



# city commission agenda

**City Commission Regular  
Meeting  
September 23, 2020  
3:30 pm  
Virtual Meeting**

mayor & commissioners				
seat 1 Marty Sullivan	seat 2 Sheila DeCiccio	Mayor Steve Leary	seat 3 Carolyn Cooper	seat 4 Todd Weaver

## welcome

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Welcome to the City of Winter Park City Commission meeting. The agenda for regularly scheduled Commission meetings is posted outside City Hall the Wednesday 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](http://cityofwinterpark.org).

## meeting procedures

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Persons desiring to address the Commission MUST fill out and provide the 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

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\*times are projected and  
subject to change

### **1. Meeting Called to Order**

### **2. Invocation**

a. [Randy Robertson, Gladdening Light](#)

1 minute

### **Pledge of Allegiance**

### **3. Approval of Agenda**

### **4. Mayor's Report**

### **5. City Manager's Report**

- a. [90-Day Report](#) 5 minutes

### **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 cancellation of regular meetings of November 25th and December 23rd due to their close proximity to Thanksgiving and Christmas respectfully.](#) 1 minute
- b. [Approve the minutes of the regular meeting, September 9, 2020](#) 1 minute
- c. [Approve the minutes of the work session, September 10, 2020](#) 1 minute
- d. [Approve the following HIDTA Pass-through Purchases - Purchase orders for specialized, confidential investigative services and facility expenses; \\$80,000, \\$85,000, \\$185,000 and an additional purchase order for \\$195,000 for facility expenses of HIDTA.](#) 1 minute
- e. [Approve Interlocal Agreement For Lake Killarney Aquatic Plant Management](#) 1 minute
- f. [Business Assistance Funding](#) 1 minute

### **10. Action Items Requiring Discussion**

- a. [Bennett Road/Executive Drive Realignment](#) 30 minutes

### **11. Public Hearings**

- a. [Request of the City of Winter Park for: An Ordinance to adopt regulations to regulate the amount of fill added to residential](#) 15 minutes

lots. (First Reading)

- |    |  |            |
|----|--|------------|
| b. | Request of the City of Winter Park for: An Ordinance amending Article IV "Subdivision and Lot Consolidation Regulations" to provide regulations for the permitted floor area ratio related to lot splits of four lots or less and to update the process and procedures for approvals of final plats. | 15 minutes |
| c. | Request of Interlachen North Partners, LLC: Extension of the Conditional Use approval at 503 North Interlachen Avenue. <b>Due to multiple Governor Executive Orders pursuant to Section 252.363(1)(a), Florida Statutes, the conditional use is automatically extended under general law.</b>        | 1 minute   |

## **12. Millage Rate and Budget Public Hearings (held after 5:00 p.m.)**

- |    |  |            |
|----|--|------------|
| a. | Ordinance - Adopting the FY21 Millage Rate | 20 minutes |
| b. | Ordinance - Adopting the FY 21 Budget      | 10 minutes |

## **13. City Commission Reports**

## **14. Summary of Meeting Actions**

appeals and assistance

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"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 September 23, 2020
prepared by Rene Cranis	approved by
board approval	
strategic objective	

## **subject**

Randy Robertson, Gladdening Light

## **motion / recommendation**

## **background**

## **alternatives / other considerations**

## **fiscal impact**





# City Commission agenda item

item type City Manager's Report	meeting date September 23, 2020
prepared by Jennifer Guittard	approved by Peter Moore, Michelle Neuner, Randy Knight
board approval Completed	
strategic objective	

## **subject**

90-Day Report

## **motion / recommendation**

## **background**

## **alternatives / other considerations**

## **fiscal impact**

### ATTACHMENTS:

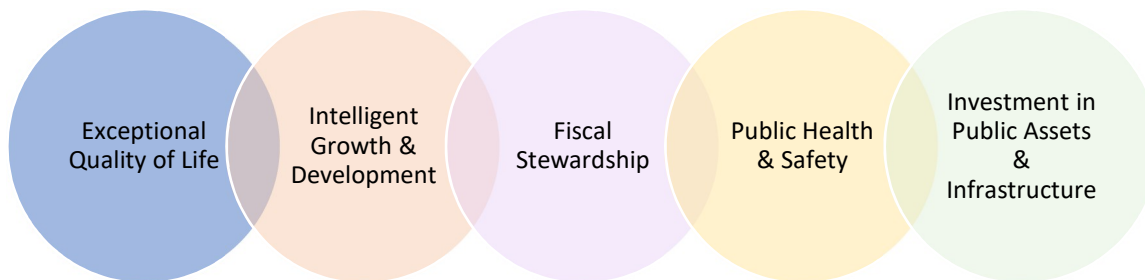
90Day Report 9.23.20.pdf



## 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.

### City of Winter Park Strategic Objectives



## Upcoming Commission Items

### Title 1: Exceptional Quality of Life

Item	Description	Item Department	Item Date
<b>Phelps Park Playground Renovation</b>	Parks and Recreation surveyed residents for input on final selection for new playground in Aug. Equipment scheduled for purchase in September 2020 as part of FY20 CIP.	Parks	Oct
<b>Electric Vehicle Readiness</b>	Ordinance is going to P&Z for review. Then Commission for approval.	Building & Permitting	Nov

Item	Description	Item Department	Item Date
<b>MLK Park Plan</b>	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. Meetings are underway with Dix-Hite to determine concepts and cost. CRA has ability to address some improvements at this site with potential funding as part of the CRA CIP. CRA Agency meeting being scheduled for November to discuss progress.	Parks	Nov

## Title 2: Fiscal Stewardship

Item	Description	Item Department	Item Date
<b>Florida Building Code</b>	Presenting an update of our local Administrative Ordinance that implements the next Edition of the Florida Building Code. Current scheduled to be reviewed by the Construction Board Sept/Oct prior to Commission in Nov.	Building & Permitting	Nov

## Title 3: Intelligent Growth & Development

Item	Description	Item Department	Item Date
<b>Annexation Work session</b>	This item was to be brought back to the Commission within 30 days of being tabled, but at the September 9th meeting, staff requested that this item be continued until a worksession can be held to discuss annexation law, annexation policies, current annexation requests, and a comprehensive financial analysis of the annexation requests. Staff feels that these items are important to have in-depth discussion about prior to Commission consideration, given the upcoming complexity of the annexation requests.	Planning & Transportation	Oct

Item	Description	Item Department	Item Date
<b>Fill Ordinance</b>	Ordinance to regulate the amount of fill added to residential lots.	Building & Permitting	Oct
<b>Single Use Plastic Policy</b>	Commission approval of the Single use Plastic Policy brought to commission by the Sustainability department after review by KWPB board	Building & Permitting	Nov
<b>Turf Ordinance</b>	Ordinance to adopt regulations for the consideration of artificial turf as an impervious surface to residential lots will be reviewed by P&Z then brought back to Commission.	Public Works	Nov

#### Title 4: Investment in Public Assets & Infrastructure

Item	Description	Item Department	Item Date
<b>Drainage Plan for CRA</b>	Geosyntech is the stormwater consulting firm on contract for the study and development of improvements particularly surrounding the MLK park pond basin and the Center street basin downtown. The report is currently being drafted with an anticipated delivery date of September for staff review then presentation to commission.	Stormwater	Oct
<b>Sewer Capacity</b>	Purchase of additional sewer capacity at Altamonte Springs.	Water & Sewer	Oct
<b>Wastewater Interlocal Capital Contribution Payment</b>	Finalize approval with the City of Orlando for waste water plant upgrades.	Water & Sewer	Oct
<b>Wastewater Interlocal Contract</b>	Renewal of Conserv II sewer treatment contract with Orlando.	Water & Sewer	Oct
<b>CRA Agency Meeting</b>	CRA Agency meeting to discuss the Central Park stage and progress to MLK Park improvements.	CRA	Nov

## Additional Items of City Interest

### Title 5: Exceptional Quality of Life

Item	Description	Item Department
<b>Library &amp; Events Center</b>	The Library construction continues on schedule and on budget. Notable milestones are the Steel erection is approximately 70% complete on the Library including the completion of the second-floor tray and roof supports. Erection of the "porch" steel which supports the angled exterior precast panels and windows began second week in September to be complete by mid October at which point the steel erection will begin on the events center. The Lake reshaping is underway and will be complete by the end of September.	Public Works
<b>Public Art for I-4</b>	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: Intelligent Growth & Development

Item	Description	Item Department
<b>Internet Circuit Upgrade</b>	In order to accommodate the requirements for remote work, and to provide a better experience for employees and citizens, the City has upgraded the internet circuit from 100 megabit to 1 gigabit.	IT
<b>Permitting Software Upgrade</b>	Energov went live to the public on Friday, July 10th. Customers can now apply for Building, Engineering, Fire, Urban Forestry, Water Waste Water Permits, new Business Certificates and apply for Board of Zoning Adjustment and Planning & Zoning Cases. Over the next two months we will be converting our legacy permits and certificates to the new software in order to close out our legacy system.	Building & Permitting & IT
<b>Sustainability Plan</b>	The KWPB&S Board will review the current Sustainability Action and refresh it with updated goals in the shorter term (2025) and longer term (2050). These proposed updates would be presented to related City Boards for feedback and support.	Sustainability & Planning

## Title 8: Investment in Public Assets & Infrastructure

Item	Description	Item Department
<b>Electric Undergrounding</b>	<b>Miles of Undergrounding performed</b> Project G: 4.1 miles 88% complete Project I: 6.9 miles 40% complete Project W: 0.26 miles 80% complete  <b>TOTAL so far for FY 2020:</b> 5.6 miles	Electric
<b>Fairbanks Transmission</b>	Project is 95% complete. The poles remaining on Fairbanks are supporting Spectrum cables. Spectrum is on Fairbanks working currently with a commitment to be off the poles by the end of October. Paving of Fairbanks is complete. Streetlights for the South side of the project are on order and will be delivered week of 9/21. We will begin installation immediately thereafter.	Electric
<b>Lakes Health Analysis</b>	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
<b>New York Avenue Streetscape</b>	Signed plans and permits received. Solicitation for bids underway. Improvement highlights include pedestrian crosswalks, ADA compliant intersection improvements, and mast arms at Fairbanks and New York. Mast arm delivery is expected 3-6 months after purchase.	CRA



# City Commission agenda item

item type Consent Agenda	meeting date September 23, 2020
prepared by Rene Cranis	approved by Michelle Neuner, Randy Knight
board approval Completed	
strategic objective	

## **subject**

Approve cancellation of regular meetings of November 25th and December 23rd due to their close proximity to Thanksgiving and Christmas respectfully.

## **motion / recommendation**

## **background**

## **alternatives / other considerations**

## **fiscal impact**



# City Commission **agenda item**

item type Consent Agenda	meeting date September 23, 2020
prepared by Rene Cranis	approved by Michelle Neuner, Randy Knight
board approval Completed	
strategic objective	

## **subject**

Approve the minutes of the regular meeting, September 9, 2020

## **motion / recommendation**

## **background**

## **alternatives / other considerations**

## **fiscal impact**

ATTACHMENTS:

090920rs.pdf





# City Commission Regular Meeting Minutes

September 9, 2020

Virtual Meeting

## Present

Mayor Steve Leary  
Commissioner Marty Sullivan  
Commissioner Sheila DeCiccio  
Commissioner Carolyn Cooper  
Commissioner Todd Weaver

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

### 1) Meeting Called to Order

Mayor Leary called the regular meeting of the City Commission to order at 3:30 p.m.

### 2) Invocation and Pledge of Allegiance

Alan Rusonik, Head of School, Jewish Academy of Orlando, provided the invocation followed by the Pledge of Allegiance.

### 3) Approval of Agenda

In response to Mayor Leary, Mr. Knight stated that Item 11c was tabled from a previous meeting for work session discussion on annexation procedures. This item was addressed under the City Attorney's report.

### 4) Mayor's Report

Mayor Leary stated he has been asked when city boards will be permitted to hold in-person meetings with the opportunity for board members to participate remotely. After discussion, consensus was to continue remote meetings in compliance with the Governor's Executive Order.

### 5) City Manager's Report

Mr. Knight reported that the city received \$278,000 from CARES Act funding and staff will be submitting a second reimbursement request for additional COVID expenses.

He advised that leading pedestrian interval systems have been installed on 17-92 at Morse Boulevard, Gay Road and Webster Avenue.

Mr. Knight stated that as a result of accidents that have occurred at the intersection of Aloma and Phelps, staff inspected the area and reported to FDOT some visibility issues who indicated they will expedite their investigation.

a. Schedule monthly recurring work sessions

Mr. Knight stated this is at the request of the Commission. After discussion, consensus was to schedule recurring monthly one-hour work sessions on the Thursday following the first regular meeting of the month.

At the request of Mayor Leary, Mr. Knight stated that staff will look at the intersections along southbound Aloma Avenue for visibility issues and work with property owners to maintain the landscaping in accordance with city code.

**6) City Attorney's Report**

Mr. Ardaman gave an update on the arbor litigation from City of Pensacola and on single member districts which will be discussed in a work session before an ordinance is considered by the commission.

Consensus was to table Item 11c to a time after a work session on annexations is held.

Commissioner Cooper asked whether the commission has the authority to provide for a method to determine the level of community interest in single member districts such as sending an e-mail to the City Clerk. She said that with adequate level of community support, she could consider placing this initiative on the ballot.

Mr. Ardaman explained that a citizen may not do as Commissioner Cooper suggested in lieu of the petition process; however, the Commission can obtain documentation showing a certain level of support for this initiative before moving forward with an ordinance to put the question on the ballot. He responded to questions regarding the process. Commissioner Cooper suggested that this be considered as part of the work session discussion. Staff will provide the timeline in order to meet deadline to place on the March 2021 ballot.

Commissioner Cooper suggested a work session to gain a better understanding of the laws and regulations for abandonment or repurposing city streets. There was no consensus for a work session.

**7) Non-Action Items**

a. Financial report for July 2020

Wes Hamil, Director of Finance, presented the financial report for July 2020 and responded to questions. He reviewed the recent bond rating by Moody's which included a comment that the city's cash on hand for its water and sewer fund is below the national average. Mayor Leary asked staff to provide additional information on other agencies carrying a large balance in the water and sewer fund.

**8) Citizen Comments (heard after Item 11a)**

**9) Consent Agenda**

a. Approve the minutes of the regular meeting, August 26, 2020 (Pulled by Commissioner Cooper)

- b. Approve the minutes of the work session, August 27, 2020 (Pulled by Commissioner Cooper)
- c. Approve the following Contracts:
  - 1. Trakstar, Inc.: 3 Year Renewal - Performance Management Software; FY 2021: \$26, 155, FY 2022: \$27,463, FY 2022: \$28,836
  - 2. Yang, Inc.: Increase allowable spend under IFB-13-2019 - Electrician Services; \$80,000
- d. Approve the following Piggyback Contracts:
  - 1. DataProse - City of Boca Raton Contract #2016-023 - Utility Bill Printing & Distribution Services; Not to exceed \$200,000.
  - 2. Cubix Inc. - Increase allowable spend under Orange County Y19-1018 - SaniGlaze Services; Not to Exceed \$110,000.
- e. Approve Commission Chamber Audio Visual Improvements
  - 1. Approve Commission Chamber Audio Visual project (Design, Install, Configure & Maintain A/V Systems) \$232,608
  - 2. Authorize use of general fund reserves and acknowledge potential partial reimbursement from Orange County CARES Act funding
  - 3. Increase allowable contract spend with Audio Visual Innovations, Inc. - a contract previously approved by the Commission (RFP-18-2019)

Commissioner Cooper pulled Items a and b.

**Motion made by Commissioner Cooper to approve Consent Agenda Items c-e; seconded by Commissioner Weaver.** There were no public comments. **Motion carried with a 5-0 vote.**

Item a: Commissioner Cooper asked that the regular meeting minutes of August 26<sup>th</sup> to be amended by adding “Staff explained that they are developing a policy for addressing requests and plans a part of their transportation master plan.” after her suggestion regarding same at the bottom of Page 3.

Item b: Commissioner Cooper asked that the work session minutes of August 27<sup>th</sup> be amended by revising the first sentence in the last paragraph at the bottom of Page 1 to read “Mr. Edwards said their plan is to build a 1-2 story, 18,000 square foot building with commercial lending, retail banking, loss management, and three drive-through lanes with an ATM with 20-30 employees...”

**Motion made by Commissioner Cooper to approve Consent Agenda Items a and b as revised; seconded by Commissioner Weaver. Motion carried with a 5-0 vote.**

## **10) Action Items Requiring Discussion**

### **11) Public Hearings**

- a. RESOLUTION 2234-20: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, DESIGNATING THE PROPERTY LOCATED AT 1366 DEVON ROAD, WINTER PARK, FLORIDA, AS A HISTORIC PROPERTY IN THE WINTER PARK REGISTER OF HISTORIC PLACES.

Attorney Ardaman read the resolution by title.

Jeff Briggs, Planning Manager, presented this request with a recommendation for approval by the Historic Preservation Board.

**Motion made by Commissioner Weaver to approve the Resolution; seconded by Commissioner Cooper.** There were no public comments. **Upon a roll call vote, Mayor Leary and Commissioners Sullivan, DeCiccio, Cooper and Weaver voted yes. Motion carried unanimously with a 5-0- vote.**

- b. ORDINANCE 3182-20: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, RELATING TO BACKYARD CHICKENS; ESTABLISHING REGULATIONS FOR THE ISSUANCE OF BACKYARD CHICKEN PERMITS AND THE KEEPING OF BACKYARD CHICKENS AS A PILOT PROGRAM; PROVIDING FOR CIVIL PENALTIES; PROVIDING FOR CONFLICTS, AND FOR SEVERABILITY, CODIFICATION, CORRECTION OF SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE. (Second reading)

Attorney Ardaman read the ordinance by title.

Commissioner Sullivan stated he received a large number of e-mails with a majority expressing opposition to backyard chickens and suggested that some of the concerns may be addressed by amendments to the ordinance.

Commissioner DeCiccio commented on two cases provided to her by the City Attorney which she feels support the idea that requiring written consent of abutting property owners is not a violation of property rights.

Mayor Leary spoke in opposition citing data from Florida Fish and Wildlife that has identified Winter Park as a coyote hotspot and from real estate professionals who are concerned about property values and from others because Winter Park is not a rural environment.

Commissioner Weaver stated the coops will be secured from predators. He pointed out that this is two-year trial period and that other cities have not experienced issues.

Commissioner Cooper said that although she appreciates the positions on both sides, she feels chickens are farm animals and she will not be supporting this ordinance due to the number of resident e-mails she received opposing the ordinance.

**Main Motion: Motion made by Commissioner Weaver to approve the ordinance on first reading; seconded by Commissioner Cooper.**

**Amendment 1: Motion made by Commissioner Weaver to amend the ordinance to require a 7½-foot setback from side property lines; seconded by Commissioner DeCiccio.**

**Amendment 2: Motion made by Commissioner Weaver to amend the ordinance to reduce the maximum coop height from 7 to 6 feet; seconded by Commissioner Cooper.**

**Amendment 3: Motion made by Commissioner Weaver to amend the ordinance to require that fences must obscure the view of coops from the neighbors' view; seconded by Commissioner Cooper. (Revised at time of vote.)**

**Amendment 4: Motion made by Commissioner DeCiccio to amend the ordinance to require written approval from abutting property owners to participate in the program; seconded by Commissioner Cooper.**

**Amendment 5: Motion made by Commissioner Sullivan to amend the ordinance to remove the 48-hour notice for inspections; seconded by Commissioner Cooper.**

**Amendment 6: Motion made by Commissioner Cooper to amend the ordinance to state that any existing deed restrictions or association by-laws in place as of adoption of this ordinance preempt provisions of the ordinance; seconded by Commissioner DeCiccio.**

Mr. Ardaman advised that deed restrictions take precedence over the ordinance and suggested asking property owners for documentation as part of permit application.

Commissioner Cooper revised her motion to require property owners, as part of the permit application process, certify that existing deed restrictions or association bylaws do not prevent or restrict chickens; accepted by Commissioner DeCiccio.

**Amendment 7: Motion made by Commissioner Cooper to amend the ordinance to remove the provision allowing coops in side yards; seconded by Mayor Leary.**

**Amendment 8: Motion made by Commissioner Cooper to amend the ordinance to add an escalating fine structure for repeat offenders; seconded by Commissioner DeCiccio.**

Mayor Leary recommended establishing a maximum number of violations for revocation of the permit. Commissioner Cooper revised the motion to add that permits will be revoked after three violations. Accepted by Commissioner DeCiccio.

Commissioner Weaver suggested clarifying that deed restrictions are those in effect as of the date of adoption of this ordinance. Accepted as amendment to the motion by Commissioners Cooper and DeCiccio.

**Amendment 9: Motion made by Commissioner Cooper to add language stating that "Nothing in this article shall prohibit chickens from being maintained in accordance with this provision;" seconded by Mayor Leary.**

The following spoke in opposition to this ordinance:

- Steve Boyd, 1043 Golfside Drive
- Marc Reicher, 1806 N. Park Avenue

The following spoke in favor of this ordinance:

- Daniel Papendick, 1470 Place Picardy

- Christopher Knowles, 934 Mead Avenue
- Mrs. Jason Goodowens, 1722 N. Park Avenue

**Amendment 1:** Upon a roll call vote on the motion to require a 7.5-foot setback from side property lines; Mayor Leary and Commissioners Sullivan, DeCiccio and Weaver voted yes and Commissioner Cooper voted no. Motion carried with a 4-1 vote.

**Amendment 2:** Upon a roll vote on the motion to set the maximum coop height of 6 feet, Mayor Leary and Commissioners Sullivan, DeCiccio, Cooper and Weaver voted yes. Motion carried with a 5-0 vote.

**Amendment 3:** Commissioner Weaver revised his motion to require that fences must obscure the view of coops from neighbors to state that “no coops are allowed where fences do not obscure the coop from neighbors view at ground level”; accepted by Commissioner Cooper. Upon a roll call vote, Mayor Leary and Commissioners Sullivan, DeCiccio, Cooper and Weaver voted yes. Motion carried with a 5-0 vote.

**Amendment 4:** Upon a roll call vote on the motion to require written approval from abutting property owners to participate in the program, Commissioners Sullivan, DeCiccio and Cooper voted yes, Mayor Leary and Commissioner Weaver voted no. Motion carried with a 3-2 vote.

**Amendment 5:** Upon a roll call vote on the motion to remove the 48-hour notice for inspections, Mayor Leary and Commissioners Sullivan, DeCiccio, Weaver and Cooper voted yes. Motion carried with a 5-0 vote.

**Amendment 6:** Upon questioning by Mayor Leary, Commissioner Cooper clarified her intent that the applicant must certify on the application that the HOA and/or deed restrictions allows chickens. After discussion, Commissioner Cooper revised her motion to exclude “as of the date of adoption of this ordinance.” Accepted by Commissioner DeCiccio as seconder of the motion.

Upon a roll call vote on the motion to amend the ordinance to state that any existing deed restrictions or association bylaws preempt provisions of the ordinance, Mayor Leary and Commissioners DeCiccio and Cooper voted yes and Commissioners Sullivan and Weaver voted no. Motion carried with a 3-2 vote.

**Amendment 7:** Upon a roll call vote on the motion to remove the provision allowing coops in side yards (front of house to back of house); Mayor Leary and Commissioners Sullivan, DeCiccio, Cooper voted yes and Commissioner Weaver voted no. Motion carried with a 4-1 vote.

**Amendment 8:** Motion made by Commissioner Cooper to amend the ordinance to add an escalating fine structure for repeat offenders and revocation after three violations, Mayor Leary and Commissioners Sullivan, DeCiccio, Weaver and Cooper voted yes. Motion carried with a 5-0 vote.

In response to questions, Attorney Ardaman advised adding language to clarify that under this ordinance, chickens are considered pets as opposed to farm animals.

**Amendment 9:** Upon a roll call vote on the motion to add “Nothing in in this article shall prohibit chickens from being maintained in accordance with this provision,” Mayor Leary and Commissioners Sullivan, DeCiccio, Cooper and Weaver voted yes. Motion carried with a 5-0 vote.

**Main Motion:** Upon a roll vote on the main motion as amended, Commissioners Sullivan, DeCiccio, and Weaver voted yes and Mayor Leary and Commissioner Cooper voted no. Motion carried with a 3-2 vote.

**8) Citizen Comments (heard at 5:25 p.m.)**

There were no citizen comments.

Mayor Leary declared a recess at 5:30 p.m. and reconvened the meeting at 5:50 p.m.

- c. Ordinance: Voluntary Annexation of seven properties on Kentucky Avenue, measuring approximately 1.1 acres. (1st Reading) TABLED BY COMMISSION AUGUST 12, 2020.

As noted under the City Attorney’s report, this item was tabled to a time uncertain but after the annexation work session is held.

**12) Millage and Budget Public Hearings (Held after 5:00 p.m.)**

- a. Ordinance - Adopting the FY 21 Millage Rate
- b. Ordinance - Adopting the FY 21 Budget

Mayor Leary stated the millage rate needed for FY 21 to generate the same revenue as in FY 20 is 3.9509 and the budget was based on a proposed millage rate of 4.0923, which will result an increase in property taxes due to the increase in assessed property values. He reviewed the voted debt service millage rates to cover bonds issued. A simultaneous public hearing will be held on these two ordinances.

Attorney Ardaman read the ordinances by title.

**Motion made by Mayor Leary to adopt the rolled back millage rate of 3.9509.**

Mayor Leary clarified that the rolled back rate of 3.9509 would only eliminate the contingency fund and he feels with a \$17 million reserve balance the city is in a financial position to reduce the millage rate. He feels that in the current economic climate, the city should reduce the millage rate to support its residents who are struggling financially.

Commissioner Cooper opposed the rolled back rate due to the limitation of the contingency fund. She said that although staff presented a balanced budget, it was done so with significant cuts including reduced merit increases for staff and freezing positions. She said she supports maintaining the current millage rate.

Commissioner Weaver agreed with Cooper and said he is uncomfortable moving into the next fiscal year with negative contingency balance.

**Motion made by Mayor Leary to reduce millage rate to the rolled back rate of 3.9509 failed for lack of second.**

Mayor Leary stated the City is going to adopt a millage of 4.0923 which represents a property tax levy that is 3.58% higher than the rolled-back rate of 3.9509 mills due to increases in assessed values.”

**Motion made by Commissioner Cooper to approve the ordinance with an operating millage of 4.0923 for FY 2021; seconded by Commissioner Weaver.**

**Motion made by Commissioner Cooper to approve the ordinance setting forth the FY 2021 Budget and Five-year Capital Plan; seconded by Commissioner Weaver.**

Mr. Knight said the motion on the millage ordinance should be adopted “as presented” and include the debt service millage rate, and “as presented” should be added to the motion to approve the budget. Revisions were accepted by Commissioners Cooper and Weaver.

**Motion made by Commissioner DeCiccio to amend the budget to give raises to employees up to 3.5% based on merit score (\$190,000) and to repair Dinky Dock (\$164,000) and reduce the contingency fund accordingly; seconded by Commissioner Sullivan. (Motion was revised to separate the pay increase and Dinky Dock into two separate motions.)**

**Motion made by Commissioner Weaver to leave Dinky Dock improvements in the contingency budget but delay the vote to do the improvements to later in FY 2021. Failed for lack of second.**

**Motion made by Mayor Leary that members of the Commission forego their salaries for next fiscal year.**

Attorney Ardaman opined that any member of the Commission can voluntarily refuse the salary or return it. **Mayor Leary withdrew the motion.**

Steven Heller, 200 E. Reading Way, asked that the Commission consider the financial difficulty of its residents and oppose a millage rate increase.

Beth Hall, 516 Sylvan Drive, supported the proposed millage rate and an increase in order to maintain the level of service.

**Upon a roll call vote on the motion to approve the millage rate ordinance as presented, Commissioners Sullivan, DeCiccio, Weaver and Cooper voted yes and Mayor Leary voted no. Motion carried with a 4-1 vote.**

**Upon a roll call vote on the motion to approve up to a 3.5% pay increase for employees; Mayor Leary and Commissioners Sullivan, DeCiccio, Cooper and Weaver voted yes. Motion carried with a 5-0 vote.**



Upon a roll call vote to include Dinky Dock repairs in the budget, Commissioners Sullivan and DeCiccio voted yes and Mayor Leary and Commissioners Cooper and Weaver voted no. Motion failed with a 2-3 vote.

Upon a roll call vote to approve the budget ordinance as amended, Commissioners Sullivan and DeCiccio voted yes and Mayor Leary and Commissioners Cooper and Weaver voted no. Motion failed with a 2-3 vote.

d. Fee Schedule - October 1, 2020

Mr. Knight opened this for discussion and questions by staff.

**Motion made by Commissioner Cooper to maintain the existing fees in the fee schedule and approve the proposed new fees.**

City staff responded to questions providing additional information on the fee schedule and expenses covered by the fees.

**Motion failed for lack of second.**

**Motion made by Mayor Leary to approve the City's Fee Schedule as presented; seconded by Commissioner Cooper.** There were no public comments. Upon a roll call vote, Mayor Leary and Commissioners Sullivan, DeCiccio, Cooper, and Weaver voted yes. Motion carried with a 5-0 vote.

**Motion made by Commissioner Cooper to approve the budget as amended (employee pay increase); seconded by Commissioner Weaver.** There were no public comments. Upon a roll call vote on the ordinance as amended, Commissioners Sullivan, DeCiccio, Cooper and Weaver voted yes and Mayor Leary voted no. Motion carried with a 4-1 vote.

### **13) City Commission Reports**

Commissioner Sullivan

- Asked to schedule a demonstration of electric landscaping equipment. Consensus was to have staff and KWPB coordinate a demonstration.
- Suggested a future discussion on establishing a community chicken farm at Mead Community garden or tree farm. Consensus to address at a future date.

Commissioner DeCiccio

- Suggested a fuel rate holiday for November or December. Consensus was to refer this to the Utilities Advisory Board.
- Commented on the sign ordinance and said that staff is working on amendments which will be brought forward for approval.

Commissioner Cooper

- Advised that the OAO process is behind schedule and asked that city-wide notice and publication notice of public hearings before Planning and Zoning

Board and City Commission be delayed until Commission approval and after all tasks have been completed. Approved by consensus.

- Asked which OAO ordinance should be used for drafting amendments as a result of the OAO process. Consensus was to use the January 16, 2020 version after first reading.

Commissioner Weaver

- Commented on the electric tool demonstration stating the goal is to use a soft approach and show that this equipment is available.
- Expressed his displeasure with the misinformation circulated that a higher millage rate was adopted.

Mayor Leary

No report.

