

**SEMINOLE COUNTY GOVERNMENT  
AGENDA MEMORANDUM**

**SUBJECT:** Request for approval of the Final Site Plan and Addendum to the Developer's Commitment Agreement for the Pollo Tropical at the Oviedo Crossroads PCD (Jill Minton, CPH Engineers, Inc, applicant)

**DEPARTMENT:** Planning & Development **DIVISION:** Planning

**AUTHORIZED BY:** Donald S. Fisher **CONTACT:** Benjamin Dunn **EXT** 7440

Agenda Date 08/22/06 Regular  Consent  Work Session  Briefing   
Public Hearing – 1:30  Public Hearing – 7:00

**MOTION/RECOMMENDATION:**

1. **APPROVE** the Final Site Plan and Addendum # 4 to the Developer's Commitment Agreement for the Pollo Tropical at the Oviedo Crossroads PCD, located on the southwest corner of the intersection of Red Bug Lake Road and SR 426 (Jill Minton, CPH Engineers, Inc, applicant); or
2. **DENY** the Final Site Plan and Addendum to the Developer's Commitment Agreement for the Pollo Tropical at the Oviedo Crossroads PCD, located on the southwest corner of the intersection of Red Bug Lake Road and SR 426 (Jill Minton, CPH Engineers, Inc, applicant); or
3. **CONTINUE** the request until a time and date certain.

District 1–Dallari

Benjamin Dunn, Senior Planner

**BACKGROUND:**

The applicant is proposing to develop a ± 3,322 sq. ft. Pollo Tropical Restaurant with a drive-thru on Lot 6 (Parcel 1) of the Oviedo Crossroads PCD. The Final Master Plan for the Oviedo Crossroads PCD was approved without specific uses on Parcel 1. Therefore, at the time a specific use was submitted for development, the applicant would have to submit for Final Site Plan approval to the BCC.

The proposed Pollo Tropical Restaurant with a drive-thru is consistent with the current Developer's Commitment Agreement as amended to reflect the proposed restaurant on parcel 1 of the final site plan. The site is located on the southwest corner of the intersection of Red Bug Lake Road and SR 426.

Reviewed by:	_____
Co Atty:	_____
DFS:	_____
OTHER:	_____
DCM:	
CM:	
File No.	<u>rpdp05</u>

**STAFF RECOMMENDATION:**

Staff recommends APPROVAL of the Final Site Plan and Addendum # 4 to the Developer's Commitment Agreement for the Oviedo Crossroads PCD.

ATTACHMENTS:

Location Map

Final Site Plan

Addendum #4 to the Developer's Commitment Agreement



OVIEDO CROSSROADS

DEVELOPERS COMMITMENT AGREEMENT  
ADDENDUM # 4

On August 22, 2006 the Board of County Commissioners of Seminole County issued this Addendum to the "Oviedo Crossroads Final Site Plan Developer's Commitment Agreement". The proposed development of a Pollo Tropical Restaurant on Parcel 1 complies with the approved Developer's Commitment Agreement and the attached site plan.

**Legal Description for the Oviedo Crossroads PCD is attached as Exhibit "A".**

The development of the restaurant on Parcel 1 shall comply with the site plan attached as Exhibit "B".

Tract Breakdown:

