

ORDINANCE O2011-01

AN ORDINANCE OF THE CITY OF WILDWOOD, FLORIDA, COUNTY OF SUMTER, STATE OF FLORIDA; RECLASSIFYING THE ZONING FROM SUMTER COUNTY RURAL RESIDENTIAL TO CITY OF WILWOOD PLANNED UNIT DEVELOPMENT FOR CERTAIN PROPERTY WITHIN THE CITY OF WILDWOOD, FLORIDA OWNED BY QUADVENTURE, LLC; PROVIDING FOR THE TERMS AND CONDITIONS OF THE PLANNED UNIT DEVELOPMENT; PROVIDING FOR CONSISTENCY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR AMENDMENT OF THE OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED by the City Commission of the City of Wildwood, Florida, as follows:

Section 1: Property Description and Zoning Classification.

- (A) The following described property, owned by Quadventure, LLC, is located in the City of Wildwood, Florida:

PARCEL 1: Begin at the Northeast corner of the Southeast 1/4 of the Northeast 1/4 run West 140 yards for point of beginning, thence West 135 yards, thence South 127 1/2 yards, thence East 135 yards, thence North 127 1/2 yards to point of beginning, less commence at the Northwest corner of the Southeast 1/4 of the Northeast 1/4 thence run East 495 feet, thence South 271 feet to point of beginning, thence run South 111.50 feet, thence East 405.73 feet, thence run North 111.50 feet, thence West 405.66 feet to point of beginning, Section 17, Township 19 South, Range 23 East.

PARCEL 2: The Northeast 1/4 of the Northeast 1/4 lying South of State Road 44, less the East 420 feet thereof, Section 17, Township 19 South, Range 23 East.

PARCEL 3: Begin at the Southeast corner of the Southeast 1/4 of the Northeast 1/4 run West 275 yards, thence North 312.5 yards, thence East 275 yards, thence South 312.5 yards to the point of beginning, Section 17, Township 19 South, Range 23 East.

PARCEL 4: Commence at the Northwest corner of the Southeast 1/4 of the Northeast 1/4 run East 495 feet, thence South 271 feet to point of beginning, thence run South 111.50 feet, thence East 405.73 feet, thence run North 111.50 feet, thence run West 405.77 feet to the point of beginning, Section 17, Township 19 South, Range 23 East.

AND:

THAT PORTION OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 17, TOWNSHIP 19 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA DESCRIBED AS FOLLOWS; COMMENCE AT THE EAST QUARTER CORNER OF SAID SECTION 17, RUN THENCE NORTH 89°50'56" WEST 825.00 FEET ALONG THE SOUTH BOUNDARY OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 17; THENCE NORTH 00°18'48" EAST 733.89 FEET ALONG THE WEST BOUNDARY OF THE EAST 825.00 FEET OF SAID SOUTHEAST 1/4 OF THE NORTHEAST 1/4 TO THE POINT OF BEGINNING OF THIS DESCRIPTION; FROM SAID POINT OF BEGINNING, RUN THENCE NORTH 89°52'26" WEST 462.76 FEET PARALLEL THE NORTH BOUNDARY OF SAID SOUTHEAST 1/4 OF THE NORTHEAST 1/4 TO A POINT ON THE EAST BOUNDARY OF THE WEST 33.00 FEET OF SAID SOUTHEAST 1/4 OF THE NORTHEAST 1/4; FROM SAID POINT, RUN THENCE NORTH 00°18'05" EAST 567.83 FEET ALONG THE EAST BOUNDARY OF THE WEST 33.00 FEET OF SAID SOUTHEAST 1/4 OF THE NORTHEAST 1/4 TO A POINT THAT IS 33.00 FEET SOUTH OF THE NORTH BOUNDARY OF SAID SOUTHEAST 1/4 OF THE NORTHEAST 1/4; FROM SAID POINT, RUN THENCE SOUTH 89°52'26" EAST 462.88 FEET PARALLEL THE NORTH BOUNDARY OF SAID SOUTHEAST 1/4 OF THE NORTHEAST 1/4 TO A POINT ON THE WEST BOUNDARY OF THE EAST 825.00 FEET OF SAID SOUTHEAST 1/4 OF THE NORTHEAST 1/4; FROM SAID POINT, RUN THENCE SOUTH 00°18'48" WEST 567.83 FEET ALONG THE WEST BOUNDARY OF THE EAST 825.00 FEET OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 17 TO THE POINT OF BEGINNING OF THIS DESCRIPTION.

TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS 66.00 FEET WIDE DESCRIBED AS FOLLOWS: FROM THE EAST QUARTER CORNER OF SECTION 17, TOWNSHIP 19 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA, RUN SOUTH 00°12'05" WEST ALONG THE EAST LINE OF SAID SECTION 17, A DISTANCE OF 468.00 FEET; THENCE SOUTH 89°49'28" WEST 723.62 FEET TO THE POINT OF BEGINNING OF THIS EASEMENT. FROM SAID POINT OF BEGINNING CONTINUE SOUTH 89°49'28" WEST 1817.85 FEET; THENCE NORTH 00°02'15" WEST 66.00 FEET; THENCE NORTH 89°49'28" EAST 1189.87 FEET; THENCE NORTH 00°01'08" WEST 1703.45 FEET TO THE SOUTH RIGHT OF WAY OF A COUNTY ROAD; THENCE NORTH 89°47'45" EAST ALONG SAID SOUTH RIGHT OF WAY OF A COUNTY ROAD 66.00 FEET; THENCE SOUTH 00°01'08" EAST 1703.49 FEET; THENCE NORTH 89°49'28" EAST 562.00 FEET; THENCE SOUTH 00°01'08" EAST 66.00 FEET TO THE POINT OF BEGINNING.

All lying and being in Sumter County, Florida.

- (B) The above-described property shall be referred to in this ordinance as the Project.
- (C) The Project consists of parcel numbers #G17=001, G17=034, G17=013, G17=009, G17=008 & G17=039.

Section 2: The Project is subject to the following terms and conditions:

(A) General.

1. Development of this Project shall be governed by the contents of this Ordinance and applicable sections of the City of Wildwood Land Development Regulations and Code of Ordinances and all other applicable rules, regulations, and ordinances of the City.
2. Where in conflict, the terms of this ordinance shall take precedence over the City of Wildwood Land Development Regulations and Code of Ordinances, and all other applicable rules, regulations and ordinances of the City.
3. Unless otherwise noted, the definition of all terms shall be the same as the definitions set forth in the City of Wildwood Land Development Regulations.
4. The purpose of this PUD is to meet the objectives and policies of the comprehensive plan by requiring the following:
 - (a) Higher densities and intensities situated along transportation corridors to accommodate mass transit;
 - (b) Transitioning densities and intensities from the Mixed Use Center;
 - (c) An open space system that compliments the development;
 - (d) Compliance with City's Design Standards;
 - (e) Water and energy conservation measures;
 - (f) Pedestrian/bicycle friendly street network;
 - (g) Infrastructure and open space interconnectivity; and
 - (h) A mix of housing types along with non-residential uses

(B) Land Uses.

The proposed Planned Unit Development conceptual plan, attached hereto as "Exhibit A", is incorporated into this Ordinance. Elements in the proposed plan include residential, institutional, office and commercial uses. The approximate acreage devoted to each land use is delineated on the tables below.

Total Project:	39.88 acres
70% Developable:	25.6 acres
Employment Mixed Use Center (Overlay):	11.67 acres
Employment Center Neighborhood Mixed Use:	21.45 acres
Commercial:	6.76 acres
Open Space:	9.17 acres

The conceptual plan ("Exhibit 'A'") includes three Development Option Tables. The Project shall be developed in conformance with the Development Option

Tables. Non-substantial deviations from the acreages shall be allowed provided there is no increase in the maximum development potential.

Approximately 11 acres of the Project are included in a Mixed Use Center. The area within the Employment Mixed Use Center shall contain a minimum of 94 residential units and contain a minimum of 245,000 square feet of nonresidential uses. The area within the Mixed Use Center may exceed the density and intensity set by the underlying Future Land Use Map Designations provided that the Project, as a whole, does not exceed the maximum development potential outlined in the Development Option Tables on "Exhibit A".