**14) Summary of Meeting Actions**

- Schedule monthly work sessions will be scheduled for the second Thursday
- Staff to check southbound streets off Aloma Avenue for vegetation overgrowth.
- Staff to report on other cities carrying a large balance in their water and utility fund.
- Designated 1366 Devon Road on the Register of Historical Places.
- Approved the backyard chicken ordinance with amendments.
- Adopted the millage rate and budget ordinance for FY 2021
- Staff to assist with coordination of a demonstration of electric landscape equipment.
- Take the fuel rate holiday to Utilities Advisory Board.
- Delay city-wide notice on OAO until Commission acceptance of data.
- Use the January 16<sup>th</sup> version OAO ordinance as a baseline for moving forward.

The meeting adjourned at 7:20 p.m.

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Mayor Steve Leary

ATTEST:

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City Clerk Rene Cranis



# City Commission **agenda item**

item type Consent Agenda	meeting date September 23, 2020
prepared by Rene Cranis	approved by Michelle Neuner, Randy Knight
board approval Completed	
strategic objective	

## **subject**

Approve the minutes of the work session, September 10, 2020

## **motion / recommendation**

## **background**

## **alternatives / other considerations**

## **fiscal impact**

ATTACHMENTS:  
091020ws OAO.pdf



# City Commission Work Session Minutes

September 10, 2020 at 1:00 p.m.

Virtual Meeting

## Present

Vice Mayor Cooper  
Commissioner Sullivan  
Commissioner DeCiccio  
Commissioner Weaver

Also present:

Bronce Stephenson, Director of Planning and Transportation  
Allison McGillis, Planner  
Sarah Walter, Transportation Planner

## 1) Meeting Called to Order

Vice Mayor Cooper called the meeting to order at 1:00 p.m. and introduced those in attendance.

## 2) OAO Discussion

### a. Updated Transportation Analysis - Kimley Horn

Mike Woodward, Kimley Horn, gave a presentation on the traffic analysis for the OAO. He reported on trip generation data from Metropolitan Planning Organization that shows the majority of traffic is not stopping within the Orange Avenue corridor. He reviewed the data and parameters used in the analysis.

Mr. Stephenson and Mr. Woodward responded to questions regarding development scenarios, square footage and FAR.

Mr. Woodward continued his presentation on the trip generation data and analysis and provided historic and future trends of traffic volume on roads in and surrounding the OAO at different FARs. He said he feels the redevelopment on Orange Avenue will force traffic originating in other cities to find an alternate route. He reviewed potential neighborhood impacts and recommendations to monitor traffic volumes and implement traffic calming measures such as narrowing roads, adding traffic circles and brick pavers or raising mid-block crosswalks. The next meeting discussion will be on funding options, streets integration, alignment of Palmetto and summary of other changes in the area. He responded to questions regarding alternate routes and traffic impact and discussion followed on traffic flow, impact and potential and current improvements on area roads.

Concerns were expressed that the improvements must be for the benefits of city residents more so than those traveling from outside the city and options to alleviate the impact to city residents were discussed.

Vice Mayor Cooper suggested a review of design standards that may help in moving forward with the OAO. She asked if additional modeling on improvements to the four intersections and the two roundabouts has been completed. Mr. Woodward replied they have looked at different scale for these intersections. Mr. Stephenson stated he will share the report following the work session.

Mr. Woodward left the meeting. Mr. Stephenson responded to additional questions and discussion followed on the traffic data and analysis.

b. Discussion of Setbacks and Stepbacks

Mr. Stephenson gave a presentation on the setback/stepback standards showing parking, sidewalk and setbacks and responded to questions clarifying that the property line is measured from the edge of right-of-way and could define the build-to line. Under the new regulations, the building line is 10 feet back from the property line and setback determines the height at that setback. He added that the requirements are different on Orange Avenue. The new guidelines require a five-foot planting strip on Orange Avenue. He explained the intent for an improved pedestrian experience.

Members of the Commission disclosed their upcoming meetings with Michelle Heatherly and Mary Demetree on their potential plans.

Mr. Stephenson showed a representation of cross section of a streetscape and advised the commission of the ability to access this program to create their own streetscape.

The meeting adjourned at 3:20 p.m.

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Mayor Steve Leary

ATTEST:

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City Clerk Rene Cranis



# City Commission **agenda item**

item type Consent Agenda	meeting date September 23, 2020
prepared by Amanda LeBlanc	approved by Michelle Neuner, Randy Knight
board approval Completed	
strategic objective Fiscal Stewardship	

## **subject**

Approve the following HIDTA Pass-through Purchases - Purchase orders for specialized, confidential investigative services and facility expenses; \$80,000, \$85,000, \$185,000 and an additional purchase order for \$195,000 for facility expenses of HIDTA.

## **motion / recommendation**

Commission approve item as presented.

## **background**

The city participates in a joint task force identified as HIDTA (High Intensity Drug Trafficking Agency). Much of the activity of HIDTA is confidential and the information exempt pursuant to several provisions of Florida law, including Section 119.071(2), Florida Statutes, relating to information revealing surveillance techniques and procedures, personnel involved in surveillance techniques and procedures, and criminal investigative techniques and procedures. The estimated HIDTA funding for our FY 2021 is \$ 1,028,661.00.

## **alternatives / other considerations**

N/A

## **fiscal impact**

No fiscal impact to be incurred by the city. All expenses related to HIDTA activity shall be paid by grant funding awarded to HIDTA by the federal government.



# City Commission **agenda item**

<b>item type</b> Consent Agenda	<b>meeting date</b> September 23, 2020
<b>prepared by</b> Tim Egan	<b>approved by</b> Jason Seeley, Michelle Neuner, Randy Knight
<b>board approval</b> Completed	
<b>strategic objective</b> Facilitate efficient and timely management of of aquatic plants on Lake Killarney.	

## **subject**

Approve Interlocal Agreement For Lake Killarney Aquatic Plant Management

## **motion / recommendation**

Approve

## **background**

Lake Killarney is split between Winter Park and Orange County. The management of aquatic plants is more efficiently performed by one entity. The City has had an agreement with Orange County for over 25 years that allows Winter Park to perform all aquatic plant management work on the lake and to invoice Orange County for their share of the costs. This updated agreement clarifies the the notification process to ensure that Orange County has funds allocated before any work is performed. The City must notify the county in advance and receive authorization before performing any work that will be invoiced or partially invoiced to Orange County. Management activities that are only performed on the City portion of the lake and that do not involve county funds may be performed at the City's convenience and do not require notification.

## **alternatives / other considerations**

Have Orange County perform plant management on their portion of the lake. This would result in duplication of efforts and delays in treatment.

## **fiscal impact**

None

## **ATTACHMENTS:**

Lk Killarney\_IA2020\_Winter Park\_20200724 - 8-20-20.doc

**INTERLOCAL AGREEMENT  
FOR LAKE KILLARNEY AQUATIC PLANT MANAGEMENT  
between  
ORANGE COUNTY, FLORIDA  
and  
CITY OF WINTER PARK, FLORIDA**

This INTERLOCAL AGREEMENT for Lake Killarney Aquatic Plant Management (the “Agreement”) is made and entered into by and between the City of Winter Park, a Florida municipal corporation, whose mailing address is 401 S. Park Ave., Winter Park, FL 32789 (“Winter Park”), and Orange County, Florida, a charter county and political subdivision of the State of Florida, whose mailing address is 201 S. Rosalind Ave., Orlando, FL 32802 (“Orange County”).

**WITNESSETH:**

WHEREAS, portions of Lake Killarney lie within the boundaries of Winter Park or unincorporated Orange County; and

WHEREAS, Lake Killarney requires aquatic plant management for the control of nuisance exotic plant species including hydrilla (*Hydrilla verticillata*), water hyacinth (*Eichhornia crassipes*), and other exotic vegetation; and

WHEREAS, the lake-wide control of hydrilla, water hyacinth, and other exotic vegetation is best managed by a single agency; and

WHEREAS, Winter Park has adequate equipment and State-licensed personnel in the aquatic plant management field; and

WHEREAS, Winter Park has agreed to act as the single agency for the sole purpose of the lake-wide management and control of hydrilla, water hyacinth, and other exotic vegetation in the above-named lake; and



WHEREAS, entering into this Interlocal Agreement is in the best interest of the citizens of Winter Park and Orange County as it will benefit the health, safety, and welfare of said citizens.

NOW, THEREFORE, for and in consideration of the covenants herein contained, the parties agree as follows:

1. This Agreement is entered into pursuant to the authority granted by Section 163.01, Florida Statutes.

2. Winter Park hereby agrees to act as the single agency responsible for the management and control of exotic aquatic plants within all of Lake Killarney waters.

3. Orange County agrees that Winter Park is not required to manage or control non-exotic emergent vegetation within the littoral zone.

4. Orange County agrees that this Agreement is limited to aquatic plant management and does not address other water quality issues relating to Lake Killarney.

5. Winter Park agrees to keep detailed records of any aquatic plant management and/or control activities that it undertakes within Lake Killarney. Winter Park will provide Orange County with the following documentation at the end of each quarter or as needed based on treatment frequency: (a) an invoice; (b) a summary of all treatments performed during the date range provided; (c) the total cost of the services; (d) a worksheet detailing the date the work was done; (e) the locations where the work occurred; (f) the percentage of the work that occurred within unincorporated Orange County; (g) the names and quantities of products (brand name or active ingredient) used; (h) application rates and methods; (i) the cost and number of man-hours for each treatment activity; and (j) the cost and number of equipment-hours for each treatment activity.

6. Winter Park shall notify the Orange County Lake Killarney Municipal Service Taxing Unit (MSTU) lake liaison when treatments of any size are to occur on the lake. All treatments (spot, full-lake, full perimeter) that will be invoiced to Orange County, in part or in

whole, require written approval from Orange County in advance of treatments. Full-lake or full-perimeter hydrilla treatments require cost estimates. Orange County and Winter Park agree that no set number of treatments will be established and that control will be on an “as needed” basis in the same manner that Winter Park manages and controls aquatic vegetation in other lakes within Winter Park.

7. Winter Park offers no guarantee, implied or actual, for results from its aquatic plant management and control program within the waters of unincorporated Orange County. The provisions of this Agreement do not constitute an agreement by either party to assume any liability for, or obligation with respect to, the acts, omissions, and/or negligence of the other party, its officials, agents, and employees.

8. Orange County agrees to reimburse Winter Park on an "as needed" basis for the full cost of aquatic weed treatment applied to portions of the lake within unincorporated Orange County. This cost shall include: (a) herbicides at the purchase price paid by Winter Park, without any markup; (b) labor based on salary plus forty percent fringe benefits; (c) equipment based on actual cost of operation; and (d) a five percent administrative charge. Payment under this Agreement is contingent upon the annual appropriation by the Orange County Board of County Commissioners for each succeeding year. Under no circumstances will the County's portion of the total cost for treating Lake Killarney be greater than forty percent on an annual basis or exceed the allocated funding from the Lake Killarney MSTU.

9. If Orange County fails to make payment as provided for herein within forty-five (45) days of the date when such payment is due, Winter Park may, without further notice, terminate its services under this Agreement. If the payment issue is not resolved and settled within sixty (60) days from the date of written notice from Winter Park of its discontinuance of services for lack of payment, then this Agreement shall terminate and become null and void.

10. This Agreement shall commence and become effective upon the later of the dates of execution indicated below. This Agreement shall be effective for an initial period of two years

and shall automatically renew thereafter for successive periods of three (3) years each, unless earlier terminated as provided herein.

11. This Agreement may be terminated by either party at any time, with or without cause, upon written notice delivered to the other party not less than ninety (90) days prior to stated termination date. Any obligations under this Agreement incurred prior to the termination date shall survive the termination and be performed or paid, as the case may be.

12. Whenever either party gives notice or invoice to the other, notice or invoice shall be sent to:

For Winter Park:

Manager  
Lakes Division  
1409 Howell Branch Road  
Winter Park, Florida 32789

For Orange County:

Environmental Program Supervisor  
Lake Management Section  
Environmental Protection Division  
3165 McCrory Place, Suite 200  
Orlando, Florida 32803

IN WITNESS WHEREOF, the parties hereto have caused their respective hands and seals to be affixed on the day and year as indicated below.

CITY OF WINTER PARK, FLORIDA  
By: City Council

By: \_\_\_\_\_  
Steve Leary, Mayor

Date: \_\_\_\_\_, 2020

ATTEST:

By: \_\_\_\_\_  
Rene Cranis

ORANGE COUNTY, FLORIDA  
By: Board of County Commissioners

By: \_\_\_\_\_  
Jerry L. Demings, Orange County Mayor

Date: \_\_\_\_\_, 2020

ATTEST: Phil Diamond, CPA, County Comptroller  
As Clerk of the Board of County Commissioners

By: \_\_\_\_\_  
Deputy Clerk  
Print Name: \_\_\_\_\_



# City Commission agenda item

item type Consent Agenda	meeting date September 23, 2020
prepared by Kyle Dudgeon	approved by Michelle Neuner, Randy Knight
board approval Completed	
strategic objective Fiscal Stewardship	

## **subject**

Business Assistance Funding

## **motion / recommendation**

Approve as presented

## **background**

On August 12 as part of the FY 20-21 CRA Agency budget approval, \$500,000 was set aside for business assistance support. The intent was to provide a funding mechanism for strategies moving forward to assist the business community. As an approved amendment to the proposed budget, funds can begin to be encumbered starting October 1. In anticipation of this date, and with guidance from the Winter Park Economic Recovery Task Force the following programs have moved forward. Funds for existing these programs have been paid through the FY19-20 CRA approved budget. Programming have included the Music and Movies in the Park (beginning September 10), Curbside To Go Program (beginning August 27) and coordinating support for Retail Sidewalk Sales (beginning September 11). Total costs for these are roughly \$15,000.

Additional programs set for October and beyond would be paid for as part of business assistance funding. These include the West Meadow Wednesdays and tent events, Music and Movies in the Park for October and Farmer's Market Retail Row. Total costs for these events are \$30,000.

The Economic Recovery Task Force has met weekly since August 25, which has quickly resulted in the aforementioned events giving special consideration to flexibility as new information becomes available related to COVID-19. All are outdoor open space events. Programs of this nature are intended to showcase safe opportunities within civic spaces to provide engagement with the business community. While this is not a comprehensive list of all policy, marketing, or program considerations by the Task Force, the intent is to provide financial

consideration as they continue to work collaboratively and find strategies to supplement the existing economic environment.

### **alternatives / other considerations**

#### **fiscal impact**

Expenses are paid for under the CRA Business Assistance Program



# City Commission agenda item

item type Action Items Requiring Discussion	meeting date September 23, 2020
prepared by Allison McGillis	approved by Bronce Stephenson, Michelle Neuner, Randy Knight
board approval Completed	
strategic objective	

## **subject**

Bennett Road/Executive Drive Realignment

## **motion / recommendation**

Alternative No. 1:

-Continue with realignment of Bennett Avenue to Executive Drive to create a four-leg signalized intersection with pedestrian crossings. All design and construction costs on the applicant/developer and shall convey fee-simple to the City all land needed for the realignment. The City is not obligated to vacate/abandon any portion of the existing Bennett Avenue as part of the realignment.

Alternative No. 2:

-Bennett Avenue as a three-leg signalized intersection with pedestrian crossings. All design and construction costs of the three-leg signalized intersection on the applicant/developer. Any future realignment of Executive to line up with Bennett will be paid for by the City

## **background**

The alignment of Bennett Avenue & Executive Drive at Lee Road (SR 423) was included as part of the Ravaudage Development Order (RDO). See attached for a copy of the RDO, as well as a summary of the history of Ravaudage. The City of Winter Park (CWP) Planning and Transportation Department has reviewed the proposed intersection configuration as outlined in the RDO, which specifies that the developer will be responsible for this roadway alignment that would create a four-leg signalized intersection. The alignment called out in the RDO will be

referred to as Alternative #1 in this memorandum.

The CWP Planning & Transportation Department also reviewed the option of keeping the existing alignments at the intersections of Bennett Avenue & Lee Road and Executive Drive & Lee Road (SR 423) while signalizing the T-intersection of Bennett Avenue & Lee Road and the intersection of Executive Drive & Lee Road remaining STOP controlled on the minor approach. This option will be referred to as Alternative #2 in this memorandum.

Since Lee Road is a state road, the two alternatives will be subject to approval by the FDOT and dependent upon the traffic signal warrants and requirements outlined in the Manual on Uniform Traffic Control Devices (MUTCD). This memorandum provides a description of the two alternatives, includes a summary of discussions with the Florida Department of Transportation (FDOT) and identifies advantages and disadvantages associated with each alternative.

A Technical Memorandum from the Transportation Division of the Planning & Transportation Department is attached, which provides additional detail.

## **Background**

The current RDO states that an agreement shall be in place by December 31, 2019 for this realignment. Although the City Commission approved an additional 90-day extension that expired on March 31, 2020, COVID-19 has postponed the meeting for discussion and agreement even further.

As outlined in the RDO, the developer is required to align Bennett Avenue with Executive Drive at Lee Road (Alternative #1), creating a four-leg intersection, and to install traffic signals when warranted in accordance to the MUTCD. This warrant will be based on the additional traffic volumes created by the build-out of the Ravaudage development. Furthermore, the realignment and signals would provide access for the development as well as the ability for pedestrians to safely cross Lee Road. The proposed intersection configuration of Alternative #1 would connect Bennett Avenue with the roadway network south of Lee Road, which has the opportunity to improve traffic circulation and offer multi-modal transportation opportunities.

The latest traffic signal warrant study performed in October 2019 indicated signals



were not warranted at this time. However, the intersection is anticipated to be warranted when the proposed commercial and residential developments in Ravaudage are fully built-out and occupied. In the event where the traffic signals are not warranted after construction, language is provided in the agreement to establish an escrow for the future traffic signal construction once warranted.

## **Alternatives**

### ***Alternative #1 – Bennett Avenue aligned to Executive Drive***

The RDO specifies that the developer will align Bennett Avenue with Executive Drive at Lee Road, creating a signalized four-leg intersection with pedestrian crossings once warranted. All of the design and construction costs will be the responsibility of the developer and shall convey a fee-simple to the CWP for all land needed for the realignment. The CWP is not obligated to vacate/abandon any portion of the existing Bennett Avenue right-of-way as part of this process. Attachment #1 shows the conceptual layout of this alignment for this alternative (this figure was prepared by Tipton Associates Incorporated).

### ***Alternative #2 – Existing Bennett Avenue Alignment Remains***

Alternative #2 considers maintaining the existing alignment of Bennett Avenue at Lee Road, creating a signalized three-leg intersection with pedestrian crossings once warranted. The developer will be responsible for all of the design and construction costs. The CWP will be responsible for any future improvements at this intersection, including the potential realignment of Executive Drive to Bennett Avenue at Lee Road (SR 423). Attachment #2 shows the conceptual layout for this alternative (this figure was prepared by Tipton Associates Incorporated).

## **Discussions with FDOT**

The CWP staff discussed Alternative #1 and Alternative #2 with FDOT. FDOT raised potential operational and safety concerns with Alternative #1 because of the existing median opening at Lewis Drive that allows for eastbound left-turn movements. The modification to the alignment that occurs with Alternative #1 could potentially cause westbound vehicles to block the median opening that would impact the ability for vehicles to navigate the eastbound left-turn at Lewis Drive into Ravaudage. Additionally, in the event of a crash occurring in this vicinity, the access point at Lewis Drive could potentially be closed, which may result in operational and delay issues.

Per Florida Administrative Code (FAC) 14-96.005 (see Attachment #3), neighboring connections, such as traffic signals and median openings, are required to be at minimum 660 feet apart from each other for a road that has a posted speed limit of 45 MPH or less. With the consideration of installing traffic signals at the existing alignment of Bennett Avenue (Alternative #2), the distance of neighboring connection between the proposed signals and median opening at Lewis Drive is approximately 605 feet (Figure 1). However, if Bennett Avenue becomes aligned with Executive Drive (Alternative #1), then the distance will become 100 feet shorter, which would be approximately 505 feet.

FDOT, with the ability to grant a 10% variance for the neighboring connection distance, is more in favor of installing the signals at the existing alignment at the intersection of Bennett Avenue & Lee Road (Alternative #2). This will maximize the neighboring connection distance and minimize the potential operational/safety issues compared to installing a signal under the conditions of Alternative #1.

### **Comparison of Alternatives**

Both of the alternatives reviewed as part of this memorandum have their advantages and disadvantages. Table 1 below identifies the pros and cons of Alternative #1 and Alternative #2.

**Table 1:** Comparison of Pros & Cons of Each Alternative

	Alternative #1	Alternative #2
<b>Advantages</b>	<ul style="list-style-type: none"> <li>• Construct the intersection alignment as agreed in the current development order.</li> <li>• Create an alternative roadway to the Lee Road/17-92 intersection.</li> <li>• Provides unrestricted access to/from the Ravaudage site.</li> <li>• Allows for safe pedestrian crossing</li> </ul>	<ul style="list-style-type: none"> <li>• Traffic volumes will not increase significantly on Executive Drive and Gay Road.</li> <li>• Allows for safe pedestrian crossing.</li> <li>• Still allows for four-leg intersection in the future.</li> <li>• No disruption of access to the vet clinic.</li> <li>• Provides access to/from Ravaudage development.</li> <li>• FDOT is in favor of installing a traffic signal at the existing intersection of Bennett Avenue &amp; Lee Road.</li> </ul>

<p><b>Disadvantages</b></p>	<ul style="list-style-type: none"> <li>• City incurs infrastructure improvement costs south of the intersection (including any traffic calming measures that may be needed on Executive Drive and/or Gay Road).</li> <li>• Potential of significant traffic volume increase on Executive Drive &amp; Gay Road.</li> <li>• Bennett Avenue right-of-way will not be fully vacated for the realignment because the vet clinic uses the roadway for access.</li> <li>• The developable parcel becomes odd-shaped due to the realignment, potentially limiting future development.</li> <li>• FDOT is not in favor of installing a traffic signal at the proposed aligned intersection of Bennett Avenue/Executive Drive and Lee Road. Therefore, a traffic signal may not be installed, which creates safety concerns at this intersection if the realignment is constructed.</li> <li>• The median opening at Lewis Dr. may need to be eliminated to install the signal per FDOT.</li> </ul>	<ul style="list-style-type: none"> <li>• Should the City choose to realign Bennett Avenue to Executive Drive in the future, then the City will be responsible for the infrastructure costs (including the potential costs to modify Duke Energy poles).</li> <li>• Requires amendment of the current RDO.</li> <li>• Does not create the originally considered four-leg intersection</li> </ul>
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## **Conclusion**

As stated earlier, Lee Road (SR423) is a state road and both alternatives will be subject to approval by FDOT; approval will be dependent upon meeting traffic signal warrants and requirements outlined in the Manual on Uniform Traffic Control Devices (MUTCD). Since Lee Rd (SR 423) is a state road, the CWP

Planning and Transportation Department recommends the City Commission consider FDOT's concerns and comments regarding the neighboring connection requirement per FAC 14.96.005.

FDOT favors Alternative #2 concept over Alternative #1. FDOT is willing to consider signaling the existing alignment of Bennett Avenue (Alternative #2) but is cautious and hesitant to install the signals at the alignment of Bennett Avenue & Executive Drive (Alternative #1) without the removal of the median opening at Lewis Drive. The removal of the median opening at Lewis Drive would lead to other contractual issues, causing the applicant to violate existing access agreements with users within the Ravaudage development.

The Planning & Transportation Department reviewed the two Alternatives, with attention to the importance of FDOT's role in the approval of the location of the traffic signal installation on Lee Road. Transportation Division staff concur with FDOT's preference of Alternative #2 concept and recommends the City Commission to consider amending the current RDO agreement with the developer to move forward with the Alternative #2 concept – maintaining the existing alignment of Bennett Avenue.

## **alternatives / other considerations**

### **fiscal impact**

#### **ATTACHMENTS:**

Ravaudage History.pdf

#### **ATTACHMENTS:**

Recorded DO October 22.2018.pdf

#### **ATTACHMENTS:**

4-779.1 FIGURE 5.pdf

#### **ATTACHMENTS:**

2020.08.04\_Technical Memorandum - Ravaudage Realignment\_Draft.pdf



## RAVAUDAGE HISTORY

The Ravaudage Planned Development started about 20 years ago with a slow assemblage of properties that today encompasses about 51+ acres of land within the City of Winter Park, generally bounded by Orlando Avenue, Lee Road, Bennett Avenue and Monroe Avenue. The master developer, Benjamin Partners Ltd. has assembled over 125 individual properties (closings) during those intervening years, in order to assemble this 51+ acre redevelopment site. There also is a companion portion of Ravaudage that exists within the adjacent area of the City of Maitland.

In the 1990's prior to this assemblage, all but 18 of these 125 parcels and almost all of the 51+ acres of land were outside the city limits within unincorporated Orange County. The area had commercial zoning on the properties along the Orlando Avenue and Lee Road corridors, while the interior was residentially zoned (R-1A and R-2).

The exterior commercial properties along Orlando Avenue were primarily car dealerships (Richie's Volkswagen, Bill Bryan Subaru) and Tom & Jerry's bar. On Lee Road it was primarily small restaurants, such as Bubbalou's Barbeque, small retail businesses and the 7-11 convenience store.

In the interior of this area, referred to as Home Acres (based on the subdivision plat name) was a collection of deteriorated single-family homes, duplexes and vacant properties. The Home Acres area had no sanitary sewer, an undersized water system with no fire hydrants, no street drainage system, and a road network of crumbling paved streets with side ditch

drainage or dirt streets. The structures consisted of deteriorated housing dotted with broken down cars and trailers. With no police patrol or response from Winter Park or Maitland, and no effective code enforcement, the area was attractive to those desiring to live outside the law. By any definition, this was a blighted and deteriorated area.

As a result, the City of Winter Park desired to see this Home Acres area undergo redevelopment in order to remedy the blighted conditions. The City Commission agreed, that future redevelopment and annexation would provide for growth in the City's tax base. The City Commission expressed that they desired to 'move the needle' to increase the proportionate share of property taxes toward more business and less reliance upon residential. Just as Maitland receives a significant portion of their property tax revenue from Maitland Center, this Home Acres area was viewed as an opportunity for commercial redevelopment to increase that portion of the Winter Park tax base. However, with the properties split between two jurisdictions (18 properties in the City and 112 in the County), there was not an effective way to provide for consistent entitlements and regulations for this area.

As the vast majority of the Home Acres was situated in unincorporated Orange County, the City Commission adopted Ordinance 2702 on February 26, 2007 and Ordinance 2730 on February 11, 2008 which de-annexed 18 properties so that Benjamin Partners, Ltd. could seek a comprehensive change in land use and zoning for the entire Home Acres area, which was an enclave surrounded by the Cities of Winter Park on three sides and Maitland on the fourth side. However, a condition of those ordinance approvals was that the master developer would consent to annexation of the entire Home Acres area and project once entitled by Orange County.

During the next three years, Benjamin Partners continued to assemble properties and allowed other property owners to participate jointly in their application and process with the Orange County government to establish the Ravaudage Planned Development. Benjamin Partners prepared the land use plans, traffic studies and other documentation required by Orange County. Orange County solicited input from Winter Park and Maitland. Densities and heights were reduced based upon that input and traffic conditions of approval were added for future traffic lights based upon a request from Winter Park and consent from the applicant.

The final approval for the Ravaudage Planned Development was approved by the Orange County Commission on May 24, 2011. That Development Order provided for maximum entitlements (14.6 units/acre and 100% FAR), established setbacks, maximum building heights and conditions of approval regarding implementation. With subsequent amendments by the Winter Park City Commission, those parameters govern the Ravaudage Planned development today.

Once established, as a Planned Development and granted entitlements, the master developer and the city worked together to accomplish the subsequent annexation.

The first action was adoption of an Annexation Agreement on April 9, 2012. That Agreement was the formal voluntary consent to be annexed. The Agreement also committed Winter Park

to govern this project via the Orange County PD future land use and Orange County PD zoning. The Agreement restricts the City from the ability to diminish the entitlements granted. It allows the master developer to ask for entitlement increases, variances and right-of-way abandonments, subject to the normal public notice and public hearing process, and for such decisions to be at the discretion of the City. The master land use plan outlined the right-of-ways desired to be vacated but left to the discretion of the City Commission to decide each request on a case by case basis and whether to grant any increase in entitlements from those vacated public lands, once made private.

Pursuant to this Annexation Agreement, the City of Winter Park formally annexed the 51+ acres of Home Acres and Ravaudage on November 12, 2012 via Ordinance 2869. The City had voluntary consent for annexation from 86.25% of the property owners and as Chapter 171 of Florida Statutes does not allow the creation of enclaves, the remaining properties were legally included in the annexation, which also had approval from the Orange County Commission.

With the Ravauadge/Home Acres area annexed, the City then had to implement the Annexation Agreement to govern the property under the Orange County Land Development Code. The Comprehensive Plan and Zoning Map were amended to show Orange County PD status for Ravaudage. The City also had to establish an administrative structure to oversee the development process.

Orange County's PD administration is not like the Winter Park zoning regulations with recommendations made by the Planning and Zoning Board for various conditional uses, city public notice provisions, etc. Instead there is a Development Review Committee (DRC) consisting in our case of the Planning Director, Public Works Director, Parks Director, Building Services Director and Assistant City Manager. The DRC conducts public hearings in which they approve new development, as long as it is consistent with the PD Development Order regulations. Amendments to the PD regulations, including entitlements, variances and right-of-way vacations must be approved by the City Commission.

The development of Ravaudage has necessitated rebuilding all of the infrastructure. The developer has invested over \$6 million in the upgrade and replacement of potable water lines, construction of sanitary sewer, and undergrounding of electric service. The roadway system has been rebuilt in place or new roadways constructed together with sidewalks and street trees. In an area that previously had no storm water retention, Ravaudage has completed a three-acre master storm water pond serving the roadways and buildings within the project. The developer has also been instrumental in the removal of four billboards that previously existed along Orlando Avenue and Lee Road.

