



city commission agenda

Regular Meeting

November 26, 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 Police Chief Brett Railey Pledge of Allegiance

3 Approval of Agenda

4 Mayor's Report

Projected Time

5 City Manager's Report

Projected Time

6 City Attorney's Report

Projected Time

7 Non-Action Items

Projected Time

- a. Alford Inn Traffic study – Streetscape/bricking of New England Avenue and Interlachen Avenue

10 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 11/12/2012. b. Approve the following contract, piggyback contracts and formal solicitations: <ul style="list-style-type: none"> 1. Amendment #6 to Fire Services Billing (RFP-16-2009) contract with ADPI/Intermedix and authorize the Mayor to execute the Amendment document. 2. Approve piggybacking the State of Florida Contract #760-000-10-1 for Construction, Industrial, Agricultural & Lawn Equipment for FY2013. 3. Award to Infinity Software Development, Inc., RFP-18-2012 Website Technical Maintenance & Development and authorize the Mayor to execute the Contract. 4. Authorize staff to enter into negotiations with the top ranked firm Gerhartz & Associates, Inc., RFQ-16-2012 Continuing Contract for Geographic Information System (GIS) Services. 5. Continuing services contract with Ardaman & Associates, Inc. for RFQ-2-2012 Continuing Contracts for Professional, Architectural & Engineering Services (Discipline: Geotechnical) and authorize the Mayor to execute the contract. 6. Continuing services contract with Universal Engineering Sciences for RFQ-2-2012 Continuing Contracts for Professional, Architectural & Engineering Services (Discipline: Geotechnical) and authorize the Mayor to execute the contract. c. Approve the request to allow temporary parking for construction workers during the period of construction of the Alford Inn to be located on vacant lots at 316 West Welbourne Avenue and extending over to a lot on New England Avenue for a time period until June 30, 2013. d. Approve the budget adjustment to appropriate accumulated restricted building permit revenues to scan large building plans; \$10,000. 	5 minutes

10	Action Items Requiring Discussion	Projected Time
	a. Approval of City Attorney evaluation form and process	5 minutes
	b. Water and sewer rate study rates	10 minutes

11 Public Hearings	Projected Time
a. <u>Request of the Winter Park YMCA for the properties located at 1751 and 1761 Palmer Avenue:</u> - Ordinance – Changing the existing designation of Single Family Residential to Institutional (1) - Ordinance - Changing the existing zoning designation of Single Family Residential (R-1A) District to Public Quasi-Public (PQP) District (1) - Conditional Use approval to construct an additional zero depth children’s swimming pool and to expand the existing YMCA parking lot	120 minutes
b. <u>Request of ABC Liquors, Inc.:</u> Conditional use approval to construct a new 13,550 square foot ABC Liquors Retail Store on the property at 401 N. Orlando Avenue within 300 feet of residential properties.	20 minutes
c. <u>Request of the City of Winter Park:</u> Ordinance – Revising the permitted uses for fast casual restaurants along Park Avenue in the block south of Comstock Avenue (1)	15 minutes
d. <u>Request of the City of Winter Park:</u> Ordinance - Amending Chapter 58 “Land Development Code” Article V, “Environmental Protection Regulations” Division 6, “Tree Preservation and Protection” so as to amend tree removal compensation requirements, amend use of the Tree Replacement Fund, provide exemption from requiring a tree removal permit, and establish enforcement procedure for removing hazardous trees (2)	30 minutes
e. Ordinance No. 2867-12: Annexing the property at 600 Lee Rd (2)	5 minutes
f. Adoption of the fee schedule (effective December 1, 2012).	
g. <u>Request of Windermere Winter Park Venture LLC:</u> Amending condition #3 of the conditional use approval for the townhouse project at 434 W. Swoope Avenue, zoned R-3	20 minutes
h. Ordinance - Authorizing the issuance of a redevelopment refunding revenue note for the purpose of refunding CRA notes 2003-1, 2003-2, 2005-1, and 2005-2 (1)	20 minutes
i. Ordinance - Authorizing the issuance of refunding notes for the purpose of refunding the outstanding Orange Avenue Improvement Revenue Bond, Series 2007 and outstanding Park Avenue Refunding Improvement Revenue Bond, Series 2010 (1)	5 minutes
	5 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."



city commission city manager's report

item type City Manager's Report

meeting date November 26, 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 has completed the special meetings to consider various policy issues. This will come to the Commission for discussion in January.	January 2013
Tree Preservation Ordinance	Tree forum was held on October 9 with attendance of 40 citizens. History of city tree ordinances was reviewed along with proposed Tree Ordinance & comparisons with current ordinance. Several citizens asked questions and expressed views on our tree regulation.	2 nd reading - November 26, 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.	Currently waiting for a template resolution from FDOT.
Fairbanks Improvement Project	<p>Contract has been awarded to Masci General Contractor, Inc.</p> <p>Progress Energy continuing to study transmission/distribution lines between I-4 and 17-92.</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, 2012</p> <p><u>Communication Notices</u></p> <ul style="list-style-type: none">• Force main work largely completed south of Lee Road (day work)• Contractor working on Fairbanks (night work).

Traffic Study Alfond Inn	Study is complete. Staff will be arranging meetings with the residents on Alexander Place, with Jim Campesi, owner/rep. for of the Villa Siena condos and the Rollins College to vet the proposals and recommendation. Expect to be ready for City Commission agenda in January.	January 2013
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. An overview of the UFMP will be presented at December 3 rd work session. Additional meetings and public input opportunities will also be scheduled.	Work Session scheduled for December 3, 2012 from 3:30-5:00 p.m.
Wayfinding Signs	All non-FDOT wayfinding signs are installed. Permitting of the FDOT signs continues. Anticipate permitting to be completed by November 30 th .	November 2012
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 next steps will be discussed with the Commission.	January 2013
Strategic Plan	An update will be provided on December 10.	December 2012
Post Office Discussions	Received letter from USPS on August 6, 2012 regarding right of first refusal. No action at this time.	
Organizational Support	Additional discussion on December 10, 2012.	December 2012
Utility Billing/Recurring credit cards	New software is being implemented. Go live is expected in February 2013.	February 2013
Back Yard Chicken Initiative	KWPB&S Board made an official recommendation to City Commission to wait for the one year review of Orlando's Two Year Pilot before making long term decisions. The City of Orlando will be conducting a review after the first year of their two year pilot program in the Summer of 2013.	Summer 2013

Progress Point site	The EDAB and P&Z Boards requested a workshop to discussion options for the Progress Point site. Planning and ED/CRA staff have planned a joint workshop of both boards. The workshop is scheduled for November 29, 2012 at 5:30 in the Welcome Center.	January 2013
Amtrak Station	Building construction out for bid. Groundbreaking scheduled for mid-January.	

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.



city commission agenda item

item type	Non-Action Item	meeting date	November 26, 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	N/A	<input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> N/A	final vote

Subject: Alfond Inn – New England Avenue traffic study

The Alfond Inn – New England Avenue traffic study is attached for your review. No action is required by the City Commission, at this time. The staff will be meeting in December with the stake-holders (Rollins College/Jim Campesi-Villa Sienna/Alexander Place owners) to review the study findings and recommendations. Then the matter will be scheduled for City Commission public hearing and decision in 2013.

Summary:

When the City approved the Alfond Inn, some of the neighbors on Alexander Place voiced concerns about traffic tie-ups on New England Avenue, especially before events, with cars waiting to make left turns into the main parking lot or the front door valet, which in turn would make access to Alexander Place very difficult. One proposal was for a left turn lane on New England Avenue for those left turns. However, then the thru lane would eliminate the on-street parallel parking spaces on the north side which the Villa Sienna condos do not want to lose. So the City Commission authorized a traffic study, just on this one issue.

The traffic study contains a detailed analysis of the existing traffic conditions and options for improvements for those peak traffic times during Hotel events. **The staff's summary is:**

1. **The City needs to wait for the Alfond Inn to open to determine the extent of the "problem" and to see if any "fix" is necessary and what degree of "fix" is required.** The vast majority of traffic will be directed to the Hotel events from the east and both traffic lights function today to create gaps for cars to access Alexander Place. **The presumed "gridlock" is likely to be for 10-15 minutes perhaps twice a week.**
2. **Assuming a "problem" does exist, the first remedy is to place bollards in the center line of the roadway with directional signage** (like the signage for the pedestrian crossing at the Post Office) that will physically preclude those left turns that would back up traffic, thereby keeping the existing gaps in traffic available for cars accessing Alexander Place.
3. **The Alfond Inn needs to make a minor modification to the Hotel entrance valet eliminating the "bump-out". In that way, before an event starts, the on-street parking spaces on the south side of New England can be used for valet stacking in addition to the other valet stacking areas within the their main parking lot.**
4. In the event these traffic control features are not sufficient then the City Commission can consider other alternatives outlined in the traffic study.

ALFOND INN

Winter Park, Florida

Transportation Analysis

Prepared for:

**City of Winter Park, Florida
Planning Department**

Prepared by:



**Planning Innovations, Inc.
Orlando, Florida**

November 15, 2012

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APPENDIX

(Available Electronically Upon Request)

Appendix A: Turning Movement Count Summary
Appendix B: HCS Analysis Reports-Existing
Appendix C: Historic Counts
Appendix D: HCS Analysis Reports-Projected

**ALFOND INN
Winter Park, Florida**

**TRANSPORTATION ANALYSIS
EXECUTIVE SUMMARY**

Planning Innovations, Inc. was retained by the City of Winter Park, Florida to review the traffic and parking issues regarding the proposed Alfond Inn on East New England Avenue. The following outlines the highlights of findings and the recommendation of the technical review.

Findings

- The proposed project, currently under construction, consists of 112 guest rooms, a 300 seat restaurant/bar, 8,900 sq. ft. of ballroom/meeting rooms and 127 on-site parking spaces. It should be noted that the Alfond Inn is being constructed on the site previously occupied by the Langford Hotel, which before demolished contained 213 guest rooms, a 122 seat restaurant/bar, 11,900 square feet (sq. ft.) of ballroom/meeting rooms and 174 on-site parking spaces.
- All the study roadway segments currently operate within their adopted Level of Service standards. The roadway segment LOS was calculated using the service volumes and LOS standards listed in the Winter Park Comprehensive Plan Transportation Element. However, the observed 85th percentile speeds exceed the posted 25 mph speed limit.
- Gap acceptance plays a crucial role in safe driving. Based on the results of the intersection gap interval study at Alexander Place and East New England Avenue, the length of the 50% average observed gaps during the A.M. and P.M. peak study periods exceeded the critical gap times for a two lane roadway. The shortest observed 50% average gap observed is in the 6-7 second range which meets the critical gaps for all the vehicle movements.
- The net new daily trips generated by the proposed development are 1,405 daily, 152 A.M. peak hour trips and 110 P.M. peak hour trips. This is a decrease of 327 daily net new (primary) trips; an increase in the A.M. peak hour of 31 net new trips; and a decrease in P.M. peak hour of 21 net new trips from the previous use.
- The analysis of the projected trips on the surrounding roadway system (segments and study intersection) show that all of the study roadway segments and the study intersection are projected to operate at acceptable levels of service at project build-out.
- If implemented correctly and consistently, it appears that the proposed parking management plan proposed by the project sponsor should adequately address the majority of the stated traffic congestion and access issues and concerns, after adjustment based on real experience of several peak events. Nevertheless,

potential impacts to the adjacent neighborhood were assessed in order to develop physical mobility alternatives, in the event that the parking management plan is unsuccessful in mitigating transportation impacts.

- In order to address the neighborhood concerns, a review of the site plan, the surrounding site conditions, field observations, data collection and meetings with City staff in the field were conducted into to develop the following alternatives.
 - Construct a westbound left turn lane on East New England Avenue
 - Construct a center turn lane on East New England Avenue
 - Construct a center median on East New England Avenue
 - Construct an eastbound right turn lane on East New England Avenue
 - Construct center low turtle divider with accommodations for temporary barricades/bollards, and modify north “Porte-cochere” entrance and parking.

Recommendation

A detailed description and analysis was conducted on each of the alternatives. Each of the alternatives presented have both positives and negatives. A value was assigned based on Measures of Effectiveness, which were based on project goals. The assigned value attempts to balance issues and opportunities for each alternative for each identified stakeholder.

The analysis indicates that both Alternative 1 (westbound left turn lane) and Alternative 5 (turtle divider/temporary barricades/modified entrance) have the highest ranking and best meet the goals of the study. Alternative 1, the westbound left turn lane, could be converted to a center turn lane in the future, if warranted. The major issue is the loss of parking required to implement this alternative, and the potential blocking of left turn out access to residents of Alexander Place and the adjacent condominiums. Alternative 5 is an alternative that allows the City, Alford Inn sponsors, and the residents monitor the events and resulting traffic characteristics, and establish guidelines as to if and when left turn barricades are warranted.

To avoid unnecessary expense, the recommended transportation mitigation measures should not be implemented until after the adverse effects of traffic congestion have been experienced and the Alford Inn has taken actions to mitigate such adverse impacts and those steps have not proven to be effective. However, the west pedestrian bulb out should be removed from the Alford Inn streetscape plan in order to preserve the potential to utilize the parking on the south side of East New England Avenue as a queue lane for peak event drop off.

The recommendations also suggested a potential remedy for the observed speeds. The implementation of a pedestrian speed table is an independent action, and should be considered by the City at a future date to reduce observed speeds on East New England Avenue if the issue persists.

**ALFOND INN
Winter Park, Florida**

TRANSPORTATION ANALYSIS

1.0 INTRODUCTION

Planning Innovations, Inc. (hereinafter referred to as the Consultant) was retained by the City of Winter Park, Florida to review the traffic and parking issues regarding the proposed Alfond Inn, to be located on East New England Avenue between Chase Avenue and South Interlachen Avenue, in downtown Winter Park, Florida. The proposed project, currently under construction, consists of 112 guest rooms, a 300 seat restaurant/bar, 8,900 sq. ft. of ballroom/meeting rooms and 127 on-site parking spaces. The Alfond Inn will have direct access on the aforementioned streets. It should be noted that the Alfond Inn is being constructed on the site previously occupied by the Langford Hotel, which before demolished contained 213 guest rooms, a 122 seat restaurant/bar, 11,900 square feet (sq. ft.) of ballroom/meeting rooms and 174 on-site parking spaces.

1.1 Background of Project

As per the direction from the Winter Park City Commission in December 2011, the Consultant undertook an analysis of the traffic conditions on New England Avenue projected for the opening of the Alfond Inn to determine if there will be occasions of traffic congestion that will impede traffic access from/to the Villa Sienna Condominiums and/or Alexander Place. Based on that analysis, the Consultant was tasked with developing recommendations for alternatives to mitigate those potential impacts. It should be noted that this effort was initially delayed due to difficulties in achieving valid traffic count data due to road closures, Rollins College schedules and special events.

1.2 Planning Context/Site History

In December 2011, the Winter Park City Commission approved the final plans presented by Rollins College for the Alfond Inn, to be developed at the site of the former Langford Hotel. The proposed Alfond Inn at 112 rooms, 5,200 square feet of restaurant/bar (300 seats) and 8,900 square feet of ballroom/meeting space is significantly smaller than the previously City Commission approved Regent/Starwood Hotel or JW Marriott Hotel projects. These proposed developments successfully advanced through the City land development approval process from 2001 through 2007, but were not implemented for various reasons. Those approvals were for a project that would have had 250 rooms, 4,295 square feet of restaurant/bar and 14,750 square feet of ballroom/meeting space.

One other important change to note is that the previously approved Starwood and Marriott hotel projects all contemplated using an on-site multi-level parking garage to meet the parking needs of the project. Thus, a parking garage of 400+ spaces would have had access only from East New England Avenue. All of the hotel's destination traffic would have utilized East New England Avenue. At the outset, the proposed Alfond Inn has parking spaces and access in a number of locations, which will be helpful in

spreading out the traffic distribution and potentially reducing traffic impact on any one roadway facility.

1.3 Neighborhood Overview/History

East New England Avenue provides direct access to downtown Winter Park from East Osceola Avenue (SR 426) via Chase Avenue. While functionally classified as a “Local” facility, this roadway functions more like a minor collector facility, and is evaluated as a collector level roadway in the City of Winter Park Comprehensive Plan. As such, the land use along and immediately adjacent to East New England Avenue includes such attractions/destinations as the Winter Park Library, First Congregational Church of Winter Park and Church Pre-School, and several multi-story office buildings. In addition, East New England Avenue provides access to several multi-family residential developments, as well as to single family unit driveways and local streets that provide access to single family units. These are briefly described below.

Villa Sienna Condominiums: Directly opposite the Alford Inn on East New England Avenue, slightly to the north of the subject project, are the Villa Sienna Condominiums, which contains 31 units. The condominium has underground parking accessed from Interlachen Avenue. However, that basement parking level only provides approximately one parking space per unit. The additional resident and visitor parking is provided within a surface parking lot behind the condominium which is accessed from the driveway onto East New England Avenue, just to the east of the Alford Inn hotel entrance.

Many condominium visitors also use the existing on-street parallel parking spaces on East New England Avenue. Based on Public Record and discussions with City Planning staff, the Villa Sienna Condominium residents appear concerned about traffic congestion at the proposed hotel entrance, and the potential for hotel and background traffic to block their turning movements in and out of the condominium driveway. They are also concerned also about any potential traffic congestion mitigation recommendation that would remove the on-street parking along that north side of East New England Avenue. While it is very likely those on-street spaces may be frequently occupied by hotel visitors, maintaining the potential use of those public parking spaces appears a priority concern for the condominium residents.

Alexander Place: Alexander Place, a cul-de-sac street, is generally located opposite the Alford Inn parking lot. There are ten single family homes on Alexander Place. Based upon Public Record and discussions with City Planning staff, the residents of those ten homes as well as the two homes to the east on East New England Avenue are concerned about the potential traffic congestion caused by traffic waiting to turn left into the Alford Inn parking lot. Documents provided by the Alford Inn developers indicate during special events, that parking lot will be the primary destination for patrons and the primary valet parking stand. Thus, there is concern that any backup of traffic dropping off at the valet stand will stack back into East New England Avenue making access difficult for residents turning in or out of Alexander Place.

1.4 Definition of Problem

This report is intended to present the traffic control options and recommended actions related to traffic flow on East New England Avenue, during the normal and peak operation and events at the Alford Inn. At the time of the approval of the Alford Inn in December 2011, traffic concerns were raised by the adjoining residents on East New England Avenue and Alexander Place. Those concerns related primarily to the peak events at the Alford Inn and the concern that traffic entering or exiting the Alford Inn parking lot or the hotel entrance would create congestion making it difficult to utilize the Villa Sienna condominium driveway or Alexander Place. Particularly, the concern was that traffic waiting to turn left into the hotel parking lot or into the hotel entrance would backup traffic thereby blocking the Villa Sienna driveway and/or Alexander Place.

1.5 Project Goals

Based on the above information and goals and objectives in the comprehensive plan, the following project goals were established for this transportation analysis. These goals will be utilized in the transportation analysis of the Alford Inn project.

1. The peak hour and daily level of service standards established in the City of Winter Park Comprehensive Plan should not be exceeded on East New England Avenue.
2. The adjacent neighborhood and condominiums should not be adversely impacted by the proposed access of the Alford Inn project.
3. The adjacent neighborhood and condominiums should not be adversely impacted by the potential traffic congestion experienced during special (peak) events at the Alford Inn project.
4. The Alford Inn is entitled to safe and adequate access for its customers and visitors during regular operations and special events.
5. Should transportation mitigation measures become necessary, those alternatives recommended to be implemented by the City of Winter Park must balance the needs of affected residents, adjacent business, Alford Inn and the traveling public.

1.6 Scope

The Consultant was requested to assist and advise the City in developing an approach and project goals for the analysis of the project. The Consultant also conducted current 24-hour and A.M. and P.M. peak hour traffic counts at three locations, as well as conduct A.M. and P.M. peak hour intersection turning movement counts at one location. As part of this data collection effort, a traffic stream "Gap Analysis" was conducted, results of which will be presented in this report.

In addition, the Consultant was requested to review the site plan, estimate the daily, a.m., p.m. trip generation utilizing the current edition of the Institute of Transportation

Engineers *Trip Generation Report*, and conduct an existing daily, a.m., and p.m. peak hour level of service analysis for the above locations where counts were taken, utilizing service volumes derived from the current edition of the Highway Capacity Manual.

Finally, the Consultant was tasked with working with the City's Planning and Public Works staff to develop mobility alternatives on the transportation network immediately adjacent to the Alford Inn project. These mobility alternatives, presented in this report, will attempt to address the perceived and potential impact of the project as well as attempt to address the concerns of the adjacent neighborhood. The Consultant developed and analyzed the alternatives utilizing the project goals developed in the previous task.

The following report outlines the findings of the technical review of the proposed Alford Inn. This introductory chapter is followed by an analysis of existing conditions in the vicinity of the project, including an analysis of the traffic counts and presentation of the Gap Analysis. This is followed by a presentation of the trip generation analysis, which includes a comparison of the new trip generation of the site as well as an analysis of the previous use. Based on this information future transportation conditions are estimated, and project trips are assigned to the adjacent street network to ascertain future level of service conditions.

The majority of the analysis is contained in the chapter following the future conditions analysis, that is, the analysis of the proposed parking management plan and potential neighborhood impact. The measures of effectiveness will be presented based upon the project goals, and the various mobility alternatives will be developed and analyzed. Based upon this analysis, findings and recommendations will be made to the City.

2.0 EXISTING CONDITIONS ANALYSIS

The following section presents the site location and site plan, the study area characteristics, existing traffic and transportation information, and existing levels of service on the adjacent roadway.

2.1 Site Location and Site Plan

The Alford Inn has proposed access planned to both East New England Avenue and East Lyman Avenue. Access on East New England Avenue will consist of three parking lot driveways and a hotel welcome/drop off entrance which is a pull through facility with two curb cuts. Access on East Lyman Avenue will consist of three parking lot driveways and a back hotel drop off entrance which is a pull through facility with two curb cuts. **Figure 1** shows the approved site plan.

2.2 Study Area

Based upon discussions with the City of Winter Park Planning staff, the area of influence was identified as the immediately adjacent roadway facilities, including East Lyman Avenue, East New England Avenue, South Interlachen Avenue and Alexander Place. **Figure 1** shows the roadways and intersections within the analyzed impact area. **Table 1** lists the roadway segments and intersections that were analyzed for this overview.

Existing roadway segment information has been gathered from field review and existing data sources. The existing intersection geometry was collected during field visits to the study intersections. The existing segment geometry/laneage for the study segments are listed in **Table 1**. This table also includes the study roadway parameters utilized in this analysis. Existing Intersection Geometry was collected from field observations at each intersection. **Table 1** reports the number of lanes by each movement. Additionally, the type of intersection control device employed ("Control") is listed.

2.3 Planned and Programmed Improvements

There are no major planned or programmed roadway improvements by the City of Winter Park, Orange County or the Florida Department of Transportation (FDOT) in the immediate study area.

2.4 Existing Traffic Volumes/Level of Service

Existing traffic volumes for the roadway segments were extracted from the FDOT and Winter Park data bases and were supplemented by machine roadway counts and manual intersection counts. The turning movement count summaries are included in **Appendix A**. **Figure 2** shows the existing A.M. and P.M. peak hour traffic volumes in the study area.

To adequately establish a base transportation condition, generalized roadway capacity must be determined for the area to be analyzed. The capacity of a roadway is defined as the maximum number of vehicles that have a reasonable expectation of passing through a given point on a roadway or intersection under prevailing roadway and traffic conditions. Level of Service is a qualitative measure that describes the operational conditions of a roadway, and indicates the quality of traffic flow that is measured by driver satisfaction.

Figure 1

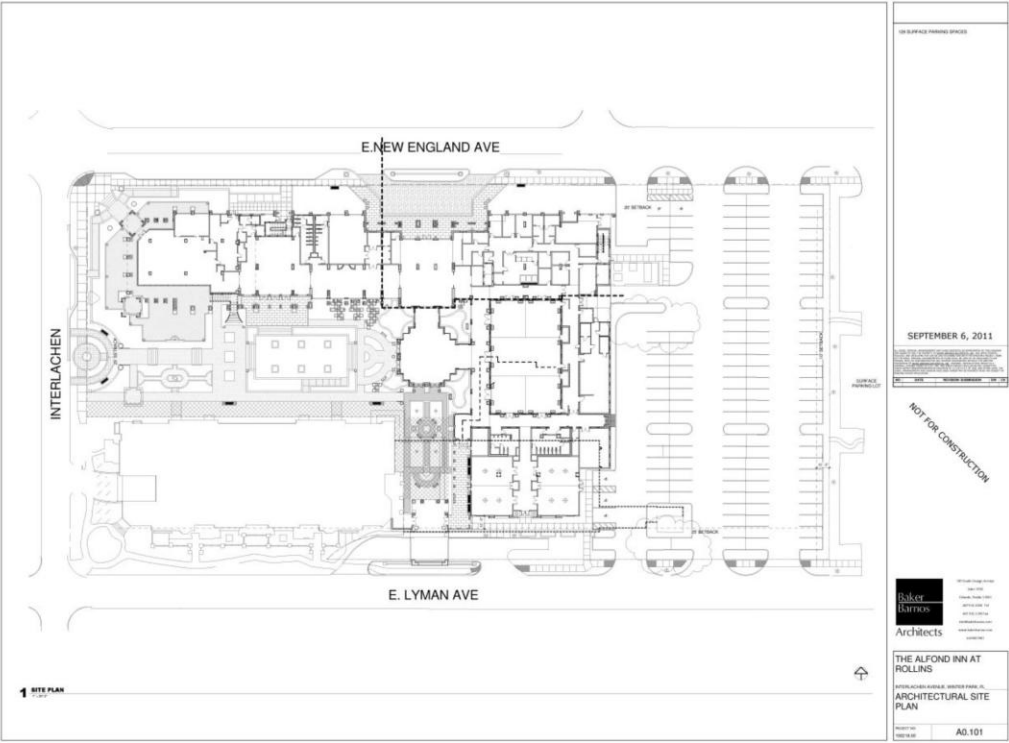


TABLE 1
Existing Study Roadways Parameters

Roadway Segments From	# Of Lanes	Posted Speed (mph)	Adopted		Service Volumes (1)				
			Roadway Class	LOS	P.M. Peak Hour				
Alexander Place North of New England Ave	2L	25	Local	D	0	180	300	320	320
Lyman Avenue Interlachen Ave to Fairbanks Ave	2L	25	Local	D	0	270	430	460	460
New England Avenue Interlachen Ave to Fairbanks Ave	2L	25	Collector	D	0	0	480	760	810

(1) Roadway service volumes from FDOT 2009 Q/LOS Handbook and City of Winter Park Comprehensive Plan

Study Intersection

Intersection	Time Period	Control
New England Ave & Alexander Pl	A.M./P.M.	STOP

Planning Innovations, Inc., 2012



Alfond Inn Transportation Overview *Winter Park, Florida*

EXISTING 2012 A.M./P.M. PEAK HOUR TRAFFIC VOLUMES

Figure 2

A number of factors influence the Level of Service, including speed and travel time, traffic interruptions, maneuverability, driver comfort, convenience and operating costs.

There are six (6) designations for Level of Service, which range from "A" to "F". Level of Service "A" describes free flow conditions, while Level of Service "F" describes forced flow. **Table 2** presents these definitions.

TABLE 2
LEVEL OF SERVICE DEFINITIONS

Level of Service "A" - This level describes free flow conditions. Speed is controlled by the driver's desires, speed limits, and physical roadway conditions, while traffic density is low. Any turning movements are made easily, and there are little or no restrictions in maneuverability.

Level of Service "B" - This is the level of stable flow. However, operating conditions are beginning to be restricted somewhat by traffic conditions. Drivers still have reasonable freedom; however, they may begin to feel somewhat restricted.

Level of Service "C" - Traffic flow is stable, but speeds and maneuverability are more closely controlled by higher volumes. Traffic conditions are tolerable for most drivers and operating speed are not unsatisfactory.

Level of Service "D" - This level of service approaches unstable flow. Although operating speeds may still be maintained, delays begin to occur frequently due to high volumes. Drivers have little freedom to maneuver, and comfort and convenience is low. Conditions can be tolerated for short periods of time.

Level of Service "E" - Flow is unstable, and there may be stoppages of momentary duration. This level of service describes a roadway that is near or at full capacity (maximum volume). Speeds are slow, and there is very little driver comfort or independence.

Level of Service "F" - This Level of Service describes forced flow operation at low speeds, where volumes are below capacity. This condition usually results from queues of vehicles backing up from a restriction downstream. Stoppages may occur for long periods of time because of downstream congestion.

Source: Highway Capacity Manual-Special Report 209, Transportation Research Board.

Table 3 is a summary of traffic parameters and existing level of service (LOS) for the study roadway segments immediately adjacent to the proposed site. The study roadway parameters listed in this table include the numbers of lanes, functional classification, adopted LOS standard and roadway service volumes for each roadway segment. The source for this information is also included in Footnote 1. This table also includes the current February 2012 daily, A.M. and P.M. peak hour traffic volumes as well as the existing peak hour peak direction LOS. A speed study was also conducted for East New England Avenue and the observed 85th percentile speeds are presented by direction. As **Table 3** shows, all the study roadway segments currently operate within their adopted Level of Service standards. The roadway segment LOS was calculated using the service volumes and LOS standards listed in the Winter Park Comprehensive Plan Transportation Element. However, the observed 85th percentile speeds exceed the posted 25 mph speed limit.

Table 3 also contains the unsignalized intersection analysis results. The study intersection was analyzed using the procedures of the *2010 Highway Capacity Manual* for unsignalized intersections. This intersection analysis used existing turning movement

TABLE 3
Existing Study Roadways Parameters and Existing Conditions Analysis

Roadway Segments From	# Of Lanes	Posted Speed (mph)	Adopted Roadway Class	Service Volumes (1)					Traffic Volumes (2)				Meets Adopted LOS	85th Percentile Speeds (mph)	
				P.M. Peak Hour					A.M. Peak Hour						
				LOS	A	B	C	D	E	ADT	NB Volumes	SB Volumes			LOS
Alexander Place															
North of New England Ave	2L	25	Local	D	0	180	300	320	320	166	NB 5	SB 9	B	Yes	
Lyman Avenue															
Interlachen Ave to Fairbanks Ave	2L	25	Local	D	0	270	430	460	460	1,650	EB 96	WB 104	B	Yes	
New England Avenue															
Interlachen Ave to Fairbanks Ave	2L	25	Collector	D	0	0	480	760	810	8,145	EB 166	WB 431	C	Yes	EB 29.1 WB 28.6

(1) Roadway service volumes from FDOT 2009 Q/LCS Handbook and City of Winter Park Comprehensive Plan

(2) Traffic volumes from Versatile February 2012 traffic counts.

Study Intersection Existing Level Of Service

Intersection	Time Period	Control	Delay (Sec/Veh)	LOS
New England Ave & Alexander Pl (3)	A.M.	STOP	8.4//12.1	A//B
New England Ave & Alexander Pl (3)	P.M.	STOP	7.8//10.4	A//B

3. EB Main Street Left-Through Lane Movements // SB Minor Street Movements
Planning Innovations, Inc., 2012

traffic volumes (see the excel file for the turning movement summaries of the existing A.M. and P.M. counts) and geometric conditions. As can be seen, the existing southbound traffic from Alexander Place experiences short delays. The HCS reports are included in **Appendix B**.

2.5 Intersection Gap Intervals Analysis

At a two-way, stop-controlled intersection, right-of-way is assigned by the placement of STOP signs that designate the minor streets and major streets. Under two-way stop control, all traffic movements on the major street take precedence over traffic on the minor street. This includes through movement vehicles as well as turning vehicles. At the intersection of East New England Avenue and Alexander Place, the STOP sign is placed on Alexander Place, thus making East New England Avenue the major street and Alexander Place the minor street.

Drivers on the minor street must find gaps of adequate size in the conflicting major street traffic streams to perform crossing and turning movements. A gap is defined as the time or distance between the back of one vehicle and the front of the trailing vehicle. This concept of gap acceptance is based on driver behavior and vehicle performance. More aggressive drivers tend to accept smaller gaps and more cautious drivers tend to favor larger gaps. While right-turning drivers are required to find gaps in the major street traffic stream approaching from the left, drivers performing a left turn must find gaps in both approach directions on the major street.

The amount of minor-street traffic that can be served by the minor-street approach depends on the size and the availability (frequency and distribution) of gaps on the major street. The distribution of gaps is governed by the level of volume on the major street and platooning effects due to up and down stream traffic signals. Other factors affecting acceptable gaps include time spent waiting for turning drivers, reaction time, age and visual capabilities. Because of the amount of variability introduced by these factors, traffic professionals have developed the concept of a *critical gap*. The critical gap is defined as the minimum amount of time required between successive vehicles on the major street for the entry of a minor street vehicle.

Studies conducted for the *Highway Capacity Manual* for unsignalized intersections have established base critical gaps and follow-up times for two-lane and four-lane major street scenarios. Follow-up times are defined as the time between the departure of one vehicle from the minor street and the departure of the next vehicle using the same major street critical gap under a condition of continuous queuing on the minor street. The critical gap and follow-up times for a two-lane street are as follows:

Vehicle Movement	2-Lane Major St (Sec)	Follow-up (Sec)
Left Turn from Major	4.1	2.2
Right turn from Minor	6.2	3.3
Through Traffic on Minor	6.5	4.0
Left turn from Minor	7.1	3.5

On Thursday, February 16, 2012 an intersection gap study was conducted at the intersection of East New England Avenue and Alexander Place. This study was conducted for two hours in the morning (7:00-9:00 A.M.) and two hours in the afternoon (4:00-6:00 P.M.) in order to monitor the traditionally heaviest travel time periods. This gap study is summarized in 15-minute time periods by direction on **Table 4A** for the A.M. period and **Table 4B** for the P.M. period. Each table lists the observed gaps by gap intervals and provides a 50% gap length average at which approximately 50% of the gaps are shorter than the listed gap interval and approximately 50% are longer. As can be seen from the summary tables, the 50% average observed gaps on the major street (New England Avenue) have three (3) 15-minute periods during the A.M. peak period and one (1) 15-minute period during the P.M. peak period that will experience short critical gaps of less than seven (7) seconds. This has an impact on the southbound left turns from Alexander Place (and presumably from the condominium driveway and may result in longer delays for queuing southbound traffic. However, it should be noted that the amount of turning vehicles counted during these time period included 17 in the A.M. period and 22 in the P.M. period.

Gap acceptance plays a crucial role in safe driving. Based on the results of the intersection gap interval study, the length of the 50% average observed gaps during the A.M. and P.M. peak study periods exceeded the critical gap times for a two lane roadway. The shortest observed 50% average gap observed is in the 6-7 second range which meets the critical gaps for all the vehicle movements.

TABLE 4A
Summary of A.M. Peak Hour Vehicle Movements - Intersection Gap Intervals
 Planning Innovations, Inc.

Project: N/S Road: E/W Road: Date: City: County:	Alford Inn										PI		Latitude: Longitude: Station #:				
	Alexander PI New England Ave										Observer: GE Weather: Clear						
	Thursday, February 16, 2012										Rd Condition: Dry						
	Winter Park										Signal: No						
Major St Movement: E/W																	
A.M. Peak Hour Eastbound Summary																	
A.M. Peak Hour Time Interval	2-3 (Sec)	4-5 (Sec)	6-7 (Sec)	8-9 (Sec)	10-11 (Sec)	12-13 (Sec)	14-15 (Sec)	16-17 (Sec)	18-19 (Sec)	20-21 (Sec)	22-23 (Sec)	24-25 (Sec)	26-27 (Sec)	28-29 (Sec)	>29 (Sec)	Interval Total	50% Gap Average (t) (Sec)
7:00	13	0	0	1	0	0	0	0	0	0	0	0	0	0	1	2	6-7
7:15	10	0	1	2	0	0	1	0	0	0	0	0	0	0	2	6	6-7
7:30	23	1	1	3	2	1	0	1	0	1	1	0	0	0	3	14	10-11
7:45	31	3	2	3	5	2	2	0	0	1	0	0	2	0	4	24	8-9
Hourly Sum	77	4	4	9	7	3	2	2	2	1	0	2	0	0	10	46	8-9
8:00	29	1	2	2	2	1	3	1	1	1	1	0	0	0	1	17	10-11
8:15	36	2	5	1	4	3	3	0	1	3	0	0	0	2	3	27	10-11
8:30	41	6	3	7	4	6	0	2	2	1	0	1	4	1	0	3	8-9
8:45	36	4	6	5	4	3	0	1	0	0	1	0	0	0	2	26	6-7
Hourly Sum	142	13	16	15	14	13	6	4	4	5	2	2	4	1	9	110	8-9
A.M. Peak Hour Westbound Summary																	
A.M. Peak Hour Time Interval	2-3 (Sec)	4-5 (Sec)	6-7 (Sec)	8-9 (Sec)	10-11 (Sec)	12-13 (Sec)	14-15 (Sec)	16-17 (Sec)	18-19 (Sec)	20-21 (Sec)	22-23 (Sec)	24-25 (Sec)	26-27 (Sec)	28-29 (Sec)	>29 (Sec)	Interval Total	50% Gap Average (t) (Sec)
7:00	31	1	2	2	1	0	1	1	1	1	1	1	0	0	3	16	10-11
7:15	55	1	2	2	3	1	0	1	2	1	2	1	1	0	4	21	14-15
7:30	62	1	3	2	2	1	2	3	1	2	1	2	1	0	5	25	14-15
7:45	95	3	4	5	4	4	5	1	1	2	0	1	1	0	5	36	10-11
Hourly Sum	243	6	11	11	11	7	6	5	7	5	4	5	3	0	17	98	12-13
8:00	69	4	5	4	6	4	3	2	1	1	0	1	1	1	1	35	8-9
8:15	85	0	7	5	2	6	1	3	2	3	0	3	0	1	4	38	10-11
8:30	94	2	3	5	6	3	1	1	2	1	1	0	5	1	6	37	10-11
8:45	124	10	11	6	7	5	0	1	0	0	1	1	0	2	0	46	6-7
Hourly Sum	372	16	26	20	21	18	5	7	5	5	3	4	6	5	13	156	10-11
A.M. Peak Hour Two-Way Total																	
A.M. Peak Hour Time Interval	2-3 (Sec)	4-5 (Sec)	6-7 (Sec)	8-9 (Sec)	10-11 (Sec)	12-13 (Sec)	14-15 (Sec)	16-17 (Sec)	18-19 (Sec)	20-21 (Sec)	22-23 (Sec)	24-25 (Sec)	26-27 (Sec)	28-29 (Sec)	>29 (Sec)	Interval Total	50% Gap Average (t) (Sec)
7:00	44	1	2	3	2	1	0	1	1	1	1	1	0	0	4	18	10-11
7:15	65	1	3	4	3	1	0	2	2	1	2	1	1	0	6	27	14-15
7:30	85	2	4	5	4	2	1	3	3	2	2	2	1	0	8	39	14-15
7:45	126	6	6	8	9	6	7	1	1	3	0	1	3	0	9	60	10-11
Hourly Sum	320	10	15	20	18	10	8	7	7	7	5	5	5	0	27	144	10-11
8:00	98	5	7	6	8	5	6	3	2	2	2	1	1	1	2	52	8-9
8:15	121	2	12	6	6	9	4	3	3	6	0	3	0	1	3	65	10-11
8:30	135	8	6	12	10	9	1	3	4	2	1	1	9	2	9	77	10-11
8:45	160	14	17	11	11	8	0	2	0	0	2	1	0	2	4	72	6-7
Hourly Sum	514	29	42	35	35	31	11	11	9	10	5	6	10	6	4	266	6-7
A.M. Peak Hour Two-Way Total																	
A.M. Peak Hour Time Interval	2-3 (Sec)	4-5 (Sec)	6-7 (Sec)	8-9 (Sec)	10-11 (Sec)	12-13 (Sec)	14-15 (Sec)	16-17 (Sec)	18-19 (Sec)	20-21 (Sec)	22-23 (Sec)	24-25 (Sec)	26-27 (Sec)	28-29 (Sec)	>29 (Sec)	Interval Total	50% Gap Average (t) (Sec)
7:00	514	29	42	35	35	31	11	11	9	10	5	6	10	6	4	22	6-7
7:15	514	29	42	35	35	31	11	11	9	10	5	6	10	6	4	22	6-7
7:30	514	29	42	35	35	31	11	11	9	10	5	6	10	6	4	22	6-7
7:45	514	29	42	35	35	31	11	11	9	10	5	6	10	6	4	22	6-7
Hourly Sum	514	29	42	35	35	31	11	11	9	10	5	6	10	6	4	22	6-7
8:00	514	29	42	35	35	31	11	11	9	10	5	6	10	6	4	22	6-7
8:15	514	29	42	35	35	31	11	11	9	10	5	6	10	6	4	22	6-7
8:30	514	29	42	35	35	31	11	11	9	10	5	6	10	6	4	22	6-7
8:45	514	29	42	35	35	31	11	11	9	10	5	6	10	6	4	22	6-7
Hourly Sum	514	29	42	35	35	31	11	11	9	10	5	6	10	6	4	22	6-7

TABLE 4B
Summary of P.M. Peak Hour Vehicle Movements - Intersection Gap Intervals
 Planning Innovations, Inc.

Project:		Alford Inn										PI							
N/S Road: Alexander Pl												Observers: GE							
E/W Road: New England Ave												Weather: Clear							
Date: Thursday, February 16, 2012												Rd Conditions: Dry							
City: Winter Park												Signal: No							
County: Orange												Major St Movement: E/W							
P.M. Peak Hour		Gap Interval														50% Gap Average (1)			
Time Interval		2-3 (Sec)	4-5 (Sec)	6-7 (Sec)	8-9 (Sec)	10-11 (Sec)	12-13 (Sec)	14-15 (Sec)	16-17 (Sec)	18-19 (Sec)	20-21 (Sec)	22-23 (Sec)	24-25 (Sec)	26-27 (Sec)	28-29 (Sec)	>29 (Sec)	Interval Total	50% Gap Average (1)	
P.M. Peak Hour Eastbound Summary																			
16:00	16:15	94	4	6	4	6	4	1	0	4	2	1	0	2	0	3	47	8-9	
16:15	16:30	83	3	4	6	3	1	3	4	2	3	3	2	0	0	5	42	14-15	
16:30	16:45	85	1	13	3	7	4	3	3	1	2	2	1	1	0	5	49	10-11	
16:45	17:00	91	4	5	10	3	3	6	1	2	2	0	1	1	0	6	44	8-9	
Hourly Sum		353	18	25	23	20	16	14	8	9	9	7	7	4	3	0	19	182	8-9
17:00	17:15	108	5	8	7	9	6	4	3	1	2	1	0	1	1	0	49	8-9	
17:15	17:30	80	0	8	6	2	7	1	3	2	3	0	3	1	1	3	41	10-11	
17:30	17:45	45	2	3	5	6	3	1	1	2	1	1	0	5	1	0	36	10-11	
17:45	18:00	108	11	13	7	8	6	0	1	0	0	1	2	0	2	0	53	6-7	
Hourly Sum		341	18	32	25	22	6	8	5	6	3	5	7	7	5	2	10	179	8-9
P.M. Peak Hour Eastbound Total																			
16:15	17:15	307	13	20	24	25	16	14	10	10	7	6	6	5	2	1	16	184	8-9
P.M. Peak Hour Westbound Summary																			
16:00	16:15	55	4	2	4	3	2	3	1	0	2	3	1	1	2	0	6	34	12-13
16:15	16:30	59	1	5	6	2	1	1	3	2	2	2	1	1	0	1	9	37	14-15
16:30	16:45	64	4	7	6	9	5	2	2	1	1	2	0	1	2	0	6	48	8-9
16:45	17:00	70	4	3	8	5	2	3	1	0	2	1	1	4	1	1	6	42	10-11
Hourly Sum		248	13	17	24	19	10	9	7	3	7	8	3	7	5	2	27	161	8-9
17:00	17:15	65	3	5	4	5	3	7	2	3	2	3	1	1	1	0	3	43	12-13
17:15	17:30	61	3	6	2	5	4	1	2	4	1	1	0	1	3	6	43	12-13	
17:30	17:45	85	6	3	7	4	6	0	2	2	1	0	1	4	1	0	4	41	10-11
17:45	18:00	86	6	8	7	6	4	1	2	0	1	2	0	1	1	0	4	43	8-9
Hourly Sum		297	18	22	20	20	17	12	7	7	8	6	3	6	4	3	17	170	10-11
P.M. Peak Hour Westbound Total																			
17:00	18:00	297	18	22	20	20	17	12	7	7	8	6	3	6	4	3	17	170	8-9
P.M. Peak Hour Two-Way Summary																			
16:00	16:15	149	14	6	10	7	8	7	2	0	6	5	2	1	4	0	9	81	10-11
16:15	16:30	142	4	8	10	8	4	2	6	6	4	5	4	3	0	1	14	79	14-15
16:30	16:45	149	5	20	9	16	9	5	5	4	2	4	2	2	3	0	11	97	8-9
16:45	17:00	161	8	8	18	8	5	9	2	2	4	1	2	5	1	1	12	86	8-9
Hourly Sum		601	31	42	47	39	26	23	15	12	16	15	10	11	8	2	46	343	8-9
17:00	17:15	173	8	13	11	14	9	11	5	4	4	4	1	2	2	1	3	92	8-9
17:15	17:30	141	3	14	8	7	11	5	4	4	7	1	4	1	2	4	9	84	10-11
17:30	17:45	130	8	6	12	10	9	1	3	4	2	1	1	9	2	0	9	77	10-11
17:45	18:00	194	17	21	14	14	10	1	3	4	1	3	2	1	3	0	6	96	6-7
Hourly Sum		638	36	54	45	45	39	18	15	12	14	9	8	13	9	5	27	349	8-9
P.M. Peak Hour Two-Way Total																			
17:00	18:00	638	36	54	45	45	39	18	15	12	14	9	8	13	9	5	27	349	8-9

(1) Gap length at which approximately 50% of the gaps are shorter and approximately 50% are longer

3.0 TRIP GENERATION ANALYSIS

The proposed project, currently under construction consists of 112 guest rooms, a 300 seat restaurant/bar, 8,900 sq. ft. of ballroom/meeting rooms and 127 on-site parking spaces. As previously noted, the Alford Inn is being constructed on the site previously occupied by the Langford Hotel, which contained 213 guest rooms, a 122 seat restaurant/bar, 11,900 sq. ft. of ballroom/meeting rooms and 174 on-site parking spaces.

3.1 Trip Generation Comparison

Table 5 is a comparison between the original land use (Langford Hotel) and the existing (Residential Condos, northeast quadrant of East Lyman Avenue and South Interlachen Avenue) and the proposed Alford Inn at Rollins. The original Langford Hotel consisted of 213 rooms, 11,900 square feet of meeting space and a 122 seat quality restaurant. The existing land use portion on the original site has 23 residential condominiums. The proposed land use will consist of a hotel with 112 rooms, 8,900 SF of meeting space and a high turnover (sit-down) restaurant with 300 seats. It should be noted that the parking plan report prepared for the applicant only assumed an 88 seat restaurant.

The traffic generation for the original, existing and proposed development was determined using trip generation research data from the *8th Edition ITE Trip Generation Report, 2008*. Table 5 summarizes the trip generation calculations between the original land use and the existing/proposed land use. Table 5 shows the site's daily, A.M. and P.M. peak hour trips by land use.

Two adjustments were applied to the two land use scenarios. Primary trips (New Net Trips) were determined by first subtracting internal trips and then subtracting pass-by trips. Each of these trip adjustments will be discussed below.

3.1.1 Internal Trips

Internal trips are defined as trips that occur between compatible portions of the development without impacting the adjacent roadway network (i.e., trips occurring between the hotel rooms, meeting space restaurant land use within each development scenario without impacting the external roadway network). No internal interaction is assumed between the residential condominiums. Utilizing the procedures contained in the *2nd Edition, ITE Trip Generation Handbook, June 2004* section on "Multi-Use Development" and the National Cooperative Highway Research Program (NCHRP) *Report 684 Enhancing Internal Trip Capture Estimation for Mixed-Use Developments*, an internal capture calculation was developed. Table 5 includes the internal trip adjustment calculations for each development scenario.

3.1.2 Pass-by Trips

The total driveway trips generated by the retail development will comprise "new (primary)" and "pass-by" trips. Pass-by trips are defined as those trips from the passing roadway stream that would already be on the road. Therefore, pass-by traffic does not create additional impact on the surrounding roadways. For this site, the pass-by traffic will be generated by the restaurant land use and be drawn from New England Avenue and

TABLE 5
Estimated Trip Generation (1) Comparison - Original Development (Langford Hotel)

Land Use	Size	ITE Code (2)	Trip Generation Rates						Total Trips					
			A.M. Peak Hour			P.M. Peak Hour			A.M. Peak Hour			P.M. Peak Hour		
			Daily		Enter	Exit		Daily	Enter		Exit	Enter		Exit
			Total	Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total	Enter	Exit
Langford Hotel Meeting Space Quality Restaurant	213 Occ Rms	310 / R	8,92	0.67	0.39	0.28	0.70	0.34	1,900	143	83	60	149	72
	11,900 SF	495 / R	22,88	1.62	0.99	0.63	1.45	0.54	272	19	12	7	17	6
	122 Seats	931 / R	2,86	0.03	0.02	0.01	0.26	0.17	349	3	2	1	32	21
	Total Trips								2,524	165	97	68	198	99
Land Use	Size	Internal Capture % (3)	Internal Capture Trips						External Trips (4)					
			A.M. Peak Hour			P.M. Peak Hour			A.M. Peak Hour			P.M. Peak Hour		
			Daily		Enter	Exit		Daily	Enter		Exit	Enter		Exit
			Total	Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total	Enter	Exit
Langford Hotel Meeting Space Quality Restaurant	213 Occ Rms	10%	14	8	6	15	7	8	1,710	129	75	54	134	65
	11,900 SF	65%	190	13	8	5	13	5	82	6	4	2	4	1
	122 Seats	40%	140	1	1	0	12	8	209	2	1	1	20	13
	Total Trips		520	28	17	11	40	20	2,001	137	80	57	158	79
Land Use	Size	Pass-by Capture % (5)	Pass-By Capture Trips						Net New (Primary) Trips (6)					
			A.M. Peak Hour			P.M. Peak Hour			A.M. Peak Hour			P.M. Peak Hour		
			Daily		Enter	Exit		Daily	Enter		Exit	Enter		Exit
			Total	Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total	Enter	Exit
Langford Hotel Meeting Space Quality Restaurant	213 Occ Rms	0%	0	0	0	0	0	0	1,710	129	75	54	134	65
	11,900 SF	0%	0	0	0	0	0	0	82	6	4	2	4	1
	122 Seats	43%	90	0	0	0	9	6	119	2	1	1	11	7
	Total Trips		90	0	0	0	9	6	1,911	137	80	57	149	73
Estimated Trip Generation (1) Comparison - Existing (Residential Condominiums) / Proposed Development (Alford Inn)														
Land Use	Size	ITE Code (2)	Trip Generation Rates						Total Trips					
			A.M. Peak Hour			P.M. Peak Hour			A.M. Peak Hour			P.M. Peak Hour		
			Daily		Enter	Exit		Daily	Enter		Exit	Enter		Exit
			Total	Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total	Enter	Exit
Alford Inn at Rollins Meeting Space High Turnover Restaurant Residential Condos	112 Occ Rms	310 / R	8,92	0.67	0.39	0.28	0.70	0.34	999	75	44	31	78	40
	8,900 SF	495 / R	22,88	1.62	0.99	0.63	1.45	0.54	204	15	9	6	13	5
	300 Seats	932 / R	4,83	0.47	0.24	0.23	0.41	0.23	1,449	141	72	69	123	69
	23 DU's	230 / E	7,79	0.69	0.12	0.58	0.78	0.52	179	16	3	13	18	12
	Total Trips								2,831	247	128	119	232	124
Land Use	Size	Internal Capture % (3)	Internal Capture Trips						External Trips (4)					
			A.M. Peak Hour			P.M. Peak Hour			A.M. Peak Hour			P.M. Peak Hour		
			Daily		Enter	Exit		Daily	Enter		Exit	Enter		Exit
			Total	Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total	Enter	Exit
Alford Inn at Rollins Meeting Space High Turnover Restaurant Residential Condos	112 Occ Rms	15%	150	12	7	5	12	6	849	63	37	26	66	32
	8,900 SF	65%	143	10	6	4	10	4	61	5	3	2	3	1
	300 Seats	40%	580	57	29	28	50	28	869	84	43	41	73	41
	23 DU's	0%	0	0	0	0	0	0	179	16	3	13	18	12
	Total Trips		873	79	42	37	72	38	1,958	168	86	82	160	86
Land Use	Size	Pass-by Capture % (5)	Pass-By Capture Trips						Net New (Primary) Trips (6)					
			A.M. Peak Hour			P.M. Peak Hour			A.M. Peak Hour			P.M. Peak Hour		
			Daily		Enter	Exit		Daily	Enter		Exit	Enter		Exit
			Total	Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total	Enter	Exit
Alford Inn at Rollins Meeting Space High Turnover Restaurant Residential Condos	112 Occ Rms	0%	0	0	0	0	0	0	849	63	37	26	66	32
	8,900 SF	0%	0	0	0	0	0	0	61	5	3	2	3	1
	300 Seats	43%	374	0	0	0	32	18	495	84	43	41	41	23
	23 DU's	0%	0	0	0	0	0	0	179	16	3	13	18	12
	Total Trips		374	0	0	0	32	18	1,584	168	86	82	128	68
Increase/(Decrease) in Total Trips														
Increase/(Decrease) in External Trips														
Increase/(Decrease) in Net New Trips														

(1) Trip Generation Rate from 800 Edition of ITE Trip Generation Report.
(2) ITE Land Use Code Number / R = Average Trip Rate, E = Fitted Curve Equation
(3) Internal Percentage estimated from ITE "Trip Generation Handbook", and Edition and NCHRP Report 684, "Forecasting Internal Trip-Capture Estimates for Mixed-Use Developments."
(4) Total Trip Volume minus Internal Capture Trips = External Trips.
(5) Pass-by Percentage from ITE "Trip Generation Handbook", and Edition.
(6) External Trips minus Pass-by Trips = Net New (Primary) Trips.
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Lyman Avenue. Based upon pass-by information contained in the *2nd Edition, ITE Trip Generation Handbook, June 2004* a quality restaurant and a high turnover (sit-down) restaurant will generate a pass-by trip percentage of 43%. Table 5 also shows the resulting new net (Primary) trip volumes.

The box on the bottom of Table 5 presents the difference in Total Trips, External Trips and Net New Trips between the original land use and the existing/proposed land use. As can be seen, the existing/proposed land uses will result in an increase of 310 daily total trips, a decrease of 43 daily external trips and a decrease of 327 daily net new (primary) trips. A.M. peak hour has an increase of 82 total trips, and 31 external and net new (primary) trips. P.M. peak hour trips have an increase of 34 total trips, 2 external trips and a decrease of 21 net new (primary) trips.

3.2 Alfond Inn Trip Generation

As stated above, the proposed land use will consist of a hotel with 112 rooms, 8,900 SF of meeting space and a high turnover (sit-down) restaurant with 300 seats. The traffic generation for the original, existing and proposed development was determined using trip generation research data from the *8th Edition ITE Trip Generation Report, 2008*. **Table 6** summarizes the trip generation calculations and shows the site's daily, A.M. and P.M. peak hour trips by land use.

As discussed above, two adjustments were applied to the proposed land use. Primary trips (New Net Trips) were determined by first subtracting internal trips and then subtracting pass-by trips. Each of these trip adjustments was discussed. Table 6 presents the results of these adjustments. The net new daily trips generated by the proposed development are 1,405 daily, 152 A.M. peak hour trips and 110 P.M. peak hour trips.

TABLE 6
Estimated Trip Generation - Proposed Development (1)

Land Use		Size	ITE Code (2)	Trip Generation Rates										Total Trips									
				A.M. Peak Hour					P.M. Peak Hour					A.M. Peak Hour			P.M. Peak Hour						
				Daily	Total		Enter	Exit	Total	Enter		Exit	Daily	Total	Enter	Exit	Total	Enter	Exit				
					Enter	Exit				Enter	Exit												
Alford Inn at Rollins Hotel		112 Occ Rms	310 / R	8,92	0.67	0.39	0.28	0.70	0.34	0.36	999	75	44	31	78	38	40						
Meeting Space		8,900 SF	495 / R	22,88	1.62	0.99	0.63	1.45	0.54	0.91	204	15	9	6	13	5	8						
High Turnover Restaurant		300 Seats	932 / R	4,83	0.47	0.24	0.23	0.41	0.23	0.18	1,449	141	72	69	123	69	54						
				2,652														231	125	106	214	112	102
Land Use		Size	Internal Capture % (3)	Internal Capture Trips										External Trips (4)									
				A.M. Peak Hour					P.M. Peak Hour					A.M. Peak Hour			P.M. Peak Hour						
				Daily	Total		Enter	Exit	Total	Enter		Exit	Daily	Total	Enter	Exit	Total	Enter	Exit				
					Enter	Exit				Enter	Exit												
Alford Inn at Rollins Hotel		112 Occ Rms	15%	150	12	7	5	12	6	6	849	63	37	26	66	32	34						
Meeting Space		8,900 SF	65%	143	10	6	4	10	4	6	61	5	3	2	3	1	2						
High Turnover Restaurant		300 Seats	40%	580	57	29	28	50	28	22	869	84	43	41	73	41	32						
Total Trips				873	79	42	37	72	38	34	1,779	152	83	69	142	74	68						
Land Use		Size	Pass-by Capture % (5)	Pass-By Capture Trips										Net New (Primary) Trips (6)									
				A.M. Peak Hour					P.M. Peak Hour					A.M. Peak Hour			P.M. Peak Hour						
				Daily	Total		Enter	Exit	Total	Enter		Exit	Daily	Total	Enter	Exit	Total	Enter	Exit				
					Enter	Exit				Enter	Exit												
Alford Inn at Rollins Hotel		112 Occ Rms	0%	0	0	0	0	0	0	0	849	63	37	26	66	32	34						
Meeting Space		8,900 SF	0%	0	0	0	0	0	0	0	61	5	3	2	3	1	2						
High Turnover Restaurant		300 Seats	0%	374	0	0	0	32	18	14	495	84	43	41	23	23	18						
Total Trips				374	0	0	0	32	18	14	1,405	152	83	69	110	56	54						

(1) Trip Generation Rate from 8th Edition of ITE Trip Generation Report.

(2) ITE Land Use Code Number / R = Average Trip Rate

(3) Internal Percentage estimated from ITE "Trip Generation Handbook", 2nd Edition and NCHRP Report 684, "Enhancing Internal Trip-Capture Estimates for Mixed-Use Developments."

(4) Total Trip Volumes minus Internal Capture Trips = External Trips.

(5) Pass-by Percentage from ITE Trip Generation Handbook, 2nd Edition.

(6) External Trips minus Pass-by Trips = Net New (Primary) Trips.

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4.0 FUTURE CONDITIONS ANALYSIS

This section of the report presents the future conditions analysis, which includes the estimate of background (non-project) traffic, project trip distribution and assignment and the future roadway and intersection analysis.

4.1 2013 Background Traffic Calculation

Projected 2013 traffic volumes for the study roadway network were based on a review of linear regression growth calculations, exponential growth calculations and decaying growth calculations of historical traffic volumes on SR 426 (Aloma/Fairbanks Avenue). The resulting growth factor for background traffic of 1.051 was developed by averaging the three different growth procedures. The rationale for the use of all three procedures is due to the fluxion in the historical traffic volumes. A copy of the historical traffic counts and linear regression worksheet is included in the excel file found in **Appendix C**.

4.2 Trip Distribution

Project trip distribution was estimated using the existing turning movement count percentages. Both an A.M. and P.M. peak hour project trip distribution was calculated. **Table 7** shows the percent project trip distribution on each the study roadway segments. Using this above trip distribution, a trip assignment was calculated. **Table 7** also shows the project trip assignment for both the A.M. and P.M. peak hours.

4.3 2013 Study Roadway and Intersection Conditions

Using the above trip distribution, a trip assignment was calculated. The percent trip distribution for each segment was multiplied by the peak hour trip generation, assigning inbound and outbound trips to the appropriate direction. At the project site driveways, pass-by trips were deducted from the background through movements and added to the driveway entrance and exit.

Using the projected background peak hour trips as a base, project trips were added to produce total A.M./P.M. peak hour movements by direction. As with the existing roadway conditions, the future traffic volumes on the segments was analyzed using the service volumes provided in the Winter Park Comprehensive Plan database. As can be seen from **Table 7**, the projected level of service is similar to the existing level of service.

Using the unsignalized intersection analysis procedures in the Highway Capacity Software (HCS), the study intersection was analyzed with the total traffic (Projected Background plus Alford Inn traffic). **Table 7** also lists the results of the HCS analyses. Intersection analysis HCS worksheets are contained in **Appendix D**. As can be seen, the study intersection is projected to operate at acceptable levels of service.

The analysis of the projected trips on the surrounding roadway system (segments and study intersection) show that all of the study roadway segments and the study intersection are projected to operate at acceptable levels of service at build-out in 2013.

TABLE 7
2013 Study Roadways Conditions

Roadway Segments		# Of Lanes	Roadway Class	Adopted Capacity		2013 A.M. Peak Hour Traffic Conditions				% Project Trips	Meets Adopted LOS															
#	From			LOS	(1)	Background Traffic (2)	Project Trip Distribution (3)	Project Traffic	Total																	
Alexander Place		2L	Local	D	320	NB	SB	NB	SB	B	0.3%	Yes														
North of New England Ave						5	9	1	1				6	10												
Lyman Avenue						EB	WB	EB	WB				EB	WB	EB	WB										
Interlachen Ave to Ent A						101	109	11	9				112	118	112	118										
Ent A to Ent B		2L	Local	D	460	101	109	8	8	109	B	2.0%	Yes													
Ent B to Ent C		2L	Local	D	460	101	109	12.4%	9	9	110	B	1.7%	Yes												
Ent C to Fairbanks Ave		2L	Local	D	460	101	109	11.9%	8	10	109	B	2.0%	Yes												
New England Avenue		2L	Collector	D	760	EB	WB	EB	WB	EB	WB	EB	WB	D	3.9%	Yes										
Interlachen Ave to Porte Cochere						174	453	37	30								211	483	37	30	211	483				
Porte Cochere to Ent A						174	453	32	32								32	206	32	32	206	485	D	4.2%	Yes	
Ent A to Ent B						174	453	31	31								31	205	31	31	205	484	D	4.1%	Yes	
Ent B to Ent C		2L	Collector	D	760	174	453	36.8%	28	28	202	D	3.7%	Yes	Yes											
Ent C to Fairbanks Ave		2L	Collector	D	760	174	453	29.4%	20	24	194	C	3.2%	Yes	Yes											
Roadway Segments		# Of Lanes	Roadway Class	Adopted Capacity		2013 P.M. Peak Hour Traffic Conditions				% Project Trips	Meets Adopted LOS															
#	From			LOS	(1)	Background Traffic (2)	Project Trip Distribution (3)	Project Traffic	Total																	
Alexander Place		2L	Local	D	320	NB	SB	NB	SB	B	0.3%	Yes														
North of New England Ave						6	8	1	1				7	9												
Lyman Avenue						EB	WB	EB	WB				EB	WB	EB	WB										
Interlachen Ave to Ent A						57	80	4	4				61	84	4	4	61	84								
Ent A to Ent B		2L	Local	D	460	57	80	4.9%	3	3	60	B	0.9%	Yes	Yes											
Ent B to Ent C		2L	Local	D	460	57	80	8.0%	4	4	61	B	0.7%	Yes	Yes											
Ent C to Fairbanks Ave		2L	Local	D	460	57	80	9.1%	5	5	62	B	0.9%	Yes	Yes											
New England Avenue		2L	Collector	D	760	EB	WB	EB	WB	EB	WB	EB	WB	C	2.6%	Yes										
Interlachen Ave to Porte Cochere						398	307	35.4%	20								19	418	326	20	19	418	326			
Porte Cochere to Ent A						398	307	33.4%	18								18	416	325	18	18	416	325	C	2.4%	Yes
Ent A to Ent B						398	307	31.4%	17								17	415	324	17	17	415	324	C	2.2%	Yes
Ent B to Ent C		2L	Collector	D	760	398	307	40.5%	22	22	420	C	2.9%	Yes	Yes											
Ent C to Fairbanks Ave		2L	Collector	D	760	398	307	45.6%	25	26	423	C	3.3%	Yes	Yes											

(1) Roadway service volumes from FDOT 2009 Q1 LOS Handbook and City of Winter Park Comprehensive Plan

(2) Based on historical growth factor of 1.01.

(3) Based on existing traffic distribution

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Study Intersection Projected 2013 Level Of Service

Intersection	Time Period		Control	Delay (Sec/Veh)	LOS
New England Ave & Alexander Pl (3)	A.M.	STOP	8.5//12.9	A//B	
New England Ave & Alexander Pl (3)	P.M.	STOP	7.9//10.7	A//B	

3- EB Main Street Left-Through Lane Movements // SB Minor Street Movements
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5.0 ALFOND INN PARKING MANAGEMENT PLAN

The Alfond Inn will provide parking for guests and visitors in a variety of locations. The primary on-site parking lot provides 129 spaces. It is accessible from both East New England and East Lyman Avenues. This is augmented by 85 parking spaces available within the expanded “All Saints Episcopal Church” parking lot accessed on Lyman Avenue. Other off-site parking will be available within the Lawrence Center parking lot (112 parking spaces) and the spaces within the SunTrust parking garage. Of the 860 spaces in the SunTrust garage there are expected to be 400-500 spaces available for Alfond Inn nighttime and weekend events.

Providing parking in several locations for the Alfond Inn hotel operations and for special events will benefit and lessen the traffic congestion expected on East New England Avenue. The Alfond Inn’s address is East New England Avenue. As such, first time users and customers using ‘driving directions’ will be directed to that front door on East New England Avenue. However, local area residents and those who become familiar with the Alfond Inn will soon learn that alternative parking locations are available. The Alfond Inn will also be providing driving directions on their website and for events. These directions will direct traffic heading for East New England Avenue to approach the Alfond Inn from the west. While in no way diminishing the concerns expressed by the adjacent residents, these factors that help to aid in mobility recommendations that can be effective.

5.1 Parking Management Plan

The Alfond Inn approval by the City Commission was based upon the approval of a formal “Parking Management Plan” (PMP). This 62 page document dictates the analysis and the management tools that will be used for the self-parking and valet parking for the Alfond Inn. It outlines the operations, staffing and methods of accommodating the parking and thus traffic impacts of the Alfond Inn. It is a “fluid” document meaning that the Alfond Inn may ask the City to revise the PMP based upon their experience when the project opens. But just as importantly the City may also, solely on the City’s initiative, require changes to the PMP to remedy parking and traffic problems.

As detailed in the PMP, prepared by ConsulPark for the Alfond Inn, the PMP provides great detail on the methods of providing guest and visitor parking by analyzing the three typical scenarios as follows:

1. Scenario 1 – Base Case operations: A completely full hotel with typical restaurant and bar activity and no events in the banquet/meeting facilities. This is a typical demand scenario where demand comes only from occupied hotel rooms. This demand or less is anticipated 90% of the time.
2. Scenario 2 – Social Events: A completely full hotel with typical restaurant and bar activity and a large wedding type event in the banquet/meeting facilities. This level of demand can be expected frequently on weekends approximately 8% of the time.

It is estimated that the hotel will host approximately 30 (+/-) “social events” per year such as wedding receptions, large parties, etc. These events will typically be held on a Saturday evening and the specific dates and times will be known well in advance.

