



**CITY OF ALTAMONTE SPRINGS  
COMMISSION AGENDA  
OCTOBER 18, 2016 (Corrected)**

**7:00 P.M. REGULAR MEETING**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES OF REGULAR MEETING OF OCTOBER 4, 2016**

**INFORMAL COMMUNICATIONS FROM THE FLOOR**

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- 1. PUBLIC HEARING** Resolution # 1333 – Applauding Stephen Wolfram for his outstanding municipal service.
- 2. CONFIRMATION OF ROCHELLE CROSKEY AS ECONOMIC DEVELOPMENT DIRECTOR**
- 3. PUBLIC HEARING (2<sup>nd</sup> READING)** Ordinance No. 1702-16 – Request to Annex 1355 East Altamonte Drive
- 4. PUBLIC HEARING (1<sup>st</sup> READING)** Ordinance No. 1703-16 and 1704-16 – Requesting to change the Future Land Use Designation and Rezone 1355 East Altamonte Drive
- 5. PUBLIC HEARING (2<sup>nd</sup> READING)** Ordinance No. 1705-16 – Request to Annex 1390 East Altamonte Drive
- 6. PUBLIC HEARING (1<sup>st</sup> READING)** Ordinance No. 1706-16 and 1707-16 – Request to change the Future Land Use Designation and Rezone 1390 East Altamonte Drive
- 7. PUBLIC HEARING (2<sup>nd</sup> READING)** Ordinance No. 1710-16 – amending Ordinance 1671-13 to reflect the fictitious name filing by Progressive Waste Solutions of FL. Inc.
- 8. REQUEST FOR APPROVAL** Renewal of Commercial Solid Waste Franchises for Fiscal Year 2016/2017
- 9. DISCUSSION** Appointment of Citizen Board/Committee Members

**10. FINANCE ITEM**

Northlake Blvd. Corridor Improvements – County Property Right of way Purchase (Parcel 15) – Approve the purchase agreement

Persons with disabilities needing assistance in participating in any of these proceedings should contact the City Clerk Department ADA Coordinator 48 hours in advance of the meeting at 407-571-8122 (Voice) or 407-571-8126 (TDD).

Persons are advised if they wish to appeal any decision made at the hearing/meetings, they will need to ensure that a verbatim record of the proceedings is made which includes the testimony evidence upon which the appeal is to be based, per Chapter 286.0105, Laws of Florida. The City of Altamonte Springs does not provide this verbatim record.



## REGULAR MEETING OF THE CITY COMMISSION OCTOBER 4, 2016

Pursuant to due notice, a regular meeting of the Commission of the City of Altamonte Springs, Seminole County, was held at 225 Newburyport Avenue, in said City on October 4, 2016 at 7:00 p.m.

**PRESENT:** Mayor Bates, Commissioners Batman, Hussey, Reece and Wolfram

**ALSO PRESENT:**

Frank Martz	-	City Manager
Skip Fowler	-	City Attorney
Angela Apperson	-	City Clerk
Mark Debord	-	Finance Director
Ed Torres	-	Public Works Director
John Sember	-	Growth Management Director
Steve Falk	-	Leisure Services Deputy Director

Mayor Bates called the meeting to order at 7:00 p.m.

**INVOCATION:** A moment of silence was observed.

**PLEDGE OF ALLEGIANCE:** Mayor Bates led the Pledge of Allegiance.

**APPROVAL OF MINUTES:**

**Motion:** by Commissioner Batman, seconded by Commissioner Wolfram, to approve the minutes of the Regular City Commission Meeting of September 20, 2016. The motion carried unanimously.

**INFORMAL COMMUNICATION FROM THE FLOOR:** None

- PRESENTATION** Lifesaving and Community-Oriented Partnership Service Award

Mayor Bates presented the Altamonte Springs Police Department Lifesaving Award to Officers Kimberly Simmonds and Timothy Knoeller. Commission Members gave congratulatory handshakes and hugs. Mayor Bates explained the efforts of Daqurri Davis to wake his grandmother and attempt to aid his grandfather as the fire began. Mayor Bates noted the Police Department would be presenting the Community-Oriented Partnership Service Award to Daqurri Davis because he could not attend this meeting. Mayor Bates explained the important roll Police Officers play in our community and expressed appreciation for everything the Officers do in and for the Community.

2. **PUBLIC HEARING** **Ordinance No. 1702-16** – Request to Annex  
**(1<sup>ST</sup> READING)** 1355 East Altamonte Drive

Mayor Bates opened the Public Hearing. No members of the public appeared before the Commission. Mayor Bates closed the Public Hearing. Attorney Fowler read the Ordinance title into the record.

**Motion:** by Commissioner Batman, seconded by Commissioner Wolfram, to approve Ordinance No. 1702-16 on first reading and set second reading for October 18, 2016. Commissioner Batman – yes; Commissioner Hussey – yes; Commissioner Reece – yes; Commissioner Wolfram – yes; Mayor Bates – yes. The motion carried 5-0, after a roll call vote.

3. **PUBLIC HEARING** **Ordinance No. 1705-16** – Request to Annex  
**(1<sup>ST</sup> READING)** 1390 East Altamonte Drive

Mayor Bates opened the Public Hearing. No members of the public appeared before the Commission. Mayor Bates closed the Public Hearing. Attorney Fowler read the Ordinance title into the record.

**Motion:** by Commissioner Hussey, seconded by Commissioner Batman, that the Commission approve Ordinance No. 1705-16 on first reading and set second reading for October 18, 2016. Commissioner Batman – yes; Commissioner Hussey – yes; Commissioner Reece – yes; Commissioner Wolfram – yes; Mayor Bates – yes. The motion carried 5-0, after a roll call vote.

4. **REQUEST FOR APPROVAL** Intent to Annex – 704 W. State Road 436

**Motion:** by Commissioner Hussey, seconded by Commissioner Wolfram, that the Commission approve the Intent to Annex and refer the application to the Planning Board. The motion carried unanimously.

5. **PUBLIC HEARING** **Ordinance No. 1710-16** – amending Ordinance  
**(1<sup>ST</sup> READING)** 1671-13 to reflect the fictitious name filing by  
Progressive Waste Solutions of FL, Inc.

Mayor Bates opened the Public Hearing. No members of the public appeared before the Commission. Mayor Bates closed the Public Hearing. Attorney Fowler read the Ordinance title into the record.

**Motion:** by Commissioner Wolfram, seconded by Commissioner Batman, to approve Ordinance No. 1710-16 on first reading and set second reading for October 18, 2016. Commissioner Batman – yes; Commissioner Hussey – yes; Commissioner Reece – yes; Commissioner Wolfram – yes; Mayor Bates – yes. The motion carried 5-0, after a roll call vote.

6. **PUBLIC HEARING** **Resolution No. 1330** – amendment to General  
Employees Investment Plan

Mayor Bates opened the Public Hearing. No members of the public appeared before the Commission. Mayor Bates closed the Public Hearing.

**Motion:** by Commissioner Wolfram, seconded by Commissioner Batman, to approve Resolution No. 1330. Commissioner Batman – yes; Commissioner Hussey – yes; Commissioner Reece – yes; Commissioner Wolfram – yes; Mayor Bates – yes. The motion carried 5-0, after a roll call vote.

**7. REQUEST FOR APPROVAL Charitable Organization Funding for 2016/2017**

The recommended funding for fiscal year 2016/2017 is as follows:

Coalition for the Homeless of Central Florida \$5,178  
Early Learning Coalition of Seminole \$1,813  
Lighthouse Central Florida \$1,142  
United Arts of Central Florida \$683  
Meals on Wheels \$6,702  
Seminole County Bar Association \$569  
Kids House of Seminole \$2,452  
Boys & Girls Clubs of Central Florida \$2,190  
The Altamonte Springs Chapter of the Links \$727

**Motion:** by Commissioner Batman, seconded by Commissioner Reece, to approve funding the organizations above in the amounts indicated. The motion carried unanimously.

City Manager Martz brought to the attention of the City Commission that a few Organizations were surprised to learn they were not automatically included. We reminded them of the letter we sent to them the prior year stating that from that point forward they would need to proactively request participation.

**8. REQUEST FOR APPROVAL Undeclared Holiday**

**Motion:** by Commissioner Wolfram, seconded by Commissioner Batman, to designate December 23, 2016, December 26, 2017 and December 24, 2018 as floating holidays. The motion carried unanimously.

**9. FINANCE ITEMS**

- A. **Eastmonte Park Baseball Lighting, Fields 3 and 4, contract RFP1314-8** – Approve final payment to Musco Sports Lighting, LLC in the amount of \$57,623.00 and accept the closeout documents
- B. **Westmonte Park Reconstruction, Contract AP13048A08** – Approve Change Order No. 3 in the amount of \$333,920.59 with Bentley Architects & Engineers
- C. **Solicitation Award – RFP-16-040-BK for Professional Engineering Services – SR 436 East Pedestrian** – Approve RFP-16-018-BK Evaluation Committee’s ranking, authorize staff to negotiate a contract with the top ranked firm, Vanasse Hangen Brustlin, Inc., and authorize the Mayor to execute the final negotiated contract
- D. **City surplus equipment and machinery** – Declare the list of property as surplus as required by Florida State Statute 274.07 and approve disposal at public auction

- E. **Cranes Roost Park Rehabilitation and Enhancements, Contract RFP14031** – Approve the Change Order in the amount of \$1,578,264.02 with Wharton-Smith, Inc.
  
- F. **Waive Formal Solicitation and Approve Sole Source – Rebuild Vac-Con Truck (Vehicle 2314 / Asset 0002901)** – Waive the formal solicitation process and approve Southern Sewer Equipment Sales and Services, Inc., as the sole source provider for \$85,000.00 but up to \$150,000 if additional work is needed

Mayor Bates read the item titles into the record.

**Motion:** by Commissioner Hussey, seconded by Commissioner Wolfram, to approve Finance Items A through F. The motion carried unanimously.

**INFORMAL COMMUNICATION FROM THE FLOOR:** None

**REPORTS:**

**CITY MANAGER FRANK MARTZ:**

- Recognized Commissioner Elect Lucius Cushman
- Provided an update regarding preparations for Hurricane Mathew; the possible activation of the City Emergency Operation’s Center; noted this is the closest storm to the City in a decade; explained steps being taken to mentor new employees; and the operation of the new pumps at Cranes Roost Park. Commissioner Batman indicated he received a letter from Duke Energy explaining infrastructure enhancements. Mr. Martz explained the high priority response for the city due to the major hospital and that Duke Energy has been very responsive.

**COMMISSIONER WOLFRAM** expressed appreciation for and enjoyment of the time he has served as City Commissioner.

The meeting adjourned at 7:25 p.m.

ATTEST:

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

**RESOLUTION NO. 1333**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ALTAMONTE SPRINGS, FLORIDA, APPLAUDING STEPHEN WOLFRAM FOR HIS OUTSTANDING MUNICIPAL SERVICE; EXTENDING BEST WISHES FOR HIS NEW ENDEAVORS; AND SETTING AN EFFECTIVE DATE.**

WHEREAS, in 1992, Stephen Wolfram began serving the citizens of Altamonte Springs as a member of the various City Boards and Committees; and,

WHEREAS, he served as a City Commissioner from November 1999 and has been a part of many great initiatives; and,

WHEREAS, his tenure has been noteworthy for its integrity, wisdom and compassion; and,

WHEREAS, it is with deep regret that Stephen Wolfram has not sought re-election to office.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF ALTAMONTE SPRINGS, FLORIDA, THAT:

Section 1. Stephen Wolfram is hereby commended for his exemplary service and incalculable contributions as a City Commissioner for the City of Altamonte Springs.

Section 2. All best wishes are hereby extended to Stephen Wolfram upon the conclusion of his service as an elected official for the City of Altamonte Springs.

Section 3. That a copy of this Resolution shall be spread upon the minutes of the City of Altamonte Springs as a permanent memento of the City's love and appreciation for Stephen Wolfram.

This Resolution shall become effective upon its passage and adoption.

Passed and adopted by the City Commission of the City of Altamonte Springs, Florida, this 18<sup>th</sup> day of October, 2016.

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Pat Bates, Mayor

Attest:

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Angela M Apperson, City Clerk



Meeting Date: October 18, 2016

From: Franklin W. Martz, II, City Manager

Approved: Franklin W. Martz, II, City Manager

**Official Use Only**

Commission Action: \_\_\_\_\_

City Manager: \_\_\_\_\_

Date: \_\_\_\_\_

**SUBJECT:** Confirmation of Rochelle Croskey as Director of Economic Development

**SUMMARY EXPLANATION & BACKGROUND:**

Since 1986, the City has operated and staffed the Community Redevelopment Agency (CRA). On September 30, 2016, the CRA expired after 30 years of operation as a dependent agency of the City of Altamonte Springs. However, many of the functions of the CRA will remain in place and are part of our core business. Therefore, we will transition the CRA from a dependent agency of the City into a formal department. I recommend that Rochelle Croskey be named the director of this new department.

Rochelle was hired in 2003 as an Administrative Assistant in the Growth Management Department and quickly proved herself. In 2005, she was promoted to the CRA Information Specialist, a job specifically designed to support the marketing and roll-out of Uptown Altamonte – which was under construction at that time. A year later, Rochelle was promoted again to become the CRA Coordinator, where she helped me in my role as the Growth Management and CRA Director and assumed managerial responsibilities. Upon my assumption of the duties of City Manager, Rochelle was promoted to become the Director of the CRA & Special Projects in 2010. As you know, we try to plan and work well ahead of the need to act. Knowing that the CRA would expire in 2016, we began to transition the CRA into more of a working department starting four years in advance, in 2012, at which point Rochelle was promoted to become the Director of Economic Development. That position was not only a division of the City Manager's office while the CRA was in force but was also created in preparation for the transition from a CRA agency to a formal department. We then created a new department, the Department of Economic Development, in our current budget as the CRA expired.

I recommend that Rochelle be confirmed as the first director of the Department of Economic Development. You are well aware of her capabilities. She is a member of our Executive Team and is our lead or co-lead manager for many of our public endeavors.

**FISCAL INFORMATION:** Sufficient funds are, or will be budgeted.

**RECOMMENDED ACTION:** Confirm Rochelle Croskey as Director of Economic Development effective immediately and direct the City Clerk to administer the oath of office.



