



city commission agenda

Regular Meeting

October 8, 2012
3:30 p.m.
Commission Chambers

commissioners		mayor	commissioners	
seat 1	Steven Leary	seat 2	Sarah Sprinkel	Kenneth W. Bradley
seat 3	Carolyn Cooper	seat 4	Tom McMacken	

welcome

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

meeting procedures

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

Comments at the end of the meeting under New Business are limited to three (3) minutes. The yellow light indicator will remind you that you have one (1) minute left to sum up. Large groups are asked to name a spokesperson. This 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.

1	Meeting Called to Order	
2	Invocation Reverend Talia Raymond, First Congregational Church Pledge of Allegiance	
3	Approval of Agenda	
4	Mayor's Report a. Proclamation - City of Winter Park's 125 th Anniversary b. Presentation - Purchasing Division's Achievement of Excellence in Procurement Award c. Proclamation - Public Power Week	10 minutes
5	City Manager's Report a. Denning Drive project	Projected Time 10 minutes
6	City Attorney's Report	Projected Time
7	Non-Action Items a. Financial Report – August 2012	Projected Time 15 minutes

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; not to exceed a total of 30 minutes for this portion of the meeting)
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9	Consent Agenda	Projected Time
	<ul style="list-style-type: none"> a. Approve the minutes of 9/24/2012. b. Approve the following purchases and contracts: <ul style="list-style-type: none"> 1. Blanket Purchase Order to GATSO USA for Red Light Safety Enforcement (RFP-13-2009); \$496,800 2. Blanket Purchase Order to ENCO Utility Service for FY13 Professional Services (Operations & Maintenance); \$2,000,000 3. Blanket Purchase Order to Seminole Electric Cooperative, Inc. for FY13 Purchase of Bulk Power (ITN-33-2010); \$8,944,000 4. Blanket Purchase Order to Progress Energy for FY13 Bulk Power (ITN-33-2010); \$18,000,000 5. Blanket Purchase Order to Progress Energy for FY13 Transmission Services (ITN-33-2010); \$2,392,180 6. Blanket Purchase Order to Air Liquide Industrial Company for FY13 for Liquid Oxygen for Water Treatment Facilities; \$170,000 7. Blanket Purchase Order to Odyssey Manufacturing Company for FY13 for 12.5% Sodium Hypochlorite for Water & Wastewater Treatment Facilities; \$180,000 8. Blanket Purchase Order to Stephen's Technology for FY13 for Trenchless Repairs to Sanitary Sewer Mains; \$185,000 9. Blanket Purchase Order to Perma-Liner Industries for FY13 for Lateral Lining Materials for Sewer Repairs; \$85,000 10. Blanket Purchase Order to Winter Park Public Library for FY13 for Organizational Support; \$1,351,560 11. Blanket Purchase Order to Aetna for Administrative Contract Service Fee for Medical Insurance (RFP-6-2007); \$290,889 12. Blanket Purchase Order to Aetna for Administrative Stop Loss for Medical Insurance (RFP-6-2007); \$466,022 13. Blanket Purchase Order to Metlife for Dental Insurance (RFP-18-2008); \$373,475 14. Blanket Purchase Order to Lina (Cigna) for Life, Accidental Death and Dismemberment and Long Term Disability Insurance (RFP-19-2008); \$123,678 15. Blanket Purchase Order to Hylant Group for Benefit Consulting Services (RFP-3-2009); \$66,464 16. Blanket Purchase Order to Masci General Contractor, Inc. for Fairbanks Avenue Roadway and Wastewater System Improvements (IFB-10-2012); \$6,218,312.25 17. Blanket Purchase Order to Waste Pro of Florida for Residential Garbage, Yard Waste & Recycle Service (RFP-6-2009); \$2,053,600 18. Blanket Purchase Order to City of Altamonte Springs for FY13 for Wholesale Sewer Treatment; \$125,000 	5 minutes

19. Blanket Purchase Order to SSNOCWTA for FY13 for Operation & Maintenance; Depreciation; \$645,000
 20. Blanket Purchase Order to City of Orlando for FY13 for Sanitary Sewer Charges; \$1,850,000
 21. Blanket Purchase Order to City of Orlando for FY13 for Improvements at the Iron Bridge Regional Water Reclamation Facility; \$165,000
 22. Blanket Purchase Order to City of Orlando for FY13 for Sanitary Sewer charges for McLeod/Asbury; \$385,000
 23. Blanket Purchase Order to Duval Asphalt for E-Z Street Cold Asphalt; \$50,000
 24. Blanket Purchase Order to Avanti International for AV-118 Chemical Grout; \$65,000
 25. Blanket Purchase Order to Xylem Water Solutions for Repair of Flygt Products, Service Repair & Warranty; \$65,000
 26. FY12 Purchase Order 148048 to A Budget Tree Service for dead tree removal (RFP-4-2012); \$183,500
 27. Blanket Purchase Order to William J. Peebles for State Lobbyist Services; \$52,000
 28. Blanket Purchase Order to Shutts & Bowen for Labor Attorney Services; \$80,000
 29. Blanket Purchase Order to Brown, Garganese, Weiss & D'Agresta for Attorney Services (RFP-21-2009); \$320,000
 30. Products and Services Agreement 120800578287 with Centurylink Sales Solutions, Inc. for T1 Circuit; \$5,331
 31. Products and Services Agreement 120900580553 with Centurylink Sales Solutions, Inc. for Internet Access Circuit; \$6,240
 32. Renewal of Commercial Insurance package with Brown & Brown; authorize the Mayor to execute the renewal document and approve subsequent purchase order; \$643,766
 33. Piggybacking Volusia County Contract 11B-128PW with Master Protection dba Firemaster for Fire Extinguisher, Inspections, Repairs and Parts
- c. Authorize the City Manager, in consultation with the City Attorney, to sign purchase orders for payment of HIDTA personnel and operations, subject to the condition that the HIDTA grant funds will be the sole source of money to pay these obligations and to authorize purchase orders in the amounts of \$54,000, \$68,000, \$108,000 and \$150,000 for several independent contractors who provide specialized and confidential investigative services on behalf of HIDTA; and authorize a purchase order in the amount of \$98,000 for facility expenses of HIDTA.
- d. Approve the Interlocal Agreement with Orange County regarding the reimbursement for Phase II of the Minnesota Avenue Drainage Design Project.

10 Action Items Requiring Discussion	Projected Time
a. Strategic plan	20 minutes
b. Notice of Intent to Dispose of property at 845 West New England Avenue	20 minutes
c. Request for Waiver of the One Year Time Period for Reapplication for Comprehensive Plan/Rezoning at 861 W. Canton Avenue	20 minutes
11 Public Hearings	Projected Time
a. Request of Rex-Tibbs Construction, Co, Inc. for the property at 271 N. Pennsylvania Avenue: <ul style="list-style-type: none"> - Ordinance – Amending the Comprehensive Plan Future Land Use Map to change the designation of Commercial to Medium Density Residential (2) - Ordinance – Changing the existing zoning designation of Commercial (C-3) District to Medium Density Residential (R-3) District (2) 	10 minutes
b. Request of Winter Park Town Center Development LLC for the property located at 940 W. Canton Avenue: <ul style="list-style-type: none"> - Ordinance - Changing the Comprehensive Plan Future Land Use Map Designation from Office to High Density Residential; a text change to change the property’s designation on the maximum height map from a maximum three stories to a maximum four stories; and to add a new policy for residential density allowance (2) - Ordinance – Changing the zoning designation from Office (O-1) to Multi-Family (High Density R-4) District, and to change the property’s designation on the maximum height map from a maximum three stories to a maximum four stories (2) 	15 minutes
12 City Commission Reports	Projected Time
a. Commissioner Leary b. Commissioner Sprinkel c. Commissioner Cooper d. Commissioner McMacken e. Mayor Bradley	10 minutes each

appeals & assistance

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

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



item type City Manager's Report

meeting date October 8, 2012

Below are issues of interest to the Commission and community that are currently being worked on by staff, but do not currently require action on the Commission agenda. These items are being tracked to provide the Commission and community the most up to date information regarding the status of the various issues. The City Manager will be happy to answer questions or provide additional updates at the meeting.

issue	update	date
Electric Undergrounding Project	Utilities Advisory Board is holding special meetings to consider various policy issues re: undergrounding. Expect to bring to Commission soon	October 2012
Tree Preservation Ordinance	Scheduled forum on Proposed Tree Ordinance for October 9 th at 6:00 p.m. Commission Chambers	November 2012
City Hall Renovation	East wing and site work completed. West wing interior update underway. Anticipate completion by December.	December 2012
Lee Road Median Update	The landscape, irrigation, and traffic plan sheets are completed, signed, sealed and submitted by a Landscape Architect. Review period is 30 days.	Should have a response by from FDOT by November 20 th .
Fairbanks Improvement Project	<p>Contract has been awarded to Masci General Contractor, Inc. Preliminary submittals and planning underway. Meeting with Progress Energy to discuss impact of undergrounding power lines between 17-92 & I-4.</p> <p>Project website has been set up at www.cityofwinterpark.org/fairbanks</p>	<p><u>Construction Project</u> Notice to proceed issued to Contractor September 16th, 2013</p> <p><u>Communication Notices</u></p> <ul style="list-style-type: none">• September 26th info meeting from 6-8pm WPCC went well.• Fairbanks info flyer in homes/businesses went out last week.• Contractor working on final Right-of-Way authorizations from FDOT and Orange County. Anticipate permits from Orange County and FDOT within one week.
Parking Study Alford Inn	Consultant is about 75% complete on the study. Expect a draft in late October. Staff will be arranging meetings with the residents on Alexander Place, with Jim Campesi, owner/rep. for of the Villa Siena condos	November 2012

	and the Rollins College to vet the proposals and recommendation. Expect the results to be ready for City Commission review in November.	
Tree Team Updates	The Tree Team continues to work on the Urban Forestry Management Plan. A tree condition analysis was completed and will be used to develop the UFMP.	November 2012
Wayfinding Signs	All non-FDOT wayfinding signs are installed. Permitting of the FDOT signs continues. Anticipate permitting to be completed by October 30 th .	October 2012
125th Anniversary Celebration	<p style="text-align: center;"><u>OCTOBER EVENTS</u></p> <p>4th 5 p.m. – 7 p.m. Winter Park and Rollins College: 125 Years of Memories Opening Reception Presented by Rollins College; Winter Park Welcome Center</p> <p>12th 8 a.m. – 10 a.m. 125th Anniversary Prayer Breakfast & Service Hosted by the First Congregational Church</p> <p>8 a.m. – 11 a.m. Winter Park Police Department - 125th Anniversary Celebration & Annual Department Meeting; Winter Park Community Center</p> <p>12th 2 p.m. 1887 Ergood Hall Incorporation Meeting Outside Penzeys Spices, corner of Morse Blvd. & Park Ave.</p> <p>5:30 p.m. – 10 p.m. Winter Park Historical Association's Peacock Ball Presented by Rollins College; Central Park West Meadow</p> <p>13th 11 a.m. 39th annual Winter Park Autumn Art Festival Presented by the Winter Park Chamber of Commerce; Sing Happy Birthday to the city and enjoy a piece of the city's 125th birthday cake compliments of The Flour Shop</p> <p>20th 6 p.m. Harriett's Park Avenue Fashion Week Runway Show Featuring 1887 period clothing and honoring the city's 125th Anniversary as part of the Emerging Designer Contest; Central Park West Meadow</p>	
ULI Fairbanks Avenue TAP	The two-day workshop held at the Community Center on June 18th and 19th. A community meeting was held on September 26 to review the report. A report was submitted and presentation/discussion with the Commission is scheduled for October.	October 2012

Strategic Plan	Discussion scheduled for October 8 meeting.	
Post Office Discussions	Received letter from USPS on August 6, 2012 regarding right of first refusal. No action at this time.	
Organizational Support	A meeting was scheduled for October 4 to discuss options.	December 2012
Utility Billing/Recurring credit cards	Install completed. Anticipate November launch to customers.	November 2012
Back Yard Chicken Initiative	Discussion being planned with Keep Winter Park Beautiful/Sustainability Advisory Board	

Once projects have been resolved, they will remain on the list for one additional meeting to share the resolution with the public and then be removed.



item type City Managers Report

meeting date October 8, 2012

Below is the status of development projects previously approved by the City Commission and others that may be of interest. The changes or updates since the last report on September 10th are shown [in blue](#).

1302 W. Fairbanks Avenue: McDonald's - [It is now open. Rumor is that the former McDonald's location at 1008 S. Orlando Avenue will be converted to a sit down \(non-fast food\) restaurant but City has no official plans to that effect.](#)

[Another new McDonald's to be built on the assembled properties at 2304 Aloma and 407/409 St. Andrews Blvd is on the P&Z agenda for October 2nd and the City Commission agenda for October 22nd which would replace the existing McDonalds at 2472 Aloma Avenue.](#)

941 W. Morse Blvd.: CNL Building (former State Office building) – Demolition permit has been issued for the property. They have started the interior demolition and asbestos removal. The major building demolition should come in October. [CNL has applied for the building permit for the new office building and they are working on plan revisions per building code comments from the City.](#)

[329 N. Park Avenue: Permit has been issued for the Bay Hill Jewelers interior remodel permit to open a store just south of Panera's.](#)

[500 S. Park Avenue: Viking-Hadco Kitchen store – Permit issued.](#)

2701 Lee Road: New Aamco transmission - [They are complete and now open at this location.](#)

276 S. Orlando Avenue: Italio Modern Italian Kitchen restaurant. [Permits have been issued and construction has started.](#) It is to be a 130 seat restaurant on the vacant parcel, just south of the Mt. Vernon Motel where the previous restaurant burned down about three years ago.

100 Perth Lane – Dr. Bruce Breit (Women's Care Florida) and WP Hospital - Conditional Use approved by the City on January 23rd to a new construct 22,000 sq. ft. medical office. [Building permit application came in on August 31st. Now in staff review.](#)

326 S. Park Avenue – former Spice restaurant – The owners of the 310 S. Park Ave. restaurant have taken over the space and the interior construction and remodeling is on-going. [It will be called "Blu on the Avenue" and they hope to be open in mid-November.](#)

200 E. Canton Avenue: Sestiere Santa Croce This is the former Rob Vega luxury condo (was to be 6 units) across from St. Margaret Mary. Permit has been issued to complete the exterior building shell/facade (Italian Venetian Mediterranean architecture). [Permit issued for the first floor interior build-out which will be office space. Permit application is in for the second and third floors which will be a residence for the building owner. \(Despite the rumors to the contrary it is not Paul McCartney\)](#)

[434 W. Swoope Avenue – A ten unit townhouse project that received the zoning approval from the City Commission in February, 2012 submitted an incomplete set of construction plans on September 26, 2012. However, it appears that this project is moving toward construction. City is awaiting the remaining required construction plan pages to begin the review.](#)

901/911 N. Orlando Avenue: Wawa Store – The project is still working with FDEP on the contamination and cleanup clearances. They have applied for their building and site development permits. [As soon as the FDEP issue is resolved they are ready to start.](#)

665 N. Orlando Avenue: Olive Garden restaurant has applied for a \$200,000 interior remodel of the existing restaurant. [They have had the city's comments for 6+ weeks and seem in no hurry to respond and undertake this project.](#)

1150 S. Orlando Avenue: Redevelopment of the former paint store, just north of Einstein's – Permit issued and construction started on May 1st. The end result will be a 3,620 sq. ft. building with 30 parking spaces. Half of the space will be a Jersey's Mike's sub shop. [Shooting for an opening in November.](#)

600 N Orlando Avenue: Borders Books – Redevelopment approved by the City Commission on March 26th. The new Chase Bank is the linchpin to the project and the bank has a very long due diligence period which includes FDIC approval. All indications are that the project is moving ahead but the timing is not known.

[Other info on the Street:](#)

[There may be a project to redevelop the two buildings at 140 and 200 N. Orlando Avenue \(just north of Midas Muffler\) for a new medical office and a new fine dining restaurant. Conceptual site plan review has been approved by staff.](#)

[There may be a development plan forthcoming for the redevelopment of the Adventist Health Systems properties at 111 and 131 N. Orlando Avenue by Unicorp National Developments, Inc. City has not yet seen any development plans.](#)

[Ravaudage: Miller's Ale House set to close on building pad on September 28th and developer has started work on utilities, infrastructure and parking lot associated with that project.](#)

For more information on these or other projects, please contact Jeff Briggs, Planning Director at jbriggs@cityofwinterpark.org or at (407) 599-3440.

Financial Report

For the Month of August (92% of fiscal year lapsed)	Fiscal Year 2012
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General Fund

The following items were noted in reviewing the financial results for the first eleven months of FY 2012:

- Property taxes are on track with budget estimates.
- Franchise fee revenues will likely be about \$50,000 below our budget estimates. The shortfall is in electric franchise fees (those from OUC and Progress Energy) and gas.
- Utility tax revenues will be about \$130,000 short of our budget estimates. The shortfalls here are also in the areas of electricity and gas.
- Business taxes are due October 1 of each year so the largest portion of this revenue has already been received.
- Building permit revenues will likely be about \$650,000 above our annual budget estimate.
- Revenue estimates for half cent sales tax, state revenue sharing and other intergovernmental will likely exceed the revised projections by about \$35,000..
- Charges for services will likely be about \$120,000 short of our annual budget estimate. Key areas of shortfall are ambulance transport, golf course and special detail work by the Police Department. For the special detail shortfall (\$34,000), there is offsetting savings in that we did not incur these costs.
- Fines and forfeiture revenues will likely be about \$65,000 below revised projections.
- Miscellaneous revenue will be about \$60,000 short of our budget estimate.
- Franchise fees from the City electric system will likely fall about \$390,000 short of our annual budget estimate. This is due to a combination of lower fuel cost and lower overall sales of kWh. As discussed below under the Electric Fund, fuel cost recovery rates were increased for September which will help improve franchise fee revenues.
- Overall, this nets to a projected shortfall in revenues of \$130,000. Based on the current status of our expense budget and projected spending for the remainder of the fiscal year we will have much more than this in annual savings and be on target for achieving our budgetary goals for FY 2012. The variance from the prorated adjusted annual budget for all expenditures excluding Non-Departmental (items such as addition to fund balance and commuter rail) increased from a positive \$1,499,174 at July 31 to \$1,610,992 as of August 31. This indicates we are still on track for adequate budgetary savings from departmental budgets. Final budgetary savings will not be this significant as we will have three payrolls in September and payables will be held open longer for

fiscal year end to ensure all goods and services received in September are reported as FY 2012 costs.

Community Redevelopment Agency Fund

The CRA was credited with tax increment revenue from both the City and County in December. The decrease in comparison to the prior year is due to the 4.79% decrease in valuation.

Charges for services revenue is from daily passes and sponsorships for the ice skating rink.

Annual principal payments and semiannual interest payments on CRA debt were paid in January.

Water and Sewer Fund

Revenues are at 91.2% of the annual projection. Sales revenues exceed those of the prior year as a result of higher volume of water sold as noted in the table below:

	Sales in Thousands of Gallons for the Eleven Months ended August 31, 2011	Sales in Thousands of Gallons for the Eleven Months ended August 31, 2012	Difference	Percentage
Water	3,186,216	3,296,721	110,505	3.5%

Expenses are in line with budget. Bottom line reflects a net loss of \$409,971 for the first eleven months of the fiscal year. This report was prepared to show the Commission all resources and outlays. To convert this to a report similar to our audited financial statements it would be necessary to deduct principal paid on debt and the fund balance carryforward. This would revise the bottom line to a positive \$1,668,543.

Debt service coverage is strong with net revenues equaling 2.14 times debt service.

Electric Services Fund

Sales in kWh are down 2.7% through August 31 in comparison to the same period in the prior year. Revenues are also less than last year due to the lower fuel cost recovery rates.

Fuel cost under recovery for the first eleven months of the fiscal year is about (\$320,000). Fuel costs for August alone were under recovered by about \$225,000. Fuel costs were adjusted upward for September to bring us closer to even by the end of the fiscal year.

Expenses are in line with budget. Bottom line reflects positive net income of \$3,069,024 for the first eleven months of the fiscal year. This report was prepared to show the Commission all resources and outlays. To convert this to a report similar to our audited financial statements it would be necessary to deduct principal paid on debt and the fund balance carryforward. This would revise the bottom line to \$3,816,605.

Debt service coverage is strong with net revenues just under 3 times debt service.

The City of Winter Park, Florida
Monthly Financial Report - Budget vs. Actual
General Fund
Fiscal YTD August 31, 2012 and 2011
91.7% of the Fiscal Year Lapsed

	Fiscal YTD August 31, 2012						Fiscal YTD August 31, 2011			
	Actual		Budget				Actual	Budget		
	YTD	YTD %	Original Annual	Adjusted Annual *	Prorated Adj. Annual	Variance from Prorated Adj. Annual	YTD	Adjusted Annual	Prorated Adj. Annual	Variance from Prorated Adj. Annual
Revenues:										
Property Tax	\$ 14,004,586	107%	\$ 14,265,000	\$ 14,265,000	\$ 13,076,250	\$ 928,336	\$ 14,355,098	\$ 14,538,871	\$ 13,327,299	\$ 1,027,799
Franchise Fees	888,218	86%	1,132,500	1,132,500	1,038,125	(149,907)	869,803	1,130,000	1,035,833	(166,030)
Utility Taxes	5,547,364	90%	7,022,000	6,717,000	6,157,250	(609,886)	5,771,383	6,921,536	6,344,741	(573,358)
Occupational Licenses	470,479	112%	459,500	459,500	421,208	49,271	479,636	450,000	412,500	67,136
Building Permits	1,788,809	156%	1,249,050	1,249,050	1,144,963	643,846	1,232,006	1,033,800	947,650	284,356
Other Licenses & Permits	22,400	116%	21,000	21,000	19,250	3,150	21,045	20,000	18,333	2,712
Intergovernmental	4,862,049	87%	6,206,702	6,118,315	5,608,455	(746,406)	4,771,105	5,995,605	5,495,971	(724,866)
Charges for Services	4,441,256	98%	4,939,600	4,939,600	4,527,967	(86,711)	3,856,436	4,158,300	3,811,775	44,661
Fines and Forfeitures	852,433	90%	1,220,200	1,030,200	944,350	(91,917)	314,623	480,500	440,458	(125,835)
Miscellaneous	467,887	92%	556,457	556,457	510,086	(42,199)	661,492	533,810	489,326	172,166
Fund Balance	589,335	-	-	642,911	589,335	-	519,069	566,257	519,069	-
Total Revenues	33,934,816	100%	37,072,009	37,131,533	34,037,239	(102,423)	32,851,696	35,828,679	32,842,955	8,741
Expenditures:										
City Commission	25,274	123%	22,376	22,376	20,511	(4,763)	25,384	47,057	43,136	17,752
Legal Services - City Attorney	205,833	93%	240,236	240,236	220,216	14,383	269,970	202,800	185,900	(84,070)
Legal Services - Other	97,617	97%	110,000	110,000	100,833	3,216	131,635	100,000	91,667	(39,968)
Lobbyists	100,490	95%	116,000	116,000	106,333	5,843	90,221	52,000	47,667	(42,554)
City Management	427,500	96%	487,729	487,729	447,085	19,585	425,652	476,603	436,886	11,234
City Clerk	175,326	89%	239,071	214,071	196,232	20,906	206,516	229,966	210,802	4,286
Communications Dept.	379,928	93%	445,777	443,574	406,610	26,682	375,708	441,384	404,602	28,894
Information Technology Services	1,092,601	89%	1,225,601	1,343,592	1,231,626	139,025	1,045,105	1,399,459	1,282,837	237,732
Finance	724,492	98%	808,588	808,588	741,206	16,714	735,049	789,962	724,132	(10,917)
Human Resources	227,949	87%	357,565	285,245	261,475	33,526	261,589	300,859	275,787	14,198
Purchasing	124,440	66%	204,799	206,965	189,718	65,278	195,729	232,988	213,572	17,843
Planning & Community Development	548,340	74%	743,135	807,043	739,789	191,449	506,786	683,761	626,781	119,995
Building & Code Enforcement	1,135,411	96%	1,289,385	1,292,765	1,185,034	49,623	1,105,567	1,293,628	1,185,826	80,259
Public Works	6,217,570	98%	6,892,177	6,931,798	6,354,149	136,579	6,032,471	6,932,734	6,355,006	322,535
Police	10,260,548	94%	12,011,363	11,901,252	10,909,481	648,933	9,497,623	11,646,997	10,676,414	1,178,791
Fire	8,516,363	99%	9,334,614	9,351,829	8,572,509	56,146	7,943,804	9,095,375	8,337,427	393,623
Parks & Recreation	5,842,417	97%	6,561,341	6,586,218	6,037,367	194,950	5,065,187	5,944,994	5,449,578	384,391
Organizational Support	1,428,111	100%	1,550,212	1,550,212	1,421,028	(7,083)	1,299,861	1,411,212	1,293,611	(6,250)
Non-Departmental	-	-	197,000	377,500	346,042	346,042	-	1,429,375	1,310,260	1,310,260
Total Expenditures	37,530,210	95%	42,836,969	43,076,993	39,487,244	1,957,034	35,213,857	42,711,154	39,151,891	3,938,034
Revenues Over/(Under)										
Expenditures	(3,595,394)	66%	(5,764,960)	(5,945,460)	(5,450,005)	1,854,611	(2,362,161)	(6,882,475)	(6,308,936)	3,946,775
Operating transfers in	7,327,589	95%	8,432,000	8,432,000	7,729,333	(401,744)	7,932,770	8,782,012	8,050,178	(117,408)
Operating transfers out	(2,280,995)	100%	(2,466,540)	(2,486,540)	(2,279,328)	(1,667)	(1,727,492)	(1,899,537)	(1,741,242)	13,750
Other Financing Sources/(Uses)	5,046,594	93%	5,965,460	5,945,460	5,450,005	(403,411)	6,205,278	6,882,475	6,308,936	(103,658)
Total Revenues Over										
Expenditures	\$ 1,451,200		\$ 200,500	\$ -	\$ -	\$ 1,451,200	\$ 3,843,117	\$ -	\$ -	\$ 3,843,117

* As adjusted through August 31, 2012

The City of Winter Park, Florida
Monthly Financial Report - Budget vs. Actual
Community Redevelopment Fund
Fiscal YTD January 31, 2012 and 2011
33% of the Fiscal Year Lapsed

	Fiscal YTD January 31, 2012						Fiscal YTD January 31, 2011			
	Actual		Budget				Actual	Budget		
	YTD	YTD %	Original Annual	Adjusted Annual *	Prorated Adj. Annual	Variance from Prorated Adj. Annual	YTD	Adjusted Annual	Prorated Adj. Annual	Variance from Prorated Adj. Annual
Revenues:										
Property Tax	\$ 2,090,102	298%	\$ 2,107,423	\$ 2,107,423	\$ 702,474	\$ 1,387,628	\$ 2,309,578	2,305,963	\$ 768,654	\$ 1,540,924
Intergovernmental	-	0%	-	-	-	-	-	-	-	-
Charges for services	134,044	0%	162,000	162,000	54,000	80,044	151,403	200,000	66,667	84,736
Miscellaneous	40,877	491%	25,000	25,000	8,333	32,544	7,094	117,200	39,067	(31,973)
Fund Balance	1,030,855	100%	147,983	3,092,566	1,030,855	-	2,541,752	7,625,256	2,541,752	-
Total Revenues	3,295,878	184%	2,442,406	5,386,989	1,795,663	1,500,215	5,009,827	10,248,419	3,416,140	1,593,687
Expenditures:										
Planning and Development	204,191	101%	594,983	605,283	201,761	(2,430)	227,347	644,908	214,969	(12,378)
Capital Projects	268,280	25%	265,000	3,199,283	1,066,428	798,148	2,686,223	7,526,235	2,508,745	(177,478)
Debt service	1,223,913	237%	1,550,823	1,550,823	516,941	(706,972)	1,160,647	1,506,081	502,027	(658,620)
Total Expenditures	1,696,384	95%	2,410,806	5,355,389	1,785,130	88,746	4,074,217	9,677,224	3,225,741	(848,476)
Revenues Over/(Under)										
Expenditures	1,599,494	15185%	31,600	31,600	10,533	1,588,961	935,610	571,195	190,399	745,211
Debt proceeds	-	-	-	-	-	-	-	-	-	-
Operating transfers out	(10,533)	100%	(31,600)	(31,600)	(10,533)	(0)	(35,703)	(107,108)	(35,703)	-
Other Financing Sources/(Uses)	(10,533)	100%	(31,600)	(31,600)	(10,533)	0	(35,703)	(107,108)	(35,703)	-
Total Revenues Over/(Under)										
Expenditures	\$ 1,588,961		\$ -	\$ -	\$ -	\$ 1,588,961	\$ 899,907	464,087	\$ 154,696	\$ 745,211

* As adjusted through January 31, 2012

The City of Winter Park, Florida
Monthly Financial Report - Budget vs. Actual
Water & Sewer Funds
Fiscal YTD August 31, 2012 and 2011
91.7% of the Fiscal Year Lapsed

	Fiscal YTD August 31, 2012						Fiscal YTD August 31, 2011			
	Actual		Budget				Actual	Budget		
	YTD Actual	YTD %	Original Annual	Adjusted Annual *	Prorated Adj. Annual	Variance from Prorated Adj. Annual	YTD	Adjusted Annual	Prorated Adj. Annual	Variance from Prorated Adj. Annual
Operating Revenues										
Intergovernmental	\$ 56,662	-	\$ -	\$ -	\$ -	\$ 56,662	\$ 48,918	\$ -	\$ -	\$ 48,918
Charges for services	24,957,810	99%	27,421,000	27,421,000	25,135,917	(178,107)	24,390,780	27,129,592	24,868,793	(478,013)
Total Operating Revenues	25,014,472	100%	27,421,000	27,421,000	25,135,917	(121,445)	24,439,698	27,129,592	24,868,793	(429,095)
Operating Expenses:										
General and Administration	1,371,407	90%	1,564,064	1,662,307	1,523,781	152,374	1,296,704	1,474,745	1,351,850	55,146
Operations	10,257,769	79%	14,188,677	14,122,464	12,945,592	2,687,823	10,096,153	14,571,094	13,356,836	3,260,683
Facility Agreements	2,770,646	89%	3,207,000	3,402,500	3,118,958	348,312	2,629,741	3,530,000	3,235,833	606,092
Depreciation & Amortization	4,667,066	0%	-	-	-	(4,667,066)	4,230,715	-	-	(4,230,715)
Total Operating Expenses	19,066,888	108%	18,959,741	19,187,271	17,588,332	(1,478,556)	18,253,313	19,575,839	17,944,519	(308,794)
Operating Income (Loss)	5,947,584	79%	8,461,259	8,233,729	7,547,585	(1,600,001)	6,186,385	7,553,753	6,924,274	(737,889)
Nonoperating Revenues (Expenses):										
Investment earnings	275,265	210%	143,200	143,200	131,267	143,998	258,888	238,920	219,010	39,878
Debt Service - Principal	(2,287,083)	100%	(2,495,000)	(2,495,000)	(2,287,083)	0	(2,209,167)	(2,410,000)	(2,209,167)	(0)
Debt Service - Interest	(2,805,138)	86%	(3,559,463)	(3,559,463)	(3,262,841)	457,703	(3,089,167)	(3,589,908)	(3,290,749)	201,582
Miscellaneous revenue	7,253	0%	-	-	-	7,253	1,273	2,300	2,108	(835)
Fund Balance	208,569	0%	-	227,530	208,569	-	147,571	160,987	147,571	-
Total Nonoperating Revenues (Expenses)	(4,601,134)	88%	(5,911,263)	(5,683,733)	(5,210,089)	608,955	(4,890,602)	(5,597,701)	(5,131,226)	240,624
Income (Loss) Before Operating Transfers	1,346,450	58%	2,549,996	2,549,996	2,337,496	(991,046)	1,295,783	1,956,052	1,793,048	(497,264)
Operating transfers in	-	0%	-	-	-	-	-	-	-	-
Operating transfers out	(1,756,421)	100%	(1,916,096)	(1,916,096)	(1,756,421)	0	(1,793,048)	(1,956,052)	(1,793,048)	(0)
Total Transfers	(1,756,421)	100%	(1,916,096)	(1,916,096)	(1,756,421)	0	(1,793,048)	(1,956,052)	(1,793,048)	(0)
Net Income	\$ (409,971)		\$ 633,900	\$ 633,900	\$ 581,075	\$ (991,046)	\$ (497,265)	\$ -	\$ -	\$ (497,265)

* As adjusted through August 31, 2012

Debt Service Coverage

2.14

The City of Winter Park, Florida
Monthly Financial Report - Budget vs. Actual
Electric Services Funds
Fiscal YTD August 31, 2012 and 2011
91.7% of the Fiscal Year Lapsed

	Fiscal YTD August 31, 2012						Fiscal YTD August 31, 2011			
	Actual		Budget				Actual	Budget		
	YTD Actual	YTD %	Original Annual	Adjusted Annual *	Prorated Adj. Annual	Variance from Prorated Adj. Annual	YTD	Adjusted Annual	Prorated Adj. Annual	Variance from Prorated Adj. Annual
Operating Revenues										
Charges for services - Fuel	\$ 14,067,707	74%	\$ 20,960,714	\$ 20,856,857	\$ 19,118,786	\$ (5,051,079)	\$ 18,892,048	\$ 22,043,304	\$ 20,206,362	\$ (1,314,314)
Charges for services - Non-fuel and all Other Charges	27,431,897	94%	31,781,314	31,885,171	29,228,073	(1,796,176)	29,110,386	31,761,721	29,114,911	(4,525)
Total Operating Revenues	41,499,604	86%	52,742,028	52,742,028	48,346,859	(6,847,255)	48,002,434	53,805,025	49,321,273	(1,318,839)
Operating Expenses:										
General and Administration	976,643	88%	1,206,446	1,212,942	1,111,864	135,221	1,061,127	1,117,758	1,024,612	(36,516)
Operations	4,671,568	56%	8,460,761	9,159,341	8,396,063	3,724,495	4,621,161	7,107,216	6,514,948	1,893,787
Purchased Power Cost - Fuel	14,389,196	75%	20,960,714	20,960,714	19,213,988	4,824,792	19,338,425	22,720,000	20,826,667	1,488,242
Purchased Power Cost - Non-fuel	7,338,123	93%	8,464,055	8,568,436	7,854,400	516,277	8,295,111	11,194,312	10,261,453	1,966,342
Transmission Power Cost	2,121,952	105%	2,203,674	2,203,674	2,020,035	(101,918)	1,965,601	1,772,000	1,624,333	(341,268)
Depreciation & Amortization	3,338,684	0%	-	-	-	(3,338,684)	3,123,198	-	-	(3,123,198)
Total Operating Expenses	32,836,166	85%	41,295,650	42,105,107	38,596,348	5,760,182	38,404,623	43,911,286	40,252,012	1,847,389
Operating Income (Loss)	8,663,438	89%	11,446,378	10,636,921	9,750,511	(1,087,073)	9,597,811	9,893,739	9,069,261	528,550
Nonoperating Revenues (Expenses):										
Investment earnings	40,148	-63%	(70,000)	(70,000)	(64,167)	104,315	21,603	(115,000)	(105,417)	127,020
Debt Service - Principal	(1,489,583)	100%	(1,625,000)	(1,625,000)	(1,489,583)	-	(1,306,250)	(1,425,000)	(1,306,250)	-
Debt Service - Interest	(2,628,697)	88%	(3,256,978)	(3,256,978)	(2,985,563)	356,866	(2,510,817)	(3,564,711)	(3,267,652)	756,835
Miscellaneous revenue	19,572	0%	-	-	-	19,572	1,314,264	-	-	1,314,264
Fund Balance	742,002	100%	-	809,457	742,002	-	326,662	356,358	326,662	-
Total Nonoperating Revenues (Expenses)	(3,316,558)	87%	(4,951,978)	(4,142,521)	(3,797,311)	480,753	(2,154,539)	(4,748,353)	(4,352,657)	2,198,118
Income (Loss) Before Operating Transfers	5,346,880	90%	6,494,400	6,494,400	5,953,200	(606,320)	7,443,273	5,145,386	4,716,604	2,726,669
Operating transfers in	-	0%	-	-	-	-	-	-	-	-
Operating transfers out	(2,277,856)	85%	(2,923,200)	(2,923,200)	(2,679,600)	401,744	(2,599,894)	(2,964,329)	(2,717,302)	117,408
Total Operating Transfers	(2,277,856)	85%	(2,923,200)	(2,923,200)	(2,679,600)	401,744	(2,599,894)	(2,964,329)	(2,717,302)	117,408
Net Income (Loss)	\$ 3,069,024		\$ 3,571,200	\$ 3,571,200	\$ 3,273,600	\$ (204,576)	\$ 4,843,379	\$ 2,181,057	\$ 1,999,302	\$ 2,844,076

* As adjusted through August 31, 2012

Debt Service Coverage

2.93

REGULAR MEETING OF THE CITY COMMISSION
September 24, 2012

The meeting of the Winter Park City Commission was called to order by Mayor Kenneth Bradley at 3:30 p.m. in the Commission Chambers, 401 Park Avenue South, Winter Park, Florida.

The invocation was provided by Reverend Talia Raymond, First Congregational Church, followed by the Pledge of Allegiance.

Members present:

Mayor Kenneth Bradley
Commissioner Steven Leary
Commissioner Sarah Sprinkel
Commissioner Carolyn Cooper
Commissioner Tom McMacken

Also present:

City Manager Randy Knight
City Attorney Larry Brown
Deputy City Clerk Michelle Bernstein

Mayor Bradley reminded everyone that the 125th anniversary celebration will be held at the First Congregational Church and urged everyone to attend.

Approval of the agenda

City Manager Knight addressed briefing the Commission individually on the water and sewer rate study and being advised that it might be advantageous to hold a work session prior to adoption. A majority of the Commission agreed to schedule a work session within the next few weeks and to remove item '10.a' from the agenda.

Motion made by Commissioner McMacken for the acceptance of the agenda; seconded by Commissioner Sprinkel approved by acclamation with a 5-0 vote.

Mayor's Report

a. Proclamation – National Falls Prevention Awareness Month (Fire-Rescue)

Mayor Bradley proclaimed September 22, 2012 as "Falls Prevention Awareness Day." Fire Chief Jim White provided a brief summary regarding the Falls Prevention Education Program. Community Risk Reduction Specialist Susie Whitaker, Fire Marshall Scott Donovan and Winter Park Health Foundation Chairperson Gerald Sutton were present to accept the proclamation.

b. Board appointment: Civil Service Board

Motion made by Mayor Bradley to appoint Kip Marchman to the Civil Service Board to replace Dave Johnston who resigned; seconded by Commissioner Sprinkel and approved unanimously with a 5-0 vote.

Mayor Bradley addressed the Fallen Hero's Memorial Dedication last week and thanked everyone that was involved in making it a memorable day of reflection.

City Manager's Report:

a. Hannibal Square Community Land Trust Project Update

CRA Director Dori Stone provided a summary regarding the issuance of a Notice of Disposal (NOD) for the property at 845 W. New England Avenue. She addressed the 2006 Memorandum of Understanding with the Hannibal Square Community Land Trust (HSCLT) for consideration of four different properties and that the HSCLT has a project that meets our affordable housing goals as outlined in the comprehensive plan and the CRA plan. They asked the City to issue the NOD for this property on September 30 for 30 days in order to get this done in a timeframe that works with the HSCLT schedule. This will come back to the Commission for consideration on October 22. She noted if the City does not want to participate we are under no obligation to do so. Ms. Stone answered questions including the process and requirements for NOD's.

The Commission shared their concerns with not being provided backup information in the agenda packet and having no advance notice of the action being proposed. Ms. Stone advised that staff can postpone the NOD until a full briefing has been given to the Commission but noted that this will push back the timeline for the HSCLT project. A majority of the Commission agreed to add this item to the October 8 agenda so they can take action.

Miscellaneous. City Manager Knight announced the following events:

- A public forum meeting on the proposed tree preservation ordinance on October 9th from 6:00 p.m.-7:00 pm. in the Commission Chambers.
- The second annual Veteran's Day event on November 9 at 10:00 a.m. on the stage at the Community Center, weather permitting.
- Winter Park Health Foundation's weekly 30 minute morning walk led by an elected official followed by a 30 minute Q&A session at the Community Center. Anticipated start date is either the week of October 15th or 27th.

Backyard chicken initiative: City Manager Knight addressed Commissioner McMacken's concern with having only one board reviewing the backyard chicken initiative. After a brief discussion, Mayor Bradley suggested and a majority of the Commission agreed that this process be followed: that the KWPB and Sustainable Advisory Board review and provide a recommendation; that the P&Z provide their review/recommendation; and then come to the Commission for action.

City Attorney's Report - No items.

Non-Action Item - No items.

Consent Agenda

- a. Approve the minutes of 9/10/2012.
- b. Approve contract renewal and subsequent purchase order with Cigna Group Insurance for RFP-19-2008 Group Term Life, AD&D, Voluntary Term Life for Employee, Spouse and Children, Long Term Disability, and Voluntary Short Term Disability; and authorize the Mayor to execute the renewal package documents; \$123,678.00.
- c. Approve the CPI index rate increase for Waste Pro to be effective October 1, 2012.

Motion made by Commissioner McMacken to approve the Consent Agenda; seconded by Commissioner Sprinkel and carried unanimously with a 5-0 vote.

Action Items Requiring Discussion

- a. Water and Sewer Rate Study

Postponed to a future agenda to hold a work session within the next two weeks.

A recess was taken from 5:02 p.m. to 5:20 p.m.

Public comments

Joan Cason, 1915 Woodcrest Drive, asked if the City has money available to underground Fairbanks Avenue and if all the work will be done at one time. City Manager Knight advised that the project is to underground the transmission lines from 17-92 to Interstate 4. The City and FDOT are currently in the process of obtaining funding but is not 100% in place at this time. Depending on when the funding comes through, the project might happen in connection with the water and sewer project and if it does the timeframe would have to be extended since we cannot perform both services at the same time.

BUDGET PUBLIC HEARINGS:

Mayor Bradley opened the public hearing and read into the record the following: "The millage rate needed for fiscal year 2013 to generate the same property tax revenue for the City as in 2012, based on the Property Appraiser's certification, is 4.1216 mills. The budget proposed by the staff with amendments generally agreed to by the City Commission requires a millage of 4.0923 mills. This proposed millage of 4.0923 mills would represent a decrease in property taxes not counting

new construction and the City's dedicated increment value payment to the Community Redevelopment Agency of .71%. In addition, a .1051 mill voted debt service is levied to cover the debt service of the General Obligation Bonds, Series 2004 approved by the citizens of Winter Park at the June 4, 1996 bond referendum, and a .2209 mill voted debt service is levied to cover the debt service of the General Obligation Bonds, Series 2011 approved by the citizens of Winter Park at the May 16, 2000 bond referendum."

