

**SCHULZ PROPERTY /
OUTBACK OASIS**

**APPLICATION FOR A
PLANNED UNIT DEVELOPMENT**

**SUBMITTED TO:
THE CITY OF WINTER HAVEN
APRIL 1, 2019**

WINTER HAVEN

The Chain of Lakes City

City of Winter Haven Application for a Planned Unit Development

Planning Division
451 Third Street, NW
Winter Haven, FL 33881
Telephone: 863-291-5600

For Official Use Only:

Date Received: 4/11/19 Received By: SHB
Fee Received: _____ Receipt Number: _____
Case Number: _____ Meeting Date: 6/4/19

CONTACT INFORMATION:

Name of Applicant/Property Owner: Paul William Schulz as Trustee of the Paul William Schulz Revocable Trust

Mailing Address: 4024 Country Club Road South, Winter Haven, Florida 33881

Phone: 863-207-4083 Email: Paul @paulschulz.com

Name of Agent (if applicable): Kent Foreman, Foreman Consulting, Inc.

Mailing Address: 266 Lakay Place, Longwood, Florida 32779

Phone: 407-456-0119 Email: kforeman1@cfl.rr.com

PROPERTY INFORMATION:

Zoning of Property: Zoning is not yet assigned following Annexation; PUD is being requested.

Future Land Use of Property: Residential Low Density (LR) to be provided with a new FLUM designation (being processed concurrently with the PUD application).

Location of Property: 4024 Country Club Road South, Winter Haven 33881

Parcel Identification Numbers: 26-28-24-000000-034000, 26-28-24-000000-032120, 26-24-24-000000-032060, 26-28-24-000000-031080, and 26-28-24-000000-032080

Legal Description of the Property (attach metes and bounds description if applicable):

Please refer to Attachment A for the requested Legal Description of the Property.

In addition, please refer to the Survey and Legal Description (in scaled drawing size) included in this submittal package.

Existing Structures on the Site: Outback Oasis Botanical Gardens and Event Facilities.

Total Acreage: Approximately 67.08 Acres

PROJECT DATA:

1. Briefly describe the existing conditions at the development site:

A portion of the overall approximately 67.08 acres was formerly a City of Winter Haven Land Fill operation (that was closed out years ago). This property, in addition to adjacent pieces combined by the Applicant, have been improved over the years. The largest existing use on the site is the Outback Oasis Botanical Gardens and Event Facility, which includes a combination of gardens, walkways and landscaped open space, man-made fish pond and fountains, art work, Kangaroo shelter, butterfly garden, covered pavilion and restroom facilities, and associated parking area and buffer landscaping.

The remainder of the site, including the former Land Fill, has been reshaped and now includes several ponds and re-created wetland environments, tree preservation and enhancement areas, as well as additional fill on top of the former Land Fill.

There are wetlands to the north and west of the Site with a few scattered houses to the north. The balance of the west side is the Bradco agricultural farming operation. To the south of the property are four (4) single family homes, and open improved fields. On the east, on the other side of Country Club Road are several large lot single family homes.

The condition of the land within the proposed development Site is of sufficient size and is sufficiently compact and sufficiently contiguous to be developable as one functional interrelated community. The proposed land is amenable to various development alternatives to deliver community development systems, facilities, and services. No such alternative is incompatible with the capacity and uses of any existing local and regional community development systems, services, and facilities.

2. Describe proposed PUD (e.g. type and number of residential units, commercial uses, mixed uses, etc.):

The project is proposed as a Planned Unit Development (PUD) community and the Application to Amend the Future Land Use Map is being submitted concurrently with this Application for a Planned Unit Development (PUD). A portion of this site was previously a City Land Fill operation that was closed out several years ago. Currently, a section of the 67.08 acres is operating as the Outback Oasis Botanical Gardens & Event Facility, and this facility will continue to function in this capacity and use. The balance of the property is planned as a combination of a Neighborhood Activity Center and an Active Adult/Senior Housing and /or Assisted Living Facilities Development. In addition to the existing Outback Oasis Botanical Gardens & Event Facilities, the development is proposed to contain a maximum of 5,000 SF Amenity Building within the Outback Oasis and a maximum of 400 Active Adult/Senior Housing and/or Assisted Living Facilities units, in a mix of housing types, together with recreational amenities and other supporting community facilities and other non-residential uses. Please refer to the Attachment C for the PUD Master Plan Development Notes (which are also included on the submitted PUD Master Plan drawings).

