

Small-Scale Future Land Use Map Amendment and Rezoning  
Orange County Planning Division  
BCC Hearing Date: June 3, 2025

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**CASE # SS-24-01-120**  
**24-01-FLUE-4**  
**LUP-23-03-077**

Commission District: #3

**GENERAL INFORMATION**

**APPLICANT:** Kendell Keith, Oak Hill Planning Studio

**OWNERS:** Dolores Diaz and William Diaz

**HEARING TYPE:** Small-Scale Future Land Use Map Amendment and Planned Development / Land Use Plan (PD/LUP) Rezoning

**FLUM REQUEST:** **Planned Development - Commercial/Office (PD-C/O) to Planned Development - Commercial (PD-C)**  
*with a text amendment to Policy FLU8.1.4 to establish the development program (24-01-FLUE-4)*

**ZONING REQUEST:** **A-2** (Farmland Rural District) **to PD** (Planned Development District) (Hope City Refuge PD)

**LOCATION:** 1701, 1709, 1710, 1717, Harrell Road; generally south of E. Colonial Dr., east of Renee Ave, west of SR 417

**PARCEL ID NUMBERS:** 24-22-30-0000-00-055, 24-22-30-8440-00-012, 24-22-30-0000-00-069, 24-22-30-0000-00-062 and 24-22-30-0000-00-160

**TRACT SIZE:** 6.23 gross acres

**PUBLIC NOTIFICATION:** The notification area for this public hearing was 800 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Four hundred ninety-nine (499) notices were mailed to those property owners in the notification area.

**COMMUNITY MEETING:** A community meeting was held on September 3, 2024, and is summarized further in this report.

**PROPOSED USE:** 120 transitional housing units, 120 emergency housing units, 9,000 square feet for a drug treatment center and associated office use, and 9,000 square feet for educational facilities and associated office use.

**STAFF RECOMMENDATION**

**PLANNING**

**Future Land Use Map Amendment**

**Make a finding of consistency with the Comprehensive Plan and ADOPT the requested Planned Development-Commercial (PD-C) Future Land Use.**

**Staff-Initiated Text Amendment 24-01-FLUE-4**

**Make a finding of consistency with the Comprehensive Plan and ADOPT Amendment 24-01-FLUE-4.**

**Rezoning**

**Development Review Committee – (July 24, 2024)**

**Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the Hope City Refuge Planned Development / Land Use Plan (PD/LUP), dated "Received September 17, 2024", subject to the following conditions:**

1. Development shall conform to the Hope City Refuge Land Use Plan (LUP) dated "Received September 17, 2024," 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 September 17, 2024," 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

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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. If applicable, an Acknowledgement of Contiguous Sustainable Agricultural Land pursuant to Section 163.3163, Florida Statutes, must be executed and recorded in the Public Records of Orange County, Florida, prior to final approval of this plan and a copy of such Acknowledgment shall be submitted with all future permit applications for this project.
7. All acreages identified as wetlands, surface waters and upland buffers are considered approximate until finalized by a Wetland Determination (WD) and/or a Natural Resource Impact Permit (NRIP). Approval of this plan does not authorize any direct or indirect wetland/surface water impacts.

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8. No activity will be permitted on the site that may disturb, influence, or otherwise interfere with: areas of soil or groundwater contamination, or any remediation activities, or within the hydrological zone of influence of any contaminated area, unless prior approval has been obtained through the Florida Department of Environmental Protection (FDEP) and such approval has been provided to the Environmental Protection Division of Orange County. An owner/operator who exacerbates any existing contamination or does not properly dispose of any excavated contaminated media may become liable for some portion of the contamination pursuant to the provisions in section 376.308, F.S.
9. Pursuant to Article XII, Chapter 30, Orange County Code, unless documentation to the County's satisfaction has been provided proving that a property is exempt or vested, each property must apply for and obtain concurrency. Unless required at a different time (by agreement, condition of approval, etc.), residential, and non-residential properties which are required to plat, must obtain concurrency prior to approval of the plat and non-residential properties that are not required to plat must obtain concurrency prior to obtaining the first building permit. Concurrency may be obtained earlier than plat or building permit, but it is ultimately the responsibility of the applicant to obtain concurrency, including any proportionate share agreement, as applicable, in a timely fashion. Should an applicant wait to obtain concurrency until later in the development process, the County will not be responsible for any delays caused by the applicant's failure to obtain concurrency in a timely fashion.
10. The developer shall obtain water and wastewater service from Orange County Utilities subject to County rate resolutions and ordinances.
11. Prior to construction plan approval, hydraulic calculations shall be submitted to Orange County Utilities demonstrating that proposed and existing water and wastewater systems have been designed to support all development (including hydraulically dependent development) within the PD.
12. Prior to approval of any plans that require filling within the 100-year flood zone, such as Site Construction Plans or Mass Grading Excavation/Fill permit or the like, the applicant must obtain the required permit(s) and approval(s) from the Orange County Floodplain Administrator authorizing any fill pursuant to Chapter 19, Orange County Code, as may be amended from time to time.
13. In compliance with Section 19 of the Orange County Code, the property owner/engineer may be required to provide a series of FEMA Letter of Map Changes (LOMC). For development within the 1% annual chance flood (100-year flood) floodplain without an established Base Flood Elevations (BFE), depicted as Zone A, the owner/engineer must perform a study to establish the BFE and obtain a FEMA LOMR (Letter of Map Revision) prior to site construction plan submittal. For modifications to determined BFE (Zone AE), floodway, or flood hazard area boundaries on the Flood Insurance Rate Maps (FIRMs), a FEMA Conditional Letter of Map Revision (CLOMR) must be obtained prior to site construction plan approval; a subsequent FEMA Letter of Map Revision (LOMR) reflecting final construction will be required. Said FEMA LOMR approval must be obtained by the owner/engineer and must be submitted to the Floodplain Administrator prior to the release of the Certificate of Occupancy and/or Certificate of Completion. Compensation Storage for all projects within the 1% annual chance flood (100-year flood)

floodplain shall be provided on a "cup for cup" basis in accordance with Chapter 19-107(1).

14. Tree removal/earthwork shall not occur unless and until construction plans for the first Preliminary Subdivision Plan and/or Development Plan with a tree removal and mitigation plan have been approved by Orange County.
15. Pole signs and billboards shall be prohibited. All other signage shall comply with Chapter 31.5 of the Orange County Code, as may be amended.
16. Outdoor sales, storage, and display shall be prohibited.
17. Transitional Housing and Emergency Lodging is intended and operated for occupancy by persons receiving services from the education facilities and drug treatment services on-site.
18. An eight foot (8') high masonry wall shall be constructed in tandem with the required Type B Opaque Buffer on the west and south property lines abutting residential. This wall shall be situated immediately adjacent to the property line and shall be composed of split face block or other finish. Painted CMU block will not be permitted. All plantings shall be placed behind the wall.

