



**City Commission
Agenda
City Hall Commission Chambers
300 W. Plant Street
Winter Garden, Florida**

Regular Meeting

May 22, 2025

6:30 PM

Call to Order

Determination of a Quorum

Invocation and Pledge of Allegiance

1. Approval of Minutes

A. Regular Meeting Minutes – May 8, 2025

2. Second Reading and Public Hearing of Proposed Ordinances

- A. **ORDINANCE 25-04:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, ADDING POLICY 1-1.2.19 AND POLICY 1-1.2.20 OF THE FUTURE LAND USE ELEMENT OF THE WINTER GARDEN COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE - **Planning Director Carson**
- B. **ORDINANCE 25-05:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA AMENDING THE FUTURE LAND USE MAP OF THE WINTER GARDEN COMPREHENSIVE PLAN BY CHANGING THE LAND USE DESIGNATION OF REAL PROPERTY GENERALLY DESCRIBED AS 100.5 ± ACRES GENERALLY LOCATED SOUTH OF E PLANT STREET, EAST OF 11TH STREET, WEST OF FLORIDA STATE ROAD 429, AND NORTH OF E MAPLE STREET FROM LOW DENSITY RESIDENTIAL AND RESIDENTIAL NEIGHBORHOOD COMMERCIAL TO NEIGHBORHOOD RESIDENTIAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE - **Planning Director Carson**
- C. **ORDINANCE 25-06:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA AMENDING THE FUTURE LAND USE MAP OF THE WINTER GARDEN COMPREHENSIVE PLAN BY CHANGING THE LAND USE DESIGNATION OF REAL PROPERTY GENERALLY DESCRIBED AS 22.8 ± ACRES GENERALLY LOCATED SOUTH OF NORTH STREET, EAST OF 9TH STREET, WEST OF 11TH

STREET, AND NORTH OF E MAPLE STREET FROM RESIDENTIAL
NEIGHBORHOOD COMMERCIAL AND INSTITUTIONAL TO NEIGHBORHOOD
MIXED-USE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE
DATE – **Planning Director Carson**

- D. **ORDINANCE 25-12:** AN ORDINANCE OF THE CITY OF WINTER GARDEN,
FLORIDA, AMENDING THE WINTER GARDEN COMPREHENSIVE PLAN BY
ADDING A NEW PROPERTY RIGHTS ELEMENT; PROVIDING FOR
SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE – **Planning Director
Carson**

3. Regular Business

- A. Recommendation to approve and authorize Mayor to execute Traffic
Enforcement Agreement with Bradford Creek Owners Association, Inc –
Police Chief Graham
- B. Recommendation to approve State Revolving Fund Loan Amendment 2 to
Loan Agreement WW480102 to extend design period to August 15, 2025 –
City Engineer Monahan
- C. Recommendation to approve **SPECIAL EVENT** - Winter Garden Community
Choir / Orlando Choral Society annual wine walk through downtown Winter
Garden on Thursday, June 5, 2025 - **Planning Director Carson**

4. Matters From Public - (Limited to 3 minutes per speaker)

5. Matters From City Attorney - A. Kurt Ardaman

6. Matters From City Manager - Jon C. Williams

7. Matters From Mayor and Commissioners

8. Adjourn

NOTICES:

In accordance with Florida Statutes 286.0105, if any person decides to appeal any decision made by said body with respect to any matter considered at such meeting, he/she will need a record of the proceedings and, for that purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The City of Winter Garden does not prepare or provide such record.

Any opening invocation that is offered before the official start of the Commission meeting shall be the voluntary offering of a private person, to and for the benefit of the Commission. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the City Commission or the city staff, and the City is not allowed by law to endorse the religious or non-religious beliefs or views of such speaker. Persons in attendance at the City Commission meeting are invited to stand during the opening invocation and to stand and recite the Pledge of Allegiance. However, such invitation shall not be construed as a demand, order, or any other type of command. No person in attendance at the meeting shall be required to participate in any opening invocation that is offered or to participate in the Pledge of Allegiance. You may remain seated within the City Commission Chambers or exit the City Commission Chambers and return upon completion of the opening invocation and/or Pledge of Allegiance if you do not wish to participate in or witness the opening invocation and/or the recitation of the Pledge of Allegiance. (Reference Resolutions 15-04 and 16-02)

City of Winter Garden City Commission
Regular Meeting
May 22, 2025

Pursuant to Florida Statutes 282.601, 286.603, and the Americans with Disabilities Act (ADA), the City of Winter Garden makes every effort to ensure that those with disabilities have access to electronic information provided to the public, except when compliance with those sections impose an undue burden on the agency. In the event of difficulty accessing this publicly provided information, please contact the City Clerk's Office at (407) 656-4111, Ext. 2297, for assistance.



Those needing assistance to participate in any of these proceedings should contact the City Clerk's Office at least 48 hours in advance of the meeting (407) 656-4111 Ext 2297.



Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained at the meeting from the Information Technology Department (407) 656-4111 Ext. 5455.



DRAFT

**City Commission
Regular Meeting Minutes
May 8, 2025 - 6:30 PM**

REGULAR MEETING of the Winter Garden City Commission was called to order by Mayor Rees at 6:30 p.m. at City Hall, 300 West Plant Street, Winter Garden, Florida. An Opening Invocation and Pledge of Allegiance were given.

Present:

Mayor John Rees
Commissioner District 1 - Lisa L. Bennett
Commissioner District 2 - Iliana R. Jones
Commissioner District 4 - Colin Sharman

Also Present:

City Manager Jon C. Williams
City Attorney Kurt Ardaman
City Clerk Angela J. Grimage

Absent

Commissioner District 3 - Chloe Johnson

1. Approval of Minutes

A. Regular Meeting Minutes - April 24, 2025

Motion by Commissioner Jones to approve regular meeting minutes of April 24, 2025, as submitted. Seconded by Commissioner Bennett and carried unanimously 4-0.

2. Presentation

A. **PROCLAMATION 25-05:** Emergency Medical Services Week

Proclaiming Emergency Services Week was read and presented by Mayor Rees and the City Commission. The proclamation was accepted by Fire Chief Jose P. Gainza, Jr. and some attending Firefighters. Chief Gainza thanked the City Commission for the recognition.

3. Second Reading and Public Hearing of Proposed Ordinance

A. **ORDINANCE 25-14:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING SECTION 78-50 OF CHAPTER 78, ARTICLE II OF THE WINTER GARDEN CODE OF ORDINANCES CONCERNING UTILITY ACCOUNT DEPOSITS; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE

City Attorney Kurt Ardaman read Ordinance 25-14 by title only. Finance Director Laura Zielonka stated that this is the second reading of Ordinance 25-14, which

reduces the time to return residential utility account deposits from a 24-month period to a 12-month period. She noted that it also removes the requirement for interest to be paid on utility deposits. Staff recommended approval.

Mayor Rees opened the public hearing; hearing and seeing none, he closed the public hearing.

Motion by Commissioner Bennett to adopt Ordinance 25-14. Seconded by Commissioner Sharman and carried unanimously 4-0.

4. Regular Business

- A. Recommendation to waive formal procurement procedures and hire Engineered Spray Solutions to rehabilitate 11 manholes in the amount of \$60,806.55, which includes a 5% contingency

Assistant City Manager for Public Services Steve Pash stated that this request is to waive formal procurement procedures and hire Engineered Spray Solutions to rehabilitate 11 sewer manholes. He indicated that the City has used this company and its product in the past, finding it to be the only product that could withstand that environment. Staff recommended approval.

Motion by Commissioner Sharman to waive formal procurement procedures and hire Engineered Spray Solutions to rehabilitate 11 manholes in the amount of \$60,806.55, which includes a 5 percent contingency. Seconded by Commissioner Jones and carried unanimously 4-0.

- B. Recommendation to waive formal procurement procedures and hire Xylem Water Solutions USA Inc./ Flygt Products to replace control panels on Lift Stations 21 and 24 in the amount of \$60,270

Assistant City Manager for Public Services Steve Pash stated that this request is to waive the formal procurement and hire Xylem Water Solutions USA, Inc./Flygt Products to replace control panels, alarms and junction boxes at Lift Stations 21 and 24. He spoke of the lift stations, their condition, and efforts to keep up with certain maintenance of the stations. He stated that the replacements would be with stainless steel, which is better for the environment and would reduce failure issues. Furthermore, Mr. Pash noted that all the City's lift stations currently use Flygt products.

There was discussion on control panels and equipment from other companies being different, thus possibly causing issues with stocking backup products from different companies.

Motion by Commissioner Sharman to approve waiving the formal procurement procedures and hiring Xylem Water Solutions USA, Inc./Flygt Products to replace control panels on lift stations 21 and 24 in the amount of \$60,270. Seconded by Commissioner Bennett and carried unanimously 4-0.

- C. Recommendation to waive formal procurement procedures and hire RCM Utilities, LLC to renovate electrical system on Lift Stations 21 and 24 in the amount of \$54,400

Assistant City Manager of Public Services Steve Pash stated that this request is to waive the formal procurement and hire RCM Utilities, LLC to remove and replace the electrical systems on Lift Stations 21 and 24. He described the environment of the current system and noted that the City wants to make sure that the environment does not harm the wiring. He noted that the rebuilding of the lift stations is for years to come, especially with the stainless steel. Staff recommended approval. There was discussion on the separation of the agenda items and the cost savings in doing so.

Motion by Commissioner Sharman to approve waiving the formal procurement procedures and hire RCM Utilities, LLC to renovate electrical systems on Lift stations 21 and 24 in the amount of \$54,400. Seconded by Commissioner Jones and carried unanimously 4-0.

- D. Recommendation to authorize City Manager to sign contract extension with The School Board of Orange County, Florida and City of Winter Garden for School Resource Officer Program

Police Chief Steve Graham noted that the City had been in negotiations with the school board and thanked City Manager Jon C. Williams for efforts in getting this item completed. He noted that this would be the remaining second and third years of the contract, and noted that they had come to terms. There was discussion about seven schools currently having officers, a sergeant being already assigned to the program, and the desire to have this funded 100 percent by Orange County if it were possible. Also noted were the funding shortfall, guidelines to share the costs, and it being good to come to an agreement.

Motion by Commissioner Jones to approve and authorize the City Manager to sign the contract extension with the School Board of Orange County, Florida and the City of Winter Garden for the School Resource Officer Program. Seconded by Commissioner Bennett and carried unanimously 4-0.

- E. Recommendation to reduce lien from \$12,759.37 to an amount of \$4,050.06 requested by owner and release lien if owner pays fee and records Right-of-Way, Sidewalk, Landscaping, and Utility Easements for 73, 249, 272, and 281 Center Street by May 31, 2025

Code Enforcement Manager Kelly Carson informed the City Commission that this is a request to reduce a City-imposed lien on a property located at 159 9th Street. She described the special assessment lien of 2015, and noted the associated cost the City paid for demolition and clearing, as well as accruing interest charges. Also noted was the tax deed purchase of the property in 2016, permits for construction of a single family residence pulled by the new owner, followed by the new owner learning of the existing lien. Furthermore, Ms. Carson stated that the owner has submitted a request for a lien reduction, which includes the original lien amount, as well as the associated recording and satisfaction fees. In exchange for the lien reduction, the owner has agreed to provide right-of-way, sidewalk, landscaping, and utility easements for four properties they own on Center Street so that the City may complete its planned streetscape improvements. Staff recommended approval of the reduction and release of lien, along with the other terms as noted, including the recording of easements for the owner's Center Street addresses.

Motion by Commissioner Sharman to approve the reduction of lien from \$12,759.37 to \$4,050.06, and release of lien, if the owner pays the fees and provides the recording of right-of-way, sidewalk, landscaping, and utility easements for the four properties they own located at 73, 249, 272, and 281 Center Street by May 31, 2025. Seconded by Commissioner Bennett and carried unanimously 4-0.

- F. Recommendation to award Purchase Order to Mead and Hunt, Inc., for facility plan update and Fullers Reuse WTP Pressure Analysis and Solution in the amount of \$86,150

City Engineer Jim Monahan noted that this is a request to award a purchase order to Mead and Hunt to use the hydraulic model for the reclaimed system to push some of the required projects further out in an effort to save money. Secondly, to analyze the Fullers reclaimed facility as there are issues related to the current pumping system, which may need an intermediate pump to cushion the difference between the smaller and larger pump. Staff recommended approval.

Commissioner Sharman inquired if a variable speed drive on the larger pump to reduce its flow was a consideration. Mr. Monahan responded yes and explained some of what the analysis revealed.

Motion by Commissioner Bennett to approve a purchase order to Mead and Hunt, Inc., for facility plan update and Fullers Reuse Wastewater Treatment Plant (WTP) pressure analysis and solution in the amount of \$86,150. Seconded by Commissioner Sharman and carried unanimously 4-0.

- G. Recommendation to award Purchase Order to T.D. Thomson Construction Co., Inc for improvements to 681 West Plant Street (Lumen Property) in the amount of \$227,505.09

City Engineer Jim Monahan stated that the City of Winter Garden recently purchased a portion of the property at 681 West Plant Street from Lumen. He noted that as part of the purchase, improvements were required to be completed by the City of Winter Garden. He described some of the requirements, such as replacing the septic and installing a pump station, providing generator charging stations, paving, parking and security fencing. Staff recommended approval. There was discussion on the property being used for parking in the future.

Motion by Commissioner Jones to approve awarding a purchase order to T. D. Thomson Construction Co., Inc. for improvements to 681 West Plant Street (Lumen Property) in the amount of \$227,505.09. Seconded by Commissioner Bennett and carried unanimously 4-0.

- H. Recommendation to approve FINAL PLAT (Habitat Edgeway), subject to conditions
Planning Director Kelly Carson stated that Habitat for Humanity is requesting final plat approval for the Habitat Edgeway subdivision and gave the property size and location. Ms. Carson described some components of the final plat, associated easements, and stated that the final plat is consistent with the pre-plat as approved by the Planning and Zoning Board. It is also consistent with the future land use designation as well as the R-4 zoning district. Staff reviewed the application and recommended approval of the final plat, subject to conditions.

There was discussion about the price range for the new homes and Marilyn Hattaway of Habitat for Humanity was recognized to address the question.

Marilyn Hattaway, of West Orange Habitat of Humanity, stated that the homes are being sold for the appraised value. She noted that they are currently being appraised at \$187,000 for a three-bedroom, and \$192,000 for a four-bedroom.

Mayor Rees expressed that he thinks Habitat for Humanity does a great job, but feels that in a town of 51,000 residents there should be seven residents from the City of Winter Garden to occupy those homes.

Motion by Commissioner Jones to approve the final plat for Habitat Edgeway, subject to conditions. Seconded by Commissioner Sharman and carried

unanimously 4-0.

- I. Recommendation to approve the American Legion Memorial Day Special Event at Veterans Park on Monday, May 26, 2025, from 7:30- 10:00 a.m.

Planning Director Kelly Carson stated that the City of Winter Garden, in partnership with the American Legion, is requesting permission to hold the annual Memorial Day ceremony to remember veterans from Winter Garden who gave their lives during wartime. She described the time and activities of the event. Staff recommended approval. Mayor Rees remembered Former Commissioner Theo Graham in relation to this event, noting it as a great event in honoring our soldiers.

Motion by Commissioner Bennett to approve the American Legion Memorial Day Special Event at Veterans Park on Monday, May 26, 2025, from 7:30-10:00 a.m. Seconded by Commissioner Jones and carried unanimously 4-0.

- J. Recommendation to approve COMMUNITY EVENT for the Masonic Lodge Annual All-American Kids Parade & Pancake Breakfast on Friday, July 4, 2025, from 9:00 a.m. to 11:00 a.m., with street closure

Planning Director Kelly Carson stated that the Winter Garden Masonic Lodge requests holding their annual Kids Parade and Pancake Breakfast from 9:00-11:00 a.m. on Friday, July 4, 2025. Ms. Carson indicated an attendance of approximately 1,200 people, and temporary closure of Plant Street. Staff recommended approval.

Motion by Commissioner Sharman to approve a special event for the Masonic Lodge Annual All-American Kids Parade & Pancake Breakfast, Friday, July 4, 2025, with street closure and times as noted. Seconded by Commissioner Jones and carried unanimously 4-0.

