

407-843-8880

JASON.SEARL@GRAY-ROBINSON.COM

July 20, 2020

**VIA EMAIL (CHRISTINE.MOORE@OCFL.NET)
AND HAND DELIVERY**

Commissioner Christine Moore
District 2 Orange County
201 S. Rosalind Avenue
Orlando, Florida 32802

Re: RZ-20-03-019 (615 & 627 N. Thompson Road Request to Rezone from A-1 to R-1) scheduled for BCC on July 28, 2020, following a Recommendation for Approval by PZC on May 21, 2020

Dear Commissioner Moore:

In connection with the above matter, please note this firm has the pleasure of representing Thompson Heights, LLC, the property owner and applicant. Pursuant to your request and as a follow-up to my June 1st WebEx discussion with Eric Raasch and Jason Sorensen, both copied here, enclosed please find the following follow-up documents and additional information for your review and consideration:

1. A 60' lot width conceptual layout prepared by GL Summitt Engineering, Inc., our client's project engineer, prepared pursuant to the PZC's May 21st *unanimous* recommendation for approval for this contemplated rezoning from A-1 to R-1, with its sole restriction: "No lots shall be less than sixty (60) feet in width." (Please also find enclosed a copy of the May 21st PZC Meeting Minutes).
2. To summarize our project discussions to date, including my June 1st WebEx discussion referenced above, and to illustrate the various reasons we would request your support for this rezoning so our client may realize this project, please find enclosed a copy of my June 9th email to Eric and Jason.
3. Select Maronda Homes Model Renderings for housing product planned to be built in this project. As I've mentioned previously, anticipated home price points for this project will be \$280,000.00, with 30% of these homes having stone or porch enhancements on the front elevations. Additionally, stem wall, and not slab, home construction will be utilized as a further tree conservation measure.
4. Recent pictures of existing properties located adjacent to this project. We believe the enclosed Maronda Home Model Renderings will enhance, not detract, from these surrounding residential communities, and work to increase the property values of this project's neighbors. As I mentioned in my enclosed June 9th email to Eric and Jason, these existing homes located along the north boundary line to this project range from 1,484 to 1,824 living square feet, with only one larger at 1,953 living square feet, while this project contemplates homes with a minimum of 1,950 square feet under heat/air (that is greater than County R-1A Zoning's requirement of 1,200 square feet).

Commissioner Christine Moore

July 20, 2020

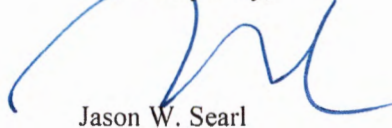
Page 2

5. To further underscore this project's compatibility with the existing, surrounding residential neighborhoods, please find enclosed an OCPA Map Visual showing various adjacent lot widths. Please note the other residential community located within this area that has central sewer for its residents (like this project is intended to have for its residents) is Dominish Estates, which contains a mix of both 50' and 60' wide lots.
6. Last, an update to relay, that, as of this letter, the adjacent property owner has not responded to our client's above-market purchase price offer to acquire, and include, its property within this project.

Please do not hesitate to contact me should you have any questions. We would respectfully request the opportunity to meet with you again regarding this matter this week (Monday, July 20th – Friday, July 24th) at your availability, and my assistant, Laurie, will be reaching out to Daniel in your office shortly on the same. Thank you again.



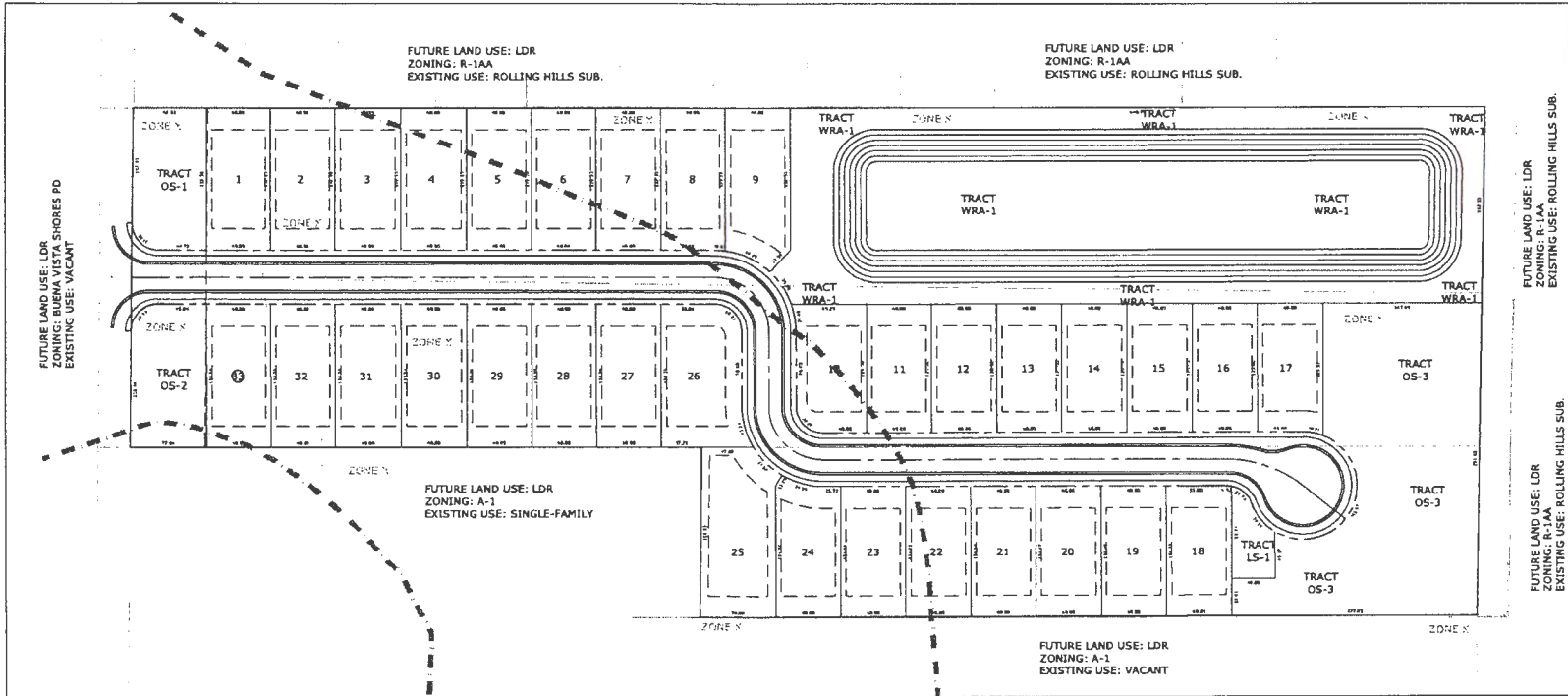
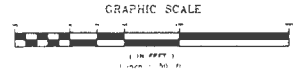
Yours very truly,



Jason W. Searl

Enclosures

- cc: Daniel Vanegas, Orange County (via email only w/enclosures)
Eric Raasch, Orange County (via email only w/enclosures)
Jason Sorensen, Orange County (via email only w/enclosures)
Thompson Heights, LLC (via email only w/enclosures)



SITE DATA:

Parcel I.D. #: 02-21-28-00-00-00-006; 02-21-28-00-00-00-034

Property PLU: LDR
 Property Zoning: A-1 (Existing): R-1 (Reserve Request)

Green Land Area: 11.55 acres
 Lakes/Wetland Area: 0.00 acres
 Gross Developable Area: 11.55 acres
 Net Developable Area: 11.55 acres

Stormwater Management Area: 2.69 acres
 Right-of-Way Area: 1.33 acres
 Right-of-Way Dedication: 0.00 acres
 Public Open Space Tracts: 1.45 acres

Proposed Residential Units: 33 Single-Family Detached Lots
 Net Residential Density: 2.83 dwelling units/Net Developable Acres

Minimum Living Area: 1,000 sqft. (Net area/covered space)
 Maximum Building Height: Two Stories, 33'
 Minimum Lot Width: 45' (per PKZ Condition of Approval)
 Minimum Lot Depth: N/A
 Minimum Lot Size: 7,200 (Detached)
 Maximum Lot Coverage: 75%
 Maximum Open Space %: 20%

Setbacks:
 Front: 30' (R-1)
 Side: 9' (R-1)
 Side Street: 17' (R-1)
 Rear: 30' (R-1)

Open Space Provided:
 Tract OS-1: 0.31 acres
 Tract OS-2: 0.33 acres
 Tract OS-3: 1.83 acres
 Tract WRA-1: 7.09 acres
 Total: 9.56 acres (4.08 required)

Water Street Setbacks:
 Thompson Rd. 100' (setback from center line of Thompson Rd.)

Additional Notes:
 1. Billboards and pole signs shall be prohibited.
 2. There is no proposed 100 yr. Flood Plain encroachment.
 3. There are no wetland or conservation areas located on the subject property.
 4. Homeowner's Association will be created for maintenance and ownership of common area tracts as indicated in the tract table.
 5. Fire Protection will be provided by Orange County in accordance with the 2017 Florida Fire Prevention Code.
 6. All construction access to the site will be from Thompson Rd.

Off-Street Parking:
 Required Parking: 73.0 spaces per Unit (for Single-Family Residences); 73 units x 2.5 spaces/unit = 182
 Total Reserved Parking: 83
 Provided Parking: 83
 2 Garage Spaces per Unit: 66 spaces
 On-Street Parking: 18 spaces
 Total Parking Provided: 84 spaces

Utilities:
 This project is to be developed in a single phase.
 Single-Family Residential: 33 d.u. * 5.37 sqft/d.u. = 316 A.D.T.

Stormwater Management:
 The project will meet the requirements of the Orange County Land Development Code and the St. Johns River Water Management District.

School Age Population:
 33 d.u. * .478 children/unit = 16 children

Needed Fire Flow (NFF): (Based on FPCC 2017 Edition Chapter 18 & Annex 1)
 Single-Family (less than 5,000 sqft.): 1,000 gpm

Water, Sewer and Solid Waste Demand:
Water Demand:
 33 Units * 350 gallons/day = 11,550 gallons/day
Sewer Demand:
 33 Units * 300 gallons/day = 9,900 gallons/day
Solid Waste Demand:
 33 Units * 2.6 persons/unit * 4.3 lb./person/day = 369 lb/day

Recreational/Open Space Demand:
 33 Units * 2.6 persons/unit / 1,000 + 3.0 ac / 1,000 persons = 0.28 ac.