## **SUBJECT PROPERTY ANALYSIS**

### **Overview**

Through this request, the applicant is seeking a Small-Scale Future Land Use Map Amendment to change the Future Land Use Map (FLUM) designation of the 6.23-acre subject property from PD-C/O (Planned Development - Commercial/Office) to Planned Development-Commercial (PD-C) in order to allow for 120 transitional housing units, 120 emergency housing units, 9,000 square feet for a drug treatment center, associated office use, and 9,000 square feet for educational facilities and associated office use.

The subject property is generally located west of State Road 417 and south of East Colonial Drive. The property is surrounded by commercial uses to the north and east, and single-family detached residential to the west. There is a stormwater canal to the south of the property, on the other side of which is more single-family detached residential.

Prior to 2005, the entire subject property was designated Low-Medium Density Residential (LMDR) on the Future Land Use Map, which allows residential uses up to 10 units per acre. However, the property still had, and continues to have, the A-2 (Farmland Rural District) Zoning designation, which only allows for rural, agricultural uses.

In 2006, two simultaneous applications were submitted to change the FLUM designations of the property. At that time, Parcel "-069" was undeveloped; Parcel "-062" was developed with a single-family residence (which remains today); Parcel "-055" was developed with a non-conforming boat detailing business; Parcel "-012" was developed with two rental homes; and Parcel "-160" was, and continues to be, a private access drive for the property (Harrell Road). The two applications proposed a unified development of a commercial

center. Both requests were approved by the Board of County Commissioners on November 14, 2006, and received a FLUM designation of Planned Development – Commercial/Office (PD-C/O) with a specific development program of commercial center. This designation required the property to rezone to PD before any new development could be approved. A rezoning application was never submitted.

The site has been used for unpermitted storage of trucks, trailers, and other items for at least the past 6 years according to aerial imagery. The Code Enforcement violations are listed further in this report. Originally, this request to rezone from A-2 to PD (Case # LUP-23-03-077) included the uses of outdoor storage of trucks and RVs for a period of up to 30 months. The request also included two waivers from the County Code. One waiver was to allow semi-trucks to park on stabilized base instead of paved surface; and the other waiver was to allow a masonry wall to buffer the east boundary between the proposed truck parking area and existing single-family homes, instead of a landscape buffer. However, the proposed truck and RV parking use, and associated waivers, have now been removed from the most recent LUP submittal, meaning that even if this case is approved, outdoor storage will continue to be prohibited on the site.

The current request is for 120 transitional housing units, 120 emergency housing units, 9,000 square feet for a drug treatment center and associated office use, and 9,000 square feet for educational facilities and associated office use. The transitional housing and emergency lodging is proposed to be restricted through PD condition of approval # 17 for occupancy by persons receiving services from the education facilities and drug treatment services on-site.

For compatibility, proposed PD condition of approval #18 would require an 8-foot-high masonry wall and a Type B opaque landscape buffer on the west and south property lines abutting residential.

A Conservation Area Determination (CAD-23-08-122) was approved, showing no wetlands located within the boundaries of the project site.

This request was continued from the April 22, 2025, Board hearing in order for the applicant to address the outstanding code violations. As summarized further in this report, all violations have been resolved. At the April 22<sup>nd</sup> hearing, staff presented revised/additional conditions of approval for Board consideration as follows with existing number 18 being stricken and becoming new condition 22:

~~18. An eight foot (8') high masonry wall shall be constructed in tandem with the required Type B Opaque Buffer on the west and south property lines abutting residential. This wall shall be situated immediately adjacent to the property line and shall be composed of split face block or other finish. Painted CMU block will not be permitted. All plantings shall be placed behind wall.~~

18. Minimum lighting levels shall be 1.0 foot candles at pedestrian walkways, parking spaces, entrance/exit points, and vehicular areas. Maximum illumination levels shall continue to apply.

19. High contrast and primary colors on a building facade shall be prohibited, and a maximum of three (3) colors may be used on the body of any one (1) building, plus one (1) additional color for trim and cornice work. However, for any section of a building that, by a clear break in the building style or architectural treatment, gives the appearance of constituting a separate building structure, such section shall be allowed a maximum of three (3) colors (which colors may be different than those used elsewhere on the body of the building). These limits on the number of allowable colors exclude unpainted natural stone or roof material. Corrugated panels shall be prohibited.
20. The single-family residential homes shall be removed within two years of zoning approval.
21. The existing conveyance system shall be re-established and constructed in a 10-foot wide drainage buffer along the western property line of the lands associated with LUP-23-03-077, directing flow south along the property boundary and ultimately discharging east into the existing Little Econ E-40 Canal and shall be inspected by the Development Engineering to their satisfaction. Work shall be completed prior to the start of hurricane season (June 1, 2025).

Future hydrologic calculations shall be submitted to the County demonstrating that the proposed development will not obstruct existing off-site runoff prior to construction plans approval. The conveyance of off-site runoff must be maintained free and clear of vegetative overgrowth, debris, or any obstructions that could impede flow.

Ongoing maintenance of the conveyance system shall be the responsibility of the property owner in perpetuity.

22. A twenty-five foot (25') wide Type B Opaque Buffer including an eight foot (8') high masonry wall shall be required on the west and south property lines abutting the residential properties. Along the western property line, the following configuration shall be provided, from west to east: a 10-foot-wide drainage buffer, and a 15-foot-wide landscape buffer including the eight foot (8') high masonry wall. This wall shall be composed of split face block or other finish. Painted CMU block shall not be permitted. In addition to the required shade trees within the landscape buffer, planting of bamboo (*Bambusa* spp.) shall also be provided.
23. Prior to submittal of a Development Plan for any of the subject properties, all necessary corrective actions must be performed to cure any site condition(s) found to be non-compliant by the Code Enforcement Board, Special Magistrate or court of competent jurisdiction. This includes the satisfactory payment of any outstanding penalties, fines or costs imposed for code violations. Code Enforcement shall perform any necessary inspection to confirm any non-compliant site conditions are cured.

#### **Existing FLUM Development Program**

The existing Planned Development - Commercial/Office (PD-C/O) designation allows for a mixture of commercial and office uses.

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**Proposed FLUM Development Program**

The proposed Planned Development-Commercial Future Land Use Map designation would allow 120 transitional housing units, 120 emergency housing units, 9,000 square feet for a drug treatment center and associated office use, and 9,000 square feet for educational facilities and associated office use.

**Land Use Compatibility**

The proposed PD-C Future Land Use and proposed PD zoning would allow for development that is compatible with the character of the surrounding area and would not adversely impact adjacent properties.

