



city commission agenda

Regular Meeting

April 27, 2015
3:30 p.m.
Commission Chambers

commissioners				mayor	commissioners			
seat 1	Gregory Seidel	seat 2	Sarah Sprinkel	Steve Leary	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 website at 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.

Citizen comments at 5 p.m. and each section of the agenda where public comment is allowed are limited to three (3) minutes. The yellow light indicator will remind you that you have one (1) minute left. Large groups are asked to name a spokesperson. 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.

agenda

1	Meeting Called to Order	
2	Invocation Robert De Leon, Member of the Central Florida Freethought Community Pledge of Allegiance	
3	Approval of Agenda	
4	Mayor's Report	*Projected Time *Subject to change
	a. 2015 1 st Quarter Business Recognition Recipient – Winter Park Day Nursery b. Proclamation - "Letter Carriers Food Drive Day" c. Steering Committee appointments	15 minutes

5 City Manager's Report	*Projected Time *Subject to change
<ul style="list-style-type: none"> a. Recognition – Employee years of service b. 90 day plan 	<ul style="list-style-type: none"> 15 minutes 10 minutes
6 City Attorney's Report	*Projected Time *Subject to change
7 Non-Action Items	*Projected Time *Subject to change
8 Citizen Comments 5 p.m. or soon thereafter (if the meeting ends earlier than 5 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)	
9 Consent Agenda	*Projected Time *Subject to change
<ul style="list-style-type: none"> a. Approve the minutes of April 13, 2015. b. Approve the FY 2015 budget adjustment for the Cemetery Trust Fund. 	<ul style="list-style-type: none"> 5 minutes
10 Action Items Requiring Discussion	*Projected Time *Subject to change
<ul style="list-style-type: none"> a. Real estate exchange agreement - 666 Nicolet Avenue, 808 Nicolet Avenue 	<ul style="list-style-type: none"> 10 minutes
11 Public Hearings	*Projected Time *Subject to change
<ul style="list-style-type: none"> a. Resolution – Authorizing the City Manager to enter into an Urban and Community Forestry Grant Memorandum of Agreement with the Florida Department of Agriculture and Consumer Services 	<ul style="list-style-type: none"> 10 minutes
<ul style="list-style-type: none"> b. <u>Request of Philip Kean:</u> <ul style="list-style-type: none"> - Conditional use approval under the cluster housing provisions of the R-2 zoning district to allow the construction of three, two story townhouse units at 1047 and 1049 North Kentucky Avenue, zoned R-2. 	<ul style="list-style-type: none"> 10 minutes
<ul style="list-style-type: none"> c. <u>Request of Unicorp National Developments, Inc.:</u> <ul style="list-style-type: none"> - Final conditional use approval for Lakeside Crossing, a redevelopment of the former Mt. Vernon Inn with approximately 37,473 square feet of retail and restaurant space including a two level parking deck and surface parking of approximately 300 spaces on the property at 110 S. Orlando Avenue, zoned C-3 and providing for certain exceptions and for the approval of a development agreement pertaining to the project. 	<ul style="list-style-type: none"> 20 minutes

d. Request of Fifth Third Bank:

- **Ordinance** - To amend the comprehensive plan Future Land Use Map to change from Single Family Residential to a Parking Lot Future Land Use designation at 453 North Lakemont Avenue (1)
- **Ordinance** - To amend the official zoning map to change from Single Family (R-1A) District to Parking Lot (PL) District at 453 North Lakemont Avenue (1)
- Conditional use approval to develop the properties at 1851/1861/1871 Aloma Avenue and 443/453 North Lakemont Avenue for a one story 3,500 square foot branch bank with drive-thru tellers and 5,715 square feet of professional office

30 minutes

12 City Commission Reports

- a. Commissioner Seidel
- b. Commissioner Sprinkel
- c. Commissioner Cooper
- d. Commissioner McMacken
- e. Mayor Leary

***Projected Time**
***Subject to change**

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

April 27, 2015

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
Quiet Zones	Grant funds agreement received and being reviewed.	Agreement to be executed by June 2015.
Fairbanks electric transmission and distribution undergrounding	Engineering cost estimates indicate that the project can be completed within FDOT's available funding. Contracts among Duke, the City, and FDOT in final draft form.	City Commission action expected the 1 st meeting in June 2015.
New Hope Baptist Church Project	Pastor John Phillips continues pursuing licensing for the day care and school through DCF and obtaining required certifications for staff. Exterior construction and landscaping complete.	Approved Conditional Use will expire in September 2015.
Railroad crossing update	Grade crossing repairs included in a CIP managed by FDOT.	Bids to be received in May 2015.
Future tree plantings	April plantings continue. May plans for planting is underway.	Street tree inventory has started.
MLK (Rollins) Restroom	Plans complete. Rollins will be contracting.	Completion will be Summer 2015.
Historic Preservation Ordinance	Draft approved by the Historic Preservation Board. They would like to have several community meetings for public review before Commission review.	TBD – July 2015.
Underground electric	Refinement/update of policies re: undergrounding of overhead electric service wires	TBD – June 2015

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.



2015 QUARTERLY REVIEW

Below is a recap of the commercial development projects that are now under construction in 2015:

Apartments at Winter Park Village (Paseo): The 204 unit apartment project at the former DMV property at 940 W. Canton Avenue, named the Paseo Apartments began construction in November 2013 with completion expected in April/May 2015. The project is currently actively leasing apartments.

Ravaudage: Construction is underway for an 18,000 square foot building next to the Ale House to hold a Tony Roma's (TR's Firegrill) restaurant and a Zona Fresca restaurant location. Construction now is on the building shell. The interior build-out permits for those two restaurants have not been issued.

Jewett Clinic: Construction began in October, 2014 on a two-story, 25,000 sq. ft. medical building in conjunction with the Jewett Clinic at 1285 Orange Avenue. Completion expected in August 2015.

Lombardi's Seafood: A new Lombardi's Seafood retail store with café at 1888 West Fairbanks Avenue to replace the existing location will open in May/June 2015. The owners participated in the West Fairbanks Business Façade Improvement program.

Kid's Care: The first pediatric Centra Care facility in Central Florida called "Kid's Care" is under construction at 2325 West Fairbanks at the site of the former Chevron station adjacent to the on-ramp to I-4. Completion expected in June.

Blake's Corner: The building at 900 S. Orlando Avenue (SE corner of Minnesota) is now under redevelopment. The size of the project remains the same as the previous building but it will be a new modern look and the parking lot will be completely redone in the rear. Prospective tenants to include new retail and possible restaurant space.

Coming Soon in 2015: There are several new projects in the works for 2015:

Whole Foods project: Redevelopment of the 11 acre former Corporate Square/WP Dodge properties for a Whole Foods grocery and another major retailer which together are 77,000 square feet of retail store area. In addition, there are three out-parcels that have been granted their development approvals by the City. One of the out-parcels is slated to become a new PNC Bank site. Likely at least one restaurant on another of the out-parcels. The building permits have just been issued for the site development work for the shopping center. Also issued is the building permit for the 'shell' of the Whole Foods building. The developer continues to work with the Orange County School Board on the acquisition of the land for the Lee Road extension.

Lakeside Crossing: The redevelopment proposed for the former Mt. Vernon Inn at 110 S. Orlando Avenue is to consist of 37,473 square feet of retail and restaurant space. Final conditional use approval is slated for April 27th, after which demolition will begin.

State Auto Body: The former State Auto Body building at 1280 N. Orange Avenue is also slated for renovation into retail space. The size of the building remains the same and the parking lot will be completely redone in the rear. Preliminary plans have been reviewed and approved by the City. Awaiting construction permit submittals.

Fifth Third Bank: A 3,872 square foot branch bank and 5,410 square feet of other office is on the City Commission agenda for April 27th on the vacant NW corner of Lakemont & Aloma. They plan to start immediately on this project as this new bank will replace the current Fifth Third branch location at 2011 Aloma (next to Mellow Mushroom).

Downtown Residential/Townhouses: Eight new townhouse units at 401/421 W. Morse Blvd. (corner of Virginia Avenue) were approved by the City Commission in October 2014. The previous buildings have been demolished and the City is now reviewing the site development permit plans and the re-plat for the fee simple sale of these units. Six new townhouse units are also planned at 125 S. Interlachen which were approved by the City Commission on February 23rd.

Canton/Capen Homes: Twelve new single family homes are to be built on the vacant land at the NW corner of Canton and Capen Avenues by David Weekly Homes. The City has approved the site development plans for the alleys and other infrastructure. The City is also reviewing the re-plat for the property for fee simple sale of the reconfigured lots.

Ravada: In Ravada this coming year, the City may see the beginning of construction on a new six-story, 288-296 unit apartment complex, by American Land Ventures, as well as 53 townhouses by David Weekly Homes pending infrastructure improvements to support those projects.

Lee Road Townhouses: Heading to the P&Z and City Commission agendas is a new project for the redevelopment of the 1800 Lee Road parcels. The property now consists of eight duplex buildings which are to be removed and the property redeveloped into 30, two-story townhomes.

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

90 Day Plan

April 29, 3:00 p.m. – Visioning Kickoff at the Welcome Center

May 11

- CRA – CIP Plan Update

June 1 - 10 Year Anniversary of Electric Utility Celebration

June 8

- Golf Course Task Force work session (requested)
- Parking Garage Guidelines

June 22

- Library Task Force Report
- Quiet Zone Grant Funding Agreement (tentative)
- Conditional Use – 1800 Lee Road
- Lakeside Crossings – Comp Plan FLU Text Amendment

July 13

- Budget Presentation
- Amendment to Affordable Housing Linkage Fee Ord. (tentative)

July 27

- Budget discussion – Set tentative millage
- Amendment to Historic Preservation Ordinance (tentative)

Not yet scheduled but likely within the next 90 days:

- Duke/FDOT agreement for undergrounding of Fairbanks transmission lines
- Revision of undergrounding policies to address service drops
- Follow up discussion on streetlights for gateway roads
- Workshop on Sign Ordinance revisions

REGULAR MEETING OF THE CITY COMMISSION
April 13, 2015

The meeting of the Winter Park City Commission was called to order by Mayor Steve Leary, at 3:30 p.m. in the Commission Chambers, 401 Park Avenue South, Winter Park, Florida. The invocation was provided by Reverend Shawn Garvey, First Congregational Church, followed by the Pledge of Allegiance. Mayor Leary asked for a moment of silence in memory of Kevin Robillard who passed away.

Members present:

Mayor Steve Leary
Commissioner Greg Seidel
Commissioner Sarah Sprinkel
Commissioner Tom McMacken
Commissioner Carolyn Cooper

Also present:

City Manager Randy Knight
City Attorney Larry Brown
City Clerk Cynthia Bonham

Approval of the agenda

Motion made by Commissioner McMacken to approve the agenda with the change to move item 'f' under the Mayor's Report as part of Action Item 'c'; seconded by Commissioner Sprinkel and approved by acclamation with a 5-0 vote.

Mayor's Report

a. Presentation - Winter Park Sidewalk Art Festival "Best of Show"

Sidewalk Art Festival President John King presented to the City the "Best of Show" from the March 2015 Art Festival consisting of two framed photographs of cicadas.

b. Presentation - Biking Works in Winter Park

Traffic Manager Butch Margraf announced March as Florida Bike Month and spoke about the "Bike to Work" event held. David Erne and Jill Hamilton Buss representing the Pedestrian and Bicycle Board addressed the "Bike to Work" event consisting of over 100 people and showed a video.

c. Proclamation - Arbor Day

Mayor Leary proclaimed April 24, 2015 as Arbor Day. Assistant City Manager Michelle del Valle Neuner announced Earth Day in the Park on April 18 which will also consist of hosting a live tree planting near the rose garden in memory of community philanthropist Kenneth Murrah and the giving away of containerized trees to city residents.

d. Proclamation - Winter Park Public Library National Library Week

Mayor Leary proclaimed April 12-18, 2015 as Winter Park Public Library Week 2015 and presented the proclamation to Library Director Shawn Shaffer. Ms. Shaffer spoke about the activities at the library and the results of a survey they sent to the residents.

e. Presentation - Core Value Coin Recipients for January-March 2015

City Manager Knight recognized the core value coin employee recipients who exemplified one of the City's eight core values for the first quarter. He highlighted employees Juanita Grant Ford (customer service), and Eric Sorg and Paul Denault (for helping a resident lying face down and other incidences while on the job).

The coin recipients were as follows:

Customer Service: Barry Carson, Juanita Grant Ford, Steve Mathes, Craig O'Neil, Janet Paul, Marvin Walton, and Bob Wirick

Innovation: Jimm Walsh

Professionalism: Leif Bouffard, Paul Denault, Deborah Morgan-Claitt, and Eric Sorg

Teamwork: Frank Coward, Murray Daniel, Brenda Moody, Tim Volkerson

f. Visioning Steering Committee appointments

This item was moved as part of Action Item 'c'.

City Manager's Report

City Manager Knight announced the upcoming celebration on June 1 for the 10 year anniversary of the electric utility. Mr. Knight also spoke about board recognition and appreciation. Upon discussion, this will be scheduled as a separate event.

Also provided was an update on the historical preservation ordinance process, and the proposed amendments to come before the Commission sometime in July.

City Attorney's Report

Attorney Brown spoke about the lawsuit (Parker case) along with 55 other cities related to the red light camera program. They have been authorized by the City's insurance carrier to file a defense to quash the case which was due tonight at midnight. They are filing a special motion to state that the court does not have jurisdiction over Winter Park.

Non-Action Item

a. Financial Report – February 2015

Finance Director Wes Hamil provided the February 2015 financial report and answered questions.

Motion made by Commissioner McMacken to accept the financial report as presented; seconded by Commissioner Sprinkel and carried unanimously with a 5-0 vote.

Consent Agenda

- a. Approve the minutes of March 23, 2015. **PULLED FROM AGENDA FOR DISCUSSION.**
- b. Approve the following purchase, contract and formal solicitations:
1. Purchase order to Action Target for renovation of Police range/training facility (paid out of forfeiture funds). **PULLED FROM AGENDA FOR DISCUSSION.**
 2. Renewal with Brown & Brown of Florida, Inc./United National Insurance Company and approve subsequent purchase order for renewal option for property insurance only; \$318,176.50.
 3. Award to Toms Sod Service, Inc. for IFB-10-2015 for the purchase, delivery and installation services for sod; and authorize the Mayor to execute the contract and all subsequent purchase orders.
 4. Award to Lake Jem Farms, Inc. for IFB-10-2015 for the purchase, delivery and installation services for sod; and authorize the Mayor to execute the contract and all subsequent purchase orders.
 5. Award to Major League Sports Fields Corp. for IFB-10-2015 for the purchase, delivery and installation services for sod; and authorize the Mayor to execute the contract and all subsequent purchase orders.
 6. Award to Sod Depot for IFB-10-2015 for the purchase, delivery and installation services for sod; and authorize the Mayor to execute the contract and all subsequent purchase orders.

Motion made by Commissioner McMacken to approve Consent Agenda items 'b. 2-6', seconded by Commissioner Cooper and carried unanimously with a 5-0 vote.

Consent Agenda Item 'a' – Approve the minutes of March 23, 2015.

Commissioner Cooper asked to change one word in the first paragraph on page 2 of the minutes. **Motion made by Commissioner McMacken to approve the minutes with this change, seconded by Commissioner Cooper and carried unanimously with a 5-0 vote.**

Consent Agenda Item 'b-1' - Approve the following purchase: Purchase order to Action Target for renovation of Police range/training facility (paid out of forfeiture funds).

Mayor Leary asked that this item be pulled to clarify the amount. Police Chief Railey provided the estimate of \$248,497.34. **Motion made by Mayor Leary to approve Consent Agenda item 'b-1', seconded by Commissioner Sprinkel and carried unanimously with a 5-0 vote.**

Action Items Requiring Discussion

a. Appointment of Vice Mayor

Mayor Leary nominated Commissioner Sprinkel to be the 2015 Vice Mayor; seconded by Commissioner Seidel. Upon questioning by Commissioner Seidel, the Vice Mayor duties were clarified. He also asked that in the future they consider rotating the Vice Mayor position. Mayor Leary spoke about the need to appoint a Vice Mayor depending on what is needed at the time. There were no public comments made. **Upon a roll call vote, Mayor Leary and Commissioners Seidel and Sprinkel voted yes. Commissioners Cooper and McMacken voted no. The vote carried with a 3-2 vote.**

b. Proposed naming of the Shady Park Pavilion after Rev. Mitchell Dawkins, Sr.

Parks and Recreation Director John Holland spoke about the request of the Commission on February 23 to take proposals to the Parks Board to name parks and pavilions after some prominent people in the City. In doing so, they considered the request of naming the pavilion in Shady Park after Rev. Dawkins which had a lot of support from the board.

Motion made by Commissioner McMacken to approve this request with the clarification that the waiving of the residency requirements is for this specific request only; seconded by Commissioner Cooper.

Commissioner Cooper summarized Rev. Dawkins' contribution to the community. Commissioner Sprinkel questioned the process. City Manager Knight explained the request by the Parks Board to approve this request with the waiver of the naming policy requirement to be a resident and to take no action to rename existing parks at this time.

Commissioner Cooper asked about recognizing citizens that are over 100 years old. Upon discussion, the current policy will be reviewed to determine the possibility of naming other things in the City such as streets or parks. Mayor Leary expressed concerns with putting the City in a position of having to waive parts of the policy for some and not others.

Melanie Dawkins, Rev. Dawkins widow, thanked the Commission for supporting this request.

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

- c. Appointment of remaining members of the Steering Committee (Mayor's Report item 'f') and the award to Logan Simpson for RFP-8-2015, City's Visioning

Commissioner McMacken expressed a desire to talk to the other commissioners about the visioning effort. He mentioned two items had come to him that he felt could diminish the visioning effort. He expressed concerns with the survey sent out by Mayor Leary after the election that not all residents received because of the timing of the survey and the confusion by residents if this was part of the visioning process.

He also expressed concerns with an email sent out by Commissioner Cooper to a member of the Steering Committee addressing her vision for the visioning. His concern about this was based on the issue of transparency. He stated they need to decide as a group whether they are hands off or hands on with this process. He stated that for the sake of the consultants, staff and the Steering Committee that the Commission needed to either let them be the responsible individuals they are or not and to inform them with clear direction one way or another.

Commissioner Cooper stated immediately after she sent out the email it became obvious to her that she did not put it on her standard format that says it is her personal opinion and not as Commissioner which she corrected with the 10 people she sent it to. She stated she was not attempting to give direction but was trying to provide information to them that she believed would inform their process. She addressed the documents she sent them. She also wanted to be sure the vision represented the majority of the Winter Park taxpayers and that our older and less tech savvy residents are included as well to make sure that we end up with a consensus on growth.

Mayor Leary followed up by stating he sent out an email to let the Steering Committee know that staff would be briefing them on the direction they are to take. He also addressed the survey that his campaign sent out that was only meant to be a thank you and that he asked for feedback on issues that they heard during the campaign. He apologized for the timing and did not consider it as part of the visioning but thought it was clear it came from his campaign.

Commissioner Sprinkel addressed the confidence she has in Commissioner McMacken regarding his appointment to the Selection Committee. She agreed that the Commission needs to let the committee do what they were appointed to do.

Commissioner Seidel spoke about the Steering Committee consisting of very intelligent individuals who need to go forward and determine the best way to do this.

Appointment of remaining members to the Steering Committee:

Commissioner Seidel's two appointments:
William Sullivan and Marketa Hollingsworth

There was a consensus to approve the two appointments.

Staff recommended appointments:

Rev. Shawn Garvey, 1st Congregational Church
Sharon Line Clary, Winter Park Hospital
Patty Maddox, Winter Park Health Foundation
Jeffrey Eisenbarth, Rollins College
Pitt Warner, Winter Park Land Company
Rebecca Wilson, Chair of Winter Park Chamber of Commerce
Peter Schreyer, Crealde School of Art
One more representative of culture, art and heritage remains to be filled.

Planning Director Dori Stone explained the makeup of the committee consisting of 80% Winter Park residents and 20% representing the business community. She addressed two areas not being represented at this time; North Lee Road and the Orange Avenue Orwin Manor area. She stated this does not mean that the appointments that we have will not be reaching out to those neighborhoods because that is the obligation of the Steering Committee.

Mayor Leary expressed concerns with considering more individuals because there may be other areas also not included in the list. Commissioner Cooper indicated she wanted a representative for the planning areas of the Lee Road corridor, and a business representative for the Fairbanks and Orlando Avenue corridors. Ms. Stone stated the Steering Committee make up did include the general business person (Ms. Wilson of the Chamber) who would represent the Fairbanks Avenue and Orlando Avenue business community. Discussion ensued regarding preferences for any additional areas to be included as part of the Steering Committee. Commissioner Cooper reiterated the importance that all the planning areas are represented so the entire City feels they are represented and that all individuals should be Winter Park residents. She asked that this go back to the Steering Committee, make this refinement and to bring back recommendations.

Motion made by Mayor Leary to approve the seven appointments and to fill the additional one representative for culture, art and heritage; seconded by Commissioner Sprinkel.

Motion amended by Commissioner McMacken to also include additional representatives to cover the Lee Road and Orwin Manor areas; seconded by Commissioner Cooper.

Jeffrey Blydenburgh, 204 Genius Drive, asked to make sure that all neighborhoods are represented.

Montye Plank, 1112 Turner Road and Scott Bodie, 1033 Lake Bell Drive, thanked the Commission for considering a representative from their area on Lee Road.

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

Upon a roll call on the main motion as amended, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

Public comments (items not on the agenda)

There were no public comments made.

Recess

A recess was taken from 4:57–5:16.

Continuation of Action Item 'c' – Award to Logan Simpson for RFP-8-2015, City Visioning

Planning Director Dori Stone summarized the process followed to narrow the firms down to three; Logan Simpson, Planning Next and Wallace Roberts and Todd (WRT). Commissioner McMacken commented that all three would do a good job for the City but that he stands by the recommendation brought forth. Ms. Stone asked the Commission to approve \$200,000 for visioning and to authorize the Mayor to sign the contract with Logan Simpson and begin the kickoff process.

Questions were posed by the Commissioners and discussion ensued regarding the cost and any additional possible costs, public notification, and the separate issues of visioning versus the comprehensive plan. Upon questioning by Commissioner Sprinkel, Commissioner McMacken spoke about what set Logan Simpson apart from the others. Commissioner Cooper addressed the ranking of Logan Simpson compared to Planning Next and WRT. She stressed that she does not want to have to defend their credibility. She stated she would like to hire Logan Simpson for Teambuilding and Planning Next for this project as they have deeper experience and excel in other areas but was left out because of finances. Commissioner McMacken disagreed that was the reason and that it was not an overriding or only

consideration. He stated he stands by the recommendation of the Selection Committee that he was a part of.

Motion made by Mayor Leary to approve the recommendation for Logan Simpson for the RFP, seconded by Commissioner Sprinkel.

Motion amended by Commissioner Cooper that the scope of work if it does not now be broadened to include a statistically able to validate mail survey to the residents of Winter Park which may have a price tag associated with it (and I personally am comfortable expending those additional resources to make that happen), seconded by Commissioner McMacken for discussion purposes.

Commissioner McMacken stated this was discussed with all the consultants regarding a requirement for a statistically viable survey. Ms. Stone addressed their discussion that there was room in the survey to do that and believed the scope including the \$200,000 can encompass that. Commissioner McMacken addressed the various means of outreach and believed that was covered. Ms. Stone asked that they be allowed to take this to the Steering Committee, go through the scope and receive their input regarding the survey. Mayor Leary addressed the amendment on the table.

Project Manager Bruce Meighan of Logan Simpson stated there is a statistically valid survey that is electronic and the intent was to track who they have in to make sure it meets the qualifications of the statistically valid survey and to do that at a time period where they are reaching out to individual neighborhoods. He stated it does meet the Commission's intent but they have not put in a cost of a follow up survey where they send out a mailed survey because they find it is not statistically valid. He stated they do have the ability to put people into the neighborhoods to ask them to get engaged in the process and that they try to do things a little different but also meet the intent of it being statistically valid. Commissioner Cooper expressed concerns with the elderly who cannot respond electronically and supported mail surveys.

Commissioner Sprinkel wanted to move forward as is and then if there are any issues that the Steering Committee will come back to inform the Commission. She trusted that the system will work with that.

Jeffrey Blydenburgh, 204 Genius Drive, spoke in favor of approving Logan Simpson and to move forward.

Nancy Shutts, 2010 Brandywine Drive, expressed concerns with questions being posed that they cannot answer because of their lack of knowledge of how the City runs and its finances.

Martha Hall, 331 W. Lyman Avenue, spoke in favor of moving forward with City visioning and wanted to ensure that all residents are involved, especially in the Westside of Winter Park.

Mayor Leary spoke about needing to give the consultant the flexibility they need and that he had confidence they will make sure everyone is represented. He stated he is happy to support other ways of reaching out if the Steering Committee believes that is necessary.

Upon a roll call vote on the amendment to the motion, Mayor Leary and Commissioners Seidel, Sprinkel, and McMacken voted no. Commissioner Cooper voted yes. The motion carried with a 4-1 vote.

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

Public Hearings:

- a. Request of Mr. and Mrs. King for the annexed property at 1802 Stonehurst Road:

Attorney Brown both ordinances by title. This was a simultaneous public hearing.

ORDINANCE NO. 2994-15: 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 ESTABLISH SINGLE FAMILY RESIDENTIAL FUTURE LAND USE ON THE ANNEXED PROPERTY AT 1802 STONEHURST ROAD AND TO INDICATE THE ANNEXATION ON THE OTHER MAPS WITHIN THE COMPREHENSIVE PLAN, MORE PARTICULARLY DESCRIBED HEREIN. Second Reading

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

ORDINANCE NO. 2995-15: 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 ESTABLISH SINGLE FAMILY (R-1AA) ZONING ON THE ANNEXED PROPERTY AT 1802 STONEHURST ROAD, MORE PARTICULARLY DESCRIBED HEREIN. Second Reading

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

b. Request of Morney Partnership Ltd.:

ORDINANCE NO. 2996-15: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA VACATING AND ABANDONING AN ELECTRIC DISTRIBUTION EASEMENT LOCATED AT 326 HANNIBAL SQUARE, WINTER PARK, FLORIDA, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS AND AN EFFECTIVE DATE. Second Reading

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

City Commission Reports:

a. Commissioner Seidel

Commissioner Seidel addressed the amount of emails he received regarding the survey and that this was handled extremely well by everyone this evening. He reported that he has a meeting set with staff to discuss traffic issues and has met with Jerry Warren regarding undergrounding. He stated he will come forward with thoughts and ideas on these issues after he gathers more information.

b. Commissioner Sprinkel

Commissioner Sprinkel announced she started the Easter egg hunt which again was a great event. She spoke about the great job that Juanita does with greeting people. She addressed the new group of TIGER (U.S. Department of Transportation's (DOT) Transportation Investment Generating Economic Recovery) Discretionary Grants being let out by the Federal Government and that it would be great to have a process in place to start looking at those to see if we can get some. She spoke about Commissioner Seidel's review of traffic and undergrounding and that they all need to look to him for direction as he comes forward with his expertise. Commissioner McMacken asked that the 90 day plan be re-instituted to include the issues coming forward.

Lastly, Commissioner Sprinkel addressed the Steering Committee and visioning and that the Commission needs ground rules as to their involvement. She wants to provide them the support they need but does not want the Commission to wonder if the committee is doing what they want as individual Commissioners and to make sure they do not get too involved. Discussion ensued that the committee would keep them informed.

c. Commissioner Cooper

Commissioner Cooper spoke about the resident turning 100 years old and asked what they can do to celebrate such as planting a tree with a plaque. She asked that the Parks Board address this. City Manager Knight stated we are doing a proclamation and have offered them a bench for the park. Mayor Leary asked if we can get something in place for this outside of a park or major structure such as donating a tree or other ways.

Commissioner Cooper spoke about the application board notice that says the deadline is today and asked if one more notice can be sent out to give people more of an opportunity to apply. We will be accepting more applications.

Commissioner Cooper shared her experience with Joe Smirti in the Parks and Recreation Department who does our plantings and the incredible job he did over the weekend with the tour.

Commissioner Cooper spoke about budget adjustments and her need to understand these and where the funds are coming from.

b. Commissioner McMacken

Commissioner McMacken spoke about the Dinner on the Avenue being a great event, the upcoming Taste of Winter Park, and thanked the Commission for the enjoyable discussions this evening.

e. Mayor Leary

Mayor Leary spoke about the loss of Kevin Robillard and the great person he was. He addressed the report due back from Tallahassee whereby Assistant City Manager Michelle del Valle Neuner is working with our lobbyist there. He spoke about being actively engaged with our representatives in Tallahassee.

The meeting adjourned at 6:11 p.m.

Mayor Steve Leary

ATTEST:

City Clerk Cynthia S. Bonham, MMC



city commission agenda item

Item type	Consent Agenda	meeting date	April 27, 2015		
prepared by	Peter Moore	approved by	<input checked="" type="checkbox"/>	City Manager	
department	Administrative Services		<input type="checkbox"/>	City Attorney	
division	Budget, Purchasing, Performance Measurement		<input type="checkbox"/>	N/A	
board approval		<input type="checkbox"/> yes	<input type="checkbox"/> no	<input checked="" type="checkbox"/> N/A	final vote
strategic objective	<input type="checkbox"/> Exceptional Quality of Life	<input checked="" type="checkbox"/> Fiscal Stewardship			
	<input type="checkbox"/> Intelligent Growth & Development	<input type="checkbox"/> Public Health & Safety			
	<input type="checkbox"/> Investment in Public Assets & Infrastructure				

subject

FY 2015 Budget Adjustment for Cemetery Trust Fund.

motion | recommendation

Approve the budget adjustment as presented.

background

The City Commission is required by Statute to approve any budget amendments that alter the total amount budgeted in any fund or when funds are transferred between different fund types. The Parks department is updating the Cemetery in the Babyland area. A total of \$2,300 will be required to replace benches at the site. This will involve a transfer from the Cemetery Trust Fund to the General Fund.

This amendment if approved by the Commission will become part of the formal FY15 year-end close out process that will adopt all FY15 amendments by formal ordinance. The adjustment requested is attached to this item.

alternatives | other considerations

N/A

fiscal impact

This would increase the transfer from the Cemetery Trust fund to the General Fund from \$239,714 to \$242,014.



city commission agenda item

item type	Action Item Requiring Discussion	meeting date	April 27, 2015
prepared by	Troy Attaway	approved by	<input checked="" type="checkbox"/> City Manager
department	Public Works		<input checked="" type="checkbox"/> City Attorney
division	Administration		<input type="checkbox"/> N A
board approval		<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no <input type="checkbox"/> N A final vote
strategic objective	<input checked="" type="checkbox"/> Exceptional Quality of Life		<input type="checkbox"/> Fiscal Stewardship
	<input type="checkbox"/> Intelligent Growth & Development		<input type="checkbox"/> Public Health & Safety
	<input checked="" type="checkbox"/> Investment in Public Assets & Infrastructure		

subject

Real Estate Exchange Agreement 666 Nicolet Avenue, 808 Nicolet Avenue

motion | recommendation

Approve Real Estate Exchange

background

As part of the City’s Lakes and Stormwater Improvement Plan, there is a demonstrated need to reduce nutrients from untreated stormwater flowing to Lake Killarney. There currently is a large stormwater outfall flowing into Lake Killarney along Shoreview Road and Nicolet Avenue which has little treatment and is a significant source of nutrients into Lake Killarney. In 2009 the City purchased 796 Nicolet in order to construct a pond to provide treatment. In 2012 the City purchased 666 Nicolet to provide additional stormwater treatment within the subbasin. An opportunity has arisen to trade 666 Nicolet for 808 Nicolet to provide a more efficient way to treat stormwater since it is adjacent to City owned land. This land swap provides for one large pond to be constructed instead of 2 smaller ponds providing more treatment volume and better removal of nutrients thus a higher benefit to Lake Killarney. This land swap and proposed larger pond also provides for greater access and maintenance of the existing drainage ditch currently under our responsibility. This item has been discussed with the Lakes & Waterways Board and has received support for the land swap. See attached map for property locations.

alternatives | other considerations

Construct smaller pond on 666 Nicolet which would have less storage volume and less overall benefit since it is not directly adjacent to the main drainage outfall ditch.

fiscal impact

The land swap has little fiscal impact other than the development costs of 666 Nicolet (fence relocation and graveling the site) and the pond construction at 808 Nicolet, estimated to be \$100,000, already budgeted in the Stormwater CIP.

REAL ESTATE EXCHANGE AGREEMENT

THIS REAL ESTATE EXCHANGE AGREEMENT (the "**Agreement**") is made by and between **JAMES D. McCLAIN** and **SHANNON McCLAIN**, husband and wife, (hereinafter referred to as "**McCLAIN**"), with a principal address of 659 Nicolet Avenue, Winter Park, FL 32789, and the **CITY OF WINTER PARK, FLORIDA**, a Florida municipal corporation ("**City**") with a principal address of 401 Park Avenue South, Winter Park, FL 32789, (collectively referred to herein as the "**Parties**"). The effective date of this Contract (the "**Effective Date**") shall be the date upon which the last of the parties shall have signed this Contract.

RECITALS:

WHEREAS, City is the owner of the real property located in Orange County, Florida, located at 666 Nicolet Avenue, Winter Park, Florida, and more particularly described on the attached **Exhibit "A"** and hereinafter referred to as the "**City Property**".

WHEREAS, McCLAIN is the owner of the real property located in Orange County, Florida, located at 808 Nicolet Avenue, Winter Park, Florida, and more particularly described on the attached **Exhibit "B"** and hereinafter referred to as the "**McCLAIN Property**".

WHEREAS, City and McCLAIN intend to transfer the real property interests of the City Property on the one hand, and the McCLAIN Property on the other hand, and are willing to take such steps on their respective parts to enable the transactions contemplated.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and for other good and valuable consideration, in hand paid each party by the other, the receipt and adequacy of which is hereby acknowledged, the Parties covenant and agree as follows:

1. Recitals. The Parties agree that the recitals are true and correct, and are incorporated and made a part of this Agreement. The City Property and the McCLAIN Property are sometimes individually or collectively referred to herein as the "Real Property."

2. Property to be Conveyed. The Parties agree to exchange the City Property and the McCLAIN Property upon the terms and conditions hereinafter set forth and subject to performance of all conditions of this Agreement and performance by each party hereto of its respective obligations hereunder. The conveyances of the Real Property shall in each case include all rights, easements, fixtures and appurtenances pertaining to such property, as well as the owner of such property's interests in any permits, licenses, governmental approvals, leases and other agreements pertaining to the Real Property, along with such other rights as may be specified herein.

3. Value of Exchange.

(a) **Adjustment of Equities.** The fair market values of the two properties are roughly proportional, especially in light of certain additional benefits that will be conferred on the City by acquisition of the McCLAIN Property.

(b) **Improvements to City Property to be Completed Approximately 30 Days After Closing.**

1. City shall, at City's expense, make certain improvements on the City Property as follows, and which are depicted on the site plan attached hereto as **Exhibit "C"** within thirty (30) days of the Closing Date:

(i) existing 6 foot chain link fence and 8 foot fence to be removed and replaced along Gene Street and Nicolet Avenue with 6' black vinyl fence;

(ii) 30 inch and 36 inch twin oak, 30 inch camphor and 12 inch palm trees to be removed;

(iii) existing site to be graded down 4 inches and pervious stone material installed over filter fabric over compacted soil; all grading to be kept 10 feet away from 36 inch oak;

(iv) gravel and broken concrete surface to be removed; and

(v) construct concrete driveway approach.

(vi) existing chain link fence on the East and South sides of the City property shall be repaired. The fencing removed from the North property line may be utilized in the repair.

(vii) the 30' oak on the south property line shall be removed.

2. McCLAIN shall grant the City a temporary construction easement in the form attached as **Exhibit "D"**, so the City may construct the improvements. The provisions of this Section 3(c) shall survive the Closing or earlier termination of this Agreement.

4. Conditions to Closing. The obligation of each party hereunder to consummate the Closing contemplated hereby is subject to the satisfaction of each of the following conditions (any of which may be waived in whole or in part in writing by the party benefited by the condition). If any of the following conditions precedent are not satisfied, the party benefited by such unsatisfied condition may terminate this Agreement by giving the other party written notice.

(a) **Correctness of Representations and Warranties.** The representations and warranties of the Parties set forth herein shall be true on and as of the Closing with the same force and effect as if such representations and warranties had been first made on and as of the Closing.

(b) **Compliance by Parties.** The Parties shall have performed, observed, and complied with all of the covenants, agreements, and conditions required by this Agreement to be performed, observed, and complied with by it prior to or as of the Closing.

(c) **City Approval.** The complete execution of this Agreement by the Parties and the approval of this Agreement by the City Commission of the City of Winter Park at a public meeting, pursuant to §166.045, Fla. Stat.

(d) **Inspection Period.** Each party hereto shall have until the date of Closing (herein the "**Inspection Period**") in which to conduct an investigation of the Real Property, including, by way of illustration and not in limitation : inspections as to the physical condition of the Real Property; investigation of the availability of utilities; status of zoning or ability to rezone; zoning codes; building codes; physical condition and any other condition or characteristic of the Real Property which either party may deem necessary or relevant in purchasing the Real Property. Should either party for any reason become dissatisfied or concerned with the result of any such investigation, search, inquiry or report as contemplated hereby, then either party may, prior to the expiration of the Inspection Period, terminate this Agreement by written notice thereof to the other party.

(f) **Delivery of Materials.** Within five (5) days after the Effective Date of this Agreement, City and McCLAIN shall deliver to the other party copies of all existing studies, tests, environmental audits, soil borings results, surveys, site plans, reports, plans, permits, petitions, warranties, applications, certificates, reservations, agreements, development orders, approvals, maps, aerials and related materials in its possession relating to the Real Property.

(g) **City Electric Utility Easement.** Prior to Closing, the City will record a 5' underground power easement in favor of the City of Winter Park on the City Property as depicted on the site plan attached as **Exhibit "C"**. The easement shall preclude any portion of the power components, including transformers, from being above ground on the City Property.

5. Warranties and Representations. The Parties hereby make the following warranties, representations and covenants with respect to the Real Property, and which warranties, representations and covenants shall survive the Closing.

(a) **Marketable Title.** City and McCLAIN have good and insurable title to their respective parcels, and will have good and insurable title, in both cases, free and clear of all mortgages (except as paid or transferred at Closing), liens, encumbrances, leases, tenancies, security interests, covenants, conditions, restrictions, rights-of-way, easements, reservations, judgments, lis pendens and other matters affecting title, except the Permitted Exceptions as hereinafter defined.

(b) **No Condemnation Pending or Threatened.** There is no pending or threatened condemnation or similar proceeding affecting any portion of the Real Property or any portion thereof, nor has either party acknowledged that any such action is presently contemplated.

(c) **Authority.** Except as may specifically be set forth herein, neither party is aware of any facts which prohibit it from entering into this Agreement and closing this Agreement in accordance with the terms hereof. The execution and delivery of this Agreement, and the consummation of the transaction contemplated hereby will not result in any breach of the terms and conditions of, or constitute a default under, any instrument or obligation to which either party is now or may become a party, or by which either party may be bound or affected, or violate any order, writ, injunction or decree of any court in any litigation to which either party is a party, or violate any law. The Parties have the power and authority to enter into, deliver and perform this Agreement, to execute and deliver all documents required hereby, to convey all of their right, title and interest in and to the Real Property to the other, and to otherwise take all steps necessary to the performance of the duties and obligations of either party hereunder.

(d) **Permitted Use.** The Real Property is zoned for such uses as are consistent with the comprehensive plan adopted by any Local Authority, except to the extent the failure of such representations and warranties does not materially affect the Parties or their successors, assigns or tenants from using the Real Property in a manner materially consistent with its historic and present use. City represents and acknowledges that the City Property is zoned as C-3, which is the same zoning as the business property held by McCLAIN across the street from the City Property.

(e) **Compliance with Laws.** The Real Property and any improvements comply in all material respects with all applicable Land Use Approvals in effect as of this date and the Closing Date.

(f) **Certificates of Occupancy, Consents and Approvals.** All permanent certificates of occupancy and other consents and approvals required from any governmental agency having jurisdiction over the Real Property have been issued and are in full force and effect without the presence or existence of any unsatisfied conditions or requirements with respect thereto, and true, correct and complete copies of such consents, approvals and certificates of occupancy have been delivered to the other party.

(g) **Litigation.** There are no actions, suits, proceedings or investigations, at law or in equity, or before any governmental agency or other person, pending or threatened against the City or McCLAIN that, in any case or in the aggregate, will affect the other party's ability to meet its obligations arising under this Agreement or have an adverse affect on the use, operation or occupancy of the Real Property.

(h) **Access, Special Assessments.** Pedestrian and vehicular access to the Real Property is provided by publicly dedicated streets that are contiguous with the Real Property. There are no special assessments pending or, to the knowledge of the City or McCLAIN, threatened against or with respect to the Real Property on account of or in connection with such streets, roads or any

other public improvements including but not limited to storm and sanitary sewer, water or other utility lines, curbs, gutters, drainage facilities, sidewalks, lighting and the like.

(i) **Easements**. No additional easements are required for the provision of utilities, access, egress and drainage to or for the benefit of the Real Property in connection with the use, operation and enjoyment of the Real Property, except for the City of Winter Park 5' underground power easement to be recorded prior to closing on the City Property, as depicted on the site plan attached as **Exhibit "C"**. The underground easement will not preclude the easement area from being utilized as parking.

(j) **Utilities**. All necessary utility services, including but not limited to sanitary sewer, water, electric power, and telephone service are available to the Real Property and no unpaid assessments, impact fees, development fees, tap-on fees or recapture costs are payable in connection therewith.

(k) **Encroachments**. The Real Property does not encroach on the real property of another or upon real property not being conveyed to the transferee as a result of the transactions contemplated by this Agreement.

(l) **Environmental Status**. Each party, to the best of their knowledge and belief, warrants and represents to the other that, as to the respective property owned by them, (i) the Real Property is free of all hazardous waste or substances except as may be permitted by applicable law; (ii) that the Property has been operated and maintained in compliance with all applicable environmental laws, statutes, ordinances, rules and regulations; (iii) no other release of any hazardous waste or substances has taken place on the Real Property, (iv) no migration of hazardous waste or substances has taken place from the Real Property which would cause the release of any hazardous waste or substance on any adjoining lands or any other lands in the vicinity of the Real Property; and (v) there are no bulk or underground tanks on or in the Real Property, and, no bulk or underground storage tanks have ever been located on or in the Real Property.

The term hazardous waste or substances shall include those substances included within the definitions of "hazardous substances", "hazardous materials", "toxic substances", or "solid waste" in CERCLA, RCRA, and the Hazardous Materials Transportation Act, 49 U.S.C. Section 1801, et seq., and in the regulations promulgated pursuant to said laws or any replacement thereof; such other substances, materials and wastes which are or become regulated under applicable local, state or federal law, or which are classified as hazardous or toxic under federal, state, or local laws or regulations.

Both City and McCLAIN have no notice or knowledge of the on-site existence of any "Endangered and Threatened Species," flora and fauna as identified by the U.S. Fish and Wildlife Service's "List of Endangered and Threatened Wildlife and Plants" as may be amended from time to time. Both City and McCLAIN further warrant no knowledge of the on-site existence of any upland conservation areas which are preserved, or may be preserved, for the purposes of providing wildlife habitat.

The provisions of this Section shall survive the Closing or earlier termination of this Contract.

(m) **Representations Complete.** None of the representations or warranties made by the City or McCLAIN, nor any statement made in any document or certificate furnished by the either party pursuant to this Agreement contains or will contain at the Closing, any untrue statement of a material fact, or omits or will omit at the Closing, to state any material fact necessary in order to make the statements contained herein or therein, in the light of the circumstances under which they were made, not misleading.