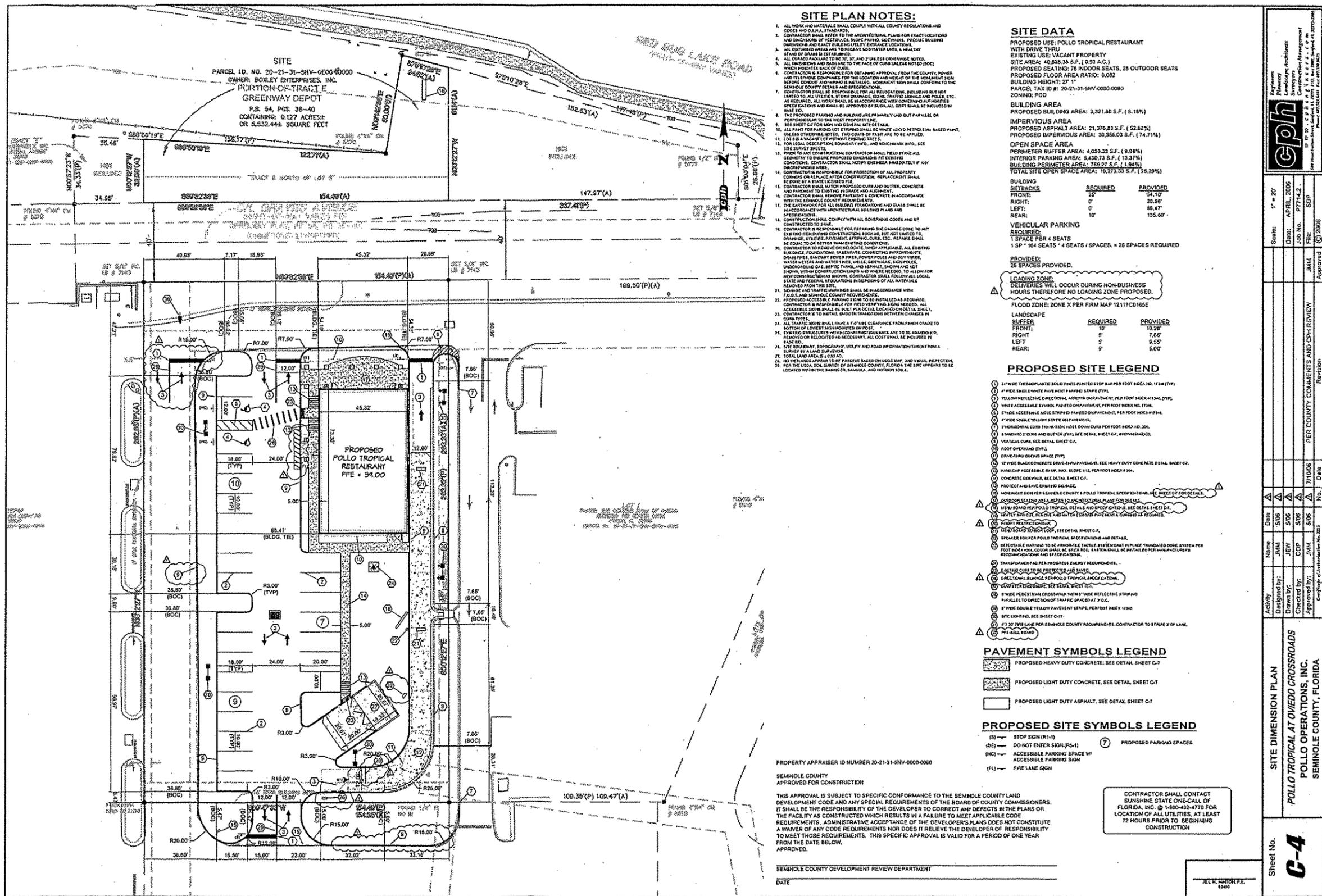
TRACT	BUILDING SQUARE FOOTAGE (sq. ft.)
Home Depot with Garden Center	129,864
Eckerd	11,200
Parcel 1	7,500
Parcel 2	4,000
Parcel 3 (existing)	28,698
Parcel 3 (new construction)	23,301