SOILS LEGEND:

USGS SOILS LINE

CHANDLER FINE SANDS 0 TO 5% SLOPES
 CHANDLER FINE SANDS 5 TO 12% SLOPES

Open Space Requirements:
 Land Development Code (Residential 10%); 33% Wetland Overlay
 11.55 ac. * .33 = 4.08 acres (required for 33%)

Thompson Road Subdivision											
Land Use	Dev. to Public Land Area (ac.)	Open Space per Orange County 38-1224 (sq. ft.)	Open Space per Orange County 38-1224 (sq. ft.)	Category A				Category B		Category C	
				Public Parks	Ballfields	Open Areas	Staircases	Lakes	Wetlands	Other	Other
Single-Family Residential	11.85	89%	4.08	6.00	4.15	0.00	0.00	0.00	0.00	0.00	4.15
				Provide if Subtotal:							
Open Space Provided Adjusted per				Cat. A & C Min. 99% of Total Open Space:		0.00		0.00		0.00	
36.1254				Cat. B & C Max. 75% of Total Open Space:		0.00		0.00		0.00	
Adjusted Provided Cat. A, B & C Open Space:				4.15		0.00		0.00		4.15	



G L SUMMITT
 ENGINEERING INC.
 Office: Lake Mary
 3667 Simonton Place
 Lake Mary, Florida 32746
 phone: 407-323-8705
 fax: 407-993-8650
 www.GLSeep.com

PMDW Ventures, LLC
 6 Ambrose Lane
 South Barrington, IL 60001

**Thompson Road
 Subdivision**
 Orange County, Florida
**Preliminary
 Subdivision Plan**

**Overall Site
 Plan**

Please not valid outside of project.
 Check and Recheck below

GEORGE J. SUMMITT, P.E.
 CHASE, JUNE 23, 2020
 FL REGISTRATION 281975
 Certificate of Authorization #200643

Revisions

No.	Date	Description

SHEET NUMBER
 5 OF 20

**ORANGE COUNTY
PLANNING AND ZONING COMMISSION (PZC) / LOCAL PLANNING AGENCY
(LPA)
Meeting of May 21, 2020**

The Orange County Planning and Zoning Commission (PZC) / Local Planning Agency (LPA) met at 9:00 a.m. on May 21, 2020, in the Orange County Commission Chambers, 201 South Rosalind Avenue, Orlando, Florida 32801.

PRESENT:	James Dunn	District 1
	Diane Velazquez	District 2
	Eddie Fernandez (Vice Chairperson)	District 3
	Carlos Nazario	District 4
	Gordon Spears (Chairperson)	District 5
	JaJa Wade	District 6
	Mohammed Abdallah	At Large
	Evelyn Cardenas	At Large
	Nelson Pena	At Large

ABSENT: None

ALSO

PRESENT: Orange County Staff: Eric Raasch, Planning Administrator; Jason Sorensen, Chief Planner; Nicolas Thalmueller, Planner; Nate Wicke, Planner; Irina Pashinina, Planner; Sapho Vatel, Planner; James Hartfield, Planner; John Harbilas, Planner; Whitney Evers, Assistant County Attorney; and Terri-Lyn Pontius, Administrative Assistant.

Chairman Spears called the meeting to order. Following the Pledge of Allegiance, the following agenda items were called:

APPROVAL OF MINUTES

A motion was made by Commissioner Dunn to approve the January 16, 2020 minutes. The motion was seconded by Commissioner Velazquez and was then approved unanimously on an 9-0 vote. A motion was made by Commissioner Velazquez to approve the February 20, 2020 minutes. The motion was seconded by Commissioner Dunn and was then approved unanimously 9-0.

OLD BUSINESS

No old business was discussed.

NEW BUSINESS

A motion was made by Diane Velazquez, seconded by Carlos Nazario to appoint Mohammed Abdallah as the Affordable Housing Advisory Board Member. Vote was approved unanimously 9-0.

2020-1 Comprehensive Plan Adoption Out Of Cycle Small Scale Adoption Amendment

Amendment 2020-1-C-1-1

- Applicant:** Jim Hall, DSI for O-Town Boardwalk, LLC
- Consideration:** Planned Development / Commercial / Medium High Density Residential Activity Center Mixed Use (PD-C/MHDR/ACMU) ~~to~~ Planned Development Commercial Office Medium High Density Residential Activity Center Mixed Use (PD-C/O/MHDR/ACMU)
- Location:** Palm Parkway generally located east of Palm Parkway, south of Daryl Carter Parkway, and west of I-4.
- Tract Size:** 7.09 gross acres / net developable
- Speakers:** Jim Hall (Applicant)

Action: Make a finding of consistency with the Comprehensive Plan, determine that the amendment is in compliance, and **ADOPT** Amendment 2020-1-C-1-1.

Motion / Second: Jimmy Dunn / Eddie Fernandez

AYE (voice vote): Jimmy Dunn, Mohammed Abdallah, Diane Velazquez, Evelyn Cardenas, Nelson Pena, Carlos Nazario, Gordon Spears, JaJa Wade, and Eddie Fernandez

NAY (voice vote): None

Absent None

Amendment 2020-1-C-FLUE-1

Applicant: Orange County Staff

Consideration: Proposed Amendment to FLU8.1.4 which establishes maximum development program for the previous case.

Action: Make a finding of consistency with the Comprehensive Plan, determine that the amendment is in compliance, and **ADOPT** Amendment 2020-1-C-FLUE-1

Motion / Second: Jimmy Dunn / Mohammed Abdallah

AYE (voice vote): Jimmy Dunn, Mohammed Abdallah, Diane Velazquez, Evelyn Cardenas, Nelson Pena, Carlos Nazario, Gordon Spears, JaJa Wade, and Eddie Fernandez

NAY (voice vote): None

Absent None

CONVENTIONAL REZONING PUBLIC HEARINGS:

1. Ravin Persaud RZ-20-01-079 District 3

Applicant: Ravin Persaud

Consideration: To rezone 0.86 gross acres from A-2 (Farmland Rural District) **to** C-1 (Retail Commercial District) for general C-1 uses.

Location: 1712 Renee Avenue and 1719 Sue Ann Street, generally on the east side of Sue Ann Street, 230 feet south of E. Colonial Drive

Tract Size: 0.86 gross acres

Speakers: Ravin Persaud (Applicant)

Action: ***Make a motion to continue RZ-20-01-079 to the August 20, 2020 Planning and Zoning Hearing***

Motion /Second: Eddie Fernandez / Jimmy Dunn

AYE (voice vote): Eddie Fernandez, Jimmy Dunn, Mohammed Abdallah, JaJa Wade, Evelyn Cardenas, Carlos Nazario, Diane Velazquez, Nelson Pena, and JaJa Wade

NAY (voice vote): None

Absent: none

2. **Edward Durruthy RZ-20-02-004 District 3**

Applicant: Edward Durruthy

Consideration: To rezone 13.31 gross acres from R-1AA (Single-Family Dwelling District) **to** R-1 (Single-Family Dwelling District) for twelve (12) single-family detached dwelling units.

Location: S. Westmoreland Drive, generally north of West Lake Holden Point and approximately 1,300 feet east of S Orange Blossom Trail

Tract Size: 13.31 gross acres

Speakers: Ed Durruthy (Applicant)

Action: Make a finding of consistency with the Comprehensive Plan, and recommend **APPROVAL** of the requested R-1 (Single-Family Dwelling District) zoning, subject to the following restriction:

1. Lots shall be a minimum of sixty (60) feet wide.

Motion / Second: Eddie Fernandez / Mohammed Abdallah

AYE (voice vote): Eddie Fernandez, Mohammed Abdallah, Jimmy Dunn, JaJa Wade, Gordon Spears, Diane Velazquez, Nelson Pena, Carlos Nazario, and Evelyn Cardenas

NAY (voice vote) None

Absent: None

3. Tawnya Brown RZ-20-03-005 District 4

Applicant: Tawnya Brown

Consideration: A request to rezone 0.165 gross acres from R-1A (Single-Family Dwelling District) to R-T-1 (Mobile Home Subdivision District) for the purpose of one (1) single family dwelling unit (Mobile Home).

Location: 9525 5th Avenue, or generally west of 6th Avenue, approximately 1500 feet east of S Orange Avenue

Tract Size: 0.165 gross acres

Speakers: Tawnya Brown (Applicant)

Action: Make a finding of consistency with the Comprehensive Plan and recommend **APPROVAL** of the requested R-T-1 (Mobile Home Subdivision District) zoning.

Motion / Second: Carlos Nazario / Nelson Pena

AYE (voice vote): Carlos Nazario, Nelson Pena, Diane Velazquez, Gordon Spears, Jimmy Dunn, JaJa Wade, Evelyn Cardenas, Eddie Fernandez, and Mohammed Abdallah

NAY (voice vote): None

Absent None

4. **Geoff Summit RZ-20-03-019 District 2**

- Applicant:** Geoff Summit
- Consideration:** A request to rezone 11.7 gross acres from A-1 (Citrus Rural District) to R-1 (Single-Family Dwelling District) for forty (40) single family detached dwelling units.
- Location:** 615 & 627 N. Thompson Road, or generally east of N. Thompson Road and north of Votaw Road
- Tract Size:** 11.7 gross acres
- Speakers:** Geoff Summit (Applicant)
Larry Loveland (Opposed)
- Action:** Make a finding of consistency with the Comprehensive Plan, and recommend **APPROVAL** of the requested R-1 (Single Family Dwelling District) zoning, subject to the following restriction:
1. No lots shall be less than sixty (60) feet in width.
- Motion / Second:** Diane Velazquez / Jimmy Dunn
- AYE (voice vote):** Diane Velazquez, Jimmy Dunn, Gordon Spears, Mohammed Abdallah, Eddie Fernandez, Carlos Nazario, Evelyn Cardenas, JaJa Wade, and Nelson Pena
- NAY (voice vote):** None
- Absent:** None

5. **Julian Ray Coto RZ-20-03-020 District 2**

- Applicant:** Julian Ray Coto, Excel Engineering Consultants, Inc.
- Consideration:** A request to rezone 1.07 gross acres from A-1 (Citrus Rural District) to R-1 (Single-Family Dwelling District) for three (3) single-family residential units (pending lot split approval).

Location: 1719 Gayle Ridge Drive, or generally north of Gayle Ridge Drive, approximately 600 feet north of Votaw Road

Tract Size: 1.07 gross acres

Speakers: Julian Ray Coto (Applicant)

Action: Make a finding of consistency with the Comprehensive Plan and recommend **APPROVAL** of the requested R-1 (Single-Family Dwelling District) zoning.