Meeting Date: October 18, 2016

From: John Sember  
John Sember, Growth Management Director

Approved: Franklin V. Martz, II  
Franklin V. Martz, II, City Manager

Official Use Only

Commission Action: \_\_\_\_\_

City Manager: \_\_\_\_\_

Date: \_\_\_\_\_

**SUBJECT:** Ordinance No. 1702-16 (2<sup>nd</sup> reading) - Request to Annex 1355 East Altamonte Drive

**SUMMARY EXPLANATION & BACKGROUND:**

The owner of 1355 East Altamonte Drive has submitted an application for annexation of the property into the municipal boundaries of the City of Altamonte Springs. The purpose of the annexation request is to obtain City utility services. The owner has also requested City future land use and zoning for the property, which will be presented to the City Commission as separate ordinances after the annexation has been completed. A vicinity map is attached.

The property is approximately 0.259 acres and contains one building from which a radio broadcasting studio is being operated by Q Broadcasting.

At its July 13, 2016 meeting, the Planning Board recommended approval of the requested annexation.

**FISCAL INFORMATION:** Not Applicable

**RECOMMENDED ACTION:** PASS AND ADOPT Ordinance 1702-16 on second and final reading.

**ORDINANCE NO.: 1702-16**

**AN ORDINANCE OF THE CITY OF ALTAMONTE SPRINGS, FLORIDA ANNEXING INTO AND INCLUDING WITHIN THE CORPORATE AREA AND LIMITS OF THE CITY THE PORTIONS AND AREAS OF LAND SITUATE AND BEING IN SEMINOLE COUNTY, FLORIDA, GENERALLY DESCRIBED AS THAT PROPERTY LOCATED AT 1355 EAST ALTAMONTE DRIVE, TOGETHER WITH THE ABUTTING REAL PROPERTY EXTENDING TO THE CENTERLINE OF THE SURROUNDING RIGHTS-OF-WAY OF EAST ALTAMONTE DRIVE (STATE ROAD 436) TO THE SOUTH AND AMANDA STREET TO THE NORTH, AND MORE PARTICULARLY DESCRIBED HEREIN; REDEFINING THE CORPORATE LIMITS OF ALTAMONTE SPRINGS, FLORIDA, TO INCLUDE SAID LAND IN THE CITY; PROVIDING FOR AMENDMENT OF THE CITY MAP TO INCLUDE THE LAND ANNEXED HEREBY; PROVIDING FOR CONFLICTS, SEVERABILITY, STATUTORY NOTIFICATION REQUIREMENTS, AND AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission of the City of Altamonte Springs, Florida has determined that it is in the public interest to annex the property located at 1355 East Altamonte Drive into the Corporate Limits of the City.

**NOW THEREFORE, BE IT ENACTED BY THE CITY OF ALTAMONTE SPRINGS, FLORIDA AS FOLLOWS:**

**SECTION ONE:** That the following described property being and situate in Seminole County, Florida to wit:

The Property depicted and described on the Sketch of Description attached hereto as **Exhibit "A"**,

Together with the abutting real property extending to the centerline of the surrounding rights-of-way of East Altamonte Drive (State Road 436) to the south and Amanda Street to the north

be and the same is hereby annexed into and made a part of the City of Altamonte Springs, Florida, pursuant to petition of the property owners and the voluntary annexing provisions of Section 171.044, Florida Statutes, and other applicable laws. A map which clearly shows the annexed property is attached hereto as Exhibit "B" and by this reference made a part hereof.

**SECTION TWO:** That the corporate limits of the City of Altamonte Springs, Florida, be and the same are hereby redefined so as to include said lands described above and hereby annexed.

**SECTION THREE:** That the City Clerk is hereby directed to amend the Official City Map of the City of Altamonte Springs, Florida, to include the annexed property described in this ordinance.

**SECTION FOUR:** That if any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared severable.

**SECTION FIVE:** Notice of this ordinance has been provided to Seminole County as required and the City Clerk is hereby directed to provide a copy of this ordinance to the Florida Department of State, Clerk of the Circuit Court and

Seminole County Chief Administrative Officer as required in Section 171.044, Florida Statutes.

**SECTION SIX:** Any and all ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

**SECTION SEVEN:** This ordinance shall be published and posted as provided by law and shall take effect immediately upon becoming a law.

**PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016**

FIRST READING: \_\_\_\_\_

ADVERTISED: \_\_\_\_\_

Certified Mail Notice to Seminole County Board of County Commissioners: September 1, 2016

\_\_\_\_\_  
PAT BATES, MAYOR  
CITY OF ALTAMONTE SPRINGS, FLORIDA

ATTEST:

\_\_\_\_\_  
ANGELA M. APPERSON, CITY CLERK

Approved as to form and legality  
for use and reliance of the City  
of Altamonte Springs, Florida

\_\_\_\_\_  
JAMES A. FOWLER, CITY ATTORNEY

# SKETCH OF DESCRIPTION

## DESCRIPTION

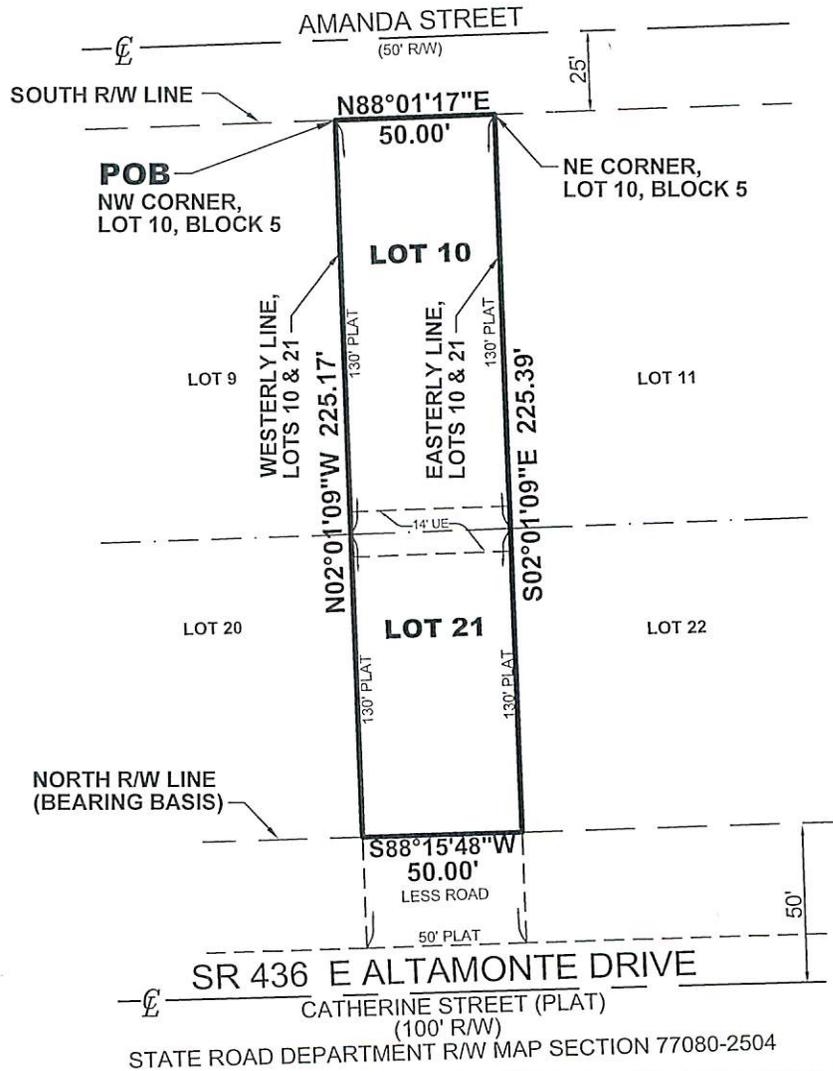
Exhibit "A" to Ord 1702-16

Page 1 of 1

LOTS 10 AND 21, BLOCK 5, LAKEVIEW, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 14, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, LESS ROAD RIGHT-OF-WAY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF LOT 10, BLOCK 5, LAKEVIEW, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 14, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; THENCE N88°01'17"E, ALONG THE SOUTH RIGHT-OF-WAY LINE OF AMANDA STREET, A DISTANCE OF 50.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 10; THENCE S02°01'09"E, ALONG THE EAST LINE OF SAID LOT 10 AND LOT 21, SAID BLOCK 5, A DISTANCE OF 225.39 FEET TO THE NORTH RIGHT-OF-WAY LINE OF E ALTAMONTE DRIVE (ALSO KNOWN AS STATE ROAD 436), AS SHOWN ON STATE ROAD DEPARTMENT RIGHT-OF-WAY MAP SECTION 77080-2504; THENCE; THENCE S88°15'48"W, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 50.00 FEET TO THE WEST LINE OF SAID LOT 21; THENCE N02°01'09"W, ALONG SAID WEST LINE OF LOT 21 AND THE WEST LINE OF SAID LOT 10, A DISTANCE OF 225.17 FEET TO THE POINT OF BEGINNING.

CONTAINS 11,264 SQUARE FEET OR 0.259 ACRES, MORE OR LESS.



JOB #44845	THIS SKETCH IS NOT A BOUNDARY SURVEY.	REVISIONS:
CF#SC5-14 LOT10&21 BLK5 LESS (SOD)	PREPARED FOR: Q BROADCASTING	
DATE: 5/02/2016	BEARING STRUCTURE IS ASSUMED AND BASED ON THE MONUMENTED	
SCALE: 1" = 60'	NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 436 (E ALTAMONTE DRIVE),	
DRAWN BY: YEB	BEING: N88°15'48"E (ASSUMED).	

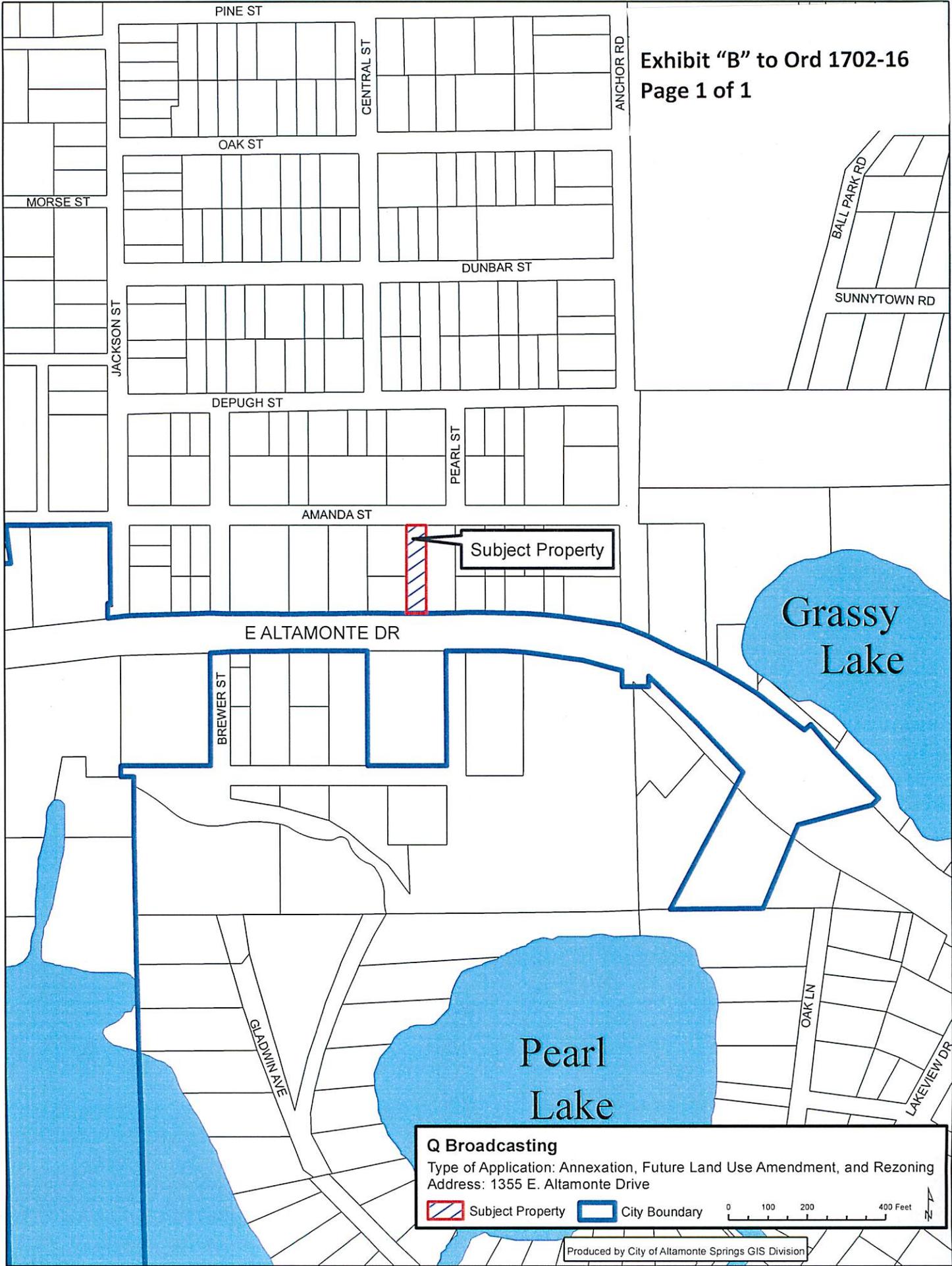
THIS SKETCH MEETS THE "STANDARDS OF PRACTICE" AS REQUIRED BY CHAPTER 5J-17, FLORIDA BOARD OF LAND SURVEYORS, PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES.