**Site Analysis**

	Yes	No	Information
Rural Settlement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Joint Planning Area (JPA)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Overlay District Ordinance	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Airport Noise Zone	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Code Enforcement	<input checked="" type="checkbox"/>	<input type="checkbox"/>	*See the summary table below

**\*Code Enforcement summary (as of May 7, 2025)**

**1717 Harrell Road (Kaleo Ministries) (\$1.5 million in fines, liens in place, and foreclosure authorization granted)**

Regulating Division	Code Violation	Date of Violation	In Compliance?	Comment
Neighborhood Services	Parking and storage of dual rear wheeled vehicles	May-21	Yes (2/25)	
Neighborhood Services	Unpermitted deck and alterations to the garage (bunkhouse)	May-21	Yes (4/25)	Permit B25001785 Completed 4/18/2025
Neighborhood Services	Open and outdoor storage of trash, junk and debris	May-21	Yes (4/24)	
Neighborhood Services	Unpermitted impervious surfaces (sidewalks and slabs)	May-21	Yes (4/25)	Permit application B24008834 is void. Applied for a permit in 4/2024 Permit replaced by Permit B25001785 Completed 4/18/2025
Neighborhood Services	Unpermitted accessory structure (event tent)	May-21	Yes (11/22)	



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Neighborhood Services	Five shipping containers were installed without the required permits	May-21	Yes (5/25)	Shipping containers removed
Neighborhood Services	Unpermitted occupancy of accessory structures (bunkhouse) (People living in shipping containers)	May-21	Yes (4/24)	A reinspection confirmed the structures were vacant
Neighborhood Services	Storage of inoperative vehicles	Dec-23	Yes (3/25)	Violation was in compliance and it reoccurred on 3/2025. SM hearing pending.
Neighborhood Services	Unpermitted RV	25-May	Yes (5/25)	RV was removed
Fire Marshal	Failed to obtain Certificate of Occupancy	Nov-23	Yes	
Fire Marshal	A fire alarm system shall be installed	Nov-23	Yes	Violations came into compliance when the injunction was executed
Fire Marshal	Smoke alarms shall not remain in service longer than 10 years	Nov-23	Yes	Violations came into compliance when the injunction was executed
Fire Marshal	Smoke alarms and connected appliances shall be inspected and tested at least monthly	Nov-23	Yes	Violations came into compliance when the injunction was executed
Fire Marshal	Smoke alarms shall be installed	Nov-23	Yes	Violations came into compliance when the injunction was executed
Fire Marshal	All buildings shall be protected throughout by an approved, supervised automatic sprinkler system	Nov-23	Yes	Violations came into compliance when the injunction was executed
Fire Marshal	Device or alarm restricting the means of egress	Nov-23	Yes	Violations came into compliance when the injunction was executed
Fire Marshal	Marking a means of egress	Nov-23	Yes	Violations came into compliance when the injunction was executed

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Fire Marshal	Exit sign illumination	Nov-23	Yes	Violations came into compliance when the injunction was executed
Fire Marshal	Installation and maintenance of fire extinguishers, as required	Nov-23	Yes	Violations came into compliance when the injunction was executed
Fire Marshal	Fire extinguisher obstructions	Nov-23	Yes	Violations came into compliance when the injunction was executed
Fire Marshal	Fire extinguisher physical condition and testing status	Nov-23	Yes	Violations came into compliance when the injunction was executed
Fire Marshal	Extension cords shall not be used as a substitute for permanent wiring	Nov-23	Yes	Violations came into compliance when the injunction was executed
Fire Marshal	Floor diagrams required	Nov-23	Yes	Violations came into compliance when the injunction was executed
Fire Marshal	Fire watch until system repaired/installed	Nov-23	Yes	Violations came into compliance when the injunction was executed
Building Safety	Obtain all required permits for unpermitted work (building, electric, plumbing, mechanical, fire, zoning)	Dec-23	Yes (4/25)	Applied for two permits. (Remove elevated deck and stairs, remove coverings from openings in metal building , and 130 lf of concrete sidewalk. - B25001785 and (plumbing -P25002318) Both are now complete
Building Safety	Obtain required permit and install toilet facilities	Dec-23	Yes (3/25)	Violations were corrected through P25002318

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Building Safety	Five shipping containers were installed without the required permits. A permit for each shipping container must be obtained or the shipping containers need to be removed	Dec-23	Yes (5/25)	Shipping containers removed
Building Safety	Obtain required permits and install potable water supply system	Dec-23	Yes (3/25)	Violations were corrected through P25002318
Building Safety	Obtain required permits, utility approvals and install sewage system	Dec-23	Yes (3/25)	Violations were corrected through P25002318

**1709 Harrell Road (Residential Property)**

Regulating Division	Code Violation	Date of Violation	In Compliance?	Comment
Neighborhood Services	Storage of inoperative vehicles	May-21	Yes (6/22)	Fine reduced to \$1,000 through our fine reduction process and paid.
Neighborhood Services	Parking and storage of dual rear wheeled vehicles	Mar-22	Yes (5/22)	CEB imposed a \$1,000 fine for repeat offenses (non negotiable). Repeat offender fine paid.
Neighborhood Services	Parking a storage of dual rear wheeled vehicles	Jan-23	Yes (3/23)	CEB imposed a \$10,000 fine for repeat offenses (non negotiable)

**1701 Harrell Road (Vacant Lot)**

Regulating Division	Code Violation	Date of Violation	In Compliance?	Comment
Neighborhood Services	Parking and storage of dual rear wheeled vehicles, RVs not allowed (no principal structure), trash and debris	May-21	Yes (10/22)	Paid \$1,500 using the fine reduction process

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Neighborhood Services	Parking and storage of dual rear wheeled vehicles	Nov-22	Yes (8/23)	Fines for noncompliance reduced to \$15,000. CEB imposed a \$20,000 fine for repeat offenses (non negotiable).
Neighborhood Services	Parking and storage of dual rear wheeled vehicles	Nov-23	Yes (1/24)	Fines for noncompliance are \$30,000. CEB imposed a \$20,000 fine for repeat offenses (non negotiable).
Neighborhood Services	Parking and storage of dual rear wheeled vehicles	Mar-24	Yes (3/25)	Fines for noncompliance are \$13 million. SM imposed a \$15,000 fine for repeat offenses (non negotiable)

**1710 Harrell Road (Vacant Lot) (\$640,000 in fines, liens in place, and foreclosure authorization granted)**

Regulating Division	Code Violation	Date of Violation	In Compliance?	Comment
Neighborhood Services	Unpermitted demolition	May-21	Yes (7/22)	Permit B22014996
Neighborhood Services	Parking and storage of dual rear wheeled vehicles	May-21	Yes (3/25)	
Neighborhood Services	Unpermitted modular trailer	May-21	Yes (3/25)	

**Comprehensive Plan (CP) Consistency**

The proposed CP Future Land Use Map (FLUM) designation of Planned Development-Commercial (PD-C) is consistent with the PD (Planned Development District) zoning. The proposed request is consistent with the following Comprehensive Plan provisions:

**FLU1.4.1** Orange County shall promote a range of living environments and employment opportunities in order to achieve a stable and diversified population and community.

**FLU1.4.24** Orange County will encourage the use of vacant land within the Urban Service Area for redevelopment to improve existing conditions on-site.