Mayor Bradley commented that this would be a simultaneous public hearing on both ordinances. Attorney Brown read both ordinances by title.

- a. ORDINANCE NO. 2883-12: 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 .1051 MILL VOTED DEBT SERVICE LEVY UPON ALL REAL AND PERSONAL PROPERTY FOR APPROPRIATION TO THE CITY OF WINTER PARK, FLORIDA GENERAL OBLIGATION BONDS, SERIES 2004, AND A .2209 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 Second reading

Motion made by Commissioner Leary to adopt the ordinance; seconded by Commissioner Cooper. No public comments were made. **Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion unanimously carried with a 5-0 vote.**

- b. ORDINANCE NO. 2884-12: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012 AND ENDING SEPTEMBER 30, 2013 AND ACCOMPANYING FIVE YEAR CAPITAL IMPROVEMENT PLAN; APPROPRIATING FUNDS FOR THE GENERAL FUND, DESIGNATIONS TRUST FUND, STORMWATER UTILITY FUND, AFFORDABLE HOUSING FUND, COMMUNITY REDEVELOPMENT FUND, POLICE GRANT FUND, DEBT SERVICE FUND, WATER AND SEWER FUND, ELECTRIC UTILITY FUND, FLEET MAINTENANCE FUND, VEHICLE/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, 2012; AND AUTHORIZING TRANSFER OF FUNDS HEREIN APPROPRIATED BETWEEN DEPARTMENTS SO LONG AS THE TOTAL FUND APPROPRIATIONS SHALL NOT BE INCREASED THEREBY. Second reading

Motion made by Commissioner Leary to adopt the ordinance; seconded by Commissioner McMacken. No public comments were made. **Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel and McMacken voted yes. Commissioner Cooper voted no. The motion carried with a 4-1 vote.**

Public Hearings

a. Request of City of Winter Park:

ORDINANCE NO. 2885-12: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING REGULATIONS" SECTION 58-65 "R-1AAA LAKEFRONT DISTRICT," AND SECTION 58-66 "R-1AA AND R-1A DISTRICTS," BY ADDING A SPECIAL SIDE SETBACK OPTION FOR NARROW LOTS PROVIDING FOR CONFLICTS, SEVERABILITY AND EFFECTIVE DATE. Second reading

Attorney Brown read the ordinance by title.

Motion made by Commissioner McMacken to adopt the ordinance; seconded by Commissioner Cooper. No public comments were made. **Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion unanimously carried with a 5-0 vote.**

b. Request of Rex-Tibbs Construction, Co., Inc. for the property at 271 N. Pennsylvania Avenue:

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE I "COMPREHENSIVE PLAN" FUTURE LAND USE MAP SO AS TO CHANGE THE FUTURE LAND USE DESIGNATION OF COMMERCIAL TO MEDIUM-DENSITY RESIDENTIAL ON THE PROPERTY AT 271 N. PENNSYLVANIA AVENUE, MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR CONFLICTS, SEVERABILITY AND EFFECTIVE DATE. First reading

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO CHANGE THE ZONING DESIGNATION OF COMMERCIAL (C-3) DISTRICT TO MEDIUM DENSITY MULTI-FAMILY (R-3) DISTRICT ON THE PROPERTY AT 271 N. PENNSYLVANIA AVENUE, MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING; CONFLICTS, SEVERABILITY AND EFFECTIVE DATE. First reading

SUBDIVISION APPROVAL TO SPLIT THE PROPERTY INTO THREE LOTS FOR THREE ATTACHED FEE SIMPLE TOWNHOMES AND PROVIDING FOR THE ESTABLISHMENT OF SPECIAL SETBACKS FOR THE THREE LOTS

Attorney Brown read the ordinances by title. Mayor Bradley noted that this item will be treated as a simultaneous public hearing having three separate votes.

Planning Director Jeff Briggs explained that Rex-Tibbs Construction has a contingent contract to purchase the property at 271 N. Pennsylvania Avenue and is requesting a Comprehensive Plan FLU Map and Zoning Map change from the existing Commercial (C-3) zoning to Medium Density Residential (R-3) zoning so he can build three (3) two story townhomes. The applicant is also requesting subdivision approval to split the property into three fee simple lots and to establish special setbacks and other

variances for the three lots. It was noted that the P&Z Board voted unanimously in favor of all three items but placed a condition to the subdivision approval (of maintaining front side architectural articulation). Mr. Briggs answered questions including side/rear setbacks, closed courtyards, fee simple and notice to surrounding property owners.

Ex-parte communications were provided regarding the zoning change. Mayor Bradley drove by the site; Commissioner Cooper spoke to the applicant at the P&Z meeting; Commissioner Leary attended the P&Z meeting; Commissioner Sprinkel drove by the site; and Commissioner McMacken drove by the site.

Motion made by Commissioner Leary to accept the (comprehensive plan) ordinance on first reading; seconded by Commissioner Sprinkel. No public comments were made. **Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.**

Motion made by Commissioner McMacken to accept the (zoning) ordinance on first reading; seconded by Commissioner Sprinkel. No public comments were made. **Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.**

Motion made by Commissioner Sprinkel to approve the subdivision split (to include the P&Z recommendation); seconded by Commissioner Leary. No public comments were made. **Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.**

- c. Request of Winter Park Town Center Development LLC for the property located at 940 W. Canton Avenue:

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE I "COMPREHENSIVE PLAN" IN THE FUTURE LAND USE ELEMENT SO AS TO CHANGE THE COMPREHENSIVE PLAN FUTURE LAND USE MAP DESIGNATION FOR THE PROPERTY LOCATED AT 940 W. CANTON AVENUE FROM OFFICE TO HIGH DENSITY RESIDENTIAL AND TO CHANGE THAT PROPERTY'S DESIGNATION ON THE MAXIMUM HEIGHT MAP FROM A MAXIMUM THREE STORIES TO A MAXIMUM FOUR STORIES AND TO ADD A NEW POLICY PROVIDING FOR NEW RESIDENTIAL DENSITY ALLOWANCES FOR AND LIMITED TO THE PROPERTIES AT 940 AND 1020 W. CANTON AVENUE; PROVIDING FOR CONFLICTS, SEVERABILITY AND EFFECTIVE DATE. First reading

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE III "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO CHANGE THE ZONING DESIGNATION FOR THE PROPERTY LOCATED AT 940 W. CANTON AVENUE FROM OFFICE (O-1) DISTRICT MULTI-FAMILY (HIGH DENSITY R-4) DISTRICT AND TO CHANGE THAT PROPERTY'S DESIGNATION ON THE

MAXIMUM HEIGHT MAP FROM A MAXIMUM THREE STORIES TO A MAXIMUM FOUR STORIES AND TO AMEND THE C-1 COMMERCIAL DISTRICT TEXT PROVIDING FOR NEW RESIDENTIAL DENSITY ALLOWANCES FOR AND LIMITED TO THE PROPERTY 1020 W. CANTON AVENUE; PROVIDING FOR CONFLICTS, SEVERABILITY AND EFFECTIVE DATE. First reading

CONDITIONAL USE APPROVAL TO CONSTRUCT A FOUR STORY, 206 UNIT RESIDENTIAL PROJECT; AND A PARKING GARAGE OF APPROXIMATELY 300 SPACES

Attorney Brown read the ordinances by title.

Ex-parte communications were provided. Mayor Bradley spoke with the counsel for the development team and that any other communications would be in the City's email system. Commissioner Leary spoke with the attorney for the developer and a representative from Epoch Properties and attended the P&Z meeting. Commissioner Sprinkel spoke with the attorney for the developers and with City Manager Knight. Commissioner Cooper spoke with City Manager Knight, Rick Baldocchi from the development team, attended the P&Z meeting and asked questions of Mr. Briggs and for copies of files from prior project approvals. Commissioner McMacken spoke with the applicant's attorney and with City staff.

Planning Director Jeff Briggs provided the 2006 history of the previous approvals granted and the vision of the proposed project as a component of the Winter Park Village. He explained that this is a request by the Winter Park Town Center Development LLC (Don Casto Organization – owners of the Winter Park Village) to redevelop the former State DMV property at 940 W. Canton Avenue for a new four story, 204 unit residential development with a companion four level 358 space parking garage. He addressed the requirements to amend the Comprehensive Plan and Zoning Code to provide for the heights (stories) and residential unit count densities. He spoke about the project being a conditional use (over 10,000 square feet) and due to the parcel and project size, a City-wide notice of the public hearings has been mailed to all 14,500 households in the City as well as notices mailed to the property owners within 1,500 feet.

Mr. Briggs provided a summary of what transpired at the P&Z meeting on September 11 and the approvals/actions that were granted. He noted that this is a preliminary approval and that it will come back for final submission including architectural elevations, the final landscape plan and how the stormwater retention will be handled.

Mr. Briggs addressed Commissioner Cooper's concerns including land or density and the legalities of property already developed, what is allowed by code, and how the 2012 approval for 204 units differs in the site layout from the 2006 approval for 140 units. Mr. Briggs provided examples of similar development projects where density was viewed as a total development site context.

Attorney Brown provided legal counsel regarding common ownership and how it affects common control of the property.

Commissioner McMacken shared his concern with the density of 25 units versus 19 units.

Rebecca Wilson, Lowndes, Drosdick, Kantor and Reed spoke on behalf of the applicant. She introduced the project team and provided a PowerPoint presentation to include the project description, site plan, landscape plan, adjacent development, Denning Avenue streetscape plan, project comparison, project benefits and the recommended approval by the P&Z board. Ms. Wilson addressed concerns and answered questions.

Motion made by Commissioner Sprinkel to accept the first ordinance (comprehensive plan) on first reading; seconded by Commissioner Leary.

Motion made by Commissioner Sprinkel to accept the second ordinance (zoning) on first reading; seconded by Commissioner Leary.

Motion made by Commissioner Leary to approve the conditional use request (per P&Z recommendation); seconded by Commissioner Sprinkel.

Mayor Bradley expressed concerns with the stormwater retention. Mr. Briggs explained that P&Z asked that the Commission determine the policy first before it comes back to them. He said at this point it is conceptual and that one of the alternatives might involve a partnership but the specific design will be presented at the final conditional use approval.

The following spoke in favor of the project:

Patrick Chapin, President of Winter Park Chamber of Commerce
James T. Barnes, Jr., 7 Isles of Sicily
Joe Terranova, 151 N. Virginia Avenue

The following spoke against the project:

Mary Randall, 1000 S. Kentucky Avenue
Sally Flynn, 1400 Highland Road
Lurlene Fletcher, 790 Lyman Avenue
Wayne Johnson, 220 Brewer Avenue
Vicki Krueger, 200 Carolina Avenue (agreed with the mixed use, but was against the size of the project and the parking).

Motion amended by Commissioner Cooper (for the conditional use), that a Development Agreement be executed to document all representations and density sharing. Commissioner Leary clarified that his original motion includes

P&Z's recommendation that a development agreement be presented.
Commissioner Cooper withdrew her motion to amend.

Upon a roll call vote on the first ordinance (comprehensive plan), Mayor Bradley and Commissioners Leary, Sprinkel and McMacken voted yes. Commissioner Cooper voted no. The motion carried with a 4-1 vote.

Upon a roll call vote on the second ordinance (zoning), Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

Upon a roll call vote (conditional use), Mayor Bradley and Commissioners Leary, Sprinkel and McMacken voted yes. Commissioner Cooper voted no. The motion carried with a 4-1 vote.

A recess was taken from 6:59 p.m. to 7:11 p.m.

- d. RESOLUTION NO. 2112-12: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, RESCINDING RESOLUTION 2091-11 DESIGNATING 520 N. INTERLACHEN AVENUE, WINTER PARK, FLORIDA AS A HISTORIC LANDMARK ON THE WINTER PARK REGISTER OF HISTORIC PLACES.

Attorney Brown read the resolution by title and provided legal counsel regarding the historic designation process. Planning Director Jeff Briggs provided background and answered questions.

Jason Searl, Gray Robinson Law Firm, spoke on behalf of the applicant. He asked for the repeal of Resolution 2091-11 since SunTrust now owns it via foreclosure and because the historic designation impairs the banks collateral.

Motion made by Commissioner Leary to adopt the resolution; seconded by Commissioner McMacken. No public comments were made. **Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.**

- e. Request from New Hope Baptist Church (274 N. Capen Avenue): Conditional use approval to add two buildings to their property and to use the modular classroom buildings for a children's daycare facility.

Planning Director Jeff Briggs explained that the Commission tabled this request on August 27. In response to concerns about the appearance of the buildings, the church submitted a letter outlining the improvements proposed to the appearance of the modular buildings. The P&Z Board voted unanimously for approval of the Conditional Use with the condition that the entry drive be marked as 'one-way' and for the parking spaces to be reconfigured as angle parking for better functioning. Notices were sent to all property owners within 500 feet and no one appeared at the Planning Board meeting to voice any objections or concerns.

Building and Code Enforcement Director George Wiggins and Mr. Briggs answered questions including code requirements and the process with putting temporary structures/buildings on a site prior to conditional use approval. Mr. Wiggins advised that if the applicant changes the use they will have to obtain Commission approval.

Discussion ensued regarding the need for hot water in both bathrooms, the uneasiness with not knowing what the exterior finishes will be and the numerous approvals that come with obtaining a license to operate a daycare facility.

Fred Hendry, Facilities Coordinator for New Hope Baptist Church, addressed the Commission's questions and concerns. He noted that the church is willing to hire an architect to design the exterior of the buildings so they are complimentary to the surrounding neighborhood. He addressed the modular building being temporary as they are currently looking into performing renovations to the church. He noted that the modular buildings will be there for up to three years.

Pastor John Phillips, New Hope Baptist Church, explained that the church intends to obtain City approval to build proper permanent facilities and will move forward when they receive conditional use approval to establish a daycare facility.

Mr. Wiggins addressed questions including the requirements and approvals for modular vs. manufactured buildings. Attorney Brown provided legal counsel.

Motion made by Mayor Bradley to approve the conditional use request of the New Hope Baptist Church for up to three (3) years along with the installation of the two bathrooms and then have staff grant approval for the site elevation plans for building support within the neighborhood; seconded by Commissioner McMacken.

Lurlene Fletcher, 790 Lyman Avenue, spoke in favor of the request.

Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

- f. ORDINANCE NO. 2886-12: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA; AMENDING SECTION 62-77 OF THE MUNICIPAL CODE AND ADDING NEW SECTION 62-79, TO PROMOTE PUBLIC PEACE AND ORDER IN RESIDENTIAL AREAS AND TO PROMOTE THE IMPORTANT VALUE OF TRANQUIL AND HARMONIOUS NEIGHBORHOODS IN THE CITY OF WINTER PARK BY REGULATING WITHIN A DEFINED BUFFER AREA ALL PICKETING, REGARDLESS OF THE CONTENT OF THE COMMUNICATION, AND ALLOWING A RESIDENT TO POST A "NO LOITERING" SIGN ON HIS OR HER PROPERTY WHEN A PROTEST OR PICKETING ACTIVITY IS OCCURRING ON A SIDEWALK, RIGHT-OF-WAY, STREET OR OTHER PUBLIC AREA ABUTTING THE SUBJECT PRIVATE PROPERTY OR WITHIN THE DEFINED BUFFER; PROVIDING FOR ALTERNATIVE AREAS FOR PROTEST AND PICKETING; PROVIDING

FOR ENFORCEMENT; PROVIDING A SAVINGS CLAUSE AND SEVERABILITY;
PROVIDING FOR CONFLICTS AND AN EFFECTIVE DATE. Second Reading

Attorney Brown read the ordinance by title.

Motion made by Commissioner McMacken to adopt the ordinance; seconded by Commissioner Sprinkel.

The following spoke in opposition:

Brian Denham, 5026 Hidden Springs Boulevard
Allura Lightfast, 4400 Shumard Oak Court
Robert Sparel, 2394 River Tree Circle, Sanford
Dr. Patricia McEwen, 1014 Vista Oaks, Palm Bay
Deanna Waller, 2341 Elprado Terrace, Deltona
Jay Rogers, 3083 Bloomsburg Drive, Kissimmee
James L. Walker Sr., 205 Tyree Lane
Mark Schmitter, 3320 Bax Lane
Geoff Walker, 205 Tyree Lane
Michele Herzog, 5200 Orange Boulevard
Cathy Hettiuger, 2827 Eastern Parkway

The following spoke in favor:

David B. Slaughter, UCF Department of Legal Studies
Reverend Karen Duncan, First Congregational Church, 225 S. Interlachen Avenue
Phil Anderson, 2020 Fawsett Road
Maira Holzmam, 1821 Anzle Avenue
Madeline L. Pots, 1499 Aloma Avenue
Jennifer Anderson, 2020 W. Fawsett Road
Sally Blackman, 1521 Harris Circle
Reverend Bryan Fulwider, 231 N. Interlachen Avenue
James S. Fisher, 2210 Coldstream Drive
Cicely Fisher, Coldstream Drive
Barbara Hovanetz, Langholm Drive
Eric Hawley, 220 Brown Avenue

Brief comments were made by each Commissioner. **Upon a roll call vote, Mayor Bradley voted no. Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried with a 4-1 vote.**

City Commission Reports:

- a. Commissioner Leary - No items.
- b. Commissioner Sprinkel

Commissioner Sprinkel reminded everyone that she will be hosting the coffee talk this Thursday morning at 8:00 a.m.

c. Commissioner Cooper

Commissioner Cooper explained that she participates in the Growth Management & Economic Development Committee for the League of Cities and would like to share information regarding new legislation. Attorney Brown recommended that she send the information to City Manager Knight for distribution to the Commission.

d. Commissioner McMacken

Commissioner McMacken explained that he serves on the Community Action Board and they are holding an event titled "A symposium on poverty" on October 26. He asked if the City would consider sponsoring the event. City Manager Knight said we have not typically done so. Commissioner Sprinkel suggested deferring this to their upcoming discussion regarding funding to outside organizations. A majority of the Commission agreed.

e. Mayor Bradley

1. Cell phones for official business

Mayor Bradley advised that some municipalities provide their elected officials cell phones to conduct official business and asked for legal input.

Attorney Brown provided legal counsel regarding the use of personal and business cell phones and the public record laws. A majority of the Commission agreed that City Manager Knight review this item and to bring back a recommendation.

The meeting adjourned at 8:12 p.m.

Mayor Kenneth W. Bradley

ATTEST:

City Clerk Cynthia S. Bonham



city commission agenda item

item type	Consent Agenda	meeting date	October 8, 2012
prepared by department division	Purchasing Division	approved by	<input checked="" type="checkbox"/> City Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> N/A
board approval	<input type="checkbox"/> yes <input type="checkbox"/> no <input checked="" type="checkbox"/> N/A		
		final vote	

Purchases over \$50,000

	vendor	item background	fiscal impact	motion recommendation
1.	GATSO USA	Blanket Purchase Order for Red Light Safety Enforcement (RFP-13-2009)	Total expenditure included in approved FY13 budget. Amount: \$496,800	Commission approve Blanket Purchase Order to GATSO USA for Red Light Safety Enforcement
The City of Winter Park utilized a competitive bidding process to award this contract. The contract was awarded on May 11, 2009. The current contract term expires January 22, 2014. This Blanket Purchase Order will expire on September 30, 2013. Payment will be processed monthly against this Blanket Purchase Order.				
2.	ENCO Utility Services	Blanket Purchase Order for Professional Services (Operations and Maintenance)	Total expenditure included in approved FY13 budget. Amount: \$2,000,000	Commission approve Blanket Purchase Order to ENCO Utility Services for FY13 Professional Services
This Blanket Purchase Order will expire September 30, 2013.				
3.	Seminole Electric Cooperative, Inc.	Blanket Purchase Order for Bulk Power (ITN-33-2010)	Total expenditure included in approved FY13 budget. Amount: \$8,944,000	Commission approve Blanket Purchase Order to Seminole Electric Cooperative, Inc. for FY13 Purchase of Bulk Power
The City utilized a competitive formal solicitation process to award this contract. The City Commission approved this contract on October 25, 2010. This Blanket Purchase Order will expire September 30, 2013.				
4.	Progress Energy	Blanket Purchase Order for Bulk Power (ITN-33-2010)	Total expenditure included in approved FY13 budget. Amount: \$18,000,000	Commission approve Blanket Purchase Order to Progress Energy for FY13 Bulk Power
The City utilized a competitive formal solicitation process to award this contract. The City Commission approved this contract on October 25, 2010. This Blanket Purchase Order will expire September 30, 2013.				
5.	Progress Energy	Blanket Purchase Order for Transmission Services (ITN-33-2010)	Total expenditure included in approved FY13 budget. Amount: \$2,392,180	Commission approve Blanket Purchase Order to Progress Energy for FY13 Transmission Services
The City utilized a competitive formal solicitation process to award this contract. The City Commission approved this contract on October 25, 2010. This Blanket Purchase Order will expire September 30, 2013.				
6.	Air Liquide Industrial	Blanket Purchase Order for Liquid Oxygen for Water	Total expenditure included in	Commission approve Blanket Purchase Order to Air

	Company	Treatment Facilities	approved FY13 budget. Amount: \$170,000	Liquide Industrial Company for FY13 Liquid Oxygen for Water Treatment Facilities
The City Commission approved piggybacking the Orlando Utilities Commission contract RFP#35 for this product on June 25, 2012. The current contract term expires May 29, 2017. This Blanket Purchase Order will expire September 30, 2013.				
7.	Odyssey Manufacturing Company	Blanket Purchase Order for 12.5% Sodium Hypochlorite for Water & Wastewater Treatment Facilities	Total expenditure included in approved FY13 budget. Amount: \$180,000	Commission approve Blanket Purchase Order to Odyssey Manufacturing Company for FY13 12.5% Sodium Hypochlorite for Water & Wastewater Treatment Facilities
The City Commission approved piggybacking the City of Eustis contract #001-10 for this product on October 10, 2011. The current contract term expires September 30, 2013. This Blanket Purchase Order will expire September 30, 2013.				
8.	Stephen's Technology	Blanket Purchase Order for Trenchless Repairs to Sanitary Sewer Mains	Total expenditure included in approved FY13 budget. Amount: \$185,000	Commission approve Blanket Purchase Order to Stephen's Technology for FY13 Trenchless Repairs to Sanitary Sewer Mains
This is a Sole Source vendor. This Blanket Purchase Order will expire September 30, 2013.				
9.	Perma-Liner Industries	Blanket Purchase Order for Lateral Lining Materials for Sewer Repairs	Total expenditure included in approved FY13 budget. Amount: \$85,000	Commission approve Blanket Purchase Order to Perma-Liner Industries for FY13 Lateral Lining Materials for Sewer Repairs
This is a Sole Source vendor. This Blanket Purchase Order will expire September 30, 2013.				
10	Winter Park Public Library	Blanket Purchase Order for Annual Organizational Support	Total expenditure included in approved FY13 budget. Amount: \$1,351,560	Commission approve Blanket Purchase Order to Winter Park Public Library for FY13 Organizational Support
This Blanket Purchase Order will expire September 30, 2013.				
11	Aetna	Blanket Purchase Order for Administrative Contract Service Fee for Medical Insurance (RFP-6-2007)	Total expenditure included in approved FY13 budget. Amount: \$290,889	Commission approve Blanket Purchase Order to Aetna for Administrative Contract Service Fee for Medical Insurance
The City of Winter Park utilized a competitive bidding process to award this contract. The contract was awarded on March 26, 2007. The current contract term expires September 30, 2013. Payment will be processed monthly against this Blanket Purchase Order. This Blanket Purchase Order will expire September 30, 2013.				
12	Aetna	Blanket Purchase Order for Administrative Stop Loss for Medical Insurance (RFP-6-2007)	Total expenditure included in approved FY13 budget. Amount: \$466,022	Commission approve Blanket Purchase Order to Aetna for Administrative Stop Loss for Medical Insurance
The City of Winter Park utilized a competitive bidding process to award this contract. The contract was awarded on March 26, 2007. The current contract term expires September 30, 2013. Payment will be processed monthly against this Blanket Purchase Order. This Blanket Purchase Order will expire September 30, 2013.				
13	Metlife	Blanket Purchase Order for Dental Insurance (RFP-18-2008)	Total expenditure included in approved FY13 budget. Amount: \$373,475	Commission approve Blanket Purchase Order to Metlife for Dental Insurance

The City of Winter Park utilized a competitive bidding process to award this contract. The contract was awarded on July 14, 2008. The current contract term expires September 30, 2013. Payment will be processed monthly against this Blanket Purchase Order. This Blanket Purchase Order will expire September 30, 2013.				
14	Lina (Cigna)	Blanket Purchase Order for Life, Accidental Death and Dismemberment and Long Term Disability Insurance (RFP-19-2008)	Total expenditure included in approved FY13 budget. Amount: \$123,678	Commission approve Blanket Purchase Order to Lina (Cigna) for Life, Accidental Death and Dismemberment and Long Term Disability Insurance
The City of Winter Park utilized a competitive bidding process to award this contract. The contract was awarded on July 14, 2008. The current contract term expires September 30, 2013. Payment will be processed monthly against this Blanket Purchase Order. This Blanket Purchase Order will expire September 30, 2013.				
15	Hylant Group	Blanket Purchase Order for Benefit Consulting Services (RFP-3-2009)	Total expenditure included in approved FY13 budget. Amount: \$66,464	Commission approve Blanket Purchase Order to Hylant Group for Benefit Consulting Services
The City of Winter Park utilized a competitive bidding process to award this contract. The contract was awarded on February 24, 2009. The current contract term expires February 1, 2014. This Blanket Purchase Order will expire September 30, 2013.				
16	Masci General Contractor, Inc.	Blanket Purchase Order for Fairbanks Avenue Roadway and Wastewater System Improvements (IFB-10-2012)	Total expenditure included in approved capital improvement budget. Amount: \$6,218,312.25	Commission approve Blanket Purchase Order to Masci General Contractor, Inc.
The City of Winter Park utilized a competitive bidding process to award this contract. The contract was awarded on June 11, 2012. This Blanket Purchase Order will expire September 30, 2013.				
17	Waste Pro of Florida	Blanket Purchase Order for Residential Garbage, Yard Waste & Recycle Services (RFP-6-2009)	Total expenditure included in approved FY13 budget. Amount: \$2,053,600	Commission approve Blanket Purchase Order to Waste Pro of Florida for Residential Garbage, Yard Waste & Recycle Services
The City of Winter Park utilized a competitive bidding process to award this contract. The contract was awarded on February 23, 2009. The current contract term expires on February 22, 2014. This Blanket Purchase Order will expire September 30, 2013.				
18	City of Altamonte Springs	Blanket Purchase Order Wholesale Sewer Treatment	Total expenditure included in approved FY13 budget. Amount: \$125,000	Commission approve Blanket Purchase Order to City of Altamonte Springs for FY13 Wholesale Sewer Treatment
The City is locked into a three year rate for wholesale sewer treatment with the City of Altamonte Springs through FY13. This Blanket Purchase Order will expire September 30, 2013.				
19	South Seminole & North Orange County Wastewater Transmission Authority (SSNOCWTA)	Blanket Purchase Order for Operation & Maintenance Charges; Depreciation per Interlocal Agreement	Total expenditure included in approved FY13 budget. Amount: \$645,000	Commission approve Blanket Purchase Order to SSNOCWTA for FY13 Operation & Maintenance; Depreciation
The City executed an Interlocal Agreement with SSNOCWTA on September 1, 2003. This Blanket Purchase Order will expire September 30, 2013.				
20	City of Orlando	Blanket Purchase Order for Sanitary Sewer	Total expenditure included in approved FY13	Commission approve Blanket Purchase Order to City of Orlando for FY13 sanitary

			budget. Amount: \$1,850,000	sewer charges
This Blanket Purchase Order will expire September 30, 2013.				
21	City of Orlando	Blanket Purchase Order for Costs Associated with the Improvements at the Iron Bridge Regional Water Reclamation Facility	Total expenditure included in approved FY13 budget. Amount: \$165,000	Commission approve Blanket Purchase Order to City of Orlando for FY13 improvements at the Iron Bridge Regional Water Reclamation Facility
Per Amendment VII of the Intergovernmental Agreement with the City of Orlando. This Blanket Purchase Order will expire September 30, 2013.				
22	City of Orlando	Blanket Purchase Order for Sanitary Sewer for McLeod/Asbury	Total expenditure included in approved FY13 budget. Amount: \$385,000	Commission approve Blanket Purchase Order to City of Orlando for FY13 sanitary sewer charges for McLeod/Asbury
This Blanket Purchase Order will expire September 30, 2013.				
23	Duval Asphalt	Blanket Purchase Order for E-Z Street Cold Asphalt	Total expenditure included in approved FY13 budget. Amount: \$50,000	Commission approve Blanket Purchase Order to Duval Asphalt for E-Z Street Cold Asphalt
This is a Sole Source vendor. This Blanket Purchase Order will expire September 30, 2013.				
24	Avanti International	Blanket Purchase Order for AV-118 Chemical Grout	Total expenditure included in approved FY13 budget. Amount: \$65,000	Commission approve Blanket Purchase Order to Avanti International for AV-118 Chemical Grout
This is a Sole Source vendor. This is used for grout sealing sanitary sewer main and manholes throughout the City. This Blanket Purchase Order will expire September 30, 2013.				
25	Xylem Water Solution	Blanket Purchase Order for Repair of Flygt Products, Service Repair & Warranty	Total expenditure included in approved FY13 budget. Amount: \$65,000	Commission approve Blanket Purchase Order to Xylem Water Solution for Repair of Flygt Products, Service Repair & Warranty
This is a Sole Source vendor. Flygt products include submersible pumps, mixers, valves, M&C products, Syracuse safe hatch access covers and control panels. This Blanket Purchase Order will expire September 30, 2013.				
26	A Budget Tree Service	FY12 Purchase Order 148048 for Dead Tree Removal (RFP-4-2012)	Total expenditure included in approved FY12 budget. Amount: \$183,500	Commission approve FY12 Purchase Order 148048 to A Budget Tree Service for Dead Tree Removal
The City utilized a competitive bidding process to award this contract. The contract was awarded on January 9, 2012.				
27	William J. Peebles	Blanket Purchase Order for State Lobbyist Services	Total expenditure included in approved FY13 budget. Amount: \$52,000	Commission approve Blanket Purchase Order to William J. Peebles for State Lobbyist Services
This Blanket Purchase Order will expire on September 30, 2013.				
28	Shutts & Bowen	Blanket Purchase Order for Labor Attorney Services	Total expenditure included in approved FY13 budget. Amount: \$80,000	Commission approve Blanket Purchase Order to Shutts & Bowen for Labor Attorney Services
This Blanket Purchase Order will expire on September 30, 2013.				

29	Brown, Garganese, Weiss & D'Agresta	Blanket Purchase Order for Attorney Services (RFP-21-2009)	Total expenditure included in approved FY13 budget. Amount: \$320,000	Commission approve Blanket Purchase Order to Brown, Garganese, Weiss & D'Agresta for Attorney Services
The City of Winter Park utilized a competitive bidding process to award this contract. The contract was awarded on August 10, 2009. This Blanket Purchase Order will expire on September 30, 2013.				

Contracts

	vendor	item background	fiscal impact	motion recommendation
30	Centurylink Sales Solutions, Inc.	Products and Services Agreement 120800578287 for T1 Circuit	Total expenditure included in FY13 budget. Amount: \$5,331.	Commission approve the Products and Services Agreement with Centurylink Sales Solutions, Inc. and authorize the Mayor to execute the Agreement.
This Agreement is necessary to continue electronic communications between the City of Winter Park and Orange County for access to State Attorney website and driver's license database. This Agreement utilizes the Department of Management Services (DMS) contract DMS 08/09-057, contract term is 2/1/07 through 1/4/14.				
31	Centurylink Sales Solutions, Inc.	Products and Services Agreement 120900580553 for Internet Access Circuit	Total expenditure included in FY13 budget. Amount: \$6,240.	Commission approve the Products and Services Agreement with Centurylink Sales Solutions, Inc. and authorize the Mayor to execute the Agreement.
This Agreement is necessary to increase internet access for the Police Department to realize greater bandwidth. This Agreement utilizes the Department of Management Services (DMS) contract DMS 08/09-057, contract term is 2/1/07 through 1/4/14.				
32	Brown and Brown	Renewal package policy for period 10/1/2012 – 10/1/2013. Coverage includes: General Liability, Law Enforcement Liability, Public Officials Liability, Employment Practices, Commercial Auto Liability and Physical Damage and Excess Workers' Compensation.	Total expenditure included in approved FY13 budget. Amount: \$643,766	Commission approve renewal of Commercial Insurance package with Brown & Brown, authorize the Mayor to execute the renewal document and approve subsequent purchase order to be created October 9, 2012.
Premium increase due to Workers' Compensation rate increase. Increase from last year is 9%.				

Piggyback contracts

	vendor	item background	fiscal impact	motion recommendation
33	Master Protection dba Firemaster	Piggyback Contract for Fire Extinguisher, Inspections, Repairs and Parts	Total expenditure included in approved FY13 budget.	Commission approve piggybacking Volusia County contract 11-B-128PW with Master Protection dba Firemaster and authorize the Mayor to execute the Piggyback Contract.
Volusia County utilized a competitive bidding process to award this contract. The contract term expires on November 10, 2014.				



city commission agenda item

item type	Consent Agenda	meeting date	October 8, 2012
prepared by department division	Purchasing Division/Police Department	approved by	<input checked="" type="checkbox"/> City Manager <input checked="" type="checkbox"/> City Attorney <input type="checkbox"/> N/A
board approval	<input type="checkbox"/> yes <input type="checkbox"/> no <input checked="" type="checkbox"/> N/A		
		final vote	

subject

Purchases related to Central Florida HIDTA

motion | recommendation

Commission authorize the City Manager, in consultation with the City Attorney, as needed, to sign purchase orders for payment of HIDTA personnel and operations, subject to the condition that the HIDTA grant funds will be the sole source of money to pay these obligations.

Additionally, authorize purchase orders in the amounts of \$54,000, \$68,000, \$108,000 and \$150,000 for several independent contractors who provide specialized and confidential investigative services on behalf of HIDTA. Additionally, a purchase order is requested in the amount of \$98,000 for facility expenses of HIDTA.

background

The City participates in a joint task force identified as HIDTA (which stands for 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. At this time, the City has on hand \$883,112 in HIDTA grant funds, and these funds are sufficient to cover all routine and normal operations of the HIDTA task force for the remainder of the federal grant year.

alternatives | other considerations

N/A

fiscal impact

No fiscal impact incurred by the City. All expenses related to HIDTA are paid by grant funding awarded to HIDTA received from the federal government.

strategic objective

Quality government services & financial security



city commission agenda item

item type	Consent Agenda	meeting date	October 8, 2012
prepared by	Don Marcotte	approved by	<input type="checkbox"/> City Manager
department	Public Works		<input checked="" type="checkbox"/> City Attorney
division	Stormwater		<input type="checkbox"/> N/A
board approval	<input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> N/A		
	final vote		

subject

Interlocal Agreement between Orange County and City of Winter Park regarding reimbursement for Phase II of Minnesota Avenue Drainage Design Project

motion | recommendation

Approve Interlocal Agreement and authorize purchase of \$81,610.98 for our portion

background

The City of Winter Park, the City of Orlando, and Orange County are in cooperation to improve the drainage on Minnesota Avenue, Clay Street, Harold Avenue, and Nicolet Avenue. Orange County has taken the lead on the project in developing the scope of services with their consulting engineers. The Cities of Winter Park and Orlando agreed to partner with Orange County by funding equal portions of the final design. Funding for the future construction of the improvements will be based on each municipality's jurisdictional area within the Minnesota Avenue drainage basin.

The City of Winter Park's contribution to the project will provide for water quality improvements within the Lake Killarney drainage basin by expanding the existing pond on Minnesota Avenue and constructing a new pond on Nicolet Avenue.

alternatives | other considerations

N/A

fiscal impact

Stormwater Capital Improvement project approved in FY'11, included in the Five Year Plan.
\$81,610.98

long-term impact

N/A

strategic objective

Quality Environment & Infrastructure

INTERLOCAL AGREEMENT

between

ORANGE COUNTY, FLORIDA

and

CITY OF WINTER PARK, FLORIDA

regarding

**REIMBURSEMENT FOR PHASE II OF
MINNESOTA AVENUE DRAINAGE DESIGN PROJECT**

Approved by the Orange County
Board of County Commissioners
_____, 2012

Approved by City of Winter Park
City Commission
_____, 2012

INTERLOCAL AGREEMENT
between
ORANGE COUNTY, FLORIDA
and
CITY of WINTER PARK, FLORIDA
regarding
REIMBURSEMENT FOR PHASE II OF
MINNESOTA AVENUE DRAINAGE DESIGN PROJECT

THIS INTERLOCAL AGREEMENT is made and entered into by and between **Orange County, Florida**, a charter county and political subdivision of the State of Florida (“County”), and the **City of Winter Park, Florida**, a municipal corporation created and existing under the laws of the State of Florida in Orange County (“City”).

RECITALS:

WHEREAS, the County has authority pursuant to Section 125.01, Florida Statutes, to enter into agreements;

WHEREAS, the City has authority pursuant to Section 166.021, Florida Statutes, to enter into agreements;

WHEREAS, the County and the City have authority pursuant to Section 163.01, Florida Statutes, to enter into interlocal agreements;

WHEREAS, in the interest of public safety and intergovernmental cooperation, the County, the City, and the City of Orlando, are undertaking a joint project known as the Minnesota Avenue Drainage Design;

WHEREAS, generally speaking, the Minnesota Avenue Drainage Design encompasses an area of approximately 250 acres in the Howell Creek watershed, as depicted on **Exhibit “A”** attached hereto and incorporated herein by reference;

WHEREAS, more specifically, the project area is located immediately south of Fairbanks Avenue, west of Orlando Avenue (U.S. 17-92), north of Westchester Avenue and east of Interstate 4;

WHEREAS, previously, the County, the City, and the City of Orlando undertook and completed an initial study to identify drainage improvements for this joint project, referred to as the Phase I study;

WHEREAS, this particular Interlocal Agreement is solely intended to address the City's obligation to reimburse the County for the City's share of the costs of the Phase II design study being performed by Inwood Consulting Engineers, Inc. ("Inwood"), which is under contract with the County, but not under contract with the City; and

WHEREAS, by an identical Interlocal Agreement, the County will address the City of Orlando's obligation to reimburse the County for the City of Orlando's identical share of the costs of the Phase II design study being performed by Inwood.

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the County and the City hereby agree as follows:

1. **Recitals.** The foregoing recitals are true and correct and are hereby incorporated herein by reference.

2. **The County's Obligation.** The County shall direct and cause its independent contractor, Inwood Consulting Engineers, Inc., to undertake and complete the Phase II design study for the Minnesota Avenue drainage design project pursuant to instructions previously agreed upon by the County, the City, and the City of Orlando, as reflected by Inwood's revised

“Scope of Services” attached hereto as **Exhibit “B”** and incorporated herein by reference. As stated in the revised “Scope of Services,” the notice to proceed date is November 1, 2012.

3. The City’s Obligation.

A. The City shall reimburse the County for the City’s share of the cost of the Phase II design study being performed by Inwood. Specifically, the City’s share of those costs equals Eighty-One Thousand, Six Hundred Ten Dollars, and Ninety-Eight Cents (\$81,610.98). The City shall remit to the County the full amount due within thirty (30) days after receipt of a copy of the purchase order issued to Inwood by the County. The City shall make the check payment to the “Orange County Board of County Commissioners,” and deliver it to the following address:

Orange County Public Works Department
Fiscal and Administrative Division
4200 South John Young Parkway
Orlando, Florida 32839-9205

In the event any portion of the City’s share remains unspent after completion of the Phase II design study or the Phase II design study is never completed, the County shall return to the City such unspent portion within ninety (90) days. In the unlikely event of any cost overruns, the City shall share such cost equally with the County and the City of Orlando.

B. The County shall take reasonable measures to avoid cost overruns. Any cost overrun in which the City will share pro rata the expense shall be: (a) reasonable and necessary in order to complete the project as intended by this Interlocal Agreement; (b) not incurred as a result of the contractor’s or design professional’s cause or fault; (c) not incurred as a result of cause or fault that could have been avoided by the County; and (d) approved in advance by the City Manager or designee if the cost to the City is less than or equal to \$50,000, and approved by the City Commission if the cost to the City exceeds \$50,000, but approval by

the City shall not be unreasonably withheld subject to the City's share being its pro rata share as hereafter defined and subject to the cost overrun being in accordance with these requirements.

4. **General.**

A. **Validity.** The County and the City each represents, warrants, and covenants to and with the other its respective authority and power under Florida law to enter into this Interlocal Agreement, acknowledges the validity and enforceability of this Interlocal Agreement, and waives any future right of defense based on any claim of illegality, invalidity or unenforceability of any nature. The County and the City each represents, warrants and covenants to and with the other that this Interlocal Agreement has been approved by its respective governing body at a duly held public meeting, and that this Interlocal Agreement constitutes a legal, valid and binding contract enforceable against the respective party in accordance with the terms hereof (assuming the due authorization, execution and delivery hereof by the other parties hereto).

B. **Ambiguities.** Both parties have been allowed equal input regarding the terms and wording of this Interlocal Agreement and have had the benefit of consultation with their respective legal counsel prior to its execution, such that all language herein shall be construed equally against the parties, and no language shall be construed strictly against its drafter.

C. **Headings.** The headings or captions of sections or subsections used in this Interlocal Agreement are merely for the convenience of the parties for reference only and are not intended to define or limit their contents, nor are they to affect the construction of or to be taken into consideration in interpreting this Interlocal Agreement.

D. **Nonseverability.** Paragraphs 2 and 3 of this Interlocal Agreement are declared by the parties to not be severable.

E. **Governing Law; Venue; Attorney's Fees and Costs.**

i. This Interlocal Agreement shall be governed by and construed in accordance with laws of the State of Florida.

ii. Venue for any action arising out of or related to this Interlocal Agreement shall be in the Circuit Court for the Ninth Judicial Circuit in Orange County, Florida.

iii. In the event either party deems it necessary to take legal action to enforce any provisions of this Interlocal Agreement, each party shall bear its own attorney's fees and costs at both the trial and appellate levels.

