

**SEMINOLE COUNTY GOVERNMENT  
AGENDA MEMORANDUM**

**SUBJECT:** Approval of Addendum 1 to the Final Master Plan for Mirror Lake Commercial PCD (Mitch Collins - Applicant)

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

**AUTHORIZED BY:** Donald S. Fisher **CONTACT:** Cathleen Consoli **EXT.** 7377

**Agenda Date** 10/22/02 **Regular** ☐ **Consent** ☐ **Work Session** ☐ **Briefing** ☐  
**Public Hearing – 1:30** ☐ **Public Hearing – 7:00** ☐

**MOTION/RECOMMENDATION:**

1. Approval of Addendum 1 to the Final Master Plan for Mirror Lake Commercial PCD (Mitch Collins – Applicant) located at the southeast corner of the intersection of SR 436 and Bear Lake Road.
2. Denial of Addendum 1 to the Final Master Plan for Mirror Lake Commercial PCD (Mitch Collins – Applicant) located at the southeast corner of the intersection of SR 436 and Bear Lake Road.
3. Continue the request to a time certain.

(District 3 - Commissioner Van Der Weide)

(Cathleen Consoli, Planner)

**BACKGROUND:**

The applicant, Mitch Collins, requests approval of Addendum 1 to the Final Master Plan for Mirror Lake Commercial PCD. The Board of County Commissioners approved a small-scale land use amendment for a portion of the site, and approved the preliminary PCD plan for the project, in February, 2001. The Final PCD Master Plan and Developer's Commitment Agreement, approved on May 14, 2002, addressed only the infrastructure and perimeter buffering for the PCD. The approved Developer's Commitment Agreement requires that each lot must return to the BCC to amend the Final Master Plan as development occurs.

The subject lot is the westernmost lot in the PCD, has a land use of PD (Planned Development) and consists of 1.98 acres. Development on the site will consist of a Hess convenience store and its associated uses, including a car wash and gas pumps. The proposed development is consistent with the approved Developer's Commitment Agreement which is included. The attached addendum includes the proposed site and landscaping plans as well as architectural elevations for the proposed development.

Reviewed by:	
Co Atty:	<i>RCC</i>
DFS:	
Other:	<i>MW</i>
DCM:	<i>MS</i>
CM:	
File No.	<u>rpdp01</u>

**STAFF RECOMMENDATION:**

Staff recommends approval of the revision to the Final Master Plan per the attached Addendum, site plan and architectural elevations.

**ADDENDUM 1**  
**To The**  
**Mirror Lake Commercial Center PCD**  
**Final PCD Master Plan**  
**Developer's Commitment Agreement**  
**Commitments, Classifications and District Descriptions**

It is hereby ordered that the Site Plan for Lot One, The Hess Station at Bear Lake Road, as indicated on the attached site plan, landscape plan and further described by architectural elevations is hereby incorporated into the Mirror Lake Commercial Center PCD, Final PCD Master Plan Developer's Commitment Agreement, Commitments, Classifications and District Descriptions.

Approved and Accepted

By: \_\_\_\_\_  
Daryl G. McLain  
Chairman  
Seminole County Board of County Commissioners

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

**OWNER'S CONSENT AND COVENANT**

**COMES NOW**, Bonnie Wintersteen, on behalf of herself and her heirs, successors, assigns or transferees of any nature whatsoever and consents to, agrees with and covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Development Order.

\_\_\_\_\_  
Bonnie Wintersteen

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Print Name

**STATE OF FLORIDA     )**

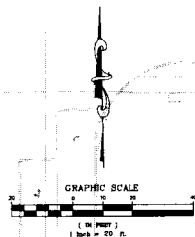
**COUNTY OF SEMINOLE )**

**I HEREBY CERTIFY** that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Bonnie Wintersteen who is personally known to me or who has produced \_\_\_\_\_ as identification and who did take an oath.

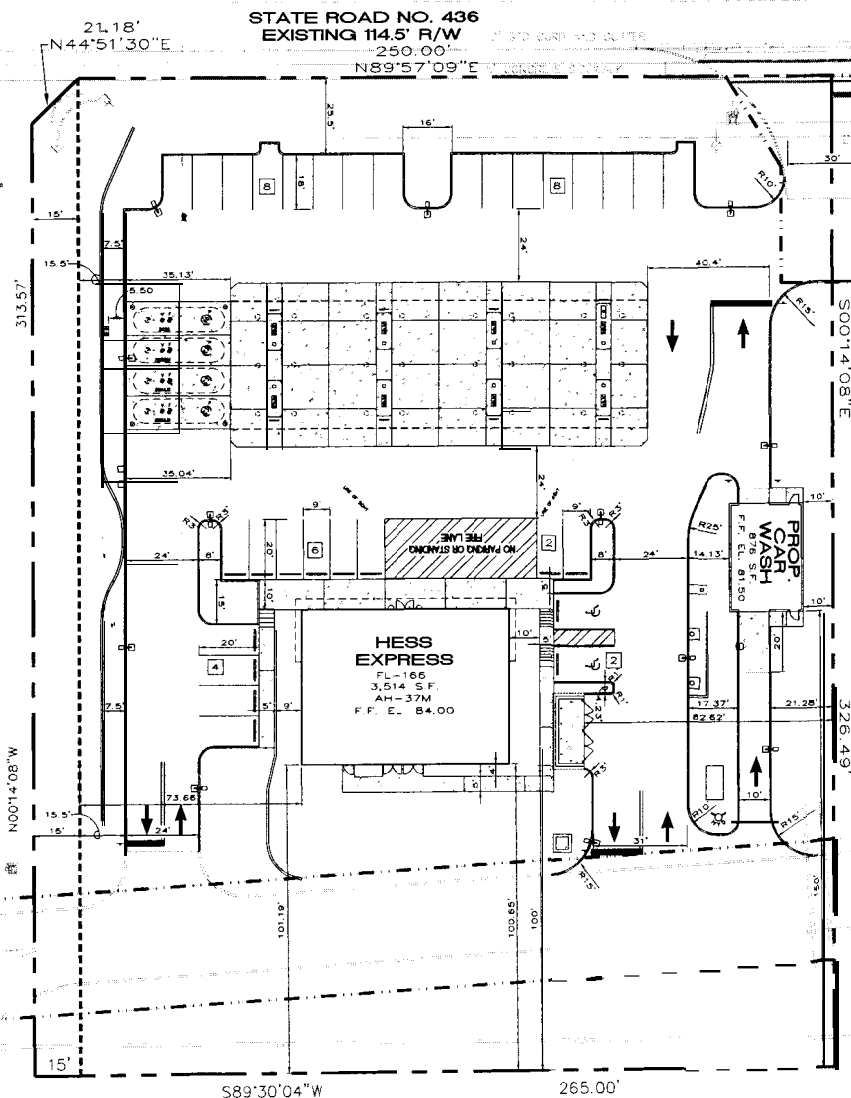
**WITNESS** my hand and official seal in the County and State last aforesaid this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