The first building project Ravaudage completed in 2013, was the 11,000 square foot, Ale House restaurant at 1251 Lee Road and the public fountain at the corner of Orlando Avenue and Lee Road. The following projects were subsequently approved and/or constructed:

- In 2015, the adjacent two-story, approximately 16,000 square foot building at 1035 N. Orlando Avenue next to the Ale House was completed which holds two restaurants, retail, and office/medical space.
- Following the Ale House construction in 2015, the master developer purchased six additional properties (1.02 acres) within the overall Ravaudage boundary that were not considered part of the PD boundary, and later added them to the PD boundary, which added additional entitlements at the maximums previously mentioned.
- In 2016, the master developer received approval for a six-story, approximately 90,000 square foot mixed-use, retail and office building with a 586-space parking garage at the southeast corner of Lewis Drive and Morgan Lane, but has not yet begun construction.
- Later in 2016, the master developer then added two additional properties (0.49 acres) to the PD boundary, which added additional entitlements at the maximums previously mentioned.
- The next building to be constructed was the now called 'Juno of Winter Park' apartments at 1305 Morgan Stanley Avenue in 2018, which is seven-stories and holds 268 units and a 472-space parking garage.
- Two buildings and a parking garage were approved by DRC in 2018 that have not yet begun construction. The approvals included a three-story, approximately 48,000 square foot retail/office building with an attached, two-story, approximately 4,000 square foot retail/office building at 1117 N. Orlando Avenue. The parking garage is proposed at 1136 Benjamin Avenue, and is proposed to be four-stories, five-levels, with 377 spaces.
- In 2019, several buildings were constructed, including an approximately 100,000 square foot, four-story, mixed-use, retail, office and self-storage building at 1201 Lewis Drive. Also, a two and three story, 107-bed assisted living and memory care facility at 1501 Glendon Parkway, and an approximately 3,000 square foot, two-story office building at 1007 Lewis Drive.
- The largest building constructed in 2019, was the 'Bainbridge at Winter Park' apartment project which is located at 1400 Morgan Stanley Avenue, and is six-stories and holds 278 units and a 499-space parking garage.
- The project at 1127 N. Orlando Avenue received approval from DRC in 2019 for an approximately 22,000 square foot, four-story, 126-room, Marriott Springhill Suites hotel, which is currently under construction.



- In 2019, two buildings were approved by DRC that have not yet begun construction. The approvals included a commercial/office, mixed-use building of three-stories, approximately 15,000 square feet and a commercial/residential, mixed-use building of two-stories, approximately 5,600 square feet located at the corner of Kindel Avenue and Orlando Avenue.
- Later in 2019, the master developer added two additional properties (0.33 acres) to the PD boundary, which added additional entitlements at the maximums previously mentioned.
- The most recent building to finish construction in 2020, was the approximately 65,000 square foot, Hilton Garden Inn hotel at 1275 Lee Road, which is four stories and holds 102 rooms.
- In early 2020, the master developer de-annexed two acres of land that was within the City of Maitland and annexed them into the City of Winter Park. This provided for a more organized land planning process and brought into the city the last block of Lewis Drive to allow for a cohesive streetscape design, stormwater collection, potable water and sanitary sewer infrastructure development to occur. The master developer has agreed to work with the City of Winter Park's Water & Wastewater Department to construct a new sanitary sewer lift station that will serve not only Ravaudage, but other areas surrounding the PD.

After Recording Return to:  
City of Winter Park  
Attn: City Clerk  
401 Park Avenue South  
Winter Park, Florida 32789



**RESOLUTION NO. 2211-18**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, APPROVING THE SECOND AMENDMENT TO THE AMENDED AND RESTATED DEVELOPMENT ORDER FOR THE RAVAUDAGE DEVELOPMENT; PROVIDING FOR CONFLICTS, SEVERABILITY AND EFFECTIVE DATE.**

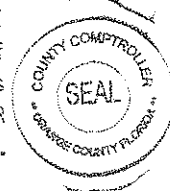
**WHEREAS**, Benjamin Partners, Ltd. (Developer), and City of Winter Park previously entered into an Annexation Agreement dated April 9, 2012 and recorded in O.R. Book 10363, Page 1250, et seq, Public Records of Orange County, Florida, concerning property generally located at Lee Road and 17-92 in Winter Park, Florida and known as Ravaudage, in which the parties agreed that Developer's Development Order with Orange County dated May 24, 2011, (the "Original Development Order") would govern the development of Ravaudage with a few modifications, as noted in the Annexation Agreement; and

**WHEREAS**, the Original Development Order was amended and restated by that certain Amended and Restated Development Order (Ravaudage) approved by City of Winter Park Resolution No. 2148-14 adopted on November 10, 2014, which is recorded at Official Records Book 10938, Page 3602, et. seq., Public Records of Orange County, Florida, as further amended by that certain First Amendment to Amended and Restated Development Order (Ravaudage) approved by City of Winter Park Resolution No. 2188-17 adopted on July 24, 2017, which is recorded at Official Records Document number 20170499479, et. seq., Public Records of Orange County, Florida ("Amended and Restated Development Order"); and

**WHEREAS**, the Orange County Code applies to the development of Ravaudage under F.S. §171.062 and under the terms of the Annexation Agreement subject to the terms and conditions of the Amended and Restated Development Order as further amended herein; and

**WHEREAS**, the Developer and the City staff have requested certain additional amendments to the Amended and Restated Development Order, which have been recommended for approval by the City's Development Review Committee at a public hearing on October 11, 2018, and by the City Commission at a public hearing on October 22, 2018, all in accordance with the procedure required by the Orange County Zoning Code, and those requested amendments are reflected in the attached Second Amendment to the Amended and Restated Development Order; and

State of FLORIDA, County of ORANGE  
I hereby certify that this is a true copy of  
the document as reflected in the Official Records  
PHIL DIAMOND, COUNTY COMPTROLLER  
BY: \_\_\_\_\_, D.C.  
DATED: 10-30-18



**WHEREAS**, the City finds that these amendments to the Amended and Restated Development Order are consistent with the City of Winter Park and Orange County Comprehensive Plan and the Orange County Zoning Code, and is in the best interests of the citizens of Winter Park.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA:**

**SECTION 1. APPROVAL.** The City Commission of the City of Winter Park hereby approves the Second Amendment to the Amended and Restated Development Order attached hereto as Attachment "A" ("Second Amendment"), and authorizes the Mayor to execute said First Amendment on behalf of the City.


**SECTION 2. SEVERABILITY.** If any Section or portion of a Section of this Resolution 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 Resolution.

**SECTION 3. CONFLICTS.** In the event of conflicts between this Resolution and other resolutions or parts thereof, this Resolution shall control to the extent of the conflict.

**SECTION 4. EFFECTIVE DATE.** This Resolution shall become effective immediately upon its final passage and adoption.

**ADOPTED** at a regular meeting of the City Commission of the City of Winter Park held in City Hall, Winter Park on this 23<sup>rd</sup> day of October 2018.

City Commission  
City of Winter Park

  
Mayor Steve Leary

ATTEST:

  
Cynthia S. Bonham, City Clerk

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

Attachment 'A'

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

THIS SECOND AMENDMENT TO AMENDED AND RESTATED DEVELOPMENT ORDER (the "Second Amendment") is made and entered into this 22<sup>nd</sup> day of OCTOBER, 2018, by and between the **City of Winter Park**, a municipal corporation of the State of Florida (the "City"), 401 Park Avenue South, Winter Park, Florida 32789 and **DANIEL B. BELLOWS**, (referred to as "Developer" and "Owner"), P.O. Box 350, Winter Park, FL 32790; **BENJAMIN PARTNERS, LTD.**, a Florida limited partnership, of P.O. Box 350, Winter Park, FL 32790; **CENTRAL FLORIDA STOCK INVESTORS, LLC**, a Florida corporation, of **P.O. Box 350, Winter Park, FL 32790**; and **GARMET, LTD.**, a Florida limited partnership, of 222 South Pennsylvania Ave., Ste. 200, Winter Park, FL 32789 (excluding the City, the foregoing parties, including the Developer are herein collectively referred to as "Owners").

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

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

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

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

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

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

Signed, sealed and delivered in the presence of:

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

Michelle Bernstein  
Name: Michelle Bernstein

By: [Signature]  
Steve Leary, Mayor

ATTEST: [Signature]  
By: Cynthia S. Bonham, City Clerk

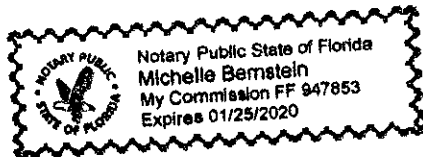
Allison McGillis  
Name: Allison McGillis

Date: 10-23-18

STATE OF FLORIDA  
COUNTY OF ORANGE

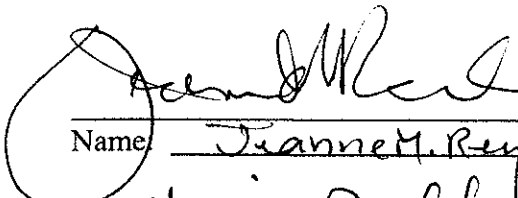
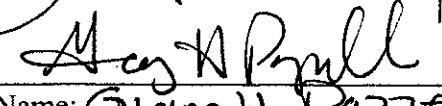
The foregoing instrument was acknowledged before me this 23 day of October, 2018, by Steve Leary, Mayor of THE CITY OF WINTER PARK, FLORIDA, a municipal corporation, on behalf of the corporation. He (She) ☒ is personally known to me or ☐ has produced \_\_\_\_\_ as identification.

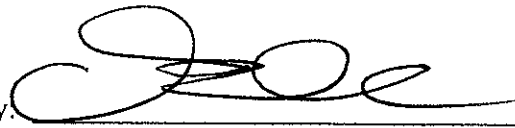
(NOTARY SEAL)



Michelle Bernstein  
Notary Public Signature

(Name typed) [Signature]  
Notary Public Seal for Michelle Bernstein, State of Florida, Commission FF 947853, Expires 01/25/2020.

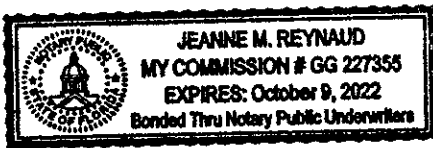
  
Name: Jeanne M. Reynaud  
  
Name: Giorgio H. Pazzetti

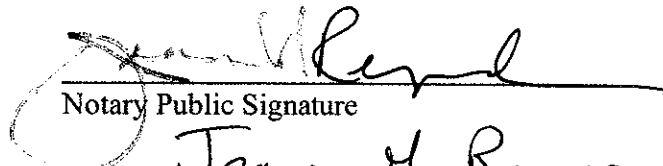
By:   
Daniel B. Bellows  
Date: 10-30-18

STATE OF FLORIDA  
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 30<sup>th</sup> day of October, 2018, by Daniel B. Bellows, who ☒ is personally known to me or ☐ has produced \_\_\_\_\_ as identification.

(NOTARY SEAL)



  
Notary Public Signature  
Jeanne M. Reynaud  
(Name typed, printed or stamped)

GARMET, LTD., a Florida limited partnership

By: Welbourne Ave. Corp., its General Partner

By: Robert P. Saltsman  
Robert P. Saltsman, President

Date: 10/24/18

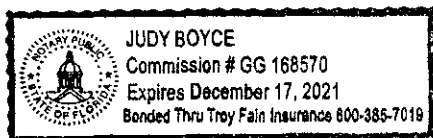
Kay Charlton  
Name: Kay Charlton

Tanya Rayman  
Name: Tanya Rayman

STATE OF FLORIDA  
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 24<sup>th</sup> day of October, 2018, by Robert P. Saltsman, President of Welbourne Ave., Corp, a Florida corporation, the General Partner for Garmet Ltd, a Florida limited partnership, who ☒ is personally known to me or ☐ has produced \_\_\_\_\_ as identification.

(NOTARY SEAL)



Judy Boyce  
Notary Public Signature

Judy Boyce  
(Name typed, printed or stamped)

Central Florida Stock Investors, LLC a Florida corporation

Name: Kay Charlton

Name: Tonya Raymon

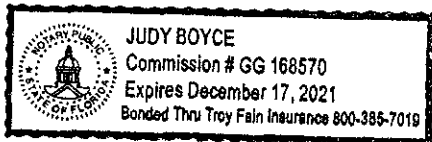
By: Robert Saltzman  
Robert Saltzman, Manager

Date: 10/24/18

STATE OF FLORIDA  
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 24<sup>th</sup> day of October, 2018, by Robert Saltzman, Manager, Central Florida Stock Investors, LLC, a Florida corporation, who ☒ is personally known to me or ☐ has produced \_\_\_\_\_ as identification.

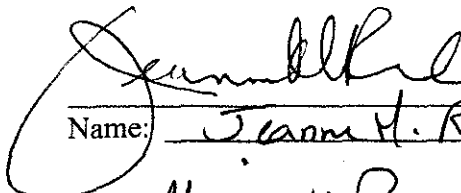
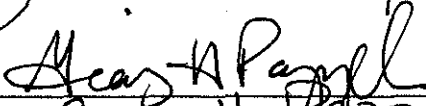
(NOTARY SEAL)



Judy Boyce  
Notary Public Signature

Judy Boyce  
(Name typed, printed or stamped)



  
Name: Jeanne M. Reynaud  
  
Name: Grant H. Pazzetti

BENJAMIN PARTNERS, LTD., a Florida  
limited partnership

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

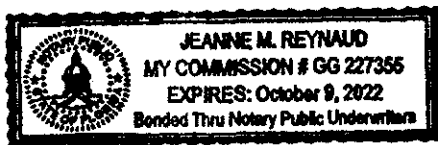
  
By: Daniel B. Bellows, President


Date: 10-30-18

STATE OF FLORIDA  
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 30<sup>th</sup> day of October, 2018, by Daniel B. Bellows, President, of Bennett Ave. Company, Inc., a Florida corporation, the General Partner of Benjamin Partners, Ltd., a Florida limited partnership, who ☒ is personally known to me or ☐ has produced \_\_\_\_\_ as identification.

(NOTARY SEAL)



  
Notary Public Signature  
Jeanne M. Reynaud  
(Name typed, printed or stamped)

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

THIS AMENDED AND RESTATED DEVELOPMENT ORDER (the "Amended Order") is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2018~~7~~, by and between the **City of Winter Park, Florida**, a political subdivision of the State of Florida (the "City"), 401 Park Avenue South, Winter Park, Florida 32789 and **DANIEL B. BELLOWS**, (referred to as "Developer" and "Owner"), P.O. Box 350, Winter Park, FL 32790; **BENJAMIN PARTNERS, LTD.**, a Florida limited partnership, of ~~558 W. New England Ave., Suite 210~~ P.O. Box 350, Winter Park, FL 32790~~89~~; **CENTRAL FLORIDA STOCK INVESTORS, LLC**, a Florida corporation, of P.O. Box 350, Winter Park, FL 32790; and **GARMET, LTD.**, a Florida limited partnership, of 222 South Pennsylvania Ave., Ste. 200, Winter Park, FL 32789 (excluding the City, the foregoing parties, including the Developer are herein collectively referred to as "Owners").

**WITNESSETH:**

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

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

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

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

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

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

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

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

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

6. A WAIVER FROM SECTION 34-209, WHICH REQUIRES A 6-FOOT HIGH MASONRY WALL TO SEPARATE RESIDENTIAL SUBDIVISIONS FROM ADJACENT ROADWAYS, IS GRANTED AS THIS IS AN URBAN TOWN CENTER IN-FILL PROJECT.

7. THE FOLLOWING RELATES TO THE PROJECT BUILDING PROGRAM:

CATEGORY	ENTITLEMENTS
RESIDENTIAL	562 UNITS <sup>1</sup>
COMMERCIAL	388,102 SQUARE FEET
OFFICE	866,255 SQUARE FEET
HOTEL	320 ROOMS

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

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

- B. A WAIVER IS GRANTED FROM SECTION 38-79 (153) (B) TO ALLOW BIG BOX DEVELOPMENTS TO HAVE MAXIMUM 1.00 FAR IN LIEU OF 0.23 FAR.
  - C. A WAIVER IS GRANTED FROM SECTION 38-79 (153)(C) TO ALLOW A DETAILED TRAFFIC STUDY AT THE DEVELOPMENT PLAN STAGE IN LIEU OF PROPOSED BIG BOX DEVELOPMENT APPLICATION AT THE LAND USE PLAN STAGE.
  - D. A WAIVER IS GRANTED FROM SECTION 38-79 (153)(E) TO ALLOW BIG BOX DEVELOPMENTS TO DESIGNATE AT LEAST TWO (2) VEHICLE PARKING SPACES FOR LOCAL LAW ENFORCEMENT WITHIN THE APPLICABLE PARKING STRUCTURES IN LIEU OF PROVIDING REFERENCED PARKING SPACES ADJACENT TO THE PRINCIPAL STRUCTURE.
  - E. A WAIVER IS GRANTED FROM SECTION 38-79 (153)(G) TO ALLOW OFF- STREET STRUCTURED PARKING SERVICING THE BIG BOX NOT TO BE SUBDIVIDED INTO MULTIPLE "SUB-LOTS" WITH UNINTERRUPTED (EXCEPT AT CROSSWALKS) LANDSCAPED PEDESTRIAN SIDEWALK PATHWAYS IN LIEU OF OFF-STREET SERVICING THE PROJECT SHALL BE SUBDIVIDED INTO MULTIPLE "SUB-LOTS" WITH UNINTERRUPTED (EXCEPT AT CROSSWALKS) LANDSCAPED PEDESTRIAN PATHWAYS.
  - F. A WAIVER IS GRANTED FROM SECTION 38-79 (153) (I) TO ALLOW BIG BOX USES WITH OFF-STREET STRUCTURED PARKING SHALL PROVIDE ZERO (0) ROADWAY "STACKING" BEFORE THE FIRST TURN WITHIN THE PARKING STRUCTURE IN LIEU OF 200' OFF THE ROADWAY BEFORE THE FIRST TURN WITHIN THE PARKING LOT AS LONG AS ACCESS TO THE PARKING STRUCTURE IS FROM AN INTERNAL ROAD AND ACCESS TO THE PARKING STREET IS LOCATED A MINIMUM OF 200' FROM US 17-92 AND/OR LEE ROAD.
  - G. A WAIVER IS GRANTED FROM SECTION 38-79 (153)(K) TO ALLOW NO PAVEMENT OR PART OF ANY VERTICAL STRUCTURE ASSOCIATED WITH THE REAR OR SIDE OF A BIG BOX DEVELOPMENT SHALL BE LOCATED CLOSER THAN 85' IN LIEU OF 200' FROM THE NEAREST PROPERTY LINE OF ANY ADJACENT SINGLE-FAMILY RESIDENTIALLY ZONED PROPERTY. ADDITIONALLY, ONE (1) LANDSCAPE SEPARATION BUFFERS SHALL BE PROVIDED WITHIN A 10' PLANTING STRIP IN LIEU OF TWO (2) AND 200'. THIS WAIVER SHALL APPLY TO THE FOLLOWING PARCELS: 01-22-29-3712- 06-i 00 AND 01-22-29-3712-06-170 WHICH FRONT LEWIS DRIVE.
  - H. A WAIVER IS GRANTED FROM SECTION 38-79 (153)(K) TO ALLOW NO PAVEMENT OR PART OF ANY VERTICAL STRUCTURE ASSOCIATED WITH THE REAR OR SIDE OF A BIG BOX DEVELOPMENT SHALL BE LOCATED CLOSER THAN 25' IN LIEU OF 200' FROM THE NEAREST PROPERTY LINE OF ANY ADJACENT SINGLE-FAMILY RESIDENTIALLY ZONED PROPERTY. ADDITIONALLY, ONE (1) LANDSCAPE SEPARATION BUFFERS SHALL BE PROVIDED IN LIEU OF TWO (2). A SETBACK OF ZERO (0) (NO BUFFER, WALL OR LANDSCAPE BUFFER) SHALL BE GRANTED WITH PROPERTY OWNER LETTER OF CONSENT. THIS WAIVER SHALL APPLY TO THE FOLLOWING PARCEL ONLY: 01-22-29-3712-06-010.
10. THE FOLLOWING WAIVERS FROM THE PD COMMERCIAL CODE ARE GRANTED:

- A. A WAIVER FROM SECTION 38-1272(A) (1) IS GRANTED TO ALLOW THE MAXIMUM IMPERVIOUS AREA FOR INDIVIDUAL LOTS / DEVELOPMENT PODS SHALL BE 85% IN LIEU OF 70%. THE OVERALL PROJECT SHALL PROVIDE FOR 15% OPEN SPACE (WITH RESTRICTIONS) AND A MASTER STORM WATER SYSTEM.
- B. A WAIVER FROM SECTION 38-1234(3) (C) IS GRANTED TO ALLOW OVERALL PROJECT OPEN SPACE TO BE 15% (WITH RESTRICTIONS) IN LIEU OF 25%, EXCEPT FOR A BIG BOX SITE.
- C. A WAIVER FROM SECTION 38-1272 (A) (3) IS GRANTED TO ALLOW INTERNAL REAR AND SIDE SETBACKS (NOT FRONTING ON RIGHT-OF-WAY) SHALL BE ZERO (0), IN LIEU OF 10'.

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

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

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

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

- D. A WAIVER FROM SECTION 38-1272 (A) (5) IS GRANTED TO ALLOW A MAXIMUM BUILDING HEIGHT UP TO EIGHT (8) STORIES, (100' PLUS 15' OF ARCHITECTURAL ENHANCEMENTS) AS DETAILED IN EXHIBITS FROM THE LAND USE PLAN LABELED: "SHEET A-2 MAXIMUM HEIGHT ZONES AND SHEET A-5 BUILDING SETBACKS," IN LIEU OF A MAXIMUM HEIGHT OF 50', 35' IF WITHIN 100' OF RESIDENTIAL.
- E. THE DEVELOPMENT SHALL RETAIN FLEXIBILITY TO ALLOW HEIGHT TRANSITIONS THROUGHOUT THE PROJECT TO BE DETERMINED ON THE INDIVIDUAL PROJECT BASIS. ~~THE HEIGHT TRANSITION SHALL NOT INCREASE OR DECREASE MORE THAN TWO (2) STORIES BASED ON THE URBAN FORM.~~ EXHIBIT B, AS MODIFIED SHALL BE USED TO ESTABLISH THE HEIGHTS AND NO BUILDING HEIGHT SHALL EXCEED EIGHT (8) STORIES.
- F. NO BUILDING SHALL EXCEED FOUR (4) STORIES IN HEIGHT WITHIN A 200' SETBACK ALONG ORLANDO AVENUE AND LEE ROAD, ~~AND 130' ALONG THE SOUTH EDGE OF MONROE AVENUE.~~
- G. IF THE APPLICANT SEEKS TO INCREASE THE HEIGHT OF A BUILDING IN THE DEVELOPMENT, AS REFLECTED ON THE MAXIMUM HEIGHT MAP INCLUDED IN EXHIBIT

B, THE APPLICANT MUST PROPOSE TO LOWER THE HEIGHT OF ANOTHER BUILDING IN THE DEVELOPMENT OF THE SAME SCALE AND TO THE SAME EXTENT AS THE BUILDING WITH THE HEIGHT INCREASE. ANY HEIGHT INCREASE MUST BE APPROVED BY THE CITY COMMISSION.

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

- A. A WAIVER IS GRANTED FROM SECTION 38-1254(1) IS GRANTED TO ALLOW BUILDING SETBACKS ALONG THE PD BOUNDARY TO BE A MINIMUM OF 15' IN LIEU OF 25' (WITH A MAXIMUM SETBACK OF 25'); WITH THE EXCEPTION THAT THE PD BOUNDARY BETWEEN THE MAITLAND AND WINTER PARK CITY LIMITS SHALL BE PERMITTED TO BE ZERO ALONG THE SOUTH SIDE OF MONROE AVE AND WITHIN BLOCK K.
- B. A WAIVER IS GRANTED FROM SECTION 38-1254 (2)(C) TO ALLOW BUILDING SETBACKS FROM LEE ROAD AND ORLANDO AVENUE (US 17/92) TO BE A MINIMUM OF 15' IN LIEU OF 50' (WITH A MAXIMUM SETBACK OF 25').
- C. A WAIVER IS GRANTED FROM SECTION 38-1254 (2) (E) TO ALLOW BUILDING SETBACKS FOR ALL INTERIOR/EXTERIOR (ALL OTHER R-O-W'S) STREETS TO BE A MINIMUM OF 0' IN LIEU OF 20' (WITH A MAXIMUM SETBACK OF 25'). THIRD AND FOURTH STORIES MUST BE SET BACK ON STREET FRONTAGES EQUAL TO THEIR HEIGHT OF A ONE FOOT SETBACK FOR EACH ONE FOOT HEIGHT OF THE RESPECTIVE THIRD AND FOURTH STORIES. THE MINIMUM SETBACK OF 0' SHALL APPLY TO BACK OF SIDEWALK WITH A MINIMUM SIDEWALK WIDTH OF 10'. ~~NO BUILDING SHALL ENCROACH INTO THE RIGHT-OF-WAY.~~ THIS CONDITION APPLIES TO BUILDINGS WITH A MAXIMUM HEIGHT OF FOUR STORIES.
- D. SUBJECT TO REVIEW AND APPROVAL BY THE DEVELOPMENT REVIEW COMMITTEE, ARCHITECTURAL FEATURES (E.G. LOGGIA, COLUMN, AWNING, ARCHES, OR SIMILAR IMPROVEMENTS) WHICH DO NOT IMPEDE VEHICULAR OR PEDESTRIAN TRAVEL, DO NOT CAUSE DANGEROUS CONDITIONS, DO NOT CAUSE UTILITY CONFLICTS OR INTERFERE WITH RIGHT-OF-WAY IMPROVEMENTS MAY BE PERMITTED. ANY PROPOSED RIGHT-OF-WAY ENCROACHMENTS SHALL ALSO BE REVIEWED AND COMMENTED ON BY THE PUBLIC WORKS AND UTILITY DEPARTMENTS AND SHALL BE CONDITIONED UPON THE CITY'S AND DEVELOPER'S (OR APPROPRIATE PROPERTY OWNER'S) EXECUTION OF A RIGHT-OF-WAY ENCROACHMENT AGREEMENT WITH TERMS ACCEPTABLE TO THE CITY.

12. THE FOLLOWING WAIVERS FOR PARKING FACILITIES ARE GRANTED:

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

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

GRANTED:

- A. A WAIVER FROM SECTION 38-1258(A) IS GRANTED TO ALLOW MULTIFAMILY BUILDINGS OF TWO (2) STORIES TO BE LOCATED WITHIN 5' TO 55'; FOUR (4) STORIES TO BE LOCATED BETWEEN 55' AND 80'; AND FIVE (5) TO EIGHT (8) STORY BUILDINGS TO BE LOCATED 80' IN LIEU OF 1 STORY LIMIT WITHIN 100' OF SINGLE-FAMILY ZONED PROPERTY.
- B. A WAIVER FROM SECTION 38-1258(B) IS GRANTED TO ALLOW MULTIFAMILY BUILDINGS OF EIGHT (8) STORIES TO BE LOCATED AT 80' FROM SINGLE-FAMILY ZONED PROPERTY, IN LIEU OF MULTI-FAMILY BUILDINGS LOCATED BETWEEN 100' AND 150' WITH A MAXIMUM OF 50% OF THE BUILDINGS BEING THREE (3) STORIES (NOT TO EXCEED 40') WITH THE REMAINING BUILDINGS BEING 1 OR 2 STORIES IN HEIGHT.
- C. A WAIVER FROM SECTION 38-1258(C) IS GRANTED TO ALLOW MULTIFAMILY BUILDINGS OF EIGHT (8) STORIES AND 100' IN HEIGHT (PLUS 15' FOR ARCHITECTURAL FEATURES, ELEVATOR TOWERS, AND COMMUNICATION ANTENNAE) AT 80' FROM PROPERTY LINE OF SINGLE FAMILY ZONED PROPERTY IN LIEU OF 3 STORIES AND 40' IN HEIGHT AND WITHIN 100' AND 150' OF SINGLE FAMILY-ZONED PROPERTY.
- D. A WAIVER FROM SECTION 38-1258(D) IS GRANTED TO ALLOW MULTIFAMILY BUILDINGS OF EIGHT (8) STORIES AND 100' IN HEIGHT (PLUS 15' FOR ARCHITECTURAL FEATURES, ELEVATOR TOWERS, AND COMMUNICATION ANTENNAE) IN LIEU OF BUILDINGS IN EXCESS OF 3 STORIES AND 40'.
- E. A WAIVER FROM SECTION 38-1258(E) IS GRANTED TO ALLOW PARKING AND OTHER PAVED AREAS OF MULTI-FAMILY DEVELOPMENT TO BE LOCATED 5' FROM ANY SINGLE FAMILY ZONED PROPERTY IN LIEU OF 25'. A 5' LANDSCAPE BUFFER SHALL BE PROVIDED IN LIEU OF 25'.
- F. A WAIVER FROM SECTION 38-1258 (F) IS GRANTED TO ALLOW NO MASONRY, BRICK OR BLOCK WALL TO BE CONSTRUCTED IN LIEU OF A 6' WALL WHENEVER A MULTI-FAMILY DEVELOPMENT IS LOCATED ADJACENT TO SINGLE FAMILY ZONED PROPERTY.
- G. A WAIVER FROM SECTION 38-1258(G) IS GRANTED TO ALLOW DIRECT MULTI-FAMILY ACCESS TO ANY RIGHT-OF-WAY SERVING PLATTED SINGLE FAMILY ZONED PROPERTY IN LIEU OF ACCESS TO ONLY COLLECTOR OR ARTERIAL ROADS.
- H. A WAIVER FROM SECTION 38-1258(I) IS GRANTED TO ALLOW URBAN/PEDESTRIAN FEATURES (SIDEWALKS, STREET FURNITURE, STREET TREES, ETC; REFER TO URBAN FORM: INTERNAL STREET DESIGN ELEMENTS) IN LIEU OF FENCING AND LANDSCAPE WHENEVER A SINGLE FAMILY ZONED PROPERTY IS LOCATED ACROSS THE RIGHT-OF-WAY.
- I. A WAIVER FROM SECTION 38-1258(J) IS GRANTED TO ALLOW A SEPARATION OF ZERO (0) BETWEEN MULTI-FAMILY, OFFICE, COMMERCIAL BUILDINGS (WITHOUT WINDOWS OR OTHER OPENINGS), IN LIEU OF 20' FOR FIRE PROTECTION PURPOSES; AND A SEPARATION OF 10' FOR BUILDINGS WHERE DOORS, WINDOWS AND OTHER OPENINGS IN THE WALL OF A LIVING UNIT BACK UP TO A WALL OF ANOTHER BUILDING WITH SIMILAR OPENINGS, IN LIEU OF A MINIMUM SEPARATION OF 30' FOR 2 STORY BUILDINGS AND 40' FOR 3 STORY BUILDINGS.



- J. A WAIVER FROM SECTION 38-1234(3) (A) (2) IS GRANTED TO ALLOW 15% (WITH RESTRICTIONS) OPEN SPACE IN LIEU OF 25% EXCEPT FOR BIG BOX AREA.