**GOAL FLU2 URBAN STRATEGIES.** Orange County will encourage urban strategies such as, but not limited to, infill development, coordinated land use and transportation planning, and mixed-use development, which promote efficient use of infrastructure, compact development and an urban experience with a range of choices and living options.

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**OBJ FLU2.1 INFILL.** Orange County shall promote and encourage infill development for vacant and underutilized parcels within the Urban Service Area.

**OBJ FLU8.2 COMPATIBILITY.** Compatibility will continue to be the fundamental consideration in all land use and zoning decisions. For purposes of this objective, the following polices shall guide regulatory decisions that involve differing land uses.

**FLU8.2.1** Future Land use changes shall be required to be compatible with the existing development and development trends in the area. Performance restrictions and/or conditions may be placed on property through the appropriate development order to ensure compatibility. No restrictions or conditions shall be placed on a Future Land Use Map change.

**FLU8.2.11** Compatibility may not necessarily be determined to be a land use that is identical to those uses that surround it. Other factors may be considered, such as the design attributes of the project, its urban form, the physical integration of a project and its function in the broader community, as well its contribution toward the Goals and Objectives in the CP. The CP shall specifically allow for such a balance of considerations to occur.

**GOAL H1** Orange County's goal is to promote and assist in the provision of an ample housing supply, within a broad range of types and price levels, to meet current and anticipated housing needs so that all our residents have the opportunity to purchase or rent standard housing.

**OBJ H1.1** The County will continue to support private sector housing production capacity sufficient to meet the housing needs of existing and future residents.

**Staff-Initiated Text Amendment 24-01-FLUE-4**

Future Land Use Element Policy FLU8.1.4 establishes the development programs for Planned Development (PD) and Lake Pickett (LP) FLUM designations adopted since January 1, 2007. The development program for this requested amendment is proposed for incorporation into Policy FLU8.1.4 via a corresponding staff-initiated text amendment, Amendment 23-01-FLUE-4.

The maximum development program for Amendment SS-24-01-120, if adopted, would be as follows:

Amendment Number	Adopted FLUM Designation	Maximum Density/Intensity	Ordinance Number
<u>SS-24-01-120</u> <u>Hope City Crisis</u> <u>Center</u>	<u>Planned</u> <u>Development-</u> <u>Commercial</u> <u>(PD-C)</u>	<u>Up to 120 transitional housing</u> <u>units, 120 emergency housing</u> <u>units, 9,000 square feet for a</u> <u>drug treatment center and</u> <u>associated office use, and</u> <u>9,000 square feet for</u> <u>educational facilities and</u> <u>associated office use.</u>	<u>2025-</u>

## **SITE DATA**

**Existing Use**                      Undeveloped

<b>Adjacent</b>	<b>FLUM</b>	<b>Zoning</b>
<b>North</b>	C (Commercial) (1991)	A-2 (Farmland Rural District) (1957) C-2 (General Commercial District) (1975)
<b>South</b>	LMDR (Low Medium Density Residential) (1991)	A-2 (Farmland Rural District) (1957)
<b>East</b>	C (Commercial) (1991)	C-1 (Retail Commercial District) (1966) A-2 (Farmland Rural District) (1957)
<b>West</b>	LMDR (Low Medium Density Residential) (1991)	C-2 (General Commercial District) (1966) A-2 (Farmland Rural District) (1957)

**Adjacent Land Uses**      N: Restaurant, car lot  
                                      E: Retail Plaza  
                                      W: Single-Family Residential  
                                      S: Storm water retention

## **SPECIAL INFORMATION**

### **Staff Comments**

	<b>Yes</b>	<b>No</b>	<b>Information</b>
Environmental	<input checked="" type="checkbox"/>	<input type="checkbox"/>	See comments below table.
Transportation / Access	<input checked="" type="checkbox"/>	<input type="checkbox"/>	See comments below table.
Schools	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not applicable to this request.

### **Environmental Comments**

CAD Complete - An Orange County Conservation Area Determination CAD-23-08-122 was completed with a certified survey of the conservation area boundary approved by the Environmental Protection Division (EPD) on 9/14/2023. No wetlands were determined to be located within the boundaries of this project site.

Demolition - Prior to demolition or construction activities associated with existing structures, provide a Notice of Asbestos Renovation or Demolition form to the Orange County Environmental Protection Division (EPD). For more information, or to determine if an exemption applies, contact the EPD Air Quality Management staff at 407-836-1400 or

**Small-Scale Amendment # SS-24-01-120**  
**Text Amendment 24-01-FLUE-4**  
**PD Rezoning LUP-23-03-077**  
**Orange County Planning Division**  
**BCC Hearing Date: June 3, 2025**

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AsbestosInquiriesOrangeCounty@ocfl.net. Reference OC Code Chapter 15 Environmental Control, Article III Air Quality Control, Division 4 Asbestos requirements, Sec.108 Notification procedure and requirements, Subsection A (1).

Potential Soil/Groundwater Contamination - Due to the site's prior use for semitruck/auto storage, there is potential for contamination to be located within the property boundaries. EPD may request a Phase I Environmental Site Assessment (ESA) to be submitted prior to any plan or permit approvals.

Proximity to FDEP Cleanup Site - Proximity to parcels with known FDEP cleanup sites associated with the 7-Eleven Food Store #17868 located adjacent of the project site. No activity will be permitted on the site that may disturb, influence, or otherwise interfere with: areas of soil or groundwater contamination, or any remediation activities, or within the hydrological zone of influence of any contaminated area, unless prior approval has been obtained through the Florida Department of Environmental Protection (FDEP) and such approval has been provided to the Environmental Protection Division of Orange County. An owner/operator who exacerbates any existing contamination or does not properly dispose of any excavated contaminated media may become liable for some portion of the contamination pursuant to the provisions in section 376.308, F.S.

Existing Septic and Well - If any existing septic tanks or wells are required or in use, the applicant shall notify the Florida Department of Health (FDOH) and local Water Management District, about the system permit application, modification or abandonment prior to earthwork or construction. Permits shall be applied for and issued by the appropriate agencies. Contact the FDOH for the septic system and both FDOH and the Water Management District for wells. Refer to Orange County Code Chapter 37 Water and Wastewater, Article XVII Individual On-Site Sewage Disposal for details on Individual On-Site Sewage Disposal.

No Enhanced Septic Requirement - This property is not currently located within a delineated Basin Management Action Plan (BMAP) Area, a Reasonable Assurance Plan (RAP) Area, or a Pollution Reduction Plan (PRP) Area as defined in Florida Statutes.

Solid Waste Disposal - Any miscellaneous regulated solid waste found or generated onsite including land clearing debris, construction and demolition debris, tires, garbage, and hazardous waste shall be properly managed through recycling and/or off-site disposal in accordance with local, state, and federal regulations.

### **Transportation Comments**

The Applicant is requesting to change ~5.87 acres from PD-C/O to PD-C and rezone from A-2 to PD to allow for a crisis center to serve the existing homeless population with following uses; transitional housing, emergency housing, drug treatment center administrative offices, RV and semi-truck parking as an interim use.