A minimum of the 245,000 of the built nonresidential square footage in the Project shall be contained in mixed-use, multi-story buildings. A "story" is defined as that portion of a building included between the surface of any floor and the surface of the next floor above it. In the event there is not a floor above the former, then the story is that portion of a building between the top floor and the ceiling above it.

(C) Recreation and open space.

1. Recreation

The Project shall meet the amenities requirement as listed in the City's Residential Design Standards. Approximately 3.55 acres of the Project have been designated as park/recreation areas as shown on "Exhibit A".

2. Open Space

The minimum allocation of open space areas shall be 25% of the developable land area of the Project site.

The open space area shall be provided and calculated as specified in the Residential Design Standards and may include, but not be limited to, Project buffer areas, recreation area, landscaped areas, and portions of stormwater management system. Pedestrian and public gathering areas shall also be considered open space. The open space shall be calculated on an aggregate basis over the entire PUD Property, notwithstanding that the Project may be developed in phases.

Any and all wetland impacts shall be mitigated per the Southwest Florida Water Management District's regulations. All preserved wetlands shall be placed in a conservation easement.

(D) Public Facilities.

1. Potable Water, Wastewater, and Reuse.

Each structure on the Project shall be connected to the City Potable Water and Sanitary Sewer system, prior to any certificates of occupancy being issued for such structure on the Project. The Project shall connect to the City's reuse system upon availability. Expansion of the City's Potable Water and Sanitary Sewer systems, including necessary utility easements, shall be negotiated by separate Developer's Agreement between the City and the Owner/Developer prior to site plan approval. Said agreement shall specify cost and timetables for delivery of services.

2. Solid Waste.

Waste services shall be provided by the City of Wildwood or its contracted refuse service provider.

3. Drainage.

Prior to site plan approval, the Project shall contain a master drainage plan for all phases to ensure the sharing of stormwater facilities within the Project. The maintenance of the drainage system shall be the responsibility of the property owner or its successor or assign and shall meet the requirements of the Southwest Florida Water Management District and the level of service standards set forth by the City.

4. Transportation, Streets and Sidewalks.

(a) The Project shall contain one point of ingress and egress on SR 44;
(b) The Project shall be designed to ensure internal and external transportation connectivity. The Project shall provide a 110 foot right-of-way as depicted on "Exhibit A" that runs relatively perpendicular to SR 44. East/West interconnection to the adjoining properties shall be provided within the Project. The location of this East/West connection should run relatively parallel to SR 44 and not be located more than 700 feet from SR 44.

(c) The Project shall adhere to the City's Design Standards relating to internal and external interconnectivity for all modes of transportation for the Project; and

(d) The Project shall provide accommodation for the placement of a transit stop within the project boundary along SR 44. Placement and construction of the transit stop shall be subject to a future agreement between the developer and the transit service provider, Sumter County and/ or the Lake-Sumter MPO, prior to site plan approval.

- (e) A minimum five (5) foot sidewalk shall be provided within the landscape buffer along SR 44.
- (f) An eight (8) foot sidewalk shall be provided on both sides of the street within the 110 foot right-of-way as described in subsection 4(b) above. A minimum five (5) foot sidewalk shall be provided on both sides of all other internal streets;
- (g) The City and the developer will enter into a written Developer's Agreement concerning maintenance of the streets and sidewalks prior to site plan approval;

5. Building Placement

- (a) Buildings shall be oriented to face the 110 foot right-of-way as described in subsection 4(b) above;
- (b) The buildings shall be placed adjacent to the right-of-way as described in subsection 4(b) above. However, the buildings may be setback from said right-of-way to allow for space to accommodate public or quasi-public gathering areas such as a pedestrian courtyard or outdoor restaurant seating.

6. Parking.

- (a) The developer shall reasonably limit parking areas. Parking shall be provided in accordance with the Urban Land Institute's standards as shown on "Exhibit A";
- (b) The Project will incorporate 25% compact car parking and 5% motorcycle parking. These spaces will count toward reaching the parking requirement;
- (c) All off-street parking shall be designed in accordance with the City's Design Standards; and
- (d) On street parking shall be provided where applicable.

(E) Landscaping Requirements.