F. **Entire Agreement.** This Interlocal Agreement constitutes the entire Interlocal Agreement between the parties regarding the subject matter hereof. Any prior oral or written agreements or understandings of any kind between the parties relating to the subject matter hereof are null and void and of no further effect.

G. **Amendments.** This Interlocal Agreement may be amended only by express written instrument approved by the Board of County Commissioners of the County and the City Commission of the City of Winter Park, and executed by the authorized officers of each party.

H. **Assignment.** This Interlocal Agreement may not be assigned by the County or the City. However, it shall not be deemed an assignment by the County that the County is using Inwood, an independent contractor, to perform responsibilities for which the County will be reimbursed by the City under this Interlocal Agreement.

I. **Counterparts.** This Interlocal Agreement and any amendments thereto may be executed in two counterparts, each of which shall be deemed an original, but both of which shall constitute one and the same instrument.

J. **No Third Party Beneficiaries.** Only the parties to this Interlocal Agreement have any rights under this Interlocal Agreement, and there are no third party beneficiaries created, intended or established pursuant to or as a result of this Interlocal Agreement. Without limitation of the foregoing, no third party shall have contractual right of indemnity as a result of or pursuant to this Interlocal Agreement.

K. **Sovereign Immunity.** Except for the obligations expressly undertaken in this Interlocal Agreement, the parties reserve all rights and defenses of sovereign immunity, including those in Section 768.28, Florida Statutes, and no right or defense of sovereign immunity is waived as a result of or by this Interlocal Agreement.

L. **Notices.** Any notice required to be given or otherwise given by one party to the other party shall be in writing and shall be deemed delivered when given by hand delivery; five (5) days after being deposited in the United States Mail, postage prepaid, certified or registered; or the next business day after being deposited with a recognized overnight mail or courier delivery service; or when transmitted by facsimile or telecopy transmission, with receipt acknowledged upon transmission; and addressed as follows:

If to the County: Director, Orange County Public Works Department
4200 South John Young Parkway
Orlando, Florida 32839
Facsimile: (407) 836-7716

If to the City: Director of Public Works
City of Winter Park
180 West Lyman Ave.
Winter Park, Florida 32789
Facsimile: (407) 599-3417

In all cases, notices shall be deemed delivered to a party only upon delivery of copies to the persons indicated above in the same manner as for the party being notified. Either party may change its designated official or address for receipt of notice by giving notice of such change to the other party in the manner provided in this section.

5. **Effective Date.** This Interlocal Agreement shall become effective on the date of execution by the County or the date of execution by the City, whichever date is later.

IN WITNESS WHEREOF, the parties have executed this Interlocal Agreement as of the dates indicated below.

ORANGE COUNTY, FLORIDA

By: Board of County Commissioners

By: _____

Teresa Jacobs
County Mayor

Date: _____, 2012

ATTEST: Martha O. Haynie, County Comptroller
As Clerk of the Board of County Commissioners

By: _____
Deputy Clerk

CITY OF WINTER PARK, FLORIDA

By: City Commission

By: _____

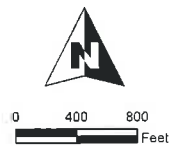
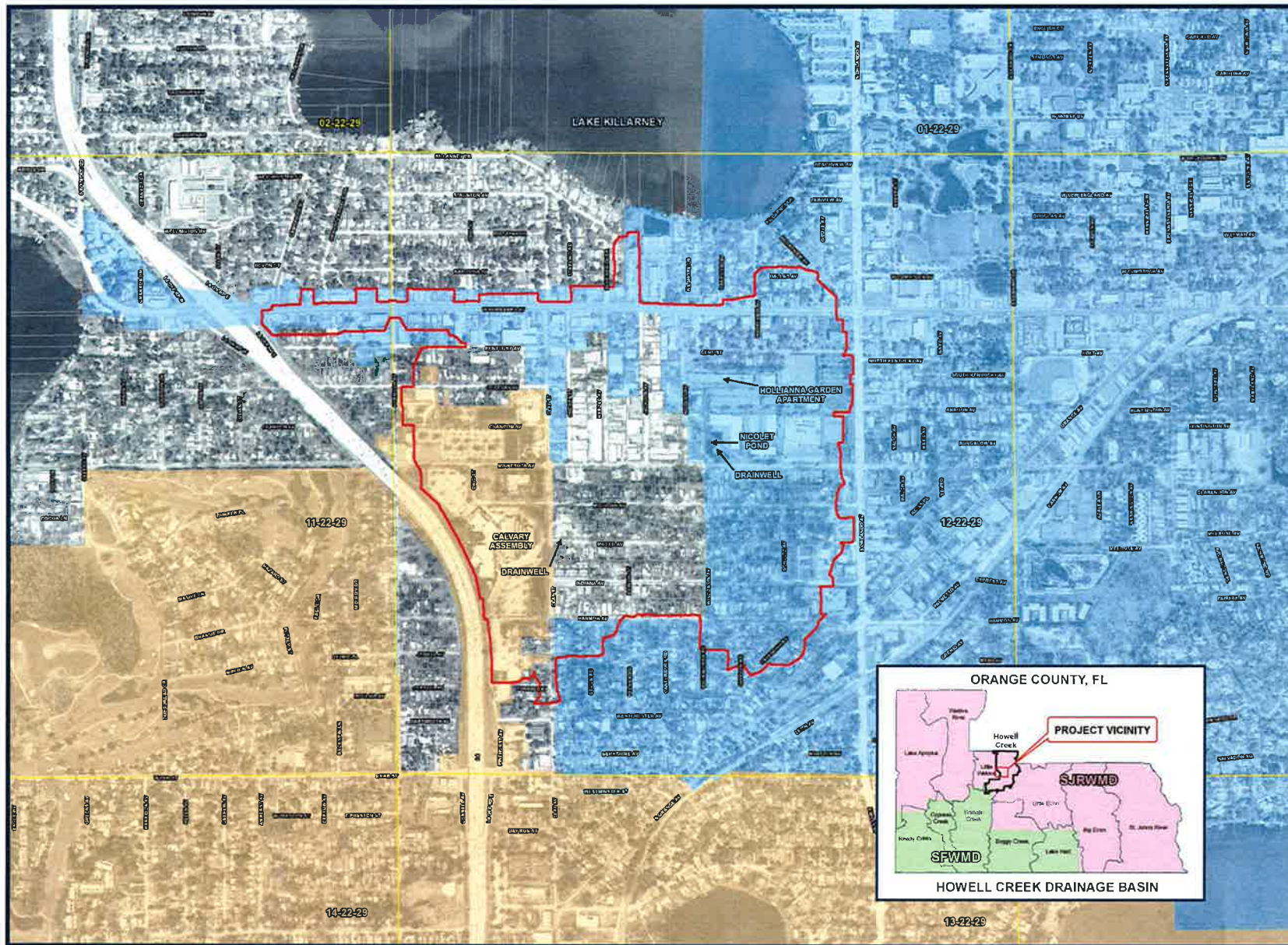
Kenneth W. Bradley, Mayor

Date: _____, 2012

ATTEST:

By: _____
Cindy Bonham, City Clerk

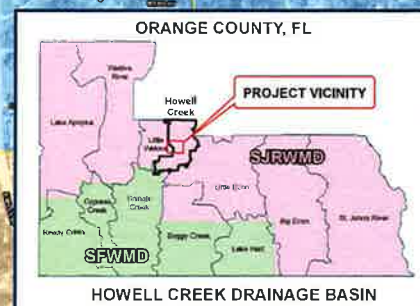
EXHIBIT “A”



LEGEND

- ▬ PROJECT AREA (250ac)
- ▬ S-T-R
- ▬ CITY LIMITS
- ▬ ORLANDO (46ac)
- ▬ WINTER PARK (132ac)

DATA SOURCES:
CITY LIMITS: ORANGE COUNTY 2005
PARCELS: ORANGE COUNTY 2008
AERIALS: ORANGE COUNTY 2005
STREETS: ORANGE COUNTY 2004



SITE MAP

**Minnesota Avenue
Drainage Design**



EXHIBIT “B”



March 23, 2012

ORC-017

Don Marcotte, P.E.
Assistant Public Works Director / City Engineer
Winter Park Public Works Department
401 Park Avenue South
Winter Park, Florida 32789-4386

Re: **Proposal for Minnesota Avenue Drainage Design - Winter Park Phase (Revision 1)**
Winter Park, Florida

Dear Mr. Marcotte:

Inwood Consulting Engineers, Inc. (Inwood) is pleased to submit for your review and approval the following proposal documents for this jointly funded project between Orange County, the City of Winter Park and the City of Orlando:

- Exhibit "A" (Scope of Work);
- Exhibit "B" (Fee Quotation Proposal);
- Exhibit "C" (Estimate of Other Direct Costs);
- Exhibit "D" (Project Schedule)
- Exhibit "E" (Subconsultant Fee Proposals).

Proposals for the phases pertaining to Orange County and the City of Orlando are being submitted separately.

Inwood looks forward to providing our services on this project. If you have any questions regarding the enclosed documents, please contact us at 407-971-8850.

Very truly yours,
INWOOD CONSULTING ENGINEERS, INC.

A handwritten signature in blue ink, appearing to read "Steve Sommerfeldt".

Steve Sommerfeldt, P.E.
Project Engineer

A handwritten signature in blue ink, appearing to read "David Coleman".

David Coleman, P.E.
Project Manager

cc: Troy Attaway, P.E., Winter Park Public Works



EXHIBIT A - SCOPE OF WORK – CITY OF WINTER PARK PHASE

Minnesota Avenue Drainage Design

BACKGROUND

The Minnesota Avenue Drainage Design is a joint project between Orange County, the City of Winter Park, and the City of Orlando. The Minnesota Avenue study area is comprised of approximately 250 acres of unincorporated areas of Orange County, as well as portions of the Cities of Winter Park and Orlando, within Sections 11 and 12 of Township 22 South, Range 29 East in the Howell Creek Watershed. More specifically, the project area is located immediately south of Fairbanks Avenue, west of Orlando Avenue (U.S. 17-92), north of Westchester Avenue and east of Interstate 4. The project is located within Orange County's Howell Creek Drainage Basin, the jurisdiction of the St. Johns Water Management District and within County Commission District 5.

Inwood recently completed a drainage study (*Minnesota Avenue Drainage Evaluation Report, May 2010*) for the project area that identified several areas along Minnesota Avenue and Clay Street that experience frequent localized flooding caused by inadequate hydraulic capacity of the existing storm sewer system and poorly graded roads. Additionally, very little water quality treatment exists in the project area because most of the development in the area occurred prior to St. John River Water Management District (SJRWMD) permitting requirements.

Inwood evaluated several alternatives to reduce the localized flooding problems as well as provide increased water quality treatment for portions of the project area. The alternatives recommended for implementation are as follows:

- ❖ **Improvement 1** - Divert flow away from the Minnesota Avenue problem area by constructing inlets and stormsewer on north Clay Street and connect to the existing Fairbanks stormsewer system. Also, mill and resurface and construct new curb and gutter along Clay Street from Minnesota Avenue to Fairbanks Avenue. The ICPR model results indicated that this improvement would decrease flooding frequency and duration along Minnesota Avenue.
- ❖ **Improvement 2A** - Construct inlets and stormsewer along Minnesota Avenue from Clay Street to the Nicolet Pond, reconstruct Minnesota Avenue from Clay Street to the Nicolet Pond, and replace a leaking stormsewer pipe under Minnesota Avenue to improve the collection of runoff along Minnesota Avenue and reduce nuisance flooding from ponding.
- ❖ **Improvement 3** - Expand the existing Nicolet pond utilizing adjacent commercial properties to enhance water quality treatment in the area. The ICPR model results indicated that the peak stage in the expanded pond would decrease by roughly 1.2' for the mean annual – 24 hour event, but the peak stage would be roughly the same as the existing pond for the modeled 10, 25, and 100 year storm events.
- ❖ **Improvement 4** - Construct a curb inlet with a high level rectangular weir on the northwest side of the Clay Street / Miller Avenue intersection to tie into the existing Clay Street / Michigan Avenue drainage system. The ICPR model results indicate this concept would provide flood relief for surcharging inlets at the Clay Street / Miller Avenue intersection during the Mean Annual / 24 hour storm event.

There were also some additional data needs as part of the above recommendations which included detailed project survey, geotechnical analysis, contamination screening for proposed pond expansion area, critical storm duration analysis for proposed storm sewer connection with FDOT drainage system (Improvement 1) and updating of the existing and proposed conditions ICPR Models with the project survey.

The proposed conditions model will also need to be updated for Improvement 3 listed above. It was originally anticipated that the City of Winter Park would be acquiring two (2) new parcels for the Nicolet Pond expansion. Since then, the City of Winter Park has acquired one of the two parcels and has indicated that the second parcel will most likely not be acquired anytime soon. Therefore, the improvements (pond expansion) originally proposed for the second parcel should not be included in the design. A preliminary design update will need to be completed to evaluate the effects of reducing pond storage for this alternative. A design update technical memorandum will be prepared including the results of this evaluation as well as the updated model results for the critical storm duration analysis and inclusion of project survey.

It should also be noted that the existing drainage well within the Nicolet Pond (a.k.a., Minnesota Avenue Drainage Well – DW-036) is currently under design to be replaced within the southeast corner of the pond parcel. New rating curves for the proposed drainage well will be incorporated into the project model to account for any added capacity of the new drainage well.

It has been proposed that the recommended improvements be implemented with joint funding from the County and the Cities of Winter Park and Orlando. The previous study included a cost sharing evaluation that broke down the costs by percentage of ownership within each improvement area. Since the above mentioned report was issued in May 2010, Orange County and the Cities of Winter Park and Orlando have further discussed the cost sharing percentages. The latest agreed upon percentages (to be provided to Inwood) will be used in developing the Construction Cost Estimates for each stakeholder.

This proposal presents the scope of work to address the design of the above mentioned improvements. Engineering services will be provided for the preliminary design update, design of the recommended improvements as summarized above, preparation of construction drawings, cost estimates and technical and special provisions (Sections G and H) in order to provide a complete bid document package. The project will include detailed design plans (30%, 60%, 90%, 100% and Final) and the necessary permitting efforts with SJRWMD, FDOT and ACOE. The following scope of services is required to fulfill the work products needed by Orange County, City of Winter Park and City of Orlando for the Minnesota Avenue Drainage Design Project.

PROFESSIONAL ENGINEERING SERVICES

The consultant shall perform the following scope of engineering services:

1. General Tasks:

- a) Coordination of Subconsultant Work – Surveying, Geotechnical and Environmental (Contamination Screening)
 - i. Project Surveying by **Subconsultant Southeastern Surveying and Mapping Corporation (SSMC)** (refer to attachment “E”)
 - 1. Design level topographical survey of project area
 - 2. Survey right-of-way and easements
 - 3. Locate all utilities within project limits including up to 50 vertical test hole locates
 - ii. Geotechnical Engineering by **Subconsultant Devo Engineering (Devo)** (refer to attachment “E”) Field services including hand auger borings, SPT pond borings and pavement cores
 - 1. Laboratory testing services including fines fraction and natural moisture content, atterberg limits, limerock bearing ratio and soil corrosivity tests.
 - 2. Design recommendations for excavation trenches, backfill and compaction, estimated normal and seasonal high groundwater tables, and pavement replacement
 - iii. Contamination Screening by **Subconsultant Devo Engineering (Devo)** (refer to attachment “E”)
 - 1. Field services including monitor well installation and monitoring, soils testing, water quality sampling.
 - 2. Laboratory testing services for soil and water samples.
- b) Project Meetings – assume up to 3 meetings at Orange County Public Works
- c) Monthly Status Reports (including schedule updates) – assume 14 month duration

2. Preliminary Design Update

- a) Data Collection – assume 3 field visits (photo documentation and update infrastructure) and incorporate project survey and geotechnical data into project.
- b) Update existing and proposed ICPR Models with new project survey information and summarize results. Updated proposed conditions model will include revisions to Improvement 3 (reduction of pond expansion area).
- c) Perform critical duration analysis for Improvement 1 to demonstrate no significant impacts when connecting proposed improvements to FDOT’s existing Fairbanks Avenue drainage system.
- d) Schedule and Attend Pre-Application Meeting with SJRWMD to discuss permissibility of proposed project improvements.
- e) Schedule and Attend Pre-Application Meeting with FDOT to discuss permissibility of proposed project improvements connecting to FDOT storm sewer system.
- f) Provide Preliminary Design Update Technical Memorandum (draft and final) including meeting minutes from meeting with SJRWMD and FDOT.

3. Roadway Analysis including the preparation of:
 - a) Typical Section Package
 - b) Pavement Design Package
 - c) Traffic Control Analysis
 - d) Master Traffic Control Plan Design
4. Drainage Analysis Including:
 - a) Storm Sewer Design
 - b) Stormwater Pond Design
 - c) Stormwater Pond Outfall Design
 - d) Drainage Design Documentation Report
5. Preparation of Design Plans, Special and Technical Provisions and Cost Estimates
 - a) Key Sheet – 1 sheet
 - b) Summary of Pay Items – 1 sheet
 - c) Drainage Map – 3 sheets (superimposed over aerial imagery, including existing structure paragraphs)
 - d) Typical Sections – 2 sheets
 - e) General Notes – 1 sheet
 - f) Summary of Quantities – 2 sheets
 - g) Summary of Drainage Structures – 1 sheet
 - h) Project Layout – 1 sheet
 - i) Plan / Profile Sheets – 16 sheets (1"=20' scale)
 - j) Miscellaneous Details – 1 sheet
 - k) Drainage Structure Sheets – 14 sheets (assume 28 structures @ 2 per sheet)
 - l) Pond Detail Sheets – 2 sheets
 - m) Miscellaneous Drainage Details – 1 sheet
 - n) Roadway Soil Survey – 2 sheets (to be provided by geotechnical subconsultant)
 - o) Cross-sections – 45 sheets (50' spacing)
 - p) Pond Cross-sections – 5 sheets (25' spacing)
 - q) Driveway Cross-sections – 30 sheets (assume 60 driveways @ 2 per sheet)
 - r) Traffic Control Plan – 2 sheets
 - s) Utility Adjustments – 8 sheets (1"=40' scale)
 - t) Erosion Control Plan – 1 sheet
 - u) Stormwater Pollution Prevention Plan (SWPPP) – 2 sheets
 - v) Signing and Pavement Marking Sheets – 2 sheets
 - w) Special and Technical Provisions based on Orange County format (90%, 100% and Final)
 - x) Cost Estimates – A separate cost estimate will be prepared for each of the four (4) improvement areas. Cost Estimates will include the percent breakdown of cost sharing for each stakeholder (County, Winter Park, Orlando). Cost estimates will be provided for the 60%, 90%, 100% and Final submittals.
 - y) Project Fact Sheet
6. Utility Coordination including the following:
 - a) Identify Existing Utilities (anticipate 7 utilities)
 - b) Make Utility Contacts
 - c) Collect and Review Plans and Data from Utilities

- d) Review Mark-ups and Relocations (Includes Endeavor to obtain Utility Work Schedules)
 - e) Utility Coordination Follow up
 - f) Plan sets will be provided to identified utilities at 90%, 100% and Final submittals for RGB responses that will be incorporated into the utility adjustment sheets
 - g) Utility Coordination Package will be submitted to County for documentation purposes with final deliverables (electronic copy)
7. Project Permitting
- a) Complete and Submit Permit Applications
 - i. Prepare joint permit package as needed to meet SJRWMD, ACOE and FDEP requirements (to be submitted electronically thru ePermitting)
 - ii. Prepare drainage connection permit package as needed to meet FDOT requirements
 - iii. Prepare NPDES permit application for construction and provide to County with final deliverables. The Contractor will be responsible for submitting and obtaining the NPDES permit prior to construction.
 - b) Respond to issued RAI's (assume 1 RAI from SJRWMD and FDOT)
 - c) Provide As-Built Certification for SJRWMD Permitting
8. Post Design Services
- a) Attend Pre-Bid Meeting and respond to questions from potential bidders
 - b) Respond to Contractor's Request for Information (RFI's) during construction (assume up to 5 RFI's)
9. Transmit Final Electronic Documentation
- a) Prepare Electronic Delivery of Final Documents (i.e., PDF of Plans, Bid Documents, CAD files, design documentation, permits, ICPR Models, project photos, Fact Sheet, etc.) on CD

The consultant notes that the following procedures will be adhered to during the performance of the scope of work.

1. All the survey work shall be done in accordance with Chapter 61 G-17, Florida Administration Code, The Minimum Technical Standards of Land Surveying Code, the Minimum Technical Standards of Land Surveying in the State of Florida as adopted by the Florida State Board of Land Surveyors. The survey notes and sketches may be used as evidence in court and will represent a legal and official documentation of the area; therefore, all work and information provided shall be correct and accurate in order to comply with the certification now required of a professional surveyor. Vertical Datum is NAVD 1988.
2. Signed and sealed legals and sketches of description by the Professional Land Surveyor (PLS) shall be prepared according to the requirements of Orange County's Real Estate Management Department. These documents are needed for right-of-way and easement acquisition purposes and potential condemnation proceedings.
3. All calculations, design parameters, surveys, and construction plans shall be submitted in English Standard Units.

4. Two (2) copies of the Preliminary Design Update Technical Memorandum will be submitted for review and approval. Upon final approval, submit two (2) copies of the Final Preliminary Design Update Technical Memorandum.
5. Thirty percent (30%), sixty percent (60%), ninety percent (90%) and one hundred percent (100%) plans shall be furnished to the County and Cities for review and approval. For thirty percent (30%), sixty percent (60%) and ninety percent (90%) plan submittals, two (2) sets of 11"x17" black-line copies shall be given to the County, the City of Winter Park and the City of Orlando. For one hundred percent (100%) submittal two (2) signed and sealed 24"x36" black-line copies will be provided to the County, the City of Winter Park and the City of Orlando. Special and Technical Provision documents will be provided at the 90% and 100% submittal for review.
6. Upon final review and approval, submit:
 - ❖ Two (2) copies of the **FINAL BID DOCUMENTS** (Special and Technical Provisions and Cost Estimates);
 - ❖ Two (2) **signed/sealed** (11" x 17") copies of the **FINAL CONSTRUCTION PLANS**;
 - ❖ Two (2) **signed/sealed** (24" x 36") copies of the **FINAL CONSTRUCTION PLANS**;
 - ❖ Twelve (12) (24"x36") hard copies of **FINAL CONSTRUCTION PLANS** (not signed and sealed) for Orange County Purchasing and Contracts Division;
 - ❖ One (1) CD marked "Purchasing" containing all SPECIAL AND TECHNICAL PROVISIONS, COST ESTIMATES (in MS Excel format) and FINAL CONSTRUCTION PLANS for Orange County Purchasing and Contracts Division. A copy of this CD will also be provided to the Orange County Roads and Drainage Division Project Manager.
 - ❖ Five (5) CD's marked "Bidder" containing ONLY the FINAL CONSTRUCTION PLANS in PDF format, in one (1) file, for Orange County Purchasing and Contracts Division.
 - ❖ One (1) electronic (PDF) copy of Draft Fact Sheet will be emailed to the County Project Manager for review.
 - ❖ Two (2) CD's of Final Electronic Deliverables (PDF of Plans, Bid Documents, CAD files, design documentation, permits, project photos, Fact Sheet, etc.) will be provided.
7. Utility adjustment sheets will be provided as part of the plan set. The utility adjustment sheets will reflect the RGB markups received from each utility owner as part of the utility coordination task. No formal designs of utility adjustments are being provided under this scope of work. Formal utility adjustment design services can be provided for a supplemental fee.
8. Plans shall be supplied which follow **the Florida Department of Transportation numbering system**.

9. Final construction cost estimates shall show quantity breakdowns of all items **following the Florida Department of Transportation numbering system when itemizing quantities**. Cost estimates will be provided with the 60%, 90%, 100%, and Final submittals.
10. It is the responsibility of the Consultant to visually verify that “as built” information, utilized in the analysis and design, is correct.
11. This scope of services has assumed that the consultant will not be involved in any public involvement meetings during the duration of the project.
12. Engineering services related to environmental assessments, mitigation plans, or surveying of any jurisdictional wetlands are not included in this proposal.
13. This scope of services has assumed that mitigation services will not be necessary for design and permitting of the project. This service can be provided under a supplemental scope of work.
14. Signalization Analysis and / or Plans are **not** included in the scope. If necessary, these services can be provided under a supplemental budget.
15. Engineering services related to the preparation of right-of-way or drainage easements are not included in this proposal.
16. Post design services provided under this scope will include bidding review, provide RFI responses and attending the pre-bid meeting. It is understood that the County will provide construction inspection during the course of construction.
17. Inwood will provide construction certification to complete the SJRWMD permitting process. The construction certification will be based off of certified as-built survey / drawings provided to Inwood by the County. This scope of work does not include as-built survey.
18. Schedule for Post Design Services and Construction Certification for completing SJRWMD permit will be tied to the Construction Schedule which will be determined at time of construction.
19. Deviations from the established project schedule of more than one week will be scrutinized, and must be explained with corrective actions identified. Revised schedules will be required if these one week deviations occur.

EXHIBIT B - FEE QUOTATION PROPOSAL

Project Name: Minnesota Avenue Drainage Design - City of Winter Park Phase
Name of Firm: Inwood Consulting Engineers, Inc.

Date: 03/23/12
Orange County Contract: Y11-901B

Activity	Project Manager		Senior Engineer		Project Engineer		Engineer Intern		Senior Designer		Admin / Clerical		Basic Activity Amount	Man-hours by Activity	Average Hourly Rate
	Rate =	\$157.51	Rate =	\$131.23	Rate =	\$106.95	Rate =	\$68.53	Rate =	\$71.40	Rate =	\$55.43			
	Man-hours	Cost	Man-hours	Cost	Man-hours	Cost	Man-hours	Cost	Man-hours	Cost	Man-hours	Cost			
PROFESSIONAL ENGINEERING TASKS															
1 General Tasks															
Project Administration Set-up	1.5	\$236.27	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	1	\$55.43	\$291.70	2.5	\$116.68
Coordination of Survey Field Work	1	\$157.51	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0.5	\$27.72	\$185.23	1.5	\$123.49
Review Survey Data (Desktop Review)	0.5	\$78.76	0	\$0.00	1	\$106.95	0	\$0.00	0	\$0.00	0	\$0.00	\$185.71	1.5	\$123.81
Coordination of Geotechnical Field Work	1	\$157.51	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0.5	\$27.72	\$185.23	1.5	\$123.49
Review of Geotechnical Report	0.5	\$78.76	0	\$0.00	1	\$106.95	0	\$0.00	0	\$0.00	0	\$0.00	\$185.71	1.5	\$123.81
Coordination of Contamination Screening Field Work	1	\$157.51	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0.5	\$27.72	\$185.23	1.5	\$123.49
Review of Contamination Screening Report	0.5	\$78.76	0	\$0.00	1	\$106.95	0	\$0.00	0	\$0.00	0	\$0.00	\$185.71	1.5	\$123.81
Project Meetings - Incl. preparation & minutes (assume 3)	2	\$315.02	0	\$0.00	4	\$427.80	0	\$0.00	0	\$0.00	0	\$0.00	\$742.82	6	\$123.80
Project Monthly Status Reports (assume 14 month duration)	5	\$787.55	0	\$0.00	3	\$320.85	0	\$0.00	0	\$0.00	0	\$0.00	\$1,108.40	8	\$138.55
TASK SUBTOTAL	13	\$2,047.65	0	\$0.00	10	\$1,069.50	0	\$0.00	0	\$0.00	2.5	\$138.59	\$3,255.74	25.5	\$127.68
2 Preliminary Design Update															
Data Collection (Field Review & Verification of Survey Data)	0	\$0.00	0	\$0.00	3	\$320.85	3	\$205.59	0	\$0.00	0	\$0.00	\$526.44	6	\$87.74
Update Existing Conditions ICPR Model	0.5	\$78.76	0	\$0.00	2	\$213.90	3	\$205.59	0	\$0.00	0	\$0.00	\$498.25	5.5	\$90.59
Update Proposed Conditions ICPR Model	0.5	\$78.76	0	\$0.00	2	\$213.90	6	\$411.18	0	\$0.00	0	\$0.00	\$703.84	8.5	\$82.80
Perform Critical Duration Analysis for FDOT Permitting	0.5	\$78.76	0	\$0.00	4	\$427.80	12	\$822.36	0	\$0.00	0	\$0.00	\$1,328.92	16.5	\$80.54
Schedule and Attend Pre-Application Meeting w/ SJRWMD	1	\$157.51	0	\$0.00	2.5	\$267.38	1	\$68.53	0	\$0.00	0	\$0.00	\$493.42	4.5	\$109.65
Schedule and Attend Pre-Application Meeting w/ FDOT	1	\$157.51	0	\$0.00	2.5	\$267.38	1	\$68.53	0	\$0.00	0	\$0.00	\$493.42	4.5	\$109.65
Draft Preliminary Design Update Tech Memo	0.5	\$78.76	2.5	\$328.08	5	\$534.75	15	\$1,027.95	5	\$357.00	1	\$55.43	\$2,381.97	29	\$82.14
Final Preliminary Design Update Tech Memo	0.5	\$78.76	1	\$131.23	2.5	\$267.38	5	\$342.65	2	\$142.80	1	\$55.43	\$1,018.25	12	\$84.85
TASK SUBTOTAL	4.5	\$708.82	3.5	\$459.31	23.5	\$2,513.34	46	\$3,152.38	7	\$499.80	2	\$110.86	\$7,444.51	86.5	\$86.06
3 Roadway Analysis															
Typical Section Package	0	\$0.00	0.5	\$65.62	1	\$106.95	2	\$137.06	0	\$0.00	0	\$0.00	\$309.63	3.5	\$88.47
Pavement Design Package	0	\$0.00	0.5	\$65.62	1	\$106.95	2	\$137.06	0	\$0.00	0	\$0.00	\$309.63	3.5	\$88.47
Traffic Control Analysis	0	\$0.00	0.5	\$65.62	1	\$106.95	2	\$137.06	0	\$0.00	0	\$0.00	\$309.63	3.5	\$88.47
Master Traffic Control Plan Design	0	\$0.00	1	\$131.23	2	\$213.90	6	\$411.18	0	\$0.00	0	\$0.00	\$756.31	9	\$84.03
TASK SUBTOTAL	0	\$0.00	2.5	\$328.09	5	\$534.75	12	\$822.36	0	\$0.00	0	\$0.00	\$1,685.20	19.5	\$86.42
4 Drainage Analysis															
Storm Sewer Design	0	\$0.00	0	\$0.00	4	\$427.80	12	\$822.36	0	\$0.00	0	\$0.00	\$1,250.16	16	\$78.14
Stormwater Pond Design	0	\$0.00	0	\$0.00	2	\$213.90	8	\$548.24	0	\$0.00	0	\$0.00	\$762.14	10	\$76.21
Stormwater Pond Outfall Design	0	\$0.00	0	\$0.00	2	\$213.90	8	\$548.24	0	\$0.00	0	\$0.00	\$762.14	10	\$76.21
Drainage Design Documentation Report	0.5	\$78.76	1	\$131.23	4	\$427.80	12	\$822.36	0	\$0.00	0.5	\$27.72	\$1,487.87	18	\$82.66
TASK SUBTOTAL	0.5	\$78.76	1	\$131.23	12	\$1,283.40	40	\$2,741.20	0	\$0.00	0.5	\$27.72	\$4,262.31	54	\$78.93

EXHIBIT B - FEE QUOTATION PROPOSAL

Project Name: Minnesota Avenue Drainage Design - City of Winter Park Phase
Name of Firm: Inwood Consulting Engineers, Inc.

Date: 03/23/12
Orange County Contract: Y11-901B

Activity	Project Manager		Senior Engineer		Project Engineer		Engineer Intern		Senior Designer		Admin / Clerical		Basic Activity Amount	Man-hours by Activity	Average Hourly Rate
	Rate =	Cost	Rate =	Cost	Rate =	Cost	Rate =	Cost	Rate =	Cost	Rate =	Cost			
	Man-hours		Man-hours		Man-hours		Man-hours		Man-hours		Man-hours				
5 Preparation of Design Plans, Special and Technical Provisions and Cost Estimates															
CADD Project & Design Files Set-up	0	\$0.00	0	\$0.00	0.5	\$53.48	1	\$68.53	2	\$142.80	0	\$0.00	\$264.81	3.5	\$75.66
30% Design Plans															
Key Sheet - 1 sheet	0	\$0.00	0	\$0.00	0.5	\$53.48	1	\$68.53	0	\$0.00	0	\$0.00	\$122.01	1.5	\$81.34
Drainage Map - 3 sheets	0	\$0.00	0	\$0.00	0.5	\$53.48	4	\$274.12	0	\$0.00	0	\$0.00	\$327.60	4.5	\$72.80
Typical Sections - 2 sheets	0	\$0.00	0	\$0.00	0.5	\$53.48	2	\$137.06	0	\$0.00	0	\$0.00	\$190.54	2.5	\$76.22
General Notes - 1 sheet	0	\$0.00	0	\$0.00	0.5	\$53.48	1	\$68.53	0	\$0.00	0	\$0.00	\$122.01	1.5	\$81.34
Project Layout - 1 sheet	0	\$0.00	0	\$0.00	0.5	\$53.48	2	\$137.06	0	\$0.00	0	\$0.00	\$190.54	2.5	\$76.22
Plan / Profile Sheets - 16 sheets (1"=20' scale)	0	\$0.00	0	\$0.00	5	\$534.75	30	\$2,055.90	10	\$714.00	0	\$0.00	\$3,304.65	45	\$73.44
Pond Detail Sheets - 2 sheets	0	\$0.00	0	\$0.00	1	\$106.95	3	\$205.59	0.5	\$35.70	0	\$0.00	\$348.24	4.5	\$77.39
Roadway Soil Survey - 2 sheets (provided by Geotech)	0	\$0.00	0	\$0.00	0	\$0.00	0.5	\$34.27	1	\$71.40	0	\$0.00	\$105.67	1.5	\$70.45
QA/QC Review 30% Deliverables	0.5	\$78.76	3	\$393.69	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	\$472.45	3.5	\$134.99
30% Plan Set Printing and Packaging Coordination	0	\$0.00	0	\$0.00	1	\$106.95	2	\$137.06	1	\$71.40	0.5	\$27.72	\$343.13	4.5	\$76.25
60% Design Plans, Special and Technical Provisions and Estimate															
Revisions to 30% Plans (From County / City Reviews)	0	\$0.00	0	\$0.00	3	\$320.85	14	\$959.42	3	\$214.20	0	\$0.00	\$1,494.47	20	\$74.72
Summary of Pay Items - 1 sheet	0	\$0.00	0	\$0.00	0.5	\$53.48	2	\$137.06	0	\$0.00	0	\$0.00	\$190.54	2.5	\$76.22
Summary of Quantities - 2 sheets	0	\$0.00	0	\$0.00	0.5	\$53.48	2	\$137.06	0	\$0.00	0	\$0.00	\$190.54	2.5	\$76.22
Summary of Drainage Structures - 1 sheet	0	\$0.00	0	\$0.00	0.5	\$53.48	2	\$137.06	0	\$0.00	0	\$0.00	\$190.54	2.5	\$76.22
Miscellaneous Details - 1 sheet	0	\$0.00	0	\$0.00	0.5	\$53.48	2	\$137.06	0	\$0.00	0	\$0.00	\$190.54	2.5	\$76.22
Drainage Structure Sheets - 14 sheets (assume 28 structures)	0	\$0.00	0	\$0.00	2	\$213.90	9	\$616.77	2	\$142.80	0	\$0.00	\$973.47	13	\$74.88
Miscellaneous Drainage Details - 1 sheet	0	\$0.00	0	\$0.00	0.5	\$53.48	2	\$137.06	0	\$0.00	0	\$0.00	\$190.54	2.5	\$76.22
Cross-Sections - 45 sheets (50' spacing)	0	\$0.00	0	\$0.00	2	\$213.90	15	\$1,027.95	3	\$214.20	0	\$0.00	\$1,456.05	20	\$72.80
Pond Cross-Sections - 5 sheets (25' spacing)	0	\$0.00	0	\$0.00	1	\$106.95	2	\$137.06	0.5	\$35.70	0	\$0.00	\$279.71	3.5	\$79.92
Driveway Cross-Sections - 30 sheets	0	\$0.00	0	\$0.00	2	\$213.90	12	\$822.36	3	\$214.20	0	\$0.00	\$1,250.46	17	\$73.56
Traffic Control Plan - 2 sheets	0	\$0.00	0	\$0.00	1	\$106.95	2	\$137.06	0	\$0.00	0	\$0.00	\$244.01	3	\$81.34
Utility Adjustment Sheets - 8 sheets (1"=40' scale)	0	\$0.00	0	\$0.00	1	\$106.95	8	\$548.24	2	\$142.80	0	\$0.00	\$797.99	11	\$72.54
Erosion Control Plan - 1 sheet	0	\$0.00	0	\$0.00	0.5	\$53.48	2	\$137.06	0	\$0.00	0	\$0.00	\$190.54	2.5	\$76.22
Stormwater Pollution Prevention Plan (SWPPP) - 2 sheets	0	\$0.00	0	\$0.00	0.5	\$53.48	1	\$68.53	0	\$0.00	0	\$0.00	\$122.01	1.5	\$81.34
Signing and Pavement Marking Sheets - 2 sheets	0	\$0.00	0	\$0.00	1	\$106.95	5	\$342.65	1	\$71.40	0	\$0.00	\$521.00	7	\$74.43
Preliminary Construction Quantities Computation	0	\$0.00	0	\$0.00	2	\$213.90	5	\$342.65	0	\$0.00	0	\$0.00	\$556.55	7	\$79.51
Cost Estimates	0	\$0.00	0	\$0.00	1	\$106.95	2	\$137.06	0	\$0.00	0	\$0.00	\$244.01	3	\$81.34
QA/QC Review 60% Deliverables	0.5	\$78.76	5	\$656.15	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	\$734.91	5.5	\$133.62
60% Plan Set Printing and Packaging Coordination	0	\$0.00	0	\$0.00	1	\$106.95	2	\$137.06	1	\$71.40	0.5	\$27.72	\$343.13	4.5	\$76.25
90% Design Plans, Special and Technical Provisions and Estimate															
Field Review with Plans	0.5	\$78.76	0	\$0.00	3	\$320.85	3	\$205.59	0	\$0.00	0	\$0.00	\$605.20	6.5	\$93.11
Revisions to 60% Plans (From Field Visit & County / City Review)	0	\$0.00	0	\$0.00	2	\$213.90	12	\$822.36	2	\$142.80	0	\$0.00	\$1,179.06	16	\$73.69
Revisions to 60% Construction Quantities	0	\$0.00	0	\$0.00	1	\$106.95	4	\$274.12	0	\$0.00	0	\$0.00	\$381.07	5	\$76.21
Revisions to 60% Construction Cost Estimates	0	\$0.00	0	\$0.00	0.5	\$53.48	1.5	\$102.80	0	\$0.00	0	\$0.00	\$156.28	2	\$78.14
Prepare Special and Technical Provisions	0	\$0.00	0	\$0.00	3	\$320.85	12	\$822.36	0	\$0.00	0	\$0.00	\$1,143.21	15	\$76.21
QA/QC Review 90% Deliverables	0.5	\$78.76	3	\$393.69	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	\$472.45	3.5	\$134.99
90% Plan Set Printing and Packaging Coordination	0	\$0.00	0	\$0.00	1	\$106.95	2	\$137.06	1	\$71.40	0.5	\$27.72	\$343.13	4.5	\$76.25

EXHIBIT B - FEE QUOTATION PROPOSAL

Project Name: Minnesota Avenue Drainage Design - City of Winter Park Phase
Name of Firm: Inwood Consulting Engineers, Inc.

