommended by the City Attorney
3. Page 31 - Road Closures remove the word "or"
4. Page 36/37 - Enhancement Matrix - CT1 and CT2 Trail: Staff to modify language to allow trail to meander through property as long as it extends the entire length of the properties for future trail locations.

Motion carried unanimously with a 7-0 vote.

ORANGE AVENUE



OVERLAY DISTRICT

CITY OF WINTER PARK, FLORIDA



Special Thanks:

City Commission

Mayor Steve Leary
Vice-Mayor Greg Seidel
Commissioner Carolyn Cooper
Commissioner Sarah Sprinkel
Commissioner Todd Weaver

Planning & Zoning Board

Chair Ross Johnston
Vice-Chair Ray Waugh, P.E.
Laura Turner, AICP
Dr. Owen Beitsch, AICP
Chuck Bell
Christian Swann
Laura Walda
Adam Bert

Orange Avenue Overlay Steering Committee

Phil Kean, AIA – Mayor Leary Appointee
Sally Flynn – Vice-Mayor Seidel Appointee
Michael Dick – Commissioner Cooper Appointee
Lamont Garber – Commissioner Sprinkel Appointee
Sheila De Ciccio – Commissioner Weaver Appointee
Laura Turner, AICP – Planning & Zoning Board Representative
Bill Sullivan – Vision Winter Park Representative
Lambrine Macejewski – Community Redevelopment Agency Advisory Board Representative
Ben Ellis, P.E. – Keep Winter Park Beautiful & Sustainable Board Representative
Jill Hamilton Buss – Transportation Advisory Board Representative
Bill Segal – Economic Development Advisory Board Representative

City of Winter Park Staff

Kim Breland – Planning & Community Development
Allison McGillis, AICP, CNU-A – Planning & Community Development
Kyle Dudgeon, AICP – Community Redevelopment Agency & Economic Development
Nick Lewis – Planning & Community Development
John Nico – Planning & Community Development
Russ Carol – Information Technology
Bronce Stephenson, MPA – Planning & Community Development

Consultants

Kimley-Horn (Traffic/Mobility/Renderings) & Zyscovich Architects (Massing Studies)



SECTION ONE

BACKGROUND

HISTORY

Orange Avenue in Winter Park traces its roots to the horse and buggy days of yesteryear, when it was called the Orlando-Winter Park Highway, and Denning Drive was known as Maitland Avenue. Some of the original names associated with ownership of Orange Avenue properties are well known in Winter Park even today - the Capen family, Loring Chase, Oliver Chapman, Swoope, the Knowles family, JE Harper and Frank Fairbanks. Early business involvement by such important companies as Overstreet Turpentine Company and the Winter Park Company reflected the importance of Orange Avenue to the growing City of Winter Park.

Today, the area is a menagerie of assorted businesses, with the quaint charm of the area known as Designers Row, the Winter Park Playhouse as a great cultural asset, and the Rollins Baseball stadium. Additionally, the area has a number of restaurants, boutiques and business offices. Jewett Orthopedic is a key presence along Orange Avenue and the largest employer in the area. But, as new investment has been made on smaller properties, many of the older properties and larger properties have further declined and seen little to no investment. Currently, of the nearly 75 acres within the Orange Avenue Overlay District, at least 20 acres are vacant, undeveloped, or not utilized. Many properties have been purchased just for the available parking, leaving the building empty. The lack of new investment and the numerous larger properties that have fallen into further decline have certainly negatively impacted the small businesses in the area and in many people's eyes, the area is simply a cut-through for traffic, creating no life on the street.

But the bones are there for Orange Avenue to be the next great Place in Winter Park. There exists a great mix of small businesses, restaurants, design firms, boutiques and other retailers that can serve as the foundation on which to build a special Place. A place to bring your family and friends. A place where students can grab a cup of coffee and study. A place where you can safely walk or ride your bike. A place where you can escape to the tranquil beauty of nearby Mead Botanical Garden. A place to spend a whole day shopping, relaxing, enjoying food and drink, seeing old friends and making new ones. With the vision, passion, careful planning and boldness that have created the Winter Park that this community loves, Orange Avenue can be the newest jewel in the crown of Winter Park.

Why Create the Orange Avenue Overlay?

It is the intent of the Orange Avenue Overlay (OAO) District to provide enhanced standards to protect and promote the unique characteristics of the Orange Avenue area and create a distinct gateway into Winter Park. This Overlay District is used to create a sense of place established through specific architectural styles, streetscape design, open space areas, setbacks, site design, landscaping and other regulatory controls.

The City of Winter Park has discussed the possible redevelopment of Orange Avenue for many years, but little has been achieved. The City Commission made the creation of a Mixed-Use Overlay District a priority in the Comprehensive Plan and also directed staff to create a process that would bring forward a Mixed-Use Overlay District.

Overlay Districts

The first question to many is, what is an Overlay District?

An Overlay District is planning tool that can provide the flexibility to achieve a vision for an area that would not be able to be created with basic inflexible zoning codes. An Overlay District is a geographically designated area where certain additional codes are overlaid atop underlying zoning district(s). In many cases, the new codes adopted in the overlay replace the codes that are dictated in the underlying zoning districts, so it essentially acts as a new zoning code for a particular area. The district modifies or supplements the base zoning regulations and allows for flexibility in design and the ability to apply more area specific requirements including, but not limited to, architecture, height, setbacks, use, open space, landscaping, historic preservation, floor area ratio, parking, public improvements, access, stormwater, etc.

Placemaking

The concept of Placemaking has been a major component of the Orange Avenue Overlay creation. By using the community input that was provided as a part of the Vision Winter Park process, the process of updating the Comprehensive Plan, and from the Orange Avenue public input process, a vision for the area began to take shape.

Placemaking can be defined as both an overarching idea and a hands-on approach for improving a neighborhood, city, or region. Placemaking inspires people to collectively reimagine and reinvent public spaces as the heart of every community. Strengthening the connection between people and the places they share, placemaking refers to a collaborative process by which we can shape our public and private realm in order to maximize shared value. More than just promoting better urban design, placemaking facilitates creative patterns of use, paying particular attention to the physical, cultural, and social identities that define a place and support its ongoing evolution. With community-based participation at its center, an effective placemaking process capitalizes on a local community's assets, inspiration, and potential, and it results in the creation of quality public spaces that contribute to people's health, happiness, and well-being.

GOALS

The Goals of the Orange Avenue Overlay District are to:

- a. Encourage sustainable development and redevelopment that will become a long-term asset to Winter Park;
- b. Create and enhance connectivity to the surrounding neighborhoods and promote connectivity to all of Winter Park;
- c. Utilize and incentivize private development and/or redevelopment to create solutions for the existing problems that small properties and business-owners in the Orange Avenue area face;
- d. Create public improvements that will benefit all residents and visitors of Winter Park;

- e. Provide the opportunity for existing businesses and properties to improve their structures, their businesses and their building facades;
- f. Restrict uses and create regulations that promote the development of the Orange Avenue area as a special place within Winter Park that promotes an environment of arts, healthy-living, cuisine, culture, heritage, social interaction, healthcare, local business, education, connectivity and community;
- g. Create better connectivity to and the promotion of Mead Botanical Garden;
- h. Meet the goals of the Community Redevelopment Agency (CRA) in the areas of the Overlay that fall within the CRA boundary;
- i. Protect and encourage development of an area that represents a significant opportunity for public and private investment, which is important to the long-term economic health of Winter Park;
- j. Establish regulations that protect the investment of existing and new businesses from unattractive, unsustainable and non-compatible uses;
- k. Ensure the area is visually pleasing and creates place that encourages community and is developed in a coordinated fashion;
- l. Follow the principles of the Vision Winter Park, Comprehensive Plan and Sustainability Plan documents;
- m. Encourage mixed-use development;
- n. Give special attention to landscaping, architectural detail, meaningful open space, buffering, signage, lighting, and building setbacks;
- o. Encourage architectural creativity, quality and variation to create a unique district with its own identity;
- p. Promote the history of Winter Park and the Orange Avenue area, including the area known as Designers Row;
- q. Keep the traditional scale within the district;
- r. Create an Arts & Cultural Corridor;
- s. Protect and promote Historic architecture, where it exists in the area;
- t. Attract new businesses, retain small businesses and encourage locally-owned businesses in the Orange Avenue area;

VISION WINTER PARK

The Winter Park Visioning process and subsequent document that was created in 2016 have been guiding principles for the creation of this Overlay District. The Vision Winter Park Document states the following:

Our Vision - Winter Park is the city of arts and culture, cherishing its traditional scale and charm while building a healthy and sustainable future for all generations.

Vision Themes:

- Cherish and sustain Winter Park's extraordinary quality of life.
- Plan our growth through a collaborative process that protects our city's timeless scale and character.
- Enhance the Winter Park brand through a flourishing community of arts and culture.
- Build and embrace our local institutions for lifelong learning and future generations.

COMPREHENSIVE PLAN

The Winter Park Comprehensive Plan, adopted by the City Commission in 2017, has a number of goals, objectives and policies that have guided to the creation of the Orange Avenue Overlay District. The following are applicable:

• **GOAL 1-1: MAINTAIN THE CITY'S CHARACTER**

Ensure the City of Winter Park maintains its traditional scale and low density residential character while at the same time providing for the most effective provision of services; to promote sustainable community development now and for future generations; to promote conscientious economic development in appropriate locations, to promote quality infill and redevelopment which strengthens the character of the City, to protect sensitive natural areas by directing growth to environmentally appropriate areas, and prohibit those uses which are incompatible.

• **OBJECTIVE 1-1.2: Development Scale**

Encourage development that fosters pedestrian connectivity, appropriate design and landscaping with building mass and scale.

• **Policy 1-2.4.14: Mixed Use Designation**

Within one year from the adoption of this Comprehensive Plan, the City will create a mixed use overlay or district for commercially designated parcels that would be intended to facilitate design and use flexibility to

achieve pedestrian scale, innovative transit connectivity and maximizing open space within a commercially viable and architecturally desirable design. Complementary uses may include, but are not limited to retail, entertainment, office, civic and residential uses. The City shall also prepare companion land development code regulations that implement the proposed mixed use overlay or district simultaneously with any policy amendments related to this overlay or district. All policies related to this overlay or district will be subject to a Comprehensive Plan amendment.

- **OBJECTIVE 1-4.1: Maintain the Economic Vitality of the City**

Plan and manage the City's growth and redevelopment to promote an attractive business climate while protecting the residential character of Winter Park.

- **Policy 1-4.1.3: Redevelopment Along Major Corridors**

The City will monitor the redevelopment of its major commercial arterials including Orlando Avenue, Lee Road, Fairbanks Avenue, Aloma Avenue, and Orange Avenue to determine trends, employment activity, high areas of redevelopment activity and compatibility and work to create policies and implementation tools to ensure quality.

- **Policy 1-5.2.5: Ensure Compatible Size, Form & Function are Achieved in Areas Designated Medium- and High-Density Residential**

The City shall apply regulatory measures within Medium and High-Density Residential designated areas in order to avoid land use compatibility conflicts due to dissimilar building types, size, mass, articulation, height, and other design features or ancillary loss of views, privacy, and access to light, as well as noxious impacts of traffic, noise, adverse changes in drainage patterns, and other negative effects of incompatible development.

- **Policy 1-5.2.6: Investigate Policies for Density Issues Surrounding, Multiple Family Structures.**

The City shall investigate approaches for revising land use policies addressing renovation or redevelopment of all multi-family regulations for apartments and condominiums, including their size, scale, design aesthetics and amenities.

- **OBJECTIVE 1-5.4: Development/Redevelopment of Multi-Family Residential, Commercial, Office & Mixed-Use Areas.**

The City shall provide for development and redevelopment of its commercial and office areas when compatible with the scale and character the surrounding area context.

- **Policy 1-5.4.1: Redevelopment of Areas Designated Commercial & Office/Professional**

The City shall consider adopting architectural design review guidelines along major transportation corridors, including form-based code, identify building types and/or structural design features that shall be encouraged and those to be discouraged due to their adverse impacts on property in the immediate area.

- **Policy 1-5.4.2: Improve Design Procedures & Resources and Architectural Review**

The City shall periodically update approved design guidelines to enhance the quality of architectural design, achieve more compatible relationships in the design of buildings, avoid unsightly appearance, avoid inordinate contrast in building mass, scale, height, articulation, and other design features.

- **Policy 1-5.4.7: Gateway Plan for Development or Redevelopment of Properties**

The City shall create Gateway Plans and design studies for the potential redevelopment of the major transportation corridors leading into Winter Park to include:

- 1. West Fairbanks Avenue from I-4 east to Orlando Avenue;
- 2. Orlando Avenue from the southern City limits to the northern City limits;
- 3. Aloma Avenue from the City limits west to Lakemont Avenue;
- 4. Orange Avenue from Fairbanks Avenue to Orlando Avenue;
- 5. Lee Road from I-4 to Orlando Avenue.

- **Policy 1-5.4.8: Enhance the Appeal & Improve the Property Values of Certain Gateway Corridor Entrances into the City of Winter Park**

In order to establish, maintain and enhance the character and aesthetic appeal of certain important gateway corridor entrances into the City of Winter Park, and to increase the property values along such gateway corridor entrances to the City, in order to distinguish those gateways as attractive entrances into the City, the City shall, prohibit certain business types along the frontage of those roadway corridors to exclude any new or used car sales businesses, auto repair businesses, resale

stores or pawn shops, vapor lounges or smoke shops, adult oriented businesses, gas/service stations and convenience stores.

- **GOAL 1-7: COLLABORATIVE PLANNING PROCESS**

The City will embrace a collaborative planning process that evaluates and monitors the Goals, Objectives and Policies outlined in this Plan and enhances the community.

- **Policy 1-F-3: Prohibit Certain Business Types in Mead Garden Planning Area in Order to Preserve the Character of the Orange Avenue & Fairbanks Avenue Gateways to Winter Park**

The City shall prohibit certain business types within this Mead Garden Planning Area along Orange Avenue and Fairbanks Avenue including new or used car sales, new auto repair businesses, vapor stores and smoke shops, resale stores or pawn shops, tattoo businesses, adult oriented businesses, fast food businesses and convenience stores, as this portion of Orange Avenue and Fairbanks Avenue are gateways into the downtown and central business district of the City of Winter Park.

- **Policy 1-F-4: Support Restoration of Mead Botanical Garden.**

The City shall encourage the restoration of Mead Botanical Garden.

- **Policy 1-F-17: Orange Avenue Design Guidelines.**

The City shall consider design guidelines for the Orange Avenue corridor from Orlando Avenue to Fairbanks Avenue in order to protect and maintain the scale and appearance of this gateway corridor.

- **GOAL 2-1: BALANCED TRANSPORTATION SYSTEM.**

The City of Winter Park desires to ensure a balanced and safe transportation system that promotes a walkable, bicycle-friendly environment that encourages transit as well as ensures efficiencies along the roadway network.

- **OBJECTIVE 2-1.1: Safe & Balanced Multimodal System.**

The City shall create a Mobility Plan that promotes and supports the broad transportation needs of the community.

- **Policy 2-1.1.1: Multimodal Activities.**

The City defines mobility as the provision of multiple opportunities or choices in transportation modes for travel within and to/from the City through a multi-modal transportation system. The general hierarchy of modes is 1) walking, 2) bicycling, 3) transit (bus and rail), and 4) private vehicles. The primary focus or overall mobility strategy is on the minimum provision of facilities for all modes and the connectivity based

upon the mode hierarchy. Where adequate facilities exist for all modes, the City will prioritize enhancing the quality and integration of the facilities based upon the mode hierarchy.

- **Policy 5-1.1.3: Urban Form & Pattern**

The City shall integrate land use patterns and transportation systems by assuring that character, design, and intensity of development is compatible with adjacent transportation infrastructure and services. The City shall continue to facilitate an urban form following planning concepts inherent to neo-traditional neighborhood planning philosophies (i.e., grid system street pattern, residential and non-residential uses within walking distance, public open spaces and plazas).

- **Policy 5-2.6.4: Location of Park & Open Space Dedications**

Where park and open space dedications required of new development are placed on-site, they shall be placed in areas that provide the greatest protection to and preserve the most environmentally important and sensitive.

- **GOAL 6-1: PROVIDE ADEQUATE RECREATION AND OPEN SPACE**

By preserving, maintaining and enhancing a quality system of parks, open space and recreational facilities which satisfy the needs of the current and future residents of Winter Park.

- **OBJECTIVE 6-1.1: Provision of Public Park Land**

The City of Winter Park shall assure that appropriate amounts of park land and open space will be within the public domain so as to meet the standards of this plan.

- **OBJECTIVE 6-2.2: Integration of Neighborhood Design With Parks & Open Space**

Neighborhoods shall be planned and designed with parks and open space that provide available recreation opportunities for nearby residents.

- **Policy 6-2.2.1: Park Accessibility to Neighborhoods**

Neighborhoods shall be planned with park lands and open spaces intermixed with residential development and accessible within walking distance to residents. Park land within neighborhoods shall be designed to foster opportunities for social interaction and shall serve as a focal point for the surrounding residential areas.

- **OBJECTIVE 6-3.4: Interconnect Park System with Recreation & Transportation Trails and Paths**

The City shall provide a park and open space system to interconnect parks by pedestrian and bicycle path lanes.

- **Policy 6-3.4.1: Link Parks & Public Open Space**

The City shall provide bikeways, where possible and where public safety permits, to link open space and parks both internally and regionally to Winter Park. New park location and design should take into consideration the presence or feasibility to the park with other City facilities via bicycle paths and lanes.



SECTION TWO

PROCESS

Work Performed In-House

What is unique about this process is that in the past, the City has relied on outside consultants to perform most of the large-scale planning initiatives. These processes don't always allow for as much public participation and there is a feeling in the community that by the time the draft document is presented, there is no real opportunity to change the language. Additionally, the work was performed by people who may not live and work in the community, and may not have the insight of those who know Winter Park best.

That is why this process has been so different. This process was done completely in-house, with City staff from various departments involved, but led by the City of Winter Park Planning and Community Development team. Many studies have been performed on Orange Avenue in the past, but no actual codes or actionable documents had been created. The desired outcome for this process was to finally create updates to codes and planning documents that would actually stimulate thoughtful development.

Though the Planning team has great insight into the community, staff wanted an implementable plan that would be developed by Winter Park, for Winter Park. Therefore, a process was created that would be guided by the public from the start to the finish.

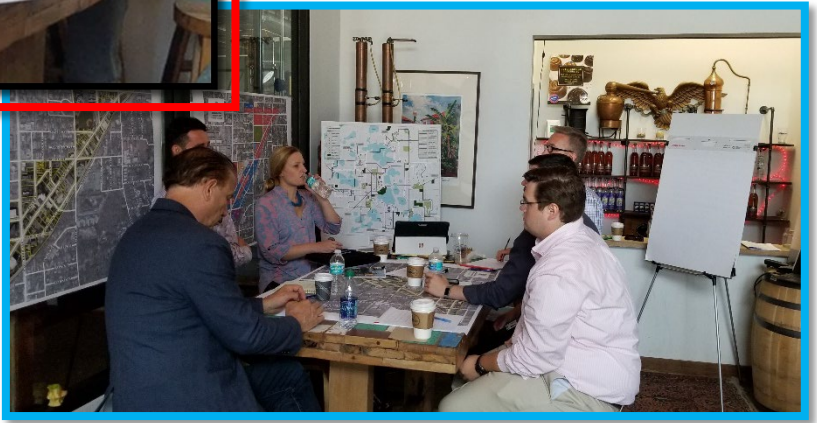
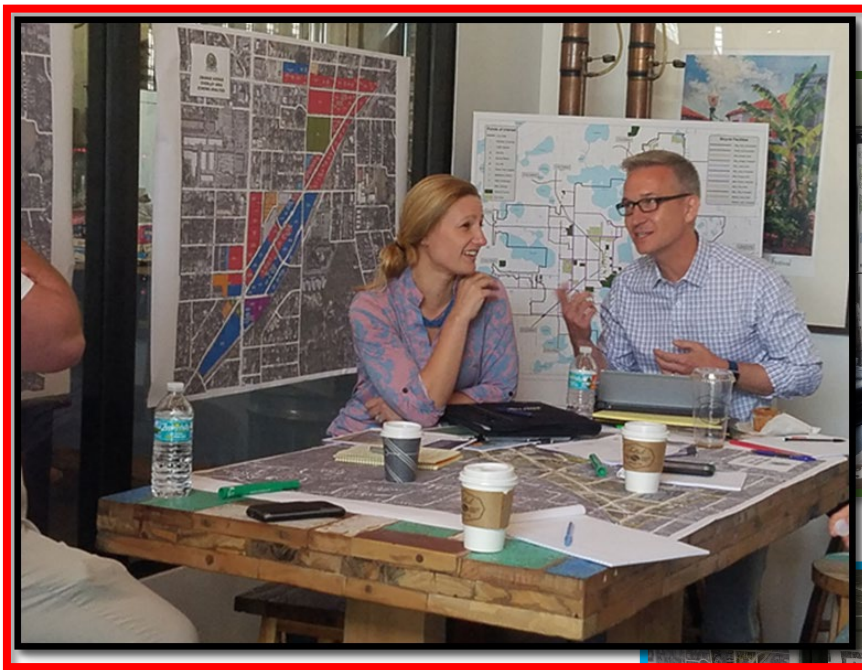
Staff utilized a Transportation Consultant, Kimley-Horn, to perform traffic assessments, a study of future impacts of development and to design for the optimization of intersections in the area. They were also tasked with looking at ways to improve safety for pedestrians, cyclists and vehicles in the area. Additionally, staff utilized Architectural Consultant, Zyscovich & Associates to create models of different development scenarios to study massing and how

to incorporate nodes of intensity that would create parking solutions, while keeping the traditional and walkable scale of the area.

This Overlay process represents more than 16 months of work by City staff.

Design Charette

Staff held an Orange Avenue Charette in the breakout room on May 30, 2019 at the Bear & Peacock Brewstillery, located in the State Auto Building on Orange Avenue. Staff and consultants met for an entire day to discuss the challenges and opportunities of the Orange Avenue Overlay. The topics included traffic, open space, parking, architecture, placemaking, mobility and much more. The outcome of the Charette was the framework for the Overlay District Plan that would be completed via the public process.



PUBLIC INPUT

The input of the Winter Park community has been at the forefront of this planning initiative. A great deal of public input had been gathered by past studies and initiatives such as Vision Winter Park or the updating of the Comprehensive Plan, but staff would start again, with the first step being public input as a part of this Overlay process.

First Public Input Meeting

Staff advertised and held a public input meeting on March 25, 2019, at the Community Center. Rather than give a presentation on what staff hoped to accomplish, this session simply had attendees give their written input on a series of 16 questions and any other input they wished to provide. Approximately 150 citizens attended this meeting and significant input was provided.



Stakeholder (2nd) Public Input Meeting

A second public input meeting was held on April 4, 2019, that centered around gathering stakeholder input from the property owners who had properties within the Overlay area, though the public was also invited to attend. The meeting was held at the Welcome Center and after a brief introduction by staff, the attendees asked questions of staff and then were invited to once again provide their written input to the same questions from the first input meeting. Over 100 people attended this second input meeting.



Continued Input

To increase the amount of public input, staff created a survey from the questions created for the public input meetings, and for 2 months, asked residents to access the survey from the City website and provide their input.

Additionally, staff created OrangeAve@cityofwinterpark.org, an email address that has remained active throughout the process to provide the public the opportunity to provide any and all input they would like.

It has remained the intent of staff to create a process that provided enough time for anyone who wanted to be involved, could be actively involved.

On top of public input meetings, staff has held meetings with stakeholders, property owners, neighborhood groups, condo associations, stakeholder groups and individual citizens throughout the months of the Overlay process. Altogether, staff met with groups or individuals that has consisted of hundreds of hours of additional opportunity to hear from the public about their vision for Orange Avenue.

Community Outreach

Staff continued to try to utilize creative approaches to get citizen input and to provide the public with as much education as possible about what the Orange Avenue Overlay process was about, and how they could continue to provide input. Press releases were created for each step of the Overlay process.

Informational Videos

In a unique approach to the Orange Avenue Overlay District planning initiative, staff created a number of informational videos that explained what some of the key topics were, to make sure that the public had a clear understanding of what the Overlay process was all about.

The first video was about Placemaking and how a community could cast a vision, and then make that vision become a reality.

Website link to video: <https://vimeo.com/368874390>

The second video was about Overlay Districts and how they could be a helpful planning tool. The video used everyday items to depict different elements of the built environment and how Overlay Districts can create positive change.

Website link to video: <https://vimeo.com/370141760>

The third video was about Mixed-Use. The video had a number of Orange Avenue Overlay Steering Committee members and Planning & Zoning Board members discussing their favorite mixed-use areas in Winter Park.

Website link to video: <https://vimeo.com/371477044>

The fourth video showed the public process and the public input that given throughout the Overlay process. That video will become available after the January 13, 2020 City Commission meeting.

Orange Avenue Community Walkshop

Another unique opportunity that was created to invite the public to provide input, and to see the Orange Avenue area from the pedestrian viewpoint was the Orange Avenue Overlay Walkshop that was held on August 20, 2019. The walkshop invited everyone in the community to walk as a group throughout the area that was being considered, stopping at 10 different locations to have meaningful discussions and to share observations. Approximately 50 people attended the walkshop, and the attendees found it to be a worthwhile and new type of planning input opportunity.



Chamber of Commerce Presentations

On July 15, 2019, Planning Director Bronce Stephenson, presented the Overlay District process and plan to a sold-out crowd at Winter Park Chamber of Commerce event, Good Morning Winter Park. The presentation was also live streamed to social media audiences.



On November 6, Senior Planner Allison McGillis and Planning Director Bronce Stephenson presented the Overlay District to the Government Affairs Committee of the Chamber of Commerce.

Winter Park Land Trust Presentation & Discussion

On October 3, 2019, Senior Planner Allison McGillis and Planning Director Bronce Stephenson presented the Overlay District to the Winter Park Land Trust. Staff has also held multiple discussions and meetings with various members of the Winter Park Land Trust.

Additional Public Outreach

- On December 2, 2019, staff presented the Overlay District language to the Winter Park Rotary Club.
- On December 18, 2019, staff held a public information meeting in the lobby of the Gateway Plaza building at 1201 Orlando Ave for property owners within the Orange Avenue Overlay area. Notice was sent to all property owners within the Overlay District and the public was welcomed to attend as well.
- On December 21, 2019, staff had a booth at the Winter Park Farmers Market to be available to discuss the Orange Avenue Overlay District with anyone who has questions, concerns or suggestions. Staff was at the booth from 7AM until 1PM and had the opportunity to meet with dozens of community residents.

Commitment to Public Input, Education & Involvement

At the end of this Overlay process, there have been 19 publicly advertised meetings where the public was invited to attend, provide input, comment or ask questions. Additionally, there have been 2 worksessions open for the public to attend by the Planning & Zoning Board. The City Commission has held 12 work sessions that were open for the public to attend.

Community Support of the Overlay Process

"People make Winter Park what it is and what it hopes to be. The Orange Avenue Overlay District process took urban planning out of City Hall on to the streets. The expertise of city staff was joined by a parade of highly skilled volunteers, business owners, and interested citizens. Walking the pavement, seeing everyday activity, enhanced the urban planning process like never before."

- David A. Odahowski

President & CEO, Edyth Bush Charitable Foundation

"As the principal representative of one of the largest landowners with property in the proposed overlay district, I received the news of the Orange Avenue review with great skepticism based on the myriad outside consultants and visioning processes of the past. Many in number but few in result, the past processes largely seemed to leave us only a large expense and a broad brush proposal of "here's what you should do," based largely on comparisons to other cities that are not matches for Winter Park. However, my skepticism has turned to optimism. This process, for the first time taking into account local subject matter experts, the public (and most specifically, those likely to be most affected by the changes) and the landowners themselves, has yielded a phenomenal collaborative and engaging environment that has the chance to offer meaningful change in some desperately needed areas. The City planning staff should be commended for their vision and effort to date to make this a reality."

- **Frank A. Hamner**

The Law Offices of Frank A. Hamner, P.A.

"I have been involved in several planning initiatives over the past 20 years on Orange Avenue. The current initiative is taking a more holistic, community wide approach than I have experienced in the past. The changes on Orange Avenue, if any, will radiate to the surrounding areas and consideration of how all areas can coalesce and benefit in an integrated fashion, is a positive change to the traditional planning process."

- **Stephanie Henley**

Principal, Beasley & Henley Interior Design

ORANGE AVENUE OVERLAY STEERING COMMITTEE

Staff requested that the City Commission allow for the creation of a Steering Committee, to represent the public and to guide the development of the Overlay language. The City Commission adopted a Resolution that created the Orange Avenue Overlay Steering Committee. The Resolution stated:

“WHEREAS, in accordance with Chapter 2, Section 2-48(n), City of Winter Park Code of Ordinances, the City Commission hereby creates a temporary eleven (11) member Orange Avenue Overlay Steering Committee for the purpose of evaluating the potential creation of an Orange Avenue Overlay District and associated changes to the Land Development Code and Comprehensive Plan and making recommendations concerning the same to the City Commission.”

Orange Avenue Overlay Steering Committee Roster:

The Steering Committee had a citizen appointed by the Mayor and each Commissioner, plus a representative from Boards and Committees that had close ties to the creation of an Overlay District. The Committee consisted of the following members:

- Phil Kean, AIA – Mayor Leary Appointee
- Sally Flynn – Vice-Mayor Seidel Appointee
- Michael Dick – Commissioner Cooper Appointee
- Lamont Garber – Commissioner Sprinkel Appointee
- Sheila De Ciccio – Commissioner Weaver Appointee
- Laura Turner, AICP – Planning & Zoning Board Representative
- Bill Sullivan – Vision Winter Park Representative
- Lambrine Macejewski – CRA Advisory Board Representative
- Ben Ellis, P.E. – Keep Winter Park Beautiful & Sustainable Board Representative
- Jill Hamilton Buss – Transportation Advisory Board Representative
- Bill Segal – Economic Development Advisory Board Representative



Steering Committee Meetings

Over 26 weeks, the 11-member Steering Committee held a total of 13 meetings (including the walkshop), which invited the public to attend and allowed for public comment at each meeting. The Steering Committee covered a variety of topics over their extensive meeting schedule. The Committee voted on the following language that established their goals:

"The Steering Committee shall guide code language for the successful implementation of the Orange Avenue Overlay. The language shall incorporate the city's Vision and Comprehensive Plan goals of creating a mixed-use district and a gateway into Winter Park. The language shall enhance the Orange Avenue area identity and experience, while increasing safety and mobility. It shall provide enhanced and flexible development standards to create the opportunity for positive and sustainable public and private improvements and redevelopment of the area. The Committee shall make a recommendation of the draft language to the City Commission for final approval."

Some of the highlights and major topics that were covered and discussed in great detail during the Steering Committee process included:

- In-depth analysis of the current issues that have caused the economic stagnation of the Orange Avenue area.
- Discussion of the extensive public input that was collected throughout the process.
- Discussion of Placemaking and how to create a cohesive vision for the area based on the public input provided and the discussion of how the current Zoning Code limited the type of development that was envisioned for the area.
- A meeting where small business and property owners were invited to hold a panel discussion. The panelists included Dr. Peter Lemieux, who has a dental practice on Orange Avenue; Fred Thimm, owner and operated of Reel Fish restaurant on Orange Avenue; and Stephanie Henley, owner of Beasley & Hensley Interiors and current property owner along Orange Avenue. The panelists each answered a number of questions prepared by staff, then had open discussion and answered questions from the Steering Committee. This meeting provided an opportunity for the Steering Committee and the public to hear from people who see the challenges of the Orange Avenue area every day, many that have negatively affected the successful running of their small businesses.
- Discussion of the current transportation issues in the Orange Avenue area. The Committee voted to create a list of transportation priorities that should be considered when any transportation improvements are considered in the future.
- A meeting where residents from neighborhoods surrounding the Orange Avenue Overlay area were invited to serve as panelists. The panelists included Michael Spencer and Marcus Rozbitsky, from the Orwin Manor neighborhood; Libertad Acosta-Anderson, from Garden Drive located to the west of Mead Botanical Garden; and former Mayor Gary Brewer, from Mead Garden Condominiums. The panelists each answered a number of questions prepared by staff, then had open discussion and answered questions from the Steering Committee. Hearing the concerns of the property owners in the area provided a unique perspective on the potential

redevelopment of the area and what challenges the current state of the Orange Avenue area creates for those who live nearby.

- Discussion of the allowable uses and the uses that should not be allowed as the area is transformed into a more walkable and vibrant mixed-use district.
- A meeting where stakeholders who have existing larger developed properties were invited to serve on a panel. The panelists included: Ray Colado, owner of the Gateway Plaza Building (Commerce National Bank); Ed Kania, VP of Business and Finance & Treasurer from Rollins College; and Jon Albert, CEO of Jewett Orthopedic. The panelists each answered a number of questions prepared by staff, then had open discussion and answered questions from the Steering Committee. This opportunity provided another perspective of businesses that have larger operations in the area, but still have many issues that affect their operations. They also shared their visions for the development of the area, hoping that more property owners make significant investment or reinvestment on their properties as well
- The Committee discussed the first design and architectural guidelines that would be created for Winter Park development. Those are reflected in the new Orange Avenue Overlay District code language.
- In-depth discussion and analysis of the flooding, traffic and parking shortages that have created the biggest challenges for the Orange Avenue area. The discussion led to the realization that the Orange Avenue codes should take a more modern, intelligent and sustainable view of how parking structures are treated and calculated, with the Committee agreeing that parking garages should not count towards the Floor Area Ratio of a property, as long as certain criteria are met. The discussion also included looking at shared parking arrangements and encouraging the businesses in the area to share parking. The outcome of these discussions are found throughout the new code language of the Orange Avenue Overlay District and in the Development Enhancement Menu included in the code language.
- The Committee discussed the creation of separate subareas and the unique standards that each subarea would have.
- The Committee had the owners of the three properties that are expected to see major redevelopment to for a panel discussion. The panelists included: Randy Knight, City Manager of the City of Winter Park; Michelle

Heatherly, representing Demetree Global; and Frank Hamner, representing the Holler Group. The panelists each answered a number of questions prepared by staff, then had open discussion and answered questions from the Steering Committee. This opportunity to hear from the larger property owners and their vision for the area was very important to the Committee, because so much of the area-wide improvements are dependent on the activation and major investment of these key properties.

- There was significant discussion of the creation of the Development Enhancement Menu, which would allow properties to earn their way towards increased development opportunities by constructing public improvements that would help the small businesses in the area and would create Citywide improvements to connectivity, parks, open space, sustainable practices, arts & culture and more.



RECOMMENDATION

At their final meeting on November 13, 2019, the Orange Avenue Overlay Steering Committee voted 8-2 to recommend approval of the Final Draft language, with minor changes that were discussed at the meeting. The major topic that all members of the Steering Committee could not agree upon was whether or not the City-owned Progress Point property should be developed, to what scale it should be developed, and whether or not it should be used as a park.



SECTION THREE

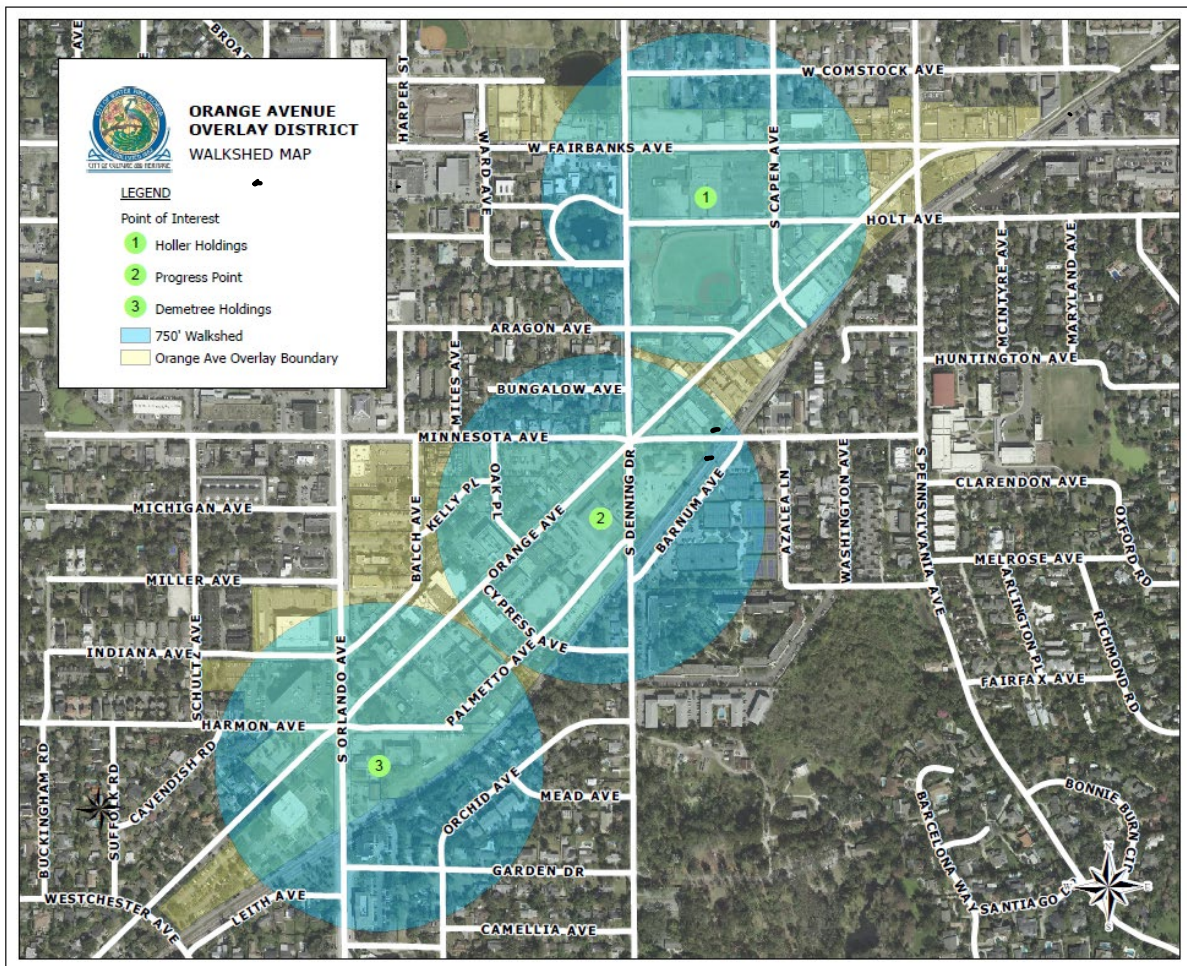
DATA

PARKING

A major point of discussion throughout the Overlay process has been the opportunity to create new parking solutions that can help an area that has serious need for available parking. Currently, the vacant or unused properties at Progress Point, the former Holler RV site, the former Lombardi's Seafood (Demetree) site and Bank of the Ozarks are the only available off-street parking. These properties are not legally designated for public parking, but have served as the overflow parking relief areas for some time. When these areas are developed and if they are developed without providing some available space for public and/or shared/leased parking use, the severe parking shortage will only be exacerbated and the likely outcome is that existing small businesses in the area will not be able to survive.

Parking Walkshed

It is important to understand that parking needs to be strategically located within walking distance of destinations. According to Urban Land Institute studies, a typical person has a comfortable walk-shed of about 750 feet from where they park to their destination (see exhibit below). This Orange Avenue process has found that there is the opportunity and desire to create public parking structures or shared parking structures at the former Holler RV site, the Progress Point site and the Demetree (Former Lombardi's Seafood) site. Shown here is the 750-foot walkshed applied to those properties, which uniquely cover the majority of the Orange Avenue Overlay District area. The existing conditions and opportunities just happen to uniquely be set up to meet a 750-foot walkshed from most of the properties within the Overlay area that may need to utilize available parking in area garages.



Orange Avenue Overlay District Area Current Parking Study

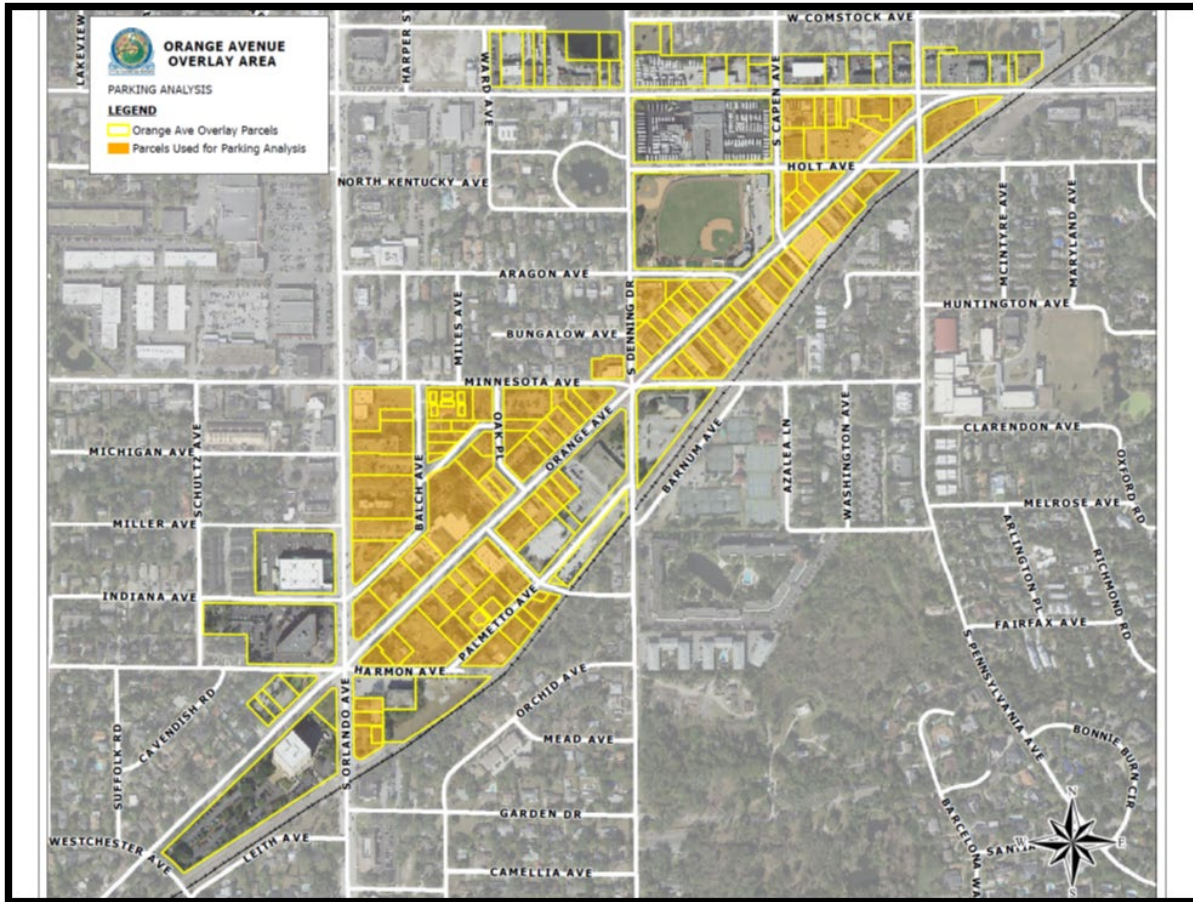
Planning staff used Orange County Appraiser data to calculate that the study area (depicted below) contained 541,618 square feet of gross area. The gross area was used to calculate the number of required off-street parking spaces and get an accurate and conservative account of how many off-street spaces are currently available within the core of the Overlay District area.

541,618 Gross Square Feet would require 2,166 required off-street parking spaces at a conservative parking rate of 1 space per 250 square feet of gross square footage. Currently, 1,681 off-street parking spaces are provided within the study area. This results in a 485 parking-spot deficit within the study area. These numbers do not include on-street public parking spaces, because public parking spaces are never counted towards meeting parking

requirements for development. This study shows that approximately 485 parking spaces would be needed in order to get the businesses in the district to a base level that would meet code. All new development within the district would need to provide their own additional parking.

As a basic exercise that shows how much space would be needed to provide enough parking to make all businesses in the district meet the code minimums and be made "whole", we can assume the following calculations:

- Per code, each standard parking space is required to be designed at a minimum size of 18' x 9', or 162 square feet.
- 162 square feet per space X 485 spaces would result in a need of 78,570 square feet of parking spaces, or 1.8 acres of land.
- Unfortunately, this calculation only includes the parking spaces needed and does not include the aisles and drives needed to access said parking. The average square footage for each parking space, which includes the area needed for aisles and access, is approximately 350 square feet per parking space according to industry standards.
- If we calculate the 350 square feet per space needed, multiplied by the 485 spaces that are currently in deficit, we get a result of 169,750 square feet, or approximately 3.9 acres of parking lot area that would be needed to eliminate the deficit.
- This 3.9 acres of needed area also creates 3.9 acres of additional impervious surface in an area that is significantly underserved with stormwater capacity. Additionally, creating 3.9 acres of surface parking is a very unsustainable design as it adds to the urban heat island effect, creates major stormwater capacity needs and would not add to the aesthetic appeal of the area. Additionally, the area to handle this capacity does not currently exist. Therefore, every opportunity to create shared parking arrangements and the more sustainable use of structured parking must be utilized.



Note: The square footage and parking from Bank of the Ozarks, Rollins Ballfield, Progress Point and the Holler RV Property were not included in any of these calculations due to currently not being used and no plans for re-use of the properties. Additionally, properties west of Orlando Avenue and north of Fairbanks Avenue were not included because of the existing pedestrian crossing issues.

Additionally, only improved (paved) parking areas with legal access were counted.

As existing conditions in the area show, the current parking deficit is being handled by using the vacant Progress Point property, the vacant Bank of the Ozarks property, the now vacant Holler RV site and the former Lombardi's Seafood site. None of these areas are approved public parking areas, and though they have served as the "relief-valve" for the parking issues of the area, they could become unavailable at any moment. During the Steering Committee panel discussion process with local businesses, the Committee and staff found out that the Jewett Orthopedic Clinic and Surgical Center has plans to expand their administrative offices and create a great deal more surgical suite and recovery space, which will create an additional increase on the demand in the area.

This parking study was conducted as a result of hearing throughout the Orange Avenue Overlay process that there were significant parking deficiencies in the area. This study provides confirmation that if additional parking is not planned for and provided within the area, businesses will continue to suffer and many small businesses will likely not survive. Utilizing the potential investment on the key larger pieces of land at Progress Point, Bank of the Ozarks, the Holler site and the Demetree site is paramount to the potential success and revitalization of the district. By creating surplus parking and the opportunity for shared or leased parking arrangements in newly constructed parking structures on these sites, we have the only realistic solution available, which also happens to be the most sustainable approach. What must be continually considered is that these properties need to be provided with enough leasable space to provide the economic opportunity to construct these new parking structures. If the economics of the development potential on these sites do not work, the area will continue to suffer and little change can be expected. If these key properties were to develop at a smaller scale and potentially only utilize surface parking lots, there would no solutions created.

TRAFFIC

The adverse traffic conditions in the area have been thoroughly discussed and analyzed throughout the development of this plan. A thorough traffic study has been performed by Kimley Horn. The Orange Avenue corridor has very high traffic numbers and is bookended by the most dangerous intersection in town (Orange Ave & Fairbanks Ave) and the 3rd most dangerous intersection in town (Orange Ave & 17-92). Additionally, the area between these intersections averages approximately 100 reported crashes a year and the pedestrian/bicycle crashes have a very high rate of injury.

Traffic issues were one of the primary issues discussed by the public during the input gathering of this process. These concerns have been further echoed by business owners and nearby residents. During the workshop, these traffic concerns became very evident to those who tried to navigate the area on foot during rush hour. Traffic studies and analyses have been performed on the corridor and the reports are included in the project documents. The initial findings, as expected, discussed that speeds in the area are too high, there are no pedestrian safety mechanisms in place, that the intersections do not function well and that the area sees a high volume of crashes. According to data provided by MetroPlan, over 70% (average) of the traffic on Orange Avenue uses the road simply as a cut through. Only 13% (average) of the

trips in the corridor either start or end in the Orange Avenue area. As each new project is proposed, an additional traffic study will have to be performed.

STORMWATER

Another topic that was identified early in the process as a major concern for the area was stormwater and flooding. The input provided from area businesses and residents showed staff the areas of concern. The stormwater analyses showed there are some areas of minor localized flooding that can be fixed by smaller infrastructure upgrades and connections, but revealed no major infrastructure projects appear to be needed.

It became evident that the largest issue related to stormwater was the fact that because the Orange Avenue Overlay area was built out prior to current stormwater standards, the area does not retain, detain or provide stormwater treatment of any kind. The water simply runs off the sites, carrying debris and pollutants and enters the City stormwater system untreated. The majority of the area flows north to Lake Mendsen (water body in MLK, Jr. Park) and then to Lake Killarney. Often, the water flows through Lake Midget which allow overflow of untreated stormwater to enter the aquifer through drainwells. Having untreated stormwater that enters directly into the City's stormwater conveyance system is the largest and most pressing stormwater issue in the area. Therefore, development enhancements are offered to properties that will detour and treat the stormwater that currently harms our system and enters our Chain of Lakes. Additionally, redevelopment of the larger properties in the area will require that these properties hold and treat the stormwater on their sites that currently flows off the site untreated.

As stormwater capacity is not the major issue, but rather the treatment of runoff, this plan offers meaningful solutions to the issues in the area. Additionally, as redevelopment occurs on larger properties, the City can utilize the active construction in the area and around the sites to make some minor system upgrades that should alleviate the smaller areas of flooding.

Existing and Future Floor Area Ratio Analysis

Existing Square Footage/Acreage of Current Zoning Districts Within the Orange Avenue Overlay District Area:

- **Commercial** - 1,547,314 square feet (35.52 acres)
- **Office** - 1,004,084 square feet (23.05 acres)
- **Residential** - 197,641 square feet (4.53 acres)
- **Industrial** - 105,415 square feet (2.41 acres)
- **Parking Lot** - 93,571 square feet (2.14 acres)
- **Parks/Rec** - 290,181 square feet (6.66 acres)

Total - 3,239,909 square feet (74.37 acres)

Maximum Achievable FAR & Square Footage Allowed by Current Zoning in the Orange Avenue Overlay District:

- **Commercial Zoning - 60%** (if Mixed-Use) - 928,388 square feet
- **Office Zoning - 60%** (if Mixed-Use) - 602,450
- **Residential Zoning - 110%** - 217,641
- **Industrial Zoning - 100%** - 105,415 square feet

Maximum Total Square Footage Currently Achievable by Existing Zoning - 1,853,894 square feet

Square Footage Allowed at OAO Base FAR:

- **Subarea A - 0.45 FAR** - 24.07 acres (1,048,723 sq ft) @ 0.45 FAR = 471,925 square feet
- **Subarea B - 0.45 FAR** - 6.57 acres (286,189 sq ft) @ 0.60 FAR = 128,785 square feet
- **Subarea C - 0.60 FAR** - 4.39 acres (191,271 square feet) @ 0.60 FAR = 114,762 square feet
- **Subarea D - 1.0 FAR** - 4.61 acres (200,942 sq ft) @ 1.0 FAR = 200,942 square feet
- **Subarea E - 0.60 FAR** - 16.09 acres (701,119 sq ft) @ 0.60 FAR = 420,671 square feet

- **Subarea F** – N/A
- **Subarea G** – N/A
- **Subarea H** – N/A
- **Subarea I – 0.60 FAR** - 1.87 acres (81,805 sq ft) @ 0.60 FAR = 49,083 square feet
- **Subarea J – 1.0 FAR** – 4.22 acres (183,866 sq ft) @ 1.0 FAR = 183,866 square feet
- **Subarea K – 0.60 FAR** - 2.87 acres (125,219 sq ft) @ 0.60 FAR = 75,131 square feet

***Total Square Footage Allowed at Base FAR –
1,645,165 square feet***

Square Footage Allowed at OAO Maximum Achievable FAR:

- **Subarea A - 0.65 FAR** - 24.07 acres (1,048,723 sq ft) @ 0.65 FAR = 681,669 square feet
- **Subarea B – 0.60 FAR** - 6.57 acres (286,189 sq ft) @ 0.60 FAR = 171,713 square feet
- **Subarea C – 1.25 FAR** – 4.39 acres (191,271 square feet) @ 1.25 FAR = 239,088 square feet
- **Subarea D – 2.0 FAR** – 4.61 acres (200,942 sq ft) @ 2.0 FAR = 401,884 square feet
- **Subarea E – 0.80 FAR** - 16.09 acres (701,119 sq ft) @ 0.80 FAR = 560,895 square feet
- **Subarea F** – N/A
- **Subarea G** – N/A
- **Subarea H** – N/A
- **Subarea I – 1.25 FAR** - 1.87 acres (81,805 sq ft) @ 1.25 FAR = 102,256 square feet
- **Subarea J – 2.0 FAR** – 4.22 acres (183,866 sq ft) @ 2.0 FAR = 367,732 square feet
- **Subarea K – 0.80 FAR** - 2.87 acres (125,219 sq ft) @ 0.80 FAR = 100,175 square feet

***Total Square Footage Allowed at Maximum Achievable
FAR – 2,625,412 Square Feet***

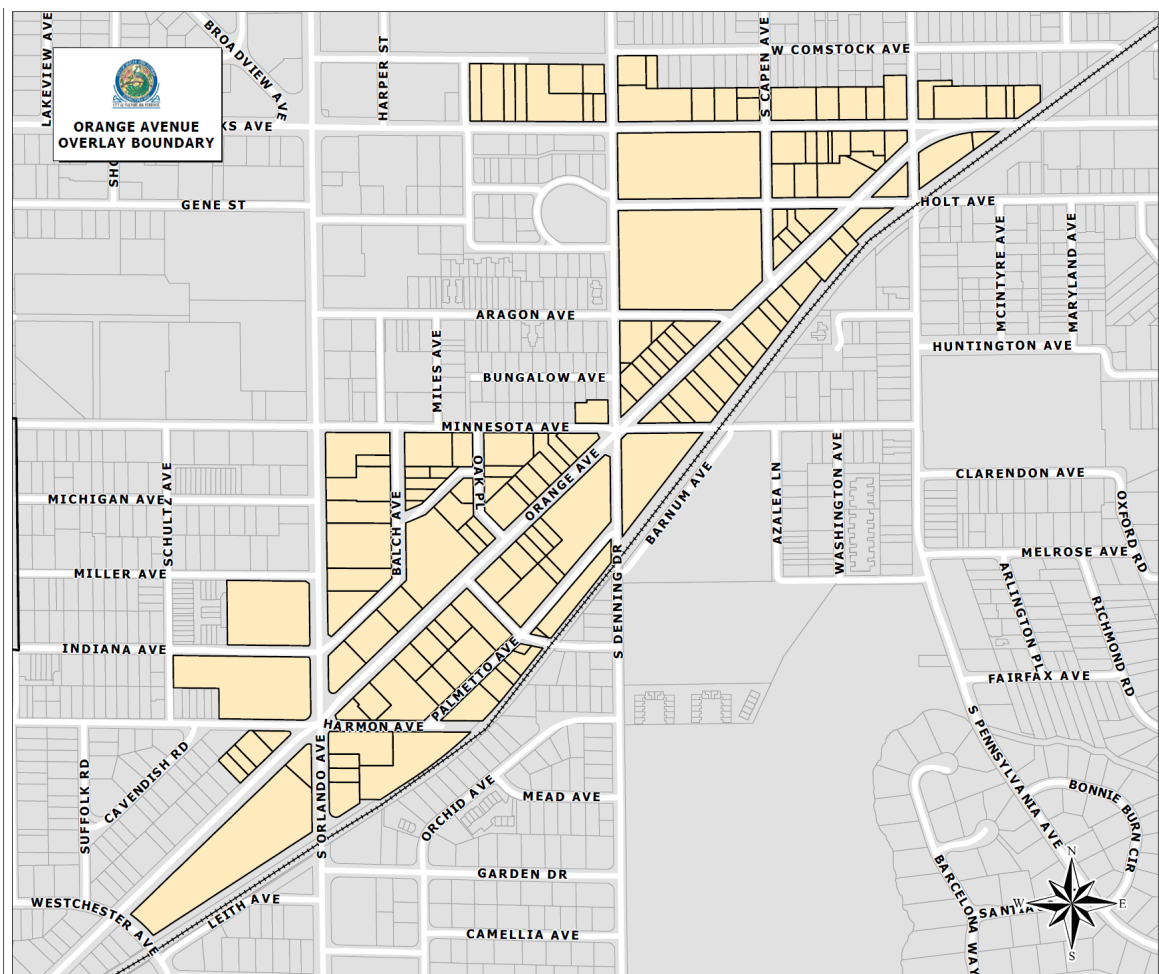


SECTION FOUR

OVERLAY DISTRICT PLAN

DESIGNATION OF THE ORANGE AVENUE OVERLAY

The following map exhibit shall define the extent of the Orange Avenue Overlay District. The regulations found herein shall only apply to the properties located within this defined area.



ARCHITECTURAL & SITE DESIGN STANDARDS

Building Height & Setbacks/Stepbacks

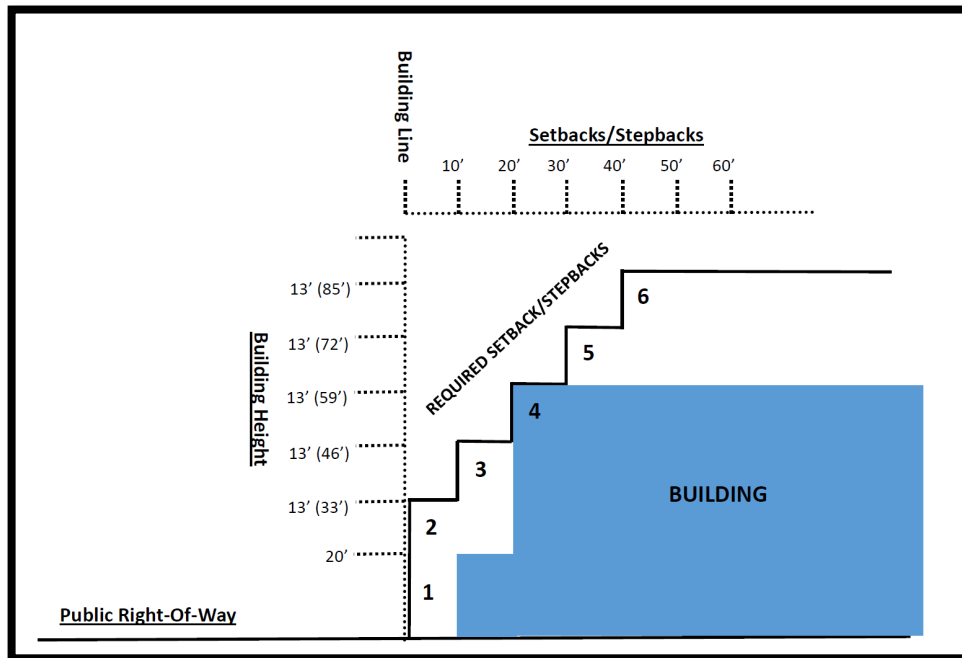
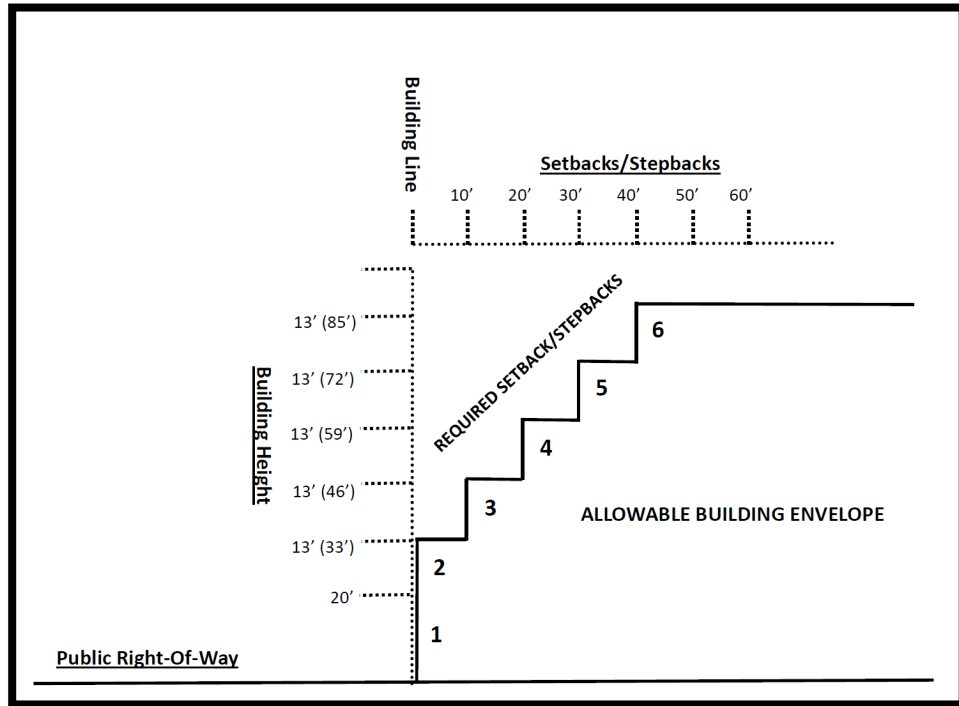
Building Height & Setbacks/Stepbacks. To allow for flexibility in design, but preserving development standards that will not create more massing than necessary, buildings shall be measured in stories. Only floors visible on the exterior of the building shall be counted towards building height (ex. A 4-story building wraps around a 5-story interior parking garage, only the 4 stories would count as they are the only part visible).

The first floor of any building shall be allowed to be a maximum of 20 feet in height. Mezzanine, balcony or loft levels shall be allowed within the first story, as long as they do not cover more than 30% of the first-floor area and stay within the maximum 20-foot first floor height area. Mezzanines, balconies or lofts shall not be allowed above the first floor. Each floor above the first floor shall have a maximum height of 13 feet. Buildings shall be allowed to transfer unused floor heights to other floors, as long as the maximum cumulative height is not exceeded.

For multi-story buildings over two stories in height, some degree of terracing and/or additional setbacks to accomplish vertical articulation is mandated to create relief to the overall massing of the building facades, as discussed later in this chapter.

