

Chris Rader
Liaison Member

Bea L. Meeks
City Clerk

John Freeburg
Police Chief

David Mahler, P.E.
City Engineer

Ellen Hardgrove, AICP
City Planner

**DEVELOPMENT REVIEW COMMITTEE
AGENDA
REGULAR MEETING
City Hall – Council Chamber
405 Bagshaw Way, Edgewood, Florida
Tuesday, February 4, 2020
10:00 a.m.**

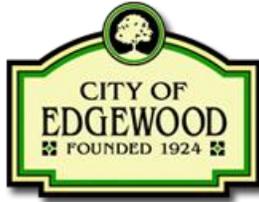
PLEASE SILENCE ALL CELLULAR PHONES AND PAGERS DURING THE MEETING.
THANK YOU for participating in your City Government.

- 1. Call to Order**
Roll Call and Determination of a Quorum

DRC BUSINESS

2. Approval of meeting minutes January 24, 2020 (Bailey's Pharmacy)
3. Proposed PD (Holden Avenue)
4. Public Comments
5. Adjournment

In accordance with the American Disabilities Act (ADA), if any person with a disability as defined by the ADA needs special accommodation to participate in this proceeding, he or she should telephone the City Clerk at (407) 851-2920.



DEVELOPMENT REVIEW COMMITTEE

Draft Meeting Minutes

January 24, 2020

DRC Attendees:

Chris Rader, Liaison Member
David Ireland, Police Sergeant
Ellen Hardgrove, City Planner
Allen Lane, P.E., CPH
Sandy Riffle, Deputy City clerk

Applicants:

Kim Fischer, Cycorp Engineering, Inc.

Absent:

Bea Meeks, City Clerk

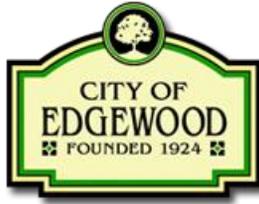
Planner Hardgrove opened the meeting and explained that the DRC was meeting to discuss two deviations from Chapter 114 for the proposed Bailey's Pharmacy at 5156 S. Orange Avenue.

First on the agenda was review/approval of minutes from the prior DRC meeting. Planner Hardgrove reviewed revisions to the minutes that she submitted to Deputy City Clerk Riffle before the meeting. Copies of the proposed revised minutes were provided to the committee.

Engineer Lane moved to approve the minutes from the November 18, 2019 DRC meeting, with changes submitted by Planner Hardgrove; second by Council Member Rader. Motion approved (4/0).

Second on the agenda was the discussion related to the landscaping deviations for Bailey's Pharmacy. The first deviation [Section 114-4(1)] is to the minimum buffer width where vehicular use areas are located adjacent to other property. The request is to allow a 5 foot, 6-inch buffer in lieu of the required 7 feet where the vehicular use area abuts the south property line to facilitate emergency equipment circulation onsite and a minimum 3.9 feet buffer width where the ADA accessible parking spaces abut the north property line to facilitate staff's request to relocate the proposed ADA accessible parking to increase public safety. 2. The second deviation [Section 114-4(1)(b)(2)] is to allow no new trees along the north side of the vehicular use area and stormwater management area in lieu of the required one shade tree every 50 feet of common lot line or fraction thereof.

If the trees required are put on property, they would compete for the same space as existing large mature trees on the adjacent property.



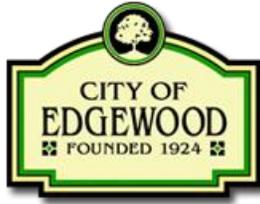
Attorney Smith said DRC is authorized by Code Section 114-3(h) to grant non-substantial deviations from this chapter where application of this chapter to a specific site would result in a practical difficulty or a physical hardship affecting the economic use of the property.

Discussion included the following:

- Existing tree locations on the northern buffer and those on the adjacent property to the north.
- Effect of pond construction on the roots of the existing oak trees on the adjacent property. Engineer Lane noted that an arborist should be available during site development for root pruning to avoid damaging roots.
- Council Member Rader said that the first concern is the deviation from Code; however, the deviation would help to save existing large trees on the adjacent property.
- Planner Hardgrove suggested that the deviation can be conditioned that if the trees on the adjacent property being used to meet the landscape requirements die, they must be replaced.
- Council Member Rader noted that this should be reflected on the site plan and referenced with the approval of the site development permit. He also mentioned it could be a Code Enforcement issue in the future. Ms. Fischer confirmed that this condition is already included on the landscape plan.
- Planner Hardgrove said that the conditions of approval would be included in her staff report for February P&Z and Council. She will include that DRC approved the deviation with this condition.
- Both Attorney Smith and Planner Hardgrove agreed to add that if any of existing trees identified in the plan, or the cypress or oak trees die, then the owner is responsible for replacing those required trees.
- Council Member Rader suggested that a condition could be to obtain the maximum distance from the tree without compromising the volume of the pond.

Council member Rader moved to approve requested deviations on the landscape plan with conditions; the deviations still enable meeting the intent of the City's landscaping requirements. The conditions are 1) that if any trees identified on the submitted landscape plan die (including those off-site counted to meet the minimum requirements), they must be replaced by the owner on subject property, and 2) that the stormwater pond is redesigned to maximize the distance between the pond and the existing trees on the adjacent property without compromising the pond's volume; second by Planner Hardgrove. Motion approved (4/0).

There was also some discussion related to the current staff review of the site development permit application including the following:



- 1) Moving the cross access easement for a potential connection with the existing parking lot to the south of the subject property;
- 2) Moving the proposed tree in front of the stop sign in the island adjacent to the drive-up window/exit lanes; and,
- 3) Adjusting the street trees to accommodate fire emergency connections.

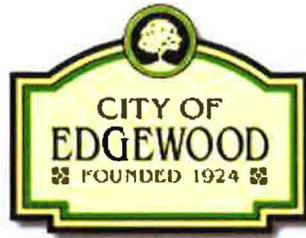
Having no more discussion, Council Member Rader moved to adjourn the meeting; second by Planner Hardgrove. Motion approved (4/0).

The meeting adjourned at 4:03 pm.

Sandy Riffle, Deputy City Clerk

Approval Date:

DRAFT



Application for Rezoning

Reference: City of Edgewood Code of Ordinances, Section 134-121
REQUIRED FEE: \$750.00 + Applicable Pass-Through Fees (Ordinance 2013-01)
(Please note this fee is non-refundable)

PLANNING & ZONING MEETING DATE:	
CITY COUNCIL MEETING DATE:	

IMPORTANT: Except where the requirements of a particular zoning district specify otherwise, the property owner(s) of 51% or more of the area involved (whether the same be one lot/parcel or a larger area) shall submit an application for review in accordance with Section 134-121 rezoning property owner(s) of the Edgewood code.

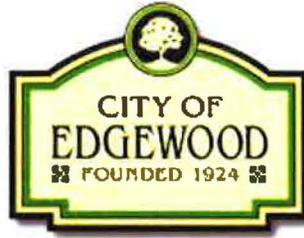
A COMPLETE application with all required attachments and ten (10) copies must be submitted to the City Clerk 40 days before the next Planning & Zoning meetings. No application shall be deemed accepted unless it is complete and paid for.

Notarized letter of authorization from Owner MUST be submitted if application is filed by anyone other than property owner.

Please type or print. Complete carefully, answering each question and attaching all necessary documentation and additional pages as necessary.

Applicant's Name:	Khaled Husein	Owner's Name:	Baveria Holdings LLC
Address:	8671 Currituck Sound LN Altamonte Springs, FL 32829	Address:	8671 Currituck Sound LN Altamonte Springs, FL 32829
Phone Number:	(321) 695 - 7772	Phone Number:	(321) 695 - 7772
Fax:		Fax:	
Email:	kal007@aol.com	Email:	kal007@aol.com
Legal Description:	See Attached		
Zoned:	R-1A & R-1AA		
Location:	Section 14, Township 23 South, Range 29 East, S of Holden Ave, E of Holden Ridge Ave, W of Lake Milly Dr.		
Tract Size:	13.46 Acres		
Existing on Site:	Single Family Residential / Vacant		

405 Larue Avenue, Edgewood, Florida 32809
 Phone: 407.851.2920 / Fax: 407.851.7361
 Email: bmeeks@edgewood-fl.gov Website: www.edgewood-fl.gov



The following statement set forth the specific rezoning proposed, including:

Existing zoning districts and boundaries for all land within the subject area	R-1A & R-1AA
Proposed zoning districts and boundaries	PD
Purpose of request:	To provide a consistent zoning for both parcels that will allow residential development meeting current market trends

Applicant/owner hereby states that the above request for rezoning does not violate any deed restrictions on the property.

Applicant's Signature	<i>[Handwritten Signature]</i>	Date:	10/31/19
Applicant's Printed Name	Khaled Khaled Hussein	Date:	10/31/19
Owner's Signature	<i>[Handwritten Signature]</i>		
Owner's Printed Name	KHALED HUSSEIN		

(Application must be signed by the legal owner, not agent, unless copy of power of attorney is attached)

THE APPLICANT OR OWNER MUST BE PRESENT TO ANSWER QUESTIONS OR PRESENT HIS CASE AT BOTH MEETINGS. THE FOLLOWING MUST BE SUBMITTED WITH THE APPLICATION:

Please see attached "Rezoning Process"

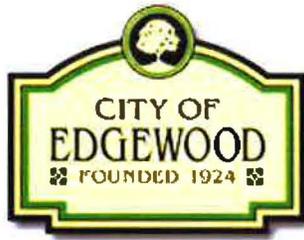
AT LEAST TEN (10) DAYS PRIOR TO THE DATE OF THE PUBLIC HEARING BEFORE THE BOARD, THE PERSON FILING THE APPLICATION SHALL PLACE IN A CONSPICUOUS AND EASILY VISIBLE LOCATION ON THE PROPERTY A SIGN FURNISHED BY THE CITY.

Please submit completed application to City Hall via email at bmeeks@edgewood-fl.gov or to srepp@edgewood-fl.gov, via facsimile at (407) 851-7361, or hand delivered to Edgewood City Hall located at 405 Larue Avenue. For additional questions, please contact Edgewood City Hall at (407) 851-2920.

OFFICE USE ONLY			
Received Date:	11/5/2019	Rec'd By:	Virginia Renteria, Code Enforcement
Forwarded To:	DRC Committee		
Notes:			

Revised: 12-8-2015

405 Larue Avenue, Edgewood, Florida 32809
 Phone: 407.851.2920 / Fax: 407.851.7361
 Email: bmeeks@edgewood-fl.gov Website: www.edgewood-fl.gov



REZONING PROCESS



Application is received from property owner(s) - 10 copies

Application shall include:

- Recent plat or survey
- Statement setting forth the specific proposed rezoning
- Existing zoning districts and boundaries for all land within the subject area.
- Proposed zoning district and boundaries
- Consent to Agents – If title to the property is not in the applicant’s name and the property owner does not sign the application, then the applicant must submit a document signifying the owner’s approval or consent.
- Reasons for Request – A statement of the reasons for requesting the rezoning.
- Application Fees and Costs – Processing and filing fees shall accompany application. In addition, the applicant is responsible for all direct expenses including legal fees, professional review fees, advertising costs, postage costs and other related costs.

Public Notice that P & Z will consider rezoning

Application is reviewed at P & Z Board Meeting after Public Notice

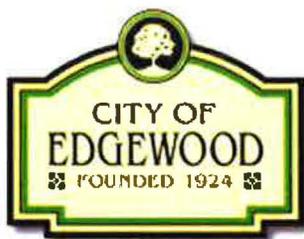
P&Z shall give consideration to following factors:

- Comprehensive Plan – is proposal consistent with all applicable policies of the City’s adopted Comprehensive Plan
- Conformance with City Code Chapter 26 and applicable substantive requirements including minimum or maximum district size.
- Land Use Compatibility – whether and extent the proposal results in incompatible land uses, considering the type and location of uses involved.
- Adequate Public Facilities – Does proposal result in demands on public facilities and services (on-site and off-site) exceeding the capacity of facilities and services, existing or programmed, including transportation, utilities, drainage, recreation, education, emergency services and similar necessary facilities and services.

405 Larue Avenue, Edgewood, Florida 32809

Phone: 407.851.2920 / Fax: 407.851.7361

Email: bmeeks@edgewood-fl.gov Website: www.edgewood-fl.gov



Restrictive Rezoning – P & Z may recommend and City Council may approve rezoning with restrictions applicable only to the property involved in the change, provided that such restrictions confer upon the applicant or subject property no privilege otherwise denied to other lands, structures, buildings in the same district. Such restrictions may include, but not limited to, one or more of the following:

- Use restrictions greater than those otherwise specified for the particular district.
- Density restrictions greater than those otherwise specified for particular district.
- Setbacks greater than those otherwise specified for the particular district, including setbacks from lakes and major arterials.
- Height limits more restrictive than otherwise permitted in the particular district.
- Minimum lot areas or minimum widths greater than otherwise specified for the particular district.
- Minimum floor area greater than otherwise specified for structures in the particular district.
- Open space requirements greater than otherwise required for property in the particular district.
- Parking, loading, driveway or traffic requirements more restrictive than otherwise required for the particular district.
- Fencing or screening requirements greater than otherwise required for the particular district.
- Noise and operational hour requirements greater than otherwise required for the particular district.
- Restrictions or any other matters which the City Council may regulate under authority of the Chapter.
- Upon approval of restrictive rezoning, City Clerk shall enter the applicable restrictions, or reference thereto, on the Official Zoning Map of the City in a manner sufficient to constitute notice to all interested persons. Restrictions shall run with the land, without regard to transfer of ownership or other interest, and may be removed only upon amendment to the district.

_____ P & Z request is forwarded to City Council to approve or deny

_____ Change is posted on Official Zoning Map, on effective date

HOLDEN AVENUE PD DEVELOPMENT PLAN

ORLANDO, FLORIDA

PARCEL ID# 14-23-29-0000-00-004
 14-23-29-0000-00-005
 14-23-29-0000-00-062
 14-23-29-0000-00-064
 14-23-29-0000-00-063 &
 14-23-29-0000-00-042

JANUARY 2, 2020

LEGAL DESCRIPTION

LEGAL DESCRIPTION PARCEL A

THE WEST 165.00 FEET OF THE FOLLOWING TRACT: BEGINNING AT A POINT 440 FEET EAST OF THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 14, TOWNSHIP 23 SOUTH, RANGE 29 EAST, RUN THENCE EAST 352 FEET; THENCE SOUTH 1320 FEET TO THE SOUTH LINE OF THE SAID NORTHWEST 1/4 OF THE NORTHWEST 1/4; THENCE WEST ALONG THE SOUTH LINE OF THE SAID NORTHWEST 1/4 OF THE NORTHWEST 1/4 352 FEET; THENCE NORTH 1320 FEET TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION PARCEL B

THE EAST 187.00 FEET OF THE FOLLOWING TRACT: BEGINNING AT A POINT 440 FEET EAST OF THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 14, TOWNSHIP 23 SOUTH, RANGE 29 EAST, RUN THENCE EAST 352 FEET; THENCE SOUTH 1320 FEET TO THE SOUTH LINE OF THE SAID NORTHWEST 1/4 OF THE NORTHWEST 1/4; THENCE WEST ALONG THE SOUTH LINE OF THE SAID NORTHWEST 1/4 OF THE NORTHWEST 1/4 352 FEET; THENCE NORTH 1320 FEET TO THE POINT OF BEGINNING.

N 380 FT OF W 100 FT OF E 526.7 FT OF NW1/4 OF NW1/4 (LESS N 30 FT RD R/W) OF SEC 14-23-29 AND

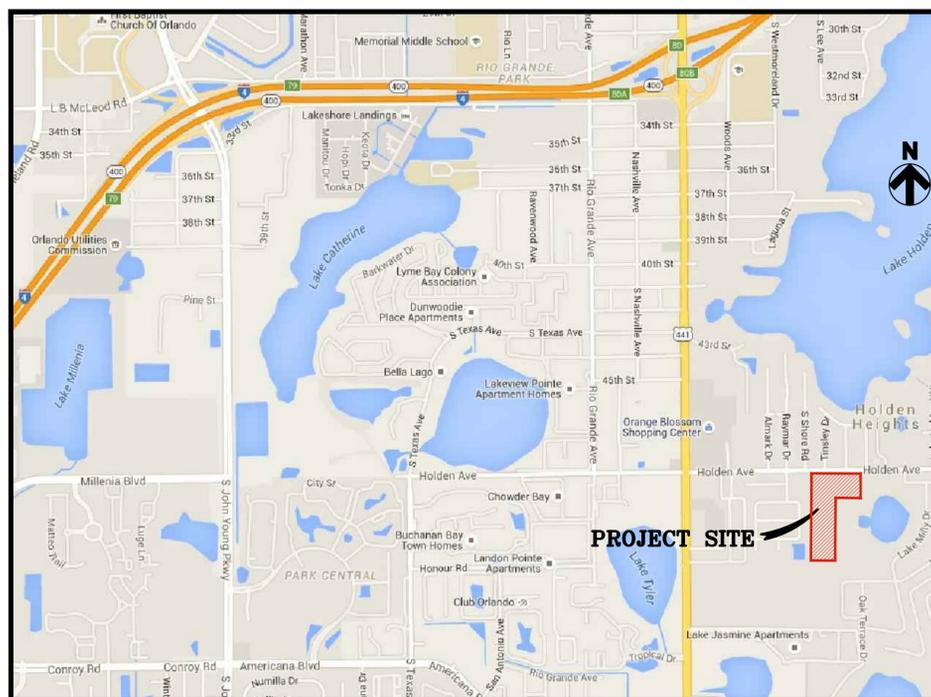
N 380 FT OF W 303 FT OF E 426.7 FT OF NW1/4 OF NW1/4 (LESS N 155 FT OF E 125 FT & LESS N 155 FT OF W 128 FT & LESS N 30 FT FOR RD) SEC 14-23-29 AND

N 155 FT OF W 125 FT OF E 248.7 FT OF NW1/4 OF NW1/4 (LESS N 30 FT RD R/W) OF SEC 14-23-29 AND

N 155 FT OF W 128 FT OF E 426.7 FT OF NW1/4 OF NW1/4 (LESS N 30 FT FOR RD R/W) OF SEC 14-23-29

TOTAL ACREAGE 13.46 ACRES MORE OR LESS

LOCATION MAP:



PROJECT TEAM:

OWNER

BAVERIA HOLDINGS LLC
 8671 CURRITUCK SOUND LN.
 ALTAMONTE SPRINGS, FL 32829
 (321) 695-7772

APPLICANT

KHALED HUSSEIN
 8671 CURRITUCK SOUND LN.
 ALTAMONTE SPRINGS, FL 32829
 (321) 695-7772

CIVIL ENGINEER

AVCON, INC.
 5555 EAST MICHIGAN STREET, SUITE 200
 ORLANDO, FL 32822
 (407) 599-1122

SURVEYORS

ALLEN & COMPANY
 16 EAST PLANT STREET
 WINTER GARDEN, FLORIDA 34787
 (407) 654-5355

GARY A. BURDEN
 1507 S. HIWASSEE ROAD, SUITE 211
 ORLANDO, FL 32835
 (407) 694-2461

AVCON PROJECT NO.

2019.0099.15

DATE

01/02/2020

REVISIONS

NO.	DATE	DESCRIPTION	SHEETS
1	11-04-19	REZONING COMMENTS	
2	01-02-20	REZONING COMMENTS (2)	

Sheet List Table

Sheet Number	Sheet Title
C000	Cover Sheet
C100	Project Survey
C101	Project Survey
C200	Aerial, Soils, Topo & Flood Plain
C300	Land Use Plan
C301	Concept Plan
C400	Roadway Expansion and Driveway Plan
C401	Soda Holden Street Renderings
C500-502	Vehicle Tracking Plans
L-001	Plant Schedule & Details
K-100	Key Sheet
L-101	Landscape Tract & Tract D
Sheet 2 of 2	6' Tall Wall Elevation

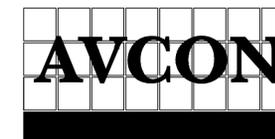
UTILITY PROVIDERS

SEWER

ORANGE COUNTY UTILITIES (OCU)
 9150 CURRY FORD RD,
 ORLANDO, FL 32825
 (407) 836-5515

WATER

ORLANDO UTILITIES COMMISSION (OUC)
 3800 GARDENIA AVE
 ORLANDO, FL
 (407) 423-9018



AVCON, INC.
 ENGINEERS & PLANNERS
 5555 East Michigan Street, Suite #00 Orlando, FL 32822-2779
 Office: (407) 599-1122 • Fax: (407) 599-1133
 CORPORATE CERTIFICATE OF AUTHORIZATION NUMBER: 5057
 www.avconinc.com

ENGINEER OF RECORD:

DARIN ALEX LOCKWOOD
 FL P.E. #63504



16 EAST PLANT STREET
WINTER GARDEN, FLORIDA 34787
407 854-5355 *FAX 407 654-5356

BOUNDARY SURVEY
OF
THORNTON PROPERTIES
SECTION 14, TOWNSHIP 23 SOUTH, RANGE 29 EAST
CITY OF EDGEWOOD
ORANGE COUNTY, FLORIDA