Date: 03/23/12
Orange County Contract: Y11-901B

Activity	Project Manager		Senior Engineer		Project Engineer		Engineer Intern		Senior Designer		Admin / Clerical		Basic	Man-hours	Average
	Rate =	\$157.51	Rate =	\$131.23	Rate =	\$106.95	Rate =	\$68.53	Rate =	\$71.40	Rate =	\$55.43	Activity	by	Hourly
	Man-hours	Cost	Man-hours	Cost	Man-hours	Cost	Man-hours	Cost	Man-hours	Cost	Man-hours	Cost	Amount	Activity	Rate
100% Design Plans, Special and Technical Provisions and Estimate															
Minor Revisions to 90% Plans (From County / City Review)	0	\$0.00	0	\$0.00	2	\$213.90	8	\$548.24	2	\$142.80	0	\$0.00	\$904.94	12	\$75.41
Minor Revisions to 90% Construction Quantities	0	\$0.00	0	\$0.00	1	\$106.95	3	\$205.59	0	\$0.00	0	\$0.00	\$312.54	4	\$78.14
Minor Revisions to 90% Construction Cost Estimates	0	\$0.00	0	\$0.00	0.5	\$53.48	1.5	\$102.80	0	\$0.00	0	\$0.00	\$156.28	2	\$78.14
Minor Revisions to 90% Special and Technical Provisions	0	\$0.00	0	\$0.00	1	\$106.95	4	\$274.12	0	\$0.00	0	\$0.00	\$381.07	5	\$76.21
QA/QC Review 100% Deliverables	0.5	\$78.76	2	\$262.46	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	\$341.22	2.5	\$136.49
100% Plan Set Printing and Packaging Coordination	0	\$0.00	0	\$0.00	1	\$106.95	2	\$137.06	1	\$71.40	0.5	\$27.72	\$343.13	4.5	\$76.25
Final Design Plans, Special and Technical Provisions and Estimate															
Final Plans Preparation - Sign and Seal	1	\$157.51	0	\$0.00	1	\$106.95	5	\$342.65	1	\$71.40	0	\$0.00	\$678.51	8	\$84.81
Final Special and Technical Provisions Preparation	0	\$0.00	0	\$0.00	0.5	\$53.48	2	\$137.06	0	\$0.00	0	\$0.00	\$190.54	2.5	\$76.22
Prepare Bid Form and Final Cost Estimates	0	\$0.00	0	\$0.00	0.5	\$53.48	1	\$68.53	0	\$0.00	0	\$0.00	\$122.01	1.5	\$81.34
QA/QC Review Final Deliverables	0.5	\$78.76	1	\$131.23	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	\$209.99	1.5	\$139.99
Prepare Project Fact Sheet for Orange County	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	\$0.00	0	\$0.00
Final Plan Set Printing and Packaging Coordination	0	\$0.00	0	\$0.00	1	\$106.95	2	\$137.06	1	\$71.40	0.5	\$27.72	\$343.13	4.5	\$76.25
TASK SUBTOTAL	4	\$630.07	14	\$1,837.22	49.5	\$5,294.11	198.5	\$13,603.22	38	\$2,713.20	2.5	\$138.60	\$24,216.42	306.5	\$79.01
6 Utility Coordination															
Identify Existing Utilities	0	\$0.00	0	\$0.00	0.5	\$53.48	1	\$68.53	0	\$0.00	0	\$0.00	\$122.01	1.5	\$81.34
Make Utility Contacts	0	\$0.00	0	\$0.00	0.5	\$53.48	2	\$137.06	0	\$0.00	0	\$0.00	\$190.54	2.5	\$76.22
Collect and Review Plans and Data from Utilities	0	\$0.00	0	\$0.00	1	\$106.95	5	\$342.65	2	\$142.80	0	\$0.00	\$592.40	8	\$74.05
60% Review Mark-ups and Relocations & Incorporate into Plans	0	\$0.00	0	\$0.00	1	\$106.95	3	\$205.59	2	\$142.80	0	\$0.00	\$455.34	6	\$75.89
90% Review Mark-ups and Relocations & Incorporate into Plans	0	\$0.00	0	\$0.00	0.5	\$53.48	2	\$137.06	1	\$71.40	0	\$0.00	\$261.94	3.5	\$74.84
100% Review Mark-ups and Relocations & Incorporate into Plans	0	\$0.00	0	\$0.00	0.5	\$53.48	1	\$68.53	0.5	\$35.70	0	\$0.00	\$157.71	2	\$78.86
Prepare Utility Coordination Package / Documentation	0	\$0.00	0	\$0.00	1	\$106.95	3	\$205.59	0	\$0.00	0.5	\$27.72	\$340.26	4.5	\$75.61
TASK SUBTOTAL	0	\$0.00	0	\$0.00	5	\$534.77	17	\$1,165.01	5.5	\$392.70	0.5	\$27.72	\$2,120.20	28	\$75.72
7 Project Permitting															
SRWMD Permit Preparation															
Compile Test, Figures, and Tables	0	\$0.00	0	\$0.00	1	\$106.95	5	\$342.65	2	\$142.80	0	\$0.00	\$592.40	8	\$74.05
Summarize Geotechnical Data	0	\$0.00	0	\$0.00	0.5	\$53.48	1.5	\$102.80	0	\$0.00	0	\$0.00	\$156.28	2	\$78.14
Compile and Summarize Engineering Calcs and Modeling	0	\$0.00	0	\$0.00	0.5	\$53.48	3	\$205.59	0	\$0.00	0	\$0.00	\$259.07	3.5	\$74.02
Delineate Surface Water Impacts	0	\$0.00	0	\$0.00	1	\$106.95	2	\$137.06	0	\$0.00	0	\$0.00	\$244.01	3	\$81.34
Prepare Drainage Report	0	\$0.00	0	\$0.00	2	\$213.90	10	\$685.30	0	\$0.00	0	\$0.00	\$899.20	12	\$74.93
Prepare Forms A & C	0	\$0.00	0	\$0.00	0.5	\$53.48	1	\$68.53	0	\$0.00	0	\$0.00	\$122.01	1.5	\$81.34
Prepare Form E (assume standard general permit)	0	\$0.00	0	\$0.00	0.5	\$53.48	3	\$205.59	0	\$0.00	0	\$0.00	\$259.07	3.5	\$74.02
QA/QC Review	0.5	\$78.76	1	\$131.23	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	\$209.99	1.5	\$139.99
Coordinate for Permit Signatures and Fee Check w/ County	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	\$0.00	0	\$0.00
Submit Permit Electronically (Epermitting)	0	\$0.00	0	\$0.00	3	\$320.85	0	\$0.00	0	\$0.00	0	\$0.00	\$320.85	3	\$106.95
Respond to Issued RAI's (assume 1 RAI)	0.5	\$78.76	0	\$0.00	2	\$213.90	5	\$342.65	0	\$0.00	0	\$0.00	\$635.31	7.5	\$84.71
Provide As-Built Certification for Permit Completion	1	\$157.51	0	\$0.00	2	\$213.90	5	\$342.65	0	\$0.00	0	\$0.00	\$714.06	8	\$89.26

EXHIBIT B - FEE QUOTATION PROPOSAL

Project Name: Minnesota Avenue Drainage Design - City of Winter Park Phase
Name of Firm: Inwood Consulting Engineers, Inc.

Date: 03/23/12
Orange County Contract: Y11-901B

Activity	Project Manager		Senior Engineer		Project Engineer		Engineer Intern		Senior Designer		Admin / Clerical		Basic Activity Amount	Man-hours by Activity	Average Hourly Rate
	Rate =	\$157.51	Rate =	\$131.23	Rate =	\$106.95	Rate =	\$68.53	Rate =	\$71.40	Rate =	\$55.43			
	Man-hours	Cost	Man-hours	Cost	Man-hours	Cost	Man-hours	Cost	Man-hours	Cost	Man-hours	Cost			
FDOT Permit Preparation															
Compile Text, Figures and Tables (utilize info from WMD App.)	0	\$0.00	0	\$0.00	0.5	\$53.48	1	\$68.53	0	\$0.00	0	\$0.00	\$122.01	1.5	\$81.34
Summarize Critical Storm Duration Analysis	0	\$0.00	0	\$0.00	1	\$106.95	3	\$205.59	0	\$0.00	0	\$0.00	\$312.54	4	\$78.14
Prepare Permit Application	0	\$0.00	0	\$0.00	1	\$106.95	5	\$342.65	0	\$0.00	0	\$0.00	\$449.60	6	\$74.93
QA/QC Review	0.5	\$78.76	1	\$131.23	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	\$209.99	1.5	\$139.99
Print and Assemble Report into Binders	0	\$0.00	0	\$0.00	0.5	\$53.48	2	\$137.06	0	\$0.00	0.5	\$27.72	\$218.26	3	\$72.75
Respond to issued RAI's (assume 1 RAI)	0	\$0.00	0	\$0.00	2	\$213.90	5	\$342.65	0	\$0.00	0.5	\$27.72	\$584.27	7.5	\$77.90
NPDES Permit Preparation															
Complete FDEP NPDES NOI Permit Application Form	0	\$0.00	0	\$0.00	0.5	\$53.48	1	\$68.53	0	\$0.00	0	\$0.00	\$122.01	1.5	\$81.34
TASK SUBTOTAL	2.5	\$393.79	2	\$262.46	18.5	\$1,978.61	52.5	\$3,597.83	2	\$142.80	1	\$55.44	\$6,430.93	78.5	\$81.92
8 Post Design Services															
Prepare for and Attend Pre-Bid Meeting	0	\$0.00	0	\$0.00	1.5	\$160.43	3	\$205.59	0	\$0.00	0	\$0.00	\$366.02	4.5	\$81.34
Review Bids and Provide Comments to Cnty, WP, and Orlando	0.5	\$78.76	0	\$0.00	1.5	\$160.43	0	\$0.00	0	\$0.00	0	\$0.00	\$239.19	2	\$119.60
Respond to RFI's (assume 5 RFI's)	1	\$157.51	0	\$0.00	5	\$534.75	5	\$342.65	0	\$0.00	0	\$0.00	\$1,034.91	11	\$94.08
TASK SUBTOTAL	1.5	\$236.27	0	\$0.00	8	\$855.61	8	\$548.24	0	\$0.00	0	\$0.00	\$1,640.12	17.5	\$93.72
9 Transmit Final Electronic Documentation															
Electronic Document Delivery	0	\$0.00	0	\$0.00	1	\$106.95	3	\$205.59	0.5	\$35.70	0.5	\$27.72	\$375.96	5	\$75.19
TASK SUBTOTAL	0	\$0.00	0	\$0.00	1	\$106.95	3	\$205.59	0.5	\$35.70	0.5	\$27.72	\$375.96	5	\$75.19
TOTALS	28	\$4,095.34	23	\$3,018.31	132.5	\$14,171.04	377	\$25,835.83	53	\$3,784.20	9.5	\$526.66	\$51,431.39	821	\$62.82
Percent Breakdown	4%	8%	4%	6%	21%	28%	61%	50%	9%	7%	2%	1%	94%	96%	

SUBCONSULTANTS

	Name	M/WBE Status	Amount	Percentage
(1)	Southeast Surveying and Mapping Corp. (Survey)		\$ 12,854.68	15.8%
(2)	Devo Engineering (Geotechnical)	(MBE)	\$ 12,136.89	14.9%
(3)	Devo Engineering (Contamination Screening)	(MBE)	\$ 4,204.42	5.2%
(4)				0.0%
Total Subconsultant Fees:			\$ 29,195.99	30.6%

TOTAL LUMP SUM FEE COMPUTATIONS

(1) Salary Cost (from above)	=	\$51,431.39
(2) Out-of-Pocket Expenses (refer to Exhibit C)	+	\$983.60
(3) Subtotal (Consultant's Fees) [(1)+(2)]	=	\$52,414.99
(4) Subconsultant's Fees (from right)	+	\$29,195.99
Proposed Total Lump Sum Fee [(3)+(4)]	=	\$81,610.98

EXHIBIT C - ESTIMATE OF OUT OF POCKET EXPENSES

Project Name: Minnesota Avenue Drainage Design - City of Winter Park Phase

Date: 3/23/2012

Name of Firm: Inwood Consulting Engineers, Inc.

Reproduction Costs	Unit	Sheets	Copies*	Total Qty.	Rate per Unit	Cost
Photocopies						
<i>B/W Copies – 8½"x11" (Design Update)</i>	copy	50	4	200	\$0.08	\$16.00
<i>B/W Copies – 8½"x11" (Provisions)</i>	copy	50	8	400	\$0.08	\$32.00
<i>B/W Copies – 8½"x14"</i>	copy	0	0	0	\$0.10	\$0.00
<i>B/W Copies – 11"x17" (Plans)</i>	copy	143	10	1430	\$0.11	\$157.30
<i>Color Copies – 8½" x 11"</i>	copy	0	0	0	\$0.50	\$0.00
<i>Color Copies – 11" x 17" (Design Update)</i>	copy	10	4	40	\$1.00	\$40.00
Full Size Plans and Plots						
<i>24"x36" B/W Plot</i>	sheet	143	5	715	\$0.72	\$514.80
<i>24"x36" Color Plot (Design Update)</i>	sheet	2	4	8	\$15.00	\$120.00
Miscellaneous Expenses	Unit		Qty.		Rate per Unit	Cost
Courier / Express Delivery Service						
<i>Orange County Public Works</i>	delivery		0		\$20.70	\$0.00
<i>Downtown Orlando</i>	delivery		6		\$17.25	\$103.50
<i>All other Central Florida areas (Winter Park)</i>	delivery		0		\$15.00	\$0.00
<i>Residential Mailings</i>	mail		0		\$0.44	\$0.00
Mounting & Laminating (Presentation Materials)						
<i>Gator Board (3/16")</i>	sf		0		\$4.50	\$0.00
TOTAL OUT OF POCKET EXPENSES:						\$983.60

* Quantities include check sheets.



EXHIBIT D
PROPOSED PROJECT SCHEDULE
MINNESOTA AVENUE DRAINAGE DESIGN - ALL PHASES
ORANGE COUNTY, FLORIDA

updated August 8, 2012
Contract #Y11-9018

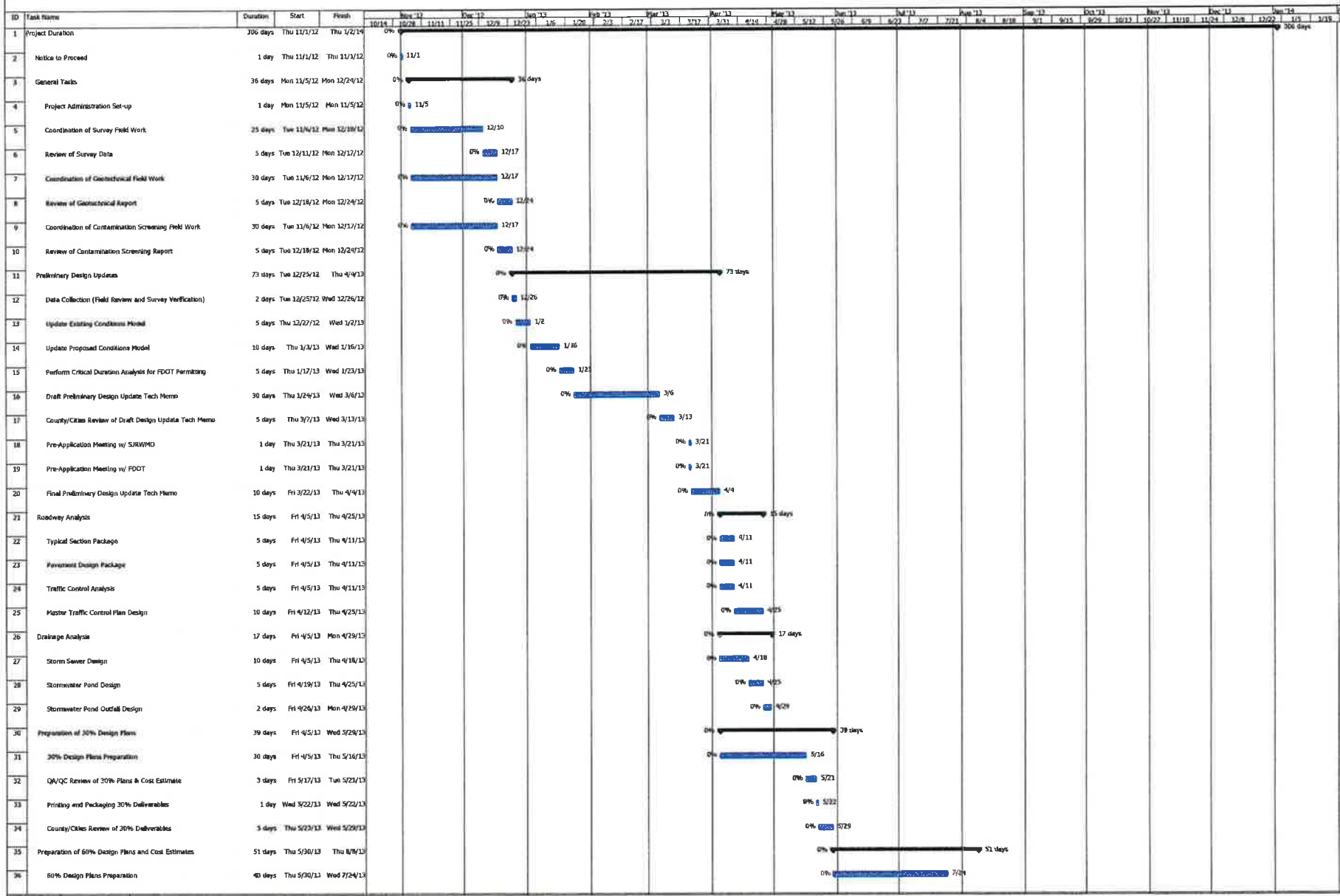
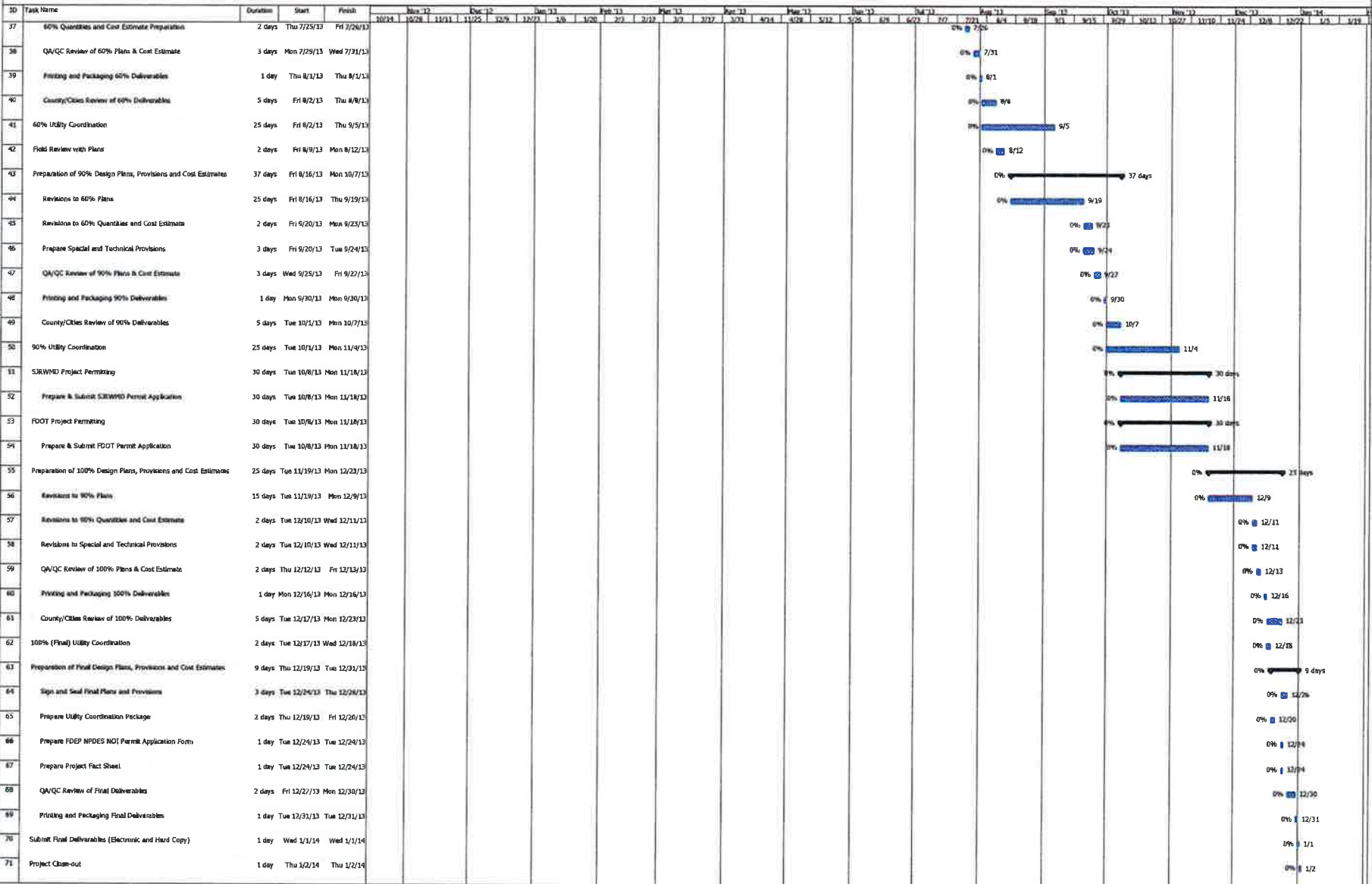


EXHIBIT D
PROPOSED PROJECT SCHEDULE
MINNESOTA AVENUE DRAINAGE DESIGN - ALL PHASES
ORANGE COUNTY, FLORIDA

updated August 6, 2012
Contract #Y111-901B



Task Summary Project Summary Inactive Milestone Inactive Summary Manual Task Duration-only Manual Summary Milestone Summary Task-only Finish-only Progress

EXHIBIT E
SUBCONSULTANT FEE PROPOSAL

- 1. Southeastern Surveying and Mapping (SSMC) - Survey**
- 2. Devo Seereeram, Ph.D, P.E. (DEVO) – Geotech**
- 3. Devo Seereeram, Ph.D, P.E., (DEVO) – Contamination**

Steven L. Anderson, Jr., PSM
Charles M. Arnett, PSM
Russell G. Daly, PSM
Bruce C. Ducker, PSM
James M. Dunn, II, PSM
Mark J. Efrid, PSM
Robert W. Gardner, PSM
Brian R. Garvey, PE
Jennings E. Griffin, PSM
Gary B. Krick, PSM
Brad J. Lashley, PSM
Myron F. Lucas, PSM
James E. Mazurak, PSM



Thomas K. Mead, PSM
Timothy O. Mosby, PSM
James L. Petersen, PSM
William C. Rowe, PSM
Tony G. Syfrett, PSM
John S. Thomas, PSM
Tate B. Flowers, SIT
Donna L. Canney, CST IV
Frank B. Henry, CST IV
David M. Rentfrow, CST IV
Steve D. Smith, CST IV
Celeste B. van Gelder, CST IV

Land Surveying & Mapping Services • Sub-Surface Utility Designation & Location Services • Geographic Information Systems • GPS Asset Inventories

January 30, 2012

Via E-mail: ssommerfeldt@inwoodinc.com

Mr. Steve Sommerfeldt, P.E.
Inwood Consulting Engineers, Inc.
3000 Dovera Drive, Suite 200
Oviedo, Florida 32765

**RE: Orange County - Minnesota Avenue Drainage Improvements Design Project
Section 12, Township 22 South, Range 29 East, Orange County, Florida
Orange County Contract No. Y11-901B
(City of Winter Park Phase)**

Dear Mr. Sommerfeldt,

We are pleased to submit our 2nd revised proposal for Surveying Services on the above referenced project.

PROJECT LIMITS:

- As shown in blue clouded area (~17.4 Acres) depicted on the attached "Exhibit 1 Infrastructure Map" Minnesota Avenue Drainage Evaluation prepared by Inwood Consulting Engineers.
- 2,100 feet along Clay Street
- 2,200 feet along Minnesota Avenue
- 200 feet of each side street intersecting with Clay Street or Minnesota Avenue within project limits
- 3.5 acres of pond area (Nicolet Pond) and outfall ditch

SCOPE OF SERVICES:

Provide a Design Topographic Survey in accordance with Chapter 5J-17 F.A.C. to include the following:

1. Perform topographic survey tasks within the project limits described above and delineated on the map provided by Inwood Consulting Engineers and attached hereto. Minimum of 25 feet beyond the right-of-way.
2. Survey right-of-way and easements.
3. Locate all above ground features including trees (>6" diameter) and significant vegetation.
4. Survey Nicolet Pond and proposed pond areas to the north, including outfall ditch, outfall pipe and first manhole structure.

Office 6500 All American Boulevard, Orlando, Florida 32810 • Phone: 407.292.8580 • Fax: 407.292.0141 • info@southeasternsurveying.com
Locations: 1130 Highway 90, Chipley, Florida 32428 • Phone: 850.638.0790 • Fax: 850.638.8069 • info@southeasternsurveying.com
4200 Baymeadows Road, Jacksonville, Florida 32217 • Phone: 904.737.5990 • Fax: 904.737.5995 • info@southeasternsurveying.com
119 West Main Street, Tavares, Florida, 32778 • Phone: 352.343.4880 • Fax: 352.343.4914 • info@southeasternsurveying.com
10 East Lake Street, Kissimmee, Florida 34744 • Phone: 407.944.4880 • Fax: 407.944.0424 • info@southeasternsurveying.com
3941 68th Avenue North, Pinellas Park, Florida 33781 • Phone: 727.525.6945 • Fax: 727.522.1403 • info@hwmllandsurveying.com

Page 2

Mr. Steve Sommerfeldt, P.E.

Orange County - Minnesota Avenue Drainage Improvements Design Project (City of Winter Park Phase)
January 30, 2012

5. Survey existing signs with descriptions.
6. Locate all utilities within project limits, to include up to 50 vertical test hole locates (vertical locates to be performed under two separate mobilizations).
7. Location of field flagging by geotechnical engineer within project limits.
8. Establish benchmarks every 200 feet to meet Orange County Survey Standards (2 BM's per plan sheet), Orange County Datum (NAVD'88).
9. Prepare sketches and descriptions for three (3) parcels associated with the Nicolet pond expansion.

DELIVERABLES:

1. Prepare a drawing in Microstation format, with conversions to AutoCAD, using current FDOT CAD Standards.
2. Provide survey design files at a scale of 1" = 40'.
3. Provide .tin file and triangles for entire project area.

FEE:

The fee schedule for this scope of services is attached as Exhibit "A".

We anticipate completion of the above described work within five (5) weeks after receipt of a written notice to proceed. Payment is expected within thirty (30) days from date of invoice.

We look forward to the opportunity to work with you on this project.

Sincerely,



James L. Petersen, P.S.M.
Vice President/Project Manager

JLP:gac

Page 3

Mr. Steve Sommerfeldt, P.E.

Orange County - Minnesota Avenue Drainage Improvements Design Project (City of Winter Park Phase)

January 30, 2012

If the above scope, period of service and method of compensation meets with your approval, please execute below and fax to Southeastern Surveying and Mapping Corporation as notice to proceed along with the notice of commencement.

ACCEPTED BY:

/			
Principal / or Corporate Officer	TITLE	Printed Name	Date

The person who is executing this document must indicate that he/she is a Principal or Corporate Officer.

If signor is other than a Principal or Corporate Officer, a letter of authorization on company letterhead signed and notarized by a Principal or Corporate Officer indicating said person is authorized must be attached at time of signature.

FEE QUOTATION PROPOSAL**EXHIBIT "A"**Date: January 30, 2012Project Name: Orange County-Minnesota Avenue Drainage Improvements Design Project (City of Winter Park Phase)Contract: Inwood Consulting Engineers/Orange County Y11-901B Name of Firm: Southeastern Surveying and Mapping Corporation

ACTIVITY	PROJECT MANAGER/PSM			SURVEYOR & MAPPER			SURVEY TECHNICIAN			CAD TECHNICIAN			2 MAN SURVEY CREW			3 MAN SURVEY CREW		
	Man Hrs	Hrly Rate	Fee	Man Hrs	Hrly Rate	Fee	Man Hrs	Hrly Rate	Fee	Man Hrs	Hrly Rate	Fee	Man Hrs	Hrly Rate	Fee	Man Hrs	Hrly Rate	Fee
Topographic Survey/Horizontal Control		135.87	0.00		125.13	0.00	2.7	70.71	190.92		70.71	0.00	4.4	128.21	564.12		167.68	0.00
Topographic Survey/Vertical Control		135.87	0.00		125.13	0.00	1.3	70.71	91.92		70.71	0.00	2.7	128.21	346.17		167.68	0.00
Topographic Survey	3	135.87	407.61	6	125.13	750.78	9	70.71	636.39		70.71	0.00	33	128.21	4,230.93		167.68	0.00
		135.87	0.00		125.13	0.00		70.71	0.00		70.71	0.00		128.21	0.00		167.68	0.00
R/W Lines		135.87	0.00	2	125.13	250.26	2	70.71	141.42		70.71	0.00	6.7	128.21	859.01		167.68	0.00
		135.87	0.00		125.13	0.00		70.71	0.00		70.71	0.00		128.21	0.00		167.68	0.00
		135.87	0.00		125.13	0.00		70.71	0.00		70.71	0.00		128.21	0.00		167.68	0.00
VVH Subsurface Utilities		135.87	0.00	3	125.13	375.39	9	70.71	636.39		70.71	0.00	22.7	128.21	2,910.37		167.68	0.00
Prepare Descriptions/Sketches (3)	1	135.87	135.87		125.13	0.00	1	70.71	70.71		70.71	0.00	2	128.21	256.42		167.68	0.00

LUMP SUM FEE BREAKDOWN

Project Manager/PSM

\$ 543.48

Surveyor & Mapper

\$ 1,376.43

Survey Technician

\$ 1,767.75

Cad Technician

\$ 0.00

2 Man Survey Crew

\$ 9,167.02

3 Man Survey Crew

\$ 0.00

Miscellaneous Expenses

\$ 0.00

LUMP SUM FEE TOTAL

\$ 12,854.68



DEVO SEEREERAM, Ph.D., P.E.
CONSULTING GEOTECHNICAL ENGINEER
FLORIDA REGISTRATION No. 48303



Geotechnical Engineering • Ground Water Modeling • Hydrogeologic/Geo-Environmental Engineering

5500 Alhambra Drive * Orlando, Florida 32808 * Phone: 407-290-2371 * Fax: 407-298-9011

e-mail: devo@devoeng.com

www.devoeng.com

Date: January 20, 2012

Devo's Project No: 11-310.39

To:

INWOOD CONSULTING ENGINEERS, INC.

3000 Dovera Drive, Suite 200

Oviedo, FL 32765

phone: 407-971-8502 fax: 407-971-8955

attention:

STEVE SOMMERFELDT, P.E.

Ref:

**PROPOSAL FOR GEOTECHNICAL ENGINEERING SERVICES
MINNESOTA AVENUE DRAINAGE IMPROVEMENTS - WINTER PARK PORTION
UNINCORPORATED ORANGE COUNTY/CITY OF WINTER PARK/CITY OF ORLANDO, FL**

Dear Mr. Sommerfeldt:

Attached is our proposal for the above-captioned geotechnical engineering services.

We trust that this proposal is sufficiently comprehensive to provide the supporting geotechnical engineering data and recommendations for your design of the drainage improvements. Please feel free to call us if there are any questions regarding this proposal and we look forward to working with Inwood and the municipalities on this project.

Sincerely,

Devo Seereeram

Devo Seereeram, Ph.D., P.E.

Principal Engineer

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Attachment 1. Fee Estimate	

Inwood Consulting Engineers (Inwood) completed a drainage evaluation which evolved conceptual recommendations for flood alleviation improvements in the Minnesota Avenue study area (see street map in Exhibit 1). The watershed area encompasses approximately 250 acres of highly urbanized land in the Orlando/Winter Park metro area of Orange County, Florida.



Exhibit 1. Street Map Showing Study Area (excerpted from Inwood's report)

The 250± acre watershed/study area overlays the jurisdictional limits of:

- ① unincorporated Orange County,
- ② the City of Winter Park, and
- ③ the City of Orlando.

Detailed documentation of the Inwood drainage study can be found in the following report:

*Minnesota Avenue, Final Drainage Evaluation Report, Orange County, Florida
Orange County Contract No. Y7-904B
May 26, 2010*

The study area is located within Sections 11 and 12 of Township 22 South, Range 29 East in the Howell Creek Watershed and is entirely within the permitting jurisdiction of the St. Johns River Water Management District (SJRWMD). As shown in Exhibit 1, the project is located immediately south of Fairbanks Avenue, west of Orlando Avenue (U.S. 17-92), north of Westchester Avenue, and East of Interstate 4.

DRAINAGE PROBLEM

Localized flooding is known to occur at several segments along Minnesota Avenue and Clay Street. The flooding is apparently caused by the inadequate hydraulic capacity of the storm sewer system that conveys runoff from south of the Minnesota Avenue/Clay Street intersection, east to Harold Avenue, then north along Harold Avenue under Fairbanks Avenue to Lake Killarney. In addition, excessive street ponding is reported at the following locales:

- ❶ Clay Street north of Minnesota Avenue, and
- ❷ Minnesota Avenue from Harold Avenue to Nicolet Avenue.

This street ponding is attributed to a lack of adequate grading and sufficient inlets to properly convey runoff to the stormwater collection system.

Because most of the development in this urban area pre-dates the effective date of SJRWMD criteria, there is very little treatment of stormwater prior to discharge into Lake Killarney. The section of Minnesota Avenue which is east of Harold Avenue drains to a small pond on the east side of Nicolet Avenue that is owned by the City of Winter Park. The pond discharges through a large diameter pipe that flows east then north at Shoreview Avenue, and from there continues north to discharge into Lake Killarney. An Upper Floridan aquifer drainwell operated by Orange County is also present at the Nicolet Avenue pond and this acts as an additional outfall.

Winter Park is exploring the possibility of acquiring adjacent parcels to expand the existing pond to provide additional water quality treatment as well as flood attenuation.

SUMMARY FINDINGS OF INWOOD'S DRAINAGE STUDY

The Minnesota Avenue drainage system is deficient and causes ponding, severe road flooding, and even structure flooding. Street flooding has been documented along Minnesota Avenue from Clay Street to the Nicolet Pond which is apparently caused by poor grading, lack of drainage inlets, and insufficient capacity in the existing conveyance system. In addition to street flooding, structure flooding has been documented along Clay Street north of Minnesota Avenue apparently due to excess runoff and south of Minnesota Avenue apparently due to insufficient capacity in the Nicolet Pond.

Several of the inlets in the existing conditions model near Minnesota Avenue failed to meet the 10 year Level of Service (LOS) and street flooding is predicted at some inlets even during the Mean Annual storm event. In addition, the existing conditions model indicates that the Nicolet pond would overtop its banks

during all of the modeled 10 year storm events. Also, a preliminary water quality evaluation indicated that the existing Nicolet pond provides only a minimal amount of water quality treatment.

RECOMMENDED DRAINAGE IMPROVEMENTS

Several concepts were evaluated by Inwood to improve the flooding problem and water quality deficiencies in the drainage systems and these are the recommended improvements (also refer to Figure 1, attached):

- ➡ Improvement 1 – Divert flow away from the Minnesota Avenue problem area by constructing inlets and storm sewer on north Clay Street and connect to the existing Fairbanks storm sewer system. Also, mill and resurface and construct new curb and gutter along Clay Street from Oglesby Avenue to Fairbanks Avenue.
- ➡ Improvement 2A - Construct inlets and storm sewer along Minnesota Avenue from Clay Street to the Nicolet Pond, reconstruct Minnesota Avenue from Clay Street to the Nicolet Pond, and replace a leaking stormsewer pipe under Minnesota Avenue to improve the collection of runoff along Minnesota Avenue and reduce nuisance flooding from ponding.
- ➡ Improvement 3 – Expand the existing Nicolet pond utilizing adjacent commercial properties to enhance water quality treatment in the area.
- ➡ Improvement 4 - Construct a curb inlet with a high level rectangular weir on the northwest side of the Clay Street / Miller Avenue intersection to tie into the existing Clay Street / Michigan Avenue drainage system.

The replacement of the drainage well for the Nicolet Avenue pond is also being pursued as a separate project.

Figure 1 (attached) shows the areas of proposed road re-profiling and reconstruction, the stormwater conveyance pipes, and the Nicolet Avenue wet pond expansion area.

OBJECTIVES

The objectives of this geotechnical engineering investigation are described below.

Stormwater Conveyance Pipes

- ① Investigate and assess the soil and ground water conditions along the alignments of the proposed gravity stormwater pipes and within the approximate footprints of the proposed underground structures.

- ② Provide recommendations for excavation of the pipe trenches and structure pits, construction dewatering and ground water control, preparation of the pipe/structure bedding and backfill.

Wet Detention Pond (Nicolet)

Investigate soil & ground water conditions in proposed wet detention ponds to assess:

- ① soil stratigraphy and texture of soils which will be excavated and their potential engineering uses,
- ② recommend how these soils should be selectively graded on the site to prevent the development of a perched water table within the fill mass, and
- ③ estimated seasonal high, low, and average wet season water table elevations to facilitate design of the pond control structure and the pond side slope break points.

Pavement Reprofiting Areas

Pavement cores will be obtained and used to assess the various layers and their thicknesses in the pavement down to the subgrade level. Typically, we will present key measurements of the layer thicknesses and photos and a recommended pavement section for the reconstruction which may or may not include a reinforcement layer.

Wet season water table estimates will also be presented in the pavement reconstruction areas in case underdrains are needed.

Field And Laboratory Test Programs

The following program of field and laboratory testing is proposed to collect data for this evaluation (refer to Figure 1 attached):

Field Services

- ➡ Preliminary site inspection by project engineer and senior engineering technician.
- ➡ Clear Utilities Prior to Drilling
- ➡ Drill up to twenty-six (26) hand auger borings (10 ft deep) at locations shown in Figure 1 (attached) to assess the soil characteristics and determine the water table elevation.
- ➡ Perform two (2) SPT pond borings up to 25 feet in depth within the proposed Nicolet Avenue pond expansion area (prospective locations are shown in Figure 1).
- ➡ Extract up to six (6) pavement cores, three (3) along Clay Street and three (3) along Minnesota Ave (see prospective locations in Figure 1). A maintenance of traffic plan will also be submitted as part of this task since the coring operation will be within the travel lanes.

We assume that all of our test locations (boreholes & cores) will be surveyed horizontally and vertically by the project surveyor.

Laboratory Testing Services

- ➡ Visual and tactile examination of the soil samples
- ➡ Fifteen (15) fines fraction and natural moisture content tests on representative soil samples
- ➡ Six (6) Atterberg Limits to assess soil plasticity.
- ➡ Three (3) Limerock Bearing Ratio tests on the pavement base material
- ➡ Three (3) Soil Corrosivity tests to facilitate optional pipe material selection.

Deliverables

Our deliverables for this project will be the following:

- ⇒ One (1) electronic copy of the draft report in pdf format.
- ⇒ One (1) electronic copy of the final report in pdf format.
- ⇒ Six (6) signed and sealed hardcopies of the final geotechnical report for review and comment.

Estimated Fee

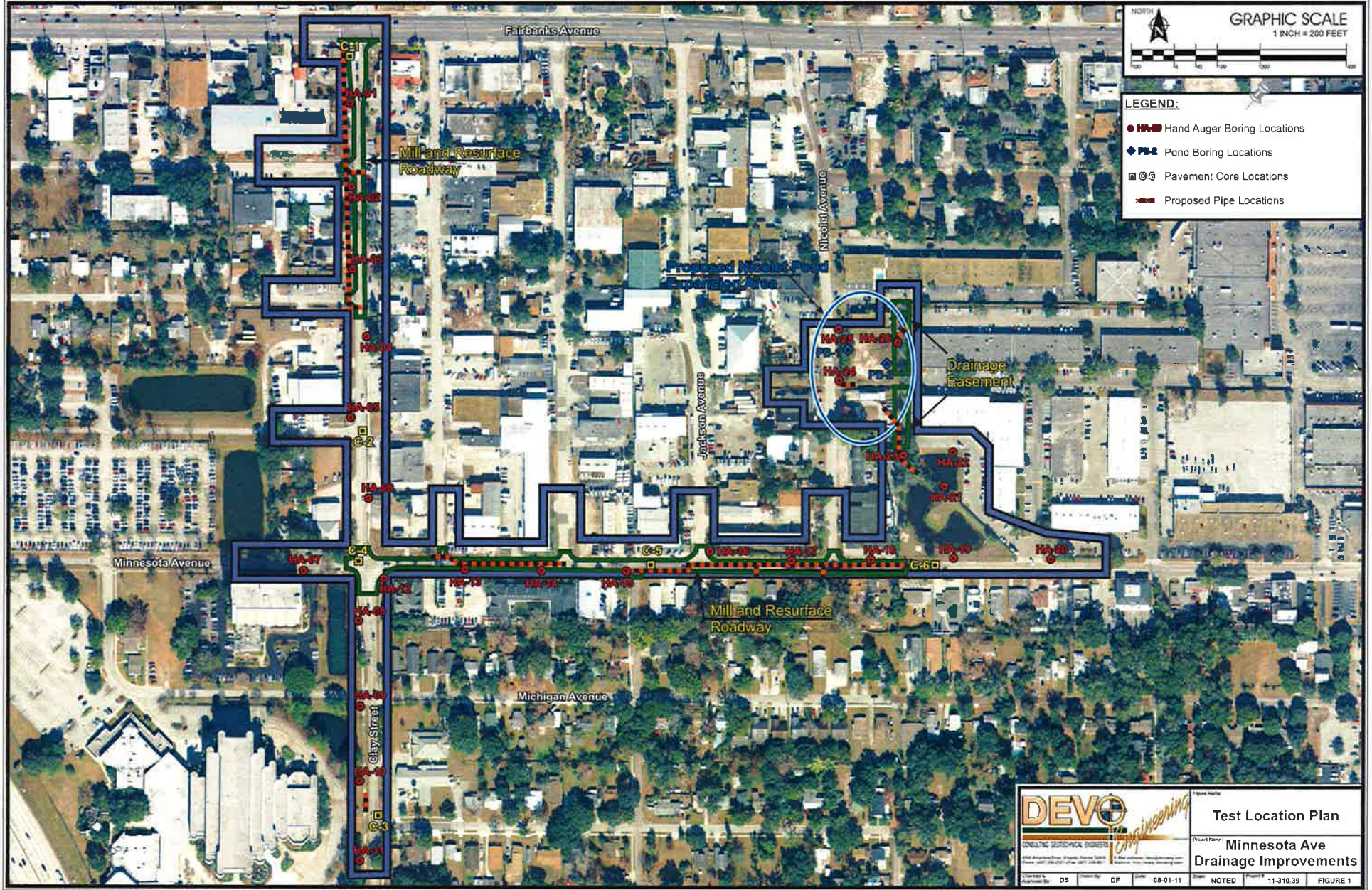
Our estimated fees for the referenced Geotechnical services are summarized on Table 1. As indicated, the estimated cost to provide Geotechnical services is **\$12,136.89.**

These unit rates are consistent with Orange County Y11-901B contract rates.

Schedule

We estimate that the proposed scope of services can be completed within 4 to 6 weeks of the County's Notice to Proceed. Please let us know if this schedule needs to be accelerated.