\_\_\_\_\_  
Notary Public, in and for the County and State  
Aforementioned

My Commission Expires:



BEAR LAKE ROAD

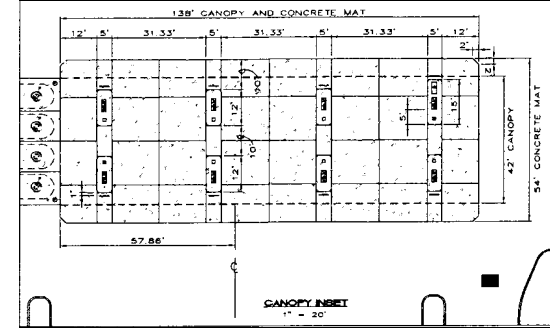


**KEY NOTES**

1. PROPOSED FIRE LANE AS PER SEMINOLE COUNTY STANDARD DETAIL
2. PROPOSED TANKS
3. PROPOSED "DO NOT ENTER" SIGNS
4. PROPOSED LIFT STATION (SEE DETAIL)
5. PROPOSED RETAINING WALL (SEE DETAIL)
6. PROPOSED CONCRETE WHEEL STOP (SEE DETAIL)
7. PROPOSED 8" HIGH MASONRY WALL (BY OTHERS)
8. PROPOSED DRIVEWAY (BY OTHERS)
9. CONNECT TO EXISTING CONCRETE CURB
10. PROPOSED RETAINING WALL (SEE DETAIL)
11. PROPOSED STAIRS (SEE DETAIL)
12. PROPOSED 20' R/W DEDICATION
13. PROPOSED 40' CROSS ACCESS, UTILITY AND DRAINAGE EASEMENT
14. PROPOSED CROSS ACCESS EASEMENT
15. PROPOSED 8" DOUBLE YELLOW STRIPING
16. PROPOSED SIGN BASE (BY OTHERS) (SEE SHEET C-4)
17. PROPOSED 4" HIGH MASONRY WALL (PATTERN AND TEXTURE TO MATCH BUILDING)

**NOTE LEGEND**

- HANDICAP PARKING
- PROPOSED DRAINAGE INLET
- PROPOSED CURB
- SITE BOUNDARY LINE
- EXISTING EASEMENT (DEPICTED ON PLAN)
- PROPOSED EASEMENT (DEPICTED ON PLAN)
- CENTER LINE OF ROAD
- EXISTING EDGE OF PAVEMENT
- TYPICAL
- HANDICAP
- # OF PARKING SPACES
- SIDEWALK
- 5' RADIUS
- LINEAR FEET
- SQUARE FEET
- BACK OF CURB
- EXISTING PAVEMENT TO BE OVERLAID
- HEAVY ASPHALT PAVEMENT (SEE DETAIL)
- ASPHALT PAVEMENT (SEE DETAIL)
- PROPOSED CONCRETE PAVEMENT



**SIGN LEGEND**

NO.	TEXT	SYMBOL	SIZE
R1-1	STOP		30"x30"
R3-1	NO RIGHT TURN		24"x24"
R6-1	DO NOT ENTER		30"x30"
R8-1	ONE WAY		36"x12"
R3-7	LEFT LANE MUST TURN LEFT		30"x30"

ALL SIGNS SHALL CONFORM W/ F.D.O.T. MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES

TYPICAL PARKING SPACE SHALL BE STRIPED WITH 4" WHITE STRIPING

ALL PARKING SPACES, OTHER THAN THOSE NOTED AND HANDICAP SPACES SHALL BE 10' WIDE

ALL RADII SHALL BE 5' UNLESS OTHERWISE NOTED

ALL PAVEMENT MARKINGS SHALL COMPLY WITH THE F.D.O.T. ROADWAY AND TRAFFIC DESIGN STANDARDS, MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES AND THE SEMINOLE COUNTY LAND DEVELOPMENT CODE

THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE RESTORATION OF ANY TRAFFIC SIGNAL EQUIPMENT, INCLUDING BUT NOT LIMITED TO FIBER, LOOP SENSORS, PULL BOXES, CONDUIT, TRAFFIC SIGNALS, AND CABLES. ANY ITEMS DAMAGED BY THE CONTRACTOR SHALL BE RESTORED TO THEIR ORIGINAL CONDITIONS UNLESS OTHERWISE AGREED UPON BY THE COUNTY TRAFFIC ENGINEER

SITE SHALL BE CLEARED BY OTHERS

NOTE: REPRODUCTION OF THIS PLAN IS INVALID UNLESS CONTAINING ORIGINAL SIGNATURE AND EMBOSSED WITH ENGINEER'S SEAL AS PER CHAPTER 214.23.002, FLORIDA ADMINISTRATIVE CODE

B. MITCHELL COLLINS, P.E. # 54608, STATE OF FLORIDA DATE

REV/DATE	BY
6-12-02	R.P.
8-10-02	R.P.
9-10-02	R.P.
9-10-02	R.P.