- K. Recommendation to approve SPECIAL EVENT Party in the Park, Fourth of July at Newton Park from 6:00 p.m. to 10:00 p.m.

Planning Director Kelly Carson stated that this is a City-sponsored party in the park event. The City is requesting to hold the annual Fourth of July Party in the Park Event at Newton Park from 6:00-10:00 p.m. Ms. Carson indicated attendance to be approximately 15,000 people, and described some of the event activities and noted parking locations. Staff recommended approval.

There was discussion about attendance and the number being underestimated. Also noted were the vendors to be present.

Motion by Commissioner Sharman to approve the Party in the Park special event on the Fourth of July at Newton Park from 6:00-10:00 p.m. Seconded by Commissioner Bennett and carried unanimously 4-0.

5. **Matters From Public**

Norine Dworkin, VoxPopuli Winter Garden, addressed statements made by Mayor Rees relating to Resolution 22-08 as mentioned at the last meeting, she read excerpts from the resolution and voiced concerns about the National Day of Prayer speakers.

Matt McGrew, Winter Garden Rotary Club, thanked the City Commission for their support of the annual Evening at the Pops event. He also mentioned that he was proud of the City for offering EMS support as noted by the earlier read proclamation.

Marilyn Hattaway, of Habitat for Humanity, thanked the City Commission for earlier comments, noting big changes offered by the organization. She noted some recent achievements in helping homeowners with ownership orientation, gave statistics and reasons for some of the obstacles and challenges they faced relating to qualifying. Furthermore, she spoke of jobs programs, the Center Street project, the recently approved Edgeway Final Plat and the progress that is being made in City networking with the community. Ms. Hattaway thanked some key contributors for their efforts, and announced an upcoming Shovel to Keys event.

6. **Matters From City Attorney** - There were no items.

7. **Matters From City Manager**

City Manager Jon C. Williams provided a draft ordinance regarding solicitors and the need to address recent complaints. He provided a copy of Ordinance 21-11, spoke of traffic, and the need to implement weight restrictions on vehicles traveling on Marsh Road as there has been an uptick in volume on the road and issues during the early morning hours. He requested permission to move forward with weight restrictions for hours between 10:00 p.m. and 7:00 a.m. Furthermore, he noted that signage would be used to alert every one of the upcoming changes.

It was the **consensus** of the City Commission to move forward with these efforts.

City Manager Jon C. Williams spoke of a company named DRMP and its Lidar technology that was used to survey an area in East Winter Garden. He noted that this was a pilot program and a comparison between the traditional surveying and the cost savings with this new technology was done. He indicated a time savings of a month versus a 2-day scan and the ability to move forward faster with the data from a map that showed the areas drainage. Furthermore, he noted that community development funding was applied for and he noted Orange County recommendation to award \$6.5 million to fix that drainage issue. He commended City Engineer Jim Monahan, Assistant City Manager for Public Services Steve Pash and staff for their efforts in this achievement.

8. **Matters From Mayor and Commissioners**

Commissioner Jones thanked staff, noting that those were great savings related to the Marsh Road project.

Mayor Rees thanked all of the first responders, and he mentioned that we do appreciate Habitat for Humanity.

9. **Adjourn**

The meeting adjourned at 7:11 p.m.

APPROVED:

Mayor John Rees

ATTEST:

City Clerk Angela J. Grimmage

THE CITY OF WINTER GARDEN
CITY COMMISSION AGENDA ITEM

From: Kelly Carson, Planning Director

Via: City Manager Jon C. Williams

Date: May 15, 2025 **Meeting Date:** May 22, 2025

Subject: Ordinance 25-04
Comprehensive Plan Amendment – New Future Land Use Designations
for the Historic East Winter Garden Neighborhood

Issue:
An ordinance of the City of Winter Garden, Florida, adding Policy 1-1.2.19 and Policy 1-1.2.20 of the future land use element of the Winter Garden Comprehensive Plan.

Discussion:
The City has initiated a Comprehensive Plan amendment that would add two new policies to the future land use element. The policies would establish two new future land use designations: Neighborhood Residential and Neighborhood Mixed-Use. These new designations will ensure consistency with the City's East Winter Garden Plan and East Winter Garden Plan Update, which were adopted in 2018 and 2022, respectively. The new policies will also ensure consistency with the forthcoming change to the City's Land Development Code to establish a new Historic East Winter Garden Neighborhood Overlay District.

The State Land Planning Agency (FloridaCommerce) has reviewed the ordinance and provided no comments.

Recommended Action:
Staff recommends approval of Ordinance 25-04.

Attachment(s)/References:
Ordinances 25-04
Business Impact Estimate

ORDINANCE 25-04

AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, ADDING POLICY 1-1.2.19 AND POLICY 1-1.2.20 OF THE FUTURE LAND USE ELEMENT OF THE WINTER GARDEN COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on the 13th of June, 1991, the City Commission of the City of Winter Garden adopted Ordinance 91-16 which adopted a new Comprehensive Plan for the City of Winter Garden, and on the 24th of June, 2010, the City Commission of the City of Winter Garden adopted Ordinance 10-19 readopting and amending the Comprehensive Plan for the City of Winter Garden; and

WHEREAS, the City of Winter Garden desires to update the Future Land Use Element of said plan to add policies that are consistent with the City's East Winter Garden Plan and East Winter Garden Plan Update, which were adopted in 2018 and 2022, respectively, and to be consistent with the forthcoming change to the City's Land Development Code to establish a new Historic East Winter Garden Neighborhood Overlay District; and

WHEREAS, the City of Winter Garden's Local Planning Agency and City Commission have conducted the prerequisite advertised public hearings pursuant to Chapter 163, Florida Statutes, regarding the adoption of this ordinance; now, therefore,

BE IT ENACTED BY THE CITY OF WINTER GARDEN, FLORIDA:

Section 1: **Recitals.** The above recitals are hereby incorporated by reference and shall constitute the legislative findings of the City Commission of the City of Winter Garden.

Section 2: **Adoption:** The Future Land Use Element of the City of Winter Garden Comprehensive Plan is hereby amended regarding policies relating to future land use categories that fall within the limits of the City's East Plant Street Character Area, as set forth below and shall be amended to read as follows (words that are underlined are additions; ~~stricken through~~ provisions are being deleted; all other goals, policies and provisions of the Future Land Use Element not included shall remain unchanged):

FUTURE LAND USE ELEMENT: Goals, Objectives, and Policies

Policy 1-1.2.19: Neighborhood Residential. Properties designated with the Neighborhood Residential land use category are required to be developed at a gross residential density between 2 to 6 dwelling units per gross acre and up to 10 dwelling units per gross acre if awarded a development bonus for creating affordable/workforce housing and/or neighborhood-oriented architecture and site design. No development rights are guaranteed at densities above the stated permitted range.

The Neighborhood Residential designation shall provide for mostly residential uses on the east side of the Historic East Winter Garden Neighborhood, maintaining the traditional suburban character of the area while allowing for a greater diversity of housing types to accommodate residents of various income levels and stages of life. Housing units shall consist of detached single-family structures as well as other housing types that supplement the neighborhood's housing supply and accommodate age-in-place solutions. Civic, nonprofit, and other institutional development that provides vital services to the neighborhood shall also be part of this category.

The zoning classifications that are consistent with the Neighborhood Residential classification are PUD, R-NC, R-2, R-4, and R-5.

Policy 1-1.2.20: Neighborhood Mixed-Use. Properties designated with the Neighborhood Mixed-Use land use category are required to be developed at a floor area ratio not greater than 0.75 and up to a floor area ratio of 3.0 by development bonus. Gross residential density shall not be greater than 10 dwelling units per acre and up to 20 dwelling units per acre by development bonus. Development bonuses may be awarded for creating affordable/workforce housing, locally-owned commercial spaces, and/or neighborhood-oriented architecture and site design. No development rights are guaranteed at densities or intensities above the stated permitted range.

The Neighborhood Mixed-Use designation shall provide for residential and neighborhood-oriented commercial uses on the west side of the Historic East Winter Garden Neighborhood, maintaining the traditional neighborhood character of the area while allowing for a greater diversity of housing types to accommodate residents of various income levels and stages of life. Smaller, neighborhood-scaled mixed-use development will be encouraged in this land use where multiple uses may occupy the same building or same parcel. The mixture of uses shall allow for development in a traditional neighborhood form. Development shall be oriented towards the roads, with on-street parking, street-oriented retail storefronts, street trees and furnishings, and trail connections to create a multi-modal and pedestrian-friendly area. The zoning classifications that are consistent with the Neighborhood Mixed-Use land use designation include RNC-2, R-NC, C-3, C-4, PCD, PUD, and CAPUD.

SECTION 3: Codification: Section 2 of this Ordinance shall be codified and made part of the City of Winter Garden Comprehensive Plan.

SECTION 4: Conflicts: In the event of a conflict or conflicts between this ordinance and other ordinances, this ordinance controls to the extent of the conflict.

SECTION 5: Severability: If any portion of this Ordinance is determined to void, unconstitutional, or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

SECTION 6: Effective Date: This Ordinance shall become effective after adoption in accordance with general law.

FIRST READING: _____, 2025.

SECOND READING AND PUBLIC HEARING: _____, 2025.

ADOPTED this ____ day of _____, 2025, by the City Commission of the City of Winter Garden, Florida.

APPROVED:

John Rees, Mayor/Commissioner

ATTEST:

Angela Grimmage, City Clerk



Business Impact Estimate

This form should be included in agenda packet for the item under which the proposed ordinance is to be considered, and must be posted on the City's website by the time notice of the proposed ordinance is published.

Proposed ordinance's title/reference: Ordinance 25-04: Comprehensive Plan Amendment – New Future Land Use Designations for the Historic East Winter Garden Neighborhood

This Business Impact Estimate is provided in accordance with Section 166.041(4), *Florida Statutes*. If one or more of the boxes are checked below, the checked exception(s) to the Business Impact Estimate requirement apply to the above-referenced proposed ordinance, although, the City is implementing the procedure otherwise required by law to ensure that no inadvertent procedural issue could impact the enactment of the proposed ordinance.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant, or other financial assistance accepted by the
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☐ The proposed ordinance is enacted to implement the following:
 - a. Part II of Chapter 163, *Florida Statutes*, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
 - b. Sections 190.005 and 190.046, *Florida Statutes*, regarding community development districts;
 - c. Section 553.73, *Florida Statutes*, relating to the *Florida Building Code*; or
 - d. Section 633.202, *Florida Statutes*, relating to the *Florida Fire Prevention Code*.

In accordance with the provisions of controlling law, even notwithstanding the fact that, an exemption noted above may apply, the City hereby publishes the following information:

1. Summary of the proposed ordinance (must include statement of the public purpose, such as serving the public health, safety, morals, and welfare):

The City has initiated a Comprehensive Plan amendment that would add two new policies to the future land use element. The policies would establish two new future land use designations: Neighborhood Residential and Neighborhood Mixed-Use. These new designations will ensure consistency with the City's East Winter Garden Plan and East Winter Garden Plan Update, which were adopted in 2018 and 2022, respectively. The new policies will also ensure consistency with the forthcoming change to the City's Land Development Code to establish a new Historic East Winter Garden Neighborhood Overlay District. Adoption of these regulations will ensure that the Historic East Winter Garden Neighborhood is developed and redeveloped in accordance with the community's vision and ensures the health, safety, and welfare of the neighborhood is preserved.

2. Estimate of direct economic impact of the proposed ordinance on private, for-profit businesses in the City:

It is not anticipated that any private, for-profit businesses will be directly impacted by this Ordinance.

3. Estimate of direct compliance costs that businesses may reasonably incur:

No direct compliance costs will be incurred by any businesses as a result of this Ordinance.

4. Any new charge or fee imposed by the proposed ordinance:

No new fees or charges will be imposed by this Ordinance.

5. Estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs:

There will be no new regulatory costs created by this Ordinance.

6. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

It is not anticipated that any businesses will be impacted by this ordinance.

7. Additional information (if any, but may wish to include the methodology used to derive information for #1 and #2, above. For example: City staff solicited comments from businesses in the City as to the potential impact of the proposed ordinance by contacting the chamber of commerce, social media posting, direct mail or direct email, posting on City website, public workshop, etc. You may also wish to include efforts made to reduce the potential fiscal impact on businesses based on feedback from businesses. You may also wish to state here that the proposed ordinance is a generally applicable ordinance that applies to all persons similarly situated (individuals as well as businesses) and, therefore, the proposed ordinance does not impose costs only upon businesses.):

The new FLU designations will make it easier to develop affordable housing and start local businesses by establishing a density and intensity bonus system that did not exist previously in the area.

THE CITY OF WINTER GARDEN
CITY COMMISSION AGENDA ITEM

From: Kelly Carson, Planning Director

Via: City Manager Jon C. Williams

Date: May 15, 2025 **Meeting Date:** May 22, 2025

Subject: Ordinance 25-05
Future Land Use Amendment – Neighborhood Residential (100.5 ± acres)
PARCEL ID # Various

Issue:
The City requests to amend the future land use designation of the subject property from Low Density Residential and Residential Neighborhood Commercial to Neighborhood Residential.

Discussion:
The City has initiated an update to the Winter Garden Comprehensive Plan to incorporate goals and policies that are consistent with the City's East Winter Garden Plan and East Winter Garden Plan Update, which were adopted in 2018 and 2022, respectively, and to be consistent with the forthcoming change to the City's Land Development Code to establish a new Historic East Winter Garden Neighborhood Overlay District.

The proposed comprehensive plan amendment changing the subject property's FLU designation to Neighborhood Residential will ensure that the Historic East Winter Garden Neighborhood is developed and redeveloped in accordance with the community's vision and ensure the health, safety, and welfare of the neighborhood is preserved.

The State Land Planning Agency (FloridaCommerce) has reviewed the ordinance and provided no comments.

Recommended Action:
Staff recommends approval of Ordinance 25-05.

Attachment(s)/References:
Location Map
Staff Report
Ordinances 25-05
Business Impact Estimate

ORDINANCE 25-05

AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA AMENDING THE FUTURE LAND USE MAP OF THE WINTER GARDEN COMPREHENSIVE PLAN BY CHANGING THE LAND USE DESIGNATION OF REAL PROPERTY GENERALLY DESCRIBED AS 100.5 ± ACRES GENERALLY LOCATED SOUTH OF E PLANT STREET, EAST OF 11TH STREET, WEST OF FLORIDA STATE ROAD 429, AND NORTH OF E MAPLE STREET FROM LOW DENSITY RESIDENTIAL AND RESIDENTIAL NEIGHBORHOOD COMMERCIAL TO NEIGHBORHOOD RESIDENTIAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on the 13th of June, 1991, the City Commission of the City of Winter Garden adopted Ordinance 91-16 which adopted a new Comprehensive Plan for the City of Winter Garden, and on the 24th of June, 2010, the City Commission of the City of Winter Garden adopted Ordinance 10-19 readopting and amending the Comprehensive Plan for the City of Winter Garden; and

WHEREAS, the City desires to update the Winter Garden Comprehensive Plan to incorporate goals and policies that are consistent with the City's East Winter Garden Plan and East Winter Garden Plan Update, which were adopted in 2018 and 2022, respectively, and to be consistent with the forthcoming change to the City's Land Development Code to establish a new Historic East Winter Garden Neighborhood Overlay District; and

WHEREAS, the City has initiated an amendment to the Winter Garden Comprehensive Plan affecting certain real property generally described as 100.5 ± acres generally located south of E Plant Street, east of 11th Street, west of Florida State Road 429, and north of E Maple Street, graphically depicted in ATTACHMENT "A" (the "Property") to amend the Future Land Use classification from Low Density Residential and Residential Neighborhood Commercial to Neighborhood Residential; and

WHEREAS, the City of Winter Garden's Local Planning Agency and City Commission have conducted the prerequisite advertised public hearings pursuant to Chapter 163, Florida Statutes, regarding the adoption of this ordinance; now, therefore,

BE IT ENACTED BY THE CITY OF WINTER GARDEN, FLORIDA:

SECTION I. *FLUM Amendment.* The City of Winter Garden hereby amends the Future Land Use Map of the City of Winter Garden Comprehensive Plan by designating the

aforesaid Property to Neighborhood Residential as set forth in ATTACHMENT "B".