FIGURE



**ATTACHMENT A
FEE ESTIMATE**

TABLE I. FEE ITEMIZATION FOR GEOTECHNICAL INVESTIGATION - MINNESOTA AVENUE DRAINAGE INVESTIGATION (WINTER PARK)

Description of Work Item	Unit	Unit	Budget	Previous Months		This Month		% Complete	
		Rate	Quantity	Amount	Quantity	Amount	Quantity		Amount
PRELIMINARY FIELD RECONNAISSANCE, REVIEW OF HISTORICAL AERIALS AND EXISTING DATA, CONSULTATION WITH PRIME CONSULTANT									
Senior Engineer	hr	\$118.08	6.0	\$708.48	0.0	\$0.00	0.0	\$0.00	0.0%
Senior Geotechnical Engineer	hr	\$101.22	8.0	\$809.76	0.0	\$0.00	0.0	\$0.00	0.0%
Senior CADD/GIS	hr	\$61.86	6.0	\$371.16	0.0	\$0.00	0.0	\$0.00	0.0%
Senior Engineering Technician	hr	\$67.47	5.0	\$337.35	0.0	\$0.00	0.0	\$0.00	0.0%
GEOTECHNICAL FIELD SERVICES									
Preliminary Site Reconnaissance and Utility Location/Coordination	hr	\$65.00	4.0	\$260.00	0.0	\$0.00	0.0	\$0.00	0.0%
Mobilization/demobilization of mud-bug drilling equipment	sum	\$480.00	0.33	\$160.00	0.0	\$0.00	0.0	\$0.00	0.0%
Standard Penetration Test borings (0 to 50ft)	ft	\$10.00	16.67	\$166.67	0.0	\$0.00	0.0	\$0.00	0.0%
Senior Engineering Technician - hand auger borings and piezometers and penetrometer probes, inspect manholes, elevation survey, etc.	hr	\$67.47	22.0	\$1,484.34	0.0	\$0.00	0.0	\$0.00	0.0%
Traffic Control Allowance	sum	\$2,400.00	0.33	\$800.00	0.0	\$0.00	0.0	\$0.00	0.0%
Pavement cores & reinstatement allowance	sum	\$1,500.00	0.33	\$500.00	0.0	\$0.00	0.0	\$0.00	0.0%
Materials for Piezometers and casing	sum	\$300.00	0.33	\$100.00	0.0	\$0.00	0.0	\$0.00	0.0%
Senior Geotechnical Engineer	hr	\$101.22	8.0	\$809.76	0.0	\$0.00	0.0	\$0.00	0.0%
GEOTECHNICAL LABORATORY TESTING SERVICES									
Visual & tactile examination of soil samples & inspection of the pavement cores	hr	\$55.00	4.0	\$220.00	0.0	\$0.00	0.0	\$0.00	0.0%
Fines fractions and natural moisutre content	each	\$40.00	5.0	\$200.00	0.0	\$0.00	0.0	\$0.00	0.0%
Atterberg Limit (soil plasticity tests)	each	\$70.00	2.0	\$140.00	0.0	\$0.00	0.0	\$0.00	0.0%
LBR Tests	each	\$350.00	1.0	\$350.00	0.0	\$0.00	0.0	\$0.00	0.0%
Soil Corrosivity Tests (partial)	each	\$150.00	1.0	\$150.00	0.0	\$0.00	0.0	\$0.00	0.0%
DATA INTERPRETATION, ANALYSES, COST ESTIMATES & REPORT PREPARATION									
Senior Engineer	hr	\$118.08	8.0	\$944.64	0.0	\$0.00	0.0	\$0.00	0.0%
Senior Geotechnical Engineer	hr	\$101.22	20.0	\$2,024.40	0.0	\$0.00	0.0	\$0.00	0.0%
Senior CADD/GIS	hr	\$61.86	11.0	\$680.46	0.0	\$0.00	0.0	\$0.00	0.0%
Junior Graphics Technician	hr	\$56.25	9.0	\$506.25	0.0	\$0.00	0.0	\$0.00	0.0%
REPORT PRINTING, BINDING & DELIVERY									
Administrative Manager	hr	\$61.86	1.0	\$61.86	0.0	\$0.00	0.0	\$0.00	0.0%
Clerical/Technical Secretary	hr	\$39.36	4.0	\$157.44	0.0	\$0.00	0.0	\$0.00	0.0%
Report printing - color copies 8 1/2" by 11"	each	\$0.50	240.0	\$120.00	0.0	\$0.00	0.0	\$0.00	0.0%
Report printing - color copies 11" by 17"	each	\$1.00	60.0	\$60.00	0.0	\$0.00	0.0	\$0.00	0.0%
Report printing - full size plans 24" by 36"	each	\$0.72	6.0	\$4.32	0.0	\$0.00	0.0	\$0.00	0.0%
Allowance for Courier service & mail	sum	\$30.00	0.33	\$10.00	0.0	\$0.00	0.0	\$0.00	0.0%
TOTAL COST				\$12,136.89		\$0.00		\$0.00	0.0%

Budget Remaining..... **\$12,136.89**

DEVO SEEREERAM, Ph.D., P.E.
CONSULTING GEOTECHNICAL ENGINEER
FLORIDA REGISTRATION No. 48303



Geotechnical Engineering • Ground Water Modeling • Hydrogeologic/Geo-Environmental Engineering

5500 Alhambra Drive * Orlando, Florida 32808 * Phone: 407-290-2371 * Fax: 407-298-9011

e-mail: devo@devoeng.com

www.devoeng.com

Date: January 23, 2012

Devo's Project No: 11-310.39

To:

INWOOD CONSULTING ENGINEERS, INC.

3000 Dovera Drive, Suite 200

Oviedo, FL 32765

phone: 407-971-8502

fax: 407-971-8955

attention:

STEVE SOMMERFELDT, P.E.

Ref:

PROPOSAL FOR ENVIRONMENTAL TESTING SERVICES

MINNESOTA AVENUE DRAINAGE IMPROVEMENTS - WINTER PARK PORTION

UNINCORPORATED ORANGE COUNTY/CITY OF WINTER PARK/CITY OF ORLANDO, FL

Dear Mr. Sommerfeldt:

This is a companion proposal to our geotechnical engineering services proposal and it covers soil screening and groundwater testing of the proposed wet detention pond expansion site.

The 796 Nicolet Avenue property (f.k.a. Nelson's Cabinet & Millwork which was demolished after property acquisition in May 2009) is slated for the expansion of the existing wet detention pond. These lots are within an older urbanized industrial area of Winter Park with former land uses which could have potentially introduced contamination into the underlying groundwater. The now demolished structure on the property was originally constructed in 1949.

Orange County has experienced problems on some recent pond excavation projects wherein dewatering operations were halted due to certain EPA-regulated ground water parameter concentrations exceeding discharge standards. In addition, since this pond will not be a dry pond but an open water body which intersects the groundwater, there is a concern that potential relic contamination can flush into the pond's permanent pool.

Based on these concerns, the following scope of work is recommended to evaluate this potential concern:

- ➡ obtain and review readily available historical aerial photographs dating back to the 1940's.
- ➡ perform soil organic vapor screening using an ova
- ➡ monitoring well installations - install 2 monitoring wells (15 ft deep) including mobilization, decontamination, and concrete pad with manhole cover
- ➡ water quality sampling of each well.
- ➡ laboratory analyses of the two (2) groundwater samples for the following parameters:
 - ① PAH's by EPA 8270,
 - ② VOA's by EPA 8260
 - ③ Chlorinated pesticides by EPA8081
 - ④ Organo-chlorine herbicides by EPA 8141
 - ⑤ Nitrogen-phosphorus pesticides by EPA 8151
 - ⑥ Residual petroleum products by FLPRO
 - ⑦ 8 RCRA metals (arsenic, barium, cadmium, chromium, lead, mercury, selenium & silver)
- ➡ preparation of a report documenting the data collection and evaluation of the results

Our estimated fee to complete these services is included in Table 1 (attached). As noted, the estimated fee is \$4,204.42.

We estimate that we can complete this work within 6 weeks of Notice to Proceed.

We trust that this proposal is sufficiently comprehensive to provide the supporting geo-environmental evaluation for the drainage improvements project. Please feel free to call us if there are any questions regarding this proposal and we look forward to working with Inwood and the municipalities on this project.

Sincerely,

Devo Seereeram

Devo Seereeram, Ph.D., P.E.

Principal Engineer

**ATTACHMENT A
FEE ESTIMATE**

TABLE I. FEE ITEMIZATION FOR GROUNDWATER SCREENING IN POND AREA - MINNESOTA AVENUE DRAINAGE INVESTIGATION (WINTER PARK)

Description of Work Item	Unit	Unit	Budget		Previous Months		This Month		% Complete
		Rate	Quantity	Amount	Quantity	Amount	Quantity	Amount	
PRELIMINARY FIELD RECONNAISSANCE, REVIEW OF HISTORICAL AERIALS AND FORMER LAND USES									
Senior Engineer	hr	\$118.08	3.0	\$354.24	0.0	\$0.00	0.0	\$0.00	0.0%
Senior Hydrogeologist	hr	\$106.86	3.0	\$320.58	0.0	\$0.00	0.0	\$0.00	0.0%
Senior Level CADD/GIS	hr	\$61.86	2.0	\$123.72	0.0	\$0.00	0.0	\$0.00	0.0%
ENVIRONMENTAL FIELD SERVICES									
Preliminary Site Reconnaissance and Utility Location/Coordination	hr	\$65.00	3.0	\$195.00	0.0	\$0.00	0.0	\$0.00	0.0%
Mobilization/demobilization of drilling rig to install monitor wells	sum	\$480.00	0.33	\$160.00	0.0	\$0.00	0.0	\$0.00	0.0%
Install monitor wells	ft	\$25.00	10.0	\$250.00	0.0	\$0.00	0.0	\$0.00	0.0%
Decontamination and development of monitor wells	hr	\$100.00	3.0	\$300.00	0.0	\$0.00	0.0	\$0.00	0.0%
Concrete pad and manhole cover	each	\$250.00	0.67	\$166.67	0.0	\$0.00	0.0	\$0.00	0.0%
Senior Engineering Technician - groundwater sampling & delivery	hr	\$67.47	4.0	\$269.88	0.0	\$0.00	0.0	\$0.00	0.0%
OVA Screening	hr	\$64.87	3.0	\$194.61	0.0	\$0.00	0.0	\$0.00	0.0%
ENVIRONMENTAL LABORATORY TESTING SERVICES									
Laboratory analyses of sample for parameters in proposal	each	\$900.00	0.67	\$600.00	0.0	\$0.00	0.0	\$0.00	0.0%
DATA INTERPRETATION, ANALYSES, COST ESTIMATES & REPORT PREPARATION									
Senior Engineer	hr	\$118.08	3.0	\$354.24	0.0	\$0.00	0.0	\$0.00	0.0%
Senior Hydrogeologist	hr	\$106.86	4.0	\$427.44	0.0	\$0.00	0.0	\$0.00	0.0%
Senior Level CADD/GIS	hr	\$61.86	3.0	\$185.58	0.0	\$0.00	0.0	\$0.00	0.0%
Junior Graphics Technician	hr	\$56.25	1.0	\$56.25	0.0	\$0.00	0.0	\$0.00	0.0%
REPORT PRINTING, BINDING & DELIVERY									
Administrative Manager	hr	\$61.86	1.0	\$61.86	0.0	\$0.00	0.0	\$0.00	0.0%
Clerical/Technical Secretary	hr	\$39.36	1.0	\$39.36	0.0	\$0.00	0.0	\$0.00	0.0%
Allowance for Courier service & mail	sum	\$30.00	0.33	\$10.00	0.0	\$0.00	0.0	\$0.00	0.0%
Report Printing - color copies 8 1/2" by 11"	each	\$0.50	200.0	\$100.00	0.0	\$0.00	0.0	\$0.00	0.0%
Report Printing - color copies 11" by 17"	each	\$1.00	35.0	\$35.00	0.0	\$0.00	0.0	\$0.00	0.0%
TOTAL COST				\$4,204.42		\$0.00		\$0.00	0.0%

Budget Remaining..... **\$4,204.42**

INTERLOCAL AGREEMENT

between

ORANGE COUNTY, FLORIDA

and

CITY OF WINTER PARK, FLORIDA

regarding

**REIMBURSEMENT FOR PHASE II OF
MINNESOTA AVENUE DRAINAGE DESIGN PROJECT**

Approved by the Orange County
Board of County Commissioners
_____, 2012

Approved by City of Winter Park
City Commission
_____, 2012

INTERLOCAL AGREEMENT
between
ORANGE COUNTY, FLORIDA
and
CITY of WINTER PARK, FLORIDA
regarding
REIMBURSEMENT FOR PHASE II OF
MINNESOTA AVENUE DRAINAGE DESIGN PROJECT

THIS INTERLOCAL AGREEMENT is made and entered into by and between **Orange County, Florida**, a charter county and political subdivision of the State of Florida (“County”), and the **City of Winter Park, Florida**, a municipal corporation created and existing under the laws of the State of Florida in Orange County (“City”).

RECITALS:

WHEREAS, the County has authority pursuant to Section 125.01, Florida Statutes, to enter into agreements;

WHEREAS, the City has authority pursuant to Section 166.021, Florida Statutes, to enter into agreements;

WHEREAS, the County and the City have authority pursuant to Section 163.01, Florida Statutes, to enter into interlocal agreements;

WHEREAS, in the interest of public safety and intergovernmental cooperation, the County, the City, and the City of Orlando, are undertaking a joint project known as the Minnesota Avenue Drainage Design;

WHEREAS, generally speaking, the Minnesota Avenue Drainage Design encompasses an area of approximately 250 acres in the Howell Creek watershed, as depicted on **Exhibit “A”** attached hereto and incorporated herein by reference;

WHEREAS, more specifically, the project area is located immediately south of Fairbanks Avenue, west of Orlando Avenue (U.S. 17-92), north of Westchester Avenue and east of Interstate 4;

WHEREAS, previously, the County, the City, and the City of Orlando undertook and completed an initial study to identify drainage improvements for this joint project, referred to as the Phase I study;

WHEREAS, this particular Interlocal Agreement is solely intended to address the City's obligation to reimburse the County for the City's share of the costs of the Phase II design study being performed by Inwood Consulting Engineers, Inc. ("Inwood"), which is under contract with the County, but not under contract with the City; and

WHEREAS, by an identical Interlocal Agreement, the County will address the City of Orlando's obligation to reimburse the County for the City of Orlando's identical share of the costs of the Phase II design study being performed by Inwood.

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the County and the City hereby agree as follows:

1. **Recitals.** The foregoing recitals are true and correct and are hereby incorporated herein by reference.

2. **The County's Obligation.** The County shall direct and cause its independent contractor, Inwood Consulting Engineers, Inc., to undertake and complete the Phase II design study for the Minnesota Avenue drainage design project pursuant to instructions previously agreed upon by the County, the City, and the City of Orlando, as reflected by Inwood's revised

“Scope of Services” attached hereto as **Exhibit “B”** and incorporated herein by reference. As stated in the revised “Scope of Services,” the notice to proceed date is November 1, 2012.

3. **The City’s Obligation.**

A. The City shall reimburse the County for the City’s share of the cost of the Phase II design study being performed by Inwood. Specifically, the City’s share of those costs equals Eighty-One Thousand, Six Hundred Ten Dollars, and Ninety-Eight Cents (\$81,610.98). The City shall remit to the County the full amount due within thirty (30) days after receipt of a copy of the purchase order issued to Inwood by the County. The City shall make the check payment to the “Orange County Board of County Commissioners,” and deliver it to the following address:

Orange County Public Works Department
Fiscal and Administrative Division
4200 South John Young Parkway
Orlando, Florida 32839-9205

In the event any portion of the City’s share remains unspent after completion of the Phase II design study or the Phase II design study is never completed, the County shall return to the City such unspent portion within ninety (90) days. In the unlikely event of any cost overruns, the City shall share such cost equally with the County and the City of Orlando.

B. The County shall take reasonable measures to avoid cost overruns. Any cost overrun in which the City will share pro rata the expense shall be: (a) reasonable and necessary in order to complete the project as intended by this Interlocal Agreement; (b) not incurred as a result of the contractor’s or design professional’s cause or fault; (c) not incurred as a result of cause or fault that could have been avoided by the County; and (d) approved in advance by the City Manager or designee if the cost to the City is less than or equal to \$50,000, and approved by the City Commission if the cost to the City exceeds \$50,000, but approval by

the City shall not be unreasonably withheld subject to the City's share being its pro rata share as hereafter defined and subject to the cost overrun being in accordance with these requirements. The term "pro rata share" shall be the fraction of the total cost overrun equal to \$81,610.98 as the numerator, divided by the total project cost as the denominator (but not including the subject cost overrun being at issue).

4. General.

A. **Validity.** The County and the City each represents, warrants, and covenants to and with the other its respective authority and power under Florida law to enter into this Interlocal Agreement, acknowledges the validity and enforceability of this Interlocal Agreement, and waives any future right of defense based on any claim of illegality, invalidity or unenforceability of any nature. The County and the City each represents, warrants and covenants to and with the other that this Interlocal Agreement has been approved by its respective governing body at a duly held public meeting, and that this Interlocal Agreement constitutes a legal, valid and binding contract enforceable against the respective party in accordance with the terms hereof (assuming the due authorization, execution and delivery hereof by the other parties hereto).

B. **Ambiguities.** Both parties have been allowed equal input regarding the terms and wording of this Interlocal Agreement and have had the benefit of consultation with their respective legal counsel prior to its execution, such that all language herein shall be construed equally against the parties, and no language shall be construed strictly against its drafter.

C. **Headings.** The headings or captions of sections or subsections used in this Interlocal Agreement are merely for the convenience of the parties for reference only and are

not intended to define or limit their contents, nor are they to affect the construction of or to be taken into consideration in interpreting this Interlocal Agreement.

D. **Nonseverability.** Paragraphs 2 and 3 of this Interlocal Agreement are declared by the parties to not be severable.

E. **Governing Law; Venue; Attorney's Fees and Costs.**

i. This Interlocal Agreement shall be governed by and construed in accordance with laws of the State of Florida.

ii. Venue for any action arising out of or related to this Interlocal Agreement shall be in the Circuit Court for the Ninth Judicial Circuit in Orange County, Florida.

iii. In the event either party deems it necessary to take legal action to enforce any provisions of this Interlocal Agreement, each party shall bear its own attorney's fees and costs at both the trial and appellate levels.

F. **Entire Agreement.** This Interlocal Agreement constitutes the entire Interlocal Agreement between the parties regarding the subject matter hereof. Any prior oral or written agreements or understandings of any kind between the parties relating to the subject matter hereof are null and void and of no further effect.

G. **Amendments.** This Interlocal Agreement may be amended only by express written instrument approved by the Board of County Commissioners of the County and the City Commission of the City of Winter Park, and executed by the authorized officers of each party.

H. **Assignment.** This Interlocal Agreement may not be assigned by the County or the City. However, it shall not be deemed an assignment by the County that the

County is using Inwood, an independent contractor, to perform responsibilities for which the County will be reimbursed by the City under this Interlocal Agreement.

I. **Counterparts.** This Interlocal Agreement and any amendments thereto may be executed in two counterparts, each of which shall be deemed an original, but both of which shall constitute one and the same instrument.

J. **No Third Party Beneficiaries.** Only the parties to this Interlocal Agreement have any rights under this Interlocal Agreement, and there are no third party beneficiaries created, intended or established pursuant to or as a result of this Interlocal Agreement. Without limitation of the foregoing, no third party shall have contractual right of indemnity as a result of or pursuant to this Interlocal Agreement.

K. **Sovereign Immunity.** Except for the obligations expressly undertaken in this Interlocal Agreement, the parties reserve all rights and defenses of sovereign immunity, including those in Section 768.28, Florida Statutes, and no right or defense of sovereign immunity is waived as a result of or by this Interlocal Agreement.

L. **Notices.** Any notice required to be given or otherwise given by one party to the other party shall be in writing and shall be deemed delivered when given by hand delivery; five (5) days after being deposited in the United States Mail, postage prepaid, certified or registered; or the next business day after being deposited with a recognized overnight mail or courier delivery service; or when transmitted by facsimile or telecopy transmission, with receipt acknowledged upon transmission; and addressed as follows:

If to the County:	Director, Orange County Public Works Department 4200 South John Young Parkway Orlando, Florida 32839 Facsimile: (407) 836-7716
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If to the City: Director of Public Works
City of Winter Park
180 West Lyman Ave.
Winter Park, Florida 32789
Facsimile: (407) 599-3417

In all cases, notices shall be deemed delivered to a party only upon delivery of copies to the persons indicated above in the same manner as for the party being notified. Either party may change its designated official or address for receipt of notice by giving notice of such change to the other party in the manner provided in this section.

5. **Effective Date.** This Interlocal Agreement shall become effective on the date of execution by the County or the date of execution by the City, whichever date is later.

IN WITNESS WHEREOF, the parties have executed this Interlocal Agreement as of the dates indicated below.

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: _____
Teresa Jacobs
County Mayor

Date: _____, 2012

ATTEST: Martha O. Haynie, County Comptroller
As Clerk of the Board of County Commissioners

By: _____
Deputy Clerk

CITY OF WINTER PARK, FLORIDA
By: City Commission

By: _____
Kenneth W. Bradley, Mayor

Date: _____, 2012

ATTEST:
By: _____
Cindy Bonham, City Clerk



city commission agenda item

item type	Action Items Requiring Discussion	meeting date	October 8, 2012
prepared by department division	City Manager	approved by	<input checked="" type="checkbox"/> City Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> N/A
board approval	<input type="checkbox"/> yes <input type="checkbox"/> no <input checked="" type="checkbox"/> N/A final vote		

subject

Discussion of Strategic Plan

motion | recommendation

Review strategic plan scorecard and work plan and provide input.

Background

Attached is the draft of the Strategic Plan Scorecard Plan for the Commission's review and comments. You will note that some of the *Initiatives* that received 3 or more dots from the commission do not lend themselves to measurement, except for "Is it done?". Those are highlighted in yellow.

The bubbles highlighted in red were added by staff because they appeared to be needed to complete the category. It should also be noted that there are some bubbles that have no Commission selected initiatives associated with them, for example "Environmental" was a category the Commission established but no Environmental Initiatives received at least 3 dots from the Commission.

The *Measurements* and *Targets* also need to be reviewed and discussed by the Commission.

Also attached is preliminary draft of a *Work Plan* which takes the initiatives and puts the action steps to them. Once the initiatives and measures are confirmed, details of the work plan will be completed.

fiscal impact

TBD

long-term impact

Unknown

strategic objective

N/A



City of Winter Park Scorecard

Our Vision

Be the best place to live, work and play in Florida for today's residents and future generations.

Strategy Map		Measures	Target	Initiatives
Constituent/ Stakeholder		<ul style="list-style-type: none">• How satisfied are you with City Services?• How safe do you feel in WP?• Are you aware of educational opportunities in WP?	<ul style="list-style-type: none">• 90% Excellent or Above Average• 90% Safe or very safe• 80% familiar or very familiar	<ul style="list-style-type: none">• Increase partnership with education institutions "cradle to grave"
		<ul style="list-style-type: none">• Increase commercial property valuation (new and redeveloped properties)• Underground Utility Lines• Improve SAIDI• Create new jobs in WP	<ul style="list-style-type: none">• X% in five year period• 4-5 miles per year• <60 minutes per year• Add xx jobs over next 3 years.	<ul style="list-style-type: none">• Tax base diversification• Pension reform• Adoption of realistic, actionable CIP• Develop parking plan for downtown• Continue electrical undergrounding program• Continue to implement economic development plan and review
		<ul style="list-style-type: none">• Departments meeting internally established benchmarks• Increase available resources to Technology based industry	<ul style="list-style-type: none">• 95% of departments meeting or exceeding benchmarks• xx% of City with high speed fiber available	<ul style="list-style-type: none">• Review and update Comprehensive Plan and codes as appropriate• Develop master plan for city• Assessment of potential efficiencies "right sizing" of city
Fiscal Stewardship				
Organizational Development/ Innovation				

City of Winter Park Work Plan

[illegible]



city commission agenda item

item type	Action Item Requiring Discussion	meeting date	October 8, 2012
prepared by department division	Dori DeBord/Jeff Briggs ED/CRA & Planning	approved by	<input checked="" type="checkbox"/> City Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> N/A
board approval	<input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> N/A final vote		

subject

Authorization to Advertise Notice of Intent to Dispose for Property located at 845 West New England Avenue, Winter Park, Florida. This is required by Chapter 163.380, Florida Statutes since this is an asset of the City in the CRA.

motion | recommendation

Authorize staff to advertise a Notice of intent to Dispose (NOD) for Property located at 845 West New England Avenue for 30 days and prepare an agenda item for discussion regarding all proposals submitted for consideration.

Background

In 2006, the CRA Agency and the Hannibal Square Community Land Trust (HSCLT) entered into a Memorandum of Understanding (MOU) regarding the development of infill property purchased by the CRA and the City's Affordable Housing Trust Fund and owned by the City as affordable housing units tailored to serve low to moderate homebuyers. There are four properties listed in the MOU:

1. 300 North Pennsylvania Avenue (Pennsylvania/Garfield Property)
2. 845 West New England Avenue
3. 634 West Comstock Avenue
4. 321 Hannibal Square West

In 2007, the HSCLT developed the 634/644 West Comstock parcels following this process. The City donated the land to the HSCLT. For that project, staff advertised the Notice of Intent to Dispose at the beginning of the review period. It is staff's intent to follow the same process during this submittal as well. Under the NOD, the City may accept or reject any or all of the proposals.

The actual disposal process involves approval by both the CRA Agency and the City Commission of a submitted proposal. The MOU contemplates that the HSCLT would be given the property as a donation subject to their submittal and obligation that the project support low and moderate homebuyers. A copy of the MOU, a draft Notice to Dispose advertisement and a brief overview of the HSCLT is included in this material.

alternatives | other considerations

The City Commission can choose not to advertise the Notice of Intent to Dispose for 845 West New England Avenue at this time.

fiscal impact

There is no fiscal impact to advertise a Notice Of Intent to Dispose other than the cost of the advertisement.

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING ("MOU") is made and entered into this 18th day of ~~November~~ ^{December}, 2006, by and between the Hannibal Square Community Land Trust, INC., a Florida not for profit corporation (the "CLT"), the Winter Park Community Redevelopment Agency, a body corporate and politic created pursuant to Part III of Chapter 163 of the Florida Statutes (the "CRA"), and the City Of Winter Park, a Florida municipal corporation (the "City").

PREAMBLE

WHEREAS, the City and the CRA entered into that certain Grant Agreement with the CLT dated 12/18, 2006 (the "Grant Agreement") for, among other reasons, the purchase and acquisition of real property within the Winter Park Community Redevelopment Area (the "Area") for purposes of providing affordable housing to very low, low, and moderate income families; and

WHEREAS, among the goals of the CRA are to increase housing opportunities by diversifying the available housing stock and providing more opportunities for home ownership; and improving housing conditions and appearances to achieve more stable and secure residential neighborhoods which create higher values for the owners; and

WHEREAS, it is an objective of the CRA to increase public participation and community leadership of the residents to foster solutions to neighborhood problems, including issues of housing affordability; and

WHEREAS, it is also an objective of the CRA to increase the opportunities for its citizens to purchase or rent affordable, decent, safe, and sanitary housing by encouraging the rehabilitation, revitalization, and redevelopment of the existing housing stock; and

WHEREAS, it is a policy of the CRA to encourage innovative housing development which result in lower costs and to also continue to work with non-profit organizations to provide home building programs for families who do not qualify through conventional lending institutions; and

WHEREAS, it is also a policy of the CRA to provide for the acquisition of lots within the Area as a way to lower the cost for the construction of affordable housing; and

WHEREAS, the CRA Plan contemplates the use of tax increment revenue and bonds as a funding source for affordable housing property acquisition and miscellaneous residential programs; and

WHEREAS, it is a policy of the CRA to encourage innovative housing development which result in lower costs and to also continue to work with non-profit organizations, such as the CLT, to provide home building programs for families who do not qualify through conventional lending institutions; and

WHEREAS, the CLT is desirous of acquiring, developing and rehabilitating certain real property within the Area owned by the City consistent with the goals and objectives of the CRA Plan and as part of a community land trust model, and further desires to partner with the CRA in order to address the affordable housing needs of the Area; and

WHEREAS, the City and CRA are desirous of encouraging, supporting and facilitating partnership opportunities with tax-exempt non-profit or governmental organizations in addressing the affordable housing needs of the City within the CRA Area; and

WHEREAS, on February 7, 2005, the CRA approved staff policy recommendation to consider for redevelopment the hereafter defined properties for the economic benefit of the CLT in an effort to promote the economic stability and self-sustainability of the CLT; and

WHEREAS, in furtherance of the City's and CRA's aforementioned desires, the CRA is contemplative of making future grants to the CLT, whether it be in the form of money or real property, to facilitate the acquisition, development, and rehabilitation of real property, for purposes of providing affordable housing to very low, low, and moderate income families, consistent with the goals and objectives of the CRA Plan and as part of a community land trust model and to further the expansion, economic stability and self-sustainability of the CLT; and

WHEREAS, the CLT is desirous of acquiring, developing and rehabilitating real property within the CRA Area consistent with the foregoing intentions and as part of a community land trust model and further desires to partner with the CRA in order to address the housing needs of the Area; and

WHEREAS, the parties agree to enter into this MOU for the purpose of memorializing the parties' understanding as it pertains to foregoing intentions and for the purpose of establishing general principles and guidelines to be utilized as a framework prior to entering into future agreements; and

WHEREAS, this MOU and any future agreement entered into between the parties is subject to the provisions of Chapter 163 of the Florida Statutes, the Winter Park City Code, and all other applicable laws and shall, to the extent CRA funds are utilized, be consistent with the CRA Plan.

UNDERSTANDING OF THE PARTIES

The following represents the understanding of the parties as of the date of this MOU:

1. **Incorporation of Preamble.** The parties to this MOU warrant to one another that the Preamble to this MOU is true and correct and is incorporated herein by this reference as if fully set forth below and made a part hereof.
2. **Redevelopment of Specific Real Property.** The CRA is considering requesting the conveyance of the following City owned properties located within the Area to the CLT for redevelopment to the economic benefit of the CLT in accordance with the above-stated intentions, purposes and goals:

- (a) Pennsylvania / Garfield Property
Block 23, Parcel #140
 - (b) 845, 851 and 859 West New England Avenue.
Block 45, Parcel #41, 51, 52
 - (c) 634, 642 and 644 West Comstock Avenue
Block 73, Parcel #22, 30
3. **Proposals by the CLT.** In order to be considered as a recipient of the conveyance of any of the above-described properties, the CLT shall be required to submit a written proposal to the CRA detailing the proposed use and development of said property. Any conveyance of the above-described properties to the CLT shall be made in the sole discretion of the City and the CRA and shall be subject to the CRA's approval of the proposal submitted by the CLT in accordance with the requirements of Section 163.380, Florida Statutes.
 4. **Notice of Disposal.** Should the City decide to convey any or all of the above-described properties to the CLT, a Notice of Disposal shall be made in accordance with Section 163.380, Florida Statutes.
 5. **Impact on Present Grant Agreements.** It is the understanding of the parties to this MOU that any conveyance of the above-described properties from the City to the CLT shall not affect the grant monies given by the CRA to the CLT in the Grant Agreement.
 6. **Additional Property.** Subject to the provisions of Paragraphs 3 and 4 above, the CRA will consider requesting the City to convey the property located at 321 Hannibal Square West (Block 50, Parcel 160) to the CLT.
 7. **Purpose and Intent.** The parties to this MOU understand and acknowledge that this MOU is a good faith understanding of the intentions of the parties as of the date of its execution. The parties specifically acknowledge that this MOU is not a contract. None of the parties hereto have given or received consideration in or in connection with or as a result of this MOU. All parties specifically acknowledge that no meeting of the minds has occurred.
 8. **No Joint Venture.** Notwithstanding anything in this MOU to the contrary, the parties to this MOU agree that they are performing the actions outlined in this MOU as independent agencies and not as joint venturers.
 9. **Appropriations.** This instrument is neither a fiscal nor a funds obligation document. Nothing contained herein shall be construed as binding the City or the CRA to expend in any one fiscal year any sum in excess of appropriations made by the City Commission or the CRA Agency, respectively, or as involving the City or the CRA in any contract or other obligation for the further expenditure of money in excess of or in advance of receipt of appropriation or other funds. Any endeavor or transfer of anything of value involving reimbursement or contribution of funds between the parties to this instrument will be handled in accordance with applicable laws,

regulations and procedures. Such endeavors will be outlined in separate agreements that shall be made in writing by representatives of the parties.

IN WITNESS WHEREOF, the parties hereto have executed this instrument for the purpose herein expressed, the day and year first above written.

**HANNIBAL SQUARE
COMMUNITY LAND TRUST, INC.,**
a Florida non-profit corporation

By: Mary Daniels, President
MARY DANIELS, President

**CITY OF WINTER PARK, a Florida
municipal corporation**

By: David Strong, Mayor
DAVID STRONG, Mayor

ATTEST:

Cindy Bonham
CINDY BONHAM, City Clerk

**CITY OF WINTER PARK
COMMUNITY REDEVELOPMENT
AGENCY, a body corporate and politic
created pursuant to Part III of Chapter 163,
Florida Statutes**

By: David Strong, Chairman
DAVID STRONG, Chairman

ATTEST:

Cindy Bonham
CINDY BONHAM, CRA Clerk

Notice of Intent to Dispose of Property at 845 West New England Avenue, Winter Park, Florida

The City of Winter Park, Florida, intends to dispose of its property at 845 West New England Avenue, Winter Park, Florida, Tax Parcel Identification Number 05-22-30-9400-45-041, also described as TOWN OF WINTER PARK A/67 & B/86 & MISC BOOK 3/220 THE S 75 FT OF LOT 4 5 & 6 & W 5 FT OF S 75 FT OF LOT 3 BLK 45. The property is zoned, R-2, and the City is interested in disposing of this property in return for a commitment to build affordable workforce housing on this property of at least 5 single family homes within this Community Redevelopment Area (CRA) to be sold to qualified individuals or families with annual incomes at or less than the 120% of the median family incomes per the standards issued by the Orange County Housing and Community Development Division and with a sales price at or below 120% of the median home sale price for the metro Orlando area.

The intention of the city is to dispose of this property, measuring 330 feet wide by 75 feet deep, as part of the affordable housing programs of the City and CRA which are to promote infill housing, to stimulate interest in the community among low or moderate income homebuyers, to promote a mix of housing types, and to promote homeownership. The city shall be obligated to devote such real property only to the uses specified in the Community Redevelopment Plan and demonstrate that the proposed activity will serve to prevent the reoccurrence of slum and blight.

Sealed proposals, 1 original and 5 copies, shall be delivered to the Office of the City Clerk, in City Hall, 401 Park Avenue South, Winter Park, Florida 32789 on or before Monday, November 19, 2012 at 9:00 A. M. or they will not be considered. It is the sole responsibility of the respondent to see that the company or individual's proposal is in the hands of the City, stamped and dated by personnel in the Clerk's office before the due date and time indicated herein.

It is the respondent's responsibility to be sure that all information submitted is correct and complete and that the requirements for the proposal have been met. Failure to do so may cause the proposal to be rejected from consideration. The City reserves the right to accept or reject any or all proposals, in part or in total, as deemed in the best interests of the City. The City accepts no responsibility for any costs incurred during the preparing or presenting of the proposals. All proposals must be submitted in writing; no FAX or telephone proposals will be accepted. ALL PROPOSALS MUST BE MARKED ON THE OUTSIDE OF THE ENVELOPE WITH THE PROPOSAL NAME AND THE TIME AND DATE OF THE OPENING.

This public notice complies with Florida Statutes Section 163.380. Any questions may be directed to the Economic Development/CRA Director, Dori Stone, at 407-599-3665. The notice of the city's ultimate disposition of the subject real property to a specific party, and the terms and conditions of the disposition, will be made at a duly noticed public meeting.

/s/: Cindy Bonham, CMC, City Clerk

PUBLISH: Thursday, October 18, 2012 (Winter Park/Maitland Observer)



FACT SHEET

<i>Founded:</i>	November 4, 2004
<i>Mission:</i>	The Hannibal Square Community Land Trust was established as is a 501 (c)(3) not for profit Florida Corporation based in Winter Park, Florida, dedicated to creating and preserving quality permanent affordable housing within the City of Winter Park and Central Florida area.
<i>Vision:</i>	Hannibal Square Community Land Trust, Inc. seeks to combat community deterioration in economically disadvantaged neighborhoods in the City of Winter Park and Central Florida area by promoting the development, rehabilitation and preservation of affordable housing. The HSCLT also strives to promote education and economic opportunities by making land available for projects that improve the quality of life and assist residents in improving their safety and wellbeing.
<i>Strategy:</i>	Our strategy for pursuing the mission is: <ol style="list-style-type: none"> <u>1. To obtain real property which is then leased to qualified buyers on a 99 year ground lease thereby removing the prohibitive cost of the land from the equation</u> To keep the homes affordable in perpetuity under the Hannibal Square Community Land Trust model Promote affordable homeownership to first time home buyers To insure that communities like Winter Park maintain a diverse mix of housing opportunities.
<i>Board Governance:</i>	Hannibal Square Community Land Trust is governed by a nine (9) member board of directors <ul style="list-style-type: none"> • Three Lessee Representatives (HSCLT homeowners) • Three General Representatives (residents) • Three Public Representatives (appointed by the Mayor City Commission (HSCLT can make recommendations) • The HSCLT is open for membership in the Advisory Supporting/Youth membership (youth 18 or older)
<i>Fiscal Year:</i>	January to December
<i>Development Projects</i>	15 new construction & 1 rehabilitation/Rental
<i>Values & Operating Principles:</i>	<ul style="list-style-type: none"> • Land is a community resource worthy of community based control and stewardship • Partnership and collaboration with the City of Winter Park • Fiscal <i>and</i> social responsibility • Constituent involvement in governance • High quality affordable housing and services • Commitment to building, maintaining and strengthening sustainable capacity to deliver affordable housing • Flexibility to respond to changing circumstances • Member of CLT network (www.cltnetwork.org)



city commission agenda item

item type	Action Item Requiring Discussion	meeting date	October 8, 2012
prepared by	Jeff Briggs	approved by	<input checked="" type="checkbox"/> City Manager
department			<input checked="" type="checkbox"/> City Attorney
division		<input type="checkbox"/>	<input type="checkbox"/> N/A
board approval	<input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> N/A		
		final vote	

Subject: Request for Waiver of the One Year Time Period for Reapplication for Comp. Plan/Rezoning at 861 W. Canton Avenue

On February 13, 2012 the City Commission denied a Comp. Plan future land use map and rezoning request to R-4 by Denning Partners Ltd. at 861 W. Canton Avenue. Under the City Code there is a one year time limit for any reapplication.

Atlantic Housing now has that property under contract along with the majority of the site approved for the 550 N. Denning Drive apartment project in 2005. Atlantic Housing is requesting that the City Commission waive that time limit for re-application. The Code requires four city commissioners to consent to that waiver of the time limit. (As this is not an ordinance approval, the four vote requirement in this instance does not conflict with the Charter)

Atlantic Housing has provided a very comprehensive and in depth outline of what they hope to apply for and of their intended project.

Staff Analysis:

One of the reasons that the request was denied in February was that there were two different potential owners of the 550 N. Denning Drive Apt project site and of this property at 861 W. Canton Avenue. Part of the issue in the denial was how these two would fit together. Now there is one single owner.

The reason this one year time limit provision is in the Code is so applicants do not keep making the same requests or slightly changed requests over and over again. This is a completely different applicant and project. Staff believes it is in the City's interest to foster development proposals for this partially completed Denning Drive apartment project site so that productive use can be made of this property.

Staff Recommendation:

Approval of the request.



*Winter Park Village
Senior Housing*

WINTER PARK VILLAGE SENIOR HOUSING

Atlantic Housing Partners (AHP) has recently entered into a contract to purchase portions of the development known as Denning Square.

The property, which is partially developed and abandoned, will be developed as affordable/workforce housing, age restricted in accordance with the Housing for Older Persons Act.

As part of the requirements in our purchase agreement, we will be requesting removal of development restrictions on the parcel of land located generally at the NW corner of Denning and Capen, removing it from the development. Using the recently adopted 5 unit/acre density bonus for affordable housing, we will be requesting a reduction in the land area to a total of 3.50 acres. At 30 units per acre (25 du/ac plus 5 du/ac density bonus), this will yield 105 units.

In order to have a total of 3.50 acres, we will be submitting a request to add Lot 4 and East ½ of Lot 5, Capen's Addition, to the development, and to rezone those lands to R-4.

We anticipate submitting a request to rezone the property, and to amend the Development Agreement, in October 2012.

Because the current owner unsuccessfully attempted to rezone the aforementioned property within the previous 12 months, the City is not required to accept another rezoning application; City code requires a 12 month waiting period following an unsuccessful zoning request.

The City has the ability to waive the 12 month waiting period, with approval of a minimum of four City Commissioners.

This request is for a waiver of the 12 month waiting period for rezoning.

It is important to note that we are not related to the current owner in any way, other than by our purchase contract. We are prepared to begin construction on this parcel early 2013, and complete construction by the end of 2013.

In the event the City Commission agrees to allow us to rezone the subject property, we will be submitting applications for the following:

1. Rezone the Lot 4 and the East ½ of Lot 5 to R-4
2. Amend the development agreement as follows:
 - a. Modify the property boundary, by removing the parcel of land at Capen and Canton and adding the land at Canton and Denning. The new property will total 3.50 acres.
 - b. Modify the building and site plan to intensify the use at the corner of Denning and Swoope, and reduce the intensity at Denning and Canton.
 - c. Request a reduction in the required parking to 1.33 spaces per unit.
 - d. Removal of the development restrictions on the land at the NW corner of Capen and Denning, allowing potential future development, by others.

REVISED PROPERTY BOUNDARY

At the southwest corner of the site, we are requesting that 1½ lots on Canton be brought into the site. Although we are proposing to rezone this additional land, we are proposing a decrease in project intensity at this location. The approved site plan includes three stories of residential units adjacent to the single family residences on Canton. We are proposing to eliminate this section of the building in its entirety, and constructing a park-like amenity for the use of the residents.

We will be submitting a request to amend the developers agreement to add the aforementioned property to the site, and to remove the tract at the NW corner of Capen and Canton from the project.

The revised property will contain 3.5 acres. At 30 units per acre (25 + density bonus of 5), the new site will support 105 units.

