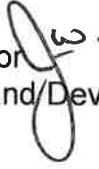





**Interoffice Memorandum**

**DATE:** December 19, 2019

**TO:** Mayor Jerry L. Demings  
-AND-  
Board of County Commissioners

**FROM:** Jon V. Weiss, P.E., Director   
Planning, Environmental and Development  
Services Department

**CONTACT PERSON:** Eric Raasch, DRC Chairman   
Development Review Committee  
Planning Division  
(407) 836-5523

**SUBJECT:** January 14, 2020 – Public Hearing  
Sam Sebaali, Florida Engineering Group, Inc.  
Coranado Townhomes Planned Development  
Case # CDR-19-07-238 / District 5

The Coranado Townhomes Planned Development (PD) is generally located east of N. Goldenrod and north of Bates Road. The existing PD development program allows for a development program of 44 townhomes.

Through this PD substantial change, the applicant is seeking a waiver from Orange County Code to reduce the PD perimeter setback on the western PD boundary to 24 feet in lieu 25 feet.

On December 4, 2019, the Development Review Committee (DRC) recommended approval of the request, subject to conditions. A community meeting was not required for this request.

Finally, the required Specific Project Expenditure Report and Relationship Disclosure Forms have been completed in accordance with the requirements of Article X, Chapter 2, Orange County Code, as may be amended from time to time, and copies of these and the PD/LUP may be found in the Planning Division for further reference.

**ACTION REQUESTED:** **Make a finding of consistency with the Comprehensive Plan (CP) and approve the substantial change to the Coranado Townhomes Planned Development / Land Use Plan (PD/LUP) dated "Received October 29, 2019",**

**subject to the conditions listed under the DRC  
Recommendation in the Staff Report. District 5**

JVW/EPR/nsw  
Attachments

**CASE # CDR-19-07-238**

Commission District: # 5

**GENERAL INFORMATION**

**APPLICANT** Sam Sebaali, Florida Engineering Group, Inc.

**OWNER** Sedona Development, LLLP, Daniel Seoane, Lauren Nicole and David Stafford, Ruth Palacios Gil, William Chan, Aurora Beatriz Cruz Quinones, Eduard Cantu, Seyd Ahsan and Sana Rizul, Bruce Reid, Angie Xing Yun Leung, Richard Clayton, Phuong Truong, Omar Maklouf Longou, Lauren Kate Sidoti

**PROJECT NAME** Coranado Townhomes Planned Development

**PARCEL ID NUMBER(S)** 11-22-30-1735-00-010, 11-22-30-1735-00-020  
11-22-30-1735-00-030, 11-22-30-1735-00-040  
11-22-30-1735-00-050, 11-22-30-1735-00-060  
11-22-30-1735-00-070, 11-22-30-1735-00-080  
11-22-30-1735-00-090, 11-22-30-1735-00-100  
11-22-30-1735-00-110, 11-22-30-1735-00-120  
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11-22-30-1735-00-150, 11-22-30-1735-00-160  
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11-22-30-1735-00-190, 11-22-30-1735-00-200  
11-22-30-1735-00-210, 11-22-30-1735-00-220  
11-22-30-1735-00-001, 11-22-30-1735-00-005  
11-22-30-1735-00-006, 11-22-30-1735-00-009  
11-22-30-1735-10-000 (affected parcels)

**TRACT SIZE** 9.30 gross acres (overall PD)  
6.14 gross acres (affected parcels only)

**LOCATION** Generally located east of N. Goldenrod and north of Bates Road.

**REQUEST** A PD substantial change to reduce the PD perimeter setback on the western PD boundary to twenty-four (24) feet in lieu of twenty-five (25) feet. In addition, the applicant has requested the following waiver from Orange County Code:

1. A waiver from Section 38-1254(1) to provide for a twenty-four (24) foot PD boundary setback along the west PD boundary only, in lieu of the minimum required twenty-five (25) foot PD boundary setback

***Applicant Justification:*** The waiver is required to resolve a survey discrepancy between the design boundary survey and the boundary survey prepared for the plat.