Motion / Second: Diane Velazquez / Carlos Nazario

AYE (voice vote): Diane Velazquez, Carlos Nazario, JaJa Wade, Mohammed Abdallah, Evelyn Cardenas, Jimmy Dunn, Nelson Pena and Eddie Fernandez

NAY (voice vote): Gordon Spears

Absent None

6. **Juliet N Nah RZ-20-03-021 District 6**

Applicant: Julie N. Nah

Consideration: A request to rezone 1.50 gross acres from P-O (Professional Office District) to R-3 (Multiple-Family Dwelling District) to have a Bed and Breakfast Inn

Location: 6609 La Jolia Street, or generally south of West Colonial Drive, approximately 610 feet east of North Hiawassee Road

Tract Size: 1.50 gross acres

Speakers: Juliet Nah (Applicant)

Action: Make a finding of consistency with the Comprehensive Plan and recommend **APPROVAL** of the requested R-3 (Multiple-Family Dwelling District) zoning subject to the following restrictions:

1. The allowable use for this property shall be restricted to Bed and Breakfast Inn.

2. The applicant shall comply with Section 38-1425 (2) of the Orange County Code.

Motion: JaJa Wade / Nelson Pena

AYE (voice vote): JaJa Wade, Nelson Pena, Eddie Fernandez, Jimmy Dunn, Diane Velazquez, Gordon Spears, Evelyn Cardenas, and Carlos Nazario

NAY (voice vote): None

Absent: Mohammed Abdallah

7. Tony Grant RZ-20-03-023 District 2

Applicant: Tony Grant

Consideration: A request to rezone 0.63 gross acres from R-1 (Single-Family Dwelling District) to R-2 (Residential District) for three (3) single-family dwelling units (pending lot-split approval)

Location: 6762 Magnolia Avenue, or generally north of Doctor Love Road, approximately 30 feet west of Magnolia Homes Road.

Tract Size: 0.63 gross acres

Speakers: Tony Grant (Applicant)

Action: Make a finding of inconsistency with the Comprehensive Plan and recommend **APPROVAL** of the requested R-2 (Residential District) zoning subject to the following restrictions:

1. The development shall be limited to three (3) single-family detached dwelling units.

Motion / Second: Diane Velazquez / Nelson Pena

AYE (voice vote): Diane Velazquez, Nelson Pena, JaJa Wade, Mohammed Abdallah, Evelyn Cardenas, Carlos Nazario, Gordon Spears, Jimmy Dunn and Eddie Fernandez

NAY (voice vote): None

Absent: None

8. Gary Allen Young RZ-20-03-024 District 4

Applicant: Gary Allen Young

Consideration: A request to rezone 0.69 gross acres from A-2 (Farmland Rural District) **to** R-1A (Single-Family Dwelling District) for one (1) single-family residential unit pending lot split approval.

Location: 913 Indigo Avenue, or generally south of East Colonial Drive approximately 30 feet east of Indigo Avenue

Tract Size: 0.69 gross acres

Action: *This case was withdrawn, no action needed.*

9. Peter Duke RZ-20-03-025 District 3

Applicant: Peter Duke

Consideration: To rezone 0.34 gross acres from R-1A (Single-Family Dwelling District) **to** R-1 (Single-Family Dwelling District) to approve two (2) detached single-family residences, pending lot split approval.

Location: 2514 Shannon Road, or generally southwest of the intersection of Shannon Road and Clark Street, approximately 540 feet east of S Bumby Avenue

Tract Size: 0.34 gross acres

Speakers: Peter Duke (Applicant)

Action: Make a finding of consistency with the Comprehensive Plan, and recommend **APPROVAL** of the requested R-1 (Single Family Dwelling District) zoning.

Motion/ Second: Eclidie Fernandez / Jimmy Dunn

AYE (voice vote): Eddie Fernandez, Jimmy Dunn, Diane Velazquez, Carlos Nazario, Evelyn Cardenas, JaJa Wade, Mohammed Abdallah, Nelson Pena and Gordon Spears

NAY (voice vote): None

Absent: None

10. **Al Tehrani, P.E Tehrani Consulting Engineering RZ-20-03-026 District 6**

Applicant: Al Tehrani

Consideration: To rezone 0.13 gross acres from R-3 (Multiple Family Dwelling District) **to** C-1 (Retail Commercial District) for Office and Retail uses.

Location: 6313 and 6317 Old Winter Garden Road, or generally northwest of the Old Winter Garden Road and S Observatory Drive intersection.

Tract Size: 0.31 gross acres

Speakers: Al Tehrani (Applicant)

Action: Make a finding of consistency with the Comprehensive Plan and recommend **APPROVAL** of the requested C-1 (Retail Commercial District) zoning, subject to the following restrictions:

1. New billboard and pole signs shall be prohibited; and
2. The applicant / developer shall submit a site plan to demonstrate compliance with all Orange County Code requirements (including landscaping and paved surfaces) prior to the accommodation of any C-1 uses; and
3. Parcels 25-22-28-6420-04-260 and 25-22-28-6420-04-280 shall be aggregated into one (1) lot prior to the issuance of any use permit; and
4. Vehicular access shall only be allowed from Old Winter Garden, and prohibited from S Observatory Drive

Motion / Second: JaJa Wade / Diane Velazquez

AYE (voice vote): JaJa Wade, Diane Velaquez, Jimmy Dunn, Gordon Spears, Nelson Pena, Evelyn Cardenas, Carlos Nazario, Mohammed Abdallah and Eddie Fernandez

NAY (voice vote): None

Absent: None

11. Neel Shivcharran LUP-19-06-225 District 5

Applicant: Neel Shivcharran

Project Name: Old Cheney Townhomes Planned Development

Consideration: To rezone 1.14 gross acres from R-1A (Single Family Dwelling District) & R-3 (Multi-Family Dwelling District) to PD (Planned Development District) in order to construct ten (10) attached single-family residential dwelling units.

Location: 5565 Old Cheney Highway or generally at the northeast corner of the Old Cheney Highway and Turrisi Boulevard Intersection.

Tract Size: 1.14 gross acres

Speaker: David Gastel (Applicant)
David Foley (Opposed)
Mackenzie Singleton (In Favor)

Action: Make a finding of consistency with the Comprehensive Plan and recommend **APPROVAL** of the Old Cheney Townhomes Planned Development (PD/LUP) dated "Received February 14, 2020, subject to the following conditions:

1. Development shall conform to the Old Cheney Townhomes Land Use Plan (LUP) dated "Received February 14, 2020," 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 February 14, 2020," 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. The development shall obtain water and wastewater service from Orange County Utilities subject to County rate resolutions and ordinances.
7. A Master Utility Plan (MUP) for the PD shall be submitted to Orange County Utilities at least thirty (30) days prior to submittal of the first set of construction plans. The MUP must be approved prior to Construction Plan approval.
8. Construction plans within this PD shall be consistent with an approved and up-to-date Master Utility Plan (MUP). MUP updates shall be submitted to Orange County Utilities at least thirty (30) days prior to the corresponding construction plan submittal. The updated MUP must be approved prior to construction plan approval.
9. 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.
10. Pole signs and billboards shall be prohibited. Ground and fascia signs shall comply with Chapter 31.5 of the Orange County Code.
11. This property is located within Airport Noise Zones C and D. Development shall comply with Article XV, Chapter 9, Orange County Code (Airport Noise Impact Areas), as may be amended from time to time.
12. A current Phase One Environmental Site Assessment (ESA) and current title opinion shall be submitted to the County for review as part of any Preliminary Subdivision Plan (PSP) and /or Development Plan (DP) submittal and must be approved prior to Preliminary Subdivision Plan (PSP) and /or Development Plan (DP) approval for any streets and/or tracts anticipated to be dedicated to the County and/or to the perpetual use of the public.
13. Commercial uses shall be limited to C-1 uses only, except that short term rental shall be prohibited. Additionally, residential uses shall be prohibited within the commercial portion of the development.

14. The following waivers from Orange County Code are granted:

- a. A waiver from Section 38-1272(a)(3) to allow a 10' rear yard setback between the residential and commercial site internal to the PD, in lieu of the 25' setback.
- b. A waiver from Section 24-5(a)(3) for a 5' buffer between the commercial and residential internal to the PD, in lieu of the 15' required buffer.
- c. A waiver from Section 38-1254(a) to allow for a 5' side yard setback along the north property line, in lieu of the 25' perimeter setback.
- d. A waiver from Section 38-1272(a)(3) to allow an 8.3' setback from Turrisi Boulevard for the commercial portion, in lieu of the 30' setback.
- e. A waiver from Section 38-1272(a)(3) to allow an 18.7' setback from Old Cheney Highway for the commercial portion, in lieu of 30'.
- f. A waiver from Section 38-1254(1) to allow a 20' setback from Turrisi Boulevard, in lieu of 25'.
- g. A waiver from Section 38-1253 to waive the requirement for a recreational area.
- h. A waiver from Section 30-248(8) to allow backing of vehicles on the right-of-way, in lieu of not permitting backing of vehicles on the right-of-way, as shown on the plans.
- i. A waiver from Section 30-248(7) to allow parking, stopping and maneuvering of vehicles in the right-of-way, in lieu of not allowing parking, stopping and maneuvering of vehicles on the right-of-way, as shown on

Motion / Second: Gordon Spears / Carlos Nazario

AYE (voice vote): Gordon Spears, Carlos Nazario, Diane Velazquez, Eddie Fernandez, Nelson Pena, Jimmy Dunn, JaJa Wade, Evelyn Cardenas, and Mohammed Abdallah

NAY (voice vote): None

Absent: None

12. **Heather Isaacs, LUP-19-09-290 District 1**

Applicant: Heather Isaacs, Poulos and Bennett, LLC

Project Name: Silverleaf Planned Development- Regulating Plan (PD-RP)

Consideration: To rezone 563 gross acres from A-1 (Citrus Rural District) and PD (Planned Development District) to PD (Planned Development District; Silverleaf PD Regulating Plan) in order to propose mixed use project with a development program consisting up to 2,926 residential dwelling units, including 2,903,286 square feet of non-residential uses including hotels, commercial, office, and / or light industrial.

This request is associated with and contingent upon the following Silverleaf PD, Adequate Facilities Agreement, Orange County Public School Capacity Enhancement Agreement (CEA) and Silverleaf PD / Transportation Framework and Mitigation Agreement

Location: Generally located west of SR 429 and Avalon Road, north of Schofield Road, south of New Independence Parkway, and east of the Orange /Lake Boundary

Tract Size: 563 gross acres / 489 developable and 286 net developable

Speakers: Dan OKeefe (Applicant)
Steven Thorp, OCPS (In Favor)

Action: Make a finding of consistency with the Comprehensive Plan and recommend **APPROVAL** of the Silverleaf Planned Development (PC/LUP) dated "Received March 5, 2020", subject to the following conditions:

1. Development shall conform to the Silverleaf Land Use Plan - Regulating Plan (LUP - RP) dated "Received March 5, 2020," 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 March 5, 2020," 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 - regulating 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. The project shall comply with the terms and conditions of that certain Town Center West (Silverleaf) Road Network Agreement (C.R. 545/Avalon Road, and New Independence Parkway) approved on _____, 2020 and recorded in the Public Records of Orange County, Florida, as may be amended.
7. Boat Docks or Ramps - Approval of this plan does not constitute approval of a permit for the construction of a boat dock (including: boardwalks or observation piers in wetlands or in wetland buffer areas) or a boat ramp. Any person desiring to construct a boat dock or boat ramp within this county shall first apply for a permit prior to the installation. A boat dock shall require additional permitting under Chapter 15, Article IX, Construction of Boat Dock Ordinance and a boat ramp shall require additional permitting under Chapter 15, Article XV, Boat Ramp Facility. If a variance or waiver is requested as part of the Application to Construct a Dock, the request must be approved by the Board of County Commissioners. The Application to construct a Boat ramp Facility must be approved by the BCC. Application shall be made to the Orange County Environmental Protection Division.
8. All acreages identified as 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.
9. Unless a Conservation Area Impact (CAI) permit is approved by Orange County consistent with Orange County Code Chapter 15, Article X, "Wetland Conservation Areas", prior to Construction Plan approval, no conservation area or buffer encroachments shall be permitted. Approval of this plan does not authorize any direct or indirect conservation area impacts.