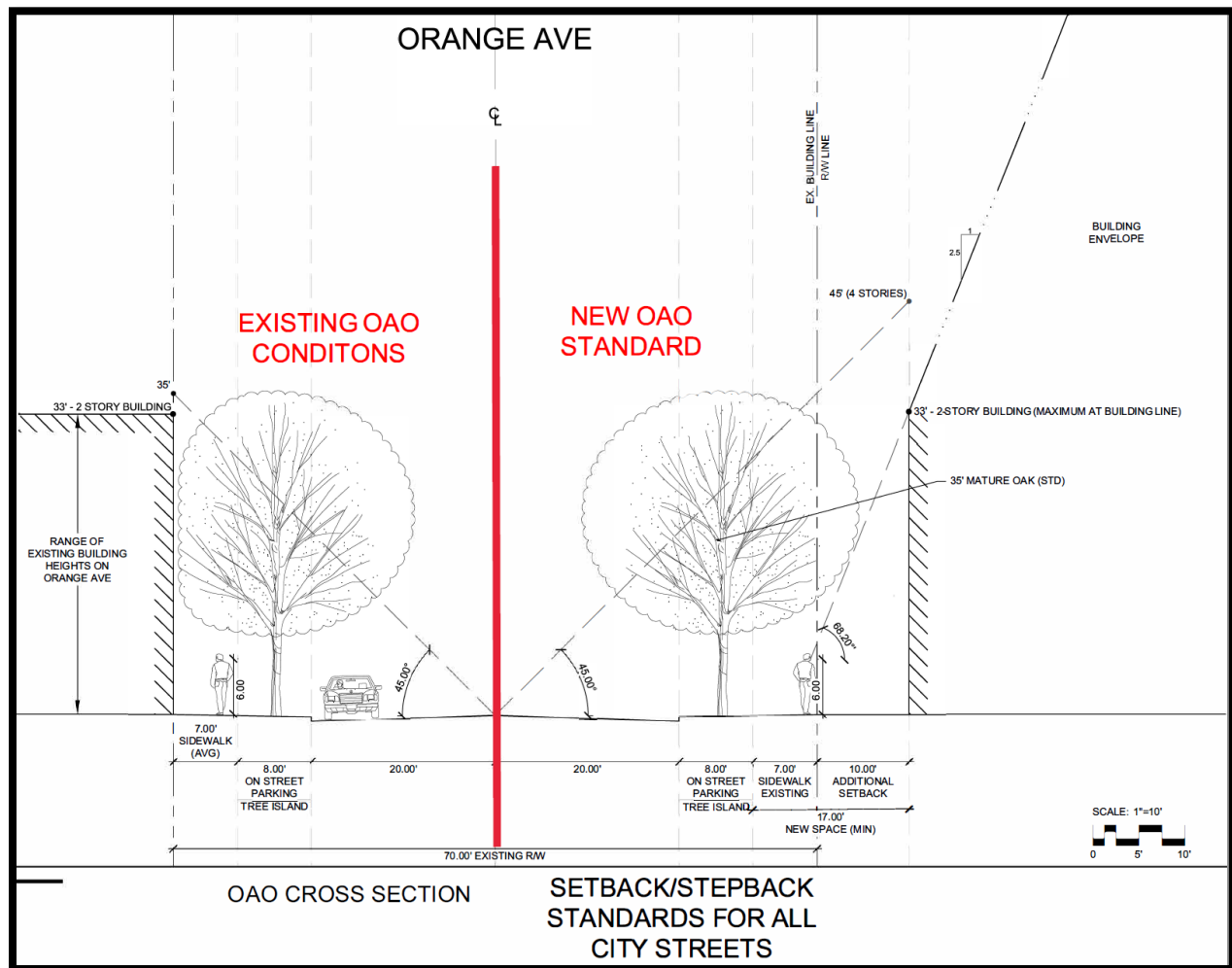
For any building over two stories in height that is located along Orlando Avenue or Fairbanks Avenue on the property line, each additional floor shall be setback a minimum of ten (10) feet, or shall be within the allowable envelope as depicted in the figures below:

Building Height, Setbacks/Stepbacks & Building Envelope



For all properties not fronting on Orlando Ave or Fairbanks Avenue, the following cross-section shall depict the setback/stepback requirements:

Figure 5 – Typical Cross-Section for City Streets (All Streets Except Fairbanks Ave or Orlando Ave):



If a building is constructed within the allowable building envelope as depicted above, the first floor shall always be defined and articulated as discussed later in this chapter. Additionally, the building shall not exceed more than three stories of vertical wall without a setback/stepback, cornice, balcony or other major façade breakup, which shall create visual and massing relief. All walls shall provide some sort of articulation, material or color change, window, balcony, terrace or other visual breakup of the building façade at least every 50 feet, both vertically and horizontally.

If a building is constructed within the allowable building envelope as depicted above, the first floor shall always be defined and articulated as discussed later

in this chapter. Additionally, the building shall not exceed more than 3-stories of vertical wall without a setback/stepback, substantial building articulation, a cornice treatment or other architectural element which shall create visual and massing relief. All exterior walls shall provide some sort of substantial articulation, material or color change, window, balcony, terrace or other visual breakup of the building façade at least every 50 feet, both vertically and horizontally.

Each subarea may define additional required setbacks for that area that may differ from what is defined in this section. The defined building envelope depicted above shall be maintained, regardless of any setbacks.

Building setbacks/stepbacks as defined herein shall not be required along the railroad right-of-way. Along with the railroad right-of-way width, these properties are required to provide additional setback distance via the required construction of the rail trail, which also provides trees and landscape buffering. However, these rear facades shall provide some sort of articulation, material or color change, window, entryway or other breakup of the building façade at least every 50 feet, both vertically and horizontally.

Corner Treatment

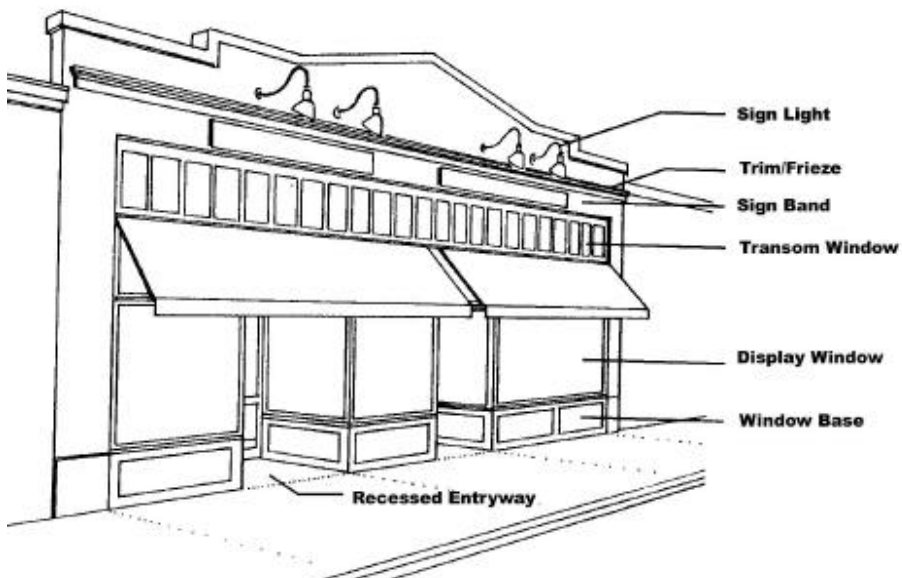
Properties fronting on a street corner shall recognize this special opportunity to provide architectural interest and special treatment at the corner location. These properties have two public facades, which gives the chance for special architectural treatment and detailing that will have the highest impact and visibility, at the corner location.

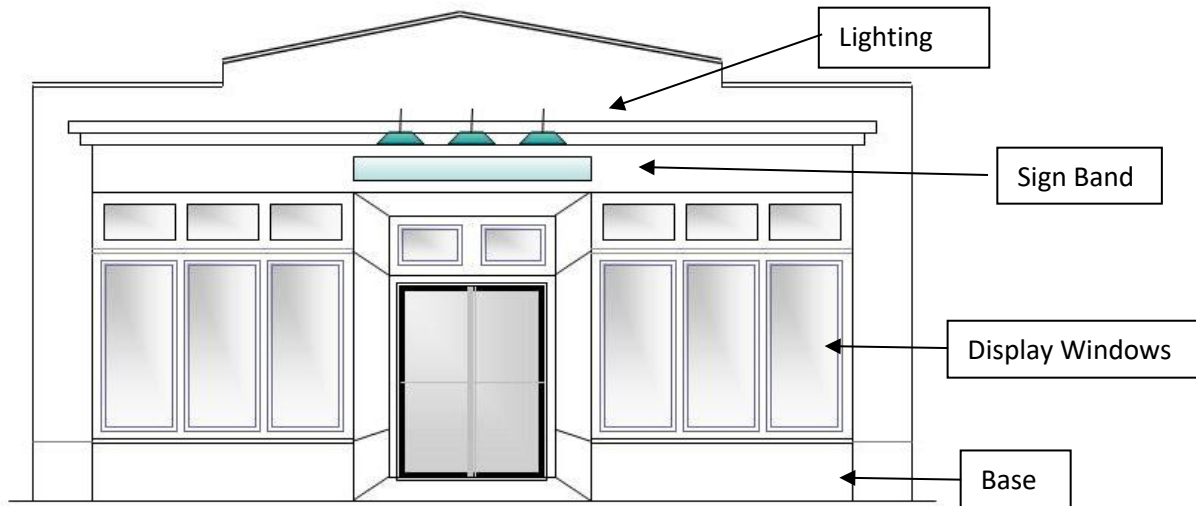
Façades

There shall be some sort of articulation, material or color change, window, entryway or other breakup of the building façade at least every 50 feet. Murals shall be allowed to contribute towards façade breakup.

The building façade should be constructed parallel to the street and are encouraged to be placed as close to the street as established setbacks permit, however it may be more appropriate for taller buildings to utilize greater setbacks/stepbacks, articulation or other architectural treatments to reduce visual massing. On low-rise buildings the different parts may be expressed through detailing at the building base and eave or cornice line.

Commercial Façade Treatment Examples





Other Notes on the Treatment of Façades

Roof lines, parapets and building heights shall be architecturally articulated and diverse in design form with adequately scaled and proportioned architectural treatments which complement the building's design.

The window, wall and roofing treatment should be of high-quality materials and consistent on both the front and the back of the building. Allowable building materials shall include brick, natural stone, glass, architectural metal, concrete, wood, or similar material with a longer life expectancy. EIFS shall not be allowed. Stucco, plastics, hardiboard siding (or similar materials) or concrete block shall not exceed more than 50% of any façade. Detailing is encouraged to enhance the façade.

Structures shall be sited so as to create visual relationships with sidewalks, street alignments, trees, green space and neighboring businesses; create visual anchors at entries, provide interesting architectural perspectives featuring appropriate facade treatments and maximize the pedestrian relationship to the sidewalk. They shall also take into consideration the existing structures and be in unison with their scale and style.

Lower Story

The lower story of the building has the most immediate visual impact on the passerby. Traditionally, buildings along urban streets have a high proportion of glazing to solid wall surface, with higher floor to floor heights, on the first story. To maintain continuity with this treatment, buildings on Orange Avenue shall have 25% minimum glass on the first story and shall be allowed height

up to 20 feet. The first floor shall be clearly defined and articulated from upper stories.

Building Entrance

Primary building entrances in the Orange Avenue Overlay District shall be clearly defined, and shall be recessed or framed by a sheltering element such as an awning, arcade, overhang, or portico (in order to provide weather protection for pedestrians). Public entrances flush with the building wall with no cover are discouraged. Awnings are encouraged. Awning standards include:

- a. Awnings for a building façade shall be of compatible color, look, shape, and height;
- b. Awnings shall provide vertical clearance of no less than eight (8) feet above sidewalks; and
- c. Awnings are not allowed to hang over vehicular traffic ways

Building Setbacks along Orange Avenue

It is the intent of this Chapter to enhance and preserve the character of the Orange Avenue Overlay District by promoting parking area placement to the rear of lots and bring visually pleasing building architecture closer to the to the street. Therefore, front building setbacks may be reduced to a distance that creates at least seventeen (17) feet of sidewalk space from the back of curb (not including the landscape bumpouts).

Architectural Towers, Spires, Chimneys, Or Other Architectural Appendages

Any architectural tower, spire, chimney, flag pole or other architectural appendage to a building shall conform to that district's height limit. However, when necessary to meet the building code requirements, chimneys may exceed the height by that minimum required distance.

If provided for within the respective nonresidential zoning district, architectural appendages, embellishments and other architectural features may be permitted to exceed the roof heights specified in that section, on a limited basis encompassing no more than 30 percent of the building roof length and area, up to eight feet of additional height upon approval of the city commission, based on a finding that said features are compatible with adjacent projects.

Mechanical Penthouses, Rooftop Mechanical and Air-Conditioning Equipment, Stair Tower Enclosures, Elevators and Parapets

Mechanical penthouses, mechanical and air-conditioning equipment, stair tower enclosures, or elevators on rooftops of buildings shall not exceed a total height of ten feet above the allowable building height. Any penthouses shall only be used for mechanical equipment to serve the building. Parapets, or mansard roofs serving as parapets, may extend a maximum of five feet above the height limit in the zoning district unless other parapet heights are more restrictive for the respective zoning district. In addition, mechanical equipment and air-conditioning equipment on rooftops shall be screened from view from ground level on all buildings in all zoning districts and shall be located to the maximum extent possible so that they are not visible from any street.

TRANSPORTATION & CONNECTIVITY

Steering Committee Multi-Modal Transportation Recommendations

The Orange Avenue Overlay Steering Committee was focused primarily on the land use elements of the creation of the Overlay District. Transportation is a major part of the expected change in the area, so the Steering Committee wanted to provide recommendations for future transportation improvements in the area. Any future transportation improvements in the Overlay area will certainly go through an extensive review and design process, but there are a number of recommendations from the Steering Committee that should be considered as a part of any future improvements:

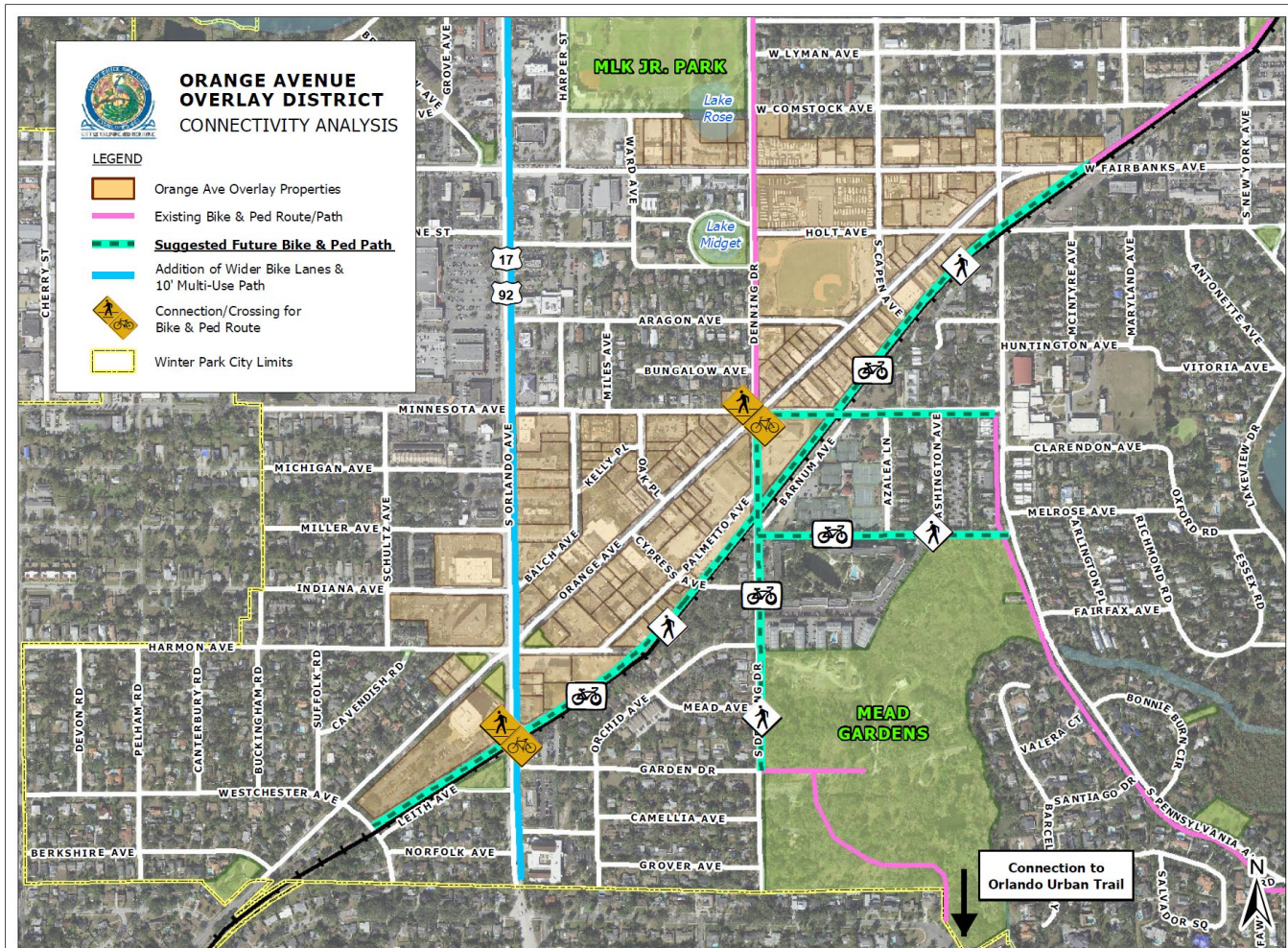
- The hierarchy of Transportation from the Comprehensive Plan should be kept at the forefront of any future improvements. This hierarchy places the pedestrian at the front, followed by bicyclists, then public transit users and vehicles as the last transportation method considered in design.
- Transportation enhancements should encourage decorative lighting, landscaping and the continued planting of canopy trees along roads, sidewalks and pathways to create shade and the green aesthetic that Winter Park is known for.
- The most important transportation or mobility upgrade is the extension of the Complete Street Denning Drive improvements from their current

terminus at the Intersection of Orange Avenue, Minnesota Avenue & Denning Drive, down to the entrance to Mead Gardens.

- As potential traffic calming improvements are considered along Orange Avenue, ensure that area wide impacts are considered.
- Sidewalks along Orange Avenue are encouraged to be at least 15 feet wide, with appropriate lighting, tree canopy, vegetated areas and covering to protect from the elements.
- The redesign or “right-sizing” of Orange Avenue should be evaluated. The current design is unsafe for all modes of transportation and does not allow for the safe usage of public parking.
- Pedestrian safety in the area should be enhanced at every opportunity.
- Consider using pedestrian crosswalks with design elements that create art or murals in the road, which also enhance pedestrian safety.
- Strong consideration should be given to the utilization of traffic circles/roundabouts to create continuous flow and to provide better turning opportunities at congested intersections, specifically at the intersection of Denning Drive, Minnesota Avenue and Orange Avenue.
- Efforts should be made to provide connectivity to the surrounding residential areas for pedestrians and cyclists.
- Street Design that reduces speeds on Orange Avenue should be incorporated.
- A minimum 12-foot wide multi-use bike and pedestrian pathway should be designed along the railroad to provide access and connectivity.
- Fairbanks Avenue Streetscape should include landscaped buffering between roadway & sidewalk.

Connectivity

Connectivity was a major point of discussion and public input throughout the process. The following map was created to show the planned areas of connectivity and where future bike and pedestrian connections can be made.



MIXED-USE DEVELOPMENTS

Buildings in the Orange Avenue Overlay District are encouraged to contain ground floor retail, office, personal service or restaurant spaces. Multi-story buildings with a mix of uses such as office, hotel, retail, personal services, commercial, and residential are encouraged. Residential uses above commercial spaces are encouraged and shall be allowed by right in this district, subject to meeting adopted Fire Code and Building Code requirements. Mixed-Use shall be a minimum of 25% of new developments to avoid single-user development that will detract from a vibrant mixed-use area.

MEANINGFUL OPEN SPACE

The guiding documents of the Sustainability Plan, the Comprehensive Plan and Vision Winter Park have a strong emphasis on the creation of open space. Additionally, more meaningful open space and green space was one of the topics that was repeated throughout the public input process.

Currently, the Winter Park Land Development Code does not have any open space requirements for new development. It is the intent of the Orange Avenue Overlay District to ensure that the development and enhancement of properties includes the creation of meaningful, useable, accessible, green and beautiful open space that invites the public to relax, interact, recreate, unwind and stimulate social connection. Many of the existing properties do not have much opportunity for the creation of open space due to smaller size and other site constraints, so improvements to the rights-of-way and streetscape that create these spaces are very important. Where properties are planned for larger-scale redevelopment, meaningful open space and the design of structures around these open spaces is the most important consideration. At a minimum, each property 1.5 acres in size and above that is redeveloped shall provide at least 25% meaningful open space, which is open to and available to the public. At least 50% of open-space areas provided shall be greenspace and vegetation. Pervious areas such as retention ponds, parking lot islands or small-scale landscape planting areas around building bases shall not be counted as open space. Open space shall be areas that are open and inviting to the public. Open space can include green areas, hardscape areas, semi-pervious areas, balcony or roof areas that are open to the public and other similar-type spaces. At least 90% of the open space shall be provided at ground level. The intent is that each of these areas create the opportunity for social interaction, relaxation, recreation and reflection.

PARKING

Parking Lots & Parking Structures

One of the most discussed topics during the creation of the Orange Avenue Overlay District was about parking. Specifically, the lack of available off-street parking and the limitations that it creates for existing businesses in the area. The discussions were also about putting parking areas at the rear of businesses to screen unsightly parking areas with more aesthetically appealing architecture. Additionally, there is a desire to construct parking structures, which are a more sustainable way to handle parking needs, but

there are also requirements to screen parking structures to the highest feasible scale.

Commercial Parking Requirements

Unless specifically listed herein, parking shall be provided in accordance with the Land Development Code requirements.

- **General Business and Retail Commercial:** One parking space for each 333 square feet of gross floor space.
- **Office, Professional or Public Buildings:** One parking space for each 333 square feet of gross floor space.
- **Hotel:** One parking space for each guest room shall be provided. Other ancillary uses in the hotel (restaurant, spa, retail, meeting space, etc) shall only be required to provide parking at 50% of the off-street parking requirements defined in Section 58.86 of the Land Development Code.
- **Restaurants, Food Service Establishments, Nightclubs, Taverns or Lounges:** One space for every four seats.

Bicycle Parking shall be required per Land Development Code Standards. Where large projects provide parking garages, 20% of the required bike parking shall be provided onsite. The other 80% of required bike parking may be located within City right-of-way throughout the Overlay District. The City of Winter Park shall determine where the off-site parking shall be located.

Required parking may be located within 750 feet of the building, or within the closest parking structure where excess parking is available for lease. In the event of new construction, addition, or change in intensity of use of the principal building or property being serviced by the remote parking lot, all existing parking spaces located on such remote lot shall be allocated to the existing building or principal use to meet the minimum requirements of this article, and any additional spaces may then be allocated to that portion of the building or property which is the subject of the new construction, addition, or change in intensity of use.

Residential Parking Requirements

Unless defined herein, parking in the Orange Avenue Overlay District shall be designed and provided in accordance with the Winter Park Land Development Code.

Multi-family development parking requirements shall be provided as follows:

- 1) Each one-bedroom or studio unit shall be required to provide 1.25 dedicated parking spaces per unit.

- 2) Each two-bedroom unit shall be required to provide 1.5 dedicated spaces per unit.
- 3) Each three-bedroom or above unit shall be required to provide 2 dedicated parking spaces per unit.

Off-Street Parking Design

Parking access to properties along Orange Avenue should ideally be from side streets if frontage is available on a side street. If side street frontage is not available, a driveway will be allowed from Orange Avenue, providing the driveway and building gap surrounding it is minimized. Cross-access agreements are encouraged, to reduce the number of curb cuts and driveways. The intent is to maintain the building street wall without large voids for access driveways. The goal in this parking arrangement is to decrease the visibility of parking from the street as much as possible, by having parking behind the building and to reduce the turning movements with limited visibility across multiple lanes of traffic.

Parking garages shall be set back from the Orange Avenue, Fairbanks Avenue or Orlando Avenue frontages and screened by liner buildings or other treatments as required in this chapter. Parking should also be accessed from side streets to the maximum extent. They should also be designed in an architectural style that is compatible with its building counterpart and shall also conform to the City's parking garage design guidelines.

Parking Exclusion

A parking exclusion shall apply only to existing square footage or floor space. Parking shall be provided as required by the Land Development Code or this chapter for any net new building or net new floor space created by redevelopment, new construction, additions, alterations or remodeling or for any change in use requiring additional parking such as an office or retail space conversion to restaurant. Existing parking spaces may be counted to satisfy this requirement only where such existing spaces are in excess of the parking space requirements of this section for any existing floor space.

Floor Area Ratio (FAR) For Parking Structures

One of the major changes to current Winter Park Development Standards in this Overlay District is the opportunity for parking structures to not count towards the Floor Area Ratio (FAR) for any property within the Overlay District.

Winter Park is rare in that parking garages are counted towards FAR. Floor Area Ratio is the maximum extent to which a property can be developed, so this is a vital part to the potential for development of any property. The current requirement to count FAR of parking structures leads to the surface parking being the only economical way to build new projects. The mixed-use areas in town that have seen success have relied on parking structures to be successful. Few cities choose to count parking garages towards FAR. This code requirement makes development that uses parking garages very difficult, resulting in the shopping center type development with large impervious surface parking lots. This type of parking is very unsustainable and does not contribute towards the aesthetics and maintaining the tree that makes Winter Park special.

As with other areas of this Overlay District, the new or enhanced development standards must be earned, not simply given. Within the Overlay District, parking garage FAR shall not count as long as the following conditions are met for each structure:

- Parking constructed shall allow for a minimum of 50% of the parking spaces to be shared-parking, meaning the parking spaces are available for lease at or below fair market value (based on area parking lease comps) to other properties in the area that can utilize the parking during hours when the parking is not needed by the users of the property where the garage is located.
- Provide for multi-property parking collectives. For smaller-scale garages, multiple property owners may create a collective where parking can be built on a property that can serve multiple properties that do not have adequate available parking.
- Provide level-two electric vehicle charging stations for a minimum of 2% of all spaces within the structure.
- Provide and construct parking spaces at least 10% above what is required to meet code minimum requirements. This excess parking must either be available for lease at or below fair market value (based on area parking lease comps) to properties in the area or shall be provided for free public parking.
- Of the required 50% shared parking that is available (not leased or in use by the onsite businesses at the time), these spaces shall be made available to the general public for free on Saturday and/or Sunday mornings from 6:00 A.M. to 11:00 A.M. for community events in the OAO or for public events at Mead Botanical Garden.
- Parking structures shall be screened at least 50% on all visible sides with green walls, living walls, murals (that do not include advertising of any type), shade trees or vegetative screening, or other screening treatments.

Parking structures that do not meet all of the requirements listed above shall not be exempt from FAR calculations.

Parking structures on the north side of Fairbanks Avenue shall not be exempt from FAR. Parking structures west of Orlando Avenue shall not be exempt from FAR for structures greater than 2 levels (ground +1).

Parking provided to accommodate residential units or hotels shall not be required to be shared or count towards the shared parking ratio requirement. Because these spaces will not be available for shared or public use, one (1) additional free parking space shall be required for each ten (10) spaces that are dedicated for hotel or residential use. These public spaces shall be maintained as 24-hour, free public parking and shall not count towards additional entitlement achievement.

Parking Structures shall not be required to provide setbacks from residential areas as outlined in other areas of the Land Development Code, but shall meet height, building setback, allowable building envelope area and screening requirements as outlined in this code.

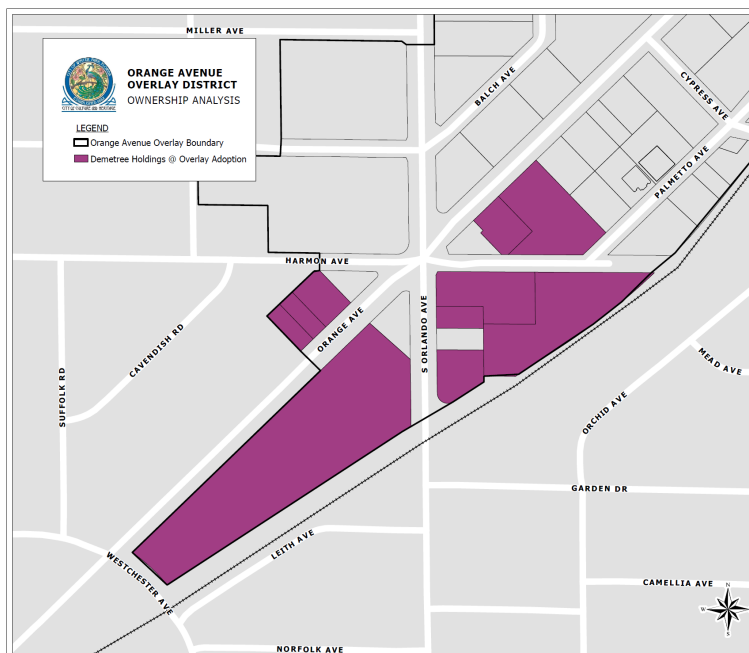
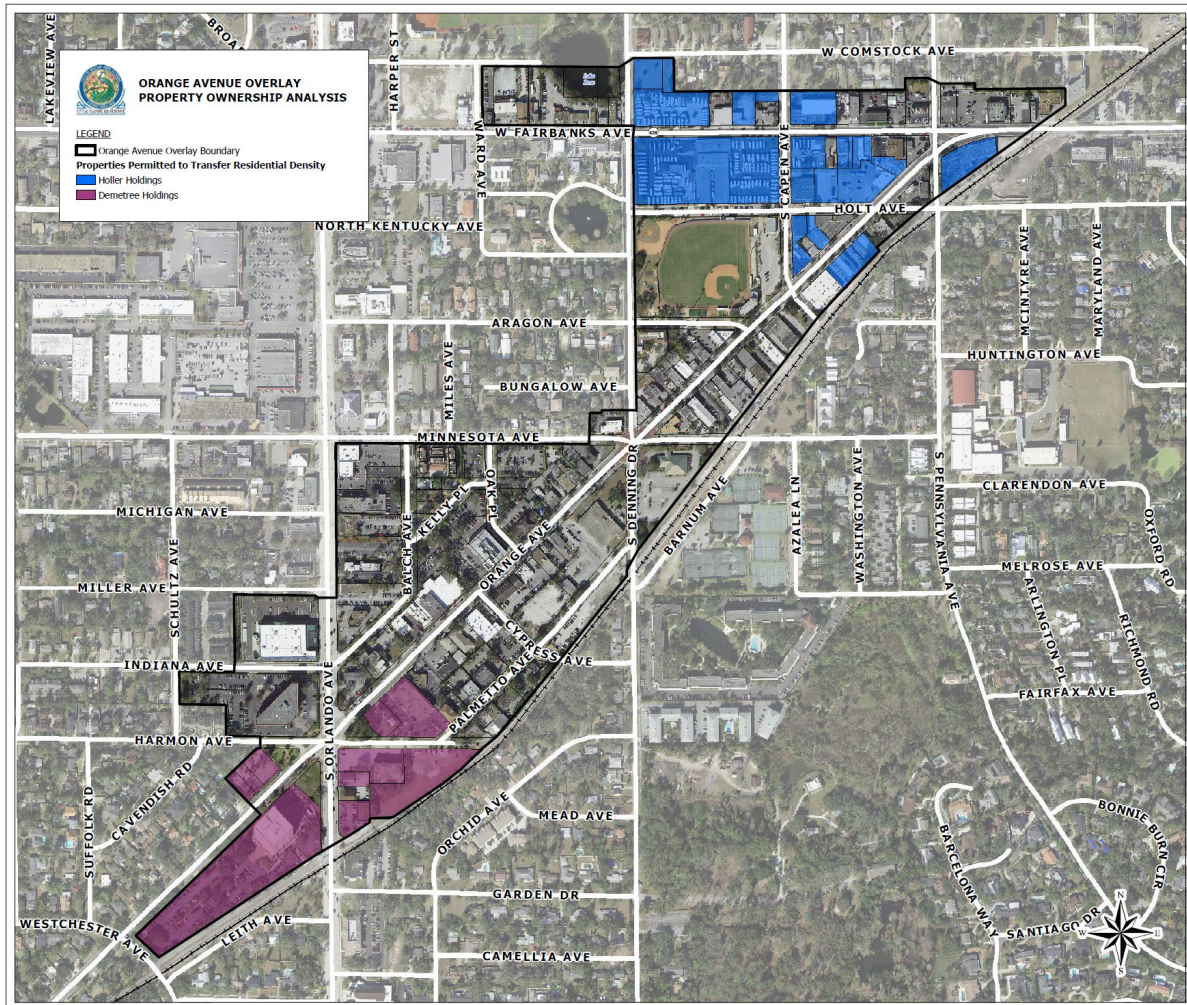
DENSITY TRANSFER

A key component to any mixed-use district is the inclusion and promotion of residential uses. Mixed-use districts that do not allow for residential units at an appropriate scale are then simply commercial districts. Mixed-Use, at its core, is all about the live, work and play components. Though the words density and multi-family can often be associated with fear and misconceptions, not having people who live in an area and bring life to the area will not be a true mixed-use area. Winter Park is a very low-density area in the traditional single-family areas, but this does not mean that multi-family living in certain areas is not appropriate, especially in mixed-use areas, such as the successful areas around Park Avenue and Hannibal Square. Additionally, having people who live in a mixed-use district brings 24-hour eyes and ears to a place, making it more than just a commercial area, it also becomes a neighborhood.

A unique part of the Orange Avenue Overlay District is the allowance for density that currently exists in the Orange Avenue area by right to be transferred into two specific subareas. As it currently stands, each commercial, office, industrial or residential area in the Overlay District is entitled with a density of 17 units per acre. Given this, over 1,100

residential units are currently entitled within the current zoning of the area. Only properties under common ownership within the Overlay area at the time of the adoption of this code or vacated rights-of-way shall be allowed to transfer the existing residential entitlements from other subareas into subarea D or subarea J. Only the existing residential units that exist currently may be transferred into subareas D or J. Units cannot be transferred out of these subareas and no other subareas may transfer density between them. Additionally, only the units can be transferred, not the entitled square footage or FAR. Once the residential entitlements are transferred from other commonly-owned properties, no residential units can be constructed on the site that transfers the units, as the residential unit rights no longer exist. Additional properties purchased after the date of the adoption of this Overlay District shall not be eligible for density transfer.

The intent of the density transfer is to create nodes of intensity, allowing for residential uses, which are key to the successful creation of mixed-use districts and create development that can fund the needed parking and regional stormwater areas in the district. Allowing density transfer into these areas would allow for approximately 300-350 total units to be built. Given the size and shape of the other properties within the area, it is not feasible for other larger multi-family developments to be built. There would not be the land size needed for the building and parking, the allowable FAR would be too low as well. And the parking would count towards FAR because residential parking spaces are not allowed to be used in shared parking calculations, so the FAR exemptions could not be met. There may be some smaller projects or remodels that construct a few units above existing retail or office, but no other larger projects would be feasible, keeping the actual density of the area much lower than it could be (1,100 units). By clustering the intensity, there will be a reduction in overall massing and building heights throughout the Orange Avenue Overlay area, keeping as much of the smaller scale development as possible to maintain the character of the area. This language shall not allow transfer of units into other Subareas. The map below depicts the properties within this subarea that qualify for this density transfer.



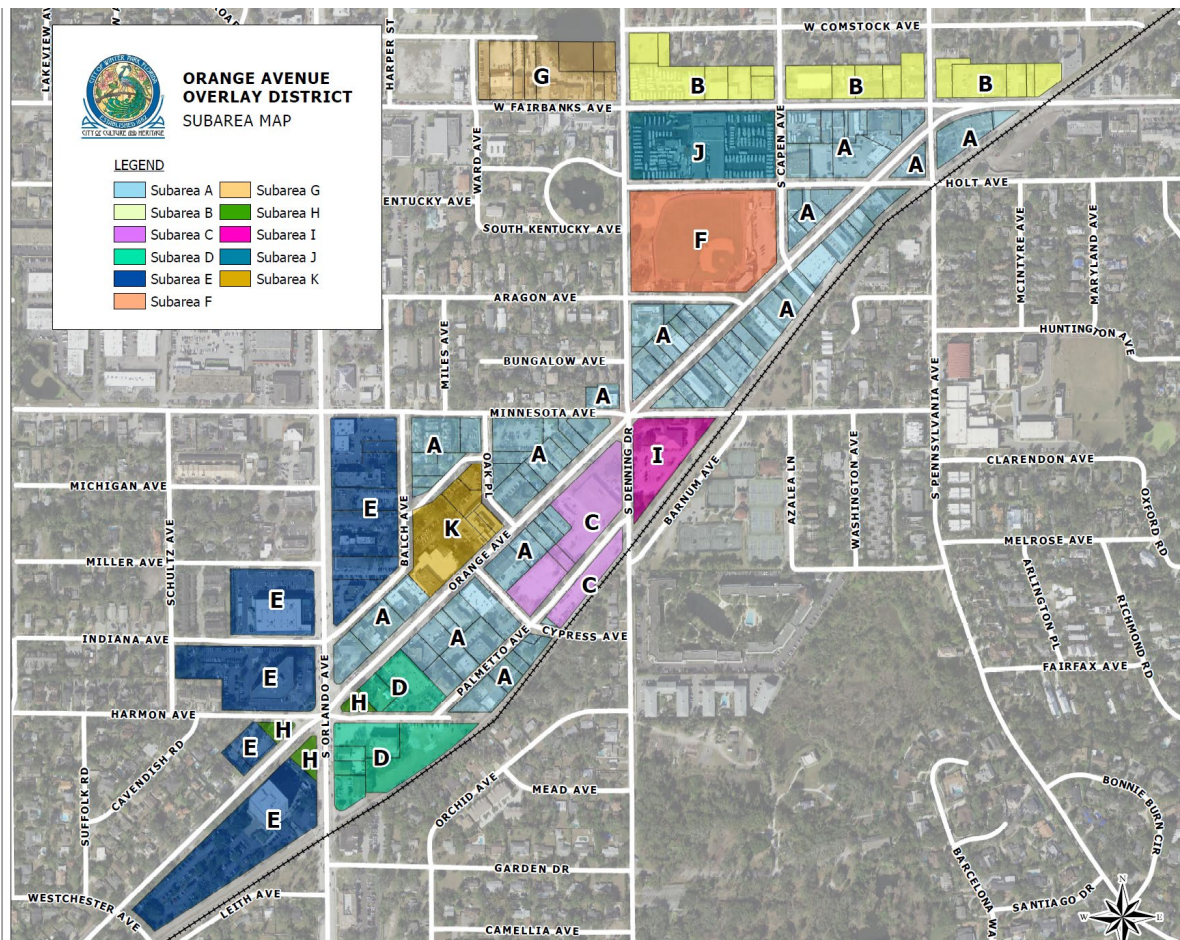
ADMINISTRATIVE REVIEW

Unless cited within this Chapter or another Section of the Winter Park Land Development Code, review of these guidelines and compliance shall be performed at the administrative level for projects not requiring Conditional Use approval. To ensure that the intent of the code is met, each application for a Conditional Use or any project that would utilize any of the Development Enhancement Menu options shall be reviewed by the Planning & Community Development Director or their designee. Any appeals of the determination of staff shall be taken before the City Commission for determination.

SUBAREAS

Orange Avenue Overlay District Sub-Areas & Standards

The subarea map depicted below shall officially delineate the different subareas and their specific development standards. Each area has unique characteristics, issues and opportunities.



General Subarea Development Standards

Due to the unique geography of the Orange Avenue corridor and the Orange Avenue Overlay District, it was determined that a number of areas with very unique issues and opportunities existed. After much consideration, a number of subareas were created to help the existing businesses in the area, create more economic opportunity, address issues that have plagued the area for many years, create a meaningful gateway into Winter Park and to create a special place in the community. Because each of these areas are unique, they each have their own development standards and opportunities.

After the adoption of the OAO, no changes to the subarea map shall be allowed. No variances to maximum number of stories, maximum allowable Floor Area Ratio, allowed uses, required open space or maximum residential density shall not be granted. Variances to other development standards shall be considered, with sufficient showing of reasoning and hardship, as outlined in Section 58-92.

The standards detailed in the OAO are the maximum density and intensity parameters potentially permitted in each respective subarea. These maximum standards are not an entitlement and are not achievable in all situations. Many factors may limit the achievable FAR including limitations imposed by the maximum height, physical limitations imposed by property dimensions and natural features as well as compliance with applicable code requirements such as, but not limited to parking, setbacks, lot coverage and design standards.

Parcels to be developed or redeveloped within Subareas C, D, I & J shall contain at least 25% of the Cumulative Gross Floor Area as Mixed-Use, ensuring that no single-use developments occur that may not create the vibrant mixed-use district that is desired.

Orange Avenue Subarea Descriptions:

Subarea A

This subarea consists mostly of existing buildings on smaller lots that were developed prior to Winter Park's current Building Codes or Land Development Code regulations. Therefore, the vast majority of these properties contain legally non-conforming structures. These properties are typically nonconforming in one or more of the following areas: Floor Area Ratio (FAR), Off-Street Parking, Stormwater Retention, Impervious Area, and Landscaping. These buildings have typically not been altered or remodeled to a great degree

because if the valuation of the remodel exceeds 50% of the valuation of the building, the entire property would be required to be brought into conformance with all building and Land Development Codes.

This area also has great character and the majority of the buildings are built at a very human-scale. In order to allow for the remodeling and renovation of the buildings within this subarea and to enhance the Orange Avenue Overlay District, the 50% valuation threshold shall not apply to these properties and the properties shall not be required to comply with current Land Development Code standards, as long as additional square footage is not added to the buildings. If additional square footage is added, the properties shall be required only to provide the required parking for the new net square footage of the property. All remodels, renovations or reconstructions that are allowed to remain as legally non-conforming with Land Development Code standards, shall still be required to meet applicable Building and life safety codes as determined by the City of Winter Park Building Official and/or Fire Official. If the use of the building is changed (i.e. office conversion to café), parking shall be provided as required by Code.

- (a) *Exemptions.* The following Land Development Code Requirements shall not be required to be met for renovation or remodel of existing structures that will maintain the existing use, size and conditions of the property:
 - 1. Floor Area Ratio
 - 2. Minimum Parking Requirements
 - 3. Stormwater Retention (but a minimum of 10 cubic feet of stormwater treatment and storage shall be created)
 - 4. Impervious Surface Percentage
 - 5. Setbacks
 - 6. Landscaping
 - 7. Height (no increase in stories)
- (b) *Reconstruction of Buildings.* Given the age of buildings within the area, the properties within this subarea shall be allowed to reconstruct the same building footprint when the building on the site is completely demolished, regardless of non-conforming status, on the site without being required to meet all development standards. Reconstruction of buildings shall only be required to provide stormwater retention and the sidewalk widths as described herein. All building and life safety codes shall be met with all reconstruction.
- (c) *Subarea A Development Standards:*
 - 1. Base Floor Area Ratio: 45%

2. Maximum Achievable Floor Area Ratio: 65%
3. Maximum Height: 2 Stories for any properties abutting Orange Avenue, and 3 stories for all other properties within the subarea.
4. Maximum Impervious Coverage: 85%
5. Setbacks: None, except front setbacks must allow for at least a 17-foot wide sidewalk along Orange Avenue. Fairbanks Avenue and Orlando Avenue shall each be designed to provide for a 10-foot wide sidewalk with a minimum 2-foot landscape buffer on the back of curb. Where the building requires an additional setback to achieve the required sidewalk, the area shall be dedicated as a public access easement. Additionally, all building setbacks shall meet the requirements as depicted of 3.1.i.2
6. Maximum Residential Density: 17 units per acre

Subarea B

This subarea consists of unique commercial lots that are located adjacent to single-family residential zoning. In order to mitigate the lack of transitional areas between single-family homes and the Commercial areas and heavy traffic of Fairbanks Avenue, special consideration should be given to setbacks, screening and uses. This area is ideal for commercial frontages along Fairbanks Avenue and residential uses along the border of the single-family residential area.

Cross-access easements will be required upon re-development of the properties to limit the number of curb-cuts and driveways along Fairbanks Avenue.

(a) Subarea B Development Standards:

1. Base Floor Area Ratio: 45%
2. Maximum Achievable Floor Area Ratio: 60%
3. Maximum Height: 2 stories at front setback line and at rear setback line. Structures may increase to 3 stories if the 3rd floor is set back an additional 10 feet from front and rear setback lines. 3rd floors shall only allow residential uses.
4. Maximum Impervious Coverage: 85%
5. Setbacks:

- a. Street: None, except front setbacks must allow for at least a 10-foot wide sidewalk and 2-foot landscape buffer area on the back of curb along Fairbanks Avenue.
 - b. Side: 0
 - c. Rear: 20
 - d. Third stories shall require an additional 10-foot setback from the front and rear setbacks.
6. Maximum Residential Density: 17 units per acre

Subarea C

This subarea is defined as the city owned, Progress Point property. It sits at one of the major intersections along Orange Avenue. This property currently serves as the relief valve of overflow parking for businesses nearby. In order to mitigate the lack of parking in the area, there should be special consideration for a parking garage on this property. There are also stormwater drainage concerns along Orange Avenue due to the age of the development in this area, so special considerations should be given for regional stormwater retention on this property. Due to its proximity to Mead Botanical Garden, this area provides a unique opportunity for a gateway and signage to direct the public to Mead Botanical Garden.

(a) Subarea C Development Standards:

- 1. Base Floor Area Ratio: 60%
- 2. Maximum Achievable Floor Area Ratio: 125%
- 3. Maximum Height: 4 Stories
- 4. Maximum Impervious Coverage: 85%
- 5. Setbacks: 0 front setback along Orange Avenue, Denning Drive, or Palmetto Avenue, except front setbacks must allow for at least a 17-foot wide sidewalk. Where the building requires an additional setback to achieve a 17-foot sidewalk, the area shall be dedicated as a public access easement. Additionally, all building setbacks shall meet the requirements as depicted of 3.1.i.2
- 6. Maximum Residential Density: 17 units per acre

- (b) *Required Development Enhancements.* In order to be eligible for any Development Enhancement Bonuses, any future development of the property shall include the following item(s) from the Development Enhancement Menu: CT.1
- (c) *Intersection and Open Space Viewshed.* Due to the unique shape of Subarea C and proximity to a unique intersection, this additional requirement creating a viewshed shall apply. The viewshed area is banded by the lines described as follows: Start where the property lines of Subarea C meet at the intersection of Denning Drive and Orange Avenue; then travel 150 feet southwest along Orange Avenue's southeast right of way line; thence easterly to the point on the west boundary of South Denning Drive that is 150 feet south of the starting point; then north along the west boundary of South Denning Drive to the starting point ("viewshed"). This viewshed shall be an open space area not available for the construction of structures or storage or placement of equipment, material or items otherwise allowed in the OAO. This viewshed is in addition to other setback requirements for Subarea C.
- (d) *Road Closures.* Closing and vacation of the Palmetto Avenue right-of-way shall be encouraged, subject to City Commission approval, as the street bisects the property and creates limited development opportunities of the site. Driveways that allow public through-access may be allowed in-lieu of vacated streets, if deemed necessary. Closed and vacated right-of-way shall be entitled at the same level as the subarea it falls within.
- (e) *Additional Development Requirements.* A monument sign at least 3 feet in height and 5 feet in width, set in a landscaped bed, shall be required to be provided at the intersection of Denning Drive, Minnesota Drive and Orange Avenue, which directs the public to Mead Botanical Garden. The City of Winter Park shall approve the design and location of the sign.

Subarea D

This subarea represents a significant and unique opportunity for redevelopment, and can also address many of the area-wide issues that currently exist. A former industrial site, that has significant frontage along the railroad, but has also been collectively purchased by one owner, and has significant visibility and opportunity to be a gateway into Winter Park city limits. Additionally, the properties within this subarea are adjacent to the

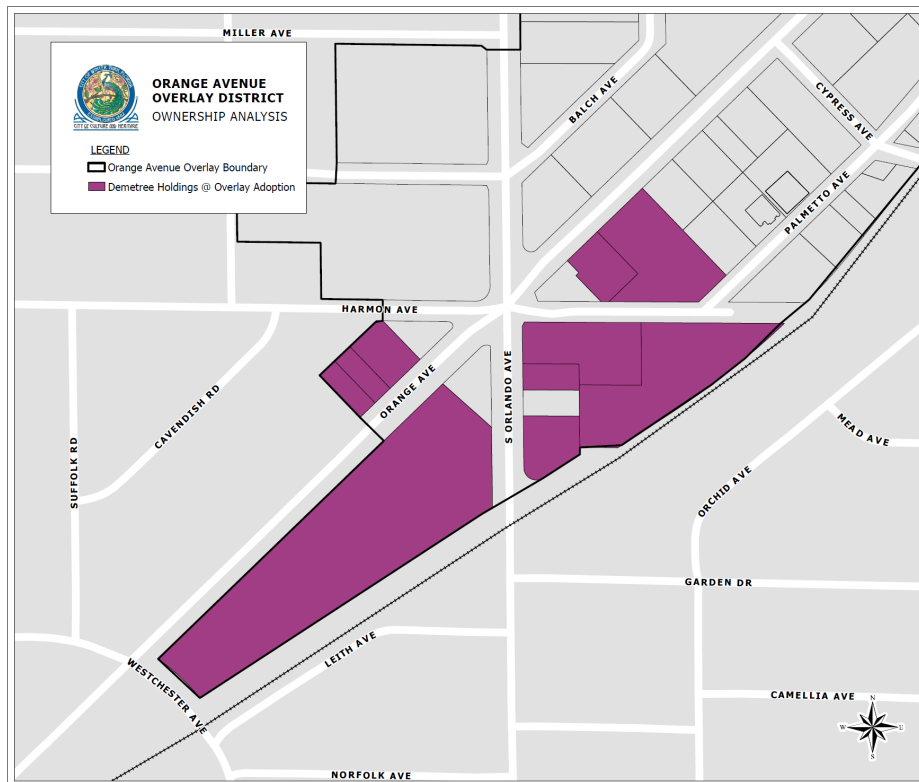
intersection of Orlando Avenue, Harmon Avenue and Orange Avenue. Other properties at this same intersection have developed to a larger scale, massing and height, but due to the presence of city-owned parkland and larger parcel size, the buildings have been set back far enough that the increased massing and height are not as visually imposing. This area is one of the only areas within the Overlay District where additional building height could be considered. This area is also very important to addressing the regional stormwater and parking issues. It is also key to creating the gateway into Winter Park.

(a) *Subarea D Development Standards:*

1. Base Floor Area Ratio: 100%
2. Maximum Achievable Floor Area Ratio: 200%
3. Maximum Height: 7 Stories
4. Maximum Impervious Coverage: 75%
5. Setbacks:
 - a. Street: Street: 20 feet along Orlando Ave. Setbacks must allow for at least a 10-foot wide sidewalk and 2-foot landscape buffer area on the back of curb along Orlando Avenue., 0 feet along Orange Avenue except front setbacks must allow for at least a 17-foot wide sidewalk. Additionally, all building setbacks shall meet the requirements as depicted of 3.1.i.2
 - b. Rear: 20
6. Maximum Residential Density: 17 units per acre

- (b) *Density Transfer.* Properties under common ownership within the Overlay area at the time of the adoption of this code or vacated rights-of-way shall be allowed to transfer the existing residential entitlements to this subarea D, though not the square footage. Once the residential entitlements are transferred from other commonly-owned properties, no residential units can be constructed on the site that transfers the units. Additional properties purchased after the date of the adoption of this Overlay District shall not be eligible for density transfer. The intent is to create nodes of intensity, allowing for residential uses, which are key to the successful creation of mixed-use districts and create development that can fund the needed parking and regional stormwater areas in the district. By clustering the intensity, there will be a reduction in overall massing and building heights throughout the Orange Avenue Overlay

area. Density Transfer shall only allow the transfer of currently entitled units into the defined Subarea. This language shall not allow transfer of units into other Subareas. The map below depicts the properties within this subarea that qualify for this density transfer.



- (c) *Required Development Enhancements.* In order to be eligible for any Development Enhancement Bonuses, any future development of the property shall include the following item(s) from the Development Enhancement Menu: CT.1
- (d) *Road Closures.* Closing and vacation of the Harmon Avenue or Vivian Avenue right-of-way shall be encouraged, subject to City Commission approval, as the street bisects the property or creates limited development of the site. Private driveways that allow public through-access shall be allowed in-lieu of vacated streets, if necessary. Closed and vacated right-of-way shall be entitled at the same level as the subarea it falls within.

Subarea E

This subarea consists of properties located along Orlando Avenue, a high-traffic and commercially-zoned area. Many of these properties are at an age where redevelopment is becoming more attractive. These properties have the unique ability to support the Orange Ave area due to their size and their ability to provide additional parking for the areas that are currently deficient in available parking. Additionally, these properties are located along the most visible and highly-trafficked area of Winter Park, so it is appropriate to have enhanced architectural standards for these important gateway properties. These properties would develop with additional setback requirements, architectural standards and would encourage a mix of uses.

(a) *Subarea E Development Standards.*

1. Base Floor Area Ratio: 60%
 2. Maximum Achievable Floor Area Ratio: 80%
 3. Maximum Height: Maximum 4 Stories.
 4. Maximum Impervious Coverage: 85%
 5. Setbacks:
 - a. Street: 20 feet. Setbacks must allow for at least a 10-foot wide sidewalk and 2-foot landscape buffer area along Orlando Avenue. Additionally, all building setbacks shall meet the requirements as depicted of 3.1.i.2
 - b. Side: 5 feet
 - c. Rear: 20 feet. If abutting residential, shall be a minimum of 20 feet or equal to building height, whichever is greater.
 6. Maximum Residential Density: 17 units per acre
- (b) *Road Closures.* Closing and vacation of the Vivian Avenue right-of-way shall be encouraged, subject to City Commission approval, as the street essentially serves as a private driveway and parking lot extension for a single property. Driveways that allow public through-access shall be allowed in-lieu of vacated streets. Closed and vacated right-of-way shall be entitled at the same level as the subarea it falls within.

Subarea F

This subarea is the location of the Rollins Baseball Stadium and has underlying zoning of Parks & Recreation. This area shall not be used for any other future purpose than public space, recreation, open sports/recreation facilities, including ancillary structures, or the parking needed to support these uses. No offices, classrooms, residences or other college uses shall be allowed on the property.

(a) *Subarea F Development Standards:*

1. Base Floor Area Ratio: 20%
2. Maximum Achievable Floor Area Ratio: 20%
3. Maximum Height: 2 Stories
4. Maximum Impervious Coverage: 50%
5. Setbacks: None, except street setbacks must allow for at least a 15-foot wide sidewalk. Where the building requires an additional setback to achieve a 15-foot sidewalk, the area shall be dedicated as a public access easement.
6. Maximum Residential Density: No Residential Uses Allowed

Subarea G

This subarea represents an opportunity to expand Martin Luther King Jr., Park and to create an increased greenway connection to Mead Botanical Garden and other areas of the city. This area also provides opportunities for regional stormwater improvements. The uses in this area may continue as legally non-conforming uses, but the buildings cannot be increased in size and the properties can have no future use other than parkland/open space.

(a) *Subarea G Development Standards:*

1. Base Floor Area Ratio: 45%
2. Maximum Achievable Floor Area Ratio: 45%
3. Maximum Height: 3 Stories
4. Maximum Impervious Coverage: 85%
5. Setbacks: 20 feet. Setbacks must allow for at least a 10-foot wide sidewalk and 2-foot landscape buffer area along Orlando Avenue.

Additionally, all building setbacks shall meet the requirements as depicted of 3.1.i.2

6. Maximum Residential Density: 17 Units/Acre
- (b) *Additional Development Requirements.* It is the intent of the City of Winter Park to acquire these properties for the extension of Martin Luther King, Jr. Park and to provide for transportation improvements. Any properties acquired by the City of Winter Park shall be dedicated as parkland or towards transportation improvements.

Subarea H

This subarea consists of existing city-owned parkland/open space. This area shall not be used for any purpose other than open space, enhanced parkland or connectivity. The area cannot be used to meet open space requirements for other properties in the area.

(a) *Subarea H Development Standards:*

1. Base Floor Area Ratio: 0%
2. Maximum Achievable Floor Area Ratio: 0%
3. Maximum Height: N/A
4. Maximum Impervious Coverage: N/A
5. Setbacks: N/A
6. Maximum Residential Density: N/A

Subarea I

This subarea is a unique triangle shaped property that is adjacent to the intersection of Orange Avenue, Denning Drive and Minnesota Avenue. It has the potential to address some of the regional issues, but is limited by the unique geometry of the site. The subarea can provide needed right-of-way for potential intersection improvements that will improve traffic flow along the corridor. It shall also accommodate the Denning Drive multi-modal transportation improvements.

(a) *Subarea I Development Standards:*

1. Base Floor Area Ratio: 60%

2. Maximum Achievable Floor Area Ratio: 125%
 3. Maximum Height: 3 Stories
 4. Maximum Impervious Coverage: 75%
 5. Setbacks: 0 front setback, except front setbacks must allow for at least a 17-foot wide sidewalk. Where the building requires an additional setback to achieve a 17-foot sidewalk, the area shall be dedicated as a public access easement. Additionally, all building setbacks shall meet the requirements as depicted of 3.1.i.2
 6. Maximum Residential Density: 17 units per acre
- (b) *Required Development Enhancements.* In order to be eligible for any Development Enhancement Bonuses, any future development of the property shall include the following item(s) from the Development Enhancement Menu: CT.7. The City of Winter Park shall determine the area required to be dedicated for intersection improvements.
- (c) *Intersection and Open Space Viewshed.* Due to the unique shape of the property and proximity to a unique intersection, this additional requirement creating a viewshed shall apply. The viewshed area is bounded by the lines described as follows: start where the property lines of Subarea I meet at the intersection of Denning Drive and Minnesota Avenue; then travel 50 feet east along Minnesota Avenue's southern right of way line; thence south westerly to the point on the east boundary of S. Denning Drive that is 30 feet south of the starting point; then north to the starting point ("viewshed"). This viewshed shall be an open space area not available for the construction of structures or storage or placement of equipment, material or items otherwise allowed in the OAO. This viewshed is in addition to other setback requirements for Subarea I.

Subarea J

This subarea is uniquely situated in an area where it has the ability to address many of the issues present in the area. The area east of Denning Drive has a great need for parking, but has very little available. This area also has frontage along Fairbanks Avenue, where the City needs additional right-of-way to add dedicated left-turn lanes with vehicle stacking on eastbound and westbound Fairbanks Avenue at Denning Drive. This subarea is also situated adjacent to the recent Denning Drive Complete Street and overlooks the Rollins Baseball stadium. Due to the size of the property, additional height and massing may be appropriate, if properly designed.

(a) *Subarea J Development Standards:*

1. Base Floor Area Ratio: 100%
2. Maximum Achievable Floor Area Ratio: 200%
3. Maximum Height: 5 Stories
4. Maximum Impervious Coverage: 75%
5. Setbacks: 20 feet Street Setback. Setbacks must allow for at least a 10-foot wide sidewalk and 2-foot landscape buffer area at the back of curb along all adjacent streets. Additionally, all building setbacks shall meet the requirements as depicted of 3.1.i.2
6. Maximum Residential Density: 17 units per acre

(b) *Required Development Enhancements:* In order to be eligible for any Development Enhancement Bonuses, any future development of the property shall include the following item(s) from the Development Enhancement Menu: CT.7. The City of Winter Park shall determine the area required to be dedicated for intersection improvements.

(c) *Road Closures.* Closing and/or Vacation of either the South Capen Avenue or Holt Avenue rights-of-way shall be encouraged, subject to City Commission approval, given that these roads are not heavily trafficked and mainly serve only the subject property in this area. If these streets are closed, they shall remain open to the public and be used only for pedestrian or bicycle access, and may not be used towards open space requirements for the adjacent properties.

(d) *Density Transfer.* Additionally, properties under common ownership within the Overlay area at the time of the adoption of this code or vacated rights-of-way shall be allowed to transfer the existing residential entitlements from other subareas to this subarea J, though not the square footage. Once the residential entitlements are transferred from other commonly-owned properties, no residential units can be constructed on the site that transfers the units. Additional properties purchased after the date of the adoption of this Overlay District shall not be eligible for density transfer. The intent is to create nodes of intensity, allowing for residential uses, which are key to the successful creation of mixed-use districts and create development that can fund the needed parking and regional stormwater areas in the district. By clustering the intensity, there will be a reduction in overall massing and building heights throughout the

Orange Avenue Overlay area. The map below depicts the properties within this subarea that qualify for this density transfer. Density Transfer shall only allow the transfer of currently entitled units into the defined Subarea. This language shall not allow transfer of units into other Subareas.



Subarea K

This subarea represents the main campus of the Jewett Orthopedic Clinic and Surgery Center, the largest employer along the corridor and one of the longest-tenured businesses along Orange Avenue. This property has plans for future expansion and has already made significant investment in the area. Emphasis shall be placed on the modification of the façade and landscape areas that front Orange Avenue, to create a more walkable area and to create aesthetic and open space improvements to the area.

(a) *Subarea K Development Standards:*

1. Base Floor Area Ratio: 60%
2. Maximum Achievable Floor Area Ratio: 80%

3. Maximum Height: Maximum 3 Stories.
4. Maximum Impervious Coverage: 85%
5. Setbacks:
 - a. 0 front setback along Orange Avenue, except front setbacks must allow for at least a 17-foot wide sidewalk. Where the building requires an additional setback to achieve a 17-foot sidewalk, the area shall be dedicated as a public access easement. Additionally, all building setbacks shall meet the requirements as depicted of 3.1.i.2
 - b. Side: 5 feet
 - c. Rear: 20 feet. If abutting residential, shall be a minimum of 20 feet or equal to building height, whichever is greater.
6. Maximum Residential Density: 17 units per acre

ORANGE AVENUE OVERLAY DEVELOPMENT ENHANCEMENT MENU

Throughout the many years of studying the Orange Avenue area, the reasons that development and redevelopment have been slow to occur, typically center around lack of parking, lack of safety in mobility (dangerous traffic), stormwater, no meaningful open space that created community, no connectivity, a lack of sense of “place”, and zoning codes that do not allow for return-on-investment for properties in the area. The Orange Avenue Overlay Steering Committee process determined that changes were needed if the Orange Avenue area was going to thrive. Given the limited areas that could address the issues that have plagued the area, it was determined that enhanced development entitlements should be considered, but should be earned, rather than simply given to the properties in the area. The consensus was that property owners and developers should have to provide solutions that helped the smaller businesses in the area and to provide solutions that provided benefit to all of Winter Park.

Percentage-Based Development Enhancement Menu

Percentage-Based Development Enhancement Menu. As a part of this solution, utilization of a percentage-based upgrade system for certain subareas properties within the Orange Avenue Overlay District to earn additional development entitlements (FAR) to be able to get to their maximum achievable FAR by providing certain public improvements and area-wide

solutions is shown below. proposed. The reason for the system is to capitalize on the potential development of the larger properties to address the severe shortage of area-wide parking, meaningful open-space, stormwater and other issues that have led to the longstanding economic stagnation of the area.