SECTION II. *Effective Date.* Provided that Ordinance 25-04 is adopted to amend the City's Comprehensive Plan to establish Neighborhood Residential as a new Future Land Use designation, this Ordinance shall become effective 31 days after adoption, unless the Ordinance is timely challenged pursuant to § 163.3187(5), Fla. Stat., in which case, the Ordinance shall not be effective until the state land planning agency or the Administrative Commission, respectively, issues a final order determining that the adopted Ordinance is in compliance.

SECTION III. *Severability.* Should any portion of this Ordinance be held invalid, then such portions as are not declared invalid shall remain in full force and effect.

FIRST READING AND PUBLIC HEARING: _____, 2025.

SECOND READING AND PUBLIC HEARING: _____, 2025.

ADOPTED this _____ day of _____, 2025, by the City Commission of the City of Winter Garden, Florida.

APPROVED:

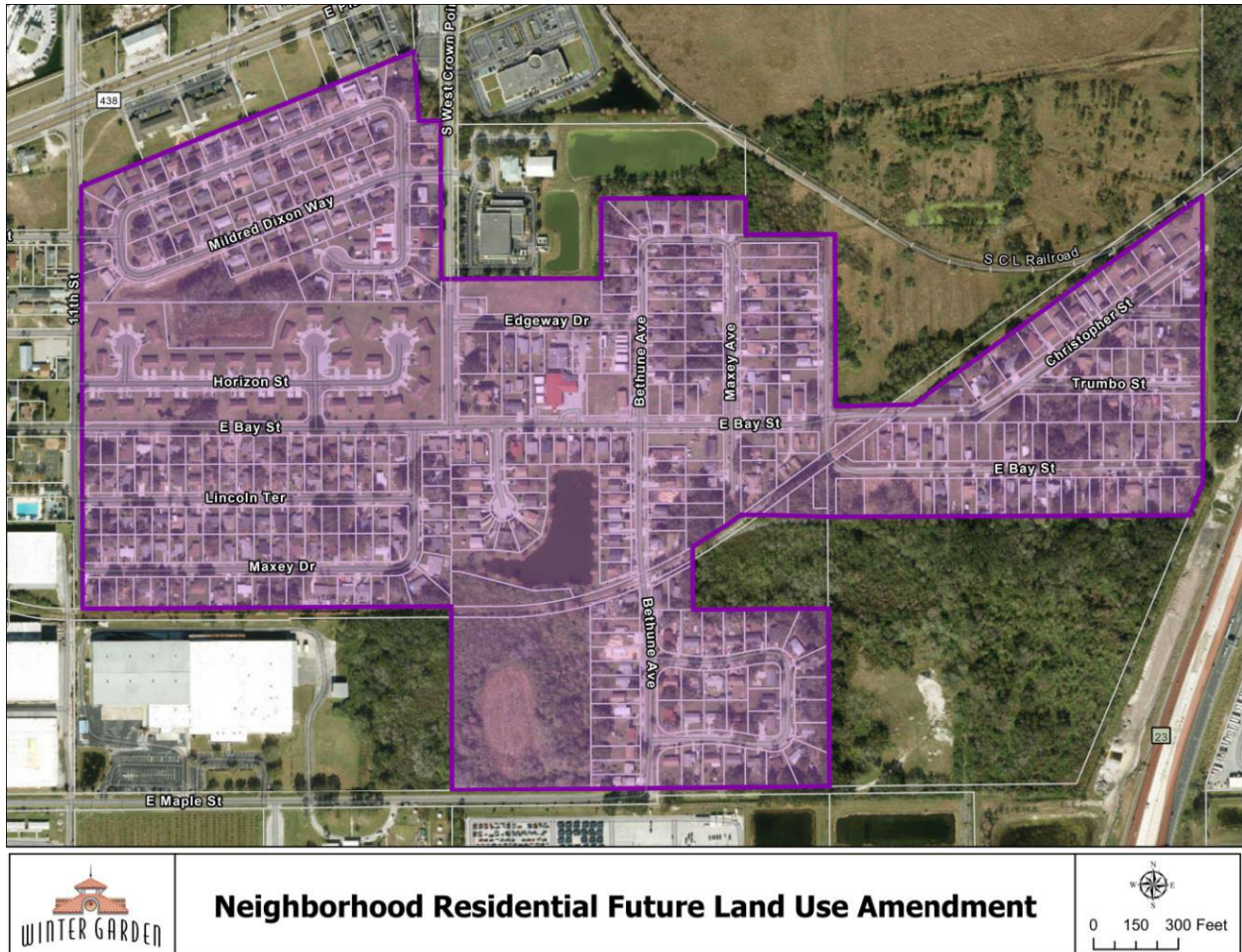
JOHN REES, Mayor/Commissioner

ATTEST:

ANGELA GRIMMAGE, City Clerk

ATTACHMENT "A"

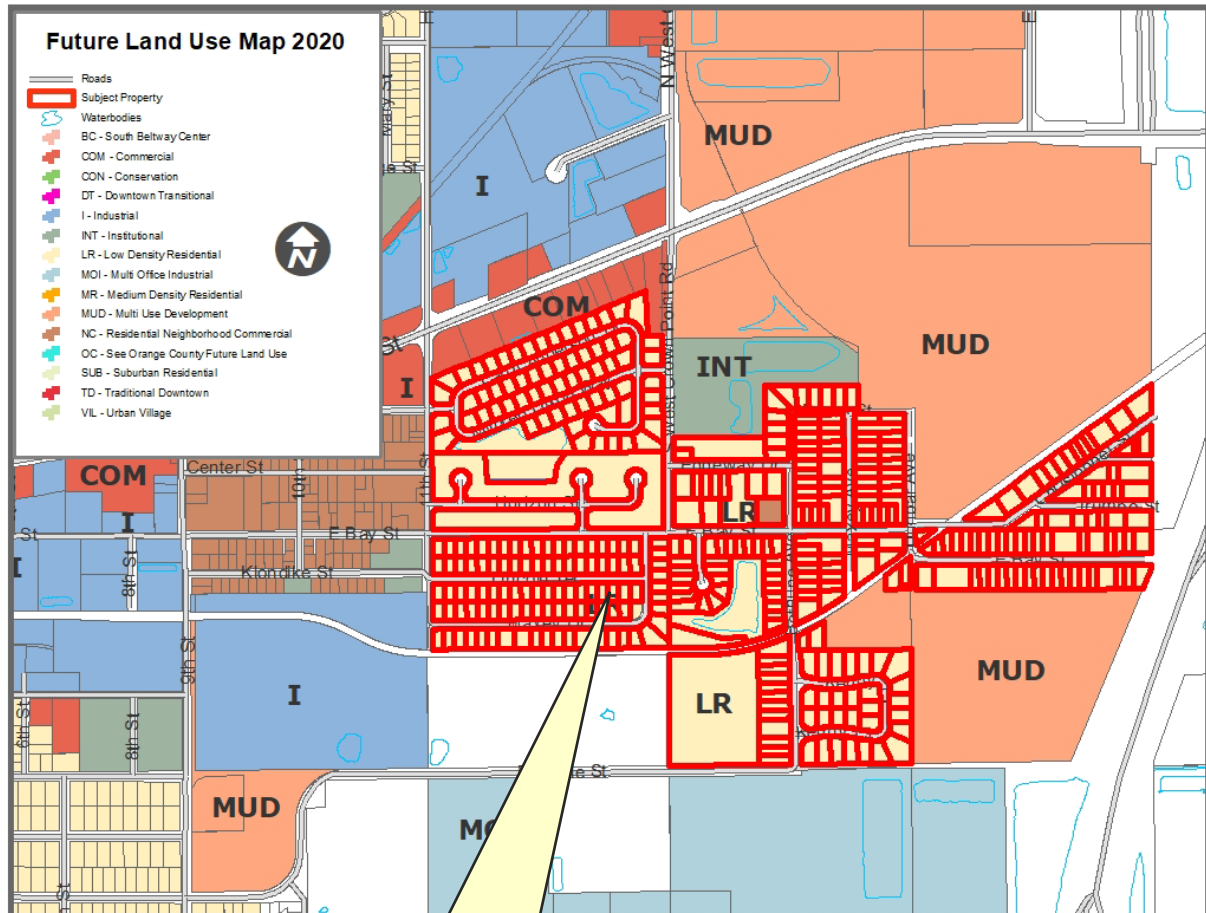
THE "PROPERTY"



ATTACHMENT "B"

FUTURE LAND USE MAP

FUTURE LAND USE AMENDMENT AREA

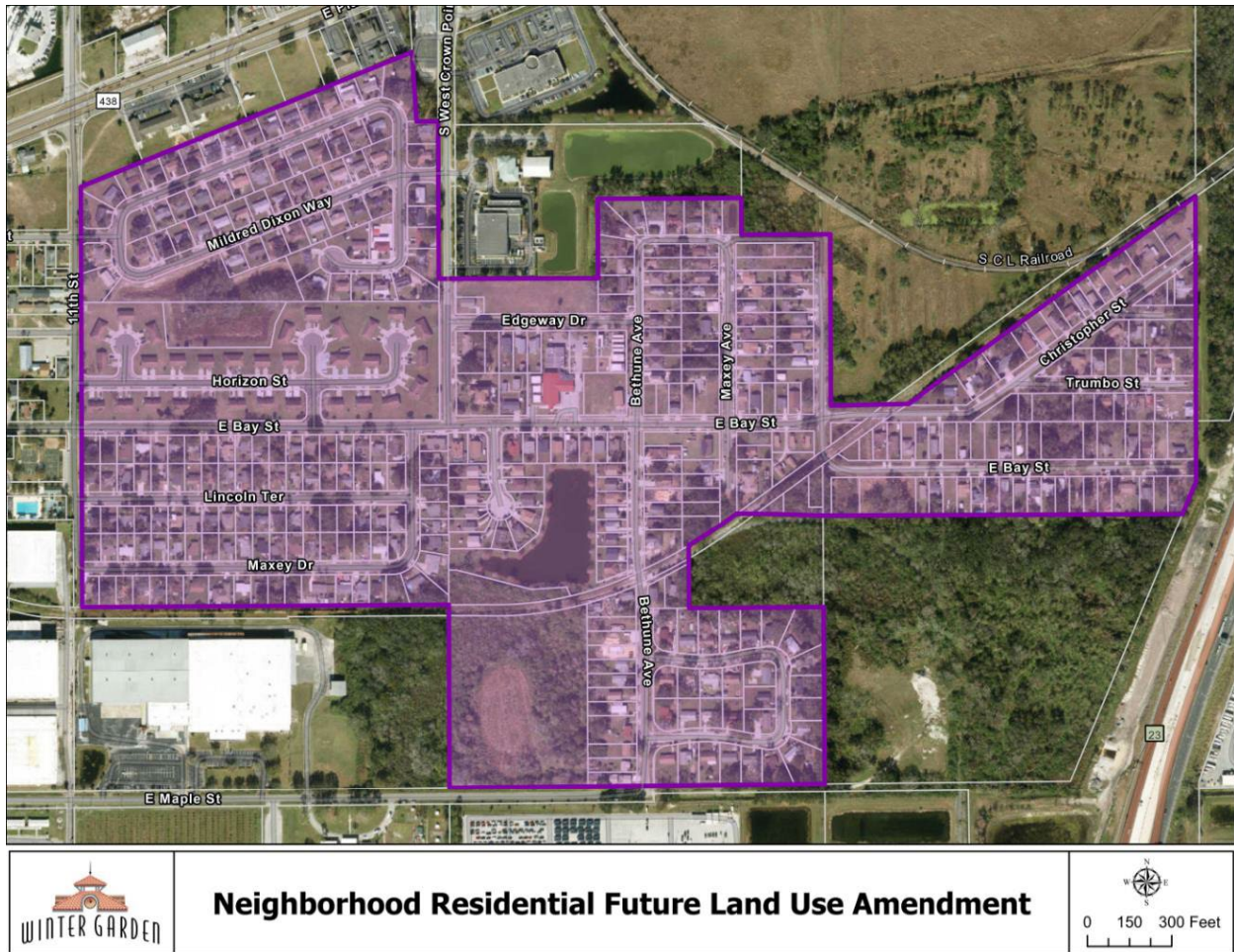


Amending parcels outlined in red as "Subject Property" from Low Density Residential and Residential Neighborhood Commercial to Neighborhood Residential.

LOCATION MAP

Ordinance 25-05

Future Land Use Amendment



CITY OF WINTER GARDEN

PLANNING & ZONING DIVISION

300 West Plant Street - Winter Garden, Florida 34787-3011 • (407) 656-4111

STAFF REPORT

TO: PLANNING AND ZONING BOARD

PREPARED BY: KELLY CARSON, PLANNING DIRECTOR

DATE: DECEMBER 23, 2024

SUBJECT: FUTURE LAND USE MAP AMENDMENT
NEIGHBORHOOD RESIDENTIAL (100.5 +/- ACRES)
PARCEL ID #: VARIOUS

APPLICANT: CITY OF WINTER GARDEN

INTRODUCTION

The purpose of this report is to evaluate the proposed, City-initiated future land use map amendment for compliance with the City of Winter Garden Code of Ordinances and Comprehensive Plan.

The subject property is generally located south of E Plant Street, east of 11th Street, west of Florida State Road 429, and north of E Maple Street, and is approximately 100.5 ± acres in size.

The map below graphically depicts the subject property:



The City has initiated an update to the Winter Garden Comprehensive Plan to incorporate goals and policies that are consistent with the City's East Winter Garden Plan and East Winter Garden Plan Update, which were adopted in 2018 and 2022, respectively, and to be consistent with the forthcoming change to the City's Land Development Code to establish a new Historic East Winter Garden Neighborhood Overlay District. This ordinance proposes to change the future land use designation of 100.5 ± acres of property on the east side of the Historic East Winter Garden Neighborhood from Low Density Residential and Residential Neighborhood Commercial to Neighborhood Residential.

This future land use change is being proposed in conjunction with an associated Comprehensive Plan change that would add Neighborhood Residential as a new future land use element (Ordinance 25-04). Pending approval of Ordinance 25-04 adding the new future land use category, the City's Comprehensive Plan policy for Neighborhood Residential will state:

Policy 1-1.2.19: Neighborhood Residential. Properties designated with the Neighborhood Residential land use category are required to be developed at a gross residential density between 2 to 6 dwelling units per gross acre and up to 10 dwelling units per gross acre if awarded a development bonus for creating affordable/workforce housing and/or neighborhood-oriented architecture and site design. No development rights are guaranteed at densities above the stated permitted range.

The Neighborhood Residential designation shall provide for mostly residential uses on the east side of the Historic East Winter Garden Neighborhood, maintaining the traditional suburban character of the area while allowing for a greater diversity of housing types to accommodate residents of various income levels and stages of life. Housing units shall consist of detached single-family structures as well as other housing types that supplement the neighborhood's housing supply and accommodate age-in-place solutions. Civic, nonprofit, and other institutional development that provides vital services to the neighborhood shall also be part of this category.

The zoning classifications that are consistent with the Neighborhood Residential classification are PUD, R-2, R-4, and R-5.

EXISTING USE

The subject property includes 413 ± lots on the east side of the Historic East Winter Garden Neighborhood that feature mostly single-family residential homes and structures.

ADJACENT LAND USE AND ZONING

The property is located on the east side of the Historic East Winter Garden Neighborhood, with commercial uses to the north along E Plant Street, vacant commercial uses in Winter Garden and Ocoee to the east, commercial and industrial uses to the south, and mixed residential and neighborhood commercial uses to the west.

PROPOSED USE

The proposed comprehensive plan amendment changing the subject property's FLU designation to Neighborhood Residential will ensure that the Historic East Winter Garden Neighborhood is

developed and redeveloped in accordance with the community's vision and ensure the health, safety, and welfare of the neighborhood is preserved. This change will also ensure the future land use designation will be consistent with the forthcoming change to the City's Land Development Code to establish a new Historic East Winter Garden Neighborhood Overlay District.