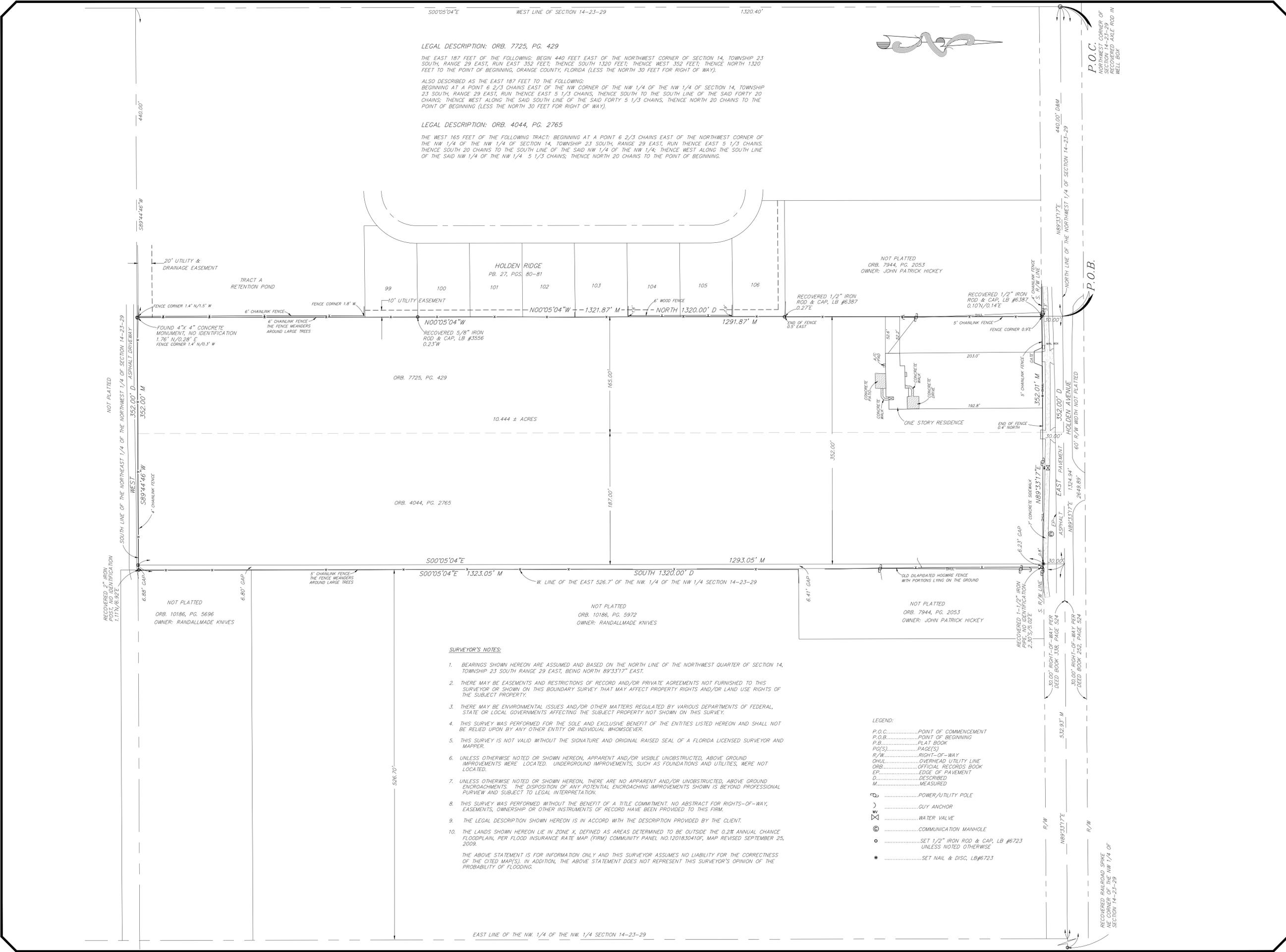
FOR:
THORNTON PROPERTIES

FOR THE LICENSED BUSINESS #6725 BY:
JAMES L. RICKMAN, P.S.M. #6533

DATE	REVISIONS

JOB # 20150572
DATE: JANUARY 6, 2016
SCALE: 1" = 30.00'
CALC BY: JLR/SEJ
FIELD BY: BILL ABEL
DRAWN BY: SEJ
CHECKED BY: MR

C100



LEGAL DESCRIPTION: ORB. 7725, PG. 429
THE EAST 187 FEET OF THE FOLLOWING; BEGIN 440 FEET EAST OF THE NORTHWEST CORNER OF SECTION 14, TOWNSHIP 23 SOUTH, RANGE 29 EAST, RUN EAST 352 FEET; THENCE SOUTH 1320 FEET; THENCE WEST 1320 FEET TO THE POINT OF BEGINNING, ORANGE COUNTY, FLORIDA (LESS THE NORTH 30 FEET FOR RIGHT OF WAY).
ALSO DESCRIBED AS THE EAST 187 FEET TO THE FOLLOWING:
BEGINNING AT A POINT 6 2/3 CHAINS EAST OF THE NW CORNER OF THE NW 1/4 OF THE NW 1/4 OF SECTION 14, TOWNSHIP 23 SOUTH, RANGE 29 EAST, RUN THENCE EAST 5 1/3 CHAINS, THENCE SOUTH TO THE SOUTH LINE OF THE SAID FORTY 20 CHAINS; THENCE WEST ALONG THE SAID SOUTH LINE OF THE SAID FORTY 5 1/3 CHAINS, THENCE NORTH 20 CHAINS TO THE POINT OF BEGINNING (LESS THE NORTH 30 FEET FOR RIGHT OF WAY).

LEGAL DESCRIPTION: ORB. 4044, PG. 2765
THE WEST 165 FEET OF THE FOLLOWING TRACT; BEGINNING AT A POINT 6 2/3 CHAINS EAST OF THE NORTHWEST CORNER OF THE NW 1/4 OF THE NW 1/4 OF SECTION 14, TOWNSHIP 23 SOUTH, RANGE 29 EAST, RUN THENCE EAST 5 1/3 CHAINS, THENCE SOUTH 20 CHAINS TO THE SOUTH LINE OF THE SAID NW 1/4 OF THE NW 1/4; THENCE WEST ALONG THE SOUTH LINE OF THE SAID NW 1/4 OF THE NW 1/4 5 1/3 CHAINS; THENCE NORTH 20 CHAINS TO THE POINT OF BEGINNING.

- SURVEYOR'S NOTES:**
- BEARINGS SHOWN HEREON ARE ASSUMED AND BASED ON THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 23 SOUTH RANGE 29 EAST, BEING NORTH 89°33'17" EAST.
 - THERE MAY BE EASEMENTS AND RESTRICTIONS OF RECORD AND/OR PRIVATE AGREEMENTS NOT FURNISHED TO THIS SURVEYOR OR SHOWN ON THIS BOUNDARY SURVEY THAT MAY AFFECT PROPERTY RIGHTS AND/OR LAND USE RIGHTS OF THE SUBJECT PROPERTY.
 - THERE MAY BE ENVIRONMENTAL ISSUES AND/OR OTHER MATTERS REGULATED BY VARIOUS DEPARTMENTS OF FEDERAL, STATE OR LOCAL GOVERNMENTS AFFECTING THE SUBJECT PROPERTY NOT SHOWN ON THIS SURVEY.
 - THIS SURVEY WAS PERFORMED FOR THE SOLE AND EXCLUSIVE BENEFIT OF THE ENTITIES LISTED HEREON AND SHALL NOT BE RELIED UPON BY ANY OTHER ENTITY OR INDIVIDUAL, WHOMSOEVER.
 - THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
 - UNLESS OTHERWISE NOTED OR SHOWN HEREON, APPARENT AND/OR VISIBLE UNOBSTRUCTED, ABOVE GROUND IMPROVEMENTS WERE LOCATED. UNDERGROUND IMPROVEMENTS, SUCH AS FOUNDATIONS AND UTILITIES, WERE NOT LOCATED.
 - UNLESS OTHERWISE NOTED OR SHOWN HEREON, THERE ARE NO APPARENT AND/OR UNOBSTRUCTED, ABOVE GROUND ENCROACHMENTS. THE DISPOSITION OF ANY POTENTIAL ENCROACHING IMPROVEMENTS SHOWN IS BEYOND PROFESSIONAL PURVIEW AND SUBJECT TO LEGAL INTERPRETATION.
 - THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. NO ABSTRACT FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP OR OTHER INSTRUMENTS OF RECORD HAVE BEEN PROVIDED TO THIS FIRM.
 - THE LEGAL DESCRIPTION SHOWN HEREON IS IN ACCORD WITH THE DESCRIPTION PROVIDED BY THE CLIENT.
 - THE LANDS SHOWN HEREON LIE IN ZONE X, DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, PER FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY PANEL NO.1201830410F, MAP REVISED SEPTEMBER 25, 2009.
- THE ABOVE STATEMENT IS FOR INFORMATION ONLY AND THIS SURVEYOR ASSUMES NO LIABILITY FOR THE CORRECTNESS OF THE CITED MAP(S). IN ADDITION, THE ABOVE STATEMENT DOES NOT REPRESENT THIS SURVEYOR'S OPINION OF THE PROBABILITY OF FLOODING.

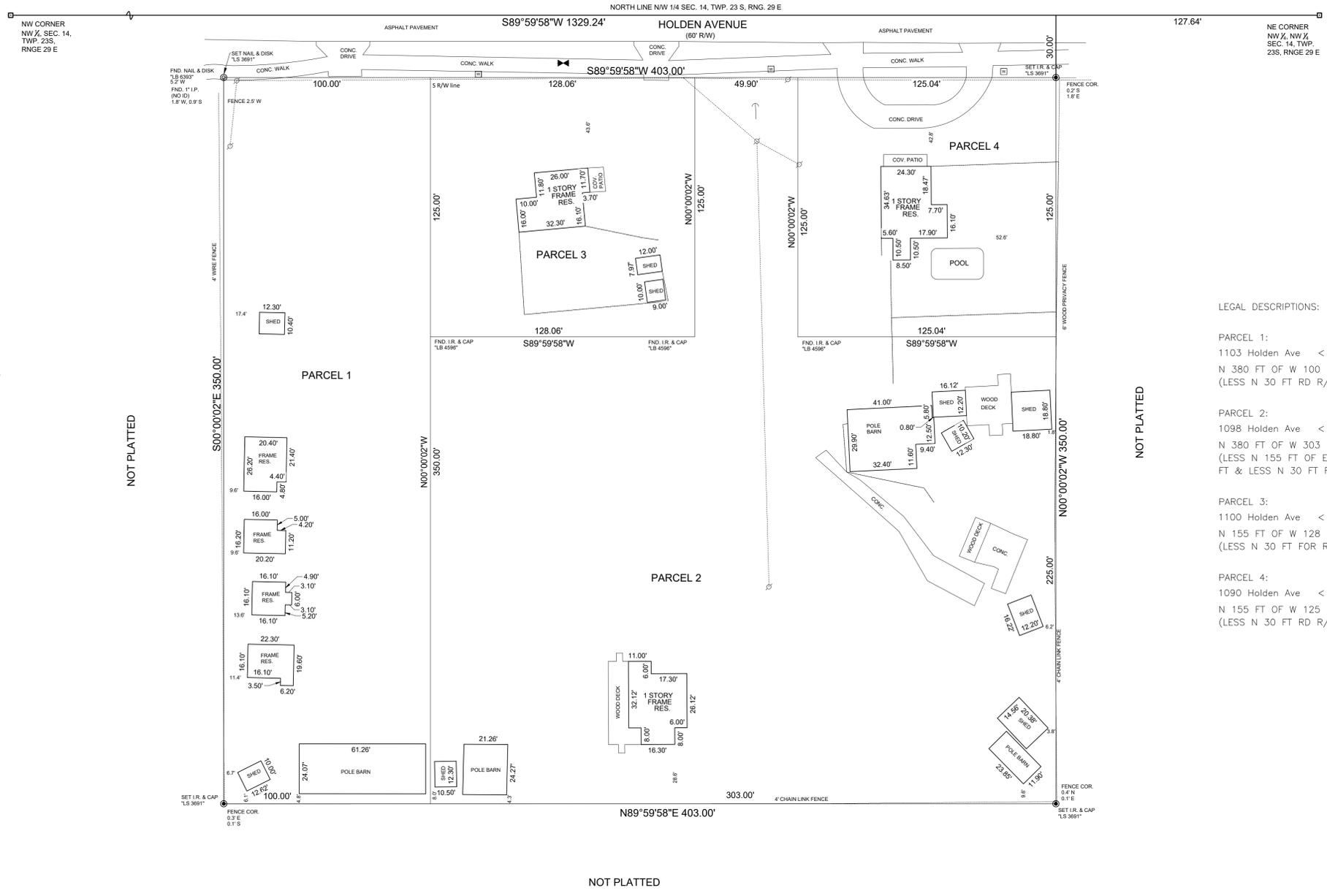
- LEGEND:**
- P.O.C. POINT OF COMMENCEMENT
 - P.O.B. POINT OF BEGINNING
 - P.B. PLAT BOOK
 - PG(S) PAGE(S)
 - R/W RIGHT-OF-WAY
 - OHUL OVERHEAD UTILITY LINE
 - ORB OFFICIAL RECORDS BOOK
 - EP EDGE OF PAVEMENT
 - D DESCRIBED
 - M MEASURED
 - POWER/UTILITY POLE
 - GUY ANCHOR
 - WATER VALVE
 - COMMUNICATION MANHOLE
 - SET 1/2" IRON ROD & CAP, LB #6723 UNLESS NOTED OTHERWISE
 - SET NAIL & DISC, LB#6723

Gary A Burden
1507 S. Hiawasse Road Ste 211
ORLANDO, FLORIDA 32835 (407)694-2461

BOUNDARY SURVEY

HOLDEN AVENUE

C101



LEGAL DESCRIPTIONS:

PARCEL 1:
1103 Holden Ave < 14-23-29-0000-00-063 >
N 380 FT OF W 100 FT OF E 526.7 FT OF NW1/4 OF NW1/4
(LESS N 30 FT RD R/W) OF SEC 14-23-29

PARCEL 2:
1098 Holden Ave < 14-23-29-0000-00-042 >
N 380 FT OF W 303 FT OF E 426.7 FT OF NW1/4 OF NW1/4
(LESS N 155 FT OF E 125 FT & LESS N 155 FT OF W 126
FT & LESS N 30 FT FOR RD) SEC 14-23-29

PARCEL 3:
1100 Holden Ave < 14-23-29-0000-00-064 >
N 155 FT OF W 128 FT OF E 426.7 FT OF NW1/4 OF NW1/4
(LESS N 30 FT FOR RD R/W) OF SEC 14-23-29

PARCEL 4:
1090 Holden Ave < 14-23-29-0000-00-062 >
N 155 FT OF W 125 FT OF E 248.7 FT OF NW1/4 OF NW1/4
(LESS N 30 FT RD R/W) OF SEC 14-23-29

NOT PLATTED

NOT PLATTED

NOT PLATTED

SYMBOLS

- | | | | |
|--|-----------------------|--|-----------------------------------|
| | FIRE HYDRANT | | BENCH MARK |
| | CATCH BASIN | | CABLE TV |
| | STOP SIGN | | POWER METER |
| | STANDARD SIGN W/POST | | GUY WIRE |
| | MONITOR WELL | | FIBER OPTIC MARKER |
| | OVERHEAD POWER | | BELL SOUTH |
| | GAS VALVE | | MES |
| | ELECTRIC BOX | | MAIL BOX |
| | UG- UNDER GROUND ELEC | | 4 X 4 CONC. MONUMENT |
| | WM- WATER MAIN | | PERMANENT CONTROL REFERENCE POINT |
| | Gas- gas | | WOOD POWER POLE |
| | Water valve | | DRAINAGE MANHOLE |
| | Sewer valve | | SANITARY MANHOLE |
| | Light pole | | WM- WATER LINE |
| | 4' CHAIN LINK FENCE | | GUY ANCHOR |
| | 6' WOOD PRIVACY FENCE | | WATER METER |

ABBREVIATIONS

LEGEND:	DELTA:	P.O.B.:	IP:	TOB:
FD-FOUND	R-RADIUS	POB-POINT OF BEGINNING	PLAT-MEASURED	EW-EDGE OF WATER
IR-IRON ROD	L-ARC LENGTH	CA-CONCRETE MONUMENT	CS-CALCULATED	LW-UNDERGROUND WIRE
IP-IRON PIPE	E-ELEVATION	INCH	D-DEED	EP-EDGE PAVEMENT
P&C-ROD & CAP	U-E-UTILITY EASEMENT	CL-CHAIN LINK	CH-CH-CH-CH	CO-CONCRETE
P&C-PIPE & CAP	D-E-DRAINAGE EASEMENT	RW-RIGHT OF WAY	PP-POWER POLE	C-CENTERLINE
N&D-NAIL & DISC	MES-MITRED END SECTION	ORB-OFFICIAL RECORDS	PG-PAGE	PCP-PERMANENT CONTROL
FB-FLAT BOOK	TVR-TYPICAL	BOOK	PAV-PAVEMENT	PT-POINT

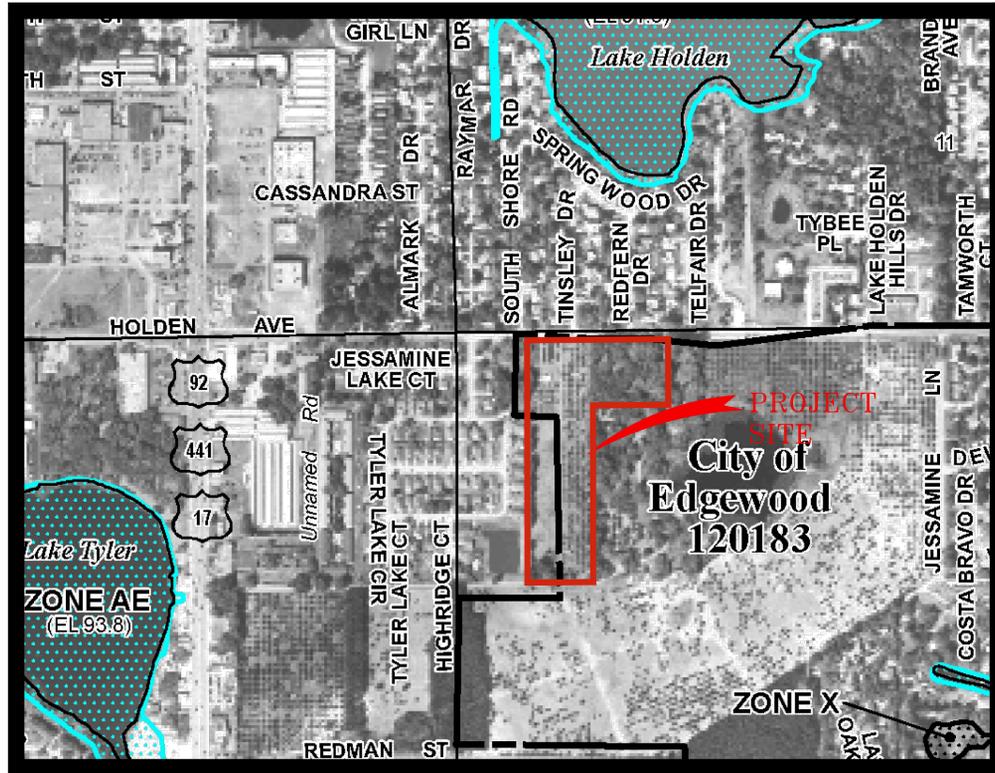
- SURVEY NOTES:**
- LANDS SHOWN HEREON WERE NOT ABSTRACTED BY THE SURVEYOR FOR RIGHTS-OF-WAY AND/OR EASEMENTS OF RECORD OR OWNERSHIP.
 - THE LAND DESCRIPTION AND EASEMENTS SHOWN HEREON ARE IN ACCORD WITH THE DESCRIPTION PROVIDED BY THE CLIENT.
 - BEARINGS REFER TO ASSUMED N89°59'58"E ALONG THE NORTH LINE NW 1/4
 - ALL DISTANCES/ANGLES ARE MEASURED/DEED UNLESS OTHERWISE SHOWN.
 - ONLY VISIBLE IMPROVEMENTS LOCATED
 - FLOOD ZONE: X

CERTIFICATE:
I HEREBY CERTIFY THAT THE SKETCH OF SURVEY HEREON MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH IN RULE 5 J 17 ADOPTED BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS, PURSUANT TO FLORIDA STATUTE 472.027, ONLY. THERE ARE NO VISIBLE ENCROACHMENTS OTHER THAN THOSE SHOWN HEREON. UNLESS IT BEARS THE SIGNATURE AND ORIGINAL SEAL OF A FLORIDA LICENSED SURVEYOR & MAPPER THIS MAP/REPORT IS FOR INFORMATIONAL PURPOSES ONLY & IS NOT VALID.