SITE LAYOUT PLAN FOR

HESS AT BEAR LAKE ROAD

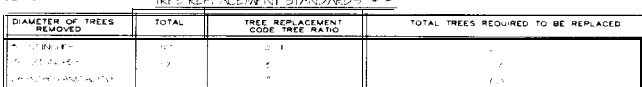
SEMINOLE COUNTY, FLORIDA  
SR. 436 AND BEAR LAKE ROAD

**HD** HARB DESIGN GROUP, INC.  
CIVIL ENGINEERING CONSULTANTS

3700 34th STREET, 3rd FLOOR, ORLANDO, FL 32805  
PHONE: (407) 422-7854 FAX: (407) 422-7854

Drawn by: R.P.  
Checked by: M.C.  
DATE: 10-01-01  
SCALE: 1" = 20'  
JOB NO: 200-075  
SHEET NO: C-1  
of C-6 SHEETS

PARKING/DRIVEWAY SURFACE AREA	50,301 SF
INTERNAL GREEN-SPACE PROVIDED	5,420 SF
INTERNAL GREEN-SPACE PROVIDED	10.7 %



M:\CIVIL\2000\200-075\LAND\LA-1.dwg, Model, 9/25/2002 2:38:53 PM, R65P, HP LaserJet 1200 Series PCL 6, Letter, R65P, 342

ALL PLANT MATERIAL THAT IS INSTALLED MUST BE FLORIDA NO. 1 GRADE OR BETTER ACCORDING TO THE CURRENT GRASSES AND STANDARDS FOR NURSERY PLANTS, STATE OF FLORIDA, DEPARTMENT OF AGRICULTURE.

ANY VARIATIONS FROM THE APPROVED LANDSCAPE PLAN MUST BE INITIALLY REVIEWED BY THIS LANDSCAPE ARCHITECT. UPON REVIEW BY THIS OFFICE, SEVERAL COUNTY MUST APPROVE. THE PROPOSED VARIATIONS MUST BE APPROVED BY THE COUNTY BEFORE BEING SECURED PRIOR TO INSTALLATION. FAILURE TO COMPLY WITH THIS PROCEDURE MAY RESULT IN REQUIRED MITIGATION AND/OR DELAY OF THE PROJECT.

ALL FILL DIRT TO BE PLACED IN THE PROPOSED LANDSCAPE AREAS AND BEDS, MUST HAVE A PH RANGE BETWEEN 5.5 AND 7.5, BE ORGANIC IN NATURE, FREE OF ROCKS AND DEBRIS, OR MATCH NATIVE EXISTING SOILS.

CURVILINEAR LANDSCAPE BEDS ARE TO BE EDGED WITH SMOOTH CORNERED 2" X 4" LANDSCAPE IRRIGATION BEDS ARE TO BE EDGED IN A STRAIGHT LINE AND MUST BE PARALLEL TO PARKING LOTS, WALKWAYS, AND/OR STRUCTURES UNLESS INTENTIONALLY DESIGNED TO MEANDER.

ST. AUGUSTINE SOO IS TO BE USED IN ALL OPEN IRRIGATED AREAS. BEDS TO BE UNEDGED. LANDSCAPE BEDS ARE TO BE ST. AUGUSTINE SOO IS TO BE SOGGED WITH BAHIA SOO SOO.

ALL IRRIGATION BACK-FLOW DEVICES WILL BE VISUALLY SCREENED WITH LANDSCAPING AND PAINTED BLACK AND/OR NILE GREEN.

AN AUTOMATIC IRRIGATION SYSTEM, WITH A RAIN SENSOR, WILL BE INSTALLED TO IRRIGATE 100% OF THE TREE AND LANDSCAPE PLANTING AREAS.

THE CONTRACTOR IS RESPONSIBLE FOR MAINTAINING ANY PROPOSED BEDS TO BE UNEDGED.

SEE ENGINEER'S PLAN FOR ALL EXISTING AND PROPOSED EASEMENTS, COVENANTS, ROW, BUFFER DIMENSIONS, AND ALL SITE LAYOUT DIMENSIONING.

THE OWNER WILL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL OPEN SPACE, LANDSCAPE PLANTINGS, DRAINAGE RETENTION AREA AND ANY OTHER FACILITIES.

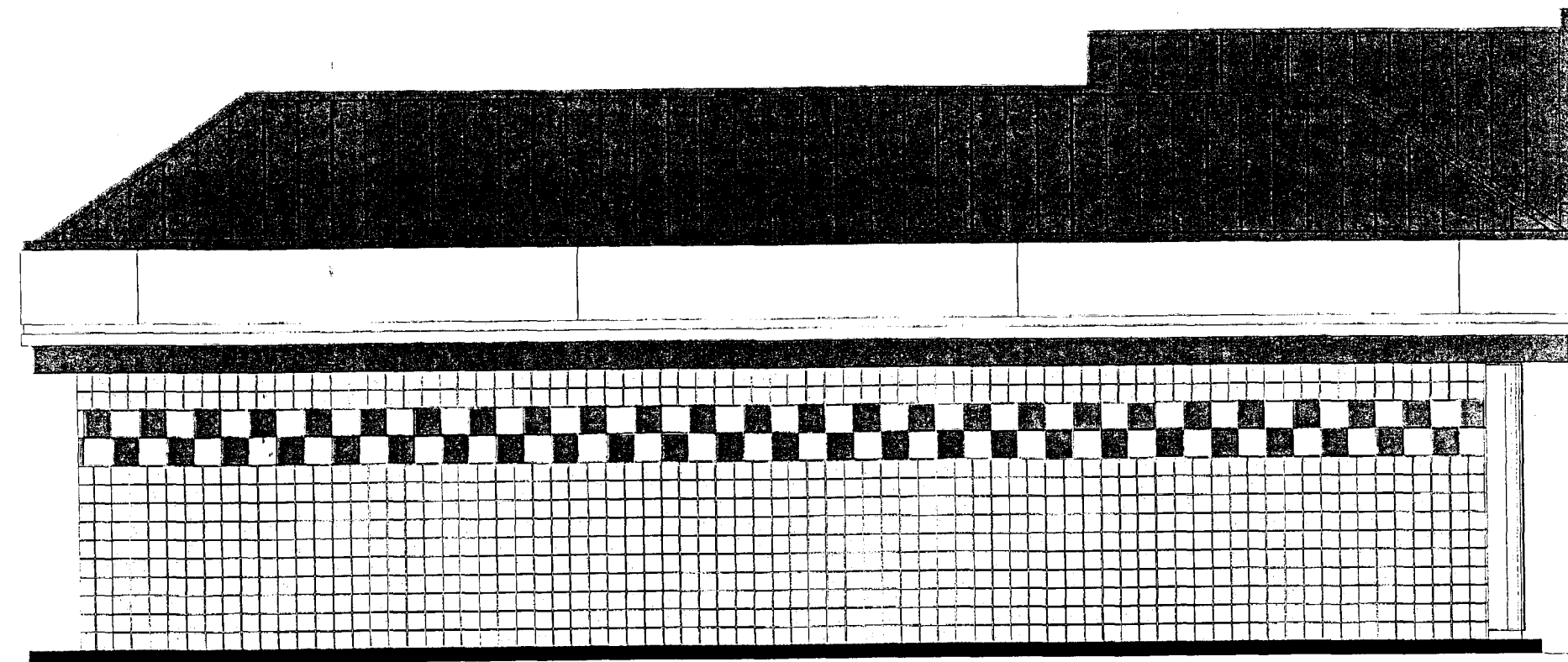
ALL PROPOSED SHRUB PLANTINGS ARE XERIC IN NATURE AND REQUIRE LOW WATER REQUIREMENTS.

