

ADOPTION
AMENDMENT 2019-2-A-4-3
AND
REZONING LUP-18-12-413

January 28, 2020

By: Rebecca Wilson

Shareholder

Lowndes, Drosdick, Doster, Kantor & Reed, P.A.

2020-01-28 Public Hearing G11 Exhibit 1 Rebecca Wilson



TIMELINE

- LPA Transmittal July 18, 2019 – Unanimous Approval
- BCC Transmittal August 6, 2019 – Unanimous Approval
- DEO Recommends Adoption
- DRC – Unanimous Approval of PD
- LPA Adoption October 17, 2019 – Unanimous Approval

HOA AGREEMENTS: GOLF COURSE OWNER

- Full Payoff of Outstanding Mortgage Debt
- Golf Course Renovation (\$1M)
 - New greens;
 - New practice green & short game practice range;
 - New Maintenance/Golf Cart Building;
 - New Fleet golf carts; and
 - Clubhouse Improvements
- Right of First Offer to Purchase
- 10 yr prohibition Against Land Use Rezoning

HOA AGREEMENTS: DEVELOPER

- Landscape and Visual Buffer
- Market Rate
- Gated Community/No connectivity to SBE
- Video Monitoring
- Background Checks
- Inspection and Remediation for homes within 700'





INITIAL AT TIME OF PLANTING RENDERING



- KEY
- ① LIVE OAKS / SHUMARD OAKS (25' - 35')
 - ② RED MAPLE (25' - 35')
 - ③ SABAL / WASHINGTONIA PALMS
 - ④ CHINESE FRINGE FLOWER / ORNAMENTAL GRASSES
 - ⑤ LIGUSTRUM / VIBIRNUM HEDGE (MAINTAINED AT 4' - 5')

MATURE PLANTING RENDERING



REQUEST

- Uphold LPA, DEO, DRC and BCC previous actions
- Adopt Comp Plan Amendment and Approve Rezone with Conditions
 - Additional COA: “Developer shall enter into an agreement with the County to fund a traffic signal at the Project entrance on Alafaya Trail on or before the time of issuance of the first building permit, if required by the County Traffic Engineer.”

SUBJECT PROPERTY

- **Subject Property:** A 14.5-acre parcel that is part of Stoneybrook Golf & County Club PD LUP, initially entitled in the late 1990s
- **Current FLUM designation:** Parks and Recreation/Open Space (PR/OS)
- **Proposed FLUM designation:** Medium Density Residential (MDR)
- **Current Zoning:** PD
- **Proposed Zoning:** PD
- Deferred from November 2019



GOLF COURSE

- Public Golf Course / Private Business
- No requirement to remain a Golf Course
 - Declaration of Covenants, Conditions and Restrictions for Stoneybrook paragraph 2.3
 - “No Owner shall have any right, title or interest or membership rights in or to the Club Property.”
 - “Further, the ownership and/or operations of the Club Property and its facilities may change at anytime and from time to time; the present or future use of the Club Property as a golf course or any other improvements or facilities related thereto, may also be discontinued or suspended at any time by the owner of the Club Property.”
- No membership or subsidy from residents or HOA
- Only 2 Stoneybrook residents are annual pass holders
- Golf Course operating at a loss each year
- Will close 2020 if no sale to Eden for multi-family

CONCURRENT PD REZONING

- 3 stories
- Gated community with no vehicular access to Stoneybrook roads or amenities
- Access on Alafaya Trail
- Clustered Buildings near Alafaya Trail
- No chain-link fencing
- Landscaping closest to existing homes will include “Florida Friendly Landscaping” which will resemble existing vegetation
- Landscape plan will include canopy and understory trees to reasonably block the view of the proposed buildings from the homes on Windsorgate

RESIDENTS' DEMAND FOR PAYMENT

- 6 Homeowners asked HOA to send Eden a demand for Payment on Sept. 1, 2019. HOA declined.
- 6 Homeowners demanded Eden pay them \$45,000 a piece plus pay their HOA Dues for 5 years. Eden Declined Offer.
- Homeowners then asked HOA to send out a survey, HOA declined because the survey was “factually incorrect with unsubstantiated claims”
- Homeowners sent out the Push Poll anyway, using manipulative questions to get the response they want
- None of the “Survey” questions address the application before BCC

Dear Eden Group Developers,

The purpose of this letter is to request compensation for identified Stoneybrook East Community homeowners noted as most impacted by the building of the apartments on the 9th hole of the Stoneybrook East Community Golf Course. The below list of residents request to be compensated Forty-five thousand dollars each and in addition payment of their HOA fees \$1952 for a 5 year period to allow for property maintenance incurred due to the building of the apartment complex in their immediate residential proximity.

As stated in your briefings, and design charts the below list of residents are most adversely affected by the building of the apartment complex due to possible home devaluation, reduce view of their prime real-estate, and construction noise and dirt generated in the proposed construction site area during the next +2 years.

Collectively, we look forward to your response and favorable consideration of our request for compensation. If you have questions or concerns, please coordinate all correspondence through Kinard J. La Fate (Email: LafateK06@gmail.com or 407-590-6065).

COMPREHENSIVE PLAN OBJECTIVES

- Within the Urban Service Area
- No impacts to wetland or Pond
- Not in a Rural Settlement
- Located on Major Transportation Corridor
- Utilities Available
- CEA with Orange County Public Schools (\$1,582,540.00)

GOLF DIGEST

“100 BEST COURSES”

- #1 Royal County Down Par 71
- #3 Pine Valley Par 70
- #5 Royal Dornoch Par 70
- #7 Shinnecock Hills Par 70
- #9 Muirfield Par 71
- #10 Merio Par 70