- (a) All landscaping and buffer requirements shall be in accordance with the City's Design Standards.
- (b) All landscaped and common areas shall be maintained and irrigated in accordance with the City's Design Standards.
- (c) All landscaping shall have appropriate irrigation and shall utilize reclaimed water if utility lines and adequate capacity is made available to the boundary of the Project.
- (d) Any tree removal or replacement will be subject to the City's Tree Ordinance #594.

(F) Lighting.

Decorative lighting shall be provided as required in the City's Design Standards.

(G) Utilities.

All on site utilities shall be underground. Developer is responsible for running utilities underground for its development. The City shall insure that any utilities within any public utilities easement serving lands other than the Project shall be underground.

(H) Signage.

All signage shall comply with the City's Design Standards. If signage is installed within a City easement, the City shall not be responsible for any damage to signage as caused by the City's exercise of the easement.

(I) Conservation Measures.

The Project shall implement the following conservation measures:

- (a) New construction shall utilize energy efficient design and meet or exceed the Florida Energy Efficiency Code for Building Construction.
- (b) New construction shall utilize Florida Friendly Landscaping principals. Low volume and drip irrigation shall be used where appropriate.
- (c) The use of computerized and programmable thermostats is encouraged.
- (d) The use of "green" building materials will be encouraged.
- (e) Residential appliances including dishwashers, clothes washers, ceiling fans and refrigerators shall be Energy Star qualified.
- (f) Residential heating and cooling equipment shall be Energy Star qualified.
- (g) Residential interior and exterior electrical lighting fixtures shall be fitted with CFL or LED bulbs.
- (f) Residential windows shall be energy star qualified and rated by the National Fenestration Rating Council (NFRC) to meet a U factor of .65 and solar heat gain coefficient of 0.40 or less.

(J) Maintenance of Common Areas.

Maintenance and repair of structures, lawn mowing, and landscaping maintenance of all common areas within the Project shall be the

responsibility of the property owner or its designee such as a property owners association, at no cost or obligation to the City. The developer/owner shall provide guidelines for the maintenance of common areas. Guidelines shall be submitted to the City for its approval, which approval shall not be unreasonably withheld, conditioned or delayed. The City will be granted the right, but not the obligations, to enforce the common areas maintenance obligations against the landlord/property owner/ developer, as may be applicable, and to be reimbursed for the reasonable attorney's fees, costs and expenses, as may be reasonably incurred by the City. A failure by the City to enforce this right shall not constitute a waiver.

(K) Enforcement of Rules and Regulations.

For the maintenance of the common areas referenced in Section J of this Ordinance, the applicable provisions in the guidelines: (i) shall be made applicable to the nonresidential and the residential segments of the Project; and, (ii) shall be reviewed/approved by the City of Wildwood, with a certificate of occupancy being issued for completed improvements; and (iii) will provide that the City of Wildwood shall have the right, but not the obligation, to enforce such maintenance obligations against a violating party and that the City should be entitled to reasonable attorney's fees and costs for enforcement regardless of whether or not a suit has been filed. Guidelines shall be submitted to the City for its approval, which approval shall not be unreasonably withheld, conditioned or delayed. The City will be granted the right, but not the obligations, to enforce the common areas maintenance obligations against the landlord/property owner/developer, as may be applicable, and to be reimbursed for the reasonable attorney's fees, costs and expenses, as may be reasonably incurred by the City. A failure by the City to enforce this right shall not constitute a waiver.

(L) Impact Fees.

The Project shall be subject to all impact fees applicable at the time of permitting. All impact fees are to be paid before issuance of any building permit. Proof of Sumter County impact fees paid shall be provided to the City of Wildwood. Any impact fees adopted by the City of Wildwood, Sumter County or the Sumter County School Board prior to issuance of building permits shall also be applicable to the Project.

All impact fee credits for right-of-way donations and road construction completed by this Project will be subject to an appropriate agreement with the appropriate government agencies.

(M) Amendments.

Any substantial deviation from the PUD Concept Plan, or deviation from the terms of this Ordinance, shall be approved by the City Commission in accordance with the legal procedures to amend zoning ordinances.

(N) Expiration of PUD.