*[Signature]*  
**JAMES D. BRAY PSM 6507**  
 \*NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF THIS FLORIDA LICENSED SURVEYOR AND MAPPER.\*



ACCURIGHT SURVEYS  
 OF ORLANDO INC., LB 4475  
 2012 E. Robinson Street Orlando, Florida 32803  
 www.AccurightSurveys.net  
 Admin@AccurightSurveys.net  
 PHONE: (407) 894-6314

LEGEND	
CL - CENTERLINE	IR - IRON ROD
CALC - CALCULATED	L - ARC LENGTH
CBW - CONCRETE BLOCK WALL	MEAS - MEASURED
CLF - CHAIN LINK FENCE	MS - METAL SHED
CM - CONCRETE MONUMENT	N&D - NAIL & DISK
CP - CONCRETE PAD	ORB - OFFICIAL RECORDS BOOK
CONC - CONCRETE	P&M - PLAT & MEASURED
COVD - COVERED	PB - PLAT BOOK
CW - CONCRETE WALKWAY	PC - POINT OF CURVATURE
D - CENTRAL ANGLE	PG - PAGE
DB - DEED BOOK	POB - POINT OF BEGINNING
DE - DRAINAGE EASEMENT	POC - POINT OF COMMENCEMENT
DW - DRIVEWAY	R/W - RIGHT OF WAY
EP - EDGE OF PAVEMENT	R - RADIUS
ESMT - EASEMENT	TYP - TYPICAL
FFE - FINISHED FLOOR ELEVATION	UB - UTILITY BOX
FND - FOUND	UE - UTILITY EASEMENT
IP - IRON PIPE	WF - WOOD FENCE





Meeting Date: October 18, 2016

From: John Sember  
John Sember, Growth Management Director

Approved: [Signature]  
Franklin W. Martell, City Manager

Official Use Only

Commission Action: \_\_\_\_\_

City Manager: \_\_\_\_\_

Date: \_\_\_\_\_

**SUBJECT:** Ordinance No. 1703-16 and 1704-16 (1<sup>st</sup> reading) - Request to change the Future Land Use Designation and Rezone 1355 East Altamonte Drive

**SUMMARY EXPLANATION & BACKGROUND:**

A Comprehensive Plan amendment to change the subject property's future land use map designation from County Commercial to City East Town Center, and a rezoning from County C-2 Retail Commercial District to City MOC-2 Mixed Office Commercial.

At its July 13, 2016 meeting, the Planning Board recommended approval of the requested future land use map amendment and rezoning.

**FISCAL INFORMATION:** Not Applicable

**RECOMMENDED ACTION:**

- A. APPROVE Ordinance No. 1703-16 on first reading and SET second reading for November 15, 2016.
- B. APPROVE Ordinance No. 1704-16 on first reading and SET second reading for November 15, 2016.

## ORDINANCE NO.: 1703-16

**AN ORDINANCE OF THE CITY OF ALTAMONTE SPRINGS, FLORIDA, AMENDING "CITY PLAN 2030," THE COMPREHENSIVE PLAN OF THE CITY OF ALTAMONTE SPRINGS, BY CHANGING THE FUTURE LAND USE DESIGNATION OF THAT PROPERTY LOCATED AT 1355 EAST ALTAMONTE DRIVE (MORE PARTICULARLY DESCRIBED HEREIN), FROM (COUNTY) COMMERCIAL TO (CITY) EAST TOWN CENTER; FINDING CONFORMITY WITH STATE STATUTES; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission of the City of Altamonte Springs, Florida, on October 5, 2010, adopted Ordinance No. 1628-10, the Comprehensive Plan of the City of Altamonte Springs, referred to as "City Plan 2030"; and

**WHEREAS**, on July 13, 2016, the Planning Board of the City of Altamonte Springs, Florida, held a public hearing on the proposed amendments to the Comprehensive Plan to change the future land use designation of this property; and

**WHEREAS**, public hearings on the proposed Comprehensive Plan amendment hereinafter described were duly advertised and held by the City Commission of the City of Altamonte Springs, and at such hearings interested parties and citizens for and against the proposed plan amendment were heard; and

**WHEREAS**, the City of Altamonte Springs, Florida, and its Land Planning Agency have complied with the requirements of the Community Planning Act in preparing the proposed amendment to the Comprehensive Plan; and

**WHEREAS**, the proposed amendment to be adopted by this Ordinance complies with the statutory and regulatory requirements of the aforesaid Act.

**NOW, THEREFORE, BE IT ENACTED BY THE CITY OF ALTAMONTE SPRINGS, FLORIDA, AS FOLLOWS:**

**SECTION ONE:** This Ordinance is adopted in conformity with and pursuant to the Community Planning Act, Sections 163.3161 through 163.3248, Florida Statutes (2016), and the Municipal Home Rule Powers Act, Sections 166.011 through 166.0497, Florida Statutes (2016).

**SECTION TWO:** The Comprehensive Plan amendment approved by the City of Altamonte Springs Planning Board on July 13, 2016, is hereby adopted and approved.

**SECTION THREE:** The following described property, comprising approximately 0.259 acres, is hereby designated a future land use of East Town Center:

Owner(s): George M. Arroyo, Sr.

Address: 1355 East Altamonte Drive  
Altamonte Springs, FL 32701

more particularly described as follows:

The Property depicted and described on the Sketch of Description attached hereto as **Exhibit "A"**.

**SECTION FOUR:** Any and all Ordinances or parts of Ordinances in conflict herewith be and the same are hereby repealed.

**SECTION FIVE:** If any provisions of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect

other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

**SECTION SIX:** This ordinance shall become effective 31 days after adoption, unless challenged prior to that date pursuant to Section 163.3187(5), Florida Statutes, and if challenged shall become effective when a final order determining compliance is issued by the state land planning agency.

**PASSED THIS** \_\_\_\_\_ **DAY OF** \_\_\_\_\_, 2016.

**FIRST READING:** \_\_\_\_\_

**ADVERTISED:** \_\_\_\_\_

\_\_\_\_\_  
**PAT BATES, MAYOR**  
**CITY OF ALTAMONTE SPRINGS, FLORIDA**

**ATTEST:**

\_\_\_\_\_  
**ANGELA M. APPERSON, CITY CLERK**

Approved as to form and legality  
for use and reliance of the City  
of Altamonte Springs, Florida

\_\_\_\_\_  
**JAMES A. FOWLER, CITY ATTORNEY**

# SKETCH OF DESCRIPTION

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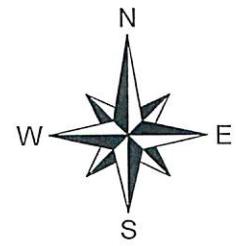
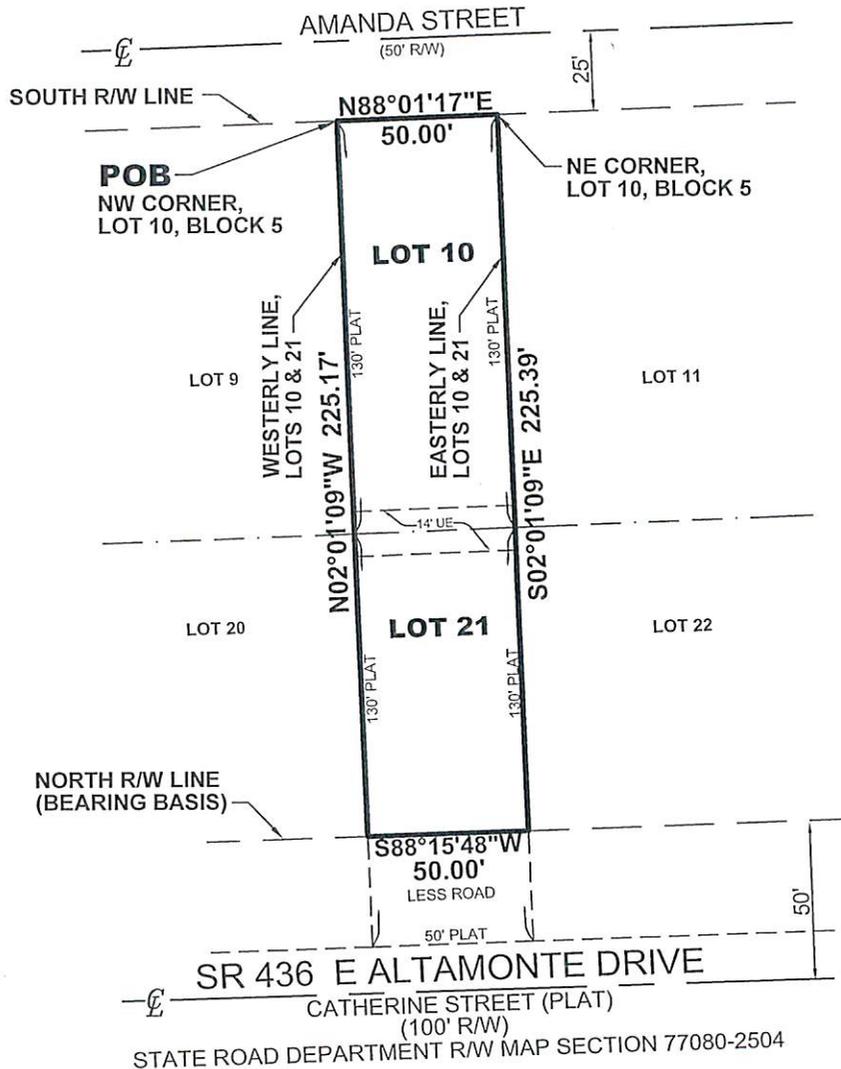
Exhibit "A" to Ord 1703-16

Page 1 of 1

LOTS 10 AND 21, BLOCK 5, LAKEVIEW, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 14, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, LESS ROAD RIGHT-OF-WAY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF LOT 10, BLOCK 5, LAKEVIEW, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 14, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; THENCE N88°01'17"E, ALONG THE SOUTH RIGHT-OF-WAY LINE OF AMANDA STREET, A DISTANCE OF 50.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 10; THENCE S02°01'09"E, ALONG THE EAST LINE OF SAID LOT 10 AND LOT 21, SAID BLOCK 5, A DISTANCE OF 225.39 FEET TO THE NORTH RIGHT-OF-WAY LINE OF E ALTAMONTE DRIVE (ALSO KNOWN AS STATE ROAD 436), AS SHOWN ON STATE ROAD DEPARTMENT RIGHT-OF-WAY MAP SECTION 77080-2504; THENCE; THENCE S88°15'48"W, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 50.00 FEET TO THE WEST LINE OF SAID LOT 21; THENCE N02°01'09"W, ALONG SAID WEST LINE OF LOT 21 AND THE WEST LINE OF SAID LOT 10, A DISTANCE OF 225.17 FEET TO THE POINT OF BEGINNING.

CONTAINS 11,264 SQUARE FEET OR 0.259 ACRES, MORE OR LESS.



JOB #44845	THIS SKETCH IS NOT A BOUNDARY SURVEY.	REVISIONS:
CF#SC5-14 LOT10&21 BLK5 LESS (SOD)	PREPARED FOR: Q BROADCASTING	
DATE: 5/02/2016	BEARING STRUCTURE IS ASSUMED AND BASED ON THE MONUMENTED	
SCALE: 1" = 60'	NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 436 (E ALTAMONTE DRIVE),	
DRAWN BY: YEB	BEING: N88°15'48"E (ASSUMED).	

THIS SKETCH MEETS THE "STANDARDS OF PRACTICE" AS REQUIRED BY CHAPTER 5J-17, FLORIDA BOARD OF LAND SURVEYORS, PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES.

*[Signature]*  
**JAMES D. BRAY PSM 6507**  
 \*NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF THIS FLORIDA LICENSED SURVEYOR AND MAPPER.\*



**ACCURIGHT SURVEYS**  
 OF ORLANDO INC., LB 4475  
 2012 E. Robinson Street Orlando, Florida 32803  
 www.AccurightSurveys.net  
 Admin@AccurightSurveys.net  
 PHONE: (407) 894-6314

LEGEND	
℄ - CENTERLINE	IR - IRON ROD
CALC - CALCULATED	L - ARC LENGTH
CBW - CONCRETE BLOCK WALL	MEAS - MEASURED
CLF - CHAIN LINK FENCE	MS - METAL SHED
CM - CONCRETE MONUMENT	N&D - NAIL & DISK
CP - CONCRETE PAD	ORB - OFFICIAL RECORDS BOOK
CONC - CONCRETE	P&M - PLAT & MEASURED
COVD - COVERED	PB - PLAT BOOK
CW - CONCRETE WALKWAY	PC - POINT OF CURVATURE
D - CENTRAL ANGLE	PG - PAGE
DB - DEED BOOK	POB - POINT OF BEGINNING
DE - DRAINAGE EASEMENT	POC - POINT OF COMMENCEMENT
DW - DRIVEWAY	R/W - RIGHT OF WAY
E/P - EDGE OF PAVEMENT	R - RADIUS
ESMT - EASEMENT	TYP - TYPICAL
FFE - FINISHED FLOOR ELEVATION	UB - UTILITY BOX
FND - FOUND	UE - UTILITY EASEMENT
IP - IRON PIPE	WF - WOOD FENCE

**ORDINANCE NO.: 1704-16**

**AN ORDINANCE OF THE CITY OF ALTAMONTE SPRINGS, FLORIDA, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ALTAMONTE SPRINGS, FLORIDA, BY CHANGING THE ZONING CLASSIFICATION FROM C2 RETAIL COMMERCIAL DISTRICT TO MOC-2 MIXED OFFICE COMMERCIAL ON THAT PROPERTY LOCATED AT 1355 EAST ALTAMONTE DRIVE AND MORE PARTICULARLY DESCRIBED HEREIN; FINDING CONFORMITY WITH STATE STATUTES AND THE COMPREHENSIVE PLAN OF THE CITY OF ALTAMONTE SPRINGS; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, on July 13, 2016, the Planning Board of the City of Altamonte Springs, Florida, held a public hearing on the question of zoning of the property hereinafter described; and

**WHEREAS**, public hearings on the question of zoning of the property hereinafter described were duly advertised and held by the City Commission of the City of Altamonte Springs, Florida, and at such hearings interested parties and citizens for and against the proposed zoning were heard; and

**WHEREAS**, the City of Altamonte Springs, Florida, and its Land Planning Agency have complied with the requirements of the Municipal Home Rule Powers Act, Sections 166.011 through 166.0497, Florida Statutes (2016), in considering the proposed zoning; and

**WHEREAS**, after said public hearing, the City Commission of the City of Altamonte Springs, Florida, has determined that the said property shall be zoned from the classification of C2 Retail Commercial District to MOC-2 Mixed Office Commercial as this classification is defined in the Land Development Code of the

City of Altamonte Springs, Florida, and has further determined that said zoning is consistent with "City Plan 2030," the Comprehensive Plan of the City of Altamonte Springs, Florida.

**NOW, THEREFORE, BE IT ENACTED BY THE CITY OF ALTAMONTE SPRINGS, FLORIDA** as follows:

**SECTION ONE:** That the Official Zoning Map of the City of Altamonte Springs, Florida, be and the same is hereby amended as follows:

The Property depicted and described on the Sketch of Description attached hereto as **Exhibit "A"**

be and the same is hereby designated and assigned the zoning classification of MOC-2 Mixed Office Commercial as this classification is defined in the Land Development Code of the City of Altamonte Springs, Florida.