**PUBLIC NOTIFICATION** A notification area extending beyond seven hundred (700) feet was used for this application [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Three hundred eighty-eight (388) notices were mailed to those property owners in the notification buffer area. A community meeting was not required for this application.

## **IMPACT ANALYSIS**

### **Special Information**

The Coronado Townhomes PD was originally approved on December 3, 2013 and has an existing development program of forty-four (44) townhomes.

Through this PD substantial change, the applicant is seeking to reduce the PD perimeter setback on the western PD boundary to twenty-four (24) feet in lieu of twenty-five (25) feet. One waiver from Orange County Code related to the setback is associated with this request.

### **Land Use Compatibility**

The proposed PD substantial change would not adversely impact any adjacent properties or result in an incompatible land use pattern.

### **Comprehensive Plan (CP) Consistency**

The subject property has an underlying Future Land Use Map (FLUM) designation of Low-Medium Density Residential (LMDR). The Coronado Townhomes PD was approved in 2013 and includes attached single-family dwelling units. The proposed Change Determination Request (CDR) is consistent with the designation and all applicable CP provisions; therefore, a CP amendment is not necessary.

### **Overlay Ordinance**

The subject property is not located within an Overlay District.

### **Rural Settlement**

The subject property is not located within a Rural Settlement.

### **Joint Planning Area (JPA)**

The subject property is not located within a JPA.

### **Environmental**

Environmental Protection Division (EPD) staff has reviewed the proposed request, but did not identify any issues or concerns.

### **Transportation Concurrency**

Transportation staff has reviewed the proposed request, but did not identify any issues or concerns.

### **Community Meeting Summary**

A community meeting was not required for this request.

**Schools**

Orange County Public Schools (OCPS) reviewed the request and determined that it will not impact public school capacity.

**Parks and Recreation**

Orange County Parks and Recreation staff reviewed the Change Determination Request but did not identify any issues or concerns.

**Specific Project Expenditure Report and Relationship Disclosure Forms**

The original Specific Project Expenditure Report and Relationship Disclosure Form are currently on file with the Planning Division.

**ACTION REQUESTED**

**Development Review Committee (DRC) Recommendation – (December 4, 2019)**

**Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the Coranado Townhomes Planned Development / Land Use Plan (PD/LUP), dated “October 29, 2019”, subject to the following conditions:**

1. Development shall conform to the Coranado Townhomes Planned Development (PD) dated "Received October 29, 2019," and shall comply with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. Accordingly, the PD may be developed in accordance with the uses, densities, and intensities described in such Land Use Plan, subject to those uses, densities, and intensities conforming with the restrictions and requirements found in the conditions of approval and complying with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. If the development is unable to achieve or obtain desired uses, densities, or intensities, the County is not under any obligation to grant any waivers or modifications to enable the developer to achieve or obtain those desired uses, densities, or intensities. In the event of a conflict or inconsistency between a condition of approval and the land use plan dated "Received October 29, 2019," the condition of approval shall control to the extent of such conflict or inconsistency.
  
2. This project shall comply with, adhere to, and not deviate from or otherwise conflict with any verbal or written promise or representation made by the applicant (or authorized agent) to the Board of County Commissioners ("Board") at the public hearing where this development received final approval, where such promise or representation, whether oral or written, was relied upon by the Board in approving the development, could have reasonably been expected to have been relied upon by the Board in approving the development, or could have reasonably induced or otherwise influenced the Board to approve the development. In the event any such promise or representation is not complied with or adhered to, or the project deviates from or otherwise conflicts with such promise or representation, the County may withhold (or postpone issuance of) development permits and / or

postpone the recording of (or refuse to record) the plat for the project. For purposes of this condition, a "promise" or "representation" shall be deemed to have been made to the Board by the applicant (or authorized agent) if it was expressly made to the Board at a public hearing where the development was considered and approved.

3. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit, or any other development order, if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.
4. Developer / Applicant has a continuing obligation and responsibility from the date of approval of this land use plan to promptly disclose to the County any changes in ownership, encumbrances, or other matters of record affecting the property that is subject to the plan, and to resolve any issues that may be identified by the County as a result of any such changes. Developer / Applicant acknowledges and understands that any such changes are solely the Developer's / Applicant's obligation and responsibility to disclose and resolve, and that the Developer's / Applicant's failure to disclose and resolve any such changes to the satisfaction of the County may result in the County not issuing (or delaying issuance of) development permits, not recording (or delaying recording of) a plat for the property, or both.
5. Property that is required to be dedicated or otherwise conveyed to Orange County (by plat or other means) shall be free and clear of all encumbrances, except as may be acceptable to County and consistent with the anticipated use. Owner / Developer shall provide, at no cost to County, any and all easements required for approval of a project or necessary for relocation of existing easements, including any existing facilities, and shall be responsible for the full costs of any such relocation prior to Orange County's acceptance of the conveyance. Any encumbrances that are discovered after approval of a PD Land Use Plan shall be the responsibility of Owner / Developer to release and relocate, at no cost to County, prior to County's acceptance of conveyance. As part of the review process for construction plan approval(s), any required off-site easements identified by County must be conveyed to County prior to any such approval, or at a later date as determined by County. Any failure to comply with this condition may result in the withholding of development permits and plat approval(s).
6. Short term/transient rental is prohibited. Length of stay shall be for 180 consecutive days or greater.
7. Pole signs and billboards shall be prohibited. Ground and fascia signs shall comply with Chapter 31.5 of the Orange County code.

8. A waiver from Section 38-1254(1) to provide for a twenty-four (24) foot PD boundary setback along the west PD boundary only, in lieu of the minimum required twenty-five (25) foot PD boundary setback is here by granted.
9. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated December 3, 2013 shall apply:
  - a. Orange County Public Schools Capacity Enhancement Agreement (CEA):
    - 1) Developer shall comply with all provisions of the Capacity Enhancement Agreement entered into with the Orange County School Board as of July 30, 2013.
    - 2) Upon the County's receipt of written notice from Orange County Public Schools that the developer is in default or breach of the Capacity Enhancement Agreement, the County shall immediately cease issuing building permits for any residential units in excess of the 3 residential units allowed under the zoning existing prior to the approval of the PO zoning. The County shall again begin issuing building permits upon Orange County Public Schools' written notice to the County that the developer is no longer in breach or default of the Capacity Enhancement Agreement. The developer and its successor(s) and/or assign(s) under the Capacity Enhancement Agreement, shall indemnify and hold the County harmless from any third party claims, suits, or actions arising as a result of the act of ceasing the County's issuance of residential building permits.
    - 3) Developer, or its successor(s) and/or assign(s) under the Capacity Enhancement Agreement, agrees that it shall not claim in any future litigation that the County's enforcement of any of these conditions are illegal, improper, unconstitutional, or a violation of developer's rights.
    - 4) Orange County shall be held harmless by the developer and its successor(s) and/or assign(s) under the Capacity Enhancement Agreement, in any dispute between the developer and Orange County Public Schools over any interpretation or provision of the Capacity Enhancement Agreement. At the time of platting, documentation shall be provided from Orange County Public Schools that this project is in compliance with the Capacity Enhancement Agreement.
  - b. The applicant must apply for and obtain a Capacity Encumbrance Letter prior to construction plan submittal and must apply for and obtain a Capacity Reservation Certificate prior to platting. Nothing in this condition and nothing in the decision to approve this land use plan shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a Capacity Encumbrance Letter.