3. Scenario 3 – Winter Park Events: A completely full hotel with typical restaurant and bar activity and a large Winter Park Institute style event in the banquet/meeting facilities. This is the absolute highest forecasted demand and is estimated to occur approximately 7 times per year or less than 2% of the time. These events are noteworthy due to high attendance by non-hotel guests and dense arrival pace.

The PMP identifies the two valet pickup/drop-off areas which are the main entrance on East New England Avenue and the auxiliary valet area contained within the on-site parking lot. The PMP indicates that both areas have been designed to efficiently accommodate valet parking and eliminate the potential for backup on nearby streets.

The PMP includes a schedule and number of valet parking employees (1 -25) for each scenario. The exact requirement for the number of valet parking staff depends on the size and the nature of events. The PMP also outlines the communication to the guests and prospective visitors of the hotel that will include driving directions to the hotel intended to eliminate westward approaches from East New England Avenue. Using the hotel’s communication plan including web pages and collateral material, visitors will be directed to arrive to the hotel in two ways based on their starting point:

- From the east, visitors will be directed to proceed down Aloma/Fairbanks Avenue, make a right on Interlachen, another right on East New England Avenue to the hotel’s main entrance. This limits congestion on East New England Avenue by eliminating a left turn entrance to the porte-cochere (see below graphic).

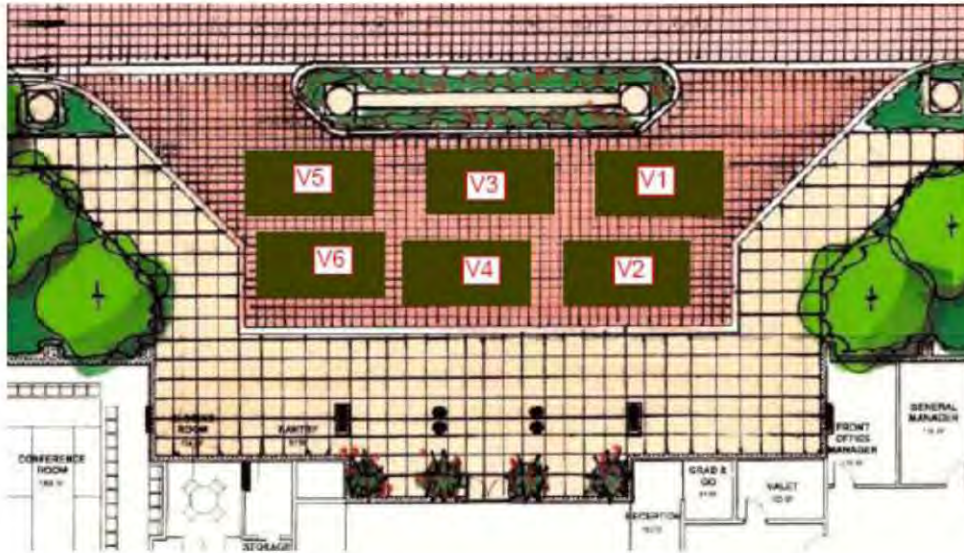


- From the west, visitors will be directed to proceed down Fairbanks Avenue, make a left on Park Avenue and a right on East New England Avenue to the hotel's main entrance. This benefits the hotel and the City by giving visitors an opportunity to see the shopping and dining opportunities on Park Avenue en route to the hotel and contributes to the overall sense of arrival (see below graphic).



5.2 Valet Pickup/Drop-off

The Alford Inn has two areas for potential guest arrivals. While the main entrance on East New England Avenue will be the primary arrival zone, the on-site lot provides an alternative location for valet parking for special events and peak arrival times. The main ramp on East New England Avenue can accommodate up to six cars for passenger loading/unloading and valet pickup/retrieval (see below graphic) and on the on-site lot has staging capacity that will benefit cars arriving from either entry point.



The on-site hotel parking lot contains 129 striped spaces and can function as a valet pick-up/drop off area, and a valet staging and storage area. The parking lot will be used as staging area during peak arrival periods. Valet runners have the potential to temporarily “stack” cars in aisles of this lot to quickly work through a heavy “load in” and minimize the attendants’ travel times when parking cars. Then, when the event is loaded, the valet attendants can shuttle cars to their final storage areas or maintain the cars on-site depending on anticipated traffic (see below graphic). Ultimately up to 175 cars can be accommodated via stacking in this lot.

5.3 Preliminary Conclusions

If implemented correctly and consistently, it appears that the proposed parking management plan should adequately address the majority of the stated traffic congestion and access issues and concerns, after adjustment based on real experience of several peak events. Nevertheless, potential impacts to the adjacent neighborhood should be assessed in order to develop physical mobility alternatives, in the event that the parking management plan is unsuccessful in mitigating transportation impacts.



6.0 NEIGHBORHOOD IMPACT/ALTERNATIVES ANALYSIS

One of the more important components of the review is assessing the impact of traffic on the surrounding neighborhoods. Elected and appointed officials have expressed a strong desire to protect the surrounding neighborhoods, while effectively managing traffic. The primary purpose of the neighborhood traffic overview is to ascertain as to whether the proposed project's traffic will directly impact the adjacent neighborhood's ability to utilize the adjacent thoroughfares, and prevent local traffic from utilizing local streets.

6.1 Street System

A roadway system can be classified in two ways, functionally and administratively. The functional classification defines the facility's physical and operational characteristics. The administrative classification refers to actual governmental jurisdiction and responsibility. For the purpose of this report, the functional classification is utilized for discussion and analysis.

Roadways have two main, but contradictory functions. One function is to provide access to adjacent land use, while the other function is to provide mobility for through movement. Roadways that are more oriented toward land access have lower speeds and lenient access controls. Thus, they are less suitable for mobility of through movement. Inversely, a facility designed for mobility has higher speeds and restrictive access controls, which makes it less desirable for land access. Such a facility has more capacity than a facility used for land access. East Lyman Avenue, East New England Avenue and South Interlachen Avenue are utilized for both land access and mobility, with East New England Avenue carrying a higher amount of traffic.

In general, the roads in the vicinity of the proposed project form a gridiron street system. Unfortunately, the majority of that grid is located to the west of the Alford Inn project, affecting its ability to distribute traffic. A grid system is highly efficient for moving traffic, while allowing traffic to diffuse in all directions on every street. Within the grid of the network, there is a hierarchy of arterials, collectors and local streets. A potential problem arises with the grid system when the arterials and, to some degree, the collectors must service a high volume of traffic. As these roads become overloaded, the residential streets within the grid can become quicker travel paths or attractive shortcuts.

While this is not totally the case for the study area, a review of the existing traffic volumes indicates a reliance on East New England Avenue to access downtown Winter Park and the rest of the city's grid system, and an underutilization of East Lyman Avenue, which services downtown and the same grid network. In turn, if the grid system has limited connections due to geography or development, such as it is west of Interlachen Avenue, then traffic congestion can occur, and access to driveways and side streets can become periodically problematic.

Another potential problem, which is currently experienced in the study area, is the type of development along streets that were originally designed as "local" streets. As an example, East New England Avenue was originally a local roadway facility that, due to

its connection with East Osceola Avenue (SR 426) via Chase Avenue, has the characteristics of a collector level road. Thus, the traffic volumes and traffic speeds are higher than on most local roads. There are several roadways within the City that have the same issues. However, this is compounded by past land use decisions including but not limited to the previous Langford Hotel, the current Winter Park Public Library, other office buildings and associated parking lots, the Villa Sienna Condominiums, other multi-unit residential projects and the proposed Alford Inn, which contribute to changing the nature of roadway facilities from local to more sub-regional. In order to offset the perceived impacts of these and other developments, transportation alternatives must be developed which protect the access to the network from adjacent residential uses, allow functional access to surrounding businesses and permit through traffic to access downtown destinations.

6.2 Quality Evaluation of Roadways

There are two ways to evaluate the quality of traffic flow, psychologically or physically. Psychological evaluation relates to the ingrained ideas and expectations of how a street should operate. Physical evaluation relates to how much traffic can be serviced given the geometric features of the street, the presence of traffic control devices and the flow characteristics of the vehicles. The psychological view of the street varies depending on whether one is driving or is a resident. For drivers, the sole purpose of any street is for the operation of a vehicle, with little concern for the impacts on noise, air quality, property values, social interaction or livability. However, residents along the same street take a differing view. The streets are viewed as a potential amenity that should be quiet, pleasant and safe.

Since these views are different, two standards are often used to evaluate the potential traffic flow in an area. The major streets are often evaluated according to standard traffic engineering and planning evaluation criteria which includes Highway Capacity Manual service volumes and corresponding Levels of Service (presented in Section 4.0). However, minor collector and local roadways are often evaluated according to the impact on "liveability". Based upon a review of current transportation planning literature, these general standards are as follows:

<u>Traffic Classification</u>	<u>Daily Traffic in Vehicles</u>
Light Streets	0 - 2,000
Medium Streets	2,000 - 10,000
Heavy Streets	10,000 - 20,000
Very Heavy Streets	Over 20,000

The above criteria are often applied to ascertain appropriate traffic management techniques.

A review of historic traffic counts indicates that the local streets within the vicinity of the proposed site can be classified as light and medium streets. East New England Avenue can be considered a medium street, as it is currently carrying approximately 8,125 vehicles per day. East Lyman Avenue can be considered a light street, as it is currently carrying approximately 1,650 vehicles per day. Alexander Place is also considered a light street, as it carries approximately 166 vehicles per day.

Based on a field review of the immediate area's transportation network, the area adjacent to the proposed Alford Inn contains an interesting mix of roadway types. For example, immediately adjacent to the proposed project's site, East Lyman Avenue is a two lane cross section as East New England Avenue, but significantly underutilized. One of the major differences is that the through movement for East New England Avenue is accommodated by the free flow right turn off of East Osceola Avenue onto Chase Avenue. This assists traffic in bypassing the signal at Chase Avenue and East Osceola Avenue. Another difference is that past the Winter Park Public Library, East New England Avenue expands to a wider cross section with parking on both sides of the road, which has a tendency to increase both the speed and volume of traffic in the facility.

The proposed Alford Inn will not impact the above streets, as the volumes generated coupled with the trip distribution will not raise the traffic livability levels any higher than currently experienced. Thus, it is anticipated that there will be no impact to the livability of the local streets. However, there is a perceived livability issue, primarily potential loss of quality access, which should be investigated, as well as a potential speed issue.

6.3 General Neighborhood Management Techniques

There are three classes of traffic control devices for neighborhoods: physical, passive and psychological. Physical devices make drivers perform desired actions. Passive devices instruct drivers to perform actions. However, the driver is not forced to perform the action, other than the fear of becoming involved in an accident or issued a citation. Psychological devices try to induce the driver to perform a desired action.

Physical devices force an action that results in increased safety, better operational conditions, decreased volumes, and/or decreased speeds. In neighborhoods these might include chokers, channelization, cul-de-sacs, median barriers, speed humps, semi-diverters, diagonal diverters, and traffic circles. These controls are self-enforcing and create the impression that through traffic is not wanted on the streets where they are placed, or a certain traffic movement is not wanted. These measures may also cause some inconvenience to residents and emergency vehicles.

Passive devices are regulatory signs. A driver is not permitted to do something but is not physically stopped from the action. These signs include stop, no left turn, no right turn, one-way, dead end, no trucks, do not enter and other signage. These controls generally do not inconvenience residents to a great degree or inhibit emergency vehicles. Passive devices can have a notable effect on the volume of through traffic. Passive devices work best where there is respect for traffic control devices, enforcement and acceptance of the device.

Psychological devices try to affect the driver's attitude. The goal is to induce the driver to take a desired action. These devices might include painted crosswalks, painted speed strips, odd speed limit signs, speed actuated flashing signs and special signs.

6.4 Application of Select Techniques

It appears that physical barriers may be the best option to address the potential for traffic impact to the neighborhood from the Alford Inn. There are three basic ways of applying physical barrier treatments. These included peripheral treatments, internal systems and a combination of both. A peripheral treatment stops through traffic from entering neighborhoods at intersections on the arterial and collector streets. This treatment is appropriate when through traffic uses a single axis of the grid system of streets. The entries are blocked in the problem direction and the local residents can have full access. In this case, the area has two points of access from the east, both East Lyman Avenue which is underutilized and East New England Avenue, as well as indirectly from Interlachen.

Given the biaxial through traffic conditions in the surrounding neighborhood, the office and commercial land uses on the borders of the neighborhood and the presence of the library, large churches and residential complexes within the neighborhood which need good access, an internal control system appears warranted. Diverters, median barriers, channelization, speed tables/humps, turn restrictions and chokers are the main devices used for internal control systems and were considered in the development of alternatives.

6.5 Alternatives

In order to address the neighborhood concerns, a review of the site plan, the surrounding site conditions, field observations, data collection and meetings with City staff in the field were conducted into to develop the following alternatives.

6.5.1 Construct Westbound Left Turn Lane on East New England Avenue

This alternative consists of constructing a westbound (toward Interlachen Avenue) left turn lane on East New England Avenue, primarily to allow Alford Inn customers to access the three parking lot curb cuts and the "porte-cochere" via a left turn movement without blocking westbound through traffic and creating congestion that limits turning movements onto East New England Avenue from Alexander Place and the condominium parking access.

The advantage to this alternative is that the westbound turn lane would provide stacking and a safe haven for drivers turning left into the Alford Inn property. In addition, westbound through traffic would not be impeded by left turning Alford Inn customers waiting for gaps in eastbound traffic. Finally, residents turning right from Alexander Place to New England westbound would have the same advantage. However, residents from the condominium and Alexander Place turning left eastbound may still be potentially blocked by stacking in the westbound left turn lane.

The major disadvantage of this alternative is that the westbound left turn lane would be accomplished by either eliminating the parking area on the north side of East New

England Avenue or eliminating the parking area on the south side of East New England Avenue. Thus, either the parking adjacent to the Alford Inn, west of the proposed “porte-cochere” would be eliminated, or the parking immediately adjacent to the Villa Sienna Condominiums would be eliminated in order to accommodate the new lane. Another disadvantage would be that the additional pavement tends to open up the East New England Avenue cross section, possibly encouraging higher speeds when the westbound left turn lane is not being utilized.

6.5.2 Construct Center Turn Lane on East New England Avenue

This alternative consists of constructing a center turn lane on East New England Avenue, primarily to allow Alford Inn customers to access the three parking lot curb cuts and the “porte-cochere” via a left turn movement without blocking westbound through traffic and creating congestion that limits turning movements onto East New England Avenue from Alexander Place and the condominiums. It would also allow a safe refuge for eastbound left turning vehicles from East New England Avenue to Alexander Place, and possibly for eastbound left turning vehicles from Alexander Place and the condominiums to East New England Avenue, waiting for a gap in the eastbound through lane on East New England Avenue.

The advantage to this alternative is that the turn lane would provide stacking and a safe haven for drivers turning left into the Alford Inn property. In addition, westbound through traffic would not be impeded by left turning Alford Inn customers waiting for gaps in eastbound traffic. Finally, residents turning right from Alexander Place and the condominiums to East New England Avenue westbound would have the same advantage. However, residents turning left eastbound may still be potentially blocked by stacking in the westbound left turn lane. However, as noted above, if the lane was empty, it would provide a location for eastbound left turning vehicles from Alexander Place and the condominiums to East New England Avenue to wait for a gap in eastbound through traffic.

Again, the major disadvantage of this alternative is that the center turn lane would be accomplished by either eliminating the parking area on the north side of East New England Avenue or eliminating the parking area on the south side of East New England Avenue. Thus, either the parking adjacent to the Alford Inn, west of the proposed “porte-cochere” would be eliminated, or the parking immediately adjacent to the Villa Sienna Condominiums would be eliminated in order to accommodate the new lane. Another disadvantage would be that the additional pavement tends to open up the East New England Avenue cross section, possibly encouraging higher speeds when the westbound left turn lane is not being utilized. Finally, there are safety concerns with an open turn lane with the ability to turn either direction.

6.5.3 Construct Center Median on East New England Avenue

This alternative consist of constructing a center median on East New England Avenue, primarily to block Alford Inn customers from accessing the three parking lot curb cuts and the “porte-cochere” via a left turn movement in order to keep these vehicles from blocking westbound through traffic and creating congestion that limits turning

movements onto East New England Avenue from Alexander Place. Depending upon the limits of construction, this center median may possibly block eastbound left turning vehicles from Alexander Place and the condominiums to East New England Avenue.

The advantage to this alternative is that the westbound turn lane would be prohibited into the Alford Inn property. Thus, traffic would be routed via East Lyman Avenue to Interlachen Avenue to eastbound East New England Avenue. Thus, westbound through traffic would not be impeded by left turning Alford Inn customers. Residents turning right from Alexander Place and the condominiums to East New England Avenue westbound would have the same advantage. Another advantage would be that the reduction in pavement tends to close the East New England Avenue cross section, possibly discouraging higher speeds.

The major disadvantage of this alternative is that the center median would be accomplished by either eliminating the parking area on the north side of East New England Avenue or eliminating the parking area on the south side of East New England Avenue. Thus, either the parking adjacent to the Alford Inn, west of the proposed “port cochere” would be eliminated, or the parking immediately adjacent to the Villa Sienna Condominiums would be eliminated in order to accommodate the new lane. In addition, as mentioned, eastbound left turns from Alexander Place and the condominiums may be restricted by the center median.

6.5.4 Construct Eastbound Right Turn Lane on East New England Avenue

This alternative consists of constructing an eastbound (toward Chase Avenue) right turn lane on East New England Avenue, primarily to allow Alford Inn customers to access the three parking lot curb cuts and the “porte-cochere” via a right turn movement without blocking eastbound through traffic and creating congestion and narrowing gaps that limits westbound left turning movements from East New England Avenue to the three parking lot curb cuts and the “porte-cochere.”

The advantage to this alternative is that the eastbound turn lane would provide stacking and a safe haven for drivers turning right into the Alford Inn property. In addition, eastbound through traffic would not be impeded by right turning Alford Inn customers slowing and turning. Residents turning right or left from Alexander Place and the condominiums to East New England Avenue would have marginal benefit, if any.

The major disadvantage of this alternative is that the eastbound left turn lane would be accomplished by either eliminating the parking area on the north side of East New England Avenue or eliminating the parking area on the south side of East New England Avenue. Thus, either the parking adjacent to the Alford Inn, west of the proposed “porte-cochere” would be eliminated, or the parking immediately adjacent to the Villa Sienna Condominiums would be eliminated in order to accommodate the new lane. Another disadvantage would be that the additional pavement tends to open up the East New England Avenue cross section, possibly encouraging higher speeds. Finally, westbound left turning vehicles into the Alford Inn would still potentially delay through

traffic and block Alexander Place and the condominiums entering and exiting traffic during peak events.

6.5.5 Construct Center Low Turtle Lane with Accommodations for Temporary Barricades/Bollards, Modify North “Porte-cochere” Entrance and Parking

This alternative was developed as a combination of the best features of the previous four alternatives, with some optional measures to attempt to slow down the observed speeds on East New England Avenue. The alternative consists of constructing a six to 12 inch wide mountable low scale “turtle” lane between the eastbound and westbound lanes on East New England Avenue that has accommodations for the placement of temporary barricades or bollards during peak Alford Inn events. The permanent turtles would allow gaps for slower speed westbound left turning movements into the Alford Inn from East New England Avenue during normal business hours. The slightly wider and raised center lane with turtles will also have the effect of slowing down through traffic on East New England Avenue. During peak events at the Alford Inn, temporary barricades would be physically placed in holes in the center lane gaps to restrict westbound left turning vehicles to the three parking lot curb cuts and the “porte-cochere.” Thus, customers for the peak events would be notified prior to the event (something that the project sponsors have already agreed to), and westbound traffic will be routed via East Lyman Avenue and Interlachen Avenue to eastbound East New England Avenue. An option to consider instead of the turtles would be raised rumble strips or painted lines with raised reflectors.

In addition, the parking located on the south side of East New England and west of the “porte-cochere” would be deemed temporary parking, and be utilized as an eastbound right turn/storage/stacking lane for the “porte-cochere” drop off area during peak events. In order to accommodate this movement, the “bulb out” on the west side of the “porte-cochere” would be eliminated to accommodate stacking/right turning vehicles during peak events. The parking spaces can be utilized as normal on-street parking during normal business hours, or during non-peak events.

Finally, it is also suggested that a raised pedestrian table be constructed across East New England Avenue on the west side of Alexander Place. This will allow for a safe midblock location for a pedestrian crossing for those residents wanting to access the Alford Inn or the Winter Park Public Library. It will also have an effect of slowing down traffic on East New England Avenue.

The major disadvantage of this alternative is that the eastbound right turn lane would be accomplished by eliminating the parking area on the south side of East New England Avenue. Thus, the parking adjacent to the Alford Inn, west of the proposed “port cochere” would be eliminated during peak periods. Another disadvantage would be that the additional traffic calming measures (turtles, speed table) tends to close down the New England Avenue cross section, possibly discouraging higher speeds, potentially reducing the available gaps in the traffic stream for traffic exiting Alexander Place and the condominiums on to East New England Avenue.

6.6 Measures of Effectiveness/Analysis

At the beginning of the analysis, several project goals were established for the study. Many of these have been addressed in the previous sections of this report, and will be summarized in the final section. In order to assess the adequacy of the above alternatives, the goals were utilized to determine measures of effectiveness. Specifically, impact to the adjacent neighborhood, impact to the Alford Inn uses, and impact to the traveling public were evaluated on a scale of one (1) to five (5), with the higher number five (5) being the most positive (good) in terms of impact, and three (3) being average or neutral. Table 8 presents the results of the analysis.

Table 8: Analysis of Alternatives

ALTERNATIVE	Impact to Neighborhood	Impact to Alford Inn	Impact to Through Traffic	Total Score
1. Westbound Left Turn Lane	3-Allows gaps, still might stack to block access, left turn out difficult, loss of parking	4-Good access for left turns, but street parking loss	5-Left turning traffic doesn't queue, higher speeds, no parked vehicles issue	12
2. Center Turn Lane	3-Allows gaps, aids right turns, potential parking loss, safety issues	3-Good access, but street parking loss, safety issues	4- Turning traffic doesn't queue, higher speeds, safety issues	10
3. Center Median	2-Eliminates left turn and queue issue, loss of left and right turn, parking loss	2-Reduces permanent access, street parking loss	3-Eliminates left turn delay, no turn conflicts, however lower speeds	7
4. Eastbound Right Turn Lane	2-Left turns and queuing issues, area parking loss, left turn issue	3-Reduces on-street parking, have left turn delay	4-Left turn delays remain, smaller section, higher speeds	9
5. Center Low Turtle/Temporary Barricades/Modify Entrance and Parking/Pedestrian Speed Table	5-Left turns restricted during peak events, traffic routed, stacking for drop off, no permanent loss of parking	4-No permanent loss of left turn or parking, stacking for drop off, efficient traffic flows	3- Left turn delays remain on non-peak events, smaller section, lower speeds, no queue during peak events	12

6.7 Recommendation

Each of the alternatives presented have both positives and negatives. It should be noted that a positive for the neighborhood may be a negative for the Alford Inn. More important, a positive for the neighborhood and the Alford Inn may be a negative for the through traffic. Speed is a prime example of this dichotomy. Alternatives that have the effect of lowering speed on East New England Avenue have a positive value for the

neighborhood, but a negative value for the through traffic. The assigned value attempts to balance these issues and opportunities for each alternative for each stakeholder.

The analysis indicates that both alternatives 1 and 5 have the highest ranking and best meet the goals of the study. Alternative 1, the westbound left turn lane, could be converted to a center turn lane in the future, if warranted. The major issue is the loss of parking required to implement this alternative, and the potential blocking of left turn out access to residents of Alexander Place and the condominiums. Alternative 5 is an alternative that allows the City, Alford Inn sponsors, and the residents monitor the events and resulting traffic characteristics, and establish guidelines as to when left turn barricades are warranted.

Regardless, to avoid unnecessary expense, the above transportation mitigation measures should not be implemented until after the adverse effects of traffic congestion have been experienced and the Alford Inn has taken actions to mitigate such adverse impacts and those steps have not proven to be effective. However, the western pedestrian bulb out should be removed from the Alford Inn streetscape plan in order to preserve the potential to utilize the parking on the south side of East New England Avenue as a queue lane for peak event drop off. The implementation of a pedestrian speed table is an independent action, and should be considered by the City at a future date to reduce observed speeds on East New England Avenue if the issue persists.

APPENDIX
(Available Electronically Upon Request)

Appendix A: Turning Movement Count Summary
Appendix B: HCS Analysis Reports-Existing
Appendix C: Historic Counts
Appendix D: HCS Analysis Reports-Projected

REGULAR MEETING OF THE CITY COMMISSION

November 12, 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 Finance Director Wes Hamil, 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
City Clerk Cynthia Bonham
Deputy City Clerk Michelle Bernstein

Approval of the agenda

Motion made by Commissioner McMacken to accept the agenda; seconded by Commissioner Sprinkel and approved by acclamation with a 5-0 vote.

Mayor's Report

- a. Presentation - Winter Park Police Department Certificate of Appreciation to Jose Zabala

Police Chief Brett Railey thanked Jose Zabala for assisting the police with apprehending an armed prisoner in the Winter Park Hospital last month. A certificate of appreciation was given to Mr. Zabala for his heroic actions.

- b. Board Appointment - Hannibal Square Community Land Trust, Inc. (public representative) to replace Caleena Shirley

Motion made by Mayor Bradley to appoint Camille Reynolds to the Hannibal Square Community Land Trust (HSCLT) board; seconded by Commissioner Sprinkel. Commissioner Cooper felt the HSCLT board might benefit by appointing members with specific skill sets similar to the P&Z Board requirements. Planning Director Jeff Briggs and Executive Director HSCLT Denise Weathers answered questions and concerns. **The motion was approved by acclamation with a 5-0 vote.**

Mayor Bradley thanked everyone for their hard work and effort in making the second annual **Veteran's Day** remembrance event a huge success.

City Manager's Report:

City Manager Knight announced that there will be an ice-breaking ceremony on November 16th at 3:00 p.m. in Central Park West Meadow to officially open the "Winter in the Park" holiday ice skating rink. The event runs from November 16 through January 6, 2013.

City Manager Knight answered questions pertaining to the north end of Central Park and the need to irrigate the grass.

Assistant City Manager Michelle del Valle answered questions regarding the tree team update. An overview of the Urban Forestry Management Plan will be presented at the November 26 meeting (subsequently a work session meeting has been scheduled for December 3, 2012).

Public Works Director Troy Attaway addressed the status of the backyard chicken initiative. He noted that the City of Orlando is currently conducting a one year trial period for backyard chickens and results will be provided thereafter. The KWPB and Sustainable Board recommended waiting for the results prior to making a decision.

City Attorney's Report – No items.

Non-Action Item - No items.

Consent Agenda

- a. Approve the minutes of 10/22/2012. – **PULLED FOR DISCUSSION, SEE BELOW**
- b. Approve the following purchases, contracts and formal solicitations:
 1. Purchase of mobile data terminals, docking stations and other accessories from CDW-G; \$191,062.00 (from Forfeiture Funds).
 2. Blanket purchase order to Wal-Rose, Inc. for Water and Sewer main extensions; \$334,560.00
 3. Piggybacking the City of Orlando contract with Layne Inliner, LLC, for sewer line rehabilitation cleaning & video recording (BI09-2570); approve blanket purchase order and authorize the Mayor to execute the piggyback contract; \$600,000.
 4. Piggybacking the Orlando Utilities Commission (OUC) contract with HD Supply Waterworks, Ltd. for water/wastewater materials (895-OQ) and authorize the Mayor to execute the piggyback contract; \$500,000.
 5. Award to Ace Home Supply Company (IFB-1-2013) for the purchase of PVC and HDPE pipe (award of 6" and 8" PVC pipe), approve subsequent purchase orders, and authorize the Mayor to execute the contract; \$88,950.
 6. Award to HD Supply Waterworks (IFB-1-2013) for the purchase of PVC and HDPE pipe (award of 6" and 8" PVC pipe), approve subsequent purchase orders, and authorize the Mayor to execute the contract; \$58,200.

- c. Approve the Radio Disney "NBT" (Next Big Thing) On Tour Concert event in Central Park on September 21, 2013, partnering with the City of Winter Park as a marketing and promotional sponsor and to waive the park fee of \$2,750. – **PULLED FOR DISCUSSION, SEE BELOW**
- d. Approve the Winter Park Sports Hall of Fame request to be placed on the "City Annual Events" list and receive a waiver of rental fees for their annual Hall of Fame Induction Ceremony and Awards Banquet.
- e. Award RFP-15-2012, Utility Services Electronic Bill Presentment and Payment, to Payment Service Network, Inc. (PSN) and authorize the Mayor to execute the contract.
- f. Approve the interlocal agreement with the City of Altamonte Springs and Maitland for construction and cost sharing of sewer utility improvements associated with the Gateway Drive Extension Project.

Motion made by Commissioner McMacken to approve Consent Agenda items 'b.1-6' and 'd-f'; seconded by Commissioner Sprinkel and carried unanimously with a 5-0 vote.

Consent Agenda Item 'a' - Approve the minutes of 10/22/2012.

Motion made by Commissioner Cooper to amend the minutes on page 9; seconded by Mayor Bradley and carried unanimously with a 5-0 vote.

Consent Agenda Item 'c' - Approve the Radio Disney "NBT" (Next Big Thing) On Tour Concert event in Central Park on September 21, 2013, partnering with the City of Winter Park as a marketing and promotional sponsor and to waive the park fee of \$2,750.

Mayor Bradley abstained from voting since his employer is co-sponsoring the event. Form 8B (conflict of interest) is made part of this record.

Motion made by Commissioner Leary to approve Consent Agenda Item 'c'; seconded by Commissioner Sprinkel.

Following a brief discussion on whether or not the City should waive the fee, **motion amended by Commissioner Cooper that we approve the event but deny the fee waiver; seconded by Commissioner McMacken. By acclamation the motion failed with a 2-2 vote. Commissioners Leary and Sprinkel voted no.**

By acclamation (on the main motion to approve Consent Agenda Item 'c'), the motion failed with a 2-2 vote. Commissioners Cooper and McMacken voted no.

Action Items Requiring Discussion

- a. Distribution of funding for Crealde to operate the Heritage Center

City Manager Knight explained that during the last Commission meeting staff was directed to bring this item back for formal action on whether or not payment should be made quarterly or distribute the full amount.

Motion made by Mayor Bradley that the City Commission defers to the CRA Board for any actions which have taken and any actions which the CRA has already taken that precede this action in this case; 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.**

- b. Streetscape/bricking of New England Avenue and Interlachen Avenue in conjunction with Alfond Inn construction

Public Works Director Troy Attaway explained that Rollins has asked the City to brick Interlachen Avenue from 100'+/- north of New England to Fairbanks Avenue and New England Avenue from Knowles Avenue to Fairbanks Avenue in conjunction with the construction of the Alfond Inn. Rollins would also like to replace the existing concrete span wire traffic signal at the corner of New England Avenue and Interlachen Avenue with a decorative mast arm traffic signal at their sole expense. The proposed streetscape improvements for the project cost a total of \$840,000 and Rollins is committing to funding \$530,000 with the City funding \$310,000 of the improvements. The City will design and manage construction of the project at no cost to Rollins.

Commissioner McMacken recommended that staff present conceptual and/or construction drawings illustrating the proposed streetscape/bricking in conjunction with the traffic study prior to commencement. Commissioner Cooper noted that she was not comfortable passing on the repair costs to the taxpayers for the bricking upkeep.

City Manager Knight and Mr. Attaway addressed concerns and answered questions including the cost difference of paving versus bricking and the infrastructure needs of the Alfond Inn. Mr. Briggs said the Alfond Inn traffic study will be presented on November 26.

Motion made by Commissioner Leary to approve (the offer from Rollins College for the funding of streetscape/bricking improvements); seconded by Commissioner Sprinkel.

James Campisi, 315 E. New England Avenue, spoke in favor of the street bricking.

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. Water & sewer rate study results (and possible action) from work session held

Motion made by Mayor Bradley that the Commission at its November 26 meeting will take under advisement and approve or deny a 4.2% increase to our water and our sewer rates which includes a three year plan to eliminate the sewer/water subsidy, cross subsidization as stated in our Charter as well as in the first year a residential/commercial cross subsidy which will be completed in the first year; seconded by Commissioner Leary.

Mayor Bradley advised that the City implemented a rate increase of 0.56% on October 1, 2010. He explained that with the natural rise in CPI and other items the 4.2% increase is needed to cover those items.

Greg Seidel, 1250 Richmond Road, and Chair of the Utilities Advisory Board, spoke about the need to educate residents on water conservation since it would lower everyone's overall costs.

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.

Mayor Bradley requested staff to notify the residents that this item is scheduled for November 26 for discussion and comment.

Motion made by Mayor Bradley that we request our Utilities Advisory Board, our joint KWPB and Sustainable Board and both of our utility directors to bring back to the Commission in the next six (6) months a unified conservation plan with tangible metrics to suggest where we need to be in 5 years from now in both our water, sewer and electrical from a conservation standpoint; 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.

Public Hearings

a. Request of the City of Winter Park:

AN ORDINANCE OF THE OF WINTER PARK, FLORIDA, CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE V, "ENVIRONMENTAL PROTECTION REGULATIONS", DIVISION 6, "TREE PRESERVATION AND PROTECTION", SO AS TO AMEND TREE REMOVAL COMPENSATION REQUIREMENTS, AMEND USE OF THE TREE REPLACEMENT FUND, PROVIDE EXEMPTION FROM REQUIRING A TREE REMOVAL PERMIT, CLARIFY TREE MAINTENANCE DUTY OF CITY

AND PROPERTY OWNERS, AND ESTABLISH ENFORCEMENT PROCEDURE FOR REMOVING HAZARDOUS TREES; PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE. First Reading

Attorney Brown read the ordinance by title. Building Director George Wiggins explained the intent of the ordinance and its components. He explained the meetings of the Tree Preservation Board and their review of the proposed ordinance to include their recommendations. Mr. Wiggins further explained the process followed to date. He provided a comparison chart illustrating the current tree ordinance with the proposed tree ordinance and answered questions.

Motion made by Commissioner Cooper to deny the ordinance (in an effort to find a compromise) **on first reading; seconded by Commissioner McMacken.**

Commissioner Cooper noted that her biggest objection is to remove the requirement in section 58.296 (in the current ordinance) stating that homeowners are **to be responsible for trees within the City's rights-of-way**. She agreed with the Tree Preservation Board that the enforcement of this ordinance should not come from the Tree Preservation Fund.

Commissioner Leary noted that his objectives are to protect personal property rights and to get more residents to plant more trees. He would prefer the City to maintain the right-of-way trees and for the residents to maintain trees on their personal property.

Commissioner McMacken said he moved for denial because the proposed ordinance does not go far enough to address the concerns they have regarding street trees, camphor trees, the separation of commercial/residential and the value of incentivizing the planting of more trees.

Commissioner Sprinkel said she is opposed to fining people into obedience. She felt the proposed ordinance does not go far enough but for now it is a step in the right direction and will be supporting the board decision.

Mayor Bradley felt that dangerous trees need to come down and that he will be supporting the recommendations of the board.

Roberta Willenkin, 1580 Grove Terrace, submitted an exhibit to the Deputy Clerk defining invasive trees. She requested adding camphor trees to the list of protective species.

Sally Flynn, 1400 Highland Road, spoke in opposition.

Ann Higbie, 190 Ward Drive, expressed the need to be concerned with the healthy trees.

John M. Murphy, 2221 Hawick Lane, asked for direction regarding a huge oak tree that he believes is sick and needs to be removed in the City's ROW in his rear yard.

Deede Sharpe, 1599 Highland Road, felt the ordinance needs further revisions.

Peter Weldon, 700 Via Lombardy, spoke in favor.

Bee Epley, 151 N. Orlando Avenue, opposed the ordinance at this time.

Upon a roll call vote (to deny), Mayor Bradley and Commissioners Leary and Sprinkel voted no. Commissioners Cooper and McMacken voted yes. The motion failed with a 3-2 vote.

Motion made by Commissioner Cooper to return to the Committee. Motion failed for lack of a second.

Motion made by Mayor Bradley to approve the ordinance as presented on first reading; seconded by Commissioner Sprinkel.

Motion amended by Commissioner Leary to remove the camphor trees from protective species; seconded by Commissioner Sprinkel.

Motion amended by Commissioner Cooper to delete the requirement of Section 58.296 that the homeowners are responsible for trees within the City right-of-way; seconded by Commissioner McMacken.

Mayor Bradley questioned the cost impacts. Commissioner Leary said he will be voting against the amendment since the cost is unknown at this time.

Motion amended by Commissioner Leary that we take the proposed ordinance compensation and plant two 3 inch trees and use that same language for both specimen and historic trees (the intent is if you remove a tree that is less than 19 inches it is replaced with one 3 inch tree and if you remove a tree that is greater than 19 inches it is replaced two 3 inch trees); **seconded by Mayor Bradley.**

Commissioner McMacken explained he would have preferred to sit down and talk this through rather than making changes to the ordinance on the dais so he will be voting against the amendment.

Mr. Wiggins addressed Commissioner Cooper's concern regarding the protection of our tree canopy on 3-5 acre parcels, particularly future multi-family or commercial development parcels.

Peter Weldon, 700 Via Lombardy, provided feedback on the proposed amendments.

Upon a roll call vote on the first amendment (to remove the camphor trees from protective species); 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 on the second amendment (to delete the requirement of Section 58.296 that the homeowners are responsible for trees within the City right of way); Mayor Bradley and Commissioners Leary and Sprinkel voted no. Commissioners Cooper and McMacken voted yes. The motion failed with a 3-2 vote.

Upon a roll call vote on the third amendment (that we take the proposed ordinance compensation and plant two 3 inch trees and use that same language for both specimen and historic trees); Mayor Bradley and Commissioners Leary and Sprinkel voted yes. Commissioners Cooper and McMacken voted no. The motion carried with a 3-2 vote.

Upon a roll call vote on the main motion as amended (to approve the ordinance as presented on first reading, to remove the camphor trees from protective species and that we take the proposed ordinance compensation and plant two 3 inch trees and use that same language for both specimen and historic trees); Mayor Bradley and Commissioners Leary and Sprinkel voted yes. Commissioners Cooper and McMacken voted no. The motion carried with a 3-2 vote.

A recess was taken from 6:05 p.m. to 6:30 p.m.

Public Comment

Peter Weldon, 700 Via Lombardy, said the only way our City could keep the millage rate constant during a period of declining property values was to ask City staff to make a sacrifice on behalf of the residents. He thanked staff for their actions.

- b. Appeal of Wendy Brandon and other neighbors to the decision of the Winter Park Historic Preservation Commission in the case of Certificate of Review COR-12-002; request of Steve and Shaina Markulin for alterations and an addition at their property located at 1005 Lakeview Drive.

Attorney Brown noted that this is a quasi-judicial matter. Disclosures were made by each Commissioner as follows: Commissioner Leary spoke with the homeowner and Attorney Frank Hamner. Commissioner Sprinkel had conversations and visited the homeowner's home. Commissioner Cooper spoke with staff. Commissioner McMacken spoke with the homeowner. Mayor Bradley had a very brief conversation with Attorney Frank Hamner.

Planning Director Jeff Briggs provided photographs and building elevations regarding the request for alterations/addition. Mr. Briggs answered questions including the existing/proposed building height, the variances requested, floor area ratio (FAR) and the action taken by the Historic Preservation Board.

Attorney Frank Hamner spoke on behalf of Ms. Brandon who lives at 318 Vitoria Avenue (the appellant) in opposition saying that the proposed addition changes the historic character of the home and no hardships were presented for the requested variances. He shared concerns with the marketing/sales literature, the maximum FAR and the seven variances requested. He requested the Commission to grant the appeal and hold them to the rear setback of 35 feet rather than the 24.2 feet as shown.

Wendy Brandon, 318 Vitoria Avenue, presented various photographs presenting her concerns with how it will impact her outdoor living space and felt the setback should be adhered to.

Mr. Briggs answered questions related to hardships and the request at hand.

Steve Markulin, 1005 Lakeview Drive (the applicant), responded to comments made in regards to the stairs. He also noted that the property listing has expired and the home is occupied by his family.

Mayor Bradley asked what size building could be built on this lot if it was vacant. Mr. Briggs said if they conform to all of the setbacks they could theoretically build to the 43% FAR which would be about 600-700 sq. ft. larger than what has been approved.

Motion made by Commissioner Sprinkel to deny the appeal; seconded by Commissioner McMacken.

The following opposed the request:

Susanne Blankemeier, 325 Vitoria Avenue
Gary Graham, 318 Vitoria Avenue
Jan May, 338 Vitoria Avenue
Sandra Daugherty, 378 Vitoria Avenue

Jennifer King, Kelley Price Realty, 243 West Park Avenue, spoke in favor of the Markulin's request.

Following a brief summary discussion, **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.**

c. Ravaudage-Home Acres annexation

ORDINANCE NO. 2869-12: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, ANNEXING APPROXIMATELY 51+- ACRES OF REAL PROPERTY REFERRED TO AS RAVAUDAGE OR HOME ACRES; GENERALLY LOCATED IN THAT POCKET OF UNINCORPORATED ORANGE COUNTY AREA BORDERED BY LEE ROAD TO THE SOUTH, ORLANDO AVENUE TO THE EAST; MONROE AVENUE TO THE NORTH AND BENNETT AVENUE TO THE WEST; PROVIDING FOR THE AMENDMENT OF THE CITY OF WINTER PARK'S CHARTER, ARTICLE I, SECTION 1.02, CORPORATE BOUNDARIES TO PROVIDE FOR THE INCORPORATION OF THE REAL PROPERTY ANNEXED HEREBY INTO THE MUNICIPAL BOUNDARIES; PROVIDING FOR THE FILING OF THE REVISED CHARTER WITH THE DEPARTMENT OF STATE; PROVIDING FOR REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. Second Reading

Mayor Bradley stated that this would be a simultaneous public hearing (annexation ordinance and interlocal agreement) and will require two separate votes. Attorney Brown read the ordinance by title.

Planning Director Jeff Briggs explained the intent of the annexation ordinance and noted that first reading was approved on April 9, 2012. He explained that the City discovered a small portion of 17-92 that has not been annexed that the Winter Park Police felt this small enclave was in our City limits and the Maitland Police felt it was in their City limits; however, it is in Orange County. We will be annexing this small portion and the City of Maitland is in complete agreement with this action.

Motion made by Commissioner Leary to adopt the ordinance; 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.**

- Interlocal agreement to annex 1211 and 1101 Lewis Drive

Planning Director Jeff Briggs explained the two enclave properties at 1211 and 1101 Lewis Drive that could not be included in the overall annexation of the 51 acres of Ravaudage because of registered voters residing on these properties.

Chapter 171, Florida Statutes allows for the annexation of such enclaves subject to the consent and adoption of an interlocal agreement by Orange County. On January 26, 2012 the Board of County Commissioners gave conceptual approval to this interlocal agreement and directed the City to agenda this as a public hearing for approval at the same date as the second reading on the overall Ravaudage annexation. **Following the City's approval it will be formally approved by the Board of County Commissioners and then these two enclaves will be officially annexed.** Mr. Briggs answered questions.

Motion made by Commissioner McMacken to approve the interlocal agreement; seconded by Commissioner Sprinkel.

Applicant Dan Bellows spoke in favor of the request. He asked for clarity on how the City would like him to handle the balance of the tree removal on the 50 acres. The Commission advised that the decision before them is the approval of the annexation agreement and that this topic would fall under the entitlements given by Orange County.

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.

- d. ORDINANCE NO. 2867-12: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, ANNEXING THE PROPERTY AT 600 LEE ROAD AND THAT PORTION OF INTERSTATE FOUR CONTIGUOUS TO THE PROPERTY AT 2684 LEE ROAD, CITY OF WINTER PARK, MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR THE **AMENDMENT OF THE CITY OF WINTER PARK'S CHARTER, ARTICLE I, SECTION 1.02,** CORPORATE BOUNDARIES TO PROVIDE FOR THE INCORPORATION OF THE REAL PROPERTY DESCRIBED HEREIN; PROVIDING FOR THE FILING OF THE REVISED CHARTER WITH THE DEPARTMENT OF STATE; PROVIDING FOR REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. First Reading

Attorney Brown read the ordinance by title. Planning Director Jeff Briggs explained the intent of the ordinance and the request to delete the interconnecting portion of Interstate Four (I-4) from the ordinance. Mr. Briggs answered questions.

Motion made by Commissioner Leary to accept the ordinance on first reading; seconded by Commissioner McMacken.

Motion amended by Commissioner Cooper to remove the Interstate Four parcel; seconded by Mayor Bradley. No public comments were made. Upon a roll call vote (to include the deletion of the interconnecting portion of Interstate Four), Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

- e. Request of Wawa:

ORDINANCE NO. 2891-12: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA PARTIALLY VACATING AND ABANDONING THE EASEMENT LOCATED AT 901 NORTH ORLANDO AVENUE, WINTER PARK, FLORIDA, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING AN EFFECTIVE DATE Second reading

ORDINANCE NO. 2892-12: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA VACATING AND ABANDONING THE EASEMENT LOCATED AT 911 NORTH ORLANDO AVENUE,

WINTER PARK, FLORIDA, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING AN EFFECTIVE DATE Second reading

Mayor Bradley stated that this would be a simultaneous public hearing and will require two separate votes. Attorney Brown read both ordinances by title.

Motion made by Commissioner McMacken to adopt the first ordinance (901 North Orlando Avenue); 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 adopt the second ordinance (911 North Orlando Avenue); 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.**

f. Request of Heartwood 20, LLC:

ORDINANCE NO. 2893-12: 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 ADD A NEW POLICY INCREASING THE RESIDENTIAL DENSITY FOR AND LIMITED TO, THE PROPERTY AT 444 W. NEW ENGLAND; PROVIDING FOR CONFLICTS, SEVERABILITY AND EFFECTIVE DATE. Second reading

ORDINANCE NO. 2894-12: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE III, "ZONING" SECTION 58-75 "COMMERCIAL (C-2) DISTRICT" SO AS TO INCREASE THE RESIDENTIAL DENSITY FOR AND LIMITED TO THE PROPERTY AT 444 W. NEW ENGLAND IN CONFORMANCE WITH THE COMPREHENSIVE PLAN; PROVIDING FOR CONFLICTS, SEVERABILITY AND EFFECTIVE DATE. Second reading

Mayor Bradley stated that this would be a simultaneous public hearing and will require two separate votes. Attorney Brown read both ordinances by title.

Planning Director Jeff Briggs stated that the ordinance amending the Comprehensive Plan policy for the 444 W. New England Avenue property was adopted on first reading on August 27. Since this is a comprehensive plan policy change it required review by the State Department of Economic Opportunity and other State agencies. Since the review yielded no adverse comments the City may now adopt the ordinance and its companion zoning text amendment.

Motion made by Mayor Bradley to adopt the first ordinance (Comprehensive Plan) seconded by Commissioner Sprinkel.

Motion made by Mayor Bradley to adopt the second ordinance (Zoning); seconded by Commissioner Sprinkel.

Commissioner Cooper said she is not comfortable approving an individual building at 51 units per acre and disagreed with amending our Comprehensive Plan to accommodate temporary fluctuations in market desires. Mr. Briggs answered questions including the Comprehensive Plan and density limits. No public comments were made.

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 and McMacken voted yes. Commissioner Cooper voted no. The motion carried with a 4-1 vote.

City Commission Reports:

a. Commissioner Leary

Commissioner Leary shared his concern with the need for a public awareness campaign for pedestrian walkways. The Commission asked City Manager Knight and Police Chief Railey to come up with ways to better enhance notifications to the public.

Commissioner Leary said the Winter Park Concours d'Elegance event was terrific.

b. Commissioner Sprinkel

Commissioner Sprinkel said she has received numerous complaints on the noise level in the park and asked who should be notified. City Manager Knight provided the non-emergency police phone number (407-644-1313).

c. Commissioner Cooper

Commissioner Cooper said this weekend the Mount Moriah Baptist church will be celebrating its 126th anniversary.

Commissioner Cooper spoke about Operation Gratitude and said Andrew Weinstock will be packing boxes on Saturday at 10 a.m. and invited the Commission.

d. Commissioner McMacken - No items.

e. Mayor Bradley

Mayor Bradley recommended having a brainstorming discussion/work session sometime in January regarding the future plans for the 17-92 surrounding area (Denning Drive from North Orange Avenue to the City line including Mead Garden). A majority of the Commission agreed.

Mayor Bradley reminded Attorney Brown to follow up with each of the Commissioners regarding the status of the federal lawsuit.

Mayor Bradley requested staff to investigate the costs involved in video recording Commission meetings and to report back with a summary. A majority of the Commission agreed.

Mayor Bradley wished everyone a Happy Thanksgiving.

The meeting adjourned at 8:44 p.m.

Mayor Kenneth W. Bradley

ATTEST:

City Clerk Cynthia S. Bonham



city commission agenda item

item type	Consent Agenda	meeting date	November 26, 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	

Contracts

	vendor	item background	fiscal impact	motion recommendation
1.	ADPI/ Intermedix	Amendment 6 to Fire Services Billing contract (RFP-16-2009)	No fiscal impact	Commission approve Amendment #6 to Fire Services Billing contract with ADPI/Intermedix and authorize the Mayor to execute the Amendment document.
The City of Winter Park utilized a competitive bidding process to award this contract. The contract was awarded on September 14, 2009 for a period of one (1) year, with options to renew upon mutual agreement. The current contract term will expire on December 16, 2012.				

Piggyback contracts

	vendor	item background	fiscal impact	motion recommendation
2.	Wesco Turf, Inc.	Piggybacking the State of Florida contract for Construction, Industrial, Agricultural & Lawn Equipment	Purchases will be made in accordance of the approved YF13 vehicle/equip. fund	Commission approve piggybacking the State of Florida contract #760-000-10-1 and authorize the Mayor to execute the Piggyback Contract.
The State of Florida utilized a competitive bidding process to award this contract. The contract was awarded on April 28, 2010. The current contract term expires on December 31, 2013.				

Formal Solicitations

	vendor	item background	fiscal impact	motion recommendation
3.	Infinity Software Development, Inc.	RFP-18-2012 Website Technical Maintenance & Development	Total annual expenditure included in approved FY13 budget.	Commission approve award to Infinity Software Development, Inc. and authorize the Mayor to execute the Contract.
The City utilized a competitive bidding process to award this contract. The contract term will be for one (1) year, with options to renew for up to four (4) additional one (1) year terms, not to exceed five (5) years in total.				
4.	Gerhartz & Associates, Inc.	RFQ-16-2012 Continuing Contract for Geographic Information System (GIS)	Continuing contract to serve as extension of	Commission authorize staff to enter into negotiations with the top ranked firm,

		Services	staff within approved budget.	Gerhartz & Associates, Inc.
The City issued a Request for Qualifications in September 2012 for these services. The evaluation committee short listed a total of three (3) firms for oral presentations. A post presentation ranking identified the top ranked firm as Gerhartz & Associates, Inc. Under the CCNA requirements (F.S. 287.055), staff seeks authorization to enter into negotiations with this firm for a continuing services contract for GIS Services.				
5.	Ardaman & Associates, Inc.	RFQ-2-2012 Continuing Contracts for Professional, Architectural & Engineering Services (Discipline: Geotechnical)	Continuing contract to be used on a per project basis with approved budget.	Commission approve continuing services contract with Ardaman & Associates, Inc. and authorize the Mayor to execute the contract.
The City utilized a formal solicitation process to shortlist two (2) firms to provide continuing geotechnical services. The City Commission authorized staff to negotiate with this firm on June 11, 2012. Contract will be for a period of one (1) year with four (4) renewal options, not to exceed five (5) years in total.				
6.	Universal Engineering Sciences	RFQ-2-2012 Continuing Contracts for Professional, Architectural & Engineering Services (Discipline: Geotechnical)	Continuing contract to be used on a per project basis with approved budget.	Commission approve continuing services contract with Universal Engineering Sciences and authorize the Mayor to execute the contract.
The City utilized a formal solicitation process to shortlist two (2) firms to provide continuing geotechnical services. The City Commission authorized staff to negotiate with this firm on June 11, 2012. Contract will be for a period of one (1) year with four (4) renewal options, not to exceed five (5) years in total.				



city commission agenda item

item type	Consent Agenda	meeting date	November, 26, 2012
prepared by department division	George Wiggins Building	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

Request to allow temporary parking for construction workers during the period of construction of the Alford Inn to be located on vacant lots at 316 West Welbourne Avenue and extending over to New England Avenue for a time period until June 30, 2013

motion | recommendation

Approve request subject to:

- (1) Providing temporary fence barrier,
- (2) Parking from 6AM to 6PM Monday-Saturday only, not including holidays
- (3) Removal of all litter on a daily basis
- (4) Provide mulch parking area & dust control if grass condition deteriorates
- (5) Set back parking area at least 10 feet from both side lot lines next to residence with provision of a temporary fence barrier at 10 feet back.

background

The property is owned by Rollins College and is zoned for multi-family use (R-3) which would allow parking in conjunction with a multi-family residential building. The applicant is the general contractor for Rollins College and is constructing the Alford Inn Hotel on New England Avenue. When the superstructure of the hotel is complete, the number of construction workers for the project will increase substantially due to the various construction trades that will be completing the interior of the building. This proposed overflow parking site is just four blocks from the hotel project.

The applicant has applied for this approval through our special event permit process which empowers the City Commission to grant a special activity on a property which is not clearly covered under the Zoning Code, and allows the placement of special conditions to reduce any negative impacts of the activity. The excerpt below from the special event ordinance addresses this issue:

Sec. 58-84. - General provisions for nonresidential zoning districts

(u) Special event.

(4)Approval.

c. *City commission approval.* Any application for a special event which proposes to use public rights-of-way, parks, or other city property or to have exceptions made from the requirements for special events may be referred to the city commission for approval. The city will, however, review the application and make a recommendation to the city commission either orally or in writing as to whether the city commission should approve the applicant's application.

The applicant has completed the special event permitting process, obtained approvals from City departments for the time period requested, provided signed consent/notification forms from surrounding residents & property owners and agreed to comply with all conditions of approval.

alternatives | other considerations

The contractor would need to car pool or bus in construction workers from a more remote site leased by Rollins College.

fiscal impact

None

long-term impact

None

strategic objective

Quality Development and redevelopment



Monday, October 22, 2012

George Wiggins
Director of Building & code Enforcement
City Hall
Winter Park FL 32789

RE: Request for parking on Rollins owned lots (7, 9, 10, 11 & 16)
PROJECT: Alford Inn at Rollins

Dear George,

Brasfield & Gorrie is requesting the City of Winter Park's permission to park on lots owned by Rollins due to congestion and a shortage of available parking near the Alford Inn project located at 300 East New England Ave. in Winter Park. The plan is workers would arrive at these lots between 06:00 a.m. and 08:00 a.m. and leave the lots between 3:30 p.m. and 6:00 p.m. Brasfield and Gorrie will police the area to ensure there is no litter and the area is clean acceptable at the end of each work day.

We would like to request a meeting with you to discuss this matter.
If you have any questions or concerns please contact me at your convenience.

Sincerely,

Patrick Baker
Project Manager
Brasfield & Gorrie, LLC.

Enclosure:
Map indicating Rollins owned lots

Location: P13453: City Correspondence

BRASFIELD & GORRIE, LLC
200 Colonial Center Parkway, Suite 200
Lake Mary, FL 32746
p: 407.562.4500 f: 407.562.4501 www.BrasfieldGorrie.com



SPECIAL EVENT APPLICATION

City of Winter Park
401 S Park Avenue
Winter Park, FL 32789
407-599-3600

PERMIT # _____

DATE OF SUBMITTAL: _____

FEES:	FOR PROFIT:	NON-PROFIT:
PROCESSING	\$100.00	\$10.00
PERMIT	\$50.00	\$30.00
STREET CLOSURES (UP TO 400 PEOPLE)	\$100.00	\$100.00
STREET CLOSURES (401 + PEOPLE)	\$200.00	\$200.00

ALL FEES ARE NON-REFUNDABLE

CHECK ONE: For Profit _____ Non-Profit _____ (Must provide proof of IRS Code 501C(3))

NAME OF EVENT: Alford Inn Construction Parking

ADDRESS OF EVENT: Lots 6, 7, 9, 10 & 11 on West Welbourne Ave and Lot 16 West New England Ave

DATE OF EVENT: From Present To 30 June 2013

TIME OF EVENT: From 06:30 am/pm To 5:30 am/pm

ANY EVENTS THAT INVOLVE USE OF PUBLIC PROPERTY, CREATE TRAFFIC, NOISE, OR SIMILAR CONCERNS MAY REQUIRE APPROVAL BY CITY COMMISSION

ARE YOU REQUESTING ANY STREET CLOSURES? YES _____ NO X

If yes, where? _____

ARE YOU REQUESTING ELECTRICAL ACCESS? No

DETAILED EVENT DESCRIPTION EXPLAINING BRIEFLY HOW EVENT WILL BENEFIT THE RESIDENTS AND BUSINESSES OF WINTER PARK: (Please see attached information sheet)

Lots 9, 10 and 11 on W. Welbourne and Lot 16 on W. New England will be used for primary parking for construction workers. Lots 6 and 7 will be used for overflow. The West side of lots 11 and 16 will be delineated with orange snow fence and Lathes workers will arrive between 6 and 8 a.m. and depart between 3:30 and 6 p.m. We will police for litter each day. This will ease congestion around E. New England & Lyman

City Staff Requested: YES _____ NO _____ Estimated Attendance: _____

Will there be any type of sound equipment: YES _____ NO X If yes, please describe below: _____

Are there any active construction sites within the area of this event? YES _____ NO X

Are alcoholic beverages being: Served? YES _____ NO X Sold? YES _____ NO X

(State Alcoholic Beverage License REQUIRED for sale of alcoholic beverages. 1-800-375-6975)

APPLICANT/CONTACT PERSON NAME: Patrick Baker

ADDRESS: 300 E. New England Ave

PHONE: 407-562-4768 FAX: _____ EMAIL: pbaker@brasfieldgarrie.com

APPLICANT SIGNATURE

29 OCT 2012
DATE

SPECIAL EVENT- HOLD HARMLESS AGREEMENT

Date of Coverage: _____

CITY OF WINTER PARK
401 S. PARK AVENUE
WINTER PARK, FL 32789

BUSINESS NAME: Brasfield & Gorrie LLC

BUSINESS ADDRESS: 200 Colonial Center Parkway, Lake Mary FL 32746

I, Patrick K Baker, agree to protect, indemnify, defend, save and hold harmless the City of Winter Park, its officers, and employees from any and all claims, liability, lawsuits, damages, and causes of action which may arise out of the permit or the permittee's activity on the permitted premises in accordance with Chapter 90, Section 90-161 (a) of the City of Winter Park Code of Ordinance.

Signed this 29 OCT day of _____, 2012

Signature

Patrick K Baker Project Manager
Printed Name and Title



Monday, October 22, 2012

George Wiggins
Director of Building & code Enforcement
City Hall
Winter Park Fl 32789

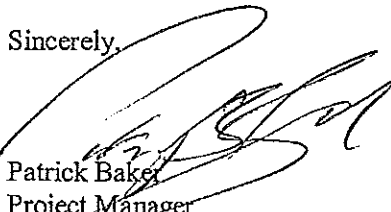
RE: Request for parking on Rollins owned lots (7, 9, 10, 11 & 16)
PROJECT: Alford Inn at Rollins

Dear George,

Brasfield & Gorrie is requesting the City of Winter Park's permission to park on lots owned by Rollins due to congestion and a shortage of available parking near the Alford Inn project located at 300 East New England Ave. in Winter Park. The plan is workers would arrive at these lots between 06:00 a.m. and 08:00 a.m. and leave the lots between 3:30 p.m. and 6:00 p.m. Brasfield and Gorrie will police the area to ensure there is no litter and the area is clean acceptable at the end of each work day.

We would like to request a meeting with you to discuss this matter.
If you have any questions or concerns please contact me at your convenience.

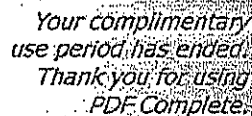
Sincerely,



Patrick Baker
Project Manager
Brasfield & Gorrie, LLC.

Enclosure:
Map indicating Rollins owned lots

BRASFIELD & GORRIE, LLC
200 Colonial Center Parkway, Suite 200
Lake Mary, FL 32746
p: 407.562.4500 f: 407.562.4501 www.BrasfieldGorrie.com



Click Here to upgrade to [Unlimited Pages and Expanded Features](#)

VR
60

Winter Park
Residences
Condominium
7 (66 Units)

6000

3075

LETTERLY LINES
ZIMMERMAN COMP

155

20

2.

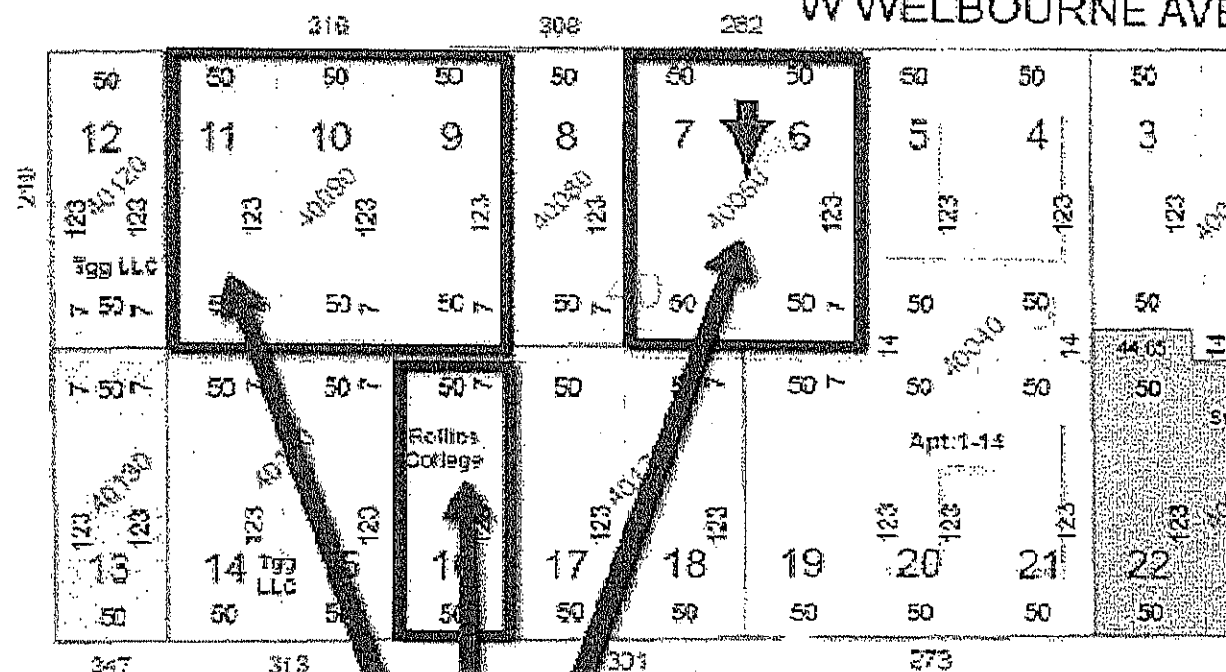
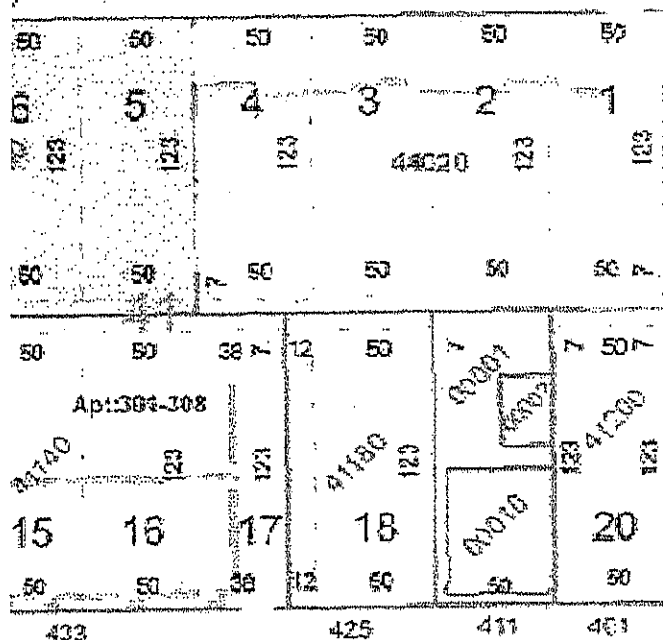
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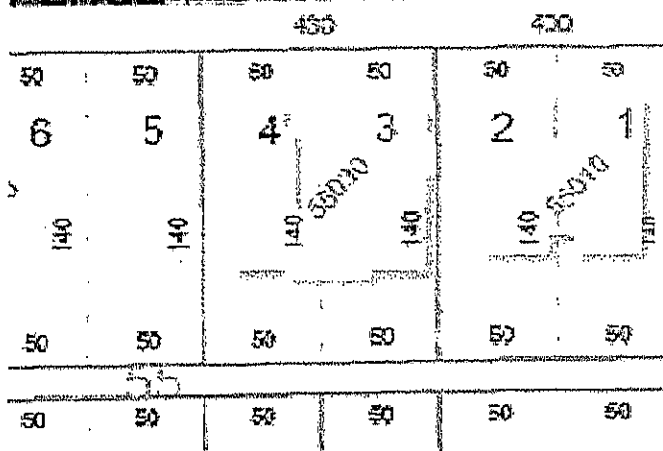
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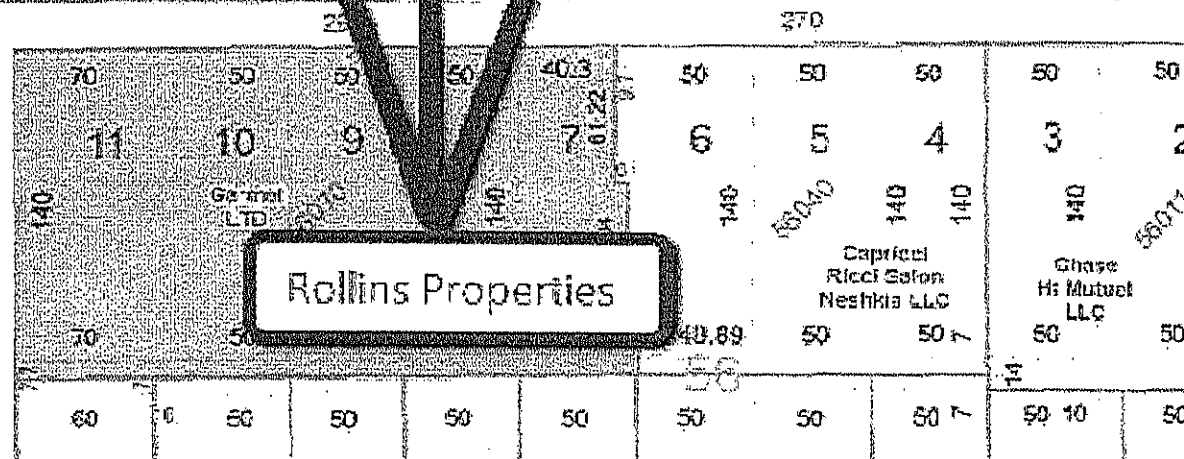
W WELBOURNE AVE



CITING AND AVOIDING



GINIA AVE



Rollins Properties



BRAS&GO-01

SPHI

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

10/29/2012

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER HRA Risk Services, LLC 3016 7th Avenue South Birmingham, AL 35233		(205) 879-1945	CONTACT NAME: PHONE (A/C, No, Ext): FAX (A/C, No): E-MAIL: ADDRESS:	
		INSURER(S) AFFORDING COVERAGE		NAIC #
		INSURER A: Travelers Indemnity Company		
		INSURER B:		
		INSURER C:		
		INSURER D:		
		INSURER E:		
		INSURER F:		

INSURED
Brasfield & Gorrie L.L.C.
P. O. Box 10383
Birmingham, AL 35202-0383

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY			VTC2K-CO-7852B663-IND-12	7/1/2012	7/1/2013	EACH OCCURRENCE \$ 1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						MED EXP (Any one person) \$ 50,000
	<input checked="" type="checkbox"/> CONTRACTUAL						PERSONAL & ADV INJURY \$ 1,000,000
	<input checked="" type="checkbox"/> INCLUDES X, C, U						GENERAL AGGREGATE \$ 2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						PRODUCTS - COMP/OP AGG \$ 2,000,000
	<input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						\$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident) \$
	<input type="checkbox"/> ANY AUTO						BODILY INJURY (Per person) \$
	<input type="checkbox"/> ALL OWNED AUTOS	<input type="checkbox"/> SCHEDULED AUTOS					BODILY INJURY (Per accident) \$
	<input type="checkbox"/> HIRED AUTOS	<input type="checkbox"/> NON-OWNED AUTOS					PROPERTY DAMAGE (Per accident) \$
							\$
	UMBRELLA LIAB	<input type="checkbox"/> OCCUR					EACH OCCURRENCE \$
	EXCESS LIAB	<input type="checkbox"/> CLAIMS-MADE					AGGREGATE \$
	<input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$						\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						<input type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTH-ER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	<input type="checkbox"/> Y/N	N/A				E.L. EACH ACCIDENT \$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE \$
							E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

City of Winter Park is an Additional Insured with respects to the use of Alford Inn at Rollins for parking during construction. See attached Blanket Additional Insured Endorsement that will apply.