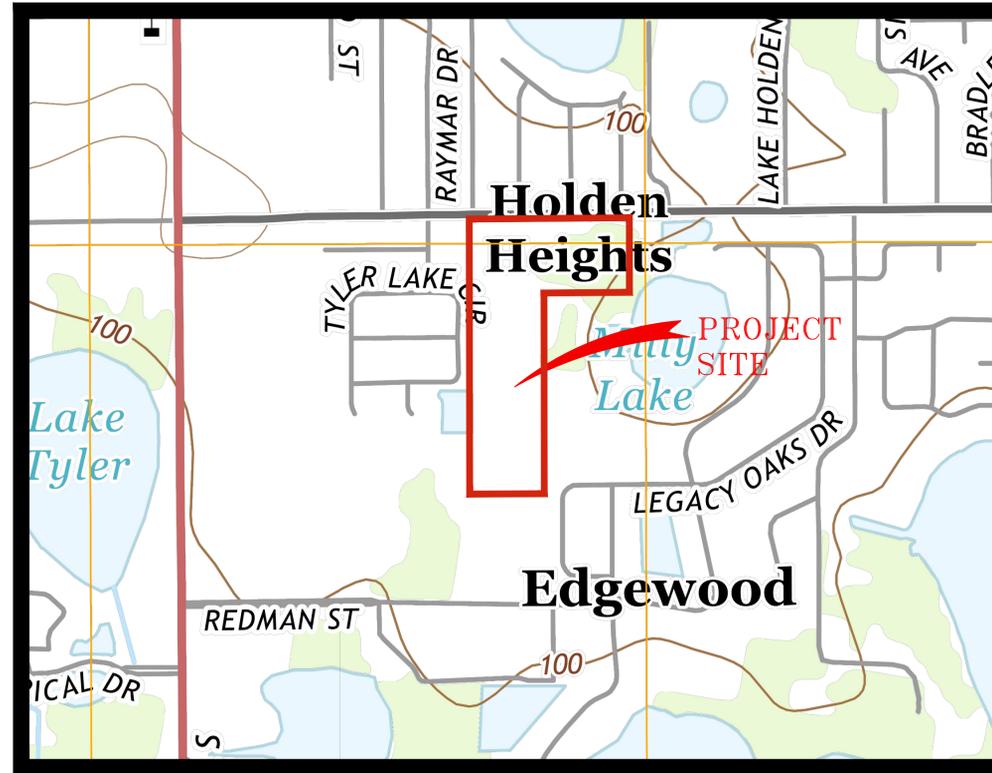
BY: GARY A. BURDEN
FLORIDA REGISTRATION NO. 3691

DATE 06/20/2016
DESIGNED BY
DRAWN BY TO
CHECKED BY GB

FLOOD MAP



USGS TOPO MAP



SOILS MAP



AERIAL MAP



SOILS LEGEND

3	BASINGER FINE SAND DEPRESSIONAL, 0 TO 1 PERCENT SLOPES
43	SEFFNER FINE SAND, 0 TO 2 PERCENT SLOPES
48	TAVARES-URBAN LAND COMPLEX, 0 TO 5 PERCENT SLOPES
99	WATER



DARIN ALEX LOCKWOOD,
 P.E. #63504

LAND USE PLAN

HOLDEN AVENUE PD

AERIAL, SOILS, TOPO & FLOOD PLAIN

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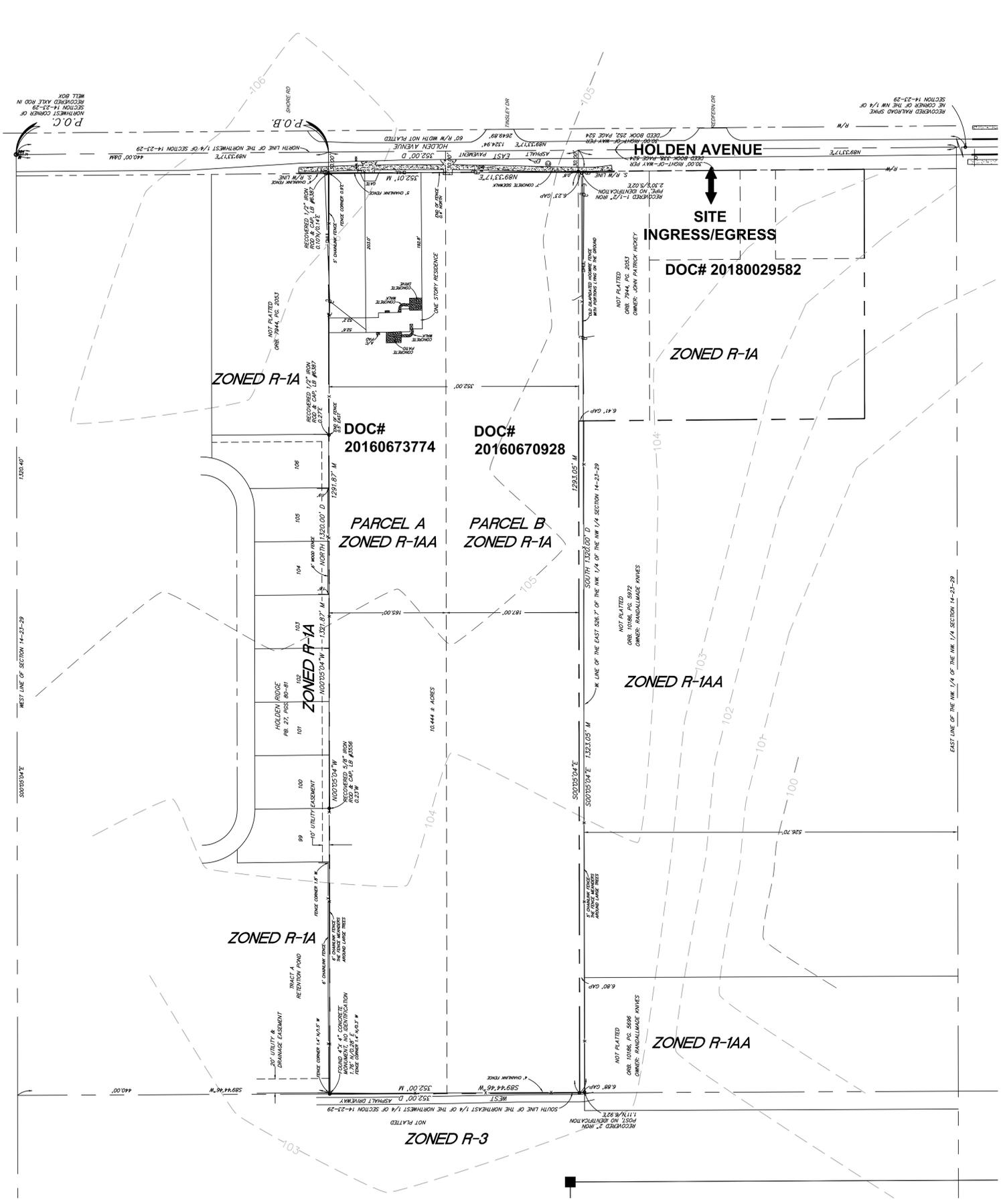
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 APPROVED BY: RVB
 DATE: 01-02-2020

AVCON PROJECT No. 2019.0099.15

SHEET NUMBER

C200



GENERAL SITE DATA	
PARCEL ID#	14-23-29-0000-00-004 14-23-29-0000-00-005 14-23-29-0000-00-062 14-23-29-0000-00-064 14-23-29-0000-00-063 & 14-23-29-0000-00-042
ZONING	R-1A & R-1AA
PROPOSED ZONING	PD
EXISTING USE	VACANT / SINGLE FAMILY HOME
JURISDICTION	CITY OF EDGEWOOD
FUTURE LAND USE	LOW DENSITY RESIDENTIAL (LDR)
DEVELOPABLE AREA	13.46 ACRES
PROPOSED DEVELOPMENT (SINGLE FAMILY)	46 LOTS MAX. (SINGLE PHASE)
MINIMUM LIVING AREA	1,800 SF (MIN. 25% OF 2200 SF)
NET UNITS PER ACRE	3.42 UNITS PER ACRE
MIN. LOT SIZE	5,800 SF
MIN. LOT WIDTH	50' (FRONT SETBACK LINE)
MAXIMUM BUILDING HEIGHT	35' TWO STORY
MAXIMUM BUILDING LOT COVERAGE	70%
OPEN SPACE REQUIREMENT	40%
RECREATION AREA (RATIO OF 2.5 ACRES PER 1000 RESIDENCES) (3.1 RESIDENCES PER HOUSEHOLD)	0.356 AC REQUIRED, 0.736 PROVIDED
PROJECTED STUDENT POPULATION (46 DWELLING UNITS X 0.431 STUDENTS)	20 STUDENTS
ITE AVERAGE DAILY TRIPS (46 LOTS X 9.52 ADT)	437.9 ADT (ITE CODE 210)
OUC POTABLE WATER SERVICE (46 LOTS X 275 GPD)	12,650 GPD (8.78 GPM)
FIRE PROTECTION ORANGE COUNTY PUBLIC UTILITIES	1000 GPM
OCU SANITARY SEWER SERVICE (46 LOTS X 300 GPD)	13,800 GPD (9.58 GPM)
STORMWATER	STORMWATER FACILITY ON SITE
PHASING SCHEDULE	PROJECT TO BE CONSTRUCTED IN ONE PHASE
MODEL HOMES	5 ALLOWED

SETBACKS	
FRONT LOT	20' GARAGE 15' PORCH
SIDE LOT	5' for 50' & 60' lots - 7.5' for 70' lots
REAR LOT	20'-0"
PERIMETER SETBACK (PROPERTY LINE) (BUILDING ONLY)	20'-0"
MAJOR COLLECTOR ROAD - HOLDEN AVENUE (BUILDING ONLY)	20' FROM ROW LINE
CORNER LOT SIDE SETBACK	10'-0"
POOLS	5' (50' & 60' LOTS) OR 7.5' (70' LOTS) INTERIOR SIDE, 10' SIDE STREET, 5' REAR
POOL ENCLOSURES	5' (50' & 60' LOTS) OR 7.5' (70' LOTS) INTERIOR SIDE, 10' SIDE STREET, 5' REAR

OCPS STUDENT GENERATION RATES	
ELEMENTARY	0.196
MIDDLE	0.100
HIGH	0.134
TOTAL	0.431



DARIN ALEX LOCKWOOD, P.E. #63504

LAND USE PLAN

HOLDEN AVENUE PD

LAND USE PLAN

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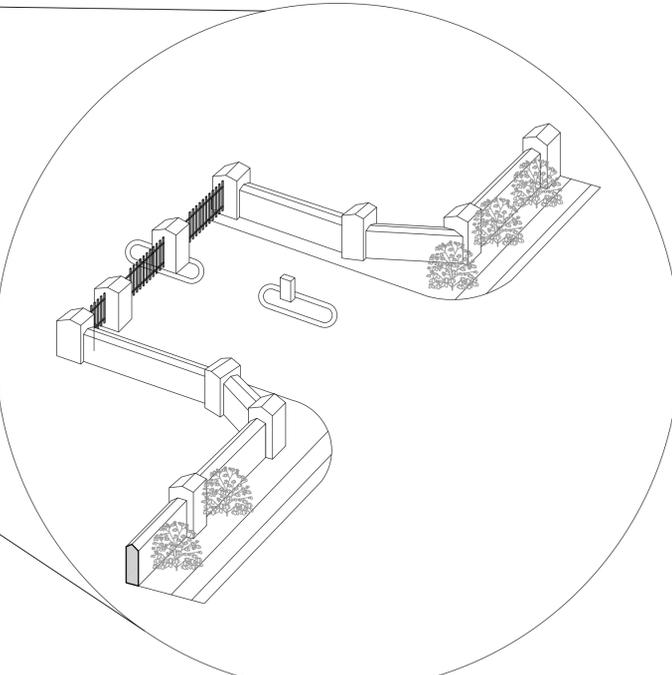
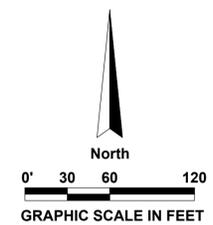
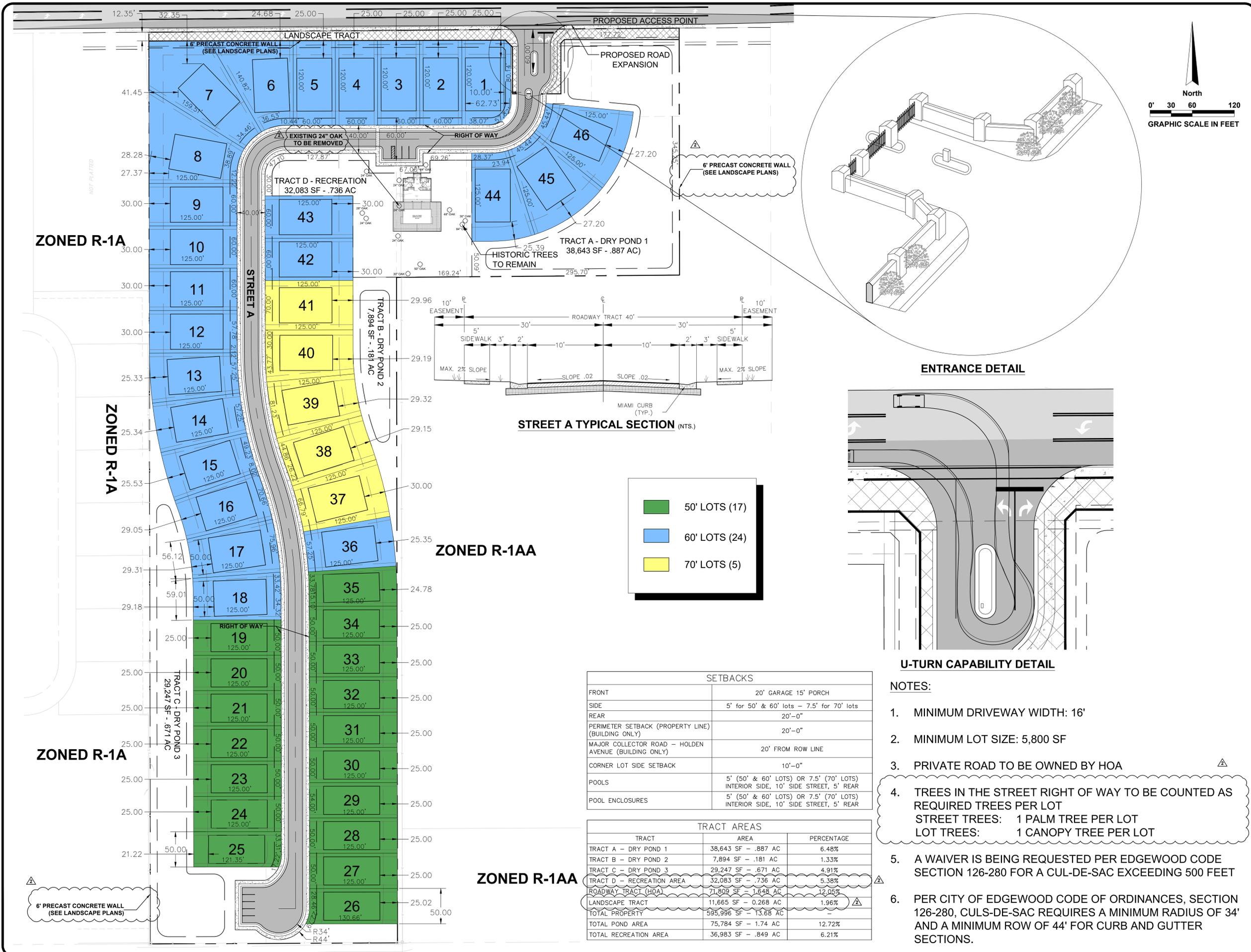
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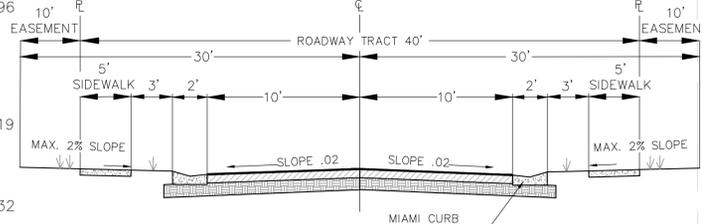
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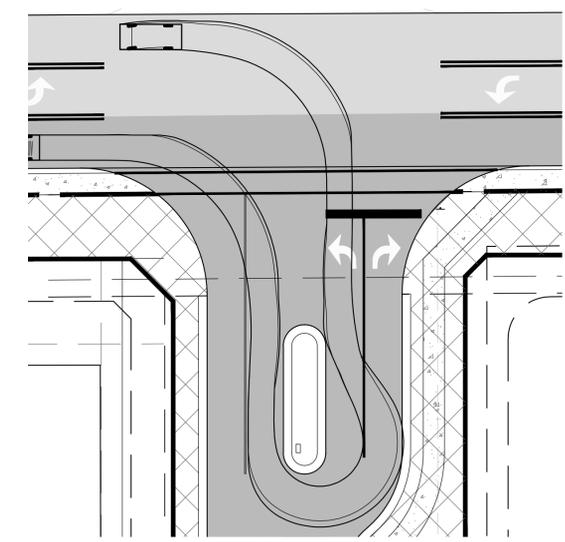
C300



ENTRANCE DETAIL



STREET A TYPICAL SECTION (NTS.)



U-TURN CAPABILITY DETAIL

LOT SIZES

- 50' LOTS (17)
- 60' LOTS (24)
- 70' LOTS (5)

SETBACKS	
FRONT	20' GARAGE 15' PORCH
SIDE	5' for 50' & 60' lots - 7.5' for 70' lots
REAR	20'-0"
PERIMETER SETBACK (PROPERTY LINE) (BUILDING ONLY)	20'-0"
MAJOR COLLECTOR ROAD - HOLDEN AVENUE (BUILDING ONLY)	20' FROM ROW LINE
CORNER LOT SIDE SETBACK	10'-0"
POOLS	5' (50' & 60' LOTS) OR 7.5' (70' LOTS) INTERIOR SIDE, 10' SIDE STREET, 5' REAR
POOL ENCLOSURES	5' (50' & 60' LOTS) OR 7.5' (70' LOTS) INTERIOR SIDE, 10' SIDE STREET, 5' REAR

TRACT AREAS		
TRACT	AREA	PERCENTAGE
TRACT A - DRY POND 1	38,643 SF - .887 AC	6.48%
TRACT B - DRY POND 2	7,894 SF - .181 AC	1.33%
TRACT C - DRY POND 3	29,247 SF - .671 AC	4.91%
TRACT D - RECREATION AREA	32,083 SF - .736 AC	5.38%
ROADWAY TRACT (HOA)	71,809 SF - 1.648 AC	12.05%
LANDSCAPE TRACT	11,665 SF - 0.268 AC	1.96%
TOTAL PROPERTY	595,996 SF - 13.68 AC	-
TOTAL POND AREA	75,784 SF - 1.74 AC	12.72%
TOTAL RECREATION AREA	36,983 SF - .849 AC	6.21%

- NOTES:**
- MINIMUM DRIVEWAY WIDTH: 16'
 - MINIMUM LOT SIZE: 5,800 SF
 - PRIVATE ROAD TO BE OWNED BY HOA
 - TREES IN THE STREET RIGHT OF WAY TO BE COUNTED AS REQUIRED TREES PER LOT
STREET TREES: 1 PALM TREE PER LOT
LOT TREES: 1 CANOPY TREE PER LOT
 - A WAIVER IS BEING REQUESTED PER EDGEWOOD CODE SECTION 126-280 FOR A CUL-DE-SAC EXCEEDING 500 FEET
 - PER CITY OF EDGEWOOD CODE OF ORDINANCES, SECTION 126-280, CULS-DE-SAC REQUIRES A MINIMUM RADIUS OF 34' AND A MINIMUM ROW OF 44' FOR CURB AND GUTTER SECTIONS.

AVCON
 ENGINEERS & PLANNERS
 5555 E. MICHIGAN ST., SUITE 200 - ORLANDO, FL 32822-2779
 OFFICE: (407) 599-1125 - FAX: (407) 599-1133
 CORPORATE CERTIFICATE OF AUTHORIZATION NUMBER: 5057
 www.avconinc.com

DARIN ALEX LOCKWOOD,
 P.E. #63504

LAND USE PLAN
 HOLDEN AVENUE PD

CONCEPT PLAN

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SHEET NUMBER

C301



SODO HOLDEN GATE VIEW



SODO HOLDEN STREET VIEW



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**DARIN ALEX LOCKWOOD,
P.E. #63504**

LAND USE PLAN

HOLDEN AVENUE PD

**SODO HOLDEN STREET
RENDERINGS**

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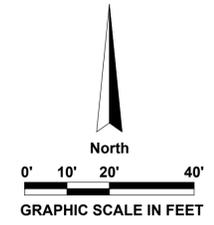
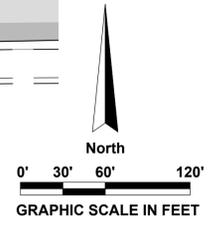
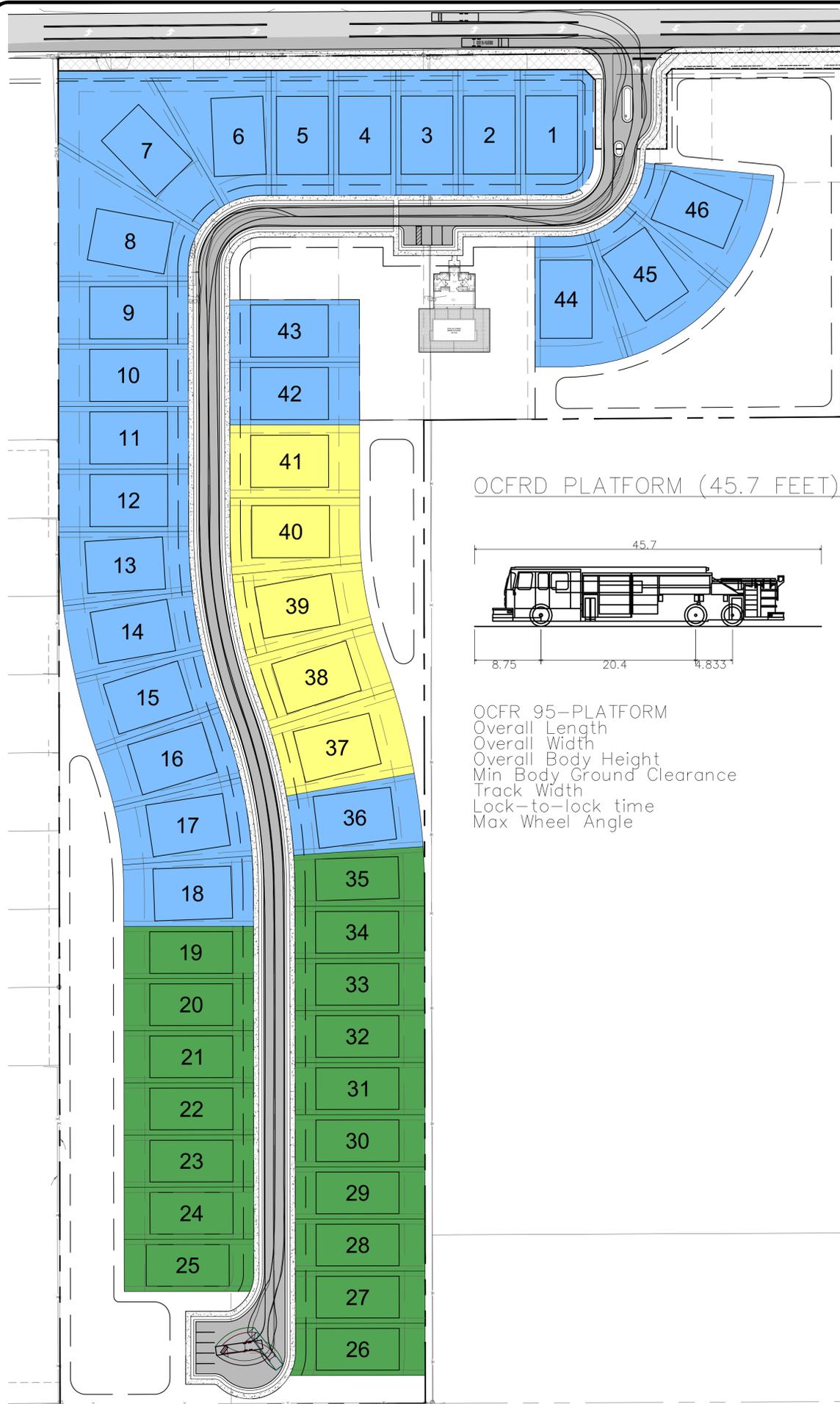
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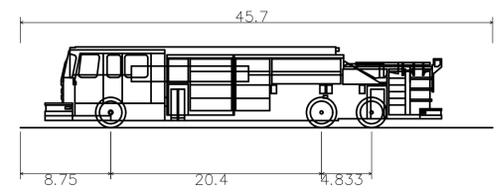
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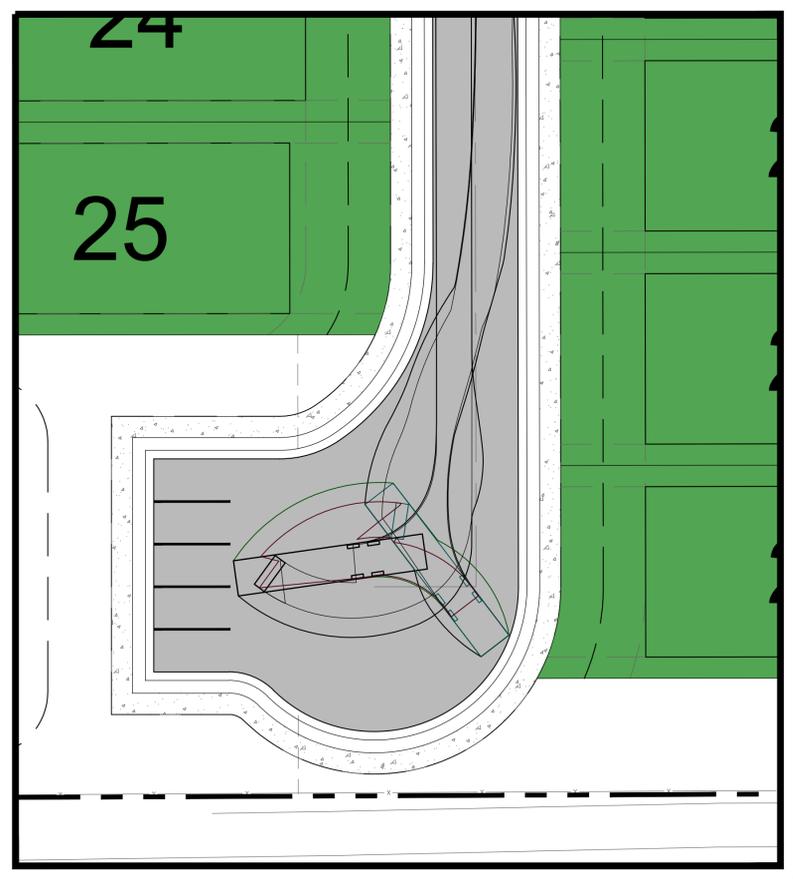
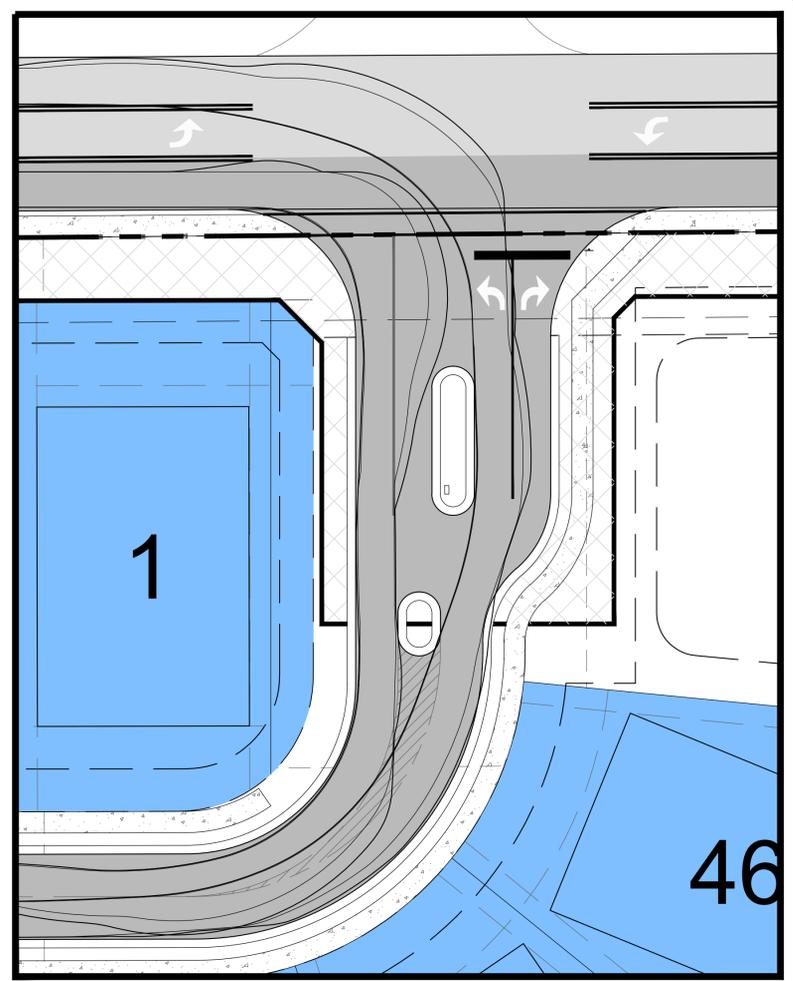
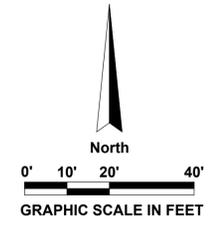
C401