PUBLIC FACILITY ANALYSIS

The City will continue to provide potable water, reclaimed water and sewer service to the area. The City has facilities with adequate capacity to serve the subject property. The City will continue to provide utilities for the subject property.

The City will continue to provide garbage collection, police protection, and all other services regularly provided to City of Winter Garden residents including building permits. The subject property will continue to be served by both Orange County Fire and Rescue and the City Fire Department under the First Response system.

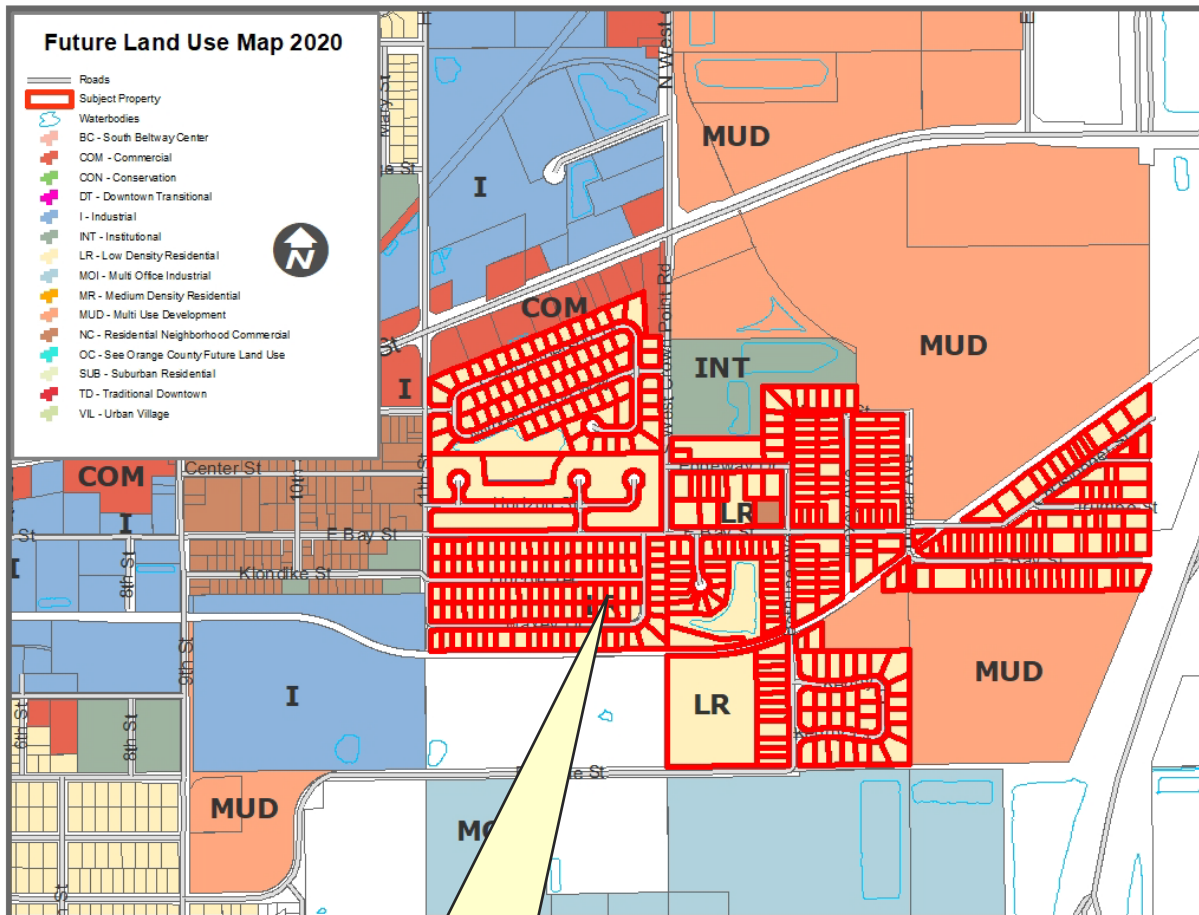
SUMMARY

Staff recommends approval of Ordinance 25-05, and that staff be allowed to transmit the Comprehensive Plan Amendment to the State Land Planning Agency, amending the Future Land Use Map by changing the future land use designation of the 100.5 ± acre subject property from Low Density Residential and Residential Neighborhood Commercial to Neighborhood Residential.

WINTER GARDEN FUTURE LAND USE MAP

EXISTING & PROPOSED

Neighborhood Residential FLU Amendment Area

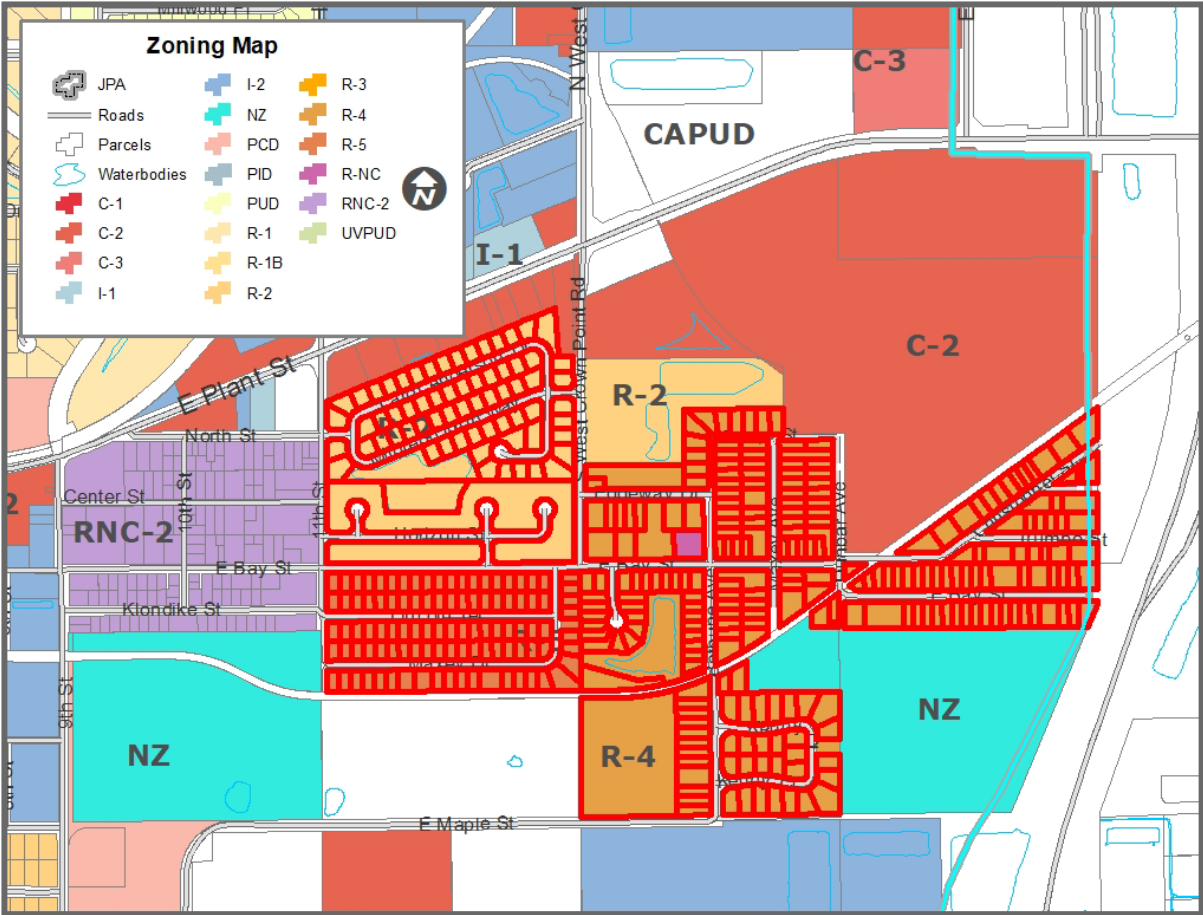


Amending parcels outlined in red as
“Subject Property” from Low Density
Residential and Residential
Neighborhood Commercial to
Neighborhood Residential.

WINTER GARDEN
ZONING MAP

EXISTING

Neighborhood Residential FLU Amendment Area



END OF STAFF REPORT



Business Impact Estimate

This form should be included in agenda packet for the item under which the proposed ordinance is to be considered, and must be posted on the City's website by the time notice of the proposed ordinance is published.

Proposed ordinance's title/reference: Ordinance 25-05: FLU Amendment – Neighborhood Residential

This Business Impact Estimate is provided in accordance with Section 166.041(4), *Florida Statutes*. If one or more of the boxes are checked below, the checked exception(s) to the Business Impact Estimate requirement apply to the above-referenced proposed ordinance, although, the City is implementing the procedure otherwise required by law to ensure that no inadvertent procedural issue could impact the enactment of the proposed ordinance.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant, or other financial assistance accepted by the
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☐ The proposed ordinance is enacted to implement the following:
 - a. Part II of Chapter 163, *Florida Statutes*, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
 - b. Sections 190.005 and 190.046, *Florida Statutes*, regarding community development districts;
 - c. Section 553.73, *Florida Statutes*, relating to the *Florida Building Code*; or
 - d. Section 633.202, *Florida Statutes*, relating to the *Florida Fire Prevention Code*.

In accordance with the provisions of controlling law, even notwithstanding the fact that, an exemption noted above may apply, the City hereby publishes the following information:

1. Summary of the proposed ordinance (must include statement of the public purpose, such as serving the public health, safety, morals, and welfare):

The City has initiated a Comprehensive Plan amendment to change the future land use of 100.5 ± acres of property on the east side of the Historic East Winter Garden Neighborhood from Low Density Residential and Residential Neighborhood Commercial to Neighborhood Residential. This change is in conjunction with an associated Comprehensive Plan change that would add Neighborhood Residential as a new future land use element. This future land use amendment will ensure consistency with the City's East Winter Garden Plan and East Winter Garden Plan Update, which were adopted in 2018 and 2022, respectively. The FLU change will also ensure consistency with the forthcoming change to the City's Land Development Code to establish a new Historic East Winter Garden Neighborhood Overlay District. Adoption of this ordinance will ensure that the Historic East Winter Garden Neighborhood is developed and redeveloped in accordance with the community's vision and ensures the health, safety, and welfare of the neighborhood is preserved.

2. Estimate of direct economic impact of the proposed ordinance on private, for-profit businesses in the City:

It is not anticipated that any private, for-profit businesses will be directly impacted by this Ordinance.

3. Estimate of direct compliance costs that businesses may reasonably incur:

No direct compliance costs will be incurred by any businesses as a result of this Ordinance.

4. Any new charge or fee imposed by the proposed ordinance:

No new fees or charges will be imposed by this Ordinance.

5. Estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs:

There will be no new regulatory costs created by this Ordinance.

6. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

It is not anticipated that any businesses will be impacted by this ordinance.

7. Additional information (if any, but may wish to include the methodology used to derive information for #1 and #2, above. For example: City staff solicited comments from businesses in the City as to the potential impact of the proposed ordinance by contacting the chamber of commerce, social media posting, direct mail or direct email, posting on City website, public workshop, etc. You may also wish to include efforts made to reduce the potential fiscal impact on businesses based on feedback from businesses. You may also wish to state here that the proposed ordinance is a generally applicable ordinance that applies to all persons similarly situated (individuals as well as businesses) and, therefore, the proposed ordinance does not impose costs only upon businesses.):

The FLU amendment will make it easier to develop affordable housing by establishing a density bonus system that did not exist previously in the area.

THE CITY OF WINTER GARDEN
CITY COMMISSION AGENDA ITEM

From: Kelly Carson, Planning Director

Via: City Manager Jon C. Williams

Date: May 15, 2024 **Meeting Date:** May 22, 2025

Subject: Ordinance 25-06
Future Land Use Amendment – Neighborhood Mixed-Use (22.8 ± acres)
PARCEL ID # Various

Issue:
The City requests to amend the future land use designation of the subject property from Residential Neighborhood Commercial & Institutional to Neighborhood Mixed-Use.

Discussion:
The City has initiated an update to the Winter Garden Comprehensive Plan to incorporate goals and policies that are consistent with the City's East Winter Garden Plan and East Winter Garden Plan Update, which were adopted in 2018 and 2022, respectively, and to be consistent with the forthcoming change to the City's Land Development Code to establish a new Historic East Winter Garden Neighborhood Overlay District.

The proposed comprehensive plan amendment changing the subject property's FLU designation to Neighborhood Mixed-Use will ensure that the Historic East Winter Garden Neighborhood is developed and redeveloped in accordance with the community's vision and ensure the health, safety, and welfare of the neighborhood is preserved.

The State Land Planning Agency (FloridaCommerce) has reviewed the ordinance and provided no comments.

Recommended Action:
Staff recommends approval of Ordinance 25-06.

Attachment(s)/References:
Location Map
Staff Report
Ordinances 25-06
Business Impact Estimate

ORDINANCE 25-06

AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA AMENDING THE FUTURE LAND USE MAP OF THE WINTER GARDEN COMPREHENSIVE PLAN BY CHANGING THE LAND USE DESIGNATION OF REAL PROPERTY GENERALLY DESCRIBED AS 22.8 ± ACRES GENERALLY LOCATED SOUTH OF NORTH STREET, EAST OF 9TH STREET, WEST OF 11TH STREET, AND NORTH OF E MAPLE STREET FROM RESIDENTIAL NEIGHBORHOOD COMMERCIAL AND INSTITUTIONAL TO NEIGHBORHOOD MIXED-USE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on the 13th of June, 1991, the City Commission of the City of Winter Garden adopted Ordinance 91-16 which adopted a new Comprehensive Plan for the City of Winter Garden, and on the 24th of June, 2010, the City Commission of the City of Winter Garden adopted Ordinance 10-19 readopting and amending the Comprehensive Plan for the City of Winter Garden; and

WHEREAS, the City desires to update the Winter Garden Comprehensive Plan to incorporate goals and policies that are consistent with the City's East Winter Garden Plan and East Winter Garden Plan Update, which were adopted in 2018 and 2022, respectively, and to be consistent with the forthcoming change to the City's Land Development Code to establish a new Historic East Winter Garden Neighborhood Overlay District; and

WHEREAS, the City has initiated an amendment to the Winter Garden Comprehensive Plan affecting certain real property generally described as 22.8 ± acres generally located south of North Street, east of 9th Street, west of 11th Street, and north of E Maple Street, graphically depicted in ATTACHMENT "A" (the "Property") to amend the Future Land Use classification from Residential Neighborhood Commercial and Institutional to Neighborhood Mixed-Use; and

WHEREAS, the City of Winter Garden's Local Planning Agency and City Commission have conducted the prerequisite advertised public hearings pursuant to Chapter 163, Florida Statutes, regarding the adoption of this ordinance; now, therefore,

BE IT ENACTED BY THE CITY OF WINTER GARDEN, FLORIDA:

SECTION I. *FLUM Amendment.* The City of Winter Garden hereby amends the Future Land Use Map of the City of Winter Garden Comprehensive Plan by designating the aforesaid Property to Neighborhood Mixed-Use as set forth in ATTACHMENT "B".

SECTION II. *Effective Date.* Provided that Ordinance 25-04 is adopted to amend the City's Comprehensive Plan to establish Neighborhood Mixed-Use as a new Future Land Use designation, this Ordinance shall become effective 31 days after adoption, unless the Ordinance is timely challenged pursuant to § 163.3187(5), Fla. Stat., in which case, the Ordinance shall not be effective until the state land planning agency or the Administrative Commission, respectively, issues a final order determining that the adopted Ordinance is in compliance.

SECTION III. *Severability.* Should any portion of this Ordinance be held invalid, then such portions as are not declared invalid shall remain in full force and effect.

FIRST READING AND PUBLIC HEARING: _____, 2025.

SECOND READING AND PUBLIC HEARING: _____, 2025.

ADOPTED this _____ day of _____, 2025, by the City Commission of the City of Winter Garden, Florida.

