



**Interoffice Memorandum**

DATE: May 15, 2020

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

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

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

SUBJECT: June 2, 2020 – Public Hearing  
William Burkett, Burkett Engineering, Inc.  
Summerchase Planned Development Substantial Change  
Case # CDR-19-12-432 / District 1

The Summerchase Planned Development (PD) is generally located south of Chase Road and east of County Road 535. The existing PD development program allows for 60,000 square feet of faith-based institutional and church uses.

Through this PD substantial change, the applicant is seeking to increase the building square footage of the faith-based institutional and church uses from 60,000 square feet to 150,000 square feet.

On April 22, 2020, the Development Review Committee recommended approval of the request, subject to conditions. A community meeting was held on March 11, 2020 at Sunset Park Elementary, which is summarized in the staff report.

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

**ACTION REQUESTED: Make a finding of consistency with the Comprehensive Plan (CP) and approve the substantial change to the Summerchase Planned Development / Land Use Plan (PD/LUP) dated "Received April 1, 2020", subject to the conditions listed under the DRC Recommendation in the Staff Report. District 1**

Attachments  
JVW/EPR/nsw

**CASE # CDR-19-12-432**

Commission District: # 1

**GENERAL INFORMATION**

**APPLICANT** William Burkett, Burkett Engineering, Inc.

**OWNER** Lifebridge Church of Orlando, Inc.

**PROJECT NAME** Summerchase Planned Development

**PARCEL ID NUMBER(S)** 25-23-27-2721-01-000

**TRACT SIZE** 23.22 gross acres

**LOCATION** Generally located south of Chase Road and east of County Road 535.

**REQUEST** A PD substantial change to increase the building square footage from 60,000 square feet to 150,000 square feet.

**PUBLIC NOTIFICATION** A notification area extending beyond eight hundred (800) feet was used for this application [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Four hundred eighty (480) notices were mailed to those property owners in the notification buffer area. A community meeting was held on March 11, 2020 at Sunset Park Elementary School, which is summarized in this report below.

**IMPACT ANALYSIS**

**Special Information**

The Summerchase PD was originally approved as the Frog Hole Property PD on December 5, 2006. Today, the PD consists of entitlements for 60,000 square feet of faith-based institutional and church uses. Through this PD Change Determination Request (CDR), the applicant is seeking to increase the entitlements from 60,000 square feet to 150,000 square feet. No additional uses are being requested.

**Land Use Compatibility**

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

**Comprehensive Plan (CP) Consistency**

The subject property has an underlying Future Land Use Map (FLUM) designation of Village (V). The Summerchase PD was approved as the Frog Hole Property PD in 2006 and includes faith-based institutional and church uses. The proposed PD substantial change is consistent with this designation and all applicable CP provisions; therefore, the request is consistent with the Comprehensive Plan.

**Overlay Ordinance**

The subject property is not located within an Overlay District.

**Rural Settlement**

The subject property is not located within a Rural Settlement.

**Joint Planning Area (JPA)**

The subject property is not located within a JPA.

**Environmental**

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

**Transportation Concurrency**

An APF Agreement between Orange County and Frog Hole Land Co. was approved by the BCC on December 5, 2006 and recorded at OR Bk/Pg 9012/3996. In lieu of conveying the required 3.69 acres of public facilities lands to the County, the owner shall purchase 3.69 APF Credits from the County, at a value of \$33,924.14 per APF Credit. To date the APF deficit has been paid in full.

Based on the Concurrency Management System dated January 22, 2020, there are several failing roadway segments within the project's impact area. A traffic study will be required prior to obtaining building permit

**Community Meeting Summary**

A community meeting was held on March 11, 2020 at Sunset Park Elementary School. Fourteen residents were in attendance and expressed concerns related to traffic, parking, noise, density, height, lighting, uses, operation during school hours, increasing church membership, and the location of the expansion on the site.

**Schools**

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

**Parks and Recreation**

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

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

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

**ACTION REQUESTED**

**Development Review Committee (DRC) Recommendation – (April 22, 2020)**

**Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the Summerchase Planned Development / Land Use Plan (PD/LUP), dated "April 1, 2020", subject to the following conditions:**

1. Development shall conform to the Summerchase PD Land Use Plan (LUP) dated "Received April 1, 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 April 1, 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.