Done and Ordered this 22<sup>nd</sup> day of August, 2006

By: \_\_\_\_\_  
Carlton D. Henley  
Chairman  
Board of County Commissioners

Site Plan

Exhibit B



**SITE PLAN NOTES:**

1. ALL WORK AND MATERIALS SHALL COMPLY WITH ALL COUNTY REGULATIONS AND CODES AND O.P.M.A. STANDARDS.
2. CONTRACTOR SHALL REFER TO THE ARCHITECTURAL PLANS FOR EXACT LOCATION AND DIMENSIONS OF VESTIBULES, SIGN PLACING, SIDEWALKS, PRECAST BUILDING CURBS AND EXACT BUILDING ELEVATION LOCATIONS.
3. ALL OBTAINED AREAS ARE TO RECEIVE GOOD WATER UNTIL A HEALTHY STAGE OF GROWTH IS ESTABLISHED.
4. ALL CURBS AND SIDEWALKS TO BE 3/4" AND 2" UNLESS OTHERWISE NOTED.
5. ALL SIDEWALKS AND SIDEWALKS TO BE 3/4" AND 2" UNLESS OTHERWISE NOTED (BOC).
6. CONTRACTOR IS RESPONSIBLE FOR OBTAINING APPROVAL FROM THE COUNTY, POWER AND TELEPHONE COMPANIES FOR THE LOCATION AND HEIGHT OF THE MOUNTAIN SIGN BEFORE CONSTRUCTION AND WORK IS INITIATED. MOUNTAIN SIGN SHALL CONFORM TO THE SEMINOLE COUNTY DETAILS AND SPECIFICATIONS.
7. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL RELOCATIONS, INCLUDING BUT NOT LIMITED TO, ALL UTILITIES, STORM DRAINAGE, EGRESS, TRAFFIC SIGNALS AND POLES, ETC. AS REQUIRED. ALL WORK SHALL BE IN ACCORDANCE WITH GOVERNING AUTHORITIES SPECIFICATIONS AND SHALL BE APPROVED BY SUD. ALL COSTS SHALL BE INCLUDED IN BIDDING.
8. THE PROPOSED PARKING AND BUILDING AREAS PRIMARILY LAND OUT PARALLEL OR PERPENDICULAR TO THE WEST PROPERTY LINE.
9. SEE SHEET C-7 FOR SIGN AND GENERAL SITE DETAILS.
10. ALL PAINT FOR PARKING LOTS STRIPES SHALL BE WHITE ALKYL METHACRYLATE BASED PAINT, UNLESS OTHERWISE NOTED. TWO COATS OF PAINT ARE TO BE APPLIED.
11. LOTS BE A VACANT LOT WITHOUT EXISTING TREES.
12. FOR LEGAL SURVEY INFORMATION, SEE SUD AND RECORDS. SEE SHEET C-7 FOR LEGAL SURVEY SHEETS.
13. PRIOR TO ANY CONSTRUCTION CONTRACTOR SHALL FILE WITH THE COUNTY ENGINEER A CONSTRUCTION PLAN TO BE REVIEWED AND APPROVED IMMEDIATELY IF ANY DISCREPANCIES ARISE.
14. CONTRACTOR IS RESPONSIBLE FOR PROTECTION OF ALL PROPERTY CONTIGUOUS TO THE PROJECT SITE. REPAIRMENT SHALL BE DONE BY A STATE LICENSED PAINTER.
15. CONTRACTOR SHALL MATCH PROPOSED CURB AND OUTLET, CONCRETE AND PAVEMENT TO EXISTING FINISH AND ALIGNMENT.
16. CONTRACTOR SHALL REMOVE PAVEMENT AND CONCRETE IN ACCORDANCE WITH THE SEMINOLE COUNTY REQUIREMENTS.
17. THE EARTHWORK FOR ALL BUSINESS FOUNDATIONS AND BASES SHALL BE IN ACCORDANCE WITH ARCHITECTURAL BUILDING PLAN AND SPECIFICATIONS.
18. CONTRACTOR SHALL COMPLY WITH ALL GOVERNING CODES AND BE CONFINED TO SAME.
19. CONTRACTOR IS RESPONSIBLE FOR REPAIRING THE DAMAGE DONE TO ANY EXISTING UTILITIES DURING CONSTRUCTION. REPAIRS SHALL BE LIMITED TO DRAINAGE, UTILITY, PAVEMENT, STORM, CURB, ETC. REPAIRS SHALL BE COMPLETED WITHIN 24 HOURS OF NOTIFICATION.
20. CONTRACTOR TO REMOVE ON RELOCATE, WHEN APPLICABLE, ALL EXISTING BUILDINGS, FOUNDATIONS, BASEMENTS, CONNECTIONS, APPROXIMATE, DRIVE PIPES, EXISTING EGRESS PIPES, POWER POLES AND CUY TUBES, WATER METERS AND WATER LINES, WELLS, SIDEWALKS, SIGN POLES, UNDERGROUND GAS, SEPTIC TANKS, AND ASPHALT, SHOWING AND NOT SHOWING, WITHIN CONSTRUCTION LIMITS AND WHERE APPLICABLE, TO ALLOW FOR NEW CONSTRUCTION AS SHOWN. CONTRACTOR SHALL FOLLOW ALL LOCAL, STATE AND FEDERAL REGULATIONS IN DISPOSING OF ALL MATERIALS RELOCATED FROM THIS SITE.
21. SIGNAGE AND TRAFFIC MARKINGS SHALL BE IN ACCORDANCE WITH F.D.O.C. AND SEMINOLE COUNTY REQUIREMENTS.
22. PROPOSED ACCESSIBLE PARKING SIGN TO BE INSTALLED AS REQUIRED. CONTRACTOR IS RESPONSIBLE FOR REPAIRING AND MAINTENANCE. ALL ACCESSIBLE SIGNS SHALL BE SHOWN PER DETAIL LOCATED ON DETAIL SHEET.
23. CONTRACTOR IS TO INSTALL SIGNAGE TRANSMISSIONS WITH CONCRETE IN CURB TYPES.
24. ALL TRAFFIC SIGNS SHALL HAVE A 2" WIDE CLEARANCE FROM FINISH GRADE TO BOTTOM OF LOWEST SIGN MOUNTING OR POST.
25. THERE ARE ENCLOSURES WITHIN CONSTRUCTION LIMITS TO BE REMOVED, RELOCATED OR RELOCATED AS NECESSARY. ALL COSTS SHALL BE INCLUDED IN BIDDING.
26. SITE BOUNDARY, TOPOGRAPHY, UTILITY AND ROAD INFORMATION TAKEN FROM A SURVEY BY JAMES S. BROWN, INC.
27. NO UTILITIES APPEAR TO BE PRESENT BASED ON SUD, AND VISUAL INSPECTION.
28. PER THE SUD, SOIL SURVEY OF SEMINOLE COUNTY, FLORIDA THE SITE APPEARS TO BE LOCATED WITHIN THE BARRING, SAVANNA, AND HATCHSON SOILS.