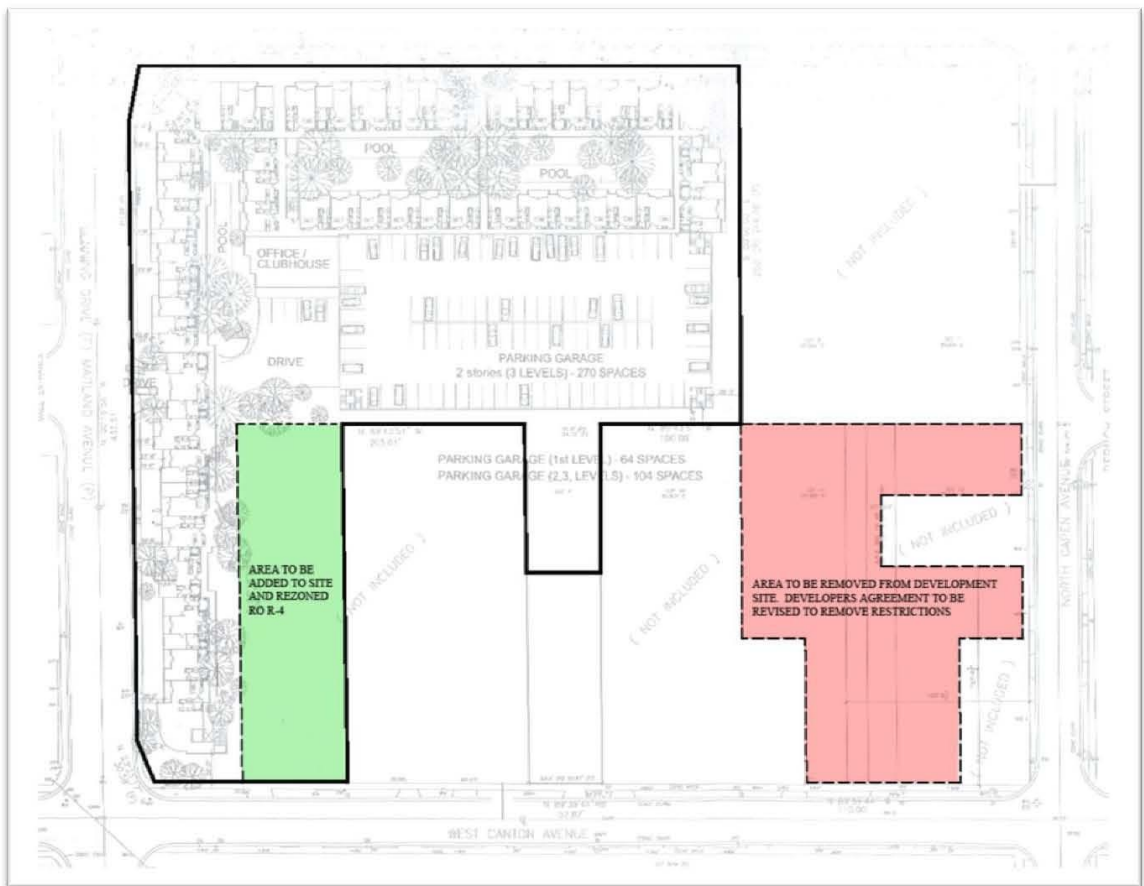


Figure 1 Revised Boundary (Shown with Old Site Plan)

REVISED SITE PLAN

We are proposing a change to the site plan that concentrates more density to the Northwest corner of the site, where our main lobby will be located. This corner of the site is the logical place for the main entry lobby, because of its proximity to Winter Park Village.

The Southwest portion of the site will be developed as an amenity for the use of the residents.

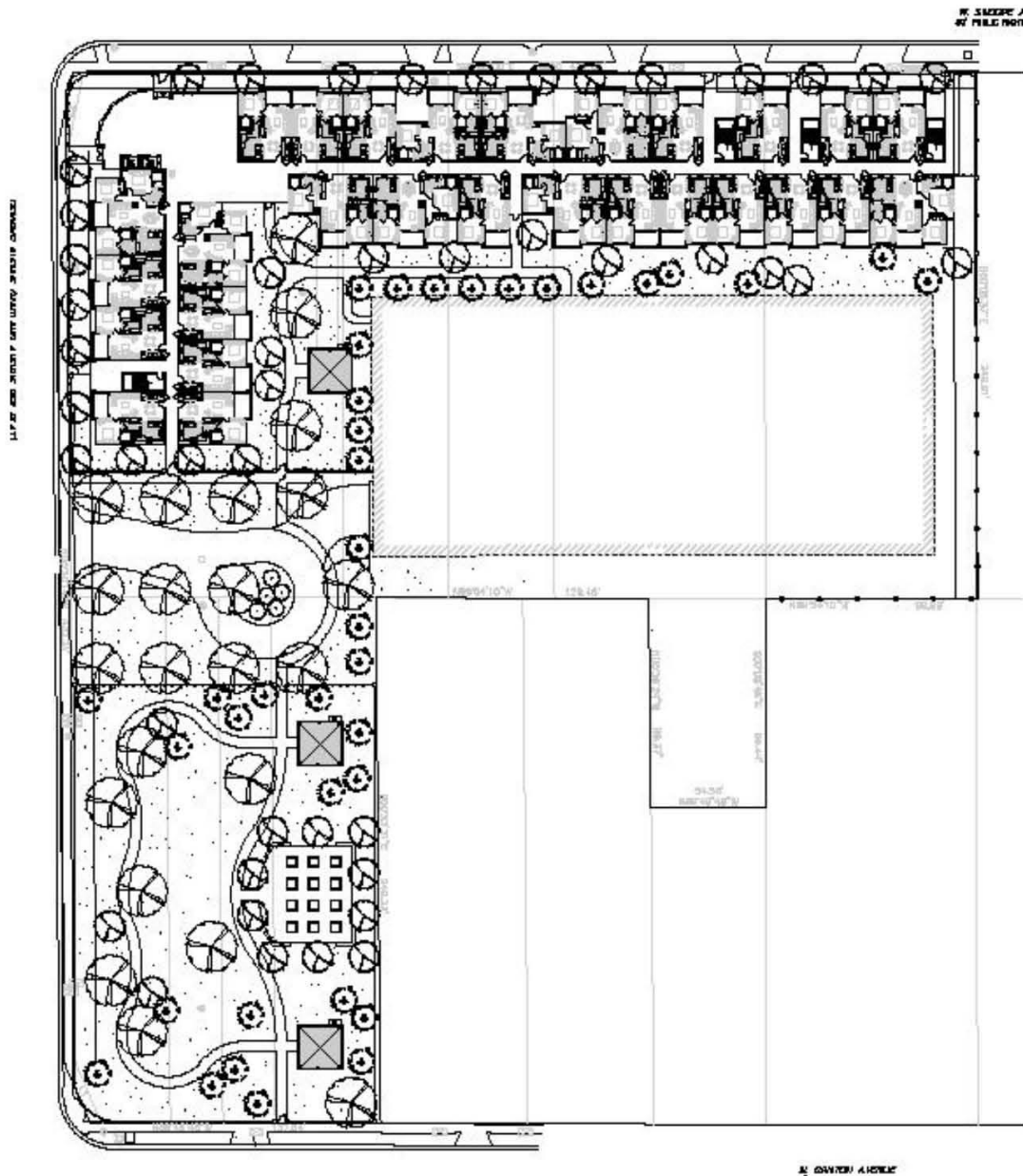


Figure 2 Conceptual Site Plan

REVISED BUILDING

The building will be revised, keeping all units to the north of the driveway on Denning.

The proposed building includes Florida Vernacular details, including lap siding and balconies for “eyes on the street”. A four-story section has been added at the intersection of Denning and Swoope, where there will be a significant resident lobby and multi-story club space.



Figure 3 Four Stories Located at Denning and Swoope

The building will include four stories along Denning. Along Swoope, respecting the two story height adjacent to the single family residences to the east, the building will include two steps; from 4-story to 3, and then from 3-story to 2.

The steps in the building will be laid out so that, from the perspective of the neighboring single family home, the taller sections of the building are screened from view.



Figure 4 Elevation along Swoope

The approved site plan includes balconies facing east, overlooking the neighboring single family home. To provide increased privacy for the neighbor, we will revise the orientation of the easternmost units, so that neither windows nor balconies face east.

DEVELOPMENT TEAM

Atlantic Housing Partners is a Winter Park based development company, with principals living in the City. We own our current office, which is located on Morse Blvd. We are currently making a significant investment in the City core, having recently purchased an abandoned site on Canton Avenue. Development of this site is nearing completion, and we expect to relocate our office there in the 4th quarter of 2012. We have attracted a new business to Winter Park, who will be occupying our current office space upon our move.

Atlantic Housing has extensive experience in developing very high quality affordable/workforce communities throughout the State, with most of our communities in Central Florida. Our communities are extremely successful, with occupancy in Central Florida at over 97%. Our recent senior communities enjoy 100% occupancy, with waiting lists.

We believe that the reason for this success is the quality of our developments and resident programs. We strive to make sure that our communities are indistinguishable from top notch market rate housing.

Our goal is to develop our “crown jewel” in the heart of Winter Park.

REPRESENTATIVE IMAGES



Figure 5 Typical Unit Interior

Our typical units include such features as ceramic tile and Berber style flooring, real wood cabinets with glazed finish, stainless steel appliances, granite countertops, energy star appliances, dual pane low-e, energy star windows, hybrid water heaters, and low-flow plumbing fixtures



Figure 6 Typical Clubroom



Figure 7 Outdoor Gathering Space

PARKING REDUCTION

We have six senior-affordable communities in the Central Florida area that we developed and manage. We have closely studied the parking needs at these communities, in order to determine the optimum number of parking spaces that our senior residents use.

PROJECT	No. of Units	No. of utilized spaces**	Spaces/Unit
Fountains at Falkenburg	152	145	0.95
Pershing Park	92	86	0.93
Lexington Club Renaissance Square	240	125	0.52
Lexington Club at Vero	184	102	0.55
Rolling Acres II	35	29	0.83
Lexington Club at Hunters Creek	154	95	0.62

***The number of spaces shown above represent the GREATER of either the number of registered vehicles, or the number of parking spaces used, based on onsite evening counts.*

Our senior resident parking requirements range from 0.55 spaces per unit to 0.95 spaces per unit. The range can be explained by looking at the mix of one, two and three bedroom units on each property. The communities with the lower parking requirements have very few, if any, three bedroom units. The proposed project will include approximately 15% three bedroom units. Two of the above communities have bedroom mixes comparable to that in the proposed project, the Fountains at Falkenburg, and Pershing Park. These two communities have parking needs of 0.95 and 0.93 spaces per unit respectively. With the proposed project's proximity to services, and excellent transit options, we expect the demand at the proposed project to be similar or less, at or about 1 space per unit.

As we move forward, we will be requesting a reduction of parking to 1.33 spaces per unit, which is approximately 40% more than the anticipated need.



city commission public hearing

item type	Public Hearing	meeting date	October 8, 2012
prepared by department division	Jeff Briggs Planning Department	approved by	<input checked="" type="checkbox"/> City Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> N/A
board approval	Planning and Zoning Board	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> N/A	7-0 final vote

Subject: Rezoning of 271 N. Pennsylvania Avenue.

Rex-Tibbs Construction has a contingent contract to purchase the property at 271 N. Pennsylvania Avenue and is requesting a Comp. Plan FLU Map and Zoning Map change from the existing Commercial (C-3) zoning to Medium Density Residential (R-3) zoning in order to build three (3) two story townhomes on the property. Technically, this would be considered a "down-zoning" going from commercial to residential. This is the second reading of both ordinances.

Recommendation:

Motion made by Mr. Slocum, seconded by Mr. Gottfried to recommend approval of the Comprehensive Plan amendment from commercial to medium density residential. Motion carried unanimously with a 7-0 vote.

Motion made by Mr. Johnston, seconded by Mr. Krecicki to recommend approval of the official zoning map designation of C-3 to R-3. Motion carried unanimously with a 7-0 vote.

Summary:

This property is on the NW corner of Symonds and Pennsylvania Avenues. It is 12,000 sq. ft. in size with 120 feet along Pennsylvania and 100 feet along Symonds. For many decades this property was zoned commercial and the site of the two story Lawson's Funeral Home (with their residence upstairs). In 2007 the property was sold to Penn. Symonds LLC. In November 2007 they received approval from P&Z/City Commission to build a two story, 6,650 square foot office building of 35 feet in height. The setbacks at that time in the C-3 code were only five feet from the street front property lines. While 26 parking spaces typically would be required, the project was approved with only 18 spaces due to the grandfathered-in status (or lack thereof of parking) for the pre-existing Lawson's Funeral Home. (The rationale was the option to renovate the existing building with only two parking spaces versus redevelopment with 18 spaces)

The New Development Plans:

The new development plans presented show three (3) two story townhomes of about 2,950 square feet in size including the garages. There is a two car garage at the rear of each unit which hides the garage doors from street view. A common driveway serves all three units and

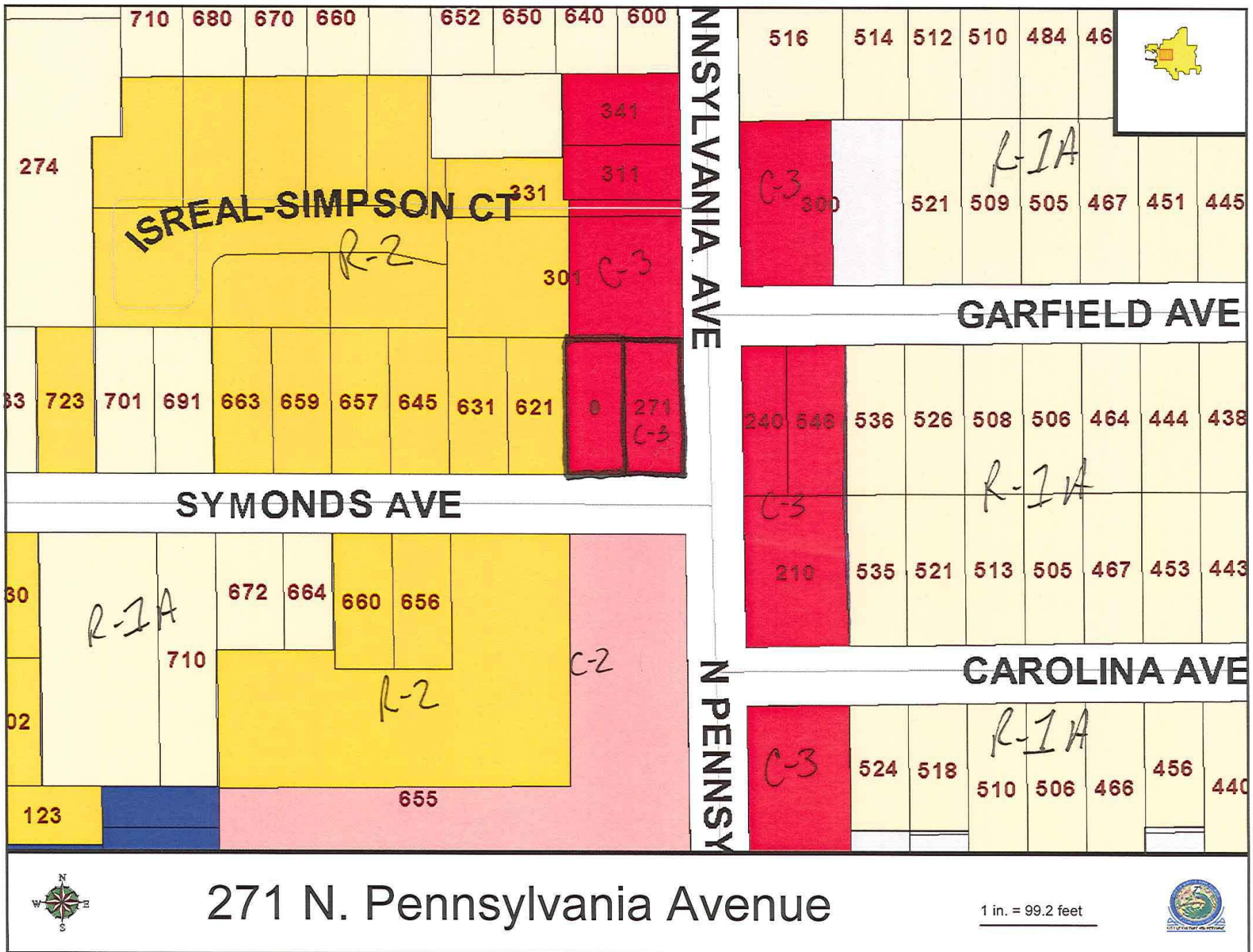
provides a rear setback of 25 feet plus providing separation and buffer to the adjacent residential property on Symonds Avenue. A six foot wall or fence is also required by the Code for buffer separation on that property line.

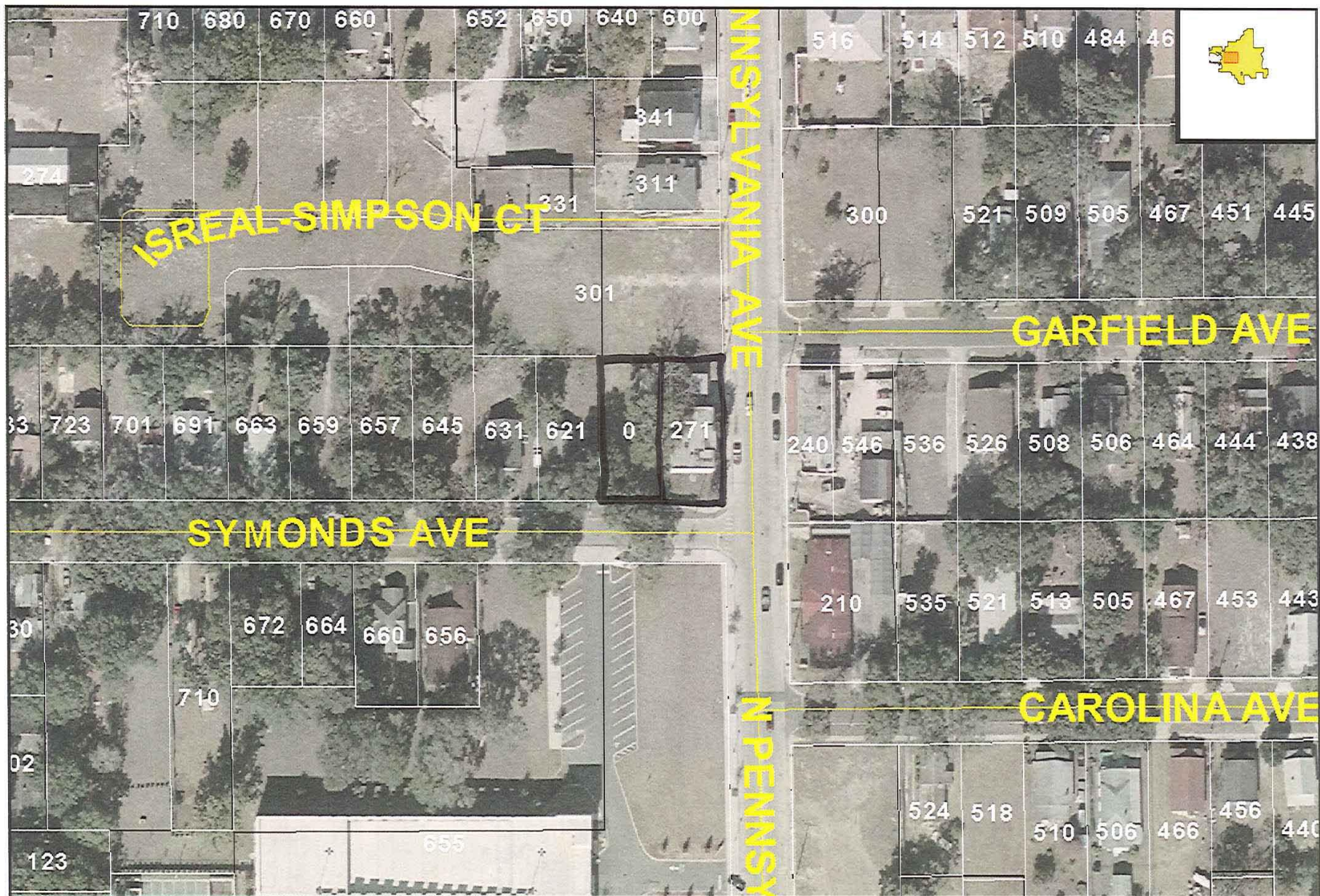
Technically parking is required at 2.5 spaces per unit (7-8 spaces) so two parking spots could be shown at the end of the driveway but in reality with ample on-street parking available on Symonds and Pennsylvania, visitors will use that more convenient alternative.

Variances Requested:

The applicants are requesting 10 foot front setbacks on the two streets (in lieu of the required 25/20 foot setbacks) because the 10 foot setback matches what the current C-3 zoning has for street front setbacks and the 10 feet is double the 5 feet previously approved. They are also requesting a five foot setback on the north side which matches the C-3 side setback requirement for 5 feet to the adjacent vacant commercially zoned parcel. So basically they are asking to use the street and side setbacks of the existing C-3 zoning but otherwise will conform to the R-3 development standards. Staff has no problem with these setback variances as they match the character and location of other development along Pennsylvania Avenue.

Another variance requested is to use R-3 development standards on a 12,000 sq. ft. property in lieu of the 15,000 sq. ft. minimum lot size required for multi-family (3 or more units) development. The requested R-3 zoning permits 17 units per acre (one unit for each 2,500 sq. ft. of land) so technically on this property with the variance requested, the applicants could request four (4) residential units. The applicants are committing to only three (3) units. Given this reduction in density, the staff has no issue with this lot size variance.

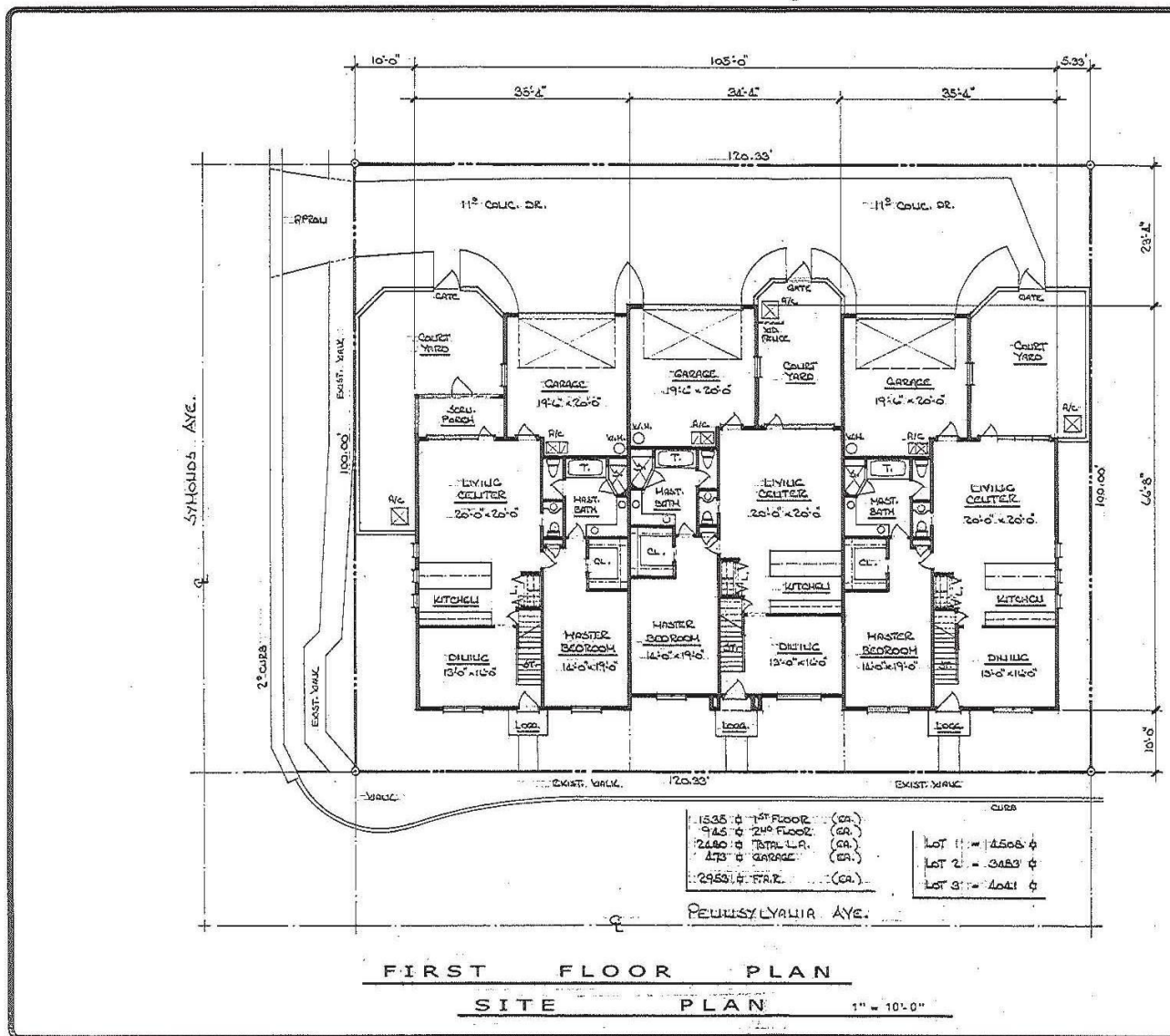




271 N. Pennsylvania Avenue

1 in. = 99.2 feet





REVISIONS	BY

CUSTOM HOME DESIGN
DAVID DUFF
 RESIDENTIAL DESIGN, L.L.C.
 181 CIRCLE DR.
 HUNTSVILLE, ALA 35894
 205-944-2322

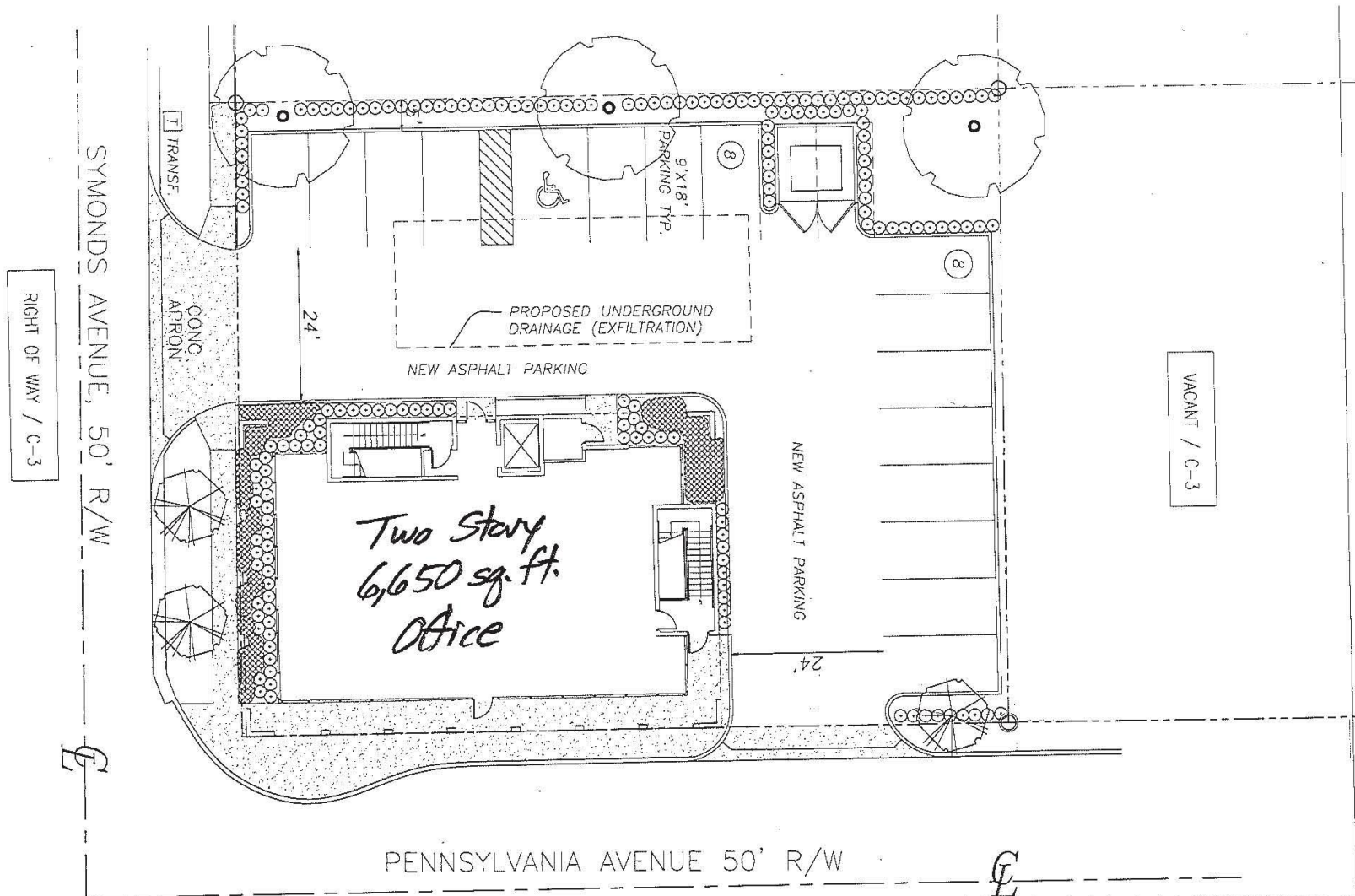
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2012-10
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Parcel Photos - 271 N Pennsylvania Ave



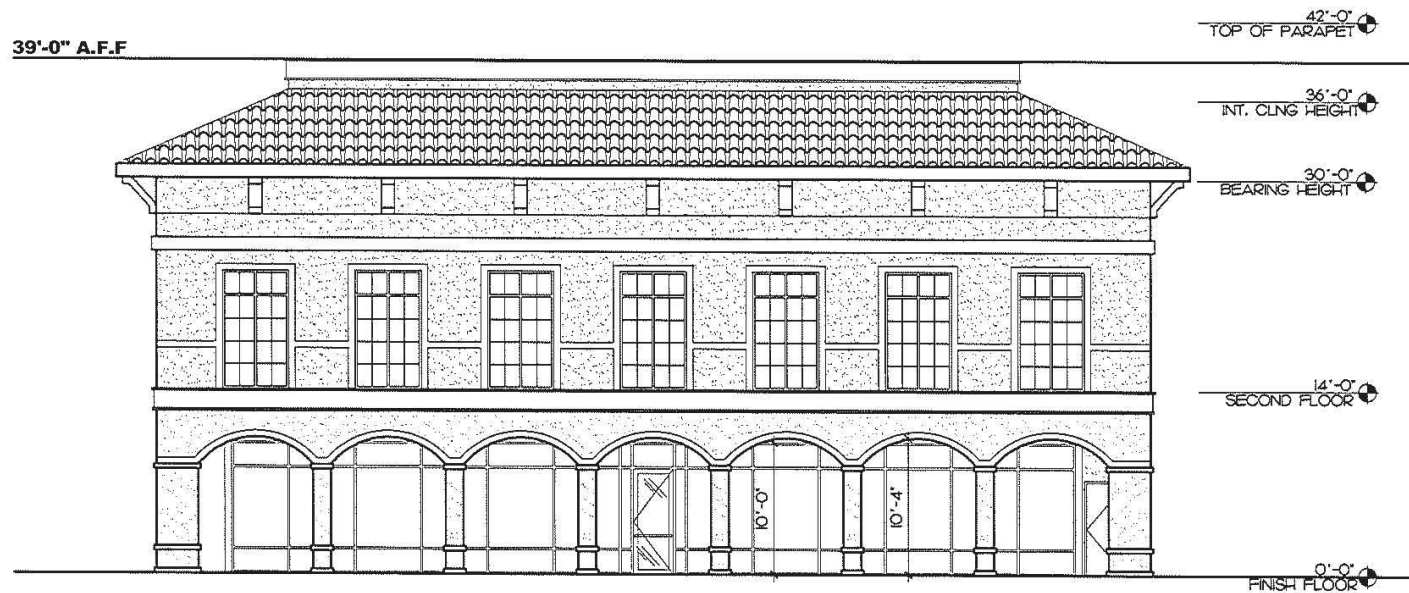
302206116805122 03/23/2006

*The former Lawson's Funeral Home building.
When the office building was approved in 2007
this building was demolished.*



The 2007 Office Building site plan.

The 2007 Office Building elevation



REQUEST OF REX-TIBBS CONSTRUCTION CO. INC. TO: AMEND THE "COMPREHENSIVE PLAN" FUTURE LAND USE MAP SO AS CHANGE THE EXISTING DESIGNATION OF COMMERCIAL TO MEDIUM DENSITY RESIDENTIAL ON THE PROPERTY AT 271 N. PENNSYLVANIA AVENUE.

REQUEST OF REX-TIBBS CONSTRUCTION CO. INC. TO: AMEND THE OFFICIAL ZONING MAP SO AS CHANGE THE EXISTING ZONING DESIGNATION OF COMMERCIAL (C-3) DISTRICT TO MEDIUM DENSITY RESIDENTIAL (R-3) DISTRICT ON THE PROPERTY AT 271 N. PENNSYLVANIA AVENUE.

REQUEST OF REX-TIBBS CONSTRUCTION CO. INC. FOR: SUBDIVISION APPROVAL TO SPLIT THE PROPERTY AT 271 N. PENNSYLVANIA AVENUE INTO THREE LOTS FOR THREE ATTACHED FEE SIMPLE TOWNHOMES AND PROVIDING FOR THE ESTABLISHMENT OF SPECIAL SETBACKS FOR THE THREE LOTS.

Mr. Briggs explained that Rex-Tibbs Construction has a contingent contract to purchase the property at 271 N. Pennsylvania Avenue and is requesting a Comp. Plan FLU Map and Zoning Map change from the existing Commercial (C-3) zoning to Medium Density Residential (R-3) zoning in order to build three (3) two story townhomes on the property. They also are requesting subdivision approval to split the property into three fee simple lots and to establish special setbacks and other variances for the three lots. This property is on the NW corner of Symonds and Pennsylvania Avenues. It is 12,000 sq. ft. in size with 120 feet along Pennsylvania and 100 feet along Symonds.

For many decades this property was zoned commercial and the site of the two story Lawson's Funeral Home (with their residence upstairs). In 2007 the property was sold to Penn. Symonds LLC. In November 2007 they received approval from P&Z/City Commission to build a two story, 6,650 square foot office building of 35 feet in height. The setbacks at that time in the C-3 code were only five feet from the street front property lines. While 26 parking spaces typically would be required, the project was approved with only 18 spaces due to the grandfathered-in status (or lack thereof of parking) for the pre-existing Lawson's Funeral Home. (The rationale was the option to renovate the existing building with only two parking spaces versus redevelopment with 18 spaces)

The new development plans presented show three (3) two story townhomes of about 2,950 square feet in size including the garages. There is a two car garage at the rear of each unit which hides the garage doors from street view. A common driveway serves all three units and provides a rear setback of 25 feet plus providing separation and buffer to the adjacent residential property on Symonds Avenue. A six foot wall or fence is also required by the Code for buffer separation on that property line.

The applicants are requesting 10 foot front setbacks on the two streets (in lieu of the required 25/20 foot setbacks) because the 10 foot setback matches what the current C-3 zoning has for street front setbacks and the 10 feet is double the 5 feet previously approved. They are also requesting a five foot setback on the north side which matches the C-3 side setback requirement for 5 feet to the adjacent vacant commercially zoned parcel. So basically they are asking to use the street and side setbacks of the existing C-3 zoning but otherwise will conform to the R-3 development standards. Staff has no problem with these setback variances as they match the character and location of other development along Pennsylvania Avenue.

Another variance requested is to use R-3 development standards on a 12,000 sq. ft. property in lieu of the 15,000 sq. ft. minimum lot size required for multi-family (3 or more units) development. The requested R-3 zoning permits 17 units per acre (one unit for each 2,500 sq. ft. of land) so technically on this property with the variance requested, the applicants could request four (4) residential units. The applicants are committing to only three (3) units. Given this reduction in density, the staff has no issue with this lot size variance.

The third area of variance request is that the proposed project has 6,024 sq. ft. of building lot coverage (footprint) which is at a 50% lot coverage which exceeds the maximum 40% lot coverage. The applicants are not however, trying for more total square footage than is allowed. In the R-3 zoning, for two story buildings the maximum FAR is 75%. This total 8,859 square feet is at a FAR of 73.8%. This is a very common situation. The combination of the auto garage space and the first floor living space is difficult to fit in the 40% lot coverage allowance. Today a downstairs bedroom is deemed essential given the market for elders who may find stairs difficult as they age or to provide separation between children to be upstairs while parents are in the downstairs bedroom. If the applicants exceeded the FAR, then staff would be opposed to this variance. However, this is really just about where the living space is allocated between the floors. The impervious coverage is less than 70% maximum per code and the maximum building height will be at or less than the 35 feet per code.

In summary Mr. Briggs indicated that this property has commercial development to the north, east and south. The setback waivers requested match the same setbacks that other buildings on Pennsylvania Avenue are built to today or can be built to. The lot coverage variance is just about how the permitted space is allocated between floors. The previous office building that was approved in 2007 (and which could still be built) had a significant parking variance which would have meant more on-street parking and much more traffic than these townhomes will create. Residential development of this property will be much more compatible with the surrounding neighborhood than another commercial development project. Staff recommendation was for approval.

Randall Rex, 600 Wilkerson Street, was present representing the applicant.

Lurline Fletcher, 790 Lyman Avenue, spoke concerning the request. She said that as a resident of the West side community she would prefer a two-story versus four-story building on the property, but is happy to see residential development.

Carlos Posado, spoke in favor of the request.

The Public Hearing was closed.

The Planning Board members expressed support of the request. The residential development of this property was cited as reflecting the market but also a better use of this property. Mr. Slocum pointed out interior space issues with the garages and with the rear setback for one of the units. Mr. Briggs indicated those issues would need to be resolved for the building permit. The Board agreed but desired to note those issues in their recommendation.

Motion made by Mr. Slocum, seconded by Mr. Gottfried to recommend approval of the Comprehensive Plan amendment from commercial to medium density residential. Motion carried unanimously with a 7-0 vote.

Motion made by Mr. Johnston, seconded by Mr. Krecicki to recommend approval of the official zoning map designation of C-3 to R-3. Motion carried unanimously with a 7-0 vote.

Motion made by Mr. Gottfried, seconded by Mr. Krecicki to recommend approval of the subdivision request with the condition of maintaining front side architectural articulation. Motion carried unanimously with a 7-0 vote.

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF WINTER PARK,
FLORIDA AMENDING CHAPTER 58, "LAND
DEVELOPMENT CODE", ARTICLE I "COMPREHENSIVE
PLAN" FUTURE LAND USE MAP SO AS TO CHANGE THE
FUTURE LAND USE DESIGNATION OF COMMERCIAL TO
MEDIUM-DENSITY RESIDENTIAL ON THE PROPERTY AT
271 N. PENNSYLVANIA AVENUE, MORE PARTICULARLY
DESCRIBED HEREIN; PROVIDING FOR CONFLICTS,
SEVERABILITY AND EFFECTIVE DATE.**

WHEREAS, the Winter Park City Commission adopted its Comprehensive Plan on February 23, 2009 via Ordinance 2762-09, and

WHEREAS, the owner of the property more particularly described herein has requested an amendment to the Comprehensive Plan for this property, and such amendment meets the criteria established by Chapter 166, Florida Statutes and pursuant to and in compliance with law, notice has been given to Orange County and to the public by publication in a newspaper of general circulation to notify the public of this proposed Ordinance and of public hearings to be held.

WHEREAS, the Winter Park Planning and Zoning Commission, acting as the designated Local Planning Agency, has reviewed and recommended adoption of the proposed Comprehensive Plan amendment, having held an advertised public hearing on September 11, 2012, provided for participation by the public in the process and rendered its recommendations to the City Commission; and

WHEREAS, the Winter Park City Commission has reviewed the proposed Comprehensive Plan amendment and held advertised public hearings on September 24, 2012 and October 8, 2012 and provided for public participation in the process in accordance with the requirements of state law and the procedures adopted for public participation in the planning process.

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

SECTION 1. That Chapter 58 "Land Development Code", Article I, "Comprehensive Plan" future land use plan map is hereby amended so as to change the future land use map designation of commercial to medium-density residential on the property at 271 N. Pennsylvania Avenue (the "Property"), said Property being more particularly described as follows:

Lot 12 (less the North 100 feet thereof), Block E, Capens Addition to Winter Park as recorded in Plat Book "A", Page 95 of the Public Records of Orange County, Florida.

Property Tax ID # 06-22-30-1168-05-122 and # 06-22-30-1168-05-121

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

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

SECTION 4. Effective Date. This Ordinance may not become effective until 31 days after adoption and this Ordinance will not become effective unless title to the Property becomes vested in Rex-Tibbs Construction Company, Inc. or its assignee. If challenged within 30 days after adoption, this Ordinance may not become effective until the state land planning agency or the Administrative Commission, respectively, issues a final order determining that this Ordinance is in compliance.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this _____ day of _____, 2012.

Mayor

Attest:

City Clerk

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF WINTER PARK,
FLORIDA AMENDING CHAPTER 58, "LAND
DEVELOPMENT CODE", ARTICLE III, "ZONING" AND THE
OFFICIAL ZONING MAP SO AS TO CHANGE THE ZONING
DESIGNATION OF COMMERCIAL (C-3) DISTRICT TO
MEDIUM DENSITY MULTI-FAMILY (R-3) DISTRICT ON THE
PROPERTY AT 271 N. PENNSYLVANIA AVENUE, MORE
PARTICULARLY DESCRIBED HEREIN; PROVIDING;
CONFLICTS, SEVERABILITY AND EFFECTIVE DATE.**

WHEREAS, the owner of the property more particularly described herein has requested rezoning in compliance with the Comprehensive Plan, and the requested zoning will achieve conformance with the Comprehensive Plan future land use designation for this property, and such municipal zoning meets the criteria established by Chapter 166, Florida Statutes and pursuant to and in compliance with law, notice has been given to Orange County and to the public by publication in a newspaper of general circulation to notify the public of this proposed Ordinance and of public hearings to be held; and

WHEREAS, the Planning and Zoning Board and City Staff of the City of Winter Park have recommended approval of this Ordinance at their September 11, 2012 meeting; and

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

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

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

SECTION 1. That Chapter 58 "Land Development Code", Article III, "Zoning" and the Official Zoning Map are hereby amended so as to change the existing zoning designation of commercial (C-3) district to medium density multi-family residential (R-3) district zoning on the property at 271 N. Pennsylvania Avenue (the "Property"), said property being more particularly described as follows:

Lot 12 (less the North 100 feet thereof), Block E, Capens Addition to Winter Park as recorded in Plat Book "A", Page 95 of the Public Records of Orange County, Florida.

Property Tax ID # 06-22-30-1168-05-122 and # 06-22-30-1168-05-121

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

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

SECTION 5. Effective Date. This Ordinance shall become effective upon the effective date of Ordinance _____ and this Ordinance will not become effective unless title to the Property becomes vested in Rex-Tibbs Construction Company, Inc. or its assignee. If Ordinance _____ does not become effective, then this Ordinance shall be null and void.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this _____ day of _____, 2012.

Mayor

Attest:

City Clerk



city commission public hearing

item type	Public Hearing	meeting date	October 8, 2012
prepared by department division	Jeff Briggs Planning Department	approved by	<input checked="" type="checkbox"/> City Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> N/A
board approval	Planning and Zoning Board	<input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> N/A	final vote

Subject: Residences at Winter Park Village project.

This item is a request by the Winter Park Town Center Development LLC (Don Casto Organization – owners of the Winter Park Village) to redevelop the former State DMV property at 940 W. Canton Avenue with a new four story, 204 unit residential development with a companion four level 358 space parking garage. In order to accommodate this project there are related amendments required to the Comprehensive Plan and Zoning Code to provide for the heights (stories) and residential unit count densities. **This is the second reading for both ordinances.**

Planning Board Recommendation:

Comprehensive Plan Amendment

Motion made by Mr. Krecicki, seconded by Mr. Johnston to recommend approval of the comprehensive plan amendment from Office to High Density Residential and a to change the property's designation on the maximum height map from a maximum three stories to four stories and to add a new policy for residential density allowances for both 940 and 1020 West Canton Avenue.