10. Prior to mass grading, clearing, grubbing or construction, the applicant is hereby noticed that this site must comply with habitat protection regulations of the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish & Wildlife Conservation Commission (FWC).
11. An upland buffer of a minimum of 25 feet will be provided for all Class I, II, and III wetland systems unless scientific data dictate a larger or smaller buffer based on wetland function or local conditions. These will be shown as 25-foot buffer located landward of the wetland line that shall retain natural vegetation and labeled as Undisturbed Vegetated Natural Buffer.
12. The applicant / owner has an affirmative obligation to expressly notify potential purchasers, builders, and/or tenants of this development, through an appropriate mechanism, including a conspicuous note on the plat and/or a recorded restrictive covenant, as applicable, shall include notification of the prior use of this property (where appropriate) as a citrus grove, landscape nursery, or other prior use if that former use had potential for soil or groundwater contamination.
13. Prior to construction plan approval, all property owners within Horizon West Town Center Village (SAP), excluding public entities, shall be required to sign an agreement between the parties addressing their proportionate share of funds for the costs of the offsite and onsite master utilities sized to Village requirements. Property owners may elect to use alternate financing in lieu of the private proportionate cost share agreement provided master utilities sized for Village requirements are constructed.
14. The Developer shall obtain water, wastewater, and reclaimed water service from Orange County Utilities subject to County rate resolutions and ordinances.
15. At least thirty (30) days prior to construction plan submittal, the applicant shall submit a Master Utility Plan (MUP) for the PD, such MUP shall include supporting calculations showing that the PD-level MUP is consistent with approved and up-to-date MUP for the Horizon West Town Center, or shall include an update to the Horizon West Town Center MUP to incorporate

any revisions. The MUP(s) must be approved prior to construction plan approval.

16. Construction plans within this PD shall be consistent with an approved and up-to-date Master Utility Plan (MUP). MUP updates shall be submitted to Orange County Utilities at least thirty (30) days prior to the corresponding construction plan submittal. The updated MUP must be approved prior to construction plan approval.
17. The proposed development is adjacent to an existing and permitted City of Orlando/Orange County Water Conserv II Rapid Infiltration Basin (RIB) site. The design and permitting (stormwater, etc.) for the proposed development shall take into account the groundwater mounding produced by the adjacent RIBs when loaded at full permitted capacity and during wet weather conditions. At the time of construction plan submittal, provide calculations and documentation certifying that the design complies with this condition.
18. The Developer shall be responsible for building master utilities transmission and collection infrastructure adequate to serve the project to accommodate the ultimate flows for the entire Horizon West Town Center Village (SAP). Utilities infrastructure shall be built connecting to the build-out points of connection approved in the Master Utilities Plan (MUP).
19. A current Phase One Environmental Site Assessment (ESA) and current title opinion shall be submitted to the County for review as part of any Preliminary Subdivision Plan (PSP) and /or Development Plan (DP) submittal and must be approved prior to Preliminary Subdivision Plan (PSP) and /or Development Plan (DP) approval for any streets and/or tracts anticipated to be dedicated to the County and/or to the perpetual use of the public.
20. The applicant / owner has an affirmative obligation to expressly notify potential purchasers, builders, and/or tenants of this development, through an appropriate mechanism, including a conspicuous note on the plat and/or a recorded restrictive covenant, as applicable of the proximity of inactive and active Solid Waste Management Facilities within one-mile of this project (to the north) and as close as 0.1 mile to the southeast.

All DPs/PSPs within that limit will be required to have a proximity notice condition of approval.

21. Pole signs and billboards shall be prohibited. Ground and fascia signs shall comply with Chapter 31.5 of the Orange County code.

22. The applicant's right of way petition to vacate application must be approved by the Board of County Commissioners concurrently with the Regulating Plan.

Motion / Second: Jimmy Dunn / Eddie Fernandez

AYE (voice vote): Jimmy Dunn, Eddie Fernandez, Diane Velazquez, Carlos Nazario, JaJa Wade, Gordon Spears, Evelyn Cardenas, and Nelson Pena

NAY (voice vote): None

Absent: None

Mohammed Abdallah voting conflict of interest

13 **Michelle Heatherly LUPA-19-11-394 District 5**

Applicant: Michelle Heatherly

Project Name: Collegiate Village Planned Development (PD)

Consideration: To rezone .73 gross acres from R-3 (Multiple Family Dwelling District) ~~to~~ PD (Planned Development District) for the purpose of 1,800 student housing beds, 153,600 square feet of commercial and 123 hotel rooms.

Location: Generally south of University Boulevard and west of Alafaya Trail.

Tract Size: .73 acres (portion to be rezones) 54.25 acres (overall PD)

Speakers: David Gastel (Applicant)
Norm Nash (Opposed)
David Simmons (Opposed)

Action: Make a finding of consistency with the Comprehensive Plan and recommend **APPROVAL** of the requested PD (Planned Development District) zoning, subject to the ten (10) conditions in the staff report with condition 10(i)(1) being stricken through.

Motion / Second: Gordon Spears / Jimmy Dunn

AYE (voice vote): Gordon Spears, Jimmy Dunn, Diane Velazquez, Carlos Nazario, JaJa Wade, Evelyn Cardenas, Nelson Pena and Eddie Fernandez

NAY (voice vote): None

Absent: Mohammed Abdallah

14 **Kathy Hattaway LUP-18-10-334 District 1 & Orange County Ch. 37 Public / Private Sewer Use Ordinance**

Action: To continue these two items to the June 5, 2020 PZC hearing.

Motion / Second: Gordon Spears / Jaja Wade

AYE (voice vote): Gordon Spears, Jimmy Dunn, Diane Velazquez, Carlos Nazario, JaJa Wade, Evelyn Cardenas, Nelson Pena and Eddie Fernandez

NAY (voice vote): None

Absent: Mohammed Abdallah

MEETING ADJOURNED

With no further business, Commissioner Spears made a motion to adjourn. The motion was seconded by Commissioner Dunn and passed with an 9-0 vote. The meeting adjourned at approximately 1:30 pm.



Digitally signed by J. Gordon
Spears
Date: 2020.06.25 11:09:08 -04'00'

Gordon Spears, Chairperson

Terri-Lyn Pontius, Recording Secretary

Laurie M. Perez

From: Jason W. Searl <Jason.Searl@gray-robinson.com>
Sent: Tuesday, June 9, 2020 10:04 AM
To: Eric.RaaschJr@ocfl.net; Jason.Sorensen@ocfl.net
Subject: Thompson Rd Rezoning - 6/1/2020 Webex Meeting Follow-Up Items
Attachments: thompson road-1.pdf; thompson rd.pdf

Morning, Eric and Jason. Hope all is well. Per your request, please see below and two attachments, and do not hesitate to contact me with any questions or comments. I look forward to your reply after you've had a chance to review this info – I'm happy to set a quick call, if wish. Thank you again and best, JWS

- A successful and creative (via the City of Apopka) Utilities Extension, as requested, at a cost of \$300K+ to the Applicant
- 7450 SF min lot size, resulting in a comparable figure to County R-1A Zoning category at 7500 SF min
- Minimum lot width of 60'*, which commitment was made at PZC and results in a total of 4 to 5 lost units on the Applicant's yield
- *Please see attached 2 conceptual plans we are presently exploring, given this early, re-zoning stage in the County's development review process:
First is a 75' wide lot plan, assuming no 35% open space requirement and the yield is 32 lots (this lot yield is the same if combo at 75' and 60' wide)
Second is a combination of 75' wide lots and 50' wide lots that meets the 35% open space requirement and the yield is 39 lots
- Per OCPA the adjacent homes located along north boundary line range in size from 1484 to 1824 living SF, with only one larger at 1953 living SF
- Rear yard setback here of 20' and 25', and lot depths to be 135' and 140' (greater than County R-1A Zoning, which is typically 75' wide x 100' deep)
- Buffering on entire east boundary of property and approximately half of north (we have intentionally planned this as a retention use to buffer)
- 1950 min square feet under heat/air for homes, greater than County R-1A Zoning requires at 1200 SF min (County Zoning requires 1500 SF largest)
- Housing product will be the same whether it's constructed on a 50' wide lot a 75' wide lot (only the side yard setback varies between these widths)
- This would be versus a by right of 850 SF mobile homes on septic that may be built on site today under current County FLU and Zoning entitlements
- Stem wall, not slab, home construction committed to by the Applicant as a tree conservation measure, as requested
- Anticipated home price point of \$280K with 30% having stone or porch on the home's front elevation
- We request a follow-up in person meeting or Webex with Commissioner Moore before July 1st, as was originally planned for our recent June 1st call

Jason W. Searl | Shareholder
GRAY | ROBINSON

301 East Pine Street, Suite 1400 | Orlando, Florida 32801
T: 407-843-8880 | F: 407-244-5690 | D: 407-244-5601
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MARONDA
Homes