Analysis of the project trips from the currently approved under future land use versus the proposed use indicates that the proposed development will result in an increase in the number of pm peak trips (140 trips) and therefore will impact the area roadways. The subject property is located West of State Road 417 and south of East Colonial Drive. Based on the Concurrency Management System (CMS) database dated 06/03/2024, Econlockatchee

Trail from Colonial Drive to Trevathon Road currently operates at Level of Service F and capacity is not available to be encumbered. All other roadway segments within the project impact area operate at acceptable levels of service. This information is dated and is subject to change.

Roadway Capacity Analysis: a Traffic Study was submitted with the case for review and comment. No road agreements are associated with this parcel.

Final permitting of any development on this site will be subject to review and approval under capacity constraints of the County's Transportation Concurrency Management System. Such approval will not exclude the possibility of a proportionate share payment to mitigate any transportation deficiencies. Finally, to ensure that there are no revisions to the proposed development beyond the analyzed use, the land use will be noted on the County's Future Land Use Map or as a text amendment to the Comprehensive Policy Plan.

### **Community Meeting Summary**

A community meeting was held for these applications on September 3, 2024, at Colonial High School. There were approximately 55 residents in attendance. Concerns were expressed about the effect of the proposed development on the residential properties in the vicinity, in particular the potential for increased crime in the area as a result. Other concerns included traffic impacts, and maintenance of the proposed uses on the site.

Several participants spoke in favor of the proposed use, while several participants spoke in opposition.

### **Utilities**

Water: Orange County Utilities

Wastewater: Orange County Utilities

Reclaim Water: Orange County Utilities

### **Detailed Utility Information:**

This property is within Orange County Utilities Water, Wastewater, and Reclaimed Water Service Areas. In accordance with Orange County Code Chapter 37:

Potable Water: Development within this property will be required to connect to Orange County Utilities Water system. The connection points will be assessed during Final Engineering/Construction Plan permitting.

Wastewater: Development within this property will be required to connect to Orange County Utilities wastewater system. The connection points will be assessed during Final Engineering/Construction Plan permitting.

### **State of Florida Notice**

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 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.

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

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

**ACTION REQUESTED**

**Planning and Zoning Commission (PZC) Recommendation – March 20, 2025**

**Future Land Use Map Amendment**

**Make a finding of consistency with the Comprehensive Plan and ADOPT the requested Planned Development-Commercial (PD-C) Future Land Use.**

**Staff-Initiated Text Amendment 24-01-FLUE-4**

**Make a finding of consistency with the Comprehensive Plan and ADOPT Amendment 24-01-FLUE-4.**

**Rezoning**

**Development Review Committee – (July 24, 2024)**

**Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the Hope City Refuge Planned Development / Land Use Plan (PD/LUP), dated “Received September 17, 2024”, subject to the eighteen (18) conditions.**

**PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS**

The staff report was presented to the PZC at the January 16<sup>th</sup> and March 20<sup>th</sup> PZC hearings (the request was continued from January 16<sup>th</sup> to March 20<sup>th</sup>) with the recommendation that they make a finding of consistency with the Comprehensive Plan and recommend ADOPTION of the requested PD-C (Planned Development – Commercial) Future Land Use Map Designation and associated text amendments and APPROVAL of the Planned Development (PD) rezoning. Staff indicated that one hundred eighty (499) notices were sent to property owners extending beyond 800 feet surrounding the property, and that staff had received forty-one (41) responses in opposition citing concerns such as increased crime, prostitution, drug activity, vehicle break-ins, littering, trespassing, and safety risks for children playing outside. Additionally, concerns were raised about the parking of semi-trucks and commercial vehicles on the property. Meanwhile, nineteen (19) residents expressed their support for the proposal, and thirteen (13) testimonies were submitted.

At the 1<sup>st</sup> PZC hearing, twenty-two members of the public participated during public comment. Eight expressed opposition, citing concerns about the nature of the proposed development, potential negative impacts on the residential community, and existing code enforcement issues.

**Small-Scale Amendment # SS-24-01-120**  
**Text Amendment 24-01-FLUE-4**  
**PD Rezoning LUP-23-03-077**  
**Orange County Planning Division**  
**BCC Hearing Date: June 3, 2025**

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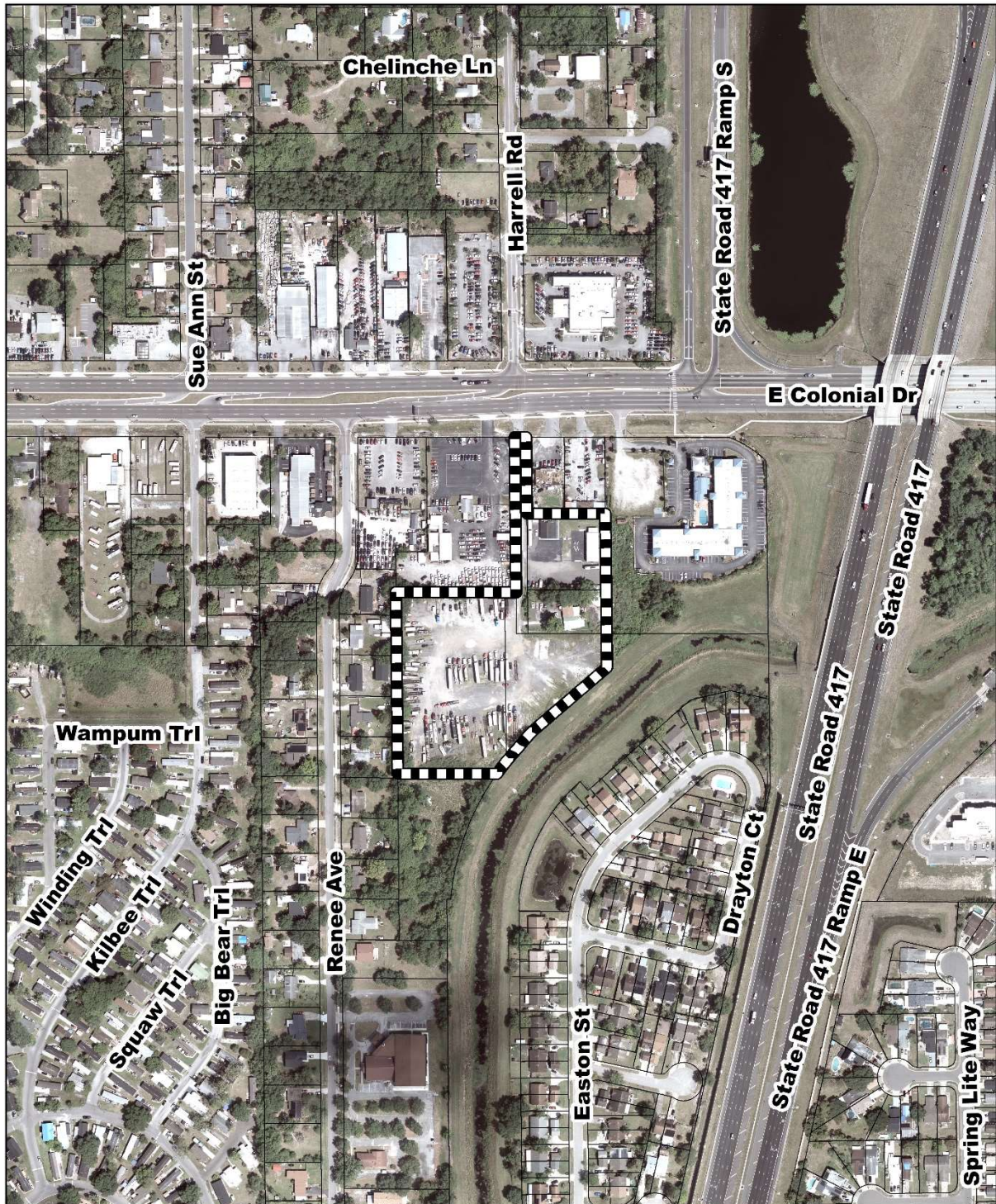
In contrast, fourteen members supported the request. At the 2<sup>nd</sup> PZC hearing, sixteen members participated during public comment with three voicing opposition and thirteen in support.