6. **Title Insurance.**

(a) **McCLAIN Property.** City, at City's expense and within thirty (30) days from the Effective Date, shall obtain a title insurance commitment (the "**Title Commitment**") as to the McCLAIN Property, to issue an ALTA Owner's Title Insurance Policy - Form B, in the amount of \$255,125.00 to be issued by a title company of City's choosing (the "**Title Insurance Company**"), naming City as the proposed insured. The Title Commitment shall show good, marketable and insurable fee simple title to the Property to be vested in City, liens, encumbrances, exceptions and qualifications which will not interfere with or impair the Property's use; exceptions permitted by the provisions of this Agreement; and those exceptions which are capable of and are actually to be discharged by McCLAIN at or before Closing (all other exceptions to title being deemed title defects for purposes of this Agreement). Legible and complete copies of all instruments listed as exceptions to title (commonly identified as Schedule B-II exceptions in the Title Commitment) shall be delivered with the Title Commitment. If title is found to be defective, City shall, within ten (10) days from the date it receives the Title Commitment, notify McCLAIN in writing to that effect specifying the defects. McCLAIN shall have twenty (20) days from the receipt of City's notice specifying the title defects to cure the defects and, if after said period McCLAIN shall not have cured the defects, or if McCLAIN shall not have progressed to a point where the defects are certain to be remedied prior to Closing, or where the removal of such defects is not otherwise assured to City's satisfaction, City shall have the option of (i) accepting the title "as is" or (ii) terminating the Agreement after which City and McCLAIN shall each be released from all further obligations to each other respecting matters arising from this Contract.

(b) **City Property.** McCLAIN at McCLAIN's expense and within thirty (30) days from the Effective Date, shall obtain a title insurance commitment (the "**Title Commitment**") as to the City Property, to issue an ALTA Owner's Title Insurance Policy - Form B, in the amount of \$255,125.00 to be issued by a title company of McCLAIN's choosing (the "**Title Insurance Company**"), naming McCLAIN as the proposed insured. The Title Commitment shall show good, marketable and insurable fee simple title to the Property to be vested in McCLAIN, liens, encumbrances, exceptions and qualifications which will not interfere with or impair the Property's use; exceptions permitted by the provisions of this Agreement; and those exceptions which are capable of and are actually to be discharged by City at or before Closing (all other exceptions to title being deemed title defects for purposes of this Agreement). Legible and complete copies of all instruments listed as exceptions to title (commonly identified as Schedule B-II exceptions in the Title Commitment) shall be delivered with the Title Commitment. If title is found to be defective,

McCLAIN shall, within ten (10) days from the date it receives the Title Commitment, notify City in writing to that effect specifying the defects. City shall have twenty (20) days from the receipt of McCLAIN's notice specifying the title defects to cure the defects and, if after said period City shall not have cured the defects, or if City shall not have progressed to a point where the defects are certain to be remedied prior to Closing, or where the removal of such defects is not otherwise assured to McCLAIN's satisfaction, McCLAIN shall have the option of (i) accepting the title "as is" or (ii) terminating the Agreement after which McCLAIN and City shall each be released from all further obligations to each other respecting matters arising from this Contract.

7. Surveys. City, at City's expense, may obtain a survey of the McCLAIN Property (the "**McCLAIN Survey**"), and McCLAIN, at McCLAIN's expense, may obtain a survey of the City Property (the "**City Survey**"), prepared by a licensed Florida land surveyor within the last thirty (30) days before closing, or in the alternative, an update of an earlier survey re-dated to a point in time within the last thirty (30) days which complies with the Florida Minimum Technical Standards F.A.C. 5J-17-051. If the Survey shows any encroachments onto the Property and/or improvements located outside its boundaries or encroachments by improvements principally located on the Property over required setback lines or over onto the property of others or onto any public right-of-way adjacent to the Property, or if it is apparent that the Property violates existing title covenants and/or applicable zoning laws or ordinances, City and/or McCLAIN shall notify the other party in writing to that effect specifying the defects. City and/or McCLAIN shall have until thirty (30) days from receipt of the other party's notice specifying the survey defects in which to cure such defects. If after said period City and/or McCLAIN shall not have cured the defects, or if City or McCLAIN shall not have progressed to a point where the defects are certain to be remedied at or prior to Closing, City or McCLAIN shall have the option of (i) accepting the condition of the Property as disclosed in the survey in an "as is" condition, or (ii) terminating the Agreement, thereupon City and McCLAIN shall each be released from all further liabilities and obligations to each other with respect to all matters arising from this Agreement.

8. Closing. The Closing shall occur on or before ninety (90) days from the Effective Date, and shall be held by express courier or at the offices of McCLAIN's choosing, or such other location as is mutually agreed upon by Parties. At the time of Closing, the Parties shall execute the Transaction Documents, conveying their respective property to the other.

9. Closing Cost and Prorations. Taxes, assessments and other items of income and expenses that survive closing, shall be prorated to the date of closing. If the Closing takes place and the current year's taxes are not fixed and the current year's assessment is available, taxes shall be prorated based upon such assessment and the prior year's millage. If the current year's assessment is not available, then taxes shall be prorated on the prior year's tax. As to the McCLAIN Property, taxes shall be prorated pursuant to F.S. 196.295, since the City is tax exempt. City shall pay all closing costs, including the title insurance, documentary stamps and recording costs for the transfer of the McCLAIN Property. McCLAIN shall pay all closing costs, including the title insurance, documentary stamps and recording costs for the transfer of the City Property. The parties shall pay their own attorney's fees. McCLAIN shall pay all costs related to the release of the mortgage on the McCLAIN Property, and the costs of obtaining new financing on the City Property.

10. Transaction Documents. At the Closing, the appropriate party shall execute or procure the execution and delivery of the following documents:

(a) Special Warranty Deed conveying the City Property free and clear of all encumbrances except for the Permitted Exceptions to McCLAIN. At the discretion of JAMES D. McCLAIN, the City Property shall be conveyed to JAMES D. McCLAIN individually. The McCLAIN's acknowledge that they are involved in dissolution of marriage, and SHANNON McCLAIN by the execution hereof does consent, direct and request that the City Property be conveyed to JAMES D. McCLAIN individually.

(b) Special Warranty Deed conveying the McCLAIN Property free and clear of all encumbrances except for the Permitted Exceptions to City.

(c) Closing Statement(s) itemizing the dollar amounts of all financial matters related to the Closing, including the adjustments and prorations provided herein.

(d) FIRPTA affidavit by each party.

(e) Mechanics' lien, possession and gap affidavits.

(f) Hazardous Substance Affidavit.

(g) Bill of Sale for the personal property, if any.

(h) Temporary Construction Easement (form attached as Exhibit "C").

(i) Mortgage release as to the McClain property.

(j) New mortgage on to the City Property to be obtained by McCLAIN.

(k) Such other documents as may be required, necessary or useful to either party or the Title Insurance Company in consummating the transaction contemplated by this Agreement.

11. Entry. Each party shall have the reasonable right during the term of this Agreement to enter upon the Real Property, or any part thereof, for the purposes of reasonable inspection, environmental audits, surveys and tests and inspections. All inspections of either parcel shall be accomplished so as not to unreasonably interfere with the on-going business or activity conducted on said sites.

12. Condemnation. If, prior to closing, all or any part of the Real Property is taken by any governmental authority under its power of eminent domain, the party to which said Real Property shall be conveyed shall have the option, to be exercised within fifteen (15) days after said party receives written notice from the other party of same:

(a) to take title to the Real Property at Closing without any abatement or adjustment in the agreed value, in which event the party conveying such real estate shall unconditionally assign its rights in the condemnation award to the other (or said other party shall receive the condemnation award from the conveying party if it has already been paid prior to Closing); or

(b) to terminate this Agreement, whereupon the duties and obligations of each of the Parties hereto shall end.

13. Brokers. Each of the parties warrant and represent to each other that they have no knowledge of any real estate broker or agent involved in this exchange of the Real Property.

14. Default. If City or McCLAIN fails to perform any of the covenants set forth in this Agreement, City or McCLAIN shall have, as its sole and exclusive remedy the right of specific performance against the other party.

15. Notices. Notices to City and McCLAIN shall be deemed delivered (i) when hand delivered, or (ii) one business day following delivery to an express delivery courier, such as Federal Express, or (iii) three days following deposit in U.S. mail, certified, return receipt requested. Notice shall be given to the following addresses:

To MCCLAIN: James D. McClain
Shannon McClain
659 Nicolet Ave
Winter Park, FL 32789
Tel. (407) 647-4757
Fax _____

To City: City of Winter Park
Attn: City Manager
401 Park Avenue South
Winter Park, FL 32789
Tel. 407-599-3235
Fax 407-599-3436

With a copy to: Usher L. Brown, Esq.
City Attorney
Brown, Garganese, Weiss & D'Agresta, P.A.
111 N. Orange Ave., Ste. 2000
Orlando, FL 32801
Tel. 407-425-9566
Fax 407-425-9596

16. **Assignment.** This Agreement and any rights hereunder shall not be assignable by either party hereto without the prior written consent of the other party.

17. **Miscellaneous.**

(a) **Attorneys' Fees and Costs.** In connection with any litigation arising out of this Agreement, the prevailing party shall be entitled to recover all costs incurred, including reasonable attorneys' fees, including without limitation trial, appellate and bankruptcy proceedings.

(b) **Modifications to Agreement.** This Agreement may be modified only by an agreement in writing signed by the Parties to this Agreement.

(c) **Agreement To Survive the Closing.** All warranties, representations and agreements contained herein shall survive the Closing of the transaction contemplated by this Agreement.

(d) **Contract Not Recordable.** This contract shall not be recorded in the office of the Clerk of any Circuit Court of the State of Florida, except as may be required to enforce the provisions hereof in the event of a default.

(e) **Binding Effect.** This Agreement shall be binding upon and inure to the benefit of the respective successors and assigns and, as applicable, to heirs and legal representatives of the Parties hereto.

(f) **Governing Law and Venue.** This Agreement shall be governed by the laws of the State of Florida. The proper venue for any action concerning this Agreement shall be Orange County.

(g) **Counterparts.** This Agreement may be executed in several counterparts, each of which shall be deemed an original.

(h) **Severability.** If any provision of this Agreement, or the application thereof to any person or entity or any circumstance, is invalid or unenforceable in any jurisdiction, (i) a suitable and equitable provision shall be substituted therefor in order to carry out, so far as may be valid and enforceable, the extent and purpose of such invalid and unenforceable provision, and (ii) the remainder of this Agreement and the application of such provision to other persons, entities or circumstances shall not be affected by such invalidity or unenforceability, nor shall such invalidity or unenforceability affect the validity or enforceability of such provision, or the application thereof, in any other jurisdiction.

(i) **Time.** TIME IS OF THE ESSENCE IN THIS AGREEMENT.

(j) **Construction.** The paragraph headings, captions or abbreviations are used for convenience only and shall not be resorted to for interpretation of this Agreement. Whenever the

context so requires, the masculine shall refer to the feminine, the singular shall refer to the plural, and vice versa.

(k) **Extension of Time Periods.** In the event that the last day of any period of time specified in this Agreement shall fall on a weekend or legal holiday, such period of time shall be extended through the end of the next work day following.

(l) **Waiver.** No waiver hereunder of any condition or breach shall be deemed to be a continuing waiver or a waiver of any subsequent breach.

IN WITNESS WHEREOF, the parties have executed this instrument as of the day and year indicated below.

*Signed, sealed and delivered
in the presence of:*

(print name)

(print name)

James D. McClain

Shannon McClain

Date: _____

*Signed, sealed and delivered
in the presence of:*

(print name)

(print name)

CITY OF WINTER PARK, FLORIDA

By: _____
Steven J. Leary, Mayor

ATTEST:

By: _____
Cynthia S. Bonham, City Clerk

Date: _____

EXHIBIT "A"
CITY PROPERTY

Lots 1 and 2, Block "C", Lawndale Third Addition, a subdivision according to the plat thereof recorded at Plat Book "L", Page 95, in the Public Records of Orange County, Florida.

Parcel Id. 12-22-29-5004-03-010

Address: 666 Nicolet Ave., Winter Park, Florida

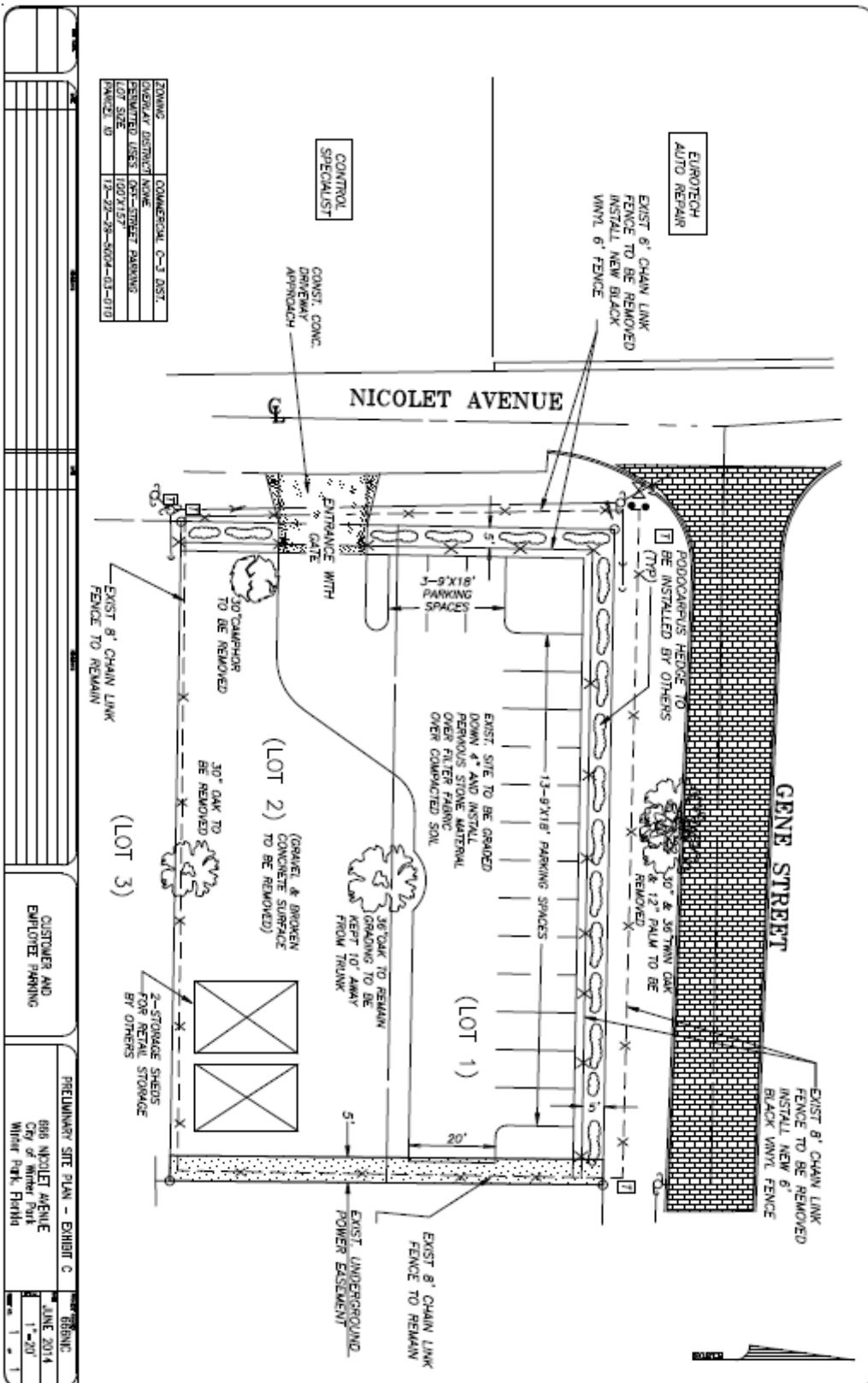
EXHIBIT "B"
McCLAIN PROPERTY

Lots 1 and 2, Block "F", Lawndale Third Addition, a subdivision according to the plat thereof recorded at Plat Book "L", Page 95, in the Public Records of Orange County, Florida.

Parcel Id. 12-22-29-5004-06-010

Address: 808 Nicolet Ave., Winter Park, Florida

EXHIBIT "C"
 [SITE PLAN DEPICTING IMPROVEMENTS ON CITY PROPERTY]



ZONING	COMMERCIAL C-3 DIST.
OVERLAY DISTRICT NAME	
PERMITTED USES	OFF-STREET PARKING
LOT SIZE	1007157
PARCELS TO	12-22-28-8024-01-010

CUSTOMER AND EMPLOYEE PARKING

PRELIMINARY SITE PLAN - EXHIBIT C

666 NICOLET AVENUE
 City of Winter Park
 Winter Park, Florida

DATE: JUNE 2014
 SCALE: 1"=20'

EXHIBIT "D"
[FORM OF TEMPORARY CONSTRUCTION EASEMENT]

[DO NOT EXECUTE]

Prepared by and return to:
Catherine D. Reischmann, Esq.
Brown, Garganese, Weiss & D'Agresta, P.A.
P.O. Box 2873
Orlando, FL 32802-2873

Parcel Id. 12-22-29-5004-03-010

TEMPORARY CONSTRUCTION EASEMENT

THIS TEMPORARY CONSTRUCTION EASEMENT AGREEMENT is entered into this _____ day of _____, 2014, between **JAMES D. McCLAIN** and **SHANNON McCLAIN**, his wife, whose address is 659 Nicolet Avenue, Winter Park, FL 32789, hereinafter referred to as the GRANTOR, and the **CITY OF WINTER PARK, FLORIDA**, whose address is 401 Park Avenue South, Winter Park, FL 32789, hereinafter referred to as the GRANTEE.

WITNESSETH:

FOR AND IN CONSIDERATION of ONE AND NO/100 DOLLAR (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged, GRANTOR, does hereby give, grant, bargain and release to the GRANTEE, a temporary easement to enter upon the following lands of the GRANTOR, said real property being located in Orange County, Florida and more specifically described as follows:

Lots 1 and 2, Block "C", Lawndale Third Addition, a subdivision according to the plat thereof recorded at Plat Book "L", Page 95, in the Public Records of Orange County, Florida.

FOR THE PURPOSE OF allowing the GRANTEE access to said property to construct certain improvements on said real property thereto and to conduct any and all acts and works as aforesaid.

THE GRANTOR hereby warrants that it has good and marketable title and authority to grant the rights to the GRANTEE as set forth herein.

THIS EASEMENT shall expire upon the completion of the construction of the improvements as evidenced by an affidavit executed by the GRANTEE's City Engineer said affidavit being delivered to the GRANTOR.

IN WITNESS WHEREOF, the GRANTOR has hereunto set its hand and seal the day and year first above written.

WITNESSES:

(signature)

James D. McClain

(print name)

(signature)

Shannon McClain

(print name)

STATE OF FLORIDA
COUNTY OF FLAGLER

The foregoing instrument was acknowledged before me this _____ day of _____, 2014, by JAMES D. McCLAIN and SHANNON McCLAIN (check one) who are personally known to me or who produced a Florida driver's license as identification.

Notary Public
Print Name: _____
My Commission expires:

GENE STREET

**CITY OF
WINTER
PARK**

666 NICOLET

NICOLET AVENUE

**CITY OF
WINTER
PARK**

796 NICOLET

**SWAP
666
NICOLET
FOR
808 NICOLET**



L 95

LAWNDALE THIRD ADDITION ORANGE COUNTY FLORIDA

129159

SCALE: 1" = 100'

OCT. 1925.

In the office of the Clerk of the Circuit Court of Orange County, Florida

on the 24 day

of October A.D. 1925

at 11:30 o'clock A.M. and recorded in

Book No. 2

Page 26 and record No. 2

By B. M. Robinson

M. A. Howard

RAMSEY-HERNDON & CO.
ENGINEERS
ORLANDO FLA.

SEE RESOLUTION COUNTY COMM. RECORDED IN OR BOOK 279 PAGE 153 VACATING & ABANDONING THAT PART OF KENTUCKY AVE. (NOW KNOWN AS GENE STREET) LYING S OF LOT 6, BLK A & N OF LOT 1, BLK D, W OF NICOLET AVENUE.

Know All Men by these Presents: That we, Samuel Haimowitz and wife, Frieda Haimowitz of the County of Orange and State of Florida, the undersigned part owners of the land lying and situated in Orange County, Florida, the plat of which is hereon shown and which is particularly described as follows: - Beginning at the SE. Cor. of the SE 1/4 of the N.W. 1/4 of Sec. 12-22-29, Run N. 330 Ft., thence N 660 Ft., thence N. 34 Ft., thence N 660 Ft., thence E 224 Ft., thence S. 225 Ft., thence E. 100 Ft., thence S. 109 Ft. to point of beginning, hereby jointly and severally dedicate the said plat for the uses and purposes therein set forth

Signed and sealed in

the presence of

M. A. Howard

B. M. Robinson

STATE OF FLORIDA } S.S.
COUNTY OF ORANGE

Samuel Haimowitz (Seal)
Frieda Haimowitz (Seal)

STATE OF FLORIDA } S.S.
COUNTY OF ORANGE

We, hereby certify that we have surveyed the PLAT shown hereon and that the same is a correct representation of the land plat and that permanent reference monuments have been placed as called for under Section Seven (7) of the Acts of 1925.

RAMSEY-HERNDON Co.
By A. B. Herndon

STATE OF FLORIDA } S.S.
COUNTY OF ORANGE

Approved by the TOWN COUNCIL of the TOWN OF WINTER PARK, FLA., this 5 day of OCT A.D. 1925.

L. Fred Werk Mayor
E. F. Bellows Clerk

I, the undersigned subscribing officer, a Notary Public, duly authorized to take acknowledgements of deeds and other instruments in the State of Florida, hereby certify that on this day personally appeared before me Samuel Haimowitz and wife, Frieda Haimowitz to me well known and known by me to be the persons described in and who executed the above dedication of plat and the said persons acknowledged before me that they jointly and severally executed the same for the uses and purposes therein described.

And I hereby further certify that the said Frieda Haimowitz on a separate and private examination held by me separate and apart from her said husband did acknowledge that she executed the said dedication freely and voluntarily and without any compulsion, constraint, apprehension or fear of or from her said husband.

In witness whereof I have hereunto set my hand and affixed my official seal in the County and State aforesaid on this the 24 day of OCT A.D. 1925

M. A. Howard
Notary Public
My commission expires Dec. 21, 1926

STATE OF FLORIDA } S.S.
COUNTY OF ORANGE

I, B. M. Robinson, Clerk of the County of Orange and STATE OF FLORIDA hereby certify that I have examined the Map or Plat hereon shown and that said Map or PLAT complies in form with all the requirements of an Act entitled An Act to Regulate the making of Surveys and filing of Record of Maps and Plats in the State of Florida. This certificate is made in compliance with and in furtherance of said Act and that the Map or Plat hereon shown was filed for Record this the 24 day of OCT A.D. 1925.

B. M. Robinson
COUNTY CLERK
By M. A. Howard

KNOW ALL MEN BY THESE PRESENTS:-

That I, HARRY HABER, unmarried of the COUNTY OF DUVAL and STATE OF FLORIDA, having POWER OF ATTORNEY as filed in the County Records of ORANGE Co. FLORIDA, for and in behalf of SAMUEL HABER and MOLLIE HABER his wife, the undersigned part owners of the land hereinbefore described jointly and severally dedicate said PLAT for the uses and purposes therein set forth.

That I, HARRY HABER, unmarried of the COUNTY OF DUVAL and STATE OF FLORIDA, the undersigned of the land hereinbefore de-ly and severally dedicate for the uses and purposes

STATE OF FLORIDA } S.S.
COUNTY OF DUVAL

I, the undersigned subscribing-Notary Public, duly authorized to take acknowledgements of deeds and other instru-ments of FLORIDA, hereby certify that on appeared before me HARRY as having POWER OF ATTORNEY and MOLLIE HABER his wife and unmarried, in behalf and for him- and known by me to be the person executed the above dedication division and the said person me that he executed the same poses therein described.

In witness whereof I have here-official seal in the County and on this the 9 day of

My commission expires March 5, 1927

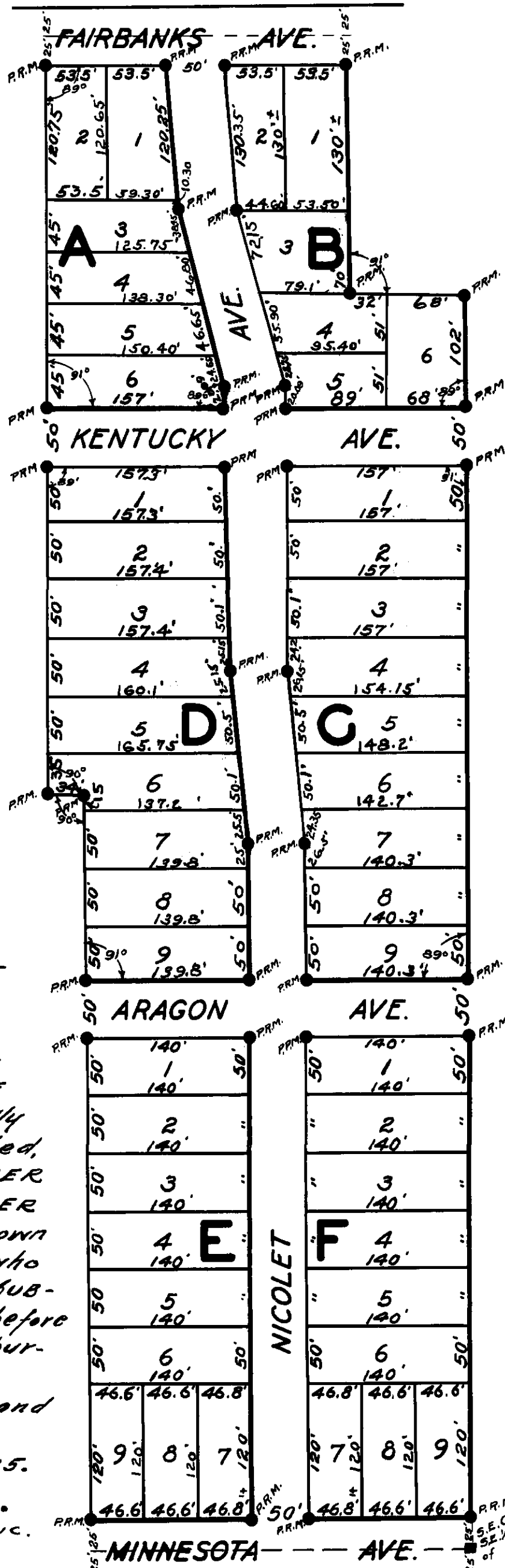


Signed part own-
described, joint-
the said PLAT
therein set forth.
Harry Haber

ing officer a
take acknowle-
gments in the STATE
this day personally
HARRY HABER, unmarried,
for SAMUEL HABER
also HARRY HABER
self to me well known
described in and who
of this PLAT and sub-
acknowledged before
for the uses and pur-

unto set my hand and
STATE aforesaid,
October 9 A.D. 1925.

Harry Haber
NOTARY PUBLIC.





city commission **public hearing**

Item type	Public Hearing	meeting date	April 27, 2015		
prepared by	Dru Dennison	approved by	<input checked="" type="checkbox"/>	City Manager	
department	Urban Forestry		<input type="checkbox"/>	City Attorney	
division			<input type="checkbox"/>	N/A	
board approval		<input type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> N/A	final vote
strategic objective	<input type="checkbox"/> Exceptional Quality of Life		<input type="checkbox"/> Fiscal Stewardship		
	<input type="checkbox"/> Intelligent Growth & Development		<input type="checkbox"/> Public Health & Safety		
	<input type="checkbox"/> Investment in Public Assets & Infrastructure				

subject

Urban and Community Forest Grant

motion | recommendation

Adopt the Resolution in support of obtaining a grant with the Florida Department of Agriculture and Consumer Services and authorize the City Manager to enter into the grant memorandum agreement.

background

alternatives | other considerations

fiscal impact

The grant will provide funding to support the implementation of an Urban Forestry Management Plan through updating and expanding the City's tree inventory.

A RESOLUTION OF THE CITY OF WINTER PARK AUTHORIZING THE CITY MANAGER TO ENTER INTO AN URBAN AND COMMUNITY FORESTRY GRANT MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF WINTER PARK AND THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

WHEREAS, trees are an important part of our community; and

WHEREAS, the City of Winter Park desires to apply for an Urban and Community Forestry Grant which would provide monies in which to help fund development of an Urban Forestry Management Plan through updating and expanding the City's tree inventory, and

WHEREAS, the City of Winter Park wishes to enter into an Urban and Community Forestry Grant Memorandum of Agreement between the City of Winter Park, Florida and the Florida Department of Agriculture and Consumer Services;

NOW, THEREFORE, BE IT RESOLVED, that the City Commission of the Winter Park, Orange County, Florida:

Section 1. The City Commission supports the development of an Urban Forestry Management Plan to maintain, protect, preserve, and renew the City's canopy.

Section 2. The City Commission hereby authorizes the City Manager to enter into an Urban and Community Forestry Grant Memorandum of Agreement between the City of Winter Park, Florida and Florida Department of Agriculture and Consumer Services.

Section 3. This Resolution shall become effective immediately upon its passage and adoption.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida held at City Hall, Winter Park, Florida on the 27th day of April, 2015.

Mayor Steve Leary

ATTEST:

Cynthia S. Bonham, MMC, City Clerk



city commission public hearing

item type	Public Hearing	meeting date	April 27, 2015
prepared by department division	Jeff Briggs Planning Department	approved by	<input checked="" type="checkbox"/> City Manager <input checked="" type="checkbox"/> City Attorney <input type="checkbox"/> N/A
board approval	Planning and Zoning Board	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> N/A	5-0 final vote

Subject: Conditional Use for a Three Unit Townhouse at 1047 & 1049 N. Kentucky.

Philip Kean and Bradley Grosberg are the recent purchasers of the properties at 1047 & 1049 N. Kentucky, which are on the northeast corner of N. Kentucky and Ward Avenues. This request is for Conditional Use approval to develop a three unit townhouse project on this property, zoned R-2. This is a Conditional Use because three or more units fall under cluster housing.

Summary:

The subject property is a 12,115 square foot property and the R-2 zoning permits one unit for each 4,000 square feet of land, thus permitting three residential units. There are two existing houses on this combined property. These townhouses will be sold fee simple with a Homeowners Association for maintenance of the common elements.

Proposed Project: Each of the townhouses will be two stories in height. The total project size is 6,604 sq. ft. which is a FAR of 54.5% within the maximum R-2 FAR of 55%. The maximum building lot coverage (footprint) is 35% and the project is at 28.3%. The maximum impervious coverage is 65% and this project is at 53.1%. Building height is shown at 30 feet and the Code would permit 35 feet.

	R-2 Require-ments	Project Proposal
Property Size		12,115 sq. ft.
Floor Area Ratio	Max. 55%	54.5%
Lot Coverage	Max. 35%	28.3%
Min.Open Space	Min. 35%	46.9%
Kentucky Avenue setback	25 feet	25 feet
Ward Avenue setback	20 feet	20 feet
Rear Alley Street setback	20 feet	20 feet
Interior Side setback	10 feet	10 feet
Bldg. Height	35 feet	30 feet

There is a platted city alleyway between these properties that front on N. Kentucky Avenue and the properties that front on Fairbanks Avenue. It runs from Ward Avenue to Denning Drive. The site plan layout utilizes the city alleyway for access providing rear entry driveways from the alleyway into two car garages for each unit. This works to hide the cars from view and present a more attractive building image on the two streets. The two car garages are sized at 20 x 20.6 feet. Technically the parking requirement is 2.5 spaces per unit, so the rear driveways would also count toward meeting that parking requirement, as visitors could park in those driveways.

There are a number of existing trees on the property but except for the palm trees, the existing trees are in a deteriorated condition. The staff will suggest a condition of approval to address replanting of significant replacement canopy for the 9-12 existing trees to be removed that are in deteriorated condition.

Storm Water Retention: The project will need to provide on-site storm water retention. At this preliminary stage, that plan has not been engineered but there is ample site area/yard, especially with the corner building setbacks to accomplish the required retention.

Staff Analysis of the Applicant's Requests:

Various city departments have reviewed this application including representatives from Planning & Community Development, Public Works, Electric Utility, Water and Wastewater Utilities, Fire, Urban Forestry, Parks & Recreation and City Administration. Given the small nature of this triplex project there were only a few departments with comments as follows:

Traffic Engineering: The alley needs to be improved and widened for the length of this project.

Electric Utility: There are power poles in the alley that will need to be removed and electric service to be put underground. An easement for a transformer location will need to be provided.

Urban Forestry Depts.: Compensation for tree removal will be determined at the time of a tree removal permit.

Comprehensive Plan policy and Cluster Housing criteria: There are some Comprehensive Plan policies that relate to this type of land use and project. Also this specific conditional use within the R-2 Zoning District has generalized criteria for these **conditional uses which are referred to as "appearance review"**. Those Comprehensive Plan policies and Zoning Code sections are included as an appendix to this staff report.

The key element in these conditional use reviews is compatibility with the scale and **character of the surroundings. Historically this neighborhood developed in the 1940's** as small one story houses primarily due to the location and small lot sizes. However, all of the redevelopment and newer construction on South Kentucky Avenue has been two story houses or townhouse projects. The single family homes in this neighborhood that are owner occupied are attractive and well maintained but not as much the case for the rental homes which dominate much the neighborhood. While this will be a large 6,600 square foot, two story structure, the owners could build the same size and scale of two individual

3,300 square foot single family homes with no conditional use or appearance review. To date, none of the redevelopment within this neighborhood has been subject to appearance review criteria.

It is important to note that this project location on the corner of N. Kentucky and Ward Avenues is directly adjacent to a Mobil Lube Express store, a Goodyear Tire/Car repair business and a two story office building to the north and west.

Summary: This project is located on the edge of a neighborhood and on the edge of commercial development. While the scale is much larger than the existing pattern of development, it is not realistic to expect redevelopment that will match the one story, 800-1,100 square foot homes that were developed in the 1940's. The project meets all the development standards of the R-2 zoning district and will have an attractive architectural appearance with garages/cars screened from view.

Planning and Zoning Board Recommendation:

Motion made by Mr. Weldon, seconded by Mr. Sacha to approve the conditional use request under the cluster housing provisions of the R-2 zoning district to allow the construction of three, two-story townhouse units on the properties at 1047 and 1049 North Kentucky Avenue with the following conditions recommended by staff:

- 1. That the alleyway be paved and improved for the full width of the alley within the confines of this project.**
- 2. That the development replant seven new oak trees, spaced along the N. Kentucky and Ward Avenue frontages either on the private property or in the public street parkway areas.**
- 3. That the development remove the power poles in the alley area; underground electric and other utilities and provide an easement for an electric transformer to serve these three homes.**

Motion carried unanimously with a 5-0 vote.

Relevant Comprehensive Plan Policies:

Policy 1-2.2.2: Low-Density Residential. *This land use designation is designed to indicate areas to be zoned for and used for low density residential use. The compatible zoning district for this designation shall be the R-2 zoning district. The residential uses intended for these areas include single family homes, duplexes, and cluster housing that do not exceed one unit per 4,000 square feet of land which is approximately ten units per acre. The floor area ratio shall not exceed 0.55 (55%) and shall include the floor area of above grade, attached and unattached garages.*

Policy 1-3.6.3: Ensure Compatible Size, Form and Function are Achieved in Areas Designated Low-Density Residential. *Since much of the land designated Low-Density Residential is at densities up to ten (10) dwelling units per acre, the City shall enforce regulatory measures and develop additional land use and design standards to mitigate adverse impacts caused by varied types of uses and structures, such as single-family homes, duplexes, townhouses, and small apartments. The City shall apply the conditional use review process together with floor area ratio regulations within Low-Density Residential designated areas in order to avoid land use compatibility conflicts due to dissimilar building types, size, mass, articulation, and height. The City shall promote redevelopment and renovation in these areas but the City shall place restrictive controls on the height, size and coverage of duplex, townhouse, and apartment buildings and required off-street parking to ensure compatibility, achieve a smooth transition in density, and protect adjacent Single-Family Residential designated areas.*

Cluster Housing Appearance Review criteria:

Sec. 58-67. Low Density Residential (R-2) District

(e) *Conditional uses.* The following uses may be permitted as conditional uses only after review by the planning and zoning commission and approval by the city commission in accordance with the provisions of this article.

(2) Cluster housing, but not including garden apartments or density in a single building greater than defined for this use. Cluster housing on property, which is abutting or across the street from single family zoned property shall utilize a maximum floor area ratio of 45 percent. Cluster housing on property which is abutting single family zoned property shall provide the same rear yard setback as required in the abutting single family zoned property, except where the abutting single family zoned property is not used for residential purposes, such as churches, parks, community centers, etc.

(3) Appearance review shall be conducted during the cluster housing application process to ensure compatibility with surrounding neighborhoods and to encourage the development of traditional building elevations with low density single family residential appearance while allowing flexibility of building design and site layout. The intent of the appearance review is to apply the basic design considerations described below in a manner, which meets the criteria while allowing a variety of architectural styles. Specific architectural types shall not be mandated, but rather many housing styles are encouraged while minimizing any negative impacts, such as large building mass next to smaller buildings on surrounding properties. Extremely unusual styles, not prevalent in the city, shall be prohibited. They shall include but are not limited to: dome houses, homes constructed of cast in place concrete with exposed unfinished walls, pyramid homes, and similar unusual styles unless approved as part of the conditional use.

(4) The following parameters shall provide objective guidelines for preparing building plans for approval under the appearance review process:

- a. Building(s) layout: Each site must provide a layout, which maintains the scale of a single family dwelling with attention to yards and open space.
- b. Location and adequacy of parking: Parking must be located to the side and rear of the main dwellings with access from the rear through a private driveway or alley where possible.
- c. Exterior building finish: All finishes must be traditional siding, clapboard, stucco (or similar coating material), brick, cedar shakes (or similar alternate), finished block, board and battens, stone or combinations of these finishes.
- d. Roof shape: Roof patterns must be traditional standard shapes such as gable, hip, shed, gambrel, or flat with parapet walls.
- e. Fenestration: Window and door openings must blend with and be in balance with architecture of the building and not undersized or oversized for any street front elevation, such as a small, out of scale window next to a larger window.
- f. Porch/Balcony: Open porches or covered entry ways must be located on the street front side of the building with a minimum porch depth of seven feet for those cluster dwellings with street front locations. Balconies may project into a required setback by 3.5 feet.
- g. Building elevations: All street fronting elevations must provide approximately 15 percent window openings and provide a main entry for dwelling units with a street front location.
- h. Height of building: The relationship of the height of buildings to that of nearby structures shall be taken into consideration through designs which utilize stepped down roof areas if the new buildings are located among homes with one-story or lower building heights. However, the design may utilize the height allowed under the development standards.
- i. Use of impervious coverage: In achieving the 65 percent allowable impervious coverage, use of pervious paving materials may be utilized to enhance stormwater retention to the extent permitted by the city stormwater engineer. However, use of these materials shall not reduce the provision of landscaping on at least 25 percent of the property.
- j. Landscaping: All sides of property along street frontages shall be landscaped. The landscape plan shall be prepared by a licensed design professional and shall be submitted to the city for review and approval.
- k. Tree canopy and protection: Unless additional restrictions are imposed by the planning and zoning commission or city commission during the public review process, arbor control shall be regulated by the tree ordinance in section 58-281 et seq.
- l. Waste containers: Use of individual waste disposal containers shall be required, except that large solid waste containers may only be used for developments utilizing four units per building or larger. When large solid waste containers are provided, a decorative enclosure shall be provided so as to blend in with the architecture of the buildings.
- m. Alternative materials or designs may be considered during the appearance review process.

P&Z Minutes: April 7, 2015:

REQUEST OF PHILIP KEAN FOR: CONDITIONAL USE APPROVAL UNDER THE CLUSTER HOUSING PROVISIONS OF THE R-2 ZONING DISTRICT TO ALLOW THE CONSTRUCTION OF THREE, TWO-STORY TOWNHOUSE UNITS ON THE PROPERTIES AT 1047 AND 1049 NORTH KENTUCKY AVENUE, ZONED R-2.

Planning Manager Jeffrey Briggs presented the staff report and explained that the applicant recently purchased the properties at 1047 & 1049 N. Kentucky, located on the northeast corner of N. Kentucky and Ward Avenues. The request is for Conditional Use approval to develop a three unit townhouse project on this property zoned R-2. He noted that this is a Conditional Use because three or more units fall under cluster housing. Mr. Briggs reviewed the site and zoning parameters, height, FAR, setbacks, storm water retention and tree preservation. He said that there is a platted city alleyway between these properties that front on N. Kentucky Avenue and the properties that front on Fairbanks Avenue. It runs from Ward Avenue to Denning Drive. The site plan layout utilizes the city alleyway for access providing rear entry driveways from the alleyway into two car garages for each unit. This works to hide the cars from view and present a more attractive building image on the two streets. The two car garages are sized at 20 x 20.6 feet. Technically the parking requirement is 2.5 spaces per unit, so the rear driveways would also count toward meeting that parking requirement, as visitors could park in those driveways. Mr. Briggs stated that various city departments have reviewed this application including representatives from Planning & Community Development, Public Works, Electric Utility, Water and Wastewater Utilities, Fire, Urban Forestry, Parks & Recreation and City Administration.

Mr. Briggs stated that it is important to note that this project location on the corner of N. Kentucky and Ward Avenues is directly adjacent to a Mobil Lube Express store, a Goodyear Tire/Car repair business and a two story office building to the north and west. He summarized by stating that this project is located on the edge of a neighborhood and on the edge of commercial development. While the scale is much larger than the existing pattern of development, it is not realistic to expect redevelopment that will match the one-story, 800-1,100 square foot homes that were developed in the 1940's. The project meets all the development standards of the R-2 zoning district and will have an attractive architectural appearance with garages/cars screened from view. Staff recommended approval with three conditions.


































Phil Kean, 912 West Fairbanks Avenue, provided the Board members with a 3-D fly-around overview of the project. He explained that the original intent was to develop single-family homes on the property, but due to its proximity to commercial the cluster housing concept evolved. He had no objections to the recommendations of staff. Mr. Kean responded to Board member questions and concerns. No one spoke in favor of or in opposition to the request. Public Hearing closed.

The Board members discussed the project and noted the challenges of the location adjacent to commercial businesses. The Board asked questions about the alley, the landscaping proposed and the other recent development within this neighborhood. The consensus of the Board member comments was that this was appropriate scale for this location.

Motion made by Mr. Weldon, seconded by Mr. Sacha to approve the conditional use request subject to the following conditions recommended by staff:

- 1. That the alleyway be paved and improved for the full width of the alley within the confines of this project.**
- 2. That the project replant seven new oak trees, evenly spaces along the N. Kentucky and Ward Avenue frontages.**
- 3. That the project remove the power poles in the alley area and provide an easement for an electric transformer to serve these three homes.**

Motion carried unanimously with a 5-0 vote.


