APPROVED:

JOHN REES, Mayor/Commissioner

ATTEST:

ANGELA GRIMMAGE, City Clerk

ATTACHMENT "A"

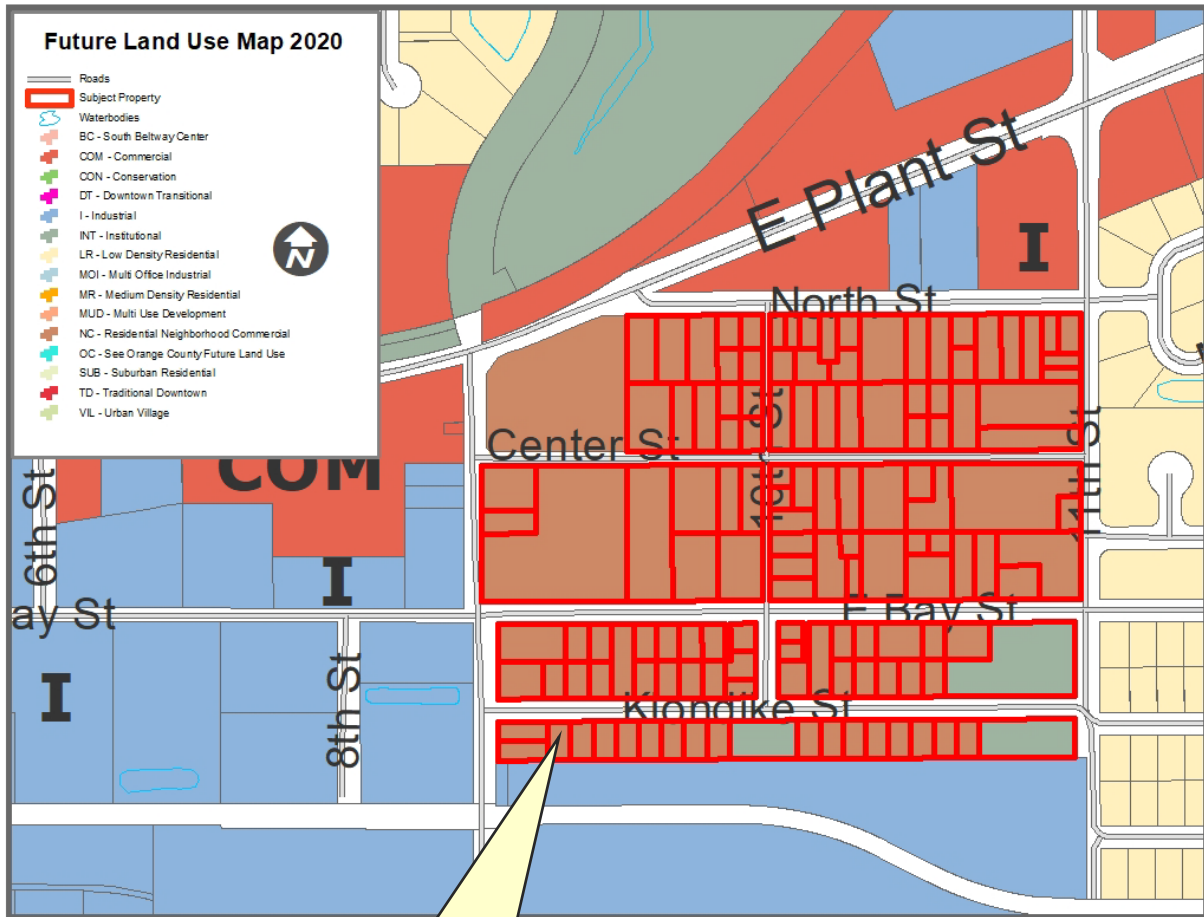
THE "PROPERTY"



ATTACHMENT "B"

FUTURE LAND USE MAP

FUTURE LAND USE AMENDMENT AREA

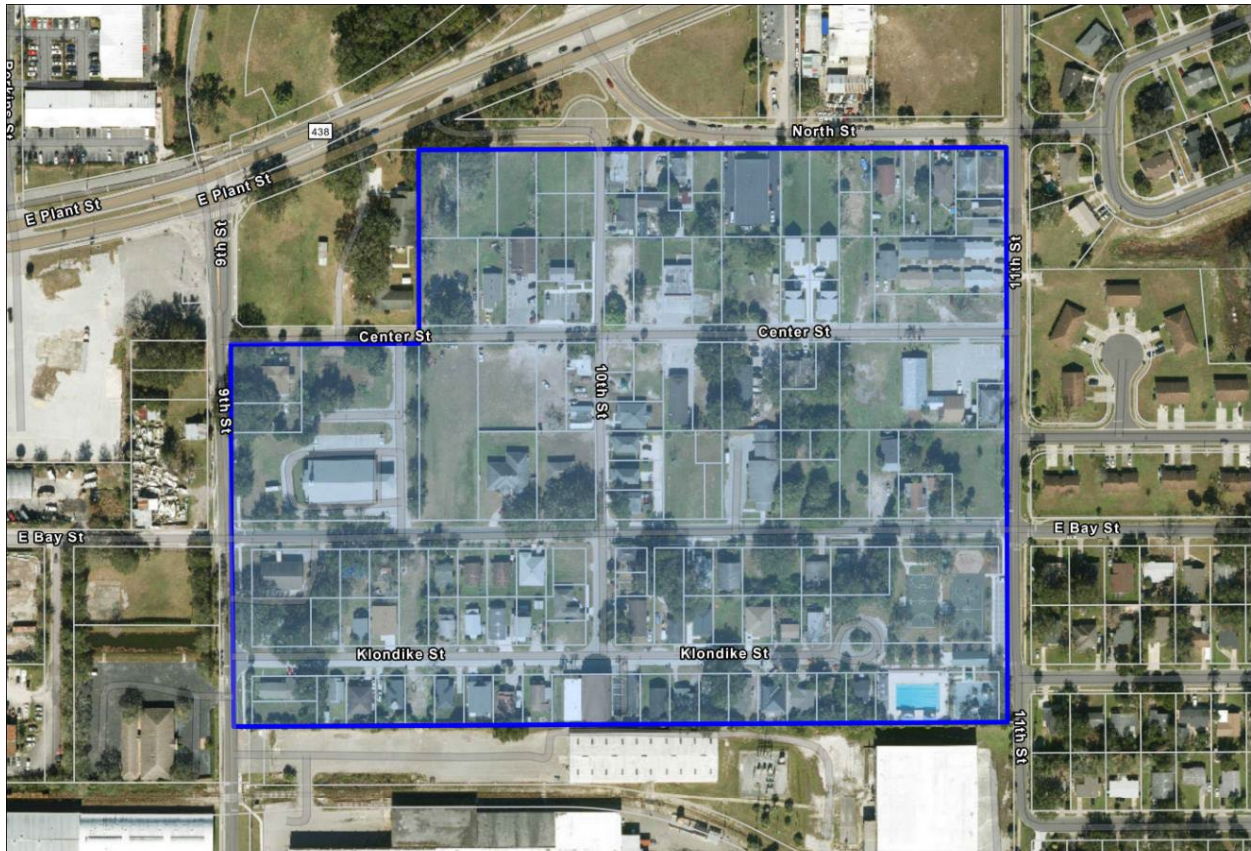


Amending parcels outlined in red as
"Subject Property" from Residential
Neighborhood Commercial and
Institutional to Neighborhood Mixed-
Use.

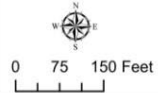
LOCATION MAP

Ordinance 25-06

Future Land Use Amendment



Neighborhood Mixed-Use Future Land Use Amendment



CITY OF WINTER GARDEN

PLANNING & ZONING DIVISION

300 West Plant Street - Winter Garden, Florida 34787-3011 • (407) 656-4111

STAFF REPORT

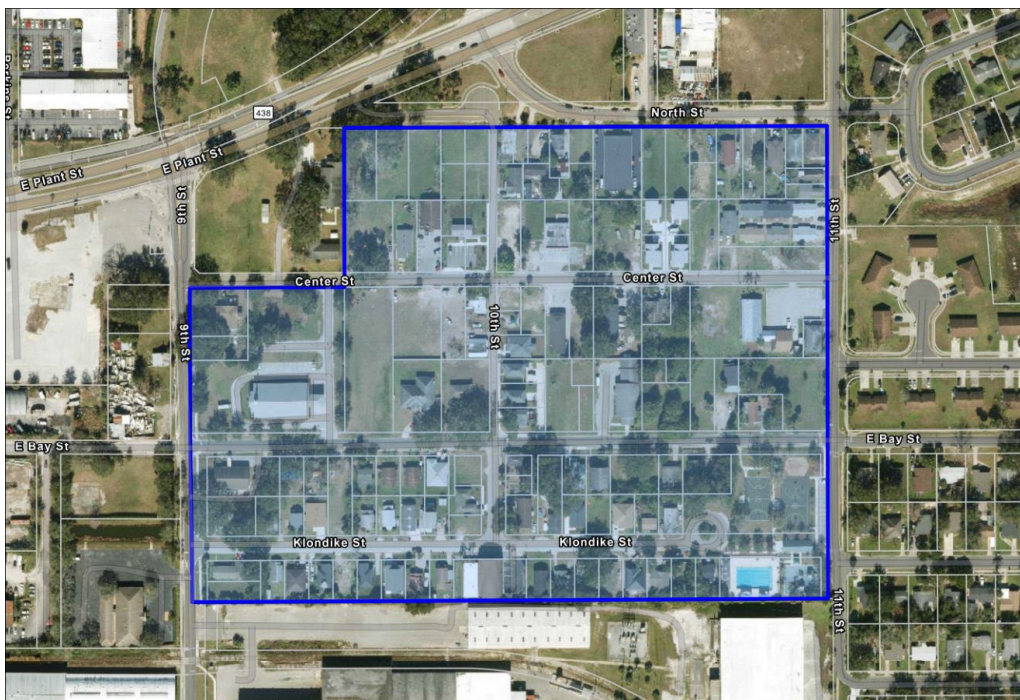
TO: PLANNING AND ZONING BOARD
PREPARED BY: KELLY CARSON, PLANNING DIRECTOR
DATE: DECEMBER 23, 2024
SUBJECT: FUTURE LAND USE MAP AMENDMENT
NEIGHBORHOOD MIXED-USE (22.8 +/- ACRES)
PARCEL ID #: VARIOUS
APPLICANT: CITY OF WINTER GARDEN

INTRODUCTION

The purpose of this report is to evaluate the proposed, City-initiated future land use map amendment for compliance with the City of Winter Garden Code of Ordinances and Comprehensive Plan.

The subject property is generally located south of North Street, east of 9th Street, west of 11th Street, and north of E Maple Street, and is approximately 22.8 ± acres in size.

The map below graphically depicts the subject property:



The City has initiated an update to the Winter Garden Comprehensive Plan to incorporate goals and policies that are consistent with the City's East Winter Garden Plan and East Winter Garden Plan Update, which were adopted in 2018 and 2022, respectively, and to be consistent with the forthcoming change to the City's Land Development Code to establish a new Historic East Winter Garden Neighborhood Overlay District. This ordinance proposes to change the future land use designation of 22.8 ± acres of property on the west side of the Historic East Winter Garden Neighborhood from Residential Neighborhood Commercial and Institutional to Neighborhood Mixed-Use.

This future land use change is being proposed in conjunction with an associated Comprehensive Plan change that would add Neighborhood Mixed-Use as a new future land use element (Ordinance 25-04). Pending approval of Ordinance 25-04 adding the new future land use category, the City's Comprehensive Plan policy for Neighborhood Mixed-Use will state:

Policy 1-1.2.19: Neighborhood Mixed-Use. Properties designated with the Neighborhood Mixed-Use land use category are required to be developed at a floor area ratio not greater than 0.75 and up to a floor area ratio of 3.0 by development bonus. Gross residential density shall not be greater than 10 dwelling units per acre and up to 20 dwelling units per acre by development bonus. Development bonuses may be awarded for creating affordable/workforce housing, locally-owned commercial spaces, and/or neighborhood-oriented architecture and site design. No development rights are guaranteed at densities or intensities above the stated permitted range.

The Neighborhood Mixed-Use designation shall provide for residential and neighborhood-oriented commercial uses on the west side of the Historic East Winter Garden Neighborhood, maintaining the traditional neighborhood character of the area while allowing for a greater diversity of housing types to accommodate residents of various income levels and stages of life. Smaller, neighborhood-scaled mixed-use development will be encouraged in this land use where multiple uses may occupy the same building or same parcel. The mixture of uses shall allow for development in a traditional neighborhood form. Development shall be oriented towards the roads, with on-street parking, street-oriented retail storefronts, street trees and furnishings, and trail connections to create a multi-modal and pedestrian-friendly area. The zoning classifications that are consistent with the Neighborhood Mixed-Use land use designation include RNC-2, C-3, C-4, PCD, PUD, and CAPUD.

EXISTING USE

The subject property includes 137 ± lots on the west side of the Historic East Winter Garden Neighborhood that features a mix of residential, neighborhood commercial, and institutional buildings and structures.

ADJACENT LAND USE AND ZONING

The property is located on the west side of the Historic East Winter Garden Neighborhood, with commercial uses to the north along E Plant Street, mostly single-family residential uses to the east, and commercial and industrial uses to the south and west.

PROPOSED USE

The proposed comprehensive plan amendment changing the subject property's FLU designation to Neighborhood Mixed-Use will ensure that the Historic East Winter Garden Neighborhood is developed and redeveloped in accordance with the community's vision and ensure the health, safety, and welfare of the neighborhood is preserved. This change will also ensure the future land use designation will be consistent with the forthcoming change to the City's Land Development Code to establish a new Historic East Winter Garden Neighborhood Overlay District.

PUBLIC FACILITY ANALYSIS

The City will continue to provide potable water, reclaimed water and sewer service to the area. The City has facilities with adequate capacity to serve the subject property. The City will continue to provide utilities for the subject property.

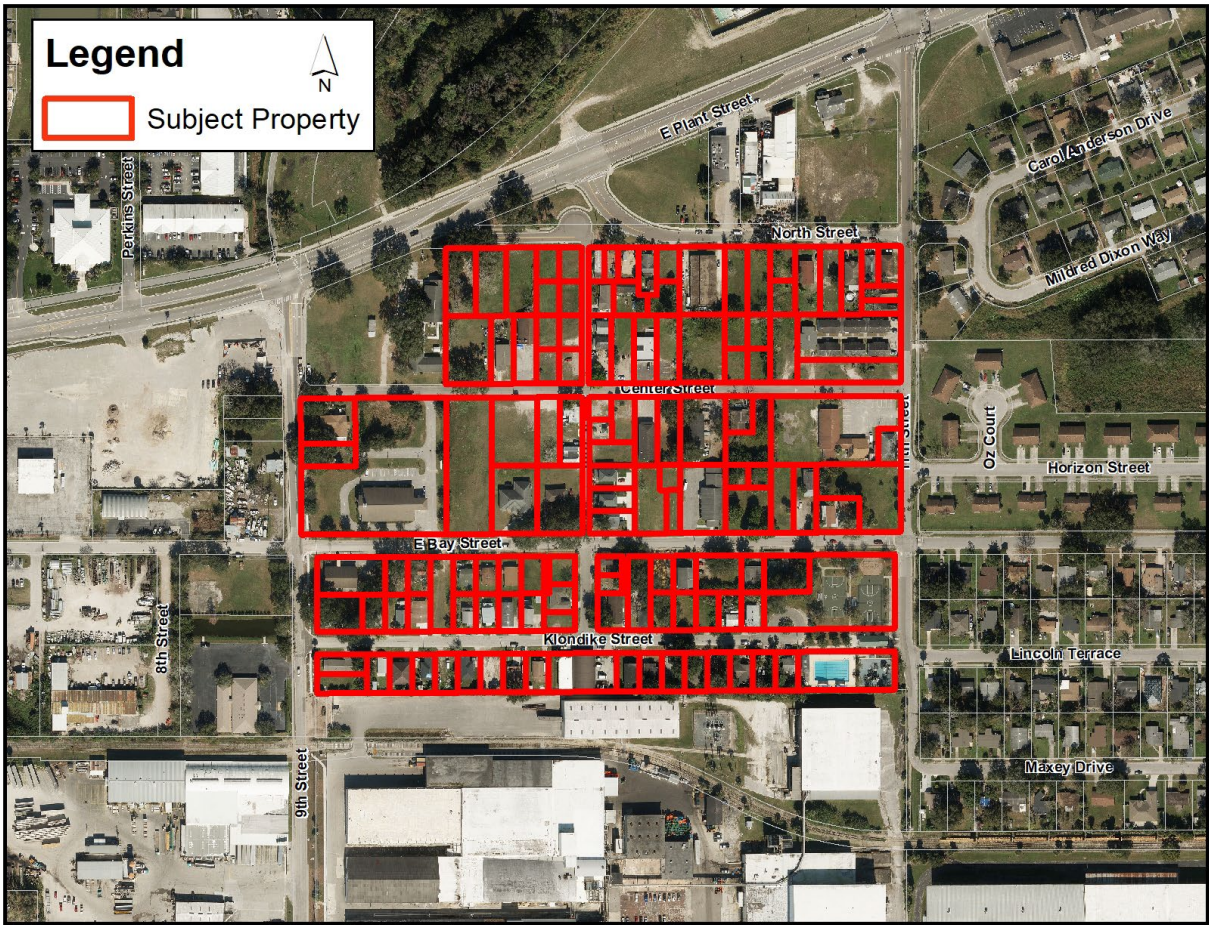
The City will continue to provide garbage collection, police protection, and all other services regularly provided to City of Winter Garden residents including building permits. The subject property will continue to be served by both Orange County Fire and Rescue and the City Fire Department under the First Response system.