Actual construction must begin within the Project within 24 months of the final adoption of the PUD agreement or rezoning to PUD including the expiration of all appeal periods. If no construction has started on the approved PUD within the allotted time frame, the planned unit development shall lapse and be of no further effect. If the planned unit development lapses under the provisions of this code, the PUD site reverts to the original zoning classification. The City Commission may extend the PUD for periods of up to six (6) months provided the applicant can show good cause why said development was delayed under the originally approved development plan.

Section 3: Consistent with Comprehensive Plan.

The zoning classification of the PUD property is consistent with the Comprehensive Plan of the City of Wildwood, Florida.

Section 4: Official Zoning Map.

The Development Services Director, or designee, is hereby authorized to amend, alter, and implement the official zoning maps of the City of Wildwood, Florida, to include said designation.

Section 5: Severability.

If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 6: Conflict.

With regard to the PUD property, this Ordinance shall prevail if there is a conflict with any other ordinance. However, to the extent there is no conflict, all other ordinances are applicable to the PUD property.

Section 7: Effective Date.

This Ordinance shall become effective immediately upon its approval and adoption by the City Commission.

PASSED AND ORDAINED in regular session of the City Commission of the City of Wildwood, Sumter County, Florida, this ~~28th~~ day of February, 2011.

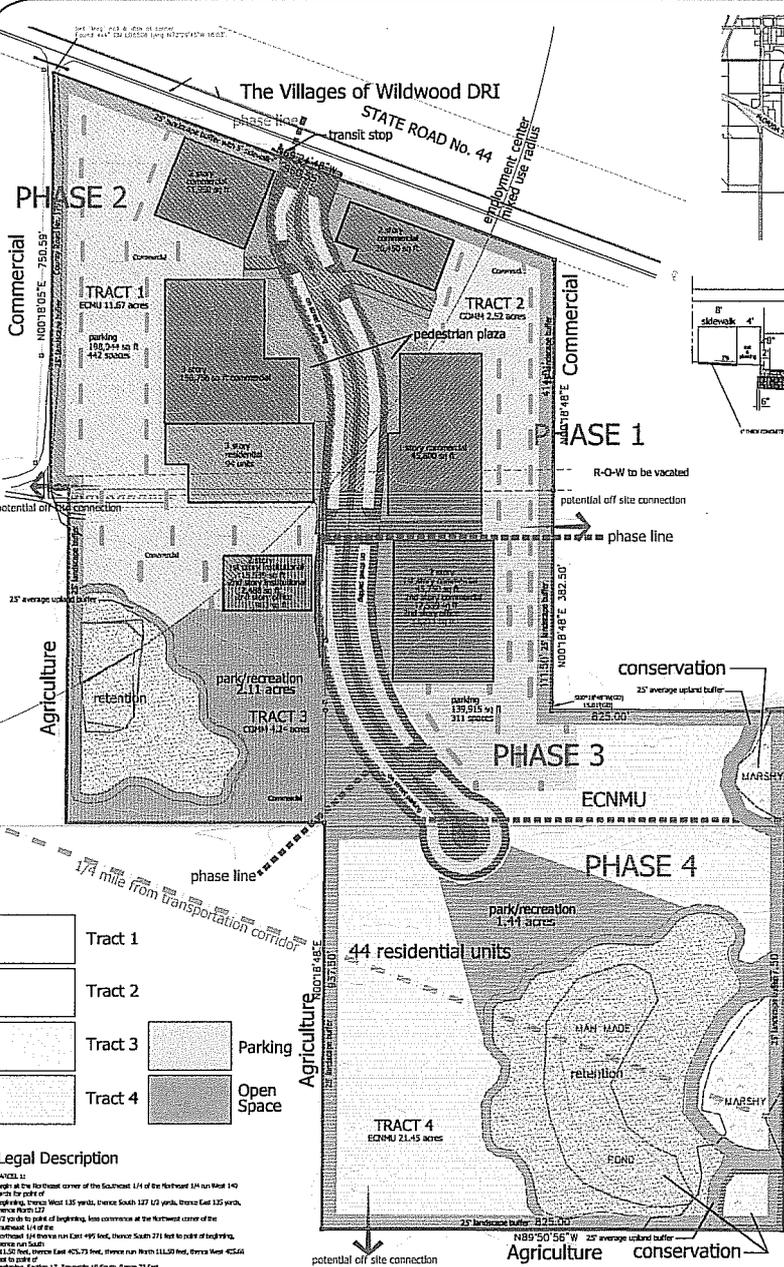
CITY COMMISSION
CITY OF WILDWOOD, FLORIDA