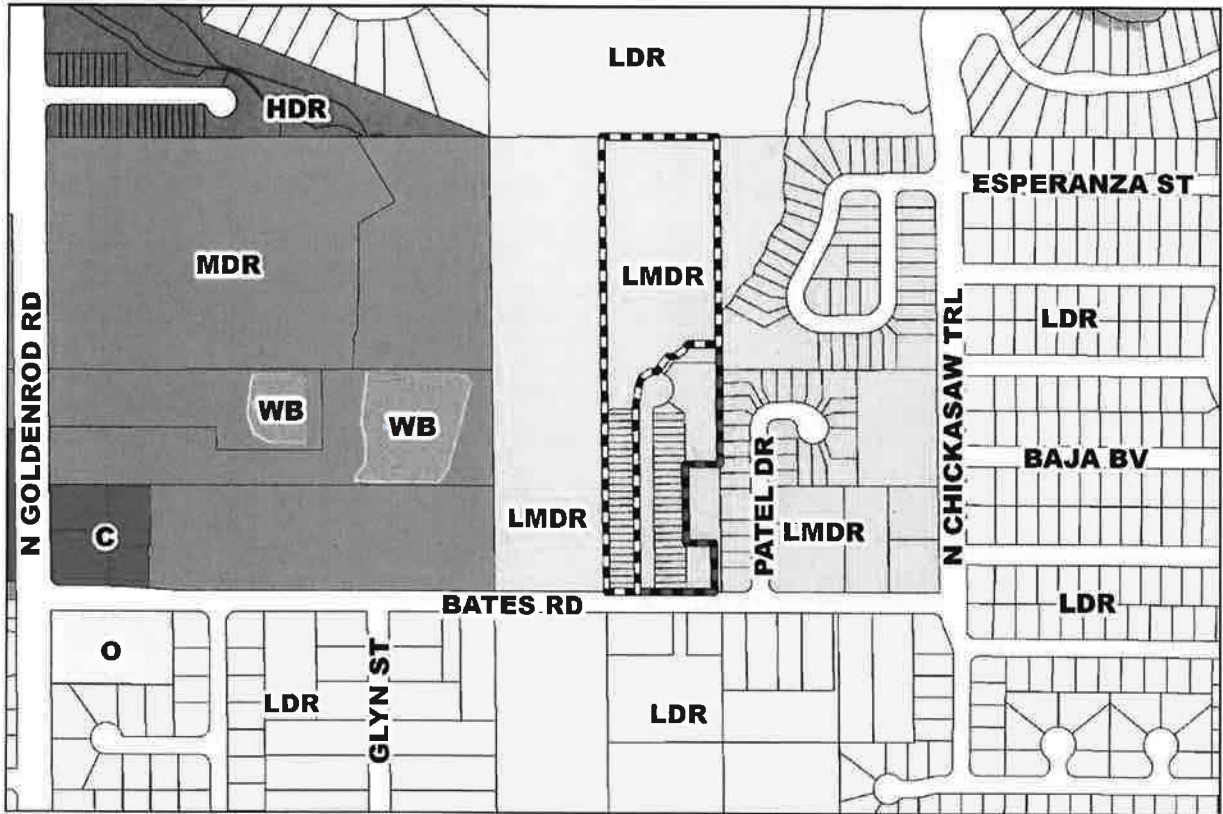
- c. All acreages regarding conservation areas and wetland buffers are considered approximate until finalized by a Conservation Area Determination (CAD) and a Conservation Area Impact (CAI) Permit. Approval of this plan does not authorize any direct or indirect conservation area impacts.
- d. A Master Utility Plan (MUP) shall be submitted to Orange County Utilities prior to approval of the first PSP/DP. The MUP must be approved prior to Construction Plan approval. Water and wastewater connections points shall be approved with the MUP.
- e. The Developer shall obtain water and wastewater from Orange County Utilities.
- f. Tree removal/Earthwork shall not occur unless and until construction plans for the first Preliminary Subdivision and/or Development Plan with a tree removal and mitigation plan have been approved by Orange County.
- g. The Preliminary Subdivision Plan (PSP) shall show an access easement to Parcel I.D. Number 11-22-30-0000-00-110.
- h. The applicant shall provide a six foot (6') high PVC fence and canopy trees spaced at thirty feet (30') on center adjacent to the western property line.
- i. Each dwelling unit shall include a single-car garage and two (2) parking spaces within the driveway.