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-  Interstate 4
-  Toll Road
-  Major Roads
-  Public Roads
-  Gated Roads
-  Road Under Construction
-  Proposed Road
-  US Road
-  State Road
-  County Road
-  One Way
-  Brick Road
-  Proposed SunRail
-  Block Line
-  Lot Line
-  Residential
-  Agriculture
-  Commercial/Institutional
-  Governmental/Institutional/Misc
-  Commercial/Industrial Vacant Land
-  Hydro
-  Waste Land
-  Agricultural Curtilage
-  County Boundary
-  Parks
-  Golf Course
-  Lakes and Rivers
-  Block Number
-  Lot Number
-  Parcel Number
-  Parcel Address
-  Parcel Dimension

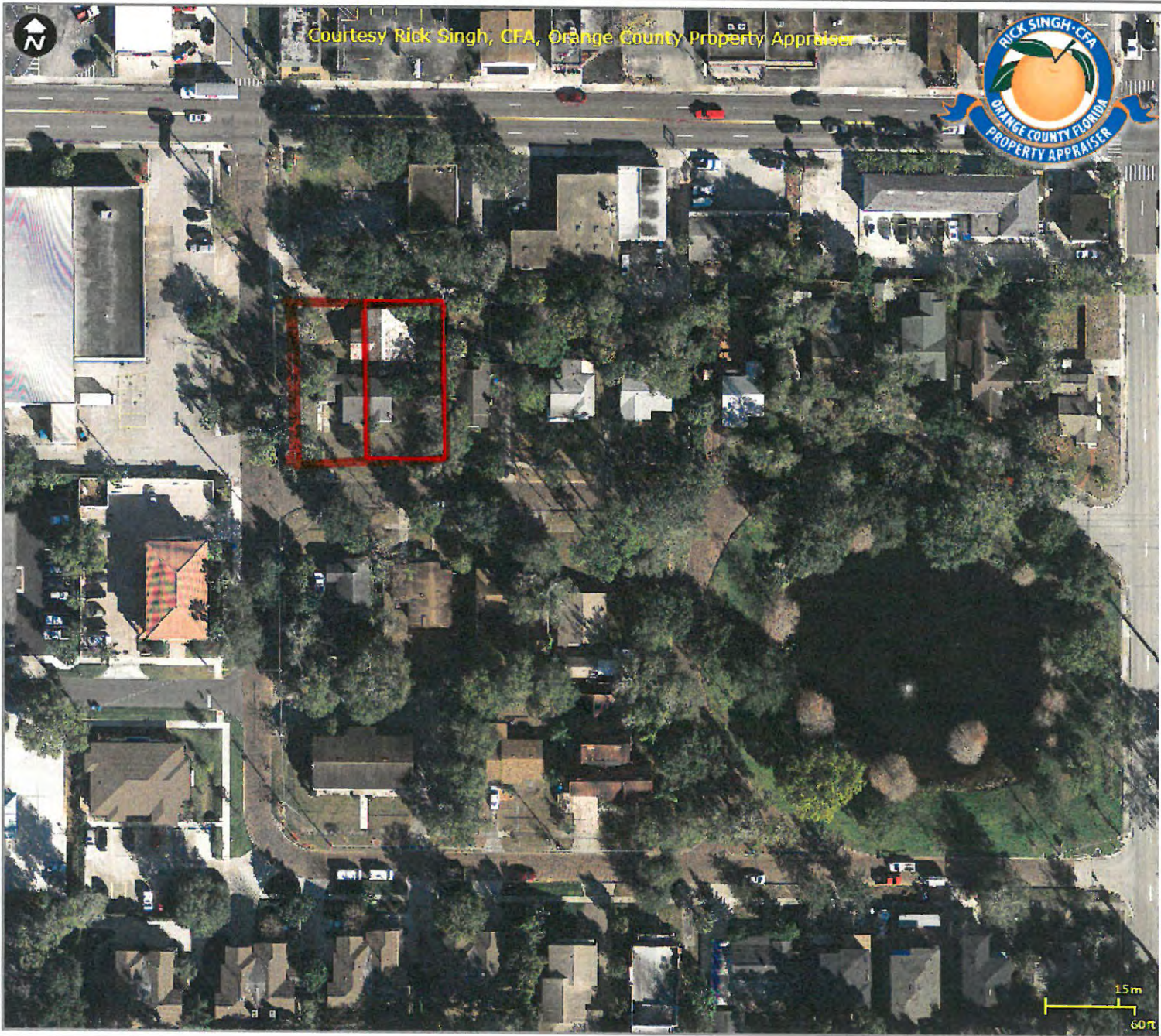
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50	50
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1010	1



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

ING DR Created: 3/11/2015

-  Florida Turnpike
-  Interstate 4
-  Toll Road
-  Major Roads
-  Public Roads
-  Gated Roads
-  Road Under Construction
-  Proposed Road
-  US Road
-  State Road
-  County Road
-  One Way
-  Brick Road
-  Proposed SunRail
-  Block Line
-  Lot Line
-  Residential
-  Agriculture
-  Commercial/Institutional
-  Governmental/Institutional/Misc
-  Commercial/Industrial Vacant Land
-  Hydro
-  Waste Land
-  Agricultural Curtilage
-  County Boundary
-  Parks
-  Golf Course
-  Lakes and Rivers
-  Block Number
-  Lot Number
-  Parcel Number
-  Parcel Address
-  Parcel Dimension



Courtesy Rick Singh, CFA, Orange County Property Appraiser



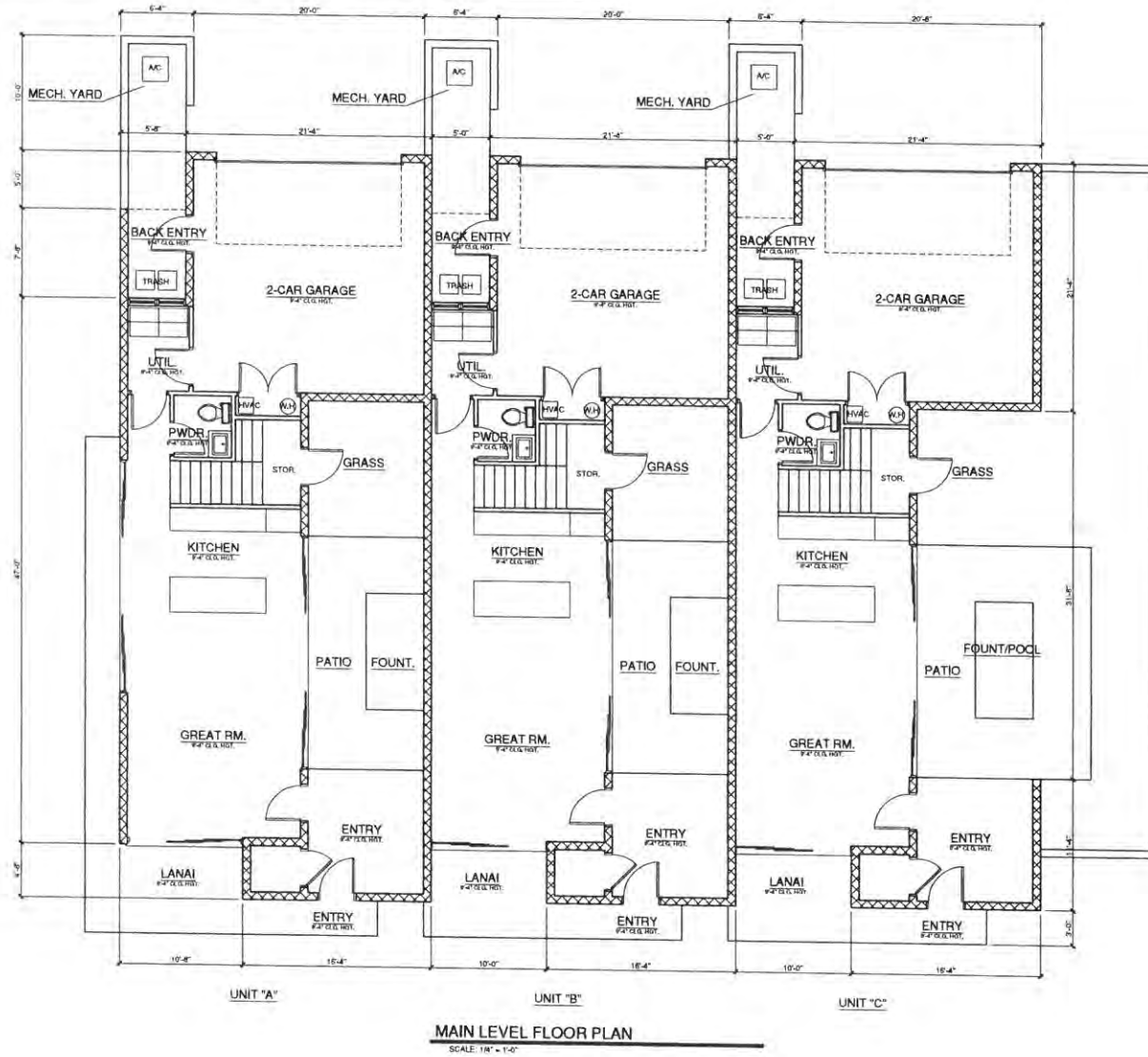
This map is for reference only and is not a survey.

Created: 3/11/2015

15m
60ft

DWELLING / GARAGE SEPARATION (TABLE R302.6)

SEPARATION	MATERIAL
FROM RESIDENCE AND ATTICS	NOT LESS THAN 1/2 INCH GYPSUM BOARD OR EQUIVALENT TO THE GARAGE SIDE
FROM HABITABLE ROOMS ABOVE GARAGE	NOT LESS THAN 1/2 INCH TYPE X GYPSUM BOARD OR EQUIVALENT
STRUCTURE(S) SUPPORTING FLOORCEILING ASSEMBLIES USED FOR SEPARATION REQUIRED BY THIS SECTION	NOT LESS THAN 1/2 INCH GYPSUM BOARD OR EQUIVALENT
GARAGES LOCATED LESS THAN 3 FEET FROM A DWELLING UNIT ON THE SAME LOT	NOT LESS THAN 1/2 INCH GYPSUM BOARD OR EQUIVALENT APPLIED TO THE INTERIOR SIDE OF EXTERIOR WALLS THAT ARE WITHIN THIS AREA.



DESIGNER:	
UNIT "A"	PHIL KAN DESIGN GROUP 1525 N. KY. AVE., SUITE 200 CINCINNATI, OH 45219 (513) 381-2200 WWW.PHILKANDESIGN.COM
MAIN LEVEL	
AC: 875 GARAGE: 450 LANAI: 104 ENTRY: 175 BACK ENTRY: 43 TOTAL UNDER ROOF: 1447	
UPPER LEVEL	AC: 1082
TOTALS	
TOTAL AC:	1727
GARAGE:	450
LANAI:	104
ENTRY:	175
BACK ENTRY:	43
TOTAL UNDER ROOF:	3509
PATIO/POOL:	300
PROJECT:	
PROPERTY AT CORNER OF N. KENTUCKY AVE. AND WARD AVE.	
UNIT "B"	
MAIN LEVEL	
AC: 875 GARAGE: 450 LANAI: 78 ENTRY: 175 BACK ENTRY: 38 TOTAL UNDER ROOF: 1416	
UPPER LEVEL	AC: 1047
TOTALS	
TOTAL AC:	1781
GARAGE:	450
LANAI:	78
ENTRY:	175
BACK ENTRY:	38
TOTAL UNDER ROOF:	2483
PATIO/POOL:	200
PLAN HISTORY	
DATE	DESCRIP.
SHEET DATA:	
DESIGNED BY:	PHIL KEAN
DRAWN BY:	MITCH BURDEN
SHEET DESCRIPT:	
MAIN LEVEL FLOOR PLAN NOTED	
SHEET	
2.1	

PLAN NOTES:

- OPENINGS BETWEEN THE GARAGE AND RESIDENCE SHALL HAVE A 20 MIN. FIRE RATED DOOR OR SOLID WOOD DOOR NOT LESS THAN 1 AND 3/4 INCHES IN THICKNESS OR SOLID OR HONEYCOMB DOOR.

WALL LEGEND

	6" BLOCK WALL
	2X INTERIOR WALL
	2X INTERIOR BEARING WALL

DWELLING / GARAGE SEPARATION (TABLE R102.6)	
SEPARATION	MATERIAL
FROM RESIDENCE AND ATTICS	NOT LESS THAN 5/8 INCH GYPSUM BOARD OR EQUIVALENT TO THE GARAGE SIDE
FROM HABITABLE ROOMS ABOVE GARAGE	NOT LESS THAN 5/8 INCH TYPE X GYPSUM BOARD OR EQUIVALENT
STRUCTURE(S) SUPPORTING FLOOR/CELING ASSEMBLIES USED FOR SEPARATION REQUIRED BY THIS SECTION	NOT LESS THAN 5/8 INCH GYPSUM BOARD OR EQUIVALENT
GARAGES LOCATED LESS THAN 3 FEET FROM A DWELLING UNIT ON THE SAME LOT	NOT LESS THAN 5/8 INCH GYPSUM BOARD OR EQUIVALENT APPLIED TO THE INTERIOR SIDE OF EXTERIOR WALLS THAT ARE WITHIN THIS AREA.



UPPER LEVEL FLOOR PLAN
SCALE: 1/4" = 1'-0"

UNIT "A"	
MAIN LEVEL	AC: 675 GARAGE: 450 LANAI: 104 ENTRY: 175 BACK ENTRY: 43 TOTAL UNDER ROOF: 1447
UPPER LEVEL	AC: 1062
TOTALS	TOTAL AC: 1737 GARAGE: 450 LANAI: 104 ENTRY: 175 BACK ENTRY: 43 TOTAL UNDER ROOF: 2509 PATIO/POOL: 200
UNIT "B"	
MAIN LEVEL	AC: 675 GARAGE: 450 LANAI: 78 ENTRY: 175 BACK ENTRY: 38 TOTAL UNDER ROOF: 1416
UPPER LEVEL	AC: 1047
TOTALS	TOTAL AC: 1781 GARAGE: 450 LANAI: 78 ENTRY: 175 BACK ENTRY: 38 TOTAL UNDER ROOF: 2463 PATIO/POOL: 200
UNIT "C"	
MAIN LEVEL	AC: 675 GARAGE: 455 LANAI: 78 ENTRY: 162 BACK ENTRY: 38 TOTAL UNDER ROOF: 1428
UPPER LEVEL	AC: 1042
TOTALS	TOTAL AC: 1786 GARAGE: 455 LANAI: 78 ENTRY: 162 BACK ENTRY: 38 TOTAL UNDER ROOF: 2490 PATIO/POOL: 200
PLAN NOTES:	
1. OPENINGS BETWEEN THE GARAGE AND RESIDENCE SHALL HAVE A 20 MIN. FIRE RATED DOOR OR SOLID WOOD DOOR NOT LESS THAN 1 AND 5/8 INCHES IN THICKNESS OR SOLID OR HONEYCOMB DOOR.	
WALL LEGEND	
	8" BLOCK WALL
	2X INTERIOR WALL
	2X INTERIOR BEARING WALL

DESIGNER: PHIL KEAN DESIGN GROUP
 ARCHITECTURAL CONSTRUCTION DIVISION
 1416 N. Kentucky Ave., Suite 100
 Louisville, KY 40203
 502.582.2500

ENGINEER:

PROJECT: PROPERTY AT CORNER OF N. KENTUCKY AVE. AND WARD AVE.

PLAN HISTORY	
DATE	DESCRIP.

SHEET DATA
 DESIGNED BY: PHIL KEAN
 DRAWN BY: MITCH BURDEN

SHEET DESCRIPT: UPPER LEVEL FLOOR PLAN NOTES

SHEET

3.1

ELEVATION NOTES:

- DESCRIPTION
1. STONE FINISH.
 2. STUCCO FINISH.
 3. 6" STUCCO BAND.
 4. TILE ROOF OVER APPROVED WATER BARRIER OVER ROOF SHEATHING.
 5. DECORATIVE SHUTTERS

DESIGNER:

PILLKEAN DESIGN GROUP
ARCHITECTS/INTERIORS/PARTNERS
1142 N. JEFFERSON BLVD.
COLUMBIA, KY 40304
TEL: 502.253.1000 FAX: 502.253.1001
WWW.PILLKEANDSIGN.COM

ENGINEER:

PROJECT:

PROPERTY AT CORNER OF
N. KENTUCKY AVE. AND WARD AVE.

PLAN HISTORY

DATE	DESCRIP:

SHEET DATA:

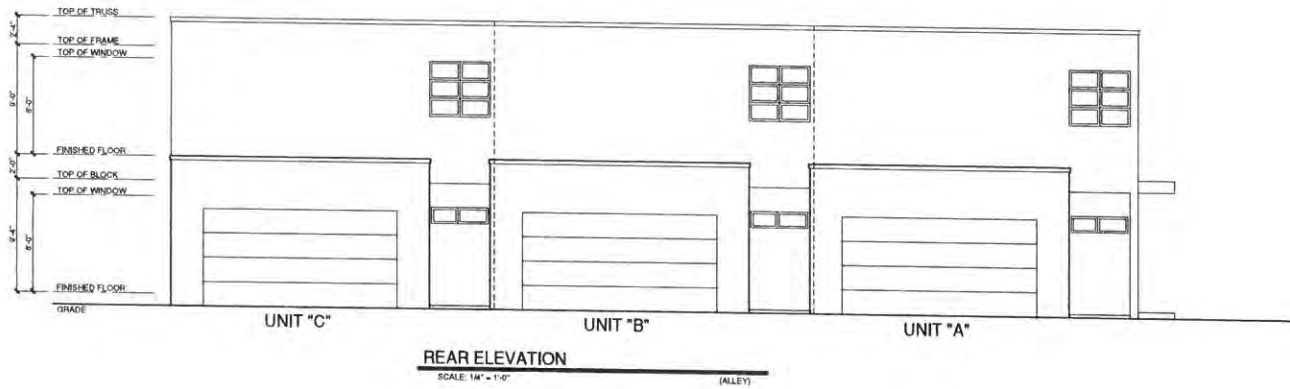
DESIGNED BY
PHIL KEAN
DRAWN BY
MITCH BURDEN

SHEET DESCRIP:

FRONT AND REAR
ELEVATIONS

SHEET

4.0



ELEVATION NOTES:

DESCRIPTION
1. STONE FINISH.
2. STUCCO FINISH.
3. 6" STUCCO BAND.
4. TILE ROOF, OVER APPROVED WATER BARRIER, OVER ROOF SHEATHING.
5. DECORATIVE SHUTTERS.

DESIGNER:

PAUL KLAAS DESIGN GROUP
ARCHITECTS/INTERIORS/PLANNERS
110 W. Main Street, Suite 200
Nashville, TN 37203
615.259.0007 Fax 615.259.0008
www.paulklaasdesign.com

ENGINEER:

PROJECT:

PROPERTY AT CORNER OF
N. KENTUCKY AVE. AND WARD AVE.

PLAN HISTORY

DATE	DESCRIP:

SHEET DATA:

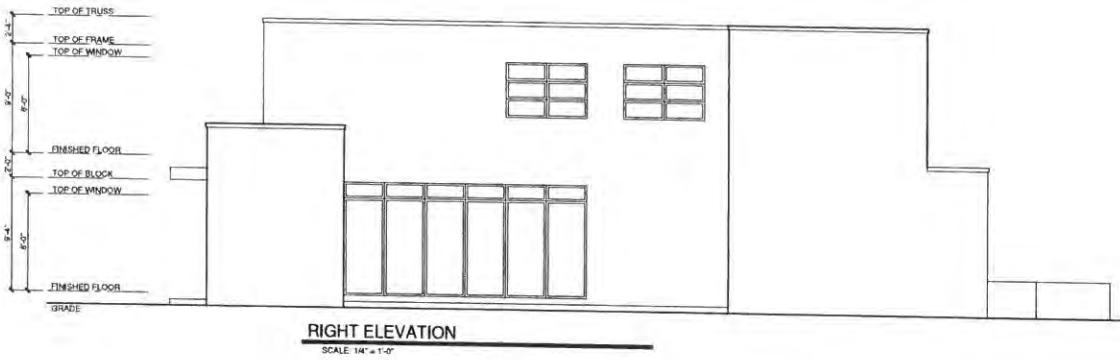
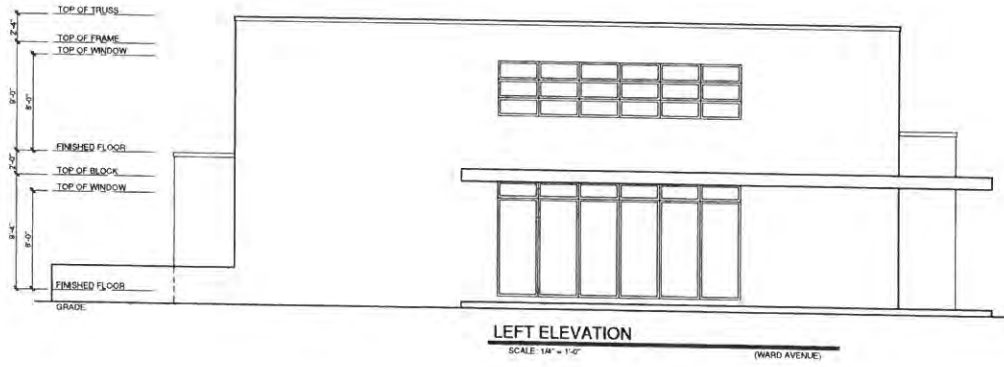
DESIGNED BY: PHIL KEAN
DRAWN BY: MITCH BURDEN

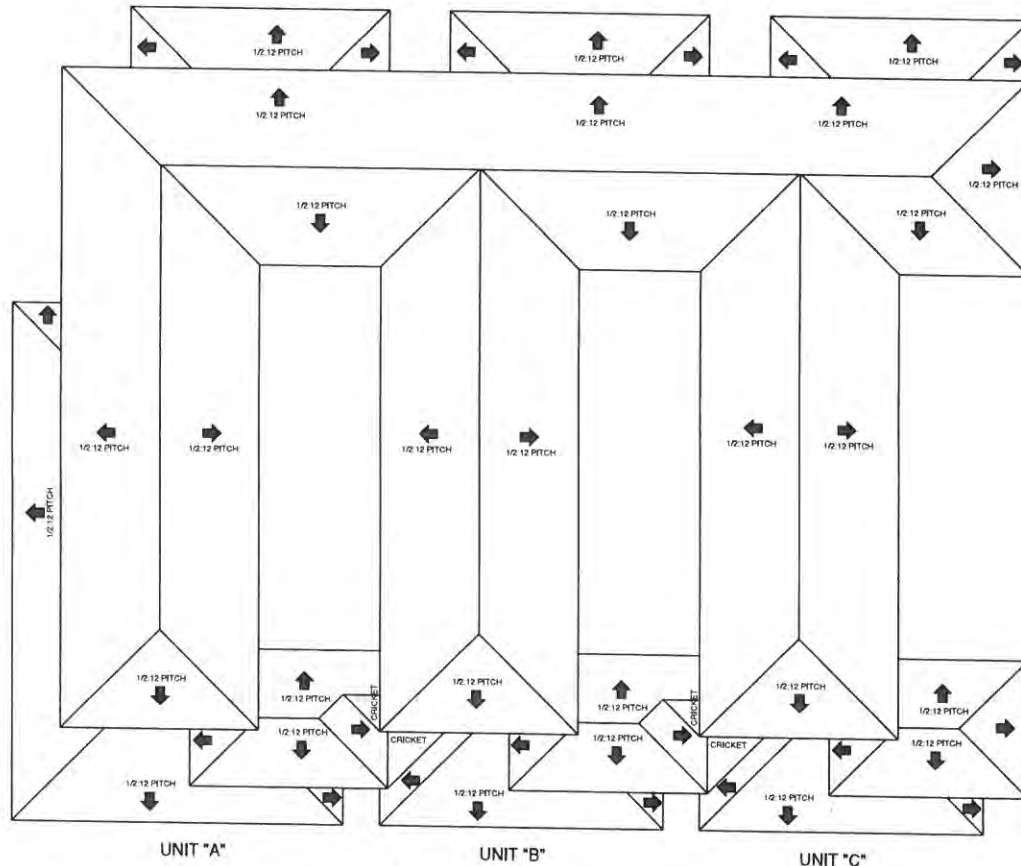
SHEET DESCRIP:

LEFT AND RIGHT ELEVATIONS

SHEET

4.1





ROOF PLAN

SCALE: 1/4" = 1'-0"

DESIGNER:

PHIL KEAN DESIGN GROUP
 ARCHITECTURAL & CONSTRUCTION SERVICES
 1312 W. Linton Avenue
 Louisville, KY 40203
 (502) 451-1111
 WWW.PHILKEANDSIGN.COM

ENGINEER:

PROJECT:

PROPERTY AT CORNER OF
 N. KENTUCKY AVE. AND WARD AVE.

PLAN HISTORY

DATE	DESCRIP:

SHEET DATA:

DESIGNED BY: PHIL KEAN
 DRAWN BY: MITCH BURDEN

SHEET DESCRIP:

ROOF PLAN

SHEET

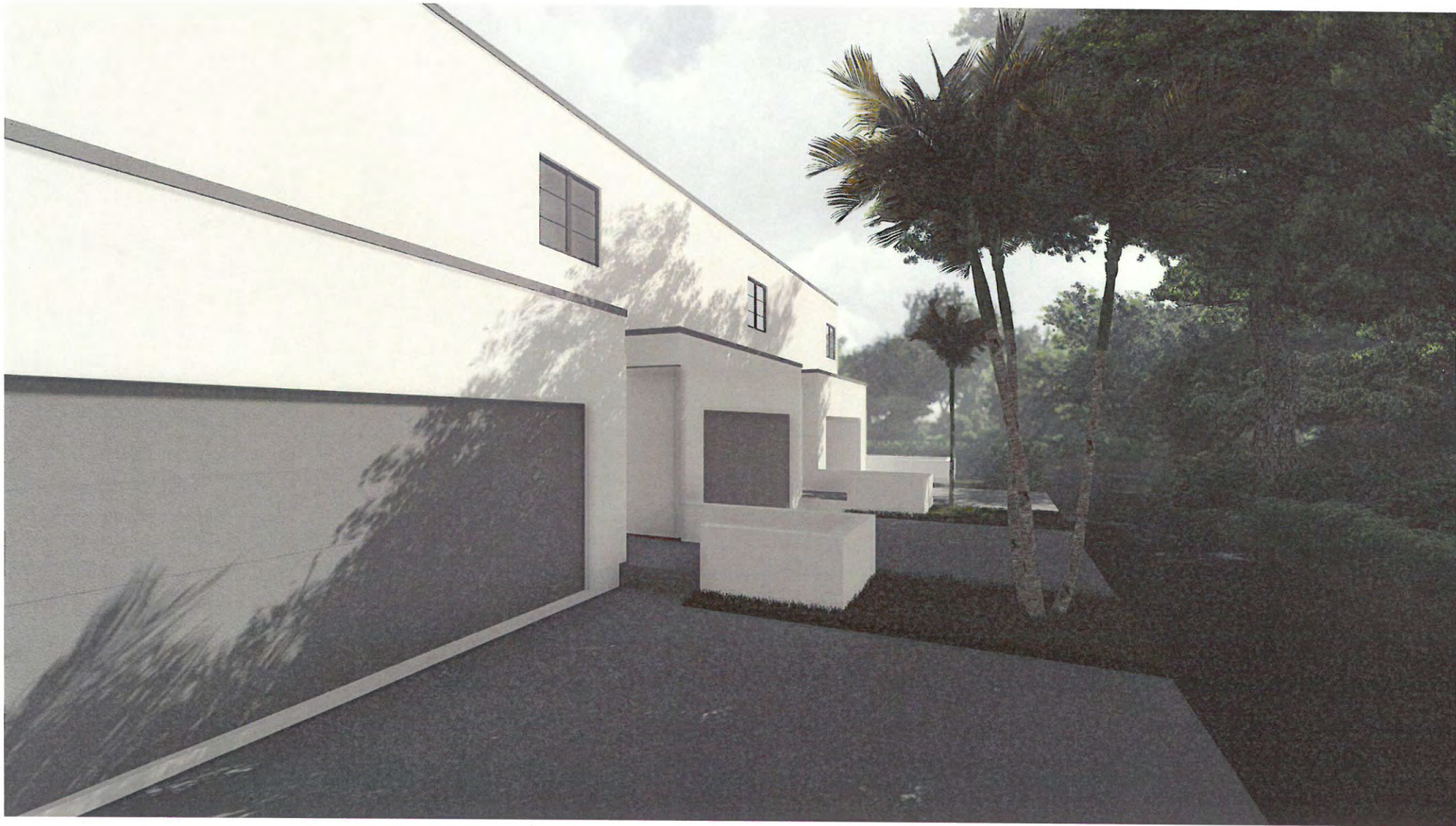
5.0

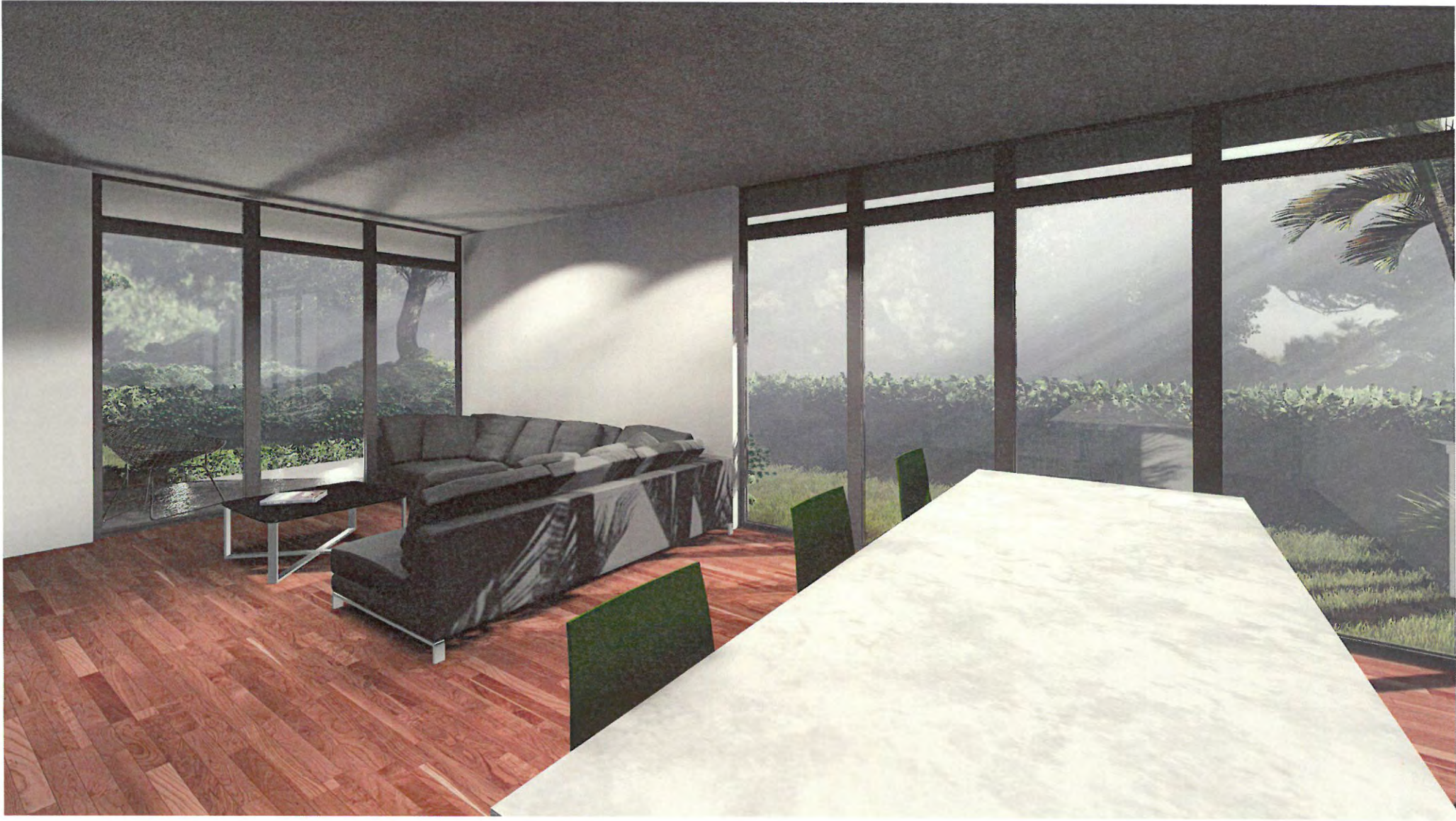










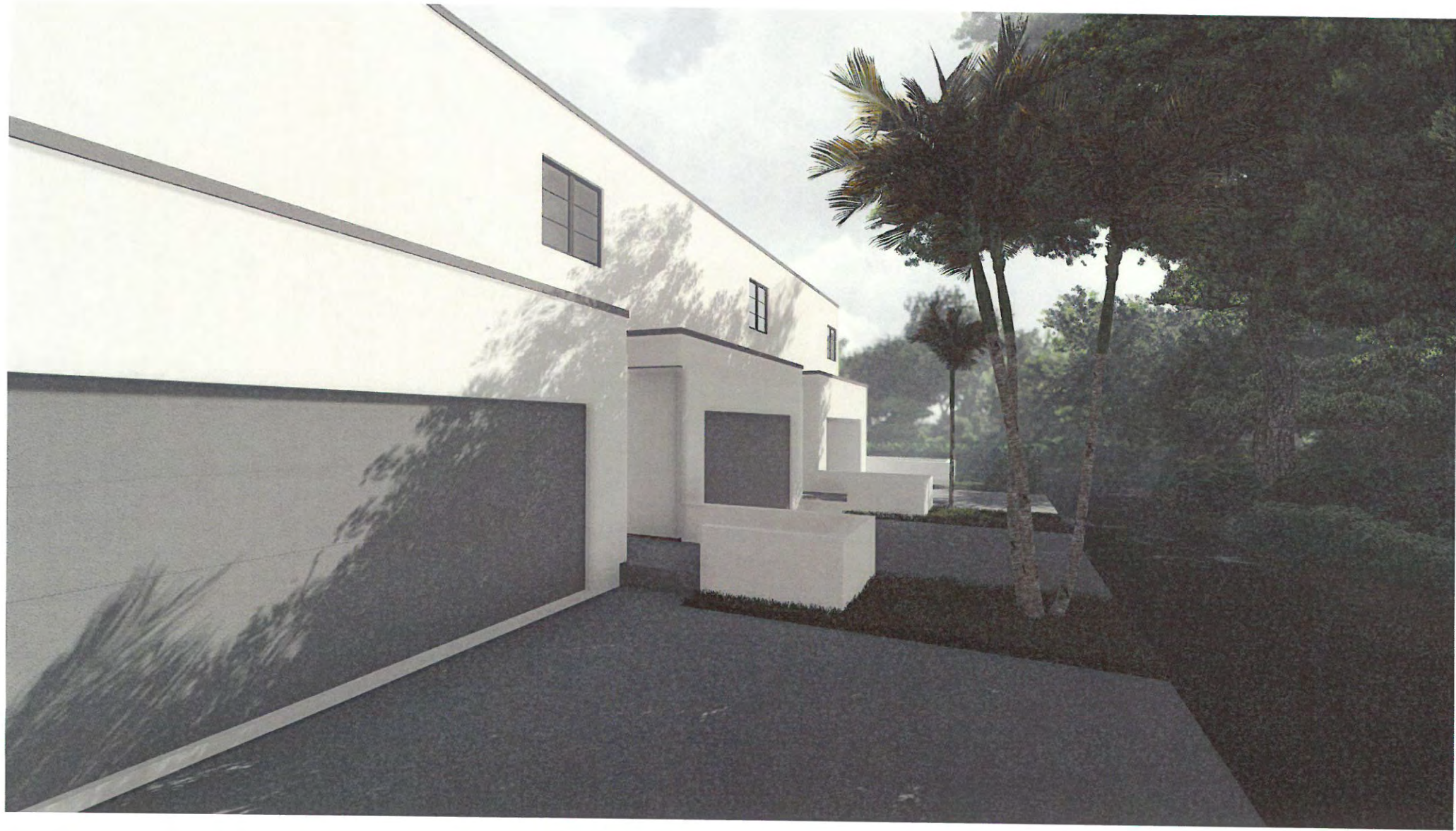
















city commission public hearing

item type	Public Hearing	meeting date	April 27, 2015
prepared by department division	Jeff Briggs Planning Department	approved by	<input checked="" type="checkbox"/> City Manager <input checked="" type="checkbox"/> City Attorney <input type="checkbox"/> N/A
board approval	Planning and Zoning Board	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> N/A	5-0 final vote

Subject: Final Conditional Use for the Lakeside Crossing project.

Unicorp National Developments, Inc. is requesting "final" conditional use approval for their Lakeside Crossing project pursuant to the "preliminary" conditional use approved by the Planning Board on January 6, 2015 and by the City Commission on February 9, 2015, for the property at 110 N. Orlando Avenue, zoned C-3.

Summary:

The City Commission approved the "preliminary" conditional use with same 11 conditions as recommended by P&Z; that are listed below:

1. The Lakeside Crossing Development entitlements comprise 37,473 square feet of commercial development which includes restaurants and retail space.
2. The project is required to have a minimum of 300 parking spaces to meet the anticipated needs of the development plan, which includes a parking garage and surface parking lot. Restaurant seating and floor plans will only be permitted that meet the parking code and no parking variances are to be granted.
3. The entrance to the project along Orlando Avenue will be restricted to right in/right out only.
4. The developer will coordinate and install intersection traffic signal improvements for the full Morse Boulevard/Orlando Avenue intersection to include restricted left turn signals in all directions subject to FDOT and city approval.
5. The developer will contribute \$50,000 to the cost of new mast arms as part of the improvements to Orlando Avenue and West Morse Boulevard.
6. The developer will pay and install adaptive traffic signal control technology improvements at the Morse Boulevard/Orlando Avenue intersection.
7. The developer will install and maintain decorative paving within the entire Morse Boulevard/Orlando Avenue intersection for safer pedestrian crossing.

8. The developer commits to using 5" caliper street trees along street frontages for landscaping.

9. The developer will work with the city's Arborist regarding any tree replacement and maintenance along Orlando Avenue, Morse Avenue and Harper Avenue as it affects his property.

10. The developer will provide bike parking to be determined as part of the final conditional use review.

11. That the applicant contribute \$50,000 toward the full signaling cost of West New England Avenue and South Orlando Avenue should the City of Winter Park and FDOT deem it necessary within three years of issuance of certificate of occupancy.

The Approval Process:

Per city code, the public hearings advertised for the conditional use review and approval in January/February were for the "preliminary" CU approval. The "final" CU approval is the action to review compliance with the conditions of approval and to review the civil, landscaping, drainage and lighting details as well as the proposed architectural elevations and project signage.

The New Plan Submittals:

Overall the Lakeside Crossing project is the same as was approved for the Preliminary CU but there have been two important revisions:

1. The total square footage of the commercial project is virtually the same with 37,473 sf for the "preliminary" CU and now 37,435 sf now at "final" CU. There has been a decrease in the common area spaces from 2,820 sf to 1,135 sf. At this time, the "for lease" floor space is 36,300 sf. The significant changes have been that the mix of the retail and restaurant has changed with more space being devoted to retail store space versus restaurant usage and dropping to three restaurants now versus four restaurants previously. The square footage of retail has increased from 7,353 square feet to 16,800 square feet. The square footage of the restaurant spaces has decreased from 27,300 square feet down to 19,500 square feet. That means that the parking allocation has also changed. Now of the 300 spaces provided, there are the 40 spaces required for the Lakeside project across the street, 67 spaces provided for the retail space and 193 spaces for the restaurant space. That translates into 579 restaurant seats versus 690 seats previously. This averages 193 seats per restaurant. This new mix should significantly alter the peak usage of the project as the retail store usage is spread more evenly throughout the day versus the lunch and dinner peaks for the restaurants. It also reduces the traffic generation for the project.
2. The final parking count has also changed due to the need to enlarge the landscape islands, to provide the required number of handicapped spaces and due to providing more truck circulation and loading space. However, the final parking count is still at the 300 spaces required by the "preliminary" CU approval.

This "final" conditional use provides new plan details for review including:

1. Landscape Plan – a more detailed landscape plan for the project is attached. It is not a **"permit ready" landscape plan as it does not specify the height, type, quantity, spacing of landscape materials.** But we do now see the location of 40+ new shade trees to be planted for the project.
2. Storm Water Drainage Plans – **the specific method of meeting the City's and St. Johns River Water Management District's drainage criteria is primarily via** underground storm water exfiltration and a vault area within the parking garage in order to achieve the required volumes.
3. Site Lighting – The plan contains the site lighting plan and photometrics which meet **code and comply with the City's maximum 16 foot** lighting pole height. The specific design of the site lightning pole and fixtures is shown on page 43 of the submittal.
4. Site Signage - these plans include the detail for the monument signage for the Orlando Avenue frontage, also on page 43 of the submittal. The only other signage will be those on the buildings of the individual tenant spaces.
5. Final Architecture – the package contains numerous architectural perspective elevations of the retail and restaurant buildings and the parking garage. The design of the retail and restaurant spaces is attractive. The exterior facades of the parking garage are more a work in progress. The staff will be suggesting a condition of approval to achieve more of a SunTrust quality in the final elevations.

Development Agreement:

A Development Agreement will be executed (once all the conditions of approval are agreed upon) to record the approvals granted and all conditions of approval which run with title to **the land. This "final" CU approval will authorize approval** and execution of that Development Agreement pursuant to the review and approval of the document by the City Attorney.

The Morse Boulevard Design Guidelines:

A "preliminary" CU condition was conformance to the Morse Blvd. Design Guidelines. Those design guidelines are generalized concepts for the look and appearance of building orientation, building facades and signage along that corridor. The images presented to the City in this package are consistent with those design guidelines. The orientation of project, with the buildings fronting on Morse Blvd. (and the parking screened) are **consistent. The "storefront" appearance of the retail and restaurant spaces along Morse Blvd. with the outdoor café seating in the 'public' realm, also conforms. The signage** also is consistent. However, since the individual tenants are often making those final sign design decisions, it is important to include in this approval the condition (from the Morse guidelines) that there be no interior illuminated signage (light bulbs in a plastic box).

Mobility/Traffic Conditions:

The "preliminary" approval requires the developer to **"coordinate and install intersection traffic signal improvements for the full Morse Boulevard/Orlando Avenue intersection to include restricted left turn signals in all directions subject to FDOT and City approval".** In discussions with FDOT, they prefer that the City be the applicant for the FDOT permit to upgrade that traffic signal. As a result, staff will be modifying that condition for the developer to reimburse the City for the engineering/application costs of the submittal for permit by FDOT.

Since the approval of the "preliminary" CU, it has been determined that the 'proportionate share' of the costs of the adaptive traffic signal control technology improvements at the Morse Boulevard/Orlando Avenue intersection are \$5,000.

These "final" CU plans have been modified to provide 15 bicycle parking spaces. While this is less than the 30 spaces required per code, staff is comfortable that this provides adequate bicycle parking opportunities.

New Exceptions:

As part of Conditional Use reviews the City Commission may provide certain exceptions (variances) to the Code. The developer requested from the Planning Board a recommendation for approval of two exceptions, which were granted:

1. Reduction in the width of the landscape islands from 12 feet to 9 feet wide. This exception had previously been denied at the "preliminary" CU phase. However, the developer stressed the benefit to gain 4 parking spaces and offered to double the oak tree planting size within the islands to 5-6 inches.
2. Reduction in the street setback on Harper Street for the parking garage from 10 feet to 6 feet. The interior of the approved parking garage has 22 foot wide travel aisles. The request would allow those to be widened to 24 feet which allows easier turning movements into and out of the parking stalls. The developer cited a similar setback for the Rollins/SunTrust garage (actually 8 feet). P&Z recommended approval as the City controls the exterior architecture and landscaping buffer both along the garage façade and in the parkway along the street.