ATTEST: Joseph Jacobs
Joseph Jacobs, City Clerk

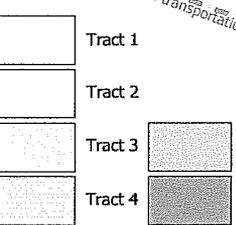
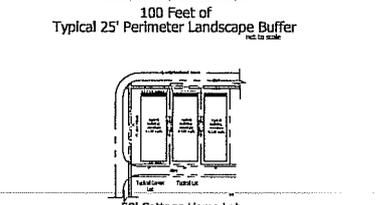
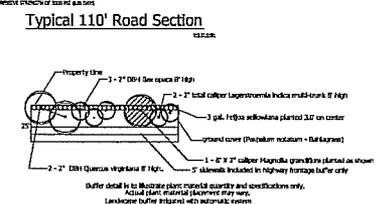
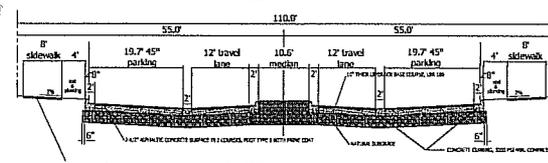
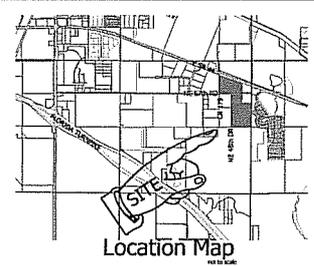
Ed Wolf
ED WOLF, MAYOR

First Reading: 02/14/2011
Second Reading: 02/23/2011

Approved as to Form:
Jerri A. Blair
Jerri A. Blair, City Attorney



Owner: Quadventure LLC,
300 Lake Ella Road
Fruitland Park, FL 34731
Agents: L&R Urban & Regional Planners, Inc.
Greg A. Ballucci
1162 Camp Ave.
Mount Dora, FL 32757
Environmental: Modica and Associates, Inc.
302 Mohawk Road
Clermont, Florida 34715



Legal Description
 PARCEL 11: ...
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Open Space:
 36.67 acres usable land x .25 = 9.17 acres open space required
 3.69 acres in perimeter buffer
 1.34 acres in upland buffers
 4.44 acres in parks and plazas
 9.17 acres total provided

Parking:
 413,891 sq ft of commercial, office, and institutional floor area
 827 spaces required @ 2 spaces per 1000 sq ft average (U/LI)
 141 attached residential parking required @ 1.5 spaces per unit
 568 spaces total required

753 spaces provided in surface lots:
 235 spaces on street
 518 spaces total provided

- Notes:**
- Total project area 39.88 acres +/-, 36.67+ acres net developable, 25.67+ acres (70%)
 - Land use category Commercial, Employment Center Neighborhood Mixed Use.
 - Net residential density 5.8 du/acre
 - Open space 9.17 acres (25%)
 - Parking to be by ULI amended standards 25% compact parking and 5% motorcycle parking.
 - Vacate internal county road R.O.W.
 - Central water and sewer from City of Wildwood. Stormwater management by system of pipes and retention ponds. All improvements to be constructed by developer.
 - 25' perimeter landscape buffer as shown in detail.
 - Project phasing as shown
 - Potential residential types: single family detached, attached
 - Parks and recreation as shown
 - Sidekick location shown in road cross section.
 - Transit stops as shown.
 - Skilled nursing and ACLF allowed in commercial areas.
 - 11.67 acres solely within the Employment Center Mixed Use Center
 - Wetlands identified in EA are depicted on the plan
 - Mitigation for wetland impacts are provided in littoral planting in retention ponds and buffers.