OCFRD PLATFORM (45.7 FEET)



OCFR 95-PLATFORM
 Overall Length 45.700ft
 Overall Width 8.330ft
 Overall Body Height 7.773ft
 Min Body Ground Clearance 0.684ft
 Track Width 8.330ft
 Lock-to-lock time 6.00s
 Max Wheel Angle 44.20°



DARIN ALEX LOCKWOOD,
 P.E. #63504

LAND USE PLAN

HOLDEN AVENUE PD

VEHICLE TRACKING PLAN

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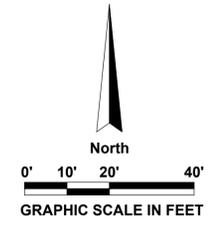
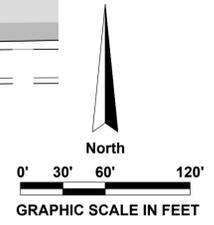
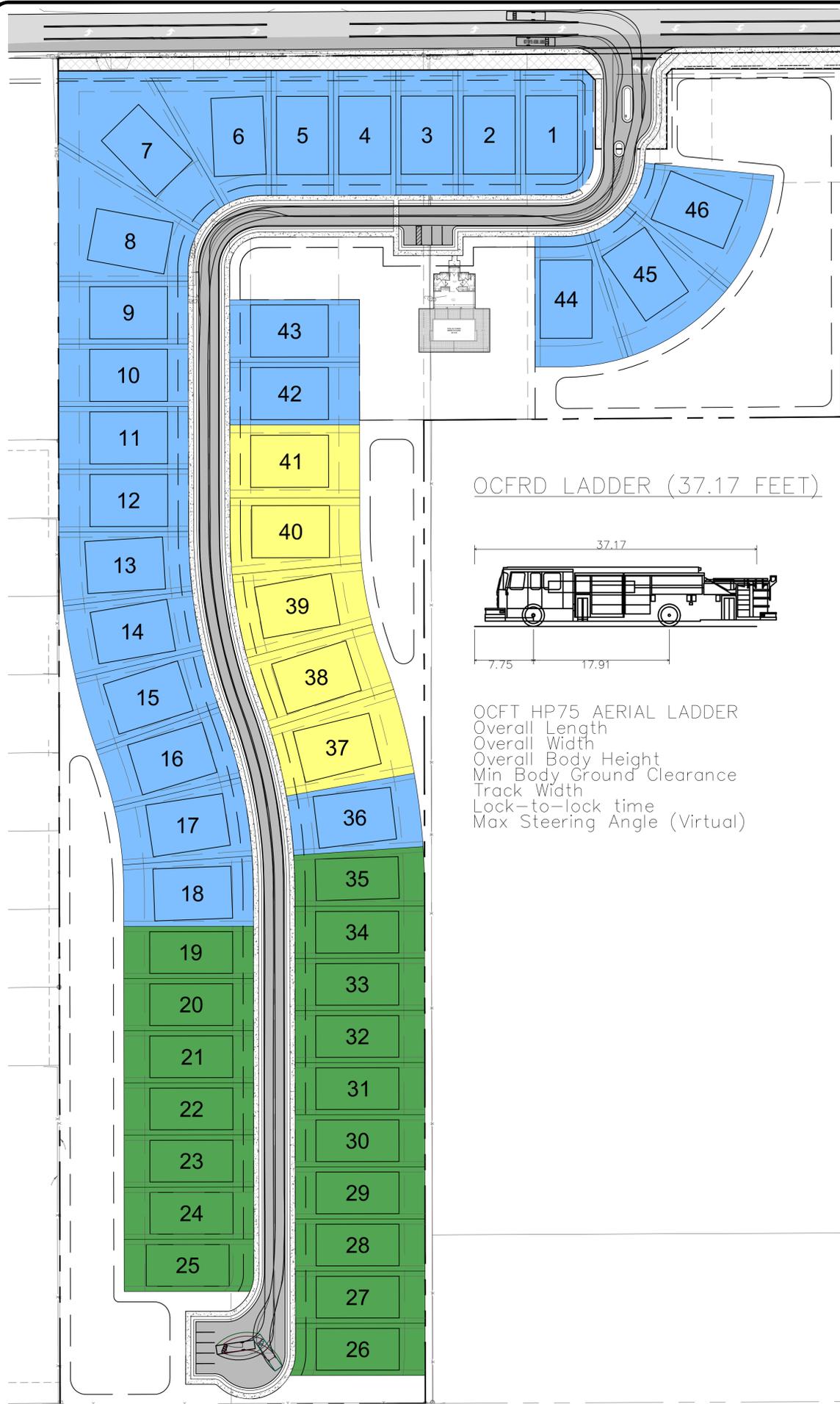
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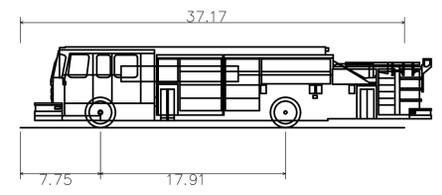
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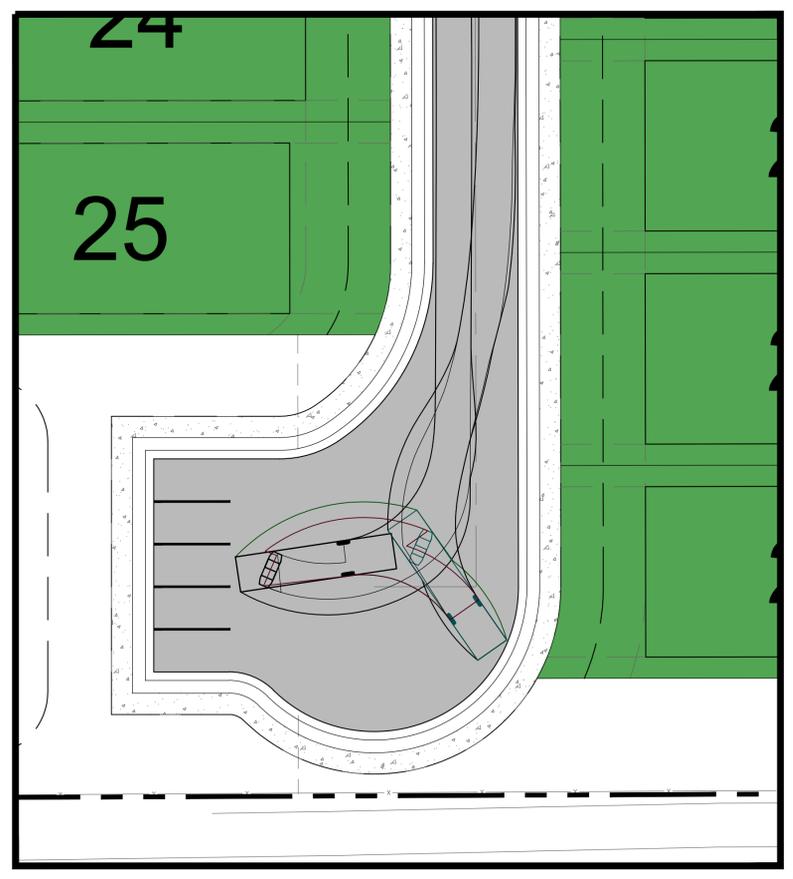
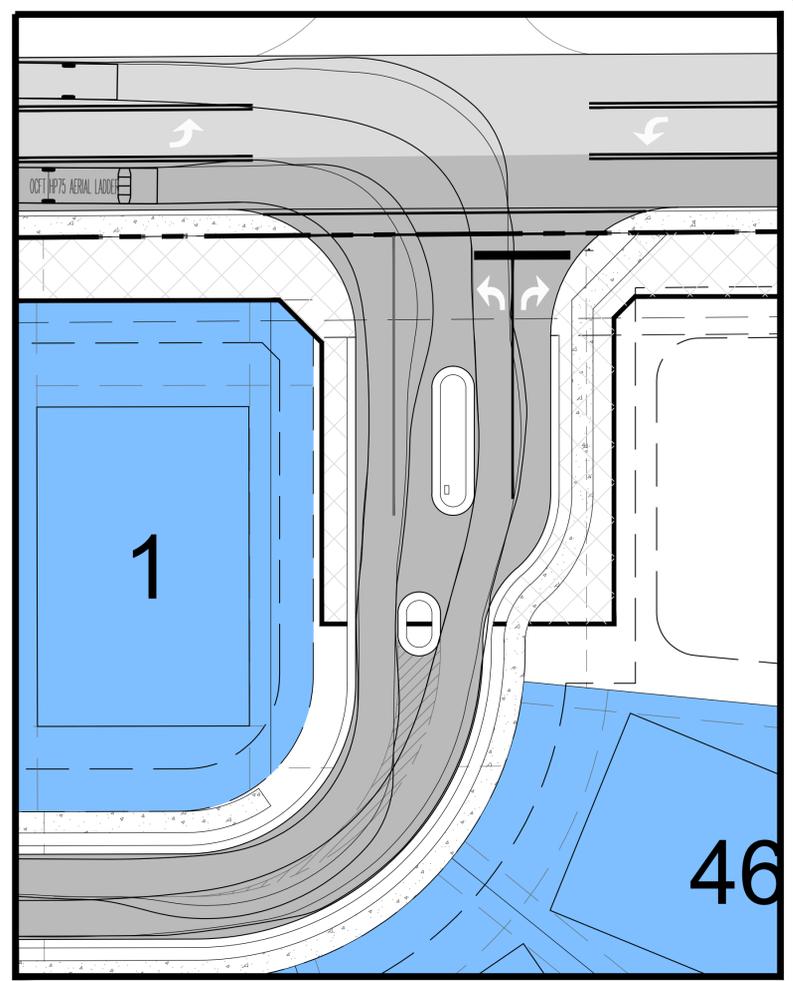
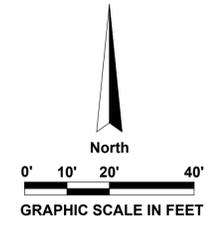
C500



OCFRD LADDER (37.17 FEET)



OCFT HP75 AERIAL LADDER
 Overall Length 37.170ft
 Overall Width 8.330ft
 Overall Body Height 7.773ft
 Min Body Ground Clearance 0.684ft
 Track Width 8.330ft
 Lock-to-lock time 6.00s
 Max Steering Angle (Virtual) 31.80°



DARIN ALEX LOCKWOOD,
 P.E. #63504

LAND USE PLAN

HOLDEN AVENUE PD

VEHICLE TRACKING PLAN

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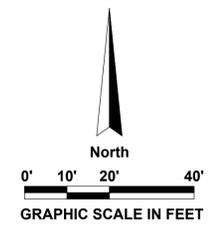
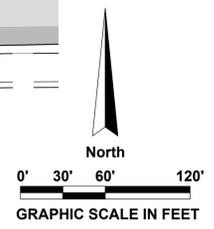
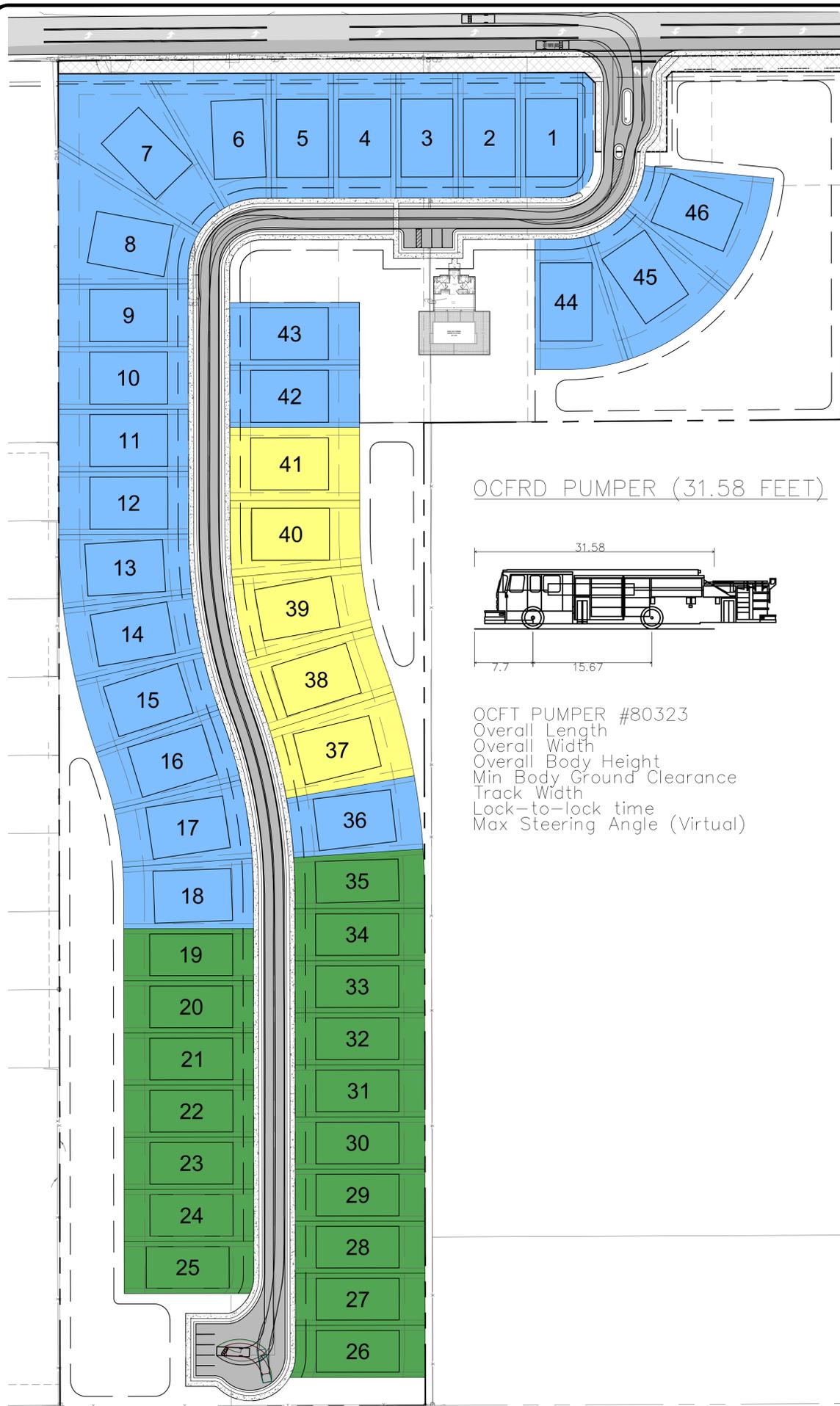
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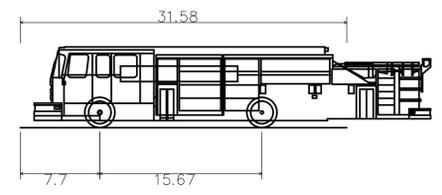
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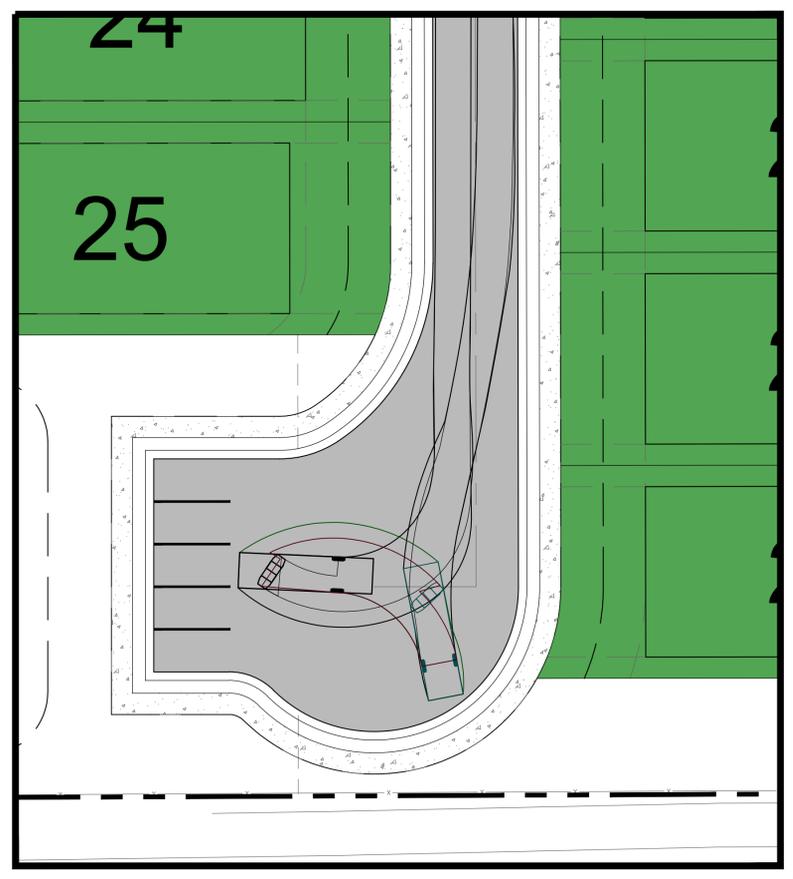
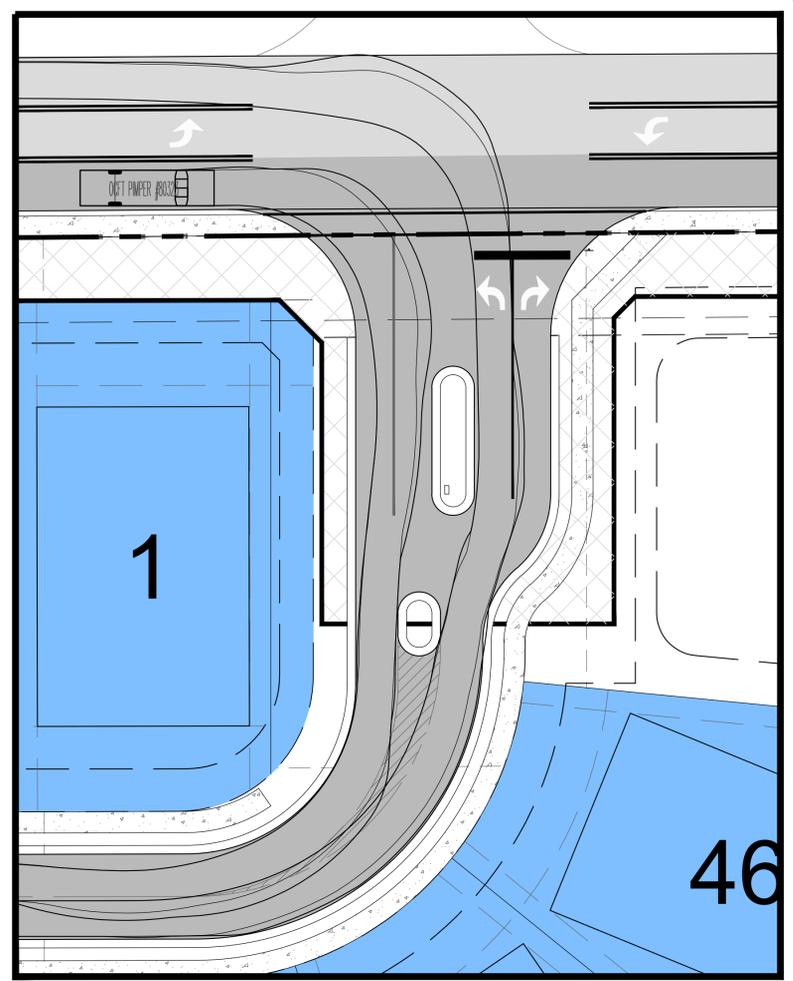
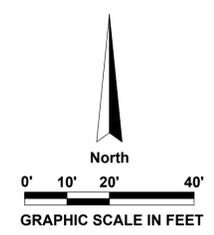
C501