**SITE DATA**

PROPOSED USE: POLLO TROPICAL RESTAURANT WITH DRIVE THRU  
 EXISTING USE: VACANT PROPERTY  
 SITE AREA: 40,252.38 S.F. ( 0.91 A.C.)  
 PROPOSED SEATING: 76 INDOOR SEATS, 28 OUTDOOR SEATS  
 PROPOSED FLOOR AREA RATIO: 0.82  
 BUILDING HEIGHT: 27' 1"  
 PARCEL TAX ID #: 20-21-31-SHV-0000-0000  
 ZONING: PCD  
 BUILDING AREA  
 PROPOSED BUILDING AREA: 3,321.68 S.F. ( 8.18%)  
 IMPERVIOUS AREA  
 PROPOSED ASPHALT AREA: 21,376.83 S.F. ( 52.62%)  
 PROPOSED IMPERVIOUS AREA: 30,356.03 S.F. ( 74.17%)  
 OPEN SPACE AREA  
 PERIMETER BUFFER AREA: 4,053.33 S.F. ( 9.89%)  
 INTERIOR PARKING AREA: 5,420.73 S.F. ( 13.37%)  
 BUILDING PERIMETER AREA: 786.27 S.F. ( 1.94%)  
 TOTAL SITE OPEN SPACE AREA: 18,273.33 S.F. ( 45.29%)

BUILDING SETBACKS	REQUIRED	PROVIDED
FRONT:	25'	34.10'
RIGHT:	0'	20.66'
LEFT:	0'	18.47'
REAR:	10'	135.50'

**VEHICULAR PARKING**  
 REQUIRED:  
 1 SPACE PER 4 SEATS  
 1 SP \* 104 SEATS = 4 SEATS / SPACES = 26 SPACES REQUIRED  
 PROVIDED:  
 26 SPACES PROVIDED.

LOADING ZONE:  
 DELIVERIES WILL OCCUR DURING NON-BUSINESS HOURS THEREFORE NO LOADING ZONE PROPOSED.