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

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

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

- A. THE INTERNAL STREET NETWORK SHALL CONSIST OF A STREET GRID SYSTEM THAT IS FLEXIBLE TO ACCOMMODATE AND SUPPORT A VARIETY OF URBAN LAND USES. THE GRID SYSTEM SHALL EMPHASIZE PEDESTRIAN USES AND ACTIVITIES, HUMAN-SCALE STREETS AND BUILDING FACADES.
- B. THE STREET GRID SYSTEM SHALL CONSIST (AT A MINIMUM) OF: TWO (2) NORTH-SOUTH CORRIDORS TO BE LOCATED FROM LEE ROAD TO MONROE AVENUE. BENNETT AVENUE IS TO REMAIN WITH AN ADDITIONAL STREET PARALLEL TO BENNETT AVENUE AND ORLANDO AVENUE AND TWO (2) EAST-WEST CORRIDORS CONNECTING ORLANDO AVENUE AND BENNETT AVENUE. ALL INTERNAL STREETS MAY BE RELOCATED AND RECONFIGURED.
- C. THE PROPOSED LAND USES ARE INTERCHANGEABLE ON ANY BLOCK DUE TO THE UNDERLYING URBAN DEVELOPMENT FRAMEWORK AND GRID SYSTEM.
- D. BENNETT AVENUE SHALL REMAIN A NORTH-SOUTH MAJOR MOBILITY CORRIDOR FROM LEE ROAD TO ITS TERMINUS AT MONROE AVENUE. BENNETT AVENUE OR EXECUTIVE DRIVE MAY MUST BE REALIGNED TO CREATE A FULL ACCESS MEDIAN CUT WITH EXECUTIVE DRIVE. BENNETT AVENUE MAY BE REALIGNED TO CONNECT WITH GEM LAKE DRIVE TO THE NORTH.

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

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

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

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

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

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

- B. FOR SITE ACCESS PURPOSES, THE INTERSECTION OF GLENDON PARKWAY AND US 17-92 MUST NOT DEAD END INTO A COMMERCIAL, RESIDENTIAL OR OFFICE DEVELOPMENT, AND MUST CONNECT, TO AN INTERNAL ROADWAY WHICH CONNECTS TO EITHER BENNETT AVENUE, MONROE AVENUE OR LEE ROAD. AT THE TIME OF THE TRAFFIC SIGNAL INSTALLATION AT GLENDON PARKWAY, THE DEVELOPER SHALL PAY FOR THE COST OF THE CLOSURE OF PERTINENT MEDIANS ON US 17-92, AS DETERMINED BY (FLORIDA DEPARTMENT OF TRANSPORTATION) FDOT.
- C. FOR SITE ACCESS PURPOSES AT THE PROPOSED INTERSECTION OF BENNETT AVENUE AND LEE ROAD REALIGNED WITH EXECUTIVE DRIVE, THE NORTHERN LEG OF THIS INTERSECTION MUST BE REALIGNED TO CONNECT AND ALIGN STRAIGHT WITH EXECUTIVE DRIVE OR, IN THE ALTERNATIVE, EXECUTIVE DRIVE MUST BE REALIGNED TO CONNECT AND ALIGN STRAIGHT WITH BENNETT DRIVE ("ROAD REALIGNMENT"). ONE OF THE PURPOSES OF THE ROAD RELIGNMENT IS TO FACILITATE A FOUR LEG SIGNALIZED INTERSECTION AT THE REALIGNED BENNETT DRIVE/EXECUTIVE DRIVE INTERSECTION WITH LEE ROAD. THE DEVELOPER SHALL CAUSE THE DESIGN, PERMITTING AND CONSTRUCTION OF THE ROAD REALIGNMENT AND CONVEYANCE TO THE CITY OF RIGHT-OF-WAY PROPERTY NEEDED FOR THE SAME TO OCCUR ON OR BEFORE AUGUST 30, ~~2019~~2020, UNLESS AN EXTENSION IS GRANTED BY THE CITY COMMISSION FOR GOOD CAUSE SHOWN. THE REALIGNED ROADWAY INTO THE PROJECT MUST NOT DEAD END INTO A COMMERCIAL, RESIDENTIAL OR OFFICE DEVELOPMENT, AND MUST CONNECT, TO AN INTERNAL ROADWAY WHICH CONNECTS TO MONROE AVENUE OR US 17-92.

ON OR BEFORE EARLIER OF DECEMBER 31, 2019~~8~~, OR COMMENCEMENT OF PERMITTING AND CONSTRUCTION OF THE ROAD REALIGNMENT, THE DEVELOPER SHALL ENTER INTO A ROAD CONSTRUCTION AGREEMENT WITH THE CITY OF WINTER PARK IN A FORM ACCEPTABLE TO THE CITY SETTING FORTH THE TERMS AND CONDITIONS FOR THE DESIGN, PERMITTING, CONSTRUCTION AND COMPLETION OF THE ROAD REALIGNMENT AND RELATED UTILITY RELOCATIONS.

THE DEVELOPER SHALL CAUSE, AT DEVELOPER'S EXPENSE AND AT NO CHARGE TO THE CITY, TO BE CONVEYED TO THE CITY OF WINTER PARK IN FEE SIMPLE, FREE AND CLEAR OF ALL LIENS AND ENCUMBRANCES EXCEPT FOR MATTERS ACCEPTABLE TO THE CITY, RIGHT-OF-WAY LANDS NEEDED FOR THE ROAD REALIGNMENT IN ORDER TO CONNECT BENNETT DRIVE WITH EXECUTIVE DRIVE ACROSS AND SOUTH OF LEE ROAD. THE REALIGNED PORTION OF BENNETT DRIVE AND/OR EXECUTIVE DRIVE RIGHT-OF-WAY TO BE DETERMINED AT THE TIME OF DESIGN APPROVAL BY THE CITY OF WINTER PARK.

THE CITY IS NOT OBLIGATED TO VACATE AND ABANDON ANY PORTION OF THE EXISTING BENNETT DRIVE AND EXECUTIVE DRIVE RIGHTS-OF-WAY AS THE RESULT OF THE ROAD REALIGNMENT.

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

- D. THE DEVELOPER MUST CLOSE THE 11 EXISTING PRIVATE PROPERTY CURB CUTS / DRIVEWAYS ON US 17-92 OR TRAFFIC SIGNAL WARRANT STUDY MUST ASSUME SUCH CLOSURE.
- E. ~~A 100 FOOT SETBACK SHALL BE MAINTAINED FOR DEVELOPMENT GREATER THAN 1 STORY ADJACENT TO ANY SINGLE FAMILY DWELLING DISTRICT AND USES ALONG RAVAUDAGE BOUNDARY WITH THE CITY OF MAITLAND. A BUFFER OF 25 FEET FOR PAVED PARKING AREAS ADJACENT TO A SINGLE FAMILY DWELLING DISTRICT SHALL NOT BE REDUCED AND THE PERIMETER FOR THE PD BE MAINTAINED AT A MINIMUM OF 25 FEET. AT SUCH TIME AS BENJAMIN PARTNERS LTD OBTAINS OWNERSHIP OF THE SINGLE FAMILY PARCELS SOUTH OF MONROE AVENUE THAT ARE CURRENTLY UTILIZED FOR SINGLE FAMILY PURPOSES AND INCLUDES THOSE PARCELS INTO THE DEVELOPMENT PLAN FOR RAVAUDAGE, THE STATUS OF THESE PARCELS WILL NOT REQUIRE THE SAME LEVEL OF BUFFERING AS THE COUNTY'S EXISTING REGULATIONS PROVIDE. AT THAT JUNCTURE, MAITLAND WILL PROCESS A MODIFICATION OF ITS SUGGESTED BUFFERING REQUIREMENTS WITH THE INTENT TO CHANGE THEM TO BE CONSISTENT WITH THE APPROVALS GRANTED HEREIN. BENJAMIN PARTNERS HAS OBTAINED OWNERSHIP OF THE SINGLE FAMILY PARCELS SOUTH OF MONROE AND THE LAND HAS BEEN CLEARED OF ALL STRUCTURES. THE CITY OF MAITLAND PROVIDED A LETTER DATED APRIL 30, 2018 STATING NO OBJECTION TO A NEW WAIVER MODIFICATION REQUEST TO ALLOW A ZERO FOOT SETBACK BETWEEN THE MAITLAND AND WINTER PARK CITY LIMITS BOUNDARY ALONG THE SOUTH SIDE OF MONROE AVE AND WITHIN BLOCK K. FOR THOSE PROPERTIES LOCATED EAST OF BENNETT AVENUE, ADJACENT TO THE RESIDENTIAL PROPERTY WITHIN THE CITY OF WINTER PARK, A BUILDING SETBACK OF 15 FEET IS TO BE PROVIDED FROM THE EASTERN RIGHT-OF-WAY LINE OF BENNETT AVENUE, WITH THE EXCEPTION OF BLOCK E BETWEEN MORGAN STANLEY AVENUE AND GLENDON PARKWAY SHALL BE PERMITTED A 6' BUILDING SETBACK FROM THE BENNETT AVE EASTERN RIGHT OF WAY LINE SO LONG AS A MINIMUM OF A 10' SIDEWALK EXISTS WITH ON STREET PARKING.~~
20. ANY PETITION TO VACATE SHALL HAVE A CONDITION THAT WILL IDENTIFY THAT THE APPLICANT MAY PROVIDE A RIGHT-OF-WAY STRIP FOR LEE ROAD AND/OR ORLANDO AVENUE TO THE COUNTY OR (FLORIDA DEPARTMENT OF TRANSPORTATION) FDOT AT NO COST UPON REQUEST BY THE COUNTY OR (FLORIDA DEPARTMENT OF TRANSPORTATION) FDOT. A RIGHT-OF-WAY AGREEMENT MAY BE REQUIRED AS PART OF ANY FUTURE DEVELOPMENT PLAN OR PRELIMINARY SUBDIVISION PLAN.
21. INTERNAL TRAFFIC LANES SHALL BE 12 (TWELVE) FEET IN WIDTH WITH ON STREET PARKING AND THE PARKING LANES SHALL BE 8 ½ (EIGHT AND ONE-HALF) FEET IN WIDTH, OR AS APPROVED BY THE CITY OF WINTER PARK PUBLIC WORKS DEPARTMENT.

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

**RAVAUDAGE PD**  
**Equivalency Matrix**

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

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

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

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

To check if equivalent Land Use is the same:

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

**RAVAUDAGE PD**

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

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

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

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

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

Luke Transportation Engineering Consultants, 2010

October 25, 2010

23. THE DEVELOPER WILL CONTRIBUTE A PROPORTIONATE SHARE OF THE COSTS FOR INTERSECTION TRAFFIC SIGNALIZATION TECHNOLOGY UPGRADES THROUGH THE PHASING OF THE PROJECT. THESE UPGRADES WILL APPLY TO SIGNIFICANTLY AFFECTED INTERSECTIONS BASED ON A MUTUAL DETERMINATION BY THE DEVELOPER'S TRAFFIC ENGINEER AND THE CITY'S TRANSPORTATION TRAFFIC ENGINEER AND A MAXIMUM WILL BE DETERMINED.

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

## EXHIBIT "A"

### WINTER PARK AMENDED DEVELOPMENT ORDER LEGAL DESCRIPTION:

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

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST  $\frac{1}{4}$  OF SECTION 1, TOWNSHIP 22 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA; RUN SOUTH  $01^{\circ}40'06''$ W 30.01 FEET TO THE INTERSECTION OF THE SOUTH RIGHT OF WAY LINE OF MONROE AVENUE AND THE CENTERLINE OF BENNETT AVENUE; SAID POINT BEING THE POINT OF BEGINNING; THENCE CONTINUE  $S01^{\circ}40'06''$ W ALONG THE CENTERLINE OF AFORESAID BENNETT AVENUE A DISTANCE OF 100.96 FEET TO THE POINT OF INTERSECTION OF SAID CENTERLINE OF BENNETT AVENUE AND THE WESTERLY EXTENSION OF THE SOUTH LINE OF LOT 2, BLOCK "O", HOME ACRES, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK M, PAGE 97 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN  $N90^{\circ}00'00''$ E A DISTANCE OF 143.71 FEET TO THE SOUTHEAST CORNER OF SAID LOT 2; THENCE  $N00^{\circ}22'31''$ E ALONG THE EAST LINE OF SAID LOT 2 A DISTANCE OF 12.00 FEET TO THE NORTHWEST CORNER OF LOT 14, BLOCK "O", OF SAID HOME ACRES; THENCE  $N90^{\circ}00'00''$ E ALONG THE NORTH LINE OF SAID LOT 14, THE NORTH LINE OF LOT 6, BLOCK "P", AND THE NORTH LINE OF LOT 11, BLOCK "P", SAID HOME ACRES, A DISTANCE OF 431.30 FEET TO THE NORTHEAST CORNER OF SAID LOT 11, BLOCK "P", SAID POINT LYING ON THE WEST LINE OF LEWIS DRIVE; THENCE  $S00^{\circ}05'24''$ W ALONG SAID WEST LINE A DISTANCE OF 360.00 FEET TO THE INTERSECTION OF SAID WEST LINE OF LEWIS DRIVE WITH THE WESTERLY EXTENSION OF THE NORTH LINE OF LOT 10, BLOCK "K", SAID HOME ACRES, THENCE, THENCE  $N90^{\circ}00'00''$ E ALONG SAID WESTERLY EXTENSION A DISTANCE OF 70.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 10, BLOCK "K", SAID POINT BEING ON THE EAST RIGHT OF WAY LINE OF AFORESAID LEWIS DRIVE; THENCE  $S00^{\circ}05'24''$ W ALONG THE EAST RIGHT OF WAY LINE OF LEWIS DRIVE A DISTANCE OF 200.00 FEET TO THE SOUTHWEST CORNER OF LOT 7, BLOCK K; THENCE  $N90^{\circ}00'00''$ E ALONG THE SOUTH LINE OF SAID LOT 7 A DISTANCE OF 132.50 FEET TO THE NORTHWEST CORNER OF LOT 15, BLOCK K; THENCE  $S00^{\circ}05'24''$ W ALONG THE WEST LINE OF SAID LOT 15 A DISTANCE OF 50.00 FEET; THENCE  $N90^{\circ}00'00''$ E ALONG THE SOUTH LINE OF SAID LOT 15 AND EASTERLY EXTENSION THEREOF, A DISTANCE OF 182.50 FEET TO THE EAST RIGHT OF WAY LINE OF BENJAMIN AVENUE; THENCE  $S00^{\circ}05'24''$ W ALONG SAID EAST RIGHT OF WAY LINE OF BENJAMIN AVENUE A DISTANCE OF 255.00 FEET TO A POINT ON THE NORTH LINE OF GLENDON PARKWAY AS IT NOW EXISTS; THENCE  $N90^{\circ}00'00''$ E ALONG SAID NORTH RIGHT OF WAY LINE A DISTANCE OF 187.50 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF ORLANDO AVENUE (STATE ROAD 15 & 600); SAID POINT BEING A POINT ON A CURVE HAVING A RADIUS OF 5676.65 FEET, A CENTRAL ANGLE OF  $02^{\circ}43'16''$  AND A CHORD THAT BEARS  $S01^{\circ}16'50''$ E; THENCE RUN SOUTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 269.61 FEET TO THE POINT OF TANGENCY; THENCE RUN  $S00^{\circ}04'48''$ W ALONG SAID WESTERLY RIGHT OF WAY LINE A DISTANCE OF 803.10 FEET TO THE INTERSECTION OF SAID WESTERLY RIGHT OF WAY LINE WITH THE NORTHERLY RIGHT OF WAY LINE OF LEE ROAD; (STATE ROAD NO. 438); THENCE RUN ALONG SAID NORTHERLY RIGHT OF WAY LINE THE FOLLOWING COURSES AND DISTANCES:  $S67^{\circ}42'20''$ W, 36.68 FEET;  $S89^{\circ}45'12''$ W, 124.55 FEET;  $S81^{\circ}01'12''$ W, 34.71 FEET;  $N00^{\circ}04'22''$ W, 11.27 FEET;  $S89^{\circ}45'12''$ W, 385.00 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF LEWIS DRIVE; THENCE  $N00^{\circ}04'22''$ W ALONG SAID RIGHT OF WAY OF LEWIS DRIVE A DISTANCE OF 213.88 FEET TO THE NORTHEAST CORNER OF LOT 7, BLOCK C, HOME ACRES; THENCE  $S90^{\circ}00'00''$ W ALONG THE NORTH LINE OF SAID LOT 7 A DISTANCE OF 132.50 FEET TO THE NORTHWEST CORNER OF SAID LOT 7; THENCE  $S00^{\circ}04'22''$ E ALONG THE EAST LINE OF SAID LOT 7, BLOCK C, A DISTANCE OF 50.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 7; THENCE  $S90^{\circ}00'00''$ W ALONG THE NORTH LINE OF LOT 19, BLOCK C, A DISTANCE OF 132.50 FEET TO THE EAST RIGHT OF WAY LINE OF LOREN AVENUE; THENCE  $S00^{\circ}04'22''$ E ALONG SAID EAST RIGHT OF WAY LINE A DISTANCE OF 165.02 FEET TO A POINT ON AFORESAID LEE ROAD; THENCE  $S89^{\circ}45'12''$ W ALONG SAID EAST LINE A DISTANCE OF 50.00 FEET TO THE WEST RIGHT OF WAY LINE OF SAID LOREN AVENUE; THENCE  $N00^{\circ}04'22''$ W ALONG SAID WEST RIGHT OF WAY LINE A DISTANCE OF 115.23

FEET TO THE NORTHEAST CORNER OF LOT 5, BLOCK D, HOME ACRES; THENCE S90°00'00"W ALONG THE NORTH LINE OF LOT 5, BLOCK D, A DISTANCE OF 51.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 5; THENCE S00°04'22"E ALONG THE WEST LINE OF SAID LOT 5, A DISTANCE OF 115.45 FEET TO A POINT ON AFORESAID NORTH RIGHT OF WAY LINE OF LEE ROAD; THENCE S89°45'12"W, 257.52 FEET TO THE POINT OF INTERSECTION OF THE NORTH LINE OF LEE ROAD AND THE WEST RIGHT OF WAY LINE OF BENNETT AVENUE; THENCE NORTHERLY ALONG SAID WEST RIGHT OF WAY LINE A DISTANCE OF 1,434 FEET MORE OR LESS; TO THE NORTHEAST CORNER OF PARK GREEN; ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 10, PAGE 90, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN N89°58'47"W A DISTANCE OF 491.91 FEET; THENCE N00°07'54"E A DISTANCE OF 186.84 FEET; THENCE S89°56'22"E A DISTANCE OF 191.75 FEET; THENCE N00°07'54"E A DISTANCE OF 320.55 FEET; THENCE N89°53'51"E A DISTANCE OF 49.46 FEET; THENCE N00°12'06"E A DISTANCE OF 103.89 FEET TO THE SOUTH RIGHT OF WAY LINE OF AFORESAID MONROE AVENUE; THENCE N90°00'00"E ALONG SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 295.57 FEET TO THE POINT OF BEGINNING.

LESS THE FOLLOWING:

~~LOT 15, BLOCK "B", HOME ACRES ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK "M", PAGE 97, IN THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.~~

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

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

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

~~LOT 14, THE NORTH 25 FEET OF LOT 4, THE SOUTH 37.5 FEET OF LOT 5, AND THE SOUTH 16.67 FEET OF LOT 13, BLOCK "P", HOME ACRES ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK "M", PAGE 97, IN THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.~~

ALSO LESS:

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

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

ALSO LESS:

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

COMMENCE AT THE INTERSECTION OF THE WEST RIGHT OF WAY LINE OF STATE ROAD NO. 15 & 600, (ORLANDO AVENUE) PER STATE ROAD DEPARTMENT RIGHT OF WAY MAP, SECTION NO. 75030-2205 & 75030-2502, WITH THE SOUTH RIGHT



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

ADDED LAND AREA – PER ORDINANCE NO: 2957-14

- 970 LOREN AVENUE
- 1000 LOREN AVENUE
- 1008 LOREN AVENUE
- 1306 LOREN AVENUE
- 1141 LOREN AVENUE
- 1313 LOREN AVENUE

ADDED LAND AREA – PER ORDINANCE NO: 3022-15

- 1531 LEE ROAD
- 1325 LEWIS DRIVE

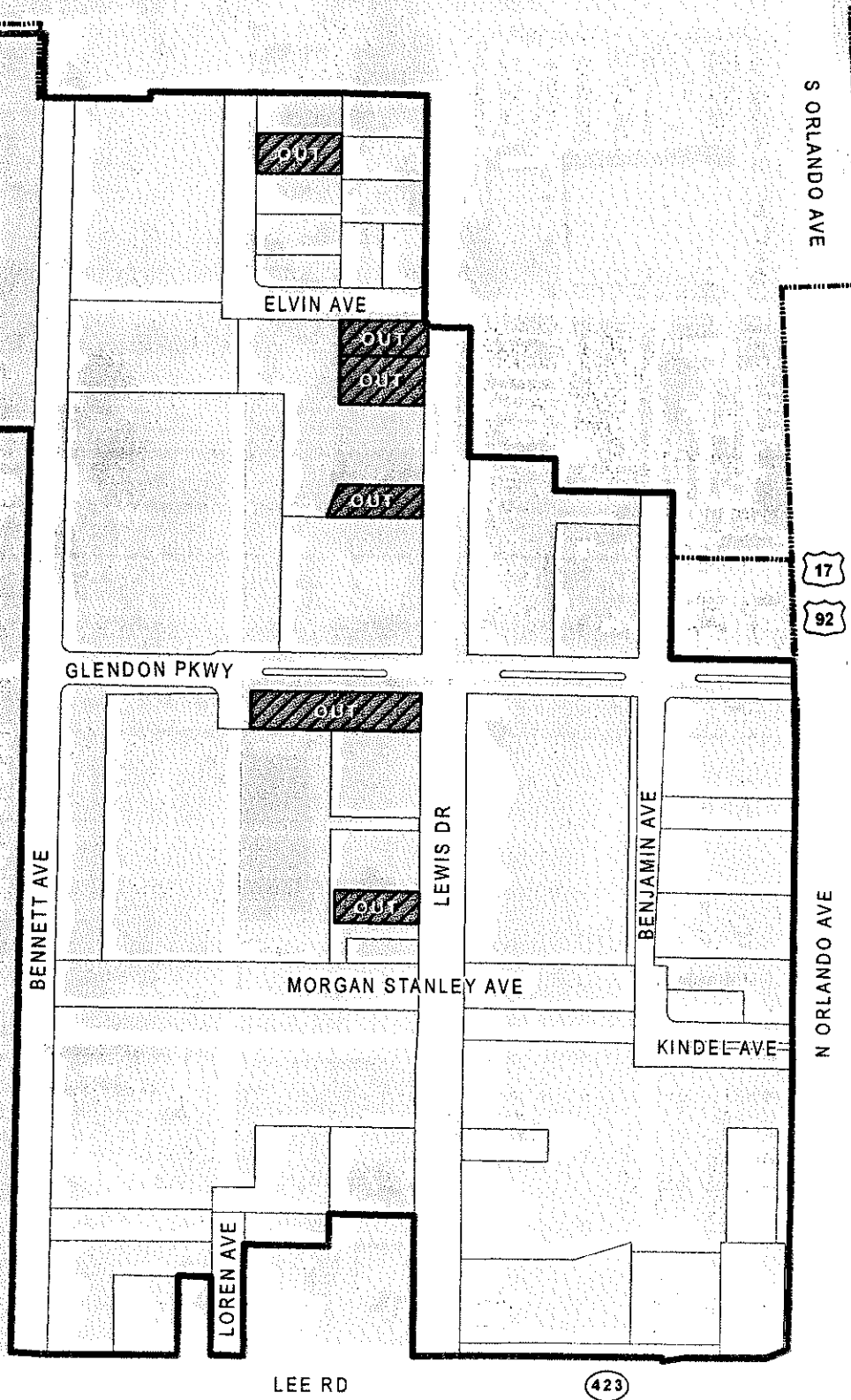
ALL OF THE ABOVE DESCRIBED PROPERTY CONTAINS 46.7 ACRES MORE OR LESS.

EXHIBIT "B"

RAVAUDAGE LAND USE PLAN

SEE ATTACHED MAP SERIES

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



**LEGEND**

- PROJECT BOUNDARY
- NOT PART OF PROJECT
- CITY LIMITS

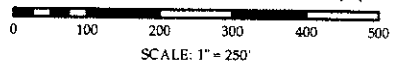
**NOTES**

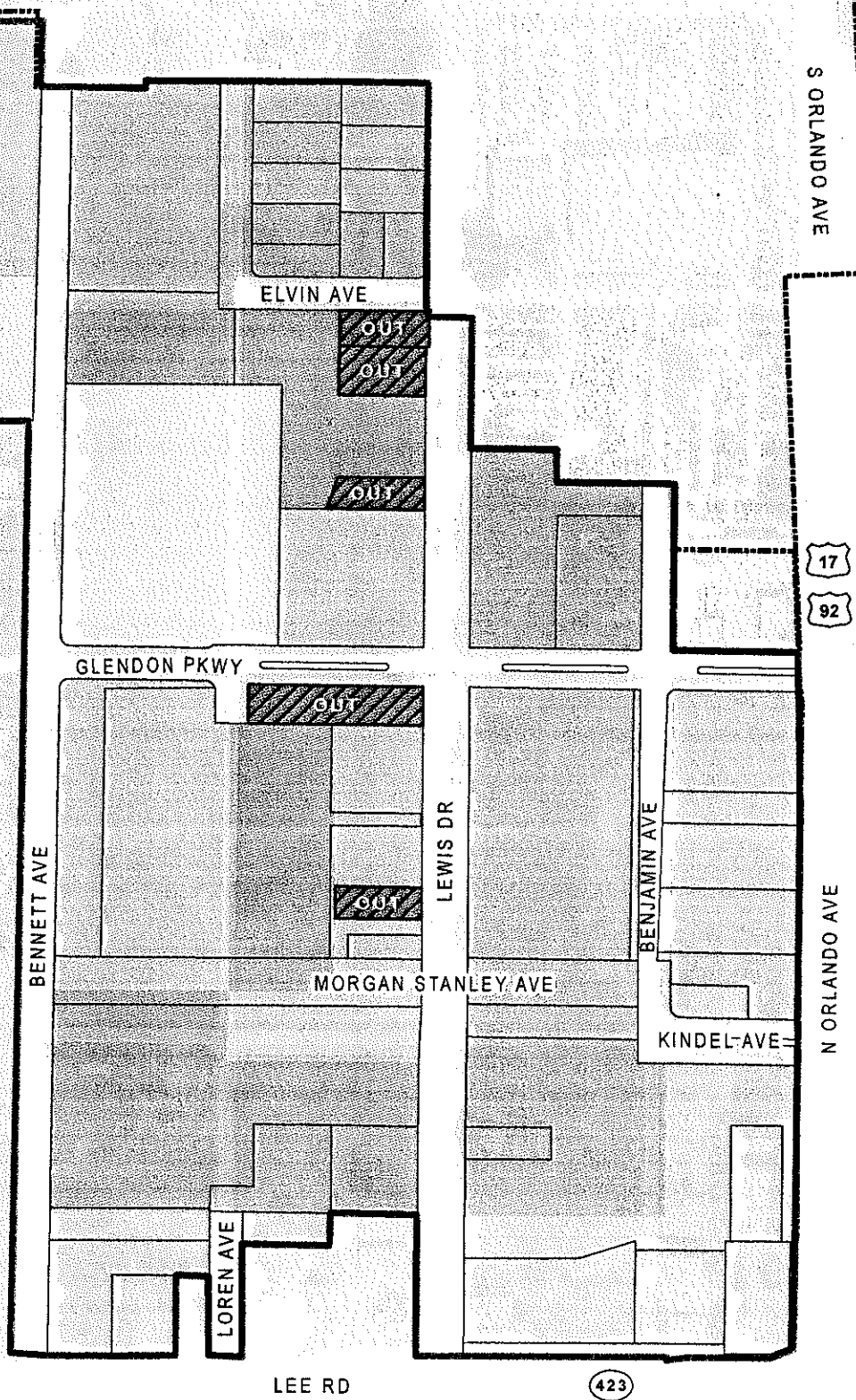
GROSS SITE AREA: 46.7 AC +/-  
 NET SITE AREA: 38.5 AC +/-



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

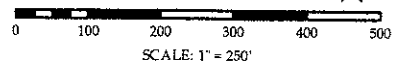
**SHEET A-1  
 PROJECT LOCATION**

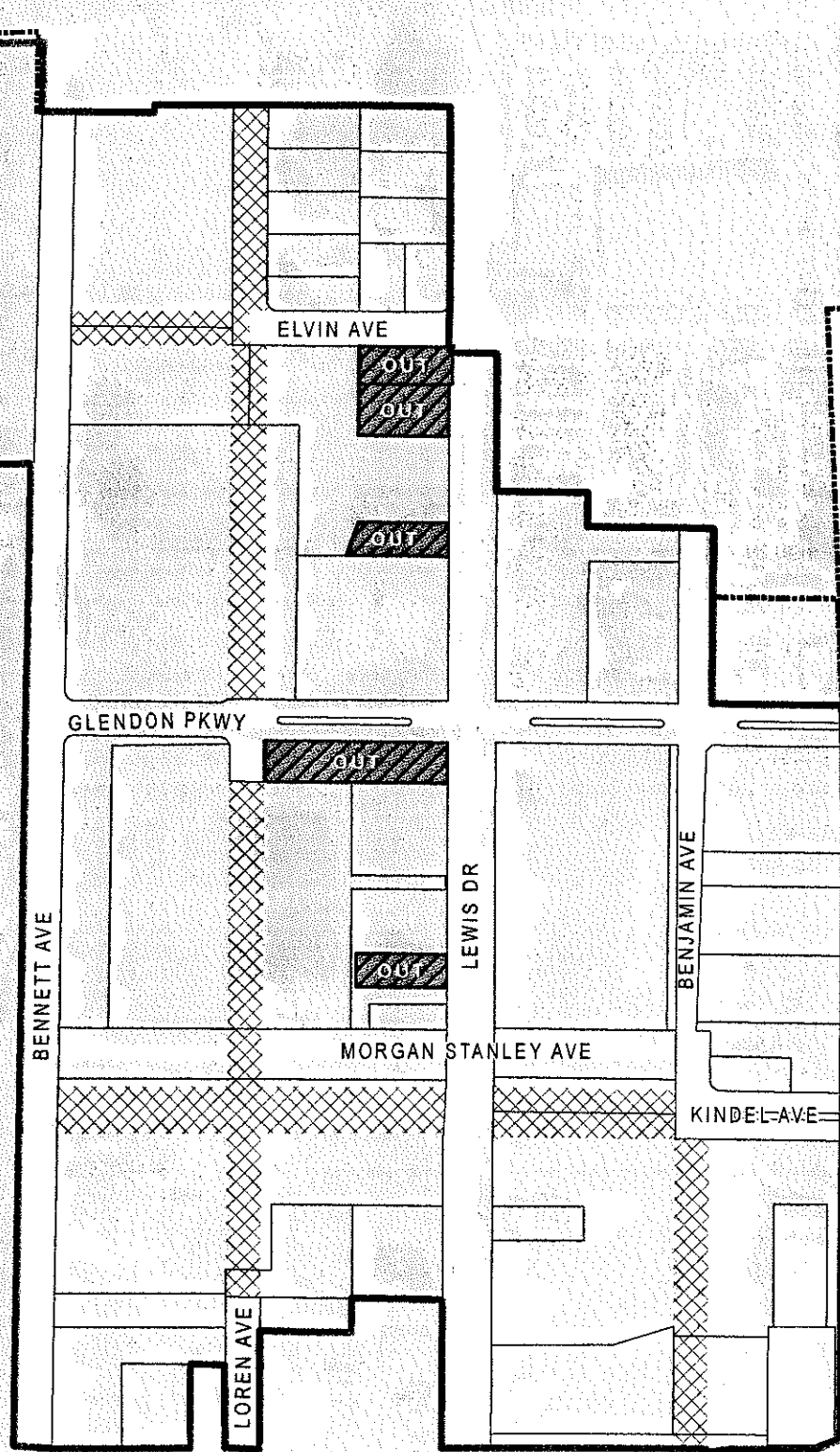




# **RAVAUDAGE LAND USE PLAN** WINTER PARK, FLORIDA

**SHEET A-2  
MAXIMUM HEIGHT ZONES**





#### LEGEND

- PROJECT BOUNDARY
- CITY LIMITS
- NOT PART OF PROJECT
- VACATED R.O.W.
- POTENTIALLY VACATED R.O.W.