CERTIFICATE HOLDER**CANCELLATION**

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

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

© 1988-2010 ACORD CORPORATION. All rights reserved.

SPECIAL EVENT CONSENT/NOTIFICATION

Chapter 58 Section 58-71(z) and 58-84(u)(b) 1 & 2.: signed consent/notification from each neighboring business or resident on the immediate right, left, front, and rear of the Special Event site. The consents shall be informed consents reflecting that the signatory party has been advised of the location, duration, and nature of the special event, including any special effects to be used. A larger area of consent/notification may be required depending on the size and scope of the event.

NAME OF EVENT: Alford Inn Construction Parking
ADDRESS OF EVENT: Lots 6, 7, 9, 10 on W. Welbourne Ave and Lots 16 on W. New England Ave.
DATE OF EVENT: From Present To 30 June 2013
TIME OF EVENT: From 06:00 am/pm To 5:30 am/pm

APPLICANT/CONTACT NAME/COMPANY: _____
ADDRESS: _____
TELEPHONE: _____ FAX: _____ EMAIL: _____

EVENT DESCRIPTION (Include nature of film, any special effects, & number & type of production vehicles)

Lots 10, 9 on W. Welbourne and Lot 16 on W. New England will be used for primary construction worker parking. Lots 6 and 7 will be used for overflow parking. The west side of Lots 11 and 16 will be delineated with orange snow fence and gates. Workers will arrive between 06:00 and 08:00 and will leave between 3:30 and 6:00 pm. Brafield & Garris will police the area to ensure there is no litter and the area is clean acceptable at the end of each work day.

Anticipated Attendance: 70 - 150

YES, I have been notified of the above-referenced event

NAME: Grier
ADDRESS: 323 W Welbourne
TELEPHONE: _____

[Signature]
SIGNATURE

1/25/12
DATE

SPECIAL EVENT CONSENT/NOTIFICATION

Chapter 58 Section 58-71(z) and 58-84(u)(b) 1 & 2.: signed consent/notification from each neighboring business or resident on the immediate right, left, front, and rear of the Special Event site. The consents shall be informed consents reflecting that the signatory party has been advised of the location, duration, and nature of the special event, including any special effects to be used. A larger area of consent/notification may be required depending on the size and scope of the event.

NAME OF EVENT: Alford Inn Construction Parking
ADDRESS OF EVENT: Lots 6, 7, 9, 10 on W. Welburn Ave and Lots 16 on W. New England Ave.
DATE OF EVENT: From Present To 30 June 2013
TIME OF EVENT: From 06:00 am/pm To 5:30 am/pm

APPLICANT/CONTACT NAME/COMPANY: _____
ADDRESS: _____
TELEPHONE: _____ FAX: _____ EMAIL: _____

EVENT DESCRIPTION (Include nature of film, any special effects, & number & type of production vehicles)

Lots 11, 9 on W. Welburne and Lot 16 on W. New England will be used for primary construction worker parking. Lots 6 and 7 will be used for overflow parking. The west side of Lots 11 and 16 will be delimited with orange snow fence and lights. Workers will arrive between 06:00 and 08:00 and will leave between 3:30 and 6:00 pm. Bagfield & Garris will police the area to ensure there is no litter and the area is clean acceptable at the end of each work day.

Anticipated Attendance: 70 - 150

YES, I have been notified of the above-referenced event

NAME: [Signature]
ADDRESS: 306 W. Welburne Ave
TELEPHONE: _____

[Signature]
SIGNATURE

6/6/12
DATE

SPECIAL EVENT CONSENT/NOTIFICATION

Chapter 58 Section 58-71(z) and 58-84(u)(b) 1 & 2.: signed consent/notification from each neighboring business or resident on the immediate right, left, front, and rear of the Special Event site. The consents shall be informed consents reflecting that the signatory party has been advised of the location, duration, and nature of the special event, including any special effects to be used. A larger area of consent/notification may be required depending on the size and scope of the event.

NAME OF EVENT: Alford Inn Construction Parking
ADDRESS OF EVENT: Lots 6, 7, 9, 10 on W. Welbourne Ave and Lots 16 on W. New England Ave.
DATE OF EVENT: From Present To 30 June 2013
TIME OF EVENT: From 06:00 am/pm To 5:30 am/pm

APPLICANT/CONTACT NAME/COMPANY: _____
ADDRESS: _____
TELEPHONE: _____ FAX: _____ EMAIL: _____

EVENT DESCRIPTION (Include nature of film, any special effects, & number & type of production vehicles)

Lots 10, 9 on W. Welbourne and Lot 16 on W. New England will be used for primary construction worker parking. Lots 6 and 7 will be used for overnight parking. The west side of Lots 11 and 12 will be delineated with orange snow fence and lights. Workers will arrive between 06:00 and 08:00 and will leave between 3:30 and 6:00 pm. Bangfield & Gormie will police the area to ensure there is no litter and the area is clean acceptable at the end of each work day.

Anticipated Attendance: 70 - 150

YES/ I have been notified of the above-referenced event

NAME: Winter Park Condominium LP
ADDRESS: 345 West Welbourne, Winter Park, FL 32789
TELEPHONE: 407 571-5390

SIGNATURE

[Signature]
Managing member

DATE

11/1/12

104 345 West Welbourne

SPECIAL EVENT CONSENT/NOTIFICATION

Chapter 58 Section 58-71(z) and 58-84(u)(b) 1 & 2.: signed consent/notification from each neighboring business or resident on the immediate right, left, front, and rear of the Special Event site. The consents shall be informed consents reflecting that the signatory party has been advised of the location, duration, and nature of the special event, including any special effects to be used. A larger area of consent/notification may be required depending on the size and scope of the event.

NAME OF EVENT: Alford Inn Construction Parking
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DATE OF EVENT: From Present To 30 June 2013
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APPLICANT/CONTACT NAME/COMPANY: _____
ADDRESS: _____
TELEPHONE: _____ FAX: _____ EMAIL: _____

EVENT DESCRIPTION (Include nature of film, any special effects, & number & type of production vehicles)

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Anticipated Attendance: 70 - 150

YES, I have been notified of the above-referenced event

NAME: Winter Park Condominium LP
ADDRESS: 365 West Welbourne, Winter Park, FL 32789
TELEPHONE: 407 571 5290

SIGNATURE

Dorey Harkness
Managing Member

DATE

11/1/12

106 - 365 West Welbourne

SPECIAL EVENT CONSENT/NOTIFICATION

Chapter 58 Section 58-71(z) and 58-84(u)(b) 1 & 2.: signed consent/notification from each neighboring business or resident on the immediate right, left, front, and rear of the Special Event site. The consents shall be informed consents reflecting that the signatory party has been advised of the location, duration, and nature of the special event, including any special effects to be used. A larger area of consent/notification may be required depending on the size and scope of the event.

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TIME OF EVENT: From 06:00 am To 5:30 am/pm

APPLICANT/CONTACT NAME/COMPANY: _____
ADDRESS: _____
TELEPHONE: _____ FAX: _____ EMAIL: _____

EVENT DESCRIPTION (Include nature of film, any special effects, & number & type of production vehicles)

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Anticipated Attendance: 70 - 150

YES, I have been notified of the above-referenced event

NAME: _____
ADDRESS: 395 W. WELBORNE
TELEPHONE: _____

SIGNATURE

DATE

6/11/13

SPECIAL EVENT CONSENT/NOTIFICATION

Chapter 58 Section 58-71(z) and 58-84(u)(b) 1 & 2.: signed consent/notification from each neighboring business or resident on the immediate right, left, front, and rear of the Special Event site. The consents shall be informed consents reflecting that the signatory party has been advised of the location, duration, and nature of the special event, including any special effects to be used. A larger area of consent/notification may be required depending on the size and scope of the event.

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DATE OF EVENT: From Present To 30 June 2013
TIME OF EVENT: From 06:00 am/pm To 5:30 am/pm

APPLICANT/CONTACT NAME/COMPANY: _____
ADDRESS: _____
TELEPHONE: _____ FAX: _____ EMAIL: _____

EVENT DESCRIPTION (Include nature of film, any special effects, & number & type of production vehicles)

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Anticipated Attendance: 70 - 150

YES, I have been notified of the above-referenced event

NAME: Loretta Ball
ADDRESS: 308 W. Welbourne Ave.
TELEPHONE: (407) 628-5667

Loretta Ball
SIGNATURE

11/1/12
DATE

SPECIAL EVENT CONSENT/NOTIFICATION

Chapter 58 Section 58-71(z) and 58-84(u)(b) 1 & 2.: signed consent/notification from each neighboring business or resident on the immediate right, left, front, and rear of the Special Event site. The consents shall be informed consents reflecting that the signatory party has been advised of the location, duration, and nature of the special event, including any special effects to be used. A larger area of consent/notification may be required depending on the size and scope of the event.

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APPLICANT/CONTACT NAME/COMPANY: _____

ADDRESS: _____

TELEPHONE: _____ FAX: _____ EMAIL: _____

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Anticipated Attendance: 70 - 150

YES, I have been notified of the above-referenced event

NAME: Boya Kalaghini

ADDRESS: 335 W Welbourne Ave

TELEPHONE: _____

SIGNATURE

DATE

11/1/12

SPECIAL EVENT CONSENT/NOTIFICATION

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APPLICANT/CONTACT NAME/COMPANY: _____

ADDRESS: _____

TELEPHONE: _____ FAX: _____ EMAIL: _____

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Anticipated Attendance: 70 - 150

YES, I have been notified of the above-referenced event

NAME: FLAZER INC.

ADDRESS: 315 W. Welbourne

TELEPHONE: _____

SIGNATURE: _____

DATE: 11/1/12.

SPECIAL EVENT CONSENT/NOTIFICATION

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Anticipated Attendance: 70 - 150

YES, I have been notified of the above-referenced event

NAME: DAN Bellows New England Ave Propertie
ADDRESS: PO Box 350 Winton Park, FL 32790-0350
TELEPHONE: 407-644-3151


SIGNATURE

11/14/12
DATE



city commission agenda item

item type	Consent Agenda	meeting date	November 26, 2012
prepared by department division	Wes Hamil, Finance Director Finance	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

Budget adjustment to appropriate accumulated restricted building permit revenues to scan large building plans.

motion | recommendation

Approve budget adjustment

background

Building and Code Enforcement have been examining options to reduce the large amount of storage space taken up in order to meet records retention requirements for large plan documents. The plan documents to be scanned are currently being stored at the Public Safety Building. Some of this space needs to be freed up to make room for other documents.

The attached quote from Advanced Data Solutions of \$8,690 is an estimate. The exact cost will not be known until all plans have been scanned.

alternatives | other considerations

fiscal impact

\$10,000 in accumulated restricted building permit revenues

long-term impact

strategic objective

CITY OF WINTER PARK

BUDGET ADJUSTMENT

SUBMITTING DEPARTMENT: Building and Code Enforcement ADJUSTMENT NUMBER: _____DATE: 11/17/12 GROUP NUMBER: _____

SOURCE OF FUNDS:			
ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PROJECT NUMBER	ADJUSTMENT
001-0000-382.42-11	Accumulated restricted permit fees		10,000
TOTAL			<u><u>10,000</u></u>

USE OF FUNDS:			
ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PROJECT NUMBER	ADJUSTMENT
001-2303-524.34-40	Contractual services		10,000
TOTAL			<u><u>10,000</u></u>

REASON FOR ADJUSTMENT REQUEST:
Appropriate restricted permit revenues to scan large plan documents to free up storage space

APPROVALS:			
Wes Hamil	Commission Approval Date	Randy Knight	11/19/2012
Finance Director	11/17/2012	City Manager	Date
	Date	George Wiggins	11/19/2012
		Department Head	Date



ADVANCED DATA SOLUTIONS, INC.

813.855.3545 Corporate
813.855.6575 Fax
www.adsus.net

**Wide Format Plan Conversion
Quotation for Services:
City of Winter Park**

401 South Park Avenue
Winter Park, Florida 32789
Attn: Lori A. Hunt
407-599-3346

E: lhunt@cityofwinterpark.org

Description	Off-Site Conversion Price	Quantity	Off-Site Conversion Price
File Conversion of Wide Format Prints (up to Size E size): Scanning of files to Group IV TIFF scanned at 300 dpi in accordance with Florida Department of State Guidelines – Black & White. Document Preparation to include stapler removal, re-placement of post-it notes, repair of torn documents, etc... 78 Boxes with sheet counts estimated at 250 each	\$.37 Per Image	19,500	\$7,215.00
CD-Rom / DVD Media Discs – Expected 2 DVD	\$0.00	\$0.00	\$0.00
Pick-Up and Redelivery (\$30 Each Way)	\$30.00	2	\$60.00
Database Set-Up / Laserfiche Script Set-Up	\$0.00	\$0.00	\$0.00
Record Profile Reports detailing, by box, Project Names / Permit #'s, if applicable	\$0.00	\$0.00	\$0.00
Indexing and Metadata Input / Keystroke (Avg K/S Per doc = 14)	\$0.01	273,000	\$2,730.00
Records Requests (securely transmitted via email through file encryption or SFTP – Satisfied typically within 15 minutes)	\$0.00	\$0.00	\$0.00
Client Discount			(\$1,315.00)
			\$8,690.00

ADS LOW COST GUARANTEE

We will honor ANY competitors pricing INCLUSIVE of a 5% discount for comparable, qualified services.

Project Completion Timeline	Approximately 1 Week Per 50 Boxes
Security Measures	ALL ADS Staffed Have Passed Background Checks. ADS Driver has passed FDLE Background Check.



city commission agenda item

item type	Action Items Requiring Discussion	meeting date	November 26, 2012
prepared by department division	City Manager Randy Knight	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

Discuss evaluation form and process for evaluating City Attorney.

motion | recommendation

Approve the evaluation form and establish process and timing for evaluating City Attorney.

Staff recommends that the Mayor and each Commissioner complete the evaluation form and provide it to Mr. Brown, with a copy to the City Clerk, by Friday, November 30th so that it can be included on the December 10th meeting.

background

At the October 8, 2012 Commission Meeting the Commission directed the City Manager to provide a form for evaluating the City Attorney. Attached is a recommended evaluation form.

At the same meeting, the Commission approved extending the City Attorney contract through the current quarter.

fiscal impact

N/A.

long-term impact

Unknown.

strategic objective

N/A.

EVALUATION OF LEGAL SERVICES
City of Winter Park

1. **Advice**

- Provides legal advice as requested whether in person, by telephone, by email or by correspondence
- Reasonably available for and promptly responds to requests for legal advice
- Identifies potential legal risks or liabilities.
- Promptly advises of changes in the law and related impact to City

above expectation _____ *meets expectation* _____ *improvement expected* _____ *unsatisfactory* _____

Comments:

2. **Public Meetings**

- Attends regular and special Commission meetings, workshops and other public meetings or hearings as requested
- Is appropriately prepared to provide legal advice with regard to items on such agendas.

above expectation _____ *meets expectation* _____ *improvement expected* _____ *unsatisfactory* _____

Comments:

3. **Ordinances, Contracts and Other Documents**

- * Provides assistance in reviewing, revising and drafting ordinances as requested by the City
- * Provides assistance in reviewing, revising and drafting changes to the Comprehensive Plan as requested by the City
- * Provides assistance in reviewing, revising, negotiating and drafting contracts or other documents relevant to the business of the City
- * Assists in legal interpretation of the City Charter, Codes, contracts and other documents

above expectation _____ *meets expectation* _____ *improvement expected* _____ *unsatisfactory* _____

Comments:

4. **Pending Claims and Litigation**

- * Provides legal advice regarding issues which may escalate into claims or litigation against the City
- * Identifies and provides legal advice regarding issues which the City may wish to pursue in litigation
- * Represents the City's interests in order to protect it from significant legal risk or liability
- * Represents the City in order to prevent it from suffering significant monetary losses
- * Timely conveys the status of pending claims and litigation to Commission members and appropriate administrators
- * Prepares and disseminates summary status memos to Commission members and appropriate administrators to keep all applicable individuals apprised of pending claims and litigation.

above expectation _____ *meets expectation* _____ *improvement expected* _____ *unsatisfactory* _____

Comments:

Name: _____
Date: _____

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. – **PULLED FOR DISCUSSION, SEE BELOW**

Motion made by Commissioner McMacken to approve Consent Agenda items 'a', 'b.1-26, 28, 30-33' and 'c'; seconded by Commissioner Sprinkel and carried unanimously with a 5-0 vote.

Consent Agenda Item 'b.27' - Blanket Purchase Order to William J. Peebles for State Lobbyist Services; \$52,000

Commissioner Cooper mentioned that the Commission unanimously approved in November 2011 to review all professional contracts every five years. She asked City Manager Knight if this contract is going to be reviewed and/or bid so we can be consistent with our policy. City Manager Knight responded to questions and asked for direction.

Motion made by Commissioner Sprinkel to keep William J. Peebles contract in place for right now and to review/look at bidding it out next year; seconded by Mayor Bradley and approved by acclamation with a 5-0 vote.

Consent Agenda Item 'b.29' – Blanket Purchase Order to Brown, Garganese, Weiss & D'Agresta for Attorney Services (RFP-21-2009); \$320,000

Motion made by Mayor Bradley for the City Commission to perform an evaluation/review of our City Attorney in the next month and that the current contract be extended for this quarter until such time as that review is complete and the Commission can discuss it; seconded by Commissioner Leary for discussion. Commissioner Cooper stated that she does not support yearly public reviews of our City Attorney and was very uncomfortable when this was conducted several months ago. **By acclamation Mayor Bradley and Commissioners Leary and Sprinkel voted yes. Commissioners Cooper and McMacken voted no. The motion carried with a 3-2 vote.**

Consent Agenda Item 'd' – Approve the Interlocal Agreement with Orange County regarding the reimbursement for Phase II of the Minnesota Avenue Drainage Design Project.

Motion made by Mayor Bradley to approve Consent Agenda item 'd' and asked for clarification; seconded by Commissioner McMacken for discussion. Public Works Director Troy Attaway provided background and answered questions. **The motion was approved by acclamation with a 5-0 vote.**



city commission agenda item

item type	Action Item Requiring Discussion	meeting date	November 26, 2012
prepared by department division	Wes Hamil, Finance Director Finance	approved by	<input checked="" type="checkbox"/> City Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> N/A
board approval	Utilities Advisory Board	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> N/A	final vote

subject

Water and Sewer Rate Study

motion | recommendation

Approve proposed water and sewer rates to be effective December 1, 2012.

Background

At our November 12th work session, the Commission gave direction to eliminate all of the residential subsidy of commercial rates, eliminate one third of the sewer subsidy of water rates each year for the next three years, and meet the overall revenue requirements of a 4.2% increase. Staff has worked with CDM Smith to prepare rates that accomplish these directives.

Attached for your review is a schedule showing the calculation of the percentage adjustment in water and sewer volume charges to accomplish the above. These calculations were done after the elimination of the residential to commercial subsidy and the adjustments to make availability charges for multi-dwelling units equal to 53.8% of regular availability charges. Availability charges **are the portion of a customer's bill that remains static regardless of how much or little water they use.**

The end result is a 9.77% increase in water volume charges and a 3.09% decrease in sewer volume charges. These are the percentage changes that were applied to the current residential rates to arrive at the proposed rates.

The second **attachment provides a comparison of the City's existing water and sewer rates to the proposed rates.** As you will note, commercial rates are now equal to those of residential customers. The difference is there are six blocks for residential customers and five for commercial. This keeps the current block structures in place as discussed at the November 12 work session.

In addition, we adjusted upward the base availability charges for 8" and 10" meters to more accurately reflect the demand a meter that size can place on the water and sewer system. We also now have a customer who will be receiving reclaimed water for irrigation purposes. At the suggestion of CDM Smith we have priced this at 80% of the potable water rate.

Lastly, we have a schedule comparing current bills to what they would be with the proposed rates in place. For residential customers with sewer service, there is almost no impact. For those on septic tanks, the impact is still fairly minimal at \$25 per year for a customer using 13,000 gallons of water a month.

The biggest increase will be for our commercial customers that are on septic tanks. They do not have the benefit of the lower sewer rates to partially offset the increases in water rates.

fiscal impact

The proposed water and sewer rates are projected to increase Water and Sewer Fund revenues in total by \$1,090,000 or 4.2%.

long-term impact

The rates are proposed to become effective December 1, 2012 eliminating one third of the sewer subsidy of water operations. The remaining 2/3rds sewer to water subsidy will be phased equally on October 1, 2013 and October 1, 2014 along with implementing the applicable CPI adjustments at that time.

strategic objective

Financial stewardship

FY 2013

	Water (from Table 02-5)	Sewer (from Table 02-10 Revised)	Total
Annual revenue requirements			
Operating expenses	8,210,978	9,709,119	17,920,097
Debt service	4,901,865	968,667	5,870,532
Other expenditures to be funded:			
R&R expenditures	620,234	1,382,596	2,002,830
Capital expenditures	46,150	24,850	71,000
Transfers	1,225,024	689,076	1,914,100
Grand total revenue requirements	15,004,251	12,774,308	27,778,559
Annual revenues from other than volume charges:			
Water availability charges:			
Inside City	1,787,635	1,623,920	3,411,555
Outside City	2,097,808	1,684,543	3,782,351
Other revenue sources:			
Fire lines water	365,000		365,000
Investment earnings	66,600	66,600	133,200
All other	353,000	43,000	396,000
Industrial waste inside		50,000	50,000
Industrial waste outside		15,000	15,000
Grand total annual revenues from other than volume charges	4,670,043	3,483,063	8,153,106
Revenue requirements from volume charges	10,334,208	9,291,245	19,625,453
Existing annual revenues from volume charges:			
Inside City	5,458,831	4,808,796	10,267,627
Outside City	3,378,767	5,432,538	8,811,305
Total existing annual revenues from volume charges	8,837,598	10,241,334	19,078,932
Surplus/(shortfall) in volume charges	(1,496,610)	950,089	(546,521)
Make water and sewer fund whole for FY 2013	546,521		546,521
Eliminate 1/3 of water vs. sewer subsidy	316,696	(316,696)	-
	863,217	(316,696)	546,521
Percentage adjustment to volume charges - pre-other adjustments	9.77%	-3.09%	2.86%

Recommended Water and Sewer Charges

Customer Class	Block	Existing Rates Rate per TG		Proposed Rates Rate per TG (1)	
		Inside City	Outside City	Inside City	Outside City
Residential & Multi-Family:					
	1	0.92	1.15	1.01	1.26
	2	1.37	1.72	1.50	1.88
	3	1.94	2.42	2.13	2.66
	4	2.61	3.27	2.86	3.58
	5	3.33	4.16	3.66	4.57
	6	4.83	6.03	5.30	6.63
Commercial & Public Authority:					
	1	0.79	0.99	1.01	1.26
	2	0.92	1.15	1.50	1.88
	3	1.37	1.72	2.13	2.66
	4	1.94	2.42	2.86	3.58
	5	2.61	3.27	3.66	4.57
Irrigation & Fire Line Rates:					
	1	1.94	2.42	2.13	2.66
	2	2.61	3.27	2.86	3.58
	3	3.33	4.16	3.66	4.57
	4	4.83	6.03	5.30	6.63
Sewer		5.11	6.38	4.95	6.19
Availability (base) ERM charge (water)		8.62	10.78	8.62	10.78
Availability (base) ERM charge (sewer)		10.19	12.73	10.19	12.73
Additional water base charge for multi-dwelling customers (per unit)		3.15	3.93	4.64	5.80
Additional sewer base charge for multi-dwelling customers (per unit)		6.27	7.83	5.48	6.85
New availability (base) charges for water:					
8" meter		431.00	539.00	689.60	862.40
10" meter		431.00	539.00	991.30	1,239.70
New availability (base) charges for sewer:					
8" meter		509.50	636.50	815.20	1,018.40
10" meter		509.50	636.50	1,171.85	1,463.95
Reclaimed water rates		-	-	0.81	1.01

Impact of Proposed Rates on Various Customer Classes and Consumption Levels

	Annual Bill with Existing Rates	Annual Bill with Proposed Rates	Difference	Percentage
Residential - 3,000 gallons per month (sewer service)	456.46	454.26	(2.20)	-0.48%
Residential - 8,000 gallons per month (sewer service)	847.54	843.79	(3.74)	-0.44%
Residential - 13,000 gallons per month (sewer service)	1,291.02	1,291.01	(0.01)	0.00%
Residential - 25,000 gallons per month (1 inch meter, sewer service)	2,304.46	2,360.87	56.41	2.45%
Residential - 3,000 gallons per month (no sewer service)	150.22	153.78	3.56	2.37%
Residential - 8,000 gallons per month (no sewer service)	234.70	246.31	11.62	4.95%
Residential - 13,000 gallons per month (no sewer service)	371.58	396.53	24.95	6.71%
Residential - 25,000 gallons per month (1 inch meter, no sewer service)	1,140.22	1,223.51	83.29	7.30%
Small commercial business with sewer service - 48,000 gallons per month average	4,476.28	4,765.90	289.62	6.47%
Small commercial business with no sewer service - 48,000 gallons per month average	1,433.23	1,995.73	562.50	39.25%
Mid-size commercial business with sewer service - 300,000 gallons per month average	34,887.14	36,413.83	1,526.69	4.38%
Very large commercial customer with sewer service - 3,370,000 gallons per month average	301,501.95	330,067.50	28,565.55	9.47%



city commission public hearing

item type	Public Hearing	meeting date	November 26, 2012
prepared by	Jeff Briggs	approved by	<input checked="" type="checkbox"/> City Manager
department	Planning Department		<input type="checkbox"/> City Attorney
division			<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	5-2 final vote

Subject: Rezoning and Conditional Use for the YMCA parking and zero depth swimming pool expansion.

Summary:

The Winter Park YMCA has submitted their proposed site plans and architectural elevation drawings for parking and pool expansion requests. In terms of code compliance, the project would meet the setbacks, floor area ratio and other development standards for the PQP zoning (if approved). The existing YMCA is 33,450 square feet in size. The YMCA now has 139 parking spaces.

The YMCA owns and has owned since the 1960's, the 35 feet of property south of the existing south wall of their swimming pool which appears to be visually part of the backyards of the two homes at 1751/1761 Palmer Avenue. The proposed new zero depth swimming pool utilizes only that 35 feet so it is possible to approve the new swimming pool without rezoning the residential lots at 1751/1761 Palmer Avenue. The site plan preserves the existing large oak tree as an amenity for the combined swimming pool facilities. The residential lots are proposed for use as expanded parking of 40 additional spaces. The plans would continue the buffer wall and landscape program that presently exists along Palmer Avenue, as a buffer for that expanded parking.

Background and Recent History:

The YMCA was approved for a major expansion in 1996. It was a similar scenario of neighborhood opposition contrasted with the benefits to the citizenry that the YMCA provides. There was considerable discussion about the adequacy of parking, effect on the neighborhood, plans for any future expansions, etc.

On October 22, 1996 the City Commission approved the YMCA expansion which was conditioned upon and contingent upon the YMCA providing amongst other things a Development Agreement that: 1) There will be no further acquisition of property in the immediate area for expansion purposes; 2) There will be no further expansion of the building; and that 3) No second outdoor pool was to be constructed.

Pursuant to that approval a "Developer's Agreement" was executed by the YMCA on January 7, 1997 and the agreement was recorded in the public records. One purpose of the "Developer's Agreement" was to incorporate the 'promises' that were made at that time by the YMCA officials that there would not be any further expansions to the YMCA building (beyond what was approved in 1996) and no further expansions to their Property.

The 1997 Development Agreement:

Development Agreements that are entered into as part of Conditional Use (Zoning – Article III) approvals, as was the case in 1996, are governed by the Conditional Use text part of the Zoning Code (Section 58-90). They are not governed by the part of the Comprehensive Plan – Article I text that deals with agreements entered into for State of Florida consents to make Comprehensive plan changes (Section 58-7). This has been discussed in detail with the YMCA representatives and the applicable code sections provided. None the less, the submittal by the YMCA makes the claim that the YMCA Development Agreement has expired after 10 years. The City Attorney as well has confirmed that this claim is erroneous.

In March 2008, the YMCA purchased the two adjoining single family residential properties at 1751 and 1761 Palmer Avenue. In September 2009, the YMCA asked for these same approvals that are on this agenda now for the parking lot and swimming pool expansions. They also asked for approval to expand the locker rooms (3,115 sq. ft. expansion) which had been part of the 1996 approval but had not been constructed.

In September 2009, the locker room expansion was approved since it was part of the 1996 approvals. However, the parking lot and swimming pool expansions were recommended for denial by the Planning and Zoning Board (4-1 for denial on the swimming pool and 5-0 for denial on the parking lot). Based on those recommendations for denial, the swimming pool and parking lot expansions were withdrawn and not voted on by the City Commission. (See minutes attached) At this time, the YMCA is making the same requests for the children's zero depth swimming pool and parking lot expansion. Accordingly, the Planning and Zoning Board heard the issue on November 6, 2012 and voted 5-2, that the City Commission should consider the amendment.

The City understands the opinion that the Development Agreement 'promise' should preclude the YMCA from asking for these expansions. However, it is not uncommon for property owners to ask the City to revisit Development Agreements and to revisit or reconsider terms of those Development Agreements. The City has revised and amended Development Agreements with Sydgan Corp. and for the Langford/Regent/JW Marriott/Alfond Inn hotel project. It is totally within the discretion of the City Commission, following a recommendation from the Planning Board, whether to entertain such a request.

Staff Analysis:

Swimming Pool Expansion: A new children's zero depth swimming pool was part of the YMCA request in 1996 and 2009. The current proposal is for the same location as was proposed in 2009. The YMCA desires to revisit that request for a new zero-depth children's pool because they believe it is critical to the mission of the Winter Park YMCA Family Center. The current YMCA swimming pool is inadequate for use by small children. The shallow part of the pool is

three feet deep and not conducive for small children. In addition, two-thirds of the swimming pool is typically used for lap swimming by adults. Small children have just one small corner of the swimming pool to use. That is what the **zero depth children's swimming pool** will address.

The noise impact could be a concern. Adjacent to the new proposed children's swimming pool is a vacant single family lot at 1741 Palmer Avenue. AT the P&Z meeting the owner of the adjacent property stated that they support the new swimming pool and are not concerned with the noise from this facility.

Parking Lot Expansion: The parking lot expansion would add 40 additional parking spaces. It would be screened with the same type of wall and landscaping treatment that successfully **screens the existing parking lot. That buffer wall and landscaping has become the 'template'** upon which the city has now codified in the Land Development Code as the method to successfully buffer and screen parking from the view of adjacent residential neighbors. The parking lot expansion is proposed for the convenience of the existing membership but one cannot say that it would not also function as an amenity to increase membership. The staff has difficulty providing any measurable negative impacts as to how this would be a significant negative effect upon the adjoining residential community. The proposed screen wall and landscaping is the template that the City uses to show how to successfully integrate a parking lot into a residential neighborhood. The argument has been made that the wall and landscape buffer must successfully accomplish the intent because there are two new single family homes under construction directly across Palmer Avenue and another one ready to start right next door.

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
SINGLE FAMILY RESIDENTIAL TO
INSTITUTIONAL ON THE PROPERTIES AT
1751 AND 1761 PALMER 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 November 6, 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 November 26, 2012 and December 10, 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 single family residential to institutional on the properties at 1751 and 1761 Palmer Avenue, said properties being more particularly described as follows:

Lots 9 and 10 (less the North 35 feet thereof) Jenkins Addition as recorded in Plat Book "R", Page 140 of the Public Records of Orange County, Florida.

Property Tax ID's # 05-22-30-3968-00-090 and 05-22-30-3968-00-100

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. 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 SINGLE FAMILY (R-1A) DISTRICT TO PUBLIC, QUASI-PUBLIC (PQP) DISTRICT ON THE PROPERTIES AT 1751 AND 1761 PALMER AVENUE, MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR 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 November 6, 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 single family (R-1A) district to public, quasi-public (PQP) district zoning on the properties at 1751 and 1761 Palmer Avenue, more particularly described as follows:

Lots 9 and 10 (less the North 35 feet thereof) Jenkins Addition as recorded in Plat Book "R", Page 140 of the Public Records of Orange County, Florida.

Property Tax ID's # 05-22-30-3968-00-090 and 05-22-30-3968-00-100

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

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

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

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

Mayor

Attest:

City Clerk

Prepared by:
Frank A. Hamner, Esq.
Frank A. Hamner, P.A.
1011 North Wymore Road
Winter Park, Florida 32789

PLEASE NOTE:

And

City of Winter Park
City Manager
401 Park Avenue South
Winter Park, Florida 32789

This Development Agreement has been prepared by the YMCA and includes their commitments.

The conditions recommended by P&Z and added to this Agreement are shown in yellow on Page 2.

Return to:
Frank A. Hamner, Esq.
Frank A. Hamner, P.A.
1011 North Wymore Road
Winter Park, Florida 32789

WINTER PARK YMCA FAMILY CENTER DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT ("Agreement") is entered into this ____ day of _____, 2012, by the **Central Florida Young Men's Christian Association**, a Florida non-profit corporation, (hereinafter referred to as "OWNER"), having an address of 433 North Mills Avenue, Orlando, Florida 32803 and the **City of Winter Park**, a Florida municipal corporation (hereinafter referred to as "CITY"), having an address at 401 Park Avenue South, Winter Park, Florida 32789.

WHEREAS, OWNER is the owner of certain real property located at 1751 and 1761 Palmer Avenue and 1201 North Lakemont Avenue, Winter Park, Florida 32789 and further described on Exhibit "A" which is incorporated herein and made a part thereof (the "Property"); and,

WHEREAS, in accordance with the Winter Park Land Development Code, Owner has received approval for an ordinance amending the Comprehensive Plan Future Land Use Map to change the existing designation from single family residential to institutional on the properties at 1751 and 1761 Palmer Avenue ("Map Change"); and,

WHEREAS, in accordance with the Winter Park Land Development Code, Owner has received approval for an ordinance amending the zoning regulations and the official zoning map to change the existing zoning designation from single family residential (R-1A) to public, quasi-public (PQP) on the properties at 1751 and 1761 Palmer Avenue ("Zoning Change"); and,

WHEREAS, in accordance with the Winter Park Land Development Code, OWNER has received approval of a Conditional Use Permit ("CUP") which permits the construction of a zero depth swimming pool on the property at 1201 North Lakemont Avenue and expansion of its existing parking area onto the properties at 1751 and 1761 Palmer Avenue (together, the "Project"); and

WHEREAS, the parties desire to enter into this Agreement to more specifically set forth the conditions and restrictions with respect to the Project, the Map Change, the Zoning Change and the CUP.

NOW THEREFORE, in consideration of Ten and 00/100 Dollars (\$10.00), and other good and valuable consideration, receipt and sufficiency of which is hereby acknowledged, the parties do hereby agree as follows:

Recitals. The foregoing Recitals are true and correct and are incorporated herein.

Conditional Use Permit. The City grants CUP approval of the development plan attached hereto as Exhibit "B".

Expansion. OWNER agrees to provide CITY with a recorded easement granting CITY a five foot easement on the west property line of 1761 Palmer Avenue from Palmer Avenue to its intersection with the property line of Phelps Park, more particularly described in Exhibit "C".

Conditions. Prior to, and as a condition of, the Final Conditional Use Permit approval, OWNER shall comply with the following:

- a. Newly installed light fixtures shall be shielded so as to minimize their offsite visibility;
- b. The landscape plan shall incorporate design elements to equal or exceed the quality and level of landscaping existing on site along Palmer Avenue;
- c. The water slide shown at the zero depth pool on the submitted plans shall be removed;
- d. The size of the parking lot expansion shall be reduced from 40 spaces to 30 spaces;
- e. The existing wall around the perimeter of the pool shall be extended to encompass the new pool area in a similar fashion;
- f. There shall be no further expansions to the size of the YMCA building;
- g. OWNER shall deposit, each year for the next ten (10) years, into the Cady Way Pool Capital Projects Fund, an amount equal to the annual property taxes now paid on the properties at 1751 and 1761 Palmer Avenue;
- h. OWNER shall provide a voucher for the parents of any kindergarten or first grade student enrolled at each of Brookshire, Aloma, Lakemont and Killarney Elementary schools (and any other elementary schools within the boundaries of the City of Winter Park), waiving the cost for those parents to enroll said kindergarten or first grade student into an entry level course of swimming lessons at either the Lakemont or Cady Way pool facilities; and,
- i. OWNER shall host a quarterly Community Outreach meeting at the Lakemont facility. Said meetings shall be advertised by posting the place and time at the facility and notifying the CITY such that it can be included on the CITY website and in CITY notice publications.

Subsequently Enacted State or Federal Law. If state or federal laws are enacted after the execution of this Agreement which are applicable to and preclude the parties compliance with

the terms of this Agreement, this Agreement shall be modified or revoked as necessary to comply with the relevant state or federal laws.

Successors and Assigns. This Agreement and the terms and conditions thereof shall be binding upon and inure to the benefit of the CITY and OWNER and their respective successors in interest. The terms and conditions of this Agreement similarly shall be binding upon the Property and shall run with the title to the same.

Counterparts. This Agreement may be executed in one or more counterparts, each of which shall be deemed to be an original but all of which shall constitute one and the same agreement.

Modification Must Be in Writing. No modification or termination of this Agreement shall be valid unless approved by the City Commission, executed in writing and signed by the applicable duly authorized representative of CITY and OWNER.

No Waiver. No waiver of any provision of this Agreement shall be effective unless it is in writing and signed by the party against whom it is asserted, and any such written waiver shall only be applicable to the specific instance to which it relates and shall not be deemed to be a continuing or future waiver.

Captions and Section Heading. Captions and Section Headings contained in this Agreement are for convenience and reference only and in no way define, describe, extend or limit the scope of intent of this Agreement nor the intent of any provision thereof.

Attorney's Fees. In the event of any dispute hereunder or of any action to interpret or enforce this Agreement, any provision hereof or any matter arising herefrom, the prevailing party thereunder shall be entitled to its reasonable attorneys' fees and costs including at trial or at all appellate levels.

Waiver of Strict Construction Against Drafting Party. Should any provision of this Agreement be subject to judicial interpretation, it is agreed that the court interpreting or considering such provision not apply the presumption or rule of construction that the terms of this Agreement be more strictly construed against the party which itself or through its counsel or other legal agent prepared the same, as all parties hereto have participated in the preparation of the final form of this Agreement through review by their respective counsel and the negotiation of changes in language in any provision deemed unsuitable or inadequate as initially written, and, therefore, the application of such presumption or rule of construction would be inappropriate and contrary to the intent of the parties.

Interpretation. In case any one or more of the provisions of this Agreement shall be invalid, illegal or unenforceable in any respect, the validity of the remaining provisions shall be in no way affected, prejudiced or disturbed thereby. The use of any gender shall include all other genders. The singular shall include the plural and vice versa. Use of the words "herein", "hereof", "hereunder" and any other words of similar import refer to this Agreement as a whole and not to any particular article, section or sub section of this Agreement unless specifically noted otherwise in this Agreement.

Governing Law. This Agreement shall be deemed to be governed by, construed and enforced in accordance with the internal laws of the State of Florida. Venue shall be Orange County, Florida.

Third Parties. This Agreement shall not be deemed to confer in favor of any third parties any rights whatsoever as third party beneficiaries, the parties hereto intending by the provisions hereof to confer no such benefits or status.

Notice. Any written notice, demand or request that is required to be made under this Agreement shall be served in person, or by registered or certified mail, return receipt requested, or by express mail or similar reputable overnight courier service, addressed to the party to be served at the address set forth in the first paragraph hereof. The addresses stated herein may be changed as to the applicable party by providing the other party with notice of such address change in the manner provided in this paragraph. In the event that written notice, demand or request is made as provided in this paragraph, then in the event that such notice is returned to the sender by the United States Postal Service or other similar reputable overnight courier service because of insufficient address or because the party has moved or otherwise, other than for insufficient postage, such writing shall be deemed to have been received by the party to whom it was addressed on the date that such writing was initially placed in the United States Postal Service or reputable overnight courier service by the sender.

Copies of notices shall be sent to:

as to CITY:

City of Winter Park
Attention: City Manager
401 Park Avenue South
Winter Park, Florida 32789

as to OWNER:

Central Florida Young Men's Christian Association
Attention: Chief Financial Officer
433 North Mills Avenue
Orlando, Florida 32803

With a copy to:

Frank A. Hamner, Esq.
Frank A. Hamner, P.A.
1011 North Wymore Road
Winter Park, Florida 32789

Representations of the Parties. The CITY and OWNER hereby each represent and warrant to the other that it has the power and authority to execute, deliver and perform the terms and provisions of this Agreement and has taken all necessary action to authorize the execution, delivery and performance of this Agreement. This Agreement will, when duly executed and delivered by the CITY and OWNER and recorded in the Public Records of Orange County, Florida, constitute a legal, valid and binding obligation enforceable against the parties hereto and the Property in accordance with the terms and conditions of this Agreement. OWNER represents that it has voluntarily and willfully executed this Agreement for purposes of binding the Property to the terms and conditions set forth in this Agreement.

Specific Performance. Strict compliance shall be required with each and every provision of this Agreement. The parties agree that failure to perform the obligations provided by this Agreement shall result in irreparable damage and that specific performance of these obligations may be obtained by a suit in equity.

Development Permits. Nothing herein shall limit the CITY's authority to grant or deny any development permit applications or requests subsequent to the effective date of this Agreement. The failure of this Agreement to address any particular City, County, State and/or Federal permit, condition, term or restriction shall not relieve OWNER or the CITY of the necessity of complying with the law governing said permitting requirement, condition, term or restriction. Without imposing any limitation on the CITY's police powers, the CITY reserves the right to withhold, suspend, or terminate any and all certificates of occupancy or permits for the Property if OWNER is in breach of any material term and condition of this Agreement.

Termination. The CITY shall have the unconditional right, but not obligation, to terminate this Agreement, without notice or penalty, if OWNER fails to receive building permits and substantially commence construction of the Project within two (2) years of the effective date of this Agreement. If the CITY terminates this Agreement, the CITY shall record a notice of termination in the public records of Orange County, Florida.

Compliance with Other Laws, Ordinances and Regulations. This Agreement shall not operate as a limitation upon the CITY to require the OWNER to comply with all applicable laws, ordinances, resolutions and regulations of either the United States, the State of Florida, Orange County or City of Winter Park, regulating the development of the OWNER's Property in accordance with this Agreement to the extent that same are not specifically addressed or referenced herein, nor shall the failure of this Agreement to address any particular requirement to act to relieve the OWNER from complying with any development requirement, condition, term or restriction, including but not limited to, all impact fee requirements. OWNER agrees to pay all fees when required by Code, including water/sewer connection fees, and park and recreation impact fees.

Subordination/Joinder. Unless otherwise agreed to by the CITY, all liens, mortgages and other encumbrances not satisfied or released of record, must be subordinated to the terms of this Agreement or the lienholder joins in this Agreement. It shall be the responsibility of the OWNER to promptly obtain the said subordination or joinder, in form and substance acceptable to the City Attorney, prior to the CITY execution of the Agreement.

23. Effective Date. This Agreement shall be effective as of the date of its execution by the last of the parties as evidenced by the date following the execution portion of this Agreement.

24. Merger and Integration. This Agreement represents the entire agreement between the parties and supersedes all prior agreements between them regarding the subject matter herein, to specifically include, but not be limited to, the parties' January 7, 1997 Developer's Agreement. There are no other agreements between the parties, oral or in writing, concerning the subject matter herein.

25. Not A Statutory Development Agreement. Pursuant to Section 58-90, of the City's Land Development Code, and based on the City's home rule power, this Agreement is not

a statutory development agreement, and is therefore agreed to be not subject to the requirements or duration provisions of Section 58-7 or Fla. Stat. §163.3220, et seq.

26. Period of Effectiveness. This Agreement shall remain in effect for fifteen (15) years. The effectiveness of this Agreement may be extended upon agreement of the OWNER and City Commission approval consistent with this Agreement.

[SIGNATURES TO FOLLOW]

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed as follows:

WITNESSES:

CENTRAL FLORIDA YOUNG MEN'S
CHRISTIAN ASSOCIATION, INC., a Florida
non-profit corporation

(print)

By: _____

Print name: _____

Title: _____

(print)

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this _____ day of _____, 2012, by _____ the _____ of CENTRAL FLORIDA YOUNG MEN'S CHRISTIAN ASSOCIATION, INC., a Florida non-profit corporation, (check one) ☐ who is personally known to me or ☐ who produced _____ as identification.

Notary Public – State of Florida
Print Name: _____
My Commission expires: _____

WITNESSES:

CITY OF WINTER PARK, a Florida
municipal corporation

By: _____

Print name: _____

_____ (print)

Title: _____

ATTEST:

By: _____

_____ (print)

_____ Cynthia Bonham, City Clerk

Date: _____

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this _____ day of _____, 2012, by _____ the _____ of the CITY OF WINTER PARK, a Florida municipal corporation, (check one) ☐ who is personally known to me or ☐ who produced _____ as identification.

Notary Public – State of Florida

Print Name: _____

My Commission expires:



CITY OF WINTER PARK Planning & Zoning Board

Regular Meeting
City Hall, Commission Chambers

November 6, 2012
7:00 p.m.

MINUTES

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

Approval of minutes – October 2, 2012:

Motion made by Mr. Gottfried, seconded by Mr. Sacha to approve the October 2, 2012, meeting minutes. Motion carried unanimously with a 7-0 vote.

PUBLIC HEARINGS:

REQUEST OF THE WINTER PARK YMCA TO: AMEND THE "COMPREHENSIVE PLAN" FUTURE LAND USE MAP SO AS CHANGE THE EXISTING DESIGNATION OF SINGLE FAMILY RESIDENTIAL TO INSTITUTIONAL ON THE PROPERTIES AT 1751 AND 1761 PALMER AVENUE.

REQUEST OF THE WINTER PARK YMCA TO: AMEND THE OFFICIAL ZONING MAP SO AS CHANGE THE EXISTING ZONING DESIGNATION OF SINGLE FAMILY RESIDENTIAL (R-1A) DISTRICT TO PUBLIC, QUASI-PUBLIC (PQP) DISTRICT ON THE PROPERTIES AT 1751 AND 1761 PALMER AVENUE.

REQUEST OF THE WINTER PARK YMCA FOR: CONDITIONAL USE APPROVAL TO CONSTRUCT AN ADDITIONAL ZERO DEPTH CHILDREN'S SWIMMING POOL AND TO EXPAND THE EXISTING YMCA PARKING LOT ONTO THE PROPERTIES AT 1751 AND 1761 PALMER AVENUE.

Planning Director Jeffrey Briggs presented the requests of the YMCA for:

1. Comprehensive Plan and Zoning Map Amendments to change from Single Family (R-1A) to Public Quasi-Public (PQP) and Future Land Use from Single Family Residential to Institutional on the properties located at 1751 and 1761 Palmer Avenue to allow the expansion of the existing YMCA for a new zero depth swimming pool and parking lot onto those two properties.
2. Conditional Use approval to add an additional zero-depth children's pool and parking lot onto the expanded property.

Mr. Briggs reviewed the following aspects of the new proposal. The Winter Park YMCA has submitted their proposed site plans and architectural elevation drawings for these expansion requests. In terms of code compliance, the project would meet the setbacks, floor area ratio and other development standards for the PQP zoning (if approved). The existing YMCA is 33,450 square feet in size. The YMCA now has about 139 parking spaces. The YMCA owns and has owned since the 1960's, the 35 feet of property south of the

existing south wall of their swimming pool which appears to be visually part of the backyards of the two homes at 1751/1761 Palmer Avenue. You will note on the site plan that the design preserves the existing large oak tree as an amenity for the combined swimming pool facilities. The balance of the residential lots is proposed for use as the expanded parking lot. The plans would continue the buffer wall and landscape program that presently exists along Palmer Avenue, as a buffer for that expanded parking.

Mr. Briggs also discussed the recent history of the 1997 Development Agreement, and overview of the opposition. Mr. Briggs indicated that the staff has difficulty providing any measurable negative impacts as to how the parking lot expansion would be a significant negative effect upon the adjoining residential community. The proposed screen wall and landscaping is the template that the City uses to show how to successfully integrate a parking lot into a residential neighborhood. The wall and landscape buffer must successfully accomplish the intent because there are two new single family homes under construction directly across the street, another one ready to start right next door. However, on the opposite side, the predicament just as was faced in 2009 is the a 1997 Development Agreement contract that prohibits this approval. There is no alternate Development Agreement or Amendment that has been provided by the YMCA to consider that would be the basis for action. Mr. Briggs summarized by providing staff's position on this issue. He said that the Planning Commission has three options:

1. Approve the entire request as submitted, or
2. Deny the entire request, or
3. Approve a portion of the request, such as just the swimming pool.

The public hearing was opened with Planning Board members disclosing ex-parte communications.

Frank Hamner, 405 Balmoral Avenue, and Bud Oliver, of the Winter Park YMCA, represented the applicant. Mr. Hamner used a Power Point presentation to present the YMCA's request. Mr. Hamner provided a detailed history of the YMCA and its expansions and provided a comprehensive analysis of the development agreement the provisions that they are offering as a request to amend the Development Agreement. Mr. Oliver also responded to Board member questions and concerns.

The following people spoke in opposition to the request: Margaret DeBoer, 1748 Pine Avenue; Stan Lineberger, 1748 Pine Avenue; Jeanne Brown, 536 Brookshire; John and Lis Kurash, 1050 North Lakemont Avenue; Rebekkah Wilson, 1724 Pine Avenue; Kathleen Kiely, 1800 Oneco Avenue; Geri Throne, 1771 Chestnut Ave; Byron McIntosh, 4105 Bibb Lane, Jeffrey Hale, 1640 Palm Avenue; and Jean McIntosh, 1756 Pine Avenue. The speakers cited the 1997 Development Agreement promises that were made and broken. They spoke to the negative impact on their homes from increased traffic and noise. They spoke to the continuing expansion of the YMCA over the years and indicated that there were no assurances that the YMCA would not continue to expand the building and parking.

The following people spoke in support of the request: Ann Schmultz, 1570 Palmer Avenue; Melissa Mishol, 326 Fitzhugh Road; Andrea Massey-Farrell, 1825 Loch Berry Road; Patrick Chapin, 1800 Pepperidge Drive, Orlando (spoke as a member of the YMCA's Board); Jere Daniels, Jr. (spoke as a past Board member), 1770 Shawnee Trail, Maitland; Terry Hotard (spoke as a past City Commission member), 1461 Palmer Avenue; Orlando; Shawn Stephens, 1650 Cheyenne Trail, Maitland; Barry Wilcox, 15115 Chestnut Avenue; Lisa Wilcox, 1727 Palmer Avenue; Rose Rogers, 2801 Little John Road; Susan Holland, 877 Broad Street, Orlando; and Brad Hester, 1906 Whitehall Drive. The speakers cited the growing service that the YMCA provides to the community, their personal desire and need for the zero depth swimming pool and parking and the minimal impact these facilities would have.

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

Chairman Whiting noted for the record, the email from the City Attorney that the Development Agreement has been reviewed by the City's Attorney office and the Agreement is still in effect. Consensus of the Board was that a new agreement needs to be completed.

Mr. Hahn spoke to a concern that he did not feel that the Master Plan and the Development Agreement are aligned with one another. He expressed concern that there may not have been enough dialog between the YMCA and the community. He also said that he feels that Phelps Park should be enveloped into the Master Planning of the YMCA. Mr. Slocum agreed with Mr. Hahn's comments. He said that he feels that in addition, there needs to be a definition of what should be the ideal size of a neighborhood YMCA facilitating the needs of Winter Park. He said that comes from taking into consideration the number of comments from users outside of the City that utilize the facility.

Mr. Sacha discussed his history with the YMCA. He said that he feels that the development agreement needs to be redone because times have changed, the community has changed and the needs of the YMCA have changed. He said that he is disappointed that there has been no communication between the two sides during the last three years. He stated strongly that he feels that needs to happen. He expressed support of the zero depth pool.

Mrs. Whiting discussed the past request of the YMCA and the pros/cons of amending the development agreement. She noted that in 2009, the request was denied by the City to amend the development agreement.

Mr. Johnston stated that he feels that what must be looked at currently is what they are proposing in the context of what is there now and is it appropriate and if the Board is comfortable with that being done. He said that due to the fact that the size of the building not increasing, and what they are proposing as a buffer for the pool and parking, the plan is acceptable.

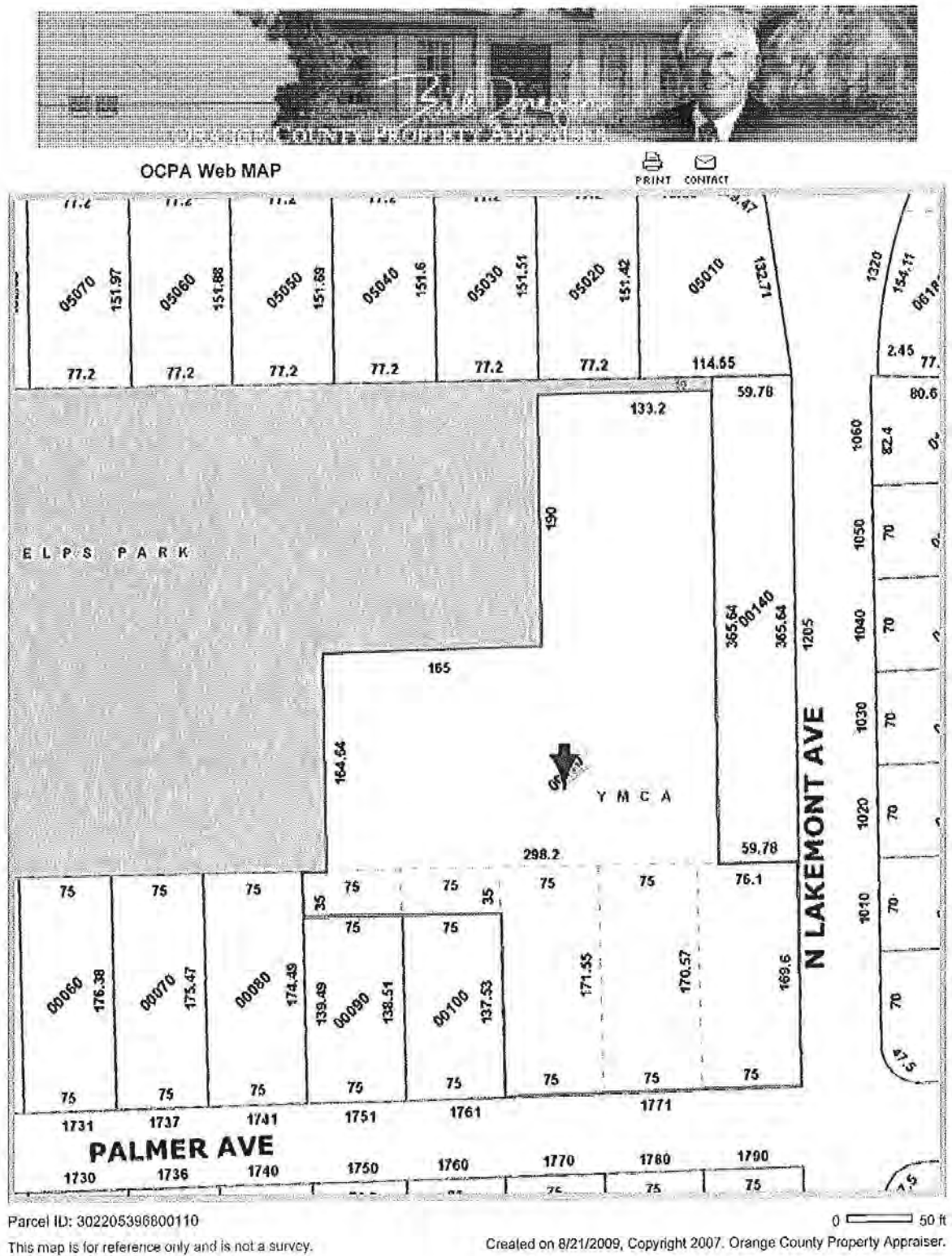
Mr. Gottfried said that he feels that the Board should focus on the planning issues because the development agreement is an issue for the attorneys to negotiate. The YMCA is an asset to the residents of the City of Winter Park and to the community as a whole and that there needs to be a new development agreement.

Mr. Livingston stated that he feels that there should definitely be a new agreement and further that the agreement. He said that he feels that lighting should be addressed; trees to shield noise; reduce the size of the parking lot; no slide on the swimming pool and extend the buffer wall further north in order to screen the pool. Mr. Slocum agreed with Mr. Livingston and also requested that if that is accepted to also add a condition that prohibits them from increasing the size of the building in the future.

Motion made by Mr. Johnston, seconded by Mr. Gottfried to approve proposed ordinance amending the "Comprehensive Plan" Future Land Use Map so as change the existing designation of single family residential to institutional on the properties at 1751 and 1761 Palmer Avenue. Motion carried with a vote of 5-2. Mrs. Whiting and Mr. Slocum voted against the motion.

Motion made by Mr. Gottfried, seconded by Mr. Johnston proposed ordinance amending the "zoning regulations" and the official zoning map so as change the existing zoning designation of single family residential (R-1A) district to Public, Quasi-Public (PQP) district on the properties at 1751 and 1761 Palmer Avenue. Motion carried with a vote of 5-2. Mrs. Whiting and Mr. Slocum voted against the motion.

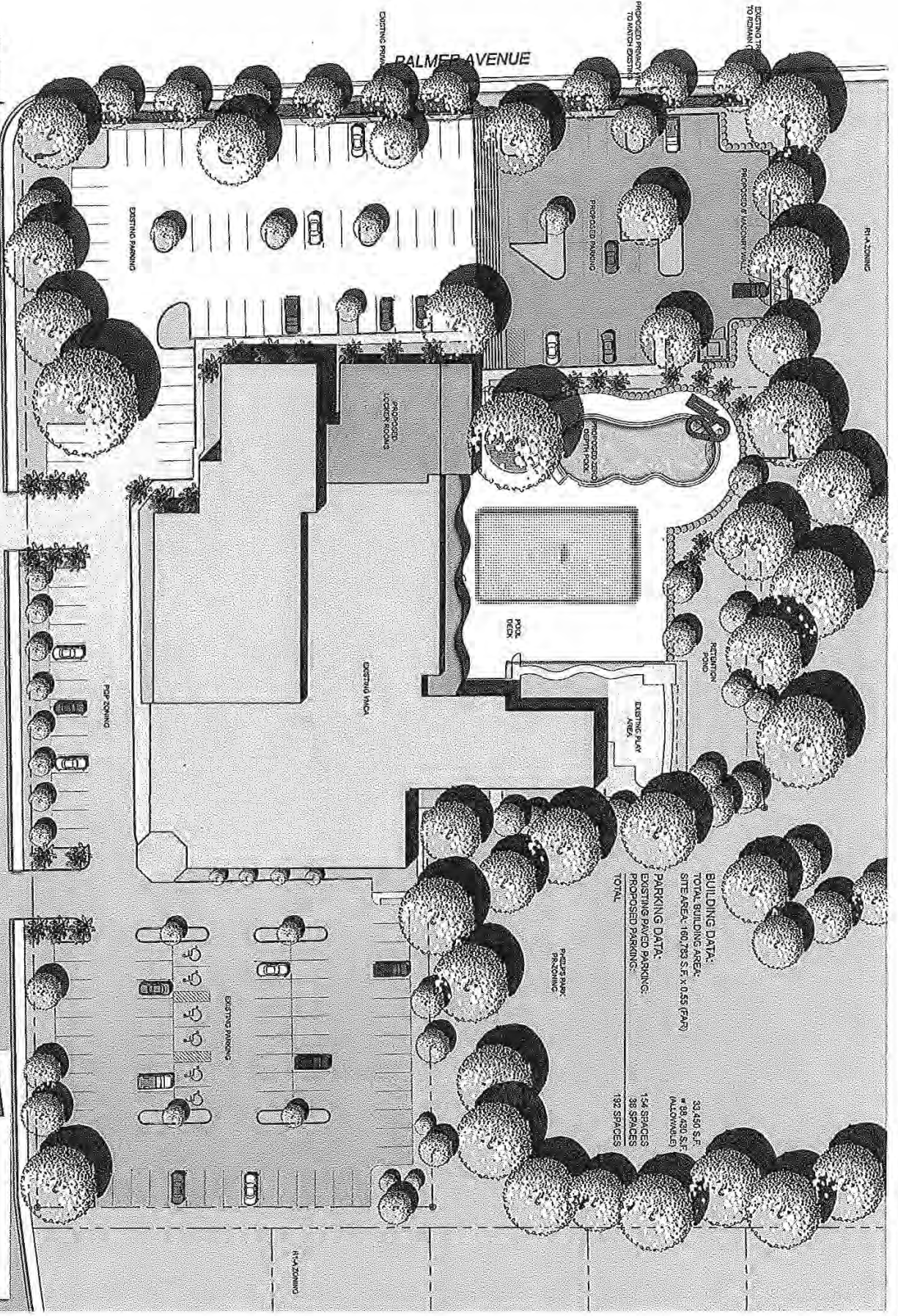
Motion made by Mr. Gottfried, seconded by Mr. Johnston to approve the proposed conditional use request to construct an additional zero depth children's swimming pool and to expand the existing YMCA parking lot onto the properties at 1751 and 1761 Palmer Avenue subject to drafting a new Development Agreement that incorporates the following conditions: lighting protection for neighbors; landscaping to shield noise; reduce the size of the parking lot from 40 down to 30; no swimming pool slide; extend wall further north the property line in order to screen the pool; and a condition that prohibits them from increasing the size of the building in the future. In addition, incorporate the items outlined in the letter presented by Attorney Frank Hamner. Motion carried with a 6-1 vote. Mrs. Whiting voted against the motion.





Proposed Site Plan Winter Park YMCA Family Center

NORTH LAKEMOUNT AVENUE



BUILDING DATA:	
TOTAL BUILDING AREA:	
SITE AREA: 180,795 S.F. (0.455 AC)	
TOTAL: 33,450 S.F.	
# OF CAR S.F. ALLOWED:	
TOTAL: 154 SPACES	
EXISTING PARKING:	
TOTAL: 38 SPACES	
PROPOSED PARKING:	
TOTAL: 122 SPACES	



FRANK A. HAMNER P.A.

FRANK A. HAMNER, ESQUIRE
D. BRADLEY HESTER, ESQUIRE
ANDREW J. CELAURO, ESQUIRE
JENNIFER B. FILLMON, PARALEGAL

1011 N. WYMORE ROAD
WINTER PARK, FLORIDA 32789
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October 31, 2012

VIA ELECTRONIC MAIL

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

Re: YMCA Expansion Planning Materials

Dear Jeff,

Pursuant to our recent discussions, I am submitting some preliminary materials for inclusion in your materials that will go out from the planning department to the P&Z members to prepare for the meeting Tuesday, November 6, 2012 at 7:00 p.m.

As you can see below, this is largely a perspective on how we got to this point and what the YMCA of Central Florida (herein, the "Y") is proposing for the Winter Park YMCA Family Center to continue to enhance its community service mission.

In general, two themes have arisen in my discussions with the community, the planning department and members of the Planning and Zoning and City Commissions: (1) the Y needs to approach this request with a degree of humility and acknowledgement that its past actions have not been in keeping with the community's perception of how the Y should have proceeded in keeping with its promises concerning the 1997 Developer's Agreement with the City and otherwise in a manner to promote community harmony and, (2) how this request somehow provides further assurance of limits on the Y's ability to further expand and how this proposal is "different." Each will be addressed below.

First, however, a brief history of the Y's interaction with the City and community are in order.

HISTORY

The Y has been an integral part of the Winter Park community since its initial building campaign to build the downtown Orlando and the Winter Park facilities which raised \$921,097 in 1965, a staggering sum in 1965 dollars and indicative of the community's need for such facilities. Daniel Hunter (a YMCA director from 1962-66 who later became a city commissioner and later mayor in 1968) secured the present site after sites at Showalter Field and a site in Maitland on Horatio Avenue were rejected. The property was purchased, it was not a gift.

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Groundbreaking for the current Winter Park YMCA Family Center was held on November 4, 1966. First named the Northeast Branch, it was originally 14,000 square feet and was constructed at a cost of \$300,000. It opened and was formally dedicated in 1967.

It was not until 10 years later, in 1976, that the Y asked the City for consent to rezone 5 houses it had purchased on the north side of Palmer with a grant from the Edyth Bush Charitable Foundation. The plan was to use three of the houses for programs, raise the fourth house to add 45 parking spaces and use the fifth house as a caretaker's home. The neighbors objected and the commission approved the use of just three houses for programs.

It was not until some 12 years later in 1988 that Winter Park developed a \$450,000 expansion plan to add 6,500 square feet of space to the facility.

Another decade goes by and, pursuant to the plans leading up to the 1997 Developer's Agreement, in 1998, a \$2.5 million expansion led by Diane Thornton and Mary Rumberger added a wellness center, child watch area and a youth recreation room. Notably, although the original plans approved by the City and that became a part of the Developer's Agreement included expanded locker room facilities, it was not until some 12 years later, in 2010, after public notice and hearing of a revised proposal, that those facilities were added.

In 2010, that \$ 2.9 million renovation, added a 3100 square feet women's locker room, spin room, lounge/chapel, hallways and renovated the existing men's locker room space and moved the front desk. Sought, but not granted, in this request was the addition of the zero-depth pool and additional parking along Palmer Avenue, the sole subjects of this request.

How have these facilities been used? Just a sample:

- The Y's membership includes 34% of the entire population of the City of Winter Park, an extraordinary number when the average community penetration of such facilities is only 12 – 14%
- Usage of the facility — over 6 million visits since 1997
- Scholarship dollars raised since 1997 - \$2.2 million
- Subsidy provided since 2004 - \$1.3 million
- Moreover, the Y has managed the Cady Way Pool, a City owned asset, for many years saving the city tens, if not hundreds, of thousands of dollars.
- Have provided free swim lessons and open swim for the residents of the town of Eatonville for the past 4 years
- Collaborated with Orange County Sports to offer 5 weeks of day camp for children with autism

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Thus, contrary to what seems to be the popular impression of wild and unbridled expansion, in its soon-to-be 50 years in this location, the Y has only expanded 4 times, and each time, as here, such expansions were done to serve the needs of the community. The location of the Y is part of the total package that makes Winter Park unique: the placement of various recreational facilities, both public and private, throughout the city in its residential neighborhoods to provide opportunities for more than a passive park experience (Racquet Club, Interlachen Country Club, Azalea Lane tennis center, Mead Gardens, etc.) in all areas of the city.