Planning and Zoning Board Recommendation:

Motion made by Mr. Sacha, seconded by Mr. Weldon to grant final conditional use approval to the Lakeside Crossing Development located at 110 South Orlando Avenue pursuant to the condition that a Development Agreement be executed (following approval by the City Attorney) to incorporate the approvals granted, the conditions of approval from the "preliminary" and "final" CU process and enforcement methods for those conditions. The conditions to be added to or modified from the "preliminary" approval are as follows:

- 1. That the final landscape site plan be modified to include more substantial landscape screening and trees for the parking garage in the setback areas including new trees and other landscape materials determined by the City Staff and that only oak trees be allowed within the interior of the project wherever it is determined new tree plantings will occur where space is adequate for oak trees.**
- 2. That the parking garage final elevations and interior design be returned for subsequent approval to achieve a higher "Sun Trust Parking Garage" standard of architectural treatment.**
- 3. That the Development Agreement include the requirement for a "Parking Management Plan" for subsequent approval by the City to maintain oversight on the management of the parking garage, including areas reserved for tenants and/or valet, fees to be charged , etc.**

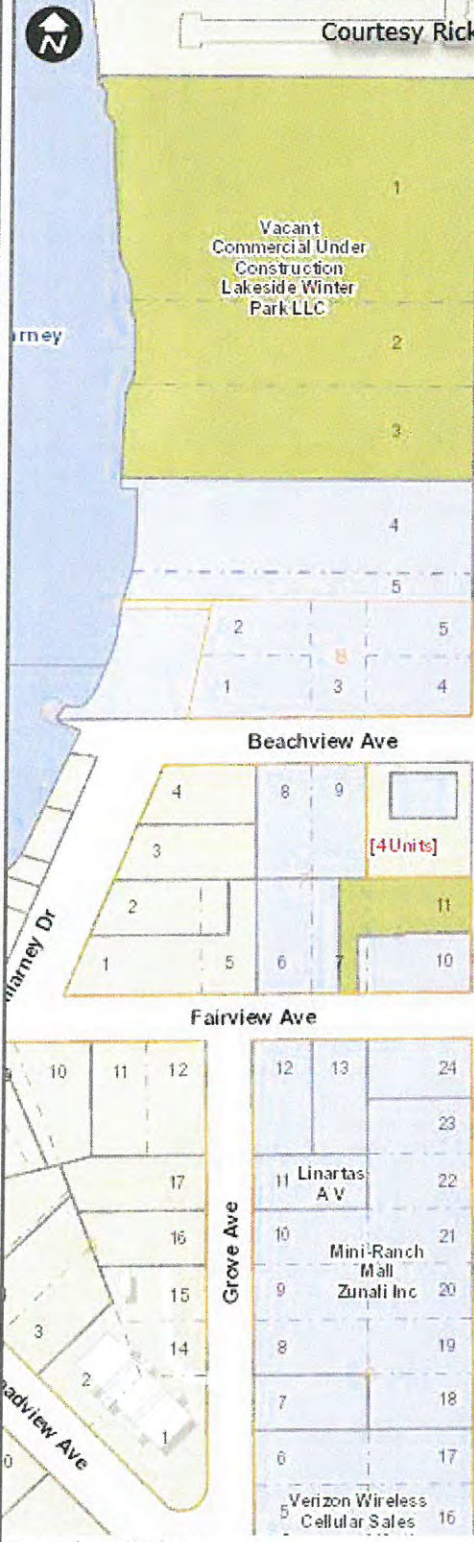
4. In conformance with the Morse Blvd. design guidelines there shall be no interior illuminated signage for the project.
5. The developer shall reimburse the City for the engineering/application costs of the submittal for permit by FDOT of the traffic signal upgrade.
6. That the developer's pay a proportionate share (\$5,000) for the adaptive traffic signal control technology improvements at the Morse Boulevard/Orlando Avenue intersection.
7. The width of the interior landscape islands within the surface parking lot may be reduced from 12 feet down to 9 feet wide based on the developer's commitment to increase the size of the oak trees to be planted within those islands to 5 inches in caliper.
8. The setback for the parking garage on Harper Street is reduced from 10 feet down to 6 feet along the length of the parking garage so that the interior traffic aisles may be widened to 24 feet.

Motion carried unanimously with a 5-0 vote.

OCA Web Map

Florida Turnpike	Major Roads	Proposed Road	Block Line	Commercial/Institutional	Hydro	Golf Course
Interstate 4	Public Roads	Brick Road	Lot Line	Governmental/Institutional/Misc	Waste Land	Lakes and Rivers
Toll Road	Gated Roads	Rail Road	Residential	Commercial/Industrial/Vacant Land	County Boundary	Building
Road Under Construction	Proposed SunRail	Agriculture	Agricultural Curtilage	Parke	Hospital	

Courtesy Rick Singh, CFA, Orange County Property Appraiser



12	20
13 Carmel Cafe and Wine Bar	30
14 Pjs Carmel Land Holdings II LLC	31
15	
16 SESCO Lighting 1133 W Morse Blvd LLC	
17	32 33 34

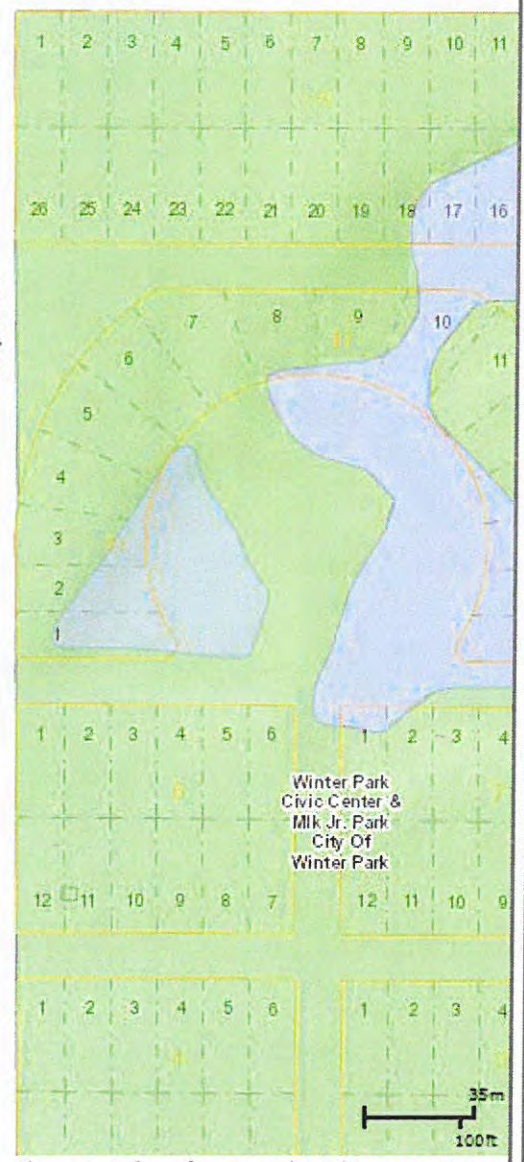
4	8
3	
2	10
1	11
	8 9 10

W Morse Blvd

Daily Traffic 7000

14	15
13	16
12	17
11	18
10 Best Western Mt Vernon Inn Mt Vernon Motorlodge Of Winter Park Inc [147 Rooms]	19
9	20
8	21
7	22
6	23
5	24
4 276 S Orlando Avenue LLC	25
3	26
2	27
1	28

Harper St



W New England Ave

11	12
10 New England Wharf Shopping New England Courtyard LLC	13
9	14
8	15
7	16
6	17
5 Copytronics Sss Investments Of Jacksonville Inc	18
4	19
3 Burger King Burger King Corp	20
2	21

Created: 10/28/2014

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

OCPA Web Map

	Major Road		Proposed Road		Residential		Commercial/Industrial/Vacant Land		Parks	6	Lot Number
	Florida Turnpike		Brick Road		Agriculture		Agricultural Curtilage		Lakes and Rivers	06060	Parcel Number
	Interstate 4		Block Line		Commercial/Institutional		Hydro		Building	3106	Parcel Address
	Toll Road		Road Under Construction		Governmental/Institutional/Misc.		Waste Land		Block Number	111.9	Parcel Dimension



Courtesy Rick Singh, CFA, Orange County Property Appraiser



Created: 10/28/2014

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



ALTERNATE PARKING OPTION
LAKESIDE CROSSING
 WINTER PARK

CODE DIMENSIONS



LAKESIDECROSSING

WINTER PARK

Unicorp National Developments Developer | Antunovich Associates Architect | Kimley Horn Civil Engineer

FINAL COMPREHENSIVE PLAN

PLANNING AND ZONING BOARD

CITY OF WINTER PARK, FLORIDA

HEARING DATE : APRIL 7TH, 2015

WINTER PARK, FLORIDA | MARCH 6TH, 2015



LAKESIDECROSSING

WINTER PARK

Unicorp National Developments Developer | Antunovich Associates Architect | Kimley Horn Civil Engineer

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SCALE : NTS 

LAKESIDECROSSING

WINTER PARK

Unicorp National Developments Developer | Antunovich Associates Architect | Kimley Horn Civil Engineer

PROJECT LOCATION

3

WINTER PARK, FLORIDA | MARCH 6TH, 2015

MORSE BOULEVARD

HARPER STREET

NEW ENGLAND AVENUE

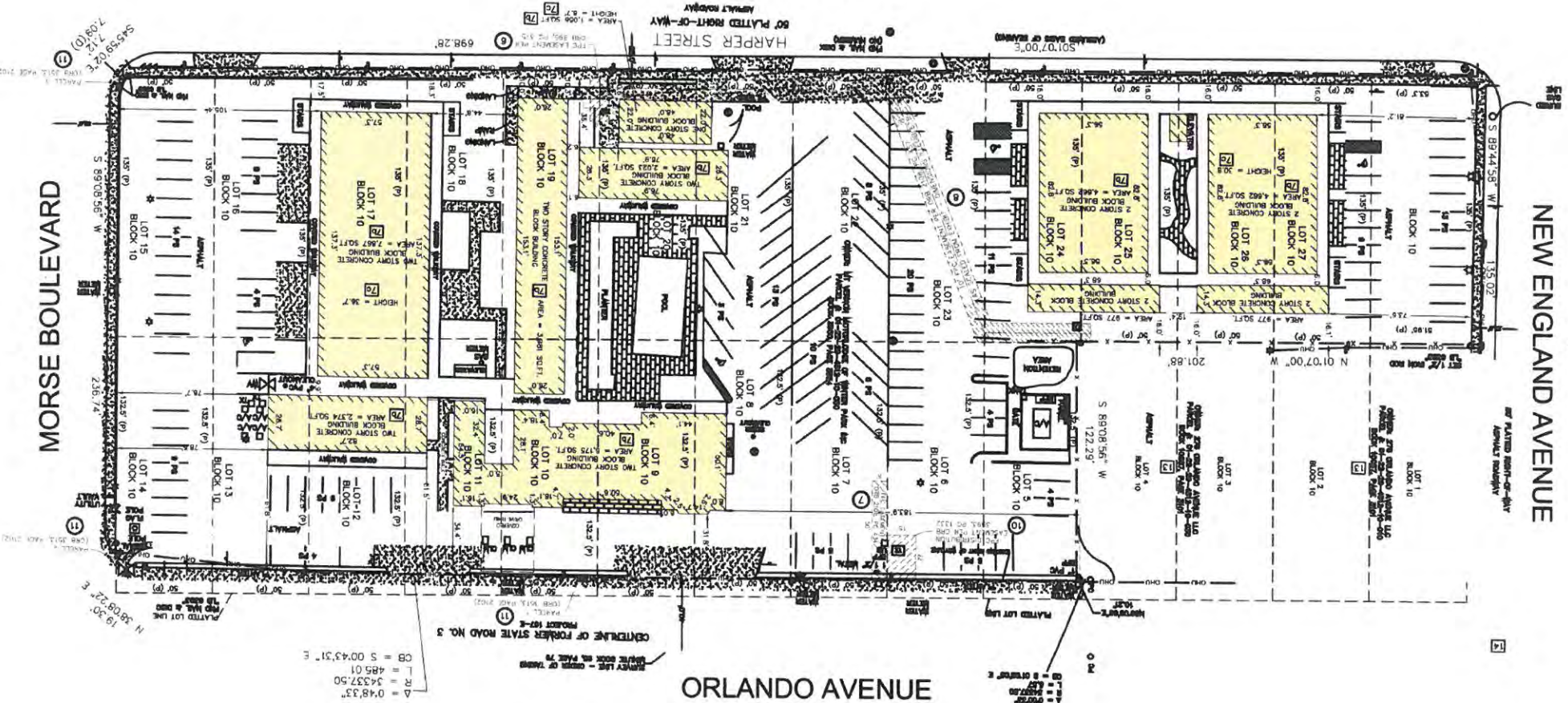
ORLANDO AVENUE

LAKESIDE CROSSING

WINTER PARK

SITE SURVEY - MT. VERNON INN

Unicorp National Developments Developer | Antunovich Associates Architect | Kimley Horn Civil Engineer





LAKESIDE CROSSING

WINTER PARK

Unicorp National Developments Developer | Antunovich Associates Architect | Kimley Horn Civil Engineer

EXISTING SITE PHOTOS



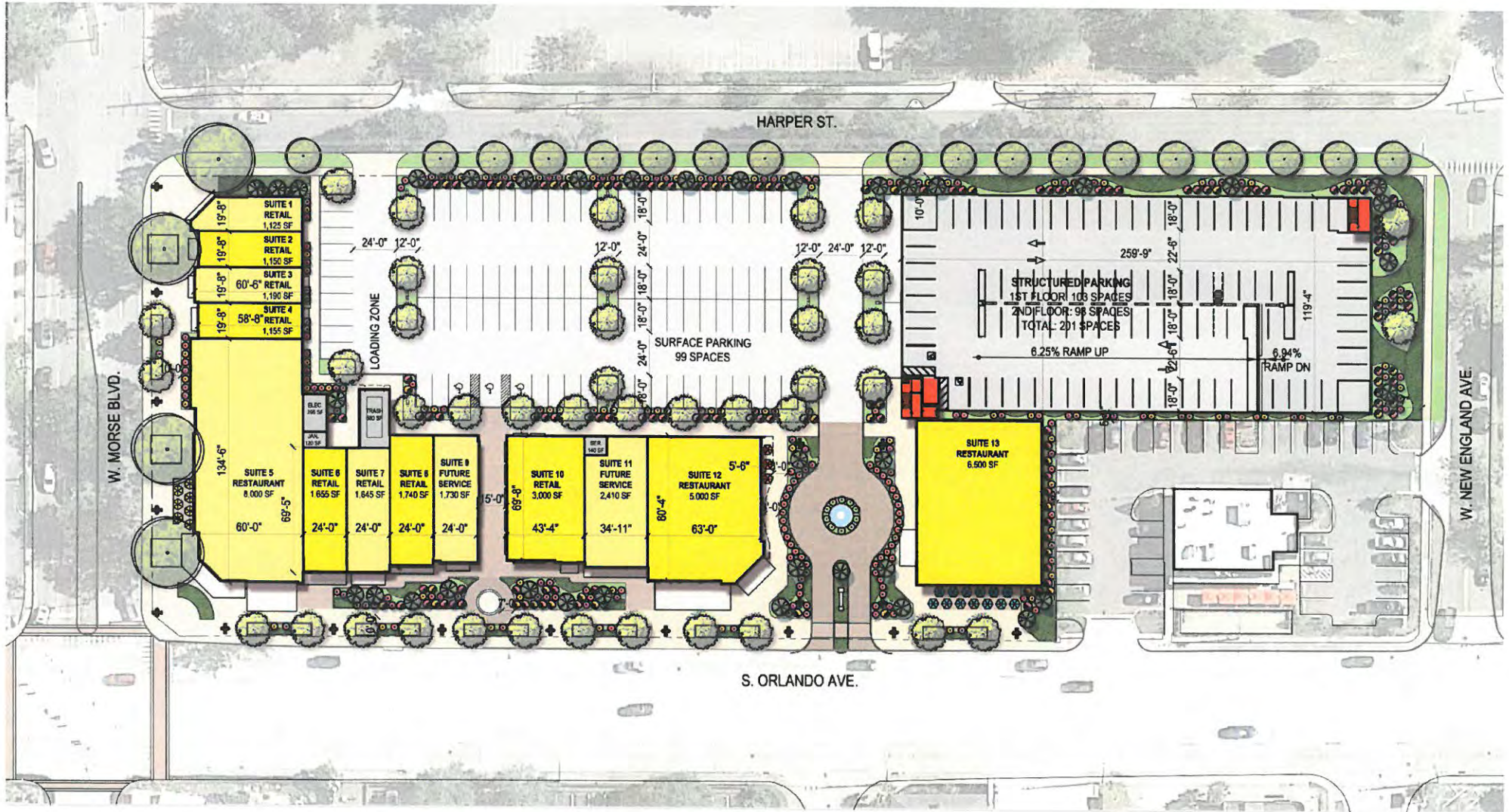
LAKESIDECROSSING

WINTER PARK

Unicorp National Developments Developer | Antunovich Associates Architect | Kimley Horn Civil Engineer



SITE PLAN



LAKESIDECROSSING

WINTER PARK

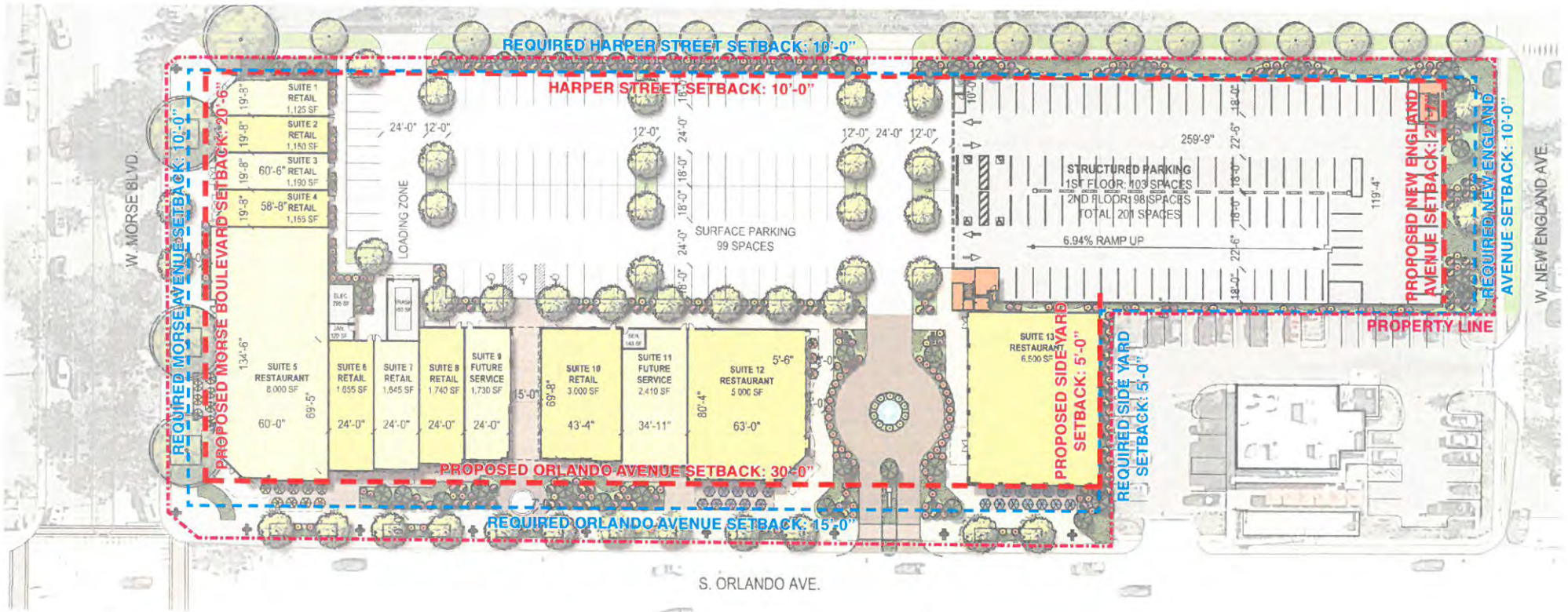
Unicorp National Developments Developer | Antunovich Associates Architect | Kimley Horn Civil Engineer

GARAGE SECOND FLOOR PLAN

7



WINTER PARK, FLORIDA | MARCH 6TH, 2015



LAKESIDE CROSSING - AREA ANALYSIS: OPTION 1										
LEVEL	FLOOR HEIGHT	PARKING			BUILDING HEIGHT	RETAIL			GROSS BUILT AREA	FAR AREA
		GARAGE	SURFACE	GSF		COMMON	RSF	GSF		
2	10'-6"	98		31,168				31,168	0	
1	0	103	99	31,168	+/- 25'-0"	1,135	36,300	37,435	68,603	
TOTAL		201	99	62,336		1,135	36,300	37,435	68,603	

* One story retail building height is 25' to top of roof

C-3 ZONING ANALYSIS						
	PROPOSED	REQUIRED		PROPOSED	REQUIRED	
SITE AREA	155,314	-	FRONT YARD (Orlando Ave)	30'	15' Min	
LOT COVERAGE	44.17%	45% Max		FRONT YARD (Other)	Morse Blvd.	20'-6"
FAR	44.17%	45% Max	Harper St.		7'	10' Min
PERVIOUS SPACE	15.42%	15% Min	New England Ave.		27'-7"	
PARKING TOTAL	300	300	SIDE YARD	5'	5' Min	

SCALE : NTS

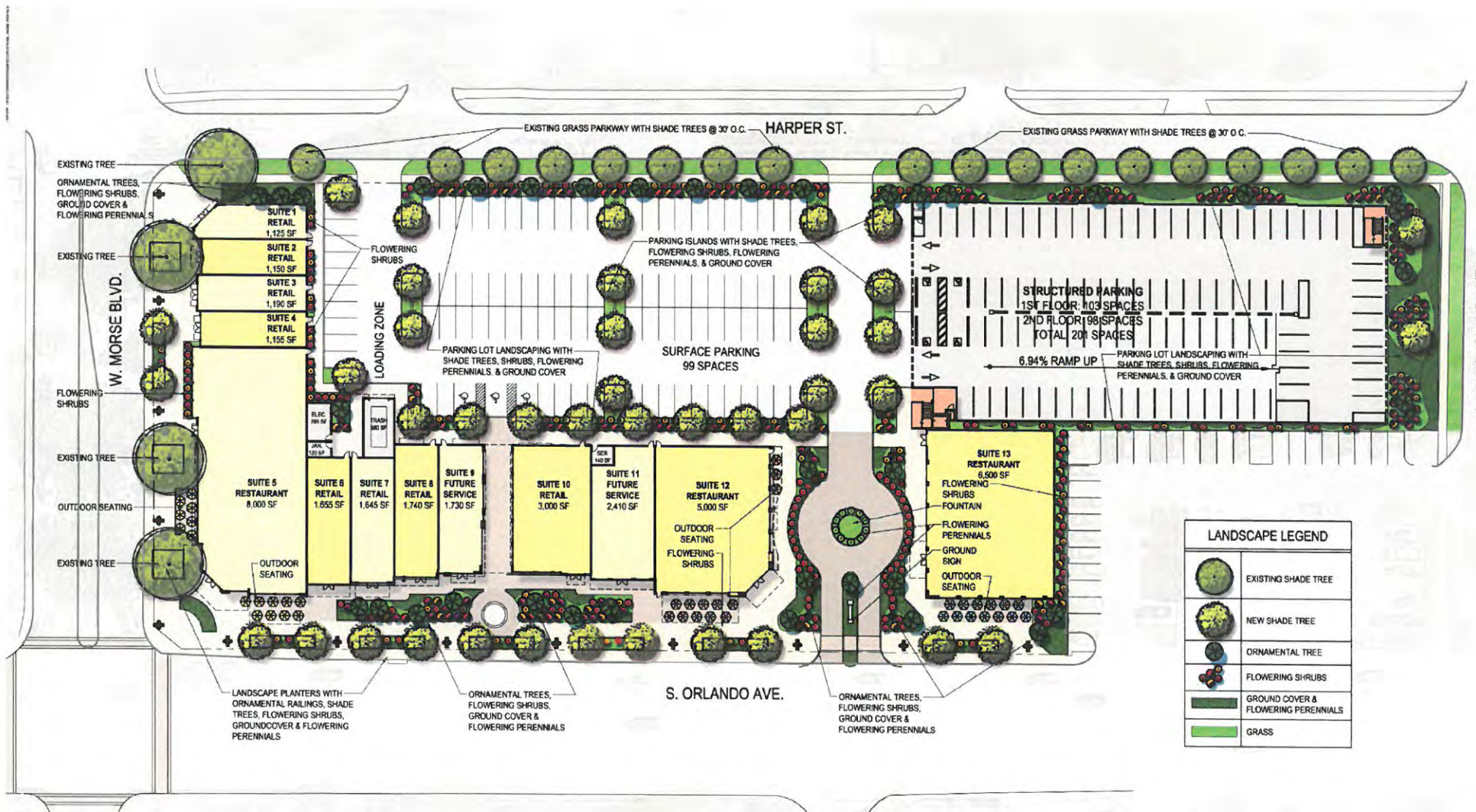
LAKESIDE CROSSING

WINTER PARK

Unicorp National Developments Developer | Antunovich Associates Architect | Kimley Horn Civil Engineer

SETBACK DIAGRAM & PROJECT ANALYSIS

WINTER PARK, FLORIDA | MARCH 6TH, 2015



LANDSCAPE LEGEND	
	EXISTING SHADE TREE
	NEW SHADE TREE
	ORNAMENTAL TREE
	FLOWERING SHRUBS
	GROUND COVER & FLOWERING PERENNIALS
	GRASS



LAKESIDECROSSING

WINTER PARK

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LANDSCAPE PLAN



LAKESIDECROSSING

WINTER PARK

PERSPECTIVE - CORNER OF MORSE BLVD & HARPER ST | 10

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WINTER PARK, FLORIDA | MARCH 6TH, 2015



LAKESIDECROSSING
WINTER PARK

PERSPECTIVE - CORNER OF ORLANDO AVE & MORSE BLVD

11



LAKESIDECROSSING

WINTER PARK

Unicorp National Developments Developer | Antunovich Associates Architect | Kimley Horn Civil Engineer

PERSPECTIVE - ORLANDO AVE PROMENADE | 12

WINTER PARK, FLORIDA | MARCH 6TH, 2015



LAKESIDECROSSING

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PERSPECTIVE - ORLANDO AVE PROMENADE 13

WINTER PARK, FLORIDA | MARCH 6TH, 2015



LAKESIDECROSSING

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PERSPECTIVE - ORLANDO AVE ENTRANCE | 14

WINTER PARK, FLORIDA | MARCH 6TH, 2015



LAKESIDECROSSING

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PERSPECTIVE - ORLANDO AVE 15

WINTER PARK, FLORIDA | MARCH 6TH, 2015



LAKESIDECROSSING

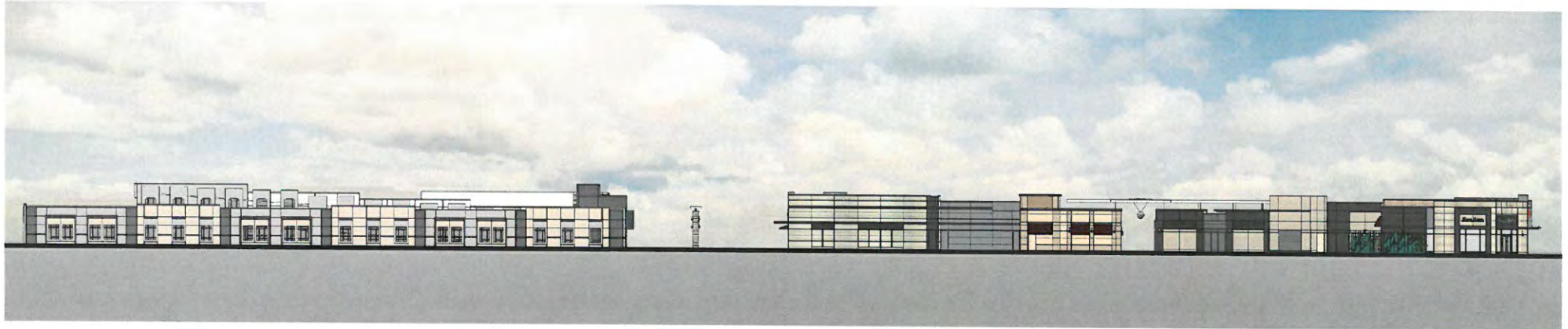
WINTER PARK

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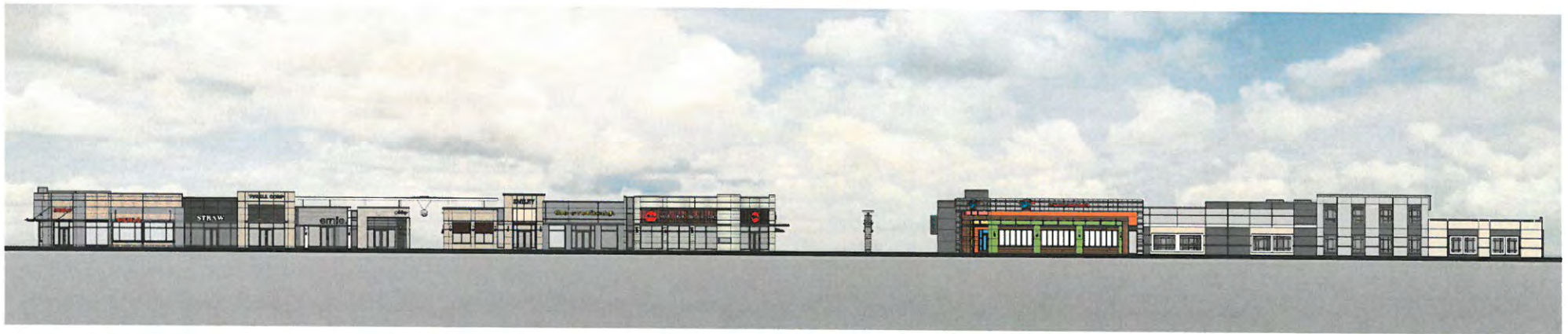
PERSPECTIVE - HARPER ST ENTRANCE | 16

WINTER PARK, FLORIDA | MARCH 6TH, 2015

NOTE : NORTH AND SOUTH BUILDING
ELEVATIONS SHOWN ON THEIR
RESPECTIVE SECTIONS



EAST ELEVATION



WEST ELEVATION

LAKESIDECROSSING

WINTER PARK

Unicorp National Developments Developer | Antunovich Associates Architect | Kimley Horn Civil Engineer

OVERALL BUILDING ELEVATIONS | 17

WINTER PARK, FLORIDA | MARCH 6TH, 2015



NORTH ELEVATION



EAST ELEVATION



SOUTH ELEVATION



WEST ELEVATION

LAKESIDECROSSING

WINTER PARK

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ENLARGED BUILDING ELEVATION | 18

WINTER PARK, FLORIDA | MARCH 6TH, 2015



NORTH ELEVATION



ENLARGED NORTH ELEVATION

LAKESIDECROSSING

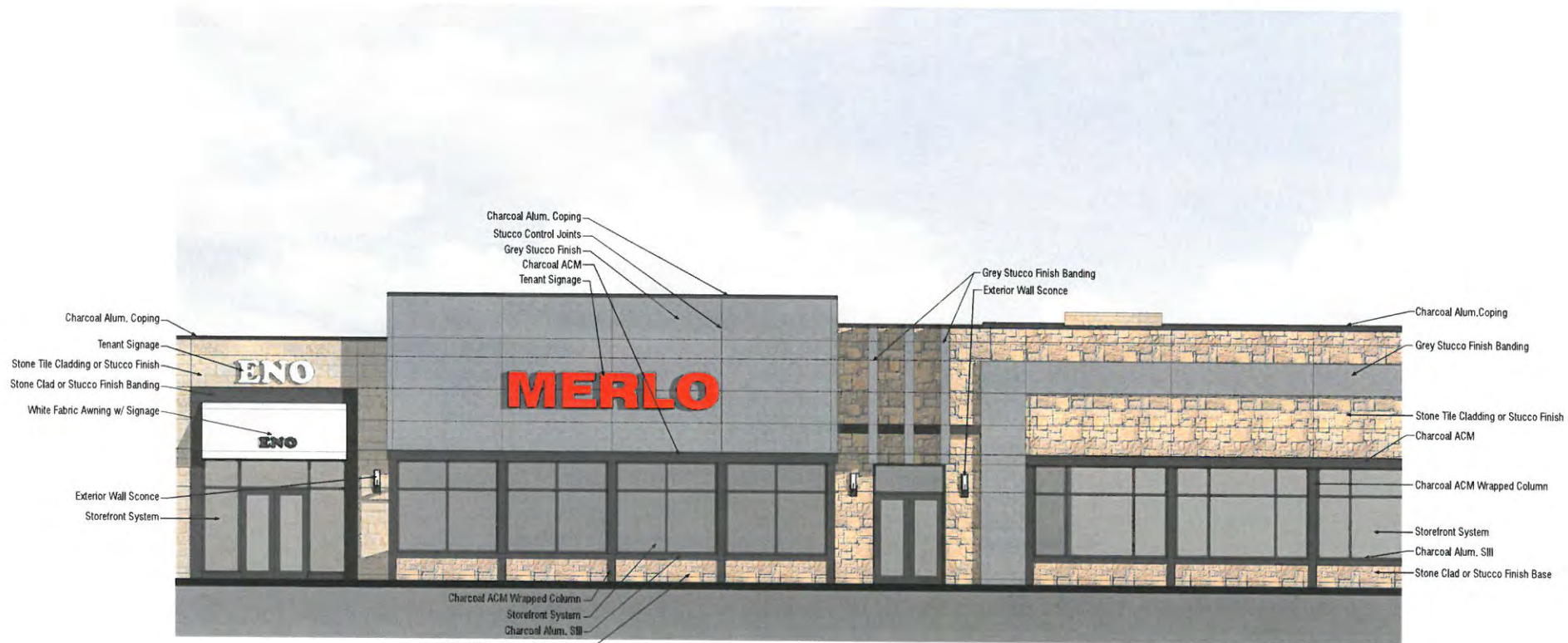
WINTER PARK

Unicorp National Developments Developer | Antunovich Associates Architect | Kimley Horn Civil Engineer

SUITES 1, 2, 3, & 4 - ELEVATIONS & MATERIALS



NORTH ELEVATION



ENLARGED NORTH ELEVATION

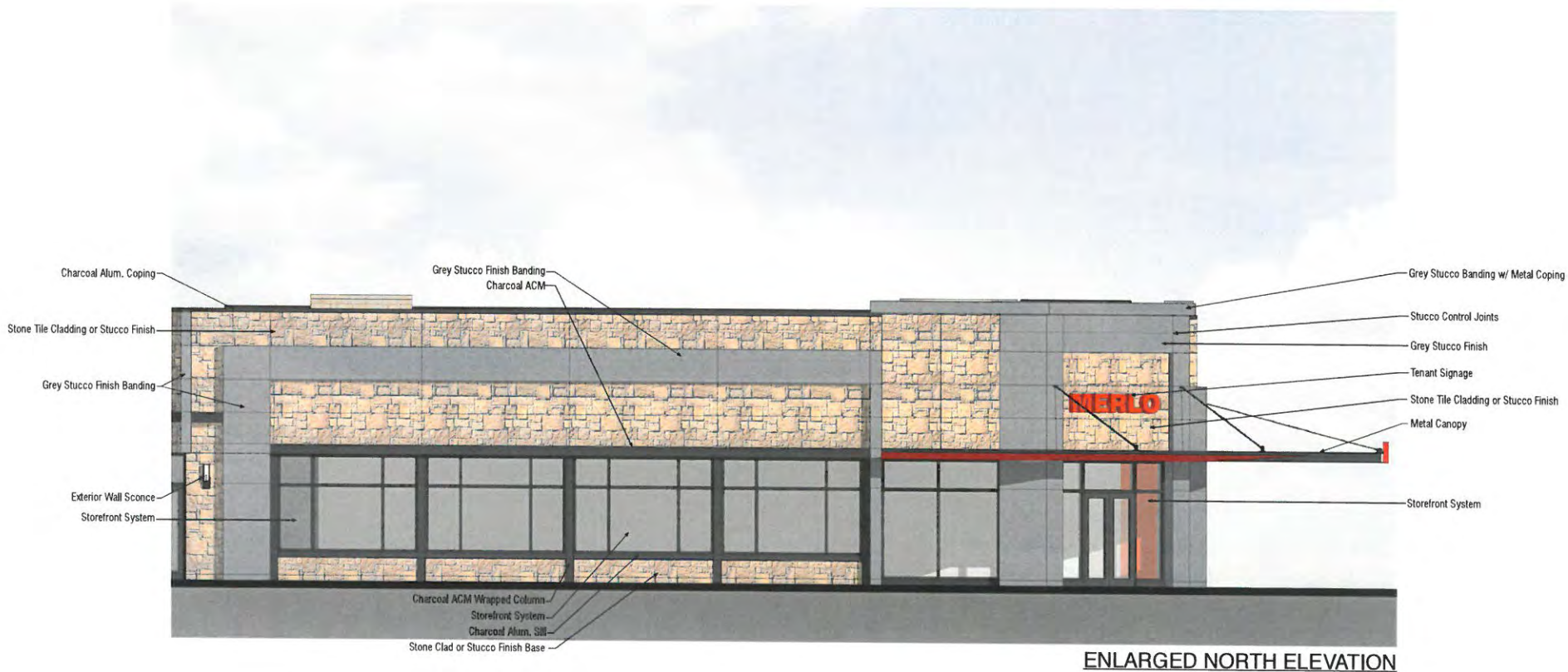
LAKESIDECROSSING

WINTER PARK

Unicorp National Developments Developer | Antunovich Associates Architect | Kimley Horn Civil Engineer

SUITES 4 & 5 - ELEVATIONS & MATERIALS 20

WINTER PARK, FLORIDA | MARCH 6TH, 2015





EAST ELEVATION



ENLARGED EAST ELEVATION

LAKESIDECROSSING

WINTER PARK

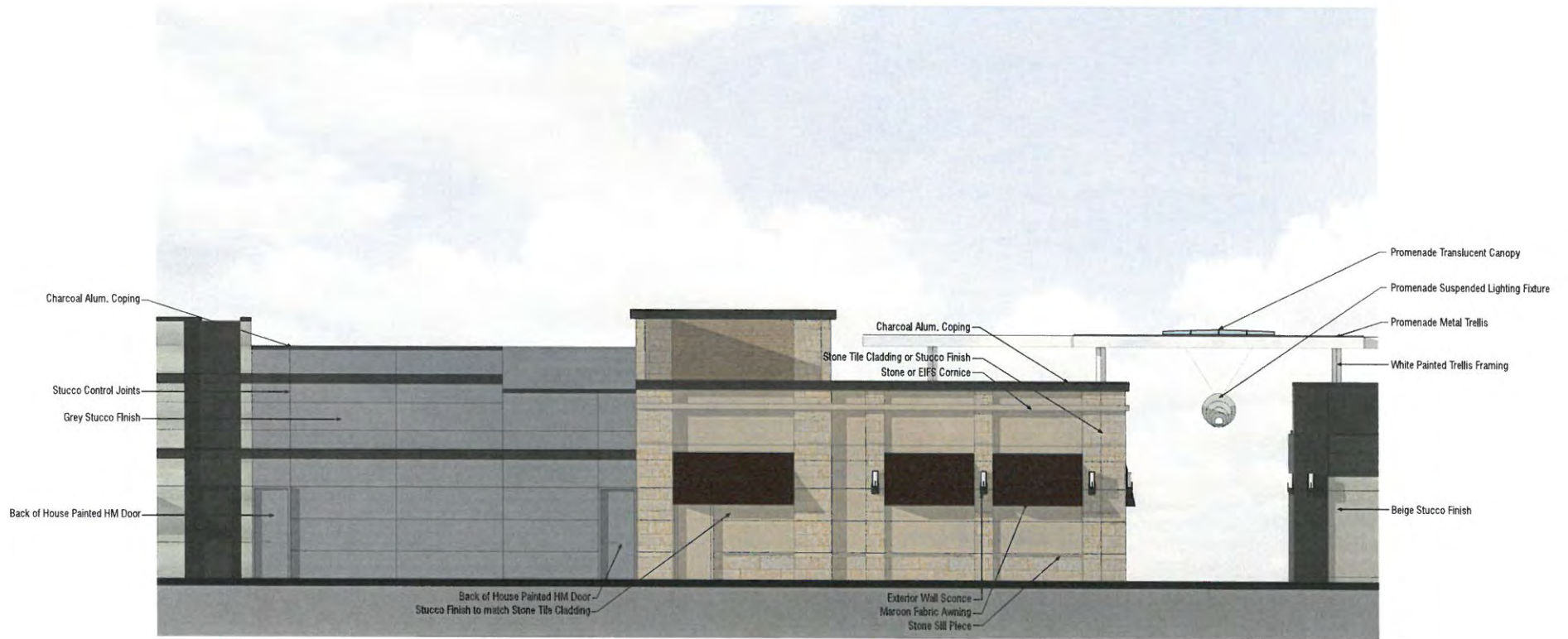
Unicorp National Developments | Developer | Antunovich Associates | Architect | Kimley Horn | Civil Engineer

SUITE 12 - ELEVATIONS & MATERIALS | 22

WINTER PARK, FLORIDA | MARCH 6TH, 2015



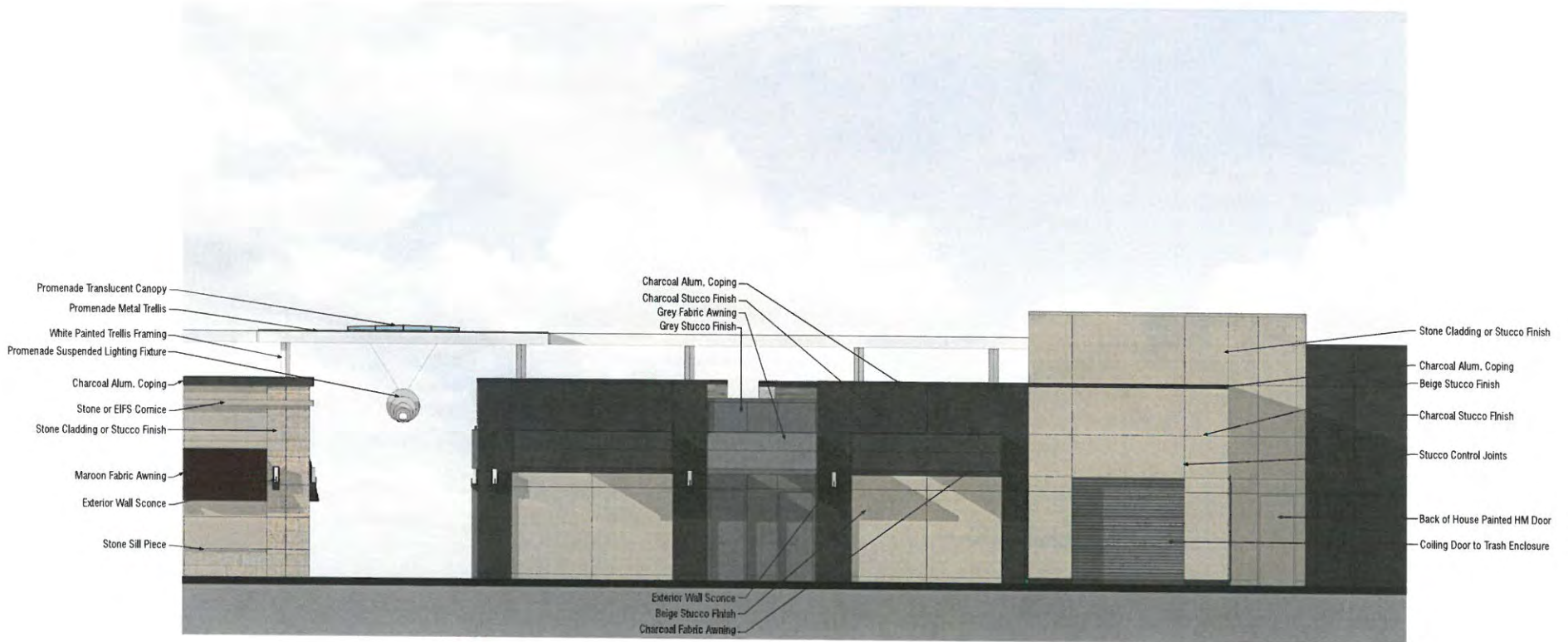
EAST ELEVATION



ENLARGED EAST ELEVATION



EAST ELEVATION



ENLARGED EAST ELEVATION

LAKESIDECROSSING

WINTER PARK

Unicorp National Developments Developer | Antunovich Associates Architect | Kinley Horn Civil Engineer