**SECTION TWO:** This ordinance is adopted in conformity with and pursuant to "City Plan 2030," the Comprehensive Plan of the City of Altamonte Springs, the Community Planning Act, Sections 163.3161 through 163.3248, Florida Statutes (2016), and the Municipal Home Rule Powers Act, Sections 166.011 through 166.0497, Florida Statutes (2016).

**SECTION THREE:** If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared severable.

**SECTION FOUR:** Any and all ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed to the extent of the conflict.

**SECTION FIVE:** After its final passage, this ordinance shall become effective concurrently with the effective date of City of Altamonte Springs Ordinance 1703-16.

**PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.**

FIRST READING: \_\_\_\_\_

ADVERTISED: \_\_\_\_\_

\_\_\_\_\_  
PAT BATES, MAYOR  
CITY OF ALTAMONTE SPRINGS, FLORIDA

ATTEST:

\_\_\_\_\_  
ANGELA M. APPERSON, CITY CLERK

Approved as to form and legality  
for use and reliance of the City  
of Altamonte Springs, Florida

\_\_\_\_\_  
JAMES A. FOWLER, CITY ATTORNEY

# SKETCH OF DESCRIPTION

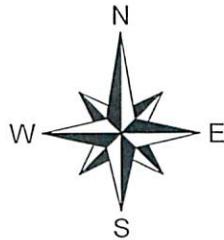
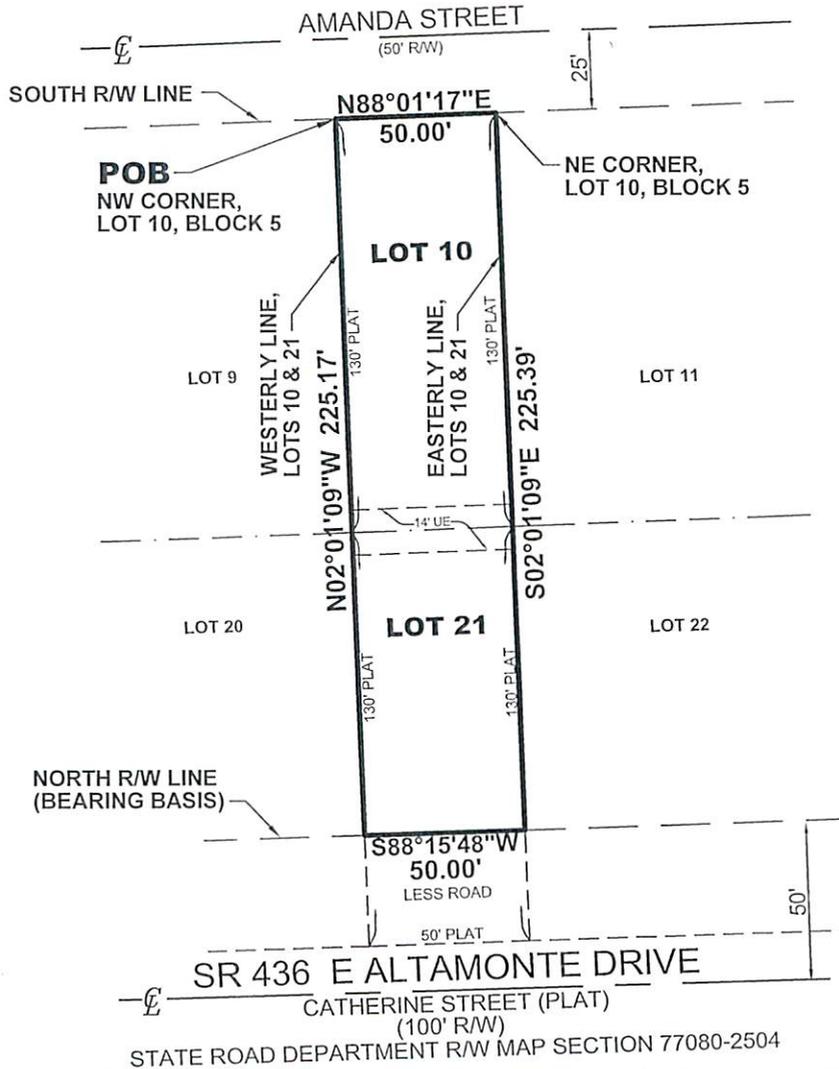
## DESCRIPTION

Exhibit "A" to Ord 1704-16  
Page 1 of 1

LOTS 10 AND 21, BLOCK 5, LAKEVIEW, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 14, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, LESS ROAD RIGHT-OF-WAY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF LOT 10, BLOCK 5, LAKEVIEW, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 14, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; THENCE N88°01'17"E, ALONG THE SOUTH RIGHT-OF-WAY LINE OF AMANDA STREET, A DISTANCE OF 50.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 10; THENCE S02°01'09"E, ALONG THE EAST LINE OF SAID LOT 10 AND LOT 21, SAID BLOCK 5, A DISTANCE OF 225.39 FEET TO THE NORTH RIGHT-OF-WAY LINE OF E ALTAMONTE DRIVE (ALSO KNOWN AS STATE ROAD 436), AS SHOWN ON STATE ROAD DEPARTMENT RIGHT-OF-WAY MAP SECTION 77080-2504; THENCE; THENCE S88°15'48"W, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 50.00 FEET TO THE WEST LINE OF SAID LOT 21; THENCE N02°01'09"W, ALONG SAID WEST LINE OF LOT 21 AND THE WEST LINE OF SAID LOT 10, A DISTANCE OF 225.17 FEET TO THE POINT OF BEGINNING.

CONTAINS 11,264 SQUARE FEET OR 0.259 ACRES, MORE OR LESS.



JOB #44845	THIS SKETCH IS NOT A BOUNDARY SURVEY.	REVISIONS:
CF#SC5-14 LOT10&21 BLK5 LESS (SOD)	PREPARED FOR: Q BROADCASTING	
DATE: 5/02/2016	BEARING STRUCTURE IS ASSUMED AND BASED ON THE MONUMENTED	
SCALE: 1" = 60'	NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 436 (E ALTAMONTE DRIVE),	
DRAWN BY: YEB	BEING: N88°15'48"E (ASSUMED).	

THIS SKETCH MEETS THE "STANDARDS OF PRACTICE" AS REQUIRED BY CHAPTER 5J-17, FLORIDA BOARD OF LAND SURVEYORS, PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES.

### ACCURIGHT

ACCURIGHT SURVEYS  
OF ORLANDO INC., LB 4475  
2012 E. Robinson Street Orlando, Florida 32803  
www.AccurightSurveys.net  
Admin@AccurightSurveys.net  
PHONE: (407) 894-6314

LEGEND			
CL	- CENTERLINE	IR	- IRON ROD
CALC	- CALCULATED	L	- ARC LENGTH
CBW	- CONCRETE BLOCK WALL	MEAS	- MEASURED
CLF	- CHAIN LINK FENCE	MS	- METAL SHED
CM	- CONCRETE MONUMENT	N&D	- NAIL & DISK
CP	- CONCRETE PAD	ORB	- OFFICIAL RECORDS BOOK
CONC	- CONCRETE	P&M	- PLAT & MEASURED
COVD	- COVERED	PB	- PLAT BOOK
CW	- CONCRETE WALKWAY	PC	- POINT OF CURVATURE
D	- CENTRAL ANGLE	PG	- PAGE
DB	- DEED BOOK	POB	- POINT OF BEGINNING
DE	- DRAINAGE EASEMENT	PCC	- POINT OF COMMENCEMENT
DW	- DRIVEWAY	R/W	- RIGHT OF WAY
E/P	- EDGE OF PAVEMENT	R	- RADIUS
ESMT	- EASEMENT	TYP	- TYPICAL
FFE	- FINISHED FLOOR ELEVATION	UB	- UTILITY BOX
FND	- FOUND	UE	- UTILITY EASEMENT
IP	- IRON PIPE	WF	- WOOD FENCE

**JAMES D. BRAY PSM 6507**

"NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF THIS FLORIDA LICENSED SURVEYOR AND MAPPER."



Meeting Date: October 18, 2016

From: \_\_\_\_\_

John Sember, Growth Management Director

Approved: \_\_\_\_\_

Franklin W. Martz, II, City Manager

**Official Use Only**

Commission Action: \_\_\_\_\_

City Manager: \_\_\_\_\_

Date: \_\_\_\_\_

**SUBJECT:** Ordinance No. 1705-16 (2<sup>nd</sup> reading) - Request to Annex 1390 East Altamonte Drive

**SUMMARY EXPLANATION & BACKGROUND:**

The owner of 1390 East Altamonte Drive has submitted an application for annexation of the property into the municipal boundaries of the City of Altamonte Springs. The purpose of the annexation request is to fulfill obligations found in the Annexation Agreement between the property owner and the City. The owner has also requested City future land use and zoning for the property, which will be presented to the City Commission as separate ordinances after the annexation has been completed. A vicinity map is attached.

The property is approximately 1.705 acres and contains a convenience store and fuel station operated by Wawa, Inc.

At its August 10, 2016 meeting, the Planning Board recommended approval of the requested annexation.

**FISCAL INFORMATION:** Not Applicable

**RECOMMENDED ACTION:** PASS AND ADOPT Ordinance 1705-16 on second and final reading.

**ORDINANCE NO.: 1705-16**

**AN ORDINANCE OF THE CITY OF ALTAMONTE SPRINGS, FLORIDA ANNEXING INTO AND INCLUDING WITHIN THE CORPORATE AREA AND LIMITS OF THE CITY THE PORTIONS AND AREAS OF LAND SITUATE AND BEING IN SEMINOLE COUNTY, FLORIDA, GENERALLY DESCRIBED AS THAT PROPERTY LOCATED AT 1390 EAST ALTAMONTE DRIVE, TOGETHER WITH THE ABUTTING REAL PROPERTY EXTENDING TO THE CENTERLINE OF THE SURROUNDING RIGHT-OF-WAY OF EAST ALTAMONTE DRIVE (STATE ROAD 436) TO THE NORTH, AND MORE PARTICULARLY DESCRIBED HEREIN; REDEFINING THE CORPORATE LIMITS OF ALTAMONTE SPRINGS, FLORIDA, TO INCLUDE SAID LAND IN THE CITY; PROVIDING FOR AMENDMENT OF THE CITY MAP TO INCLUDE THE LAND ANNEXED HEREBY; PROVIDING FOR CONFLICTS, SEVERABILITY, STATUTORY NOTIFICATION REQUIREMENTS, AND AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission of the City of Altamonte Springs, Florida has determined that it is in the public interest to annex the property located at 1390 East Altamonte Drive into the Corporate limits of the City.

**NOW THEREFORE, BE IT ENACTED BY THE CITY OF ALTAMONTE SPRINGS, FLORIDA AS FOLLOWS:**

**SECTION ONE:** That the following described property being and situate in Seminole County, Florida to wit:

The Property depicted and described on the Sketch of Description attached hereto as **Exhibit "A"**,

Together with the abutting real property extending to the centerline of the surrounding right-of-way of East Altamonte Drive (State Road 436) to the north

be and the same is hereby annexed into and made a part of the City of Altamonte Springs, Florida, pursuant to petition of the property owners and the voluntary annexing provisions of Section 171.044, Florida Statutes, and other applicable laws. A map which clearly shows the annexed property is attached hereto as **Exhibit "B"** and by this reference made a part hereof.

**SECTION TWO:** That the corporate limits of the City of Altamonte Springs, Florida, be and the same are hereby redefined so as to include said lands described above and hereby annexed.

**SECTION THREE:** That the City Clerk is hereby directed to amend the Official City Map of the City of Altamonte Springs, Florida, to include the annexed property described in this ordinance.

**SECTION FOUR:** That if any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared severable.

**SECTION FIVE:** Notice of this ordinance has been provided to Seminole County as required and the City Clerk is hereby directed to provide a copy of this ordinance to the Florida Department of State, Clerk of the Circuit Court and

Seminole County Chief Administrative Officer as required in Section 171.044, Florida Statutes.

**SECTION SIX:** Any and all ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

**SECTION SEVEN:** This ordinance shall be published and posted as provided by law and shall take effect immediately upon becoming a law.

**PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.**

FIRST READING: \_\_\_\_\_

ADVERTISED: \_\_\_\_\_

Certified Mail Notice to Seminole County Board of County Commissioners: \_\_\_\_\_

\_\_\_\_\_  
PAT BATES, MAYOR  
CITY OF ALTAMONTE SPRINGS, FLORIDA

ATTEST:

\_\_\_\_\_  
ANGELA M. APPERSON, CITY CLERK

Approved as to form and legality  
for use and reliance of the City  
of Altamonte Springs, Florida

\_\_\_\_\_  
JAMES A. FOWLER, CITY ATTORNEY

# SKETCH OF DESCRIPTION

PROJECT: WAWA ANCHOR ROAD

PURPOSE: LOT 1

THIS IS NOT A BOUNDARY SURVEY  
NOT VALID WITHOUT SHEET 2

Exhibit "A" to Ord 1705-16

Page 1 of 2

## DESCRIPTION:

LOT 1, ANCHOR ROAD PLAT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 79, PAGES 53 THROUGH 55, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF LOT 1, ANCHOR ROAD PLAT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 79, PAGES 53 THROUGH 55, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; THENCE RUN S88°03'28"W ALONG THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 240.54 FEET; THENCE RUN N01°56'12"W ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 339.30 FEET TO A POINT ON A CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 1096.28 FEET, SAID CURVE BEING THE SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD 436 AS SHOWN ON DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP NUMBER 77080-2504; THENCE FROM A RADIAL BEARING OF S03°01'43"W RUN EASTERLY ALONG THE ARC OF SAID CURVE AND SOUTHERLY RIGHT OF WAY LINE THROUGH A CENTRAL ANGLE OF 07°20'59", AN ARC DISTANCE OF 140.63 FEET, HAVING A CHORD BEARING OF S83°17'47"E AND A CHORD DISTANCE OF 140.53 FEET, TO A POINT OF NON-TANGENT CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 523.69 FEET; THENCE FROM A RADIAL BEARING OF S15°44'47"W CONTINUE EASTERLY ALONG SAID SOUTH RIGHT OF WAY LINE OF STATE ROAD 436 AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 08°52'27", AN ARC DISTANCE OF 81.11 FEET, HAVING A CHORD BEARING OF S69°49'00"E AND A CHORD DISTANCE OF 81.03 FEET; THENCE RUN S01°56'32"E ALONG THE EAST LINE OF SAID LOT 1, A DISTANCE OF 61.64 FEET; THENCE RUN N87°05'25"E ALONG THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 22.69 FEET; THENCE RUN S02°54'35"E ALONG SAID EAST LINE OF LOT 1, A DISTANCE OF 226.43 FEET TO THE POINT OF BEGINNING.