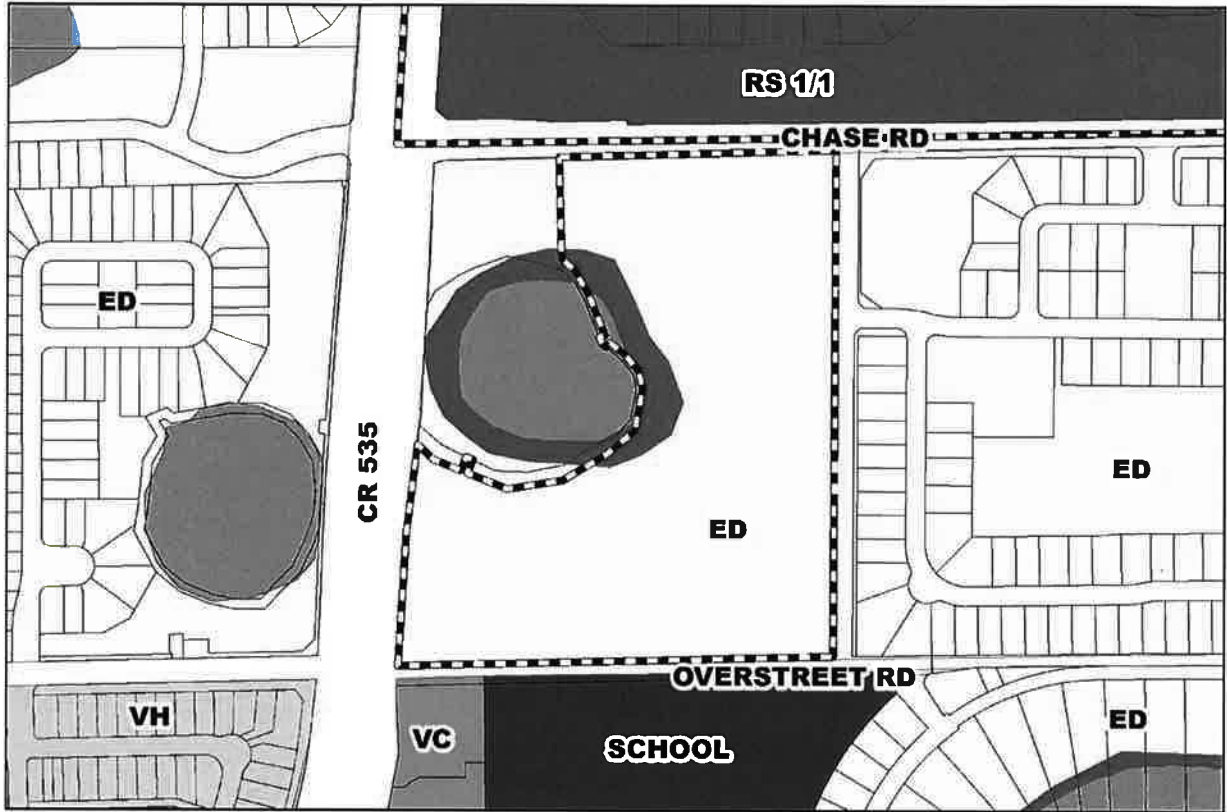
5. Property that is required to be dedicated or otherwise conveyed to Orange County (by plat or other means) shall be free and clear of all encumbrances, except as may be acceptable to County and consistent with the anticipated use. Owner / Developer shall provide, at no cost to County, any and all easements 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. 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.
7. The developer shall obtain water, wastewater, and reclaimed water service from Orange County Utilities subject to County rate resolutions and ordinances.
8. Prior to construction plan approval, hydraulic calculations shall be submitted to Orange County Utilities demonstrating that proposed and existing water, wastewater, and reclaimed water systems have been designed to support all development within the PD.
9. 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.
10. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated April 8, 2008 shall apply:
  - a. Outdoor storage and display shall be prohibited.
  - b. Billboards and pole signs shall be prohibited. Ground and fascia signs shall comply with Horizon West Standards.

- c. A waiver from Section 38-1385(a)(2) is granted to eliminate the requirement of a Special Exception to allow a church use on residentially zoned property.
- d. A waiver from Section 38-1385(b)(6) is granted to allow a maximum building height of 50 feet in lieu of 40 feet.
- e. The property will operate as a church only and any daycare or private school proposed will be deemed as a substantial change to the planned development and require a public hearing before the Board of County Commissioners.

**PREVIOUS BOARD OF COUNTY COMMISSIONERS ACTION** *(April 8, 2008)*

Upon a motion by Commissioner Jacobs, seconded by Commissioner Brummer, and carried by all present voting AYE by voice vote, the Board approved the request to amend the plan to change the use of this property from single-family residential to a 60,000 square feet church with a maximum building height of fifty (50) feet, pursuant to Orange County Code, Chapter 30, Section 38-1207.