The Y is thankful to have the opportunity to serve this community and be a part of its fabric. It is approaching this request with sincere humility and sees it as a request in every sense of the word. The Y has demonstrated that gratitude in its contributions to the community and the current effort to partner with the City to renovate and overhaul another community asset, the Cady Way pool.

I cannot speak to what happened years ago, but can only say I am sorry that there has been so much consternation over this and that the past actions of the Y have not done much to assuage peoples' hurt feelings or perception that they do not have a voice. With this request though, the Winter Park Y is doing everything it can to address those concerns. It would be short-sighted to punish the broader community (as of the writing of this letter, over 850 people have signed a petition in support of the expansion) because of hard feelings over past events.

THE DEVELOPER'S AGREEMENT

The January 7, 1997 Developer's Agreement was the culmination of the City's October 22, 1996 approval of the Y's request for a Conditional Use Permit for what became the 1998 expansion of the facilities described above. (Exhibit "A") Simple in its size and verbiage, it has nonetheless become the touchstone of the opposition to the current expansion request.

Two promises of the Y have caused the most concern: that it obligated itself to not purchase adjacent properties for expansion nor expand the building beyond that contemplated in the application and approved in the conditional use permit.

The Y proceeded, in 2008, to purchase two properties at 1751 and 1761 Palmer Avenue. These are the properties sought to be used now, and that were sought to be used in the 2009 request, for additional parking in the southwest corner of the properties owned by the Y. Since its construction, the Y had always owned the back 35 feet of these lots and indeed owned them outright prior to 1977. Thus, the Y was always the natural purchaser of these lots and, when notified the lots were for sale, saw that there was going to be future need for expansion and took the opportunity as it arose to purchase them. They did not seek City approval. Had they sought such approval, it is very likely the price would have become far more onerous, as the opportunity to purchase these lots would have been open to all, thus likely driving up the price.

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Additionally, the Agreement itself expired by 2008. Under the City of Winter Park Code of Ordinances, at Section 58-7(d), Development Agreements such as this expire after ten years:

(d) Duration of development agreement.

The duration of any development agreement entered into by and between the city and any person pursuant to the provisions of this section shall not exceed ten years. However, the term of any development agreement may be extended by mutual consent of the city commission and any party thereto subject to public hearings held in accordance with the provisions of subsection (b) above.

Why? For the same reasons a current City Commission cannot bind future City Commissions to certain actions. There is no fathomable way one can look into the future and know the needs of the City 5 years, 10 years or, as in this case, 15 years down the road. It also prevents political wrangling of one side or the other to lock the City and its residents into permanent agreements where circumstances may change.

Finally, it limits the ability of the City and its partners to make short-sighted decisions that forever bind future generations when circumstances change and merit change to those agreements. The Y's promises were made, there is no walking away from that. However, not one of us can say we have not made commitments that at the time seemed to be good ones (or that we were forced into making) that, on further reflection and changed circumstances, simply no longer make sense for the good of ourselves or others. To now use a 15-year-old agreement as the basis for failing to consider what changes need to be made now for the good of the community would be further short-sighted thinking.

Certainly, there may be argument that Section 58-90 of the Code may apply. However, that section only deals with whether development agreements pursuant to conditional use approvals must meet the requirements of Section 58-7:

(f) (1) Development agreements.

The approval of conditional uses may require the utilization of a development agreement. The development agreement incorporates the plan submissions, written application materials and verbal representations of the applicant as well as including any special conditions and restrictions imposed by the city commission, upon which the approval may be based. A development agreement may be approved by the city commission coincident with the final approval of the conditional use or may be executed at a later time. *Unless specified in the development agreement, development agreements utilized pursuant to conditional use approvals do not have to conform to the*

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requirements of F.S. § 163.3221 et seq., or section 58-7 of the Land Development Code. Development agreements shall be prepared by the City of Winter Park pursuant to the terms and conditions outlined by the planning and zoning commission and the city commission or development agreements may be prepared by the applicant subject to review and approval by the city attorney. Applicants shall be required to reimburse the city for actual city staff and city attorney expenses. Development agreements provided as part of the submissions for a final approval shall be reviewed and approved by the planning commission.

However, the requirements of Section 58-7 have nothing to do with the duration of such agreements; indeed, it is a wholly separate subsection, (c):

(c) Requirements of development agreement.

A development agreement shall include the following:

- (1) A legal description of the land subject to the agreement and the names of its legal and equitable owners;
- (2) The duration of the agreement;
- (3) The development uses permitted on the land, including population densities, building intensities and height;
- (4) A description of public facilities that will service the development, including who shall provide such facilities; the date any new facilities, if needed, will be constructed; and a schedule to assure public facilities are available concurrent with the impacts of the development;
- (5) A description of any reservation or dedication of land for public purposes;
- (6) A description of all local development permits approved or needed to be approved for the development of the land;
- (7) A finding that the development permitted or proposed is consistent with the city's comprehensive plan and land development regulations;
- (8) A description of any conditions, terms, restrictions, or other requirements determined to be necessary by the city for the public health, safety, or welfare of its citizens; and
- (9) A statement indicating that the failure of the agreement to address a particular permit, condition, term, or restriction shall not relieve the developer of the necessity of complying with the law governing such permitting requirements, conditions, terms, or restrictions.

Nothing regarding the requirements affects the duration of such agreements. This agreement, like all others, expired at the 10 year point, January 7, 2007.

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Nonetheless, the Y has abided by every other condition of the Agreement. It was obligated not to expand the building further. Not only did it not do so, it did not even expand to the limits permitted under the Agreement. It did not expand the locker rooms even though permitted to do so under the 1997 conditional use permit. It sought no further expansion until it sought City approval in 2009 to confirm the additional locker room space approval and add the pool and parking that are again sought here.

The 1997 development agreement contained promises that, in the long run, were short-sighted on the part of both parties. It came at a time of controversy and was not the best solution for either entity. As has actually been the case, the City has, in the past, needed the Y to assist in the City's health initiatives and support its programs; the Cady Way Pool is a perfect example. Say those requests had required the Y to expand to accommodate the City's perceived need in the community. The agreement would certainly not be an impediment at that point (similar to the changes to past Developer's Agreements regarding Sydgan and the JW Marriott at the Langford location as just a few examples) and it should not be now. Y membership in this location is 34% of the residents, more than double the typical penetration of 12-14%. Additionally, although the Y had the right to expand the locker room at that time of the Agreement, it did not, demonstrating that it is not simply trying to grow just to grow.

FURTHER ASSURANCES

What is different now? Not that anything has to be; however, the scope of the community's need has changed. Audobon Park and Lakemont Elementary Schools have seen unprecedented growth. The new Brookshire Elementary is under construction, not because the population is getting smaller, but because the population that is in the area containing one of the core group of Y users is growing.

And the population is growing not only in numbers, but in size and age. The new facilities will benefit the influx of young and old that we have seen in the community and will be an additional weapon in the fight against what is now recognized as a chronic obesity epidemic in our children.

How practically is the proposal different:

- a. The fear of a continued ability to expand further on Palmer is eliminated. The property just west of the 2 properties owned by the Y has recently been purchased and a modern and luxurious home is being built on it. The people who own this lot, and the ones most affected by it, whole-heartedly support the expansion. (Exhibit "B")
- b. To offer further assurance, the Y is willing to grant the City an easement in the boundary between its property and the adjoining Schmaltz property on Palmer for 15 years, subject to continuance upon agreement of the City and the Y. This will

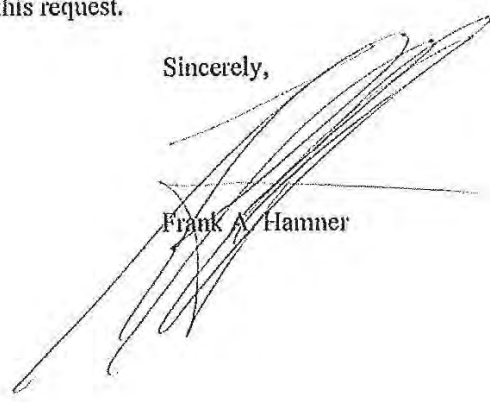
Mr. Jeffrey Briggs
Planning Director
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- completely surround the Y with City-owned property, thus eliminating entirely the ability to expand further in any direction. While not "new" or different, there seems to be some unfounded concern that the Y can expand into the Pine Avenue properties. As shown on Exhibit "C", that is simply not possible.
- c. Also, in support of the broader community mission, the Y will contribute what it is now paying in property taxes on the 2 residential properties into the Cady Way Pool project over the next 10 years, adding over \$ 70,000.00 to this project fund.
 - d. The Y will hold quarterly community outreach meetings at the Y to address any citizen or city concerns.

The Y needs the additional parking and the pool. Not only the Y, but the community as a whole. Except for a few vocal opponents (many of whom do not even live in the immediate vicinity of the Y) there is broad universal support for the proposal, led largely by those 34% of community members who are also members of the Y and who will be the first to reap the benefits of these enhanced facilities.

I appreciate your support for this request.

Sincerely,



Frank A. Hamner

FAH/aew
Enclosure

DEVELOPER'S AGREEMENT

Orange Co FL 1997-0018270
01/17/97 03:00:55pm
OR Bk 5187 Pg 2395
Rec 24.00

This agreement made this 2th day of January, 1997, by and between THE CITY OF WINTER PARK, a Florida municipal corporation ("City"), and the, CENTRAL FLORIDA YOUNG MEN'S CHRISTIAN ASSOCIATION, a Florida not-for-profit corporation ("Owner").

R E C I T A L S

WHEREAS, Owner warrants that it is the owner of that certain land situated in Orange County, Florida comprising 3.2 acres, more or less, being more particularly described in Exhibit "A" hereto, said land to be hereinafter sometimes referred to as the "Property" on which Owner operates the Winter Park Family YMCA; and

WHEREAS, Owner applied to the City for a Conditional Use Permit (the "Permit") to allow it to further improve the Property as described in the application (the "Application"), and

WHEREAS, on October 22, 1996, the City approved the Application for the Permit with the exception of the request to build a teaching pool, and

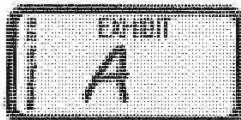
WHEREAS, said approval was conditioned upon the Owner's agreement to abide by certain terms and covenants, and

WHEREAS, it is the purpose of this agreement to set forth clearly the understanding and agreement of the parties with respect to all the foregoing matters.

NOW, THEREFORE, the parties agree as follows:

1. The recitals above are true and correct.

→ 2. Owner will not acquire additional property in the City of Winter Park adjacent to the Property for expansion purposes. ←



3. There will be no further expansion of the building on the Property after the expansion contemplated by the Application and Permit.

OR BK 5187 Pg 2396
Orange Co FL 1997-0018270

4. All new landscaping and walls will be maintained in their original condition, normal wear and tear excepted.

5. Construction of the parking lot and landscaping (Alternate B in the Application) will be completed without interruption prior to the commencement of expansion of the building.

6. Operation of the outdoor pool will be restricted as provided by the Permit.

7. Wheel stops will be placed on all parking spaces that immediately adjoin landscaped areas.

8. Owner, upon the execution of this agreement, shall pay to the City the cost of recording this agreement in the public records of Orange County, Florida.

THIS AGREEMENT shall be binding upon and shall inure to the benefit of the successors or assigns of the parties and shall run with the Property and shall be binding upon any person, firm or corporation who may become the successor in interest directly or indirectly to the Property.

IF ANY SENTENCE, phrase, paragraph, provision or portion of this agreement is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed separate and distinct and such holding shall not affect the validity of the remaining portion hereof.

IN WITNESS WHEREOF, the parties have caused these presents to
be signed all as of the date and year first above written.



(CITY SEAL)

CITY OF WINTER PARK,
a municipal corporation

By: [Signature]
Print Name: Gary A. Brewer
Mayor, City of Winter Park

OR Bk 5187 Pg 2397
Orange Co FL 1997-0018270

ATTEST:

[Signature]
Print Name: Joyce M. Swain
Title: City Clerk

Approved as to form and legality.

[Signature]
City Attorney,
City of Winter Park

Date: December 16, 1996.

Signed, sealed and
delivered in the presence of:

CENTRAL FLORIDA YOUNG MEN'S
CHRISTIAN ASSOCIATION,
a Florida not-for-profit
corporation

[Signature]
Print Name: Jerry M. Herman
[Signature]
Print Name: DAVID B. HOLLOWELL

By: [Signature]
Print Name: JAMES W. FERBER
Title: PRESIDENT CENTRAL FLORIDA YMCA

J. Martin Schmaltz
1570 Palmer Avenue
Winter Park, FL 32789
864.557.4644

October 5, 2012

Brian McGratty
Winter Park Family Center Board Chair
1201 N Lakemont Avenue
Winter Park, FL 32792

Dear Mr. McGratty,

My wife and I recently purchased 1741 Palmer Avenue, adjacent to Phelps Park and the Lakemont YMCA. In addition, we own and live at 1570 Palmer, just up the street on the other side of Phelps Avenue. We were both very influenced by both lots' proximity to these extraordinary recreational facilities, which we consider to greatly enhance the quality of life for Winter Park residents.

We would like to express our very strong support for any and all Lakemont Avenue YMCA enhancement plans presented by Executive Director Bud Oliver. This facility is clearly very popular, and we feel that accommodating this demand to the fullest extent possible is enormously beneficial to the health and welfare of our community, and, as the closest (and likely most impacted) neighbor, we do not see the enhancements as having a negative impact to us or the surrounding properties.

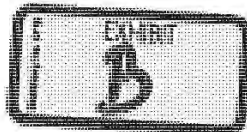
We will attend any public reviews and community meetings concerning this situation to further convey our support, and welcome any suggestions you may have.

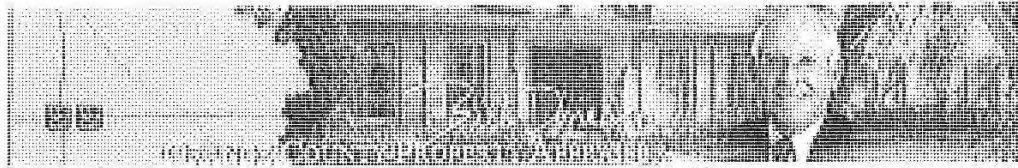
Kindest regards,



Martin Schmaltz

Cc Bud Oliver

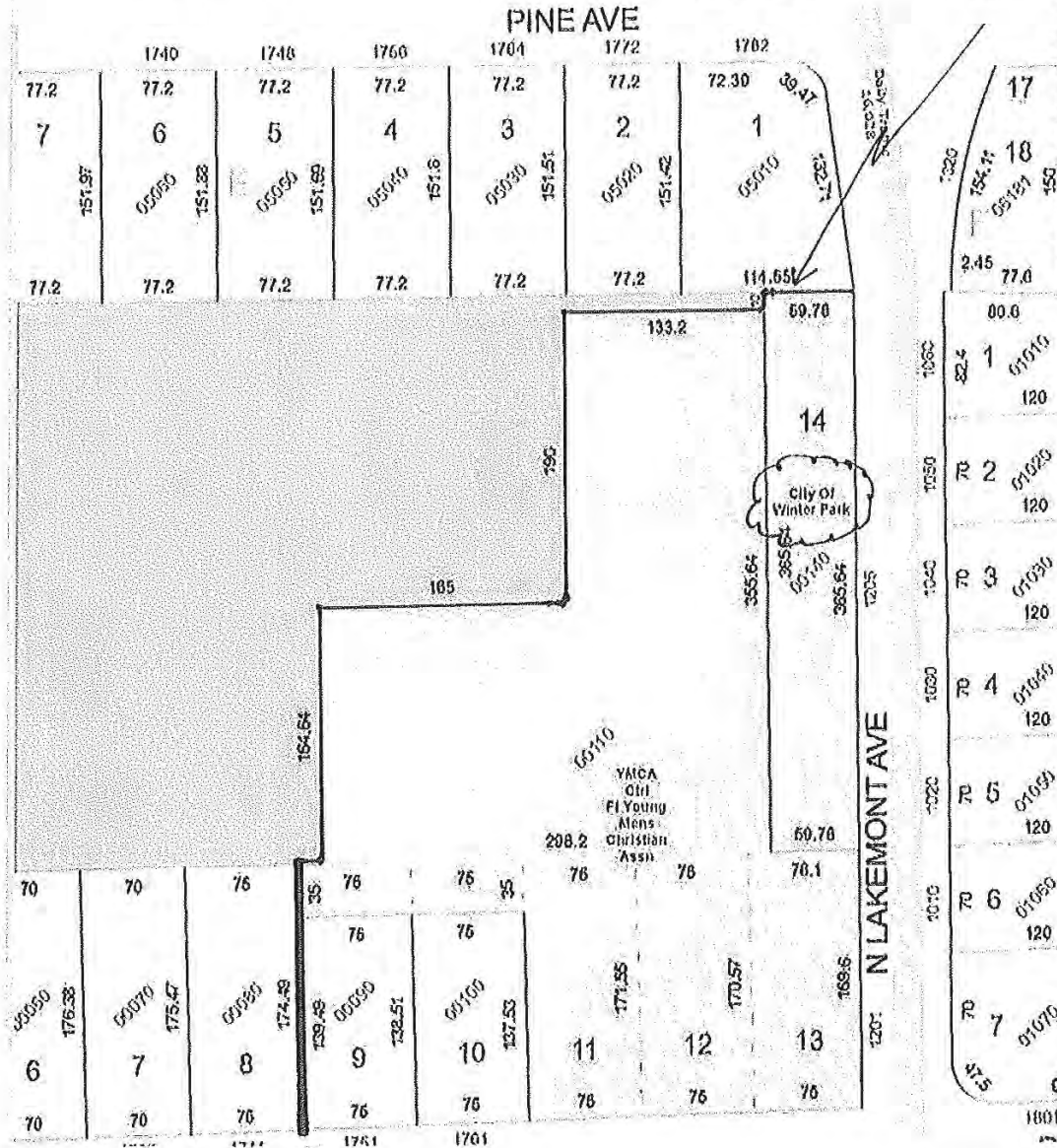




OCA Web MAP

PRINT CONTACT

CITY PROBLEM LINE



Parcel ID: (Rng-Twn-Sec format)

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

Created on 10/30/2012, Copyright 2007, Orange County Property Appraiser.

Five foot easement



CITY OF WINTER PARK
401 PARK AVENUE SOUTH
WINTER PARK, FL 32789

CONDITIONAL USE PERMIT
No. 1 :96



Applicant: YMCA
Address: 1201 N. Lakemont Ave.
Winter Park, FL

Owner: Same
Address:

This is to advise that on October 22, 1996, the City Commission of Winter Park granted your request for a conditional use to allow:

CU 1:96 Request of the Winter Park Y.M.C.A. for Conditional Use approval to expand their building facilities at 1201 N. Lakemont Avenue with an addition of 7,610 square feet onto the existing 25,840 square-foot building and an expansion of their parking area adjacent to Palmer Avenue to provide 34 additional paved parking spaces.

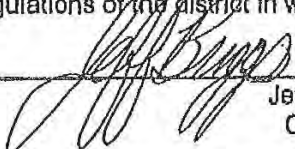
This approval is subject to the following condition(s):

contingent upon the YMCA providing a written agreement, subject to review and approval by the City Attorney, specifying that: 1) There will be no further acquisition of property in the immediate area for expansion purposes; 2) There will be no further expansion of the building; 3) All new landscaping and walls will be maintained in their original condition with allowance for normal wear and tear; 4) Construction of the parking lot and landscaping will be completed, without interruption, prior to the commencement of expansion of the building; 5) Operation of the outdoor pools will be restricted to 7:30 a.m. to 7:30 p.m.; 6) Wheel stops will be placed on all parking spaces that immediately adjoin landscaped area; and 7) No second outdoor pool to be constructed.

**VIOLATION OF THESE CONDITION(S)
SHALL BE GROUNDS
FOR REVOKING THIS PERMIT**

This permit shall become invalid 12 months following the date of approval unless the subject property is being used for the conditional use requested. The above approval is also subject to Section 31-24.6, Par. 2 of the Zoning Regulations of the City of Winter Park which states:

"Should a conditional use be discontinued or abandoned, inactive for a period of six (6) consecutive months, or violate any of the requirements or restrictions of record, then the use shall no longer be permitted and the structure, or structures and premises in combination, shall only be used in conformity with the regulations of the district in which it is located."

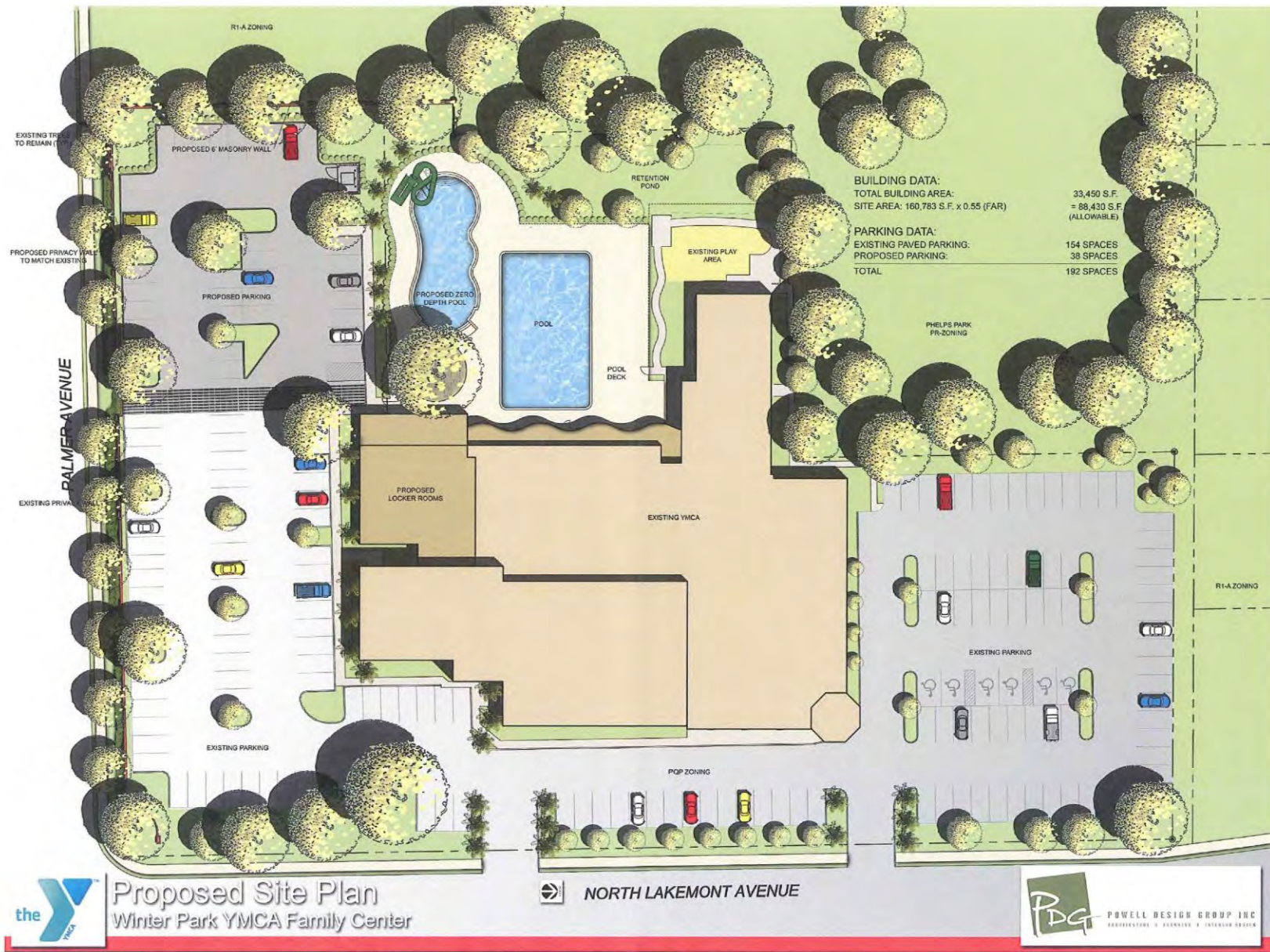

Jeffrey Briggs
City Planner



Aerial View of Proposed Site Additions
Winter Park YMCA Family Center



POWELL DESIGN GROUP INC.
ARCHITECTURE • PLANNING • INTERIOR DESIGN



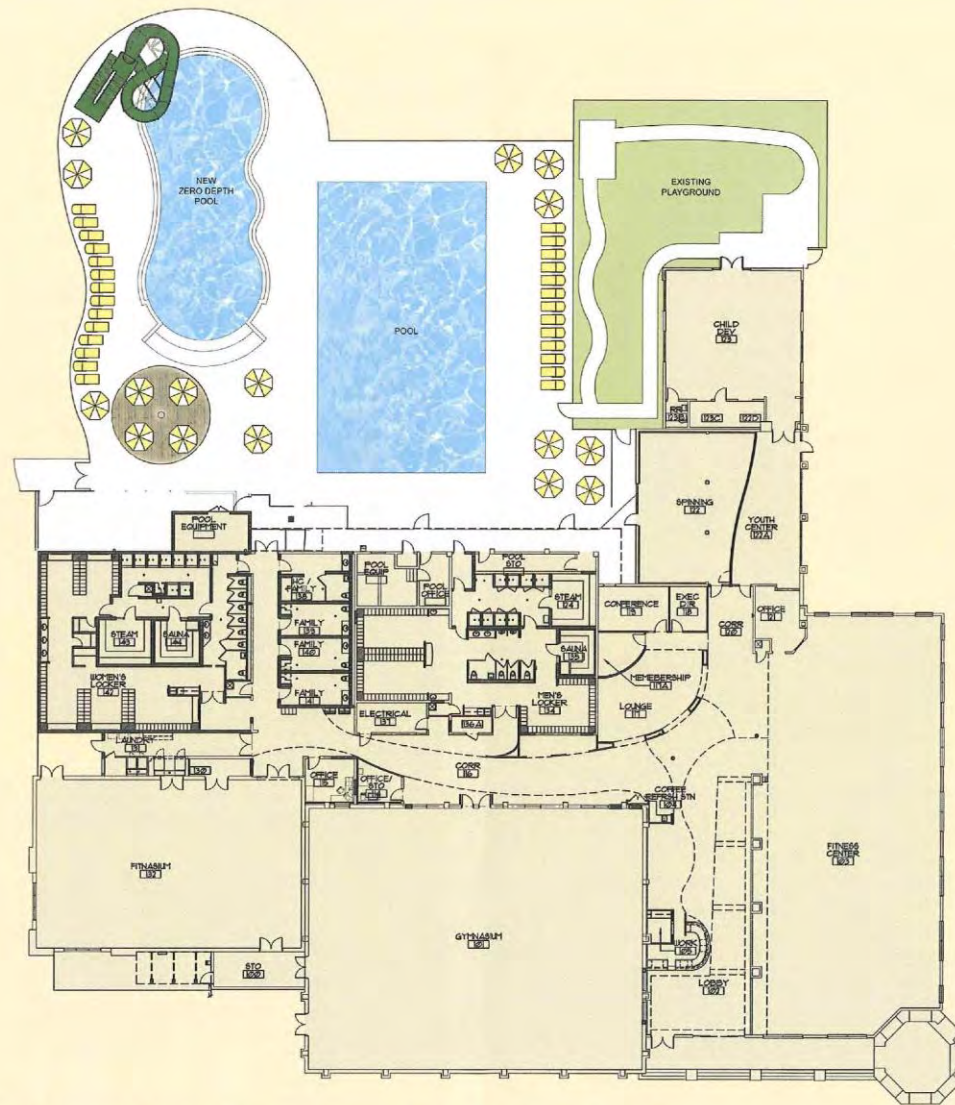
Proposed Site Plan
 Winter Park YMCA Family Center



NORTH LAKEMONT AVENUE



POWELL DESIGN GROUP, INC.
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Existing Building Floor Plan with Proposed Pool
Winter Park YMCA Family Center



POWELL DESIGN GROUP, INC.
ARCHITECTURE • PLANNING • INTERIOR DESIGN



Proposed Zero Depth Pool
Winter Park YMCA Family Center



Jeffrey Briggs

From: Joann Marks <joann@cosmeticpromotions.com>
Sent: Sunday, October 28, 2012 11:26 AM
To: Jeffrey Briggs; Lindsey Hayes; Lisa Clark
Subject: YMCA request to amend the comprehensive plan
Importance: High

Hi!

I live at 1701 Palmer Avenue and my house backs up to Phelps Park. I know some of my neighbors are AGAINST the amendment of the YMCS Comprehensive plan BUT I am in favor of it. I am tired of seeing those two empty, unattractive houses when I could be seeing a nice wall and good landscaping. The Y has always maintained a lovely appearance that enhances our neighborhood.

I doubt I can make the meeting on 11/6 but I wanted my voice heard.

So I say YES to the YMCA ...

Thanks!

Joann Marks
Cosmetic Promotions, CEO

888-644-9916
Fax: 407-644-9189

"Some cause happiness wherever they go; others,
whenever they go." Oscar Wilde

Click here to see our 10 finalists - voting opens on 10/15
<http://www.glamcamp.com/model-search/>

Check out our website: www.cosmeticpromotions.com
Thinking of doing some demo's? Compare us to other agencies: <http://blog.cosproagency.com/2010/06/21/choosing-your-model/>
We are WBENC Certified: www.wbenc.org

RECEIVED

OCT 29 2012

CITY OF WINTER PARK
PLANNING DEPARTMENT

Dan Alf
1750 Palmer Avenue
Winter Park, Florida 32789
407-408-1180

City of Winter Park Planning and Zoning
401 South Park Avenue
Winter Park, Florida 32789

Regarding: Request to Expand the Winter Park YMCA

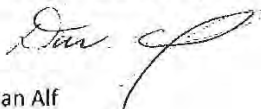
I would like you to carefully consider the YMCA expansion that is currently being proposed. This is the second attempt for the YMCA to repurpose the property at 1751 and 1761 Palmer Avenue. I find this request completely inappropriate and offensive to the community of Winter Park. As a property owner, I will support whatever means possible to block this action either through the Planning and Zoning Board or other Community legal action.

I have a residence on Palmer Avenue and I am very concerned about the increased traffic and noise the expansion will cause. The YMCA has a large draw outside of Winter Park and brings a lot of traffic into our area from outside the city. Winter Park has an increasing issue with traffic and the current YMCA location has certainly contributed. If you don't believe me, you should come out on Saturday morning or any day during the morning or evening. It is interesting (and insulting) that the YMCA continues its attempts to defy their current Agreement; first by purchasing the two Palmer properties, then advertising the expansion to YMCA members in advance of their City approval in their initial request to rezone, and now resubmitting the request to rezone a second time.

I believe the YMCA has outgrown their current facility and should be required to move. Rezoning Residential Property for their financial gain is WRONG. The property should be turned over to the city and Phelps Park should be expanded. This is a much better alternative to preserving Winter Park and our outstanding neighborhood. If the YMCA truly cared about the Winter Park community and the dexterity of our neighborhood, they would donate the land to the City of Winter Park for expanded community use.

The sole purpose of the request is to rezone is for financial gain of the YMCA. The request to rezone these two properties must be denied. It is bad for the neighborhood and bad for the community of Winter Park.

Frustrated and Fed Up with the YMCA



Dan Alf

Cc: P&Z Board Members

To: Winter Park Planning and Zoning via hand delivery 10/31/12

I am absolutely opposed to any further expansion by the Winter Park YMCA. I believe that this is against the city's Comprehensive Plan and it should be remembered that this is a residential neighborhood not commercial. Also, the extra traffic will also cause congestion to an area that is already unsafely congested. It is nearly impossible for me to exit my own driveway as it is without adding more parking. Also, I see by the plans that there is no additional entrance/exit.

I am opposed to any expansion and to any agreement to rezone the properties at 1751 and 1761 Palmer Avenue.

Sincerely,

A handwritten signature in cursive script, appearing to read "Linda Gail Turner".

Linda Gail Turner

1040 North Lakemont Avenue

Kay Zimmerman
1040 N. Lakemont Ave
Winter Park, Fl, 32792

Nov 30, 2012

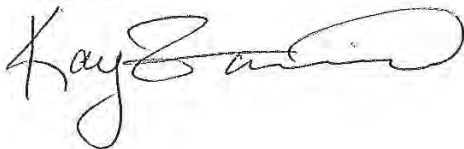
Winter Park Planning & Zoning Commission
Winter Park, Florida 32792

Dear Jeff Briggs and Planning and Zoning,

As you know, the YMCA sits in, an all residential area of Winter Park, And as you also know they are seeking approval for further expansion of the two properties directly adjacent to their existing property on Palmer Ave.

As a resident of Winter Park and a direct neighbor of the YMCA, I strongly disagree with any future expansion of this facility.

Sincerely,

A handwritten signature in black ink, appearing to read "Kay Zimmerman". The signature is fluid and cursive, with the first name "Kay" being more prominent and the last name "Zimmerman" written in a more compact, flowing style.

Mark Zimmerman
1040 N Lakemont Ave
Winter Park, Florida 32792

Winter Park Planning & Zoning Commission
401 South Park Ave
Winter Park, Florida 32792

October 30, 2012

Jeff Briggs
Director—Planning and Zoning Commission

Dear Jeff & Fellow Board Members,

In recent weeks there has been another push by the YMCA to encroach on the two properties adjacent to the YMCA. Properties which should not have been purchased in accordance with previous agreements and future development of the YMCA.

The YMCA has not abided by its cap on membership and has become a neighborhood nuisance. No where on Palmer Ave is there a parking lot, nor are there any commercial establishments. Palmer Ave is one of Winter Park's most influential and affluent areas of this city. Removing these two properties from the tax role adds a greater tax burden to all of the existing residents of this community and reduces the property values of the existing homes in the immediate area of said "future" parking lot, and or swimming pool, if these "New" plans are approved.

Winter Park's governing body prides themselves on initiatives for the "Preservation" of this wonderful city. Please DO NOT allow the YMCA to "swallow up" this end of Palmer Ave... for something they knew years ago, they could not have, according to the original development plans.

The YMCA has consistently shown in the past, that they hold little or no concern for their immediate neighbors. This area is a residential area and should stay that way. If the YMCA Board members feel that the existing property needs improving and or future expansion, they should look elsewhere for property that would better suit their needs. Palmer Ave is not the place.

Sincerely, a concerned resident of Winter Park.

Mark G Zimmerman



To: Winter Park Planning and Zoning via hand delivery 10/31/12

Dear Mr Briggs,

I would like to go on record that I oppose any expansion of the YMCA and that I further oppose any changes in zoning to the properties at 1751 & 1761 Palmer Avenue.

Traffic is already unsafe due to the traffic caused by the YMCA and I'm concerned that any more congestion could cause accidents or injuries.

A handwritten signature in cursive script that reads "Tessa W. Turner". The signature is written in dark ink and is positioned above the printed name.

Tessa Turner

1040 North Lakemont Avenue

Jeffrey Briggs

From: Tom Ackert <tackert@cfl.rr.com>
Sent: Wednesday, October 31, 2012 10:28 PM
To: Jeffrey Briggs
Subject: YMCA

Mr. Briggs:

This e mail is offered in opposition to the petition which was apparently recently submitted by the Lakemont YMCA to the City Planning and Zoning Commission. I only became aware of the request late this afternoon. As I understand it the YMCA is once again seeking approval to expand their operations. Frankly, I am shocked as it seems that my neighborhood just endured an extended process on a similar or identical request which resulted in the City's denial.

As I testified before the City Council at the hearing on the YMCA's last request, I have lived in Winter Park since 1964, and I have lived on Place Picardy since August of 1975. I built my current home and have lived in it since March of 1983. One of the great amenities of my community historically was **Lakemont Park**. Unfortunately that Park as I knew it no longer exists. The City granted use of what was previously Park property to the YMCA. The Park is now referred to as "Phelps Park", as the Park no longer enjoys frontage on Lakemont Avenue, and uses the Phelps Avenue name as it's own. I did not then nor do I now agree with the City's decision to grant what is truly a commercial use to what was intended to be a community Park. While it may be a bit late to complain about such a long standing use as a "neighborhood" YMCA, it is certainly not too late to express my opinion that an expansion of what is truly a commercial use in a residential area is totally inappropriate. I do not have the time this late evening to reiterate my testimony before the City Council which is on the City's records. The traffic and other negative neighborhood impacts that will result from expansion are simply unacceptable. Many of the users of that YMCA I suspect are from areas not in the "neighborhood" intended by the YMCA's original plan. As I said to the City Council, if the YMCA truly wishes to expand its operation beyond its current state, the YMCA needs to explain and justify its service to "the neighborhood", or relocate to a more appropriate location in a commercial zone, such as Aloma Avenue.

I did not expect the YMCA to return to its expansion strategies so quickly or I would have been more prepared, but it is my intention to encourage the City Council to require the YMCA to make its records transparent. As an example, the City should know how many users they have at that location, where those users live, how much revenue is produced by that property, and where any surplus revenues are used. If the Winter Park YMCA is an "exporter" of revenue to YMCA operations not in Winter Park, our citizens should be made aware of that fact.

During the last process I performed some research related to the deeds of land transactions over the past century in the area. I have no time this evening to review those records, but my recollection is that there are original deed covenants and restrictions requiring any purchaser of residential properties in the Park area to obtain the permission of a majority of the property owners in the area for anything other than residential use. If that is indeed the case, I fully intend to join with those property owners to enforce such a provision. Any research that goes back several decades, or that relies upon interpretations of current City subdivision rules may be insufficient as the original deed covenants may be enforceable in Civil Court, so I suggest a complete and transparent vetting of the original rights granted to purchasers of property in the area.

In summary, as a result of negative impacts to the community, I am in opposition to any expansion of the YMCA operations.

Respectfully submitted,

Tom Ackert
1570 Place Picardy
Winter Park.

Dan Alf
1750 Palmer Avenue
Winter Park, Florida 32789
407-408-1180

City of Winter Park Planning and Zoning
401 South Park Avenue
Winter Park, Florida 32789

Regarding: Request to Expand the Winter Park YMCA

I would like you to carefully consider the YMCA expansion that is currently being proposed. This is the second attempt for the YMCA to repurpose the property at 1751 and 1761 Palmer Avenue. I find this request completely inappropriate and offensive to the community of Winter Park. As a property owner, I will support whatever means possible to block this action either through the Planning and Zoning Board or other Community legal action.

I have a residence on Palmer Avenue and I am very concerned about the increased traffic and noise the expansion will cause. The YMCA has a large draw outside of Winter Park and brings a lot of traffic into our area from outside the city. Winter Park has an increasing issue with traffic and the current YMCA location has certainly contributed. If you don't believe me, you should come out on Saturday morning or any day during the morning or evening. It is interesting (and insulting) that the YMCA continues its attempts to defy their current Agreement; first by purchasing the two Palmer properties, then advertising the expansion to YMCA members in advance of their City approval in their initial request to rezone, and now resubmitting the request to rezone a second time.

I believe the YMCA has outgrown their current facility and should be required to move. Rezoning Residential Property for their financial gain is WRONG. The property should be turned over to the city and Phelps Park should be expanded. This is a much better alternative to preserving Winter Park and our outstanding neighborhood. If the YMCA truly cared about the Winter Park community and the dexterity of our neighborhood, they would donate the land to the City of Winter Park for expanded community use.

The sole purpose of the request is to rezone is for financial gain of the YMCA. The request to rezone these two properties must be denied. It is bad for the neighborhood and bad for the community of Winter Park.

Frustrated and Fed Up with the YMCA



Dan Alf

Cc: P&Z Board Members

October 25, 2012

P&Z Board Members

City of Winter Park

Re: Y Proposal for Expansion

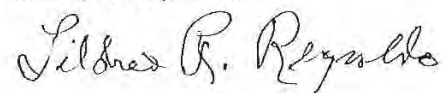
My name is Lildred Reynolds and I have lived at 1708 Pine Avenue for 47 years.

I am **totally opposed** to any expansion by the Winter Park Y, period. The Y is far too big now for this location. I want the Y and the City to comply with the Developer's Agreement signed in 1996 stating no expansion of building, property, or second outdoor pool.

The only reason the expansion was permitted in 1997-98 was because of the Developer's Agreement. That should have stopped any expansion forever more; at least that's what Phelps Park neighbors were led to believe.

It is not fair for us neighbors to have to come before P&Z and Commission to defend our properties every few years. Enough is enough! Please help us put a stop to this constant harassment by the Winter Park Y.

Thank you very much.

A handwritten signature in cursive script that reads "Lildred R. Reynolds".

Lildred Reynolds

1708 Pine Avenue

Cc: Jeff Briggs, Director
Planning & Zoning

RECEIVED

OCT 29 2012

Richard and Rebekkah Wilson
1724 Pine Avenue
Winter Park, Florida 32789
407-740-8280

City of Winter Park Planning and Zoning
401 South Park Avenue
Winter Park, Florida 32789

CITY OF WINTER PARK
PLANNING DEPARTMENT

Subject: Winter Park YMCA – again going against the Development Agreement

We ask that you reject any requests by the YMCA ("Y") to continue expand or develop the properties they acquired in violation of the Developers Agreement dated January 1997. This was decided once, and we should not have to keep a watchful eye to ensure that the Y comply with the requirements of Developer's Agreement. As a responsible entity, they ought to simply comply with what was agreed in the Developer's Agreement, discard their continued expansion plans on Lakemont, sell the 2 residential properties they purchased (or relinquish ownership of the properties either to the City) or, and instead go develop other property to which the Y already has access.

We do not condone or in any way encourage the behavior of the Y in its continued actions against the Developers Agreement. The Developer's Agreement was drafted for the purpose of limiting the Y's continued expansion – why don't they have to comply with it? The Y is supposed to represent values, and yet the Y has already breached the Developer's Agreement without a care and certainly without remorse.

We want you to enforce the Developer's Agreement – we know there was no consequence for the Y breaching the Developer's Agreement thus far, and we think that is a serious injustice. Lack of remedial action required of the Y by the City to correct the Y's violation of the Developer's Agreement only encourages the Y to pursue their agenda further because they have not had to answer for their actions. We don't want the Y to continue to pressure the Planning and Zoning Committee or the City Commissioners by repeatedly pursuing expansion plans that would violate the Developer's Agreement. We don't want the Y to continue badger the neighbors or to further encroach on Phelps Park. We want the Y to be responsible for what they committed in the Developer's Agreement and uphold the values once thought to have been associated with the Y.

We ask that you please not let our neighborhood become an amusement park for the commercial benefit of the Y and their membership to the detriment of the neighboring community. Our neighborhood is a community despite the presence of the commercial operation of the Y. The place where we all can come together as a community or a neighborhood is Phelps Park – without having to pay admission or a membership fee. We want to retain our community and our park by rejecting any requests by the Y to expand its footprint, its facility, and its membership. Please stop the Y now from this and any future attempts to ignore or violate the Developer's Agreement yet again.

Sincerely,

Richard and Rebekkah Wilson

Thomas J. Campbell
1740 Palmer Avenue
Winter Park, FL 32789
407-619-0678

October 28, 2012

Planning and Zoning Board Members
City of Winter Park, Florida

Re: YMCA Expansion

To All:

My name is Tom Campbell and I have been a resident of Winter Park since 1986. My wife Amce and I reside at 1740 Palmer Avenue (since 1987) so my experience with the YMCA expansion goes back to the last time they expanded in 1996.

I am opposed to any further expansion of the YMCA as are the majority of my neighbors who live in the Phelps park area, many of whom have voiced their opposition through letters and emails. I think that the Neighbors have done an outstanding job of outlining our objections, so I would like to offer further points to consider.

The main point of consideration lies with the Developers Agreement from 1996. The Conditional Use Permit (dated 10/22/1996) and Developers Agreement (dated 12/16/1996), between the YMCA and the City of Winter Park clearly states that terms of the agreement SHALL be revoked if any of the conditions were violated including purchasing the properties at 1751 and 1761 Palmer Avenue. The agreement was formed to protect the Winter Park Residents of the surrounding neighborhood from further encroachment into our neighborhood.

It is evident that there are some legal issues involved with this matter. The issues include the following:

- The YMCA has **VIOLATED** the agreement by purchasing the aforementioned properties and has given up its rights to further expansion or remedies they may pursue to circumvent the agreement.
- The City of Winter Park has **FAILED to ENFORCE** the agreement. Note that the terms of the agreement specifically make use of the word "SHALL" which, in legal/regulatory language, means it is mandatory the Developers Agreement and its terms be enforced.

The YMCA has violated the Agreement by purchasing the properties and pursuing further expansion. The City has failed its Residents by choosing to ignore the Agreement and give the YMCA the opportunity to approach this Board again and again.

Furthermore, the City continues to allow the YMCA to:

- Violate the agreement by allowing the use of employee parking of up to two vehicles. Why is this when the YMCA was denied the rezoning for parking the last time? The parking of YMCA employees at 1751 and 1761 Palmer Avenue is a business use and is should not be allowed on the properties. I have had to complain to Code Enforcement on numerous occasions about over parking by employees and members.
- During construction, the YMCA attempted to use the property located at 1751 and 1761 as a construction entrance, until I complained to the City. Finally, the YMCA employees use the property as a right of way to enter the complex through a back gate instead of walking around by way of the sidewalk. I am tired of this whole thing.

I have serious concerns about how this whole thing has been handled by City Staff and possible influence by City Officials.

I have retained counsel to consider legal action to stop any and all future expansions.

The Residents of Winter Park and the Phelps Park Neighborhood come first, not special interest groups like the YMCA.

I ask that you do the right thing and disallow the YMCA proposal and end this matter once and for all.

Respectfully submitted,

Thomas J. Campbell

Thomas J. Campbell

Cc: John Gilroy, Esq.
Phelps Park Neighborhood Association
File

John Kurash III
1050 North Lakemont Avenue
Winter Park, Florida 32792

jkurash@mpinet.net

407-671-0500

10/19/12

City of Winter Park Planning and Zoning
401 South Park Avenue
Winter Park, Florida 32789

Re: YMCA parking expansion and zero depth pool

I have been the home owner at 1050 North Lakemont Avenue since 1991. My property is directly across the street from the YMCA and, I am the Secretary Treasurer for The Phelps Park Neighborhood Association.

The residents nearby the YMCA or those who use Lakemont Avenue for travel are desperately seeking your assistance with this newest application from the Y to expand their parking and add a zero depth pool. In short, the YMCA has already breached the Developer's Agreement of 1996 by purchasing the two properties at 1751 and 1761 Palmer Avenue and now, they again seek to re-zone those two properties for this expansion when they initially said the property purchases were for investment purposes.

When I purchased my home there was a small family YMCA across the street. Now, the Y has grown causing constant traffic, one entrance/exit had been removed in the last "improvement" in 1996 which leaves only 2 entrances/exits. No new exit/entrances are planned.

Myself and many of my neighbors want Planning and Zoning to **keep to the Comprehensive Plan and keep our residential area just that, a residential area.** Please do not even consider the re-zoning of the properties at 1751 and 1761 Palmer.

I often wonder why the City of Winter Park has never held the YMCA accountable for breaching the Developer's Agreement, i.e., "Owner" (YMCA) "will not acquire additional property in the City of Winter Park adjacent to the property for expansion purposes" and "There will be no further expansion of the building on the property after the expansion contemplated by the Application and Permit" (of 1996). I just don't understand why we must revisit this matter periodically when this agreement is already in place.

Page 2
10/19/12
P & Z/Kurash

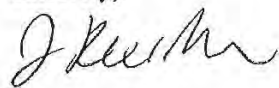
In regards to their requesting a hearing so that Comprehensive Plan and Zoning can be amended and a new pool can be considered I suggest that considering the way that the YMCA has dishonored and circumvented the existing Developer's Agreement, what would lead anyone to believe that they would honor any new agreements? .

I do believe that it will take strength from P & Z to stand up to the YMCA and deny their requests despite whatever facade and pleas they try to use to rezone and obtain a conditional use permit. Stand strong and please realize that you represent *the homeowners* in and around The Phelps Park Neighborhood Association. It's up to you to. I remind you of "GOAL 1-1: MAINTAIN INDIVIDUAL IDENTITY, CHARACTER, NATURAL ENVIRONMENT, AND SOCIO-ECONOMIC AND ETHNIC DIVERSITY. Winter Park will ensure that the character and location of land uses incorporate the following: (a) resource conservation; (b) smooth and orderly land use transition; (c) aesthetics; (d) avoidance of incompatible land uses threatening health, safety and welfare; and (e) avoidance of environmental degradation, hazards and nuisances. Although Winter Park lies within a rapidly urbanizing metropolitan area, the City will maintain its individual identity and character by allowing new growth and redevelopment which (i) enhances the City's attractive environment; (ii) preserves the City's economic, socio-economic and ethnic diversity; (iii) strengthens the City's excellence, character and reputation by promoting quality infill development conducive to the most efficient provision of services; and (iv) protects the City's natural resources and environmental assets"

Our neighborhood is already swelling from the YMCA's traffic. The Y breached their agreement with the City of Winter Park by purchasing the properties at 1751 & 1761 Palmer. Why should they be rewarded for this breach by granting them amendments to properties they shouldn't own in the first place?

I thank you for your time and consideration in this matter. Myself and many of my neighbors will be present for the meeting on November 6th. Please keep our neighborhood residential by not granting these amendments or the new pool. Lakemont and Phelps is residential, not commercial.

Sincerely,



John Kurash III

cc: (Hand Delivery) Jeff Briggs, Lindsey Hayes, Stacey Hectus, Caleena Shirley, Drew Krecicki, Sara Whiting, George Livingston, James Johnston, Peter Gottfried, Thomas Sacha, Randall Slocum and Robert Hahn.

Jeffrey Briggs

From: deBoer, Margaret <Margaret.deBoer@hnhpub.com>
Sent: Friday, October 19, 2012 10:44 AM
To: Jeffrey Briggs; Stacey Hectus; Lindsey Hayes; Lisa Clark; cshirley@cityofwinterpark.org.
Subject: Y

Dear Winter Park Planning and Zoning,

We support the Y. We also support smart growth. Changing the new Comprehensive Plan and rezoning the residential community for a Y expansion for parking and yet another pool is not good urban planning and definitely does not align with the Comprehensive Plan. If you agree to this change, how will you stop the next business from wanting to convert a neighborhood for capital gain? Protecting the residential character of Phelps Park neighborhood is important for the health and public safety in our residential neighborhoods. Even if the city would like to forget about the "original" developer's agreement, how can it forget the comprehensive plan and rezone?

Briefly, neighbors have three main areas of concern:

1. **Buffer.** We appreciate the Y doesn't have much space left on their property. But that doesn't mean they should get a free pass when it comes to growth and can squeeze huge projects like parking and another pool into the heart of a residential neighborhood without a critical look at their impact on surrounding neighbors.
2. **TRAFFIC & Usage.** More memberships, more traffic. We're not talking a minor inconvenience for a few extra parking spaces. The Y wants to grow membership and plans to keep the "facility" busy with a variety of memberships, which will cause major traffic, parking and noise disruptions for our neighbors. How would you like another pool in your backyard filled with the fun and excitement of a water park?
3. **Developer's Agreement, Comprehensive Plan & Zoning.** The Developer's Agreement was put in place and should be upheld to protect the residential neighborhood. Earlier, the Y said they bought these adjacent properties for an investment; however given the fact this is the second time that they have tried to use these properties to EXPAND their commercial footprint, it is now a fact what their intentions are. It is important to consider this because the Y's current plans conflict with the City's new and improved Comprehensive Plan designed to preserve the low-density village character, environment and neighborhoods of our unique city. Do not let all of the hard work that the city of Winter Park has done on the Comprehensive Plan and Zoning code go to waste. This is a true test of your vision and commitment to good planning, so I ask you to act with integrity and uphold the plan equally for all Winter Park residents and businesses.

This project needs scrutiny, your support to uphold the Comprehensive Plan and Residential Zoning to ensure it does not become the poster child for urban residential blight of our generation. I respectfully ask for your support and look forward to witnessing true leadership and commitment to our community.

Regards,

Margaret deBoer
President, Phelps Park Neighborhood Association.
Regards,

Jeffrey Briggs

From: R.J.Hale <rjhale@haleco.us>
Sent: Friday, October 19, 2012 2:53 PM
To: Mayor and Commissioners
Cc: Jeffrey Briggs
Subject: YMCA on Palmer Avenue

Dear Winter Park City Commissioners,

Once again we have received a citywide Public Notice regarding the request of the Winter Park YMCA to expand their commercial development further into our residential neighborhood.

We live on Palmer Avenue and are long time residents of Winter Park. We strongly oppose the expansion.

It is essential that we maintain the integrity of our residential zoning.

We are already overburdened with non-local and non-residential traffic. And we believe the additional parking area requested will only serve to encourage the expansion of their membership and add even more traffic to Palmer Avenue.

The YMCA signed a Developer's Agreement with the City in which they agreed they would not ask for any additional zoning compromise.

We strongly object to the further erosion of our residential zoning by their proposed parking expansion down Palmer Avenue.

We respectfully request that the Commission decline the YMCA request and require them to honor their Development Agreement.

Mr. and Mrs. R. Jeffrey Hale

1640 Palmer Avenue

Winter Park, Florida 32789

Tele. (407) 644-7854

Oct. 12, 2012

To: Planning and Zoning Board, City of Winter Park
From: Kathleen M. Kiely, 1800 Oneco Ave.

Dear Board members,

Here we go again. The Winter Park YMCA is back before you with the same requests the Board denied three years ago. It wants to downgrade our residential zoning to replace homes with a parking lot; and it wants yet another swimming pool, this one a children's splash pool with fountains and toys, right in our backyards.

Three years is a short time. Absolutely nothing has changed to make these requests any more legitimate than they were when the Board denied them before. Please review the YMCA's request from 2009, and the extensive neighborhood objection to it then. Also please review the YMCA's pledge to the city in 1996 never to expand again — a legal document the YMCA unilaterally tore up when it bought adjacent property for expansion. And please review the petition signed in 2009 by almost 100 neighbors in opposition to the YMCA's expansion. Nothing has changed since that time.

The YMCA is overbuilt at this location. The Board saw fit to allow another expansion three years ago, with the understanding that an extra parking lot and pool would not be built. It is time for the YMCA to look elsewhere for expansion, and for the Board to make this clear.

Rezoning prime residential property for a parking lot is not the norm in Winter Park. Palmer Ave. is a highly desirable residential location. Right now Arlington Homes is building two nearly million-dollar homes directly across from the YMCA property, and both have been sold before completion. The YMCA property would attract the same caliber of homes (and property-tax income for the city). Rezoning this property for a parking lot would be socially unacceptable, as well as an unsound business decision by the city.

Amend the city's Comprehensive Plan so the YMCA can have more paying members? I cannot believe this is seriously being proposed.

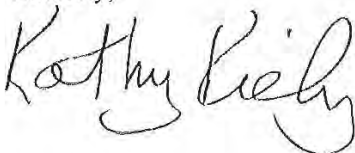
As for the swimming pool, please keep in mind that the city of Winter Park has its own brand-new zero-depth-entry splash pool at our new community center. The city is not in need of one owned by the YMCA.

In the three years since its last request, the YMCA has made no effort to talk to the neighbors who were so opposed to its plans. No outreach to explain its goals or to ask how it could better fit our neighborhood. No communication with us at all.

On its website (<http://www.ymca.net/about-us>) the YMCA of the USA states: "Every day, we work side-by-side with our neighbors. ... For nearly 160 years, we've been listening and responding to our communities." The YMCA's neighbors have seen nothing of the sort in Winter Park. Instead we are being steamrolled by the YMCA as it goes straight to city hall.

So, as I began: Here we go again. For how many years do we have to continue fighting the YMCA on something we thought we'd settled in 1996? We are not going to give up and go away. Please help us close this chapter by denying this YMCA rezoning request once and for all.

Sincerely,

A handwritten signature in cursive script that reads "Kathy Kiely". The signature is written in dark ink and is positioned below the typed name "Kathy Kiely".

October 9, 2012

P&Z Board Members

City of Winter Park

Re: Y Proposal for Expansion

My name is Jean McIntosh and I have lived at 1756 Pine Avenue for 51 years.

Probably all of you are familiar with the history of the Winter Park Y, but I will elaborate on some of it for you.

When first built, the Y was a small community Y with a place for kids to hang out, swim, play basketball, ping pong, etc. Then in 1996, a large expansion of 3,000 sq.ft. was approved after months of objections from and deliberations with the neighbors. When it was finally approved, the City Commission required the Y (Jim Ferber) to sign a Developer's Agreement prohibiting the Y from expanding the building, acquisition of adjacent properties, and second outdoor pool. Incidentally, at that time, a motion was made to have the Y limit membership to 2,700 but the motion was denied.

In 2008, the Y violated the Agreement by purchasing two properties adjacent to their existing property and doing so against the advice of the P&Z staff.

Then in 2009, a proposal was presented asking for building expansion for men's locker rooms, a mini water park (zero depth pool), and a parking lot where their two houses are standing. The locker rooms expansion was allowed because in 1996 the Y had not used up the approved 3,000 sq. ft.

In all of these past negotiations, the Y has maintained it did not intend to increase membership but just to provide more amenities for the existing membership. Today, with 8,000 + members, the Y is once more proposing the addition of the denied parking lot and mini water park.

Folks, this Y is far too large for our neighborhood; traffic is horrendous, noise, car horns, car alarms, traffic accidents are a constant nuisance to live with for the surrounding neighbors. It is just like having a huge Bally Fitness Center smack in the middle of our formerly quiet neighborhood. This is wrong, wrong, wrong.

We neighbors want the City to enforce the Developer's Agreement and put a stop to any future proposals for expansion - forever.

We want the City to respect its residents and stop giving preference to the large commercial, so-called non-profit organization.

We want the Y to:

Cap its membership at half what it is now.

Replace the two little ugly houses with a landscaped mini park for its members to enjoy while waiting for the machines, one similar to the park at Oaks Blvd. and N. Park Avenue. That would be a nice buffer between the residential homes and huge commerciality of the Y.

We want the Y to be honest and up front with neighbors – tell the truth about the so called zero depth pool: it is not a teaching pool. Put a teaching pool over at Cady Way or a mini water park if that's the most desired. Cady Way would be the best place for family activities.

Put in extra parking spaces where it now wants to put the pool.

Lastly, the Y has taken over the east end of Phelps Park for its child care programs which take place 7 days a week. Does the Y pay the City for the use of the Park which is supposed to be for residents? I am sure the Y charges the parents a goodly sum for these programs and should properly pay for the use of the Park.

We ask this P&Z Board to protect us from further encroachment by the Y.

Thank you.

Jean McIntosh

PPNA (Phelps Park Neighborhood Association)

✓Cc: Jeff Briggs, Director
Planning & Zoning
City of Winter Park

October 25, 2012

P&Z Board Members

City of Winter Park

Re: Y Proposal for Expansion

The Y never had any intention of complying with the Developer's Agreement as evidenced by the attached copy of my letter dated October 20, 1998.

It blatantly violated the Agreement by buying those properties on Palmer.

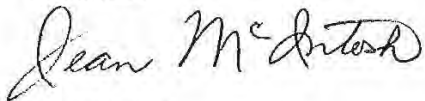
Now the Y is proposing to donate a 5 foot strip of land to the City of Winter Park to ensure there would be no more expansions by the Y.

Do you think the Phelps Park neighbors are stupid enough to buy this deal! PLEASE! That is truly a joke; the Y has never complied with the Agreement and certainly a little 5 foot strip of land would do nothing to prevent further expansions as money permits.

Next it will be Phelps Park the Y will have its eyes on.

Please, Board Members, help us to put a permanent stop to any expansions by the Winter Park Y. It is past time for the Y to move on to other locations, preferably in the middle of commercial properties, not quiet residential neighborhoods.

Thank you .

A handwritten signature in black ink that reads "Jean McIntosh". The signature is written in a cursive, flowing style.

Jean McIntosh

Cc: Jeff Briggs, Director
Planning and Zoning

1756 Pine Avenue
Winter Park, FL 32789
October 20, 1998

Commissioners Rachel Murrah,
Kip Marchman, Doug Storer
City Commission of Winter Park
401 Park Avenue South
Winter Park, FL 32789

Re: Winter Park YMCA

Dear Commissioners:

Last week the Winter Park YMCA celebrated the grand opening of their new expansion. The new facility is most attractive and the landscaping on the north end of the parking lot is just what the neighbors wanted.

However ----- a quote in the Orlando Sentinel by new director, Richard Tolle, makes us somewhat uneasy, but not really surprised. The quote is: "If we had more land and more room, we would expand some more, but we're landlocked on this site **right now**". According to Developer's Agreement dated January 7, 1997, "Owner (YMCA) will not acquire additional property in the City of Winter Park adjacent to the Property for expansion purposes". Is this agreement in effect just until the YMCA decides it is financially able to buy more property and presents that to the Planning and Zoning Board in the next year or two? Must we neighbors be forever on guard to keep this so-called non-profit organization from gobbling us up??

We might add that two years ago when the Y wanted to expand, it was primarily to get more parking spaces, and they declared they did not want to increase membership. They gained very few parking spaces in this new expansion and as a matter of fact, a YMCA staff member is still parking in front of our house (with our permission) because there are no spaces for the staff to park.

The purpose of this letter is to let you know that the "Y Watchers" are watching and as in the past, we do not want any more of our homes nor **Phelps Park** purchased or donated to the Winter Park YMCA.

Sincerely

Jean and Don McIntosh
jlm

1771 Chestnut Ave.
Winter Park, FL 32789
October 23, 2012

Dear Planning and Zoning Board members:

Re: Winter Park YMCA expansion

I have been told the YMCA is considering a new strategy to win expansion approval. As a condition of approval, it would give the city a strip of property along the Y's borders. This supposedly would guarantee no future expansions.

We nearby neighbors don't buy that deal, nor should you.

The Y doesn't keep its promises even when it signs a binding agreement – as it did in 1997 – to *not* expand its building again, to *not* buy residential property for the purposes of expansion and to *not* build a second pool. It just plows ahead with what it wants: It came back with expansion plans in 2007, 2009 and now 2012. It also brazenly acquired the two residential lots in 2008, clearly *for* the purposes of expansion.

Your board rejected the Y's 2007 plans. Two years later, even though you stood firm against a second pool and the conversion of two home lots into a parking lot, you endorsed its building expansion. You gave the Y an inch, and now it wants a whole mile – everything it didn't get three years ago!

I have a copy of the Y's 1997 developer's agreement, which specifically says it is to "run with the property." The Y now would toss aside the document's key provisions so it can keep growing, as it always intended. As a Y official said 3 years ago in a hearing, the Y only signed that document "because it was the only way to get approval" for that expansion stage. Amazing!

If a binding legal agreement isn't stopping the Y now, how would a city-owned strip of land on its borders stop it in the future? The Y could always make yet another empty promise in exchange for the city selling it back the strip. It would find other ways to muscle further onto Palmer Avenue or Pine Avenue or even Phelps Park.

The two lots on Palmer have sat in dismal condition since the Y acquired them. Meanwhile high-end new homes are being constructed on that block and in the neighborhoods surrounding the Y. The Y's actions are thwarting residential-redevelopment trends in this area.

Please, do something to stop this imposition on us homeowners. We ask you to deny this major land-use change. Accommodating a private, members-only facility should never take priority over an established single-family area of Winter Park. The need is greater than ever to protect the valuable residential land the Y wants to turn into a parking lot.

Sincerely,

Geri Throne

1771 Chestnut Ave.
Winter Park, FL 32789
October 9, 2012

Re: YMCA application, Planning & Zoning hearing, 11/06/12

Dear Planning and Zoning Board members:

We residents of northeast Winter Park need your help. Only three years have passed since the City turned down part of the Central Florida YMCA's last request to expand in Winter Park, and here it is again – aiming to obtain everything it failed to obtain the last time.

We neighbors are counting on the Planning and Zoning Commission and the City Commission to draw a firm line this time. Winter Park has a history of strong commitment to its homeowners. The Central Florida YMCA needs to understand that Winter Park values the stability of its neighborhoods more than the perceived expansion needs of a commercialized operation. It needs to understand that in Winter Park, a binding agreement to protect homes sites is just that – binding. It needs to understand that the city values the future integrity of its park land -- Phelps Park.

When city leaders in 2009 approved the Y's request for more square footage, they wisely rejected a second pool and parking on two residential lots on Palmer Avenue. They told the Y to fix its unsightly landscaping and improve traffic flow. The Y now has a grand interior, prettier landscaping and a new parking lot. But it still isn't satisfied. It still wants a kiddie pool. It still wants to tear down the two homes it acquired, contrary to its 1996 agreement, to allow parking for even more cars. It still wants to grow bigger and bigger.

The Y may again claim: "But this facility is *not* growing! It's losing members because of limited parking! Our members are city residents who desperately want a kiddie pool!" Please don't buy that. This facility is part of a large chain of YMCAs in Central Florida; if this not-for-profit is losing members, who come from a broad geographic area, it is because it charges substantially more than nearby for-profit fitness clubs.

We neighbors of the Y have the same position we had three years ago:

- 1) Non-profit or not, the Winter Park YMCA Family Center is already too huge, too traffic-generating and too noisy for a quiet residential neighborhood.
- 2) The YMCA's development plan is a direct violation of its 1996 binding agreement with the city, which was approved specifically to protect the surrounding neighborhood from just this kind of maneuver.

Thank you so much for your attention to this matter.

Sincerely,

Geri Throne



**CITY OF WINTER PARK
Planning & Zoning Commission**

**Regular Meeting
Commission Chambers**

**September 1, 2009
7:00 p.m.**

MINUTES

The meeting was called to order by Mr. Krecicki at 7:00 p.m. in the Commission Chambers of the Winter Park City Hall.

Present: Chairman Drew Krecicki, Vice-Chairman Rick Swisher, Michael Dick, Sarah Whiting and Carolyn Cooper. City Attorney Catherine Reischmann was also present. Staff: Planning Director Jeffrey Briggs, Sr. Planner Stacey Scowden, Planning Technician Caleena Shirley, and Recording Secretary Lisa M. Clark.

Public Hearings

Request of the Winter Park YMCA at 1201 N. Lakemont Avenue for Conditional Use Approval and Comprehensive Plan and Zoning Map changes for the following expansions to the existing YMCA:

- Conditional Use request for a 3,115 sq. ft. expansion to the existing building for new locker rooms; and
- Conditional Use request to add an additional zero-depth children's pool and recreation area on the existing property; and
- Comprehensive Plan and Zoning Map Amendment to change from Single Family (R-1A) to Public Quasi-Public (PQP) and Future Land Use from Single Family Residential to Institutional on the properties located at 1751 and 1761 Palmer Avenue. This change would allow the expansion of the existing YMCA parking lot onto those two properties adding 53 more spaces.

Planning Director Jeffrey Briggs presented the staff report. He reviewed in detail the history of the YMCA expansion, the contents of the original development agreement, the proposal submitted by the Winter Park YMCA which included their proposed site plan, floor plan, perspective architectural elevation drawings, exterior wall plan, landscape plan and traffic study for these expansion requests. He said that in terms of code compliance, the project would meet the setbacks, floor area ratio and other development standards for the PQP zoning (if approved). The existing YMCA is 30,335 square feet in size. The YMCA has 139 parking spaces. With the 3,115 square foot locker room expansion, the total size would be 33,450 square feet. The code requires one parking space for each 250 square feet which equates to 134 spaces.

Mr. Briggs reviewed each of the three separate requests by the YMCA that staff will critique individually:

Locker Room Expansion:

Mr. Briggs noted that the locker room expansion was approved in 1996 but not constructed. He said that staff does not believe that locker rooms in and of themselves add to the membership or increase traffic.