In exchange for the ability to earn additional development entitlements above those currently allowed in the zoning code, certain public improvements and area-wide solutions will be required by those who develop or re-develop properties. Adding parking that will address the area-wide shortage will require structured parking, which comes at a high cost, so certain properties will be allowed to build at higher than traditional bulk standard entitlements in order to have enough leasable space to be able to fund the construction of structured parking and public improvements that will be required.

Property owners or developers may use any combination of the Development Enhancement Menu to earn their way up to the Maximum Achievable Floor Area Ratio. The maximum achievable FAR shall not be exceeded. Certain subareas shall require certain Enhancements to be met.

The following Orange Avenue Overlay District Development Enhancement Menu was created to address the wide-ranging issues affecting the Orange Avenue area, while meeting the goals of the Comprehensive Plan, the Vision Winter Park plan and the Winter Park Sustainability Plan. To ensure that the intent of the Development Enhancement Menu is met, any project that utilizes this menu shall be reviewed by the Planning & Community Development Director or his/her designee.

Table 1: Orange Avenue Overlay District Development Enhancement Menu – Sustainability Category

Category Number	Enhancement	Description & Potential Bonus	Enhancement Achievement Maximums	Maximum FAR Increase
S.1	<i>Shared Electric Vehicle On-Site</i>	1% Entitlement Bonus for Each Shared Electric Vehicle On-Site.	Max 2 Vehicle Credit	2%
S.2	<i>Green Roof</i>	At least 50% of the total surface area of the principal building's roof is a green roof constructed in accordance with ASTM green building standards.	10%	10%
S.3	<i>Renewable Energy</i>	For Each Percentage of the Total Electricity Used On the Property That Is Generated Onsite, a 1% Entitlement Increase Shall Be Granted.	10%	10%
S.4	<i>Recycling</i>	Recycling Receptacles provided for each use on the site building and large collection receptacle placed in the dumpster area of the site.	2%	2%
S.5	<i>Rainwater Reuse</i>	At least 75% of rain water from the roofs of structures is captured and recycled for landscape irrigation.	5%	5%

Table 2: Orange Avenue Overlay District Development Enhancement Menu – Infrastructure & Stormwater Category

Category Number	Enhancement	Description & Potential Bonus	Enhancement Achievement Maximums	Maximum FAR Increase
IS.1	<i>Stormwater Retention Beyond Code Minimum Requirements</i>	Each 1% of additional stormwater retention capacity, beyond what is required to accommodate development of a site, provided (that can feasibly receive off-site stormwater) shall earn a 1% entitlement bonus. The calculation shall be based on the retention required on the site to meet City and St. Johns requirements. Vaulting, Underground Storage or Raingarden Areas Shall Be Allowed.	Max 25% Entitlements Bonus	25%

Table 3: Orange Avenue Overlay District Development Enhancement Menu – Arts & Culture Category

Category Number	Enhancement	Description & Potential Bonus	Enhancement Achievement Maximums	Maximum FAR Increase
AC.1	<i>Public Art</i>	Each Public Art Installation Shall Earn 1% Entitlement Bonus	Max 5 Locations	5%
AC.2	<i>Gateway Feature</i>	Creation of signage, art or other type of gateway feature that welcomes people to Winter Park.	5%	5%
AC.3	<i>Space for Non-Profit Arts & Cultural Organizations</i>	For each 1,000 square feet of space that is built specifically and solely for non-profit arts and cultural facilities, a 1% entitlement bonus shall be granted. The space provided for these non-profit users shall not count towards the FAR of the site. The space shall only be rented to Arts & Cultural organizations with non-profit 501.C.3 status, in perpetuity. Parking shall also be provided and shared parking is encouraged. The rents charged shall not exceed 80% of the median rents charged for similar properties in the area. The rents shall not increase more than 3% per year.	Max 15% Entitlement Bonus	15%

Table 4: Orange Avenue Overlay District Development Enhancement Menu – Parking Category

Category Number	Enhancement	Description & Potential Bonus	Enhancement Achievement Maximums	Maximum FAR Increase
P.1	<i>Public Parking</i>	1% Entitlement Bonus for Each Shared Electric Vehicle On-Site.	Max 2 Vehicle Credit	2%
P.2	<i>Screening of Parking Structures</i>	Parking structures shall be screened at least 50% on all visible sides with green walls, living walls, murals (that do not include advertising of any type), shade trees or vegetative screening, or other screening treatments. This enhancement is in addition to the requirements for FAR exemption.	10%	10%

Table 5: Orange Avenue Overlay District Development Enhancement Menu – Miscellaneous Category

Category Number	Enhancement	Description & Potential Bonus	Enhancement Achievement Maximums	Maximum FAR Increase
M.1	<i>5G Small Cell Facilities Placed on Building</i>	Each 5G Small Cell Placement on Structure Earns 1% Entitlement Bonus	Max 5 Locations	5%
M.2	<i>Workforce Housing Provided</i>	Each Unit Provided at Orange County Affordable Housing Standards Shall Earn a 0.5% Entitlement Increase	Max 20 Units	10%

Table 6: Orange Avenue Overlay District Development Enhancement Menu – Meaningful Open Space Category

Category Number	Enhancement	Description & Potential Bonus	Enhancement Achievement Maximums	Maximum FAR Increase
OS.1	<i>Open Space Beyond Minimums</i>	Each 1/4 acre (10,890 square feet) of additional dedicated open space available to the public beyond the required minimum shall earn a 5% Entitlement Bonus, or 20% per acre	20%	20%
OS.2	<i>Shade Tree Planting</i>	Each 50-inches of Shade Tree Caliper Planted Onsite Beyond Minimum Requirements Shall Earn 1% Entitlement Bonus. Species Shall Be City Arborist Approved and Planted with Irrigation. A minimum 5" caliper tree shall be required.	Max 500-Inch Tree Caliper Bonus	10%
OS.3	<i>Tree Fund Donation</i>	Payment may be made into the City of Winter Park Tree Replacement Trust Fund, so that meaningful trees can be planted throughout the City to maintain and grow our tree canopy. For each donation of \$10,000 to the Tree Replacement Trust Fund, a 1% Entitlement Increase Shall Be Granted.	Maximum \$40,000 Donation	5%
OS.4	<i>Mead Garden Improvements</i>	Donation to Mead Botanical Garden Improvements/Restoration/Enhancements Shall Earn a 1% Entitlement Increase for Each \$10,000 Donation. The Funds Shall Only Be Used for Capital Improvements or Enhancements in Mead Botanical Garden	Max \$100,000.00 Donation	10%
OS.5	<i>Donation of Land for Parks</i>	For each 5,000 square feet of land donated to the City of Winter Park for park space (which is accepted by the City Commission as meaningful and useful park land), shall earn an additional 1% Entitlement Increase.	Maximum 20%	20%
OS.6	<i>Martin Luther King, Jr. Park Expansion</i>	Donation to the City of Winter Park, Park Acquisition Fund Shall Earn a 1% Entitlement Increase for Each \$10,000 Donation. Funds Shall Only Be Used for the Acquisition of Additional Park Land. The Funds Shall Only Be Used For the Acquisition of the Area Identified as Subarea "G" herein, to expand Martin Luther King, Jr. Park.	Max \$100,000.00 Donation	10%
OS.7	<i>Social Connection Amenities</i>	Provide amenities, that support community interaction and are open to the general public, creating third places:	Max Based on Type	—

Category Number	Enhancement	Description & Potential Bonus	Enhancement Achievement Maximums	Maximum FAR Increase
		Yard games (life-size chess/checkers, bocce ball, bean-bag toss, walking labyrinth)		3 earns 1%
		Multi-Generational Play Areas		3%
		Fountain/splash pad/water feature		3%
		Stage areas for music/art performance		2%
		Dedicated Standalone Public Restrooms (not a part of a business onsite)		2%
		Public seating/gathering spaces of significant size (street furniture, seating walls, outdoor furniture, fire pits)		2%

Table 7: Orange Avenue Overlay District Development Enhancement Menu – Connectivity & Transportation Category

Category Number	Enhancement	Description & Potential Bonus	Enhancement Achievement Maximums	Maximum FAR Increase
CT.1	<i>Rail-Trail Construction & Easement</i>	Option A - Provide Dedicated Utility & Public Access Easement of a Minimum of 20 feet and Construction of Rail-Trail with a 12-foot Trail Width, to match regional trail widths and 4-foot planting strip along each side within said 20 foot easement, earns 1% Entitlement Bonus for each 50 linear feet of trail, with decorative light pole (as selected by City of Winter Park to match other areas of town) & shade or understory tree of minimum 5" caliper (as selected by Urban Forestry) with irrigation for every 50 feet of railroad frontage. The trail and easement shall connect from the property line where the rail enters, to the property line where the rail exits. The trail shall be designed to align with existing or future trail locations and the design of the trail shall be determined on the site plan when a project is submitted for consideration	Max 20%	20%
		Option B - Provide Dedicated Utility & Public Access Easement of a Minimum of 23 feet and Construction of Rail-Trail with a 15-foot Trail Width to meet and exceed regional trail widths and 4-foot planting strip along each side within said 23 foot easement, earns 1% Entitlement Bonus, with decorative light pole (as selected by City of Winter Park to match other areas of town) & shade or understory tree (as selected by Urban Forestry) for every 50 feet of railroad frontage. The trail and easement shall connect from the property line where the rail enters, to the property line where the rail exits. The trail shall be designed to align with existing or future trail locations and the design of the trail shall be determined on the site plan when a project is submitted for consideration	Max 25%	25%

Category Number	Enhancement	Description & Potential Bonus	Enhancement Achievement Maximums	Maximum FAR Increase
CT.2	<i>Off-Site Trails</i>	Donation to the Construction of Bike/Pedestrian Trails. Due to the unique circumstances and properties in each area, every section of future trail will have challenges and opportunities. Because no two areas are the same, it is preferable to have developers pay into a trails fund, with design and installation provided by the City. Each \$10,000 donation shall earn a 1% entitlement bonus.	Max \$100,000 donation	10%
CT.3	<i>Denning Drive Mobility Extension</i>	Complete Extension of Denning Drive from Orange Ave to Mead Botanical Garden, Minimum 12' Wide Multi-Use Paved Path with Decorative Lighting, and Shade Tree in Grate with Irrigation Every 50 feet, with Required ADA Crossings & Signage on E side of Denning Drive	25%	25%
CT.4	<i>Rideshare Dedicated Curb</i>	Each 24 feet of marked and dedicated rideshare curb in front of the building shall earn a 0.5% Entitlement Bonus	2 Dedicated Spaces	1%
CT.5	<i>Bicycle/Pedestrian Repair Facilities & Rest Areas</i>	Provide bicycle/pedestrian amenities that are available to the community near any Bike Trail facility. One of each of these facilities shall be allowed to locate in one or more of the following locations: Rail Trail area as defined in this chapter, In Martin Luther King, Jr. Park along a bike trail, Along the new Bike Path connecting to Mead Botanical Garden, or along the Denning Drive bicycle facilities. Each location shall require the following elements under a covered roof or shade area: Bicycle Fix-It Stations with bike lift, air pump and tools; water fountain and water bottle filling; bike rack; trash and recycling receptacles; and a bench.	2% per location, Max 3 locations per development. Can be located off-site	6%
CT.6	<i>Covered Transit Stops</i>	Bench, Trash Receptacle, Recycling Receptacle and Covered Area Provided for Transit Users at a Stop on a Bus Route	1%	1%
CT.7	<i>Land Donation for Transportation Improvements</i>	Each 100 square feet of land dedicated to the City of Winter Park or FDOT as right-of-way for needed transportation improvements, shall earn a 1% Entitlement Bonus	Max 25%	25%



EXECUTIVE SUMMARY

This process has been a transformative way of creating a community-based planning process. This Overlay District was created as a result of the Comprehensive Plan calling for a new way of exploring the creation of Mixed-Use Overlay Districts. This process was not driven by developers or in response to any sort of planned development, instead it was based on the input of the Community and through the guidance of a Steering Committee that spent six months exploring the problems that have led to the economic stagnation of the Orange Avenue Overlay District. The findings and recommendations from the Committee were based on solutions to problems that have hurt small businesses in the area for many years. Additionally, the Committee used the Vision Winter Park Plan, the Sustainability Plan and the Comprehensive Plan to create a new way of looking at development in Winter Park and allowing for development bonuses to be earned, rather than simply given through rezoning or variance. City staff and the Winter Park community worked together to create the vision for Orange Avenue. A vision that kept traditional scale, created a more walkable district, created safety for all modes of transportation, assisted small businesses, found creative solutions to area-wide issues, ensured high-quality development, created more open space and brought connectivity to the area. The end result of this process will be the creation of the next great Place in Winter Park, one the community will be proud to call their own.

**FINAL DRAFT AMENDING THE COMPREHENSIVE PLAN
1.8.2020**

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF WINTER PARK,
FLORIDA, AMENDING CHAPTER 58 "LAND
DEVELOPMENT CODE" ARTICLE I, "COMPREHENSIVE
PLAN" SO AS TO ADOPT NEW GOALS, OBJECTIVES
AND POLICIES OF THE FUTURE LAND USE ELEMENT
TO ESTABLISH THE ORANGE AVENUE OVERLAY
DISTRICT; PROVIDING FOR CONFLICTS;
SEVERABILITY AND AN EFFECTIVE DATE.**

WHEREAS, an eleven (11) member Orange Avenue Overlay Steering Committee was formed by City Commission Resolution, held twelve (12) advertised public meetings, and oversaw the language creating the Orange Avenue Overlay District and voted to recommend approval of the language to the Planning & Zoning Board and City Commission; and

WHEREAS, the Winter Park Planning and Zoning Board, acting as the designated Local Planning Agency, has reviewed and voted unanimously to recommend adoption of these proposed amendments to the Zoning Regulations portion of the Land Development Code, having held a public hearing, which was noticed to every property Citywide, on December 3, 2019; and

WHEREAS, the Winter Park City Commission has reviewed the proposed Comprehensive Plan amendment and held an advertised public hearing, which was noticed to every property Citywide, on January 13, 2020 and will have a second advertised public hearing after review and compliance with any requested changes by required State Agencies, and provided for public participation in the process in accordance with the requirements of State law and the Comprehensive Plan; and

WHEREAS, the City Commission hereby finds that this Ordinance serves a legitimate government purpose and is in the best interests of the public health, safety, and welfare of the citizens of Winter Park, Florida.

NOW, THEREFORE, BE IT ENACTED BY THE CITY OF WINTER PARK, FLORIDA:

SECTION 1. Amendment. That Chapter 58 "Land Development Code", Article I "Comprehensive Plan" is hereby amended by adding to the Goals, Objectives and Policies in the Future Land Use Element to read as follows:

GOAL 1-8: Establishment of the Orange Avenue Overlay District. The City shall establish the Orange Avenue Overlay District in order to implement specific purposes, intents, and design standards, which shall be applied as additional standards to other regulations required by the City to an area defined as the Orange Avenue Overlay District.

**FINAL DRAFT AMENDING THE COMPREHENSIVE PLAN
1.8.2020**

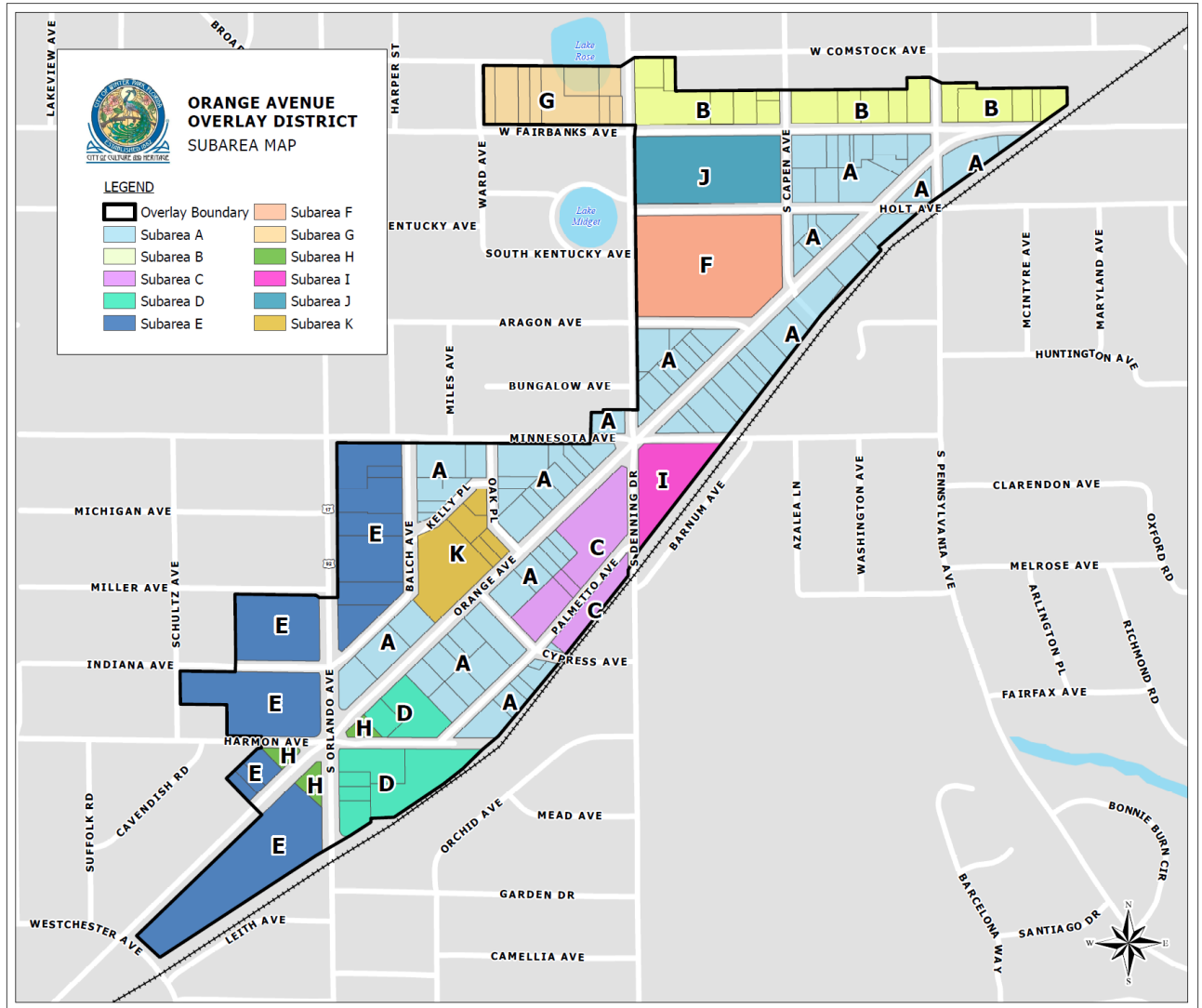
OBJECTIVE 1-8.1: Orange Avenue Overlay District. The boundaries of the Orange Avenue Overlay District are identified in FLUM-1-24 and the Policies regarding this Overlay District shall be established as defined herein.



Policy 1-8.1.1: Conflicts and Inconsistencies. Where any Policies within this Comprehensive Plan, including any Planning Area Policies, are found to be in conflict with the Policies set forth for the Orange Avenue Overlay District, the following Policies found herein shall apply and shall supersede any language found to be in conflict.

Policy 1-8.1.2: Orange Avenue Overlay District Subareas. The Orange Avenue Overlay District Subarea Map, FLUM-1-25, shall delineate the different subareas and their specific development standards. Changes to the subarea map shall be allowed. Each area has unique characteristics, issues and opportunities. The maximum FAR,

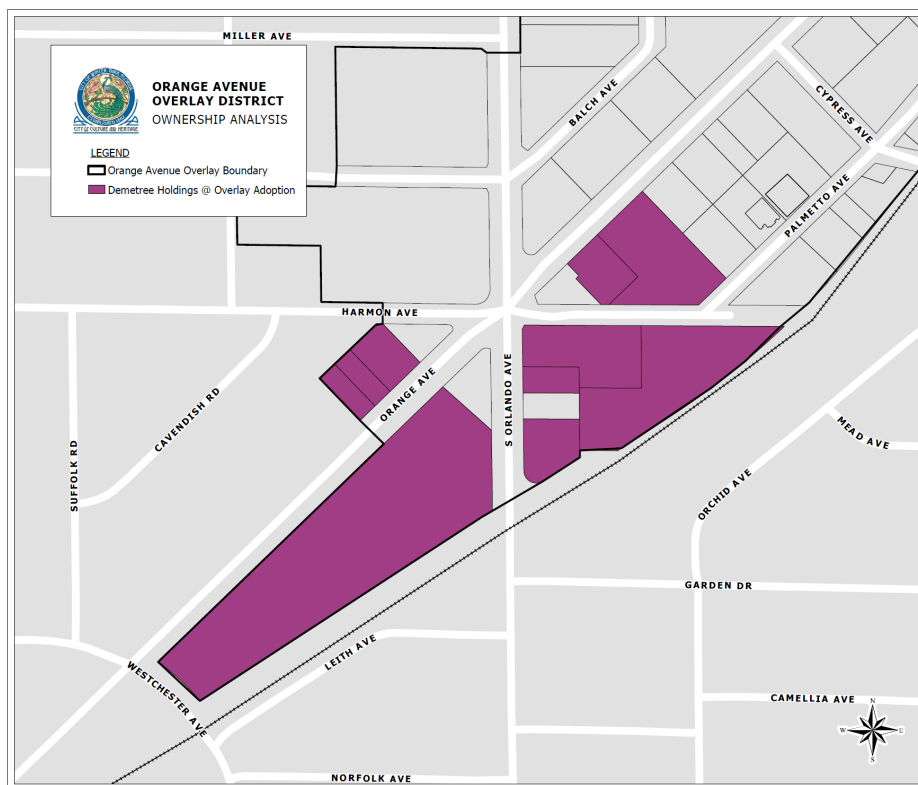
height and residential densities for each subarea are defined below. A percentage-based upgrade system for properties within the Orange Avenue Overlay District to earn additional development entitlements (FAR) to be able to get to their maximum achievable FAR by providing certain public improvements and area-wide solutions is outlined in the Land Development Code.



- (1) Subarea A.
 - a. Maximum Achievable Floor Area Ratio: 65%
 - b. Maximum Height: 2 Stories for any properties abutting Orange Avenue, and 3 stories for all other properties within the subarea.
 - c. Maximum Residential Density: 17 units per acre
- (2) Subarea B.
 - a. Maximum Achievable Floor Area Ratio: 60%
 - b. Maximum Height: 3 Stories
 - c. Maximum Residential Density: 17 units per acre

- (3) Subarea C.
 - a. Maximum Achievable Floor Area Ratio: 125%
 - b. Maximum Height: 4 Stories
 - c. Maximum Residential Density: 17 units per acre
- (4) Subarea D.
 - a. Maximum Achievable Floor Area Ratio: 200%
 - b. Maximum Height: 7 Stories
 - c. Maximum Residential Density: 17 units per acre
- (5) Subarea E.
 - a. Maximum Achievable Floor Area Ratio: 80%
 - b. Maximum Height: 4 Stories
 - c. Maximum Residential Density: 17 units per acre
- (6) Subarea F.
 - a. Maximum Achievable Floor Area Ratio: 20%
 - b. Maximum Height: 2 Stories
 - c. Maximum Residential Density: Residential uses shall not be permitted.
- (7) Subarea G.
 - a. Maximum Achievable Floor Area Ratio: 45%
 - b. Maximum Height: 3 stories
 - c. Maximum Residential Density: 17 units per acre
- (8) Subarea H.
 - a. Maximum Achievable Floor Area Ratio: 0%
 - b. Maximum Height: N/A
 - c. Maximum Residential Density: Residential uses shall not be permitted.
- (9) Subarea I.
 - a. Maximum Achievable Floor Area Ratio: 125%
 - b. Maximum Height: 3 Stories
 - c. Maximum Residential Density: 17 units per acre
- (10) Subarea J.
 - a. Maximum Achievable Floor Area Ratio: 200%
 - b. Maximum Height: 5 Stories
 - c. Maximum Residential Density: 17 units per acre
- (11) Subarea K.
 - a. Maximum Achievable Floor Area Ratio: 80%
 - b. Maximum Height: 3 Stories
 - c. Maximum Residential Density: 17 units per acre

Policy 1-8.1.3: Subarea D Residential Density Transfers. At the time of the adoption of this OAO, the owner of properties within Subarea D or vacated rights-of-way within Subarea D, shall be allowed to transfer the existing residential density entitlements, based on the maximum units per acre of the underlying zoning, from other properties within the OAO that are under common ownership on the date of the first reading of the Ordinance, as reflected on the map below to this Subarea D, though not the square footage. Once the residential density entitlements are transferred from such other commonly-owned properties, no residential units can be constructed on the property from which the density transfers occurs, and the documents to be recorded in the Orange County Public Records memorializing this restriction shall be reviewed and approved by the City and thereafter recorded. No properties, other nodes of intensity, allowing for residential uses, which are key to the successful creation of mixed-use districts and create development that can fund the needed parking and regional stormwater areas in the district. By clustering the intensity, there will be a reduction in overall massing and building heights throughout the OAO. Density Transfer shall only allow the transfer of currently entitled units into the defined Subarea D. This language shall not allow transfer of units into other Subareas. The map below depicts the properties within this Subarea D that qualify for this density transfer.



Policy 1-8.1.4: Subarea J Residential Density Transfers. At the time of the adoption of this OAO, the owner of the Subarea J property shall be allowed to transfer the existing residential density entitlements, based on the maximum units per acre of the underlying zoning, from properties within the OAO that are under common ownership on the date of the first reading of the Ordinance, as reflected on the below map to this Subarea J. Once the residential density entitlements are transferred from other commonly-owned properties, no residential units can be constructed on the site from which the density transfers occur and documents to be recorded in the Orange County Public Records memorializing this restriction shall be reviewed and approved by the City and thereafter recorded. No properties, other than those shown on the below map owned by Holler Holdings or a subsidiary, shall be eligible for density transfer. The intent is to create nodes of intensity and create development that can fund the needed parking and regional stormwater areas in the district. By clustering the intensity, there will be a reduction in overall massing and building heights throughout the OAO. The map below depicts the properties within this Subarea J that qualify for this density transfer.



Policy 1-8.1.5: Meaningful Open Space Requirements. It is the intent of the OAO to ensure that the development and enhancement of properties includes the creation of meaningful, useable, accessible, green and beautiful open space that invites the public to relax, interact, recreate, unwind and stimulate social connection. Where properties are planned for redevelopment, meaningful open space and the design of structures around these open spaces is the most important consideration. At a minimum, each property 1.5 acres in size and above, or any project covering

1.5 acres, that is redeveloped shall provide at least 25% meaningful open space, which is open to and available to the public. At least 50% of open-space areas provided shall be greenspace. Pervious areas such as retention ponds, parking lot islands or landscape planting areas around building bases shall not be counted as open space. Existing park space shall not count towards open space requirements. Open space shall be areas that are open and inviting to the public. Open space can include green areas, hardscape areas, semi-pervious areas, balcony or roof areas that are open to the public and other similar-type spaces. At least 90% of the open space shall be provided at ground level. The intent is that each of these areas create the opportunity for social interaction, relaxation, recreation and reflection.

Policy 1-8.1.6: Floor Area Ratio for Parking Structures. Parking structures shall not count towards the floor area ratio (FAR) for any project/property within the Orange Avenue Overlay District, provided that the conditions listed within the Land Development Code are met for each structure. Parking structures that do not provide the requirements listed in the Land Development Code shall not be exempt from FAR calculations.

Policy 1-8.1.7: Variances and Special Exceptions. No variances to maximum number of stories, maximum allowable Floor Area Ratio, allowed uses, required open space or maximum residential density shall be granted. Variances to other development standards shall be considered, with sufficient showing of reasoning and hardship, as outlined in Section 58-92.

Policy 1-8.1.8: Existing Single-Family Residential Uses. The OAO shall not apply to existing single-family residential uses, neighborhoods, or residential developments. Protections of existing single-family residential uses shall be implemented. Properties currently used as single-family residential shall continue to be subject only to current Land Development Code standards and protection. Any change of use on the property shall require compliance with OAO standards.

SECTION 2. Vesting. In order to not adversely affect development projects that may be in process and for which expenditures have been made in reliance upon the existing code provisions, the City will allow certain developments to be subject to the underlying zoning of the property prior to the adoption of this Ordinance provided such development's site and building floor plans have been received and approved by the City prior to the effective date of this Ordinance. However, for any development project that received a conditional use approval from the City Commission prior to the effective date of this Ordinance, the expiration of that conditional use approval per Section 58-90 shall apply.

SECTION 3. Severability. If any Section or portion of a Section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Ordinance.

SECTION 4. Conflicts. To the extent any provision or provisions of this Ordinance conflict with the provision or provisions of other Ordinances, the provisions of this Ordinance control.

SECTION 5. Codification. Section 1 of this Ordinance shall be codified and made a part of the City of Winter Park Comprehensive Plan, and the sections of this Ordinance may be renumbered or re-lettered to accomplish this intention. The word "Ordinance" may be changed to "Section," "Article," or other appropriate word. The City Clerk is given liberal authority to ensure proper codification of this Ordinance, including the right to correct scrivener's errors.

SECTION 6. Effective Date. The Comprehensive Plan amendments provided for under this Ordinance and this Ordinance do not become effective until 31 days after adoption of this Ordinance. If timely challenged, this Ordinance and the comprehensive plan amendments may not become effective until the State Land Planning Agency or the Administration Commission enters a final order determining that the adopted amendments are in compliance.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this _____ day of _____, 2020.

Mayor Steve Leary

Attest:

City Clerk

FINAL DRAFT – CLEAN VERSION

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" SO AS TO ADOPT A NEW ZONING DISTRICT SECTION 58-83 OVERLAY DISTRICT (OD); PROVIDING FOR CONFLICTS; SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, an eleven (11) member Orange Avenue Overlay Steering Committee was formed by City Commission Resolution and held twelve (12) advertised public meetings with public comment available, and oversaw the language creating the Orange Avenue Overlay District and voted to recommend approval of the language to the Planning & Zoning Board and City Commission; and

WHEREAS, the Winter Park Planning and Zoning Board, acting as the designated Local Planning Agency, has reviewed and recommended adoption of proposed amendments to the Zoning Regulations portion of the Land Development Code having held an advertised public hearing on December 3, 2019, and has recommended approval of this Ordinance to the City Commission; and

WHEREAS, the City Commission of the City of Winter Park held a duly noticed public hearing on this Ordinance set forth hereunder and considered findings and advice of staff, citizens, the Orange Avenue Overlay Steering Committee, the Planning & Zoning Board and all interested parties submitting written and oral comments and supporting data and analysis, and after complete deliberation, hereby finds the requested change consistent with the City of Winter Park Comprehensive Plan and that sufficient, competent, and substantial evidence supports the Land Development Code changes set forth hereunder; and

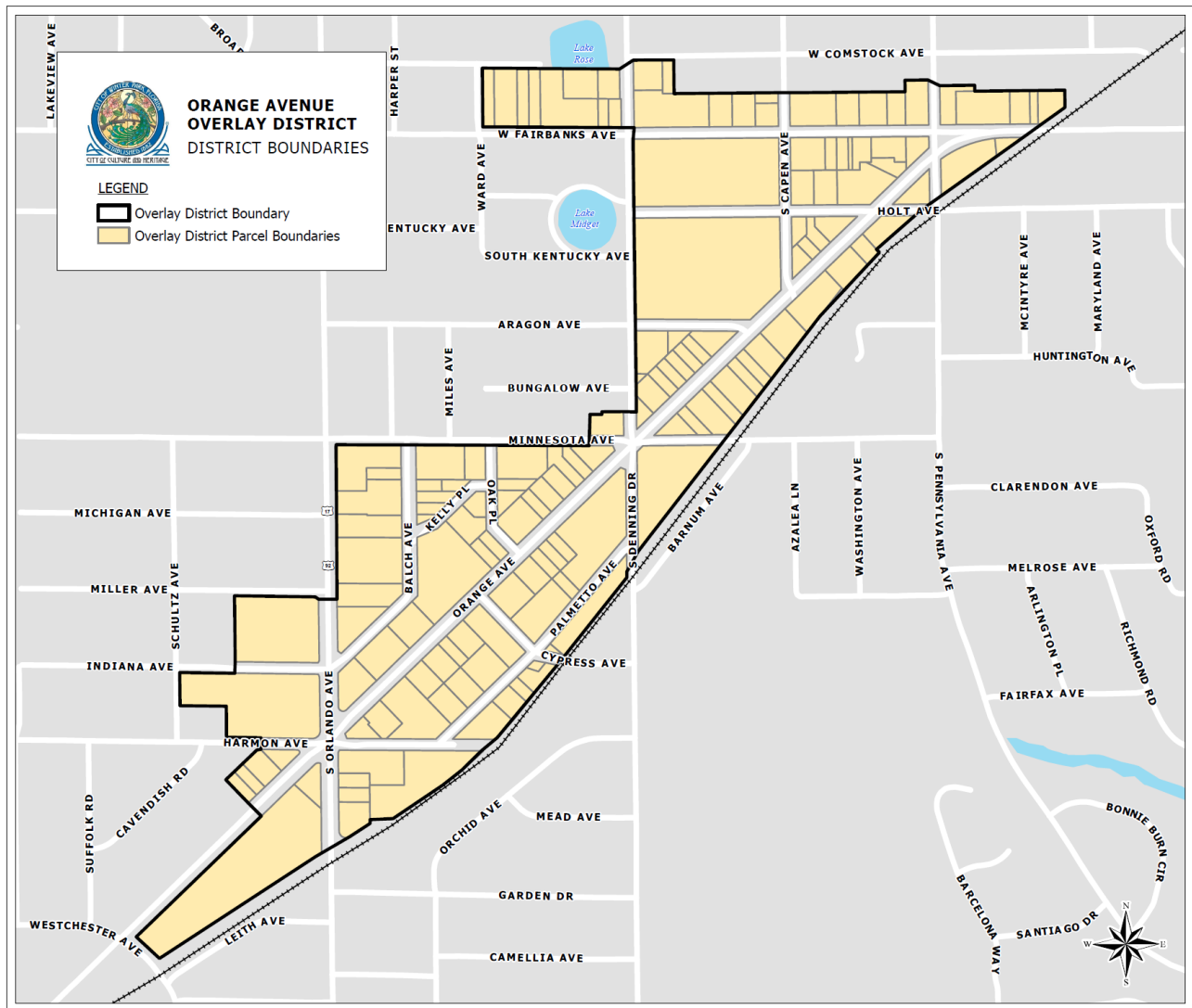
WHEREAS, the City Commission hereby finds that this Ordinance serves a legitimate government purpose and is in the best interests of the public health, safety, and welfare of the citizens of Winter Park, Florida.

NOW, THEREFORE, BE IT ENACTED BY THE CITY OF WINTER PARK, FLORIDA:

SECTION 1. Amendment. That Chapter 58 "Land Development Code", Article III "Zoning" of the Code of Ordinances is hereby amended and modified by adopting Section 58-83 Overlay Districts (OD), as follows:

- (1) *Establishment of Overlay Districts.* The Winter Park City Commission may adopt overlay districts as needed in order to implement specific purposes, intents, and design standards based upon the adopted Land Use Master Plan for the area being regulated, which shall be applied as additional standards to other regulations required by the City. Such overlay districts shall be made a part of this section of the Land Development Code. Upon adoption, the boundaries of such overlay districts shall be shown on the Winter Park Zoning Map.

- (2) *Applicability.*
- (a) All projects located within overlay districts shall adhere to the requirements of the Land Development Code, except to the extent provisions of the adopted overlay district replace, supersede, or provide different requirements.
 - (b) Where any Section or provisions of an overlay district adopted into the Land Development Code are found to be in conflict with or which overlay district Sections or provisions replace, supersede, or override other Sections or provisions of the Land Development Code, the relevant Sections and provisions in the adopted overlay district shall apply and control. Any overlay district acts as an additional layer of zoning over the base zoning district.
- (3) *Overlay Districts.* The provisions and regulations for any Overlay District within the City of Winter Park are outlined below.
- (1) *Orange Avenue Overlay District.* It is the intent of the Orange Avenue Overlay District ("OAO") to provide enhanced standards to protect and promote the unique characteristics of the Orange Avenue area and create a distinct gateway into Winter Park. This OAO is used to create a sense of place established through specific architectural styles, streetscape design, open space areas, setbacks, site design, landscaping and other regulatory controls. The following provisions and regulations apply to all properties located within the OAO unless expressly provided otherwise.
 - a. *Location and boundaries.* The OAO boundaries are identified on the following map. The provisions and regulations found herein shall only apply to the properties located within this defined area. Each parcel of property within the OAO is identified by tax parcel identification number on the attached Exhibit "A", and each Parcel, in addition to retaining its underlying zoning classification (as modified by these OAO regulations and provisions), shall reflect on "OAO" designation on the City's zoning map.



b. Purpose.

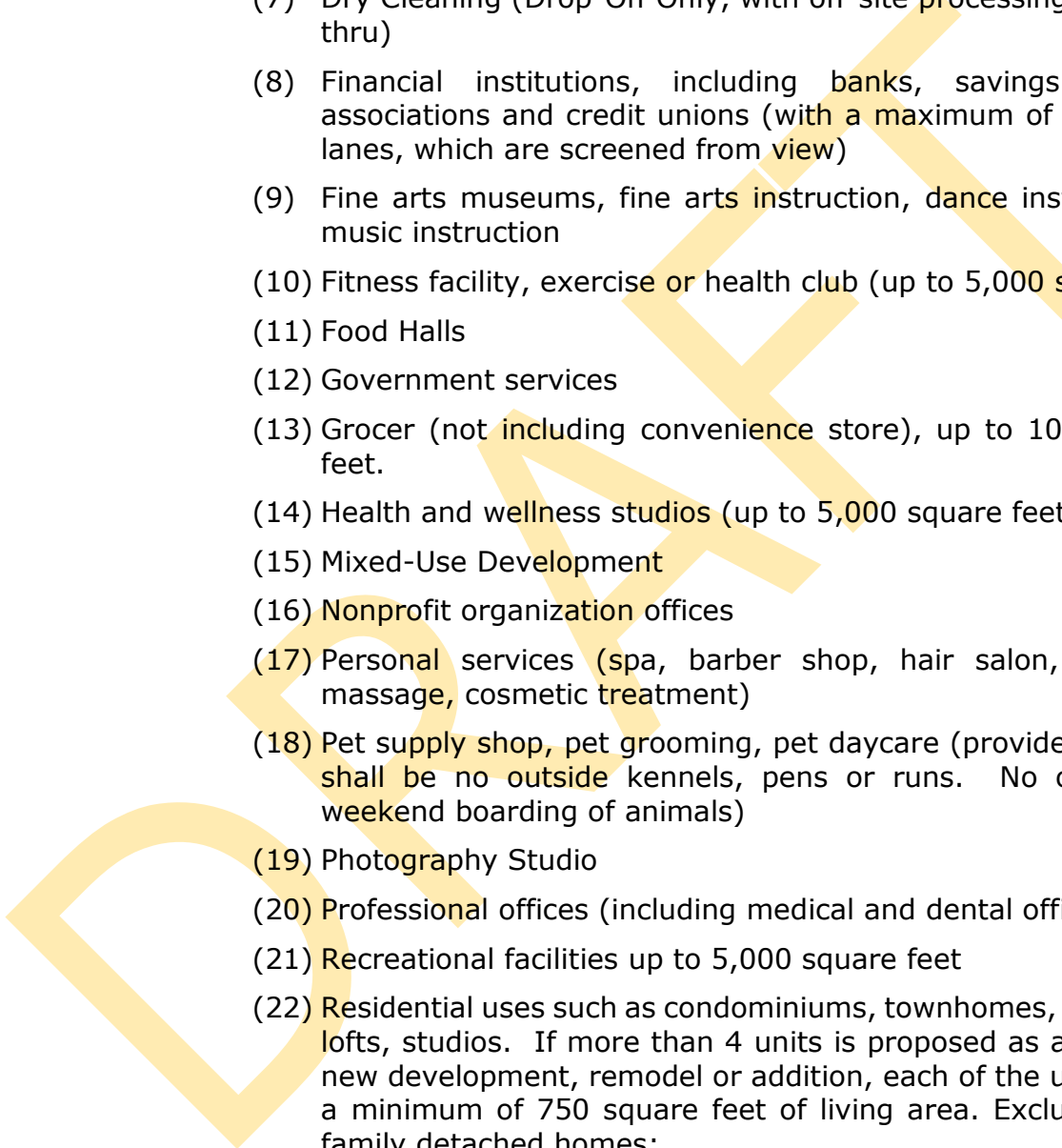
- (1) Encourage sustainable development, redevelopment, and adaptive reuse that will become a long-term asset to Winter Park;
- (2) Create and enhance connectivity to the surrounding neighborhoods and promote connectivity to all of Winter Park;
- (3) Utilize and incentivize private development and/or redevelopment to create solutions for the existing problems that small properties and business-owners in the Orange Avenue area face;
- (4) Create public improvements that will benefit all residents and visitors of Winter Park;
- (5) Provide the opportunity for existing businesses and properties to improve their structures, their businesses and their building facades;
- (6) Restrict uses and create regulations that promote the development of the Orange Avenue area as a special place within

Winter Park that promotes an environment of arts, healthy-living, cuisine, culture, heritage, social interaction, healthcare, local business, education, connectivity and community;

- (7) Create better connectivity to and the promotion of Mead Botanical Garden;
- (8) Meet the goals of the Community Redevelopment Agency (CRA) in the areas of the OAO that fall within the CRA boundary;
- (9) Protect and encourage development of an area that represents a significant opportunity for public and private investment, which is important to the long-term economic health of Winter Park;
- (10) Establish regulations that protect the investment of existing and new businesses from unattractive, unsustainable and non-compatible uses;
- (11) Ensure the area is visually pleasing and creates place that encourages community and is developed in a coordinated fashion;
- (12) Follow the principles of the Vision Winter Park, Comprehensive Plan and Sustainability Plan documents;
- (13) Encourage mixed-use development;
- (14) Give special attention to landscaping, architectural detail, meaningful open space, buffering, signage, lighting, and building setbacks;
- (15) Encourage architectural creativity, quality and variation to create a unique district with its own identity;
- (16) Promote the history of Winter Park and the Orange Avenue area, including the area known as Designers Row;
- (17) Keep the traditional scale within the OAO;
- (18) Create an Arts & Cultural Corridor;
- (19) Protect and promote Historic architecture, where it exists in the area; and
- (20) Attract new businesses, retain small businesses and encourage locally-owned businesses in the Orange Avenue area.
- (21) Explore the implementation of a Transportation Impact Fee for new development in the OAO to fund the transportation infrastructure that are needed to address the existing and new transportation issues in the area.

c. *Permitted Uses.* Any use not listed specifically as an allowed use herein shall be deemed to be prohibited in the OAO. The following uses shall be allowed by-right on any property within the OAO, unless otherwise specified within the subarea policies:

- (1) Antique Stores

- 
- (2) Bars, taverns, cocktail lounges (with or without food sales)
 - (3) Blueprinting, photocopying and printing offices
 - (4) Boutique Hotel
 - (5) Breweries/distilleries
 - (6) Corner market, corner store (up to 5,000 square feet and excluding convenience store)
 - (7) Dry Cleaning (Drop-Off Only, with off-site processing & no drive-thru)
 - (8) Financial institutions, including banks, savings and loan associations and credit unions (with a maximum of 2 drive-thru lanes, which are screened from view)
 - (9) Fine arts museums, fine arts instruction, dance instruction and music instruction
 - (10) Fitness facility, exercise or health club (up to 5,000 square feet)
 - (11) Food Halls
 - (12) Government services
 - (13) Grocer (not including convenience store), up to 10,000 square feet.
 - (14) Health and wellness studios (up to 5,000 square feet)
 - (15) Mixed-Use Development
 - (16) Nonprofit organization offices
 - (17) Personal services (spa, barber shop, hair salon, nail salon, massage, cosmetic treatment)
 - (18) Pet supply shop, pet grooming, pet daycare (provided that there shall be no outside kennels, pens or runs. No overnight or weekend boarding of animals)
 - (19) Photography Studio
 - (20) Professional offices (including medical and dental offices)
 - (21) Recreational facilities up to 5,000 square feet
 - (22) Residential uses such as condominiums, townhomes, apartments, lofts, studios. If more than 4 units is proposed as a part of any new development, remodel or addition, each of the units shall be a minimum of 750 square feet of living area. Excluding single-family detached homes;
 - (23) Restaurants/Fast-Casual Dining/Fine-Dining
 - (24) Retail businesses involving the sale of merchandise on the premises within enclosed buildings and excluding resale establishments or pawn shops (other than clothing resale stores), a maximum size of 10,000 square feet.
 - (25) Theater

(26) Uses customarily incidental and accessory to the permitted uses, including the repair of goods of the types sold in stores are permitted. Such repair must be carried on within a completely enclosed building, may not be carried on as a separate business, and provided further that there shall be no manufacturing, assembling, compounding, processing or treatment of products other than that which is clearly incidental and essential to the permitted uses.

d. *Conditional Uses.* The following uses shall be allowed only with approval of a Conditional Use on any property within the OAO, unless otherwise specified within subarea policies:

- (1) Fitness facility, exercise or health club over 5,000 square feet, but less than 10,000 square feet
- (2) Recreational facilities over 5,000 square feet, but less than 10,000 square feet
- (3) Buildings or retail uses over 10,000 square feet in size.

e. *Prohibited Uses.* Without limiting the uses that are prohibited in the OAO, the following uses shall be prohibited in the OAO:

- (1) Adult-oriented businesses
- (2) Automotive-related businesses (i.e. auto sales, auto repair, auto rental, body shops, auto wash, auto audio, auto glass, auto tinting, auto parts sales)
- (3) Dry-cleaning (including drop-off only)
- (4) Fast food (with or without drive-thru)
- (5) Gas stations/convenience stores
- (6) Liquor stores
- (7) Pawn shops/check cashing
- (8) Tattoo parlors
- (9) Vape/smoke shops
- (10) Pain Management Clinics
- (11) Medical Marijuana Dispensaries, Processing, Growing, etc
- (12) Billboards

f. *Non-Conforming Uses.* Existing but non-conforming properties uses and properties, which existed as of the date the OAO became effective, shall be allowed to continue in the same manner after the adoption of the OAO. However, such nonconforming uses and properties shall be subject to the provisions of this OAO when any of the conditions below occur. When any change as identified below occurs and the property owner seeks to continue the non-conforming use or non-conforming property, the owner must demonstrate that continuing such non-conformity is no more intensive or incompatible with the OAO

requirements than what existed prior to the change and the change shall not significantly impair the safe and efficient flow of traffic within the subject area. The Planning Director or Building Official or their designee may require the property owner to provide a site-specific traffic study to determine the potential impacts of the proposed changes as part of the site development plan.

- (1) The principle use on the property is discontinued for a period of three (3) calendar months;
- (2) The structure is destroyed or significantly altered by sixty (60) percent or greater; or
- (3) Enlargements of any existing non-conforming structures and/or uses are made to the property that increases the gross square footage.

g. Single-Family Residential Uses within the Overlay District. The OAO shall not apply to existing single-family residential uses, neighborhoods, or residential developments. Protections of existing single-family residential uses shall be implemented. Properties currently used as single-family residential shall continue to be subject only to current Land Development Code standards and protection. Any change of use on the property shall require compliance with OAO standards.

h. Landscaping Requirements. Development and or redevelopment in the OAO shall comply with all landscaping requirements of other provisions of the Land Development Code and future corridor landscape plans, unless specifically addressed within the OAO. The opportunity to add additional trees and the requirement of meaningful open space is addressed in later sections of this OAO.

i. Architectural Standards.

- (1) *Building Height.* To allow for flexibility in design, but preserving development standards that will reduce building massing. Buildings shall be measured in stories. Only floors visible on the exterior of the building shall be counted towards building height (ex. A 4-story building wraps around a 5-story interior parking garage, only the 4 stories would count as they are the only part visible).

The first floor of any building shall be allowed to be a maximum of 20 feet in height. Mezzanine, balcony or loft levels shall be allowed within the first story, as long as they do not cover more than 30% of the first-floor area and stay within the maximum 20-foot first floor height area. Mezzanines, balconies or lofts shall not be allowed above the first floor. Each floor above the first floor shall have a maximum height of 13 feet. Buildings shall be allowed to transfer unused floor heights to other floors, as long as the maximum cumulative height is not exceeded.

For multi-story buildings over two stories in height, there shall be terracing and/or additional setbacks to accomplish vertical articulation is mandated to create relief to the overall massing of the building facades, as discussed later in this chapter.

(2) *Setbacks/Stepbacks*

For any building over two stories in height that is located along Orlando Avenue or Fairbanks Avenue that is built up to the allowable building line (established by setback or sidewalk requirement), each additional floor shall be setback a minimum of ten (10) feet, or shall be within the allowable envelope as depicted in the figures below:

Figure 1 – Allowable Building Envelope Cross-Section:

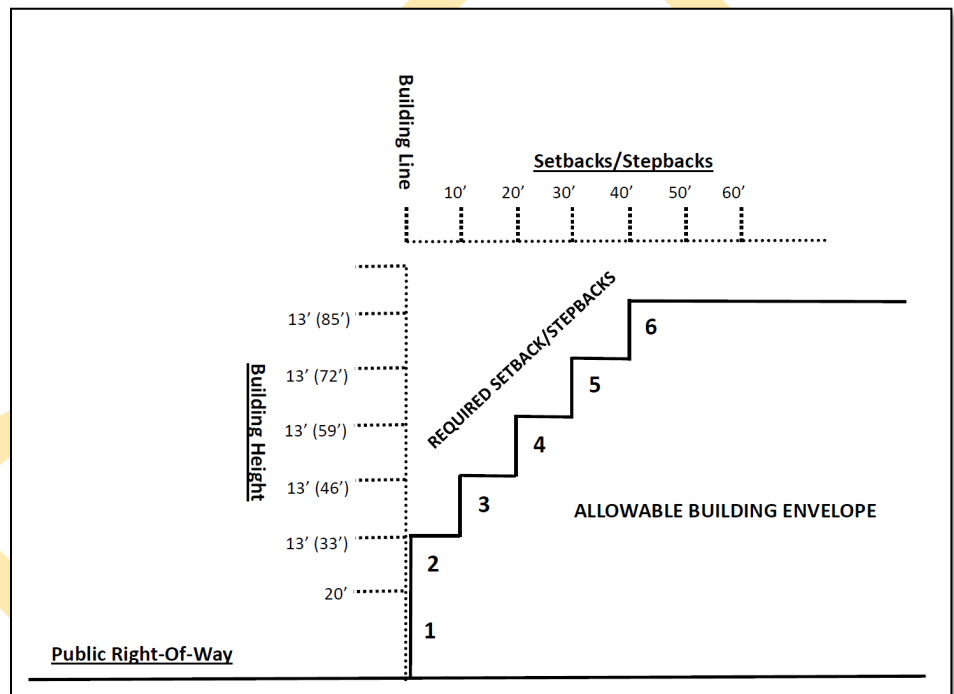


Figure 2 – Four Story Building Example:

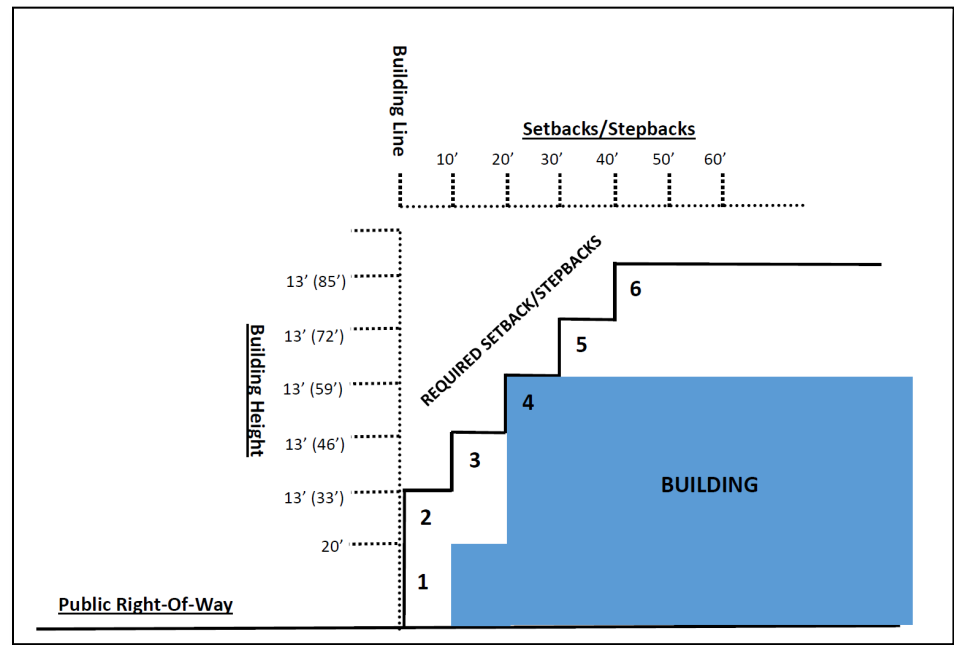


Figure 3 – Five Story Building Example:

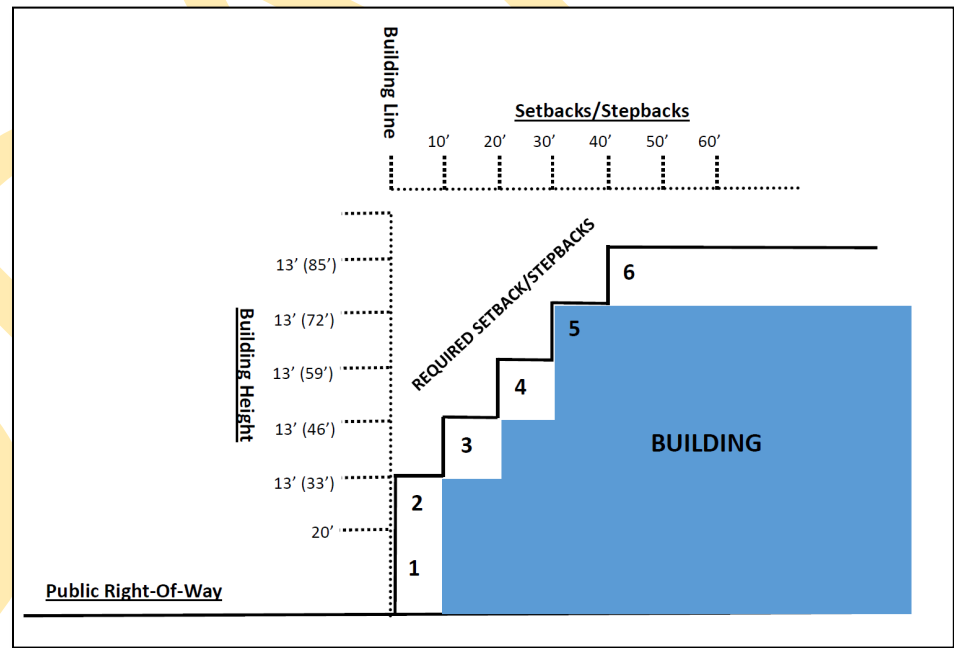
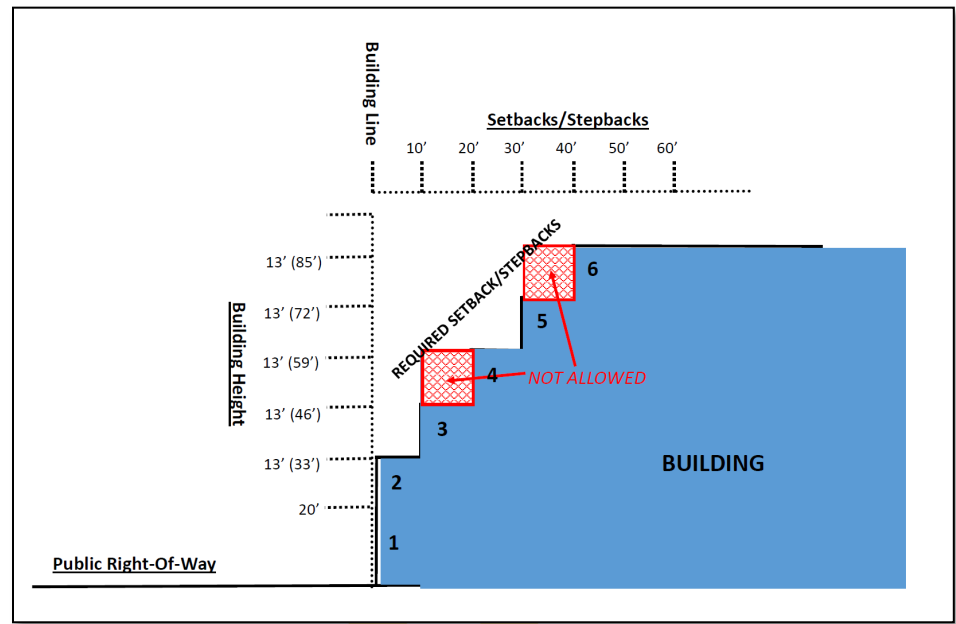


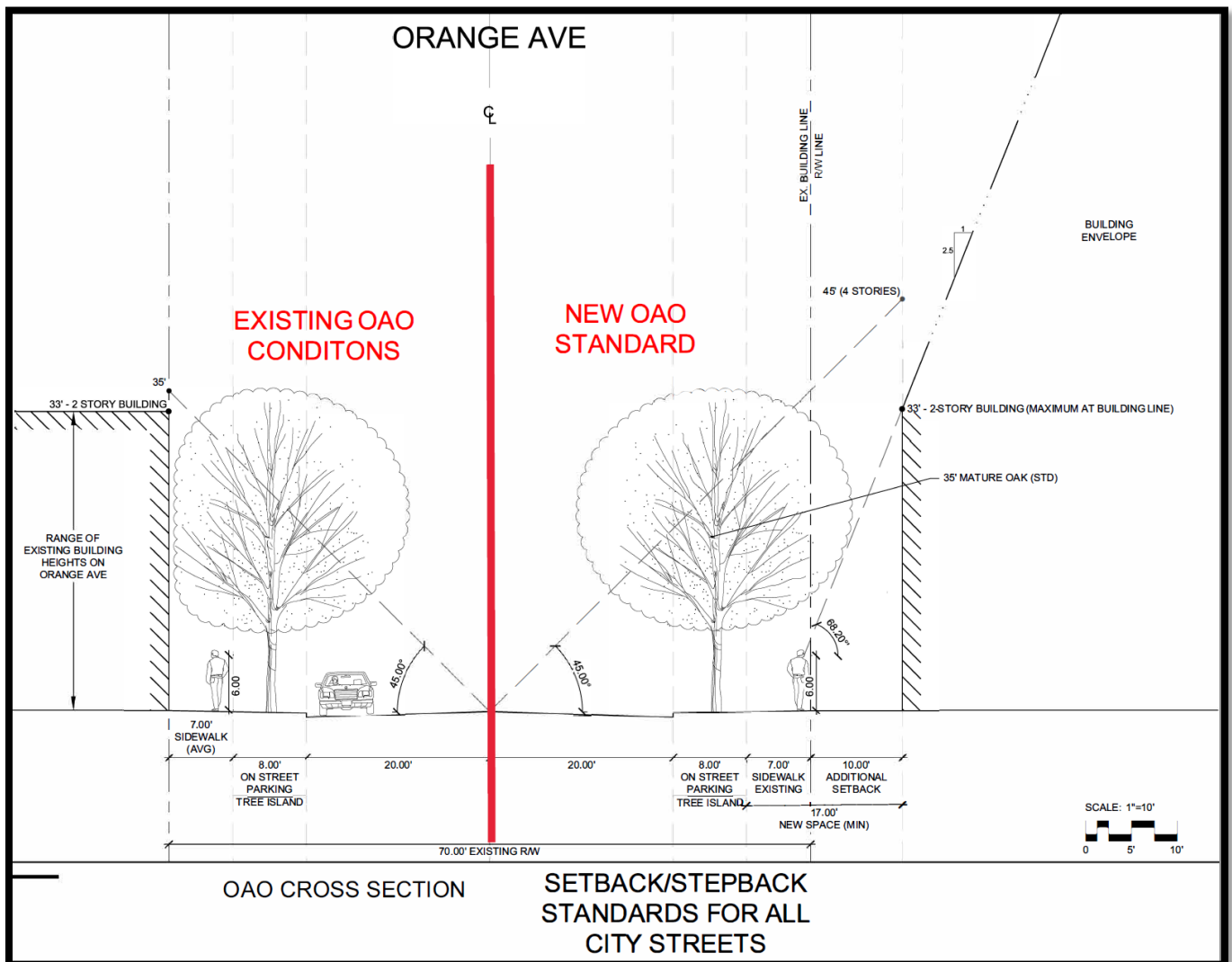
Figure 4 – Prohibited Building Example:



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For all properties not fronting on Orlando Ave or Fairbanks Avenue, the following cross-section shall depict the setback/stepback requirements:

Figure 5 – Typical Cross-Section for City Streets (All Streets Except Fairbanks Ave or Orlando Ave):



If a building is constructed within the allowable building envelope as depicted above, the first floor shall always be defined and articulated as addressed later in the OAO. Additionally, the building shall not exceed more than three stories of vertical wall without a setback/stepback, cornice, balcony or other major façade breakup, which shall create visual and massing relief. All walls shall provide some sort of articulation, material or color change, window, balcony, terrace or other visual breakup of the building façade at least every 50 feet, both vertically and horizontally.

Each subarea of the OAO may define additional required setbacks for that area that may differ from what is defined in this section. The defined building envelope depicted above shall be maintained, regardless of any setbacks.

All setbacks and/or stepbacks must provide space for the healthy development of shade tree crowns. The City Arborist shall review species selection to ensure compliance.

Building setbacks/stepbacks as defined herein shall not be required for properties abutting the railroad right-of-way. However, these rear facades shall provide some sort of articulation, material or color change, window, entryway or other breakup of the building façade at least every 50 feet, both vertically and horizontally.

- (2) *Corner Treatment.* Properties fronting on a street corner have two public facades, which gives the chance for special architectural treatment and detailing that will have the highest impact and visibility, at the corner location. To promote pedestrian safety, buildings placed on corner lots shall be setback to allow for line of sight for all modes of transportation, based on speeds and site conditions.
- (3) *Facades.* There shall be some sort of articulation, material or color change, window, entryway or other breakup of the building façade at least every 50 feet. Murals shall be allowed to contribute towards façade breakup.