Discussion ensued regarding the request, proposed uses and code enforcement violations. This case was initially presented in January but continued to the March hearing to give the applicant time to address code enforcement violations. By the time of the hearing, only one permit (P25002318) had been issued. Several county staff members have addressed the outstanding code enforcement violations. The board engaged in an extensive discussion regarding the code enforcement violations.

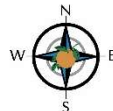
The first motion, proposed by Commissioner Fernandez to deny the request, was seconded by Commissioner Evans but failed. The second motion, made by Commissioner Gray and seconded by Commissioner Arrington, was approved, recommending the ADOPTION of the requested Planned Development Commercial (PD-C) Future Land Use Map designation and associated text amendment, along with APPROVAL of the Planned Development (PD) zoning, subject to eighteen (18) conditions.

<b>Motion / Second</b>	<i>Eric Gray / Michael Arrington</i>
<b>Voting in Favor</b>	<i>Evelyn Cardenas, Michael Arrington, Eric Gray, Nelson Pena, Marjorie Holt</i>
<b>Voting in Opposition</b>	<i>Camille Evans, George Wiggins, Eddie Fernandez</i>
<b>Absent</b>	<i>David Boers</i>

SS-24-01-120 & LUP-23-03-077



 Subject Property



0 200 400  
Feet



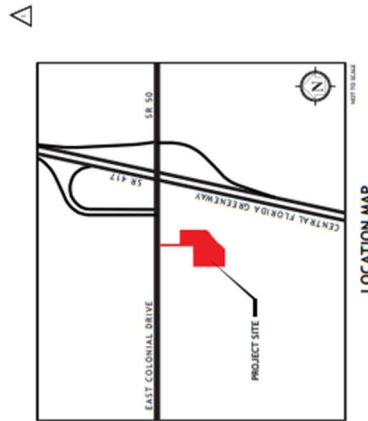
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**SHEET INDEX**

1	Cover Sheet
2	FLUCCS, Soils, Aerial
3	Land Use Plan
4	Survey

ORANGE COUNTY, FLORIDA

PARCELS: 24-22-30-0000-00-055, 24-22-30-0000-00-062,  
24-22-30-0000-00-069, 24-22-30-8440-00-012,  
24-22-30-0000-00-160



LOCATION MAP

**OAKHILL**  
**PLANNING** STUDIO<sup>LLC</sup>  
3674 Lower Park Road, Orlando, FL 32314  
407-865-4554

**TRAFFIC**  
Traffic & Mobility Consultants, LLC  
3103 Maguire Blvd., Suite 265  
Orlando, FL 32803  
Phone: 407-531-5332

**ENVIRONMENTAL**  
ECT, Inc.  
3751 Maguire Blvd., Suite  
Orlando, FL 32803  
Phone: 407-903-0005

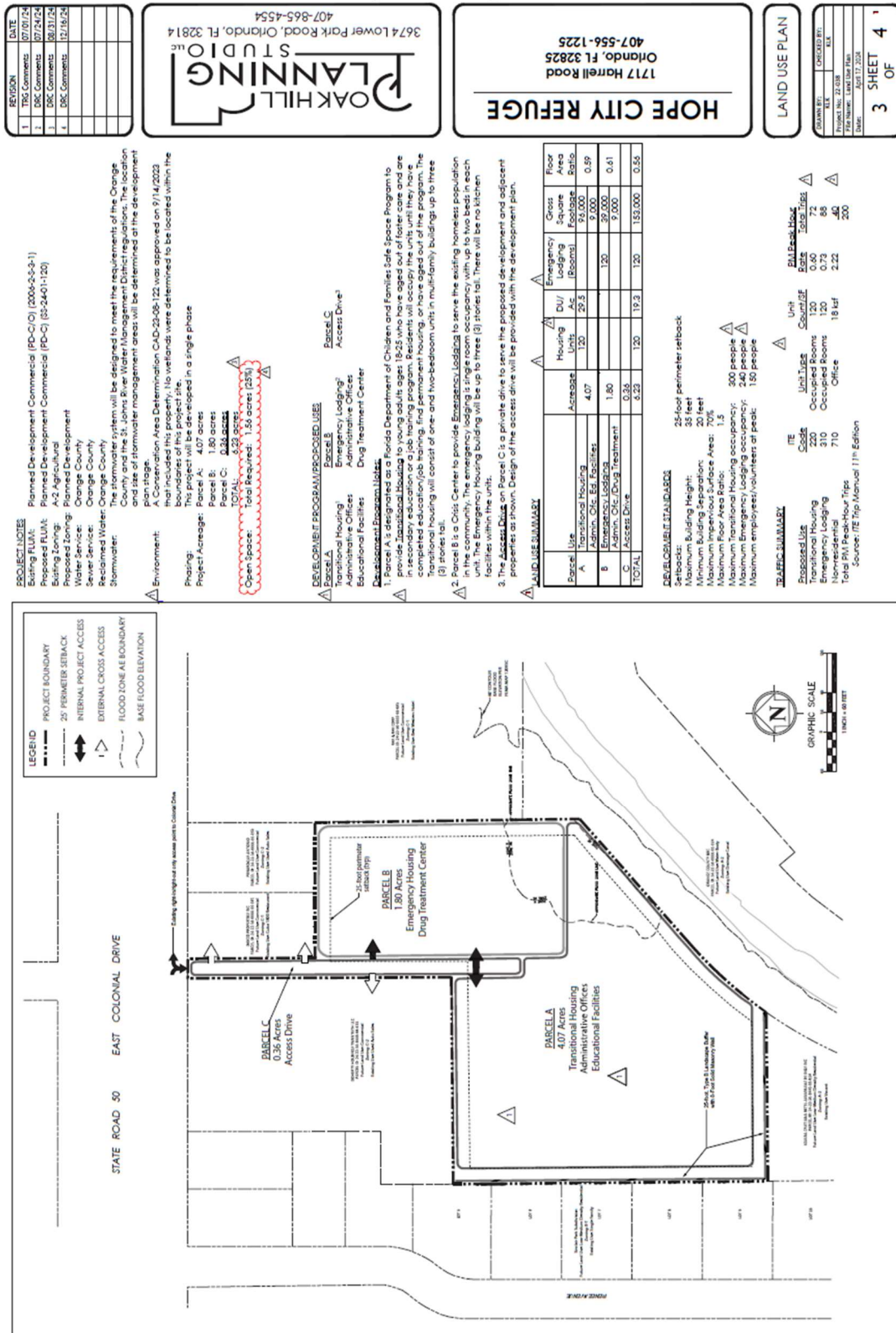
**SURVEYOR**  
Donoghue Construction Layout  
711 Turnbull Avenue  
Altamonte Springs, FL 32701  
Phone: 321-248-7979