The complication concerning the locker room expansion is that the "dirt" area where the locker rooms are to be built has been and is being used as an employee parking lot. Typically there are about 10-12 employee cars in that dirt area. So when the new locker rooms are built, those employee cars will be displaced to the main

paved parking lot thus providing less parking for the membership. The solution is to extend the existing parking lot to the west, replacing the existing storm water retention area by converting that retention area to underground storm water exfiltration. The expansion of the parking lot would add about 14-15 parking spaces bringing the site back to its current parking volume. Staff will propose this as a condition of approval.

Swimming Pool Expansion:

Mr. Briggs stated that new children's swimming pool was part of the YMCA request in 1996. It was proposed for the area that now holds the child care playground. That component was denied at that time. He said that the YMCA desires to revisit that request but in an alternate location south of the existing swimming pool. They believe that this new zero-depth children's pool is critical to the mission of the Winter Park YMCA Family Center. He said that staff recognizes the criticism that there are plenty of swim lessons options available now and it is doubtful that any children are currently missing out on swimming lessons due to a lack of swimming pool facilities. He noted that Winter Park has the existing YMCA pool, Cady Way pool, Crosby Center pool and in two years the new zero-depth children's swimming pool planned for the Winter Park Community Center.

He noted that staff is also aware of the criticism that the children's swimming pool is all about selling more memberships to families. That may well be true and the swimming pool facilities may add to the membership and use of the YMCA. However, this does not seem to be a reason for denial, as long as there are minimal impacts to the surrounding neighborhood. He detailed staff concerns with the impacts of traffic and noise. Adjacent to the new proposed children's swimming pool is a vacant single family lot at 1741 Palmer Avenue and that property (as well as maybe 1751/1761 Palmer) is ground zero for the noise impact. Some people may love the sound of children laughing and yelling. But to compound the noise impact, the plans show a ten foot tall water slide proposed right next to the adjacent single family homes. Staff recommended approval of the swimming pool with the elimination of the water slide.

Parking Lot Expansion:

Mr. Briggs stated that this is the most difficult part of the YMCA's application to rationalize given the promises made in 1996, the "Developer's Agreement" contract that was executed then the subsequent action to ignore the contract and acquire additional property for expansion anyway. The parking lot expansion would add 53 additional parking spaces. It would be screened with the same type of wall and landscaping treatment that successfully screens the existing parking lot. There would be a significant upgrade to the landscaping both in the new parking lot as well as the existing lot. The parking lot expansion is proposed for the convenience of the existing membership but it would also function as a way to increase membership.

The problem for most of the neighbors that are in opposition is the question "When does the expansion of the YMCA ever stop?" In 1996 the City had a promise and a "Developer's Agreement" contract. Now thirteen years later the City has a request to re-write or throw away the "Developer's Agreement" contract and no promise that there will be no more future expansions. So the neighbors are justified to ask "How far down Palmer Avenue does the YMCA propose to expand?"

Staff recommendation was as follows: (P&Z needs to have three separate votes)

1. Approval of the Conditional Use request for the Locker Room expansion conditioned upon:
 - a. Expansion of the existing parking lot over the existing storm water retention area to compensate for the loss of employee parking, and
 - b. Incorporation of the plans submitted such that any change to those plans (including the internal floor plan) would require approval of the City.
2. Approval of the expansion for the new zero depth children's swimming pool and recreation area excluding the swimming pool slide component.
3. Denial of the Comprehensive Plan future land use map change and the rezoning request to expand the YMCA parking lot onto the properties at 1751/1761 Palmer Avenue.

Bud Oliver, 433 South Lakemont Avenue, introduced the members of the development team. Mr. Oliver gave the Board a general overview of the YMCA's request.

George Powell, Powell Design Group, used a power point and 3D presentation to provide an in-depth overview of the request. This included proposed landscaping enhancements, the proposal to complete the final build-out of the original conditional use approval from 1996 (the family locker rooms); the zero depth teaching pool; and the request to expand the parking lot. He also reviewed language from the 1997 development agreement. With regard to the locker room expansion, he noted that this was approved in 1996 as a part of a multi-phase project and that due to funding issues was never completed. He said that this request does not expand the building beyond what was approved in 1996. He stressed that the parking for the 3,000 square foot addition is already in place. With regard to the zero entry swimming pool he noted that this portion of the request was originally approved by the Planning Commission in 1996, but later revoked by the City Commission. He stated that this request is a new request that falls within the boundaries of the property and is independent from the locker room expansion and parking requests, and requested that the Board grant this request. With regard to the parking request, he said that the YMCA reacquired the two residential lots that they previously owned in the 1980s and that they have no interest in purchasing additional properties in the neighborhood. He said that expanding the parking lot will not alter the existing traffic pattern that currently exists around the YMCA and proper lighting and landscaping will be installed. He added that they do not feel that an expansion of the parking lot as an extension of the YMCA. They do not feel that they are in violation of the original developer's agreement.

Steve Shelling, 2893 Oakcastle, YMCA Board Chair, said that one of the things that the Board hears from members is the need for additional parking.

Mike Sullivan, 1331 Magnolia Bay, Maitland, stated that he also owns a home on Palmer Avenue stated that he is a member of the YMCA and is a Board member of the YMCA Central Florida. He said that he feels that the City should consider a public/private partnership with the YMCA. He said that he does not feel that the improvements that were outlined by Mr. Powell as an encroachment into the residential neighborhood. He requested rebuttal time for the applicant at the end of the public comment section.

The City attorney requested that the Board members disclosed ex-parte communication with the applicant. Mr. Krecicki noted that he is a YMCA member and that he went to one of the community meetings held by the applicant. Mrs. Cooper stated that she holds a family membership and that she has met with Mr. Oliver and others and that she has met with the McIntoshes. Mr. Swisher said that he is not a member, but that he met with Mr. Oliver and representatives and acknowledged the emails that he has received. Mrs. Whiting stated that she is not a member and acknowledged the emails that she has received and that she has met with Mr. Oliver and representatives of the YMCA. Mr. Dick stated that he is not a member and has met with Mr. Oliver and representatives.

The following people addressed the Board in favor of the request: Jim Yarborough, 720 North Phelps, Tiffany Polito, 694 Selkirk Drive, Heidi Farber, Glenridge Way, Lisa Wilcox, 1727 Palmer Avenue, Mary Rumberger, 1234 Palmer Avenue, Lou Nimkoff, 740 Williams Drive, Brad Hester, 1906 Whitehall Drive, and Peter Weldon, 700 Via Lombardy,

The following former Mayors also addressed the Board concerning the request. They acknowledged that they were members of the Board when the original request came forward and provided insight as to the discussion that took place at original public hearings:

Terry Hotard, 1461 Palmer Avenue, said that he thinks the Board should look at what is best for the community and that he feels that the needs of the community have changed. He said that he feels that the YMCA has proved to be a good neighbor.

Kip Marchman, 1641 Palm Avenue, explained that at that time there were concerns with the campus expanding into the residential community. He said that it was the Commission's intent at that time to work diligently to protect the residential property in the City. Further, the YMCA was not forced into the agreement in 1996.

Joe Terranova, 700 Melrose Avenue, agreed with Mr. Marchman and said that he feels that the YMCA should follow the terms of the original agreement.

The following people spoke in opposition to the request: Jean McIntosh, 1756 Pine Avenue, Terry Roen, 1620 Elm Avenue, Rebekka Wilson, 1724 Pine Avenue (submitted a petition with 92 signatures opposed to the request), Julie Swinarski, 1740 Pine Avenue, Margaret Zbor (presented a Power Point presentation on behalf of the neighborhood that detailed neighborhood concerns), Kay Zimmerman, 1040 North Lakemont Avenue, Davon Deboer, 1748 Pine Avenue, Kevin Robillard, 1616 Palmer Avenue, , Byron McIntosh, Mark Enriguez, 1760 Palmer Avenue, Gail Turner, 1040 North Lakemont Avenue, Ann Kubisak, 1040 North Lakemont Avenue, John Kurash, 1050 North Lakemont Avenue, Kathy Kiely, 1800 Oneco Avenue, Mark Salia, 1757 Pine Avenue, Geri Throne, 1771 Chestnut Avenue, Tom Akert, 1570 Place Piccardy.

Mr. Shelling readressed the Board on behalf of the applicant. He said that development agreements are modified constantly. He said that it is regrettable that there is a perception that they have breached agreement, but that circumstances have changed. He said that their patrons are requesting the changes. Further, the requested parking is to address the peak demand levels and that they do not feel that what they are asking for will increase trips. He said that he feels that will reduce daily trips. He added that they will accept the condition of no slide on the zero depth pool and the condition of parking over the retention area.

Chairman Krecicki recessed the meeting at 9:17 p.m. and reconvened at 9:24 p.m.

Following the recess, Mr. Briggs and Attorney Reischmann had a question and answer session with the Board members. The Board members also posed questions to the YMCA representatives. Following the question and answer session, Chairman Krecicki opened up the item for discussion amongst the board members.

Mr. Krecicki stated he is a YMCA supporter, but that he does not support changing the development agreement at all that it should stay in place as is. He said that he could support granting approval of the conditional use for the locker room expansion with staff recommendations. In addition he encouraged the YMCA to consider remote parking for staff and installing additional bike racks to alleviate the parking situation. He did not support the comp plan amendment. With regard to the pool, he supported the zero depth pool with the exclusion of the slide. In addition, he added that he feels that the hours for the children's pool hours be more limiting than the adult pool.

Mr. Dick said that he did not have issue with the acquisition of the lots because that could be considered an investment, but once the application was made incorporating those lots, that became a violation of the development agreement. He stated that he can support the conditional use for the locker room expansion. He asked the applicant if the number of lockers would increase or remain the same. The applicant stated that there would be no new lockers and the existing half lockers would be converted into full lockers. He said that he feels that there should be some degree of self-regulation with parking. As for additional parking, he said that he would rather see the parking go within the 35 foot area behind the lots, to accommodate no more than 15 additional parking spaces. He did not support the comp plan amendment, and feels that residential lots should remain residential. With regard to the pool, he did not support and it and stated that he feels that there are enough alternatives throughout the city for the pool.

Mrs. Whiting said that she supports the YMCA being in the City. She supported the conditional use request for locker room expansion. She said that she feels that it completes the original expansion plans. In favor of the pool, but how can noise (i.e. buffering, planting, walls, etc.) from the pool be alleviated. She said that she could not support the comp plan amendment.

Mrs. Cooper explained that she is comfortable with granting the additional square footage because it was a part of the original conditional use approval. She did express concern with the impact that she feels the proposed expansion would have on the existing parking situation. She agreed with staff recommendations in this regard. Mrs. Cooper stated that she does not support the pool as presented. She said that it looks like a water park and further that it would be a violation to the peace of the surrounding residential neighborhood. She did not support the comp plan amendment. She said that she is concerned with additional traffic on Lakemont Avenue. She said that she is a proponent of R-1A zoning and feels very strongly that the single-family neighborhood must be protected. Mrs. Cooper also discussed her concerns with how this request ties into the newly adopted comprehensive plan. She also said that she feels that the two existing residences need to be brought up to code and look like a fair representation of the YMCA's ownership.

Mr. Swisher said that he agrees with the previous comments. He discussed his recollection of the previous public hearing with regard to landscape buffering. He stated that he supports the conditional use for locker room expansion. He added that he would be all for the zero depth pool if it were in a different location. He said that he cannot support the comprehensive plan amendment changing R-1A lots for use as a parking lot.

Locker Room Expansion

Motion made by Mr. Krecicki, seconded by Mrs. Whiting to approve the conditional use request for a 3,115 sq. ft. expansion to the existing building for new locker rooms with the following conditions:

1. Expansion of the existing parking lot over the existing storm water retention area with no more than up to 15 spaces.
2. Any changes to the approved plans, including internal floor plans, will require approval from the City.
3. The YMCA is to research areas of remote parking for employees and more adding more bike racks to promote more bike ridership with their members.

Mr. Dick requested to amend the motion to add that final landscape plans and updated lighting plan come back to the Board for final approval. Mr. Krecicki and Mrs. Whiting accepted the amendment. Motion carried with a 5-0 vote.

Swimming Pool Expansion

Motion made by Mrs. Cooper, seconded by Mr. Dick to deny the request for the swimming pool.

The Board entered into a discussion with regard to whether it would be appropriate in another location. Mr. Krecicki requested to amend the motion giving the applicant the option to return to the Board with revised plans for a smaller pool or to relocate the pool to another location on the property. Mrs. Cooper and Mr. Dick accepted the amendment. Motion carried with a 4-1 vote. Mrs. Whiting voted against the motion.

Comprehensive Plan Amendment

Motion made by Mr. Krecicki, seconded by Mrs. Cooper to deny the request for a Comprehensive Plan and Zoning Map Amendment to change from Single Family (R-1A) to Public Quasi-Public (PQP) and Future Land Use from Single Family Residential to Institutional on the properties located at 1751 and 1761 Palmer Avenue. Motion carried unanimously with a 5-0 vote.

Site Plan Reviews

SPR 3:09 M/M Zwirn request lakefront site plan approval for a new single-family residence at 600 Via Lugano on Lake Maitland

*City Commission Minutes
YMCA Sept. 28, 2009*

Motion made by Commissioner Dillaha to adopt the ordinance; seconded by Commissioner Bridges. Upon a roll call vote, Mayor Bradley and Commissioners Anderson, Dillaha and Bridges voted yes. Commissioner Diebel was away from the dais for this item. The motion carried unanimously with a 4-0 vote.

Mayor Bradley turned the Chair over to Vice Mayor Diebel.

d) Request of the Winter Park YMCA at 1201 N. Lakemont Avenue:

Planning Director Jeff Briggs addressed the conditional use request from the Winter Park YMCA for a 3,115 square foot expansion to the existing building for new locker rooms. He stated that the original request started off with the conditional use request for an additional zero-depth children's pool and an expansion to the parking lot but have since then withdrawn those two requests and will not be part of the public hearing tonight. He emphasized that the approval is only for the locker room expansion.

Mr. Briggs gave background information on the YMCA and their approval in 1996 to build the facilities there today. He stated that the locker room expansion was approved in 1996 but not constructed at that time. He explained that conditional uses expire after two years and that approval is no longer valid. He stated the YMCA is asking the City Commission to reestablish what they previously approved in 1996 and to let them finish the locker room expansion.

He addressed the discussion at the P&Z meeting concerning the locker room expansion because of the "dirt" area where the locker rooms are to be built has been and is being used as an employee parking lot and those cars being displaced to the main paved parking lot. He suggested a solution to extend the existing parking lot to the west, replacing the existing stormwater retention area by converting that retention area to underground stormwater ex-filtration. The expansion of the parking lot would add about 14-15 parking spaces and bring the site back to its current parking volume. He stated that there was a condition to that effect relating to the recommendation from the P&Z for approval and since that time the YMCA has adjusted their site plan. He added that the P&Z gave a unanimous recommendation for approval which reestablishes the approvals that were granted by the City Commission in 1996.

William "Bud" Oliver, Executive Director of the YMCA, provided a PowerPoint presentation and spoke in detail regarding the history of the YMCA, the process to meeting growing needs within the community, and understanding YMCA membership and their goals. He also submitted a petition in support of the YMCA.

George Powell, Powell Design Group, provided a PowerPoint presentation on the landscaping enhancements and the proposal to complete the final build-out of the original conditional use approval from 1996 (family locker rooms). With regard to the locker room expansion, he noted that this was approved in 1996 as part of a multi-phase project and that due to funding issues was never completed and this request does not expand the building beyond what was approved in 1996. He emphasized that the parking for the 3,115 square foot addition is already in place.

Steve Shelling, YMCA Board Chair, stated that they need to continue to invest in the YMCA to ensure it is here for future generations.

The following people spoke in opposition to the request:

Tom Ackert, 1570 Place Picard
Jean McIntosh, 1756 Pine Avenue. (Submitted a petition opposing the expansion of the YMCA)
John Kurash, 1050 N. Lakemont Avenue
Margaret deBoer, 1748 Pine Avenue
Kay Zimmerman, 1040 N. Lakemont Avenue
Geri Throne, 1771 Chestnut Avenue
Bryan McIntosh, 4105 Bibb Lane
Kathy Kiely, 1800 Oneco Avenue

The following people spoke in favor of the request:

Joe Terranova, 700 Melrose Avenue
Lou Nimkoff, 740 Williams Drive
Mary Rumberger, 1234 Palmer Avenue

Attorney Reischmann explained that they are considering the request for a conditional use and was not an extension of one. He stated that this was a quasi-judicial hearing and that they are applying policy to specific facts that they hear this evening. He answered questions.

Mr. Briggs listed the P&Z's conditions to approving the conditional use as follows: 1) Expansion of the existing parking lot over the exiting stormwater retention area with no more than up to 15 spaces; 2) Any changes to the approved plans, including internal floor plans, will require approval from the City; 3) The YMCA is to research areas of remote parking for employees and adding more bike racks to promote more bike ridership with their members; and 4) The final landscape plans and updated lighting plan come back to the board for final approval.

Commissioner Dillaha asked how many lockers would be added. Mr. Powell stated it will increase from 75 to about 118 for the men's lockers and increase from 44 to about 120 for the women's lockers. He added that this was a conceptual plan. Mr. Powell answered questions.

Commissioner Anderson asked if they double the number of women's lockers if there would be parking available for times when the YMCA is more utilized. Commissioner Dillaha questioned since there is no swimming pool or parking lot now being requested, what the impact would be on cars and parking. Mr. Powell commented that increasing the number of lockers does not necessarily mean they will increase the usage but could extend the members stay to shower and change because of the convenience. He explained that this was an effort to service the existing clientele.

Mayor Bradley declared an email sent to him suggesting that he had conflicts because the hospital does business with the YMCA. He explained that they rent space from the Crosby YMCA and did not believe that precluded him from voting on this matter.

Motion made by Mayor Bradley to adopt the recommendations of the Planning and Zoning Commission as presented; seconded by Vice Mayor Diebel for discussion. Attorney Reischmann answered further questions.

Commissioner Anderson commented that in order for him to support the expansion he wanted to know a specific locker count and if there should be a condition that includes a modification to the existing development agreement. Attorney Reischmann commented that a development agreement will have to be agreed to by the applicant as opposed to conditions being stipulated

which can be imposed on the applicant. He stated that in 1996 and 1997 the City and the YMCA reached an accommodation and memorialized that in the developer's agreement. He stated that the developer's agreements can be amended.

Commissioner Anderson commented that the developer's agreement is material to how he views the conditional use. Commissioner Dillaha agreed and believed that if there is no clarity about some of the provisions in this conditional use permit then she wants a new developer's agreement or a new conditional use permit that cleared up any misconceptions regarding further acquisition of property, further expansion of a building, and no second outdoor pool to be constructed.

Vice Mayor Diebel commented that they are being asked to either consider or not consider the approval of the conditional use that was unanimously approved by the P&Z with the four conditions. There was further discussion regarding the need for a locker count. Commissioner Anderson stated that he was not comfortable voting without this number and wanted to hear from staff or the applicant as to the appropriate number of lockers that would regulate the membership and utilization of the facility. He also wanted to know what the peak parking load for this facility is and how it relates to the population that is using that facility at the time. Vice Mayor Diebel asked Mr. Knight to take those back to the applicant. Mr. Knight agreed.

Mayor Bradley commented that there is a motion on the floor but, **made a motion for the continuance of this discussion until the October 12 meeting; seconded by Vice Mayor Diebel.** Mr. Briggs clarified that they had their public hearings and when this comes back in two weeks they will continue and decide on the motion.

There was recess taken from 8:31 p.m.-8:41 p.m.

Millage and Budget Public Hearings: (started at 5:10 p.m.)

Mayor Bradley opened the public hearing and read into the record the following: "The millage rate needed for Fiscal Year 2010 to generate the same property tax revenue for the City as in 2009, based on the Property Appraiser's certification, is 4.4051 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 7.10%. In addition, a .2144 mill voted debt service is levied to cover the debt service of the General Obligation Bonds, Series 2001 approved by the citizens of Winter Park at the May 16, 2000 bond referendum, and a .0913 mill voted debt service is levied to cover the debt service of the General Obligation Bonds, Series 1996 approved by the citizens of Winter Park at the June 4, 1996 bond referendum."

Mayor Bradley commented that this would be a simultaneous public hearing on both these ordinances.

- a) **ORDINANCE NO. 2782-09:** 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 .2144 MILL VOTED DEBT SERVICE LEVY UPON ALL REAL AND PERSONAL PROPERTY FOR APPROPRIATION TO THE CITY OF WINTER PARK, FLORIDA GENERAL OBLIGATION BONDS, SERIES 2001, AND A

City Commission Minutes
YMCA Oct. 12, 2009

Public Hearings:

- a) Conditional use request of the Winter Park YMCA at 1201 N. Lakemont Avenue for a 3,115 sq. ft. expansion to the existing building for new locker rooms (Continued from the 9/28/09 meeting).

Mayor Bradley commented that this was continued from the last Commission meeting and that there is an active motion on the floor with a second and that can be amended. The standing motion was as follows: **Motion made by Mayor Bradley to adopt the recommendations of the Planning and Zoning Commission as presented; seconded by Vice Mayor Diebel for discussion.** He stated that they were very explicit from their last conversation that they would not be taking public comment and would continue from where they left off.

Planning Director Jeff Briggs addressed the original three requests from the YMCA and that they have withdrawn the additional zero-depth children's pool and an expansion to the parking lot. He stated that the only request before the Commission was the conditional use for the locker room expansion.

Attorney Brown reminded the Commission to disclose if they had any unilateral communications outside the Sunshine Law from anyone regarding the issue of the expansion of the lockers. Mayor Bradley and the Commissioners disclosed that they each had meetings with YMCA representatives and they explained that their emails have come through the City email.

Commissioner Anderson commented that after having extended conversations with both its representatives from the YMCA and its neighbors, he believed there are more conditions that should be considered for a conditional use approval of the 3,115 square foot addition.

Motion made by Commission Anderson to amend the original motion with three conditions: 1) provide equal locker counts for the men's and women's locker rooms, not to exceed 150 lockers each; 2) continue to provide a need based scholarship program and, at least annually, disseminate information on the scholarship program at an open house; and 3) provide a documented restriction that runs with the land along the property line between the YMCA parcel and the residential lots that prevents any covered building structure from crossing the line. The motion failed for lack of a second.

Motion made by Commission Anderson to amend the original motion to provide equal locker counts for the men's and women's locker rooms, not to exceed 150 lockers each; seconded by Mayor Bradley. Commissioner Anderson spoke about the purpose of the locker count and explained that he was trying to respond to neighbors concerns about making sure that this expansion is about serving the needs of the existing membership and not so much an expansion of the overall service pattern of the facility. Commissioner Bridges stated that she shared his concern about the neighborhood and the immediate expansion that is being contemplated by the YMCA. She wondered if they could allow that expanded footprint for the purpose of the locker rooms and then with agreement with the YMCA go back to the 1996 permit and honor the obligations that were agreed upon then, that they would not do any further expansions.

Attorney Brown commented that the existing agreement is still in effect. Mayor Bradley clarified that the conditional use request is not a continuance from 1996; it is a new conditional use request. Attorney Brown agreed.

Upon a roll call vote, Mayor Bradley and Commissioners Anderson and Diebel voted yes. Commissioner Bridges voted no. The motion carried with a 3-1 vote. Commissioner Dillaha was absent.

Commissioner Anderson commented that he would let #2) lapse and move on to #3).

Commissioner Anderson amended the motion to provide a documented restriction that runs with the land along the property line between the YMCA parcel and the residential lots that prevents any covered building structure from crossing the line; seconded by Mayor Bradley. He stated that this was a comment directed at some of the public discussions about what would keep additional barriers to the growth and further intrusion into the neighborhood. Mr. Briggs showed the site plan. Mayor Bradley asked for clarification whether this is an easement or condition of a conditional use which would affect how he votes. Commissioner Anderson clarified that this be a condition of the conditional use.

Commissioner Diebel addressed being unsure of the purpose of this since there is nothing in the conditional use for this to be viable and that he was putting a restriction against something that does not exist on the application. Commissioner Anderson explained his intent to keep the building from creeping beyond this line at any point in the future and to give some assurance to the residents in the area. Attorney Brown stated that the legal standard is that the conditions they impose should be related to the permit application that is before them. He commented that this would not be a legal issue.

Upon a roll call vote, Mayor Bradley and Commissioners Anderson and Bridges voted yes. Commissioner Diebel voted no. The motion carried with a 3-1 vote. Commissioner Dillaha was absent.

Mayor Bradley explained the full motion with the two amendments for clarification. He listed the P&Z's conditions to approving the conditional use as follows: 1) Expansion of the existing parking lot over the exiting stormwater retention area with no more than up to 15 spaces; 2) Any changes to the approved plans, including internal floor plans, will require approval from the City; 3) The YMCA is to research areas of remote parking for employees and adding more bike racks to promote more bike ridership with their members; and 4) The final landscape plans and updated lighting plan come back to the board for final approval. The two amendments by the Commission were as follows: 1) to provide equal locker counts for the men's and women's locker rooms, not to exceed 150 lockers each; and 2) to provide a property line conditional use between the YMCA parcel and the residential lots that prevents any covered building structure from crossing the line. Upon a roll call vote, Mayor Bradley and Commissioners Anderson, Diebel and Bridges voted yes. The motion carried with a 4-0 vote. Commissioner Dillaha was absent.

- b) ORDINANCE NO. 2784-09: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING WITHIN THE CHARTER LAWS OF THE CITY OF WINTER PARK, SECTION 1.02, "CORPORATE LIMITS DESCRIBED" SO AS TO ANNEX THE PROPERTIES AT 1807, 1810, 1850, 1911 and 1922 STONEHURST ROAD AND THE EAST KINGS WAY AND STONEHURST ROAD RIGHT-OF-WAY THEREOF, MORE PARTICULARLY DESCRIBED HEREIN.



city commission public hearing

item type	Public Hearing	meeting date	November 26, 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: Conditional Use for a new ABC Liquor store at 401 N. Orlando Avenue.

This is a conditional use request by ABC Liquors, Inc. to redevelop the existing store location at 401 N. Orlando Avenue. The redevelopment would build a new 13,281 sq. ft. ABC store directly behind to the rear of the existing building. When that new store is completed, the existing 7,200 sq. ft. store will be demolished. To accomplish this redevelopment, ABC Liquors is purchasing the adjacent property at 1411 Trovillion Avenue which is immediately behind to the rear of the existing ABC property. Both properties are zoned commercial (C-3).

This project is a conditional use as a building over 10,000 square feet and as a liquor store within 300 feet of residential. This is intended to be a 'complete' application for both the 'preliminary' and 'final' conditional use approvals.

P&Z Board Recommendation:

Motion made by Mr. Johnston, seconded by Mr. Sacha to approve the conditional use request with the condition that all loading and unloading must be off-street. Motion carried unanimously with a 7-0 vote.

Summary:

The site plan shows the new ABC building with the footprint of the existing building as dashed lines in the front parking lot area. The new development is behind to the rear of the existing store. When the existing building is demolished that front area will be redeveloped into a new front parking lot area of nineteen spaces which will be a major improvement over the current seven parking spaces.

In the rear, the existing building at 1411 Trovillion Avenue is to be demolished and that land utilized for a new rear parking lot area of eleven spaces. Generally there is no change to the current traffic access points onto Trovillion or Orlando Avenues, except moving of the driveway onto Trovillion Avenue west by 50 feet.

Building Plans: This is a larger ABC store building but a good part of the increase in floor space is for storage. In this two story building design the second floor exists only over the rear one-third of the building or the rear 40 feet of the 110 foot long building. This new ABC building will have 4,624 sq. ft. of storage/mechanical/office or 'back-of-house' area and 8,657 sq. ft. of retail store or 'sales' area.

Parking: The required parking has been based on the 8,647 sq. ft. of 'sales' floor space. In the planning staff's opinion, the storage and other back-of-house areas do not contribute to the need for parking. Thus for the 8,647 sq. ft. of 'sales' area the code of (1 per 250 sq. ft.) requires 35 parking spaces which are provided. The site plan layout provides the two handicap spaces required by code. To get to the 35 parking spaces, the site plan shows using four parallel parking spaces in the Trovillion Avenue right-of-way. There are now three parallel parking spaces in that same general area of the right-of-way used by the ABC store. Thus, staff is comfortable with counting these spaces given the pre-existing conditions.

Traffic Generation: The attached letter presents the calculation of the expected increase in traffic from the new ABC store which is offset to some degree by the demolition and removal of the business at 1411 Trovillion Avenue. The net increase is just 24 cars per day.

Storm Water Retention: The City code requires retrofit for storm water retention for major redevelopment projects. In this case, the plans show retention areas for the building and rear parking as well as for the new front parking lot. Currently only the rear parking lot has storm water retention and after this project the entire site will meet the City, St. John's WMD and FDOT retention requirements.

Architecture and Landscaping: The preliminary architectural elevations are provided and are consistent with the image of other ABC stores. Staff was initially concerned that we would see flat unarticulated wall elevations for the rear and Trovillion Avenue sides of the retail building. However, the applicant recognized the context of this building facing two streets and also residential/office to the rear. There is architectural interest and articulation that make these facades visually appealing.

The staff was pleased to see the new storm water retention area proposed on the corner of Orlando and Trovillion Avenues. The corner area provides an opportunity for landscaping and ABC is supportive of making it as attractive as possible as long as there is visibility of the pylon sign and for traffic movements. There was not time to get a full landscape plan completed so the recommendation provides for that subsequent review and approval.

Neighborhood Impact:

There are some neighbors concerned with a larger ABC store closer to their residences. However, this store will not have a rear door access like the current one does, so while one can park in back and walk up front, it will not be preferable. Instead increasing the customer parking from 7 spaces to 19 spaces in the front will make that the focus of customer traffic and activity.

Clearly the image and traffic safety of the new front parking lot will vastly improve this ABC store functional operations and visual appeal. The new storm water and landscape area at the corner gives the City the chance to also do something special visually on that corner.

REQUEST OF ABC LIQUORS INC. FOR: CONDITIONAL USE APPROVAL TO CONSTRUCT A NEW 13,550 SQUARE FOOT ABC LIQUORS RETAIL STORE ON THE PROPERTY AT 401 N. ORLANDO AVENUE WITHIN 300 FEET OF RESIDENTIAL PROPERTIES.

Planning Director Jeffrey Briggs presented the staff report and explained that this item requires conditional use approval because it is over 10,000 square feet and within 300 feet of residential property. He said that ABC Liquors is requesting conditional use approval to redevelop the existing store location at 401 N. Orlando Avenue by constructing a new 13,281 sq. ft. ABC store directly behind to the rear of the existing building. Then when that new store is completed, the existing store that currently is 7,200 square feet in size will be demolished. He added that in order to accomplish this redevelopment, ABC Liquors is purchasing the property at 1411 Trovillion Avenue which is immediately behind the existing ABC property and further, both properties are zoned commercial (C-3). He reviewed the proposed redevelopment site and context, building plans, parking, traffic generation, storm water retention, architecture and landscaping. He summarized by stating that there may be neighbors concerned with a larger ABC store closer to their residences. However, this store will not have a rear door access like the current one does, so while one can park in back and walk up front, it will not be preferable. Instead increasing the customer parking from 7 spaces to 19 spaces in the front will make that the focus of customer traffic and activity. Clearly the image and traffic safety of the new front parking lot will vastly improve this ABC store functional operations and visual appeal. The new storm water and landscape area at the corner gives the City the chance to also do something special visually on that corner. Staff recommended approval with the condition that the landscape be reviewed and approved by the Planning Board. Mr. Briggs responded to Board member questions and concerns.

John Kelly, DRMP Engineering and Rex Weeks, Director of Construction for ABC stores represented the applicant. Mr. Kelly stated that they were in agreement with the staff recommendation. He provided details concerning the proposed redevelopment with regard to FAR, setbacks, parking and traffic circulation. He responded to Board member questions and concerns with regard to the proposed site plan.

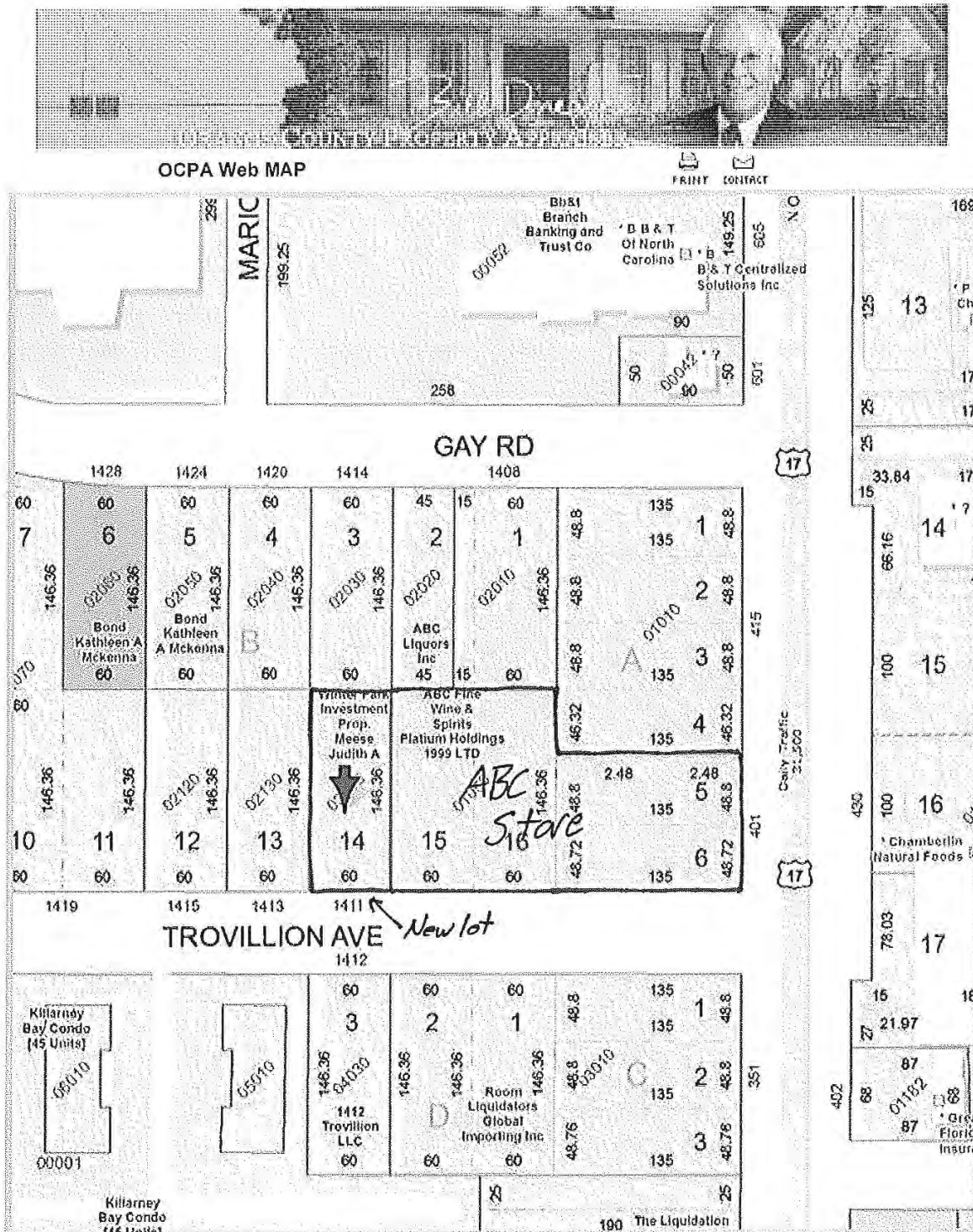
The following residents of the Killarney Bay Condominiums spoke concerning the request: Nancy Ponting, 570 Killarney Bay Court; Stephanie Barnes, 620 Killarney Bay Court; Jessica Petravich, 630 Killarney Bay Court; Theresa Scaldini, 720 Killarney Bay Court; and Chris Laidley, 120 Killarney Bay Court. The residents expressed concern with crime that has occurred at the store and concern about it increasing the adequacy of parking, site lighting, times of deliveries, traffic circulation, and the negative affect having a liquor store so close to their properties would have on the property values.

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

The Board members addressed these issues particularly the site lighting, parking and deliveries with the applicant. Mr. Weeks assured the Board that if deliveries are now being made from the street the new plan would require delivery trucks to park in the rear parking lot. Mr. Kelly noted that the daily traffic increase is projected to only be 24 more cars. Mr. Slocum asked questions regarding the architectural roof materials and noted for the Board that there is architectural detail and articulation as we like to see.

Mr. Slocum stated that he likes that the new plan which allows for better access for ingress/egress. Mrs. Whiting agreed with his comments. The Board consensus was that the plan would improve the appearance of the Orlando Avenue frontage and make the parking circulation safer.

Motion made by Mr. Johnston, seconded by Mr. Sacha to approve the conditional use request with the condition that all loading and unloading must be off-street. Motion carried unanimously with a 7-0 vote.

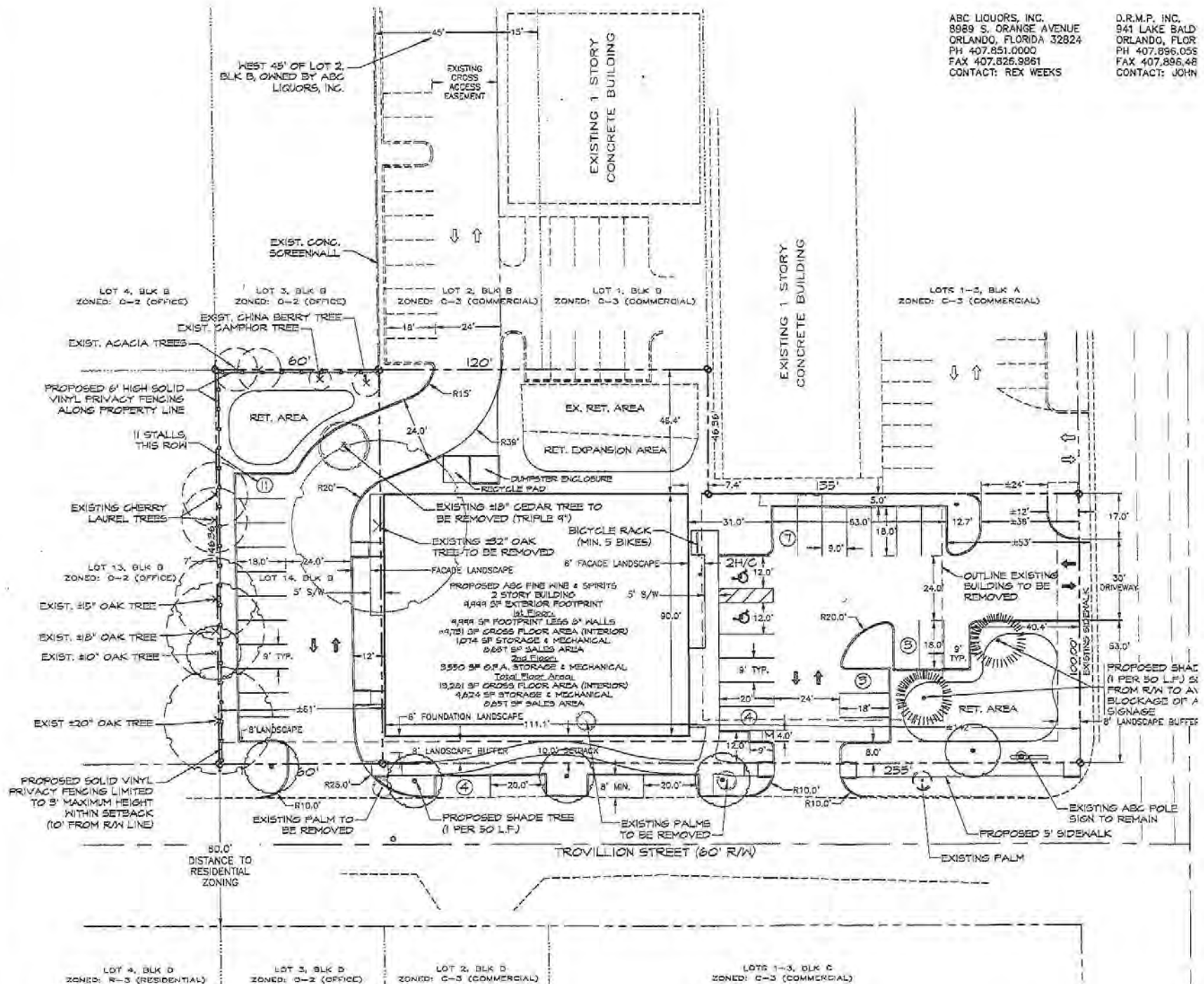


Parcel ID: 292201418402140 (Rng-Twn-Sec format)

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

Created on 10/24/2012, Copyright 2007. Orange County Property Appraiser.

D.R.M.P. INC.
941 LAKE BALD
ORLANDO, FLOR
PH 407.896.055
FAX 407.896.48
CONTACT: JOHN



- 1. ELEV. FINISH TOP OF TOWER
- 2. ELEV. 1/4" AT TOP OF FINISH
- 3. ELEV. 2" AT TOP OF FINISH
- 4. ELEV. 2" AT TOP OF 1/2" HALL

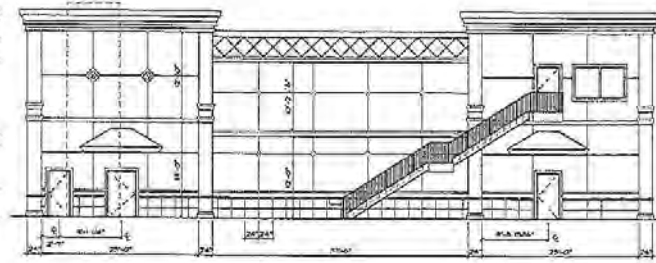
- 5. ELEV. 1/4" AT TOP OF ROOF
- 6. ELEV. 2" AT TOP OF FINISH
- 7. ELEV. 2" AT TOP OF ROOF
- 8. ELEV. 2" AT TOP OF FINISH



SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

- 1. ELEV. FINISH TOP OF TOWER
- 2. ELEV. 1/4" AT TOP OF FINISH
- 3. ELEV. 2" AT TOP OF FINISH
- 4. ELEV. 2" AT TOP OF 1/2" HALL

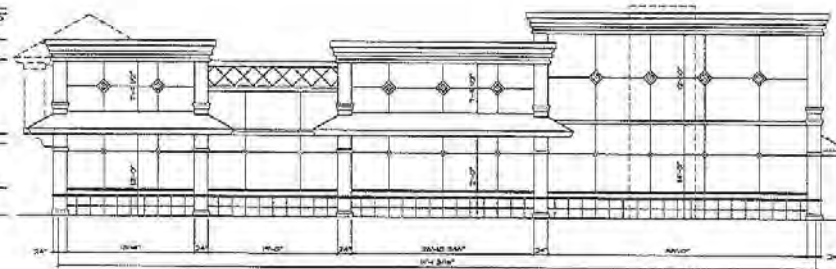
- 5. ELEV. 1/4" AT TOP OF ROOF
- 6. ELEV. 2" AT TOP OF FINISH
- 7. ELEV. 2" AT TOP OF ROOF
- 8. ELEV. 2" AT TOP OF FINISH



NORTH ELEVATION
SCALE: 1/8" = 1'-0"

- 1. ELEV. FINISH TOP OF TOWER
- 2. ELEV. 1/4" AT TOP OF FINISH
- 3. ELEV. 2" AT TOP OF FINISH
- 4. ELEV. 2" AT TOP OF 1/2" HALL

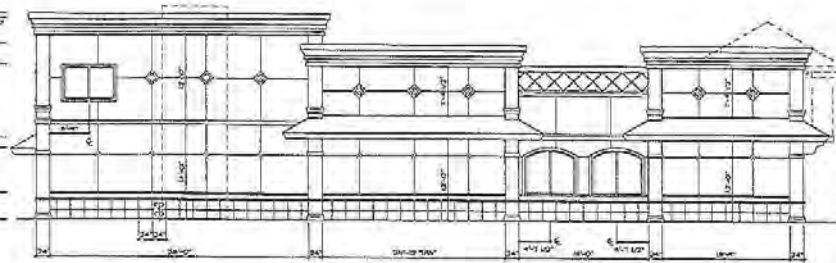
- 5. ELEV. 1/4" AT TOP OF ROOF
- 6. ELEV. 2" AT TOP OF FINISH
- 7. ELEV. 2" AT TOP OF ROOF
- 8. ELEV. 2" AT TOP OF FINISH



EAST ELEVATION
SCALE: 1/8" = 1'-0"

- 1. ELEV. FINISH TOP OF TOWER
- 2. ELEV. 1/4" AT TOP OF FINISH
- 3. ELEV. 2" AT TOP OF FINISH
- 4. ELEV. 2" AT TOP OF 1/2" HALL

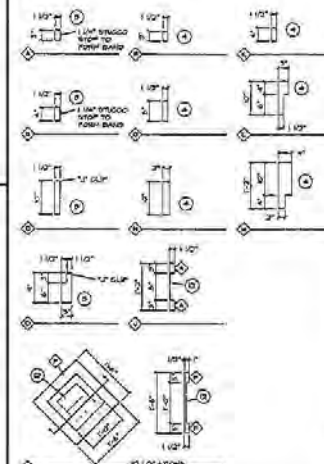
- 5. ELEV. 1/4" AT TOP OF ROOF
- 6. ELEV. 2" AT TOP OF FINISH
- 7. ELEV. 2" AT TOP OF ROOF
- 8. ELEV. 2" AT TOP OF FINISH



WEST ELEVATION
SCALE: 1/8" = 1'-0"

GENERAL NOTES:

1. CONTRACTOR SHALL FIELD VERIFY DIMENSIONS PRIOR TO CONSTRUCTION.
2. THE METHOD OF ATTACHMENT WILL NOT AFFECT THE STRUCTURAL INTEGRITY OF THE FLOOR OR CEILING ASSEMBLY TO WHICH IT IS ATTACHED.
3. ALL EXTERIOR SURFACES SHALL BE PRIMER PRIOR TO FINAL PAINT APPLICATION.
4. ALL EXTERIOR PAINT SHALL INCLUDE A MILKSHAKE PRIMER.
5. CORNER LATH SHALL BE USED WHERE APPLICABLE.
6. EXISTING EXTERIOR WALLS SHALL BE REINFORCED WITH 1/2" X 8" LATH.
7. EXISTING WINDOWS AND GLASS DOORS SHALL BEAR THE MANUFACTURER'S OR OTHER APPROVED LABEL. REPLACE THE EXISTING WITH A NEWLY MANUFACTURED GLASS DOOR OR WINDOW. PROVIDE PROPER INSTALLATION AND CALCULATED BY THE MANUFACTURER AND ENGINEER OF THIS PROJECT. PROVIDE PROTECTION FOR EXISTING STRUCTURE FOR REMOVAL LATER.
8. SUBMITTALS SHALL BE FIELD VERIFIED REFER TO DIMENSIONAL ELEVATIONS FOR ADDITIONAL INFORMATION.
9. FOR ALL PAINT INFORMATION CONTACT DE BEER PAINTS, INC. (407) 258-0000



COLUMN PAINT LOCATIONS
SCALE: 1/8" = 1'-0"

IMPORTANT NOTES:

1. ALL CUSTOM SHAPES SHALL BE FIELD VERIFIED TO BE PROPERLY ALL DIMENSIONS TO BE FIELD VERIFIED AS INDICATED, SEE DETAILS.
2. THESE ARE GENERAL DIMENSIONS AND SHALL NOT VARY.
3. BANDING TO BE APPLIED AFTER PAINT IS DRY.
4. ALL BANDING MATERIAL (WOOD, METAL, ETC.) SHALL HAVE A PLANT FINISH.

BANDING SHAPES
SCALE: 1/8" = 1'-0"

REVISION

DESIGN CONSTRUCTION INTERNATIONAL LLC
A428800718

OCT 1

ABC LIQUORS, INC.
3000 S. ORANGE AVE. - ORLANDO, FLA 32809

EXTERIOR ELEVATIONS

REVISION
DATE
SCALE
JOB NO.
A

DRMP, INC.

Principals
Wayne D. Chalifoux
Donaldson K. Barton, Jr.
Lucius J. Cushman, Jr.
Jon S. Meadows
Lawrence L. Smith, Jr.
William T. Stone



October 2, 2012

DRMP Job #12-0298.000



Mr. Jeff Briggs, Planning Director
City of Winter Park
401 Park Ave. South
Winter Park, FL 32789

**Subject: ABC Fine Wine & Spirits Store No. 71B (401 N. Orlando Ave.)
Application for Conditional Use/Site Plan**

Dear Mr. Briggs:

This letter is an attachment to the accompanying application by ABC Liquors, Inc. for the subject project. For Part III of the Application, the Conditional Uses requested for this project within the City's C-3 zoning district are:

1. Liquor store on property with separation less than 300 feet from residential area (as provided for by LDC 58-76 (c)(1)(j)). We note:
 - Existing separation
 - SW corner Parcel 01-22-29-4184-01-050 (Platinum Holdings 1999 parcel) ↔ NE corner Lot 4, Block D (Killarney Bay Condo. parcel) = +/- 83 ft.
 - Proposed separation
 - SW corner Parcel 01-22-29-4184-02-140 (Judith Meese parcel) ↔ NE corner Lot 4, Block D (Killarney Bay Condo. parcel) = +/- 60 ft
2. Building GFA > 10,000 sq.ft. (as provided for by LDC 58-76 (c)(1)(k)). We note the Plan shows proposed 13,281 sq.ft. GFA total, comprised of
 - o +/- 8,657 sq.ft. sales area and
 - o +/- 4,624 sq.ft. storage/mech./office, i.e. non-sales area

Also, as discussed in our meeting last month we request approval for a parking reduction, as shown in the accompanying Preliminary Site Plan (detailed in the Parking Data table). As discussed, we believe this request can be justified in consideration of the unique nature of ABC's business and customer base, including that

- The store's single type of merchandise (alcoholic beverages) limits customer browsing time (when compared to other similarly-sized retail with more varied merchandise)
- ABC's experience is that most customers make store visits for targeted purchases, and consequently shopping time, and the duration of the average store visit, is relatively short
- Age restriction on alcohol sales rules out any reason for visits by that group of drivers

941 Lake Baldwin Lane
Orlando, Florida 32814
Phone: 407.898.0594
Fax: 407.896.4836

Boca Raton, Florida
Charlotte, North Carolina
Chilpey, Florida
Columbia, South Carolina
DeLand, Florida
Ft. Myers, Florida
Gainesville, Florida
Jacksonville, Florida
Lakeland, Florida
Panama City Beach, Florida
Pensacola, Florida
Tallahassee, Florida
Tampa, Florida

1.800.376.3767
www.drmp.com

\\orl_cluster01\projects\Projects\12\12-0298.000_ABC_Store_#71-Winter_Park\General-Civil\applications\City\CU\10-02-12 JBriggs CU letter(rev1).doc



Mr. Jeff Briggs
ABC Store 71B
October 2, 2012
Page 2 of 2

All the above, in our experience of observing ABC stores' parking utilization, is that the parking is under-utilized.

We would also note that the current parking activity by the Wazzabi business on the 13 spaces of the ABC site, is provided for by the *Cross Access, Retention and Parking Easement Agreement* recorded at OR BK 07006 PG 4469 (copy attached) and the *1st and 2nd Amendments* to that Agreement According to provision 4 of the *1st Amendment*, the Wazzabi's use of that parking is set to expire in June 2013. The Owner of the relevant parcel does not intend to extend that use.

We hope this above, and the attached information is sufficient for your consideration of these requests. Please contact us for any additional documentation or information required.

Sincerely,
DRMP, Inc.

John C. Kelly, P.E.
Vice President

CC: Rex Weeks, ABC Liquors

Project: ABC Fine Wine & Spirits Store No. 71B

Attachment to Application for Conditional Use

Property Owners

Parcel Address	Parcel ID	Desc	Owner	
401 N. Orlando Ave	01-22-29-4184-02-140	Existing ABC Store parcel	Platinum Holdings 1999, Inc. 390 N. Orange Ave. Suite 700 Orlando, FL 32801	Applicant leases property for existing business
1411 Trovillion Ave.	01-22-29-4184-01-050	Existing Store/Off./Res.	Judith A. Meese 572 S. Osceola Ave. Orlando, FL 32801	Applicant has under contract for purchase
Gay Road	01-22-29-4184-02-020	Veh. use/Gay Rd. access	ABC Liquors, Inc. P.O. Box 593688 Orlando, FL 32859	Owned by Applicant

Civil Engineer

John C. Kelly, P.E.

Vice President

DRMP, Inc.

941 Lake Baldwin Lane

Orlando, FL 32814

Ph. (407) 896 0594

jkelly@drmp.com

Land Surveyor

Jonathan M. Mott, P.L.S.

President

William Mott Land Surveying, Inc.

3716 N Wickham Road, Suite 3

Melbourne, FL 32935

Ph. (321) 751 4444 ext. 206

jon@wmlsi.com



Made By: RG
 Checked By: RG
 DRMP Job #: 12-0298.000

Preliminary Trip Generation Calculation

ABC Fine Wine & Spirits Store 71B

Property Address: 401 N. Orlando Ave., Winter Park, FL.

Specialty Retail Center (Land Use 814): ITE 8TH EDITION, p 1387		
Average Vehicle Trip Ends: Where X = 1,000 ft ² Gross Leasable Area		
Weekday		$T = 42.78(X) + 37.66$
Weekday, Peak Hour of adjacent street traffic, one hour between 4 and 6 p.m.		$T = 2.40(X) + 21.48$
Existing ABC Store (to be demo'd):		
	6,011* ft ²	* Note: Exist store GFA =
Average Weekday Trips	$T = 42.78(6.011) + 37.66$	T = 295 Trips
Average Weekday Peak Hour of Adjacent Street Traffic	$T = 2.40(6.011) + 21.48$	T = 36 Trips
		7,072 sf; for sales area, without detailed interior data, use 85% x GFA

Single Tenant Office Bldg (Land Use 715): ITE 7th Ed		
Average Vehicle Trip Ends: Where X = 1,000 ft ² Gross Leasable Area		
Weekday		$\ln(T) = 0.60 \ln(X) + 4.32$
Weekday, P.M. Peak Hour of adjacent street traffic		$T = 1.12(X) + 78.81$
Existing Office (to be demo'd):		
	1,306 ft ²	
Average Weekday Trips	$\ln(T) = 0.60 \ln(1.306) + 4.32$	T = 89 Trips
Average Weekday Peak Hour of Adjacent Street Traffic	$T = 1.52(1.306) + 34.88$	T = 37 Trips

Proposed ABC Store:	8,657 ft ²	
Average Weekday Trips	$T = 42.78(8.657) + 37.66$	T = 408 Trips
Average Weekday Peak Hour of Adjacent Street Traffic	$T = 2.40(8.657) + 21.48$	T = 43 Trips

Net Change for Proposed Store:	
Average Weekday Trips	= 408 - (295+89) = 24 weekday trips (net increase)
Average Weekday Peak Hour of Adjacent Street Traffic	= 43 - (36+37) = -30 PM peak hour trips (NET DECREASE)



city commission public hearing

item type	Public Hearing	meeting date	November 26, 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	7-0 final vote

Subject: Ordinance to Expand the Permitted Uses along Park Avenue, in the block south of Comstock Avenue.

This agenda item returns for City Commission discussion, the issue of amending the C-2 commercial zoning rules along Park Avenue in the one block south of Comstock Avenue. However, the only change proposed at this time is an allowance for "fast casual" restaurants.

P&Z Board Recommendation:

Motion made by Mr. Johnston, seconded by Mr. Gottfried to approve the proposed ordinance as presented in the staff report for "fast casual" restaurants only. Mrs. Whiting noted the approval is only for "fast casual" restaurants not salons. Motion carried unanimously with a 7-0 vote.

Summary:

This proposed change in various versions has been discussed by P&Z several times since the City Commission tabled this on July 23rd. P&Z discussed this at their September 11th regular meeting and at a workshop on October 24th with members from the Park Avenue Area Association, as well as the November 6th public hearing.

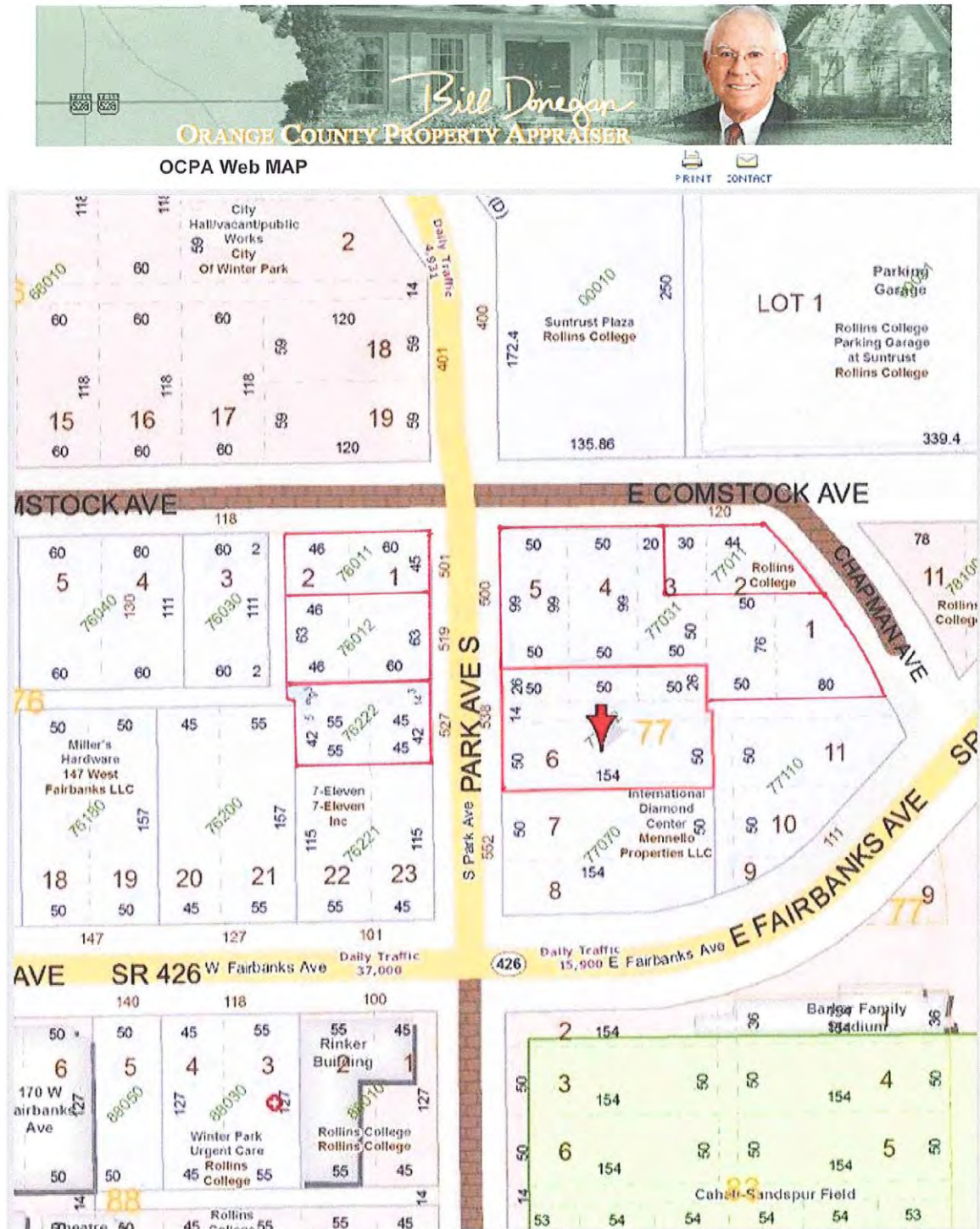
As originally proposed, these zoning rules changes generated some controversy and opposition. The original intention by the planning staff was to help the five properties in this one block of Park Avenue, south of Comstock Avenue that has struggled for many years. This block is 'cut-off' by City Hall for many pedestrians and also has challenges with available parking. Historically there has been more turnover and vacancies in this block than elsewhere along Park Avenue.

In order to help with the "economy" of this one block of Park Avenue, south of Comstock Avenue, the proposal originally would allow as permitted uses any type of restaurant and to allow as a permitted use, any type of office business or educational use (Rollins) on the ground floor (that otherwise are not permitted now by the existing zoning rules). That generated concerns and opposition from downtown business and property owners along with opposition from the Park Avenue Area Association. The primary concerns were about whether there was a need for these changes, about the scale of these changes and unintended consequences. As a result, the "menu" of the proposed changes recommended by P&Z has been significantly scaled back to a much more limited scope of just one item.

The proposed ordinance as recommended by the Planning Board now makes only one change, again only to the area south of Comstock Avenue, as follows:

Allows for “fast casual” restaurants within this block where ordering and payment may be done at a counter but the food or meals are brought to the customer’s tables (other than take-out). Fast casual restaurants also would not include any type of restaurants where the business model is predominately, in the majority of other locations, as drive-thru or take-out restaurants. **The ordinance also clarifies the definitions of “fast casual” and “fine dining” restaurants.**

The comments heard by the Planning and Zoning Board at the work session on October 24th indicated that the Park Avenue Association and various downtown business and property owners did not favor any code changes. They do not feel the code is broken and needs fixing. The comments also reflected their concern about this being precedent setting for the rest of Park Avenue.



Parcel ID: 302205940077032 (Rng-Twn-Sec format)

0 50 ft

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

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ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, TO AMEND CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" SECTION 58-75 "COMMERCIAL (C-2) DISTRICT", TO REVISE THE PERMITTED USES ALONG PARK AVENUE, SOUTH OF COMSTOCK AVENUE AND AMENDING SECTION 58-95 "DEFINITIONS" TO PROVIDE DEFINITIONS FOR FAST CASUAL AND FINE DINING RESTAURANTS, PROVIDING FOR CONFLICTS, SEVERABILITY AND EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Board of the City of Winter Park has recommended approval of this Ordinance at its November 6, 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 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's Comprehensive Plan.

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

SECTION 1. That Chapter 58 "Land Development Code", Article III "Zoning" is hereby amended and modified by amending Section 58-75 "Commercial (C-2) District", subsection (b) (6) to read as follows:

Sec. 58-75. Commercial (C-2) District.

(b) *Permitted uses.* All permitted uses shall be conducted so as to emphasize the pedestrian orientation of the district. Thus, drive-in type businesses or uses which have a drive-in component as part of their operation shall not be permitted except to a limited degree in the area on Morse Boulevard, west of Virginia Avenue and confined to non-retail use. All uses permitted shall be conducted exclusively within a building except those uses permitted which are customarily conducted in the open such as off-street parking and out-door patio seating for dining. Storage shall be limited to accessory storage of commodities sold at retail on the premises and storage shall be within a completely enclosed building. Bars, taverns and cocktail lounges are prohibited in this zoning district.

(6) Fine dining restaurants, as well as ice cream, tea, coffee, cheese, pastry and bakery stores with retail sales and consumption of food and beverage products on premises. However, in the block of Park Avenue, south of Comstock Avenue, fast casual restaurants are also permitted.

SECTION 2. That Chapter 58 "Land Development Code", Article III "Zoning" is hereby amended and modified by amending Section 58-95 "Definitions", to provide a

definitions for fast casual restaurant and to revise the definition of fine dining restaurants to read as follows:

Sec. 58-95. Definitions.

Fast casual restaurant means any establishment which is devoted to the retailing and on-premise consumption of meals and food where more than fifty (50%) percent of the gross revenue is derived from food sales versus sales of alcoholic beverages and where the food sold does not include pre-packaged or off-site prepared food items as entrees or core offerings and whose most common business model for the restaurant does not include a majority of locations with drive-thru or predominately take-out food service. Fast casual restaurants allow ordering and payment at a counter/cashier but the food or meals other than for take-out must be served to customers at their tables.

Fine dining restaurant means any establishment which is devoted to the retailing and on-premise consumption of meals and food where more than fifty (50%) percent of the gross revenue is derived from food sales versus sales of alcoholic beverages and where food service is provided by waiters/waitresses and where the menu shall consist of fine dining cuisine with a range of appetizers, entrees and desserts. Fine dining restaurants shall not include establishments where ordering or payment is done at a counter/cashier and shall not include sandwich shops, sub shops or any type of fast food business. Fine dining restaurants may provide a supplementary option for ordering and payment at a counter/cashier in order to accommodate take-out orders but if such food or meals is intended for on-site consumption then such food or meals must be served to customers at their tables by waiter/waitresses and full table service by waiter/waitresses must be available at all times. Fine Dining does not include any restaurant of a franchise whose most common business model for their restaurants includes a majority of locations with drive-thru or predominately take-out food service.

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

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

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

Existing C-2 code

Sec. 58-75. Commercial (C-2) District.

(a) Purpose and intent.

(1) This commercial zoning district is limited to the commercial portion of the geographic downtown area known as the Central Business District and the similar commercial area of the city within the Hannibal Square Neighborhood Commercial District (HSNCD) of the City's Community Redevelopment Area (CRA). As detailed in the Comprehensive Plan, Commercial (C-2) district zoning is not permitted on any property except if it is within the Central Business District "potential C-2 zoning" area depicted in the CBD Map (D-2) in the definitions section, generally described as west of Knowles Avenue, south of Swoope Avenue, north of Comstock Avenue and east of and including the New York Avenue Corridor or it is on properties abutting Morse Blvd between Capen and Virginia Avenues, abutting New England Avenue between Pennsylvania and New York Avenues, abutting Pennsylvania Avenue between Garfield and Lyman Avenues, or abutting Hannibal Square, East. No applications for C-2 zoning shall be accepted for any property outside these designated areas. Moreover, even properties within these designated areas shall have no vested right to C-2 zoning. This district has different requirements than other commercial areas especially pertaining to setbacks, parking requirements, height limitations and permitted land uses. This district is established to encourage the continuation of the present unique Park Avenue business district of the city and to provide for its use within certain other defined geographical areas as specified in the Comprehensive Plan.

(2) The regulations outlined in this district encourage the continuation of the present aesthetically pleasing central business district, provide areas for the concentration of compatible land uses, and provide for appropriate commercial, restaurant and residential uses which will strengthen the city's economic base.

(3) For purposes of this section, the Park Avenue Corridor is that area which encompasses those properties having frontage on Park Avenue or having frontage on the intersecting streets within 140 feet of Park Avenue.

→ (b) *Permitted uses.* All permitted uses shall be conducted so as to emphasize the pedestrian orientation of the district. Thus, drive-in type businesses or uses which have a drive-in component as part of their operation shall not be permitted except to a limited degree in the area on Morse Boulevard, west of Virginia Avenue and confined to non-retail use. All uses permitted shall be conducted exclusively within a building except those uses permitted which are customarily conducted in the open such as off-street parking and out-door patio seating for dining. Storage shall be limited to accessory storage of commodities sold at retail on the premises and storage shall be within a completely enclosed building. Bars, taverns and cocktail lounges are prohibited in this zoning district.

(1) Retail businesses involved in the sale of merchandise on the premises within enclosed buildings but excluding resale establishments or pawn shops (other than clothing resale stores). Liquor stores, provided the store is more than 300 feet from residentially used properties.

(2) Personal services limited to hotels, and shoe/watch repair businesses; but excluding places of amusement such as game rooms, video or internet arcades, tattoo, body art or fortune telling businesses and the like.

(3) Bank, savings and loans, financial institutions, travel agencies, photographic studios, interior design studios, barber shops, beauty/hair salons, spas, state licensed massage therapists, cosmetic treatments businesses, governmental, educational, medical, real estate and other offices but only when such uses are located above the ground floor within the Park Avenue Corridor or located on any floor outside the Park Avenue Corridor. This shall be referred to as the Park Avenue corridor vertical zoning restrictions.