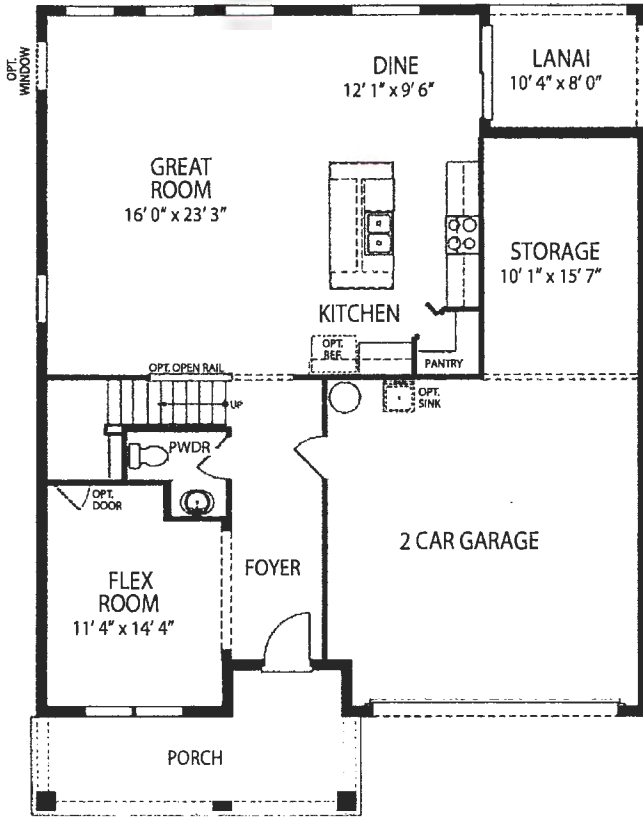
CARLISLE
Elevation C
Americana Series



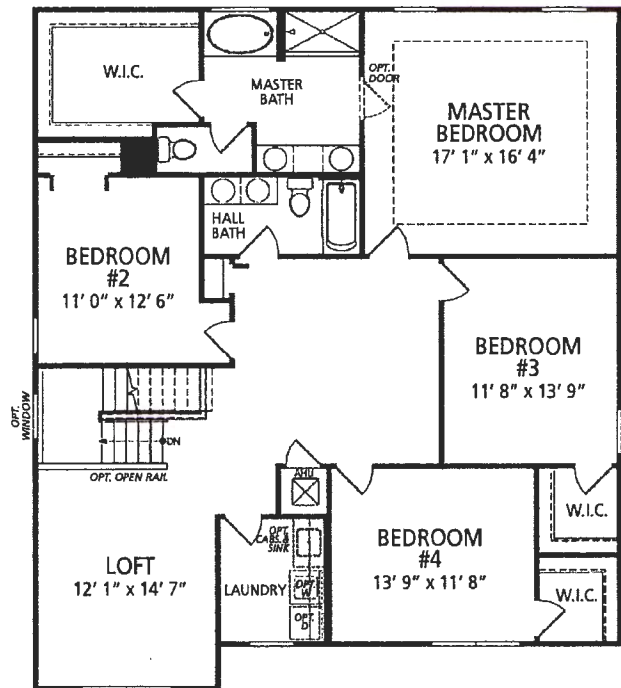
Optional Stone

DREAM. BUILD. *Live.*

FIRST FLOOR



SECOND FLOOR



- 4-5 Bedrooms
- 2-3 Car Garage
- 2.5 Bathrooms
- 2,802 Finished Sq. Ft.



MARONDA
Homes

MELBOURNE
Elevation A
Americana Series



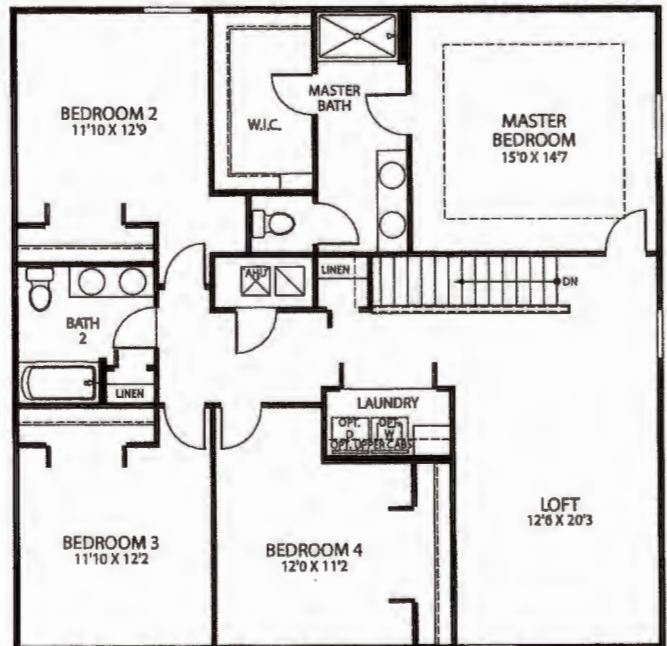
Optional Stone

DREAM. BUILD. *Live.*

FIRST FLOOR



SECOND FLOOR



- 4-6 Bedrooms
- 2.5 Bathrooms
- 2 Car Garage
- 2,692 Finished Sq. Ft.

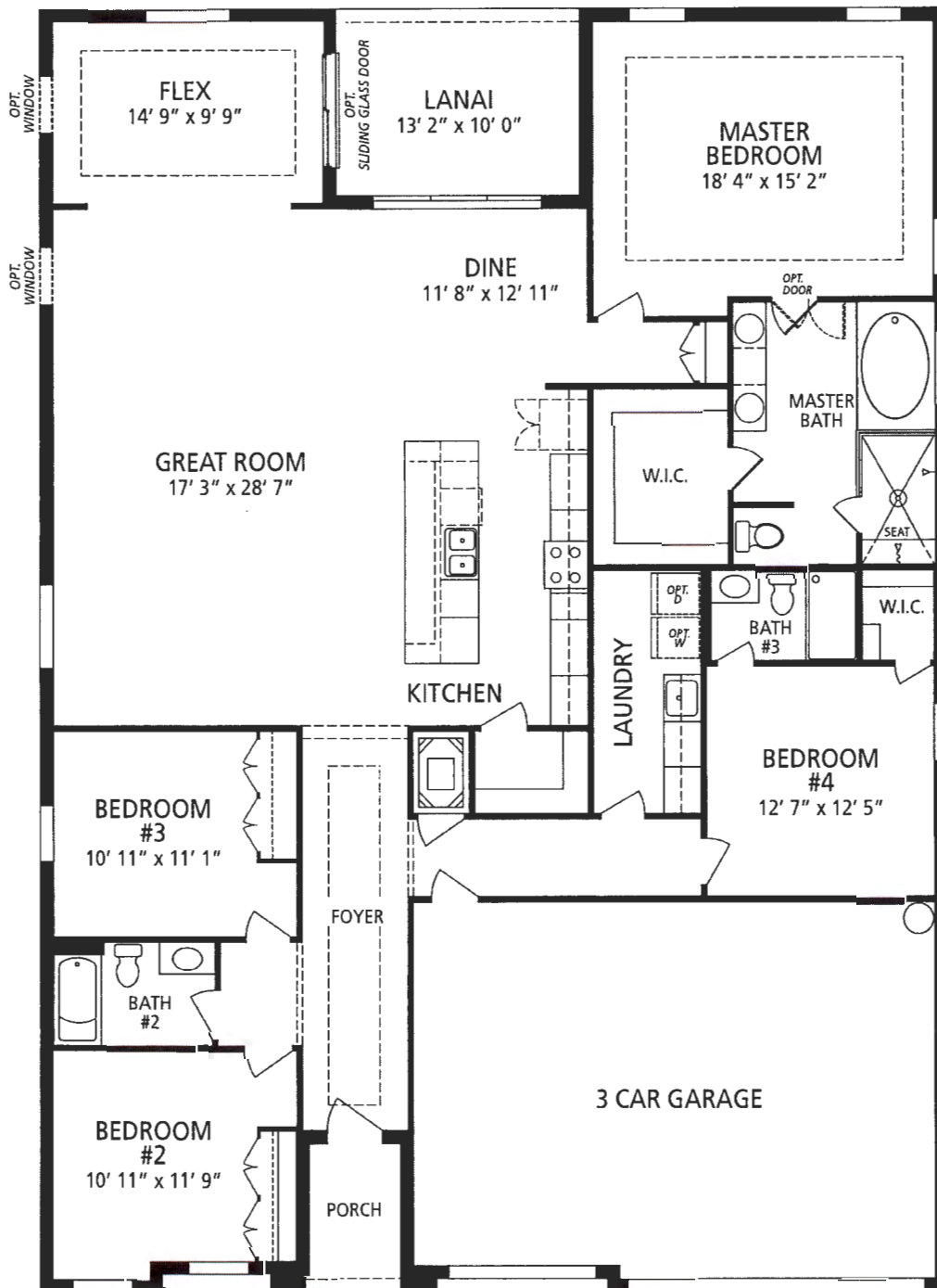




Elevation A



Elevation A with Stone Option



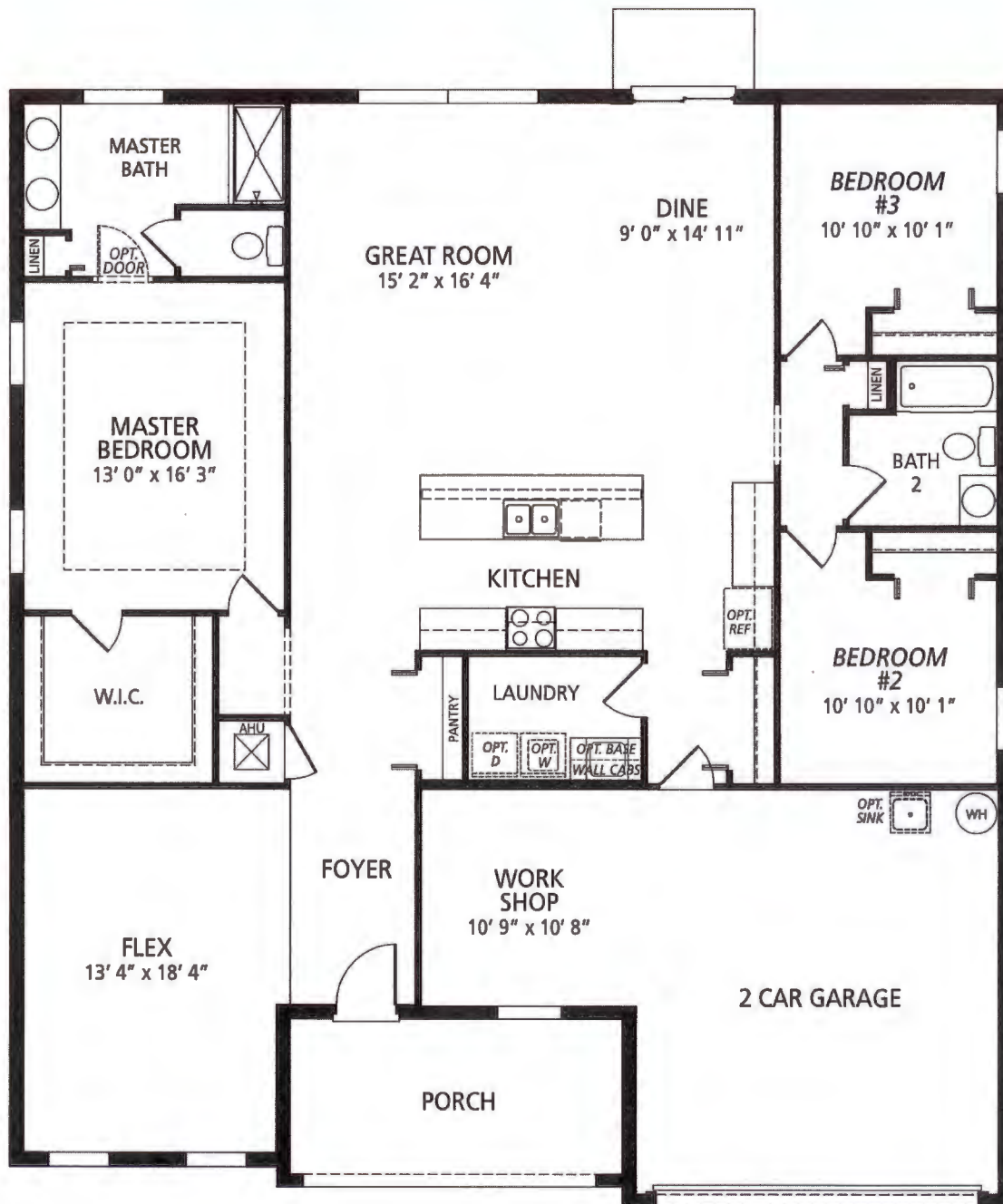
1st Floor Living:	2677 sq. ft.
Garage Area:	628 sq. ft.
Covered Entry:	41 sq. ft.
Lanai	132 sq. ft.
Total Area	3478 sq. ft.