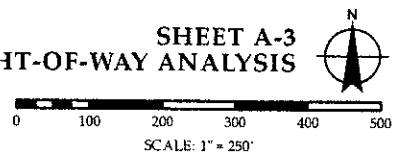
#### NOTES

ANY AND ALL FUTURE ROAD RIGHT-OF-WAY PETITIONS TO BE FILED WITH CITY OF WINTER PARK PUBLIC WORKS. NO PARCEL SHALL BE LEFT LAND-LOCKED.



## RAVAUDAGE LAND USE PLAN WINTER PARK, FLORIDA

SHEET A-3  
RIGHT-OF-WAY ANALYSIS



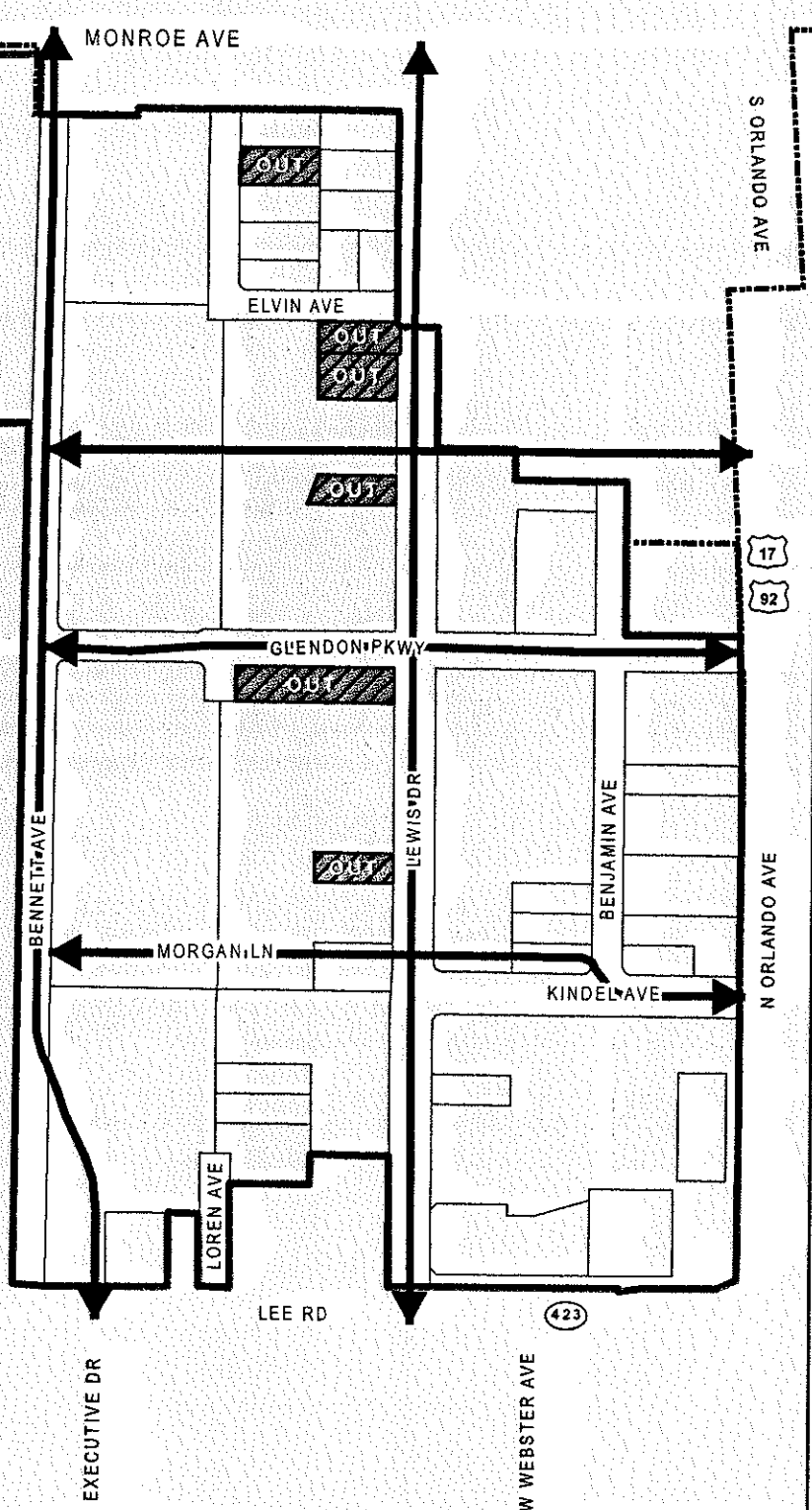
# NOTES

1. THE INTERNAL STREET NETWORK SHALL CONSIST OF A STREET GRID SYSTEM THAT IS FLEXIBLE TO ACCOMMODATE AND SUPPORT A VARIETY OF URBAN LAND USES. THE GRID SYSTEM SHALL EMPHASIZE PEDESTRIAN USES AND ACTIVITIES, HUMAN-SCALE STREETS AND BUILDING FACADES.

2. THE STREET GRID SYSTEM SHALL CONSIST (AT A MINIMUM) OF: TWO (2) NORTH-SOUTH CORRIDORS TO BE LOCATED FROM LEE ROAD TO MONROE AVENUE. BENNETT ROAD IS TO REMAIN WITH AN ADDITIONAL STREET PARALLEL TO BENNETT AND ORLANDO AVE. TWO (2) EAST-WEST CORRIDORS CONNECTING ORLANDO AVENUE AND BENNETT ROAD. IN THE EVENT THAT THE SOLANA AVENUE EXTENSION IS COMPLETED, IT SHALL COUNT AS ONE OF THE REQUIRED EAST-WEST STREETS.

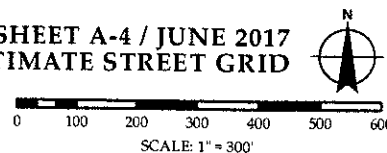
3. THE PROPOSED LAND USES ARE INTERCHANGEABLE ON ANY BLOCK DUE TO THE UNDERLYING URBAN DEVELOPMENT FRAMEWORK AND GRID SYSTEM. PEDESTRIAN USES AND ACTIVITIES, HUMAN-SCALE STREETS AND BUILDING FACADES.

4. BENNETT ROAD TO REMAIN A NORTH-SOUTH MAJOR MOBILITY CORRIDOR FROM LEE ROAD TO TERMINUS AT MONROE AVENUE. BENNETT ROAD MAY BE REALIGNED TO CREATE FULL ACCESS MEDIAN CUT WITH EXECUTIVE DRIVE.

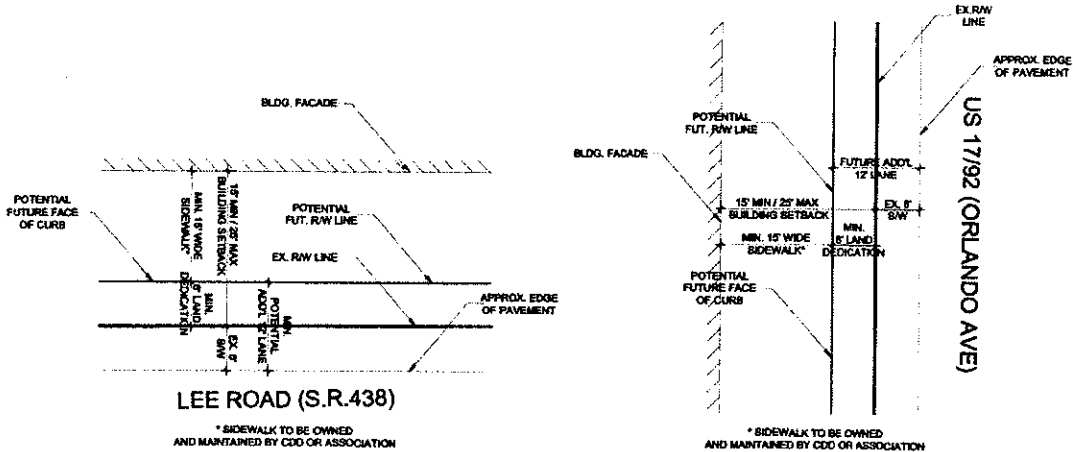


## RAVAUDAGE LAND USE PLAN WINTER PARK, FLORIDA

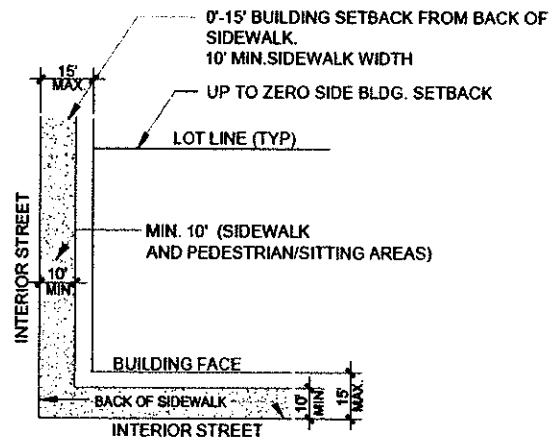
SHEET A-4 / JUNE 2017  
ULTIMATE STREET GRID



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

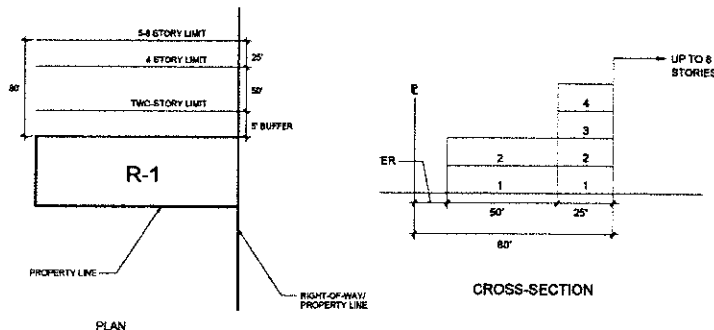


## INTERIOR STREET SETBACKS



NOTE:  
MAXIMUM FACADE  
SETBACK OF 15'

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



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

**SHEET A-5 / JUNE 2017  
BUILDING SETBACKS**

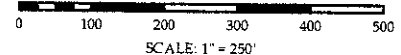


EXHIBIT "C"  
[Section 4 of the Annexation Agreement]

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

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



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

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



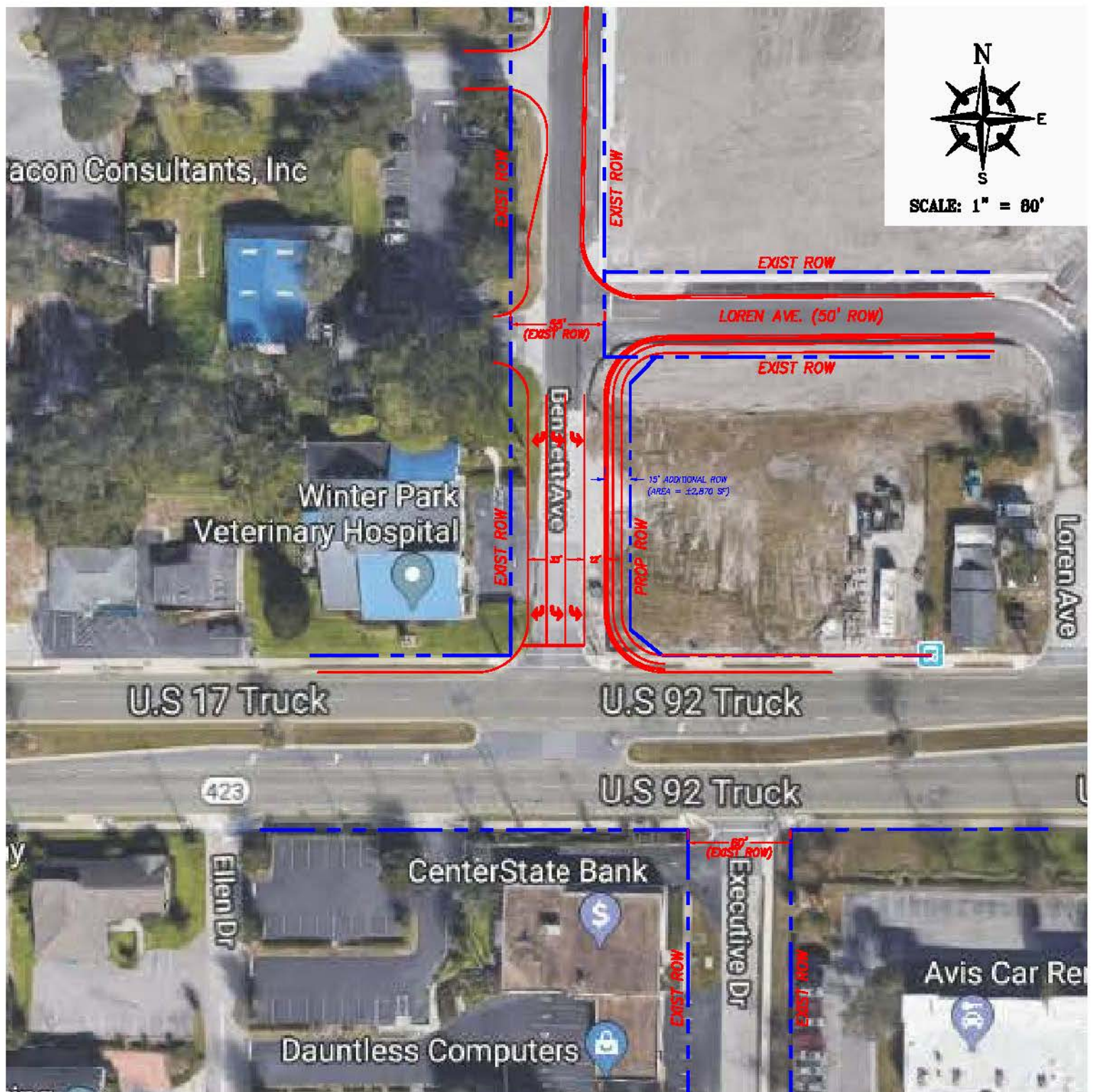
Avenue, the Developer or CDD shall pay for the cost of the closure of all medians on US 17-92, with the exception of Dixon Avenue, from Park Avenue to Lee Road, subject only to FDOT approval for any median closure.

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

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

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





## **LEE ROAD & BENNETT AVENUE FUTURE INTERSECTION CONFIGURATION-A**

**FIGURE 5**



## **Technical Memorandum – Transportation Division**

**To:** City of Winter Park Mayor and Commissioners  
**From:** Sarah M. Walter, P.E. – Transportation Manager  
Keith Moore – Senior Engineering Technician  
Hongmyung Lim, E.I. – Engineer I  
Planning & Transportation Department, City of Winter Park  
**Date:** August 4, 2020  
**Subject:** Ravaudage Development – Bennett Avenue Alignment

---

The alignment of Bennett Avenue & Executive Drive at Lee Road (SR 423) was included as part of the Ravaudage Development Order (RDO). The City of Winter Park (CWP) Planning & Transportation Department has reviewed the proposed intersection configuration as outlined in the RDO, which specifies that the developer will be responsible for this roadway alignment that would create a four-leg signalized intersection. The alignment called out in the RDO will be referred to as Alternative #1 in this memorandum.

The CWP Planning & Transportation Department also reviewed the option of keeping the existing alignments at the intersections of Bennett Avenue & Lee Road and Executive Drive & Lee Road (SR 423) while signalizing the T-intersection of Bennett Avenue & Lee Road and the intersection of Executive Drive & Lee Road remaining STOP controlled on the minor approach. This option will be referred to as Alternative #2 in this memorandum.

Since Lee Road is a state road, the two alternatives will be subject to approval by the Florida Department of Transportation (FDOT) and dependent upon the traffic signal warrants and requirements outlined in the Manual on Uniform Traffic Control Devices (MUTCD). This memorandum provides a description of the two alternatives, includes a summary of discussions with FDOT and identifies advantages and disadvantages associated with each alternative.

### **Background**

The current RDO states that an agreement shall be in place by December 31, 2019 for this realignment. Although the City Commission approved an additional 30-day extension that expired on March 31, 2020, COVID-19 has postponed the meeting for discussion and agreement even further.

As outlined in the RDO, the developer is required to align Bennett Avenue with Executive Drive at Lee Road (Alternative #1), creating a four-leg intersection, and to install traffic

signals when warranted in accordance to the MUTCD, and approved by FDOT. This warrant will be based on the additional traffic volumes created by the build-out of the Ravaudage development. Furthermore, the realignment and signals would provide access for the development as well as the ability for pedestrians to safely cross Lee Road (currently, no pedestrian crossing exists on Lee Road from 17-92 to I-4). The proposed intersection configuration of Alternative #1 would connect Bennett Avenue with the roadway network south of Lee Road, which has the opportunity to improve traffic circulation and offer multi-modal transportation opportunities.

The latest traffic signal warrant study performed in October 2019 indicated signals were not warranted at this time. However, the signal is anticipated to be warranted when the commercial and residential developments currently entitled in Ravaudage are fully built-out and occupied. In the event where the traffic signals are not warranted after construction, language is provided in the agreement to establish an escrow for the future traffic signal construction, once warranted.

## **Alternatives**

### ***Alternative #1 – Bennett Avenue aligned to Executive Drive***

The RDO specifies that the developer will align Bennett Avenue with Executive Drive at Lee Road, creating a signalized four-leg intersection with pedestrian crossings once warranted. All of the design and construction costs will be the responsibility of the developer and shall convey a fee-simple to the CWP for all land needed for the realignment. The CWP is not obligated to vacate/abandon any portion of the existing Bennett Avenue right-of-way as part of this process. Attachment #1 shows the conceptual layout of this alignment for this alternative (this figure was prepared by Tipton Associates Incorporated, the Engineering Firm of the developer).

### ***Alternative #2 – Existing Bennett Avenue Alignment Remains***

Alternative #2 considers maintaining the existing alignment of Bennett Avenue at Lee Road, creating a signalized three-leg intersection with pedestrian crossings once warranted. The developer will be responsible for all of the design and construction costs. The CWP will be responsible for any future improvements at this intersection, including the potential realignment of Executive Drive to Bennett Avenue at Lee Road (SR 423). Attachment #2 shows the conceptual layout for this alternative (this figure was prepared by Tipton Associates Incorporated).

## **Discussions with FDOT**

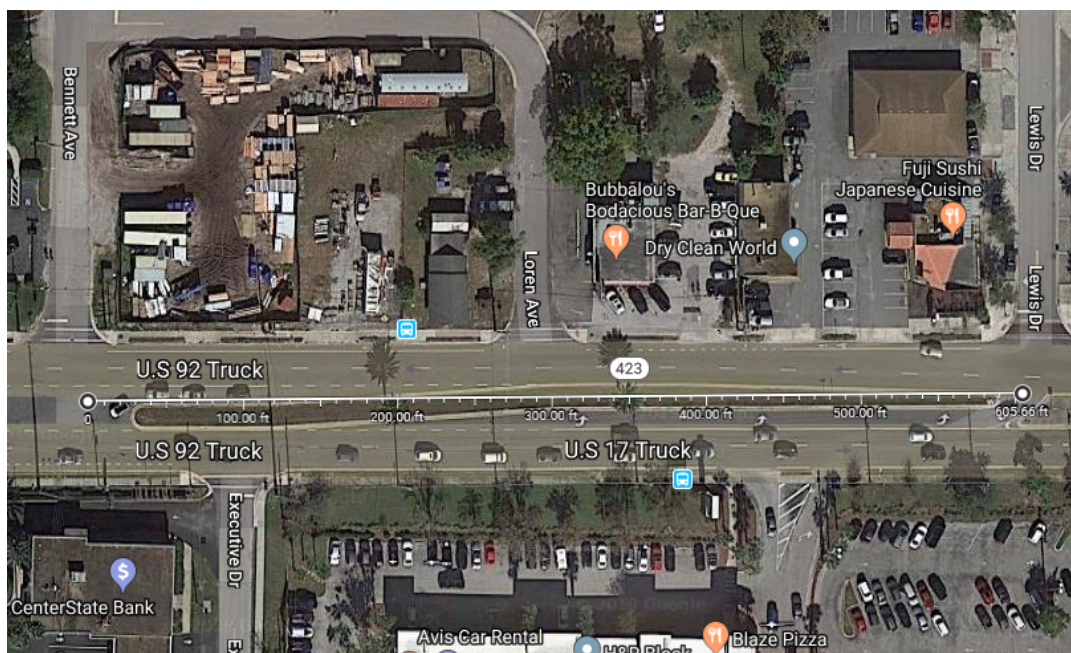
The CWP staff discussed Alternative #1 and Alternative #2 with FDOT. FDOT raised potential operational and safety concerns with Alternative #1 because of the existing median opening at Lewis Drive that allows for eastbound left-turn movements. The modification to the alignment that occurs with Alternative #1 could potentially cause westbound vehicles to block the median opening that would impact the ability for vehicles to navigate the eastbound left-turn at Lewis Drive into Ravaudage. Additionally, in the



event of a crash occurring in this vicinity, the access point at Lewis Drive could potentially be closed, which may result in operational and delay issues.

Per Florida Administrative Code (FAC) 14-96.005 (see Attachment #3), neighboring connections, such as traffic signals and median openings, are required to be at minimum 660 feet apart from each other for a road that has a posted speed limit of 45 MPH or less. With the consideration of installing traffic signals at the existing alignment of Bennett Avenue (Alternative #2), the distance of neighboring connection between the proposed signals and median opening at Lewis Drive is approximately 605 feet (Figure 1). However, if Bennett Avenue becomes aligned with Executive Drive (Alternative #1), then the distance will become 100 feet shorter, which would be approximately 505 feet (only 78% of the required distance from the existing signal).

FDOT, with the ability to grant a 10% variance for the neighboring connection distance, is more in favor of installing the signals at the existing alignment at the intersection of Bennett Avenue & Lee Road (Alternative #2). This alignment preference was determined after numerous discussions with FDOT representatives. Additionally, this alignment will maximize the neighboring connection distance and minimize the potential operational/safety issues compared to installing a signal under the conditions of Alternative #1.



**Figure 1:** Distance between Bennett Avenue and Lewis Drive.

### **Comparison of Alternatives**

Both of the alternatives reviewed as part of this memorandum have their advantages and disadvantages. Table 1 below identifies the pros and cons of Alternative #1 and Alternative #2.

**Table 1:** Comparison of Pros & Cons of Each Alternative

	<b>Alternative #1</b>	<b>Alternative #2</b>
<b>Advantages</b>	<ul style="list-style-type: none"> <li>- Construct the intersection alignment as outlined in the current development order.</li> <li>- Create an alternative roadway to the Lee Road/17-92 intersection.</li> <li>- Provides unrestricted access to/from the Ravaudage site.</li> <li>- Allows for safe pedestrian crossing.</li> </ul>	<ul style="list-style-type: none"> <li>- Traffic volumes will not increase significantly on Executive Drive and Gay Road.</li> <li>- Allows for safe pedestrian crossing.</li> <li>- Still allows for four-leg intersection in the future.</li> <li>- No disruption of access to the vet clinic.</li> <li>- Provides access to/from Ravaudage development.</li> <li>- FDOT is in favor of installing a traffic signal at the existing intersection of Bennett Avenue &amp; Lee Road.</li> </ul>
<b>Disadvantages</b>	<ul style="list-style-type: none"> <li>- City incurs infrastructure improvement costs south of the intersection (including any traffic calming measures that may be needed on Executive Drive and/or Gay Road).</li> <li>- Potential of significant traffic volume increase on Executive Drive &amp; Gay Road.</li> <li>- Bennett Avenue right-of-way will not be fully vacated for the realignment because the vet clinic uses the roadway for access.</li> <li>- The developable parcel becomes odd-shaped due to the realignment, potentially limiting future development.</li> <li>- FDOT is <u>not</u> in favor of installing a traffic signal at the proposed aligned intersection of Bennett Avenue/Executive Drive and Lee Road. Therefore, a traffic signal may not be approved by FDOT and ever installed, which creates safety concerns at this intersection if the realignment is constructed.</li> <li>- The median opening at Lewis Dr. may need to be eliminated to install the signal per FDOT. This would create violations of legal agreements for access by businesses located on the site.</li> </ul>	<ul style="list-style-type: none"> <li>- Should the City choose to realign Bennett Avenue to Executive Drive in the future, then the City will be responsible for the infrastructure costs (including the potential costs to modify Duke Energy poles).</li> <li>- Requires amendment of the current RDO.</li> <li>- Does not create the originally considered four-leg intersection.</li> </ul>

## **Conclusion**

As stated earlier, Lee Road (SR423) is a state road and both alternatives will be subject to approval by FDOT; approval will be dependent upon meeting traffic signal warrants and requirements outlined in the Manual on Uniform Traffic Control Devices (MUTCD). Since Lee Rd (SR 423) is a state road, the CWP Planning & Transportation Department recommends the City Commission consider FDOT's concerns and comments regarding the neighboring connection requirement per FAC 14.96.005.

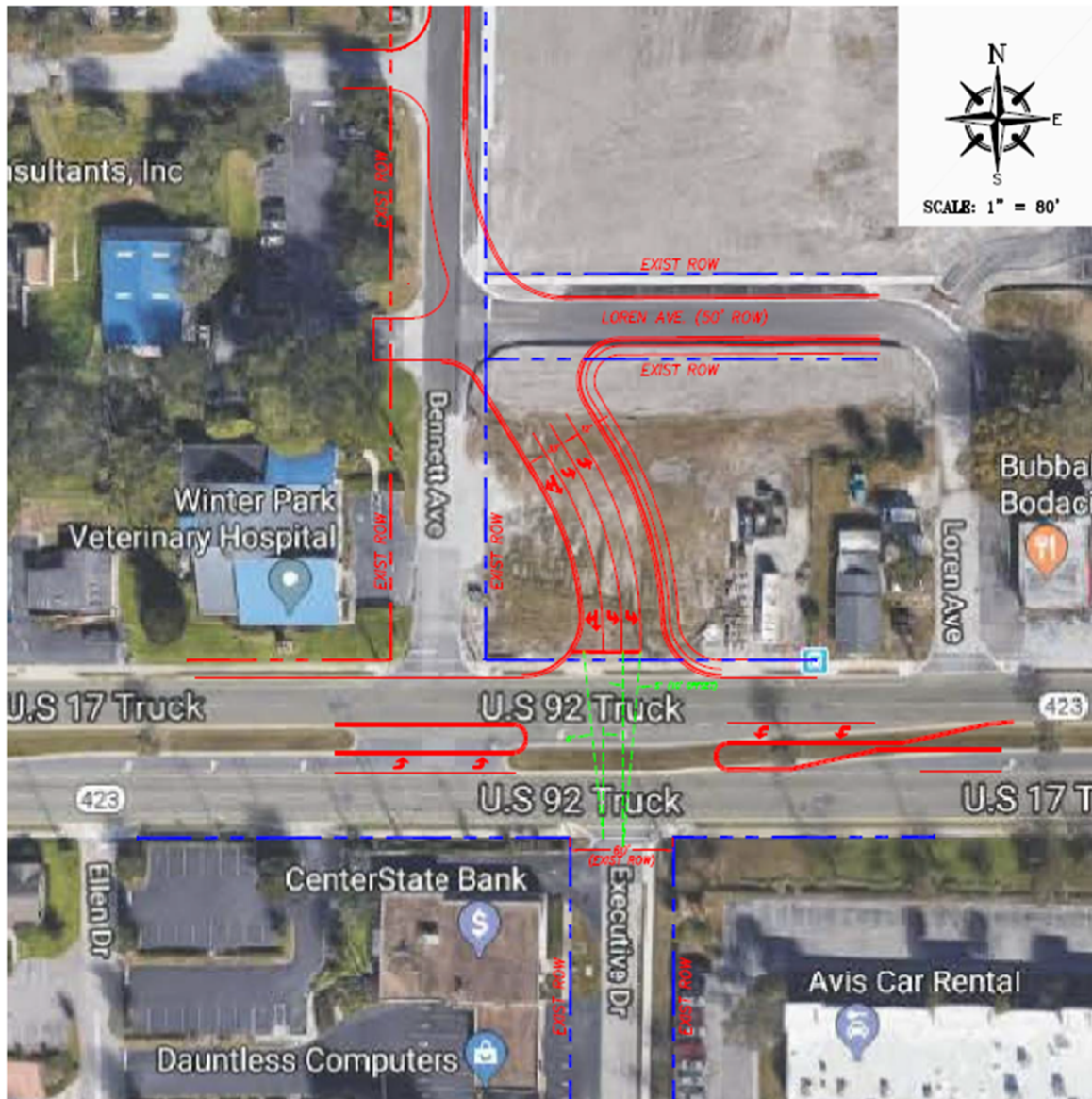
FDOT favors Alternative #2 concept over Alternative #1. FDOT is willing to consider signalizing the existing alignment of Bennett Avenue (Alternative #2) but is cautious and hesitant to install the signals at the alignment of Bennett Avenue & Executive Drive (Alternative #1) without the removal of the median opening at Lewis Drive. The removal of the median opening at Lewis Drive would lead to other contractual issues. Additionally, the approval of a signal is unlikely to occur at this location now or in the future.

The CWP Planning & Transportation Department, Transportation Division, reviewed the two Alternatives, with attention to the importance of FDOT's role in the approval of the location of the traffic signal installation on Lee Road. The CWP staff concur with FDOT's preference of Alternative #2 concept and recommends the City Commission to consider amending the current RDO agreement with the developer to move forward with the Alternative #2 concept – maintaining the existing alignment of Bennett Avenue.