(4) Residences located on any floor outside of the Park Avenue Corridor or above the ground floor within the Park Avenue Corridor.

(5) Public and semi-private facilities such as museums, lodges, libraries and the like.

(6) Fine dining restaurants, as well as ice cream, tea, coffee, cheese, pastry and bakery stores with retail sales and consumption of food and beverage products on premises.

(7) Churches, non-profit organizations' halls/lodges and schools less than 5,000 square feet in size. (See parking requirements for limitations).



(c) *Conditional uses.* The following uses may be permitted as conditional uses following review by the planning and zoning commission and approval by the city commission in accordance with the provisions of this C-2 district section only. See Sec. 58-90 Conditional Uses.

(1) Restaurants, with the exception of fine dining restaurants, ice cream, tea, coffee, cheese, pastry and bakery shops, with retail sales and consumption on premises;

(2) Churches, non-profit organizations' halls/lodges, and schools 5,000 square feet or larger in size. (See parking requirements for limitations).

(3) Buildings with a third floor and up to forty (40) feet in height, which requires the affirmative votes of four (4) city commissioners to be approved as a conditional use;

(4) Retail stores in excess of 6,000 square feet per floor;

(5) Drive-in business components limited to the locations to properties on Morse Boulevard, west of Virginia Avenue and limited to non-retail use.

(6) Buildings over 10,000 square feet, any addition over 250 square feet to an existing building over 10,000 square feet or additions to existing buildings that result in a building over 10,000 square feet in size.

(d) *Minimum building lot size.* There shall be no minimum lot size in this district.

(e) *Development standards.*

(1) On all streets, buildings and structures shall be built to a zero foot building setback from the property line or such front setback as is established by the average front setback of the existing buildings on that block of street frontage, whichever is greater. However, canopies may extend over the sidewalks provided a clearance of nine feet zero inches is maintained from the sidewalk to the bottom portion of the canopy.

REQUEST OF THE CITY OF WINTER PARK FOR: AN ORDINANCE TO AMEND THE "ZONING REGULATIONS" SECTION 58-75 "COMMERCIAL (C-2) DISTRICT," SO AS TO REVISE THE PERMITTED USES ALONG PARK AVENUE IN THE BLOCK SOUTH OF COMSTOCK AVENUE.

Planning Director Jeff Briggs presented the staff report and explained that this agenda item returns for P&Z Board discussion to decide whether to amend the C-2 commercial zoning rules along Park Avenue in the one block south of Comstock Avenue. He noted that this issue was previously discussed by P&Z in July and September as well as a work session was held by the Planning and Zoning Board on October 24th with members from the Park Avenue Area Association. The original intention by the planning staff was to help the five properties in this one block of Park Avenue, south of Comstock Avenue that has struggled for many years. This block is 'cut-off' by City Hall for many pedestrians and also has challenges with available parking. Historically there has been more turnover and vacancies in this block than elsewhere along Park Avenue.

He stated that unfortunately, these zoning rules changes have generated a great deal of controversy. The primary concerns were about whether there was a need for these changes, about the scale of these changes and unintended consequences. As a result, the "menu" of the proposed changes has been significantly scaled back to a much more limited scope as follows:

1. Allows as a permitted use, barber shops, beauty/nail salons and other cosmetic treatment businesses. This is in recognition that Gary Lamberts' salon has been in this block for 30+ years and it would provide some additional tenant flexibility for these owners.
2. Allows for "fast casual" restaurants within this block where ordering and payment may be done at a counter but the food or meals are brought to the customer's tables (other than take-out). Fast casual restaurants also would not include any type of restaurants where the business model is predominately, in the majority of other locations, as drive-thru or take-out restaurants.

Mr. Briggs responded to Board member questions and concerns.

John Dowd, 427 North Phelps Avenue, represented the Park Avenue Area Association. He stated that the Association is not in favor of the code change. He said that it is the Associations' position that the proposal is ill-conceived and further no compelling reason has been presented necessitating the change.

Frank Hamner, 405 Balmoral Road, represented the Holler Family. He explained that they have only recently seen some movement in that block. He said that what they are requesting is to allow fast casual restaurants that don't offer pre-packaged or off-site food prepared food as entrees and whose core business model does not include drive-thru or predominantly take-out service. He gave his concerns with regard to the City's definition of fine dining. He asked that the change for the salons be deleted.

No one else wished to speak concerning this issue. Public Hearing closed.

The P&Z Board expressed general support of the proposed change. They noted that the scale of the changes have been greatly reduced from the original proposal that was voted down by the Park Avenue Association and some added tenant flexibility in this block is warranted. Mr. Slocum noted he could support some variation for this block because its' location made it different. Mr. Johnston noted his support in recognition of this different setting as well. Mrs. Whiting stated that the concern about precedent is real but the condition for the Brandywine's block are different. Mr. Gottfried agreed.

Motion made by Mr. Johnston, seconded by Mr. Gottfried to approve the proposed ordinance as presented in the staff report for "fast casual" restaurants only. Mrs. Whiting noted the approval is only for "fast casual" restaurants not salons. Motion carried unanimously with a 7-0 vote.



city commission public hearing

item type	Public Hearing	meeting date	November 26, 2012
prepared by department division	George Wiggins Building/ Legislative Affairs	approved by	<input checked="" type="checkbox"/> City Manager <input checked="" type="checkbox"/> City Attorney <input type="checkbox"/> N/A
board approval	Tree Preservation Board Planning & Zoning Board	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> N/A	6-0 7-0 final vote

subject

Amended City Tree Preservation Ordinance

motion | recommendation

Approve Ordinance and approve reducing Tree Preservation Board appeal fee from \$100 to \$35.

summary

At the last meeting, the Commission amended the proposed ordinance by including **camphor trees as an exempt tree so as to no longer include it as a "protected tree"** and adjusted the tree replacement compensation as follows:

Tree replacement for removal of a protected tree with a dbh of 19 inches or less:
Plant back one **tree with 3" dbh**.

Tree replacement for removal of a protected tree with a dbh greater than 19 inches:
Plant back two trees with 3"dbh.

These changes are reflected in the amended ordinance. The use of the terms specimen and historic trees relates to the diameter of protected trees for the purpose of determining tree replacement. The change removes the need to define these categories of trees in the ordinance and are therefore removed from the ordinance.

The Commission needs to address which recommended version of the adjustments to the Tree Replacement Trust Fund uses are preferred since the Tree Preservation and Planning Boards proposed different recommendations as summarized below:

Tree Preservation Board recommended removing "enforcement of the ordinance" as a potential uses of the Trust Funds.

The Planning Board recommended leaving "enforcement of the ordinance" in the ordinance as a potential use of the funds.

Comments below from last meeting's title sheet:

With the permission of the City Commission, over the last several months, the Tree Preservation Board reviewed the City's current Tree Preservation Ordinance, including the process of tree removal permits, method(s) of compensation for removal of protected trees, uses of the Tree Replacement Trust Fund and others areas recommended by staff that needed fine tuning. The Board completed their review and unanimously approved an ordinance incorporating proposed changes to the current Tree Preservation Ordinance. This Ordinance with minor changes added (after hearing comments from the City Commission) was then heard by the Planning and Zoning Board on 8/7/12. P&Z is charged with making recommendations on "all matters dealing with the development of land in the city" and must also review these land development related ordinance changes.

In addition, the Tree Preservation Board recommended changing the City Fee Schedule to reduce the cost of appeals from \$100 to \$35 so as not to be a deterrent for citizens who choose to appeal a tree removal permit denial or compensation placed as a condition of issuing a permit.

On Oct 9, a Tree Forum public meeting was held in which the history of the City's tree regulation was reviewed and proposed changes in the current tree ordinance were explained with examples of comparisons of the changes. Over 40 persons were in attendance and several persons expressed views on changing the compensation rate for tree removal. Other topics brought up included addressing camphor trees so as to be considered exempt, hazardous trees and maintenance of the city's right of way trees on a long term basis.

The following items summarize the proposed changes in the Ordinance:

Sec. 58-284. - Tree removal permits (b)

Staff initiated to clarify that a tree removal permit is NOT required for trees that have come down due to acts of nature such as storms, fire or natural decay.

Sec. 58-286 Tree removal permit procedure

(d)*Appeals.*

Board initiated to reduce the financial compensation required from 1 ½ times the dbh of the tree to 1 times the dbh in the schedule of fees. The current compensation rate is \$110 per inch of tree diameter.

Revised by Commission Action at last meeting:

Sec. 58-287. - Tree replacement and financial compensation requirements.

(1)Tree replacement

Board initiated to encourage tree re-planting rather than paying compensation by requiring prescribed sizes and numbers of replacement trees based on the size of the protected tree(s) being removed. The applicant may choose to provide actual tree replantings, financial compensation or a combination of both with fees determined by the Schedule of Fees adopted by the City Commission.

~~3 categories of protected shade trees are listed in the ordinance:~~

~~1) Protected tree: any shade tree with a dbh greater than 9 inches~~

~~2) Specimen tree: any shade tree with a dbh of 24 inches and less than 36 inches.~~

~~3) Historic tree: any shade tree with a dbh greater than 36 inches.~~

Compensation by replanting trees:

Compensation for removing a **non-specimen protected tree** is:

Replanting of one 3 inch tree if the tree being removed is less than 19 inches in dbh or replanting of two 3 inch trees if the dbh of the tree to be removed is ~~between~~ greater than 19 inches. ~~and 24 inches.~~

Compensation for removing a **specimen tree** is:

~~Replanting four (4) trees with a dbh equal to or greater than three inches. Two of the trees may be replaced by one tree with a dbh of at least 4 ½ inches~~

~~Compensation for removing a **historic tree** is:~~

~~Replanting two (2) trees with a dbh equal to or greater than four and one half inches.~~

Compensation by paying financial compensation:

Compensation for removing any **protected tree** shall equal the rate per caliper inch set by the city commission in the schedule of fees multiplied by the caliper inches of protected trees removed & shall be paid into the Tree Replacement trust fund. A combination of replanting and payment of financial compensation is permitted also.

Sec. 58-289. - Tree replacement trust fund.

Board initiated to limit use of fund as indicated below:

- (a) There is hereby created a tree replacement trust fund. All funds collected as tree replacement fees shall be administered by the director of parks and recreation or designee.
- (b) Disbursements from the tree replacement trust fund shall be made only for the following purposes:
 - (1) Purchasing trees for planting and any associated costs in accordance with the city's tree planting program; or
 - (2) ~~Purchases necessary for improvements (except vehicles), including contract services for the city's tree nursery or, For educational purposes as provided in Section 58-283(d)(7).~~
 - (3) Protection of trees **and enforcement of this ordinance.**

NOTE: In item (3) above the Tree Preservation Board had recommended removing “enforcement of this ordinance” as a potential item that can be subsidized from the Tree Fund, however, the Planning & Zoning Board asked that this potential use of the fund remain in the Ordinance.

Sec. 58-300 Enforcement and Authority to Enforce Division 6 “Tree Protection”

Staff initiated to clarify notification, enforcement and appeal process to have hazardous or dead trees removed. Currently we utilize the City’s Property and Building Maintenance Code for enforcement action related to dead or hazardous trees. This was added as the appropriate location (ordinance) to address

the issue of dealing with hazardous trees and to allow any potential appeal to come before the Tree Preservation Board.

board comments

The main focus of the Tree Preservation Board in proposing these changes is to develop criteria that will act as incentives to replant trees that are permitted to be removed. The incentive is based in reducing the financial compensation requirement while establishing prescriptive standards by delineating what tree sizes must be replanted to satisfy the removal of the various sizes of protected, specimen and historic trees.

The Planning & Zoning Board also reviewed the reduced compensation provisions and accepted this mechanism as a potential incentive to achieve replanting more trees. The **Board did not agree with removing "enforcement of this ordinance" as one of the potential** uses of the Tree Replacement Fund as proposed and recommended leaving that option in the Ordinance. Although the Tree Replacement Fund has never been used to fund enforcement of the Ordinance, they felt that the Commission should retain that flexibility. With that one amendment the Planning and Zoning Board unanimously recommended approval of the Ordinance.

ORDINANCE NO. ____

AN ORDINANCE OF THE OF WINTER PARK, FLORIDA, CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE V, "ENVIROMENTAL PROTECTION REGULATIONS", DIVISION 6, "TREE PRESERVATION AND PROTECTION", SO AS TO AMEND TREE REMOVAL COMPENSATION REQUIREMENTS, AMEND USE OF THE TREE REPLACEMENT FUND, PROVIDE EXEMPTION FROM REQUIRING A TREE REMOVAL PERMIT, CLARIFY TREE MAINTENANCE DUTY OF CITY AND PROPERTY OWNERS, AND ESTABLISH ENFORCEMENT PROCEDURE FOR REMOVING HAZARDOUS TREES; PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, in recognizing that trees benefit the City by decreasing urban noise and air pollution, conserving energy, minimizing flooding, providing food and cover for beneficial urban wildlife and providing value and stability to business and residential neighborhoods;

WHEREAS, the establishment of policies, regulations and standards are necessary to ensure that the city continue to realize the benefits provided by its urban forest as recognized as "Tree City USA" by the Florida Department of Urban Forestry;

WHEREAS, the Tree Preservation Board has considered and approved amendments to the Tree Preservation and Protection Ordinance which will provide incentives for replacement of protected shade trees removed, simplifies the process of removing protected trees and substantially reduces the financial compensation for tree removal;

WHEREAS, the City's Planning and Zoning Board reviewed these amendments and found them consistent with the City's Comprehensive Plan;

WHEREAS, the City Commission hereby approves these amendments as in the best interests of the citizens; and

WHEREAS, words with underlined type shall constitute additions to the original text and ~~strike-through~~ shall constitute deletions to the original text, and asterisks (* * *) indicate that text shall remain unchanged from the language existing prior to adoption of this Ordinance.

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

SECTION 1. That Chapter 58 "Land Development Code," Article V "Environmental Protection Regulations" of the Code of Ordinances is hereby amended and modified by amending Sections 58-282, 58-284(a) &(b), 58-286(d), 58-287, 58-289(b), and adding a new subsection (e) to 58-300, to read as follows:

Sec. 58-282 - Definitions

* * *

~~Historic tree is any protected tree(s) which is 36 inches in dbh or greater and has such unique and intrinsic value to the general public because of its size, age, historic association, or ecological value as to justify this classification. Any tree in the city selected and duly designated a Florida State Champion, United States Champion or a World Champion by the American Forestry Association shall likewise be deemed a historic tree.~~

* * *

~~Specimen tree shall mean a tree, other than exempt trees, with a trunk dbh of 24 inches or greater unless deemed a historical tree. Special conditions apply to specimen trees.~~

* * *

Sec. 58-284. - Tree removal permits

(a) *Exempt trees.* No permit shall be required to remove the following types of trees:

Citrus

Ear (Enterolobium species);

Camphor (Cinnamomum camphora)

Chinaberry (Melia azedarach);

Mulberry (Morus species);

Cajeput punk or Melaleuca trees (Melaleuca quinquinervia/leucadendra);

Palm;

Australian Pine (Casuarina species);

Australian Silk Oak (Grevillea robusta);

Chinese Tallow (Sapium sebiferum);

Brazilian Pepper (Schinus terebinthifolius);

Any tree with a dbh less than nine (9) inches, as long as the tree was not planted as a replacement tree.

(b) Trees requiring tree removal permits. It shall be unlawful to cut down, destroy, improperly prune, remove, top, or move any protected or replacement tree, or to authorize the cutting down, destruction of, removal of, topping of, moving of, or damage to, any protected or replacement tree within the city, without prior issuance by the city of a tree removal permit approving the act or acts, or a removal authorization by the city, as further described in this division; provided, however, that these requirements do not apply to trees specifically designated as exempt from this division in section 58-284

Exception: The removal of protected trees that fall or the removal of limbs of protected trees which have fallen due to acts of nature such as storms, fire or natural decay shall not require a tree removal permit.

For all properties, any protected tree, excluding those exempted in subsection 58-284(a) or (b), shall require a permit prior to removal.

Removal of any protected tree that is determined to be dead, beyond recovery or hazardous by the city shall require a tree removal permit except as provided herein. In case of an emergency a tree may be removed as authorized by the city. (See section 58-283)

* * *

Sec. 58-286 Tree removal permit procedure

* * *

(d) *Appeals*.

* * *

(4) If the city commission upholds the decision of the tree preservation board to deny granting a tree removal permit, then the applicant may ultimately remove the subject tree(s) after a 60-day period and after notification of the intent to remove the subject tree(s) at the end of the 60-day waiting period in writing. Replacement compensation shall be provided ~~at the rate of 1½ times the~~ in accordance with the replacement compensation required in section 58-287(2). Removal of subject tree(s) prior to the end of the 60-day period shall require the same compensation as an unpermitted tree removal. (see section 58-299).

Sec. 58-287. - Tree replacement and financial compensation requirements.

Conditions for approval of a tree removal permit shall include tree replacement, ~~and/or~~ financial compensation or a combination of tree replacement and financial compensation.

Tree replacement may be made in the form of planting replacement tree(s) on the subject property or other property within city limits or public property with city approval in accordance with the following criteria:

(1) Tree replacement. Protected trees of any dbh requested to be removed because they are deemed to be dead or beyond recovery, hazardous, or deteriorated shall be replaced with one approved replacement tree having a minimum caliper of three inches.

Protected trees requested to be removed and not deemed to be dead or beyond recovery, hazardous, or deteriorated shall be replaced with one approved replacement tree or trees as follows:

a. Replacement of non-specimen protected trees shall require replacement by one or two trees with a dbh equal to or greater than three inches based on the dbh of the tree to be removed. If the dbh of the tree to be removed is less than 19 inches, then one replacement tree is required to be replanted. If the dbh of the tree to be removed is between greater than 19 inches and 24 inches, then two replacement trees are required to be replanted. be based on a one-to-one (1:1) ratio of the cumulative dbh of the protected trees removed.

b. Replacement of specimen trees (24 inches dbh and less than 36 inches dbh) shall require replacement by four (4) trees with a dbh equal to or greater than three inches. Two of the trees may be replaced by one tree with a dbh of at least 4 ½ inches. be based on a two-to-one (2:1) ratio of the cumulative dbh of the protected tree(s) removed.

c. Replacement of historic trees (36 inches dbh or greater) shall require replacement by two (2) trees with a dbh equal to or greater than four and one half inches. be based on a three-to-one (3:1) ratio of the cumulative dbh of the protected tree(s) removed.

b. c. Multiple understory trees may be approved as replacement trees with a cumulative caliper of at least six inches and shall be planted on the same property where the tree was removed. Replacement of historic trees shall be based on a three-to-one (3:1) ratio of the cumulative dbh of the protected tree(s) removed.

c. d. No single replacement shade tree shall have a caliper of less than three (3) inches. No single replacement understory tree, if approved, shall have a caliper of less than two inches.

d. e. If understory trees are approved as replacement, the caliper inches required shall be double that required when using approved shade trees.

f. At least one tree used for replacement of each specimen tree or historic tree shall have a caliper of no less than 4½ inches.

g. Tree replacement may be made in the form of planting replacement tree(s) on the subject property or other property within city limits or public property with city approval.

e. h. Any tree removed from a non-R1 or R2 property not zoned for one or two family dwellings that removes the property's compliance with the Division 8, Landscape Regulations needs to must be replanted on the same property.

f. i. Replacement trees may count toward meeting the planting requirements of Division 8, Landscape Regulations.

g. j. All replacement trees shall adhere to the current guidelines established by the Florida Grades and Standards for nursery-grown trees

and must be Florida grade #1 or better. Replacement trees shall be installed with their top main root one inch above the surrounding grade.

h k. Replacement tree(s) shall be maintained and warranted to survive for a period of one year from installation. Trees not deemed to have satisfactorily survived shall be replaced with new tree(s) of the same size. Replacement tree(s) shall comply with the same maintenance and replacement warranty as the original replacement tree(s) and the warranty period will restart at the date of replanting. In the event that a tree planting is approved on public property or city rights of way, maintenance fees as established by the city commission may be assessed as part of the permit process.

i k. Minor deviations regarding the required replacement trees in this section may be determined by the city based on the condition of the tree(s) being removed and other conditions that exist on the subject property. **Minor deviations shall include considering any adjustments in the required tree replacement based on existing conditions on the property such as existing tree canopy coverage of the property, topography, space available for planting or similar criteria.**

(2)Financial compensation. Caliper inches not planted as replacement trees are to be compensated by payment to the tree replacement trust fund at a rate per caliper inch set by the city commission in the schedule of fees.

Compensation shall equal the rate per caliper inch set by the city commission in the schedule of fees multiplied by the caliper inches of protected trees removed.

~~When the cumulative caliper inches of replacement trees is insufficient to meet the replacement requirements referenced in (a) below, financial compensation shall be paid to the tree replacement trust fund.~~

a. Compensation is established in the schedule of fees and shall be dispersed per section 58-289 "Tree replacement trust fund".

~~b. In the event that a tree planting is approved on public property or city right of ways, maintenance fees as established by the city commission may be assessed as part of the permit process.~~

~~b.~~ e. A stop work order may ~~shall~~ be issued for any development or active construction project until all applicable permit compensation conditions are satisfied.

~~c. d. No~~ The certificate of occupancy or certificate of completion shall not be issued for any development until all applicable permit conditions have been satisfied.

d. ~~e. No~~ A tree removal permit shall not be issued until the required financial compensation for removal is paid.

e. When more than one tree is permitted to be removed, the total dbh of the protected trees to be removed shall provide the basis for compensation.

* * *

Sec. 58-289. - Tree replacement trust fund.

(a) There is hereby created a tree replacement trust fund. All funds collected as tree replacement fees shall be administered by the director of parks and recreation or designee.

(b) Disbursements from the tree replacement trust fund shall be made only for the following purposes:

(1) Purchasing trees for planting and any associated costs in accordance with the city's tree planting program; or

(2) ~~Purchases necessary for improvements (except vehicles), including contract services for the city's tree nursery or,~~ For educational purposes as provided in Section 58-283(d)((7)).

(3) Protection of trees and enforcement of this ordinance.

(c) Fees for the tree replacement trust fund are established by the city commission in the schedule of fees.

(d) Fees for the tree replacement trust fund shall be reviewed annually by the city commission to reflect cost of living adjustments and/or market conditions and may be modified by approval of the city commission. In establishing fees, the city shall consider the cost of material, labor, transportation, planting, watering and mortality rate of replacement trees.

* * *

Sec. 58-299. - Penalties for tree removal without required permit or for tree damage.

(a) Any protected tree(s) removed without a permit or destroyed or receiving major damage in violation of this division must be replaced and/or compensated at the rate of twice the requirements of section 58-287

* * *

Sec. 58-300 Enforcement and Authority to Enforce Division 6 "Tree Protection"

* * *

(e) Failure to remove or otherwise make safe any hazardous or dead tree (protected or unprotected) shall constitute a violation of this Article and may result in giving notice to the

owner or the agent of the owner an order to correct the violation by either removing the entire tree or hazardous limb(s) of the tree or the City will take the necessary action to remove the tree or hazardous limb(s) of the tree and assess all costs incurred by the City to the owner of the property plus an administrative fee as established under the City's Schedule of Fees as determined by the City Commission. Where the full amount due the city is not paid by such owner or agent of the owner within 30 days after invoicing the owner for removing the hazardous or dead tree or limb(s) such charges shall be declared a lien on the property. In addition, nothing shall prevent the city from pursuing other legal courses of action to correct the violation including referring the matter to the Code Enforcement Board. Appeals of an order to remove a tree or hazardous limb(s) of a tree will be heard by the Tree Preservation Board and must be filed with the City within 30 days of receipt of notice or within 30 days of posting the property with a notice to remove the tree or hazardous limb(s). An appeal must include payment of required fee and provision of documentation verifying the health of the tree and any other information which will justify withdrawing the order to remove the tree or hazardous limb(s). Appeals of the decision of the Tree Preservation Board on this matter shall be taken to the Code Enforcement Board.

SECTION 2. It is the intention of the City Commission of the City of Winter Park, Florida, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinance of the City of Winter Park, Florida; that the Sections of this Ordinance may be renumbered or re-lettered to accomplish such intention; that the word, "Ordinance" may be changed to "Section," "Article," or other appropriate word.

SECTION 3. All ordinances or portions or ordinances in conflict herewith are hereby repealed, any part of this ordinance declared to be unlawful by any court shall not constitute repeal of the remainder of the ordinance.

SECTION 4. 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. This ordinance shall become effective immediately upon its final passage and adoption.

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

Mayor Kenneth W. Bradley

ATTEST:

City Clerk



city commission public hearing

item type	Public Hearing	meeting date	November 26, 2012
prepared by	Jeff Briggs	approved by	<input checked="" type="checkbox"/> City Manager
department	Planning Department		<input checked="" type="checkbox"/> City Attorney
division			<input type="checkbox"/> N/A
board approval	N/A	<input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> N/A	final vote

Subject: Annexation of 600 Lee Road – Second Reading

Pursuant to the Billboard Agreement with CBS Outdoor, this Ordinance annexes the property at 600 Lee Road and the adjoining part of the I-4 right-of-way. The Ordinance has been revised per the first reading to delete the interconnecting portion of I-4.

This is a voluntary annexation by FDOT pursuant to their agreement with CBS Outdoor. FDOT has acquired this property (former Aamco Transmission) as part of the I-4 project. The Aamco business is moving and that building will be demolished. There will be nothing on this property except for the CBS Outdoor billboard sign structure. As such, there will be no city services required for this property. (It will be on the tax rolls for the sign value)

The legal advertisement has published in the Orlando Sentinel and the required notice also sent to Orange County.

Staff Recommendation:

Staff supports this ordinance, as required to implement the Billboard Agreement approved by the City Commission, for the same reasons as staff recommended approval of the Billboard Agreement. While the City will permit a new billboard where one already exists (albeit taller and digital vs. static); the location is on the west side of I-4; and the City gets three billboard structures removed in the City.

Prepared by and return to:
Jeff Briggs, Planning Director
City of Winter Park
401 Park Avenue South
Winter Park, FL 32789

ORDINANCE NO. 2867-12

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, ANNEXING THE PROPERTY AT 600 LEE ROAD, MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR THE AMENDMENT OF THE CITY OF WINTER PARK'S CHARTER, ARTICLE I, SECTION 1.02, CORPORATE BOUNDARIES TO PROVIDE FOR THE INCORPORATION OF THE REAL PROPERTY DESCRIBED HEREIN; PROVIDING FOR THE FILING OF THE REVISED CHARTER WITH THE DEPARTMENT OF STATE; PROVIDING FOR REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 171, Florida Statutes provides the exclusive method of municipal annexation, in order to insure sound urban development and efficient provision of urban services; and

WHEREAS, the City has determined that the area to be annexed is contiguous and reasonably compact, is developed for urban purposes, is not within the boundaries of another municipality, and has met all other requirements of Chapter 171, Florida Statutes, including but not limited to the prerequisites for annexation; and

WHEREAS, the City Commission hereby finds that the annexation of said property will not result in the creation of any enclaves, and it is further determined that the property otherwise fully complies with the requirements of State law; and

WHEREAS, The Florida Department of Transportation, the owner of the property at 600 Lee Road, Orlando, FL, has petitioned the City of Winter Park for annexation of that property, identified by Orange County Parcel ID Number 02-22-29-0000-00-042 as described in Exhibit "A" and shown on Exhibit "B", which is the area to be annexed; and:

WHEREAS, pursuant to, and in compliance with the law, notice has been given by publication once a week for two consecutive weeks in a newspaper of general circulation notifying the public of this proposed Ordinance and of public hearings to be held at City Hall in the City of Winter Park; and

WHEREAS, the City Commission has determined that the annexation of the subject area has met all procedural requirements and that it will promote sound urban development and efficient provision of urban services; and

WHEREAS, the annexation is in compliance and consistent with the goals and objectives of the City of Winter Park Comprehensive Plan, Charter and Municipal Code; and

WHEREAS, in the best interest of the public health, safety, and welfare of the citizens of Winter Park, the City Commission of the City of Winter Park desires to annex the real property generally described below into the municipal boundaries of the City of Winter Park; and

WHEREAS, upon adoption of this Ordinance, the municipal boundaries lines of the City of Winter Park, shall, for purposes of Article I, Section 1.02 of the Municipal Charter, shall be redefined to include the subject real property.

NOW, THEREFORE, be it enacted by the City Commission of the City of Winter Park, Florida as follows:

Section 1. Annexation of Real Property. The real property described herein shall be, and is hereby annexed into the City of Winter Park, Florida. This real property is described in Exhibit “A” and illustrated in Exhibit “B”. These Exhibits are incorporated herein by reference. The described real property shall be existing within the boundaries of the City of Winter Park, Florida and known to be existing within said boundaries from the effective date of this Ordinance.

Section 2. Incorporation of Recitals. The recitals to this Ordinance are hereby incorporated herein by reference and are fully effective as part of this Ordinance.

Section 3. City Boundaries Redefined; Winter Park Charter Amended. Pursuant to Section 166.031(3), Florida Statutes and Section 171.091, Florida Statutes, the City of Winter Park Charter, Article I, Section 1.02 is hereby amended to redefine the corporate boundaries of the City of Winter Park to include the real property described in Section 1 and Exhibits “A” and “B” of this Ordinance. The City Clerk shall file the revised Winter Park Charter, Article 1, Section 1.02 with the Department of State within seven days after the effective date of this Ordinance. Section 1.02 provides that the corporate boundaries of the City of Winter Park shall remain as they exist on the date the amended Charter took effect, and provides that the City has the power to change its boundaries in the manner prescribed by law. The amendment to the Charter will provide that after the effective date of the adoption of Section 1.02, the property subject to this Ordinance was annexed, and the legal description of the property will not be included in the Charter but the Ordinance number shall be included so that the public is on notice that a description of the corporate boundaries, including the property annexed hereby, is on file in the City Clerk’s office.

Section 4. Repeal of Prior Inconsistent Ordinances and Resolutions. All Ordinances and Resolutions or parts of Ordinances and Resolutions in conflict herewith are hereby repealed to the extent of conflict.

Section 5. Severability. Should any section or provision of this Ordinance or any portion hereof, including any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereto as a whole, and the invalid portion shall be severed from the remainder of this Ordinance and the remainder of this Ordinance shall be continue to be lawful, enforceable and valid.

Section 6. Effective Date. This Ordinance shall become effective immediately upon adoption by the City Commission of the City of Winter Park, Florida.

ADOPTED by the City Commission of the City of Winter Park, Florida at a regular meeting assembled on the _____ day of _____, 2012.

Kenneth W. Bradley, Mayor

Attest: _____
Cynthia S. Bonham, City Clerk

First Reading: _____, 2012

Second Reading: _____, 2012

Effective Date: _____, 2012

Exhibit A

600 Lee Road, Parcel ID # 02-22-29-0000-00-042

PARCEL 1:

COMMENCE AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF SECTION 2, TOWNSHIP 22 SOUTH, RANGE 29 EAST, AND RUN SOUTH 03°41'31" WEST ALONG THE 1/4 SECTION LINE 2,145.98 FEET; THENCE NORTH 89°51'59" WEST 140.53 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHEAST, HAVING A RADIUS OF 1004.93 FEET; THENCE ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 36°27'43" A DISTANCE OF 639.52 FEET; THENCE SOUTH 36°35'44" WEST 30.00 FEET FOR A POINT OF BEGINNING; SAID POINT BEING ON THE SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD 438; THENCE FROM A TANGENT BEARING OF SOUTH 53°24'16" EAST RUN SOUTHEASTERLY ALONG THE ARC OF A CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 1034.93 FEET AND AN INTERSECTION ANGLE OF 03°10'29", A DISTANCE OF 57.35 FEET; THENCE SOUTH 56°34'45" EAST 50.04 FEET TO THE LIMITED ACCESS RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY NO. 4; THENCE SOUTH 08°09'43" EAST ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE, A DISTANCE OF 127.82 FEET; THENCE SOUTH 26°37'04" WEST 166.38 FEET; THENCE FROM A TANGENT BEARING NORTH 63°22'56" WEST RUN NORTHWESTERLY ALONG THE ARC OF A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 1304.93 FEET AND AN INTERSECTION ANGLE OF 09°58'40", A DISTANCE OF 227.25 FEET; THENCE NORTH 36°35'44" EAST 270.00 FEET TO THE POINT OF BEGINNING.

Exhibit B



STATE OF FLORIDA
COUNTY OF ORANGE

PETITION FOR VOLUNTARY ANNEXATION

To the City commission to the City of Winter Park, Florida:

The undersigned hereby petitions for voluntary annexation by the City of Winter Park, Florida of the property described herein, accordance with Article VIII, Section 2(c) of the Constitution of the State of Florida and Florida Statute 171.044, and represents and states as follows:

I

The petitioner is the owner of record of the property which is subject of this petition.

II

The property which is the subject of this petition lies wholly with the boundaries of Orange County, Florida.

III

No part of the property which is subject of this petition lies within the corporate limits of any incorporated municipality.

IV

The property which is the subject of this petition is described as follows;

See Attached

EXHIBIT "A"-THE AAMCO SITE

"Commence at the Northeast corner of the Northwest ¼ of Section 2, Township 22 South, Range 29 East, and run South 03° 41' 31" West along the ¼ Section line 2,145.98 feet, thence North 89° 51' 59" West 140.53 feet to the Point of curvature of a curve concave to the Northeast having a radius of 1,004.93 feet thence along the arc of said curve, through a central angle of 36° 27' 43" a distance of 639.52 feet, thence South 36° 35' 44" West 30.0 feet for a Point of Beginning; said point being on the Southerly right-of-way line of State Road 438; thence from a tangent bearing of South 53° 24' 16" East run Southeasterly along the arc of a curve concave to the Northeast, having a radius of 1,034.93 feet and the intersection angle of 03° 10' 29", a distance of 57.35 feet, thence South 56° 34' 45" East 50.04 feet to the limited access line of Interstate Highway No. 4, thence South 08° 09' 43" East along said limited access right-of-way line a distance of 127.82 feet, thence South 26° 37' 04" West 166.38 feet, thence from a tangent bearing North 63° 22' 56" West run Northwesterly along the arc of a curve concave to the Northeast, having a radius of 1,304.93 feet and an intersection angle of 09° 58' 40" a distance of 227.25 feet, thence North 36° 35' 44" East 270.00 feet to the Point of Beginning.

SAVE AND EXCEPT

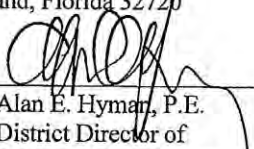
That certain parcel or tract of land situate, lying and being in the County of Orange, State of Florida described as follows, to wit;

Commence at the Northeast corner of the Northwest ¼ of Section 2, Township 22 South, Range 29 East, and run thence along the East Line of said Northwest ¼ South 03° 00' 00" West 2,146.29 feet, thence South 89° 26' 30" West 140.53 feet to the point of curvature of a curve concave to the Northeasterly, and having a radius of 1,004.93 feet, run thence Northwesterly along the arc of said curve 639.52 feet, through a central angle 36° 27' 44", thence South 35° 54' 14" West 150.00 feet to the Point of Beginning, thence continue South 35° 54' 14" West 150.00 feet to a point on a curve concave to the Northeasterly and having a radius of 1,304.93 feet thence a tangent bearing South 54° 05' 46" East run Southeasterly along the arc of said curve 227.25 feet through a central angle of 09° 58' 14"; thence North 25° 55' 33" East 130.00 feet; thence run North 53° 28' 20" West 203.59 feet to the Point of Beginning."

BEING THE LANDS DESCRIBED IN ORB 6930, PAGE 2977, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA



State of Florida
Department of Transportation
District 5
719 S. Woodland Blvd.
DeLand, Florida 32720

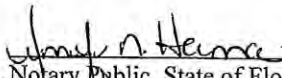
By: 
Alan E. Hyman, P.E.
District Director of
Department of Transportation Operations

STATE OF FLORIDA
COUNTY OF VOLUSIA

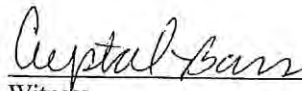
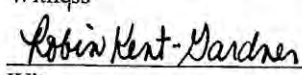
BEFORE ME appeared Alan E Hyman, who, being first duly sworn,
deposes and says that he resides at _____, City
of _____, and the County and State above named; that he signed the foregoing
petition as petitioner for the voluntary annexation by the City of Winter Park, Florida of the
property described therein; and that the representations and statements contained in the foregoing
petition are true and correct.

FURTHER AFFIANT SAYETH NAUGHT.

Sworn to and Subscribed
Before me this 3rd day
of February, 2012.


Notary Public, State of Florida at Large
My Commission Expires: 2-25-2013




Witness

Witness

NOTICE OF ANNEXATION

CITY OF WINTER PARK
PUBLIC NOTICE

TO CONSIDER THE ANNEXATION OF 600 LEE ROAD AND ADJOINING I-4 RIGHT OF WAY

NOTICE is hereby given that public hearings will be held by the Winter Park City Commission on Monday, November 12, 2012 at 3:30 p.m. and on Monday, November 26, 2012 at 3:30 pm in the Winter Park Civic Center at 1050 W. Morse Boulevard, Winter Park, Florida, to consider the following:

ORDINANCE NO. 2867-12

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, ANNEXING THE PROPERTY AT 600 LEE ROAD AND THAT PORTION OF THE INTERSTATE FOUR CONTIGUOUS TO THE PROPERTY WITHIN THE CITY OF WINTER PARK AT 2684 LEE ROAD.

The complete legal description by metes and bounds as well as a complete copy of this proposed Ordinance No. 2867-12 may be obtained and inspected at the office of the City Clerk at 401 Park Avenue, South, Winter Park, Florida during regular business hours.

All interested parties are invited to attend and be heard. Additional information is available in the City Clerk's office so that citizens may acquaint themselves with each issue and receive answers to any questions they may have prior to the meeting.

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 City Clerk's Office (407-599-3277) at least 48 hours in advance of the meeting.



Cynthia S. Bonham, CMC
City Clerk

Publish: Sunday, October 28, 2012 and Sunday, November 4, 2012, Orlando Sentinel





1566 W. Fairbanks Ave



1700 W Fairbanks Ave



2170 W Fairbanks Ave



2090 Aloma Ave



city commission public hearing

item type	Public Hearing	meeting date	November 26, 2012
prepared by department division	Wes Hamil Finance	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

Semiannual update to Fee Schedule

motion | recommendation

Approve adjustments to the City Fee Schedule as outlined in the attached summary.

summary

City practice has been to review the Fee Schedule twice each year to ensure fees are adequate and appropriate. The first two pages of the attached contain a summary of the fees that were changed as well as estimates of the impact on net revenues. The remainder of the attached is the fee schedule as revised for the proposed changes.

This Fee Schedule incorporates the proposed adjustments to water and sewer rates being considered earlier in this agenda as well as the reduction in cost of filing an appealing with the Tree Preservation Board from \$100 to \$35.

board comments

N/A

**City of Winter Park
Fee Schedule
Changes Proposed to be Effective December 1, 2012**

	Current Fee	Proposed Fee
Building and Code Enforcement:		
Address changes:		
Processing fee for 2 - 5 additional addresses (each address)	15.00	5.00
Processing fee for each address change above 5 addresses	2.00	5.00
The impact of the above changes will be less than \$500		
Keep Winter Park Beautiful:		
KWPB Bricks for fundraising:		
4*8 Single	65.00	80.00
8*8 Double	100.00	120.00
Electric:		
Prepare trees around power lines for safe private trimming or removal if necessary	new fee	Actual cost
Police:		
Photographs, recordings and videos on CD	5.00	1.00
Audio tapes (including 911 tapes)	5.00	1.00
Video copy of DUI cases	5.00	1.00
Change is to stay in compliance with state statute. Impact will be less than \$500.		
Parks:		
Bus use hourly rate, minimum reduced from four hours to two hours	75.00	100.00
Replacement of recreation ID card	new fee	5.00
After school program:		
Monthly fee for students qualifying for reduced lunch (City residents)	20.00	25.00
Monthly fee for students qualifying for free lunch (City residents)	10.00	15.00
Community Center pool:		
Deposit	400.00	100.00
Family Pool Pass – (residents, up to 5 family members per pass)	new fee	55.00
Family Pool Pass – (non-residents, up to 5 family members per pass)	new fee	80.00
Lap Swim Pass – (resident)	new fee	35.00
Lap Swim Pass – (non-resident)	new fee	50.00
Advertising on golf course scorcards:		
Premium scorecard ad space (one year, per ad)	1,000.00	1,500.00
Non-play pass tennis fees:		
Child, non-prime time, hard court	4.00	3.00
Child, non-prime time, soft court	3.00	4.00
Adult tennis program:		
Drop-in fee for Beginning/intermediate (regular sessions are \$50.00)	new fee	20.00
Drop-in fee for Menis advanced fee (regular sessions are \$97.50)	new fee	30.00
The upper end of the age range for participating in junior tennis programs was increased from 10 years old to 15		
Pre-tournament training for junior players (10 year olds and younger) was increased from two days a week		
of allowable time to three (cost is still \$150/month)		
After-school tennis program:		
Full time program, 5 days per week, 20 hours per week, 2 privates per week included	new fee	1,175.00
10 hours per week, two privates per week	new fee	875.00
Drop-in per session	new fee	50.00

**City of Winter Park
Fee Schedule
Changes Proposed to be Effective December 1, 2012**

	Current Fee	Proposed Fee
Junior tennis tournament entry fee	40.00	38.00 - 45.00
Special tennis events:		
Member	new fee	0.00 - 20.00
Non-member	new fee	6.00 - 30.00
Rental deposit for Azalea Recreation Center (east or west rooms)	150.00	100.00
Rental of Community Center, continuous user		
Small room, A or B or senior room, hourly	40.00	45.00
Large room, C or D, hourly	60.00	65.00
Ballroom; A,B,C and D combined, hourly	150.00	200.00
Rooms C, D and kitchen combined, hourly	140.00	150.00
Ballroom and kitchen combined, hourly	170.00	225.00
Rental of Community Center, one time user		
Small room, A or B or senior room, hourly	55.00	60.00
Large room, C or D, hourly	80.00	90.00
Ballroom; A,B,C and D combined, hourly	220.00	250.00
Rooms C, D and kitchen combined, hourly	190.00	200.00
4:00 pm to midnight, Friday, Saturday, Sunday	1,100.00	1,200.00
Ballroom and kitchen combined, hourly	240.00	300.00
4:00 pm to midnight, Friday, Saturday, Sunday	1,200.00	1,500.00
Rooms C and D, hourly	new fee	170.00
Ballroom, kitchen 4:00 pm to midnight with 2 hour amphitheater	new fee	1,600.00
Early set up fee	new fee	150.00
Rental of Country Club, one time user - hourly, Sunday through Thursday, full building	new fee	140.00
FARMER'S MARKET:		
Saturday Market:		
12' x 10' space outside with electricity, additional 6 feet with electricity (per week)	12.00	15.00
12' x 10' inside space with electricity (per week)	27.00	30.00
Part-time vendors:		
12' x 10' Outside space with Electricity, Additional 6 feet with electricity (per week)	22.00	25.00
12' x 10' inside space with electricity (per week)	37.00	40.00
Howell Branch Preserve, small pavilion (20% resident discount):		
Full day	new fee	50.00
Half day (open to noon or 2pm to close)	new fee	30.00
Phelps Park, small pavilion (20% resident discount):		
Full day	50.00	90.00
Half day (open to noon or 2pm to close)	30.00	60.00

The above changes to Parks fees are estimated to have an impact of \$2,000 to \$5,000 on an annual basis

CITY OF WINTER PARK



FEE SCHEDULE

Effective December 1, 2012

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Pricing Basis Legend	
C	Pricing is based on costs
M	Pricing is based on market comparisons
S	Pricing is stipulated by Florida Statutes

CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

GENERAL GOVERNMENT FEES

ADMINISTRATIVE FEES:

Lien recording fees:	
Fee for first page.....	10.00 (C)
Each page thereafter	8.50 (C)
Certification charge.....	2.00 (C)
 City map and aerial photographs.....	10.00 (C)
Plus postage and handling	1.50 (C)
 City Code and Supplements to City Code	
Can be purchased from:	Municipal Code Corporation
	P. O. Box 2235
	Tallahassee, FL 32316
Or accessed on-line at www.municode.com	
 Copy of CD (City provides the CD)	3.00 (C)
 Copy charge per page015 (C)
Double sided020 (C)

FINANCE FEES:

Printed copy of annual budget document	20.00 (C)
Printed copy of CAFR.....	15.00 (C)
Returned check charge: *	
Check amount \$0.01 to \$50.00.....	25.00 (C)
Check amount \$51.00 to \$300.00.....	30.00 (C)
Check amount greater than \$300.00	40.00 (C)
..... Or 5% of check amount, whichever is greater	

<p>* If payment is not received within 30 days, the city may file a civil action against the check writer for three times the amount of the check, but in no case less than \$50.00, in addition to the payment of the check plus any court costs, reasonable attorney fees, and any bank fees incurred by the City in taking the action.</p>

CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

PLANNING FEES:

LAND DEVELOPMENT FEES:

Application Fee Schedule:

Annexations	500.00 (M)
Annexations requiring citywide notice	500.00, plus actual cost of notice (M)
Appeals.....	500.00 (M)
Comprehensive Plan amendments and rezoning:	
Less than one acre (1,500 ft. notice)	1,000.00 (M)
More than one acre (city-wide notice).....	6,000.00 (M)
Conditional use (including extensions/re-establishments):	
(applications with 500 ft notice)	500.00 (M)
(applications with 1,500 ft notice)	1,000.00 (M)
(applications requiring quarter page ad)	1,000 (M)
(applications with city-wide notice)	6,000.00 (C)
Development Review Committee Application Fees:	
Concept or preliminary plan.....	300.00 (M)
Final plan submittal.....	500.00 (M)
Revision to plan previously reviewed.....	200.00 (M)
Interpretations by Code Enforcement.....	200.00 (M)
Lakefront site plan reviews:	
Residential construction.....	150.00 (M)
Commercial or multi-family construction.....	250.00 (M)
Plan storage fees:	
Plan storage fee for approved building plans not retrieved by applicant:	
Up to six months following approval date	No charge
After six months.....	\$5 per day
After nine months	Return all but one plan to applicant or continue charge (at option of the City)
Street abandonments	250.00 (M)
Subdivision:	
Three lots or less	500.00 (M)
Over three lots	800.00 (M)
Lot consolidations:	
Three lots or less	500.00 (M)
Over three lots	800.00 (M)
Subdivisions with road improvements	1,000.00 (M)
Variances:	
Single family residential	200.00 (M)
Multi-family and commercial	400.00 (M)

CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

LAND DEVELOPMENT FEES (continued):

Parks impact fee (per new dwelling unit)2,000.00 (M)

After the Fact Requests - Double the application fee and triple the building permit fee

Applications tabled at the request of the applicant, within 10 days of the Planning and Zoning meeting or Board of Adjustment meeting, will be charged for additional advertising and notification costs, plus \$100.00.
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Costs incurred by the City for additional consultant investigation, traffic analysis, and planning activities prompted by the proposal shall be assessed to the project at the rate of 110%. This charge shall be added at the next logical development review point when a fee to the City is required, e.g.; rezoning request, subdivision request, conditional use request or building permits

CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

BUILDING AND CODE ENFORCEMENT FEES

Application and Permit Fees:

Adult entertainment application fee (non-refundable)	200.00 (C)
Adult entertainment application fee - annual fee.....	750.00 (C)
Facilities permit application	10.00 (C)
Filming fees:	
Motion pictures:	
Application Processing Fee	100.00 (C)
Private property (registration of exemption)	25.00 (C)
Permit Fees:	
Public streets, parks, buildings or city facilities (per day)	500.00 (C)
Less than 10 persons or 2 vehicles involved (per day)	50.00 (C)
plus reimbursement of additional costs to the City, if any	
Still photography:	
Application Processing Fee	50.00 (C)
On private property	0.00 (C)
Permit Fees:	
Public street or public property (per day).....	250.00 (C)
Less than 10 persons or 2 vehicles involved (per day)(city facilities) .	25.00 (C)
plus reimbursement of additional costs to the City, if any	
Use of City Personnel.....	cost plus 30% (C)
Closing out sale permit.....	50.00 (C)
Closing out extension fee.....	30.00 (C)
Garage sale permit.....	10.00 (C)
Garage sale permit (residents over age 59).....	5.00 (C)
Newsrack permit	100.00 (C)
Newsrack permit processing fee	50.00 (C)
Alcoholic beverage license.....	50.00 (C)
Sidewalk sale permit	200.00 (C)
Sidewalk sale permit during the Art Festival	150.00 (C)
Parking lot during the Art Festival	80.00 (C)
Sidewalk café application processing fee (non-refundable).....	50.00 (C)
Sidewalk café permit fee	
1 – 4 seats.....	80.00 (C)
5 – 8 seats.....	100.00 (C)
9 – 12 seats.....	120.00 (C)
13 – 16 seats.....	140.00 (C)
17+ seats.....	160.00 (C)
Solicitation permits application:	
Processing fee	100.00 (C)
Permit fee.....	300.00 (C)
Non-profit solicitation permits application:	
Processing fee	10.00 (C)
Permit fee.....	30.00 (C)
Special event permit processing fee	50.00 (C)
Special event permit	100.00 (C)
Non-profit special event permit processing fee	
(Internal Revenue Code 501C(3) organizations)	10.00 (C)

CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

Application and Permit Fees (continued):

Non-Profit special event permit.....	30.00 (C)
Special events requiring street closure permit processing fee.....	100.00 (C)
Special event permit for events requiring street closure:	
Small events (less than 400 persons)	100.00 (C)
Large events requiring multiple department approval.....	200.00 (C)
Duplicate permit placard	5.00 (C)
Duplicate occupational license.....	5.00 (C)
Lien and foreclosure research	25.00 (C)
Business certificate processing.....	15.00 (C)

CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

Building/Land Development Code (LDC) Fee (Based on valuation of construction*):

Minimum to \$1,000 in valuation *	\$30.00 (C)
Over \$1,000 in valuation *	0.9% [#] of valuation plus \$30.00 ** (C)
Plans review fee for valuations over \$4,000, except permits not requiring plan review	1/2 of building/LDC permit fee ^{##} (C)
Plan review fee for revisions.....	25.00 per page (C)
(or if more than 50% of original plan, then full plan review fee is required, reduction allowed for minor revisions on each page)	
Inspector training04% of valuation (C)
Affordable Housing fee	\$0.50 per sq. ft. (C)
of new or remodeled floor area, excludes areas of garages, carports, cabanas, storage sheds, churches, tax exempt non-profit organizations, nursing homes and assisted living facilities.	
Roofing permits	0.5% of valuation plus \$30.00** (C)
Inspection fee for other City Departments	40.00/inspection (C)
State Fee (new or remodeled floor area).....	3% of permit amount or \$4 minimum (S)
Transfer of permit to new contractor or applicant	50.00 (C)
Reinstatement of expired permit (if approved)	100.00 (C)
Extension of building permits.....	25.00 (C)
Pool fence violation inspection	100.00 (C)
Stop work order inspection fee	50.00 (C)
Site development permit (when allowed):	
Minimum fee	100.00 (C)
(or .2% of valuation, if higher)**	
Plan Submission Fee (for permitted plans exceeding 11 x 17, per page)***	1.00 (C)

* Building valuations shall be based on the actual contract cost or the building valuation data established by the Building Department, whichever is greater.

** For fee computations, all valuations are rounded up to the next highest thousand dollars.

*** in lieu of paying fee, applicant may provide plans in either PDF or TIFF format within 14 days of issuance of permit. In addition, any approved plan revisions must also be submitted electronically.

.6% for building code enforcement and .3% for Land Development Code enforcement, totaling .9%.

.3% for building code enforcement and .15 for Land Development Code enforcement, totaling .45%.

After the fact requests - double the variance application fee and triple the building, electrical, plumbing and gas permit fees. For construction begun or completed without permit - fee shall be tripled

CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

The cost of inspection fees for other City Departments is determined during plan review and paid with building permit.

Excavation/Landfill Permit Fees:

Placement or removal of 40 cubic yards or less	50.00 (C)
Placement or removal of over 40 cubic yards	100.00 (C)

Exterior Examination Application Fee:

Master/contractors	200.00 (C)
Journeyman	150.00 (C)

Competency Card Fees:

Journeyman	(\$80 for two years, when available) 50.00 (C)
Master/contractors	(\$200 for two years, when available) 100.00 (C)

Demolition Permits (expires within 30 days):

1 or 2 family dwellings	150.00 (C)
Accessory buildings	50.00 (C)
Other buildings6% of valuation or \$100.00, whichever is greater (C)

Electrical Permit Fees:

Issuing each permit	40.00 (C)
Central air conditioning unit	10.00 (C)
Cooktop	3.00 (C)
Dental unit	2.00 (C)
Dishwasher	3.00 (C)
Disposal	3.00 (C)
Dryer	3.00 (C)
Electric elevator	7.50 (C)
Electric range	3.00 (C)
Electric welder:	
Transformer type to 50 amps	3.00 (C)
Transformer type over 50 amps	7.50 (C)
Fan - Commercial, ceiling, exhaust or bath	5.00 (C)
Fan - Residential, ceiling, exhaust or bath	1.00 (C)
Fixture - each	0.25 (C)
Furnace, oil	5.00 (C)
Heating appliance - each	3.00 (C)
Motor or generator - each	5.00 (C)
Outlet - each	0.25 (C)
Oven	3.00 (C)
Pool wiring	10.00 (C)
Pre-power inspection requests - Inspection fee:	
Residential	40.00 (C)
Commercial	50.00 (C)
Service up to 200 amps	5.00 (C)
Each additional 100 amps to 1200 amps	1.00 (C)
Sign outlet, per circuit	3.00 (C)
Subfeed panel	2.00 (C)
Temporary service	5.00 (C)
Time switch	2.00 (C)
Water heater	3.00 (C)
Window air conditioning unit	5.00 (C)
X-Ray	5.00 (C)

CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

Gas Permit Fees:

Issuing each permit	40.00 (C)
Each gas fixture	5.00 (C)

Building Moving Permits:

Into or within the City (for buildings over 1,000 square feet)	400.00 (C)
Into or within the City (for buildings 1,000 or less square feet)	200.00 (C)
Outside the City	100.00 (C)

Issuance of Temporary Certificate of Occupancy:

Single family residence	85.00 (C)
All others	175.00 (C)

Mechanical Permit Fees:

Minimum up to \$1,000 valuation	40.00 (C)
Each additional \$1,000 to \$25,000 (round to next higher thousand)	5.00 (C)
Each additional \$1,000 above \$25,000	2.50 (C)

Plumbing Permit Fees:

Issuing each permit	40.00 (C)
For installation, alteration or repair of water treatment equipment	5.00 (C)
For repair or alteration to drainage or vent piping	5.00 (C)
Plumbing fixture floor drain or trap - each	5.00 (C)
Repiping - per structure	30.00 (C)
Water heater or vent - each	5.00 (C)

Reinspection fee:

For all trades	30.00 (C)
Repeat reinspection on same item	100.00 (C)
Continued repeat inspection (3 rd visit or more)	300.00 (C)
After the third inspection there will be a hearing before the Construction Board of Adjustment and Appeals with possible loss of occupational license and a letter to the CILB	
Missed inspection	100.00 (C)

Vacuum Breakers or Backflow Prevention Devices:

One to five	5.00 (C)
Over five, each	0.50 (C)
Gasoline and fuel oil tanks (residential)	10.00 (C)
Septic tank or drain field - each	10.00 (C)
Sewer:	
Commercial - each	60.00 (C)
Residential - each	50.00 (C)
Replacement of house sewer:	
20' or more in length	50.00 (C)
Less than 20' in length	20.00 (C)
Sprinkler system	15.00 (C)

CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

Vehicle for Hire Fees: (Driver permit fees valid from October 1 to September 30)

Taxi Driver permit (per driver, per year).....	60.00 (C)
Non-Motorized Vehicles:	
Application Fee (one time fee per business)	40.00 (C)
Driver Permit:	
Initial fee, per driver	15.00 (C)
Renewal fee, per driver, per year	5.00 (C)

Well Permit Fees:

Issuing each permit	40.00 (C)
..... plus \$4.00 per inch or diameter up to 6",	
.....and \$2.00 per inch for each inch over 6" in diameter (C)	

Landscaping Fees:

First landscaping inspection (included in permit fee).....	0.00
Re-inspection fee	30.00 (C)

Tree Removal Permits:

Single family residential	35.00 (C)
Non-residential or multi-family property	100.00 (C)
Reinspection of tree (second and third visits).....	25.00 (C)
Reinspection of tree (each required visit after the third)	75.00 (C)
Request for appeals to Tree Preservation Board	35.00 (C)
Compensation for removing a protected tree	110.00 per caliper inch dbh (C)

OTHER CHARGES:

Appeals of Building Code heard by Board of Adjustment & Appeals.....	100.00 (C)
Address change and /or additional requests (commercial and residential):	
Processing Fee for 1 address (all requests – approved or denied)	15.00 (C)
Processing Fee per address for additional addresses	
(all requests – approved or denied)	5.00 (C)
Letter of Reciprocity for contractors	15.00 (C)
Off-site advertising sign permit	50.00 (C)
Annual outdoor advertising sign permit (per sign)	50.00 (C)
Street name petitions (per application)	300.00 (C)
Advertising space on Park Avenue Street Directory Kiosks (Annual Rates)*:	
20" high by 9" wide panel	804.00 (C)
20" high by 18" wide panel	1,608.00 (C)
40" high by 18" wide panel	3,216.00 (C)
60" high by 18" wide panel	4,824.00 (C)
Administrative charge for having overgrown properties mowed,	
cleaned or cleared of debris, hazardous trees or other unsightly articles	150.00 (C)
Administrative charge for repeated mowing or clearing of properties	300.00 (C)
Research charge for release of lien and similar code enforcement	
research requests (hourly charge)	25.00 (C)

*Requires a twelve-month contract with one half of the annual amount due upon reservation of the advertising space. The remaining balance will be billed in equal monthly installments.

CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

PUBLICATIONS:

Code books:

National Electrical Code	80.00 (C)
2007 Florida Building Code (Seven volume set)	330.00 (C)
Florida Building Code (Building volume only)	100.00 (C)
Florida Residential Code	90.00 (C)
Florida Building Code (Mechanical/Energy volume only)	80.00 (C)
Florida Building Code (Plumbing/Accessibility volume only)	80.00 (C)
Florida Building Code (Fuel/Gas volume only)	80.00 (C)
Florida Existing Building Code.....	55.00 (C)
Community Redevelopment Agency Plan	15.50 (C)
Community Redevelopment Agency Plan Amendment for Expansion Area.....	13.65 (C)
Comprehensive Plan Goals, Objectives and Policies	60.00 (C)
Comprehensive Plan Data, Inventory and Analysis	85.00 (C)
CD of Comprehensive Plan Goals, Objectives and Policies and Data, Inventory and Analysis	10.00 (C)
Land Development Code	30.00 (C)
Land Development Code (zoning article only)	15.00 (C)
Historic Resources Survey (color copy)	58.00 (C)
Historic Resources Survey (black & white copy)	12.80 (C)
Subdivision regulations	10.00 (C)
Park Avenue "Architectural Design Guidelines"	10.00 (C)
Morse Boulevard "Facade Design Guidelines"	10.00 (C)

Maps:

Zoning and future land use map (digital form)	60.00 (C)
Zoning map	10.00 (C)
Future land use map	10.00 (C)

Retrieval and research of plans and documents in storage

(Research and copying costs not included).....	15.00 (C)
Additional research.....	20.00 (C)

Listings:

Business Listings:*

Printed (per page)	0.50 (C)
Label ready format, sheet of 20 (per page)**	2.00 (C)
On diskette (per disk)***	6.00 (C)

<p>* The above orders will include a \$50.00 per hour labor/computer charge; 15 minimum (\$12.50). Orders will be taken with a three to four day turn around time.</p>
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<p>** Labels will not be provided, but the listing will be printed in a copy ready format to reproduce on a label readily available for purchase by the requestor at any office supply retailer.</p>
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CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

PUBLIC WORKS FEES

Street Division:

Regular rates (per hour):

Division chief	44.70 (C)
Assistant division chief	36.40 (C)
Field supervisor	33.00 (C)
Foreman/crew leader	31.00 (C)
Traffic Control employee	25.00 (C)
Equipment Operator II and III	29.00 (C)
Street sweeper/Operator I	24.00 (C)
Maintenance Worker	23.00 (C)
Crew (1 Supervisor and 2 Workers)	79.00 (C)

Overtime rates (per hour):

Division chief	67.05 (C)
Assistant division chief	54.60 (C)
Field supervisor	49.50 (C)
Foreman/crew leader	46.50 (C)
Traffic Control employee	37.50 (C)
Equipment Operator II and III	43.50 (C)
Street sweeper/Operator I	36.00 (C)
Maintenance Worker	34.50 (C)
Crew (1 Supervisor and 2 Workers)	118.50 (C)

Holiday rates (per hour):

Division chief	89.40 (C)
Assistant division chief	72.80 (C)
Field supervisor	66.00 (C)
Foreman/crew leader	62.00 (C)
Traffic Control employee	50.00 (C)
Equipment Operator II and III	58.00 (C)
Street sweeper/Operator I	48.00 (C)
Maintenance Worker	42.40 (C)
Crew (1 Supervisor and 2 Workers)	158.00 (C)

Equipment: (per hour)

Excavator	60.00 (C)
Front end loader	60.00 (C)
Vaccon	60.00 (C)
Rubber tire backhoe	30.00 (C)
Street sweeper	30.00 (C)
Semitractor w/trailer	50.00 (C)
Tandem Dump truck	30.00 (C)
Flatbed truck	20.00 (C)
Pickup truck	10.00 (C)
Bobcat/skid steer	22.00 (C)
Miscellaneous drills, saws, 3-4 inch water pumps	10.00 (C)
6" well point/by pass pump	20.00 (C)

Barricade daily rental (each)	1.50 (C)
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CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

Facilities Maintenance:

Regular rate (per hour):	
Custodial	24.10 (C)
Supervisor	43.50 (C)
Tradesman	30.75 (C)
Overtime rate (per hour):	
Custodial	34.18 (C)
Supervisor	62.34 (C)
Tradesman	44.11 (C)
Holiday rate (per hour):	
Custodial	44.25 (C)
Supervisor	81.17 (C)
Tradesman	57.46 (C)
Vehicle charge (per hour).....	14.00 (C)
Decorative Street Light Installation (per pole)	250.00 (C)
Decorative Street Light Maintenance (per pole/per month).....	2.43 (C)

Engineering:

Driveway fee:	
Basic fee.....	50.00 (C)
Additional fee for reinspection	30.00 (C)
Final plat review - per lot	100.00 (C)
Pressure test reinspection fee.....	100.00 (C)
Project inspection fee:	
Construction cost:	
\$ 0 - \$ 5,000.....	10% of construction cost (M)
\$ 5,000 - \$ 20,000.....	\$500 plus 4% above \$5,000 (M)
Over \$ 20,000	\$1,000 plus 3% above \$20,000 (M)
Right-of-way Permit Fee	90.00 (M)

Right-of-way permit for construction projects utilizing all or part of street/sidewalk (daily rate equals 1/10 of the monthly rate for each day:

Blocking sidewalk	\$1,000.00 per month (M)
Blocking lane of traffic:	
Over 5,000 vehicles per day	\$5,000 per month (M)
Under 5,000 vehicles per day	\$2,000 per month (M)
Blocking parking lane:	
Inside Central Business District.....	\$3,000 per month (M)
Outside Central Business District	\$1,000 per month (M)

CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

Engineering, continued:

Transverse cuts:

Open cut - paved areas (each cut)	270.00 (C)
Open cut - right-of- way (each cut)	110.00 (C)
Open cut - dirt road (each cut).....	150.00 (C)
Bore and jack (each operation)	200.00 (C)
Copies of blueprints	5.00 (C)

Water and Wastewater:

Commercial plan review fee:

First review	125.00 (C)
Each revision	50.00 (C)
Utility inspection (per inspection).....	40.00 (C)

Keep Winter Park Beautiful:

Engraved bricks - Farmer's Market Lot:

Single size (4 * 8) - Individuals or Pets	80.00 (M)
Double (8 * 8).....	120.00 (M)
Corporate	250.00 (M)
Personalized park benches, various locations	2,500.00 (M)
Maps, each.....	3.00 (M)
Maps, 200 or more each	1.50 (M)
Dance lessons & sessions	80.00 (M)

CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

REFUSE SERVICE FEES

Monthly Refuse Service Fees:

Residential pickup fee (with recycling bins)	17.97 (C)
Residential recycling cart fee (per recycling cart).....	2.62 (C)
Residential charge for each additional garbage cart above two	9.02 (C)
Additional cart maintenance fee for each garbage cart above two	75.64 (C)

Commercial and multi-family units utilizing the cart collection system (per cart)	30.72 (C)
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Bulk Pickup – Residential (requires photo and city approval prior to collection):

Up to 2 cubic yards	78.15 (C)
Each additional cubic yard above 2	32.57 (C)

Bulk yard waste in excess of 3 yards (per each additional yard)	11.64 (C)
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Commercial, compactor and roll-off fees will be billed directly by Waste Pro

CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

STORMWATER FEES

Monthly Stormwater Utility Fees:

Single family residential property: (based on square feet of impervious area:

Class 1 (1,099 and smaller).....	6.59 (C)
Class 2 (1,100 and 1,699)	8.24 (C)
Class 3 (1,700 and 2,299)	9.89 (C)
Class 4 (2,300 and 2,899)	11.56 (C)
Class 5 (2,900 and 3,499)	13.21 (C)
Class 6 (3,500 and 4,099)	14.85 (C)
Class 7 (4,100 and 4,699)	16.51 (C)
Class 8 (4,700 and 5,299)	18.16 (C)
Class 9 (5,300 and 5,899)	19.80 (C)
Class 10 (5,900 and 6,499)	21.66 (C)
Class 11 (6,500 and 7,099)	23.12 (C)
Class 12 (7,100 and 7,699)	24.77 (C)
Class 13 (7,700 and 8,299)	26.41 (C)
Class 14 (8,300 and 8,899)	28.07 (C)
Class 15 (8,900 and higher)	29.72 (C)

Multi-family residential property:

Apartment unit - per dwelling unit.....	8.24 (C)
Condominium unit - per dwelling unit	8.24 (C)
Duplex - per dwelling unit	8.24 (C)

Non-residential/commercial property (per ERU)

(ERU = Equivalent Residential Unit of 2,324 sq. ft.).....	11.56 (C)
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Stormwater Variance Request 200.00 (C)

CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

SHORELINE ALTERATION FEES

Shoreline Alteration Permit:

Plants only	50.00 (C)
Plants and retaining wall	100.00 (C)

Dock site plan review (Lakes and Waterways Advisory Board):

Dock only	75.00 (C)
Dock and Boathouse	100.00 (C)

Retainment or seawall	100.00 (C)
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CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

BOAT USER FEES

Boat Stickers:

Boat sticker costs are computed according to a formula based upon the horsepower (hp) of the motor, plus the length (lg) of the boat, times (*) a set amount.