Elevation A



Elevation A with Stone Option



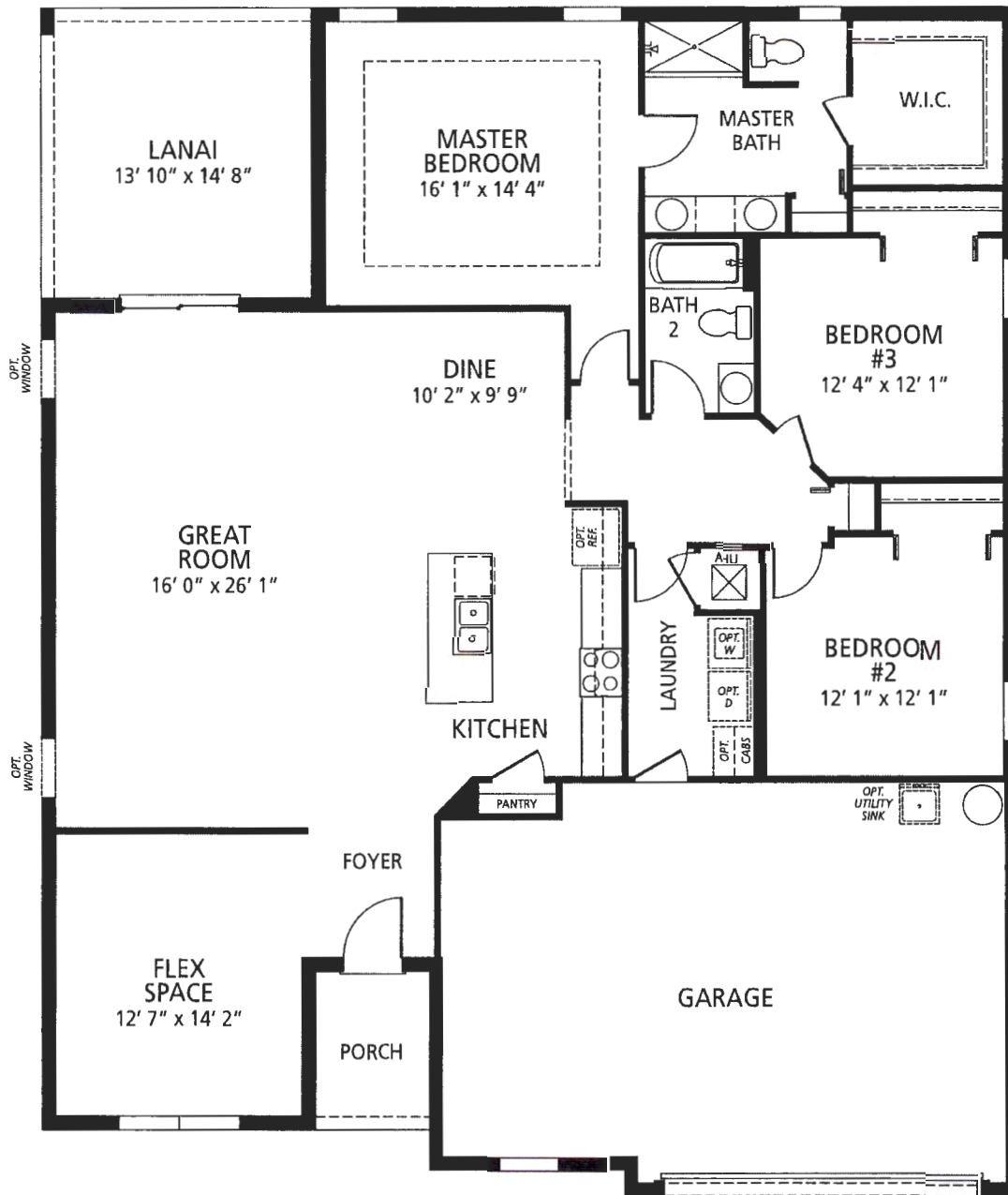
1st Floor Living:	2044 sq. ft.
Garage Area:	514 sq. ft.
Entry:	139 sq. ft.
Total	2697 sq. ft.



Elevation A



Elevation A with Stone Option



1st Floor Living:	2066 sq. ft.
Garage Area:	595 sq. ft.
Entry Porch:	47 sq. ft.
Total Area	2708 sq. ft.
Lanai:	203 sq. ft.
Total w/Lanai	2911 sq. ft.

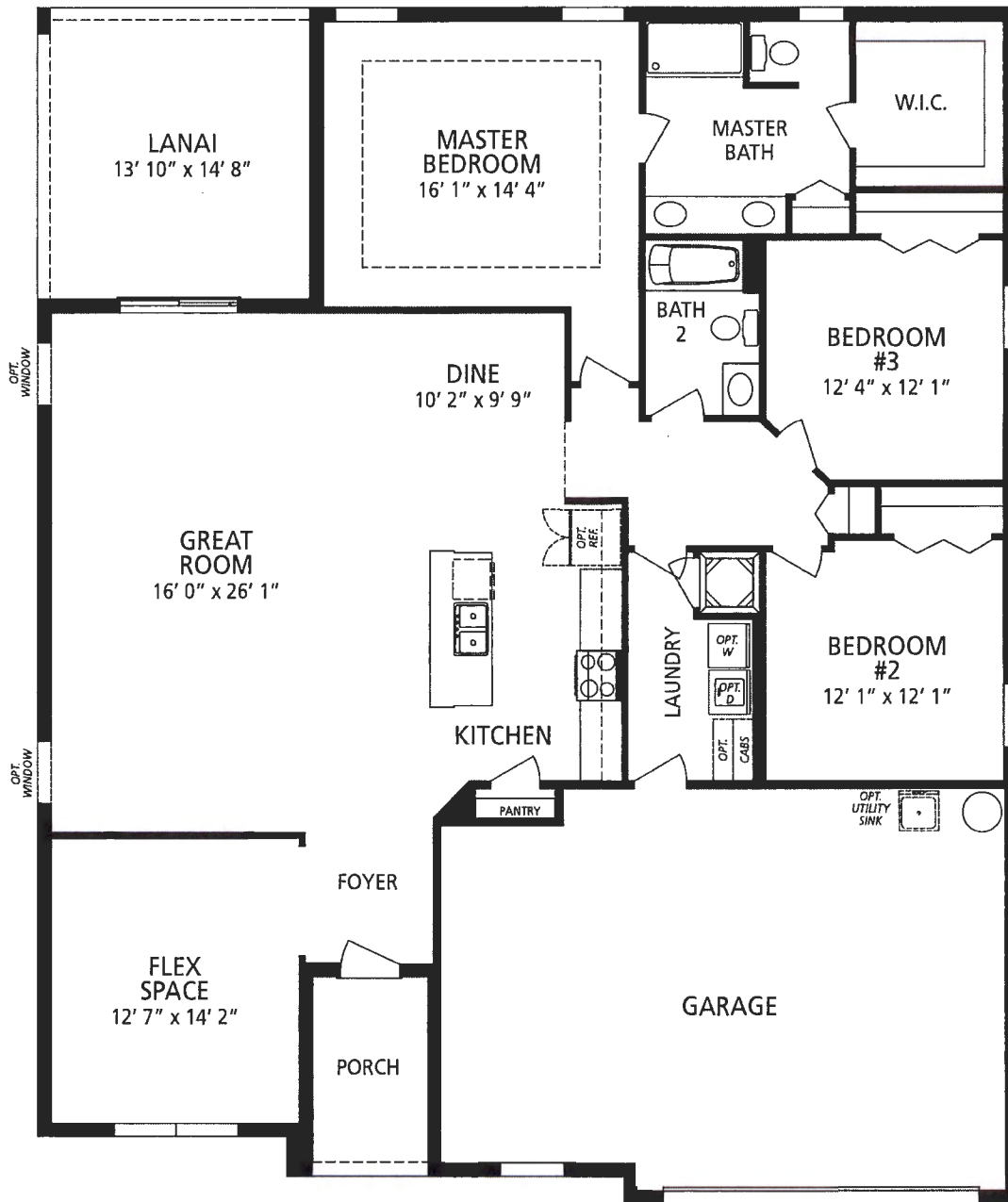




Elevation B



Elevation B with Stone Option



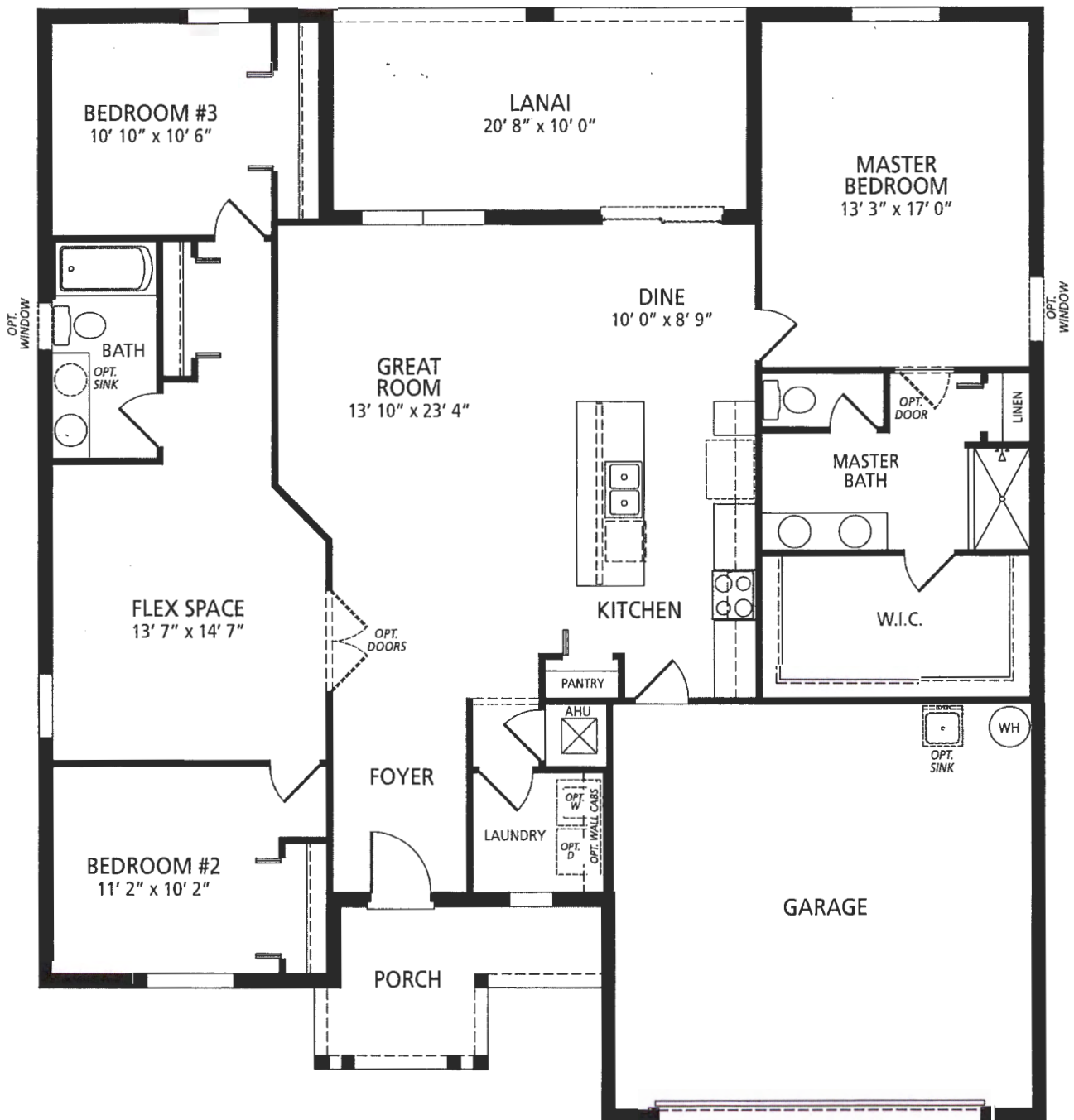
1st Floor Living:	2068 sq. ft.
Garage Area:	595 sq. ft.
Entry Porch:	60 sq. ft.
Total Area	2723 sq. ft.
Lanai:	202 sq. ft.
Total w/Lanai	2925 sq. ft.