SUITES 7, 8, & 9 - ELEVATIONS & MATERIALS 24

WINTER PARK, FLORIDA | MARCH 6TH, 2015



EAST ELEVATION



ENLARGED EAST ELEVATION

LAKESIDECROSSING

WINTER PARK

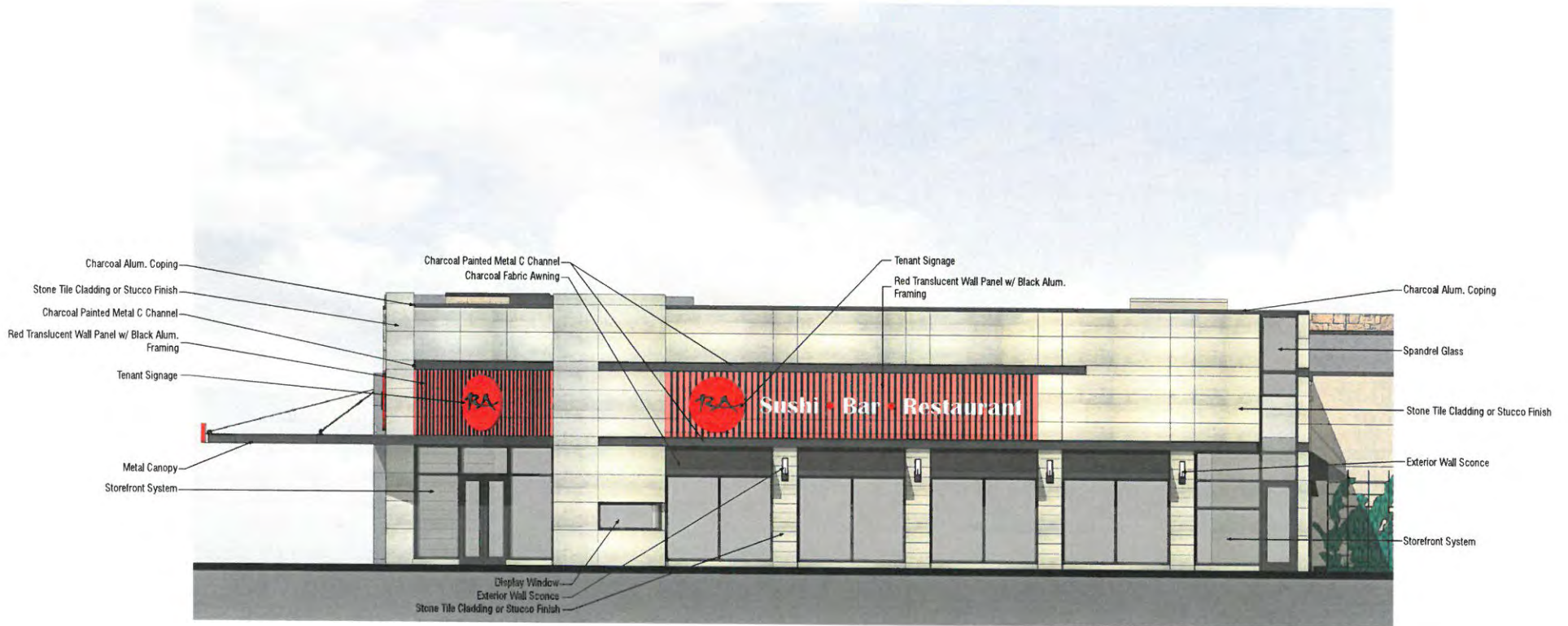
Unicorp National Developments Developer | Antunovich Associates Architect | Kimley Horn Civil Engineer

SUITES 1 & 6 - ELEVATIONS & MATERIALS | 25

WINTER PARK, FLORIDA | MARCH 6TH, 2015



SOUTH ELEVATION



ENLARGED SOUTH ELEVATION

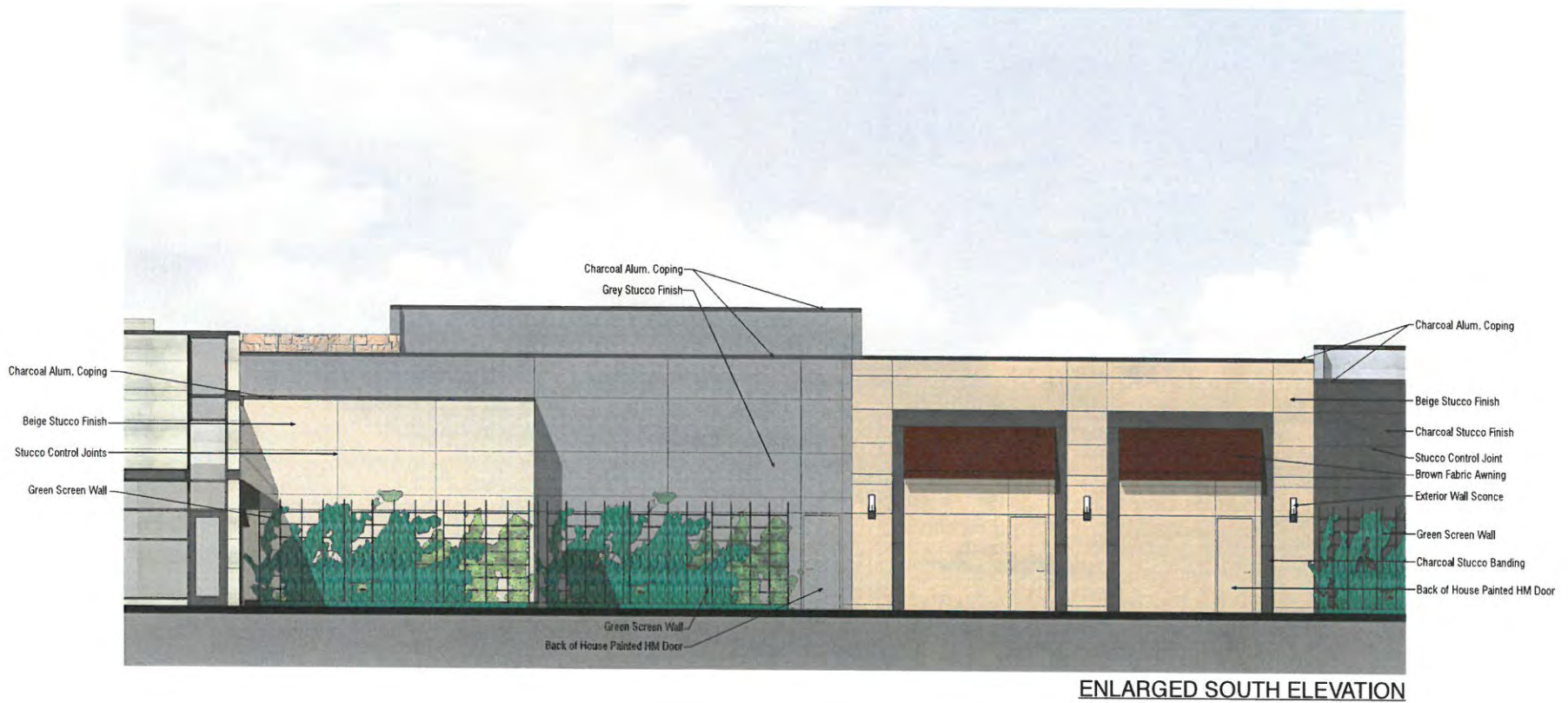
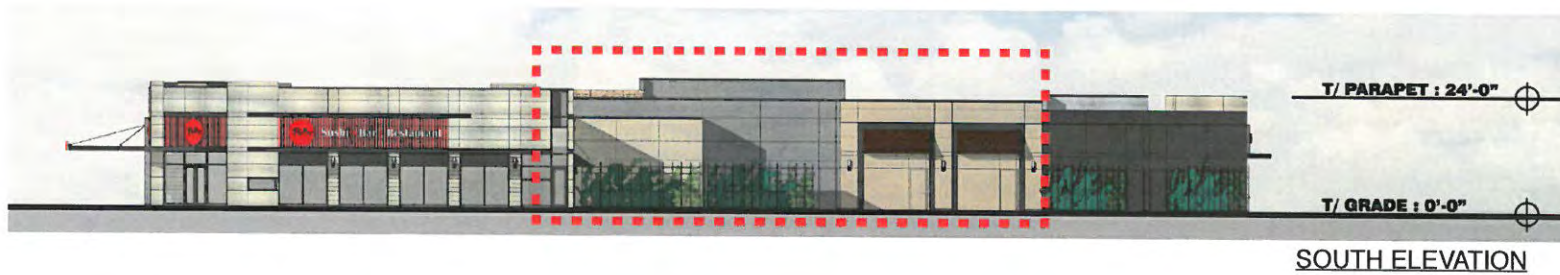
LAKESIDECROSSING

WINTER PARK

Unicorp National Developments Developer | Antunovich Associates Architect | Kimley Horn Civil Engineer

SUITE 12 - ELEVATIONS & MATERIALS | 26

WINTER PARK, FLORIDA | MARCH 6TH, 2015





SOUTH ELEVATION



ENLARGED SOUTH ELEVATION



WEST ELEVATION



ENLARGED WEST ELEVATION

LAKESIDECROSSING

WINTER PARK

Unicorp National Developments Developer | Antunovich Associates Architect | Kimley Horn Civil Engineer

SUITES 5 & 6 - ELEVATIONS & MATERIALS 29

WINTER PARK, FLORIDA | MARCH 6TH, 2015



WEST ELEVATION



ENLARGED WEST ELEVATION



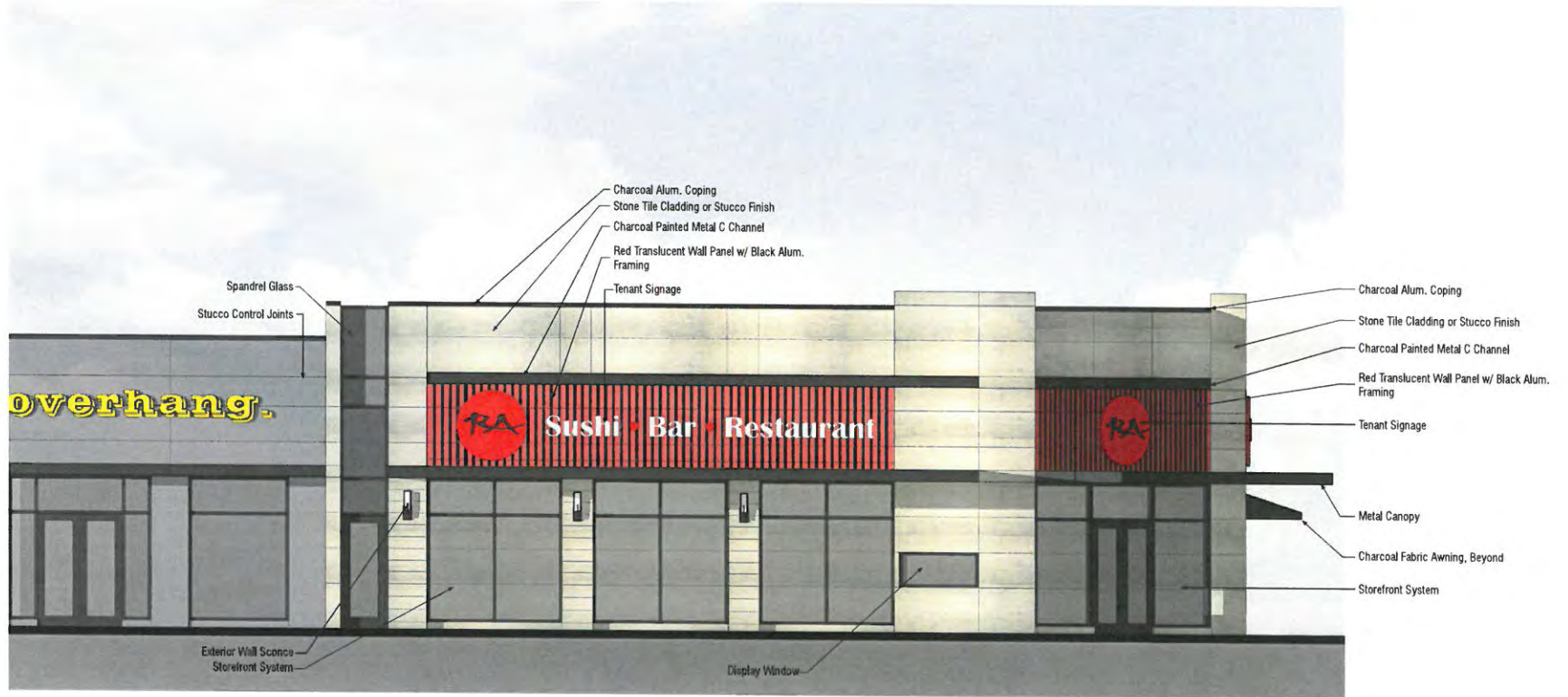
WEST ELEVATION



ENLARGED WEST ELEVATION



WEST ELEVATION



ENLARGED WEST ELEVATION

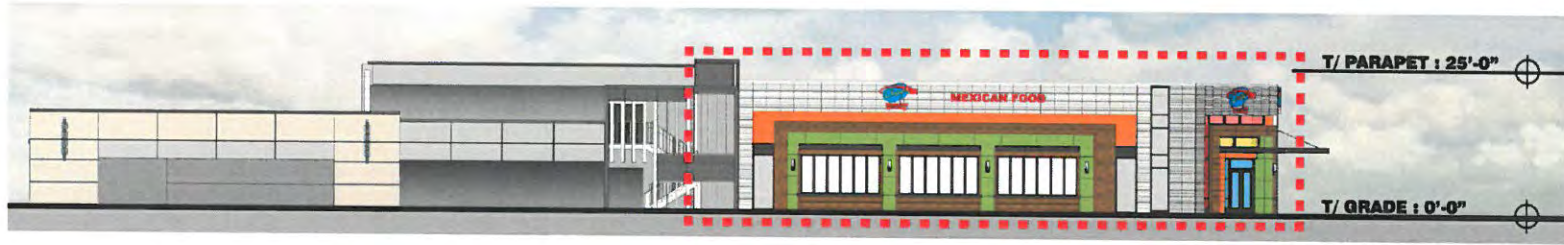
LAKESIDECROSSING

WINTER PARK

Unicorp National Developments Developer | Antunovich Associates Architect | Kimley Horn Civil Engineer

SUITE 12 - ELEVATIONS & MATERIALS 32

WINTER PARK, FLORIDA | MARCH 6TH, 2015

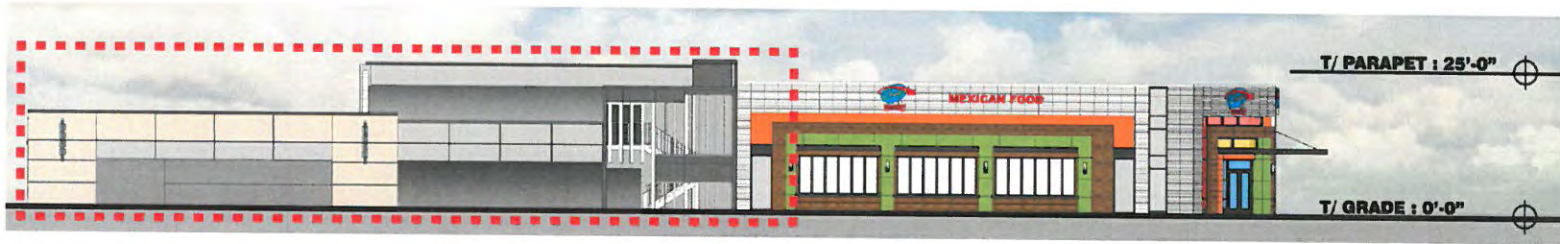


NORTH ELEVATION

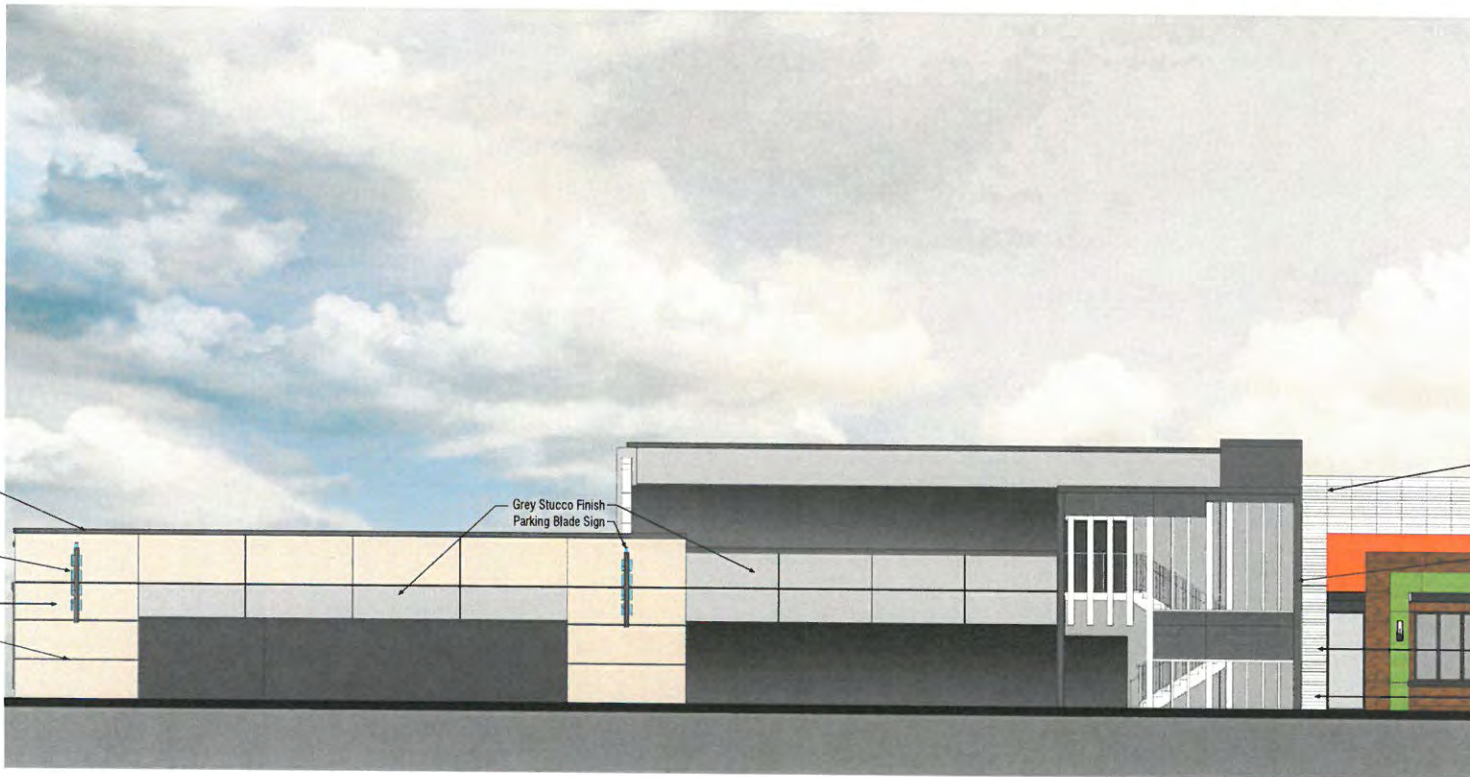
NOTE : SUITE 13 REPRESENTATION IS AN ARTISTIC IMPRESSION ONLY. ACTUAL BUILDING DESIGN ELEMENTS & MATERIALITY MAY DIFFER FROM TENANT DESIGN DOCUMENTATION.



ENLARGED NORTH ELEVATION



NORTH ELEVATION



ENLARGED NORTH ELEVATION



EAST ELEVATION



- Charcoal Stucco Banding w/ Metal Coping
- Charcoal Stucco Finish Banding @ Opening
- Beige Stucco Finish
- Decorative White Metal Screens
- Grey Stucco Finish
- Charcoal Stucco Finish
- Stucco Control Joints

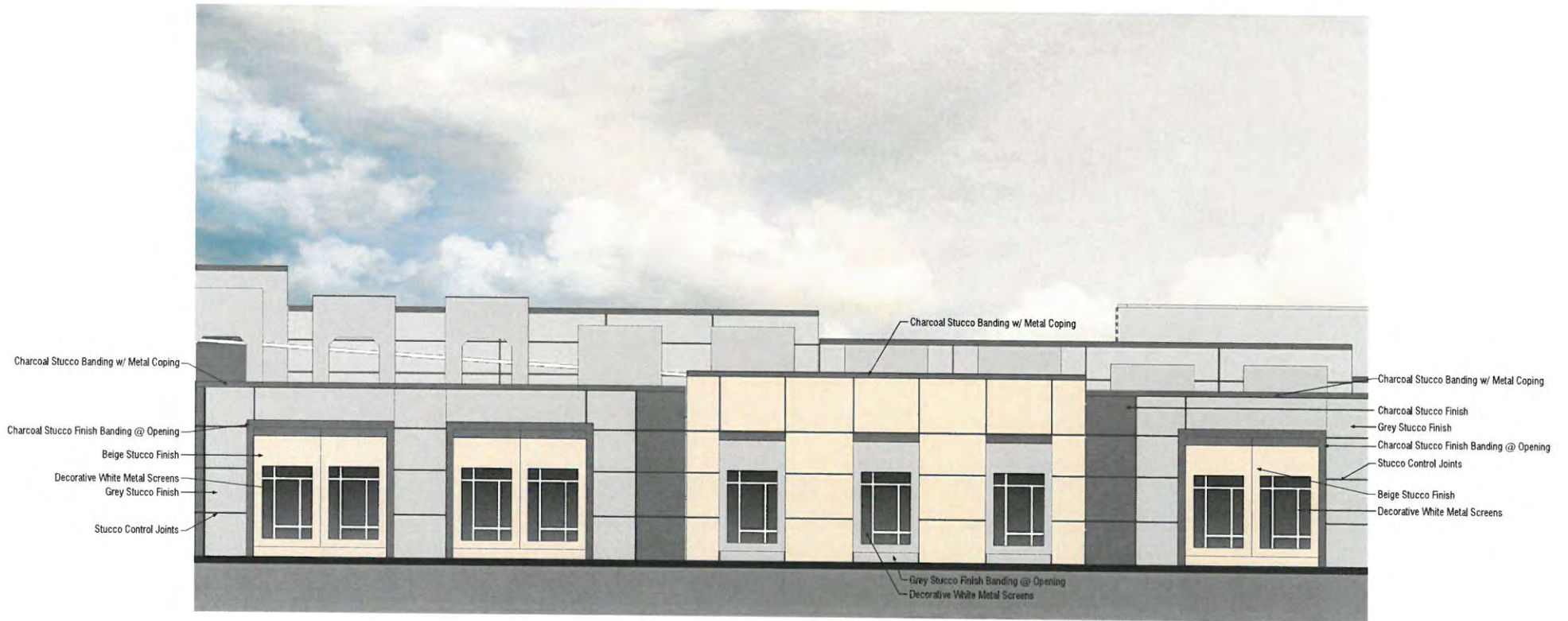
- Charcoal Stucco Banding w/ Metal Coping
- Charcoal Stucco Finish
- Grey Stucco Finish
- Charcoal Stucco Finish Banding @ Opening
- Stucco Control Joints
- Beige Stucco Finish
- Decorative White Metal Screens

- Grey Stucco Finish Banding @ Opening
- Decorative White Metal Screens

ENLARGED EAST ELEVATION



EAST ELEVATION



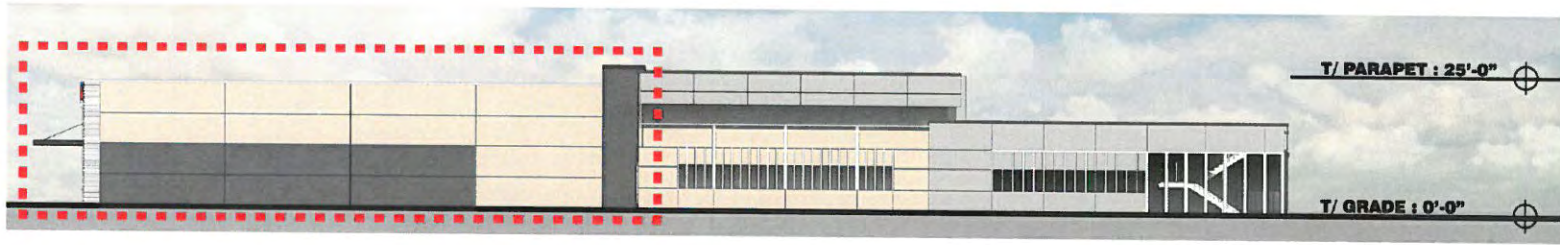
ENLARGED EAST ELEVATION



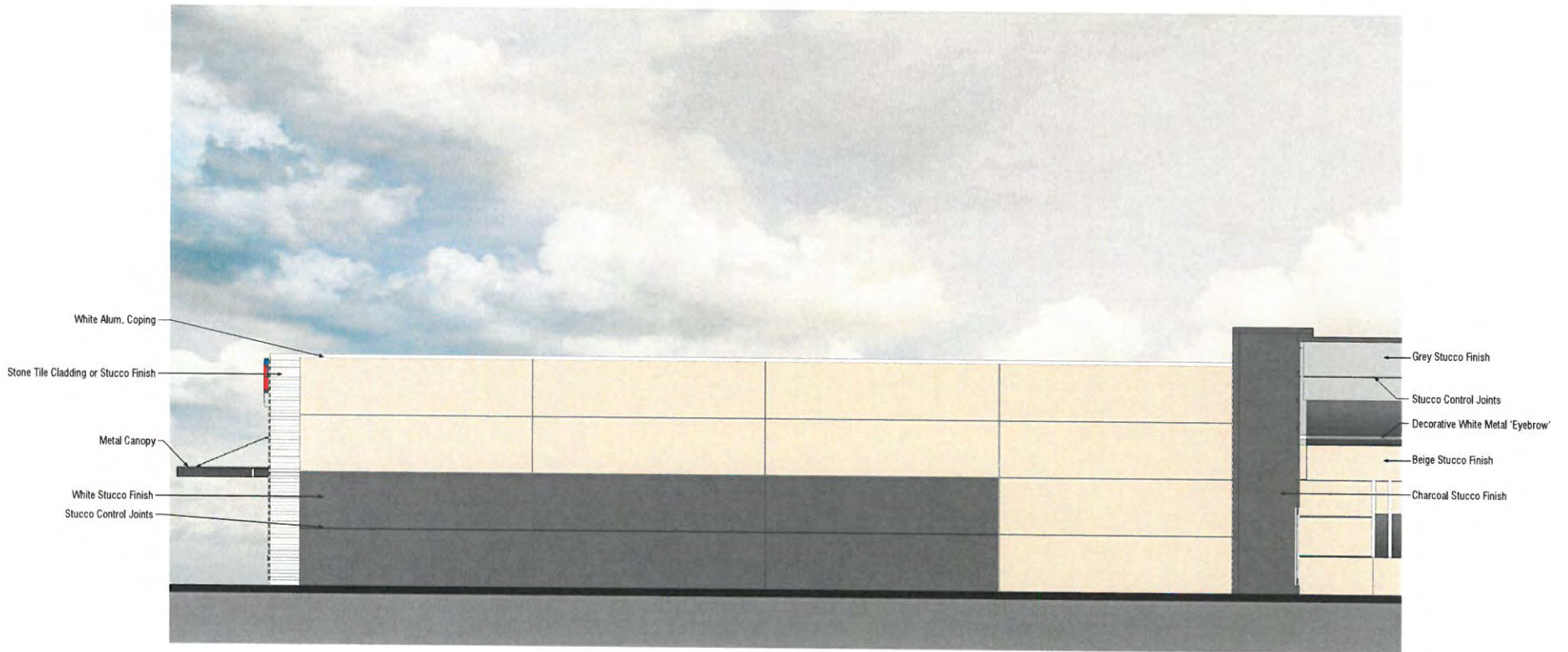
EAST ELEVATION



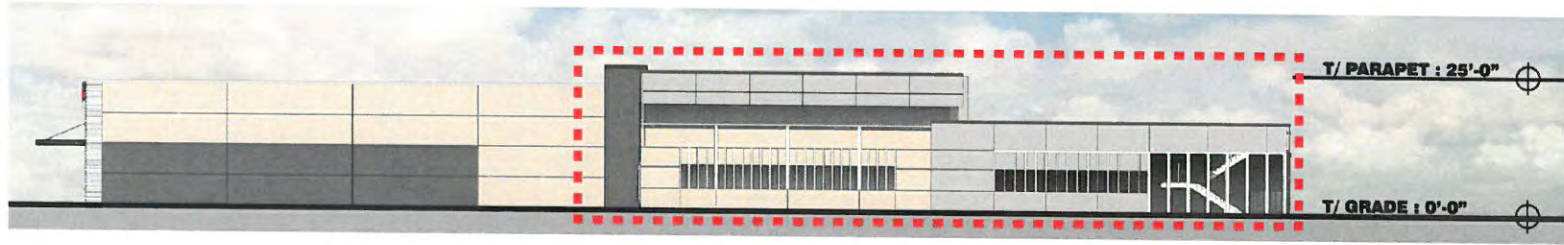
ENLARGED EAST ELEVATION



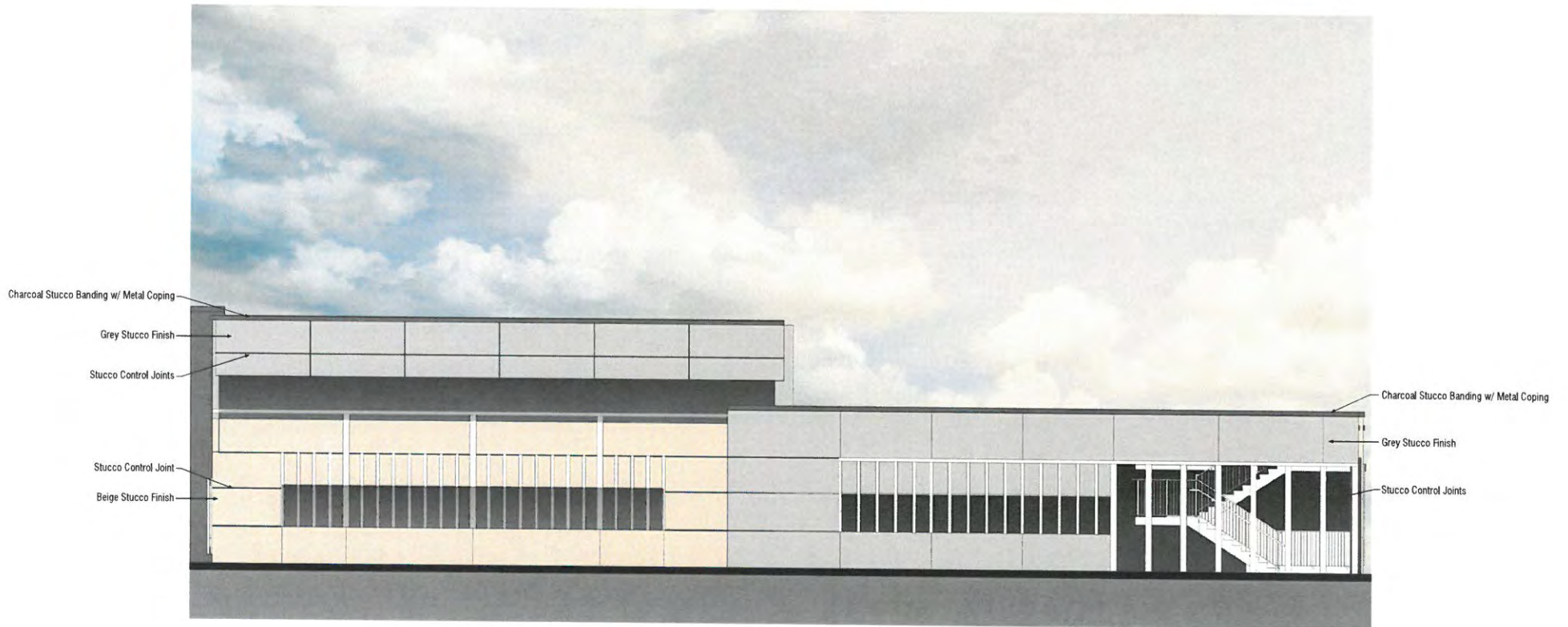
SOUTH ELEVATION



ENLARGED SOUTH ELEVATION



SOUTH ELEVATION



ENLARGED SOUTH ELEVATION

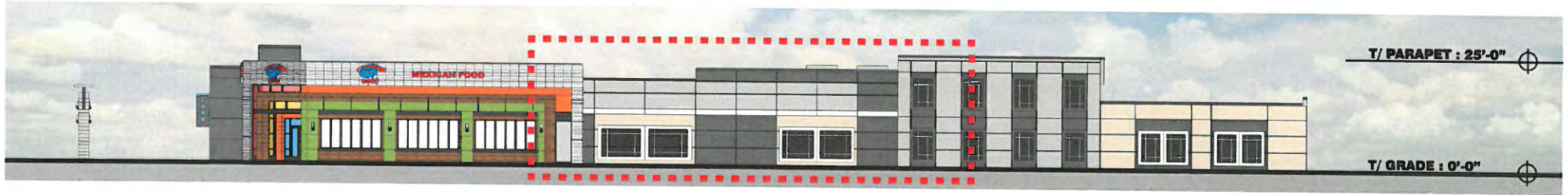


WEST ELEVATION

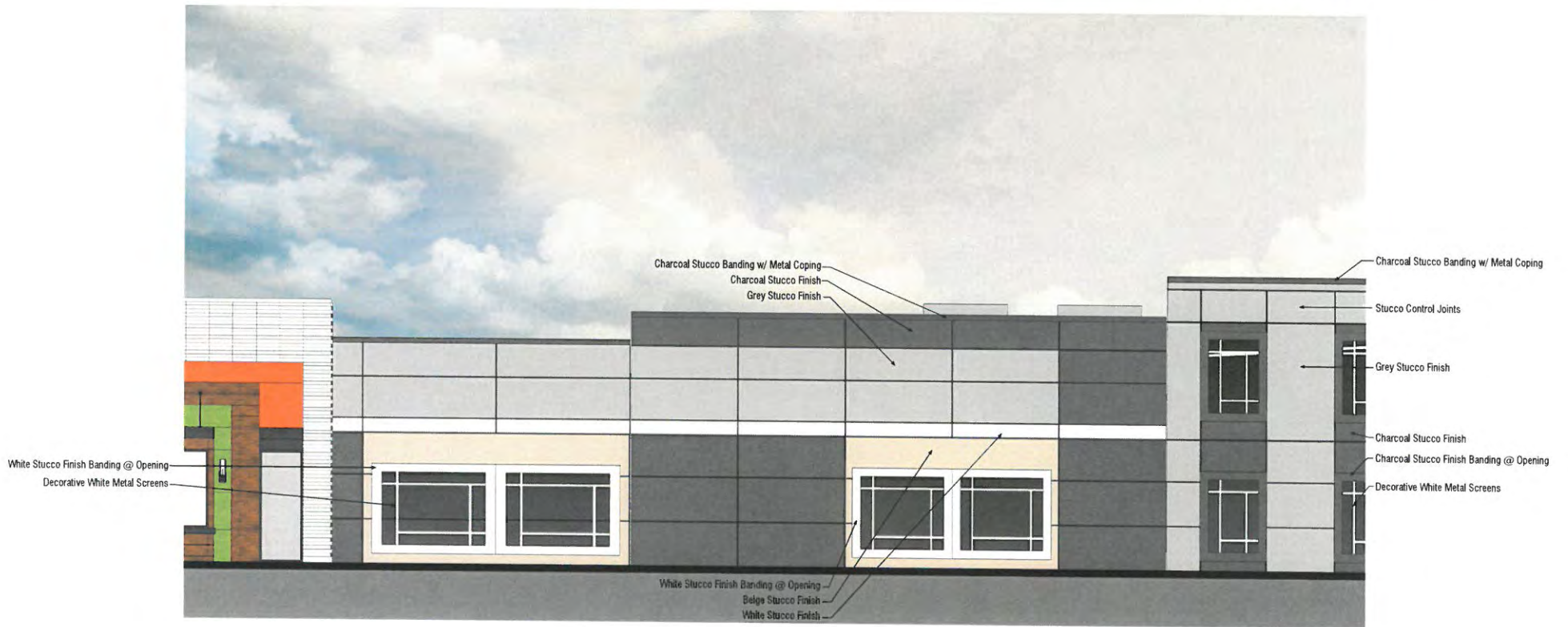
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ENLARGED WEST ELEVATION



WEST ELEVATION



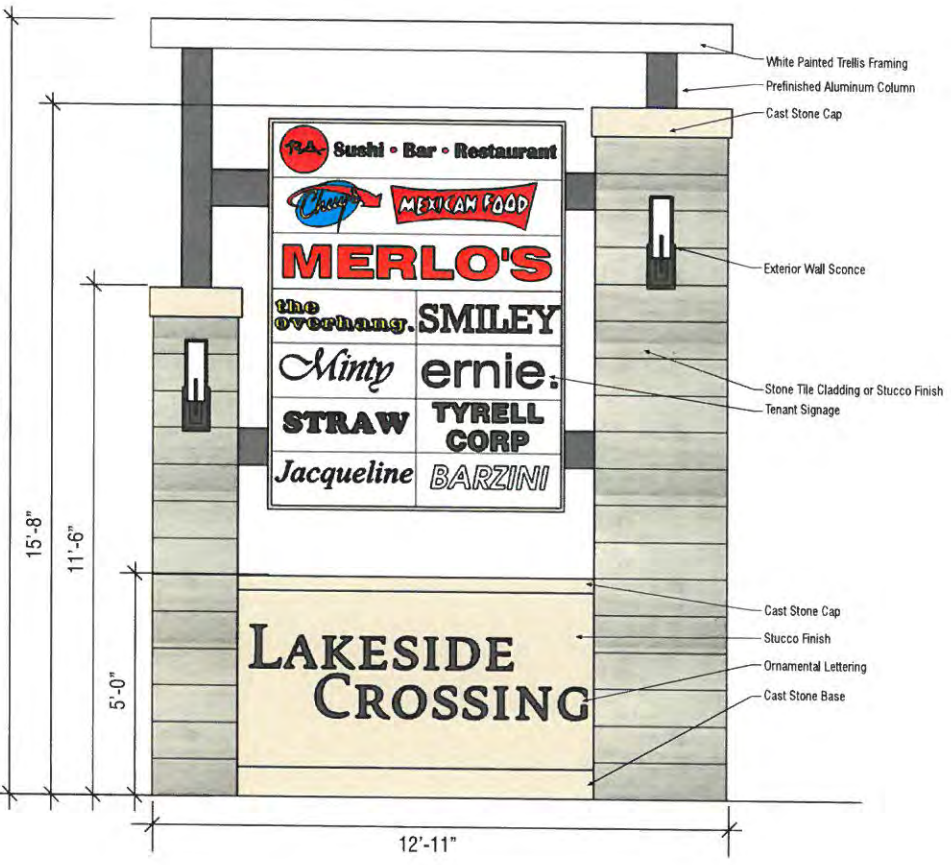
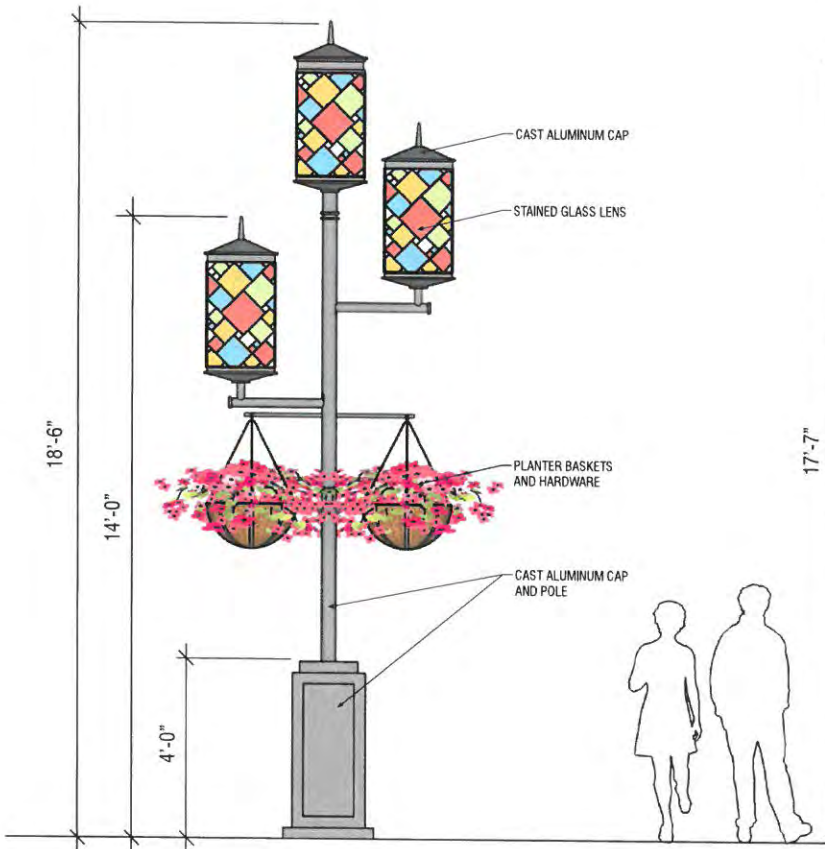
ENLARGED WEST ELEVATION



WEST ELEVATION



ENLARGED WEST ELEVATION



LAKESIDE CROSSING

WINTER PARK

MONUMENT SIGN & LIGHT POLE ELEVATIONS 43



city commission public hearing

item type	Public Hearing	meeting date	April 27, 2015
prepared by department division	Jeff Briggs Planning Department	approved by	<input checked="" type="checkbox"/> City Manager <input checked="" type="checkbox"/> City Attorney <input type="checkbox"/> N/A
board approval	Planning and Zoning Board	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> N/A 5-0 final vote	

Subject: Comp. Plan FLU Change/ Rezoning and Conditional Use for Fifth Third Bank at Lakemont & Aloma.

This public hearing involves the requests of Fifth Third Bank for the development of the properties at 443/453 North Lakemont Avenue and 1851/1861/1871 Aloma Avenue. All of the properties are zoned Office (O-2) except for the 453 N. Lakemont parcel which is zoned Single family (R-1A). The request is to:

1. Change the Comp. Plan FLU and Zoning for the 453 N. Lakemont Avenue parcel to Parking Lot (PL) zoning so that it may be incorporated into the project for use as storm water retention; and
2. Approve a Conditional Use for Fifth Third Bank component of the project as it contains drive-thru components.

The P&Z Board recommendation incorporates the conditions recommended by staff and those requested by the neighbors. Fifth Third Bank is in agreement with those conditions.

Summary:

The proposed development consists of a 3,872 square foot branch bank for Fifth Third with two drive-in tellers and companion 5,410 square feet of "for lease" office space. Total size of the one-story building is 9,282 square feet which is a 17.0% FAR; well within the maximum FAR of 45%. The building is centered on the site so it is significantly behind the perimeter setbacks. Impervious coverage or green area also exceeds the minimum 15% requirements by a significant amount at 57.5%.

For purposes of comparison, the following table outlines the O-2 zoning requirements and the proposed dimensions of this project.