SUMMARY

Staff recommends approval of Ordinance 25-06, and that staff be allowed to transmit the Comprehensive Plan Amendment to the State Land Planning Agency, amending the Future Land Use Map by changing the future land use designation of the 22.8 ± acre subject property from Residential Neighborhood Commercial and Institutional to Neighborhood Mixed-Use.

WINTER GARDEN
AERIAL MAP

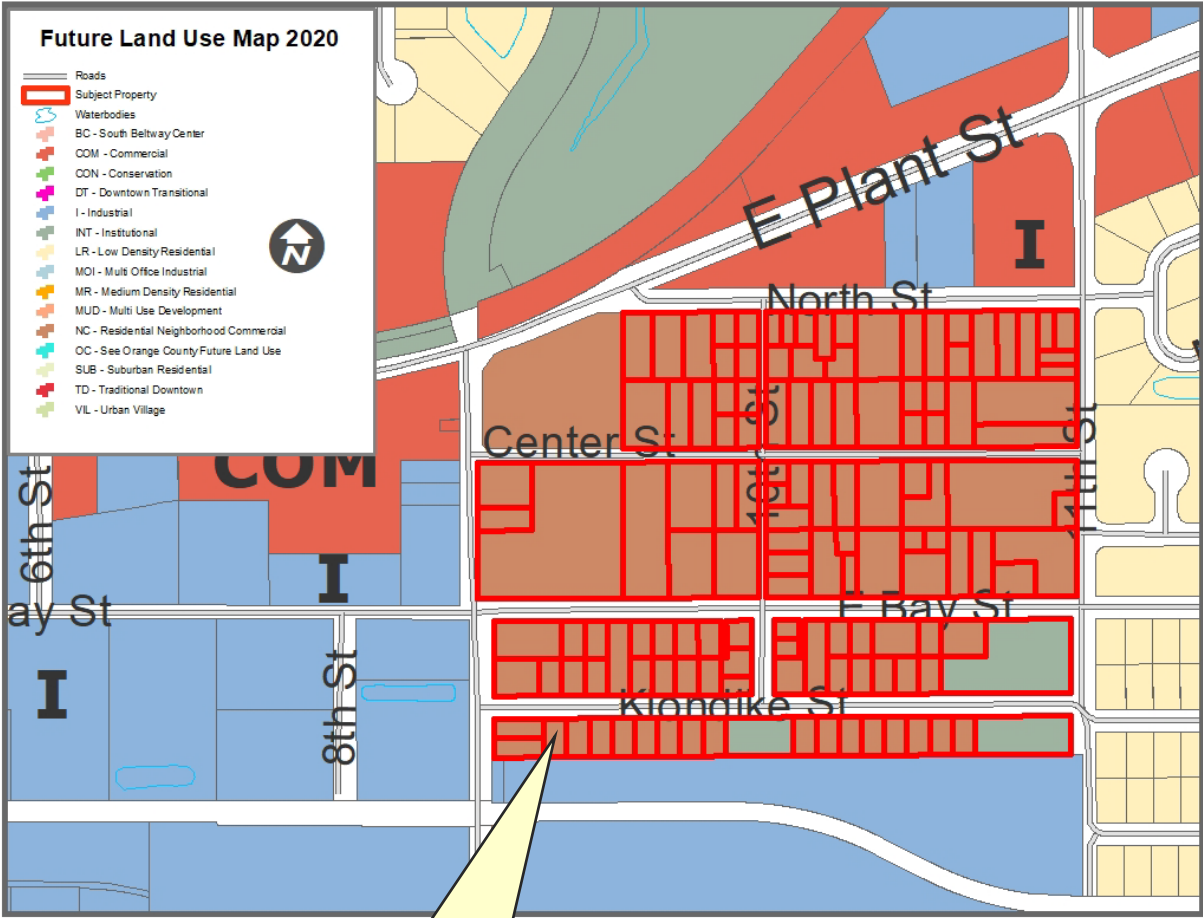
Neighborhood Mixed-Use FLU Amendment Area



WINTER GARDEN
FUTURE LAND USE MAP

EXISTING & PROPOSED

Neighborhood Mixed-Use FLU Amendment Area

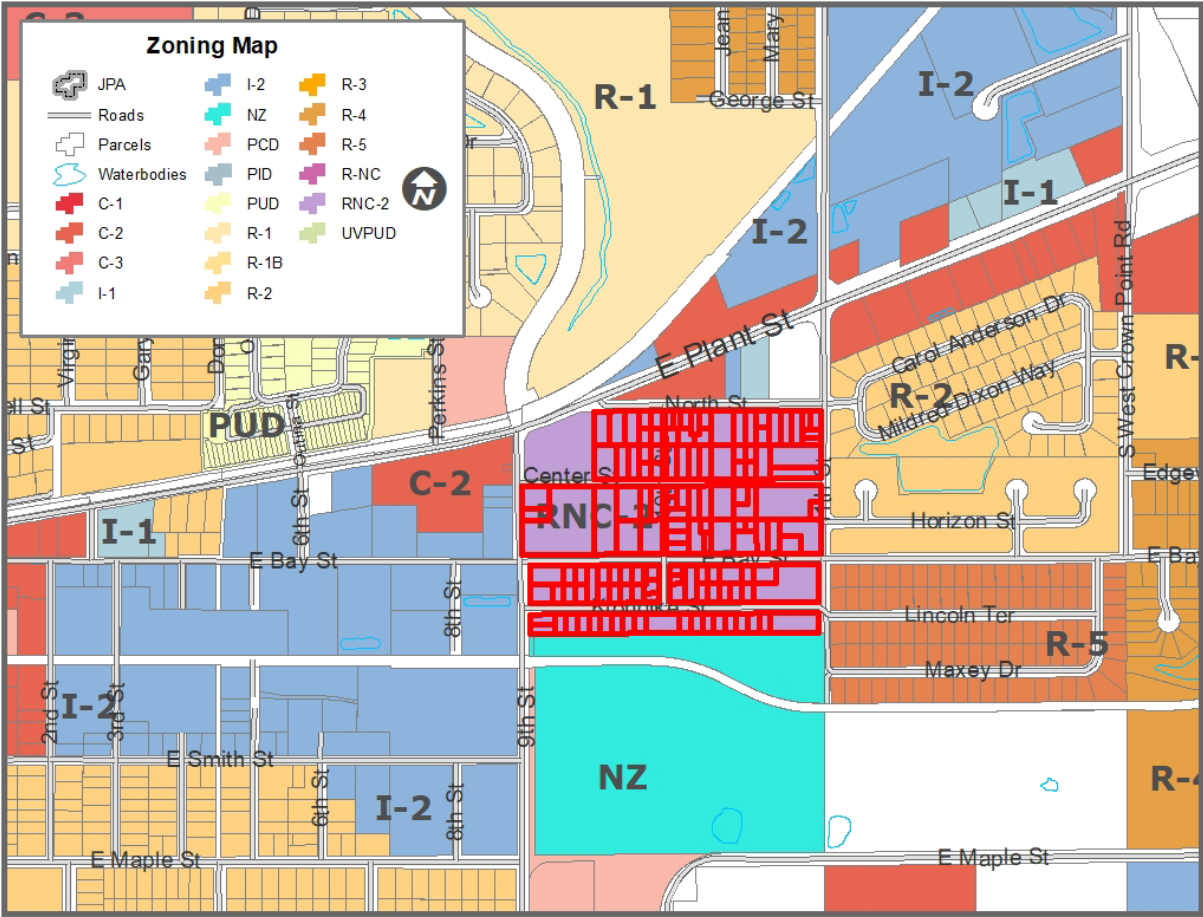


Amending parcels outlined in red as
“Subject Property” from Residential
Neighborhood Commercial and
Institutional to Neighborhood Mixed-
Use.

WINTER GARDEN
ZONING MAP

EXISTING

Neighborhood Mixed-Use FLU Amendment Area



END OF STAFF REPORT



Business Impact Estimate

This form should be included in agenda packet for the item under which the proposed ordinance is to be considered, and must be posted on the City's website by the time notice of the proposed ordinance is published.

Proposed ordinance's title/reference: Ordinance 25-06: FLU Amendment – Neighborhood Mixed-Use

This Business Impact Estimate is provided in accordance with Section 166.041(4), *Florida Statutes*. If one or more of the boxes are checked below, the checked exception(s) to the Business Impact Estimate requirement apply to the above-referenced proposed ordinance, although, the City is implementing the procedure otherwise required by law to ensure that no inadvertent procedural issue could impact the enactment of the proposed ordinance.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant, or other financial assistance accepted by the
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☐ The proposed ordinance is enacted to implement the following:
 - a. Part II of Chapter 163, *Florida Statutes*, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
 - b. Sections 190.005 and 190.046, *Florida Statutes*, regarding community development districts;
 - c. Section 553.73, *Florida Statutes*, relating to the *Florida Building Code*; or
 - d. Section 633.202, *Florida Statutes*, relating to the *Florida Fire Prevention Code*.

In accordance with the provisions of controlling law, even notwithstanding the fact that, an exemption noted above may apply, the City hereby publishes the following information:

1. Summary of the proposed ordinance (must include statement of the public purpose, such as serving the public health, safety, morals, and welfare):

The City has initiated a Comprehensive Plan amendment to change the future land use of 22.8 ± acres of property on the west side of the Historic East Winter Garden Neighborhood Residential Neighborhood Commercial and Institutional to Neighborhood Mixed-Use. This change is in conjunction with an associated Comprehensive Plan change that would add Neighborhood Mixed-Use as a new future land use element. This future land use amendment will ensure consistency with the City's East Winter Garden Plan and East Winter Garden Plan Update, which were adopted in 2018 and 2022, respectively. The FLU change will also ensure consistency with the forthcoming change to the City's Land Development Code to establish a new Historic East Winter Garden Neighborhood Overlay District. Adoption of this ordinance will ensure that the Historic East Winter Garden Neighborhood is developed and redeveloped in accordance with the community's vision and ensures the health, safety, and welfare of the neighborhood is preserved.

2. Estimate of direct economic impact of the proposed ordinance on private, for-profit businesses in the City:

It is not anticipated that any private, for-profit businesses will be directly impacted by this Ordinance.

3. Estimate of direct compliance costs that businesses may reasonably incur:

No direct compliance costs will be incurred by any businesses as a result of this Ordinance.

4. Any new charge or fee imposed by the proposed ordinance:

No new fees or charges will be imposed by this Ordinance.

5. Estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs:

There will be no new regulatory costs created by this Ordinance.

6. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

It is not anticipated that any businesses will be impacted by this ordinance.

7. Additional information (if any, but may wish to include the methodology used to derive information for #1 and #2, above. For example: City staff solicited comments from businesses in the City as to the potential impact of the proposed ordinance by contacting the chamber of commerce, social media posting, direct mail or direct email, posting on City website, public workshop, etc. You may also wish to include efforts made to reduce the potential fiscal impact on businesses based on feedback from businesses. You may also wish to state here that the proposed ordinance is a generally applicable ordinance that applies to all persons similarly situated (individuals as well as businesses) and, therefore, the proposed ordinance does not impose costs only upon businesses.):

The FLU amendment will make it easier to develop affordable housing & start local businesses by establishing a density and intensity bonus system that did not exist previously in the area.

THE CITY OF WINTER GARDEN
CITY COMMISSION AGENDA ITEM

From: Kelly Carson, Planning Director

Via: City Manager Jon C. Williams

Date: May 15, 2025 **Meeting Date:** May 22, 2025

Subject: **Ordinance 25-12**
Comprehensive Plan Amendment – Adding a new Property Rights Element

Issue: An ordinance of the City of Winter Garden, Florida, Amending the Winter Garden Comprehensive Plan by adding a new Property Rights Element.

Discussion:

The City has initiated an amendment that would add a new Property Rights element to the Comprehensive Plan. This is an amendment that the State requires local municipalities adopt per Section 163.3177(6)(i)1 of the Florida Statutes. The new element provides goals, objectives, and policies to confirm that the City respects judicially acknowledged and constitutionally protected private property rights; and to ensure that private property rights are considered in the City of Winter Garden's decision-making.

The State Land Planning Agency (FloridaCommerce) has reviewed the ordinance and provided no comments.

Recommended Action:

Staff recommends approval of Ordinance 25-12.

Attachment(s)/References:

Ordinance 25-12
Business Impact Estimate

ORDINANCE 25-12

AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING THE WINTER GARDEN COMPREHENSIVE PLAN BY ADDING A NEW PROPERTY RIGHTS ELEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on the 13th of June, 1991, the City Commission of the City of Winter Garden adopted Ordinance 91-16 which adopted a new Comprehensive Plan for the City of Winter Garden, and on the 24th of June, 2010, the City Commission of the City of Winter Garden adopted Ordinance 10-19 readopting and amending the Comprehensive Plan for the City of Winter Garden; and

WHEREAS, Section 163.3167, Florida Statutes, requires the City of Winter Garden to maintain a comprehensive plan to guide its future development and growth; and

WHEREAS, Section 163.3177(6)(i)1., Florida Statutes, requires the City of Winter Garden's comprehensive plan to include a property rights element; and

WHEREAS, The City of Winter Garden respects judicially acknowledged and constitutionally protected private property rights; and

WHEREAS, the City of Winter Garden respects the rights of all people to participate in land use planning processes; and

WHEREAS, this ordinance will amend the comprehensive plan by adding a property rights element; and

WHEREAS, the City of Winter Garden's Local Planning Agency and City Commission have conducted the prerequisite advertised public hearings pursuant to Chapter 163, Florida Statutes, regarding the adoption of this ordinance; now, therefore,

BE IT ENACTED BY THE CITY OF WINTER GARDEN, FLORIDA:

SECTION 1: Recitals. The above recitals are hereby incorporated by reference and shall constitute the legislative findings of the City Commission of the City of Winter Garden.

SECTION 2: Comprehensive Plan Amendment: The City of Winter Garden Comprehensive Plan is hereby amended by adding the property rights element attached as **Exhibit 'A'** and made a part of this ordinance as if set forth in full.

SECTION 3: Codification: Section 2 of this Ordinance shall be codified and made part of the City of Winter Garden Comprehensive Plan.

SECTION 4: Conflicts: In the event of a conflict or conflicts between this ordinance and other ordinances, this ordinance controls to the extent of the conflict.

SECTION 5: Severability: If any portion of this Ordinance is determined to void, unconstitutional, or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

SECTION 6: Effective Date: Once this Ordinance is adopted, the effective date of the comprehensive plan amendment (“Amendment”) set forth in this Ordinance shall be 31 days after the state land planning agency notifies the local government that the comprehensive plan amendment package is complete if the Amendment is not timely challenged. If timely challenged, this Amendment shall become effective on the date the state land planning agency or the Administrative Commission enters a final order determining the adopted amendment to be in compliance. If a final order of noncompliance is issued by the Administrative Commission, this Amendment may nevertheless be made effective by the adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

FIRST READING: _____, 2025.