OCFRD PUMPER (31.58 FEET)



OCFT PUMPER #80323
 Overall Length 31.580ft
 Overall Width 8.330ft
 Overall Body Height 7.773ft
 Min Body Ground Clearance 0.684ft
 Track Width 8.330ft
 Lock-to-lock time 6.00s
 Max Steering Angle (Virtual) 31.80°



DARIN ALEX LOCKWOOD,
 P.E. #63504

LAND USE PLAN

HOLDEN AVENUE PD

VEHICLE TRACKING PLAN

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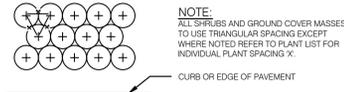
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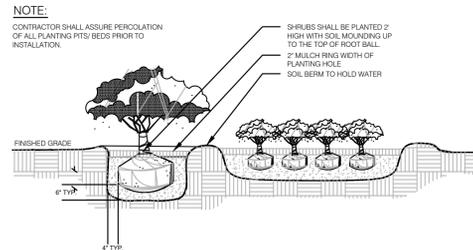
C502

PLANT SCHEDULE



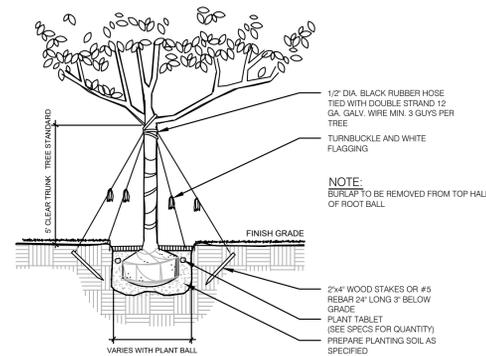
TYPICAL PLANT SPACING

NOT TO SCALE



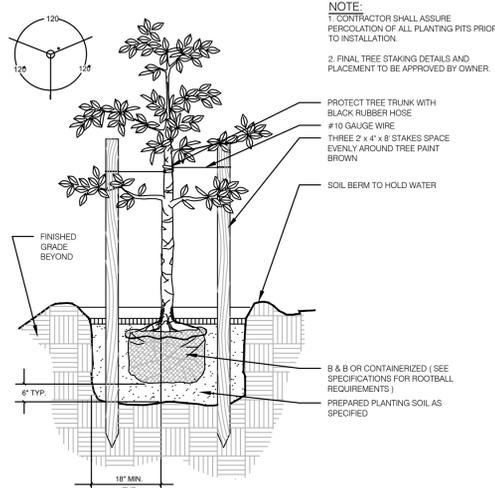
SHRUB AND GROUND COVER DETAIL

NOT TO SCALE



LARGE TREE GUYING DETAIL

Detail for trees greater than 2" cal. NOT TO SCALE



SMALL TREE GUYING DETAIL

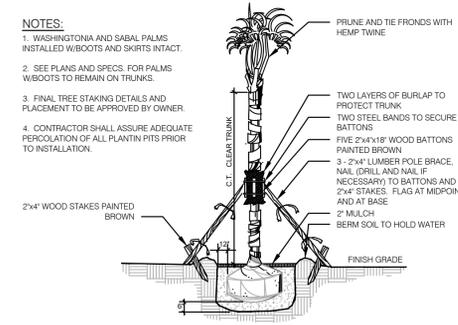
Detail for trees smaller than 2" cal. NOT TO SCALE

PLANT SCHEDULE

Quantity	SIMBOL	Botanical	Common	Specifications
6	BN	Bismarckia nobilis	Bismarck Palm	FG 12' o.a. ht.
3	JS	Juniperus silicicola 'Brodie'	Brodie Southern Red Cedar	Min. 30 gal., 6' ht., 4' spd.
21	LJT	Ligustrum japonicum	Japanese Privet, Ligustrum Tree	Min. 30 gal., 6' ht., 6' spd.
62	ED	Elaeocarpus decipiens	Japanese Blueberry	Min. 15 gal., 5' ht., 5' o.c., full to base
24	INS	Ilex x 'Nellie R. Stevens'	Nellie R. Stevens Holly	Min. 15 gal., 5' ht., 5' o.c., full to base
159	MUL	Muhlenbergia capillaris	Pink Muhly Grass	Min. 1 gal., Full pot 18" o.c.
72	TAM	Trachelospermum asiaticum minima	Asian Jasmine	Min. 1 gal., Full pot 18" o.c.
154	VS	Viburnum suspensum	Sandankwa Viburnum	Min. 3 gal., 20" ht. x 20" spd., 36" o.c.

GENERAL LANDSCAPE NOTES

- Landscape Contractor shall be responsible for all materials and plants as called for on the landscape plans. The list of plant quantities accompanying the plans shall be used as a guide only. Contractor shall verify all quantities and report any discrepancies at time of bidding.
- All plant material shall be graded Florida No. 1 or better, as outlined by "Grades and Standards for Nursery Plants", Florida Department of Agriculture and Consumer Services, division of Plant Industry.
- All planting shall be top dressed with a minimum of 2" shredded cypress mulch.
- The Landscape Contractor shall be wholly responsible for the stability and plumb condition of all trees and shrubs and shall be legally liable for any damage caused by instability of plant material. The staking method, if not shown by detail on this plan, shall be approved by the owner or his/her authorized representative.
- Every possible safeguard shall be taken to protect existing trees that are shown on the landscape plan to be preserved.
- The Landscape Contractor is responsible for cleaning all debris associated with their work.
- Height and spread specifications refer to the overall plant form. Singular branches may not be used to meet minimum requirements. Tree caliper size to be measured 12" above grade.
- All landscaping shall be installed according to accepted commercial planting procedures. Soil, shall be free of limerock, pebbles, or other construction debris.
- All landscaping shall conform to the standards set forth in the city of Edgewood Land Development code.
- Landscaping shall not interfere with power lines, sewer or water pipes or any other existing or proposed utilities.
- All landscaping areas shall be 100% irrigated.
- Ball & burlap material shall be an acceptable alternative to container grown trees.
- Occasionally there is the potential for site modification due to revised field grading, clearing of existing tree canopy or other unforeseen conditions. The Landscape Contractor shall be responsible for informing the Owner and Landscape Architect of site conditions adverse to the healthy establishment of any plant material prior to planting so that a resolution may be achieved.
- The Landscape Contractor shall be responsible for arranging a pre-construction meeting with the Owner and Landscape architect in order to address and clarify any questions, concerns and/or conditions related to these drawings or the existing site.
- Landscape Contractor shall use appropriate container size to meet minimum plant height, if minimum plant height can not be met with specified container size.
- This Landscape plan has been prepared by a certified Landscape Architect who is registered in the State of Florida.



PALM TREE GUYING DETAIL

NOT TO SCALE

daly design group inc.
 Land Planning, Landscape Architecture, Project Management, Development Consulting
 604 Courland St., Suite 101, Orlando, FL 32804 (407) 740-7373 www.dalydesign.com

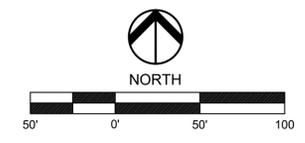
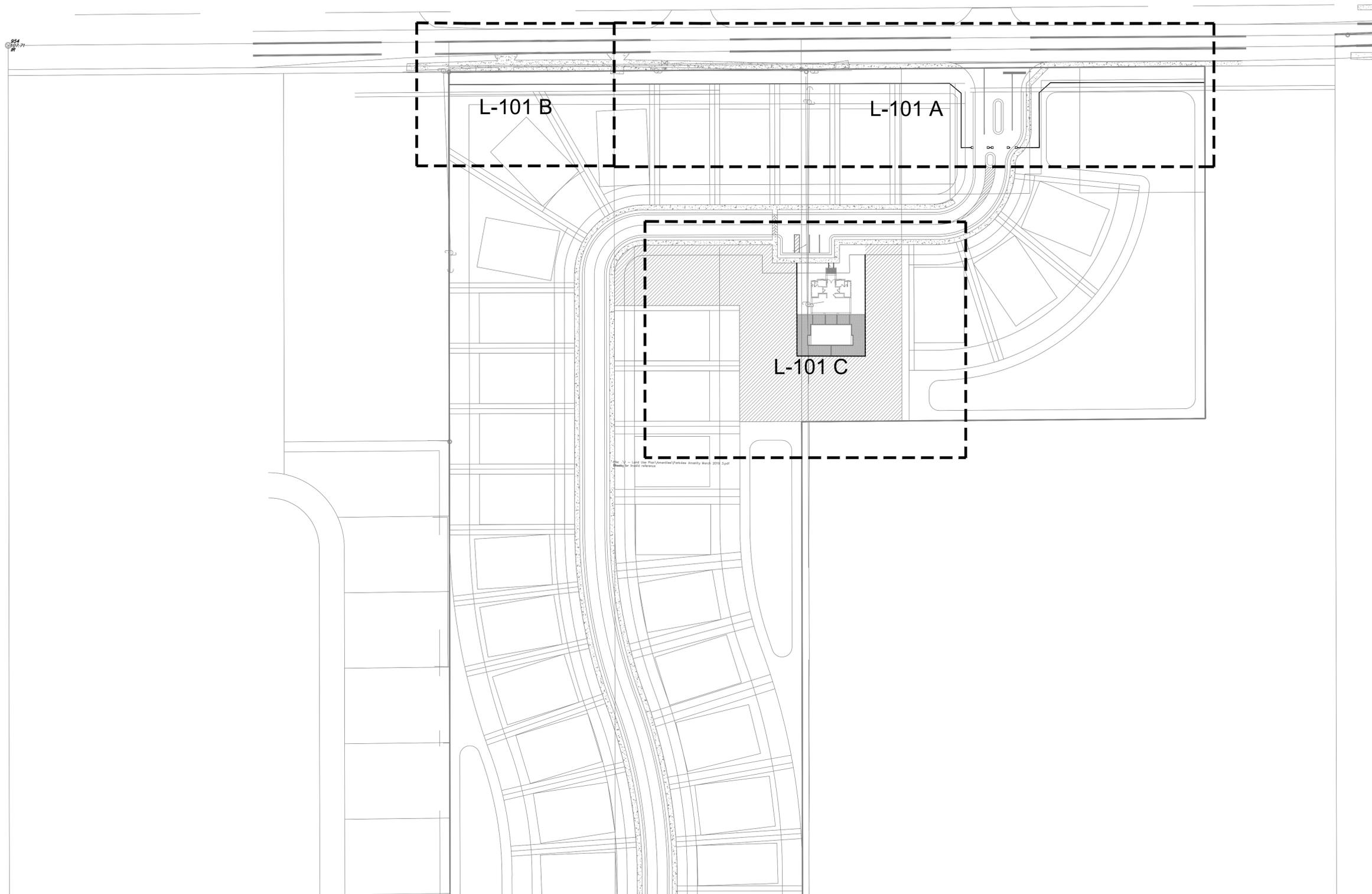
REV.	DATE	DESCRIPTION	BY

Plant Schedule and Details
 Landscape Plan
 SODO Holden Ave
 Orlando, Florida



PROJECT NO.
 1930
 SCALE
 NTS
 DATE
 DEC 2019
 SHEET
 L-001

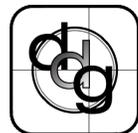
Date: _____



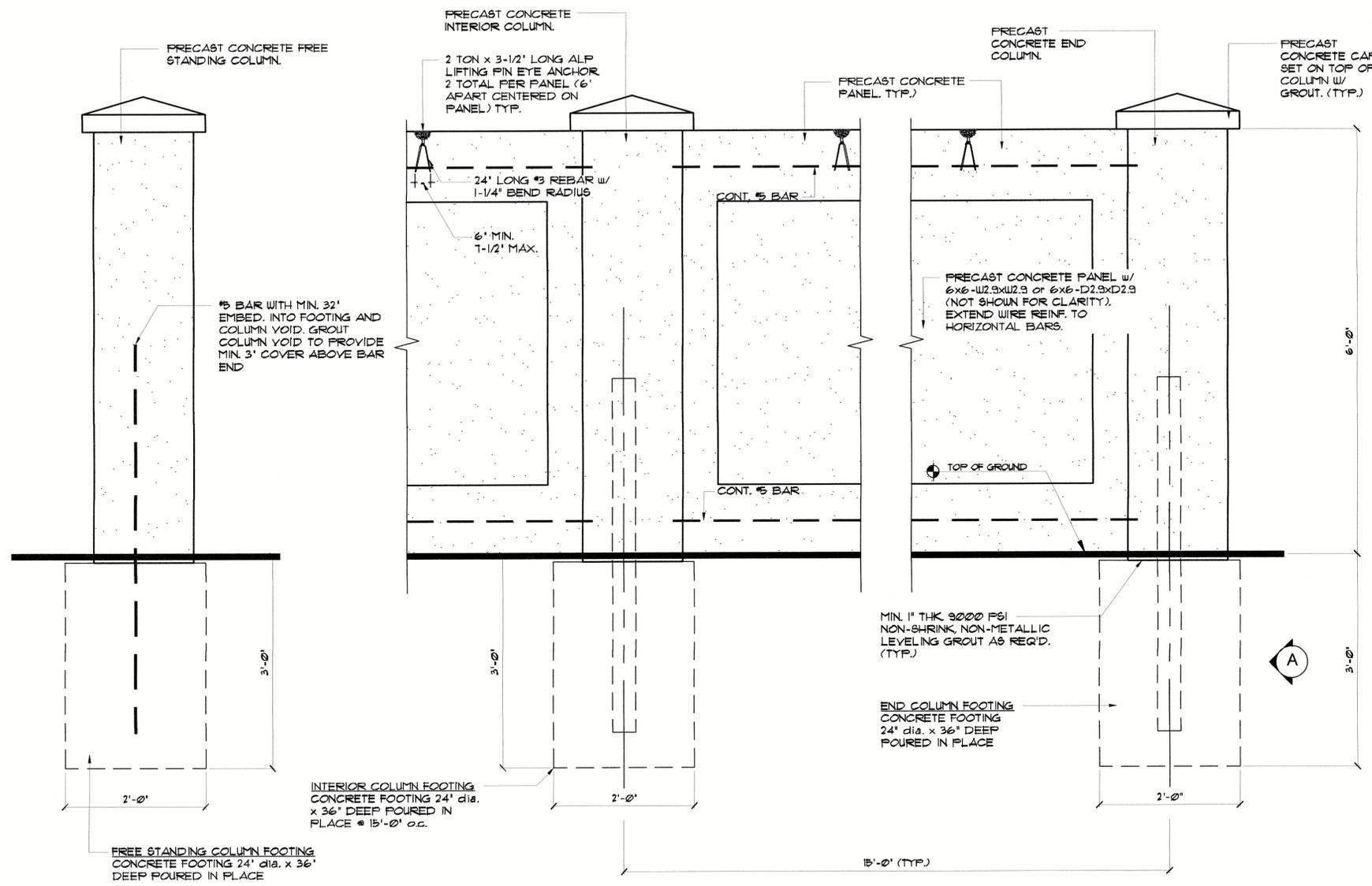
Key Sheet
 Landscape Plan
 SODO Holden Ave
 Orlando, Florida

daly design group inc.
 Land Planning, Landscape Architecture, Project Management, Development Consulting
 604 Courland St., Suite 101, Orlando, FL 32804 (407) 740-7373 www.dalydesign.com

REV.	DATE	DESCRIPTION	BY



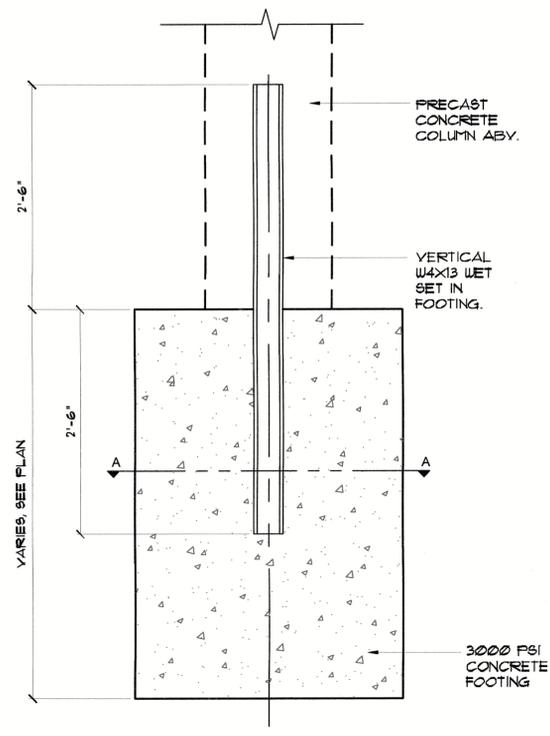
PROJECT NO.
 1930
 SCALE
 1" = 50'
 DATE
 DEC 2019
 SHEET
 K-100



FREE STANDING COLUMN ELEVATION
SCALE: 1/2"=1'-0"

INTERIOR COLUMN ELEVATION
SCALE: 1/2"=1'-0"

END COLUMN ELEVATION
SCALE: 1/2"=1'-0"



(A) SIDE VIEW
SECTION A-A
TYPICAL CONCRETE FOOTING
SCALE: 1/2"=1'-0"

REV.	DESCRIPTION	DATE

THIS ITEM HAS BEEN ELECTRONICALLY SIGNED AND SEALED BY SCOTT A. SANTOMAURO ON 10/08/2018 8:15 AM USING A DIGITAL SIGNATURE. PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPY.

Scott A. Santomauro
Professional Engineer
No. 1109340
State of Florida
Digital Signature by Scott A. Santomauro, P.E.
Dir. of U.S. - FL, I-Orlando, DBSS Inc. - Scott A. Santomauro, P.E.
email: csant@dbssinc.com
Date: 2018.11.09 10:59:40 -05'00'

SHEET TITLE
6' TALL WALL ELEVATION

PROJECT
SEMINOLE MASONRY
SKYWAY DR.
SEMINOLE COUNTY, FL

DBSS INC.
Engineering and Design Services

CA#27371
PHONE: 321.251.6006
3662 AVAION PARK EAST BLVD.
SUITE 2072
ORLANDO, FL 32828

DESIGN DRAWN RD
CHECKED LTD
JOB SM - SKYWAY DR
SCALE AS NOTED
DATE 10.08.2018

SHT 2 OF 2

02

THIS STRUCTURE IS DESIGNED TO WITHSTAND 130 MPH (Vuh) WINDS PER THE FLORIDA BUILDING CODE 2017 6th EDITION (REF. ASCE-7-10) AND IS CERTIFIED AS SUCH.



WILMOT COASTAL
WMOT_CST_FLG_2FE-T_RVOK4485_1

Brookton-5BU Coastal-82



BROOKTON COASTAL
BRKT_CST_FL_C_2FE_RVOK4485_1



FERNCROFT COASTAL
FRNC_CST_FLC_3FE-T_RVOK4485_1



COASTAL



COASTAL

Toll Brothers
AMERICA'S LUXURY HOME BUILDER®

50' PLAN - 5 PLOVER

Pg. 27



COASTAL



That Code section prohibits structures in all districts from being erected closer than 15 feet from a side street lot line or any intersecting street right-of-way.

Response: Lots 1 and 44 have been revised to provide the minimum distance from side streets.

3. Is fencing or a wall proposed along the non-Holden Avenue perimeter? If yes, identify the details of such (e.g., height and materials). If fencing or a wall is proposed, such should be provided in an easement or separate tract.

Response: A 6' Architectural precast concrete wall is proposed along the entire perimeter of the property.

4. What is the proposed material for the wall along Holden Avenue? In 2016, the applicant committed to a brick wall with columns.

Response: The wall is proposed to be a 6' Architectural precast concrete wall.

5. What will the wall setback be from the centerline of Holden Avenue? The county requires buildings and structures to be setback at least 60 feet from the centerline of Holden Avenue since it is Urban Minor Arterial. Code Section 126-223 (Subdivision Regulations) states that the county development policy as related to major streets and highways shall be considered during the City's subdivision process. Furthermore, Code Section 134-460(7) requires the identification of existing major street setbacks. It appears the wall would be setback less than 42.35 feet from the centerline.

Response: The wall is located approximately 38 feet from the Holden Avenue centerline and is located on private property.

6. What are the details for the proposed landscaping between the road and the Holden Avenue wall and at the entry?

Response: Landscape plans and details have been included in the plan set.

7. Why is the landscaping and wall not shown as a separate tract?

Response: The landscape buffer (including the wall) have been shown as a separate tract.

8. Will the wall and landscaping be extended along the entire Holden Avenue frontage (including east of the entrance feature)?

Response: The landscape tract (and wall) has included the entire frontage of Holden Avenue.

9. What is the available vehicle queue length (feet) between the call/code box and the property right-of-way line? The minimum recommended by staff is 60 feet. The 85.82-foot dimension on Sheet 400 appears to be from the gate (not call box) and the Holden Avenue pavement. The queue length needs to be measured from the call box to the property/right-of-way line.

Response: A total of 60' has been provided for the queue length, from the call box to the property line.

10. Has the Orange County Fire Department approved the 10 feet and 18 feet wide entryway lanes? The

County emergency vehicle standard is at least 20 feet of unobstructed width.

Response: The 20' roadway and turnaround has been agreed upon with the Fire Department and final details are being worked out for the entrance roadway. The HOA will restrict on-street parking.

