



# Settlement Proposal

Submitted by:

Citizens United for Sensible Growth, Inc.

Citizens United for Sensible Growth, Inc. agrees to support a School Board application for Special Exception for a high school upon the C.R. 535 site, and to discontinue any involvement in pending litigation or appeal regarding such site, and to refrain from undertaking any further litigation or appeal regarding such site, if the following actions are undertaken by OCPS:

- 1) OCPS supports amendments to the Orange County Comprehensive Plan and its School Siting ordinance to prohibit future public high schools from being located in Rural Settlements for any reason.
- 2) OCPS and the BCC agree that both governmental bodies will commit to jointly amend the Public School Siting Ordinances with public input by February 2016. If amendments to the school siting ordinance are not adopted by the BCC by February 2016, OCPS agrees not to submit any new school applications until such time as amendments are enacted.
- 3) In regard to the denied Special Exception application regarding a new high school campus along C.R. 535, the School Board shall revise and resubmit its application to include the following development covenants and restrictions:
  - a. OCPS agrees to submit an application with a campus design which voluntarily limits permanent student capacity to 2,000 students.
  - b. OCPS agrees to submit an application with a campus design which does not include any temporary or portable classrooms or appurtenant structures.
  - c. OCPS includes a second high school to serve the student population of the Horizon West Area in the ten year Capital Outlay Plan during its next available Capital Outlay Plan update, or within six months from the date of a settlement agreement, whichever occurs first.

- d. Within thirty (30) days of the date that the C.R. 535 high school reaches 90% of its 2,000 student capacity (meaning 1800 students) OCPS shall approve funding and enter into the design phase of the second high school to serve the student population of the Horizon West Area. Further, OCPS will commence construction of the second high school within one year after the school reaches 1,800 students. If for any reason, OCPS is legally or financially prohibited from commencing construction of the second high school within this time frame, OCPS will instead immediately engage in a rezoning process which will ensure that the student population at the C.R. 535 high school does not exceed 2,000.
- e. The football stadium for students at the C.R. 535 high school shall be located off campus.
- f. The class room buildings shall be limited to two stories, and shall not exceed 35' in height.
- g. Practice field lighting not to exceed 30 feet in height and automatic turnoff of all practice field lighting shall not be later than 7:00 PM on weekdays. Practice field lighting shall not be utilized on Saturday, Sundays, and school holidays.
- h. Parking lot lighting shall not exceed 20 feet in height and shall be turned off within one (1) hour of any school event and/or when the gates are closed, whichever occurs first.
- i. All outdoor lighting, including but not limited to practice field lighting, parking lot lighting, and security lighting shall comply with Dark Sky compliance regulations (Dark Sky Compliance Guideline LZ-1). Further, LED low energy lighting shall be incorporated into all exterior lighting.
- j. Hours of outdoor band practice shall be limited outside to between 2pm and 6pm.
- k. OCPS shall hire Orange County sheriffs officers to direct traffic during the morning start time and afternoon release times.
- l. There shall be no impact to any wetlands.
- m. If air conditioning units are placed on ground level, they shall be located at the greatest feasible distance from residences.

- n. Only one (1) unlighted ground sign of less than 32 square feet (no more than 6 feet in height) will be included.
- o. In addition to the standard Landscaping/Buffering requirements of Chapter 24 of the Orange County Code, the following will be installed:
  - i) Canopy buffer trees shall be planted along both sides of the retention area along the east and north property lines to maximize buffering for the neighboring properties.
  - ii) Trees shall consist of shade trees and deciduous trees.
  - iii) Two checkered rows of at least three inch caliper, 15' height oak trees shall be planted no more than thirty feet on center along the east and north boundaries. One row along southern border.
  - iv) The area between the buildings and CR 535 shall be planted with shade trees of at least three inch caliper, 15' height no more than thirty feet on center.
- p. An architectural style substantially similar to "Windermere Preparatory School" shall be incorporated into the C.R. 535 high school campus building facades. During the public hearing process, OCPS shall present architectural elevation renderings depicting the elevations of the campus buildings and showing how they comply with such architectural style.
- q. An eight-foot (8') high precast decorative concrete wall with columns shall be installed along the north and east property lines.
- r. A six foot (6') high decorative aluminum fence shall be installed along CR 535. A black vinyl chain link fence shall be installed around the storm water retention area.
- s. Roof material that minimizes glare (low reflection) shall be incorporated.
- t. All roof-mounted equipment shall be visually shielded.
- u. OCPS's total cost for the above-referenced architectural improvements, additional canopy trees, and enhanced canopy buffer shall be \$3,000,000 and such costs shall be precisely documented in documents submitted to Orange County prior to completion of construction.

- v. Location of the high school campus driveway(s) in a manner which does not place any vehicular ingress or egress directly across from the Lake Cawood Drive entrance.
- w. OCPS shall have subdued sounding bells, chimes, buzzers, on the school site that will be turned off on all non-school days including weekends, holidays and school vacation days (no regular student attendance). Bells shall be toned as not to be heard across the school property on normal, windless days. PA address systems likewise shall be designed so as not to be heard across property lines.