CONTAINING 74,277 SQUARE FEET, OR 1.705 ACRES, MORE OR LESS.

## SURVEYORS NOTES

1. Bearings based on the South line of Lot 1 as being S88°03'28"W.
2. I hereby certify that the above described property is true and correct to the best of my knowledge and belief as recently drawn under my direction and that it meets the Standards of Practice for Land Surveying set forth in Florida Administrative Code Rule 5J-17.05 requirements.
3. Not valid without the signature and raised seal of a Florida Licensed Surveyor and Mapper.



JAMES R. SHANNON JR., P.L.S. #4671  
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED  
SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

SHANNON SURVEYING, INC.  
499 NORTH S.R. 434 - SUITE 2045  
ALTAMONTE SPRINGS, FLORIDA, 32714  
(407) 774-8372 LB # 6898

DATE OF SURVEY: 05/20/2016

DRAWN BY: BP SCALE: 1" = 100'

WAWA ANCHOR RD-LOT1 SKETCH

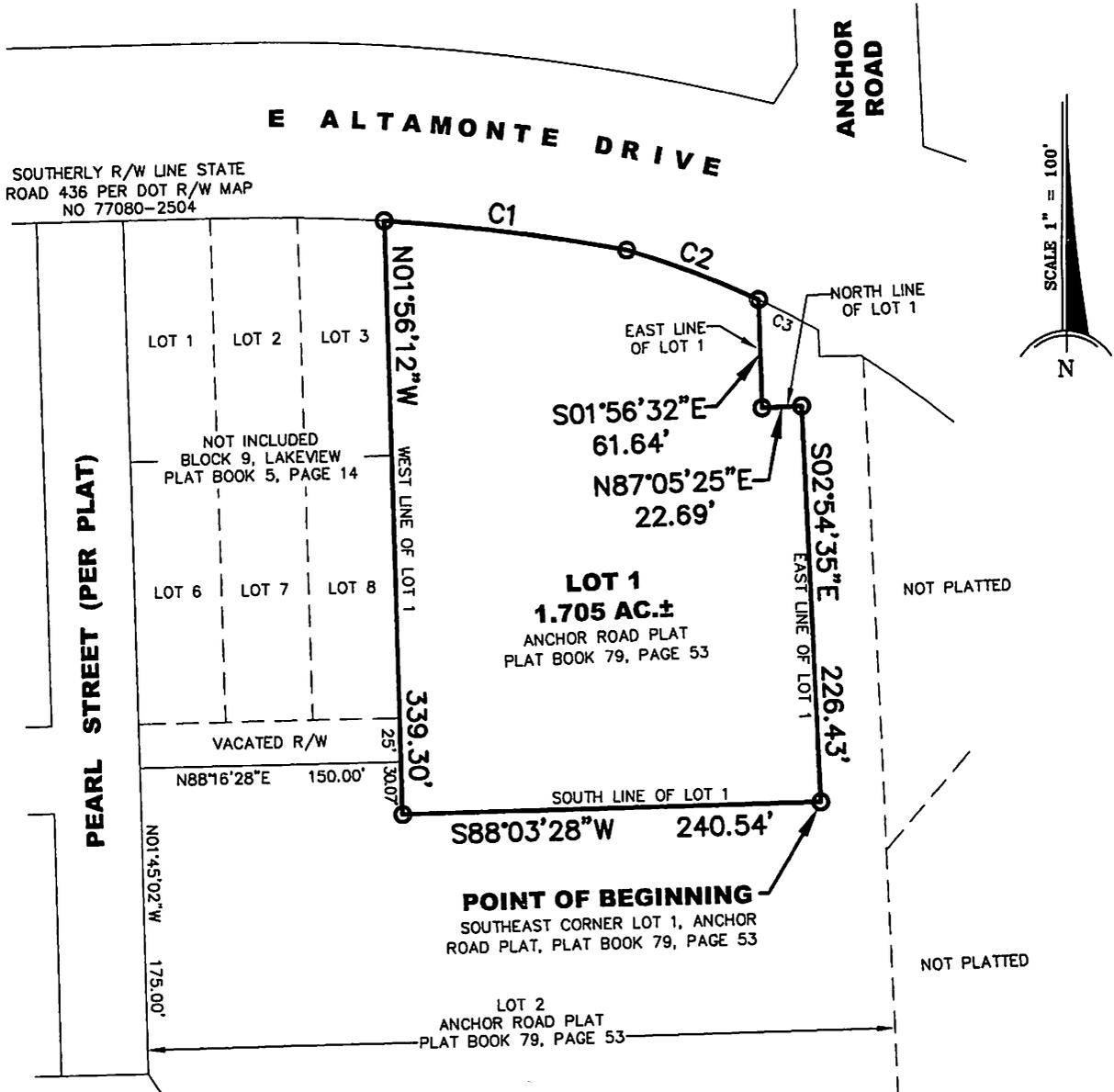
SHEET 1 OF 2

# SKETCH OF DESCRIPTION

PROJECT: WAWA ANCHOR ROAD  
PURPOSE: LOT 1

THIS IS NOT A BOUNDARY SURVEY  
NOT VALID WITHOUT SHEET 1

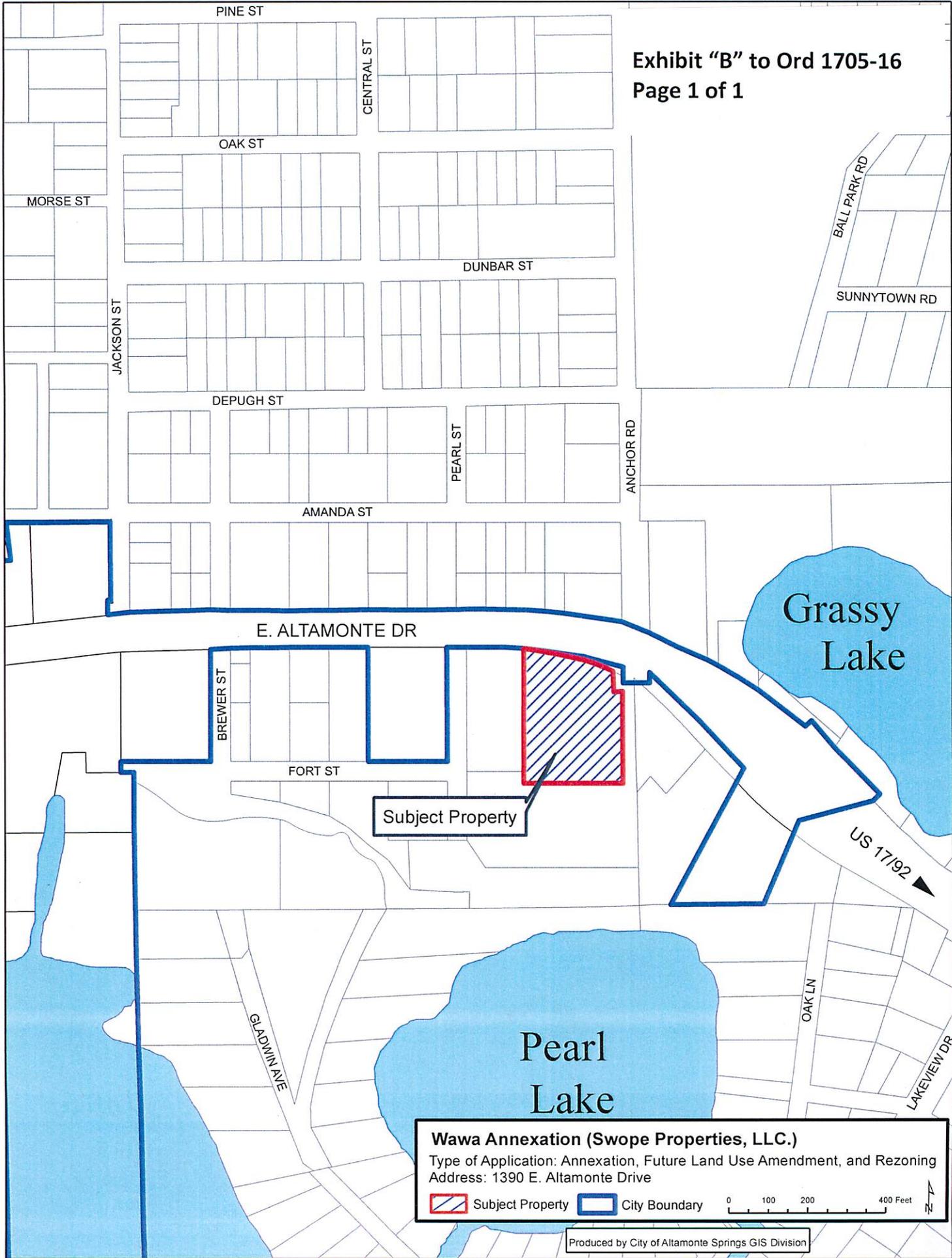
Exhibit "A" to Ord 1705-16  
Page 2 of 2



CURVE TABLE						
CURVE	RADIUS	DELTA	LENGTH	CH. BEARING	CHORD	RAD. BEARING
C1	1096.28'	07°20'59"	140.63'	S83°17'47"E	140.53'	S03°01'43"W
C2	523.69'	08°52'27"	81.11'	S69°49'00"E	81.03'	S15°44'47"W
C3	523.69'	04°12'00"	38.39'	S63°16'47"E	38.38'	S24°37'13"W

SHANNON SURVEYING, INC.  
499 NORTH S.R. 434 - SUITE 2045  
ALTAMONTE SPRINGS, FLORIDA, 32714  
(407) 774-8372 LB # 6898

DATE OF SURVEY: 05/20/2016  
DRAWN BY: BP SCALE: 1" = 100'  
WAWA ANCHOR RD-LOT1 SKETCH  
SHEET 2 OF 2



**Wawa Annexation (Swope Properties, LLC.)**  
Type of Application: Annexation, Future Land Use Amendment, and Rezoning  
Address: 1390 E. Altamonte Drive

 Subject Property     City Boundary

0 100 200 400 Feet

Produced by City of Altamonte Springs GIS Division



Meeting Date: October 18, 2016

From:   
John Sember, Growth Management Director

Approved:   
Franklin W. Martz, II, City Manager

**Official Use Only**

Commission Action: \_\_\_\_\_

City Manager: \_\_\_\_\_

Date: \_\_\_\_\_

**SUBJECT:** Ordinance No. 1706-16 and 1707-16 (1<sup>st</sup> reading) - Request to change the Future Land Use Designation and Rezone 1390 East Altamonte Drive

**SUMMARY EXPLANATION & BACKGROUND:**

A Comprehensive Plan amendment to change the subject property's future land use map designation from Seminole County Planned Development to City East Town Center, and a rezoning from Seminole County Planned Development to City MOC-2 Mixed Office Commercial.

At its August 10, 2016 meeting, the Planning Board recommended approval of the requested future land use map amendment and rezoning.

**FISCAL INFORMATION:** Not Applicable

**RECOMMENDED ACTION:**

- A. APPROVE Ordinance No. 1706-16 on first reading and SET second reading for November 15, 2016.
- B. APPROVE Ordinance No. 1707-16 on first reading and SET second reading for November 15, 2016.

## ORDINANCE NO.: 1706-16

**AN ORDINANCE OF THE CITY OF ALTAMONTE SPRINGS, FLORIDA, AMENDING "CITY PLAN 2030," THE COMPREHENSIVE PLAN OF THE CITY OF ALTAMONTE SPRINGS, BY CHANGING THE FUTURE LAND USE DESIGNATION OF THAT PROPERTY LOCATED AT 1390 EAST ALTAMONTE DRIVE (MORE PARTICULARLY DESCRIBED HEREIN), FROM COUNTY PD PLANNED DEVELOPMENT TO CITY EAST TOWN CENTER; FINDING CONFORMITY WITH STATE STATUTES; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission of the City of Altamonte Springs, Florida, on October 5, 2010, adopted Ordinance No. 1628-10, the Comprehensive Plan of the City of Altamonte Springs, referred to as "City Plan 2030"; and

**WHEREAS**, on August 10, 2016, the Planning Board of the City of Altamonte Springs, Florida, held a public hearing on the proposed amendments to the Comprehensive Plan to change the future land use designation of this property; and

**WHEREAS**, public hearings on the proposed Comprehensive Plan amendment hereinafter described were duly advertised and held by the City Commission of the City of Altamonte Springs, and at such hearings interested parties and citizens for and against the proposed plan amendment were heard; and

**WHEREAS**, the City of Altamonte Springs, Florida, and its Land Planning Agency have complied with the requirements of the Community Planning Act in preparing the proposed amendment to the Comprehensive Plan; and

**WHEREAS**, the proposed amendment to be adopted by this Ordinance complies with the statutory and regulatory requirements of the aforesaid Act.

**NOW, THEREFORE, BE IT ENACTED BY THE CITY OF ALTAMONTE SPRINGS, FLORIDA, AS FOLLOWS:**

**SECTION ONE:** This Ordinance is adopted in conformity with and pursuant to the Community Planning Act, Sections 163.3161 through 163.3248, Florida Statutes (2016), and the Municipal Home Rule Powers Act, Sections 166.011 through 166.0497, Florida Statutes (2016).

**SECTION TWO:** The Comprehensive Plan amendment approved by the City of Altamonte Springs Planning Board on August 10, 2016, is hereby adopted and approved.

**SECTION THREE:** The following described property, comprising approximately 1.705 acres, is hereby designated a future land use of East Town Center:

Owner(s): Swope Properties, LLC

Address: 1390 East Altamonte Drive  
Altamonte Springs, FL 32701

more particularly described as follows:

The Property depicted and described on the Sketch of Description attached hereto as **Exhibit "A"**.