11. What design vehicle was used to determine the U-Turn capability?

Response: The U-Turn capability was determined using the FDOT "Passenger vehicle"

12. What is the outside radius on the ends of the call box island?

Response: The outside radius of the call box island is 5'

13. Confirm that the radius of the pavement of the cul-de-sac is 44 feet. It appears the noted 44' applies to the curve radius, not the pavement width.

Response: Per Code Section 126-280, the minimum pavement radius is 34'. The 44' radius is provided for the street right-of-way.

14. What is the plan for accommodating guest parking? The proposed street cross section is deemed "marginal" according to Code Sections 126-397 and 126-279. With a required 20 feet of unobstructed width required for emergency vehicle access, a driveway length that can only accommodate one car length, and the garage typically used for storage instead of parking, where will guests park?

Response: Additional guest parking spaces have been provided by the amenity and on the cul-de-sac

15. What is the rationale for establishing the minimum driveway width at 16 feet when Code Section 134-605 combined with Section 134-608 requires a minimum of 18 feet? Code requires two parking spaces per single family dwelling and the minimum parking space width is 9 feet.

Response: 16' matches the garage entryway and is standard in residential construction.

16. What is the correct acreage for the Recreation Area of Tract D? Sheet C301 identifies the tract as .670 (on the tract), while Sheet C300 identifies the area as 0.54 acre.

Response: Sheet C300 has been updated to show the required and provided recreation areas. The recreation tract consists of .736 acres

17. What is planned for the 0.017-acre Tract E (Recreation)?

Response: The tract E recreation area is no longer being proposed.

18. Clarification is necessary related to the tree planting commitment per lot. The "Notes" on Sheet C301 state "Street Trees: 1 Palm Tree per lot" and that there will be 1 canopy tree planted on each 50' lot and 2 canopy trees on each of the 60 and 70-foot wide lots. Elsewhere on that sheet a "Note" indicates "trees in the street right of way to be counted as required trees per lot." Does this mean the palms will be the lot trees?

Response: Sheet C301 has been revised to show 1 palm and 1 canopy tree per lot.



19. Is a lift station being proposed? If so, identify the location.

Response: No lift station is currently being proposed.

Other

1. What is the intent of identifying that 5 model homes are allowed?

Response: There may be as many as 5 different model types offered in the subdivision, so 5 model homes would be necessary.

2. Will there be covenants and restrictions that prohibit outside storage areas for boats, travel trailers, and similar equipment within the project?

Response: Yes

Please do not hesitate to call should you require any additional information.

Sincerely,

AVCON, INC.

A handwritten signature in black ink that reads "R.V. Baldocchi". The signature is written in a cursive, flowing style.

Rick V. Baldocchi, P.E.
Vice President

Prepared by:
Carolyn R. Haslam, Esq.
Akerman LLP
420 S. Orange Avenue, Suite 1200
Orlando, Florida 32801
(407) 419-8584

RECEIVED
JAN 16 2020
CITY OF EDGEWOOD

Return to:
Bea Meeke, City Clerk
City of Edgewood
405 Larue Avenue
Edgewood, Florida 32809-3406
407/ 851-2920

PLANNED DEVELOPMENT AGREEMENT
Holden Avenue PD

The application of Bavaria Holdings, LLC (hereinafter referred to as “Developer”) and Ordinance _____ for rezoning was heard by and before the City Council of the City of Edgewood, Florida (hereinafter referred to as “City”) on the ____ day of _____, 2020, for second and final reading. Based upon the application and other supporting documents, the land use plan, maps, and other instruments, and based upon the advice, reports and recommendations of the City Engineer, and City Planner of the City of Edgewood and the first reading of the Ordinance by City Council on _____, the City Council does hereby find and determine as follows:

GENERAL FINDINGS

- a. That the application for rezoning was initially filed with the City on _____, as required by City Ordinance.
- b. That all fees and costs which are by law or regulation of the City required to be borne and paid by the applicant for rezoning of property have been paid.
- c. That application to rezone involves parcels of land containing 13.46 acres, more or less, situated in the City of Edgewood, Orange County, Florida. This parcel of land is described more particularly in the legal description which is attached hereto as **Exhibit “A”** (hereinafter referred to as the “Subject Property”) and incorporated herein.
- d. Developer is the owner in fee simple of the Subject Property.
- e. That the Development Review Committee held a public meeting wherein it considered the application and proposed Land Use Plan and moved the rezoning application and proposed land use plan forward to Planning and Zoning Committee.
- f. That on _____ at a public hearing the Planning and Zoning Committee reviewed and considered the application and proposed Land Use Plan, input from the public, and

51245437;5

reports and recommendations of the City Engineer and the City Planner, and after considering the testimony of the applicant, the proposed conditions of approval by the applicants and other documents, the Planning and Zoning Committee made its recommendations to City Council.

g. That pursuant to the City's Code, the City Council held public hearings to review and consider the application for rezoning and proposed Land Use Plan and recommendations of the Planning and Zoning Committee relative to proposed conditions of approval. City Council heard testimony and received evidence from the applicant, and applicant's expert and members of the public.

h. Developer intends to construct a residential development consisting of those components described in the Land Use Plan attached hereto as **Exhibit "B"** and made a part hereof. The City Council agrees that the attached Land Use Plan conforms with all conditions contained herein.

i. Developer hereby affirms and acknowledges that everything contracted for, negotiated, acknowledged and affirmed herein by Developer is done freely and voluntarily.

j. That Ordinance _____ to which a copy of this Planned Development Agreement (the "Agreement") is attached, relating to the rezoning of Subject Property to Planned Development has been properly publicly noticed under the statutes of the State of Florida and the City's Code of Ordinances.

k. The City Council agrees that the Planned Development and the attached Land Use Plan complies with the requirements of the City's Comprehensive Plan and that the proposed development is consistent with the use and density requirements of the City's Comprehensive Plan.

l. The City enters this Agreement pursuant to its Home Rule Powers given to it under the Florida Constitution and the Florida Statutes.

NOW THEREFORE, in consideration of the covenants set forth below and the mutual promises contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City and the Developer, on behalf of itself, its agents, successors and assigns, hereby agree as follows:

1. **Incorporation of General Findings.** The general findings set forth above are true and correct and incorporated herein as if fully set out below.

2. **Compliance.**

a. The Developer shall conform to the Land Use Plan submitted by Developer and attached hereto as **Exhibit "B"** and with all conditions and requirements of Ordinance _____, which rezoned the Subject Property to Planned Development.

b. The Developer shall comply with all City laws, codes, ordinances, and regulations now in effect, which are incorporated herein by reference, except to the extent the applicable laws, codes, ordinances and regulations are expressly waived and modified by this Agreement or by action approved by City Council.

c. The Developer shall comply with all applicable Federal, State, and County laws, and all City laws, codes, ordinances and regulations hereinafter adopted which are not inconsistent with the specific terms and agreements set forth herein. In the event of a conflict between requirements of two or more governmental entities having jurisdiction over the subject property the more restrictive requirement shall apply.

d. The Developer shall comply with the terms of this Agreement as it may be amended from time to time.

e. The Developer shall comply with the City's Comprehensive Plan.

3. **Power to Bind.** The Developer hereby covenants and warrants that its officer executing this Agreement has the right, authority and capacity to enter into this Agreement, and Developer acknowledges that the City relied upon the Developer's covenants in connection with the decision to enter into this Agreement.

4. **Growth Management Plan.** The City attests that the future land use designation to the property allows single family residential.

5. **Plan of Development.**

a. **Maximum units:** The maximum number of units shall be forty-six (46) and all such units shall be single family detached residential.

b. **Minimum lot size:** The minimum lot size shall be 5,800 square feet.

c. **Minimum net living area:** Residential structures of no less than 1,800 square feet under A/C and 25% of the residential structures shall be no less than 2,200 square feet shall be constructed on the Subject Property.

d. **Minimum lot width:** The minimum lot width shall be fifty (50) feet.

e. **Maximum Building Height:** The maximum building height shall be thirty-five (35) feet or two stories.

f. **Setbacks:** The minimum setbacks shall be as follows:

Minimum Setbacks	
Front Yard (Porch)	15'
Front Yard (Garage)	20'
Rear Yard (Building)	20'
Corner Lot (Side Yard)	10'
Side Yard (Building, Pool & Enclosures)	5' (50' and 60' lots) 7.5' (70' lots)
Perimeter (Property Line)	20'
Right-of-Way (Holden Avenue)	20' from ROW line

- g. **Density:** Density shall not exceed four units per acre.
- h. **Maximum Lot Coverage:** The maximum lot coverage shall be 70% impervious.
- i. **Driveway Width:** Driveway width shall be a minimum of 16'.
- j. **Parking:** Parking for each lot shall be designed to allow two parking spaces in the garage and two spaces in the driveway for a total of four (4) parking spaces per residence.
- k. **Drainage:** All drainage resulting from the Development must be able to be accommodated within the Development's stormwater and drainage system.
- l. **Subdivision signage:** Proposed signage shall be submitted with the application for Development Plan and must meet all sign requirements of the City's Code of Ordinances. A separate permit for signage shall be required.
- m. **Open Space:** The minimum common open space shall be calculated based on overall gross acreage.
- n. **Tree removal:** An application for tree removal must be submitted, and a tree removal permit shall be required before the removal of any existing trees. The tree removal application shall include a replacement schedule as required by the City's Code of Ordinances and shall be reviewed concurrently with the development/site plan. The Developer may be required to submit a report by a professional arborist to justify removal of any existing trees, including and not limited to dead or diseased trees.
- o. **Landscape plans:** Subdivision landscape plans shall be submitted with the development/site plan. The Developer shall comply with all landscaping requirements pursuant to the Code of Ordinances of the City of Edgewood. No certificate of occupancy may be issued until the landscaping has been installed and approved by the City.

p. Street Trees: At least one street tree per lot shall be planted, which may include but are not limited to palm trees.

q. Residential Lot Trees: At least one canopy tree per lot, from the approved replacement tree stock list as approved by resolution of the City with at least two inch caliper diameter breast height shall be planted upon each residential lot. Developer shall be given credit for any live oak preserved on a residential lot and such tree shall be counted for that lot in lieu of a new planting.

r. Non-uniformity of residential structures: Residential structures constructed shall be of varying elevations and color schemes in a manner that no adjacent houses have the same elevation and color scheme.

s. Irrigation of residential lots: An irrigation system to water the front and back yards of each residential lot shall be installed at time of construction of each residential unit.

t. Utilities and infrastructure: All utilities, including but not limited to electric and telephone, shall be underground, installation costs of which will be borne completely by the Developer.

6. Subdivision Entrance. The Developer shall provide a gated restricted access entrance to the subdivision that allows sufficient holding space for at least three vehicles as measured from the call box to the Holden Avenue south right-of-way line. The private street must be equipped for visitor access with a call or code box located at least 50 feet from the boundary of the subdivision to provide for visitors calling in and vehicle queuing. The restricted access entrance shall provide a means of ensuring access to the subdivision by the City and other public/utility service providers with appropriate identification.

7. Wall Construction.

a. An architectural precast concrete wall, non-white earth-tone high grade vinyl fence, or aluminum picket fence at least six feet in height shall be constructed around the north, east, and west perimeter of the subject property except that portion of the subject property adjacent to Holden Avenue. The wall or fence constructed on each perimeter (i.e., north, east, and west) shall be of a consistent material. Each perimeter wall or fence (i.e., north, east, and west) may utilize different materials than the other perimeter wall or fences.

b. An architectural precast concrete wall at least six feet in height shall be constructed along the south perimeter of the subject property.

c. An architectural precast concrete wall with equally spaced columns at least six feet in height shall be constructed along the Holden Avenue perimeter and along the entry road of subdivision entrance.

8. **Recreation Area.** The Subject Property will contain a recreation area, a minimum of 0.736 acres.

9. **Landscaping.** Irrigated landscaping shall be placed on the Holden Avenue side of the wall and along the entry road of subdivision entrance. The landscaping shall include a hedge, ground cover, and trees that will not interfere with the overhead utility lines. The hedge shall be at least 24 inches high at planting of a species capable of growing to at least 36 inches in height within 18 months, which hedge shall be maintained at a height not less than 36 inches. The height of the hedge shall be measured from site grade. All requisite landscaping, whether preserved or newly planted, must demonstrate health and viability after issuance of the certificate of occupancy/completion. Trees shall be planted at intervals not more than the mature canopy width.

10. **Tree Preservation.** The Developer shall make every reasonable effort to save all major live oak trees located upon the Subject Property.

11. **Declarations of Covenants, Conditions, and Restrictions.** Prior to the sale of any platted and developed lot, the Developer shall record in the Public Records of Orange County, Florida, as a covenant running with the land of the Subject Property, a Declaration of Covenants, Conditions, and Restrictions in compliance with Ordinance 2016-08 and providing for:

a. a mandatory homeowners association which will be an incorporated entity legally authorized and required to, among other things, impose assessments and liens; and

b. such other provisions as are compatible with this Agreement and the Land Use Plan as approved by the City; and

c. provide for cross-easements to the extent required for access to common areas and facilities; and

d. The Developer/homeowners association, through its Declaration of Covenants, Conditions, and Restrictions shall, among other matters, assess costs upon the properties of its members at least sufficient to pay:

i. The annual cost of maintaining and irrigating the entryway to the Development as well as any land dedicated to common use by the members of the homeowner's association;

ii. The cost associated with maintaining, repairing, or replacing any common area facilities mutually benefitting the association, including but not limited to all walls bounding the Subject Property, all landscaping within common areas, storm drainage infrastructure serving the subdivision, all elements of the restricted access entry, all roads, streets and sidewalks within the subdivision, and all streetlighting within the subdivision.

e. Upon the completion of the construction of the recreation area, the Developer shall deed to the homeowners association the recreation area located upon the Subject Property. The Developer/homeowners association shall be responsible to maintain the recreation area, to limit its use to residents of the Development and their immediate families, guests, and invitees, and to maintain any and all fencing and buffer areas.

12. **Road Improvement.** All off-site road improvements shall be performed by the Developer in conjunction with onsite infrastructure construction. The City shall not be obligated to furnish any right-of-way funds or materials whatsoever to the construction of any new streets or roads or widening existing streets or roads upon the Subject Property or for any other improvement of any nature whatsoever.

13. **Model Homes.** The Subject Property may include up to five (5) model homes.

14. **Recordation of Agreement.** Upon execution of this Agreement, the Developer shall reimburse the cost of recording this Agreement in Orange County, Florida.

15. **Housing Certification.** The Developer will not seek nor allow the Subject Property to be designated as a certified affordable project.

16. **Fees.** The Developer agrees to pay any and all impact fees (including, without limitation, transportation, school, electric, fire, police, water and sewer impact fees) and all City review, inspection, and permitting fees in accordance with the City Resolution 2018-09, as may be amended. The Developer shall pay all capacity reservation fees applicable to the Planned Development (including, without limitation, transportation, water, sewer, solid waste, and parks and recreation) regulated by Orange County.

17. **Legislative Act.** This Agreement is deemed a legislative act of the City of Edgewood.

18. **Default.** The following events, if any occur prior to the time Developer turns over the property to the homeowners association, shall be a default by the Developer and shall be a breach of agreement and shall entitle the City to terminate this Agreement upon sixty (60) days written notice to the Developer.

a. The Developer's adjudication as bankrupt, either voluntary or involuntary;

- b. The institution of any judicial proceeding for reorganization or rearrangement of the Developer's affairs that is not dismissed within sixty (60) days;
- c. Any assignment by the Developer for the benefit of creditors; and
- d. The appointment of a receiver for the Developer's assets or property, which appointment is not dismissed within sixty (60) days.

19. **Force Majeure.** The parties shall each use reasonable diligence to ultimately accomplish the purposes of this Agreement and the subsequent Subdivision Plan as approved but shall not be liable to each other, or their successors or assigns, for damages, costs, or attorneys' fees, for breach of contract or otherwise, for failure, suspension, diminution, or other variations of services occasioned by any cause beyond the control and without the fault of the parties. Such causes may include but shall not be limited to acts of God or of a public enemy, fires, floods, or failure or breakdown of transmission or other facilities.

20. **Binding Effect.** This Agreement shall run with the land, shall be binding upon and inure to the benefit of the Developer and its assigns and successors in interest and the City and its assigns and successors in interest. This Agreement does not, and is not intended to, prevent or impede the City from exercising its legislative authority as the same may affect the Subject Property.

21. **Third Party Beneficiary.** This Agreement is solely for the benefit of the City of Edgewood and the Developer, and their successors and assigns, and no right, nor any cause of action, shall accrue to or for the benefit of any third party.

22. **Captions.** The captions used in this Agreement are for convenience only and shall not be relied upon in construing the terms of this Agreement.

23. **Severability.** If any part of this Agreement is found invalid or unenforceable by any Court, such invalidity or enforceability shall not affect the other parts of this Agreement, if the rights and obligations of the parties contained herein are not materially prejudiced and the intentions of the parties can remain unaffected. To that end, this Agreement is declared severable.

24. **Governing Law and Venue.** This Agreement shall be governed by and construed in accordance with the laws of the State of Florida. Venue shall lie in Orange County, Florida.

25. **Amendments to Development Agreement.** This Agreement may be amended in a manner consistent with the Code of Ordinance of the City of Edgewood. Additionally, notwithstanding the foregoing to the contrary, this Agreement shall not run with the land or be

binding upon: (i) a single family residential end user or homeowner of a detached dwelling (“Homeowner”). The right to amend this Agreement gets “severed” to a Homeowner, and stays with the Developer unless the Developer assigns all of its right, title, and interest in and to this Agreement, and notify the City of such assignment.

26. **Indemnification and Hold Harmless.** The Developer and its assigns and successors in interest shall indemnify and hold harmless the City from and against all claims, demand, disputes, damages, costs, expenses (to include attorneys’ fees whether or not litigation is necessary, and if necessary, both at trial and on appeal) incurred by the City as a result, directly of the use or development of the Subject Property and related to _____ except those claims or liabilities caused by or arising from the gross negligence or intentional acts of the City, its employees or agents. It is specifically understood by the parties that the City is not guaranteeing the quality of the use or development of the Subject Property, including but not limited to drainage or sewer plans, fire safety, or quality of construction, whether or not inspected, approved, or permitted by the City. Notwithstanding the foregoing, the City acknowledges and agrees that upon the sale of the last home on the Subject Property, all of the Developer’s rights, obligations, responsibilities and liabilities under this Agreement shall automatically terminate.

27. **Entire Agreement.** This instrument constitutes the entire Agreement between the parties as of the time of rezoning and supersedes any previous discussions, understandings and agreements. Modifications to and waivers of the provision herein may be made only by the parties hereto and in writing.

28. **Notice.** Any notice to be given in accordance with this Agreement shall be in writing and shall be sent by hand delivery, overnight mail, or certified mail, return receipt requested, to the party being noticed at the addresses set forth below:

As to Edgewood: City of Edgewood, Florida
Attn: Bea Meeks, City Clerk
405 Larue Avenue
Edgewood, Florida 32809-3406

As to Developer: Bavaria Holdings, LLC
Attn: Khaled Hussein
5200 Vineland Road
Orlando, Florida 32811

With a copy to: Toll Bros., Inc.
Attn: Brock Fanning, Division President
2966 Commerce Drive, Suite 100
Orlando, Florida 32819

And:

Toll Bros., Inc.
Attn: Tom Smith
250 Gibraltar Road
Horsham, Pennsylvania 19044

Should any party identified above change, it shall be that party's obligation to notify the other party of the change in a fashion as is required for notices herein.

29. **Effective Date.** This Agreement shall become effective on the date when the Agreement is executed by both parties.

30. **Counterparts.** This Agreement may be executed in two counterparts, each of which if properly executed by both parties shall be considered an original.

[SIGNATURE BLOCKS APPEAR ON THE FOLLOWING PAGES]

IN WITNESS WHEREOF, the Developer and the City of Edgewood have executed this Agreement as of the day and year last signed by those parties.

Signed, sealed and delivered
in the presence of:

BAVERIA HOLDINGS, LLC, a Florida
limited liability company

Witness:

Khaled Hussein, Manager

Witness:

STATE OF FLORIDA)
COUNTY OF ORANGE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Khaled Hussein, as Manager of Bavaria Holdings, LLC, a Florida limited liability company, to me known to be the person described in or who provided _____ as proof of identification and who executed the foregoing and he acknowledged before me that he executed same.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2020.

Notary Public

Attest:

CITY OF EDGEWOOD, FLORIDA

By: _____
Bea L. Meeks, City Clerk

By: _____
John Dowless
Mayor, City of Edgewood

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared John Dowless, Mayor, City of Edgewood, to me known to be the person described in or who provided _____ as proof of identification and who executed the foregoing and he acknowledged before me that he executed same.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2020.

Notary Public

EXHIBIT "A"

THE WEST 165.00 FEET OF THE FOLLOWING TRACT: BEGINNING AT A POINT 440 FEET EAST OF THE NORTHWEST CORNER OF THE NORTHWEST ¼ OF THE NORTHWEST ¼ OF SECTION 14, TOWNSHIP 23 SOUTH, RANGE 29 EAST, RUN THENCE EAST 352 FEET; THENCE SOUTH 1320 FEET TO THE SOUTH LINE OF THE SAID NORTHWEST ¼ OF THE NORTHWEST ¼; THENCE WEST ALONG THE SOUTH LINE OF THE SAID NORTHWEST ¼ OF THE NORTHWEST ¼ 352 FEET; THENCE NORTH 1320 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH

THE EAST 187.00 FEET OF THE FOLLOWING TRACT: BEGINNING AT A POINT 440 FEET EAST OF THE NORTHWEST CORNER OF THE NORTHWEST ¼ OF THE NORTHWEST ¼ OF SECTION 14, TOWNSHIP 23 SOUTH, RANGE 29 EAST, RUN THENCE EAST 352 FEET; THENCE SOUTH 1320 FEET TO THE SOUTH LINE OF THE SAID NORTHWEST ¼ OF THE NORTHWEST ¼; THENCE WEST ALONG THE SOUTH LINE OF THE SAID NORTHWEST ¼ OF THE NORTHWEST ¼ 352 FEET; THENCE NORTH 1320 FEET TO THE POINT OF BEGINNING;

TOGETHER WITH

N 380 FT OF W 100 FT OF E 526.7 FT OF NW ¼ OF NW ¼ (LESS N 30 FT RD R/W) OF SEC 14-23-29

TOGETHER WITH

N 380 FT OF W 303 FT OF E 426.7 FT OF NW ¼ OF NW ¼ (LESS N 155 FT OF E 125 FT & LESS N 155 FT OF W 128 FT & LESS N 30 FT FOR RD) SEC 14-23-29

TOGETHER WITH

N 155 FT OF W 125 FT OF E 248.7 FT OF NW ¼ OF NW ¼ (LESS N 30 FT RD R/W) OF SEC 14-23-29

TOGETHER WITH

N 155 OF W 128 FT OF E 426.7 FT OF NW ¼ OF NW ¼ (LESS N 30 FT FOR RD R/W) OF SEC 14-23-29



January 7th, 2020

Ms. Bea L. Meeks
City Clerk
City of Edgewood

**Reference: Holden Ave. PD
Rezoning Application**

Dear Bea:

AVCON, INC. is in receipt of your comments dated November 18th, 2019, which outlined information you require to complete your review of the above referenced project. For your convenience, we have included the comments below, immediately followed by our response typed in bold.