CDR-19-12-432



Subject Property

West Windermere Rural Settlement



Subject Property

### Future Land Use Map

FLUM: Village (V)

APPLICANT: William Burkett, Burkett Engineering, Inc.

LOCATION: Generally located south of Chase Road and east of State Road 535.

TRACT SIZE: 23.22 gross acres

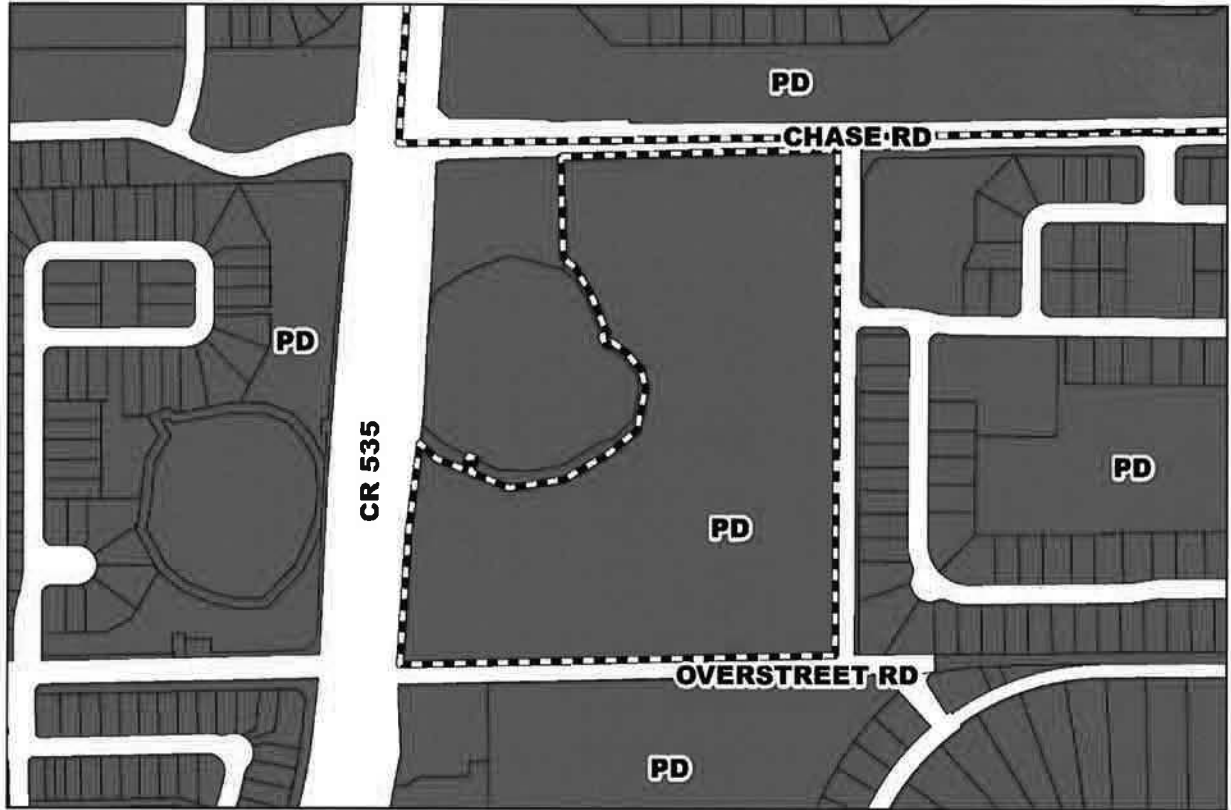
DISTRICT: # 1

S/T/R: 25/23/27

1 inch = 400 feet



CDR-19-12-432



Subject Property

West Windermere Rural Settlement



Subject Property

### Zoning Map

**ZONING:** PD (Planned Development District)  
**APPLICANT:** William Burkett, Burkett Engineering, Inc.  
**LOCATION:** Generally located south of Chase Road and east of State Road 535.  
**TRACT SIZE:** 23.22 gross acres  
**DISTRICT:** # 1  
**S/T/R:** 25/23/27

1 inch = 400 feet





Summerchase PD / LUP (Cover Sheet)