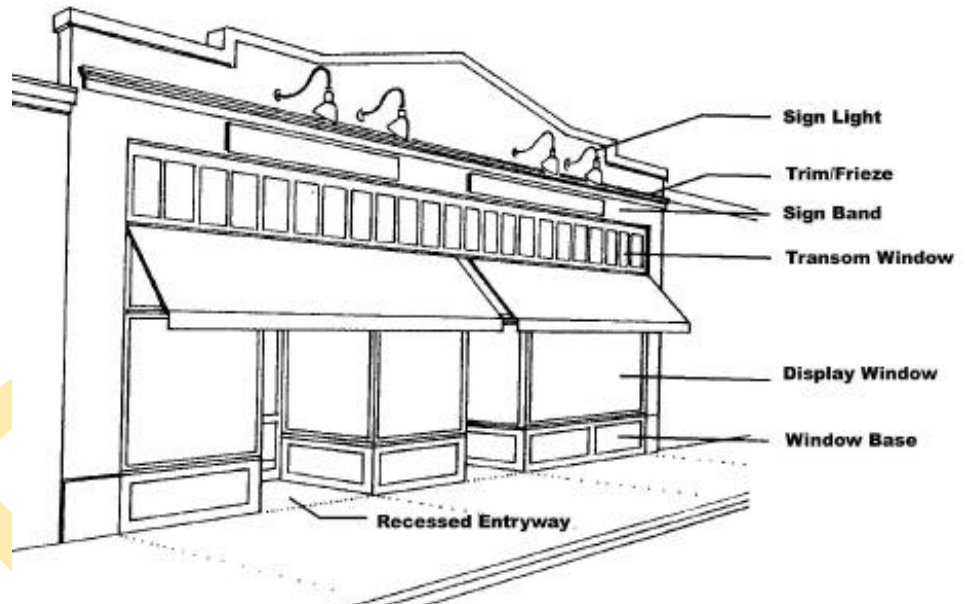
No building shall exceed more than 200 feet of horizontal length without separation. If a building is set back more than 50 feet from the roadway, this requirement shall not be required. For buildings setback less than 50 feet, no more than 100 horizontal feet of façade of the same architectural style shall be allowed, to achieve variation of building design.

The building façade should be constructed parallel to the street and are encouraged to be placed as close to the street as established setbacks permit, however it may be more appropriate for taller buildings to utilize greater setbacks/stepbacks, articulation or other architectural treatments to reduce visual massing. On low-rise buildings the different parts may be expressed through detailing at the building base and eave or cornice line.

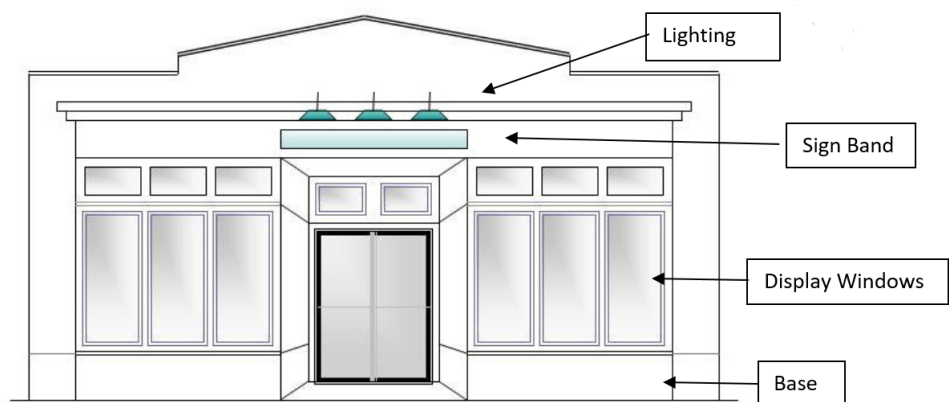
Commercial Façade Treatment Example 1:



Commercial Façade Treatment Example 2:



Commercial Façade Treatment Example 3:



- (4) *Additional Façade Treatment Requirements.* Roof lines, parapets and building heights shall be architecturally articulated and diverse in design form with adequately scaled and proportioned architectural treatments which complement the building's design.

The window, wall and roofing treatment should be of high-quality materials and consistent on both the front and the back of the building. Allowable building materials shall include brick, natural stone, glass, architectural metal, concrete, wood, or similar material with a longer life expectancy. Exterior Insulation and Finish System (EIFS) shall not be allowed. Stucco, hardiboard siding (or similar materials) or concrete block shall not exceed more than 50% of any façade. Detailing is encouraged to enhance the façade.

Structures shall be sited so as to create visual relationships with sidewalks, street alignments, trees, green space and neighboring businesses; create visual anchors at entries, provide interesting architectural perspectives featuring appropriate facade treatments and maximize the pedestrian relationship to the sidewalk. They shall also take into consideration the existing structures and be in unison with their scale and style.

- (5) *Lower Story Requirements.* The lower story of the building has the most immediate visual impact on the passerby. Traditionally, buildings along urban streets have a high proportion of glazing to solid wall surface, with higher floor to floor heights, on the first story. To maintain continuity with this treatment, buildings on Orange Avenue shall have 25% minimum glass on the first story and shall be allowed height up to 20 feet. The first floor shall be clearly defined and articulated from upper stories.

- (6) *Building Entrance.* Primary building entrances in the OAO shall be clearly defined, and shall be recessed or framed by a sheltering element such as an awning, arcade, overhang, or portico (in order to provide weather protection for pedestrians). Awnings are encouraged. Awning standards include:

- (a) Awnings for a building façade shall be of compatible color, look, shape, and height;
- (b) Awnings shall provide vertical clearance of no less than eight (8) feet above sidewalks; and
- (c) Awnings are not allowed to hang over vehicular traffic ways.

- (8) *Architectural Towers, Spires, Green Roof Features, Solar Panels, Penthouse Areas, Chimneys, Or Other Architectural Appendages.* Any architectural tower, spire, chimney, flag pole or other architectural appendage to a building shall conform to the underlying subarea height limit. However, when necessary to

meet the building code requirements, chimneys may exceed the height by the minimum required.

Architectural appendages, roof decks, solar panels, roof garden or green roof features, penthouse areas that do not exceed allowable FAR and are less than 5% of the overall building gross square footage, embellishments and other architectural features may be permitted to exceed the roof heights specified in that subarea, on a limited basis encompassing no more than 30 percent of the building roof length and area, up to ten feet of additional height upon approval of the City Commission, based on a finding that said features are compatible with adjacent projects.

- (9) *Mechanical Penthouses, Rooftop Mechanical and Air-Conditioning Equipment, Stair Tower Enclosures, Elevators and Parapets.* Mechanical penthouses, mechanical and air-conditioning equipment, stair tower enclosures, or elevators on rooftops of buildings shall not exceed a total height of ten feet above the allowable building height. Any penthouses shall only be used for mechanical equipment to serve the building. Parapets, or mansard roofs serving as parapets, may extend a maximum of five feet above the height limit in the underlying zoning district unless other parapet heights are more restrictive for the respective underlying zoning district. In addition, mechanical equipment and air-conditioning equipment on rooftops shall be screened from view from ground level on all buildings in all zoning districts and shall be located to the maximum extent possible so that they are not visible from any street.

j. *Parking Requirements & Access Management.*

- (1) *Parallel Orange Avenue Access.* Where Palmetto Drive, Vivian Drive and Harmon Drive provide secondary and primary access to properties within the OAO area, portions of these roadways may be closed, vacated or re-aligned, so long as a through access road, as approved by the City Commission, is maintained to allow vehicular access between Orlando Avenue and Denning Drive. A road that allows public through-access in perpetuity via recorded easement or a dedicated public street shall be allowed in-lieu of vacated streets, if approved by the City Commission. Any road shall be constructed at a minimum street width of 20 feet unobstructed and shall have unobstructed vertical clearance per National Fire Protection Act (NFPA) codes.
- (2) *Off-Street Parking Requirements.* Unless specifically provided within the OAO, parking spaces, parking management plans and parking leases shall be provided in accordance with the other Land Development Code requirements.
- (a) *General Business and Retail Commercial:* One parking space for each 333 square feet of gross floor space.

- (b) *Office, Professional or Public Buildings:* One parking space for each 333 square feet of gross floor space.
 - (c) *Hotel:* One parking space for each guest room shall be provided. Other ancillary uses in the hotel (restaurant, spa, retail, meeting space, etc.) shall only be required to provide parking at 50% of the off-street parking requirements defined in Section 58-86.
 - (d) *Restaurants, Food Service Establishments, Nightclubs, Taverns or Lounges:* One space for every four seats.
 - (e) *Multi-family residential:*
 - (1) Each one-bedroom or studio unit shall be required to provide 1.25 dedicated parking spaces per unit.
 - (2) Each two-bedroom unit shall be required to provide 1.5 dedicated spaces per unit.
 - (3) Each three-bedroom or above unit shall be required to provide 2 dedicated parking spaces per unit.
- (3) *Off-street Parking Design.* Parking access to properties along Orange Avenue, Orlando Avenue and Fairbanks Avenue shall be from side streets if frontage is available on a side street. If side street frontage is not available, access from cross-access easements shall be utilized. If cross-access is not available, a driveway will be allowed from Orange Avenue, Orlando Avenue, or Fairbanks Avenue, providing the driveway and building gap surrounding it is minimized. Any new driveways or curb cuts along Fairbanks Avenue or Orlando Ave shall require FDOT coordination prior to submittal. Throughout the OAO, cross-access agreements are required, to reduce the number of curb cuts and driveways. The intent is to maintain the building street wall without large voids for access driveways. The goal in this parking arrangement is to decrease the visibility of parking from the street as much as possible, by having parking behind the building and to reduce the turning movements with limited visibility across multiple lanes of traffic.
- (4) *Off-site Parking.* Required parking may be located within 750 feet of the building, or within the closest parking structure where excess parking is available for lease. In the event of new construction, addition, or change in intensity of use of the principal building or property being serviced by the remote parking lot, all existing parking spaces located on such remote lot shall be allocated to the existing building or principal use to meet the minimum requirements of this article, and any additional spaces may then be allocated to that portion of the building or property which is the subject of the new construction, addition, or change in intensity of use.
- (5) *Bicycle Parking Requirements.* Unless specifically provided within the OAO, bicycle Parking shall be required in accordance with

other Land Development Code Standards. Where large projects provide parking garages, 20% of the required bike parking shall be provided onsite. The other 80% of required bike parking may be located within City right-of-way throughout the OAO. The City shall determine where the off-site parking shall be located.

- (6) *Parking Exclusion.* A parking exclusion shall apply only to existing square footage or floor space. Parking shall be provided as required by the OAO or other provisions of the Land Development Code, where not specifically addressed herein. The OAO shall apply for any net new building or net new floor space created by redevelopment, new construction, additions, alterations, or remodeling or for any change in use requiring additional parking such as an office or retail space conversion to restaurant. Existing parking spaces may be counted to satisfy this requirement only where such existing spaces are in excess of the parking space requirements of this section for any existing floor space.
- (7) *Floor Area Ratio for Parking Structures.* Parking structures shall not count towards the floor area ratio (FAR) for any property within the OAO, as long as all of the following conditions are met for each structure:
 - (a) Parking constructed shall allow for a minimum of 50% of the parking spaces to be shared-parking, meaning the parking spaces are available for lease at or below fair market value (based on area parking lease comps) to other properties in the area that can utilize the parking during hours when the parking is not needed by the users of the property where the garage is located.
 - (b) Provide for multi-property parking collectives. For smaller-scale garages, multiple property owners may create a collective where parking can be built on a property that can serve multiple properties that do not have adequate available parking.
 - (c) Provide level-two electric vehicle charging stations for a minimum of 2% of all spaces within the structure.
 - (d) Provide and construct parking spaces at least 10% above what is required to meet code minimum requirements. This excess parking must either be available for lease at or below fair market value (based on area parking lease comps) to properties in the area or shall be provided for free public parking.
 - (e) Of the required 50% shared parking that is available (not leased or in use by the onsite businesses at the time), these spaces shall be made available to the general public for free on Saturday and/or Sunday mornings from 6:00 A.M. to 11:00 A.M. for community events in the OAO or for public events at Mead Botanical Garden.

- (f) Parking structures shall be screened at least 50% on all visible sides with green walls, living walls, murals (that do not include advertising of any type), shade trees or vegetative screening, or other screening treatments.

Parking provided to accommodate residential units or hotel guests shall not be required to be shared or count towards the shared parking ratio requirement. Because these spaces will not be available for shared or public use, one (1) additional free parking space shall be required for each ten (10) spaces that are dedicated for hotel or residential use. These public spaces shall be maintained as 24-hour, free public parking and shall not count towards additional entitlement achievement.

Parking structures shall not be required to provide setbacks from residential areas as outlined in other provisions of the Land Development Code, but shall meet height, building setback, allowable building envelope area and screening requirements as outlined in the OAO.

Parking garages shall be set back from the Orange Avenue, Fairbanks Avenue or Orlando Avenue frontages and screened by liner buildings or other treatments as required in the OAO. Parking should also be accessed from side streets to the maximum extent feasible. They shall also be designed in an architectural style that is compatible with its building counterpart and shall also conform to the City's parking garage design guidelines.

Parking structures on the north side of Fairbanks Avenue shall not be exempt from parking garage FAR. Parking structures west of Orlando Avenue shall not be exempt from FAR for structures greater than 2 levels (ground +1).

Parking structures that do not provide the requirements listed above shall not be exempt from FAR calculations.

- k. *Public Notice Requirements.* City-wide notice shall not be required for any development within the OAO. Requests that meet the criteria for city-wide notice, as defined in Section 58-89, within the OAO shall be required to send notice to all properties within the OAO and all properties within 1,000 feet of the boundary of the OAO. All Conditional Use requests within the OAO shall be required to send public notice to all properties within 1,000 feet of the subject property, post signage on the property and publish notice in a newspaper of local circulation.
- l. *Meaningful Open Space Requirements.* It is the intent of the OAO to ensure that the development and enhancement of properties includes the creation of meaningful, useable, accessible, green and beautiful open space that invites the public to relax, interact, recreate, unwind

and stimulate social connection. Where properties are planned for redevelopment, meaningful open space and the design of structures around these open spaces is the most important consideration. At a minimum, each property 1.5 acres in size and above, or any project covering 1.5 acres, that is redeveloped shall provide at least 25% meaningful open space, which is open to and available to the public. At least 50% of open-space areas provided shall be greenspace. Pervious areas such as retention ponds, parking lot islands or landscape planting areas around building bases shall not be counted as open space. Existing park space shall not count towards open space requirements. Open space shall be areas that are open and inviting to the public. Open space can include green areas, hardscape areas, semi-pervious areas, balcony or roof areas that are open to the public and other similar-type spaces. At least 90% of the open space shall be provided at ground level. The intent is that each of these areas create the opportunity for social interaction, relaxation, recreation and reflection.

- m. *Signage Requirements.* Signage within the OAO with frontage along Orange Avenue shall comply with the following requirements:
- (1) Each occupant shall be permitted a maximum of two signs indicating the business, commodities, service or other activity sold, offered or conducted on the premises. Where one occupancy has two signs, only the following combinations of sign types shall be permitted: One wall or canopy sign; one projecting sign and one wall or canopy sign; one canopy sign and one under-canopy sign. These signs shall also comply with the applicable provisions of Sections 58-125 through 58-128.
 - (2) Projecting signs on properties or buildings within the OAO shall be limited to an area of each face of 20 square feet and shall have a minimum clearance of seven feet.
 - (3) The maximum copy area of canopy signs shall be two square feet per linear foot of canopy front and sides. These signs should also comply with applicable provisions of Section 58-128.
 - (4) Signs attached to the underside of a canopy (under-canopy signs) shall have a copy area no greater than six square feet, with a maximum letter height of nine inches, subject to a minimum clearance of seven feet from the sidewalk.
 - (5) OAO properties may not have digital, electronic, and/or internally-illuminated signs, such as backlit plastic, acrylic or glass. Front lighting of signs is encouraged. External illumination must be provided by a light source that is installed to prevent direct light from shining onto the street or adjacent properties. Flashing or moving lights are not permitted. Backlit halo-type opaque sign lettering is permitted; however, the light color must be white or subdued and muted such as a pastel shade. Sign faces and sides may not be translucent and must be an opaque material such as metal or wood.

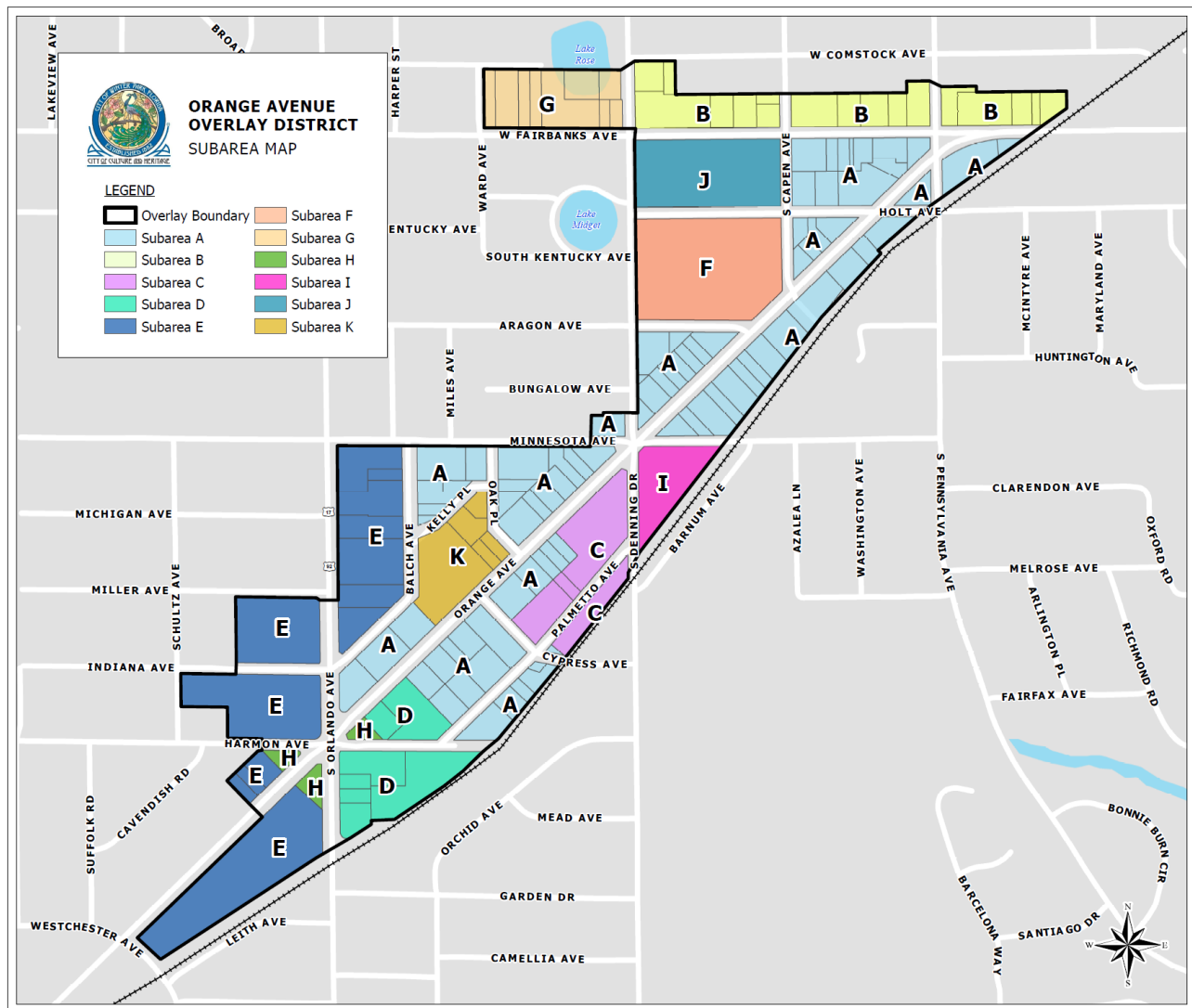
- (6) Ground signs or monument signs (excluding pole and pylon signs) are only permitted within the Subareas C, D, E, I, J and K. Ground signs within these subareas are limited to 30 square feet in size, and shall be located as to prevent interference with pedestrian and vehicular traffic. The design and location of such signs shall be subject to the approval of the Planning and Community Development director and/or Building Department director via a sign location and design plan to ensure that the sign does not interfere with pedestrian traffic, parking or does not create excessive signage in one area.

n. *Sidewalk Design and Utilization.*

- (1) All buildings, parking areas, public spaces, amenity features, and adjoining developments of similar use shall be linked with sidewalks. Sidewalks shall be provided along public streets that provide access to the development. A minimum 17-foot sidewalk is to be provided along Orange Avenue. Fairbanks Avenue and Orlando Avenue shall provide sidewalks at least ten feet wide with a minimum 2-foot landscape buffer along the back of curb, between the roadway and sidewalk. If sufficient right-of way is not available, the building may need to be set back to accommodate these wider sidewalks and the additional space required to create the required sidewalks as defined herein shall be dedicated to public access through easement. Sidewalks shall be constructed in accordance with the standards for sidewalks set forth in City of Winter Park Engineering Standards and constructed at the sole cost of the developer.
- (2) Restaurants and cafes with seating within the public right-of-way shall be subject to the regulations contained in Chapter 90, Article VI - Sidewalk Cafes, of the Winter Park code of Ordinances.

o. *Display of Merchandise Outside of Commercial Buildings.* Only properties within the OAO with frontages along Orange Avenue are allowed one display of merchandise to be located outside of a commercial business exclusive of beautification elements such as plants (that are not for sale). This display must be placed within two feet of the front wall or window of the building. This display must not block or impede pedestrian traffic or be placed on the public sidewalk and at least six feet of clear sidewalk width must remain for pedestrian traffic. This display must be no more than six feet in height and no more than two feet in width. The display must be safely secured and removed under windy conditions. The display must be removed when the business is not open. An outside display is not permitted if the business chooses to place an outdoor portable sign.

p. *Orange Avenue Overlay District Subareas and Standards for Development.* The subarea map depicted below delineates the different subareas of the OAO and the specific standards, requirements and opportunities for each subarea. Each subarea has unique characteristics, issues and opportunities.



After the adoption of the OAO, no changes to the subarea map shall be allowed. No variances to maximum number of stories, maximum allowable Floor Area Ratio, allowed uses, required open space or maximum residential density shall not be granted. Variances to other development standards shall be considered, with sufficient showing of reasoning and hardship, as outlined in Section 58-92.

The standards detailed in the OAO are the maximum density and intensity parameters potentially permitted in each respective subarea. These maximum standards are not an entitlement and are not achievable in all situations. Many factors may limit the achievable FAR including limitations imposed by the maximum height, physical limitations imposed by property dimensions and natural features as well as compliance with applicable code requirements such as, but not limited to parking, setbacks, lot coverage and design standards.

Parcels to be developed or redeveloped within Subareas C, D, I & J shall contain at least 25% of the Cumulative Gross Floor Area as Mixed-Use, ensuring that no single-use developments occur that may not create the vibrant mixed-use district that is desired.

(1) *Subarea A.* In order to allow for the remodeling and renovation of the buildings within this subarea and to enhance the OAO, these properties shall not be required to comply with those Land Development Code standards listed below, as long as additional square footage is not added to the buildings. If additional square footage is added, as to parking requirements, the properties shall be required only to provide the required parking for the new net square footage of the property. Any additional impervious surface created shall meet all City of Winter Park stormwater requirements for the new impervious area. All remodels, renovations or reconstructions that are allowed to remain as legally non-conforming under other Land Development Code requirements, shall still be required to meet applicable building and life safety codes as determined by the City Building Official and Fire Official. If the use of the building is changed (i.e. office conversion to café), parking shall be provided as required by Code.

(a) *Exemptions.* The following Land Development Code Requirements shall not be required to be met for renovation or remodel of existing structures that will maintain the existing use, size and conditions of the property:

1. Floor Area Ratio
2. Minimum Parking Requirements
3. Stormwater Retention (but a minimum of 10 cubic feet of stormwater treatment and storage shall be created)
4. Impervious Surface Percentage
5. Setbacks
6. Landscaping
7. Height (no increase in stories)

(b) *Reconstruction of Buildings.* Given the age of buildings within Subarea A, the properties within this subarea shall be allowed to reconstruct the same building footprint when the building on the site is completely demolished, regardless of non-conforming status, on the site without being required to meet all development standards. Reconstruction of buildings shall be required to provide stormwater retention and the sidewalk widths as described herein. All building and life safety codes shall be met with all reconstruction.

(c) *Subarea A Development Standards:*

1. Base Floor Area Ratio: 45%
2. Maximum Achievable Floor Area Ratio: 65%
3. Maximum Height: 2 Stories for any properties abutting Orange Avenue, and 3 stories for all other properties within the subarea.
4. Maximum Impervious Coverage: 85%
5. Setbacks: None, except front setbacks must allow for at least a 17-foot wide sidewalk along Orange Avenue. Fairbanks Avenue and Orlando Avenue shall each be designed to provide for a 10-foot wide sidewalk with a minimum 2-foot landscape buffer on the back of curb. Where the building requires an additional setback to achieve the required sidewalk, the area shall be dedicated as a public access easement. Additionally, all building setbacks shall meet the requirements as depicted of 3.1.i.2
6. Maximum Residential Density: 17 units per acre

(2) *Subarea B.*

(a) *Subarea B Development Standards:*

1. Base Floor Area Ratio: 45%
2. Maximum Achievable Floor Area Ratio: 60%
3. Maximum Height: 2 stories at front setback line and at rear setback line. Structures may increase to 3 stories if the 3rd floor is set back an additional 10 feet from front and rear setback lines. 3rd floors shall only allow residential uses.
4. Maximum Impervious Coverage: 85%
5. Setbacks:
 - a. Street: 20 feet. Front setbacks must allow for at least a 10-foot wide sidewalk and 2-foot landscape buffer area on the back of curb along Fairbanks Avenue. Additionally, all building setbacks shall meet the requirements as depicted of 3.1.i.2
 - b. Side: 0
 - c. Rear: 20
 - d. Third stories shall require an additional 10-foot setback from the front and rear setbacks.
6. Maximum Residential Density: 17 units per acre

- (b) *Additional Development Regulations.* For properties within this Subarea B with an underlying zoning of single-family residential, these properties shall only be used for residential use or open space.

(3) Subarea C.

(a) *Subarea C Development Standards:*

1. Base Floor Area Ratio: 60%
2. Maximum Achievable Floor Area Ratio: 125%
3. Maximum Height: 4 Stories
4. Maximum Impervious Coverage: 85%
5. Setbacks: 0 front setback along Orange Avenue, Denning Drive, or Palmetto Avenue, except front setbacks must allow for at least a 17-foot wide sidewalk. Where the building requires an additional setback to achieve a 17-foot sidewalk, the area shall be dedicated as a public access easement. Additionally, all building setbacks shall meet the requirements as depicted of 3.1.i.2
6. Maximum Residential Density: 17 units per acre

(b) *Required Development Enhancements.* In order to be eligible for any Development Enhancement Bonuses, any future development of property within Subarea C shall include the following item(s) from the Development Enhancement Menu: CT.1

(c) *Intersection and Open Space Viewshed.* Due to the unique shape of Subarea C and proximity to a unique intersection, this additional requirement creating a viewshed shall apply. The viewshed area is banded by the lines described as follows: Start where the property lines of Subarea C meet at the intersection of Denning Drive and Orange Avenue; then travel 150 feet southwest along Orange Avenue's southeast right of way line; thence easterly to the point on the west boundary of South Denning Drive that is 150 feet south of the starting point; then north along the west boundary of South Denning Drive to the starting point ("viewshed"). This viewshed shall be an open space area not available for the construction of structures or storage or placement of equipment, material or items otherwise allowed in the OAO. This viewshed is in addition to other setback requirements for Subarea C.

(d) *Road Closures.* Closing and vacation of the Palmetto Avenue right-of-way shall be encouraged, subject to City Commission approval, as the street bisects the property and creates limited development opportunities of the site. Driveways that allow public through-access may be allowed in-lieu of vacated streets, if deemed necessary. Closed and vacated right-of-way shall be entitled at the same level as the subarea it falls within.

- (e) *Additional Development Requirements.* A monument sign at least 3 feet in height and 5 feet in width, set in a landscaped bed, shall be required to be provided at the intersection of Denning Drive, Minnesota Drive and Orange Avenue, which directs the public to Mead Botanical Garden. The City shall approve the design and location of the sign.

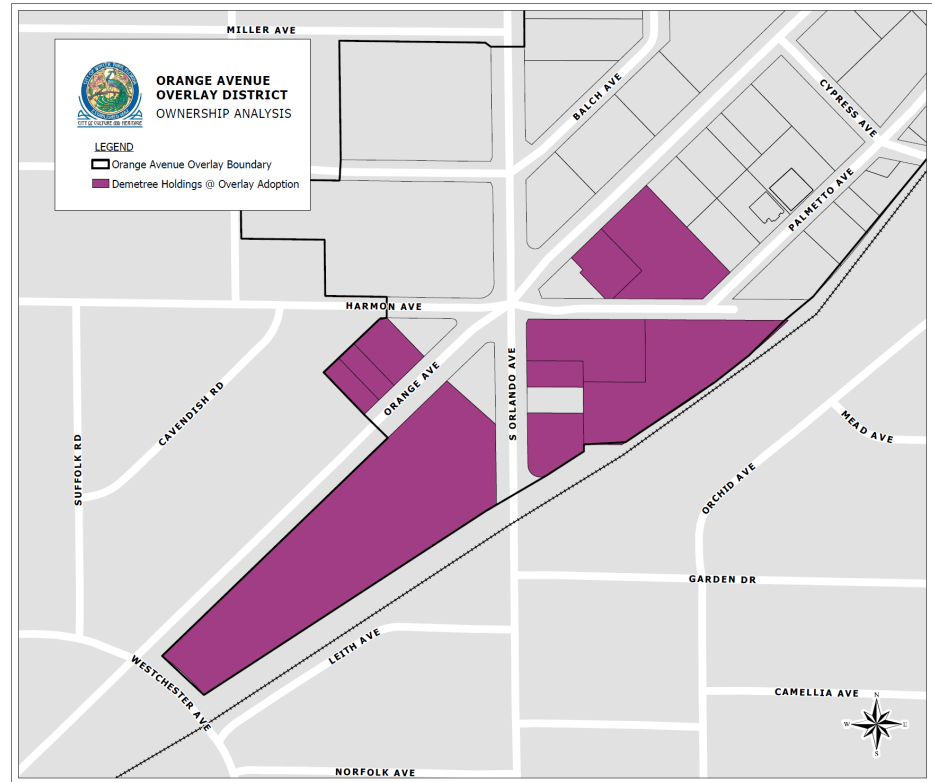
(4) Subarea D.

(a) *Subarea D Development Standards:*

1. Base Floor Area Ratio: 100%
2. Maximum Achievable Floor Area Ratio: 200%
3. Maximum Height: 7 Stories
4. Maximum Impervious Coverage: 75%
5. Setbacks:
 - a. Street: 20 feet along Orlando Ave. Setbacks must allow for at least a 10-foot wide sidewalk and 2-foot landscape buffer area on the back of curb along Orlando Avenue., 0 feet along Orange Avenue-except front setbacks must allow for at least a 17-foot wide sidewalk. Additionally, all building setbacks shall meet the requirements as depicted of 3.1.i.2
 - b. Rear: 20
6. Maximum Residential Density: 17 units per acre

- (b) *Density Transfer.* At the time of the adoption of this OAO, the owner of properties within Subarea D or vacated rights-of-way within Subarea D, shall be allowed to transfer the existing residential density entitlements, based on the maximum units per acre of the underlying zoning, from other properties within the OAO that are under common ownership on the date of the first reading of the Ordinance, as reflected on the map below to this Subarea D, though not the square footage. Once the residential density entitlements are transferred from such other commonly-owned properties, no residential units can be constructed on the property from which the density transfers occurs, and the documents to be recorded in the Orange County Public Records memorializing this restriction shall be reviewed and approved by the City and thereafter recorded. No properties, other nodes of intensity, allowing for residential uses, which are key to the successful creation of mixed-use districts and create development that can fund the needed parking and regional stormwater areas in the district. By clustering the intensity, there will be a reduction in overall massing and building heights throughout the OAO. Density Transfer shall only allow the transfer of currently entitled units into the defined Subarea D. This language shall not allow transfer of units into other Subareas. The map below depicts the properties within this subarea that

qualify for this density transfer than those shown on the map below, owned by Demetree Global or subsidiary, shall be eligible for density transfer within Subarea D. The intent is to create



- (c) *Required Development Enhancements.* In order to be eligible for any Development Enhancement Bonuses, any future development of the property within Subarea D shall include the following item(s) from the Development Enhancement Menu: CT.1
- (d) *Road Closures.* Closing and vacation of the Harmon Avenue or Vivian Avenue right-of-way shall be encouraged, subject to City Commission approval, as the street bisects the property or creates limited development of the site. Private driveways that allow public through-access shall be allowed in-lieu of vacated streets, if necessary. Closed and vacated right-of-way shall be entitled at the same level as the subarea it falls within.

(5) Subarea E.

(a) *Subarea E Development Standards.*

1. Base Floor Area Ratio: 60%
2. Maximum Achievable Floor Area Ratio: 80%
3. Maximum Height: Maximum 4 Stories.
4. Maximum Impervious Coverage: 85%
5. Setbacks:
 - a. Street: 20 feet. Setbacks must allow for at least a 10-foot wide sidewalk and 2-foot landscape buffer area along Orlando Avenue. Additionally, all building setbacks shall meet the requirements as depicted of 3.1.i.2
 - b. Side: 5 feet
 - c. Rear: 20 feet. If abutting residential, shall be a minimum of 20 feet or equal to building height, whichever is greater.
6. Maximum Residential Density: 17 units per acre

- (b) *Road Closures.* Closing and vacation of the Vivian Avenue right-of-way shall be encouraged, subject to City Commission approval, as the street essentially serves as a private driveway and parking lot extension for a single property. Driveways that allow public through-access shall be allowed in-lieu of vacated streets. Closed and vacated right-of-way shall be entitled at the same level as the subarea it falls within.

(6) Subarea F.

(a) *Subarea F Development Standards:*

1. Base Floor Area Ratio: 20%
2. Maximum Achievable Floor Area Ratio: 20%
3. Maximum Height: 2 Stories
4. Maximum Impervious Coverage: 50%
5. Setbacks: 20 feet. Setbacks must allow for at least a 17-foot wide sidewalk. Where the building requires an additional setback to achieve a 17-foot sidewalk, the area shall be dedicated as a public access easement. Additionally, all building setbacks shall meet the requirements as depicted of 3.1.i.2
6. Maximum Residential Density: No Residential Uses Allowed

- (b) *Additional Subarea Requirements:* This area shall not be used for any other future purpose than public space, recreation, open sports/recreation facilities, including ancillary structures, or the parking needed to support these uses. No offices, classrooms, residences or other college uses shall be allowed on the property.

(7) Subarea G.

(a) *Subarea G Development Standards:*

1. Base Floor Area Ratio: 45%
2. Maximum Achievable Floor Area Ratio: 45%
3. Maximum Height: 3 Stories
4. Maximum Impervious Coverage: 85%
5. Setbacks: 20 feet. Setbacks must allow for at least a 10-foot wide sidewalk and 2-foot landscape buffer area along Orlando Avenue. Additionally, all building setbacks shall meet the requirements as depicted of 3.1.i.2
6. Maximum Residential Density: 17 Units/Acre

Additional Development Requirements. This Subarea G represents an opportunity to expand Martin Luther King Jr., Park and to create an increased greenway connection to Mead Botanical Garden and other areas of the city. It is the intent of the City of Winter Park to acquire these properties for the extension of Martin Luther King, Jr. Park and to provide for transportation improvements. Any properties acquired by the City of Winter Park shall be dedicated as parkland or towards transportation improvements.

(8) Subarea H.

(a) *Subarea H Development Standards:*

1. Base Floor Area Ratio: 0%
2. Maximum Achievable Floor Area Ratio: 0%
3. Maximum Height: N/A
4. Maximum Impervious Coverage: N/A
5. Setbacks: N/A
6. Maximum Residential Density: N/A

(9) Subarea I.

(a) *Subarea I Development Standards:*

1. Base Floor Area Ratio: 60%
2. Maximum Achievable Floor Area Ratio: 125%
3. Maximum Height: 3 Stories
4. Maximum Impervious Coverage: 75%
5. Setbacks: 0 front setback, except front setbacks must allow for at least a 17-foot wide sidewalk. Where the building requires an additional setback to achieve a 17-foot sidewalk, the area shall be dedicated as a public access easement. Additionally, all building setbacks shall meet the requirements as depicted of 3.1.i.2
6. Maximum Residential Density: 17 units per acre

- (b) *Required Development Enhancements.* In order to be eligible for any Development Enhancement Bonuses, any future development of the property within Subarea I shall include the following item(s) from the Development

Enhancement Menu: CT.7. The City of Winter Park shall determine the area required to be dedicated for intersection improvements.

- (c) *Intersection and Open Space Viewshed.* Due to the unique shape of the property and proximity to a unique intersection, this additional requirement creating a viewshed shall apply. The viewshed area is bounded by the lines described as follows: start where the property lines of Subarea I meet at the intersection of Denning Drive and Minnesota Avenue; then travel 50 feet east along Minnesota Avenue's southern right of way line; thence south westerly to the point on the east boundary of S. Denning Drive that is 30 feet south of the starting point; then north to the starting point ("viewshed"). This viewshed shall be an open space area not available for the construction of structures or storage or placement of equipment, material or items otherwise allowed in the OAO. This viewshed is in addition to other setback requirements for Subarea I.

(10) Subarea J.

(a) *Subarea J Development Standards:*

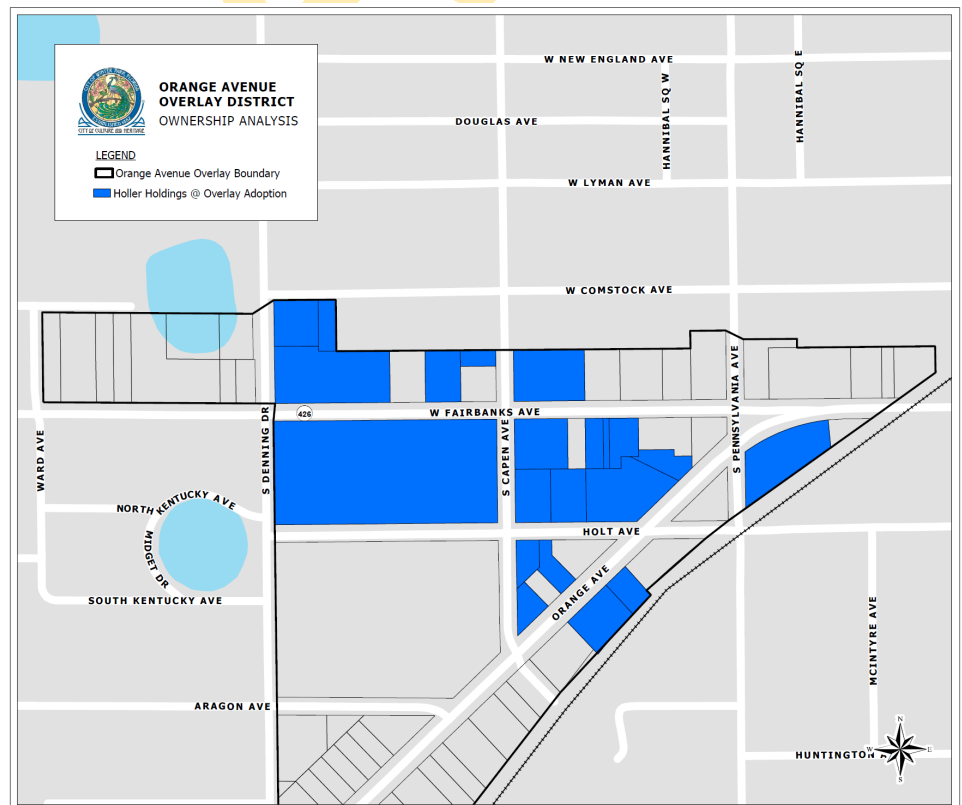
1. Base Floor Area Ratio: 100%
2. Maximum Achievable Floor Area Ratio: 200%
3. Maximum Height: 5 Stories
4. Maximum Impervious Coverage: 75%
5. Setbacks: 20 feet Street Setback. Setbacks must allow for at least a 10-foot wide sidewalk and 2-foot landscape buffer area at the back of curb along all adjacent streets. Additionally, all building setbacks shall meet the requirements as depicted of 3.1.i.2
6. Maximum Residential Density: 17 units per acre

- (b) *Required Development Enhancements:* In order to be eligible for any Development Enhancement Bonuses, any future development of the property within Subarea J shall include the following item(s) from the Development Enhancement Menu: CT.7. The City of Winter Park shall determine the area required to be dedicated for intersection improvements and the required land may be property under common ownership located offsite from Subarea J.

- (c) *Road Closures.* Closing and Vacation of either the South Capen Avenue or Holt Avenue rights-of-way shall be encouraged, subject to City Commission approval, given that these roads are not heavily trafficked and mainly serve only the subject property in this area. If these streets are closed, they shall remain open to the public and be used only for pedestrian or bicycle access, and may not be used

towards open space requirements for the adjacent properties.

- (d) *Density Transfer.* At the time of the adoption of this OAO, the owner of the Subarea J property shall be allowed to transfer the existing residential density entitlements, based on the maximum units per acre of the underlying zoning, from properties within the OAO that are under common ownership on the date of the first reading of the Ordinance, as reflected on the below map to this Subarea J. Once the residential density entitlements are transferred from other commonly-owned properties, no residential units can be constructed on the site from which the density transfers occur and documents to be recorded in the Orange County Public Records memorializing this restriction shall be reviewed and approved by the City and thereafter recorded. No properties, other than those shown on the below map owned by Holler Holdings or a subsidiary, shall be eligible for density transfer. The intent is to create nodes of intensity and create development that can fund the needed parking and regional stormwater areas in the district. By clustering the intensity, there will be a reduction in overall massing and building heights throughout the OAO. The map below depicts the properties within this Subarea J that qualify for this density transfer.



(11) Subarea K.

(a) *Subarea K Development Standards:*

1. Base Floor Area Ratio: 60%
2. Maximum Achievable Floor Area Ratio: 80%
3. Maximum Height: Maximum 3 Stories.
4. Maximum Impervious Coverage: 85%
5. Setbacks:
 - a. 0 front setback along Orange Avenue, except front setbacks must allow for at least a 17-foot wide sidewalk. Where the building requires an additional setback to achieve a 17-foot sidewalk, the area shall be dedicated as a public access easement. Additionally, all building setbacks shall meet the requirements as depicted of 3.1.i.2
 - b. Side: 5 feet
 - c. Rear: 20 feet. If abutting residential, shall be a minimum of 20 feet or equal to building height, whichever is greater.
6. Maximum Residential Density: 17 units per acre

- q. *Orange Avenue Overlay District Development Enhancements/Bonuses.* Enhanced development entitlements shall be considered for the OAO, but shall be earned, rather than simply granted.

- (1) *Percentage-Based Development Enhancement Menu.* A percentage-based upgrade system for properties within the OAO is hereby established. For properties to obtain additional development entitlements (FAR) beyond what is provided in the relevant subarea or underlying zoning, the following provisions and Tables are established.

Property owners or developers may use any combination of the Development Enhancement Menu to obtain up to the Maximum Achievable Floor Area Ratio. Certain subareas shall require certain Enhancements to be met. Each development enhancement utilized shall be required to be designed and shown on any development plans submitted for development of a property. Off-site improvements shall require plan submittal for the area where the improvements are proposed. Any enhancement or improvement shall be designed by a licensed professional (Architect, Civil Engineer, Landscape Architect, Structural Engineer, etc) as determined by staff.

The following OAO Development Enhancement Menu was created to address the wide-ranging issues affecting the Orange Avenue area, while meeting the goals of the Comprehensive Plan, the Vision Winter Park plan and the Winter Park Sustainability Plan. To ensure that the intent of the Development Enhancement Menu

is met, any project that utilizes this menu shall be reviewed by the Planning & Community Development Director or their designee in order to determine whether and to what extent an increase in FAR is allowed.

Table 1: Orange Avenue Overlay District Development Enhancement Menu – Sustainability Category

Category Number	Enhancement	Description & Potential Bonus	Enhancement Achievement Maximums	Maximum FAR Increase
S.1	<i>Shared Electric Vehicle On-Site</i>	1% Entitlement Bonus for Each Shared Electric Vehicle On-Site.	Max 2 Vehicle Credit	2%
S.2	<i>Green Roof</i>	At least 50% of the total surface area of the principal building's roof is a green roof constructed in accordance with ASTM green building standards.	10%	10%
S.3	<i>Renewable Energy</i>	For Each Percentage of the Total Electricity Used On the Property That Is Generated Onsite, a 1% Entitlement Increase Shall Be Granted.	10%	10%
S.4	<i>Recycling</i>	Recycling Receptacles provided for each use on the site building and large collection receptacle placed in the dumpster area of the site.	2%	2%
S.5	<i>Rainwater Reuse</i>	At least 75% of rain water from the roofs of structures is captured and recycled for landscape irrigation.	5%	5%

Table 2: Orange Avenue Overlay District Development Enhancement Menu – Infrastructure & Stormwater Category

Category Number	Enhancement	Description & Potential Bonus	Enhancement Achievement Maximums	Maximum FAR Increase
IS.1	<i>Stormwater Retention Beyond Code Minimum Requirements</i>	Each 1% of additional water quality treatment and stormwater retention capacity, beyond what is required to accommodate development of a site provided (that can feasibly receive off-site stormwater) shall earn a 1% entitlement bonus. The calculation shall be based on the retention required on the site to meet City and St. Johns requirements. Vaulting, Underground Storage or Raingarden Areas Shall Be Allowed.	Max 25% Entitlements Bonus	25%

Table 3: Orange Avenue Overlay District Development Enhancement Menu – Arts & Culture Category

Category Number	Enhancement	Description & Potential Bonus	Enhancement Achievement Maximums	Maximum FAR Increase
AC.1	<i>Public Art</i>	Each Public Art Installation Shall Earn 1% Entitlement Bonus	Max 5 Locations	5%
AC.2	<i>Gateway Feature</i>	Creation of signage, art or other type of gateway feature that welcomes people to Winter Park.	5%	5%
AC.3	<i>Space For Non-Profit Arts & Cultural Organizations</i>	For each 1,000 square feet of space that is built specifically and solely for non-profit arts and cultural facilities, a 1% entitlement bonus shall be granted. The space provided for these non-profit users shall not count towards the FAR of the site. The space shall only be rented to Arts & Cultural organizations with non-profit 501.C.3 status, in perpetuity. Parking shall also be provided and shared parking is encouraged. The rents charged shall not exceed 80% of the median rents charged	Max 15% Entitlement Bonus	15%

		for similar properties in the area. The rents shall not increase more than 3% per year.		
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Table 4: Orange Avenue Overlay District Development Enhancement Menu – Parking Category

Category Number	Enhancement	Description & Potential Bonus	Enhancement Achievement Maximums	Maximum FAR Increase
P.1	<i>Public Parking</i>	Each 5 Dedicated Public Parking Spaces, Which Remain Free for Public Parking at All Times, Shall Earn a 1% Entitlement Bonus	Max 10% Entitlement Bonus	10%
P.2	<i>Screening of Parking Structures</i>	Parking structures shall be screened at least 50% on all visible sides with green walls, living walls, murals (that do not include advertising of any type), shade trees or vegetative screening, or other screening treatments. This enhancement is in addition to the requirements for FAR exemption.	10%	10%

Table 5: Orange Avenue Overlay District Development Enhancement Menu – Miscellaneous Category

Category Number	Enhancement	Description & Potential Bonus	Enhancement Achievement Maximums	Maximum FAR Increase
M.1	<i>5G Small Cell Facilities Placed On Building</i>	Each 5G Small Cell Placement on Structure Earns 1% Entitlement Bonus	Max 5 Locations	5%
M.2	<i>Workforce Housing Provided</i>	Each Unit Provided at Orange County Workforce Housing Standards Shall Earn a 0.5% Entitlement Increase	Max 20 Units	10%

Table 6: Orange Avenue Overlay District Development Enhancement Menu – Meaningful Open Space Category

Category Number	Enhancement	Description & Potential Bonus	Enhancement Achievement Maximums	Maximum FAR Increase
OS.1	<i>Open Space Beyond Minimums</i>	Each 1/4 acre (10,890 square feet) of additional dedicated open space available to the public beyond the required minimum shall earn a 5% Entitlement Bonus, or 20% per acre.	20%	20%
OS.2	<i>Shade Tree Planting</i>	Each 50-inches of Shade Tree Caliper Planted Onsite Beyond Minimum Requirements Shall Earn 1% Entitlement Bonus. Species Shall Be City Arborist Approved and Planted with Irrigation. A minimum 5" caliper tree shall be required.	Max 500-Inch Tree Caliper Bonus	10%
OS.3	<i>Tree Fund Donation</i>	Payment may be made into the City of Winter Park Tree Replacement Trust Fund, so that meaningful trees can be planted throughout the City to maintain and grow our tree canopy. For each donation of \$10,000 to the Tree Replacement Trust Fund, a 1% Entitlement Increase Shall Be Granted.	Maximum \$50,000 Donation	5%
OS.4	<i>Mead Garden Improvements</i>	Donation to Mead Botanical Garden Improvements/Restoration/Enhancements Shall Earn a 1% Entitlement Increase for Each \$10,000 Donation. The Funds Shall Only Be Used for Capital Improvements or Enhancements in Mead Botanical Garden.	Max \$100,000.00 Donation	10%

Category Number	Enhancement	Description & Potential Bonus	Enhancement Achievement Maximums	Maximum FAR Increase
OS.5	<i>Donation of Land for Parks</i>	For each 5,000 square feet of land donated to the City of Winter Park for park space (which is accepted by the City Commission as meaningful and useful park land), shall earn an additional 1% Entitlement Increase.	Maximum 20%	20%
OS.6	<i>Martin Luther King, Jr. Park Expansion</i>	Donation to the City of Winter Park, Park Acquisition Fund Shall Earn a 1% Entitlement Increase for Each \$10,000 Donation. Funds Shall Only Be Used for the Acquisition of Additional Park Land. The Funds Shall Only Be Used For the Acquisition of the Area Identified as Subarea "G" herein, to expand Martin Luther King, Jr. Park.	Max \$100,000.00 Donation	10%
OS.7	<i>Social Connection Amenities</i>	Provide amenities, that support community interaction and are open to the general public, creating third places:	Max Based on Type	—
		Yard games (life-size chess/checkers, bocce ball, bean-bag toss, walking labyrinth)		3 earns 1%
		Multi-Generational Play Areas		3%
		Fountain/splash pad/water feature		3%
		Stage areas for music/art performance		2%
		Dedicated Standalone Public Restrooms (not a part of a business onsite)		2%
		Public seating/gathering spaces of significant size (street furniture, seating walls, outdoor furniture, fire pits)		2%

Table 7: Orange Avenue Overlay District Development Enhancement Menu – Connectivity & Transportation Category

Category Number	Enhancement	Description & Potential Bonus	Enhancement Achievement Maximums	Maximum FAR Increase
CT.1	<i>Rail-Trail Construction & Easement</i>	Option A - Provide Dedicated Utility & Public Access Easement of a Minimum of 20 feet and Construction of Rail-Trail with a 12-foot Trail Width, to match regional trail widths and 4-foot planting strip along each side within said 20 foot easement, earns 1% Entitlement Bonus for each 50 linear feet of trail, with decorative light pole (as selected by City of Winter Park to match other areas of town) & shade or understory tree of minimum 5" caliper (as selected by Urban Forestry) with irrigation for every 50 feet of railroad frontage. The trail and easement shall connect from the property line where the rail enters, to the property line where the rail exits. The trail shall be designed to align with existing or future trail locations and the design of the trail shall be determined on the site plan when a project is submitted for consideration	Max 20%	20%

Category Number	Enhancement	Description & Potential Bonus	Enhancement Achievement Maximums	Maximum FAR Increase
		Option B - Provide Dedicated Utility & Public Access Easement of a Minimum of 23 feet and Construction of Rail-Trail with a 15-foot Trail Width to meet and exceed regional trail widths and 4-foot planting strip along each side within said 23 foot easement, earns 1% Entitlement Bonus, with decorative light pole (as selected by City of Winter Park to match other areas of town) & shade or understory tree (as selected by Urban Forestry) for every 50 feet of railroad frontage. The trail and easement shall connect from the property line where the rail enters, to the property line where the rail exits. The trail shall be designed to align with existing or future trail locations and the design of the trail shall be determined on the site plan when a project is submitted for consideration	Max 25%	25%
CT.2	Off-Site Trails	Donation to the Construction of Bike/Pedestrian Trails. Due to the unique circumstances and properties in each area, every section of future trail will have challenges and opportunities. Because no two areas are the same, it is preferable to have developers pay into a trails fund, with design and installation provided by the City. Each \$10,000 donation shall earn a 1% entitlement bonus.	Max \$100,000 donation	10%
CT.3	Denning Drive Mobility Extension	Complete Extension of Denning Drive from Orange Ave to Mead Botanical Garden, Minimum 12' Wide Multi-Use Paved Path With Decorative Lighting, and Shade Tree in Grate with Irrigation Every 50 feet, with Required ADA Crossings & Signage on E side of Denning Drive	25%	25%
CT.4	Rideshare Dedicated Curb	Each 24 feet of marked and dedicated rideshare curb in front of the building shall earn a 0.5% Entitlement Bonus	2 Dedicated Spaces	1%
CT.5	Bicycle/Pedestrian Repair Facilities & Rest Areas	Provide bicycle/pedestrian amenities that are available to the community near any Bike Trail facility. One of each of these facilities shall be allowed to locate in one or more of the following locations: Rail Trail area as defined in this chapter, In Martin Luther King, Jr. Park along a bike trail, Along the new Bike Path connecting to Mead Botanical Garden, or along the Denning Drive bicycle facilities. Each location shall require the following elements under a covered roof or shade area: Bicycle Fix-It Stations with bike lift, air pump and tools; water fountain and water bottle filling; bike rack; trash and recycling receptacles; and a bench.	2% per location, Max 3 locations per development. Can be located off-site	6%
CT.6	Covered Transit Stops	Bench, Trash Receptacle, Recycling Receptacle and Covered Area Provided for Transit Users At a Stop on a Bus Route	1%	1%
CT.7	Land Donation for Transportation Improvements	Each 100 square feet of land dedicated to the City of Winter Park or FDOT as right-of-way for needed transportation improvements, shall earn a 1% Entitlement Bonus	Max 25%	25%

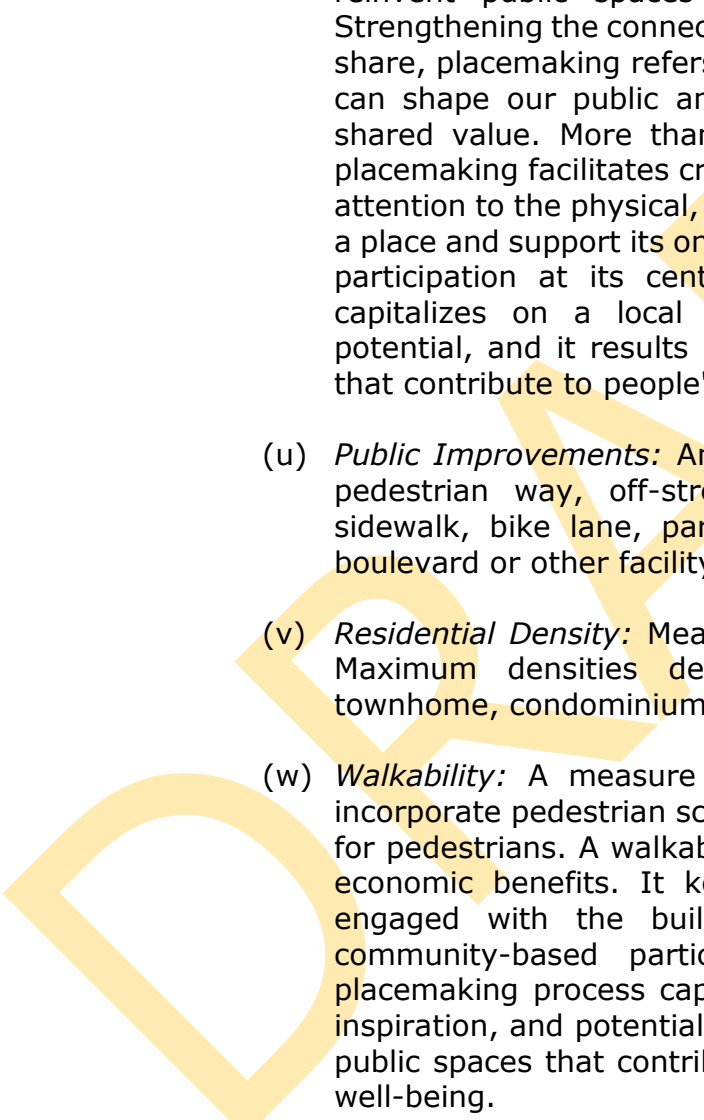
r. *Definitions.*

- (a) *Affordable Housing:* Affordable housing means a dwelling unit, with regard to a unit for sale, which costs less than 80 percent of the median price of the single-family homes sold the previous year in the Orlando metropolitan area; and with regard to a unit for rent, one which rents monthly for less than 80 percent of the median monthly cost of similar sized units for the previous year in the Orlando metropolitan area and for which the purchaser's or renter's income or combined family income does not exceed 80 percent of the median family income for the Orlando metropolitan area.
- (b) *Boutique Hotel:* A boutique hotel is largely characterized by its smaller size, personalized service and local personality, which can vary dramatically depending on where the property is located. They cater to the individual, providing very personalized, intimate service. These properties are designed to blend into the community and reflect the neighborhoods and cultures around them.
- (c) *Building Story:* Building story means a section of a building between the surface of a floor and the floorplate of the floor above it.
- (d) *Common Ownership or Commonly Owned:* Properties shall be deemed to be under "common ownership" or "commonly owned" if the properties are owned by the same entity or affiliated entities with substantially similar control and management.
- (e) *Density Transfer:* The ability to transfer existing underlying zoning density entitlements from one property to another as specifically outlined only in Subareas D or J and the transfer maps for those subareas. The property has to be commonly owned and is subject to the provisions of the OAO. Once residential entitlements are transferred from other commonly-owned properties, no residential units can be constructed on the site from which transfers occur.
- (f) *EIFS:* Exterior Insulation and Finish System. A non-load bearing exterior wall cladding system consisting of a thermal insulation board, adhesively and/ or mechanically attached to the substrate, base coat with reinforced fiberglass mesh and a textured finish coat.
- (g) *Fast Casual Restaurant:* Fast casual restaurants offer consumers freshly-prepared, higher-quality food in an informal setting, with counter service to keep things speedy.
- (h) *Floor Area Ratio (FAR):* The gross floor area divided by the land area of the building site excluding land areas across a public

street under the same ownership. The gross floor area ratio is the square footage of the building or buildings on the property (and contiguous properties being used in connection with such building(s)) divided by the area of such property in square feet. This mathematical expression (gross floor area ÷ land area = floor area ratio) shall determine the maximum building size permitted.

- (i) *Food Hall:* Unlike food courts made up of fast food chains, food halls typically mix local artisan restaurants, butcher shops and other food-oriented boutiques under one roof.
- (j) *Green Roof:* A green roof or living roof is a roof of a building that is partially or completely covered with vegetation and a growing medium, planted over a waterproofing membrane. It may also include additional layers such as a root barrier and drainage and irrigation systems. Green roofs serve several purposes for a building, such as absorbing rainwater, providing insulation, creating a habitat for wildlife, increasing benevolence and decreasing stress of the people around the roof by providing a more aesthetically pleasing landscape, and helping to lower urban air temperatures and mitigate the heat island effect.
- (k) *Green Wall/Living Wall:* Living walls or green walls are self-sufficient vertical gardens that are attached to the exterior or interior of a building. They differ from green façades (e.g. ivy walls) in that the plants root in a structural support which is fastened to the wall itself. The plants receive water and nutrients from within the vertical support instead of from the ground.
- (l) *Impervious Area:* Impervious Areas are man-made areas that cannot absorb water from rain or snow. Impervious Area Examples: Roofs; Roads; Sidewalks; Driveways; Parking Lots.
- (m) *Meaningful Open Space:* Privately -owned property that is not a part of the inside of a building. These areas are intended to provide for the use and benefit of the general public, and are legally accessible by the general public. These areas are accessible and designed for outdoor living, gathering, landscaping, recreation, pedestrian activity, meaningful, useable, accessible, green and beautiful open space that invites the public to relax, interact, recreate, unwind and stimulate social connection. Open space shall not be retention ponds, parking lot islands or landscape planting areas around building bases. Meaningful opens spaces are areas that are open and inviting to the public. Open space can include green areas, hardscape areas, semi-pervious areas, balcony or roof areas that are open to the public and other similar-type spaces. The intent is that each of these areas create the opportunity for social interaction, relaxation, recreation and reflection.

- (n) *Mixed-Use*: Mixed-use development combines two or more types of land use into a building or set of buildings that are physically and functionally integrated and mutually supporting. This can be some combination of residential, commercial, industrial, office, institutional, or other land uses. The form of mixed-use development can be vertical or horizontal. Vertical mixed-use occurs when different uses inhabit the same building and sit atop one another, such as residential or office uses over ground floor retail. Horizontal mixed-use occurs when uses are placed next to each other, such as an apartment building that is adjacent to offices, restaurants, or retail shops. Mixed-use areas often create the main street/downtown, activity center, or commercial corridor of a local community, district, or neighborhood. They frequently involve stacking uses – residential or office above retail, for example, in low or midrise buildings, but are predominately made up of a variety of individual buildings arranged around streets and around public squares or other open spaces.
- (o) *Multi-Generational Play Area*: Instead of focusing exclusively on children, these playgrounds broaden their scope to include equipment, activities and amenities for those older than age 12—and perhaps significantly older—so that anyone who visits the playground, regardless of age or ability, can find something there they enjoy.
- (p) *Multi-Modal Transportation*: This concept is that all modes of transportation should have equality and there shouldn't be the typical hierarchy where private automobiles have more opportunities at the cost of pedestrians, cyclists, public transportation users and handicapped persons.
- (q) *Overlay District*: An area where certain additional requirements are mapped upon an underlying zoning district(s). The district modifies or supplements the underlying zoning regulations and allows for flexibility in design and the ability to apply more area specific requirements including, but not limited to, architecture, height, setbacks, use, open space, landscaping, historic preservation, floor area ratio, parking, public improvements, access, stormwater, etc. In the instance of conflicting requirements, the stricter shall apply.
- (r) *Percentage-Based Development Enhancement*: In exchange for the ability to obtain additional development entitlements above those currently allowed by the underlying zoning and the OAO, certain public improvements and area-wide solutions will be required by those who develop or redevelop properties and the requirements for Development Enhancement Bonuses must be met. Property owners or developers may use any combination of the Development Enhancement Menu to earn their way up to the Maximum Achievable Floor Area Ratio.

