



Interoffice Memorandum

DATE: December 14, 2021

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

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

THROUGH: Alberto A. Vargas, MArch., Manager, Planning Division

SUBJECT: Adoption Public Hearing – December 14, 2021 Small-Scale Future Land Use Map Amendment and Concurrent Rezoning Request

Please find the attached staff reports and associated back-up materials for the **Small-Scale Future Land Use Map Amendment** scheduled for a BCC adoption public hearing on December 14, 2021. The adoption public hearing for Small-Scale Development Amendment SS-21-04-013 (and concurrent rezoning RZ-21-04-014) was conducted before the Planning and Zoning Commission (PZC) / Local Planning Agency (LPA) on October 21, 2021.

If the BCC adopts the proposed amendments, the Small-Scale Development Amendments will become effective 31 days after the public hearing, provided no challenges are brought forth for this amendment.

Any questions concerning this document should be directed to Alberto A. Vargas, MArch, Manager, Planning Division, at 407-836-5802 or Alberto.Vargas@ocfl.net, or Jason Sorensen, AICP, Chief Planner, Current Planning Section, at 407-836-5602 or Jason.Sorensen@ocfl.net.

ACTION REQUESTED: Make a finding of consistency with the Comprehensive Plan (CP) and adopt the Future Land Use Map Amendment request and approve the Rezoning request subject to the restrictions listed under the PZC Recommendation in the Staff Report. District 3

JVW/AAV/jhs

Enc: Small-Scale Development Amendment BCC Adoption Binder
c: Christopher R. Testerman, AICP, Deputy County Administrator
Joel Prinsell, Deputy County Attorney
Whitney Evers, Assistant County Attorney

Roberta Alfonso, Assistant County Attorney
Jason Sorensen, AICP, Chief Planner, Planning Division
Olan D. Hill, AICP, Assistant Manager, Planning Division
Eric P. Raasch, AICP, Planning Administrator, Planning Division

CASE # SS-21-04-013
RZ-21-04-014

Commission District: #3

GENERAL INFORMATION

APPLICANT	Terry Hatfield; Hotelmax
OWNERS	OBT Property Holdings, LLC
HEARING TYPE	Planning and Zoning Commission / Local Planning Agency
FLUM REQUEST	Commercial (C) to Medium-High Density Residential (MHDR)
ZONING REQUEST	C-1 Restricted (Retail Commercial District) to R-3 Restricted (Multiple-Family Residential District)
LOCATION	4855 S. Orange Blossom Trail; generally located on the east side of S. Orange Blossom Trail, 1,150 feet south of Holden Avenue.
PARCEL ID NUMBER	15-23-29-0000-00-056
TRACT SIZE	3.21 gross acres
PUBLIC NOTIFICATION	The notification area for this public hearing was 700 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. One hundred eighty-two (182) notices were mailed to those property owners in the mailing area.
COMMUNITY MEETING	A virtual community meeting was held on July 19, 2021 and an in-person community meeting was at Palmetto Elementary School on August 25, 2021 and is summarized in this report.
PROPOSED USE	The applicant is proposing to reconfigure the existing structure into 105 multi-family units.

STAFF RECOMMENDATION

PLANNING

Future Land Use Map Amendment

Make a finding of consistency with the Comprehensive Plan and recommend ADOPTION of the requested Medium-High Density Residential (MHDR) Future Land Use.

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 checked="" type="checkbox"/>	<input type="checkbox"/>	Orange Blossom Trail Overlay District
Airport Noise Zone	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Code Enforcement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Comprehensive Plan (CP) Consistency

As mentioned previously, the underlying CP Future Land Use Map (FLUM) designation of the subject property is Commercial (C), which is consistent with the C-1 Restricted (Retail Commercial District Restricted) zoning. Additionally, the proposed R-3 Restricted (Multiple Family Dwelling District) zoning is consistent with the proposed Medium-High Density Residential (MHDR) FLUM designation. The proposed request is consistent with the following Comprehensive Plan provisions:

FLU1.4.2 states that Orange County shall ensure that land use changes are compatible with and serve existing neighborhoods.

FLU1.1.5 states that the County shall encourage mixed-use development, infill development and transit oriented development to promote compact urban form and efficiently use land and infrastructure in the Urban Service Area.

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

FLU8.1.1 states that the zoning and future land use correlation shall be used to determine consistency with the Future Land Use Map. Land use compatibility, the location, availability and capacity of services and facilities, market demand, and environmental features shall also be used in determining which specific zoning district is most appropriate. Density is restricted to the maximum and minimum allowed by the Future Land Use Map designation regardless of zoning.

OBJ FLU8.2 states that compatibility will continue to be the fundamental consideration in all land use and zoning decisions.

FLU8.2.1 states that land use changes shall be required to be compatible with existing development and development trend 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.