KEEP ALL PROPOSED TREE PLANTINGS AROUND PROPOSED LIGHT POLE LOCATIONS.

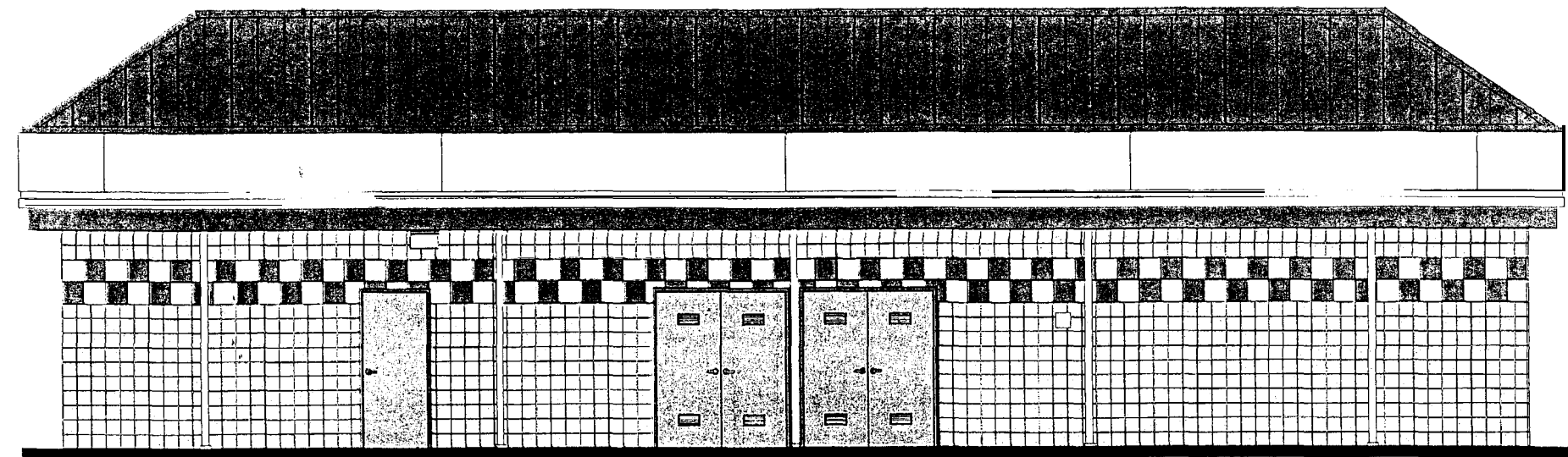
KEEP ALL PROPOSED TREE AND PALM PLANTINGS FROM BLOCKING ANY SITE SIGNAGE LOCATIONS.

7	11/27/79	REVIEW FOR COMMENTS	1	1/25/80	REVIEW FOR COMMENTS	2
8	11/27/79	REVIEW FOR COMMENTS	1	1/25/80	REVIEW FOR COMMENTS	2
9	DATE	DESCRIPTION	BY	DATE	DESCRIPTION	BY
REVISIONS						
<div style="text-align: center;"> <b>HESS &amp;</b>  <b>BEAR LAKE ROAD</b>  <b>LANDSCAPE PLANTING PLAN</b> </div>						
SEMIWA COUNTY				FLORIDA		
<div style="text-align: center;"> <b>THE STERN DESIGN GROUP, P.A.</b>  <b>LANDSCAPE ARCHITECTS, LAND PLANNERS</b>          224 S. BROAD STREET, SUITE 2000, TAMPA, FLORIDA 33601          (813) 255-7441 FAX 336-7142       </div>						
PROJECT NO. HARR 00045 DESIGNED BY J.S. SCALE: 1"=20' 0"				DATE PREPARED: OCTOBER 15, 2000 CHECKED BY J.S. SHEET: LA-1 OF 4		
NOT VALID WITHOUT LANDOWNER'S WRITTEN PERMISSION				10/15/00 10/15/00		