**PREVIOUS BOARD OF COUNTY COMMISSIONERS ACTION** *(December 3, 2013)*

Upon a motion by Commissioner Edwards, seconded by Commissioner Boyd, and carried by by all present members voting AYE, the Board approved the request by Max Sabeti, New Earth Properties, LLP, Coronado Townhomes Planned Development / Land Use Plan (PD/LUP) (Case #LUP-13-06-144) to rezone 9.30 gross acres from A-2 (Farmland Rural District) to PD (Planned Development District) in order to allow for the development of up to forty-four (44) single-family attached townhome units, on the described property; subject to conditions.



CDR-19-07-238



-  Subject Property
-  PD Boundary



-  Subject Property

### Future Land Use Map

**FLUM:** Low-Medium Density Residential (LMDR)

**APPLICANT:** Sam Sebaali,  
Florida Engineering Group, Inc.

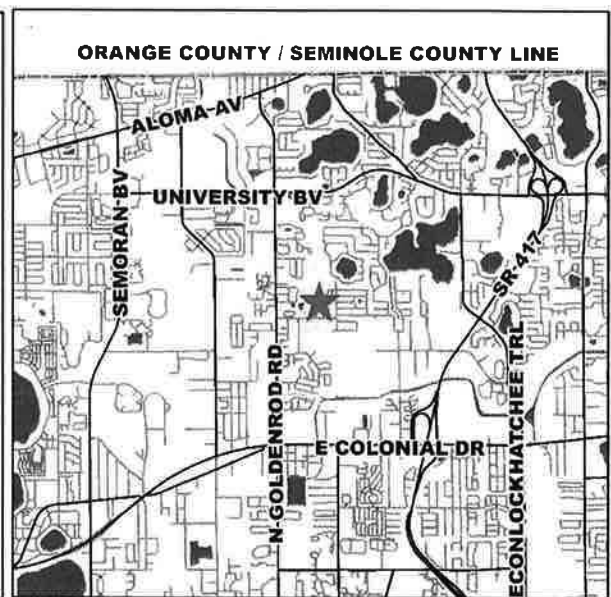
**LOCATION:** Generally located east of N. Goldenrod and north of Bates Road