Should the City Commission prefer to move forward with the existing RDO, then CWP staff recommends removing the existing median opening at Lewis Drive to be in compliance with Florida Admin Code 14.96.005, neighboring connection requirement.

*End of memorandum: Ravaudage Development – Bennett Avenue Alignment*



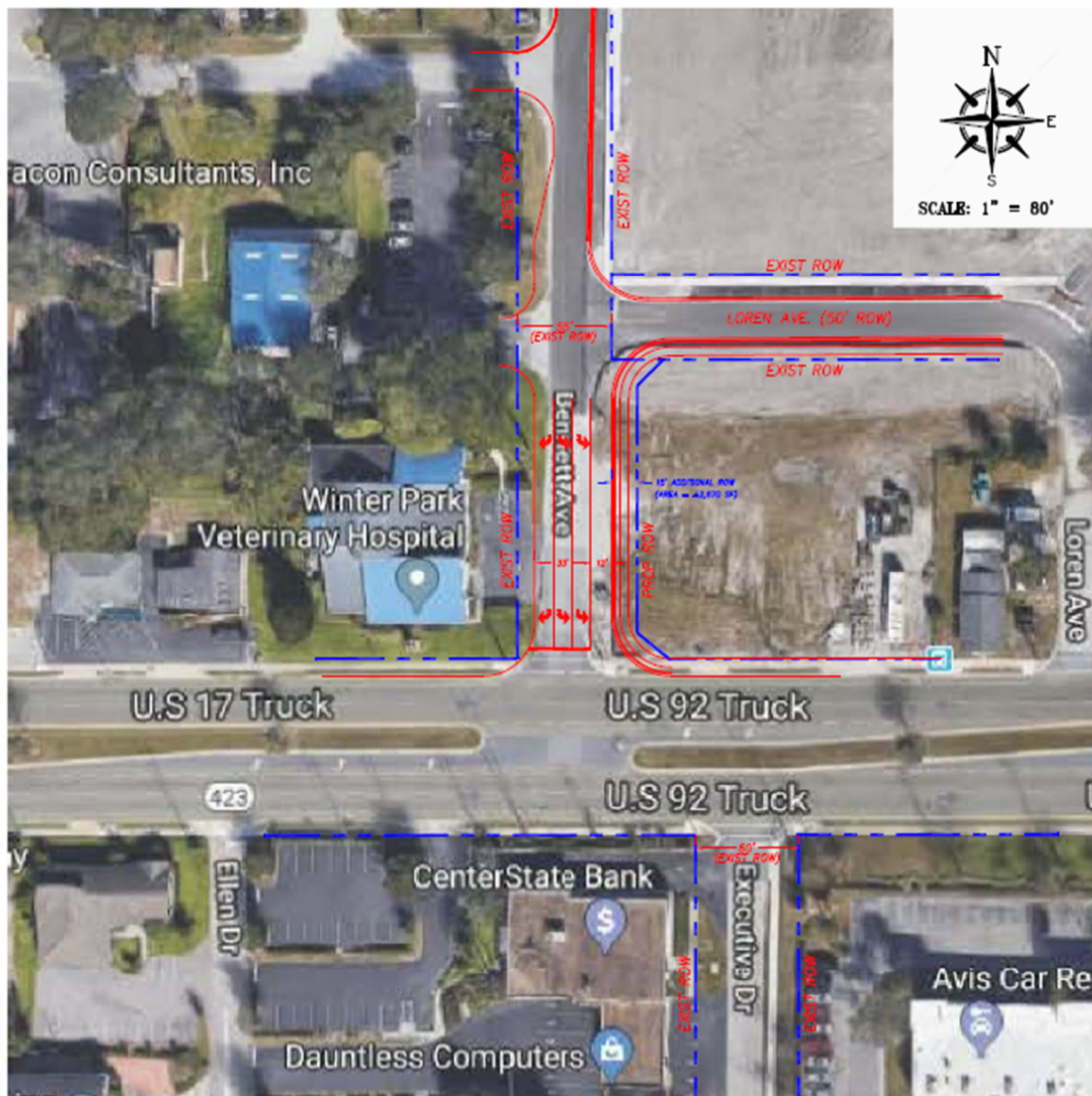


*LEE ROAD & BENNETT AVENUE  
FUTURE INTERSECTION CONFIGURATION-B*

FIGURE 6



**Attachment #1: Conceptual Layout of Alignment of Bennett Avenue & Executive Drive at Lee Road (Alternative #1)**



*LEE ROAD & BENNETT AVENUE  
FUTURE INTERSECTION CONFIGURATION-A*

FIGURE 5



**Attachment #2: Conceptual Layout of Bennett Avenue at Lee Road (Alternative #2)**

## **Attachment #3: Florida Administrative Code 14.96.005 (Highlighted)**

### **14-96.005 Application.**

(1) Connection Permit Application and Information. The Driveway/Connection Application – Category A, Form 850-040-14 (09/02) and Driveway/Connection Application for All Categories, Form 850-040-15, (04/03), and application information are available from the office of the local area Maintenance Engineer, District Office, or Urban Area Office. A complete application shall consist of the Connection Permit Application, (with original signatures, the number of signatures to be determined by the District staff) application fee, site plans, drawings, traffic data, and connection and roadway information specified in this rule chapter.

(a) The Department suggests that prior to submitting an application the applicant ask the Department about the level of detail and additional information requirements pursuant to this rule chapter. See subsection 14-96.003(2), F.A.C.

(b) The Department will request clarification or additional information required in this rule chapter during the application review process where the applicant has failed to complete the application.

(c) Failure to provide the requested information within time limits specified within this rule chapter shall result in the review and decision being based on information provided.

(d) An application will not be accepted if the appropriate fee is not paid.

(e) The applicant shall be allowed to submit any site specific information which the applicant deems to be pertinent to the Department's review of the connection application.

### **(2) Changes in Property Use.**

(a) Where additional traffic is projected due to expansion or redevelopment, the property owner shall contact the Department to determine if a new permit application and modification of existing connections will be required. If the Department determines that the increased traffic generated by the property results in a significant change, a new application shall be required.

(b) Failure to contact the Department to determine the need for connection modifications or to submit a new application for such modifications prior to initiation of property improvements, land use changes, or traffic flow alteration actions which constitute significant change will result in notification to the property owner of the Department's intent to revoke or modify the existing permit and closure of the connection to the property as specified in subsection 14-96.011(2), F.A.C.

(c) Vacant or Abandoned Sites. For purposes of determining the "existing use" of a property under the definition of significant change, the following criteria apply:

1. For connections under Sections 335.187(1) and (2), F.S., the use of the property on July 1, 1988, shall be considered the existing use, unless thereafter discontinued for a period of one year or more.

2. For connections under Section 335.187(4), F.S., the use of the property reflected in the permit shall be considered the existing use, unless thereafter discontinued for a period of one year or more.

3. The use of a property is considered discontinued when there has been a cessation of trips to the

property, except for trips to maintain or market the property associated with that use. The use of the property will also be considered discontinued where the business located on the property has been out of service for a period of one year or more.

4. If the use of a business has been discontinued for the period of one year or more, any use proposed by an applicant shall constitute significant change.

(d) The applicant is responsible for all costs associated with relocation, alteration, or closure of a connection if the need for relocation, alteration, or closure is caused by the actions of the applicant.

(3) Information Required for All Applications. The following information is required of all applications for all connections categories:

(a) Identification of property owner and applicant. The complete names and current mailing addresses and telephone numbers of property owner(s), the applicant, and the authorized representative.

(b) Notarized letter of authorization. If the applicant desires to have a representative sign, file, and handle the application, a notarized letter of authorization from the applicant designating the authorized representative shall be provided with the application package.

(c) Responsible person. When the owner or applicant is a company, corporation, or other public agency, the name, address, and telephone number of the responsible officer shall be furnished with the application.

(d) Signatures. The names of all individuals signing the application and their titles shall be typed or printed with the signatures.

(e) Property use. The existing and planned property use shall be noted in sufficient detail to determine the appropriate connection category of the application.

(f) Location of all existing and proposed connections. This will include a site plan indicating any physical features (existing and proposed) that would have an impact on traffic circulation and sight distance on the public road system. Examples of such physical features are walls, fences, trees, mail boxes, gates, and utility poles.

(4) Additional Information Required for Category C, D, E, F, and G Applications. In addition to the information required on all applications, the following information is required on all Category C, D, E, F, and G application:

(a) Trip generation data. The applicant will estimate the site's ADT and peak hour trip generation. The peak hour(s) will be proposed at the time of application or conceptual review based on the most critical hour for the proposed property use. This determination of the most critical peak hour will be made considering both the peaking characteristics of the proposed site and the surrounding road system. Estimates shall be made in accordance with the 6th Edition *Trip Generation Report*, published by the Institute of Transportation Engineers, Washington D.C., or other generally accepted professional practice. If the Department determines, that the trip generation data provided by the applicant are not accurate or not realistic, the Department will require further trip generation analysis signed, sealed and dated by a Professional Engineer registered in the State of Florida.

(b) Site plan. Each site plan submitted with a Category C, D, E, F, or G application shall contain the following (by phase) (recent aerial photographs of sufficient scale and clarity may be used in conjunction with the following):



1. Any physical features (existing or proposed) such as buildings, other structures, or natural features which would have an impact on traffic circulation and sight distances on the public road system.

2. Traffic circulation plan and parking lay out.

3. Right of way and property lines (surveys are acceptable, but not required).

4. Any existing joint access or cross access connection features.

5. A plat map showing abutting parcels and ownership.

(c) Transportation facility and neighboring connection information. Each site plan submitted for a Category C, D, E, F, or G application shall also contain the following information:

1. Road names and highway numbers for all abutting roads and highways.

2. The Department's county section and milepost number (this identification is available at the Department).

3. Existing laneage for all roads abutting the development, including left and right turn storage and auxiliary lanes and medians.

4. Location of future roads (known to the applicant) and improvements to existing roads abutting or entering the property.

5. Neighboring connections and median openings. The location and type of connections (on both sides of the road), median openings, intersections, and traffic signals within the following distances from the site's property lines:

a. If the posted speed limit is over 45 MPH then the distance of the features documented shall be 1,320 feet, or to the closest public street intersection, whichever is less.

b. If the posted speed limit is 45 MPH or less, the distance of the features documented shall be 660 feet, or to the closest public street intersection, whichever is less.

c. Recent aerial photographs of sufficient scale and clarity to depict the site and the immediate area may be used to provide this information.

d. The Department will waive or reduce the requirement for neighboring connection information where restrictive medians or other physical features negate the need for this information.

e. If the Department determines that additional information is needed (such as connection location farther than the distances stated here) the Department shall request such information in writing and at the same time provide the justification for the need for information in writing.

(d) Connection location and design information. Applications for connection Categories C, D, E, F, and G, as well as public road system connections and those connections requiring auxiliary lanes, shall contain detailed connection and design information, in accordance with the Department's *Plans Preparation Manual*, January 2000, or other generally accepted professional practice. This information shall be signed, sealed, and dated by a Professional Engineer registered in the State of Florida. The connection location and design information will include:

1. Location of all proposed connections, connection profiles, as well as public road system connections, and those connections requiring auxiliary lanes, connection width, connection radii, connection angle.

2. Design and cross section (to the right of way line) of auxiliary lanes and pavement to serve the requested connection(s).

3. Location and type of traffic control devices proposed.

4. Proposed pavement marking and signing.

5. Location and type of drainage features existing and proposed within the right of way.

6. Median opening design and cross-section, for any new or modified median or median opening to be used by the property's traffic.

7. Type of roadway materials to be used.

8. Location and type of existing utilities.

9. The maintenance of traffic control plan must conform to the Federal *Manual on Uniform Traffic Control Devices*, incorporated by reference in Rule 14-15.010, F.A.C. The maintenance of traffic plan must also conform to the Department's *Design Standards*, January 2002, incorporated by reference in Rule 14-96.008, F.A.C. The expected time of roadway closure must be in accordance with the Department's *Plans Preparation Manual*, January 2003, incorporated by reference in Rule 14-96.008, F.A.C., or other generally accepted professional practice. A maintenance of traffic plan which does not conform to the *Plans Preparation Manual* and the *Design Standards* must be signed and sealed by a Professional Engineer registered in the State of Florida.

10. Horizontal and vertical curvature of abutting roads where severe topography or sight distance concerns warrant.

11. Indication of all proposed turning movements.

(e) Traffic Study Requirements. For Category C, D, E, F, and G applications, or any application requesting or requiring a new traffic signal, new median opening, auxiliary lane, or modified median opening, the following traffic study data requirements apply. The specific detail and content of the traffic study will vary depending upon the existing and projected traffic volumes, highway capacity, levels of service, and safety concerns. Any traffic study (except a cursory analysis, such as an indication of peak hour movements from the applicant's site) must be signed, dated, and sealed by a Professional Engineer registered in the State of Florida. All work submitted by such a Professional Engineer in a traffic study will be reviewed by or under the supervision of a Department Professional Engineer registered in the State of Florida. The traffic study must include:

1. Critical peak hour turn movements from each proposed connection and abutting public road in graphic form.

2. Traffic operations analysis of sufficient depth to analyze the impacts of the development on the surrounding transportation system.

3. An appropriately sized study area and time horizon based upon the type and size of the development.

(f) Category C Exemptions. Category C applicants are exempt from some of the requirements listed

above if the applicant can show that the information would have no significant bearing on the permitting decision process.

*Rulemaking Authority 334.044(2), (27), 335.182(2), 335.183, 335.184 FS. Law Implemented 334.044(14), 334.044(28), 335.18-.187 FS. History—New 4-18-90, Amended 7-16-95, 1-23-03, 12-28-03.*



# City Commission agenda item

item type Public Hearings	meeting date September 23, 2020
prepared by Allison McGillis	approved by Bronce Stephenson, Michelle Neuner, Randy Knight
board approval Completed	
strategic objective	

## **subject**

Request of the City of Winter Park for: An Ordinance to adopt regulations to regulate the amount of fill added to residential lots. (First Reading)

## **motion / recommendation**

Staff and Planning & Zoning Board recommendation is for approval.

## **background**

A modified version of this Ordinance, that included regulations regarding artificial turf was presented to the Planning and Zoning Board on July 21st, but was tabled due to missing information that the Board requested. It was subsequently split into two Ordinances, one for artificial turf and one for fill, and discussed at the August 11th P&Z Board work session. This modified Ordinance that only includes fill, is being proposed by George Wiggins, Director of Building Services for the City to address issues that have arisen in the recent past with new homes on lots where excessive fill and retaining walls were added to the single-family building site.

With the redevelopment of residential properties throughout the City, many builders or owners are providing an excessive amount of fill onto both level lots and lots with significant sloping grades and then providing retaining walls along or near abutting property lines to retain the excessive fill that has been brought to the property. Although in certain cases under severe sloping conditions retaining walls are needed to create a terracing effect and prevent soil erosion, in most cases as shown in attached photographs, the unneeded fill results in builders providing retaining walls which create a sudden grade change to abutting properties. This could have been remedied before bringing in excessive fill. Although the current ordinance provisions address not creating excessive drainage onto abutting properties, the long-term effect of building home after home with higher grades and more retaining walls, need to be more clearly addressed in our Zoning Code in order to provide authority to better regulate this practice. The proposed code language addresses this situation and gives the appropriate departments



authority to prevent excessive filling and improper use of retaining walls.

## Summary

This proposed Ordinance would help to remedy drainage concerns in the City by controlling the amount of fill and grade change including the construction of retaining walls that can cause drainage issues to neighboring properties.

### **alternatives / other considerations**

### **fiscal impact**

#### ATTACHMENTS:

Ord. for Fill Regulations\_Sept. P&Z.docx

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA,  
AMENDING CHAPTER 58, ARTICLE III, "ZONING" OF THE LAND  
DEVELOPMENT CODE, TO AMEND SECTION 58-71; CONCERNING  
LOT GRADING AND FILLING REQUIREMENTS; PROVIDING FOR  
CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE  
DATE.**

**WHEREAS**, the City desires to amend its Land Development Code to prohibit the filling with elevated lot grades adjacent to or near other surrounding properties so as to require the use of retaining walls or other barriers or to create an unnatural lot grade transition unless approved by the building director or the public works director; and

**WHEREAS**, the City finds that this Ordinance advances the interests of the public health, safety, and welfare.

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

**SECTION 1. Recitals.** The foregoing recitals are hereby ratified and confirmed as being true and correct and are hereby made a part of this Ordinance.

**SECTION 2. Amendment of City Code.** The following sections and subsections of Chapter 58, Article III of the City Code are hereby amended as follows (words that are stricken out are deletions; words that are underlined are additions; stars \* \* \* \* \* indicate breaks between sections, subsections, or paragraphs and do not indicate changes to the City Code):

**Sec. 58-71. - General provisions for residential zoning districts.**

(a) *Suitability of buildings.* Any proposed building shall be considered as to its suitability of design and type of construction in relation to the district and to the immediate neighborhood site, and if such design, lot grading or construction is markedly incongruous with the character of such neighborhood as to be detrimental to the value of adjacent or nearby properties, then the ~~code enforcement~~ building director or the public works director shall deny the application for a building permit.

(b) *Grading of building site.*

(1) Every lot which is used for a building site shall be so graded that it will be dry and free from standing water and the grade around the walls of every new building at the point where the sill meets these walls shall not be less than 12 inches above the crown line established or to be established for the street on which such a building faces, unless the lot has drainage away from the street to the lake or canal or has other adequate means of drainage as may be checked and approved by the building director or the public works director ~~city engineer~~ at the request of the city building director. If the street on which the lot faces has a slope between lot lines, an elevation half-way between the high and low points is to be used for determining the height of crown line.

(2) No lot owner shall grade ~~his~~ a lot in such a way as to interfere with the natural drainage of adjoining lots, ~~or~~ divert the drainage of ~~his~~ a lot onto adjoining lots, ~~nor~~ ~~to~~ interfere with the natural drainage of any lot so that the drainage of such lot is diverted in a manner that is inconsistent with permitted stormwater management systems or upon any public street or thoroughfare in such a manner or in such amounts as to flood such a public street or thoroughfare.

(3) In addition, no lot shall be filled with elevated lot grades adjacent to or near other surrounding properties so as to require the use of retaining walls or other barriers to create an unnatural lot grade transition unless approved by the building director or the public works director based on a determination that the proposed grading or structure will not adversely affect other properties, is reasonably necessary based on the physical characteristics of the property or proposed construction, and is not inconsistent with the intent of the City Code.

\* \* \* \* \*

**SECTION 3. Codification.** Section 2 of this Ordinance shall be codified into the Winter Park City Code. Any section, paragraph number, letter and/or any heading may be changed or modified as necessary to effectuate the foregoing. Grammatical, typographical and similar or like errors may be corrected, and additions, alterations, and omissions not affecting the construction or meaning of this ordinance and the City Code may be freely made.

**SECTION 4. Severability.** If any subsection, sentence, clause, phrase, word or provision of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

**SECTION 5. Conflicts.** In the event of a conflict or conflicts between this Ordinance and any other ordinance or provision of law, this Ordinance controls to the extent of the conflict, as allowable under the law.

**SECTION 6. Effective date.** This Ordinance shall become effective immediately upon adoption by the City Commission.

**ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2020, by the City Commission of the City of Winter Park, Florida.

CITY OF WINTER PARK

\_\_\_\_\_  
Steve Leary, Mayor

ATTEST:

\_\_\_\_\_  
Rene Cranis, City Clerk



# City Commission agenda item

item type Public Hearings	meeting date September 23, 2020
prepared by Allison McGillis	approved by Bronce Stephenson, Michelle Neuner, Randy Knight
board approval Completed	
strategic objective	

## subject

Request of the City of Winter Park for: An Ordinance amending Article IV "Subdivision and Lot Consolidation Regulations" to provide regulations for the permitted floor area ratio related to lot splits of four lots or less and to update the process and procedures for approvals of final plats.

## motion / recommendation

Staff and Planning & Zoning Board recommendation is for approval.

## background

The Planning & Transportation Department and City Attorney's office are proposing the following updates and modifications to the Subdivision Code. The attached Ordinance, which has been prepared by the City Attorney, includes changes to update the process and procedures for approval of final plats and to resolve the applicable floor area ratio (FAR) for lot splits.

## **Updates to the Final Plat Approval Process and Procedures**

Final Subdivision Plat approvals are controlled by Florida Statutes Chapter 177, Part I. The text in the City's Subdivision Code regarding the process for approval of Final Plats dates from the 1970's and requires updating. Most of this proposed Ordinance (Sec. 58-374 and 58-379) are City Attorney generated updates for the submittals and process of final plat approvals.

For major subdivision approvals that are granted by the City Commission, such as townhouse plats, the implementation by the property owner is for a surveyor or engineer to prepare the actual subdivision plat drawing and for their attorney to prepare

companion Declarations and Restrictive Covenants, to be recorded. The review of those materials rest with the City Attorney and City Surveyor. Only when those two parties are satisfied that the plat meets the requirements of Florida Statutes and any local restrictions and conditions of approval, does the City allow the Final Plat to be signed by the Mayor and recorded along with the Declarations and Restrictive Covenants, as well as the creation of any Homeowners Association.

### **Floor Area Ratio Determination for Lot Splits**

In recent years, the P&Z Board and City Commission have discussed on individual lot split requests whether to apply a condition of approval, to limit the maximum FAR of the subdivided lots, to what exists on the parent parcel. Sometimes there is no change to the FAR. However, in most cases the parent parcel is a larger property on which the maximum FAR is 38%. However, then by virtue of creating two smaller lots, the maximum FAR becomes 43%. On occasions the City Commission has limited the maximum FAR to what currently exists and on other occasions allows it to increase. The planning staff would like to simplify the public hearings by having the City Commission make the policy decision universally versus case by case.

As an example, the lot split at 1666 Chestnut Avenue in 2019 had the parent parcel of 18,148 square feet allowing a maximum 6,896 square feet per the maximum 38% FAR. The lot split into two lots of 9,074 square feet each, produced 3,901 square feet under the applicable maximum 43% FAR or an increase of approximately 1,100 square feet of added home structure compared to what could be built on the parent parcel.

Typical lot splits allow two homes where one home exists today. It is clear that the decision for an approval of a lot split is agreement that more residential unit density is acceptable in the context of two homes versus one home. The policy question for the P&Z Board and City Commission is whether it is also the City's intention to bestow added building square footage.

The motivation of the planning staff to bring this policy decision forward is so staff can inform applicants up front, so that they are not surprised or feel like something is being taken away from them. If this Ordinance is not adopted, then the staff doesn't have to raise the question.

## **Implementation of the Floor Area Ratio Change**

Anticipating that staff will be asked how future owners would be aware of this restriction, the staff has taken the deed restriction that the City uses to record conditions of approval for guest houses and modified it for this situation. It is a 'fill in the blank' restriction that the City then is recorded electronically from City Hall.

## **Summary and Recommendation**

The changes proposed by the City Attorney for updating the process and procedures for approval of final plats is beneficial for the city. Planning staff feels that having this policy question decided universally for all applications rather than case by case is beneficial. Economically there is a strong financial incentive to pursue lot splits when one can sell two lots versus one lot. The planning staff would support the proposed change based on the inclination that the City does not need to further economically incentivize lot splits by also creating larger homes.

### **alternatives / other considerations**

#### **fiscal impact**

#### **ATTACHMENTS:**

Ordinance for Subdivision\_Lot Split Density Limitations\_Sept. 2020.docx

#### **ATTACHMENTS:**

deed-restriction-floor area ratio.docx

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA,  
AMENDING ARTICLE VI “SUBDIVISION AND LOT CONSOLIDATION  
REGULATIONS OF CHAPTER 58 “LAND DEVELOPMENT CODE” TO  
AMEND THE PROCEDURES FOR FINAL PLATS AND LOT SPLITS AND  
TO PROVIDE REGULATIONS FOR THE PERMITTED FLOOR AREA  
RATIO RELATED TO SUBDIVISIONS AND LOT SPLITS RESULTING IN  
FOUR OR LESS LOTS; PROVIDING FOR CONFLICTS, CODIFICATION,  
SEVERABILITY, AND AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission of the City of Winter Park (the “City”) recognizes that there are routine requests from applicants for subdivision or lot split approvals as the single-family neighborhoods of the City undergo redevelopment; and

**WHEREAS**, the City Commission recognizes that there are many occasions where such lot splits are granted including those with variances to the lot dimensions required by the underlying zoning; and

**WHEREAS**, the City Commission also recognizes that in many cases the expected result of two homes where one was previously permitted also often results in the unexpected resultant cumulative home sizes of the two homes that are developed that exceed the maximum floor area ratio that was allowed for the property prior to the subdivision or lot split; and

**WHEREAS**, the City Commission recognizes some limitations are necessary to the floor area ratio for compatibility with the surrounding neighborhood; and

**WHEREAS**, the City desires to amend its final plat and lot split procedures to be more specific in the application requirements and in a manner to be consistent with the City’s current practices for reviewing final plat and lot split applications; and

**WHEREAS**, in accordance with section 163.3174, Florida Statutes, the City’s local planning agency, which is the designated Planning and Zoning Board, has reviewed and made recommendations as to the amendments set forth herein;

**WHEREAS**, the City Commission has determined that this Ordinance is in the best interest of the health, safety and welfare of the citizens of Winter Park and is consistent with the Comprehensive Plan.

**NOW, THEREFORE, BE IT ENACTED BY THE CITY OF WINTER PARK,  
FLORIDA:**

**SECTION I:** The above recitals are true and correct, are adopted and incorporated herein, and constitute the legislative findings of the City Commission of the City of Winter Park.

**SECTION II:** Chapter 58, Land Development Code, Article VI, Subdivision and Lot Consolidation Regulations, Section 58-374 “Procedures for approval of final plat, Section 58-375.- Procedure for approval of plats (four lots or less), and Section 58-379. - Specifications for final plat and plans” are hereby amended as shown below (words that are ~~stricken out~~ are deletions; words that are underlined are additions; sections and provisions not included are not being revised):

**Sec. 58-374. - Procedure for approval of final plat.**

- (a) The final plat shall conform substantially to the preliminary plats as approved and the requirements of this division and F.S. chapter 177, and if desired by the applicant subdivider, it may constitute only that portion of the approved preliminary plat which the applicant proposes to record and develop at the time; provided, however, that such portion conforms to all requirements of these regulations.
- (b) The following minimum information and documentation must be submitted with an application for final plat:
  - (i) The proposed plat complying with the requirements of this article and F.S. chapter 177.
  - (ii) A title opinion from a licensed attorney or property information report from a title company certified to the city showing the ownership, easement, mortgage, and other lien and encumbrance information for the property proposed to be subdivided. The legal description used shall match the legal description on the proposed plat. The effective date of the title opinion or property information report must be within sixty (60) days from the date of the plat application. The city may require an update of the title opinion or property information report before the approval and recording of the plat.
  - (iii) A boundary survey of the property proposed to be subdivided prepared by a professional surveyor and mapper. The boundary survey shall show the location of all existing easements and encumbrances. The legal description of the boundary survey shall match the legal description on the proposed plat.
  - (iv) Proposed declaration of covenants, conditions and restrictions and/or instruments creating proposed easements including those as may be needed for access to and from public rights-of-way and utilities, if applicable.
  - (v) Proposed joinders and consents from mortgage holder(s) to plat, declaration of covenants, conditions and restrictions and/or proposed easements, if applicable.
  - (vi) Proposed deed(s) to convey tract(s) created by the plat and proposed partial release of mortgages for such tract(s), if applicable. If applicable, the city may require that common area tracts proposed to be created by the plat to be quit-claimed to a homeowners’ association or property owners’ association. If applicable, the city may require any lift station, public right-of-way, public park tract or other public tract created by a plat and intended to be owned by the city to be deeded to the city by special warranty deed.
  - (vii) Other documentation or instruments as needed to address conditions of development approval, if applicable.



- (~~b~~c) One copy and one electronic submission ~~Twelve copies~~ of the final plat and other exhibits required for approval shall be prepared as specified in this article and shall be submitted to the planning and zoning ~~board~~commission within one year after approval of the preliminary plat; otherwise such approval shall become null and void unless an extension of time is applied for and granted by the planning and zoning ~~board~~commission.
- (~~e~~d) After the report and recommendation of the planning and zoning ~~board~~commission is made and filed, such plats shall be submitted to the city commission for its approval or disapproval. If disapproved by the city commission, the final plat shall be returned to the subdivider together with a statement setting forth the grounds for its disapproval. Should either the preliminary or final plat be disapproved by the planning and zoning ~~board~~commission, the subdivider may petition the city commission for its approval of the plat notwithstanding such disapproval by the planning and zoning ~~board~~commission, and the city commission shall either approve, approve with conditions, or disapprove such plat.
- (e) After a plat is approved by the city commission and the conditions required to be satisfied before to plat recording are met, the plat and plat related documents to be recorded should be promptly recorded in the public records at the applicant's expense. The applicant shall pay in full all real estate taxes relating to the property to be subdivided before the plat is recorded. The applicant shall, at applicant's expense, provide the city with recorded copies of the plat and plat related documents.

**Sec. 58-375. - Procedure for approval of lot splits or plats (four or less lots).**

- (a) Application for approval of lot splits or subdivision plats resulting in containing ~~four or less divisions, parcels, or lots, etc.~~ shall be prepared by the applicant subdivider, and submitted with the applicable information and documentation set forth in subsection 58-374(b)(ii)-(vii) and sketches and legal descriptions prepared by a professional surveyor and mapper showing the lots and easements after the proposed lot split, or a proposed plat (or replat) meeting the requirements of F.S. chapter 177 and the requirements of this article. ~~Plats and data shall combine those features required for both the preliminary and final plats.~~
- (~~b~~) ~~Application for approval shall be submitted in writing to the planning and zoning commission at least 30 days prior to the meeting at which it is to be considered.~~
- (~~c~~) ~~Twelve copies of the plat and other exhibits required for approval shall be prepared.~~
- (~~d~~) (~~b~~) Review by the planning and zoning ~~board~~ commission shall be at a public hearing pursuant to the notice requirements of this article. After ~~report and~~ recommendation of the planning and zoning ~~board~~ commission is made, such lot splits or plats shall be submitted to the city commission for its approval or disapproval as is required for all final plats.
- (~~e~~) (~~c~~) The city commission review shall be a public hearing with appropriate notice published in a newspaper of general circulation within the city at least 15 days in advance of the hearing. In addition, written notice of the time and place of such meeting and proposed action to be

taken shall be mailed to all owners of record of property within 500 feet of the subdivision, at least 15 ~~ten~~ days prior to the public hearing.