Land Use Compatibility Comments

1. What is proposed to provide land use compatibility with adjacent property, particularly where 50-foot wide lots are adjacent to R1AA zoned property? Future Land Use Policy 1.1.4 states “New development shall be reviewed to ensure its compatibility with surrounding existing land uses and with the overall character of the community, such as providing adequate buffers to reduce the impact of more intense development on existing less intense development.”

Response: A 6' Architectural Precast Concrete wall has been proposed surrounding the entire property.

2. Is there a commitment that a certain percentage of houses will meet the minimum R1AA floor area standard? In 2016, a commitment was given that 25% of the houses would have a floor area of at least 2200 square feet (R1AA standard); the remainder was to be at least 1800 square feet (R1A standard). Current proposal only shows the minimum square foot house size is 1600.

Response: The minimum floor area has been revised to 1800 sf with at least 25% being at least 2200 sf.

Subdivision Design Comments

1. What is the rationale for designing Lots 1-6 contrary to Code Section 126-244? This code section requires lots in residential districts which abut arterial streets to have a minimum depth of 125 feet. Note that Holden Avenue is classified as an Urban Minor Arterial and not a Collector as identified in the table on sheet C301

Response: Lots 1-6 are separated from the Urban Minor Arterial with the landscape tract and 6' Architectural precast concrete wall.

2. What is the rationale for designing Lots 1 and 44 to be inconsistent with Code Section 134-484(g)?

**DRC February 4, 2020
HOLDEN AVENUE PD
Planning Comments of January 24, 2020**

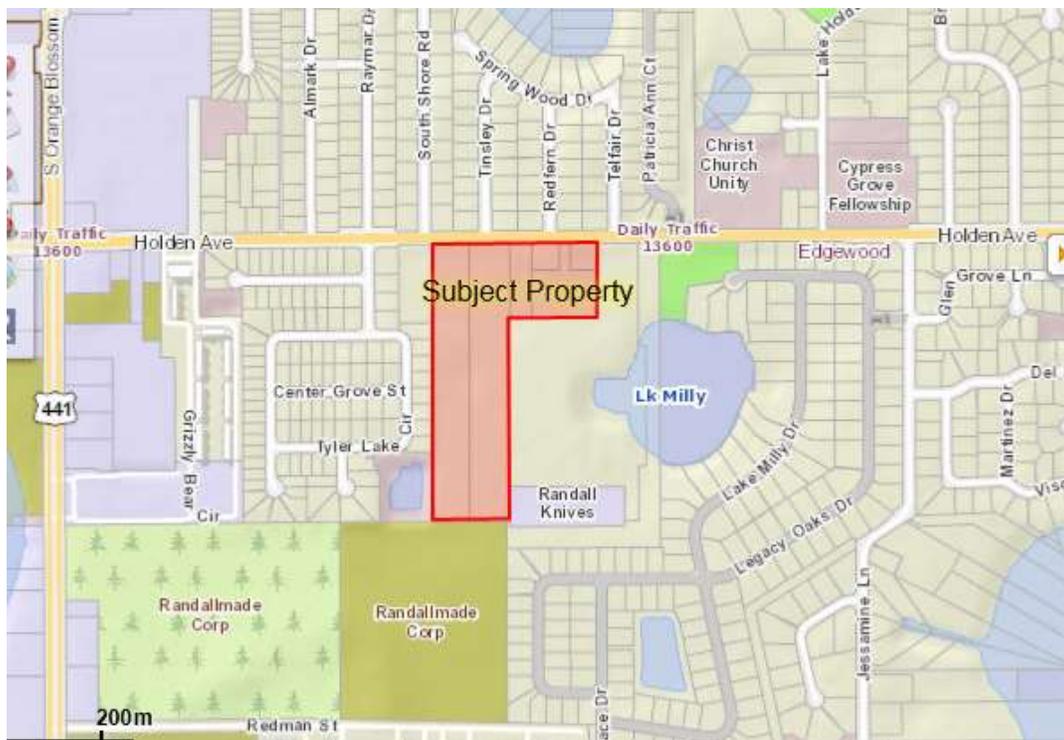
I. PURPOSE OF MEETING:

The purpose of the DRC meeting is to discuss the proposed land use plan dated January 2, 2020 for the following current tax parcels, which are located on the south side of Holden Avenue; the boundary is shown in Exhibit 1.

Subject Property

- 14-23-29-0000-00-004
- 14-23-29-0000-00-005
- 14-23-29-0000-00-042
- 14-23-29-0000-00-062
- 14-23-29-0000-00-063
- 14-23-29-0000-00-064

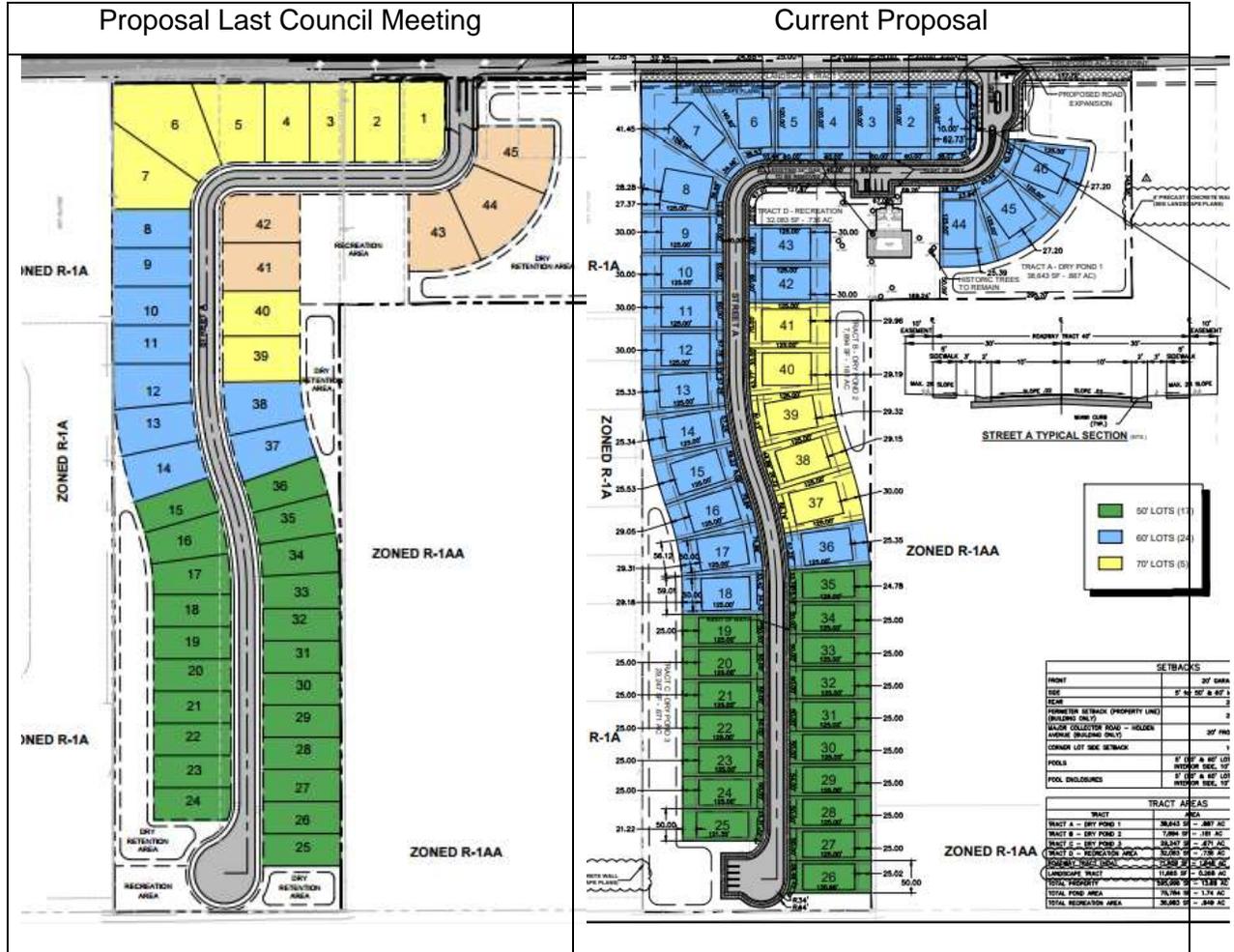
Exhibit 1



Land area total is 13.46 acres.

II. HISTORY/COMPARISON OF DEVELOPMENT PROPOSALS

A similar proposal was reviewed by the City Council on September 20, 2016; at that meeting the applicant withdrew the request. A comparison of the site layout from 2016 and the current proposal is shown below.



		September 2016	January 2019
Number of lots by width (in feet)			
	50	22	17
	60	9	24
	70	9	5
	75	5	0
	TOTAL	45	47
Minimum house size		1800	1800 w/min. 25%@2200
Recreation Area		unknown	0.736 acre
Minimum Setbacks (ft.)	Front	25	20 (house) 15 (porch)
	Side	5	5 for 50 and 60-foot wide lots 7.5 for 70-foot wide lots
	Rear	25	10 for corner lots 20 feet

III. PLANNING COMMENTS/CONCERNS/QUESTIONS

A. Land Use Compatibility

A schematic of the proposed 6' Architectural Precast Concrete wall is recommended to be submitted showing the proposed separation distance of columns.

B. Subdivision design

1. Code Section 134-460(7) requires the PD Land Use Plan to identify major street setbacks. Revise the table on Sheet C300 to reflect that Holden Avenue is classified as an Urban Minor Arterial with the correct major road setback. The requirement is a minimum 60 feet from centerline (c/l) for all structures. Staff does not support disregarding the major road setback as required by Code Section 126-223.
2. Right-of-way width of Holden Avenue to provide safe transportation: Code Section 126-244 requires lots in residential districts which abut arterial streets to have a minimum depth of 125 feet. Given there is a minimum 12.35 feet wide buffer between these lots and Holden Avenue, the code section is complied with (lot depth is shown at 120 feet); however, a cross section of the Holden Avenue needs to be provided as it appears there is insufficient width between the travel lanes and the right-of-way line to accommodate the existing 7 feet wide sidewalk. It appears the proposed width of the sidewalk is 5 feet located adjacent to the curb. Safety of pedestrians is of concern. Replacement of the 7 feet width to match the width on either side is preferred, however, according to Orange County Transportation Planning, a 6 feet width will be acceptable.
3. Revise the plans to show the tie in of the new Holden Avenue sidewalks to those existing sidewalks to the east and west.
4. Identify the Landscape Tract(s) and the Roadway Tract with letters, e.g., Tract E – Landscape west of entrance, Tract F – Landscape east of entrance, Tract G – Roadway/Community Parking.
5. The comments on the previously submitted plans referenced an inconsistency with Code Section 134-484(g) that prohibits structures in all districts from being erected closer than 15 feet from a side street lot line or any intersecting street right-of-way. The design of the subdivision has been revised, but the table on sheet C300 has not. Please resolve the conflict.
6. What does the dimension 62.73' on Lot 1 refer to?

7. Entrance lanes: The narrative submitted with the latest version of the land use plan is as follows: "The 20' roadway and turnaround has been agreed upon with the Fire Department..."
 - a. Please provide that referenced confirmation from the Orange County Fire Department.
 - b. Sheet C400 appears to show two 9 feet wide lanes, for a total of 18 feet each, not 20 feet. Furthermore, the entrance lanes narrow to even less than 18 feet south of the call box/gate. Please identify the width at the gate. State fire marshal requirement is at least 20 feet of unobstructed width.
 - c. Nine feet wide lanes are very narrow (a typical UPS truck is 8.1 – 8.3 feet wide). What is the reason standard widths cannot be provided?
 - d. Elimination of Lot 46 would resolve the access issue.
8. Why is a porch setback being requested when no front porches are shown in the elevations? What is the definition of a porch? A house setback should be provided in addition to the garage setback.
9. Tract Area Table on Sheet C301 identifies total Recreation Area at 0.849 acre/6.21%. Is this an error based on the recent revision to eliminate the small area at the south end of the property?
10. A historic tree is proposed to be removed. Recommendation is to revisit the layout of the recreation area to preserve the tree, incorporating it into the recreation area. Removal is only approved in extraordinary circumstances. Also, please note that Code prohibits structures or impervious paving within a six-foot radius of the trunk perimeter of any tree. The sidewalk near the community/ recreation area parking and the northwest corner of the clubhouse may need to be redesigned.

C. Other Land Use Plan Issues

1. Does the 25% commitment for 2200 square-foot houses =12 lots? The use of the number of lots where this commitment will be made is preferred over the percentage to eliminate any interpretation of a fraction.
2. Please note on the development/subdivision plan "Vehicular Access Rights Dedicated to the City of Edgewood" pertaining to access to Holden Avenue from Lots 1-6 and the stormwater management area.
3. Guest parking. The provision of the nine community parking spaces will likely not mitigate the demand for parking in this subdivision. As another

mitigative measure, staff recommends the minimum width of the driveway accommodate two standard size parking spaces (at least 9 feet for a total of at least 18 feet instead of 16 feet).

As stated above, the driveway is typically used as the pedestrian path to the front door. For ADA accessibility, the minimum sidewalk width is 4 feet. With the average car being 6.25 feet wide, cars parked side by side in a 16 feet wide driveway, would not provide for a 4 feet wide pedestrian path even if the cars were parked nearly touching, let alone with space to open the doors.

4. Elevations: The elevations provided appear to imply that all of these can be provided on a 50 feet wide lot. Is this correct?
5. Street lighting is recommended.
6. Waivers from the subdivision regulations
Code Section 134-460(9) requires a list of requested waivers from the subdivision regulations (Chapter 126 of the City Code) be included on the land use plan or submitted in writing detailing the particular provisions of the Code requested to be waived and basis for the request. The following is one such regulation that will require a waiver. Please add to sheet C301.

Sec. 126-282. - Street access to adjoining property.

Street stubs to adjoining unplatted areas shall be provided when required to give access to such areas or to provide for proper traffic circulation.

Note that the above referenced code section does not necessarily represent all waivers that would be needed. Thorough review of the City's subdivision regulations is recommended to avoid the need for Land Use Plan amendment during the subdivision approval review process.

7. Note, landscaping is shown to block the sidewalk and in the middle of the drive aisles (Plan view A). Base layer appears to be misaligned.
8. Although trees are identified as part of the plan, the reality is there is insufficient space to accommodate a street tree and/or front lot tree. The proposed pervious area between the sidewalk and the curb is 3 feet, inadequate to sustain a tree. A tree on the lot side of the sidewalk is also not sustainable due to the 10 feet wide utility easement combined with a 15 feet proposed setback to the porch and typical +/-18 inches house roof eaves.

An option is to increase the front yard setback by a minimum of 10 feet, which is possible with the elimination of the pool option on the smaller lots – which would not be a disadvantage given the provision of the community pool. The increased front yard setback will also help to avoid cars parked in the driveway hanging over the sidewalks.

A second option is to widen the landscape strip between the curb and sidewalk to 6' and place part of the sidewalk in the utility easement. This would also require modifying the front setback to be either 23 feet from the property line, or 20 feet from the lot side of the sidewalk to ensure sufficient driveway length for parking without extending over the sidewalk.

Regardless of the option chosen, even with the increased setback, there is insufficient space to accommodate a large tree in the proposed front yard (10 feet from the edge of utility easement to the garage, 5 feet to the porch if using). Recommended trees would include a large crape myrtle species, like Natchez, Muskogee, or Tuskarora, Winged Elms, Simpson Stopper, Bottlebrush, Drake Elm, and Little Gem Magnolia. Use of root barriers will be important to avoid root impact to the utilities in the easement.

9. There is concern related to the sustainability of the trees in the Community recreation tract. A grading plan will be required during the Development Plan/Preliminary Subdivision Plan review, with such plan ensuring fill will not be placed over the critical root zone of those trees. With the elimination of Lot 46 to resolve the access width issue, Lots 44 and 45 can be shifted to increase the space between the Historic Tree adjacent to Lot 44. Turning Lot 43 90 degrees to front on the east/west segment of the street could also increase the distance between development and the large trees onsite.

D. Developer Agreement Comments

1. Revise 5f. based on the above setback/site standard comments.
2. Will the ancillary equipment for a house be regulated? If so, consider language used in other DA: Mechanical equipment, water filtration systems, gas tanks, propane tanks, and any other utility or service equipment shall be located in a manner to ensure that only one set of such mechanical equipment is located between any two buildings.
3. Will outdoor storage of boats, travel trailers, recreational vehicles, and similar equipment be prohibited?

4. 5i. Minimum driveway width is recommended to be 18 feet as referenced above.
5. 5j. Parking spaces should be sized per Code Section 134-608(b). This is particularly important since the driveway is typically used as the pedestrian path to the house. Is a separate sidewalk proposed to be constructed from the front door to the public sidewalk?
6. 5: How will parking be prohibited on the road? The proposed manner should be referenced in the DA, e.g., “no parking” signs shall be required along the subdivision streets, including the area on the Holden Avenue side of the entrance gate. Also recommended is that the covenants and conditions, and restrictions shall state that vehicle parking in the front yards, blocking sidewalks, and on-street parking is prohibited. Staff recommends the use of a “Type F” curb vs. a Miami curb to reduce the likelihood of parking on the sidewalk.
7. 5n. Add to the beginning of the paragraph: “Any proposed tree removal shall be in accordance with Code Chapter 130.”
8. 5o. Note that the City’s landscape regulations (Chapter 114) do not pertain to single family subdivisions. Replace with the following: “No certificate of occupancy will be issued until the following landscaping has been installed, inspected and approved by the City.”
9. Staff recommends that shade trees be used in the Holden Avenue buffer instead of the proposed small trees given the developer’s mention of burying the existing overhead utilities along the frontage of the property. The following would be the recommended characteristics of those trees: minimum caliper at planting shall be 5” (16-18 foot tall), shall be of the semi-evergreen variety with mature height of 30–40 feet and a mature spread of 16–25 feet. The shade trees can be planted at the intervals where the small trees are proposed to maintain the proposed pattern of the plantings, or could be centered on the wall between the columns (with 30 feet o/c).
10. Staff would recommend revisiting the proposed plants to be used in the Holden Avenue. Recommended planting includes a hedge across the entire wall, plus a tiered planting of groundcover, small shrubs, medium shrubs and or ornamental grasses up to the wall hedge. A variety of foliage and/or flower color and accent plants should be used. Select plant material based

on the plant's growth habit to fulfill the designed intent to avoid the need for excessive trimming.

11. Revise 6 to reflect the minimum code box shall be located at least 60 feet from the boundary of the subdivision.
12. Recommended to be added to 6. "An easement over the platted roadway right-of-way tract must be dedicated or otherwise granted to the owners of each lot within the subdivision and to all their successors in interest. Unrestricted access rights over the platted street tract must also be granted to the City and utility providers providing use of the property for any purpose related to the exercise of a governmental service or function, including but not limited to fire and police protection, inspection and code enforcement. The easement shall permit the City/Orange County to remove any vehicle or obstacle within the private street tract that impairs emergency access."
13. Add to 6 to provide consistency with Code Section 126-562 providing for emergency vehicle access. The following wording is recommended. "Entryway gates must be equipped with an audio (siren) override device to allow emergency access to the subdivision by fire/rescue, police and other emergency-response personnel. The audio-override device must be submitted to the fire and rescue department for inspection and the entrance gates may not be closed unless and until the department determines that the device is acceptable and in good working order. Emergency responders shall have the right to enter the subdivision and remove any gate or device that is a barrier to access at the sole expense of the HOA. The HOA's documents must contain provisions in conformity with this paragraph that must not be amended without the written consent of the City."
14. Also recommended to be added to 6: "The entryway gate must include a box, labeled "City of Edgewood," with a master-keyed padlock, and the box must contain a key, a card-key, a code, a remote-control device, or some other means by which public service and utility workers may gain access to the subdivision. The means of access must be approved by the City, public service/utility providers and the box must be installed prior to the city's issuance of the certificate of completion for the subdivision infrastructure. Any other utilities serving the subdivision must have similar access, and the names of such utilities must be on the outside of the box containing the means of access."
15. What is the reference to Ordinance 2016-08 in #11?

16. Add to 11: "Water, sanitary sewer, storm drainage facilities placed within the private street tract shall be installed to city/utility provider standards.
17. Note that all city regulations relating to infrastructure financing, performance bonds, developer cost participation and capital cost recovery shall apply to the subject development. Any and all city executable maintenance bonds covering subdivision construction shall be transferred to the HOA upon approval of the private street subdivision by the City Council.
18. How will the city be assured that the submitted home elevations/models will be those used in the subdivision?
19. Reference Code Section 126-561 providing the requirement for special assessment.
20. Recommended to be added to 11.d.ii. "The City shall have the right to inspect the private streets and related appurtenances at any time, and require the HOA to provide the repairs needed to ensure emergency access and quality of life for residents. The City Council shall be the final judge of whether such repairs are needed and shall have the right to assess each lot owner to provide for repair."
21. Related to #11 in the DA, please include wording in compliance with Code Section 126-558 providing the requirement for a mandatory homeowner's association.
22. Although included in 11. of the proposed DA, the following wording is recommended to provide more detail.

"A mandatory homeowners' association ("HOA") including as members all owners of residential lots within the development shall be created and shall own and maintain in perpetuity all perimeter walls, landscaping in common open space, buffer areas, common irrigation, streets, sidewalks, street lighting, signage, and retention and drainage systems."

23. The following is recommended to be added to the CCR's:
The terms of the declaration shall be, to the city's satisfaction, legally sufficient and enforceable to accomplish or otherwise ensure, at a minimum, the following:
 - (i) Require the establishment and maintenance of an HOA budget account for the annual routine maintenance and the repair, replacement and reconstruction of the street, street lights,

landscaping, sidewalks, wall, recreation area, community parking, and drainage system, including stormwater management areas.