Elevation B



Elevation B with Stone Option



1st Floor Living:	1856 sq. ft.
Garage Area:	448 sq. ft.
Entry:	87 sq. ft.
Patio:	206 sq. ft.
Total Area	2597 sq. ft.

Floor plans and elevations are artist's renderings for illustrative purposes and no part of a legal contract. Features, sizes, options and details are approximate and will vary from the homes as built. Optional items shown are available at additional cost and may not be available in all communities. Maronda Homes reserves the right to change and/or alter materials, specifications, features, dimensions and designs without prior notice or obligation. ©2013 Maronda Homes, Inc. All Rights Reserved.

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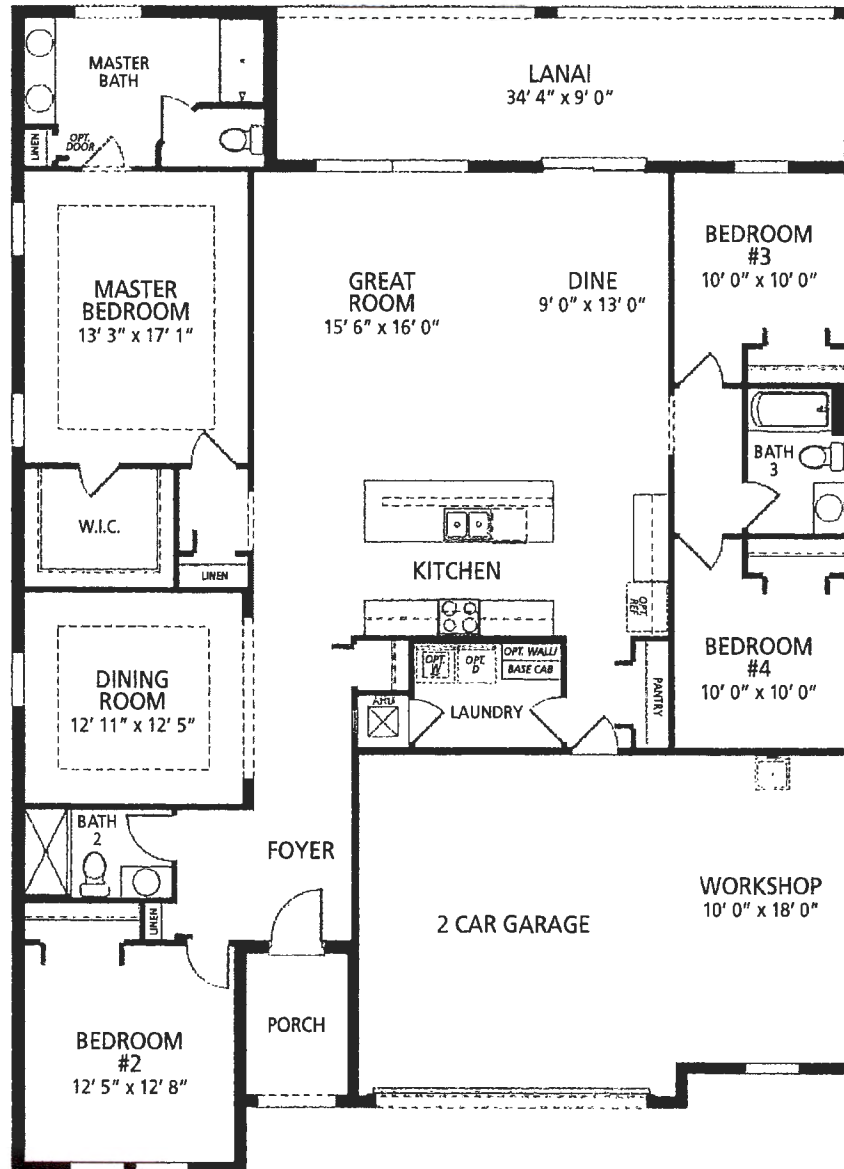
HUNTINGTON
Elevation A
Americana Series



Optional Stone

DREAM. BUILD. *Live.*

FIRST FLOOR



- 4-5 Bedrooms
- 2-3 Car Garage
- 3 Bathrooms
- 2,286 Finished Sq. Ft.

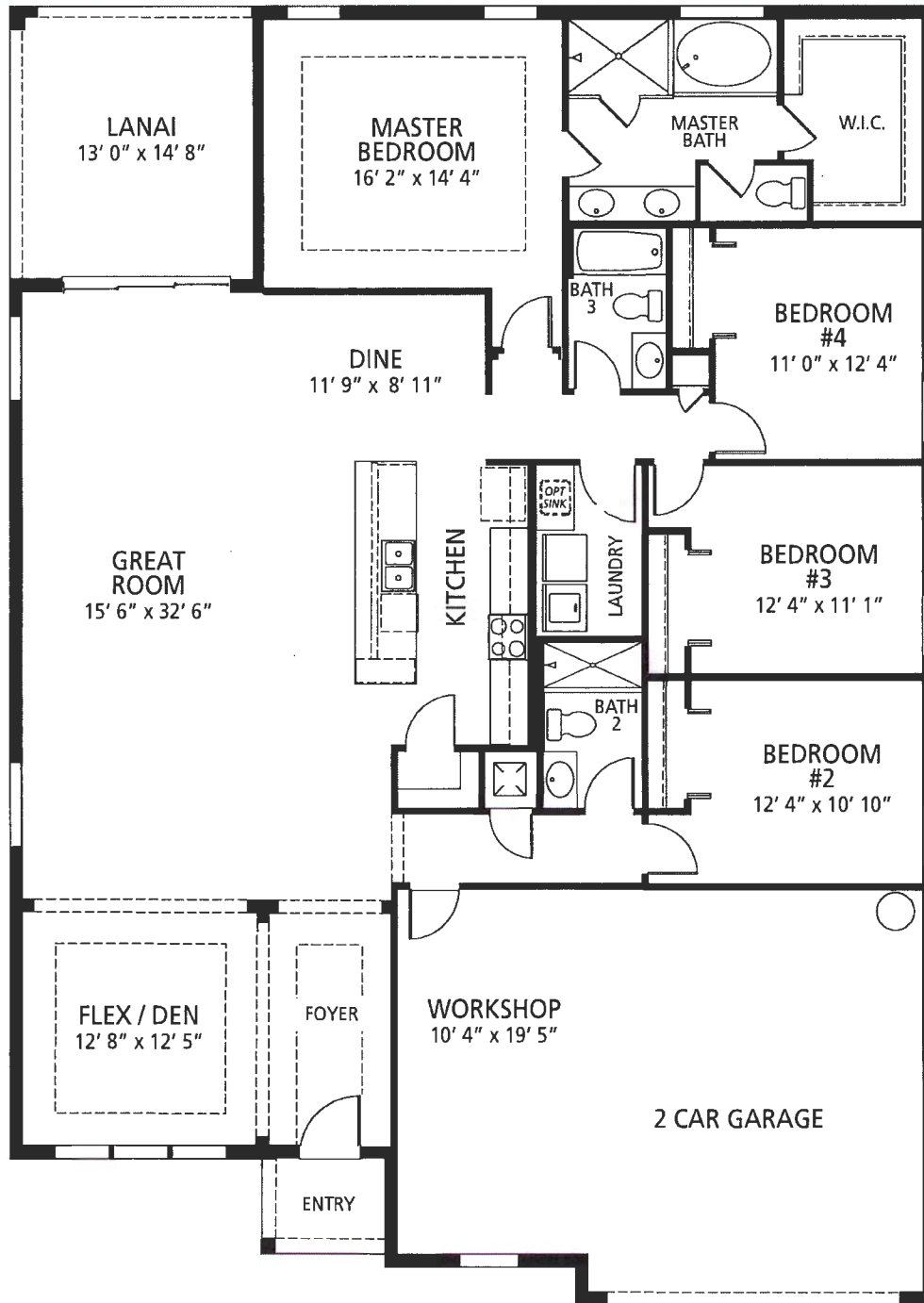




Elevation B



Elevation B with Stone Option



1st Floor Living:	2471 sq. ft.
Lanai:	191 sq. ft.
Garage Area:	629 sq. ft.
Covered Entry:	39 sq. ft.
Total Area	3330 sq. ft.





