The recently annexed Site contains an old City Land Fill that has been closed out for years, and the property has been assembled and expertly designed and cultivated as the Outback Oasis Botanical Gardens and Event Facilities by its Owner/Artist, Paul Schulz. In addition to Outback Oasis, the remaining property (including the old Land Fill) has been enhanced with man-made ponds, wetland recreation, tree preservation, and general maintenance. Outback Oasis is a truly unique and beautiful landscape amenity and event facility, and it is central to the requested Neighborhood Activity Center and Active Adult and/or Assisted Living Facilities Development. Outback Oasis is intended as the neighborhood focal point and potential amenity for associated residential development and the community as a whole. The Outback Oasis Botanical Gardens and Event Facility and overall amenity site at the intersection of Country Club Road South and Sage Road Extension (two local connectors) act as the Neighborhood Activity Center in compliance with Policy 1.3.5. The Neighborhood Activity Center uses will be restricted to those existing/current Outback Oasis uses and activities that are compatible with the overall development. The surrounding areas will be developed as Active Adult and/or Assisted Living Facilities as market conditions dictate for a maximum of 400 units.

As a part of the development approval, the Owner is agreeing to donate the road right-of-way for the portion of the Sage Road Extension roadway on his property, which extends from the southwest corner of the Site to Country Club Road South. In addition, the Owner is agreeing to design and construct those portions of the Sage Road Extension on the site in a phased manner as the property is developed. This will assist in filling in a missing roadway link between Country Club Road and Dundee Road/542 (via Sage Road), and will assist in completing the Sage Road planned roadway connection.

The Neighborhood Activity Center which includes the existing Outback Oasis Botanical Gardens and Event Facilities is surrounded by Country Club Road and the associated "Aging in Place" Residential development included in this request. There will therefore be little or no direct new impacts on other properties; there is an ongoing effort to provide and promote extensive landscape buffers. The requested development program is compatible with both the immediate surroundings as well as the established residential growth pattern, and will seek to provide a center for neighborhood activity. As shown on this application, the Schulz Property/Outback Oasis will be designed on the foundation of natural and innovative design elements, including all of the techniques encouraged by the City's PUDs which include clustered housing; boulevards, streets and entry landscaping; recreational and amenity facilities, natural resource preservation and enhancement, various housing types, and mixed uses as permitted by the Comprehensive Plan.

A significant purpose of the requested amendment for this parcel is to meet the significant market demands for Active Adult and/or Assisted Living Facility properties in proximity to demand drivers like LegoLand Florida and historic downtown Winter Haven as described in Section V. This furthers consistency with the Comprehensive Plan by providing a functional mix of supporting uses rather than a single use development. It also provides unique and alternative Active Adult/Senior Housing and Assisted Living Facility housing types for seniors

and those in need of assisted living facilities, as well as preserving the beauty of the Outback Oasis Botanical Gardens and Event Facilities.

In summary, the development will contain a maximum of 400 Active Adult/Senior Housing and/or Assisted Living Facilities units and a maximum 5,000 square feet for an Amenity Building within Outback Oasis and the Neighborhood Activity Center with an integration of housing types as set forth in the Development Notes of the PUD Master Plan (Attachment C). These housing types, as yet to be determined, could be a combination of single family and multifamily housing.

The attached PUD Master Plan provides a graphic depiction of the proposed and potential residential neighborhood; commercial activity areas; Sage Road Extension roadway; and the existing Outback Oasis Botanical Gardens and Event Facilities. It includes the proposed layouts and detailed Development Notes (also included with this application as Attachment C), together with the following tables and sections:

- Table 1 Land Use Table with Permitted Uses and Residential Housing Types per Development Parcels
- Table 2 Residential Development Standards with Lot Dimensions, Setbacks, Building Heights and Stories
- Table 3 Non-Residential Development Standards with Lot Dimensions, Setbacks, Building Heights and Stories
- Table 4 Estimated Project Phasing

In addition, a Typical Section for the Sage Road Extension through the Schulz Property/Outback Oasis, including the landscaped median, bike lanes, and sidewalks, is also included on page 2 of the PUD Master Plan, and as Figure 6.

3. Will the development be developed in phases? If so, please indicate phases and approximate schedule:

As currently envisioned, construction of the first phase of development is planned to commence in 2021, following the issuance of all necessary development permits. It is projected that, depending on the final mix of unit types, that approximately 50 to 60 units will be constructed and absorbed every 12 to 18 months with a build-out estimated in 2028. The phasing will be based on market demands while ensuring community facilities are available to serve the development.