**HESS**

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① GREEN METAL COPING SYSTEM

② WHITE E.I.F.S. FASCIA

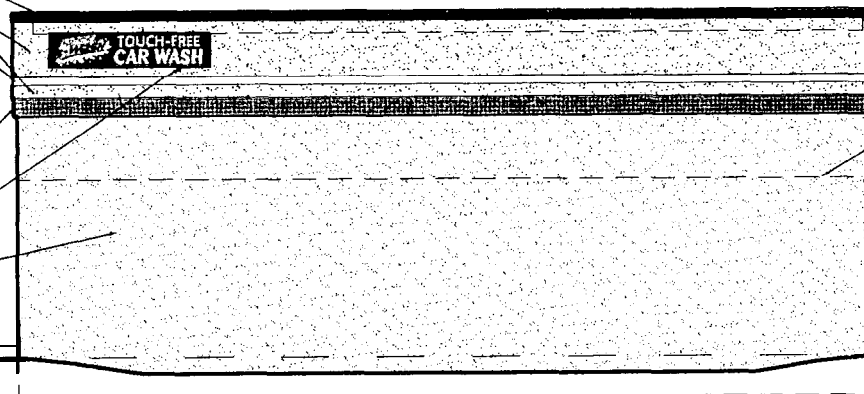
③ GRAY ACCENT BAND

④ GREEN ACCENT BAND

18"x72" INTERNALLY ILLUMINATED  
BOX SIGN BY OTHERS

CEMENTITIOUS COATING ON 8"  
CMU + PAINT WHITE

⑤



CMU CELLS POURED SOLID  
7'-4" AFF TO TOP OF WALL  
TYP OF THIS WALL ONLY

← ENTRY →

### EXTERIOR FINISH SCHEDULE

NO.	DESCRIPTION	FINISH
①	FLASHING, ACCESSORIES	PAINT: SW 'HESS GREEN'
②		CHINA WHITE
③	ACCENT BAND	PAINT: SW 'MOUNTAIN FOG'
④	ACCENT BAND	PAINT: SW 'SHAMROCK GREEN'
⑤	WALL SURFACES	PAINT: SW NEW ROCK WHITE

SW= SHERWIN WILLIAMS  
NOTE: ALL COLORS ARE BASED ON INFORMATION PROVIDED BY:  
The Sherwin Williams Co  
Carroll McIntire  
(732) 239-7579 (cell)  
(732) 483-1765 (fax)

## FRONT ELEVATION

SCALE: 1/8" = 1'-0"

**UGARTE**  
& ASSOCIATES, INC.  
ARCHITECTS PLANNERS  
434 9th AVENUE, WEST  
PALMETTO, FLORIDA 34221  
PHONE (845) 729-8888  
FAX (845) 729-8888

FRONT ELEVATION

CARWASH ELEVATIONS FOR

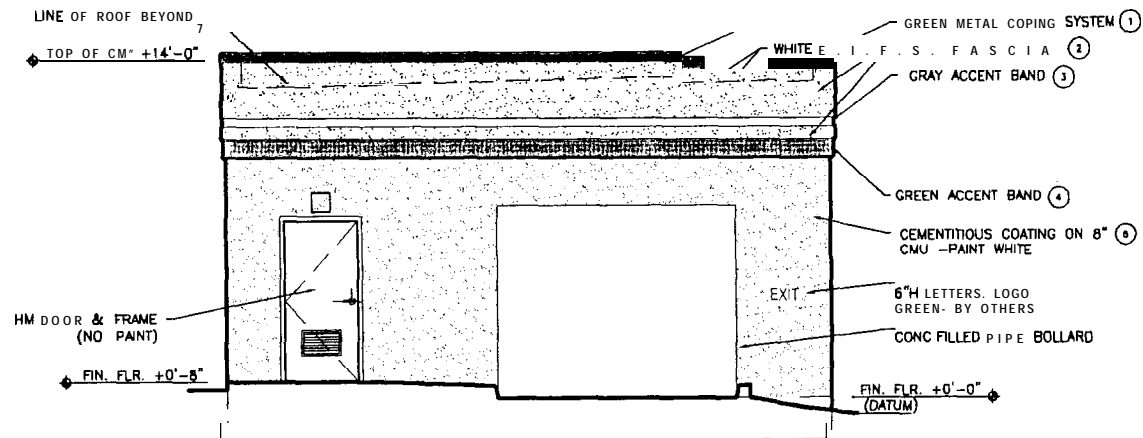
AMERADA HESS

FLORIDA  
420 S. BEAR LAKE

REVISIONS

DRAWN BY: CD  
DATE: 08/28/00  
PRJ. NO. 3002

SHEET  
1  
OF



## EXIT ELEVATION

SCALE: 1/8" = 1'-0"



**UGART & ASSOCIATES, INC.**  
ARCHITECTS PLANNERS  
434 NW AVENUE WEST  
PALMETTO, FLORIDA 34221  
PHONE (813) 776-0000  
FAX (813) 776-0000  
JULY 2001

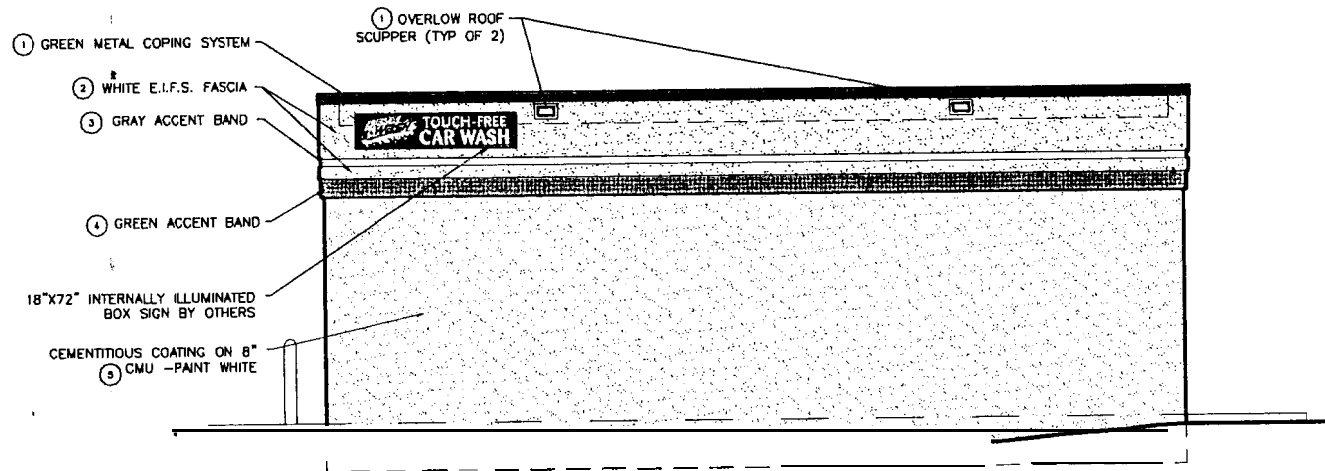
CARWASH ELEVATIONS FOR EXIT ELEVATION

AMERADA HESS

FILE # 2001-000

DRAWN BY: COL  
DATE: 06/28/01  
PRJ NO.: 000

SHEET  
2  
OF



## BACK ELEVATION

SCALE: 1/8" = 1'-0"