Annual permit:

City resident	hp + lg * \$0.50 (C)
Non-resident	hp + lg * \$0.75 (C)

Annual commercial permit:

City resident	hp + lg * \$1.00 (C)
Non-resident	hp + lg * \$1.50 (C)

Half-year permit (January 1 to June 30):

City resident	hp + lg * \$0.25 (C)
Non-resident	hp + lg * \$0.375 (C)

Daily user fee(regardless of size of boat and horsepower of motor) \$6.00 (C)

CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

UTILITY SERVICE FEES

Cut on/off fee:

New service	28.00 (C)
New service - after 4:30 p.m.	38.00 (C)
Broken Lock	15.00 (C)
Broken Yoke	15.00 (C)
Emergency cut on/off - 7:00 a.m. to 3:30 p.m.	No charge (C)
Emergency cut on/off - 3:30 p.m. to 4:30 p.m.	15.00 (C)
Emergency cut on/off - after 4:30 p.m.	38.00 (C)
Trip charge	15.00 (C)
Non-payment – up to 4:30 p.m.	40.00 (C)
Non-payment - after 4:30 p.m.	55.00 (C)

Water or Irrigation Deposits:

Inside City:

3/4 inch meter	60.00 (C)
1 inch meter	85.00 (C)
1 ½ inch meter	105.00 (C)
2 inch meter	145.00 (C)
3 inch meter	225.00 (C)
4 inch meter	330.00 (C)
6 inch meter	600.00 (C)
8 inch meter	Average bill x 3 (C)
10 inch meter	Average bill x 3 (C)

Outside City:

3/4 inch meter	75.00 (C)
1 inch meter	100.00 (C)
1 ½ inch meter	130.00 (C)
2 inch meter	165.00 (C)
3 inch meter	270.00 (C)
4 inch meter	375.00 (C)
6 inch meter	690.00 (C)
8 inch meter	Average bill x 3 (C)
10 inch meter	Average bill x 3 (C)

Water and Sewer Deposits:

Inside City:

3/4 inch meter	105.00 (C)
1 inch meter	120.00 (C)
1 ½ inch meter	150.00 (C)
2 inch meter	420.00 (C)
3 inch meter	510.00 (C)
4 inch meter	600.00 (C)
6 inch meter	885.00 (C)
8 inch meter	Average bill x 3 (C)
10 inch meter	Average bill x 3 (C)

CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

Water and Sewer Deposits (continued):

Outside City:

3/4 inch meter	145.00 (C)
1 inch meter	165.00 (C)
1 ½ inch meter	195.00 (C)
2 inch meter	570.00 (C)
3 inch meter	675.00 (C)
4 inch meter	780.00 (C)
6 inch meter	1,140.00 (C)
8 inch meter	Average bill x 3 (C)
10 inch meter	Average bill x 3 (C)

Water, Sewer and Garbage Deposits (Inside City Only):

3/4 inch meter	135.00 (C)
1 inch meter	150.00 (C)
1 ½ inch meter	180.00 (C)
2 inch meter	450.00 (C)
3 inch meter	540.00 (C)
4 inch meter	630.00 (C)
6 inch meter	915.00 (C)
8 inch meter	Average bill x 3 (C)
10 inch meter	Average bill x 3 (C)

Fire Line Deposits:

Inside City:

1 inch meter	11.25 (C)
2 inch meter	32.00 (C)
3 inch meter	64.00 (C)
4 inch meter	106.50 (C)
6 inch meter	200.00 (C)
8 inch meter	315.00 (C)
10 inch meter	453.00 (C)
12 inch service connection	675.00 (C)
16 inch service connection	980.00 (C)

Outside City:

1 inch meter	14.00 (C)
2 inch meter	40.00 (C)
3 inch meter	80.00 (C)
4 inch meter	133.00 (C)
6 inch meter	250.00 (C)
8 inch meter	393.00 (C)
10 inch meter	566.00 (C)
12 inch service connection	843.00 (C)
16 inch service connection	1,225.00 (C)

Fire Hydrant Meter Deposit	1,500.00 (C)
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CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

Meter and Service Installation:

Inside City:

3/4 inch meter	689.00 (C)
1 inch meter	741.00 (C)
1 ½ inch meter	1,420.00 (C)
2 inch meter	1,540.00 (C)
3 inch meter	see below
4 inch meter	see below
6 inch meter	see below
8 inch meter	see below
10 inch meter	see below

All meters 3" and larger will be calculated at current costs for meter assembly, materials, labor and restoration.

Outside City (*):

3/4 inch meter	861.00 (C)
1 inch meter	926.00 (C)
1 ½ inch meter	1,775.00 (C)
2 inch meter	1,925.00 (C)
3 inch meter	see below
4 inch meter	see below
6 inch meter	see below
8 inch meter	see below
10 inch meter	see below

All meters 3" and larger will be calculated at current costs for meter assembly, materials, labor and restoration plus 25%.

* above fee plus applicable Orange County Right of Way Utilization Fees. Additional costs may be assessed due to extensive restoration costs as required by FDOT or Orange County.

CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

Field Testing Meters (flow test):

5/8 x 3/4 inch meter..... 26.50 (C)

Bench Testing Meters:

Cost of Test - by meter size - Outside Service Contracted:

5/8 x 3/4 inch meter..... 41.00 (C)

1 inch meter..... 53.00 (C)

1 ½ inch meter..... 67.00 (C)

2 inch meter..... 82.00 (C)

Cost of Test - by meter size - In-House City Staff Utilized

3/4 inch meter x 1.5 hours..... 39.75 (C)

1 inch meter x 1.5 hours..... 39.75 (C)

1 ½ inch meter x 2.0 hours..... 53.00 (C)

2 inch meter x 2.0 hours..... 53.00 (C)

No charges will be assessed to a customer if the meter bench test or field test results are outside acceptable limits.

Bacteriological Samples Test Fee:

Sampling (per sample) 25.00 (C)

Sampling after 3:30 p.m. (in addition to sampling fee) 25.00 (C)

Water Impact Fees:

Inside City:

3/4 inch 1,100.00 (C)

1 inch 2,750.00 (C)

1 ½ inch 5,500.00 (C)

2 inch 8,800.00 (C)

3 inch 17,600.00 (C)

4 inch 27,500.00 (C)

6 inch 55,000.00 (C)

8 inch 88,000.00 (C)

Outside City:

3/4 inch 1,375.00 (C)

1 inch 3,440.00 (C)

1 ½ inch 6,875.00 (C)

2 inch 11,000.00 (C)

3 inch 22,000.00 (C)

4 inch 34,375.00 (C)

6 inch 68,750.00 (C)

8 inch 110,000.00 (C)

Water Main Extension Fees:

Inside City, per foot actual cost

Outside City, per foot 1.25 times actual cost

Water main extension fees will be allocated to all affected property owners.

Other charges to be calculated along with the water main extension fee are connection fees, meter costs and installation, deposits, and backflow service fees.

CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

Fire Line Installation Fees – includes saddle, tap and tubing to backflow or property line, whichever is closer (inside city):

1 inch fire line	478.00 (C)
2 inch fire line	878.00 (C)
Larger than 2 inch fire line	(actual cost at time of installation)

Fire Line Installation Fees – includes saddle, tap and tubing to backflow or property line, whichever is closer (outside city):

1 inch fire line	598.00 (C)
2 inch fire line	1,098.00 (C)
Larger than 2 inch fire line	(actual cost at time of installation)

Water Main Tapping Fees (Inside City):

2 inch	153.00 (C)
4 inch	235.00 (C)
6 inch	260.00 (C)
8 inch	296.00 (C)
12 inch	365.00 (C)

Water Main Tapping Fees (Outside City):

2 inch	191.00 (C)
4 inch	294.00 (C)
6 inch	325.00 (C)
8 inch	370.00 (C)
12 inch	456.00 (C)

Meter Relocation Fee:

Inside City:

3/4 inch	493.00 (C)
1 inch	495.00 (C)
1 ½ inch – 2 inch	967.00 (C)
3 inch - 8 inch	Labor and materials (C)

Outside City (*):

3/4 inch	616.00 (C)
1 inch	619.00 (C)
1 ½ inch – 2 inch	1,209.00 (C)
3 inch - 8 inch	Labor and materials plus 25% (C)

* above fee plus applicable Orange County Right of Way Utilization Fees. Additional costs may be assessed due to extensive restoration costs as required by FDOT or Orange County.

CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

Sewer Impact Fees:

Inside City:

Impact fee - single family	2,700.00 (C)
Impact fee - multiple dwelling	2,700.00 (C)
Impact fee - ERC	2,700.00 (C)

Outside City:

Impact fee - single family	3,375.00 (C)
Impact fee - multiple dwelling	3,375.00 (C)
Impact fee - ERC	3,375.00 (C)

Sewer Laterals:

Installation Fee:

Inside City:

0-6' Deep.....	1,785.00 (C)
6-12' Deep.....	3,443.00 (C)
>12' Deep.....	Actual Cost

Outside City:

0-6' Deep.....	2,231.00 (C)
6-12' Deep.....	4,304.00 (C)
>12' Deep	1.25 x actual Cost

..plus applicable Orange County Right-of-Way Utilization Fees. Additional costs may be assessed due to extensive restoration costs as required by FDOT or Orange County

CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

WATER AND WASTEWATER USAGE FEES
(COST BASED)

Inside the City Limits				
	Water (Residential)	Water (Commercial/Public Authority)	Water (Irrigation)	Sewer
	Rates per 1,000 gallons of consumption			
Block 1	1.01	1.01	2.13	4.95
Block 2	1.50	1.50	2.86	4.95
Block 3	2.13	2.13	3.66	4.95
Block 4	2.86	2.86	5.30	4.95
Block 5	3.66	3.66	5.30	4.95
Block 6	5.30	3.66	5.30	4.95
Base ERM Charge	8.62	8.62	8.62	10.19
Additional Unit Charge	4.64	4.64	4.64	5.48

Outside the City Limits				
	Water (Residential)	Water (Commercial/Public Authority)	Water (Irrigation)	Sewer
	Rates per 1,000 gallons of consumption			
Block 1	1.26	1.26	2.66	6.19
Block 2	1.88	1.88	3.58	6.19
Block 3	2.66	2.66	4.57	6.19
Block 4	3.58	3.58	6.63	6.19
Block 5	4.57	4.57	6.63	6.19
Block 6	6.63	4.57	6.63	6.19
Base ERM Charge	10.78	10.78	10.78	12.73
Additional Unit Charge	5.80	5.80	5.80	6.85

ERM = Equivalent Residential Meter

Note: sewer charges are capped for residential customers without separate irrigation meters at 14,000 gallons.

CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

WATER AND WASTEWATER USAGE FEES (CONTINUED)

The Monthly Base Charge is based on the size of the meter. The applicable Equivalent Meter Ratio in the table below multiplied by the Base ERM Charge above determines the monthly Base Charge.

Bills for water, sewer and irrigation service are determined using the applicable rates in the tables above and the block sizes in the table below based on meter size.

Block Structure Price Breaks by Meter Size:

Meter Size in Inches	Equivalent Meter Ratio	Usage Up To					Usage Over:
		Block 1 (1,000 gallons/month)	Block 2 (1,000 gallons/month)	Block 3 (1,000 gallons/month)	Block 4 (1,000 gallons/month)	Block 5 (1,000 gallons/month)	Block 6 (1,000 gallons/month)
¾	1	4	8	12	16	20	21
1	2 ½	10	20	30	40	50	51
1 ½	5	20	40	60	80	100	101
2	8	32	64	96	128	160	161
3	16	64	128	192	256	320	321
4	25	100	200	300	400	500	501
6	50	200	400	600	800	1,000	1,001

CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

ELECTRIC RATES
(COST)

Residential Rates			
Customer Charge	\$	9.35	per month
Energy Charge:			
1 st 1,000 kWh	\$	0.064850	per kWh
All kWh above 1,000	\$	0.076500	per kWh
Fuel Cost Recovery Factor:			
1 st 1,000 kWh	\$	0.0268300	per kWh
All kWh above 1,000	\$	0.0368300	per kWh
Franchise Fee		6.0000%	
Gross Receipts Tax		2.5641%	
Electric Utility Tax		10.0000%	
Note: only the first \$0.00699 of the Fuel Cost Recovery Factor is subject to the 10.0% electric utility tax.			

Lighting Service (LS-1)			
Fixture and Maintenance Charge (includes energy charge and fuel cost recovery)			Depends upon fixture type
Customer charge (per line of billing):			
Metered accounts	\$	3.49	per month
Non metered accounts	\$	1.22	per month
Energy & demand charge	\$	0.023490	per kWh
Fuel cost recovery factor	\$	0.037740	per kWh
Franchise Fee	\$	0.060000	
Gross Receipts Tax	\$	0.025641	
Electric Utility Tax	\$	0.100000	
Subsequent Re-establishment of service	\$	10.00	

GENERAL SERVICE ELECTRIC RATES

Non-Demand (GS-1)			
Rates will also apply to Temporary Service (TS-1)			
Customer Charges:			
Non Metered Accounts	\$	6.96	per month
Metered Accounts:			
Secondary Delivery Voltage	\$	12.34	per month
Primary Delivery Voltage	\$	156.08	per month
Energy Charge	\$	0.065520	per kWh
Fuel Cost Recovery Factor	\$	0.037740	per kWh
Franchise Fee		6.0000%	
Gross Receipts Tax		2.5641%	
Electric Utility Tax		10.0000%	
EL State Sales Tax (commercial only)		7.5000%	
Note: only the first \$0.00699 of the Fuel Cost Recovery Factor is subject to the 10.0% electric utility tax.			

CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

ELECTRIC RATES (CONTINUED)

Non-Demand (100% Load Factor Usage (GS-2))			
(For customers with fixed wattage loads operating continuously throughout the billing period)			
Customer Charges:			
Non Metered Accounts	\$	7.26	per month
Metered Accounts	\$	12.88	per month
Energy Charge	\$	0.033090	per kWh
Fuel Cost Recovery Factor	\$	0.037740	per kWh
Franchise Fee		6.0000%	
Gross Receipts Tax		2.5641%	
Electric Utility Tax		10.0000%	
EL State Sales Tax (commercial only)		7.5000%	
Note: only the first \$0.00699 of the Fuel Cost Recovery Factor is subject to the 10.0% electric utility tax.			

Demand (GSD-1)			
Rates will also apply to Temporary Service (TS)			
Applicable for any customer other than residential with a measurable annual kWh consumption of 24,000 kWh or greater per year			
Customer Charges:			
Secondary Delivery Voltage	\$	12.82	per month
Primary Delivery Voltage	\$	162.19	per month
Demand Charge	\$	4.48	per kWh
Energy Charge	\$	0.037380	per kWh
Fuel Cost Recovery Factor	\$	0.037740	per kWh
Delivery Voltage Credit: when a customer takes delivery at primary voltage, the demand charge will be subject to this credit	\$	0.350000	Per kWh
Metering Voltage Adjustment: When a customer takes delivery at primary voltage, the energy charge, demand charge and delivery voltage credit will be subject to this adjustment		1.0000%	
Franchise Fee		6.0000%	
Gross Receipts Tax		2.5641%	
Electric Utility Tax		10.0000%	
EL State Sales Tax (commercial only)		7.5000%	
Note: only the first \$0.00699 of the Fuel Cost Recovery Factor is subject to the 10.0% electric utility tax.			

CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

GENERAL SERVICE ELECTRIC RATES (CONTINUED)

General Service Demand Optional Time of Use (GSDT-1) Closed to new customers as of 06-01-2006			
Customer Charges:			
Secondary Delivery Voltage	\$	21.42	per month
Primary Delivery Voltage	\$	173.53	per month
Demand Charges:			
Base Demand	\$	1.12	per kWh
On Peak Demand	\$	3.40	per kWh
Energy Charges:			
On-peak kWh	\$	0.062020	per kWh
Off-peak kWh	\$	0.025150	per kWh
Fuel Cost Recovery Factors:			
On-peak kWh	\$	0.056410	per kWh
Off-peak kWh	\$	0.031390	per kWh
Delivery Voltage Credit: when a customer takes delivery at primary voltage, the demand charge will be subject to this credit	\$	0.350000	Per kWh
Metering Voltage Adjustment: When a customer takes delivery at primary voltage, the energy charge, demand charge and delivery voltage credit will be		1.0000%	
Franchise Fee		6.0000%	
Gross Receipts Tax		2.5641%	
Electric Utility Tax		10.0000%	
EL State Sales Tax (commercial only)		7.5000%	
Note: only the first \$0.00699 of the Fuel Cost Recovery Factor is subject to the 10.0% electric utility tax.			

CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

GENERAL SERVICE ELECTRIC RATES (CONTINUED)

TEMPORARY SERVICE (TS) (Rate from appropriate General Service schedules are applied)
Applicable to any customer for temporary service such as displays, construction, fairs, exhibits and similar temporary purposes
Deposit required at the time of initiating service

Service Charges			
Opening an account at a new service location	\$	61.00	
Utility service application fee	\$	5.00	
Reconnect service	\$	28.00	
Reconnect service after a disconnection for nonpayment or			
Violation of a rule or regulation	\$	40.00	
after normal business hours	\$	55.00	
Dishonored check (NSF)	\$	25.00	Or 5% of the check amount, whichever is greater
Change of account with leaving service active (applicable to multi-housing only)	\$	10.00	
Utility demolition disconnect fee	\$	45.00	
Electric meter tampering fee	\$	75.00	
Disconnect of electric service at the pole	\$	250.00	
Deposit for electric service	\$	250.00	Or two months estimated charges, whichever is greater
Prepare trees around power lines for safe private trimming or removal if necessary			Actual cost

RESIDENTIAL UNDERGROUND SERVICE FEE (applies to single family residential projects only)	
Remodels	3,000.00
200 amp or less	3,000.00
All services to 400 amp	6,000.00
Greater than 400 amp	Cost to serve

Deposit required for electric service:

..... \$250 or two months estimated charges, whichever is greater

CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

FIRE LINE FEES

Inside City: (buildings with separate plumbing facilities for fire protection):

Fire line size (flat rate per month):

1 inch service connection	4.25 (C)
2 inch service connection	11.87 (C)
3 inch service connection	23.84 (C)
4 inch service connection	37.02 (C)
6 inch service connection	74.51 (C)
8 inch service connection	119.19 (C)
10 inch service connection	171.39 (C)
12 inch service connection	234.03 (C)
16 inch service connection	339.34 (C)

Outside City: (buildings with separate plumbing facilities for fire protection):

Fire line size (flat rate per month):

1 inch service connection	5.33 (C)
2 inch service connection	14.86 (C)
3 inch service connection	29.78 (C)
4 inch service connection	46.26 (C)
6 inch service connection	93.12 (C)
8 inch service connection	148.96 (C)
10 inch service connection	214.22 (C)
12 inch service connection	292.53 (C)
16 inch service connection	424.19 (C)

Hourly charges for city employees and equipment in Utilities Services Division:

Regular rates: (per hour)

Division Chief	49.55 (C)
Assistant Division Chief	44.95 (C)
Field Supervisor	36.26 (C)
Equipment Operator	26.37 (C)
Foreman/Crew Leader	29.25 (C)
Utility Service Worker	21.94 (C)
Locator	23.70 (C)

Overtime rates: (per hour)

Division Chief	74.33 (C)
Assistant Division Chief	67.41 (C)
Field Supervisor	54.39 (C)
Equipment Operator	39.56 (C)
Foreman/Crew Leader	43.88 (C)
Utility Service Worker	32.91 (C)
Locator	35.26 (C)

CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

Hourly charges for city employees and equipment in Utilities Services Division (continued):

Holiday rates: (per hour)

Division Chief	99.10 (C)
Assistant Division Chief	89.90 (C)
Field Supervisor	72.52 (C)
Equipment Operator	52.74 (C)
Foreman/Crew Leader	58.50 (C)
Utility Service Worker	43.88 (C)
Locator	47.40 (C)

Vehicle Charges: (per hour)

Flatbed dump truck	15.00 (C)
Small dump truck.....	15.00 (C)
Tandem dump truck	30.00 (C)
Pickup truck	15.00 (C)
Crew cab	20.00 (C)
TV Van	75.00 (C)
Locator (call duty) van	15.00 (C)
Vaccon	85.00 (C)
Semitractor	60.00 (C)

Equipment Charges: (per hour)

Pumps, daily (bypass and well point)	30.00 (C)
Rubber tire backhoe	50.00 (C)
Trackhoe	75.00 (C)
Portable trailer generator.....	45.00 (C)
Directional boring machine	50.00 (C)
Harbin	20.00 (C)
Light tower	15.00 (C)
Vactron	20.00 (C)
Easement hose reel	15.00 (C)
Air compressor	15.00 (C)
Bobcat	25.00 (C)
Misc pumps, saws, compacting equipment, locator equipment, lateral TV camera, hand tools, etc.	10.00 (C)
Barricade daily rental (each)	1.10 (C)

Associated material costs shall be calculated at a rate not to exceed actual cost to the City. Ref: OUC/Winter Park Alliance contract for parts, fittings and supplies.

CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

CROSS CONNECTION CONTROL PROGRAM FEES

Backflow testing charge (per device inside City).....35.00 (M)

Backflow testing charge (per device outside City)40.00 (M)

Replacement charges:

Inside City:

1 inch PVB..... 145.00 (C)

1 inch Reduced pressure..... 225.00 (C)

1 ½ inch PVB..... 250.00 (C)

1 ½ inch Reduced pressure..... 350.00 (C)

2 inch PVB..... 270.00 (C)

2 inch Reduced pressure..... 425.00 (C)

Outside City:

1 inch PVB..... 165.00 (C)

1 inch Reduced pressure..... 275.00 (C)

1 ½ inch PVB..... 300.00 (C)

1 ½ inch Reduced pressure..... 355.00 (C)

2 inch PVB..... 335.00 (C)

2 inch Reduced pressure..... 430.00 (C)

Repair charges:

Repair ¾" – 1" backflow preventors (includes parts and labor) 35.00 (C)

Repair 1 ¼" – 2" backflow preventors (includes parts and labor) 65.00 (C)

All above fees will be added to the customer's next utility bill after the work is completed and satisfactorily tested.

CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

UTILITY DEMOLITION DISCONNECT FEES

Utility disconnects for demolition:

Inside City:

Water services (cut and cap behind meter @ property line and installation of hose bib stand):

3/4" - 1"	53.00 (C)
2" - 3"	74.00 (C)
4"	118.00 (C)
6"	134.00 (C)
8"	161.00 (C)

Fire lines (cut and cap @ property line):

2"	32.00 (C)
4"	118.00 (C)
6"	134.00 (C)
8"	161.00 (C)

Sanitary sewer laterals (cut and cap & install cleanout @ property line):

Up to 6" (per line), 6' deep or less	270.00 (C)
Up to 6" (per line), greater than 6' deep	528.00 (C)

Outside City:

Water services (cut and cap behind meter @ property line and installation of hose bib stand):

3/4" - 1"	66.00 (C)
2" - 3"	93.00 (C)
4"	148.00 (C)
6"	168.00 (C)
8"	201.00 (C)

Outside City:

Fire lines (cut and cap @ property line):

2"	40.00 (C)
4"	148.00 (C)
6"	168.00 (C)
8"	201.00 (C)

Sanitary sewer laterals (cut and cap & install cleanout @ property line):

Up to 6" (per line), 6' deep or less	338.00 (C)
Up to 6" (per line), greater than 6' deep	660.00 (C)

Fire hydrant relocation fee:

Inside City	1,691.00 (C)
Outside City	2,114.00+ (C)

applicable Orange County permit fees. Additional costs may be assessed due to extensive restoration costs as required by FDOT or Orange County.

CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

LINE STOP FEES

Inside City:

Line stop fees (with contractor or owner support):

4", single.....	1,232.00 (C)
4", double	2,101.00 (C)
6", single.....	1,484.00 (C)
6", double	2,633.00 (C)
8", single.....	2,013.00 (C)
8", double	3,502.00 (C)
10", single.....	2,423.00 (C)
10", double	4,078.00 (C)
12", single.....	2,851.00 (C)
12", double	4,945.00 (C)

Line stop fees (with no support from contractor or owner):

4", single.....	1,873.00 (C)
4", double	3,271.00 (C)
6", single.....	2,068.00 (C)
6", double	3,617.00 (C)
8", single.....	2,412.00 (C)
8", double	4,125.00 (C)
10", single.....	2,986.00 (C)
10", double	4,756.00 (C)
12", single.....	3,510.00 (C)
12", double	5,928.00 (C)

Outside City:

Line stop fees (with contractor or owner support):

4", single.....	1,540.00 (C)
4", double	2,626.00 (C)
6", single.....	1,855.00 (C)
6", double	3,291.00 (C)
8", single.....	2,516.00 (C)
8", double	4,378.00 (C)
10", single.....	3,029.00 (C)
10", double	5,098.00 (C)
12", single.....	3,564.00 (C)
12", double	6,181.00 (C)

CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

Outside City:

Line stop fees (with no support from contractor or owner):

4", single.....	2,341.00 (C)
4", double	4,089.00 (C)
6", single.....	2,585.00 (C)
6", double	4,522.00 (C)
8", single.....	3,015.00 (C)
8", double	5,156.00 (C)
10", single.....	3,733.00 (C)
10", double	5,845.00 (C)
12", single.....	4,388.00 (C)
12", double	7,410.00 (C)

Support from contractor or owner includes assisting the line stop procedure by excavating around pipe, and provide backhoe as needed. Additional costs may be assessed due to extensive restoration costs as required by FDOT or Orange County.

No support from contractor or owner would indicate that the City will perform the line stop procedure entirely with no assistance from the contractor or owner.

Fees include all fittings and materials required to complete line stop.

Plus Orange County right-of-way permit use fees

Perform Electro Fusion Process for HDPE Couplings and Fittings (2" – 12", two couplings or fittings max:

Inside City	248.00 (C)
Outside City	310.00 (C)

Contractor to prepare work area or excavation, HDPE pipe to be exposed and clean in a safe working environment. City crew will prep pipe and supply necessary equipment to perform electro fusion process. Contractor to furnish couplings or fittings. Additional couplings/fittings shall be fused at the same rate as above. If in the County, City is to be named on the Orange County Permit to enable work to be performed under contractors permit.

CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

INDUSTRIAL WASTE FEES

A formula is used to determine the surcharges. The surcharge is proportionate to the water consumption. The more water used, the higher the surcharge will be, likewise, the less water used the lower the surcharge will be.

The charges are based on three factors:

- ◆ Biological Oxygen Demand (BOD)
- ◆ Suspended Solids (SS)
- ◆ Oil and Grease

Biological Oxygen Demand (BOD):

BOD is a measurement of the amount of oxygen being depleted in the wastewater. Oxygen depletion can occur because of a number of reasons. The main reason is the decaying of organics. Anything that had life in it at one time will use oxygen in its decaying process. Oxygen is critical for the proper treatment of wastewater. It is very expensive to oxidated wastewater. This test is performed in our laboratory. It takes five days to get the results back. The maximum allowable limit is 300 ppm.

Suspended Solids (SS):

Suspended solids are any solids that will not settle in moving water. This test is performed in our laboratory. We actually bake the water out of the sample. The maximum allowable limit is 300 ppm.

Oil and Grease:

Any petroleum product, oil based product, or animal or vegetable fat will show up as an oil or grease. An outside laboratory on an as needed basis performs this test.

Other substances that we periodically check for are:

- ◆ Chemical Oxygen Demand
- ◆ All Chemicals
- ◆ All Metals
- ◆ Petroleum Base Products
- ◆ Oil
- ◆ Grease
- ◆ Miscellaneous Substances

The average monthly surcharge for an industrial waste customer 68.94 (C)

This can be broken down as follows:

Average BOD..... 894 PPM
Average SS..... 402 PPM

The size and nature of the business will affect the average charges.

CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

PUBLIC SAFETY FEES

POLICE FEES AND FINES:

Administration Fees:

Copies:

Parking or uniform traffic citation.....	0.15 (S)
Double sided copies.....	0.20 (S)
Certified copies.....	1.00 (S)
Reports except traffic or homicide (per page)	0.15 (S)
Traffic or homicide reports.....	25.00 (S)
Fingerprinting of civilians (except employee applicants) (city residents).....	5.00 (C)
Fingerprinting of civilians (except employee applicants) (non-residents).....	10.00 (C)
Photographs, recordings and videos on CD	1.00 (S)
Audio tapes (including 911 calls)	1.00 (S)
Video copy of DUI cases.....	1.00 (S)
Background checks.....	5.00 (C)
Crash report	2.00 (S)
Good conduct letter.....	10.00 (C)

Research for public records requests estimated at thirty minutes or more will require a deposit based on the estimated time to complete the request and the hourly rate of the employee completing the request and computer time.

Off-Duty Police Services (three hour minimum):

Regular Off-Duty Rates per Hour:

Police officer.....	35.00 (C)
Details requiring a police supervisor	40.00 (C)

Holiday Off-Duty Rates per Hour:

Police officer.....	48.00 (C)
Details requiring a police supervisor	53.00 (C)

Civil Penalty Fines:

Interference with overtime parking enforcement	50.00 (M)
Tampering with immobilization device	100.00 (M)
Removal of immobilization device by enforcement officer	75.00 (M)
Skateboarding within central business district	10.00 (M)

Responding to false alarms:

First response	0.00
Second and third response within 6 months of first response.....	0.00
Business:	
Fourth response within 6 months of third response	50.00 (M)
All succeeding responses within 6 months of the last response	100.00 (M)
Residential:	
Fourth response within 6 months of third response	25.00 (M)
All succeeding responses within 6 months of the last response	50.00 (M)

CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

Parking Fines: *

Each fine amount includes a \$5.00 surcharge as authorized by Florida State Statute 316.660(4)(a)&(b) and City Code 98.91 to fund the School Crossing Guard programs within the City of Winter Park

Blocking drive or roadway (travel lane/obstructing traffic)	25.00 (M)
Bus zone or taxi stand	25.00 (M)
Disabled only/permit required	255.00 (S)
Double parking	25.00 (M)
Extended over lines	25.00 (M)
Fire lane/hydrant/red curb	110.00 (S)
Loading zone (commercial vehicles only)	25.00 (M)
Other	25.00 (M)
On parkway	25.00 (M)
On sidewalk/crosswalk	25.00 (M)
Over posted time limit	25.00 (M)
Parking prohibited (yellow curb/no sign)	25.00 (M)
Rear or left wheels to curb	25.00 (M)
Successive overtime (each offense)	45.00 (M)
Unauthorized (reserved) space	25.00 (M)
Where signs prohibit	25.00 (M)
Movement of vehicle in Central Business District to circumvent posted parking restrictions	55.00 (M)

* After five days, an additional \$5.00 will be assessed for any of the parking fines listed above.

* After receiving a mailed <i>Notice of Summons</i> for any or the above parking fines, an additional \$15.00 will be assessed.

Traffic signal violations:

Red light camera infraction	158.00 (S)
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CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

FIRE FEES:

EMS Transport Fee:

Transport.....610.00 (M)

Plus distance transported from incident location to medical facility ...8.50 per mile (M)

HIPAA qualified patient information package (per patient event)..... 50.00 (C)

Motor Vehicle Fire Response:

Motor Vehicle Fire Response: 500.00 (M)

False Alarm Response fee:

First response..... 0.00 (M)

Second and third response within 6 months of first response.....0.00 (M)

Fourth response within 6 months of third response100.00 (M)

All succeeding within 6 months of the last response.....250.00 (M)

Known alarm is activated by on scene construction workers
or alarm company technicians.....200.00 (M)

Fire/Rescue Service fees:

Hourly Charges for city employees and equipment:

Command unit/Chief officer, per hour or part thereof..... 125.00 (C)

Engine company, per hour or part thereof.....225.00 (C)

Ladder company, per hour or part thereof.....275.00 (C)

Rescue unit, per hour or part thereof200.00 (C)

Special needs..... Figured on a cost recovery basis (C)

Hazardous materials cost recovery fees and/or response to intentional, malicious or negligently incidents are based on the cost of manpower, equipment and materials used.

Fire inspections:

After hour inspections.....200.00 (C)

Maintenance reinspection fee:

First reinspection No Charge (M)

Second reinspection40.00 (M)

Third reinspection60.00 (M)

Fourth reinspection.....100.00 (M)

Any subsequent reinspections100.00 (M)

Inspector Training fee, per project (\$1,000 minimum project value)25.00 (M)

CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

FIRE FEES (continued):

Licensing Fees:

Health Department inspections	40.00 (M)
HRS inspections.....	40.00 (M)
Occupational License inspections	40.00 (M)

Permits By Use: (annual registration fee)

Ammunition, explosives and blasting agents	40.00 (M)
Burn permits (bonfires).....	40.00 (M)
Cryogenic fluids.....	40.00 (M)
Dry cleaning plants.....	40.00 (M)
Fire lane permits	40.00 (M)
Fireworks.....	40.00 (M)
Flammable/combustible liquids	40.00 (M)
High piled combustible stock.....	40.00 (M)
Hazardous chemicals.....	40.00 (M)
LP gas	40.00 (M)
Lumber storage	40.00 (M)
Places of assembly	40.00 (M)
Repair garages.....	40.00 (M)
Tents and air supported structures	40.00 (M)

Plans Review Fees:

Construction plans review - new and existing:	
\$1,000 value or less (no inspector training fee).	25.00 (M)
\$1,001 value or over.....	55.00 plus 0.05% of total work (M)
Revised plans.....	25.00 (unless more than 50% of original plan, then full fee applies) (M)
Construction inspections	25.00 or 1/2% of valuation (whichever is greater) (M)
After hour inspections.....	200.00 (M)
Construction reinspection fees:	
First reinspection	40.00 (M)
Second reinspection.....	50.00 (M)
Additional reinspection	100.00 (M)

Special Detail Services:

Personnel requested or required to be detailed for	
Special events (minimum of 3 hours)	35.00 per hour/per employee (C)
Special events (supervisor, if necessary)	\$45.00 per hour/per supervisor (C)

CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

FIRE FEES (continued):

Public Education Services:

Fire station birthday party program:	
Basic program	175.00 (C)
Plus \$5.00 per person up to a maximum of 20 attendees	
First aid class (per student)	20.00 (C)
CPR classes (per student)	35.00 (C)
Combination first aid and CPR class (per student)	50.00 (C)
Babysitter training class (per student)	55.00 (C)

CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

PARKS AND RECREATION FEES

Adult Sports Team Fees:

Flag Football and Softball\$450.00 (M)

Field Rental Rates:

Cady Way, Lake Island and Ward Park Athletic Fields:

Before 5:00 p.m., per hour 29.00 (C)

After 5:00 p.m., per hour 52.00 (C)

Unscheduled or late reservation rates (less than 48 hours),

per hour/before 5:00 pm..... 50.00 (M)

Unscheduled or late reservation rates (less than 48 hours),

per hour/after 5:00 pm..... 75.00 (M)

Field prep (lines), per field each time (standard lining) 50.00 (C)

Field prep (lines), per field each time (specialty lining) 100.00 (C)

Field prep (lines), for late reservations per field 100.00 (C)

All day (8:00 am to 9:00 pm) 450.00 (C)

Winter Park Youth League Fee:

Lake Island, Showalter East and Ward A1, A2, B, C (flat fee) 25.00 (C)

20% discount for Ward B, C and D (specific guidelines required)

Continuous rate hourly (specific guidelines must be met):

Before 5:00 pm..... 23.00 (C)

After 5:00 pm 42.00 (C)

Bus Use Fees:

Hourly rate (two hour minimum, 100 mile maximum)..... 100.00 (M)

Deposit 100.00 (M)

Cancellation fee (within 72 hours of scheduled use)..... 100.00 (M)

CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

PARKS AND RECREATION FEES (CONTINUED)

Program Fees:

Recreation ID Card:

Resident	0.00 (M)
Non-resident.....	10.00 (M)
Card Replacement Fee.....	5.00 (C)

After School Program:

Resident (monthly)	40.00 (M)
Non-resident (monthly).....	65.00 (M)
Registration fee	25.00 (M)
Fee for students qualifying for reduced lunch, (monthly), (City residents only) ...	25.00 (M)
Fee for students qualifying for free lunch, (monthly), (City residents only)	15.00 (M)

Teen Summer Camp Program (completed grades 5 – 8, per week):

Resident	35.00 (M)
Free/reduced lunch programs:	
1 st child	25.00 (M)
Each additional child	20.00 (M)
Non-resident	55.00 (M)
Registration fee	25.00 (M)

Summer Camp Program (completed grades K – 4, per week):

Resident:	
1 st child in family	60.00 (M)
Each additional child in family	50.00 (M)
Non-resident.....	80.00 (M)
Free/reduced lunch, 1 st child	10.00 (M)
Free/reduced lunch, each additional child.....	5.00 (M)
Registration Fee	25.00 (M)

Schools Out Program (single day camp during school year holidays):

Resident, per day	8.00 (M)
Non-resident, per day.....	12.00 (M)

Holiday Camps:

Fall Camp – 3 days:

Resident	20.00 (M)
Non-resident.....	30.00 (M)

Winter Holiday Camp – two 4 day sessions:

Resident, each 4 day session	25.00 (M)
Non-resident, each 4 day session	35.00 (M)

CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

PARKS AND RECREATION FEES (CONTINUED)

Spring Break Camp, 5 days:	
Resident	30.00 (M)
Non-resident	40.00 (M)

Middle School After School Program:	
Resident with Recreation ID card	0.00 (M)
Non-Resident with Recreation ID card (per week)	20.00 (M)

Other:	
Late pick up fee:	
1 st 30 minutes	5.00 (M)
Each additional 15 minutes	5.00 (M)
Late payment fee	5.00 (M)

Before and After Care (7:00-8:00 am and 5:30 – 6:00 pm for specific programs):	
Schools Out Days, per day	2.00 (M)
Holiday and Summer Camps, per week	5.00 (M)

General Program Guidelines:	
Youth/Teen Program Fees (based on minimum enrollment)	Direct Cost
Adult Programs (based on minimum enrollment)	Direct Costs plus 15%

Contracted program fees will not exceed 110% of the regional market rate for a similar program. CRA funded programs will be offered at a zero to nominal fee.

Community Center Pool:	
Daily (resident)	2.00 (M)
Daily (non-resident)	4.00 (M)
Group rate (residents, over 15 guests in a group, per group member)	1.50 (M)
Group rate (non-residents, over 15 guests in a group, per group member)	3.50 (M)
Ten visit punch pass (resident)	15.00 (M)
Ten visit punch pass (non-resident)	30.00 (M)
Pool rental:	
Less than thirty guests (hourly)	75.00 (M)
Additional hourly fee per fifteen guests over initial thirty guests	15.00 (M)
Deposit	100.00 (M)
Family Pool Pass – (residents, up to 5 family members per pass)	55.00 (M)
Family Pool Pass – (non-residents, up to 5 family members per pass)	80.00 (M)
Lap Swim Pass – (resident)	35.00 (M)
Lap Swim Pass – (non-resident)	50.00 (M)

CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

PARKS AND RECREATION FEES (CONTINUED)

Fitness/Weight Room:

Annual Pass:

Resident	80.00 (M)
Non-resident.....	150.00 (M)
CRA area resident.....	55.00 (M)
City employee.....	55.00 (M)

Corporate rate:

Gold (includes 60 vouchers, \$60 each per year for each additional voucher over 60, provides access to lap swim, open gym, and open volleyball).....	750.00 (M)
Silver (includes 10 vouchers, \$65 each per year for each additional voucher over 10, provides access to lap swim, open gym, and open volleyball).....	500.00 (M)
Bronze (includes 5 vouchers, \$70 each per year for each additional voucher over 10, provides access to lap swim, open gym, and open volleyball).....	250.00 (M)

Youth Annual Pass (ages 14-21, ages 14-16 will be required to attend training)

Resident	30.00 (M)
Non-resident.....	50.00 (M)

Fitness/Weight Room (continued):

Monthly Pass:

Resident	12.00 (M)
Non-resident.....	24.00 (M)
CRA area resident.....	7.00 (M)
City employee.....	7.00 (M)

Daily pass, all users	5.00 (M)
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CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

CEMETERY FEES

Palm Cemetery:

Single space - resident.....	5,000.00 (M)
Single space – qualified non-resident	5,500.00 (M)
Baby space	150.00 (M)
Qualified non-resident baby space.....	170.00 (M)
Interment of cremains:	
Weekdays.....	350.00 (M)
Saturdays	450.00 (M)
Tent for cremains interment:	
Weekdays.....	1,000.00 (M)
Saturdays	1,200.00 (M)
Opening and closing charges:	
Weekdays.....	1,100.00 (M)
Weekdays, for graveside services beginning after 5:00 pm).....	1,200.00 (M)
Saturdays	1,400.00 (M)
Disinterment of vault (weekdays only, rules apply)	1,100.00 (M)
Mausoleum space (limited number of spaces).....	80,000.00 (M)

Pineywood Cemetery:

Single space - resident.....	2,000.00 (M)
Single space – qualified non-resident	2,500.00 (M)
Baby space	150.00 (M)
Qualified non-resident baby space.....	170.00 (M)
Cremation space	420.00 (M)
Qualified non-resident cremation space.....	480.00 (M)
Interment of cremains:	
Weekdays.....	350.00 (M)
Saturdays	450.00 (M)
Tent for cremains interment:	
Weekdays.....	1,000.00 (M)
Saturdays	1,200.00 (M)
Opening and closing charges:	
Weekdays.....	1,100.00 (M)
Weekdays, for graveside services beginning after 5:00 pm).....	1,200.00 (M)
Saturdays	1,400.00 (M)
Disinterment of vault (weekdays only, rules apply)	1,100.00 (M)

Columbarium:

Single or Double space:	
Resident	2,200.00 (M)
Qualified non-resident	2,800.00 (M)
Interment (Saturday)	350.00 (M)
Tent for columbarium interment	300.00 (M)

CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

GOLF COURSE FEES (all include sales tax)

Green Fees (Residents):

9 hole ticket, weekday	8.00 (M)
9 hole ticket, holidays and weekend	14.00 (M)
9 hole Jr. ticket, up to middle school	6.00 (M)
9 hole high school and college student	7.00 (M)

Green Fees (Non-residents):

9 hole ticket, weekday	10.00 (M)
9 hole ticket, holidays and weekend	16.00 (M)
9 hole Jr. ticket, up to middle school	8.00 (M)
9 hole high school and college student	9.00 (M)

Green Fees:

Replay rate for all players	5.00 (M)
City employees rate for first round	6.00 (M)

Annual Play Pass:

Single resident	560.00 (M)
Double resident	840.00 (M)
Single non-resident	600.00 (M)
Double non-resident	900.00 (M)
Jr. membership (resident)	230.00 (M)
Jr. membership (non-resident)	250.00 (M)
Student membership (resident)	280.00 (M)
Student membership (non-resident)	300.00 (M)
Corporate membership (16 members at \$500)	8,000.00 (M)
City employee rate	250.00 (M)
Ten-Round Pass	110.00 (M)

Cart Rental:

9-Hole – Single (includes sales tax)	7.00 (M)
9-Hole – Double (includes sales tax)	14.00 (M)
Pull cart (includes sales tax)	2.00 (M)

Club Rental (includes tax)	10.00 (M)
Club Storage, annual (includes tax)	125.00 (M)
Club Storage, monthly (includes tax)	12.00 (M)

CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

GOLF COURSE FEES (CONTINUED)

Tournament Fees (includes tax):

Night scramble (40 person minimum)	800.00 (M)
Each additional golfer above 40	25.00 (M)
Private scramble (maximum of one per month, 48 person minimum)	1,200.00 (M)
Each additional golfer above 48	25.00 (M)

Groupon, SaveMyCity and other such marketing discounts as well as seasonal discounts may be offered at the discretion of the City Manager

Advertising:

Scorecard ad space (one year, per ad)	1,000.00 (M)
Premium scorecard ad space (one year, per ad)	1,500.00 (M)

Golf lessons:

Individual lessons:

Half hour	50.00 (M)
Hour	80.00 (M)
3 hour package	210.00 (M)
5 hour package	300.00 (M)
10 hour package	500.00 (M)

Playing lessons, per person:

9 holes	125.00 (M)
18 holes	200.00 (M)

Group lessons, per person:

One hour package:

2 students	60.00 (M)
3 students	50.00 (M)
4 students	40.00 (M)

Three hour package:

2 students	150.00 (M)
3 students	120.00 (M)
4 students	90.00 (M)

Five hour package:

2 students	200.00 (M)
3 students	150.00 (M)
4 students	120.00 (M)

Ten hour package:

2 students	300.00 (M)
3 students	200.00 (M)
4 students	150.00 (M)

Lecture series tickets	10.00 (M)
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CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

TENNIS FEES

Tennis Court Rental:

Annual Play Pass Fees:

Six-Month Annual Play Passes:

All Courts:

Resident - one adult	185.00 (M)
Resident - family (2 or more)	275.00 (M)
Resident - youth (17 or under)	86.00 (M)
Non-resident - one adult	246.00 (M)
Non-resident - family (2 or more)	327.00 (M)
Non-resident - youth (17 or under)	115.00 (M)
City employee	84.00 (M)
Seniors receive a \$25 discount on adult price (age 65 years or older)	

Hard Courts Only:

Resident - one adult	84.00 (M)
Resident - family (2 or more)	150.00 (M)
Resident - youth (17 or under)	45.00 (M)
Non-resident - one adult	155.00 (M)
Non-resident - family (2 or more)	230.00 (M)
Non-resident - youth (17 or under)	69.00 (M)
City employee	51.00 (M)
Seniors receive a \$25 discount on adult price (age 65 years or older)	

Annual Annual Play Passes:

All Courts:

Resident - one adult	336.00 (M)
Resident - family (2 or more)	490.00 (M)
Resident - youth (17 or under)	126.00 (M)
Non-resident - one adult	435.00 (M)
Non-resident - family (2 or more)	575.00 (M)
Non-resident - youth (17 or under)	173.00 (M)
City employee	144.00 (M)
Seniors receive a \$25 discount on adult price (age 65 years or older)	

Hard Courts Only:

Resident - one adult	157.00 (M)
Resident - family (2 or more)	276.00 (M)
Resident - youth (17 or under)	69.00 (M)
Non-resident - one adult	252.00 (M)
Non-resident - family (2 or more)	374.00 (M)
Non-resident - youth (17 or under)	103.00 (M)
City employee	75.00 (M)
Seniors receive a \$25 discount on adult price (age 65 years or older)	

FOR HARD COURTS: With hard court punch card, pay additional \$1.00 to upgrade to clay. With hard court membership, pay additional \$2.00 to upgrade to clay courts up to six upgrades. After six upgrades, member may plan on clay only by upgrading membership to ALL COURT, 10 play punch card or clay court fee.

CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

TENNIS FEES (CONTINUED)

Non-Play Pass Fees (\$1.00 off with Facility Use Card pre-tax):

Singles - 1 ½ hours; Doubles - 2 hours (Residents)	
Clay court (includes tax)	6.00 (M)
Hard court (includes tax)	5.00 (M)
City employee:	
Clay court (includes tax)	3.00 (M)
Hard court (includes tax)	2.00 (M)
Child, non-prime time, hourly:	
Hard court (includes tax):	
Resident	3.00 (M)
Soft court (includes tax):	
Resident	4.00 (M)

Tennis Passes: (10 play passes)

Clay courts:	
Pass	55.00 (M)
Hard courts:	
Pass	45.00 (M)

Adult Tennis Programs:

Beginning/Intermediate, various times, four 1-hour sessions, monthly fee	50.00 (M)
Drop in fee	20.00 (M)
Men's Advanced, Mondays, 7:00 – 8:30pm, four sessions, monthly fee	97.50 (M)
Drop in fee	30.00 (M)
Various 1-hour adult non-team clinic, various times, hourly fee	9.00 (M)
Friday night clay court round robin, 1 st and 3 rd Fridays, 6:30 – 8:30pm:	
Members	0.00 (M)
Non-members	6.00 (M)
Men's Challenge Ladder, various times:	
Members (all courts)	0.00 (M)
Non-members (clay court)	6.00 (M)
Non-members (hard court)	5.00 (M)

Junior Tennis Programs:

3-4 years old, Tues/Thurs/Sat 45 minutes, monthly fee:	
1 day per week	45.00
2 days per week	85.00
5-15 years old, Mon-Sat, 60 minutes, one day per week	60.00
5-15 years old, Mon-Sat, 60 minutes, two days per week	110.00
5-15 years old, Mon-Sat, 60 minutes, three days per week	150.00
11 years old, Tues/Thurs/Sat 60 minutes, 2 days per week	110.00
Age 10 years and under, Monday/Wednesday, monthly fee:	
Junior pre tournament training, 90 minutes, three days per week	150.00

CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

TENNIS FEES (CONTINUED)

Junior Tennis Programs (continued):

After School Programs:

Tournament Training, Tue/Wed/Thu, 4:00 – 6:00pm, monthly fee:	
2 days per week	290.00 (M)
3 days per week	390.00 (M)
Pre tournament Training, Tue/Thu 5:30 – 7:00 pm, monthly fee:	
2 days per week	290.00 (M)
3 days per week	275.00 (M)
Middle/High School Summer Camp, day/time TBD, weekly fee	275.00 (M)
Recreation Camp, day/time TBD, weekly fee.....	132.00-195.00 (M)
Weekend camp, day/time TBD, daily fee	55.00 (M)
Full time program, 5 days per week, 20 hours per week, 2 privates per week included.....	1175.00 (M)
10 hours per week, two privates per week.....	875.00 (M)
Drop in per session.....	50.00(M)

Other Tennis Fees:

Private lessons, fee dependent on instructor, hourly	40.00 – 95.00 (M)
Semi-private lessons, fee dependent on instructor, half hour	40.00 – 95.00 (M)
Group lessons, dependent on instructor, hourly	40.00 – 95.00 (M)
Team clinic, dependent on instructor, hourly	40.00 – 95.00 (M)
Junior tournament entry fee	38.00 - 45.00 (M)
League rate	
(if at least 75% of team roster are not members of tennis center)	100.00 (M)
Ball rental machine, hourly	20.00 (M)
Annual ball machine membership, per person	
(twenty memberships available).....	150.00
Annual ball machine membership, family	
(twenty memberships available).....	200.00
Special Events	
Member.....	0 – 20.00 (M)
Non Member.....	6.00 – 30.00 (M)

Groupon, Living Social, SaveMyCity and other such marketing and seasonal discounts may be offered at the discretion of the City Manager

Before any contract agreement is reached with such discount organizations and subcontractor, the subcontractor must submit the terms for approval to the City Manager through the Parks and Recreation Department Management.

Tennis Instructors must be contracted through management company

CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

Tournament Entry Fees: (includes tennis balls)

Court fee (2 hour time frame, x number of courts x number of two hour time frames =
base fee:

First day of tournament	Base fee, less 10% (M)
Second day of tournament	Base fee, less 25% (M)
Third day of tournament	Base fee, less 30% (M)
Fourth day of tournament	Base fee, less 35% (M)
Fifth day of tournament	Base fee, less 40% (M)

No tournaments may be longer than five days, holidays are time and one half rates. The price includes six folding tables and twenty five chairs and a pop up tent.

A roster is required for league and team play. 75% of roster must be members, or pay a \$100 flat fee and the hourly rates.

CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

RECREATION FACILITY RENTAL FEES

AZALEA LANE RECREATION CENTER - Meeting room: (20% discount off regular fee for residents)

East Room (30' x 30'):

Hourly	50.00 (M)
Deposit	100.00 (M)
Continuous user (hourly)	40.00 (M)

West Room (30' x 50'):

Hourly	70.00 (M)
Deposit	100.00 (M)
Continuous user (hourly)	50.00 (M)

CIVIC CENTER: (20% discount off regular fee for residents)

Continuous Users (at least 6 times in 6 months):

Ballroom:

Hourly	100.00 (M)
Deposit	300.00 (M)

Meeting Rooms:

Hourly	45.00 (M)
Deposit	200.00 (M)

Kitchen: (set up fee and deposit are not applicable)

Hourly	45.00 (M)
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One Time Users:

Ballroom:

Hourly	160.00 (M)
Deposit	400.00 (M)

Meeting Rooms:

Hourly	70.00 (M)
Deposit	200.00 (M)

Patio:

Hourly	100.00 (M)
Deposit	100.00 (M)

Kitchen: (set up fee and deposits are not applicable)

Hourly	70.00 (M)
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Ballroom and kitchen:

Fridays and Saturdays (11:00 am – midnight).....	2,000.00 (M)
Deposit	500.00 (M)

Entire building for a full day:

Fridays and Saturdays (11:00 am – midnight).....	2,800.00 (M)
Deposit	500.00 (M)

Cancellation Fee, Civic Center only:

Cancellation for any reason.....	Full deposit retention
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CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

RECREATION FACILITY RENTAL FEES (CONTINUED)

COMMUNITY CENTER:

City resident/employee discount off regular rental fee	20%
CRA district resident discount off regular rental fee	25%
Non-profit organization discount off regular rental fee	30%

Continuous User:

Small room, A or B or senior room, hourly	45.00 (M)
Large room, C or D, hourly	65.00 (M)
Ballroom; A,B,C and D combined, hourly	200.00 (M)
Rooms C, D and kitchen combined, hourly	150.00 (M)
Ballroom and kitchen combined, hourly	225.00 (M)
Kitchen, hourly	30.00 (M)
Amphitheater (outdoor stage), hourly	50.00 (M)
Gymnasium:	
Half of gym, hourly	40.00 (M)
Entire gym, hourly	100.00 (M)
Deposit (each meeting room/amphitheater, kitchen)	100.00 (M)

One Time User:

Small room, A or B or senior room, hourly	60.00 (M)
Large room, C or D, hourly	90.00 (M)
Ballroom; A,B,C and D combined, hourly	250.00 (M)
Rooms C, D and kitchen combined, hourly	200.00 (M)
4:00 pm to midnight, Friday, Saturday, Sunday	1,200.00 (M)
Ballroom and kitchen combined, hourly	300.00 (M)
4:00 pm to midnight, Friday, Saturday, Sunday	1,500.00 (M)
Rooms C and D, hourly	170.00 (M)
Ballroom, kitchen 4:00 pm to midnight with 2 hour amphitheater	1,600.00 (M)
Kitchen, hourly	50.00 (M)
Early set up fee	150.00 (M)
Amphitheater (outdoor stage):	
Two hours	175.00 (M)
Six hours	500.00 (M)
Gymnasium:	
Half of gym, hourly	50.00 (M)
Entire gym, hourly	125.00 (M)
Deposit:	
Each meeting room/amphitheater, kitchen	100.00 (M)
Ballroom A,B,C and D combined	400.00 (M)
Unscheduled time premium over regular rate, hourly	15.00 (M)

CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

RECREATION FACILITY RENTAL FEES (CONTINUED)

COUNTRY CLUB (20% discount off regular fee for residents):

Continuous User:

Ballroom:

Hourly 70.00 (M)

Deposit 100.00 (M)

Club lounge:

Hourly 70.00 (M)

Deposit 100.00 (M)

Full building:

Hourly 110.00 (M)

Deposit 200.00 (M)

One Time User - (Friday and Saturday)

6 p.m. to 12 midnight 900.00 (M)

Deposit 250.00 (M)

One Time User - Hourly: (Sunday through Thursday)

Ballroom (hourly) 100.00 (M)

Club lounge (hourly) 100.00 (M)

Full building (hourly) 140.00 (M)

Deposit (per room) 250.00 (M)

FARMER'S MARKET:

Saturday Market:

12' x 10' space Outside without electricity (per week) 21.00 (M)

Additional 6 feet (per week) 12.00 (M)

12' x 10' space outside with electricity (per week) 25.00 (M)

Additional 6 feet with electricity (per week) 15.00 (M)

12' x 10' inside space without electricity (per week) 27.00 (M)

12' x 10' inside space with electricity (per week) 30.00 (M)

Part-Time Vendor Fees:

12' x 10' Outdoor space without electricity (per week) 31.00 (M)

Additional 6 feet without electricity (per week) 22.00 (M)

12' x 10' Outside space with Electricity (per week) 35.00 (M)

Additional 6 feet with electricity (per week) 25.00 (M)

12' x 10' inside space without electricity (per week) 37.00 (M)

12' x 10' inside space with electricity (per week) 40.00 (M)

Vendor's deposit 50.00 (M)

Building Rental: (20% discount off regular fee for residents):

Continuous User - Hourly: (Sunday through Thursday), hourly 70.00 (M)

One Time User:

Hourly 140.00 (M)

All day rate (11:00 am to midnight, except Fridays and Saturdays) 1,000.00 (M)

Entire Building

6:00 p.m. to midnight, Fri. and Sat. (set time 4:00 pm – 6:00 pm) ... 1,100.00 (M)

Parking Lot - in addition to building rental 350.00 (M)

Deposit 300.00 (M)

CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

RECREATION FACILITY RENTAL FEES (CONTINUED)

LAKE ISLAND RECREATION CENTER - Meeting room:

Daily rate, Monday - Friday	400.00 (M)
Weekly rate, Monday – Friday, 8:00am – 5:00 pm	500.00 (M)
<u>Continuous User:</u>	
Hourly	50.00 (M)
Deposit	200.00 (M)
<u>One Time User:</u>	
Hourly	80.00 (M)
Deposit	200.00 (M)

Winter Park Welcome Center:

Winter Park Community Foundation Room	
(includes catering kitchen, restrooms and outdoor patio):	
Weekday for 1 – 4 hours, per hour	70.00 (M)
Weekday for over 4 hours, per hour	60.00 (M)
Series of 4 or more rentals for 1 - 4 hours, per hour	60.00 (M)
Series of 4 or more rentals for over 4 hours, per hour	50.00 (M)
Weekend (all day)	500.00 (M)

Note: rental rates can be reduced by 50% for one half of room

Entire First Floor (includes Galloway Foundation gallery, Welcome gallery and Winter Park Health Foundation Community Room):

Weekday (until 6:00 pm)	not available
Weekday (after 6:00 pm), per hour	90.00 (M)
Weekend (all day)	750.00 (M)
Fire marshal, required to be on site for events hosting over 90 people, per hour	25.00 (M)
Additional one-time fees:	
Cleaning (for events over 4 hours)	30.00 (M)
Staffing (weekdays before 9:00 am and/or after 5:00 pm), per hour	20.00 (M)
Staffing (weekends), per hour	25.00 (M)
Gallery display use deposit	
Gallery display use deposit	100.00 (M)
Gallery display use cancellation fee (if cancellation is made less than thirty days in advance)	25.00 (M)

CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

PARK FEES

DEPOSITS FOR GROUP EVENTS ARE EQUAL TO EVENT FEE

Azalea Lane Playground (20% resident discount):

Small Pavilion:

Full day	50.00 (M)
Half day	30.00 (M)

Central Park:

Group Events:

Small events (less than 400 people)	550.00 (M)
Large events (400 – 2,000 people)	1,650.00 (M)
Significant events 2,001 + people	2,750.00 (M)
Rose Garden wedding	250.00 (M)
Deposit	100.00 (M)

Central Park West Meadows:

Group Events (fee is doubled for functions charging admission):

Small events (less than 400 people)	550.00 (M)
Large events (400 – 2,000 people)	1,650.00 (M)
Significant events 2,001 + people	2,750.00 (M)

Mead Garden:

Group Events:

Small events (less than 400 people)	550.00 (M)
Large events (400 – 2,000 people)	1,650.00 (M)
Significant events 2,001 + people	2,750.00 (M)
Amphitheater (two hours)	225.00 (M)
Deposit	100.00 (M)
Large Pavilion (20% resident discount):	
Full day	90.00 (M)
Half day (open to noon or 2 pm to close)	60.00 (M)

Fleet Peebles Park:

Group Events:

Small events (less than 400 people)	550.00 (M)
Large events (400 – 2,000 people)	1,650.00 (M)
Significant events 2,001 + people	2,750.00 (M)
Large Pavilion (20% resident discount):	
Full day	90.00 (M)
Half day (open to noon or 2 pm to close)	60.00 (M)
Small Pavilion (20% resident discount):	
Full day	50.00 (M)
Half day (open to noon or 2 pm to close)	30.00 (M)

CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

PARK FEES (CONTINUED)

Lake Island Park:

Group Events:

Small events (less than 400 people)	550.00 (M)
Large events (400 – 2,000 people)	1,650.00 (M)
Significant events 2,001 + people	2,750.00 (M)

Community Playground pavilion (20% resident discount):

Full day	90.00 (M)
Half day (open from noon or 2 pm to close)	60.00 (M)

Ward Park:

Large Pavilion (20% resident discount):

Full day	90.00 (M)
Half day (open to noon or 2 pm to close)	60.00 (M)

Howell Branch Preserve:

Group Events:

Small events (less than 400 people)	550.00 (M)
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Large Pavilion (20% resident discount):

Full day	90.00 (M)
Half day (open to noon or 2 pm to close)	60.00 (M)

Small Pavilion (20% resident discount)

Full day	50.00 (M)
Half Day (open to noon or 2pm to close)	30.00 (M)

Dinky Dock Park:

Group Events:

Small events (event size limited to 200 people or less)	550.00 (M)
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Cady Way Park:

Group Events:

Small events (less than 400 people)	550.00 (M)
Large events (400 – 2,000 people)	1,650.00 (M)

Shady Park:

Group Events:

Small events (less than 400 people)	550.00 (M)
Large events (400 – 2,000 people)	1,650.00 (M)

Picnic area:

Full day	50.00 (M)
Half day (open to noon or 2:00 pm to close)	30.00 (M)

Phelps Park:

Group Events:

Small events (less than 400 people)	550.00 (M)
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Pavilion Rental (2)(20% resident discount):

Full day	90.00 (M)
Half day (open to noon or 2:00 pm to close)	60.00 (M)

CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

PARK FEES (CONTINUED)

Kraft Azalea Garden:

Group events:

Small events (less than 400 people)	550.00 (M)
Exedra area wedding	150.00 (M)
Exedra area wedding deposit.....	100.00 (M)

Violation of dog ordinance:

1 st offense.....	50.00 (M)
2 nd offense.....	100.00 (M)

Park business permit (monthly):

Twenty attendees or less	25.00 (M)
Over twenty attendees	100.00 (M)

CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

SPECIAL EVENT AND MISCELLANEOUS FEES

MISCELLANEOUS CHARGES:

Inflatables/bounce house permit fee	25.00 (M)
Building and Pavilion Holiday Rate	Time and ½ Regular (M)
.....	Rental Rates (M)
Facility rental building late payment fee	5% of balance due (M)
Parks Alcohol Usage Request Application Fee (non-refundable)	50.00 (M)
Portable public address system	50.00 (M)
Field rental storage, approximately 100 sq. ft. monthly.....	100.00 (M)
Risers, each (portable stages)	35.00 (M)
Sat Market Tables, each (round and rectangular, inside use only)	8.00 (M)
Tent, daily (20' x 40')	375.00 (M)
LCD projector and screen	50.00 (M)
Volleyballs, daily.....	10.00 (M)
Wireless microphone	50.00 (M)
Portable stage	100.00 (M)
Scoreboard renter per day, Community Center gymnasium:	
One scoreboard.....	\$20.00 (M)
Both scoreboards	\$30.00 (M)
Staffing (per hour)	21.00 (M)
Planning, Delivery, Setup, Pick up (per hour)	21.00 (M)
Transport Charge/Delivery Pickup	30.00 (M)
Crowd control fencing (per 200 feet)	150.00 (M)
Tent 10' x 10'	60.00 (M)
Special event trailer with tables and chairs	300.00 (M)
Equipment Rental - Per Event:	
Banquet tables (each, off site events only)	5.00 (M)
Folding chairs (each).....	2.00 (M)
Podium (each)	20.00 (M)
Portable public address system	50.00 (M)
Risers 3' x 8' (each).....	40.00 (M)
Riser skirts (each)	10.00 (M)
Table skirts (each).....	15.00 (M)
Tent 20' x 40'	375.00 (M)

CITY OF WINTER PARK - FEE SCHEDULE
Effective: December 1, 2012

SPECIAL EVENT AND MISCELLANEOUS FEES (CONTINUED)

Banner hanging fees:

North Park Avenue (Morse to Webster, 17 poles)	510.00 (M)
South Park Avenue (Fairbanks to Morse, 16 poles)	480.00 (M)
East Morse Boulevard (17-92 to Pennsylvania, 10 double sided poles) ..	600.00 (M)
West Morse Boulevard (Pennsylvania to Interlachen, 11 double sided poles)	660.00 (M)
New England Avenue (New York to Hannibal Square West)	480.00 (M)
Pennsylvania Avenue (Lyman to Israel Simpson Court)	780.00 (M)
North Orange Avenue (Fairbanks to Minnesota), 20 poles)	600.00 (M)
South Orange Avenue (Denning Drive to 17-92, 20 poles)	600.00 (M)

Cancellation Fees:

Pavilions and Fields (no deposit is required):

Cancellation with less than 14 days notice	No refund (M)
Cancellation with 14-30 days notice	Retain 50% of rental fee (M)
Cancellation with 30-90 days notice	Retain 25% of rental fee (M)
Cancellation with over 90 days notice	\$20 processing fee (M)

Buildings*, amphitheater, park rentals (deposit is required):

Cancellation with less than 30 days notice	Retain 100% of rental fee (M)
Cancellation with 30-60 days notice	Retain deposit (M)
Cancellation with 60-90 days notice	Retain 50% of deposit (M)
Cancellation with over 90 days notice	\$20 processing fee (M)

* Except Civic Center

A double deposit is required for all functions charging admission and serving alcohol

A double deposit is required for all functions for minors charging admission



city commission public hearing

item type	Public Hearing	meeting date	November 26, 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	<input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> N/A final vote		

Subject: Request to Amend Condition #3 of the Approval for the Townhome project at 434 W. Swoope Avenue.

On February 27, 2012 the City Commission approved the Conditional Use for a ten unit, two story townhouse project at 434 W. Swoope Avenue. That approval was granted with the following conditions:

1. Final landscape plan review and approval delegated to with staff with special attention requested for the landscape buffer on the side that abuts the adjacent residential property.
2. Development Agreement to prohibit the open carports from being converted into garages.
3. That the maximum roof eve height is 24 feet and the maximum roof height is 31 feet (as shown on the plans from the first floor elevation).
4. That the street exposed carport have a 48" knee wall across the street side opening to screen the parking.

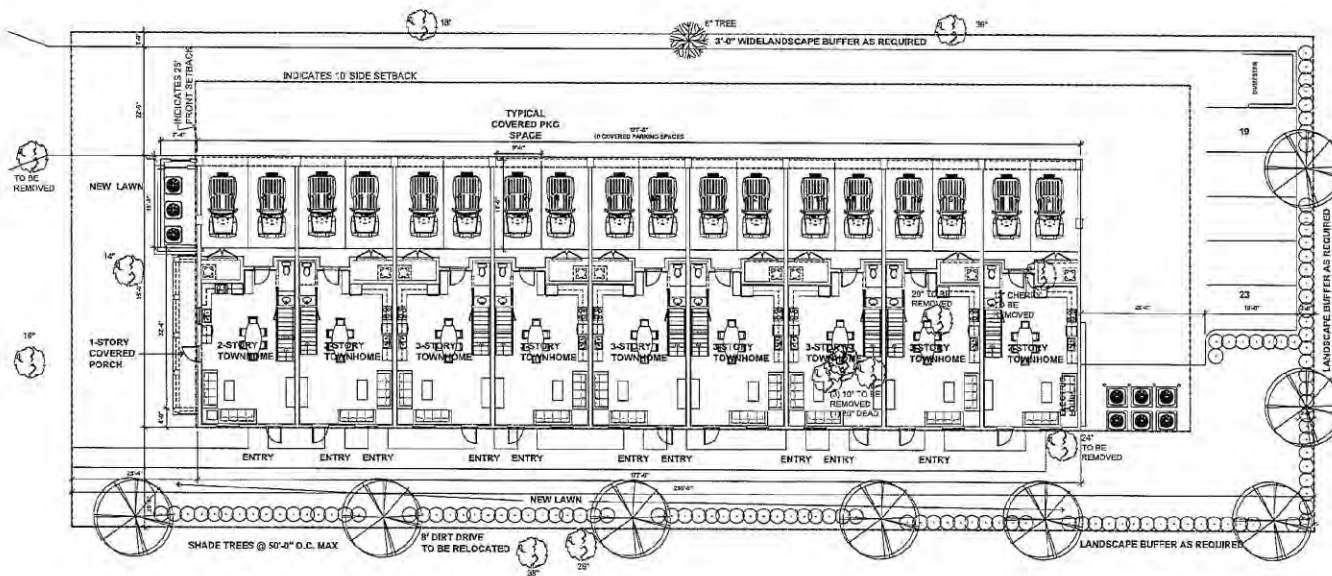
The townhome project has since been revised by the developer. It is now nine (9) units instead of the original ten (10) units. By reducing the number of units, they were able to widen each unit so that now there is parking for two cars within the front carport. As a result, they now meet the parking requirement of 2 ½ spaces per unit and the previous variance is not needed.