**SECTION FOUR:** Any and all Ordinances or parts of Ordinances in conflict herewith be and the same are hereby repealed.

**SECTION FIVE:** If any provisions of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect

other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

**SECTION SIX:** This ordinance shall become effective 31 days after adoption, unless challenged prior to that date pursuant to Section 163.3187(5), Florida Statutes, and if challenged shall become effective when a final order determining compliance is issued by the state land planning agency.

**PASSED THIS** \_\_\_\_\_ **DAY OF** \_\_\_\_\_ **2016.**

**FIRST READING:** \_\_\_\_\_

**ADVERTISED:** \_\_\_\_\_

\_\_\_\_\_  
**PAT BATES, MAYOR**  
**CITY OF ALTAMONTE SPRINGS, FLORIDA**

**ATTEST:**

\_\_\_\_\_  
**ANGELA M. APPERSON, CITY CLERK**

Approved as to form and legality  
for use and reliance of the City  
of Altamonte Springs, Florida

\_\_\_\_\_  
**JAMES A. FOWLER, CITY ATTORNEY**

# SKETCH OF DESCRIPTION

PROJECT: WAWA ANCHOR ROAD

PURPOSE: LOT 1

THIS IS NOT A BOUNDARY SURVEY  
NOT VALID WITHOUT SHEET 2

Exhibit "A" to Ord 1706-16

Page 1 of 2

## DESCRIPTION:

LOT 1, ANCHOR ROAD PLAT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 79, PAGES 53 THROUGH 55, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF LOT 1, ANCHOR ROAD PLAT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 79, PAGES 53 THROUGH 55, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; THENCE RUN S88°03'28"W ALONG THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 240.54 FEET; THENCE RUN N01°56'12"W ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 339.30 FEET TO A POINT ON A CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 1096.28 FEET, SAID CURVE BEING THE SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD 436 AS SHOWN ON DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP NUMBER 77080-2504; THENCE FROM A RADIAL BEARING OF S03°01'43"W RUN EASTERLY ALONG THE ARC OF SAID CURVE AND SOUTHERLY RIGHT OF WAY LINE THROUGH A CENTRAL ANGLE OF 07°20'59", AN ARC DISTANCE OF 140.63 FEET, HAVING A CHORD BEARING OF S83°17'47"E AND A CHORD DISTANCE OF 140.53 FEET, TO A POINT OF NON-TANGENT CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 523.69 FEET; THENCE FROM A RADIAL BEARING OF S15°44'47"W CONTINUE EASTERLY ALONG SAID SOUTH RIGHT OF WAY LINE OF STATE ROAD 436 AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 08°52'27", AN ARC DISTANCE OF 81.11 FEET, HAVING A CHORD BEARING OF S69°49'00"E AND A CHORD DISTANCE OF 81.03 FEET; THENCE RUN S01°56'32"E ALONG THE EAST LINE OF SAID LOT 1, A DISTANCE OF 61.64 FEET; THENCE RUN N87°05'25"E ALONG THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 22.69 FEET; THENCE RUN S02°54'35"E ALONG SAID EAST LINE OF LOT 1, A DISTANCE OF 226.43 FEET TO THE POINT OF BEGINNING.

CONTAINING 74,277 SQUARE FEET, OR 1.705 ACRES, MORE OR LESS.

## SURVEYORS NOTES

1. Bearings based on the South line of Lot 1 as being S88°03'28"W.
2. I hereby certify that the above described property is true and correct to the best of my knowledge and belief as recently drawn under my direction and that it meets the Standards of Practice for Land Surveying set forth in Florida Administrative Code Rule 5J-17.05 requirements.
3. Not valid without the signature and raised seal of a Florida Licensed Surveyor and Mapper.



JAMES R. SHANNON JR., P.L.S. #4671  
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED  
SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

SHANNON SURVEYING, INC.  
499 NORTH S.R. 434 - SUITE 2045  
ALTAMONTE SPRINGS, FLORIDA, 32714  
(407) 774-8372 LB # 6898

DATE OF SURVEY: 05/20/2016

DRAWN BY: BP SCALE: 1" = 100'

WAWA ANCHOR RD-LOT1 SKETCH

SHEET 1 OF 2

# SKETCH OF DESCRIPTION

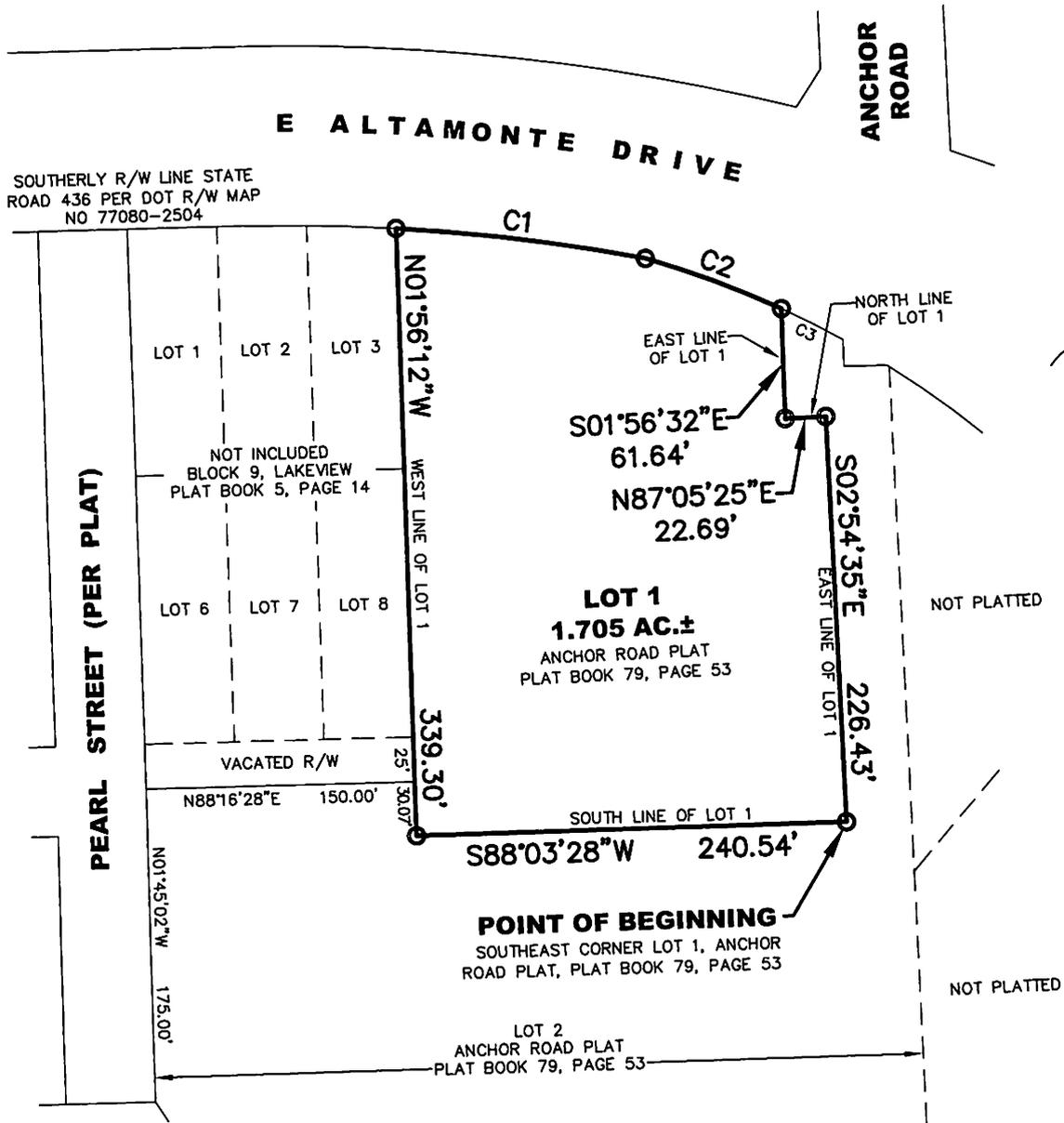
PROJECT: WAWA ANCHOR ROAD

PURPOSE: LOT 1

THIS IS NOT A BOUNDARY SURVEY  
NOT VALID WITHOUT SHEET 1

Exhibit "A" to Ord 1706-16

Page 2 of 2



CURVE TABLE						
CURVE	RADIUS	DELTA	LENGTH	CH. BEARING	CHORD	RAD. BEARING
C1	1096.28'	07°20'59"	140.63'	S83°17'47"E	140.53'	S03°01'43"W
C2	523.69'	08°52'27"	81.11'	S69°49'00"E	81.03'	S15°44'47"W
C3	523.69'	04°12'00"	38.39'	S63°16'47"E	38.38'	S24°37'13"W

SHANNON SURVEYING, INC.  
499 NORTH S.R. 434 - SUITE 2045  
ALTAMONTE SPRINGS, FLORIDA, 32714  
(407) 774-8372 LB # 6898

DATE OF SURVEY: 05/20/2016  
DRAWN BY: BP SCALE: 1" = 100'  
WAWA ANCHOR RD-LOT1 SKETCH  
SHEET 2 OF 2

## ORDINANCE NO.: 1707-16

AN ORDINANCE OF THE CITY OF ALTAMONTE SPRINGS, FLORIDA, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ALTAMONTE SPRINGS, FLORIDA, BY CHANGING THE ZONING CLASSIFICATION FROM PD PLANNED DEVELOPMENT TO MOC-2 MIXED OFFICE COMMERCIAL ON THAT PROPERTY LOCATED AT 1390 EAST ALTAMONTE DRIVE AND MORE PARTICULARLY DESCRIBED HEREIN; FINDING CONFORMITY WITH STATE STATUTES AND THE COMPREHENSIVE PLAN OF THE CITY OF ALTAMONTE SPRINGS; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

**WHEREAS**, on August 10, 2016, the Planning Board of the City of Altamonte Springs, Florida, held a public hearing on the question of zoning of the property hereinafter described; and

**WHEREAS**, public hearings on the question of zoning of the property hereinafter described were duly advertised and held by the City Commission of the City of Altamonte Springs, Florida, and at such hearings interested parties and citizens for and against the proposed zoning were heard; and

**WHEREAS**, the City of Altamonte Springs, Florida, and its Land Planning Agency have complied with the requirements of the Municipal Home Rule Powers Act, Sections 166.011 through 166.0497, Florida Statutes (2016), in considering the proposed zoning; and

**WHEREAS**, after said public hearing, the City Commission of the City of Altamonte Springs, Florida, has determined that the said property shall be zoned from the classification of PD Planned Development to MOC-2 Mixed Office Commercial as this classification is defined in the Land Development Code of the

City of Altamonte Springs, Florida, and has further determined that said zoning is consistent with "City Plan 2030," the Comprehensive Plan of the City of Altamonte Springs, Florida.

**NOW, THEREFORE, BE IT ENACTED BY THE CITY OF ALTAMONTE SPRINGS, FLORIDA** as follows:

**SECTION ONE:** That the Official Zoning Map of the City of Altamonte Springs, Florida, be and the same is hereby amended as follows:

The Property depicted and described on the Sketch of Description attached hereto as **Exhibit "A"**

be and the same is hereby designated and assigned the zoning classification of MOC-2 Mixed Office Commercial as this classification is defined in the Land Development Code of the City of Altamonte Springs, Florida.

**SECTION TWO:** This ordinance is adopted in conformity with and pursuant to "City Plan 2030," the Comprehensive Plan of the City of Altamonte Springs, the Community Planning Act, Sections 163.3161 through 163.3248, Florida Statutes (2016), and the Municipal Home Rule Powers Act, Sections 166.011 through 166.0497, Florida Statutes (2016).

**SECTION THREE:** If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared severable.

**SECTION FOUR:** Any and all ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed to the extent of the conflict.

**SECTION FIVE:** After its final passage, this ordinance shall become effective concurrently with the effective date of City of Altamonte Springs Ordinance 1706-16.

**PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.**

FIRST READING: \_\_\_\_\_

ADVERTISED: \_\_\_\_\_

\_\_\_\_\_  
PAT BATES, MAYOR  
CITY OF ALTAMONTE SPRINGS, FLORIDA

ATTEST:

\_\_\_\_\_  
ANGELA M. APPERSON, CITY CLERK

Approved as to form and legality  
for use and reliance of the City  
of Altamonte Springs, Florida

\_\_\_\_\_  
JAMES A. FOWLER, CITY ATTORNEY

# SKETCH OF DESCRIPTION

PROJECT: WAWA ANCHOR ROAD

PURPOSE: LOT 1

THIS IS NOT A BOUNDARY SURVEY  
NOT VALID WITHOUT SHEET 2

Exhibit "A" to Ord 1707-16

Page 1 of 2

## DESCRIPTION:

LOT 1, ANCHOR ROAD PLAT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 79, PAGES 53 THROUGH 55, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF LOT 1, ANCHOR ROAD PLAT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 79, PAGES 53 THROUGH 55, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; THENCE RUN S88°03'28"W ALONG THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 240.54 FEET; THENCE RUN N01°56'12"W ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 339.30 FEET TO A POINT ON A CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 1096.28 FEET, SAID CURVE BEING THE SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD 436 AS SHOWN ON DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP NUMBER 77080-2504; THENCE FROM A RADIAL BEARING OF S03°01'43"W RUN EASTERLY ALONG THE ARC OF SAID CURVE AND SOUTHERLY RIGHT OF WAY LINE THROUGH A CENTRAL ANGLE OF 07°20'59", AN ARC DISTANCE OF 140.63 FEET, HAVING A CHORD BEARING OF S83°17'47"E AND A CHORD DISTANCE OF 140.53 FEET, TO A POINT OF NON-TANGENT CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 523.69 FEET; THENCE FROM A RADIAL BEARING OF S15°44'47"W CONTINUE EASTERLY ALONG SAID SOUTH RIGHT OF WAY LINE OF STATE ROAD 436 AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 08°52'27", AN ARC DISTANCE OF 81.11 FEET, HAVING A CHORD BEARING OF S69°49'00"E AND A CHORD DISTANCE OF 81.03 FEET; THENCE RUN S01°56'32"E ALONG THE EAST LINE OF SAID LOT 1, A DISTANCE OF 61.64 FEET; THENCE RUN N87°05'25"E ALONG THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 22.69 FEET; THENCE RUN S02°54'35"E ALONG SAID EAST LINE OF LOT 1, A DISTANCE OF 226.43 FEET TO THE POINT OF BEGINNING.