**SUMMERCHASE PLANNED  
DEVELOPMENT**  
(FKA FROG HOLE PROPERTY)

LAND USE PLAN CHANGE DETERMINATION  
FOR

LIFEBRIDGE CHURCH OF ORLANDO INC.  
(FKA HARVEST BIBLE CHAPEL OF ORLANDO)

AFFECTED PARCEL ID NUMBER:  
25-23-27-2721-01-000

**Burkett** | CIVIL ENGINEERING  
engineering | CONSULTANTS  
105 E. Robinson Street, Suite 501, Orlando, Florida 32801  
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www.burkettengineering.com

CASE NUMBER:  
CDR-19-12-432

Orange County, Florida  
December 2019



**SHEET INDEX**

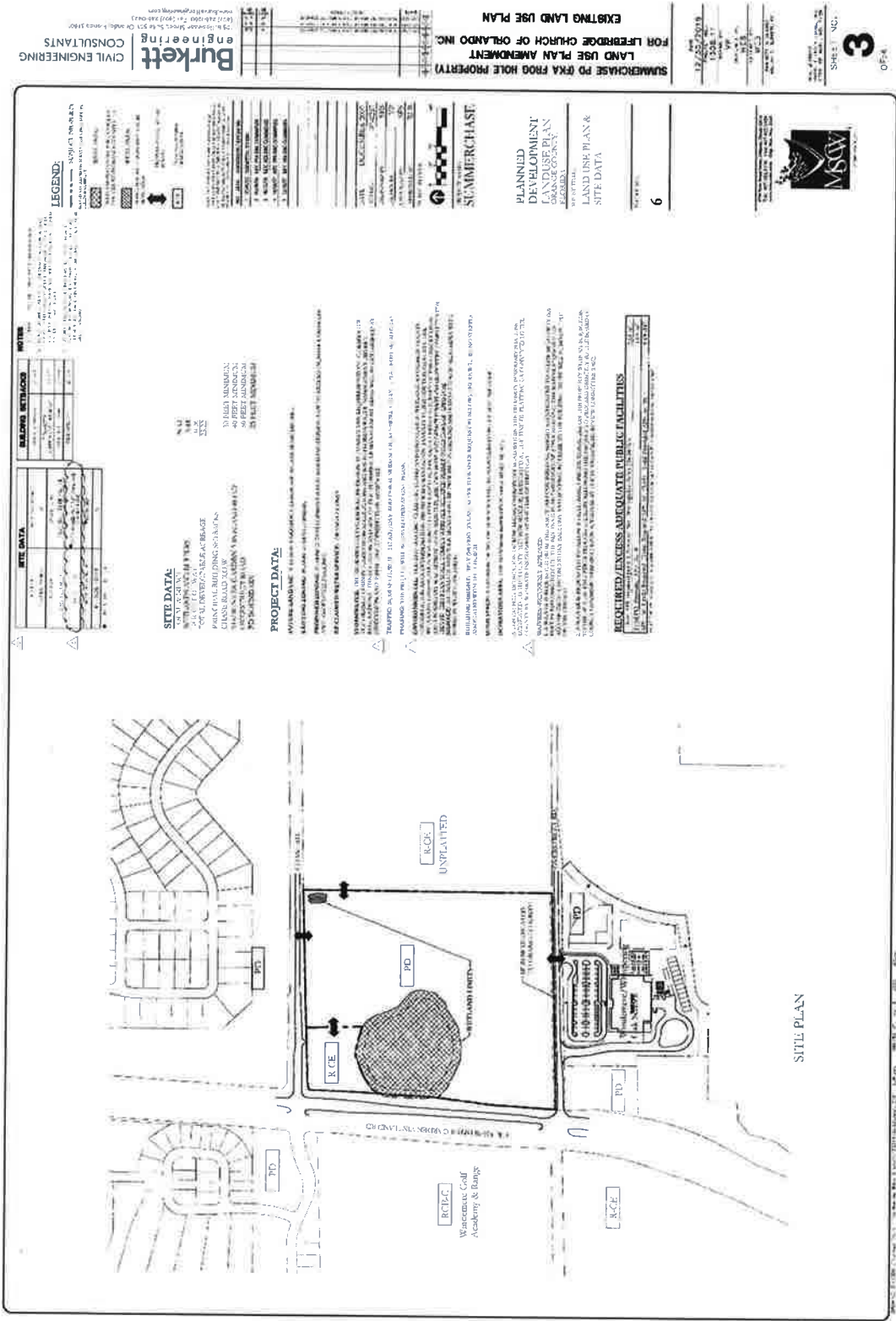
1. COVER SHEET
2. SYMBOLS AND ABBREVIATIONS
3. EXISTING LAND USE PLAN
4. SITE DATA FOR REFERENCE ONLY