FLOOD ZONE: ZONE X PER FIRM MAP 12117C/D/H/S/E

LANDSCAPE BUFFERS	REQUIRED	PROVIDED
FRONT:	10'	10.20'
RIGHT:	5'	7.66'
LEFT:	5'	9.55'
REAR:	5'	5.00'

**PROPOSED SITE LEGEND**

- 1. 24" WIDE THERMOPLASTIC SOLID WHITE PAINTED STOP BAR PER FOOT AREA NO. 1134 (TYP)
- 2. 4" WIDE DOUBLE WHITE PAINTED PARKING STRIPES (TYP)
- 3. YELLOW REFLECTIVE ORIENTATION ARROWS ON PAVEMENT, PER FOOT AREA NO. 1134 (TYP)
- 4. WHITE ACCESSIBLE SYMBOL PAINTED ON PAVEMENT, PER FOOT AREA NO. 1134 (TYP)
- 5. WHITE ACCESSIBLE LEVEL STRIPES PAINTED ON PAVEMENT, PER FOOT AREA NO. 1134 (TYP)
- 6. 4" WIDE YELLOW STRIPES ON PAVEMENT
- 7. 3" THICK POLYURETHANE ADHESIVE DOUBLE CURB PER FOOT AREA NO. 300
- 8. STANDARD 2' CURB AND BUTTER (TYP) SEE DETAIL SHEET C-7
- 9. VERTICAL CURB, SEE DETAIL SHEET C-7
- 10. ROOF OVERHANG (TYP)
- 11. DRIVE-THRU SERVICE SPACE (TYP)
- 12. 12" WIDE BLACK CONCRETE DRIVE-THRU PAVEMENT, SEE HEAVY DUTY CONCRETE DETAIL SHEET C-7
- 13. HANDICAP ACCESSIBLE RAMP, MAX. SLOPE 1:12, PER FOOT AREA NO. 300
- 14. CONCRETE SIDEWALK, SEE DETAIL SHEET C-7
- 15. PROTECT AND MAINT EXISTING SIGNAGE
- 16. MOUNTAIN SIGN PER SEMINOLE COUNTY & POLLO TROPICAL SPECIFICATIONS, SEE DETAIL SHEET C-7
- 17. DRIVE-THRU SERVICE AREA PER POLLO TROPICAL SPECIFICATIONS
- 18. 18" WIDE ROAD PER POLLO TROPICAL DETAILS AND SPECIFICATIONS, SEE DETAIL SHEET C-7
- 19. 18" WIDE DRIVEWAY PER POLLO TROPICAL DETAILS AND SPECIFICATIONS, SEE DETAIL SHEET C-7
- 20. 18" WIDE DRIVEWAY PER POLLO TROPICAL DETAILS AND SPECIFICATIONS, SEE DETAIL SHEET C-7
- 21. 18" WIDE DRIVEWAY PER POLLO TROPICAL DETAILS AND SPECIFICATIONS, SEE DETAIL SHEET C-7
- 22. 18" WIDE DRIVEWAY PER POLLO TROPICAL DETAILS AND SPECIFICATIONS, SEE DETAIL SHEET C-7
- 23. 18" WIDE DRIVEWAY PER POLLO TROPICAL DETAILS AND SPECIFICATIONS, SEE DETAIL SHEET C-7
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- 100. 18" WIDE DRIVEWAY PER POLLO TROPICAL DETAILS AND SPECIFICATIONS, SEE DETAIL SHEET C-7

**PAVEMENT SYMBOLS LEGEND**

- 1. PROPOSED HEAVY DUTY CONCRETE, SEE DETAIL SHEET C-7
- 2. PROPOSED LIGHT DUTY CONCRETE, SEE DETAIL SHEET C-7
- 3. PROPOSED LIGHT DUTY ASPHALT, SEE DETAIL SHEET C-7

**PROPOSED SITE SYMBOLS LEGEND**

- (S) STOP SIGN (R-1)
- (DS) DO NOT ENTER SIGN (R-3)
- (HC) ACCESSIBLE PARKING SPACE W/ ACCESSIBLE PARKING SIGN
- (PL) FIRE LANE SIGN
- (7) PROPOSED PARKING SPACES