**TRACT SIZE:** 9.30 gross acres (overall PD)  
6.14 gross acres (affected parcels only)

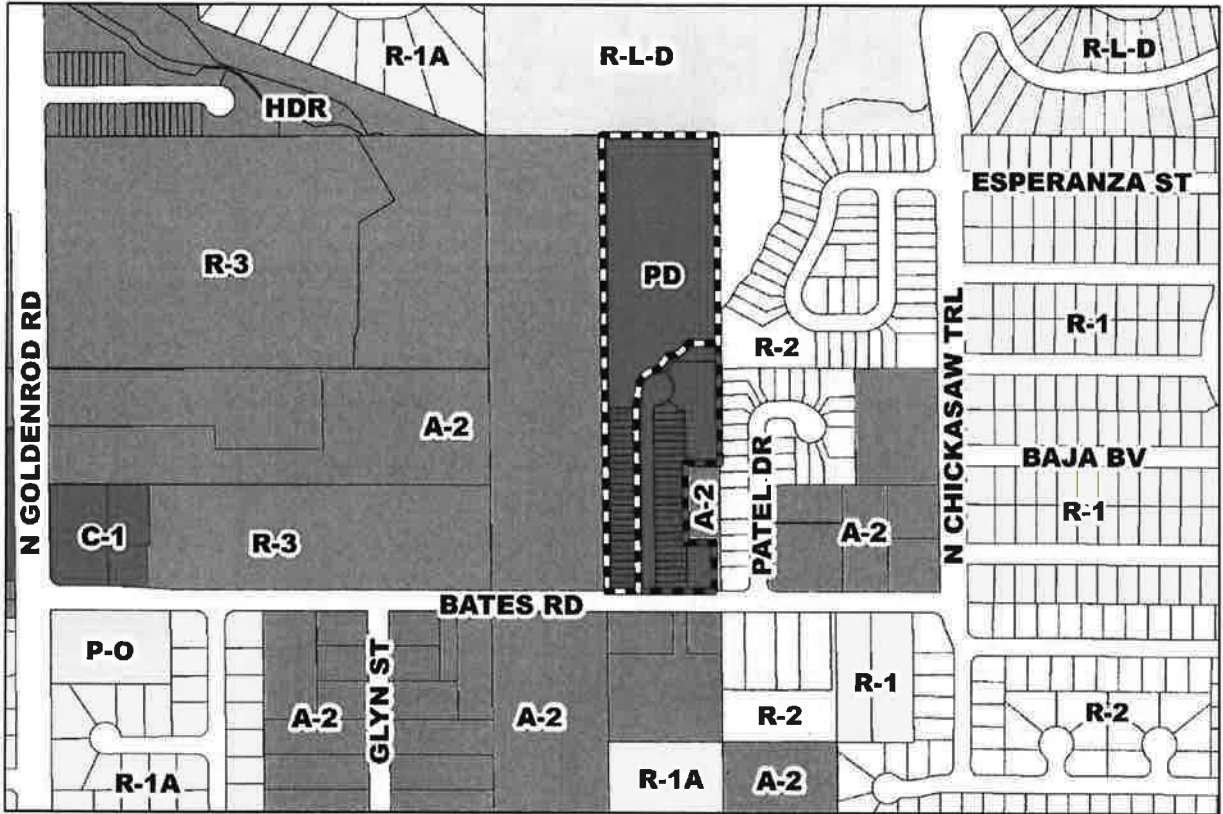
**DISTRICT:** # 5

**S/T/R:** 11/22/30

1 inch = 450 feet



CDR-19-07-238



Subject Property  
 PD Boundary



Subject Property

**Zoning Map**

ZONING: PD (Planned Development District)

APPLICANT: Sam Sebaali,  
 Florida Engineering Group, Inc.

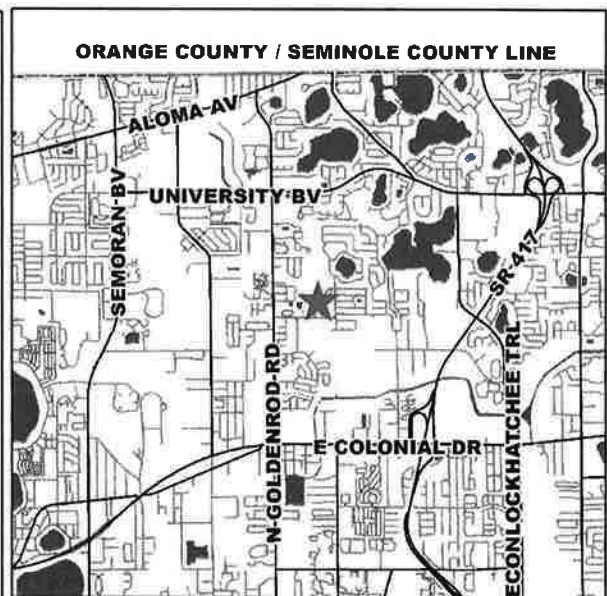
LOCATION: Generally located east of N. Goldenrod and north of Bates Road

TRACT SIZE: 9.30 gross acres (overall PD)  
 6.14 gross acres (affected parcels only)