Amendment: Mr. Gottfried offered an amendment to the motion, to amend section 3 of the comprehensive plan amendment ordinance by changing from a density of 19 units/acre to 25 units/acre. Amendment carried with a 4-3 vote.

Then the original Motion carried with a 5-2 vote.

Zoning Map Amendment

Motion made by Mr. Gottfried, seconded by Mr. Sacha to recommend approval of the rezoning request to for 940 West Canton Avenue from O-1 to R-4 and to change the property's designation on the maximum height map from a maximum three stories to four stories. Motion carried with a 5-2 vote.

Amendment: Mr. Gottfried offered an amendment to the motion, to amend section of the rezoning ordinance by changing from a density of 19 units/acre to 25 units/acre. Amendment carried with a 4-3 vote.

Then the original Motion carried with a 5-2 vote.

Summary:

While "The Residences" will be developed solely on the former DMV property, the "development parcel" is the combination of the properties in the control of the Don Casto organization that are on the south side of Canton Avenue which includes the former DMV site, addressed as 940 W. Canton Avenue and the property with the three story office building and Publix liquor store, addressed as 1020 W. Canton Avenue. The total site area is 9.53 acres with 4.36 acres in the property addressed as 940 W. Canton (DMV property) and 5.17 acres in the property addressed as 1020 W. Canton Avenue. To the north is the Winter Park Village complex and to the south, the Bank First and soon to be under construction, new CNL office projects.

Property History: This property is part of the Winter Park "Village" redevelopment of the former Winter Park Mall. The WP Village truly was a pioneer project (with the City's active encouragement) as a "Village" that was envisioned and planned from the start to function as a cohesive community or village with "live, work and play" components. The "work and play" components were easier to initially implement. The "play" component is obvious with the Regal Cinema and numerous restaurants. In order to accomplish the "work" component, the WP Village was the first regional shopping mall redevelopment in the nation to include office space as an upstairs second floor feature as well as in the office building south of Canton Avenue. The "live" components exist now within the 64 apartments that exist above the Cheesecake factory space. Other "live" components on-site were explored in the past (redevelopments of the parking fields) but the challenges physically (of the project size) and financially (having to pay re-build existing parking spaces in a parking garage) were daunting. So very early in the WP Village process, the DMV property was acquired from the State both for temporary overflow parking but primarily for long term development in order to achieve the "live" component. Then the owners and the City could truly accomplish the original vision of the WP Village with "live, work and play".

The other relevant history is that in 2006, after a long series of public hearings, the City Commission approved a 140 unit residential condominium building on the DMV property. At that time the office (O-1) zoning permitted multifamily residential (R-4) development via conditional use. The preliminary conditional use was approved in January 2006 and the final conditional use was approved in June 2006. (Those plans are provided in your packet for reference)

That 140 unit project was a 370,180 sq. ft. building with residential units on the exterior of the building built around an interior parking garage of 308 spaces. The building was four stories on the north (Canton Avenue), west and south sides and three stories on the east (Denning Drive) side. The condominiums averaged 1,700 sq. ft. in size. As with this current request, the City approved the 140 unit residential density based upon the combined 940/1020 W. Canton Avenue parcel because the 940 W. Canton Avenue parcel would have only allowed 109 units based on that 4.36 acre size and 25 units/acre maximum density.

Obviously, that project was not built and the conditional use approval (good for two years) was allowed to lapse. However, the Don Casto organization completed the full building permit construction drawings, got the St. Johns WMD permit and had the construction building permit ready to be issued by the City in 2008 when the residential condominium market crashed.

Comprehensive Plan Issues: Since that 140 unit condominium project was approved in 2006, the City has adopted its new Comprehensive Plan and revised the Zoning Code

accordingly. This has raised two issues requiring code amendments that need to be resolved for this project to proceed.

The first issue is the "Maximum Height Map" of the Comprehensive Plan and Zoning Code which establishes maximum building heights (in stories/ not in feet). In 2006, the Comp. Plan, the O-1 and the R-4 zoning permitted 55 feet of building height with no limitation on number of stories. The 2009 Comp. Plan and Zoning Code established a three story height limit and 47.5 foot height limit. By virtue of the proposed FLU and Rezoning to R-4, the 55 feet of permitted height is restored. However, the Maximum Height Map also needs to be amended to allow four (4) stories in lieu of the maximum three (3) stories now permitted.

The second issue is the maximum residential density of the two sites. Again in 2006 the maximum potential density (potential because conditional use was required) was up to 25 units per acre. Now, the current office and commercial designations on these properties, under the 2009 Comp. Plan and Zoning Code, permits a maximum of 17 units per acre. By virtue of the proposed FLU and Rezoning change to R-4 on the 940 W. Canton portion of the property, the 25 units per acre would be restored to that portion of the site. However, the 17 units per acre maximum of the 1020 W. Canton portion of the site permits 88 units and together with the 940 W. Canton portion (109 units) would only permit 197 total units.

The applicant is requesting that a policy change to the Comprehensive Plan and Zoning Code to accommodate that additional needed density by restoring the 25 units per acre to the 1020 W. Canton portion of the property. (Or perhaps alternatively from the staff's perspective increasing it from 17 units per acre to 19 units per acre to make the density numbers work for the 204 units requested)

Current Development Request: The application package for "preliminary" conditional use approval includes the detailed site plans, 3-D architectural perspective images of the building facades, conceptual landscape, storm water retention design and traffic impact report as required for the "preliminary" approval.

The project generally meets the requested R-4 development standards (aside from unit density) based only on the 4.36 acres of the 940 W. Canton parcel. Based on the 4.36 acres, the project has a 54.1% building lot coverage (within the 55% maximum) and a 182.4 % FAR (within the 200% maximum).

The project has a 30 foot front building setback on the Denning Avenue side (25 foot minimum). On the Canton Avenue side two-thirds of the building has an average 40 foot setback (20 foot minimum) but a variance is requested for the western wing of the project which is at a 10 foot building setback. Similarly a variance is requested for a 15 foot building setback on the south (CNL) side at 15 feet (20 foot minimum).

Building Height: The residential building height is 59 feet to the roof peak of the highest part of the complex. The vast majority (90%) of the roof height to the roof peak is at the 55 foot height limit for the R-4 zoning. The percentage of the roof "peaks" that exceed the 55 feet is slightly less than 10% of the total roof area. The height of the building walls up to the roof eave where the pitched or sloped roof begins is 44 feet. It is important to note that if this were a flat roof building, one could build 55 feet in height to the top of the flat roof top and then have a five foot parapet on the exterior for a visible height of 60 feet and meet the R-4 height code. So the visible building height with the roof sloping away from the street is less than could be perceived with a flat roof design (but that would meet Code). The building height of the parking garage to the top of the parapet or retaining wall is 38 feet.

For comparison the Bank First building is 52 feet in height and the new CNL office building will be 50 feet of exterior wall/parapet with an internal roof parapet encasing the AC/mechanical equipment up to 60 feet in height.

Parking: There are 358 parking spaces provided (including the required handicapped spaces) for the project. Ten of these spaces are at the front for the leasing office and the balance is in the parking garage. This averages 1.75 spaces per apartment unit. The zoning code requirement is 2.5 spaces for each unit. That 2.5 space zoning requirement is based upon condominium developments in order to have at least two spaces per unit for the occupants and some added spaces for visitors. Typically condominiums (like the previous project on this site) would average 1,700-2,000 sq. ft. in size and have two-three bedrooms.

This project has an average unit size of 953 sq. ft. The breakdown is 106 units (51%) that are one bedroom, 82 units (41%) that are two bedroom and 16 units (8%) that are three bedrooms. Epoch Properties (development partner) has provided information (attached) to support the variance request (based on their experience and the data from other projects). They believe the 1.75 parking space per unit to be more than adequate.

Architectural Elevations: The project elevations befit an attractive apartment complex that will be a compliment to the area. There is ample articulation of the building facades and the many undulations help immensely to break up the exterior façade of the building. Most people will be looking at the Denning and Canton street elevations. On the Denning side, there is ample building articulation and the large opening to the internal courtyard breaks up the project elevations into two buildings.

On the Canton side the variations in the building facades will also break a large project down to smaller visual elements. The final architectural elevations of the building and parking garage (including details on the parking garage lighting) come back at the "final" CU stage.

Tree Preservation: There are many existing trees on the site. When you walk the site and look closely at those trees they are all in a very poor and deteriorated condition. The plan is to remove all the existing trees and to compensate for the loss of those trees with a major new tree replanting program for a more attractive tree canopy concentrated on the exterior of the project. The conceptual landscape plan show 54 new oak trees to be planted along the exterior of the site that will work to "re-forest" the site and also to buffer and break up the visual view of the building components. A specific detailed landscape plan with types, sizes, quantities, etc. is reviewed at the "final" conditional use step.

Storm Water Retention: The site currently has minimal storm water retention and most of the rainfall runoff goes directly into the street drainage system and then into Lake Island. The redevelopment of this property will retrofit the site to conform to the storm water retention requirements of the City and St. Johns River Water Management District. This will greatly enhance water quality. Alternatively the applicant would like to explore the possibility with the City and St. Johns River Water Management District to expand the "lake water" area within Lake Island Park to provide the needed retention area. If that scenario is possible then the applicant would discuss compensation for that 'lost' upland park land with the City at the "final" conditional use stage. The detailed design and calculations are also submitted at the "final" conditional use stage.

Landscaping: Overall the impervious coverage of the site will be 67.4% (code maximum of 75%). A specific detailed landscape plan with types, sizes, quantities, etc. is reviewed at the "final" conditional use step.

Traffic Impact: The traffic generation from 204 apartments as compared to the 85,000 sq. ft. of office building possible on this site is less than what the office would generate both in the peak hour and in a daily scenario. There is capacity on the surrounding streets for the anticipated additional traffic.

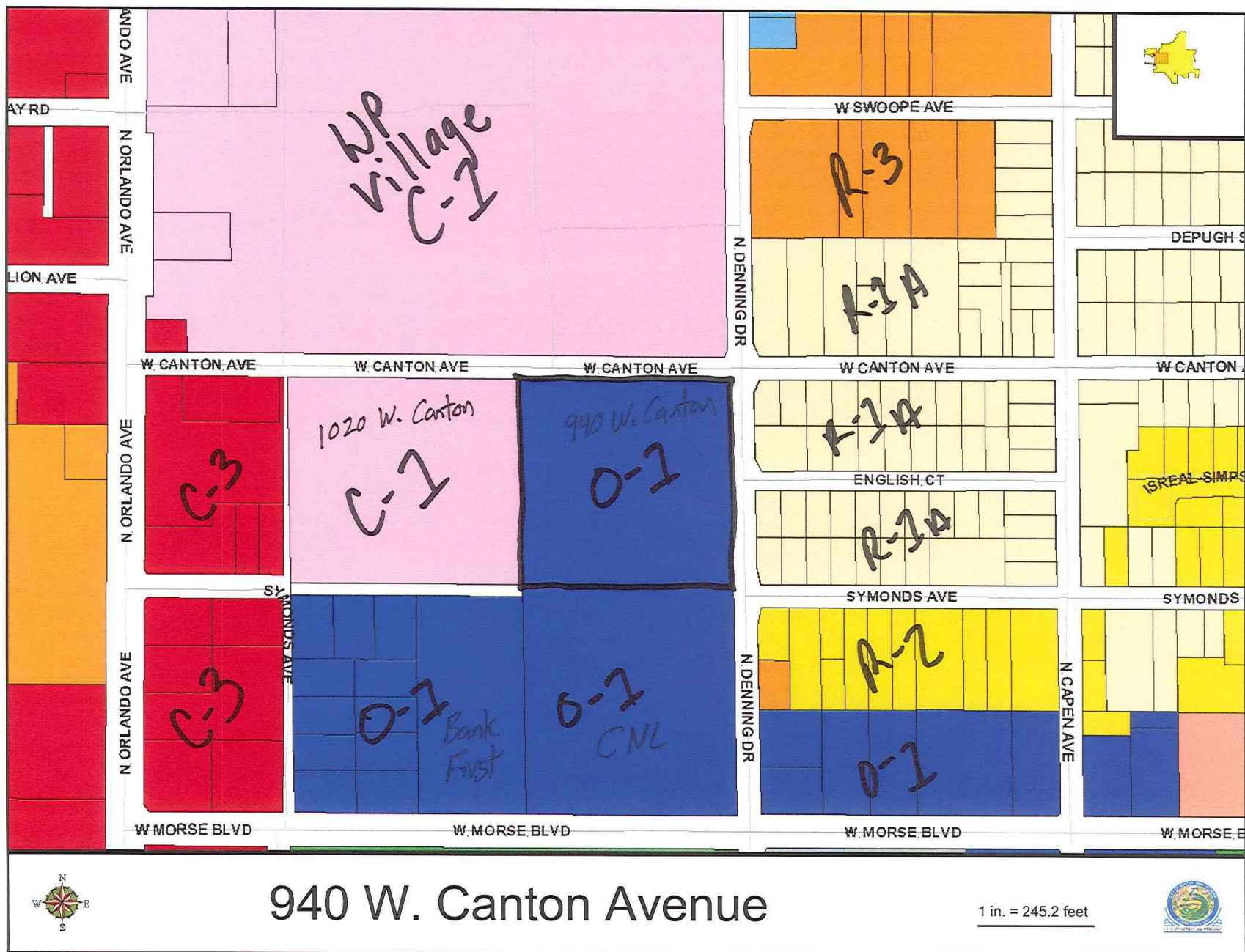
Staff Summary: This is a very unique situation because the staff must look at this request not just in the context of today's application but also in recognition of the previous approval for the 140 unit project in 2006. Even though the applicant allowed that conditional use approval to lapse, the Zoning Code provides for and allows property owners to request to re-establish conditional uses that have expired. Clearly the applicant expended considerable sums of money going through the zoning approval process (conditional use) and in the preparation of the entire building permit construction plan sets that were reviewed, approved and ready for issuance by the City. If this 2012 project is denied, then other option for the property owner is to ask to re-establish the previous conditional use. Then all they would need to do is reconfigure the interior floor plan layout to smaller unit sizes and get the apartment sizes/density that they desire versus the previously approved condominium floor plans sizes.

When one compares the two projects there is no comparison. The current request is a far better design than the 2006 project. The 2006 project was a very large rectangle with an internal parking garage which had a continuous 380 foot long façade along Denning Drive and a continuous 355 foot long façade along Canton Avenue. The architectural articulation of those facades was minimal. Contrast that with this 2012 design. This 2012 request has much more building articulation or undulations, a visible interior courtyard and the architectural interest of the facades is much more detailed better for exterior appearance. All of those in's and out's work to help to break up the mass of the facades and it is also good that the parking structure is back in the interior corner in the least visible location.

In terms of building size, the 2006 project was a building of 370,160 sq. ft. and the 2012 project is 346,356 sq. ft. or about 23,804 sq. ft. smaller. It has more units (204 apts. vs. 140 condos) because the condos averaged 1,700 sq. ft. in size and the apartment's average 953 sq. ft. So there are more units but in a slightly smaller total square footage.

In terms of the Comp. Plan/Zoning Code amendments the location and property history mitigate against these changes being precedent setting. For the residential density, if the "policy" change works for the applicant at 19 units/acre versus the 25 units per acre requested then that was the basis for the staff recommendation. The applicant however, wished to have the original 25 units to the acre restored.

The Maximum Height Map has a very valid purpose in the Comp. Plan and Zoning Code. The City's Comprehensive Plan is trying to keep future development at a density (FAR) and scale (height) that is in keeping with our "village" character. However, in this block or location context, on the west side of Denning Drive, the City has the three story Bank First and CNL office buildings that while they are three (3) stories are just about the same height as proposed for this four (4) story residential building. That is basically because of the differences in the floor to ceiling heights of Class A office buildings (Bank First/CNL) versus residential apts./condos. So on one hand it is a serious policy issue for the City to make a major policy change to the Maximum Height Map but at the end of the day the difference in height between the CNL project and the Residences at WP Village will be visually imperceptible.





OCAPA Web MAP

PRINT CONTACT



Parcel ID: 292201360401000 (Rng-Twn-Sec format)

0 100 ft

This map is for reference only and is not a survey.

Created on 8/30/2012, Copyright 2007, Orange County Property Appraiser.



OCA Web MAP

PRINT CONTACT



Parcel ID: 292201360401000 (Rng-Twn-Sec format)

0 100 ft

This map is for reference only and is not a survey.

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Parking Variance Justification

EPOCH® PROPERTIES INCORPORATED

August 20, 2012

Jeff Briggs
Planning Director
City of Winter Park
401 S. Park Avenue
Winter Park, FL 32789

RE: Residences at Winter Park Village – Parking Analysis

Dear Mr. Briggs,

As you know, Epoch Properties, Inc. is acting in the capacity of Co-Developer, General Contractor and Property Manager for Casto in the development of the Residences at Winter Park Village. Epoch Properties was founded in 1970 and is based in Winter Park. In this time, we have developed over 32,000 apartment units across the United States. Epoch Management has managed over 100,000 units over the same period. Today, both companies are strictly focused on the development, construction, and management of Class A luxury apartment communities that serve to complement their surrounding neighborhoods.


The purpose of this letter is to request your support of a variance to the City's minimum standard for parking. The Residences at Winter Park Village is designed for 204 total apartment units. As you are aware, City code requires a parking ratio of 2.5 parking spaces per dwelling unit. We are requesting this code be reduced to 1.75 spaces per unit for our purposes as a rental community. In our experience, the ratio of parking spaces per *bedroom* provides a better indicator as to whether the development will be adequately parked. The reason being, these communities are made up of a mix of one, two and three bedroom apartment homes. The preliminary design for this project reflects a mix of 52% one-bedrooms, 40% two-bedrooms, and 8% three-bedrooms, for a total of 318 bedrooms. Based on our experience managing communities of a similar unit mix, we feel confident that a ratio of one parking space per bedroom will accommodate the expected parking demand. At 1.75 spaces per unit or 357 total parking spaces, this more than exceeds the 318 spaces or 1 space per unit metric that we typically rely upon as our guide.

As support for our variance request, we submit the attached list of existing apartment communities for comparison. Notice several of these communities have parking per bedroom ratios of less than one per unit. It's not uncommon that the parking code in many municipalities translates to

something less than this ratio. All of the properties listed were developed by Epoch and have successfully leased up with occupancies between 90% and 100%.

It is our intent to provide you with the relevant information needed to understand and support our variance request. Based on our track record in the industry, it is our professional opinion that 1.75 parking spaces per unit are more than sufficient for this proposed development. After your review, should you have questions or need additional information, please feel free to call.

Thank you in advance,



Kyle D. Riva
President

cc: Paul Rutledge – Casto
Rebecca Wilson – Lowndes, Drosdick, Doster, Kanter & Reed, P.A.
John Cunningham – ACi

Enclosed: Epoch Properties – Historical Parking Analysis

Epoch Properties - Historical Parking Analysis							
Name	Location	Property Type	Parking Spaces	Units	Unit Mix	Bedrooms	Ratio Per BR
Residences at Winter Park Village*	940 W. Canton Ave, Winter Park, FL	Mid-Rise	357	204	(51%) 1-Bed / (41%) 2-Bed / (8%) 3-Bed	318	1.12x
Cumberland Park	8024 Cumberland Park Dr, Orlando, FL (Orange)	Garden	881	456	(38%) 1-Bed / (50%) 2-Bed / (12%) 3-Bed	796	1.11x
Coventry Park	6650 Corporate Center Dr, Jacksonville, FL (Duval)	Garden	597	360	(44%) 1-Bed / (46%) 2-Bed / (10%) 3-Bed	726	.82x
The Lofts at Uptown Altamonte	285 Uptown Blvd, Altamonte Springs, FL (Seminole)	Mid-Rise	586	324	(37%) 1-Bed / (53%) 2-Bed / (10%) 3-Bed	559	1.05x
Wildflower	1210 Southwest 11th Ave, Gainesville, FL (Alachua)	Mid-Rise	416	201	(37%) 1-Bed / (55%) 2-Bed / (8%) 3-Bed	340	1.22x
Station House*	City of Lake Mary (Seminole)	Mid-Rise	300	200	(56%) 1-Bed / (38%) 2-Bed / (6%) 3-Bed	276	1.09x
Landmark at Universal	City of Orlando (Orange)	Garden	504	310	(28%) 1-Bed / (67%) 2-Bed / (5%) 3-Bed	548	.92x

*In planning phase



Citywide Public Notice

THE RESIDENCES AT WINTER PARK VILLAGE 940 WEST CANTON AVENUE

Planning & Zoning Board
Public Hearing
Tuesday, September 11
@ 7 p.m.

City Commission
Public Hearing
Monday, September 24
@ 5 p.m.

Commission Chambers
Winter Park City Hall, 2nd Floor
401 Park Avenue South | Winter Park, Florida

Winter Park Town Center Development LLC is requesting approval to redevelop the former Department of Motor Vehicles property at 940 West Canton Avenue with a four-story, 206-unit multi-family residential unit complex with an approximately 360-space attached four-level parking garage.

NOTE: 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 Planning Department at 407-599-3453 at least 48 hours in advance of the meeting.

Site Plan
940 West Canton Avenue

multi-family residential
unit complex

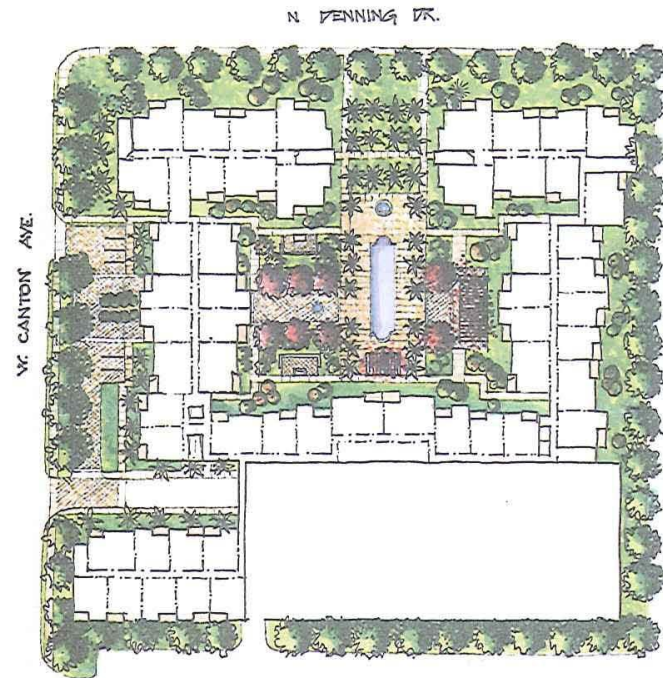
four stories

206 units

attached parking garage

four levels

approximately 360 spaces



Conceptual Rendering ■ West Canton Avenue



Conceptual Rendering ■ North Denning Drive



The Residences at Winter Park Village

Storm Water

A portion of the existing storm water runoff for this parcel is currently being routed to an on-site dry retention area with an outfall directly into the City of Winter Park storm system and ultimately draining to Lake Island. The areas on-site that are currently not routed to this retention area are discharging into Lake Island untreated. The storm water collection and treatment for the re-developed property is proposed with two (2) potential storm water treatment solutions.

OPTION1:

Option 1 incorporates the use of the Lake Island Retention Pond to provide the required treatment for the Residences at Winter Park Village. The attached **Figure 1** depicts an approximate area that would be needed to be excavated for the additional capacity and treatment volume. If approved by the City, the final area and location around the Lake Island would involve the cooperation and direct input and coordination with the City of Winter Park staff, which would include the Engineering Department, Parks and Recreation Division, and all other parties required to be involved. The proposed on-site storm water collection system will be composed of inlets and underground pipes, which will collect all roof discharge as well as the courtyard areas and parking lot surface runoff which will then flow into the existing 60" stormwater pipe running along Denning Drive. Storm water calculations and associated permitting will be completed during the design phase for the proposed development. A permit modification will be submitted to the St. Johns Water Management District and the City of Winter Park for review and approval prior to any construction activities.

OPTION 2:

Option 2 is developed utilizing on-site storm water collection via inlets and underground piping, however, in this option the storm water treatment and attenuation will be kept on-site. This option proposes the use of several interconnected underground exfiltration areas to treat the storm water runoff, refer to sheet C-300 for the proposed exfiltration locations. The storm water runoff will be collected and stage in the underground chambers via weir structures with infiltration as the means of recovery. This type of system will utilize the City of Winter Park storm sewer system as an outfall for the on-site exfiltration system. Storm water calculations and associated permitting will be completed during the design phase for the proposed development. A permit application for this option will be submitted to the St. Johns Water Management District and the City of Winter Park for review and approval prior to any construction activities commence.

Vehicle Maneuvering

The proposed development will require waste management pick-up which has been analyzed and preliminarily designed for, refer to sheet C-300 for vehicle maneuvering templates. The trash room has been located at the northwest corner of the project and is identified as such.

Parking

The on-site parking is provided primarily within an on-site 3-story parking garage with 10 spaces located adjacent to Canton Avenue for visitors and residents to access the main office. The overall parking counts are provided on sheet C-200 for the garage and at grade parking being proposed.

Traffic Study

The proposed re-development of the old State Motors Vehicle Department building site results in a total of 80 PM peak hour trips, which is a net decrease of 96 PM peak hour trips from the original property use. The attached Conditional Use Traffic Analysis report is included for reference purposes.



L:\2012\2012-2011 - Cusco INV Sheraton\Figures\Figure 1 - Lake Island.dwg 8/9/2012 1:53 PM



www.avconinc.com

AVCON, INC.
ENGINEERS & PLANNERS
 6555 E. MICHIGAN ST., SUITE 200
 ORLANDO, FL. 32822-2779
 OFFICE: (407) 599-1122
 FAX: (407) 599-1133

THE RESIDENCES AT WINTER PARK VILLAGE
LAKE ISLAND MODIFICATION

FIGURE
1 OF 1

REVISION: 00

DATE: 08-07-2012

S-T-R: 01-229-29E



AVCON, INC.
ENGINEERS & PLANNERS

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August 6, 2012

Mr. Jeff Briggs, Director
City of Winter Park - Planning Department
401 Park Avenue South
Winter Park, Florida 32789-4386

**Re.: Former Division of Drivers Licenses Site Re-Development
Conditional Use Traffic Analysis**

Dear Mr. Briggs:

AVCON, INC. has performed the requested traffic analysis for the conditional use permit application for the re-development of the former Florida Division of Drivers Licenses site at 940 W. Canton Ave. The results of the trip generation are summarized below.

Trip Generation

The trip generation analysis is based on the Institute of Transportation Engineers' (ITE) Trip Generation, 8th Edition, and Trip Generation Handbook, 2nd Edition. (See attached spreadsheet.)

Existing

Per the Orange County Property Appraiser's records, the existing site is comprised of 193,834 sf of land zoned O-1 for office space. Since the former building housing the Florida Division of Drivers Licenses office has been demolished, existing trips are based on the maximum Floor Area Ratio (FAR) for the site. According to the Future Land Use section of the City of Winter Park's Comprehensive Plan - Goals, Objectives, and Policies, the FAR is defined as "the sum of the gross horizontal areas of the several floors of a building or buildings measured from the exterior surface of the walls divided by the land area of the site. ...This mathematical expression (gross floor area ÷ land area = floor area ratio) shall determine the maximum building size permitted." The Comprehensive Plan indicates that the maximum FAR for this parcel zoned O-1 is 45%. Therefore, the maximum building size for this parcel is 87,225 gsf.

Mr. Jeff Briggs

August 6, 2012, Page 2

While ITE Code 731 – State Motor Vehicles Department is most like the previous occupant land use, the limited study size and available data made this use unreliable. Therefore, ITE Code 710 – General Office (Fitted Curve Equation) was used since it is applicable to “a location where affairs of businesses, commercial or industrial organizations, or professional persons or firms are conducted.” The maximum 87,225 gsf of office space results in 176 PM peak hour (of adjacent street) trips for ITE Code 710 – General Office.

Proposed

The proposed re-development is comprised of 204 apartment units in four-story buildings. ITE Code 223 – Mid-Rise Apartment was used for this analysis. The proposed 204 dwelling units results in 80 PM peak hour trips.

Conclusion

The proposed re-development of the former Division of Drivers Licenses site at 940 W. Canton Ave. results in a total of 80 PM peak hour trips, which is a net decrease of 96 PM peak hour trips.

Please contact us if you have any questions regarding this analysis.

Sincerely,

AVCON, INC.



Rick V. Baldocchi, P.E.

Vice President

Former Division of Drivers Licenses Site Re-Development Conditional Use Traffic Analysis																			
ITE Code - Description	Units	ITE Vehicle Trip Generation Rates (peak hours are for peak hour of adjacent street traffic unless highlighted)								Expected Units	Total Generated Trips			Total Distribution of Generated Trips					
		Weekday	AM	PM	Pass-By	AM In	AM Out	PM In	PM Out		Daily	AM Hour	PM Hour	AM In	AM Out	Pass-By	PM In	PM Out	Pass-By
Existing (Maximum Permitted Building Size Based on 45% FAR)																			
710 - General Office (Equation)	KSF ²	Equations				88%	12%	17%	83%	87.2	1,201	168	176	148	20	0	30	146	0
Proposed Re-Development																			
223 - Mid-Rise Apartment	DU	N/A	0.30	0.39		31%	69%	58%	42%	204.0	N/A	61	80	19	42	0	46	33	0

Trip generation rates from ITE Trip Generation, 8th Edition
Pass-by rates from ITE Trip Generation Handbook, 2nd Edition

Parcel Information - 01-22-29-3604-01-000

Orange County Property Appraiser • Bill Donegan, CFA • <http://www.ocpafl.org>

Property Summary

Property Name
Vacant-FKA Division Of
Drivers Licenses

Names
Winter Park Town Center
Development LLC

Municipality
WP - Winter Park

Property Use
2800 - Surface Parking

Mailing Address
401 N Cattlemen Rd Ste 108
Sarasota, FL 34232-6413

Physical Address
940 W Canton Ave
Winter Park, FL 32789



QR Code For Mobile Phone



292201360401000 05/19/2006



292201360401000 05/19/2006



Property Features

<http://www.ocpafl.org/Searches/ParcelInfoPrinterFriendly.aspx/PFSettings/AA1AB1AD0AE0BA0B...>

Property Description

HILLS ADDITION TO WINTER PARK C/50 BLK A & VAC ST ON W (LESS E 5 FT FOR ST)

Total Land Area

193,834 sqft (+/-) | 4.45 acres (+/-) GIS Calculated

Land

Land Use Code	Zoning	Land Units	Unit Price	Land Value	Class Unit Price	Class Value
2800 - Surface Parking	O-1	193834 SQUARE FEET	\$8.50	\$1,647,589	\$0.00	\$1,647,589

Buildings

Extra Features

Description	Date Built	Units	Unit Price	XFOB Value
PKSP - Parking Space	01/01/1972	90 Unit(s)	\$500.00	\$11,250

Services for Location

Utilities/Services

Electric	Winter Park
Water	Winter Park
Recycling (Monday)	Winter Park/Waste Pro
Trash (Monday, Thursday)	Winter Park/Waste Pro
Yard Waste (Wednesday)	Winter park/wastePro

Elected Officials

State Senate	David Simmons
County Commissioner	Ted Edwards
US Representative	Corrine Brown
School Board Representative	Nancy Robinson
State Representative	Scott Randolph

2006 Project Plans - 140 Condo Units

DRAWING INDEX LOG

A0.00	DRAWING INDEX LOG / PROJECT SUMMARY	A0.00a	DRAWING INDEX LOG / PROJECT SUMMARY (VERSION A)
- -	BOUNDARY AND TOPOGRAPHIC SURVEY PLAN	A1.01a	GROUND LEVEL PLAN (VERSION A)
LA-01	LANDSCAPE PLAN	A1.02a	SECOND LEVEL PLAN (VERSION A)
LA-02	LANDSCAPE SCHEDULE & DETAILS	A1.03a	THIRD LEVEL PLAN (VERSION A)
A1.00	OVERALL SITE PLAN	A1.04a	FOURTH LEVEL PLAN (VERSION A)
A1.01	GROUND LEVEL PLAN		
A1.02	SECOND LEVEL PLAN		
A1.03	THIRD LEVEL PLAN		
A1.04	FOURTH LEVEL PLAN		
A1.05	OVERALL ROOF PLAN		
A2.01	ENLARGED GROUND LEVEL PLAN		
A2.02	ENLARGED GROUND LEVEL PLAN		
A2.03	ENLARGED GROUND LEVEL PLAN		
A2.04	ENLARGED GROUND LEVEL PLAN		
A2.05	ENLARGED SECOND LEVEL PLAN		
A2.06	ENLARGED SECOND LEVEL PLAN		
A2.07	ENLARGED SECOND LEVEL PLAN		
A2.08	ENLARGED SECOND LEVEL PLAN		
A2.09	ENLARGED THIRD LEVEL PLAN		
A2.10	ENLARGED THIRD LEVEL PLAN		
A2.11	ENLARGED THIRD LEVEL PLAN		
A2.12	ENLARGED THIRD LEVEL PLAN		
A2.13	ENLARGED FOURTH LEVEL PLAN		
A2.14	ENLARGED FOURTH LEVEL PLAN		
A2.15	ENLARGED FOURTH LEVEL PLAN		
A2.16	ENLARGED FOURTH LEVEL PLAN		
A2.17	ENLARGED ROOF LEVEL PLAN		
A2.18	ENLARGED ROOF LEVEL PLAN		
A2.19	ENLARGED ROOF LEVEL PLAN		
A2.20	ENLARGED ROOF LEVEL PLAN		
A3.01	EAST & WEST EXTERIOR ELEVATIONS		
A3.02	NORTH & SOUTH EXTERIOR ELEVATIONS		
A3.03	ENLARGED NORTH ELEVATION		
A3.04	ENLARGED SOUTH ELEVATION		
A3.05	ENLARGED WEST ELEVATION		
A3.06	ENLARGED EAST ELEVATION		
A4.01	EAST & WEST EXTERIOR COLORED ELEVATIONS		
A4.02	NORTH & SOUTH EXTERIOR COLORED ELEVATIONS		
A4.03	EAST EXTERIOR FINISHES & MATERIALS		
A4.04	NORTH EXTERIOR FINISHES & MATERIALS		
A5.01	(NOT USED)		
A6.01	SECTION THRU COURTYARD AT DENNING DRIVE SETBACK		
A6.02	SECTION THRU DENNING DRIVE SETBACK		
A6.03	SECTION THRU CANTON AVENUE SETBACK		

WINTER PARK VILLAGE
PROJECT SUMMARY

SETBACKS	REQUIRED	PROVIDED
FRONT YARD AT DENNING DRIVE SETBACK	25'-0"	35'-0"
FRONT YARD AT CANTON AVENUE SETBACK	25'-0"	25'-0"
SIDE YARD AT WEST ELEVATION SETBACK	30'-0"	100'-0"
(20'-0"+5'-0" FOR EVERY 10'-0" OF BLDG. HEIGHT OVER 35'-0")		
SIDE YARD AT SOUTH ELEVATION SETBACK	25'-0"	25'-0"
(20'-0"+5'-0" FOR EVERY 10'-0" OF BLDG. HEIGHT OVER 35'-0")		

BUILDING HEIGHT

OVERALL BUILDING HEIGHT ALLOWED BY CODE 55'-0" + 5'-0" = (60'-0") FOR PARAPET WALLS &/OR MECHANICAL EQUIPMENT.

OVERALL AVERAGE BUILDING HEIGHT PROVIDED = 45'-2" + 5'-5" = (49'-8") FOR PARAPET WALLS &/OR MECHANICAL EQUIPMENT.

RESIDENTIAL UNITS	REQUIRED PKG.	PROVIDED PKG.
GROUND LEVEL	26 UNITS @ 2.0 SPACES	52 SPACES
SECOND LEVEL	30 UNITS @ 2.0 SPACES	60 SPACES
THIRD LEVEL	46 UNITS @ 2.0 SPACES	92 SPACES
FOURTH LEVEL	38 UNITS @ 2.0 SPACES	76 SPACES
TOTAL	140 UNITS @ 2.0 SPACES	280 SPACES REQUIRED
		308 SPACES PROVIDED
		28 SPACES SURPLUS

RESIDENTIAL UNITS	UNITS SF	CIRCULATION SF	RESIDENTIAL SF	PKG./POOL DECK SF	TOTAL SF
GROUND LEVEL	(34,879 SF + 13,963 SF =)	(49,625 SF + 52,881 SF =)	102,506 SF		
SECOND LEVEL	(39,232 SF + 12,433 SF =)	(50,429 SF + 52,027 SF =)	102,456 SF		
THIRD LEVEL	(61,576 SF + 12,852 SF =)	(73,761 SF + 28,705 SF =)	102,466 SF		
FOURTH LEVEL	(50,625 SF + 12,882 SF =)	(62,722 SF + - - - - SF =)	62,722 SF		
TOTAL	(186,312 SF + 54,110 SF =)	(236,547 SF + 133,613 SF =)	370,160 SF		

LOT COVERAGE

RESIDENTIAL BLDG. FLOOR PLATE	49,625 SF
PARKING GARAGE BLDG. FLOOR PLATE	52,881 SF
TOTAL BLDG. FLOOR PLATE WITHOUT BALCONIES	102,506 SF
RESIDENTIAL BLDG. BALCONIES' FLOOR PLATE	3,391 SF
TOTAL BLDG. FLOOR PLATE WITH BALCONIES	105,897 SF
TOTAL LOT SIZE	189,490 SF
ALLOWABLE LOT COVERAGE 85.5%	162,119.5 SF
REQUESTED LOT COVERAGE	
TOTAL BLDG. W/O BALCONIES @ 54.09%	102,506 SF

B E A M
ARCHITECTURAL
PARTNERSHIP

116 ALHAMBRA CIRCUIT, SUITE J
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E-mail: bey@beamfirm.com
Florida Corp. #A0002564
TEL 305.444.7100 FAX 305.444.5903
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CASTO
lifestyle
PROPERTIES

Residences
at
Winter Park
Village

Project: 04041.00 Date: 04-07-2006

**DRAWING
INDEX LOG /
PROJECT
SUMMARY
(VERSION A)**

04041.00

A0.00a

04-07-2006

B E A M E
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PARTNERSHIP

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CASTO
lifestyle
PROPERTIES

Residences
at
Winter Park
Village

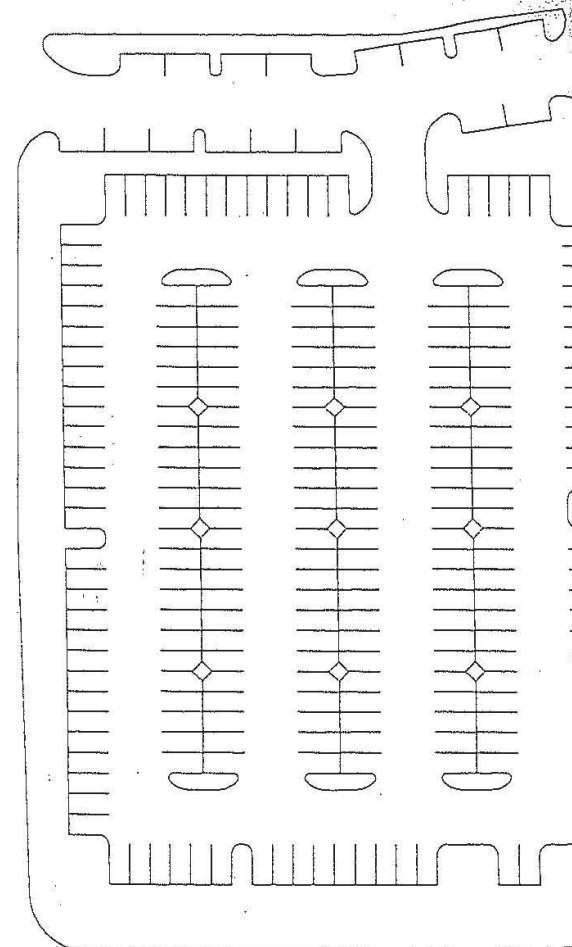
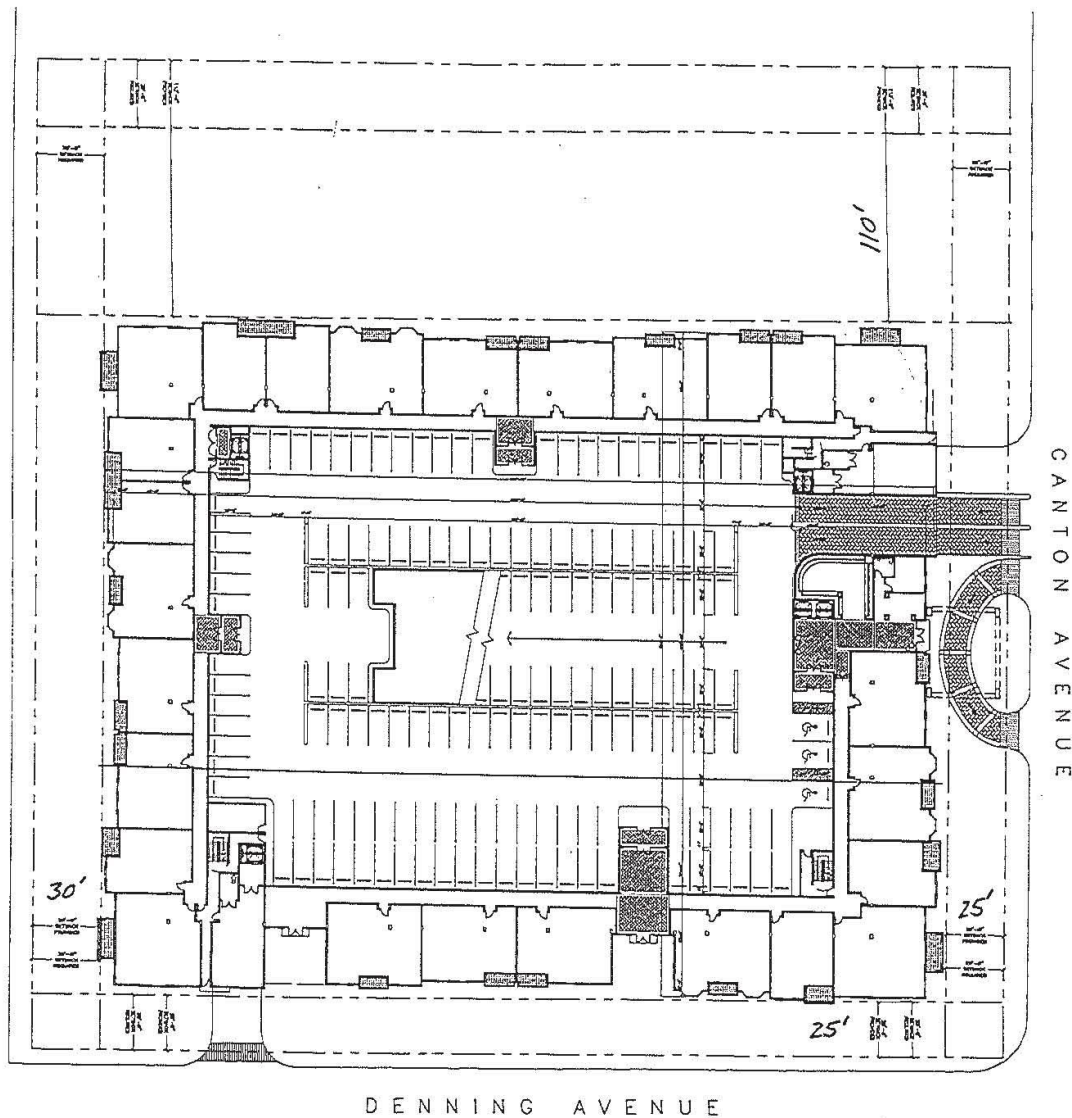
THIS DRAWING IS A PART OF A SET OF DRAWINGS. IT IS NOT TO BE USED SEPARATELY.