**ENGINEER**  
Linn Engineering and Design, Inc.  
P.O. Box 140024  
Orlando, FL 32814  
Phone: 407-775-5194

**OWNERS**  
William and Dolores Diaz,  
Carlos Diaz & Melissa Rodriguez  
1717 Harrell Road  
Orlando, FL 32825  
Phone: 407.554.1295

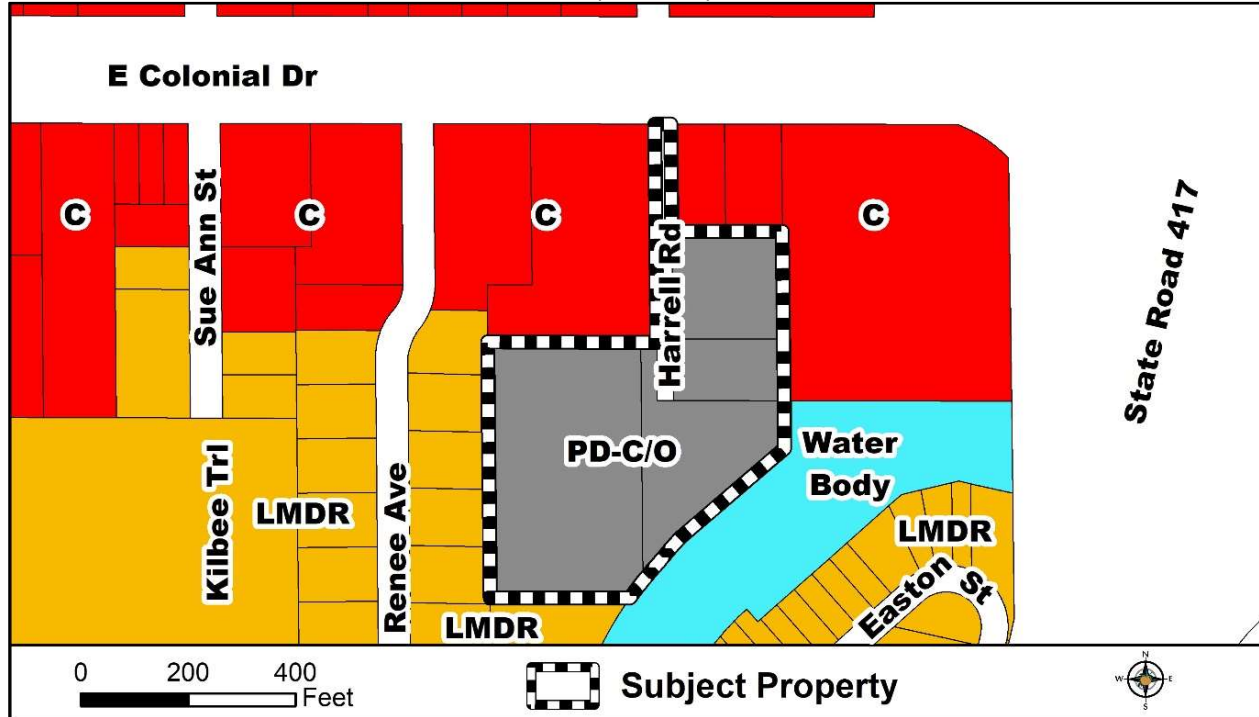
**OWNERS**  
William and Dolores Diaz  
Marcos Diaz & Melissa Rodriguez  
1717 Harrell Road  
Orlando, FL 32825  
PH: 407.556.1005

# Hope City Refuge PD / LUP



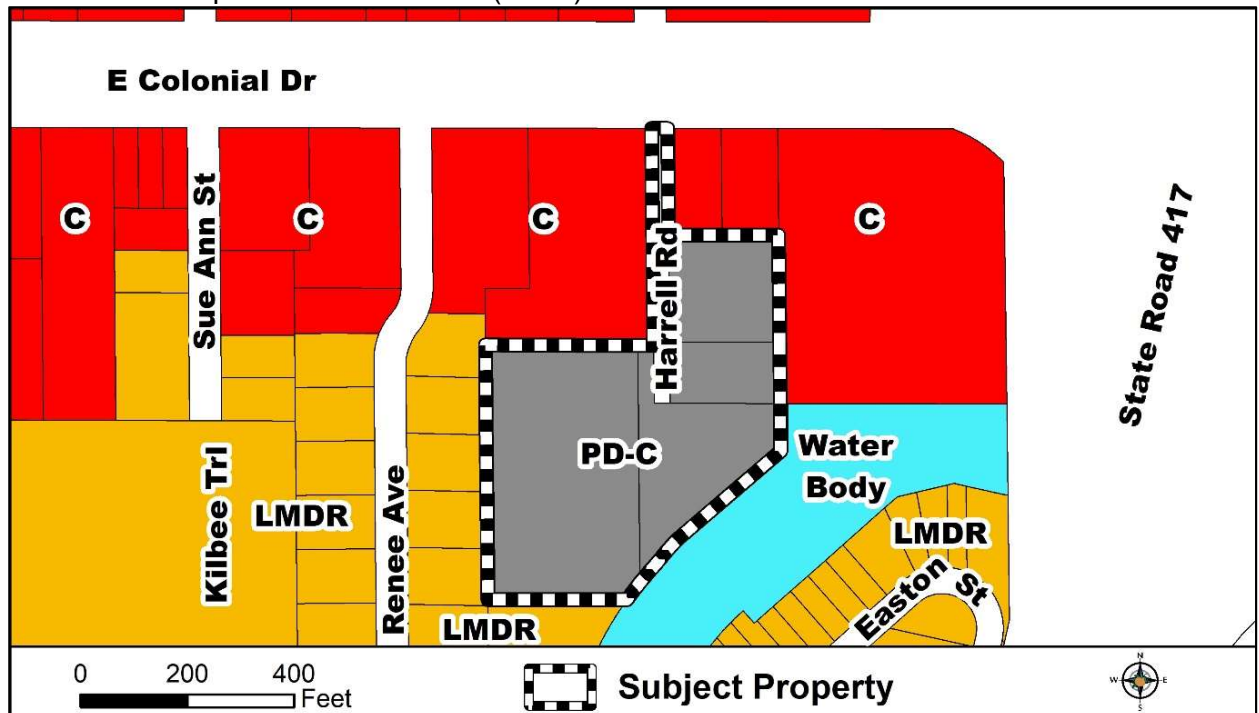
### FUTURE LAND USE MAP EXISTING

Planned Development – Commercial / Office (PD-C/O)