	O-2 Requirements	Project Proposal
Property Size		1.25 acres
Floor Area Ratio	Max. 45%	17.0%
Lot Coverage	Max. 45%	17.0%
Min. Open Space	Min. 15%	57.5%
Aloma Avenue setback	10 feet	58 feet

Lakemont Avenue setback	10 feet	84 feet
Western Side setback	5 feet	44 feet
Northern Side setback	30 feet	38-84 feet
Landscape Protection Zone	8 feet	8-9 feet
Bldg. Height	35 feet	20 feet

Parking spaces shown for this project are 37 spaces to meet the code requirement based on one space for 250 square feet of office floor space (4 per 1,000). That meets the code for general business office but not for medical office space as that requirement is one space for every 200 square feet (5 per 1,000) for medical uses. The applicant would like the flexibility to create the 6 additional spaces needed within the landscape area along the western boundary of the site, if they lease to a medical tenant. However, they did not want to show those spaces now as they believe that the 15 spaces provided for the bank and the 22 spaces provided for the non-medical office space are in excess of their daily needs especially given the quick turnover of bank visitors and the trend toward increasing internet banking for customers. Bicycle parking is provided to meet code.

Current Development Request: This application package is intended to provide the detail needed both for the “preliminary” and “final” conditional use approvals and as such includes the final site plan, architectural perspective images of the building facades with materials, landscape plan, complete storm water retention design, photometric plan and a traffic impact report. The current lease on the Fifth Third Bank branch to the east at 2011 Aloma Avenue (next to Mellow Mushroom) is expiring and they need to move quickly for this project as the replacement.

Comp. Plan FLU/Rezoning Request:

The northernmost 50 feet of this property (453 N. Lakemont – Lot 25) is zoned single family (R-1A). The applicant is requesting a Comp. Plan and Zoning change to Parking lot (PL). They would use the property primarily for the bulk of the storm water retention as well as four parking spaces and the relocated dumpster.

The City created the Parking Lot zoning category for just this type of situation where the use of the land is limited to only parking or storm water retention as proposed. No other use and no buildings can be put on that land, if zoned PL. The only permitted uses in PL zoning are surface parking spaces and storm water retention. (If it were rezoned as office then it would bestow the ability for future buildings)

There are two choices for the City and the neighbors. If the property stays zoned single family (R-1A) then Fifth Third Bank has told the City that they will sell the lot and then likely a new two-story home will be constructed on that property. Fifth Third Bank can accommodate all of their storm water retention via underground exfiltration and the 4 parking spaces can be relocated to the landscape area on the western boundary. This then puts a new SF house in the ‘backyards’ of the three existing homes at 1850, 1860 &

1890 Edwin Blvd. Alternatively, the proposed plan maintains the vast majority of this property as open space via the use restricted to storm water retention. This seemed to the P&Z Board to be a more favorable neighboring use for those three homeowners.

Protection for Adjacent Residential Properties:

These plans do include some measures meant to provide protection and screening for the residential neighbors to the north on Edwin Blvd. On that common boundary line will be a eight foot brick wall (**per neighbor's request**). There are also 14 new cedar trees that are to be planted to screen views above the wall height.

The City has historically resisted (and denied) attempts at rezoning this Fifth Third Bank property to commercial. The primary reason was to limit the impacts from commercial businesses associated with noise from 24 hour businesses (convenience stores/pharmacies/gas stations) and restaurants. The City has typically imposed conditions on speaker box audio when adjacent to residential and there are similar conditions with this request.

Staff Analysis of the Applicant's Requests:

Various city departments have reviewed this application including representatives from Planning & Community Development, Public Works, Electric Utility, Water and Wastewater Utilities, Fire, Urban Forestry, Parks & Recreation and City Administration. Their comments were as follows:

Fire Dept.: Applicant is aware of the fire hydrant and fire flow needs for the project.

Traffic Engineering/Police Dept.: The median on Aloma Avenue prohibits any left turns **from the site making that driveway 'right-in & right-out' only. The City was considering** extending the median on Lakemont about 25 feet to deal with left turn issues from the Mobil gas station. To insure that this Lakemont Avenue driveway also functions only as **'right-in & right-out' the median needs to be extended at developer's expense.**

Water/Sewer Utility: There are complications with the locations of the sanitary sewer service lines and water main extensions that have been discussed with the applicant and will be their responsibility to fund and improve.

Parks/Urban Forestry Depts.: There are a number of older trees in deteriorated condition that will be removed. The one specimen live oak tree at the Aloma/Lakemont corner is to be preserved. Other oak trees are preserved as possible. The 5 new live oaks, 14 cedar trees and 4 cypress trees (in the retention area) will be sufficient compensation for the trees planned to be removed.

Building Dept.: The plan exceeds the one foot candle maximum at the western property line due to the State mandated lighting requirements for the ATM to be located in the drive-in lane. While the City understands the convenience for user of the ATM; there is no variance to that lighting standard and the ATM may need to be wall mounted on the bank façade unless compliance with the lighting code is achieved.

Traffic Study:

As required by the Land Development Code, the developer has provided a traffic study (which they have labeled as a "traffic generation statement") to outline the traffic impacts of this project. This project will generate 499 new trips per day recognizing that there is no traffic generation now based on the vacant status of the land today. The report also uses medical office traffic generation which is larger than what other non-medical business office usage would generate. However, 43% of that traffic (214 cars/day) are passerby trips meaning that they are cars already on these roads and stopping by the bank or the office as part of their normal daily driving activities. With 36,000 cars/day on Aloma and 18,500 cars/day on Lakemont, this amount of net new traffic (285 cars/day) split between the two roadways is a .0039-.0076% increase.

Summary and Conclusion:

Fifth Third Bank purchased this property 10 years ago in 2005 with the intention of building someday on this site. Overall, the applicant has provided a plan that meets the requirements of the Comprehensive Plan and Land Development Code. The only exceptions are the rezoning request and flexibility to add parking should a medical tenant arise. From the planning staff's and P&Z Board's perspective, the rezoning seems to be in the best interests of the neighbors and the additional parking for a medical tenant can be added since the project exceeds the "green" or pervious area required by Code. After review by staff and significant input from the neighbors; the P&Z Board recommended approval of Conditional Use/Rezoning subject to 12 conditions:

Planning and Zoning Board Recommendation:

Motion made by Mr. Weldon, seconded by Mr. Sacha to amend the "Comprehensive Plan" future land use map so as change the Future Land Use designation from Single Family Residential to Parking Lot on the property at 453 North Lakemont Avenue. Motion carried unanimously with a 5-0 vote.

Motion made by Mr. Weldon, seconded by Mr. Sacha to amend the official Zoning Map so as to change from Single Family Residential (R-1A) district zoning to Parking Lot (PL) district zoning on the property at 453 North Lakemont Avenue. Motion carried unanimously with a 5-0 vote.

Motion made by Mr. Weldon, seconded by Mr. Sacha to approve the Conditional Use request to develop the properties at 1851/1861/1871 Aloma Avenue and 443/453 North Lakemont Avenue for a one-story 3,500 square foot branch bank with drive-thru tellers and 5,715 square feet of professional office, on these properties zoned O-2 and prospectively PL; and subject to the following conditions:

- 1. The Fifth Third Bank project entitlements comprise 9,282 square feet of office development including two drive-thru teller lanes.**
- 2. The project is required to have a minimum of 37 parking spaces to meet the anticipated needs of the development plan and may create the additional 6 parking spaces needed for medical tenant usage of the 5,410 square feet of associated office space within the landscape area along the western border of the site.**
- 3. The entrance/exits to the project along Aloma and Lakemont Avenues will be restricted to 'right in/right out' only and the center line median on Lakemont Avenue shall be extended to the north 25 feet at the expense of the applicant.**

4. The project signs along the two streets shall be limited to non-interior illuminated monument signs as presented.
5. The western building elevation facing 17,000 cars a day traveling east on Aloma Avenue shall include significant brick veneer façade coverings to match the architectural pattern of the other building facades.
6. The hours of operation of the drive-in teller speaker system is restricted to no later than 10:00 pm and no drive-in teller speaker noise shall be audible within any adjacent residential building.
7. Replacement of the sweet gum and cypress trees on the northern border of the property with cedar trees.

As well as the following conditions suggested by the neighboring property owners and agreed to by the applicant:

8. Increase in the height of the proposed privacy wall on the northern property line to eight feet in height and construction to be of brick or brick veneer to match the primary structure with columns appropriately spaced and cap. Also that this privacy wall be constructed in the first phase of the construction activity in order to serve as a buffer from construction noise/dust.
9. Insure that the parapet wall height and location of AC and mechanical equipment screens such equipment from view.
10. Add hedges and understory trees to the landscape area adjacent to the north side of the building consistent with that shown for the landscape areas on the east and south sides of the building.
11. Modify the rear parking lot lighting on the northern border of the property adjacent to the residential properties to insure no light intrusion onto their properties.
12. Relocate the dumpster to a location further removed from the abutting residential neighbors.

Motion carried unanimously with a 5-0 vote.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE I "COMPREHENSIVE PLAN" FUTURE LAND USE MAP SO AS TO CHANGE THE FUTURE LAND USE DESIGNATION OF SINGLE FAMILY RESIDENTIAL TO PARKING LOT DESIGNATION ON THE PROPERTY AT 453 NORTH LAKEMONT AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

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

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

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

WHEREAS, the Winter Park Planning and Zoning Commission, acting as the designated Local Planning Agency, has reviewed and recommended adoption of the proposed Comprehensive Plan amendment, having held an advertised public hearing on April 7, 2015, 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 April 27, 2015 and May 11, 2015 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 parking lot on the property at 453 North Lakemont Avenue, more particularly described as follows:

Lot 25, Campo Bello subdivision as recorded in Plat Book "L", Page 23 of the Public Records of Orange County, Florida.

Property Tax ID # 05-22-30-1140-00-250

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

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

SECTION 4. Effective Date. An amendment adopted under this paragraph does not become effective until 31 days after adoption. If timely challenged, an amendment may not become effective until the state land planning agency or the Administration Commission enters a final order determining that the adopted small scale development amendment is in compliance.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this _____ day of _____, 2015.

Mayor

Mayor

Attest:

City Clerk

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO CHANGE SINGLE FAMILY RESIDENTIAL (R-1A) DISTRICT ZONING TO PARKING LOT (PL) DISTRICT ZONING ON THE PROPERTY AT 453 NORTH LAKEMONT AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the owners of property at 421 W. Morse Boulevard have requested a Zoning map amendment consistent with the amended Comprehensive Plan, and the requested zoning text change will achieve conformance with the Comprehensive Plan for the property and such municipal zoning meets the criteria established by Chapter 166, Florida Statutes and pursuant to and in compliance with law, notice has been given to Orange County and to the public by publication in a newspaper of general circulation to notify the public of this proposed Ordinance and of public hearings to be held; and

WHEREAS, the Planning and Zoning Board of the City of Winter Park has recommended approval of this Ordinance at their April 7, 2015 meeting; and

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

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

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

SECTION 1. Official Zoning Map Amendment. That Chapter 58 "Land Development Code", Article III, "Zoning" and the Official Zoning Map is hereby amended so as to change the zoning designation of Single Family (R-1A) District to Parking Lot (PL) District zoning on the property at 453 N. Lakemont Avenue, more particularly described as follows:

Lot 25, Campo Bello subdivision as recorded in Plat Book "L", Page 23 of the Public Records of Orange County, Florida.

Property Tax ID # 05-22-30-1140-00-250

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 _____, 2015.

Mayor

Attest:

City Clerk

P&Z Minutes: April 7, 2015:

REQUEST OF FIFTH THIRD BANK TO: AMEND THE "COMPREHENSIVE PLAN" FUTURE LAND USE MAP SO AS CHANGE FROM SINGLE FAMILY RESIDENTIAL TO A PARKING LOT FUTURE LAND USE DESIGNATION ON THE PROPERTY AT 453 NORTH LAKEMONT.

REQUEST OF FIFTH THIRD BANK TO: AMEND THE OFFICIAL ZONING MAP SO AS TO CHANGE FROM SINGLE FAMILY (R-1A) DISTRICT ZONING TO PARKING LOT (PL) DISTRICT ZONING ON THE PROPERTY AT 453 NORTH LAKEMONT AVENUE.

REQUEST OF FIFTH THIRD BANK FOR: CONDITIONAL USE APPROVAL TO DEVELOP THE PROPERTIES AT 1851/1861/1871 ALOMA AVENUE AND 443/453 NORTH LAKEMONT AVENUE FOR A ONE-STORY 3,500 SQUARE FOOT BRANCH BANK WITH DRIVE-THRU TELLERS AND 5,715 SQUARE FEET OF PROFESSIONAL OFFICE, ON THESE PROPERTIES ZONED O-2 AND PROSPECTIVELY PL.

Planning Manager Jeffrey Briggs presented the staff report and explained that this public hearing involves the requests of Fifth Third Bank for the development of the properties at 443/453 North Lakemont Avenue and 1851/1861/1871 Aloma Avenue. All of the properties are zoned Office (O-2) except for the 453 N. Lakemont parcel which is zoned Single family (R-1A). The request is to:

3. Change the Comp. Plan FLU and Zoning for the 453 N. Lakemont Avenue parcel to Parking Lot (PL) zoning so that it may be incorporated into the project for use as storm water retention; and
4. Approve a Conditional Use for Fifth Third Bank component of the project as it contains drive-thru components

The proposed development consists of a 3,872 square foot branch bank for Fifth Third with two drive-in tellers and companion 5,410 square feet of "for lease" office space. Total size of the one-story building is 9,282 square feet which is a 17.0% FAR; well within the maximum FAR of 45%. The building is centered on the site so it is significantly behind the perimeter setbacks. Impervious coverage or green area also exceeds the minimum 15% requirements by a significant amount at 57.5%. Mr. Briggs reviewed parking requirements. He explained that the application package is intended to provide the detail needed both for the "preliminary" and "final" conditional use approvals and as such includes the final site plan, architectural perspective images of the building facades with materials, landscape plan, complete storm water retention design, photometric plan and a traffic impact report. The current lease on the Fifth Third Bank branch to the east at 2011 Aloma Avenue (next to Mellow Mushroom) is expiring and they need to move quickly for this project as the replacement.

The northernmost 50 feet of this property (453 N. Lakemont – Lot 25) is zoned single family (R-1A). The applicant is requesting a Comp. Plan and Zoning change to Parking lot (PL). They would use the property primarily for the bulk of the storm water retention as well as four parking spaces. The City created the Parking Lot zoning category for just this type of situation where the use of the land is limited to only parking or storm water retention as proposed. No other use and no buildings can be put on that land, if zoned PL. The only permitted uses in PL zoning are surface parking spaces and storm water retention. (If it were rezoned as office then it would bestow the ability for future buildings)

From the staff's perspective if the property stays zoned single family (R-1A) then Fifth Third Bank will sell the lot and then likely a new two-story home will be constructed on that property. Fifth Third Bank can accommodate all of their storm water retention via underground exfiltration and the 4 parking spaces can be relocated to the landscape area on the western boundary. This then puts a new SF house in the 'backyards' of the three existing homes at 1850, 1860 & 1890 Edwin Blvd. Alternatively, the proposed plan maintains the vast majority of this property as open space via the use confined and restricted to storm water retention. This seems to the planning staff to be a more favorable neighboring use for those three homeowners.

The plans include measures meant to provide protection and screening for the residential neighbors to the north on Edwin Blvd. On that common boundary line will be a six foot block stucco wall painted to match the building. There are also trees that are planned to help screen views above the wall height.

Mr. Briggs summarized by stating that the planning staff understands that there is no enthusiasm for another branch bank at this gateway location into the City; however, Fifth Third Bank purchased this property ten years ago with the intention of building on it someday. He said that the applicant has provided a plan that meets the requirements of the Comprehensive Plan and Land Development Code. He noted that planning staff's viewpoint is that the rezoning seems to be in the best interests of the neighbors and the additional parking for a medical tenant can be added since the project exceeds the "green" or pervious area required by Code. Staff has analyzed the Conditional Use/Rezoning and is recommending approval subject to the several conditions.

Brett Nevaril, Infinity Engineering Group, represented the 5/3 Bank. He stated that he has communicated with Mr. Briggs and is aware of the concerns and requests of the neighbors and expressed willingness to work with the neighbors. He indicated that the Bank is in agreement with the conditions recommended by the City and then addressed the conditions of the neighbors which the Bank is also in agreement with. He responded to Board member questions and concerns.

Stephanie Murphy, 1850 Edwin Boulevard (Lot 28), represented eight of her neighbors. She stated that they are concerned that several aspects of the proposed development that are not compatible with the existing neighborhood. She used a power point presentation to detail their concerns with the proposed development. The highlights of the requests were: (1) increase in height to an 8-foot wall (they requested that the wall be constructed first in an effort to buffer the neighborhood from construction dust and noise; (2) that the wall be brick instead of stucco; (3) that the dumpster be relocated to a space on the property further away from the residents; (4) that the trees be of a height and size to provide an immediate barrier; (5) that consideration be given to decorative light poles; (6) that more time be allowed to study the traffic in this area; and (6) that proper landscaping be installed adjacent to the building. Mrs. Murphy responded to Board members questions and concerns.

Beth Hall, 516 Sylvan Drive, spoke in opposition to the request and expressed concern with the architectural design of the proposed bank, the traffic impact on the surrounding neighborhood and the drive-thru tellers exiting on Aloma Avenue. She requested that more consideration be given to the existing residential neighborhood and that she is opposed to changing the zoning and comprehensive plan.

Marti Miller, 1399 Aloma Avenue, explained that she said that she would like to see the City purchase the property and develop it as a park. She was opposed to the property being developed with a bank.

Paul Helsby, (owner of the adjacent property to the west) spoke in favor of the request, stated that he is the principal neighbor on Aloma Avenue. His plans originally were to redevelop his property with his dental practice but he now has the property listed for sale. He stated that he is happy to see the property develop. He requested that more consideration be given to the façade, that more study be given to the traffic, and an easement pass-thru between his property and the subject property be required. He agreed with Mrs. Murphy concerning the dumpster placement.

Penney Potter, 1360 Canterbury Road, stated that she opposed to the rezoning and comprehensive plan change.

Tina Dover, 1800 Edwin Boulevard, opposed the drive-thru, the encroachment into the residential neighborhood and cut-thru traffic.

Ann Murrah, 1601 Legion Drive, stated that she would like to see the property developed in a joint venture between the City, the developer and Dr. Hellsby to develop the property as a gateway park. She said that she feels that would be very appropriate for this gateway into the city.

Donna Colado, 327 Beloit Avenue, commented that she agrees with the comments made by Mrs. Murrah and the neighbors.

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

Mr. Nevaril responded to the concerns brought up concerning lighting explaining that the lighting currently proposed by the bank complies with city code. He stated that they are willing to further modify the rear lighting on the north side of the property related to the parking lot and retention pond to be sure it does not affect the neighbors. He responded to Board member questions with regard to ATM location, architectural aspects of the development, the dumpster concern. He agreed to work on the west elevation and explained that this is a new prototype architectural look that the Bank is introducing.

Mr. Weldon spoke to the concerns raised by the neighbors. He explained that he feels it is practical to rezone the R-1A zoned property to allow for a parking lot and retention area only as this use as open space seems more attractive for the neighbors. He encouraged those that are passionate about the park issue to take those concerns to the City Commission. He commented that he feels that the proposal is a thoughtful low-intensity one-story use of the property relative to the current entitlements that would permit a four story building. He thanked Mrs. Murphy for her presentation, and assured that consideration will be given to the neighbors requests in the Board's recommendation to the City Commission.

Mr. R. Johnston agreed with Mr. Weldon with regard to the rezoning for open space and retention, but stated that he is very concerned with the architectural details of this request, as the look is very simplistic and not going to be of the quality we would hope for at this gateway location into the City. He encouraged the applicants to give more thought into the comments received at the meeting. Considerable discussion ensued amongst the Board members to review and insure that the requests of the neighbors were considered in a motion to augment what had been suggested by staff.

Motion made by Mr. Weldon, seconded by Mr. Sacha to amend the "Comprehensive Plan" future land use map from Single Family Residential to Parking Lot on the property at 453 North Lakemont Avenue. Motion carried unanimously with a 5-0 vote.

Motion made by Mr. Weldon, seconded by Mr. Sacha to amend the official zoning map from Single Family Residential (R-1A) district zoning to Parking Lot (PL) district zoning on the property at 453 North Lakemont Avenue. Motion carried unanimously with a 5-0 vote.

Motion made by Mr. Weldon, seconded by Mr. Sacha to approve the conditional use to develop the properties at 1851/1861/1871 Aloma Avenue and 443/453 North Lakemont Avenue for a one-story square foot branch bank with drive-thru tellers and other professional office, on these properties zoned O-2 and prospectively PL; and subject to the following special conditions:

- 1. The Fifth Third Bank project entitlements comprise 9,282 square feet of office development including two drive-thru teller lanes.**
- 2. The project is required to have a minimum of 37 parking spaces to meet the anticipated needs of the development plan and may create the additional 6 parking spaces needed for medical tenant usage of the 5,410 square feet of associated office space within the landscape area along the western border of the site.**
- 3. The entrance/exits to the project along Aloma and Lakemont Avenues will be restricted to 'right in/right out' only and the center line median on Lakemont Avenue shall be extended to the north 25 feet at the expense of the applicant.**

4. The project signs along the two streets shall be limited to non-interior illuminated monument signs as presented.
5. The western building elevation facing 17,000 cars a day traveling east on Aloma Avenue shall include significant brick veneer façade coverings to match the architectural pattern of the other building facades.
6. The hours of operation of the drive-in teller speaker system is restricted to no later than 10:00 pm and no drive-in teller speaker noise shall be audible within any adjacent residential building.
7. Replacement of the sweet gum and cypress trees on the northern border of the property with cedar trees.

As well as the following conditions suggested by the neighboring property owners and agreed to by the applicant:

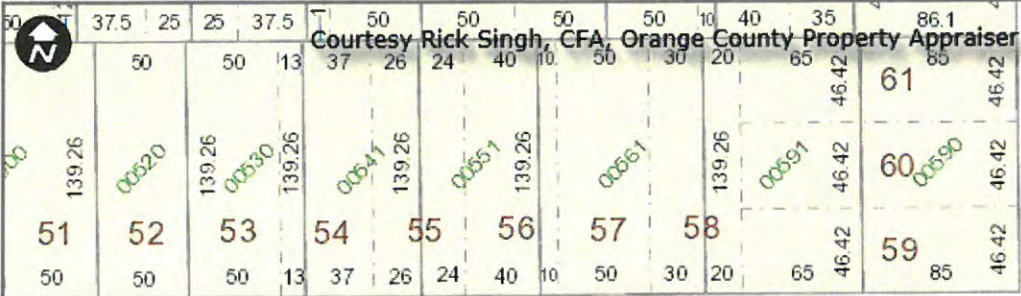
8. Increase in the height of the proposed privacy wall on the northern property line to eight feet in height and construction to be of brick or brick veneer to match the primary structure with columns appropriately spaced and cap. Also that this privacy wall be constructed in the first phase of the construction activity in order to serve as a buffer from construction noise/dust.
9. Insure that the parapet wall height and location of AC and mechanical equipment screens such equipment from view.
10. Add hedges and understory trees to the landscape area adjacent to the north side of the building consistent with that shown for the landscape areas on the east and south sides of the building.
11. Modify the rear parking lot lighting on the northern border of the property adjacent to the residential properties to insure no light intrusion onto their properties.
12. Relocate the dumpster to a location further removed from the abutting residential neighbors.

Motion carried unanimously with a 5-0 vote.

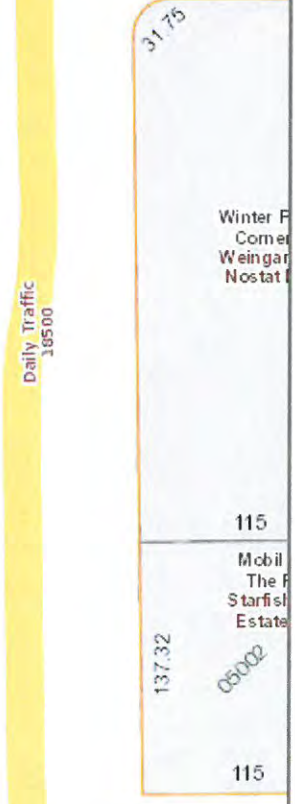
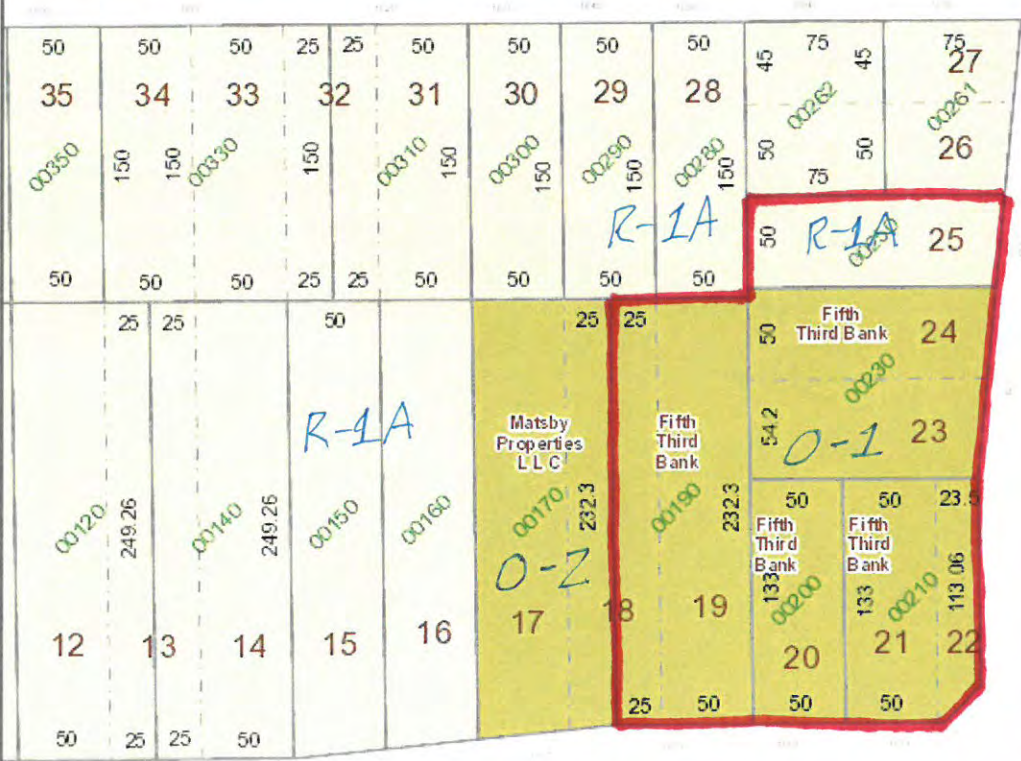
OCA Web Map

- Major Roads
- Proposed Road
- Residential
- Commercial/Industrial
- Parks
- Florida Turnpike
- Public Roads
- Agriculture
- Agricultural Curtilage
- Lakes and Rivers
- Interstate 4
- Gated Roads
- Hydro
- Building
- Toll Road
- Road Under Construction
- Lot Line
- Governmental/Institutional/Misc
- Waste Land
- Block Number
- Lot Number
- Parcel Number
- Parcel Address
- Parcel Dimension

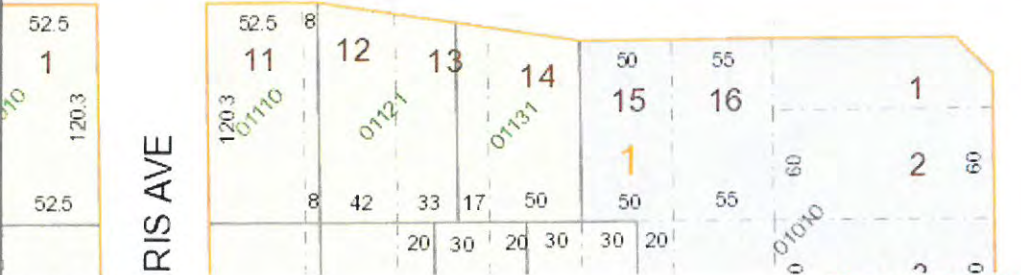
Courtesy Rick Singh, CFA, Orange County Property Appraiser



EDWIN BLVD

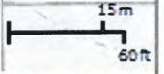


426 Daily Traffic 36000 **426** Daily Traffic 44000



Created: 3/25/2015

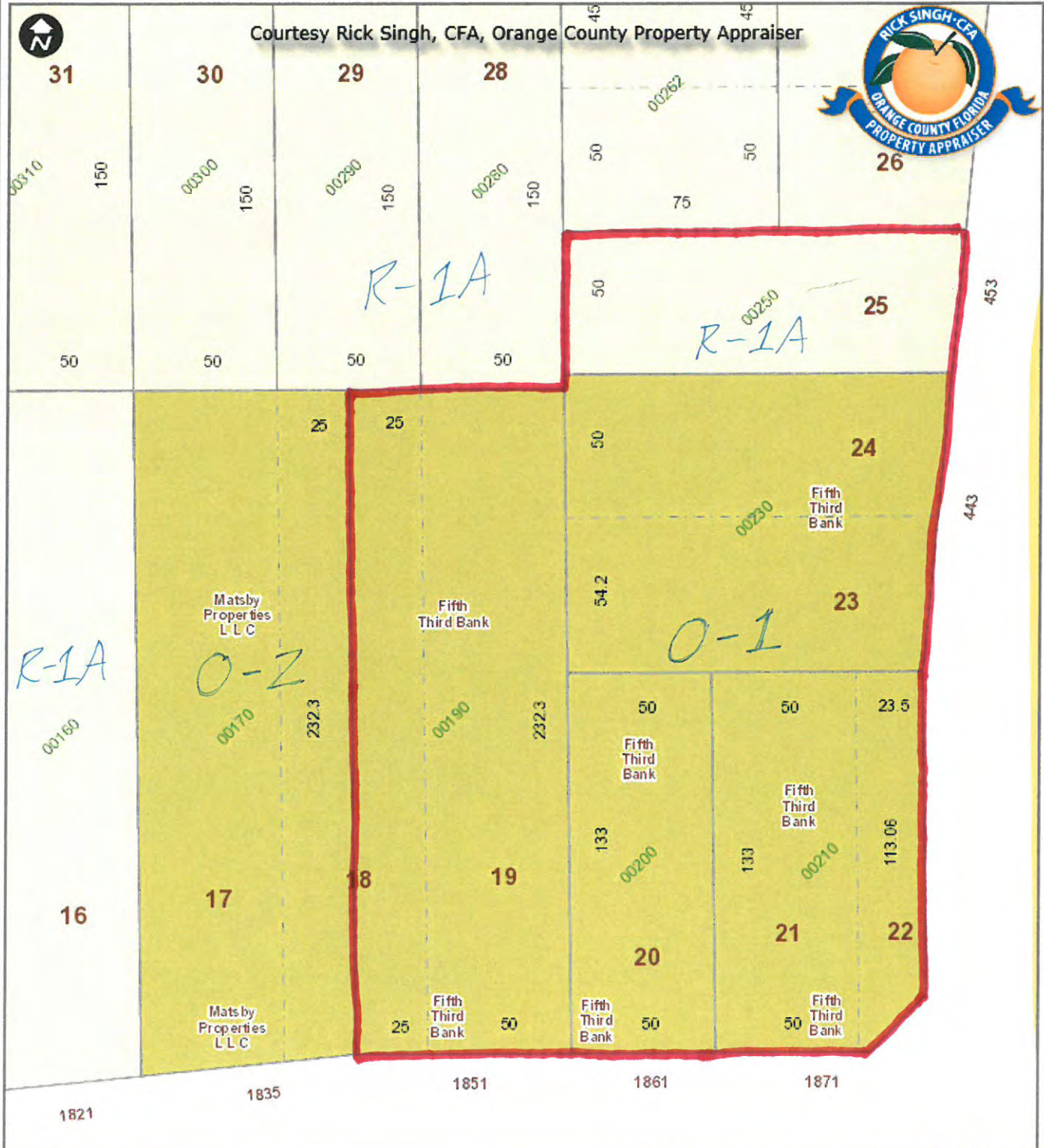
This map is for reference only and is not a survey.



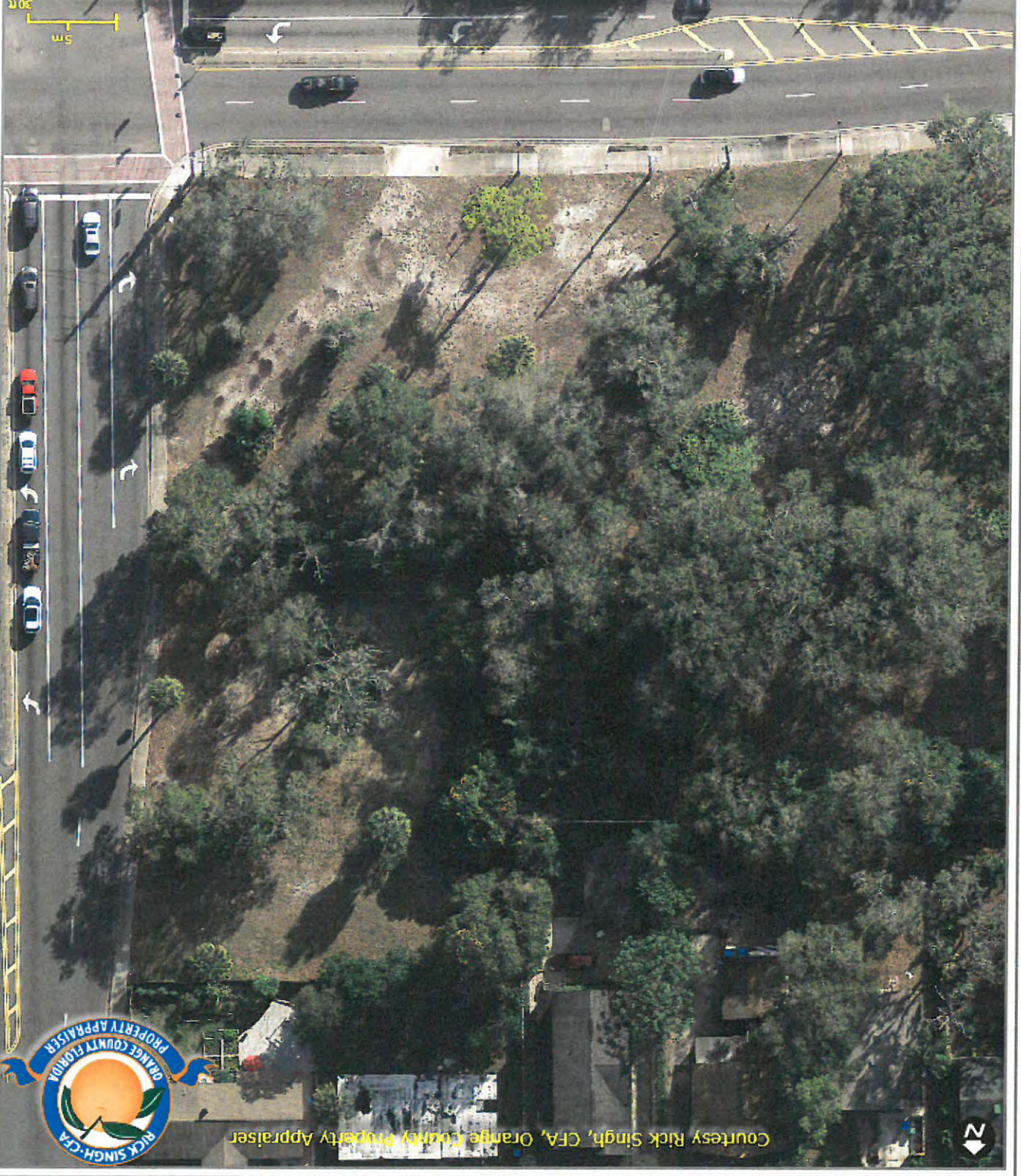
OCA Web Map

- | | | | | | | |
|-------------------------|--------------|---------------------------------|--------------------------|-----------------------------------|-------------------------------|----------------------------|
| Florida Turnpike | Major Roads | Proposed Road | Residential | Commercial/Industrial/Vacant Land | Parks | 6 Lot Number |
| Interstate 4 | Public Roads | Brick Road | Agriculture | Agricultural Curtilage | Lakes and Rivers | 06060 Parcel Number |
| Toll Road | Gated Roads | Block Line | Commercial/Institutional | Hydro | Building | 3106 Parcel Address |
| Road Under Construction | Lot Line | Governmental/Institutional/Misc | Waste Land | Block Number | 111.9 Parcel Dimension | |

Courtesy Rick Singh, CFA, Orange County Property Appraiser



Created: 3/25/2015 This map is for reference only and is not a survey.



Courtesy Rick Singh, CFA, Orange County Property Appraiser



OCPA Web Map

	Florida Turnpike		Major Roads		Residential		Commercial		Parks		Lot Number	6
	Interstate 4		Public Roads		Agriculture		Vacant Land		Lakes and Rivers		Parcel Number	06060
	Gated Roads		Block Roads		Commercial/Industrial		Agricultural		Rivers		Parcel Address	3106
	Road Under Construction		Block Line		Commercial/Industrial		Hydro		Lakes and Rivers		Parcel Address	3106
	Toll Road		Block Line		Governmental		Waste Land		Building		Block Number	111.9
	Lot Line		Block Line		Misc		Commercial		Parcel Dimensions		Parcel Dimensions	111.9

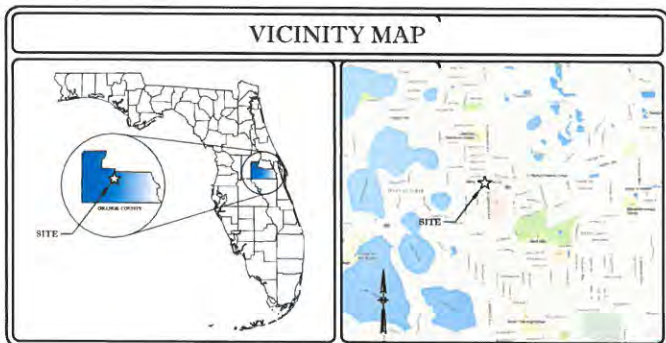
CONDITIONAL USE/REZONE PLANS FOR:



FIFTH THIRD BANK

FIFTH THIRD BANK NO. 17818

1871 ALOMA AVENUE
WINTER PARK, FL 32789



LEGAL DESCRIPTION:

THE EAST 1/2 OF LOT 18, AND ALL OF LOTS 19, 20, 21, 22, 23, 24, AND 25, CAMPO BELLO, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK "L", PAGE 23, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, LESS THOSE PORTIONS THEREOF DESCRIBED IN DEEDS RECORDED IN O.R. BOOK 1453, PAGE 361 AND O.R. BOOK 2220, PAGE 107, AND ORDER OF TAKING RECORDED IN O.R. BOOK 2281, PAGE 164, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

PROJECT TEAM

PROPERTY OWNER:

FIFTH THIRD BANK
38 FOUNTAIN SQUARE ROAD
CINCINNATI, OH 45263
PH: (941) 329-4600
CONTACT: MIKE CHARLES

DEVELOPER/APPLICANT:

FIFTH THIRD BANK
38 FOUNTAIN SQUARE ROAD
CINCINNATI, OH 45263
PH: (941) 329-4600
CONTACT: MIKE CHARLES

SURVEYORS:

EBI SURVEYING
8415 SUNSTATE STREET
TAMPA, FLORIDA 33634
PH: (813) 886-6080
FAX: (813) 886-6081
CONTACT: ERIC BLACKBURN

ARCHITECT:

BDG ARCHITECTS
2100 1ST AVE. N., STE 100
BIRMINGHAM, AL 35203
PH: (205) 252-8222
FAX: (205) 252-8899

CIVIL ENGINEER:

INFINITY ENGINEERING GROUP, LLC
1135 MARBELLA PLAZA DRIVE
TAMPA, FLORIDA 33619
PH: (813) 434-4770
FAX: (813) 445-4211
CONTACT: NOST SAPPARSHAD

AUTHORIZED AGENTS:

INFINITY ENGINEERING GROUP, LLC
1135 MARBELLA PLAZA DRIVE
TAMPA, FLORIDA 33619
PH: (813) 434-4770
FAX: (813) 445-4211
CONTACT: BRETT NEVARI

CIVIL DRAWING INDEX

SHEET NO.	SHEET TITLE
CS-1	COVER SHEET
C1.0	PROPOSED DEVELOPMENT PLAN
C2.0	STORM WATER RETENTION AND DRAINAGE PLAN
L-1	TREE PRESERVATION/REMOVAL PLAN
L-2	LANDSCAPE PLAN
PH.0	PHOTOMETRIC PLAN
1 OF 1	ALTA/ACSM BOUNDARY AND TOPOGRAPHIC SURVEY

ARCHITECTURAL DRAWING INDEX

SHEET NO.	SHEET TITLE
A-1	EXTERIOR ELEVATIONS
	BUILDING PERSPECTIVE
	BUILDING PERSPECTIVE
	BUILDING PERSPECTIVE
	BUILDING AERIAL PERSPECTIVE

PLANS PREPARED BY:



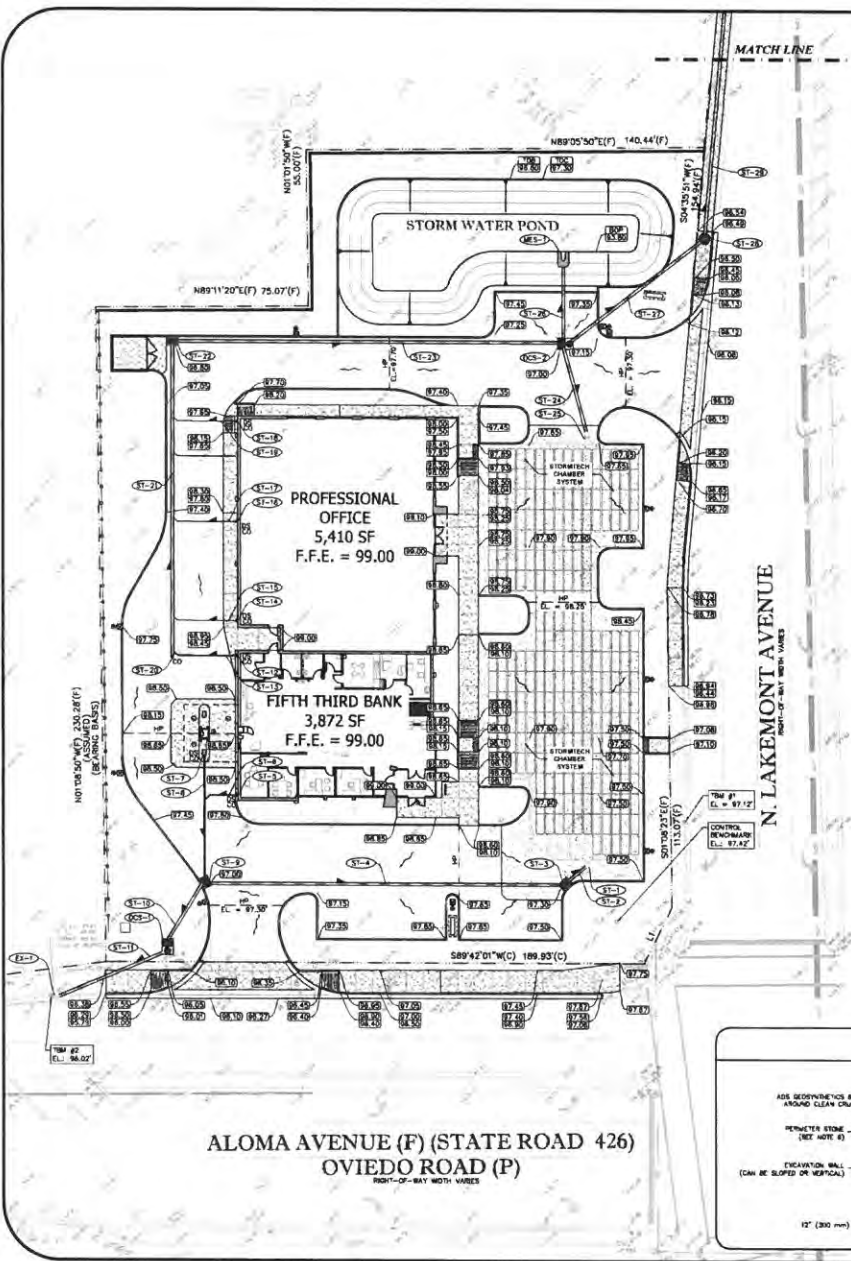
INFINITY ENGINEERING
GROUP, LLC

1135 Marbella Plaza Drive
Tampa, Florida 33619

[p] 813.434.4770
[f] 813.445.4211
www.ieggroup.net

Certificate of Authorization No. 27889

IEG JOB NO. 15-21.00



GRADING PLAN LEGEND

- BOB BOTTOM OF POND
- TOP TOP OF BANK
- TOC TOP OF CURB
- EL ELEVATION
- TY TYPICAL
- CO CLEANOUT
- IN INVERT ELEVATION
- SE SUMP ELEVATION
- EX EXISTING ELEVATION
- PE PROPOSED PAVEMENT ELEVATION
- GI GRATE INLET
- FF FINISH FLOOR ELEVATION
- RCP REINFORCED CONCRETE PIPE
- ST-# STORM SEWER STRUCTURE NUMBER
- EC EROSION CONTROL
- HP HIGH POINT
- MEQ MATCH EXISTING GRADE
- BS BUILDING DOWN SPOUT
- 12" OR GREATER STORMWATER PIPE
- LESS THAN 12" STORMWATER PIPE
- PROPOSED SURFACE STORMWATER FLOW
- DIRECTION OF PIPE FLOW
- TOP OF SIDEWALK/CURB
- EDGE OF PAVEMENT