(d) Any approval for a lot split or plat resulting in four lots or less that includes a companion request for a variance to the lot dimensions as required by the underlying zoning designation for the subject property, shall automatically restrict and limit the maximum permitted floor area ratio of the resultant lots (on a pro-rata basis) to no more than the existing current maximum floor area ratio of the subject property prior to being subdivided or split. The city may condition the approval of a lot split or plat on the execution and recording of a deed restriction with terms acceptable to the city and binding upon the subject property to give record notice of such maximum permitted floor area ratio restriction. This limitation shall not be eligible for a variance as may be permitted by Sec. 58-376.

(e) The city may condition the approval of a lot split upon the recording in the Orange County public records legal instrument(s), with terms acceptable to the city, showing the new boundaries of the lots created by the lot split and instrument(s) creating any easements, conditions and restrictions upon the lots necessary for the orderly and proper development of the lots or to satisfy applicable conditions of development approval.

(f) The planning and zoning ~~board commission~~ and/or the city commission may elect at a public hearing to require that plats, replats or lot splits ~~resubdivisions~~ of four or less lots conform to the procedures outlined for approval of preliminary plats and final plats.

\*\*\*

#### **Sec. 58-379. - Specifications for final plat and plans.**

The final plat shall be drawn in ink on linen tracing cloth or other equally durable material approved by the city engineer, using sheets of 24 inches wide by 30 inches and prepared at a scale of 200 feet to one inch or larger. Where necessary, the plat may be on several sheets accompanied by an index sheet showing the entire subdivision. For large subdivisions, the final plat may be submitted for approval progressively in contiguous sections. The final plat shall show the following:

- (1) Primary control points, approved by the city engineer, or descriptions and "ties" to such control points to which all dimensions, angles, bearings and similar data on the plat shall be referred;
- (2) Tract boundary lines, right-of-way lines of street, easements and other right-of-way and property lines of residential lots and other sites with accurate dimensions, bearings or deflection angles, and radii, arcs and central angles of all curves;
- (3) Name and right-of-way width of each street or other right-of-way.
- (4) Location, dimensions and purpose of any easements. Recording information for existing easements. The plat notes shall clearly identify the party responsible for operation, maintenance and repair of all easements created by the plat;
- (5) Number to identify each lot or letter for each tract~~site~~;

- (6) Purpose for which tract sites, other than residential lots, are dedicated or reserved;
- (7) Location and description of monuments;
- (8) Certification by surveyor certifying to the accuracy of survey and plat;
- (9) Certification of title showing ownership of property;
- (10) Dedication language acceptable to the city ~~Statement by owner~~ dedicating the uses and purposes of tracts, easements, streets, and rights-of-way, and if applicable, dedications to the city and/or to the public~~any sites for public use~~;
- (11) Title, scale, north arrow and date.
- (12) All contiguous properties shall be identified by subdivision title, plat book, and page, and date of recording, or, if unplatted, land shall be so designated.
- (13) To the extent there are any private roads or alleys created by the plat, the plat shall contain a plat note stating the following (or similar language approved by the city): “There is hereby granted and dedicated to the City of Winter Park and including other public service and emergency service providers or visitors, a non-exclusive public access easement over and through Tract \_\_\_\_\_ and any other privately owned internal roads, alleys, paved areas and sidewalks for vehicular and pedestrian ingress and egress access for the purpose of providing access for visitors, and public and emergency services to the subdivision, including but not limited to, postal, express delivery services, fire protection, police protection, emergency medical transportation, code enforcement, garbage, utilities and other public and emergency services.”
- (14) To the extent there is a homeowner’s association or property owner’s association, the plat notes shall disclose such along with a reference to the applicable declaration of covenants, conditions and restrictions (or similar governing document) recorded or to be recorded in the public records.
- (15) Other information as required by F.S. chapter 177 or reasonably inferred therefrom as may be required by the city.

**SECTION III:** CONFLICTS. If any ordinances or parts of ordinances are in conflict herewith, this Ordinance shall control to the extent of the conflict.

**SECTION IV:** SEVERABILITY. If any section, subsection, sentence, clause, phrase, provision, or word of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then such invalidity or unconstitutionality shall not be held to invalidate or impair the validity, force, or effect of any other remaining provisions of this Ordinance.

**SECTION V:** CODIFICATION. Section II 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 re-lettered to accomplish this intention. The City Clerk is given liberal authority to ensure proper codification of this Ordinance, including the right to correct scrivener’s errors.

**SECTION VI:** EFFECTIVE DATE. This Ordinance shall become effective immediately following approval by the City Commission at its second reading.

**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.

**City of Winter Park**

\_\_\_\_\_  
Steven M. Leary, Mayor

Attest:\_\_\_\_\_  
Rene Cranis, City Clerk

THIS INSTRUMENT PREPARED BY:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### FLOOR AREA RATIO RESTRICTION DECLARATION

THIS FLOOR AREA RESTRICTION DECLARATION made this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by \_\_\_\_\_, whose address is \_\_\_\_\_

("Owner"), in favor of the CITY OF WINTER PARK, a municipal corporation organized and existing under the laws of the State of Florida, whose address is 401 Park Avenue South, Winter Park, Florida 32789.

### R E C I T A L S

WHEREAS, The Owner is the fee simple owner of property located at \_\_\_\_\_, more particularly described as \_\_\_\_\_ or as set forth in Exhibit "A" attached hereto, which property (herein-after referred to as the "Property") is located within the corporate limits of the City of Winter Park; and

WHEREAS, Owner has applied for and received a subdivision or lot split approval from the City Commission to divide the Property into \_\_\_\_ lots, which are addressed as \_\_\_\_\_ and \_\_\_\_\_ or as described in Exhibit "A" attached hereto; and

WHEREAS, Section 58-375 of the Code of Ordinances of the City of Winter Park restricts the permitted floor area ratio for such cases of subdivisions or lot splits to no greater than the maximum 38% of the land area, as was in place on the Property prior to the subdivision or lot split; and

WHEREAS, in the administration and implementation of Section 58-375 it has been determined to have this restriction be of public record such that all current and future owners of said properties will have knowledge of this restriction.

NOW, THEREFORE, in consideration of the mutual benefits contained herein, and other good and valuable consideration, the receipt of which is hereby acknowledged, Owner hereby declares the following:

1. The Property as described above or as in Exhibit "A" attached hereto is subject to the restrictions identified in Section 58-375 of the Code of Ordinances of the City of Winter Park, which limits and restricts the maximum floor area ratio on the Property or lots resultant from the subdivision or lot split approval to no more than 38% floor area ratio.

2. Owner hereby further declares and warrants that Owner has fee simple title and full right and interest in and to the Property and represents that no other parties other than those signing this document have any legal or equitable right, title or interest to the Property.

I N WITNESS WHEREOF, Owner has hereunto executed this document as of the day and year first written above.

Signed, Sealed and Delivered  
in the Presence of:

\_\_\_\_\_, a  
\_\_\_\_\_ corporation

\_\_\_\_\_  
\_\_\_\_\_  
(Address)

\_\_\_\_\_  
Print Name \_\_\_\_\_

BY \_\_\_\_\_

Print Name \_\_\_\_\_

As Its \_\_\_\_\_

\_\_\_\_\_  
Print Name \_\_\_\_\_

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by \_\_\_\_\_ as \_\_\_\_\_ of \_\_\_\_\_, a \_\_\_\_\_ corporation, on behalf of the corporation. He/She is personally known to me or has produced \_\_\_\_\_ as identification.

My Commission Expires:

NOTARY PUBLIC

Print Name \_\_\_\_\_

APPROVED BY THE CITY OF WINTER PARK

BY \_\_\_\_\_

Print Name \_\_\_\_\_

As Its \_\_\_\_\_

Date: \_\_\_\_\_



# City Commission agenda item

item type Public Hearings	meeting date September 23, 2020
prepared by Allison McGillis	approved by Bronce Stephenson, Michelle Neuner, Randy Knight
board approval Completed	
strategic objective	

## subject

Request of Interlachen North Partners, LLC: Extension of the Conditional Use approval at 503 North Interlachen Avenue. **Due to multiple Governor Executive Orders pursuant to Section 252.363(1)(a), Florida Statutes, the conditional use is automatically extended under general law.**

## motion / recommendation

No action is needed on this item. Staff sent out notice of the public hearing, but was made aware of Florida State Statute that grants automatic approval extension. Therefore, this Conditional Use approval is automatically extended.

Section 252.363(1)(a), Florida Statutes provides:

(1)(a) The declaration of a state of emergency issued by the Governor for a natural emergency tolls the period remaining to exercise the rights under a permit or other authorization for the duration of the emergency declaration. Further, the emergency declaration extends the period remaining to exercise the rights under a permit or other authorization for 6 months in addition to the tolled period. This paragraph applies to the following:

1. The expiration of a **development order** issued by a local government.
2. The expiration of a building permit.
3. The expiration of a permit issued by the Department of Environmental Protection or a water management district pursuant to part IV of chapter 373.
4. The buildout date of a development of regional impact, including any extension of a buildout date that was previously granted as specified in s.

380.06(7)(c).

(b) Within 90 days after the termination of the emergency declaration, the holder of the permit or other authorization shall notify the issuing authority of the intent to exercise the tolling and extension granted under paragraph (a). The notice must be in writing and identify the specific permit or other authorization qualifying for extension.

A conditional use approval by the City is considered a “development order” under statute.

**background**

**alternatives / other considerations**

**fiscal impact**

ATTACHMENTS:

Request for Extension Email.pdf



**From:** [Paul Bryan](#)  
**To:** [Bronce Stephenson](#); [Allison McGillis](#)  
**Cc:** [Nancy Rossman](#); [James Willard](#)  
**Subject:** [External] 503 North Interlachen Avenue, Winter Park: Entitlements Extension  
**Date:** Tuesday, September 1, 2020 4:00:07 PM  
**Attachments:** [Picture1.png](#)

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**[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.]

Bronce,

Good afternoon. As discussed earlier today when we spoke on the phone, I am initiating the request of Interlachen North Partners, LLC for an extension of the existing entitlements for development of 503 North Interlachen Place.

In 2018 an extension was granted for two years, which will expire in October of 2020. While we intended to begin marketing and construction in 2020, the Covid-19 pandemic altered our plans. Unfortunately the market completely collapsed, as you are aware, and we have been unable to move forward with the project.

Please advise as to the process for obtaining an extension for an additional two years.

Regards,  
Paul



**Paul F. Bryan** | CEO  
**GROVER BRYAN, INC.**  
Email: [paul@groverbryan.com](mailto:paul@groverbryan.com)  
Office: 201 West Canton Avenue, Suite A, Winter Park, FL 32789  
Mail: PO Box 2456, Winter Park, FL 32790  
Voice: 321.460.0707



# City Commission agenda item

<b>item type</b> Millage Rate and Budget Public Hearings (held after 5:00 p.m.)	<b>meeting date</b> September 23, 2020
<b>prepared by</b> Peter Moore	<b>approved by</b> Michelle Neuner, Randy Knight
<b>board approval</b> Completed	
<b>strategic objective</b> Fiscal Stewardship	

## **subject**

Ordinance - Adopting the FY21 Millage Rate

## **motion / recommendation**

Approve operating millage rate at 4.0923 mills and debt service millage rate at 0.1263 for the General Obligation Bonds, Series 2011, and 0.3025 for the General Obligation Bonds (Library/Events Center), Series 2017 & 2020, respectively.

## **background**

The proposed FY 2021 General Fund budget was prepared assuming the operating millage rate would be kept at its current level of 4.0923 mills. Because property valuations increased, the proposed property tax levy represents a 3.58% increase from FY 2020. The city's tax rate has been held constant for the last 12 years and the overall combined millage rate will decrease due to the reduction in the debt service millage.

A tentative operating millage rate of 4.5623 was approved by the City Commission on July 22. This rate sets the maximum level that the Commission could set the millage rate at during the budget approval process without having to undergo an extensive noticing process. All property owners received a Notice of Proposed Property Taxes from the Orange County Property Appraiser in August that was based on the tentative rate. This notice also advised property owners of this first public hearing on millage rates and the budget.

The rolled-back rate, represents the millage rate that would generate the same level of property tax collection revenue the prior year, excepting growth due to an inflator and new construction. The rolled back rate would be 3.9509 mills.

Below is a table of the implications to the General Fund of adjustments to the millage rate:

<b>Rate Level</b>	<b>Mills</b>	<b>Change from Current</b>	<b>Net Change to GF Revenue</b>	<b>Contingency Balance</b>
Current Rate	4.0923	-	-	555,016
Tentative Rate	4.5623	0.4700	2,646,817	3,201,833
Rolled-Back Rate	3.9509	(0.1414)	(796,298)	(241,282)

*Note: The Net Change to GF Revenue takes into account that any increase in millage would increase the GF transfer to the CRA, and any decrease would reduce it.*

Any reduction in projected property tax revenues would require a corresponding reduction in General Fund budget appropriations.

At first reading on September 9th, the Commission approved the millage rate to remain the same at 4.0923.

## **alternatives / other considerations**

### **fiscal impact**

With the existing property tax rate and changes made to the budget at the September 23rd meeting, the city has a contingency of \$555k to weather impacts from this uncertain revenue environment and to allocate to needs/projects as they arise. No fiscal impact unless the Commission chooses to change the operating millage rate from the 4.0923 mills level. Every 0.25 of a mill generates approximately \$1.6 million in annual property tax revenue.

### **ATTACHMENTS:**

Millage Ordinance FY21 v2nd.docx

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA ADOPTING A 4.0923 MILL AD VALOREM TAX LEVY UPON ALL REAL AND PERSONAL PROPERTY FOR APPROPRIATION TO THE GENERAL OPERATING EXPENSES OF THE CITY, A 0.1263 MILL VOTED DEBT SERVICE LEVY UPON ALL REAL AND PERSONAL PROPERTY FOR APPROPRIATION TO THE CITY OF WINTER PARK, FLORIDA GENERAL OBLIGATION BONDS, SERIES 2011, AND A 0.3025 MILL VOTED DEBT SERVICE LEVY UPON ALL REAL AND PERSONAL PROPERTY FOR APPROPRIATION TO THE CITY OF WINTER PARK, FLORIDA GENERAL OBLIGATION BONDS, SERIES 2017 & 2020.**

**WHEREAS**, the Legislature of the State of Florida mandated a procedure for calculating the taxable value for each taxing authority by the County Property Appraiser and provided for the calculation of rolled back millage rate, and

**WHEREAS**, the City of Winter Park, Florida has made the necessary rolled back millage calculation as required by law and found it to be 3.9509 mills.

**WHEREAS**, the citizens of Winter Park approved the issuance of \$11,000,000 General Obligation Bonds, Series 2001 at the May 16, 2000 bond referendum which were subsequently refunded by General Obligation Bonds, Series 2011.

**WHEREAS**, the citizens of Winter Park approved the issuance of up to \$30,000,000 General Obligation Bonds, at the March 15, 2016 bond referendum.

**NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF WINTER PARK:**

**SECTION 1.** That an ad valorem tax levy upon all real and personal property is hereby levied at a rate of 4.0923 mills, the same to be appropriated for the general operating expenses of the City in accordance with the budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021. In addition, that an ad valorem tax levy upon all real and personal property is hereby levied at a rate of 0.1263 mills, the same to be appropriated for the City of Winter Park, Florida General Obligation Bonds, Series 2011 and that an ad valorem tax levy upon all real and personal property is hereby levied at a rate of 0.3025 mills, the same to be appropriated for the City of Winter Park, Florida General Obligation Bonds, Series 2017 & 2020.

**SECTION 2.** The above levy to cover general operating expenses of the City is one thousand four hundred fourteen ten-thousandths above the rolled back millage of 3.9509 mills. Pursuant to State Statutes this levy represents a 3.58% increase in property taxes above the rolled back rate.

**SECTION 3.** The City Commission, after full, complete and comprehensive hearings and expressions of parties wishing to be heard, declares the tax levy to be reasonable and necessary for the immediate preservation and benefit of the public health, safety and welfare.

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

\_\_\_\_\_  
Steve Leary, Mayor

Attest:

\_\_\_\_\_  
Rene Cranis, City Clerk



# City Commission agenda item

<b>item type</b> Millage Rate and Budget Public Hearings (held after 5:00 p.m.)	<b>meeting date</b> September 23, 2020
<b>prepared by</b> Peter Moore	<b>approved by</b> Michelle Neuner, Randy Knight
<b>board approval</b> Completed	
<b>strategic objective</b> Fiscal Stewardship	

## **subject**

Ordinance - Adopting the FY 21 Budget

## **motion / recommendation**

Adopt the attached Ordinance setting forth the FY 2021 Budget and Five-year Capital Plan

## **background**

This is the second of two public hearings on the budget. A summary of the proposed budget is included as Schedule A. This will represent the 13<sup>th</sup> year that the City Commission has been presented with an annual budget with no change in the property tax rate to pay for city services.

The City Manager presented his proposed budget to the City Commission at the July 8, 2020 City Commission Meeting. The Commission has discussed the budget at subsequent meetings. Based on those discussions the Commission and CRA Agency has reached consensus regarding the following changes to the proposed budget:

### CRA Budget:

1. Added \$500,000 for business assistance programs to help with pandemic response and recovery.
2. Added \$20,000 for the Woman's Club façade improvements.

These changes will leave the CRA with an estimated \$1 million in unallocated funds.

## General Fund Budget:

1. Revised State Revenue and Property Tax estimates to match most recent figures. The net effect was to increase General Fund revenues by approximately \$395,000.
2. Added \$20,000 to Designated Trust Fund Transfers in the General Fund to provide additional support to façade improvements at the Woman's Club.
3. Reduced General Fund Transfers to the Capital Project Fund to reflect the cancellation of the remaining project balance of \$164,000 for improvements to Dinky Dock in the Parks Major Maintenance line item.
4. Added \$50,000 to the Planning Department Contractual Services for Design/Study work related to the realignment of Palmetto and parking enhancements at Progress Point.
5. Added \$94,000 to the Planning Department Contractual Services for Design/Study of traffic/engineering work related to the Orange/Denning/Minnesota intersection.
6. Added \$190,000 to restore employee pay increases to a maximum eligibility of 3.5% merit based on their anniversary date.

Overall contingency in the General Fund is now estimated at \$555k. This includes the \$350k for the Commuter Rail carve-out.

These changes have been incorporated into the proposed budget and are reflected in Schedule A (attached).

## **alternatives / other considerations**

### **fiscal impact**

The budget is balanced per Statute.

#### ATTACHMENTS:

Budget Ordinance FY21.docx

#### ATTACHMENTS:

Capital Improvement Plan - FY 2021.pdf

#### ATTACHMENTS:

Schedule A - 2nd Reading FY21 Ad.pdf

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021 AND ACCOMPANYING FIVE YEAR CAPITAL IMPROVEMENT PLAN; APPROPRIATING FUNDS FOR THE GENERAL FUND, DESIGNATIONS TRUST FUND, STORMWATER UTILITY FUND, COMMUNITY REDEVELOPMENT FUND, AFFORDABLE HOUSING TRUST FUND, FEDERAL FORFEITURE FUND, POLICE GRANT FUND, DEBT SERVICE FUND, WATER AND SEWER FUND, ELECTRIC UTILITY FUND, FLEET MAINTENANCE FUND, EQUIPMENT REPLACEMENT FUND, EMPLOYEE INSURANCE FUND, GENERAL INSURANCE FUND, CEMETERY TRUST FUND, GENERAL CAPITAL PROJECTS FUND AND STORMWATER CAPITAL PROJECTS FUND; PROVIDING FOR MODIFICATIONS; PROVIDING FOR AMENDMENTS TO SAID ANNUAL BUDGET TO CARRY FORWARD THE FUNDING OF PURCHASE ORDERS OUTSTANDING AND UNSPENT PROJECT BUDGETS AS OF SEPTEMBER 30, 2020; AND AUTHORIZING TRANSFER OF FUNDS HEREIN APPROPRIATED BETWEEN DEPARTMENTS SO LONG AS THE TOTAL FUND APPROPRIATIONS SHALL NOT BE INCREASED THEREBY.**

**BE IT ENACTED BY THE PEOPLE OF THE CITY OF WINTER PARK:**

**SECTION 1.** The annual budget of the City of Winter Park for the fiscal year beginning October 1, 2020 and ending September 30, 2021 as set forth on Schedule A attached hereto and by reference made a part hereof, is hereby adopted and approved after full, complete and comprehensive hearings and in consideration of the expressions of all parties concerned. It is hereby declared that said budget represents and presents the judgment and intent of the City Commission as to the needs and fiscal requirements of the various departments of the City government for the next ensuing twelve-month period.

**SECTION 2.** There are hereby expressly appropriated out of anticipated revenues and funds available for such purposes and not otherwise appropriated, the funds and monies necessary to meet the appropriations set forth in said budget. It is hereby declared that the funds available are those in excess of the amount required by law to be held by the City of Winter Park.

**SECTION 3.** The budget approved by this ordinance may be reviewed by the City Commission and shall be subject to modification by ordinance if the actual revenues and necessary expenditures are found to differ substantially from the estimates contained in said budget.

**SECTION 4.** The City Manager is hereby authorized to increase the line item appropriation in the attached budget to cover those purchase orders which shall have been issued on or prior to September 30, 2020, but not filled as of that date, and is authorized to pay for all goods or services received pursuant to such purchase orders from all the funds so appropriated. All such increases shall be appropriated to the corresponding accounts in the same funds against which they were outstanding as of September 30, 2020. The City Manager shall report to the City Commission all such purchase orders.

**SECTION 5.** The City Manager is hereby authorized to increase the line item appropriation in the attached budget to cover the unspent portion of project length budgets as of September 30, 2020.

The City Manager shall report to the City Commission all such project budgets carried forward from fiscal year 2020 to fiscal year 2021.

**SECTION 6.** The City Manager shall have the authority to transfer appropriations from one line item to another line item within a fund budget so long as the total fund appropriations shall not be increased. Appropriation transfers between funds shall require the approval of the City Commission.

**SECTION 7.** The accompanying five year capital improvement plan is hereby adopted as part of this ordinance and is made a part of the Comprehensive Plan, Data, Inventory and Analysis document replacing and substituting therefore any previous five year capital improvement plan. Funding for the first year of the plan is included in the annual budget. Funding for projects in years two through five is subject to the annual budgets adopted for each of those years.

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

\_\_\_\_\_  
Steve Leary, Mayor

Attest:

\_\_\_\_\_  
Rene Cranis, City Clerk



**CITY OF WINTER PARK  
SUMMARY OF CAPITAL PROJECTS**

Description	Funding Source	Estimated 5 Yr. Cost	Schedule of Planned CIP Expenditures					
			FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	Other Long-term Needs
General Capital Projects	General Fund	13,878,124	2,227,627	2,981,976	3,149,965	2,747,614	2,770,942	1,800,000
	Tower Rental Revenues	375,000	75,000	75,000	75,000	75,000	75,000	-
	Cemetery Trust Fund	1,450,000	350,000	500,000	600,000	-	-	-
	Grants/Fund Raising	-	-	-	-	-	-	320,000
	Orange County	200,000	200,000	-	-	-	-	-
	General Obligation Bonds - Subject to Referendum	-	-	-	-	-	-	17,500,000
Stormwater Capital Projects	Stormwater Utility	3,750,000	750,000	750,000	750,000	750,000	750,000	-
Community Redevelopment Agency	Tax Increment Financing	17,700,000	4,940,000	3,140,000	1,840,000	4,140,000	3,640,000	-
Water and Sewer Fund	Water & Sewer Fees	9,759,000	1,876,250	2,210,250	1,952,500	1,860,000	1,860,000	6,100,000
	Sewer Impact Fees	1,600,000	-	-	1,000,000	600,000	-	1,100,000
	Water Impact Fees	210,500	105,250	105,250	-	-	-	1,100,000
	Water & Sewer Reserves	2,607,791	687,791	1,260,000	660,000	-	-	1,550,000
Electric Services Fund	Electric Service Fees	32,476,083	6,841,100	6,365,172	6,389,725	6,427,270	6,452,815	-
<b>Totals</b>		<b>84,006,499</b>	<b>18,053,018</b>	<b>17,387,648</b>	<b>16,417,191</b>	<b>16,599,884</b>	<b>15,548,758</b>	<b>29,470,000</b>

**SUMMARY OF CAPITAL PROJECTS  
GENERAL CAPITAL PROJECTS**

Department	Description	Funding Source	Estimated 5 Yr. Cost	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	Other Long-term Needs
Public Works	Pavement Resurfacing and Brick Road Repairs	General Fund	3,778,124	711,627	732,976	754,965	777,614	800,942	on-going
Public Works	Sidewalk, bike path and curb repairs	General Fund	1,650,000	300,000	300,000	350,000	350,000	350,000	on-going
Public Works	Facility replacement account funding (replacement of flooring, roofing, air conditioning, painting, & other capital needs) (65% General Fund, 25% Water and Sewer Fund, and 10% Electric Fund).	General Fund	1,625,000	325,000	325,000	325,000	325,000	325,000	on-going
ITS	Information Technology Upgrades (50% General Fund, 25% Water and Sewer Fund and 25% Electric Services Fund).	General Fund	925,000	175,000	175,000	175,000	200,000	200,000	on-going
Parks	General Parks Major Maintenance	General Fund	866,000	171,000	145,000	150,000	200,000	200,000	on-going
Parks	Showalter Field Improvements	General Fund	275,000		125,000	150,000			
Parks	Tennis Center	General Fund	150,000		150,000				
Parks	Athletic Field and Tennis Center Lighting	General Fund	500,000		125,000	125,000	125,000	125,000	
		Tower Rental Revenues	375,000	75,000	75,000	75,000	75,000	75,000	
Parks	Pavilion Replacement (Ward (2) and Phelps)	General Fund	134,000		134,000				
Parks	Lake Baldwin Park Improvements	General Fund	350,000			350,000			
Parks	Cemetery Enhancements and Maintenance Facility	Cemetery Trust Fund	1,450,000	350,000	500,000	600,000			
Public Works	Bicycle & Pedestrian Improvements	General Fund	400,000		100,000	100,000	100,000	100,000	on-going
Public Works	Signalization Upgrades	General Fund	400,000		100,000	100,000	100,000	100,000	on-going
Public Works	Ravadauge Infrastructure Reimbursement	General Fund	1,000,000	200,000	200,000	200,000	200,000	200,000	

**SUMMARY OF CAPITAL PROJECTS  
GENERAL CAPITAL PROJECTS**

Department	Description	Funding Source	Estimated 5 Yr. Cost	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	Other Long-term Needs
Public Works	MLK Monitoring Station	Orange County	200,000	200,000					
Fire	Fire Safety & Equipment Fund	General Fund	975,000	175,000	200,000	200,000	200,000	200,000	
Police	Police Safety & Equipment Fund	General Fund	850,000	170,000	170,000	170,000	170,000	170,000	
Parks	Mead Garden Master Plan Renovation	General Fund	-						800,000
		Grants/Fund Raising	-						320,000
Fire	Station 64 Improvement	General Fund	-						1,000,000
General	Construct new City Hall (50,000 square feet)	General Obligation Bonds - Subject to Referendum	-						12,500,000
General	Development of Northwest Sports Complex	General Obligation Bonds - Subject to Referendum	-						5,000,000
Totals			15,903,124	2,852,627	3,556,976	3,824,965	2,822,614	2,845,942	19,620,000

**Totals by Funding Source:**

	5 Yr. Cost	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	Other Long-term Needs
General Fund	13,878,124	2,227,627	2,981,976	3,149,965	2,747,614	2,770,942	1,800,000
Tower Rental Revenues	375,000	75,000	75,000	75,000	75,000	75,000	-
Orange County	200,000	200,000	-	-	-	-	-
Cemetery Trust Fund	1,450,000	350,000	500,000	600,000	-	-	-
Grants/Fund Raising	-	-	-	-	-	-	320,000
General Obligation Bonds - Subject to Referendum	-	-	-	-	-	-	17,500,000
	15,903,124	2,852,627	3,556,976	3,824,965	2,822,614	2,845,942	19,620,000

**CITY OF WINTER PARK  
CAPITAL IMPROVEMENT PLAN  
Fiscal Year 2020 - 2021**

<b>Function</b>	<b>Project</b>	<b>Project Description</b>	<b>Primary Funding Source</b>	<b>Amount</b>	<b>Impact on Operating Budgets</b>
Public Works	Pavement Resurfacing	The City's pavement resurfacing program calls for the resurfacing of eight to nine miles of streets in the upcoming fiscal year. A pavement condition assessment identifies those streets in most need of resurfacing to prevent degradation of the road base.	Local option gas tax revenues	\$ 711,627	Investments in routine road repaving reduces the annual costs of road repairs.
Public Works	Sidewalk, Bike path & Curb Repairs	Replacement of sidewalks, bike paths and curbing where necessary for public safety.	Local option gas tax revenues	\$ 300,000	No additional impact on operating budget
Public Works	Facility Replacement Account	This account will accumulate funds for the replacement of roofs, air conditioning, paint and flooring and other major capital expenditures for City's facilities.	General Fund - \$325,000, Water & Sewer Fund - \$125,000 and Electric Services Fund - \$50,000	\$ 500,000	No additional impact on operating budget
Information Technology	Information Technology Upgrades	Upgrades to computers, networks, servers and phone systems. Also contains funding to continue the City facilities underground fiber network.	General Fund - \$175,000, Water & Sewer Fund - \$122,500 and Electric Services Fund - \$87,500	\$ 385,000	No additional impact on operating budget
Parks	Major Parks Maintenance Items	This funding is set aside for needed Parks Department capital equipment and facility maintenance and repairs.	General Fund	\$ 171,000	No additional impact on operating budget
Parks	Athletic Field & Tennis Court Lighting	Multi-year lighting enhancement project at the city's athletic venues. Includes replacement of worn poles and fixtures.	Cell Tower Revenues	\$ 75,000	No additional impact on operating budget. Reduces maintenance on existing aging lighting stock.