Min. Living Area:	1,000 sf	(one unit)
	500/1,000 sf	(two unit)
	500 SF	(three or more)
Min. Lot Width:	45 ft	(one unit)
	80/90 ft	(two unit)
	85 ft	(three or more)
Max. Height:	35 ft	

Building Setbacks

Front:	20 ft	
Rear:	20 ft	(one or two units)
	30 ft	(three or more)
Side:	5 ft	(one or two units)
	10 ft	(three or more)

Intent, Purpose, and Uses

A use shall be permitted in the R-3 district if the use is identified by the letter "P" in the use table set forth in section 38-77.

Specific uses shall be identified by the letter "P" in the use table set forth in Section 38-77 of the Orange County Code.

SPECIAL INFORMATION

Staff Comments

	Yes	No	Information
Environmental	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>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.</p> <p>Any miscellaneous garbage, hazardous waste, yard waste (including excess fertilizers, herbicides and pesticides), and construction or demolition debris shall be disposed of off-site according to the solid waste and hazardous waste regulations. Call the Orange County Solid Waste Hotline at 407-836-6601 for information.</p>
Transportation / Access	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The applicant is requesting to change ~3.21 net acres from Commercial to MHDR and rezone from C-1 to R-3 to retrofit hotel units into apartments.</p> <p>Analysis of the project trips from the currently approved under future land use versus the proposed</p>

Reclaimed water: There are no reclaimed water mains within the vicinity of this property. Reclaimed water is considered not available. Connection is not required.

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.

SS-21-04-013 & RZ-21-04-014

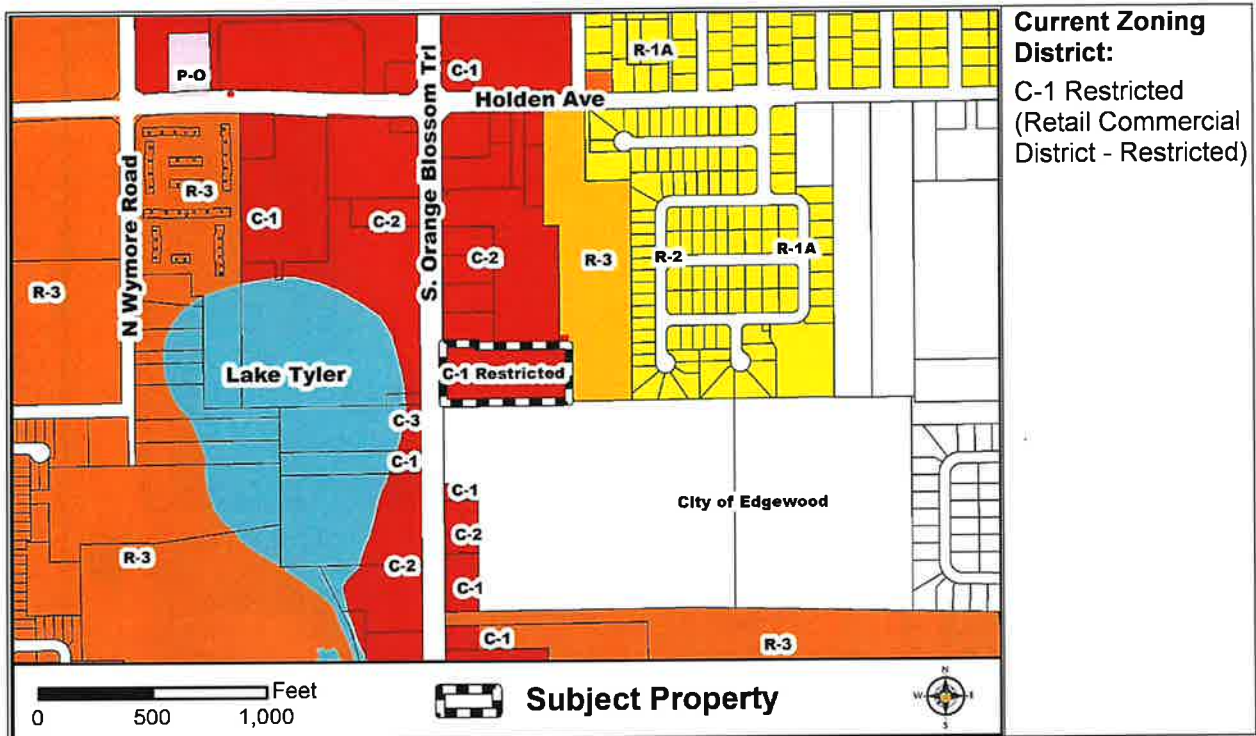


 Subject Property



1 inch = 400 feet

ZONING - CURRENT



ZONING - PROPOSED