- 
- (s) *Pervious Area:* A pervious surface is a surface that allows the percolation of water into the underlying soil. Pervious surfaces include grass, mulched groundcover, planted areas, vegetated roofs, permeable paving as well as porches and decks erected on pier foundations that maintain the covered lot surface's water permeability.
 - (t) *Placemaking:* As both an overarching idea and a hands-on approach for improving a neighborhood, city, or region, placemaking inspires people to collectively reimagine and reinvent public spaces as the heart of every community. Strengthening the connection between people and the places they share, placemaking refers to a collaborative process by which we can shape our public and private realm in order to maximize shared value. More than just promoting better urban design, placemaking facilitates creative patterns of use, paying particular attention to the physical, cultural, and social identities that define a place and support its ongoing evolution. With community-based participation at its center, an effective placemaking process capitalizes on a local community's assets, inspiration, and potential, and it results in the creation of quality public spaces that contribute to people's health, happiness, and well-being.
 - (u) *Public Improvements:* Any drainage facility, roadway, parkway, pedestrian way, off-street parking area, lot improvements, sidewalk, bike lane, park, public facility, pedestrian crossing, boulevard or other facility which benefits the public.
 - (v) *Residential Density:* Measured in dwelling units per gross acre. Maximum densities determine the number of apartment, townhome, condominium or other multifamily units allowed.
 - (w) *Walkability:* A measure of how well streets are designed to incorporate pedestrian scale elements and to create equal access for pedestrians. A walkable area has health, environmental, and economic benefits. It keeps pedestrians interested, safe and engaged with the built environment around them. With community-based participation at its center, an effective placemaking process capitalizes on a local community's assets, inspiration, and potential, and it results in the creation of quality public spaces that contribute to people's health, happiness, and well-being.
 - (x) *Workforce Housing:* A dwelling unit, with regard to a unit for sale, which costs less than 120 percent of the median price of the single-family homes sold the previous year in the Orlando metropolitan area; and with regard to a unit for rent, one which rents monthly for less than 120 percent of the median monthly cost of similar sized units for the previous year in the Orlando metropolitan area, and for which the purchaser's or renter's

income or combined family income does not exceed 120 percent of the median family income for the Orlando metropolitan area.

SECTION 2. Vesting. In order to not adversely affect development projects that may be in process and for which expenditures have been made in reliance upon the existing code provisions, the City will allow certain developments to be subject to the underlying zoning of the property prior to the adoption of this Ordinance provided such development's site and building floor plans have been received and approved by the City prior to the effective date of this Ordinance. However, for any development project that received a conditional use approval from the City Commission prior to the effective date of this Ordinance, the expiration of that conditional use approval per Section 58-90 shall apply.

SECTION 3. Severability. If any Section or portion of a Section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Ordinance.

SECTION 4. Conflicts. To the extent any provision or provisions of this Ordinance conflict with the provision or provisions of other Ordinances, the provisions of this Ordinance control.

SECTION 5. Codification. Section 1 of this Ordinance shall be codified and made a part of the City of Winter Park Land Development Code, and the sections of this Ordinance may be renumbered or relettered to accomplish this intention. The word "Ordinance" may be changed to "Section," "Article," or other appropriate word. The City Clerk is given liberal authority to ensure proper codification of this Ordinance, including the right to correct scrivener's errors.

SECTION 6. Effective Date. This Ordinance shall become effective upon the comprehensive plan amendments provided for under Ordinance _____ become effective. If Ordinance _____ does not become effective, then this Ordinance shall be null and void.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this _____ day of _____, 2020.

Mayor Steve Leary

Attest:

City Clerk



city commission agenda item

item type	Public Hearings	meeting date	3/9/2020
prepared by	Planning	approved by	City Manager, City Attorney
board approval	yes final vote		
strategic objective	Exceptional Quality of Life, Intelligent Growth and Development		

subject

Request of Rollins College for:

This public hearing will be held at 5:00 p.m. or thereafter.

- Ordinance to amend the Comprehensive Plan Future Land Use Map designation of Office to Institutional at 200 E. New England and 203 E. Lyman Avenues (2)
- Ordinance to amend the official Zoning Map to change from Office (O-1) to Institutional (PQP) on the properties at 200 E. New England and 203 E. Lyman Avenues (2)
- Conditional Use approval to maintain the existing 4-story Lawrence Center office building and to build a new 3-story, 31,000 square foot Rollins Museum and a new 2-story, 44,500 square foot Crummer Graduate School of Business building, on the properties at 200 E. New England and 203 E. Lyman Avenues including a Community Benefit Agreement.

motion / recommendation

Staff and P&Z Board recommendation is for approval of the Comprehensive Plan future land use map change, Zoning map change and Conditional Use subject to the terms of the proposed Benefit (Development) Agreement and with the final floorplans and exterior elevations/materials of the Museum building and final exterior elevations/materials of the Crummer School building, as well as the site, landscape plan to be reviewed and approved by the Planning and Zoning Board and City Commission.

background

Rollins College has submitted revised plans for the Innovation Triangle project (attached). Those plans have reduced the size of the Crummer Graduate School building by 40,000 square feet. Those plans have also revised the setback on Lyman and New England Avenues from 10 feet to 25 feet. The revised floor area ratio for all the buildings on-site is 127%.

This public hearing is for the second reading of the ordinances amending the Comp Plan future land use and zoning. It also is for approval of the conditional use per the revised plans.

Rollins College owns the 2.37 acres at 200 E. New England and 203 E. Lyman Avenues, which is the entire block bounded by New England, Interlachen, Lyman and Knowles Avenues. There is an existing 4-story Lawrence Center office building at the corner of New England and Knowles Avenues and a 2-story College office building at the corner of Lyman and Knowles Avenues.

The applications consists of two elements:

1. To change the Comprehensive Plan future land use map and Zoning map for the subject property from the existing Office (O-1) designation to an Institutional (PQP) designation, and
2. For Conditional Use approval that seeks to retain the existing 4-story Lawrence Center building, demolish the existing 2-story College office building and adjacent drive-thru tellers and to build a new 3-story, 30,766 square foot, Rollins College Museum and a new 3-story, 77,189 square foot Crummer Graduate School of Business.

Comprehensive Plan Future Land Use and Zoning Map changes

These properties, historically, were privately held (Winter Park Federal Savings & Loan) until their acquisition by Rollins College in 1993. The 4-story Lawrence Center building has been predominately privately leased office space, including the bank with drive-thru tellers and additionally the 2-story Pioneer building that was business offices for the Hamilton Holt school. As such, the existing Office zoning designations fit the historic uses of the property.

Now that the proposed uses of this block are requested to be predominately College related functions of the Rollins Museum and Crummer Graduate School. The request is to match the land use designations that exist on the Rollins College campus, which is Institutional (PQP).

Aside from zoning compatibility with the Campus and the surrounding zoning, what this change results in, is an increase in the maximum permitted Floor Area Ratio from 45% up to a maximum of 200%. Thus, this 2.37 acre block changes from a maximum of 46,456 square feet to a maximum of 206,474 square feet of buildings. The combination of the two existing buildings is now 50,591 square feet.

The result of the Land Use/Zoning changes is to allow (subject to Conditional Use approval) and increase for the 110,000 square feet of new buildings proposed. That is not an insignificant increase in building size and mass. Thus, compatibility and context are important considerations.

This block is located adjacent to the Central Business District where the C-2 zoning allows properties a similar maximum of 200% FAR. It is adjacent to the SunTrust building (FAR of 237%) and the SunTrust/Rollins parking garage (FAR of 272%). It is also adjacent to the Alford Inn (FAR of 197%), the Residences (FAR of 447%) and Via Sienna Condominiums (FAR of 173%). There are other adjacent buildings such as the Women's Club, All Saints Episcopal Church and the Congregational Church with much smaller FAR's. Based upon these adjacent buildings with compatible FAR's and the general compatibility with the permitted FAR of the adjacent Central Business District, the planning staff can support this land use change, in terms of compatibility with the building scale of the area.

One unintended consequence of this change to Institutional (PQP) is that that designation is only for institutional buildings such as public schools and colleges, hospitals, churches, city facilities, etc. The PQP zoning does not anticipate or permit private offices (Lawrence Center). As a result, this zoning change to PQP makes those private business offices in the Lawrence Center building non-conforming uses. As it is in the best interests of the City and Rollins for those private leased office

spaces to continue, one provision of the proposed Benefit (Development) Agreement would allow the continuation of those functions within the Lawrence Center building and keep these commercial uses on the tax rolls.

Conditional Use Review

The goal of Rollins College with this request is to gain the entitlements for these two new facilities of a museum and graduate business school. Fund raising and other design decisions are still to come. As a result, Rollins College has agreed that any approval may be conditioned upon the final exterior architectural design, site plan and landscape plans to come back to the Planning and Zoning Board and City Commission for a final approval.

The first part of the conditional use review is the proposed new 3-story, 33,766 square foot museum. This project is intended to facilitate the relocation of the Cornell Fine Arts Museum from its current location on the college campus to a more visible and prominent location. The growth in museum size will allow, as the floor plans indicate, additional gallery space, conference/meeting room spaces for visual and lecture presentations and more back-of-house workspaces.

From the staff's perspective, having this new museum on New England Avenue in between the Alford Inn and Park Avenue will be a symbiotic relationship and will also create a lateral corridor from Park Avenue. Guests at the Alford Inn will be walking past the new museum which helps to promote our brand as the city of arts and culture and will also help expand and promote increased visitor numbers and programming at the museum.

From a site plan and architectural image perspective, the challenge with any museum is the conflict between solid blank exterior walls needed for gallery and theatre walls (similar to the Morse Museum) and the need for windows and openness to invite guests to explore the offerings and to provide exterior architectural appeal. For the final approval, the staff expects to be involved in the review of the interior floor plan layout (as this controls the exterior walls sections) together with final architectural design and materials.

The second part of the Conditional Use review is for the new 3-story, 77,189 square foot Crummer Graduate School of Business. The growth in the Crummer School size will allow, as the floor plans indicate, administration and facility offices, classrooms for teaching and learning, meeting rooms, an auditorium, and food service facility. From a site plan and architectural image perspective, these interior functions allow more opportunity for windows and openness to enhance the exterior architectural appearance. Staff will be involved in the final exterior architectural design and material selection of this building, as well.

Project Site Statistics and Infrastructure

The combination of these three buildings is 171,801 square feet which results in Floor Area Ratio of 166% (less than the maximum 200% allowable). Setbacks for the Museum and Crummer School are proposed at 10 feet from New England and Lyman Avenues and 25 feet from Interlachen Avenue. The existing Lawrence Center office building is 10 feet from New England Avenue and the SunTrust building is 10 feet from Lyman Avenue (parking garage is 7 feet). The Alford Inn and the Residences are both 25 feet from Interlachen Avenue. Impervious coverage meets code. Building height is proposed at 42½ feet to the top of the flat roofs in lieu of the code maximum of 40 feet. There are also parapets to screen rooftop mechanical equipment.

The site will also hold a small parking lot of 38 spaces. This is to provide opportunities for convenient accessible handicapped parking, quick service deliveries

and other special parking needs. Underground exfiltration beneath that parking lot area will provide the required storm water retention for this site.

Parking Analysis

There are three parking code sections that would apply to this combination of buildings. The Lawrence Center office building requires one space for each 333 sq. ft. of its 44,433 square feet or 133 spaces. Museum parking is "as determined by the City Commission" but it is expected to be largely pedestrian oriented from visitors already in the Central Business District area. The Crummer School parking is based on one space for each employee and one space for each two students, but the analysis is campus-wide.

The new Ollie parking garage has opened up the opportunity for this project (as well as the Alford expansion) by shifting about 300-350 daytime student and college employee cars from the SunTrust parking garage to the Ollie parking garage. It is also important to note that the Crummer Graduate School is primarily evening courses for a student body that is largely employed and seeking an advanced business degree. All of the Crummer students currently park in the SunTrust parking garage. When those students are there in the evening, any spaces provided for the Lawrence Center office building and SunTrust building tenants are available, as they are primarily daytime office or retail uses. There are approximately 900 spaces in the SunTrust parking garage. The times of usage with the needs of the Crummer School and Alford Hotel being primarily in the evening and the SunTrust, Lawrence Center and Alford Inn during the day, work to maximize the efficiency of the SunTrust parking garage. It is a good example of a compatible shared parking arrangement.

Rollins College has provided a parking summary of the users of the SunTrust parking garage. Their expectation is that a 200+ car surplus is available at any given time. As a result, Rollins is offering to provide parking for 25 City employees as part of the proposed Development Agreement. The College should also provide assurance that those at the Congregational Church and All Saints Episcopal Church needing parking on Sunday morning could find it in the SunTrust parking garage.

Comprehensive Plan Policy Guidance

There are no policies within the Comprehensive Plan that would be in conflict with this project, as amended. The building height of three-stories and the size (FAR) are permitted under the proposed Institutional Future Land Use designation and location within the CBD. There are Comprehensive Plan policies that generally speak to institutional facilities below, which encourages the approval of future land use map changes and conditional uses for colleges and museums. However, it is not open ended as the following policies makes those decisions based upon the conclusions that the proposed buildings are compatible with the character of the surrounding area.

Policy 1-2.4.18: New Institutional Facilities Since any new institutional facilities or expansions can only occur through Conditional Uses or Future Land Use Map changes, these proposed types of facilities such as public governmental buildings, schools, colleges or universities, public utility facilities, public parking lots, churches, museums, libraries, retirement and nursing homes, hospitals and non-profit community service facilities (excluding private clubs and lodges) may be exempted from policies in this element which discourages land use plan map changes so that appropriate future sites may be established that shall provide these public services and benefits.

Policy 1-2.4.19: Ensure Compatibility of New Community Institutional Facilities New community facility uses or expansions shall be permitted only when those facilities or uses are compatible with the character of the surrounding area, and when there is minimal additional impact over that possible by existing land use, for such factors as traffic, parking, noise, height and size of the facilities.

PLANNING AREA G: Downtown/Rollins College

Policy 1-G-11: Improvements at Rollins College & other Educational, Non-Profit or Other Institutional Entities to Avoid Adverse Impacts on Surrounding Residential Areas Improvements or expansions to the buildings and facilities of Rollins College and other educational, non-profit or other institutional entities shall conform to existing Comprehensive Plan policies, including but not limited to the Future Land Use Map as well as Winter Park zoning regulations and standards and shall not negatively impact the surrounding residential areas.

Policy 1-G-12: Managing Expansion & Physical Improvements at Rollins College and Other Educational, Non-Profit or Other Institutional Entities The City shall endeavor to accommodate, through conditional use reviews, the physical development building needs and campus expansion requirements through land use changes to an "Institutional" Future Land Use designation and a "Public/Quasi-Public" zoning district classification for Rollins College and other educational, non-profit or other institutional entities as long as those projects are directly related to the educational purposes of serving students and/or staff as long as those projects are compatible with adjacent residential neighborhoods and properties.

Policy 1-G-18: Maintaining the Character of Interlachen Avenue The City shall strongly discourage any change to the future land use and zoning from low density residential to medium or high density residential on the properties on the west side of Interlachen Avenue, now designated as low density residential and future development along Interlachen Avenue shall conform to a minimum 25 foot street front setback along Interlachen Avenue for buildings and structures that is consistent with the existing pattern of development.

Future Rollins College Expansions

These Comprehensive Plan policies envision a partnership with the City and other non-profits such as Rollins College. To date, such a partnership with Rollins College envisions that the college campus, south of Fairbanks Avenue, is the focus of instruction for teaching and learning. Other ancillary facilities such as the new Physical Plant building at the end of Holt Avenue, or administrative office facilities on Fairbanks Avenue are ancillary and supportive of the primary activities of the Liberal Arts institution on the main campus.

This application has raised the policy question as to the limits of outward expansion of the Rollins College campus, as this is the first time that a teaching and instruction facility, in this case of 77,000 square feet in size, is proposed "off-campus" north of Fairbanks Avenue.

There are many valid differentiators between the Crummer Graduate School and the undergraduate program. Crummer students are in a Masters business program and most work full-time. Rollins undergraduates do not take Crummer classes except occasionally in their senior year when they are also living off-campus.

Nonetheless, this application has raised the legitimate question as to whether there are or should be any limits to the geographical expansion of Rollins College, with respect to classroom instruction and undergraduate housing. As an example, could the Miller's Hardware property be proposed as the new Social Sciences classroom building or the next dormitory. To that end, the (attached) Development Agreement provides limits to the future expansion of Rollins College with respect to undergraduate classroom instruction and undergraduate housing. Those functions will remain south of Fairbanks Avenue.

Benefit (Development) Agreement

The applicant is proposing a companion Benefit (Development) Agreement. This Agreement contains important provisions for:

1. Providing the Conditional Use entitlements along with any conditions of approval. Those Conditional Use entitlements are to be for a period of five years (versus normal two years) due to the need for fund raising, etc.
2. Limiting the use of the Crummer Graduate School to that use and thus restricting the building from conversion to undergraduate classroom instruction.
3. Providing a restriction on any future undergraduate instruction or dormitory building(s) north of Fairbanks Avenue.
4. Providing for City employee parking (25 spaces) within the SunTrust garage. This would then allow more public parking in the lot behind City Hall.

Staff Evaluation and Recommendation

The main review criteria for the Comprehensive Plan/Zoning Map changes (increase in FAR to 200%) and the Conditional Use is the context and compatibility with the adjacent area. This block is located adjacent to the Central Business district where the C-2 zoning allows properties a similar maximum of 200% FAR. It is adjacent to the SunTrust building (FAR of 237%) and the SunTrust/Rollins parking garage (FAR of 272%). It is also adjacent to the Alford Inn (FAR of 197%) and the Residences (FAR of 447%) and Via Sienna Condominiums (FAR of 173%). Based upon these adjacent buildings with compatible FAR's and the general compatibility with the permitted FAR of the adjacent Central Business District, the planning staff is in support of this land use change and conditional use.

The planning staff understands the distinction between the Crummer "Graduate" School of Business versus the Liberal Arts focus of the Rollins "undergraduate" program and why the business school believes that a location within the Central Business District of Winter Park and apart from the undergraduate campus works for their mission and brand.

Planning and Zoning Board Minutes from January 14, 2020:

CPA #20-01; RZ #20-01 & CU #20-02: Request of Rollins College for: Ordinances to amend the Comprehensive Plan Future Land Use Map and Official Zoning Map from Office (O-1) to Institutional (PQP) and for Conditional Use approval to build a new 3-story, Rollins Museum and a new 3-story, Crummer Graduate School of Business at 200 E. New England and 203 E. Lyman Avenues.

Board Member Laura Walda recused herself from the item as she is employed by same office as counsel for the applicant.

Principal Planner Jeff Briggs explained that the item was a request of Rollins College for Comprehensive Plan Future Land Use and Zoning changes on the Lawrence

Center block and Conditional Use approval to build a new three-story Rollins Museum and three-story Crummer Graduate School of Business. Mr. Briggs presented images of the Lawrence Center block and Comprehensive Plan Map showing the property designated and zoned Office. Rollins College request is that the Land use/Zoning be changed to match that of the college campus, which is an Institutional FLU category and Public Quasi Public (PQP) zoning.

Mr. Briggs explained that one difference between the two designations was the Floor Area Ratio which would change the FAR from a maximum of 45% to a potential maximum of 200 %. It was stated that the changes were key because through the development program the density would be increased to 166% FAR, making the land use changes essential.

Mr. Briggs explained that the existing Lawrence Center four-story office building that will remain on the property to be used as "for lease" office space to third parties and not intended to transition to Rollins College use. However, redevelopment is planned for the rest of the property. He explained that the desire is to move Cornell Museum from its present, obscure location on the lakefront, to this site where more people would have an opportunity to visit the museum giving it more visibility and vitality. The other portion of the request was a new three-story Crummer Graduate School of Business measuring three-stories and approximately 79,000 square feet of building area. In addition, there would be a small parking lot at the corner of Knowles Avenue and Lyman Avenue that would serve immediate needs of visitors requiring disabled parking, deliveries and other parking needs.

Mr. Briggs explained that underground exfiltration beneath the parking lot would be used for retention. Additionally, Mr. Briggs showed preliminary elevations of the new buildings. It was noted that the elevations were intended to be preliminary as the goal of Rollins College was to gain the entitlements for the two new facilities of a museum and graduate business school. Fund raising and other design decisions would come later in the process. Thus any approval by the City would come with the condition that the final exterior elevations and materials, along with any adjustments to the landscape plan, would be brought back to P&Z for subsequent approval which was agreed to by the College.

Mr. Briggs noted that in terms of height and FAR, the project was compatible with other buildings in close proximity. Mr. Briggs discussed parking and explained that the project would primarily utilize the SunTrust garage. Rollins would be moving 300-400 students/staff from the SunTrust garage to the newly constructed Ollie parking garage on campus which would open parking opportunities to accommodate the needs of Lawrence Center and Museum employees and visitors, Crummer Graduate School students, and Alford Inn needs and still have a surplus. It was noted that most of the Crummer Graduate School classes are at night and those students park there now.

Lastly, Mr. Briggs stated that a development agreement was part of the request. He stated that Rollins College was asking for approval/entitlements to last 5 years due to the need for fund raising and further design. With the surplus parking available in the SunTrust garage, Rollins offered to provide 25 parking space for City Hall employees which would allow for additional customer and public parking behind City Hall. Additionally, Rollins' would limit the use of the Crummer Graduate School so that there would be no undergraduate classroom instruction and no dormitory construction north of Fairbanks Avenue.

Staff recommendation was for approval. There were no questions from the Board for Staff.

Rollins College President Grant Cornwell, 600 Osceola Avenue, Winter Park, FL, addressed the Board. He explained the College's vision for the Innovation Triangle in that the project was derived from the College's strategic planning process. With respect to the Cornell Museum, he stated that their art collection had grown in quality and quantity and contained approximately 5,000 pieces of fine art and it was a civic duty to share the collection with the larger community. With respect to the Crummer Graduate School, Mr. Cornwell explained that the school had been constrained in its current location and had outgrown its space. He stated that the faculty, dean and board of advisors were looking for The Crummer to be housed in a new facility and that the new building was very important to the Rollins College pedagogy. Lastly, he stated that the Innovation triangle encompasses three programs: Museum; Business school and Alford Inn that will provide synergy between them to serve Rollins college, and the City of Winter Park as a destination for innovation.

Rebecca Wilson, Lowndes, Drosdick, representing Rollins College thanked the Board for their consideration and noted that the college chose architect, Joseph Coriarty, for the project through a nationwide search and noted that Mr. Coriarty had previously designed the Hillstone Restaurant building in Winter Park. Ms. Wilson discussed the site plan, reiterated that the Lawrence Center was the existing four-story building on the property and most of the spaces are leased to 3rd party businesses with the College occasionally using it for "swing space" she spoke about the progression from Park Avenue to the Alford Inn and stated that currently there is a dead space between the current building and Park Avenue and the Innovation Triangle project would create a streetscape similar to Park Avenue.

Mrs. Wilson reviewed the Floor Area Ratio calculations for the Alford Inn and the Lawrence Center and presented conceptual images of the Innovation Triangle. She further discussed the Development Agreement and talked about the City code analysis as it relates to three-story buildings in the Central Business District. She reviewed the setbacks on Interlachen Avenue and briefly discussed issues related to parking. Mrs. Wilson reiterated that the final exterior elevations and landscape plans would be required to come back to the Planning & Zoning Board for final approval. Lastly, she asked for permission to address concerns made by residents during public comment.

The Board heard public comment from:

Jim Fitch, 1820 Via Genoa, Winter Park, FL who spoke in opposition of the Innovation Triangle Project citing issues related to parking and the City allowing Rollins College to lease office space at the Lawrence Center and Carmen Rasnick, 311 N. Knowles Avenue, Winter Park, FL; Ann Kelly, 520 N Phelps Avenue, Winter Park, FL.; Greg Marshall, 1625 Roundelay Lane, Winter Park, FL; and Patricia (could not hear last name in audio), 2837 Lake Baldwin Lane who spoke in favor of the project.

In addition, the Board heard public comment from William Gerber, 300 S. Interlachen Avenue, Winter Park. Mr. Gerber explained that The Residences has ten parking spaces in the current Lawrence center parking lot via easement and objected to the relocation of those spaces.

No one else from the public wished to speak. The public hearing was closed. Attorney Rebecca Wilson addressed concerns made during public comment. She stated that the Crummer Graduate School held most of its classes in the evenings which would alleviate issues related to lack of available parking during the day. Ms. Wilson confirmed that in 2011 an easement was granted for parking to the Residences which allows for the relocation of those spaces and she stated the college would work directly with The Residences on that issue.

Mrs. Wilson answered questions from the Board related to public access to the property, taxes Rollins pays for leasing office space at the Lawrence Center, lot coverage and FAR percentages, and main entrance location for the museum. The Planning Board members voiced support for the overall concept of the project and felt that the buildings were compatible with the location proposed. They agreed that the new Ollie Garage made this possible by shifting so many student/staff cars from the SunTrust garage that the Lawrence center parking lot could be removed given the new parking capacity in the SunTrust garage.

Motion made by Laura Turner, seconded by Ray Waugh, for approval for an Ordinance to amend the future land use plan map to change the future land use designation of office to institutional on the 2.37 acres of properties at 200 E. New England Avenue and 203 E. Lyman Avenue. Motion carried unanimously with a 7-0 vote.

Motion made by Laura Turner, seconded Ray Waugh, by for approval for an ordinance to amend the official zoning map to change from Office (O-1) zoning to Public, Quasi-Public (PQP) district zoning on the 2.37 acres of properties at 200 E. New England Avenue and 203 E. Lyman Avenue. Motion carried unanimously with a 7-0 vote.

Motion made by Laura Turner, seconded Chuck Bell for Conditional Use approval to redevelop the properties at 200 E. New England Avenue and 203 E. Lyman Avenue, to build a new 3-story, 30,766 square foot, Fine Arts Museum and a new 3-story 77,189 square foot Crummer Graduate School of Business building with the following condition:

1. That the final floorplans and exterior elevations/materials of the Museum building and final exterior elevations/materials of the Crummer School building, as well as the site, landscape plan to be reviewed and subsequently approved by the Planning and Zoning Board and City Commission.

Motion carried unanimously with a 7-0 vote.

[alternatives / other considerations](#)

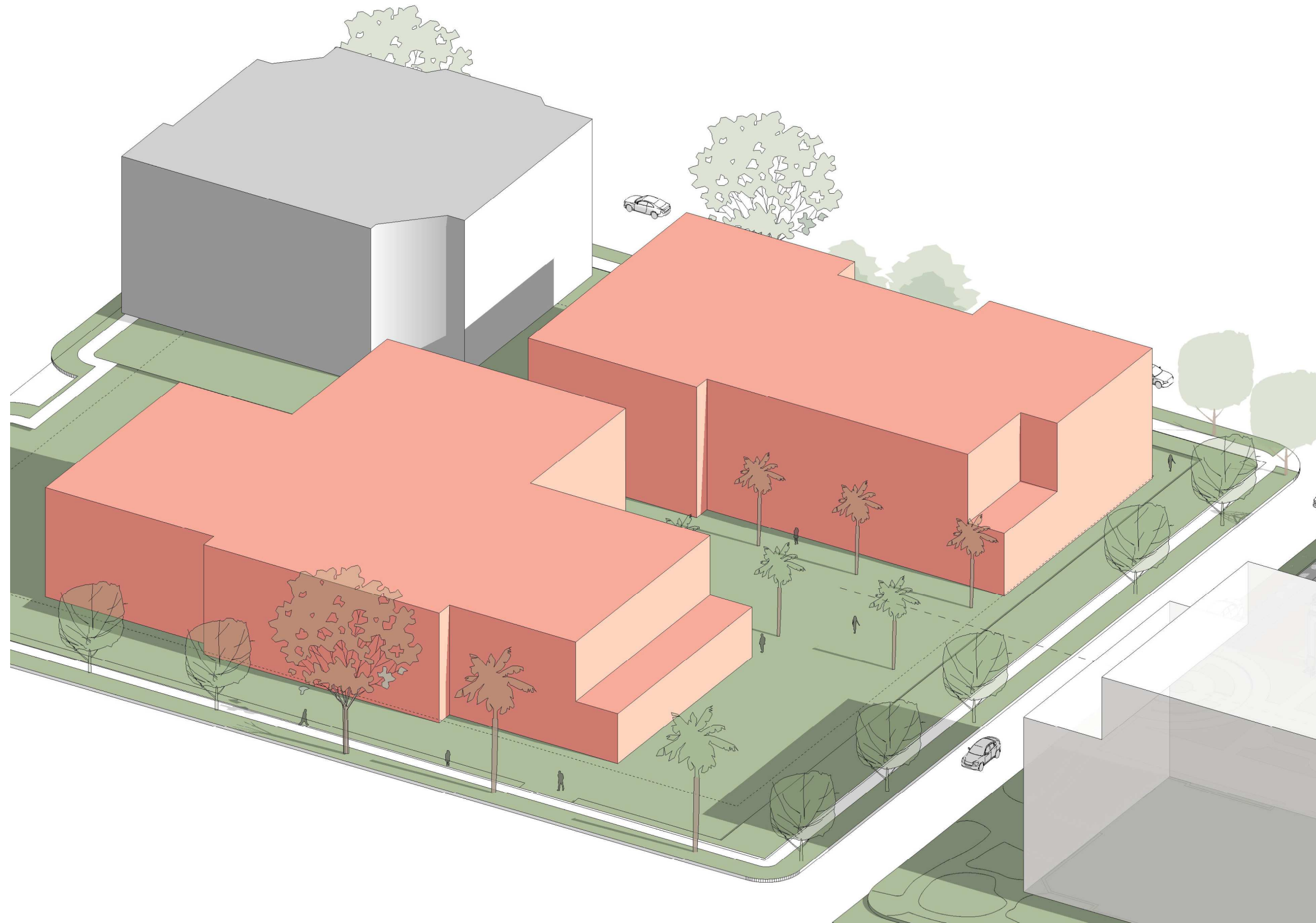
N/A

[fiscal impact](#)

N/A

ATTACHMENTS:

Description	Upload Date	Type
Revised Plans	3/2/2020	Backup Material
Revised Community Benefit Agreement	3/3/2020	Backup Material
Backup Materials	1/30/2020	Backup Material
Public responses, emails.	1/30/2020	Cover Memo
Rollins Alumni Letter of Support	3/5/2020	Backup Material



Rollins Innovation Triangle Preliminary Conditional Use Application

Supplemental Updates
Winter Park, Florida
March 9, 2020

Sheet Index

	Cover Sheet
A-2	Illustrative Site Plan
A-3	Ground Level Plan
A-4	Second Level Plan

Project Team

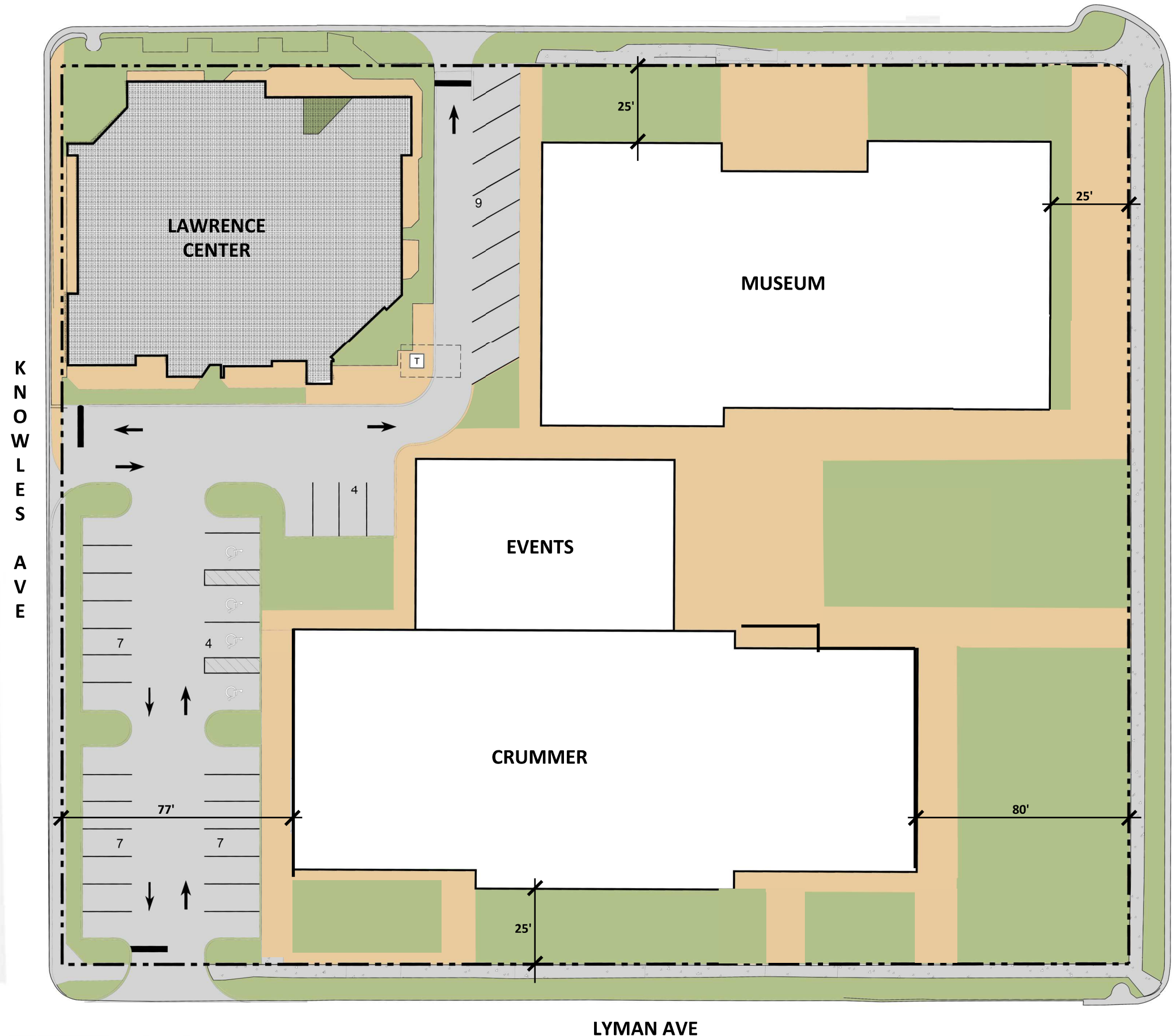
Applicant
Rollins College
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Winter Park, FL 32789
Contact: Scott Bitikofer
Tel.: (407) 691-1000
Email: sbitikofer@rollins.edu

Architect
FrederickFisher & Partners
12248 Santa Monica Boulevard
Los Angeles, CA 90025
Contact: Joseph Coriaty
Tel.: (310) 820-6680
Email: joec@fisherpartners.net

Vicinity Map



NEW ENGLAND AVE



ZONING / SF / FAR / SETBACKS

Previous		Revised
Building SF :		
Lawrence Center:	44,433 sf	44,433 sf
Museum:	42,283 sf	42,283 sf
Crummer:	69,295 sf	34,300 sf
Events:	15,790sf	9,994 sf
Total:	171,801sf	131,010 sf
FAR / Intensity:	166% (PQP Zone: 200% FAR)	127% FAR
Maximum Height:	3 Stories, 42'-6" (PQP Zone: 3 Stories, 40'-0") (Requested Variance to: 42'-6")	Crummer - 2 Stories, 35'-0" Art Museum - 3 Stories, 42'-6"
Setbacks:	Front (street facing frontages):	
	New England Ave.: 10'-0"	25'-0"
	Lyman Ave.: 10'-0"	25'-0"
	Interlachen Ave: 25'-0"	25'-0" (Museum) + 80'-0" (Crummer)
	Knowles: 77'-0"	77'-0"

Site Plan Diagram

NEW ENGLAND AVE



Schematic Ground Floor Plans

NEW ENGLAND AVE



LYMAN AVE

Schematic Second Floor Plans



**COMMUNITY BENEFIT AGREEMENT
(Rollins College)**

This ~~COMMUNITY BENEFIT AGREEMENT~~ COMMUNITY BENEFIT AGREEMENT (the "Agreement") is made and entered into the _____ day of _____, 2020, between the **City of Winter Park, Florida**, a Florida municipality ("City"), whose address is 401 Park Avenue South, Winter Park, Florida 32789; **Rollins College**; a Florida non-profit corporation ("**Rollins College**"), whose address is 1000 Holt Avenue, Winter Park, Florida 32789 and Holt Properties LLC, a Florida limited liability company ("**Holt Properties**"), whose address is 1000 Holt Avenue, Winter Park, Florida 32789.

WHEREAS, Rollins College is a not-for-profit university located in the City which owns approximately fifty-six (56) acres which is used as its main campus (the "Main Campus");

WHEREAS, in addition to the Main Campus, Rollins College owns additional property in the City;

WHEREAS, Rollins College and Holt Properties own the properties bounded by S. Interlachen Avenue on the east, S. Knowles Avenue on the west, E. Lyman Avenue on the south and New England Avenue on the north known as the "Lawrence Center Block" as set forth on **Exhibit "A"** attached hereto;

WHEREAS, the Lawrence Center Block is currently developed as a 44,433 square foot office building (the "Lawrence Center Building"), with drive-thru tellers, 125 surface parking spaces and an 18,486 square foot administration building;

WHEREAS, Rollins College desires to redevelop the property to include preservation of the Lawrence Center Building, a new Crummer ~~Business~~ Graduate School of Business, the relocation of the Cornell Fine Arts Museum, an outdoor plaza, and 30 surface parking spaces ("Innovation Triangle").

WHEREAS, the City desires to ensure the orderly redevelopment of the Lawrence Center in a manner compatible with Winter Park's Central Business District and village character;

WHEREAS, Rollins College has submitted a request to amend the City's Comprehensive Plan from Office to Institutional, amend the Official Zoning Map from O-1 to PQP and receive a Preliminary Conditional Use Permit for approvals to build Innovation Triangle;

NOW, THEREFORE, in consideration of the premises thereof, the promises and provisions contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the City, Rollins College and Holt Properties LLC agree as follows:

1. Incorporation of Recitals. The foregoing recitals shall be and are hereby incorporated into and made a part of this Agreement.

2. Approved Lawrence Center Block Use.

(a) Lawrence Center Building. Rollins College and Holt Properties may continue to use the Lawrence Center Building for leases to third-parties for office use and for Rollins College administrative ~~purposes.~~use. Portions of the building which may be converted to College administrative use may be converted back to third-party office use.

(b) Crummer Graduate School of Business-Administration. Rollins College may develop the Lawrence Center Block with up to ~~85,000~~44,500 square feet for use as the Crummer Graduate School of Business. The Crummer Graduate School of Business use is primarily limited to those students who are enrolled in a Masters of Business Administration program. There will be no regularly scheduled undergraduate classes at the Crummer Graduate School of Business-upon the Lawrence Center Block shall not be used for undergraduate student classes or instruction.

(c) Cornell Museum of Art. Rollins College may develop the Cornell Museum of Art up to ~~56,000~~31,000 square feet for use as an art gallery and museum. The Cornell Museum of Art may host learning experience for Rollins students but it may not hold regularly scheduled classes.

3. Parking. The Lawrence Center Block surface parking lot contains a minimum of 30 parking spaces. In addition, and in compliance with City Code Section 58-86(3)(f), parking will be provided for Lawrence Center Building, Crummer Graduate School of Business and the Museum in the SunTrust Garage owned by Rollins College as described on Exhibit “B” (“SunTrust Garage”).

4. City Parking License. Rollins College agrees to grant and hereby grants to the City an irrevocable Parking License for the purpose of City employee parking for ~~not less than 25~~at least 50 parking spaces in the SunTrust Garage at no charge. These spaces are unassigned and available to City employees from 9:00 am to 5:00 pm Monday through Friday. Included in the Parking License granted to the City for its employees’ use is the right of vehicular and pedestrian egress and ingress to and from the SunTrust Garage for the purposes of such license. Term of the Parking License shall be a minimum of thirty (30) years from the Effective Date of this Agreement; thereafter, such license shall automatically renew on a year to year basis unless either party gives written notice to the other party of the intent not to renew received at least 120 days prior to the end of the then current renewal term.

5. Ad valorem Taxes. Currently the Lawrence Center Block is divided into property which is assessed ad valorem taxes (the Lawrence Center Building and associated surface parking) and property which is exempt from property tax assessments due to its not-for-profit status. Since Rollins College and Holt Properties will continue to use the Lawrence Center Building for third-party leasing, the parties agree that Rollins College will create a separate tax parcel to include the existing Lawrence Center Building and relocated surface parking lot as shown on Exhibit “C” (“New Tax Parcel”). Rollins College and Holt Properties agree to maintain the New Tax Parcel as subject to Orange County Property Appraiser ad valorem taxes for a period of not less than ~~thirty~~twenty (20) years.

6. Rollins Ownership. Rollins College and Holt Properties own various properties north of Fairbanks Avenue in Winter Park which are not part of the Main Campus or Innovation Triangle. These properties as currently owned, are listed on Exhibit “D” (the “North Fairbanks Properties”). Rollins College and Holt Properties agree that these properties will continue to be used as commercial

and offices both leased to third-parties and used by Rollins College administration (but not for undergraduate student instruction or dormitories). ~~Rollins College and Holt Properties agree not to seek any comprehensive plan amendments or development orders to permit the North Fairbanks Properties to be used for student instruction or dormitories.~~

7. Conditional Use Permit. In exchange for the obligations set forth herein, the City agrees that the Preliminary Conditional Use Permit shall be valid for a term of five (5) years from the Effective Date of this Agreement.

8. Effective Date. This Agreement shall become effective upon the adoption of Ordinance 2020-XX (Comp Plan Amendment); Ordinance 2020-XX (Zoning Ordinance) and City Commission approval of the Preliminary Conditional Use Permit submitted on November 4, 2019, and the expiration of all appeal periods.

9. Notices. Any notice delivered with respect to this Agreement shall be in writing and shall be deemed to be delivered (whether or not actually received) (i) when hand delivered to the person(s) hereinafter designated, or (ii) upon deposit of such notice in the United States Mail, postage prepaid, certified mail, return receipt requested, addressed to the person at the address set forth opposite the Party's name below, or at such other address or to such other person as the party shall have specified by written notice to the other Party delivered in accordance herewith:

As to City: City of Winter Park
Attn: City Manager
401 Park Avenue South
Winter Park, Florida 32789

And a Copy to: Fishback Domin~~i~~c Law Firm
Attn: Kurt Ardaman
1947 Lee Road
Winter Park, Florida 32789

As to Rollins and Holt Properties: Rollins College
~~Rollins College~~ Attn: Ed Kania ~~1000 Holt Avenue~~
1000 Holt Avenue
Winter Park, Florida 32789

And a Copy to: Lowndes, Drosdick, Doster, Kantor & Reed, P.A.
Attn: M. Rebecca Wilson
215 N. Eola Drive
Orlando, Florida 32801

10. Amendment. Except as expressly provided herein, this Agreement contains the entire agreement between the parties and may not be changed, modified, amended, waived, or cancelled except by an amendment in writing and executed by each of the parties hereto.

11. Recording. This Development Agreement may be recorded in the official records of Orange County, Florida, at the time and expense of Rollins College.

12. Counterparts and Facsimile Signatures. This Agreement may be executed in one or more counterparts each of which shall be deemed an original but all of which together shall constitute one and the same instrument. This Agreement may be executed by facsimile or .pdf electronic signature by any party and such signature will be deemed binding for all purposes hereof without delivery of an original signature being thereafter required.

13. Applicable Law and Jurisdiction. This Agreement shall be governed by and construed in accordance with the laws of the State of Florida. Each party agrees that any action or proceeding with respect to this Agreement may only be brought in a federal or state court situated in Orange County, Florida, and by execution and delivery of this Agreement, such party irrevocably consents to jurisdiction and venue in each such court.

14. Binding Nature. This Agreement inures to the benefit of and is binding upon the successors or assigns in interest or the legal representatives of the parties hereto.

(SIGNATURES ON FOLLOWING PAGES)

WITNESSES:

**CITY OF WINTER PARK,
FLORIDA, a**

Florida municipality

Print Name: ~~Print Name:~~

By: _____
Name: ~~Title:~~

Title: _____

Print Name: _____

STATE OF
COUNTY OF

~~STATE OF~~
~~COUNTY OF~~

The foregoing instrument was acknowledged before me by means of ☐ physical presence
or ☐ online notarization, this _____ day of _____, 2020, by
_____, as _____ of the City of Winter Park, ~~Florida,~~
a Florida ☐ municipality, on behalf of the municipality. He (She) ☐ is personally known to me or
~~has produced~~ _____ ~~as identification.~~
☐ has produced _____ as identification.

(NOTARY SEAL)

Notary Public Signature

(Name typed, printed or stamped)

WITNESSES:

ROLLINS COLLEGE, a Florida non-profit corporation

Print Name: ~~__Print Name: __~~

By: _____
Name: ~~_____Title: __~~

Title: _____

Print Name: _____

STATE OF _____
COUNTY OF _____

~~STATE OF~~ _____
~~COUNTY OF~~ _____

The foregoing instrument was acknowledged before me ~~this~~ _____ day by means of _____, ~~2020, by~~ _____, ~~as~~ _____ ~~of Rollins College, a~~
☐ physical presence or ☐ online notarization, this _____ day of _____, 2020, by
☐ _____, as _____ of Rollins College, a Florida non-profit corporation, on behalf of the corporation. He (She) ☐ is personally known to me or
~~has produced~~ _____ ~~as identification.~~
☐ has produced _____ as identification.

(NOTARY SEAL)

Notary Public Signature

(Name typed, printed or stamped)

WITNESSES:

HOLT PROPERTIES
LLC, a Florida
limited liability company

Print Name: ~~Print Name:~~

By: _____
Name: ~~Title:~~

Title: _____

Print Name: _____

STATE OF
COUNTY OF

~~STATE OF~~
~~COUNTY OF~~

The foregoing instrument was acknowledged before me by means of ☐ physical presence
or ☐ online notarization, this _____ day of _____, 2020, by
_____, as _____ of ~~Holt Properties~~ LLC, a Florida
limited liability company, on behalf of the company. He (She) ☐ is personally known to me or
~~has produced~~ as identification.
☐ has produced as identification.

(NOTARY SEAL)

Notary Public Signature

(Name typed, printed or stamped)

EXHIBIT "A"
Lawrence Center Block

Lots 1 through 7 inclusive and Lots 22 through 27 inclusive, less the West 5 feet of Lot 7 and 22, Block 59, REVISED MAP OF THE TOWN OF WINTER PARK, as recorded in Plat Book A, Pages 67 through 72, Public Records of Orange County, Florida. Also the vacated alley adjacent to the South line of Lots 1 through 7 and the North line of Lots 22 through 25.

Together with an easement for ingress and egress being more particularly described as commencing at the Southwest corner of Lot 22, said Block 59, Revised Map of the Town of Winter Park, run South 89°59'20" East along the South line of Lots 22, 23, 24, and 27 a distance of 216.76 feet; thence North 00°16'00" East, 71.39 feet; thence South 88°20'56" East, 31.27 feet to the Point of Beginning; thence North 00°51'14" East, 19.76 feet thence North 89°19'40" West 10.0 feet; thence South 00°46'20" West 19.60 feet; thence South 88°20'56" East 10.0 feet to the Point of Beginning.

EXHIBIT "B"
SunTrust Garage

The East 339.40 feet of Lot 1 of 400 Park Avenue South Plat Book 43, Page 119 of the Public Records of Orange County, Florida.

(Parcel ID# 07-22-30-00-33-00-011)

[illegible]

EXHIBIT “D”
North Fairbanks Properties

<u>Building</u>	<u>Address</u>
<u>SunTrust Plaza</u>	<u>400 S. Park Ave., Winter Park, FL</u>
<u>Hamilton Holt School</u>	<u>311 W. Fairbanks Ave, Winter Park, FL</u>
<u>Apartment unit</u>	<u>238 Welbourne Ave., Winter Park, FL</u>
<u>Apartment unit</u>	<u>262 W. Welbourne Ave, Winter Park, FL</u>
<u>Apartment unit</u>	<u>316 W. Welbourne Ave., Winter Park, FL</u>
<u>Apartment unit</u>	<u>308 W. Welbourne Ave., Winter Park, FL</u>
<u>Apartment unit</u>	<u>1625 Ridgewood Ave, Winter Park, FL</u>
<u>Graduate Apartments</u>	<u>210 S. Virginia Ave, Winter Park, FL.</u>
<u>Graduate Apartments</u>	<u>273 W. New England Ave., Winter Park, FL.</u>
<u>Rosen Family Center</u>	<u>E. Lyman Ave, Winter Park, FL</u>
<u>Comstock Building</u>	<u>E. Comstock Ave., Winter Park, FL</u>
<u>Rollins College offices</u>	<u>203 E. Lyman Ave., Winter Park, FL</u>
<u>Alfond Baseball Stadium</u>	<u>700-800 Aragon Ave., Winter Park, FL.</u>

Summary report: Litera® Change-Pro for Word 10.8.1.6 Document comparison done on 3/2/2020 4:19:25 PM	
Style name: Lowndes	
Intelligent Table Comparison: Active	
Original filename: original Community Benefit Agreement (Rollins College) revisions.rtf	
Modified DMS: iw://LOWNDES-DMS.IMANAGE.WORK/Active/9209018/2	
Changes:	
<u>Add</u>	89
Delete	46
Move From	0
<u>Move To</u>	0
<u>Table Insert</u>	2
Table Delete	0
<u>Table moves to</u>	0
Table moves from	0
Embedded Graphics (Visio, ChemDraw, Images etc.)	13
Embedded Excel	0
Format changes	0
Total Changes:	150

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE I "COMPREHENSIVE PLAN" TO AMEND THE "COMPREHENSIVE PLAN" FUTURE LAND USE MAP TO CHANGE FROM AN OFFICE FUTURE LAND USE DESIGNATION TO AN INSTITUTIONAL FUTURE LAND USE DESIGNATION ON THE PROPERTIES AT 200 E. NEW ENGLAND AVENUE AND 203 E. LYMAN AVENUE, MORE PARTICULARLY DESCRIBED HEREIN PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, Section 163.3184, Florida Statutes, establishes a process for adoption of comprehensive plans or plan amendments amending the future land use designation of property; and

WHEREAS, this Comprehensive Plan amendment meets the criteria established by Chapter 163 and 166, Florida Statutes; and pursuant to and in compliance with law, notice has been given to Orange County and to the public by publication in a newspaper of general circulation to notify the public of this proposed Ordinance and of public hearings to be held; and

WHEREAS, the Winter Park Planning and Zoning Commission, acting as the designated Local Planning Agency, has reviewed and recommended adoption of the proposed Comprehensive Plan amendment, having held an advertised public hearing on January 14, 2020, provided for participation by the public in the process, and rendered its recommendations to the City Commission; and

WHEREAS, the Winter Park City Commission has reviewed the proposed Comprehensive Plan amendment and held advertised public hearings on February 10, 2020 and on February 24, 2020 and provided for public participation in the process in accordance with the requirements of state law and the procedures adopted for public participation in the planning process.

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

SECTION 1. That Chapter 58 "Land Development Code", Article I, "Comprehensive Plan" future land use plan map is hereby amended so as to change the future land use map designation of Office to Institutional on the properties at 200 E. New England Avenue and 203 E. Lyman Avenue, being more particularly described as follows:

Lots 1 through 7 inclusive and Lots 22 through 27 inclusive, less the West 5 feet of Lot 7 and 22, Block 59, REVISED MAP OF THE TOWN OF WINTER PARK, as recorded in Plat Book A, Pages 67 through 72, Public Records of Orange County, Florida. Also the vacated alley adjacent to the South line of Lots 1 through 7 and the North line of Lots 22 through 25. Property Tax ID's # 05-22-30-9400-59-051; 05-22-30-9400-59-220 and 05-22-30-9400-59-271.

SECTION 2. Severability. If any Section or portion of a Section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Ordinance.

SECTION 3. Conflicts. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

SECTION 4. Effective Date. An amendment adopted under this paragraph does not become effective until 31 days after adoption. If timely challenged, an amendment may not become effective until the state land planning agency or the Administration Commission enters a final order determining that the adopted small scale development amendment is in compliance.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this _____ day of _____, 2020.

Mayor

Mayor Steve Leary

Attest:

City Clerk

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" TO AMEND THE "OFFICIAL ZONING MAP" TO CHANGE FROM OFFICE (O-1) DISTRICT ZONING TO PUBLIC, QUASI-PUBLIC (PQP) DISTRICT ZONING ON THE PROPERTIES AT 200 E. NEW ENGLAND AVENUE AND 203 E. LYMAN AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the owners of properties at 200 E. New England Avenue and 203 E. Lyman Avenue have requested a zoning map amendment consistent with the amended Comprehensive Plan, and such municipal zoning meets the criteria established by Chapter 166, Florida Statutes and pursuant to and in compliance with law, notice has been given to Orange County and to the public by publication in a newspaper of general circulation to notify the public of this proposed Ordinance and of public hearings to be held; and

WHEREAS, the Planning and Zoning Board of the City of Winter Park has recommended approval of this Ordinance at their January 14, 2020 meeting; and

WHEREAS, the City Commission of the City of Winter Park held a duly noticed public hearing on the proposed zoning change set forth hereunder and considered findings and advice of staff, citizens, and all interested parties submitting written and oral comments and supporting data and analysis, and after complete deliberation, hereby finds the requested change consistent with the City of Winter Park Comprehensive Plan and that sufficient, competent, and substantial evidence supports the zoning change set forth hereunder; and

WHEREAS, the City Commission hereby finds that this Ordinance serves a legitimate government purpose and is in the best interests of the public health, safety, and welfare of the citizens of Winter Park, Florida.

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

SECTION 1. Official Zoning Map Amendment. That Chapter 58 "Land Development Code", Article III, "Zoning" and the Official Zoning Map is hereby amended so as to change the zoning designation of Office (O-1) District to Public, Quasi-Public (PQP) District zoning on the properties at 200 E. New England and 203 E. Lyman Avenue, more particularly described as follows:

Lots 1 through 7 inclusive and Lots 22 through 27 inclusive, less the West 5 feet of Lot 7 and 22, Block 59, REVISED MAP OF THE TOWN OF WINTER PARK, as recorded in Plat Book A, Pages 67 through 72, Public Records of Orange County, Florida. Also the vacated alley adjacent to the South line of Lots 1 through 7 and the North line of Lots 22 through 25. Property Tax ID's # 05-22-30-9400-59-051; 05-22-30-9400-59-220 and 05-22-30-9400-59-271.

SECTION 3. Severability. If any Section or portion of a Section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Ordinance.

SECTION 4. Conflicts. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

SECTION 5. Effective Date. This Ordinance shall become effective upon the effective date of Ordinance _____. If Ordinance _____ does not become effective, then this Ordinance shall be null and void.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this _____ day of _____, 2020.