4. What additional demands, will the proposed changes place on City Services. (For water and sewer provide total gallons per day):

While the proposed development will place demands on the City's transportation system, water system, wastewater system, reclaimed water system, Fire/EMS, Law enforcement, libraries solid waste disposal, and recreational facilities, the development will meet all concurrency standards outlined in the City's Codes and Ordinances at the time of building permit issuance and will contribute to the improvement of the transportation system, water, wastewater and reclaimed water systems by expanding those facilities to serve both this development and allow for the City to serve other developments in the area.

Based on the proposed development program provided herein, the proposed PUD will increase the total number of residential units by 400 services. The existing Outback Oasis Botanical and Event Facility will remain with the addition of a 5,000 s.f. Amenity Building for purposes of estimating demands on City Services.

Potable Water:

Increase in residential demand = 400 du x 1.9 cap/hh x 120 gpdpc = 91,200 gpd

Increase in commercial demand = 5,000 s.f. x 0.50 gpd/sf = 2,500 gpd

Total increase in Potable Water demand: 93,700 gpd or 0.094 MGD.

It is not anticipated this demand will place undue strain on the City's water system capacity as the City's potable water system currently has 35.4 MGD capacity.

Wastewater:

Increase in residential demand = 400 gpd/du x 1.9 cap/hh x 105 gpdpc = 79,800 gpd

Increase in commercial demand = 5,000 s.f. x 0.44 gpd/sf = 2,200 gpd

Total increase in Sanitary Sewer: 82,000 gpd or 0.082 MGD

It is not anticipated that this demand will place undue strain on the City's sewer system capacity as W.W. Plant No. 2 has capacity of 1.7 MGD.

Solid Waste:

Increase in residential demand = 400 du x 1.9 cap/hh x 4.5 lbspc/day = 3,420 lbs/day

Increase in commercial demand = 5,000 s.f. x 3.2 lbs/day/100 s.f. = 160 lbs/day

Total increase in solid water demand: 3,580 lbs/day

Development of the property will comply with all City solid waste collection and recycling objective as outlined in the Comprehensive Plan. No hazardous or industrial wastes are anticipated to be generated by this property.

Drainage:

The development of this property will comply with all City Land Development Code requirements and with the requirements of the SWFWMD for the 25 year 24 hour storm event and the 100 year storm event. In addition, storm water management systems will be designed to provide water quality treatment for the first flush of storm water runoff and will maximize retention of the water quality volume into the ground. In addition, detailed volumetric

calculations will be provided to insure the net volume available to the 100 year flood plain in and adjacent to the development is preserved.

Transportation:

Based on the traffic study prepared by the applicant's engineer, the project will result in a maximum of 1,556 net new daily trips and 134 pm peak hour net new trips. In addition, a new Traffic Impact Analysis (TIA) is being prepared based on the specific requested land uses, and it is anticipated to reduce the overall traffic impact.

Recreation:

Increase in residential demand = 400 du x 1.9 cap/hh x 6 acres/1,000 cap = 4.56 acres

The maximum increase in residents on the subject property as proposed by this amendment could generate an estimated demand of 4.56 acres on the City's park system. Close coordination and cooperation with the City will ensure that adequate recreational facilities are planned to be in place to serve this property.

Schools:

Due to the types of requested land uses (Active Adult and Assisted Living Facilities), there is no anticipated impact on the public school system.

Any possible school concurrency issues will be reviewed at the time of site plan review for each phase of the residential development proposed by this property.

5. What effect will the proposed changes have on the transportation network in and around the PUD:

Please refer to Attachment D for the Traffic Impact Analysis prepared by Traffic & Mobility Consultants, LLC. Based on the completed TIA, the project will contribute or generate a maximum of 1,556 net new daily trips and 134 net new P.M. peak hour trips to the transportation network. This analysis was based on the worst case scenario of 400 permanent age-restricted single family homes and did not include potential reduced trip generation rates for an assisted living facilities units. This methodology insures this study is conservative in terms of quantifying roadway system impacts. It should also be noted the mixed use nature of this PUD will reduce trips on the City's and County's road network by the internal capture of trips between the residential and commercial uses proposed.

In addition, this development is proposing to donate the road right-of-way and to construct on a phased basis approximately 40% of the future corridor known as Sage Road identified on the City's Transportation Network Maps in the Comprehensive Plan. This commitment to this roadway will ultimately improve the transportation system in the area when the remaining segment is completed south of the PUD.

6. Will the development occur in areas delineated as flood zones, wetlands, areas with endangered plant and animal species or of historical significance? If so, please describe:

As provided in the Preliminary Ecological Site Assessment enclosed as Exhibit B, no state or federally listed species were observed onsite, or are anticipated to occur. Based on the condition of the few onsite habitat areas, the likelihood of occurrence of the listed species is low. Formal surveys for each of the listed species will be performed with formal construction permit applications to the SWFWMD.