**UGARTE**  
**& ASSOCIATES, INC.**  
 ARCHITECTS PLANNERS  
 434 W. AVENUE WEST  
 PALMETTO, FLORIDA 34221  
 PHONE: (813) 885-8881  
 FAX: (813) 885-8882  
 UGARTE.COM

CARWASH ELEVATIONS FOR BACK ELEVATION

FLORIDA

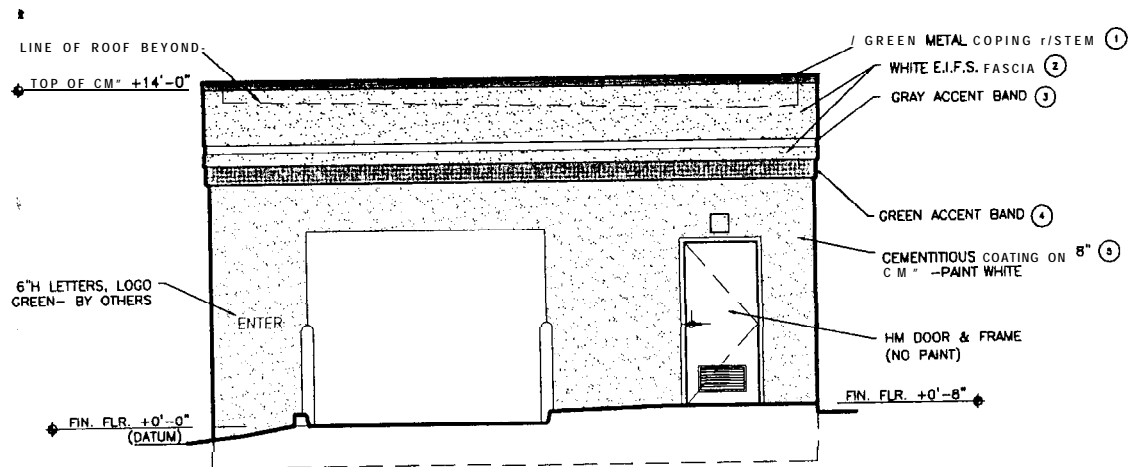
AMERADA HESS

436 & BEAR LAKE

REVISIONS:

DRAWN BY: CDM  
 DATE: 08/28/02  
 PROJ NO: 3002

CARLOS E. SUAREZ  
 L.S. M. R. SUAREZ  
 SHEET  
**3**  
 OF



## ENTRY ELEVATION

SCALE: 1/8" = 1'-0"



**UGARTE & ASSOCIATES, INC.**  
ARCHITECTS PLANNERS  
434 W. AVENUE WEST  
PALMETTO, FLORIDA 34201  
PHONE: 10-437704-2001  
FAX: 10-437704-4488  
AL-0007004

CARWASH ELEVATIONS FOR ENTRY ELEVATION

AMERADA HESS  
430 J. REARLAK  
FLORIDA

REVISIONS:

DRAWN BY: C.M.  
DATE: 08/28/02  
PRJ NO.: 30002

SHEET  
4  
OF

**MIRROR LAKE COMMERCIAL CENTER PCD**  
**(f/k/a Bear Lake Road PCD)**

**FINAL PCD MASTER PLAN**  
**DEVELOPER'S COMMITMENT AGREEMENT**  
**COMMITMENTS, CLASSIFICATIONS AND DISTRICT DESCRIPTION**

On the 14<sup>th</sup> day of May, 2002, the Board of County Commissioners of Seminole County issued this Agreement relating to and touching and concerning the following described property:

**1. LEGAL DESCRIPTION**

That portion of the SW ¼ of the SW ¼ of Section 8, Township 21 South, Range 29 East, Seminole County, Florida lying Southerly of State Road No. 436.

TOGETHER WITH:

The West ½ of the NW ¼ of Section 17, Township 21 South, Range 29 East, Seminole County, Florida less the South 2,508 feet; also less the East 25 feet and less the right-of-way for Bear Lake Road; subject to a 25 foot right-of-way easement over the South 25 feet of the above described property, and Lots 1- 12, inclusive, Mirror Lake Manor, according to Plat recorded in PB 10, Page 46 of the Public Records of Seminole County, Florida, together with the vacated roads.

Less Mirror Lake; for a total of approximately 9.3 +/- acres.

**2. PROPERTY OWNER**

Florida Conference Association of Seventh Day Adventists

**3. REQUESTED DEVELOPMENT APPROVAL**

Approval of a Final PCD site plan attached hereto as Exhibit "A" and incorporated herein by reference.

**4. STATEMENT OF BASIC FACTS**

A. Total Area: 9.3 acres

B. Zoning; Planned Commercial Development

C. Allowable Uses: C-1 uses plus auto parts sales and service; gasoline pumps as an accessory use to a convenience store, and restaurants with drive-thru service.

D. The development approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance with all other applicable regulations and ordinances.

E. The Owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow, and perpetually burden the aforescribed property.

## 5. LAND USE BREAKDOWN

USE	AREA (Acres)	% OF SITE
COMMERCIAL BUILDINGS	.92 MAX	<b>9.89</b>
HOME SITES	0.00	0.00
ROADS AND PARKING	<b>4.59 MAX</b>	<b>49.36</b>
STORMWATER MANAGEMENT AREA	<b>2.15</b>	<b>23.12</b>
CONSERVATION (WETLANDS)*	0.00	0.00
ADDITIONAL OPEN SPACE/BUFFERS/LANDSCAPE AREAS	1.64 MIN	17.63
TOTAL	9.3	100.00

\*None included within the PCD zoned land.

## 6. OPENS SPACE

Maintenance of the open space common areas shall be funded by the Owner or its assign?.