EXISTING STORM DATA

EX-1 EXISTING STORMWATER INLET WITHIN RIGHT-OF-WAY.
 EX TOP = 95.97
 E (EXISTING) = 91.06
 E (PROPOSED) = 93.00
 CONTRACTOR TO CORRECT, DRILL, EXISTING STRUCTURE AND SEAL WITH NON-SHRINK GROUT

EX-2 EXISTING STORMWATER CURB INLET
 TOP EL = 96.08
 E (12" DIA) = 92.13

EX-3 EXISTING 12" STORMWATER PIPE @ 1.13% SLOPE

EX-4 EXISTING STORMWATER MANHOLE
 E = 91.11

STORM STRUCTURE/PIPING DATA

ST-1 30" NYLOPLAST JUNCTION BOX W/ 2" SUMP MIN.
 TOP = 97.15
 E (S) = 94.55

ST-2 9 LF OF 12" HDPE @ 1.67% SLOPE

ST-3 TYPE "C" CATCH BASIN FOOT INDEX NO. 232
 GRATE = 97.30
 E (N, W) = 94.70

ST-4 127 LF OF 12" HDPE @ 0.25% SLOPE

ST-5 CLEANOUT TOP ELEVATION SHALL MATCH PROPOSED
 GRADE ELEVATION = 95.50

ST-6 12 LF OF 6" PVC @ 1.13% SLOPE

ST-7 CLEANOUT TOP ELEVATION SHALL MATCH PROPOSED
 GRADE ELEVATION = 95.50

ST-8 44 LF OF 8" PVC @ 1.13% SLOPE

ST-9 TYPE "C" CATCH BASIN FOOT INDEX NO. 232
 GRATE = 97.00
 E (N, E, SW) = 95.00

ST-10 25 LF OF 12" HDPE @ 0.40% SLOPE

ST-11 38 LF OF 12" HDPE @ 2.63% SLOPE

ST-12 CLEANOUT TOP ELEVATION SHALL MATCH PROPOSED
 GRADE ELEVATION = 95.50

ST-13 23 LF OF 6" PVC @ 0.90% SLOPE

ST-14 CLEANOUT TOP ELEVATION SHALL MATCH PROPOSED
 GRADE ELEVATION = 95.50

ST-15 23 LF OF 4" PVC @ 1.30% SLOPE

ST-16 CLEANOUT TOP ELEVATION SHALL MATCH PROPOSED
 GRADE ELEVATION = 95.50

ST-17 23 LF OF 4" PVC @ 2.67% SLOPE

ST-18 CLEANOUT TOP ELEVATION SHALL MATCH PROPOSED
 GRADE ELEVATION = 95.50

ST-19 23 LF OF 4" PVC @ 4.04% SLOPE

ST-20 CLEANOUT TOP ELEVATION SHALL MATCH PROPOSED
 GRADE ELEVATION = 95.30

ST-21 110 LF OF 12" PVC @ 0.90% SLOPE

ST-22 TYPE "C" CATCH BASIN FOOT INDEX NO. 232
 GRATE = 97.00
 E (S, E) = 94.30

ST-23 12 LF OF 6" PVC @ 0.25% SLOPE

ST-24 33 LF OF 12" HDPE @ 0.45% SLOPE

ST-25 30" NYLOPLAST JUNCTION BOX W/ 2" SUMP MIN.
 TOP = 97.40
 E (N) = 94.55

ST-26 28 LF OF 12" HDPE @ 0.63% SLOPE

MES-1 12" MITERED END SECTION FOOT INDEX NO. 272
 E = 93.80

OCS-1 TYPE "E" OUTFALL CONTROL STRUCTURE
 TOP = 97.00
 E (N) (N) = 95.10
 E (SW) (OUT) = 94.00
 WEAR SIZE = 12" x 12"
 WEAR BOTTOM EL. = 94.87

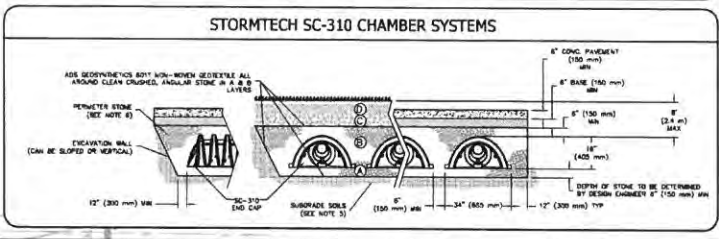
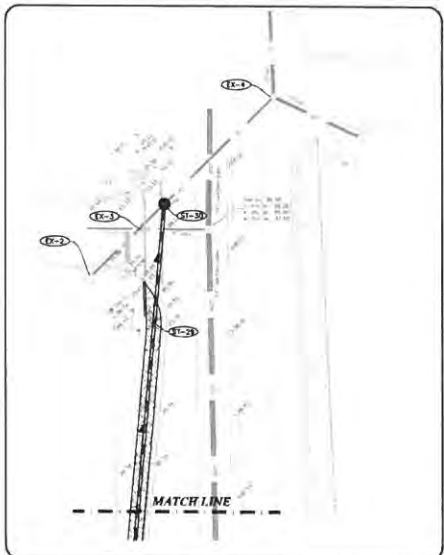
OCS-2 TYPE "E" OUTFALL CONTROL STRUCTURE
 TOP = 97.00
 E (S) (N) = 94.70
 E (N) (N) (S) = 93.90
 E (NW) (OUT) = 93.95
 WEAR SIZE = 1.3' x 1.3'
 WEAR BOTTOM EL. = 94.00

ST-27 58 LF OF 12" RCP @ 0.43% SLOPE

ST-28 TYPE "P" MANHOLE FOOT INDEX NO. 200 (ALTERNATE A: 3'-8" ROUND)
 TOP EL. = 96.50
 E (N, SW) = 93.75

ST-29 170 LF OF 12" RCP @ 0.44% SLOPE

ST-30 TYPE "P" DOGHOUSE MANHOLE FOOT INDEX NO. 200 (ALTERNATE A: 3'-8" ROUND)
 TOP EL. = 96.50
 E EX-3 = 91.68
 E (S) = 93.00



BENCHMARKS

ELEVATIONS SHOWN HEREON ARE BASED ON ORANGE COUNTY BENCHMARK "X 440" DESCRIBED AS VERTICAL CONTROL DISK ON CONCRETE MONUMENT, 47.3' NORTH OF THE CENTERLINE OF WEST BOUND LANES OF STATE ROAD 426 AND 78.5' WEST OF THE CENTERLINE OF THE WEST BOUND LANES OF LAKEMONT AVENUE. ELEVATION: 97.42' (NORTH AMERICAN VERTICAL DATUM)

ON-SITE "BM #1": STATION IS A FOUND NAIL & DISK "TANKLEPAUGH" IN CONCRETE CURB LOCATED 237.2' SOUTH AND 5.7' WEST OF THE NORTHEAST CORNER OF THE PROPERTY DESCRIBED HEREON. ELEVATION: 97.12' (NORTH AMERICAN VERTICAL DATUM)

ON-SITE "BM #2": STATION IS A SET NAIL & DISK "LB 7852" IN CONCRETE INLET LOCATED 12.2' SOUTH AND 19.3' WEST OF THE SOUTHWEST CORNER OF THE PROPERTY DESCRIBED HEREON. ELEVATION: 96.02' (NORTH AMERICAN VERTICAL DATUM)



SCALE: 1" = 20'



1115 Melinda Plaza Drive
Tampa, Florida 33613
(813) 434-4770
(813) 443-4211
www.infinityeng.com
Prof. of Arch. No. 27889

Client Name and Address

FIFTH THIRD BANK
CBRE

NEEL SAPPARNAID, P.E.
FL REG. NO. 84085

DATE

Project Name and Address

FIFTH THIRD BANK NO. 17818
1877 ALOMA AVENUE
WINTER PARK, FL 32789

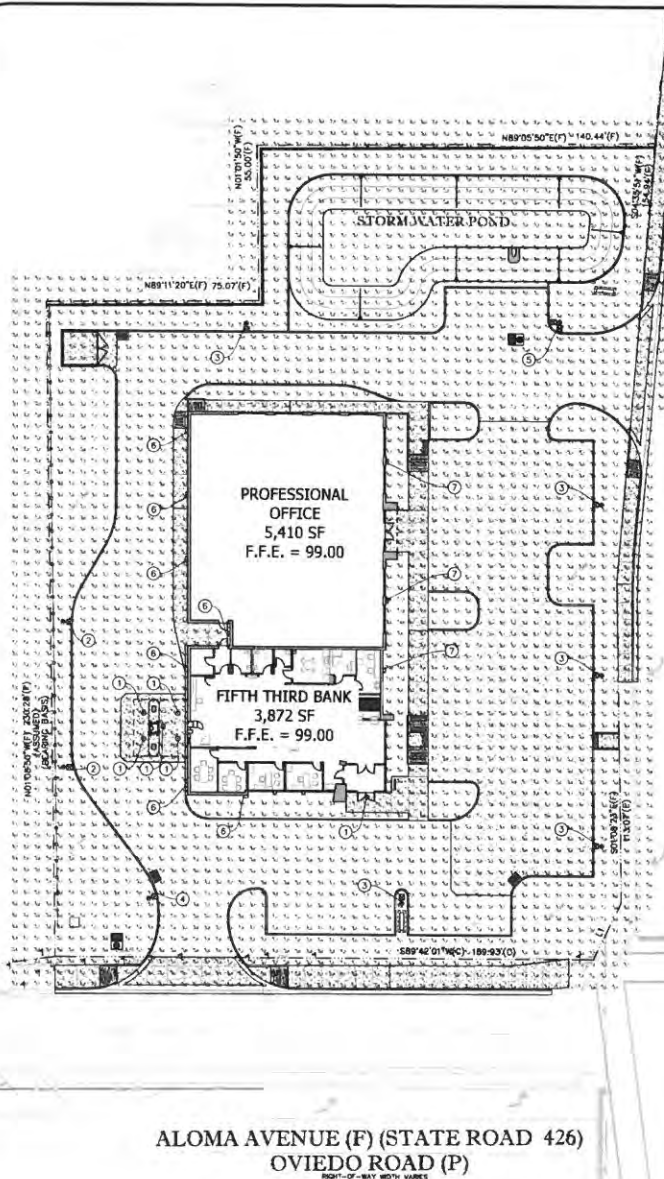
Sheet No.

STORM WATER RETENTION AND DRAINAGE PLAN

Date: 15-21-00
03/03/15

C2.0

AS NOTED



ALOMA AVENUE (F) (STATE ROAD 426)
OVIEDO ROAD (P)
RIGHT-OF-WAY BOTH SIDES

N. LAKEMONT AVENUE
RIGHT-OF-WAY BOTH SIDES

POLE FIXTURES MOUNTED TO CONCRETE POLES BY OTHERS. DASH = 20' A.F.D.

Luminaire Schedule

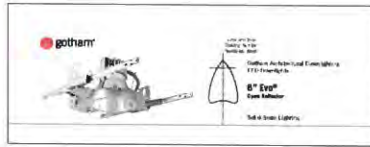
Project: Fifth Third Bank - Aloma Winter Park

System	Qty	Label	Arrangement	LLD	LED	BF	LLF	Lum. Lumens	Lum. Watts	Total Watts	Description
0	1	1	SINGLE	0.850	0.850	1.000	0.903	873	11.9	72.8	Lithonia LDM3000 (LAKAR T30)
MB	3	2	SINGLE	0.850	0.850	1.000	0.903	18171	206	627	Lithonia DSRT LED 6AC 1000 40R TSM MVCLT RPA HS D068V20-160 mtd to concrete pole by others
MB	4	3	SINGLE	0.850	0.850	1.000	0.903	13359	209	636	Lithonia DSRT LED 6AC 1000 40R TSM MVCLT RPA HS D068V20-160 mtd to concrete pole by others
MB	1	4	SINGLE	0.850	0.850	1.000	0.903	12192	209	248	Lithonia DSRT LED 6AC 1000 40R TSM MVCLT RPA HS D068V20-160 mtd to concrete pole by others
B	1	2	2 @ 90 DEGREE	0.850	0.850	1.000	0.903	18171	209	418	Lithonia DSRT LED 6AC 1000 40R TSM MVCLT RPA HS D068V20-160 mtd to concrete pole by others
B	7	6	SINGLE	0.850	0.850	1.000	0.903	5643	75	525	Lithonia DSRT LED 6AC 1000 40R TSM MVCLT RPA HS D068V20-160 mtd to concrete pole by others
B	4	7	SINGLE	0.850	0.850	1.000	0.903	8727	106	436	Lithonia D61W2 LED 20C 1000 40R TSM MVCLT D0830

Calculation Summary

Project: Fifth Third Bank - Aloma Winter Park

Label	Calc Type	Units	Avg	Max	Min	Avg/Min	Max/Min
Cd/Ft²	Illuminance	Fc	3.18	18.8	0.0	N/A	N/A
ATM	Illuminance	Fc	7.34	18.8	2.3	3.16	8.17
ND	Illuminance	Fc	7.43	18.8	3.0	2.48	8.27



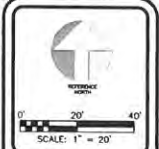
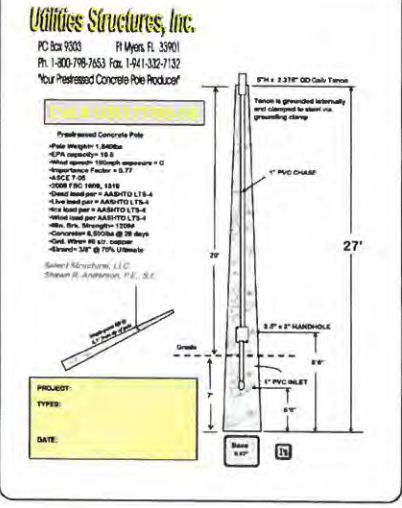
NOTES

PHOTOMETRICS SHOWN ON THIS PLAN DO NOT INCLUDE SOME EXISTING LIGHT FIXTURES FOR THE PURPOSE OF SHOWING NEW FIXTURE ILLUMINATIONS ONLY.

LUMINAIRE SCHEDULE

NOTES:
1. POLE FIXTURES MOUNTED AT 20'-0" A.F.D.
2. WALL MOUNT FIXTURE MTD. AT 10'-0" A.F.D.
Luminaire Schedule
Project: Fifth Third - Lem Turner

LIGHT POLE DETAIL



Revision/Issue	Date

INFINITY ENGINEERING GROUP, LLC
1135 Melville Place Drive
Tampa, Florida 33611
(813) 833-9776
(813) 833-8211
www.infinityeng.com
Ced. of Auth. No. 27549

Client Name and Address
FIFTH THIRD BANK
CBRE

NSIT SAPPARKHAO, P.E.
FL REC. NO. 64085

DATE: _____

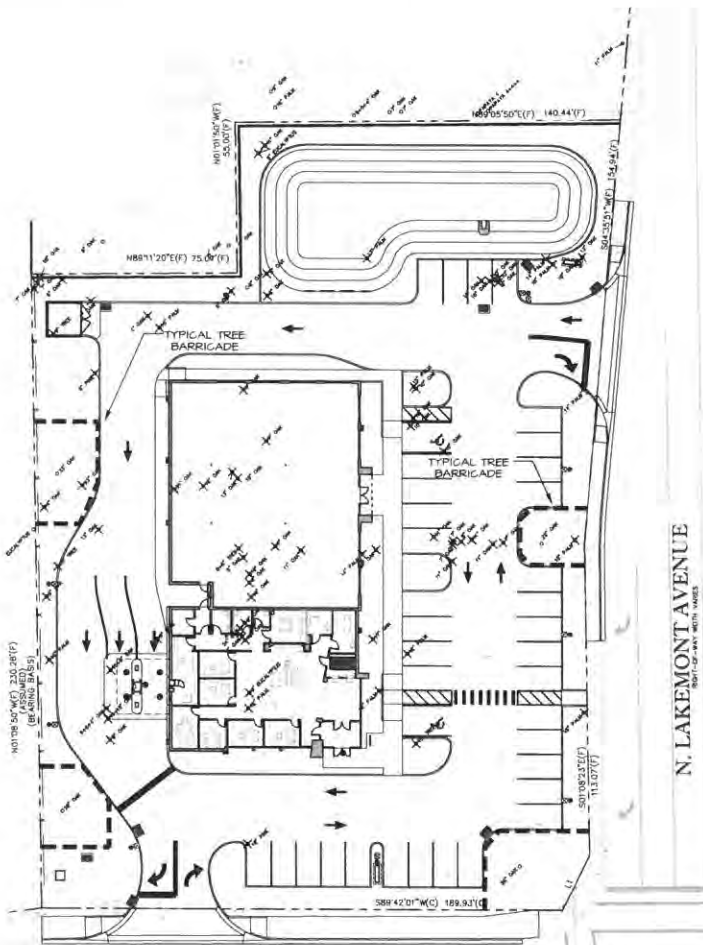
Project Name and Address
FIFTH THIRD BANK NO. 17818
1871 ALOMA AVENUE
WINTER PARK, FL 32789

Sheet Title
STREET SIGNS AND OUTDOOR LIGHTING

Scale
AS NOTED

Date
03/05/16

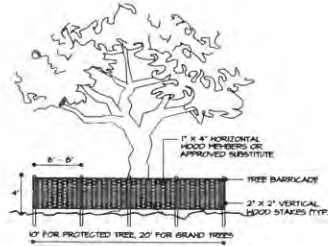
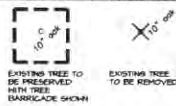
Sheet No.
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ALOMA AVENUE (F) (STATE ROAD 426)
 OVIEDO ROAD (P)
ROAD-OF-WAY WITH SHADES

N. LAKEMONT AVENUE
ROAD-OF-WAY WITH SHADES

EXISTING TREE LEGEND



TREE PROTECTION DETAIL
 ALL EXISTING TREES TO REMAIN SHALL BE BARRICADED AS PER THE DETAIL. BARRICADES SHALL BE ERRECTED BEFORE SITE WORK BEGINS AND SHALL REMAIN FOR THE ENTIRE DURATION OF THE WORK.

EXOTIC PEST PLANT REMOVAL NOTES

- 1) ALL INVASIVE EXOTIC SPECIES SUCH AS BRAZILIAN PEPPER, GARDEN BANANA, AND PINK TREES MUST BE REMOVED FROM THE SITE. EXOTIC TREES AND SHRUBS SHALL BE CUT FLUSH WITH FINISH GRADE. RESULTING STUMPS SHALL BE REMOVED FROM THE SITE OR TREATED WITH AN APPROVED HERBICIDE.
- 2) CONTRACTOR SHALL TREAT CUT STUMPS WITH GARLON SA, TRICOPUR, OR RODEO HERBICIDE TO THE CAMBIAL LAYER AS PER MANUFACTURER'S INSTRUCTIONS AT THE RECOMMENDED STRENGTH TO PREVENT RE-GROWTH. APPLY HERBICIDE IMMEDIATELY AFTER TRUNKS ARE CUT TO PREVENT GAP FROM SEALING WOUNDS. REMOVE ALL WASTE MATERIALS PRODUCED BY THIS WORK FROM THE SITE AND DISPOSE OF THEM IN A LEGAL MANNER.
- 3) CONTRACTOR SHALL ALSO MAKE SURE THAT ALL NATIVE HANGOVERS NOT BE HARMED DURING THE REMOVAL AND TREATMENT OF THE INVASIVE SPECIES.

TREE PROTECTION NOTES

- 1) PROTECTIVE BARRICADES SHALL BE PLACED AROUND ALL PROTECTED TREES AND GRAND TREES DURING SITE CLEARING TO CREATE A PROTECTIVE ROOT ZONE AND SHALL REMAIN IN PLACE UNTIL LAND ALTERATION, SITE CLEARING AND CONSTRUCTION ACTIVITIES ARE COMPLETE. BARRICADES FOR THE PROTECTIVE ROOT ZONE SHALL BE ERRECTED AT A MINIMUM DISTANCE OF TEN (10) FEET FROM THE EDGE OF TRUNK OF PROTECTED TREES AND TWENTY (20) FEET FROM THE EDGE OF TRUNK OF GRAND TREES.
- 2) A MINIMUM DISTANCE OF TEN (10) FEET FROM ALL PROTECTED TREES AND TWENTY (20) FEET FROM ALL GRAND TREES SHALL BE MAINTAINED WHEN INSTALLING UNDERGROUND UTILITIES. IF THIS RESULTS IN INREASONABLE HANDSHP, A SOIL ANCHOR SHALL BE USED.
- 3) INSTALLATION OF ARTIFICIAL BARRIERS SUCH AS PROTECTIVE BARRICADES, FENCES, POSTS OR HALLS SHALL NOT DESTROY OR IRREVERSIBLY HARM THE ROOT SYSTEM OF PROTECTED TREES AND GRAND TREES. FOOTERS FOR HALLS SHALL END AT THE POINT WHERE LARGER ROOTS ARE ENCOUNTERED, AND THE ROOTS SHALL BE BRIDGED. HOLES AND TRENCHES LOCATED CLOSE TO PROTECTED TREES OR GRAND TREES SHALL BE ADJUSTED TO AVOID DAMAGE TO MAJOR ROOTS.
- 4) ALL ROOTS TO BE REMOVED DURING THE SITE CLEARING PHASE SHALL BE SEVERED CLEAN AT THE PERIMETER OF THE DESIGNATED PROTECTIVE ROOT ZONE.
- 5) A TWO-INCH LAYER OF MULCH SHALL BE APPLIED OVER THE SURFACE OF EXPOSED ROOTS OF PROTECTED TREES AND GRAND TREES DURING THE SITE CLEARING PHASE.
- 6) A PROTECTIVE DRY WELL AND DRAINAGE/AERATION SYSTEM SHALL BE PROVIDED WHERE PROTECTED TREES OR GRAND TREES WILL BE ADVERSELY AFFECTED BY RAISING THE GRADE.
- 7) A PROTECTIVE RETAINING WALL SHALL BE CONSTRUCTED AT THE PERIMETER OF THE PROTECTIVE ROOT ZONE AROUND A PROTECTED TREE OR GRAND TREE WHERE THE PROTECTED TREE OR GRAND TREE WILL BE ADVERSELY AFFECTED BY LOWERING THE GRADE.
- 8) ALL TRIMMING OF PROTECTED TREES AND GRAND TREES DURING DEVELOPMENT SHALL BE DONE BY A QUALIFIED, LICENSED TREE SERVICE.

ROOT AND BRANCH PRUNING NOTES

- 1) BRANCH PRUNING: ALL STRUCTURAL AND ELEVATION PRUNING MUST BE PERFORMED PRIOR TO LAND CLEARING BY A LICENSED CERTIFIED ARBORIST ACCORDING TO ANSI S00 PRUNING STANDARDS.
- 2) ALL EXISTING OAKS ON SITE MUST BE PRUNED BY AN ARBORIST CERTIFIED BY THE INTERNATIONAL SOCIETY OF ARBORICULTURE (ISA) OR A REGISTERED CONSULTING ARBORIST WITH THE AMERICAN SOCIETY OF CONSULTING ARBORISTS (ASCA). PRIOR TO THE PRUNING OF OAKS A REGISTERED APPRAISER AFFIRMING AN ISA CERTIFIED ARBORIST OR AN ASCA REGISTERED CONSULTING ARBORIST SHALL CONDUCT OR PROVIDE ON-SITE SUPERVISION OF THE PRUNING SHALL BE SUBMITTED TO THE CITY. AN ISA CERTIFIED ARBORIST OR AN ASCA REGISTERED CONSULTING ARBORIST CONTRACTED BY A PROPERTY OWNER TO PRUNE A GRAND OAK SHALL ASSUME FULL RESPONSIBILITY FOR ALL PRUNING ACTIVITIES DETERMINED IN NON-COMPLIANCE WITH STANDARDS SPECIFIED WITHIN THE LAND DEVELOPMENT CODE.
- 3) ROOT PRUNING: BEFORE GRADING PAD PREPARATION OR EXCAVATION FOR PARKING AREA CURBS, SIDEWALKS OR DRIVEWAYS, THE ROOTS OF IMPACTED TREES MUST BE PRUNED WITH APPROVED EQUIPMENT ONE FOOT OUTSIDE OF BARRIERS, AND BE SEVERED CLEAN FROM TREE. ALL ROOT PRUNING SHALL BE CONDUCTED BY A LICENSED CERTIFIED ARBORIST AND MAY REQUIRE THE CITY'S ARBORIST TO BE PRESENT DURING THIS PROCEDURE.
- 4) A DETAILED REPORT OUTLINING THE REQUIRED ROOT PRUNING PROCEDURES SHALL BE PREPARED BY A LICENSED, CERTIFIED CONSULTING ARBORIST TO BE SUBMITTED TO THE PROJECT LANDSCAPE ARCHITECT FOR APPROVAL.
- 5) ALL DAMAGED ROOTS ARE TO BE EXPOSED TO SOUND TISSUE AND SEVERED CLEANLY. ROOTS SHALL BE PRUNED TO A DEPTH OF 10 INCHES BELOW THE EXISTING GRADE OR TO THE DEPTH OF DISTURBANCE IF LESS THAN 10 INCHES FROM THE EXISTING GRADE.
- 6) PROPHYLACTIC TREATMENTS, SUCH AS THE APPLICATION OF FUNGICIDES INTO THE PRUNING TRENCH WILL BE REQUIRED TO ENSURE THE LEAST AMOUNT OF DAMAGE TO PRUNED ROOTS.
- 7) AFTER COMPLETION OF ROOT PRUNING, ALL BARRIERS ARE TO BE REINSTALLED AND THE AREA INSIDE THE BARRIER IS TO RECEIVE CORE AERATION.
- 8) ADEQUATE WATER MUST BE SUPPLIED TO ROOT PRUNED TREES TO AIDE IN ROOT REGENERATION AND DECREASE STRESS.



DATE	
DESIGNED BY	
CHECKED BY	
DATE	
DESIGNED BY	
CHECKED BY	
DATE	
DESIGNED BY	
CHECKED BY	
DATE	

ANDERSON LESNAK LIMITED, INC.
 4811 S. 3817 AVENUE, SUITE 1000
 TAMPA, FLORIDA 33611
 P: 813-988-1414 FAX: 813-988-1415
 www.andersonlesnak.com
 project no. 15117

Client Name and Address

L. ALYSON UTEH, RLA
 FL. REG. NO. LA0001183

DATE

Project Name and Address

FIFTH THIRD BANK NO. 17818
 1871 ALOMA AVENUE
 MOUNDVIEW TOWER, FL 33209

Sheet Title

TREE PRESERVATION/REMOVAL PLAN

DATE: 05/02/15

AS NOTED

L-1

PLANT MATERIAL LIST

SYMBOL	QUANTITY	BOTANICAL NAME	COMMON NAME	SPECIFICATIONS	SPACING	NATIVE
TD	6	TAXODIUM DISTICHUM	BALD CYPRESS	14' HT X 5' SPD, 4" CALIPER	AS SHOWN	YES
BA	4	ULMUS ALATA	HAWK ELM	12' HT X 5' SPD, 3" CALIPER	AS SHOWN	YES
QV	3	QUERCUS VIRGINIANA 'SOLY'	CATHEDRAL LIVE OAK	12' HT X 5' SPD, 3" CALIPER	AS SHOWN	YES
LS	6	LIQUIDAMBAR STRYACIFLIA	SWEETGUM	12' HT X 5' SPD, 3" CALIPER	AS SHOWN	YES
LA	13	LAEGERSTRÖMIA INDIKA 'MUSKOE'	LAVENDER GRAPE HYDRILE	8' HT X 4' SPD, 2" CALIPER	AS SHOWN	NO
LJ	7	LIQUIDAMBAR STRYACIFLIA	TREE FORM LIQUIDAMBAR	8' HT X 4' SPD, 2" CALIPER	AS SHOWN	NO
CC	13	CERCIS CANADENSIS	EASTERN REDBUD	8' HT X 4' SPD, 2" CALIPER	AS SHOWN	YES
VO	271	VIBURNUM OBOVATUM	HALTERS VIBURNUM	30" HT X 30" SPD, 1 GALLON	36" OC	YES
SB	131	SPARTINA BAKERI	SAND CORDGRASS	24" HT X 24" SPD, 3 GALLON	36" OC	YES
MC	30	MULLEBERGIA CAPILLARIS	HARLY GRASS	24" HT X 24" SPD, 3 GALLON	36" OC	YES
SA	126	SCHIEFFELIA 'GOLD CAPELLA'	DWARF VARIEGATED SCHEFFELERA	18" HT X 18" SPD, 3 GALLON	30" OC	NO
ZP	15	ZAMIA FUMIDA	COONTIE	15" HT X 15" SPD, 3 GALLON	36" OC	YES
RI	433	RAPHANOLEPIS INDIKA	DWARF INDIAN HANTHORN	12" HT X 15" SPD, 3 GALLON	30" OC	NO
LM	260	LIRIOPE 'SUPER BLUE'	SUPER BLUE LIRIOPE	10" HT X 10" SPD, 1 GALLON	24" OC	NO
TA	604	TRACHELOSPERMUM ASIATICUM	HINDIA JASMINE	12" SPD, HIN B PPP, 1 GALLON	18" OC	NO

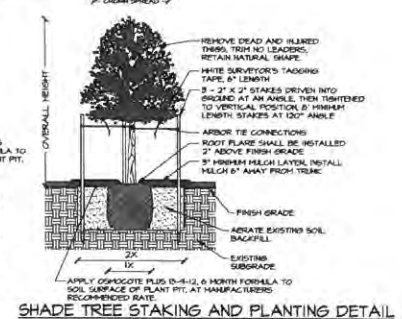
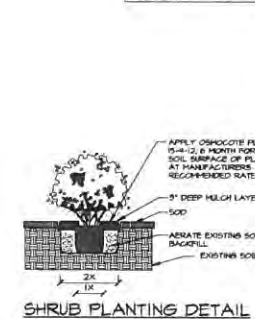
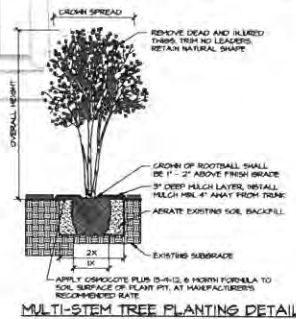
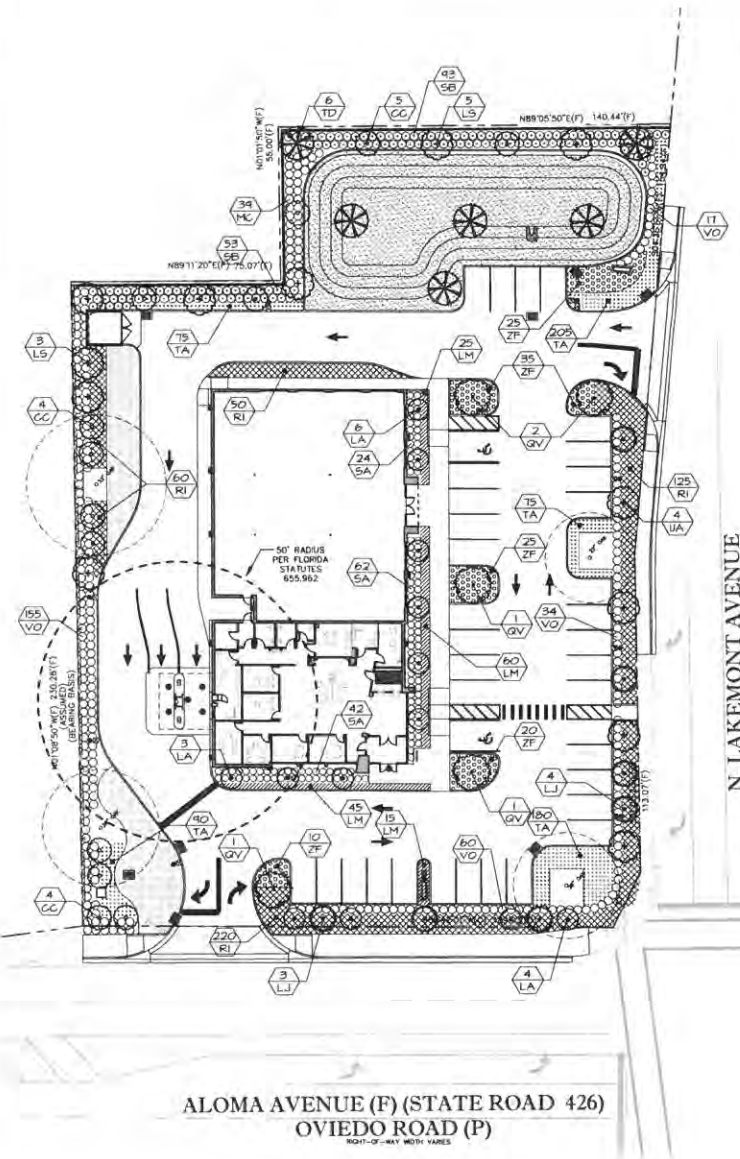
LANDSCAPE INSTALLATION NOTES

- 1) ALL PLANT MATERIALS SHALL BE FLORIDA #1 OR BETTER AS GIVEN IN GRADES AND STANDARDS FOR NURSERY PLANTS, FEBRUARY 1996, EDITION, PUBLISHED BY THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES.
- 2) LOCATION OF PLANTS ON THE PLAN ARE DIAGNATHATIC - SEE THE LANDSCAPE ARCHITECT FOR QUESTIONS ON EXACT LOCATIONS. THE PLANT MATERIALS LIST IS PROVIDED FOR THE CONVENIENCE OF THE LANDSCAPE CONTRACTOR. SHOULD THERE BE ANY DISCREPANCY BETWEEN THE PLANT LIST AND THE PLAN, THE PLAN SHALL PREVAIL.
- 3) IT IS THE LANDSCAPE CONTRACTORS RESPONSIBILITY TO INSURE THAT ALL PLANT BED AREAS HAVE PROPER DRAINAGE FOR OPTIMUM GROWTH OF LANDSCAPE MATERIAL BEFORE INSTALLATION BEGINS.
- 4) THE CONTRACTOR SHALL INSURE THAT ALL PLANTING ISLANDS AND OTHER AREAS SHALL BE CLEAN OF TRASH, CONSTRUCTION DEBRIS, OR OTHER WASTE MATERIALS TO A DEPTH OF 24" PRIOR TO LANDSCAPE INSTALLATION.
- 5) ALL PLANT BEDS AND TREE RINGS SHALL BE TREATED WITH A PRE-EMERGENT HERBICIDE AND THEN TOP-DRESSED WITH 3" DEEP PINE BARK MULCHETS. CONTRACTOR SHALL INSTALL A HEAVY WEDD BARRIER FABRIC IN ALL SHRUB AND BOUND COVER BEDS. ALL NEW TREES SHALL HAVE A TREE RING WITH A MINIMUM OF 24" RADIUS. ALL NEW TREES AND PALMS SHALL BE STAKED.
- 6) NEW SOD SHALL BE ST. AUGUSTINE 'FLORATAM' SOD APPROXIMATELY 1750 SQ FT OR ARGENTINE BANHA SOD IN THE POND APPROXIMATELY 3500 SQ FT. CONTRACTOR SHALL DETERMINE EXACT QUANTITIES IN THE FIELD. SOD AREAS SHALL BE MAINTAINED BY THE CONTRACTOR FROM THE TIME OF INSTALLATION TO THE TIME OF FINAL ACCEPTANCE.
- 7) TREES, SHRUBS, AND GROUND COVER SHALL BE INSTALLED USING THE FOLLOWING PROCEDURES: PLANT FITS SHALL BE EXCAVATED TO THREE TIMES THE DIAMETER OF THE PLANT ROOT BALL. AERATE EXISTING SOIL BEFORE BACKFILLING PIT. ADD AMMONIUM FERTILIZER TABLETS TO EACH PLANT PIT, AS PER THE SPECIFICATIONS.
- 8) TREE INSTALLATION: ALL REQUIRED TREES SHALL BE INSTALLED 2" ABOVE FINISH GRADE. TREES INSTALLED OR BARRIED TOO DEEP SHALL BE RESET TO THIS STANDARD. REMOVE THE TOP 1/3 OF THE WIRE BASKETS ON ALL B & B STOCK.
- 9) CONTRACTOR MUST REMOVE ALL EXISTING PAVEMENT AND PAVEMENT BASE MATERIAL IN THE AREAS WHERE NEW LANDSCAPE HILL OCCUR. THE EXISTING SUB-BASE IN THESE AREAS SHALL BE BROKEN UP TO ALLOW DRAINAGE THROUGH THIS LAYER. THE NEW FILL SOIL FOR THE LANDSCAPE AREAS SHALL BE A NATIVE SOIL THAT IS WELL DRAINED, SANDY LOAM WITH A PH RANGE OF 5.5 TO 7. REMOVE STONES, ROOTS, PLANTS, SOD, CLODS, CLAY LUMPS AND ALL OTHER DEBRIS BEFORE FIL OPERATIONS.

TREE REQUIREMENTS

- NORTH PERIMETER**
 02 BUFFER WITH ONE SHADE AND ONE UNDERSTORY TREE PER 60 LF
 20' / 60' = 4 SHADE TREES AND 4 UNDERSTORY TREES
- EAST PERIMETER**
 02 BUFFER WITH ONE SHADE AND ONE UNDERSTORY TREE PER 50 LF
 200' / 50' = 4 SHADE TREES AND 4 UNDERSTORY TREES
- SOUTH PERIMETER**
 02 BUFFER WITH ONE SHADE AND ONE UNDERSTORY TREE PER 50 LF
 66' / 50' = 1 SHADE TREE AND 1 UNDERSTORY TREE
- WEST PERIMETER**
 02 BUFFER WITH ONE SHADE AND ONE UNDERSTORY TREE PER 50 LF
 265' / 50' = 5 SHADE TREES AND 5 UNDERSTORY TREES PER 50' LF
- BUILDING FACADE**
 ONE UNDERSTORY TREE PER 20 LF
 EAST 15' / 20' = 0 UNDERSTORY TREES
 SOUTH 90' / 20' = 4 UNDERSTORY TREES
- TOTAL TREE REQUIREMENTS**
 11 SHADE TREES AND 36 UNDERSTORY TREES

SYMBOL LEGEND



SCALE: 1" = 20'

	Date: _____ Revision/Amount: _____ No: _____
--	--

ANDERSON LENNOX LIMITED, INC.
 1811 E. WINDYBUSH BOULEVARD
 TAMPA, FLORIDA 33613
 (813) 941-9999 FAX (813) 941-9998
 10000 South Dale Mabry Highway, Suite 200
 Tampa, Florida 33615
 (813) 941-1117

Client Name and Address: _____

L. ALYSON UTTER, RIA
 FL. REG. NO. LA0001153

DATE: _____

Project Name and Address: _____
FIFTH THIRD BANK NO. 17818
 1811 ALOMA AVENUE
 WINTER, FLA. 32789

Date: _____
LANDSCAPE PLAN

15 - 21.00
 03/03/15
 15 - NOTED
L-2

LEGAL DESCRIPTION

THE EAST 1/2 OF LOT 18, AND ALL OF LOTS 19, 20, 21, 22, 23, 24, AND 25, CAMPO BELLO, ACCORDING TO THE PLAT HEREOF AS RECORDED IN PLAT BOOK 17, PAGE 23, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, LESS THOSE INTERESTS THEREIN RECORDED IN BOOKS RECORDED IN D.E. BOOK 1453, PAGE 261 AND D.E. BOOK 2220, PAGE 197, AND ORDER OF TANGING RECORDED IN D.E. BOOK 2281, PAGE 154, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.



LEGEND

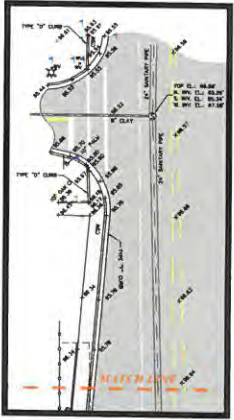
1. ALL CONVEYANCES	16. EASEMENT
2. BOUNDARY	17. CURVED CENTERLINE
3. SURVEY	18. EASEMENT
4. BOUNDARY	19. EASEMENT
5. BOUNDARY	20. EASEMENT
6. BOUNDARY	21. EASEMENT
7. BOUNDARY	22. EASEMENT
8. BOUNDARY	23. EASEMENT
9. BOUNDARY	24. EASEMENT
10. BOUNDARY	25. EASEMENT
11. BOUNDARY	26. EASEMENT
12. BOUNDARY	27. EASEMENT
13. BOUNDARY	28. EASEMENT
14. BOUNDARY	29. EASEMENT
15. BOUNDARY	30. EASEMENT

DETAILS: REVISIONS:

ELEVATIONS SHOWN HEREON ARE BASED ON ORANGE COUNTY PUBLIC RECORDS OF SURVEY OF A POINT OF CORNER OF THE EAST 1/2 OF LOT 18, AND ALL OF LOTS 19, 20, 21, 22, 23, 24, AND 25, CAMPO BELLO, ACCORDING TO THE PLAT HEREOF AS RECORDED IN PLAT BOOK 17, PAGE 23, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA. THE ELEVATION OF THIS POINT OF CORNER IS 198.95 FEET TO THE CENTERLINE OF THE EAST 1/2 OF LOT 18.