LOCATION MAP  
17170 CHASE ROAD  
WINDERMERE, FL 34786



RECEIVED  
By DRC Office on 4/23/20 at 4:14:30 PM

# Summerchase PD / LUP



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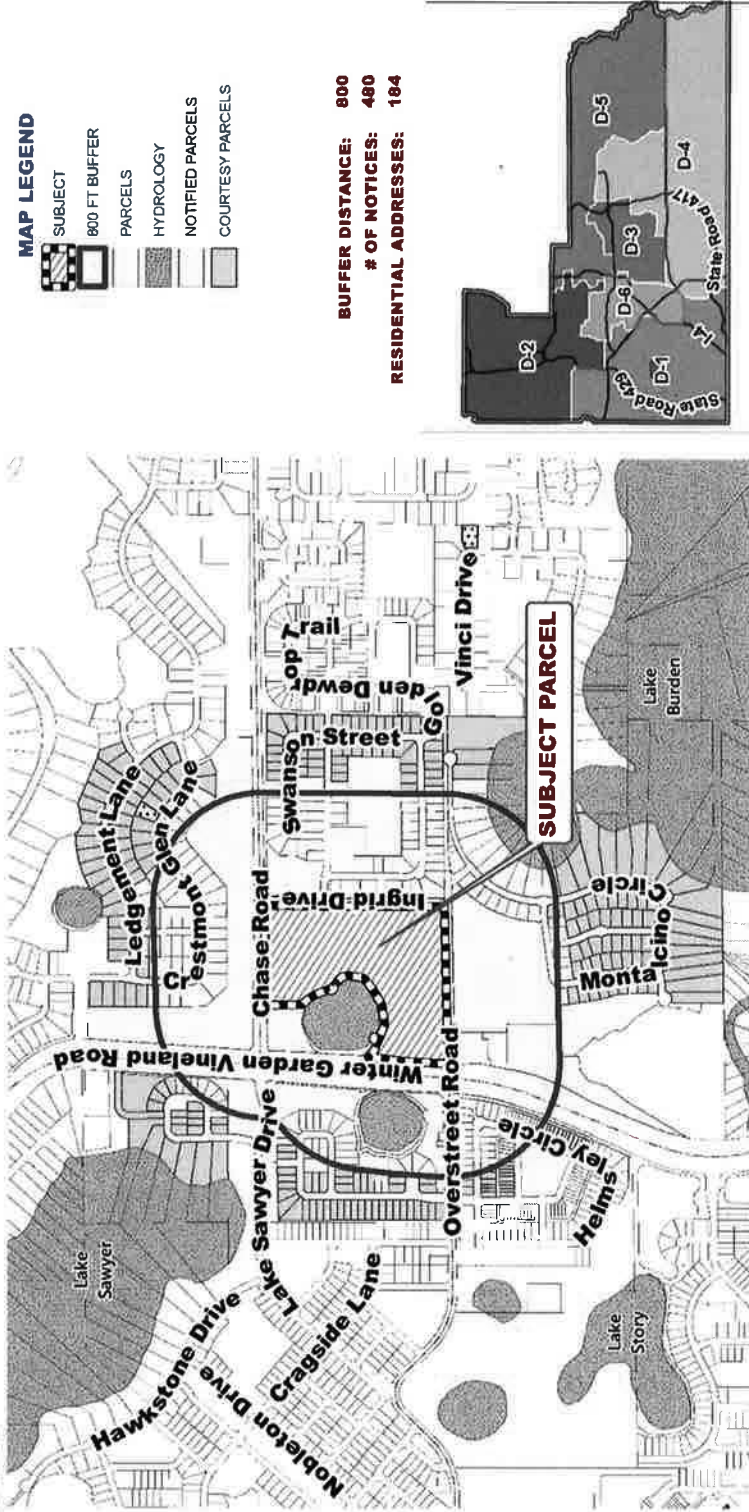
**3**  
 SHEET NO.  
 OF 4

# Notification Map

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## Public Notification Map

CDR-19-12-432



**MAP LEGEND**

- SUBJECT
- 800 FT BUFFER
- PARCELS
- HYDROLOGY
- NOTIFIED PARCELS
- COURTESY PARCELS

**BUFFER DISTANCE: 800**  
**# OF NOTICES: 480**  
**RESIDENTIAL ADDRESSES: 184**