Total Land Area: **9.3** acres

Required Space: **30% = 9.3** acres x 0.30 = 2.79 acres open space

Open Space Provided: 3.79 acres (40.75%)

## 7. BUILDING SETBACKS

Front **25'**

Side **0'**

Rear

- 1 Story **75'**

- 2 Story **115'**

Maximum Building Height **30'**

## 9. LANDSCAPE & BUFFER CRITERIA

A. Landscaping shall be in conformance with the Seminole County Land Development Code unless otherwise stated in this Agreement.

B. Adjacent to Lots 22, 23 and 24 to the south, the Owner shall install 4 understory trees per 100 lineal feet within the required landscape buffer.



## **10. DEVELOPMENT COMMITMENTS**

The following conditions shall be met by the Owner prior to a certificate of occupancy (C.O.) Being issued:

- (1) Access on Bear Lake Road shall be right in/right out only.
- (2) The Owner to dedicate 20' of right-of-way on Bear Lake Road for future intersection improvements.
- (3) A right turn lane is required on Bear Lake Road.
- (4) A masonry wall with a minimum 8' height be provided between the site and the residential properties to the south.
- (5) The south landscape buffer be a minimum of 50' in width.
- (6) Only one gas station and convenience store combination and one restaurant may be constructed on the site, with the restaurant hours restricted to close at midnight. The gas station operation, based on the location on the site at -the corner of Bear Lake Road and SR 436 will be allowed 24 hours of operation.
- (7) The gas station and convenience store are to be located on the western most part of the lot.
- (8) Increase setback From the south property line to 100 feet, except for the car wash will be 150 feet. The car wash hours are limited to 7 a.m. to 9 p.m.
- (9) The dumpster pickup hours shall be limited to 8 a.m. to 6 p.m.
- (10) Delivery times to the restaurant and commercial establishments shall be limited from 7 a.m. to 9 p.m.
- (11) Dumpsters shall be a minimum 100 feet from the south property line.
- (12) The hours of operation shall be as requested by the applicant, except as noted above.
- (13) The Owner is to retain existing trees along the south property line, where feasible.
- (14) The development is also subject to all development conditions in the attached documents: "Forest Lake South – SR 436 Commercial: Supplemental Conditions for Approval" and "Development Notes" which are incorporated as part of this Development Order and, further, shall be included in the Developer's Commitment Agreement at time of Final PCD plan application.

### **1-I. WATER, SEWER AND STORMWATER**

**Water:** Water services shall be provided by the existing Seminole County water system. Design of lines and tire hydrants shall conform to all Seminole County and Florida Department of Environmental Protection standards.

**Sanitary Sewer:** Sanitary sewer shall be provided by the existing Seminole County treatment facilities. Design of lines and pump stations shall conform to all Seminole County and Department of Environmental Protection standards.

**Stormwater:** Stormwater drainage and stormwater management shall be provided on-site according to Seminole County's and the St. Johns River Water Management District's Stormwater regulations.

**Fire Protection:** Fire protection shall be provided by Seminole County. Fire flow will be a minimum of 1,250 gpm and 20 p.s.i. Fire hydrants shall be located according to Seminole County regulations.

**12. PHASING**

The project is proposed to be developed in a single phase for infrastructure for all lots. Actual lot development will occur on a lot-by-lot basis as lots are sold. The Owners agree that each lot shall either be supported by existing infrastructure or the Owners shall provide the infrastructure necessary to support the development of each lot.

**13. SITE PLAN APPROVAL**

The development of each lot is required to undergo PCD Final Master Plan/site plan approval.

**14. REPLACEMENT TREES**

Replacement trees, as required for the development of individual lots, will be provided at the time of development of each lot.

**15. STANDARD COMMITMENTS**

(1) Unless specifically addressed otherwise therein, all development shall fully comply with all of the codes and ordinances, including impact fee ordinances, in effect in Seminole County at the time of permit issuance.

(2) The conditions upon this development approval and commitment made as to this development approval have been accepted by and agreed to by the Owners of the property.

(3) This Agreement touches and concerns the aforescribed property, and the conditions, commitments, and provisions of this Agreement shall perpetually burden, run with, and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The Owners of said property have expressly covenanted and agreed to this provision and all other terms and provisions of this Agreement.

(4) The terms and provisions of this Agreement are not severable, and in the event any portion of this Agreement shall be found to be invalid or illegal, then the entire Agreement shall be null and void.

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
SEMINOLE COUNTY, FLORIDA

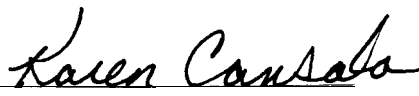
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MaryAnne Morse  
Clerk to the Board of County  
Commissioners, Seminole  
County, Florida

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Daryl G. McLain  
Chairman

Approved for legal  
Sufficiency:

  
County Attorney

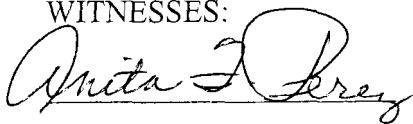
As authorized for execution by the Board  
of County Commissioners at their  
May 14, 2002, regular meeting.

**OWNERS' CONSENT AND COVENANT**

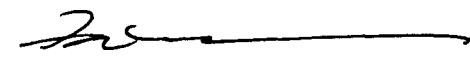
The undersigned parties hereby agree to the terms and conditions set forth herein this

22nd day of July, 2002:

WITNESSES:



Printed Name Anita F. Perez



Printed Name Frank McMillan

STATE OF FLORIDA

SE COUNTY OF SEMINOLE Orange

The foregoing instrument was acknowledged before me this 22nd day of July, 2002, by Randee R. Reynolds, an individual, \*who is personally known to me or who produced \_\_\_\_\_ as identification.

\*as Vice President of Florida Conference Association of Seventh-day Adventists, on behalf of the corporation

Signature of Notary Public



Frank McMillan

(Print Notary Name)

My Commission Expires:

Commission No. :

☒ Personally known or

Produced Identification

Type of Identification Produced



Frank McMillan  
MY COMMISSION #CC859317 EXPIRES  
August 28, 2003  
BONDED THRU TROY FAIN INSURANCE, INC.