CONTAINING 74,277 SQUARE FEET, OR 1.705 ACRES, MORE OR LESS.

## SURVEYORS NOTES

1. Bearings based on the South line of Lot 1 as being S88°03'28"W.
2. I hereby certify that the above described property is true and correct to the best of my knowledge and belief as recently drawn under my direction and that it meets the Standards of Practice for Land Surveying set forth in Florida Administrative Code Rule 5J-17.05 requirements.
3. Not valid without the signature and raised seal of a Florida Licensed Surveyor and Mapper.



JAMES R. SHANNON JR., P.L.S. #4671  
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED  
SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

SHANNON SURVEYING, INC.  
499 NORTH S.R. 434 - SUITE 2045  
ALTAMONTE SPRINGS, FLORIDA, 32714  
(407) 774-8372 LB # 6898

DATE OF SURVEY: 05/20/2016

DRAWN BY: BP SCALE: 1" = 100'

WAWA ANCHOR RD-LOT1 SKETCH

SHEET 1 OF 2

# SKETCH OF DESCRIPTION

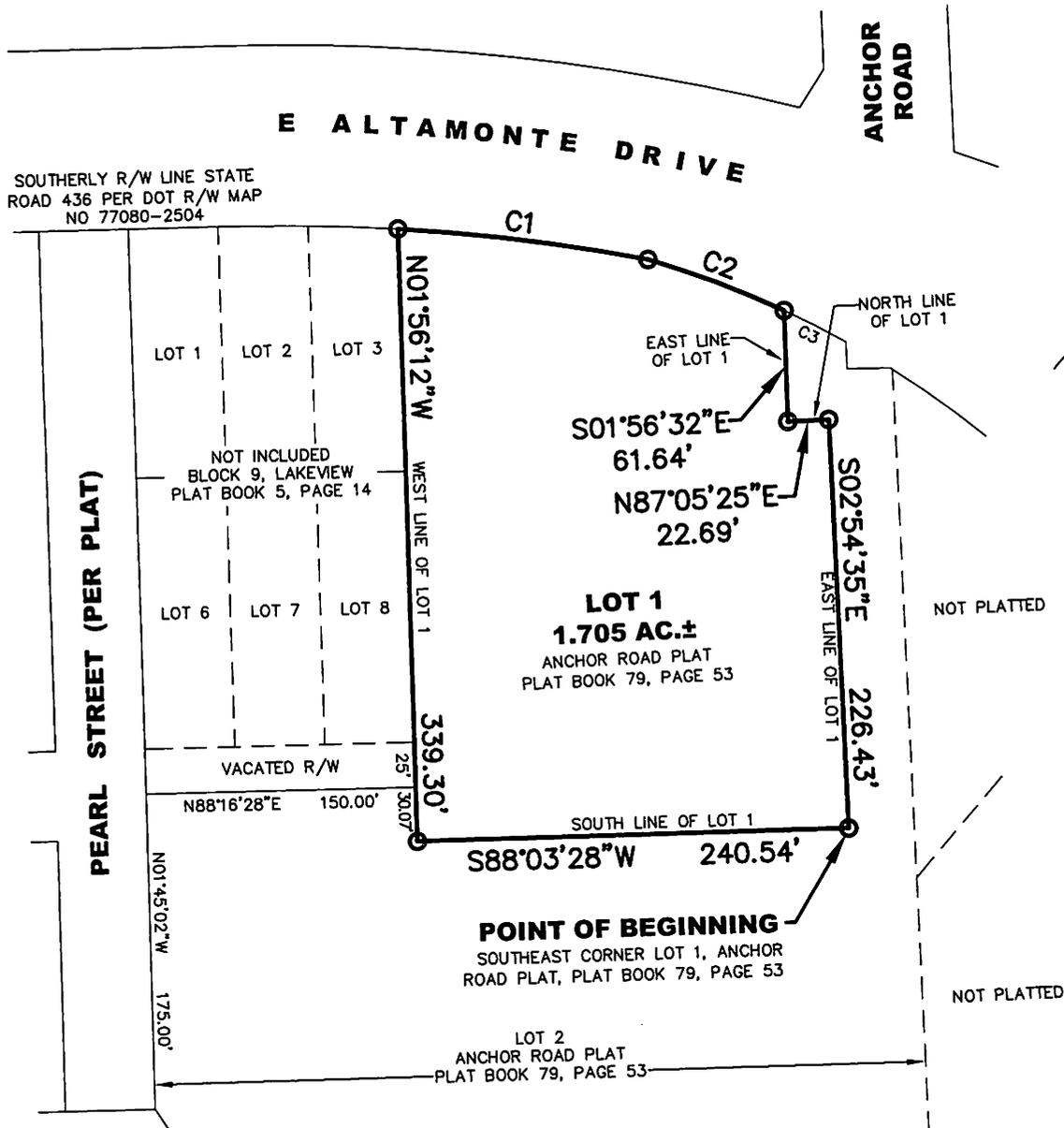
PROJECT: WAWA ANCHOR ROAD

PURPOSE: LOT 1

THIS IS NOT A BOUNDARY SURVEY  
NOT VALID WITHOUT SHEET 1

Exhibit "A" to Ord 1707-16

Page 2 of 2



CURVE TABLE						
CURVE	RADIUS	DELTA	LENGTH	CH. BEARING	CHORD	RAD. BEARING
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SHANNON SURVEYING, INC.  
499 NORTH S.R. 434 - SUITE 2045  
ALTAMONTE SPRINGS, FLORIDA, 32714  
(407) 774-8372 LB # 6898

DATE OF SURVEY: 05/20/2016  
DRAWN BY: BP SCALE: 1" = 100'  
WAWA ANCHOR RD-LOT1 SKETCH  
SHEET 2 OF 2



Meeting Date: October 18, 2016

From: Angie Apperson  
Angie Apperson, City Clerk

Approved: [Signature]  
Franklin W. Martz, II, City Manager

**Official Use Only**

Commission Action: \_\_\_\_\_

City Manager: \_\_\_\_\_

Date: \_\_\_\_\_

**SUBJECT:** Ordinance No. 1710-16, amending Ordinance 1671-13 to reflect the fictitious name filing by Progressive Waste Solutions of FL, Inc.

**SUMMARY EXPLANATION & BACKGROUND:**

Ordinance No. 1671-13, adopted November 19, 2013, granted a Commercial Solid Waste Franchise to Progressive Waste Solutions of FL, Inc. The City has received notice that the Franchisee filed a fictitious name with the State of Florida to do business as Waste Connections of Florida.

Ordinance No. 1710-16, attached, amends the Franchise Agreement to incorporate the fictitious business name.

**FISCAL INFORMATION:** N/A

**RECOMMENDED ACTION:** Approve Ordinance No. 1710-16 on second reading.

Initiated by: Angie Apperson

ORDINANCE NO. 1710-16

**AN ORDINANCE OF THE CITY OF ALTAMONTE SPRINGS, FLORIDA, AMENDING ORDINANCE 1671-13 PROVIDING FOR THE GRANTING OF A NON-EXCLUSIVE FRANCHISE TO PROGRESSIVE WASTE SOLUTIONS OF FL, INC., FOR THE COLLECTION AND DISPOSAL OF COMMERCIAL SOLID WASTE WITHIN THE CITY OF ALTAMONTE SPRINGS BY AMENDING SAME TO REFLECT THE FICTITIOUS NAME FILING BY PROGRESSIVE WASTE SOLUTIONS OF FL, INC., NOW DOING BUSINESS AS WASTE CONNECTIONS OF FLORIDA; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.**

WHEREAS, pursuant to City of Altamonte Springs Ordinance number 1671-13, the City of Altamonte Springs entered into a non-exclusive collection and disposal of commercial solid waste franchise with Progressive Waste Solutions of FL, Inc. (hereinafter "Franchisee"); and

WHEREAS, Franchisee has filed a fictitious name with the State of Florida to do business as Waste Connections of Florida; and

WHEREAS, the City and Franchisee desire to amend Ordinance number 1671-13 to reflect the fictitious name filing; and

WHEREAS, all other provisions of Ordinance 1671-13 shall remain as set forth in Ordinance 1671-13; and

WHEREAS, it appears to be in the best interests of the City of Altamonte Springs and its inhabitants, property owners and merchants that the franchise entered as City Ordinance 1671-13 be amended to reflect the fictitious name filing by franchisee.

NOW, THEREFORE, BE IT ENACTED BY THE CITY OF ALTAMONTE SPRINGS, FLORIDA AS FOLLOWS:

SECTION ONE: The franchise agreement entered into by and between Franchisee and the City as Ordinance 1671-13 is hereby amended as to Section 1. "Grant of Franchise," and Section 32., "Notice," as follows:

1. Grant of Franchise. There is hereby granted to Progressive Waste Solutions of FL, Inc., doing business as Waste Connections of Florida (herein called the "Franchisee"), its successors and assigns, a non-exclusive right, privilege or

franchise to collect garbage, refuse, trash and other solid waste materials and recyclables from commercial establishments within the City of Altamonte Springs, Seminole County, Florida during the term and subject to the following limitations and conditions as hereinafter set forth.

\* \* \*

32. Notice. As required for any purpose in this franchise, notice shall be addressed and sent by certified United States mail to the City and the Franchisee as follows:

- CITY - City Clerk  
City of Altamonte Springs  
225 Newburyport Avenue  
Altamonte Springs, Florida 32701
- FRANCHISEE - Progressive Waste Solutions of FL, Inc.,  
d/b/a Waste Connections of Florida  
1099 Miller Drive  
Altamonte Springs, Florida 32701

SECTION TWO: Severability: The provisions of this ordinance are declared to be severable and if any section, sentence, clause or phrase of this ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses and phrases of this ordinance but they shall remain in effect, it being the legislative intent that this ordinance shall stand notwithstanding the invalidity of any part.

SECTION THREE: Effective Date. This ordinance shall take effect immediately upon adoption and acceptance by the Franchisee.

**[Signature page follows]**

PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016

FIRST READING: \_\_\_\_\_

ADVERTISED: 9/18/16

\_\_\_\_\_  
Pat Bates, Mayor of Altamonte Springs

ATTEST:

Approved as to form and legality  
for use and reliance upon by the  
City of Altamonte Springs, FL

\_\_\_\_\_  
Angela M. Apperson- City Clerk

\_\_\_\_\_  
James Fowler - City Attorney

**ACCEPTANCE BY FRANCHISEE**

The foregoing ordinance and the franchise provided for therein and all the terms and conditions thereof are hereby accepted, approved and agreed to this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

FRANCHISEE:

Waste Connections, Inc., d/b/a Waste Connections of Florida

By: \_\_\_\_\_  
Alan Cahill, President



Meeting Date: October 18, 2016

From: Angie Apperson  
Angie Apperson, City Clerk

Approved: Franklin W. Matz, II  
Franklin W. Matz, II, City Manager

**Official Use Only**

Commission Action: \_\_\_\_\_

City Manager: \_\_\_\_\_

Date: \_\_\_\_\_

**SUBJECT:** Renewal of Commercial Solid Waste Franchises for Fiscal Year 2016/2017

**SUMMARY EXPLANATION & BACKGROUND:**

The following companies have requested renewal of their Commercial Solid Waste Franchises. They have submitted the required insurance and performance bonds, and all equipment used in the course of business in the City has been inspected and found to meet our standards:

- Advanced Disposal
- Container Rental
- DisposAll, Inc.
- Mid Florida Atlantic
- Progressive Waste Solutions of FL, Inc. (DBA: Waste Connections of Florida)
- Republic Services of Florida, L.P.
- Sunshine Recycling, Inc.
- Waste Management, Inc. of Florida
- Waste Pro of Florida, Inc.
- WCA of Florida, LLC

**FISCAL INFORMATION:** N/A

**RECOMMENDED ACTION:** Approve the renewal of the Commercial Solid Waste Franchises of the aforementioned businesses for Fiscal Year 2016/2017

Initiated by: Chris Ulmer, Deputy City Clerk



Meeting Date: October 18, 2016

From: Angie M. Apperson  
Angie Apperson, City Clerk

Approved: Franklin W. Martz, II  
Franklin W. Martz, II, City Manager

**Official Use Only**

Commission Action: \_\_\_\_\_

City Manager: \_\_\_\_\_

Date: \_\_\_\_\_

**SUBJECT:** Appointment of Citizen Board/Committee Members

**SUMMARY EXPLANATION & BACKGROUND:**

**Mayor Bates**                      **David Scott – Appointment**  
Code Enforcement Board

**Commissioner Reece**              **Ronald Pasos - Appointment**  
Health Facilities Authority

**FISCAL INFORMATION:** N/A

**RECOMMENDED ACTION:**

Initiated by: Chris Ulmer, Deputy City Clerk



Meeting Date: October 18, 2016

From: Mark B. DeBord  
Mark B. DeBord, Finance Director

Approved: Franklin W. Martz, II  
Franklin W. Martz, II, City Manager

**Official Use Only**

Commission Action: \_\_\_\_\_

City Manager: \_\_\_\_\_

Date: \_\_\_\_\_

**SUBJECT:** Northlake Blvd Corridor Improvements – County Property Right of Way Purchase (Parcel 15)

**SUMMARY EXPLANATION & BACKGROUND:** As part of the Northlake Boulevard Corridor Improvements Project additional right of way is needed from several property locations within the corridor. We have been meeting with the affected property owners to obtain the necessary right of way. We have reached an agreement with Seminole County for parcel 15, the former water treatment plant, just south of State Road 436. The customers served by this facility are now served by the City and the County has shuttered this plant.

The property needed from this parcel for the project is a strip measuring 1,109 square feet. Taking this strip would clip the existing buildings meaning the City would be required to pay for the damages to the buildings. Paying damages for a non-functioning water plant doesn't really make sense. Since this parcel and plant are essentially surplus to the County the smart thing for the City to do is purchase the entire parcel, keep what we need, and make the rest available for resell. Fortunately, the County has agreed to sell the City the entire 5,132 square foot parcel. The City paid for an appraisal which placed the value for the entire parcel at \$41,100. We believe this to be a fair value and recommend City Commission approval.

A purchase agreement is attached and will be brought to the Board of County Commissioners for execution at their next available meeting.

**FISCAL INFORMATION:** Funds for this project are budgeted in the 3<sup>rd</sup> Generation Infrastructure Sales Tax Fund.