Mayor Steve Leary

Attest:

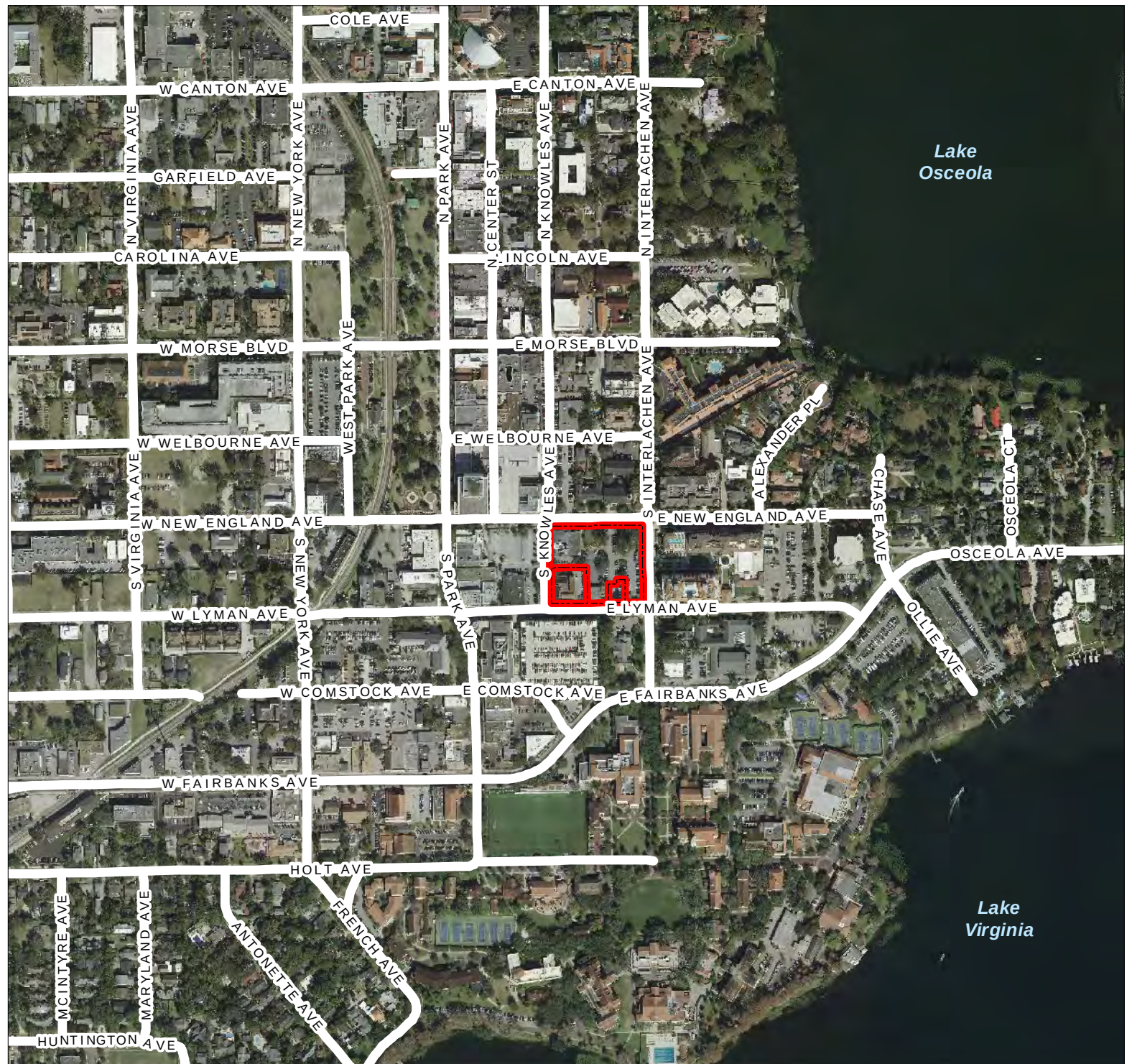
City Clerk



LOCATION MAP

200 E New England &
203 E Lyman Ave

City of Winter Park
Florida

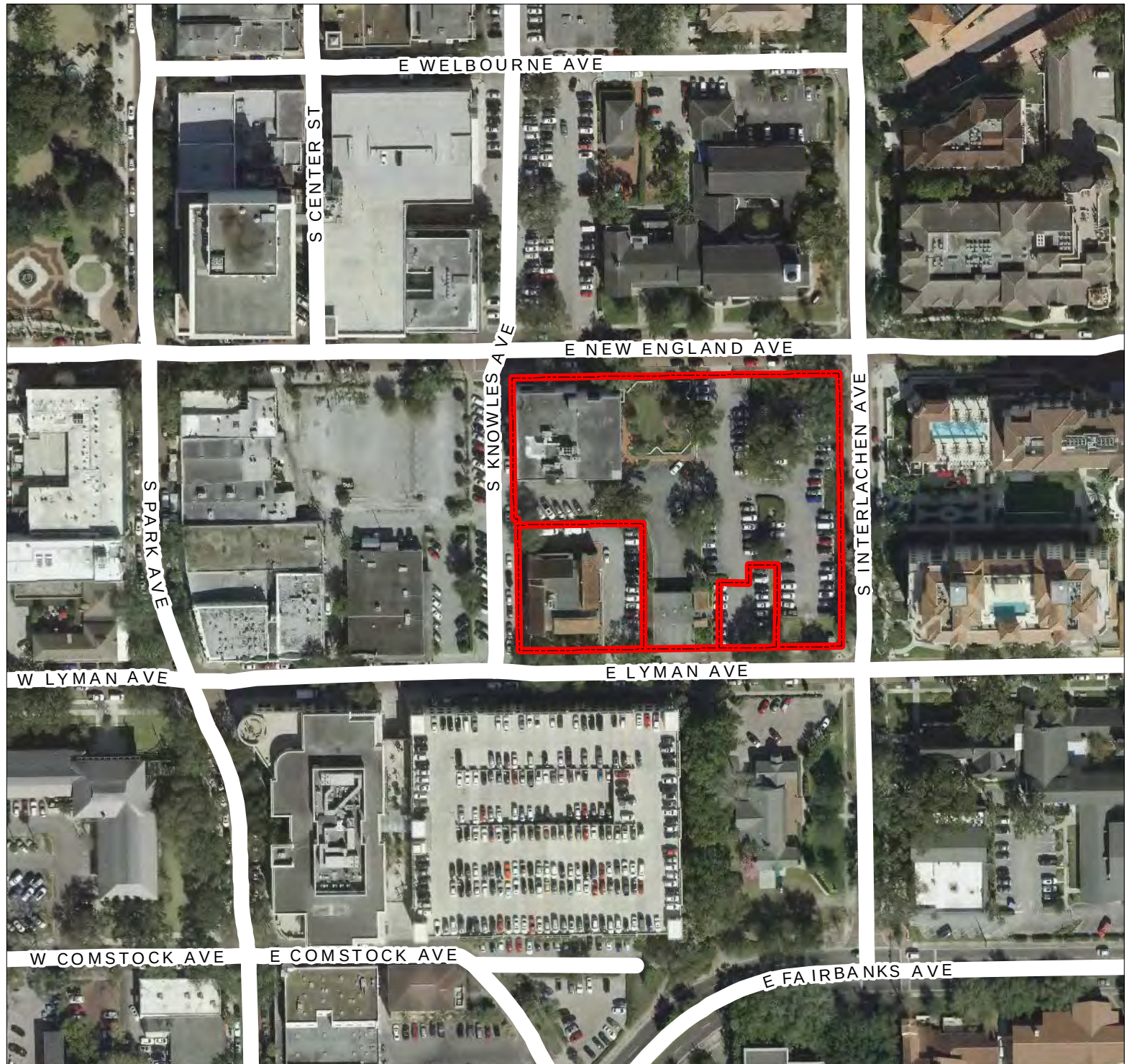




LOCATION MAP

200 E New England &
203 E Lyman Ave

City of Winter Park
Florida





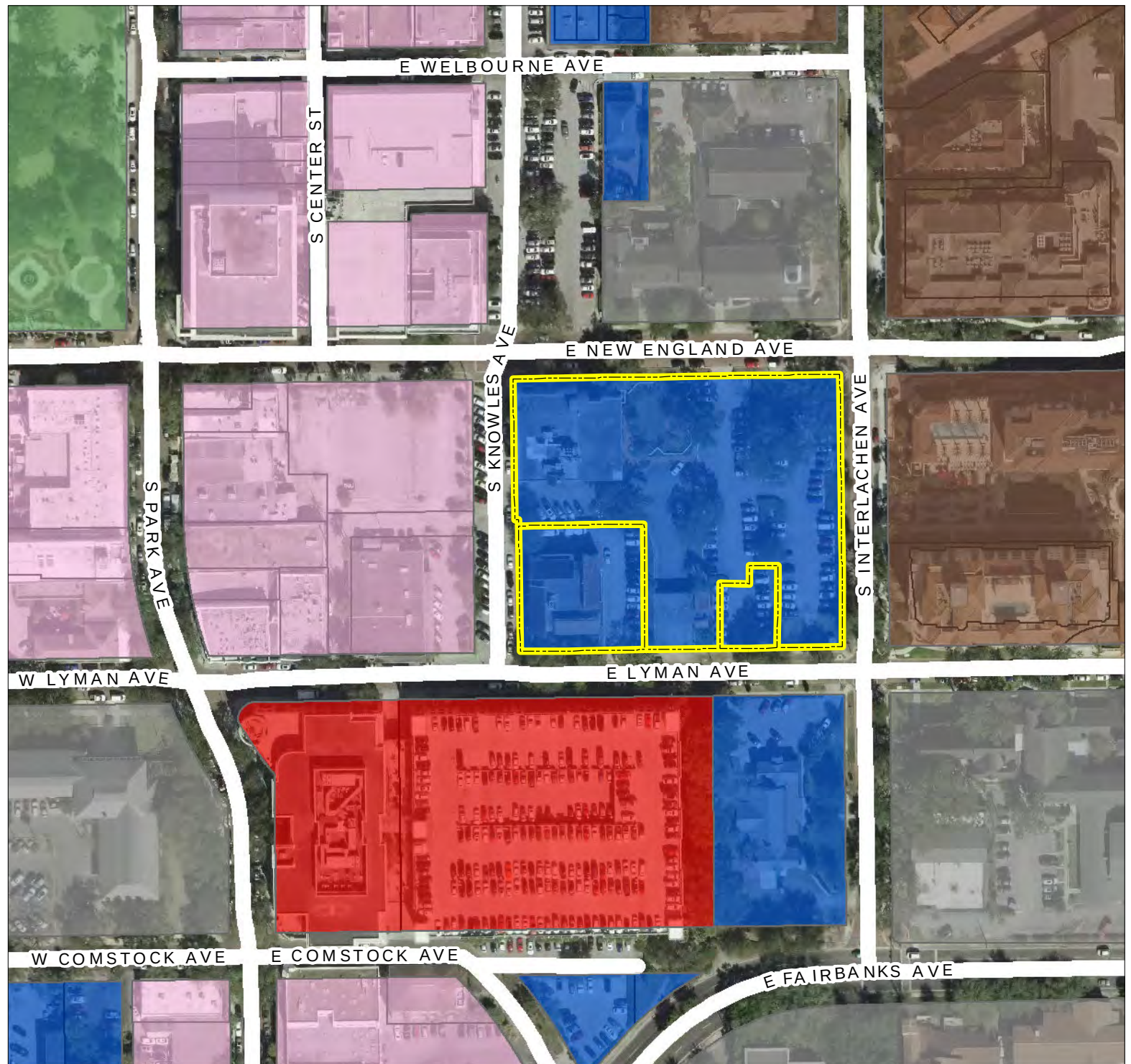
FUTURE LAND USE

200 E New England &
203 E Lyman Ave

City of Winter Park
Florida

Future Land Use

- Central Business District
- Commercial
- Office Professional
- Institutional
- High Density Residential
- Open Space Recreation





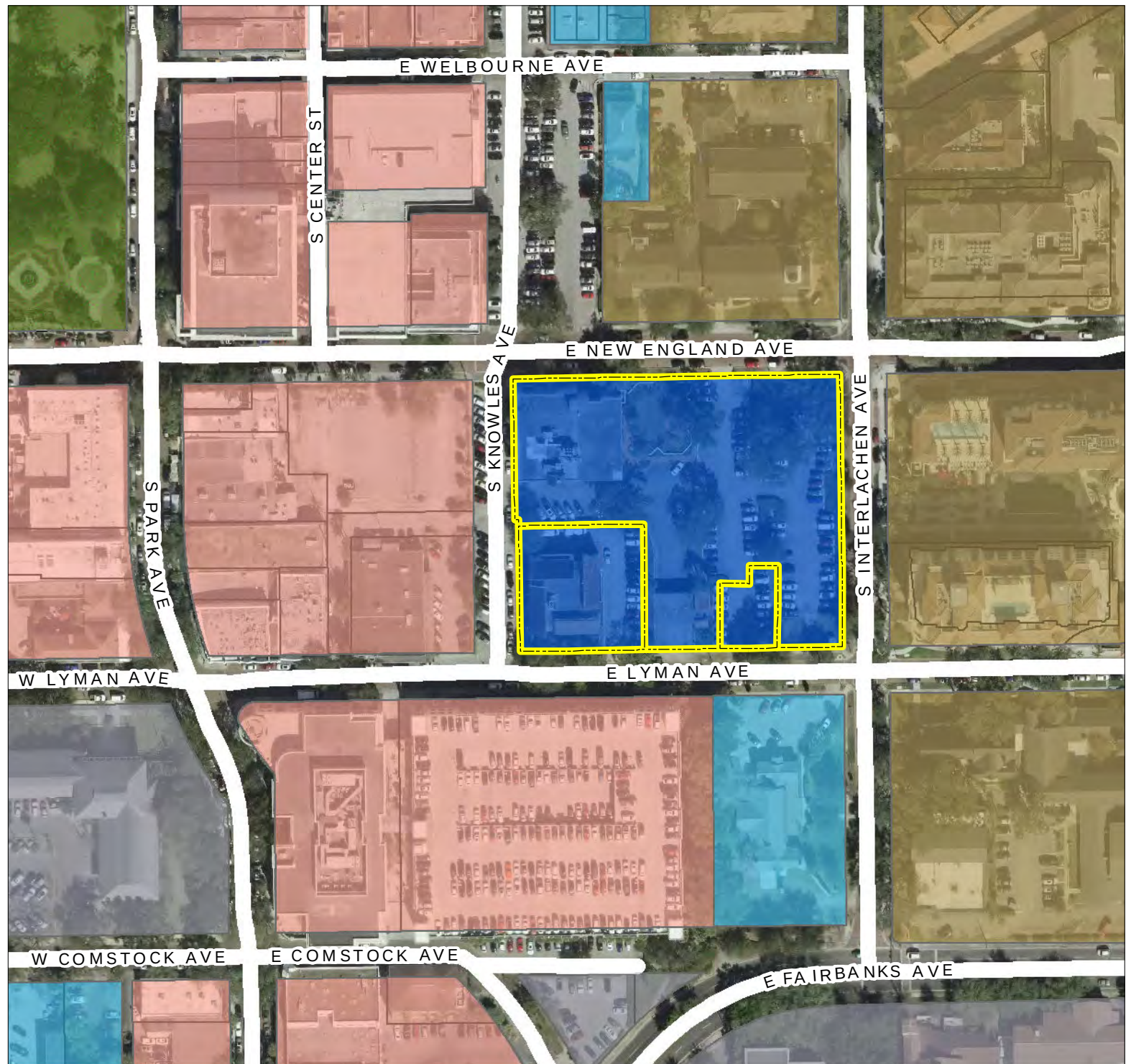
ZONING

200 E New England &
203 E Lyman Ave

City of Winter Park
Florida

Zoning

- C-2
- O-1
- O-2
- PQP
- PR
- R-4





Rollins Innovation Triangle
Preliminary Conditional Use Application
Winter Park, Florida
December 9, 2019

Project Team

Applicant
Rollins College
1000 Holt Avenue - 2732
Winter Park, FL 32789
Contact: Scott Bitikofer
Tel.: (407) 691-1000
Email: sbitikofer@rollins.edu

Architect
FrederickFisher & Partners
12248 Santa Monica Boulevard
Los Angeles, CA 90025
Contact: Joseph Coriaty
Tel.: (310) 820-6680
Email: joec@fisherpartners.net

Civil Engineer
AVCON Engineers & Planners
5555 East Michigan Street, Suite 200
Orlando, FL 32822
Contact: Rick V. Baldocchi, P.E.
Tel.: (407) 599-1122
Email: rvb@avconinc.com

Landscape Architect
Magley Design
1817 East Washington Street
Orlando, FL 32803
Contact: Katy Magley
Tel.: (407) 758-9456
Email: katymagley@magleydesign.com

Sheet Index

	Cover Sheet
G-1	Process
G-2	Development Parameters
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C-200	Civil Site Plan
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L2.0	Planting Plan
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A-2	Illustrative Site Plan
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A-4	Second Level Plan
A-5	Third Level Plan
A-6	Roof Plan
A-7	Building Elevations
A-8	Building Elevations
A-9	Rendered Views
A-10	Rendered Views

Project Information

Address: 200 E New England Ave & 203 E Lyman Ave

Legal Description: Lots 1 through 7 inclusive and Lots 22 through 27 inclusive, less the West 5 feet of Lot 7 and 22, Block 59, REVISED MAP OF THE TOWN OF WINTER PARK, as recorded in Plat Book A, Pages 67 through 72, Public Records of Orange County, Florida. Also the vacated alley adjacent to the South line of Lots 1 through 7 and the North line of Lots 22 through 25.

Together with an easement for ingress and egress being more particularly described as commencing at the Southwest corner of Lot 22, said Block 59, Revised Map of the Town of Winter Park, run South 89°59'20" East along the South line of Lots 22, 23, 24, and 27 a distance of 216.76 feet; thence North 00°16'00" East, 71.39 feet; thence South 88°20'56" East, 31.27 feet to the Point of Beginning; thence North 00°51'14" East, 19.76 feet thence North 89°19'40" West 10.0 feet; thence South 00°46'20" West 19.60 feet; thence South 88°20'56" East 10.0 feet to the Point of Beginning.

Project Description: Construction of a new 3-story higher education building and a new 3-story museum building

Lot Size: 2.37 acres

Existing Zoning: O-1, Office

Requested Zoning: PQP

Planning Area: Area G: Downtown/Rollins College

100 Yr Flood Plain: Not Applicable

Vicinity Map



Introduction

Only a short walk from Winter Park's bustling downtown and Rollins's campus core the "Innovation Triangle" is a natural fit for a cluster of institutions that will embody a unique combination of hospitality, business, cultural activities, teaching, learning, and community engagement.

The conceptual design presented combines Crummer's and the Museum's institutional philosophies with contextual sensitivity, functionality and an aesthetic of inspiration.

With its relocation to the Lawrence Center block, the Crummer School will be able to broaden its educational programs and sponsored activities, while also provide more resources to a growing community of affiliated professionals.

Site Considerations

This site offers both institutions a new opportunity to serve as a place for interface between Rollins College and Winter Park, as well as act as a cultural and academic destination .

To accomplish these objectives, the project team compiled the following strategies for the site:

- Reinforce a sense of invitation, accessibility and connection that is essential to Winter Park's character as a garden city.
- Consider surrounding context and circulation patterns, including the architectural and landscape character.
- Activate the site to better serve both Rollins College and the Winter Park community.

Issues addressed at both the micro and macro scale include:

- Preserving a sense of individual identity for both Crummer and the Museum while enabling them to occupy the site as a cohesive whole
- Articulating the Innovation Triangle's role as an interface between Rollins College and Winter Park
- Enhancing Crummer's and the Museum's connections to partner with cultural and business venues, and to each other
- Establishing an allowable building envelope that complies with Winter Park's zoning code and comprehensive plan, as well as the Lawrence Center block master plan

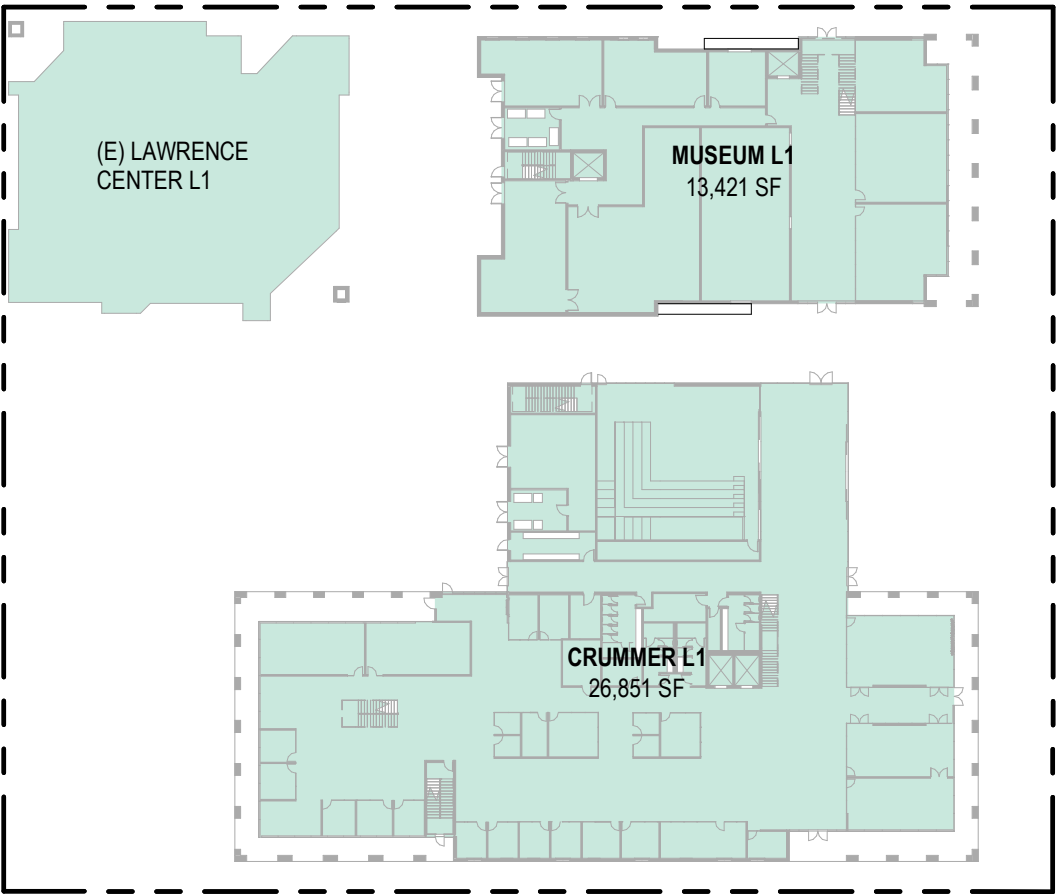
- Identifying pedestrian and vehicular circulation paths, parking, and public vs. service access points from both Winter Park and the Rollins campus
- Assessing existing circulation around and through the site, as well as entry points into adjacent buildings
- Researching environmental conditions to inform site planning and strengthen visual and physical connections
- Respecting and responding to the site context's existing architecture, landscape, and character

FAR Calculations

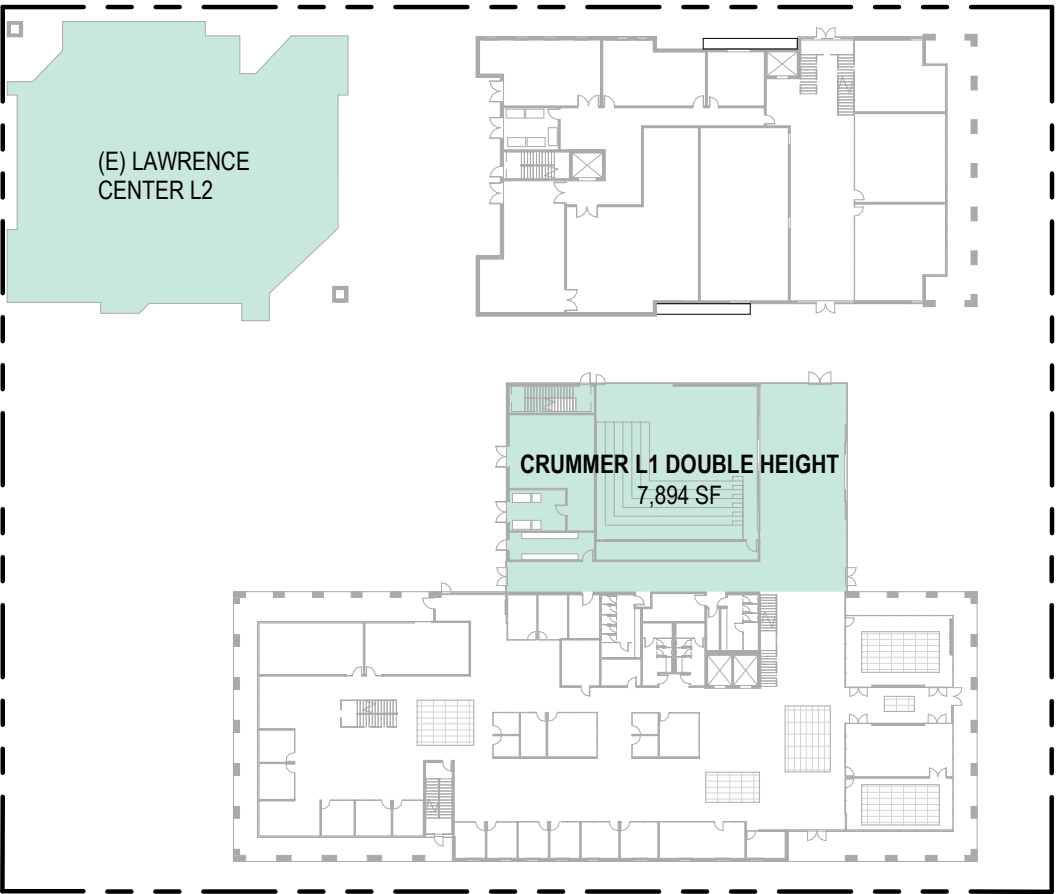
ALLOWABLE GSF

LOT AREA: 103,187 SF
200% FAR: 206,344 SF

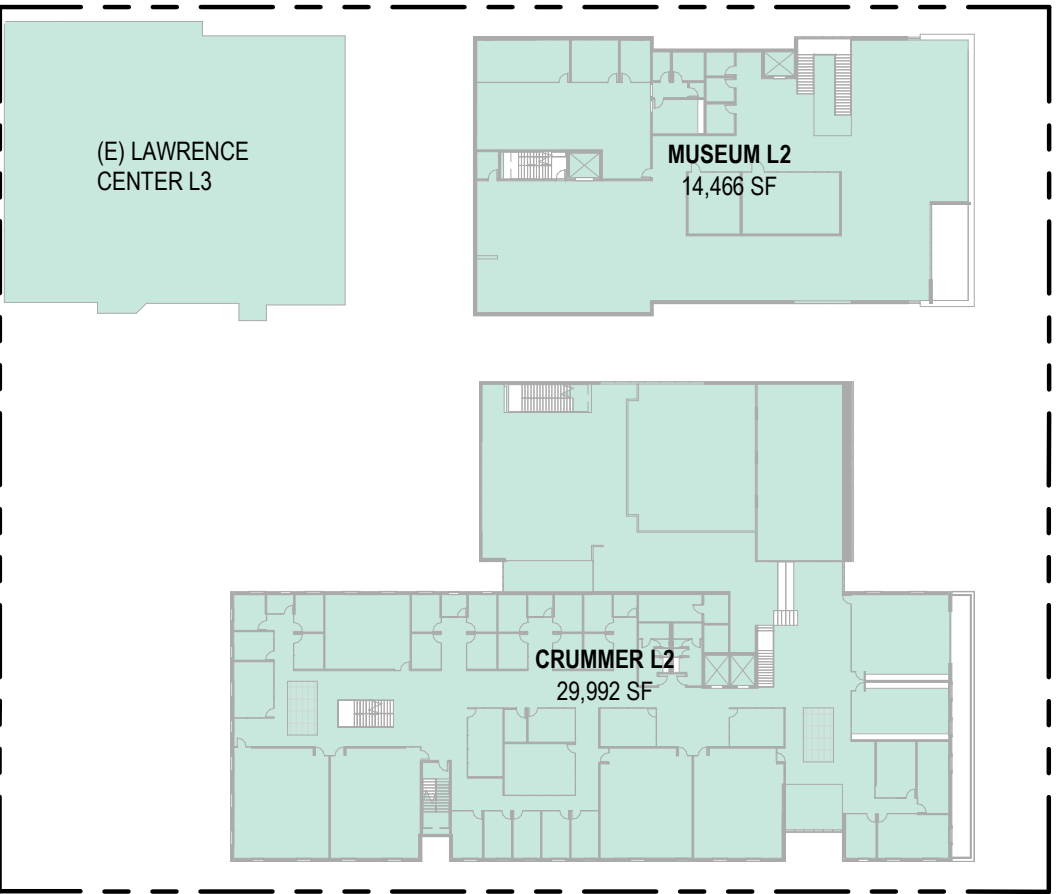
PROVIDED GSF	
Name	Area
(E) LAWRENCE CENTER	44,433 SF
CRUMMER L1	26,851 SF
CRUMMER L1 DOUBLE HEIGHT	7,894 SF
CRUMMER L2	29,992 SF
CRUMMER L3	20,346 SF
MUSEUM L1	13,421 SF
MUSEUM L2	14,466 SF
MUSEUM L2 DOUBLE HEIGHT	11,517 SF
MUSEUM L3	2,879 SF
	171,801 SF
	166% FAR



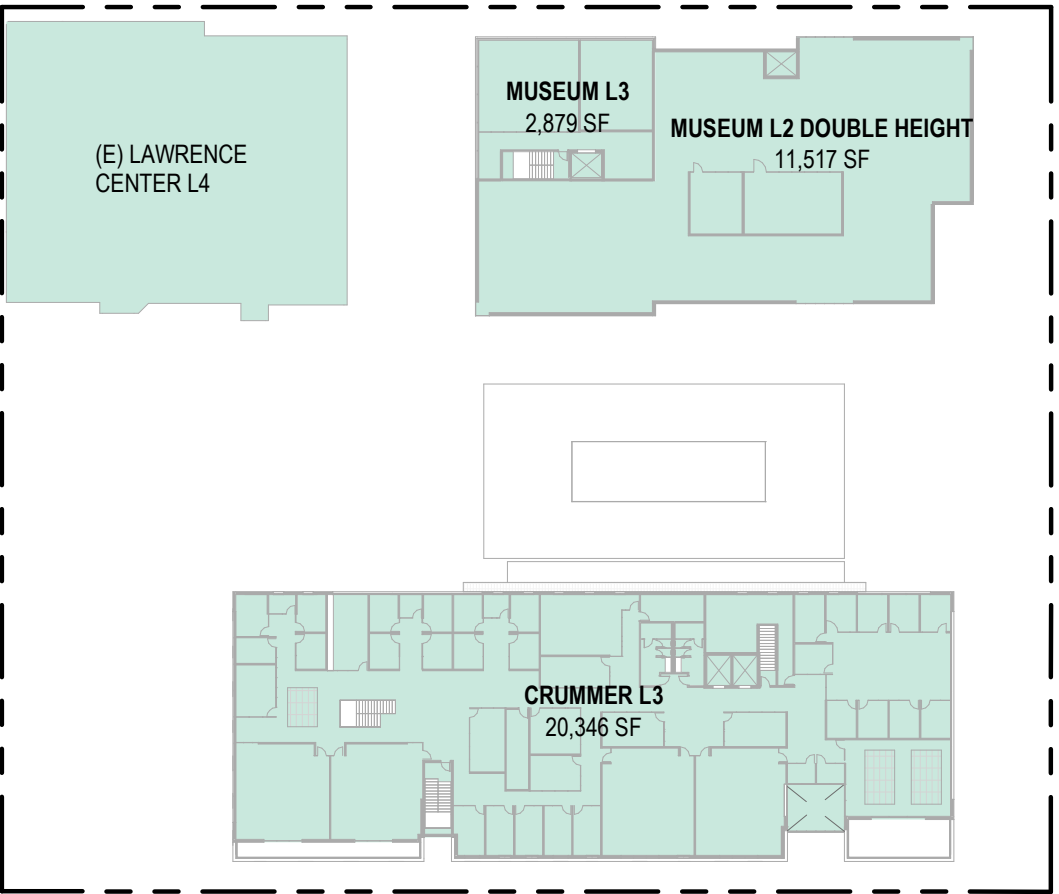
FAR - LEVEL 1



FAR - LEVEL 1 DOUBLE HEIGHT

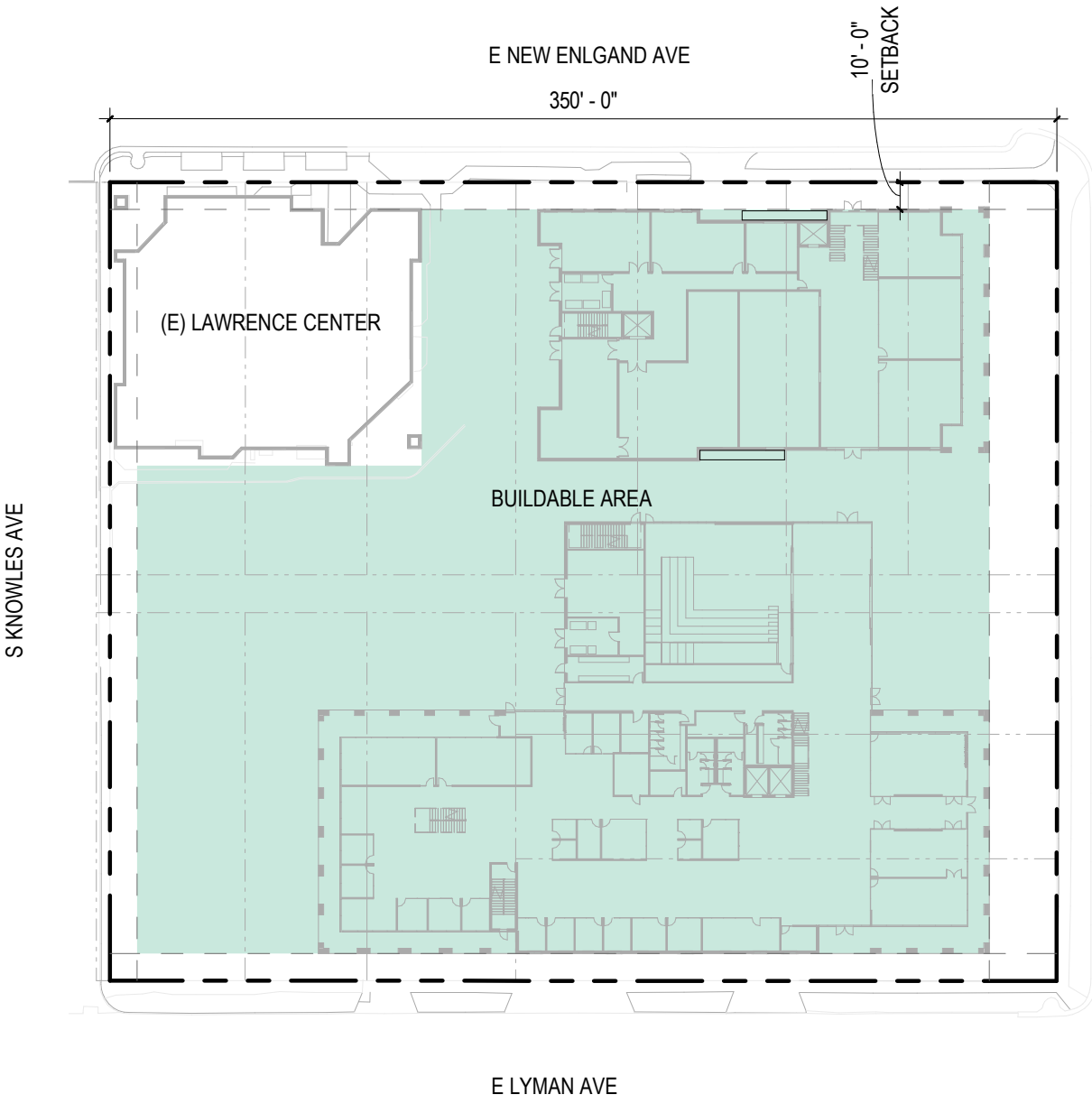


FAR - LEVEL 2



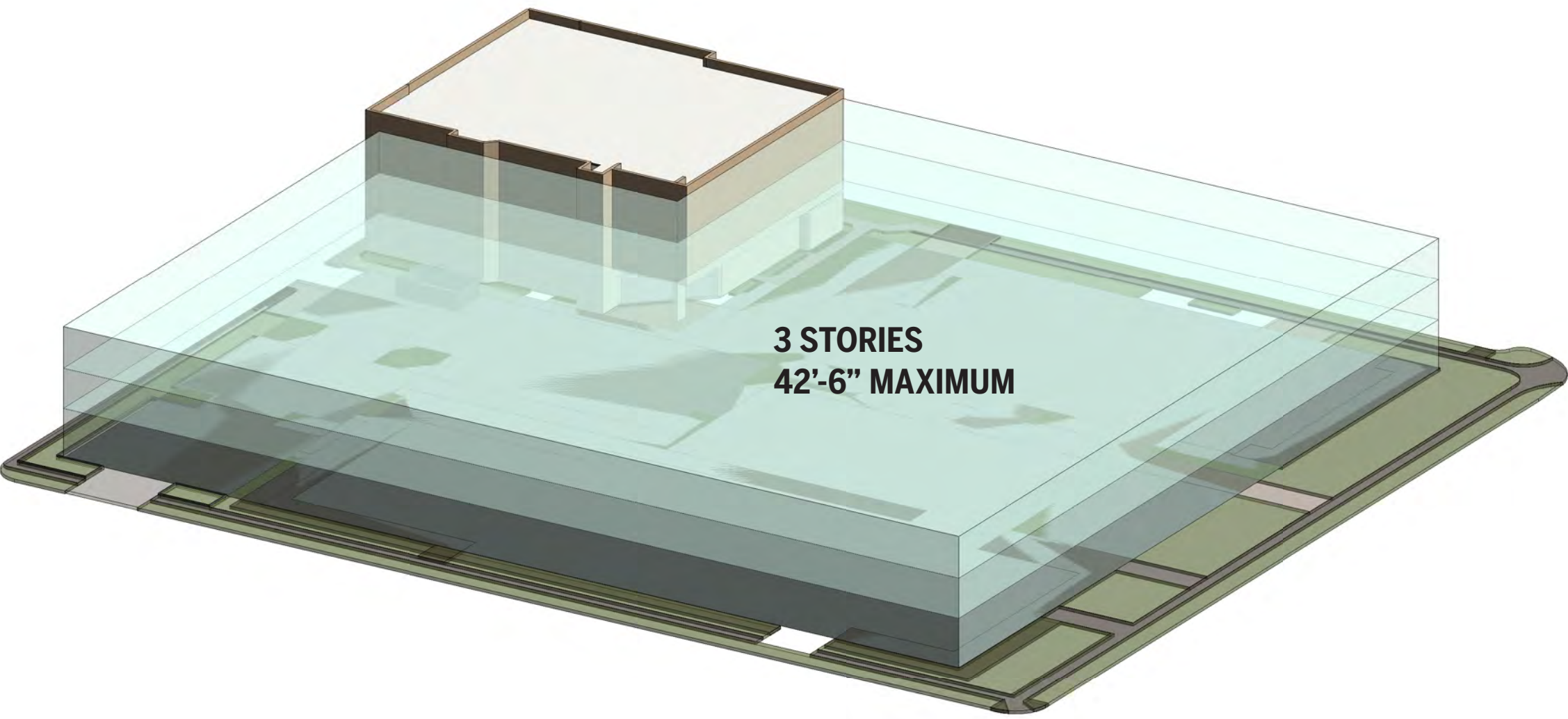
FAR - LEVEL 3

Allowable Building Envelope

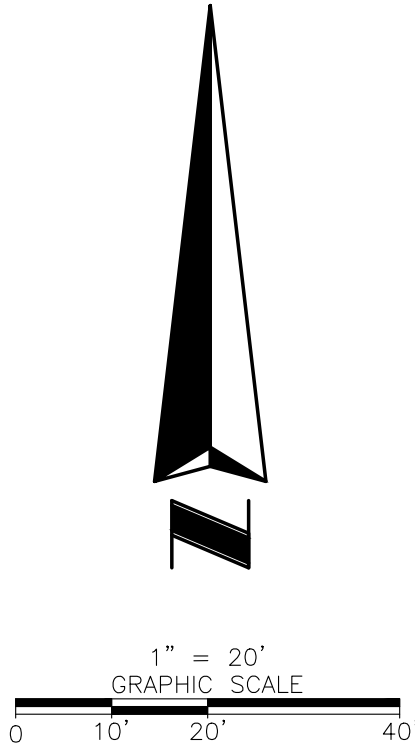
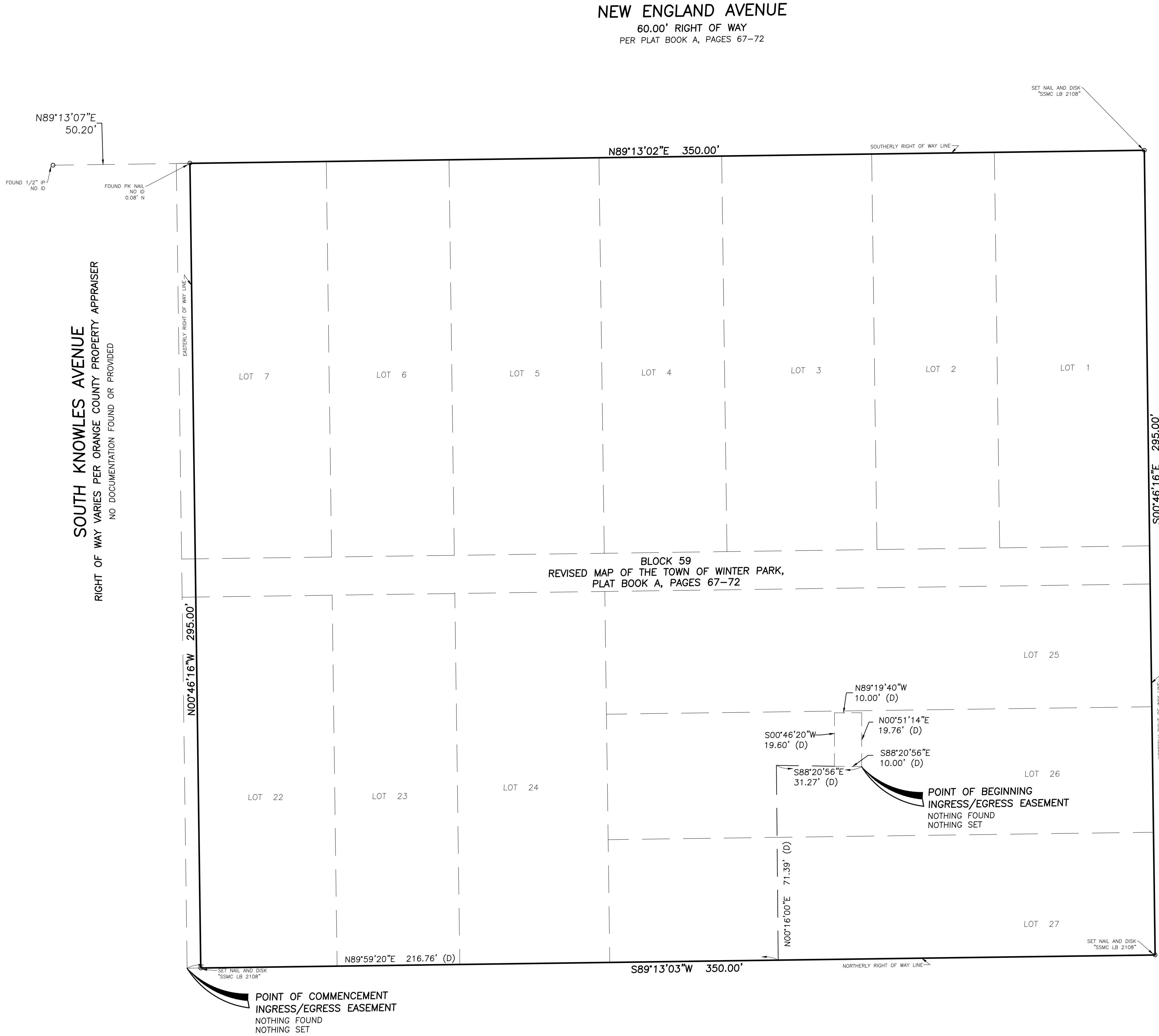


SETBACKS

	Required	Provided
Allowable Uses:	Colleges, Museums	College, Museum
FAR / Intensity	PQP Zone: 200% FAR	166% FAR
Maximum Height:	PQP Zone: 3 Stories, 40'-0" 3 Requested Variance: 42'-6"	stories, 42'-6" 3 Stories, 42'-6"
Setbacks:	Front (street facing frontages): 10'-0" Interlachen Ave: 25'-0"	New England Ave & Lyman Ave: 10'-0" Interlachen Ave: 25'-0" Knowles: 77'-0"



BUILDABLE ENVELOPE



Boundary & Topographic Survey	
Project:	Lawrence Center 200 E New England Ave. & 203 E Lyman Ave.
Field Date:	October 04, 2018
Drawn By:	AJ
Scale:	1" = 20'

SEE SHEET 1 FOR NOTES,
LEGEND AND DESCRIPTION.

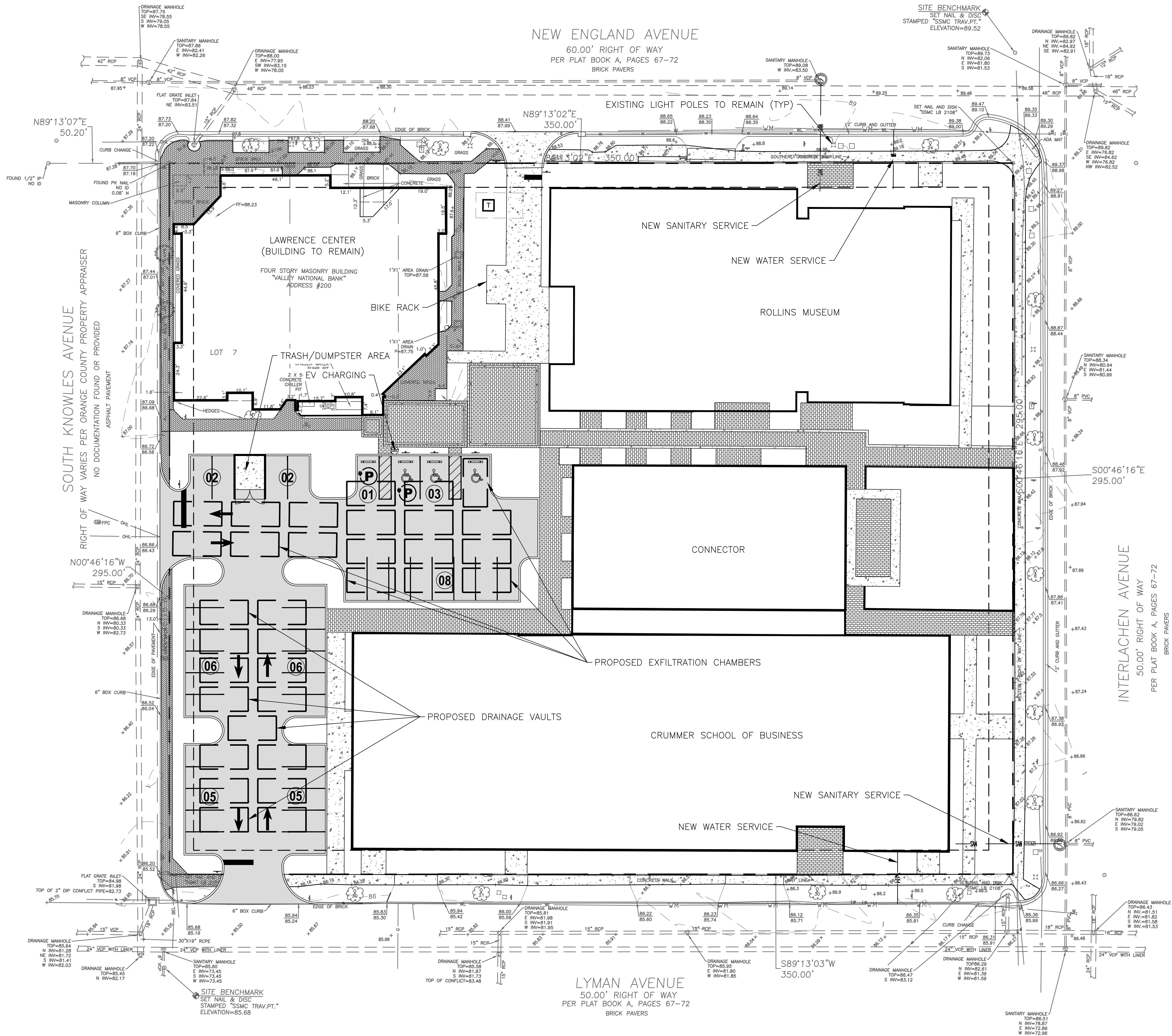
DRAWING NUMBER
59409002
SHEET
NUMBER
2 OF 3

REVISION DATE	REVISION	BY

**SOUTHEASTERN SURVEYING
AND MAPPING CORPORATION**
8650 All American Parkway
Orlando, Florida 32819-4350
(407) 292-8680
e-mail: info@southeasternsurveying.com
Certification Number: 1252106

SHEET NUMBERS 2 OF 3
SHEET NUMBER 2
NOT VALID WITHOUT SHEETS
1 THROUGH 3

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Rollins Innovation Triangle

16008.04

ADDRESS

Frederick Fisher and Partners
12248 Santa Monica Blvd
Los Angeles, CA 90025

ISSUED FOR: C.U.P. REVISION
DATE: 12/9/19

SITE PLAN

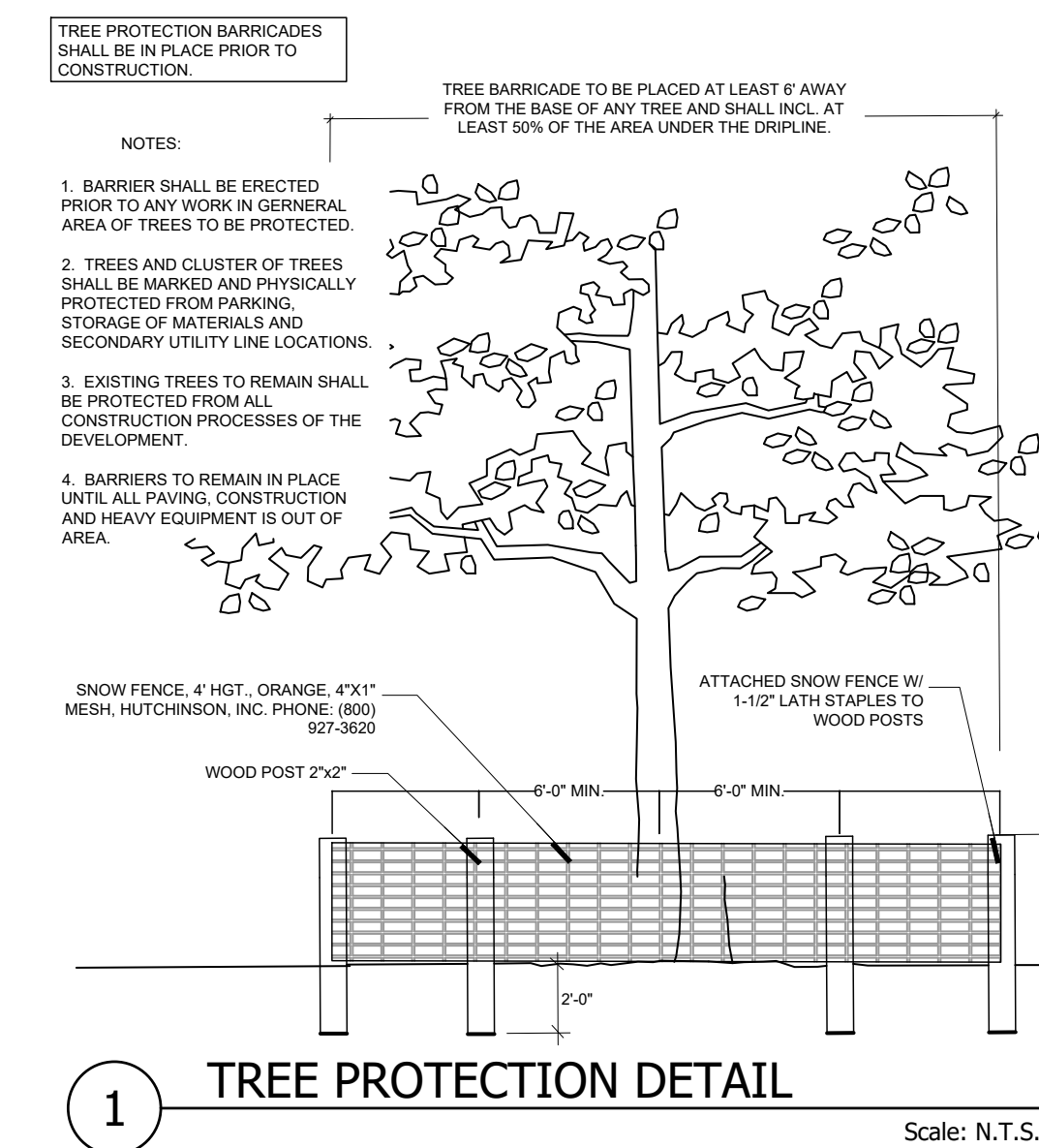
SCALE: AS NOTED

C-200

TREE REPLACEMENT CALCULATIONS

Caliper	Species	Qty.	Replacement
24	OAK		1
9	OAK		1
12	OAK		1
11	PALM		0
7	PALM		0
14	PALM		0
10	PALM		0
10	PALM		0
10	PALM		0
10	PALM		0
10	PALM		0
10	PALM		0
10	PALM		0
	PALM		0
12	OAK		1
18	OAK		1
18	OAK		1
72	CAMPBOR		0
19	OAK		2
36	CAMPBOR		0
30	CAMPBOR		0
8	DRAKE ELM		1
18	DRAKE ELM		1
30	CAMPBOR		0
10	OAK		1
18	PALM		0
30	OAK		2

TOTAL 13 REQUIRED REPLACEMENT TREES
(3" CAL MIN.)
16 PROVIDED



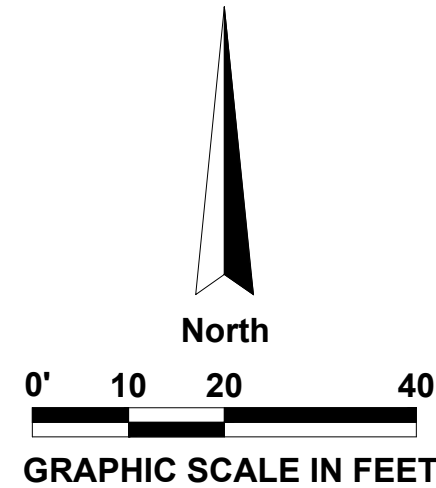
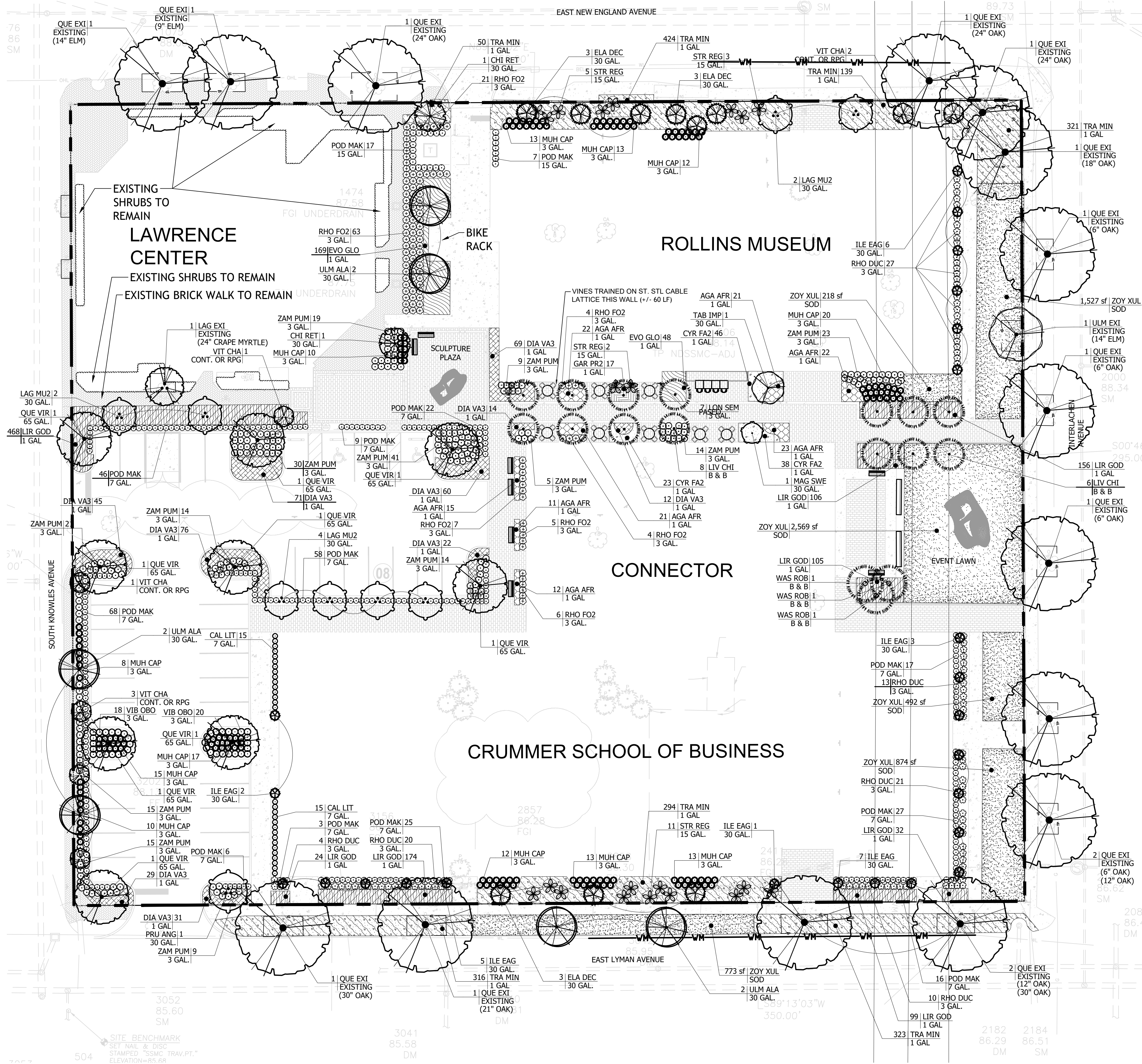
LEGEND

- 
**TREE TO REMAIN/
TREE BARRICADE**
(REFER TO DETAIL FOR ACTUAL DIMENSIONS FROM TRUNK)
- 
TREE TO BE REMOVED



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PLANT SCHEDULE SITE										
TREES	QTY	BOTANICAL NAME	COMMON NAME	CONT.	CAL/DBH	SPECIFICATION	WATER USAGE	NATIVE	REMARKS	
CHI RET	2	CHIONANTHUS RETUSUS	CHINESE FRUNGE TREE	30 GAL.	1.75" CAL	7' HT MIN X 48" SPR MIN	LOW-MEDIUM		FULL	
ELA DEC	9	ELAEOCARPUS DECIPENS TM	JAPANESE BLUEBERRY TREE	30 GAL.	1.75" CAL	6' H X 3' S	LOW-MEDIUM	NO	SINGLE, STRAIGHT TRUNK, FULL TO GROUND	
ILE EAG	24	ILEX X ATTENUATA 'EAGLESTON'	EAGLESTON HOLLY	30 GAL.	1.5" CAL	8' H X 4' S	LOW	YES	SINGLE, STRAIGHT TRUNK, FULL	
LAG MU2	8	LAGERSTROEMIA X 'MUSKOGEE'	LAVENDER CRAPE MYRTLE	30 GAL.		8' H X 4' S	LOW-MEDIUM	NO	MULTI-TRUNK, FULL	
MAG SWE	1	MAGNOLIA VIRGINIANA	SWEET BAY	30 GAL.	1.5" CAL COMB MIN	8' H X 3' S	MEDIUM-HIGH	YES	SINGLE, STRAIGHT TRUNK, FULL	
PRU ANG	1	PRUNUS ANGUSTIFOLIA	CHICKASAW PLUM	30 GAL.	2" CAL		LOW	YES	MULTI-TRUNK, FULL	
QUE VIR	9	QUERCUS VIRGINIANA	SOUTHERN LIVE OAK	65 GAL.	3.5" CAL	15' H X 8' S	LOW-MEDIUM	YES	SINGLE, STRAIGHT TRUNK, FULL	
TAB IMP	1	TABERBUA IMPETIGINOSA	PINK TRUMPET TREE	30 GAL.	1.5" CAL	10' H X 6' S	LOW	NO	SINGLE, STRAIGHT TRUNK, FULL	
ULM ALA	6	ULMUS ALATA	WINGED ELM	30 GAL.	2" CAL	10' H X 4' S	LOW-HIGH	NO	SINGLE, STRAIGHT TRUNK, FULL	
VIT CHA	7	VITEX AGNUS-CASTUS	CHASTE TREE	CONT. OR RPG	1.5" CAL	6' H X 3' S	LOW	YES		
EXISTING TREES	QTY	BOTANICAL NAME	COMMON NAME	CONT.	CAL/DBH	SPECIFICATION	WATER USAGE	NATIVE	REMARKS	
LAG EX1	1	LAGERSTROEMIA SPP.	EXISTING CRAPE MYRTLE	EXISTING	N/A		LOW-MEDIUM	NO	EXISTING	
QUE EX1	15	QUERCUS VIRGINIANA	SOUTHERN LIVE OAK	EXISTING						
ULM EX1	1	ULMUS PARVIFOLIA 'DRAKE'	DRAKE ELM	EXISTING						
PALM TREES	QTY	BOTANICAL NAME	COMMON NAME	CONT.	CAL/DBH	SPECIFICATION	WATER USAGE	NATIVE	REMARKS	
LIV CHI	14	LIVISTONA CHINENSIS	CHINESE FAN PALM	8 & B	14" CAL	18' CT	LOW	NO	HEAVY, SINGLE, STRAIGHT TRUNK, MATCHED	
WAS ROB	1	WASHINGTONIA ROBUSTA	MEXICAN FAN PALM	8 & B	18" CAL	8' CT	LOW	NO	HEAVY, STRAIGHT TRUNK VOID OF DAMAGE, BOOTS INTACT	
	1	WASHINGTONIA ROBUSTA	MEXICAN FAN PALM	8 & B	22" CAL	12' CT	LOW	NO	HEAVY, STRAIGHT TRUNK VOID OF DAMAGE, BOOTS INTACT	
	1	WASHINGTONIA ROBUSTA	MEXICAN FAN PALM	8 & B	22" CAL	16' CT	LOW	NO	HEAVY, STRAIGHT TRUNK VOID OF DAMAGE, BOOTS INTACT	
SHRUBS	QTY	BOTANICAL NAME	COMMON NAME	CONT.	-	SPECIFICATION	WATER USAGE	NATIVE	REMARKS	
GAL LIT	30	CALLISTEMON VIMINALIS 'LITTLE JOHN'	DWARF BOTTLE BRUSH	7 GAL.		16" HT X 12' S	LOW-MEDIUM	NO	FULL	
MUH CAP	156	MUHLENBERGIA CAPILLARIS	PINK MUHLY	3 GAL.		18" H X 16' S	LOW-HIGH	YES	FULL	
POD MAK	24	PODOCARPUS MACROPHYLLUS MAKI	SHRUBBY YEW	15 GAL.		42" HGT. X 24" WIDE	LOW-MEDIUM	NO	FULL	
	297	PODOCARPUS MACROPHYLLUS MAKI	SHRUBBY YEW	7 GAL.		30" HGT. X 18" SPD.	LOW-MEDIUM	NO	FULL	
RHO DUC	95	RHODODENDRON AZALEA 'DUC DE ROHAN'	DWARF PINK AZALEA	3 GAL.		14" H X 12" S	LOW	YES	FULL	
RHO FO2	110	RHODODENDRON AZALEA 'FORMOSA'	LARGE PURPLE AZALEA	3 GAL.		16" H X 16" S	LOW	YES	FULL	
STR REG	21	STRELITZIA REGINAE	BIRD OF PARADISE	15 GAL.		36" H X 24" S	LOW-MEDIUM	NO	HEAVY, FULL	
VIB OBO	38	VIBURNUM OBOVATUM	WALTER'S VIBURNUM	3 GAL.		14" H X 12" S	LOW	YES	FULL	
ZAM PUM	229	ZAMIA PUMILA	COONTIE	3 GAL.		12" H X 12" S	LOW	YES	FULL, 9 LEAVES MIN.	
VINE/ESPA LIER	QTY	BOTANICAL NAME	COMMON NAME	CONT.	-	SPECIFICATION	WATER USAGE	NATIVE	REMARKS	
LON SEM	7	LONICERA SEMPERVIRENS	CORAL HONEYSUCKLE	3 GAL.		18" H X 24" S	LOW-MEDIUM	YES	FULL, 5 RUNNERS MIN., TRAINED ON TRELLIS	
GROUND COVERS	QTY	BOTANICAL NAME	COMMON NAME	CONT.	-	SPECIFICATION	WATER USAGE	NATIVE	SPACING	REMARKS
AGA AFR	147	AGAPANTHUS AFRICANUS	LILY OF THE NILE	1 GAL.		12" O.A.	LOW	NO	18" o.c.	FULL
CYR FA2	107	CYRTOMIUM FALCATUM	HOLLY FERN	1 GAL.		12" H X 12" S	MED	NO	18" o.c.	FULL
DIA VA3	429	DIANELLA TASMANICA 'VARIEGATA'	FLAX LILY	1 GAL.		12" H X 12" S	LOW	NO	18" o.c.	FULL
EVO GLO	217	EVOLVULUS GLOMERATUS	BRAZILIAN DWARF MORNING GLORY	1 GAL.		10" H X 12" S	LOW	NO	18" o.c.	FULL
GAR PR2	17	GARDENIA JASMINOIDES 'RADICANS'	DWARF GARDENIA	1 GAL.		10" H X 12" S	LOW	NO	20" o.c.	FULL
LIR GOD	1,164	LIRIOPE MUSCARI 'EMERALD GODDESS'	EMERALD GODDESS LILYTURF	1 GAL.		12" H X 12" S	MEDIUM	NO	15" o.c.	FULL
TRA MIN	1,867	TRACHELOSPERMUM ASIATICUM 'MINIMA'	VARIEGATED DWARF JASMINE	1 GAL.		10" H X 12" S	LOW-MED	NO	18" o.c.	FULL, 5 RUNNERS MIN.
SOD/SEED	QTY	BOTANICAL NAME	COMMON NAME	CONT.	-	SPECIFICATION	WATER USAGE	NATIVE	SPACING	REMARKS
ZOY XUL	6,454 SF	ZOYSIA X 'EMPIRE'	EMPIRE ZOYSIA	SOD		PALLET OR ROLLED		NO		SOD, FREE OF WEEDS



JAMES R MAGLEY, RLA
FL # LA0001300



Landscape Architecture • Site Planning • Project Management
1817 E. Washington St. • Orlando, FL 32803 • 407.898.0223

Rollins Innovation
Triangle

16008.04

200 EAST NEW ENGLAND AVENUE,
WINTER PARK, FL 32789

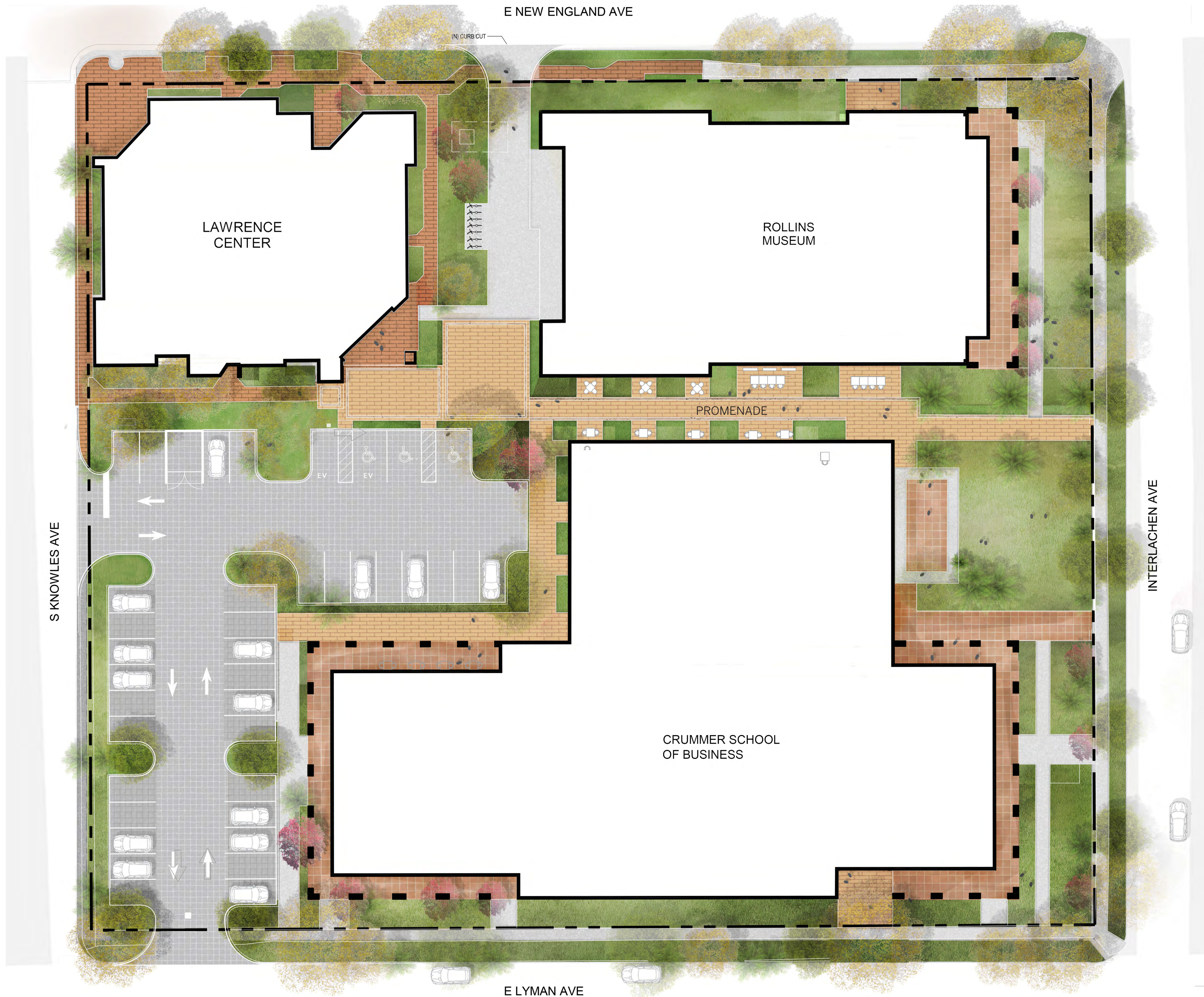
**Frederick
Fisher and
Partners**
12248 Santa Monica Blvd.
Los Angeles, CA 90025

ISSUED FOR DATE
C.U.P. 10-31-19
C.U.P. REVISIONS 12-09-19

PLANTING PLAN

SCALE: AS NOTED

L2.0



Illustrative Site Plan





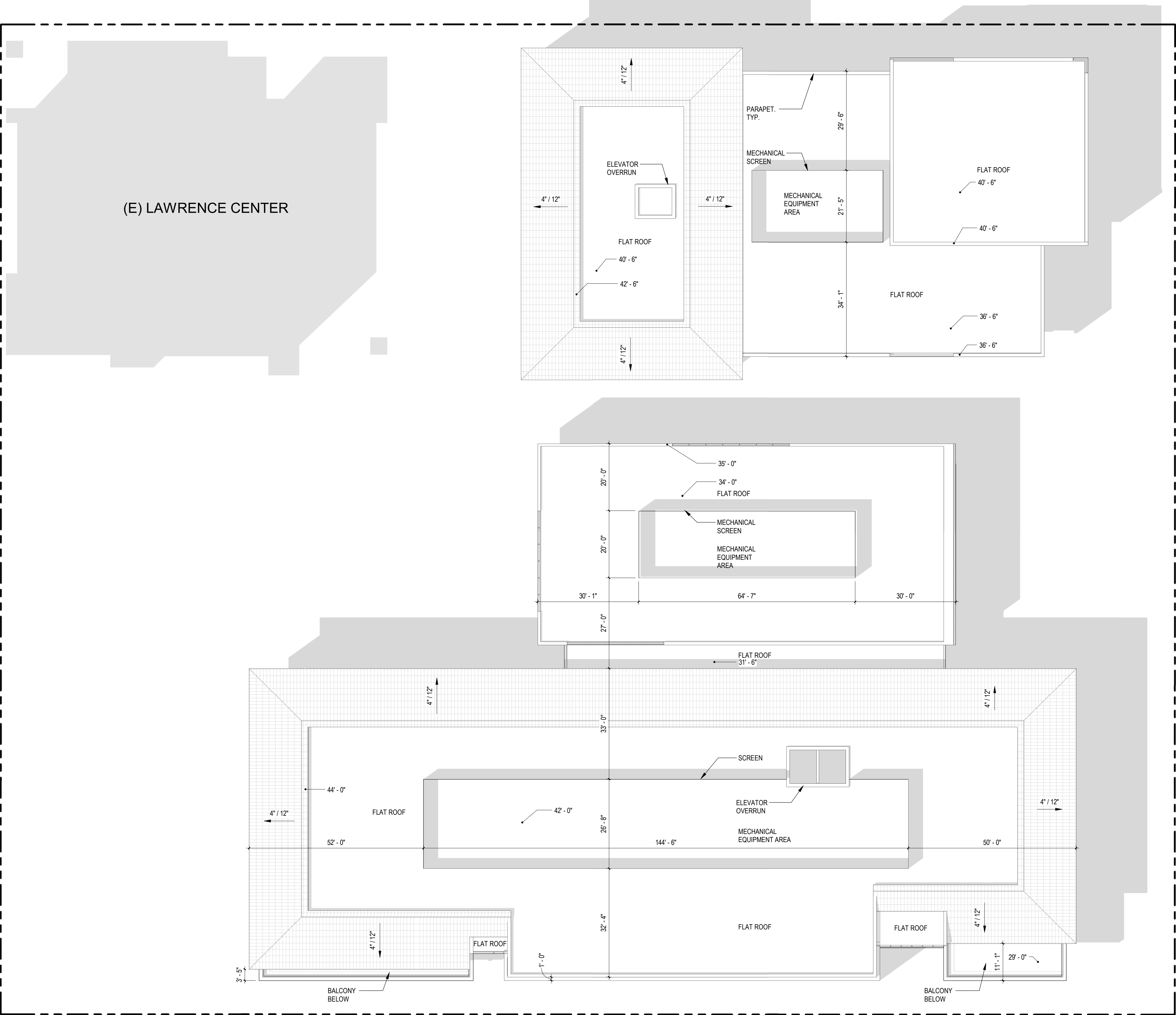
PROGRAM LEGEND

- BUILDING SUPPORT
- CIRCULATON / OPEN OFFICE
- CONVENING
- GALLERY
- OFFICES
- TEACHING & LEARNING

Second Level Plan



Third Level Plan

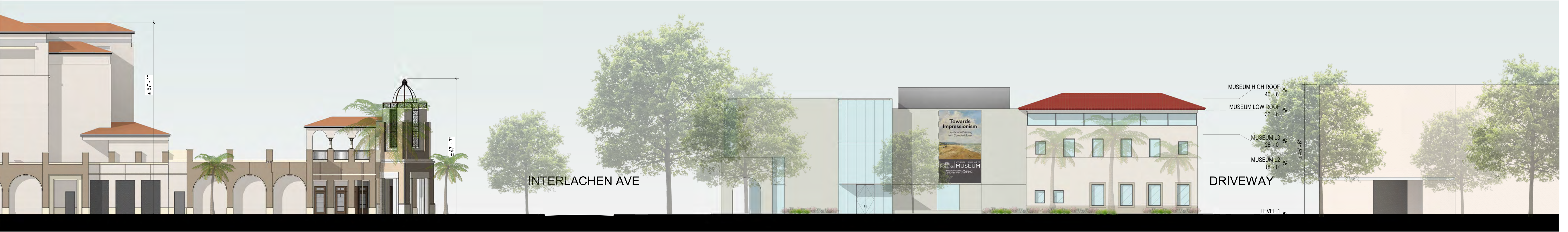


Roof Plan



PARKING GARAGE AT SUNTRUST PLAZA CRUMMER SCHOOL OF BUSINESS CONNECTOR ROLLINS MUSEUM FIRST CONGREGATIONAL CHURCH OF WINTER PARK

ELEVATION - EAST



ALFOND INN INTERLACHEN AVE ROLLINS MUSEUM LAWRENCE CENTER

ELEVATION - NORTH



ELEVATION - SOUTH

CRUMMER SCHOOL OF BUSINESS

THE RESIDENCES OF WINTER PARK



FIRST CONGREGATIONAL CHURCH OF WINTER PARK

ROLLINS MUSEUM

CONNECTOR

CRUMMER SCHOOL OF BUSINESS

PARKING GARAGE AT SUNTRUST PLAZA

ELEVATION - WEST



PROMENADE ELEVATION - NORTH

CRUMMER SCHOOL OF BUSINESS



PROMENADE ELEVATION - SOUTH

ROLLINS MUSEUM

Building Elevations



**View of Courtyard
from Interlachen Ave**



**View of Museum
from Interlachen Ave &
New England Ave**



**View of Museum
from New England Ave**



**View of Business School
from Lyman Ave**

From: [Owen Beitsch](#)
To: [Kim Breland](#)
Subject: [External] FW: Rollins College Innovation Triangle Project
Date: Monday, November 25, 2019 11:10:49 AM
Attachments: [image001.png](#)
[image002.png](#)

[Caution: This email originated from outside the City of Winter Park email system. Before clicking any hyperlinks contained in the email, verify the real address by hovering over the link with your mouse. Do not open attachments from unknown or unverified sources.]