Development Option 1

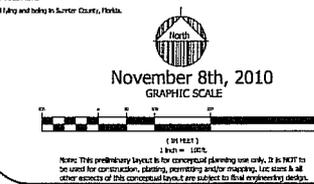
Tract	Use	Area (Acres)	Area (Sq Ft)	Net Density	Net Acres	Net Sq Ft	Net Density	Net Acres	Net Sq Ft	Net Density	Net Acres	Net Sq Ft	Net Density	Net Acres	Net Sq Ft	Net Density	Net Acres	Net Sq Ft	Net Density
Tract 1	Commercial/Institutional	11.67	11,670,000	8.16	11.67	11,670,000	8.16	11.67	11,670,000	8.16	11.67	11,670,000	8.16	11.67	11,670,000	8.16	11.67	11,670,000	8.16
Tract 2	Commercial	2.52	2,520,000	1.99	2.52	2,520,000	1.99	2.52	2,520,000	1.99	2.52	2,520,000	1.99	2.52	2,520,000	1.99	2.52	2,520,000	1.99
Tract 3	Commercial	1.24	1,240,000	0.98	1.24	1,240,000	0.98	1.24	1,240,000	0.98	1.24	1,240,000	0.98	1.24	1,240,000	0.98	1.24	1,240,000	0.98
Tract 4	Commercial/Institutional	21.45	21,450,000	16.36	21.45	21,450,000	16.36	21.45	21,450,000	16.36	21.45	21,450,000	16.36	21.45	21,450,000	16.36	21.45	21,450,000	16.36
Total	Tract	46.88	46,880,000	35.59															

Development Option 2

Tract	Use	Area (Acres)	Area (Sq Ft)	Net Density	Net Acres	Net Sq Ft	Net Density	Net Acres	Net Sq Ft	Net Density	Net Acres	Net Sq Ft	Net Density	Net Acres	Net Sq Ft	Net Density	Net Acres	Net Sq Ft	Net Density
Tract 1	Commercial/Institutional	11.67	11,670,000	8.16	11.67	11,670,000	8.16	11.67	11,670,000	8.16	11.67	11,670,000	8.16	11.67	11,670,000	8.16	11.67	11,670,000	8.16
Tract 2	Commercial	2.52	2,520,000	1.99	2.52	2,520,000	1.99	2.52	2,520,000	1.99	2.52	2,520,000	1.99	2.52	2,520,000	1.99	2.52	2,520,000	1.99
Tract 3	Commercial	1.24	1,240,000	0.98	1.24	1,240,000	0.98	1.24	1,240,000	0.98	1.24	1,240,000	0.98	1.24	1,240,000	0.98	1.24	1,240,000	0.98
Tract 4	Commercial/Institutional	21.45	21,450,000	16.36	21.45	21,450,000	16.36	21.45	21,450,000	16.36	21.45	21,450,000	16.36	21.45	21,450,000	16.36	21.45	21,450,000	16.36
Total	Tract	46.88	46,880,000	35.59															

Development Option 3

Tract	Use	Area (Acres)	Area (Sq Ft)	Net Density	Net Acres	Net Sq Ft	Net Density	Net Acres	Net Sq Ft	Net Density	Net Acres	Net Sq Ft	Net Density	Net Acres	Net Sq Ft	Net Density	Net Acres	Net Sq Ft	Net Density
Tract 1	Commercial/Institutional	11.67	11,670,000	8.16	11.67	11,670,000	8.16	11.67	11,670,000	8.16	11.67	11,670,000	8.16	11.67	11,670,000	8.16	11.67	11,670,000	8.16
Tract 2	Commercial	2.52	2,520,000	1.99	2.52	2,520,000	1.99	2.52	2,520,000	1.99	2.52	2,520,000	1.99	2.52	2,520,000	1.99	2.52	2,520,000	1.99
Tract 3	Commercial	1.24	1,240,000	0.98	1.24	1,240,000	0.98	1.24	1,240,000	0.98	1.24	1,240,000	0.98	1.24	1,240,000	0.98	1.24	1,240,000	0.98
Tract 4	Commercial/Institutional	21.45	21,450,000	16.36	21.45	21,450,000	16.36	21.45	21,450,000	16.36	21.45	21,450,000	16.36	21.45	21,450,000	16.36	21.45	21,450,000	16.36
Total	Tract	46.88	46,880,000	35.59															



Conceptual Development Plan For:
Quadventure LLC
 Wildwood, Florida

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