- (ii) Require the establishment and maintenance of an HOA reserve account for major capital repair, replacement and reconstruction of the subdivision's street.
- (iii) Require the establishment and maintenance of an HOA reserve account for major capital repair, replacement and reconstruction of the subdivision's stormwater management and drainage facilities.
- (iv) Require the establishment and maintenance of an HOA reserve account for major capital repair, replacement and reconstruction of other subdivision infrastructure such as sidewalks, entrance gates, curbing, recreation area, common parking areas, walls, etc.
- (v) Require the establishment and maintenance of an HOA budget account for storm debris clean-up and removal, such as clearing downed trees, landscape, and other storm-created debris from the subdivision's street, common tracts, sidewalks and drainage facilities.
- (vi) Provide that:
 - a. Until turnover of the HOA to the property owners and/or transfer of control of subdivision infrastructure to the HOA, all maintenance and repair of streets, street lighting, landscaping, walls, gates, sidewalks, community parking, recreation area, and the drainage system, including stormwater management areas and conveyance system, is the responsibility of the developer;
 - b. Prior to turnover of the HOA and/or transfer of control of subdivision infrastructure to the property owners, the developer may expend monies in the routine-infrastructure-maintenance account for such maintenance and repair, but only with the written consent of the board of directors of the HOA; and
 - c. Insufficiency of monies in the routine-infrastructure-maintenance account shall not act to relieve the developer of any responsibility to maintain and repair the street, gates, sidewalks, streetlights, community parking and recreation area, and drainage system, landscaping, and walls, properly prior to turnover of the HOA and/or transfer of control of subdivision infrastructure.
- (vii) Require that:
 - a. No earlier than one hundred eighty (180) days before turnover of the HOA and/or transfer of control of subdivision infrastructure to the property owners, the developer must

retain the services of a Florida registered engineer experienced in subdivision construction (other than the engineer of record for the subdivision as of the date of the city's approval of the subdivision infrastructure construction plans, and engineers who are principals of, employed by, or contractors of the same firm as the engineer of record) to inspect the streets, parking, sidewalks, street lighting, and drainage system, including stormwater detention/retention areas in accordance with the existing approved plans, and prepare a report recommending the amount of scheduled maintenance and unscheduled repair that likely will be needed each year for the noted infrastructure, in accordance with standards that may be established and revised from time to time by the City Engineer or his or her designee, which recommends the amounts of money that should be deposited each year in the routine-infrastructure-maintenance account, and determining what repairs, if any, are needed prior to turnover of the HOA;

- b. The report shall be signed and sealed by the engineer;
- c. The developer shall pay the cost of this initial engineer's report, which payment may be made from the routine-infrastructure-maintenance account;
- d. A copy of the initial engineer's report shall be provided to all owners of lots, blocks, and tracts in the subdivision and to the City Engineer within fifteen (15) days after it is completed;
- e. Any needed repairs or replacements identified by the report shall be completed by the developer, at the developer's sole expense, prior to either the developer's turnover of the HOA to the property owners of the subdivision or transfer of control of subdivision infrastructure to the HOA, whichever occurs first; and
- f. If turnover of the HOA and/or transfer of control of subdivision infrastructure occurs and the foregoing requirements have not been fulfilled, the rights of the HOA, any of its members, and any and all owners of land in the subdivision to enforce these requirements against the developer shall survive the turnover of the HOA to the property owners, with the prevailing party to be entitled to attorneys' fees and costs.

(viii) Require that, after turnover of control of the HOA, or turnover of control of the subdivision infrastructure to the property owners:

- a. The HOA shall obtain an inspection of the streets, sidewalks, walls, gates, community parking, landscaping, street lighting, recreation areas, and drainage systems, including stormwater detention/retention areas, by a Florida-registered engineer experienced in subdivision construction no less frequently than once every five (5) years after the initial engineer's inspection; and
 - b. Using good engineering practice, and in accordance with standards that may be established and revised from time to time by the City Engineer or his or her designee, or in accordance with such other standards as may be adopted from time to time by the HOA, or in accordance with such standards as the HOA's engineer may determine to be appropriate, the inspection shall determine the level of maintenance and repair (both scheduled and unscheduled) needed, the amounts of funding needed each year for the next three (3) years in the routine-infrastructure-maintenance account to pay for such maintenance and repair, and any repairs then needed;
 - c. That the inspection be written in a report format; and
 - d. A copy of each engineering report be provided to each owner of property in the gated community within fifteen (15) days of completion of the report; and
 - e. Within one hundred eighty (180) days of receipt of each tri-annual engineering report, the HOA shall complete all remedial work identified and recommended by the engineer.
- (ix) The developer (so long as the developer retains control of the board of directors of the HOA) and the HOA expressly indemnify and hold the City of Edgewood and its officers and employees harmless from any cost of maintenance, repair, and reconstruction of, or tort liability or award of damages related to or arising in connection with, the streets, sidewalks, street lights, walls, gates, community parking, landscaping, recreation areas, drainage system (including stormwater retention/detention area), and/or any other subdivision infrastructure.
 - (x) No contract for the sale and purchase of a residential lot or home in the subdivision shall be effective until cost disclosure statement ("disclosure statement") has been provided to and executed by such purchaser.
 - (xi) Expressly declare that property owners receive no discount in property or other taxes because of private streets or drainage system.

- (xii) Require that each initial purchaser of a residential lot in the gated subdivision for the personal or family use of the purchaser receive a copy of the declaration at or prior to the time the sales contract is executed, together with the current budget for the HOA, including a schedule disclosing the then-existing amounts of the periodic assessments for each of the HOA accounts and a copy of the most recent year-end financial statement for the HOA, and if none are then existing, a good faith estimate of the HOA operating budget, along with a form to be signed by such initial purchaser acknowledging receipt of a copy of the declaration, budget, financial statement or good faith estimate, and that the original of the form acknowledging receipt of a copy of the declaration is to be attached to the sales contract as an exhibit or appendix. Such schedule must also state that the periodic assessments for the HOA accounts do not necessarily include assessments for either the routine maintenance of or the capital repair and replacement of HOA facilities not related to subdivision infrastructure (such as common area landscaping, entrance and exit gates, walls, etc.).
- (xiii) Declare that upon any default by the HOA or the developer in any requirements of the declaration, the City, at its option and after due notice of its declaration of a default and a reasonable time to cure, may prohibit closure of the gates and, upon dedication or conveyance of the rights-of-way to the City, perform all necessary maintenance, using all HOA monies on deposit in the routine-infrastructure-maintenance account and the several capital-repair accounts or, if no monies exist or if an insufficient amount exists, using such other revenues or financing methods as the City may elect, including (but not limited to) special assessments against the subdivision lots, blocks, and tracts. The lot owners shall be responsible for all costs, administration and attorney fees related to the City's action to maintain, repair, replace, and/or reconstruct development's infrastructure. Payment of costs and assessments will be enforced by lien or foreclosure.
- (xiv) Require that enforcement of traffic laws within the gated community, as requested by the HOA, shall be by the City Police Department and that all costs of enforcement incurred by the City shall be paid by the HOA.
- (xv) Provide a procedure for nonbinding mediation in the event of a dispute between any homeowner and the developer, or between the HOA and the developer, with respect to the repair and maintenance of the streets, sidewalks, landscaping, walls, community parking, gates, recreation areas, street lighting,

drainage system or other subdivision infrastructure or appurtenances and/or funding for such maintenance and repair.

(xvi) Provide that:

1. The HOA, any member of the HOA, and any and all owners of land in the subdivision shall have the right jointly and severally to enforce against the developer or any other member of the HOA the requirements and provisions of the declaration required hereunder, with the prevailing party being entitled to attorney's fees and costs;
2. Any member of the HOA and any and all owners of land in the subdivision shall have the right to enforce against the HOA or any other member of the HOA the requirements and provisions of the declaration required hereunder, with the prevailing party being entitled to attorneys' fees and costs; and

(xvii) No portion of the association's documents pertaining to the maintenance of the private streets, gates, sidewalks, street lighting, landscaping, private walls, community parking, recreation areas, and drainage systems, and assessments thereto shall be amended without the written consent of the City.

(xviii) The Declaration must contain language whereby the HOA, as owner of the private streets, walls, gates, recreation area, community parking, sidewalks, other common areas, and appurtenances, agrees to release, indemnify, defend and hold harmless the City, its officers, agents, licensees, servants and employees, from and against any and all claims or suits for property damage or loss and/or personal injury, including death, to any and all persons, of whatsoever kind of character, whether real or asserted, arising out of or in connection with, directly or indirectly:

- a) the reasonable use of the private streets and sidewalks, emergency access, utility easements, community parking, entrance gate or structure by the City, its officers, agents, licensees, servants and employees;
- b) the condition of the private streets, sidewalks, private street lights, private entrance gates or structures, private walls, community parking, access to recreation areas, landscaping, private storm drainage systems and emergency access; or
- c) any use of the subdivision with private streets by the City, County, or Utility provider, its officers, agents, licensees, servants and employees for any purpose related to the exercise of a governmental function or service, whether or not caused, in whole or in part, by alleged negligence of officers, agents, servants, employees, contractors, subcontractors, licensees or invitees of

City. The HOA shall be responsible for carrying liability insurance to meet the requirements in this paragraph. Those portions of the HOA's documents pertaining to the subject matter contained in this paragraph must not be amended without the written consent of the City.

- (xix) The declaration must include standards and regulations for lot and structure maintenance and repair and use of common areas and infrastructure by owners and residents, a rental limitation to no less than one year, procedures for notice and enforcement and the provisions for HOA governance and administration required by Florida law for mandatory HOAs.
 - (xx) The HOA must not be dissolved without the prior written consent of the City.
24. The preferred timing of recording the CCR's is simultaneously with the recording of the subdivision final plat instead of prior to the first sale as the city does not track sale of lots.
 25. Also include the requirement for the HOA to conform with Code Section 126-558 (related to taxes, separate account, and city indemnification).
 26. Reference Code Section 126-560 providing the requirement of Mandatory repaving.
 27. Consistent with comments from the developer at the last DRC meeting, please add this to 5t, "including the existing overhead utility lines along Holden Avenue." In addition, delete the reference to the overhead utility lines in #9 since the developer committed to burying these.
 28. 7a. and b. - revise for consistency with Land Use Plan notation that the architectural 6 feet high concrete wall will be used along the entire perimeter.
 29. What is 11c in reference to?
 30. 13. Please revise to ensure the model homes will be built consistent with all PD development standards and the approved Land Use Plan.
 31. Why is Orange County referenced in 16?
 32. Add the following under 5: "Subdivision of lots shall comply with all regulations and ordinances in force at the time of subdivision plan approval

except where specifically approved to deviate per the approved Land Use Plan.”

33. Access to the site shall be provided on Holden Avenue directly opposite Red Fern Drive.

E. Please provide the following for P&Z and City Council Staff Reports

1. Narrative how the following factors stated in Section 134-121(f) of the City Code are met (i.e., Considerations for the review of rezoning applications).
 - (1) *Comprehensive plan. Whether the proposal is consistent with all applicable policies of the city's adopted comprehensive plan.*
 - (2) *Conformance with Chapter 134 of the City Code. Whether the proposal is in conformance with any applicable substantive requirements of Chapter 134 of the City Code, including minimum or maximum district size.*
 - (3) *Changed conditions. Whether and the extent to which land use and development conditions have changed since the effective date of the existing zoning district regulations involved which are relevant to the property.*
 - (4) *Land use compatibility. Whether and the extent to which the proposal would result in any incompatible land uses, considering the type and location of uses involved.*
 - (5) *Adequate public facilities. Whether and the extent to which the proposal would result in demands on public facilities and services (both on-site and off-site), exceeding the capacity of such facilities and services, existing or programmed, including transportation, utilities, drainage, recreation, education, emergency services and similar necessary facilities and services.*

As to #2 above, please detail how the intent and purpose of the PD Zoning District is met; the Code excerpt is listed below.

*Intent and Purpose of PD Zoning District
(Excerpt from Code Sec. 134-456(b))*

1. *To provide for planned residential communities, containing a variety of residential structures and diversity of building arrangements, with complementary and compatible residential AND nonresidential uses developed in accordance with an approved development plan.*

2. *To allow diversification of uses, structures, and open spaces in a manner compatible with existing and permitted land uses on abutting properties.*
 3. *To reduce public facility and energy costs through a more efficient use of land design and smaller networks of utilities and streets than is possible through application of other conventional Euclidean zoning districts and subdivision requirements.*
 4. *To ensure that development will occur according to limitations of use, design, density, coverage and phasing stipulated on an approved development plan.*
 5. *To preserve the natural amenities and environmental assets of lands by encouraging the preservation and improvement of scenic and functional open areas.*
 6. *To encourage an increase in the amount and use of open space areas by permitting a more economical and concentrated use of building areas than would be possible through conventional Euclidean zoning districts.*
 7. *To provide maximum opportunity for application of innovative concepts of site planning in the creation of aesthetically pleasing living, shopping and working environments on properties of adequate size, shape and location.*
 8. *To provide for the flexibility in site design and technical requirements that is not available in conventional Euclidean zoning districts.*
 9. *To provide an appropriate balance between the intensity of development and the ability to provide adequate capacity with regard to the public services and facilities available or committed to be available as a binding development condition.*
2. In the submitted narrative please specifically address how the proposed PD land use plan differs from a typical R2 subdivision.

Comparison of Proposed PD and City Euclidean Zoning Districts					
Shading highlights where proposed is less than that of conventional zoning districts					
	Proposed	R1AA	R1A	R1	R2
LOT					
Min lot area (sq. ft.)	5800*	10,890	9000	7500	5000
Min house size (sq. ft.)	1800 – 12 lots to be 2200	2200	1800	1500	500
Min lot width (ft.) standard	50	90	85	75	50
Min lot width (ft.) corner	60	100	95	85	60
Min lot depth (ft.) when adjacent to arterial road	120	125	125	125	125
HOUSE					
Min front yard house (ft.)	20	30	30	25	25
Min front yard open porch (ft.)	15	15	15	15	15
Corner lot road setback	10	15	15	15	15
Min rear yard (ft.)	20	35	35	30	25
Min side yard (ft.)					
50 & 60 ft. wide lots	5	10	10	7.5	6
70 ft. wide lots	7.5	10	10	7.5	6*
POOL					
Min interior lot side yard (ft.)	Same as house 5/7.5	10	10	10	10
Min road side yard (ft.) (not allowed in front yard)	Same as house 5/7.5	15	15	15	15
Min rear yard (ft.)	5	10	10	10	10
Min setback (ft.) from c/l Holden Avenue	?	60	60	60	60
POOL ENCLOSURE					
Min interior lot side yard (ft.)	Same as house 5/7.5	Same as house 10	Same as house 10	Same as house 7.5	Same as house 6
Min road side yard (ft.) (not allowed in front yard)	10	15	15	15	15
Min rear yard (ft.)	5	5	5	5	5
Min setback (ft.) from c/l Holden Avenue	?	60	60	60	60
OTHER					
Max ISR	70%	45%	45%	45%	45% (sfr)
Min private open space** per single family lot	30%	40%	40%	40%	55%
*Code Section 134-484(c): An open, unroofed porch or paved terrace may project into a required front yard for a distance not exceeding 15 feet.					
**Residential private open space means the usable open space on individual lots maintained by the required front, rear and side yards of the residential zoning district and excluding paved driveways, principal and accessory structures. However, for purposes of this article, recreational structures such as, but not limited to, pools, tennis courts and porches shall not be considered accessory structures and shall be included in calculating residential open space.					



1117 East Robinson St.
 Orlando, FL 32801
 Phone: 407.425.0452
 Fax: 407.648.1036

January 22, 2020

Ms. Sandy Riffle
 Deputy City Clerk
 City of Edgewood
 405 Laure Avenue
 Edgewood, FL 32809-3406

**RE: Holden Avenue PD – app – 2nd review
 CPH Project No. E7601**

Dear Ms. Riffle;

We are in receipt of the revised plans, with revision date January 2, 2020, for the proposed Holden Avenue residential development. Per the new plans and previous application received, the applicant is submitting the development for a Planned Development (PD) zoning to include 46 lots and a Recreation Area and Community Center. The application received with the plans is for rezoning from R-1A and R-1AA to PD. The plans included a cover sheet, Boundary Survey dated 2016, single sheet with Flood Map, USGS Topo Map, Soils Map and Aerial Map, Land Use Plan with site data table, Concept Plan, Roadway Expansion Plan, Vehicle Tracking Plan for emergency vehicles, and Landscape Plans. We have reviewed the plans and the previous review letters. Please see our comments below.

Application:

- 1 Is the City awaiting a revised application? The latest copy we have is date October 15, 2019.

Sheet C300:

- 1 The site data table does not reference who will own the storm pipe, inlets, and ponds. A note needs to be added to the plans. Since this is a gated community, the HOA documents needs to reference they will be responsible for all maintenance of the storm collection system. This will also need to be reflected on the plat for the development, once the plat is prepared.
- 2 The site data table referenced the water (OUC) and sewer (OCU) to be provided. For this submittal, the utilities are not shown on the plan sheet depicted on C301. We understand the Owner is currently working out the specifics for the gravity sewer connection to an off-site location. Please update the City on the status of the gravity sewer connection.

Sheet C301:

- 1 Lot 1 shows the side setback from an adjacent street as 10 feet. It was our understanding the setback will be 15 feet. Please update. The setback table also shows the Corner Lot Side Setback is 10 feet. Please update.
- 2 A landscape tract is shown along the frontage of the site, which will include the precast wall. The plans indicate a wall will be constructed around the entire perimeter. Please show that there will be a wall easement, dedicated to the HOA, around the perimeter of the site.
- 3 Informational - For the wall being constructed around the site, special attention needs to be made along the area just east of lot 42. The plans show an existing 30 inch oak and a 50 inch oak. The trees will need to be protected and an arborist will need to be present for any root pruning for wall installation. This will need to be detailed on the construction plans.
- 4 Informational - With a wall around the perimeter of the site, consideration will need to be made for the storm water outfall from each pond.
- 5 The plans do not show a dimension from the existing Holden Avenue road center line to the face of the wall/columns. The response stated the wall will be approximately 38 feet from the center line. Please provide a dimension on either C301 or C400. A specific detail may be necessary for clarity, showing the location of the road ROW, the landscape tract and the location of the wall within the landscape tract.

Sheet C400:

- 1 The west end of the proposed road widening on Holden Avenue does not align with the existing pavement shown on the aerial background. The alignment from Tinsley Drive, west needs to be adjusted to match to the existing Holden Avenue at the limits of construction.
- 2 Please include the names of the streets on the north side of Holden Avenue.
- 3 The enlarged entrance detail shows the sidewalk within the ROW line and directly adjacent to the travel lane of Holden Avenue. This will need to be approved by Orange County and/or FDOT.
- 4 No right turn lane is proposed, which matches the balance of Holden Avenue at the other developments, including Holden Cove, which is also gated.

Sheet C500:

- 1 The entrance width is less than the County minimum of 20 feet, for emergency vehicles. The width at the gate entrance is shown as 10 feet. Is this acceptable to the County Fire Rescue?
- 2 Per the detail on the plans, the overall body width of the OCFRD vehicle is 8.330 feet. If the pavement width is 10 feet, how wide will the opening be with the gate in the open position?
- 3 Based on the layout for the drive path of the vehicle, it appears the vehicle crosses over the curbing in two locations at the exit gate. This does not meet the minimum road width requirement by the County Fire Rescue.

- 4 The above three comments apply to sheets C501 and C502.

Sheet L-101

- 1 The landscaping hatching does not match the layout for the entrance. The landscaping is shown over pavement areas.
- 2 On the west and east side of the entrance, there appears to be some sort of hatching all around the entrance radius. Is this to be a ground cover? It is not depicted in the legend.

Landscape Review:

Sheet L-001

1. A 30 gallon container is too small for a 6' H x 6' Spr Ligustrum tree. A 45 gallon container should be the minimum standard.
2. If the ligustrum trees are being used to substitute for shade trees required in the buffer at 1 tree per 40', then they are to be used at two for one, or one understory tree per 20' on center.
3. Note 3; although shredded mulch is preferred, Cypress mulch is not acceptable due to environmental protection concerns and a minimum of 3 inches of mulch is required.
4. Note 7; Tree caliper size is measured at 6" above grade for trees up to and including 4" caliper per code and per Florida Grades and Standards.
5. Bismark Palms should be specified at 8.5 feet of clear trunk (CT) adjacent to sidewalks and 14.5 CT adjacent to roadways. The 12' OA would on have 3-4' of CT after deducting 8 + feet of palm frond.

Sheet L- 101

1. The Bismark Palms proposed in the median from the renderings are not shown on the plan. In general the rendering and the plan does not match in regards to sidewalk layout and palm layout. The rendering should match the plan to provide an accurate representation of the design intent based on the construction drawing.
2. We have a concern with placing the Nellie R Stevens Hollys 5' on center as they easily grow 8-12' wide and 15-20' high. They would require continual trimming to keep them in their place and since they have large leaves, the edges of the cut leaves will turn brown and discolor the plant. Recommend increasing the spacing, or changing to another plant choice.
3. We do not recommend two Japanese Blueberry planted side by side in the median. One would be more than sufficient.
4. The Brodie Juniper will spread up to 8' wide. Even at the smaller installed size they will be encroaching into the sidewalk or driveway. We do not believe it is necessary to hide the column with an upright plant. A mid column height accent plant may be more appropriate to consider.
5. In Plan View C; please show tree protection fence around the preserved oaks. The 24" oak south-west of the pool should be at least 12' off of the center of the tree. The tree roots must be pruned under the supervision of a certified arborist. The 48" oak to the east must be root pruned no closer than 24' to the trunk of the tree. The 84" oak, no closer than 42' to the trunk of the tree. For guidance in adjusting the placement or design of the pool or building, root pruning for any tree should be 6 inches per 1 DBH.

The Developers Agreement was also reviewed as part of the DRC plans.



- 1 Item 5s - The agreement does not include irrigation on the sides of the lots. This needs to be added to the agreement.
- 2 Item 5p - The agreement calls for palm trees as a possible tree to be planted along the street ROW. Palm trees are usually grouped in sets of three to be counted as a shade tree. Provide an alternative to using Palm Trees.
- 3 Item 9 of the DA referenced the overhead utility lines. It was our understanding the utility lines would be placed underground as part of this work.
- 4 Note 10 – tree preservation – additional verbiage needs to be provided for this item. See the comment above referencing root pruning and minimum distance to tree for root pruning. We understand this is a preliminary submittal, however, this needs to be considered in the final design of the wall and amenity improvements on the recreation tract.

This completes our review of the DRC plans.

Sincerely,
CPH, Inc.

A handwritten signature in black ink that reads "Allen C. Lane, Jr." in a cursive script.

Allen C. Lane, Jr., P.E.
Project Engineer

CC: James Winter, CPH
File