MARKED RECORD:

- THIS SURVEY MAP AND ALL RECORDS ON THE LOTS HEREOF ARE NOT VALID UNLESS THE SURVEYOR AND THE ORIGINAL SURVEYED LOTS OF A FLORIDA LICENSED SURVEYOR AND SIGNED AND SEALED TO THE RECORDS OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA. THIS SURVEY MAP IS NOT VALID UNLESS IT IS RECORDED IN THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.
- THIS OFFICE HAS PRODUCED RECORDS OF ALL EASEMENTS OR INTERESTS WHOSE RECORDS ARE IN THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA. THIS OFFICE HAS PRODUCED RECORDS OF ALL EASEMENTS OR INTERESTS WHOSE RECORDS ARE IN THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.
- RIGHTS OF CLAIM OF PARTIES IN POSSESSION (NONE KNOWN OR PRODUCED).
- CONSTRUCTION, RECORDS, CONTRACTS OR MATERIALS' CLAIM CLAIM, IF ANY, WHERE NO NOTICE APPEARS TO RECORD (NOT AN APPLICABLE SURVEY MATTER).
- EASEMENTS IN CLAIM OF PARTIES NOT KNOWN BY THE PUBLIC RECORDS (NONE PRODUCED).
- CONTRACTS, SPECIAL TAXES AND ASSIGNMENTS REQUIRED TO BE PAID IN THE YEAR 2020 AND THEREAFTER (NONE KNOWN OR PRODUCED).
- ANY TOWNSHIP OR COUNTY PUBLIC RECORDS OF ALL EASEMENTS OR INTERESTS WHOSE RECORDS ARE IN THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA. THIS OFFICE HAS PRODUCED RECORDS OF ALL EASEMENTS OR INTERESTS WHOSE RECORDS ARE IN THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.
- RECORDS OF THE STATE OF FLORIDA AS CONTAINED IN BOOKS FROM THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA. THIS OFFICE HAS PRODUCED RECORDS OF ALL EASEMENTS OR INTERESTS WHOSE RECORDS ARE IN THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.
- RECORDS OF THE STATE OF FLORIDA AS CONTAINED IN BOOKS FROM THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA. THIS OFFICE HAS PRODUCED RECORDS OF ALL EASEMENTS OR INTERESTS WHOSE RECORDS ARE IN THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.
- EASEMENTS IN CLAIM OF PARTIES NOT KNOWN BY THE PUBLIC RECORDS (NONE PRODUCED).
- CONSTRUCTION, RECORDS, CONTRACTS OR MATERIALS' CLAIM CLAIM, IF ANY, WHERE NO NOTICE APPEARS TO RECORD (NOT AN APPLICABLE SURVEY MATTER).
- EASEMENTS IN CLAIM OF PARTIES NOT KNOWN BY THE PUBLIC RECORDS (NONE PRODUCED).



TO FIFTH THIRD BANK, A MICHIGAN BANKING CORPORATION,
THE BERNSTEIN FAMILY TRUST PARTNERSHIP, A FLORIDA LIMITED PARTNERSHIP, OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, INFINTY ENGINEERING GROUP.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/SUBDIVISION PLAT SURVEYS, DENY'S ESTABLISHED AND ADOPTED BY ALTA AND NSPL, AND INCLUDES ITEMS 1, 2, 3, 4, 6, 8, 11, 13, 14, 16, 18, 19 AND 21 OF TABLE A HEREOF. THE FIELD WORK WAS COMPLETED ON 02/23/2015.

AND

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY DIRECTION AND MEETS THE MINIMUM TECHNICAL STANDARD REQUIREMENTS OF CHAPTER 50-117 OF THE FLORIDA ADMINISTRATIVE CODE.

ALTA/ACSM BOUNDARY AND TOPOGRAPHIC SURVEY

1861 ALOMA AVENUE
AND ALL OF LOTS 18-25
CAMPO BELLO
ORANGE COUNTY

REVISIONS: APPD.

DATE OF SURVEY:	02/13/2015
DRAWN:	D.S.
CHECKED:	J.S.
REVISION:	
FILE:	0908143.dwg
SCALE:	1" = 20'
PROJECT NUMBER:	18Y0096
SHEET NO.	1

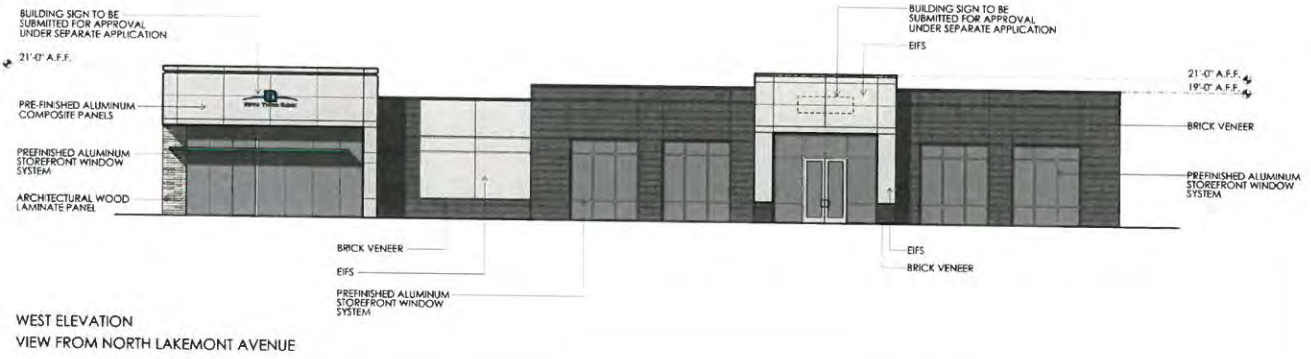
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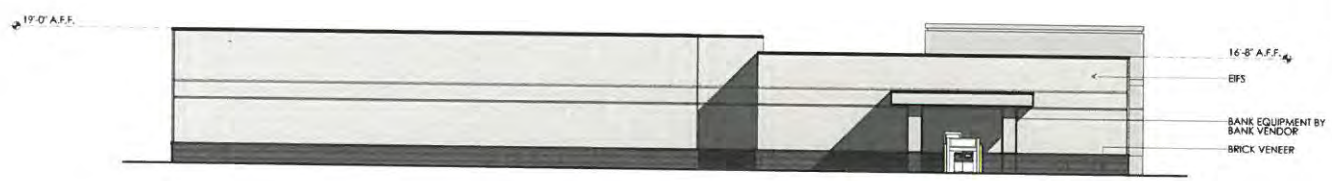
FIFTH THIRD BANK
 ALOMA & LAKEMONT BRANCH
 WINTER PARK, FLORIDA

JOB NO.	15409
DATE:	3-1-15
DRAWN BY:	SMN
SCALE:	1/8" = 1'-0"
SHEET TITLE:	EXTERIOR ELEVATIONS
SHEET NUMBER:	A-1

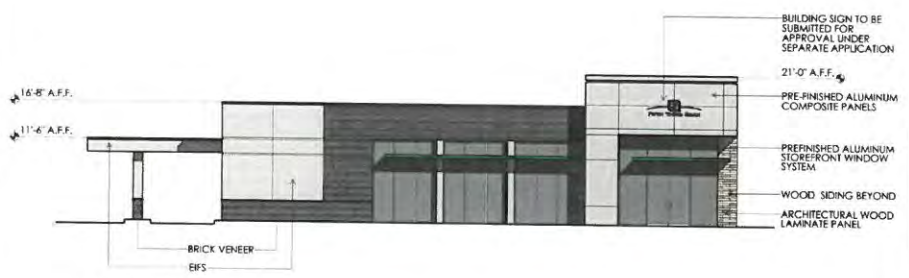
EXTERIOR FINISH SCHEDULE	
BRICK VENEER	
ACME SLATE GRAY	
ACM	
ALCOA ARCHITECTURAL PRODUCTS	
REYNOBOND	
BRIGHT SILVER METALLIC	
EIFS	
STC	
DV104 DOVER SKY	
WOOD PANEL	
ARCHITECTURAL WOOD LAMINATE	
MAPLE STAIN FINISH	



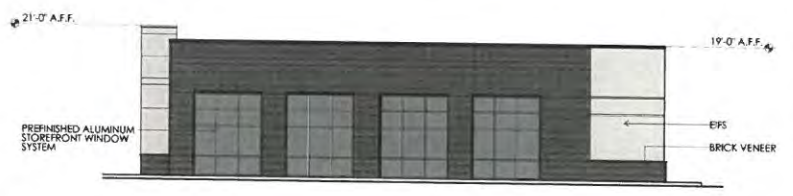
WEST ELEVATION
 VIEW FROM NORTH LAKEMONT AVENUE



EAST ELEVATION



SOUTH ELEVATION
 VIEW FROM ALOMA AVENUE



NORTH ELEVATION



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WINTER PARK, FLORIDA





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WINTER PARK, FLORIDA



SIMMO
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Certific



TRAFFIC GENERATION STATEMENT

**FIFTH THIRD BANK
CITY OF WINTER PARK, FLORIDA**

Prepared for:

Infinity Engineering Group, LLC
1135 Marbella Plaza Drive
Tampa, Florida 33619

Job No. 15-013

Date: 03/03/2015

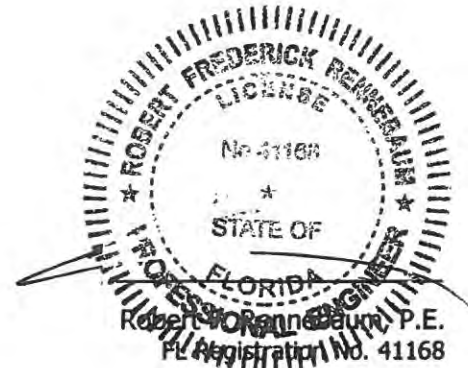


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2.0	TRAFFIC GENERATION	2
3.0	SITE RELATED IMPROVEMENTS.....	2
4.0	CONCLUSION	3

1.0 SITE DATA

The subject parcel is located on the northwest corner of Aloma Avenue (State Road 426) and Lakemont Avenue in the City of Winter Park, Florida and contains approximately 1.247 acres. The Street Address for the subject parcel is 1871 Aloma Avenue, Winter Park, Florida. The Parcel Identification Numbers for the subject parcel are as follows:

05-22-30-1140-00-190	05-22-30-1140-00-210
05-22-30-1140-00-200	05-22-30-1140-00-230

Proposed site development on the currently unimproved parcel consists of a 3872 SF bank with two drive-through lanes and a contiguous 5410 SF medical office facility. Site access is proposed via right-in, right-out driveway connections to both Aloma Avenue and Lakemont Avenue. For additional information concerning site location and layout, please refer to the Site Plan prepared by Infinity Engineering Group, LLC.

2.0 TRAFFIC GENERATION

The traffic to be generated by the proposed development has been calculated in accordance with the traffic generation rates listed in the ITE Trip Generation Manual, 9th Edition as shown in Tables 1, 2 and 3. Table 1 shows the daily traffic generation associated with the proposed plan of development. Tables 2 and 3 show the A.M. and P.M. peak hour traffic generation, respectively. The traffic to be generated by the proposed plan of development consisting of a 3872 SF bank and 5410 SF medical office facility may be summarized as follows:

Daily Traffic Generation	=	499 tpd
A.M. Peak Hour Traffic Generation (IN/OUT)	=	36 pht (24 IN/12 OUT)
P.M. Peak Hour Traffic Generation (IN/OUT)	=	71 pht (31 IN/40 OUT)

3.0 SITE RELATED IMPROVEMENTS

The A.M. and P.M. peak hour turning movement volumes and directional distributions at the project entrances for the overall development with no reduction for passer-by credits are shown in Tables 2 and 3 attached with this report and may be summarized as follows:

	DIRECTIONAL DISTRIBUTION (TRIPS IN/OUT)
=	37 / 23
=	53 / 62

3.0 SITE RELATED IMPROVEMENTS (CONTINUED)

As mentioned in the SITE DATA section of this report, site access is proposed via right-in, right-out driveway connections to both Aloma Avenue and Lakemont Avenue. Table 5 attached with this report charts the project driveway turning movements and Figure 1 graphically represents the same. Based on the projected turning movements at the project driveways, no turn lanes appear warranted.

4.0 CONCLUSION

The proposed development will result in an increase of 499 daily trips, 36 A.M. peak hour trips and 71 PM peak hour trips at project build-out. The minimal increases in peak hour trips is negligible and will have an insignificant impact on the surrounding roadways.

FIFTH THIRD BANK

03/03/15

PROPOSED DEVELOPMENT

TABLE 1 - Daily Traffic Generation

Landuse	ITE Code	Intensity		Rate/Equation	Dir Split		Gross Trips			Internalization			External Trips			Pass-by			Net Trips				
					In	Out	In	Out	Total	%	In	Out	Total	%	In	Out	Total	%	In	Out	Total		
Medical Office	720	5,410	S.F.	36.13	0.50	0.50																	
Drive-In Bank	912	3,872	S.F.	148.15	0.50	0.50																	
Grand Totals:					0.50	0.50																	

TABLE 2 - AM Peak Hour Traffic Generation

Landuse	ITE Code	Intensity		Rate/Equation	Dir Split		Gross Trips			Internalization			External Trips			Pass-by			Net Trips				
					In	Out	In	Out	Total	%	In	Out	Total	In	Out	Total	%	In	Out	Total			
Medical Office	720	5,410	S.F.	2.39	0.79	0.21	10	3	13	0.0%	0	0	0	10	3	13	0%	0	0	0	10	3	13
Drive-In Bank	912	3,872	S.F.	12.08	0.57	0.43	27	20	47	0.0%	0	0	0	27	20	47	47%	22	14	9	23	23	
Grand Totals:																							

TABLE 3 - PM Peak Hour Traffic Generation

Landuse	ITE Code	Intensity		Rate/Equation	Dir Split		Gross Trips			Internalization			External Trips			Pass-by			Net Trips				
					In	Out	In	Out	Total	%	In	Out	Total	In	Out	Total	%	In	Out	Total			
Medical Office	720	5,410	S.F.	$\ln(T) = 0.90 \ln(X) + 1.53$	0.28	0.72	6	15	21	0.0%	0	0	0	6	15	21	0%	0	0	0	6	15	21
Drive-In Bank	912	3,872	S.F.	24.3	0.50	0.50	47	47	94	0.0%	0	0	0	47	47	94	47%	44	25	25	50	50	
Grand Totals:																							

FIFTH THIRD BANK

03/03/15

ROADWAY	ORIGIN / DESTINATION	PROJECT DISTRIBUTION	DAILY	NET PROJECT TRIPS			
				AM PEAK HOUR		PM PEAK HOUR	
				ENTER	EXIT	ENTER	EXIT
ALOMA AVENUE (SR 426)	WEST OF NORTH LAKEMONT AVENUE	30%	150	7	4	9	12
ALOMA AVENUE (SR 426)	EAST OF NORTH LAKEMONT AVENUE	25%	120	6	2	8	10
NORTH LAKEMONT AVENUE	NORTH OF ALOMA AVENUE	15%	75	4	2	5	6
NORTH LAKEMONT AVENUE	SOUTH OF ALOMA AVENUE	30%	150	7	4	9	12
	TOTAL	100%	499	24	12	31	40

TABLE 5
Project Driveway Turning Movements

DRIVEWAY	ENTERING NET PROJECT TRIPS					EXITING NET PROJECT TRIPS				
	PROJECT DISTRIBUTION	ORIGIN	DAILY	AM PEAK HOUR	PM PEAK HOUR	PROJECT DISTRIBUTION	DESTINATION	DAILY	AM PEAK HOUR	PM PEAK HOUR
ALOMA AVENUE (SR 426) DRIVEWAY	25%	EAST	96	8	13	30%	WEST	115	7	18
	30%	SOUTH	115	11	16					
	30%	WEST	115	11	16					
NORTH LAKEMONT AVENUE DRIVEWAY	15%	NORTH	58	5	8	15%	NORTH	58	3	9
						25%	EAST	96	6	16
						30%	SOUTH	115	7	19



FIGURE 1

TURNING MOVEMENT WORKSHEET AND PROJECT DISTRIBUTION

LEGEND

- 2 A.M. PEAK HOUR TURNING MOVEMENT
- (11) P.M. PEAK HOUR TURNING MOVEMENT
- 148 A.A.D.

30% PROJECT DISTRIBUTION

FIFTH THIRD BANK

15-013 KD 03-03-15

Public Comment on the Conditional Use/Rezone
Plans for: Fifth Third Bank
1871 Aloma Avenue
Winter Park, FL 32789

By: Stephanie Murphy
Winter Park Resident
1850 Edwin Blvd
Winter Park, FL 32789

Summary

Goals

- To ensure compatibility of proposed Fifth Third professional/office structure with existing residential area
- To mitigate the negative impacts of intrusion on the residential area as a result of the requested amendment to the comprehensive plan
- To ensure that development at a major gateway into the City of Winter Park is executed in a manner that is consistent and compatible with the city

Recommend Adopting the following Conditions of Approval:

Site Plan

- Build an 8' wall to create a higher buffer between the residential area and the office space
 - The 8' wall should be one of the first things installed before all other construction activity to begin serving as a buffer to the noise and dust
- Finish the wall with brick to match the primary structure, prevent the unsightly visual of mildew on stucco, and ensure compatibility
- Finish the dumpster in brick enclosure to ensure compatibility Extend the wall up the western border of the Fifth Third property to prevent residents from having a view of the office dumpster which is located only 10' from 1835 Edwin's property line or consider moving the dumpster location further from residential properties

Architecture

- Ensure that the parapet wall will be high enough to screen all rooftop mechanical equipment from view on all sides of the structure, making them not visible from adjacent properties
- The rear façade should include architectural details and fenestration consistent with details on the front façade

Landscaping

- Maintain existing oak tree on Northern property line as part of the buffer
- Replace the currently proposed sweetgum and cypress trees with evergreen trees on the north perimeter
- Add shrubs and understory trees adjacent to building on north and west sides (sides not facing Lakemont or Aloma) of building consistent with the street facing landscaping

Lighting

- No visible bulb or glare from fixtures that are adjacent to residential properties (consider decorative shields, visors, screens on back of poles or reduced height of light poles such as pedestrian scale lighting)
- Full cut-off fixtures required for pole and wall light fixtures (not just shoe box or down lit)
- Ensure that the light poles do not conflict with tree locations and future tree canopy
- Use of decorative lightpoles

Traffic

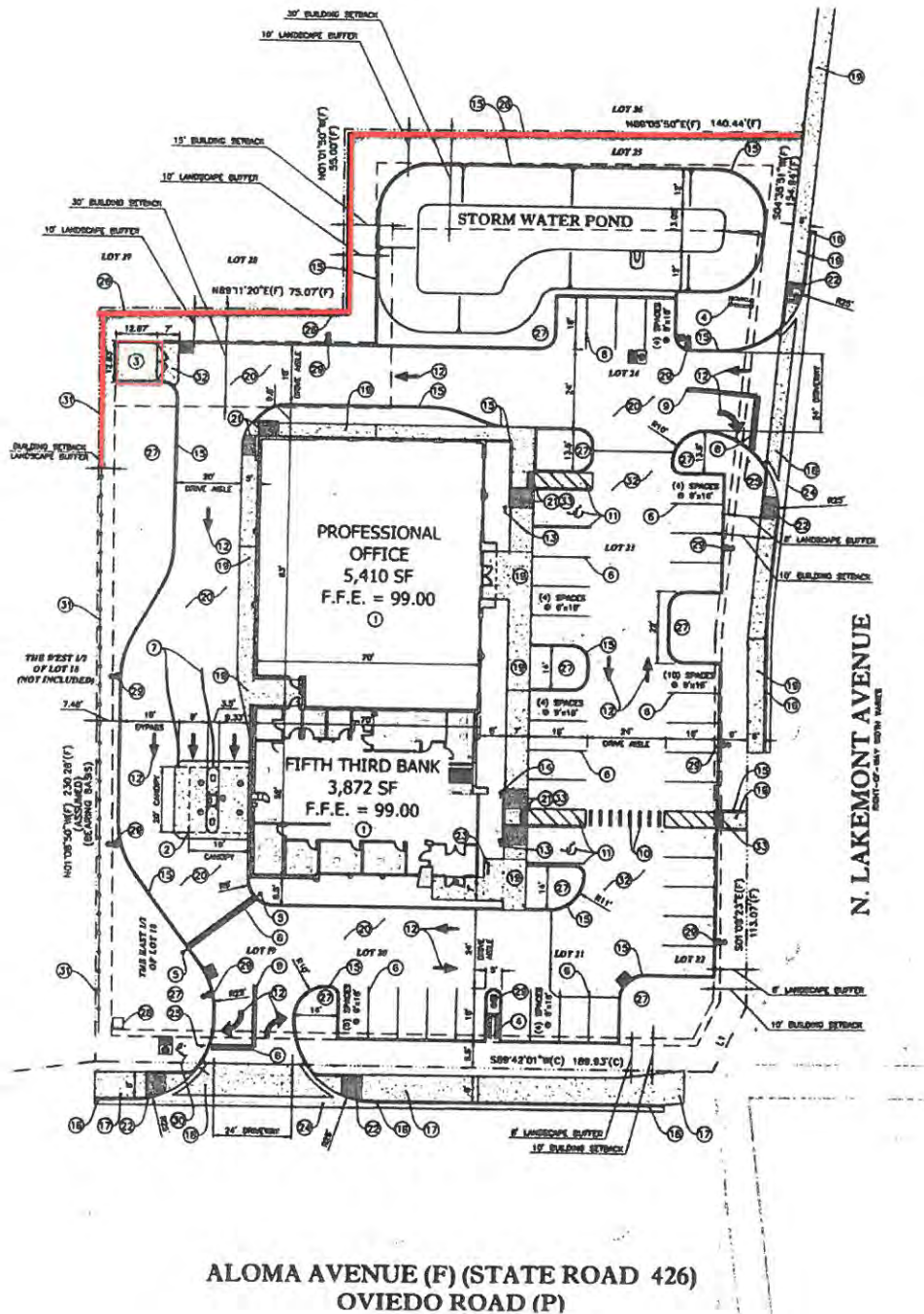
- Consider "No U-turn sign" on the proposed extended median
- Consider a "No through traffic" or "local traffic only" on the corner of Lakemont Ave and Edwin Blvd

Comprehensive Plan Amendment from Single Family to Parking Lot (highlighted in Red)



Fifth Third Development in Blue

Site Plan



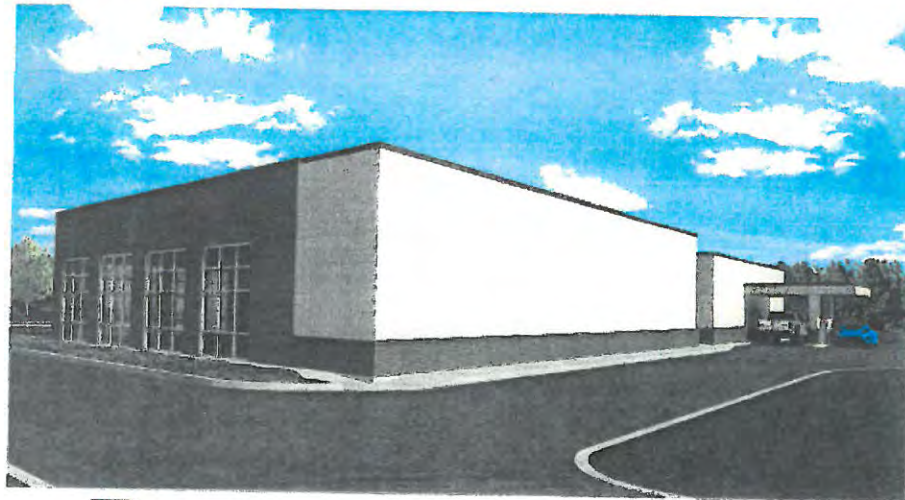
- Build an 8' wall to create a higher buffer between the residential area and the office space
 - The 8' wall should be one of the first things installed before all other construction activity to begin serving as a buffer to the noise and dust
- The wall should be made of brick (instead of proposed stucco) to match the primary structure, prevent the unsightly visual of mildew on stucco, and ensure compatibility
- Finish the dumpster in brick enclosure to ensure compatibility Extend the wall up the western border of the Fifth Third property to prevent residents from having a view of the office dumpster which is located only 10' from 1835 Edwin's property line or consider moving the dumpster location further from residential properties

Architecture



FVA

11

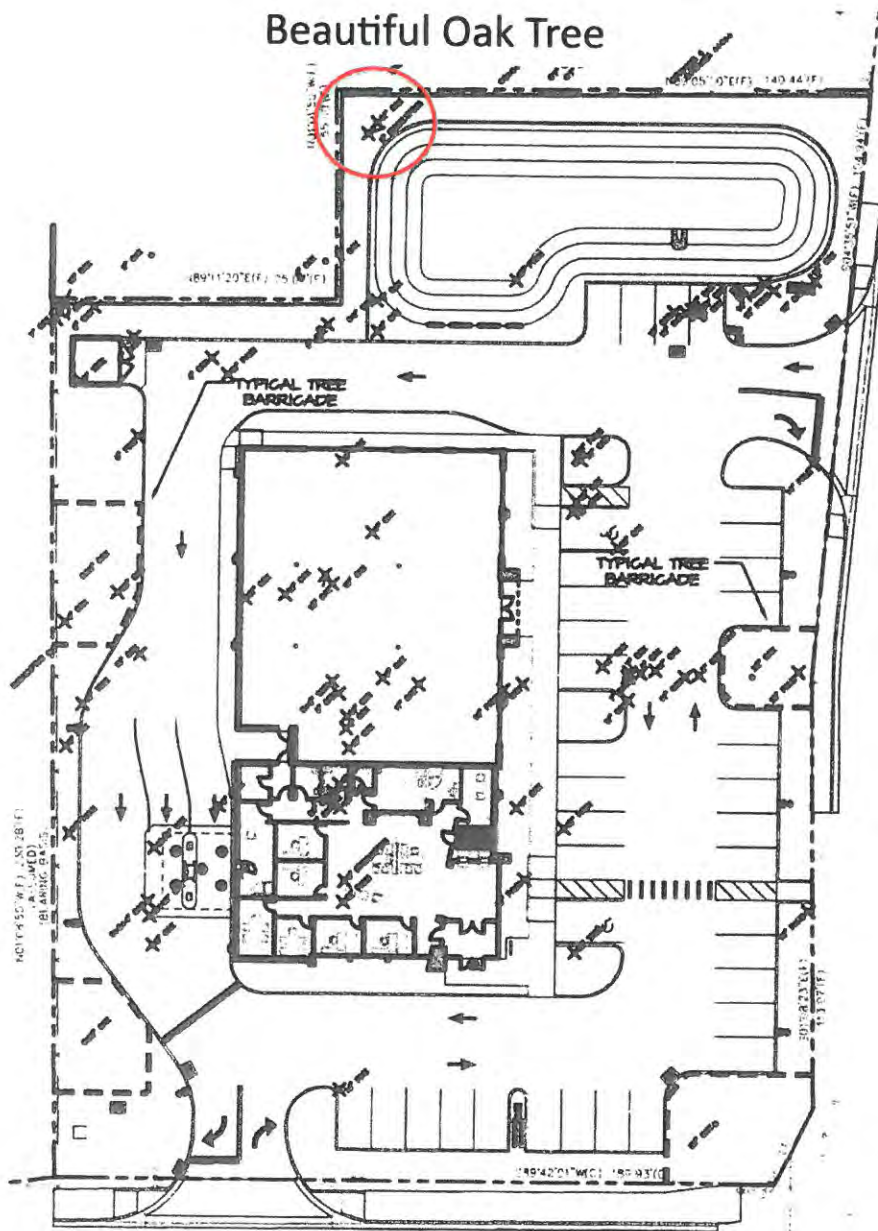



FIFTH THIRD BANK

FIFTH THIRD BANK
ALOHA & LAKEMONT BRANCH
WINTER PARK, FLORIDA


ARCHITECTS

- Ensure that the parapet wall will be high enough to screen all rooftop mechanical equipment from view on all sides of the structure, making them not visible from adjacent properties
- The rear façade should include architectural details and fenestration consistent with details on the front façade
- Add shrubs and understory trees adjacent to building on north and west sides (sides not facing Lakemont or Aloma) of building consistent with the street facing landscaping



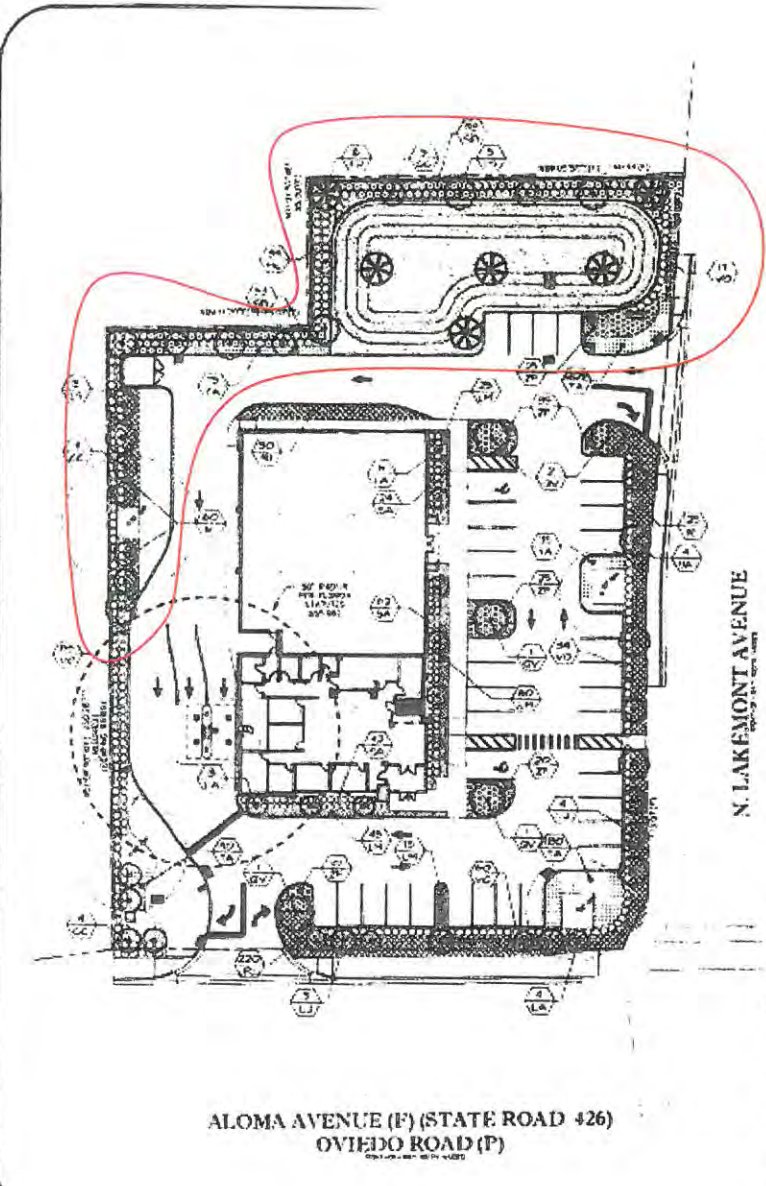
N. LAKEMONT AVENUE
BY MET OF WAJ, 06/18/2007

Landscaping

- Maintain existing oak tree on Northern property line as part of the buffer

Landscaping

Replace the currently proposed sweetgum and cypress trees on the north perimeter



PLANT MATERIAL LIST

SYMBOL	QUANTITY	BOTANICAL NAME	COMMON NAME	SPECIFICATIONS	SPACING	NATIVE
TD	4	TAXODIUM DISTICHUM	BALD CYPRESS	6' Ht x 1" Spd. 4" CAL PER	1' ON NORTH	YES
SR	4	SWEET GUM	LIGNUM VITAE	3' Ht x 1" Spd. 2" CAL PER	1' ON NORTH	YES
BR	3	BRACHYDONTEN ALOPECURUS	FLORIDA BLUEGRASS	3' Ht x 1" Spd. 2" CAL PER	1' ON NORTH	YES
LS	2	LEUCOSPHEIA SPHACELIA	SWEETGUM	3' Ht x 1" Spd. 2" CAL PER	1' ON NORTH	YES
LA	12	LAURELIS BILBA VERONICE	LAURELIS BILBA VERONICE	3' Ht x 1" Spd. 2" CAL PER	1' ON NORTH	YES
VC	4	VERBENA LANTANA	VERBENA LANTANA	3' Ht x 1" Spd. 2" CAL PER	1' ON NORTH	YES
YC	8	YUCCA FLORIDANA	YUCCA FLORIDANA	3' Ht x 1" Spd. 2" CAL PER	1' ON NORTH	YES
VO	2	VERBENA LANTANA	VERBENA LANTANA	3' Ht x 1" Spd. 2" CAL PER	1' ON NORTH	YES
VV	2	VERBENA LANTANA	VERBENA LANTANA	3' Ht x 1" Spd. 2" CAL PER	1' ON NORTH	YES
VC	2	VERBENA LANTANA	VERBENA LANTANA	3' Ht x 1" Spd. 2" CAL PER	1' ON NORTH	YES
VC	2	VERBENA LANTANA	VERBENA LANTANA	3' Ht x 1" Spd. 2" CAL PER	1' ON NORTH	YES
VC	2	VERBENA LANTANA	VERBENA LANTANA	3' Ht x 1" Spd. 2" CAL PER	1' ON NORTH	YES
VC	2	VERBENA LANTANA	VERBENA LANTANA	3' Ht x 1" Spd. 2" CAL PER	1' ON NORTH	YES
VC	2	VERBENA LANTANA	VERBENA LANTANA	3' Ht x 1" Spd. 2" CAL PER	1' ON NORTH	YES
VC	2	VERBENA LANTANA	VERBENA LANTANA	3' Ht x 1" Spd. 2" CAL PER	1' ON NORTH	YES
VC	2	VERBENA LANTANA	VERBENA LANTANA	3' Ht x 1" Spd. 2" CAL PER	1' ON NORTH	YES
VC	2	VERBENA LANTANA	VERBENA LANTANA	3' Ht x 1" Spd. 2" CAL PER	1' ON NORTH	YES
VC	2	VERBENA LANTANA	VERBENA LANTANA	3' Ht x 1" Spd. 2" CAL PER	1' ON NORTH	YES
VC	2	VERBENA LANTANA	VERBENA LANTANA	3' Ht x 1" Spd. 2" CAL PER	1' ON NORTH	YES

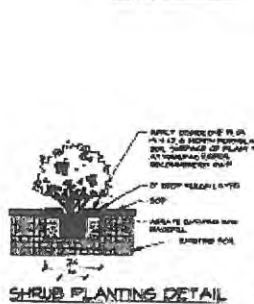
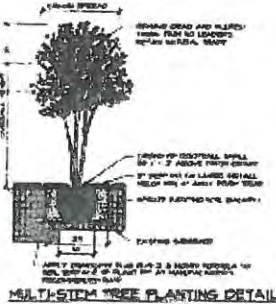
LANDSCAPE INSTALLATION NOTES

1. ALL PLANT MATERIALS SHALL BE FURNISHED BY THE CONTRACTOR OR PURCHASED BY THE CLIENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
2. THE LOCATION OF PLANTS ON THE PLAN ARE INDICATED BY THE SYMBOLS. THE CONTRACTOR SHALL VERIFY THE EXACT LOCATION OF EACH PLANT BEFORE INSTALLATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

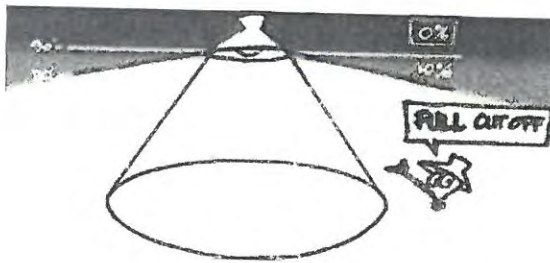
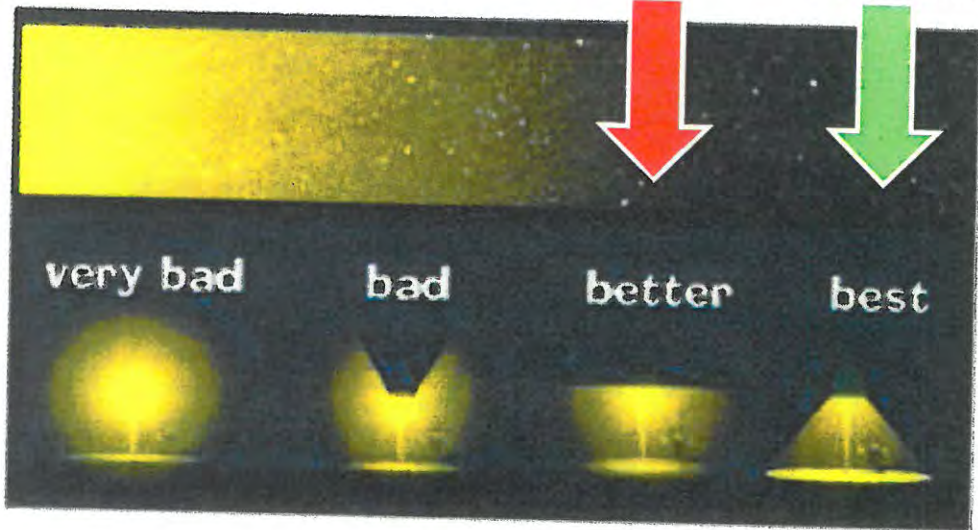
TREE REQUIREMENTS

- Symbol Requirements:**
 - TD - 6' Ht x 1" Spd. 4" CAL PER
 - SR - 3' Ht x 1" Spd. 2" CAL PER
 - BR - 3' Ht x 1" Spd. 2" CAL PER
 - LS - 3' Ht x 1" Spd. 2" CAL PER
 - LA - 3' Ht x 1" Spd. 2" CAL PER
 - VC - 3' Ht x 1" Spd. 2" CAL PER
 - YC - 3' Ht x 1" Spd. 2" CAL PER
 - VO - 3' Ht x 1" Spd. 2" CAL PER
 - VV - 3' Ht x 1" Spd. 2" CAL PER
 - VC - 3' Ht x 1" Spd. 2" CAL PER
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 - VC - 3' Ht x 1" Spd. 2" CAL PER
 - VC - 3' Ht x 1" Spd. 2" CAL PER
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 - VC - 3' Ht x 1" Spd. 2" CAL PER

SYMBOL LEGEND



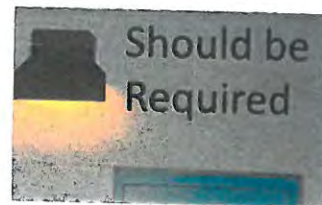
Lighting Plan



Pedestrian Scale Lighting

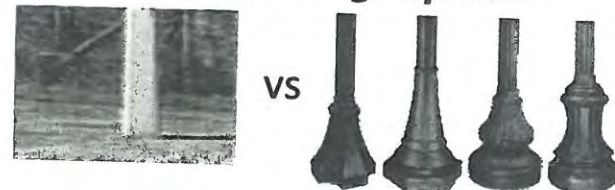


Wall Lights need to be shielded too



- No visible bulb or glare from fixtures that are adjacent to residential properties (consider decorative shields, visors, screens on back of poles or reduced height of light poles such as pedestrian scale lighting)
- Full cut-off fixtures required for pole and wall light fixtures (not just shoe box or down lit)
- Ensure that the light poles do not conflict with tree locations and future tree canopy
- Use decorative lightpoles instead of cement ones

Decorative Light poles

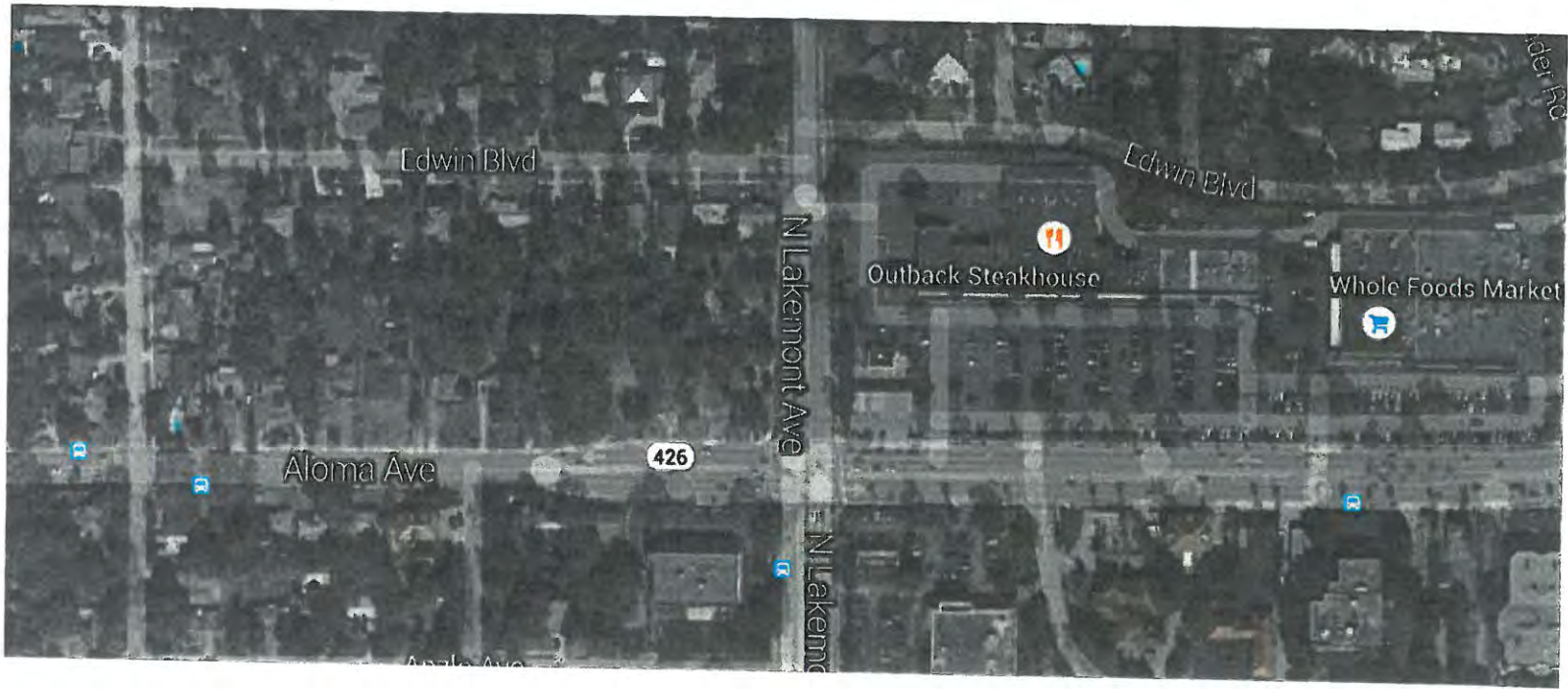


Whole Foods / hce @

Traffic

• Bricks?
• Speed Bumps
↳ Reduce motorist
Access to West Development
• Dumbster

- Consider "No U-turn sign" on the proposed extended median
- Consider a "No through traffic" or "local traffic only" on the corner of Edwin Blvd and Lakemont Ave
 - While the traffic study reviewed traffic on Lakemont and Aloma, it did not address the number of vehicles that turn right out of the Outback/Whole Foods parking lot onto N Lakemont and then either make a U-turn around the median or come down Edwin Blvd to use a driveway to turn around, in order to go south on N Lakemont.
 - There are high number of annual traffic accidents on this block as people attempt to enter and exit the commercial/professional properties on this corner. Moreover, these traffic patterns have a negative impact on the residential area near this corner.
 - Request that the planning commission re-look at the traffic patterns and consider signs or other methods to protect the small children, pets, and adults who live in this neighborhood.



APPENDIX

Zoning Map

Rezone from R-1A to Parking Lot



ZONING MAP City of Winter Park, Florida

Zoning		Legend	
C-1	I-1	PD-1	R-1A
C-2	OC PD	PL	R-1AA
C-3	O-1	PQP	R-1AAA
C-3A	O-2	PR	R-2
	PD-2	PURD	R-3
			R-4
			County Boundary
			Winter Park
			Other Cities
			City Map Sheets
			Streets
			Water
			Parcel Ownership

This is to certify that this official Zoning Map was adopted April 12, 2010 as part of the Land Development Code of the City of Winter Park, Florida.