#13691  
11/22/00

SEMINOLE CO. FL.

4075 0475  
BOOK PAGE  
OFFICIAL RECORDS

## Forest Lake South - SR 436 Commercial

## SUPPLEMENTAL CONDITIONS OF APPROVAL

Design Factors re: Neighbors to South

	Original Plan	Revised Plan
Buffer Width		
1 story	25'	50'
2 story	50'	50'
Wall Height	6'	8'
Wall Type	Masonry	Subject to approval by neighbors; default to Code
Wall Location	On property line	10' north of property line*
Canopy Trees/100 LF	8	8
Caliper of Trees	2-1/2" (30 gallon)	4" (100 gallon)
Minimum Tree Height	8'	16'
Tree Location	North of wall	Up to 4/100 LF south of wall at neighbor's choice
Minimum Building Setbacks		
1 story	50'	75'
2 story	100'	115'
Maximum Building Height	35'	30'
Commercial	1 story	1 story
Office	3 stories	2 stories
Minimum Dumpster Setback	Not specified	50'

\* Wall location will require agreement of all 9 immediate neighbors. Neighbors will be responsible for all maintenance south of wall. Property south of wall will be deeded to neighbors within 6 months of completion of project. Wall/fence design next to retention area will require acceptance by Lot 13 owner or code requirements will apply.

## Other Commitments

- Mandatory Property Owners Association will be formed to fund and manage maintenance of landscape, walls, entries, stormwater area, etc.
- Signs shall comply with code: pole signs shall not be allowed.
- Dumpster service limited to 8:00 a.m. to 10:00 p.m.
- Dumpsters must be screened from view by an enclosure and landscaping; the enclosure must be architecturally consistent with the primary building; opening will not face south.
- Building facades within 150' of property line and facing residential neighbors must include architectural features consistent with other sides of the building.
- Ground mounted mechanical equipment must be screened from view by an enclosure and landscaping; the enclosure must be architecturally consistent with the primary building.
- Roofs must be designed so as to screen from view any roof mounted mechanical equipment.
- Existing trees will be utilized within required front and rear buffer yards and supplemented with new trees to meet standard.
- Minimum caliper of 3" (65 gallon) for all required trees in north buffer and parking areas.
- The stormwater management area will have 3 (1 S gal container) bald cypress trees or other Florida native canopy trees per 100 lineal feet of shore in addition to buffer along south edge.

## DEVELOPMENT NOTES

**Total Acres:** 9.3 +/- acres  
 Including .77 +/- acres proposed to be vacated.  
 Not Included: 1.5 +/- acres of Conservation and Lake land uses; not proposed to be changed.

**Current Zoning:** R-1AA

**Proposed Zoning:** PCD

**Proposed Uses:** C-1 uses plus auto parts sales and service; gasoline pumps as an accessory use to a convenience store, and restaurants with drive-thru service.

**Development Program:** The development up to 40,000 square feet of commercial uses (retail/restaurant/ service) or up to 120,000 square feet of office use, or any combination of commercial and office uses not exceeding 100% of the maximum total. For example, if 25% (10,000 sq. ft.) of the Commercial use is built, then no more than 75% (90,000 sq. A.) of the Office use could be built. Development will be consistent with the general building layout concepts demonstrated here as delineated by and subject to setback, parking, stormwater and landscaping requirements.

**Max Building Heights:** Up to 2 stories for office uses; 1 story for all other uses; 35' maximum height for all buildings.

**Access Points:** Limited to those shown on plans,

**Easements:** Easements to be recorded for utility lines and for access to utility stations as indicated on plans.

**Stormwater:** Stormwater management systems provided on-site consistent with requirements of Seminole County and SJRWMD.

**Wetlands:** Less than 10% of wetlands on-site to be impacted,

**Buffer Width:** 35' min, for 1 story buildings and 50' min for 2 story buildings.

**Landscaping:** The landscape of all buffers, parking, retention and site development areas shall be in accordance with Seminole County Code unless otherwise noted on plan. The general concept for landscaping is to create a fairly structured appearance through the use of hedges, canopy trees and supplemental/accent materials. Existing trees will be utilized within required front and rear buffer yards and supplemented with new trees to meet standard.

**Open Space:** A minimum of 30% of the site will be open space in the form of buffers and retention area. The retention area will be designed to qualify as open space per code. Buffering between parcels will consist primarily of hedges and canopy trees.

**Operating Hours:** Operating hours will be no more than 7:00 a.m. to 11:00 p.m. except Gas/Auto uses may be open up to 24 hours and Restaurant may be open 6:00 a.m. to 1:00 a.m.

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**Stormwater Pond  
Screening:**

The stormwater pond will be screened from adjacent residential use by a wrought iron fence, hedge and canopy trees or other design subject to approval by neighbor. If written approval cannot be obtained from the neighbor, a buffer including a masonry wall consistent with code will be used,

**Minimum Building  
Setbacks:**

1 story: 75'  
2 story: 100'

**Wall Location:**

South wall to be located up to 10' north of property line. Wall location will require agreement Of all 9 immediate neighbors, Neighbors will be responsible for all maintenance south of wall. Property south wall will be deeded to neighbors within 6 months of completion of project. Wall/fence design next to retention area will require acceptance by Lot 13 owner or code requirements will apply.

**Maintenance:**

Mandatory Property Owners Association will be formed to fund and manage maintenance of landscape, walls, entries, stormwater area, etc.

**Signs:**

Signs shall comply with code; pole signs shall not be allowed.

**Dumpsters:**

Dumpster service limited to 8:00 am. to 10:00 p.m. Dumpsters to be setback a minimum of 50'. Dumpsters must be screened from view by an enclosure and landscaping; the enclosure must be architecturally consistent with the primary building; opening will not face south.

**Building Facades:**

Building facades within 150' of property line and facing residential neighbors must include architectural features consistent with other sides of the building.

**Mechanical Equipment:**

Ground mounted mechanical equipment must be screened from view by an enclosure and landscaping; the enclosure must be architecturally consistent with the primary building. Roofs must be designed so as to screen from view any roof mounted mechanical equipment.