Owen Beitsch, PhD, FAICP, CRE
Senior Director, Economic and Real Estate Advisory Services
618 E. South Street, Suite 700
Orlando, Florida 32801
T 407.423.8398
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From: Sam Stark <SSTARK@Rollins.edu>
Sent: Monday, November 25, 2019 11:02 AM
To: Sam Stark <SSTARK@Rollins.edu>
Cc: Becky Hopkins <RMHOPKINS@Rollins.edu>
Subject: Rollins College Innovation Triangle Project

EXTERNAL E-MAIL MESSAGE

Hello P&Z Board Members,

As you may know by now, Rollins recently submitted plans to the City to complete our “Innovation Triangle” project. The project on the Lawrence Center property, just west of the Alford Inn, will be the new home of our famous Cornell Fine Arts Museum and our top-ranked Crummer Graduate

School of Business.

If you are interested in walking through the project and plans with me, I would be delighted to meet before the January P&Z meeting. Please let me and Becky Hopkins, copied on this email, know what works for you in December and I will meet you wherever it's convenient for you.

Thanks for your work and service to the City. I hope to see you soon.

Best regards,
SAM

Sam Stark
Vice President, Communications & External Relations
Rollins College



November 21, 2019

Mayor and Commissioners
City of Winter Park
401 Park Avenue South
Winter Park, FL 32789

Dear Mayor and Commissioners,

On behalf of the Board of Directors of the Winter Park Chamber of Commerce, I urge you to support Rollins College's proposal for the final phase of Innovation Triangle. The Chamber Board agrees with President Cornwell that the Samuel B. Lawrence Center property is "primed for change" that will enhance the business district, college and the city.

A new Rollins Museum of Art and a relocated Crummer Graduate School of Business on the property, all in proximity to The Alford Inn, would create a dynamic area that brings together beauty, art, hospitality, business and academia.

We believe Rollins College is a Winter Park jewel – with a world-class reputation and a beautiful campus that enhances our community. It partners seamlessly with the City, Chamber, old guard, young people, business leaders and the community at large. Our Board of Directors voted unanimously to support this project as it aligns with our mission to convene people and ideas. We look forward to welcoming guests to this impressive collaborative center.

Warmest Regards,

Betsy Gardner Eckbert, IOM
President / CEO

407.644.8281

151 West Lyman Ave.
Winter Park, FL 32789

WinterPark.org



**EDYTH BUSH
CHARITABLE FOUNDATION**

January 9, 2020

Mr. Jeffrey Briggs
Principal Planner
City of Winter Park
401 Park Avenue, South
Winter Park, FL 32789

Dear Mr. Briggs:

Our relationship with Rollins College and the City of Winter Park began over 70 years ago when Archibald Granville Bush and Edyth Bush arrived by train. There to greet them at the train station were Dr. Hugh McKean and Jeanette McKean, the President and First Lady of Rollins College, and the rest was history. Today, the Edyth Bush Charitable Foundation is the third largest donor in the 135 history of Rollins College and the number one donor to the Roy E. Crummer Graduate School of Business. The Foundation was the catalyst for Rollins College acquiring what is now known as the Samuel B. Lawrence Center property during the 1990's.

I write you with our enthusiastic and strong support for the Rollins College Innovation Triangle proposal and the creation of a new George D. and Harriet W. Cornell Fine Arts Museum and Roy E. Crummer Graduate School of Business. President Grant Cornwell and the Rollins College Board of Trustees are making significant and strategic investments in the future of the College, the City of Winter Park and the State of Florida.

The Cornell Fine Arts Museum is one of America's finest college museums. The Museum became Florida's first college museum to be accredited by the American Alliance of Museums, and one of only four AAM accredited museums in greater Orlando. Its location, nestled in the college campus on Lake Virginia, is charming but is stifling its impact. The growth of its collection, the physical requirements of today's museums and its lack of accessibility by the residents and visitors to Winter Park compel the College to make the Cornell Museum part of the Innovation Triangle proposal. As you know, museums bring a desirable aesthetic and economic impact to a community. As the Orlando Museum of Art considers a move to Lake Nona, it would not be hard to imagine the Cornell's move to Loch Haven Park, downtown near the Dr. Phillips Center or Lake Nona.

It is vitally important that the Roy E. Crummer Graduate School of Business be a part of the Innovation Triangle proposal. The Crummer School is the number one rated graduate school of business in the state of Florida and ranked 44th in the nation. Its faculty, curriculum and impact have been critically important to developing the human resources necessary for the success of

Address: 199 E. Welbourne Avenue, Suite 100, Winter Park, FL 32789

Phone: (407) 647-4322 | Fax: (407) 647-7716 | Web Address: www.edythbush.org

Edyth Bush Charitable Foundation is honored to administer the following Funds:

Richard J. Conlee Fund | H. Clifford Lee Fund

Mr. Jeffrey Briggs
January 9, 2020
Page Two

Lockheed Martin, Disney, Darden and many other publicly held companies in Central Florida and across the state. More importantly, the Crummer School has enhanced the skills and success of individual entrepreneurs and their privately held companies, such as DePrince, Race & Zollo, Finrock, Massey Services and many other independent businesses that are the backbone of our regional economy. All of this, however, is threatened due to the changing nature of the MBA curriculum, the physical needs of a modern school of business and accessibility to global business and their leaders.

The Crummer school needs to be located alongside the Alford Inn and as part of the Innovation Triangle to stave off the above-mentioned challenges and secure the school's future. Business students and business leaders are fundamentally different than undergraduate students. They are serious and committed. They require a modern learning environment with ease of location, hospitality and other amenities that the main Rollins campus cannot provide. As part of the Innovation Triangle, business students and business leaders will be exposed to the true essence of Winter Park with a relaxing stay at the Alford Inn and a short walk to Park Avenue to see all it has to offer. When they are thinking about where to start their business, expand their business or move their personal residence, our community will be top of mind. Without this bold vision and investment, the Crummer School could lose its number one ranking in Florida, falling off the top 50 list and shuttering its MBA program, like the University of Illinois, Wake Forest, Virginia Tech and others.

The success of Winter Park depends on the success of Rollins Collins, and the success of Rollins College depends on the success of Winter Park. I urge you to approve the Innovation Triangle proposal.

Sincerely,



David A. Odahowski
President and CEO

DAO/jnb

cc: Grant H. Cornwell, Ph.D.
President
Rollins College
1000 Holt Avenue, 2711
Winter Park, FL 32789-4499



November 21, 2019

Mayor and Commissioners
City of Winter Park
401 Park Avenue South
Winter Park, FL 32789

Dear Mayor and Commissioners,

On behalf of the Board of Directors of the Winter Park Chamber of Commerce, I urge you to support Rollins College's proposal for the final phase of Innovation Triangle.

The Chamber Board agrees with President Cornwell that the Samuel B. Lawrence Center property is "primed for change" that will enhance the business district, college and the city.

A new Rollins Museum of Art and a relocated Crummer Graduate School of Business on the property, all in proximity to The Alford Inn, would create a dynamic area that brings together beauty, art, hospitality, business and academia.

We believe Rollins College is a Winter Park jewel – with a world-class reputation and a beautiful campus that enhances our community. It partners seamlessly with the City, Chamber, old guard, young people, business leaders and the community at large. Our Board of Directors voted unanimously to support this project as it aligns with our mission to convene people and ideas. We look forward to welcoming guests to this impressive collaborative center.

Warmest Regards,

Betsy Gardner Eckbert, IOM
President / CEO

407.644.8281

151 West Lyman Ave.
Winter Park, FL 32789

WinterPark.org

*Mr. & Mrs. Harry W. Collison, Jr.
106 S. Interlachen Avenue, Unit 119
Winter Park, FL 32789*

December 16, 2019

Mr. Jeff Briggs, Principal Planner
City of Winter Park
Planning and Zoning Department
401 S. Park Avenue
Winter Park, Florida 32789

Dear Mr. Briggs,

I have reviewed the conceptual rendering for the Rollins College Innovation Triangle's proposed site plan and elevations at 200 E. New England Avenue and 203 E. Lyman Avenue.

I own and occupy office space two blocks north from this project. In addition, I own and live at the Cloisters Condominiums which are located immediately northeast on Interlachen Avenue.

Please consider this letter as my support for the Comprehensive Plan and Zoning changes along with the associated Conditional Use approval to develop the Cornell Fine Arts Museum and the new Crummer Graduate School of Business building.

Thank you,



Harry Collison

Jeffrey Briggs

From: Kirk Nalley <kirk.nalley.personal@gmail.com>
Sent: Tuesday, January 07, 2020 10:04 AM
To: Mayor and Commissioners
Cc: Jeffrey Briggs; Sam Stark
Subject: [External] I support the Rollins Innovation Triangle project

[Caution: This email originated from outside the City of Winter Park email system. Before clicking any hyperlinks contained in the email, verify the real address by hovering over the link with your mouse. Do not open attachments from unknown or unverified sources.]

Good morning Mayor Leary and Honorable Commissioners.

I am contacting you all today to voice my support of the Rollins Innovation Triangle project.

I am a tax paying resident of Winter Park and I am an active voter in local elections and I am requesting that you all support this community building project with your vote.

Here are a number of reasons why I believe this project deserves your support and vote.

- The new museum will firmly establish Winter Park as an arts destination (two world-class museums anchoring Park Avenue at opposite ends)
- Significantly larger galleries will allow Rollins to show more of the permanent collection (currently Rollins only show 2-3% of the collection at any given time) and more ambitious temporary exhibitions
- Study rooms and an education center will serve larger numbers of K-12 and college students. As the only teaching museum in the greater Orlando area, it will be equipped to fully serve local colleges and universities and the community at large
- Location will signal that museum is an integral part of the Winter Park community. On campus, museum is not a natural destination (no foot traffic); additionally, for some there is a perceived barrier of location on a private college campus. Rollins wants to be fully welcoming to the entire community
- A community hub with social gathering space against an art background, and a more seamless transition between the collection at the Alford Inn and the Museum
- The museum and all its programs will continue to be free of charge for all

Rollins is a leader in the Winter Park community. The location of the museum positions the college in the heart of our beautiful city. This is a project that builds community and brings people together through the arts. This is what world class cities do and what a great opportunity for you all to be a part of making the legacy and tradition of Winter Park and Rollins move forward.

Thank you for your attention and please vote in favor of the Rollins Innovation Triangle project.

- Kirk

Kirk Nalley
2033 Cove Trail
Winter Park, FL 32789

Jeffrey Briggs

From: Steve Rotz <srotz@productionhub.com>
Sent: Tuesday, January 07, 2020 10:30 AM
To: Mayor and Commissioners
Cc: Jeffrey Briggs
Subject: [External] Cornell in the city core

[Caution: This email originated from outside the City of Winter Park email system. Before clicking any hyperlinks contained in the email, verify the real address by hovering over the link with your mouse. Do not open attachments from unknown or unverified sources.]

Dear Mayor and Commissioners-

As a Winter Park Resident and Rollins Graduate, I am excited to hear the possibility of the Cornell Fine Arts Museum moving off of Rollins campus to a location near the Alfond.

As Winter Park continues to promote and support the Arts, this would be a great addition to that effort and I applaud Rollins for the gesture.

The Alfond area would be even more spectacular with a beautiful museum that includes parking and open space. Quite honestly, the parking lot that's there now is out of place beside the Alfond.

Thank you for your time and for your service to the City.

Regards,
Steve Rotz

Steve Rotz

 **ProductionHUB**

877.629.4122

www.productionhub.com



Jeffrey Briggs

From: John Pokorny <jmpoko@gmail.com>
Sent: Tuesday, January 07, 2020 10:46 AM
To: Mayor and Commissioners
Cc: Jeffrey Briggs
Subject: [External] Rollins Innovation Triangle

[Caution: This email originated from outside the City of Winter Park email system. Before clicking any hyperlinks contained in the email, verify the real address by hovering over the link with your mouse. Do not open attachments from unknown or unverified sources.]

To the City of Winter Park Mayor and Commissioners,

As a Rollins College graduate and Winter Park resident for over 30 years, I am writing to express my strong support for the Rollins Innovation Triangle. Culturally, I cannot imagine a better gift from the college than to move the Cornell Fine Arts Museum out from the interior depths of campus to the central core of downtown Winter Park. It is a hidden gem that should be front and center to be experienced by all who live in and visit this great city.

The concept of adding the Crummer School of Business to this location is pure genius. The convergence of business and the arts is a forward thinking model that cities across America will envy and try to emulate. Winter Park is in a unique and advantageous situation to truly be a city of arts and culture.

The vocal minority of naysayers will rant about parking concerns, increased traffic and McMansion style enormity. And in all fairness, sometimes they are right. However, this project, like the Alford Inn, is different. The college has a thoughtful plan that will transform a visual eyesore of a parking lot into a world class facility with beautiful architecture and open spaces for the public to enjoy. Rollins is not just a partner of the City of Winter Park, they are a pillar of innovation and stewardship and their generosity deserves your consideration.

Thank you for your time and your dedication to our special city!

Respectfully,

John Pokorny
Interlachen Avenue

Jeffrey Briggs

From: srosoff@atlantic.net
Sent: Tuesday, January 07, 2020 11:24 AM
To: Jeffrey Briggs
Subject: [External] Cornell Fine Arts Museum Support

[Caution: This email originated from outside the City of Winter Park email system. Before clicking any hyperlinks contained in the email, verify the real address by hovering over the link with your mouse. Do not open attachments from unknown or unverified sources.]

I am writing in support of the Cornell Fine Art Museum's proposal to relocate the museum. I have been impressed with the quality of the exhibitions and programming now taking place at Cornell. The Museum's current location is not easily accessible, and their proposed move would be conducive to welcoming the entire community, just as the Morse Museum does. Cornell has a world class collection, but to the community, its collection is a hidden treasure because of its location. The proposed plan also increases the gallery space, which would also allow the Museum to expand its exhibition program and present more in depth programming. As a reminder, admission to the Museum is free, which enables diverse audiences community access to the galleries. As a resident who feels the cultural life of Winter Park residents could be enhanced by this move, I urge approval of the Museum's proposal.

Susan Rosoff

Jeffrey Briggs

From: Llop, Luis A <Luis.Llop@charter.com>
Sent: Friday, January 10, 2020 5:28 PM
To: Mayor and Commissioners
Cc: Jeffrey Briggs
Subject: [External] Letter of Support -- Crummer Graduate School of Business
Attachments: Letter of Support - Crummer Graduate School Of Business.pdf

Importance: High

[Caution: This email originated from outside the City of Winter Park email system. Before clicking any hyperlinks contained in the email, verify the real address by hovering over the link with your mouse. Do not open attachments from unknown or unverified sources.]

January 10, 2020

Honorable Mayor Steve Leary &
Winter Park City Commissioners
401 S. Park Avenue
Winter Park, FL 32789

Dear Mayor Leary & City Commissioners,

I am writing to you ahead of the Planning and Zoning Hearing that is scheduled for Tuesday, January 14, 2020. It is my understanding that during such hearing the construction of the new Crummer Graduate School of Business will be discussed by the City Commission. Unfortunately, I will not be able to attend the actual hearing since I will be traveling for work that week.

As a Winter Park resident of six years and a Crummer Graduate School alumnus, I would like to express my full support for what I consider a very important project for Rollins College, the City of Winter Park, and all of us who have the privilege of calling the Winter Park home.

It is my sincere belief that the co-location of the new Crummer Graduate School of Business building with The Alford Inn and the new art museum will provide for a creative intersection of business, hospitality, and art that will only be found in our great City.

In addition, the site will offer an exciting opportunity to serve as a point of interface between Rollins College and the Winter Park community, and to act as a business and cultural destination for Central Florida and beyond.

In conclusion, I believe this new location will heighten awareness of Crummer's reputation for academic excellence, innovation, and executive programming. I also expect the Winter Park Business District will reap the benefits of the additional foot-traffic that this project will bring to our community.

My sincere appreciation for taking the time to read this letter and really do hope to count with your support of such an important project.

Sincerely,

Luis Llop

January 13,2020

Mayor Steve Leary

Commissioner Greg Seidel

Commissioner Sarah Sprinkel

Commissioner Carolyn Cooper

Commissioner Todd Weaver

Dear Mayor and Commissioners,

As an engaged and committed resident of Winter Park, I wanted to voice my support for the new Crummer Graduate School of Business that will be reviewed at the January 14 Planning and Zoning Meeting and at the City Commission in February. For full transparency, I serve on the Crummer's Center for Advanced Entrepreneurship Board and, based on that role, on the Crummer Board of Overseers.

Part of the reason I support Rollins is, as a Winter Parker, I see Rollins as positively intertwined with our community. Amongst its many charms and strengths, I view Winter Park as a community of culture, arts, and education. Rollins has been, and continues to be, a key partner in that identity. It is for a continuation and enhancement of that partnership and its positive impact on Winter Park that I urge you to support Rollins' proposed new Crummer. There are also some very specific and tangible benefits to Winter Park including:

- The proposed location integrating the new Crummer, Alford Inn, and new Cornell Arts Museum, will create a vibrant and creative space that integrates business, hospitality, and the arts in a way that is unique to the great City of Winter Park.
- Moving the students and the Cornell Arts Museum off campus will increase foot traffic for our local small businesses in the Park Avenue and Hannibal Square Business areas.
- Provides state of the art educational facilities and programming that will launch Crummer's competitive placement within the executive education space.
- With the opening of the Ollie Street garage, parking for this expanded space will be plentiful at the existing SunTrust garage, alleviating auto and pedestrian traffic on and across Fairbanks.

Again, as a resident (and one who walks or drives past this location several times a day), I believe the new Crummer Graduate School of Business project is an exciting opportunity for Winter Park. One that is consistent with who are as a community of arts and education, and that would be a positive for our residents and local businesses.

I hope you will support this project. Thank you for your consideration,

Rob Panepinto

138 Detmar Drive, Winter Park, FL 32789

407-467-5689

Planning & Zoning E-mail
for
January 14, 2020
Meeting

Subject: Planning & Zoning Staff Report for January 14 Rollins College Innovation Triangle Meeting

This e-mail for the Planning & Zoning Board Chairman Ross Johnston and the Winter Park City Manager Randy Knight provides additional information concerning the Conditional Use approval requested for the redevelopment of the property owned by Rollins College and described as the Rollins College Innovation Triangle.

After reviewing the P & Z Staff report, the following comments were developed by the Board of Directors of the The Residences of Winter Park Condominium Association, Inc.(the Association).

Rollins gave, granted and conveyed to the Association, for the benefit of the Association and its Unit Owners, vendors, guests and invitees, a perpetual exclusive parking easement for vehicular parking on, over and across ten (10) reserved and designated surface parking spaces (the "Reserved Parking Spaces") on the southern-most five (5) parking spaces on both sides of the drive isle (for a total of 10 parking spaces) within the eastern-most portion of the surface parking lot of the Laurence Center land. The details of the easement and other matters concerning the operation of the hotel parcel are contained in the Agreement (including Parking Easement) between Rollins College and the Association signed on December 16, 2011 and recorded in the official records of Orange County, FL on December 21, 2011.

This perpetual exclusive parking easement places the Association as a direct party which is affected by the proposed Lawrence Center development through the provision for 10 parking spaces in a particular location on the same Lawrence Center property which is to be used for the Innovation Triangle project.

The above information does not appear in the January 14 P & Z Staff Report. The Association requests that this perpetual exclusive parking easement obligation be resolved by Rollins and The Residences prior to the Planning and Zoning Board and the City Commission signing off on any final exterior architectural design, site plan and landscape plans for the proposed Conditional Use permit.

We are not filing a formal objection at this time (but reserve our right to do so) to the requested zoning changes but are concerned with the non-disclosure of this easement and the many implementation issues that need to be agreed to before finalizing the exterior architectural design, site plan and landscape plans for the Rollins College Innovation Triangle.

We have been in preliminary discussions with Rollins representatives on the perpetual easement issue as project information has become available and hope to resolve the issue before any final decisions are made by the parties.

Submitted by William G. Gerber, President, The Residences of Winter Park Condominium Association

Jeffrey Briggs

From: High, Robert <RHigh@hjhigh.com>
Sent: Monday, January 27, 2020 9:00 AM
To: Mayor and Commissioners
Cc: Jeffrey Briggs
Subject: [External] Crummer School of Business Facility

[Caution: This email originated from outside the City of Winter Park email system. Before clicking any hyperlinks contained in the email, verify the real address by hovering over the link with your mouse. Do not open attachments from unknown or unverified sources.]

Dear Mayor and Commissioners,

I would like to express my support for Crummer's planned facility near Alford Inn. I know that this project will appear before you on February 10. I am a lifelong Orlando resident and attended Crummer. My father was also born/raised in Orlando and attended Crummer. Our family construction business is 84 years old and has worked in Winter Park for decades.

We recognize the world class education students receive here and the value a school of higher learning brings to the City of Winter Park and feel this planned facility would continue to separate Winter Park from all other cities.

I hope you are able to support the project as we are all very excited about it!



Robert High
President
H. J. High Construction Company
407-422-8171 | www.hjhigh.com
Connect: [Facebook](#) | [LinkedIn](#)

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Jeffrey Briggs

From: Mike Welker <mikew@andcoconsulting.com>
Sent: Monday, January 27, 2020 7:57 PM
To: Mayor and Commissioners; Jeffrey Briggs
Subject: [External] Rollins Innovation Triangle

[Caution: This email originated from outside the City of Winter Park email system. Before clicking any hyperlinks contained in the email, verify the real address by hovering over the link with your mouse. Do not open attachments from unknown or unverified sources.]

My name is Mike Welker and I'm a resident of Winter Park, Florida. I moved to Florida in 1995 to attend Rollins College. Upon graduation I decided to attend the Rollins College Crummer Graduate School of Business. The community of Winter Park and Rollins College changed my life. I loved the culture and unique appeal of Winter Park along with the world class education of Rollins. Anything that can enhance that experience I think would be beneficial for the current residents of Winter Park and the city as a whole. That is why I'm writing to support the new Crummer Graduate School of Business and Innovation Triangle. I've outlined some key points below why I support this development and truly hope the City Commission does as well.

- 1) The co-location of the new Crummer Graduate School of Business building with The Alford Inn and the new art museum provides for a creative intersection of business, hospitality and art that can only be found in Winter Park.
- 2) The new location will heighten awareness of Crummer's reputation for academic excellence, innovation, and executive programming.
- 3) The Winter Park Business District will reap the benefits of the additional foot-traffic within the community.
- 4) The expansion and partnership with The Alford Inn will help launch Crummer's competitive placement within the executive education space.

Thank you for your consideration of this new development. Winter Park, Florida and Rollins College are two wonderful assets of Central Florida. I think both the community and school benefit from this proposed development. I truly hope you support the planned project.

Mike Welker, CFA®

CEO

4901 Vineland Road | Suite 600 | Orlando, FL 32811  
Mobile: 407.489.1484 | Direct: 407.627.1801 | mikew@AndCoConsulting.com | AndCoConsulting.com

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February 7, 2020

Dear Winter Park Mayor and City Commissioners,

On behalf of the Alumni Board of the Crummer Graduate School of Business at Rollins College, I am writing to urge you to support the College's Innovation Triangle project.

As alumni of Crummer, we are executives and professionals at prominent organizations across a wide variety of industries. We live and work in and around Winter Park, and through our Crummer educations, we have all intimately experienced the city and continue to make Winter Park a prominent part of our lives.

As alumni, we also understand and have witnessed firsthand the inextricable bond between Crummer and the Winter Park business community. The city's thriving entrepreneurial spirit and formidable ambiance are key factors in drawing executives and leaders to Crummer. In turn, Crummer's clientele, partners, and distinguished alumni provide Winter Park with an ideal set of consumers and business partners. A new Crummer facility will enhance and strengthen that bond.

As business leaders, we recognize the need for cutting-edge facilities to provide quality education to future generations of leaders. Having facilities that attract executives, professionals and investors to Winter Park will enhance Winter Park's reputation in the wider business community and provide the city and its businesses with exceptional new opportunities.

We know that the professionals and business partners who come to Crummer demand cutting-edge facilities that mirror what they find in the workplace. They want the academic rigor of a top school like Crummer, along with the tools and conveniences of today's executive workforce. A new Crummer facility will enable the School to continue to draw these business leaders to Rollins and Winter Park as well as further establish Crummer as a thought leader and instrumental partner within the business community.

For these reasons, I hope you will join us in enthusiastically supporting the Innovation Triangle proposal.

Sincerely,

C.J. Maier '11MBA

Alumni Board President

Director – Fiber Development

FPL Energy Services (NextEra Energy)

On behalf of Alumni Board Members:

Danielle Spears '11MBA – Alumni Board Vice President & Chair of Nominations Committee

Public Communications Coordinator

St. Johns River Water Management District

Boo Gonzalez '14MBA – Alumni Board Treasurer & Chair of Admissions & Finance Committee

Director, Corporate Partnerships and Alliances

Hilton Grand Vacations

Luis Llop '13MBA – Alumni Board Secretary & Chair of Programs & Events

Sr. Director of Sales-Florida Region

Charter Communications

Jennifer Anderson '11MBA

Investment Analyst

Merrill Lynch Wealth Management

Katie Gottsch '04MHR '08MBA

Project Manager, Disney's Hollywood Studios

The Walt Disney Company

Bob Hartmann '79 '06MBA – President Emeritus

REH LLC.

Michael Jennings '03 '10MBA – President Emeritus

Senior Vice President, Commercial Lending

One Florida Bank

Taylor Phan Kennedy '11MBA

Portfolio Manager, Healthcare

Suntrust Bank

Daniel Lerow '17MBA

Consultant-Corporate Finance

Verizon

Alex Manrique '07MBA

Manager, Diversity & Inclusion
Universal Orlando Resorts

Austin Montgomery '17MBA

Manager, Partner Community-Sales Integration
Universal Parks & Resorts

Christina Roberts-Kisner '07 '11MBA

Technical Sales for Open Market
Siemens Energy, Inc.

Diahann Smith '16MBA

Director of Marketing and Business Development
Florida Dairy Farmers



city commission agenda item

item type	Public Hearings	meeting date	3/9/2020
prepared by	Planning	approved by	City Manager, City Attorney
board approval	yes final vote		
strategic objective	Exceptional Quality of Life, Intelligent Growth and Development		

subject

Request of Hill/Grey Seven LLC for:

This public hearing will be held at 5:00 p.m. or thereafter.

- Ordinance to amend the Comprehensive Plan Future Land Use Map from Medium Density Residential (R-3) to Parking Lot (PL) on the property at 472 Broadview Avenue. (2)
- Ordinance to amend the Official Zoning Map to change from Medium Density Residential (R-3) to Parking Lot (PL) on the property at 472 Broadview Avenue. (2)
- Conditional Use approval to construct 24,000 square feet of two-story commercial buildings on the properties at 415 S. Orlando Avenue and 336 and 434 Grove Avenue including Unity of Title and Binding Lot Agreement.

motion / recommendation

Staff and P&Z Board recommendation is for approval with the following conditions:

1. Extend 8-foot wall to the maximum degree that safety would allow with step-downs in height as the wall neared the curve just as necessary to shield headlights. At this point, a 42-inch tall wall shall be constructed.
2. Applicant to plant minimum 3-inch caliper shade trees and additional hedge row around the edges of the parking lot.
3. Per the City Attorney, to require a Development Agreement which provides for the consolidation of all of the parcels in a Unity of Title.
4. Implementation of a driveway configuration (pork chop) to preclude right turns out of the Broadview parking lot onto Grove Avenue in order to discourage cut-thru traffic.

background

The applicants own 1.8 acres (78,808 square feet) of properties at 415 N Orlando Avenue (17-92) and 336/434 Grove Avenue, and have under contract 0.73 acres (31,648 square feet) of land at 472 Broadview Avenue. The subject property at 415 N Orlando Avenue is the Ranch Mall commercial center, which a former motel that has been converted to individual businesses operating out of former motel rooms.

Redevelopment of this property would be a welcomed improvement to the 17-92 commercial corridor in Winter Park. The other component of the application is an existing 12-unit multi-family building located behind the Commercial property at 472 Broadview Avenue. The multi-family structure is located adjacent to single-family homes and the current condition of the property detracts from the aesthetic appeal of the neighborhood.

The applicants desire to redevelop the 1.8 acres of commercial/office properties (currently Ranch Mall) with a project involving two buildings at a total of 24,000 square feet, and to use the property at 472 Broadview (currently apartment complex) as off-site parking for that project.

The applicant has the following requests:

1. To change the Comprehensive Plan Future Land Use Map from Medium Density Residential to Parking Lot for 472 Broadview Avenue;
2. To change the Zoning Map from Medium Density (R-3) to Parking Lot (PL) for 472 Broadview Avenue; and
3. Conditional Use approval to build 24,000 square feet of commercial and office space.

Comprehensive Plan Future Land Use Map and Zoning Map Changes

The property at 472 Broadview Avenue is occupied by a two-story, 12-unit apartment complex. The proposal is to demolish the existing apartment building for the construction of a parking lot to serve the development. This property is located adjacent to the single-family neighbor of Killarney Estates to the north, west and south, and the commercial development along Orlando Avenue to the east. This proposal, with the conversion of the multi-family use to parking lot has the support of the single-family property owners immediately adjacent to 472 Broadview. When this property was rezoned to multi-family 1969, this was deemed to be a good transitional use in between commercial and single family land uses. Parking lots have also been used as transitional land uses in numerous areas of the City where commercial areas abut residential areas.

The reason why the City has a "Parking Lot" land use and zoning category is to ensure that this is the only use allowed and that no commercial buildings or uses can occur.

Comprehensive Plan

The Comprehensive Policy shown below specifically addresses the use of Parking Lot Zoning as an appropriate transitional land use. The guidance is again based upon the conclusion as to whether the proposed parking lot is compatible with the character of the surrounding area.

Policy 1-J-9: Protect Single-Family Residential Use in the Killarney Neighborhood from Non-Residential Land Use Encroachment. The City shall preserve and protect the single-family residential land use within the Killarney neighborhood from commercial and office encroachment, excluding parcels that have or obtain Parking Lot (PL) zoning designation along the edges where commercial, office and residential meet. All development should include appropriate landscape buffers, including walls if necessary, so as not to have a negative impact on the

residential neighborhood.

Design Details for the Proposed Parking Lot

The proposed new parking lot at 472 Broadview Avenue would hold 70 parking spaces. In order to provide visual screening and privacy protections to the residential neighboring properties on Broadview, there is an 8-foot brick veneered wall proposed with landscape screening on the outside toward the residential homes. Because this property is a corner lot with dual frontages, the proposed wall would need a variance to allow the 8-foot height. Staff feels that a Variance creating additional buffering and screening is appropriate.

There are some minor design variances proposed that are 5 feet of landscape/wall buffer area adjacent to the Broadview and Grove Avenue streets (versus 8 feet per code) and 5 feet of landscape/wall buffer area against the two adjacent residential properties (versus 10 feet per code). However, since the overall impervious green landscape area of the parking lot is 25% versus the code minimum of 15% there is appropriate mitigation of open landscape area.

The other variance is the request to have 40 of the 70 spaces in the parking lot have an 8-foot width versus the code requirement for 9-foot width. This results in the gain of 4 additional parking spots which translates into the potential for 12 additional seats in the restaurant areas. The applicants have stated that the higher-end restaurant uses proposed will utilize valet parking. The types of variances permissible are limited via the Section 58-90 Conditional Use reviews. A variance request for the number of spaces is possible, but there is no allowance for a variance for the width of spaces. Because the limiting factor for every building project is parking, in terms of building size, number of units or restaurant seats. In limiting parking widths from the permissible variances, the City Commission simply did not want to have to make judgement calls on every project about how many spaces can be 8 feet wide versus 9 feet wide. However, in this case since we have an office use and retail/showroom use that are not active during the evening, staff feels that granting the 4 parking space/12 seat variance would not cause any adverse impact.

Design Details and Conditional Use Review for the Commercial Project

There are three types of businesses anticipated in this project. The northern 4,000 square foot building is proposed as a sales/showroom use. The southern 20,000 square foot building would have 15,000 square feet of retail/restaurant on the first floor and 5,000 square feet of office on the second floor. Based upon the 176 parking spaces shown, this would permit up to 441 restaurant seats which then is likely to be two restaurants of 220 seats.

The building elevations appear to depict two-story buildings. However, only the south 5,000 sq. ft. of the southern building is an actual two-stories with commercial restaurant space anticipated on the ground floor and office space on the second floor. The proposal for the higher single-story space is to provide tall interior floor to ceiling heights, preferable to the higher-end restaurant uses proposed for the site.

The applicant is asking for a variance to allow the buildings to be 35 feet in height to the roof and 40 feet visible height with parapet versus the Code limit of 30 feet and 35 feet respectively. The City's Floor Area Ratio (FAR) regulations are intended to

control the visible size/mass of buildings and structures. A one-story building that has the appearance of two stories in height (30-35 feet tall) counts twice toward the FAR, given the appearance of more massing. For this 78,900 square foot site, there is 37,856 square feet of FAR (versus usable floor space of 24,000 square feet). As that exceeds the permitted 45% FAR, some 2,850 square feet of the buildings in some fashion will need to be reduced in height to conform to the 45% FAR. The actual floor area being proposed is well under the allowable FAR, which will reduce traffic impacts.

Underground exfiltration beneath that parking lot areas will provide the required storm water retention for both the main building site and the off-site parking lot.

Traffic Generation

There are 25,202 square feet of existing retail/office buildings on these commercial properties. Per the ITE trip generation estimates, the existing traffic would be 1,117 trips per day. The 12 units of multi-family residential create an additional 79 trips per day, for a total of 1,196 average daily trips between the two uses. Based upon the proposed 4,000 square feet of retail, 5,000 square feet of office and 14,000 square feet of high-end restaurant uses anticipated, the expected traffic generation would be 1,492 trips per day, an addition of 296 trips per day.

Impact from the Loss of the Housing Stock

Policies of the Housing Element of the Comprehensive Plan require the City to assess the impact on the loss of housing whenever residential land is changed to a non-residential use. In this case, the City is losing 12 units of multi-family housing, but with a significant improvement to the appearance of the area on both of the properties considered in this proposal. The positive impact of this redevelopment to the existing single-family homes in the area should not be discounted.

Staff Evaluation and Recommendation

This application appears to create significant upgrades to an older commercial property and an older multi-family property, each with a number of non-conformities. The redevelopment proposed for both of these areas reduces the overall square footage of development between the two properties and does not propose to maximize the FAR of the sites. Because of the Comp Plan Policy that supports Parking Lots as an appropriate transitional land use, staff can support this rezoning. This project removes two uses that some may consider as blighted and replaces them with a development that has excellent architecture and site design that lessens the impact of what could be redeveloped on these properties under the current zoning designations.

Neighborhood traffic concerns from the residents of the Killarney Estates area have been present for many years, especially with the added stress of I-4 Construction and mapping apps that route traffic to cut through neighborhoods. Staff observed the traffic issues with residents on a number of occasions. The neighborhood was concerned about a new commercial user, despite the positive improvements that would be made to older, blighted properties. Staff held a neighborhood meeting, with notice sent to all affected residents. Numerous ideas were presented and a collective design was agreed upon that would address the traffic in the area, keeping the commercial traffic out of the residential areas and not allow cut through traffic.

Staff has already begun the implementation of the design, which will be built in a temporary/removable fashion that will allow a test period of the new design to see if any issues remain. Upon agreeing with the new improvements, the neighbors were very supportive of the subject development proposal and the developer has offered to help to fund and construct a portion of the improvements with the city.

Planning & Zoning Board Minutes from February 4, 2020:

- **CPA #20-03; RZ #20-03 & #20-04 Request of Hill/Gray Seven LLC for: (1) Ordinance to amend the Comprehensive Plan Future Land Use Map from Medium Density Residential (R-3) to Parking Lot (PL) on the property at 472 Broadview Avenue, (2) Ordinance to amend the Official Zoning Map to change from Medium Density Residential (R-3) to Parking Lot (PL) on the property at 472 Broadview Avenue, and (3) Conditional Use approval to construct 24,000 square feet of two-story commercial buildings on the properties at 415 S. Orlando Avenue and 336 and 434 Grove Avenue.**

Board member Laura Walda recused herself from this request as she is employed by the same law firm as counsel that represented the applicant.

Principal Planner Jeff Briggs explained that the request involved the properties at 415 S. Orlando Avenue, the old Mini Ranch Mall, two companion properties at 336 and 434 Grove Avenue and the property at 472 Broadview. He provided aerial and close up views of the properties and explained that the applicant has proposed to redevelop the property on Orlando Avenue with the request to allow companion parking across the street on the side of Grove and Broadview Avenues. He stated that approximately 24,000 square feet of development was proposed and there were three actions before the Board:

1. To change the Comprehensive Plan Future Land Use Map from Medium Density Residential to Parking Lot for 472 Broadview Avenue;
2. To change the Zoning Map from Medium Density (R-3) to Parking Lot (PL) for 472 Broadview Avenue; and
3. Conditional Use approval to build 24,000 square feet of commercial and office space.

He presented plans outlining the proposed development including commercial buildings on the Orlando Avenue frontage, parking area behind the commercial buildings that would extend back to Grove Avenue and the off-site parking area directly across the street on the 472 Broadview Avenue property. The proposal included 106 parking spaces behind the commercial buildings and 70 parking spaces across the street on the Broadview property which would allow enough parking to allow the applicant to build an approximately 4,000 square-foot retail/showroom use building on the north side of the Orlando Avenue frontage and the building on the south side of the Orlando Avenue frontage would have space for two restaurants on the ground floor, each with approximately 220 seats, and part of the second floor would be approximately 5,000 square-feet of office space. The remaining portion of the building would have high vaulted ceiling spaces. He noted that one of the benefits of the mix of uses proposed would be that the parking spaces allocated for retail and office spaces during the day would be available for use by restaurant patrons in the evening.

Mr. Briggs further explained that the applicant was asking for variances to allow for smaller 8-foot wide parking spaces on the rear parking lot, versus the 9-foot width

required by code but there is not a variance allowed for the width of the spaces. He explained that the result was 4 additional parking spaces and given the mix of uses and the fact that the offices would be empty in the evenings, Staff felt that allowing the 4-parking space/12-seat variance would have minimal impact on the project. There is a variance requested for an 8 foot tall wall screening the parking lot in order to screen the lot from neighbors. Mr. Briggs noted that there was a policy in the Comp Plan that allowed for rezoning of residential land for parking lot uses as the applicant had proposed.

Mr. Briggs showed elevations for the buildings and explained that the applicant intended for the restaurant spaces to have high floor to ceiling heights to create a specific interior look. The other variance requested is for 35 of interior height versus the Code allowed 30 feet of interior building height. He stated that Staff was unsure of the necessity for the variance and that the applicant would explain the reason for the request.

Staff recommendation was for approval.

Mr. Briggs answered questions from the Board regarding, landscaping and wall materials for the proposed parking lot wall, the wall height variance and the Comprehensive Plan policies related to rezoning the property from Residential (R-3) to Parking Lot (PL).

Attorney Rebecca Wilson of Lowndes, Drosdick, Doster, Kantor & Reed, P.A., 215 N. Eola Drive, Orlando, FL, represented the applicant. Mrs. Wilson stated that the original site was a 36-room hotel and presently each "hotel room" has its own tenant. She stated that the Ranch Mall is 1.8 acres located on 17-92 and provided images showing the location of the property. She stated that the applicant had hopes that the proposed development would begin to encourage other businesses in between and north of Fairbanks Avenue to redevelop. She stated that there were no significant trees that would need to be saved as the property was mostly asphalt. She showed images of the .73 acres at the rear of the property where the vacant 12-room apartment exists and explained that the area was considered a "down zone" going from 12 units to zero units resulting in zero FAR. Mrs. Wilson provided additional images showing the poor existing conditions of the area and explained that the project would be a significant improvement to the neighborhood.

With respect to site plan, Mrs. Wilson stated that the two separate buildings would have the appearance of being two stories in height. She noted that the height limit on 17-92 is 55-five feet and she explained how the code averages height requirements by story. She reiterated uses for both buildings, building one would have a retail/showroom use and building two would have restaurants on the ground floor and the applicant would use the second floor for their offices. She noted that the applicant was not using the property to increase any of the square footage or Floor Area Ratio (FAR) that is available on the site. She explained that the FAR that the applicant required already existed "by right" and the additional land was needed to provide ample parking for the restaurants, as restaurants have higher parking requirements. She noted that the project will provide bike and electric vehicle parking, the project would also reduce the five curb cuts along 17-92 to one curb cut, increase landscaping and add stormwater treatment for the site. She reviewed the materials and landscaping the applicant would be using for the 8-foot parking lot wall. She stated that at the request of the adjacent neighbor, the wall would have five feet of landscaping and hedges. The wall would run in between the two

properties that continue to be zoned residential and run along Broadview Avenue and end right before the intersection of Broadview Avenue and Grove Avenue.

Mrs. Wilson presented renderings of the building and explained that the two story look of the building provided for a more urban look and would attract retailers who would want double volume space. She noted that the project would make for a more appealing pedestrian experience. She reiterated that the project was a three-part request, Future Land Use Map amendment from Medium Residential to Parking Lot, Rezoning from (R-3) to (PL) and Conditional Use approval. She noted that during Staff and Board comments, a question was raised with regard to converting medium density to parking lot, what would prevent the applicant from coming back to request something different at a later date. She explained that the Comprehensive Plan Policy 1.J.9 says, "Protect Single-Family Residential use in the Killarney neighborhood from non-residential land use encroachments." She added that the code also says, "Parcels are not to be taken to commercial or office, excluding parcels that have or obtain parking lot." She stated if the Board stays consistent with the policy allowing parking lot, it would not diminish Staff's ability to uphold the Comp Plan policy.

Mrs. Wilson closed by requesting permission to address any concerns raised by neighbors during public comment.

Mrs. Wilson answered questions from the Board regarding demolition of the apartment dwelling, outreach from the applicant to the neighborhood, provisions for ingress and egress for the parking lot and how lighting from the project would affect the adjacent neighborhood.

The Board heard public comment from:

Jennifer Rimbach, 429 Lakeview Avenue, Winter Park, FL; Marry Black, 1334 Dallas Avenue, Winter Park, FL; David Lundberg, 1971 Lee Road, Winter Park, FL; David Dickerson, 1300 Fairview Avenue, Winter Park, FL; Jennifer Haddad, 1300 Dallas Avenue, Winter Park, FL; Joe Lenartis (did not provide speaker form or state his address for the record); Julie Sutphin, 350 Killarney Drive, Winter Park, FL; David Rimbach, 429 Lake View Avenue, Winter Park, FL; Peggy Ramsey, 531 Dunraven Drive, Winter Park, FL; Jeffrey Karsch, 475 Lakeview Avenue, Winter park, FL; Jackie Thompson, 458 Lakeview Avenue, Winter park, FL.

The consensus of the public comment was that the residents felt the project would be a good use of the property and an improvement for the area. However, the majority of residents expressed concerns regarding increased "cut-through" traffic into the neighborhood. Additionally, residents expressed concerns related to the lights from the parking lot and how that would affect the Killarney Estates neighborhood.

No one else from the public wished to speak. The public hearing was closed. Before Mrs. Wilson responded to concerns from the residents, Planning Director Bronce Stephenson addressed the Board. An extensive conversation ensued regarding traffic concerns raised by the residents in the Killarney Estates neighborhood. Mr. Stephenson acknowledged the traffic issues plaguing the area stated that Staff felt the project would not be a great contributor to the existing issues. Mr. Stephenson stated to the Board that Staff and the City would work directly with the community to discuss and implement solutions to mitigate traffic

issues in the area. The discussion moved on to what the applicant could do to the project to assist with traffic generation from the parking lot. Mr. Stephenson and the Board discussed adding a condition to have left turn only curb cuts in the parking lot to mitigate traffic.

Mrs. Wilson stated that the applicant appreciated Mr. Stephenson's acknowledgment that the traffic issue was outside of the applicant's request and that the applicant agreed to have the "pork chop" for traffic to go out from Grove Avenue. She stated that while the applicant does not have the capacity to fix the long-standing traffic conditions in the area, the applicant was open to looking at options that would help the conditions, but asked that the request be considered without being linked to a requirement for the entire study area. She addressed residents' comments regarding sidewalks and on street parking. She stated that the applicant would continue the sidewalks on the properties that they were improving and that the project would not include on street parking. She closed by stating that the applicant did not want to negatively impact the neighborhood and asked that the project be moved forward with the conditions to finish working with staff prior to City Commission meeting to resolve traffic concerns.

Further discussion ensued between the applicant and the Board regarding extending the wall and sidewalk around the parking lot, storm water retention and the policies for converting residential zoning to parking lot zoning. The Board conversed in depth the land use aspect of the request, line of sight issues, landscaping and extension of the proposed wall for the parking lot, Staff's role in solving traffic conditions plaguing the adjacent neighborhood and the parking lot use. The Board continued to discuss, at length deed restriction as a possibility to connect ownership of the project and the parking lot. City Attorney Dan Langley stated that a Unity in Title would be an option to connect ownership of the property. Further discussion ensued.

Motion made by Ray Waugh, seconded by Owen Beitsch, for an Ordinance to amend the Comprehensive Future Land Use Map from Medium Residential (R-3) to Parking Lot (PL) on the property at 472 Broadview Avenue.

Motion made by Ray Waugh, seconded by Owen Beitsch for an Ordinance to amend the Official Zoning Map to change the land use designations of Medium Density Residential (R-3) to Parking Lot (PL) on the property at 472 Broadview Avenue.

Motion carried with a 5-0 vote.

Motion made by Ray Waugh, seconded by Owen Beitsch, for Conditional Use Approval to construct 24,000 square feet of two-story commercial buildings on the properties at 415 S. Orlando Avenue and 336 and 434 Grove Avenue including all staff recommendations and variances proposed.

- 1. Extend 8-foot wall to the maximum degree that safety would allow with step-downs in height as the wall neared the curve just as necessary to shield headlights.**
- 2. Applicant to plant minimum 3-inch caliper shade trees and additional hedge row around the edges of the parking lot.**
- 3. Per the City Attorney, to require a Development Agreement which**

- provides for the consolidation of all of the parcels in a Unity of Title.**
4. **Implementation of a driveway configuration (pork chop) to preclude right turns out of the Broadview parking lot onto Grove Avenue in order to discourage cut-thru traffic.**

Motion carried with a 5-0 vote.

alternatives / other considerations

N/A

fiscal impact

N/A

ATTACHMENTS:

Description	Upload Date	Type
Ordinance - FLU	2/12/2020	Ordinance
Ordinance - Zoning	2/12/2020	Ordinance
Backup Materials	2/12/2020	Backup Material
Sustainable Design	2/13/2020	Cover Memo
Unity of Title and Binding Lot Combination Agreement	3/3/2020	Backup Material

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA
AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE",
ARTICLE I "COMPREHENSIVE PLAN" TO AMEND THE
"COMPREHENSIVE PLAN" FUTURE LAND USE MAP TO CHANGE
FROM AN MEDIUM DENSITY RESIDENTIAL FUTURE LAND USE
DESIGNATION TO A PARKING LOT FUTURE LAND USE
DESIGNATION ON THE PROPERTY AT 472 BROADVIEW
AVENUE, MORE PARTICULARLY DESCRIBED HEREIN
PROVIDING FOR CONFLICTS, SEVERABILITY AND AN
EFFECTIVE DATE.**

WHEREAS, Section 163.3184, Florida Statutes, establishes a process for adoption of comprehensive plans or plan amendments amending the future land use designation of property; and

WHEREAS, this Comprehensive Plan amendment meets the criteria established by Chapter 163 and 166, Florida Statutes; and pursuant to and in compliance with law, notice has been given to Orange County and to the public by publication in a newspaper of general circulation to notify the public of this proposed Ordinance and of public hearings to be held; and

WHEREAS, the Winter Park Planning and Zoning Commission, acting as the designated Local Planning Agency, has reviewed and recommended adoption of the proposed Comprehensive Plan amendment, having held an advertised public hearing on February 4, 2020, provided for participation by the public in the process, and rendered its recommendations to the City Commission; and

WHEREAS, the Winter Park City Commission has reviewed the proposed Comprehensive Plan amendment and held advertised public hearings on February 24, 2020 and on March 9, 2020 and provided for public participation in the process in accordance with the requirements of state law and the procedures adopted for public participation in the planning process.

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

SECTION 1. That Chapter 58 "Land Development Code", Article I, "Comprehensive Plan" future land use plan map is hereby amended so as to change the future land use map designation of Medium Density Residential to Parking Lot on the property at 472 Broadview Avenue, being more particularly described as follows:

Lots 1, 2, 14 and 15, Block 5, Killarney Estates Resurvey, as recorded in Plat Book "L", Page 9, Public Records of Orange County, Florida.

Property Tax ID's # 12-22-29-4172-05-010.

SECTION 2. Severability. If any Section or portion of a Section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Ordinance.

SECTION 3. Conflicts. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

SECTION 4. Effective Date. An amendment adopted under this paragraph does not become effective until 31 days after adoption. If timely challenged, an amendment may not become effective until the state land planning agency or the Administration Commission enters a final order determining that the adopted small scale development amendment is in compliance.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this _____ day of _____, 2020.

Mayor

Mayor Steve Leary

Attest:

City Clerk

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" TO AMEND THE "OFFICIAL ZONING MAP" TO CHANGE FROM MEDIUM DENSITY MULTIPLE FAMILY RESIDENTIAL (R-3) DISTRICT ZONING TO PARKING LOT (PL) DISTRICT ZONING ON THE PROPERTY AT 472 BROADVIEW AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the owners of property at 472 Broadview Avenue have requested a zoning map amendment consistent with the amended Comprehensive Plan, and such municipal zoning meets the criteria established by Chapter 166, Florida Statutes and pursuant to and in compliance with law, notice has been given to Orange County and to the public by publication in a newspaper of general circulation to notify the public of this proposed Ordinance and of public hearings to be held; and

WHEREAS, the Planning and Zoning Board of the City of Winter Park has recommended approval of this Ordinance at their February 4, 2020 meeting; and

WHEREAS, the City Commission of the City of Winter Park held a duly noticed public hearing on the proposed zoning change set forth hereunder and considered findings and advice of staff, citizens, and all interested parties submitting written and oral comments and supporting data and analysis, and after complete deliberation, hereby finds the requested change consistent with the City of Winter Park Comprehensive Plan and that sufficient, competent, and substantial evidence supports the zoning change set forth hereunder; and

WHEREAS, the City Commission hereby finds that this Ordinance serves a legitimate government purpose and is in the best interests of the public health, safety, and welfare of the citizens of Winter Park, Florida.

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

SECTION 1. Official Zoning Map Amendment. That Chapter 58 "Land Development Code", Article III, "Zoning" and the Official Zoning Map is hereby amended so as to change the zoning designation of Medium Density Multiple Family Residential (R-3) District to Parking Lot (PL) District zoning on the property at 472 Broadview Avenue, more particularly described as follows:

Lots 1, 2, 14 and 15, Block 5, Killarney Estates Resurvey, as recorded in Plat Book "L", Page 9, Public Records of Orange County, Florida.

Property Tax ID's # 12-22-29-4172-05-010.

SECTION 3. Severability. If any Section or portion of a Section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Ordinance.

SECTION 4. Conflicts. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

SECTION 5. Effective Date. This Ordinance shall become effective upon the effective date of Ordinance _____. If Ordinance _____ does not become effective, then this Ordinance shall be null and void.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this _____ day of _____, 2020.