PROPERTY APPRAISER ID NUMBER 20-21-31-SHV-0000-0000

SEMINOLE COUNTY APPROVED FOR CONSTRUCTION

THIS APPROVAL IS SUBJECT TO SPECIFIC CONFORMANCE TO THE SEMINOLE COUNTY LAND DEVELOPMENT CODE AND ANY SPECIAL REQUIREMENTS OF THE BOARD OF COUNTY COMMISSIONERS. IT SHALL BE THE RESPONSIBILITY OF THE DEVELOPER TO CORRECT ANY DEFECTS IN THE PLANS OR THE FACILITY AS CONSTRUCTED WHICH RESULTS IN A FAILURE TO MEET APPLICABLE CODE REQUIREMENTS. ADMINISTRATIVE ACCEPTANCE OF THE DEVELOPER'S PLANS DOES NOT CONSTITUTE A WAIVER OF ANY CODE REQUIREMENTS NOR DOES IT RELIEVE THE DEVELOPER OF RESPONSIBILITY TO MEET THOSE REQUIREMENTS. THIS SPECIFIC APPROVAL IS VALID FOR A PERIOD OF ONE YEAR FROM THE DATE BELOW.

SEMINOLE COUNTY DEVELOPMENT REVIEW DEPARTMENT

DATE \_\_\_\_\_

CONTRACTOR SHALL CONTACT SUNSHINE STATE ONE-CALL OF FLORIDA, INC. @ 1-800-432-4778 FOR LOCATION OF ALL UTILITIES, AT LEAST 72 HOURS PRIOR TO BEGINNING CONSTRUCTION

  
 Cph  
 Engineering  
 Planning  
 Landscaping/Architect  
 Construction Management  
 1000 W. U.S. 90, Suite 100, Ft. Pierce, FL 34946  
 Tel: 888-888-8888 Fax: 888-888-8888  
 www.cph.com

Scale: 1" = 20'	Date: APRIL 2006	Job No: P774.2	File: SDP
Drawn By: JMW	Checked By: JMW	Approved By: JMW	Revision: Approved
PER COUNTY COMMENTS AND CPH REVIEW			
Activity	Name	Date	Rev.
Designed By:	JMW	5/06	1
Drawn By:	JMW	5/06	1
Checked By:	CEP	5/06	1
Approved By:	JMW	5/06	1
City/County/State:	JMW	5/06	1

**SITE DIMENSION PLAN**  
**POLLO TROPICAL AT OVIEDO CROSSROADS**  
**POLLO OPERATIONS, INC.**  
**SEMINOLE COUNTY, FLORIDA**

Sheet No. **C-4**  
 J.L.K. WATSON, P.E.  
 8/00



**Exhibit A**

LESS AND EXCEPT THE FOLLOWING:

THE SOUTH 25 FEET OF LOT 22 OF THE SLAVIA COLONY CO'S SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDING IN PLAT BOOK 2, PAGE 71 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

ALSO LESS AND EXCEPT THE FOLLOWING:

A PORTION OF LOT 26, OF THE SLAVIA COLONY CO'S SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDING IN PLAT BOOK 2, PAGE 71 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT INTERSECTION OF THE NORTH LINE OF SAID LOT 26 WITH THE WESTERLY RIGHT OF WAY LINE OF THE C.S.X. TRANSPORTATION, INC., RAILROAD FOR A POINT OF BEGINNING; THENCE RUN SOUTH 23 26' 17" WEST, ALONG THE SAID WESTERLY RAILROAD RIGHT OF WAY LINE, 88.84 FEET; THENCE RUN NORTH 79 27' 23" WEST, 111.34 FEET; THENCE RUN NORTH 45 15' 16" WEST, 84.55 FEET TO THE AFORESAID NORTH LINE OF LOT 26; THENCE RUN NORTH 89 32' 38" EAST, ALONG THE SAID NORTH LOT LINE, 204.86 FEET TO THE POINT OF BEGINNING.

SAID LANDS LYING IN SEMINOLE COUNTY, FLORIDA AND CONTAINING 10.61 ACRES MORE ORLESS.