**DRAWING
INDEX LOG /
PROJECT
SUMMARY
(VERSION A)**

DATE: 04-07-2006

04041.00

A0.00a



B E
ARCH
PART

116 ALHAM
CORAL GAI
E-mail: bep@
Florida Corp
PH 305.444.7
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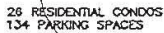
CA
life
PROJ

Proj. No.
Rev.
Scale 1/8" = 1'-0"

Job No.
04041.00
Date
11-17-

01 SITE PLAN/ ROOF PLAN
SCALE 1"=25'-0"





ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE I "COMPREHENSIVE PLAN" IN THE FUTURE LAND USE ELEMENT SO AS TO CHANGE THE COMPREHENSIVE PLAN FUTURE LAND USE MAP DESIGNATION FOR THE PROPERTY LOCATED AT 940 W. CANTON AVENUE FROM OFFICE TO HIGH DENSITY RESIDENTIAL AND TO CHANGE THAT PROPERTY'S DESIGNATION ON THE MAXIMUM HEIGHT MAP FROM A MAXIMUM THREE STORIES TO A MAXIMUM FOUR STORIES AND TO ADD A NEW POLICY PROVIDING FOR NEW RESIDENTIAL DENSITY ALLOWANCES FOR AND LIMITED TO THE PROPERTIES AT 940 AND 1020 W. CANTON AVENUE; PROVIDING FOR CONFLICTS, SEVERABILITY AND EFFECTIVE DATE.

WHEREAS, the Winter Park City Commission adopted its Comprehensive Plan on February 23, 2009 via Ordinance 2762-09, and

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

WHEREAS, the owner of the property at 940 W. Canton Avenue, as petitioner for a future land use amendment, is desirous of amending the future land use designation from Office to High Density Residential; and

WHEREAS, Section 163.3187(1)(c) allows the City to revise the text of the City's Comprehensive Plan utilizing the small scale adoption process when such text revisions relate to and are adopted simultaneously with small scale future land use map amendments; and

WHEREAS, the adjacent properties at 940 and 1020 W. Canton Avenue are part of a mixed-use master plan development; and

WHEREAS, the adjacent properties at 940 and 1020 W. Canton Avenue are under unified control; and

WHEREAS, prior to owning the property at 940 W. Canton Avenue, petitioner developed the adjacent property located at 1020 W. Canton Avenue for office and retail uses; and

WHEREAS, the properties at 940 and 1020 W. Canton Avenue were affected by a change to the City's Comprehensive Plan in 2009, which reduced density from 25 units/acre to 17 units/acre; and

WHEREAS, the property at 940 W. Canton Avenue was affected by a change to the City's Comprehensive Plan in 2009, which reduced the maximum building height from 55 feet, with additional height permitted for architectural appendages and mechanical screening, to three (3) stories; and

WHEREAS, the property at 940 W. Canton Avenue was approved in 2006 for a four (4) story multi-family residential project consistent with the density and maximum height standards that were applicable to these properties prior to the changes made to the Comprehensive Plan in 2009 (the "2006 Residential Project"); and

WHEREAS, due to the adjacent properties at 940 and 1020 W. Canton Avenue being part of a unified mixed-use development under common control, the property at 1020 W. Canton Avenue was included in calculating the density for the 2006 Residential Project; and

WHEREAS, the adjacent properties at 940 and 1020 W. Canton Avenue are located adjacent to a property approved for a building over 55 feet in height; and

WHEREAS, the adjacent properties at 940 and 1020 W. Canton Avenue are unique because they serve as an appropriate buffer between adjacent commercial uses and residential uses located further to the east; and

WHEREAS, the adjacent properties at 940 and 1020 W. Canton Avenue are also unique because of their proximate location to multiple employment centers; and

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

WHEREAS, the Winter Park Planning and Zoning Commission, acting as the designated Local Planning Agency, has reviewed and recommended adoption of the proposed Comprehensive Plan amendment, having held an advertised public hearing on September 11, 2012, provided for participation by the public in the process, and rendered its recommendations to the City Commission; and

WHEREAS, the Winter Park City Commission has reviewed the proposed Comprehensive Plan amendment and held advertised public hearings on September 24, 2012 and October 8, 2012 and provided for public participation in the process in accordance with the requirements of state law and the procedures adopted for public participation in the planning process.

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

SECTION 1. Future Land Use Map Amendment. That Chapter 58 "Land Development Code", Article I, "Comprehensive Plan" future land use plan map is hereby amended so as to change the future land use map designation from Office to High Density Residential on the property at 940 W. Canton Avenue, more particularly described as follows:

Block A of Hill's Addition to Winter Park subdivision and the vacated right-of-way lying immediately west thereof per Ordinance 615 adopted Dec. 18, 1957, as recorded in Plat Book "C", Page 50 of the Public Records of Orange County, Florida.

Property Tax ID # 01-22-29-3604-01-000

SECTION 2. Maximum Height Map Amendment. That Chapter 58 "Land Development Code", Article I, "Comprehensive Plan", is hereby amended to change within the Maximum Height Map (Map 1-3) on page 1-70 the designation of the property at 940 W. Canton Avenue, described in Section 1 from a maximum three (3) stories to a maximum of four (4) stories.

SECTION 3. Comprehensive Plan Text Amendment. That Chapter 58 "Land Development Code", Article I, "Comprehensive Plan", is hereby amended to add a new Policy in Planning Area "J", Policy 1-4.1.J.15, in the Future Land Use Element on Page 1-61 of the Goals, Objectives and Policies to read as follows:

Policy 1-4.1.J.15: Provide for Additional Residential Density at 940 and 1020 W. Canton Avenue. Notwithstanding the residential density limits established elsewhere within this element, this specific policy shall enable the adjacent properties at 940 and 1020 W. Canton Avenue (together, the "Properties"), to be used at a combined maximum residential density of up to 25 units per acre for the following reasons:

- The Properties are part of a mixed-use master plan development;
- The Properties are under unified control;
- The Properties are located adjacent to a property approved for a building over 55 feet in height;
- The Properties serve as an appropriate buffer between adjacent commercial uses and residential uses located further to the east;
- The Properties are located proximate to multiple employment centers;
and
- The 940 W. Canton Avenue parcel has been previously approved for a four (4) story multi-family residential project under the density and maximum height standards that were applicable prior to the changes made to the Comprehensive Plan in 2009; due to the Properties being part of a unified mixed-use development under common control, the 1020 W. Canton Avenue parcel was included in calculating the density for this project.

This density allowance for both properties may only be applied to residential development within the 940 W. Canton Avenue parcel. All other provisions within the High Density Residential future land use designation shall apply to that property.

SECTION 4. Severability. If any Section or portion of a Section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Ordinance.

SECTION 5. Conflicts. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

SECTION 6. Effective Date. An amendment adopted under this paragraph does not become effective until 31 days after adoption. If timely challenged, an amendment may not become effective until the state land planning agency or the Administration Commission enters a final order determining that the adopted small scale development amendment is in compliance.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this _____ day of _____, 2012.

Mayor

Attest:

City Clerk

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE III "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO CHANGE THE ZONING DESIGNATION FOR THE PROPERTY LOCATED AT 940 W. CANTON AVENUE FROM OFFICE (O-1) DISTRICT MULTI-FAMILY (HIGH DENSITY R-4) DISTRICT AND TO CHANGE THAT PROPERTY'S DESIGNATION ON THE MAXIMUM HEIGHT MAP FROM A MAXIMUM THREE STORIES TO A MAXIMUM FOUR STORIES AND TO AMEND THE C-1 COMMERCIAL DISTRICT TEXT PROVIDING FOR NEW RESIDENTIAL DENSITY ALLOWANCES FOR AND LIMITED TO THE PROPERTY 1020 W. CANTON AVENUE; PROVIDING FOR CONFLICTS, SEVERABILITY AND EFFECTIVE DATE.

WHEREAS, the properties at 940 and 1020 W. Canton Avenue were affected by a change to the City's Land Development Code, which reduced the potential density and building height (stories); and

WHEREAS, the owner has requested an amendment to the Land Development Code in recognition of these facts; and

WHEREAS, the zoning text amendment is consistent with the amended Comprehensive Plan, and the requested zoning text change will achieve conformance with the Comprehensive Plan for the property and such municipal zoning meets the criteria established by Chapter 166, Florida Statutes and pursuant to and in compliance with law, notice has been given to Orange County and to the public by publication in a newspaper of general circulation to notify the public of this proposed Ordinance and of public hearings to be held; and

WHEREAS, the City Staff recommends this Ordinance, and the Planning and Zoning Board of the City of Winter Park has recommended approval of this Ordinance at their September 11, 2012 meeting; and

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

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

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

SECTION 1. Official Zoning Map Amendment. That Chapter 58 "Land Development Code", Article III, "Zoning" and the Official Zoning Map is hereby amended so as to change the zoning designation from Office (O-1) District to Multi-Family (High Density R-4) District on the property at 940 W. Canton Avenue, more particularly described as follows:

Block A of Hill's Addition to Winter Park subdivision and the vacated right-of-way lying immediately west thereof per Ordinance 615 adopted Dec. 18, 1957, as recorded in Plat Book "C", Page 50 of the Public Records of Orange County, Florida.

Property Tax ID # 01-22-29-3604-01-000

SECTION 2. Maximum Height Map Amendment. That Chapter 58 "Land Development Code", Article III, "Zoning", is hereby amended to change within Section 58-85 "Maximum Height Map Regulations" the designation of the property at 940 W. Canton Avenue, as described in Section 1 from a maximum three (3) stories to a maximum of four (4) stories.

SECTION 3. R-4 Text Amendment. That Chapter 58 "Land Development Code", Article III, "Zoning", Section 58-74 "Commercial (C-1) district, subsection (e) (6) is hereby amended to read as follows:

(e) *Development standards.*

(6) Residential density:

(a) The maximum residential density shall not exceed seventeen (17) units per acre.

(b) Notwithstanding this residential density limit, the property at 1020 W. Canton Avenue may be used at a maximum residential density of up to 25 units per acre. This density allowance may only be applied to residential use within the adjacent portion of the development site at 940 W. Canton Avenue as described in Section 1.

SECTION 4. Severability. If any Section or portion of a Section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Ordinance.

SECTION 5. Conflicts. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

SECTION 6. Effective Date. This Ordinance shall become effective upon the effective date of Ordinance _____. If Ordinance _____ does not become effective, then this Ordinance shall be null and void.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this _____ day of _____, 2012.

Mayor

Attest:

City Clerk

THE RESIDENCES AT WINTER PARK VILLAGE
WINTER PARK, FL
August 7, 2012

CASTO

WINTER PARK TOWN CENTER DEVELOPMENT, LLC.



EPOCH Properties



PROJECT TEAM

OWNER:	WINTER PARK TOWN CENTER DEVELOPMENT, LLC.
ARCHITECT:	ACI ARCHITECTS
LANDSCAPE ARCHITECT:	ARQUITECTONICA GEO
CIVIL ENGINEER:	AVCON, INC.
SURVEYOR:	BENCHMARK SURVEYING AND MAPPING CONSULTANTS, INC.

VICINITY MAP



NOT TO SCALE

DRAWINGS INDEX

- COVER
- EXISTING SITE CONDITIONS PHOTOS
- EXISTING SITE CONDITIONS (C-100)
- ARCHITECTURAL SITE PLAN
- AERIAL PLAN VIEW FOR 1020 AND 940 W. CANTON AVENUE
- SITE PLAN (C-200)
- PRELIMINARY COLORED ELEVATIONS (W. CANTON AVENUE & N. DENNING AVENUE)
- PRELIMINARY COLORED ELEVATIONS (WEST & SOUTH)
- PRELIMINARY BUILDING HEIGHTS AND MATERIALS (NORTH & EAST PARTIAL ELEVATIONS)
- PRELIMINARY BUILDING HEIGHTS AND MATERIALS (SOUTH & WEST PARTIAL ELEVATIONS)
- PARKING GARAGE ISOMETRIC AND AREA CALCULATIONS
- CONCEPTUAL LANDSCAPE PLAN
- INSPIRATIONAL LANDSCAPE IMAGES
- LANDSCAPE PLANT LIST
- STORM / TURNING RADIUS PLAN (C-300)
- 3D RENDERING IMAGES
- 3D RENDERING IMAGES

NOTE: SEE SCREEN FOR PROPERTY LEGAL DESCRIPTION AND ACREAGE INFORMATION.





PHOTO #1



PHOTO #2



PHOTO #3



PHOTO #4



PHOTO #5

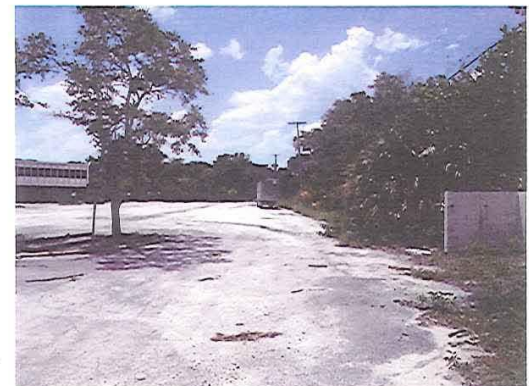
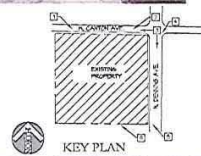


PHOTO #6

EXISTING SITE CONDITIONS PHOTOS



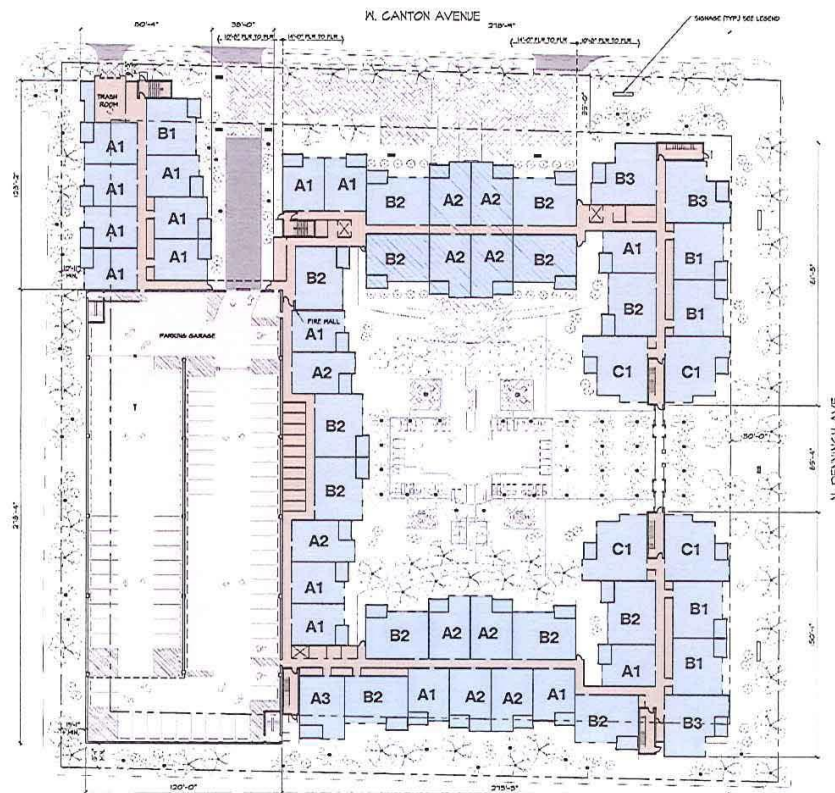
The Residences at Winter Park Village
Winter Park, Florida

ISSUE DATE:	
AUGUST 7, 2012	



EPOCH Properties
WINTER PARK TOWN CENTER DEVELOPMENT, LLC.





ARCHITECTURAL SITE PLAN
SCALE: 1" = 30'-0"

1" 2' 0" 3' 0" 4' 0"

UNIT COUNT

1 BEDROOM UNITS

A1 758 SF 66 UNITS 52%
A2 865 SF 36 UNITS 17%
A3 892 SF 4 UNITS 2%
TOTAL 106 UNITS 57%

2 BEDROOM UNITS

B1 1,088 SF 29 UNITS 10%
B2 1,076 SF 50 UNITS 24%
B3 1,215 SF 17 UNITS 6%
TOTAL 96 UNITS 47%

3 BEDROOM UNITS

C1 1,520 SF 16 UNITS 4%

TOTAL UNIT COUNT 204 UNITS

LEGEND

- UNITS
- CORRIDORS & SUPPORT
- LEASING & CLUBHOUSE GROUND LEVEL
- PARKING GARAGE

NOTE:
BUILDING DIMENSIONS ARE TO FACE OF STRUCTURE.
FINAL & FINISH DIMENSIONS WILL VARY.

SIGNAGE LEGEND

- FREE-STANDING BUILDING IDENTIFICATION MONUMENT SIGN UP TO 14' X 8' (11' 18" COPY)
- WAY FINDING OR DIRECTIONAL SIGNAGE UP TO 2' X 4'
- BUILDING MOUNTED IDENTIFICATION OR WAY FINDING SIGNAGE
- 5 SITE MONUMENT SIGNS MAXIMUM SIZE OF 14' BY 8' WITH UP TO 18 SF OF COPY ON EACH SIGN
- 1 BUILDING MOUNTED IDENTIFICATION SIGN AT MAIN ENTRY WITH UP TO 18 SF OF COPY
- 1 BUILDING MOUNTED GARAGE ENTRANCE SIGNAGE APPROXIMATELY 8' SITE LOCATED OR BUILDING MOUNTED DIRECTIONAL OR WAY FINDING SIGNS UP TO 2' X 4'

SIGNAGE NOTE

LOCATIONS OF SIGNS ARE APPROXIMATE AND WILL BE DETERMINED AT FINAL SUBMISSION

The Residences at Winter Park Village
Winter Park, Florida

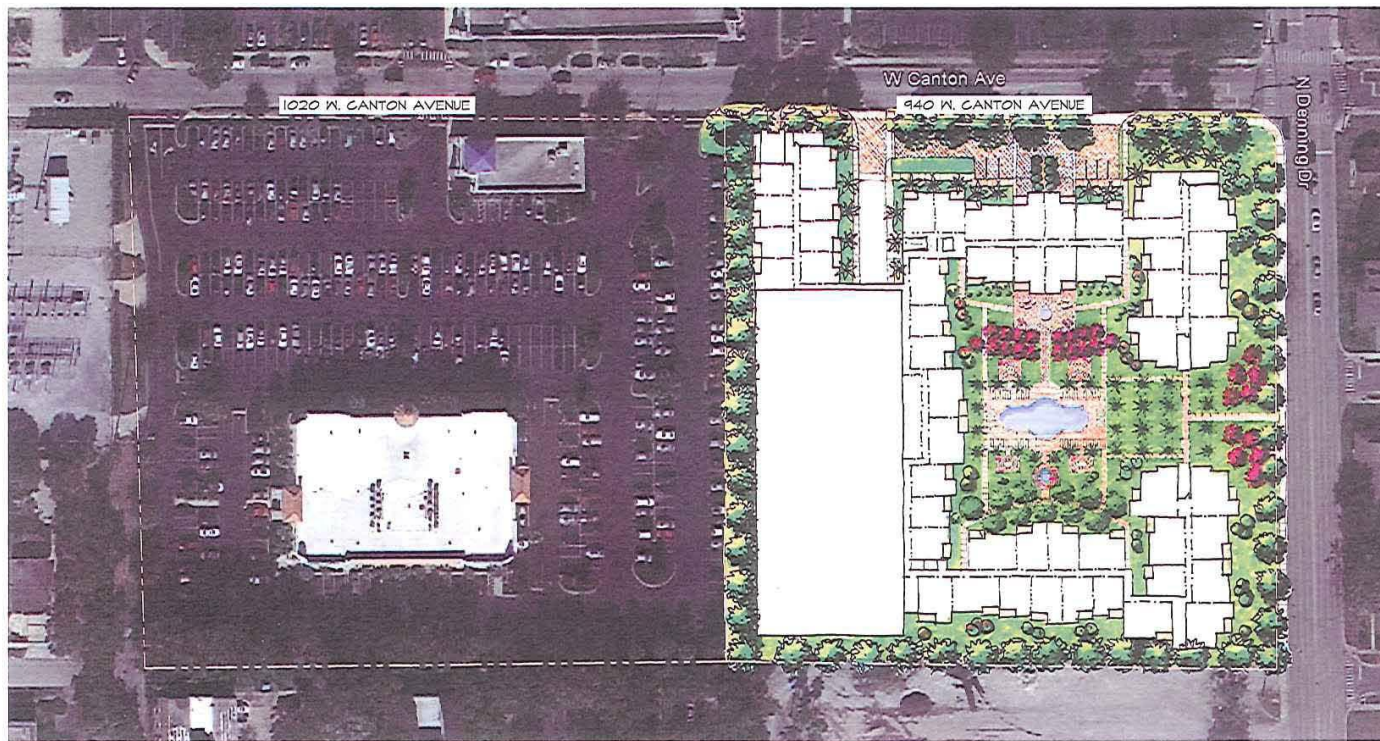
DATE:
AUGUST 7, 2012

CASTO

EPOCH Properties



WINTER PARK TOWN CENTER DEVELOPMENT, LLC



AERIAL PLAN VIEW FOR 1020 AND 940 W. CANTON AVENUE
SCALE: 1" = 40'-0"



The Residences at Winter Park Village Winter Park, Florida

ISSUE DATE:
AUGUST 7, 2012

CASTO

WINTER PARK TOWN CENTER DEVELOPMENT, LLC.



EPOCH Properties





PRELIMINARY NORTH ELEVATION (W. CANTON AVENUE)
SCALE: SCALE: 1/16"=1'-0"



PRELIMINARY EAST ELEVATION (N. DENNING AVE.)
SCALE: SCALE: 1/16"=1'-0"



The Residences at Winter Park Village
Winter Park, Florida

ISSUE DATE:
AUGUST 7, 2012

CASTO

WINTER PARK TOWN CENTER DEVELOPMENT, L.L.C.

EPOCH Properties
WINTER PARK TOWN CENTER DEVELOPMENT, L.L.C.





PRELIMINARY SOUTH ELEVATION
SCALE: 1/16"=1'-0"



PRELIMINARY WEST ELEVATION
SCALE: 1/16"=1'-0"



The Residences at Winter Park Village
Winter Park, Florida

ISSUE DATE:
AUGUST 7, 2012

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EPOCH Properties
WINTER PARK TOWN CENTER DEVELOPMENT, LLC.

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The Residences at Winter Park Village
Winter Park, Florida

ISSUE DATE
AUGUST 7, 2012

CASTO

EPOCH Properties
WINTER PARK TOWN CENTER DEVELOPMENT, LLC.

AC



The Residences at Winter Park Village Winter Park, Florida

ISSUE DATE:
AUGUST 7, 2012



EPOCH Properties

WINTER PARK TOWN CENTER DEVELOPMENT, LLC.





ARQUITECTONICA **GEO**

INSPIRATIONAL LANDSCAPE IMAGES

The Residences at Winter Park Village
Winter Park, Florida

ISSUE DATE:
AUGUST 7, 2012

CASTO

EPOCH Properties
WINTER PARK TOWN CENTER DEVELOPMENT, LLC.





Italian Cypress
Cupressus sempervirens



Mexican Fan Palm
Washingtonia robusta



Southern Magnolia
Magnolia grandiflora



Live Oak
Quercus virginiana



Podocarpus
Podocarpus macrophyllus



Crape Myrtle
Lagerstroemia indica



Wax Myrtle
Myrica cerifera



Saw Palmetto 'Silver'
Serenoa repens 'Silver'



Oleander
Nerium oleander



Creeping Fig
Ficus pumila



Liriope
Liriope muscari



Liriope 'Silver Ribbon'
Liriope muscari 'Silver'



Russian Sage
Perovskia atriplicifolia



Bougainvillea
Bougainvillea glabra



Spineless Century Plant
Agave attenuata



Trailing Lantana 'yellow'
Lantana montevidensis 'yellow'



Yapoon Holly
Ilex vomitoria



Trailing Lantana 'purple'
Lantana montevidensis 'purple'

ARQUITECTONICA^{GEO}

LANDSCAPE PLANT LIST

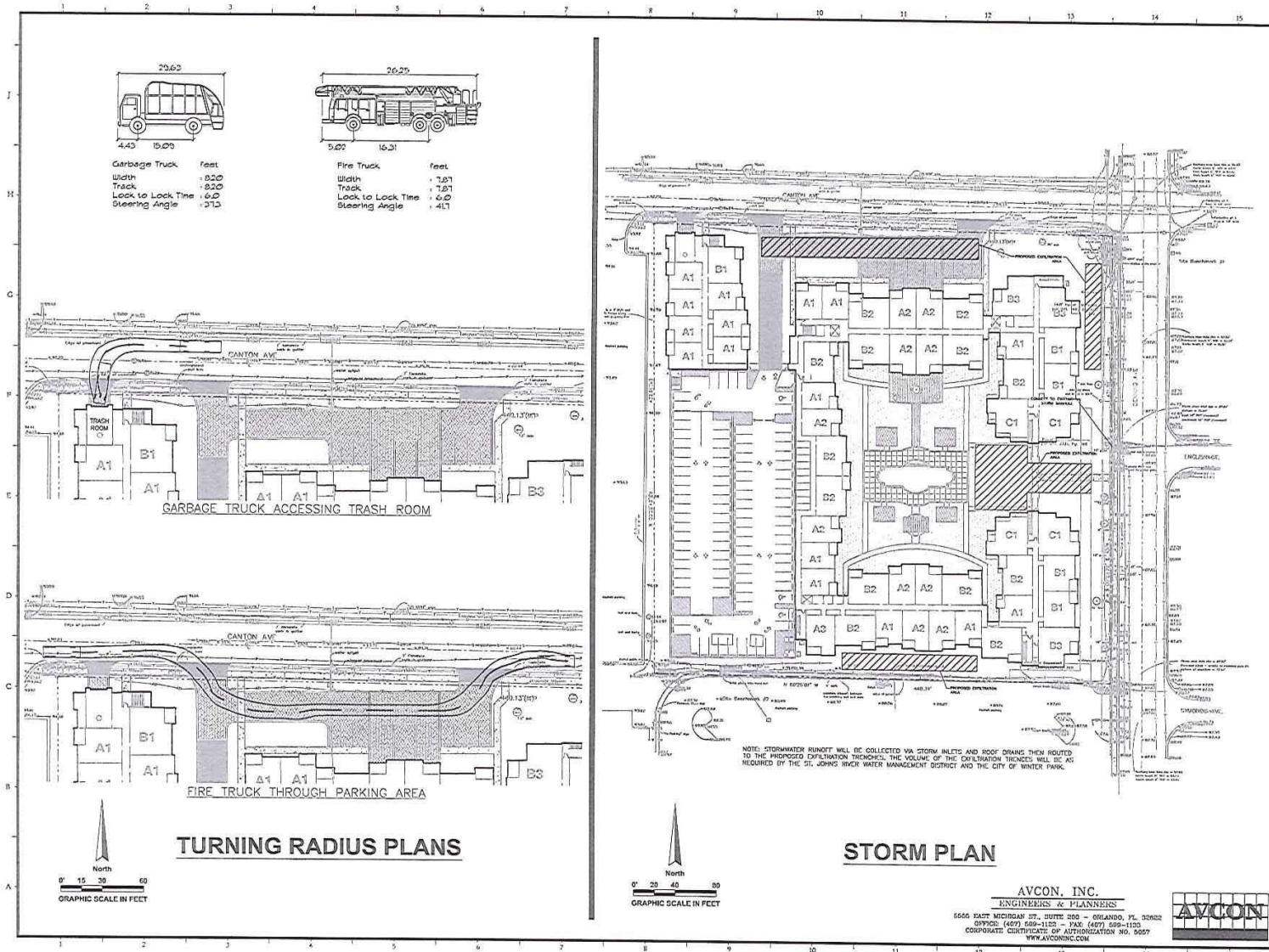
The Residences at Winter Park Village
Winter Park, Florida

ANNU DATE:
AUGUST 7, 2012



WINTER PARK TOWN CENTER DEVELOPMENT, LLC.





CASTO

EPOCH Properties

ACi

ASSOCIATED
 CONSULTING
 INTERNATIONAL
 ▲ ■ ●

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DESIGN BY

 BOB V. BARNETT, P.E.
 FLORIDA REGISTRATION 20002

Date	Issue
08/07/12	REV. CONDITIONAL USE

No.	Date	Issue/Revision	By

Date: AUGUST 7, 2012
 Checked By: MK
 Drawn By: RLR
 Project No.: 2012.0102
 File Name:
 Phase: SCHEMATIC DESIGN
 Sheet Name:
**STORM / TURNING
RADIUS PLAN**
 SHEET NUMBER
C-300

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NORTHWEST CORNER AT W.CANTON AVENUE

The Residences at Winter Park Village
Winter Park, Florida

TRAIL DATE:
AUGUST 7, 2012



WINTER PARK TOWN CENTER DEVELOPMENT, LLC.





SOUTHEAST CORNER AT N. DENNING AVENUE

The Residences at Winter Park Village
Winter Park, Florida

DATE:
AUGUST 7, 2012

CASTO

WINTER PARK TOWN CENTER DEVELOPMENT, LLC.



EPOCH Properties
WINTER PARK TOWN CENTER DEVELOPMENT, LLC.





CITY OF WINTER PARK Planning & Zoning Board

Regular Meeting
City Hall, Commission Chambers

September 11, 2012
7:00 p.m.

MINUTES

Chairman Krecicki called the meeting to order at 7:00 p.m. in the Commission Chambers of City Hall. Present: Drew Krecicki, Sarah Whiting, George Livingston, Tom Sacha, Peter Gottfried, Randall Slocum, James Johnston and Robert Hahn, Alternate. Staff: Planning Director Jeffrey Briggs, Planning Technician Caleena Shirley and Recording Secretary Lisa Smith.

Approval of minutes – August 7, 2012

Motion made by, seconded by to approve the August 7, 2012, meeting minutes. Motion carried unanimously with a 7-0 vote.

PUBLIC HEARINGS:

REQUEST OF WINTER PARK TOWN CENTER DEVELOPMENT LLC, TO: AMEND THE COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP DESIGNATION OF 940 W. CANTON AVENUE FROM OFFICE TO HIGH DENSITY RESIDENTIAL AND TO CHANGE THAT PROPERTY'S DESIGNATION ON THE MAXIMUM HEIGHT MAP FROM A MAXIMUM THREE STORIES TO A MAXIMUM FOUR STORIES AND TO ADD A NEW POLICY FOR RESIDENTIAL DENSITY ALLOWANCES AT 940 AND 1020 W. CANTON AVENUE.

REQUEST OF WINTER PARK TOWN CENTER DEVELOPMENT LLC, TO: AMEND THE OFFICIAL ZONING MAP SO AS TO CHANGE ZONING DESIGNATION OF THE PROPERTY LOCATED AT 940 W. CANTON AVENUE FROM OFFICE (O-1) TO MULTI-FAMILY (HIGH DENSITY R-4) DISTRICT AND TO CHANGE THE PROPERTY'S DESIGNATION ON THE MAXIMUM HEIGHT MAP FROM A MAXIMUM THREE STORIES TO A MAXIMUM FOUR STORIES AND TO AMEND THE C-1 COMMERCIAL DISTRICT TEXT TO PROVIDE FOR RESIDENTIAL DENSITY ALLOWANCES AT 1020 W. CANTON AVENUE.

REQUEST OF WINTER PARK TOWN CENTER DEVELOPMENT LLC, FOR: PRELIMINARY CONDITIONAL USE APPROVAL TO CONSTRUCT A FOUR STORY, 204 UNIT RESIDENTIAL PROJECT AND TO CONSTRUCT AN ADJOINING PARKING GARAGE OF APPROXIMATELY 350 SPACES ON THE PROPERTY AT 940 W. CANTON AVENUE.

Planning Director Jeffrey Briggs presented the staff report. He explained that this item is a request by the Winter Park Town Center Development LLC (Don Casto Organization – owners of the Winter Park Village) to redevelop the former State DMV property at 940 W. Canton Avenue for a new four story, 204 unit residential development with a companion four level 358 space parking garage. In order to accommodate this project there are related amendments required to the Comprehensive Plan and Zoning Code to provide for the heights (stories) and residential unit count densities. This project is a conditional use (over 10,000 square feet); and due to the parcel and project size, a city-wide notice of the public hearings has been mailed to all 14,500 households in the City as well as notices mailed to the property owners within 1,500 feet. He provided the Board members with a review of the proposed project both site and context, a history of the property,

comprehensive plan issues, the current development request, building height, parking, architectural elevations, tree preservation, storm water retention, landscaping, and traffic impact.

He summarized by explaining that this is a very unique situation because the staff must look at this request not just in the context of today's application but also in recognition of the previous approval for the 140 unit project in 2006. Even though the applicant allowed that conditional use approval to lapse, the Zoning Code provides for and allows property owners to request to re-establish conditional uses that have expired. Clearly the applicant expended considerable sums of money going through the zoning approval process (conditional use) and in the preparation of the entire building permit construction plan sets that were reviewed, approved and ready for issuance by the City. If this 2012 project is denied, then other option for the property owner is to ask to re-establish the previous conditional use. Then all they would need to do is reconfigure the interior floor plan layout to smaller unit sizes and get the apartment sizes/density that they desire versus the previously approved condominium floor plans sizes. When one compares the two projects there is no comparison. The current request is a far better design than the 2006 project. The 2006 project was a very large rectangle with an internal parking garage which had a continuous 380 foot long façade along Denning Drive and a continuous 355 foot long façade along Canton Avenue. The architectural articulation of those facades was minimal. Contrast that with this 2012 design. This 2012 request has much more building articulation or undulations, a visible interior courtyard and the architectural interest of the facades is much more detailed better for exterior appearance. All of those in's and out's work to help to break up the mass of the facades and it is also good that the parking structure is back in the interior corner in the least visible location.

In terms of building size, the 2006 project was a building of 370,160 sq. ft. and the 2012 project is 346,356 sq. ft. or about 23,804 sq. ft. smaller. It has more units (204 apts. vs. 140 condos) because the condos averaged 1,700 sq. ft. in size and the apartment's average 953 sq. ft. So there are more units but in a slightly smaller total square footage. In terms of the Comp. Plan/Zoning Code amendments the location and property history mitigate against these changes being precedent setting. For the residential density, if the "policy" change works for the applicant at 19 units/acre versus the 25 units per acre requested then it seems to the staff that the City should accommodate the density requested but doesn't need to provide additional residential density beyond what the project requires. Thus, staff is recommending approval of the Comp. Plan/Zoning Code density amendment at 19 units per acre.

Staff recommended approval of the Comprehensive Plan and Zoning Code Amendment ordinances (at the 19 units/acre for the 1020 W. Canton portion), and approval of the "preliminary" conditional use. Mr. Briggs responded to Board member questions and concerns.

Rebecca Wilson, Lowndes, Drosdick, Cantor and Reed, 214 N. Eola Drive, represented the applicant. She introduced the members of the redevelopment team and noted that they were available to respond to any questions or concerns the Board members have. She also noted that the Residences @ Interlachen expressed concern over the name of the proposed project. She assured that the Winter Park Village project will be renamed so that there is no confusion. She used a Power Point presentation to provide an overview of the project. Her presentation covered the areas of height, a project comparison of the current project versus the 2006 and the comprehensive plan and rezoning amendments. She responded to Board member questions and concerns.

Lurline Fletcher, 790 Lyman Ave, stated that she is opposed to the construction of the 4-story building and any high density residential requests on the West side. She said that she feels that the preference of the residents is to maintain as much single-family residential as possible. She also stated that the current parking structures on the West side are underutilized.

Joe Racinelli, 300 South Interlachen Avenue, (The Residences) thanked Mrs. Wilson for the consideration of the requested name change. He said that he feels that the project will be a great addition to the City.

Rochelle Kolin, 225 Trismen Terrace, explained that she is the owner of the building located at 1065 West Morse Boulevard. She stated that she likes the project, but expressed concern with the vacant parking garage property located on the opposite side of Denning Drive.

Shari Sujka, 345 Cortland Avenue, spoke concerning parking in the Winter Park Village. She also said that she feels that it is very important to keep in consideration the impact that the Ravaudage project will have on traffic on Lee Road/17-92.

Sally Flynn, 1400 Highland Road, explained that she has some confusion as to what exactly the applicant is request. She expressed concern with the request for four stories at the same height to allow for more density inside the project. She stated that she is opposed to any increase in density in the City.

Jim Barnes, #7 Isle of Sicily, owner of the Bank First Building, explained that he has a visual concern with regard to the landscape buffer for the building but after a discussion with the developer's representative concerning landscaping his concerns had been addressed. He said that he feels that landscaping is important in hiding the garage and looks forward to the more specific and detailed landscape plan that will be part of the submittal for the final approval.

Mrs. Wilson was allowed to respond to concerns raised. She stated that with regards to traffic, a trip generation study has been done and this project will generate less traffic than an office development. She acknowledged that they did meet with Mr. Barnes and understand his concerns regarding landscaping. She noted that details will be brought back at the final approval and indicated their willingness to work with the City Attorney in drafting a Development Agreement if such is deemed necessary.

The public hearing was closed.

Mr. Krecicki began the Board discussion by outlining the decision points for the Board. He noted that he was one who fought for the three story height limit in the Comp. Plan on this property but he recognizes that the reality is that the actual building height of four stories of residential is essentially the same as three stories of office given the different internal floor to ceiling heights. He indicated that for the final approval he would be interested in more discussion on the landscape plan, the storm water plan and perhaps a development agreement.

Mr. Hahn stated that he was in support of the project and pleased that it would activate the "live, work and play" components of the Winter Park Village. He indicated that there might need to be some further discussion of the scenarios where one can aggregate density, as we are doing over this site but recognized that the same had been done in 2006.

Mr. Livingston indicated his support for the project, noted that the traffic generation is less and that this reflects market conditions in today's world.

Mr. Slocum stated his support and felt that the design approach was good for this project. He indicated some areas on the building elevations that the applicant needs to address balcony/sidewall proximity.

Mr. Sacha also stated his support for the project and emphasized that the exterior landscape plan would be very important in the final review.

Mr. Gottfried expressed support but questioned the storm water use of Lake Island Park and wanted the City Commission to make the policy decision on the viability of that alternative. He did not feel it was the role of the Planning Board to make that policy decision and questioned whether this is something that might involve the Parks and Recreation or Lakes and Waterways Board.

Mrs. Whiting also stated support but expressed some concern over the setback variances particularly on Canton Avenue side where the building of four stories is ten feet from the property line.

The Board then discussed project details including the density, height, variances and setbacks in further detail. There was concern expressed over the alternate storm water approach that utilized Lake Island. The Board expressed that this was a policy decision that the City Commission needed to make and indicated that they would make a further recommendation after action on the formal requests.

The Board also discussed the density issue with regards to the staff recommendation (19 units/acre) for the 1020 W. Canton parcel versus the applicant's request (25 units/acre) with regard to the Comp. Plan policy ordinance. Mr. Briggs indicated the difference was 30 units. The majority of the Board expressed that restoring the 25 units/acre to the 1020 W. Canton parcel was their desire while the minority expressed that since no one knew where or how the other 30 units could be built, it was better just to approve what was needed for this project.

No one else wished to speak concerning the request. Public Hearing closed.

Comprehensive Plan Amendment

Motion made by Mr. Krecicki, seconded by Mr. Johnston to recommend approval of the comprehensive plan amendment from Office to High Density Residential and a to change the property's designation on the maximum height map from a maximum three stories to four stories and to add a new policy for residential density allowances for both 940 and 1020 West Canton Avenue. Motion carried with a 5-2 vote.

Amendment: Mr. Gottfried offered an amendment to the motion, to amend section 3 of the comprehensive plan amendment ordinance by changing from a density of 19 units/acre to 25 units/acre. Amendment carried with a 4-3 vote.

Zoning Map Amendment

Motion made by Mr. Gottfried, seconded by Mr. Sacha to recommend approval of the rezoning request to for 940 West Canton Avenue from O-1 to R-4 and to change the property's designation on the maximum height map from a maximum three stories to four stories. Motion carried with a 5-2 vote.

Amendment: Mr. Gottfried offered an amendment to the motion, to amend section of the rezoning ordinance by changing from a density of 19 units/acre to 25 units/acre. Amendment carried with a 4-3 vote.

Conditional Use

Motion made by Mr. Gottfried, seconded by Mr. Livingston recommending preliminary conditional use approval to construct a four-story, 204 unit residential project and to construct an adjoining parking garage of approximately 350 spaces on the property at 940 West Canton Avenue. Motion carried unanimously with a 7-0 vote.

Amendment: Mr. Krecicki offered an amendment that at final conditional use approval a development agreement be presented that at a minimum discusses processes for any future development on the property to the west. Amendment carried with a 7-0 vote.

Motion made by Mr. Gottfried, seconded by Mr. Livingston requesting to see the city's position for a storm water plan for Lake Island Park. Motion carried unanimously with a 7-0 vote.