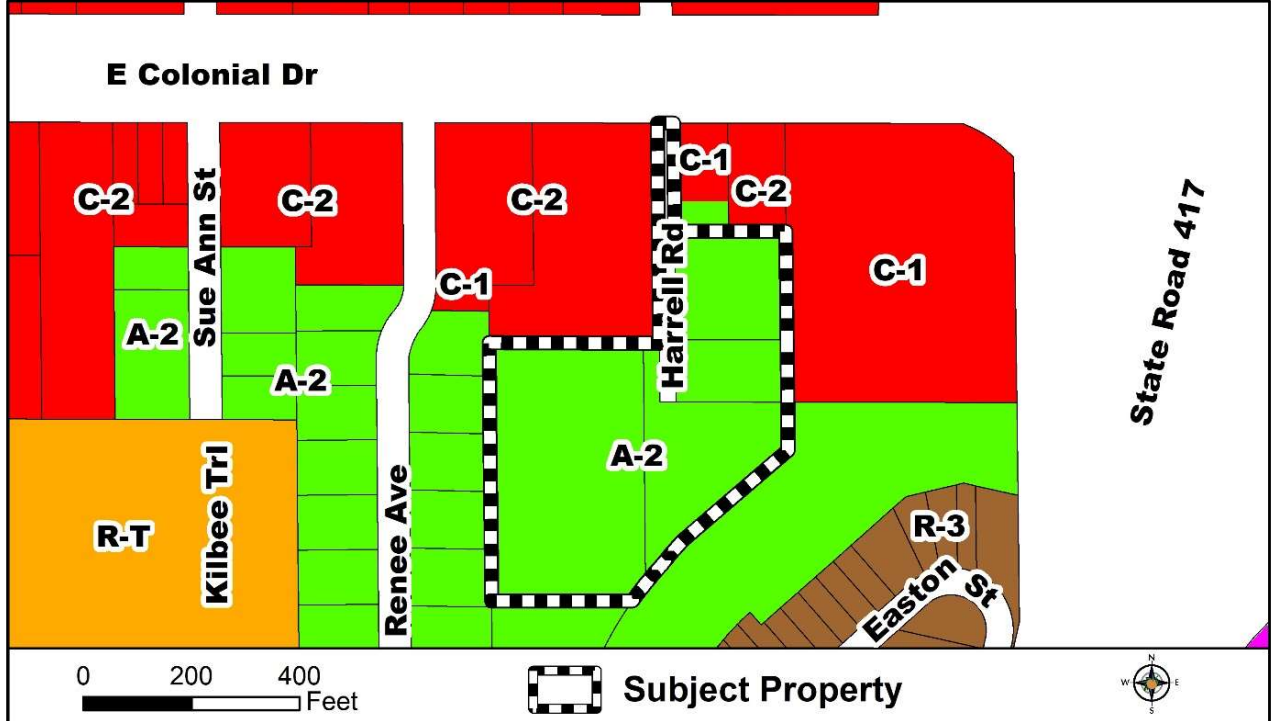
### FUTURE LAND USE MAP PROPOSED

Planned Development – Commercial (PD-C)



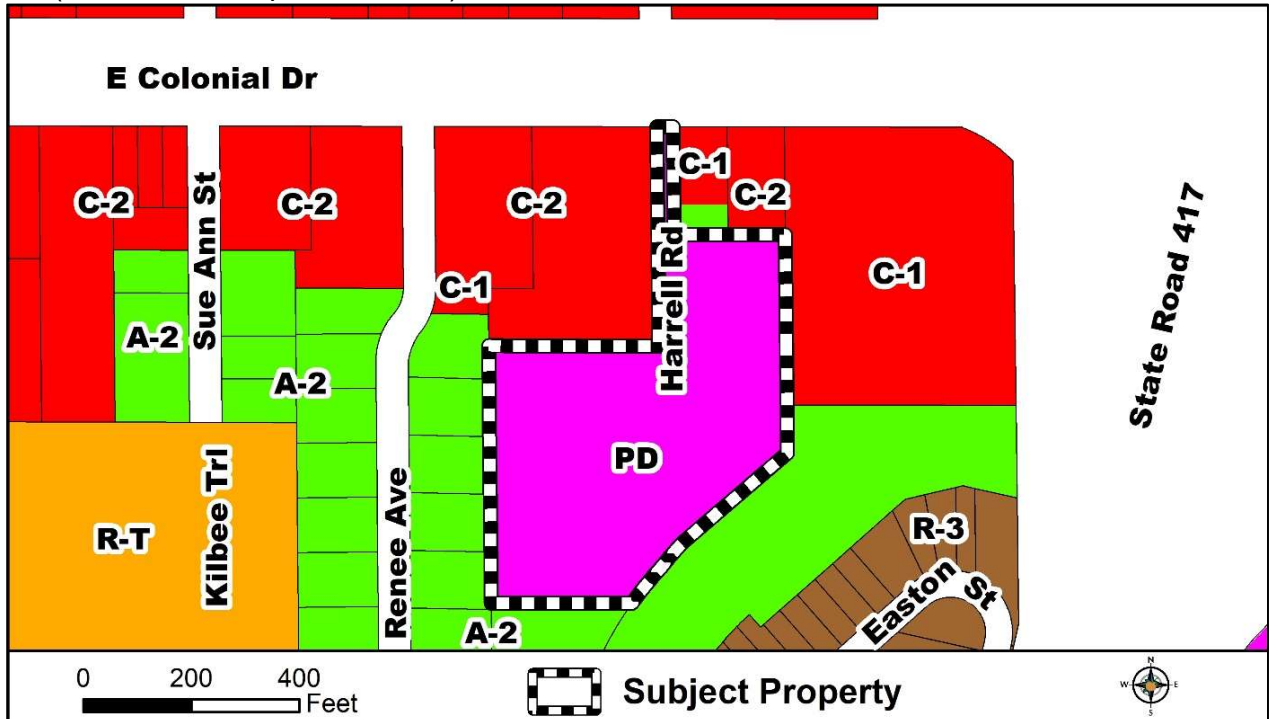
**ZONING MAP CURRENT**

A-2 (Farmland Rural District)



**ZONING MAP PROPOSED**

PD (Planned Development District)





## Notification Map