DISTRICT: # 5

S/T/R: 11/22/30

1 inch = 450 feet



# Coronado Townhomes PD / LUP (Cover Sheet)

## CORANADO TOWNHOMES LAND USE PLAN 7905 BATES ROAD ORLANDO, FLORIDA 32835 CASE: CDR-19-07-238

RECEIVED  
 By DRC OFFICE at 1:13 pm, Oct 28, 2019

PARCEL I.D. No. LIST  
 11-22-30-1735-00-040\*\* 11-22-30-1735-00-150\*\* 11-22-30-1735-00-007  
 11-22-30-1735-00-020\*\* 11-22-30-1735-00-180\*\* 11-22-30-1735-00-008  
 11-22-30-1735-00-030\*\* 11-22-30-1735-00-170\*\* 11-22-30-1735-00-009\*\*  
 11-22-30-1735-00-040\*\* 11-22-30-1735-00-180\*\* 11-22-30-1735-10-000\*\*  
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 11-22-30-1735-00-060\*\* 11-22-30-1735-00-200\*\* 11-22-30-1735-00-230  
 11-22-30-1735-00-070\*\* 11-22-30-1735-00-210\*\* 11-22-30-1735-00-240  
 11-22-30-1735-00-080\*\* 11-22-30-1735-00-220\*\* 11-22-30-1735-00-250  
 11-22-30-1735-00-090\*\* 11-22-30-1735-00-001\*\* 11-22-30-1735-00-280  
 11-22-30-1735-00-110\*\* 11-22-30-1735-00-003 11-22-30-1735-00-290  
 11-22-30-1735-00-120\*\* 11-22-30-1735-00-004 11-22-30-1735-00-290  
 11-22-30-1735-00-130\*\* 11-22-30-1735-00-006\*\* 11-22-30-1735-00-300  
 \*\*AFFECTED PARCELS  
 11-22-30-1735-00-310 11-22-30-1735-00-320  
 11-22-30-1735-00-330 11-22-30-1735-00-340  
 11-22-30-1735-00-350 11-22-30-1735-00-360  
 11-22-30-1735-00-370 11-22-30-1735-00-380  
 11-22-30-1735-00-390 11-22-30-1735-00-400  
 11-22-30-1735-00-410 11-22-30-1735-00-420  
 11-22-30-1735-00-430 11-22-30-1735-00-440

PARCEL I.D. No. 11-22-30-0000-00-048\*  
 \*PARENT PARCEL - SUBDIVIDED INTO NEW PARCELS AS SHOWN ON THIS SHEET.

SITE VICINITY MAP



NOT TO SCALE

**OWNER:** SEDONA DEVELOPMENT LLLP  
 128 E. COLONIAL DRIVE  
 ORLANDO, FL 32801

**APPLICANT:** MAX SABATI  
 NEW EARTH PROPERTIES LLLP  
 128 E. COLONIAL DRIVE  
 ORLANDO, FL 32801  
 PHONE: 407-895-9199

**SURVEYOR:** M.A.P. LAND SURVEYING, INC.  
 4515 CURRY FORD ROAD, SUITE C  
 ORLANDO, FL 32812  
 PHONE: 407-896-4557  
 FAX: 407-277-3778

**ENVIRONMENTAL:** STORM L. RICHARDS & ASSOC., INC.  
 1804 MAPLE AVENUE  
 SANFORD, FL 32771  
 PHONE: 407-366-8620  
 FAX: 407-323-9021

**UTILITY COMPANIES:**  
 WATER: 407-254-9912  
 SEWER: 407-254-9912  
 ELECTRIC: 800-700-8744  
 TELEPHONE: 877-253-0009  
 CABLE: 407-532-8509

ORANGE COUNTY UTILITIES  
 ORANGE COUNTY UTILITIES  
 DUKE ENERGY  
 AT&T  
 BRIGHT HOUSE NETWORKS, LLC



**FLORIDA  
 ENGINEERING  
 GROUP**

Engineering the Future

5127 S. Orange Avenue, Suite 200  
 Orlando, FL 32809  
 Phone: 407-895-0324  
 Fax: 407-895-0325  
 www.feg-inc.us

A WAIVER FROM SECTION 38-125A(1) IS REQUESTED TO PROVIDE FOR A TWENTY-FOUR (24) FOOT PD BOUNDARY SETBACK ALONG THE WEST PD BOUNDARY ONLY, IN LIEU OF THE MINIMUM REQUIRED TWENTY-FIVE (25) FOOT PD BOUNDARY SETBACK.