SECOND READING AND PUBLIC HEARING: _____, 2025.

ADOPTED this ____ day of _____, 2025, by the City Commission of the City of Winter Garden, Florida.

APPROVED:

John Rees, Mayor/Commissioner

ATTEST:

Angela Grimmage, City Clerk

Exhibit ‘A’

CHAPTER 10 - PROPERTY RIGHTS ELEMENT

Goals, Objectives, and Policies

GOAL 10-1: To ensure that the City of Winter Garden respects judicially acknowledged and constitutionally protected private property rights; and to ensure that private property rights are considered in the City of Winter Garden’s decision-making.

Objective 10-1.1: The City of Winter Garden shall respect judicially acknowledged and constitutionally protected private property rights and shall ensure that private property rights are considered in Winter Garden’s decision-making.

Policy 10-1.1.1: The following rights shall be considered in the City of Winter Garden’s decision-making:

- 1) The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.
- 2) The right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.
- 3) The right of the property owner to privacy and to exclude others from the property to protect the owner’s possessions and property.
- 4) The right of a property owner to dispose of his or her property through sale or gift.



Business Impact Estimate

This form should be included in agenda packet for the item under which the proposed ordinance is to be considered, and must be posted on the City's website by the time notice of the proposed ordinance is published.

Proposed ordinance's title/reference:

Ordinance 25-12 – Adding a Property Rights Element to the Winter Garden Comprehensive Plan

This Business Impact Estimate is provided in accordance with Section 166.041(4), *Florida Statutes*. If one or more of the boxes are checked below, the checked exception(s) to the Business Impact Estimate requirement apply to the above-referenced proposed ordinance, although, the City is implementing the procedure otherwise required by law to ensure that no inadvertent procedural issue could impact the enactment of the proposed ordinance.

- ☒ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant, or other financial assistance accepted by the
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☐ The proposed ordinance is enacted to implement the following:
 - a. Part II of Chapter 163, *Florida Statutes*, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
 - b. Sections 190.005 and 190.046, *Florida Statutes*, regarding community development districts;
 - c. Section 553.73, *Florida Statutes*, relating to the *Florida Building Code*; or
 - d. Section 633.202, *Florida Statutes*, relating to the *Florida Fire Prevention Code*.

In accordance with the provisions of controlling law, even notwithstanding the fact that, an exemption noted above may apply, the City hereby publishes the following information:

1. Summary of the proposed ordinance (must include statement of the public purpose, such as serving the public health, safety, morals, and welfare):

Ordinance 25-12 adds a new Property Rights Element to Winter Garden's Comprehensive Plan to ensure compliance with Florida Statutes, Section 163.3177(6)(i)1.

2. Estimate of direct economic impact of the proposed ordinance on private, for-profit businesses in the City:

This ordinance should have no direct economic impact on private, for-profit businesses in the City.

3. Estimate of direct compliance costs that businesses may reasonably incur:

Businesses should not incur any direct compliance costs as a result of this ordinance.

4. Any new charge or fee imposed by the proposed ordinance:

No new fees are imposed by this ordinance.

5. Estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs:

No regulatory costs should be incurred by the City as a result of this ordinance.

6. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

No businesses should be impacted by this ordinance.

7. Additional information (if any, but may wish to include the methodology used to derive information for #1 and #2, above. For example: City staff solicited comments from businesses in the City as to the potential impact of the proposed ordinance by contacting the chamber of commerce, social media posting, direct mail or direct email, posting on City website, public workshop, etc. You may also wish to include efforts made to reduce the potential fiscal impact on businesses based on feedback from businesses. You may also wish to state here that the proposed ordinance is a generally applicable ordinance that applies to all persons similarly situated (individuals as well as businesses) and, therefore, the proposed ordinance does not impose costs only upon businesses.):

THE CITY OF WINTER GARDEN
CITY COMMISSION AGENDA ITEM

From: Steve Graham, Police Chief

Via: Jon C. Williams, City Manager

Date: May 14, 2025

Meeting Date: May 22, 2025

Subject: Traffic Enforcement Agreement between the Bradford Creek Owners Association, Inc. and the City of Winter Garden.

Issue: The Residences at Bradford Creek want to authorize the Police Department to conduct traffic enforcement within their gated community. The execution of this agreement is required per Florida State Statute 316.006 to enable the Police Department to perform this service.

Recommended action: To approve and authorize the Mayor to execute the Traffic Enforcement Agreement.

Attachment: Copy of Traffic Enforcement Agreement

TRAFFIC ENFORCEMENT AGREEMENT
(Bradford Creek Subdivision)

THIS TRAFFIC ENFORCEMENT AGREEMENT ("Agreement") is made and entered into as of the 9th of May, 2025 (the "Effective Date") by and between **Bradford Creek Owners Association, Inc.**, whose mailing address is 4901 Vineland Rd, Suite 455, Orlando, FL 32811 (hereinafter referred to as the "Association") and the **CITY OF WINTER GARDEN**, a Florida municipal corporation, whose mailing address is 251 West Plant Street, Winter Garden, Florida 34787 (hereinafter referred to as the "City").

W I T N E S S E T H:

WHEREAS, the Association is a not-for-profit corporation existing pursuant to and in accordance with Florida Statutes §§617.301-617.312; and

WHEREAS, the Association owns and/or controls those private roads within that certain gated community commonly known as the Bradford Creek subdivision which is located in Orange County, Florida, and within the corporate limits of the City of Winter Garden, Florida, said private roads being those roads within the Bradford Creek subdivision, being more particularly depicted on attached Exhibit "A" (hereinafter referred to as the "Private Roads"); and

WHEREAS, Florida Statutes §316.006(2)(b) authorizes the City, subject to certain provisions, to enter into an agreement with the Association whereby the Association grants unto the City traffic control jurisdiction over the Private Roads within the subdivision controlled by the Association; and

WHEREAS, Florida Statutes § 316.640(3) authorizes the City to require that the City police department enforce the traffic laws of the State of Florida on any private roads pursuant to a written agreement under Florida Statutes § 316.006(2)(b); and

WHEREAS, the Association and the City desire to have the Association grant unto the City traffic control jurisdiction over the Private Roads as authorized by Florida Statutes § 316.006(2)(b) so that the City may enforce the traffic laws of the State of Florida on the Private Roads; and

WHEREAS, this Agreement has been duly approved and authorized by the Association in accordance with its Articles of Incorporation, Bylaws and other applicable governing documents.

NOW, THEREFORE, in consideration of the premises and other good and valuable considerations exchanged between the parties hereto, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

Section 1. Recitals. The above recitals are true and correct and incorporated herein by this reference.

Section 2. Traffic Control Jurisdiction. The parties agree that the City shall have traffic control jurisdiction over the Private Roads and that officers of the City police department are authorized to enter upon the Private Roads for the purpose of exercising this jurisdiction. Such jurisdiction shall give to the City the authority to enforce the Florida Uniform Traffic Control Laws on the Private Roads. The exercise of jurisdiction provided for herein shall be in addition to jurisdictional authority presently exercised by the City under law, and nothing in this Agreement shall be construed to limit or remove any such jurisdictional authority. Such existing jurisdiction includes, but is not limited to, the regulation of access to the Private Roads by security devices or personnel.

Section 3. Traffic Enforcement. The City hereby agrees that the City police department will enforce the Florida Uniform Traffic Control Laws on the Private Roads; provided, however, that the foregoing shall not be construed to require any minimum level of staffing or create any priority for traffic enforcement on the Private Roads vis-a-vis public roadways or other private roads. All decisions regarding the level of traffic enforcement on the Private Roads and staffing related thereto shall be within the sole discretion of the City police department.

Section 4. Traffic Control Signs. The Association, at Association's sole cost and expense, shall install and maintain all traffic control signs, markings, and other traffic control apparatus as prescribed by the City Engineer, City Police Department, or as the City may otherwise deem to be necessary for the enforcement of traffic laws on the Private Roads. Further, the Association, at the Association's sole cost, shall have the City or a Florida registered Traffic Engineer to certify that all traffic control signs/devices meet the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways and the Manual of Uniform Traffic Control Devices (MUTCD) requirements. This report will identify the traffic control signs, markings, and other traffic control apparatus and location thereof necessary for the Private Roads. All traffic control signs within the subdivision shall be uniform traffic control signs in conformity with applicable standards and regulations.

Section 5. City to Retain Revenues. All revenues from the fines, costs, and penalties imposed by the traffic citations issued for violation of traffic laws on the Private Road shall be apportioned in the manner set forth in applicable statutes.

Section 6. Term; Termination. The term of this Agreement shall be two (2) years from the Effective Date (the "Term"); provided, however, that this Agreement may be terminated by either party upon sixty (60) days written notice to the address first appearing in this Agreement. This Agreement will automatically renew for an additional two-year term at the end of each two-year term unless the Agreement has been (or is during such renewal period) terminated in accordance with this Section.

Section 7. Liability not Increased/Sovereign Immunity. Neither the existence of this Agreement nor anything contained herein shall give rise to any greater liability on the part of the City or the City Police Department than that which the City or the City Police Department would ordinarily be subjected to when providing its normal police services. Further, nothing contained in this Agreement nor in any instruments executed pursuant to the terms of this

Agreement shall be construed as a waiver or attempted waiver by the City of its sovereign immunity under the Constitution and laws of the State of Florida.

Section 8. Agreement; Amendment. This Agreement constitutes the entire agreement between the parties, and supersedes all previous discussions, understandings and agreements, with respect to the subject matter hereof. Amendments to and waivers of the provisions of this Agreement shall be made by the parties only in writing by formal amendment.

Section 9. Road Maintenance. Neither the existence of this Agreement nor anything contained herein shall impose any obligation or duty upon the City to provide maintenance on and/or drainage of the Private Roads. The maintenance, repair and construction and reconstruction of all Private Roads shall at all times be solely and exclusively the responsibility of the Association.

Section 10. Captions. Captions of the Sections and Subsections of this Agreement are for convenience and reference only, and the words contained therein shall in no way be held to explain, modify, amplify or aid in the interpretation, construction or meaning of the provisions of this Agreement.

Section 11. Severability. If any sentence, phrase, paragraph, provision or portion of this Agreement is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion hereof.

Section 12. Effective Date. The Effective Date of this Agreement shall be the date first appearing in this Agreement and shall coincide with the date the Agreement is executed by the City.

IN WITNESS WHEREOF, the Association and the City have caused this instrument to be executed by their duly authorized officers as of the day and year first above written.

Signed, sealed and delivered
in the presence of:

Elizabeth Millan

Print Name: Elizabeth Millan

Kathy Ann Dickey

Print Name: _____

ASSOCIATION

Bradford Creek Owners Association, Inc.

By: David Salvo

Name: David Salvo

Title: President

(CORPORATE SEAL)

Executed on: _____

CITY:

CITY OF WINTER GARDEN, FLORIDA

Signed, sealed and delivered in the
presence of:

Print Name: _____

Print Name: _____

By: _____

John Rees, Mayor

Attest: _____

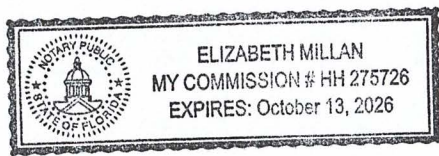
Angee Grimmage, City Clerk

Executed on: _____

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 David Salvo, as President of Bradford Creek Owners Association, Inc., and who [] is personally known to me or [X] produced FL DL as identification, and that he/she acknowledged executing the same in the presence of two subscribing witnesses, on behalf of said corporation, freely and voluntarily, for the uses and purposes therein expressed.

WITNESS my hand and official seal in the County and State last aforesaid this 9th day of May, 2025.



Elizabeth Millan
Signature of Notary
Elizabeth Millan

Name of Notary (Typed, Printed or Stamped)

Commission Number (if not legible on seal): _____

My Commission Expires (if not legible on seal): _____

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 **JOHN REES** and **ANGEER GRIMMAGE**, personally known to me to be the Mayor and City Clerk, respectively, of the **CITY OF WINTER GARDEN, FLORIDA** and that they severally acknowledged executing the same in the presence of two subscribing witnesses, freely and voluntarily under authority duly vested in them by said municipality.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2025.

Signature of Notary

Name of Notary (Typed, Printed or Stamped)

Commission Number (if not legible on seal): _____

My Commission Expires (if not legible on seal): _____

EXHIBIT "A"
PRIVATE ROADS



THE CITY OF WINTER GARDEN
CITY COMMISSION AGENDA ITEM

From: Jim Monahan, P.E., City Engineer – Public Services

Via: Jon C. Williams, City Manager

Date: May 15, 2025

Meeting Date: May 22, 2025

Subject: State Revolving Fund Loan Amendment 2 to Loan Agreement WW480102

Issue: The City currently has State Revolving Fund Loan Agreement WW480102 for the design of the Wastewater Treatment Plant Upgrades and Expansion project that we have requested an extension with the State to allow more time to complete design activities.

Recommended Action:

Approval of the SRF Loan Amendment extending the design period to August 15, 2025.

Attachment(s)/References:

State Revolving Fund Amendment to Loan Agreement WW480102 – Amendment 2

**STATE REVOLVING FUND
AMENDMENT 2 TO LOAN AGREEMENT WW480102
CITY OF WINTER GARDEN**

This amendment is executed by the STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (Department) and the CITY OF WINTER GARDEN, FLORIDA, (Local Government) existing as a local governmental entity under the laws of the State of Florida. Collectively, the Department and the Local Government shall be referred to as “Parties” or individually as “Party”.

The Department and the Local Government entered into a State Revolving Fund Loan Agreement, Number WW480102, as amended; and

Loan repayment activities need rescheduling to give the Local Government additional time to complete Design Activities; and

Certain provisions of the Agreement need revision.

The Parties hereto agree as follows:

1. Section 8.12 of the Agreement is deleted and replaced as follows:

8.12. CIVIL RIGHTS.

The Local Government shall comply with all Title VI requirements of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, which prohibit activities that are intentionally discriminatory and/or have a discriminatory effect based on race, color, national origin (including limited English proficiency), age, disability, or sex.

2. Unless repayment is further deferred by amendment of the Agreement, Semiannual Loan Payments as set forth in Section 10.05 shall be received by the Department beginning on February 15, 2026, and semiannually thereafter on August 15 and February 15 of each year until all amounts due under the Agreement have been fully paid.

3. The items scheduled under Section 10.07 of the Agreement are rescheduled as follows:

- (2) Completion of Design is scheduled for August 15, 2025.

- (3) Establish the Loan Debt Service Account and begin Monthly Loan Deposits no later than August 15, 2025.

- (4) The first Semiannual Loan Payment in the amount of \$197,066 shall be due February 15, 2026.

4. All other terms and provisions of the Loan Agreement shall remain in effect.

This Amendment 2 to Loan Agreement WW480102 may be executed in two or more counterparts, any of which shall be regarded as an original and all of which constitute but one and the same instrument.

IN WITNESS WHEREOF, the Department has caused this amendment to the Loan Agreement to be executed on its behalf by the Secretary or Designee and the Local Government has caused this amendment to be executed on its behalf by its Authorized Representative and by its affixed seal. The effective date of this amendment shall be as set forth below by the Department.

for
CITY OF WINTER GARDEN

Mayor

Attest:

Approved as to form and legal sufficiency:

City Clerk
SEAL

City Attorney

for
STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Secretary or Designee

Date

THE CITY OF WINTER GARDEN
CITY COMMISSION AGENDA ITEM

From: Jim Monahan, P.E., City Engineer – Public Services

Via: Jon C. Williams, City Manager

Date: May 15, 2025

Meeting Date: May 22, 2025

Subject: State Revolving Fund Loan Amendment 2 to Loan Agreement WW480102

Issue: The City currently has State Revolving Fund Loan Agreement WW480102 for the design of the Wastewater Treatment Plant Upgrades and Expansion project that we have requested an extension with the State to allow more time to complete design activities.

Recommended Action:

Approval of the SRF Loan Amendment extending the design period to August 15, 2025.