**CITY OF WINTER PARK  
CAPITAL IMPROVEMENT PLAN  
Fiscal Year 2020 - 2021**

<b>Function</b>	<b>Project</b>	<b>Project Description</b>	<b>Primary Funding Source</b>	<b>Amount</b>	<b>Impact on Operating Budgets</b>
Parks	Cemetery Improvements	Funding for this project will be used to create columbariums at Pinneywood and to start work at Palm Cemetery. Future funding will centralize maintenance services.	Cemetery Trust Fund	\$ 350,000	Improvements in 2021 through 2022 will allow for additional sales. Revenues are expected to exceed operating costs.
Public Works	Ravadauge Infrastructure Reimbursement	Provides funding estimate for the reimbursement of developer built city roads in the Ravadauge redevelopment area.	General Fund (paid from permit and tax revenues received by the development.)	\$ 200,000	The city will ultimately take over the maintenance of these roads however the reimbursement does not effect the city's obligation to do so.
Public Works	MLK Monitoring Station	Assisting the county build an upgraded air quality monitoring station to replace the existing.	General Fund (paid from permit and tax revenues received by the development.)	\$ 200,000	No additional impact on operating budget. This project is being reimbursed by Orange County.
Fire	Fire Safety Equipment Replacement Fund - Station Alerting	Contributions to the funding pool for the capital replacement of crucial life-saving equipment will go towards the cost of replacing the station alerting system to improve response times.	General Fund	\$ 175,000	No additional impact on operating budget
Police	Police Safety & Equipment Fund	This fund will allow the Police Department to create a funding pool for replacement of crucial life-saving equipment. In FY21 -24, funds will be saved to replace the aging 124 Motorola Radios.	General Fund	\$ 170,000	No additional impact on operating budget

**CITY OF WINTER PARK  
SUMMARY OF CAPITAL PROJECTS  
STORMWATER CAPITAL PROJECTS FUND**

Department	Description	Funding Source	Estimated 5 Yr. Cost	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
Public Works	Drainage Improvements - Most of the City's stormwater sewer infrastructure is over fifty years old. Some of these older systems do not meet the City's current drainage standards and in many cases are experiencing pipe material failures. Groundwater seepage into the stormwater sewer system is considered an illicit discharge carrying sediments to the City's lakes compromising water quality.	Stormwater Fees	1,050,000	250,000	250,000	250,000	150,000	150,000
Public Works	Kings Way Outfall Improvements	Stormwater Fees	375,000	375,000				
Public Works	N Lakemont Seminole Ditch Piping	Stormwater Fees	625,000	125,000	500,000			
Public Works	Canton at Knowles Drainage Improvements	Stormwater Fees	500,000			500,000		
Public Works	Winter Park Road Drainage Improvements	Stormwater Fees	1,200,000				600,000	600,000
Totals			3,750,000	750,000	750,000	750,000	750,000	750,000

**Note: The stormwater capital improvement plan has been approved by the Lakes and Waterways Board.**

**CITY OF WINTER PARK  
CAPITAL IMPROVEMENT PLAN - Stormwater Fund  
Fiscal Year 2020 - 2021**

<b>Function</b>	<b>Project</b>	<b>Project Description</b>	<b>Primary Funding Source</b>	<b>Amount</b>	<b>Impact on Operating Budgets</b>
Public Works	Drainage improvements	Rainfall events within recent years have produced increased intensities which have exceeded the capacity of the storm sewer infrastructure and as result the City has been experiencing localized flooding in areas that have not been prone to flooding in the past.	Stormwater utility fee	\$ 250,000	No additional impact on operating budget
Public Works	Kings Way Outfall Improvements	Replace CDS to improve drainage.	Stormwater utility fee	\$ 375,000	No additional impact on operating budget
Public Works	N Lakemont Seminole Ditch Piping	Replace drainage system, inlets, and piping.	Stormwater utility fee	\$ 125,000	No additional impact on operating budget

**CITY OF WINTER PARK  
SUMMARY OF CAPITAL PROJECTS  
COMMUNITY REDEVELOPMENT AGENCY FUND**

**Current Adopted CIP**

Department	Description	Funding Source	Estimated 5 Yr. Cost	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
CRA	Small Scale CIP Improvements	TIF	200,000	40,000	40,000	40,000	40,000	40,000
CRA	CRA Infrastructure Improvements	TIF	500,000	100,000	100,000	100,000	100,000	100,000
CRA	Parking Structures	TIF	2,500,000				1,000,000	1,500,000
CRA	17-92 / PD&E Streetscape	TIF	3,000,000		-	-	1,000,000	2,000,000
CRA	MLK Park Improvements	TIF	3,000,000			1,500,000	1,500,000	
CRA	Hannibal Square Connectivity	TIF	200,000			200,000		
CRA	Post Office Acquisition	TIF	7,500,000	4,500,000	3,000,000			
CRA	Shady Park Area Improvements	TIF	300,000	300,000				
CRA	Central Park Stage Area Improvements	TIF	500,000				500,000	
Totals			17,700,000	4,940,000	3,140,000	1,840,000	4,140,000	3,640,000

**Totals by Funding Source:**

Tax Increment Financing (TIF)	17,700,000	4,940,000	3,140,000	1,840,000	4,140,000	3,640,000
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**CITY OF WINTER PARK  
CAPITAL IMPROVEMENT PLAN  
Fiscal Year 2020 - 2021**

<b>Function</b>	<b>Project</b>	<b>Project Description</b>	<b>Primary Funding Source</b>	<b>Amount</b>	<b>Impact on Operating Budgets</b>
CRA	Small Scale CRA Improvements	Purpose of this fund is to include minor project expenditures that may be incurred throughout the year such as SunRail weekend ridership, district enhancements, or other small scale projects.	Tax Increment Financing	\$ 40,000	These projects would be one time expenditures and should not impact ongoing operational costs.
CRA	CRA Infrastructure Improvements	This fund will provide for infrastructure improvement needs that enhance the CRA district and are in accordance with the adopted plan.	Tax Increment Financing	\$ 100,000	These projects would be one time expenditures and should not impact ongoing operational costs.
CRA	Post Office Acquisition	Funding to evaluate the potential land with area improvements for purchase and provide financial support as a purchaser of the Post Office.	Tax Increment Financing	\$ 4,500,000	These projects would be one-time expenditures and should not impact ongoing operational costs in the CRA.
CRA	Shady Park Area Improvements	Enhancements to the area to re-evaluate the inoperable splash pad and make beautification and program enhancements.	Tax Increment Financing	\$ 300,000	Until design and scope is determined, impact on maintenance and upkeep cannot be determined.

**CITY OF WINTER PARK  
SUMMARY OF CAPITAL PROJECTS  
WATER AND WASTEWATER FUND**

Department	Description	Funding Source	Estimated 5 Yr. Cost	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	Other Long-term Needs
Water and Sewer	Rehabilitation of defective sewer mains with heavy ground water infiltration.	Water and Sewer Fees	1,625,000	325,000	300,000	300,000	350,000	350,000	
Water and Sewer	Rehabilitation of sanitary manholes to restore their structural integrity	Water and Sewer Fees	490,000	50,000	100,000	100,000	120,000	120,000	
Water and Sewer	Short Liner Installation - for rehabilitation of sanitary sewer mains and laterals from the main to the property line.	Water and Sewer Fees	950,000		100,000	200,000	325,000	325,000	
Water and Sewer	Upgrade water mains - replacement of sub-standard water mains throughout the water distribution system.	Water and Sewer Fees	2,710,000	350,000	350,000	670,000	670,000	670,000	
Water and Sewer	Replacement of asbestos cement sanitary force mains deteriorated by hydrogen sulfide gas.	Water and Sewer Fees	80,000		20,000	20,000	20,000	20,000	
Water and Sewer	Lift Station Upgrades	Water and Sewer Fees	550,000		100,000	150,000	150,000	150,000	
Water and Sewer	Upgrading/rerating of Iron Bridge Regional Wastewater Treatment Facility (City of Orlando).	Water and Sewer Reserves	2,007,791	687,791	660,000	660,000			
Water and Sewer	Richard Crotty Parkway Utility Upgrade	Water Impact Fees	210,500	105,250	105,250				
		Water and Sewer Fees	855,500	427,750	427,750				
Water and Sewer	Kennedy Blvd Road Widening Force Main Upgrade	Sewer Impact Fees	1,600,000			1,000,000	600,000		
Water and Sewer	FDOT SR 434 Water and Sewer Relocation	Water and Sewer Fees	900,000		600,000	300,000			
		Water and Sewer Reserves	600,000		600,000				
Water and Sewer	Water Treatment Plant Renewal and Replacement	Water and Sewer Fees	326,000	326,000					

**CITY OF WINTER PARK  
SUMMARY OF CAPITAL PROJECTS  
WATER AND WASTEWATER FUND**

Department	Description	Funding Source	Estimated 5 Yr. Cost	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	Other Long-term Needs
Water and Sewer	Wastewater Reclamation Facility Renewal and Replacement	Water and Sewer Fees	150,000	150,000					
ITS	Information Technology Infrastructure Upgrades (50% General Fund, 25% Water and Sewer Fund and 25% Electric Services Fund).	Water and Sewer Fees	497,500	122,500	87,500	87,500	100,000	100,000	
Public Works	Facility replacement account funding (replacement of flooring, roofing, air conditioning, painting, & other capital needs) (65% General Fund, 25% Water and Sewer Fund, and 10% Electric Fund).	Water and Sewer Fees	625,000	125,000	125,000	125,000	125,000	125,000	
Water and Sewer	Expansion of reclaimed water system	Water and Sewer Reserves	-						1,550,000
		Sewer Impact Fees	-						1,100,000
		Water Impact Fees	-						1,100,000
Water and Sewer	Ground Storage Tank Expansion	Water and Sewer Fees	-						6,100,000
Totals			14,177,291	2,669,291	3,575,500	3,612,500	2,460,000	1,860,000	9,850,000

**Totals by Funding Source:**

Water and Sewer Fees	9,759,000	1,876,250	2,210,250	1,952,500	1,860,000	1,860,000	6,100,000
Water and Sewer Reserves	2,607,791	687,791	1,260,000	660,000	-	-	1,550,000
Sewer Impact Fees	1,600,000	-	-	1,000,000	600,000	-	1,100,000
Water Impact Fees	210,500	105,250	105,250	-	-	-	1,100,000
	14,177,291	2,669,291	3,575,500	3,612,500	2,460,000	1,860,000	9,850,000

**CITY OF WINTER PARK  
CAPITAL IMPROVEMENT PLAN - Water & Sewer  
Fiscal Year 2020 - 2021**

<b>Function</b>	<b>Project</b>	<b>Project Description</b>	<b>Primary Funding Source</b>	<b>Amount</b>	<b>Impact on Operating Budgets</b>
Water and Sewer	Upgrade sanitary sewer mains	Defective sanitary sewer mains will be rehabilitated to decrease heavy ground water infiltration, in effect reducing the total flow to waste water facilities.	Water and Sewer Fees	\$ 325,000	This project will reduce wastewater treatment costs by reducing ground water infiltration
Water and Sewer	Rehabilitate sanitary sewer manholes	Sanitary sewer manholes deteriorated by hydrogen sulfide gas will be reconstructed. Repairing and restoring the structural integrity to the manholes will eliminate the possibility of collapse and groundwater infiltration, thus reducing flows and associated treatment costs.	Water and Sewer Fees	\$ 50,000	This project will reduce wastewater treatment costs by reducing ground water infiltration
Water and Sewer	Upgrade water mains	Water main upgrades consist of construction and upgrade of water mains and service lines to replace sub-standard water mains throughout the water distribution system. This work will improve water quality, flows and fire protection in the impacted areas.	Water and Sewer Fees	\$ 350,000	No additional impact on operating budget
Water and Sewer	Iron Bridge Regional Wastewater Treatment Facility	Upgrading/rerating of Iron Bridge Regional Wastewater Treatment Facility (City of Orlando).	Water and Sewer Reserves	\$ 687,791	No additional impact on operating budget
Water and Sewer	Richard Crotty Parkway Utility Upgrade	In partnership with Orange County, this project will realign Hanging Moss road which necessitates a water main upgrade and a force main replacement.	Water and Sewer Fees	\$ 533,000	No additional impact on operating budget

**CITY OF WINTER PARK  
CAPITAL IMPROVEMENT PLAN - Water & Sewer  
Fiscal Year 2020 - 2021**

<b>Function</b>	<b>Project</b>	<b>Project Description</b>	<b>Primary Funding Source</b>	<b>Amount</b>	<b>Impact on Operating Budgets</b>
Water and Sewer	Upgrade Water Treatment Plants	Renewal and replacement of components for the Water treatment plants and repump facilities.	Water and Sewer Fees	\$ 326,000	No additional impact on operating budget
Water and Sewer	Upgrade Winter Park Estates Wastewater Treatment Plant	Renewal and replacement of components for the Winter Park Estates Wastewater Reclamation Facility.	Water and Sewer Fees	\$ 150,000	No additional impact on operating budget

**CITY OF WINTER PARK  
SUMMARY OF CAPITAL PROJECTS  
ELECTRIC SERVICES FUND**

Department	Description	Funding Source	Estimated 5 Yr. Cost	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
Electric Services	Routine Capital improvements including: undergrounding electric lines, renewals and replacements, and other improvements required to provide service and improve the reliability of the electric system	Electric System Revenues	6,263,583	1,203,600	1,227,672	1,252,225	1,277,270	1,302,815
Electric Services	Undergrounding of Electric Lines	Electric System Revenues	25,000,000	5,000,000	5,000,000	5,000,000	5,000,000	5,000,000
Electric Services	Solar Awning Construction	Electric System Revenues	500,000	500,000				
Public Works	Facility replacement account funding (replacement of flooring, roofing, air conditioning, painting, & other capital needs) (65% General Fund, 25% Water and Sewer Fund, and 10% Electric Fund)	Electric System Revenues	250,000	50,000	50,000	50,000	50,000	50,000
ITS	Information Technology Infrastructure Upgrades (50% General Fund, 25% Water and Sewer Fund and 25% Electric Services Fund)	Electric System Revenues	462,500	87,500	87,500	87,500	100,000	100,000
<b>Totals</b>			<b>32,476,083</b>	<b>6,841,100</b>	<b>6,365,172</b>	<b>6,389,725</b>	<b>6,427,270</b>	<b>6,452,815</b>

**Totals by Funding Source:**

Electric System Revenues	32,476,083	6,841,100	6,365,172	6,389,725	6,427,270	6,452,815
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Note: No additional bond issues are anticipated in the period covered by this Capital Improvement Plan

**CITY OF WINTER PARK  
CAPITAL IMPROVEMENT PLAN - Electric Services  
Fiscal Year 2020 - 2021**

<b>Function</b>	<b>Project</b>	<b>Project Description</b>	<b>Primary Funding Source</b>	<b>Amount</b>	<b>Impact on Operating Budgets</b>
Electric Services	Routine Capital: annual electric system improvements	These improvements include undergrounding electric lines and other improvements to increase the reliability of the electric system.	Electric Service Fees	\$ 1,203,600	No impact on operating budget
Electric Services	Undergrounding Electric Utilities	This is part of an ongoing plan to underground electric utility lines over the next 8 years.	Electric Service Fees	\$ 5,000,000	As electric utilities are placed underground there will be less costs for trimming trees around power lines.
Electric Services	Solar Awning Construction	Construction of an awning at the Utility Warehouse to provide protection for heavy vehicles as well as increasing the city's use of renewable energy sources.	Electric Service Fees	\$ 500,000	Solar energy savings will reduce operating costs, but also reduce revenues to the Electric Utility as this is in Winter Park's service area.

**City of Winter Park, Florida  
Annual Budget for Fiscal Year 2021  
General Fund Summary**

**Schedule A**

	<b>2021 Proposed</b>	<b>2020 Adopted</b>
<b>Revenues:</b>		
Property Taxes	\$ 26,396,984	\$ 24,461,639
Franchise Fees & Utility Taxes	7,072,798	7,295,644
Licenses & Permits	2,671,394	3,328,650
Intergovernmental	7,306,208	8,530,856
Charges for Services	9,109,710	9,343,810
Fines and Forfeitures	1,284,915	1,414,449
Miscellaneous	648,500	665,700
Transfers from Other Funds	5,117,340	5,388,550
Fund Balance	<u>190,500</u>	<u>342,500</u>
Total Revenues	\$ <u>59,798,349</u>	\$ <u>60,771,798</u>
<b>Expenditures:</b>		
General Administration	\$ 6,395,153	\$ 6,458,871
Planning & Development	3,161,057	2,934,296
Public Works	9,785,451	10,103,297
Police	15,551,287	15,541,958
Fire	13,451,269	13,428,666
Parks and Recreation	8,585,596	8,634,443
Organizational Support	1,657,004	1,657,004
Transfers To Other Funds	5,097,636	5,407,556
Non-Departmental	(172,449)	(260,000)
Reimbursements from Other Funds	(4,268,671)	(4,079,443)
Contingency Reserve	<u>555,016</u>	<u>945,150</u>
Total Expenditures	\$ <u>59,798,349</u>	\$ <u>60,771,798</u>
Excess of Revenues Over (Under) Expenditures	\$ <u><u>0</u></u>	\$ <u><u>0</u></u>



**City of Winter Park, Florida  
Annual Budget for Fiscal Year 2021  
Designations Trust Fund Summary**

	<u>2021 Proposed</u>	<u>2020 Adopted</u>
<b>Revenues:</b>		
Miscellaneous	\$ 75,000	\$ 75,000
Transfers from other funds	385,211	400,842
Fund Balance	\$ <u>0</u>	\$ <u>0</u>
Total Revenues	\$ 460,211	\$ 475,842
<b>Expenditures:</b>		
Transfers to other funds	75,000	75,000
Organizational Support	360,211	350,842
Parks & Recreation/Planning	\$ <u>25,000</u>	\$ <u>50,000</u>
Total Expenditures	\$ <u>460,211</u>	\$ <u>475,842</u>
Excess of Revenues Over (Under) Expenditures	\$ <u><u>0</u></u>	\$ <u><u>0</u></u>

**City of Winter Park, Florida  
Annual Budget for Fiscal Year 2021  
Stormwater Utility Fund Summary**

	<b>2021 Proposed</b>	<b>2020 Adopted</b>
<b>Revenues:</b>		
Licenses	\$ 39,904	\$ 30,000
Charges for Services	2,727,398	2,718,073
Intergovernmental	40,000	20,000
Miscellaneous	0	0
Transfers From Other Funds	0	0
Fund Balance	<u>0</u>	<u>0</u>
Total Revenues	\$ <u>2,807,302</u>	\$ <u>2,768,073</u>
<b>Expenditures:</b>		
Operations	\$ 2,807,302	\$ 2,748,273
Reimbursements to Other Funds	0	0
Contingency	<u>0</u>	<u>19,800</u>
Total Expenditures	\$ <u>2,807,302</u>	\$ <u>2,768,073</u>
Excess of Revenues Over (Under) Expenditures	<u><u>\$ 0</u></u>	<u><u>\$ 0</u></u>

**City of Winter Park, Florida**  
**Annual Budget for Fiscal Year 2021**  
**Community Redevelopment (CRA) Fund Summary**

	<b>2021 Proposed</b>	<b>2020 Adopted</b>
<b>Revenues:</b>		
Intergovernmental Revenues	\$ 3,142,034	\$ 2,753,423
Charges for Services	0	0
Miscellaneous	130,801	100,000
Transfers	3,351,094	2,838,798
Fund Balance	<u>1,876,351</u>	<u>3,888,324</u>
Total Revenues	\$ <u>8,500,280</u>	\$ <u>9,580,545</u>
<b>Expenditures:</b>		
Operating Expenses	\$ 941,620	\$ 997,635
Capital Projects	4,940,000	5,733,453
Debt Service	1,491,056	1,499,412
Organizational Support/ Community Initiatives	947,250	256,000
Reimbursements To Other Funds	180,354	94,045
Transfers To Other Funds	-	1,000,000
Contingency Reserve	<u>0</u>	<u>0</u>
Total Expenditures	\$ <u>8,500,280</u>	\$ <u>9,580,545</u>
Excess of Revenues Over (Under) Expenditures	\$ <u><u>0</u></u>	\$ <u><u>0</u></u>

**City of Winter Park, Florida  
Annual Budget for Fiscal Year 2021  
Police Grant Fund Summary**

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	<u>2021 Proposed</u>	<u>2020 Adopted</u>
<b>Revenues:</b>		
Intergovernmental	\$ <u>982,315</u>	\$ <u>1,012,022</u>
Total Revenues	\$ 982,315	\$ 1,012,022
<b>Expenditures:</b>		
Police	\$ <u>982,315</u>	\$ <u>1,012,022</u>
Total Expenditures	\$ <u>982,315</u>	\$ <u>1,012,022</u>
Excess of Revenues Over (Under) Expenditures	\$ <u><u>0</u></u>	\$ <u><u>0</u></u>

**City of Winter Park, Florida  
Annual Budget for Fiscal Year 2021  
Federal Forfeiture Fund Summary**

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	<u>2021 Proposed</u>	<u>2020 Adopted</u>
<b>Revenues:</b>		
Intergovernmental	\$ <u>66,768</u>	\$ <u>0</u>
Total Revenues	\$ 66,768	\$ 0
<b>Expenditures:</b>		
Operating	\$ <u>66,768</u>	\$ <u>0</u>
Total Expenditures	\$ <u>66,768</u>	\$ <u>0</u>
Excess of Revenues Over (Under) Expenditures	\$ <u><u>0</u></u>	\$ <u><u>0</u></u>

**City of Winter Park, Florida  
Annual Budget for Fiscal Year 2021  
Debt Service Fund Summary**

	<u>2021 Proposed</u>	<u>2020 Adopted</u>
<b>Revenues:</b>		
Property Taxes	\$ 2,763,905	\$ 2,615,700
Special Assessments	158,000	154,000
Transfers From Other Funds	392,278	386,764
Fund Balance	<u>46,592</u>	<u>48,704</u>
Total Revenues	\$ <u>3,360,775</u>	\$ <u>3,205,168</u>
<b>Expenditures:</b>		
Debt Service	\$ <u>3,360,775</u>	\$ <u>3,205,168</u>
Total Expenditures	\$ <u>3,360,775</u>	\$ <u>3,205,168</u>
Excess of Revenues Over (Under) Expenditures	\$ <u><u>0</u></u>	\$ <u><u>0</u></u>

**City of Winter Park, Florida  
Annual Budget for Fiscal Year 2021  
Water and Sewer Fund Summary**

	<b>2021 Proposed</b>	<b>2020 Adopted</b>
<b>Revenues:</b>		
Utility Fee	\$ 32,384,501	\$ 33,825,006
Miscellaneous	189,400	70,154
Fund Balance	<u>687,791</u>	<u>2,978,494</u>
Total Revenues	\$ <u>33,261,692</u>	\$ <u>36,873,654</u>
<b>Expenditures:</b>		
Operations	\$ 19,839,919	\$ 19,719,592
Debt Service	4,655,409	4,849,490
Capital Projects	2,421,791	5,689,203
Reimbursements to Other Funds	2,495,996	2,256,986
Transfers to Other Funds	2,873,827	3,014,086
Contingency Reserve	<u>974,750</u>	<u>1,344,297</u>
Total Expenditures	\$ <u>33,261,692</u>	\$ <u>36,873,654</u>
Excess of Revenues Over (Under) Expenditures	\$ <u><u>0</u></u>	\$ <u><u>0</u></u>

**City of Winter Park, Florida  
Annual Budget for Fiscal Year 2021  
Electric Utility Fund Summary**

	<b>2021 Proposed</b>	<b>2020 Adopted</b>
<b>Revenues:</b>		
Utility Fee	\$ 43,720,509	\$ 46,756,074
Intergovernmental Revenues	0	0
Miscellaneous	(5,000)	0
Transfers from Other Funds	0	181,995
Fund Balance	0	0
	<u>                    </u>	<u>                    </u>
Total Revenues	\$ <u>43,715,509</u>	\$ <u>46,938,069</u>
<b>Expenditures:</b>		
Operations	\$ 5,338,776	\$ 4,618,885
Bulk Power Costs	20,609,306	25,452,309
Debt Service	4,779,588	4,791,526
Capital Projects	6,703,600	6,605,000
Transfers to Other Funds	2,533,805	2,800,999
Reimbursements to Other Funds	1,592,321	1,728,412
Contingency Reserve	<u>2,158,113</u>	<u>940,938</u>
Total Expenditures	\$ <u>43,715,509</u>	\$ <u>46,938,069</u>
Excess of Revenues Over (Under) Expenditures	\$ <u>          0</u>	\$ <u>          0</u>



**City of Winter Park, Florida  
Annual Budget for Fiscal Year 2021  
Fleet Maintenance Fund Summary**

	<u>2021 Proposed</u>	<u>2020 Adopted</u>
<b>Revenues:</b>		
Charges for Services	\$ 1,653,253	\$ 1,653,251
Miscellaneous	0	0
Fund Balance	<u>0</u>	<u>0</u>
Total Revenues	\$ <u>1,653,253</u>	\$ <u>1,653,251</u>
<b>Expenditures:</b>		
Operations	\$ 1,653,253	\$ 1,653,251
Reimbursements to Other Funds	0	0
Contingency Reserve	<u>0</u>	<u>0</u>
Total Expenditures	\$ <u>1,653,253</u>	\$ <u>1,653,251</u>
Excess of Revenues Over (Under) Expenditures	\$ <u><u>0</u></u>	\$ <u><u>0</u></u>

**City of Winter Park, Florida**  
**Annual Budget for Fiscal Year 2021**  
**Equipment Replacement Fund Summary**

	<u>2021 Proposed</u>	<u>2020 Adopted</u>
<b>Revenues:</b>		
Vehicle/Equipment Rentals	\$ 1,330,608	\$ 1,888,946
Debt Proceeds	0	0
Miscellaneous	0	0
Fund Balance	<u>0</u>	<u>0</u>
Total Revenues	\$ <u>1,330,608</u>	\$ <u>1,888,946</u>
<b>Expenditures:</b>		
Operations	\$ 0	\$ 0
Vehicle and Equipment Acquisitions	1,330,608	1,888,946
Debt Service	0	0
Reimbursements to Other Funds	0	0
Transfers to Other Funds	0	0
Contingency Reserve	<u>0</u>	<u>0</u>
Total Expenditures	\$ <u>1,330,608</u>	\$ <u>1,888,946</u>
Excess of Revenues Over (Under) Expenditures	<u><u>\$ 0</u></u>	<u><u>\$ 0</u></u>

**City of Winter Park, Florida  
Annual Budget for Fiscal Year 2021  
Employee Insurance Fund Summary**

	<b><u>2021 Proposed</u></b>	<b><u>2020 Adopted</u></b>
<b>Revenues:</b>		
Charges To Departments	\$ 6,265,305	\$ 6,058,519
Charges To Employees	1,903,017	1,893,714
Miscellaneous	150,000	125,000
Fund Balance	<u>0</u>	<u>0</u>
Total Revenues	\$ <u>8,318,322</u>	\$ <u>8,077,233</u>
<b>Expenditures:</b>		
Insurance Costs	\$ 8,318,322	\$ 8,077,233
Reimbursements to Other Funds	0	0
Contingency Reserve	<u>0</u>	<u>0</u>
Total Expenditures	\$ <u>8,318,322</u>	\$ <u>8,077,233</u>
Excess of Revenues Over (Under) Expenditures	<u><u>0</u></u>	<u><u>0</u></u>

**City of Winter Park, Florida  
Annual Budget for Fiscal Year 2021  
General Insurance Fund Summary**

	<u>2021 Proposed</u>	<u>2020 Adopted</u>
<b>Revenues:</b>		
Charges To Departments	\$ 2,793,800	\$ 2,657,919
Miscellaneous	0	0
Fund Balance	<u>0</u>	<u>0</u>
Total Revenues	\$ <u>2,793,800</u>	\$ <u>2,657,919</u>
<b>Expenditures:</b>		
Insurance Costs	\$ 2,793,800	\$ 2,657,919
Reimbursements to Other Funds	0	0
Transfers to Other Funds	0	0
Contingency	<u>0</u>	<u>0</u>
Total Expenditures	\$ <u>2,793,800</u>	\$ <u>2,657,919</u>
Excess of Revenues Over (Under) Expenditures	\$ <u><u>0</u></u>	\$ <u><u>0</u></u>

**City of Winter Park, Florida  
Annual Budget for Fiscal Year 2021  
Cemetery Fund Summary**

	<b><u>2021 Proposed</u></b>	<b><u>2020 Adopted</u></b>
<b>Revenues:</b>		
Lot Sales	\$ 430,000	\$ 345,000
Miscellaneous	0	0
Fund Balance	<u>209,031</u>	<u>101,308</u>
Total Revenues	\$ <u>639,031</u>	\$ <u>446,308</u>
<b>Expenditures:</b>		
Transfers To Other Funds	\$ 639,031	\$ 446,308
Reimbursements to Other Funds	0	0
Contingency Reserve	<u>0</u>	<u>0</u>
Total Expenditures	<u>639,031</u>	<u>446,308</u>
Excess of Revenues Over (Under) Expenditures	\$ <u><u>0</u></u>	\$ <u><u>0</u></u>

**City of Winter Park, Florida**  
**Annual Budget for Fiscal Year 2021**  
**General Capital Projects Fund Summary**

	<u>2021 Proposed</u>	<u>2020 Adopted</u>
<b>Revenues:</b>		
Transfers From Other Funds	\$ 2,026,000	\$ 3,547,000
Intergovernmental Revenues	0	0
Miscellaneous	200,000	0
Fund Balance	<u>0</u>	<u>0</u>
Total Revenues	\$ <u>2,226,000</u>	\$ <u>3,547,000</u>
<b>Expenditures:</b>		
Capital Projects	\$ 2,226,000	\$ 3,497,000
Contingency Reserve	<u>0</u>	<u>50,000</u>
Total Expenditures	\$ <u>2,226,000</u>	\$ <u>3,547,000</u>
Excess of Revenues Over (Under) Expenditures	\$ <u><u>0</u></u>	\$ <u><u>0</u></u>

**City of Winter Park, Florida  
Annual Budget for Fiscal Year 2021  
Stormwater Capital Projects Fund Summary**

	<b><u>2021 Proposed</u></b>	<b><u>2020 Adopted</u></b>
<b>Revenues:</b>		
Stormwater Utility Fees	\$ 750,000	\$ 630,000
Intergovernmental	0	0
Fund Balance	<u>0</u>	<u>0</u>
Total Revenues	\$ <u>750,000</u>	\$ <u>630,000</u>
<b>Expenditures:</b>		
Capital Projects	\$ 750,000	\$ 630,000
Transfers to other funds	0	0
Contingency Reserve	<u>0</u>	<u>0</u>
Total Expenditures	\$ <u>750,000</u>	\$ <u>630,000</u>
Excess of Revenues Over (Under) Expenditures	\$ <u><u>0</u></u>	\$ <u><u>0</u></u>

**City of Winter Park, Florida  
Annual Budget for Fiscal Year 2021  
Affordable Housing Fund Summary**

	<u>2021 Proposed</u>	<u>2020 Adopted</u>
<b>Revenues:</b>		
Affordable Housing Fee	\$ 0	\$ 0
Other Revenue	0	0
Fund Balance	<u>0</u>	<u>25,000</u>
Total Revenues	\$ 0	\$ 25,000
<b>Expenditures:</b>		
Affordable Housing Operations	\$ 0	\$ 25,000
Contingency Reserve	<u>0</u>	<u>0</u>
Total Expenditures	\$ <u>0</u>	\$ <u>25,000</u>
Excess of Revenues Over (Under) Expenditures	\$ <u><u>0</u></u>	\$ <u><u>0</u></u>