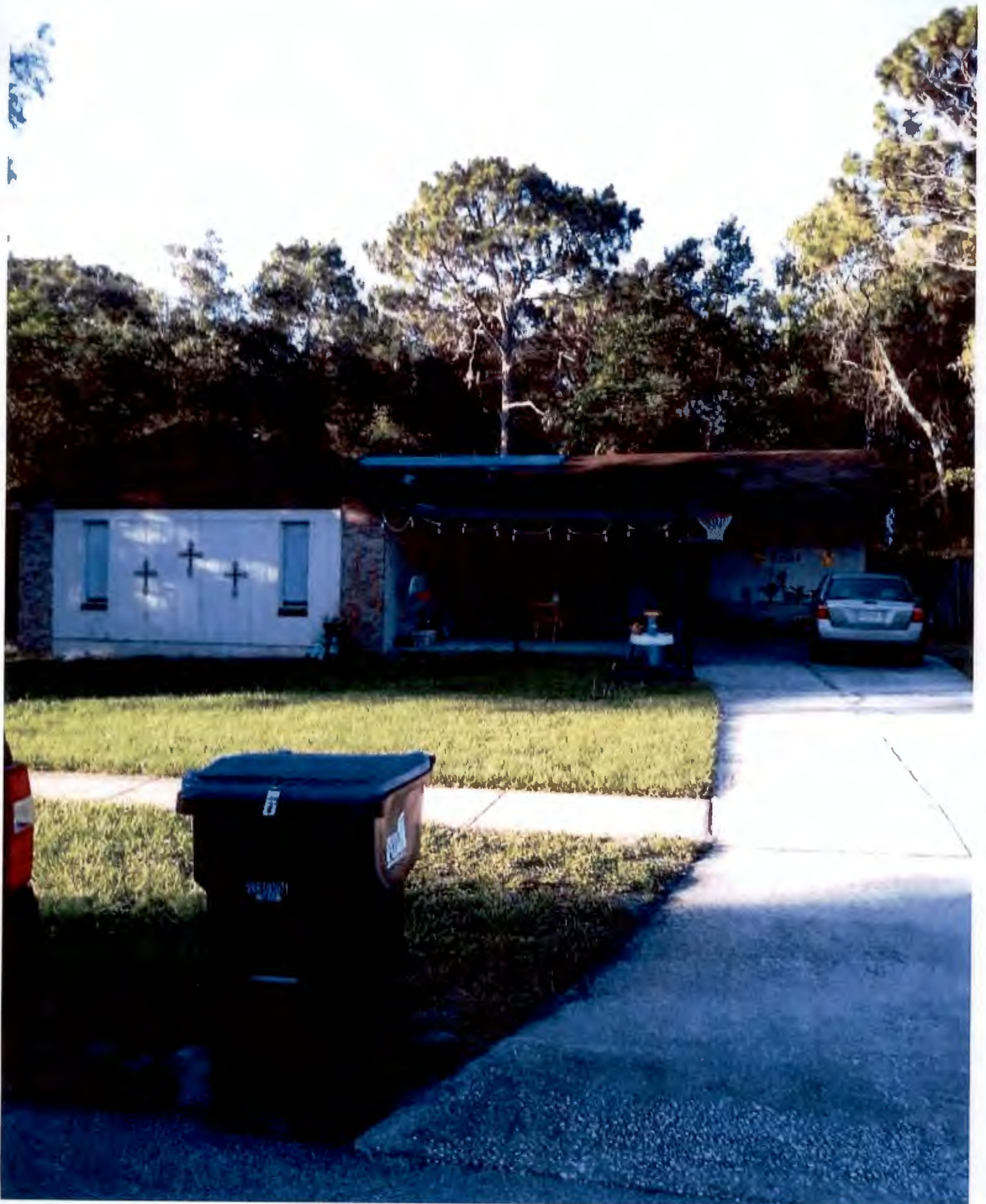


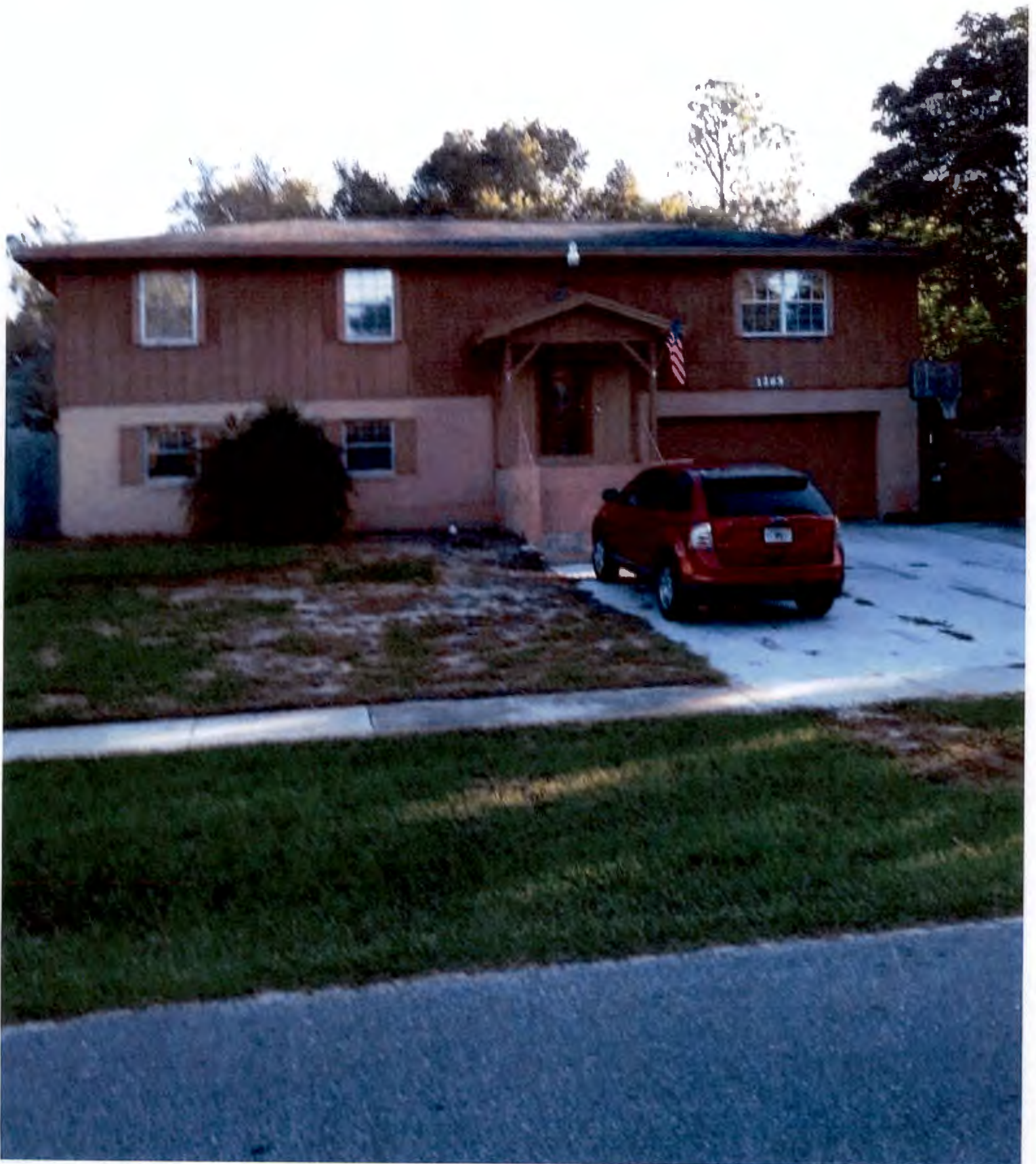




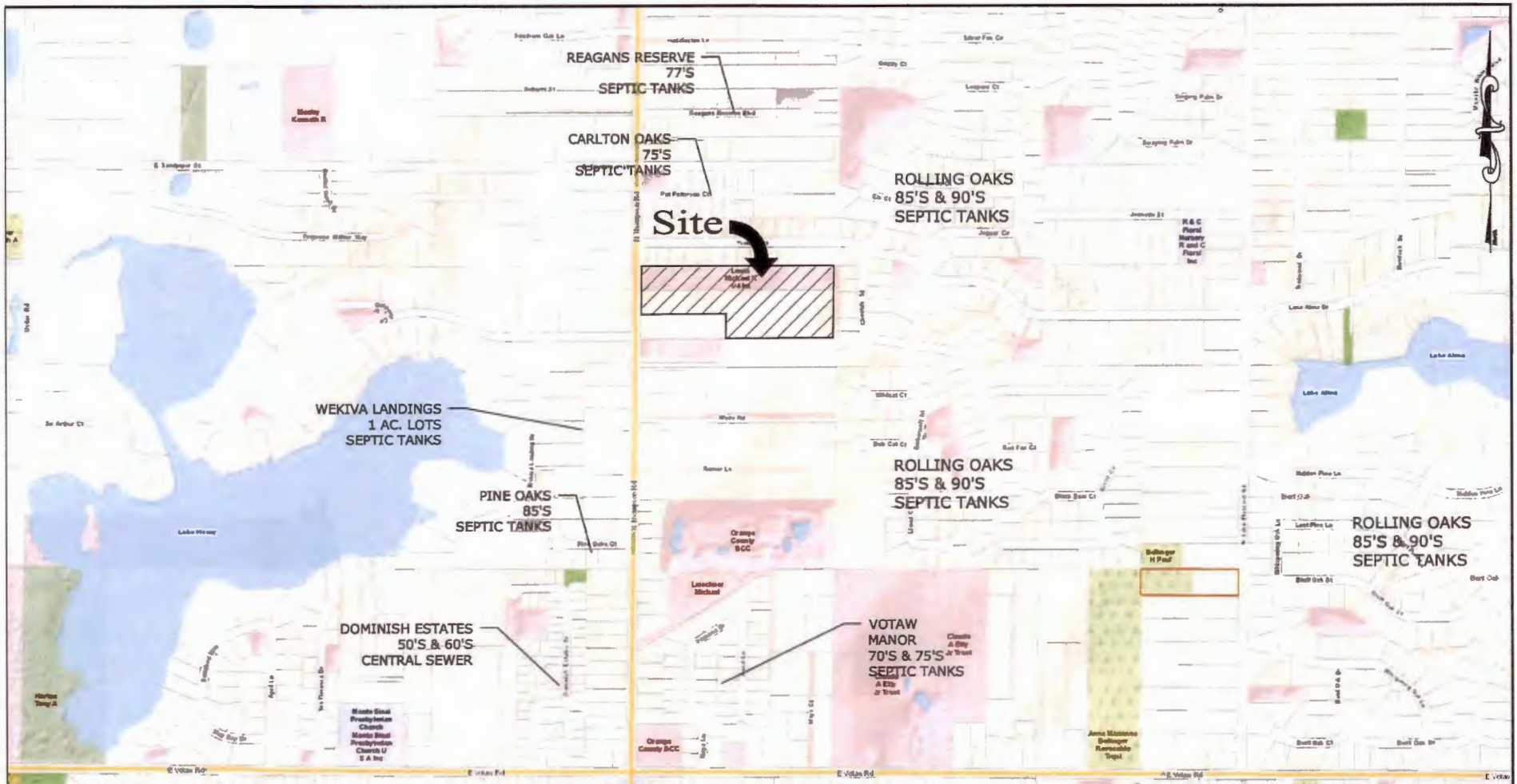












Project No. 19124	GLS
Client: Thompson	GLS
Date: April 2020	GLS
Drawn by: GLS	
Checked by: GLS	
SHEET NO. 1	
of 1	

0 SCALE 600'
1 in = 600 ft.

617 & 627 N. Thompson Rd.
Orange County, Florida
SFC.09, TOWNSHIP 21S, R. 28E

Adjacent Communities Map

G L SUMMITT ENGINEERING INC.
3647 Simonton Pl., Lake Mary, FL 32746
Ph. 407-323-0705, Fx. 407-992-8650