Attachment(s)/References:

State Revolving Fund Amendment to Loan Agreement WW480102 – Amendment 2

**STATE REVOLVING FUND
AMENDMENT 2 TO LOAN AGREEMENT WW480102
CITY OF WINTER GARDEN**

This amendment is executed by the STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (Department) and the CITY OF WINTER GARDEN, FLORIDA, (Local Government) existing as a local governmental entity under the laws of the State of Florida. Collectively, the Department and the Local Government shall be referred to as “Parties” or individually as “Party”.

The Department and the Local Government entered into a State Revolving Fund Loan Agreement, Number WW480102, as amended; and

Loan repayment activities need rescheduling to give the Local Government additional time to complete Design Activities; and

Certain provisions of the Agreement need revision.

The Parties hereto agree as follows:

1. Section 8.12 of the Agreement is deleted and replaced as follows:

8.12. CIVIL RIGHTS.

The Local Government shall comply with all Title VI requirements of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, which prohibit activities that are intentionally discriminatory and/or have a discriminatory effect based on race, color, national origin (including limited English proficiency), age, disability, or sex.

2. Unless repayment is further deferred by amendment of the Agreement, Semiannual Loan Payments as set forth in Section 10.05 shall be received by the Department beginning on February 15, 2026, and semiannually thereafter on August 15 and February 15 of each year until all amounts due under the Agreement have been fully paid.

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- (3) Establish the Loan Debt Service Account and begin Monthly Loan Deposits no later than August 15, 2025.

- (4) The first Semiannual Loan Payment in the amount of \$197,066 shall be due February 15, 2026.

4. All other terms and provisions of the Loan Agreement shall remain in effect.

This Amendment 2 to Loan Agreement WW480102 may be executed in two or more counterparts, any of which shall be regarded as an original and all of which constitute but one and the same instrument.

IN WITNESS WHEREOF, the Department has caused this amendment to the Loan Agreement to be executed on its behalf by the Secretary or Designee and the Local Government has caused this amendment to be executed on its behalf by its Authorized Representative and by its affixed seal. The effective date of this amendment shall be as set forth below by the Department.

for
CITY OF WINTER GARDEN

Mayor

Attest:

Approved as to form and legal sufficiency:

City Clerk
SEAL

City Attorney

for
STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Secretary or Designee

Date

THE CITY OF WINTER GARDEN
CITY COMMISSION AGENDA ITEM

From: Kelly Carson, Planning Director

Via: Jon C. Williams, City Manager

Date: May 15, 2025

Meeting Date: May 22, 2025

Subject: **Winter Garden Community Choir Wine Walk**

Issue: Winter Garden Community Choir / Orlando Choral Society is planning to hold their annual wine walk through downtown Winter Garden on Thursday, June 5, 2025.

Discussion:

The Winter Garden Choir is requesting approval to hold their annual Wine Walk through downtown Winter Garden where guests will visit different downtown merchants and taste wine and food. They are requesting to use the Pavilion for registration to sign in and pick up wine glasses. All wine tasting will be inside the merchant building and no alcohol is allowed outside. The event is proposed to start setting up at 5:30 PM and will break down by 9:15 PM, with the wine walk happening between 6:30 PM and 9:00 PM.

Recommended Action:

Staff recommends approval of the Wine Walk.

Attachment(s)/References:

Permit Application



Community Development
Planning & Zoning

APR 03 2025

Received by: CR

Project #:

PZE 2025 - 0062

June 5
CITY OF WINTER GARDEN
Community Development
300 West Plant Street
WINTER GARDEN, FL 34787

(407) 656-4111

WWW.WINTERGARDEN-FL.GOV

SPECIAL EVENT APPLICATION

OFFICIAL USE ONLY

DATE RECEIVED: _____

PERMIT FEE PD. ON: _____

INIT. _____

PER CITY CODE 27.1.3 "SPECIAL EVENTS" ARE DEFINED AS ANY PUBLIC ASSEMBLY OF 100 OR MORE PEOPLE IN ANY PARK, SIDEWALK, ALLEY, LAKE OR OTHER PUBLICALLY OWNED AREA. COMPLETED APPLICATIONS SHOULD BE SUBMITTED NO LESS THAN 30 DAYS PRIOR TO THE FIRST DATE OF THE PROPOSED EVENT. EVENTS THAT REQUIRE CLOSURE OF ANY CITY STREET OR ARE ANTICIPATED HAVING MORE THAN 500 PEOPLE IN ATTENDANCE WILL REQUIRE APPROVAL OF THE CITY COMMISSION.

SPECIAL EVENTS ON CITY PROPERTY WHERE 500 OR MORE PEOPLE ARE REASONABLY ANTICIPATED TO BE IN ATTENDANCE OR WHERE THERE ARE REQUESTS FOR STREET CLOSURES WILL REQUIRE PRIOR APPROVAL BY THE CITY COMMISSION, AT LEAST FOUR WEEKS PRIOR TO THE SCHEDULED EVENT. THE APPLICANT MUST COMPLETE ALL OF THE FOLLOWING INFORMATION.

DATE OF APPLICATION: January 20, 2025

ORGANIZATION/GROUP: Winter Garden Community Choir/Orlando Choral Society NON-PROFIT ☒ CORP ☐ INDIV. ☐

NAME OF EVENT: Winter Garden Wine Walk

CONTACT/REPRESENTATIVE: Jeffery Redding

PHONE # 4072579777

ALT. PHONE #: 5402077831

EMAIL: info@orlandochoralsociety.org

EVENT LOCATION: Downtown Winter Garden/ Winter Garden Pavilion

PROPOSED DATES: or any available Thursday Evening (June 5, 2025)

HOURS: 6:30pm to 9:00 PM

ESTIMATED DAILY ATTENDANCE: 150-175

DATES & TIMES OF EVENT SETUP & BREAKDOWN:

SET UP: 6:00pm

5:30 pm

BREAKDOWN: 9:15pm

104 S LAKEVIEW AVE

PLEASE CHECK ALL OF THE FOLLOWING THAT APPLY:

TYPE OF EVENT

- ☐ FESTIVAL
- ☐ EXHIBIT(S)
- ☐ CARNIVAL/CIRCUS/FAIR
- ☐ GENERAL MEETING
- ☐ PARADE
- ☐ BLOCK PARTY OR PICNIC
- ☐ SPORTING EVENT/COMPETITION
- ☐ WEDDING/RECEPTION
- ☐ REVIVAL
- ☒ OTHER (EXPLAIN)

Wine Walk where people purchase tickets,

and then go into to local businesses to

get an ounce pour of wine and snacks.

EVENT DETAILS

- ☒ ADMISSION CHARGE/TICKET SALES
- ☐ ALCOHOL SERVED
- ☐ ALCOHOL SALES
- ☐ FIREWORKS/PYROTECHNICS
- ☐ FOOD TRUCKS
- ☐ MERCH. VENDORS # OF: _____
- ☐ OPEN TO PUBLIC
- ☐ STREET/SIDEWALK CLOSURE
- ☐ HOURS OF: _____
- ☐ CITY WATER USED
- ☒ EVENT HELP PREVIOUSLY
- ☐ CITY ELECTRIC USED

EQUIPMENT AT EVENT

- ☐ AMPLIFIED SPEAKING/MUSIC
- ☐ HOURS OF: _____
- ☐ PORTABLE RESTROOMS
- ☐ SPORTS EQUIPMENT
- ☐ STAGE/PROPS/PRODUCTION
- ☐ TENTS # & SIZE OF: _____
- ☐ TEMPORARY EVENT SIGNAGE
- ☐ DUMPSTERS/RECEPTACLES
- ☐ COOKING EQUIPMENT USED
- ☐ GAS ☐ OPEN FLAME
- ☐ OTHER (EXPLAIN): _____



CITY OF WINTER GARDEN
Community Development
300 West Plant Street
WINTER GARDEN, FL 34787

(407) 656-4111
WWW.WINTERGARDEN-FL.GOV

SPECIAL EVENTS

PLEASE PROVIDE A GENERAL DESCRIPTION OF THE EVENT THAT INCLUDES ALL FEATURES BEING PROPOSED TO TAKE PLACE. ELABORATE ON ANY 7 OF THE ABOVE CHECKED ITEMS, IF NECESSARY: (USE BACK IF NEEDED)

Wine Walk is winter garden community Choirs main fundraising event. This event is held yearly in downtown winter garden. It is a ticketed event where individuals purchase tickets online. We scan tickets at the pavilion and provide them with a glass and map. They then go to are businesses and get a pour of wine that we provide, and a snack. They are not allowed to leave the shop with wine in their glass - and this has really helped some sales per the businesses.

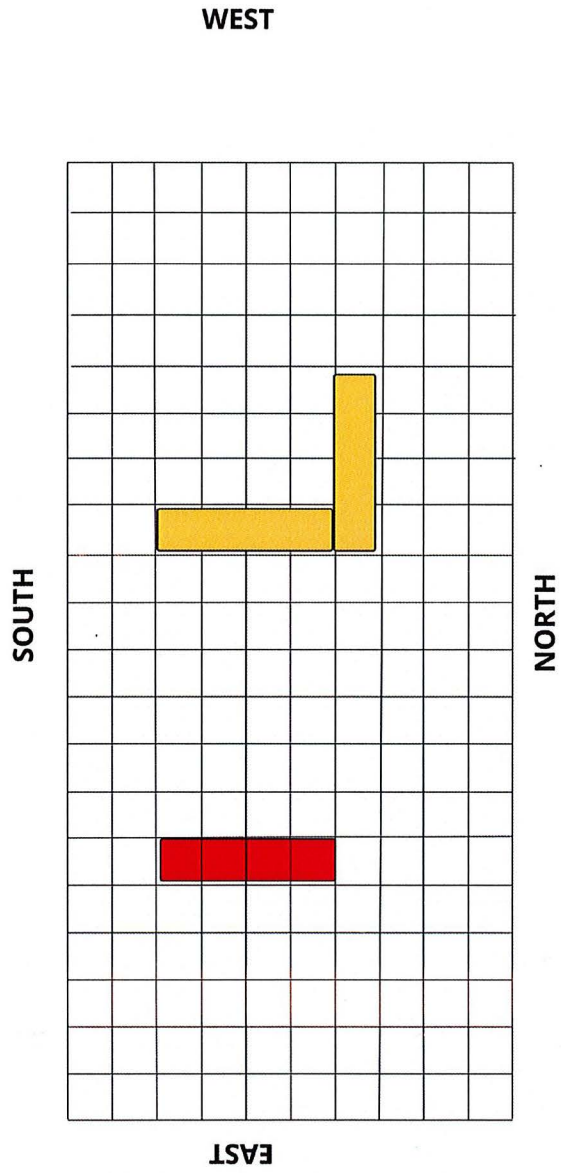
NO APPLICATION WILL BE ACCEPTED UNLESS THE FOLLOWING ITEMS ARE INCLUDED.

(APPROVAL PROCESS WILL NOT BEGIN UNTIL THE FOLLOWING IS SUBMITTED):

- COPY OF 501C-3 FORM SIGNIFYING NON-PROFIT STATUS (IF APPLICABLE)
- SITE PLAN INDICATING ALL AFFECTED AREAS, STREETS PROPOSING TO BE CLOSED, TEMPORARY POWER SOURCES TO BE INSTALLED, PORTABLE RESTROOM LOCATIONS, VENDOR PLACEMENT, PARADE ROUTE OR ANY OTHER SIGNIFICANT FEATURES.
- COPY OF APPLICANT'S INSURANCE CERTIFICATE NAMING THE CITY OF WINTER GARDEN AS ADDITIONALLY INSURED.
- IF ATTENDANCE IS REASONABLY ANTICIPATED TO BE GREATER THAN 100 PEOPLE, YOU SHOULD ALSO INCLUDE A PLAN FOR :
 - SANITATION – RESTROOM, PORT-O-LET PLACEMENT, POTABLE WATER, TRASH RECEPTACLES & COLLECTION PLAN, ETC.
 - PARKING AND TRAFFIC – REROUTING TRAFFIC AROUND BLOCKED STREETS, PARKING FOR EVENT PATRONS, ETC.
 - MEDICAL CARE – FIRST AID STATIONS, EMS SERVICES, AMBULANCE ON SITE, ETC.
 - SECURITY – OFF-DUTY OFFICERS SCHEDULES, SECURITY SERVICE UTILIZED, # OF EVENT STAFF IN ATTENDANCE, ETC.
- IF YOU WANT TO HAVE ANY SIGNAGE, PLEASE PROVIDE A SITE PLAN SHOWING WHERE SIGNS ARE PROPOSED (THE CITY PROHIBITS SNIPE SIGNS).

FOR OFFICIAL USE ONLY			
TECHNICIAN INITIAL: _____	DATE RECEIVED: _____	☐ FEE PAID	
CITY MANAGER/DESIGNEE: _____	DATE: _____	APPROVED: ☐ YES / ☐ NO	
CONDITIONS: _____			

OCS WINE WALK 2025



- SCAN TICKET, CHECK ID, DISTRIBUTE WRISTBANDS
- DISTRIBUTE WINE GLASSES AND MAPS



Consumer's Certificate of Exemption

Issued Pursuant to Chapter 212, Florida Statutes

DR-14
R. 01/18

85-8015429853C-2	07/31/2020	07/31/2025	501(C)(3) ORGANIZATION
Certificate Number	Effective Date	Expiration Date	Exemption Category

This certifies that

ORLANDO CHORAL SOCIETY INC
884 S DILLARD ST
WINTER GARDEN FL 34787-3910

is exempt from the payment of Florida sales and use tax on real property rented, transient rental property rented, tangible personal property purchased or rented, or services purchased.



Important Information for Exempt Organizations

DR-14
R. 01/18

1. You must provide all vendors and suppliers with an exemption certificate before making tax-exempt purchases. See Rule 12A-1.038, Florida Administrative Code (F.A.C.).
2. Your *Consumer's Certificate of Exemption* is to be used solely by your organization for your organization's customary nonprofit activities.
3. Purchases made by an individual on behalf of the organization are taxable, even if the individual will be reimbursed by the organization.
4. This exemption applies only to purchases your organization makes. The sale or lease to others of tangible personal property, sleeping accommodations, or other real property is taxable. Your organization must register, and collect and remit sales and use tax on such taxable transactions. Note: Churches are exempt from this requirement except when they are the lessor of real property (Rule 12A-1.070, F.A.C.).
5. It is a criminal offense to fraudulently present this certificate to evade the payment of sales tax. Under no circumstances should this certificate be used for the personal benefit of any individual. Violators will be liable for payment of the sales tax plus a penalty of 200% of the tax, and may be subject to conviction of a third-degree felony. Any violation will require the revocation of this certificate.
6. If you have questions about your exemption certificate, please call Taxpayer Services at 850-488-6800. The mailing address is PO Box 6480, Tallahassee, FL 32314-6480.



ORLACHO-01

MJONES

CERTIFICATE OF LIABILITY INSURANCEDATE (MM/DD/YYYY)
5/12/2025

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

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

PRODUCER Corkhill Insurance Agency, LLC 20 S. Bumby Ave Orlando, FL 32803	CONTACT NAME: Michele Jones	
	PHONE (A/C, No, Ext): (407) 898-8891	FAX (A/C, No): (407) 898-8813
	E-MAIL ADDRESS: michele@corkhillinsurance.com	
INSURED Orlando Choral Society P O Box 770234 Winter Garden, FL 34777	INSURER(S) AFFORDING COVERAGE	
	INSURER A : Security National Ins Co	
	INSURER B :	
	INSURER C :	
	INSURER D :	
	INSURER E :	
	INSURER F :	
	NAIC #	

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

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PRO-JECT ☐ LOC OTHER: General Aggregate	X		SES1830180 00	5/7/2025	5/7/2026	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
	AUTOMOBILE LIABILITY ☐ ANY AUTO OWNED AUTOS ONLY ☐ HIRED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB EXCESS LIAB DED ☐ RETENTION \$ ☐						EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) ☐ If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				PER STATUTE ☐ OTH-ER ☐ E.I. EACH ACCIDENT \$ E.I. DISEASE - EA EMPLOYEE \$ E.I. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
City of Winter Garden is an additional insured when required by written contract.

CERTIFICATE HOLDER**CANCELLATION**

City of Winter Garden 300 W. Plant Street Winter Garden, FL 34787	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE <i>Scott Corkhill</i>