Mayor Steve Leary

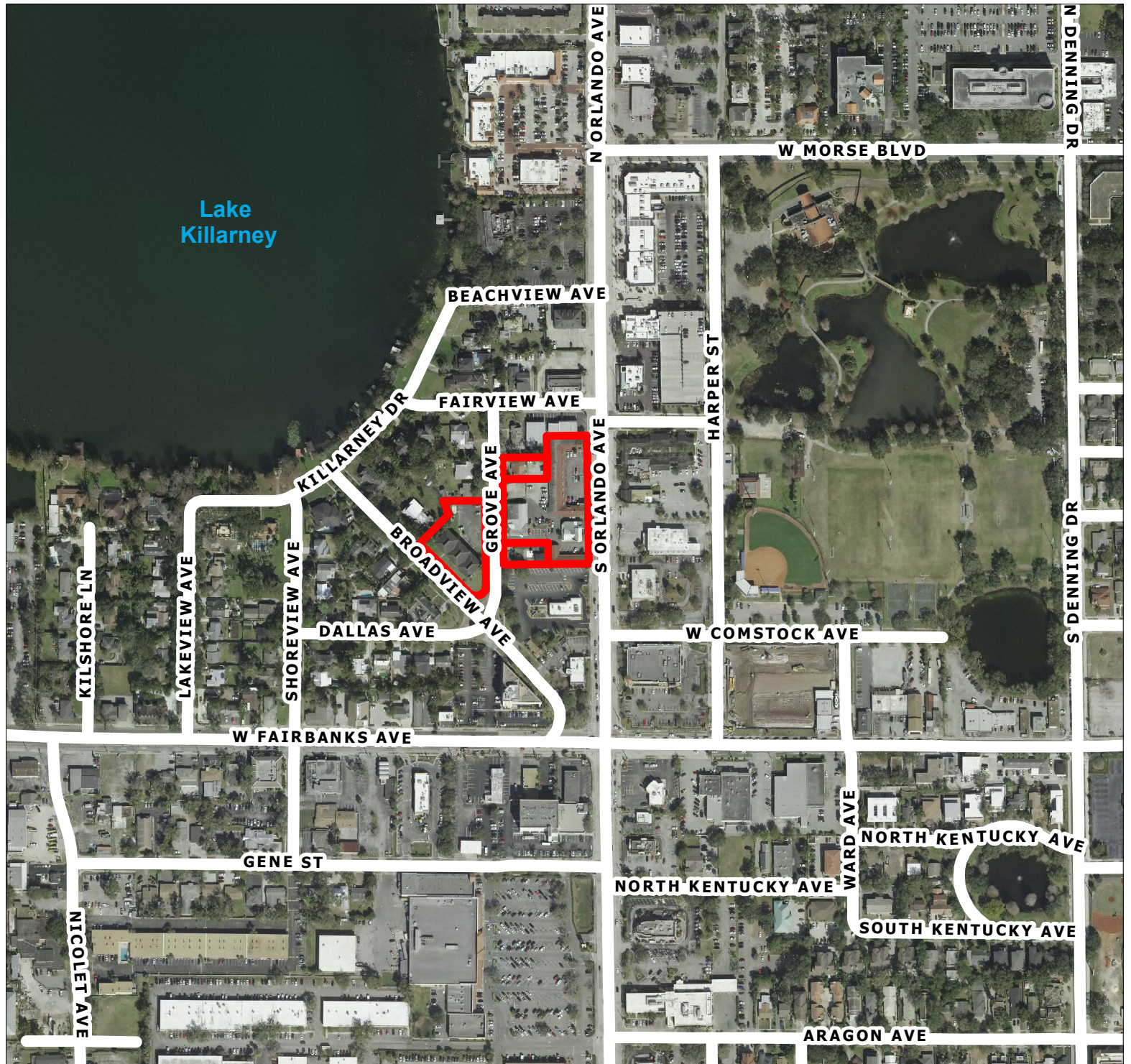
Attest:

City Clerk



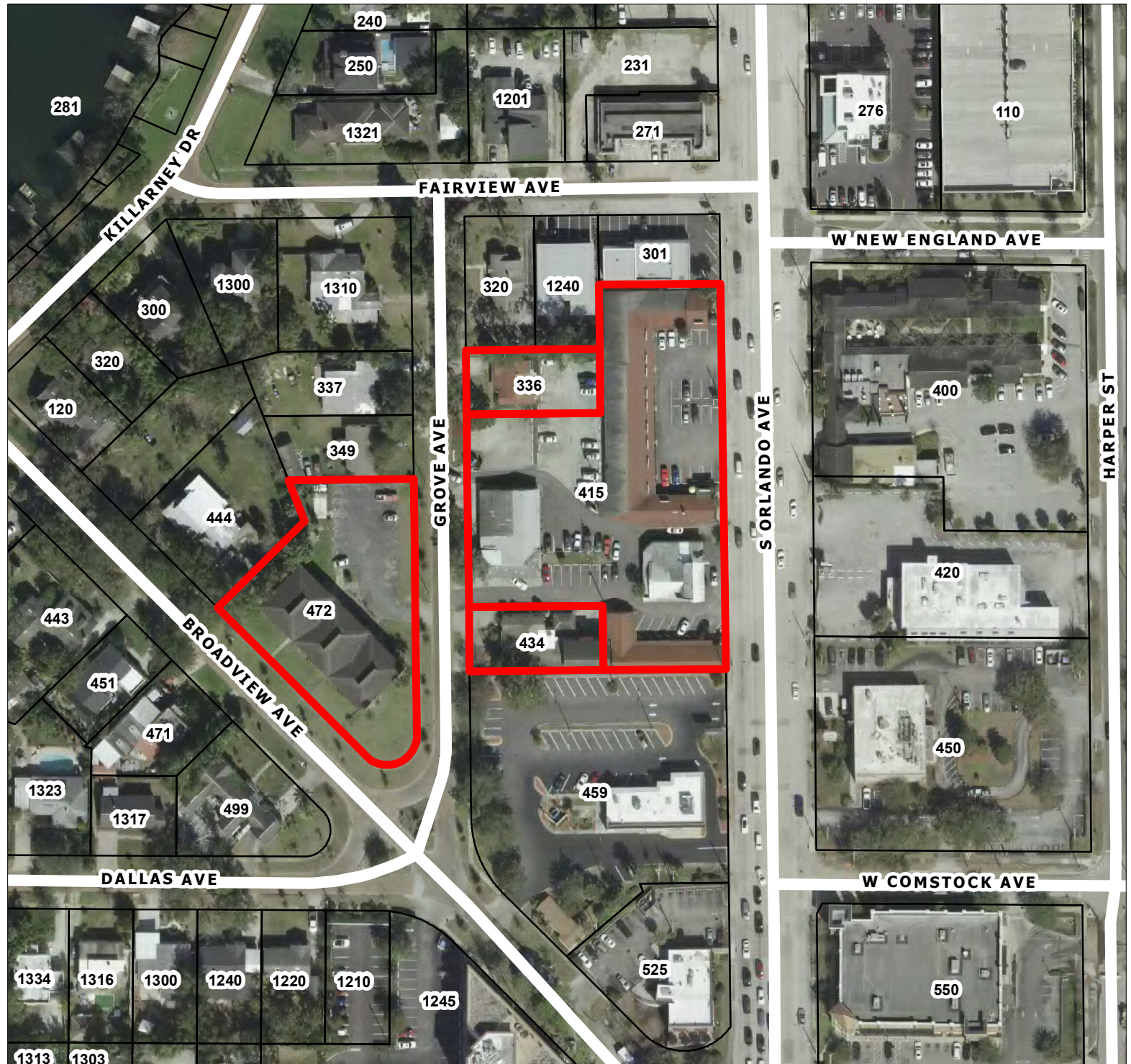
LOCATION MAP
415 S Orlando Ave
336 & 434 Grove Ave
472 Broadview Ave

City of Winter Park
Florida





LOCATION MAP
415 S Orlando Ave
336 & 434 Grove Ave
472 Broadview Ave
City of Winter Park
Florida





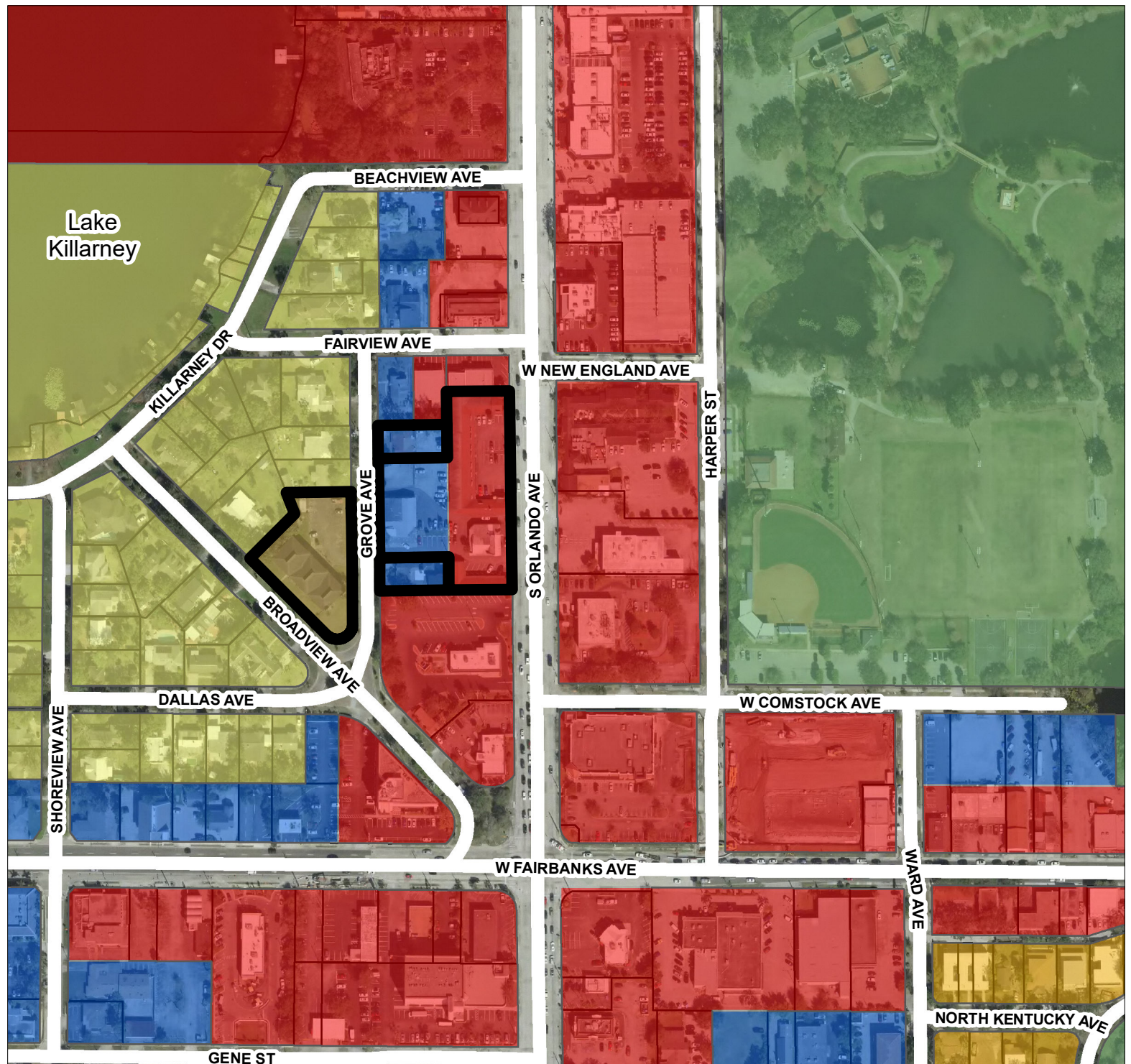
FUTURE LAND USE

415 S Orlando Ave
336 & 434 Grove Ave
472 Broadview Ave

City of Winter Park
Florida

Future Land Use

- Commerce
- Office Professional
- Medium Density Residential
- Low Density
- Single Family
- Open Space Recreation





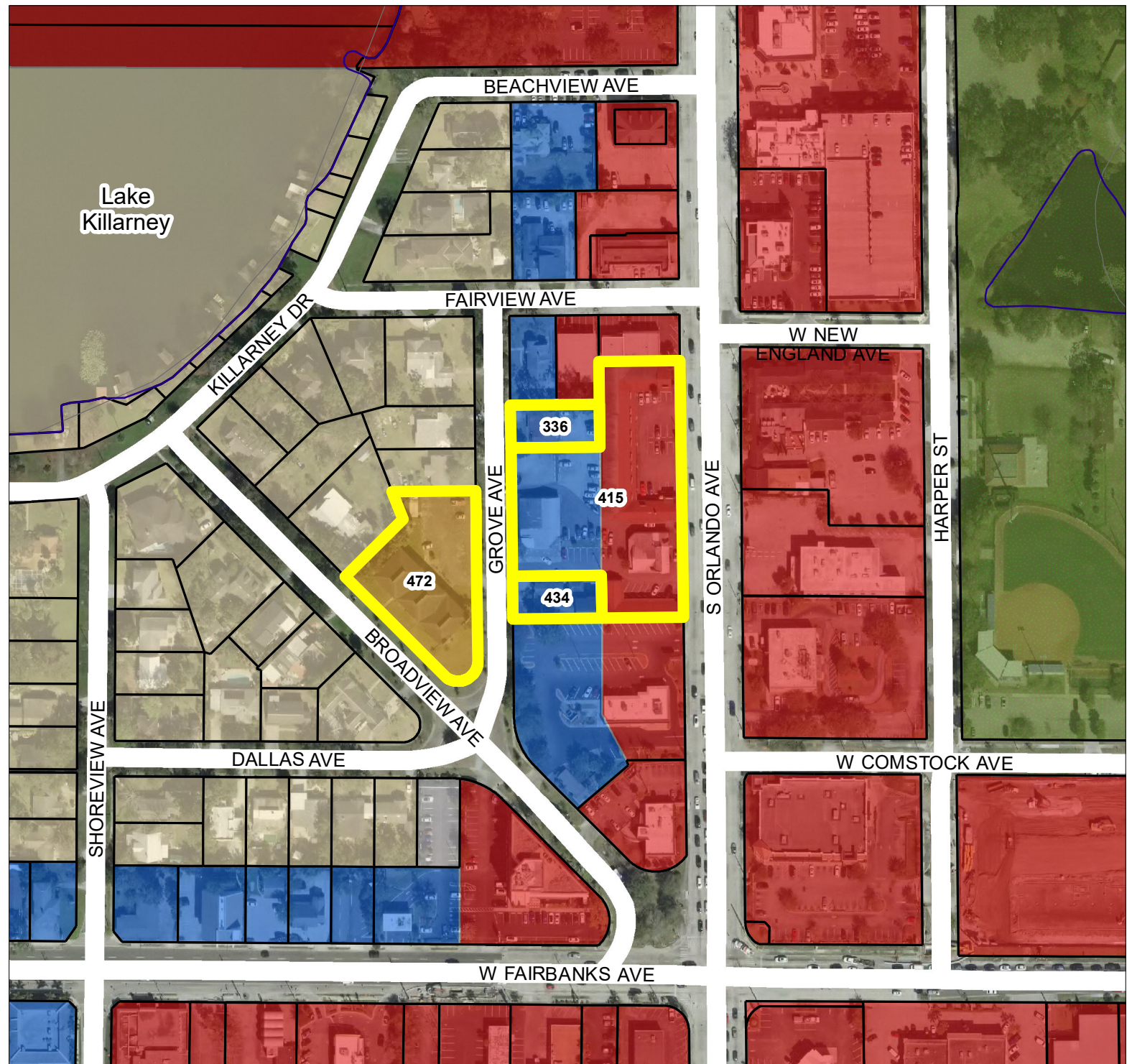
ZONING

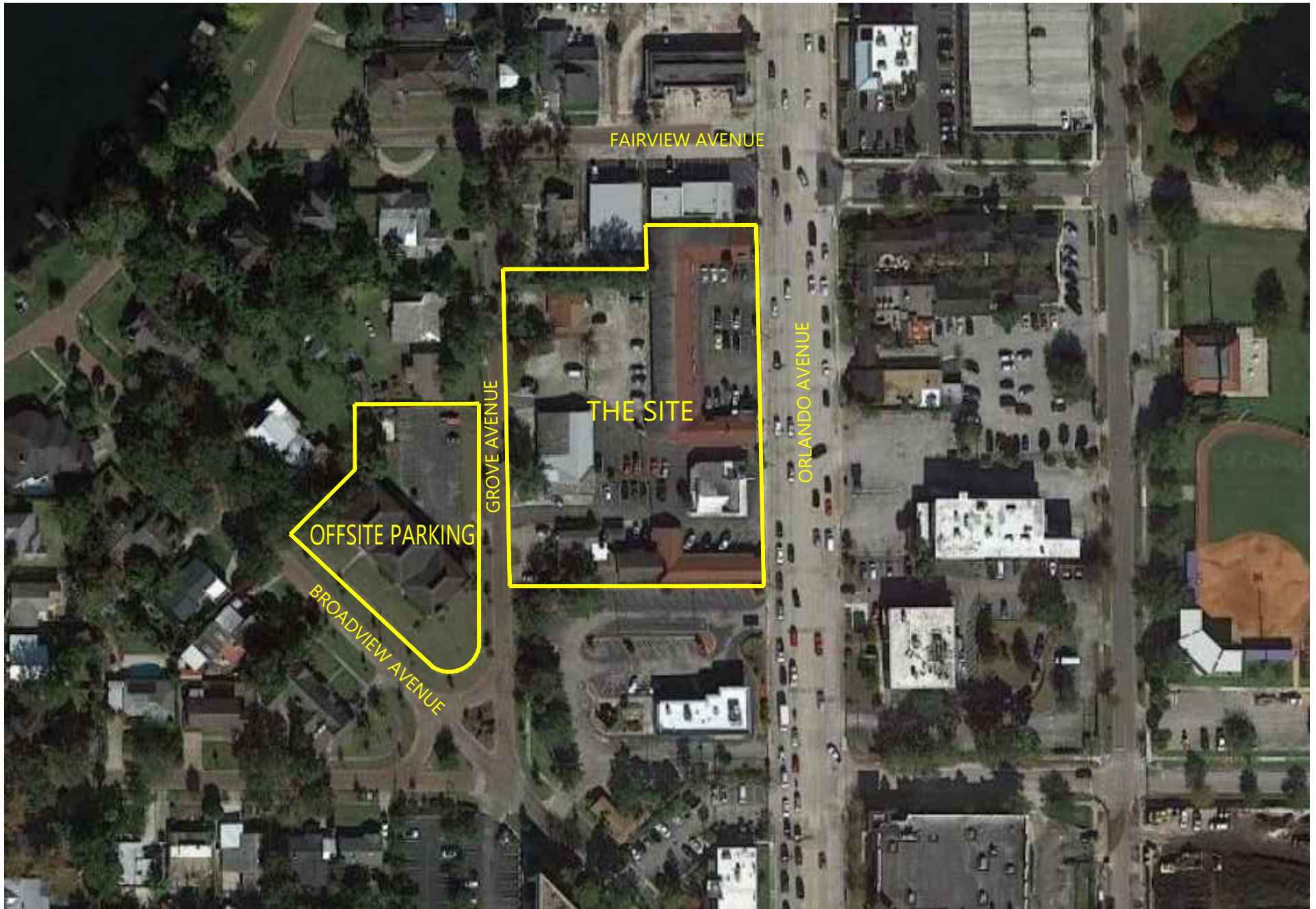
415 S Orlando Ave
336 & 434 Grove Ave
472 Broadview Ave

City of Winter Park
Florida

Legend

- C-3
- O-1
- PL
- PR
- R-1A
- R-3





An aerial photograph of a commercial property. A large red building with a flat roof is the central feature, surrounded by a paved parking lot filled with various cars. To the left of the building is a smaller structure with a red roof and a fenced-in area. A red line outlines the entire property area, and a pink box highlights a specific section in the lower-left corner. The image is credited to Rick Singh, CFA, Orange County Property Appraiser, with a logo in the top right corner. A north arrow is in the top left corner.

OCPA Web Map

OCA Web Map			Major Roads		Proposed Road		Residential		Commercial/Industrial/Vacant Land		Parks		6	Lot Number
	Florida Turnpike		Public Roads		Brick Road		Agriculture		Agricultural Curtilage		Lakes and Rivers		06060	Parcel Number
	Interstate 4		Gated Roads		Block Line		Commercial/Institutional		Hydro		Building		3106	Parcel Address
	Toll Road		Road Under Construction		Lot Line		Governmental/Institutional/Misc		Waste Land		E	Block Number	111.9	Parcel Dimension

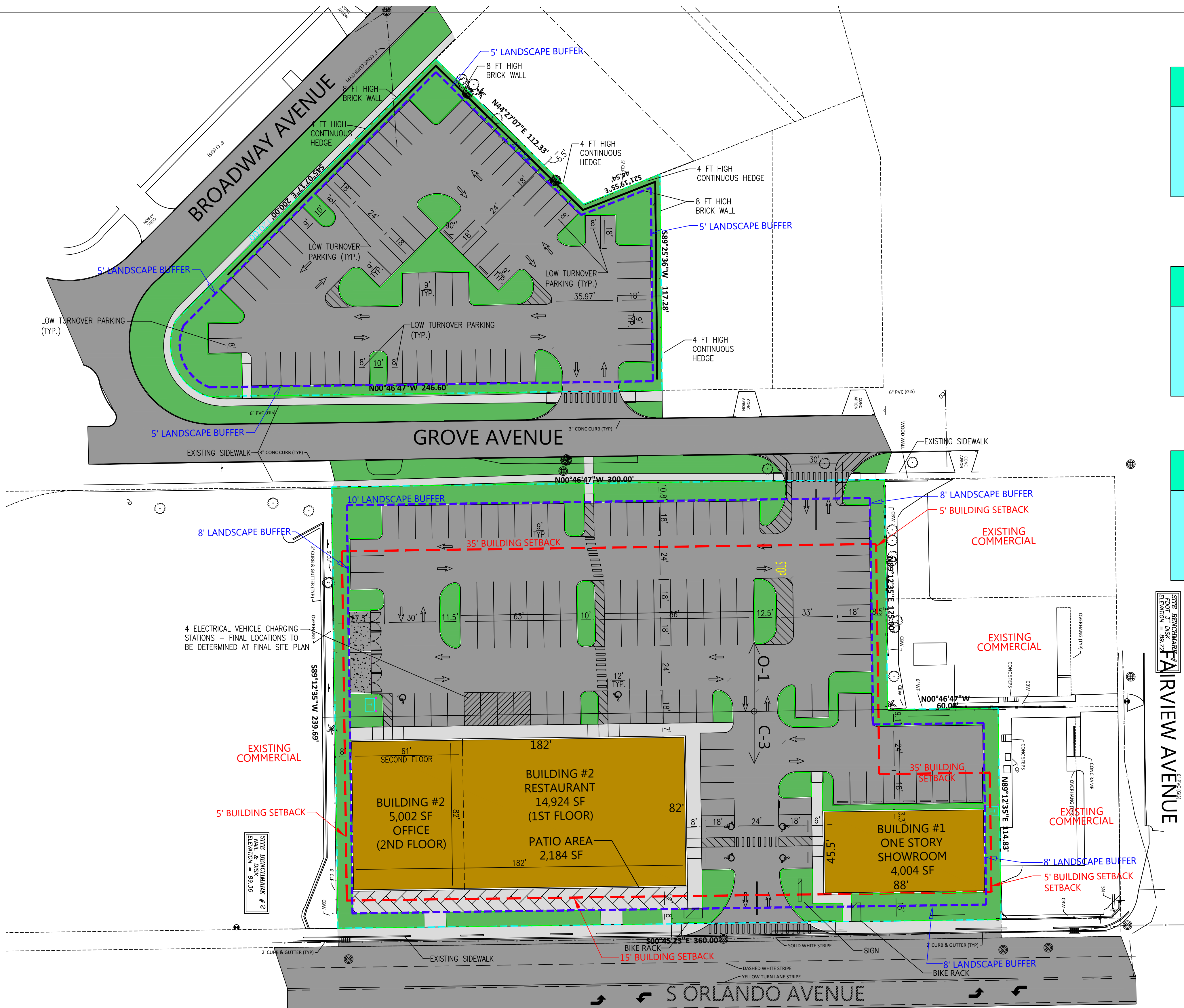


Courtesy Rick Singh, CFA, Orange County Property Appraiser



Created: 12/6/2019 13:57 Aerial 2018

This map is for reference only and is not a survey



THE HILL CENTER – BUILDING #1			
SHOWROOM	BUILDING HEIGHT		GROSS BUILT AREA
	REQUIRED	PROVIDED	
	55'	35' + PARAPET*	4,004 GSF

THE HILL CENTER – BUILDING #2 (1ST FLOOR)			
RESTAURANT	BUILDING HEIGHT		GROSS BUILT AREA
	REQUIRED	PROVIDED	
	55'	35' + PARAPET*	14,924 GSF

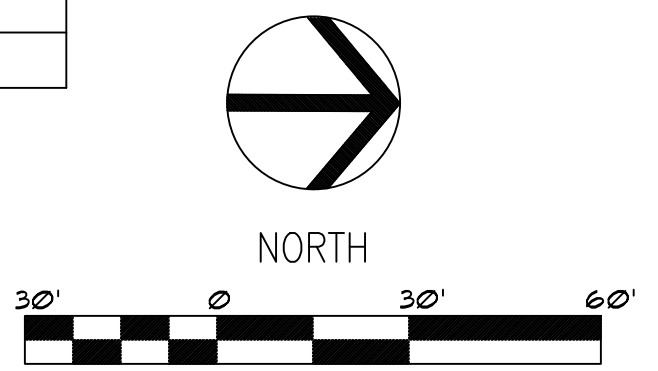
THE HILL CENTER – BUILDING #2 (2ND FLOOR)			
OFFICE	BUILDING HEIGHT		GROSS BUILT AREA
	REQUIRED	PROVIDED	
	55'	35' + PARAPET*	5,002 GSF

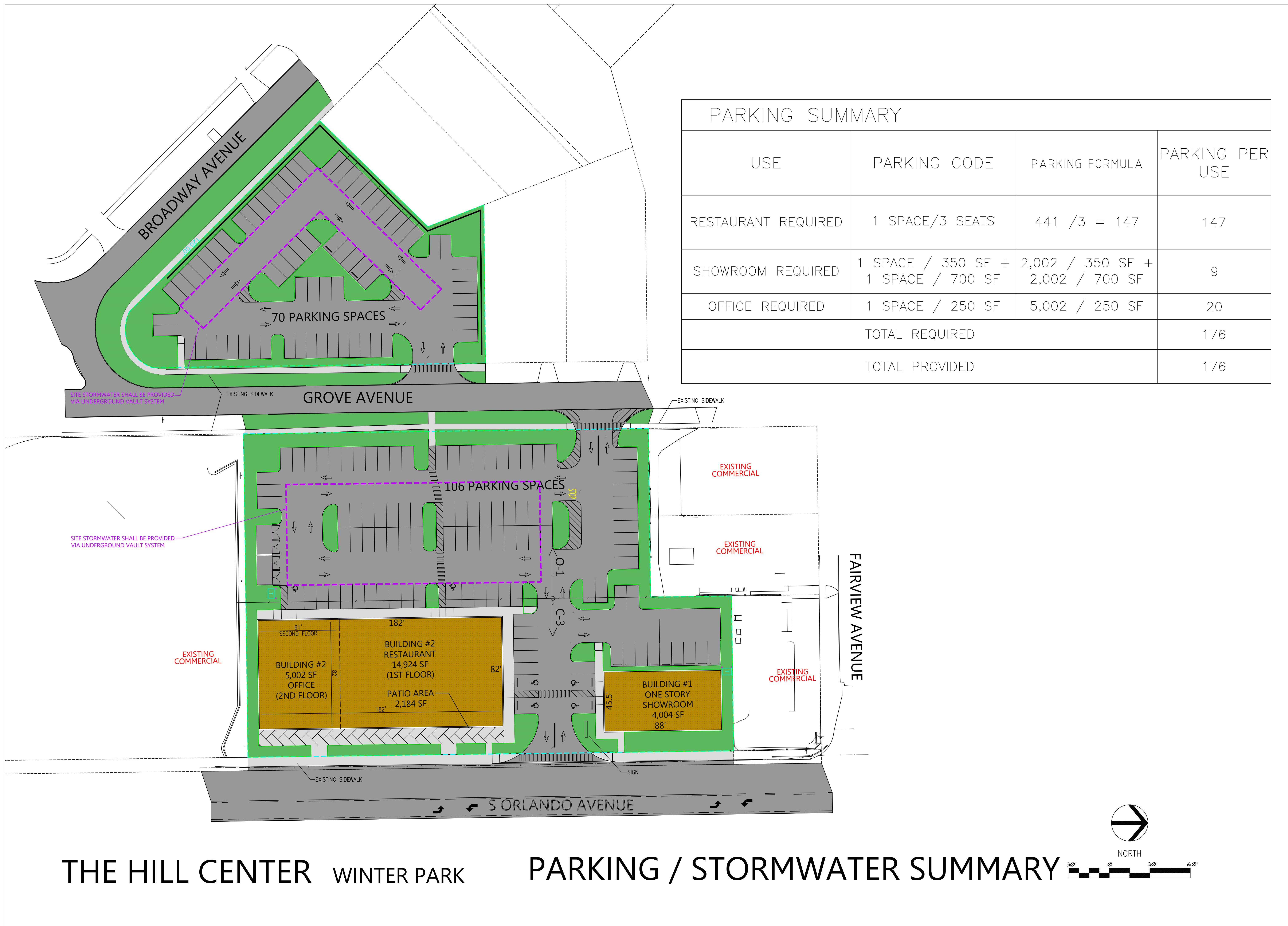
- * SEC. 58-76 ALLOWS UP TO FOUR-STORY 55' MAXIMUM HEIGHT. PROPOSING TWO-STORY WITH 35' HEIGHT DEVIATION FROM TWO-STORY HEIGHT LIMIT.
- * SEC. 58-80 MAXIMUM FENCE HEIGHT 6'.
- * PROPOSING 8' PER NEIGHBOR'S REQUEST.
- * SEC. 58-86 REDUCTION IS FOR SIZE OF SPACES FOR LOW TURNOVER PARKING.

O-1 / C-3 ZONING ANALYSIS (THE SITE)					
	PROPOSED	REQUIRED	BUILDING SETBACKS	PROPOSED	REQUIRED
SITE AREA	78,808	—	FRONT YARD (Orlando Ave)	15'	15' MIN.
F.A.R.	45%	45%	SIDE YARD (NORTH)	5'	5' MIN.
IMPERVIOUS SPACE	64,985 SF (82.5%)	85% MAX.	SIDE YARD (SOUTH)	5'	5' MIN.
PERVIOUS SPACE	13,823 SF (17.5%)	15% MIN.	REAR YARD (Grove Ave.)	35'	35' MIN.
PARKING TOTAL	106				

PL ZONING ANALYSIS (PARKING)					
	PROPOSED	REQUIRED	LANDSCAPE BUFFER	PROPOSED	REQUIRED
SITE AREA	31,648	—	FRONT BUFFER (Grove Ave)	5'	5' MIN.
F.A.R.	N/A	45%	SIDE BUFFER (NORTH)	5'	5' MIN.
IMPERVIOUS SPACE	23,687 SF (74.8%)	85% MAX.	SIDE BUFFER (SOUTH)	5'	5' MIN.
PERVIOUS SPACE	7,961 SF (25.2%)	15% MIN.	REAR BUFFER (Broadway Ave)	5'	5' MIN.
PARKING TOTAL	70				

THE HILL CENTER WINTER PARK SETBACK DIAGRAM & PROJECT ANALYSIS

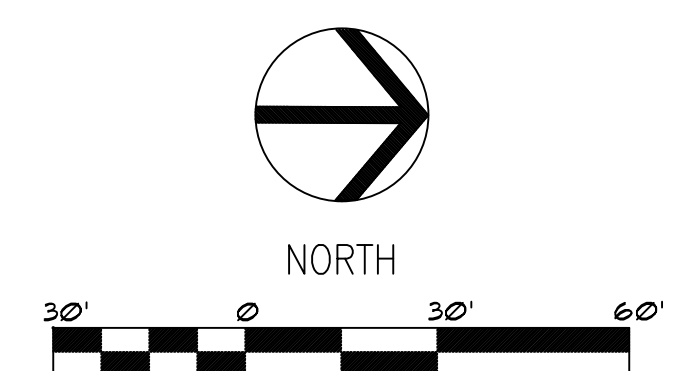






THE HILL CENTER WINTER PARK

LANDSCAPE CONCEPT PLAN





THE HILL CENTER
 HILL GRAY 7
 325 S. ORLANDO AVE.
 REAR PROPERTY BRICK WALL



01 - EAST ELEVATION BUILDING 01 (STREET)
SCALE 1/16"



02 - SOUTH ELEVATION BUILDING 01 (NEIGHBOR)
SCALE 1/16"



03 - WEST ELEVATION BUILDING 01 (REAR)
SCALE 1/16"



04 - NORTH ELEVATION BUILDING 01 (ACCESS)
SCALE 1/16"



05 - EAST ELEVATION BUILDING 02 (STREET)
SCALE 1/16"



06 - SOUTH ELEVATION BUILDING 02 (ACCESS)
SCALE 1/16"



07 - WEST ELEVATION BUILDING 02 (REAR)
SCALE 1/16"



08 - NORTH ELEVATION BUILDING 02 (NEIGHBOR)
SCALE 1/16"



THE HILL CENTER
 HILL GRAY 7
 325 S. ORLANDO AVE.
 AERIAL VIEW

ELEVEN
 18
 ARCHITECTURE
 A WOMEN'S BUSINESS ENTERPRISE

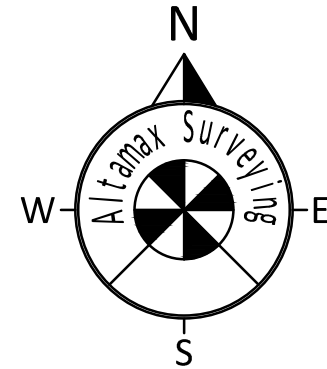


THE HILL CENTER
 HILL GRAY 7
 325 S. ORLANDO AVE.
 BUILDING ONE PERSPECTIVE VIEW



THE HILL CENTER
 HILL GRAY 7
 325 S. ORLANDO AVE.
 BUILDING TWO PERSPECTIVE VIEW

ALTA/NSPS LAND TITLE SURVEY



GRAPHIC SCALE
0 30 60
1 INCH = 30 FEET

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	30.00'	96°50'30"	50.71'	S67°12'34"W	44.88'
C2	50.00'	77°45'11"	67.85'	S82°41'34"E	62.76'
C3	43.50'	46°29'01"	35.29'	S22°29'08"W	34.33'
C4	100.00'	144°21'04"	77.41'	N22°57'26"W	75.49'

Tree ID#	DBH Size	Tree Type
1	24"	OAK
2	14"	CAMPBOR
3	33"	UNIDENTIFIED
4	26"	OAK
5	12"	OAK
6	6"	OAK
7	14"	OAK
8	24"	OAK
9	12"	PALM
10	6"	OAK
11	6"	PALM
12	8"	PALM
13	8"	PALM
14	6"	PALM
15	6"	PALM
16	8"	PALM
17	30"	OAK
18	18"	OAK
19	10"	OAK
20	20"	OAK
21	20"	CAMPBOR
22	10"	PALM
23	10"	PALM
24	15"	CEDAR
25	18"	PALM
26	20"	OAK
27	20"	OAK
28	15"	OAK
29	10"	OAK
30	8"	OAK
31	16"	OAK
32	12"	PALM
33	24"	OAK
34	15"	PALM
35	15"	PALM
36	20"	OAK
37	20"	OAK
38	18"	OAK
39	10"	OAK
40	24"	CAMPBOR
41	8"	PALM
42	20"	PALM
43	19"	PALM
44	8"	PALM
45	32"	OAK
46	10"	PALM
47	2"	MAGNOLIA
48	5"	OAK
49	2"	MAGNOLIA
50	4"	OAK
51	2"	MAGNOLIA
52	5"	OAK
53	4"	OAK
54	6"	OAK
55	5"	OAK
56	5"	OAK

WATERLINE PIPES SIZES
(MEASURED AT THE VALVE CONNECTIONS)
WM#1 (5/8" PIPE)
WM#2 (5/8" PIPE) (R2219922)
WM#3 (5/8" PIPE)
WM#4 (5/8" PIPE) (METER REMOVED)
WM#5 (1" PIPE)
WM#6 (5/8" PIPE)
WM#7 (5/8" PIPE)
WM#8 (1" PIPE)
WM#9 (1" PIPE)
WM#10 (5/8" PIPE)
WM#11 (3/4" PIPE)
WM#12 (5/8" PIPE)
BFP#1 (1" PIPE)
BFP#2 (5/8" PIPE)
BFP#3 (1" PIPE)
BFP#4 (1" PIPE)

ADDRESS:
415 S ORLANDO AVENUE
336 & 434 GROVE AVENUE
472 BROADVIEW AVENUE
WINTER PARK, FL 32789

Job Information
JOB NO. 903166
CF NO. ORG-L-9-LOT57-23-BLK 6
FIELD DATE: 11-21-2019
SCALE: 1" = 30'
DRAWN BY: PIT

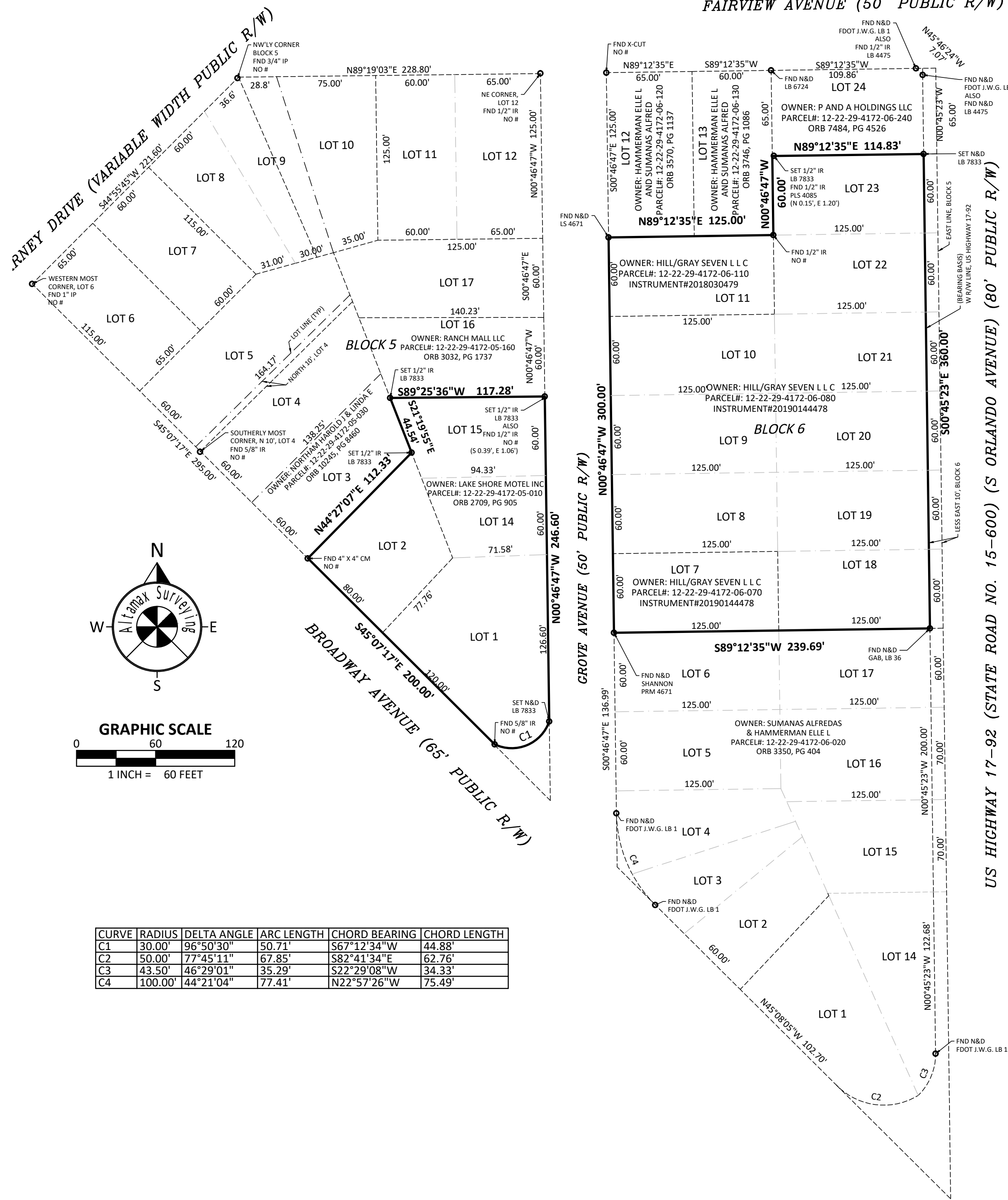
Altamax Surveying
910 Belle Avenue, Suite 1140
Casselberry, FL 32708
Phone: 407-677-0200
Licensed Business No. 7833
www.altamaxsurveying.com



ALTA/NSPS LAND TITLE SURVEY

GENERAL SURVEY NOTES:

- BEARING STRUCTURE BASED ON THE MONUMENTED WEST RIGHT OF WAY LINE OF US HIGHWAY 17-92, BEING: S00°45'23"E FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP OF STATE ROAD NO. 15-600, SECTION 75030, DATED MAY 12, 2006
- THIS SURVEY REFLECTS ONLY MATTERS OF RECORD AS PROVIDED BY THE CLIENT OR CLIENTS REPRESENTATIVE.
- THIS SURVEY WAS MADE ON THE GROUND. THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. ENGINEER AND CONTRACTOR SHALL VERIFY MEASUREMENTS OF CONNECTIONS TO EXISTING UTILITIES BEFORE ORDERING MATERIALS AND BEFORE COMMENCEMENT OF CONSTRUCTION. IF THERE IS A DISCREPANCY BETWEEN THE MEASUREMENTS SHOWN HEREON AND THE VERIFYING MEASUREMENTS, THIS SURVEYOR SHALL BE CONTACTED IMMEDIATELY TO FURTHER VERIFY THE DISCREPANCY.
- THIS SITE LIES IN ZONE "X", BASED ON FLOOD INSURANCE RATE MAP NO. 12095C0255F, COMMUNITY NO. 120188, CITY OF WINTER PARK, FLORIDA AND HAVING AN EFFECTIVE DATE OF 09-25-2009.
- ACCORDING TO FLORIDA STATUTES, CHAPTER 472.025, A LAND SURVEYOR SHALL NOT AFFIX HIS SEAL OR NAME TO ANY PLAN OR DRAWING WHICH DEPICTS WORK WHICH HE IS NOT LICENSSED TO PERFORM OR WHICH IS BEYOND HIS PROFESSION OR SPECIALTY THEREIN. THEREFORE, WE ARE UNABLE TO CERTIFY AS TO MUNICIPAL ZONING COMPLIANCE, INTERPRETATION OF ZONING CODES OR THE DETERMINATION OF VIOLATIONS THEREOF.
- THIS SURVEY WAS MADE WITH THE BENEFIT OF COMMITMENT FOR TITLE NO. 7980965 EFFECTIVE: OCTOBER 18, 2019, ISSUED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY (AS TO BLOCK 5 ONLY).
- THERE ARE 91 STRIPED PARKING SPACES INCLUDING WITH ZERO HANDICAP SPACES.
- THIS **"BOUNDARY AND TOPOGRAPHIC SURVEY"** WAS MADE IN ACCORDANCE WITH LAWS AND/OR STANDARDS OF PRACTICE FOR THE STATE OF FLORIDA.
- THE PROPERTY HAS DIRECT ACCESS TO US HIGHWAY 17-92, GROVE AVENUE, AND BROADVIEW AVENUE, DEDICATED PUBLIC ROAD WITHIN THE CITY OF WINTER PARK, FLORIDA.
- VISIBLE ABOVE GROUND EVIDENCE OF MUNICIPAL WATER, STORM SEWER FACILITIES AND TELEPHONE, GAS AND ELECTRIC SERVICES OF PUBLIC UTILITIES EXISTS IN THE LOCATIONS INDICATED HEREON.
- THERE IS NO OBSERVED EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS.
- SURVEYOR IS NOT AWARE OF ANY PROPOSED CHANGES IN STREET RIGHT OF WAY LINES. NO EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS WAS OBSERVED.
- THERE IS NO OBSERVED EVIDENCE OF USE AS A CEMETERY OR REFUSE ON SITE.
- ELEVATIONS ARE BASED ON BENCHMARK DESIGNATION 75048010, BEING: 89.726FEET, (NAVD 88), PUBLISHED BY FLORIDA DEPARTMENT OF TRANSPORTATION.



DESCRIPTION:

LOTS 7, 8, 9, 10, 11, 18, 19, 20, 21, 22 AND 23, (LESS EAST 10 FEET OF LOTS 18, 19, 20, 21, 22 AND 23), BLOCK 6, KILLARNEY ESTATES RESURVEY, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK L, PAGE 9, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

AND

LOTS 1, 2, 14, AND 15, BLOCK 5, RESURVEY OF KILLARNEY ESTATES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK L, PAGE 9, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

SCHEDULE B-2 EXCEPTIONS NOTES:

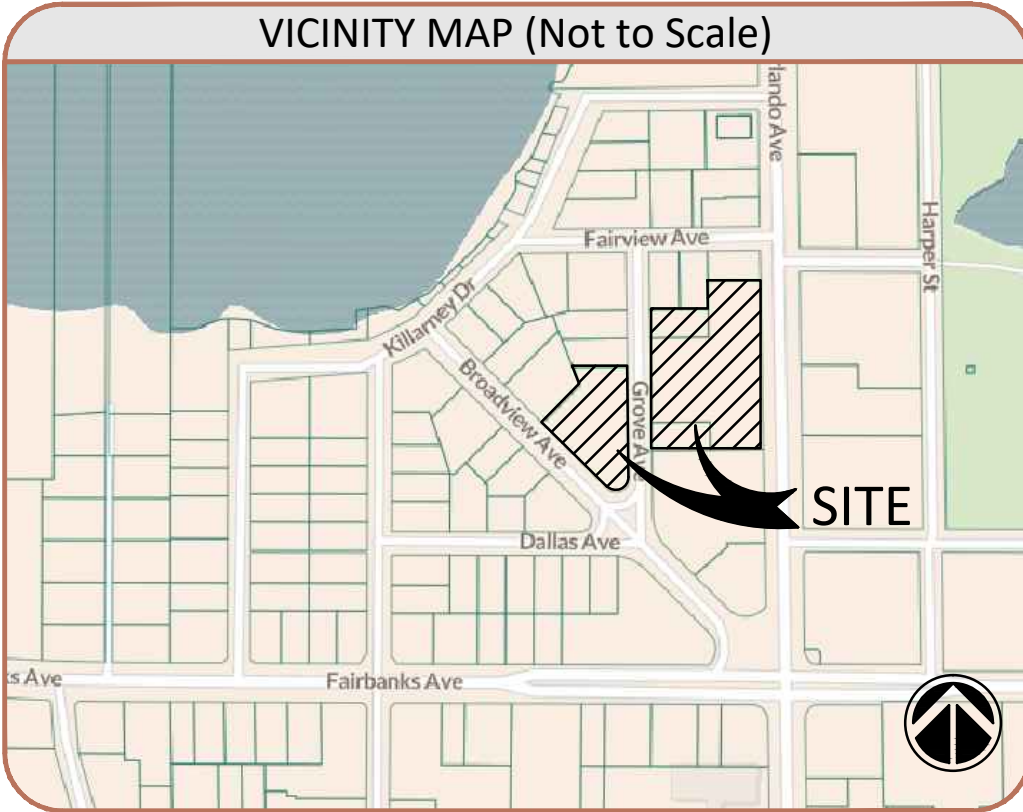
- (For Block 6 only)
2. Reservations, easements and other matters contained on the Resurvey of Killarney Estates recorded in Plat Book L, Page 9, Public Records of Orange County, Florida. (Affects subject property - Contains no easements to depict)
- (For Block 5 only)
6. Easement in favor of Florida Power Corporation recorded January 30, 1970 in Official Records Book 1913, Page 291, together with Irrevocable Assignment of Easement Rights to the City of Winter Park, Florida, a municipal corporation created under the laws of the State of Florida, Assignee, recorded June 28, 2005 in Official Records Book 8045, Page 4770. (Affects as shown)
7. Easement in favor of Florida Power Corporation, a Florida corporation organized and existing under the laws of the State of Florida, recorded June 23, 1970 in Official Records Book 1957, Page 628, together with Irrevocable Assignment of Easement Rights to the City of Winter Park, Florida, a municipal corporation created under the laws of the State of Florida, Assignee, recorded June 28, 2005 in Official Records Book 8045, Page 4770. (Affects as shown)

ZONING INFORMATION:

NOT PROVIDED AT TIME OF SURVEY

LAND AREA:

110,462 SQ. FT.
OR 2.5358 ACRES



LEGEND	
BB	- BOTTOM OF BANK
BC	- BACK OF CURB
BFP	- BACKFLOW PREVENTER
BHM	- BUILDING HEIGHT MEASUREMENT
BM	- BENCHMARK
○	- BOLLARD
-E-	- BURIED ELECTRIC
■	- CUB INLET
CHW	- CONCRETE BLOCK WALL
CC	- COVERED CONCRETE
CF	- CONCRETE FUME
CHW	- CONCRETE HEADWALL
CL	- CHAIN LINK FENCE
CL	- CENTERLINE
CM	- CONCRETE MONUMENT
CMP	- CORRUGATED METAL PIPE
CO	- CLEAN OUT
CORC	- CONCRETE
COVD	- COVD
CP	- CONCRETE PAD
CW	- CONCRETE WALK
(D)	- DESCRIBED
DB	- DEED BOOK
DE	- DRAINAGE EASEMENT
●	- DOT INLET
DP	- DUMPSTER PAD
DW	- DRIVEWAY
EM	- ELECTRIC METER
EB	- ELECTRIC BOX
ESMT	- EASEMENT
EP	- EDGE OF PAVEMENT
FIRM	- FLOOD INSURANCE RATE MAP
FF	- FINISHED FLOOR ELEVATION
FI	- FIRE HYDRANT
FND	- FOUND
FDC	- FIBER OPTIC CABLE BOX
F	- FIBER OPTIC CABLE LINE
GS	- GAS LINE
GIS	- GEOGRAPHIC INFORMATION SYSTEM
GM	- GAS METER
GV	- GAS VALVE
~	- GUY WIRE ANCHOR
○	- HANDICAP PARKING
HEPE	- HIGH-DENSITY POLYETHYLENE PIPE
HR	- HANDICAP RAMP
INV	- INVERT ELEVATION
IP	- IRON PIPE
IR	- IRON ROD
JB	- JUNCTION BOX
L	- ARC LENGTH
LSA	- LANDSCAPED AREA
(M)	- MEASURED
MF	- METAL FENCE
ML	- METAL LID
MS	- METAL SHEET
(M)	- MITERED END SECTION
ND	- MONITORING WELL
NAVD	- NORTH AMERICAN VERTICAL DATUM
NOVD	- NATIONAL GEODETIC VERTICAL DATUM
NTS	- NOT TO SCALE
OL	- ON LINE
ORR	- OFFICIAL RECORDS BOOK
OW	- OVERHEAD WIRE
PL	- PLAT BOOK
PC	- POINT OF CURVATURE
PDOT	- PER DEPARTMENT OF TRANSPORTATION R/W MAP
PEP	- PER ENGINEERING PLANS
PI	- POINT OF BEGINNING
POC	- POINT OF COMMENCEMENT
PSP	- PARKING SPACES
PSP	- PEDESTRIAN SIGNAL POLE
PT	- POINT OF TANGENCY
PVC	- PLASTIC PIPE
R	- CURVE RADIUS
RC	- RECORD
RF	- RAMP
RF	- REINFORCED CONCRETE PIPE
RS	- REUSE WATER METER
RS	- REUSE WATER VALVE
RU	- REUSE WATER LINE
R/W	- RIGHT OF WAY
SM	- SANITARY MANHOLE
SDO	- SANITARY LINE
SN	- SHOWN FOR DIRECTION ONLY
SWF	- STOCK WIRE FENCE
SWF	- SPOT ELEVATION
ST	- STORM/RAIN LINE
ST	- STORM INLET
ST	- STORM MANHOLE
ST	- TELEPHONE LINE
ST	- TOP OF BANK
TP	- TRAFFIC POLE
TS	- TRANSFORMER/JUNCTION BOX
TS	- TELEPHONE RISE
TS	- TRAFFIC SIGNAL BOX
TS	- TRAFFIC SIGNAL WIRE
TV	- CABLE TV RISER
TYP	- TYPICAL
UE	- UTILITY EASEMENT
UP	- UTILITY POLE
UM	- UTILITY MARKER
VCP	- VITRIFIED CLAY PIPE
VF	- VINYL FENCE
WF	- WATER LINE
WF	- WOOD FENCE
WLF	- WETLAND FLAG
WS	- WOOD SHED
W	- WATER METER
W	- WATER VALVE
#	- NUMBER
#	- EASEMENT NUMBER

ADDRESS:

415 S ORLANDO AVENUE;
336 & 434 GROVE AVENUE;
472 BROADVIEW AVENUE
WINTER PARK, FL 32789

Job Information

JOB NO. 903166
CF NO. ORG-L-9-LOTS7-23-BLK 6
FIELD DATE: 11-21-2019
SCALE: 1" = 30'
DRAWN BY: PJT

Revisions

Date:	Description	By:
12-6-19	Address Comments	PJT

Altamax Surveying

910 Belle Avenue, Suite 1140
Casselberry, FL 32708
Phone: 407-677-0200
Licensed Business No. 7833
www.altamaxsurveying.com



SHEET 1 OF 2

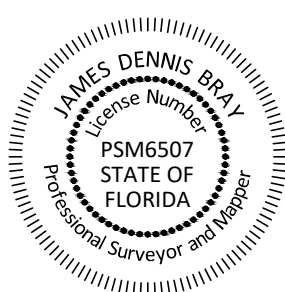
ALTA/NSPS Land Title Survey Certification

TO: Hill/Gray Seven, L.L.C., a Florida limited liability company; Lowndes, Drosdick, Doster, Kantor & Reed, P.A.; Fidelity National Title Insurance Company

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1, 2, 3, 4, 5, 6, 7(a), 7(b1), 7(c), 8, 9, 11, 13, 14, 16, 17 and 18 of Table A thereof. The field work was completed on 11-22-2019.

Date: 11-22-2019

James D. Bray PSM 6507



This Survey is "Not Valid" without the signature and the original raised seal of this Florida licensed Surveyor and Mapper, unless provided with electronic signature with the ability to validate. (See: www.altamaxsurveying.com for instructions on signature validation). The seal appearing on this document was authorized by the signing Professional Surveyor and Mapper on the Date of the electronic signature.

EXHIBIT C

PROPERTY SUPPORT LETTER

City of Winter Park
401 South Park Avenue
Winter Park, FL 32789

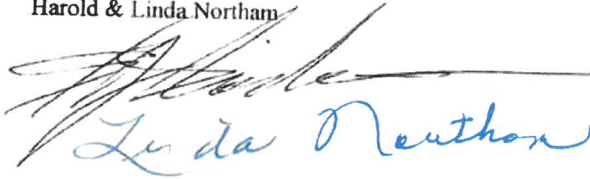
Commissioners, Planning and Zoning Board, and City Staff:

We currently live in the City of Winter Park, own the real property located at 444 BROADVIEW and have reviewed the future plans for the Lake Shore Motel and Ranch Mall redevelopment by Hill/Gray Seven, L.L.C., a copy of which are attached hereto. We are writing this letter to inform you that we are in **full support** of such redevelopment.

We appreciate the efforts of Hill/Gray Seven, L.L.C. to inject much needed improvements to the area. We urge you to support the project as advanced by Hill/Gray Seven, L.L.C.

Sincerely,

Harold & Linda Northam

The block contains two handwritten signatures in blue ink. The top signature is a stylized, cursive signature that appears to be 'Harold'. The bottom signature is a more legible cursive signature that reads 'Linda Northam'.

From: drew@hillgrayseven.com
To: [Bronce Stephenson](#)
Cc: ["Wilson, Rebecca"](#)
Subject: [External] Hill Center
Date: Thursday, February 13, 2020 2:57:18 PM

[Caution: This email originated from outside the City of Winter Park email system. Before clicking any hyperlinks contained in the email, verify the real address by hovering over the link with your mouse. Do not open attachments from unknown or unverified sources.]

Hi Bronce,

Here is a list of just a few of the items that we are planning on implementing on the Hill Center to help with sustainability. The highlight of course is the 20kW solar panel system.

Thanks

Drew

20 kW PV solar panel system installed on roof
LED parking lot lights
Electric Car Chargers and bike racks
Energy efficient TPO white roof-cool roof
R-30 roof insulation
Underground storm retention system
Increased landscaping and reduced impervious surfaces
Insulated glazing on windows
High efficiency Seer HVAC units

Drew Hill, CCIM
Hill/Gray Seven, LLC
1350 City View Center, Oviedo, Florida 32765
Office: 407 588 2124
Cell: 561 716 7800
Email: Drew@Hillgrayseven.com
Website: Hillgrayseven.com

After Recording Return to:

City of Winter Park
Attn: City Clerk
401 South Park Avenue
Winter Park, Florida 32789

Current Orange County Tax Parcel Identification #12-22-29-4172-05-010; 12-22-29-4172-06-070;
12-22-29-4172-06-080; 12-22-29-4172-06-110

UNITY OF TITLE AND BINDING LOT COMBINATION AGREEMENT

THIS UNITY OF TITLE AND BINDING LOT COMBINATION AGREEMENT (this "Agreement") is made and entered into on this _____ day of _____ 2020, by and between **HILL/GRAY SEVEN LLC**, a Florida limited liability company, whose address is 1350 City View Ctr, Oviedo, Florida 32765-5530 (the "Owner"), and the **City of Winter Park**, a Florida municipal corporation, whose address is 401 South Park Avenue, Winter Park, FL 32789 (the "City").

WITNESSETH

WHEREAS, the Owner is the fee simple owner of four parcels of land, said parcels being located adjacent to each other and on opposite sides of the right of way known as Grove Avenue, and being within the corporate limits of the City of Winter Park, County of Orange, State of Florida and legally described in ATTACHMENT "A" attach hereto and graphically shown in ATTACHMENT "B" attached hereto (herein the "Property"); and

WHEREAS, pursuant to the Conditional Use #20-04 approved by the Winter Park City Commission on _____, 2020 (the "CU") the Owner is permitted to develop the Property as a single project site with up to 24,000 square feet of two-story commercial buildings and supporting site infrastructure ("Project"); and

WHEREAS, for reasons of land development code and Project Conditional Use approval compliance, including concerning setback and parking requirements and other requirements of the City of Winter Park Code of Ordinances ("City Code") and for good principals of planning and engineering, should the Owner develop the Project, the Owner is required to permanently combine the four lots (making up the Property described above) into one legal parcel of property and maintain unity of title; and

WHEREAS, should Owner elect to develop the Project, the Property shall at all times be held and remain as a single, integral parcel and shall not be subdivided, sold or otherwise disposed of in lesser constituent parcels; and

WHEREAS, this Agreement is a condition of the Conditional Use approval for the Project.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, and other good and valuable consideration given each to the other, the receipt and sufficiency of which is hereby acknowledged, the Owner and the City agree as follows:

1. RECITALS. The recitals contained above are true and correct and are incorporated herein as part of this Agreement.

2. LOT COMBINATION/UNITY OF TITLE. The Property shall henceforth be retained in single ownership, and shall remain as a single, integral parcel, and shall not be subdivided, severed, sold, or otherwise disposed of in lesser constituent parcels. Any sale, subdivision or other disposal of the Property in violation of this Agreement shall be null, void and of no legal effect whatsoever. Within thirty (30) days from the execution of this Agreement, the Owner will seek and obtain a single tax parcel identification number for the Property.

3. LEASING. Notwithstanding anything herein to the contrary, Owner may lease lesser constituent parcels of the Property under such terms and to such individuals or entities as determined by Owner in its sole discretion, so long as said lease is consistent with the terms of the CU and applicable Winter Park code (including, but not limited to, Chapter 58, Article III of the Land Development Code of the City of Winter Park, Florida).

4. BINDING NATURE OF THIS AGREEMENT. This Agreement shall be binding upon the successors, heirs, executors, administrators, and assigns of the Owner, and shall be a covenant running with the Property and this Agreement shall not be terminated unless the City agrees in writing to such termination. Said Agreement shall inure to the benefit of and be enforceable by all parties and persons claiming under them. The parties further agree that this Agreement is intended to and shall so bind future use and development of the Property and shall survive any conveyance by the Owner to any other party or purchaser and shall not merge into any contract, sale or deed, and shall remain in effect despite any separate conveyance of the individual lots merged by this Agreement.

5. JOINDER AND CONSENT. Simultaneously with the execution of this Agreement, the Owner hereby agrees to obtain any necessary Joinder and Consent to this Agreement from any superior interest, right, title, mortgage, lien, or encumbrance to the Property and record the same in the public records of Orange County, Florida concurrently with the recording of this Agreement. The Joinder and Consent shall subordinate the particular interest to this Agreement. A violation of this provision by Owner shall be a material default of this Agreement.

6. ENFORCEMENT. The Owner hereby covenants and agrees that this Agreement is enforceable through injunctive relief since monetary damages would be insufficient to redress a violation of this Agreement. Further, in the event Owner violates this Agreement, such violation as constitute a violation of the City Code and conditions of development orders issued relating to the Property, which the City may

prosecute as through code enforcement proceedings or through other remedies afforded by law.

7. EFFECTIVE. This Agreement is to take effect immediately upon its execution.

8. INTERPRETATION. The headings contained in this Agreement are for reference purposes only and will not affect in any way the meaning or interpretation of this Agreement.

9. MISCELLANEOUS.

- a. This Agreement constitutes the entire agreement between the parties with respect to the specific matters contained herein and supersedes all previous discussion, understandings, and agreements. Amendment to or waivers of the provisions herein shall be made by the parties in writing. Should the CU approved by the Winter Park City Commission be modified or amended, then upon request of either party, the parties hereto shall execute any amendment to this Agreement necessary to ensure that this Agreement remains consistent with all terms of the CU. No other agreements, written or oral, regarding the subject matter this Agreement shall be deemed to exist or to bind either party hereto.
- b. If any sentence, phrase, paragraph, provision or portion of this Agreement is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed an independent provision and such holding shall not affect the validity of the remaining parties hereto.
- c. This Agreement shall, at Owner's expense, be recorded in the Public Records of Orange County, Florida.
- d. Owner hereby acknowledges that it has freely voluntarily entered into this Agreement and that it has had the benefit or both given the opportunity to receive the advice independent legal counsel for all negotiations in connection with this Agreement.
- e. In the event it shall be necessary for the City to bring suit to enforce this Agreement on account of any breach of this Agreement by the Owner, the prevailing party shall be entitled to attorneys' fees and litigation costs against the non-prevailing party at both trial and appellate levels.
- f. Nothing in this Agreement shall constitute or be deemed to constitute or require the City to issue any approval by the City for any rezoning, Comprehensive Plan amendment, variance, special

exception, site plan, construction plan preliminary subdivision plan, final subdivision plan, building permit, grading, stormwater drainage, engineering, or any other land use or development order or permit.

- g. Notwithstanding anything contained in this Agreement to the contrary, the obligations and terms set forth herein shall only be binding upon Owner should Owner develop the Project approved pursuant to the CU. Should Owner elect not to develop the Property in this manner, Owner shall provide written notice of this election to the City and have the CU approval rescinded. Upon rescission or termination of the CU approval, this Agreement shall terminate.

10. CONTROLLING LAWS.

- a. This Agreement and the provisions contained herein shall be construed, controlled, and interpreted according to the laws of the State of Florida, and all duly adopted ordinances, regulations, and policy's of the City of Winter Park now in effect and those hereinafter adopted.
- b. The location for the settlement of any and all claims, controversies or disputes, arising out of or relating to this Agreement, or any breach hereof, shall be in Orange County, Florida.
- c. The Owner agrees to comply with all applicable federal, state and local laws, ordinances, rules and regulations pertaining to the Property subject to this Agreement.

[SIGNATURES APPEAR ON THE FOLLOWING PAGES]

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

WITNESSES:

Owner
HILL/GRAY SEVEN LLC, a Florida
limited liability company

(Signature)

By: _____

(Print Name)

Its: _____

(Signature)

(Print Name)

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization this _____ day of _____ 2020 by _____ as managing member of HILL/GRAY SEVEN LLC, a Florida limited liability company.

(Signature of Notary Public - State of Florida)

(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known _____ OR Produced Identification _____

Type of Identification Produced _____

WITNESSES:

CITY OF WINTER PARK

(Signature)

Randy Knight, City Manager

(Print Name)

(Signature)

(Print Name)

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization this _____ day of _____ 2020 by Randy Knight as City Manager of the City of Winter Park, Florida.

(Signature of Notary Public - State of Florida)

(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known _____ OR Produced Identification _____

Type of Identification Produced _____

ATTACHMENT "A"

LEGAL DESCRIPTION

Parcel 1:

Lots 1, 2, 14, & 15 Block 5, RESURVEY OF KILLARNEY ESTATES, according to the plat thereof, as recorded in Plat Book L, Page 9, Public Records of Orange County, Florida.

Parcel 2:

Lots 7, 8, 9, 10, 11, 18, 19, 20, 21, 22, and 23, (less the East 10 feet of Lots 18, 19, 20, 21, 22, and 23), Block 6, RESURVEY OF KILLARNEY ESTATES, according to the plat thereof, as recorded in Plat Book L, Page 9, Public Records of Orange County, Florida.

ATTACHMENT "B"