In order to make up for the lost unit, the developer also wants to add bedroom space up in the roof area as a partial third floor. It would be built within a traditional 45 degree pitch of the roof and in order to get more headroom height within this area, the roof height needs to be 35 feet versus the 31 feet maximum that was approved with Condition #3 above.

This property is zoned R-3. The R-3 zoning permits 35 feet of roof height. So these internal floor plan changes and roof changes meet the R-3 zoning except that condition #3 that was placed upon the original conditional use approval, limiting the roof height to 31 feet. The project now conforms to all the R-3 code requirements. No variances are requested. The new elevations and floor plans are attached.

Staff Recommendation:

Approval to amend Condition #3 to a maximum roof height of 35 feet as it meets the R-3 Code.



SITE PLAN

THIS SITE PLAN IS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION. IT IS THE RESPONSIBILITY OF THE CLIENT TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

LEGAL DESCRIPTION:
 LOTS 4 AND 5, AND THE NORTH 1/2 OF VACATED ALLEY, BLOCK 14, REVISED MAP OF
 THE TOWN OF WINTER PARK, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT
 BOOK "A", PAGE 67-72, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

PARKING SUMMARY
 (23) REGULAR SPACES
 (1) H.C. ACCESSIBLE
 (24) TOTAL SPACES

SITE AREA SUMMARY

LOT AREA	25,000 S.F.
BUILDING FOOTPRINT	6,500 S.F.
WALKS/DRIVES/PARKING	10,490 S.F.
TOTAL IMPERVIOUS AREA	18,990 S.F.
PERVIOUS/ IMPERVIOUS RATIO	24.04% / 75.96%

CL Review 11-01-2012

DATE	11-01-2012
BY	CL
CHECKED BY	CL
APPROVED BY	CL
SCALE	AS SHOWN
PROJECT NO.	11-01-2012
CLIENT	WINTER PARK VENTURES, L.L.C.
PROJECT	WINTER PARK VENTURES, L.L.C.
LOCATION	WINTER PARK, FLORIDA
DESIGNER	NASRALLAH ARCHITECTURAL GROUP, INC.
DATE	11-01-2012

NASRALLAH
 Architectural Group, Inc.
 41119 Bypass Ave. #1000 P.A. FL 32719
 Windermere Winter Park Ventures, L.L.C.

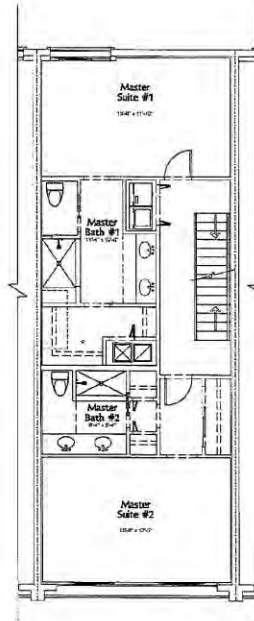
NASRALLAH
 Architectural Group, Inc.
 41119 Bypass Ave. #1000 P.A. FL 32719
 Windermere Winter Park Ventures, L.L.C.



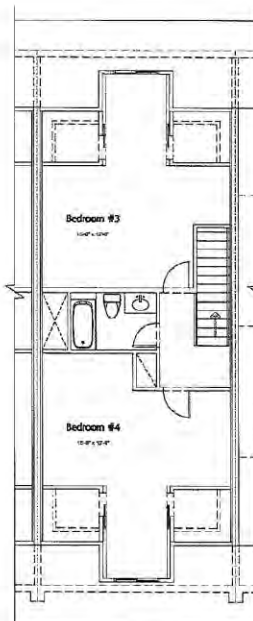
1 UNIT B1 1ST FLOOR PLAN
ENCLOSURE SCALE: 1/8" = 1'-0"



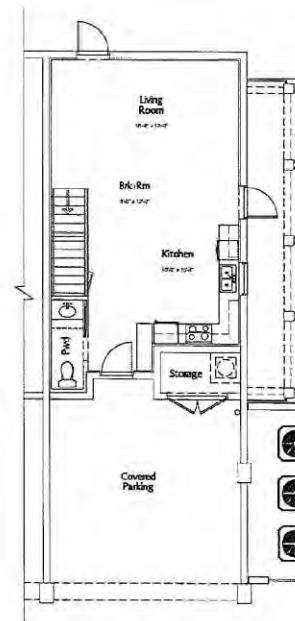
AREA CALC.	
1st Floor (A/C)	629.5 SQ.FT.
2nd Floor (A/C)	1062 SQ.FT.
3rd Floor (A/C)	912.5 SQ.FT.
Total A/C	2604 SQ.FT.
1st Floor (Non-A/C)	452 SQ.FT.
2nd Floor (Non-A/C)	0 SQ.FT.
3rd Floor (Non-A/C)	0 SQ.FT.
Total Non-A/C	452 SQ.FT.
Total Under Roof	3056 SQ.FT.



2 UNIT B1 2ND FLOOR PLAN
ENCLOSURE SCALE: 1/8" = 1'-0"



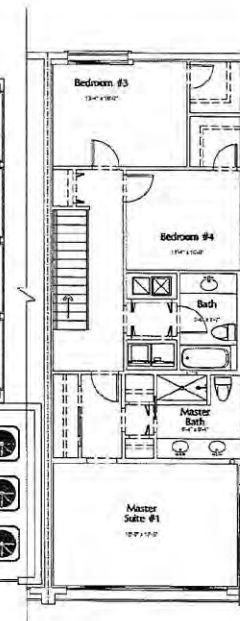
3 UNIT B1 3RD FLOOR PLAN
ENCLOSURE SCALE: 1/8" = 1'-0"



4 UNIT A 1ST FLOOR PLAN
ENCLOSURE SCALE: 1/8" = 1'-0"



AREA CALC.	
1st Floor (A/C)	881.5 SQ.FT.
2nd Floor (A/C)	1076.5 SQ.FT.
Total A/C	1758 SQ.FT.
1st Floor (Non-A/C)	580.5 SQ.FT.
2nd Floor (Non-A/C)	0 SQ.FT.
Total Non-A/C	580.5 SQ.FT.
Total Under Roof	2338.5 SQ.FT.



5 UNIT A 2ND FLOOR PLAN
ENCLOSURE SCALE: 1/8" = 1'-0"

CL Review 11-01-2012

DATE	NAME	REVISION

NASRALLAH
ARCHITECTURAL GROUP, INC.

A Special Consultant for
Windmere Winter Park Ventures, L.L.C.
4350 Edgewater Drive, Suite 108
P.O. Box 490888, Tampa, FL 33649-0888
Phone: 813-988-7400 Fax: 813-988-7401
www.nasrallaharchitect.com

DATE	11-01-2012
BY	
CHECKED BY	
APPROVED BY	

Sheet No.
A
1.1

100% A/C & B/C
MECHANICAL & ELEC
11/1/2012

434 W. Swoope Minutes

they have decided that they are going to take the three stations in the Central Business District and allow parking there to charge your vehicle or you can park there for 10 minutes maximum and if you violate that, you are subject to the \$100 fine. He stated this can be changed if it does not work.

There was discussion that the ordinance is clear and if you park there without charging your vehicle, you are violating the ordinance and subject to the \$100 fine. Also addressed was the authority of the City Manager regarding the posting of signs and their location. It was clarified by Commissioners Leary and McMacken that they do not want to allow a 10-15 minute parking of non-electric vehicles when the parking space is not being utilized. Commissioner Sprinkel did not want more fines imposed. Commissioner Cooper wanted these spaces utilized by other non-electric vehicles when electric cars are not parked in the space.

No public comments were made. **Upon a roll call vote on the amendment (implement the fines for parking at the same time that we implement the payment for the service (delay the fines until we put into place the payment for the service); Mayor Bradley and Commissioner Sprinkel voted yes. Commissioners Leary, Cooper and McMacken voted no. The amendment to the motion failed with a 3-2 vote.**

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

Mayor Bradley commented that the City Manager always has the right to put signs up or not to designate signs in his discretion.

→ b. Request of Windermere Winter Park Venture LLC:

- 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 SINGLE FAMILY RESIDENTIAL TO MEDIUM-DENSITY RESIDENTIAL ON THE PROPERTY AT 444 WEST SWOOPE 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 I "COMPREHENSIVE PLAN" FUTURE LAND USE MAP SO AS TO CHANGE THE FUTURE LAND USE DESIGNATION OF SINGLE FAMILY RESIDENTIAL TO MEDIUM-DENSITY RESIDENTIAL ON THE PROPERTY AT 444 WEST SWOOPE AVENUE, MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR CONFLICTS, SEVERABILITY AND EFFECTIVE DATE. First Reading

- Conditional use approval to build a new two story, 10 unit residential condominium building at 434 and 444 W. Swoope Avenue

Attorney Brown read both ordinances by title. This public hearing was heard as one simultaneous public hearing requiring three separate motions.

Because the conditional use approval was a quasi-judicial proceeding, disclosures were made by each Commissioner as follows: Commissioner McMacken attended the P&Z meeting where this was discussed; Commissioner Cooper spoke with City Planning Staff; Commissioner Sprinkel drove by the site to review it; Commissioner Leary attended the P&Z meeting; and Mayor Bradley had also previously reviewed the site.

Planning Director Jeff Briggs explained the request to build a two story, 10 unit condominium building and that one lot is zoned correctly (R-3) but the other lot is zoned R-1A and needs to be re-zoned R-3. He explained how some of the lots were rezoned from R-3 back to Single Family in 1999 but that changes took place since then to include building the water plant on the north side of Swoope and in 2005 three of the lots were rezoned from Single Family to R-3. He stated the P&Z Board voted 5-0 to approve this request but with three conditions:

1. Final landscape plan review and approval delegated to with staff with special attention requested for the landscape buffer on the side that abuts the adjacent residential property.
2. Development Agreement to prohibit the open carports from being converted into garages.
- 3. That the maximum roof eve height is 24 feet and the maximum roof height is 31 feet (as shown on the plans from the first floor elevation).

Mr. Briggs addressed the variance needed for two more parking places based on the unit size. It was clarified that the variance is part of the conditional use.

Amy Luddy, Nasrallah Architectural Group, 3920 Edgewater Drive, Orlando, and representing the applicant, stated they have been working with staff to come up with a design solution that would be acceptable and was present to answer any questions. Questions of the Commissioner were responded to by Ms. Luddy.

Upon discussion, the applicant agreed to install a screen wall where you see the opening from the carport.

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

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

→ **Motion made by Commissioner Leary to approve the conditional use request as presented (including the three P&Z Board conditions listed above), seconded by Commissioner Sprinkel.**

Motion amended by Commissioner McMacken that the conditional use approval include that the exposed parking stall carport have a 48" knee wall across the front opening to screen the parking from the residents from the street, seconded by Commissioner Leary.

Motion amended by Commissioner Cooper that the long wall side on this project have some articulation. Motion failed for lack of a second.

City Clerk Cynthia Bonham read into the record from Mary Daniels, 650 W. Canton Avenue: "I'm concerned that we continue to re-zone single family R-1 to multi-family R-3 or R-4. I really would ask that you continue to reserve the R-1 and single family character of this community".

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.

Commissioner Cooper asked questions. She voted against the comprehensive plan change because she believed that changing the Future Land Use Map from Single Family to Multi-Family is not consistent with the policies of our current comprehensive plan. She clarified that once the Commission voted to change the comprehensive plan, she felt an obligation to approve the zoning change since the plan complied with the zoning.

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 on the amendment (that the conditional use approval include that the exposed parking stall carport have a 48" knee wall across the opening there to screen the parking from the residents from the street), 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 on the conditional use approval as amended, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.



city commission public hearing

item type	Public Hearing	meeting date	November 26, 2012
prepared by department division	Wes Hamil, Finance Director	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

Ordinance authorizing the refunding of CRA Redevelopment Notes, Series 2003-1, 2003-2, 2005-1 and 2005-2

motion | recommendation

Approve ordinance authorizing the refunding of CRA Redevelopment Notes, Series 2003-1, 2003-2, 2005-1 and 2005-2

summary

The City has an opportunity to refund the outstanding CRA Redevelopment Notes, Series 2003-1, 2003-2, 2005-1 and 2005-2 in order to reduce annual debt service costs for the CRA. **The City's Financial Advisor (PFM) had prepared a preliminary analysis (attached) using a refunding rate of 2.25%. At this rate, net present value savings were estimated at 8.60% of the refunded debt. The City's Debt Management Policy sets a minimum target net present value savings of at least 5% for an advance refunding (the 2005-1 and 2005-2 series notes are callable at par at 01/01/2014). The minimum savings target for a current refunding is lower at 3%. Refunding the 2003-1 and 2003-2 notes would be a current refunding since we have passed the call date for those notes (callable at par at and after 12/30/2009). This refunding would not extend the maturity of the debt.**

PFM's preliminary analysis did not include refunding the 2005-1 series note as there did not initially appear to be adequate savings. PFM has solicited proposals from banks to refund this debt. Responses are being reviewed and preliminarily it appears rates will be favorable enough to include the Series 2005-1 note in the refunding transaction. Total annual debt service could be reduced by about \$60,000 per year by refunding these notes.

All proposals received required the City to provide a covenant to budget and appropriate non-ad valorem General Fund revenues as a backup pledge. This means that if tax increment revenue of **the CRA were ever less than adequate to cover the CRA's debt service, the City would have to cover the shortfall.** Staff did not believe this provision to be unreasonable since the City would not allow the CRA to ever default on its debt.

At the December 10 Commission meeting staff will be bringing a resolution for approval. This resolution will incorporate the terms negotiated with the best proposal to finance the refunding. An analysis of the proposals received and calculation of debt service savings will be included with the agenda item. Closing on the note is anticipated to occur later in the week of December 10.

board comments

N/A

ORDINANCE NO. ____-12

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AUTHORIZING THE ISSUANCE BY THE WINTER PARK COMMUNITY REDEVELOPMENT AGENCY OF A NOT TO EXCEED \$6,000,000 REDEVELOPMENT REFUNDING REVENUE NOTE, FOR THE PURPOSE OF REFUNDING CERTAIN OUTSTANDING DEBT OF THE COMMUNITY REDEVELOPMENT AGENCY; AUTHORIZING AN INTERLOCAL AGREEMENT BETWEEN THE CITY AND THE COMMUNITY REDEVELOPMENT AGENCY; AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE PEOPLE OF THE CITY OF WINTER PARK, FLORIDA:

SECTION 1. AUTHORITY FOR THIS ORDINANCE. This ordinance is enacted pursuant to the provisions of Chapter 166, Part 1, Florida Statutes; Chapter 163, Part III, Florida Statutes; and other applicable provisions of law.

SECTION 2. DEFINITIONS. When used in this resolution, capitalized terms not otherwise defined shall have the meanings specified in a resolution adopted on even date herewith (the "CRA Resolution") by the Winter Park Community Redevelopment Agency (the "Issuer").

"Non-Ad Valorem Revenues" means all revenues of the City not derived from ad valorem taxation, and which are lawfully available to pay debt service on the Note (as hereinafter defined).

"Refunded Bonds" shall mean, collectively, the Winter Park Community Redevelopment Agency's Redevelopment Revenue Bond, Series 2003-1, Redevelopment Revenue Bond, Series 2003-2, Redevelopment Revenue Bond, Series 2005-1 and Redevelopment Revenue Bond, Series 2005-2 (Taxable).

SECTION 3. FINDINGS. It is hereby ascertained, determined and declared that:

A. On even date herewith, the Issuer authorized the issuance of a not to exceed \$6,000,000 Redevelopment Refunding Revenue Note, Series 2012 (the "Note") for the purpose of refunding the Refunded Bonds.

B. The Issuer received proposals from certain banks to purchase the Note in consideration for the City agreeing to budget and appropriate Non-Ad Valorem Revenues in the event Tax Increment Revenues are insufficient to debt service on the Note.

C. It is necessary, desirable and in the best interests of the citizens of the City of Winter Park, Florida (the "City") that the City Commission approves issuance by the Issuer of the Note and entering into the Interlocal Agreement.

SECTION 4. AUTHORIZATION OF THE NOTE. Pursuant to Section 163.385, Florida Statutes, the City Commission hereby approves issuance by the Issuer of the Note for the purpose of refunding the Refunded Bonds. The Note will be issued in an amount not to exceed \$6,000,000, and will mature no later than January 1, 2025, together with such other terms and conditions as shall be determined by the CRA Resolution.

SECTION 5. INTERLOCAL AGREEMENT. The Issuer has received proposals for the purchase of the Note. Such proposals require that the City provide a covenant to budget and appropriate Non-Ad Valorem Revenues as may be necessary, from time to time, in order to ensure timely and full payment of debt service on the Note in the event the Tax Increment Revenues pledged by the Issuer to payment of the Note are insufficient to pay debt service on any interest or principal payment date. The City hereby determines that the proposed interest rates provided by the banks are favorable and that obtaining such lower interest rate is in the best interests of the Issuer, the City and its citizenry. Accordingly, the City authorizes the execution of an interlocal agreement, the form of which shall be hereafter approved by resolution of the City.

SECTION 6. REPEAL OF INCONSISTENT PROVISIONS. All ordinances, resolutions or parts thereof in conflict with this ordinance are hereby repealed to the extent of such conflict.

[Remainder of page intentionally left blank]

SECTION 7. EFFECTIVE DATE. This ordinance shall take effect immediately upon its final passage and adoption.

ENACTED after reading by title at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, Florida, on this 10th day of December, 2012.

Mayor Kenneth W. Bradley

ATTEST:

City Clerk Cynthia S. Bonham

SOURCES AND USES OF FUNDS

Winter Park Community Redevelopment Agency
Redevelopment Refunding Revenue Bond, Series 2012

Sources:	2012A	2012B	2012D	Total
Bond Proceeds:				
Par Amount	1,950,000.00	1,825,000.00	1,480,000.00	5,255,000.00
Other Sources of Funds:				
Contribution	195,032.00	181,949.50	122,212.26	499,193.76
	2,145,032.00	2,006,949.50	1,602,212.26	5,754,193.76
Uses:	2012A	2012B	2012D	Total
Refunding Escrow Deposits:				
Cash Deposit	2,122,140.80	1,989,280.93	122,213.23	4,233,634.96
SLGS Purchases			1,462,236.00	1,462,236.00
	2,122,140.80	1,989,280.93	1,584,449.23	5,695,870.96
Delivery Date Expenses:				
Cost of Issuance	18,553.76	17,364.41	14,081.83	50,000.00
Other Uses of Funds:				
Additional Proceeds	4,337.44	304.16	3,681.20	8,322.80
	2,145,032.00	2,006,949.50	1,602,212.26	5,754,193.76

BOND SUMMARY STATISTICS

Winter Park Community Redevelopment Agency
Redevelopment Refunding Revenue Bond, Series 2012

Dated Date	12/18/2012
Delivery Date	12/18/2012
Last Maturity	01/01/2025
Arbitrage Yield	2.249913%
True Interest Cost (TIC)	2.249913%
Net Interest Cost (NIC)	2.250000%
All-In TIC	2.423533%
Average Coupon	2.250000%
Average Life (years)	6.029
Duration of Issue (years)	5.579
Par Amount	5,255,000.00
Bond Proceeds	5,255,000.00
Total Interest	712,907.19
Net Interest	712,907.19
Total Debt Service	5,967,907.19
Maximum Annual Debt Service	574,112.50
Average Annual Debt Service	495,833.51
Underwriter's Fees (per \$1000)	
Average Takedown	
Other Fee	
Total Underwriter's Discount	
Bid Price	100.000000

Bond Component	Par Value	Price	Average Coupon	Average Life	PV of 1 bp change
Bond Component	5,255,000.00	100.000	2.250%	6.029	2,890.25
	5,255,000.00			6.029	2,890.25

	TIC	All-In TIC	Arbitrage Yield
Par Value	5,255,000.00	5,255,000.00	5,255,000.00
+ Accrued Interest			
+ Premium (Discount)			
- Underwriter's Discount			
- Cost of Issuance Expense		-50,000.00	
- Other Amounts			
Target Value	5,255,000.00	5,205,000.00	5,255,000.00
Target Date	12/18/2012	12/18/2012	12/18/2012
Yield	2.249913%	2.423533%	2.249913%

SUMMARY OF BONDS REFUNDED

Winter Park Community Redevelopment Agency
Redevelopment Refunding Revenue Bond, Series 2012

Bond	Maturity Date	Interest Rate	Par Amount	Call Date	Call Price
Redevelopment Revenue Bond, Series 2003-1, 2003_1:					
BOND	01/01/2013	3.840%	155,000.00	12/18/2012	100.000
	01/01/2014	3.840%	160,000.00	12/18/2012	100.000
	01/01/2015	3.840%	170,000.00	12/18/2012	100.000
	01/01/2016	3.840%	175,000.00	12/18/2012	100.000
	01/01/2017	3.840%	180,000.00	12/18/2012	100.000
	01/01/2018	3.840%	190,000.00	12/18/2012	100.000
	01/01/2019	3.840%	195,000.00	12/18/2012	100.000
	01/01/2020	3.840%	205,000.00	12/18/2012	100.000
	01/01/2021	3.840%	210,000.00	12/18/2012	100.000
	01/01/2022	3.840%	220,000.00	12/18/2012	100.000
	01/01/2023	3.840%	225,000.00	12/18/2012	100.000
			2,085,000.00		
Redevelopment Revenue Bond, Series 2003-2, 2003_2:					
BOND	01/01/2013	3.780%	145,000.00	12/18/2012	100.000
	01/01/2014	3.780%	150,000.00	12/18/2012	100.000
	01/01/2015	3.780%	160,000.00	12/18/2012	100.000
	01/01/2016	3.780%	165,000.00	12/18/2012	100.000
	01/01/2017	3.780%	170,000.00	12/18/2012	100.000
	01/01/2018	3.780%	175,000.00	12/18/2012	100.000
	01/01/2019	3.780%	185,000.00	12/18/2012	100.000
	01/01/2020	3.780%	190,000.00	12/18/2012	100.000
	01/01/2021	3.780%	195,000.00	12/18/2012	100.000
	01/01/2022	3.780%	205,000.00	12/18/2012	100.000
	01/01/2023	3.780%	215,000.00	12/18/2012	100.000
			1,955,000.00		
Redevelopment Revenue Bond, Series 2005-2 (Taxable), 2005_2:					
BOND	01/01/2013	5.910%	79,956.82		
	01/01/2014	5.910%	80,445.86		
	01/01/2015	5.910%	85,200.22	07/01/2014	100.000
	01/01/2016	5.910%	90,235.55	07/01/2014	100.000
	01/01/2017	5.910%	95,568.47	07/01/2014	100.000
	01/01/2018	5.910%	101,216.56	07/01/2014	100.000
	01/01/2019	5.910%	107,198.46	07/01/2014	100.000
	01/01/2020	5.910%	113,533.89	07/01/2014	100.000
	01/01/2021	5.910%	120,243.75	07/01/2014	100.000
	01/01/2022	5.910%	127,350.15	07/01/2014	100.000
	01/01/2023	5.910%	134,876.55	07/01/2014	100.000
	01/01/2024	5.910%	142,847.75	07/01/2014	100.000
	01/01/2025	5.910%	151,290.05	07/01/2014	100.000
			1,429,964.08		
			5,469,964.08		

SUMMARY OF REFUNDING RESULTS

Winter Park Community Redevelopment Agency
Redevelopment Refunding Revenue Bond, Series 2012

Dated Date	12/18/2012
Delivery Date	12/18/2012
Arbitrage yield	2.249913%
Escrow yield	0.236002%
Bond Par Amount	5,255,000.00
True Interest Cost	2.249913%
Net Interest Cost	2.250000%
Average Coupon	2.250000%
Average Life	6.029
Par amount of refunded bonds	5,469,964.08
Average coupon of refunded bonds	4.457864%
Average life of refunded bonds	5.780
PV of prior debt to 12/18/2012 @ 2.249913%	6,216,125.39
Net PV Savings	470,254.43
Percentage savings of refunded bonds	8.597030%
Percentage savings of refunding bonds	8.948705%

SUMMARY OF REFUNDING RESULTS

Winter Park Community Redevelopment Agency
Redevelopment Refunding Revenue Bond, Series 2012A

Refunding of 2003 CRA Bond

Dated Date	12/18/2012
Delivery Date	12/18/2012
Arbitrage yield	2.249913%
Escrow yield	
Bond Par Amount	1,950,000.00
True Interest Cost	2.249908%
Net Interest Cost	2.250000%
Average Coupon	2.250000%
Average Life	5.723
Par amount of refunded bonds	2,085,000.00
Average coupon of refunded bonds	3.840000%
Average life of refunded bonds	5.413
PV of prior debt to 12/18/2012 @ 2.249913%	2,286,946.84
Net PV Savings	146,252.71
Percentage savings of refunded bonds	7.014518%
Percentage savings of refunding bonds	7.500139%

SUMMARY OF REFUNDING RESULTS

Winter Park Community Redevelopment Agency
Redevelopment Refunding Revenue Bond, Series 2012B

Refunding of 2003-2 CRA Bond

Dated Date	12/18/2012
Delivery Date	12/18/2012
Arbitrage yield	2.249913%
Escrow yield	
Bond Par Amount	1,825,000.00
True Interest Cost	2.249908%
Net Interest Cost	2.250000%
Average Coupon	2.250000%
Average Life	5.729
Par amount of refunded bonds	1,955,000.00
Average coupon of refunded bonds	3.780000%
Average life of refunded bonds	5.415
PV of prior debt to 12/18/2012 @ 2.249913%	2,138,025.21
Net PV Savings	131,380.27
Percentage savings of refunded bonds	6.720218%
Percentage savings of refunding bonds	7.198919%

SUMMARY OF REFUNDING RESULTS

Winter Park Community Redevelopment Agency
Redevelopment Refunding Revenue Bond, Series 2012D

Refunding of 2005-2 CRA Bond

Dated Date	12/18/2012
Delivery Date	12/18/2012
Arbitrage yield	2.249913%
Escrow yield	0.236002%
Bond Par Amount	1,480,000.00
True Interest Cost	2.249922%
Net Interest Cost	2.250000%
Average Coupon	2.250000%
Average Life	6.803
Par amount of refunded bonds	1,429,964.08
Average coupon of refunded bonds	5.910000%
Average life of refunded bonds	6.814
PV of prior debt to 12/18/2012 @ 2.249913%	1,791,153.34
Net PV Savings	192,621.45
Percentage savings of refunded bonds	13.470370%
Percentage savings of refunding bonds	13.014963%

SAVINGS

Winter Park Community Redevelopment Agency
Redevelopment Refunding Revenue Bond, Series 2012

Date	Prior Debt Service	Prior Receipts	Prior Net Cash Flow	Refunding Debt Service	Savings	Annual Savings	Present Value to 12/18/2012 @ 2.2499125%
12/18/2012		499,193.76	-499,193.76		-499,193.76		-499,193.76
01/01/2013	499,193.76		499,193.76		499,193.76		498,790.61
07/01/2013	111,157.71		111,157.71	63,388.44	47,769.27		47,199.72
01/01/2014	501,603.57		501,603.57	504,118.75	-2,515.18	45,254.09	-2,457.55
07/01/2014	102,873.54		102,873.54	54,112.50	48,761.04		47,113.68
01/01/2015	518,073.76		518,073.76	514,112.50	3,961.26	52,722.30	3,784.85
07/01/2015	94,067.87		94,067.87	48,937.50	45,130.37		42,640.89
01/01/2016	524,303.42		524,303.42	523,937.50	365.92	45,496.29	341.89
07/01/2016	84,922.91		84,922.91	43,593.75	41,329.16		38,185.39
01/01/2017	530,491.38		530,491.38	518,593.75	11,897.63	53,226.79	10,870.33
07/01/2017	75,429.86		75,429.86	38,250.00	37,179.86		33,591.68
01/01/2018	541,646.42		541,646.42	533,250.00	8,396.42	45,576.28	7,501.70
07/01/2018	65,483.41		65,483.41	32,681.25	32,802.16		28,980.76
01/01/2019	552,681.87		552,681.87	532,681.25	20,000.62	52,802.78	17,474.00
07/01/2019	55,075.20		55,075.20	27,056.25	28,018.95		24,207.08
01/01/2020	563,609.09		563,609.09	547,056.25	16,552.84	44,571.79	14,141.80
07/01/2020	44,193.27		44,193.27	21,206.25	22,987.02		19,420.33
01/01/2021	569,437.02		569,437.02	541,206.25	28,230.77	51,217.79	23,585.13
07/01/2021	32,922.57		32,922.57	15,356.25	17,566.32		14,512.36
01/01/2022	585,272.72		585,272.72	550,356.25	34,916.47	52,482.79	28,525.23
07/01/2022	21,060.87		21,060.87	9,337.50	11,723.37		9,470.94
01/01/2023	595,937.42		595,937.42	564,337.50	31,599.92	43,323.29	25,244.58
07/01/2023	8,691.77		8,691.77	3,093.75	5,598.02		4,422.40
01/01/2024	151,539.52		151,539.52	138,093.75	13,445.77	19,043.79	10,503.91
07/01/2024	4,470.62		4,470.62	1,575.00	2,895.62		2,236.91
01/01/2025	155,760.67		155,760.67	141,575.00	14,185.67	17,081.29	10,836.74
	6,989,900.22	499,193.76	6,490,706.46	5,967,907.19	522,799.27	522,799.27	461,931.63

Savings Summary

PV of savings from cash flow	461,931.63
Plus: Refunding funds on hand	8,322.80
Net PV Savings	470,254.43

SAVINGS

Winter Park Community Redevelopment Agency
 Redevelopment Refunding Revenue Bond, Series 2012A

 Refunding of 2003 CRA Bond

Date	Prior Debt Service	Prior Receipts	Prior Net Cash Flow	Refunding Debt Service	Savings	Annual Savings	Present Value to 12/18/2012 @ 2.2499125%
12/18/2012		195,032.00	-195,032.00		-195,032.00		-195,032.00
01/01/2013	195,032.00		195,032.00		195,032.00		194,874.49
07/01/2013	37,056.00		37,056.00	23,521.88	13,534.12		13,372.75
01/01/2014	197,056.00		197,056.00	196,937.50	118.50	13,652.62	115.78
07/01/2014	33,984.00		33,984.00	19,968.75	14,015.25		13,541.75
01/01/2015	203,984.00		203,984.00	199,968.75	4,015.25	18,030.50	3,836.44
07/01/2015	30,720.00		30,720.00	17,943.75	12,776.25		12,071.49
01/01/2016	205,720.00		205,720.00	202,943.75	2,776.25	15,552.50	2,593.93
07/01/2016	27,360.00		27,360.00	15,862.50	11,497.50		10,622.92
01/01/2017	207,360.00		207,360.00	200,862.50	6,497.50	17,995.00	5,936.47
07/01/2017	23,904.00		23,904.00	13,781.25	10,122.75		9,145.82
01/01/2018	213,904.00		213,904.00	208,781.25	5,122.75	15,245.50	4,576.87
07/01/2018	20,256.00		20,256.00	11,587.50	8,668.50		7,658.63
01/01/2019	215,256.00		215,256.00	206,587.50	8,668.50	17,337.00	7,573.44
07/01/2019	16,512.00		16,512.00	9,393.75	7,118.25		6,149.84
01/01/2020	221,512.00		221,512.00	214,393.75	7,118.25	14,236.50	6,081.43
07/01/2020	12,576.00		12,576.00	7,087.50	5,488.50		4,636.90
01/01/2021	222,576.00		222,576.00	212,087.50	10,488.50	15,977.00	8,762.52
07/01/2021	8,544.00		8,544.00	4,781.25	3,762.75		3,108.58
01/01/2022	228,544.00		228,544.00	214,781.25	13,762.75	17,525.50	11,243.57
07/01/2022	4,320.00		4,320.00	2,418.75	1,901.25		1,535.96
01/01/2023	229,320.00		229,320.00	217,418.75	11,901.25	13,802.50	9,507.68
	2,555,496.00	195,032.00	2,360,464.00	2,201,109.38	159,354.62	159,354.62	141,915.27

Savings Summary

PV of savings from cash flow	141,915.27
Plus: Refunding funds on hand	4,337.44
Net PV Savings	146,252.71

SAVINGS

Winter Park Community Redevelopment Agency
 Redevelopment Refunding Revenue Bond, Series 2012B

Refunding of 2003-2 CRA Bond

Date	Prior Debt Service	Prior Receipts	Prior Net Cash Flow	Refunding Debt Service	Savings	Annual Savings	Present Value to 12/18/2012 @ 2.2499125%
12/18/2012		181,949.50	-181,949.50		-181,949.50		-181,949.50
01/01/2013	181,949.50		181,949.50		181,949.50		181,802.56
07/01/2013	34,209.00		34,209.00	22,014.06	12,194.94		12,049.54
01/01/2014	184,209.00		184,209.00	180,531.25	3,677.75	15,872.69	3,593.48
07/01/2014	31,374.00		31,374.00	18,731.25	12,642.75		12,215.62
01/01/2015	191,374.00		191,374.00	188,731.25	2,642.75	15,285.50	2,525.06
07/01/2015	28,350.00		28,350.00	16,818.75	11,531.25		10,895.16
01/01/2016	193,350.00		193,350.00	191,818.75	1,531.25	13,062.50	1,430.69
07/01/2016	25,231.50		25,231.50	14,850.00	10,381.50		9,591.82
01/01/2017	195,231.50		195,231.50	189,850.00	5,381.50	15,763.00	4,916.84
07/01/2017	22,018.50		22,018.50	12,881.25	9,137.25		8,255.43
01/01/2018	197,018.50		197,018.50	192,881.25	4,137.25	13,274.50	3,696.39
07/01/2018	18,711.00		18,711.00	10,856.25	7,854.75		6,939.68
01/01/2019	203,711.00		203,711.00	195,856.25	7,854.75	15,709.50	6,862.48
07/01/2019	15,214.50		15,214.50	8,775.00	6,439.50		5,563.43
01/01/2020	205,214.50		205,214.50	198,775.00	6,439.50	12,879.00	5,501.54
07/01/2020	11,623.50		11,623.50	6,637.50	4,986.00		4,212.37
01/01/2021	206,623.50		206,623.50	196,637.50	9,986.00	14,972.00	8,342.71
07/01/2021	7,938.00		7,938.00	4,500.00	3,438.00		2,840.29
01/01/2022	212,938.00		212,938.00	199,500.00	13,438.00	16,876.00	10,978.26
07/01/2022	4,063.50		4,063.50	2,306.25	1,757.25		1,419.63
01/01/2023	219,063.50		219,063.50	207,306.25	11,757.25	13,514.50	9,392.65
	2,389,416.50	181,949.50	2,207,467.00	2,060,257.81	147,209.19	147,209.19	131,076.11

Savings Summary

PV of savings from cash flow	131,076.11
Plus: Refunding funds on hand	304.16
Net PV Savings	131,380.27

SAVINGS

Winter Park Community Redevelopment Agency
Redevelopment Refunding Revenue Bond, Series 2012D

Refunding of 2005-2 CRA Bond

Date	Prior Debt Service	Prior Receipts	Prior Net Cash Flow	Refunding Debt Service	Savings	Annual Savings	Present Value to 12/18/2012 @ 2.2499125%
12/18/2012		122,212.26	-122,212.26		-122,212.26		-122,212.26
01/01/2013	122,212.26		122,212.26		122,212.26		122,113.56
07/01/2013	39,892.71		39,892.71	17,852.50	22,040.21		21,777.42
01/01/2014	120,338.57		120,338.57	126,650.00	-6,311.43	15,728.78	-6,166.80
07/01/2014	37,515.54		37,515.54	15,412.50	22,103.04		21,356.30
01/01/2015	122,715.76		122,715.76	125,412.50	-2,696.74	19,406.30	-2,576.65
07/01/2015	34,997.87		34,997.87	14,175.00	20,822.87		19,674.24
01/01/2016	125,233.42		125,233.42	129,175.00	-3,941.58	16,881.29	-3,682.73
07/01/2016	32,331.41		32,331.41	12,881.25	19,450.16		17,970.65
01/01/2017	127,899.88		127,899.88	127,881.25	18.63	19,468.79	17.02
07/01/2017	29,507.36		29,507.36	11,587.50	17,919.86		16,190.44
01/01/2018	130,723.92		130,723.92	131,587.50	-863.58	17,056.28	-771.56
07/01/2018	26,516.41		26,516.41	10,237.50	16,278.91		14,382.44
01/01/2019	133,714.87		133,714.87	130,237.50	3,477.37	19,756.28	3,038.08
07/01/2019	23,348.70		23,348.70	8,887.50	14,461.20		12,493.81
01/01/2020	136,882.59		136,882.59	133,887.50	2,995.09	17,456.29	2,558.83
07/01/2020	19,993.77		19,993.77	7,481.25	12,512.52		10,571.06
01/01/2021	140,237.52		140,237.52	132,481.25	7,756.27	20,268.79	6,479.90
07/01/2021	16,440.57		16,440.57	6,075.00	10,365.57		8,563.48
01/01/2022	143,790.72		143,790.72	136,075.00	7,715.72	18,081.29	6,303.41
07/01/2022	12,677.37		12,677.37	4,612.50	8,064.87		6,515.35
01/01/2023	147,553.92		147,553.92	139,612.50	7,941.42	16,006.29	6,344.25
07/01/2023	8,691.77		8,691.77	3,093.75	5,598.02		4,422.40
01/01/2024	151,539.52		151,539.52	138,093.75	13,445.77	19,043.79	10,503.91
07/01/2024	4,470.62		4,470.62	1,575.00	2,895.62		2,236.91
01/01/2025	155,760.67		155,760.67	141,575.00	14,185.67	17,081.29	10,836.74
	2,044,987.72	122,212.26	1,922,775.46	1,706,540.00	216,235.46	216,235.46	188,940.25

Savings Summary

PV of savings from cash flow	188,940.25
Plus: Refunding funds on hand	3,681.20
Net PV Savings	192,621.45

BOND DEBT SERVICE

Winter Park Community Redevelopment Agency
Redevelopment Refunding Revenue Bond, Series 2012A

Refunding of 2003 CRA Bond

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
07/01/2013			23,521.88	23,521.88	
01/01/2014	175,000	2.250%	21,937.50	196,937.50	220,459.38
07/01/2014			19,968.75	19,968.75	
01/01/2015	180,000	2.250%	19,968.75	199,968.75	219,937.50
07/01/2015			17,943.75	17,943.75	
01/01/2016	185,000	2.250%	17,943.75	202,943.75	220,887.50
07/01/2016			15,862.50	15,862.50	
01/01/2017	185,000	2.250%	15,862.50	200,862.50	216,725.00
07/01/2017			13,781.25	13,781.25	
01/01/2018	195,000	2.250%	13,781.25	208,781.25	222,562.50
07/01/2018			11,587.50	11,587.50	
01/01/2019	195,000	2.250%	11,587.50	206,587.50	218,175.00
07/01/2019			9,393.75	9,393.75	
01/01/2020	205,000	2.250%	9,393.75	214,393.75	223,787.50
07/01/2020			7,087.50	7,087.50	
01/01/2021	205,000	2.250%	7,087.50	212,087.50	219,175.00
07/01/2021			4,781.25	4,781.25	
01/01/2022	210,000	2.250%	4,781.25	214,781.25	219,562.50
07/01/2022			2,418.75	2,418.75	
01/01/2023	215,000	2.250%	2,418.75	217,418.75	219,837.50
	1,950,000		251,109.38	2,201,109.38	2,201,109.38

BOND DEBT SERVICE

Winter Park Community Redevelopment Agency
Redevelopment Refunding Revenue Bond, Series 2012B

Refunding of 2003-2 CRA Bond

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
07/01/2013			22,014.06	22,014.06	
01/01/2014	160,000	2.250%	20,531.25	180,531.25	202,545.31
07/01/2014			18,731.25	18,731.25	
01/01/2015	170,000	2.250%	18,731.25	188,731.25	207,462.50
07/01/2015			16,818.75	16,818.75	
01/01/2016	175,000	2.250%	16,818.75	191,818.75	208,637.50
07/01/2016			14,850.00	14,850.00	
01/01/2017	175,000	2.250%	14,850.00	189,850.00	204,700.00
07/01/2017			12,881.25	12,881.25	
01/01/2018	180,000	2.250%	12,881.25	192,881.25	205,762.50
07/01/2018			10,856.25	10,856.25	
01/01/2019	185,000	2.250%	10,856.25	195,856.25	206,712.50
07/01/2019			8,775.00	8,775.00	
01/01/2020	190,000	2.250%	8,775.00	198,775.00	207,550.00
07/01/2020			6,637.50	6,637.50	
01/01/2021	190,000	2.250%	6,637.50	196,637.50	203,275.00
07/01/2021			4,500.00	4,500.00	
01/01/2022	195,000	2.250%	4,500.00	199,500.00	204,000.00
07/01/2022			2,306.25	2,306.25	
01/01/2023	205,000	2.250%	2,306.25	207,306.25	209,612.50
	1,825,000		235,257.81	2,060,257.81	2,060,257.81

BOND DEBT SERVICE

Winter Park Community Redevelopment Agency
Redevelopment Refunding Revenue Bond, Series 2012D

Refunding of 2005-2 CRA Bond

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
07/01/2013			17,852.50	17,852.50	
01/01/2014	110,000	2.250%	16,650.00	126,650.00	144,502.50
07/01/2014			15,412.50	15,412.50	
01/01/2015	110,000	2.250%	15,412.50	125,412.50	140,825.00
07/01/2015			14,175.00	14,175.00	
01/01/2016	115,000	2.250%	14,175.00	129,175.00	143,350.00
07/01/2016			12,881.25	12,881.25	
01/01/2017	115,000	2.250%	12,881.25	127,881.25	140,762.50
07/01/2017			11,587.50	11,587.50	
01/01/2018	120,000	2.250%	11,587.50	131,587.50	143,175.00
07/01/2018			10,237.50	10,237.50	
01/01/2019	120,000	2.250%	10,237.50	130,237.50	140,475.00
07/01/2019			8,887.50	8,887.50	
01/01/2020	125,000	2.250%	8,887.50	133,887.50	142,775.00
07/01/2020			7,481.25	7,481.25	
01/01/2021	125,000	2.250%	7,481.25	132,481.25	139,962.50
07/01/2021			6,075.00	6,075.00	
01/01/2022	130,000	2.250%	6,075.00	136,075.00	142,150.00
07/01/2022			4,612.50	4,612.50	
01/01/2023	135,000	2.250%	4,612.50	139,612.50	144,225.00
07/01/2023			3,093.75	3,093.75	
01/01/2024	135,000	2.250%	3,093.75	138,093.75	141,187.50
07/01/2024			1,575.00	1,575.00	
01/01/2025	140,000	2.250%	1,575.00	141,575.00	143,150.00
	1,480,000		226,540.00	1,706,540.00	1,706,540.00

PRIOR BOND DEBT SERVICE

Winter Park Community Redevelopment Agency
Redevelopment Refunding Revenue Bond, Series 2012A

Refunding of 2003 CRA Bond

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
01/01/2013	155,000	3.840%	40,032	195,032	195,032
07/01/2013			37,056	37,056	
01/01/2014	160,000	3.840%	37,056	197,056	234,112
07/01/2014			33,984	33,984	
01/01/2015	170,000	3.840%	33,984	203,984	237,968
07/01/2015			30,720	30,720	
01/01/2016	175,000	3.840%	30,720	205,720	236,440
07/01/2016			27,360	27,360	
01/01/2017	180,000	3.840%	27,360	207,360	234,720
07/01/2017			23,904	23,904	
01/01/2018	190,000	3.840%	23,904	213,904	237,808
07/01/2018			20,256	20,256	
01/01/2019	195,000	3.840%	20,256	215,256	235,512
07/01/2019			16,512	16,512	
01/01/2020	205,000	3.840%	16,512	221,512	238,024
07/01/2020			12,576	12,576	
01/01/2021	210,000	3.840%	12,576	222,576	235,152
07/01/2021			8,544	8,544	
01/01/2022	220,000	3.840%	8,544	228,544	237,088
07/01/2022			4,320	4,320	
01/01/2023	225,000	3.840%	4,320	229,320	233,640
	2,085,000		470,496	2,555,496	2,555,496

PRIOR BOND DEBT SERVICE

Winter Park Community Redevelopment Agency
Redevelopment Refunding Revenue Bond, Series 2012B

Refunding of 2003-2 CRA Bond

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
01/01/2013	145,000	3.780%	36,949.50	181,949.50	181,949.50
07/01/2013			34,209.00	34,209.00	
01/01/2014	150,000	3.780%	34,209.00	184,209.00	218,418.00
07/01/2014			31,374.00	31,374.00	
01/01/2015	160,000	3.780%	31,374.00	191,374.00	222,748.00
07/01/2015			28,350.00	28,350.00	
01/01/2016	165,000	3.780%	28,350.00	193,350.00	221,700.00
07/01/2016			25,231.50	25,231.50	
01/01/2017	170,000	3.780%	25,231.50	195,231.50	220,463.00
07/01/2017			22,018.50	22,018.50	
01/01/2018	175,000	3.780%	22,018.50	197,018.50	219,037.00
07/01/2018			18,711.00	18,711.00	
01/01/2019	185,000	3.780%	18,711.00	203,711.00	222,422.00
07/01/2019			15,214.50	15,214.50	
01/01/2020	190,000	3.780%	15,214.50	205,214.50	220,429.00
07/01/2020			11,623.50	11,623.50	
01/01/2021	195,000	3.780%	11,623.50	206,623.50	218,247.00
07/01/2021			7,938.00	7,938.00	
01/01/2022	205,000	3.780%	7,938.00	212,938.00	220,876.00
07/01/2022			4,063.50	4,063.50	
01/01/2023	215,000	3.780%	4,063.50	219,063.50	223,127.00
	1,955,000		434,416.50	2,389,416.50	2,389,416.50

PRIOR BOND DEBT SERVICE

Winter Park Community Redevelopment Agency
Redevelopment Refunding Revenue Bond, Series 2012D

Refunding of 2005-2 CRA Bond

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
01/01/2013	79,956.82	5.910%	42,255.44	122,212.26	122,212.26
07/01/2013			39,892.71	39,892.71	
01/01/2014	80,445.86	5.910%	39,892.71	120,338.57	160,231.28
07/01/2014			37,515.54	37,515.54	
01/01/2015	85,200.22	5.910%	37,515.54	122,715.76	160,231.30
07/01/2015			34,997.87	34,997.87	
01/01/2016	90,235.55	5.910%	34,997.87	125,233.42	160,231.29
07/01/2016			32,331.41	32,331.41	
01/01/2017	95,568.47	5.910%	32,331.41	127,899.88	160,231.29
07/01/2017			29,507.36	29,507.36	
01/01/2018	101,216.56	5.910%	29,507.36	130,723.92	160,231.28
07/01/2018			26,516.41	26,516.41	
01/01/2019	107,198.46	5.910%	26,516.41	133,714.87	160,231.28
07/01/2019			23,348.70	23,348.70	
01/01/2020	113,533.89	5.910%	23,348.70	136,882.59	160,231.29
07/01/2020			19,993.77	19,993.77	
01/01/2021	120,243.75	5.910%	19,993.77	140,237.52	160,231.29
07/01/2021			16,440.57	16,440.57	
01/01/2022	127,350.15	5.910%	16,440.57	143,790.72	160,231.29
07/01/2022			12,677.37	12,677.37	
01/01/2023	134,876.55	5.910%	12,677.37	147,553.92	160,231.29
07/01/2023			8,691.77	8,691.77	
01/01/2024	142,847.75	5.910%	8,691.77	151,539.52	160,231.29
07/01/2024			4,470.62	4,470.62	
01/01/2025	151,290.05	5.910%	4,470.62	155,760.67	160,231.29
	1,429,964.08		615,023.64	2,044,987.72	2,044,987.72

ESCROW REQUIREMENTS

Winter Park Community Redevelopment Agency
Redevelopment Refunding Revenue Bond, Series 2012A

Refunding of 2003 CRA Bond

Period Ending	Interest	Principal Redeemed	Total
12/18/2012	37,140.80	2,085,000.00	2,122,140.80
	37,140.80	2,085,000.00	2,122,140.80

ESCROW REQUIREMENTS

Winter Park Community Redevelopment Agency
Redevelopment Refunding Revenue Bond, Series 2012B

Refunding of 2003-2 CRA Bond

Period Ending	Interest	Principal Redeemed	Total
12/18/2012	34,280.93	1,955,000.00	1,989,280.93
	34,280.93	1,955,000.00	1,989,280.93

ESCROW REQUIREMENTS

Winter Park Community Redevelopment Agency
Redevelopment Refunding Revenue Bond, Series 2012D

Refunding of 2005-2 CRA Bond

Period Ending	Principal	Interest	Principal Redeemed	Total
01/01/2013	79,956.82	42,255.44		122,212.26
07/01/2013		39,892.71		39,892.71
01/01/2014	80,445.86	39,892.71		120,338.57
07/01/2014		37,515.54	1,269,561.40	1,307,076.94
	160,402.68	159,556.40	1,269,561.40	1,589,520.48



city commission public hearing

item type	Public Hearing	meeting date	November 26, 2012
prepared by department division	Wes Hamil, Finance Director	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

Ordinance authorizing the refunding of outstanding Orange Avenue Improvement Revenue Bond, Series 2007 and outstanding Park Avenue Refunding Improvement Revenue Bond, Series 2010

motion | recommendation

Approve ordinance authorizing the refunding of outstanding Orange Avenue Improvement Revenue Bond, Series 2007 and outstanding Park Avenue Refunding Improvement Revenue Bond, Series 2010

summary

The City has an opportunity to refund the outstanding Orange Avenue Improvement Revenue Bond, Series 2007 and outstanding Park Avenue Refunding Improvement Revenue Bond, Series 2010. The **City's Financial Advisor (PFM)** had prepared a preliminary analysis (attached) using a refunding rate of 2.31%. At this rate, net present value savings were estimated at 8.96% of the refunded debt. **The City's Debt Management Policy sets a minimum target net present value savings of at least 3%** for a current refunding. This refunding would not extend the maturity of the debt.

The preliminary analysis by PFM projects annual debt service savings of about \$18,000 for the Orange Avenue Bond (paid by property owners along the improved portion of Orange Avenue) and \$13,000 for the Park Avenue Bond (paid roughly 75% by the City and 25% by property owners). PFM has solicited proposals from banks to refund this debt. Responses are being reviewed and responses are being evaluated.

At the December 10 Commission meeting staff will be bringing a resolution for approval. This resolution will incorporate the terms negotiated with the best proposal to finance the refunding. An analysis of the proposals received and calculation of debt service savings will be included with the agenda item. Closing on the note is anticipated to occur later in the week of December 10.

board comments

N/A

ORDINANCE NO. ____-12

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AUTHORIZING THE ISSUANCE OF REFUNDING NOTES FOR THE PURPOSE OF REFUNDING THE OUTSTANDING ORANGE AVENUE IMPROVEMENT REVENUE BOND, SERIES 2007 AND OUTSTANDING PARK AVENUE REFUNDING IMPROVEMENT REVENUE BOND, SERIES 2010 OF THE CITY; PROVIDING FOR THE PAYMENT OF SUCH REFUNDING NOTES FROM NON-AD VALOREM REVENUES BUDGETED, APPROPRIATED AND DEPOSITED AS PROVIDED IN A RESOLUTION ADOPTED ON EVEN DATE HERewith; AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE PEOPLE OF THE CITY OF WINTER PARK, FLORIDA:

SECTION 1. AUTHORITY FOR THIS ORDINANCE. This ordinance is enacted pursuant to the provisions of Chapter 166, Parts I and II, Florida Statutes; Sections 2.11 and 2.14 of the Charter Laws of the City of Winter Park, Florida; and other applicable provisions of law.

SECTION 2. FINDINGS. It is hereby ascertained, determined and declared that:

A. On December 14, 2007, the City of Winter Park, Florida (the "Issuer"), issued its Orange Avenue Improvement Revenue Bond, Series 2007 (the "Series 2007 Bond"), to finance the cost of the acquisition and/or construction of streetscape improvements to a portion of Orange Avenue located within the Issuer. On July 15, 2010, the Issuer issued its Park Avenue Refunding Improvement Revenue Bond, Series 2010 (the "Series 2010 Bond," and together with the Series 2007 Bond, the "Refunded Bonds"), to finance and/or refinance the cost of the acquisition and construction of certain improvements to Park Avenue located within the Issuer.

B. The Series 2007 Bond was issued pursuant to Ordinance 2726-07 in an aggregate principal amount of \$2,230,000 of which \$1,840,000 remains currently outstanding. The Series 2010 Bond was issued pursuant to Ordinance 2801-10 in an aggregate principal amount of \$2,370,000 of which \$1,995,000 remains currently outstanding.

C. Based upon the advice of Public Financial Management, Inc., Orlando, Florida, the financial advisor to the Issuer (the "Financial Advisor"), it is financially advantageous to refund the outstanding Refunded Bonds. Such refunding of the Refunded Bonds will result in a savings with respect to the debt service that would otherwise be attributable to the Refunded Bonds.

D. The notes to be issued to refund the Refunded Bonds will be secured by a covenant to budget and appropriate legally available non-ad valorem revenues.

SECTION 3. AUTHORIZATION OF THE NOTES. The issuance by the Issuer of not exceeding \$2,000,000 Non-Ad Valorem Refunding Revenue Note, Series 2012A and not exceeding \$2,200,000 Non-Ad Valorem Refunding Revenue Note, Series 2012B (collectively, the “Refunding Notes”), for the purpose and secured as specified above; to be dated, to bear interest at a rate or rates not exceeding the maximum legal rate per annum, to be payable, to mature, to be subject to redemption and to have such other characteristics as shall be provided by subsequent resolution of the City Commission prior to their delivery; is hereby authorized. The City Commission may adopt a specific bond resolution (including any resolutions supplemental to the bond resolution), supplemental to this ordinance, which sets forth the fiscal details of the Refunding Notes and other covenants and provisions necessary for the issuance of the Refunding Notes.

SECTION 4. REPEAL OF INCONSISTENT PROVISIONS. All ordinances, resolutions or parts thereof in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION 5. EFFECTIVE DATE. This ordinance shall take effect immediately upon its final passage and adoption.

ENACTED after reading by title at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, Florida, on this 10th day of December, 2012.

Mayor

ATTEST:

City Clerk

SOURCES AND USES OF FUNDS

City of Winter Park, Florida
Revenue Bond, Series 2012

Sources:	2012A	2012B	Total
Bond Proceeds:			
Par Amount	1,870,000.00	2,055,000.00	3,925,000.00
	1,870,000.00	2,055,000.00	3,925,000.00
Uses:	2012A	2012B	Total
Refunding Escrow Deposits:			
Cash Deposit	1,843,777.93	2,027,298.50	3,871,076.43
Delivery Date Expenses:			
Cost of Issuance	23,821.66	26,178.34	50,000.00
Other Uses of Funds:			
Additional Proceeds	2,400.41	1,523.16	3,923.57
	1,870,000.00	2,055,000.00	3,925,000.00

BOND SUMMARY STATISTICS

City of Winter Park, Florida
Revenue Bond, Series 2012

Dated Date	12/18/2012
Delivery Date	12/18/2012
Last Maturity	12/01/2027
Arbitrage Yield	2.306214%
True Interest Cost (TIC)	2.306214%
Net Interest Cost (NIC)	2.312083%
All-In TIC	2.528008%
Average Coupon	2.312083%
Average Life (years)	6.428
Duration of Issue (years)	5.867
Par Amount	3,925,000.00
Bond Proceeds	3,925,000.00
Total Interest	583,301.53
Net Interest	583,301.53
Total Debt Service	4,508,301.53
Maximum Annual Debt Service	401,837.50
Average Annual Debt Service	301,502.61
Underwriter's Fees (per \$1000)	
Average Takedown	
Other Fee	
Total Underwriter's Discount	
Bid Price	100.000000

Bond Component	Par Value	Price	Average Coupon	Average Life	PV of 1 bp change
Bond Component	3,925,000.00	100.000	2.312%	6.428	2,262.90
	3,925,000.00			6.428	2,262.90

	TIC	All-In TIC	Arbitrage Yield
Par Value	3,925,000.00	3,925,000.00	3,925,000.00
+ Accrued Interest			
+ Premium (Discount)			
- Underwriter's Discount			
- Cost of Issuance Expense		-50,000.00	
- Other Amounts			
Target Value	3,925,000.00	3,875,000.00	3,925,000.00
Target Date	12/18/2012	12/18/2012	12/18/2012
Yield	2.306214%	2.528008%	2.306214%

SUMMARY OF BONDS REFUNDED

City of Winter Park, Florida
Revenue Bond, Series 2012

Bond	Maturity Date	Interest Rate	Par Amount	Call Date	Call Price
Orange Avenue Improvement Revenue Bond, Series 2007, 2007:					
BOND	12/01/2013	4.348%	90,000.00	12/18/2012	100.000
	12/01/2014	4.348%	95,000.00	12/18/2012	100.000
	12/01/2015	4.348%	100,000.00	12/18/2012	100.000
	12/01/2016	4.348%	100,000.00	12/18/2012	100.000
	12/01/2017	4.348%	105,000.00	12/18/2012	100.000
	12/01/2018	4.348%	110,000.00	12/18/2012	100.000
	12/01/2019	4.348%	115,000.00	12/18/2012	100.000
	12/01/2020	4.348%	120,000.00	12/18/2012	100.000
	12/01/2021	4.348%	125,000.00	12/18/2012	100.000
	12/01/2022	4.348%	130,000.00	12/18/2012	100.000
	12/01/2023	4.348%	135,000.00	12/18/2012	100.000
	12/01/2024	4.348%	145,000.00	12/18/2012	100.000
	12/01/2025	4.348%	150,000.00	12/18/2012	100.000
	12/01/2026	4.348%	155,000.00	12/18/2012	100.000
	12/01/2027	4.348%	165,000.00	12/18/2012	100.000
			1,840,000.00		
Park Avenue Refunding Improvement Revenue Bond, Series 2010, 2010:					
BOND	07/01/2013	3.490%	195,000.00	12/18/2012	100.000
	07/01/2014	3.490%	200,000.00	12/18/2012	100.000
	07/01/2015	3.490%	205,000.00	12/18/2012	100.000
	07/01/2016	3.490%	215,000.00	12/18/2012	100.000
	07/01/2017	3.490%	220,000.00	12/18/2012	100.000
	07/01/2018	3.490%	225,000.00	12/18/2012	100.000
	07/01/2019	3.490%	235,000.00	12/18/2012	100.000
	07/01/2020	3.490%	245,000.00	12/18/2012	100.000
	07/01/2021	3.490%	255,000.00	12/18/2012	100.000
			1,995,000.00		
			3,835,000.00		

SUMMARY OF REFUNDING RESULTS

City of Winter Park, Florida
Revenue Bond, Series 2012

Dated Date	12/18/2012
Delivery Date	12/18/2012
Arbitrage yield	2.306214%
Escrow yield	
Bond Par Amount	3,925,000.00
True Interest Cost	2.306214%
Net Interest Cost	2.312083%
Average Coupon	2.312083%
Average Life	6.428
Par amount of refunded bonds	3,835,000.00
Average coupon of refunded bonds	4.029569%
Average life of refunded bonds	6.671
PV of prior debt to 12/18/2012 @ 2.306214%	4,264,737.73
Net PV Savings	343,661.29
Percentage savings of refunded bonds	8.961181%
Percentage savings of refunding bonds	8.755702%

SAVINGS

City of Winter Park, Florida
Revenue Bond, Series 2012A

Refunding of Orange Avenue Improvement Revenue Bond, Series 2007

Date	Prior Debt Service	Refunding Debt Service	Savings	Present Value to 12/18/2012 @ 2.3062142%
07/01/2013	40,001.60	21,167.36	18,834.24	18,639.71
07/01/2014	168,046.60	150,437.50	17,609.10	17,050.30
07/01/2015	169,024.70	152,750.00	16,274.70	15,395.34
07/01/2016	169,785.40	150,000.00	19,785.40	18,335.72
07/01/2017	165,437.40	147,250.00	18,187.40	16,468.85
07/01/2018	165,980.70	149,437.50	16,543.20	14,636.43
07/01/2019	166,306.60	146,562.50	19,744.10	17,106.61
07/01/2020	166,415.10	148,625.00	17,790.10	15,062.49
07/01/2021	166,306.20	150,562.50	15,743.70	13,025.71
07/01/2022	165,979.90	147,437.50	18,542.40	15,020.44
07/01/2023	165,436.20	149,250.00	16,186.20	12,815.42
07/01/2024	164,675.10	146,000.00	18,675.10	14,472.65
07/01/2025	168,587.90	152,625.00	15,962.90	12,094.71
07/01/2026	167,174.60	149,125.00	18,049.60	13,383.83
07/01/2027	165,543.90	150,562.50	14,981.40	10,865.21
07/01/2028	168,587.10	151,875.00	16,712.10	11,861.09
	2,543,289.00	2,263,667.36	279,621.64	236,234.50

Savings Summary

PV of savings from cash flow	236,234.50
Plus: Refunding funds on hand	2,400.41
Net PV Savings	238,634.91

SAVINGS

City of Winter Park, Florida
Revenue Bond, Series 2012B

Refunding of Park Avenue Refunding Improvement Revenue Bond, Series 2010

Date	Prior Debt Service	Refunding Debt Service	Savings	Present Value to 12/18/2012 @ 2.3062142%
07/01/2013	264,625.50	257,034.17	7,591.33	7,895.10
07/01/2014	262,820.00	251,400.00	11,420.00	11,171.80
07/01/2015	260,840.00	247,100.00	13,740.00	13,092.90
07/01/2016	263,685.50	247,800.00	15,885.50	14,759.32
07/01/2017	261,182.00	248,400.00	12,782.00	11,611.70
07/01/2018	258,504.00	243,900.00	14,604.00	12,937.12
07/01/2019	260,651.50	249,400.00	11,251.50	9,741.32
07/01/2020	262,450.00	249,700.00	12,750.00	10,764.19
07/01/2021	263,899.50	249,900.00	13,999.50	11,529.77
	2,358,658.00	2,244,634.17	114,023.83	103,503.22

Savings Summary

PV of savings from cash flow	103,503.22
Plus: Refunding funds on hand	1,523.16
Net PV Savings	105,026.38

BOND DEBT SERVICE

City of Winter Park, Florida
Revenue Bond, Series 2012A

Refunding of Orange Avenue Improvement Revenue Bond, Series 2007

Period Ending	Principal	Coupon	Interest	Debt Service
07/01/2013			21,167.36	21,167.36
07/01/2014	105,000	2.500%	45,437.50	150,437.50
07/01/2015	110,000	2.500%	42,750.00	152,750.00
07/01/2016	110,000	2.500%	40,000.00	150,000.00
07/01/2017	110,000	2.500%	37,250.00	147,250.00
07/01/2018	115,000	2.500%	34,437.50	149,437.50
07/01/2019	115,000	2.500%	31,562.50	146,562.50
07/01/2020	120,000	2.500%	28,625.00	148,625.00
07/01/2021	125,000	2.500%	25,562.50	150,562.50
07/01/2022	125,000	2.500%	22,437.50	147,437.50
07/01/2023	130,000	2.500%	19,250.00	149,250.00
07/01/2024	130,000	2.500%	16,000.00	146,000.00
07/01/2025	140,000	2.500%	12,625.00	152,625.00
07/01/2026	140,000	2.500%	9,125.00	149,125.00
07/01/2027	145,000	2.500%	5,562.50	150,562.50
07/01/2028	150,000	2.500%	1,875.00	151,875.00
	1,870,000		393,667.36	2,263,667.36

BOND DEBT SERVICE

City of Winter Park, Florida
Revenue Bond, Series 2012B

Refunding of Park Avenueue Refunding Improvement Revenue Bond, Series 2010

Period Ending	Principal	Coupon	Interest	Debt Service
07/01/2013	235,000	2.000%	22,034.17	257,034.17
07/01/2014	215,000	2.000%	36,400.00	251,400.00
07/01/2015	215,000	2.000%	32,100.00	247,100.00
07/01/2016	220,000	2.000%	27,800.00	247,800.00
07/01/2017	225,000	2.000%	23,400.00	248,400.00
07/01/2018	225,000	2.000%	18,900.00	243,900.00
07/01/2019	235,000	2.000%	14,400.00	249,400.00
07/01/2020	240,000	2.000%	9,700.00	249,700.00
07/01/2021	245,000	2.000%	4,900.00	249,900.00
	2,055,000		189,634.17	2,244,634.17

PRIOR BOND DEBT SERVICE

City of Winter Park, Florida
Revenue Bond, Series 2012A

Refunding of Orange Avenue Improvement Revenue Bond, Series 2007

Period Ending	Principal	Coupon	Interest	Debt Service
07/01/2013			40,001.60	40,001.60
07/01/2014	90,000	4.348%	78,046.60	168,046.60
07/01/2015	95,000	4.348%	74,024.70	169,024.70
07/01/2016	100,000	4.348%	69,785.40	169,785.40
07/01/2017	100,000	4.348%	65,437.40	165,437.40
07/01/2018	105,000	4.348%	60,980.70	165,980.70
07/01/2019	110,000	4.348%	56,306.60	166,306.60
07/01/2020	115,000	4.348%	51,415.10	166,415.10
07/01/2021	120,000	4.348%	46,306.20	166,306.20
07/01/2022	125,000	4.348%	40,979.90	165,979.90
07/01/2023	130,000	4.348%	35,436.20	165,436.20
07/01/2024	135,000	4.348%	29,675.10	164,675.10
07/01/2025	145,000	4.348%	23,587.90	168,587.90
07/01/2026	150,000	4.348%	17,174.60	167,174.60
07/01/2027	155,000	4.348%	10,543.90	165,543.90
07/01/2028	165,000	4.348%	3,587.10	168,587.10
	1,840,000		703,289.00	2,543,289.00

PRIOR BOND DEBT SERVICE

City of Winter Park, Florida
Revenue Bond, Series 2012B

Refunding of Park Avenue Refunding Improvement Revenue Bond, Series 2010

Period Ending	Principal	Coupon	Interest	Debt Service
07/01/2013	195,000	3.490%	69,625.50	264,625.50
07/01/2014	200,000	3.490%	62,820.00	262,820.00
07/01/2015	205,000	3.490%	55,840.00	260,840.00
07/01/2016	215,000	3.490%	48,685.50	263,685.50
07/01/2017	220,000	3.490%	41,182.00	261,182.00
07/01/2018	225,000	3.490%	33,504.00	258,504.00
07/01/2019	235,000	3.490%	25,651.50	260,651.50
07/01/2020	245,000	3.490%	17,450.00	262,450.00
07/01/2021	255,000	3.490%	8,899.50	263,899.50
	1,995,000		363,658.00	2,358,658.00

ESCROW REQUIREMENTS

City of Winter Park, Florida
Revenue Bond, Series 2012A

Refunding of Orange Avenue Improvement Revenue Bond, Series 2007

Period Ending	Interest	Principal Redeemed	Total
12/18/2012	3,777.93	1,840,000.00	1,843,777.93
	3,777.93	1,840,000.00	1,843,777.93

ESCROW REQUIREMENTS

City of Winter Park, Florida
Revenue Bond, Series 2012B

Refunding of Park Avenue Refunding Improvement Revenue Bond, Series 2010

Period Ending	Interest	Principal Redeemed	Total
12/18/2012	32,298.50	1,995,000.00	2,027,298.50
	32,298.50	1,995,000.00	2,027,298.50