The subject property does not contain wetland habitats as defined by the Florida Department of Environmental Protection or the U.S. Army Corps of Engineers. All of the manmade water features are hydrologically isolated and would therefore not fall within the jurisdiction of the Corps of Engineers. Any reconfiguration or impacts to these water features would be quantified in the SWFWMD application and no mitigation for any potential impacts would be anticipated.

As provided on Figure 3 Flood Zone Map, there are areas within the PUD that are subject to flooding in the 100 year storm event. Primarily these areas occur over and across the water features that are anticipated to be incorporated into the master storm water drainage system for the development. For those isolated areas of development that fall within the 100 year flood plain, the applicant will fill those areas to insure new development is not subject to flooding and will provide expansion or new storm water management areas that will include compensating storage for any impacts to the existing flood plain. As these areas have a designated flood plain elevation and have been established with 1' land contours, the preservation of the areas flood plain storage will be easily quantified and verified by the permitting agencies.

7. Please submit the following support documentation:

- A. Location map showing parcel(s) and location of all streets serving the site.
Please see Figure 1.
- B. Site plan drawn to scale.
Please see the attached PUD Master Plan (2 sheets).
- C. Map showing all utilities serving the project site.
Please see Figure 5.
- D. Any development agreements, covenants, deed restrictions, etc. showing control of any common elements.
Any development agreements, covenants, deed restrictions, and other documents related to the control of the common elements of the proposed PUD will be provided when they are developed as a part of the City's development and building review process.

Agent, lessee, or buyer signature:

STATE OF FLORIDA:
COUNTY OF POLK:

(I) (WE) Kenton J Foreman of Foreman Consulting Inc. being duly sworn, depose and say that
(I) (WE) serve as Agent _____ for the Owner
in making this petition and that the owner(s) (has) (have) authorized (me) (us) to act in this
capacity. Further, (I) (WE) depose and say that the statements and answers herein contained and
other information attached hereto present the arguments in behalf of the petition herein requested
to the best of (my) (our) ability and that the statement and information above referred to are in all
respects true and correct to the best of (my) (our) knowledge and belief.

SIGNED: [Signature] SIGNED: _____
SIGNED: _____ SIGNED: _____

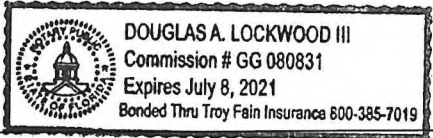
STATE OF FLORIDA:
COUNTY OF POLK:

The foregoing instrument was acknowledged before me this 1st day of April,
2019, by Kenton Foreman, (who is personally known to me) or has produced
_____ as identification and who (did) (did not) take an oath.

[Signature]
SIGNATURE OF NOTARY PUBLIC

Douglas A. Lockwood, III
TYPED OR PRINTED NAME OF NOTARY PUBLIC

STAMP & DATE MY COMMISSION EXPIRES: _____



Ownership Signature

STATE OF FLORIDA:
COUNTY OF POLK:

(I) (WE) Paul William Schulz as Trustee for the Paul William Schulz Revocable Trust being duly sworn, depose and say that (I) (WE) own one of more of the properties involved in this petition and that (I) (WE) have familiarized (myself) (ourselves) with the rules and regulations of the Board of Adjustment with respect to preparing and filing this petition and that the foregoing statements and answers herein contained and other information attached hereto present the arguments in behalf of the petition herein requested to the best of (my) (our) ability and that the statement and information above referred to are in all respects true and correct to the best of (my) (our) knowledge and belief.

SIGNED: 

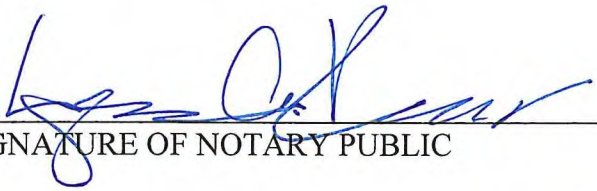
SIGNED: _____

SIGNED: _____

SIGNED: _____

STATE OF FLORIDA:
COUNTY OF POLK:

The foregoing instrument was acknowledged before me this 1st day of April, 2019, by Paul Schulz, who is personally known to me or has produced _____ as identification and who (did) (did not) take an oath.


SIGNATURE OF NOTARY PUBLIC

Douglas A. Lockwood III
TYPED OR PRINTED NAME OF NOTARY PUBLIC

STAMP & DATE MY COMMISSION EXPIRES: _____