**RECOMMENDED ACTION:** Approve the purchase agreement.

Initiated by: Brett Blackadar, Chief Transportation Engineer

**PURCHASE AGREEMENT**

STATE OF FLORIDA        )  
COUNTY OF SEMINOLE    )

**THIS PURCHASE AGREEMENT** (the "**Agreement**") is made by and between **SEMINOLE COUNTY**, a Charter County and political subdivision of the State of Florida, in this Agreement referred to as the "**COUNTY**" and **THE CITY OF ALTAMONTE SPRINGS, FLORIDA**, a Florida municipal corporation, in this Agreement referred to as "**CITY**."

**WITNESSETH:**

**WHEREAS**, CITY requires the property described below for right-of-way improvements, including, without limitation, sidewalk installation and upgrade, fence installation and removal of existing improvements ("**the Improvements**"); and

**WHEREAS**, COUNTY is willing to sell the property necessary for completion of the Improvements to CITY subject to the terms and conditions set forth in this Agreement,

**NOW, THEREFORE**, for and in consideration of the mutual covenants and conditions contained in this Agreement, COUNTY hereby agrees to sell and CITY hereby agrees to buy the following Property upon the following terms and conditions:

**I.     PROPERTY.**

See Schedule A to this Purchase Agreement

**Comprising all of Parcel I. D. Number: 14-21-29-504-0A00-0160** (the "Property").

**II.    PURCHASE PRICE.**

(a) COUNTY agrees to sell and convey the Property by Warranty Deed, free of liens and encumbrances, unto CITY for the sum of FORTY-ONE THOUSAND ONE HUNDRED AND NO/100 DOLLARS (**\$41,100.00**), the "**Purchase Price**". CITY shall escrow the Purchase Price with Empire Title Company of Florida, Inc. upon execution of this Agreement.

(b) CITY is responsible for the recording fees for the Warranty Deed. CITY is responsible for acquiring CITY's own title insurance at CITY's expense. CITY is also responsible for the fees of a new property boundary survey, if required.

(c) Closing costs and pro-rata real estate taxes, if any, will be withheld by Empire Title Company of Florida, Inc. from the proceeds of this sale and paid to the proper authority on behalf of COUNTY and CITY, as appropriate.

(d) CITY shall pay to COUNTY the balance of the Purchase Price, net of any liens or encumbrances, in cash, on the date of closing of the Property.

### **III. CONDITIONS.**

(a) CITY shall pay to COUNTY the sum as described in Item II., above, upon the proper execution and delivery of all the instruments required to complete the above purchase and sale to the designated closing agent. COUNTY agrees to close within thirty (30) days of notice by CITY or CITY's closing agent that a closing is ready to occur.

(b) Prior to closing, COUNTY shall provide to CITY any offsite easements necessary for construction of the Improvements.

(c) COUNTY agrees to surrender possession of the Property upon the date of delivery of the instruments and closing of this Agreement.

(d) CITY acknowledges that Section 125.411(3), Florida Statutes (2016), prohibits COUNTY from making any warranty of title or to represent any statement of facts concerning the Property. Accordingly, COUNTY makes no such warranty or representation and the Property will be conveyed to CITY "AS-IS," with all faults, if any.

(e) The parties shall fully comply with Section 286.23, Florida Statutes (2016), to the extent that this statute is applicable.

(f) To the extent permitted by Florida law, CITY is solely responsible for all of due diligence activities conducted on the Property. COUNTY will not be considered an agent or employee of CITY for any reason whatsoever on account of this Agreement.

(g) The parties further agree that nothing contained in this Agreement may be construed or interpreted as denying to any party any remedy or defense available to such parties under the laws of the State of Florida, nor as a waiver of sovereign immunity of COUNTY and CITY beyond the waiver provided for in Section 768.28, Florida Statutes (2016), as this statute may be amended from time to time.

(h) All headings and captions contained in this Agreement are provided for convenience only, do not constitute a part of this Agreement, and may not be used to define, describe, interpret or construe any provision of this Agreement.

(i) The Effective Date of this Agreement will be the date when the last party has properly executed this Agreement as determined by the date set forth immediately below the respective signatures of the parties.

**IV. Environmental Matters.**

(a) **Overview.** As provided in Item III.(d) above, COUNTY makes no warranty or representation concerning the Property's compliance with federal, state, or local laws relating to environmental matters or otherwise. However, CITY has the right of inspection, termination, and other matters as set forth in this Item IV with respect to environmental matters. None of COUNTY's obligations under this Item IV will survive the closing of this Agreement and the closing may not occur until all the conditions under this Item IV have been completed or waived in writing.

(b) **Environmental Assessment.** CITY will have the right to have access to the Property to enable an independent environmental consultant chosen by CITY to inspect, audit and test the Property for the existence of environmental conditions and violations of environmental laws ("**Environmental Assessment**"). CITY may perform soil, air and groundwater sampling and testing. The scope, sequence and timing of the Environmental Assessment must be at the sole discretion of CITY, but will be conducted in a manner which will minimize disruption to the occupants of the Property.

(c) **Inspection Period.** The Environmental Assessment may be commenced any time before or after the Effective Date of this Agreement and must be completed no later than thirty (30) days from the Effective Date of this Agreement (the "**Inspection Period**"). CITY shall bear the cost and expense of the Environmental Assessment.

(d) **Right to Terminate.** CITY may terminate this Agreement no later than two (2) business days after the expiration of the Inspection Period by so notifying COUNTY if the Environmental Assessment reveals or, if at any time prior to the expiration of the Inspection Period, CITY otherwise becomes aware of the existence of any environmental condition or violation of an environmental law which CITY is unwilling to accept, in CITY's sole and subjective discretion.

(e) **Asbestos.** If the Environmental Assessment reveals the presence of friable asbestos on the Property prior to closing, then either party may terminate this Agreement by written notice to the other party and neither party will have any further obligations under this Agreement.

*[Balance of this page intentionally blank; signatory page follows on Page 4.]*

**IN WITNESS WHEREOF**, the parties have made and executed this Agreement for the purposes stated above.

ATTEST:

CITY OF ALTAMONTE SPRINGS

\_\_\_\_\_  
ERIN O'DONNELL, City Clerk

By: \_\_\_\_\_  
PAT BATES, Mayor

Date: \_\_\_\_\_

Approved as to form and legality  
for use and reliance by the City  
of Altamonte Springs

\_\_\_\_\_  
James A. ("Skip") Fowler, City Attorney

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
SEMINOLE COUNTY, FLORIDA

\_\_\_\_\_  
MARYANNE MORSE  
Clerk to the Board of  
County Commissioners of  
Seminole County, Florida.

By: \_\_\_\_\_  
JOHN HORAN, Chairman

Date: \_\_\_\_\_

For the use and reliance  
Seminole County only.

As authorized for execution by the Board of  
County Commissioners at its \_\_\_\_\_,  
2016, regular meeting.

Approved as to form and  
legal sufficiency.

\_\_\_\_\_  
County Attorney

DGS/dre  
09/26/16

Attachments:

Schedule A – Description and Sketch of Property

P:\Users\dodge\My Documents\AGT 2016 Purchase Agreement North Lake Blvd to Altamonte.docx

SCHEDULE "A"

DESCRIPTION :

A portion of Lot 16, Block "A", Dol-Ray Manor according to the plat thereof recorded in Plat Book 11, Page 98, Public Records of Seminole County, Florida, being more particularly described as follows:

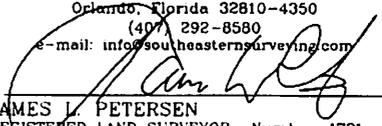
Begin at the Northeast corner of Lot 16, Block "A", Dol-Ray Manor according to the plat thereof recorded in Plat Book 11, Page 98, Public Records of Seminole County, Florida; thence along the Easterly line of said Lot 16, Block "A" the following two courses and distances : South 12°45'40" West, a distance of 42.69 feet; thence South 42°43'30" West, a distance of 80.87 feet to a point of the South line of said Lot 16, Block "A"; thence North 89°36'57" West, a distance of 17.06 feet, along said South line to a point on the East line of lands described in Official Records Book 1436, Pages 510 and 511, Public Records of Seminole County, Florida; thence North 07°33'57" East, a distance of 101.08 feet, along the East line of said lands to a point on the South line of Lot 1, Block "A" as shown on said plat; thence North 89°22'56" East, a distance of 68.05 feet, along said South line, to the POINT OF BEGINNING.

Containing 5,132 square feet, more or less.

SURVEYOR'S REPORT :

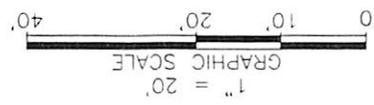
1. Bearings shown hereon are based on the South line of Lot 1, Block "A", Dol-Ray Manor according to the plat thereof recorded in Plat Book 11, Page 98, Public Records of Seminole County, Florida being N 89°22'56" E, assumed.
2. I hereby certify that the "Sketch of Description" of the above described property is true and correct to the best of my knowledge and belief as recently drawn under my direction and that it meets the Standards of Practice for Land Surveying Chapter 5J-17 requirements.

NOT VALID WITHOUT SHEET 2

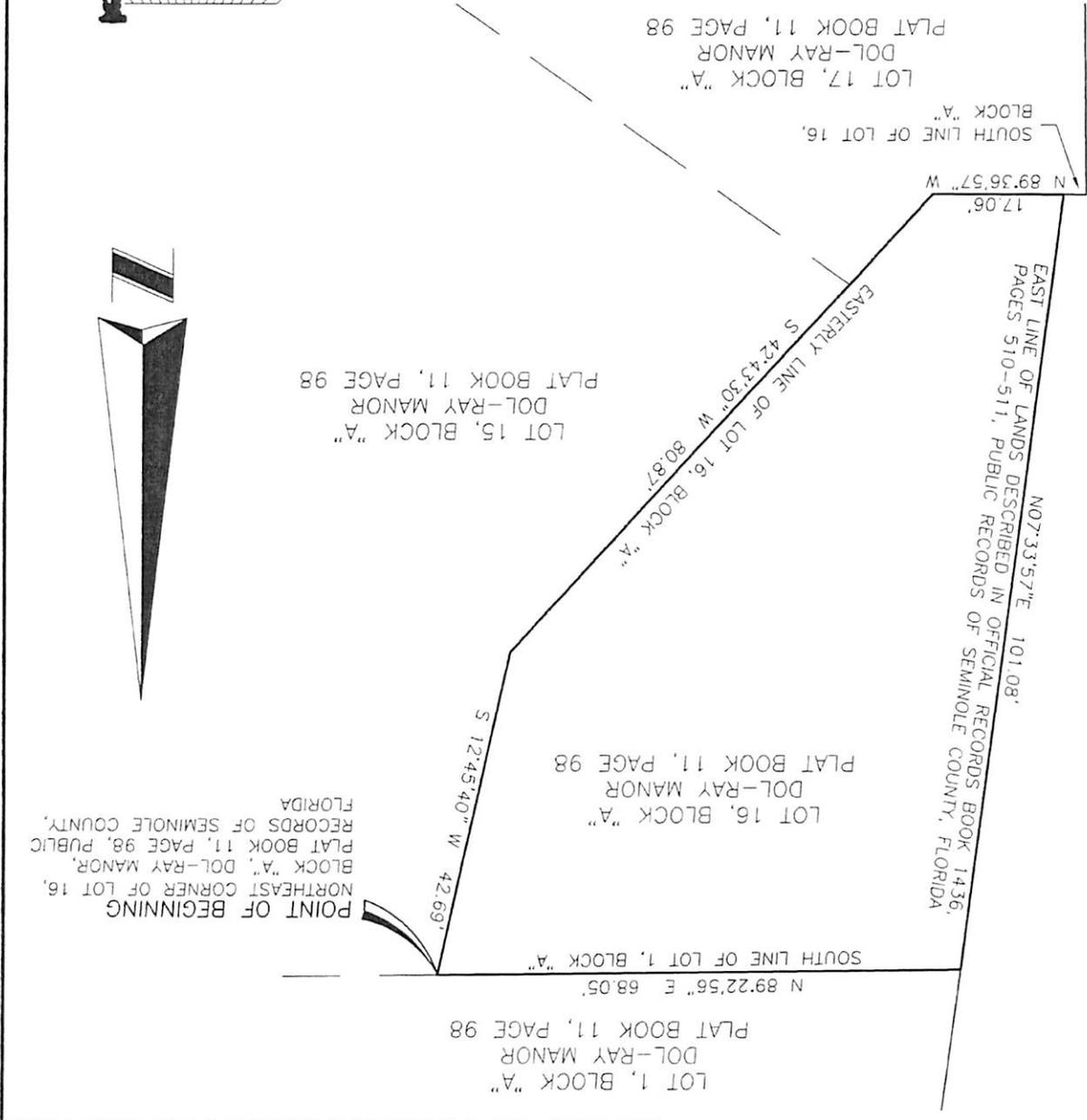
<b>DESCRIPTION</b>  FOR <b>ATKINS NORTH                  AMERICA, INC.</b>	Date June 24, 2016 KR		Certification Number LB2108 50071011
	Job Number 60071	Scale 1" = 20'	 SOUTHEASTERN SURVEYING AND MAPPING CORPORATION 6500 All American Boulevard Orlando, Florida 32810-4350 (407) 292-8580 e-mail: info@southeasternsurveying.com
	Chapter 5J-17, Florida Administrative Code requires that a legal description drawing bear the notation that <b>THIS IS NOT A SURVEY.</b>		
	SHEET 1 OF 2 SEE SHEET 2 FOR SKETCH		 <b>JAMES L. PETERSEN</b> REGISTERED LAND SURVEYOR Number 4791

Drawing No. 60071011  
 Job No. 60071  
 Date: JUNE 24, 2016  
 SHEET 2 OF 2  
 See Sheet 1 for Description  
 NOT VALID WITHOUT SHEET 1 THROUGH 2 e-mail: info@southeasternsurveying.com

THIS IS NOT A SURVEY.  
 Certification Number LB2108  
 (407) 292-8580  
 Orlando, Florida 32810-4350  
 6500 All American Boulevard  
 AND MAPPING CORPORATION  
 SOUTHEASTERN SURVEYING



**NORTH LAKE BOULEVARD**  
 RIGHT OF WAY VARIES PER OFFICIAL RECORDS BOOK 1209, PAGE 614



SKETCH OF DESCRIPTION