THE WAIVER IS REQUIRED TO RESOLVE A SURVEY DISCREPANCY BETWEEN THE DESIGN BOUNDARY SURVEY AND THE BOUNDARY SURVEY PREPARED FOR THE PLAT.

REGISTERED PROFESSIONAL ENGINEER  
 STATE OF FLORIDA  
 No. 12568  
 EXPIRES 12/31/2020

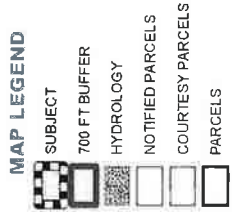
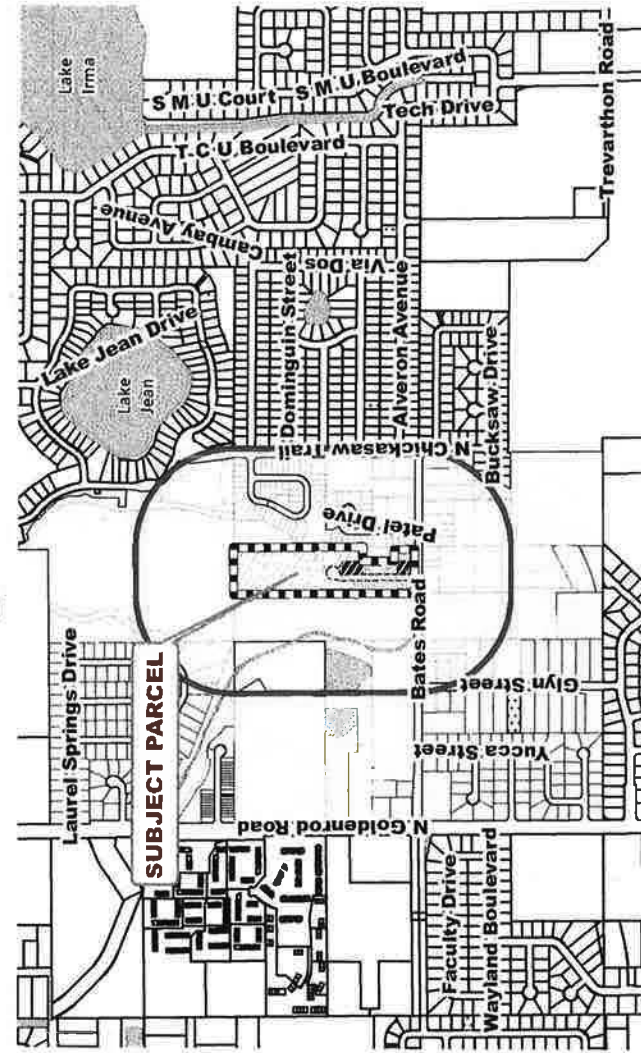
REGISTERED PROFESSIONAL ENGINEER  
 STATE OF FLORIDA  
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 EXPIRES 12/31/2020



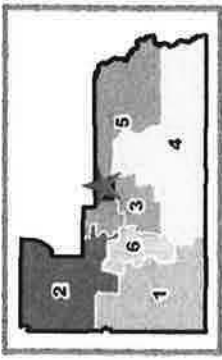
# Notification Map

## Public Notification Map

CDR-19-07-238\_Coronado Townhomes PD



700 : FT BUFFER  
 388 : NOTICES  
 130 : RESIDENTIAL COUNT



S:\Business Systems\Board Administration\5\_SUBSTANTIAL CHANGE\2019\PLANNING\Coronado Townhomes\_CDR-19-07-238\CDR-19-07-238\_Coronado Townhomes.mxd  
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